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HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 29, 1967

The House met at 11 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let not mercy and truth forsake thee; bind them about thy neck; write them upon the table of thine heart.—Proverbs 3: 3.

O God, our Father, the source of all that is good in life, once again we come to Thee: weak—seeking greater strength; tired—needing more rest; worried—desiring a deeper peace. We have sought satisfaction in the minor details of daily life that do not matter much and have left undone the major duties that matter most. Forgive us, our Father, and strengthen us by Thy spirit that the business of this day may be done with Thy cause in our hearts.

Awaken within us the spirit of friendliness and kindliness and good cheer. Keep us from allowing disagreements to make us disagreeable and from permitting differences in us to make differences between us. Kindle in our hearts and in the hearts of all people the spirit of good will. Let tolerance and understanding and compassion rule our spirits and possess our souls.

Send us out into this day to do our work with all our might and at eventide may this world be a better place because we have lived and worked and prayed.

In the spirit of Christ, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 1516. An act for the relief of Giuseppe Tocco;

H.R. 1703. An act for the relief of Angiolina Condello;

H.R. 1763. An act for the relief of Dr. Raul E. Bertrán;

H.R. 1764. An act for the relief of Dr. Ernesto M. Campello;

H.R. 1765. An act for the relief of Dr. Ubaldo Gregorio Catasús-Rodríguez;

H.R. 3523. An act for the relief of Chang-You Wu, doctor of medicine.

H.R. 4930. An act for the relief of Mr. Robert A. Owen; and

H. Con. Res. 393. Concurrent resolution that the two Houses shall adjourn on Thursday, June 29, 1967, until 12 o'clock noon on Monday, July 10, 1967.

The message also announced that the Senate had passed with amendment in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 394. Concurrent resolution authorizing the Speaker of the House of Representatives and the President of the Senate to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7501) entitled "An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1968, and for other purposes."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1028. An act to amend title 5, United States Code, to extend certain benefits to former employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes; and

S. 1862. An act to amend the authorizing legislation of the Small Business Administration, and for other purposes.

AUTHORIZATION FOR SPEAKER OF HOUSE AND PRESIDENT OF SENATE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS FOUND TRULY ENROLLED

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the concurrent resolution (H. Con. Res. 394), authorization for the Speaker of the House and the President of the Senate to sign enrolled bills and joint resolutions found truly enrolled, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the concurrent resolution.

The Clerk read the Senate amendment, as follows:

On page 1, line 4, after "President" insert: ", President pro tempore, or the Acting President pro tempore".

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PERMISSION FOR SUBCOMMITTEE ON GENERAL EDUCATION OF THE COMMITTEE ON EDUCATION AND LABOR TO SIT TODAY DURING GENERAL DEBATE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on General Education of the Committee on Education and Labor may sit while the House is in session today during general debate.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TO AMEND THE OLDER AMERICANS ACT OF 1965 SO AS TO EXTEND ITS PROVISIONS

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 10730) to amend the Older Americans Act of 1965 so as to extend its provisions, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 4, after "1968," insert "$16,000,000 for the fiscal year ending June 30, 1969,".

Page 2, line 5, strike out "1969," and insert "1970,".

Page 2, line 5, strike out "three" and insert "two".

Page 2, line 13, strike out " "15" and insert " "10".

Page 2, line 25, after "1968," insert "$10,000,000 for the fiscal year ending June 30, 1969,".

Page 3, line 1, strike out "1969," and insert "1970,".

Page 3, line 1, strike out "three" and insert "two".

Page 4, after line 15, insert:

"(g) The first sentence of section 302(b) of the Older Americans Act of 1965 (42 U.S.C. 3022(b)) is amended by striking out "shall be available for reallotment" and inserting in lieu thereof "shall be reallotted"."

Page 4, after line 15, insert:

"STUDY OF NEED FOR TRAINED PERSONNEL

"SEC. 6. Title V of the Older Americans Act of 1965 (42 U.S.C., ch. 35, subch. V) is amended by adding at the end thereof the following new section:

" 'STUDY OF NEED FOR TRAINED PERSONNEL

" 'SEC. 503. (a) The Secretary is authorized to undertake, directly or by grant or contract, a study and evaluation of the immediate and foreseeable need for trained personnel to carry out programs related to the objectives of this Act, and of the availability and adequacy of the educational and training resources for persons preparing to work in such programs. On or before March 31, 1968, he shall make a report to the President and to the Congress, of his findings and recommendations resulting from such study, including whatever specific proposals, including legislative proposals, he deems will assist in insuring that the need for such trained specialists will be met.

"'(b) In carrying out this section the Secretary shall consult with the Advisory Committee on Older Americans, the President's Council on Aging, appropriate Federal agencies, State and local officials, and such other public or nonprofit private agencies, organizations, or institutions as he deems appropriate to insure that his proposals under subsection (a) reflect national requirements.'"

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am happy that the House has passed unanimously the Older Americans Act Amendments of 1967, as further amended by the Senate. I believe that in the main the changes adopted by the other body will strengthen the intent and the administration of this legislation, and the 1967 amendments as a whole represent a continuity of progress for our senior citizens who, in many cases, have yet to make their most valuable contributions to the community and to the Nation. The Older Americans Act, and the Administration on Aging established thereunder, can help to see that they are given that opportunity.

RAPID MOBILIZATION OF RESERVISTS A KEY FACTOR IN ISRAEL VICTORY

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, little has been said about the fact that the Israel Army, which enjoyed such pheonomenal success against the Arabs, is very largely made up of reserves. This attests further to the significance of the Israel victory, but it points up a possible serious weakness in the organization and training of the Reserve components in the United States. Israel was able to call out 120,000 reserves and have them ready for battle in days; an equivalent picture in this country would be for the United States to more than double its effective active duty forces inside of 2 weeks.

The Israel military reserve and mobilization system is a model of efficiency. Some of the best units were combat ready only 12 hours after the callup. All units were ready within 48 hours. This reserve mobilization system gives Israel a highly responsive striking force without imposing on her the burden of a large regular army. Obviously the United States has no comparable efficiency in its Reserve components. The blame for this cannot be laid at the door of the Reserves. For most of them, the Pentagon has provided no counterpart of the vigorous training program conducted by the Israelis or the immediate availability of modern combat equipment.

In this connection, I submit, for reprinting in the RECORD, an interesting commentary from the pen of Charles Mohr in the New York Times of June 13:

RAPID MOBILIZATION OF RESERVISTS A KEY FACTOR IN ISRAELI VICTORY

(By Charles Mohr)

BANIYAS, SYRIA, June 12.—The Israeli Army is a highly professional striking force but it is composed overwhelmingly of amateurs.

Israel's military reserve and mobilization system, a model of efficiency, constituted one of the major factors in the quick victory achieved against the Arabs.

The army that destroyed six Egyptian divisions in the desert, conquered Jerusalem and dislodged the Syrian Army from fortified hill positions did not exist physically four weeks ago. It existed in the card indexes of the offices of reserve units in every Israeli town and city. Some of the best units were combat-ready only twelve hours after commandeered taxis began delivering call-up notices to Israeli homes, mostly on the evening of May 20. Even "sloppy" units were ready within 48 hours.

It is this reserve-mobilization system that gives Israel a highly responsive striking force without imposing on her the burden of supporting a large regular army. It is a volunteer army in a real sense. During the present crisis some reserve units had a 108 per cent response to the call-up as over-age and discharged reservists tried to get back into combat units.

There were almost no evasions of the call-up orders. "Next to Nasser," said a lieutenant colonel, "our biggest obstacle to success was people arguing with us and trying to get in the action."

LIFE ENDS AT 45

"I don't know about other countries," said another officer, "but in Israel the male climacteric comes at 45 when you must leave the active reserves. We say life ends at 45."

For the ingenious, however, there are ways to see action after 45 and they were eagerly taken advantage of. Part of the Israeli war plan is to mobilize a large number of civilian vehicles. The owners of such vehicles have the right to volunteer to drive them even if over-age, and most owners did so almost joyously.

There is universal conscription for both boys and girls, the former serving 30 months and the latter 20 months, usually at about age 18.

These conscripts spend their entire active service in training because the Israeli staff believes that only a superbly trained army can protect the country. No time is wasted on garrison duty or in occupying static defense posts. Normally a special border police force guards the nation's frontiers.

REGULAR FORCE IS SMALL

Thus the conscripts in service are not really a part of the "regular" army, although the description is usually applied to them. The true regulars consist only of a small group of officers of the rank of captain and above and senior noncommissioned officers—a nucleus around which the army is built at full mobilization.

After national service training men are assigned to reserve units and remain in them until age 45. Those reservists keep basic personnel equipment, such as fatigue uniforms, webbing boots, at home.

Like most democratic nations, Israel has a grumbler's army in peacetime, and a 90 per cent response to annual training call-ups is considered good.

"Every device of the human imagination is used to avoid the training call-ups," an officer said, "and although by law we are allowed to call men up for 30 days each year, political pressures mean that most men get less than a week's training each year, which is not enough.

"But when war comes, all this changes and the same men who have fought for exemptions fight to get back in."

The call-up notices are usually delivered at night or in the evening by taxi drivers and other messengers because, as one staff officer says, "They are at home then and that is when you catch your fish."

One Haifa civilian who fought his way to this Syrian town described it this way: "I came home from a drive with my wife and children and there it was—greetings!"

The summoned reservist makes his own way to the armory or storehouse of his unit, where he is issued weapons, ammunition and other equipment. None of this is as smooth or easy as it may sound for the small number of regulars who must maintain these stores in a state of readiness.

"Even the flashlight issued to a company commander must be filled with fresh batteries," said one regular.

Ideally, the plan is that every tank and jeep should be able to start at a touch of the ignition button. Fuel is regularly changed, batteries are checked and radiators are kept flushed.

The military system is built around a philosophy that is almost totally offensive and does not anticipate prolonged defense. Israel's military doctrine is essentially to attack, but first, to plan for the attack.

On the first day of the war, 25 Arab airfields were bombed and strafed, some repeatedly, within three hours. On the Syrian front, assault infantry units knew far in advance exactly how they would tackle Syria strongpoints.

Though discipline sometimes seems informal, that does not mean it is lax. Instant and determined response to combat orders is expected and officers who let an attack bog down may be removed almost immediately from command.

MEANING BEHIND SOVIET TALK OF WITHDRAWAL FROM TERRITORIES OCCUPIED BY FORCE

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, representatives of the Soviet Union in the General Assembly of the United Nations vehemently demanded the withdrawal of the armed forces of Israel from the Arab territory now occupied after the Middle East conflict.

As a matter of fact, Soviet Premier Kosygin himself declared at the U.N.:

> In the Twentieth Century no country has the right to expand borders by military action.

If one could believe in the sincerity of the Soviet declarations, which pretend to serve international peace, the Soviets should first withdraw the Red army from the territories they have occupied forcibly since 1939.

It is well known that the Soviets keep approximately 28 fully equipped divisions occupying countries that would rather be free of the Russian influence. It is also well known that Baltic nations and other countries have been incorporated into the Soviet Union and a number of once free European nations became the victims of Soviet expansion. The Soviet Union should withdraw from Estonia, Lithuania, Latvia, and parts of Rumania and Poland, which became victims of the Soviet expansion that has taken place in the 20th century.

Only if they do so, will their position on the Middle East be tenable.

SHOTGUN APPROACH TO NASA APPROPRIATIONS WILL COST THE TAXPAYERS PLENTY

Mr. KARTH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KARTH. Mr. Speaker, I take this time merely to inform the House of the results of the action it took yesterday so far as the motion to recommit is concerned on the bill, H.R. 10340, authorizing appropriations to the National Aeronautics and Space Administration.

Mr. Speaker, shotgun approaches to matters of this kind never have been good and I think probably the most glaring illustration of that is the action that was taken yesterday.

For example, in the launch vehicle procurement area which is one of the items that was included in the shotgun approach in the motion to recommit, $78.7 million was eliminated out of $150.7 million—all of which has been scheduled to launch the unmanned satellite system in this country in the years to come.

This could well mean that we will have hundreds of millions of dollars of unmanned satellites sitting on the ground waiting for a launch vehicle to put those satellites into orbit.

In addition, the only planetary program that this country has of any meaning and of any stature, is the Voyager program, which was again cut in the shotgun approach. This is the only area in which we are behind the Russians, in terms of effort, and in this regard we are substantially behind. The Soviets have been aggressive in this area and have launched at least four times as many satellites, for whatever value—and I think it is important to at least be aware of the fact that the Russians think that this is a very important area—for whatever value, they have launched at least four times as many satellites in this particular program area as has the United States. So I say again that those who voted for the motion to recommit ought to know full well the responsibilitiy they must assume.

I do not know how we can correct this in conference because of the narrow margin that exists between the House bill and the Senate bill. However, I am hopeful that something can be worked out so that this can be done and so that we can, if we do nothing else, save the taxpayers of this country several hundreds of millions of dollars that they have now invested in satellites. If the House position is receded to by the other body, it will mean that those satellites will sit on the ground waiting for a launch vehicle to launch them. It will mean the Soviets will further outdistance us, and badly so. It means this Nation's planetary program dies for the next 5 to 10 years.

Further, I am hopeful that the Appropriations Committee will note that several items cut in the shotgun recommittal motion, were individually debated on the floor and amendments thereto were badly defeated.

ISRAELI ATTACK ON U.S.S. "LIBERTY"

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. I can only conclude that the coordinated attack by aircraft and motor torpedo boats on the U.S.S. *Liberty* 15½ miles north of Sinai on June 8 which killed 34 officers and men of the Navy and wounded another 75 was deliberate.

I do not believe the attack was ordered at the highest command level of the Israeli military, but that it was ordered at a sufficiently high level to permit coordination of the Israel air and naval forces involved. This means that some officer or officers of relatively high rank must have acted on their own initiative. I have heard reports that similar breeches of military discipline at intermediate levels occurred during the previous Arab-Israeli war.

It is to be noted that an Israel court of inquiry has held an investigation, but its findings in this matter have not been released. The Israel Government has announced that a judicial inquiry is underway which may lead to court-martial proceedings against those responsible.

The fact that the U.S.S. *Liberty* was a Victory hull vessel, hundreds of which were produced and used by the U.S. Navy during World War II and since, rules out the possibility of mistaken identity. Every ship recognition book in the world has, for years, identified the characteristic Victory hull and superstructure of the U.S.S. *Liberty* as U.S. Navy property.

What those responsible for this outrage sought to gain can, at this point, be only a matter of speculation. It is possible that in hot headed excitement they believed the attack might involve both the United States and the U.S.S.R. in the conflict. It is possible that they believed a bald attack of this nature might keep these two superpowers out. It is possible that, heady with victory on the land, those responsible sought a means at sea to further demonstrate Israeli military might.

Whatever is the reason for the attack, it was an act of high piracy. Those responsible should be court-martialed on charges of murder, amongst other counts. The Israel Government should pay full reparations to the United States and indemnities to the families of the Americans killed.

THE NASA AUTHORIZATION BILL

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, yesterday the House in voting to reduce the line items of the NASA authorization, as contained in H.R. 10340, did not do what some people thought they did and did not do what the press in some ways reported this morning. I make this statement for the benefit of those who think they voted to reduce the authorization. I think they should review the matter, because this House did not vote to reduce the NASA authorization one penny beyond the $65 million reduction which the committee accepted. A request was made of the Congress for an authorization of $4,992,182,000.

The gentleman from Indiana [Mr. ROUDEBUSH] moved, and the committee accepted his amendment, to reduce this authorization in the overall by $65 million. This, in fact, reduced the overall authorization to $4,927,182,000. The gentleman from Pennsylvania [Mr. FULTON], in his motion to recommit, asked that individual line items be reduced to the extent of $136.4 million. They ignored the overall total of the authorization request as contained on page 1 of the bill.

So the net effect of the action yesterday was this: We have an authorization today, as passed by this House, for $4,927,182,000, which is $136.4 million in excess of the total of the line items as contained in the bill, which means this, that NASA now has an authorization which contains a contingency fund, or a slush fund, or whatever we want to call it, of $136.4 million that they can spend as they choose, if the Appropriations Committee appropriates the money as authorized.

Mr. KARTH. Mr. Speaker, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Minnesota.

Mr. KARTH. Mr. Speaker, is it not true, I would ask the gentleman in the well—and I congratulate him for his statement and concur completely with him—that it creates a $136 million slush fund, but it does cut very important line items which can put us in a straitjacket so that we cannot perform properly this space program?

Mr. WAGGONNER. In my opinion, it does. That is all I can express.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. WAGGONNER. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, the gentleman from Louisiana has pointed up the problem I mentioned on the floor yesterday. We in the Committee of the Whole and subsequently in the House were faced with a parliamentary situation which was precipitated by the action of the Committee on Science and Astronautics. It was a bad situation, but the House as a whole was not responsible for it.

The format of the bill was submitted to the Committee of the Whole and to the House by the Committee on Science and Astronautics. All we could do, after the first amendment was approved, was to operate on line items. We were not responsible for the format of the bill which did straitjacket the whole membership.

There is no slush fund in the authorization bill. Sure, there is an extra $134.6 million in the overall total, but I suspect that the Committee on Appropriations will take that into account and make the necessary decisions so the appropriations will conform to the line items and not to the overall amount.

Mr. WAGGONNER. The gentleman may be right about that. The Appropriations Committee may do this. The point I make is this: This House did not vote to cut the overall authorization.

ACTION TAKEN BY JOINT COMMITTEE ON ATOMIC ENERGY TO CORRECT FORMAT OF BILL

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, I ask for this time to comment on the problem which the distinguished minority leader raised yesterday. We had, in this AEC authorization bill, accustomed to the procedure of previous years, this same parliamentary problem. During this interim period we consulted with the parliamentarian and lawyers, and we have an amendment which will be offered, which will correct the situation, as soon as the proper time comes.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I compliment the gentleman from California and the Joint Committee for appreciating the difficulties that a bill in that format presents the House as a whole. I thank the committee for taking the proper action so that we will not be straitjacketed in the House and so that our conferees will not be straitjacketed in conference.

Mr. HOLIFIELD. Exactly. The gentleman has rendered a service to the House in pointing out a longstanding potential problem in the language in bills. Our committee was very happy to make this adjustment, because, as the gentleman has said, it not only protects the rights of the Members of the House, but also protects the conferees when they go into conference with the other body.

I appreciate the gentleman calling this to our attention, and on both sides we are most happy to prepare to meet this problem.

ATTACK ON THE U.S.S. "LIBERTY"

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, I did not hear all of the speech of the gentleman from California [Mr. HOSMER] but of what I did hear I wish to approve and be associated with.

The *Liberty* ship incident—and indeed it was more than an incident—has been treated entirely too lightly by this Government. To say the least, too little has been said about it. This useless, unnecessary and inexcusable attack took the lives of 34 American boys, wounded 75 others, and left many others in a state of horrified shock, to say nothing of what it did to a flag-flying vessel of the U.S. Navy. How could this be treated so lightly in this the greatest Capitol in all the world?

I have heard Members of this House, and many, many others, say that if this had been done by others, the leaders of our Government would have moved in with sternness and appropriate demands or even retaliatory action.

I do not have any feeling against those, as individuals or as a people, who were responsible for this assault, destruction, and death. But according to the report which appeared in the papers this morning it was, as I had felt all along, positively unnecessary, unjustified, and inexcusable. Therefore, regardless of who is responsible—friendly or unfriendly—when American sons are unnecessarily killed by unprovoked military attack, even in a case of mistaken identity, Uncle Sam as a rule demands to know "Why?" And ordinarily we do not stop with just a demand.

There are many Members in this House who have sons in our National Defense Establishment. There are thousands of others all over this land who have sons and daughters in such. They are spread to the four corners of this earth, and their objective is to promote and maintain peace in the world, and everybody knows it. There is no doubt about that. These men at all times are entitled to the strong backing of every citizen of this land of every race and every creed. They are entitled to and should have the strong arm, as well as the strong voice of their Government and their people behind them. But who has spoken out in their behalf from this land since some of their number were so suddenly shot down and others so severely wounded on the *Liberty* ship?

The *Liberty* ship was 15½ miles offshore, more than 12 miles beyond that which we recognize as territorial waters. It was more than 3½ miles beyond that recognized by Egypt as territorial water, and it was 9½ miles beyond the territorial waters claimed by Israel.

Before the attack, the Pentagon said unidentified planes flew in and about the ship. Undoubtedly these were the planes of the subsequent attackers. The ship was well marked, so said the Pentagon. Its name was painted on its stern. U.S. letters and numbers were on its bow. The day was clear. And it was distinctly flying the flag that you and I stood here and so praised and respected just a few days ago on Flag Day. But what respect have we shown for it since it was so recklessly shot down by the Israel attackers?

What complaint have we registered? What has Washington said? To tell you the truth, this great Capital as well as this great Government—if it can still be called great—was and is as quiet as the tomb regarding this horrible event.

The Pentagon has just concluded and made public a report on this incident. According to reports in the news media this morning, the Pentagon said the attackers "had ample opportunity" to identify the ship before that which it described as the "unprovoked" attack. The Pentagon stressed that the *Liberty* was clearly marked, that it was in international waters, that it had a right to be where it was, and that the attack was incessant, heavy and hard; that the attack came from both planes and torpedo boats, designed not simply to knock out but to destroy the ship and its men.

With due respect for the top leaders of our Government—the White House, the State Department, and the Congress—it is not enough, Mr. Speaker, to allow this matter to drop with a simple statement of regret from those responsible for the attack, no matter how sincere the statement may be. It is not enough to let it drop with a simple statement that the attackers just happened to make a mistake. This is too serious a matter to accept a simple "Excuse us, please" sort of statement. There must be more than this to assure our men, our people, and our Nation that another nation must not make such unprovoked and vicious attacks upon us.

Indeed, there must be more than expressions of sorrow and regret. As the gentleman from California has suggested there must be restitution, payment of damages, appropriate apologies, and appropriate assurances that such will not happen again. There must be the kind of action that will guarantee the respect of all nations for our ships, our flag and our country. There must be respect for the brave men of our great Navy.

I repeat, Mr. Speaker, it is up to the top level of this Government to speak out on this matter and to make appropriate demands. If this is not forthcoming, then, Mr. Speaker, what do you suppose will be the thoughts of the men of our Navy and of our Armed Forces as they are directed to trouble spots around this globe on missions of peace? We do not have to be little about this matter.

Nor do we have to be mean. Firmness is the word. Firmness. And we had better hurry before it is too late. And we had better hurry with it before we are classified as a second-rate nation. The world has been standing by looking at us now for days since the *Liberty* was pounced upon. What do we do? What do we say?

The people of America, the fathers and loved ones of those brave Navy men of the *Liberty* are waiting and listening. What is Washington going to say or do?

AUTHORIZING APPROPRIATIONS FOR THE ATOMIC ENERGY COMMISSION FOR FISCAL YEAR 1968

Mr. HOLIFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10918) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from California.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10918, with Mr. Burke of Massachusetts in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. Holifield] will be recognized for 1 hour, and the gentleman from California [Mr. Hosmer] will be recognized for 1 hour.

The Chair recognizes the gentleman from California [Mr. Holifield].

Mr. HOLIFIELD. Mr. Chairman, I yield myself such time as I may consume.

I realize it is late in the week. I realize that many of our Members have reservations to go to their districts for the upcoming recess.

Therefore I will do my best to expedite the debate. I will not cut off anyone who has anything pertinent to say. However, if the Members of the House feel as I do about this matter, we will expedite the consideration of this bill for the convenience of the Members of the House. I have a 14-page analysis of the bill here which, under ordinary circumstances, I might be constrained to read in toto. However, the same information is in the report which is available to all of you. Therefore I will state the main purposes of the bill and ask unanimous consent to have the analysis of my remarks printed at this point in the Record. Then when the reading of the bill after general debate is called for, I will ask unanimous consent at that time that the bill be considered as read and open for amendment at all points.

I hope that the membership will cooperate in this way so we can expedite this matter since this is a noncontroversial bill. There may be one or two items that some Members of the House differ with us on, but the House section of the joint committee is unanimous in its reporting of the bill which you now have in front of you.

Mr. Chairman, the purpose of the bill H.R. 10918 is to authorize appropriations to the Atomic Energy Commission for fiscal year 1968. Pursuant to section 261 of the Atomic Energy Act of 1954, as amended, the joint committee has considered the proposed fiscal year 1968 authorization for all appropriations to the Atomic Energy Commission, including both operating and plant and capital equipment funds. Our hearings on this matter were held over a period of 7 weeks and consumed a total of 34 hours in public and executive sessions. In the course of our hearings, the committee considered the AEC's programs in considerable detail.

In general, this bill would authorize appropriations to the AEC in the total amount of $2,633,876,000 for "Operating expenses" and "Plant and capital equipment" for fiscal year 1968, including increases in prior years' authorization. This amount is about $4 million less than the AEC's authorization request to Congress, and about $374 million more than the AEC's fiscal year 1967 authorization.

Close to $200 million of this authorization increase is attributable to new weapons construction and operating requirements. The authorization for the overall reactor development program increases by $53.4 million. There are significant increases in prior year project authorizations—$81.5 million—primarily associated with a fast flux test facility and a meson physics facility. The balance of unobligated funds from prior years—which reduces the authorization request—is substantially less this year than last.

Section 101(a) of H.R. 10918 would authorize appropriations of $2,164,843,000 for "operating expenses" of the AEC. On page 3 of the report before you, you will find a breakdown of the Joint Committee's recommended authorization for AEC's major programs and subprograms. A more detailed discussion of each committee action will be found in the section of the report entitled "Committee Comments," beginning at page 8. If any Members have questions about any specific committee action, I will be happy to attempt to answer them.

Section 101(b) of the bill would authorize appropriations of $338,233,000 for "Plant and capital equipment." Again, I will be happy to respond to any specific questions on the "Plant and capital equipment" budget.

One of the more significant of the Joint Committee's actions under this section of the bill is a proposed increase of $15,000,000 over the amount—$700,500,000—requested by the Commission for its important nuclear weapons program. On the basis of information elicited in executive hearings, the committee believes that a more intensive development and testing program than would be possible with the amount of money requested by the AEC is required if development of new weapons systems and their entry into production are to occur at a pace consistent with the national security. It is toward this end that the committee has recommended this $15,000,000 increase in the weapons program.

In connection with the weapons program it should also be noted that this bill would authorize $180,250,000 in plant and capital equipment for the program in fiscal year 1968. Included in this request is $100,500,000 for the construction of new weapons production capabilities at six locations: Oak Ridge, Tenn.; Rocky Flats, Colo.; Burlington, Iowa; Amarillo, Tex.; Tampa, Fla.; and Savannah River, S.C. The major portion of the new weapons production capabilities requested relate to warhead production for Poseidon and other new nuclear weapons systems.

In another of the Commission's important programs—the reactor development program—the committee has recommended a net reduction of $1,750,000 from the AEC's operating fund request. The total recommended operating authorization is $484,290,00.

Up sharply—by about 40 percent—is spending for the high gain fast breeder reactor program, where the program level will go from approximately $51 million in fiscal 1967 to about $71 million in fiscal 1968. Major increases have been proposed for fiscal year 1968 in a further effort to concentrate resources on the longer range objectives of the reactor development program. As most of you know, the breeder reactor is the one which holds the promise of providing this Nation and the world with a virtually limitless supply of energy. If our long-term energy needs are to be solved, it is absolutely essential that breeder reactors be developed.

A very significant point has been reached concerning test facilities for the fast breeder program. Included in this budget is the balance in funding of $80 million for construction of the fast flux test facility at Richland, Wash. This facility, for which $7.5 million in architect-engineering funds was previously authorized, will provide critically needed test facilities for the sodium cooled fast breeder program. In light of the complexity of this facility, test results from it are not expected until about 1975. We feel that it is important, therefore, to authorize this project this year.

Insofar as the more highly developed light water reactors are concerned, orders for their construction continue to be placed at a brisk pace by the Nation's utilities. Again in calendar year 1966, major commitments were made to nuclear-powered electrical generating capacity. During the year approximately 16.5 million kilowatts of nuclear fueled electrical generating capacity were ordered.

By comparison, about one-fourth of that amount, or 4.7 million kilowatts, of nuclear-fueled generating capacity were ordered in the preceding year—a year when more nuclear capacity was contracted for than in all the years prior thereto. This trend has not abated in the first 6 months of the present calendar year.

While this rapid growth of the nuclear power industry is indeed encouraging to those of us who have worked for the development of an additional energy source for this Nation, the committee has reemphasized to the designers, manufacturers and utilities that they must pay unparalleled attention to the details of design, construction, and operation to assure that performance and safety requirements are met. The heavy demands that are being, and increasingly will be, put upon all of our sources of energy—be it coal, gas, oil, hydroelectric, or nuclear—makes it essential that powerplants using the newest of these energy sources become available without significant delays.

With respect to the Government's R&D endeavors in the civilian power program 1966 also saw a number of significant developments. During the year the AEC, with the Joint Committee's encouragement, further concentrated Government development efforts on fewer power reactor concepts. A number of concepts were dropped, including the experimental beryllium oxide reactor—EBOR—and the heavy water organic cooled reactor HWOCR—concepts. The latter concept was dropped after the Joint Committee recommended and the AEC performed, an intensive review of the program to determine whether the technical and economic factors involved, when viewed in relation to the potential of competing systems, justified the expenditure of the resources needed to carry out this program. The effect of the decision was to save $15 million in fiscal year 1968 alone. In addition, the sodium reactor experiment—SRE—was terminated because of its limited potential value in the advanced sodium cooled reactor field. Further concentration of effort on the more promising reactor concepts is planned.

I think the Commission is to be commended for the forthright way in which it has weeded out a number of these development programs when it became apparent to the Commission that the line of effort involved was not feasible or sufficiently promising, or did not offer significant advantages over alternate systems competing for limited funds. The easier course in such cases might be to spare the ax and simply continue the program at a relatively modest funding level. The Commission is to be congratulated for making these ofttimes very hard decisions.

Two Government-industry cooperative power projects in the reactor development program—namely, the Fort St. Vrain reactor in Colorado and the metropolitan water district nuclear power-desalting project in southern California—are at important stages. Regarding the Colorado project, the committee is pleased to note that the 9-month period of power operation of its forerunner, the Peach Bottom reactor, began on June 3, 1967, following satisfactory completion of a reasonable demonstration period.

The next—or construction—phase of the demonstration high-temperature gas-cooled reactor is dependent upon continued successful operation of the smaller Peach Bottom reactor. Thus the upcoming period is of critical importance in determining the future of this joint AEC, Public Service Co. of Colorado, and General Dynamics Corp. project.

The parties involved in the metropolitan water district nuclear power-desalting project are continuing to take the necessary steps to carry this project forward. The committee reviewed developments in this connection with the AEC during the recent authorization hearings. The committee understands that a construction permit application may be filed by the participating electrical utilities with the Commission's regulatory staff by the fall of the year.

The committee intends to continue to monitor developments in both of these important projects closely.

There are other important reactor applications which are fully covered in the committee's report before you, and which I anticipate other speakers will address themselves to during the course of debate on this bill. These include applications in space, and in the first line warships of our Navy.

In the physical research program, the committee has recommended authorization of several important projects. First and foremost, perhaps, is the recommended initial authorization of $7,333,000 for the 200 Bev accelerator, to be located at Weston, Ill. As you will recall, the proposed site of the 200 Bev was among the six which the National Academy of Sciences recommended to the Atomic Energy Commission, and was the unanimous selection of the five AEC Commissioners.

On the basis of intensive hearings by both the full Joint Committee as well as the Subcommittee on Research, Development, and Radiation, the committee voted to recommend an authorization of $2½ million less than the $10 million requested by the Commission.

These moneys will be used principally for architect-engineer work for the project. It will be recognized, of course, that this is only a fraction of the total cost of the facility.

The budget also includes funding of an additional $50.3 million for the Meson physics facility at the Los Alamos Scientific Laboratory in Los Alamos, N. Mex. It is estimated that the total cost of this project will be approximately $55 million. Earlier $4.7 million was authorized for this project, primarily for architect-engineering work. Also proposed to be located at the Los Alamos Scientific Laboratory is a project which would house and power the proposed scyllac controlled fusion experimental device. This bill includes an $8.5 million construction authorization for this purpose. The project is the first new construction project requested by the Commission for controlled fusion research in the past 5 years.

Action on another important physical research project, the omnitron accelerator proposed for the Lawrence Radiation Laboratory in Berkeley, Calif., has been deferred by the Committee in fiscal year 1968.

In view of the cost of the proposed machine, as well as the competition it faces for the limited resources available for new accelerator projects, the Committee voted to put this project aside for this year without prejudice.

I will now summarize very briefly the remaining sections of H.R. 10918.

Section 102 of the bill would impose certain cost limitations on the initiation of construction projects, similar in most respects to limitations contained in other AEC authorization acts.

Section 103 of the bill would authorize the AEC to perform design work, subject to the availability of appropriations, on construction projects which have been submitted to Congress for authorization. This special authority would allow the AEC to undertake preliminary design work on projects which are of such urgency that actual physical construction must be initiated promptly after appropriations for the projects have been approved.

Section 104 of the bill would allow the AEC to transfer funds between the "operating expenses" and the "plant and capital equipment" accounts to the extent permitted by an appropriations act. In the past, the AEC appropriations acts have allowed the AEC to make transfers between these two accounts of up to 5 percent of the appropriations for either account, provided that neither appropriations could be increased by more than 5 percent by such a transfer.

Section 105 of the bill would amend the AEC authorization act for fiscal year 1958—Public Law 85-162—by extending for an additional year, until June 30, 1968, the date for approving proposals under the third round of the AEC's cooperative power reactor demonstration program.

Section 106 of the bill would amend previous AEC authorization acts to increase two project authorizations, as discussed above, and change the location of another project previously authorized.

Section 107 of the bill would rescind authorization for two projects which are no longer considered necessary, except for funds heretofore obligated.

These are the highlights of H.R. 10918. It is the belief of the Joint Committee that this bill provides for a prudent authorization which is sufficient to assure the continuation of essential activities in both the military and peaceful applications of atomic energy.

Mr. Chairman, in closing I would like to state that H.R. 10918 was reported out by the Joint Committee on Atomic Energy without any dissent among the House Members of the Committee, and I urge its enactment in its present form.

The major portion of the new weapons production capabilities requested relate to the warhead production for the Poseidon which, as you know, is a new missile designed to go into our nuclear submarine and other nuclear weapons systems.

Now, Mr. Chairman, in compliance with my recent discussion with the distinguished minority leader, the gentleman from Michigan [Mr. Gerald R. Ford], at the proper time during the reading of the bill, I shall offer certain amendments. The amendments will be proposed to meet a special objection which was raised by the distinguished minority leader yesterday.

Mr. Chairman, the amendments are for the purpose of avoiding parliamentary difficulties in the event that amendments are made to section 101(b) of this bill which affect the total amount authorized to be appropriated to the AEC under section 101, as well as the total amount authorized to be appropriated to the AEC for plant and capital equipment under section 101(b).

Mr. Chairman, this amendment in no way affects the amount authorized to be appropriated to the AEC under this bill; nor does it constitute an additional limitation on the use, for authorized purposes, of funds appropriated to the AEC beyond those limitations set forth in previous AEC authorization acts.

Mr. Chairman, I wish to add that I have studied the objection made by the distinguished minority leader yesterday concerning the authorization of the total sum for NASA. I recognize that the AEC authorization bill contains similar authorization sums—and it has so contained them for many years—but we were unaware of this particular matter until it was brought to our attention by the distinguished minority leader.

Mr. Chairman, as I stated a moment ago, it is my opinion that the gentleman from Michigan [Mr. GERALD R. FORD] performed a distinct service to the procedures of the House of Representatives, because the procedures of the House of Representatives should be orderly, and the hands of the conferees should not be tied when we go into conference on the position taken by the other body.

So, Mr. Chairman, I consider this to be one of the most important contributions made to the procedures of the House this year and I pay honor to the distinguished minority leader for calling this to our attention. We are very happy for it and have absolutely no reluctance on our part to concede that past practice has been a bit impractical and, therefore, we are very happy to comply with his suggestion.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Iowa.

Mr. GROSS. I, too, want to compliment the gentleman from California [Mr. HOLIFIELD] for the attitude which he has displayed here today and would ask the gentleman with respect to the amendment which he proposes to offer, what will the amendment do? Is it designed to strike out the total sum in line 6?

Mr. HOLIFIELD. Yes. The amendment will do the following:

First, on page 1, line 6, strike out "amended, the sum of $2,503,076,000, as follows:" and insert "amended:"

Second, on page 2, lines 1 and 2, strike out "construction, $338,233,000 as follows:" and insert "construction, a sum of dollars equal to the total of the following:"

Mr. GROSS. Mr. Chairman, again I thank the gentleman. I would like to say to the gentleman I was somewhat startled to read in the report the separate views of three Members of the other body with respect to this legislation. It is not often we find separate views carried in a House report by Members of the other body.

Would the gentleman very briefly explain the situation?

Mr. HOLIFIELD. Yes; I will be glad to explain it.

During the course of the selection of the sites for this 200 billion electron volt accelerator, certain criteria were sent out to the different States. Over 200 applications, I believe it was, and there may have been more than that, came in. There were six sites selected as complying best with the criteria. One of the sites was Weston, Ill. I might add the site in my home State of California was eliminated. It was unanimously decided by the Atomic Energy Commission that a central location for this important device was one of the most important criteria that should be weighed in the selection of the site.

Subsequent to the selection of the six sites the civil rights question was raised, and it was raised in this fashion, that the facility should not be built in Weston, Ill., because Weston, Ill., or the State of Illinois, did not have an open housing law. This was not in the original criteria of the Atomic Energy Commission.

I want the gentleman to keep that point in mind. The criteria that were set out had nothing in it in regard to open housing. It was subsequently brought into controversy through speeches made by some of the Atomic Energy Commissioners.

So when it was belatedly brought in, of course it created a furor, and the organizations that are interested in civil rights decided to make a cause celebre out of the selection of this particular location.

Now, here is what they are doing: They are saying that a Federal facility should not be built in any State in the Union that does not have an open housing law. Now, there are 30 States that do not have open housing laws. If this principle were carried out that the proponents want—and there will be an amendment offered to strike this facility because of this factor, and this factor alone—because in reading the minority report the gentleman will see that the distinguished chairman of the Joint Committee in the other body says he does not object to the facility, nor to the site of Weston; his only concern is this open housing problem—if this principle were followed, 30 States of our Union would be ineligible for any kind of Federal facilities.

The gentleman knows my position on civil rights. I voted for civil rights bills when civil rights bills were before the House. This is not a civil rights bill. This is not a pertinent matter to be brought up on this particular facility. If you are speaking of discrimination, this is a discrimination against a sovereign State of our Union, because the 30 States of the Union that do not have an open housing law, and who now have Federal facilities and will have Federal facilities in the future authorized to be placed in those States, would be automatically shut out if this principle was followed through.

I yield to no man in my interest in the rights of human beings, but I also feel that there is a time, a place, and an orderly way to consider those rights. In bringing this matter into controversy in utilizing this principle to destroy and to prohibit the placement in the State of Illinois of a facility of this type, which is a great scientific device, and in which all of the scientists of the world are interested—to prevent that is offering no comfort or help to the people who are interested in civil rights.

I shall oppose this amendment when it is offered with all my power. I hope that the Members of the House will recognize the equity that is involved in my position, and the position of my committee, and every House member of the committee on both sides of the aisle, and that the amendment will be defeated.

Mr. GROSS. I find myself again commending the gentleman from California for the position he takes on this particular matter.

I assure him so far as I am concerned, I will certainly vote against any amendment to use this bill as a vehicle to force open housing.

I thank the gentleman for yielding.

Mr. HOLIFIELD. I thank the gentleman for the compliment. May I say it is doubly appreciated in view of the gentleman's appointment yesterday on the select committee in regard to parking permits, and I will be in to see him in regard to an additional parking permit.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. ROGERS of Colorado. Did I understand the gentleman to say that the Atomic Energy Commission does not have criteria on the matter of fair housing?

Mr. HOLIFIELD. Exactly. The original criteria were set out in April 1965, and did not have such criteria.

Dr. Seaborg later on, after having an opportunity to look at the site, said he would consider this in making the selection, and they specifically said that they had considered it and that they had been given assurances which were satisfactory to them and they have selected the site for the facility.

Mr. ROGERS of Colorado. Is the gentleman aware of the fact that Dr. Seaborg and members of the Commission every time they interviewed the respective sites that have been selected had asked the question about discrimination and open housing? Do you know they did that in every instance where they went and looked at a site?

Mr. HOLIFIELD. My statement still stands. The criteria that were sent out to every State in the Union did not have one word in them about open housing.

Now what the Chairman and the members of the Atomic Energy Commission may have said and may have talked to people about is extraneous to the criteria that were sent out—and therefore I say it was not sent out.

Mr. ROGERS of Colorado. Is the gentleman now saying that the Atomic Energy Commission did not take that into consideration at all?

Mr. HOLIFIELD. No. I have already said that they testified before our committee, and I will be glad to read it to you from the book, that they had considered this matter and they had come to the conclusion that assurances as to fair housing opportunities had been made and were satisfactory to them and, therefore, they selected that site.

Mr. ROGERS of Colorado. Did they offer any explanation as to how they would comply with the Executive order in relation to discrimination. There is an Executive order as it relates to discrimination issued by the President.

Mr. HOLIFIELD. If there is an Executive order that applies to the placing of this plant in this area, it will be complied with. If there is a provision in the law that applies to this facility, undoubtedly it will be complied with as a matter of law. So I am not going to enter into an argument about any constitutional question with the gentleman who is a distinguished lawyer and who has me at a disadvantage because I am a layman. But I will say if laws do exist, they will be enforced and if they do not exist, then let the Congress pass laws prohibiting a Federal facility from going into such States.

Mr. ROGERS of Colorado. That is exactly the reason for the Executive order which was issued by the President. Certainly, if the gentleman has taken a look at the newspapers, he saw where the Secretary of Defense threw or declared out of bounds a number of apartments out here close to Andrews Air Force Base.

Mr. HOLIFIELD. I do not know of any place where the Secretary of Defense has closed up a plant or prevented the expansion or the building of a plant in a State that did not have an open housing law—and the gentleman from Colorado does not know of any such case either.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. WAGGONNER. Mr. Chairman, I want to compliment the gentleman from California for the position that he and his committee have taken with regard to this matter.

The gentleman from Colorado is perfectly aware that this Congress has refused to pass an open housing law. So the gentleman from California is correct when he says that once open housing becomes law——

Mr. HOLIFIELD. Or a State that does not have open housing.

Mr. WAGGONNER. Or a State that does not have open housing, then they will have the obligation of whatever law with which they are required to comply.

I suppose the gentleman from Colorado finds himself in the position in which I find myself: His State wanted this project, too.

Mr. HOLIFIELD. I share that same disappointment, that the great State of California, where the scientists have been doing design work on this project for 5, 6, or 7 years, was not chosen. And California has an open housing law. If I was looking at this matter from a local standpoint, I would be down complaining and trying to knock this facility out. But I feel that this went through the executive branch in a proper administrative way. The Commission of five distinguished members came before our committee and explained to us and justified to us in sufficient detail their choice. The members of our committee were unanimously behind the selection, although all of us were disappointed that it did not go to our particular State.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield further?

Mr. HOLIFIELD. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I would like to say as one Representative from a State very much interested in this project that we in Louisiana have some disappointment, but we do feel the procedures, the criteria which were established and utilized in making the selection were administered without discrimination, and we feel the choice, although it may not please us, is one which will work, and there is but one thing for the Congress to do and that is to forget these fallacious arguments and to go ahead and build this facility where it is recommended to be built.

I support the gentleman and his committee.

Mr. HOLIFIELD. I want to say also to the gentleman that as Vice Chairman at this time of the Joint Committee, and chairman in other years, I am very proud to tell you that not a member of our committee exerted any personal pressure, political pressure of any kind upon the Atomic Energy Commission. They were left free to make an executive judgment, an administrative judgment, and they came before our committee and justified it. I believe this bespeaks the objectivity and fairness of the members of the Joint Committee, although all of us were interested in it, including the gentleman from Colorado [Mr. ASPINALL], a member of our committee from the State of Colorado, the gentleman from Ohio [Mr. MCCULLOCH], the gentleman from Massachusetts [Mr. BATES], up in the Northeast, and I think every member of the committee. They were all interested in it. But we never tried to put one ounce of pressure on any commissioner telling them that we wanted the project in our State.

Mr. WAGGONNER. I have no doubt but what the statement of the gentleman is completely correct, and I commend him and his committee for the position they have taken.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Chairman, I think in view of the question that has been raised by the gentleman from Colorado it might be helpful at this point to quote a sentence or two from the release of the Atomic Energy Commission put out in December of last year when the announcement of the Weston site was made:

> A wide range of assurances and statements of support were received responsive to the AEC's request.

This is referring to their request of assurances of nondiscrimination.

> As a whole, these indicated an individual and community awareness of the problems of racial discrimination and determination to continue and institute measures to cope with them.

These and other information reflected a progressive attitude in the Weston site area toward equal employment opportunity, efforts to provide equality in suburban public school systems, and a number of community human relations councils devoted to eliminating discrimination.

In the concluding portion of the statement they make the very important point which in essence has been stated by the gentleman in the well, and that is this:

> The Commission's selection of the Weston site is based upon consideration of the interaction of many factors.

One of these was the factor which has been alluded to in the colloquy.

Mr. HOLIFIELD. But it is a factor, the gentleman will agree with me, that was never set out in the original criteria and was never formalized as a formal criterion to be complied with.

Mr. ANDERSON of Illinois. The gentleman is absolutely correct. If he will yield further, the record of the hearings before the Subcommittee on Research, Development, and Radiation makes that abundantly clear. They list specific criteria and this one is not mentioned.

Mr. HOLIFIELD. That is correct.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, I wish to affirm that statement, that this was not a part of the criteria, but, as the AEC said, after establishing the criteria, then in its investigations of, and evaluation of the six sites that were in the final selection, it considered the matter of human relations.

Mr. HOLIFIELD. Which it should.

Mr. HOSMER. Along with a lot of other things that were not criteria, and they decided very reasonably and rationally what they should be expected to do.

I would like to make this one further point, that somehow the word is getting around, and charges are being made that the AEC has been callous with respect to its human relations problem. It was not. It went in and investigated, and found that at the Weston site the conditions were reasonably good, and it went ahead on that basis. Afterwards, some people who did not get the 200 Bev, or some people who otherwise wanted an excuse to get their names in the paper or demonstrate without going down and marching in the streets, have brought up this human relations problem. I cannot understand what possible reason these people have for bringing this up, when the matter has been closed once, finally, already.

Mr. PRICE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. PRICE of Illinois. Mr. Chairman, not only are the texts which have been stated here by the chairman, and other Members who have spoken on this, true as concerns any criteria set up by Atomic Energy Commission, but there is not one word on civil rights mentioned as a criterion in the National Academy of Sciences report. I have that document in front of me, and the Members could read it in the Atomic Energy Commission's fiscal 1967 authorizing legislation hearings, there is no reference at all to this matter being established as a criterion.

Mr. HOLIFIELD. The gentleman is correct. And, of course, this went through the most intensive 2 or 3 years of selection process, including having the most distinguished scientists in the United States as a citizen advisory group—and that is what the gentleman from Illinois has referred to—and they came out with a report, and that report had not one word to say in it on this particular subject.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, I direct the attention of the gentleman on the floor to the report, on page 653, where there is quoted a letter from the Chairman of the Atomic Energy Commission to Senator PASTORE, and on page 654 he has reference to the Argonne National Laboratory, about which he states:

> As of March 1967, four (2%) Negro employees live within 10 miles of the Laboratory, an additional seven (3%) at a distance of 11–15 miles, and the remaining 217 (95%) at a distance of 15 or more miles. Attachment A indicates individual cities and villages of residence. By comparison approximately 45% of the non-Negro employees lived within 10 miles, 33% at a distance of 11–15 miles, and 22% at a distance of 15 or more miles.

If we will also take a look at page 655, we will see that there are living in Chicago 176 who have to travel from the Argonne National Laboratory to Chicago in order to live. This being the situation—and the proposed site here is further from Chicago than the Argonne National Laboratory—my question is this: Does the gentleman anticipate that those colored employees will have to commute to and from Chicago in order to obtain employment here?

Mr. HOLIFIELD. No, I do not. The gentleman from Illinois [Mr. ERLENBORN] shortly will speak on the availability of housing in this particular area.

Let me go back to the Argonne Laboratory. When the Argonne Laboratory was established there was no such thing as the civil rights bill we passed, in the past 2 or 3 years. The civil rights bills were not in existence when the Argonne Laboratory was established. The situation was completely different then from what is is now.

The gentleman himself has referred to Executive orders. The gentleman knows what is in the 1964 Civil Rights Act, title VI. The gentleman knows the laws that have been passed, because they have come from his committee.

The situation today is completely different from what it was then.

I would not stand here advocating this site if I did not believe there would be available housing for all people in this area regardless of race or creed.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from New York.

Mr. WYDLER. Quite aside from the civil rights question, which arises in this area, I comment because of something the gentleman said, that there was no other reason to object to the Weston site. I have another reason to object to the Weston site.

Mr. HOLIFIELD. I do not believe I said there was no other reason. If I did, I will certainly correct that in the RECORD. I said that someone may have said people are using this as an objection.

There may be honest opinions that there should not be a device of this kind anywhere, at any place. I would not make a statement that broad. If I did, I retract it right now.

Mr. WYDLER. When I came before the committee to testify I came before it with a cost analysis and a time of production analysis which I believe clearly demonstrates that if the AEC had chosen to place this facility at an existing atomic accelerator site—for example, I talk particularly about the one at Brookhaven, N.Y.—they could have utilized the present facilities and saved the country much money and much time in developing this facility. It seemed to me that was a persuasive point to be considered by the committee as to the location of this accelerator, because they are going to a place now which has none of these facilities, and they will have to absolutely start from scratch to build the facility at this location.

Mr. HOLIFIELD. I do not wish to engage in a lengthly argument with the gentleman on that particular proposal or its merit. I find my own arguments sometimes very persuasive to myself.

I merely say that the gentleman's arguments were not persuasive to the committee, and they were not persuasive to the scientific community.

I have one further answer. The facility at Brookhaven will continue to be used for the purposes for which it is now being used. It was the general judgment of the scientific community and of the AEC and of the Joint Committee on Atomic Energy that a new site would have to be procured to provide for the things we want, the access and the construction and so forth. That was why this site was chosen, rather than one of our sites in California or one of our sites in Tennessee, such as Oak Ridge, or even at Hanford, Wash. They were all contestants for this site, and all were turned down on the same basis, that they did not offer the things the Weston site offered.

That is a matter of judgment.

Mr. WYDLER. What is that thing the Weston site offers? I still am waiting, at this late hour, to hear what that thing is. Can the gentleman tell me what it is?

Mr. HOLIFIELD. If the gentleman will look at the criteria set out by the Atomic Energy Commission he will find that in their judgment the criteria were more complied with at the Weston site than at many other places, including California and the gentleman's State.

Mr. PRICE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. PRICE of Illinois. If the gentleman will turn to page 217 of the record of our authorization hearings, he will find the estimated annual cost of operations and capital improvements at each of the six proposed sites. It is there indicated that the cost of operation at Brookhaven would be in excess of $65 million a year, and the cost of operation at Weston would be about $64 million a year.

Mr. HOLIFIELD. I thank the gentleman.

Mr. RUMSFELD. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. RUMSFELD. I thank the distinguished gentleman from California for yielding.

I simply want to add my words of praise to you, to the committee and the individual members. I was particularly impressed with the statement of the gentleman in the well highlighting the matter and emphasizing the importance of the scientific community's judgment in this matter. Further, you stated that you and individual members of the committee have refrained from attempting to force political considerations, or considerations apart from what is in fact the best interest from the standpoint of the Atomic Energy Commission and the scientific community, with respect to this accelerator and have refrained from injecting those factors in the decision.

I applaud this decision. As a matter of fact, I testified before the Joint Committee on the Organization of Congress in 1965 pointing out the problem in this area. This is a decision to be made not on the basis of politics, clearly, but rather must be made on the basis of the best judgment with respect to these criteria as established, by the scientific community with the cooperation of your very able committee. I congratulate the gentleman.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield for one observation?

Mr. HOLIFIELD. Yes.

Mr. ROGERS of Colorado. The gentleman from Illinois pointed out the low cost of operation there. If you take a look at the same page, page 217, you will come up with the answer that Denver had 63.724 as a cost, which is the lowest of them all.

Mr. PRICE of Illinois. Mr. Chairman, will the gentleman yield to me for an answer?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. PRICE of Illinois. That may be true, but there are many factors. One factor that the gentleman mentioned is the cost favored Weston over the Brookhaven site. The figures that the gentleman quotes now favor Colorado over the Illinois site, but I would like to point out in the recommendations of the National Academy of Sciences they say that five sites principally characterized by either having the nucleus of a strong accelerator design group or one of the Nation's outstanding universities nearby are Ann Arbor, Mich., Brookhaven, N.Y., Madison, Wis., and the California site and the Weston, Ill., site. Then they say this about the sixth site. They say the sixth site, Denver, Colo., has neither the university strength nearby nor the existing design group that is considered desirable.

Mr. HOLIFIELD. Of course, the gentleman is right. The one thing that convinced me of the importance of the central location in the United States was that I knew there would be tremendous transportation problems involved. There would be people going back and forth to this scientific site, and it was a shorter distance from every section of the United States to Chicago than if it had been put in California or in the northeastern part of the United States. It was centrally located. It also had transportation facilities and was closest to the greatest number of universities of any of the sites that were considered. These are the points that convinced me that the Commission had done an objective job.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. YATES. The argument of the gentleman from Colorado reminds me of the story Abraham Lincoln used to tell about the man who was a friend of his and the father of three children. He saw the kids crying one day and he asked the man what was wrong. The man said, "It is the old story. I have two apples and three children and all three of them want it. They are crying to see which one should get the apples."

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I will be glad to yield to the gentleman.

Mr. WYDLER. On a different subject, I would like to ask a question.

Mr. HOLIFIELD. Than the accelerator?

Mr. WYDLER. Other than western Illinois.

Mr. HOLIFIELD. All right.

Mr. WYDLER. The House took action yesterday on the NASA authorization bill regarding the development of the Nerva rocket. Part of that program is reflected in this authorizing bill for the AEC as a complementary part of that program. I just wonder if the gentleman will tell me what it is and what action we should take in this bill to make sure our action is consistent with the action we took yesterday regarding the program in the NASA authorization bill.

Mr. HOLIFIELD. I would say on the whole subject of the space program, if the Congress wants to take up the basic philosophy of whether we should have a space program or whether we should have $1 billion a year or $5 billion a year or $7 billion a year programs and consider that, then I would say we could start knocking out everything that is in the space program. However, they have not done that. The Congress—not CHET HOLIFIELD but the Congress—has adopted as a part of our national policy that we should have a space program.

Mr. WYDLER. If the gentleman will yield, I am talking about a specific matter here.

Mr. HOLIFIELD. Let me answer the gentleman, because this is a part of the answer: If we are going to have a space program, in my opinion we have to have nuclear propulsion of space vehicles, if it is to be worth a dime. There is adequate justification for a type of propulsion which goes far beyond the chemical propulsion that we can now use.

Mr. Chairman, it is the consensus of the scientists in AEC and NASA that if a superior type of propulsion is necessary or desirable, then the Nerva engine is desirable.

Now, Mr. Chairman, once you pass the acceptance of the need for a space program, you accept the need for efficient engines in that program in order to propel manned orbiting missions or military devices or anything else that might come up. I am not saying what might come up. But that is the reason why the Nerva engine should be built.

Mr. Chairman, if the Congress of the United States takes a position that we should not have a space program, then I shall be willing to throw the Nerva program out.

Mr. WYDLER. Mr. Chairman, if the gentleman will yield further, that is exactly the question which I am undertaking to raise with the gentleman now.

Mr. Chairman, the Congress on yesterday decided, in effect, to take out the development funds for the Nerva engine, and a complementary portion of those funds are contained in this authorization bill.

Mr. HOLIFIELD. They cut some funds for the NASA operations, but I will say this: The funds that are contained in this authorization bill are for research and development. They are not tied to a mission; they are not tied to anything else than research and development.

Mr. Chairman, the research and development of the Nerva engine has been considered to be important by the Congress in previous years. Any change in this respect would represent a revision in the will of the Congress.

Mr. PRICE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. PRICE of Illinois. The gentleman from California [Mr. HOLIFIELD] hit the nail on the head in his last statement.

Mr. Chairman, in order to be consistent in voting today to support the full amount that we have in this authorization bill, which is for research and development on the reactors which are essential, no matter what you do in space from here on, preserves the flexibility of action in future space missions. One could be consistent even though one voted yesterday to reduce the amount of $20 million from the NASA Nerva program, because that was for hardware and this proposed authorization is for research and development on the reactors which are required for any missions in the future.

Mr. HOLIFIELD. Mr. Chairman, I thank the distinguished gentleman from Illinois.

Now, Mr. Chairman, I am going to retain the balance of my time. I have spoken long enough, longer than I expected.

Mr. Chairman, in order that other Members on the minority side will have an opportunity to speak and others on our side will have an opportunity to speak, we shall be back during the general debate and shall have plenty of time to discuss this matter further during the amendatory period.

Mr. HOSMER. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON of Illinois. Mr. Chairman, I never cease to be amazed at the great flexibility of the Members of this body and the dexterity with which they can shift from one particular complicated and obtuse subject to quite a different subject matter.

Mr. Chairman, today, we move from the outer space to the inner space program and from the module to the molecule. But, I shall now turn to the langauge as is contained in the committee report, because I would like to provide a little additional legislative history, and that has reference to the wishes of the Joint Committee relative to the plowshare projects that have been funded in this authorization bill for the last fiscal year, and the desire that they be carried out.

Mr. Chairman, I direct the attention of the Members of the Committee particularly to the language of the committee report beginning on page 44 and extending through page 46, wherein the committee has expressed its deep concern that planned plowshare experiments have not been conducted, that even though the sum of $2 million was spent in getting one of these shots ready during this past year, the experiment was not executed.

This is important, I think, because the President of the United States back in February of this year—around February or March of this year—told the 18-nation disarmament conference that the United States was prepared to make available this very important nuclear technological knowledge to the nonnuclear nations. And, of course, it should have appeared at the outset that when we talk about these plowshare experiments, we are talking about the peaceful use of the atom, the use of this tremendous new source of energy with which to perform such things as digging canals and with particular reference to the discussions with reference to the likelihood as to the construction of a new sea-level canal in the next decade or so.

It is important that we continue to perfect our technology in this regard. And it is entirely inconsistent, in my opinion—entirely inconsistent—for the President to make promises and to give assurances to the nonnuclear nations that if they will go ahead and sign a nonproliferation treaty that we will then make this technology available to them while we do not carry on the experiments that have been planned here in the United States, to perfect the basis of our own technology in this field.

So I hope we can make it abundantly clear in connection with the legislative history we are making on this bill today that it is the opinion of the Joint Committee that there is a real duty on the part of the Commission to proceed to carry out this very important program.

Very quickly, before I yield the floor, I of course want to express my pleasure in the fact that we will today, with the passage of this authorization bill, be funding the advance engineering work that will allow the beginning of a most important and historic scientific project in this country. It is somewhat amusing, I think, in a way, to consider that all of our debate here today, and that has appeared in the press in recent months, has been revolving around where it should be located, but there has not been very much said about the importance of the facility itself. That is, of course, the most important feature of it. I remember serving as one of the minority members a couple of years ago on the Select Committee on Science and Research that was set up in this body I think in the 88th Congress, to consider and hold hearings on the whole spectrum of research and development conducted in this country. We found that at that time something like $16 billion was being expended annually for research and development, but of that gigantic sum less than 10 percent, only about $1.5 billion annually, was going to pure, basic, fundamental research, and yet it was the conclusion of that committee and of some very distinguished scientists, that this is an area on which we need to maintain American scientific supremacy and our lead.

This accelerator, which has no military applications at all—and I had a discussion with the distinguished vice chairman of the committee on the floor the other day refuting any such notion that the construction of this facility has any military significance, and that it is going to complicate negotiations of a nonproliferation treaty—that simply is not the fact, but it is going to be a very important tool in basic scientific research.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HOSMER. Mr. Chairman, I yield the gentleman from Illinois 1 additional minute.

The CHAIRMAN. The gentleman from Illinois is recognized for 1 additional minute.

Mr. ANDERSON of Illinois. Mr. Chairman, I shall not take the time of the Committee at this particular moment in the debate to review the very exhaustive procedures that were employed, not only by the Commission itself, but by the National Academy of Science, to make sure that we were selecting a site for the accelerator that was not based upon pure political partisan considerations, or any parochial interest of a particular member of the committee, but on the interaction of all of the factors that would assure the selection of a site that would make this a great tool of scientific research which I am sure it is destined to be.

I applaud my fellow members of the committee for their lack of partisanship and for their lack of parochialism in connection with the decision which has been made, and I affirm the fact that I think the National Academy of Sciences and the Commission made the right selection when they picked Weston, Ill., as the site for the accelerator.

We have heard, and I am sure we will hear more, about open housing at and around the site that the Atomic Energy Commission has selected for the 200 Bev accelerator. I rise today in support of this project, and wish to emphasize the positive scientific benefits to be gained from this facility.

There are people who will ask: What will we lose if we fail to build this accelerator? I wish to discuss with you the kind of research it is planned to undertake with what would be the largest energy proton accelerator in the world.

My colleagues all know by now—22 years after the detonation of the first nuclear weapon at Alamagordo—that matter consists of nuclei made of protons and neutrons and electrons revolving about these nuclei. However, science does not know to this day the nature of the force that keeps protons bound to neutrons or to each other in the nucleus of an atom. In spite of this, we have harnessed that force in nuclear reactors. We are producing electricity by such means. While being fully aware of the famous equation that Einstein derived from his special theory of relativity—that energy is equivalent to the product of the mass times the square of the velocity of light—and being able to utilize this nuclear energy, we are not much further ahead in our understanding of the forces in the nucleus than we were a decade or two ago.

High energy physics—and this is the subject matter for which the 200 Bev accelerator has been designed—has contributed not only new knowledge in physics, it has contributed indeed to better international understanding. We are faced today with the fact that the Soviets are completing this year what will soon be the highest energy proton accelerator in the world. At Serpukhov, which is not too far from Moscow, the Soviets are completing the construction of a 70 billion electron volt accelerator. This accelerator is more than twice as large in energy as the largest existing accelerator, the 33 billion electron volt accelerator, which is operating at the Brookhaven National Laboratory on Long Island in New York State.

Even if we were to start today to go into the final design of the 200 Bev accelerator and begin construction the following year, it will be some 7 years before we begin operating with the 200 Bev accelerator, while the Soviets probably will be operating their 70 Bev, presently the world's largest accelerator, sometime next year. In my opinion there is great urgency from the scientific standpoint as well as from the national prestige standpoint for the United States to get started with the 200 Bev accelerator.

If we postpone this accelerator for any lengthy period of time for reasons that are not germane to the scientific progress that can and should be made, we will be forfeiting to the Soviet Union the leadership in nuclear physics and elementary particle physics that we have built so painstakingly in this country since January 1939 when the discovery of the fissioning of a uranium nucleus was announced at an American Physics Society meeting here in Washington, D.C., by that great Italian-American scientist, Enrico Fermi.

Einstein and Fermi came to this country because they could pursue this science in freedom. We have by supporting science in this country made it possible for scientists and engineers to pursue with success research and development for the good of mankind and for the security of the free world. If we fail now to go forward with the construction of the 200-Bev accelerator we will be failing the promise that the great pioneers like Einstein and Fermi had set for us in their exploration of the frontiers of nuclear science.

Even if scientists do not develop knowledge of commercial value or national security impact from the experiments with the 200-Bev accelerator—and parenthetically a man would be rash indeed to make a prediction that they cannot—the knowledge that will come from the accelerator will illuminate man's understanding of the smallest bits of matter that go into the nucleus of the atom and contribute to the illumination of the largest known conglomerates of matter at the fringes of the universe which are called Quasars, or quasi-stellar radio sources. I, for one, believe that such knowledge can and will contribute to all of the scientific endeavors of mankind.

I therefore urge my colleagues to vote for H.R. 10918, a bill authorizing appropriations for the Atomic Energy Commission and containing a line item for the design and other activities connected with the proposed 200-Bev accelerator.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOLIFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. Price].

Mr. PRICE of Illinois. Mr. Chairman, I strongly support enactment of the AEC's authorization bill for fiscal year 1968, including provision of $7,333,000 for architect-engineering and certain other work on the proposed 200-Bev accelerator. The site chosen by the AEC for this accelerator, after exhaustive consideration by the National Academy of Sciences and the Commission itself, is located in Du Page and Kane Counties, Ill.

I have read the separate views of Senator Pastore opposing authorization for the 200-Bev accelerator at this time. I have, of course, the greatest respect for the chairman of our committee and readily acknowledge the sincerity of his views. However, a large majority of our committee—including all of the House Members—favor authorization of the $7,333,000 for this accelerator now. I also disagree with a number of the specific arguments Senator Pastore has advanced, and shall, therefore, explain my own position on the matters identified by Senator Pastore.

PREFERENCES AS TO TYPE OF MACHINE

I do not believe it is wise to defer action on this project simply because there has been disagreement within the executive branch as to the scope of the accelerator to be built. In the first place, the AEC is not at this time seeking—nor is our committee recommending authorization of—all the funds necessary for construction of the 200-Bev accelerator. All we are recommending are funds for architect-engineer work and certain procurement and assembly of components required for the initial portions of the accelerator's injector.

The Joint Committee's report, moreover, adopts the recommendations of our Subcommittee on Research, Development, and Radiation—of which I am the chairman—that architect-engineer funds for the 200-Bev accelerator be authorized on the condition that the design of the accelerator will be such as to assure a design intensity set forth in the Lawrence Radiation Laboratory plans. Our report also specifies the committee's intent concerning other aspects of the accelerator's scope. There is no disagreement within our committee on these technical matters. If Congress approves the AEC's authorization bill as recommended by our committee—as I hope will be done—the legislative branch's intent will be clear.

PRIORITIES IN A HEAVILY COMMITTED ECONOMY

The argument has been made that Congress should not approve $7,333,000 for this project because of other demands on the Federal budget. Of course, this kind of reasoning can be used against any worthwhile civilian project. I am as much interested as anyone in saving money where we can. However, it would certainly be false economy to disapprove this outstanding research tool—which has received the support of the scientific community and the administration after years of consideration—for budgetary reasons.

PROBLEM OF WATER SUPPLY AT SITE SUGGESTED

During the course of our committee's consideration of the 200-Bev accelerator, a question was raised by an assistant attorney general of the State of Michigan concerning the impact of approval of the proposed site upon certain water supply problems involving Lake Michigan. Subsequently, the assistant attorney general supplied the committee with a statement for the record by the attorney general of the State of Michigan, which is printed in the record of our hearings. The principal purpose of this statement was to bring to our committee's attention the fact that unless new investigations clearly indicate that there are adequate sources of ground and surface water to meet the water needs which will be required by the accelerator, as well as by industry and population which it will generate, there could arise a demand for additional water from Lake Michigan either by the State of Illinois on behalf of its newly attracted population or by the Federal Government for operation of this facility.

Our committee considered this matter carefully. We requested information from the AEC and the State of Illinois, all of which is printed in our hearings. The AEC informed us as follows:

> The AEC expects, on the basis of information provided primarily by the State of Illinois, that adequate water is available to the proposed new facility from aquifers underlying the site and from the Fox River. It is not considered, therefore, that any water would be required from Lake Michigan for this project.

The State of Illinois replied that three sources of water for operation of the accelerator are potentially available in adequate quantities at the site; that each of these three sources is potentially capable of providing the water requirements of the facility or they could be used in any choice of combination of sources; and that all are unrelated to any use from or drainage to Lake Michigan.

Of course, I am not here attempting to prejudge any application by the State of Illinois to obtain additional water from Lake Michigan in accordance with the Supreme Court's latest decree. However, I believe it is clear that there is no reason to withhold approval of this accelerator on account of lack of water.

PUBLIC POLICY QUESTIONS INVOLVED

There are some who urge that Congress disapprove siting of the 200-Bev accelerator in Illinois because the State legislature thus far has not approved open housing legislation. I believe it would be a grave error for friends of the civil rights movement to vote against the project on this basis.

My own stand on issues of equal opportunity, civil rights, and open housing is known to every Member of Congress and to the public. There is not another Member of Congress who has more consistently and strongly supported legislation designed to help assure equal rights for all men. In no way whatsoever is my support of the AEC's request for authorization of this project inconsistent with my position on these matters.

It has been asserted that the matters of the local status of civil rights and nondiscrimination were announced by the AEC to be of "primary concern" in choosing a site for this accelerator. Likewise, it has been implied that nondiscrimination—and specifically open housing legislation—was a "primary criterion," a "condition precedent," and so forth, to approval of a particular site.

It is most important to recognize that neither the original site selection criteria submitted to the Joint Committee in April 1965 by the Commission, nor the criteria submitted to the National Academy of Sciences in November 1965, specifically mention the criteria of civil rights or nondiscrimination, much less the matter of open housing legislation. Neither did the National Academy of Sciences report to the Commission recommending consideration of six sites for the accelerator, dated March 21, 1966.

It is correct that beginning in April 1966 the AEC, in considering the six sites recommended by the National Academy of Sciences, did announce that certain commitments on equal opportunity would be expected from the successful site. However—and this point was reemphasized during testimony from the AEC during our committee's authorization hearings this year—the Commission never took the position that the matter of equal opportunity or any of its aspects would be given primary consideration over all other factors in choosing an accelerator site. Quite the contrary, the Commission's decision was announced to be based upon a "balancing of all factors involved." Even more important, the AEC never singled out the existence of open housing legislation as a condition precedent to selection of a site.

The environment of a proposed site has always been recognized as a key consideration in locating the 200-Bev accelerator. I agree that the general climate of equal opportunity is an important factor in determining the quality of a site's environment. However, there are many matters to be considered in evaluating the climate of equal opportunity, including actions taken by private as well as governmental bodies. The Commission was therefore correct, in my opinion, in reviewing a large number of factors—such as employment, housing, education, municipal, and community facilities, and police-community relations—rather than focusing its attention on only one item.

Finally, we must remember that it will take 7 years for this facility to become operational, and it will function for many years thereafter. During this period of time there can and will be, I am convinced, concrete steps taken to improve further the climate of equal opportunity in Du Page and Kane Counties, just as some of these steps have already been taken.

In summary, I urge the Members of the House to support H.R. 10918, including the line item for the 200-Bev accelerator at the site recommended by the AEC.

Mr. HOLIFIELD. Mr. Chairman, I yield to the gentleman from Illinois 1 additional minute for the purpose of enabling the gentleman from Colorado [Mr. ROGERS], to propound some questions.

Mr. PRICE of Illinois. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. When you made reference to water supply, you were expressing an opinion of the Commission in connection therewith, were you not?

Mr. PRICE of Illinois. More than an opinion of the Commission. I was stating the information which the Commission has in documented form from the Illinois State Geological Survey as to the potential for water availability on the site.

Mr. ROGERS of Colorado. And that opinion was rendered before the decree that was entered on the 12th day of June in the Supreme Court as it relates to the action taken by the neighboring States?

Mr. PRICE of Illinois. That could be true, but the information that we have from the State of Illinois and from the AEC is to the effect that no water will be drawn either from Lake Michigan or from drainage into the lake.

Mr. ROGERS of Colorado. If there should be a shortage, then it would become necessary to take the water from Lake Michigan, and you would have to go back to the Supreme Court and get the decree modified, would you not?

Mr. PRICE of Illinois. No; I do not think so. I do not think there is a possibility of shortage for the accelerator.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from California.

Mr. HOLIFIELD. I know better than to get into a legal argument with this great barrister on my left. But I would like to refer to a point in the Supreme Court decision to which the gentleman refers and which he placed in the RECORD.

In paragraph 4 on page 3, it says:

> 4. The State of Illinois may make application for a modification of this decree so as to permit the diversion of additional water from Lake Michigan for domestic use when and if it appears that the reasonable needs of the Northeastern Illinois Metropolitan Region (comprising Cook, Du Page, Kane, Lake, McHenry, and Will Counties) for water for such use cannot be met from the water resources available to the region, including both ground and surface water and the water permitted by this decree to be diverted from Lake Michigan, and if it further appears that all feasible means reasonably available to the State of Illinois and its municipalities, political subdivisions, agencies, and instrumentalities have been employed to improve the water quality of the Sanitary and Ship Canal and to conserve and manage the water resources of the region and the use of water therein in accordance with the best modern scientific knowledge and engineering practice.

The point of it is that the testimony before the committee shows that they will not need Lake Michigan water, but if, in the last analysis, these various counties have any possible need for additional water, they are authorized to make an application and obtain a modification of the decree to satisfy the needs within reason.

Mr. PRICE of Illinois. Yes; and I will say, in selection of this site, the Commission probably gave the most serious attention to the available water supply.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I will yield if I have the time.

Mr. ROGERS of Colorado. Mr. Chairman, as the gentleman knows, water is highly essential to operation of this plant. Without it, there will be a complete loss. If a shortage should come, then we recognize, as the gentleman from California has said, that before we can get the water from Lake Michigan, we must make an application to the Supreme Court to modify that decree. That will take time. Are we going to let the plant stay free?

Mr. PRICE of Illinois. The point is there is no dependence being placed on Lake Michigan for the accelerator's water supply.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOLIFIELD. Mr. Chairman, I cannot yield additional time to the gentleman at this point.

Mr. HOSMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Chairman, I rise in support of this legislation. I would like to discuss three portions of it. The first is the extraneous issue that has been introduced into it in respect to the Weston site. The second is utilization of atomic energy for peaceful purposes, and the third is the fantastic advances which we have made in nuclear propulsion.

First, I find it difficult to refrain from discussing the open housing aspect of the Weston site for the 200-Bev accelerator. For this body to insist that open housing be required in the Weston area raises a question of great magnitude. Such a provision was not one of the original criteria upon which each site was to be judged. As one who has voted for every civil rights bill while I have served in the Congress, I must say that the introduction of such an argument is both unfortunate and extraneous. It does not help the cause of civil rights, regardless of how well intended it may be. If we are to adopt such an amendment, it would be necessary for the Armed Services Committee to incorporate such a provision in every bill in reference to every State where we have military installations. A strange and unusual situation arises here because we are trying to force a State to adopt a law which even the Federal Government itself has not adopted. This amendment should be defeated.

Next, I would like to comment on naval nuclear propulsion. This bill includes $106,700,000 for the development of advanced nuclear propulsion engines for nuclear submarines and surface warships.

The naval nuclear propulsion has unquestionably been one of the most successful development programs ever undertaken. One of the main reasons for the eminent success of this program is the positive direction that Admiral Rickover has provided to the development work. Another is the unrelenting support which the legislative branch has given to the program. As our distinguished then vice chairman and now chairman—CHET HOLIFIELD—said last year on the occasion of the joint committee's 20th anniversary:

> The support which the Joint Committee and Congress gave to the development of the nuclear submarine will long be remembered as one of Congress' greatest contributions to the preservation of the Republic.

The Nation is now dependent on the nuclear engines we have developed for the Navy for one of its main lines of defense—the Polaris-launching nuclear submarine. The outstanding success of *Enterprise*, our first nuclear-propelled carrier, during the Cuban crisis and now in operation off Vietnam demonstrates what nuclear propulsion also means to naval surface warships.

Our main problem continues to be one of convincing certain Department of Defense planners that the acknowledged military advantages of nuclear propulsion of surface warships are worth paying for. Again this year the Department of Defense asked for authorization of two oil-fired first-line surface warships, again making it necessary for the Congress to change them to nuclear ships.

Nuclear power has already revolutionized naval warfare. In reality no Navy exists without nuclear power. All nations know this.

In addition, we are on the verge of another revolution in the age of the nuclear Navy. This bill contains the vital authorization for the continued work to attain the next revolutionary development. I refer to the research and development aimed at developing nuclear reactor cores for naval warships which will last for the lifetime of the warship. This will make possible many changes in the design of warships. You can be assured it will make our nuclear warships another order of magnitude more effective militarily.

The Congress has by its persistence convinced the Defense Department to utilize nuclear propulsion for all of its submarines. Moreover, at long last, the Department of Defense appears to have come around to using nuclear propulsion for all of its new aircraft carriers. Unfortunately, there remains a reluctance to accept the advantages of nuclear propulsion for first-line surface warships which escort these carriers. This subject will be fully treated in the joint committee report on nuclear propulsion of naval warships which is in the final stages of preparation. I commend this forthcoming report to all the Members of Congress.

I now turn to my third subject, the pilot plant for irradiation of meat.

On June 13, 1967, the Atomic Energy Commission announced the selection of Irradiated Foods, Inc.—IRRADCO—of Allentown, Pa., for negotiation of a contract to design, build, and operate, with Government cooperation, a pilot processing plant for the preservation of meat by irradiation. The IRRADCO proposal was submitted in association with four coowners: Isotopes, Inc., Westwood, N.J.; Allen Products Co., Inc., Allentown, Pa.; Martin-Marietta Corp., Baltimore, Md., and Uniroyal, Inc.—formerly U.S. Rubber; and a subcontractor, Thompson Farms—formerly Reliable Packaging Co.—Chicago.

The plant, expected to be operational in about 2 years, will process several varieties of meat including ham, pork, chicken, and beef, which will be introduced into the civilian market as soon as FDA approvals are granted. It is expected that such processed meat may be stored for months or even years without refrigeration and without significant loss of wholesomeness or taste. Radiation processed bacon, flour, and potatoes have already been cleared for public consumption, and are being used by the Armed Forces.

Technical assistance will be available to IRRADCO from the Army's radiation laboratory at Natick, Mass., and from AEC's Brookhaven Laboratory at Upton, N.Y. The Department of Commerce is cooperating in the interests of developing a civilian commercial market for irradiated foods, and the Department of Defense is planning to purchase a minimum of 300,000 pounds of irradiated meats annually for the first 3 years of the plant's operation.

AEC participation was authorized and funds for limited assistance were appropriated in fiscal year 1967. IRRADCO will privately finance the plant design and construction and provide the Commission with technical and economic data.

More than 30 associate proposers, mostly from the food or nuclear oriented organizations, submitted proposals. The IRRADCO proposal was selected on the basis of conceptual design, price, plant capacity, amount of AEC assistance requested, and willingness and ability to take business risks of the type involved in introducing commercially irradiated meat products into the civilian economy. A number of the proposers have requested and received briefings which, it is hoped, will be helpful in guiding their continued participation in this field.

Having said this, Mr. Chairman, I yield back the balance of my time.

Mr. HOSMER. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. ERLENBORN].

Mr. ERLENBORN. Mr. Chairman, I rise at this time to support the legislation under consideration and to compliment the Joint Committee on Atomic Energy on the job they have done regarding this legislation. Also, I compliment the Atomic Energy Commission and the National Academy of Sciences for the way in which they have handled the contest for choosing the location best suited for the construction of this proton accelerator.

I believe it is apparent that the method used was fair to all, and that political considerations were set aside completely, and that the choice of the location was made on scientific grounds.

Weston, the site that was chosen, is located in my district. The people in my district will be very happy to have this facility. We are sorry that the extraneous and false issues of the lack of water and the lack of open housing legislation in the State have been raised. I will spend a minute or two of my time to address myself to these points.

I believe the question of adequacy of water has been very adequately covered by the gentleman from Illinois [Mr. PRICE]. It has been demonstrated, and the scientists have been satisfied that there is a sufficient water supply in the area, completely apart from any source of water from Lake Michigan. The Fox River and the Niagara limestone aquifer that exists at this site will provide sufficient water. Those scientists who are going to operate this proton accelerator are satisfied, and I believe we can be satisfied with their judgment.

On the question of open housing, I believe it is interesting to note that no one, either before the Joint Committee or here on the floor, has said there is less adequate housing available in this area than at the others of the six sites. The only question raised is whether the State has an open housing law.

As a matter of fact, the raising of this question was done in a manner which made it obvious this was being used as a wedge to force the State legislature to pass an open housing law.

The fact is the question of open housing was not a criteria but, much to the credit of the Atomic Energy Commission, they did take this into consideration and they did offer to the civil rights groups, representing the civil rights movement in this country, an opportunity to express their opinions as to the adequacy of the housing at the six finalist sites.

I would be remiss if I did not report that the national board of the NAACP adopted a resolution just a year ago in which they expressed the fact that in their opinion there was discrimination existing at all six of the finalist sites. Five of these States where the sites were located had open housing laws, and one, Illinois, did not, but they found that the discrimination at all six sites was comparable, and they found no reason to take any position for or against any one of the sites.

It is obvious they had the opportunity to express their opposition to this site or to any other site if they found more discrimination at one site than at another. They found at that time there was not.

As a matter of fact, even today the only question which is being raised is a question of whether the State of Illinois has an open housing law. We do not. We have our problems. I do not deny the fact that we have had problems in my own home county of Du Page. But we have been attacking those problems.

I can report today that in the two communities near to this site, the communities of Weston and Glen Ellyn, since the first of the year there have been 250 to 300 homes available on a nondiscriminatory basis through the real estate board in each of these communities; that is, a total of 500 or 600 homes available on a nondiscriminatory basis through a voluntary plan, without the coercion of legislation.

It is also obvious that though we have problems in Illinois, those States which have open housing laws have not solved their problems. New York still has Harlem. California still has Watts.

The question here really is not whether we have adequate housing in the area near Weston. The only question raised as an objection to this site is that we do not have an open housing law. I believe those who raise this question are not helping the civil rights cause.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HOSMER. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. ERLENBORN. Mr. Chairman, I believe that those who raise this question are not doing any favors to the civil rights movement.

In other cases in this Congress there have been attempts to interfere with judgments, to interfere with the appropriations process by putting on civil rights riders. This Congress, this House, has never viewed that as a proper method of promoting the civil rights cause.

I stand here as one who voted for the open-housing provisions of the Civil Rights Act last year. I would be very happy if the State of Illinois would pass an open-housing law. But I do not believe we can use legislative blackmail for the purpose of forcing on any State of this country the laws we think that State should have by saying to them, "Pass the law and we will give you the plum." This would be the most terrible criteria for us to use, and it would be a very bad precedent, which I am certain this House is not about to adopt.

Mr. HOSMER. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. MCCULLOCH].

Mr. McCULLOCH. Mr. Chairman, I rise to support this legislation. The paramount objective of this bill is our national security and common defense, but I wish to point out to my colleagues today one of the more important peaceful aspects of the atomic energy program. It is an aspect that derives directly from the nuclear weapon.

I am speaking about Plowshare, the program which takes its name from the prophecy of Isaiah. Nuclear weapons, like swords, can be beaten into plowshares—or, in this case, transformed into peaceful nuclear explosives. These nuclear devices represent a most inexpensive form of energy where thousands of tons of explosive are required to perform a given task.

In the bill before this House, H.R. 10918, the Joint Committee is recommending authorization of $21,865,000 for Plowshare operating funds.

These funds are required to advance the research and development tasks facing Plowshare. There are two major areas of utilization for peaceful nuclear explosives. One is in the area of excavating land cuts for canals, highways, and rails, and the forming of harbors. Another is for the breaking up underground of large amounts of rock so as to stimulate gas or oil production, for retorting oil shale in place, or for leaching of ore bodies such as copper in place. Both of these uses hold great promise for improving man's opportunities for wresting from nature needed resources, and for improving his means of transportation.

I regret to note that the executive branch of the Government—despite assurances to the other body and to the Joint Committee, 4 years ago, that it could and would pursue these developments with vigor notwithstanding the limited test ban treaty—has not done so. As the committee report points out, it seems inconsistent for the United States to promise to provide other nations with Plowshare technology services while at the same time failing to proceed with the development of that technology. Moreover, such inconsistency, caution, and hesitation has cost us at least $2,000,000. One cannot help but agree with the report's recommendation that we should get on with the task of developing this technology.

If the techniques for facilitating extraction of oil from oil shale in U.S. deposits alone could be developed, we would thereby make available from U.S. deposits alone more usable oil than the presently known petroleum reserves in the rest of the world. The recurrent Middle East crises point up the need for the United States to pursue with vigor Plowshare developments in oil shale and oil and gas production stimulation. The first such experiment, called Gasbuggy—an experiment to test the feasibility of stimulating the production of gas by nuclear explosives—is scheduled to be carried out in the fall of 1967. Gasbuggy is a cooperative Government-industry project.

I urge my colleagues to support H.R. 10918 which contains authorization for many peaceful nuclear developments, among which is the beginning of a significant future for peaceful nuclear explosives.

Mr. HOLIFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. YOUNG].

Mr. YOUNG. Mr. Chairman, I join with my colleagues of the House who are members of the Joint Committee in supporting the recommendations made by the committee in its report, and urge you to approve H.R. 10918, the bill to authorize the Atomic Energy Commission's appropriations for this coming fiscal year.

Mr. Chairman, I wish to call your attention to the fact that there is in this bill a relatively small sum of money, $26.2 million—a sum less than one percent of the total funds being requested for the Atomic Energy Commission's budget this year—which will be devoted to the Commission's controlled thermonuclear research program. It will be money well spent. The Commission, after 2 years of study of this program, has reached a policy decision to substantially increase the level of research on this promising program.

The Joint Committee welcomes this more aggressive approach to controlled fusion research. We welcome this approach for several reasons. To me the most important reason is that the United States can ill afford to neglect any new and promising sources of energy. As all of you know, the electrical energy needs of our country are growing at a rate of about 7 percent a year. To put it another way, the requirements for electrical energy are doubling every 10 years. In the underdeveloped parts of the world the demand for sources of energy are in many cases growing at an even greater rate.

Controlled fusion holds the promise of a source of electrical energy whose fuel supply would be unlimited. There is enough deuterium—the heavy isotope of hydrogen—in the waters of the ocean to fuel controlled fusion reactors for millions, if not billions, of years at our current rate of electrical consumption.

The scientists who are pursuing research in this field are probably more optimistic today than they have been for many years. They are convinced that they can and will demonstrate the feasibility of controlled fusion within the next decade. A decade is not a long period of time for the advancement of technology, particularly one where it is universally recognized that getting fusion energy in a controlled manner represents one of the most difficult physics problems that science has ever faced.

As the Joint Committee's report indicates, the pursuit of research in this area will do more than eventually bring this power under man's control. It will, just as the development of controlled nuclear fission has done, spur the development of more efficient and economical methods of producing electrical energy, whether by utilizing fossil fuel, nuclear fission or controlled fusion. The free enterprise system thrives best when there exists the gadfly of competition. Competition should not be only between different entrepreneurs. It should be between different technologies as well.

For these and other reasons, I urge my colleagues in this House to vote for H.R. 10918.

Mr. Chairman, of course, besides rising in earnest, sincere, and eager support of this legislation, I want to join my distinguished colleague and friend on the committee the gentleman from Ohio, in his commendation of the very fine leadership that our chairman has given us as well as the ranking minority member of the House side, together with all of the members of the Joint Committee on Atomic Energy and the very able staff that serves this committee.

I think it is a very fine piece of legislation, Mr. Chairman. I want to say that I think this is typical of the work that this great committee does.

Mr. HOLIFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, I support the legislation as it is reported to the House by the Joint Committee on Atomic Energy.

Mr. Chairman, I rise in support of H.R. 10918, which authorizes appropriations to the AEC for fiscal year 1968. The distinguished vice chairman of the Joint Committee has already summarized the bill, and I endorse his description of the effect of this proposed legislation. I would like to add a few words specifically directed to the AEC's raw materials program.

The Joint Committee has recommended authorization of $129,094,000 for this program for fiscal year 1968. The vast majority of these funds will be used for procurement of uranium concentrate for national defense and civilian needs. The Government's uranium purchases are drawing to a close, however, and will terminate on December 31, 1970. With the sharply increasing growth of nuclear power, the need for uranium for civilian purposes has increased very significantly.

Our committee explored these matters at considerable length last year, and again this spring in connection with our authorization hearings. As the Joint Committee has stated in the past, the primary responsibility for satisfying commercial demands for uranium lies with private industry. That the uranium mining and milling industry recognizes and is taking the necessary steps to meet this responsibility is reflected by, among other things, the amount of exploration drilling undertaken in 1966 and thus far in 1967.

It should also be recognized that the Government—specifically the AEC—has certain responsibilities in this area. Knowledge concerning the quantities of uranium available and costs of recovery is intimately related to the pace and scope of this Nation's program for developing the more advanced reactors. Thus, the AEC should be in a position to evaluate and publicize the extent of our total uranium supplies, which involves compiling data obtained from private industry.

Another matter the committee expects to follow closely during the coming year concerns the AEC's plans for determining the viability of the domestic uranium industry and the consequent removal of the prohibition against all toll enriching foreign uranium for domestic use, in accordance with Public Law 88-489. The AEC has stated it is still too early to establish quantitative criteria for such determination, and the committee agrees. However, it is important for the AEC and the committee to remain alert to new data which could affect this conclusion.

STATEMENT ON RADIATION EXPOSURE OF URANIUM MINERS

The Joint Committee on Atomic Energy has always maintained the keenest interest in the subject of protecting atomic energy workers and the general public against the hazards of excessive radiation exposure. We have conducted many hearings and have requested the experts in this field, whether they be employed in the Federal Government or elsewhere, to testify before us. We have considered ourselves responsible to Congress and the American people to place the best available information about these matters in the public record.

Uranium miners are among the categories of workers who may be exposed to excessive amounts of radiation unless appropriate measures are taken to reduce this exposure. The radiation hazards facing uranium miners have been considered a number of times in the past by the Joint Committee, as well as by other committees of Congress. Substantial progress has been made by the mining industry—in cooperation with State and Federal organizations—since the early days of the atomic energy program in reducing the radiation levels in the mines. However, in April of this year we decided that a public hearing was called for in order to explore the reasons for delay on the Federal level in establishing and enforcing effective standards for radiation exposure of uranium miners.

We therefore announced that our hearings would be held beginning on May 9. A few days before our hearings commenced, the Secretary of Labor issued an order under the Walsh-Healey Act establishing standards applicable to deliveries of uranium to the AEC. At the present time all significant deliveries of uranium concentrate are being made under AEC contracts, although substantial sales to private parties in the United States have already occurred.

Seven days of hearings specifically devoted to the radiation exposure of uranium miners were held before the committee's subcommittee on research, development, and radiation during May and June. Our witnesses included representatives from Federal and State agencies, labor unions, mining companies, and scientific experts. We explored this matter in great depth and as a result made some preliminary recommendations which are set forth in the committee's report on the AEC's fiscal 1968 authorization bill. One of the results of our hearings was the issuance of revised Walsh-Healey regulations by the Secretary of Labor as of June 12, 1967.

Of course, sustained efforts will be required to make further improvements in the uranium mining environments. Some of these efforts are underway among the responsible Federal agencies. The committee remains seriously concerned, moreover, that the Federal radiation council still has not adopted a recommended exposure standard for uranium miners. Our committee expects to schedule additional hearings to inquire into this matter. We intend to maintain surveillance over the executive agencies to assure ourselves that appropriate measures are taken, and that the division of responsibilities within the Federal Government does not serve as an excuse for inaction.

Unfortunately, a considerable amount of misinformation has been publicized concerning the past, present, and future hazards facing the uranium miners. Some of this has been the result of erroneous statements made by Federal officials, as well as sensational news coverage. There are the usual individuals who seek to derive personal profit by playing upon the fear of the unknown, and the legitimate concern we all share for the welfare of our fellow citizens.

It is to be expected in a field as complex as this that public confusion will result, and we consider it one of our committee's primary responsibilities to help clarify these matters to the maximum possible degree. The record of our recent hearings, though not yet published, is available for anyone to read, and we believe that the printed transcript will make a significant contribution to understanding of this subject.

In summary, I believe H.R. 10918 provides for essential AEC activities relating to the uranium industry, and I urge enactment of this legislation.

Mr. HOLIFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Mr. Chairman, I support this legislation.

Mr. HOLIFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from New Mexico [Mr. MORRIS].

Mr. MORRIS of New Mexico. Mr. Chairman, included in H.R. 10918 is an authorization for funds to build a meson physics facility at the Los Alamos Scientific Laboratory in the State of New Mexico.

I would like to remind my colleagues of the importance of this project, not only to research in basic science at the Los Alamos Laboratory, but the importance of this facility to research and education in the Rocky Mountain States.

This facility, which consists primarily of a proton linear accelerator, when completed in 1971 will be the highest intensity—although not the largest energy—proton accelerator in existence. Thus it will be a unique research tool, the only one of its kind in the world, and it will be located in the Rocky Mountain States.

The Los Alamos Laboratory is already a center of excellence in nuclear science as you all know. The atomic bomb was developed at the Los Alamos Laboratory and for the most part this laboratory has devoted itself to the weapons aspects of our national security. However, approximately one-half of the Los Alamos effort today is in nonweapons research and development, such as the Rover nuclear propulsion for space program and the controlled fusion program which some of my colleagues may have alluded to. I wish to point out today that the scientists at the Los Alamos Laboratory are also engaged in unclassified basic research of great significance. The meson physics facility will indeed provide another way to further that fundamental research.

The primary reason for this facility is to study the forces within the nucleus of the atom, to try to understand why and how protons can stick to each other or stick to neutrons in the core of the atom. My colleagues are aware of the fact that we have been able to achieve the release of nuclear energy from the nucleus of the atom. We can utilize such energy to produce electricity. We can also utilize such energy to deter other nations from nuclear war, but scientists still do not know the nature of the forces involved in the large amounts of energy that are available in the nucleus of the atom. The highest intensity proton accelerator—this meson physics facility—is being built with the purpose of studying these nuclear forces. The reason it is called a meson physics facility is that it will produce a secondary beam of medium mass particles known as mesons. It is these medium mass particles, specifically of the pion type, which it is hypothesized is the means by which the forces between protons and neutrons in the nucleus are exchanged. Scientists have great hopes that when this facility is operating in 1971 we will begin to see evidence of the mechanism by which these forces are maintained.

Another group of scientists, the biologists and the medical scientists, have another use for pions. They would like to use negative pions for the purpose of treating deep-seated cancers in human beings. The linear accelerator at Los Alamos will provide beams of pions which can be utilized for medical research purposes in conjunction with the University of New Mexico Medical School. Such experiments will be carried on there and hopefully before the end of the 1970's, if better methods are not found for coping with deep-seated cancers, these strange particles may be used to alleviate the problems of deep-seated cancers.

As I stated before, this meson facility will be a great research facility unique in this world and located in a place convenient to all the scientists of this country, but most particularly, convenient to the researchers in the Rocky Mountain States. There are many good universities in the Rocky Mountain States and we need such research facilities to assure us that the people we train in the sciences will be able to work at home and receive further graduate training within their own region. Furthermore, it will give other Americans not blessed with the opportunity to live in the Rocky Mountain region, an opportunity to do their graduate study and perhaps make their careers in science and live in the Rocky Mountain region.

I would therefore urge my colleagues to follow the recommendations of the Joint Committee on Atomic Energy and support H.R. 10918, the bill authorizing funds for the Atomic Energy Commission's fiscal year 1968 program, a program which is forward looking with regard to science and technology. Not only ourselves but our children and our grandchildren will in the years to come profit from the research and development that will be carried out with the funds being recommended for authorization today.

Mr. HOLIFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Chairman, I would like to point out that the Atomic Energy Commission received from Mr. Clarence Mitchell, the director of the Washington bureau of the National Association for the Advancement of Colored People, a letter which does put in question the racial atmosphere and the lack of an open housing policy in and around the village of Weston, Ill. Mr. Mitchell's letter reads:

JUNE 21, 1966.

Dr. GLENN T. SEABORG,
Chairman, Atomic Energy Commission,
Washington, D.C.

DEAR DR. SEABORG: It is my understanding that the Atomic Energy Commission is carefully evaluating various sites for the location of the Atom Smasher. It is gratifying to note that among other things the Commission is considering whether adequate housing facilities will be available for persons connected with the project. During a recent visit to Colorado it was heartening to hear that the officials of that state were determined to see that there would not be any discrimination on the basis of race in the field of housing. As I am sure you know, the state of Colorado has passed and now enforces a fair housing law.

We are advised that the state of Illinois is also under consideration as a possible site. That state has a long history of extensive housing discrimination on the basis of race. In addition, its legislature has refused to pass a fair housing law. President Lyndon Johnson has called upon the Congress to enact a national fair housing statute but the junior Senator from Illinois, Mr. Everett Dirksen, has announced his opposition to this proposal. With the state legislature opposed to fair housing and an influential United States Senator also against fair housing policies, it would seem that Illinois should be disqualified as a possible location for the project.

Accordingly, it is urged that the Commission make a careful inquiry on the housing picture in Illinois. Without a clear legislative safeguard from the state and/or the Federal Government, it would seem that Illinois cannot possibly give assurances that there would be adequate safeguards against persons being deprived of housing solely because of race. A reply to this letter will be appreciated.

Sincerely yours,
CLARENCE MITCHELL,
Director, Washington Bureau.

Mr. Chairman, the Chairman of the Atomic Energy Commission responded as follows:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., July 1, 1966.

Mr. CLARENCE MITCHELL,
Director, Washington Bureau, National Association for the Advancement of Colored People, Washington, D.C.

DEAR MR. MITCHELL: Thank you for your letter of June 21 concerning the problem of housing discrimination and its relationship to the Commission's choice of a site for the proposed 200 Bev accelerator. You may be assured that the Commission deems this matter to be an important aspect in its search for the best site for the machine.

Under the circumstances, I have taken the liberty of making key portions of your letter available to the Director, State of Illinois Department of Business and Economic Development, so that he might respond on this matter, which is of concern to us all. I am enclosing a copy of my letter.

Sincerely yours,
Glenn T. Seaborg,
Chairman.

Now, Mr. Chairman, the question Mr. Mitchell raised a year ago is exactly what is in contention today. Each of the other five final site choices were in communities which had better support for open occupancy and which had better conditions with reference to this factor.

Mr. Chairman, for anyone to suggest to the Congress or to anyone else that that question was not involved or is not involved, I think they should be referred not only to the Chairman's letter, but to the assurances that were sought by the Atomic Energy Commission regarding the availability of housing to all on an equal basis. They went to some length to emphasize that they were going to inquire into the racial atmosphere existing in the community in which they were going to locate an ultimately one-half billion dollar project.

A press release of the AEC, issued on January 20, 1967, reflects the fact that it did, indeed, seek assurance of a harmonious racial atmosphere, and that there was some uncertainty concerning housing conditions in the area around the Weston site. The release stated in reference to "other considerations" in determining the site for the project:

With regard to using the Accelerator Laboratory to help establish new centers of excellence, the Commission concluded that the national nature of the project is of such importance as to mitigate against too closely associating the project with any one institution or group of regional institutions. The outstanding accessibility of the Weston site should enable the Accelerator Laboratory to have a large and beneficial impact on more than merely the universities and colleges closest at hand.

In its investigations and evaluations the Atomic Energy Commission included consideration of the climate of equal opportunity and non-discrimination that existed in the communities containing and surrounding the six prospective sites, as well as the applicable state laws, executive orders and local ordinances.

The AEC sought and obtained assurances of nondiscrimination and equal opportunity from local government entities, labor unions, business and industry, lending institutions, professional groups, as well as assurances that there would be individual and common efforts to prevent or offset discrimination and to deal with it promptly should it occur.

Information received pertaining to the Western area reflected a progressive attitude toward equal employment opportunity, efforts to provide equality in suburban public school systems, and a number of community human relations councils devoted to eliminating discrimination.

The Atomic Energy Commission noted differing views with respect to existence of nondiscrimination in housing, and in certain areas more distant from the site, with respect to integration in public schools, but will expect that with the leadership of the state and local governments and with the cooperation and support of citizens and community organizations in the Chicago area, a broad satisfactory record of nondiscrimination and equal opportunity will be achieved.

Mr. Chairman, it is my opinion that this should be a matter of special concern to the House since last year we went on record that the national public policy should be to eliminate segregated housing anywhere in America.

Therefore, Mr. Chairman, at the proper time I shall offer an amendment to delete from this bill all funds for the preliminary design of the Weston project.

Since this question may be raised later in the debate, I want to particularly discuss the position of the National Association for the Advancement of Colored People. I want to read to the House a telegram sent by the executive director of the NAACP, Mr. Roy Wilkins, to Chairman Seaborg, on the day after the Illinois State Senate defeated the open housing law.

June 16, 1967.

Dr. Glenn T. Seaborg,
Chairman, Atomic Energy Commission, Washington, D.C.:

Since Illinois senate today voted to kill fair housing bill National Association for Advancement of Colored People calls upon Atomic Energy Commission to revoke award of atomic installation to Weston, Illinois, on ground the State has no guarantee in law against racial discrimination in the sale or rental of homes. This refusal of Illinois Legislature means that an intolerable situation in which hundreds of millions of dollars made available by taxes upon all the citizens of the Nation, will be used to provide jobs only for white workers since only they will have unrestricted access to housing near their employment. We do not intend that this shall happen. The contract for this installation should go immediately to a community and a State which already has a fair housing statute. Illinois has had its chance and has chosen its course. We ask the Atomic Energy Commission to invoke the national non-discrimination policy and laws of the United States.

Roy Wilkins,
Executive Director.

To further amplify my initial presentation on this matter, I would like to include in the Record at this point a letter from the National Committee Against Discrimination in Housing which I think summarizes the case against the Weston site cogently, concisely, and persuasively. I want to point out the National Committee Against Discrimination in Housing is made up of all the many national organizations which are concerned that no American should be denied a place to live because of the color of his skin. The organizations in the national committee include church, labor, civil rights, fraternal and various other civic groups:

National Committee Against
Discrimination in Housing,
New York, N.Y., January 27, 1967.

Dr. Glenn T. Seaborg,
Chairman, Atomic Energy Commission, Washington, D.C.

Dear Dr. Seaborg: We are deeply disturbed by your Commission's decision to build its new $375 million proton accelerator in Weston, Illinois, in the most segregated large metropolitan area in the United States. Despite Weston's proximity to Chicago's heavily impacted racial ghettos there are no Negroes living in Weston or in the surrounding communities.

The National Committee Against Discrimination in Housing (NCDH) has long maintained that Federal Government installations of every magnitude and importance should be located only in communities which are committed to a policy of and are taking affirmative action toward achieving integration in the housing market and in every aspect of community life.

This position of NCDH has been upheld by President Johnson on numerous occasions, most recently in his address to the employees of the Social Security Administration in Baltimore, Maryland. Executive Order 11063 and Title VI of the 1964 Civil Rights Act require that Federal agencies plan and execute all programs in a manner offering maximum opportunity to all citizens. As the President repeatedly has noted, the relationship of housing to job opportunities is clear, direct and crucial.

Unlike the other areas which participated in the competition for the AEC facility, metropolitan Chicago alone has taken no positive steps to confront its racial problems. When one considers that applications from areas other than Chicago were reinforced by state fair housing laws and other state and locally developed programs to break down segregation in employment, education, housing and related facilities, the determination of the Atomic Energy Commission to base its selection of Chicago on mere assurances of nondiscrimination must raise serious questions concerning the AEC's good intentions. This decision not only flies in the face of established Federal policy, but represents a major retreat from the position publicly enunciated by the AEC itself. NCDH recognizes that numerous factors went into the site selection process, and that race was but one of these factors. However, the pronouncements of your agency led the nation to believe that the open housing condition would not be waived under any circumstances.

As the AEC well knows, Negroes are denied the right to purchase and rent homes in suburban Chicago, which alone would make real their access to suburban employment opportunities. The Legislature of the State of Illinois, for example, has refused consistently to enact fair housing legislation covering the private market. Only last week the majority leader of the Illinois State Senate indicated that further "study" is required before Illinois is ready for fair housing legislation. In addition, the City of Chicago, with more than one million Negroes rigidly confined to segregated areas, has refused to extend its limited and weakly enforced fair housing law to the total housing supply. Even now, Chicago officials are planning to develop six thousand units of public housing in an area already heavily Negro to assure that racial segregation in that area is continued for generations to come.

So hostile is the Chicago metropolitan area to the idea of open housing for Negroes that the organized real estate industry of DuPage County, where the AEC facility is to be located, initiated the successful effort to enjoin the enforcement of Governor Kerner's executive order on housing.

The AEC's decision was announced more than a month ago; yet, there has been no significant change in the attitudes and practices of public officials or the real estate industry in and around Chicago toward open housing. Community doors have been locked to Negroes for generations, and they continue to be locked to Negroes today. Moreover, the virtual absence of Negroes from communities in and around the Weston site and the complete lack of Negro membership in the suburban craft unions of metropolitan Chicago calls into question the basis on which even the limited assurances of nondiscrimination were given. If Negroes cannot live or among the responsible Federal agencies. The committee remains seriously concerned, moreover, that the Federal radiation council still has not adopted a recommended exposure standard for uranium miners. Our committee expects to schedule additional hearings to inquire into this matter. We intend to maintain surveillance over the executive agencies to assure ourselves that appropriate measures are taken, and that the division of responsibilities within the Federal Government does not serve as an excuse for inaction.

Unfortunately, a considerable amount of misinformation has been publicized concerning the past, present, and future hazards facing the uranium miners. Some of this has been the result of erroneous statements made by Federal officials, as well as sensational news coverage. There are the usual individuals who seek to derive personal profit by playing upon the fear of the unknown, and the legitimate concern we all share for the welfare of our fellow citizens.

It is to be expected in a field as complex as this that public confusion will result, and we consider it one of our committee's primary responsibilities to help clarify these matters to the maximum possible degree. The record of our recent hearings, though not yet published, is available for anyone to read, and we believe that the printed transcript will make a significant contribution to understanding of this subject.

In summary, I believe H.R. 10918 provides for essential AEC activities relating to the uranium industry, and I urge enactment of this legislation.

Mr. HOLIFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. Rostenkowski].

Mr. ROSTENKOWSKI. Mr. Chairman, I support this legislation.

Mr. HOLIFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from New Mexico [Mr. Morris].

Mr. MORRIS of New Mexico. Mr. Chairman, included in H.R. 10918 is an authorization for funds to build a meson physics facility at the Los Alamos Scientific Laboratory in the State of New Mexico.

I would like to remind my colleagues of the importance of this project, not only to research in basic science at the Los Alamos Laboratory, but the importance of this facility to research and education in the Rocky Mountain States.

This facility, which consists primarily of a proton linear accelerator, when completed in 1971 will be the highest intensity—although not the largest energy—proton accelerator in existence. Thus it will be a unique research tool, the only one of its kind in the world, and it will be located in the Rocky Mountain States.

The Los Alamos Laboratory is already a center of excellence in nuclear science as you all know. The atomic bomb was developed at the Los Alamos Laboratory and for the most part this laboratory has devoted itself to the weapons aspects of our national security. However, approximately one-half of the Los Alamos effort today is in nonweapons research and development, such as the Rover nuclear propulsion for space program and the controlled fusion program which some of my colleagues may have alluded to. I wish to point out today that the scientists at the Los Alamos Laboratory are also engaged in unclassified basic research of great significance. The meson physics facility will indeed provide another way to further that fundamental research.

The primary reason for this facility is to study the forces within the nucleus of the atom, to try to understand why and how protons can stick to each other or stick to neutrons in the core of the atom. My colleagues are aware of the fact that we have been able to achieve the release of nuclear energy from the nucleus of the atom. We can utilize such energy to produce electricity. We can also utilize such energy to deter other nations from nuclear war, but scientists still do not know the nature of the forces involved in the large amounts of energy that are available in the nucleus of the atom. The highest intensity proton accelerator—this meson physics facility—is being built with the purpose of studying these nuclear forces. The reason it is called a meson physics facility is that it will produce a secondary beam of medium mass particles known as mesons. It is these medium mass particles, specifically of the pion type, which it is hypothesized is the means by which the forces between protons and neutrons in the nucleus are exchanged. Scientists have great hopes that when this facility is operating in 1971 we will begin to see evidence of the mechanism by which these forces are maintained.

Another group of scientists, the biologists and the medical scientists, have another use for pions. They would like to use negative pions for the purpose of treating deep-seated cancers in human beings. The linear accelerator at Los Alamos will provide beams of pions which can be utilized for medical research purposes in conjunction with the University of New Mexico Medical School. Such experiments will be carried on there and hopefully before the end of the 1970's, if better methods are not found for coping with deep-seated cancers, these strange particles may be used to alleviate the problems of deep-seated cancers.

As I stated before, this meson facility will be a great research facility unique in this world and located in a place convenient to all the scientists of this country, but most particularly, convenient to the researchers in the Rocky Mountain States. There are many good universities in the Rocky Mountain States and we need such research facilities to assure us that the people we train in the sciences will be able to work at home and receive further graduate training within their own region. Furthermore, it will give other Americans not blessed with the opportunity to live in the Rocky Mountain region, an opportunity to do their graduate study and perhaps make their careers in science and live in the Rocky Mountain region.

I would therefore urge my colleagues to follow the recommendations of the Joint Committee on Atomic Energy and support H.R. 10918, the bill authorizing funds for the Atomic Energy Commission's fiscal year 1968 program, a program which is forward looking with regard to science and technology. Not only ourselves but our children and our grandchildren will in the years to come profit from the research and development that will be carried out with the funds being recommended for authorization today.

Mr. HOLIFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. Conyers].

Mr. CONYERS. Mr. Chairman, I would like to point out that the Atomic Energy Commission received from Mr. Clarence Mitchell, the director of the Washington bureau of the National Association for the Advancement of Colored People, a letter which does put in question the racial atmosphere and the lack of an open housing policy in and around the village of Weston, Ill. Mr. Mitchell's letter reads:

June 21, 1966.

Dr. Glenn T. Seaborg,
Chairman, Atomic Energy Commission,
Washington, D.C.

Dear Dr. Seaborg: It is my understanding that the Atomic Energy Commission is carefully evaluating various sites for the location of the Atom Smasher. It is gratifying to note that among other things the Commission is considering whether adequate housing facilities will be available for persons connected with the project. During a recent visit to Colorado it was heartening to hear that the officials of that state were determined to see that there would not be any discrimination on the basis of race in the field of housing. As I am sure you know, the state of Colorado has passed and now enforces a fair housing law.

We are advised that the state of Illinois is also under consideration as a possible site. That state has a long history of extensive housing discrimination on the basis of race. In addition, its legislature has refused to pass a fair housing law. President Lyndon Johnson has called upon the Congress to enact a national fair housing statute but the junior Senator from Illinois, Mr. Everett Dirksen, has announced his opposition to this proposal. With the state legislature opposed to fair housing and an influential United States Senator also against fair housing policies, it would seem that Illinois should be disqualified as a possible location for the project.

Accordingly, it is urged that the Commission make a careful inquiry on the housing picture in Illinois. Without a clear legislative safeguard from the state and/or the Federal Government, it would seem that Illinois cannot possibly give assurances that there would be adequate safeguards against persons being deprived of housing solely because of race. A reply to this letter will be appreciated.

Sincerely yours,

Clarence Mitchell,
Director, Washington Bureau.

Mr. Chairman, the Chairman of the Atomic Energy Commission responded as follows:

U.S. Atomic Energy Commission,
Washington, D.C., July 1, 1966.

Mr. Clarence Mitchell,
Director, Washington Bureau, National Association for the Advancement of Colored People, Washington, D.C.

Dear Mr. Mitchell: Thank you for your letter of June 21 concerning the problem of housing discrimination and its relationship to the Commission's choice of a site for the proposed 200 Bev accelerator. You may be assured that the Commission deems this matter to be an important aspect in its search for the best site for the machine.

Under the circumstances, I have taken the liberty of making key portions of your letter available to the Director, State of Illinois Department of Business and Economic Development, so that he might respond on this matter, which is of concern to us all. I am enclosing a copy of my letter.

Sincerely yours,

Glenn T. Seaborg,
Chairman.

Now, Mr. Chairman, the question Mr. Mitchell raised a year ago is exactly what is in contention today. Each of the other five final site choices were in communities which had better support for open occupancy and which had better conditions with reference to this factor.

Mr. Chairman, for anyone to suggest to the Congress or to anyone else that that question was not involved or is not involved, I think they should be referred not only to the Chairman's letter, but to the assurances that were sought by the Atomic Energy Commission regarding the availability of housing to all on an equal basis. They went to some length to emphasize that they were going to inquire into the racial atmosphere existing in the community in which they were going to locate an ultimately one-half billion dollar project.

A press release of the AEC, issued on January 20, 1967, reflects the fact that it did, indeed, seek assurance of a harmonious racial atmosphere, and that there was some uncertainty concerning housing conditions in the area around the Weston site. The release stated in reference to "other considerations" in determining the site for the project:

With regard to using the Accelerator Laboratory to help establish new centers of excellence, the Commission concluded that the national nature of the project is of such importance as to mitigate against too closely associating the project with any one institution or group of regional institutions. The outstanding accessibility of the Weston site should enable the Accelerator Laboratory to have a large and beneficial impact on more than merely the universities and colleges closest at hand.

In its investigations and evaluations the Atomic Energy Commission included consideration of the climate of equal opportunity and non-discrimination that existed in the communities containing and surrounding the six prospective sites, as well as the applicable state laws, executive orders and local ordinances.

The AEC sought and obtained assurances of nondiscrimination and equal opportunity from local government entities, labor unions, business and industry, lending institutions, professional groups, as well as assurances that there would be individual and common efforts to prevent or offset discrimination and to deal with it promptly should it occur.

Information received pertaining to the Western area reflected a progressive attitude toward equal employment opportunity, efforts to provide equality in suburban public school systems, and a number of community human relations councils devoted to eliminating discrimination.

The Atomic Energy Commission noted differing views with respect to existence of nondiscrimination in housing, and in certain areas more distant from the site, with respect to integration in public schools, but will expect that with the leadership of the state and local governments and with the cooperation and support of citizens and community organizations in the Chicago area, a broad satisfactory record of nondiscrimination and equal opportunity will be achieved.

Mr. Chairman, it is my opinion that this should be a matter of special concern to the House since last year we went on record that the national public policy should be to eliminate segregated housing anywhere in America.

Therefore, Mr. Chairman, at the proper time I shall offer an amendment to delete from this bill all funds for the preliminary design of the Weston project.

Since this question may be raised later in the debate, I want to particularly discuss the position of the National Association for the Advancement of Colored People. I want to read to the House a telegram sent by the executive director of the NAACP, Mr. Roy Wilkins, to Chairman Seaborg, on the day after the Illinois State Senate defeated the open housing law.

June 16, 1967.

Dr. Glenn T. Seaborg,
Chairman, Atomic Energy Commission,
Washington, D.C.:

Since Illinois senate today voted to kill fair housing bill National Association for Advancement of Colored People calls upon Atomic Energy Commission to revoke award of atomic installation to Weston, Illinois, on ground the State has no guarantee in law against racial discrimination in the sale or rental of homes. This refusal of Illinois Legislature means that an intolerable situation in which hundreds of millions of dollars made available by taxes upon all the citizens of the Nation, will be used to provide jobs only for white workers since only they will have unrestricted access to housing near their employment. We do not intend that this shall happen. The contract for this installation should go immediately to a community and a State which already has a fair housing statute. Illinois has had its chance and has chosen its course. We ask the Atomic Energy Commission to invoke the national non-discrimination policy and laws of the United States.

Roy Wilkins,
Executive Director.

To further amplify my initial presentation on this matter, I would like to include in the Record at this point a letter from the National Committee Against Discrimination in Housing which I think summarizes the case against the Weston site cogently, concisely, and persuasively. I want to point out the National Committee Against Discrimination in Housing is made up of all the many national organizations which are concerned that no American should be denied a place to live because of the color of his skin. The organizations in the national committee include church, labor, civil rights, fraternal and various other civic groups:

National Committee Against
Discrimination in Housing,
New York, N.Y., January 27, 1967.

Dr. Glenn T. Seaborg,
Chairman, Atomic Energy Commission,
Washington, D.C.

Dear Dr. Seaborg: We are deeply disturbed by your Commission's decision to build its new $375 million proton accelerator in Weston, Illinois, in the most segregated large metropolitan area in the United States. Despite Weston's proximity to Chicago's heavily impacted racial ghettos there are no Negroes living in Weston or in the surrounding communities.

The National Committee Against Discrimination in Housing (NCDH) has long maintained that Federal Government installations of every magnitude and importance should be located only in communities which are committed to a policy of and are taking affirmative action toward achieving integration in the housing market and in every aspect of community life.

This position of NCDH has been upheld by President Johnson on numerous occasions, most recently in his address to the employees of the Social Security Administration in Baltimore, Maryland. Executive Order 11063 and Title VI of the 1964 Civil Rights Act require that Federal agencies plan and execute all programs in a manner offering maximum opportunity to all citizens. As the President repeatedly has noted, the relationship of housing to job opportunities is clear, direct and crucial.

Unlike the other areas which participated in the competition for the AEC facility, metropolitan Chicago alone has taken no positive steps to confront its racial problems. When one considers that applications from areas other than Chicago were reinforced by state fair housing laws and other state and locally developed programs to break down segregation in employment, education, housing and related facilities, the determination of the Atomic Energy Commission to base its selection of Chicago on mere assurances of nondiscrimination must raise serious questions concerning the AEC's good intentions. This decision not only flies in the face of established Federal policy, but represents a major retreat from the position publicly enunciated by the AEC itself. NCDH recognizes that numerous factors went into the site selection process, and that race was but one of these factors. However, the pronouncements of your agency led the nation to believe that the open housing condition would not be waived under any circumstances.

As the AEC well knows, Negroes are denied the right to purchase and rent homes in suburban Chicago, which alone would make real their access to suburban employment opportunities. The Legislature of the State of Illinois, for example, has refused consistently to enact fair housing legislation covering the private market. Only last week the majority leader of the Illinois State Senate indicated that further "study" is required before Illinois is ready for fair housing legislation. In addition, the City of Chicago, with more than one million Negroes rigidly confined to segregated areas, has refused to extend its limited and weakly enforced fair housing law to the total housing supply. Even now, Chicago officials are planning to develop six thousand units of public housing in an area already heavily Negro to assure that racial segregation in that area is continued for generations to come.

So hostile is the Chicago metropolitan area to the idea of open housing for Negroes that the organized real estate industry of DuPage County, where the AEC facility is to be located, initiated the successful effort to enjoin the enforcement of Governor Kerner's executive order on housing.

The AEC's decision was announced more than a month ago; yet, there has been no significant change in the attitudes and practices of public officials or the real estate industry in and around Chicago toward open housing. Community doors have been locked to Negroes for generations, and they continue to be locked to Negroes today. Moreover, the virtual absence of Negroes from communities in and around the Weston site and the complete lack of Negro membership in the suburban craft unions of metropolitan Chicago calls into question the basis on which even the limited assurances of nondiscrimination were given. If Negroes cannot live or work near the site area, their legal right to AEC employment is essentially meaningless and without foundation.

We submit that if the public funds and monies of the Government of the United States are to be used to develop the Weston-DuPage area along existing lines of racial and economic exclusion, this nation will have forfeited in advance the opportunity to utilize the last remaining land resource in the Chicago metropolitan area to facilitate the outward movement and suburbanization of thousands of Negro families now trapped in the slum ghettos of Chicago.

For the foregoing reasons, NCDH calls upon the Atomic Energy Commission and the Joint Congressional Committee on Atomic Energy to withhold final approval of the Chicago area site, pending specific positive demonstrations that Illinois and Chicago will in fact plan, enact and carry through an across-the-board program to open wide the doors of equal opportunity for minority families.

The AEC and the Joint Committee should insist first, that the Legislature of the State of Illinois, now sitting in executive session, enact comprehensive fair housing legislation, covering the total housing supply. This legislation should apply to owners, builders, brokers, mortgage lenders and advertisers. Provision for vigorous and affirmative enforcement should be included and specific penalties prescribed.

Secondly, the terms of the agreement between the Chicago Freedom Movement and the political and economic forces which govern Chicago should be positively and unequivocally implemented, with the specific aim of breaking down existing patterns of residential segregation which have created the ghetto way of life.

Thirdly, the suburban Chicago community should initiate a revision of zoning laws, building codes and other legal and administrative devices which are used to bar entry to those communities of low- and moderate-income Negro families. Suburban jurisdictions should be required to enact local fair housing ordinances which establish as a matter of public policy the desire of these communities to welcome persons of all races and income groups.

Finally, the business community of metropolitan Chicago, including major employers and the real estate, mortgage lending, and home building industries, should declare publicly their determination to promote residential integration through such specific action as the affirmative marketing of existing housing to minority families and the development of an ample supply of low- and moderate-cost units widely dispersed throughout suburban Chicago.

We expect the Atomic Energy Commission to hold the state and metropolitan area firmly to their commitments, and to fulfill its responsibility and obligation to insure that the new town resulting from this installation will be a truly integrated community which opens the entire surrounding area. The steps outlined above are essential. If they are taken, they will result in substantial desegregation from one of the nation's most impacted racial ghettos. If they are not, the Weston site must be abandoned.

Sincerely yours,

EDWARD RUTLEDGE,
Executive Director.
JACK E. WOOD, Jr.
Associate Executive Director.

Mr. HOSMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. MCCLORY].

Mr. McCLORY. Mr. Chairman, I am pleased that this bill (H.R. 10918) authorizes funds for engineering plans and designs to locate the proposed 200-Bev accelerator at Weston, Ill.

The gentleman from California [Mr. HOLIFIELD] and the gentleman from Illinois [Mr. PRICE] have discussed the criteria and detailed consideration which entered into the final selection of Weston for this great scientific project.

I am confident that the scientific and academic talent and personnel available from Illinois Institute of Technology, Northwestern University, the University of Illinois, University of Chicago, and other colleges, universities and scientific and academic agencies in this area of the Nation contribute to make the selection of this site highly commendable.

I am confident that the cooperation of the State of Illinois and the surrounding and neighboring communities to Weston will be immediate and complete. Their hospitality will be warm and genuine. I predict that the experience of those who serve with the 200-Bev accelerator at Weston, Ill., will be harmonious and rewarding to the entire Nation.

Mr. HOSMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to join with the distinguished vice chairman of the Joint Committee in urging the House to enact H.R. 10918, the Atomic Energy Commission's fiscal year 1968 authorization bill.

The Commission's request for authorization of appropriations has again this year been subjected to the closest Joint Committee examination. In addition to the 34 hours of hearings before the full committee which Mr. HOLIFIELD referred to, related hearings totaling 9½ hours were held in executive session before the Subcommittee on Military Applications concerning nuclear weapons policy and special nuclear materials requirements. Also, the Subcommittee on Research, Development, and Radiation devoted 6 hours of open hearings to reviewing several issues directly pertinent to the Commission's authorization request.

Mr. HOLIFIELD has already summarized this bill and I believe there is no need for me to repeat what he has said. However, there are one or two points about the bill that I might call to your particular attention. In what I consider to be a very prudent step the committee has recommended an increase of $15,000,000 over the $700.5 million in operating funds requested by the Commission for its important nuclear weapons program. The committee became convinced during its executive session hearings on this program that added moneys would be needed if the Commission was to carry out both its high priority weapons development and production program and its testing program without sacrificing one to supplement the other. While some committee members might have thought it advisable to add more than $15 million to the weapons budget, and others less, there was no question among the members that an increase in the neighborhood of the amount finally agreed to was necessary and desirable. I would like to comment further later on concerning the weapons program.

On the civilian side of the AEC budget I was particularly gratified to see the committee recommend an increase of $1.5 million in operating funds for the Stanford linear accelerator—SLAC. After spending $114 million to construct this machine the Commission was planning to operate it at only one-half capacity during the coming fiscal year, primarily for budgetary reasons. The $1.5 million increase recommended by the committee, together with another $1.5 million which the committee has recommended should be provided by the Commission from within the physical research program, will permit a more efficient 15-shift-per-week operation of this machine.

Despite these and one or two other recommended increases in particular AEC programs, the overall amount requested by the AEC would not be increased by this bill, and in fact would be reduced by more than $4,000,000.

As noted by our distinguished vice chairman, H.R. 10918 has been reported by the Joint Committee without any dissent among the House Members of the committee. I am confident that the bill which the Joint Committee has recommended to Congress is a sound one and believe that it warrants passage without change.

Mr. Chairman, it is very important to note at times not only those items that are authorized, but also those significant items that because it is a tight budget year failed to receive the committee's recommendation.

In this connection I wish to bring to the attention of this House the importance of a modest sized accelerator, the omnitron, that the Joint Committee deferred recommending for funding.

The proposed omnitron is a facility capable of accelerating all kinds—hence the name omni—of ions from the single charged proton, the nucleus of ordinary hydrogen to the 92 proton charges in the nucleus of uranium.

The research to be accomplished with the omnitron accelerator, which is proposed to be built at the Lawrence Radiation Laboratory in Berkeley, Calif., can make significant contributions to many fields of science. In particular it has been pointed out to the Joint Committee on Atomic Energy that this accelerator will permit experiments critical to nuclear chemistry, nuclear physics, and biology and medicine. The omnitron accelerator is probably the most versatile accelerator ever proposed.

Studies on the design of this accelerator commenced in 1964 and the laboratory designers, under the able leadership of Prof. Albert Ghiorso, are now ready to begin the detailed architect-engineering of this device.

One area of especially significant research is in the field of creating and then identifying new elements. These new elements have nuclei heavier and of greater charge than uranium. Heavy elements with atomic numbers between 114 and 124 may even be relatively stable like plutonium, for example, and thus permit new nuclear fuels or possibly the most dense types of materials to be produced.

Another important area of research is biomedicine. Heavy ion beams can produce more precise and localized effects in living tissue than can X-rays or gamma rays. These beams may be used as a surgical knife in areas which would otherwise be inaccessible.

This facility is estimated to cost $25,000,000. Its importance to science and eventually to mankind will be great.

I urge my colleagues in the House and on the Joint Committee to remember next year that this project was only deferred. It was deferred without prejudice and its approval next year should be assured. Its importance is too great to do otherwise.

I would like to include in the RECORD at this point a letter from the distinguished director, Dr. Ed McMillan, of the Lawrence Radiation Laboratory in Berkeley, Calif., where this accelerator would be built. He clearly states how important this research tool is:

UNIVERSITY OF CALIFORNIA,
Berkeley, Calif., June 23, 1967.

Hon. CRAIG HOSMER,
House Office Building,
Washington, D.C.

DEAR CRAIG: Following up on our telephone conversation of last Friday, I would like to make a strong statement in support of the Omnitron project, and to do all that I can to ensure that the recently announced deferment does not end up in cancellation. I do not believe that this is the intent of the Joint Committee, and my statement carries no implication of such belief, but I wanted to express again to you my opinion that the loss of the Omnitron would be a disaster to the Lawrence Radiation Laboratory and to American science.

The Omnitron will be a most important research instrument for the Nuclear Chemistry and the Biology and Medicine programs conducted by LRL. It is expected that the Omnitron will also be widely utilized by many other scientists from institutions throughout the country.

It will make possible research investigations in areas which heretofore were not accessible. New, rich regions of research will be developed and exploited, adding greatly to the understanding of the basic laws of science and leading to important strides in biology and medicine (for instance, medical therapy).

A great amount of dedicated effort has gone into the conception and design of the accelerator and a highly competent staff has been built up. These people are naturally very disappointed by the deferment, and will have to make some readjustments in scale of effort, but with adequate support and assurance of continuation they will make profitable use of the coming year to improve the design and sharpen the cost estimates of the project. We are expecting $600,000 in R. and D. Funds, and we are requesting the AEC to make available $400,000 in CP and D Funds. If this is forthcoming we shall be able to maintain the strength and momentum of the group.

Thank you for your continued interest in our well-being; it is greatly appreciated.

Sincerely,

EDWIN M. MCMILLAN.

Mr. Chairman, I think that the Committee of the Whole House on the State of the Union of this House of Representatives has seen a rather remarkable thing today, as it does almost each year when the Joint Committee on Atomic Energy presents this annual AEC authorization legislation. It has seen almost total unanimity on the part of the members of the Joint Committee on Atomic Energy.

Further, Mr. Chairman, it is my opinion that the Committee has seen this because these members, realizing the difficulty of the subject with which they deal, and realizing that there are matters of biological and physical science, and all the other related scientific disciplines involved in these responsibilities, make every effort to examine these subjects carefully and to examine them as thoroughly as possible during the open and closed sessions of the committee as well as during its deliberations on the actual language of the bill and the report thereon which accompanies this bill.

In other words, Mr. Chairman, what I am saying is that the members of the Joint Committee on Atomic Energy come to an agreement and a consensus as to what is good for the United States in relation to its atomic energy and related activities.

We do not always agree down to the last dollar. I believe possibly we should spend more on Plowshare, and that possibly we should spend more than is in this bill on some of the nuclear weapons activities. Nevertheless, the other members of the committee and I always did agree on the sums that are in there, because as a consensus we felt they were adequate for the purposes and were not excessive in relation to the financial condition of the country in light of the war our country is now fighting.

I realize such respected gentlemen as the gentleman from Missouri, Dr. HALL, may feel that we should have made some kind of an effort to shrink this authorization by 10 or 15 percent in light of these extraneous conditions, and perhaps he is very right, but we did not happen to see it that way. We have done the best job we could.

It is a pleasure to work with the gentlemen who are on this committee, and it is a very nice privilege to have the support of the fine staff the joint committee has. I believe we have come out with a bill that can be acceptable to all, or at least the majority of the Members. I realize we have this problem relative to the site in Weston, Ill., which will be considered in further detail during the reading of the bill, but I do hope the majority of the Members will support the committee at this end of the long trail that it has gone down since early January of this year to bring out a good, well-rounded program in the atomic energy field for the United States of America.

Mr. HOSMER. Mr. Chairman, I wish to again say a few words about an important part of this bill and explain further a significant action taken by the Joint Committee on Atomic Energy on the nuclear weapons program.

Mr. Chairman, one of the paramount objectives common to both the Atomic Energy Act of 1946 and its successor, the Atomic Energy Act of 1954, is that of assuring the common defense and security of the Nation.

How well that objective has been carried out is easily measured by the achievements of the AEC's weapons and naval propulsion programs.

While the achievements have been manifold, the Nation's defenses will not remain strong if we rely solely on past accomplishments. Our potential enemies have not stood still technologically.

The strongest of our adversaries has moved into areas of sophisticated defensive and offensive nuclear missiles.

At the same time, the largest of our adversaries has in a very short period of years shown that he is capable of starving his people but achieving great technological success in large nuclear weapons. Needless to say, I am talking here about the Chinese Communist regime which only last week punctuated the crisis of the world with a hydrogen bomb explosion.

We in this country subject the military's recommendations for weapons systems to public debate. That is as it should be in a democracy. In particular, I have in mind here the deployment of an antiballistic missile system and the expenditure of funds for new and expensive offensive weapons system. I personally feel that the United States needs both, and that efforts should continue in both these directions to assure optimum progress not only in research and development but in deployment as well.

In an effort to save money in a year in which large sums are being expended for the war in Vietnam, the AEC's proposed weapons program budget for fiscal year 1968 came to us with a somewhat lean and emaciated appearance.

According to figures supplied by the committee at our request, the Division of Military Applications requested more than $874 million to carry out its responsibilities for the research, development, testing, and production of nuclear weapons in fiscal 1968. By the time this budget was submitted to the Congress of the United States, approximately $175 million was pared from the proposed weapons budget. Approximately $110 million of this sum represents a change in the Division's estimate of what would be required for a supplemental test site program. Nevertheless, the executive hearings of the Joint Committee on Atomic Energy revealed that the proposed weapons budget was inadequate to assure both the development of new weapons and the maintenance of research necessary to this Nation's continued qualitative superiority in nuclear weapons for the coming years.

The Joint Committee has therefore added $15 million to the Commission's request for funds for the coming fiscal year. Of this additional sum, it is recommended that $10 million be used for underground weapons testing and the remaining $5 million be utilized in related research and development at each of the Commission's three weapons laboratories. Possibly even this increased sum will not be equal to the tasks that lie ahead. These include the development of new offensive weapons systems, such as the Poseidon, and defensive systems, such as Spartan and Sprint, in addition to the production surveillance and research and development programs.

I do not believe that this is the time to discuss the important question of the deployment of an antiballistic missile system. I do note, however, that only last Sunday we heard the Soviet Union's answer to the President's attempts to get the Soviets to cease and desist in the further deployment of their ABM system.

They do not appear to be interested. I will not attempt to debate that question now. However, I wish to impress upon my colleagues that unless funds are made available for necessary research and development and testing, there will be nothing to debate about. Testing and development take time. We must provide the necessary funds for this development now if we are to be in a position to deploy such systems and arm them at a later date.

I again urge you to support H.R. 10918. As proposed by the Joint Committee on Atomic Energy, it makes a good start for the necessary research and development required in the Atomic Energy Commission's weapons program for fiscal year 1968.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman.

Mr. WYDLER. I thank the gentleman for yielding.

Mr. Chairman, I just wanted to take this time to point out to the House what seems to me is somewhat of an inconsistency between the action we took yesterday on the NASA authorization bill, and the action we are going to take today in the Atomic Energy Commission authorization. And that is this: that on the Nerva development program we are talking here about the supplemental request of the President, the request he made in February of this year for the development of the Nerva rocket in which he asks for an additional $27.5 million from NASA. Under the action the House took yesterday, we have really reduced that by $24 million, so there is only $3.5 million of that left in the authorization bill.

And what is programed is complementary funds, funds that cannot really be spent in one place without being spent in another. As part of the same program we had a $30 million request, and we are going to pass the $30 million authorization.

I have spoken to the minority leader about this matter, and I believe the advice he gave to me regarding this is wise. He said that we do not know at the present time what action, if any, may be taken in conference on this matter, but on the assumption that the position of the House is upheld in conference, there would be adequate time for this to be considered by the Committee on Appropriations, and such adjustments as are necessary could be made at that time. So I am going to take the minority leader's advice and opinion in this matter, and not offer any amendment in this committee to change it and make it consistent with the action taken by the House on the NASA bill.

Mr. HOSMER. Mr. Chairman, I thank the gentleman for his statement. Obviously we cannot legislate on a specific field between this House and the other body and the conferences that lie between it. In any event, I wish to assure the gentleman that the money for Project Rover that is funded in this authorization is to establish a technological base for the development of the space nuclear rocket as such. Now we know there was a constriction of funds yesterday that may or may not be of a temporary nature insofar as hardware is concerned, but it was not eliminated; the project for a nuclear rocket in space is still on. Therefore the technological base is still insured by what is provided in the Project Rover funds in this bill.

In any event, such small adjustment as may be needed, as has been pointed out, can be made or appropriated when it acts on the authority granted by this bill.

Mr. WYDLER. I thank the gentleman.

Mr. HOSMER. Mr. Chairman, I yield such time as he may require to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Chairman, I wonder if the distinguished gentleman, the ranking minority member of this committee, that has brought this matter before the House today for its consideration in the Committee of the Whole House, would again explain for the benefit of Members the reductions and the percentage of reductions brought about by the committee over the funds asked or over the budget?

Mr. HOSMER. The gentleman has asked me for a very difficult answer.

Mr. HALL. I may say to the gentleman, I am asking this question for a very specific reason. It is very difficult to discern from the report, and if the gentleman will refer to page 1 through page 4, particularly including the tables therein, I have difficulty in discerning whether or not there has been a reduction of $4,381,000 with the different changes that have been brought in by the Commission; or whether it is a different figure. I would appreciate the House being enlightened on this.

Mr. HOSMER. Let me say this. The gentleman from Missouri has touched upon a sore point. We have one figure in the authorizations requested. Then we got six or seven changes down the line since that time.

We got a change that involved almost $100 million for the weapons program.

Then we got some changes downward.

Then the nuclear rocket thing was turned on again.

It is a long accounting job and I just cannot do it for the gentleman.

Mr. HALL. Could the gentleman just summarize, and say whether there is an overage or an underage; or whether it was provided for in the budget?

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield so that I can give the gentleman the figures?

Mr. HALL. I yield to the gentleman.

Mr. HOLIFIELD. The additions and the deductions are on pages 3 and 4 of the committee's report and the final figures also are to be seen there.

There has been a total deduction of $4,381,000 from the AEC request.

Mr. HALL. That is over the AEC request?

Mr. HOLIFIELD. Yes, $4,381,000 less than the AEC request.

Mr. HALL. Can the gentleman compare that with last year's authorization, or the budget?

Mr. HOLIFIELD. The total authorization, may I say, is more than that for 1967—that is true. We raised it. The reason for that is that close to $200 million of the increase is attributable to new weapon construction.

The reactor development program is increased by this bill.

Then the fast flux test facility, $80,000,000, and the meson physics facilities, $50,800,000, increased the authorization.

So there is in the total amount about $374 million more than last year. But it is $4 million less than the AEC request for 1968.

Mr. HALL. This sheds the first light of day on a rather confused issue on the floor.

As one of the physicians in the House of Representatives, I am not anxious to touch a sore point except when I think the taxpayers and the country have a right to know exactly in time of war where their moneys are going and how their moneys are being spent.

I find no fault with the Joint Committee bringing this to the floor today and I certainly have difficulty in finding any trouble in their rocket propulsion experiments or that associated with armed services hardware inasmuch as I serve on that committee—or even yesterday's NASA Nerva project wherein this commission participates.

But it is unusual not to have reduced beyond last year's request, in this time of a planned $29 billion or so deficit.

I am sorry about the sore points that were touched on and I do appreciate the gentleman's references thereto. As I understand it, it is more than last year because of these various contingencies, but it is less than the AEC request by a few million dollars.

Mr. HOSMER. I understand the gentleman's reluctance to touch on sore points and I also appreciate that he does do so when he feels that they should be touched upon.

I also appreciate the fact that some of the activities that we evaluated and concluded were valuable to be carried on, despite the fact that we are in this wartime situation, are not such activities as those that the gentleman himself would carry on under these circumstances.

It is a matter of difficult time judgment, and I certainly respect the judgment of the gentleman from Missouri and the reasons for it, despite the fact that it differs from my own in this particular instance.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from California.

Mr. HOLIFIELD. I would like to say in defense of the committee's presentation that in my own remarks I did give these figures. In analyzing the whole bill I did give, in the well of the House, the figures which I have now given you, mentioning the fact that it was more than last year, and I gave the exact amount. I pointed out also that it was less than the AEC request. So the committee was not lax in presenting these pertinent facts.

Mr. HALL. Now, if the gentleman will yield further, I heard every word that the distinguished chairman said. As he knows, I am always in attendance here. The only question is not that they were not properly portrayed. The question is they were not properly subtracted from. I thank the gentleman.

Mr. DUNCAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DUNCAN. Mr. Chairman, I rise in support of H.R. 10918, which has been reported by the Joint Committee on Atomic Energy. I am for the entire atomic energy program and appropriation authorization. I would, at the same time, Mr. Chairman, call my distinguished colleague's attention to the Atomic Energy Commission's facilities in Oak Ridge, Tenn. From within this great industrial complex the nuclear age was conceived—nurtured by scientific ingenuity until today it stands second to none in nuclear research and technology.

Today, the importance of this diversified center is as great, if not greater, than it was in 1942.

Since the war, the efforts of Oak Ridge have turned to peaceful uses of atomic energy, in particular to those problems of society which have the solution and origin in science and technology.

Demands for future scientific accomplishments necessitate a greater utilization of facilities and scientific knowledge accumulated at the development.

Employees at Oak Ridge are among our most dedicated Americans, citizens who eagerly seek the opportunity to continue making dynamic contributions to the Nation's progress. The accumulation of know-how, capability, and excellence perhaps can never again be duplicated in the world in which we live and participate.

We have the finest laboratories in the world, and there is no material that cannot be analyzed.

It is my opinion that some of the great problems now facing mankind can and will be solved at Oak Ridge and at other AEC installations. For example, much effort is being put into research in water and air pollution and civil defense. Even the baffling and complex mysteries of cancerous diseases, by a cooperative program with the National Cancer Institute, are currently being tackled at Oak Ridge. This program is studying the action of viruses, chemicals, and other causes of cancer.

During the 11 months ending in November 1966, a total of 2,516,978 curies of processed radioisotopes were distributed by the Oak Ridge National Laboratory. Of this amount over 2 million curies of cobalt were sold, mainly for the treatment of disease.

AEC does not compete with private industry. As soon as a product is developed sufficiently, that is to the point that it can be turned over to private industry, the AEC immediately withdraws from that field. During the past year the AEC has withdrawn from the sale of 19 more radioisotopes, making a total of 36 radioisotopes from which the AEC has withdrawn since 1965.

There are other aspects of the AEC which I could go into, however, these have amply been covered by my colleagues on the committee.

Mr. GARMATZ. Mr. Chairman, I wish to compliment the distinguished vice chairman of the Joint Committee on Atomic Energy for the excellent report submitted in support of this authorization bill.

I am particularly glad to see that provision is made for continuing work in connection with the merchant ship reactors program.

The $100,000 authorized in this bill is small—but it will, at least, allow study work to be continued while efforts are made to move forward with a program for nuclear merchant vessel construction.

I recall the Joint Committee's report of 2 years ago when it recommended an increase of over $1 million in the authorization for operating funds for the merchant ship reactor program—because of its belief that—

> Application of nuclear energy has the potential of contributing significantly both to our national security and to the commercial posture of the United States.

The Joint Committee has consistently shown its interest in the possibility of nuclear merchant ships.

At that time—it expressed its dissatisfaction with the direction which had been provided in the past within the administration for this country's merchant ship reactor program.

They noted that the program has suffered from the lack of clear-cut objectives.

During this past month—the Committee on Merchant Marine and Fisheries held comprehensive hearings on the subject of the proposed layup of the NS *Savannah*—the world's first nuclear merchant ship.

Happily—that ill-advised and shortsighted move was stopped through the action of the Appropriations Committee.

Our hearings revealed that the nuclear merchant ship program continues to suffer from the lack of clear-cut objectives.

They also revealed that the reasons for this lie within the administration—where there has been a failure to assert and exercise leadership in the development of an effective overall merchant marine program.

Hopefully—with the continued operation of the *Savannah* in carrying out the many chores she has yet to do to meet her original objectives—together with continued study with the funds authorized by this bill—we can continue to maintain our lead in this vital field—until the confusion in the administration nuclear—as well as overall—merchant marine program can be settled.

I commend the Joint Committee for its observations and recommendations.

Mr. ESCH. Mr. Chairman, I am voting today for H.R. 10918, the Atomic Energy Commission authorization which contains an authorization for a 200 Bev. accelerator laboratory to be constructed at Weston, Ill. I do so fully recognizing and disappointed that this site was chosen over an excellent one in my own congressional district.

In my reasoning on this action, I have, first of all, noted that Weston had been selected and approved after considerable investigation by selection groups, the Atomic Energy Commission, and committees of Congress. Once the selection was made known, I conducted my own inquiry into the matter and raised two important questions contained in the following letter of April 27, 1967, which I now read:

APRIL 27, 1967.

DR. GLENN T. SEABORG,
Chairman, U.S. Atomic Energy Commission,
Washington, D.C.

DEAR DR. SEABORG: Recent questions surrounding the selection of Weston, Illinois as the nuclear accelerator site prompt me to request official clarification from your Commission. These questions, both public and private, have naturally raised anxiety and anticipation on the part of Ann Arbor and Michigan which worked so hard to secure the final selection.

While we were disappointed that Ann Arbor was not chosen, we were thankful that a midwest location was recommended. My questions to you are in no way directed toward placing the Weston site in jeopardy. At the same time, however, since doubts do exist, the people of Ann Arbor and all of Michigan deserve clarification.

First, serious doubts have been raised about race relations in the Weston community. What are the findings of the Commission in this area and what, if any, action is planned?

Second, indirectly, questions on the adequacy of Weston's water resources also have been raised. Is there any validity to these doubts and what steps are currently being taken to resolve the problem?

And, finally, foremost in the minds of Michigan interests is whether these questions are of a serious enough nature so as to reopen the selection process. Certainly, if such is the case, our community stands ready to resubmit our qualifications which we feel fully meet the standards of the Commission.

The efforts of our people on behalf of Ann Arbor have involved the total community both public and private. This unequaled unanimity of purpose, completely bipartisan in nature, reflects the high degree of cooperation still available to the Commission.

Michigan and Ann Arbor stand in the forefront of the nation in the development of forward looking civil rights programs. The Michigan Civil Rights Commission, established in the 1963 state constitution, and the City of Ann Arbor have made great strides in attempting to guarantee equal opportunity for all citizens. Ann Arbor has passed an open housing ordinance and has established a strong Human Relations Council. This is not to say that we have solved all racial problems, but it does emphasize that we have the necessary structure and attitude working toward that end.

Furthermore, Southeastern Michigan is blessed with an abundance of water and power resources. There is no question that these resources could easily accommodate an accelerator without jeopardizing the needs of surrounding areas.

I am sure this inquiry will be received in the tone in which it is intended; not as an attempt to criticize your original decision but rather 1) to inquire as to the possibility of a review of that decision and 2) to reaffirm the desirability of a location in the midwest in general and Ann Arbor in particular should the matter be reopened.

Respectfully,

MARVIN L. ESCH,
Member of Congress.

On May 11, 1967, I received the following reply, which I now read:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., May 10, 1967.

DEAR MR. ESCH: Thank you for your letter of April 26, conveying several questions regarding the selection of the Weston site near

Chicago for location of the proposed 220 BeV Accelerator Laboratory.

Your first question concerns race relations in the Weston area. During the long and extensive site selection process the Commission sought and received assurances of nondiscrimination and equal opportunity, as well as information on racial climates, from the six finalist sites that were then being considered. After reviewing the assurances and information, it was concluded that there were strong and weak points associated with each of the sites, and that each presented a changing picture. The conclusion that the Weston site is the most suitable location for the facility is, of course, based on a balancing of all the many factors involved, including those pertaining to equal opportunity and nondiscrimination. The Commission did not find that the open housing situation in the Weston area was satisfactory nor has it concluded that nothing can be done about it. We believe that a positive action program, concerning the availability of open housing and other equal opportunities, can have a very significant effect in this area. The Commission intends to have such a program throughout the life of the facility.

The second matter involves the adequacy of water resources at the site. The AEC expects, on the basis of information provided primarily by the State of Illinois, that ample water is available from aquifers underlying the site and from the Fox River. The water resources are, therefore, considered adequate.

You have asked, thirdly, whether these matters are of sufficient concern to reopen the selection process. In this respect, we do not foresee the probability that the Commission will reconsider other areas as possible locations for the facility. As a result of our detailed reviews, we are aware of the attributes of each of the six finalist sites, and extremely appreciative of the cooperation given by all the people who were interested in proposing them.

It is hoped that this information will be helpful to you, and if I can be of further assistance please let me know.

Cordially,

James J. Ramey,
Acting Chairman.

Of course, I was disappointed in this reply. Yet, although some questions still remain in my mind, I believe at this time that it is in the best interest of the scientific and research community and of the whole nation that the facility be placed in the Midwest where it can draw upon the unique research complexes and expertise available there and still be accessible to the entire country.

And certainly when we are at this crucial crossroad, where the question could well be Weston or no facility, rather than Weston or Ann Arbor, we ought to proceed with Weston.

There continue to be questions raised concerning the racial climate of the Illinois site. While this deeply concerns me, I believe that the legitimacy of these claims should, properly and under existing law, be determined by the Justice Department. We have in title VI of the Civil Rights Act the power and necessary machinery to halt Federal projects where discrimination is being practiced. In addition, I draw your attention to Mr. Ramey's statement that the Commission plans an action program to attack discrimination in Weston.

Perhaps what we need is a thorough review of all Federal programs throughout the country so that Congress can determine exactly all the places we are spending money where discrimination exists and what action may be taken to end such practices. I, for one, stand ready to face that issue. Yet this bill alone is not the proper vehicle for such a review.

Moreover, it would seem ironic that the U.S. Congress, which was unable to pass its own open housing law last year—a measure which I would have supported—would today take action aimed at coercing a State legislature to pass such a statute.

I feel confident that any racial problems in Weston can be corrected. The overriding factor at this point is the need to proceed with the development of this project so that the Nation can benefit from its scientific objectives.

Mr. BROTZMAN. Mr. Chairman, I do not support the amendment offered by the gentleman from Michigan [Mr. Conyers] which would have killed the authorization of a $7,333,000 appropriation to start work on the vital proton accelerator laboratory at Weston, Ill.

Had the amendment proposed substitution of Arapahoe County, Colo., as the site for this facility in place of Du Page and Kane Counties, Ill., I would have joined Mr. Conyers in his motion.

To change the site of this facility is one thing. To simply obstruct the addition of this much-needed laboratory to the Nation's resources for nuclear research is another.

I was unhappy with the choice of Weston, because the State of Colorado, under the leadership of Gov. John A. Love and the Colorado Scientific Development Commission headed by Dr. Edward U. Condon, presented the AEC with a superb proposal for location of this laboratory on State and Federal land southeast of Aurora, Colo.

In the opinion of many, Colorado's proposal offered the AEC and the institutions which would operate the facility all of the physical support needed, plus unusual cultural and human resources and a tradition of gracious living for all citizens unmatched in the Nation.

It was and is my position that the AEC did not give sufficient weight to two aspects of Colorado's credentials. For one thing, I believe the AEC underestimated the standing of the University of Colorado in the scientific community of the Nation. The fact that this campus is surrounded by such outstanding scientific organizations as the National Bureau of Standards Laboratory, the National Center for Atmospheric Research, the Point Institute for Laboratory Astrophysics, the Environmental Science Services Administration Center and many other research-oriented laboratories is indicative of the university's attractiveness.

The other major point of contention was the fact that Weston does not have sufficient room to allow the facility to "grow" to accommodate an even larger proton laboratory which many in the scientific community believe the Nation will need within the coming decade.

Despite these points, Mr. Chairman, it is my judgment that few, if any, of the Colorado officials and citizens who were close to the site selection negotiations feel that our State failed to have its day in court. They take the position not that Weston is a poor choice—only that Arapahoe County, Colorado, may be a better one.

There is no doubt in my mind that this facility is vital to the Nation, and that any action on the part of the Congress to delay or kill the project is unwise. I would rather get on with the project and then have us consider means to overcome whatever shortcomings Weston might have.

I would hope that the Nation's interests similarly will come first several years hence when—I hope—we stand at this same point with regard to authorization of appropriations for a 1,000 Bev proton accelerator to be located in Arapahoe County, Colo.

Mr. RYAN. Mr. Chairman, yesterday the House reduced the recommended NASA authorization for NASA's nuclear rocket program by $20 million. This followed a lengthy debate on the wisdom of initiating a new stage of the program—conversion from technology studies to the development of flight hardware—specifically of a flight-configured Nerva nuclear rocket engine, for which there is at present no mission requirement. The House felt this costly hardware development had not been justified.

The same question is before us today in the proposed authorization for the Atomic Energy Commission. The AEC original budget request for Project Rover—which is the AEC program designation for the Nerva development—totaled $60.4 million. Costs of $2 million in capital equipment and $1 million for construction of facilities also were associated with the nuclear rocket program for a total of $63.4 million. On February 28 of this year the AEC budget request was amended to include an additional $41 million. This relates to the flight hardware development portion of this program—the Nerva nuclear rocket engine—which is jointly carried out by AEC and NASA under the Space Nuclear Propulsion Office.

The extra $41 million includes an additional $30 million for Project Rover—new total $90.4 million—and additional $1 million for construction of facilities—new total $2 million—and an additional $10 million for changes in selected resources for goods and services on order associated with the nuclear rockets program.

As I stated yesterday, the only known requirement to date for this costly development—flight hardware by 1975 for an investment cost of $2 billion—is a possible deep space mission such as a manned Mars landing. This would be a mission costing upward of $200 billion. This is a mission that has neither been officially admitted to, nor discussed and approved as a national goal by the Congress. In addition, there has been no adequate comparison yet of the proposed nuclear propulsion system to be used in the third stage with alternative methods based on hardware already in hand. In other words, should the manned Mars mission ever be accepted as a national goal, the Nerva nuclear rocket engine would still have to be justified for use by cost and benefit.

The House expressed its doubts yesterday and denied NASA's full request. Committee reductions and yesterday's floor action totaled a $30 million reduction in funds for this program. I believe we should express the same wisdom here today on another portion of the same program.

I recommend that we defer funding of the $41 million earmarked for a new development for which there is no mission requirement and allow technology studies to continue unimpeded as intended in AEC's original budget submission for fiscal year 1968. I propose that we leave $60.4 million earmarked for Project Rover, $2 million for capital equipment associated with the nuclear rockets program and $1 million for construction of facilities associated with the nuclear rockets program. This sizable amount should be sufficient—as AEC's original intentions suggested—to continue advanced research pending any possible decision by the Congress that the development of flight hardware for the Nerva nuclear engine is desirable and necessary to carry out our goals in space.

Mr. HOSMER. Mr. Chairman, I have no further requests for time.

Mr. HOLIFIELD. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 10918

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 101. There is hereby authorized to be appropriated to the Atomic Energy Commission in accordance with the provisions of section 261 of the Atomic Energy Act of 1954, as amended, the sum of $2,503,076,000, as follows:

(a) For "Operating expenses", $2,164,843,000.

(b) For "Plant and capital equipment", including construction, acquisition, or modification of facilities, including land acquisition; and acquisition and fabrication of capital equipment not related to construction, $338,233,000 as follows:

(1) SPECIAL NUCLEAR MATERIALS.—

Project 68–1–a, hot laboratory, New Brunswick, New Jersey, $1,000,000.

Project 68–1–b, replacement waste storage tanks, Richland, Washington, $2,500,000.

(2) ATOMIC WEAPONS.—

Project 68–2–a, new weapons production capabilities, various locations, $100,500,000.

Project 68–2–b, weapons production, development, and test installations, $10,000,000.

(3) REACTOR DEVELOPMENT.—

Project 68–3–a, research and development test plants, Project Rover, Los Alamos Scientific Laboratory, New Mexico, and Nevada Test Site, Nevada, $2,000,000.

Project 68–3–b, isotopic space systems facility, Sandia Base, New Mexico, $2,250,000.

Project 68–3–c, modifications to reactors, $1,000,000.

(4) PHYSICAL RESEARCH.—

Project 68–4–a, accelerator and reactor additions and modifications, Brookhaven National Laboratory, New York, $1,095,000.

Project 68–4–b, accelerator improvements, zero gradient synchrotron, Argonne National Laboratory, Illinois, $1,900,000.

Project 68–4–c, accelerator improvements, Lawrence Radiation Laboratory, Berkeley, California, $1,740,000.

Project 68–4–d, accelerator improvements, Cambridge and Princeton accelerators, $400,000.

Project 68–4–e, accelerator improvements, Stanford Linear Accelerator Center, California, $865,000.

Project 68–4–f, 200 Bev accelerator, Du Page and Kane Counties near Chicago, Illinois, $7,333,000.

Project 68–4–g, laboratory and energy storage facility, Los Alamos Scientific Laboratory, New Mexico, $8,500,000.

(5) TRAINING, EDUCATION AND INFORMATION.—

Project 68–5–a, addition to biomedical building, Rio Piedras, Puerto Rico, $1,400,000.

(6) GENERAL PLANT PROJECTS.—$39,175,000.

(7) CAPITAL EQUIPMENT.—Acquisition and fabrication of capital equipment not related to construction, $156,575,000.

SEC. 102. LIMITATIONS.—(a) The Commission is authorized to start any project set forth in subsections 101(b) (1), (2), (3), and (4) only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

(b) The Commission is authorized to start the project set forth in subsection 101(b) (5) only if the currently estimated cost of that project does not exceed by more than 10 per centum the estimated cost set forth for that project.

(c) The Commission is authorized to start a project under subsection 101(b)(6) only if it is in accordance with the following:

(1) The maximum currently estimated cost of any project shall be $500,000 and the maximum currently estimated cost of any building included in such project shall be $100,000, provided that the building cost limitation may be exceeded if the Commission determines that it is necessary in the interest of efficiency and economy.

(2) The total cost of all projects undertaken under subsection 101(b)(6) shall not exceed the estimated cost set forth in that subsection by more than 10 per centum.

SEC. 103. The Commission is authorized to perform construction design services for any Commission construction project whenever (1) such construction project has been included in a proposed authorization bill transmitted to the Congress by the Commission and (2) the Commission determines that the project is of such urgency that construction of the project should be initiated promptly upon enactment of legislation appropriating funds for its construction.

SEC. 104. When so specified in an appropriation Act, transfers of amounts between "Operating expenses" and "Plant and capital equipment" may be made as provided in such appropriation Act.

SEC. 105. COOPERATIVE POWER REACTOR DEMONSTRATION PROGRAM.—Section 111 of Public Law 85–162, as amended, is further amended by striking out the date "June 30, 1967" in clause (3) of subsection (a) and inserting in lieu thereof the date "June 30, 1968".

SEC. 106. AMENDMENT OF PRIOR YEAR ACTS.—(a) Section 101 of Public Law 89–32, as amended, is further amended by (1) striking therefrom the figure "$2,604,821,000", and substituting therefor the figure "$2,655,621,000"; (2) striking from subsection (b) thereof the figure "$344,045,000", and substituting therefor the figure "$394,845,000"; and (3) striking from subsection (b)(5) thereof "Project 66–5–h, meson physics facility, Los Alamos Scientific Laboratory, New Mexico (AE only), $4,200,000", and substituting therefor "Project 66–5–h, meson physics facility, Los Alamos Scientific Laboratory, New Mexico, $55,000,000".

(b) Section 101 of Public Law 89–428, as amended, is further amended by (1) striking therefrom the figure "$2,210,658,000", and substituting therefor the figure "$2,290,658,000"; (2) striking from subsection (b) thereof the figure "$246,530,000", and substituting therefor the figure "$326,530,000"; (3) striking from subsection (b) (3) thereof "Project 67–3–a, fast flux test facility (AE only), $7,500,000", and substituting therefor "Project 67–3–a, fast flux test facility, $87,500,000"; and (4) striking from subsection (b) (3) thereof "Project 67–3–b, modifications and addition to S1W reactor facility, National Reactor Testing Station, Idaho, $10,000,000", and substituting therefor "Project 67–3–b, modifications and addition to reactor facilities, West Milton, New York, $10,000,000".

SEC. 107. RESCISSIONS.—(a) Public Law 88–72, as amended, is further amended by rescinding therefrom authorization for a project, except for funds heretofore obligated, as follows:

Project 64–e–3, SNAP development and test facilities, Santa Susana, California, $500,000.

(b) Public Law 89–428, as amended, is further amended by rescinding therefrom authorization for a project as follows:

Project 67–3–e, heavy water organic cooled reactor (AE only), $2,000,000.

Mr. HOLIFIELD (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENTS OFFERED BY MR. HOLIFIELD

Mr. HOLIFIELD. Mr. Chairman, I have two amendments at the Clerk's desk. They are technical amendments which we are offering to comply with the request of the minority leader yesterday in order that the bill be technically perfect and not subject to conflict between the total amount outlined in the bill and the line item amounts that might be changed during the consideration.

Mr. Chairman, I offer the two amendments.

The Clerk read as follows:

Amendments offered by Mr. HOLIFIELD: On page 1, line 6, strike out "amended, the sum of $2,503,076,000, as follows:" and insert in lieu thereof: "amended:".

On page 2, lines 1 and 2, strike out "construction, $338,233,000 as follows:" and insert in lieu thereof "construction, a sum of dollars equal to the total of the following:".

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent that the amendments be considered en bloc.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HOSMER. Mr. Chairman, the minority agrees with the amendments.

The CHAIRMAN. The question is on the amendments offered by the gentleman from California [Mr. HOLIFIELD].

The amendments were agreed to.

AMENDMENT OFFERED BY MR. CONYERS

Mr. CONYERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONYERS: Amend section 101 to change "$338,233,000" on line 1 of page 2 to "$330,900,000" and strike lines 9 and 10 on page 3.

Mr. HOLIFIELD. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. HOLIFIELD. The point of order is that the first part of the amendment refers to an amount that has already been stricken from the bill on page 2.

The CHAIRMAN. Page 2, lines 1 and 2. The gentleman is correct.

Mr. CONYERS. Mr. Chairman, I ask unanimous consent that I may withdraw my amendment and resubmit it.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ROGERS of Colorado. Mr. Chairman, a point of order. The gentleman in the well [Mr. CONYERS] has offered an amendment which would reduce the amount that appears in lines 9 and 10 by $300,000. The point of order is that if the reduction in the aggregate amount has not been reduced to $7,333,000, is not his amendment proper, and failure to consider it would result in——

The CHAIRMAN. The gentleman will suspend.

The gentleman who has offered the amendment advises the Chair he will reoffer it, and that as it will be reoffered it will be in order.

AMENDMENT OFFERED BY MR. CONYERS

Mr. CONYERS. Mr. Chairman, I offer a revised amendment.

The Clerk read as follows:

Amendment offered by Mr. CONYERS: On page 3, delete lines 9 and 10.

Mr. CONYERS. Mr. Chairman, I thank the chairman. I want to express my gratitude to the chairman for permitting this revision of the amendment which, very simply stated, would remove from this bill all funds for the Weston project.

Mr. Chairman, there has been a great deal of discussion as to whether or not the factor of a good racial atmosphere and a fair housing policy and practice is relevant at all to the consideration of what will ultimately turn into a half billion dollar project.

Mr. Chairman, I submit that it is important for this Government to foster basic research in these very important areas, but I believe it is equally important—if not more so—to begin to foster the notion that the freedom to live where one chooses is as important as the scientific technology that we are concerned with in this bill, and that the American way is to make sure these experimental centers are being located where all of the potential employees, Negro and white, will be able to participate in this very large project.

It is going to take between 6 and 8 years before this project is completed. The Commission has sought in a good many instances to attempt to make certain that the local status of civil rights was one that was acceptable to the Commission.

May I point out, Mr. Chairman, that of all the five finalist sites that were under consideration, this was the only site located in a State that does not at least have a fair housing law. I would like to make it clearly understood to my colleagues that I do not consider a fair housing law to be the end-all or the be-all in perfecting human relations in a community. But of all the sites, the one least likely to afford adequate housing to any potential employees was the site located at Weston.

This was a factor considered by the Atomic Energy Commission. I urge that the Members join with me in assuring that this consideration is very carefully examined, not only by the Commission, but also by the final reviewing body in this country, the Congress itself.

I have had much documented evidence and met with people whose personal experience shows that equal housing opportunity regrettably does not exist in the area surrounding Weston.

I am not in this well to blackmail Illinois into enforcing a fair housing law nor to punish the citizens of Weston—and I called and talked to the mayor of Weston only a few minutes ago, and I can assure you that he is a very fine gentleman and he is very concerned, as are a number of citizens in and around the Chicago area, about this problem—but we have seen that the assurances have not been adequate. A fair housing bill was passed by the Illinois House of Representatives, but then it was defeated in the Illinois Senate.

We had testimony from the Atomic Energy officials themselves, who admitted that guaranteed assurances relevant to equal opportunity in housing in this area do not exist. Below is Chairman Seaborg's statement on April 12, 1967, regarding the need for open housing legislation:

STATEMENT OF CHAIRMAN SEABORG, APRIL 12, 1967

My colleagues, Commissioner Ramey, Commissioner Tape, Commissioner Nabrit, and I have come here today at the invitation of Governor Kerner to discuss with you what we believe to be a common interest and a common problem. The common interest to which I refer is, of course, obtaining from the Congress authorization and funds for the design and construction of the 200 BEV Accelerator Laboratory at the Weston, Illinois site. Although we have taken some substantial steps toward this objective, I must emphasize that we are a long way from its attainment.

The Joint Commitee on Atomic Energy has concluded its Authorization Hearings for this year but has not yet reported out with regard to the 200 BEV Accelerator Project. AEC is about to start similar hearings before the House Appropriations Committee and then, of course, debate will follow on the floors of both Houses of the Congress when the Authorization and Appropriations Bills are considered. Under consideration will be a request for authorization of some $10 million for design work on the project. Although approval of these funds would permit proceeding with design, it would not constitute final authorization of the project. Such final authorization will be sought next Spring from the Congress assuming that design work proceeds according to schedule. At that time we can expect that the project will be again reviewed by the Congress in all its aspects.

I feel sure that all of us here are anxious that the design and construction of the 200 Bev Accelerator proceed just as fast as possible. It is a formidable task even without continuing uncertainties regarding the location of the project. This leads me to our common problem—discrimination in housing.

We have come here today because we believe that authorization and appropriation of the design monies for the 200 Bev project by the Congress this year and the construction authorization and appropriation of money for the project next Spring are endangered by the allegations of the existence of discrimination in housing in the site area and by the absence of legal means at either the State or local level to deal with the situation effectively. If this issue could be eliminated we believe that the chances of obtaining the authorization and attendant confirmation of Weston as the site for the project would be greatly enhanced.

There is no question in our minds but that the issue of housing discrimination will be debated when the AEC Authorization bill goes to the floor of Congress within the next few weeks. Those offering and defending authorization of the project will need all of the evidence of positive action to eliminate discrimination in housing they can obtain. Frankly, at the moment, the AEC has little to offer. The commitments sought from communities in the Weston area have failed to materialize. On the other hand the concern in Congress resulting from protests of civil rights organizations against location of the accelerator at Weston has not subsided. The Joint Committee on Atomic Energy and the AEC recently have received new demands that an alternate site be named if Illinois does not enact an effective open occupancy law or the communities pass effective ordinances.

Even members of the Illinois Legislature have recently protested to the President against location of the Accelerator Project at Weston because Illinois has no effective open housing law.

With the exception of the Village of Weston, no community in the site area has enacted an effective open housing ordinance. None has even provided the AEC with commitment letters on nondiscrimination in housing. The record here will not be impressive to the Congress. There is still time for effective action at the State level and the local level and that is why we have come to brief you on how the situation looks.

In our judgment, enactment of an effective open housing law by the Legislature of Illinois would go a long way toward ending any question of change of location of the accelerator site. We are not in position to say what the Congress will do with regard to the 200 Bev Accelerator Project if such a law is not enacted.

The schedule for Congressional action being what it is you might ask if enactment of a State statute could come in time to affect the outcome of authorization for the project. As I have already indicated, we anticipate that Congress will consider this matter both this year and next. We hope that if there is reason to believe that the Illinois Legislature will enact an open housing statute at the current session, Congress may be willing to authorize the funds for continued design knowing that next Spring it will have the opportunity to study the matter again before authorizing construction. If the State of Illinois does not act this session, it probably will not have another opportunity before Congress considers the matter again.

You may also ask if it is actually feasible to move the site from the State of Illinois. Political issues aside, it certainly is feasible to move the site. Work is just getting underway on adapting the accelerator design to the Weston site. As you know, the Commission found that any of the final six sites under consideration was suitable for the project. The Commission certainly does not favor relocation of the site but if authorization cannot be obtained for constructing this important scientific project in Illinois, the matter of location may have to be reexamined.

Let us consider for a moment other problems that may be raised by the not unlikely situation of the Congress authorizing and appropriating design money this year on the basis that such action will provide an additional year to observe what the State of Illinois and the local communities do about open occupancy legislation. If the Legislature does not now enact an open housing statute and if the State proceeds with acquisition of the land for the project site it is going to face a real dilemma because of uncertainty as to whether Weston will in fact be the project site will continue until Congress acts again next year. Will the State actually acquire the land for the project site when doubts continue as to whether Illinois really has the project? If it does not acquire the land by next Spring what will be the Congressional reaction then when it considers final authorization of the project? How long can the AEC proceed with design of the Accelerator for the Weston site with there being uncertainties as to project location? These are hard but very real problems which could be all but put to rest if the discrimination in housing problem could be eliminated this Spring by enacting an effective State statute or local ordinances or preferably both.

That concludes my initial remarks. My colleagues and I would be happy to attempt to answer any questions which you may wish to pose.

What I ask, Mr. Chairman and my colleagues, is merely to delete this section and thus make a declaration that the Congress firmly backs the Atomic Energy Commission's policy. I want to emphasize that my aim is not to have this project awarded to New York, Colorado, California, Wisconsin, or even Michigan, but merely to eliminate the project from the bill now before us.

Hopefully the Illinois Legislature could rectify the situation by the time this bill is considered by the Senate and the funds could be restored at that time. If the matter cannot be solved that quickly the funds could easily be authorized in a later bill.

In any case we have plenty of time to wait a number of months or even a year to gain the necessary assurances. This is particularly important because the Atomic Energy Commission has had repeated trouble on the score of housing wherever sites have been built. I refer to Oak Ridge, Tenn., and Pasco, Wash., and a number of other places. I talked only this morning with Clarence Mitchell, Jr., director of the Washington Bureau of the NAACP regarding housing discrimination around atomic project sites. He was kind enough to give me the following statement to share with you:

STATEMENT FROM CLARENCE MITCHELL, DIRECTOR, WASHINGTON BUREAU, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE—JUNE 29, 1967

The beginning of the housing discrimination in connection with Atomic Energy Matters Centers on World War II. At that time the Atomic Energy Operations were under the direction of Major General Leslie Graves. Three important locations gave extensive trouble. One was the Argonne Laboratories in Chicago. Another was an installation at Oak Ridge, Tennessee, and the third was in operation at Pasco, Washington.

Since the areas used at Pasco and Oak Ridge were under-developed so far as housing was concerned, dwellings were constructed which were almost exclusively for the use of personnel connected with the Atomic Energy Commission operations. From the very beginning, and over a five year period, complaints involving colored persons who were denied housing were a constant source of friction. Some of the persons denied housing were in the scientific classification.

Although Argonne is in the Chicago metropolitan area, we are advised by our Chicago NAACP branch that most of the colored personnel cannot find housing in the immediate vicinity of the project. The largest percentage of the colored personnel must commute.

The construction of AEC projects under the direct supervision of the Atomic Energy Commission, after the Army had relinquished control, began in the 1940's in the area between Aiken, South Carolina, and Augusta, Georgia. A similar project was started in Paducah, Kentucky.

Both of these areas were also largely rural, as in the other cases. Here too, many new dwellings were constructed for the purpose of making them available to AEC employees and to employees of the private constructions handling the operations.

The similarity between each of these cases and the present Weston problem is apparent. At this period in the country's history, when we are acutely aware of our responsibility to be fair to all our citizens, we have an opportunity to avoid the mistakes of the past. This is why the requirement of firm assurances that there will be machinery to prevent discrimination in housing at the site chosen for the development of the Bevatron is essential.

I do not want to go back to all those sites and take away their grants, but I believe the House should become increasingly careful, since we should recognize, as the AEC has, that the availability of housing for all Federal employees is a very important factor in choosing a site for such a large project.

Regrettably, the Weston area fails in this respect.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am reluctant to oppose my friend. I know his sincerity, and I know the principles he has and what he seeks to obtain. I feel he is perfectly in order in offering this kind of amendment. I know he is dedicated to the principle of civil rights for all people.

I honestly feel that I am dedicated to that same principle.

The problem of civil rights has been an onerous one in this country. We have been moving toward obtaining equal opportunity for people of all races, creeds and colors, and we are going to continue.

The very fact that this problem has been considered in the State of Illinois has brought new attention to it. An open housing law was passed in the State assembly, and it failed in the Senate. We have seen that happen on the local scene in many States, and have seen the situation remedied later.

We have seen similar things happen in this House.

The problem exists, I might say, in States which have open housing laws as well as in States which do not have them.

The passing of the open housing law in California did not in and of itself correct this problem in California. It was a move forward, and it has helped some, and it is going to help more.

So far as equal opportunity of employment is concerned, I say to the gentleman from Michigan and the other Members of the House that this committee is going to watch what happens out there. We have had assurances from several of the towns, from the chambers of commerce, from the real estate board and from others.

There have been open listings, as the gentleman from Illinois [Mr. ERLENBORN] said. There are a large number of open listings right at this time.

There will not be a real housing problem there for 5 or 6 years. There will be construction of this facility going on, if the money is appropriated, but most of the construction workers live in trailers. They come in their own trailers.

Considering that point and considering the time that is going to be involved, 5 or 6 years, for the construction of this facility, and the fact that we are going to keep our eye on it, and we are going to see that the maximum equal opportunity is given to the people out there to become employed on this facility according to their merits, and also that we are going to interest ourselves in housing in the surrounding communities, I believe this can be worked out.

Now, there are 6,800 acres that are going to be in this facility. I would say, if we find that there continues to be an insoluble problem in the community surrounding this facility, I would be in favor of and I would promise to hold hearings on the utilization of some of this 6,800 acres for a housing project which will be on a nondiscriminatory basis. I will hold hearings on that and bring a bill to the floor of this House, because we are going to do the fair and the honorable thing to see that equal housing opportunities are given to those people who want to work in this facility. I think this is right, this is honorable, and this is fair. I want to say that I will do everything in my power to bring this situation about if it is necessary. I do not believe it will be necessary. I believe that the people in these communities are moving and the letters and assurances indicate they are moving in the right direction.

Mr. CONYERS. Mr. Chairman, will the distinguished gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. CONYERS. I would like to say that I personally know of the chairman's activity in the area of civil rights. The gentleman from California [Mr. HOLIFIELD] has effectively fought for civil rights legislation for many years. I think his statements here will go a long way to help resolve the regrettable problem that has marred this matter and perhaps will smooth the passage of this bill.

Mr. HOLIFIELD. I will say that if we find an objectionable situation exists out there in regard to the employees of this facility when it is finished, then I will do everything in my power to see enough of the land of this great 6,800-acre tract is made available on some kind of cooperative basis so that houses can be built.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. HOLIFIELD was allowed to proceed for 5 additional minutes.)

Mr. HOLIFIELD. If at that time the State has not acted and the county and the cities have not solved this problem.

Mr. CONYERS. Mr. Chairman, will the distinguished chairman yield further?

Mr. HOLIFIELD. Yes. I yield.

Mr. CONYERS. I reluctantly question the assurances that are going to be forthcoming. Let me tell you why. A fair housing bill passed the State house of representatives, and the State legislators from this area and both counties involved, I want to report, voted for the bill. It was introduced by the member from the area in question.

Mr. HOLIFIELD. And the Governor of the State fought for it.

Mr. CONYERS. Yes. But the senate was unable to pass the bill. Mr. Chairman, I am questioning what kind of assurances we are going to have forthcoming when the Senate was unable to do what the House had so valiantly fought for. We know there is segregated housing that exists in the greater part of suburban Chicago.

As the situation stands now, a Negro American employed at the Weston project would only be assured redress for housing discrimination in the very few small villages which have enacted their own fair housing ordinances. Therefore, he may have to sift ordinances and verify assurances in order to find a home for his family which is reasonably close to his job.

I would like to call your attention to a condition which arose after the move of the 5th Army Headquarters from Chicago, Ill., to Fort Sheridan, near Waukegan, Ill. Our distinguished colleague, Mr. O'HARA, brought up this matter on May 1, 1967. At that time he cited the fact that "one-third of the civilian employees at the headquarters were forced to quit their jobs rather than move into a locality where homes ran between $25,000 and $45,000." Moreover, a real estate salesman told Charles Mount of the Chicago Tribune on April 30, 1967, that his firm, one of the largest in Waukegan, Ill., "could not handle any transactions in the move because of the no-discrimination stipulation by the Army."

Mr. Chairman, if such difficulty for 400 employees of an already existing installation has arisen because of a move into the Chicago suburbs, what might the thousands of new people who will be coming into the atomic project expect? The logic of putting this huge new project into an area which has proven its policy of housing discrimination simply eludes me.

To further amplify my remarks regarding the availability of open housing in the area around Weston, I would have Mr. Blount's article in the Chicago Tribune printed at this point in the RECORD:

[From the Chicago Tribune, Apr. 30, 1967]

THE 5TH ARMY GEARED FOR FORT SHERIDAN MOVE

(By Charles Mount)

The biggest military campaign in the Chicago area in recent years will begin May 9, most of it under cover of darkness.

After more than 2 years of planning, the nation's second largest army headquarters, 5th army, will move from 1660 E. Hyde Park blvd. to Fort Sheridan, adjacent to Highland Park. The move, which military officials say will cost $2.6 million, will mean relocating, over a 12-year period, the work of 945 military personnel, about 500 civilians, and 500 tons of equipment.

MOVE TO REDUCE COSTS

It also will mean that civilians will be working in a complete military setting for the first time. The headquarters, in a move to reduce defense department costs, will relocate from a former hotel and military hospital to an ex-cavalry post. Many civilians will be leaving a place they have worked for 20 years.

Relocating their homes will be 325 civilians and 140 military families who have found or still are seeking off post housing on the north shore. Most of the personnel are moving from scattered locations on the south side.

Some 136 personnel, 126 of them civilians, plan to commute to the fort on special military buses which will stop daily at the Hyde Park building and at Howard and Paulina streets. Another 80 personnel are seeking car pool partners.

RUN SPECIAL BUSES

The special buses will run for a three-month trial period to accommodate personnel who don't want to move while their children are in school and to encourage civilians who want to work at Fort Sheridan but don't want to move their homes. The army is trying to persuade private bus companies to take up the routes.

About one-third of the civilians are quitting their jobs rather than make the move, said Col. Paul A. Baldy, coordinator of the move as special assistant to the 5th army chief of staff. Other military sources said as many as one-half of the civilians will not make the move. Most are going to other federal jobs.

In order to avoid massive traffic jams, five commercial moving companies will load furniture and other equipment onto about 27 vans after work hours. The vans, to conform with police requests, will leave one at a time at night for the fort, where they will be unloaded shortly after dawn.

DEVISE TRAFFIC PLAN

Military police, on orders of Col. Victor G. Conley, Fort Sheridan post commander, have devised traffic flow plans and special parking areas to avoid confusion.

Each of the 24 sections will move half of their operations at one time, thus leaving the other half to maintain emergency facilities.

Col. Baldy said same of the civilians quitting the headquarters are top-rated management and supervisory personnel. The others are spread thruout the other civil service levels. The army, in order to fill vacancies, has hired 283 people from the north shore in the last two months, he said.

MOST BUYING HOMES

The hiring of local people and the movement of 465 personnel into the area is expected to have a considerable effect on the north shore economy, particularly the housing market. Most of the personnel are buying homes in the $25,000 to $45,000 bracket in the Deerfield-Highland Park, Libertyville-Mundelein, and Palatine-Arlington Heights areas, Col. Baldy said.

The army has conducted housing tours and contacted real estate brokers to help personnel, but many of them still will end up paying from 25 to 100 per cent more in property taxes than on the south side, he said.

IMPROVE FORT SHERIDAN

In a move to help reduce possible discrimination against Negro personnel, the army has held consultations with Negroes stationed at Fort Sheridan who live off post. Col. Baldy said no problems have been reported, but a salesman for one of the largest Waukegan realtors told The Tribune he could not handle any transactions in the move because of the no-discrimination stipulation by the army.

Col. Baldy said the present headquarters building will be turned over to the Federal General Services administration.

Improvements made at Fort Sheridan prior to the move include installation of underground communications cables; remodeling of eight buildings to house the headquarters; completion of 250 more living quarters; a new electrical wiring system, heating plant, medical and dental facility, and restaurant; and expansion of the library and enlisted men's barracks. Expansion of the officer's club is under way. Improvements at the fort will total about 6.3 million dollars.

I do not think the proper way to grant these awards is to first emphatically state that the definite availability of housing on an equal basis is a precondition and then move back from that position and rely on mere assurances from an area that has a history of segregated housing. Mr. Chairman, I think we will be moving into the same kinds of problems that have been involved in Pasco, Wash.; Oak Ridge, Tenn.; and several others of the Atomic Energy sites.

There is no question that housing discrimination occurs in many of the areas surrounding major Government facilities. This is particularly true for Federal facilities located in the suburbs of our large cities.

Just last week, Secretary of Defense McNamara dealt with such a problem, in the area surrounding the Andrews Air Force Base which, as the House well knows, is Prince Georges County, Md., a suburb in the Washington metropolitan area. Secretary McNamara exercised his authority to prohibit the rental of housing to any servicemen in the area around Andrews by any landlord who was not willing to make his housing available to all American servicemen.

I am hopeful that in the near future similar orders will be issued to cover the areas around all military installations so that our Negro servicemen who are called upon, without any exclusion, to die for our country may live, and have their families live, in equal and integrated housing. I would also hope that every Federal agency would use its influence to see to it that Federal funds are not used to subsidize segregated housing.

[Memorandum from the Secretary of Defense]

UNSATISFACTORY HOUSING OF NEGRO MILITARY FAMILIES LIVING OFF-POST IN THE ANDREWS AIR FORCE BASE AREA

On May 18, 1967, we received from the Governor of Maryland Joint Resolution 47 of the Maryland General Assembly which he had signed and which called on the Secretary of Defense to take immediate action to end housing discrimination against military personnel. On May 25, 1967, I responded to Governor Agnew, stating that the Department of Defense would move expeditiously to carry out the intent and spirit of this mandate in the State of Maryland, as we had started to do elsewhere in the country. I advised the Governor that we had already initiated studies of housing discrimination in the area surrounding Andrews Air Force Base. He was informed that we would proceed with similar studies at other Maryland installations during June.

Studies at Andrews Air Force Base have now been completed. The results have been reported by the Under Secretary of the Air Force to representatives of the real estate interests in the Andrews Air Force Base area at meetings held with such representatives on May 25 and June 12. At these meetings, voluntary compliance was sought with DOD Directive 5120.36, which states the basic policy of equal opportunity for members of the Armed Forces in off-base accommodations. Several of these representatives have worked diligently to obtain voluntary agreement by a majority of apartment owners concerned. I appreciate these efforts, but to date they have not succeeded. We cannot delay further actions to attack this problem.

The severity of the problems affecting Negro military families assigned to the Andrews Air Force Base who must live in private housing facilities, is demonstrated by the experience of over 300 Negro enlisted families whom we have contacted. These families report the following:

70% are not satisfied with their housing.

59% reported that they had considerable difficulty in obtaining housing. Of this number:

60% stated the reason was due to racial discrimination.

74% were directly refused rental housing when vacancies were available.

37% were quoted higher prices than those quoted to other applicants.

A primary reason for the dissatisfaction of these Negro families is the unsatisfactory location of their housing, resulting from racial discrimination. A canvass of 22,000 apartment units within a reasonable commuting distance of the Andrews AFB reveals that less than 3% of these units are now open to Negro families.

The above conditions demonstrate, beyond question, that housing discrimination is producing problems which are detrimental to the morale and welfare of the majority of our Negro military families in the Andrews AFB area, and thus to the operational effectiveness of the base.

In view of the hundreds of military families who will be moving into the Andrews area during the next few months, and in view of the absolute essentiality of high morale and operational efficiency, these conditions can no longer be tolerated. Therefore, the following actions will be taken:

(1) Effective July 1, 1967, military personnel moving into the area or changing their place of residence, will not be authorized to enter into new leases or rentals of apartment or trailer court facilities—within approximately 3½ miles of the center of the Andrews AFB—unless such facility is available to all military personnel on an equal basis. This is the area in which the military families assigned to the Andrews AFB are now concentrated, and the area which is most desirable to enhance the responsiveness of military personnel to the operational mission of the base.

(2) The Coordinator of Off-Base Housing Services in the Washington, D.C. area will advise immediately the owner of each rental facility within the area designated above that, as of July 1, 1967, military personnel will be authorized to rent units in the owner's facility only after he provides written assurance that his facility observes a policy of equal opportunity for all military personnel.

(3) The Coordinator of Off-Base Housing Services will immediately establish procedures, in cooperation with each of the Military Departments, to inform military families already residing in the Washington, D.C. area of the above policies. Further, all personnel receiving orders assigning them to installations in the Washington, D.C. area will, at the time they are first informed of their assignment, be advised that after July 1, 1967, they may not lease or rent housing in the designated area adjacent to Andrews AFB without first consulting the Housing Office of the installation to which they are to be assigned.

(4) The Coordinator of Off-Base Housing Services will keep the above policy under continuing review. If he finds that the designated area should be revised to include additional rental facilities in the Andrews area, he will recommend such revisions to me immediately.

As our studies at other Maryland installations are completed, I shall direct further actions, as required, to end housing discrimination. These actions must be prompt and effective.

Mr. Chairman, Mr. Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, has chosen the housing discrimination around the Weston, Ill., site for the atom smasher as the topic of his next syndicated column. He has been kind enough to permit me to use an advance copy of this column, which will appear in the Detroit News, July 1, 1967, during this debate.

Mr. Wilkins' column clearly expresses the frustration of many Negro Americans who are told that on the one hand the Federal Government believes in equal opportunity and that on the other hand a Federal agency has decided to locate a huge project in an area which is known to be discriminatory. Mr. Wilkins makes two very important points which I would like to emphasize. One, this project is being paid for by all the taxpayers and not all will benefit equally; and two, by placing this project in an area which already practices housing discrimination we are laying the groundwork for a pattern of prejudice for the 6 to 8 years needed to construct the atom smasher.

Many persons with whom I have spoken feel that this project should not be built on a site in a State which does not have a fair housing law. However, I do not contend that a State law is the only way to guarantee fair housing, nor does a fair housing law necessarily mean that discrimination will be abolished. This is certainly the case in many States which have State open housing laws. Local ordinances and real estate practices could provide the same degree of fair housing as a State law. My basic disagreement with the Weston site is that open housing is not available in this part of Illinois. Until open housing is a reality, whether achieved through a State fair housing law or local ordinances and assurances, the atomic project should not be built on this site or any other site where housing discrimination prevails.

I would like to insert Mr. Wilkins' column into the RECORD at this point:

ILLINOIS CRITICIZED AS ATOM PLANT SITE

(By Roy Wilkins)

Negro citizens who have managed to preserve a faith in the easing of racial difficulties through steady, orderly procedure got another kick in the teeth a few days ago.

The Illinois state senate has killed a fair housing bill. The arresting aspect of this act lies in the fact that housing for minorities was a factor in the selection of Weston, Ill., as the site for the $375-million atom smasher by the Atomic Energy Commission.

Weston, a town of a few hundred residents, has no Negroes in or near the place. DuPage County, in which Weston is located, has a population of approximately 300,000, of which only 600 are Negroes. Since the county is very near Chicago and Weston is only 35 miles from the metropolis, it is easy to believe that DuPage County has had a policy of deliberately discouraging Negroes from settling there.

In fact, the record shows that DuPage County politicians and leaders have opposed adamantly the enactment of any fair housing legislation by the state legislature. They were unbending when the Weston plant was being discussed. They wanted no concessions on minority housing.

Five other states, California, New York, Michigan, Wisconsin and Colorado, had sites competing with Illinois. All of Illinois' rivals had laws on housing and employment even though California was involved in litigation. Despite this, and despite lily-white Weston and almost lily-white DuPage County, the Illinois town was the winner, principally upon the assurance from Illinoisans that a fair housing law would be enacted.

Now the Illinois legislature has reneged. The state has the $375-million atom plant and the $60-million a year in maintenance money. It has 2,000 technical employes and many workers in other categories, all making up a fat payroll for Illinois. For white Illinois, that is.

Just in case Negro citizens get any ideas, a spokesman for the suburb of Cicero has already laid down talk of "bloodshed." Weston has adopted a town fair housing ordinance but a town official said that it would not require anyone to sell or rent to "anyone he did not choose to deal with." Negroes are still out in the cold on housing.

Why is this important? Why the blood pressures? Well, the United States, where Negroes have lived for 348 years, where they pay taxes and where their men have fought and died in defense of their country in every war from 1776 to Vietnam, is going to use tax money to create an employment bonanza in the middle of an Illinois prairie and that bonanza will be for white, not black, Americans.

This use of the money of all the people to build a facility where nonwhite workers will have to face insults and bricks and mobs in order to occupy a home is a monumental sin in the world of 1967. Since about eight years of construction are required, a procedure is being adopted that will give life to the jim crow policy of 1975!

In a letter to a New York newspaper a woman points out that one Negro is in the President's Cabinet and one has been nominated to the Supreme Court. She asks, plaintively, "What more do they want?"

Well, madam, they are grateful to the President for the Cabinet member and (if confirmed) for the Supreme Court associate justice. However, two men, estimable as they are, cannot substitute for opportunity and justice and dignity for the entire Negro population, or even for Negro Illinoisans.

The Atomic Energy Commission and its controlling Joint Congressional Committee should cancel out Weston, Ill., and build the plant elsewhere.

Mr. **HOLIFIELD**. I appreciate the gentleman's statement, but let me say this: I am just as firm on this as I am in my belief that people should have equal opportunity and equal rights. There are 30 States in this Union that do not have open housing laws. Racial discrimination has not been removed from the 20 that do have open housing laws. So we are talking about a serious situation here. In those 30 States that do not have open housing laws millions, and hundreds of millions, and billions of dollars worth of Federal facilities have been constructed and are being constructed and will be constructed. I say that to discriminate against any one of those 30 States and to say that you cannot have Federal money spent in your State notwithstanding the fact that you contribute to the Federal Treasury is discrimination of a very, very serious form.

And, Mr. Chairman, I am not going to be a party to that type of discrimination. I will support any civil rights legislation that comes to this floor which I deem just. But I shall not be a party to blackjacking any State in this Union into accepting a principle which does not rest upon Federal law and which does not apply to that State.

Therefore, Mr. Chairman, I ask that this amendment be voted down.

Mr. ANDERSON of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, like the gentleman who has just addressed the Committee, I respect the motives and the sincerity of the gentleman from Michigan [Mr. CONYERS] in offering this particular amendment today. But I wonder why it is that we have selected this particular project to which to apply this alarming and astonishing doctrine to the effect that we should begin to tell a State what kind of general laws it should pass.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I will not yield to the gentleman from Colorado at this point until I have had an opportunity to express my argument and opinions in respect to this amendment.

Mr. Chairman, we are talking about a project that is located in a relatively small portion of two out of the 102 counties in the State of Illinois. Yet we are being told that unless the legislature of the great State of Illinois passes a law that is applicable in every single county, in every one of these 102 counties, that this project should not be approved.

Mr. Chairman, I have been here serving in this Congress for now going on more than 7 years. I have never heard a more dangerous and arbitrary doctrine expressed than this.

Mr. Chairman, I would suggest to the Members of this Committee of the Whole House on the State of the Union that we ought to look at this project today in the light of a very broader perspective than simply the Weston project, because if we establish this particular precedent today, it is going to come back to haunt us on every single public works bill, on every single authorization for new construction and on every Federal agency project.

Mr. Chairman, all we have to do is to look at what happened just yesterday. Yesterday we had a bill pending before the Committee of the Whole House on the State of the Union very similar to this bill, a bill which called for the authorization of almost twice the amount of money involved in this bill, almost $5 billion, and if the members of the Committee will recall the discussion which was held on that bill, there was line item after line item contained in that bill dealing with millions of dollars worth of construction in States where there is not open occupancy legislation.

Mr. Chairman, if we refer to this bill—and I do not want to single out my friends in the State of New Mexico, but in that State we have an authorization of some $50 million for the construction of a meson facility which is a medium-energy research facility located in that State wherein there is no open housing law.

Here, Mr. Chairman, we have not heard anything about deleting that particular authorization here today.

So, I would suggest we remember that we are talking about not just Weston, Ill.; we are talking about a rather broad and important principle when it comes to the manner in which this House legislates.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I would like to point out to my distinguished friend, the gentleman in the well, the reason that I offered the amendment is because citizens around this area who have been working in an effort to bring about better housing relations and, indeed, race relations, came to me themselves to raise objections to the Weston site. They live in the area and know the problems from experience. I would most certainly object to the placing of this project or any other project in any site where housing discrimination is such a problem that it would affect the hiring of personnel. The same group also brought the problem to the attention of the Chairman of the Atomic Energy Commission who is also concerned. The Commission itself made this request a part of the evaluation that would go into the question of the selection of one of the alternate sites. In fact, Dr. Seaborg was so concerned about the racial atmosphere around the site that he pointed out that if necessary the project could even now be placed at one of the other sites. I quote:

> As you know, the Commission found that any of the final six sites under consideration was suitable for the project.

So my effort here today is not just a grandstand measure. There is still time to iron out the problems. We can pass this amendment and let the Atomic Energy Commission either choose a new site or postpone any activities at this site until there is a suitable guarantee of open housing.

Mr. ANDERSON of Illinois. If the gentleman will permit me to reply, I am not going to go back and restate what has already been stated during the general debate to the effect that this was not part of the original criteria that were set up.

But let me say, to assume that the progress in eliminating discrimination is going to stop in the State of Illinois because the Illinois General Assembly during the past session did not pass an open occupancy law is to err. I simply do not concede this. If I had been the legislature I would have voted for such a law. I believe the gentleman knows where my sentiments were with respect to title IV of the Civil Rights Act of 1966, but I believe this is an area in which States should legislate, and I hope they will, and I have every reason to believe that during the next 6 or 7 years, while the project at Weston is under construction, that we are going to make progress in eliminating discrimination in housing in Illinois.

As the vice chairman pointed out, in these 19 or 20 States where they already have these laws on the statute books to eliminate all vestiges of discrimination there is still much progress to be made.

So I say give the people of the State of Illinois a chance to prove their good faith.

The gentleman from the 14th District of Illinois [Mr. ERLENBORN] in whose district this project will be located, has already given us proof that in the towns of Weston and Glen Ellyn, which are in the immediate vicinity of this accelerator, 62 percent of the new listings are on a nondiscriminatory basis. I believe this is probably a far better record than you could point to in many areas of our country where they already have open occupancy laws on the statute books.

I repeat that it would be a very extremely dangerous precedent to adopt the amendment of the gentleman from Michigan. I am as much for the elimination of discrimination in housing as anyone else, but the method sought to be employed here—to compel a State legislature to act by a variation of the carrot-and-stick technique—is unwise. As I stated earlier, the principle is far broader than the gentleman from Michigan seems to realize. Suppose a Federal administrator in selecting a site for a new Federal installation decides a State does not offer a wide enough range of social services because of inadequate State revenues. Should he be in a position to compel the State in question to enact a progressive income tax to broaden its revenue base before securing the Federal project in question? Certainly not.

I repeat the broad implications of the gentleman from Michigan's amendment go far beyond the question of open housing. It would be disruptive of our whole pattern of Federal-State relationships. I urge members to consider these ramifications in casting their votes today.

Mr. ROGERS of Colorado. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I presume that each time an individual may ask questions concerning this project, particularly if his own territory was considered for the project, that he is accused of eating sour grapes. That is not the situation here. And I pointed out and placed into the RECORD yesterday the decision or the decree from the Supreme Court of the United States which, to my way of thinking, places the question of water for the facility in danger. All you have to do is to take the RECORD of yesterday and turn to page 17793, and read section 4 thereof, and you will find that if there is a shortage of water that they have to go to Lake Michigan to get it, and they must go to the Supreme Court to get an additional order. That is No. 1.

No. 2. A great deal is said about the savings of money in this endeavor. If you will take a look at the hearings, particularly on page 217, when you come to Chicago and compare that with Denver you will find that they selected the one whose rate of operation was higher.

A member of the Committee, said the State of Colorado did not meet the educational requirements.

I direct the attention of the committee to page 411 of the hearings in connection with this, wherein they state that the University of Colorado in Boulder, the University of Denver, and a branch of the University of Colorado in Denver, can provide opportunities for the continuing education of the younger members of the laboratory staff.

The gentleman from Illinois [Mr. ANDERSON] asked why and how did the so-called open housing thing get into this controversy, and why is it not used some place else?

Well, I will tell you how it got into it. This committee went around, and the AEC itself, and interviewed the respective sites that had been selected, and they were six in number.

One of the questions that they asked and insisted upon was, Do you have an open housing law? Not only did they ask that question when they came to Denver, Colo., but they insisted that the Governor of the State supply them with a copy of the law. At the conference that was held, the Chairman of the Commission made it plain and clear that they did not intend to put it at any site other than a site where individuals would not be discriminated against in any particular.

That is how it got into this issue and that is what the Commissioners themselves asked the people of the respective States when they were trying to find out how and what it would cost to operate.

Hence, I take the position that if you are to save money, do not select the highest cost site that you have, according to your own report. If it must be called "sour grapes" then let me read you one of the paragraphs wherein they say:

> Denver is an attractive and growing city with a population of more than half a million. The communities east of Denver in the direction of the site are good residential communities. The area offers adequate cultural opportunities. Schools are good and the recreational facilities are excellent, industrial services in Denver are diversified enough to support the project.

Now you may accuse me as being guilty of sour grapes, but this is nothing other than a plain explanation of the situation—and may I say the highest cost one in the setup was selected.

Now there is another factor that has not been explored here.

It is true that the State of Illinois will supply the land. But who is promoting the housing around the installation?

The CHAIRMAN. The time of the gentleman has expired.

Mr. RYAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment offered by our colleague, the gentleman from Michigan [Mr. CONYERS].

The taxpayers' money should not be spent where it reinforces any pattern of discrimination. Persons on the Federal payroll must not be subjected to intolerable and inadequate housing on account of their race or color.

Just last week Secretary McNamara ordered housing surrounding Andrews Air Force Base, where there is discrimination, to be off limits to servicemen.

This order seeks to insure fair housing for those men in uniform who are based at Andrews.

It is expected that similar regulations will be put into effect in other areas where discrimination is practiced.

We certainly should do as much for civilian employees of the Atomic Energy Commission and large Federal installations.

I should like to call the attention of the Members to a part of the report and to the separate views of Senator PASTORE in which he says:

> In considering the selection of a site for the facility, the Commission announced that the local status of civil rights and nondiscrimination would be of primary concern in making its choice.
>
> Notwithstanding its own criterion, specified by the Commission, what was the decision of the AEC?
>
> From the six finalists among the considered sites, the AEC chose a location in the only State of the six which does not have open housing legislation.

Then he goes on to say:

> I happen to believe that such standards of human dignity are a proper premise.

Mr. Chairman, I too believe that they are a proper premise and that through the power of the purse the Congress has the responsibility to enforce equal opportunity in housing, in education, in jobs and in every area where Federal funds are spent.

Any community which would deny equal rights to all Americans certainly has no right to have the taxpayers' dollars spent in that community in support of this facility or of any other facility. I believe that the Federal Government should use its power to insure that there is no discrimination wherever our Federal installation is located, and that includes the 30 States where there are no fair housing laws.

Last year this House passed a watered down fair housing measure which was not adopted by the other body. The Congress has defaulted upon a responsibility in this area. In the absence of such legislation, let us at least insure, as Secretary McNamara did last week, that employees of Federal installations are not discriminated against, that taxpayers' money does not go to support bigotry. Equal opportunity in employment is provided wherever Federal contracts are involved. Can we do less in housing?

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I am happy to yield to the distinguished gentleman from Michigan.

Mr. CONYERS. Could the gentleman from New York reinforce and emphasize a point that I think is being lost sight of in this debate? I refer to the fact that this amendment does not seek to require that every State enact a fair housing law. There seems to be some thought along that line.

I quite agree with the gentleman from Illinois [Mr. ANDERSON] when he says that fair housing laws frequently are not worth the paper they are written on. For example, there is a lot of discrimination in the State of Michigan and the State of Michigan does have a fair housing law. But when the commission was looking for sites, they were looking for some indicia of concern about this very human problem.

One of the indicia is whether or not a State has seen fit to take a position as a matter of public policy on America's most unsolved problem, and that is the question of fair housing in this country.

So we are not trying to require that every State pass such a law. We are looking for whatever evidence might be available that such fair housing would in fact exist. It does not happen to exist in and around the suburbs of the city of Chicago.

Mr. TENZER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment, calling for the deletion of the authorization of a 200-Bev accelerator in Weston, Ill. I believe that this project should be deleted for a number of reasons.

On December 16, 1966, the Atomic Energy Commission announced its selection of the Weston site in Illinois from the final list of six sites recommended by the National Academy of Sciences. The six sites proposed were Ann Arbor, Mich.; Brookhaven National Laboratory at Upton, Long Island, N.Y.; Denver, Colo.; Madison, Wis.; Sierra Foothills, near Sacramento, Calif., and Weston, Ill.

THE OPEN HOUSING QUESTION

In connection with the announcement, the AEC issued a statement entitled "Summary Data on Selection of Chicago—Weston—Site for the 200-Bev Accelerator." Under that section of the statement entitled "Other considerations," the Commission states in part:

> In its investigations and evaluations the Atomic Energy Commission included consideration of the climate of equal opportunity and nondiscrimination that existed in the communities containing and surrounding the six prospective sites, as well as the applicable State laws, executive orders and local ordinances. . . .
>
> A wide range of assurances and statements of support were received responsive to the AEC's request. As a whole, these indicated individual and community awareness of problems of racial discrimination and determination to continue and institute measures to cope with it. These and other information reflected a progressive attitude in the Weston site area toward equal employment opportunity efforts to provide equality in suburban public school systems, and a number of community human relations councils devoted to eliminating discrimination.
>
> During the selection process, the AEC informed the Weston (and the other) site proposers of the thinking of the U.S. Commission on Civil Rights on civil rights criteria, and indicated that the AEC planned to seek from the selected site, appropriate commitments in areas of employment, housing, education and community facilities and services as were suggested by the Commission on Civil Rights.
>
> The Atomic Energy Commission noted differing views with respect to non-discrimination in housing, and in certain areas more distant from the site with respect to integration in public schools, but will expect that with the leadership of the state and local governments and with the cooperation and support of citizens and community organizations in the Chicago area, a broad satisfactory record of nondiscrimination and equal opportunity will be achieved.

Mr. Chairman, notwithstanding the civil rights criteria quoted above, the site selected remains the only one of those finally considered which is in a State which does not have an open housing law. It is primarily for this reason that I am urging that the authorization of funds for this project be stricken from the pending bill.

It is said that billions of dollars have been authorized for projects in the 30

States without open housing laws. That such practices have gone on in the past furnishes no justification for the authorization at issue here today. If we are willing to allow this authorization can we refuse any other which is directed toward an area which rejects this Congress' notion of equality for all men? Further, Mr. Chairman, we deal here not only with criteria resulting from a broad based policy of this and preceding Congresses, but also with criteria emanating from the supervising agency, the Atomic Energy Commission.

Let the record be clear and reflect the fact that I, together with my colleagues in the House from Long Island and from New York State put forth our best efforts in cooperation with the Long Island Association and the Long Island Federation of Labor on behalf of the proposed site at Brookhaven National Laboratory. This is not the reason for my statement in the House today. I ask not for reconsideration of the Brookhaven or any other site at this time. I do ask that this Congress express its unwillingness to authorize funds to an area which has actively rejected pleas for open housing legislation. Today, more than 50 percent of the population of the United States live in States with open housing statutes.

If one seeks the statutes upon which we are basing request for fair housing—let him look at the Constitution of the United States.

THE QUESTION OF PRIORITIES

Mr. Chairman, there are other reasons for deleting this project which are adequately stated in the separate views contained in House Report No. 369. Among other considerations are the need to establish priorities in a year when the costs of the Vietnam war are mounting daily and the projected budget deficit is increasing at an unknown rate.

Mr. Chairman, there has been no convincing evidence that the public interest will be jeopardized by deleting this project. In fact, it may be argued that the public interest will suffer if we continue to pour funds into programs like this without first dealing with the problem of human needs.

In remarks delivered during the debate over the authorization for NASA, I stressed the need to establish priorities in regard to domestic spending. While I agree that this country's progress in the field of atomic energy is both dramatic and important, I cannot understand how this Congress can fail to see that the problems of our citizens are being shoved into the background in the name of progress.

Mr. Chairman, it must never be forgotten that progress is the result of man's creativity and a strengthening of our efforts to improve the lives of our citizens will, in the long run, bring greater progress. We must always be farsighted but cannot equate foresight with science, per se. In the end, better lives will build better science and we must lay the foundation, now, for the better science of the future.

Mr. Chairman, I have attempted to establish a record of legislative history and intent in order to make it clear to the executive branch that the AEC had an obligation to the Congress and to the people of the United States to require legislative action by the Illinois State Legislature as a condition precedent to the commencement of work on the 200-Bev accelerator at Weston, Ill. Illinois has had that chance and rejected it. In the face of such a decision, we cannot afford to compromise our position on human dignity. I, therefore, urge my colleagues to support the motion by the gentleman from Michigan.

Mr. ERLENBORN. Mr. Chairman, I rise in opposition to the amendment. I think the gentleman from New York, who just spoke in support of the amendment, must not have been present during the general debate when it was very clearly established that there was no criteria for an open housing law in the offerings to the States making bids for this project. This has been very clearly established.

Mr. TENZER. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I am happy to yield to the gentleman from New York.

Mr. TENZER. The considerations to be used by the Commission in the "Summary Data on Selection of Chicago—Weston—Site for the 200 Billion Electron Volt Accelerator," shows that I have included in my statement the following:

> During the selection process, the AEC informed the Weston (and the other) site proposers of the thinking of the U.S. Commission on Civil Rights on civil rights criteria, and indicated that the AEC planned to seek from the selected site, appropriate commitments in areas of employment, housing, education and community facilities and services as were suggested by the Commission on Civil Rights.

Mr. ERLENBORN. The gentleman is absolutely correct. I have no quarrel with the gentleman. I merely stated that the Atomic Energy Commission did not establish as criteria that there be an open housing law in the State, and the gentleman was not correct in his earlier presentation when he said that the criteria were changed after the site was selected. There was no change in criteria.

I would like to address myself to the substance of the amendment. Either the amendment is a personal vendetta against the State of Illinois, or we are going to be establishing something here which will be a test for all appropriations to be made in the future by the Congress. I think it is clear that even the gentleman offering this amendment is apparently not making this a broad test to be applied, as was pointed out by the gentleman from Illinois [Mr. ANDERSON]. This very bill has another appropriation for the construction of a facility by the AEC in a State that does not have open housing nor does the gentleman tell me that they have assurances on the site that they have adequate housing facilities. The fact is that the Atomic Energy Commission did inquire into the area of whether there would be adequate housing on a nondiscriminatory basis. They did not set this false criterion of having a State statute. I know the gentleman from Michigan states that this is not his test either.

But others have been in this fight and have been using this as a test. During the course of the deliberations of the Atomic Energy Commission, I was interrogated as to whether we could not have a county open housing statute, or whether we could get a couple of ordinances passed by some of the local communities. It got down that far. It became apparent that all that was sought by those who were pushing this feature at that time was to get some statute or ordinance on the books.

Frankly, I do not think this is the way to promote the civil rights cause. I believe the fact that we have in the nearby communities on a voluntary basis over two-thirds of new listings of homes on an open basis, without discrimination, shows that the people themselves—the only ones who can fight discrimination—are learning and they are doing a good job in this area.

Why can credit not be given to those voluntary efforts that have been made? Why can credit not be given to the fact that this community is doing a good job? Why do we use this as a criterion, that we must have an ordinance or a statute?

At the same time the national board of the NAACP finds that discrimination exists in those States that already have open housing statutes.

I want to finish my presentation by saying, if this is a personal vendetta against the State of Illinois, obviously it must fail. We cannot operate on such narrow considerations in this Congress. If this is to be a general rule to be applied in the future, then when the public works bill comes out, let us apply that across the board. But if we are going to say in every instance that we must have a State open housing law, that means 30 States in this country will be prohibited from having appropriations for public works, for NASA, and for the military. I do not believe this sort of rule can be applied, either.

It is obvious to me that neither of these reasons can justify the amendment that has been offered here today.

As a matter of fact, I believe it is unfortunate that some who felt they could get an advantage with this fight have brought it this far along. I believe it would have been well if they had stopped the fight before reaching this point.

Mr. HOSMER. Mr. Chairman, I rise in opposition to the amendment. I am not going to take a long time.

Dr. Seaborg, who is the Chairman of the Atomic Energy Commission, is an honorable man and he is a Nobel Prize winner. He came and told us that he took all six of these sites and looked at them from question of the climate of nondiscrimination, and of equal employment. He took these questions to these Government agencies, and this includes the Weston site: The Equal Employment Opportunity Commission, the Community Relations Service, the President's Committee on Equal Opportunity and Housing, the Commission on Civil Rights, the Civil Service Commission, and the Office of Federal Contract Compliance of the Department of Labor. Not one of these six Government agencies on those issues put up any objection to Weston or any one of the other sites.

So, as far as the facts are concerned, the facts show there is not a bad climate in Weston, despite what some people allege has been happening in downtown Chicago.

I wonder how many realize how big Weston is? There are a total of 500 people in Weston, Ill. When we think of the thousands of people who are going to be brought in on this project—scientific and technological types, who could not care less about the color of the skin or the religion or the national origin, but who care only whether a person has brains enough to make one of these things work—we can see the kind of climate those people will bring in, and certainly it is not going to have any adverse effect on civil rights.

I suggest we stop this foolishness and sour grapes.

On this business about water, there are about 2,000 to 4,000 gallons of water per minute needed at this site to cool the magnets. These are great big magnets. That water is not all going to be consumed and it does not all go up in steam and disappear. We pick it up from the ground and use it to cool the magnets, and then we put it back into the ground. So this business about Lake Michigan and the water shortage is another one of those things, coming from the sour grapes side.

Mr. Chairman, I decline to yield. We have talked too much about the point already.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. CONYERS].

The question was taken; and on a division (demanded by Mr. CONYERS) there were—ayes 7, noes 104.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN: On page 4, after line 18, add a new subsection (d), as follows:

"(d) The Commission is authorized to start the projects set forth in subsection 101(b) contingent upon the enactment of Federal or State fair housing measures which insure that employees of said facilities not be denied equal housing on grounds of religion or race."

Mr. HOSMER. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. HOSMER. It is not germane. It attempts to legislate restrictions on an authorization bill not provided by the rules of the House. It has already been voted upon.

The CHAIRMAN. The Chair is ready to rule on the point of order.

Mr. RYAN. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from New York.

Mr. RYAN. Mr. Chairman, the amendment is similar in nature to the limitation set forth in section 102 of the bill. There it is provided that—

The Commission is authorized to start any project set forth in subsections 101(b) (1), (2), (3), and (4) only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.

In other words, the projects are to be started conditionally.

My amendment would provide that the projects set forth in subsection 101(b) be started contingent upon the enactment of State fair housing laws or a Federal fair housing law.

This reaches the point which was made earlier by opponents of the previous amendment, to the effect that one locality had been singled out. This would apply across the board. I submit that it is germane and in order, and parallels the limitations the bill itself sets forth on other aspects of the project.

Mr. HOLIFIELD. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, the section referred to by the gentleman, of course, is a limitation on appropriations and directed specifically to that point.

The CHAIRMAN (Mr. BURKE of Massachusetts). The Chair is ready to rule on the point of order.

In the opinion of the Chair, the amendment goes beyond the legislation, which is Federal legislation, and would require State legislation. Therefore, the point of order is well taken.

The Chair sustains the point of order.

Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BURKE of Massachusetts, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10918), to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, pursuant to House Resolution 663, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. HALL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HALL. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HALL moves to recommit the bill H.R. 10918 to the Joint Committee on Atomic Energy.

Mr. HOLIFIELD. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO FILE A REPORT ON H.R. 11000

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight tonight to file a report on H.R. 11000, a bill to provide financial assistance to help cities and communities.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDING TITLE 37, UNITED STATES CODE, RELATING TO TRAVEL, TRANSPORTATION, AND EDUCATION ALLOWANCES FOR DEPENDENTS

Mr. FISHER. Mr. Speaker, considering the fact that a rule was granted on yesterday, I call up the bill (H.R. 2082) to amend title 37, United States Code, to authorize travel, transportation, and education allowances to certain members of the uniformed services for dependents' schooling, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill as follows:

H.R. 2082

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 7 of title 37, United States Code, is amended as follows:

(1) The following new section is inserted after section 427:

"§ 428. Education, travel, and transportation allowances: dependents at permanent station outside United States

"Under regulations prescribed by the Secretaries concerned, which shall be, as far as practicable, uniform for all of the uniformed services, a member of a uniformed service who is on duty outside of the United States at a permanent station and when such benefits are not made available in kind by the Government, is entitled to an education allowance and a travel and transportation allowance, to assist in providing adequate education for his dependents who are authorized to accompany the member, as follows:

"(1) An allowance for elementary and secondary education not to exceed the cost of obtaining such elementary and secondary educational services as are ordinarily provided without charge by the public schools in the United States, plus, in those cases where the Secretary concerned has designated the duty station of the member as having inadequate educational facilities, board and room, and periodic transportation between that station and the nearest locality (including where applicable the United States), designated by the Secretaries concerned as having adequate educational facilities; but the amount of the allowance granted shall be determined on the basis of the educational facility used.

"(2) A travel and transportation allowance is authorized to meet the travel expenses of the dependents of a member to and from a school in the United States to obtain an undergraduate college education, not to exceed one round trip each school year for each dependent for the purpose of obtaining such type of education. All or any portion of the travel for which a transportation allowance is authorized by this section will be performed wherever possible by the Military Airlift Command or the Military Sea Transportation Service on a space required basis. Notwithstanding the area limitations in this section, a travel and transportation allowance for the purpose of obtaining undergraduate college education may be authorized under this clause for dependents of members stationed in the Canal Zone.

"(3) The term 'United States' shall, for the purpose of this section, mean the several States, the District of Columbia, Puerto Rico, and the Canal Zone.

"(4) The words 'permanent station' shall, for the purpose of this section, include the home yard or home port of a vessel to which a member of a uniformed service may be assigned.

"(5) Notwithstanding section 401 of this title, 'dependent' in this section may include an unmarried child over twenty-one years of age who is in fact dependent and is obtaining undergraduate college education."

(2) The analysis is amended by inserting the following item:

"428. Education, travel and transportation allowances: dependents at permanent stations outside United States."

Sec. 2. Section 912 of the Internal Revenue Code of 1954 (26 U.S.C. 912) (relating to exemption from taxation for certain allowances) is amended by adding the following new paragraph at the end:

"(4) Education Allowance.—In the case of member of a uniformed service, amounts received under section 428 of title 37, United States Code."

Mr. FISHER. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the bill, H.R. 2082, was approved unanimously by both the subcommittee and the full Committee on Armed Services.

The purpose of this legislation is to authorize payment of travel, transportation, and education allowances to members of the uniformed services in connection with the schooling of their dependents overseas, on a basis similar to that now authorized for dependents of U.S. Government civilian employees.

The education of children can create a major financial and morale problem for uniformed personnel stationed in foreign areas, where there are no available dependents' schools operated by the Department of Defense. In many foreign areas, military dependents cannot receive adequate educational opportunities in the local schools.

Many of our military posts are located in Asia, Africa, and the Near East, where the language, culture, and educational standards are very different from our own, and the local schools are unsuitable for our children. At most of these stations there are so few American children in the community that the establishment of a dependents' school under Department of Defense sponsorship is neither feasible nor practicable. Parents then must send their children to suitable schools in other areas, and only tuition assistance in such cases is now available under the existing authority of the Annual Department of Defense Appropriation Act. The heavy expenses for transportation, room, and board which result from attendance at these schools constitute a major financial burden which now must be borne by the parents. This demand has resulted in a real financial hardship for them. This bill would authorize the payment of certain allowances to cover these additional expenses incurred by uniformed service members in this situation.

Educational allowances similar to those contained in this bill are already authorized by section 5924(4) of title 5, United States Code, for U.S. Government civilian employees and State Department personnel stationed in foreign areas. This bill will permit the establishment of service regulations under which uniformed personnel may be paid these same allowances.

The estimated annual cost to the Department of Defense under this legislation will be $2.8 million.

Mr. Speaker, I urge the approval of the bill, H.R. 2082.

Mr. GROSS. Mr. Speaker, will the gentleman from Texas yield?

Mr. FISHER. I yield to the gentleman from Iowa.

Mr. GROSS. Where less than first-class transportation is available is there any requirement that they use less than first-class transportation?

Mr. FISHER. The appropriate regulations of the Defense Establishment would require that they use military transportation when available rather than commercial transportation.

Mr. GROSS. But, Mr. Speaker, if the gentleman will yield further, where military transportation is not available, I assume that the bill provides the Government will finance the cost of such transportation?

Mr. FISHER. The gentleman from Iowa is correct, and they would be limited to only one round trip to the States per year.

Mr. GROSS. And, Mr. Speaker, if the gentleman will yield further, yes. But in that case if there were less than first-class transportation facilities available is there a provision that they use less than first-class commercial rates?

Mr. FISHER. That would be handled under Government travel regulations. There are regulations now on that subject. This bill does not change those regulations.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, would the gentleman think that this would be a good requirement on the part of the Defense Department, in issuing its regulations?

Mr. FISHER. I certainly agree with the gentleman. It is my opinion that the gentleman's observation is well taken. It makes the military instructions and procedures precisely the same as is the case now with reference to civilian dependents.

Mr. GROSS. I thank the gentleman from Texas for yielding.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, as my distinguished subcommittee chairman, the gentleman from Texas [Mr. Fisher], has indicated, this bill was reported unanimously by both the subcommittee and the full Committee on Armed Services.

If H.R. 2082 is enacted, implementing regulations will provide uniformed services members the following education, travel and transportation allowances now authorized U.S. Government employees serving overseas:

First. Allowances for elementary and secondary education.

Second. Room and board.

Third. Periodic transportation from member's duty station having inadequate educational facilities to nearest locality having adequate facilities.

Fourth. Travel and transportation allowances for dependents to and from a school in the United States to obtain an undergraduate college education, not to exceed one round trip each school year for each dependent. Travel by Military Airlift Command or the Military Sea Transportation will be utilized when available.

It is estimated that the provisions of this legislation would cover approximately 3,900 dependent students. For fiscal year 1968, some 1,637 of these students would receive allowances for room and board and transportation associated with an elementary and secondary education. The remaining 2,250 would receive transportation allowances in connection with the pursuit of an undergraduate college education.

Mr. Speaker, I emphasize that this bill does not authorize payment of tuition for undergraduate or graduate studies. In the case of these advanced schools, transportation costs only are authorized, if the military sponsor is stationed overseas. That transportation allowance consists of one round trip per year for each dependent student.

At the present time, the Department of Defense operates dependents' schools at several overseas locations. For instance, the school at Ankara, Turkey, supports our military personnel stationed in Pakistan, Afghanistan, Crete, Rhodes, Ethiopia, Somali, Ugandi, and Zambia, as well as other countries. At these locations the number of student dependents is so small that it would not warrant the establishment of a school by the Department of Defense. These children are brought to Ankara where they are housed in dormitories. The cost of operating the school is provided for in the Military Appropriations Act. Tuition to military dependents is free; however, board and transportation costs must be shouldered by the military sponsor. This bill would eliminate those costs to our military personnel.

Mr. Speaker, this legislation is much desired and needed by our military personnel stationed overseas with dependents. The bill merely carries out the recognized principle that the Government should provide equal treatment for all its personnel, both civilian and military. I strongly urge adoption of the proposed legislation.

Mr. HALL. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I rise in support of this bill. The situation concerning the provisions of H.R. 2082 has been well stated by the distinguished chairman of the subcommittee of the Committee on Armed Services, the gentleman from Texas [Mr. FISHER].

I would like to simply state, for the purpose of emphasis, that this bill does not authorize payment of tuition for undergraduate or graduate studies. Transportation costs are authorized only if the military sponsor is stationed overseas.

I might interpolate, Mr. Speaker, that the term "military sponsor" ordinarily would be the parents or the adoptive parents of the person being transported.

The transportation allowance is, as the chairman has stated, only one round trip per year for each dependent student. The legislation is much desired, and is needed by our military personnel, some of whom are, in this day of stress and strain, repeatedly stationed and rotated to overseas assignments.

This bill merely carries out the principle that the Government should provide equal treatment for all its personnel, military along with civilian, as we find them stationed in foreign lands around this world which is becoming a contracting globe in terms of both transportation and communications.

Mr. Speaker, I strongly urge the adoption of the proposed legislation.

Mr. DENT. Mr. Speaker, I am pleased to rise in support of H.R. 2082, a bill to authorize travel, transportation, and education allowances to members of the Armed Forces for the schooling of their dependents. I am also pleased that the bill bears the authorship of my able colleague, the gentleman from Michigan [Mr. WILLIAM D. FORD].

He was on the committee I chaired to conduct onsite investigations into the overseas education we offer our dependents. His interest was keen and genuine and he, perhaps more than the rest of us, devoted a great part of his time toward correcting many of the ills we found. This bill, Mr. Speaker, represents such a phase of improvement. It is necessary, for it eliminates a present inequity and hardship on many of our military families stationed abroad. These families are very much our responsibility and the proper education of their children is our direct responsibility.

Mr. Speaker, at the conclusion of our original study, the investigating committee proposed a number of recommendations for improving our overseas education. Several of these recommendations—by legislative or administrative directive—were accepted and implemented. Our followup study found additional problem areas and our report will be printed in the next couple of weeks. This bill is consistent with our recommendations and its approval is vital to a sound educational program for American dependents. I hope the House will exercise its role and responsibility by granting overwhelming acceptance to H.R. 2082 at this time.

Mr. WILLIAM D. FORD. Mr. Speaker, I rise today in support of my bill, H.R. 2082, which would amend title 37 of the United States Code to give members of the Armed Forces the same benefits now given to civilian employees for payment of travel, transportation, and other expenses incurred in connection with the enrollment of their children in overseas schools located in areas other than those in which the parents are stationed.

As a member of the Select Committee on Education, directed to investigate the overseas schools operated by the Department of Defense for American dependents in 1965 and 1966, I am familiar with some of the situations which this bill will help correct.

I found many servicemen, including some with low ratings, stationed in areas where adequate school facilities did not exist for their children. They were required to send their children elsewhere, and make payments for travel, room, and board. Such expenses often represented funds which parents had hoped to save for the college education of their children, and in some cases, the parents' inability to meet such expenses results in premature withdrawal from school.

The Department of Defense operates schools in many overseas locations for children of servicemen, but in many areas such facilities are lacking. This is particularly true in some sections of Asia, Africa, and the Near East. In these areas, where the language, culture, and educational standards are so different from our own, the education of American children poses a major problem, both financially and in terms of morale.

At most of these stations, there are so few American children that establishment of a Department of Defense school is not feasible. Servicemen are left with two alternatives—they can utilize correspondence courses, which are never completely satisfactory, or they can send their children to the nearest Department of Defense school. This in turn requires expenditures for travel and for room and board, as well as for transportation to and from the parents' home base for an occasional weekend or holiday visit.

My bill would authorize payment of certain allowances to cover some of these additional costs. Such allowances already are authorized by section 5924(4) of title 5, United States Code, for U.S. Government civilian employees and State Department personnel stationed in foreign areas.

Enactment of this bill would result in an increased annual cost to the Department of Defense of approximately $2,800,000. This amount, I submit, is not too much to spend for the education of the dependent children of our servicemen who are protecting our national interests at military posts throughout the world.

Mrs. MINK. Mr. Speaker, I am pleased to express my unqualified support for H.R. 2082, a bill introduced by Representative WILLIAM FORD that will provide much-needed educational allowances for dependents of American servicemen assigned to foreign areas. This legislation is necessary to correct an existing inequity where our military people are stationed in areas with so few dependents that the Department of Defense cannot justify the cost of establishing a government school for them, forcing the military family to incur the costs of transportation to the nearest DOD school, as well as room and board. Some of these individuals serving our country overseas are in the lower grades, and the expenses they must bear for an adequate education for their children impose a real hardship.

I was privileged to be on the 1965 overseas schools inspection trip with my distinguished colleague from Michigan whose introduction of this bill has once again demonstrated his dedication to equal education for all Americans. On this trip we found many servicemen who were sending their children to distant schools, and we also discovered the difficulties they encounter in providing their dependents with access to a college education once they complete their secondary studies.

This bill then would provide government allowances for room, board, and transportation for those youngsters who must travel to DOD dependents' schools, and it will also authorize one round trip by air each year for those dependents who are admitted to colleges in the United States. Since we have already recognized this problem by providing such benefits for U.S. Government civilian employees in similar situations, it is essential that we extend this assistance to the nearly 4,000 dependents of servicemen who would be covered by H.R. 2082 and whose education is just as much our responsibility. This legislation is much needed, and I urge its speedy enactment into law so that we may continue to demonstrate our ongoing commitment to providing all American youth with the very best education available.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WILLIAM D. FORD. Mr. Speaker, I ask unanimous consent that all Members be allowed 5 days to revise and extend their remarks on H.R. 2082, just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AUTHORIZING TRAVEL FOR CERTAIN MEMBERS OF THE COMMITTEE ON AGRICULTURE

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 595 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 595

Resolved, That, notwithstanding the provisions of H. Res. 83, Ninetieth Congress, the Committee on Agriculture is authorized to send not more than three members and one employee of such committee to such countries as the committee may determine for the purpose of conducting an investigation and study in the Middle East of the operation and administration of Public Law 83–480, as amended.

Notwithstanding the provisions of section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Agriculture of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

On page 2, line 20, after the word "Government," insert the words, "the cost of such transportation, and".

The committee amendment was agreed to.

The SPEAKER. The gentleman from Texas [Mr. YOUNG] is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Illinois [Mr. ARENDS], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 595 applies to the sending of not more than three Members and one staff member to the Middle East for the purpose of studying the operations of Public Law 83–480, commonly known as the "480 Program."

Mr. Speaker, I now yield to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, I have no requests for time, and I urge the adoption of this resolution.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Iowa.

Mr. GROSS. I would like to ask a question or two concerning the resolution. It provides for the sending of three members of the Committee on Agriculture to the Middle East to check on the operation of Public Law 480; is that correct?

Mr. POAGE. That is correct.

I would say to the gentleman that at the present time we have been and have had 480 agreements with most of the countries of the Middle East. Of course, when those countries broke relations with the United States that automatically broke the carrying out of these agreements that we have, and we felt it was in order now to consider whether we are going to restore those agreements, or whether we are going to seek modifications of these agreements.

Mr. GROSS. That decision will rest, will it not, with the Department of State and the President of the United States?

Mr. POAGE. I am afraid that many of these decisions actually are made by the Department of State. The gentleman from Iowa [Mr. GROSS] is a member of the Committee on Foreign Affairs and he knows much better than I do those areas wherein the Department of State operates.

Of course, Public Law 480 agreements are not negotiated by the Department of State but are negotiated by the Department of Agriculture and they are implemented by the Department of Agriculture and they are financed under the Agricultural Appropriations Act. We feel that their implementation and operation is a proper subject matter for review by the Committee on Agriculture.

Mr. GROSS. When does this three-man committee plan to go to the Middle East?

Mr. POAGE. Our plan was that they should leave on the 8th, but on yesterday in conference with the Department of Agriculture and the Department of State and with the three members involved who would be going, they felt that probably it would be advisable to wait until the 14th or the 21st to make the investigation. So the present plans are that they will leave here either on the 14th or on the 21st.

Mr. GROSS. There are reports that certain U.S. grain shipments are stalled in the Suez Canal. I do not know the authenticity of that report but some of us are concerned as to whether this Government will pay the extra freight that will be required to go around Cape Horn instead of through the Suez Canal in supplying Public Law 480 grain to India. Will the committee go into that?

Mr. POAGE. No. While I think it is a perfectly proper subject of consideration, it is not the subject for which we are asking this committee to serve. Aid to India is an entirely different thing from the program in the Middle East and the grain shipments that the gentleman has referred to are on their way to India and not to the Middle East. I certainly agree with the gentleman that there is a problem there but you cannot with just one three-man committee handle all of the problems of the world. This happens to be one that goes beyond the jurisdiction that we have sought to impose upon this subcommittee.

Mr. GROSS. I trust the committee is going to the Middle East to do some work and not to look at the pyramids.

Mr. POAGE. It is not contemplated that the committee will even go to Egypt and so far as we know there is no way they could go that they could see the pyramids. There is no intention to see the pyramids and there is no intention of even going into the United Arab Republic.

Mr. GROSS. Of course, there are some who say that the pyramids have been moved as the result of certain events that have occurred lately.

Mr. POAGE. A good many things have been moved but I do not believe the pyramids have been moved.

Mr. YOUNG. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution, as amended.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute in order to ask the distinguished majority leader if he can advise us as to the program immediately following the recess.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished Republican whip, we have finished the legislative business for the week.

The program for the week after the July 4 recess is as follows:

The House will meet on Monday, July 10. There is no legislative business.

Tuesday: Consent Calendar, Private Calendar, suspensions—3 bills.

First, H.R. 10805—extension of U.S. Civil Rights Commission.

Second, H.R. 11089—to amend title 5, United States Code, to provide additional group life insurance for Federal employees.

Third, S. 1320—to provide career status for certain temporary employees.

House Resolution 541—dismissing contested election case of Wyman C. Lowe against Fletcher Thompson—Georgia.

House Resolution 542—contested election case of James A. Mackay against Benjamin B. Blackburn—Georgia.

For Wednesday, S. 20, National Water Commission, open rule, with 1 hour of debate.

H.R. 10595, Prohibition of Use of Financial Institutions as Lottery Agencies, open rule, with 2 hours of debate.

Thursday and the balance of the week. On Thursday there will be eulogies for our late colleague, the Honorable J. Arthur Younger, deceased, and

H.R. 421, Prohibition of Riots or Other Civil Disturbances, which, of course, is programed subject to a rule being granted.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time, and that any further program may be announced later.

Mr. ARENDS. I thank the majority leader.

THE SHOCKING FACT THAT OVER 100,000 OF OUR PEOPLE DIE EACH YEAR OF KIDNEY DISEASE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Speaker, in the last 6 years, more than 10,000 American servicemen were killed in action in Southeast Asia. There is another grave and distressing figure, though, of which most Americans are totally unaware—that over 100,000 of our people die each year of kidney disease. It is almost unforgivable that we have done as little as we have to combat this disease, especially in light of what can be done.

Medical authorities have estimated that through the process of dialysis—withdrawing and separating blood while purifying it—over 20,000 lives can be saved a year.

There are possible uses of artificial kidneys tried on an experimental basis which can greatly lessen the time for blood cleaning but which never have been employed on a large scale.

There are means by which drug therapy can be developed to fight disease where it has not yet reached advanced stages.

Improvements in organ storage procedures may facilitate use of cadaver transplants and grafts from live donors.

Yet, with all of these possible courses open regretfully, little has been done.

There are also several agencies with programs in force, including the Public Health Service, Vocational Rehabilitation Administration, National Institute of Arthritis and Metabolic Diseases, and the Veterans' Administration. Unfortunately, though, there is little coordination between them and there is no overall planning or advisory committee which can coordinate kidney disease programs to assure the best treatment of the most patients in the most efficient manner.

When we appropriated an additional $800,000 to the National Institute of Arthritis and Metabolic Diseases earlier this year for further basic research into kidney failure, we took a much-needed step forward. However, this is but a measure of what we must do in this area. Today, most sufferers from kidney disease spend lives of misery and pain, dependent on expensive treatments—if they can even manage to qualify for the highly oversubscribed equipment and facilities. Consequently, life-and-death decisions must be made in determining who does and who does not receive the benefits of treatment and, tragically, many whose lives could be saved or made more pleasant and bearable are bypassed through this necessarily arbitrary procedure.

It is in the hopes of rectifying this situation that I have today introduced H.R. 11225, which would amend the Public Health Service Act to provide assistance in establishing community programs for patients with kidney diseases. I feel that legislation of this kind is vitally necessary if we are to make a real effort to combat a disease which is almost surely fatal if both kidneys are lost.

The bill would provide financial support through grants to public and other nonprofit schools of medicine to assist in the operation and establishment of community prevention and treatment programs. In this way, it is hoped that from the many methods and programs of treatment available, we will be able to distill the most valuable and apply the proper solution at the proper time. To this end, the bill also calls for the establishment of a National Advisory Committee on Kidney Disease Programs to aid in the preparation of regulations and formulations of kidney disease policy.

The committee, which would consist of the Surgeon General, the Chief Medical Director of the Veterans' Administration—in an ex officio capacity—and 12 leaders in the fields of medical science, community health, and public affairs. Hopefully, this committee would be able to establish accurate and viable guidelines to lead us in the battle against this relatively unpublicized but still deadly disease.

For the 3 years that my distinguished colleague from Washington [Mr. ADAMS] has been in this body he has been in the top echelon of leaders in the attack on kidney disease along with his State colleagues in the other body [Mr. MAGNUSON and Mr. JACKSON]. It is much to his credit and work that we have made as much progress as we have in this area. It is to be hoped that more Members will respond to his example and will consider the introduction of similar legislation in this Congress.

Mr. Speaker, in the 89th Congress, I helped cosponsor another bill dealing with kidney ailments and, at the time, received mail from all over the country from sufferers, relatives, and friends of those afflicted.

A woman from Brooklyn has written:

> The above bill presented by you would be of the utmost significance in helping so many people to continue to live until such a time that science will find the answer and the cure.

A volunteer from the Kidney Foundation in New York has told me:

> It would aid our foundation to help the many unfortunates who depend solely on our support to help them keep alive until research programs will find the ultimate cure for all kidney ailments which still remain a medical enigma.

An area businessman has said:

> I hope that your bill will stimulate interest among your colleagues and also provide a means of enlisting and encouraging support to efforts to publicize and stir up public and medical aid for so many sufferers of this dreaded disease.

I have also received many tragic letters—from parents who have lost children to this killer disease and who hope that others will not be similarly afflicted.

Just last week I received a sad letter from a constituent of mine from Avenel, N.J., who—along with his brother—has been struck by kidney disease, who has already lost his mother to the same ailment and who needs immediate help. Unfortunately, I could not promise him that help would be forthcoming, for, frankly, help is not available in all cases, not even when it appears most serious.

I told him:

> I can't possibly express to you how distressed I become at the reluctance or inability of our society to attack and solve the kidney disease problem.

Hopefully, if this bill which I am introducing today is enacted I will be able to give more optimistic replies to similar inquiries in the future; less people will suffer; and more citizens will be able to lead full, productive, happy and healthy lives.

So, Mr. Speaker, I am introducing a bill today in cooperation with the Honorable BROCK ADAMS, the same bill that Senator MAGNUSON and Senator JACKSON have introduced.

Mr. ADAMS. Mr. Speaker, will the gentleman yield at that point?

Mr. PATTEN. I yield to the gentleman.

Mr. ADAMS. Mr. Speaker, I want to compliment the gentleman from New Jersey on his excellent service in this field, and I particularly am hopeful his bill will be successful.

Again I pay my compliments to the gentleman for his work in this very difficult but important field.

Mr. Speaker, I would like to compliment my colleague from New Jersey on his fine statement and on his continuing interest in the problem of treating kidney disease. His work has been outstanding and I know all of those who face the life-or-death choice caused by chronic kidney disease are grateful to him for his efforts.

This problem has been of deep concern to residents of my district in Seattle because one of the first centers using artificial kidneys to save persons whose kidneys have failed was developed by Dr. Scribner at the University of Washington. One of the first dialysis centers was created in Seattle which allowed a limited number of persons who faced certain death to live and continue at their jobs.

The problem, of course, is that this treatment was originally very expensive—averaging over $20,000 per year—and the number of lifesaving units was limited to less than 20. This meant that a combination medical and layman board was required to decide which individuals lived and which ones died. In November of 1965 an NBC documentary pointed out the intense tragedy involved in this whole process. The expenses have now been reduced to approximately $10,000 per year and hopefully can be further reduced.

This matter came particularly to my attention in the spring of 1965 when there was presented to me the case of a father of a young family well-known to many of us in the area who had stated he would rather die than have his family faced with the costs that would be involved to maintain him.

At that time I introduced H.R. 11289 to authorize the additional construction and development of these artificial kidney machines in centers throughout the United States.

Since that time, through the wonderful assistance of Congressman PATTEN and others in both the House of Representatives and the Senate, we have worked toward a broader development of the whole area of treatment of chronic kidney failure.

I am hopeful that the new authorization bills which have been proposed will be available in the period of time after fiscal year 1967 to continue the development of this program so that committees will not have to decide who lives and who dies.

WITNESS FOR MEDICAID

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, the United Neighborhood House, a federation of settlement houses in New York, held an informal hearing on medicaid at the Goddard Riverside Community Center in my congressional district on April 14, 1967. Medicaid is New York State's medical assistance program under title XIX of the Social Security Act.

The purpose of the hearing was to examine the operation of the medicaid health assistance program in New York City.

As United Neighborhood Houses put it:

> United Neighborhood Houses sees the Medicaid program as a marvelously forward-looking health program with vast potential benefits to the residents of the low-income areas served by its member settlements in New York City, as well as to thousands of others of moderate means. "Witness for Medicaid" was frankly aimed at persuading Congress not to curtail the scope of the Medicaid program in New York State and to suggest to the administrators responsible for the program positive ways of improving its operations.
>
> The witnesses at the hearing were, for the most part, ordinary neighborhood people known to the settlement houses, who had made use or tried to make use of Medicaid services. Some were Welfare recipients; some were not. Among the witnesses also were neighborhood workers who had been engaged in enrolling people in Medicaid and helping them make use of its services.
>
> "Witness for Medicaid" was co-chaired by Theodore Pearson, a member of United Neighborhood Houses board and by Congressman Jacob H. Gilbert, the only New York Congressman on the House Ways and Means Committee, which has before it the question of possible amendments to Title XIX of the Social Security Act, the basis for the Medicaid program in New York State.

Congressman GILBERT, Congressman FARBSTEIN, and I were members of the hearing board. We were impressed by this excellent demonstration of grassroots interest in such an important program.

We listened to nearly 40 people—doctors, social workers, administrators, and mostly ordinary citizens—give their views on medicaid. The hearing was especially useful, because it emphasized the importance of a program of medical assistance to low- and middle-income people; at the same time, the testimony underscored how frustrating bureaucratic tangles can be to those who are intended to benefit.

Mrs. Mary Eccles, program director of the Bloomingdale family program, stated:

> For the first time, entire families are receiving medical services. This has been done with a certain amount of dignity and respect in that people do not have to go to public health centers, hospitals, and wait for hours to be seen by doctors, dentists, and others. They know that now they can go around the corner to the nearest doctor, where they will be seen immediately.

Mrs. Doris Harrison, a mother, stated:

> I use Medicaid for my two and a half year old daughter. She has a murmur of the heart and sickle-cell anemia. Before, I was attending the City hospital, which is two blocks from my home.
>
> I used to have to go there and sit and wait for hours before I got attention. But since I got Medicaid, I go to a lot of places in the hospital where she gets needed attention that before she didn't get . . .
>
> When the Doctor walks in, she's there. She'll look at me. She says, "Okay, Mrs. Harrison, come right in. That makes me feel like I've got a million dollars in my pocket."

Another mother told of spending her family's entire savings on medical bills, until they registered for medicaid. A 79-year-old man told of a 6-month delay when he attempted to get his teeth fixed through the usual welfare procedure. The medicaid program, as one community worker put it, "is not just a medical program, but it is also giving preventive medicine to the poor, which was not available before."

The testimony also revealed that the program is occasionally marred by unnecessary procedural or administrative impediments. The medicaid card reads "Department of Welfare," which offends the dignity of citizens who do not want to think of themselves as "on welfare." Mrs. Berth Jackson testified:

> One thing that did happen the first visit I went to the dentist. He said, "Oh, are you on welfare now?", when I showed him the Medicaid card. And I said, "Well, no, that doesn't mean we're on welfare. It just happens that that's what it says on the top of the card—Department of Welfare. I guess that was before they knew that that was just under the auspices of the Department of Welfare?

At this point, I simply recommended that the card be revised to remove "Department of Welfare." After some discussion, Dr. Harold Brown, administrator of health services of New York City, agreed that this would be a desirable change.

The testimony brought out other administrative difficulties: many people are simply not aware that the program is available, or how to go about registering for it. Some of the people felt that the procedures were too complicated, and that the explanatory material was unclear. Another community worker reported:

> For the four million people who are eligible for Medicaid, less than a quarter have registered.

It is evident that wider education about the program is required.

A VISTA volunteer, Miss Karen Nash, who has been working with a "medicaid alert" program to provide some of the needed community education, reported that the eligibility criteria tend to unfairly exclude elderly people who have small incomes but moderate savings.

Finally, periods of delays in payments to doctors, dentists, and druggists, discourage the medical profession from cooperating with the program. Their cooperation, of course, is essential.

These snags—mostly administrative—illustrate the importance of humanizing bureaucratic procedures if an imaginative program such as medicaid is to operate efficiently. The community workers, represented by those who testified at the hearing, are doing much to remedy this problem, but the continuing cooperation of officials is essential to an effective program.

Medicaid can be a blessing to the health and self-respect of our less-wealthy citizens, and therefore to the health of our country. United Neighborhood Houses has made a significant contribution to a better understanding of the program by holding this hearing.

FREEMAN'S "NEW 'ERA' OR 'ERROR' "

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SMITH of Oklahoma. Mr. Speaker, the announcement last Friday, June 23, that the wheat acreage allotment for the 1968 crop would be reduced about 13 percent comes at a particularly inappropriate time. Currently the disastrous break in prices in the wheat market is greatly distressing to those who have recently harvested the 1967 crop, or are about to do so.

Farmers by their very nature like to help feed the hungry but they ought not be expected to do so at bankrupt prices. Wheat farming today is a decreasingly profitable operation in view of escalating costs. Wheat prices in Oklahoma have broken below $1.50 per bushel in recent days. Wheat has declined since December by approximately 15 cents per bushel. A modern farm tractor that would have cost $3,000 in December of 1948, will cost approximately $10,000 today. Wheat in the latter part of 1948 sold for approximately $2 per bushel and a farmer could plant from fence to fence. Today, wheat is selling in Oklahoma for about $1.45 per bushel and we have severe allotments. In 1948, the number of farms totaled 5,803,000 and today there are 3,169,000 farms. The facts I just stated are the principal reason for this decrease.

Such price conditions that the farmers face, with what he has to sell compared to what he has to purchase, has spelled disaster for 2,634,000 farmers.

The reduction in the acreage allotment to 59.3 million acres in 1968, after having officially raised it from 51.6 million acres in 1966 to 68.2 million acres in 1967, suggests that the "New Era" of Secretary Freeman is a frantic "New Error" of official misjudgment of the world wheat situation, and a piling of error on top of error. In 1966 the "New Error" acreage was twice increased to meet presumed famine needs, only to discover later in the year that Canada, the U.S.S.R., and Australia all harvested new record large wheat crops and that demand from India and elsewhere was not so imperative as assumed. Preliminary indications are that U.S. exports during the year 1966–67 now ending were only about 735,000,000 bushels, against 867,000,000 bushels in 1965–1966.

The indicated U.S. carryover of wheat into the new crop-year is not much above the rather low level of a year earlier, and can hardly be charged with the present price break. There are indications that the size of the current crop may have been seriously overestimated by the officials of the "New Error." For example, on June 9, the USDA released a report estimating the 1967 wheat crop in Oklahoma at 88,830,000 bushels—but, with the crop now mostly harvested, informed opinion on the ground in Oklahoma estimates that it will hardly amount to more than 70,000,000 bushels. This is a serious "New Error" which will cost Oklahoma farmers thousands of dollars. The same error is estimated to be true for Kansas and Nebraska where spring frosts, recent floods, and a soggy harvest may have done great damage. Meanwhile, the large estimate, very probably an overestimate, plus the psychological effects of suggesting officially that the food situation is now eased so that acreage should be cut by 13 percent for the 1968 crop, has already brought price disaster to the producer.

The producer is encouraged to participate in these programs by the "New Era" in the national interest. The fact of the matter is that these programs are deliberately designed to depress wheat prices, by which farmers cannot survive unless they comply with the program of acreage diversion.

Secretary Freeman's "New Error" unfortunately has not confined itself to wheat and feed grains, but as well to the livestock market, which was hurt recently by erroneous "New Era" mathematics.

What can be done? First, it would help to restore payment certificates on the substantial fraction of the crop exported. There might be further tightening of the levels at which the CCC can sell holdings. And it would be of great help if the "New Era" would stop making "New Errors" by putting official estimates on the correct track and keeping them there.

THE "FAIRNESS DOCTRINE" IN COMMERCIAL ADVERTISING

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, as an advertising agency executive—perhaps the only one in Congress—I have been increasingly disturbed at the implications of the recent ruling by the Federal Communications Commission extending the "fairness doctrine" to commercial advertising.

The ruling could have disastrous effects on our radio and television industry, on the advertising business and, indeed, on our whole economy.

At the same time, Mr. Speaker, I am gratified and proud that those in the broadcasting industry, many of my fellow Congressmen, and much of the Nation's press have recognized FCC's action for what it is—a gross powergrab by a Federal agency trying to control the content of programing our Nation's broadcasting media.

And I am proud that they are recognizing that the attempted dictation by the bureaucrats will not stop with control of television and radio. As Editor & Publisher pointed out in a recent editorial:

> If the practice is upheld in broadcasting, sooner or later someone will try to apply the same reasoning to print.

I hate to think of the advertising agencies grappling with trying to work out a successful appeal to customers—knowing full well that whatever they say will be attacked, rightly or wrongly, by critics who not only have free time in which to attack but who also have the sponsorship of a self-appointed FCC protector. To make matters worse, this protector of the dissidents has the power of life and death over the media, through its power to deny licenses.

If this set of circumstances were to prevail it would be a lucky ad agency who is able to find a client stupid enough to advertise. After all why should the client spend his money advertising when each ad makes it possible for critics to attack his products?

Recently we have been hearing far too many uninformed and irresponsible attacks on advertising, usually by people who have not taken the trouble to think the situation through. The FCC's action is another such attack.

But advertising is an essential tool of modern mass marketing. And mass marketing is essential to our modern industries. Without mass marketing we cannot maintain the economics and the mass production techniques on which our industrial complex is built. No mass marketing—no industry of the kind that has made America great.

Not even the most vocal of advertising critics can seriously maintain that industry can keep producing goods and paying employees if the products cannot be sold.

My colleagues in Congress have already pointed out some of the obvious dangers in the FCC's ruling.

Despite the Commission's contention that the ruling applies only to cigarettes, it is only a matter of time before the "fairness doctrine" would be extended to many products about which there is some controversy, real or imagined.

We have had pointed out to us the very real and present danger that the FCC is establishing a precedent for its control of the editorial, news, and programing content of broadcasters in this Nation.

Stated simply and to the point: The FCC is ordering the stations to tell the public what the FCC has decided the public should be told. This is a plain grab for control of the information function of our radio and television stations.

My colleagues have pointed out that the FCC is usurping power Congress never gave it nor intended the Commission to have. Further, the commissioners have assumed this power in the face of a clear-cut congressional mandate that Congress, not some regulatory agency, will decide whether there should be restrictions on cigarette advertising beyond those already authorized.

Further, it is insulting to the Congress for the Commission to use the lame and transparent dodge that its action is "consistent" with the Cigarette Labeling and Advertising Act of 1965. They are thumbing their noses at Congress when they rationalize their actions in this manner.

These consequences of the FCC's ruling have been clearly seen even by those who are not directly concerned with immediate effects of the ruling. People who have no interest in cigarettes at all can hear the echoes of the future in the FCC's power grab.

Here are some of the reactions:

The Columbia Broadcasting System is protesting vigorously to the Commission—even though the FCC says the CBS "flagship" station involved in the ruling is already in conformity with the FCC directive.

The National Association of Broadcasters is taking a strong stand against the ruling. A statement by its president termed the FCC action "a dangerous intrusion into American business." Just last Friday, the NAB's general counsel said publicly the group intends to take the fight all the way to the Supreme Court, if necessary.

A group of 59 broadcasting stations have filed a petition for reconsideration of the ruling by the FCC.

Strong editorial stands opposing the ruling have been taken by the Wall Street Journal, Broadcasting magazine, Printers' Ink, Advertising Age, and Editor & Publisher, among others. Even the Medical Tribune, which usually criticizes cigarettes and their advertising, could not bring itself to praise the FCC action. It commented:

> Whether the current ruling by the FCC will be considered in conformity with the legislation is perhaps debatable.

A number of radio and television stations are taking vigorous anti-FCC stands, too. One radio station is even running "spot announcements" denouncing the ruling as "hypocritical" and ending this way:

> If you are as sick of this as we are, address your complaints to the Federal Communications Commission, Washington, D.C.

Frankly, Mr. Speaker, this kind of criticism of the people can put you out of business simply by saying "No" when you ask for a renewal of your license takes guts.

The Nation's press—which could conceivably gain substantial revenue in cigarette advertising from the FCC's action—is overwhelmingly opposed to the FCC on this action. I have in my office editorials from 65 newspapers from 30 States. They range from the New York Daily News to a couple of 1,500 circulation weeklies. Of these 65 editorials, 52 are highly critical of the FCC. Under headlines such as "FCC Pipe Dreams" and "A Venture in Idiocy," the editors are telling their readers of the obvious dangers of the FCC's position.

I agree strongly with the editor of the Claxton, Ga., Enterprise—circulation 1,500—when he says:

> The FCC has overstepped its bounds in this instance, and should be slapped down in no uncertain terms by the Congress.

In case you missed it, the New York Daily News—with the Nation's largest circulation—termed the FCC ruling "a tyrannical piece of bureaucratic impudence" and warned that "if allowed to go unchallenged, it could lead to complete FCC control of TV and radio program content."

If we in Congress allow this high-handed action to prevail, we will be just as guilty of irresponsibility as the FCC obviously is. The implications are too far-reaching and too serious to ignore.

We must not allow regulatory bureaucrats to dictate what broadcasters—or any other of our free media must tell audiences. And they must not be allowed to dictate the terms under which legal products may be advertised. Such Big Brotherism is not the way of free democracy.

Public opinion and commonsense demand that this serious mistake by the FCC be corrected immediately—before it goes too far to be stopped.

I therefore urge that the proper committees of the Congress conduct, as soon as possible, an investigation into the Federal Communications Commission's action applying the "fairness" doctrine to commercial advertising.

BALTIMORE FRIENDS OF YESHIVA UNIVERSITY HONOR ISAAC H. TAYLOR

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, on Monday evening, June 26, 1967, the Baltimore friends of Yeshiva University sponsored the first annual heritage award dinner in the city of Baltimore in honor of Isaac H. Taylor, a man who has devoted his energies to the Jewish community of Baltimore and to Israel.

Our distinguished colleague from New York, the Honorable HERBERT TENZER, a trustee of the university, was the guest speaker at the dinner. Mr. TENZER has distinguished himself in philanthropic causes and is known and respected throughout the country.

In his remarks Congressman TENZER spoke of the "dreams of Dr. Samuel Belkin, president of Yeshiva University," who has framed the exciting program of Yeshiva University's growth and development. He stated:

> On June 2, 1967 I had the privilege of attending the commencement exercises at the Albert Einstein College of Medicine—one of the Colleges of Yeshiva University—where more than 120 young men and women of all races, creeds, and color received their medical degrees.
>
> The Albert Einstein College of Medicine was established in 1955 and its story is one of vision, courage and faith in our American democratic way of life.
>
> The college was built through the generosity of men and women of all faiths throughout the country and in twelve short years has emerged as one of the leading medical schools in the nation.
>
> The success of Yeshiva University lies in the determination of those in a position of leadership to keep pace with the expanding scope of higher education in the United States. The University now has 4 major centers in New York City and a West Coast Division in Los Angeles. Over 7,000 students are enrolled at 5 under-graduate and 9 graduate schools and divisions.
>
> Among the schools are the Albert Einstein College of Medicine, the Wurzweiler School of Social Work, the Ferkauf Graduate School of Humanities and Social Sciences, and the Belfer Graduate School of Science. In addition there are 41 special programs and services provided by Yeshiva University including the Center for Urban Education, Child-Welfare Training Project, Curriculum Center for the Mentally Retarded, Informational Retrieval Center on Disadvantage, In-Service Institution on Science and Mathematics for Secondary School Teachers, Institution for Advanced Research in Rabbinics, and the Rose F. Kennedy Center for Research in Mental Retardation and Human Development.
>
> The Baltimore community has recognized Yeshiva University's great progress and the need to support higher education by participating in this dinner and this tribute to an outstanding member of the community—Mr. Isaac H. Taylor.

Mr. Speaker, the guest of honor at the Heritage Award Dinner, Mr. Isaac H. Taylor, is a well-known citizen of Baltimore.

Over the years, Isaac H. Taylor has made significant contributions to the philanthropic vitality of the Baltimore community. In giving generously of his time and resources to civic and humanitarian causes, he has been motivated by a deep concern to help his people and neighbors.

He participates in a wide variety of communal and civic activities which includes active membership in several congregations, president of the Maryland Ampal Club, past president of the Rotary Club of Ellicott City, member of the board of the National Conference of Christians and Jews, and former president of the Howard County School Board. He is also president of the Taylor Manor Hospital and vice president of the Citizen's National Bank of Laurel.

Mr. Taylor's activities on behalf of the State of Israel are well known and his benefactions to that beloved and courageous country have been outstanding. They include establishment of a youth center in Jerusalem, donation of a hostel at Masada, a road in northern Israel, and air-conditioning equipment for school rooms in Elath.

The Baltimore Friends of Yeshiva University salutes Mr. Taylor for his leadership and for his frequent activities on behalf of Jewish education. Through our tribute, the Baltimore community expresses its appreciation of his efforts and at the same time endorses the goals and objectives of America's oldest and largest university under Jewish auspices.

The chairman of the dinner committee was Judge Joseph Allen; however, a recent operation prevented him from attending. His letter addressed to the guests and the guest of honor which was read to the gathering follows:

> I deeply regret my inability to be present at the Dinner being held tonight on behalf of the Yeshiva University to honor my dear friend Isaac H. Taylor, with the Heritage Award. A recent operation and my doctor's orders prevent me from joining you.
>
> May I be permitted, however, to add my tribute both to the institution and to the man it is honoring.
>
> Yeshiva University has already established itself, in the short space of its existence, as one of the leading seats of learning in the United States. The Jews of this country may take great pride in the great scholars and teachers who constitute its faculty and in the high academic standing which it has achieved. It represents a synthesis of the Jewish and American traditions, both of which have been strengthened by their being combined into an organic unity.
>
> Isaac Taylor is too well known in this community to need any further accolades from me. Nothing that advances the cause of Jews or Judaism is foreign to him. It is entirely fitting, therefore, that the Yeshiva University and Isaac Taylor became more closely associated by the Heritage Award. No one has demonstrated his loyalty to his heritage more deeply than the man the Yeshiva University has chosen to honor.
>
> My thanks to the Honorable Solomon Liss for undertaking my duties at the Dinner, upon such short notice. With him at the helm, I am sure that I shall not be missed. And my best wishes for the success of the cause for which this Dinner is being held.
>
> Sincerely,
>
> JOSEPH ALLEN.

Mr. Speaker, Mr. Sol Liss, cochairman of the dinner, acted as toastmaster. He introduced distinguished clergymen and community leaders who graced the dais. The Yeshiva University alumni in Baltimore was represented by Bernard Auerbach, professor of law, University of Maryland.

A most interesting note was added to the events when Ronald Taylor, grandson of the guest of honor, a psychology major, Ferkauf Graduate School of Humanities and Social Sciences, Yeshiva University, extended his greetings to his grandfather on behalf of the entire student body of the Yeshiva. He then read the following letter which the guest of honor received from the mayor of Jerusalem.

> MAYOR OF JERUSALEM,
> *June 15, 1967.*
>
> Mr. ISAAC H. TAYLOR,
> *Taylor Manor Hospital,*
> *Ellicott City, Md.*
>
> DEAR ISAAC: It is good to be writing "after" the events and not during the tense weeks that preceded them and the history-making days of fear and hope that produced such an

astounding victory. No one could have dreamed of so glorious an outcome, nor of such an opportunity now to restore our united Jerusalem to its historic role in Jewish life.

Miraculously, the Isaac Taylor Community Center escaped damage, even though the whole Kiryat Yovel section of Jerusalem came under heavy bombardment. You will be happy to know that the Center served as the main HAGA (civil defense) base for the entire area with its huge population. Thus it played a role in the life of the community for which we had hardly intended it, but whose life-saving importance can not be over-estimated.

In the days of challenge and opportunity that lie ahead for us all I am sure we can count on your continuing help and support. We have it within our hands now to rebuild a Jerusalem which can become a world-wide center of beauty and enlightenment for the whole human family.

Warmest regards.

Yours sincerely,

TEDDY KOLLEL.

Rabbi Israel Tabak, spiritual leader of Shaarei Zion Congregation, Baltimore, read the following citation—and presented—to Congressman HERBERT TENZER to receive the guest of honor.

This Heritage Award Testimonial is being awarded to you by Yeshiva University of America in appreciation of your great and sustained generosity to the State of Israel ever since it was founded; Your continued interest in our beloved Jewish State expressed through your numerous visits to Israel; your establishment of the Youth Center in Jerusalem; your contribution to the building of the Taylor Road; your dedicated efforts in establishing other business interests on behalf of Israel; your vital assistance in promoting Israel Bond efforts. All these have been a true inspiration to the community.

Your dedicated efforts in the causes of Jewish education expressed through your material and personal contributions; your keen interest in the progress of Yeshiva University and its various branches of learning and culture; your devoted and inspiring assistance to the Torah institutions in Baltimore as well as in other American educational endeavors. All these have earned for you respect and admiration among men and women in all walks of life.

Your broad sympathy of the various religious institutions in the community, and particularly for traditional judaism; your devotion to the nationhood of Israel and to the ideal of "Klal Yisroel"; all these have earned for you a host of friends and has made you stand out as one of the leading Jewish citizens in this community.

Your humanitarian interests and your promotion of physical and mental health through the Taylor Manor Hospital and through other medical enterprises in which you and your family have been engaged have rendered distinguished service to the State of Maryland and the medical endeavors of our nation.

For all these things, Yeshiva University, and the Baltimore friends of Yeshiva University, salute you tonight and wish you continued health and Nachas from your family and may you have years of dedicated service to the causes of Torah and Israel.

It is our hope and prayer that you may live to see the fulfillment of the prayer, "Veliyrshalayim ircho brachamim toshuv."

Mr. Speaker, the response by Mr. Taylor accepting the Heritage Award best expresses the feelings of those in attendance and why the guest of honor is so beloved by all who know him and by all the citizens of Baltimore and why so many came to honor him.

Congressman Tenzer, my dear Rabbis and good friends of the Yeshiva University.

It is a very great pleasure indeed to be with you all this evening and to accept the Heritage Award on behalf of the Yeshiva University.

As a man grows older he acquires a certain wisdom of which comes not only from words printed in books, but primarily from life experience.

It is if one may call it the wisdom of the depths of the heart to guide me as an American Jew along the path of my life.

In our country of the United States where I was born 75 years ago, people are considered aristocrats and belong to nobility when they can trace their ancestry to the pilgrim fathers, a matter of a few hundred years. I do not dismiss all this as something unimportant, but I know and feel deeply within me that as an American Jew who remains loyal to his country as I have, I can trace my ancestors back over 4,000 years to Abraham, Isaac and Jacob.

This feeling has been my guide and inspiration and within the limits of my ability I have tried to mold my life according to this pattern. No man can tell whether he is rich or poor by turning to his ledger. It is the heart that makes a man rich. He is rich according to what he is and what he has done, and not according to what he has.

My philosophy of life is to *live and let live,* and help others to live and to do all this while I am living so that I can enjoy, see it, and smell it, and to spend the balance of my life for my people and Israel.

Now my dear friends, let me tell you why I am interested in the Yeshiva University. Not because my grandson is a student there, but we have to support this great Academy of Learning so that Judaism will live forever, and have a training ground for our Rabbis, teachers, scholars and doctors.

For this generation we have our own strength, so let us forge ahead, grateful for our heritage, blessings and opportunities, and assured in our faith and conviction to fashion a more creative Judaism and build a greater University in our time for our children and grandchildren.

God has been good to me for I am blessed with a good wife who has put up with me for almost 52 years and two fine sons and two wonderful daughters-in-law and five very good grandchildren. What more can I ask for and again I want to thank you all and God Bless you.

Mr. Speaker, Baltimore has always been proud of Isaac H. Taylor, and now as the recipient of the Heritage Award of Yeshiva University we are even more proud of him. The President of the United States, Lyndon B. Johnson, the Vice President, HUBERT H. HUMPHREY are holders of honorary degrees from Yeshiva University and they too are proud of Isaac H. Taylor.

AUTHORIZING A DUTY ON SOLUBLE COFFEE

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, I have introduced today a bill to authorize a duty on soluble coffee.

It is a bill aimed at eliminating unfair foreign competition which is hurting U.S. business and costing U.S. jobs. It is an unfair competition based not upon cheap foreign pay as compared to decent American wages. It is based on much more direct discrimination.

The Brazilian coffee industry sells both green coffee and soluble coffee—or instant coffee, as it is generally called. The American industry buys green Brazilian coffee to make its soluble coffee.

The Brazilians charge 16 cents a pound, "contribution tax" on the green coffee—the raw material—they export. But they charge no such "contribution tax" on the manufactured soluble coffee they send into the United States.

Further, the American industry believes that Brazilians use a much more inferior quality of green coffee in making their soluble coffee than can be exported. They use a cheap, inferior grade for their manufactured product which they do not even allow their growers to export to American firms in raw form.

I am informed that, as a result, Brazilian soluble coffee producers offer their product in the United States at 96 cents a pound or less. It would cost a U.S. processor at least $1.10 to buy the equivalent quantity of green coffee from Brazil. Then it would cost him at least an additional 15 cents a pound for processing.

I have been told that even these figures are conservative and may understate the discriminatory differential.

Because of this discrimination, soluble coffee imports have sharply increased in the last 2 years. In 1965, 2,838,803 pounds of soluble coffee were imported. In 1966, the imports jumped to 10,533,000 pounds. In the first quarter of 1967 alone, 5,954,956 pounds were brought in.

In other words, imports multiplied by more than three times in 1966 over 1965. And this year, imports are likely to double or triple again. Most of the imports come from Brazil.

In the meantime, our exports are dropping sharply in the wake of this unfair competition. In 1965, 12,112,459 pounds were sold by U.S. firms to other nations. In 1966, the exports decreased to 7,597,000 pounds. In the first quarter of 1967, they dropped still further to 1,551,520 pounds.

This is an intolerable situation.

American soluble coffee producers cannot possibly meet this competition in which their raw material is artificially increased in price above what the manufactured Brazilian soluble coffee costs. American business and American jobs are endangered.

In testimony before the U.S. Tariff Commission on September 26, 1966, Stephen Hornik, chief steward of the Amalgamated Food & Allied Workers Local 56 at the Maxwell House coffee plant in Hoboken, N.J., warned of the dangers.

He appealed to the Commission for help. He said that his union, an affiliate of the Amalgamated Meat Cutters & Butcher Workmen, AFL–CIO, had been warned by the company that the firm would have to begin importing the Brazilian soluble coffee.

"When this happens, within 1 year, 331

people will be laid off in our Hoboken plant alone, with approximately $2,376,000 a year loss of salary, with the bulk of this money now being spent in the stores, shops, and banks of the city of Hoboken," he estimated.

Leon B. Schachter, president of local 56 and an international vice president of the Amalgamated Meat Cutters & Butcher Workmen, AFL–CIO, informs me that there are many other plants throughout the Nation which are affected. He says that some companies actually use very little, if any, soluble coffee of their own making now. Instead, they package the Brazilian soluble coffee which they import.

He warns that soon the Brazilian firms may even do the packaging and possibly cut out additional American jobs.

My bill, Mr. Speaker, is aimed at the discriminatory foreign tax policy, and only at that.

My measure would have the Secretary of the Treasury make findings whether imports of soluble coffee threaten or cause material injury to the domestic soluble coffee industry because of a foreign export policy which discriminates between green and soluble coffee.

If he does find this to be the case, he would set a duty on the soluble coffee imports sufficient to counterbalance the unfair advantage which the foreign soluble coffee has.

This approach, Mr. Speaker, is needed. This approach is fair. This approach will save American jobs and American production.

RESOLUTION IN MEMORY OF MR. HUFFMAN BAINES

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, we were all saddened to learn the loss of the President's uncle, the Honorable Huffman Baines, of San Antonio, Tex. The President thought enough of this man to fly to San Antonio today to attend the services.

It has been my privilege also to know "Uncle Huffman." I have visited with him in Austin and San Antonio, and I have visited with him here in Washington when he and his family came to see Washington and to see "his kinfolks."

Uncle Huffman was a great American. He had known hard work and dedication. He knew what it was to work and to earn a living. But, through it all, he also knew what it was to give of himself to his community, his family, and his Nation. I think he was typical of the pioneers of this great country who have given us our great heritage. I am also glad to say that his son, Huffman, Jr., and I were classmates at the University of Texas and fellow citizens in Austin for many years. Huffman, Jr., has been a leading national insurance executive for many years, and thus proven himself as a worthy heir of this good man whom President Johnson respected so very much.

Our Nation extends its hand of sympathy and condolence to the Baines family and to President Johnson and his family today.

ANOTHER OUTSTANDING HONOR COMES TO THE SECOND DISTRICT OF ILLINOIS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is with a sense of deep pride that I announce to my colleagues the great honor that came to the district I have the honor to represent when Samuel A. Bell was one of two Chicagoans presented the award of "Small Businessmen of the Year" by Mayor Richard J. Daley in special services at the city hall.

Thomas E. Gause, regional director of the Chicago Small Business Administration, announced that Samuel A. Bell, of Bell's Shell Service, 5200 Lake Park Avenue; and Charles Hobson, of Hobson's Shoes, 309 East 47th Street, were selected by SBA Illinois State Advisory Council members headed by James Alter, chairman. They were selected from 80,000 small businesses in Chicago. "Both Hobson and Bell have made a lifetime career of their business," Gause stated.

Mr. Bell started pumping gas at 25th and South Park Avenue at the age of 18. He continued his studies part time while he was working at the gas station. He attended Northwestern University and was graduated with a degree in public accounting.

Bell has been voted "Gasoline Station Retailer of the Year" nationally for 7 consecutive years by the Brand Names Foundation of New York

When urban renewal closed his old station, Bell moved to 5200 Lake Park Avenue. During the first month at his new location, he sold over 70,000 gallons of gasoline. This compares with peak sales at his old location attained in 1959.

He was assisted financially through the displaced business loan program of Small Business Administration.

He is president of the Hyde Park Business and Professional Association, on the board of directors of the Hyde Park YMCA, Hyde Park Lions Club, Hyde Park Kenwood Community Conference, Kenwood Chamber of Commerce, Southeast Chicago Commission. He has been president of the Hyde Park Lions Club three times and president of the Kenwood Chamber of Commerce twice.

He received a brotherhood award from the Kenwood Ellis Community Center in 1958. He was selected for a "Man of the Year" award cn the South Side of Chicago in 1959. He is presently chairman of Mayor Daley's Cleaner Chicago Commitee for the Kenwood area.

On Wednesday, May 24, Samuel Bell and his wife, Frances, celebrated their 35th wedding anniversary. They have two children, a son who is a lawyer and CPA, just returned from a year in Turkey with U.S. AID, and a daughter who was graduated this summer from the University of Illinois and who will be a schoolteacher this fall.

SOMALI INDEPENDENCE DAY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it gives me great pleasure to extend, in my own name and in behalf of the Congress of the United States of America, my warm congratulations to the people and Government of the Somali Republic on the occasion of the seventh anniversary of their country's independence on July 1.

We in the United States share with the people of the Somali Republic their love of liberty and devotion to democratic ideals. We have a high regard for the spirit of individualism which lies at the heart of the Somali character and which has played such an important role in the development of sturdy democratic foundations of the Somali Republic. We can only applaud the Somalis for their steady progress in building up their country's national institutions.

It is only fitting at this time to congratulate President Abdirascid Ali Scermarche who, on the anniversary of his country's independence, assumes office as the new President of the Somali Republic. Our sincere and best wishes go out to him as he takes on the leadership of this genuinely democratic country. At the same time, I want to express my own personal regards to my good friend, Somali's Ambassador to the United States, His Excellency Ahmed Mohamed Adan.

THE FIFTH ANNIVERSARY OF RWANDA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, July 1 marks the fifth anniversary of the independence of the Republic of Rwanda.

The 5 years since independence was proclaimed in that nation's capital, Kigali, have been marked by continually warm relations between our two countries. Under the dedicated leadership of President Gregoire Kayibanda, the Rwandan people are making important progress. They are among our stanchest friends in Africa.

To President Kayibanda, and to his fine people, we extend our warm congratulations and very best wishes on this historic occasion. And to the able Ambassador to the United States, His Excellency Celestin Kabanda go our congratulations and every good wish.

NATAL SALUTE TO MALAWI

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, on July 6 the Republic of Malawi celebrates two anniversaries. One year ago it became a republic and 3 years ago it achieved independence.

In its relatively short period of independence Malawi has made impressive advances toward overcoming the problems posed by a large population in a small land-locked area, thanks to the industry of its people and the dedication of its leaders.

The President, Dr. H. Kamuzu Banda, received his medical degree and most of his higher education in the United States, including a bachelor of philosophy degree from the University of Chicago, located in the great second district. In June, Dr. Banda paid a private visit to the United States during which he was received by President Johnson. He supports U.S. policies on Vietnam and the Middle East. We welcome Malawi as a stanch friend of the United States and as a partner in the search for world peace and prosperity.

My very good wishes go to Dr. Banda, whom I hold in warm affection as a friend, to all the people of Malawi and Malawi's representative to the United States, Joseph M. A. Mseka, Chargé d'Affaires ad Interim.

BURUNDI IS 5 YEARS OLD

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, on Saturday, the proud young nation of Burundi will celebrate its fifth anniversary.

The Republic of Burundi is situated high in the mountains of central Africa. With its topography, its lovely climate, and its location on vast Lake Tanganyika, it is among the world's most beautiful countries.

The past year has been an eventful one in Burundi. A Republic, led by Col. Michel Micombero, was established November 28, 1966, replacing a 400-year-old monarchy.

To that Government and to our friends, the Burundi people, we offer our heartiest congratulations and our warm wishes on this important occasion. Our congratulations and good wishes also go to His Excellency, Terence Nsanze, the distinguished Ambassador to the United States.

CONGO'S NATAL DAY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, the people of the Democratic Republic of the Congo celebrate the seventh anniversary of their independence on June 30. This anniversary is particularly significant because of the fortuitous circumstances in which it is being celebrated. The Congo is at peace and the rebellion, which long plagued it, is virtually at an end. With the monetary reform program recently announced by President Mobutu, prospects for economic development have greatly improved. With its immense resources, human and material, the Congo's potential is indeed glittering.

To President Mobutu and to the Government and people of the Democratic Republic of the Congo and to the distinguished Ambassador to the United States, His Excellency Cyrille Adoula, we send our best wishes for future progress and happiness.

HOW TO START A PROPAGANDA CAMPAIGN

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, several Members have advised me that they are finally beginning to get some letter protesting my bill, H.R. 99, to raise the rates on third-class mail so that this class of mail will pay its way. Up to now, most of these protest letters have been duplications in style and content because they are no doubt dictated from the central headquarters of the lobby organization for third-class mail.

Now some Members may be receiving other letters. Big direct-mail organizations are requiring their employees to write to their Congressmen. They are directed to do so on company time. Furthermore, the boss says that the company will furnish the paper and envelopes, and if the letters of protest are turned in to the supervisor, the company will then place postage on them—and put them in the mail.

So you see, Mr. Speaker, how genuine some of these "protests" really are. Compare them when you get them with the letters you get from the average person who is so fed up with this junk mail that he is demanding action by Congress to set fair rates.

Under unanimous consent, I attach the set of special instructions handed to the employees. This is only one further evidence of the phony pressure campaign which is being launched in an attempt to defeat my bill to raise third-class postal rates.

The material follows:

To Homeworkers and non-day-shift employees:

Attached is a schedule of data and facts relating to a Bill before Congress to increase Third-Class Postal Rates by 56+%—it is HR 99 (Hechler, W. Va.).

If passed, this Bill could cause Mail Users to reduce or eliminate Direct Mail as an Advertising Media—and if this happens, our Job Security is threatened.

Please write your Congressman and Senators—you may do it on Company time—we will furnish the paper and envelopes—if you turn them in to your Supervisor, we will place postage on them—and put them in the mail.

Thank you.

May 1967.

To all employees:

There is a bill before Congress, sponsored by Congressman Kenneth Hechler of West Virginia, known as HR 99 which would raise the cost of postage on 3rd class bulk rate mail from $28.75 per thousand pieces to $45.00 per thousand—an increase of over 56%. Unfortunately, experts believe this bill will be passed by an overwhelming vote unless something is done.

If this happens, it will have *a most serious effect on the job security of everyone engaged in the direct mail industry* because it will force the users of mail to either discontinue it or to cut back drastically on the amount of mail used.

Since our business is based on mailing millions of pieces of 3rd class bulk mail for our customers, *each and every one of us will be hurt directly or indirectly* by an unreasonable increase in postage rates.

It is not too late to prevent a destructive postage increase. As a citizen and taxpayer, you have a right to be heard on this issue which so importantly affects your welfare. Your Senators and Congressmen will welcome your views on the subject.

We urge that you write a letter *right now* to your two Senators and your Congressman and tell them your personal feelings in this matter. Handwritten letters in your own words will be far more effective than any form letter we might suggest. We advise against post cards.

The attached sheet contains some important facts which might help in writing your letter. The more Congressmen you write, the better—why not ask your friends and relatives to write too? Also attached is a list of names and addresses of Congressmen.

SOME FACTS ABOUT THIRD-CLASS BULK MAIL

Fact: The post office must perform 39 separate steps to process first class versus only 18 steps to process 3rd class mail. 3rd class mail is delivered to the post office *already faced, tied securely, sorted by post office and zone in advance, in bags* with *proper labels,* often sorted in *individual carrier route sequence* and *no stamp cancellation is required.*

Fact: 3rd class mail gets processed only after all first class mail.

Fact: 48% of all 3rd class mail never leaves the county of origin.

Fact: 3rd class mail has already suffered much higher postage increases than first class:

Percent increase since 1950

First class:	
1955	0
1960	33.3
1965	66.7
Third class:	
1955	40.0
1960	150.0
1965	187.5

Fact: Postal Unions favor 3rd class mail because it means more jobs.

Fact: Newspapers hate 3rd class mail because mail is the toughest competition for advertising dollars the newspapers have. That's why newspapers call it "junk mail."

Fact: 3rd class mail involves millions of jobs in the paper, printing, and associated industries.

Fact: Direct mail is the only way the small business man can advertise efficiently—the local hardware store can send an advertising piece to people residing in his neighborhood but he cannot afford newspaper, radio or TV advertising because it costs too much and there would be too many households reached out of the trading area of his store.

ADDRESSES OF SENATORS AND CONGRESSMEN

SENATORS

Post Office Committee

A. S. Mike Monroney, Oklahoma; Ralph W. Yarborough, Texas; Jennings Randolph, West Virginia; Gale W. McGee, Wyoming; Daniel B. Brewster, Maryland; Vance Hartke, Indiana; Quentin N. Burdick, North Dakota; Ernest F. Hollings, South Carolina; Frank Carlson, Kansas; J. Caleb Boggs, Delaware; Paul J. Fannin, Arizona.

Area Senators

Indiana, Vance Hartke and Birch Bayh.

Kentucky, John Sherman Cooper and Thruston B. Morton.

Ohio, Frank J. Lausche and Stephen M. Young.

Address

Address all Senators to: U.S. Senate Office Building, Washington, D.C. 20515.

CONGRESSMEN

Post Office Committee

Thaddeus J. Dulski, New York; David N. Henderson, North Carolina; Arnold Olsen, Montana; Morris K. Udall, Arizona; Dominick V. Daniels, New Jersey; Robert N. C. Nix, Pennsylvania; Joe Pool, Texas; William J. Green, Pennsylvania; James M. Hanley, New York; Charles H. Wilson, California; Jerome R. Waldie, California; Richard C. White, Texas; William D. Ford, Michigan; Lee H. Hamilton, Indiana; Frank J. Brasco, New York; Robert J. Corbett, Pennsylvania; H. R. Gross, Iowa; Glenn Cunningham, Nebraska; Edward J. Derwinski, Illinois; Albert W. Johnson, Pennsylvania; James A. Broyhill, North Carolina; Daniel E. Button, New York; William L. Scott, Virginia; Philip E. Ruppe, Michigan; James A. McClure, Idaho; Fletcher Thompson, Georgia.

Area Congressmen

Indiana, Lee Herbert Hamilton, 9th Dist. Indiana.

Kentucky, Marion Gene Snyder, 4th Dist. Kentucky.

Ohio, Robert Taft, Jr. and Donald D. Clancy, Cincinnati.

Address

Address all Congressmen to: House of Representatives, Washington, D.C. 20515.

THE MIDDLE EAST CRISIS DEMONSTRATES NECESSITY FOR A STRONG AND HEALTHY DOMESTIC OIL INDUSTRY

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD and include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SHRIVER. Mr. Speaker, this is an appropriate time to bring to the attention of the Congress once again the importance of a meaningful mandatory oil import program to our domestic oil industry.

For too long the administration has dealt out promises but failed to deliver in terms of preserving a strong domestic industry. Now we have before us the experience of the Middle East crises. The outbreak of the war in the Middle East between Israel and the Arab States drove home the absolute necessity of our maintaining a strong domestic petroleum industry.

Shortly after hostilities broke out in the Middle East, the Department of Interior issued a petroleum emergency declaration. Approximately 7 million barrels of daily oil production had been lost to the Western world as a result of a cutoff of oil supplies by certain Arab nations.

The Middle East crisis demonstrates the importance of maintaining the effectiveness of the oil import program in the interest of national security.

For nearly 7 years now I have repeatedly called attention to the underlying purpose of the mandatory oil import program. Simply stated, the primary reason for the oil import program is the security of the United States of America. We must have a strong and stable domestic petroleum industry to guarantee adequate oil supplies for the Nation's domestic needs and or its defense requirements.

The Middle East developments have given us firsthand experience that we cannot depend upon foreign sources for our petroleum requirements. We must be able to draw upon a healthy and vigorous domestic supply and reserve which can serve our own needs as well as that of the free world.

It is becoming apparent the only way to stabilize the program and provide the domestic industry with the necessary assurances is to write basic guidelines into the law. I have introduced H.R. 10698 to spell out those guidelines.

Mr. Speaker, time and again I have called attention to the deteriorating condition of the independent oil industry. It is a sick industry.

In my own State of Kansas most petroleum activities reached a peak in 1956, and since that time they have been going downhill steadily. There are several key indicators of the depression which has hit the independent producer in Kansas.

The number of rotary rigs in Kansas is down from 169 in 1956 to approximately 40 this year. This means that drilling exploration has continued to decline.

What should be of great concern to all Americans, particularly at this time, is a steady decline in crude oil reserves. These reserves, according to the Kansas State Geological Survey, have dropped from 862.4 million barrels in 1962 to 751.6 million barrels in 1965, and they are declining still.

In recent years we also have witnessed a loss of highly skilled jobs because of the downturn in this very important industry in Kansas.

One of the primary reasons for these declines is that excessive imports from Canada, Latin America, and the Middle East have largely removed the incentive for looking for new oil reserves. A meaningful oil import program is essential if we are to stimulate investment in the domestic oil industry.

The bill I have introduced is not an emergency measure because of the Middle East crisis. Of course, the crisis has helped drive home the validity of what Members of Congress from oil-producing States and representatives of the independent oil industry have been saying for many years. We must have a vigorous, healthy domestic petroleum industry in the United States to insure the security and defense of our country as well as continuing oil resources for the free world.

We have repeatedly pointed to the need for strengthening the mandatory oil import program.

The administration has held hearings on the program but no meaningful relief for the independent oil producer has been forthcoming. There are those who have been close observers of the hearings held in the past by the Department of Interior who have expressed the belief that the import hearings are actually "post decision hearings," and that the independent producer will be the victim of increased oil imports.

Mr. Speaker, I urge that Congress give speedy consideration to this legislation. It also would be in the best interests of our Nation and this important industry to have a thorough investigation of the oil import program by the appropriate committees of the Congress.

America cannot afford to let one of its most vital industries wither by default for want of vigorous action. Oil imports must be controlled so as to permit the domestic industry to have its fair share of the domestic market, replace its depleted reserves, maintain an efficient distributive system and a strong financial structure. Only then can America retain its position of world leadership and prosperity in peace as well as a posture of strength to meet any military situation.

On Sunday, June 11, 1967, the oil editor of the Wichita, Kans., Eagle, Mr. Ted Brooks, wrote an editorial which emphasized the uncertainty of foreign oil supplies and the importance of a direct stimulation of domestic oil producers. Under the leave to extend my remarks in the RECORD, I include Mr. Brooks' oil-page editorial:

MIDDLE EAST WAR REVEALS NO SAFETY IN FOREIGN OIL

It has become clear to Americans everywhere that the fuel and energy security of the United States and the world is suspended on a vulnerable thread of transportation from insecure sources of supply in the Middle East and Africa. They control 13 million barrels of oil daily, or 37 per cent of the world's 35 million. Asian and Russian sources, which dangle on equally tenuous lines, account for about seven million. It adds up to 20 million barrels daily.

The international oil industry, curiously intent on saving face until the truth becomes irrefutable, has been assuring the world at large that it faces but a mere inconvenience—you move a tanker here and a tanker there and presto you have business as usual, unless someone goes into the tanker-sinking business.

In the U.S., which nurtures the bulk of the international companies, the American Petroleum Institute, their mouthpiece, has issued vague reassurance that we can continue to roar over the hills behind 400 horses for the indefinite future. A state-aligned industry that has poured its resources into the development of fantastic profits in foreign areas has no choice but to hide or justify the fact that these profits have been earned at the expense of domestic production and a domestic producing industry that is now on the way to becoming extinct.

Oil production and consumption are complex worldwide operations. You do not substitute for the loss of five, 10 or 20 million barrels daily by moving ships here and there. Extra capacity available in Texas, Louisiana, Canada and Venezuela is useless if less than half of the claimed surplus can be delivered where it is needed. Yet, even an independent petroleum association has dutifully joined its sponsors in proclaiming the availability of an extra 2.5 million barrels daily in the U.S.

There is no assurance that the international companies will put all of the domestic oil into U.S. channels regardless of need. If the Suez crisis of 10 years ago is any guide, they will boost the price of crude and send part of it to Europe. Then, after the emergency, when they have re-established foreign oil profits, they will blandly cut the domestic crude price and thus continue to barter off U.S. self-sufficiency and security.

There is but one answer—a two-part one: In some manner, either through price or price equivalents, domestic production and security must be assured by direct stimulation of producers.

The international oil industry must be kicked out of the easy alliance with our government that has exposed the U.S. to side-taking and entanglement in dollar diplomacy that now masquerades under other names.

NASA AUTHORIZATION

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Schadeberg] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, despite the fact that I did not enter into the discussion and debate prior to the passage of the national aeronautics and space administration authorization act on Thursday, I did have strong feelings about the propriety of such passage.

I voted against H.R. 10340 because of its almost overwhelming magnitude. No one could oppose NASA and its basic objectives, but I feel very strongly that we must hold down excessive spending during a war. And the war in which we are presently engaged is costing ever-mounting staggering sums. If we are to give our troops all the support and equipment they need, we must start to make sacrifices fiscally here at home.

I cannot believe that massive Federal programs will falter or die if they are pared to more realistic amounts. It is quite apparent that the administration will expect the taxpayer to live on a reduced amount when they come to Congress later this year with another request for a tax increase. It is the same old story—the Government will overspend and then ask the poor bewildered taxpayer to tighten his belt.

My voting record may well continue to reflect my opposition to unreasonable requests by the administration at the expense of the already hopelessly harassed taxpayer.

THE ALEWIFE PROBLEM

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Schadeberg] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I am today introducing a bill similar to that of my colleague and friend, Clem Zablocki, designed to control or eliminate the alewife and other pests in the waters of the Great Lakes.

The problem is again acute and does not need to be spelled out, as the gentleman from Wisconsin [Mr. Zablocki] told the story very graphically on Wednesday last. I will cooperate fully with my colleague in an effort to see this much-needed bill become law.

THE FREEDOM OF INFORMATION LAW

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Rumsfeld] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, in just 5 more days, on July 4, 1967, the Declaration of Independence will be strengthened by a new Federal law.

It is the freedom of information law—Public Law 89-487—which reasserts the fundamental right of the American people to know what their Federal Government is planning and doing. The law, unanimously approved by both the Senate and the House of Representatives a year ago, becomes effective on a most appropriate day. By guaranteeing the public's right of access to Government information, the new law reinforces our independence and freedom. It reiterates that our Nation was founded on the principle that the Government derives its power from the consent of an informed electorate.

The freedom of information law is important because we in this country have placed all of our faith, all of our hope, in the intelligence of the people and in their interest in their government. We have said that ours is a government to be guided by the citizens. From this it follows that Government will serve us well only if the people are well informed.

It is appropriate today to recognize some of the individuals who have played significant roles in the formulation and passage of this new law.

In the forefront of the battle to oppose secrecy in Government during the 1950's has been the chairman of the Government Operations Committee's Subcommittee on Foreign Operations and Government Information, the Honorable John E. Moss, of California. For more than 12 years now, Congressman Moss has been a leader in the fight to insure the public's right to know. His leadership has been vital to the development of this legislation.

So, too, have other former and current members of the subcommittee made significant contributions to the progress of this legislation. They include: former Representatives Clare Hoffman, George Meader, and Senator Robert Griffin, all of Michigan, who ably served on the subcommittee at various times in the 1950's and early 1960's; Congressman Dante Fascell, of Florida, one of the first members of the subcommittee; and particularly current members of the subcommittee Porter Hardy, Jr., of Virginia, ranking minority member Ogden R. Reid, of New York, and Robert Dole, of Kansas.

Literally hundreds of reporters, editors, broadcasters, and news media executives have assisted in the development of this legislation. Those who have made most significant contributions include: the late Dr. Harold L. Cross and the late Dr. Jacob Scher, both of whom assisted the subcommittee with their valuable counsel; James Pope, formerly of the Louisville Courier-Journal; Basil Walters, formerly of the Chicago Daily News; J. Russell Wiggins, of the Washington Post; Creed Black, of the Chicago Daily News; Herbert Brucker, of the Hartford Courant; John Colburn, of the Wichita Eagle and Beacon; and Eugene Pulliam, of the Indianapolis News.

Also, Clark Mollenhoff, of Cowles Publications, Inc.; Julius Frandsen, of United Press International; Jack Norman, of Fairchild Publications; William McGaffin, of the Chicago Daily News; Nick Kotz, of Cowles Publications, Inc.; Joseph Costa, of the National Press Photographers Association; Howard Bell, of the National Association of Broadcasters; Eugene Patterson, of the Atlanta Constitution; V. M. Newton, Jr., of the Tampa Tribune; Theodore A. Serrill, of the National Newspaper Association; and Stanford Smith, of the American Newspaper Publishers Association.

Mention should also be made of some of the staff members of the subcommittee who have contributed to this legislation. They include the late Dr. Wallace Parks, Samuel J. Archibald, Benny Kass, Jack Matteson, J. Lacey Reynolds, Jack Howard, and Paul Southwick.

In addition, dozens of other newsmen, public information officers of the Federal Government, and Government security officers have contributed to the adoption of this legislation.

When the Department of Justice distributed guidelines for implementation of the law to all Government agencies recently, it stated:

> If government is to be truly of, by, and for the people, the people must know in detail the activities of government. Nothing so diminishes democracy as secrecy. Self-government, the maximum participation of the citizenry in affairs of state, is meaningful

> only with an informed public. How can we govern ourselves if we know not how we govern? Never was it more important than in our times of mass society, when government affects each individual in so many ways, that the right of the people to know the actions of their government be secure.

These words accurately reflect the importance of the new law. It is my hope, as we observe the Fourth of July 1967, that the essence of these words may begin to be reflected in meaningful actions by the Federal Government in behalf of an increased availability of Government information and, thus, in a better informed public.

THE PROPOSED STUDY OF FCC

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CONTE. Mr. Speaker, I have taken the floor today to express my great concern over the 4-to-3 decision last Thursday by the Federal Communications Commission giving its approval to the proposed merger of International Telephone & Telegraph Co. and American Broadcasting Co.

In all candor, I must state that I find the history of these proceedings before the FCC, culminating with last week's decision, extremely disillusioning. It is certain to cause legitimate public doubt and lack of confidence in the Commission and ultimately in our entire governmental processes, if the merger is allowed to be consummated.

We were originally faced in this case with the Commission, acting through four of its seven commissioners, granting approval of the merger on the basis of an obviously insufficient development and consideration of the issues and questions involved. The first decision in this case on December 21, 1966, was based on a 2-day hearing held by the Commission on September 19 and 20 of 1966. This proceeding basically consisted of nothing more than the presentation of the views of the parties to the merger with some questioning by the Commission. It was by no means an adversary proceeding, no one developed for and presented to the Commission the arguments in opposition to the merger and the proceeding barely scratched the surface concerning the matters relevant to the questions then before the Commission. Nevertheless, four commissioners had no problem at all in finding that this merger would be in the public interest and in giving it their approval.

The need for more meaningful hearings in this case was obvious. I called for additional hearings and for a congressional investigation of the proposed merger and the facts and circumstances relevant to the Commission's approval of it. After the Justice Department filed a petition to reopen the case and intervene as a party, I again expressed my view in a telegram to Chairman Hyde of the FCC that further hearings were essential in the case.

The case was ordered reopened on February 1, 1967, by the Commission and 3,100 pages of additional testimony were presented. The Department of Justice as well as the Broadcast Bureau of the FCC participated as parties to the proceedings and both filed lengthy proposed findings and conclusions. The applicants, of course, also filed lengthy proposed findings and conclusions and the American Civil Liberties Union filed a proposed statement as amicus curiae.

We are now faced today, as a result of last week's decision, with the Commission, acting through the same four commissioners, again granting approval of the proposed merger.

The problem this time, however, is not the lack of sufficient development and consideration of the issues in the case. Rather it is an apparent disregard by the Commission majority of that which was developed during the substantive second hearing.

I wrote last week to Donald Turner, the head of the Justice Department's Antitrust Division, urging that it appeal the decision of the Commission to the courts and take all further necessary steps to prevent the proposed merger from being consummated. I took this step because of my conclusion that the record in these proceedings appeared to clearly establish that the consummation of the merger would not be in the public interest. It furthermore, in my opinion, certainly did not support the conclusion of the majority that the benefits to the public interest flowing from the proposed merger would clearly outweigh any detriments.

I do not propose to go into an in-depth analysis of this case at the present time. There are, however, certain basic propositions which I think have been established in this case and which prevent any conclusion that this merger would be in the public interest.

I am certainly in agreement with the finding of the minority that:

> There is a very significant danger that ITT's other interests will be allowed to intrude on the journalistic functioning of ABC and subvert the proper use of this electronic outlet for independent information, news, opinion and public affairs programing.

ITT, with vast overseas operations and interests, is closely concerned with and often involved in political and economic developments in numerous foreign countries.

Perhaps the best evidence of potential danger here with respect to these as well as other ITT interests, can be seen in examining the action taken by ITT in their attempt to win Commission approval of the proposed merger. It becomes obvious, in examining the tactics of ITT, that it was willing to take whatever steps it felt necessary, regardless of their appropriateness, in order to achieve their desired result.

This is not the kind of activity which would lead one to conclude with any degree of confidence that the integrity and independence of ABC's news and public affairs programing will be maintained, following a merger with ITT.

Furthermore, I believe the record established that ITT without the merger may very well become a significant competitive force in broadcasting.

It is quite clear that ITT is interested in becoming significantly involved in this market. It is equally clear that ITT has the capability and financial resources to eventually accomplish this goal in the event that this merger was not consummated.

When one combines this apparent desire and apparent capability it becomes quite difficult to accept the proposition that the merger could not have the direct effect of substantially lessening competition in broadcasting.

However, even in the event that ITT did not choose to directly enter the broadcasting market, there is still the possibility, without the merger, of it bringing about revolutionary technological innovations and increased competition in the market.

The potential exists in this country for technological growth and development in communications to make our present three network television system completely outmoded and obsolete and to bring about vast improvements and increased competition in our broadcasting system. ITT is today one of the technological leaders in the communications field. It is well equipped and naturally suited to play a leading role in accomplishing these changes.

However, with the advent of the merger ITT would become part of the existing establishment. As such its incentive to develop revolutionary technological innovations which might be injurious to its investment in ABC would correspondingly diminish. ITT would then be more likely to resist rather than bring about the new concepts which would endanger its established position in the broadcasting system.

I cannot help but conclude that the record developed in this case leads to a determination just the opposite of that reached by the majority—that the potential detriments to the public interest flowing from the proposed merger would clearly outweigh any potential benefits.

It is for this reason that I have called upon the Justice Department to appeal this decision and take all necessary steps to prevent the consummation of the merger.

It is also for this reason that I have again called upon the Select Committee on Small Business of this House to investigate this proposed merger and its approval by the FCC.

But I fear that the question involved here and which we in Congress must face may be one of even broader consequence than the specific case of the ITT–ABC merger.

I fear that perhaps the means and capabilities of the FCC to deal with the increasingly technical and more sophisticated problems of today's communications industry may be outmoded and in need of substantial revision. It may very well be that the procedures which the Commission presently has available and the standards that it is presently applying are not commensurate with the development which has taken place in the industry.

If this is the case it is then up to us in Congress to provide the necessary legislation to update and modernize the Commission itself.

The approval by the Commission of this merger has given good cause for public concern about the present status of the Commission. I propose that we in Congress examine that status to determine whether it is fulfilling, and is capable of fulfilling, the function, and responsibility in our society which it has been delegated.

CONTINUED ASSISTANCE TO ISTSP

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CONTE. Mr. Speaker, I would like to introduce into the RECORD an article appearing in the July issue of the Atlantic entitled "Negroes in the Private Schools." The author, Charles Merrill, has had wide experience in the field of education and is currently headmaster of Boston's coeducational Commonwealth School.

His excellent article echoes many of the sentiments which I have previously voiced on the floor of this House; namely, that the independent schools talent search program, and other programs which bring Negroes out of the ghetto, will not alone cure the problems of our Nation, yet without such programs we would be taking steps backward.

I urge my colleagues to study this article and, when the time comes, fight alongside me to guarantee continued Federal assistance to ISTSP.

The article follows:

NEGROES IN THE PRIVATE SCHOOLS

(A school involving itself in integration often skates so close to failure that it becomes overdependent on success, Charles Merrill has found in twenty-five years' experience with racial problems in education. But he has found also compelling reasons for continuing and expanding the experience. A graduate of Deerfield Academy and Harvard, and a teacher since World War II, he is headmaster of Boston's coeducational Commonwealth School.)

(By Charles Merrill)

One of the more interesting changes in American race relations over the past five years has been the rising number of Negroes in private schools. Even if this rise has affected, on a long-term basis, only three to four thousand Negro boys and girls, its impact upon the white middle-class youngsters who go to these schools may add up to some genuine social value.

There were always a few schools with a name for racial liberalism—Andover, Exeter, Northfield, Mount Hermon, less well known schools like Wooster and Windsor Mountain, city schools like Collegiate in New York, Georgetown Day in Washington, Francis Parker in Chicago, the Quaker schools around Philadelphia—but until recently, these schools were few and the numbers of Negro children involved were few indeed. Even schools that considered themselves liberal took refuge in the policy of "We'll accept any qualified candidate who applies," and then sat passively when no qualified Negroes turned up. In reality, so few roads existed between the white world and the Negro that not many people were in the mood to travel.

Both sides saw only their fears. A Negro father paying his first visit to a boarding school asked lots of questions, but "Who will cut my son's hair?" was his most personal worry. Then, how about dances? I taught at a school in Missouri which admitted its first Negro boys in 1952 under the proviso that they not go to the dances. The second year they did, but danced only with Negro girls. I am now ashamed of the timidity we showed, but at the time it seemed forced on us. The tiptoeing schools kept looking for some never-never combination of Ralph Bunche and Jackie Robinson that would guarantee success.

A fair amount has changed, however, during the past five years. Last fall I made a survey of twelve Boston private schools—primary and secondary, boys, girls, and coed—and where in 1962–1963 these twelve schools had a total of 23 Negro students, they now have 104. Where in 1965–1966 they had spent $61,000 in scholarships for these students, in 1966–1967 the figure was $92,000. For half these same schools more than half the scholarship budget for this year was set aside for Negroes.

These changes have been the result of a number of individual decisions by headmasters, teachers, trustees, alumni, even students, that their school should pull its weight in facing the issue of racial justice. Negro parents are more aggressive now in seeking out private schools; the schools are more experienced in exposing themselves to outsiders. The matching-up process has also been helped by development of two types of placement groups.

The most important of these is the Independent Schools Talent Search Program, started in early 1964 at Hanover, New Hampshire, to recruit and place Negro (plus some Puerto Rican, Indian, and proletarian white) boys into boarding schools in the northeastern part of the country. Twenty-six schools joined the first year, and their membership dues of $1 per student paid for most of the administrative costs of the headquarters, located on the Dartmouth College campus. The idea received a great boost by the addition of a seven-week summer program called A Better Chance, financed by the Rockefeller Foundation and held at Dartmouth, to prepare the boys for their arrival at Groton or Pomfret by training them intensively in reading, writing, and mathematics, as well as in such middleclass skills as wearing a tie and playing soccer.

The second year saw the addition of girls, a new summer center at Mount Holyoke, and, even more important, the financing of new students by the Office of Economic Opportunity, under Sargent Shriver. This was the first time that the federal government had given aid to education at private secondary schools. The aid was generous: $2500 per student for tuition, room, and board, plus $250 for pocket money, travel costs, and medical expenses. By the summer of 1966 college centers had been opened also at Williams, Carleton, and Duke, and in September ISTSP had placed 500 boys and 175 girls at 104 member schools, with almost 400 of these children financed by the government.

Another approach has been that of local groups trying to place Negroes into private day schools of a given city. The Negro Student Fund in Washington, under the leadership of Mrs. Lydia Katzenbach, wife of the then Attorney General, and a board of prominent professional and government people, was the first example of this type. It received some help in meeting scholarship costs from the Ford Foundation, and in the two-year period of 1966 and 1967, succeeded in placing 64 children. In Boston the same sort of project, the Boston Area Schools Placement Program, started in late 1965 under a different kind of leadership. One director was Melvin King, a Negro social worker who had run unsuccessfully three times for the school committee and was by then convinced that neither the public school administration nor the Boston voters were interested in improving the education of Negro children; another director was David Stockman, a businessman who had become indignant upon finding that the schools were offering places and scholarships to Negro children and none appeared to fill them. The Boston program had weaker resources than the one in Washington, with one young Negro paid administrator and a fair amount of volunteer help, but by September it had placed 40 students in independent schools and 72 in parochial schools, had assumed $3500 worth of partial-scholarship obligations, and had a bank balance of zero.

What is the life of a Negro youngster in a private school, and what is the impact upon such a school when a number of Negroes go to it? It is hard to isolate the issue of race when the differences are also of class: the majority of these Negro students are the children of working and lower-middle-class families, while the majority of their white schoolmates come from business and professional families. And the differences of class, cultural background, previous schooling are compounded further by lack of family support. Of the two dozen Negro students my own school has had in the last six years, only half had a father at home.

The main problem is the scholastic one. So much has to be done at first that neither the teacher nor the student knows where to begin, whether from the youngster's lack of tools of the trade or his inability to buy the discipline of the middle-class system: "Write this paper along these precise lines and hand it in tomororw at eight thirty." And it doesn't come in. One form of self-protection is to obey orders, another is to disobey any order given: "They're not getting *me!*" To keep from losing his temper at what seems like unnecessary failure, the teacher is expected to have instant recall of the whole race sociology of American history, whose evils these students pay for and pay for: the Southern laws that imprisoned a master found guilty of teaching a slave to read; the slave system that broke up families and sold each child separately; the employment system that keeps a Negro from getting a job to let him support his family; a society that good-naturedly despised his music-loving shiftlessness and furiously attacked him whenever he tried to break out of the stereotype.

A teacher who works with Negro students gradually comes to learn how overwhelmingly racist is the totality of American life. The direction of education is to bring a child *in*, to involve him in his own learning and the setting of his own goals. The whole direction of American history has been to leave the Negro *out*. In my school I teach American history to the eleventh grade. What to say? Jefferson's and Jackson's concepts of democracy specifically excluded the Negro from any participation in them. Lincoln was kind but condescending Wilson froze racial segregation into the federal civil service. A primary aim of our labor movement has always been to protect white standards against Negro competition. And in the usual American novel, the heroine would have been glad to accept the young Negro reader as a servant, not as a friend.

"When the others sing 'America the Beautiful' in chapel, I can't," one of our boys said. The impact of racism means that any school with a sizable Negro minority is going to have a direct acquaintance with the realities of American life that are quite outside books. A girl with us from Mississippi had been suspended at her previous high school for wearing an LBJ button in the fall of 1964, and then expelled and imprisoned for going to the wrong drugstore for a Coca Cola. One of our graduates has been imprisoned four times now in summer organizing work in Mississippi and Alabama. Out of this type of experience the Negro student comes to school with a range of interests pretty well limited to his own problems. And if his education does open the world to him, he may find himself cut off from his old community. He is an "Uncle Tom," the most dread and spirit-shattering of epithets, not because he laughs at Mister Charlie's jokes but because he is interested in mathematics.

A school involving itself in integration skates, all too often, so close to failure that it becomes over-dependent on the victories achieved by each individual Negro and the way these victories then allow him to come in to the school community. The first successes are likely to occur in athletics. Our soccer varsity generally has two or three Negro stars, boys who had never seen a soccer ball before they came to us. Yet the stereotype of the Negro as the professional athlete is worth avoiding. We needed the two good artists and the skilled politician we had; we needed especially the girl, richly endowed with beauty, character, and academic distinction, whose success helped strengthen every other teammate in difficulty. In a school like ours, set into an almost rigid liberalism, Joyce was secure enough in her position to become the most articulate spokesman, in any argument, for the conservative point of view. In a large boarding school in Connecticut, a number of boys, shortly after school had opened, were talking about the drama club's fall play, Ionesco's *Rhinoceros*. They couldn't figure it out. A Negro boy who had seen *Rhinoceros* at Dartmouth the previous summer told them what it was about and how it represented the theater of the absurd. His classmates then looked upon him in a different way.

Failure has the opposite result: the outsider goes further *out*. In trying to avoid academic failure, the school is faced with some serious problems, theoretical and practical. Is it trying to serve the child who needs help the most or the child most likely to succeed? For the Negro parent whose child has never been taught to read properly in the public schools, admission to private school is the last chance to make it. "Isn't that what you're there for?" No, not entirely. Even if the new school will lighten the course load and give extra tutoring, the difference in standards is almost too great. For a child who has not picked up what the public schools *can* offer, it is too late.

How should schools act toward failure in Negro students? "If Harry has been with you two years you can't send him back to the sort of school he came from!" That is partly true, but there is a limit to the energy and skill a headmaster can ask from his teachers for those at the bottom of the class if he is also asking a great deal for those at the top. And it does no one good to have too many people around who can't pull their weight.

On the other hand, "I'm going to fail anyway" is a disease that Negro students are susceptible to; Negroes help provide an antidote to the disease of white adolescents from educated and affluent families who are forever saying: "What is the purpose of all this? I'm just going through the motions to satisfy my parents' need for status."

In social rather than academic matters, when a school community acquires a little experience, it can begin to relax. Every new event is no longer an ordeal, and children acquire an unself-conscious tact, or learn when tact doesn't seem necessary and they can rely on frankness. This makes life easier for the popular Negro youngster, invited home to dinner with the family as almost a routine matter; it makes life harder for the unpopular youngster because no one feels any compulsion to go out of his way to give him a hand. Or the problem simply changes rather than improves as it goes from theory to practice. At biracial parties the theoretical problem used to be Negro boys dancing with white girls. The actual problem, however, is that white boys and Negro boys are likely to dance with the white girls and no one dances with the Negro girls.

Then too, as the size of the Negro minority grows, the results may not be what one hopes. The human cost of token integration has always seemed extraordinarily high to me. The one representative is always on parade, always on guard. If he has some colleagues, however, he can choose at mealtime between his white or his Negro friends. But if there are enough Negroes around to provide a minimum range of interracial friendships, yet not enough individuals on either side with the warmth and ease to reach toward the other, all one gets is two societies, courteous but distinct. The spirit of the times also has changed. There is less optimism and perhaps less generosity, on both sides, in 1967 than in 1964. "I really don't think I can trust any whites," said one of our boys. And a girl: "The only time a white man does anything for you is out of a sense of guilt."

Nevertheless, there are strands hard to see sometimes, that tie young people together. A girl too shy and bookish to make friends readily with other Negroes finds one close white friend who sees the world with the same thoughtful eyes. Another girl, far from her home in Georgia, falls seriously ill, and in the visits she receives at the hospital, realizes with a bit of surprise how firm a place she holds in her schoolmates' affection. A mixed quartet pick up the habit of going off to listen to records together. These are fragile strands, and nothing in American society helps to make them stronger. Nevertheless, friendship is not the only gain of a racially mixed school: a frank recognition of difference and even of hostility has its values.

"Don't always load the dice on the race issue," said one of our Jewish boys in a class where we were discussing poverty and its relation to race. "My grandfather when he came from Russia was just as poor as yours, and he was able to work his way up to a fair sort of life for him and his children." This is an explosive issue, and the girl he said it to exploded. "Sure he was poor. But there were still jobs he could get, and when he got money he could be a part of American society, and my grandfather couldn't."

The most thought-provoking example of maturity in race relations appeared out of a play that one of our Negro seniors wrote last winter. Leroy, an intelligent though not a particularly successful student, came originally from Tennessee. His father is dead. His mother, who works in a beauty shop, is a fundamentalist who fears that her son's soul is endangered by all the Godless things he has learned, partly at our school. Leroy's hero is Malcolm X, and he talks about race pride and the necessity, perhaps, of violence as a way of defending this pride; but Leroy is also fascinated by science, and a beautiful scarlet silk-screen abstraction by him hangs in the main hallway of the school.

Leroy started writing his play as a way of involving local youngsters in group activity more creative than hanging around on street corners, but as time went on he began to persuade more and more of his middle-class schoolmates to play the white parts and to share their skills in lighting and design. And while the play was rehearsed and argued over in a Roxbury parish house, each person involved kept adding new lines, new episodes, new ideas. The story is coffee and cream, the Negro term for mixed sex relations, only the cream is sour.

The chorus, the background of meaninglessness and ever potential violence of ghetto life, is a gang of loose-jawed, beer-drinking, street-corner casuals. Against them are set the earnest members, complete with white liberal, of the teen-age Action Group who will help organize the community. The actors who play these "good" young people are playing themselves. Their words are a little too reasonable, too articulate, and they know it. Joe, the white liberal, falls in love with Laverne, the Negro girl. Laverne is then shown with her frightened, Jesus-calling mother, Joe with his whining, selfish parents. Girl and boy walk a road of sorrow, insulted and threatened by all who pass them, particularly by Laverne's jilted lover from the street corner. Then Joe, seated with Laverne at a Negro restaurant, where the waiter calls him trash, sees his father enter with a Negro prostitute. Horrified, he flees; Laverne runs after. Her scream pierces the blackened stage. She has been knocked unconscious and raped. Joe must be the assailant. The Negroes close ranks, and when Joe reappears, now with a white girlfriend, both of them are brutally attacked. The play ends in two more scenes: Joe in bandages at home, tended by his new girl, rethinking his allegiances, and back to the street corner, where the casuals are joking nervously about the cops. But who did rape Laverne? The joking turns sharper. A little old lady stands up. She had seen it. The attacker was the jilted Negro. "I did it because I loved her!" he cries, and the lights go off.

All the arguments made by this crude little play are a lot more complex than they would have been five years ago. The villain is still the white society that castrates the Negro male and leaves him impotent or in a rage, but white actions in a time that speaks a civil rights language are more complex than they used to be. And the Negro response is also more complex. Laverne takes Joe as her sweetheart because he is more gentle as well as more secure than her lover on the street corner. And the ultimate crime which sets off a holy war of race was committed by black against black.

Perhaps then the value of these limited contacts between white and black adolescents in one or two hundred private schools is to confuse racial attitudes a bit, to show that the situation is not simple and that despite all the official rhetoric, both races distrust, resent, and fear each other. And if matters are bad now, they will get worse in the 1970s when the real fight is locked as to who controls the cities. Will the Negroes who cannot escape into the suburbs be allowed to elect a mayor—or district attorney or chief of police—of Newark, Washington, Baltimore, Chicago? There had better be a fair number of men and women then who have dealt with the other team as human beings and can accept them as colleagues, as neighbors, as parents of their children's friends; who accept, from personal experience, the complexity of motivation and result. The exhaustion of scholarship budgets, the end of the federal support for educational experiments, and the increasing coldness of opinion in the surrounding communities may see in the school year of 1967–1968 the first downward turn in academic integration in ten years. We must not let this happen.

CREDENTIALS FOR EDITORIAL WRITING

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, now that the tumult and the shouting over the spirit of Hollybush has subsided and Mr. Kosygin and his entourage have departed from our shores, it would be well to give attention to some of the nonsense which appeared in the press during the recent visit. As was to be expected the New York Times was in the forefront in lauding the spirit of peaceful cooperation exemplified by the summit meeting.

As a member of background on the Times, the words of one man, Louis Francis Budenz, a former member of the Communist Party and for a number of years managing editor of the then Daily Worker, are particularly pertinent. On page 7 of his book, "The Bolshevik Invasion of the West," he states:

> In the good will toward all men with which this is written and with the objectivity which should mark every recorder of historical events, I must express regret for being compelled to belabor the New York Times. It happens to be my favorite newspaper, which I have subscribed to in whatever part of America I happened to be. Its radio station, WQXR, has a great solace to me during my long illness. But the record of the Times and its satellite press speaks for itself. There was the misinformation given by Walter Duranty concerning Stalin and his regime at the moment of greatest terror. There was the continual overlooking of the Ambitions of Red China and even before that, there was the encouragement of those who wrote falsely of the Chinese Communists as "agrarian reformers."

Mr. Budenz continues:

> In addition, there was the comfort given to the Communists in the Civil War of Spain and the total misinformation fed the American people concerning the purposes and plans of the Communist, Fidel Castro. Of late, there has been added the almost hysterical opposition to American defense in South Vietnam and the ambivalent proposals which have been totally blind to the Communist directive documents.

With such a perennial blindness concerning Communist goals and techniques and the ability to rationalize away the self-evident threat of Communist danger, it is hardly surprising that one again finds the Times painting a picture of sweetness and light of the face of the Communist movement's advances of the past 50 years.

Take this gem of hopeful anticipation from the Times of June 20:

> The prospect of constructive joint action is heightened by the presence of Premier Kosygin at the United Nations.

The next day in the United Nations we received a sampling of "constructive joint action," as expressed by the Times editorial of June 20:

> It also means that the Soviet Premier felt it necessary to stand before the world tribunal and engage, in his quiet way, in a transparent distortion of history, in crude vilification, in crass propaganda in order to prove to the Arab states that the Soviet Union, after all, really is their friend.

After Krushchev's shoe pounding in the United Nations of some years ago, no one should have been disappointed at Kosygin's performance. He used the world forum as a vehicle for an overall attack on the United States. To quote the Soviet Premier:

> For nearly three years now the United States, having cast aside all camouflage has been carrying out direct aggression against the Vietnamese people.

He went on to note that the United States was the real problem in the Near East and that we, along with the British Government, were the troublemakers:

> They are promoting the aggressor here as well.

How did the New York Times recover editorially from the Kosygin blast? The above-mentioned editorial of June 20 led off with this sentence:

> Since the hope had been so slight that he would show some genuine statesmanship in his address to the General Assembly yesterday, it cannot be said that Premier Kosygin's sterile and pedestrian performance was much of a disappointment.

Although the Times was disappointed with Kosygin's performance, its editorial of June 26 did glean three "gains" from the Glassboro meetings. The first "gain":

> The atmosphere of Soviet-Americans relations was improved by the demonstration the President, the Premier, and their ladies gave of pleasant and friendly contact at the highest level.

The second "gain" was equally as nebulous:

> The more than ten hours the two leaders spent with each other last weekend enabled both men to establish personal links of a kind that had not existed before.

The third "gain" was stated this way:

> Finally the President of the United States and the Premier of the Soviet Union understand one another's positions better than ever, and their comprehension is based on private converse in which both men could express their ideas frankly without worrying about the propaganda impact upon friend or enemy.

It is almost beyond comprehension that intelligent men can continue to live in such a dreamland of unrealism. This is the 50th aniversary of the Bolshevik Revolution. During these years the Soviets and their cohorts have succeeded in submerging approximately one-third of the world's population and one-fourth of the world's surface under the slavery of Communist philosophy and practice. Literally millions of people have died during Communist reigns of terror and untold numbers, at one time or another, confined to concentration camps.

The slaughter in Budapest, Hungary, in 1956, the spectacle of Cuba, the infamous Berlin wall are but more recent legacies of the October Revolution of 1917. And who is one of the present leaders of this scourge on mankind? Mr. Kosygin, of course. Yet the New York Times sees a "gain" or improvement in Soviet-American relations "by the demonstration the President, the Premier, and their ladies gave of pleasant and friendly contact at the highest level."

It would serve no purpose to explore further the idiocy of such a mirage.

The New York Times in its evaluation of such events as the Kosygin visit could well profit in the future from the editorial policies of a New York competitor, the New York Daily News. Some time ago the News ran a series of editorials on the nature of communism, which series has been reprinted and more than 100,000 copies sold to date. With this know-your-enemy policy it was not surprising that the News' evaluation of the Kosygin visit was more realistic. While hoping that the visit would be "fruitful," the News insisted upon seeing the fruits before reacting, remembering that—

> President John F. Kennedy and Russian Red Czar N. S. Khrushchev met cordially and with fanfare at Vienna June 3–4, 1961. August 12–13, 1961, the Reds threw their damnable wall across Berlin.

When the conference was over the News, in contrast to the Times, observed:

> Yesterday the Soviet Russian co-Czar flew to Fidel Castro's Communist Cuba to check up on the Kremlin's island gun aimed at the U.S.'s vitals and doubtless growing more potent by the week. Kosygin's jump to Cuba put added emphasis, as we see it, on the flop of the Hollybush conference.

In view of the record of the past 50 years, the position of the New York Daily News on this latest conference makes infinitely more sense than the pathetic wishful thinking of the New York Times. Everyone of sound mind is sincerely hopeful that no international conflagration breaks out. Any responsible person longs for true world peace. But all prudent people recognize that for the past 50 years there has been festering among the nations of the world a cancerous international growth which has spread havoc over a large portion of the globe. And more Americans, through responsible education on the evils of the Communist movement, are being made aware of the danger. A committee of the American Bar Association, for instance, over the last 5 years has furnished lecturers and study materials for summer institutes on "Democracy versus Communism" for nearly 10,000 high school teachers in 45 States, who in turn have reached an estimated 3,000,000 students. These institutes, normally offering academic credit, have been held at such centers of learning as the universities of Colorado, Miami, Southern California, and Vanderbilt.

On June 19 of this year Francis Cardinal Spellman announced that the archdiocese of New York will join with the American Bar Association this summer to equip social studies teachers throughout the Catholic school system with greater knowledge of the difference between democracy and communism. The program will be telecast via the archdiocesan instructional television network to some 200 teachers in 90 Catholic high schools over a 15-week period. Cardinal Spellman reiterated the know-your-enemy theme of the New York Daily News editorials when he stated:

> While America cherishes the right to dissent, debate is always improved if the participants have done their homework. When students read Lenin, Mao Tse-Tung, Stalin and Lin-Piao, they can see for themselves that class war, deception, subversion and the strategy of terror are not outworn myths but the preferred instruments of the Communist Party.

It is high time the New York Times began doing its homework.

MODERN TOOLS FOR CONGRESS

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, for many years the Congress has been confronted annually with one or more requests to approve a higher public debt limit. Since 1961 this question has been before the Congress 12 times. In 1961, Congress increased the debt limit to $298 billion; in 1962, the debt limit was increased to $300 billion and later that same year it was increased again; in 1963 the debt limit was increased to $309 billion through August 31 and later the Congress acted to extend the debt limit to $309 billion through November 30, 1963, and again that year the debt limit was raised to $315 billion. In 1964, the Congress approved an increase in the debt limit to $324 billion. In 1965, the Congress authorized an increase in the debt limit to $330 billion. In February of this year the Congress enacted legislation increasing the debt limit to $336 billion through June 30. On June 7, this year the House for the first time in our history voted down a request to increase the public debt limit. Then we were again confronted with a request to raise the public debt limit to $358 billion for the next fiscal year and then to $365 billion for the fiscal year starting 1 year from July.

Each time that the question comes up for increasing the public debt limit there are many words expressed, and rightfully so, condemning and bemoaning our national policy of continuous deficit financing with the inevitable result of an ever-mounting public debt. Since 1961 we have been forced to raise the public debt limit $43 billion, from $293 billion to $336 billion, to provide for the issuance of Federal securities so that funds may be obtained to pay for the goods and services rendered to the Federal Government because we refuse to limit Government obligations to the level of expected revenues. Then we were asked to raise the public debt limit another $29 billion. Mr. Speaker, our recent history does not reflect a path of fiscal responsibility. In recent years we have viewed the constant and continuous erosion of the purchasing power of our currency through inflation; the danger of inflation is increasing, fed by our enormous Federal Government deficits.

With the rising public debt the interest cost on this debt mounts each year. This interest expense is the second largest category of Federal expenditures. It is surpassed only by the expenditures for national defense. The budget submitted in January showed an estimated interest cost on the public debt for fiscal year 1968 to be $14,152 million. With the debt mounting as rapidly as it is and interest rates as high as they are, we must expect the actual interest cost to exceed this huge budget estimate. However, even this budget estimate amounts to more than the combined expenditures for the following governmental functions: all veterans' benefits and services, commerce and transportation functions, all housing and community development programs, labor and manpower programs, and all general Government functions including legislative, judicial, executive direction and management, and numerous others. This huge interest expense is borne annually by the American public because of our previous deficit financing. Each time we increase the public debt limit we are only contributing to increasing this expense that grows larger and larger each year.

When we refer to expenditures in billions of dollars it is difficult for us to perceive just how much money this amounts to—thus let me convert this estimated interest cost of $14,152 million for the next fiscal year into a more understandable figure. What does it amount to on a per minute basis? For every minute of the day and night throughout the entire year it is $26,925. On an hourly basis it is $1,615,525 per hour around the clock throughout the year. Interest cost on the public debt for 1 week amounts to more than the total annual expenditures of the entire legislative branch of the Federal Government including not only the Congress with individual Members and committee staffs but also the Office of the Architect of the Capitol, the Botanic Gardens, the Library of Congress, the Government Printing Office, and the General Accounting Office.

Now as we again face a request to raise the public debt limit let us glance back to what has happened over the past 6 years. Interest cost on the public debt has increased by more than 50 percent; total administrative budget expenditures have increased by more than 50 percent; and the public debt has increased by more than $40 billion and is soaring to new heights almost daily.

It has long been contended by many that the public debt ceiling legislation affords the Congress an opportunity to review the total budgetary picture and a means by which to hold down Federal spending. Frankly, when we look at the record of recent years, we must admit that our effort to restrain spending has not been successful.

Every time we are confronted with a proposal to raise the public debt limit we get comments to the effect "the Treasury cannot spend one red cent that the Congress does not previously authorize," "that the debt limit must be raised or the Federal Government will not be able to pay its bills," and so forth. Under these circumstances the Congress is caught in an impossible "either/or" situation. Either we approve an increase in the public debt limit so that the Government can continue to function as usual with the debt continuing upward, or we disapprove an increase in the public debt limit and place the Government in the position of not being able to meet its already incurred obligations. Thus the Congress is continually reacting to executive branch proposals. Principles of good management would dictate that the Congress acquire more acceptable alternatives if we are going to give the country the sound and effective legislation it needs to meet our national needs.

We must adopt a more positive approach to our problems and determine what the alternatives available to us are. To do this the Congress must in the first instance have more useful information. We all know that there is no shortage of information, for we are constantly submerged in mountains of it. But we have not the time to plow through the mountains of available data to evaluate thoroughly all proposals. Nor do we always have the right data. Therefore, it is imperative that we get and have available in useful form vital selected information on all proposals before the Congress.

The membership of the House of Representatives was set at 435 in 1912 when New Mexico and Arizona were admitted to the Union.

As every Member of this body is fully aware, there have been tremendous changes in the number and magnitude of the functions of Federal Government over this 55-year span. Let me cite you just three basic facts to indicate the extreme contrast between 1913 and 1968. Federal Government employment has increased nearly sevenfold from fiscal year 1913 to fiscal year 1968. Total administrative budget expenditures, not to mention the tremendous amounts that are dispensed by the trust funds, will have increased by about 190 times over this 55-year span. For fiscal year 1913 total administrative budget expenditures amounted to approximately $1.6 million for each Member of the House of Representatives, whereas for the next fiscal year they will exceed $310 million for each Member. The public debt has increased about 280 times over this period.

I think that these figures demonstrate the fact that the burden on Members to evaluate and weigh legislative proposals is increasing at an alarming rate. To me this is the strongest possible argument for the Congress to employ the most effective equipment and tools available to it to evaluate all legislative proposals.

Over the past decade the electronic computer has revolutionized many functions and processes in business and private enterprises, educational and other institutions, many State and local governments and the executive branch of the Federal Government. Unfortunately, we cannot include the legislative branch of the Federal Government on this list, even though some State legislatures are using computers.

An article in the summer 1965 issue of the periodical, Electronic Age, entitled "Computers and Legislation," describes the use of computers by the Florida State Legislature. Let me cite a few excerpts from this article to indicate the feelings of these State legislators about the benefit of the computer to them:

> At the start of this year's Florida Legislature, it was anticipated that some 3,000 bills would be introduced during the two-month session. The total eventually reached 4,600.
>
> This spring, Florida's state representatives and senators for the first time were able to put their fingers quickly on any given piece of legislation—to answer an inquiry from a constituent, to follow the progress of bills with which they were directly involved, or to

evaluate measures they might wish to pursue.

"Evidence is clear to me now that this effort could in large measure revolutionize the legislative process," says Senate President James Connor. "These computer records give to each senator instant history of all bills and serve to answer many questions that formerly required extravagance in time and effort."

House Speaker E. C. Rowell has this to say: "I heard praise of our new electronic program ringing throughout the entire Capitol Center. Data processing certainly has found its place in the Florida Legislature."

Prior to the daily computer reports, legislators seeking information on a specific bill had to visit the office of the Chief Clerk of the House or Senate Secretary, a chore involving considerable time and inconvenience since as many as 150 actions can be taken on the floor or in committee on a bill before its enactment or rejection.

"Now they can tell at a glance the status of every bill," says J. Ed Straughn, Director of Florida's Revenue Commission, whose RCA 301 data processing system did the work in its spare time. "The reports keep legislators in close touch day by day with all actions taken by their colleagues. These reports of the previous day's actions, available before the next session began, made members of the 1965 Legislature better informed and, therefore, more effective representatives of their constituents and the State of Florida."

The system was adopted by the Florida Legislature on the Recommendation of Senate Secretary Edwin Fraser and Mrs. Lamar Bledsoe, House Chief Clerk, after an inspection of a computer project in Iowa. The Iowa system entails a time lag of one to two days. In Florida, a report on legislative action is available by 8 A.M. daily, including those taken in committee sessions the previous night.

In brief, every member of the Legislature has a need to know about all bills put in the hopper at the capitol in Tallahassee. Without such readily available reference to the tremendous volume of legislation on an up-to-date basis, he cannot operate at maximum efficiency. He is, in effect, in the same position as a scholar would be in a large library with no librarian and no index to direct him to the facts and figures he requires. To carry the comparison further, the scholar may track down his book but it may very likely not be the latest edition available.

It was this pressing need for a better way of doing things that prompted the House and Senate to send Mrs. Bledsoe and Mr. Fraser to Iowa to see what the state was doing with a computer in the field of legislative indexing. What they saw was good enough to convince them that Florida *had* to inaugurate a similar program.

"The modern computer equipment and techniques at our disposal make it possible to do a wide variety of things," says Director Straughn. "In effect, we can plow the date field, sow the seed, and reap the information harvest with the same tool."

These comments indicate the extent that one State's legislators feel the introduction of automatic data processing equipment has aided them in their functions.

On January 10, 1967, our distinguished colleague, the gentleman from Illinois, Representative Robert McClory, introduced the bill H.R. 21, designed in his words "to provide the Congress with an identified capability, based on automatic data processing devices and procedures, to retrieve selected information that is of priority value to the Members and committees." Thankfully, Mr. McClory was joined by several other of our distinguished colleagues who introduced like bills.

The Congress authorizes and appropriates huge sums for ADP equipment for the executive branch of the Government, but what are we doing to meet our obligations to effectively equip ourselves to carry out our responsibility to the American people? Current annual executive branch expenditures for ADP equipment and services alone amount to about the equivalent of 5 years of total expenditures for the entire legislative branch of Government. To me it seems quite evident that the longer we struggle without adequate tools to perform our job the greater will become the influence of the executive branch of Government at the expense of the legislative branch. Often, I have heard businessmen say that "sometimes the greatest saving you can make is an expenditure." Naturally, what these businessmen mean is that the expenditure made will be more than offset by savings in other ways through greater efficiency, reduced waste, larger sales, and so forth. In fact this is the underlying thought behind every business investment decision. The valid question for this body to entertain is: Would the availability of ADP services to the Congress improve our functioning sufficiently to offset the cost?

Mr. McClory, in his statement associated with the introduction of his bill to which I referred earlier, made some very pertinent comments that I feel are most fitting here:

> Mr. Speaker, with the convening of this 90th Congress, we slip another notch behind the executive branch in our ability to cope effectively with the complexities of modern government. Every Member of this body is familiar with the much-publicized information explosion which confronts us daily.
>
> Congressmen see it in its most unappetizing form—paperwork. Information comes to us in reports, books, periodicals, specifications, letters, memoranda, all of which must be screened, digested and filed for future reference.
>
> This is information on current legislation, future legislation, national issues, local issues, world problems—almost anything and everything imaginable. And perhaps the most discouraging thing of all is that much of it is useful information—most of which we cannot use. It is not that we do not want to use it; the problem is that we do not have the capability for using it.
>
> On the other hand, the executive branch has long recognized the utility of an automatic data processing—ADP—capacity for solving its own information handling problems. The number of electronic computers and punch card units in the departments and agencies of Government has risen from 90 in 1956 to a projected 2,252 for fiscal 1967. The total expenditure for ADP equipment and services in the executive branch for fiscal 1967 is estimated to be $1,292 million—an increase of $100 million from fiscal 1966.
>
> Yet despite the vast information handling capability which now exists in the executive branch—and the impressive capability which is also found in the business community—Congress continues to plod its way through the 20th century without the advantage of these management techniques. A management study by Arthur D. Little, Inc., reveals that "the use of high-speed computers to facilitate the work of Congress and its committees is almost nonexistent." The Little report goes on to state that the very nature of Congress' work "calls for flexible manipulation of massive data into many different arrangements for many different purposes. Only with large-scale computers can this be done thoroughly and economically."
>
> At a time when we are concerned with the inroads being made by the executive into the prerogatives of the legislative branch, we clearly have done little to equip ourselves to meet our own space age responsibilities.

Robert L. Chartrand, a specialist in systems and analysis in the Legislative Reference Service of the Library of Congress, in a report "Automatic Data Processing for the Congress" lists some of the potential applications of automatic data processing in support of the Congress. Here is the summary list:

The Congress as a Unit:
Status of pending legislation
Lobbyist activity information
Direct access to legislative research
Legal literature/informaton
Automated index/catalog of congressional documents
Payroll accounts of employees of Congress
Up-to-date Legislative telephone directory
Each Chamber as an Entity:
Current information on issues up for vote
Post-vote analytical information
Electric (remote) voting by Congressmen
The Committee or Subcommittee:
Current schedule of committees' meetings and hearings
Histories of committee action
Exclusive file for each Committee
Information of Federal contract awards
Appropriations statistics and information
The Individual Congressman:
Exclusive file for each Congressman
Selected readings of interest to Congressmen
Constituent information

Mr. Speaker, certainly there are numerous important applications that the Congress can make of automatic data processing equipment. But, the one area in which I think that it would be of the greatest value to Members of Congress would be the accessibility of more current and cumulative budgetary data to Members in their consideration of measures affecting revenue and expenditures of the Government.

Significant budgetary data such as previously granted obligational authority—obligated balances and unobligated balances; obligations incurred, estimated expenditures, and requested new obligational authority—appropriations—could be entered into the ADP equipment on both a functional and a program basis. Also, new obligational authority granted, changes in rates of incurring obligations, changes in estimated expenditures, and so forth, could be entered into the ADP equipment as the legislative session progresses. Thus, at any time, the most recent budget information on a cumulative as well as a functional and program basis would be available to the Congress. Similar significant revenue estimates could be entered into the ADP equipment and revisions to these data from time to time would allow the Congress more effectively to correlate expected expenditures with expected revenues and hopefully act as a restraint on our ever-mounting public debt.

Mr. Speaker, along with the development of the planning-programing-budgeting system—PPBS—recently initiated by the executive branch, it seems to me that it would be feasible for the Congress through the use of ADP equipment to evolve a budgetary information system that would provide both detailed and cumulative budget data. The budget could be broken down annually to show the estimated obligations to be incurred, and expenditures to be made on an individual program basis, and further broken down to reflect these data on a quarterly basis and more desirably, if practical, on a monthly basis. Against these estimates could be entered the actual data as it develops. Where there are significant differences between the estimated and the actual data, the Congress would immediately be made aware of it and not be in the situation as it was last year where expenditures were increasing at a faster pace than was generally known. The same type of programed data could be set up for revenues, thus alerting the Congress to any significant changes from the original estimates.

Mr. Speaker, this body, charged with the responsibility to pass judgment on all measures affecting the enormous funds received and dispensed by our Federal Government, has the obligation to the American public to utilize to the fullest extent the most effective tools available. We can ill afford to ignore the most versatile tool yet devised by man—the computer. I would urge the Congress to avail itself of automatic data processing equipment and to use it to regain its rightful control over the fiscal affairs of this country.

REPRESENTATIVE POFF NAMED COMMISSION VICE CHAIRMAN

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Taft] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TAFT. Mr. Speaker, my friend and colleague, the gentleman from Virginia, the Honorable Richard H. Poff, has been named Vice Chairman of the Commission on Revision and Reform of the Federal Criminal Statutes. It is significant to note that the Commission was created through legislation authored by Representative Poff in the 89th Congress. As you know, Dick Poff also serves as chairman of the House Republican task force on crime.

The Commission on Revision and Reform of the Federal Criminal Statutes will begin the long overdue task of streamlining our Federal Criminal Statutes.

This country is witnessing an unprecedented increase in crime. It has been reported that total crime in the United States between depression year 1937 and boom year 1964 increased some 80 percent. Population during that time period increased only 47 percent.

Crime shows no party preference. It honors no city, county, or State border. It is a severe national problem that requires early attention. I am certain that Dick Poff will provide effective, positive, constructive leadership for the Commission. Under Commission Chairman Pat Brown, necessary guidelines for revision and reform of the Federal Criminal Statutes could be written. I am confident that the Commission will perform a worthwhile task.

AMERICAN FARM BUREAU REPLIES TO STATEMENT BY HON. JOSEPH Y. RESNICK

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Snyder] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SNYDER. Mr. Speaker, an attack was launched on the American Farm Bureau yesterday by the gentleman from New York [Mr. Resnick]. I got the impression that he felt there was something wrong with a farmer's organization selling insurance or making a mutual fund available for its members, but I failed to understand what is wrong about it.

As a member of the American Farm Bureau, I am inserting their response at this point in the Record.

Washington, D.C., June 28.—The attack upon the American Farm Bureau Federation by Congressman Joseph Resnick, (D), New York, is based upon an abundance of misinformation and lack of understanding Roger Fleming Farm Bureau Secretary-Treasurer, said here today.

"Perhaps the best example of his ignorance of the subject," Fleming said, "was the Congressman's statement in a press release issued earlier today expressing amazement that there is any farming at all in Cook County, Illinois.

"Cook County is the home of some of the very best farmers in the nation," Fleming said. "I am shocked that a Congressman who presumes so much knowledge would not know that simple fact.

"Cook County, which also happens to include the City of Chicago, has more than 100,000 acres of land in farms, it sells more than $16,000,000 worth of farm products a year, and the average sales per farm total more than $22,000 annually."

Congressman Resnick released a broad scale attack upon Farm Bureau, the largest farm organization in the nation, only minutes before Fleming appeared as a witness before the House Agriculture Subcommittee on Rural Development.

In his statement, Resnick said the president of the American Farm Bureau Federation, Charles B. Shuman, lives in Chicago. Shuman's home is on his farm in Sullivan, in mid-state Illinois, and he never has had anything resembling a home in Chicago, Fleming said.

The Farm Bureau secretary-treasurer, who also is director of the organization's Washington Office, also pointed to numerous errors in the Resnick statement which purported to name officers of Farm Bureau and some of its affiliated companies.

"Farm Bureau is proud that over the years it has offered economic services to its members, and that, most importantly, Farm Bureau members have retained control and ownership of the affiliates providing those services. That is the way it should be.

"Farm Bureau is proud that its membership develops, makes and executes policy. It is proud, too, that its record membership of 1,703,908 families continues to grow. Farm Bureau's greatest referendum occurs annually when more than 1,700,000 families voluntarily pay their dues to become a part of this great organization."

Fleming said Resnick's statement is "a direct attack upon the elected leadership of Farm Bureau all across the nation, and it constitutes an insult to every Farm Bureau member."

During remarks at the hearing, Resnick said he intended to develop an investigation of Farm Bureau.

Fleming replied that he welcomed an investigation of all farm organizations in the country, and that Farm Bureau would cooperate in any such broad examination by any fact-seeking group.

CANALS: THE EUROPEAN EXAMPLE

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Mathias] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, the introduction today by a bipartisan group of cosponsors of the C. and O. Canal bill brings to mind an aspect of the development of this national asset that may be novel to some Members.

Mr. Speaker, countless American visitors to Europe have discovered the limitless pleasures of European waterways, which offer travelers a beautiful, unhurried trip through many parts of England, the Netherlands, Belgium, France, and Germany. A vital portion of this endless network is made up of canals, the large and small man-made waterways which still carry pleasure boats and commercial traffic through open country, small villages, and major towns. The preservation of these canals, and of the colorful and leisurely way of life which they promote, has added a new dimension to the old world.

The European example should encourage us to do as well right here. The Chesapeake and Ohio Canal, which begins at the doorstep of the Capital, is unexcelled in length, beauty and engineering complexity. Regrettably, since commercial use of the C. & O. Canal ended about 45 years ago, this pioneering public work has fallen into grave disrepair. Although the Pau Pau tunnel has been restored, most of its mileage has not been rewatered, and even its lower segment is now dry pending repair of the unfortunate break in the dike this spring. Yet the Canal towpath is used each week by thousands of hikers, riders, and cyclists. The recreational potential of a fully restored C. & O. Canal is virtually unlimited, and I am convinced that the example of other countries should inspire us to act now to bring the canal completely back to life.

Mr. Speaker, I am pleased that Justice William O. Douglas, the C. & O. Canal Association elected officials, conservation groups, and civic organizations in this area have given their full backing to my bill, H.R. 7201, to provide for the immediate development of the C. & O. Canal. The bill has been cosponsored by the gentleman from Pennsylvania [Mr. Saylor], the ranking minority member of the House Interior Committee, and by my two colleagues from Maryland, Mr. GUDE and Mr. MORTON. I am proud to announce today that an identical bill is being introduced by the following Members: Mr. BELL, Mr. MORSE of Massachusetts, Mr. REID of New York, Mr. REUSS, Mr. STRATTON, and Mr. UDALL.

Mr. Speaker, this is a relatively modest bill. It offers us a way to start on the canal, and a way to restore this historic national monument both as a valuable resource in its own right, and as the keystone of any broader Potomac Basin plan.

To indicate the potential for development of this historic waterway, I would like to call to the attention of the House the following article from Life magazine of June 23:

FLOATING ACROSS THE CONTINENT—WATERY BYWAYS TAKE TOURISTS ON IDYLLIC VOYAGES THROUGH EUROPE

The gaily pennanted boat appears to have blundered onto a Roman aqueduct, but it is very much on course, actually, and that course is simply taking it over an elevated canal in France. But such unexpected excursions are an everyday affair for the increasing number of Americans seeing Europe by waterway. Western Europe has an almost endless network of rivers and canals, which offer tourists a continent very different from the familiar one—and serves it up at a measured and stately pace no car or train can match. River banks are dotted with wildflowers and at every bend there is a stone-and-timber village which may not have changed in a thousand years. The visitor may charter a boat—for a cost ranging from $20 to $2,000—or bring his own. There is no problem with road maps or parking space, though the yachtsman should be forewarned that a boat can spend days navigating only a dozen miles during a traffic snarl. Even so, nothing is to prevent a skipper from turning the wheel over to an unwary guest, jumping ship and disappearing into the countryside, to catch up a few hours—or a week—later. The right spirit, that's what counts. "This is such a wonderful life," one American doing Europe afloat says. "If we don't see something today, we see it tomorrow."

FRESH BREAD, A SECRET AGENT AND A LOCKKEEPER'S CACTUS

(By Mary Leatherbee)

Floating through Europe in your own boat to me is a lazy and most agreeable way of traveling—no suitcases to pack, no reservations to make, the same bed each night. Everyone can do as he pleases—scurry around on shore or lie around on deck, sleep late or get up early. I myself barely could wait for daylight to jump ship and mosey around the town we had pulled into the night before.

It was the happy hour for dogs, cats and old men, all out to greet the day. I joined them on the empty, cobblestoned streets, being careful—after a couple of wettings—to stick to the middle of the streets where I wouldn't be splashed by buckets of soapy water sloshed through doorways onto steps. The highest church steeple served as my compass, helping me keep my bearings while wandering through the town. Early morning is a special time to see the old churches—the low sun shining directly through the windows heightens the colors of the stained glass and throws spotlights into the lofty gray gloom of the stone.

Outside I would get a new set of bearings from the fragrance of baking bread which would lead me to the *boulangerie*. With warm bread in my arms I would make my way to the fruit and vegetable stands, admiring the pyramids of apples and cabbages and bouquets of carrots and beets. I always bought something just to practice my French on the clerks, who had more time and patience at this uncrowded hour. Then, loaded with fruit and long loaves, I would return to the boat.

As our boat snaked through towns and farms, homes and backyards passed at what seemed to be arm's length. I looked right into the unconcerned eyes of a cow munching grass a few feet away and heard the grumbles of scowling fishermen if our boat moved too close to their lines.

On a barge that passed very close to us, two children were playing on top of the wheelhouse in a wire cage built so they wouldn't fall overboard. I played peekaboo with another child, inside the wheelhouse with his father, as he ducked in and out through is father's legs.

Right next to the gates of one lock, two little daughters of the lockkeeper sat in straight-backed chairs in front of a blackboard on an easel. Their busy mother went back and forth, cranking the gates for us and helping her children with their grammar.

Most of the lockkeepers had tidy gardens, but one old man who lived alone seemed to take special interest in planting. His vegetables and flowers were squared off with cabbages, carrots and salvia in a checkerboard garden. When I admired his design, his face opened up like a blossom, and he led me around the side of the house to see his pride—a 20-foot-high scrawny cactus plant. How did it survive the winter, I asked. He showed me how he burlapped its roots and maneuvered it through the window. Then he led me inside his living room to see a hole he had cut in the ceiling so the cactus could stand erect with its head in the attic. He had recently been offered $300 by a passing Belgian bargeman who wanted to take it home with him—"Those bargemen will pay anything to have something bigger or better than their neighbors." He had turned down the sale, as he felt he could get more. I thought he had passed up an extremely good bid—it looked to me as if the cactus was mighty tired of being moved.

"The people who live or work on the water," our captain explained, "are a different breed of mankind. There is a great bond between them and they will always give a hand, not like the fellow on the road who sees an accident and a man hanging in a tree and speeds on saying, 'I wonder what the hell he's doing up there.' "

We found this out in one stretch of the canal where there were many locks very close together. A boat had just gone through in the opposite direction, so the water in the locks was at the wrong level for us. At the first lockhouse, a girl dashed out and took off on her bicycle down the towpath to warn the gatekeepers ahead to raise the water—calling out our approach like a Pauline Revere of the locks.

Traveling by canal gave us a fine chance to try out the regional restaurants. At the Relais du Duc de Lorraine, which rates two stars in *Guide Michelin*, we had *jambon du pays*, chimney-smoked and salted with herbs, and I was introduced to a wine—Beaujolais *de l'année*. It is very young, very purple and very delicious. Only a few months away from the picking, it is rarely found outside of the Beaujolais district. It is almost always in vats, not bottled. M. Cleuvenot, our patron, described it is as *seigneurial*—a wine for nobility When the time came for desert, I ordered a honey-and-almond pie I had seen passing on the pastry cart. But M. Cleuvenot refused to let me have it. *"Le jambon,"* he said *"doit être accompagné en suite par des framboises."* His ham had to be followed by raspberries—thc pie was too heavy. Like all good chefs he was very bossy. I wanted pie. He said *framboises*. I had *framboises*.

In Fontenoy at La Cloche d'Or, we stuffed ourselves with hors d'oeuvres, *cote de veau, aubergines, Pont l'évêque*, apples and red table wine for about $2. A charming old man, a friend of the widow who owned the restaurant, stood by our table and shined each apple for us. He was very proud of his English, which he had learned during the war, and he told us of his narrow escapes as an underground agent. He was the "postbox" for messages between the Maquis and the English until the SS discovered his post office—a hotel room in Nancy. He got away but the next man who came for the pickup was executed. From this adventure story our friend launched right into a paean of praise for the restaurant. A man who ate here often, at this very same table, he said, died only recently. At the time of death he weighed 635 pounds! We showed appropriate astonishment, and he sailed on with more enthusiasm. "Yes, and at the funeral the body in the casket couldn't get inside the church door." It seemed time to leave the table.

Sometimes the boat had to pass through more than 20 locks within a few kilometers, and at these stretches we often rented cars and took jaunts through the countryside, joining the boat again at prearranged locks. We enjoyed getting to our destination the hard way, taking the tiny roads barely inked in on the map instead of the main routes. Naturally, we got lost and had to ask directions of people in the fields. When we asked one boy if he knew where Flavigny was, he answered, "Of course I know where Flavigny is, but I can't tell you how to get there." That was our problem too.

But we did find Flavigny, which is famous for a special candy—little white-coated licorice pellets, packed in tubular boxes, painted with romantic couples in bucolic scenes. I bought lots of these for the quaint charm of the boxes.

We drove the *"route des grands vins."* A few early fields were being picked, and we parked on a hillside where a family and some neighbors were gathering and pressing their own grapes. A Percheron, unharnessed from the cart, was munching on grape leaves. A small baby in a carriage was sitting in the shade with his grandmother, and about a dozen men and women bent over vines, filling their baskets with purple grapes. Two men stood in the unhitched cart cranking the press as the juice flowed into barrels. A young boy who had just dumped his loaded basket into the press was getting his reward—a dipper full of the sweet juice. I looked on thirstily and the men invited me to join them. I climbed up into the cart, was handed the dipper, and as the crowd called *"À votre santé,"* I eagerly drank—and almost choked trying to swallow a mouthful of seeds and pulp. Next time, I clenched my teeth as a strainer, and rivulets of red juice streamed down my chin.

We were in Nancy in Place Stanislas, with its golden gates and rippling fountains, when a wedding party appeared and cheered as the bride threw money into a fountain. Wine was flowing freely, and we were grabbed by the arms and pulled to the party in a cellar restaurant nearby. "American," a man yelled, giving me two big squushy kisses on the cheek. As an American, it was nice to be greeted this way in France today. This is Lorraine, great battlefield of both World War I and II. The country is dotted with shell holes and monuments, and the people are aware of the role the Americans played. They tried to tell me how they disapproved of M. de Gaulle's policy. But this was no time for politics. A man stood on a chair and called for silence. Down the stairs came a statuesque woman heavily made up. Standing under a small spotlight, she started singing à la Piaf. She was quite good and I joined the applause. The little bride turned her happy eyes toward me and said, "That's my uncle." I thought she had confused her sexes in speaking English, but a minute later, off came his wig, which he waved as they cheered. Well, I felt, there's nothing like meeting all the family.

The Moselle in Germany is swift and wide, and cruising on it after the quiet narrow canals of France was like being on an expressway after a country lane. At Trier I joined friends. Dr. and Mrs. Le Fevre, on a boat going north down the river toward Coblenz. I was brought up near the Mississippi, and it always bothers me heading north when going downstream, but that's the way the river flows.

Between Trier and Bernkastel the rolling, open banks are carpeted with vineyards. But now they had an unnatural aspect. The slopes shimmered under glossy plastic and fine netting; flags and tin pans fluttered and clanked in the breeze, and puffs of smoke came from muffled explosions. It was just before harvest and the nets and noise were to protect the grapes against marauding birds. Protruding above the arbors were gigantic sundials painted on boulders telling the harvesters when it was time to go home.

AN INDIAN WAR WHOOP FROM A RED CANOE

The locks of the Moselle were like hydraulic monsters after the little do-it-yourself ones of the French canals. I was standing on the embankment when a red canvas-covered canoe slipped in front of our boat, the *Hieronymus*. Seven of its eight places were occupied by husky Germans in striped T-shirts boasting the words *"Sportklub Mannheim."* They jested and jousted with their paddles, shouted to people along the bank and gave me a boisterous invitation, *"Komm und sieh,"* pointing to the vacant paddler's slot in the red canvas top. I think they were as surprised as I was when I slipped over into the boat. Out came a bottle of Moselle which was shunted back and forth like a loving cup, the gulps punctuated by *"prosits."* Suddenly the lock waters started to lower, and I had to scramble up a ladder built in the side of the lock. It was like trying to go up an escalator the wrong way—me going up while the waters went down. When the gates opened, the canoe slipped through the first crack and was whisked away in the swift current like a little red splinter.

Bernkastel is a fairy-tale town nestled on the riverbank beneath the ruins of a castle. The woodlaced houses with their high-peaked roofs looked pinched and wobbly as if they had been squeezed into the narrow streets. It was reverberating with the wine festival, and grabbing my bike, I headed for the action. Flags fluttered in the brisk wind from boats, bridges and rooftops. I cheered at boat races and nibbled on foot-long sausages. Finally exhausted, I climbed on my bike and started back to the boat. Riding down the bank I spotted in the distance one small moving object coming my way. It looked like a giant waterbug. Here were my friends of the sporting club, and as they passed, they upped their paddles to salute me and whooped like Indians in a war canoe.

Rummaging through stands of merchandise at outdoor village markets and small stores in Germany and France was a constant landside pleasure. I bought tasseled berets, floppy bonnets, thick homespun socks. I put together a choice yachting outfit from one such forage, a wide-striped bargeman's T-shirt which I wore under an authentic blue workingman's jacket along with my faded Cape Cod jeans. One purchase was less successful—wooden shoes which I had watched the farmers and fishermen along the banks slosh about in through muddy yards and wet grass. I purchased a pair to wear at my farm. But I have proved to be a clumsy clumper and have given up because I was always stepping out of one in the middle of a puddle. So far I have resisted making flower arrangements in them.

SESQUICENTENNIAL OF THE FARMERS & MECHANICS NATIONAL BANK OF FREDERICK, MD.

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Mathias] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, the vigor of a great nation is the sum of the efforts of its people and the success of the institutions that they establish. These institutions are of many kinds—religious, educational, governmental, and economic. In every one of these areas the United States has been fortunate, but in none more than in the development of our system of community banks.

In many areas of national interest today we are painfully aware that a lack of credit facilities can completely prevent progress. Without the kind of banks and financial institutions enjoyed by Americans since the Revolution our progress would undoubtedly have been much slower and more difficult. For that reason, the anniversary of a great banking institution is more than a private affair.

A banquet held in Frederick, Md., last night commemorated the 150th anniversary of the founding of the Farmers & Mechanics National Bank. The president of the bank, Benjamin L. Shuff, presided over the occasion which was attended by the Honorable William B. Camp, Comptroller of the Currency of the United States, Mr. Charles Schmitt, president of the Maryland Bankers Association, and representatives of banks throughout Maryland, and from financial centers such as New York, Philadelphia, and Washington.

The principal speaker was the distinguished Member of the other body from the State of Oregon, the Honorable Mark O. Hatfield. Senator Hatfield noted the commitment of early Americans to public service and community interests as a factor in the success of the Farmers & Merchants National Bank. He challenged the present and future generations to an equal involvement in public affairs as the only safeguard of the Republic.

The Secretary of the Treasury, the Honorable Henry H. Fowler, sent a message of congratulations which was read at the banquet and which I append here because of its timely interest.

June 24, 1967.

Mr. Benjamin L. Shuff,
President, Farmers and Mechanics National Bank, Frederick, Md.

Dear Mr. Shuff: I am glad to join with the many friends of the Farmers and Mechanics National Bank in extending hearty congratulations and good wishes on the occasion of your bank's 150th anniversary of service to its community, state and nation.

From its establishment in 1817 as the Fredericktown Office of Pay and Receipt of the Bank of Westminister, through its chartering as a National Bank in 1865, and up to the present time, the bank has played a responsible and significant role in the economic growth of the community it serves. That it has done so for a period of time considerably longer than most financial institutions is abundant proof of its ability to weather the storms of war and depression and to respond promptly and well to the challenges and opportunities that arise with each changing generation. The bank's own growth and achievement is intertwined with that of its customers and depositors, providing a stable foundation for continued progress.

Your own sense of gratification on this significant occasion must be heightened by the fact that you have played a guiding role in the bank's growth for almost a third of its long history. I hope that you and the other officers, along with the directors and employees, will accept my congratulations and appreciation for the devoted service that all of you have rendered to the cause of sound banking and to the strength of the National Banking System.

Sincerely yours,

Henry H. Fowler.

REPRESENTATIVE ERLENBORN ANSWERS CLARENCE MITCHELL'S LETTER

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the director of the Washington Bureau of the National Association for the Advancement of Colored People, Mr. Clarence Mitchell, wrote me on June 21, 1967, protesting the authorization of $7 million for the beginning of construction of an Atomic Energy Commission installation in Weston, Ill. I understand that a number of other Members received a similar letter from Mr. Mitchell.

This morning my Illinois colleague, Republican John Erlenborn, in a letter to all Members of the House, answered in a most persuasive manner each point raised in Mr. Mitchell's letter. Accordingly, I insert the text of Mr. Mitchell's letter to me and the text of Mr. Erlenborn's letter in the Record at this point in my remarks:

National Association for the
Advancement of Colored People,
New York, N.Y., June 24, 1967.

Hon. Paul Findley,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Findley: The Joint Atomic Energy Committee has approved the authorization of expending $7,333,000 for the beginning of construction design and other purposes in connection with the new Atom Smasher. We deeply regret that the Committee voted this approval. The Atom Smasher will be built in an area that has a notorious record of racial discrimination in housing. Some of the same forces responsible for this discrimination have also fought fair housing legislation in the Illinois legislature. We urged the Committee to withhold approval, at least until it could be determined whether Illinois would ease the problem of housing discrimination by enacting a fair housing law.

At this point, the provision of funds for the project in Illinois amounts to giving a federal subsidy for racial segregation in housing. This is all the more disturbing because there were at least five states in which sites were available and which also had workable fair housing laws. Therefore, we urge that you vote against this item when it comes to the floor.

Sincerely yours,

Clarence Mitchell,
Director, Washington Bureau.

Congress of the United States,
House of Representatives,
Washington, D.C., June 27, 1967.

Dear Colleague: Included in the House's program for Wednesday is the 1968 authorization for the Atomic Energy Commission. An item will be $7,333,000 to start work on the world's largest atom smasher at Weston, Illinois.

You have received a letter from Clarence Mitchell of the NAACP urging that you vote against this item because Illinois does not have an open occupancy law. To locate the research facility at Weston, he says, is "disturbing because there were at least five states in which sites were available and which also had workable fair housing laws."

Since early February, when this racial question arose as a reason for opposing Weston, I have held forth this challenge:

Name me the place in the United States—or, for that matter, in the world—that is without racial prejudice.

So far, nobody has chosen to accept that challenge. Note that Mr. Mitchell is careful not to do so. The other five sites have "workable fair housing laws," not less discrimination than Weston.

But housing laws do not end discrimination, and that is the other side of the coin. I ask that you read the NAACP resolution, passed just a year ago, on this subject. It is included herewith.

Weston is in Du Page County, which is a major part of the 14th District, which I represent. Mr. Mitchell calls it "notorious." I reject that description. Here are some facts about the Weston neighborhood:

1. West Chicago, the nearest city to Weston, has open housing but no open housing law.

2. Wheaton and Glen Ellyn are two larger towns nearby. They, together with the small town of Winfield, have started the Central Du Page Program for Better Living, a voluntary open housing plan. Presently, almost two-thirds of the new listings are offered on a non-discriminatory basis.

3. In recent months the plan has spread to the neighboring towns of Lombard, Villa Park and Elmhurst. About 15 per cent of the listings in these towns are non-discriminatory. More than half of the people in Du Page County live in these seven towns, West Chicago through Elmhurst.

4. The number of Negro families looking for homes has increased markedly in these towns in the past two years. A few homes have been sold to Negroes—enough to attest the good faith of the people.

5. Joliet, largest city in the 14th District, has started work on an open housing ordinance with endorsement by the Chamber of Commerce.

A colleague of Mr. Mitchell testified before the Joint Committee on Atomic Energy. He opposed the Weston site on racial grounds. He was asked: "Are you familiar with Du Page County?"

"Just slightly," he replied, "and mostly statistically."

I don't believe the people around Weston are "notorious," even when viewed statistically.

They are good people . . . have built good communities . . . have built some of the best schools to be found anywhere (which will be available to the children of scientists who will work at Weston) . . . have never permitted segregation—de facto or otherwise—in their schools . . . have an educational and cultural level well above average.

Like all others, they have problems and they have, over the years, shown a praiseworthy willingness to work towards solutions. I don't believe anybody at Weston will have any problem because of his race. In the 14th District, when we say, "Life, liberty and the pursuit of happiness," that's what we mean.

Yours sincerely,
John N. Erlenborn,
Member of Congress.

Resolution Adopted June 6, 1966 by the National Board of the National Association for the Advancement of Colored People

Whereas the U.S. Atomic Energy Commission has decided to construct the world's largest atom smasher at an initial cost of $375 million and

Whereas the question of site selection has been reduced to six communities located in New York, Michigan, Illinois, Wisconsin, Colorado and California, and

Whereas a part of the criteria for final selection of a site is the question of race relations in each of the respective communities, and

Whereas we recognize that racial discrimination exists in each of the six communities now under consideration, we also believe that the degree of difference, if any, between such discrimination in one as opposed to the other is not great enough to justify the NAACP in taking sides in the matter; now therefore, be it

Resolved that the NAACP expresses no preference with respect to the question of selection of a site for the atom smasher planned by the Atomic Energy Commission.

Mr. Erlenborn, like myself, supported the open housing legislation last year, but as he pointed out, "housing laws do not end discrimination." Mr. Mitchell has confused legal statutes with human realities. My colleagues' letter cites dramatic proof that the people of his district are moving toward achieving the spirit of open housing even though the Congress failed to pass the bill last year, and the Illinois legislature may fail to enact a State law on open housing. To punish Weston, which has moved to solve its own civil rights problems, for the failure of others to act either legally or in principle is a perversion of logic. The people of the 14th District of Illinois have moved toward the elimination of racial discrimination in housing not because of legislative fiat or compulsion but because they know it is right. No one suggests a sudden or dramatic overnight change. Neither would there be such a transformation if an antidiscrimination housing law were passed.

PANAMA CANAL

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FINDLEY. Mr. Speaker, "the status of the Panama Canal should not be altered in any way before a final decision is made on the location of the new sea canal. The new treaties, concluded in haste, are an accommodation to the political needs of the Panamanian Government."

This was the essence of a statement approved yesterday by the House Republican Committee on Western Alliances, which I serve as chairman. It was prepared by a task force consisting of Representatives Sherman P. Lloyd, of Utah; William O. Cowger, of Kentucky, and Rogers C. B. Morton, of Maryland.

Other members of the committee are: Representatives E. Ross Adair, of Indiana, William C. Cramer, of Florida, Marvin L. Esch, of Michigan, Seymour Halpern, of New York, William S. Mailliard, of California, Alexander Pirnie, of New York, Albert H. Quie, of Minnesota, William Roth, of Delaware, Herman Schneebeli, of Ohio, Charles W. Whalen, of Ohio, and Larry Winn, Jr., of Kansas.

Full text of the statement follows:

The status of the Panama Canal should not be altered in any way before a final decision is made on the location of the new sealevel canal. The special commission on the Isthmus Canal which has been studying the problem for nearly two years is not expected to report its final recommendations until late next year.

The new treaties concluded in haste are an accommodation to the political needs of the Panamanian government. As reported in the New York Times, they are timed so that the Panamanian Congress can ratify them prior to the May, 1968 elections.

The Panama Canal is a convenient and vital transportation link for the maritime nations of the world. It is of critical importance to the success of the Latin American Common Market. To the United States the canal is an important adjunct to national security and interstate commerce and of crucial importance to our war effort in Viet Nam. It represents a cumulative investment of more than 4 billion American tax dollars.

Obviously, hasty settlement of such far-reaching interests must be avoided.

The maritime nations, the American republics, and particularly the people of the United States, must have full and timely disclosure of all the facts surrounding the treaty prior to any final commitment.

It is imperative that we avoid a Suez-like disaster in Central America. The forces of subversive Communism operating through their Cuban Nasser would welcome any opportunity to deprive the free world of peaceful access to the canal. The 1966 Tri-Continental Conference in Havana announced as its goal the destruction of the non-Communist governments of the New World. The Latin American Solidarity Conference, also in Havana, formalized procedures to implement this goal. The activities of externally supported Communist guerrillas in Bolivia, Colombia, Guatemala, and Venezuela are clear evidence that these forces are hard at work. The recent decision of the Organization of American States to investigate the efforts of Fidel Castro to overthrow the government of Venezuela underlines the seriousness of this threat.

The most sympathetic consideration of the needs of one-and-a-half million Panamanians cannot justify endangering the best interests of the maritime nations and 450 million Americans living between the Arctic Ocean and Tierra del Fuego.

WHITE HOUSE RESPONDS TO STATEMENT URGING VIETNAM DISPUTE BE SUBMITTED TO WORLD COURT

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FINDLEY. Mr. Speaker, on May 26, 1967, I wrote the President requesting that the United States refer the legal issues in the Vietnam dispute to the International Court of Justice at The Hague for impartial third party adjudication. I have introduced the proposal in the form of a concurrent resolution (H.J. Res. 586) which would amend the Gulf of Tonkin Resolution of 1964 to require that we submit the dispute to the Court. The essential issues in the Vietnam war—as I outlined in my letter to the President—are primarily legal. Since as a nation we are committed to the rule of law rather than the rule of force as an instrument to settle international disputes, it would be in keeping with our highest traditions to refer the issues to the Court.

Impartial third party adjudication through the International Court of Justice provides a satisfactory way for the principal parties in the conflict, South Vietnam, North Vietnam, and the United States to secure a peaceful disengagement with minimum loss of face.

On May 29, 1967, Walt W. Rostow, the President's Special Assistant for Foreign Policy Matters, replied to my letter to the President. I had presented the proposal to him personally. The administration did not adopt this suggestion, but I am confident that it was given careful staff attention because of the detailed nature of Mr. Rostow's reply. Accordingly I ask that his letter be made a part of my remarks at this point.

THE WHITE HOUSE,
Washington, May 29, 1967.

Hon. PAUL FINDLEY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FINDLEY: The President has asked me to reply to your letter of May 23, 1967 concerning the possibility of recourse to the International Court of Justice for adjudication of the issues involved in the conflict in Viet-Nam. We appreciate your thoughtful suggestions, but we also see a number of difficulties in them.

The United States is a party to the Statute of the International Court of Justice and has accepted the compulsory jurisdiction of the ICJ. We have been seeking and will continue to seek to achieve a peaceful solution to the conflict in Viet-Nam through the organs of the United Nations, through direct negotiations, or though any other procedure which offers any promise of facilitating the conclusion of an early, just and durable peace in that part of the world. We are convinced that our actions in Viet-Nam are in accord with international law and with the United Nations Charter, and we would not object to the consideration of the Viet-Nam question by the ICJ if that could serve any useful purpose.

Unfortunately, at the present time, there does not appear to be any practical possibility that the International Court of Justice can help to bring peace to Viet-Nam. Neither North Viet-Nam nor any other Communist state has accepted the compulsory jurisdiction of the International Court of Justice, and Communist countries have refused to accept the Court's jurisdiction when the United States has instituted proceedings against them in the past. North Viet-Nam cannot be compelled to come before the Court, and there is no reason to expect that it would submit the question of the legality of its use of force against South Viet-Nam to the judgment of any impartial tribunal. In these circumstances, resort to the Court by the U.S. could be widely interpreted as an empty propaganda gesture.

Under the UN Charter, the maintenance of international peace and security is primarily the responsibility of the Security Council. We have twice initiated discussions of the Viet-Nam conflict in the Security Council, but North Viet-Nam and Communist China have denied the competence of the United Nations to consider this dispute and have maintained that any decisions by the United Nations would be considered "null and void." Furthermore, in the absence of agreement in the Security Council, we believe it unlikely that the majority of members of the General Assembly would wish to take any substantial decision on the Viet-Nam issue.

Without wishing in any way to minimize the importance to a stable world order of impartial international settlement of legal disputes, I must note, nevertheless, that the Vietnamese conflict involves many political issues which a court could not be expected to resolve. What is needed most is a willingness on the part of North Viet-Nam to negotiate a settlement that protects the legitimate interests of both North and South. I do not believe that efforts to submit the legal issues involved to the International Court of Justice would be likely to enhance the prospects for such a compromise settlement.

Thank you for sending your suggestions on these matters. We are most anxious to examine every possible avenue to peaceful settlement of the conflict in Viet-Nam. We believe that it is impossible to devise a fair accommodation of the legitimate interests of both sides, and we shall continue to make every effort to bring about a settlement with that end in view.

Sincerely yours,
W. W. ROSTOW.

In several important respects I dissent from the conclusions Mr. Rostow reaches regarding my proposal. Mr. Rostow's contention: "We are convinced that our actions in Vietnam are in accord with international law and with the United Nations Charter," does not mean, in fact, that our actions are necessarily consistent with the generally accepted principles of international law, the United States Constitution, or the United Nations Charter.

In fact, there is a considerable body of opinion which holds to the contrary. Some of the evidence gathered by these critics is impressive and we should be willing that it be taken into account. The announcement of virtuous ends does not relieve us of the responsibility to see that our policy is consistent with the ends which we have established. That the White House feels our actions are in accord with international law is of course not surprising, but the general body of world opinion remains to be convinced.

The fact that North Vietnam has not accepted the compulsory jurisdiction of the Court is not material to my proposal for general reasons.

First, by its application for membership in the United Nations, North Vietnam has expressed its willingness to accept peaceful settlement of international disputes. Presumably North Vietnam would expose itself to public censure if it refused to honor principles to which it has assented in writing.

Second, it is not necessary for a nation to have previously accepted the jurisdiction of the ICJ before a suit is filed. North Vietnam could accept the jurisdiction of the ICJ at the time the issue was joined.

Third, even assuming North Vietnam—or South Vietnam—refused to accept the jurisdiction of the ICJ, the United States could nevertheless ask the United Nations Security Council or General Assembly for an advisory opinion from the ICJ on the issues involved.

Mr. Rostow is correct in stating that "under the U.N. Charter, the maintenance of international peace and security is primarily the responsibility of the Security Council." However, the maintenance of peace is not the exclusive responsibility of the Security Council as the United States itself contended at the time of the adoption of the "Uniting for Peace Resolution" in 1951. Indeed this position has been affirmed by the ICJ itself in its advisory opinion on United Nations Peacekeeping Expenses in Suez and in the Congo.

The fact that North Vietnam and Communist China have denied the competence of the United Nations to consider this dispute is again immaterial. We should continue to stress some type of negotiation through the United Nations institutions in order to accomplish a political settlement, or failing in that, continue to expose North Vietnam for its unwillingness to accept United Nations adjudication of the dispute.

It is entirely possible, as Mr. Rostow stated, that if there was an absence of agreement in the Security Council on this matter the General Assembly would not want to take the issue to the ICJ. However, history records an exception to this theory. The General Assembly was willing to refer the question of U.N. peacekeeping expenses to the ICJ notwithstanding the opposition of two of the permanent members of the Security Council, France and the Soviet Union.

I would be willing to concede that many of the issues in Vietnam are political. But the basic questions involved are legal, not political. I set out in my letter to the President interpretations of the Geneva Accords of 1954, the United Nations Charter, the SEATO Treaty, and general principles of international law involving these legal questions.

In the search for peace in Vietnam I hope that the White House and State Department will continue to give every proposal serious consideration and not be blinded by self-fulfilling prophecies and overly optimistic statements on the progress of the war. I am grateful to Mr. Rostow for his courteous and serious attention to my proposal. Perhaps at some later date he may determine that it or some part of it merits additional attention.

APPROPRIATION BILLS STILL PENDING

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANGEN. Mr. Speaker, Congress has again reached the end of a fiscal year without passing the necessary appropriations bills on time. Until today, only one Department—Interior—knew how much money it would get for the new fiscal year starting this Saturday. The others will operate under a continuing resolution without actually knowing what Congress will eventually appropriate.

In fairness to the House Appropriations Committee, Mr. Speaker, nine regular appropriations bills and two supplementals have been cleared. The Committee on Appropriations cannot proceed with the five remaining bills until authorizing legislation clears Congress.

One example is the foreign assistance program, commonly known as foreign aid. There is no guarantee that Congress will even authorize a program in foreign aid for the next fiscal year, much less appropriate the money for it. But under the continuing resolution, foreign aid funds will continue to be dispensed without proper direction being provided by the legislative branch of the Government. This is unpardonable, considering the serious doubts in our aid programs following the Arab-Israeli war.

I hope that Congress will eventually trim at least $5 billion from the budget requests by the time all of the appropriations bills have been passed. In the nine regular appropriations bills passed by the House so far, over $2.8 billion has been cut from the budget requests. We can trim at least another $2.2 billion from the remaining requests, and it is hoped that the Senate sustains these cuts. We must accomplish some fiscal restraint, because we are in real fiscal difficulties in this country today.

CONGRESSMAN WHALEN ANNOUNCES ADDITIONAL SUPPORT FOR THE MIDDLE EAST RESOLUTION

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Whalen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WHALEN. Mr. Speaker, since 54 of my colleagues joined me in introducing a resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East over a week ago, I have recirculated the resolution.

I was prompted to seek the support of other Members by the remarks of Soviet Premier Alexei N. Kosygin on Sunday, June 25, 1967.

Mr. Kosygin, according to a transcript of his remarks printed in the New York Times on Monday, June 26, 1967, stated that Israel must withdraw from the territory it occupied following the cease-fire before negotiations can begin.

Mr. Kosygin said:

> In order to start the consideration of the possible peaceful solutions of the problems of the Middle East it is necessary as a first step to achieve the withdrawal of forces behind the armistice line.
>
> That is the most important. It is indeed the total question today.

I agree with Premier Kosygin that the question of withdrawal is of prime importance. But, as I stated in my resolution, acceptance of this precondition of Israeli withdrawal would repeat the mistake of 1956 which led to the resumption of hostilities 11 years later.

Mr. Speaker, I am happy to report that the number of Members of this House who recognize the validity of this point and who have introduced identical or similar resolutions has increased to 92.

The additional 38 Members who have introduced resolutions as of today and since June 20, 1967 are: John B. Anderson of Illinois, James C. Cleveland, Joseph E. Karth, Tim Lee Carter, Henry Helstoski, Alexander Pirnie, William D. Ford of Michigan, Edwin D. Eshleman, Robert Price of Texas, George M. Rhodes of Pennsylvania.

Edward R. Roybal, Robert N. C. Nix, Robert J. Corbett, Benjamin B. Blackburn, James Harvey, William S. Broomfield, Frank Thompson, Jr., of New Jersey, Thaddeus J. Dulski, William R. Anderson of Tennessee, Frank M. Clark.

Frank J. Brasco, Fletcher Thompson of Georgia, Brock Adams, James R. Grover, Jr., Horace R. Kornegay, Carl D. Perkins, Thomas L. Ashley, John R. Dellenback, Emanuel Celler.

Abraham J. Multer, Herbert Tenzer, Joseph J. Addabbo, Jacob H. Gilbert, Edna F. Kelly, Claude Pepper, Joseph Y. Resnick, Lester L. Wolff, Leonard Farbstein.

GLASSBORO SUMMIT

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. Hunt] is recognized for 10 minutes.

Mr. HUNT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HUNT. Mr. Speaker, on June 23, 1967, without any advance notice, a summit meeting was conducted at Glassboro, N.J., between President Lyndon B. Johnson and Premier Alexei Kosygin, of the Soviet Union. The exact site for the meeting was in the home of the president of Glassboro State College; namely, Dr. Thomas E. Robinson. The house itself has for many years been known as Hollybush and has traditionally been the residence of presidents of the college.

Glassboro College was formerly the Glassboro State Teachers Normal School, but the college has grown so large during the past 15 years that it is now a 4-year accredited State college specializing in teachers' education and a liberal arts course.

I know the house very well, having visited there on many occasions. It is located about one and a half miles from my home. I live in Pitman, N.J., which adjoins Glassboro directly. Both towns have a population of about 10,000 people each.

The honor of having a summit meeting at Hollybush is something that the people of Glassboro and Gloucester County will never forget. Although I was not invited by Gov. Richard Hughes of the State of New Jersey to attend the welcoming functions, nevertheless, I did visit the campus during the initial summit meeting on June 23, 1967.

I am proud to say the meeting was conducted in the First Congressional District and I am likewise extremely proud of the reception that was accorded President Johnson and Mr. Kosygin. The deportment of our people was exemplary with none of the usual fanfare of kooks, disgruntled people, draft card burners, and so forth, in evidence. Our people greeted the leaders enthusiastically knowing full well that this meeting could be the means of averting world war III.

We are hopeful that many good things came from the discussions that were conducted by the two leaders, not only on June 23, 1967, but at the subsequent meeting on Sunday, June 25, 1967. All of the world looks anxiously to the future, hoping that the summit meeting will bear fruit and be instrumental in worldwide peace. Although indications at the present do not point toward an early solution of the Middle East crisis and the Vietnam situation, the people are still hopeful that statesmanship will prevail as a result of this meeting.

I am inserting in the Record today several articles that appeared in different papers which will indicate to the entire world the attitudes of the people of Glassboro, N.J., and Gloucester County.

The first article was published by the Courier-Post newspaper, of Camden, N.J., under a dateline of June 23, 1967, and carries a thumbnail description of Dr. Thomas E. Robinson, our esteemed president of the Glassboro State College. I have known Dr. Robinson since childhood, due to the fact that we were both raised during our teenage years in the same locality in Trenton, N.J. He is an outstanding educator and a gentleman of the highest caliber. His wife, Mrs. Robinson, has long been known in our community as a gentlelady.

The second insertion that I am making today was likewise printed in the Courier-Post of Camden under the dateline of June 23, 1967, and was captioned "Leaders Hailed by Throng." The article was written by Bob Houriet and Lee Daniels, two outstanding writers of the Courier-Post staff. Their article carries a thumbnail description of the actions exhibited by Glassboro residents, which, in my estimation, depicted the friendly nature of our people.

The third article was printed in the New York Daily News under the dateline of June 24, 1967, and was written by Joe Cassidy, staff correspondent of the News. He likewise indicates the attitudes of some of our people in the greetings to President Johnson and Mr. Kosygin.

My sincere wish is that the summit meeting which has just been concluded at Hollybush will be the answer to many of the personal prayers offered up by the Glassboro citizens and the people of the First Congressional District of New Jersey, which I represent.

The articles follow:

[From the Camden, N.Y. Courier-Post, June 23, 1967]

Glassboro President Robinson Named Man of the Year

(By Charles Petzold)

Glassboro.—Two months ago Dr. Thomas E. Robinson, president of Glassboro State College, was named "Man of the Year" for "putting Glassboro on the map."

Under the 62-year-old Trenton native's guidance, the 44-year-old institution's enrollment has grown from 418 undergraduate students to more than 3,000 students plus 3,500 part-time and graduate students.

Dr. Robinson, tall, gray-haired and distinguished looking, has been president of the college since 1952.

The former superintendent of Mercer County schools, a position he held from 1944 through 1952, is the institution's third president. He received a B.A. degree at Lehigh University, an M.A. at University of Pennsylvania and D.Ed. at Rutgers University.

From the time he was graduated from college in 1926 until 1944, Dr. Robinson was employed in the Trenton school system, where he served progressively as a teacher and a principal before becoming the Mercer County superintendent.

The educator lives with his wife, Margaret, in a colonial style home on the Whitney Mansion grounds. The home, built in 1849, now is known as "Hollybush."

According to Samuel E. Witchell, associate professor of social studies, the home once was owned by a man named Whitney who was prominent in the glassmaking industry.

"Whitney entertained many prominent guests in this home," said Witchell. "But none as important as this."

Dr. Robinson, married for 38 years, has written a handbook on public relations and magazine articles and has coauthored textbooks on reading, English and character development.

He is a member of the New Jersey State Board of Examiners, chairman of the New Jersey School Building Code Revision Commission, the National Education Association's Citizenship Committee and the board of directors of the Southern New Jersey Development Council.

He has served as NJEA vice president, editor of the NJEA Review. He also edited "It Starts in the Classroom" and other publications.

[From the Camden (N.J.) Courier-Post, June 23, 1967]

Gay Glassboro: Leaders Hailed by Throng

(By Bob Houriet and Lee Daniels)

Glassboro.—With Fourth-of-July bunting, bouquets of roses and appeals for peace, this borough of 11,000 hosted an historic meetings of East and West.

They took off from work and jammed streets, half a dozen deep to catch a glimpse of the motorcades bearing President Johnson to his confrontation with Premier Alexei Kosygin.

Many of the old houses of this sedate town decked their doorways with flags.

One house flew two sheets from its windows on which were scribbled: "Welcome to Glassboro, World Leaders," and "End World Conflict."

DELUGE OF FLOWERS

For the most part, the reaction of residents was reserved. Only once was there an emotional outburst—when a crowd broke through a yellow rope separating them from the President and pelted him with red flowers.

Most residents, despite their curbside wait, missed the arrival and meeting of the two world leaders.

But 150 persons sneaked under police lines and stood in the pine trees beyond the outfield of the baseball field where President Johnson landed at 10:33 in an olive and white helicoper bearing the Presidential emblem.

The wind from the descending copter whipped the trees in the outfield.

After the Presidential party was welcomed, the motorcade swept away to "Hollybush," the ivy-covered home of the college president.

A hush fell over the crowed as a long line of state police cars preceded Kosygin's limousine into the driveway in front of Hollybush.

On the porch, President Johnson and Secretary Rush waited with smiles as the Soviet entourage approached. The crowd remained quiet as the two men shook hands warmly.

BUILDINGS ISOLATED

The mansion and other administration buildings of the college are isolated from the rest of the town by small, winding streets bordered with tall trees. A massive police force kept the townspeople and swarms of out-of-town visitors out of the campus area.

Simply the knowledge that a Summit Conference was at hand was excitement enough for some.

A housewife in a red and white seersucker dress stood perspiring in the crowd and commented, quietly: "This is really a terrific thing."

There was none of the delerium of the big-city ticker-tape parade. This is a conservative town of large, old houses, set back from the streets with large trees, shading lawns which lack the dark green of pampered suburban lawns.

PATRIOTISM DEMONSTRATED

There were no demonstrations, except for patriotism.

Typifying the spirit of the town were two college students, both seniors from Woodbury. "When we see Kosygin we're going to give him a rousing cheer," said John Troxell.

"It's about time that he realized that most college students are not anti-American."

Many of the stores closed for the day. The most conspicuous sign of commercial activity was a balloon salesman who quickly sold out his stock.

Some women put on their Sunday best for the occasion. Others wore bermudas, their hairs in curlers and tried to keep small children, waving American flags, in tow.

Glassboro residents awoke to find television, telephone installers pacing the streets. Newsmen packed the town's only diner. One telephone worker, exhausted after an all night's work, greeted the dawn from the porch of the brick-faced Franklin House and sipped a can of beer.

It had been a long night's work for many persons.

[From the New York Daily News, June 24, 1967]

Glassboro's Folks Make It a Hopeful Holiday

(By Joe Cassidy)

Glassboro, N.J., June 23.—Mrs. Susan Weisner stood on the side porch of her large white house on Academy St., one of many streets of big, old houses in this South Jersey community.

A freckled, graying blonde in her mid-40's, she came out this morning to attach four small American flags to the peeling porch rail and was looking past them to the yard below when she spoke.

"I hope that when they finish talking today, they'll be a lot fewer families who'll be needing these." She said this aloud as her gaze fell on the grim rows of granite headstones and grave markers that stud her lawn like mute sentinels.

Her husband's family has been in the cemetery monument business since 1895, not a very long time for this town of 8,000 persons, many of whom can trace their family roots back to the Revolutionary War.

RED, WHITE, AND BLUE EVERYWHERE

But it was the current global conflict that thrust this community, one described today by New Jersey's Governor as the "typical rural American town," into the world's spotlight.

And the townspeople responded as if believing that by their own exuberance, by the sheer force of their own confidence, that the summit conference in their midst would succeed, that it had to.

Flags flew from hundreds of homes, waving desultorily in the muggy air. Others hung from shop windows and on hastily erected flagstaffs along Main Street.

Throughout the morning little knots of people, neighbors to one another, would meet and talk of nothing but the confrontation between Johnson and Kosygin at "the college."

A young couple, Yvonne and William Burgess, spent the pre-dawn hours on a 20-foot roll of freezer wrapping. With a spray can of blue paint, they covered the aluminum sheet with, "Welcome World Leaders—End The Conflict."

Then they hung it across the front of their green-shingled home. Why? "We felt we had to do something," the young woman explained simply.

THE LOCAL PRESS PLANS AN "EXTRA"

It was like the Fourth of July in Glassboro today. Many shops closed early so the help could walk up the hill to the college where the meeting was held. The poolroom was closed all day.

Bill Schwoebel jr., editor-in-chief of the weekly Glassboro Enterprise, announced that he would "come out with an eight-page extra—and by Monday if we can meet our deadline."

In Marie's beauty salon, a five-dryer emporium on Main Street, Mrs. Edward Walton asked Marie Fischer if she could "hurry with my hair. I want to see the President." The shampoo and set were accomplished in record time.

By 10 A.M. the lawns of the homes on Whitney St., those directly opposite the house where the principals were to meet, were jammed. There must have been 1,500 people. More of them were packed along roads surrounding the campus.

The holiday mood of the throng was heightened by the arrival of an elderly man selling red and blue balloons and paper birds on sticks, the kind that whistle when you wave them in the air.

Business was as brisk for the balloon man as it was for the ice cream vendors. There were in the crowd some lost children who cried and some tired children who cried until patient mothers, in house dresses or shorts, comforted them as they waited to glimpse the two men who held the fate of so many in their hands.

At 11 o'clock while the President was waiting for a tardy Kosygin to arrive, he walked to the low bluff overlooking the street, and when the crowd saw him there was pandemonium.

FLOWERS THROWN TO PRESIDENT

Johnson waved and the crowd surged forward as one, the state and local police unable to control them. But they were good natured as they shouted "Hello," and "Hi." The more Johnson waved at them, the more they shouted. Someone threw a bouquet of roses his way.

When the Chief Executive went to meet the Soviet premier at the doorway of the old stone house, the crowd settled down, for a long wait.

They sat on the lawns, the adults among them wondering what was being decided across the street beyond the tall trees.

NEW AND SHARPER TOOLS FOR LAW ENFORCEMENT

The **SPEAKER** pro tempore (Mr. Edmondson). Under a previous order of the House, the gentleman from Virginia [Mr. Poff] is recognized for 60 minutes.

Mr. POFF. Mr. Speaker, the war on crime to be successful must be planned both long range and short range. My concern is that action begin now.

To that end, the able Senator from Nebraska and I are introducing today in our respective Houses a package of bills designed to modernize old criminal statutes and adapt them to the new challenges which crime poses. The package will not only sharpen old tools but forge new tools of law enforcement.

My package contains three bills:

First, a bill prohibiting the investment of funds illegally acquired from specified criminal activities in a legitimate business concern;

Second, a bill prohibiting the investment in such concerns of funds legally acquired but deliberately unreported for Federal income tax purposes; and

Third, an omnibus bill to improve criminal procedures in such areas as searches and seizures, gathering of evidence, no-knock entries for capture of perishable evidence, appeals for suppression orders, witness immunity, perjury definition, and obstruction of investigations.

ORGANIZED CRIME

The first two bills in the package are aimed at organized crime. Organized crime, which crosses State lines and employs the resources, vehicles and paraphernalia of interstate commerce, is a national problem. As such, Federal jurisdiction is unchallenged and Federal responsibility is undisputed.

Organized crime is a threat to the American free enterprise system. Trafficking in vice and greed and all the ignoble human frailties, syndicated crime has a gigantic earning power. Receipts from illegal gambling alone have been estimated at up to $50 billion a year. This earning power has created a reservoir of wealth unmatched by any legitimate financial institution in the Nation. As the President's Crime Commission elaborately documented, organized crime's overlords have tapped this reservoir and invested its funds in wholly legitimate business activity. Because resources are practically unlimited, the crime syndicate has the power not only to acquire and control an individual business establishment, but, by massive purchases and sales on the stock market, to manipulate capital values and influence price structures. By careful, methodical, clandestine infiltration of several segments of a particular industry, organized crime can use its vast concentration of dollars to create monopolies and, by coercive methods, to restrain commerce among the States and with foreign nations.

Clearly, the investment in a legitimate business of funds illegally acquired or funds legally acquired but unreported for tax purposes constitutes an act of unfair competition and an unconscionable trade practice against others engaged in that business.

The first two bills in my package are new. They are intended to activate the antitrust laws in a more vital way and focus their application upon the problem of organized crime.

As indicated earlier, the first bill would outlaw the investment of income derived from specified criminal activities in legitimate business. The activities specified are those typical of syndicate conduct. They include gambling, bribery, extortion, counterfeiting, narcotics traffic, and white slavery. This bill would bring to bear upon organized crime the criminal penalties and civil sanctions currently defined in the Sherman Act. Equally as important, if not more so, this bill would give Federal investigators broader and more certain jurisdiction to investigate the activities of syndicated crime and identify its illegal revenue sources.

The second bill would outlaw the investment in legitimate business concerns of income derived by organized crime from other legitimate enterprises if such income has not been reported for Federal income tax purposes. This bill would furnish the predicate for investigation of the myriad ramifications of organized crime's infiltration into the many compartments and echelons of American business. Moreover, in addition to require payment of the tax on the unreported earnings, the crime syndicate would be subjected to payment of multiple damages authorized under the Sherman Act.

In addition to the other wholesome aspects these two bills would have, jointly they would allow organized criminal activities to be attacked before their anticompetitive impact can destroy legitimate business. They would siphon off a large part of organized crime's dollar reservoir, and this could do as much to control this problem as sending a few crime chiefs to the penitentiary for a temporary season.

I have said these two bills are new. They are; however, there is some precedent in practice. The existing antitrust laws have been used by law enforcement authorities in the criminal field. The Sherman Act makes every combination or trust and every conspiracy in restraint of interstate commerce an illegal enterprise. The penalty structure permits fines up to $50,000 and confinement up to 1 year, or both. The existing antitrust laws also make provision for pretrial discovery and investigation by grand juries for criminal prosecutions. In addition to criminal penalties, the act permits an injured party to bring a civil suit for injunction or recovery of civil damages and attorney's fees.

In the case of *United States* v. *Bitz*, 282 F. 2d 465—2d Cir. 1960—racketeers had been indicted under the criminal provisions of the antitrust laws for conspiring and threatening to strike against the distributors of newspapers to coerce money from them. The circuit court of appeals upheld the indictment as an appropriate use of the antitrust laws, and convictions were subsequently obtained.

In the case of *United States* v. *Pennsylvania Refuse Removal Association*, 357 F. 2d 806—3d Cir. 1966—certiorari denied, 384 U.S. 96L, 1966, the defendant was charged under the antitrust laws with a conspiracy to restrain trade by coercive methods in the garbage collection business. He was convicted and the courts sustained the conviction.

The civil injunction provisions of the antitrust laws were used to enjoin a conspiracy to sell yellow grease by coercive methods, and the use of the law for this purpose was upheld by the Supreme Court in the case of *Los Angeles Meat & Provision Driver's Union* v. *United States*, 371 U.S. 94, 1962.

Only last March the Department of Justice filed a civil antitrust action against the National Farmers Organization alleging violence and coercion in attempting to monopolize the interstate sale of milk. Clearly, if the present antitrust statutes can be used for such a purpose, they can be used against criminal combinations by organized crime in restraint of trade.

Indeed, it may be that the present antitrust laws are sufficient without amendment as a tool in the war against organized crime. If so, the two bills I have introduced are not necessary. If not, they should be refined and passed. In their present form, even if imperfect, they can serve as a vehicle for hearings to enable the Judiciary Committee to make a determination on this point.

CHANGES IN CRIMINAL PROCEDURE

The third bill in my package is an omnibus measure embracing a number of important criminal procedure improvements. Court decisions defining the limits of the powers of investigative officers in the field of searches and seizures need to be clarified and codified. This bill makes it plain that a police officer, while making a lawful arrest, can search both the person and the immediate presence of the suspect for the purpose of preventing the suspect from escaping, protecting the officer from attack, capturing property which is the fruit of the crime, or seizing property used in the commission of the crime. It would also translate into statutory law the recent ruling of the Supreme Court in the Hayden case, which held that officers armed with an appropriate search warrant can seize and impound personal property to be used as so-called mere evidence in the prosecution's case. Heretofore, the law has permitted seizure only of fruits of the crime and contraband. Mere evidence, no matter how probative, was exempt from seizure.

The omnibus bill contains what has come to be known as the no-knock proposal. Under present law the officer with a search warrant is required before entering the premises to knock, request admission, and divulge his authority and purprse under the warrant. The bill would permit forcible entry against the will of the occupant if the magistrate has made a determination—and has registered that determination in that warrant—that the property sought is perishable or that danger to the life or limb of the officer might result without such authority. Such an entry may be made even without express authority in the warrant if this is necessary to his protection in executing the warrant or if it is virtually certain that the occupant already knows the officer's authority and purpose.

Another part of the omnibus bill is the language of H.R. 8654 introduced earlier by the gentleman from Illinois [Mr. RAILSBACK] and recently endorsed by the Republican task force on crime. This language, following the precedent in the Narcotics Control Act of 1956, permits the prosecutor to appeal orders suppressing evidence or granting a motion for return of seized property before the prosecution proceeds to trial. This proposal enjoys the support of the President's Crime Commission, the Judicial Conference on the United States, and the Department of Justice.

The omnibus bill creates a new law enforcement tool which has long been needed. For the sake of brevity, it is called the "obstruction of investigation" law. Patterned after the concept of the obstruction of justice statute which has been on the books for many years, the new law would make it a new Federal crime for a person to obstruct a Federal criminal investigator engaged in the lawful investigation of a Federal offense.

The omnibus bill undertakes to write a better witness immunity law than the nation now has. Indeed, the nation now has some 41 immunity laws. These are too many, too imprecise and too awkward. The language of the new bill represents an improvement without perfection. It is intended principally to be a working paper rather than the final product. Refinements can be made and some effort must be made to work out a system of coordination and liaison with State and local law enforcement personnel. Until those who have special information necessary to convict others can be assured that they will enjoy immunity from prosecution at all levels of government, no Federal immunity statute will function properly.

The omnibus bill comes to grips with a problem which has plagued law enforcement people from the beginning. Our perjury laws retain today the old common law requirements of direct evidence and corroborative testimony. The omnibus bill, while preserving the requirement for proving falsity, eliminates the direct evidence rule and the so-called two-witness rule. Such legislation was warmly recommended by the President's Crime Commission, and most legal scholars agree that there is no longer any justification for the cumbersome procedures which the common law required.

In context with this package of bills, I consider it appropriate to identify once again the electronic surveillance bill, H.R. 10037, introduced recently by the ranking Minority Member of the Committee on the Judiciary, the gentleman from Ohio [Mr. McCulloch]; the distinguished minority leader, the gentleman from Michigan [Mr. Gerald R. Ford]; myself and a score of other Republican Members of the House.

The principal thrust of H.R. 10037 is to protect the right of privacy of the individual citizen. For that purpose, it outlaws all wiretapping or bugging by private citizens. At the same time, the individual's right of privacy is carefully balanced against socity's right of security. The bill authorizes society to protect itself by discovering the criminal plans and practices of those who have no proper regard for society's security. It authorizes law enforcement authorities to acquire from a judge of competent jurisdiction a warrant—in the nature of a search warrant—authorizing the officer under carefully proscribed conditions to conduct electronic surveillance against named individuals in identified locations.

H.R. 10037 implements the recommendation of and is patterned after the statutory scheme discussed in the organized crime task force report published by the President's Crime Commission.

The bill contains the following significant features:

Private use of wiretapping and electronic eavesdropping devices would be absolutely prohibited.

Federal law-enforcement officials could obtain court-authorized electronic surveillance orders for investigation of certain specified offenses, including national security and organized crime.

State authorities could engage in similar activities pursuant to proper State statutory authorization. The President's proposal would not only ban all wiretapping and bugging but also repeal existing State laws.

An elaborate and comprehensive system of checks and safeguards would be established to protect individual privacy, curb abuses by law-enforcement officers and assure the rights and liberties of the criminal. Such safeguards include provisions for the suppression of evidence when gathered improperly, advance notice to the defendant of intent to use such evidence prior to trial, notice to persons subject to such electronic surveillance within 1 year after the authorization, limited periods for such authorization, civil remedies to aggrieved parties, and strict limitation on certain privileged communications such as those between lawyer-client, husband-wife and clergyman-confidant. Public telephones would also be subject to similar stringent restrictions.

All officials—State and Federal—engaged in electronic surveillance would be required to report annually through the administrative office of U.S. courts to the Congress on their activities to allow for continuing congressional overview, and the legislation itself would be self-terminating in 8 years.

It is thus apparent that the most careful thought and consideration has gone into the drafting of this bill in order to protect the privacy of the individual against both trespass by his neighbor and unreasonable intrusion by the policeman. And yet society's interest in investigating and controlling criminal activity is incorporated as an essential element of the equation of law and order.

Mr. Speaker, I am proud to announce that I have been joined in the sponsorship of this package of bills by more than a score of Members of Congress, including John Rhodes, Melvin Laird, Bob Wilson, Leslie Arends, Barber Conable, Carleton King, Clark MacGregor, Robert Price, Arch Moore, Edward Hutchinson, Robert McClory, Robert Taft, Henry P. Smith III, and Chalmers Wylie.

I repeat, as I began, this package of bills is intended to give law-enforcement authorities new and sharper tools for this task. It is well and good to attack the causes of crime at the environmental level. It is useful to treat with socioeconomic conditions which breed crime. We need to improve the methodology of rehabilitation to help control recidivism. It is helpful to modernize and expand physical equipment and facilities used by policemen.

Yet, we must understand that these are gradual, long-range techniques. Something needs to be done now. Our old laws are not adequate to the new need. They must be modernized. This is the province of the Congress. The people expect the Congress to deal with this duty.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Kansas.

Mr. DOLE. I commend the gentleman from Virginia and the Republican task force for this very worthwhile effort. We all talk about the importance of doing something about crime. This is at least a step in the right direction.

I am not familiar with everything in the package, but from what has been said by the gentleman I know something about the work done by the Republican task force. I certainly feel that the bill deserves serious consideration by every Member of Congress.

Mr. POFF. I thank my distinguished colleague. Considering his background in law enforcement, his statement is indeed meaningful.

Mr. HUTCHINSON. Mr. Speaker, I have joined the distinguished gentleman from Virginia [Mr. Poff] in the introduction of three bills for the improvement of criminal justice within the Federal judicial system. Since the gentleman has already ably outlined their content, I shall not presume further upon the time of the House to repeat the same information. But I think it important, Mr. Speaker, to emphasize the meaning of these proposals.

At this time, when we are stunned by the very large increase of crime, when crime runs rampant, when law-enforcement officers and criminal trial courts have been rendered almost powerless by revolutionary new doctrine handed down from the Supreme Court and other appellate judges, it becomes the urgent and immediate responsibility of the Congress and the several State legislatures to fashion new tools of criminal justice. We must be about the task of providing new tools to replace those which have been stricken down. It is our duty here to enact new laws for the assistance of Federal justice. It is the duty of the State legislatures to meet a similar responsibility in the several States.

The bills being introduced today are intended to meet in part this critical duty imposed upon us. Two of them will afford new tools with which the Government may combat organized crime. We are aware of an increasing number of cases where interstate criminal syndicates are investing their ill-gotten criminal gains in legitimate business endeavor, sometimes with a purpose to capturing control of a corporate enterprise to use it for their own illegal purposes. Two of the bills are aimed at that problem. The third bill provides new tools for reasonable searches and seizures, and makes other improvements in Federal criminal procedure.

I have joined in the introduction of this legislation, Mr. Speaker, out of a sense of strong conviction that this is the way Congress should combat crime. We cannot enforce the criminal law. We have no power to attempt it. The enforcement of the law is vested in other hands. But it is our duty to make the law which others respect and enforce. We should be hard at it.

Today, when activist judges have been leaving their judging to become makers of the law, we in the legislative branch too often heard condemning judicial intrusion upon our legitimate function and letting it go at that. Too often the judges find themselves faced with a set of circumstances for which they find no statute law. The legislative branch has not spoken. In the settlement of disputes, therefore, the judges make the law. This has been happening so often in recent years that the people generally and, I fear, the legislative branch of Government as well, have fallen into the belief that the courts are superior to the legislature, and what the courts proclaim to be the law cannot be changed except by courts themselves. It is important to the survival of the legislative branch that it become vigorous in correcting by statute those pronouncements by the courts of last resort which the people's representatives believe to be poor law. And in those cases where the courts by constitutional interpretation make poor constitutional law, the Congress should reactivate its powers to narrow the effect of such rulings and to hold the courts in check.

It is because I believe the bills we have introduced today contribute to the exercise of such principles that I lend my support to them, and congratulate the gentleman from Virginia [Mr. Poff] for assuming the leadership in their preparation.

Mr. POFF. The gentleman has made his customary scholarly contribution, and I want to thank him for his kindness.

Mr. PRICE of Texas. Mr. Speaker, I am happy to join my colleague from Virginia [Mr. Poff] in introducing this package of crimefighting legislation.

The need for strengthening law-enforcement measures is nowhere more obvious than here in the Nation's Capital and it was only last week that the President said that he hoped everyone in this country will become alarmed at what is happening and ask their representatives to do something about it and that people who say they are against crime should show it by their votes as well as their voices.

I hope the President will remember those words when these bills which are intended and needed to give law-enforcement authorities new and sharper tools come before him for his signature.

It is long past time that the rights of the citizen who obeys the law are protected and that we restore the oldest function of Government, that of upholding law and order.

Mr. BOB WILSON. Mr. Speaker, I am pleased to join today with a number of my distinguished House colleagues in introducing three bills dealing with crime in America today.

Two of these bills represent a novel approach to the problem of organized crime by applying the antitrust laws to organized crime syndicates. These bills would prohibit criminals from investing money they gain illegally in legitimate businesses involved in interstate or foreign commerce.

Organized crime is perhaps one of the most serious threats to our Nation today. The President's Crime Commission has succinctly summarized the effect of organized crime as follows:

> In many ways organized crime is the most sinister kind of crime in America. The men who control it have become rich and powerful by encouraging the needy to gamble, by luring the troubled to destroy themselves with drugs, by extorting the profits of honest and hard-working businessmen, by collecting usury from those in financial plight, by maiming or murdering those who oppose them, by bribing those who are sworn to destroy them. Organized crime is not merely a few preying upon a few. In a very real sense it is dedicated to subverting not only American institutions, but the very decency and integrity that are the most cherished attributes of a free society.

Yet frequently the perpetrators of organized crime go untouched by the law. The legislation we are introducing today would greatly facilitate the apprehension and removal of these dangerous parasites from society.

One of the newest areas of penetration for these criminals which has recently come to light is their investment in and control of legal businesses and corporations. The Chicago Tribune recently announced that a multimillion-dollar manipulation of the stock market masterminded by a Chicago crime syndicate is under investigation by a Federal grand jury in New York City. Apparently, these hoodlums had compromised or intimidated sufficient stockbrokers to artificially push up sales for several days or weeks. When prices had skyrocketed, the hoodlums sold out.

Another activity brought to light by the National Crime Commission is the underworld's investment in legal businesses and corporations. According to the Commission, organized crime has moved into businesses ranging from accounting to yeast manufacturing. Racketeers control firms with nationally known brand names and one "family" alone owns $300 million in real estate. The Commission continues that the underworld usually gets its toehold in business by the investment of illegally gained funds—untaxed revenue or crime profits.

The legislation we are introducing today would strike at the heart of this syndicate investment and takeover. We must take action now to halt any further corrosion of the moral fiber of our Nation's business.

The third bill is an omnibus Criminal Procedures Act. It delineates more specifically police powers by outlining the procedures for search and seizure, gathering evidence, no-knock entries, with a search warrant—under specified conditions—witness immunity, perjury definition, and obstruction of investigation. The enactment of such a bill is imperative to untangle the present maze of laws, court rulings, and so forth, which have arisen in the past few years. As an example of one section of this bill, the police officer with a warrant would be permitted to forcibly enter against the will of the suspect, if the issuing authority had determined that the property sought was either perishable or that the officer's life would be endangered without such authority. Under present law the officer is required to knock, request admission, and identify the purpose of his warrant.

I believe this bill is a meaningful and forward-looking step in the improvement of criminal procedures in our Nation and I am hopeful that my colleagues will take rapid and favorable action on this and the two previously mentioned bills.

Mr. MESKILL. Mr. Speaker, I am pleased to join my colleague, the gentleman from Virginia [Mr. Poff] in sponsoring these three, anticrime bills. I urge that they be considered promptly.

Great credit must be given to the gentleman and the Republican task force on crime of which he is chairman. His statement today concisely and clearly sets forth the dimensions of the crime problem with which we must cope. His analysis of the crime problem, coupled with the statistics and findings of the President's Crime Commission, have set forth the urgent necessity for the Congress to act.

This Nation cannot tolerate the continued underground existence of criminal syndicates which syphon off some $50 billion a year from the Nation's commerce. We cannot tolerate the continued existence of criminal syndicates possessing such enormous concentrations of financial power.

The first two bills are directed to breaking the power of criminal syndicates. The third bill, an omnibus bill, is designed to strengthen the power of society to protect itself from crime.

It would do this by clarifying and defining the authority of police officers, while making lawful arrests, to search both the person and the immediate vicinity of a suspect for the purpose of preventing the suspect from escaping, or for protecting the officer from attack and for the purpose of seizing property which has been stolen or which has been used in the commission of a crime.

The bill would also allow police officers to enter the premises of a suspect forcibly, against the will of the occupant, provided he has previously obtained the written authority of the appropriate court to do so. Under present law, a policeman armed with a warrant is required to knock, request permission to enter, and divulge his authority and purpose under the warrant. This is a very hampering ruling. You can imagine the boys inside rushing around to burn up the numbers slips while the law waits politely outside for permission to come in.

The omnibus bill deals with other matters affecting witnesses and rights of appeal. The gentleman from Virginia explained them all in his statement.

I support these bills because they are a strong, just answer to the crisis of crime in this Nation. The Federal Government must respond to the crisis and do so quickly.

Mr. SMITH of New York. Mr. Speaker, I am proud to join the gentleman from Virginia and others of our colleagues in introducing these three bills to combat the frightening increase in the rate of crime in the United States, and I pay tribute to the gentleman from Virginia [Mr. POFF], the distinguished chairman of the House Republican Task Force on Crime, and to Senator ROMAN HRUSKA, of Nebraska, for sponsoring these new tools in our Nation's fight against crime. This battle is rapidly escalating into a life-and-death struggle between those on the one hand who, through utter contempt for and utter disregard of law and order, would wreck our country and, in the long run, the world, and on the other hand those forces of decency and fair dealing upon whom the fate of this country and of the world will ultimately and does now depend.

The fundamental decision as to whether this country and the world itself shall survive is whether the people of this country and the people of the world are willing to fight for and dedicate themselves to the way of law and order rather than the law of the jungle.

And so, Mr. Speaker, these two bills which rely on our antitrust tradition to prohibit the use in legitimate business of illegally acquired funds or those deliberately unreported for income tax purposes, and this third bill in the nature of an omnibus Criminal Procedure Act which proposes a number of important improvements in criminal procedure, are three new weapons for the forces of law and order and decency in the age-old fight against criminal evil. May they prove effective, and may they carry the message to the people of the United States that their representatives are gravely concerned about and dedicated to the eradication of the weed of crime which flourishes today and throttles with corruption the vitality of our Nation.

Mr. BIESTER. Mr. Speaker, we have all heard reports of mounting crime. We receive countless letters about criminal activities, not just activities of violence but also activities involving less sensational financial entanglements.

The bills we propose today strike at both crime and the profits derived from crime. By prohibiting investment of income derived from criminal activities in business enterprises involving interstate or foreign commerce, we will strike at the core of organized crime. By prohibiting investment of intentionally unreported income and providing for a $50,000 fine and/or 1 year's imprisonment, we will make the law more than a simple reprimand.

Legislation must meet the sophistication with which organized crime operates. The first two bills of this package are a fine start toward meeting the challenge of organized crime. The bills go a long way toward restoring competition in certain segments of the business community that have been infiltrated and corrupted by organized crime.

The third bill we propose, the Criminal Procedure Revision Act, helps to define standards, clearly and explicitly, by which investigation officers should act in the course of duty.

None of the bills we propose today will solve the mounting problems of crime, but they are an important step forward. These bills will be an important addition to our anticrime statutes. They are needed, and they provide a sound basis for action by Members.

Mr. WYLIE. Mr. Speaker, I am happy to join my colleague, the very capable chairman of the Republican anticrime task force, Representative RICHARD H. POFF, of Virginia, in sponsoring three bills aimed at reducing crime.

The first of these bills would prohibit the investment of funds illegally acquired through criminal activity in legitimate business enterprise; the second would prohibit the investment of funds deliberately unreported for federal income tax purposes in a legal business concern; and the third may be said to be an omnibus bill to assist the police officer in search. Under this bill an officer, while making a lawful arrest, may search for evidence relating to the commission of the crime. The Supreme Court has said that under present law a search warrant is needed, which results in the loss of the evidence many times.

There is a no-knock proposal designed to allow law-enforcement officers access to premises without forewarning criminal occupants and, therefore, not only endangering their lives but jeopardizing their chances to obtain evidence where a search warrant has been obtained.

There is an obstruction-of-investigation section. This represents an attempt to provide a better witness-immunity law.

These bills represent only a beginning in meeting the crime-control problem. They do represent a vehicle by which hearings may be held and discussions may be had with respect to these areas of major concern.

Emphasis in the laws must be placed on protection of the victims rather than protection of the criminal as has been the case in the immediate past.

We have been told that the criminal is really not to blame—that he is the victim of his environment, and needs only rehabilitation. But obviously this soft approach has not worked. What we need is some uniform system of criminal justice so that punishment is swift and consistent with the crime and the circumstances. There should also be better cooperation in law enforcement by Federal, State, and local officials.

We in Congress must develop legislation to meet the challenge of a whole series of U.S. Supreme Court decisions in such a way as to resume our traditional concern with citizen safety, while protecting the constitutional rights of the accused.

I, therefore, respectfully urge immediate consideration of these three bills and hope that the Congress will enact legislation in these regards.

Mr. McCLORY. Mr. Speaker, I am proud to cosponsor the bills introduced today by the distinguished gentleman from Virginia.

Of continuing concern to me is the problem of organized crime. In my own State of Illinois it is no secret that organized crime is big business. Despite the excellent work of the Illinois and Chicago Crime Commissions in investigating the activities of criminal syndicates, and the fine job done by the U.S. attorney's office in Chicago in recently bringing a number of notorious criminal syndicate leaders to justice, the problem of organized crime continues to grow.

One of the reasons for this growth stems from the fact that organized crime operations—principally those of the Mafia, or Cosa Nostra, as it is sometimes called—have become highly sophisticated in the last few years.

Illegal gambling remains the prime source of syndicate revenue—an estimated $50 billion per year. However, the coffers of organized crime are now beginning to be filled with profits from illegitimately acquired and financed, but otherwise respectable, business operations. As the President's Task Force on Organized Crime points out in a recent report, criminal control of business concerns is achieved in several ways, the principal two being: First, investing concealed profits acquired from gambling and other illegal activities; and second, accepting business interests in payment of owners' gambling debts. Using these and other means of criminal takeover, organized crime has infiltrated such legitimate enterprises as the real estate, restaurant, grocery and produce, and garment businesses.

The dimensions of this problem were recently made clear when it was revealed that one criminal syndicate has interests estimated at $300 million in the real estate business alone. While perhaps surprising, this example is not unusual and, indeed, the extent of control of otherwise legitimate businesses remains virtually unascertainable.

Businesses financed by illegally acquired funds or legally acquired funds unlawfully reported for Federal income tax purposes, are virtually immune from prosecution under our present laws. The State of Illinois unfortunately suffers from a high incidence of organized crime-supported businesses. However, such businesses know no State boundaries and freely operate across State lines. As such these business activities constitute a burden on free enterprise, restraining competition, and engaging in unfair labor practices.

Heretofore, the only sanctions available to the Justice Department in such cases were the civil and criminal provisions of the antitrust and fair trade laws. While civil suits and criminal prosecutions against business racketeers and their corporations have been successful in some instances, the antitrust and fair trade laws literally were not designed for, nor do they adequately provide a means of coping with the illegal business practices of criminal syndicates. Indeed, to protect themselves from suit and prosecution, various criminal cartels employ staffs of attorneys, accountants, and business consultants—many of whom do nothing more than work exclusively on the quasi-legitimate business affairs of organized crime.

Mr. Speaker, steps must be taken now

to provide an adequate means of bringing full weight of Federal law enforcement to bear on those who would subvert and strangle free enterprise through the operation of illegitimately financed business concerns. To this end, I am pleased to associate myself with remarks of the gentleman from Virginia, and to join with him in sponsoring the two bills introduced here today. By providing civil and penal sanctions to prohibit the investment of illegally acquired funds in legitimate business concerns, and prohibiting the investment in such concerns of legally acquired funds but fraudulently concealed revenue this Congress can put an end to a new and vicious crime before it reaches monstrous proportions.

Mr. Speaker, I should also like to briefly address myself to the third bill provided in the anticrime package introduced today. This bill, an omnibus measure to enhance our State and Federal criminal procedures is long overdue. Indeed, it contains substance of several measures which I have introduced previously in both the 89th and 90th Congresses. Among these are an obstruction of justice statute, and a witness immunity statute. The need for these provisions has been well established.

For example, one need only look to the report of the President's Crime Commission on Law Enforcement, or the decisions of the Supreme Court in the area of criminal and civil contempt, to make out a case for broadening the right of the courts to confer immunity upon adverse witnesses, particularly those associated with the Mafia. Only in this way can the information necessary to convict organized crime lords be elicited.

Mr. Speaker, there was never a more propitious time to wage an all-out war on crime at every level of law enforcement. Such an effort has been called for by the administration, by concerned Federal and State judicial officers, and most certainly by the overwhelming majority of the Members of this House. As part of this effort, I urge my colleagues to sponsor and support the bills introduced today.

GENERAL LEAVE

Mr. POFF. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may be permitted to extend their remarks at this point in the RECORD.

The SPEAKER pro tempore (Mr. EDMONDSON). Is there objection to the request of the gentleman from Virginia?

There was no objection.

JULY IS DESIGNATED WHEAT MONTH IN KANSAS

Mr. DOLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, July will be Wheat Month in the great wheat-producing State of Kansas. Although this is the first officially designated Wheat Month, it is entirely appropriate because Kansas is the largest wheat-producing State in the Nation.

Wheat Month will be celebrated by special appearances of the Kansas Wheat Queen, Miss June Inskeep, of Cawker City. Other special events during July will include radio and television programs, news items, and local celebrations and activities centered around the theme of "Wheat Month."

The wheat industry is vital to the overall economy of the State of Kansas, and especially to my First District in western Kansas. A great many people are associated with the production, handling, storage, transportation, milling, and processing of wheat and wheat products. The economy of nearly every Kansan is in some way affected by the wheat industry.

Of special interest are the recent estimates published by the U.S. Department of Agriculture. June 1 estimates indicate the U.S. 1967 wheat crop will be the largest on record. The June 1 forecast places winter and spring wheat production at 1,550,386,000 bushels compared to 1,310,642,000 in 1966—an increase of 239,744,000 bushels, or 15 percent of the 1966 total. June 1 estimates for Kansas were up 27,190,000 bushels over the estimates of a month earlier. Kansas' crop in 1966 was 200,070,000 bushels. Recent adverse weather conditions in most areas of Kansas may result in a downward adjustment of the 228,396,000-bushel crop estimated on June 1. Heavy and persistent rains have taken a heavy toll of the standing crop. Harvest has been delayed and some grain is reported damaged. In many instances, weeds are coming up through the flattened wheat and the harvested grain is, as a result, reduced in quality. The extent of damage is not known at this time, but the total crop undoubtedly will be less than the June 1 estimates.

The prospects of a good wheat crop in 1967 is encouraging from the standpoint of the need for wheat here at home and abroad. Wheat has been the principal product used to avert famine in the developing countries in years past and will continue to be ever more important in the future. There is no question but that the attainment of an adequate supply of food for the ever-increasing world population is one of the greatest challenges we face today. Population growth rates have outpaced increases in food production. For example, in a few years over half of the world's population will be under 25 years of age. In India the population increases 1 million per month, and in the world it is over 1 million more people each week. Simply stated, the problem is too many people, not enough food.

We must recognize that the time for talking about world population and food needs is past and we must now move into a plan of action. Kansans have been busy in years past and will continue to make their contribution in the future.

For the past 10 years the State of Kansas has produced an average of more than 200 million bushels of wheat per year. With reasonable weather, we believe production will continue at this level and even increase over the next few years. The value of the 1967 Kansas wheat crop is estimated at close to $0.4 billion—a significant part of the agricultural economy of the State.

What the future will bring in terms of income to individual Kansas wheat producers, and those of the Nation, remains to be seen. In any case, the only way in which wheat producers will continue record production levels is to see that they get adequate compensation for the labor and management which they contribute to their farming enterprise. For example, figures from the Southwest Kansas Farm Management Association show the average farmer keeping records with the association has an investment of $365,000. Last year this average farmer showed an $11,000 net farm income. This is about a 4 percent return on his investment and family labor is included. In no other industry, and farming is an industry, does an owner receive so small a return on his investment.

Mr. Speaker, I am hopeful that Wheat Month in Kansas might accomplish, among others, these three things: first, focus added attention on Kansas as the Nation's number one wheat-producing State; second, give Kansas an opportunity to learn more of the significance of the wheat industry; and third, to promote the sale of wheat products to meet domestic and world food needs.

OBSERVANCE OF WEEK OF JULY FOURTH AS NATIONAL SAFE BOATING WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. CHAMBERLAIN], is recognized for 30 minutes.

Mr. CHAMBERLAIN. Mr. Speaker, once again it is nearing that time of the year for all Americans to place special effort in the observance of the week of July Fourth as National Safe Boating Week. That week is expressly dedicated to the safety of those Americans who spend much of their leisure time using the waterways of this great Nation.

The cause of National Safe Boating Week is worthy enough that the President of the United States issued the following proclamation earlier this year in accordance with Public Law 85-445, which I sponsored in the 85th Congress:

> Pleasure boating has become one of America's favorite pastimes. Last year, more than 40 million Americans took to the water in more than eight million boats. They also added nearly $3 billion to our economy.
>
> This growing use of our waters must be accompanied by a greater awareness of safety. For the more boats in use the greater the potential hazards. If we are to insure the full enjoyment of boating, and to avoid needless injury, loss of life, and destruction of property, we must pay increased attention to the basic principles of boating safety.
>
> Boating organizations, the boating industry, and the Federal and State agencies must share responsibility for promoting boating safety by informing the public of safety regulations and recommended safety practices. Only through such concerted community effort can boating be made one of our safest recreational sports, as well as one of the most popular.
>
> To focus national attention on the importance of boating safety, the Congress by a joint resolution approved June 4, 1958 (72

Stat. 179) has requested the President to proclaim annually the week which includes July 4 as National Safe Boating Week:

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, do hereby designate the week beginning July 2, 1967 as National Safe Boating Week.

I encourage all Americans using our waterways to learn and observe boating safety practices and emergency procedures, and to minimize the injury, loss of life, and destruction of property resulting from such boating accidents as occur. I urge them to extend courteous treatment to their fellow boatmen during this week and throughout the year.

I also invite the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States to provide for the observance of this week.

In witness whereof, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

Done at the City of Washington this twenty-fourth day of January in the year of our Lord nineteen hundred and sixty-seven, and of the independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON.

This proclamation is clearly indicative of the importance that the President attaches to recreational boating safety and National Safe Boating Week.

INCREASE IN RECREATIONAL BOATING

To make the ideals of safe boating interesting as well as vital to the entire boating industry and the boating public, the U.S. Coast Guard enlists the continual assistance and cooperation of organizations such as the Coast Guard Auxiliary, the U.S. Power Squadrons, the American Red Cross, the National Safety Council, as well as boatmen everywhere.

Safe boating is an enormously big project when it is considered there will be over 40 million Americans in more than 8 million boats of all kinds plying the waters from the far reaches of Guam in the Pacific to the Virgin Islands in the Atlantic, and from Alaska across the continent to Puerto Rico. Every river, lake, inlet, and bay where navigation by any kind of craft is possible will note the presence of the American boatman.

The boating industry reports that overall recreational expenditures have risen nearly 50 percent since 1956, and net sales of boats have increased well over 50 percent during the same period. Dollar shipments of marine products other than boats and motors posted another alltime high monthly average for 1966. For the fifth year in a row Americans increased their retail spending on boats and boating equipment. The 1966 estimate—a new record—was over $2.8 billion. This huge amount of money was spent for new and used boats, motors, accessories, safety equipment, fuel, insurance, docking fees, maintenance, club dues, storage, repairs, and club memberships.

The Coast Guard released its annual boating statistics report, as required by the Federal Boating Act of 1958 on May 1 of this year. The Federal Boating Act of 1958 provides for a standardized system for the numbering and identification of undocumented vessels, including the pleasure boats of more than 10 horsepower, and also for participation in this program by the several States. Since the effective day of this legislation, April 1, 1960, 47 States have enacted into law numbering systems which have been approved by the U.S. Coast Guard, as meeting the standards set forth in this act.

The safety aspect of the tremendous explosive growth in recreational boating is of increasing concern to the Coast Guard and to the new Department of Transportation. Compare 1966's 4,067,000 registered boats with the 16,000 in 1905, or even the 2¼ million in 1945, and the need for boating safety as a full-time operation is quite apparent. More boats plus more people logically add up to more chances for boating accidents. While Congress, State legislatures, press, boating industry, and educational organizations direct efforts toward promotion of safety afloat, the most effective safety efforts lie with the individual boatman.

NUMBER OF FATALITIES

There was a slight decline in fatalities in boating for 1966—1,318 as compared to 1,360 in 1965. In its annual report, the Coast Guard revealed that 44.8 percent or 591 of the deaths due to boating accidents last year were from boats not required to be numbered, including rowboats, canoes, sailboats, rafts, and other small craft. During the same period, 1966, the numbering of boats in all States and territorial possessions of the United States remained at an alltime high of over 4 million.

Capsizings, as in past years, still remain as the largest type of casualty in the recorded deaths. In 1966, capsizings took 47 percent of the total number of lives lost in boating accidents. This figure is more than the 1965 percentage. Injuries increased while boat numbering remained constant. Of the 2,873 persons in peril because of boating accidents, drowning accounted for 1,172 victims, and 1,013 of the drowned were found with no lifesaving devices, although in most cases they were required by law.

Last year a total of 5,567 vessels were involved in 4,350 reported boating accidents, where there was at least $100 property damage, or injury, or death. This figure shows that 765 more vessels were involved in 1966 than the previous year; 1,059 of these vessels were involved in fatal accidents, while 958 were in accidents resulting in injuries; 2,333 of the total number of boats involved in accidents received only property damage. Speaking in millions, the amount of property damage was over the $7 million mark.

COAST GUARD BOATING SAFETY ACTIVITIES

To have really safe boating in American waters, the Coast Guard and assisting organizations must get directly to the basic problem. They must reach the individuals comprising the millions that are the boating public. In an attempt to reach these boatmen, the Coast Guard is continuing its newly inaugurated education and persuasion program. Through boating films, safety publications, auxiliary programs, and utilization of the personnel assigned to the mobile boarding detachments in public education activities, the Coast Guard takes advantage of every opportunity to stress the practical aspects of boating safety. The Coast Guard also has close coordination with the boating industry, the National Safety Council, and other such vital organizations. The safety patrol concept in recreational boating was a new idea in 1964 and will be stressed on all waterfronts this year. Using the mobile boarding detachments, the Coast Guard will have an on-the-move safety patrol which will make unpublished stops at every possible navigable lake, river, or other waterfront where boating activities are conducted. The safety patrol is a roving waterborne patrol of boating areas for the purpose of deterring, detecting, and reporting unsafe practices. At the present time, there are 37 mobile boarding detachments which form the backbone of the safety patrol. More are planned. These units are effective because of their mobility, thus preserving flexibility so that a broader impact is obtained. The primary mission of these units is to minimize unsafe practices such as speed, overloading, improper loading, operating while under the influence of liquor, operating in swimming areas, operating in posted dangerous waters, and heading out into stormy conditions when they should be heading for shelter. The effectiveness of the mobile units is not to be measured in the number of boardings reported. The measurment of their effectiveness will be whether or not our waterways will be made any safer; whether the boating public is better educated in safe boating procedures by the apprehension of the reckless or negligent operator; and finally whether the accident rate decreases. The Coast Guard will educate, persuade, and enforce the law. Boating accident fatalities must be cut down, as well as the number of other accidents.

BOATING SAFETY A JOINT EFFORT

The Coast Guard Auxiliary is also extremely active in the education of the boating public as to safe boating practices. As a voluntary, nonmilitary organization, the auxiliarists' purpose is to promote safety in recreational boating. Its more than 24,000 members are experienced boatmen, amateur radio operators, or licensed aircraft pilots. The three basic programs carried out by the auxiliary are the courtesy motorboat examination, public instruction, and operations; 144,208 persons were instructed in three safe boating courses last year; 177,160 courtesy motorboat examinations were performed.

As a regulatory and enforcement agency of the U.S. Government, the Coast Guard encourages State activity in law enforcement procedures. Sometimes when the positive approach of education and persuasion fails, the negative or punitive approach gets the message across.

During 1966 the Coast Guard in conjunction with its law enforcement duties, boarded 74,694 vessels for equipment and safety examinations. Of this total, over 40,000 of the boardings were performed by mobile detachments. Nearly half of the vessels boarded by mobile units were found to be in violation. This high percentage is due to selective boardings. In actual figures, 47.3 percent of the total number of boats boarded by mobile units were found deficient in some manner. A total of nearly 70,000 man-hours were expended by the Coast Guard mobile boarding detachments in recreational boating safety during 1966 in safety patrols and public information activities.

NATIONAL SAFE BOATING WEEK

National Safe Boating Week—focusing attention upon the need of pleasure boatmen to know and comply with safe boating practices and regulation—will begin July 2 this year as stated in the proclamation. Its objective is to urge the more than 40 million people constituting the boating public to help "keep boating safe"—to teach important fundamentals of safe boating to the newcomers, and to remind experienced skippers to practice common sense and courtesy afloat. The basic theme for this year's observance of the week is "Safe Boating Is Fun."

National Safe Boating Week also pays tribute to the many persons and organizations who have contributed toward maintaining boating's fine safety record. This year more than 761 Coast Guard Auxiliary flotillas, 365 U.S. power squadrons, 350 boating clubs, and scores of other boating clubs and safety organizations will participate in National Safe Boating Week observances in communities throughout the country.

This year the National Safe Boating Week Committee has done an excellent job of promoting and coordinating this event. This committee includes representatives from the U.S. Coast Guard, the U.S. Coast Guard Auxiliary, the American Boat and Yacht Council, the American National Red Cross, the American Power Boat Association, the American Water Ski Association, the Boy Scouts of America, the Corps of Engineers, Department of the Army, the National Association of Engine and Boat Manufacturers, the National Association of State Boating Law Administrators, the National Safe Boating Association, the National Safety Council, the Outboard Boating Club of America, the U.S. Power Squadrons, the Yacht Safety Bureau, and the Young Men's Christian Association.

To all of these organizations safety in pleasure boating is as important as it is to the individual and his family. To all of those national and local committees actively participating in National Safe Boating Week I extend my congratulations. I urge all others interested in boating safety to join in making this an even more effective National Safe Boating Week than the successful ones in the past. Let us continue the good practices of National Safe Boating Week throughout the year.

U.S. FOREIGN POLICY, THE U.N., AND A CHANGING WORLD

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. OTTINGER. Mr. Speaker, for some time I have been gravely concerned about the lack of creativity in our foreign policy. We seem always to react to Communist initiatives. We continue to support reactionary governments for the sake of temporary stability. We continue to pour arms into tense areas of the world, adding to existing dangers, and risking the likelihood that those arms will be used against our interests or in wars between the recipients, as was the case with India and Pakistan, and more recently, between Israel and the Arab States.

We continue to let the United Nations slide into ineffectiveness without taking the initiative for its improvement. We continue to escalate the war in Vietnam without even pointing toward any constructive, peaceful resolution.

Instead of a creative foreign policy, we rely on military strength, decreasing economic assistance which could bolster the underdeveloped and emerging nations of the free world. We are forfeiting our leadership role in world affairs.

While there are many Americans who would say we have more than challenge enough concentrating our energies and resources on solving our domestic problems, it is not possible today to consider the problems at home without relating them to our international position. If for no other reason, our domestic economy is increasingly dependent on our participating in the vast and growing markets abroad. Today, a large proportion of our jobs are tied to imports and exports, and this will grow markedly as a result of the recent Kennedy round of tariff reductions facilitating world trade among the developed nations. Trade with the underdeveloped nations represents the hugest untapped potential market for every aspect of our production. It is our real economic new frontier.

The sole basis of our foreign policy today apears to be the negative role of anticommunism. Important as is protection of free nations from imposition of Communist totalitarianism, this is not adequate as a foreign policy. The deprived and restive people who are a majority of the world's population cannot eat anticommunism. Anticommunism does not offer their children any opportunity for education, their economies any opportunity for expansion. Indeed, even effective anticommunism requires an affirmative policy offering economic and social opportunity, leading to self-sufficiency and meaningful political self-determination. We must not be in the position of responding all the time to Communist initiatives—we must be the constructive movers of the world. We must present a positive program with which the people of the world can identify, lest their only hope for improvement lie with the false hope offered by the Communist world.

Let us not kid ourselves that there are easy military solutions to even the negative goal of anticommunism. Those who have espoused this course of bludgeoning our way through the world are fast learning its frustrations and expense. We should be increasing our constructive foreign involvements rather than withdrawing from them in reliance on military solutions.

It is better by far that we should spend a few billions creatively to help free nations stand on their own feet than become quagmired in the blood, destruction, and limitless expense of repetitive military interventions.

The yoke of Communist totalitarianism will be thrown off at any rate most surely and effectively by the forces of nationalism than by any U.S. intervention. This has been demonstrated dramatically by the ouster of the Chinese from several African countries and Indonesia, and in Eastern Europe by the resurgence of independence and private initiative.

Our role in Eastern Europe, Africa, Asia, and Latin America should be to encourage constructive nationalism, to side with the forces of constructive change rather than the often stultifying status quo, to identify with the legitimate aspirations of the people rather than the technical legitimacy of governments which repress those aspirations.

America is losing its international prestige largely through abandonment of a creative, affirmative role offering hope to the world's people, and through substitution of a policy relying primarily on military threats or actual intervention.

There is no question in my mind that, until we can create effective international peacekeeping machinery, we must maintain our military strength. But we must use it wisely and with great restraint. We must not substitute sword-rattling for a foreign policy. Above all, we must not become the schoolyard bully of the world. While the schoolyard bully may command deference from all his classmates out of fear for a while, he soon becomes roundly hated; and one day it is inevitable that his weaker associates will band together to do him in.

Our first order of national policy and action should be the improvement of the United Nations as a vehicle for effectively settling international disputes and avoiding international military conflicts. Nowhere are there greater or more crucial opportunities for our leadership. No other forum is so ideally suited for emphasizing the greatest of our affirmative strengths, the application internationally of the great principles of democracy on which we have thrived. We do a lot of preaching at home about the glories of our democracy. We hail the high state of our civilization in the principles and practice of government by consent of the governed through elected representatives. We even proclaim self-determination as one of the guiding lights of our foreign policy. Indeed, I think the major advance from the caveman to modern civilization is the acceptance of law. Yet, we seem satisfied to see the relationships between nations persist in a barbaric state, determined by the cudgel. It is time we began practicing internationally the democracy we preach at home.

How can we expect the U.N. to be effective when we will submit to it only those problems for which we expect favorable action? Our failure initially to place before the U.N. the crises in the Dominican Republic and Vietnam were perhaps the signal factors in undermining the authority and prestige of the U.N. If we mean what we say about our faith in democracy, then we must be willing to submit to democratic processes. Who can say that the U.N.'s disposition of the Dominican and Vietnam crises would have been any worse than our own?

How can we expect the International Court of Justice to be effective as a means of resolving international legal disputes so long as we will not repeal our own Connelly Reservation which permits us unilaterally to withdraw any case simply by declaring that it affects our vital interests—and thus by reciprocity equally releases every other nation? We must repeal it. Were it not for this reservation, the legal problems of the current Israeli-Arab dispute over rights of access to the Gulf of Aqaba might bindingly be brought before the Court.

How can we expect the international community to take seriously our preachments about the importance of equitable treatment of all persons so long as we refuse to ratify the Human Rights Conventions? We must ratify them.

In these and in many other ways, we have not only failed to take leadership toward making the U.N. an effective international instrument, but we have actually been instrumental in keeping it from being effective.

Of course, the U.S. role toward the U.N. has not been wholly negative, by any means. We have paid the costs of the U.N. and its related agencies, far above our fair share. We have supported the U.N. peacekeeping operations, though it must be noted that all these operations so far have been considered to be in our own interests. We have been the driving force behind the nuclear test-ban treaty, the antiproliferation treaty and the treaty on peaceful uses of space. There are many affirmative things to be said on behalf of our role in the U.N., many serious criticisms to be made of the obstructionism practiced by the Soviet-bloc countries and France. Nevertheless, these affirmatives do not excuse our failure of fundamental leadership to make the U.N. effective and our unwillingness to submit to the U.N. enough sovereignty to permit it to function significantly in the critical fields of conflict that face the world today.

Many would argue that the United States cannot afford to risk submitting to the U.N. disputes of vital concern to our interests because of the inadequacy of the U.N. machinery. Past performance of the U.N. does not bear this out. Only a handful of minor resolutions out of thousands have been adopted against our vote. We are not in any immediate danger of being overwhelmed in the U.N. by hostile or irresponsible majorities, even with its present structural inadequacies.

If the machinery of the U.N. is outdated, however, as I think it is in very important respects, it is up to us to take the initiative to modernize it. It is up to us to exercise the leadership which is ours by virtue of our strength and power. It is up to us to create of the U.N. an instrument to which we and other nations will be willing to submit major international controversies.

The major structural problems facing the U.N. are creation of an effective peacekeeping force and machinery for its use, elimination of the veto power in the Security Council as an absolute device to obstruct too wide an area of U.N. action, the proliferation of membership in the General Assembly to the point where it is no longer representative by any reasonable criteria, and economic inadequacies for financing the U.N. itself, its specialized agencies, and its peacekeeping activities. The United States should take the lead by proposing charter revisions or statutory changes to resolve each of these issues.

The veto is the major obstacle to effective U.N. peacekeeping. Too many of the world's vital security issues are presently subject to absolute veto by any one of the five permanent members of the Security Council. If the U.N. is to become enabled to deal with major security problems, we simply must be willing to risk more of these problems to U.N. resolution. This can be approached in a number of ways. First, we could consider reducing the subject matter area over which a veto could be exercised, as, for instance, limiting the veto to U.N. actions on the soil of the five permanent members. Second, we could limit the absolute nature of the veto, for instance by substituting a rule that two of the five instead of one alone would be required to block any proposed security action. A third possibility is to provide that a Security Council veto may be overridden by some quantitative vote, say two-thirds, of the General Assembly. I would recommend exploration of all three alternatives—and at our initiative.

The principal structural problem confronting the General Assembly is one of proliferation of small nations now represented as equals to the great powers.

The U.N. started in 1946 with 51 countries, virtually all with longstanding independence and experience in international affairs. Today there are 122 members, more than 50 of which have become independent since World War II. The African bloc alone has 38 members, almost one-third of the total Assembly membership.

It has been estimated—more as a mathematical exercise than as a practical guess—that there are some 65 more states, colonies, and territories which in theory could apply for U.N. membership now, or upon achieving independence. They range from Mozambique with a population of more than 6½ million to Pitcairn Island—population 85.

I see no realistic possibility of going backward to pare down the size of the Assembly and eliminate delegations according to new qualification standards. I even think there is some merit in having a U.N. body in which all independent nations may be represented, no matter how small or weak they may be.

It is clear, however, that the major world powers are not going to submit matters vital to their interests to a body so very unrepresentative—particularly not matters pertaining to the world's security and their own. Some adjustment must be provided. Two possibilities occur: either weighted voting or establishment of a new Regional Council within the Assembly, larger and more representative than the Security Council, empowered to make certain kinds of important security decisions. With increased world market regionalization more along the lines of true world economic and political power and interest—the formation of the European Common Market, the Asian and African Banks, and current discussions of a Latin American Common Market—such a Regional Council seems feasible.

If these obstacles to effective Security Council and General Assembly action were resolved, our next task would be creation of a standing peacekeeping force powerful enough to enforce Security Council and General Assembly decisions and to deter aggression from any source.

Lastly, the economic problems of the U.N. will have to be faced squarely. In my mind, the organization cannot tolerate the shilly-shallying demonstrated during last year's confrontation on payment for peacekeeping operations, or the nonsolution finally reached. The United States should not have backed down on enforcement of article 19's payment requirements, particularly in view of the favorable decision of the World Court on the validity of article 19 application.

The U.N. must have assessment powers and the United States must stand fully behind them. Assessment is as essential to U.N. survival as our congressional power to lay and collect taxes is essential to our own survival. The penalty for nonpayment should be loss of the vote in all U.N. councils until full payment is made, as provided already in article 19. It should be strictly enforced, even if this results in threats by major powers to withdraw from the U.N., as occurred last year.

If the U.N. is to become more than Adlai Stevenson's characterization of its social aspects: "Protocol, Geritol, and Alcohol," changes in the areas I have discussed will have to be made.

For our sake, the sake of our children and the sake of our Nation, we cannot let the world proceed in its present state of international anarchy. We cannot let the U.N. go chasing after history with a bloody mop.

To those who say we cannot meet the challenges of communism with international democracy, I would say, you have little faith in democracy.

The alternative to making the U.N. effective is continued barbarism in the world, continued bloodshed with ever more advanced weapons of destruction, continued little wars risking the big war of mass nuclear annihilation. I reject that alternative. And I think it not unduly idealistic to believe that we can make the U.N. effective if we will only take the leadership to give it unvetoable power of action in international disputes, to provide it with a more representative legislature, to withdraw our unilateral escape clause from jurisdiction of its court, to give it real muscle through a useable peacekeeping force, and to assure its financial survival.

AN OBJECT LESSON IN FOREIGN AID

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. OTTINGER. Mr. Speaker, the Dominican Republic has regained constitutional political order and has been given another chance to build a stable, democratic society. In the past 2 years, the United States has contributed $200 million toward establishing a democratic government in the Dominican Republic and toward improving the lot of the Dominican people.

The immediate objective of our foreign assistance program in the Dominican Republic is to support the efforts of the newly elected Government to attain political and economic stability. Our overall objective is to assist the Government in planning and implementing long-range development programs, particularly in the field of agriculture, designed to bring about economic and social progress for the people of the Dominican Republic.

This large commitment is, in important part, the inevitable aftermath of our questionable military intervention in the Dominican Republic. In longer term historic perspective, it is also the result of our deplorable support for the reactionary regime of the Trujillos for many years.

It is important for us to learn the lesson that Dominican-type military interventions carry with them an undertaking of inordinate responsibility for supporting the governments that we help to install and rebuilding the structure of the society in which we intervene. This detracts from the local democratic processes and places an undue burden on us for running and financing the affairs of the country in which we intervene.

If we ever are successful in bringing our military activities in Vietnam to a conclusion, we will be faced with an even more gigantic rebuilding responsibility.

It is best by far to leave local affairs to local people and through constructive foreign aid help free societies to build enough strength to stand on their own feet.

We cannot afford to support the world, yet every military intervention not only carries its own inordinate costs, but this kind of huge reconstruction responsibility as well.

The job of rebuilding in the Dominican Republic is a vital one, given the fact that we did intervene. We must hope that, having virtually taken over the Government, we can look forward to the day when the Dominicans can stand on their own feet again.

Economic reconstruction in the Dominican Republic is a slow process, but the results are beginning to show. The June 14 issue of the New York Times contained an article entitled "Dominicans Find Economic Progress Comes Slowly" which I think would be of interest to our colleagues and I present it herewith for insertion in the RECORD:

DOMINICANS FIND ECONOMIC PROGRESS COMES SLOWLY—$200 MILLION IN AID FROM UNITED STATES HELPS TO SPUR GROWTH

(By Edward C. Burks)

SANTO DOMINGO, DOMINICAN REPUBLIC, June 8.—The United States found this country important enough two years ago to move 22,000 troops here to prevent what it said was an impending Communist takeover, and it has since allocated $200-million in aid.

The aid amounts to more than $50 for every Dominican citizen.

A dark-skinned working man smiles a little and shrugs when the conversation turns to that money and what it might do for him. He says progress is "slow, slow, but a little better."

His comment is a common man's version of what the economists have been saying: "It's still hard to be bullish about the economy."

Because of the chaotic conditions in 1965, when American troops were attempting to keep two Dominican factions apart, more than half of the $200-million was in the form of outright grants.

FOR FOOD AID, $20-MILLION

More than $75-million was given for "budget support" or to pay for day-to-day operations and salaries. About $20-million has been spent on the Food for Peace program, providing school lunches to 270,000 children and special food allotments to 300,000 families.

More than $90-million has been set aside for a wide range of rehabilitation and development projects ranging from agricultural modernization to housing, education and the stimulation of private enterprise.

There has been some grumbling that the development program has been moving too slowly, that the United States has lost the aura of success it had here, that some major Dominican aspirations are being ignored.

President Joaquin Balaguer, interviewed in the pinkstone Presidential Palace, said, "Sure, there are differences of opinion, but there's no conflict."

OPPOSITION BACKS PROGRAM

Even the leading spokesmen of the main opposition group, the Dominican Revolutionary party, privately endorse the President's development program.

There is widespread and deep poverty, the kind in which eight children are crowded into the one room of a rural bohio, or thatched hut. The country has one of the world's highest reported birth rates, 3.5 per cent, and its population is expected to reach seven million in two decades.

The illiteracy rate, between 40 and 50 per cent, may be growing worse. President Balaguer says 70 per cent of the country's teachers are not properly prepared. Many rural schools are pathetic shanties with dirt floors.

For several years, almost a thousand Dominicans, finding that the bright sun and the lively beat of the merengue are not enough, have emigrated each month to the United States. About twice as many go to the United States on nonimmigrant visas, and perhaps 20 per cent of them somehow fail to come back, according to consular officials.

For all its problems, however, the Dominican Republic cannot be compared with Haiti, where the squalor and hopelessness are much more extreme. There is electric power in remote Dominican villages. The capital and Santiago have large sections of beautiful homes, and even the poor have a heartiness and a pride in their appearance. The most remote village has its well-dressed beauties.

The President meets once a week with officials of the United States Agency for International Development, and he can put his economic program into one sentence: "We've got to raise agricultural production."

The $90-million in United States loan money allocated for development is used for agriculture, irrigation, feeder roads, health centers, potable water, education assistance, rural housing and for a home-grown Peace Corps program. Two hundred young Dominicans, aided by about 30 United States Peace Corps volunteers, are working in a thousand Dominican villages, using community labor and materials to build roads, canals, schools and other public facilities.

United States officials here are considering whether to ask Washington for $75-million dollars in new development loans. One of the loans would provide a modern market system for Santo Domingo, where the present market is a group of primitive shanties.

AID HELPS BUILD INDUSTRY

United States aid is also helping to build some light industry, including metal-working, canning and the manufacture of cement blocks and fertilizer.

Despite the Government's emphasis on agricultural development, the Dominican Republic spends millions of dollars importing such items as fish, beans, canned vegetables, tomato paste, milk products and peanuts, which are used to make cooking oil.

President Balaguer has tried to right the economy through an austerity program that has included "import substitution," or the production of food products that have been imported. Other facets of the austerity program are attempts to control wages, to reduce the number of employees in the sugar industry, to tighten credit and to discourage imports, especially cars and appliances.

Despite drought and some failures in the northwest, a major start has been made on a program to export fruits and vegetables to the United States during the winter. First quarter figures for 1967 were double those of last year. Cattle are being shipped to Puerto Rico, and two new canneries are in operation.

SUGAR INDUSTRY REFORMED

Traditionally the country has depended on sugar, which is still its leading export, but the industry, most of which is owned by the state, was very inefficient. Perhaps the President's major administrative success was a reform of the sugar industry.

The Dominican Republic's quota for the United States market, which pays premium prices, was raised 178,000 tons this year to about 600,000 tons. The United States sales will provide more than $70-million, and the Government is asking the United States to guarantee an annual quota of at least 650,000 tons for the next five years.

The Government has been less successful in its campaign to reduce imports. Although individual income is reported to be only $290 a year, there are those who can pay the huge advance deposits and duties required to import costly appliances and small foreign cars, which sell for $4,000 or more.

TRADE BALANCE GROWING WORSE

While some so-called luxury imports have declined, a steady flow of trucks and industrial machinery has meant that the trade imbalance is getting worse.

Another source of revenue, personal and corporate income taxes, is weak. Together, the taxes amount, on the average, to only $7 a person.

The Government has an ally in the Roman Catholic church. Under the leadership of the Papal Nuncio, Msgr. Emanuele Clarizio, the church has been in the thick of social work. When he arrived here years ago, the Papal Nuncio found people in Higuey working on an elaborate cathedral. "Why not houses?" he asked. "Why do you think to finish a basilica like that when you're dying of hunger and there are no hospitals?"

The Papal Nuncio, who is seen all over the country driving his own car, has also put a stop to the "monkey business" of using priests for political purposes.

An editor, discussing the needs of the Dominican Republic, admitted the need for economic aid but pointed out that the country has had 71 leaders in 123 years. What it needed most he said, was political tolerance and stability.

THE APPROPRIATIONS BUSINESS OF THE SESSION

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. MAHON] may extend his remarks at this point in the RECORD and include tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, with the adoption of the conference report on the Treasury-Post Office bill, four appropriation bills have received final clearance this session. They involved $23,606,840,652 of budget requests for appropriations. They appropriated $23,322,940,767, a reduction of $283,899,885. They provided $16,200,000 in loan or contract authority, $14,500,000 less than the budget requests.

Two of the four bills were supplementals for the fiscal year 1967 which ends tomorrow. They involved $14,533,474,652 in budget requests for appropriations, and they appropriated $14,394,451,417, a reduction of $139,023,235. The Vietnam defense supplemental accounts for $12,196,520,000 of the appropriations.

The two regular annual bills for fiscal 1968—Interior and Treasury-Post Office—involved $9,073,366,000 of budget requests for appropriations, and they appropriated $8,928,489,350, a reduction of $144,876,650.

The House has considered 11 bills during the session and has reduced the President's budget requests for appropriations by $3,039,028,598. It has roughly $21 billion, plus, additional requests yet to consider.

The Senate has considered four bills this session and reduced the budget requests for appropriations by $195,547,169.

Mr. Speaker, I include two tables—one a summarization of the totals of the bills, the other a listing by individual bills:

Summary of action on budget estimates of "appropriations" in appropriation bills, 90th Cong., 1st sess., as of June 29, 1967

[Does not include any "back-door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	All figures are rounded amounts		
	Bills for fiscal 1967	Bills for fiscal 1968	Bills for the session
A. House actions:			
1. Budget requests for "appropriations" considered	$14,411,000,000	[2,3] $112,477,000,000	$126,888,000,000
2. Amounts in 11 bills passed by House	14,238,000,000	[2,3] 109,611,000,000	123,849,000,000
3. Change from corresponding budget requests	−173,000,000	−2,866,000,000	−3,039,000,000
B. Senate actions:			
1. Budget requests for "appropriations" considered	14,533,000,000	9,073,000,000	23,606,000,000
2. Amounts in 4 bills passed by Senate	14,457,000,000	8,954,000,000	23,411,000,000
3. Change from corresponding budget requests	−76,000,000	−119,000,000	−195,000,000
4. Compared with House amounts in these 4 bills	+219,000,000	+90,000,000	+309,000,000
C. Final actions:			
1. Budget requests for "appropriations" considered	14,533,000,000	9,073,000,000	23,606,000,000
2. Amounts approved in 4 bills enacted	14,394,000,000	8,928,000,000	23,322,000,000
3. Comparison with corresponding budget requests	−139,000,000	−145,000,000	−284,000,000

[1] Permanent appropriations were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968.

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget, $980,000,000; House, $925,000,000).

[3] And participation sales authorizations as follows: Total authorizations requested in budget, $4,300,000,000; total in House bills, $1,946,000,000.

Prepared June 29, 1967, in the House Committee on Appropriations.

Summary of action on budget estimates of "appropriations" in appropriation bills, 90th Cong., 1st sess., as of June 29, 1967

[Does not include any "back-door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	Budget estimates considered by House	Passed House	Budget estimates considered by Senate	Passed Senate	Enacted	(+) or (−), latest action compared to budget
Bills for fiscal 1968:						
Treasury-Post Office	$7,613,787,000	$7,499,230,000	$7,615,148,000	$7,555,167,000	$7,545,641,000	−$69,507,000
District of Columbia:						
Federal payments	63,499,000	59,499,000				−4,000,000
Federal loan appropriation	49,600,000	48,100,000				−1,500,000
Interior	1,443,793,000	1,365,310,150	1,458,218,000	1,399,359,550	1,382,848,350	−75,369,650
Loan and contract authorizations	(30,700,000)	(16,200,000)	(30,700,000)	(16,200,000)	(16,200,000)	(−14,500,000)
Independent offices-HUD	[2,3] 10,804,642,700	[2,3] 10,013,178,782				−791,463,918
Contract authorization	(40,000,000)					(−40,000,000)
Labor-HEW	[3] 13,322,603,000	[3] 13,137,488,000				−185,115,000
State, Justice, Commerce, and the judiciary	[3] 2,342,942,000	[3] 2,194,026,500				−148,915,500
Legislative	231,311,132	228,089,952				−3,221,180
Agriculture	[3] 5,021,097,400	[3] 4,770,580,950				−250,516,450
Loan authorization	(859,600,000)	(859,600,000)				
Defense	71,584,000,000	70,295,200,000				−1,288,800,000
Public works	[4] (4,867,813,000)					
Military construction	[4] (2,937,000,000)					
Foreign assistance	[4] (3,818,736,000)					
Transportation	[4] (1,718,618,772)					
Supplemental (NASA, poverty, other deferred items; usual supplementals)	([4] [5])					
Subtotal, 1968 bills	112,477,275,232	109,610,703,334	9,073,366,000	8,954,526,550	8,928,489,350	−2,818,408,698
Supplementals for fiscal 1967:						
Defense supplemental (Vietnam)	12,275,870,000	12,196,520,000	12,275,870,000	12,196,520,000	12,196,520,000	−79,350,000
2d supplemental	2,134,932,833	2,041,826,133	2,257,604,652	2,260,246,933	2,197,931,417	−59,673,235
Subtotal, 1967 bills	14,410,802,833	14,238,346,133	14,533,474,652	14,456,766,933	14,394,451,417	−139,023,235
Cumulative "appropriation" totals for the session:						
House	126,888,078,065	123,849,049,467				−3,039,028,598
Senate			23,606,840,652	23,411,293,483		−195,547,169
Enacted			23,606,840,652		23,322,940,767	−283,899,885

[1] Permanent "appropriations" were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968. (All forms of permanent "new obligational authority" for 1968 were tentatively estimated in the January budget at $17,452,899,000.)

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget, $980,000,000; House bill, $925,000,000).

[3] And participation sales authorizations as follows: Independent offices-HUD, $3,235,000,000 in budget estimates and $881,000,000 in House bill; Labor-HEW, $115,000,000 in budget estimates and House bill; State, Justice, Commerce, and the judiciary, $150,000,000 in budget estimates and House bill; Agriculture, $800,000,000 in budget estimates and House bill. Total authorizations requested in budget $4,300,000,000; total in House bills, $1,946,000,000.

[4] These are the amounts presently pending consideration in the committee.

[5] Several billion.

Prepared June 29, 1967, in the House Committee on Appropriations.

JULY 4, ANNIVERSARY OF THE GREAT ITALIAN PATRIOT GARIBALDI

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, it is with great pleasure that I rise in commemoration of the anniversary of the birth of a great patriot—Giuseppe Garibaldi, Italian soldier, revolutionist, and patriot, born on July 4, 1807.

Garibaldi is a name emblazoned in Italian history and indeed in the history of mankind's yearning for freedom. While in his twenties Garibaldi met Giuseppe Mazzini, whose doctrine of revolutionary nationalism inspired Garibaldi to enroll in Mazzini's society, "Young Italy"—Giovine Italia—which was striving for national unity. Garibaldi joined the Piedmontese navy in order to stir up mutiny and initiate a national revolution, but upon being detected was forced to flee the country in 1834. For his actions he was sentenced to death in absentia by the government of Piedmont. To escape death the young Italian fled to South America where he spent the next 12 years—1836 to 1848.

Returning to Italy in 1848, the year of revolutions, Garibaldi first fought for the newly formed Milanese Republic against Austria. The following year the republican government in Rome entrusted him with the supreme task of defending the city against an imminent French invasion. Although Garibaldi and his followers ultimately fell before the superior numbers of the French, he won a much greater prize than military victory. Their bravery and tenacity in defending Rome at a time when other revolutionaries were offering feeble resistance to the return of the old regimes proved to the world that Italians could and would fight for their national freedom. Without the inspiration and brilliance of Garibaldi, it is unlikely that the defense of Rome would have been so impressive. The qualities which he exhibited—skill as a general, extraordinary personal valor and fearlessness, power of leadership, and a determination never to surrender to the enemies of Italy—caused him to be regarded as the very embodiment of the Italian national spirit.

After the defeat at Rome, Garibaldi was forced into exile by the Piedmontese government. Only in 1854 was he allowed back home, after having spend much of his adult life in exile. In 1856 and 1858 Garibaldi secretly met the Piedmontese prime minister, Count Camillo di Cavour, after which he was allowed to command a unit of volunteers when Piedmont began a war against Austria in 1859 with French help. The war was ended when Lombardy was recovered from Austria but with Venetia still in Austrian possession. Garibaldi broke with Cavour when the latter seemed to put Piedmontese and conservative interests before those of national unification.

In September 1859, Garibaldi went to Florence where he tried to organize a march on Rome to overthrow the Pope's temporal power but was dissuaded from this course by King Victor Emmanuel. Yet early in 1860, when Cavour bargained away Nice to France, Garibaldi became ungovernable over this cession of his home city. Indignant and rebellious, he sailed to Sicily with scarcely 1,000 Redshirts, where a revolt had broken out against Francis II, the Bourbon king of the Two Sicilies. After an extraordinarily successful campaign, Garibaldi organized Sicily under his personal leadership and marched upon Naples. Checked in October by the Neapolitan army on the Volturno River north of Naples, he reluctantly accepted Piedmontese help and ultimately handed over his command of the Two Sicilies to Victor Emmanuel. With this territory added to the recently expanded Piedmontese regime, a new Italian state came into being. The great patriot Garibaldi had thus acted as a chief agent in the process of Italian unification.

Thus, Mr. Speaker, we pay tribute to Garibaldi, one of the greatest guerrilla generals of all time, a great patriot, and a prime mover in the cause of Italian unification. He truly ranks among the universal patriots of all time, and on this, the anniversary of his birth, we once more recall his greatness, his courage, and his dedication to the cause of freedom.

ILLINOIS IS MEETING CHALLENGES OF AUTOMATION AND TECHNOLOGICAL ADVANCE

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, it is my pleasure today to call to the attention of my colleagues the report of Mr. William Karp, secretary and public member of the State of Illinois Commission on Automation and Technological Progress.

I wish to commend Mr. Karp for the cogent and comprehensive report which was prepared under his direction. Within the report, the problems faced by a State with a growing industrial complex were carefully analyzed. They were discussed in depth, and solutions were recommended whenever possible. Perhaps the most significant contribution which the commission made was to realize that continued economic growth is not assured unless constructive programs arise to meet new challenges.

Mr. Speaker, Illinois is one of the most dynamic States in the Union. Her industry is rapidly expanding, her agriculture is becoming more efficient, and she exports more than any other State in the Nation. The contributions of such dedicated organizations as the commission on automation and technological progress have put Illinois in the forefront of efficient State governments. Because other States are faced with the same problems as Illinois, I am sure the highlights of Mr. Karp's report will be of interest to all.

The report follows:

TECHNOLOGICAL PROGRESS—A REPORT OF FINDINGS

Scientific and technological progress is a little like a roller coaster ride. Fascinating—but frightening.

Many people today are more than a little dismayed by the scientific and technological genii that have escaped into the world.

Most of us applaud the benefits of technological progress which made possible an affluent society. But along with these benefits is the spectre of unemployment and economic dislocation. And not the least of our concerns is the existing nuclear, chemical and biological capabilities to destroy civilization.

Instinctively, we sense the need to understand such powerful forces.

There is no time for delay in recognizing and dealing with the reverberating impacts of technological progress upon industry, government, labor and the cultural institutions of Illinois. To keep from faltering, the only thing to do is to work hard on the emerging problems and issues.

Which is what the Illinois Commission on Automation and Technological Progress has been doing through hearings, investigations and studies since December of 1965. We do not pretend that we have been able to master this complex and changing subject. But here are some of the highlights based upon our findings:

Technological progress is changing Illinois. It will not ruin us. It can enrich us. That advance stage of technological progress—automation—does present a danger, but only if we do nothing about it. The question before us is how can this great industrial-agricultural state make technological innovation serve all of its citizens?

Since World War II, technological advances have remodeled the business and industrial landscape of Illinois, rescheduled the work day and categorized many of us into new kinds of occupations. There is greater promise today also of solutions to primary human, physical, economic and social problems that have troubled our lives, our towns and nations throughout history.

The Commission found that some leaders in industy, labor and government are not aware of how technological change is shaping and redirecting—though not always pleasantly—the lives of the men, women and children of Illinois.

Illinois stands as a giant of both industry and agriculture in the nation's economic structure.

No other state in the Union can claim to have produced the greatest volume of overseas exports; the biggest tonnage of steel; the first nuclear chain reaction; the most corn and soybeans; the world's busiest commercial airport; and TV's Kukla, Fran and Ollie.

The changing tides of technological progress was investigated by conducting hearings in three industries—meatpacking, banking and insurance. The testimony of witnesses from these industries depicted the impact of technological change upon their establishments:

The decline of meatpacking in Illinois began when rail transportation advantages were neutralized by the refrigerated motor truck and when advancing technology made big, aging plants obsolete.

Today, new meatpacking plants are smaller, more specialized, located most frequently near the source of livestock supply—mainly in the Western corn-belt—and highly mechanized. Electric power tools and sawing devices skin, dress and trim livestock.

Chicago is no longer "hog butcher of the world." The old Union Stockyards has been condensed to half its size. The new streamlined operation makes Chicago the foremost livestock distribution center in the world. Hogs no longer die in Chicago, they merely stage away. For Chicago has become a staging area from which each year five million animals march to their places on the country's dinner tables.

Illinois dropped from its number one place in meatpacking to number two, behind Iowa. Job displacement was severely felt. Employment in meatpacking plants dropped 45%, from a peak of 41,900 to 23,000 employees, in the years from 1956 to 1965. During this ten (10) year period, jobs in Chicago declined even more sharply, by 57%. A deficit of 15,000 jobs in meatpacking was left behind in Chicago alone by the technological changes in this industry.

What happened to the thousands of workers displaced from meatpacking jobs?

The vast majority left meatpacking. After a period of severe economic hardship, 80% were re-employed eventually in other indusstries to jobs paying $1,000.00 less, on the average. Few displaced workers had sufficient education or aptitude for retraining and most workers displayed great reluctance to relocate their families for the sake of jobs.

Witnesses at hearings on the Banking Industry testified that automation has made a dramatic entrance into financial institutions. Technological changes have already placed banking on the threshold of an exciting new age.

The significant move to bank automation began approximately ten (10) years ago when mounting work loads and increasing operating problems engulfed the nation's commercial banks. In 1952, eight billion checks were written, but by 1960 the total ran to thirteen billion. At that rate, by 1970 there would have been an annual avalanche of more than twenty-two billion checks inundating the banking industry.

Other factors, too, propelled banking automation. Between 1946 and 1960, commercial banks had a great growth of business activity. The number of savings accounts increased 33%; commercial loans 113%; mortgages 290%; and installment credit, an impressive, mushrooming 850%.

Such growth has been a result, not a cause. It reflects the overall growth of the nation.

In addition to these external pressures leading to automation, there also have been several trends within banking that have exerted internal pressures for technological solutions. Perhaps, most important is the growth in bank employment. Few industries have so large a ratio of clerical employees to payroll costs. If banking employment continued its 15 year post World War II growth, everybody in the labor force would be working in banks by the year 2100.

The issue was clear. Banks accepted the challenge before them with a speed uncommon for a relatively conservative profession.

By the late 1950's, a solution for automated processing of the mounting volume of checks was hit upon.

Magnetic Ink Character Recognition—known as MICR—was developed and introduced, and broke the check barrier.

Computers have opened up a new era of banking altogether. For business firms, banks can provide such automated customer services as: account-reconcilement programs; bill-collection programs; sales analyses; accounts receivable and payable; expense analyses; and inventory controls. For individual depositors, services may involve: income and disbursement analyses; consolidated statements of all information on a savings, checking or installment credit account; automatic debits; and even a paying-agent service.

The age of the checkless society or the cashless society still has many obstacles to overcome. There are trends, however, that indicate we will use less and less cash and fewer and fewer checks.

What becomes of people who have been displaced by automation?

Many old-fashioned jobs are being eliminated. Generally, personnel are transferred to similar or better positions. Statewide banking employment in Illinois has risen about 2½%. This is partly the result of the offering of new services as well as industry growth.

The Insurance Industry—which like banking consists essentially of white collar occupations—has felt the sharp impact of automation, according to testimony of witnesses from Illinois insurance companies:

Insurance is a growth industry. Since World War II, many companies have grown at a phenomenal pace.

The Franklin Life Insurance Company of Springfield, Illinois, for example, grew from one billion to 6,330,000,000 dollars of insurance in force from 1952 to 1966. And they better than doubled their life policies during that time from approximately 400,000 to 950,000.

The Continental Assurance Company of Chicago grew from five billion to eleven billion dollars of insurance in force from 1957 to 1966.

The insurance industry ranks among the largest employers in the United States, employing more than 850,000 people. More than half of these—470,000—are employed by life companies. Total employment rose 32% between 1954 and 1964.

A large part of the activity of an insurance carrier consists of the recording, storage, retrieval, and processing of information. Unless a rapidly expanding company takes advantage of every means to process this information, the burden and expense of paperwork becomes insupportable. The old manual and punch card system had served insurance company purposes well up to a point, but now is unable to keep up with the continued demand for services. There was no alternative for rapidly growing insurance carriers. They were compelled to turn to electronic computer systems. By 1963, companies accounting for 80% of all employment in the insurance field had installed computers.

Computer systems have almost eliminated decisionmaking in routine jobs. Supervisory jobs have a greater number and variety of responsibilities. Middle management personnel responsibilities have increased greatly.

Top management jobs will require more skill. Those who aspire for such positions in the future will have to be computer oriented.

What is the employment outlook in the industry?

Jobs for key punch operators and tabulating machine operators will decline within the next five years. Job opportunities for file and junior clerks will be fewer.

In short, the insurance industry will be able to absorb proportionately fewer people from the labor market in the years ahead than formerly.

At present, there is an acute shortage of trained computer personnel. Many insurance companies have had to turn to its own organization for talent, and to undertake costly training programs.

It was soon evident that companies in many industries other than insurance and banking were "beating the bushes" for trained computer programmers, systems analysts, as well as other trained personnel. This led the Commission into a two-day hearing on vocational education, manpower training programs and apprenticeship. The Commission wanted to know what was being done by our educational institutions to educate and train the workforce of Illinois for jobs attuned to the atomic, space and computer age:

One witness from industry said that forty (40) personnel directors of companies in Illinois acknowledged dissatisfaction with the average product of our public education system. The general complaint was that literacy and mathematical skills were much too low for most jobs.

Products of public high schools and vocational high schools may be as good as they were ten (10) or fifteen (15) years ago, but that is not good enough. Today, modern industry places a much more serious demand on learning ability and achievement, particularly in the areas of reading, writing and arithmetic. A much greater demand is being made for special skills than is being turned out by vocational high schools.

Many companies object to training in machine operations that will not be useful anywhere in industry. With increasing frequency, employers comment, "We have to untrain graduates of vocational high schools before we can begin to train them on our machines."

Other witnesses representing private, state, city and federal education agencies and manpower training programs starkly outlined the training and education problems Illinois faces:

Illinois is moving ahead with an exciting program—the development of a junior college system. In the past, the State has not had institutions to do the job a junior college can do. It has had universities and it has had the secondary schools, but some fields such as medical technology are neither university nor secondary school subjects. If the junior college succeeds in becoming a community institution that serves community and state needs, such technical training can be started.

There is a broad gap at present between the training the State provides and projected developments in industry. We have not really come to grips with the many changes in workforce skills which are being brought about by technological progress.

Illinois has been among the leading states in the Union in the number of out-of-school and displaced persons enrolled in training under the Manpower Development and Training Act of 1962. Only California and New York surpass Illinois.

Manpower training programs recently have been oriented to the disadvantaged group who are unemployed or underemployed. As a result, these programs are now geared towards filling about one-third of existing job needs while two-thirds are unmet because of a lack of funds. Consequently, emerging occupations in the skilled, technical and professional fields can be helped only on a very limited scale because of fund limitations. Even training of computer programmers has been curtailed.

Approximately ten different Federal acts provide funds for training. Each year the State is required to develop a plan for training under each of these acts. There is, however, no overall coordinating machinery for this. Coordination is considered imperative if Illinois is to derive full benefit from federal funding programs.

The effect of technological advancement in the building trades has been to reduce employment and apprenticeship opportunities. Six years ago the Cook County Building and Construction Trades Council had a membership of 130,000 building trades mechanics during peak periods. Today, it is down to less than 100,000 workers. At the same time, this smaller number of mechanics is doing a greater square footage and dollar volume of construction than ever before.

Not only building projects are affected. Road construction uses a machine that applies and pre-finishes 60-foot-wide segments of concrete. Only two or three men are needed to do final touch-up.

According to testimony presented by the Chicago Urban League, the impact of technological progress in the Chicago labor market has been to decrease the number of unskilled jobs while increasing the number of semi-skilled and skilled positions. These new job openings are out of reach for many Negro workers, primarily because the schools have failed to equip Negroes for the realities of modern day job requirements.

The representative stated that high schools are failing to educate people. Not enough money is being spent per pupil. There are not enough experienced teachers. Classrooms are overcrowded.

One of the Commission's last findings concerns the 200 billion electron volt (Proton) Accelerator Project at Weston, Illinois.

The project not only will accelerate atoms to unparalleled speeds on earth, but will also jet stream the State of Illinois into an advanced competitive position in science research. At one fell swoop, Illinois is assured of joining the elite fraternity of such science-oriented states as California, New York and Massachusetts.

There is no telling at this stage what spin offs in scientific knowledge, new technological advances and new industries may evolve out of this remarkable scientific enterprise which seeks to penetrate the innermost secrets of matter and energy. We can reasonably predict that the (Proton) Accelerator will deeply affect industry, university, public policy and labor in Illinois. It will create in economic potential of unlimited dimensions. Suffice it to say, that no single event in recent State history has an equal claim to significance in shaping the future prospects of the people in Illinois. The Commission's work has only begun.

Our study of technological progress in Illinois thus far has raised more questions than we have been able to answer. Many subjects have been scrutinized, but are far from having been probed or understood.

We have gone as far as our resources allowed since the 1965 session of the Illinois General Assembly.

It is not difficult to see that we have a long way to go to catch this tiger by the tail.

HEARINGS ON REPRESENTATION FOR THE DISTRICT OF COLUMBIA

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CELLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CELLER. Mr. Speaker, the Committee on the Judiciary has scheduled hearings on House Joint Resolution 396, to amend the Constitution to provide for representation of the District of Columbia in the Congress, and companion measures, before the full committee of the Committee on the Judiciary. These hearings will begin on Wednesday, July 19, 1967, at 10 a.m., in room 2141, Rayburn House Office Building.

Those wishing to testify or to submit statements for the record should send their requests to the Committee on the Judiciary, House of Representative, room 2137, Rayburn House Office Building.

PERMANENT PEACE IN THE MIDDLE EAST—HOUSE RESOLUTION 689

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, yesterday I introduced a resolution upon which a permanent peace can be based in the Middle East. Today I would like to bring this resolution to the attention of my colleagues in the House.

In order to insure permanent peace in the Middle East, I believe it is essential that peace negotiations take place directly between the belligerent nations. I am certain any agreement between the parties will prove acceptable to the world.

I know my colleagues will find this resolution of timely interest and ask that they give it their careful consideration:

H. RES. 689

A resolution expressing the sense of the House of Representatives with respect to permanent peace in the Middle East

Whereas Israel has, for the third time, driven off the aggressors who have vowed her destruction; and

Whereas Israel asks only peace in the Middle East; and

Whereas Israel has thwarted designs of communism in the Middle East and is America's only reliable friend in the region; and

Whereas all nations have the right to live secure from threats and harassment: Now, therefore, be it hereby

Resolved, That the Gulf of Aqaba and the Strait of Tiran be recognized by the United Nations as international waters;

That the Constantinople Treaty of 1888 be enforced by the signatory powers so that no parties shall be denied passage through the Suez Canal;

That Israel not be required to withdraw its troops to any arbitrary line until the negotiation of a permanent peace treaty;

That peace negotiations take place primarily and directly between the belligerent parties in the Middle East;

That Israel be assured a rectification of frontiers to make its territory less vulnerable to surprise attack, including possession of the old city of Jerusalem;

That the problem of the Arab refugees from this most recent and previous wars be resolved once and forever more, with assistance from the United Nations and the United States;

That this Government and the governments of other developed nations contribute reasonable amounts of money to encourage economic development among all the belligerent states;

That the United States agree to guarantee enforcement of any peace treaty that emerges from the recent conflict.

ROLE OF WOMEN IN THE WAR ON POVERTY

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, the role of women in helping to win the war on poverty is absolutely crucial, and more attention needs to be paid to the efforts of many women's organizations and many thousands of dedicated individual ladies in helping the poor to help themselves.

Mr. Speaker, one of the most active and articulate ladies engaged in support of the war on poverty is Mrs. Joseph Willen of New York City, past president of the National Council of Jewish Women, and a leading figure in Women in Community Service—WICS—an organization comprised of women of all faiths which was formed to help make a success of the Women's Job Corps program.

As an example of Mrs. Willen's efforts on behalf of disadvantaged American youth, I would like to call the attention of my distinguished colleagues to a report on the Tongue Point Job Corps Center for Women in Astoria, Oreg., which Mr. Willen, as NCJW president, sent out as a news release this past March. Mrs. Willen's report is especially significant, Mr. Speaker, in that it stresses the vital contributions of our distinguished colleague, the gentlelady from Oregon [Mrs. GREEN], to a successful Job Corps program.

Mr. Speaker, with permission I insert Mrs. Willen's report on the Tongue Point Center at this point in the RECORD:

A VISIT TO TONGUE POINT

(By Mrs. Joseph Willen)

With the Presidents of the National Council of Catholic Women, the National Council of Negro Women and Church Women United, I went to Oregon to be in on the planning and opening of the new Women's Job Corps Center in Tongue Point, Oreg.

The new center will be a symbol of the success of the Women's Job Corps, and a tribute to the people who believed in it from the start. It is located in the state of Congresswoman Edith Green, who was largely responsible for having women written into the original Job Corps legislation. It is being reconverted from a former men's center to accommodate the vastly increased number of women trainees now called for by the new amendments to the Economic Opportunities Act. Thanks to Rep. Green—and the achievements of the women's corps—the number of women has been more than doubled, from 10% to 23% of enrollees. And, last but not least, it is WICS which is being given credit for much of the trainees' success.

We were invited to the opening particularly because the Job Corps wanted us to share some of WICS' experience with staff members of the University of Oregon, which has a contract to manage the new center. We had an unusually instructive and exciting meeting with these dedicated men and women, who are headed by former Secretary of Health, Education, and Welfare, Arthur Flemming.

They told us that they felt it was an "added ingredient" to be working with girls who had come through WICS. They were delighted with WICS' approach to the whole girl, rather than to her job-training problems alone. The volunteers' personal involvement with the girls, the interest in their day-to-day problems and their struggles to grow and identify as women have made a crucial difference in the girls' motivation, it is felt by many Job Corps people. The knowledge that others really care if they succeed has given these youngsters a true headstart in accomplishing the profound changes that most have had to make in their lives.

The university people told us that they themselves expect to learn a great deal in working with the girls, because they will be able to explore new ways of reaching a segment of the school population which the public schools have largely failed. They are examining many new teaching and counseling techniques which they hope will enrich their own school of education as well as improve teaching methods throughout the state.

They are already working to attract community interest in the center, and thus create a favorable atmosphere for the girls' experience. While we were there, we took part in a luncheon given for the Mayor, his wife and leading citizens of the nearby town of Astoria, at which the community people pledged to do all in their power to help the project and make the girls welcome. They were particularly interested in our experiences, and so stirred by the remarks of WICS President Rosemary Kilch at the luncheon that a local WICS group was organized on the spot.

I came away feeling that our country is becoming more and more aware that experiments like the Job Corps are worth many times the dollar investment that has been put in them. Economic deprivation has done far more than rob millions of our children of good food and homes; it has also robbed them of the incentive to try to become successful members of our society.

The Job Corps, I am convinced, is one of the answers because it gives its students for 24 hours a day that combination of good home and good school that our privileged children take for granted. It will give our Job Corps girls a new chance to contribute to the two families in their lives—the families they come home to and the families they will raise.

Pioneering is not easy. It has its risks. The girls themselves, the staff person who invests a few years of his life, the University which sacrifices the valuable time and energy of faculty members—all of these are taking risks. We in Council took a risk when we embarked on this new and difficult program. Even had it not paid off, we should have done it anyway. But we are lucky. The reward is already before our eyes.

CONSERVATION OF OUR NATURAL RESOURCES

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Waggonner] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I think we are all interested in conservation of our natural resources, and are prepared to do all we can do to preserve these resources for future generations of Americans. However, many of us probably do not realize that conservation also involves the efficient use and proper replenishment of resources located in or on the outskirts of our urbanized areas. My district is honored to have included in its borders 1 of 26 areas in the country selected for study in how to best develop and use the natural resources for economic growth while still providing for the recreational needs of people in and outside the area. This project is only 1 of the 26 resource conservation and development projects being considered.

If implemented, this project is expected to lead to an area income gain of over $83 million over the next 15 years. Retention of natural resources will be balanced with industrial growth to provide the best possible living and working conditions for this growing area. One of the most laudable aspects of the project's plan is the cooperation and enthusiasm of both the area residents and potential and established industries in the region. The entire plan is studied in the June 16 Minden, La., Press-Herald, and I urge everyone to read it to gain a better understanding of how efficient use of our natural resources can benefit everyone:

Large Economic Impact Is Seen if R.C. & D. Plan Is Implemented—15-Year Growth of $83.3 Million Predicted

Large impact on the economy of Webster and Bossier Parishes is expected if the Resource Conservation Development Project's plan is implemented, according to officials of the pilot project.

Estimations in the Project's draft call for expenditures of more than $44 million during a 15-year period while the plan is being installed.

In addition, the draft notes, "If all measures are installed, the gross income of the area will be increased by an estimated $83.3 million dollars over the next 15 years."

Concerning labor, it was pointed out employment within the project area, not counting additional job opportunities, could require 4,200 man-years to implement all phases of the project.

Although the brief predicts specific monetary increases in forestry and agriculture, it simply notes implementation of other phases "will ultimately show up as increased growth in industry, recreation and tourism and associated businesses as a result of these project measures creating a more favorable atmosphere for growth.

"Increased productivity in agriculture, including forestry, resulting from accelerated land treatment and water management programs is expected to increase the gross income of the area by an estimated $23.1 million dollars annually once all programs are completed," the report says.

BRIEF IN FT. WORTH

According to F. W. Hofmeister, project coordinator, the plan is now in Ft. Worth, Tex., being printed prior to its submission to state officials for approval the last week in June. Tentative plans call for the project plan to be in Washington, D.C. for approval by June 30, Hofmeister noted.

One of only 26 such projects underway in the country, the RC&D program for the Bossier and Webster required the services of more than 100 persons plus some 30 organizations and state and federal departments in drawing up information for the brief now being printed.

While work on the plan was underway, it was noted, 30 meetings were held with more than 800 persons in attendance.

OBJECTIVE

Officials have noted the primary objective of the RC&D plan is "to develop and use wisely natural resources for economic growth and to provide for the needs of people in and outside the project area."

It was explained the presence of a "wealth of undeveloped soil, water, forest and wildlife resources" is evidence of potential benefits in the area.

Pointing out the population rise in the project area, the report notes the trench is for persons in the Shreveport-Bossier area "to flock to the countryside for recreation and places to hunt and fish." The trend is becoming greater, thus creating pressures on land water, officials added.

STRONG WILLINGNESS

Discussing implementation of the plan, the brief points out persons in the area have indicated a strong willingness to carry out many needed project measures to the limit of their financial and technical ability.

"However," it goes on to say, "Technical and financial assistance will be needed to help do the job."

"They also know that if this assistance comes their way and the conservation and development of resources in the project area will create benefits that are difficult to measure in dollars and cents."

OBJECTIVES OUTLINED

A complete listing of objectives for the RC&D program here are outlined below:

1) Fully develop, improve, conserve and utilize the project area's woodland, cropland, grassland, wildlife and water resources to meet the following goals:

a) Triple the value of the standing timber resource woodland owner income from timber sales.

b) Double the number of forest industry associated jobs and the income in salary and wages from forest industries.

c) Increase cropland income by 25 per cent and secure new uses for cropland now producing crops in surplus.

d) Increase income from livestock enterprises by 35 per cent.

e) Increase the vast recreational and tourism opportunities.

f) Provide aesthetic beauty for all.

g) Provide high quality water to meet all needs.

h) Utilize all idle, unproductive land for the purpose it is best adapted to in relation to need.

2) Encourage new industries to use the increased resource production and provide more skilled jobs for people.

3) Complete needed soil surveys.

4) Encourage and assist communities to improve facilities such as water and sewage systems, streets, parks, libraries, health and sanitation, education and other facilities which would make them more desirable places to live and work.

5) Expand educational and training programs to create a well-trained labor force to meet the needs of the area.

6) Increase resource educational work with youth groups through schools and youth organizations.

7) Develop watershed projects to conserve soil and water and for irrigation, municipal, industrial and recreational uses.

8) Protect, conserve and develop natural, scenic, archeological and historic areas resources and restore historical structures.

9) Make full use of local leadership and secure the participation and support of all the people in the project area.

HIGH HONOR ACCORDED TO MRS. OVETA CULP HOBBY

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Casey] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CASEY. Mr. Speaker, a great lady of Texas—one whom many of my colleagues know personally and respect for her charm, ability, and dedication—was recently accorded a high honor in Houston.

Mrs. Oveta Culp Hobby, chairman of the board and editor of the Houston Post, became the first woman in history to be named to the board of trustees of Rice University.

Because so many of my colleagues remember this great lady from her years of service to our country as the first Secretary of the Department of Health, Education, and Welfare, and from her distinguished service as first Commander of the Women's Army Corps during World War II, I take great pride in bringing to their attention the following news story concerning her appointment.

I know my colleagues join with the people of Houston in congratulating Mrs. Hobby on this great honor.

First Woman Named To Serve—Mrs. Hobby Named to Rice University Board

Oveta Culp Hobby, chairman of the board and editor of The Houston Post, has been named to the Rice University Board of Trustees.

She is the first woman to serve on the board in its 76-year history, Chairman H. Malcolm Lovett said in announcing the appointment.

Noting that Mrs. Hobby and her late husband, former Gov. William P. Hobby, had long been associated with Rice, Lovett said:

"Mr. and Mrs. Hobby encouraged their son, William P. Hobby Jr., to select Rice for his university education and he was graduated in 1953.

"They have befriended and supported our university in many other significant ways over the years.

"Mrs. Hobby's brilliant career in national, state and local educational, civic and business affairs will enable her to bring a vast experience in such matters to the work of our board, and, if she chooses, she may also bring the woman's viewpoint for the first time directly to our table.

"We are delighted that she has accepted our invitation to join the Rice governing body, and will be the one to begin a new tradition at Rice."

Mrs. Hobby will fill the board vacancy created by the death of Harmon G. Whittington on Oct. 22, 1966.

She was appointed by President Eisenhower as the first secretary of health, education and welfare, a post she held from 1953 to 1955.

The Cabinet post was one of many contributions she made to government.

In 1942 she was named director of the Women's Auxiliary Army Corps, and from 1943 to 1945 she served as the first commander of the Women's Army Corps.

For her wartime service she was awarded the Distinguished Service Medal and the Philippine Military Merit Medal.

In 1953 she was named federal security administrator.

Mrs. Hobby currently is a member of the Carnegie Commission on Educational Television; National Advisory Commission on Selective Service; and the Health, Education and Welfare Department's Vietnam Health Education Task Force.

Also, the Board of Advisors to the Committee for Economic Development; Continental Oil Company Scholarship Award Committee; Committee of 75 for the University of Texas; and the President's Commission on Employment of the Physically Handicapped.

Also, the visiting Committee, Graduate School of Education, Harvard University; Advisory Board of the George C. Marshall Research Foundation; and the Board of Trustees, Society for Rehabilitation of the Facially Disfigured.

This year, she received the Carnegie Corporation Award for Advancement and Diffusion of Knowledge and Understanding.

Mr. Hobby is a member of the Houston Country Club, Bayou and Ramada Clubs, and the Junior League of Houston.

She has received well over a dozen honorary degrees, among them doctorates from Baylor University, Columbia University and the University of Pennsylvania.

SERVING OF LIQUOR ABOARD AIRLINES

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Pickle] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, the Civil Aeronautics Board has given the airline industry until July 24 to show cause why their notice of ruling to discontinue the serving of free drinks aboard airlines should not be put into effect.

The ruling proposed by the CAB makes good commonsense and is a point to which I have addressed myself on the floor of the House of Representatives and to the Civil Aeronautics Board. I am hopeful that this ruling will go into effect.

I wish to submit the article of notification regarding this ruling which appeared in the June 24 issue of the Washington Post, with the thought that it will be of interest to the Members of this body:

CAB To Ban Free Drinks in Airliners

The Civil Aeronautics Board has proposed an end to free drinks aboard airliners.

The Board has given the industry until July 24 to respond to a proposed rule that would require each airline to file provisions for the type and amount of charges for in-flight liquor service, in the same manner that they file passenger fares and cargo rates.

The tentative rule says that "It is the policy of the Board to require that each passenger who receives such in-flight service shall be assessed a charge therefore which shall be reasonably related to the cost and value of the service, in all classes of service." On most trunk airlines, first class passengers receive free drinks, and coach passengers pay $1 a drink.

The Board explained its policy regarding liquor service is the same as that toward movies and other in-flight benefits.

The CAB said these services are separate from the transportation functions of the airlines, and therefore the cost should be borne as much as possible by the passengers receiving the service.

STATEMENT OF CONGRESSMAN MOORHEAD

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Holland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOLLAND. Mr. Speaker, we always address everyone in this House as our "distinguished and able colleague," and I, for one, have no difficulty in extending this title to most of my fellow Members. But there are some of my colleagues for whom I have a particular bond of affection and respect. One of those is my good friend and neighbor, the gentleman from the Pennsylvania district adjoining mine [Mr. Moorhead].

It has long been my pleasure to work with Bill Moorhead in the interests of the city of Pittsburgh and of Allegheny County which we both have the honor to represent, and we are accustomed to finding ourselves on the same side of most legislative issues, as well. But it was particularly satisfying to me to have my colleague appear before the Education and Labor Committee, of which I am a member, to testify on behalf of H.R. 8311, the pending administration amendments to the Economic Opportunity Act. Mr. Moorhead provided the committee with a very penetrating analysis of the wonderful work that is being done in Pittsburgh by the mayor's committee on human resources with the support of OEO, and with a most persuasive argument against those who would "de-escalate" the war on poverty by tearing its command post apart and scattering the remnants to other agencies, which have other purposes to fulfill and other clientele to serve.

I insert the statement of my good friend, the gentleman from Pennsylvania [Mr. Moorhead] at this point in the Record:

Testimony of Congressman William S. Moorhead Beore the Education and Labor Committee on H.R. 8311, the Economic Opportunity Amendments of 1967, June 28, 1967

Mr. Chairman and Members of the Committee: It is a great pleasure to be here this morning as your first Congressional witness. My purpose in appearing here is two-fold: first, to speak on behalf of the Economic Opportunity Amendments of 1967 and second, to urge that the Office of Economic Opportunity be retained as the central administrative and coordinating agency for the programs that constitute the War on Poverty.

The bill before you strengthens, continues and in some cases expands a complex of programs that has been of incalculable benefit to the people of my city of Pittsburgh. Just as importantly, it retains the administrative and coordinating framework without which the Pittsburgh program could not have succeeded to the extent it has.

Pittsburgh's program is a success because the city was ready with appropriate plans and proper leadership a year before the passage of the Economic Opportunity Act of 1964. The City was able to mobilize quickly for its War on Poverty because the pattern of cooperation between the City government and the community's social, religious and civic organizations was well-established.

Pittsburgh's anti-poverty administrative agency is the Mayor's Committee on Human Resources, Inc. Both ends of its name are significant. The Mayor of Pittsburgh, the Honorable Joseph M. Barr, set up the Committee, is its chairman, and appoints a majority of the members. Yet the Committee is an incorporated private organization, not a city agency or a public body, with a membership representing many important elements in the community—business, labor, government, housing and social service agencies, the clergy, educators, civil rights groups and the poor themselves.

The Committee combines the variety of skills, powers and interests essential for a concentrated attack on poverty. Pittsburgh's War on Poverty has been a team effort from the first. Existing community services and agencies have been coordinated with each other and the city government in a way never before attempted; lines of communication are now open between the poor and the city; the poor have been given a voice in planning ways out of their poverty; and all efforts have been focused on specific target areas.

I might add here that Sargent Shriver, the very able Director of OEO, has frequently singled out the Pittsburgh anti-poverty program as a "model for the Nation."

As of yesterday, it is estimated that since early 1965 the lives of more than 120,000 disadvantaged Pittsburghers have been affected for the better by one or more of the 29 programs in the City's War on Poverty. Here are some specific examples:

In education, 54,000 children from preschool to high school age, have participated in special compensatory programs ranging from Head Start to reading clinics, to tutoring, cultural, recreational, counseling and mental health programs.

Employment centers in Pittsburgh's eight target neighborhoods have found jobs for 3,000 sixteen to twenty-one year olds in Pittsburgh's Youth Corps, nearly 300 sixteen to twenty-one year olds in Job Corps camps all over the U.S., 450 adults in sub-professional posts in anti-poverty programs in their own neighborhoods, and 590 adults in new positions in the private employment market.

Some 28,000 persons have received a range of comprehensive health services ranging from pre- and post-natal care, child medical and dental care, home visits from health teams, immunization clinics, and most recently, a neighborhood health center to be set up under a $1.7 million OEO grant.

Social services have been brought to more than 27,000 persons. These services include family counseling, homemaker training, and welfare consultation.

Free legal services from lawyers in the eight target neighborhoods have been rendered to 3,800 clients. These lawyers also conduct consumer education classes.

Other programs include housing repair and maintenance classes for 6,000 students and special activities for 2,800 of the city's aged.

But while the City, its public and private agencies and its citizens deserve substantial credit for combining their skills, powers and interests in a concentrated effort that necessarily involves all of them, so, too, does the Office of Economic Opportunity.

In my estimation, OEO, the machinery that Congress created to administer the War on Poverty, was well conceived, and should not be dismantled, as some have suggested, merely because it has shown some imperfections. Our nearly three years' experience with OEO are reflected in the streamlining and strengthening provisions of the bill before you.

It is my firm belief that a majority of the flaws that have shown up in the administration of certain aspects of the War on Poverty—most notably the Community Action Programs—are not inherent in the structure of OEO but rather are a reflection of the fact that some American cities were not as well prepared for the demands of the War on Poverty as was Pittsburgh.

Our Pittsburgh program shows that by combining the resources and talents available in any American community the War on Poverty can be won. But it is essential to have at the Federal level one independent agency, OEO, capabale of concentrating skills and resources in the manner the local programs do.

Mr. Chairman, I have noticed that many of those who are quick to denounce the War on Poverty are equally quick to defend its specific component programs, such as Project Head Start and the Neighborhood Youth Corps. These people seem to feel that by removing the specific programs from the jurisdiction of OEO, criticism of the anti-poverty program will end. To me, this is specious logic.

First, we have seen over the years how difficult it is to assure interdepartmental cooperation on any project, and there is little reason to believe that this situation would improve if the various anti-poverty programs were parcelled out among the various departments.

Furthermore, the basic concept of the War on Poverty—a total, concentrated attack on the complex of social, physical and economic ills that afflict our poor—would be subverted by fragmenting programs that OEO has thus far carefully coordinated among departments already overburdened by the demands of their own programs.

Third, the abandonment of OEO as proposed in the Opportunity Crusade would forfeit nearly three years of experience and know-how accumulated by that agency in the administration of the War on Poverty. In many respects, the war would have to begin again from where it started in 1964.

Therefore, Mr. Chairman, I urge the Committee to retain the Office of Economic Opportunity and to strengthen and streamline its operations by adopting the amendments in the bill now before you.

Thank you for allowing me to appear here today.

ISRAEL FREEDOM WEEK

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PEPPER. Mr. Speaker, one of the major themes of our present world is the struggle for freedom, on both a national and international level.

The Israel nation has undergone a constant struggle for freedom from oppression, attempted domination, and extinction since its inception.

The whole free world was alarmed at recent Communist backed Arab attempts to drive the Israelis into the sea, and as the struggle progressed the free world was enmeshed in the Israelis' valiant efforts to maintain an outpost of freedom in a desert of domination.

It is with great pleasure and pride that I am able to announce that the House of Representatives and the Senate of Florida, with the concurrence of the Governor, the Honorable Claude R. Kirk, have designated June 12 to June 19, 1967, as Israel Freedom Week, in commemoration of their victory for all free men in the world.

Mr. Speaker, at this point in the Record I submit this resolution proclaiming Israel Freedom Week:

Resolution Drawn Up by the Florida House and Senate, Signed by Governor Kirk

Whereas, there exists in the world today a constant struggle for freedom from Communistic tyranny and

Whereas, the entire free world is duty bound to support in word and deed those who find themselves enmeshed in this valiant struggle and

Whereas, world events have embroiled the sole remaining bulwark of freedom in the Mid-East, the State of Israel, involuntarily into this valiant conflict and

Whereas, the support of the State of Israel is the manifest responsibility of all the followers of freedom and

Whereas, the basic tenets of our nation demand that we lend all support to the valiant citizens of Israel in their life and death struggle to preserve for us and for themselves the freedoms we so cherish,

Now, therefore, be it resolved by the House of Representatives of the State of Florida, the Senate concurring, that the Honorable Claude R. Kirk, Governor of the State of Florida, is respectfully requested to demonstrate the support, good wishes and prayers for victory of all Florida citizens for the State of Israel in their struggle for freedom by declaring the week of June 12 to June 19, 1967 as "Israel Freedom Week."

Claude R. Kirk, *Governor*.

JOHN KENNETH GALBRAITH ON VIETNAM

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Edwards] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, delegations from 30 States are in Washington this week to launch a national effort to build visible public support for new U.S. initiatives to bring about negotiations and a political settlement based on democratic elections in South Vietnam. This effort, which was initiated by leaders of nearly 20 religious, political, peace, and public affairs organizations, will involve the gathering of signatures on a national petition for negotiations now.

John Kenneth Galbraith, former Ambassador to India, now Paul M. Warburg professor of economics, at Harvard and national chairman of Americans for Democratic Action, is serving as sponsor and addressed the delegates yesterday, June 27. He provides for us the long view of the historian, asking that we disengage ourselves from the propaganda and rhetoric and the pressures of the present war climate, that we reexamine the assumptions of our action. And it is when we do this that the wisdom of Mr. Galbraith's policy suggestions becomes abundantly clear—"the abandonment of the goal of territorial conquest and pacification, deescalation, and a defensive strategy, the ending of the air attacks, political detachment, an escape from our own propaganda, negotiation if this proves possible."

Mr. Galbraith's remarks are penetrating and thoughtful. I ask unanimous consent that his excellent speech be placed in the Record at this point:

Vietnam: The Moderate Solution

(Address by John Kenneth Galbraith, Paul M. Warburg, Professor of Economics, Harvard University at "Negotiations Now: A National Citizens Campaign To End the War in Vietnam," in Washington, D.C., June 28, 1967)

A singular and well-observed feature of war is for the view in retrospect to depart radically from that which attended the beginning. Dangers which at the outset of hostilities seemed to justify the most sanguinary steps in the perspective of years seem slight, sometimes frivolous. And prospects which at the beginning of conflict seemed easy and brilliant come to measure only the depth of the miscalculation. The case of men who in the last thirty years have planned expeditions against Moscow, Pearl Harbor and Pusan not to mention Jerusalem and Tel Aviv sufficiently establishes the point. At the same time war turns reason into stereotype. Acceptance of what in the beginning is an estimate of national interest becomes an article of faith, a test of constancy, a measure of patriotism. At least while it lasts, war has a way of freezing all participants in their original error.

The war in Vietnam, by various calculations, has now gone on for more than half a decade and with mounting intensity for three years. It has shown these classical tendencies. The march of history has massively undermined the assumptions which attended and justified our original involvement. No part of the original justification—I do not exaggerate—remains intact. More remarkable, perhaps, very few of the assumptions that supported our involvement are any longer asserted by those who defend the conflict. Yet the congealing intellectual processes of war have worked to the full. Action which is not defended is still adhered to as a dogged manifestation of faith. Let me also be fair. Those who are committed not to support of this venture but to opposition have also shown a tendency to become frozen in fixed positions. For the first time since 1815 we are engaged in a conflict to which a very large part of the population is opposed. The unanimity rule which has previously characterized our national conflicts does not exist. Those who defend and those who attack both lost some of their capacity to accommodate their thoughts to new evidence.

My purpose here is to see if, however slightly, one can rise above these rigidities. I do not wish to pretend to view our situation in Vietnam with any special insight or wisdom. These I do not claim, and even if I did so, I would be cautiously aware of our well-recognized and exceedingly valuable tendency to greet such pretension with something between skepticism and outright vulgarity. I would like merely to inquire how this conflict will look when minds, those of supporters and adversaries alike, are no longer subject to the congealing influences of war. And I would like then to propose the course of action—I venture even to call it the solution—that emerges from such a view.

Many will think that in labelling this a "Moderate Solution" I have made an unhappy choice of words. Moderation in these days is not in high repute. The term itself, in some degree, has come to imply pompous and comfortable and well-padded inaction. Thus, it rightly arouses suspicion. And increasingly men are divided between those who want the catharsis of total violence and those who want the comforts of total escape. Yet if our national mood opposes moderation, history favors it. It does not vouchsafe us sharp, well-chiselled solutions. It gives us blurred edges and dull lines. Whatever the ultimate bang or whimper, we can be sure that in between there will be only compromises. Let me begin with the terrible treatment that history has accorded our original justification for this conflict.

II

No one can completely rationalize our involvement in Vietnam. We are there partly as a result of a long series of seemingly minor steps. Each of these steps, at the time, seemed more attractive—less pregnant with domestic political controversy and criticism—than the alternative which was to call a firm halt on our involvement. The aggregate of these individual steps—more weapons, more advisers, a combat role for our men, progressive increases in our troop strength, bombing of North Vietnam, a widening choice of targets—is larger by far than the sum of the individual parts. The resulting involvement on the Asian mainland is not a development that all who asked or acquiesced in the individual actions wished to see or even foresaw.

But back of these individual steps, and especially the earlier ones, was a political and military justification that once seemed compelling. And it is a justification which has since dissolved before our eyes. The justification was the assumed existence of a united, homogeneous and militantly evangelical Communism which had chosen South Vietnam as the weak point for a probe. Speaking to the National Press Club some six months after he assumed office, the Secretary of State gave an explicit formulation of the view of the world crisis in which Vietnam played a part. He said:

"The central issue of the crisis is the announced determination to impose a world of coercion upon those not already subject to it . . . it is posed between the Sino-Soviet empire and all the rest, whether allied or neutral; and it is posed on every continent."[1]

This was an accepted view at the time. None thought Mr. Rusk's formulation other than commonplace. He and others repeated the thesis—the doctrine of a centrally controlled and disciplined power guided from Moscow—dozens of times. Implicit therein was a pattern of policy and of action. This had immediate relevance to Vietnam.

Thus to assume a unitary and evangelical force was inevitably to urge a policy of resistance. And resistance would have to be everywhere on the Communist perimeter. To allow transgression in one place would, most plausibly, be to encourage it elsewhere. And here we have the foundation for the analogy to Munich which for a long time played such a dominant role in the Vietnam discussion. Given the assumptions the analogy was persuasive.

The Sino-Soviet power being imperial and coercive, it was necessary also to assume that it would never be welcomed by those who might be subject to it. It could not reflect national aspiration; this was a flat contradiction in terms. Communist power might seek to exploit social grievance. But this, it was assumed, would only be a tactic designed to win subservience to the ultimate imperial and conspiratorial purpose. And this being so, no nation should yield to such tactics even when the grievance—as might often happen—was real. Far better that people stay in a less enduring state of exploitation than to pass forever into this all-embracing system of coercion. This meant, further, that we could not be particular as to whom we might support; even the most nauseous non-Communist dictator was preferable to the enduring Communist imperialism. And even if the Communists had seduced a majority of the population it was doubtful that we should yield. Rather that we should try to win them back. The liberal strategist in this conflict set great store by ameliorative social action. Conservatives tended to place rather more reliance on a gun.

Given this view of the world struggle—and none I think will feel it an unfair summary of official attitudes in the early sixties—our intervention in Vietnam was wholly understandable. Let me go further and say that it was inevitable. It was unfortunate but not decisive that the governments we supported, in their commitment to democracy and humane and civilized values, left much to be desired. It was unfortunate but not decisive that our intervention was by something less than the popular demand of the people we aided.

Moreover, we had a right, given this view of the world, to expect two further and vital factors to be associated with our involvement. We had a right to expect that its necessity would be appreciated and supported by the American people—as our economic and political intervention in Turkey and Greece and Western Europe following World War II were supported or as our military intervention in Korea in 1950 was supported. And it was reasonable to expect that the most effective support would come not from those who automatically rally to the flag when the guns sound but from the more introspective, informed and deliberative community—those somewhat ambiguously styled the intellectuals—who would best appreciate the long run consequences of short run weakness and appeasement. People of this inclination had given strong support to the Marshall Plan and to the Korean intervention. A generation earlier they had been in the very forefront of the criticism of Munich, the agreed symbol of surrender. So their support could be expected now.

Finally, given this view of the world, there was every reason to expect that the American initiative in Vietnam would be welcomed by the rest of the non-Commumnist nations. Previous initiatives had attracted such applause. The closer a nation to the danger, the greater the prospective applause for who could tell, after all, who was the next on the list. So the United States would both justify and enhance her claim to moral as well as economic and military leadership by assuming a commanding role in combatting the common menace in Indo-China.

III

Merely to state the assumptions which lie behind this conflict is to show how completely they, and the resulting expectations, have been dissolved. History may not vouchsafe us sharp edges but, obviously, it can be a very blunt instrument.

We should perhaps remember, in this connection, that the assumptions which lay back of our Vietnam policy, including the concept of a unitary and all-embracing Communist imperialism, were never based on any very close knowledge of the subject. They were a formula, in some measure a theology, adopted by lawyers, businessmen, government officials and military men in the years of the Marshall Plan and NATO. Few of the authors had any first hand knowledge of Communism. Few had much experience of the political left. None had much experience of Asia. All were reacting to the current reality of Joseph Stalin. To some extent it was a doctrine recited to justify the political and legislative action—alliances, military appropriations, economic and military aid—which the proponents thought necessary. There is nothing especially remarkable in the discovery that a doctrine so contrived failed to stand the test of history. History is respectful of truth but not of official truth.

Since the basic decisions were taken to intervene in Vietnam the following has happened:

(1) The Communist world has come to pieces along national lines. The two great centers during the past years have, on occasion, been close to diplomatic breach.

(2) China, which the proponents of the Vietnam conflict for a while bravely pictured as the *deus ex machina* is rent within itself. Its assumed puppet in Hanoi, like its earlier puppet in North Korea, has publicly asserted its independence. Not even the most ardent defender of the war can now believe that Hanoi wants to be part of a Chinese-led empire.

(3) The people we fight in South Vietnam, it is now widely agreed, carry the banners of Vietnamese nationalism. They do this against former colonial officers whom we support. Gone, therewith, is the notion that people will rally to any alternative to Communism.

(4) Those we support, and Marshal Ky in particular, have by their burlesque of democratic and constitutional process reduced their American supporters and one-time defenders to an embarrassed silence. Gone is the notion that any alternative will be accepted in the United States. Marshal Ky's recently proclaimed view of the free elections which denies criticism to his opponents and promises military action against unwelcome winners was the *coup de grace*. I venture to think that he has now lost even

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[1] Reprinted in *The Winds of Freedom*. (Boston: The Beacon Press, 1962), p. 16.

his honorary membership in what are often called the forces of freedom.

(5) The assumption that we could count on the applause and support of the other countries has disappeared. No European or American nation has rallied to our side. Few leaders dare speak in our favor. In Asia, propinquity to the assumed danger, the most aggressive arm-twisting has not brought us allies—only a few clients.

But it is not that we have failed to win support that is our misfortune. We have aroused by far the most massive hostility in our national experience. There is an underlying implication, never quite vouchsafed, that much of this opposition has been manufactured by Communists. If this is so, it is the most drastic of all indictments of our Vietnam enterprise for it shows what an unparalleled opportunity our enterprise has accorded the Communists for turning erstwhile friends into hostile critics. However, there is no reason to think that the Communists are this much involved. People have probably reacted in accordance with their own conclusions and their own conscience.

(6) Finally, with all else has gone the assumption that Americans could be rallied, more or less automatically, behind any war, however ill-considered, distant or cruel, provided only that Communists could be identified on the other side. Instead the American people have watched the collapse of the assumptions on which the Vietnam War was launched. In vindication of an intelligence none should mistrust, a very large number have reached the inevitable conclusion. The assumptions that took us there have been shown by the history to be false. Therefore we should not be there. The reasons that took us into the conflict having disappeared, why do we remain?

We remain, as all know, because men are human and do not like to concede, even to themselves, that they were wrong. Those who urged our intervention were associated with what could one day be regarded as the greatest miscalculation in our history. They remain in command. They are naturally reluctant to admit that their view of the world—the view which counselled this vast effort—has been shown to be wrong. And so, aided by the military momentum of the event itself, they continue. That is why we are now at war.

It also counsels us on our course. Let us, as moderates, urge that when a change of direction comes as it must, there will be no recrimination. Let us counsel those that are persisting in error that they are far more likely to compound the damage to their reputation than to retrieve it. For that is what happens to men who persist in the face of fact.

IV

But there are stereotypes in the attitudes of those who are critics of our involvement in Vietnam. If one is detailing the miscalculations of those with whom he disagrees, it is salutary, also, to look for the errors of those with whom he agrees. It is most salutary of all, and in addition a trifle exceptional, to search for error in one's own past positions and attitudes.

One grave error of those who criticize our involvement in Vietnam is to assume that we are a small and heroic and perilously situated minority. We are nothing of the sort. In times past in the United States popular opinion and official persecution have dealt rather harshly with dissent. Lives have been ruined and men silenced. There has always seemed some special likelihood of this when the primitive emotions of war have been released. But this does not happen and will not happen when vast numbers, including an overwhelming proportion of the young and the articulate, are involved. One wonders, indeed, if under such circumstances one should speak of dissent. Certainly martyrs do not march by the millions. This tendency to appropriate their cloak serves only to give a highly erroneous impression of the weakness of the opposition to our venture in Vietnam.

If anything, reflection should be on the reverse. There is no community concerned with foreign policy in the United States where the critic of our involvement in Vietnam is not accorded a warm and even enthusiastic hearing. There are quite a few where it is not deemed tactful or discreet for an official defender to appear. For the first time in our history this spring the spokesmen for our foreign policy found it necessary, in pursuit of this discretion, to avoid that fine old American folkrite, the commencement ceremony. Either too many students and too many faculty would be present or too many would obtrusively decline to be present. This is the situation on which we should reflect.

I think, also, that those who are critical of our involvement spend too much time worrying about the motives and tactics of those who share their goals. Second only to the fear that criticism will be suppressed is the fear of critics that they will be found in association with someone who, for whatever eccentric reason, has developed a latter day affection for Ho Chi Minh. This is silly. I do confess to wishing that all who are concerned about Vietnam would be more concerned with winning friends and influencing their fellow citizens in effective fashion.

I find myself also more than a little critical of those of my fellow critics who admit to a feeling of frustration and defeat in their efforts to influence the Administration on Vietnam. For one thing they have not been without influence. On the contrary, they have had a great deal. Even within the Administration there are far more people who share our honest doubts than is commonly imagined. There are more now, I venture to think, than ever before. And one has only to ask, had there been no criticism, no objection, for that matter no demonstrations, where would we be in Asia now? What would have happened had those who are committed to the old stereotypes met with no objection? Where would those whose reputation lies with a military solution now be? Can anyone doubt that we would be far more deeply and dangerously involved than now?

Next, as is said even of the President of the United States, the critics of our Vietnam involvement have been much too influenced by the polls. These I do not doubt show correctly the reaction of people to the war. They show the national, deeply-conditioned tendency to rally to the flag. But the polls do not show depth of feeling. They do not show ability to articulate feeling—to persuade. They do not show length of memory. They do not indicate who will write the history and draw the lessons. They do not always show where youth and thus the next generation stand. If those who feel deeply, remember long, can persuade others and who will be the next electorate are opposed, it may not matter too much that they are a minority. As noted, our wars in the past have been fought on something close to unanimity rule. And they have always had the part of the population that now opposes in full support. That it is wise to act in neglect of the informed, articulate and young—that they can be ignored as somehow morally as well as numerically inferior—is far from proven. On the contrary, it is likely to be remembered as one of the cardinal political errors of modern times. In American life, it has long been my observation that the intellectual, so-called, is fashionably dismissed as a serious factor in all the battles except the last.

The critics of our Vietnam involvement have also been too ready to imagine that the opposition in Hanoi is eager to oblige Americans of humane inclination by entering negotiations on whatever terms we believe convenient. This is unduly optimistic and also dangerous. Let me be clear on one thing. There is not the slightest doubt that overtures to negotiate have been made. And these have not involved the precondition of withdrawal. I urge all officials who may be tempted to deny this that credibility is not something lightly to be tossed away. But it is a mistake to base policy on any particular assumption as to the behavior and intentions of Hanoi or the leaders of the National Liberation Front. We do not know the enemy that well. Certainly it is a mistake to imagine that they are only waiting to oblige Americans of goodwill. Such assumptions can be undermined by events. And it is very easy for those who are hostile to the idea of a negotiated settlement, those who want a military solution, so to handle our relations with Hanoi and the NLF and so to gauge and present their responses and non-responses that those who disagree—you and I and our friends—are left well out on a limb. If we can have negotiations on equitable terms, that is much to be desired. And the hope that this will be possible justifies the emphasis placed upon it in the title of this organization and by all here assembled. But there must be something more. There must also be a policy that allows of stubbornness, suspicion, illwill, obtuseness and the waywardness of internal political struggle on the part of those with whom we are involved. No one, after all, would counsel Hanoi to repose high hopes in negotiations with Nguyen Coa Ky.

Any policy which relies on negotiations is a policy that is at least partly at the mercy of others. We must also have a course of action which is within the scope of our own authority. We must invite negotiations. We must have a better policy than mindless escalation should negotiations prove not to be possible.

This brings me to my final point of criticism of my fellow critics. They exaggerate the difficulties in finding an alternative course of action to the one we have been following. This tragedy has continued so long that they have come to believe that the alternatives have now disappeared. "Perhaps something *could* have been done earlier. Now it is too late." This is wrong—as well as morally weak. Alternatives to continued and deepening involvement exist. They have even been made somewhat more feasible by the march of events. Let me, as the last step in this lengthy exercise, outline a feasible course of action which reduces our commitment in Vietnam to sensible proportions, protects the larger peace, conserves our national interest and, what could perhaps be more important, reflects the interest of the sadly beset and tortured people of this part of the world. And it is a policy that does not depend on the cooperation of Hanoi and the NLF, although should that be forthcoming all would be much eased.

V

The first step is to accept in fact what many reasonable men have already conceded, which is that great areas of South Vietnam must remain indefinitely under the authority of the Viet Cong. They have been under this authority for years—sometimes ten or more. It was not the policy even in the most militant of the Cold War years to roll back the Communists from their established positions of power. Not even John Foster Dulles so urged. There is no indication that such policy is wanted by the people most immediately involved—there is no indication whatever that they would ask it at the price of the horrors of military liberation. None can say, in the context of rural Asia, that on the completion of this effort their liberties would be greater, their well-being enhanced. The men who defend these parts of the country—this is especially true of the Mekong Delta—are not foreigners but men who fight on their native soil.

Much of the country under Viet Cong control, the Delta apart, is wild and lightly populated. To invest American lives in so slight, improbable and subjective a gain as restoring these swamps and jungles to a Saigon administration is unthinkable. Nor do I honestly believe that even the militant friends of our involvement will defend it with much enthusiasm. In Laos we have reconciled ourselves to continued control in the North by the Communist Pathet Lao. What was sensible there is sensible in Vietnam.

Next, having revised our strategic objectives, we should for the time being seek the maximum of security, tranquillity and well-being in the limited but populous areas that we control. With our vast commitment of manpower to the area this broadly defensive strategy now becomes entirely feasible. This is not a matter of retiring to enclaves although the attack on that policy was less that it was militarily unwise than that it was militarily unwanted. Rather, it is simply a defensive policy which reflects the avowed absence of territorial ambition. I frankly do not think that the areas we defend can be very large—they will be in the main urban and populous areas which, by and large, have been difficult for or even immune to guerrilla operations. They will serve as a refuge for those who have committed themselves to our enterprise. They will be in a position wherein to await negotiations. Should these be delayed and should the enemy continue to attack, an active defense will be necessary. There will be casualties. But these will be incomparably smaller than those resulting from any effort to secure and hold the whole country. Perhaps in this war-weary land we can expect stagnation and quiet—as in Laos or Korea. And one day there will be negotiations.

The next step, strongly dictated by our own interest, is to cease the bombing of North Vietnam. (The acceptance of the territorial *status quo* in South Vietnam will end, except for defensive purposes, the equally deadly and rather less publicized air attacks and expeditions there.) Our air attacks on the North have also, in their own way dissolved a great many false assumptions—they have dissolved the assumption that they could interdict or even much handicap the movement of men and supplies to the South, or that they could force negotiation or that they wouldn't affect our moral authority elsewhere in the world, or that because we have airplanes, air power is *pro tanto* always effective. They have shown that, whatever the shortcomings of our politics, Americans are not so cynical that a party can win an election by opposing such use of air power and then turn around and initiate such action all within weeks. One is still puzzled, as a matter of abstract politics, how there could have been such a misjudgment.

Now and not surprisingly, given the weight of our attack on a poor and primitive land, the supply of targets have been exhausted. So it is clear that we should now end these raids. With this action we end the most reckless and sanguinary aspect of our involvement in Vietnam and the one that always carried with it the temptation of yet more escalation, yet greater involvement. We lose nothing. And in the background are the repeated suggestions that, if the bombing thus ends, there can be negotiations. Rarely in foreign policy is the path of wisdom so clearly etched.

Next we must begin to disengage ourselves from the political generals to whom we have become committed in Saigon. That commitment, no less than the belief in a military solution, was the production of assumptions that have thoroughly dissolved. It was part of the belief that foreigners and Americans alike would approve any alternative to Communism. So far as one can tell from this distance, it would seem that such detachment is necessary if the elections, by which we have set such store, are to be even marginally significant. If Marshal Ky and his friends feel that they have the backing or even the passive acquiescence of Americans in their unique view of democracy, it is impossible to suppose that any internal morality will prevent them from perpetrating an enormous fraud.

Finally, we must begin to put Vietnam back in proper mental perspective. It bulks large in our minds not because it is a place where great issues are being decided but because we have so often said it is such a place. We must now begin to live by the truth and not by our own propaganda. Indo-China is not the cross-roads of the world; no great issues of strategy or security are involved. Earlier statements that to fight there is to avoid fighting in Hawaii or Santa Monica are now recalled only with amusement. The countries that live in the greatest security in that part of the world are not those, like Thailand, which we defend but those, like Burma, that we do not defend. The collapse of Israeli democracy would have been a tragedy for all mankind—and partly because it was a democracy it did not collapse.

No serious person will suggest that any government of the last decade in Saigon should evoke a similar passion. Our best judgment must now be that, on the other side, we are involved with one of the many forms of national Communism with which we have learned that we can live with and, as a practical matter, we now know that we must live.

The steps I have just outlined—the abandonment of the goal of territorial conquest and pacification, de-escalation and a defensive strategy, the ending of the air attacks, political detachment, an escape from our own propaganda, negotiation if this proves possible—are not very dramatic. Nor do they bring our history in Indo-China to an end—even if the ending of the air attacks do not bring negotiations, we can be sure that some day negotiation will occur. But this is the nature of the moderate program. Violence and death do not lack in drama; as all who are experienced in Washington have long been aware, it is always the men of least moral courage who are the loudest in recommending sanguinary action and the mailed fist. But the moderate path I have outlined is one we can adopt and one that will see us clear. It is the one for which the largest measure of agreement can be won. Our task, the one to which we dedicate ourselves today, is to win that agreement.

THE POLITICAL CONSEQUENCES OF VIETNAM

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Brown] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROWN of California. Mr. Speaker, I offer for insertion in the Record the remarks of my good friend and colleague, the gentleman from New York, the Honorable William F. Ryan.

Congressman Ryan's address delivered before the Forum on Vietnam in New York is, in many ways, an indictment intended for many of us and, also, for many others outside this Chamber. His thoughtful and critical analysis strikes at a very central question: The very raison d'être of this Nation.

I, too, agree that there are certain fundamental questions facing this Nation—questions that demand an answer. And, I regret to say, we have not the time to hesitate as we have in the past. The time for answers and solutions is upon us.

Mr. Speaker, I strongly recommend that the Members of this House spare the time to read the articulate and courageous address, which follows:

(Address by Congressman William F. Ryan at the Forum on Vietnam, New York Society for Ethical Culture, April 21, 1967)

Your invitation to discuss the political consequences of Vietnam, I must confess, produced mixed feelings. Vietnam and politics, after all, is a sensitive subject for Democrats at this particular time.

But the issue is difficult for all of us. It asks that we measure the repercussions of a still unfolding event. And, therefore, it requires us somehow to think about the present retrospectively. That is no easly task. So I must commend you on your ambition, although for a while I have to bear its burden.

Perhaps we should begin with a reading, from an Atlantic Magazine article by David Broder of the Washington Post, who recalled a talk with our President:

"The conversation was in the tiny anteroom just off the formal Oval Office. It is a place where Lyndon B. Johnson likes to relax with a cool drink for an hour or two during his long working day. It was Friday evening, August 21, 1964, the Friday before the opening of the Democratic convention which would demonstrate to all the world that this remarkable man, twice frustrated in Democratic conventions, now controlled the Democratic Party, lock, stock, and pork barrel.

"Now, on the eve of what he knew would be his triumph, he was indulging his favorite sport of reading his public opinion polls to two callers. He rattled off his percentages from this state and that, and then remarked on what seemed to him the most significant finding of them all.

"'You see,' he said, jabbing his finger at one page of the bulky report on a Midwestern state, 'right here's the reason I'm going to win this thing so big. You ask a voter who classifies himself as a liberal what he thinks I am, and he says "a liberal." You ask a voter who calls himself a conservative what I am, and he says "a conservative." You ask a voter who calls himself a middle-roader, and that's what he calls me. They all think I'm on their side.'"

Of course, the President was right. He was indeed about to inherit a Great Consensus unprecedented in the history of the Democratic party. It is too easy to assume that common opposition to Barry Goldwater was the sole source of the unity which marked the new consensus. For each bloc within it seemed to have something very real to expect from Lyndon Johnson's Presidency.

For Business, it was the continuation of a prosperity which businessmen were finally willing to acknowledge as the product of the same New Economics which two years earlier had been heresy. So Lyndon Johnson was on their side.

For Labor, it was the repeal of 14b, new quantities of overtime, more unemployment compensation. LBJ was on their side too.

Civil Rights groups and the poor suddenly heard Lyndon Johnson declare that he would overcome. And the most militant official ally of the nation's disadvantaged—the man who was really on their side—turned out to be the Populist on Pennsylvania Avenue.

He was as well on the side of non-Eastern moderates who had perhaps always felt a bit uncomfortable with the Ivy League in the White House.

And if the East and the Ivy League seemed to rue the President's unfamiliar style, it could hardly deny him credit for the success earned in the last days of the 88th Congress and promised in the first days of the 89th. So, like it or not, LBJ was on their side too.

And so, in 1964, Lyndon Johnson stretched the Democratic Party to embrace more people than ever before in its history.

Two years later, I was having conversations with colleagues in the House Cloakroom in which we were questioning our prospects in 1968, and indeed the very future of the party itself.

How did it happen and what does it mean? The breakdown of the 1964 Consensus, it seems to me, is the first issue to explore in weighing the political consequences of Vietnam. Of course, deeper strains within the Democratic Party have been felt for some time—strains, indeed, which can be traced to the breakup of the New Deal coalition. To what extent, then, can we attribute certain developments to the War itself? That question is not going to be resolved tonight or tomorrow. At present, the most we can do is to ask those questions which we must wait to answer.

There was, to begin with, real promise in the 1964 election results and the early performance of the 89th Congress. There seemed to be strong support for social reform and for peace. The twenty-year preoccupation with the Cold War was subsiding. Many of us felt that the occasion for major domestic reconstruction was at hand. Whether or not this was true is in some sense irrelevant. What is important is that many of us thought it was true.

Many groups predicated their activities on the assumption that significant momentum for progress was assured.

When this kind of momentum is allowed to develop, it cannot be interrupted without serious consequence.

On the very simplest level, the interruption and the expectations it left unsatisfied explain much of what has happened to the Democratic Party and to the liberal coalition. The process, however, is less important in itself than for the deeper impulses which it released.

The first steps in the exodus from the Consensus were predictable. Republicans were bound to defect sooner or later. So the appearance of young and contemporary Republican candidates in 1966 merely hastened an inevitable process. Somewhat more surprising was the disenchantment in the moderate community.

One possible view, of course, is that middle-of-the-road America had never really embraced the social policies of the New Frontier and the Great Society. There is, however, a more provocative explanation which suggests that the President, the supreme parliamentarian confident in his guaranteed parliamentary majority, felt he need not bother to take his program to the people and stir in them a spirit of adventure and change. He retired to the National Archives, if you will, the spirit of John Kennedy's inaugural address—understandably, perhaps, but with consequences a true populist should have anticipated. For there followed unexpected backlash on social reform, hasty retreat by many Democrats, predictable encouragement to the opposition party, and thus a complete forfeit of the very momentum which had seemed so sure and so promising.

The defection of Republicans and moderates, of course, is a result of more basic and perhaps more natural factors than the war in Vietnam. I think we can say, however, that the sight of Lyndon Johnson suddenly preoccupied with a situation that seemed beyond his control led many to wonder how advisable a commitment to consensus really was in the first place.

But where Vietnam was really felt, of course, was in the liberal coalition. For here the war has been itself a source of disunity and, more important, a catalyst to irritate far more fundmental strains.

To explore these strains is to begin to come to terms with the political consequences of Vietnam. For as one inspects the liberal coalition, one finds disaffection from the Democratic party and, more mysteriously, the most severe internal dissension within the coalition itself.

The sources of that dissension are at once ideological, political and generational. Each bloc within the liberal coalition combines these elements with different emphasis. And yet, there are basic similarities which testify to a common condition.

Even before the war, for example, the civil rights movement suffered from internal disunity. At the time, these divisions were dismissed as expressing greater or lesser militancy. The apparent reality of the movement, in any case, was evident in the solidarity of the march, locked arms, courage in the face of an all too visible adversary, and the common expectation of victory through the passage of legislation.

There are few civil rights marches now, few locked arms. The enemy is less visible, because more fundamental and tenacious. And there is no more legislation, no more really relevant legislation anyhow.

Because the war has foreclosed such relevant legislation—massive social and economic investment to eliminate the ghetto—civil rights leaders have broken apart over the most fundamental political question of all—Who is their constituency? To whom must the movement now speak? In what tones and with what urgency?

Inherent in the argument over black power then is a disagreement over audience. Carmichael and McKissick, SNCC and CORE, are concerned primarily with addressing the black community in terms and rhetoric which articulate the mood of that constituency. That the cry of Black Power should sound frightening to white ears is not surprising. It is not intended for white ears. And the resulting surprise and, frankly, the fears are the price these leaders are willing to pay for the resonance their words may have in the black ghetto.

Evidently, many civil rights leaders are not willing to pay that price. They argue, with as much justification in their own terms as black power may have in its own terms, that social change must come from the white community, with its blessing and its sacrifice.

Beneath all this, let me say again, are generational and ideological strains which are only beginning to be clear. I cannot say much about those. But I think I can say that to the civil rights movement the war in Vietnam has done three things. It has destroyed the rationale for daily harmony and coalition by undercutting the prospects of any real legislative and political change. In so doing, it has split the movement on the question of who its real audience should be. And it has raised very basic questions about the institutions as well as the policies of American society. Of this, more later.

The splits within the labor movement are probably far less fundamental. Yet foreign policy in general, as well as Vietnam, goes a long way to explain the conflict of George Meany and Walter Reuther. Once more, these differences began to flourish when expectations of progress were curtailed—in this case through the failure of wage-price guidelines, the skyrocketing of profits, and the defeat of 14b. The evident failure of labor's ability to deliver its membership in elections gave further cause for reappraisal within the movement itself. And if the reappraisals have not yet proven agonizing, one still has the impression that the labor movement is seriously stalled, preoccupied with differences which lack even the benefits of clear articulation.

Disaffiliation among the young is no less real, though perhaps of a different character. For at first glance, the young, or that part of the young which makes itself felt politically, seems united in opposition to the war, rather than divided because of it. That impression is illusory. For the war in Vietnam has produced among the young a far more basic split. It is the split, if you will, between Politics and pot, between SDS and LSD, between a trip to Mississippi and a trip to some private dream or nightmare, between a march on Selma and a march on the Sunset Strip—in short, between commitment and withdrawal.

And so for youth too, more poignantly and more ominously, the expectations stirred by one President and at least sustained temporarily by another have been dashed by the war in Vietnam. The consequence is disunity and disaffiliation within a group which should be the conscience and cutting edge of the progressive forces in America.

All through the liberal coalition, therefore, one finds alienation—political and psychological. One finds disaffection from the Democratic party, if not from traditional politics altogether. One finds generational gaps, ideological gaps, gaps in styles. One finds companions feuding and alliances splitting. One finds, it seems to me, gravest cause for concern.

Now I have attributed these splits to the war in Vietnam. Let me be a bit more careful. I think there are many prior strains which the war has exacerbated. There are generational differences, differences of style, and simple differences of interest. There are also differences over the war itself—whether or not it ought to be supported. These forms of division, I think, characterize the union movement and, probably much of the older liberal middle class.

There is, however, another and far more serious source of disunity attributable to the war. This issue, I believe, splits the liberal movement at its base. It causes divisions that are more radical and more ominous. I am speaking now of divisions regarding analysis of the war, differences among those who begin in common opposition to the war and end in serious argument over its meaning.

There are, in a sense, two views of Vietnam held by those who oppose policy on the left. There are those, for example, who see the war as a perfect product of what has been called "The politics of inadvertence." Vietnam in this view, is no single man's responsibility. It is an aberration, an accident. It is the result of small, almost trivial errors which in accumulation have produced a great general mistake.

There is, however, another view of the war, less easily abbreviated but distinct and different. Vietnam, it suggests, is no accident, no aberration, no product of inadvertence. It is on the contrary, the necessary and, in some sense, inevitable consequence of certain organic disorders basic to American Society, its attitudes and its institutions.

Is there something to this argument which many liberals have not yet been able to accept? Is there something to this position indeed which touches upon many of the very assumptions liberals have taken as gospel?

Vietnam, after all, is not the first country in which America has intervened. We can recall Santo Domingo, the Bay of Pigs, and Guatemala. And so there may be a point beyond which reflex interventionism is no longer a product of inadvertence but rather a pattern reflecting more fundamental disorders.

Liberals can often forget that foreign policies are the products of interests and institutions as well as ideals and individuals. And if we are to accept that truth, it seems to me we must acknowledge that there are many institutions, interests and prejudices—some of them *liberal institutions* and *liberal prejudices*—responsible for the war in Vietnam.

When I speak of institutions, I am not

concerned only with conservative corporations which have exercised so much influence over our policy in Latin America. I am thinking of a defense establishment run on a 72 billion dollar budget which puts at the President's disposal 3 million soldiers rather than 3 million Peace Corps volunteers and AID officials with which to meet revolutionary change abroad.

I am thinking of the State Department and of research centers, and of university departments whose commitment to American foreign policy is not based on crude lust for profit or on reflex anticommunism, but rather on a liberal idealism that America can *make*—mind you, *make,* the world safe for diversity. Beneath this is a mentality, for which liberals must bear responsibility. "We must *make* the world safe for diversity," after all, is a slogan written by a great liberal, John Kennedy, as a revision of an original slogan written by another great liberal, Woodrow Wilson. *It indeed expresses liberal idealism, but in the rhetoric of coercion.* We must MAKE the world safe for diversity. This is liberal rhetoric, spoken by the Washington Post, the Council on Foreign Relations, and indeed many of those who are among the opposition to the war in Vietnam.

But with that rhetoric can come the argument that we are in Vietnam to make *it* safe for diversity; we are there to guarantee as the President tells Members of Congress again and again, the self-determination of the Vietnamese people. No, it is argued, the war is far from inadvertent. It is something far more basic and more inevitable.

To take this position seriously, as I have tried to do for only a minute, is to ask some very serious questions indeed. If Vietnam is truly the product of the politics of inadvertence, if Vietnam is not the specific responsibility of any one man, then where lies the responsibility? Where lies the guilt? And most important, why do we consistently move inadvertently in one direction—that of reflex interventionism—rather than in another. Why has that happened recently under liberal presidents, and under secretaries of State who proclaim themselves to be liberals?

It is questions like these, I think, which are troubling the liberal community. The argument is not perhaps as loud since it has been overshadowed by the larger quarrel over the war policy itself.

But it is no less real for being less visible. It makes itself felt, I can tell you, when 25 of us in Congress who share general misgivings over the war try to draft joint statements expressing common views. We usually fail. The apparent cause is an argument between those who caution "prudence" in rhetoric and those we counsel "candor." But this quarrel is superficial. The basic argument is over how serious we believe the war really is, and consequently, how much are we prepared to risk in the expression of that conviction. That is why only 11 of us in the House vote against the Vietnam war appropriation, when perhaps 5 times that many feel that war is a mistake.

The argument over the basic meaning of the war is felt as well in resolutions at the end of conferences and in conversations among friends. And it results in very different levels of frustration and despair among people who ordinarily view the world in much the same way.

This particular consequence of the war—the painful introspection and divisions it has caused within the thoughtful liberal community—has even extended to our domestic affairs.

How do we explain the administration's retreat on the poverty program? Did Congress kill the war on poverty? Or is there not some truth to the argument that many urban middle-class interests are simply not willing to surrender any power to the poor? Is it perhaps true that the middle class is simply unwilling to accept the "maximum feasible participation" of the poor in programs designed for their own benefit?

And what explains the blacklash? Has there simply been an arbitrary reaction against Watts and Adam Clayton Powell? Or is this country more racist than any of us would have thought—racist to its foundations when the issue is open housing, open employment, who you share a street with, who you share a lathe with?

My point should be clear. How healthy really are our institutions? How sound is the system which establishes priorities that have us spending 72 billion a year on defense and 20 million on rent supplements for needy in housing. How responsible is a society which chooses—and we have made that choice because we can always choose differently—to leave millions in rotten, dirty ghettos? What kind of country really is America?

If anyone had told me two years ago that America would have half a million troops in Asia, that the C.I.A. had its fingers in hundreds of private domestic organizations, that Ronald Reagan would be sitting as Governor, that over 50% of all Americans doubted the Warren Commission and often the very word of its President—if anyone had said all that, I would have dismissed him. But the world of 1967 looks far different than the world of 1964.

Exactly how all this relates to the war is a difficult question over which even future historians will doubtless disagree. But a present-day liberal politician can say at least this much:

We liberals must look to ourselves. We must look at the liberal institutions which are largely of our own making, over which we exercise considerable power.

We must wonder just how much responsibility we ourselves bear for all the evils we have so easily deplored. Perhaps we must stop saying how much we dislike American foreign policy and start talking directly about the institutions and the kind of people which have produced that policy.

This kind of radical introspection within the liberal community can ultimately be the most significant and auspicious political consequence of the war in Vietnam.

For when the war is over and the burning is done, we must be different men than before. The liberal coalition must be a different coalition—in spirit and purpose, if not in composition. And if it is, then the Democratic Party can be a different party and the United States of America can be a different nation.

FARMS IN CRISIS

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. Aspinall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ASPINALL. Mr. Speaker, a growing amount of attention is being focused on the very complex problems of the agriculture industry. The perplexing "cost-price squeeze" is all too familiar to every segment of our economy but to the rancher and farmer it presents an especially threatening outlook. The farmer and rancher as a producer is faced with rising costs just like everyone else but, lacking control over the price of his product, he has no way of passing on his increased costs.

As this problem deepens, it is going to take the combined thinking and effort of all affected parties to work out a reasonable solution—and time is growing short.

As an example of the kind of constructive thinking that is needed, I recommend to my colleagues the testimony of Mr. Louis Bein of Berthoud, Colo., as presented at a recent meeting of farmers and ranchers in Fort Morgan, Colo., sponsored by the Agricultural Stabilization and Conservation Service. Mr. Bein is a rancher and a banker and has enjoyed the advantage of studying the problems of agriculture with that double perspective. The speech follows:

My name is Louis F. Bein of Berthoud, Colorado. I am president of The Berthoud National Bank that serves a rural community. I have fed cattle since 1946 and own an irrigated farm. Although I am a member of two agricultural organizations, I am a spokesman for no one except myself.

As a banker, I can testify to the precarious financial position of many of our farm customers. Without exception, progress was made by our farm borrowers as a result of 1966 operations. But the way they are exceeding their projected requirements, and the way farm prices have deteriorated, I am braced for some unpleasant circumstances this fall when I shall have to confront my friends about unpaid loans.

These are people who are honest, thrifty, responsible parents, and leaders in the community who work seventy hours a week but who may not have the capital reserves or who have units that are small.

These are the people who are providing the abundant food this country enjoys below the cost of production.

These people deserve better consideration.

The revolution in agriculture which has resulted in cheaper food and a reserve of manpower in the non-agricultural sections has been acclaimed as the keystone to our affluent society.

Therefore, let the movement roll, let the pendulum swing! We will shortly no longer need the family farm. Large scale farming requiring corporate structure is the wave of the future. But, of course, this is not true.

If such a farming method were practical, the South would still be a slave nation, or the food chain stores with their economic resources would have been buying land in wholesale lots.

If the pendulum swings too far in its present direction, we will find that large corporations will be the only entities that can put the required economic resources into agriculture.

The American public should remember that these organizations have demonstrated their ability to price their products and that the price of their products, if and when they enter agricultural production, will include a forty-hour week.

The housewife, who will buy food if this eventuality occurs, will find that she will no longer be able to supply her family from twenty percent of her husband's income.

I am here because I am angry. I am angry because farm leadership has not developed to solve this ocurring tragedy that farm families are and will be shortly facing.

I am angry because the farm leadership now in control has been divisive. The national farm community has been confused and misled by appeals to myths, faulty economics and sociological concepts by our farm organizations who have more interest in their own vested existence than the people they are serving.

The leaders of nearly every national farm organization have life tenure of office which is used by them to prevent the rise of healthy debate that would threaten their tenancy in office.

How can any intelligent solution to the dilemma be expected to be born under such circumstances where conventions are scheduled with loaded programs?

My experience and observation have been that farmers have been led to pursue one whipping boy after another. All such vendettas are directed at symptoms rather than cause and solution.

The evil of foreign imports is constantly being used by farm leaders to divert the energies of their constituents.

The farm leaders do not explain the need for international exchange and that if all imports were shut out, as in the case of beef, the productive ability of agriculture would shortly fill the gap thus created, and the effects of over-production would shortly haunt us.

I, myself, have criticized the monolithic power of the chain store in the market.

This monopoly is the result of natural opportunity afforded by the economics of our time. While their presence in the market has been to the disadvantage of agriculture, the real solution should be agricultural marketing agencies equipped to bargain with them and on equal terms.

The Federal Government, in general, is constantly being declared the source of all evil, and the Department of Agriculture in particular with focus being on the Secretary.

At present, Secretary Freeman is being accused of lack of leadership whereas he has proposed at least three different major legislative programs during his tenure of office that have been defeated in Congress as the result of lack of consensus among farm organizations.

The concept of management of the national economy has evolved in the past thirty years and particularly in the past six.

Agriculture has refused to integrate itself into this pattern and has insisted in operating in an economic philosophy that the remainder of the western world abandoned in the years of the great depression.

Gunnar Myrdal, the Swedish economist, has stated that in all western countries society has divided up into pressure groups. Thus, you have manufacturers of common interest who promote their cause, labor unions representing working people in many occupations, trade groups and many such organizations that operate not only in public sectors as lobbyists but also in private sectors to negotiate marketing or wage settlements.

Because of the inability of agriculture in every western free nation to follow this pattern, governments have found it necessary to support agriculture by legislation and policy.

It seems to me that in this country we have been attempting to divorce government from this responsibility and to prevent it from assuming an effective role of representing agriculture in the market place.

If this is to be done, our farm organizations owe it to us to come up with constructive alternate programs to establish marketing organizations that can bargain in the market instead of negative platitudes and proposals.

If our farm organizations are not willing to suffer the effect on their hierarchy that the establishment of commodity bargaining agencies would create, then I believe they should work for a government farm program that would allow agricultural producers to enjoy a share of the economy through government subsidy.

Some method will have to be found to organize commodity groups independent of national farm organizations. If this is a desirable goal, the Secretary of Agriculture should take an active role towards this solution. If legislation is required to give the farmers additional freedom to act under the law, the Secretary must propose such action.

On the other hand, if agricultural independence is unattainable, or if the implications of agriculture having the same or greater power as enjoyed by labor unions are too unpleasant, then let's stop being bashful and apologetic about a positive role of government in agricultural marketing. Let us recognize that if agriculture cannot realize the cost of production in the market place, then it must be paid in some other manner. Let us admit that the most successful farm programs have compensatory payments and commit ourselves to this system.

I am angry at those who rail at symptoms and not causes, at those who propose only negative solutions, at those who live by the past, and finally at those that put their own security above those they serve.

EXAMPLES OF IMPROVED MANPOWER MANAGEMENT IN THE FEDERAL GOVERNMENT

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. HENDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENDERSON. Mr. Speaker, the Subcommittee on Manpower and Civil Service today released its semiannual report of examples of improved management in the executive branch for the period July through December 1966. The examples cited represent economies in excess of $47 million. Many examples of savings or cost avoidance through improved work techniques and improved management are cited, such as the following:

The Air Force, as a result of a cost comparison study, found it could save $700,000 annually, if work now under research contracts at Air Force Cambridge Research Laboratories were accomplished in-house by civil service personnel. Conversion is to start in the first quarter, fiscal year 1968.

Department of Justice, Federal Prison System, by adopting an employee suggestion for modifying the pattern of duffel bags manufactured by prison inmates, saved $60,012 from October 1965 to October 1966.

Department of State effected savings of about $35,000 annually through single quarterly payments to about 175 storage companies instead of making separate payments for each lot of employee's effects in storage.

During calendar year 1966, employment in the Federal Government increased by 10.2 percent, representing 276,874 employees. The Federal Aviation Administration was the only large department or agency reporting a decrease in civilian employment for the 6-month period. The increase in employment may be attributed to such factors as: new programs authorized by Congress, the Vietnam buildup, programs to replace active-duty military, and contractor-furnished employees, with Government civilian employees, and the impact of the population explosion on such departments and agencies as the Post Office, Commerce, and Labor.

During the last 6 months of 1966, the departments and agencies as a result of reviewing job vacancies for essentiality reported the abolishment of over 11,200 positions. This improved manpower management action, alone, represents a savings to the taxpayers of several millions of dollars.

THE FAIRNESS DOCTRINE GOES POLITICAL

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RARICK. Mr. Speaker, yesterday I received the Democrat magazine published by the national committee here in Washington. In the center of the publication was a most childish insert prepared by the Institute for American Democracy, Inc., entitled "A Manual on the Fairness Doctrine of the FCC."

The manner of presentation hardly represents the poise and leadership the American people expect of a national party which talks "freedom" of speech and encourages dissent to the point of tolerating flag burning, outlawing prayer in school, and dignifying communism.

But the fairness doctrine can work both ways, and since many Americans may wish to refute such controversial programs as U.N. commentaries, race-mix programing, and unadulterated Socialist hogwash, the advice offered as to how to obtain free time for contrasting views, complaints to the FCC, and so forth, may also be beneficial to the great midstream of American people who tire of controlled programing designed to regiment their thoughts and actions.

So, in the interest of academic freedom, let us be fair and put the entire battle plan—designed for use against constitutional taxpaying Americans—people without the funds of a tax-free foundation—in the RECORD for all to study and perhaps use. While they are at it, our colleagues may be interested in the list of 70 who permit their names to be used as sponsoring this operation, inasmuch as several are easily identified as Federal employees. As per usual in these times, the well-intended actions of a few, in practical application, may destroy the very program they seek to defend.

KEEPING THE AIRWAVES FREE—A MANUAL ON THE FAIRNESS DOCTRINE OF THE FEDERAL COMMUNICATIONS COMMISSION

(NOTE.—Chances are your home radio offers—along with the usual stations specializing in rock-n-roll, classical music, and educational programs—a station devoted to Radical Right propaganda. Unless listeners, who have no way of knowing the source of these attacks, are given the other side and the opportunity to make up their minds on the basis of a balanced presentation, the democratic process is put in jeopardy. The following manual, which outlines how to combat extremist broadcasts, is excerpted from an excellent pamphlet prepared by the Institute for American Democracy, Inc., Suite 101, 1330 Massachusetts Ave., N.W., Washington, D.C. 20005. Copies of the complete pamphlet may be obtained at $1.00

each from the Institute; reprints of this condensed version will be available from the Democratic National Committee.)

Every day the integrity of responsible individuals and organizations is disputed on extremist radio programs. Countered, they can be a part of a stimulating discussion in which the public gains realistic insights, but unanswered attacks by even discredited radio personalities, when repeated over and over again, can tear down the reputation of even the most reputable person or organization. You don't have to absorb this damage, however. Here are five steps to get quick relief:

STEP ONE—KNOW YOUR RIGHTS

You have a right to be informed by the station of all personal attacks.

The FCC holds "A station licensee, with the exception of appearances of political candidates, is fully responsible for all matter which is broadcast over his station, including broadcasts containing a personal attack. The Commission has defined a personal attack on an individual's or group's honesty, character, integrity or like personal qualities in connection with controversial issues of public importance.

"When such an attack occurs the licensee has an obligation to inform the person attacked of the attack by sending a transcript, tape, or, if these are unavailable, as accurate a summary as possible of the attack and to offer him a comparable opportunity to respond. The licensee may not delegate his responsibilities in this respect to others."

You have a right to a comparable opportunity to respond. Your community has a right to hear 'the other side'

The "Fairness Doctrine" [of the Federal Communications Commission] is no simple policy statement, but rather a complex body of law and precedent developed over the years.

In essence, however, *the Fairness Doctrine calls for a "two-fold obligation on the part of every licensee* seeking to operate in the public interest: (1) *that every licensee devote a reasonable portion of broadcast time to the discussion and consideration of controversial issues* of public importance; and (2) that in doing so, *he be fair*—that is that he *affirmatively endeavor to make his facilities available for the expression of contrasting viewpoints held by responsible elements* with respect to the controversial issues presented." (Emphasis added)

STEP TWO—LET THE STATION KNOW IN WRITING THAT YOU INSIST ON YOUR RIGHTS

Many stations carrying extremist programming simply ignore their obligations under the Fairness Doctrine, and may even be unaware of them.

Should you or your group be attacked, send the station a registered letter along the lines of the following:

Station XXXX
Your City, State

Gentlemen: It is my understanding that on the [name of program] *carried on your station on* [date], *at approximately* [time], *a personal attack was made on* [your name or name of organization].

Please inform me, in writing, of what arrangements have been made to provide me with a transcript of the program involved and to afford me time for a response. I wish to appear on this program and will need the transcript to prepare my remarks.

Very truly yours,

Should a station in your community present highly unbalanced programming (like a number of programs containing frequent attacks on the National Council of Churches or the United Nations, etc), you can send the offending station a registered letter similar to the following:

Your City, State
Station XXXX

Gentlemen: I note that the integrity of the National Council of Churches is questioned frequently on the Billy James Hargis, Carl McIntyre, Richard Cotten, Howard Kerschner (or whomever) programs carried on your station.

The public in your listening area clearly has a right to hear contrasting viewpoints. Accordingly, please inform me in writing of what efforts have been made to present a more balanced programming so that the listening public may judge for itself the merits of these claims.

If you are having difficulty in locating programs which present a contrasting viewpoint, I will be glad to help you find some and am willing (if you are) to appear on such programs personally.

Very truly yours,

STEP THREE—FIND POTENTIAL ALLIES

Individuals and representatives of groups undergoing similar attacks may want to help.

Frequent targets of Extremists include Protestant Churches affiliated with the National Council of Churches, the liberal Catholic community, Jewish organizations, librarians, teachers, trade union leaders, PTA leaders, Civil Rights leaders and the United Nations and its advocates, and many other groups who may be a source of attitudes at variance with those of the extremist zealots.

Allies may want to help you make a test case. In addition to our traditional sense of fair play, they may have a stake in getting a precedent established.

When you have allies, it may be a good idea to follow up your letter with a personal visit to the radio station.

STEP FOUR—COMPLAIN TO THE FEDERAL COMMUNICATIONS COMMISSSION

If the radio (or TV) station refuses to live up to its obligations within a reasonable time notify the FCC.

Send your complaint to:

Mr. Ben F. Waple, Secretary
Federal Communications
Commission
Washington, D.C. 20554

The Commission expects a complainant to submit specific information indicating: (1) the particular station involved; (2) the particular issue of a controversial nature discussed or personal attack carried over the air; (3) the date and time when the program was carried; (4) the basis for the claim that the station has presented only one side of the question or has not supplied a transcript of a personal attack; and (5) whether the station has afforded, or plans to afford, an opportunity for the presentation of contrasting viewpoints.

Copies of this correspondence can go to other media, if, in your judgment publicity will help your cause.

STEP FIVE—START MONITORING THAT STATION'S PROGRAMS AND INFORMING OTHERS WHO ARE SUBJECTED TO PERSONAL ATTACKS

The FCC investigates complaints. The more valid complaints it has about any station or program, the easier it is for the FCC to assign staff to the project and the greater the pressure on the station.

If you can afford it, tape the programs most likely to contain personal attacks. Keep this tape as evidence, but still demand of the station that it supply you with tapes or scripts of particular programs in which an attack or response to a personal attack is made.

If you send a complaint to the FCC, a copy of the correspondence should go to the station involved and additional copies can go to other media.

YOUR RIGHT TO FREE AIR TIME

If you are attacked on the air on a paid program, this does not mean that you have to pay for the time used in reply. (The exception, in some circumstances, is if you are a candidate for public office.)

In most instances, the broadcaster did not have to air the attack, but when he did, he incurred the obligation to air the other side.

The FCC sets forth this objective in clear language. It asserts:

". . . the public's paramount right to hear opposing views on controversial issues of public importance cannot be nullified by either the inability of the licensee to obtain paid sponsorship of the broadcast time or the licensee's refusal to consider requests for time to present a conflicting viewpoint from an organization on the sole ground that the organization has no local chapter."

YOU CAN SECURE BALANCED PROGRAMMING IF YOU HAVE THE RESOURCES AND STAYING POWER!

If you have a station bombarding the audience with Radical Right programming, you have your choice of three basic approaches to the problem:

1—*You can set up a monitoring system:* Get the evidence and present your case to the FCC at license renewal time, *demanding that the franchise* be *lifted.*

Such efforts are going on in several communities. The Communications Department of the United Church of Christ has secured grants to finance some pilot community projects.

For more information on this approach write to:

The Rev. Everett Parker, Director, Communications Department, United Church of Christ, 289 Park Avenue, New York, New York.

2—*You can seek the license yourself,* making the case that the public interest will be better served by reassignment of the frequency.

If you can form a syndicate or interest a responsible group capable of financing and carrying out such a program, this can be an extremely effective approach. It requires a great amount of technical knowledge, and you will need the assistance of experts.

3—*You can search out programs and persons offering the "contrasting viewpoints" and demand that they be aired.*

Whenever a station carries one side of a controversial question, it increases its obligation to give the public a contrasting viewpoint. For example, take the frequent attacks against the United Nations. These attacks clearly fall within the Commission's definition of "controversial issues."

For each such attack, you can ask that air time be arranged for a professor or clergyman or member of the United Nations Association to give the opposite viewpoint.

The Commission brochure on the Fairness Doctrine cites a precedent-setting test case involving a program entitled, "Communist Encirclement." This contained attacks on a variety of liberal causes, and the licensee had refused to seek contrasting viewpoints on grounds that:

"The Licensee stated that since it did not know of the existence of any communist organizations or communists in the community, it was unable to afford opportunity to those who might wish to present opposing views."

The Commission held that: ". . . the matters listed . . . raise controversial issues of public importance on which persons other than communists hold contrasting views. There are responsible contrasting viewpoints on the most effective methods of combating communism and communist infiltration."

It is not necessary that the individual or organization who complains provides the response. The key thing is that an adequate airing be made of the "contrasting view point."

"The licensee has considerable discretion as to the techniques or formats to be employed and the spokesman for each point of view. In the good-faith exercise of his best judgment, he may, in a particular case, decide upon a local rather than a regional or national spokesman—or upon a spokesman for a group which also is willing to pay for the broadcast time."

The broadcaster, however, cannot use clearly inferior spokesmen for the "contrasting viewpoint" just to fill a technical obligation.

Making adequate programming available helps make the case . . . If the imbalance continues, and the "contrasting viewpoint" is little in evidence, you likely have grounds for many complaints. However, in all instances of personal attack (except up on a political candidate), the individual or organization attacked has the right to respond.

When in doubt, write to the FCC stating your problem, supplying as many details as you can, and asking for an explanation of your rights.

In making a complaint—particularly if a personal attack is involved—it pays to choose a good one. By taping programs, you can transcribe the parts which bother you the most and see if they say what you thought they said.

If there is too much weasel wording, bide your time and keep taping. A clear-cut violation of the Fairness Doctrine is worth a dozen marginal cases.

The 'fairness doctrine' does not apply to political candidates during a campaign period. In general, political candidates must be treated equally, and a station must be willing to sell all candidates for the same office comparable commercial time.

For a fuller explanation of a station's obligation to all candidates for public office, write to the FCC.

COUNTERING EXTREMISTS WITH ONE FINGER—ON "CALL-IN" SHOWS

You stick your finger in the telephone dial and keep calling that station with the phone-in show. If possible, get some allies to help.

Tip One—If the show has been taken over by a John Birch Society cell, you can rattle the zealots by reading Robert Welch's statements on the air and demanding that callers indicate whether they "go along" with the Birch spokesman. The Birchers are good on the offensive but usually quite poor on the defensive.

Tip Two—Don't be fooled by that positive tone of voice. Get your own sources, and counter "Birchfacts" with the truth, stated just as positively.

Tip three—Tape call-in programs. The stations are not obligated to do so, and most of them do not. They are obligated to report personal attacks, however, and to make time available for the "contrasting viewpoint." If you have the evidence on tape, you may have a leg up on the station.

Tip Four—Call upon the station to take steps to free the program from Birch domination. Make your demand for better balance on the air. Get the evidence, and follow up with a complaint to the FCC if the Birch bias continues.

Tip Five—Most call-in show moderators have the Birchers pegged as an "unusual influence," but they may know little about them. Send information on the Birchers to the moderators.

If any other group "takes over" a program, be prepared to take the same steps. While this is a typical Birch tactic, there is no reason why members of the W. E. duBois Clubs or some other Far Left organization cannot use the same approach.

YOU CAN TRUST THE EXTREMISTS (TO BE EXTREMISTS)

Competition is fierce for that Radical Right dollar. Most of the pitchmen follow the same format. They raise the spectre of communism, and picture their program as "anti-communist." They picture themselves as "God's spokesmen."

Once they are safely wrapped in the Flag and waving the Cross, they frighten their audience and then wind up with a fund appeal.

Incredibly, a substantial number of Americans will pay to be frightened. Since all of the pitchmen are hammering at the same audience, they have competitive pressure to outdo their rivals. Because their business is fomenting fear and its companion, hate, excesses are inevitable.

Most of them attempt to whip up white backlash, although often in subtle ways.

All of them claim to be anti-communist, but they attack democracy, the institution of the Presidency, and the integrity of elected leaders—just like the communists do in *The Worker*.

All of them downgrade the Federal Government and appeal for a return to "freedom and independence."

All of them picture themselves as "conservatives" and oppose social legislation as a "step toward communism."

Standard grist for the hate mill is the pitch that the Civil Rights movement is "part of the communist plot."

Since the Protestant denominations are placing more emphasis on the social gospel than in any previous generation, the National Council of Churches is a frequent target.

Variations on the Birch theme of "Get the U.S. out of the U.N. and the U.N. out of the U.S." are echoed daily by many of these pitchmen.

Some of them wind up believing their own propaganda. Managements of some stations making substantial sums from these programs appear to believe these outpourings as well.

Both the Radical Right pitchmen and the stations profiting from this huckstering may attempt to smear all who rise to the defense of the middle ground as "leftists."

Inevitably they will smear citizens and groups who will be entitled to present "contrasting viewpoints." If the radio stations carrying this programming are forced to live up to the spirit of the Fairness Doctrine, they will either require their pitchmen to behave in a more responsible fashion or cancel their programs altogether.

When Lifeline calls "rock-n-roll" music a part of the communist plot, the local musicians are entitled to help along your efforts to make the local station strike a chord more responsive to the conditions of its franchise. Opportunities of this type are endless.

ETERNAL VIGILANCE IS THE PRICE

A zealous minority can dominate an apathetic majority unless the majority does something about it! But when a few citizens are aroused, they can be effective.

In Aurora, Illinois, for example, one housewife took the Birchers on, and when she and the allies she recruited exposed the Birch domination of a call-in radio show the station concerned about the growing imbalance of its control suspended the show.

In Bakersfield, California, a citizens' group exposed the bias in a phone-in program, and the personal attacks which were its trademark suddenly disappeared.

The FCC can take a broadcaster to court if he fails to live up to his obligations, but it takes a concerned citizen to originate the complaint.

Some broadcasters refuse to carry some specific programs in which their "regulars" make specific—and seemingly invalid—attacks, but other station managements will not be aware of their obligations under the Fairness Doctrine unless citizens refresh their memories.

FOUR SOURCES OF "BALANCING" PROGRAMS

There is a dearth of available material for the station desiring to air both sides of the issues raised by the Radical Right, but here are four good ones:

1. Department of Communications, The United Church of Christ, 289 Park Avenue, New York, N.Y.
2. Anti-Defamation League, 315 Lexington Avenue, New York, N.Y.
3. The Institute for American Democracy, 1330 Massachusetts Avenue, N.W., Washington, D.C. 20005.
4. Your own resources—Pastors, Professors, interested citizens. All can get in front of that mike. Some stations will help with the format.

A PARTIAL LIST OF RADIO PERSONALITIES

The following are some of the radio personalities who, in the past, have used at least some of the above program elements in their presentations:

Carl McIntire: 20th Century Reformation Hour.

Billy James Hargis: Christian Crusade (Birch endorser).

Dean Clarence Manion: Manion Forum (Member of Birch Council).

Kent Courtney: Independent American (Birch member).

Tom Anderson: Straight Talk (Member of Birch Council).

C. W. Burpo: Bible Institute of the Air.

Richard Cotten: Conservative Viewpoint (Former Birch Member).

Wm. Steuart McBirnie: Voice of Americanism (Follows Birch Line).

Melvin Munn: Lifeline (Private promotion of oil Billionaire H. L. Hunt).

R. K. Scott: America's Future (Follows Birch Line).

Howard Kershner's: Commentary (Same fare as McIntire, Hargis).

Major Edward Bundy: Church League of America (Same as above, with special stress on ties to Rhodesia, South Africa).

Dan Smoot: Dan Smoot Report (Used to be Lifeline narrator).

The John Birch Society: Weekly program (John Rousselot frequently handles this).

FOR INFORMATION WRITE TO:

Mr. Ben F. Waple, Secretary, Federal Communications Commission, Pennsylvania Avenue between 12th and 13th Streets NW., Washington, D.C.

United Nations Association of the USA, 1325 Massachusetts Avenue, N.W., Washington, D.C. 20005.

National Association for Mental Health, 10 Columbus Circle, New York, N.Y. 10019.

National Council of Churches, 475 Riverside Drive, New York, N.Y.

United States Catholic Conference, 1312 Massachusetts Avenue NW., Washington, D.C. 20005.

National Education Association, 1201 16th Street NW., Washington, D.C. 2006.

COPE AFL–CIO, 815–16th Street NW., Washington, D.C. 20006.

American Jewish Committee, 165 East 56th Street, New York, N.Y. 10022.

Anti-Defamation League, 315 Lexington Avenue, New York, N.Y.

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SPEECH OF CONGRESSMAN PETER W. RODINO BEFORE OSIA GRAND LODGE OF MASSACHUSETTS

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Burke] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to call to the attention of the Members of the U.S. Congress the remarks of Congressman Peter W. Rodino, Jr., on June 24, 1967, at the 53d annual convention of the OSIA Grand Lodge of Massachusetts in Swampscott.

Representative Rodino is the senior Member of the New Jersey congressional delegation. He has served in Congress since January 1949.

A vigorous, effective leader, he has an important voice in the Democratic administration of the House of Representatives, serving as an assistant majority whip and member of the House Steering Committee.

In 1965 Mr. Rodino won a 17-year-long battle to remove discriminatory national quotas and humanize the country's immigration program. He was a prime mover in the successful drive to enact medicare, adopt a meaningful voting rights law, increase aid to education, and accelerate the war against poverty.

On the international scene, Mr. Rodino has been an active delegate to the NATO Parliamentarians' Conference and the Intergovernmental Committee for European Migration—ICEM—since 1962. His constructive contributions to these organizations have earned him the enthusiastic praise of high officials in this country and abroad.

As vice chairman of NATO's Scientific and Technical Committee he has done important work to control air and water pollution on a global scale and to ease the world hunger problem.

Congressman Rodino is a recognized authority on immigration and refugee resettlement, having given these related problems considerable study long before his appointment to ICEM. He has visited Iron Curtain countries, South Vietnam, Israel, Hong Kong, and other areas around the world to gather facts on displaced persons, refugee movements, and visa policies. He is one of 15 members named to the President's Select Commission on Western Hemisphere Immigration.

Through the years Mr. Rodino earned worldwide praise for his humanitarian efforts to reunite families separated by immigration barriers and to gain a haven in America for many unfortunate victims of Communist tyranny.

Aware of the special needs and problems of the Nation's elderly, he has fought for extended social security benefits, and is working for the creation of a Federal Bureau for Senior Citizens.

He cosponsored the resolution to include the words "under God" in the Pledge of Allegiance.

As a ranking member of the important House Judiciary Committee, Congressman Rodino wrote the majority report on which the historic civil rights legislation of 1957, 1960, 1964, and 1965 is based. He was floor manager in the successful fight to win House passage of the 1966 civil rights bill.

Mr. Rodino was an original supporter of the mutual security program and Voice of America. He was an early advocate of reappraisal of Latin American policies to the end that strong, durable friendships could be developed among Western Hemisphere nations. As national chairman of the Columbian Foundation, he initiated a "sister cities" cultural exchange program linking U.S. cities with cities of like size in Latin American countries.

During President Kennedy's administration, he introduced bills that led to the creation of the Peace Corps and the Arms Control and Disarmament Agency. In the 1950's he fought for a permanent United Nations Peace Force, and he is continuing his campaign to establish a Foreign Service Academy to train U.S. students for diplomatic assignments.

Congressman Rodino was a member of the Presidential delegation to the 100th anniversary of Italy's unification and a congressional observer at the Disarmament Conference in Geneva.

He assisted in the development of the "little people to little people" program initiated by his son, Peter III, and designed to bring together the children of the world by letterwriting. In 1948, Congressman Rodino himself spearheaded an intensive letterwriting campaign in this country in a successful effort to defeat the Communists in Italy's postwar elections.

In 1941 the Congressman entered the U.S. Army and shortly after was sent overseas. One of the first Americans to win an overseas commission, he earned subsequent promotions to the rank of captain and a Bronze Star.

A lifelong resident of New Jersey's 10th district, which he represents, Mr. Rodino was born June 7, 1909, in Newark. He earned a law degree in 1937 at the University of Newark. He is married to the former Marianna Stango. They have two children, Margaret Ann—Mrs. Charles Stanziale, Jr.—and Peter III, and a granddaughter, Carla. The Rodinos live at 205 Grafton Avenue, Newark.

Congressman Rodino has received numerous awards, decorations, and honors in recognition of his many contributions to a better America and a better world.

The Kingdom of Italy awarded him the Cross of Merit and knighted him with the Orders of the Crown of Italy and SS. Maurice and Lazarus.

The present Government of Italy made him a Knight Commander and awarded him the Star of Solidarity. More recently he was made a Grand Knight of the Order of Merit.

He is also a Knight of the Sovereign Military Order of Malta and a Grand Knight Commander, Equestrian Order of St. Agata, of the Republic of San Marino.

In 1964 he won a citation of the American Bill of Rights Day Association for his "distinguished public service in the field of Government."

Mr. Rodino is the 1965 winner of the Amvets' Silver Helmet Award, the highest honor conferred by that national organization. For his fight against communism he was previously awarded the Silver Star of Merit by the Veterans of Foreign Wars, and he received distinguished service awards from the Catholic War Veterans and the Jewish War Veterans.

He received a "special international award" in 1966 from the Pious Society of St. Charles—Scalabrini Fathers—for his work on immigration legislation.

Congressman Rodino's remarks follow:

The tacit rules of convention require that a guest speaker begin his talk with a mandatory expression of his delight and pleasure, his honor and privilege at having been invited to participate in the program.

For the sheer unconventionality of it, I would love to break the long-honored rules. But the fact is, I am delighted, I am pleased, and I do consider it an honor and a privilege to join with you on this grand occasion.

And I welcome the opportunity to explore with you, in the fearless Columbian tradition, the status of Americans of Italian heritage in the challenging decade of the Sixties; a decade in which the limitless void of space has become a new frontier of mankind; a decade in which the electronic miracle, the computer, has come of age as an exciting tool of communication, education and scientific inquiry; a decade in which civilization seeks to halt the proliferation of nuclear weapons and find the elusive answer to a just and permanent peace.

Now it has been said that America is "God's Crucible."

This is an apt and fitting metaphor for the great melting pot.

It is also a misunderstood and misinterpreted metaphor.

Contrary to the widely held view, we do not take the many peoples of the world—with their unique cultures, their differing customs, hopes and dreams—and pour them into an imaginary cauldron and boil them together until all traces of individuality are lost.

The alchemy of America is quite different; and the end product is more precious than gold, more durable than diamonds.

The phenomenon of America, her unrivaled strength and her towering greatness, as I see it, is the direct result of an incomplete surrender. Yes. An incomplete surrender of traditions and ideals among those who come to make their homes here.

America's fabric is a rich tapestry of many threads, woven with love by a nation of immigrants out of single strands of long-cherished customs and long-revered traditions.

Each man preserves, in varying degree, the patterns of living of his father and his father's father.

Throughout his life he is influenced by, and, in turn, exerts influence upon, all others with whom he comes in contact.

There is continuous interchange, constant cross-fertilization. And in this way, the give-and-take of daily living works its magic.

In holding to his ancient heritage, in clinging to honored family traditions—even if only symbolically—the first, fifth or tenth generation American is not any less a good citizen and a loyal countryman.

And therein lies the true strength of our nation and the true nature of her greatness.

We have only to recall President John F. Kennedy's sentimental journey to Ireland and the unconcealed joy it brought to him to illustrate the point I want to make here.

And it is within this framework, and in this context, that the contemporary status of Americans of Italian heritage must be examined and appraised.

Let us face the fact that there is an Italian community in Massachusetts, just as there is in my home state of New Jersey, and throughout the nation.

Let us face the fact that Italians and the sons and daughters of Italians in Massachusetts, in New Jersey, in the nation and around the world have contributed substantially to the enlightenment of mankind, to the knowledge of man, to the beauty of music, the glory of art, the advancement of science; to the understanding of law and justice, and to the strengthening of democratic principles.

I do not intend to recite the long and venerable list of names of Italians and Americans of Italian origin who have earned universal praise and unanimous international acclaim for their distinguished contributions to the family of man.

I am sure that you are as familiar as I am with these giants of history, these titans of creative genius, these champions of bold and original thought.

Like rich veins of pure gold, Italian influence glitters across the permanent pages of recorded history, from the hesitant beginnings to the hectic present.

Paradoxically, even we who are of Italian descent have only a small idea of the real scope and depth of the Italian influence upon the world in general and upon America in particular.

Italian influence may be likened to an ice berg. Only a small portion of its total mass shows above the surface. Only the most dramatic examples remain in sunlight. The rest lies beneath the surface, hidden and unsung, but none-the-less important.

I am thinking of the influence of the common man—my father and the millions of fathers like him—who braved the hardships of harrowing travel by land and sea to begin a new life in the New World.

My father and millions of fathers like him sweated Italian sweat and fought back Italian tears as they struggled to earn a decent, honest living and to gain acceptance in this not-always-friendly nation of immigrants. And in the agonizing process, they helped to build America and to make it great and vital.

These overlooked heroes supplied more than muscle, more than brains. They supplied the spirit to get things done, the will to achieve, the determination to accomplish.

This is the legacy of the unsung Italian immigrant to his adopted land, to the land he loved, to the land he gave so much of himself, though he received so little in return.

Let me emphasize this. The American of Italian heritage seeks neither favor nor reward because he is of Italian descent.

But he should not and must not be denied fair and just treatment because his name ends in a vowel. His abilities should not be ignored because he is of Italian origin. He should not be bypassed for promotion or advancement because his ancestry is Italian. His climb up the ladder of success should not be made more difficult because of an Italian lineage.

The American of Italian heritage should not have to be twice or three times as good as a rival in order to gain recognition, and yet we must admit that in many cases, in too many cases, this is all too true. Even today, my friends. Even today.

Such treatment, to be sure, shakes and rattles the basic principles on which this nation was founded. It undermines our fundamental concepts of common decency, respect for human dignity, and fair play.

It makes the Bill of Rights an unpaid I.O.U., and the Declaration of Independence an uncollectable promissory note.

The practitioners of this kind of indefensible behavior, our unenlightened countrymen, ignore the positive and powerful contributions of the Italian-oriented community in America.

They choose to see only the sensational headlines that link Italian-sounding names to crime, and they ignore the fact, because it suits their ugly purpose, that all nationalities have their bad actors, their rotten apples, their disowned and ostracized criminals.

The tiny minority, the infinitesimal fraction of evil-doers is destroying the reputation of a proud and wonderful and inspiring ancestry.

A drop of poison is ruining an ocean of noble achievements.

Guilt by association is insidious, but guilt by reason of national origin—often generations removed—is worse.

We can not, we must not, ignore this. We dare not stand idly by.

As a member of the Congress, I fought for 17 years to eradicate the anti-Italian bias that was built into our federal immigration act.

The quota system has been scrapped, I am pleased to say, and we no longer have to live with the smug implication that the people of one country are better and more welcome in the United States than the people of other countries.

The quota system will not be missed. It was undemocratic in concept and reprehensible in practice. The junk heap is too good a graveyard for it.

Eliminating bias from our immigration law represents an important forward step.

But much more remains to be done.

I am told that The Order Sons of Italy in America has initiated a research study on the role of your Order in society today. You are to be congratulated for such enterprise.

I am aware, also, of the commendable leadership of your Order in the monumental effort to bring about a Federation of organizations of Americans of Italian background.

In unity there is increased strength and augmented power. Success in the federation project will inevitably result in heightened importance, new prominence and greater respect for Americans of Italian heritage. Their voice will command added respect. Their ideas will enjoy new-found support. Their goals will meet more ready acceptance.

Your national deputy, and my personal friend for many years, Michael A. Rivisto, and I have long discussed the need for a federation, and I have been encouraging and supporting the project in every way that I can.

And I am pleased that your personable and very effective Governor, John Volpe, and your energetic and dedicated Grand Venerable, John Guarino, who is winning friends for your grand jurisdiction throughout the country, recognize the need for the federation.

Now a research study on the role of your Order in today's society and the efforts to create a federation are all to the good.

But if you would allow me the luxury of being presumptuous (presumption which is prompted by a sense of urgency) I would suggest that there is a more immediate role which your great fraternal organization can undertake effectively, and without delay.

You can move into the forefront and give leadership to the forceful action which the present situation demands. You can develop the means to counteract the harm and damage which the sordid headlines of crime must inevitably inspire.

You can help to correct erroneous impressions and false generalities.

As much as you have been doing, you can still do more to emphasize the positive, to let all Americans know that the troublemakers are a despised and unrepresentative minority among vast numbers of decent, honest, hard-working people.

It is essential that we let our fellow Americans know how much our great and respected Americans of Italian descent have contributed and are continuing to contribute to the everlasting glory of our nation.

The task will require all the ingenuity and enterprise that we can generate.

We must develop an effective instrument for education and enlightenment.

We must develop powerful voices in the struggle for fair play and simple justice.

Through patient, dedicated work of societies such as yours, through convention programs such as yours this evening, we can lift and scatter away the dark, ominous clouds of misguided public opinion.

The light of truth must be permitted to shine through.

The deeds, the acts, the sacrifices that went into the making of the Italian legacy to America must be revealed, so that all Americans may appreciate the boundless dedication of Americans of Italian descent to the well-being of this nation.

We desire all Americans to share with us our modest pride in the diverse and far-reaching contributions we have made through nearly five centuries to the founding and the building of a stronger, healthier, happier America.

We must breathe fresh life into the dust-covered chapters of history that tell of the tears and the toil of those who came from Italy to become active, working partners in the unselfish effort to forge a better nation than the world has ever known.

We must rake the coals of history, so that all may see the bright glow of love and loyalty that shines more warmly than ever in the hearts of Americans of Italian heritage from coast to coast.

America would be diminished and demeaned and her greatness tarnished if the contributions of the sons and daughters of Italian origin were somehow to be withdrawn, denounced or denied.

Italian influence is inextricably a part of America.

It is a part of every sinew and cell, of every vital organ, of every nerve and tissue, down to the very marrow of every bone that holds America together.

Italian blood enriches the mainstream of America. It has given, it continues to give, strength and character and vitality to the nation. It shall always be so, ever and forever. And this is the message I urge you to carry forth from this convention tonight.

Thank you.

THE REPUBLICAN "NEW LOOK"

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, subsequent to last fall's election and continuing down to the present, there has been much talk of a "new look" for the Republican

Party. Newspaper pundits and others have speculated, analyzed, and agonized as to whether or not the gains made by the GOP in November 1966 represented an infusion of new blood which would result in the Republican Party in the Congress adopting a more enlightened and moderate position on economic and social questions than had been its custom in the past. That there was a body of opinion that seriously held forth the possibility that the Republican Party was capable of embracing the 20th century is obviously proof that hope springs eternal in the breast of mankind.

Since the Easter recess the House of Representatives has upon four occasions had the opportunity to vote on that type of issue which clearly delineates between those who believe that in this day and age the Federal Government has the responsibility, yes the duty, to play an active role in creating a better society, and those who hold to that obstructionist ideology which either denies the very existence of the varied complicated problems engendered by our urban-industrial civilization or takes the view that they will yield of solution to repeated incantations re individual initiative, states rights, and private enterprise. These four issues were rent supplements, model cities, the food stamp program, and elementary and secondary education. The overwhelming majority of House Republicans chose to vote in opposition to each and every one of these progressive programs.

The first and second of these votes on appropriations for the two new programs authorized by the 89th Congress, aimed at coming to grips with the terrible problems resulting from the slums in our large metropolitan centers, came in connection with H.R. 9960, the Independent Offices and Department of Housing and Urban Development Appropriation Act for fiscal 1968 on May 17, 1967. In 1965, President Johnson and the 89th Congress, working in conjunction, had developed the rent supplement program to enable private enterprise—builders, realtors, and lenders—to provide housing for that lowest income group unable to secure decent, safe, and sanitary dwellings on an economic basis. Prior to the enactment of the rent supplement program these unfortunate people through no fault of their own were limited either to competing for a limited number of increasingly unpopular public housing units or to permanent consignment to the slums. The passage of the 1965 Housing Act, containing the new rent supplement program, was hailed by both housing theorists and practical builders alike as the first major breakthrough in the housing field in a generation. Yet when on May 17, 1967, an amendment was offered from the Republican side of the aisle to delete from the Housing Department appropriation bill a most modest $10 million appropriation for rent supplements for low-income families, it received the support of the House Republican leadership, with the Republican membership voting 163 to 12 for the amendment and thus in favor of assigning our low-income families permanently to the slums. Because of this almost unanimous Republican support for the amendment, the rent supplement program was deleted 232 to 171.

The model cities program enacted in 1966 envisioned a broad unified and coordinated attack by all levels of government in conjunction with both private enterprise and voluntary associations, against the innumerable interwoven and interconnected problems, both physical and social, which beset our cities. It has become increasingly clear during the last decade that as useful and necessary as are the many and varied Federal grant-in-aid programs—be they of the "bricks and mortar variety" such as urban renewal, water pollution, hospitals, and Federal aid to highways, or the so-called soft goods or social programs, whether the war on poverty or the more traditional variety of public welfare assistance—they were not sufficiently coordinated to enable us to secure the maximum overall potential of the various Federal and local efforts aimed at improving the quality of urban life. When the model cities program was enacted into law on November 3, 1966, it was proclaimed, without exception, by every authority in the housing, city planning, and urban development fields, as the key which would finally unlock all of this Nation's resources, both public and private, for a titanic and successful onslaught against our 20th-century urban frontiers; a challenge which if successfully met would be an accomplishment fully as great as was the conquest of our western frontier in the 19th century. Yet a Republican-sponsored motion to recommit the housing appropriation bill, with instructions to delete the $220 million provided for the model cities program, while fortunately rejected 213 to 193, received the support of 80 percent of the Republicans voting on the matter. Democrats in the House, on the other hand, voted 78 percent to finance this program.

Following the Goldwater debacle of 1964, the chairman of the Republican National Committee appointed a task force to study why the Republican Party has repeatedly done so poorly in our large cities. If my recollections are correct, this group employed a staff and spent considerable time and money in producing a rather voluminous report as to the reasons for the GOP's unpopularity in urban America. Frankly, it seems to me that Mr. Bliss has been guilty of that crime without peer in Republican eyes—profligacy. A few minutes devoted to the perusal of the two rollcalls in connection with the housing appropriation bill, plus an examination of similar votes on housing and urban affairs problems in earlier years in the Congress, would have, at a great saving of time, effort, and money, quickly revealed to that astute gentleman one simple fact—on every occasion when presented with the opportunity of voting for an enlightened program to aid the cities of this country, the overwhelming, often near unanimous, Republican membership of the Congress has chosen to vote against the cities. In reciprocation, come election day, the overwhelming majority of voters who reside in those cities have justly rewarded the Republican Party with an equally overwhelming vote of no confidence.

Members of the House were afforded a third opportunity to register their views on a vitally needed program on June 8, when the House acted on H.R. 1318, the food stamp program. This humanitarian program, initially enacted on a pilot basis in 1961 and established on a 3-year basis in 1964, enables low-income families in both the urban slums and depressed rural areas to purchase Government-subsidized stamps which increases their food-buying power at grocery stores. This program has permitted these citizens to supply their children with something approaching the basic nutritional diet necessary for sound physical and mental growth. To anyone with a modicum of human compassion, it would appear inconceivable that this humane program should become embroiled in partisan controversy. Yet the Republican Party in the House, once again incapable of shedding its traditional unenlightened philosophy which appears to equate poverty with sloth, overwhelmingly voted in favor of an amendment to cripple this program drastically. It would have required that 20 percent of the program be contributed by the States, despite the fact that they now are forced to absorb all administrative costs. In all probability many of the poorer States most in need of the assistance would have been forced to drop the stamp program entirely while others would certainly have had to drastically reduce the number of participants. When the roll was called, the Republicans voted 124 to 27 in favor of emasculating the food stamp program while the Democrats voted 164 to 49 in favor of sustaining the food stamp program.

The elementary and secondary education bill, H.R. 7819, without doubt involved the major battle over domestic welfare legislation witnessed since the convening of the 90th Congress last January. President Johnson and the American people in truth won a resounding legislative victory. Had the Republican wrecking crew succeeded in defeating or emasculating the elementary and secondary education bill, it would have undoubtedly been but the first step in an all-out attack against each and every piece of economic and social legislation placed on the statute books during the past 6 years.

Of even greater significance, however, is that the present Democratic House of Representatives demonstrated in no uncertain terms that it cannot be stampeded by divisive appeals based on race, creed, or sectionalism. The Elementary and Secondary Education Act of 1965 was a carefully thought out and delicately balanced compromise, a product of the arduous and extended labors of many men of good will determined to break the stalemate which had prevented the enactment of any Federal aid to education during the 1940's, 1950's, and early 1960's. The passage of that law in 1965 is truly a tribute almost without peer to American political genius. In taking full cognizance, where previous efforts at Federal aid to education had failed, of the pluralistic character of American society, it was able to tap the rich reservoir of American humanitarianism. In providing that assistance would be directed primarily toward aiding culturally and educationally deprived children, whether attending private or public schools, in both our metropolitan slums and rural depressed areas. It was able to overcome the religious, racial, and sectional controversies which had so tragically stymied earlier efforts.

Obviously, in putting its stamp of approval upon the Quie amendment, the Republican leadership in the House was gambling that it could reignite all of the old controversies and thus defeat the elementary and secondary education bill. All of the leading proponents of the Quie amendment had had a long and unqualified record of opposition to any form of Federal aid to education. Had the Republicans succeeded in their mischievious effort, education would, of course, have suffered an irreparable blow, but the even greater tragedy would have been that this country would have been left with an ugly scar of racial, religious, and sectional animosity from which it would have been many a day in recovering.

The results are now in. It should be crystal clear, even to the most obtuse, that the Republican leopard has not, cannot, and for that matter has no desire, to change its spots. There is no "new look" republicanism. Republicanism is now what it has always been—reactionary, shortsighted, unenlightened, insular, parochial. By their votes on rent supplements, model cities, the food stamp program, and elementary and secondary education, the Republican Party in the House has clearly demonstrated that it is without interest in economic or social reform, that it prefers to look backward rather than forward, and that it is unalterably committed in opposition to the 20th century.

BUCKPASSING BY THE OFFICE OF ECONOMIC OPPORTUNITY

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HANLEY. Mr. Speaker, I have the great privilege of representing Onondaga County in the House of Representatives. It is a thriving area, full of the bustle traditional to any American community on the move. It is also full of the anxieties and pressures which confront an American community trying to adjust to the temperament of the 1960's.

The city of Syracuse is located in Onondaga County, and it is to this fact and its ramifications that I wish to address the attention of my colleagues this afternoon.

In 1964, the city of Syracuse established as a grantee agency the mayor's commission for youth designed as a vehicle for distribution of funds under the President's Commission on Juvenile Delinquency. As you will recall, Congress in the summer of 1964, enacted the Economic Opportunity Act whose purposes were, first, to provide an umbrella operation for then existing programs such as the President's Commission on Juvenile Delinquency; and second, to expand economic and social opportunities to those to whom these words had been empty and meaningless.

The Economic Opportunity Act represented a brandnew conceptual approach to the problems of cyclical poverty. Its preamble held that more than welfare and the dole were necessary to root out the social malaise which had afflicted the lower economic classes of our Nation for generations. It held that a massive program of self-help was not only possible but absolutely necessary.

While not a Member of this body at the time EOA was enacted, I did do my part as an interested citizen to engender support for its enactment and proper implementation.

Fortunately, despite a few initial, temporary setbacks and despite constant sniper attacks, the Office of Economic Opportunity did get off the ground. Equally as fortunate was the fact that my own hometown of Syracuse became one of the initial participants in the war on poverty.

I suspect that no other agency of the Federal Government had more significant hurdles to overcome than OEO, if for no other reason than the herculean nature of the task handed to it. Any agency dealing with the emotional fabric of our society, with the stridency of deep rooted passions and with the societal barnacles of myth, has its work cut out for it. But there were those of us in whose breast beliefs and confidence ran high—belief that cyclical poverty could be licked and confidence that our society had lost neither its taste nor its capacity for adjustment.

Since no new program can be expected to attain perfection in a short period of time, if in fact, considering the elements of human frailty, it ever can, we were well counseled to accept the reality of slow progress toward our professed goals in the poverty war.

To be certain, no one, not even the most optimistic, believed that we could win the war only with injections of good faith and money. Hard decisions both at the local level and at the national administrative level had to be made. This item, Mr. Speaker, brings me to the main thrust of my remarks this afternoon.

The poverty program in Syracuse, N.Y., is in the throes of desperation. I will not attempt to recount the bitterness which has rooted its way into the foundations of the Syracuse agency. Suffice it to say, without any blameful attributions, that a Mexican standoff has been effected between opposing elements intimately involved with the program in Syracuse. I said I would make no blameful attributions because the air is rife with charges and countercharges each of which has been brought bluntly and forcefully to the attention of the highest echelon of the Office of Economic Opportunity during the last month.

Mr. Speaker, the funds for the war on poverty in Syracuse are due to expire tomorrow evening at midnight and no decision on the part of OEO has as yet been forthcoming on the future of that program. The decision is beyond the pale of local resolution. It is now even beyond the reach of the OEO regional office in New York City. It is squarely, as it has been for a week, in the hands of OEO headquarters in downtown Washington.

I have supported the aims of the war on poverty and in all likelihood I will continue to support them. But I can guarantee that the authorization of new funds will provide one of the hottest debates this Chamber has ever had.

In my 3 years in Congress, I have witnessed mountains of bureaucratic indecision and gobbledygook. I have seen bureaucratic vacillation that would have shaken less stable governments; I have been the recipient of conflicting reports which might drive some men onto a diet of sarsaparilla and strychnine, but never in my congressional tenure, Mr. Speaker, have I seen a more blundering mishmash of indecision than that served up to me by OEO during the last month.

I used to think, in my greener days, that the semicomic portrayal of bureaucratic operations was something one only read about in the columns of crusading journalists—but now I have become a believer. During the last month either I or a member of my staff has talked with just about every warm body in the OEO establishment. I have pled, cajoled, begged, demanded, and otherwise sought some decision out of that administrative monstrosity only to have my pleading, cajolery, begging, and demands fall on deaf ears. I have been plugged into more telephone connections at OEO than any operator on their switchboard. It seems to me that the only decision anyone down there is capable of making is that someone else is making the decisions.

Mr. Speaker, I suggest the Congress order a carload of medals for buckpassing struck and then direct that the carload be delivered en masse to the Office of Economic Opportunity.

ISRAEL CONTROL OF JERUSALEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, I recognize the reservations with which much of the world, including our own Government, has received the news that Israel has decided to administer all of Jerusalem as a unity, under the direction of Israel authorities. It is felt that this was a unilateral action, in contradiction to a kind of global consensus.

I think, however, that we must look into the reasons for the Israel decision. I believe we will acquire therein some understanding of the move.

Since the partition of Jerusalem in 1948, when Jordan seized control and took charge of the holy places, Jews have been forbidden to pray at the Wailing Wall, the most holy place in the Jewish religion. There have also been recurring reports that obstacles have been placed before Christian worshipers.

The world recognizes politics as one thing, Mr. Speaker, but religious faith as another. If an Arab State excludes Israel from, say, Suez, it is regarded as a political act, within a nation's legitimate sphere of action. But to exclude pilgrims from their religious shrines is cruel beyond human standards. We must note that Israel has, by law, pledged to keep all holy places in Jerusalem accessible—to Christians and Jews and, most significantly, to Moslems. I am certain we can rely on this pledge.

It is also important to note that Israel has been scrupulous in dealing with the Arab minorities within its borders. Every sign so far indicates that Jerusalem's Arabs will have more rights of participation in the local government than they did under Jordan and that they will be given fair and even generous treatment in an undivided city.

The question to be asked is, Should Israel return to Arab control the Jerusalem hills from which Jordan's soldiers rained shells on the Jewish population of the city? While Jordan poured death on the Israel sector, Israel's gallant army was sacrificing its blood to capture the Old City without inflicting damage on the holy shrines. What greater assurance could the world ask of Israel's sense of responsibility? Having survived the Arab State's third challenge to its existence, Israel cannot be denied a border rectification which includes Jerusalem as a measure of self-defense.

Under no circumstances should the Old City of Jerusalem be restored to Arab hands because they do not cherish and safeguard its holy places. I am completely confident that the Israel Government would be able to work out a satisfactory arrangement with the religious leaders of the three great faiths so that never again will any person be denied the right to worship as he pleases in sacred Jerusalem.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. SMITH of New York (at the request of Mr. GERALD R. FORD), for period July 10 through 15, 1967, on account of official business as U.S. Representative of the Judiciary Committee of the House of Representatives at the conference at Geneva, Switzerland, on World Peace Through Law.

Mr. HUNGATE (at the request of Mr. ROGERS of Colorado), for July 10 to 24, 1967, on account of official business.

Mr. MOSS, for June 29, 1967 to July 11, 1967, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. REINECKE) to revise and extend their remarks and to include extraneous material:)

Mr. CHAMBERLAIN, for 30 minutes, today.

Mr. MORSE of Massachusetts, for 60 minutes, on July 10.

Mr. MICHEL, for 5 minutes, today.

Mr. FARBSTEIN (at the request of Mr. CABELL), for 20 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

(The following Member (at the request of Mr. REINECKE) and to include extraneous matter:)

Mr. SHRIVER.

(The following Member (at the request of Mr. CABELL) and to include extraneous matter:)

Mr. BARRETT.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1028. An act to amend title 5, United States Code, to extend certain benefits to former employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes; to the Committee on Post Office and Civil Service.

S. 1862. An act to amend the authorizing legislation of the Small Business Administration, and for other purposes; to the Committee on Banking and Currency.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Commitee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5702. An act to remove the 5-acre limitation on the amount of tobacco allotment acreage which may be leased;

H.R. 8265. An act to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of tobacco acreage allotments and acreage-poundage quotas; and

H.R. 10730. An act to amend the Older Americans Act of 1965 so as to extend its provisions.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 4880. An act to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965;

H.R. 5615. An act to continue until the close of June 30, 1969, the existing suspension of duties for metal scrap;

H.R. 10943 An act to amend and extend title V of the Higher Education Act of 1965; and

H.J. Res. 652. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes.

ADJOURNMENT TO MONDAY, JULY 10, 1967

Mr. CABELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. In accordance with House Concurrent Resolution 393, the Chair declares the House adjourned until 12 o'clock noon on Monday, July 10, 1967.

Thereupon (at 2 o'clock and 24 minutes p.m.), pursuant to House Concurrent Resolution 393, the House adjourned until Monday, July 10, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

866. A letter from the Comptroller General of the United States, transmitting a report of guidelines needed for custodial and engineering staffing in the public schools of the District of Columbia, Board of Education, District of Columbia; to the Committee on Government Operations.

867. A letter from the Comptroller General of the United States, transmitting a report of need for improvement in the Coast Guard Reserve training program, U.S. Coast Guard, Department of Transportation; to the Committee on Government Operations.

868. A letter from the Comptroller General of the United States, transmitting a report of potential savings attainable through improved control over computations of disability compensation, Bureau of Employees' Compensation, Department of Labor; to the Committee on Government Operations.

869. A letter from the Chairman, Federal Trade Commission, transmitting a report on anticompetitive practices in the marketing of gasoline; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DANIELS: Committee on Post Office and Civil Service. H.R. 11089. A bill to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the Employees' Life Insurance Fund (Rept. No. 462). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H.R. 421. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; with amendment (Rept. No. 472). Referred to the House Calendar.

Mr. CELLER: Committee on the Judiciary. H.R. 2516. A bill to prescribe penalties for certain acts of violence or intimidation, and for other purposes; with amendment (Rept. No. 473). Referred to the House Calendar.

Mr. PATMAN: Committee on Banking and Currency. H.R. 11000. A bill to provide Federal financial assistance to help cities and communities of the Nation develop and carry out intensive local programs of rat control and extermination (Rept. No. 474). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. H.R. 2485. A bill for the relief of Elisabeta Horwath; with amendment (Rept. No. 463). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 3497. A bill for the relief of Ramiro Velasquez Huerta; with amendment (Rept. No. 464). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 4159. A bill for the relief of Teresina Fara; with amendment (Rept. No. 465). Referred to the Committee of the Whole House.

Mr. CAHILL: Committee on the Judiciary. H.R. 4538. A bill for the relief of Dr. John E. Yannakakis (Rept. No. 466). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 5216. A bill for the relief of Roberto Martin Del Campo (Rept. No. 467). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 5996. A bill for the relief of Dr. Bernardino D. Marcelo (Rept. No. 468). Referred to the Committee of the Whole House.

Mr. MacGREGOR: Committee on the Judiciary. H.R. 8254. A bill for the relief of Jan Drobot (Rept. No. 469). Referred to the Committee of the Whole House.

Mr. DOWDY: Committee on the Judiciary. H.R. 9080. A bill for the relief of Federico de la Cruz-Munoz (Rept. No. 470). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 1820. A bill for the relief of Mrs. Demetria Messana Barone; with amendment (Rept. No. 471). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUSH:

H.R. 11259. A bill to amend the Oil Pollution Act, 1924, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. CARTER:

H.R. 11260. A bill to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes; to the Committee on Agriculture.

H.R. 11261. A bill to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television and radio, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 11262. A bill to relieve the Postmaster General of responsibility for determining mailability under the congressional frank, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DINGELL:

H.R. 11263. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record, to eliminate certain special requirements for entitlement to husband's or widower's benefits, to provide for the payment of benefits to widowed fathers with minor children, to equalize the criteria for determining dependency of a child on his father or mother, and to make the retirement test inapplicable to individuals with minor children who are entitled to mother's or father's benefits; to the Committee on Ways and Means.

By Mr. EILBERG:

H.R. 11264. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record, to eliminate certain special requirements for entitlement to husband's or widower's benefits, to provide for the payment of benefits to widowed fathers with minor children, to equalize the criteria for determining dependency of a child on his father or mother, and to make the retirement test inapplicable to individuals with minor children who are entitled to mother's or father's benefits; to the Committee on Ways and Means.

By Mr. PERKINS (for himself, Mr. Thompson of New Jersey, Mr. Holland, Mr. Hathaway, Mr. Dent, Mr. Pucinski, Mr. Daniels, Mr. William D. Ford, Mrs. Mink, Mr. Burton of California, Mr. Quie, Mr. Bell, Mr. Reid of New York, Mr. Erlenborn, Mr. Brademas, and Mr. Esch):

H.R. 11265. A bill to authorize appropriations to carry out the Adult Education Act of 1966 for 2 additional years; to the Committee on Education and Labor.

By Mr. POFF (for himself, Mr. McCulloch, Mr. Rhodes of Arizona, Mr. Laird, Mr. Bob Wilson, Mr. Arends, Mr. Conable, Mr. King of New York, Mr. MacGregor, Mr. Price of Texas, Mr. Moore, Mr. Hutchinson, Mr. McClory, Mr. Taft, Mr. Smith of New York, Mr. Wylie, Mr. Cramer, Mr. Smith of California, Mr. Devine, Mr. Biester, Mr. Meskill, Mr. Railsback, and Mr. Goodell):

H.R. 11266. A bill to amend the Sherman Act to prohibit the investment of certain income in any business enterprise affecting interstate or foreign commerce; to the Committee on the Judiciary.

By Mr. POFF (for himself, Mr. Rhodes of Arizona, Mr. Laird, Mr. Bob Wilson, Mr. Arends, Mr. Conable, Mr. King of New York, Mr. MacGregor, Mr. Price of Texas, Mr. Moore, Mr. Hutchinson, Mr. McClory, Mr. Taft, Mr. Smith of New York, Mr. Wylie, Mr. Cramer, Mr. Smith of California, Mr. Devine, Mr. Biester, Mr. Meskill, and Mr. Roth):

H.R. 11267. A bill to amend title 18, United States Code, to provide for improved criminal procedure, and for other purposes; to the Committee on the Judiciary.

By Mr. POFF (for himself, Mr. McCulloch, Mr. Rhodes of Arizona, Mr. Laird, Mr. Bob Wilson, Mr. Arends, Mr. Conable, Mr. King of New York, Mr. MacGregor, Mr. Price of Texas, Mr. Moore, Mr. Hutchinson, Mr. McClory, Mr. Taft, Mr. Smith of New York, Mr. Wylie, Mr. Cramer, Mr. Smith of California, Mr. Devine, Mr. Biester, Mr. Meskill, Mr. Railsback, and Mr. Goodell):

H.R. 11268. A bill to prohibit the investment of income derived from certain criminal activities in any business enterprise affecting interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. QUILLEN:

H.R. 11269. A bill to amend the Tennessee Valley Authority Act of 1933 to provide that the issue of just compensation may be tried by a jury in any case involving the condemnation of real property by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. RODINO:

H.R. 11270. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

By Mr. SCHADEBERG:

H.R. 11271. A bill to provide for the control or elimination of the alewife and other such pests in the waters of the Great Lakes; to the Committee on Merchant Marine and Fisheries.

By Mr. ANDERSON of Illinois:

H.R. 11272. A bill to relieve the Postmaster General of responsibility for determining mailability under the congressional frank, and for other purposes; to the Committee on Rules.

By Mr. BIESTER:

H.R. 11273. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

By Mr. CAHILL:

H.R. 11274. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance and for other purposes; to the Committee on Banking and Currency.

By Mr. DANIELS:

H.R. 11275. A bill to authorize a duty on soluble coffee; to the Committee on Ways and Means.

By Mr. HAWKINS:

H.R. 11276. A bill to authorize appropriations to carry out the Adult Education Act of 1966 for 2 additional years; to the Committee on Education and Labor.

H.R. 11277. A bill to enact the Employment Service Act of 1967; to the Committee on Education and Labor.

By Mr. MATHIAS of Maryland:

H.R. 11278. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alinement, and for other purposes; to the Committee on the District of Columbia.

By Mr. MORSE:

H.R. 11279. A bill to close loopholes in parts 3 and 4 of schedule 3 of the Tariff Schedules of the United States by providing that the provisions in such parts for fabrics in chief value of wool shall also apply to fabrics in chief weight of wool, and for other purposes; to the Committee on Ways and Means.

By Mr. PERKINS (for himself, Mrs. Green of Oregon, Mr. Holland, Mr. Dent, Mr. William D. Ford, Mr. Hathaway, Mrs. Mink, Mr. Meeds and Mr. Burton of California):

H.R. 11280. A bill to amend the act of June 6, 1933, as amended (48 Stat. 113); to the Committee on Education and Labor.

By Mr. RIEGLE:

H.R. 11281. A bill to amend the Internal Revenue Code of 1954 to increase certain personal income tax exemptions of a taxpayer (including spouses and dependents), to allow a credit against income tax to individuals for certain expenses incurred in providing and obtaining higher education, to expand the definition of deductible moving expenses incurred by employees, to protect funds invested in series E U.S. savings bonds, to provide a credit for certain single persons, to provide a deduction for transportation and personal exemption for disabled individuals, to repeal the manufacturers' excise tax on passenger automobiles and trucks, to remove the tax exemption for interest on State or local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises, to curb the tax-exempt financing of industrial or commercial facilities used for private profit-making purposes, to limit the maximum rate of percentage depletion, to provide an incentive for corporate investment in developing countries, to provide a tax credit for certain local residential and property taxes, to modify the capital gains treatment of property acquired from a decedent, to repeal multiple surtax exemptions, and to establish a Commission on Equitable Taxation; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 11282. A bill to permit Federal employees to purchase shares of Federal- or State-chartered credit unions through voluntary payroll allotment; to the Committee on Banking and Currency.

By Mr. BELL (for himself, Mr. MORSE, Mr. REID of New York, Mr. REUSS, Mr. STRATTON, and Mr. UDALL):

H.R. 11283. A bill to establish and develop the Chesapeake & Ohio Canal National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MILLER of California:

H.R. 11284. A bill to amend the Organic Act of the National Bureau of Standards to authorize a fire research and safety program, to establish a National Commission on Fire Prevention and Control, and for other purposes; to the Committee on Science and Astronautics.

By Mr. SMITH of Iowa:

H.R. 11285. A bill to protect domestic consumers against an inadequate supply of soybeans and soybean products; to maintain and promote foreign trade; to protect producers of soybeans against an unfair loss of income resulting from the establishment of a reserve supply; to assist in marketing soybeans for domestic consumption and export; and for other purposes; to the Committee on Agriculture.

By Mr. UTT:

H.R. 11286. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.J. Res. 690. Joint resolution designating the 7-day period beginning on February 12 of each year as Negro History Week; to the Committee on the Judiciary.

By Mr. ABBITT (for himself, Mr. McMILLAN, Mr. DOWNING, and Mr. STUBBLEFIELD):

H. Con. Res. 399. Concurrent resolution expressing the sense of Congress re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. ASHMORE (for himself, Mr. DERWINSKI, Mr. ANDERSON of Illinois, Mr. ASHBROOK, Mr. BOW, Mr. PETTIS, Mr. BROYHILL of Virginia, Mr. NATCHER, Mr. STANTON, Mr. McCULLOCH, and Mr. JONES of North Carolina):

H. Con. Res. 400. Concurrent resolution expressing the sense of Congress re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. BUCHANAN (for himself, Mr. BUSH, Mr. MYERS, Mr. HARRISON, and Mr. BOB WILSON):

H. Con. Res. 401. Concurrent resolution expressing the sense of Congress re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. BURKE of Florida:

H. Con. Res. 402. Concurrent resolution expressing the sense of Congress re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. HOSMER (for himself Mrs. MAY, Mr. CORBETT, Mr. CEDERBERG, Mr. FINDLEY, Mr. BOB WILSON, Mr. KYL, and Mr. PIRNIE):

H. Con. Res. 403. Concurrent resolution, expressing the sense of Congress re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. McCLORY (for himself, Mr. ERLENBORN, Mr. RAILSBACK, Mr. BURTON of Utah, Mr. REINECKE, Mr. MICHEL, Mr. O'KONSKI, and Mr. CHAMBERLAIN):

H. Con. Res. 404. Concurrent resolution expressing the sense of Congress re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. O'NEAL of Georgia (for himself and Mr. MONTGOMERY):

H. Con. Res. 405. Concurrent resolution expressing the sense of Congress re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. RUPPE:

H. Res. 690. Resolution expressing the sense of the House that certain social security and railroad retirement benefits shall not be made subject to Federal income taxes; to the Committee on Ways and Means.

By Mr. WYDLER:

H. Res. 691. Resolution for a stable and durable peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. ANNUNZIO:

H. Res. 692. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. BRASCO:

H. Res. 693. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. DADDARIO

H. Res. 694. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. FEIGHAN:

H. Res. 695. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. FINO:

H. Res. 696. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. HALPERN:

H. Res. 697. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. HAWKINS:

H. Res. 698. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. HELSTOSKI:

H. Res. 699. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. HICKS:

H. Res. 700. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. MINISH:

H. Res. 701. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. RODINO:

H. Res. 702. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. SCHWEIKER:

H. Res. 703. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. STEIGER of Arizona:

H. Res. 704. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. ADAMS:

H. Res. 705. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. ANDERSON of Tennessee:

H. Res. 706. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. ASHLEY:

H. Res. 707. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. BLACKBURN:

H. Res. 708. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. BROOMFIELD:

H. Res. 709. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. CORBETT:

H. Res. 710. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. DELLENBACK:

H. Res. 711. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. DULSKI:

H. Res. 712. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. ESHLEMAN:

H. Res. 713. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. WILLIAM D. FORD:

H. Res. 714. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. GROVER:

H. Res. 715. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. HARVEY:

H. Res. 716. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. KORNEGAY:

H. Res. 717. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. NIX:

H. Res. 718. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. PERKINS:

H. Res. 719. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. PIRNIE:

H. Res. 720. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. PRICE of Texas:

H. Res. 721. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. RHODES of Pennsylvania:

H. Res. 722. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. ROYBAL:

H. Res. 723. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. THOMPSON of New Jersey:

H. Res. 724. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHAMBERLAIN:

H.R. 11287. A bill for the relief of Amir U. Khan; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 11288. A bill for the relief of Michele Como; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 11289. A bill for the relief of Ferdows Fajiram, Shahin Fajiram, and Greta Fajiram; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 11290. A bill for the relief of Mrs. Elsa Nolasco de Hernandez; to the Committee on the Judiciary.

By Mr. SANDMAN:

H.R. 11291. A bill for the relief of Francesco Somma; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 11292. A bill for the relief of Jung Soo Doc; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

118. By Mr. HOSMER: Petition of certain residents of the 32d Congressional District of California, who request enactment by Congress of legislation to amend the medicare provisions of the Social Security Act to allow the recipients of the benefits thereunder to obtain health care from doctors of chiropractic and receive the same benefit payments and privileges as are now given the other licensed practitioners of the healing arts and sciences; to the Committee on Ways and Means.

119. By the SPEAKER: Petition of Henry Stoner, Portland, Oreg., relative to appropriating funds to reduce the public debt; to the Committee on Appropriations.

SENATE

Thursday, June 29, 1967

The Senate met at 10 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. Metcalf).

Rev. Edward B. Lewis, minister, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear Father of all life whose presence is everywhere and whose goodness never fails, grant us such an awareness of Thy nearness that we may know Thee as a constant companion, guide, and personal inspiration for clear thinking.

As this session of the U.S. Senate meets today, we pray that Thou wouldst keep these servants of the people faithful in their high responsibility. Make them equal to heavy burdens and extended demands.

As a nation, we shall soon remember and celebrate our independence with thanksgiving and appreciation of the blessing of freedom. Grateful for this Nation we love the most, we are also mindful of our neighbors of other countries. Give to all men freedom, peace, and happiness. Especially be with those this day who suffer and die because of the evil of war.

Give all responsible citizens of this world alertness to the dawn's early light of peace that is possible for all. Make us wise to interpret every sign of promise and eager to share good tidings of faith and hope. Keep us true to our mission.

We pray in the name of the Prince of Peace. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7501) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1968, and for other purposes; and that the House receded from its disagreement to the amendment of the Senate numbered 13 to the bill, and concurred therein.

The message also announced that the House had passed the bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, in which it requested the concurrence of the Senate; that the House insisted upon its amendment to the bill, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Miller of California, Mr. Teague of Texas, Mr. Karth, Mr. Hechler of West Virginia, Mr. Daddario, Mr. Fulton of Pennsylvania, Mr. Mosher, Mr. Roudebush, and Mr. Bell were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 393. Concurrent resolution that the two Houses shall adjourn on Thursday, June 29, 1967, until 12 o'clock noon on Monday, July 10, 1967; and

H. Con. Res. 394. Concurrent resolution authorizing the Speaker of the House of Representatives and the President of the Senate to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The message also announced that the House had agreed to a resolution (H. Res. 514) to create a Select Committee To Regulate Parking on the House Side of the Capitol.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 28, 1967, was dispensed with.

RECOGNITION OF SENATOR PERCY

The ACTING PRESIDENT pro tempore. Under the order previously entered, the Senator from Illinois [Mr. Percy] is recognized.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

ADJOURNMENT OF THE TWO HOUSES FROM JUNE 29 TO JULY 10, 1967

The ACTING PRESIDENT pro tempore (Mr. Metcalf) laid before the Senate House Concurrent Resolution 393, which was read, as follows:

H. Con. Res. 393

Resolved by the House of Representatives (the Senate concurring), That the two Houses shall adjourn on Thursday, June 29, 1967, and that when they adjourn on said day they stand adjourned until 12 o'clock noon on Monday, July 10, 1967.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 393) was considered and agreed to.

AUTHORIZATION FOR SIGNING BILLS AND JOINT RESOLUTIONS

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate House Concurrent Resolution 394, which the clerk will state.

The assistant legislative clerk read as follows:

H. Con. Res. 394

Resolved by the House of Representatives (the Senate concurring), That notwithstanding any adjournment of the two Houses until July 10, 1967, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to the consideration of the concurrent resolution.

Mr. MANSFIELD. Mr. President, I ask that the resolution be amended to include "the President pro tempore or the Acting President pro tempore."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Montana.

The amendment was agreed to.

The concurrent resolution (H. Con. Res. 394), as amended, was agreed to, as follows:

H. Con. Res. 394

Resolved by the House of Representatives (the Senate concurring), That notwithstanding any adjournment of the two Houses until July 10, 1967, the Speaker of the House of Representatives and the President, President pro tempore, or Acting President pro tempore of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS AND SUPPLEMENTAL OR MINORITY VIEWS ON JULY 7

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate, following the completion of business today, all committees of the Senate be permitted on Friday, July 7, from 9 a.m. to 5 p.m., to file their reports together with any individual, supplemental, or minority views if desired.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRIBUTE TO SENATOR McINTYRE ON PASSAGE OF S. 1862

Mr. MANSFIELD. Mr. President, yesterday the Senate passed S. 1862, a bill that amended both the Small Business Act and the Small Business Investment Act of 1958.

The floor manager of the bill was the junior Senator from New Hampshire [Mr. McIntyre]. His clear and persuasive statement supporting the measure contributed immensely to its swift and overwhelming endorsement by the Senate. His ready grasp of the issues involved, his deep understanding of the Small Business programs, and his outstanding ability to express clearly and cogently the effect of the measure served to assure its success.

Joined by the strong support of the senior Senator from Alabama [Mr. Sparkman], the distinguished chairman of the Committee on Banking and Currency, Senator McIntyre proved most capable in handling this measure. The Senate appreciates very much his efforts and his devotion.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the Calendar, beginning with Calendar No. 356 and the succeeding measures in sequence.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRANSFER OF INMATES FROM DISTRICT OF COLUMBIA JAIL

The bill (S. 388) to authorize the Attorney General to transfer an inmate of District of Columbia jail to any other institution under the control and supervision of the Director of the District of Columbia Department of Corrections notwithstanding the pendency of a petition for a writ of habeas corpus with respect to such inmate, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the pendency before the United States District Court for the District of Columbia of a petition for a writ of habeas corpus, or of an appeal before the United States Court of Appeals for the District of Columbia Circuit from a denial of a petition for a writ of habeas corpus with respect to an inmate of the District of Columbia jail, such inmate may be transferred by the Attorney General of the United States or his authorized representative to any of the institutions under the supervision and control of the Director of the District of Columbia Department of Corrections. In no case shall any transfer of an inmate of the District of Columbia jail pursuant to this Act deprive the United States District Court for the District of Columbia of jurisdiction over any petition for a writ of habeas corpus, or the United States Court of Appeals for the District of Columbia Circuit of jurisdiction over any appeal from a denial of a petition for a writ of habeas corpus filed with such court by any such inmate prior to his transfer. The authority provided by this Act shall be in addition to any other authority of the Attorney General relating to the transfer of prisoners in his custody.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 370), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to allow the Attorney General to transfer an inmate of the District of Columbia jail to any other institution under the control of the Director of the District of Columbia Department of Corrections notwithstanding the pendency of a petition for a writ of habeas corpus with respect to such inmate, or of an appeal from a denial thereof.

STATEMENT

Currently, as a result of the holding in such cases as *Bolden* v. *Clemmer*, 298 F. 2d 306 (1961), inmates at the District of Columbia jail are kept at the jail pending disposition of their petition for a writ of habeas corpus or of an appeal from a denial of the writ. The large number of petitions originating in the District jail have helped to increase the crowded conditions there. Additionally, the Department of Correction believes that inmates are encouraged to file frivolous petitions when they desire, for some reason, to remain at the jail rather than to be transferred either to Lorton or Occoquan, in Virginia, the other institutions under the control of the District of Columbia Department of Corrections.

This bill will expand administrative discretion concerning where inmates are to be confined. Both Lorton and Occoquan are close by so transfer to either of them should not involve any substantial additional expense or inconvenience to petitioners, attorneys, or the court. The bill specifically provides that any such transfer will not affect the jurisdiction of the district court or the court of appeals as to petitions or appeals filed prior to transfer.

Mr. Thomas R. Sard, Director of the Department of Corrections, testified in favor of the bill at hearings held by the Subcommittee on Improvements in Judicial Machinery in 1966. Statements in support of the bill were sent to the committee by the Board of Commissioners of the District of Columbia, the Department of Justice, and the Honorable Edward M. Curran, judge of the District Court for the District of Columbia.

At hearings held this year, Mr. Kenneth L. Hardy, the new Director of the Department of Corrections, reaffirmed the Department's favorable view of this measure. Mr. Thomas C. Bell, District of Columbia Corporation Counsel, also testified in support of it.

After a study of all of the foregoing, the committee is of the opinion that this legislation is meritorious, and recommends that the bill, S. 388, be considered favorably.

Mr. HRUSKA. Mr. President, the crowded condition in the District of Columbia jail is a situation that is harmful to the community and to the inmates. Part of this condition is due to decisions by the courts requiring that inmates of the District of Columbia jail whom have filed petitions for a writ of habeas corpus be retained in jail pending its disposition.

The bill that has just been approved, S. 388, will help alleviate this condition plus provide an opportunity to inmates to obtain the benefit of rehabilitation programs. As Ramsey Clark, then Deputy Attorney General, pointed out in a letter to the chairman of the Senate Judiciary Committee, Senator Eastland:

> The District of Columbia jail is primarily a holding institution for persons awaiting trial. It is not designed to provide rehabilitation programs, such as educational and vocational training; and accordingly, it is not a desirable detention institution for persons who have been convicted and are subject to the rehabilitation process.

The procedure provided by the bill contemplates transfer either to Lorton or Occoquan in Virginia. This transfer should not result in any substantial addition of cost or inconvenience to the inmate, his lawyer, or the court. In addition, the transfer will not affect the jurisdiction of the courts.

Mr. President, the bill has been unanimously reported by the Judiciary Committee and is supported by the Board of Commissioners of the District of Columbia, the Department of Justice, and the Honorable Edward M. Curran, judge of the District Court for the District of Columbia.

ABOLISHMENT OF OFFICE OF U.S. COMMISSIONER AND ESTABLISHMENT OF OFFICE OF U.S. MAGISTRATE

The Senate proceeded to consider the bill (S. 945) to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes, which had been reported from the Committee on the Judiciary, with amendments, on page 2, in the fourth line of the material following line 5, after the word "Determination", to strike out "and" and insert "of"; in line 14, after the word "and", to strike out "where" and insert "when"; in the same line, after the word "is", to strike out "not" and insert "no"; in line 19, after the word "desirable", to insert "by the Conference"; on page 3, line 2, after the word "of", where it appears the third time, to strike out "such" and insert "the"; in line 3, after the word "courts", to insert "of the judicial districts involved"; in line 15, after the word "who", to strike out "is not a member of the bar of the highest court of one of the States in which he is to serve" and insert "does not meet the bar membership requirements of the first sentence of this paragraph"; on page 4, line 4, after the word "court", to insert "or courts"; at the beginning of line 5, to strike out "(5)" and insert "(c)"; in the same line, after the amendment just above mentioned, to strike out "He holds" and insert "A magistrate may hold"; in line 7, after the word "the", where it appears the second time, to strike out "Director" and insert "conference"; in line 11, after the word "conference", to strike out "may" and insert "shall"; after line 23, to insert:

> (d) No individual may serve under this chapter after having attained the age of seventy years: *Provided, however,* That upon the unanimous vote of all the judges of the appointing court or courts, a magistrate who has attained the age of seventy years may continue to serve and may be reappointed under this chapter.

On page 5, at the beginning of line 5, to strike out "(c)" and insert "(e)"; in line 8, after the word "years.", to strike out "No individual may serve under any appointment, under this chapter after attaining the age of seventy years."; at the beginning of line 11, to strike out "(d)" and insert "(f)"; at the beginning of line 15, to strike out "(e)" and insert "(g)"; at the beginning of line 19, to strike out "(f)" and insert "(h)"; on page 8, line 1, after the word "any", to strike out "such surveys" and insert "survey"; in line 2, after the word "conditions", to insert "in each judicial district"; at the beginning of line 5, to strike out "previous"; on page 9, at the beginning of line 3, to strike out "judges" and insert "courts"; in line 7, after the word "district", to strike out "judges" and insert "courts"; at the beginning of line 12, to strike out "judges" and insert "courts"; in line 13, after the word "district", to strike out "judges" and insert "courts"; in line 24, after the word "district", to strike out "judges" and insert "courts"; on page 10, line 20, after "(b)", to strike out "Unless" and insert "Except as provided by section 8344, title 5, United States Code, relating to reductions of the salaries of reemployed annuitants under the Civil Service Retirement Act, and unless"; on page 11, line 3, after the word "magistrates", to insert "effective upon their taking the oath or affirmation of office"; in line 4, after the word "and", to strike out "employees" and insert "all necessary clerical and secretarial assistants employed in"; in line 10, after "chapter 83", to insert "chapter 87 (relating to Federal employees' group life insurance), and chapter 89 (relating to Federal employees' health benefits program)"; in line 12, after "United States Code.", to insert "Part-time magistrates shall not be excluded from coverage under these chapters solely for lack of a prearranged regular tour of duty."; at the beginning of line 24, to strike out "Such magistrates also shall be furnished" and insert "The Administrator of General Services shall provide such magistrates with"; on page 12, line 12, after the word "conference", to strike out "part-time United States magistrates serving under this chapter shall be entitled to receive from appropriated funds reimbursement" and insert "the Director shall reimburse part-time magistrates"; in line 19, after the word "such", to strike out "deputy" and insert "part-time"; on page 15, line 8, after the word "been", to strike out "subpenaed" and insert "subpoenaed"; on page 16, line 6, after the word "the", to strike out "Director" and insert "Conference"; on page 19, line 9, after the word "Director", to strike out the comma and "with the approval of the conference,"; in line 10, after the word "regulations", to insert "approved by the conference and"; on page 20, line 22, after "(a)", to strike out "Any United States magistrate specially designated for that purpose by the district court of the judicial district in which he serves, shall have jurisdiction to try and sentence persons committing minor offenses within that judicial district." and insert "When specially designated to exercise such jurisdiction by the district court or courts he serves, and under such conditions as may be imposed by the terms of the special designation, any United States magistrate shall have jurisdiction to try persons accused of, and sentence persons convicted of, minor offenses committed within that judicial district."; on page 21, line 10, after the word "defendant", to strike out "his right to make such election" and insert "that he has a right to trial in the district court and that he may have a right to trial by jury in the district court"; in line 17, after "(c)", to strike out "With the approval of a judge of the district court, the magistrate may request the probation service of the court to make a presentence investigation and report to the magistrate before the imposition of sentence upon or the granting of probation to persons tried by a magistrate under this section. The report shall not be submitted to the magistrate or its contents disclosed to anyone unless the defendant has pleaded guilty or has been found guilty." and insert "A magistrate who exercises trial jurisdiction under this section, and before whom a person is convicted or pleads either guilty or nolo contendere, may, with the approval of a judge of the district court, direct the probation service of the court to conduct a presentence investigation on that person and render a report to the magistrate prior to the imposition of sentence."; on page 23, after line 7, to insert:

> **(b)** Section 3402, title 18, United States Code, is amended to read as follows:
>
> "§ 3402. Rules of procedures; practice and appeal
>
> "In all cases of conviction by a United States magistrate an appeal of right shall lie from the judgment of the magistrate to the district court of the district in which the offense was committed.
>
> "The Supreme Court shall prescribe rules of procedure and practice for the trial of cases before magistrates and for taking and hearing of appeals to the said district courts of the United States."

At the beginning of line 19, to strike out "(b)" and insert "(c)"; on page 24, at the beginning of line 6, to strike out "unless an arrested person brought before a United States judge or magistrate for initial appearance waives a preliminary examination after opportunity to consult counsel,"; in line 17, after the word "section", to insert a comma and "or unless the arrested person, at any time after he has been afforded an opportunity to consult with counsel, waives the preliminary examination,"; on page 25, line 17, after the word "the", to insert "appropriate"; in the same line, after the word "States", to insert "district court"; in the same line, after the word "after", to strike out "his" and insert "a"; in line 24, after the word "the", where it appears the second time, to insert "judge or"; on page 26, line 10, after the word "initial", to strike out "presentment" and insert "appearance"; in line 11, after the word "a", to insert "judge or"; on page 27, line 11, after the word "Act", to strike out "may be appointed to the office of United States magistrate for an initial term pursuant to section 631 of chapter 43, title 28, United States Code, as amended by this Act, and may thereafter be reappointed to such office for successive terms, notwithstanding his having attained the age of 70 years: *Provided, however,* That any such appointment or reappointment of an individual over the age of 70 must be my unanimous vote of all the judges of the appointing district court or courts." and insert "who is a member in good standing of the bar of the highest court of any State, as defined in section 639 (6) of chapter 43, title 28, United States Code, may be appointed to the office of United States magistrate for an initial term, and may be reappointed to such office for successive terms, notwithstanding his failure to meet the bar membership qualification imposed by section 631(b)(1) of chapter 43, title 28, United States Code: *Provided, however,* That any appointment or reappointment of such an individual must be by unanimous vote of all the judges of the appointing district court or courts."; on page 28, line 14, after the word "magistrate", to strike out "is appointed to serve" and insert "assumes office"; in line 20, after the word "magistrate", to strike out "is appointed" and insert "assumes office";

and, at the top of page 30, to insert a new title, as follows:

TITLE V—SEVERABILITY

SEC. 501. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of its application to other persons and circumstances shall not be affected.

So as to make the bill read:

S. 945

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Magistrates Act.

TITLE I—UNITED STATES MAGISTRATES

SEC. 101. Chapter 43, title 28, United States Code, relating to United States commissioners, is amended to read as follows:

"CHAPTER 43.—UNITED STATES MAGISTRATES

"Sec.
"631. Appointment and tenure.
"632. Character of service.
"633. Determination of number, locations, and salaries of magistrates.
"634. Compensation.
"635. Expenses.
"636. Jurisdiction and powers.
"637. Seals.
"638. Dockets and forms; United States Code.
"639. Definitions.

"§ 631. Appointment and tenure.

"(a) The judges of each United States district court shall appoint United States magistrates in such numbers and to serve at such locations within the judicial district as the conference may determine under this chapter. Where there is more than one judge of a district court, the appointment, whether an original appointment or a reappointment, shall be by the concurrence of a majority of all the judges of such district court, and when there is no such concurrence, then by the chief judge. Where an area under the administration of the National Park Service, or the United States Fish and Wildlife Service, or any other Federal agency, extends into two or more judicial districts and it is deemed desirable by the Conference that the territorial jurisdiction of a magistrate's appointment include the entirety of such area, the appointment or reappointment shall be made by the concurrence of a majority of all judges of the district courts of the judicial districts involved, and where there is no such concurrence by the concurrence of the chief judges of such district courts.

"(b) No individual may be appointed or serve as a magistrate under this chapter unless:

"(1) He is a member in good standing of the bar of the highest court of the State in which he is to serve, or, in the case of an individual appointed to serve in an area under the administration of the National Park Service, or the United States Fish and Wildlife Service, or any other Federal agency that extends into two or more States, a member of good standing of the bar of the highest court of one of those States: *Provided, however,* That an individual who does not meet the bar membership requirements of the first sentence of this paragraph may be appointed and serve as a part-time magistrate if the appointing court or courts and the conference find that no qualified individual who is a member of the bar is available to serve at a specific location;

"(2) He is determined by the appointing district court or courts to be competent to perform the duties of the office;

"(3) In the case of an individual appointed to serve in a national park, he resides within the exterior boundaries of that park, or at some place reasonably adjacent thereto;

"(4) He is not related by blood or marriage to a judge of the appointing court or courts; and

"(c) A magistrate may hold no other civil or military office or employment under the United States: *Provided, however,* That, with the approval of the conference, a part-time referee in bankruptcy or a clerk or deputy clerk of a court of the United States may be appointed and serve as a part-time United States magistrate, but the conference shall fix the aggregate amount of compensation to be received for performing the duties of part-time magistrate and part-time referee in bankruptcy, clerk or deputy clerk: *And provided further,* That retired officers and retired enlisted personnel of the Regular and Reserve components of the Army, Navy, Air Force, Marine Corps, and Coast Guard, members of the Reserve components of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and members of the National Guard of the United States and of the National Guard of a State, territory, or the District of Columbia, except the National Guard disbursing officers who are on a full-time salary basis, may be appointed and serve as United States magistrates.

"(d) No individual may serve under this chapter after having attained the age of seventy years: *Provided, however,* That upon the unanimous vote of all the judges of the appointing court or courts, a magistrate who has attained the age of seventy years may continue to serve and may be reappointed under his chapter.

"(e) The appointment of any individual as a full-time magistrate shall be for a term of eight years, and the appointment of any individual as a part-time magistrate shall be for a term of four years.

"(f) Each individual appointed as a magistrate under this section shall take the oath or affirmation prescribed by section 453 of this title before performing the duties of his office.

"(g) Each appointment made by any district court shall be entered of record in such court, and notice of such appointment shall be given at once by the clerk of that court to the Director.

"(h) Removal of a magistrate during the term for which he is appointed shall be only for incompetency, misconduct, neglect of duty, or physical or mental disability, but a magistrate's office shall be terminated if the conference determines that the services performed by his office are no longer needed. Removal shall be by the district court for the judicial district in which the magistrate serves; where there is more than one judge of a district court, removal shall not occur unless a majority of all the judges of such court concur in the order of removal; and when there is a tie vote of the judges of the district court on the question of the removal or retention in office of a magistrate, then removal shall be only by a concurrence of a majority of all the judges of the council. In the case of a magistrate appointed under the third sentence of subsection (a) of this section, removal shall not occur unless a majority of all the judges of the appointing district courts concur in the order of removal; and where there is a tie vote on the question of the removal or retention in office of a magistrate, then removal shall be only by a concurrence of a majority of all the judges of the council or councils. Before any order of removal shall be entered, a full specification of the charges shall be furnished to the magistrate, and he shall be accorded by the judge or judges of the removing court, courts, council or councils an opportunity to be heard on the charges.

"§ 632. Character of service

"(a) Full-time United States magistrates may not engage in the practice of law, and may not engage in any other business, occupation, or employment inconsistent with the expeditious, proper, and impartial performance of their duties as judicial officers.

"(b) Part-time United States magistrates shall render such service as judicial officers as is required by law. While so serving they may engage in the practice of law, but may not serve as counsel in any criminal action in any court of the United States, nor act in any capacity that is, under such regulations as the conference may establish, inconsistent with the proper discharge of their office. Within such restrictions, they may engage in any other business, occupation, or employment which is not inconsistent with the expeditious, proper, and impartial performance of their duties as judicial officers.

§ 633. Determination of number, locations, and salaries of magistrates

"(a) SURVEYS BY THE DIRECTOR.—

"(1) The Director shall, within one year immediately following the date of the enactment of the Federal Magistrates Act, make a careful survey of conditions throughout the country to determine, (A) the number of appointments of full-time magistrates and part-time magistrates required to be made under this chapter to provide for the expeditious and effective administration of justice, (B) the locations at which such officers shall serve, and (C) their respective salaries under section 634 of this title. Thereafter, the Director shall, from time to time, make such surveys, general or local, as the conference shall deem expedient.

"(2) In the course of any survey, the Director shall take into account local conditions in each judicial district, including the areas and the populations to be served, the transportation and communications facilities available, the amount and distribution of business of the type expected to arise before officers appointed under this chapter (including such matters as may be assigned under section 636(b) of this chapter), and any other material factors. The Director shall give consideration to suggestions from any interested parties, including district judges, United States commissioners or officers appointed under this chapter, United States attorneys, bar associations, and other parties having relevant experience or information.

"(3) The surveys shall be made with a view toward creating and maintaining a system of full-time United States magistrates. However, should the Director find, as a result of any such surveys, areas in which the employment of a full-time magistrate would not be feasible or desirable, he shall recommend the appointment of part-time United States magistrates in such numbers and at such locations as may be required to permit prompt and efficient issuance of process and to permit individuals charged with criminal offenses against the United States to be brought before a judicial officer of the United States promptly after arrest.

"(b) DETERMINATION BY THE CONFERENCE.—Upon the completion of the initial surveys required by subsection (a) of this section, the Director shall report to the district courts, the councils, and the conference his recommendations concerning the number of full-time magistrates and part-time magistrates, their respective locations, and the amount of their respective salaries under section 634 of this title. The district courts shall advise their respective councils, stating their recommendations and the reasons therefor; the councils shall advise the conference, stating their recommendations and the reasons therefor, and shall also report to the conference the recommendations of the district courts. The conference shall determine, in the light of the recommendations of the Director, the district courts, and the councils, the number of full-time United States magistrates and part-time United States magistrates, the locations at which they shall serve, and their respective salaries. Such determinations shall take effect in each judicial district at such time as the district court for such judicial district shall determine, but in no event later than one year after they are promulgated.

"(c) CHANGES IN NUMBER, LOCATIONS, AND SALARIES.—Except as otherwise provided in this chapter, the conference may, from time to time, in the light of the recommendations of the Director, the district courts, and the councils, change the number, locations, and salaries of full-time and part-time magistrates, as the expeditious administration of justice may require. Such determinations shall take effect sixty days after they are promulgated.

"§ 634. Compensation

"(a) Officers appointed under this chapter shall receive as full compensation for their services salaries to be fixed by the conference pursuant to section 633 of this title, at rates not more than $22,500 per annum for full-time United States magistrates, and not more than $11,000 per annum nor less than $100 per annum for part-time United States magistrates. In fixing the amount of salary to be paid to any officer appointed under this chapter, consideration shall be given to the average number and the nature of matters that have arisen during the immediately preceding period of five years, and that may be expected thereafter to arise, over which such officer would have jurisdiction, and to such other factors as may be material. Disbursement of salaries shall be made by or pursuant to the order of the Director.

"(b) Except as provided by section 8344, title 5, United States Code, relating to reductions of the salaries of reemployed annuitants under the Civil Service Retirement Act, and unless the office has been terminated as provided in this chapter, the salary of a full-time United States magistrate shall not be reduced, during the term in which he is serving, below the salary fixed for him at the beginning of that term.

"(c) All United States magistrates, effective upon their taking the oath or affirmation of office, and all necessary clerical and secretarial assistants employed in the offices of full-time United States magistrates shall be deemed to be officers and employees in the judicial branch of the United States Government within the meaning of subchapter III (relating to civil service retirement) of chapter 83, chapter 87 (relating to Federal employees' group life insurance), and chapter 89 (relating to Federal employees' health benefits program) of title 5, United States Code. Part-time magistrates shall not be excluded from coverage under these chapters solely for lack of a prearranged regular tour of duty.

"§ 635. Expenses

"(a) Full-time United States magistrates serving under this chapter shall be allowed their actual and necessary expenses incurred in the performance of their duties, including the compensation of necessary clerical and secretarial assistance. Such expenses and compensation shall be determined and paid by the Director under such regulations as the Director shall prescribe with the approval of the conference. The Administrator of General Services shall provide such magistrates with necessary courtrooms, office space, furniture and facilities within United States courthouses or office buildings owned or occupied by departments or agencies of the United States, or should suitable courtroom and office space not be available within any such courthouse or office building, the Administrator of General Services, at the request of the Director, shall procure and pay for suitable courtroom and office space, furniture and facilities for such magistrate in another building, but only if such request has been approved as necessary by the judicial council of the appropriate circuit.

"(b) Under such regulations as the Director shall prescribe with the approval of the conference, the Director shall reimburse part-time magistrates for actual expenses necessarily incurred by them in the performance of their duties under this chapter. Such reimbursement may be made, at rates not exceeding those prescribed by such regulations, for expenses incurred by such deputy part-time magistrates for clerical and secretarial assistance, stationery, telephone and other communications services, travel, and such other expenses as may be determined to be necessary for the proper performance of the duties of such officers: *Provided, however*, That no reimbursement shall be made for all or any portion of the expense incurred by such part-time magistrates for the procurement of office space.

"§ 636. Jurisdiction and powers

"(a) Each United States magistrate serving under this chapter shall have within the territorial jurisdiction prescribed by his appointment—

"(1) all powers and duties conferred or imposed upon United States commissioners by law or by the Rules of Criminal Procedure for the United States District Courts;

"(2) the power to administer oaths and affirmations and take bail, acknowledgments, affidavits, and depositions;

"(3) the power to conduct trials under section 3401, title 18, United States Code, in conformity with and subject to the limitations of that section; and

"(4) such additional powers and duties as may be conferred or imposed upon such magistrate by any provision of law enacted on or after the date of enactment of the Federal Magistrates Act, or by any provision of the Rules of Criminal Procedure for the United States District Courts effective on or after that date.

"(b) Any district court of the United States, by the concurrence of a majority of all the judges of such district court, may establish rules pursuant to which any full-time United States magistrate, or, where there is no full-time magistrate reasonably available, any part-time magistrate specially designated by the court, may be assigned within the territorial jurisdiction of such court such additional duties as are not inconsistent with the Constitution and laws of the United States. The additional duties authorized by rule may include, but are not restricted to—

"(1) service as a special master in an appropriate civil action, pursuant to the applicable provisions of this title and the Federal Rules of Civil Procedure for the United States District Courts;

"(2) assistance to the district court in the conduct of pretrial or discovery proceedings in civil or criminal actions; and

"(3) preliminary review of applications for post-trial relief made by individuals convicted of criminal offenses, and submission of a report and recommendations to facilitate the decision of the district judge having jurisdiction over the case as to whether there should be a hearing.

"(c) The practice and procedure for the trial of cases before officers serving under this chapter, and for the taking and hearing of appeals to the district courts, shall conform to rules promulgated by the Supreme Court pursuant to section 3402 of title 18, United States Code.

"(d) In a proceeding before a magistrate, any of the following acts or conduct shall constitute a contempt of the district court for the district wherein the magistrate is sitting: (1) disobedience or resistance to any lawful order, process, or writ; (2) misbehavior at a hearing or other proceeding, or so near the place thereof as to obstruct the same; (3) failure to produce, after having been ordered to do so, any pertinent document; (4) refusal to appear after having been subpoenaed or, upon appearing, refusal to take the oath or affirmation as a witness, or, having taken the oath or affirmation, refusal to be examined according to law; or (5) any other act or conduct which if committed in a district court would constitute contempt of such court. Upon the commission of any such act or conduct, the magistrate shall forthwith certify the facts to the district court and may serve or cause to be served upon any person whose behavior is brought into question under this section an order requiring such person to appear before the court upon a day certain to show cause why he should not be adjudged in contempt by reason of the facts so certified. The district court shall thereupon, in a summary manner, hear the evidence as to the act or conduct complained of and, if it is such as to warrant the court in so doing, punish such person in the same manner and to the same extent as for a contempt committed before the court, or commit such person upon the same conditions as if the doing of the forbidden act or conduct had occurred with reference to the process of the district court or in the presence of a judge of that court.

"§ 637. Seals

"The Director shall furnish to each United States magistrate appointed under this chapter an official impression seal in a form prescribed by the Conference. Each such officer shall affix his seal to every jurat or certificate of his official acts without fee.

"§ 638. Dockets and forms; United States Code

"(a) The Director shall furnish to United States magistrates adequate docket books and forms prescribed by the Director. The Director shall also furnish to each such officer a copy of the current edition of the United States Code.

"(b) All property furnished to any such officer shall remain the property of the United States and, upon the termination of his term of office, shall be transmitted to his successor in office or otherwise disposed of as the Director orders.

"§ 639. Definitions

"As used in this chapter—

"(1) 'Conference' shall mean the Judicial Conference of the United States;

"(2) 'Council' shall mean the Judicial Council of the Circuit;

"(3) 'Director' shall mean the Director of the Administrative Office of the United States Court;

"(4) 'Full-time magistrate' shall mean a full-time United States magistrate;

"(5) 'Part-time magistrate' shall mean a part-time United States magistrate;

"(6) 'State' shall mean any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, and any possession of the United States included within a judicial circuit of the United States; and

"(7) 'United States magistrate' and 'magistrate' shall mean both full-time and part-time United States magistrates."

SEC. 102. (a) The item relating to United States commissioners contained in the chapter analysis of part III, title 28, United States Code, is amended to read as follows:

"43. United States magistrates________ 631."

(b) The item relating to United States commissioners contained in the part and chapter analysis immediately following the title caption of title 28, United States Code. is amended to read as follows:

"43. United States magistrates________ 631."

TITLE II—ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SEC. 201. (a) Paragraph (9) of subsection (a) of section 604, title 28, United States Code, is amended by striking out the words "United States Commissioners", and inserting in lieu thereof the words "United States magistrates."

(b) Section 604, title 28, United States Code, is amended by adding at the end thereof the following new subsections:

"(d) The Director, under the supervision and direction of the conference, shall:

"(1) supervise all administrative matters relating to the offices of United States magistrates;

"(2) gather, compile, and evaluate all statistical and other information required for the performance of his duties and the duties of the conference with respect to such officers;

"(3) lay before Congress annually statistical tables and other information which will accurately reflect the business which has come before the various United States magistrates;

"(4) prepare and distribute a manual, with annual supplements and periodic revisions, for the use of such officers, which shall set forth their powers and duties, describe all categories of proceedings that may arise before them, and contain such other information as may be required to enable them to discharge their powers and duties promptly, effectively, and impartially; and

"(5) supervise the conduct of periodic training programs and seminars for both full-time and part-time United States magistrates, including an introductory training program for new magistrates, to be held within one year after their initial appointment.

"(e) The Director may promulgate appropriate rules and regulations approved by the conference and not inconsistent with any provision of law, to assist him in the performance of the duties conferred upon him by subsection (d) of this section. Magistrates shall keep such records and make such reports as are specified in such rules and regulations."

TITLE III—AMENDMENTS TO TITLE 18, UNITED STATES CODE

TECHNICAL AMENDMENTS

SEC. 301. (a) Except as otherwise specifically provided by this title, part II, title 18, United States Code (relating to criminal procedure) is amended by:

(1) striking out the words "United States commissioner" wherever they appear therein, and inserting in lieu thereof the words "United States magistrate";

(2) striking out the words "United States commissioners" wherever they appear therein, and inserting in lieu thereof the words "United States magistrates";

(3) striking out the word "commissioner" wherever it appears in relation to a United States Commissioner, and inserting in lieu thereof the word "magistrate";

(4) striking out the word "Commissioners" wherever it appears in relation to United States commissioners, and inserting in lieu thereof the word "magistrates".

(b) Section 202(a) of title 18, United States Code, is amended by striking out of words "or a part-time United States Commissioner", and inserting in lieu thereof the words "a part-time United States commissioner, or a part-time United States magistrate".

(c) The chapter caption of chapter 219, part II, title 18, United States Code, is amended to read as follows:

"CHAPTER 219.—TRIAL BY UNITED STATES MAGISTRATES"

TRIAL BY MAGISTRATES

SEC. 302. (a) Section 3401, title 18, United States Code, is amended to read as follows:

"§ 3401. Minor offenses; application of probation laws

"(a) When specially designated to exercise such jurisdiction by the district court or courts he serves, and under such conditions may be imposed by the terms of the special designation, any United States magistrate shall have jurisdiction to try persons accused of, and sentence persons convicted of, minor offenses committed within that judicial district.

"(b) Any person charged with a minor offense may elect, however, to be tried in the district court of the United States. The magistrate shall carefully explain to the defendant that he has a right to trial in the district court and that he may have a right to trial by jury in the district court, and shall not proceed to try the case unless the defendant, after such explanation, signs a written consent to be tried before the magistrate that specifically waives both a trial before the district court and any right to trial by jury that he may have.

"(c) A magistrate who exercises trial jurisdiction under this section, and before whom a person is convicted or pleads either guilty or nolo contendere, may, with the approval of a judge of the district court, direct the probation service of the court to conduct a presentence investigation on that person and render a report to the magistrate prior to the imposition of sentence.

"(d) The probation laws shall be applicable to persons tried by the magistrate under this section, and such officer shall have power to grant probation and to revoke or reinstate the probation of any person granted probation by him.

"(e) Except in cases of petty offenses as defined in section 1(3) of this title, proceedings before United States magistrates under this section shall be taken down by a court reporter or recorded by suitable sound recording equipment. For purposes of appeal a copy of the record of such proceedings shall be made available at the expense of the United States to a person who makes affidavit that he is unable to pay or give security therefor, and the expense of such copy shall be paid by the Director of the Administrative Office of the United States Courts.

"(f) As used in this section, the term 'minor offenses' means misdemeanors punishable under the laws of the United States, the penalty for which does not exceed imprisonment for a period of one year, or a fine of not more than $1,000, or both, except that such term does not include any offense punishable under any of the following provisions of law: Section 102 of the Revised Statutes, as amended (2 U.S.C. 192); section 314(a) of the Federal Corrupt Practices Act, 1925 (2 U.S.C. 252(a)); and sections 210, 211, 242, 594, 597, 599, 600, 601, 1304, 1504, 1508, 1509, 2234, 2235, and 2236 of title 18, United States Code."

(b) Section 3402, title 18, United States Code, is amended to read as follows:

"§ 3402. Rules of procedure; practice and appeal

"In all cases of conviction by a United States magistrate an appeal of right shall lie from the judgment of the magistrate to the district court of the district in which the offense was committed.

"The Supreme Court shall prescribe rules of procedure and practice for the trial of cases before magistrates and for taking and hearing of appeals to the said district courts of the United States."

(c) The item relating to section 3401, title 18, United States Code, contained in the chapter analysis of chapter 219, title 18, United States Code, is amended to read as follows:

"3401. Minor offenses; application of probation laws."

PRELIMINARY EXAMINATION

SEC. 303. (a) Section 3060, title 18, United States Code, is amended to read as follows:

"§ 3060. Preliminary examination

"(a) Except as otherwise provided by this section, such preliminary examination shall be held within the time set by the judge or magistrate pursuant to subsection (b) of this section, to determine whether there is probable cause to believe that an offense has been committed and that the arrested person has committed it.

"(b) The date for the preliminary examination shall be fixed by the judge or magistrate at the initial appearance of the arrested person. Except as provided by subsection (c) of this section, or unless the arrested person, at any time after he has been afforded an opportunity to consult with counsel, waives the preliminary examination, such examination shall be held within a reasonable time following initial appearance, but in any event not later than—

"(1) the tenth day following the date of the initial appearance of the arrested person before such officer if the arrested person is held in custody without any provision for release, or is held in custody for failure to meet the conditions of release imposed, or is released from custody only during specified hours of the day; or

"(2) the twentieth day following the date of the initial appearance if the arrested person is released from custody under any condition other than a condition described in paragraph (1) of this subsection.

"(c) With the consent of the arrested person after opportunity to consult counsel, the date fixed by the judge or magistrate for the preliminary examination may be a date later than that prescribed by subsection (b), or may be continued one or more times to a date subsequent to the date initially fixed therefor. In the absence of such consent of the accused, the date fixed for the preliminary hearing may be a date later than that prescribed by subsection (b), or may be continued to a date subsequent to the date initially fixed therefor, only upon the order of a judge of the appropriate United States district court after a finding that extraordinary circumstances exist, and that the delay of the preliminary hearing is indispensable to the interests of justice.

"(d) Except as provided by subsection (e) of this section, an arrested person who has not been accorded the preliminary examination required by subsection (a) within the period of time fixed by the judge or magistrate in compliance with subsections (b) and (c), shall be discharged from custody or from the requirement of bail or any other condition of release, without prejudice, however, to the institution of further criminal proceedings against him upon the charge upon which he was arrested.

"(e) No preliminary examination in compliance with subsection (a) of this section shall be required to be accorded an arrested person, nor shall such arrested person be discharged from custody or from the requirement of bail or any other condition of release pursuant to subsection (d), if at any time subsequent to the initial appearance of such person before a judge or magistrate and prior to the date fixed for the preliminary examination pursuant to subsections (b) and (c) an indictment is returned or, in appropriate cases, an information is filed against such person in a court of the United States.

"(f) Proceedings before United States magistrates under this section shall be taken down by a court reporter or recorded by suitable sound recording equipment. A copy of the record of such proceeding shall be made available at the expense of the United States to a person who makes affidavit that he is unable to pay or give security therefor, and the expense of such copy shall be paid by the Director of the Administrative Office of the United States Courts."

(b) The item relating to section 3060 contained in the section analysis of chapter 203, title 18, United States Code, is amended to read as follows:

"3060. Preliminary examination."

TITLE IV—TRANSITIONAL PROVISIONS

APPOINTMENT OF MAGISTRATES

SEC. 401. (a) No individual may serve as a United States commissioner within any judicial district after the date on which a United States magistrate has been appointed by the district court for such judicial district.

(b) An individual serving as a United States commissioner within any judicial district on the date of enactment of this Act who is a member in good standing of the bar of the highest court of any State, as defined in section 639(6) of chapter 43, title 28, United States Code, may be appointed to the office of United States magistrate for an initial term, and may be reappointed to such office for successive terms, notwithstanding his failure to meet the bar membership qualification imposed by section 631(b)(1) of chapter 43, title 28, United States Code: *Provided, however,* That any appointment or reappointment of such an individual must be by unanimous vote of all the judges of the appointing district court or courts.

APPLICABLE LAW

SEC. 402. (a) All provisions of law relating to the powers, duties, jurisdiction, functions, service, compensation, and facilities of United States commissioners, as such provisions existed on the day preceding the date of enactment of this Act, shall continue in effect in each judicial district until but not on or after (1) the date on which the first United States magistrate assumes office within such judicial district pursuant to section 631 of chapter 43, title 28, United States Code, as amended by this Act, or (2) the third anniversary of the date of enactment of this Act, whichever date is earlier.

(b) On and after the date on which the first United States magistrate assumes office within any judicial district pursuant to section 631 of chapter 43, title 28, United States Code, as amended by this Act, or the third anniversary of the date of enactment of this Act, whichever date is earlier—

(1) the provisions of chapter 43, title 28, United States Code, as amended by this Act, shall be effective within such judicial district except as otherwise specifically provided by section 401(b) of this title; and

(2) within such judicial district every reference to a United States commissioner contained in any previously enacted statute of the United States, any previously promulgated rule of any court of the United States, or any previously promulgated regulation of any executive department or agency of the United States, shall be deemed to be a reference to a United States magistrate duly appointed under section 631 of chapter 43, title 28, United States Code, as amended by this Act.

(c) The administrative powers and duties of the Director of the Administrative Office of the United States Courts with respect to United States commissioners under the provisions of chapter 41, title 28, United States Code, as such provisions existed on the day preceding the date of enactment of this Act, shall continue in effect until no United States commissioner remains in service.

EFFECTIVE DATE

SEC. 403. Except as otherwise provided by sections 401 and 402 of this title, this Act shall take effect on the date of its enactment.

TITLE V—SEVERABILITY

SEC. 501. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of its application to other persons and circumstances shall not be affected.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 371), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF LEGISLATION

The purpose of S. 945 is to abolish the office of U.S. commissioner and reform the first echelon of the Federal judiciary into an effective component of a modern scheme of justice by establishing a system of U.S. magistrates. The U.S. magistrate system established by S. 945 differs from the commissioner system in the following important ways:

1. It changes the title of the office of the front line of Federal justice to U.S. magistrate, and formally classifies U.S. magistrates as either full time or part time.

2. It requires that all U.S. magistrates be attorneys unless it is impossible to find a qualified attorney to fill a particular position, and establishes other minimum qualifications in order to insure judicial independence and disinterest.

3. It eliminates the anachronistic fee system of compensation, and replaces it with a system of salaries set on a sliding scale according to anticipated workload.

4. It gives full-time U.S. magistrates a secure 8-year term of office, and part-time U.S. magistrates a secure 4-year term of office; both full-time and part-time magistrates are subject to removal only for cause.

5. It provides that full-time U.S. magistrates are to be supplied with office space, clerical assistants, and all necessary stationery and other materials; and that part-time U.S. magistrates are to receive reimbursement for all necessary expenses incurred in the performance of their official duties.

6. It allows U.S. magistrates to be assigned duties by the U.S. district courts in addition to those normally undertaken by U.S. commissioners today. These additional duties may include, but are not limited to, service as special masters, supervision of pretrial or discovery proceedings, and preliminary consideration of petitions for postconviction relief.

7. It gives the U.S. magistrate an expanded trial jurisdiction over minor criminal offenses when the accused executes a knowledgeable waiver of both his right to trial before a U.S. district court and any right to trial by jury he may have. Under present law, U.S. commissioners have trial jurisdiction over misdemeanors committed on Federal reservations when the offense is punishable by not more than 6 months' imprisonment or a fine of $500, or both. The magistrate's trial jurisdiction, with certain exceptions, will extend to misdemeanors wherever committed, that are punishable by imprisonment for not more than 1 year, or a fine of not more than $1,000, or both. Appeal of right to the district court is accorded those who elect to be tried before the magistrate.

8. It clarifies existing law with regard to the preliminary hearing by requiring that, absent a grand jury indictment or an appropriate court order, a hearing be held within a reasonable time not to exceed 10 days following initial appearance if the accused is held in custody, or within 20 days following initial appearance if the accused has been released on bail or otherwise.

In summary, S. 945 is intended both to update and make more effective a system that has not been altered basically for over a century, and to cull from the ever-growing workload of the U.S. district courts matters that are more desirably performed by a lower tier of judicial officers.

LEGISLATIVE HISTORY

The Subcommittee on Improvements in Judicial Machinery began exploratory hearings on the U.S. commissioner system in October 1965. These hearings continued in December 1965 and February 1966. The basic information gathered at these three sets of hearings,[1] supplemented by data gathered from the responses of over 400 U.S. commissioners to a subcommittee questionnaire, provided the foundation for the drafting of S. 3475, the Federal Magistrates Act of 1966.

After extensive circulation to interested parties of a draft bill, the Federal Magistrates Act of 1966, S. 3475, was introduced on June 7, 1966, by Senators Tydings and Scott, and was cosponsored by Senators Bayh, Bennett, Brewster, Douglas, Ervin, Kennedy of Massachusetts, Long of Missouri, and Moss. The measure was circulated for comment to every Federal judge, every U.S. attorney, every U.S. commissioner, and to numerous bar associations, law professors and members of the bar—over 1,500 people in all—and the subcommittee received many helpful responses detailing the thoughts of those consulted.

The subcommittee held hearings on S. 3475 in July and August 1966, and took testimony from a wide range of interested parties.[2] S. 3475, in an amended form that reflected improvements suggested by witnesses at the hearings and those to whom the bill was sent for comment, has been introduced as S. 945 in the 90th Congress, and is cosponsored by over 40 Senators. The bill has the formal endorsement of the Judicial Conference of the United States and the American Bar Association, and is supported by the Department of Justice and the National Association of U.S. Commissioners.

THE NEED FOR THE LEGISLATION

The hearings on the present operation of the U.S. commissioner system, and the responses to the questionnaire sent to all commissioners, revealed many substantial defects in the exciting system, the most notable being the following:

Commissioners are paid under a fee system, according to the nature and number of matters they handle. This system is of doubtful wisdom and questionable constitutionality. In *Tumey* v. *Ohio*, 273 U.S. 510 (1927), the Supreme Court held that when a judicial officer has a direct, substantial, pecuniary interest in the outcome of a controversy before him, the procedure violates the due-process clause guarantees of the Constitution. The present method of compensating commissioners probably runs afoul of the *Tumey* rule. (See infra at pp. 20, 21.)

Present law imposes a ceiling of $10,500 on fees a commissioner may earn in a given year. This means that the busiest commissioners are grossly underpaid for the amount of work they do, since they often reach the statutory ceiling during the first few months of the year. It is therefore difficult to attract the best men for the job. (See infra at pp. 20, 21.)

All but a handful of commissioners—those with full-time appointments, who are prohibited from practicing law—must meet the expenses of their office from their own resources. Consequently, the offices of most commissioners are understaffed and poorly accommodated. (See infra at p. 23).

Almost one-third of the over 700 commissioners are nonlawyers, yet commissioners are frequently called upon to apply some of the most sophisticated rules of constitutional law—rules that the best attorneys and judges are hard pressed to apply correctly. (See infra at p. 13.)

Many commissioners lack an understanding of the true nature of their statutory functions; there is great disparity from district to district on how even fundamental problems are handled, due in great measure to inadequate statutory guidelines and the lack of any effective administrative apparatus within the judiciary that is charged with assisting commissioners in the performance of their duties.

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[1] Hearings, "U.S. Commissioner System," pts. 1, 2, 3, before the Subcommittee on Improvements in Judicial Machinery, Committee on the Judiciary, U.S. Senate, 89th Cong., 2d sess. Hereinafter cited as hearings, U.S. commissioner system, pt. 1, et cetera.

[2] See hearings, "Federal Magistrates Act," before the Subcommittee on Improvements in Judicial Machinery, Committee on the Judiciary, U.S. Senate, 89th Cong., 2d sess., and 90th Cong., 1st sess. Hereinafter cited as hearings, Federal Magistrates Act.

Commissioners in many districts grant search and arrest warrant applications perfunctorily, thereby depriving both the accused and the legal system of an independent determination of the question of probable cause.

Few commissioners have any clear idea of what the contours and purposes of the preliminary hearing are. Much of this confusion is pardonable, since the law with respect to the preliminary hearing is in dire need of clarification. (See infra at pp. 28, 29.)

The commissioner's trial jurisdiction is limited to petty offense misdemeanors committed on Federal reservations. This restriction gives rise to several undesirable consequences: First, the U.S. district courts are burdened with a number of minor criminal matters that could easily be handled by a lesser judicial officer such as a commissioner, and which lend an undesirable "police court" atmosphere to the district courts. Second, some offenses committed on Federal enclaves are "downgraded" from more serious misdemeanor or even felony status so that they can be tried as petty offenses before the commissioner rather than before the district court judge. Third, frequently petty offenses committed outside Federal enclaves are simply *nol prossed*, since they can be tried only in the already overburdened district courts. None of these three consequences of the commissioner's restricted trial jurisdiction serves the ends of justice. See infra at p. 20 ff.

Although the present U.S. commissioner system is in many ways defective, your committee believes it is neither practical nor desirable simply to abolish the commissioner system and transfer the functions now performed by that office of the U.S. district court judges, who are already overburdened by their present duties and not geographically situated to service the needs of remote areas of the country. Your committee is convinced that an upgraded system of judicial officers below the level of the district judge can provide significant advantages for the Federal judicial system. Consequently, S. 945 is designed to create an upgraded lower tier judicial office that will be free from the present defects of the U.S. commissioner system, and that will be a truly useful component of our Federal judiciary. By raising the standards of the lowest judicial office by making the position more attractive to highly qualified individuals, and by increasing the scope of the responsibilities than can be discharged by that office, your committee hopes to establish a system capable of increasing the overall efficiency of the Federal judiciary by relieving the district courts of some of their minor burdens, while at the same time providing a higher standard of justice at the point where many individuals first come into contact with the courts.

Mr. TYDINGS. Mr. President, this morning the Senate passed S. 945, the Federal Magistrates Act of 1967. The bill's purpose is to abolish the office of U.S. commissioner and reform the first echelon of the Federal judiciary into an effective component of a modern scheme of justice by establishing a system of U.S. magistrates. The U.S. magistrates system to be established upon enactment of S. 945 differs from the commissioner system in the following important ways:

First. It changes the title of the office on the front line of Federal justice to U.S. magistrate, and formally classifies U.S. magistrates as either full time or part time.

Second. It requires that all U.S. magistrates be attorneys unless it is impossible to find a qualified attorney to fill a particular position, and establishes other minimum qualifications in order to insure judicial independence and disinterest.

Third. It eliminates the anachronistic fee system of compensation, and replaces it with a system of salaries set on a sliding scale according to anticipated workload.

Fourth. It gives full-time U.S. magistrates a secure 8-year term of office, and part-time U.S. magistrates a secure 4-year term of office, both full-time and part-time magistrates are subject to removal only for cause.

Fifth. It provides that full-time U.S. magistrates are to be supplied with office space, clerical assistants, and all necessary stationery and other materials; and that part-time U.S. magistrates are to receive reimbursement for all necessary expenses incurred in the performance of their official duties.

Sixth. It allows U.S. magistrates to be assigned duties by the U.S. district courts in addition to those normally undertaken by U.S. Commissioners today. These additional duties may include, but are not limited to, service as special masters, supervision of pretrial or discovery proceedings, and preliminary consideration of petitions for postconviction relief.

Seventh. It gives the U.S. magistrate an expanded trial jurisdiction over minor criminal offenses when the accused executes a knowledgeable waiver of both his right to trial before a U.S. district court and any right to trial by jury he may have. Under present law, U.S. Commissioners have trial jurisdiction over misdemeanors committed on Federal reservations when the offense is punishable by not more than 6 months' imprisonment or a fine of $500, or both. The magistrate's trial jurisdiction, with certain exceptions, will extend to misdemeanors, wherever committed, that are punishable by imprisonment for not more than 1 year, or a fine of not more than $1,000, or both. Appeal of right to the district court is accorded those who elect to be tried before the magistrate.

Eighth. It clarifies existing law with regard to the preliminary hearing by requiring that, absent a grand jury indictment or an appropriate court order, a hearing be held within a reasonable time not to exceed 10 days following initial appearance if the accused is held in custody, or within 20 days following initial appearance if the accused has been released on bail or otherwise.

Mr. President, a great amount of work lies behind the measure that was passed this morning. The Subcommittee on Improvements in Judicial Machinery began exploratory hearings on the U.S. commissioner system in October 1965. These hearings continued in December 1965 and February 1966. The basic information gathered at these three sets of hearings, supplemented by data gathered from the responses of over 400 U.S. commissioners to a subcommittee questionnaire, provided the foundation for the drafting of S. 3475, the Federal Magistrates Act of 1966.

After extensive circulation to interested parties of a draft bill, the Federal Magistrates Act of 1966, S. 3475, was introduced on June 7, 1966, by Senators TYDINGS and SCOTT, and was cosponsored by Senators BAYH, BENNETT, BREWSTER, Douglas, ERVIN, KENNEDY of Massachusetts, LONG of Missouri, and Moss. The measure was circulated for comment, and to numerous bar associations, law professors, and members of the bar—over 1,500 people in all—and the subcommittee received many helpful responses detailing the thoughts of those consulted.

The subcommittee held hearings on S. 3475 in July and August 1966, and took testimony from a wide range of interested parties. S. 3475, in an amended form that reflected improvements suggested by witnesses at hearings and those to whom the bill was sent for comment, has been introduced as S. 945 in the 90th Congress, and is cosponsored by over 40 Senators. The bill has the formal endorsement of the Judicial Conference of the United States and the American Bar Association, and is supported by the National Association of U.S. Commissioners.

Mr. President, the passage of S. 945 by this Chamber is a monument to the cooperative efforts and dedication of people too numerous to mention here. I would like, however, to make special mention of the contributions of Hon. George Edwards, Judge of the U.S. Court of Appeals for the Sixth Circuit and chairman of the Judicial Conference Committee on the Administration of the Criminal Law, and of the other members of that committee. Judge Edwards' committee and a subcommittee headed by the Honorable Claude F. Clayton of the northern district of Mississippi added their exceptional efforts to those of the staff of our Subcommittee on Improvements in Judicial Machinery, suggesting technical and substantive amendments which helped develop the bill to its final, and, we think, best obtainable version. Further, both the National Association of U.S. Commissioners, and the American Bar Association gave the Subcommittee on Improvements in Judicial Machinery their fullest measure of cooperation.

Finally, I must mention the splendid cooperation and support I have received from the other members of the Subcommittee on Improvements in Judicial Machinery. Without the wholehearted participation in this effort by the distinguished senior Senator from Nebraska [Mr. HRUSKA] on behalf of the minority, S. 945 would be a far less satisfactory piece of legislation. The record should also show that Senators ERVIN, HART, and SCOTT participated in and chaired many of the hearings on S. 945 and its predecessor, and made many helpful suggestions reflected in the final version of the bill.

Mr. President, for over 100 years the U.S. commissioner system has eluded substantial revision. The result: we have a 19th century operation charged with holding the front line of Federal justice in the 20th century. Reforms provided by S. 945 are long overdue. It is my hope that the House of Representatives will promptly take up this important piece of legislation, and that it will be enacted into law before the termination of this session of Congress.

APPELLATE REVIEW OF CERTAIN SENTENCES IN CRIMINAL CASES

The Senate proceeded to consider the bill (S. 1540) to amend chapter 235 of title 18, United States Code, to provide for the appellate review of sentences imposed in criminal cases arising in the district courts of the United States which had been reported from the Committee on the Judiciary, with amendments, on page 2, line 1, after the word "imprisonment", to insert "or death"; in line 12, after the word "sentence" to insert "imposed"; in line 13 after the word "excessive.", to strike out "and may review the procedure whereby the sentence was imposed." and insert "This power shall be in addition to all other powers of review presently existing or hereafter conferred by law."; in line 17, after the word "appeals," to strike out "and the sentence is lawful,"; in line 25, after the word "If", to strike out ", after considering the sentence, the court of appeals does not affirm the district court's exercise of discretion in imposing the sentence," and insert "the sentence imposed is not affirmed or the appeal dismissed," on page 3, line 4, after the word "The", to strike out "defendant" and insert "defendant's sentence"; in line 5, after the word "not", to insert "be"; in the same line after the amendment just above stated, to strike out "receive an"; in the same line after the word "increased", to strike out "sentence"; in line 7, after "(d)", to strike out "Except as otherwise provided in this section," and insert "The application for leave to appeal from sentence shall be regarded as a notice of appeal for all purposes, and"; in line 11, after the word "appeal", to strike out "from a judgment or order of conviction and, where an appeal from a judgment or order of conviction is taken in the same case in which the court of appeals has granted leave to appeal the sentence, the appeal from judgment and sentence shall be heard together", and insert "to a court of appeals. A denial of the application for leave to appeal on the ground that the sentence imposed is excessive shall not prejudice any aspect of the appeal predicated on other grounds. If the application is granted all issues on appeal shall be heard together.", and on page 4, line 6, after the word "sentence", to insert "of imprisonment or death"; in line 15, after the word "defendant", to strike out "filing an application for leave to appeal or", so as to make the bill read:

S. 1540

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 235 of title 18, United States Code, is amended by inserting immediately after section 3741 thereof the following new section:

"§ 3742. Appeal from sentence

"(a) An application for leave to appeal from the district court to the court of appeals the sentence of imprisonment or death imposed may be filed by a defendant with the clerk of the district court in any felony case in the following instances:

"(i) after a finding of guilt by a judge or jury, whether following a trial or the acceptance of a plea;

"(ii) after the revocation or modification of an order suspending the imposition or execution of a sentence or placing the defendant on probation;

"(iii) after a resentence under any other applicable provision of law.

"(b) Upon granting leave to appeal, the court of appeals may review the merits of the sentence imposed to determine whether it is excessive. This power shall be in addition to all other powers of review presently existing or hereafter conferred by law. If the application for leave to appeal is denied by the court of appeals, the decision shall be final and not subject to further judicial review.

"(c) Upon consideration of the appeal, the court of appeals may dismiss the appeal, affirm, reduce, modify, vacate, or set aside the sentence imposed, remand the cause, and direct the entry of an appropriate sentence or order or direct such further proceedings to be had as may be required under the circumstances. The sentence imposed is not affirmed or the appeal dismissed, the court of appeals shall state the reasons for its action. The defendant's sentence shall not be increased as a result of an appeal granted under this section.

"(d) The application for leave to appeal from sentence shall be regarded as a notice of appeal for all purposes, and the procedure for taking an appeal under this section shall follow the rules of procedure for an appeal to a court of appeals. A denial of the application for leave to appeal on the ground that the sentence imposed is excessive shall not prejudice any aspect of the appeal predicated on other grounds. If the application is granted all issues on appeal shall be heard together.

"(e) When an application for leave to appeal is filed, the clerk of the district court shall certify to the court of appeals such transcripts of the proceedings records, reports, documents, and other information relating to the offense or offenses of the defendant and to the sentence imposed upon him as the court of appeals by rule or order may require. Any report or document contained in the record on appeal shall be available to the defendant only to the extent that it was in the district court. In each felony case in which sentence of imprisonment or death is imposed the judge shall state for the record his reasons for selecting that particular sentence.

"(f) When a judge has adopted the sentencing procedure set forth in section 4208 (b) of title 18, United States Code, an application for leave to appeal may only be filed after a judgment or order is entered by the judge following the completion of the study provided by such section.

"(g) The provisions of section 3568 of title 18, United States Code, shall be applicable to any defendant appealing under this section.

"(h) This section shall not be construed to confer or enlarge any right of a defendant to be released following his conviction pending a determination of his application for leave to appeal or pending an appeal under this section.

"(i) This Act shall become effective six months after its approval and shall apply only to sentences imposed thereafter."

(b) The analysis of chapter 235 of title 18, United States Code, is amended by adding at the end thereof the following new item:

"3742. Appeal from sentence."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 372), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL AS AMENDED

The purpose of S. 1540 is to provide for review of felony sentences imposed in the district courts of the United States to assure that the sentence is not excessive. Review will tend to guarantee that sentences reflect similarities in the circumstances of defendants prosecuted for the same crimes. It may also further the rehabilitation effort by tailoring sentences to individual needs. Respect for the law will be enhanced as well by the opportunity to review the measure of punishment accorded, and thus to assure that the sentencing process is rational. Accordingly, the bill adds a new section 3742 to chapter 235 of title 18, United States Code.

BACKGROUND

Authority for sentence review through the appellate process once existed by statute, but a revision of the statute did not mention sentences and the courts subsequently held that the power had been withdrawn by Congress. This has remained the prevailing doctrine. See *United States* v. *Martell,* 335 F. 2d 764, 767–768 (4th Cir. 1964); *United States* v. *Rosenberg,* 195 F. 2d 583, 604–607 (2d Cir. 1952).

This bill would alter the Federal practice currently based upon the doctrine that sentences are exclusively within the discretion of the trial judge and that the courts of appeals cannot review a lawfully imposed sentence. The situation prevailing in the Federal courts stands in marked contrast to the practice of 17 States, many foreign nations, including England and Canada, and our military courts. Indeed the Federal jurisdiction is a singular example of an advanced system of jurisprudence that does not allow review of sentences.

The absence of any procedure for appellate review of a sentence is a peculiar exception to the concern shown for the review of every other aspect of a criminal trial. Appellate courts carefully study the methods by which evidence was secured and the instructions given by the trial judge to guide the jury. The record of trial is screened on appeal to insure that all findings of fact are supported in the record. Where error is found in any of these aspects of the trial, that error may be corrected on appeal. Yet, if a Federal judge imposes an unreasonable sentence, the law provides no explicit means for the review of that sentence by a higher court.

One consequence of this inability to review sentences is that appellate courts stretch a rule of law to reverse or modify a conviction where the only substantial error in the proceedings below relates to the sentence imposed. Your committee is aware that there are numerous criminal appeals in the Federal courts that ostensibly attack the preverdict trial court proceedings, but in which the appellant's real grievance is that an excessive sentence was imposed by the trial judge. If specific provision is made for appellate review of sentences a person aggrieved by his sentence, but satisfied with the fairness of the proceedings, would not be forced to offer technical grounds for overturning his conviction. He would be able to attack the sentence directly on appeal.

The difference in the protection afforded to the person before and after the determination of his guilt was aptly pointed out several years ago in an opinion of the U.S. Court of Appeals for the Sixth Circuit Judge Potter Stewart, before he was named to the Supreme Court of the United States, wrote:

"Every year numerous appeals come before this court which accentuate a seriously urgent problem—the disparity of sentences in Federal criminal cases * * *. Justice is measured in many ways, but to a convicted criminal its surest measure lies in the fairness of the sentence he receives. Whether a sentence is fair cannot, of course, be gaged simply by comparing it with punishment imposed upon others for similar offenses. But that test, though imperfect, is hardly irrelevant. It is an anomaly that a judicial system which has developed so scrupulous a concern for the protection of a criminal defendant throughout every other stage of the proceedings against him should have so neglected this important dimension of fundamental justice. *Shepard* v. *United States*, 257, F. 2d 293, 294 (6th Cir. 1958.)"

It is this anomaly that S. 1540 aims to correct. Appellate review can have many salutary effects on sentencing practices. At the very least, it can provide a second look at an important decision by a source removed from the conflict surrounding the original imposition of sentence. At best appellate review could lead to the development of criteria by the courts of appeals to guide trial judges in the performance of their most difficult task—the rendering of an appropriate sentence.

THE HISTORY OF THE BILL

Senator Hruska first introduced a bill on this subject, S. 3914, 86th Congress, second session, on August 30, 1960. S. 3914 provided for an appeal, on the ground that the sentence was excessive, in those cases for which a minimum mandatory sentence was not fixed by law. To control the quality and quantity of such appeals, however, the bill made the allowance of an appeal discretionary with the circuit court. Upon granting the application, the circuit court would receive the essential records relating to the offense and the sentence imposed. A hearing on the appeal was also discretionary. The circuit court could only reduce the sentence imposed if it was deemed more severe than the circumstances of the case warranted. By taking the appeal, the defendant waived any right to plead that, by reason of the revision of the sentence, he had been twice put in jeopardy.

In the 87th Congress, first session, the bill was introduced as S. 1692. It was considered by the Judicial Conference of the United States in its fall 1961 meeting and was disapproved upon the recommendation of the Conference's Committee on the Administration of the Criminal Law. But the members of the Conference expressed their concern over the problem of disparity of sentences and authorized the committee to undertake a full study of the problem.

These conclusions subsequently emerged from the Conference:

(i) The right of appellate review should be limited to those cases in which the sentence imposed is in excess of 5 years. It was estimated upon the then latest statistics on commitment that these cases would comprise 14.3 percent of the total.

(ii) The defendant should not be required to seek leave to appeal. The 5-year minimum sentence was thought a sufficient check against "opening the floodgates" of appeal. But the appellate courts should be vested with the discretion to review the sentence solely upon the submission of the record—i.e., without a hearing.

(iii) The appeal, when permissible, should include all cases, including those in which minimum mandatory sentences are imposed. It was mentioned that many narcotic sentences are notoriously excessive, justifying appellate scrutiny.

(iv) When the sentence imposed is one that would be subject to review, the district judge should state his reasons for the imposition of the sentence. Such a statement would greatly benefit the appellate court in deciding the question of excessiveness, and the requirement could obviate the problem of excessiveness in many cases by encouraging the sentencing judge to reflect more carefully upon the reasons for the sentence.

(v) Included in the record on appeal should be the confidential presentence report and other reports of any evaluative studies made pursuant to statute. The court of appeals should decide, by local rule, how to protect the confidentiality of these reports.

A revised bill, S. 2879, 87th Congress, second session, was introduced on February 21, 1962, and the Judicial Conference's Committee on the Administration of the Criminal Law favorably reported it. At its midwinter meeting in March 1962, the Judicial Conference directed that the bill be discussed at the various circuit conferences. Accordingly, the Conference passed over the question until a report was available. In the course of the next several months, until June of 1964, a number of circuits held conferences on the subject. The first to do so was the second circuit. It conducted a full symposium on appellate review of sentences, published in 32 Federal Rules Decisions 249.

Appellate review of sentences was also the subject of panel discussions at the annual conferences of the second, third, and fifth circuits. The judges in the second and third circuits overwhelmingly favored some method of reviewing sentences; however, the judges in the fifth circuit did not favor appellate review. The subject was also discussed at the judicial conferences in the District of Columbia circuit and the ninth circuit.

The bill was reintroduced as S. 823 at the beginning of the 88th Congress. The Committee on the Administration of the Criminal Law reported it favorably to the Judicial Conference in the fall of 1964 with an amendment empowering appellate courts to increase, as well as decrease, the original sentence. The Judicial Conference voted to recommend approval of S. 823 as modified. While approval was thus finally secured, the division among circuits precluded a unanimous vote in the Conference.

In the 89th Congress, S. 2722 was introduced, and on March 1 and 2, 1966, hearings were held before the Subcommittee on Improvements in Judicial Machinery. That bill would have allowed a person sentenced to more than a year to appeal on the ground that, although lawful, the sentence was excessive. The hearings developed an impressive record in favor of appellate review of sentences including an endorsement from the Department of Justice. In March of 1967, the Judicial Conference again endorsed the principle of sentence review but recommended that only sentences of 3 years or more be subject to review.

The shift in judicial opinion over the years leading to endorsement of the principle of review reflects doubt that all problems of sentencing practice can be resolved by extensive use of the Sentencing Act of 1958.

Under the act it was thought that if judges were brought together to study and formulate objectives, policies, and criteria, considerable headway could be made in overcoming sentencing malpractice. Moreover, through a better understanding and use of such new sentencing alternatives as the indeterminate sentence and the diagnostic reports authorized by the act, the main cause of most disproportionate sentences would disappear. In other words, given these additional methods of sentencing and greater opportunity for judges to discuss sentencing practices, it was anticipated that the chronic problem of gross sentence disparities would gradually be minimized, if not altogether eliminated. The considerable accomplishment of the Sentencing Act should not be understated. Certainly, sentencing institutes had beneficial impact on the large entering class of Federal judges appointed under the 1961 omnibus judgeship bill, as well as on other newly appointed members of the judiciary. There were equally encouraging reports from experienced judges. Yet statistics show that the problem of the excessive sentence persists. Information and diagnostic reports useful in the effort to find a reasonable and proper sentence are at hand, but the district judge must choose to use them. If he does not, no methods or statistical guidelines are of any avail. Cognizant of these considerations, your committee believes that the best way to minimize excessive disparities in sentences is to give some power of review to the appellate courts.

Mr. HRUSKA. Mr. President, the bill we have just considered, S. 1540, has been the subject of long and painstaking study. Some of the greatest legal minds in the Nation, plus many distinguished jurists have given consideration to the measure. Although I first introduced a bill on this subject in the 86th Congress, it was deliberately not rushed to the floor until it was in the best form possible. The bill reflects this process and I believe it is now ready for consideration and enactment into law.

Mr. President, one will have to look far to find a statement which pinpoints the necessity for this bill as well as the introductory statement of the tentative draft of the American Bar Association's Advisory Committee on Sentencing and Review, "Standards Relating to Appellate Review of Sentences."

The statement is as follows:

> Among the ironies of the law, there are many surrounding the manner in which sentences are imposed in the majority of our jurisdictions. One of the most striking involves a comparison of the methods for determining guilt and the methods for determining sentence. The guilt-determination process is hedged in with many rules of evidence, with many procedural rules, and, most importantly for present purposes, with a carefully structured system of appellate review designed to ferret out the slightest error. Yet in the vast majority of criminal convictions in this country—90 percent in some jurisdictions; 70 percent in others—the issue of guilt is not disputed.
>
> What is disputed and, in many more than the guilty-plea cases alone, what is the only real issue at stake, is the question of appropriate punishment. But by comparison to the care with which the less-frequent problem of guilt is resolved, the protections in most jurisdictions surrounding the determination of sentence are indeed miniscule.

It is not that Federal law never recognized the necessity for appellate review of sentences. Prior to 1891 there existed in the Federal Code the concept of the right to appeal a case on the basis of a disproportionately severe sentence. However, due to oversight or inadvertence this concept was missing in the recodification.

The States have also recognized the concept of appellate review of sentences, since 15 of them have laws or precedents which permit appeals or reviews of sentences. Iowa was the first State to pass such a law in 1860. My own State of Nebraska has such a law, and experience has shown that it works well. In fact, the provision of appellate review has almost universal acceptance, except in the U.S. Federal criminal law. The United States is the only civilized nation in the world that does not have an appellate review of sentences in its Federal jurisdiction.

As the report of the National Crime Commission, "The Challenge of Crime in a Free Society," pointed out—

> That different judges sentence differently is, and always has been, a major and justified complaint against the courts.

This basic shortcoming in criminal procedure, on occasion, has produced serious and needless inequities and disparities. While steps taken by the judiciary, such as sentencing institutes, have provided substantial progress toward better sentencing practices, such procedures are not enough.

This is not to suggest that the right of appellate review will solve all of the difficult problems in the determination of proper sentences. It will provide an additional significant tool for improving the sentencing process. The judicial process should have the means of reaching and reviewing undeniable mistakes. It should facilitate the development of proper sentencing practices and standards. In other words, an important gap in the present system will be closed.

Valid reasons exist for variations in sentences for the same crime. Certainly a sentence which may be quite proper in a case involving one defendant and one set of circumstances may be grossly inadequate in dealing with the same offense committed by a different type of individual or under aggravated circumstances. But where the same crime has been committed by similar offenders under similar circumstances, the punishment should be reasonably uniform. Disparities based solely upon the personality of the judge passing sentence are unjust.

Other phases of the work of trial judges are subject to appellate review and supervision. Only sentencing errors are immune to correction on appeal. The reasons for such a gap are for the most part historical. Such reasons are becoming irreconcilable with the standards of due process and are not in step with the need for a fair and just sentencing system.

The determination of a proper sentence involves many considerations. Sentencing is not nor can it be reduced to an exact science. The exercise of sound judgment is an indispensable part of the process, but that does not justify arbitrary determinations. When judgments cannot be reconciled with reason, it is incredible that the appellate courts should be denied the opportunity to prevent a miscarriage of justice.

Mr. President, during the consideration of this bill two questions were of primary concern. They stem from the fear that adoption of the concept would provide a burden which the appellate courts could not bear. The first is the length of sentence which could be reviewed. The second is whether a right of appeal should be granted or discretionary power to appeal should be given to the courts of appeal.

These questions have been resolved by providing that leave to appeal may be granted in felony cases only. Therefore, we avoid the question whether sentences of 1 year, 3 years, or 5 years are serious enough to merit review. Certainly, a conviction of a felony warrants the most careful study of how punishment shall be meted out. In this manner the most difficult criminal cases will be dealt with fairly. By this means, the courts of appeals can prevent frivolous appeals, which might create a burden, by refusing to grant leave.

Subsection (a) sets out the leave to appeal in felony cases. It enumerates the situations in which the request can be made.

Subsection (b) spells out the scope of review. If the application is denied, the decision is not further reviewable by the Supreme Court. This will head off successive appeals on a limited issue. On the other hand, if leave is granted, the Supreme Court could exercise its discretionary power to review the decision of the appeals court.

Subsection (c) is the sine qua non of the bill. It does not allow the court on appeal to increase the sentence imposed. Putting aside constitutional questions on the point, a sense of fairplay dictated this decision. In the final analysis, the power to increase would work to penalize the taking of an appeal—especially when the action is discretionary in the first instance—and probably would become a self-defeating practice. England has come to recognize that it is unfair, it does not exist in our military courts, and no State court with appellate review procedures provides for it.

Subsection (d) provides that the appeal procedure is to be synchronized with the appeal rules generally and if an appeal is taken from an order of conviction as well, it allows the matter to be heard at the same time.

In subsection (e) the bill provides that the defendant shall have the same access to presentence reports on appeal as he had at the lower court. The sentencing judge is required to state for the record his reasons for selecting the particular sentence imposed in every felony case. Every defendant ought to have a right to know why the sentence imposed was selected. By doing so, it might head off a lot of applications as well as contribute to a more rational sentence decision. It would also help the court of appeals to decide whether to grant leave.

The remaining subsections insure that appellate review does not complicate other phases of the sentencing laws or procedures. Subsection (f), requested by the Justice Department, modifies subsection (a) whenever a diagnostic study was ordered prior to imposing sentence. Subsection (g) makes certain that credit for time served is given when the sentence may be changed. Subsection (h) avoids a misinterpretation of the new bail procedures. Subsection (i) avoids any question about retroactivity and affords the courts time to prepare for the new procedure.

Mr. President, the device of appellate review of sentences was recommended by the report of the National Crime Commission, "The Challenge of Crime in a Free Society" when it stated:

> Appellate review would encourage the development of uniform and considered sentencing policies within a jurisdiction. It leads both the trial court and the appellate court to give sustained and explicit consideration to the justification for particular sentences. It provides a workable means of correcting unjust and ill-considered sentences, particularly those in which the punishment imposed is grossly inappropriate.

Mr. President, I acknowledge the support and work of the distinguished chairman of the Subcommittee on Improvements in Judicial Machinery, Senator TYDINGS, and the help of many others who have had a part in perfecting this bill. It is because of these efforts that the bill is supported by the Justice Department, the Judicial Conference, and follows substantially the recommendations of the American Bar Association's Advisory Committee on Sentencing and Review.

I am sure that the need for this bill is recognized by the House of Representatives, and it is my hope that it will act expeditiously and pass it as soon as possible.

ADDITIONAL PLACE FOR HOLDING COURT IN NORTH DAKOTA

The bill (S. 475) to provide an additional place for holding court in the district of North Dakota was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 475

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 114 of title 28, United States Code, is amended as follows:

In the second sentence of paragraph (4) after "Minot" insert "and Williston".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 373), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to provide that the city of Williston be an additional place for holding court in the district of North Dakota.

STATEMENT

Identical bills, S. 2392, of the 88th Congress, and S. 102, of the 89th Congress, have been reported favorably by the committee. All of the facts and justification for this legislation are contained in Senate Report 1391 of the 88th Congress and Senate Report 455 of the 89th Congress and are as follows:

"The Judicial Conference of the United States, at its meeting on March 16 and 17, 1964, voted to disapprove the legislation due to the fact that it did not have sufficient cases to justify the holding of terms of court at Williston, N. Dak.

"Since that time the committee has received information from the Honorable George S. Register, the chief judge of the district of North Dakota with reference to the legislation. The chief judge supports the legislation as do the commissioners of the city of Williston and Williston Chamber of Commerce. The chief judge in his comment states that Williston occupies a rather unique position among the cities of the State. He points out that the Garrison Dam project will result in substantial industrialization, great economic growth, and development in that area. Oil has been discovered in the immediate vicinity of Williston and he anticipates that there will also be a substantial oil and mineral development. He further contended that the Williston area of this State has a very promising future and that the developments referred to are in the not distant future. It will mean a substantial and rapid increase in population as well as business. Representatives of the bar association called upon the chief judge urging the legislation and it is understood that a new Federal building is to be built at the site of Williston. If Williston is designated as a place for holding court in the district of North Dakota, quarters for court may be provided for in the new Federal building.

"The committee, after a review of the facts surrounding this legislation, takes the view that there are adequately sufficient indications to believe that the city of Williston will be, in the very near future, such a community as would require the sitting of the U.S. district court for that district. In view of these facts the committee recommends that the bill . . . be considered favorably."

After further consideration, the committee adheres to its former recommendations and again recommends that the bill, S. 475, be considered favorably.

EXEMPTIONS FROM ANTITRUST LAWS

The bill (S. 1648) to extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1648

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of September 9, 1965 (79 Stat. 674; 31 U.S.C., supp. I, 936) is amended by striking out "twenty months after it becomes law" and inserting in lieu thereof "on June 30, 1969".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 374), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to extend until June 30, 1969, the act of September 9, 1965 (79 Stat. 674; 31 U.S.C., Supp. I, 936) so as to continue the authority for granting exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States.

STATEMENT

The proposed legislation, introduced at the request of the Treasury Department, would extend to June 30, 1969 the authority for granting exemptions from the antitust laws enabling the President to seek the voluntary cooperation of American bankers and representatives of other named financial institutions to curtail the outflow of private capital from the United States. The present law permitting such cooperation expires on June 30, 1967.

The present law was enacted in 1965 at the request of the President as part of the administration's program to deal with problems arising from the international balance-of-payments deficit. The law provides antitrust immunity, subject to certain conditions, to those banks and other named financial institutions participating, at the request of the President, in agreements and programs designed to reduce the balance-of-payments deficit.

No hearings were held on the proposed legislation. However, hearings on the present law were held in the 89th Congress by both the House and Senate Antitrust Subcommittees. (S. 1240 and H.R. 5280, 89th Cong.; S. Rept. 549, 89th Cong.)

The committee is informed that there has been no exercise of the exemptions contemplated by the existing law by banks or other named financial institutions.

Nevertheless, the committee is of the opinion that the extension of the existing law until June 30, 1969, will give the President a meaningful method to combat the problems associated with a balance-of-payments deficit. Accordingly, the committee recommends favorable consideration of S. 1648, without amendment.

BILL PASSED OVER

The bill (S. 117) for the relief of Martha Blankenship was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

TIMOTHY JOSEPH SHEA AND ELSIE ANNET SHEA

The bill (S. 171) for the relief of Timothy Joseph Shea and Elsie Annet Shea was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 171

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Timothy Joseph Shea and Elsie Annet Shea, husband and wife, of Orlando, Florida, the sum of $2,000, in full satisfaction of all their respective and joint claims against the United States for compensation for personal injuries and suffering incurred by the said Elsie Annet Shea, and damages to their residence and property sustained by the said Timothy Joseph Shea and Elsie Annet Shea, incident to an accident which occurred on October 1, 1960, when two civil aircraft collided near their residence as the result of negligent landing instructions given to the pilots of such aircraft by operators of the Federal air traffic control tower, Herndon Air Port, Orlando, Florida: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 376), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the legislation is to pay Timothy Joseph Shea and Elsie Annet Shea, husband and wife, of Orlando, Fla., the sum of $2,000 in full satisfaction of their claims against the United States for personal injuries suffered by Elsie Annet Shea and for damages to their property, incident to the collision of two civil aircraft as the result of negligent landing instructions given to the pilots of such aircraft by the operators of the Federal air traffic control tower, Herndon Airport, Orlando, Fla.

STATEMENT

A similar bill, S. 3621, was favorably reported by the Committee on the Judiciary in the 89th Congress and passed the Senate on October 21, 1966. There was no action taken by the House of Representatives on the bill.

The Federal Aviation Agency opposes the bill on the routine grounds of the bar of the statute of limitations as contained in the Federal Tort Claims Act, but makes the statement that "perhaps there are certain mitigating circumstances in this case."

The facts of the case contained in the agency report are as follows:

The incident which gave rise to S. 3621 was a midair collision of a Beechcraft Bonanza and an Eastern Airlines Martin 404 on October 1, 1960, while both aircraft were approaching Orlando, Fla., Municipal Airport. The airliner was damaged, but was able to land safely without injury to the crew or passengers. The Bonanza, however, crashed and the pilot sustained fatal injuries.

On August 6, 1963, Timothy Joseph Shea and Elsie Annet Shea instituted a suit in the U.S. District Court for the Southern District of Florida against the United States, Eastern Airlines, and other defendants alleging that as a result of the negligence of the defendants, Mrs. Shea sustained personal injuries in the amount of $10,000 by reason of the inhalation of noxious fumes, smoke, and gases emitted by the wreckage of the Bonanza aircraft which had fallen on the Shea's place of residence. Damages of $3,000 were also claimed to compensate the plaintiffs for alleged property damage. Pursuant to a motion by the Government, the suit against the United States was dismissed on the grounds it was barred by the statute of limitations. We are not aware of the outcome of the litigation against the other defendants.

The aircraft accident also gave rise to another suit against the United States and Eastern Airlines. That case (*Ayers* v. *United States et al.*) involved a wrongful death action brought by the widow of the deceased pilot of the Bonanza aircraft. Eastern Airlines was dismissed as a defendant on jurisdictional grounds. However, in the trial against the United States, the court found that Federal Aviation Agency controllers stationed at the Orlando Airport control tower were negligent and that such negligence was the proximate cause of the accident. The court also ruled that the Bonanza pilot was not contributorily negligent.

The bill provides for the payment of $2,000 to cover the claims of the Sheas against the United States. Inasmuch as the Sheas were not involved in the *Ayres* case and the suit brought by the Sheas against the United States was dismissed on procedural grounds, we cannot make any comment with respect to the amount of damages they may have suffered or the validity of a payment of $2,000. Also, as we mentioned above, we do not know whether any recovery was made by the Sheas against parties other than the United States.

A final issue which merits attention in this matter is the failure of the Sheas to avail themselves of the judicial remedies provided by law. The Federal Tort Claims Act provides a means of relief of persons sustaining personal injuries or property damage against the United States resulting from the negligence of Government employees acting within the scope of their employment. The suit brought under that act by the Sheas was not timely. Perhaps there are certain mitigating circumstances in the case, but we know of no reason why the standard provided by law should be disregarded and the special relief provided by S. 171 enacted by Congress.

The committee disagrees with the conclusion of the Federal Aviation Agency and believes that the facts of this case justify a waiver of the statute of limitations. A court of record has found that the Government was negligent and that such negligence was the proximate cause of the accident giving rise to this claim. As shown by the letter from the claimants' attorney, the existence of the Government's negligence was unknown and thus the claimants could not have filed suit within the statutory period.

In view of the foregoing, the committee recommends favorable enactment.

PATRICK E. EAGAN

The bill (S. 910) for the relief of the estate of Patrick E. Eagan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 910

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the estate of Patrick E. Eagan of Fairbanks, Alaska, is hereby relieved of all liability for repayment to the United States of the sum of $4,271.36, representing overpayments of salary received by him as an employee of the Post Office Department at Fairbanks, Alaska, for the period from October 19, 1956 through April 27, 1962, the Post Office Department having failed to deduct from his salary, pursuant to section 13(b) of the Civil Service Retirement Act, as amended (5 U.S.C. 2263(b)), an amount equal to the amount the said Patrick E. Eagan was entitled to receive in civil service retirement annuity payments during said period. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

Sec. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Margaret Eagan, widow of the said Patrick E. Eagan, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 377), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve the estate of Patrick E. Eagan, of Fairbanks, Alaska, of all liability for repayment to the United States of the sum of $4,271.36, representing overpayments of salary received by him as an employee of the Post Office Department at Fairbanks, Alaska, for the period October 19, 1956, through April 27, 1962, by reason of the Post Office Department having failed to deduct from his salary an amount equal to the amount he was entitled to receive in civil service retirement annuity payments during said period. The bill would further authorize the Secretary of the Treasury to pay to Margaret Eagan, widow of Patrick Eagan, the sum of any amounts received or withheld from him on account of the overpayments.

STATEMENT

Present law (5 U.S.C. 2263b) requires that when an annuitant is reemployed, a sum equal to the annuity allocable to the period of actual employment shall be deducted from the salary.

Records of the Post Office Department indicate that Mr. Eagan was appointed on October 19, 1956, to a position in the Fairbanks, Alaska, post office, and had served continuously up to the time of his death. At the time of his appointment, he was receiving an annuity of $60 per month (increased to $66 per month on August 1, 1958), from the Civil Service Commission. Although he reported the annuity on his application for employment, it was not noticed and deductions were not made from his salary for the period October 19, 1956, date of employment, to April 27, 1962, the date the error was corrected.

Since the overpayment of Mr. Eagan resulted from an honest error and the Department has received the benefit of his services, that Department recommends enactment of the bill.

Moreover, the Congress has enacted similar laws (for example, Private Law 85-416) for the relief of other employees who were paid in similar circumstances.

The committee is in agreement with the Post Office Department that this legislation be favorably considered. The overpayment to Mr. Eagan resulted from an honest error and the Post Office Department has received the benefit of his services. Accordingly, the committee recommends favorable consideration of S. 910, without amendment.

JOSEPH W. ROGERS

The bill (S. 1580) for the relief of Joseph W. Rogers was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1580

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John W. Rogers, of Louisville, Kentucky, is hereby relieved of all liability for repayment to the United States of the sum of $700.80, representing overpayments of salary which he received as an employee of the Department of Labor (1) for the period from November 24, 1963, through January 20, 1964, incident to his erroneous within grade step-increase from grade GS-14, step 6 to GS-14, step 7, and (2) for the period from January 21, 1964, through December 19, 1964, incident to the erroneous determination of his salary rate when he was changed from grade GS-14 to grade GS-12, due to a reorganization downgrading his position, such overpayments having occurred as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

Sec. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said John W. Rogers the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 378), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve John W. Rogers, of Louisville, Ky., of all liability for repayment to the United States of the sum of $700.80, representing overpayments of salary which he received as an employee of the Department of Labor for the period from November 24. 1963, through January 20, 1964, as a result of two errors in his pay computation.

STATEMENT

Mr. John W. Rogers, while employed by the Office of Veterans' Reemployment Rights in the U.S. Department of Labor, suffered a reduction in grade while so employed by that Department on January 21, 1962. Due to error Mr. Rogers was paid at his former rate rather than suffering the reduction in salary, and through error the Department of Labor kept the erroneous grade in effect for a 2-year period. A second error was subsequently made in computing Mr. Rogers' salary and both errors were subsequently discovered by a routine audit by the General Accounting Office.

While it was the erroneous action by the administrative officials of the Department of Labor that caused the overpayment, there is no authority to waive recovery of overpayments made contrary to the statutes and regulations fixing the salary rates of employees of the United States. The only recourse open to Government employees who have been overpaid through administrative error is by way of private relief legislation.

The Department of Labor, in reporting on the merits of this proposed legislation, states in part as follows:

"We have no objection to the bill. The errors were in no way the fault of Mr. Rogers. Further, the errors were not likely to be discerned by him. We are aware that the proposal possibly discriminates against others who may suffer equal or greater hardship arising from similar circumstances, but who do not receive this type of relief. However, we think that the solution lies not in penalizing Mr. Rogers, but in the adoption of general legislation in this area whereby relief could be granted to employees who are required to refund payments which have been erroneously made through no fault of their own. In this regard, we note that the Civil Service Commission supports such general legislation."

The committee is in agreement with the Department of Labor that this legislation should be favorably considered. The errors were in no way the fault of the claimant. Furthermore, the errors were not likely to be discerned by him; and finally, repayment would impose an undue financial hardship on the claimant. For these reasons the committee recommends favorable consideration of S. 1580 without amendment.

BILL PASSED OVER

The bill (H.R. 2762) for the relief of Chief Warrant Officer Bernhard Vollmer, U.S. Navy, retired, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

ROBERT A. OWEN

The bill (H.R. 4930) for the relief of Mr. Robert A. Owen was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 380), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Mr. Robert A. Owen, of Springfield, Va., of liability of $4,056.06, representing the total amount of overpayments of compensation paid to him by the U.S. Navy as the result of an administrative error in determining the amount of service that should be credited to him for pay purposes. The bill would also permit the refund of amounts repaid or withheld because of that liability.

DR. JULIO ALEJANDRO SOLANO

The bill (S. 440) for the relief of Dr. Julio Alejandro Solano was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Julio Alejandro Solano shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 4, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 381), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

KUO-HUA YANG

The bill (S. 1257) for the relief of Kuo-Hua Yang was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1257

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Kuo-Hua Yang shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 21, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 382), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

IRMA STEFANI RUIZ-MONTALVO

The bill (S. 1398) for the relief of Irma Stefani Ruiz-Montalvo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1398

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Irma Stefani Ruiz-Montalvo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 31, 1960.

DR. DAVID CASTANEDA

The Senate proceeded to consider the bill (S. 1106) for the relief of Dr. David Castaneda which had been reported from the Committee on the Judiciary, with an amendment, in line 6 after the word "of" to strike out "April 4, 1963" and insert "August 10, 1961", so as to make the bill read:

S. 1106

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor David Castaneda shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 10, 1961.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GIUSEPPE TOCCO

The bill (H.R. 1516) for the relief of Giuseppe Tocco was considered, ordered to a third reading, read the third time, and passed.

ANGIOLINA CONDELLO

The bill (H.R. 1703) for the relief of Angiolina Condello was considered, ordered to a third reading, read the third time, and passed.

DR. RAUL E. BERTRAN

The bill (H.R. 1763) for the relief of Dr. Raul E. Bertran was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 387), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Raul E. Bertran as of January 16, 1960, thus enabling him to file a petition for naturalization.

DR. ERNESTO M. CAMPELLO

The bill (H.R. 1764) for the relief of Dr. Ernesto M. Campello was considered, ordered to a third reading, read the third time, and passed.

DR. UBALDO GREGORIO CATASUS-RODRIGUEZ

The bill (H.R. 1765) for the relief of Dr. Ubaldo Gregorio Catasus-Rodriguez was considered, ordered to a third reading, read the third time, and passed.

DR. CHANG-YOU WU

The bill (H.R. 3523) for the relief of Chang-You Wu, doctor of medicine, was considered, ordered to a third reading, read the third time, and passed.

MI SOON OH

The Senate proceeded to consider the bill (S. 43) for the relief of Mi Soon Oh which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, section 204(c), relating to the number of petitions which may be approved in behalf of orphans, shall be inapplicable in the case of a petition filed in behalf of Mi Soon Oh by Mr. and Mrs. Anthony Caucutt, citizens of the United States.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF DEFENSE

The assistant legislative clerk proceeded to read sundry nominations in the Department of Defense.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations in the Department of Defense be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. BYRD of Virginia. Mr. President, with the Senate confirmation of the new appointments in the Defense Department, I want to express again my deep concern as to the handling of the Vietnam war.

I, along with the Congress, have voted for every dollar asked in behalf of the American soldier in Vietnam.

Despite my grave doubts as to the wisdom of becoming involved in a ground war in Asia, I, nevertheless, have given full support to the Commander in Chief and to our troops.

Although I feel the handling of the taxpayers' money is important, it is not the money which gives me greatest concern; it is the lives of American troops.

In 2 years' time, the American people have had to accept a considerably widened war as manifest by:

First, a 1,600 percent increase in U.S. military personnel in Vietnam—April 1965, 29,000, presently 462,000.

Second, a mounting casualty rate. Combat casualties in 1966 were 35,000; total casualties for the first 5 months of 1967 are 31,000.

Third, a 2-year cost to the taxpayer of approximately $50 billion.

Despite these sacrifices, the end of the war is not in sight.

Responsible military leaders feel that under present policies the fighting is likely to continue for 3 to 5 years—the pacification program, of course, is an even longer range one of from 10 to 15 years.

But it is primarily the military aspect of the war with which I am concerned, not the economic cost—as great as it is—but rather the casualties the American people are suffering.

I submit there is little evidence to suggest that the policy of our Government has been pursuing in Vietnam has been successful. To me it is tragic that we have sent to Vietnam 462,000 military personnel and yet simultaneously have permitted the free flow of military supplies to the enemy through the enemy port at Haiphong.

During the past several months more military cargo has gone through Haiphong than during any comparable period. Nothing has been done, and nothing is being done, to shut off these supplies which are being used against American soldiers.

I feel very strongly, Mr. President, that the Government should reappraise its basic strategy—a policy of hitting the enemy a little bit, but not too hard; of creating enemy sanctuaries; and of permitting the free flow of shipping to the enemy. This has prolonged the war and increased the casualties.

After 2 years of fighting, after 2 years of sacrifice, after 2 years of build-up of military equipment and manpower, the end of the fighting in Vietnam is not demonstrably closer than it was 2 years ago.

I would hope this new team—or perhaps more accurately, the reshuffling of the old team—would result in the bringing about of a fresh look at basic policy and basic strategy.

I would hope this new civilian team would work closer with the professional military leaders—the men who are trained to fight wars and to bring wars to a conclusion.

I am convinced, Mr. President, that the Vietnam war is dragging along to the advantage of both the Soviet Union and Communist China.

I submit that a long war in Vietnam is advantageous to the Soviet Union and to Communist China. It is not illogical that both desire the United States to continue to shed blood and treasure in a war in which neither is directly involved.

I am alarmed when I hear the argument that is so frequently made in official quarters that the Soviet Union desires peace in Vietnam. If this were, indeed, a fact, peace could come quickly.

Russia is the main supplier of arms. Russia has supplied virtually all of the sophisticated weapons. It is Russian ships and ships of Russian satellites such as Poland, which continue to carry military equipment to North Vietnam through the enemy port of Haiphong.

I do not question the motives of our policymakers, nor their conscientious desire to do what is best for the United States.

I do question their judgment.

It has not been demonstrated that the course the United States has followed in Vietnam in the past 2 years has been successful. I do believe the restrictions which we have put upon our military leaders and our unwillingness to shut off the supplies going to the enemy have prolonged the war and increased the casualties.

While the war has not been widened beyond the borders of Vietnam, it has been greatly widened insofar as the American people are concerned.

If we continue to restrict our military leaders in their missions, if we refuse to shut off the supplies going to the enemy, if we do not press for greater assistance from Asian nations, and our allies elsewhere, then the result of the past 2 years show that we face a long and costly struggle.

The reshuffling of the Defense Department team which takes effect with the confirmation of the nominees today, gives these four men a good opportunity to encourage the Secretary of Defense and the President to reexamine basic strategy to the end that the Vietnam war will be brought to an early and honorable conclusion.

Following these remarks, Mr. President, I would like to refer to testimony given yesterday, June 28, before the Senate Armed Services Committee.

In an open session of the committee I put a number of questions to John T. McNaughton, who was confirmed today as Secretary of the Navy. The significance of Mr. McNaughton's testimony is this: For the past 3 years he has served as Assistant Secretary of Defense for International Security Affairs. In this capacity he has been one of several principal advisers to Secretary of Defense McNamara on International defense matters, including the Vietnam war.

Because of the important position Mr. McNaughton has held and because of the important position to which he has been confirmed by the Senate today, I was anxious to get his thinking on certain aspects of the Vietnam war and his thinking in regard to the Soviet Union.

I was particularly anxious to know whether he as an important adviser to the Secretary of Defense thinks the time has come for a basic change in our Vietnam strategy.

I was anxious to know, too, whether he would agree or disagree with my assertion that a long war in Vietnam, where the United States is heavily involved and Russia is not, whether a long war would be to the Soviet Union's advantage.

There were other questions I put to him, but I am submitting only those dealing directly with Vietnam and the Soviet Union.

Mr. President, I ask unanimous consent to insert this part of the testimony in the Record at this point.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Senator Byrd. During the past three years, as I understand it, you have been the Assistant Secretary of Defense for International Security Affairs.

Mr. McNaughton. That is correct.

Chairman Russell. That is the vote. The Committee will stand in recess until after the vote.

Senator Byrd, if I happen to be late, I will ask you to preside.

Senator Byrd. Thank you, Mr. Chairman.

Chairman Russell. The Committee will now stand in recess.

(Recess)

Senator Byrd (presiding). Gentlemen, the Chairman suggested that we start. And if the Secretary will permit, I will continue where I left off.

To restate it so that you will have a full understanding of it, in the past three years you have been the Assistant Secretary of Defense for International Security Affairs?

Mr. McNaughton. That is correct, Senator.

Senator Byrd. Now, in that capacity would you consider yourself the principal adviser to Secretary of Defense McNamara on International Security Affairs, including the Vietnam war?

Mr. McNaughton. I would think that I was one of the principal advisers on that subject, yes, sir. The others are, of course, Mr. Vance and the Chairman of the Joint Chiefs and the other Chiefs, they would be advisers of more importance than I, but nevertheless on the same subject.

Senator Byrd. You are very modest, I can say.

In your capacity as Assistant Secretary of Defense for International Security Affairs do you evaluate the recommendations of the Joint Chiefs of Staff?

Mr. McNaughton. I advise the Secretary of Defense on the political implications of the recommendations. It is not my job to evaluate them in the military sense.

I am not trying to evade the question, Senator. It is just that there is a marriage between the political and the military side, and my responsibility relates to the political half of that marriage, to advise the Secretary in this respect.

Senator Byrd. Many people believe, rightly or wrongly, that Naval aviation has been hampered in its operations over Vietnam. Do you believe that Naval aviation is being used effectively to bring the maximum pressure on the enemy?

Mr. McNaughton. I believe that Naval aviation is being used effectively. That is the first half of that question.

The second half, with respect to the maximum pressure, this is one in which I am afraid I must yield to others with respect to what maximum pressure constitutes in the whole equation that the President has to address himself to in this regard. There is no question but that Secretary Nitze's statement is correct, that physical damage could be done with fewer restraints. The question of whether more psychological pressure—more helpful psychological pressure from the President's point of view of trying to bring the war to a successful conclusion would be achieved thereby is a decision he has reached in the negative. In other words, the President, I believe, thinks he has struck the optimum balance at this point in this regard.

Senator Byrd. Is that your view also?

Mr. McNaughton. Yes, I support the President's decision on this point.

Senator Byrd. Then I assume that if you answered the question precisely it would be in the negative, the question being, do you believe that Naval aviation is being used effectively to bring the maximum pressure on the enemy, I assume you would answer that in the negative.

Mr. McNaughton. No, I do not know the answer to that question. I could answer it only in pieces as I have. We could bring more physical damage, we could create more physical damage, Senator. But the question of the word "effective" and the question of the word "pressure" is one that the President deals with every time he makes a decision. And it is my understanding that he has struck a balance as to what effectiveness we achieve in the optimum pressure in keeping with what he is trying to do to bring the war to an end. And I can only answer it that way.

Senator Byrd. If you feel that any of these questions should not be considered in Open Session, I know of no reason, if Senator Miller doesn't—and we will get Mr. Darden's advice, too—that we should not go into Executive Session if some of these questions appear to be in an area in which you could not answer publicly.

Mr. McNaughton. Or I could submit answers to you, Senator, in classified form.

Senator Byrd. Let me ask you this question.

During the past two years do you feel that the war has greatly widened?

Mr. McNaughton. No—the past two years?—no.

Senator Byrd. Now, could I recite what seems to me areas where it has been greatly widened. Two years ago, that is, April of 1965, we had 29,000 ground troops in Vietnam. Today, we have got in round figures 462,000 ground troops in Vietnam. Now, it seems to me that so far as the American people are concerned that the war has been greatly widened.

Mr. McNaughton. I agree with your use of the word "widened" in that sense.

The answer to me in that sense is yes, it has been greatly intensified.

Senator Byrd. It has not been widened insofar as going beyond the physical boundaries of Vietnam?

Mr. McNaughton. That is correct.

Senator Byrd. It has not been widened insofar as bringing in additional allies to help us?

Mr. McNaughton. Well, we have got some additional allies. The Koreans and the Australians and New Zealanders and the Thais and the Filipinos have all contributed forces in that period, a total of over 50,000, between 50 and 60,000 forces.

Senator Byrd. While it hasn't been widened beyond the borders of Vietnam, it may be widened so far as the contributions of the American people are concerned?

Mr. McNaughton. It has intensified in that sense, that is correct.

Senator Byrd. Intensified both in regard to manpower and in regard to economic resources?

Mr. McNaughton. That is correct. And furthermore—a further correction on my original answer, Mr. Senator—the actions against Vietnam have been intensified in that period.

Senator Byrd. During that same period of two years, while the American ground forces were being built from 29,000 to 462,000 today, the harbor at Haiphong has been an open harbor insofar as cargo going to the Vietnamese enemy is concerned, is that correct?

Mr. McNaughton. That is correct, with minor modification, with some strikes on some minor facilities. The answer in substance is yes.

Senator Byrd. In other words, while the war has been greatly widened insofar as the American people are concerned in the way of combat troops, and in the way of economic resources, we have done nothing to shut off the supplies going through the harbor at Haiphong?

Mr. McNaughton. For practical purposes, that is correct.

Senator Byrd. Do you agree with that policy?

Mr. McNaughton. I support the President's decision not to—so far his position has been not to change that policy, and I respect his judgment in balancing the forces and coming out that way.

Senator Byrd. Do you see an end to the fighting in Vietnam within the next 12 months?

Mr. McNaughton. It could happen. But this is a probability. I think it is unwise for me to say something which could be taken out of context and apply it with over optimism or pessimism. There is a chance.

Senator Byrd. Do you see a long war?

Mr. McNaughton. We have already had a long war, Mr. Senator. And I believe the best chance for a short war is to be prepared for a long one. The best chance to shorten the war is to be dug in with absolute perseverance to see through a long war if necessary.

Senator Byrd. Is a long war in Vietnam to the advantage of the Soviet Union in your judgment?

Mr. McNaughton. This is similar, Senator, to a question put to Mr. Nitze. And I would answer about the same way, that I think that the Soviet Union on balance wants to see that war ended, but, A, not if she had to take steps to bring it to an end which would work to her disadvantage, and B, she would not want to end it if it came to an end on terms that would severely disadvantage her. And therefore the question can only be answered in terms of what the outcome is likely to be. I think the Russians would like to see the war brought to an end on terms that could conceivably be worked out.

Senator Byrd. Do you feel that with the United States so deeply involved in Vietnam, suffering heavy casualties, and fighting a very costly war from an economic point of view, that it is or is not to the advantage of the Soviet Union to keep it going?

Mr. McNaughton. I think that it is to their disadvantage to keep it going. And I would like to make this strictly a personal opinion, Mr. Senator, what I am about to give. This is strictly personal. I want to make sure that it is not connected with anybody's point of view.

Senator Byrd. In all of these I am seeking your own personal judgment.

Mr. McNaughton. I am labelling this clearly so that there is no misunderstanding.

Senator Byrd. I was hoping that all of this would be your judgment.

Mr. McNaughton. Yes.

But I want to make sure that this is understood on this point.

I suspect that the United States military power is greater today than it has ever been. And I think that the Soviets do not associate the war in Vietnam with an event which is weakening the United States in the way you applied your question. I have forgotten the final sentence of the way your question was phrased, but I do not think that they want to keep the war going in order to weaken us. I do not believe that.

Senator Byrd. You do not believe that. I must say that I am 100 per cent in disagreement with you.

Mr. McNaughton. I am sorry that we are in disagreement.

Senator Byrd. I respect your opinion.

To get back to my original question, to which I assume your answer would be no, the original was this: Is a long war in Vietnam to the advantage of the Soviet Union in your own personal judgment? I assume your answer is no to that question.

Mr. McNaughton. The answer is no, if they can bring it to an end in terms of their shaded area.

Senator Byrd. If they can accomplish all their objectives, perhaps they would like to. But assume they don't accomplish their objectives.

Mr. McNaughton. There are some minimum objectives they have. I don't know what they are, unfortunately. But I would suspect that they would like to see this war brought to an end within their minimum objectives. They do not have the problem that Secretary Nitze raised of their position in the world, and they cannot be in a position of running out on a colleague, nor of being put in an embarrassing position, vis-a-vis, China. They have a very complex problem to face, too. So I just can't answer your question yes or no.

Senator Byrd. I have been fearful that a great many individuals in high positions in our government have taken that view; that the Russians will not be advantaged by a long war. I can't help but believe that a long war logically from every point of view is an advantage to Russia. We are losing men every day. We have these great economic commitments to Southeast Asia, and the Russians have an opportunity to hit us elsewhere and stimulate adverse activity elsewhere as they did in the Middle East.

But anyway, your judgment may be right and my judgment may be wrong.

Mr. McNaughton. Let me add, Mr. Senator, that we do not in our behavior count on my being right or your being right in this regard.

Senator Byrd. I think it is very important, though, what is the real thinking of the men who have to make these vital decisions. And to me it is a matter of vital consequence whether or not they believe that a long war is to the advantage of the Soviet Union. And I can't help but see that a long war is to the advantage of the Soviet Union.

But if they don't feel that way, naturally they are going to make decisions differently from what they would otherwise.

Let me ask you this. In the capacity that you now hold, in your present capacity, how heavily do you rely on military judgment in your support as to military matters?

Mr. McNaughton. I rely very heavily on their judgment in military matters. More than one-third of my professional staff is military.

Senator Byrd. Do you think we are nearer to an end to the fighting in Vietnam than we were two years ago?

Mr. McNaughton. Yes.

Senator Byrd. Do you think that the strategy that the Defense Department has been using in Vietnam during the past two years has been successful?

Mr. McNaughton. Not yet.

Senator Byrd. Is there a difference of opinion between civilian and military leaders in the Defense Department as to the conduct of the Vietnam war?

Mr. McNaughton. I can't answer that question in a simple way. There are differences of opinion in lesser or more detail within the military, within the civilian side, and obviously within the whole Department. There is a general consensus as well, one might suspect, as to how the war has been fought, I think, to date. I am not denying that there are differences of opinion. But we don't think they break the way you have broken them.

Senator Byrd. Do you think the time has come when we should take a new, hard look at the strategy we have been using in Vietnam as a result of our last two years experience?

Mr. McNaughton. The answer to that is yes, but only in the sense that I think the time comes about every two or three months to do that. And this, I think, is a periodic exercise which the President in a sense asks his advisers to do. And the question is not too meaningful in that sense, Senator. Because the commitment of the United States in blood and wealth is so great that I could answer that question yes at almost any point in time.

Senator Byrd. As an important adviser, do you think the time has come for basic changes in our policy?

Mr. McNaughton. No, sir.

Senator Byrd. Mr. Secretary, I want to thank you for coming here today. I don't want to detain you except for another moment. I just feel that I should say, as one member of the Senate, that I do believe that the type of war that we have been fighting in Vietnam and the policy that we have been pursuing in regard to it has lengthened the war, and has increased our casualties.

I realize that you have a different viewpoint. And I respect your viewpoint. But I just wanted to express the view of one individual. And I believe very strongly that it is to Russia's advantage that we continue to sacrifice men and money and material and everything else in the Far East. And for that reason I don't believe that you are going to find her unduly cooperative. But there again it is not a question of motive or objective, it is just a question of judgment. And your judgment might be right. And I hope my judgment is wrong.

Mr. McNaughton. I did not say that I expected them to be unduly cooperative. I do not expect them to be cooperative.

Senator Byrd. But you do not agree with my assertion that a long war in Vietnam is to Russia's advantage, you do not agree with that assertion?

Mr. McNaughton. I cannot agree with that.

Senator Byrd. Thank you very much, Mr. Secretary.

U.S. AIR FORCE

The assistant legislative clerk read the nomination of Maj. Gen. Robert A. Breitweiser to be lieutenant general.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. NAVY

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

DEPARTMENT OF JUSTICE

The assistant legislative clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations in the Department of Justice be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE AIR FORCE

The assistant legislative clerk proceeded to read nominations in the Air Force, beginning with Marcos E. Kinevan for appointment as Permanent Professor, U.S. Air Force Academy, and ending with Thomas F. Ziemer, to be first lieutenant.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE ARMY

The assistant legislative clerk proceeded to read nominations, beginning with Gene P. Abel, to be first lieutenant, and ending with Linus P. Zins, to be first lieutenant.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified immediately of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate resumed the consideration of legislative business.

GI JOE MEETS GI NUN

Mr. MANSFIELD. Mr. President, two nuns, 14 college girls, and the thousands of GI's they met on a USO tour of U.S. military bases in Germany are the cast of characters in a book entitled "GI Nun," which will be published this summer by P. J. Kenedy & Sons, here.

The story of the tour is told by Sister Mary Xavier, B.V.M., chairman of the speech and drama department of Clarke College, Dubuque, Iowa, to Robert C. Healey, a professional writer living in New York City.

The tour, sponsored jointly by the American Educational Theatre Association and the USO, covered 13,000 miles in the summer of 1964. The troupe, consisting of 14 of Sister Xavier's students, gave 51 performances of their 90-minute review, Coffee House Theatre, to an audience of over 35,000 GI's.

Sister Xavier and Sister Jeremy, the show's technical director, are the first nuns ever to take a show on tour for the USO, and quickly became known to the GI's as the "girls in black." The GI's probably expected a hymn-singing session when they saw the nuns, Sister Xavier notes in her book, but instead were served, according to the Armed Forces newspaper, Stars and Stripes, "modern dance, jazz, blackouts and improvisations that delighted the most hard-bitten GI."

According to Sister Xavier, the American soldier was the most memorable part of her tour.

> We were warned before we left the United States that a GI audience can be rude, crude and even obscene—

She recalls.

> Yet we found that when we expected the best from these men, they responded accordingly.

In spite of her genuine admiration for these boys, Sister Xavier does not hesitate to give examples throughout her book of the unique problems that beset the peacekeeping GI.

Besides its job of entertaining, Coffee House Theater brought America to the GI's. After breaking through the soldiers' tough "you gotta show me" attitude, the girls sang, danced, and performed their skits and improvisations, until, in dazzling formal gowns and long white gloves, they sang the finale and went over the top—across the footlights and into the audience to mingle with the GI's.

Said one soldier:

> Most performers do their stuff on stage and disappear. You're the first people to treat us as if we were human.

This summer, Sister Xavier and her Coffee House Theater will again go on an AETA–USO tour, this time covering the military bases of the Northeastern Command, which includes Labrador, Greenland, Iceland, and Scotland. The publication date of "GI Nun" will coincide with the start of the tour.

Sister Mary Xavier was born and raised in Chicago, took her B.A. from Mundelein College there, and taught speech and drama at Englewood Public School before entering the novitiate of the Sister of Charity, B.V.M., in Dubuque. She studied at the Catholic University of America under Walter Kerr, Leo Brady, Alan Schneider, and Father Gilbert Hartke, O.P., eventually receiving her M.A. in speech and drama. In 1949 she was appointed to her present position at Clarke College.

Coauthor Robert C. Healey has written for the stage, radio, and TV. He worked for several years with the late Urban Nagle, O.P., founder of New York's Blackfriars Guild, which produced his documentary play, "Shake Hands With the Devil." During World War II he served 3 years in Europe with the Army Historical Section until his discharge with the rank of major. His book reviews and articles have appeared in the New York Herald Tribune Book Review, America, and the Providence Journal.

Mr. President, inasmuch as my wife attended Clarke College in Dubuque, Iowa, when it was called Mount Saint Joseph's, and because of the great personal interest both of us have in Clarke and its future, as well as appreciation for its past, and because of our recognition of what these girls and Sister Mary Xavier have done in bringing comfort, hope, and entertainment to our troops in the European theater, I ask unanimous consent that various excerpts from the magazine Time and other material may be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Time magazine, Sept. 4, 1964]

LEARNING FOR LEISURE

"Few women reach middle life without a heartache," says the prospectus of Clarke College, so Clarke sets about to head off the heartache. The small Roman Catholic girls' school in Dubuque, Iowa, accepts the commonplace theory that fledging a family of children can leave a woman with too much time and a painful lack of purpose. Consequently, Clarke trains its girls to become, as President Sister Mary Benedict explains it, "the heart, the educated heart, not only of the home but of communities outside the home."

One-third of the 69 sisters on Clarke's faculty of 84 have doctorates, and one-third of its seniors go on to graduate school. In the past five years, four Clarke girls won Woodrow Wilson fellowships and two received Fulbrights. Yet for all but a few students, the future means marriage and a family. "If women are not to cheat themselves," warns Sister Mary Benedict, "they must learn to use leisure so that it will produce self-growth, self-deepening, self-discipline."

INTELLECTUAL UNFOLDING

Training for leisure at Clarke is a fulltime occupation. The liberal arts curriculum includes a political science course on political parties and pressure groups taught by a man who should know: Robert Horgan, a Ph.D. from Notre Dame who is also mayor of Dubuque. Twelve hours of philosophy and 14 hours of theology are required, but the academic atmosphere is far from rigid. "A freer academic atmosphere is opening up," says Edmund Demers, a lay member of the faculty. "In the old days, Catholic schools were more concerned with virtue than intellectual achievement. We're still concerned with virtue, but we see college as an intellectual unfolding." A philosophy student says that the most stimulating books she read all year were by Jewish Philosopher Martin Buber. The Catholic Index of Forbidden Books is frequently ignored. "Religion permeates everything," says Art Major Kay Kurt, "but you don't hear God, God, God all the time."

According to campus legend, the founders of Clarke arrived at Dubuque by riverboat in 1843 bringing a grand piano with them. The creative arts have played a central role at the college ever since. The girls are bored with traditional music, preferring to hear concerts by Jazzman Dave Brubeck, or to put on their own performances of Virgil Thomson's *Medea* or Leonard Bernstein's *Trouble in Tahiti*. Bold, colorful abstract painting, sculpture, ceramics and mosaics by students and faculty are everywhere on campus, reflecting Demers' concept that art "is the flesh of every aspect of life." In drama as in the fine arts, the results are vigorous and venturesome.

"The Deputy"

Clarke's Coffee House theater, a twelve-girl troupe, is currently on a Defense Department tour of U.S. Army bases in Europe, accompanied by two nuns. Last week they played Munich with a revue of songs and blackouts so lively and worldly that, said one G.I., "only on second thought did you notice that this is a clean show." Campus productions include not only classics and Broadway shows, such as *The Diary of Anne Frank*, but theater-of-the-absurd plays such as *Zoo Story* and *The Bald Soprano*, and next year selections from *The Deputy*. Though some Clarke alumnae have become career actresses, teachers care less about professionalism than awakening imagination.

"The fine arts satisfy the natural cravings for the good, the true, the beautiful," says Sister Mary Benedict, who used to head Clarke's psychology department. "Women must not only be helpmates and companions to their husbands, chauffeurs and counselors of their children, but intelligent, generous participants in affairs of church and state."

[From Time magazine, Sept. 18, 1964]

INDEX AT CLARKE

SIR: As the ever amazed husband of a "Clarke girl," I want to congratulate Time for pointing out the outstanding training granted to students at Clarke College [Sept. 4]. It was a fine article describing a fine school.

JOHN R. REILLY,
Commissioner, Federal Trade Commission.
WASHINGTON, D.C.

SIR: Your story attractively reflected the intellectual, cultural, spiritual and social climate of our community of scholars at Clarke College. To clarify one point: our faculty does not ignore the Index or Canon 1399 (which condemns en bloc certain classes of books). The Archbishop of Dubuque respects the intellectual acumen and the prudence of our faculty in judging the competence of certain students to read restricted books. In upper-division courses, our more mature students read and freely discuss specific reserved works of Hobbes, Descartes, Locke, Rousseau, Sartre—but only after written permission has been secured from the Chancery Office.

Sister MARY ANNE, B.V.M.,
Chairman, Philosophy Department, Clarke College.
DUBUQUE, IOWA.

THE PANAMA TREATIES

Mr. MANSFIELD. Mr. President, in the focus of the country's interest on issues of war and peace in more remote parts of the world, the President's recent announcement of a major achievement in the conduct of our foreign relations may have been overlooked. I refer to the announcement on Monday June 26 of the agreement on a new treaty with Panama to replace the original Panama Canal Treaty concluded in 1903 and the supplementary treaties negotiated in 1936 and 1955.

The 1903 treaty has been a source of friction and controversy from the inception of the canal enterprise. Efforts to solve the problems arising out of the treaty on a piecework basis have been unsuccessful and 2 years ago the President announced his intention to meet the situation head on by negotiating a completely new treaty. It was announced then that general agreement had been reached with the President of Panama that the new treaty would recognize Panama's sovereignty over the area of the present Canal Zone and would provide that Panama would share with the United States in the management of the canal and in the benefits from the existence of the canal. These have been the major points of dissatisfaction arising from the older treaties and the announcement last Monday indicates that a mutually satisfactory formula has been developed in the negotiation of a new treaty. This is a development of tremendous importance to the United States which may prove to be one of the outstanding accomplishments of this administration.

In addition to the treaty relating to the operation of the present canal the President also announced agreement on treaties concerning the defense of the canal and its neutrality and possible construction of a new sea level canal.

The importance of the Panama Canal as an artery of world commerce increases with every passing year. In the fiscal year that ended June 30, 1966, a total of 12,601 oceangoing ships passed through the canal carrying 85 million tons of cargo, a new record. During the first 11 months and 20 days of the current fiscal year, 12,977 ships transited the canal surpassing the record set last year.

The canal has always been a great operational success but the continued existence of points of friction with the Government of Panama, arising out of the old treaties, has caused embarrassment to the United States in its relations with Panama and the other countries of the Western Hemisphere out of all proportion to this Government's interest in maintaining the exclusive rights granted by those treaties. New agreements that will assure continued efficient operation of the waterway and at the same time recognize Panama's legitimate interest in the operation of this important facility will place the United States in a far stronger position than it has enjoyed under the old treaties.

Mr. President, I ask unanimous consent that an editorial which appeared in the Washington Post on June 28, 1967, entitled "The Panama Treaties," be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PANAMA TREATIES

Agreement of the United States and Panama on drafts of the new canal treaties represents a formidable achievement by the negotiators and a potential boon of immense significance for their countries. Only three years ago, canal passions were running so hot that violence splattered over the Canal Zone, and the United States and Panama briefly broke their diplomatic ties.

To move from that moment of mutual political bankruptcy to a point where trusted representatives of both sides have agreed on the shape of their common future is deeply reassuring. Panama can be pleased that what for it is the central national question is moving toward resolution. The United States can be gratified that, by treating a small neighbor with respect, it has won tentative agreement on issues of major concern.

The old 1903 treaty, let us recall, was a product of Teddy Roosevelt's arrogance. It gave this country rights "in perpetuity" over the sovereign territory of another state. By 1964 the treaty was a scandal and a stigma for both countries. Riots broke out in the Zone that January. Fortunately, President Johnson recovered quickly from the shock and, in agreeing to make a new treaty, pledged to abrogate the old one and henceforth to give effective recognition to Panama's sovereignty over the Zone.

The negotiating teams headed by Robert B. Anderson and Fernando Eleta produced drafts of three treaties. Their details won't be made public until sent to the respective legislatures for ratification but their outlines are already clear.

The first covers the continued operation and improvement of the existing canal. The problem was to reconcile Panamanian interests of payment, personnel and pride, with American interests of commerce and hemispheric security.

The second concerns a new sea-level canal, and reflects the American wish to obtain an option to build and run a new canal in Panama, at a place and by means of its own choice, and the Panamanian wish to influence the conditions under which a new canal would be dug on its soil.

The third treaty details the conditions on which the United States can use Panamanian territory for its military installations, those for defense of the canal (and Panama) and those for its other military missions in the hemisphere.

Until the treaties' terms are made public, no one can say how either legislature will react to them. It is all too certain, however, that in both countries, rigid super-nationalist elements will attack them as a sellout. In the American case, these elements look back fondly on the big-stick days of 1903. In Panama, they enjoy inflaming the canal issue for radical political purposes.

President Johnson and President Robles entered the negotiations with high courage and good faith. The treaty drafts deserve, in our view, the most sympathetic consideration in both countries. For Panama, its very future as a viable nation is at stake and for the United States, its strategic situation and its good name.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the benefit of the Senate I wish to state that the order of business beginning on Monday, July 10, will be, first, the legislative appropriations bill. It is very possible, if not certain, that there will be rollcall votes on that measure. That will be followed by the Atomic Energy Commission authorization bill, and it will be followed by the truth-in-lending bill. The first two proposals will be in the order announced, and then there will be taken up the Great Salt Lake National Monument bill (S. 25), the election of the Governor of the Virgin Islands (S. 450), and the air quality bill. Therefore, the Senate should be on notice that there will be very important legislation, and perhaps additions to this list, when we come back. We should be prepared to come back on Monday, July 10, prepared to work and prepared to hold committee meetings, and to be here for votes to be undertaken.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Illinois [Mr. PERCY] is recognized.

ECONOMIC STRENGTH

Mr. PERCY. Mr. President, if the United States is to fulfill its international and domestic commitments, it must operate from a position of economic strength. I speak today, on the eve of a new fiscal year, because I fear a new round of rising prices and high interest rates which would once again impose a harsh burden on the American people.

There is confusion over the prospective size of the fiscal 1968 deficit.

This week the Senate passed a bill raising the Federal debt limit by $22 billion, with an additional temporary increase of $7 billion scheduled for next year. Chairman MILLS of the House Ways and Means Committee has said we may face a 1968 budget deficit of almost $30 billion. Although Chairman Ackley, of the Council of Economic Advisers, insists that January estimates of a $13.5 billion deficit are still in line, Secretary of the Treasury Fowler admits that it could go over $20 billion.

There is equal confusion about the administration's tax policies.

On Monday of this week, Federal Reserve Board Chairman William McChesney Martin suggested that the administration's recommended tax increase requires prompt action and, further, that a 6-percent surcharge might not be high enough. Chairman Martin has indicated he favored a similar increase in Federal taxes last year. However, because no tax increase was enacted, monetary policy of a restrictive nature was required to slow runaway inflation. Today, many sectors of the economy, particularly housing, are just beginning to recover from those days of scarce money and high interest rates.

Apparently the administration still wants the surcharge. But when does it want it to become effective? The July 1 date originally set for enactment of the surcharge has been quietly buried. And does it want 6 percent, or more? And how will it be applied? Equally to individuals and corporations, or will one be asked to bear a heavier burden?

On Tuesday of this week, Chairman Ackley, of the Council of Economic Advisers, appeared before the Joint Economic Committee. As a member of the committee I heard him subjected to searching inquiry on such questions. If anything, Chairman Ackley's replies add to the uncertainty over the administration's fiscal proposals. While he strongly pressed the need for an "appropriate" tax increase, he refused to say how much was wanted or when it should become effective.

I believe the administration should develop its tax recommendations only after revising its 1968 spending estimates. While budgetary and economic considerations may make a tax increase necessary, the decision to raise taxes cannot be made lightly. High taxes can exert a drag on economic growth, and have an adverse impact on costs, incentives, and the standard of living.

The American taxpayer already carries a staggering burden of taxation in spite of the 1964 reductions in Federal rates. Higher State and local taxes, as well as steadily rising Federal payroll taxes, have held down the growth in disposable income. Per capita tax receipts of Federal, State, and local governments have been rising sharply. The per capita tax burden rose from $600 in 1956 to $899 in 1966.

I do not mean to suggest that the American people are unwilling to accept these burdens—or even heavier ones—if necessary to meet our commitments and to maintain a healthy economy. But at the very least, they deserve an honest effort by their Government to reduce or stretch out all nonessential Federal spending.

Are expenditure cuts economically defensible? There is no point in tightening the fiscal 1968 budget if, as a result, the economy were to slip into recession or a period of prolonged slow growth. Recession or slow growth not only means fewer job opportunities, but also lower revenues and possibly even larger budget deficits.

Since the beginning of this year, the economy has been at a standstill. It is still adjusting itself to a more sustainable rate of growth after the inflationary boom of 1966.

However, there are strong indications that without greater budget restraint a new period of inflationary growth may be ahead.

Monetary policy has moved to an extremely expansionary position since last fall.

Total bank credit is increasing at a rate of almost 15 percent this year—one of the largest increases on record.

Fiscal policy is the most expansionary in nearly a decade.

Actions already taken or proposed will contribute even more fiscal stimulus. There has been a major tax reduction: the restoration of the investment tax credit. Another tax cut will occur next spring with the scheduled reduction in auto and telephone excise taxes. The President's proposal to increase social security benefits will increase Treasury cash payments in fiscal 1968 by nearly $4½ billion, but will be offset by proposed new revenues amounting to only one-half that amount in calendar 1968.

There are already signs of recovery within the private sector. Housing starts are up. Auto sales are up. There are indications that the lag in retail sales will soon be over.

As the private economy accelerates, the stage will be set for a new inflationary boom. Rising civilian and government wage demands will reinforce the cost pressures that are already an inflationary element in the current economic situation. Rapidly rising costs will squeeze profits, increasing the likelihood of substantial price increases.

A failure to exercise fiscal restraint poses still another threat. The size of the budget deficit now widely anticipated for fiscal 1968 will require massive new Federal financing, perhaps as much as $16 billion in the second half of calendar 1967. The impact of such Federal borrowing could drive interest rates to levels even higher than during the severe credit squeeze of 1966, a result of an unwillingness last year to face fiscal facts and take necessary action. A similar feature now could threaten the foundation of our prosperity.

Fiscal responsibility above all requires reductions in spending that would, like a tax increase, reduce the prospective deficit.

However, the outlook for Federal expenditures is uncertain. The question of military expenditures accounts for much of the uncertainty. This fiscal year, defense spending was $10 billion higher than the administration predicted. Last year the administration underestimated by $6 billion. These miscalculations led to skepticism over the estimates for fiscal 1968.

Authorities in the field more experienced and wiser than I, who in the past have successfully predicted the level of defense spending, have said that fiscal 1968 military expenditures will be at least $4 to $6 billion higher than the administration has estimated. And even this estimate could be conservative if the war in Vietnam is sharply escalated.

While we have seen occasional signs of economy in the management of our Government, neither the administration nor the Congress has faced the realities of our national situation. Every dollar of Federal spending is not equally vital. Every dollar spent does not yield equal benefits in relation to costs.

Both Democratic and Republican members of the Joint Economic Committee believe that it is desirable and possible to make budget reductions totalling $5 billion or $6 billion. Sixteen of the 20 members of the committee specifically urged these reductions last March.

This was not a call for a reduction in current spending levels, but in the fiscal 1968 budget proposals. Even if the $5 billion reduction recommended by the Joint Economic Committee were made, the level of fiscal 1968 expenditures still would be $3.3 billion higher than expenditures in fiscal 1967.

Increases in spending have been sufficiently documented by many others. However, there is one statistic that I will bring to your attention: In the period between fiscal 1965 and the estimate for fiscal 1968, cash budget outlays will rise $50 billion. This is a 12 percent annual rate of increase, or almost three times larger than the economy can grow at full employment.

But where can cuts be made? Obviously, while we are at war, the needs of defense must be met. However, even during World War II, Congress sought out and eliminated waste in the Military Establishment. A similar effort is required today. A tighter defense budget need not mean a weaker Military Establishment.

In the nondefense area, there are many budgetary items not essential to economic growth or national welfare. We in the Senate Space Committee have just trimmed the appropriation of the National Aeronautics and Space Administration by one-quarter of a billion dollars. Huge outlays on public works and construction should be deferred or stretched out. In a period when food scarcity is replacing yesterday's food surpluses, the Department of Agriculture budget also offers possibilities for cutbacks in spending.

An immediate review of Federal spending policies should be made. I urge a three-point program for such review:

First. Establish priorities among Federal programs;

Second. Review Federal responsibilities to determine which ones could be better performed at the State and local levels; and,

Third. Search for areas in which the private economy would effectively assume some of the functions now undertaken by the Federal Government.

While I consider each point important to an orderly reduction in Federal spending, I am particularly concerned with involvement of the private sector in solving national problems. I urge prompt development of new efforts in this area. There are inspiring examples of such projects in the fields of housing, child care centers, and job training. Similarly, I would hope the proposal to make the postal system more private in management and control would be closely examined.

The Federal Government is not the only element of our society that is dedicated to solving the problems of the Nation. The private citizen, the businessman, and the labor leader are prepared to accept their share of responsibility along with Government. We have an obligation to take advantage of their desire and ability.

Ultimately there is little hope of significantly reducing Federal spending without the leadership and support of the executive branch. For the executive not only recommends the level of new appropriations, but once the appropriations are made, it controls the rate of expenditures other than those established by law.

There is no hope of significantly reducing Federal spending unless the legislature exercises the wisdom, courage, and initiative that characterizes good management in the governmental sector as well as the private sector.

If the Federal Government hopes to preserve a strong economy, the executive and legislative branches must act less hypocritically about spending than they have in the past.

This does not mean that the administration or Members of Congress are irresponsible in proposing new programs or even increasing some others. Conditions and changing circumstances in a dynamic society constantly require change. But it does mean that greater discipline must be exercised in reducing others or even eliminating some programs that our changing society makes less necessary.

In conclusion, if the Congress is going to enact larger and larger appropriations, then it should not complain about enlarging the Federal debt or increasing taxes.

The executive must not issue forecasts which camouflage harsh fiscal realities to discourage congressional spending cuts.

The administration should immediately disclose the budgetary outlook and its own policies to promote stability. This requires a resubmission of its fiscal 1968 expenditure proposals. Satisfied that everything possible is being done to reduce expenditures, I would favor a tax increase to cut back the current deficits.

Our economic strength is essential to our own security and that of the free world. The course now embarked upon, inflation, rising interest costs, and staggering deficits will not insure us the necessary degree of strength. With resolution and a greater sense of purpose, we can get back on course.

Mr. HATFIELD. Mr. President, with his usual clarity and great understanding, the distinguished Senator from Illinois has provided us with a prescription for the kind of leadership needed to restore this country's economic balance.

He has accurately described the unwillingness of the administration to face up to the Nation's fiscal realities.

The Senator has charted a course for legislative responsibility as well. I commend him for his courage.

The people of Oregon are particularly sensitive to this fiscal irresponsibility. The threatened increase in interest rates will mean the continued sluggishness of the housing market which in turn has its extremely disastrous effect upon the State's timber economy. More mills will close; more men will become unemployed.

I have urged the administration to recognize these signs of economic imbalance and take appropriate action.

I commend the Senator from Illinois for his excellent analysis of our economic problems and for the forthright solutions he has offered.

The PRESIDING OFFICER (Mr. Brooke in the chair). Under the previous order, the Senator from Nebraska [Mr. Hruska] is recognized.

Mr. HRUSKA. Mr. President, first I should like to commend the Senator from Illinois for his very timely and thoughtful message on a subject that will certainly receive increasing attention as the session of Congress proceeds.

It has been heartening to observe the conduct and activity of the junior Senator from Illinois. The statement he made today is one of the major efforts he has made so far in contributing to the work in the Senate. However, it has also been observed that, on the Joint Economic Committee, he has brought a steady tone, a clear voice, and constructive thinking. I hope the message he brought to us this morning will be seriously considered as an outline for action in the several fields to which he called attention, action which certainly is deserved.

NEW WEAPONS NEEDED IN WAR AGAINST ORGANIZED CRIME

Mr. HRUSKA. Mr. President, the vitals of American society are threatened with the cancerous growth of organized crime in this country. J. Edgar Hoover has described it as "filth with a vile stench," and "the personification of every lawless evil."

He and other responsible law enforcement officials throughout the country have pleaded for public support for their attempts to deal effectively with this scourge. Too often the response has been indifference and apathy.

For those who care to learn the facts, the nature of this threat is easily ascertainable. The public record contains many efforts to study and do something about this menace. In 1950, Attorney General McGrath called a conference on organized crime. In the same year the American Bar Association established a special study commission.

Congress has devoted painstaking study to the subject dating from the early fifties when a Special Committee to Investigate Organized Crime in Interstate Commerce was created in the Senate. Several years later, the Senate Select Committee on Improper Activities in the

Labor or Management Field conducted an exhaustive study.

The Senate Permanent Subcommittee on Investigations continued this work under the leadership of the distinguished senior Senator from Arkansas [Mr. McCLELLAN].

The McClellan subcommittee held hearings concerning gambling and organized crime in 1961. Eighty-nine witnesses were heard. Thirty-three of these invoked the privilege of the fifth amendment. In 1963 and 1964, hearings were held concerning organized crime and illicit traffic in narcotics. These consisted of 15 days of hearings with 54 witnesses. Extensive material concerning La Cosa Nostra was placed in the hearing record based on the testimony of Joe Valachi.

Annually the Director of the Federal Bureau of Investigation has reported to Congress in testimony before the respective Appropriations Subcommittees of the House and Senate.

Most recently, the President's Commission on Law Enforcement and the Administration of Justice devoted an entire chapter in its report to this subject. In addition, numerous studies have been made at the State and local level.

So the record is detailed and documented, but congressional and public response has been spotty at best. While efforts to control it continue unabated, organized crime extends into so many areas of endeavor that, on balance, it appears that we are barely holding our own.

NATURE OF ORGANIZED CRIME

Organized crime in the United States is a tightly knit and strictly disciplined criminal cartel. The largest organization is, of course, La Cosa Nostra.

This criminal tyranny has been found according to Director Hoover, to control the major racket activities in many of our major metropolitan areas. It operates on a nationwide basis and even across international borders. Until the spotlight of national attention was focused upon this group by Senate investigating committees and others, it carried on its nefarious activities with almost complete secrecy. It is bound by its own body of "law" and "justice," which is not responsive to the control or authority of established legal institutions.

La Cosa Nostra has a well-defined organizational structure. It is broken down into geographic or population groups, each group referred to as a "family." Often there is a well-defined chain of command similar to the military. Top leaders in each "family" consist of bosses, underbosses, counselors—"consiglieri"—varying numbers of "caporegima" or captains. The general cadre are often referred to as "soldiers," amico nostro—friend of ours—or, in some cases, "button man." The soldiers carry out missions or assignments from superiors ranging from running errands to contract murders. They are the organization's enforcement arm.

Nationally the most powerful and feared bosses make up the ruling body of La Cosa Nostra. This group is known as "the commission." The commission presides over about two dozen "families" operating throughout the country. In all, the total membership in these "families" exceeds 5,000 with more than 2,000 in the New York area alone.

This group has been found to be the dominant criminal group in this country. It works closely with leading racket figures from a variety of other groups. Mr. Hoover contends that—

> Taken as a whole, La Cosa Nostra, operating in concert with other less important racket groups, presents a serious threat to the well being of our society.

Mr. President, the President's Crime Commission Report contains an organizational chart of an organized crime family that is most appropriate. I ask unanimous consent that it be inserted in the RECORD at this point.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Is there objection? The Chair hears none.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

An organized crime family

- Boss:
  - Consigliere (counselor).
  - Underboss:
    - Caporegima (lieutenant) (5):
      - Soldiers (members grouped under lieutenants):
        - Through threats, assault, and murder enforce discipline over members, nonmembers, and fronts on order from leader. Corrupt police and public officials. Exercise control in multi-State area.
        - With and through nonmember associates and fronts participate in, control, or influence—
          - Legitimate industry: Food products, realty, restaurants, garbage disposal, produce, garment manufacturing, bars and taverns, waterfront, securities, labor unions, vending machines, and others.
          - Illegal activities: Gambling (numbers, policy, dice, bookmaking), narcotics, loansharking, labor racketeering, extortion, alcohol, and others.

ORGANIZED CRIME'S PENETRATION INTO LEGITIMATE BUSINESS

Mr. HRUSKA. The illegal activities of organized crime—gambling, narcotics, loan sharking, prostitution, extortion, and the rest—generate tremendous amounts of gross revenue, mostly in cash. Estimates of this take run into the many billions of dollars annually. Substantial, though unknown, amounts of this money are then funneled into legitimate business.

Virtually no area of the economy is free of organized crime activity. Barbershops and brokerage houses, real estate and restaurants, construction and housewrecking, garbage removal and garment manufacturing, vending and coin machine operations—especially cigarettes and jukeboxes—entertainment and sports, have been infected by the hoodlum influences.

Recent testimony before the Criminal Laws Subcommittee by the district attorney of a major metropolitan jurisdiction reveals that organized crime in this one area alone had attempted to infiltrate and take over the area's barber shops, garbage collection, jukeboxes, and even retail milk distribution. In each of these instances, large amounts of cash coupled with threats of violence, extortion, and similar techniques were utilized by mobsters to achieve their desired objectives: monopoly control of these enterprises.

Oftentimes loan sharking activities are the entering wedge. Sometimes called "shylocking," loan sharking not only produces great amounts of cash for the hoodlums, but is often a vehicle by which they obtain control of business enterprises. In some cases, public records show, loan sharks have forced businessmen who have borrowed from them to place one or more of the henchmen on the company payrolls. This is often the first step toward the eventual takeover of a company. In one operation in the midwest, a hoodlum forced a small businessman who had accepted a loan to place him on the company payroll at a "salary" of $1,000 per month. This "salary" covered only the interest on the loan and did not apply to principal.

No holds are barred when it comes to collection methods. Debtors have been subjected to severe physical beatings and maimings or have even been put to death. Others have been coerced through threats against their families or friends.

In recent weeks the financial journals have carried stories of current investigations involving manipulation of listed stocks on a major exchange by persons with known underworld ties. A simple but effective procedure was followed. First, an established brokerage house would be penetrated by the placing of a customer's man with a criminal background. Then, miraculously, almost overnight, the new man would become a top producer and attract "customers" with substantial funds available for investment. From there, target companies would be selected, then substantial and carefully controlled purchases of stockholdings negotiated. Then proven techniques would be utilized to run up the selling price of the affected stock. False rumors would be circulated as to potential earnings or new product developments. Mergers and acquisitions, real or imagined, were promoted. When stock values soared to desired levels, profit-taking would occur. Then the helpless management, stockholders, and creditors were left holding the bag.

Numerous other examples could be cited, but the following extract from the President's Crime Commission is pertinent:

> Today, the kinds of production and service industries and businesses that organized crime controls or has invested in range from accounting firms to yeast manufacturing. One criminal syndicate alone has real estate interests with an estimated value of $300 million. In a few instances, racketeers control nationwide manufacturing and service industries with known and respected brand names.

The Commission also identified at least four methods by which control of legitimate business has been acquired. These are:

First. Investing concealed profits acquired from gambling and other illegal enterprises.

Second. Accepting business interests in payment of the owner's gambling debts.

Third. Foreclosing on usurious loans.

Fourth. Using various forms of extortion.

Also, more sophisticated techniques are known. One organized crime group offered to lend money to a business on condition that a racketeer be appointed to the company's board of directors and that a nominee for the lenders be given first option to purchase the company's stock if a public sale were made. The criminal groups also collect on defaulted loans by acquiring control over businesses and then devise a bankruptcy fraud or collect on fire insurance after the tangible assets of the business have been deliberately destroyed by arson.

The President's Crime Commission has concluded that "too little is known about the effects on the economy of organized crime's entry into the business world," but suggested that the harm done to the public at least suggests how criminal cartels can undermine free competition. The ordinary businessman is hard pressed to compete with a syndicate enterprise.

Mr. President, an excellent article appeared in the U.S. News & World Report some time ago which documents the ways in which organized crime infiltrates legitimate business. I ask unanimous consent that this article be inserted in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

THE USE OF THE ANTITRUST LAWS TO FIGHT ORGANIZED CRIME

Mr. HRUSKA. The recent report of the President's Crime Commission contained this comment:

> Law enforcement's way of fighting organized crime has been primitive compared to organized crime's way of operating. Law enforcement must use methods at least as efficient as organized crime's.

Organized crime, which takes billions of dollars—mostly in cash and mostly untaxed—annually from the American public, has broadened its operations by infiltrating and taking over legitimate businesses. Once organized crime has entered a legitimate business, it oftentimes uses its great power and resources to secure a monopoly in the field.

With its extensive infiltration of legitimate business, organized crime thus poses a major threat to the American economic system. The proper functioning of a free economy requires that economic decisions be made by persons free to exercise their own judgment. Force or fear limits choice, ultimately reduces quality, and increases prices. When organized crime moves into a business, it brings all the techniques of violence and intimidation which it used in its illegal businesses. Competitors are eliminated and customers confined to sponsored suppliers. Its effect is even more unwholesome than other monopolies because its position does not rest on economic superiority. Law enforcement here is complicated in most of the ways noted above in the areas of illegal businesses.

The threat of organized crime to our business economy as well as to our entire fabric of life is so great that we must make effective use of all available resources in the task of combating organized crime. It must not be said that we had the tools and failed to use them.

PROVISIONS OF EXISTING ANTITRUST LAWS

The existing antitrust laws appear to possess certain features which render them appropriate for use against organized crime.

Section 1 of the Sherman Act makes illegal "every combination, combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce among the several States or with foreign nations"—15 USC 1.

Section 2 of the Sherman Act provides that "every person who shall monopolize or attempt to monopolize or combine or conspire, to monopolize any part of the trade or commerce among the several States" is engaging in an illegal enterprise—15 USC 2.

Violation of either of these sections is punishable by imprisonment of up to 1 year or a fine of up to $50,000 or both.

In addition to criminal penalties, the antitrust laws provide for civil enforcement. Private parties who are injured by conduct violation of the antitrust laws may bring actions to recover three times their losses, plus their attorney's fees—15 USC 15.

In a private damage suit, the fact of a prior Government antitrust judgment involving the same conduct may be used as prima facie evidence that the antitrust laws have been violated—15 USC 16.

Witnesses testifying before a grand jury about antitrust violations are given immunity from prosecution—15 USC 32.

The antitrust laws provide for discovery of facts by means of the grand jury process in criminal investigations, and by means of a civil investigative demand by the Justice Department in civil actions—15 USC 1312.

The above cited provisions appear to be applicable to many organized crime activities.

APPLICATIONS OF ANTITRUST LAWS

In *United States* v. *Bitz*, 282 F. 2d 465 (2d Cir. 1960), the court of appeals sustained an indictment under section 1 of the Sherman Act. In this case, the antitrust laws were used to combat activities of racketeers who were engaged in an unlawful combination and conspiracy in restraint of trade in the wholesale distribution and sale of newspapers and magazines in the New York City area. The conspiracy operated by means of strikes and strike threats to coerce distributors to pay the conspirators sums of money. Those who refused had their shipments of newspapers and magazines interfered with. Convictions were subsequently obtained as a result of the indictment.

In *United States* v. *Pennsylvania Refuse Removal Ass'n*, 357 F. 2d 806 (3d Cir. 1966), cert. denied, 384 U.S. 961 (1966), defendants were engaged in a conspiracy to restrain trade in refuse removal, which operated in part by means of the coercion of nonmembers of the conspiracy. Criminal convictions were upheld on appeal in this case.

And, in *Los Angeles Meat & Provision Driver's Union* v. *United States*, 371 U.S. 94 (1962), the antitrust laws were used in a civil case to attack and enjoin a conspiracy in the sale of yellow grease which was enforced in a coercive manner.

In light of the increasing magnitude of organized crime's interference with legitimate business, it seems appropriate that the Senate Subcommittee on Antitrust and Monopoly conduct an investigation to determine the best means whereby the antitrust laws could be used more actively and more effectively in the fight against organized crime. Such an investigation could also be used to discover what, if any, additional legislation is needed to make the antitrust laws effective against organized crime.

As a vehicle for seeking ways to apply this field of statutory law to organized crime, I introduce today two bills on behalf of myself and several other Senators. Also, companion bills are being introduced in the other body by the gentleman from Virginia, Mr. Poff, and several of his colleagues on the House Republican task force on crime.

The first bill, S. 2048, would make the use of intentionally and deliberately unreported income derived from one line of business in another line of business a violation of the antitrust laws. This would enable the antitrust law enforcement agencies to act promptly to discover the source of funds by means of discovery techniques, and add the sanction of private treble damage suits. Thus, organized criminal activity in legitimate businesses could be attacked before its anticompetitive effect had an opportunity to destroy the business.

By limiting its application to intentionally unreported income, this proposal highlights the fact that the evil to be curbed is the unfair competitive advantage inherent in the large amount of illicit income available to organized crime.

Such a provision would be analogous to the doctrine that if a patent is misused beyond the scope of the patent grant or is employed to coerce competitors, the patent becomes unenforceable against infringers and constitutes illegal monopolization under the antitrust laws. For example *Switzer Brothers, Inc.* v. *Locklin*, 297 F. 2d 39 (7th Cir. 1961), cert. denied, 369 U.S. 851 (1962).

The second bill, S. 2049, would prohibit the investment in legitimate business enterprises of income derived from specified criminal activities—especially those criminal activities engaged in by members of organized crime families such as gambling, bribery, narcotics, extortion and the like. A full range of criminal and civil sanctions which now exist in our antitrust laws would be made available to enforcement officials and to persons adversely affected by such investments.

The antitrust laws now provide a well established vehicle for attacking anticompetitive activity of all kinds. They contain broad discovery provisions as well as civil and criminal sanctions. These extraordinarily broad and flexible remedies ought to be used more extensively against the "legitimate" business activities of organized crime.

It may well be that these bills I introduce will not be necessary. It may develop during hearings that adequate machinery exists at the present time in existing law to protect legitimate business against the ravages of organized crime. However, if this is not the case, Congress should be advised promptly so that early consideration can be given to these or other measures which may appropriately deal with this vital field of such unfair and predatory competition.

SPECIAL ASSISTANCE TO STATE AND LOCAL JURISDICTIONS TO COMBAT ORGANIZED CRIME

The President's Commission on Law Enforcement and the Administration of Justice made several significant observations concerning the efforts of State and local jurisdictions to combat organized crime. It found that—

> No State or local law enforcement agency is adequately staffed to deal successfully with the problems of breaking down criminal organizations. . . . Local police are hampered by their limited jurisdiction, and law enforcement has not responded by developing sufficient coordination among the agencies.

The Commission found that tactical rather than strategic intelligence gathering was most often engaged in by local enforcement agencies for the immediate objective of prosecution. Thus, significant gaps in knowledge occurred in the ways in which criminal cartels organize and operate as a business. If a body of strategic intelligence information were developed in the various affected jurisdictions, agencies would be better able to predict what directions organized crime might take and how to cope more effectively with them.

The Commission observed that when information is obtained very often there is little or no cooperation with other jurisdictions exchanging information with each other.

The Commission recommended that the attorney general of every State where organized crime exists should form a special unit of attorneys and investigators to gather information and assist in prosecution relative to organized crime. The Commission found that the police departments of every major city should have special intelligence units concentrating on organized criminal activity and prosecutors should be equipped with sufficient manpower assigned full time to organized crime cases.

The Commission also recommended that the Federal Government should create a central intelligence office utilizing computers and other sophisticated data-gathering and related techniques. Also, special Federal financial assistance should be available to encourage development of the above-recommended activities at the regional, State and local levels.

In order to carry forward these recomendations, I am introducing amendment—No. 223—to the administration's crime control bill—S. 917—to provide such assistance.

In those States and political subdivisions thereof which have significant organized crime activity, there would be authorized Federal financial assistance for the purposes of: First, developing State plans to combat organized crime; second, establishing or supporting State and local organized crime enforcement agencies; and, third, establishing systems for organized crime intelligence centers.

These functions would be carried out under the supervision and control of State organized crime prevention councils.

ELECTRONIC SURVEILLANCE

Testimony of respected law enforcement officials before the Senate Criminal Laws Subcommittee indicated that the use of electronic surveillance was an essential tool in efforts to combat organized crime. District Attorney Frank S. Hogan of New York has described the techniques as "the single most valuable weapon in law enforcement's fight against organized crime." Unfortunately, this valuable and proven technique has been the subject of much controversy and confusion. Last year in testimony befor the subcommittee, former Attorney General Katzenbach stated:

> Since 1940, every Attorney General has construed the act as not prohibiting wiretapping as such, but as prohibiting the interception and disclosure or use for personal benefit of the information so obtained. Because of the prohibition on disclosure, information obtained as a result of a wiretap cannot be used by State or Federal authorities for the purpose of prosecution.
>
> I agree with my predecessor that the present law regarding wiretapping is intolerable. In fact, I would go so far as to state that it would be difficult to devise a law more totally unsatisfactory in its consequences than that which has evolved from section 605.

Certainly, nothing has occurred in the interim to change this intolerable situation.

While there is legitimate and real concern over the threat to the right of privacy which can be posed by indiscriminate and uncontrolled use of wiretapping and/or bugging, it is imperative that some action be taken. A majority of the President's Crime Commission recommended that Congress should enact legislation dealing specifically with wiretapping and bugging. In its task force report on organized crime the Commission offered specific recommendations in this regard.

It is my conviction that with proper safeguards and controls proposed by Federal and State statutes, electronic surveillance can be a most useful and effective tool. Accordingly, I am introducing a comprehensive bill to achieve that objective.

The bill has the following major features:

Private utilization of wiretapping and bugging would be flatly prohibited.

Federal authorities would be authorized upon the obtaining of Federal court orders pursuant to application of the appropriate U.S. attorney, to conduct electronic surveillance in investigation of specified crimes involving national security and serious criminal offenses.

At the State level, electronic surveillance would be authorized pursuant to State statute and upon order of a court of general jurisdiction.

An elaborate system of checks and safeguards would be established whereby criminal and civil remedies would be available to prevent abuses and unauthorized surveillance by public officials and private persons.

BERGER VERSUS NEW YORK

On June 12, Mr. Justice Clark delivered an opinion of the Supreme Court in the case of *Berger* v. *New York*—No. 615—October term 1966. This opinion struck down the New York State permissive wiretapping law and set forth judicial standards to be applied in the formulation of any new statute dealing with the subject of wiretapping or eavesdropping.

This decision has been carefully reviewed and has been taken into full consideration in the drafting of the bill which I now introduce. As I understand, Mr. Clark's opinion sets forth the following standards:

First. There must be a neutral and detached authority interposed between the police and the public; that is, orders for interception of the communications falling within the privilege of the fourth amendment must be issued upon the order of an impartial judge of competent jurisdiction.

Second. Probable cause must exist where the facts and circumstances within the knowledge of the official requesting the order and of which he has reasonably trustworthy information, are sufficient unto themselves to warrant a man of reasonable caution to believe that an offense has been or is being committed.

Third. The warrant must particularly describe the place to be searched and the persons or things to be seized.

Fourth. The specific crime which has been or is being committed must be identified.

Fifth. Precise and discriminate procedures must be spelled out for issuance of the order.

Sixth. The order must relate to specific conversations sought so as not to be construed to give authority for a general warrant.

Seventh. Prompt execution of the warrant must be accomplished.

Eighth. There must be probable cause for the continuation of the order.

Ninth. There must be termination date for order once the conversation sought is obtained.

Tenth. There must be a requirement for notice—apparently within a reasonable time—to the person against whom the order has been issued.

Eleventh. There must be a provision for a return on the order.

While the opinion is critical of the time period authorized in the New York statute—60 days with 20-day renewals—there is no suggestion as to what period might be acceptable if the order related to specific conversations for specific crimes. It is assumed that a 45-day period as provided in S. 2050 would be reasonable as long as the order is related to specific conversations and specific crimes enumerated in the bill.

It would not be possible for a law enforcement official requesting authorization for an interception order to know in advance when the conversation sought will actually occur, with the possible exception of a few isolated instances. Thus, the possibility arises of the interception of unrelated communications.

But extraneous information is also

observed and obtained by a police officer conducting a physical search of a premise or on a continuous "stake out" or "tail" of a person under surveillance. In these situations nonrelated or extraneous information and evidence is not admissible unless it relates to the offense for which the warrant has been issued.

Of course, unrelated conversations would not be admissible evidence and their misuse or disclosure would be subject to prescribed criminal and civil remedies.

In all, every effort has been made to respond to the criteria set forth in the opinion and to develop a proposal, which, if enacted, would comply fully with these requirements.

FEDERAL CRIMINAL REVISION ACT

Finally, Mr. President, I introduce an omnibus measure containing several needed and overdue changes in the procedural provisions of the Federal Criminal Code.

This bill S. 2051, contains six reforms:

First. Authority for a Federal arresting officer to make a reasonable search of the person being arrested as well as the immediate area within the person's presence under four specified conditions;

Second. Authority for Federal enforcement officials to seize property located within an area for which a search warrant has been granted by the appropriate Federal judge or commissioner;

Third. Authority for Federal enforcement officials to make forcible entry without "knocking" if authorized by the appropriate Federal judge or commissioner upon a finding that the property sought may be quickly destroyed;

Fourth. Authority for the Government to appeal from a court order for the return of seized property or to suppress evidence;

Fifth. A general provision granting immunity to witnesses in Federal criminal proceedings in exchange for the compelling of testimony or the production of evidence;

Sixth. A revision and modernization of the present provisions relating to perjury and false statements.

Several of these provisions implement recommendations of the President's Crime Commission. Others carry forward the recommendations of Senate subcommittees which have previously studied these problems.

CONCLUSION

Mr. President, the bills I introduce today are intended to serve a single purpose: To help rid our country of the insidious threat of organized crime. I welcome the support and guidance of all those Senators who share my concern. I welcome the support and counsel of Congressman RICHARD POFF and his colleagues in the other body who have devoted serious and painstaking study to the subject.

Taken together, the proposals are meant to marshal the best efforts of America's people and its political and social institutions against a common enemy.

The President's Crime Commission has observed that organized crime succeeds only insofar as the Nation permits it to succeed. We can tolerate this blight on our free society no longer.

EXHIBIT 1

[From the U.S. News & World Report, Mar. 30, 1964]

HOW CRIMINALS SOLVE THEIR INVESTMENT PROBLEM

By latest official estimates, organized crime in America is now producing "an annual income of billions."

And the crime bosses, faced with the problem of what to do with their illegal wealth, are moving ever deeper into a variety of legitimate businesses.

The problem is emerging as one of urgent concern to federal, State and local authorities all across the United States.

In recent months, it has been discovered that mobsters with long criminal records are infiltrating multimillion-dollar business enterprises. These include banks and Wall Street brokerage houses, big real estate syndicates, sizable corporations serving the public in many ways.

One clear fact emerges: The underworld's invasion of legitimate enterprises has become big business. Racketeers—many of them associated with the underworld secret society known as the Mafia—now have so much illegally acquired money that they're hard-pressed to find ways to put it to work profitably.

Consequently, much of the criminal world's excess capital is flowing into legitimate fields.

From officials and authoritative sources in Washington and other cities, "U.S. News & World Report" obtained a picture of how organized crime is gaining control of more and more U.S. businesses:

Real estate: In New York City alone, U.S. District Attorney Robert M. Morgenthau estimates, underworld investments in real estate run into "hundreds of millions."

Mafia members are major stockholders in a group operating two famous skyscraper office buildings, according to Mr. Morgenthau. "This is a third-of-a-billion-dollar operation," he said.

One of the alleged participants is a particularly notorious criminal—head of a Mafia "family" blamed for numerous murders. He was one of the hoodlums arrested at a convention of racketeers at Apalachin, N.Y., in November, 1957.

Activities of this real estate group are being probed by the U.S. Senate's Permanent Subcommittee on Investigations, headed by Senator John L. McClellan.

Gangsters also are said to be large holders of shares in one of the best-known skyscrapers in Manhattan.

In New York, at least one well-known hotel is owned outright by criminals, U.S. officials said. Gangsters also own hotels and motels in Miami and Miami Beach, Las Vegas, Detroit, Chicago and other cities. Law-enforcement officers in other large cities throughout the country can name important properties owned by known criminals.

In Tucson, Ariz., two mobsters named before the McClellan Committee as Mafia leaders acquired blocks of downtown business property and acres of other real estate officials said. Vigorous police action finally drove them out of Tucson.

Another identified leader of the Chicago Mafia has large real estate holdings—including hotels—in Chicago, Las Vegas and other cities.

Banks: Enforcement officials believe racketeers and gamblers have gained a foothold in many large banks through stock purchases. They attempt to use their position as stockholders to obtain special favors—and often succeed.

In Detroit, one medium-sized bank, now under investigation, is owned outright by "the mob," a Washington official said.

"It is known as the 'hoodlums' bank,'" the official stated. "We have reason to believe that it makes unsecured loans to Mafia leaders. It lets them open big accounts through fictitious names or dummies—no questions asked. It has a tieup with large business interests controlled by the Mafia."

In Miami, an almost identical situation is said to exist in a bank, also under official scrutiny. And in New York City alleged gangster control of at least two banks is being investigated.

"We have evidence of one bank officer making highly questionable loans to Eastern racketeers," a Justice Department official said.

As far back as 1950, the Senate Investigating Committee headed by the late Senator Estes Kefauver learned that a New Jersey gambling ring had bought a large block of stock in a New York bank. Thereafter, it used this bank as its clearing house for checks obtained in payment of gambling losses. These checks ran into millions of dollars.

A Chicago police official told the Committee: "In the past few years they [criminals] are becoming very active in the finance industry, particularly in small-loan companies, in banks."

Securities: Official files are bulging with instances—including convictions—of penetration of brokerage offices by gang-connected racketeers. Some involve firms with previously spotless reputations. Others are "boiler room" operations, set up to unload worthless stocks through high-pressure sales tactics.

"All in all," a Washington official said, "frauds in which the underworld and the financial world are linked have bilked the public of many millions."

Sometimes the "stocks" peddled by racketeers through brokerage offices are worthless certificates in nonexistent companies.

One Brooklyn mobster, sentenced to jail for frauds in connection with Wall Street operations, also has interests in real estate and other "legitimate" businesses. Among other things, investigators say, he manufactures eyeglasses that are sold through a labor union's medical fund.

Recently, federal investigators have begun looking closely at every case involving a major financial scandal. They have found links to the Mafia or to Las Vegas gambling interests in many multimillion-dollar frauds.

Garment industry: The dress-manufacturing business, centered in New York, long has been known to be overrun with racketeers. Many have become millionaires.

Investigators attribute these successful operations to the fact that many of these racketeers run nonunion shops. This keeps their costs well below those of nonracketeer competitors.

The racketeers keep the unions out of their shops, investigators say, by hiring Mafia killers and strong-arm men as "labor consultants."

U.S. Attorney Morgenthau, with the aid of the Federal Bureau of Investigation, presented evidence recently to a federal grand jury on New York Mafia activities. One of his main cases involves an alleged Mafia boss who owns interests in a string of dress factories in New York and Scranton, Pa., and is said to be a multimillionaire.

Other businesses: As the chart on this page shows, mobsters are in many legitimate businesses. So far as is known, they have not taken over large industries such as heavy manufacturing. But, from time to time, the underworld manages to penetrate the fringes of heavy industry.

A number of years ago, the Kefauver Committee discovered, mobsters from Cleveland, Ohio, put up part of the money to finance a merger of two steel companies. This underworld association since is said to have been dissolved.

A leading auto manufacturer, "U.S. News & World Report" was told, has been able to cut its former ties with a car-hauling company in which a New Jersey gangster was a major owner.

One alleged leader of the Detroit Mafia at one time had a close connection with a stove works in Detroit. He also had a lucrative contract for the factory's scrap metal. He now is in the auto-wash and filling-station business.

Sudden emergence of sons or sons-in-law of Detroit Mafia racketeers as contractors for scrap-metal handling at big Detroit plants is commonplace.

In Detroit alone, Mafia members have infiltrated legitimate businesses worth at least 50 million dollars, George Edwards, then police commissioner of that city, told the McClellan Committee. He named 98 businesses which can be traced to the Mafia. Many of the Mafia leaders live in Grosse Pointe, a residential district favored by Detroit's top industrialists.

A figure named by police as one of the five "dons" who comprise the Mafia's ruling council in Detroit has many legitimate business connections. These include a wholesale produce company with gross annual sales in the millions, a large baking company, a coach line, and a large beer distributorship.

Commissioner Edwards also named a race track operating near Detroit, and testified: "We think there is a major influence on [the race track] from the top echelon of the Mafia, and that some of the proceeds of this million-dollar-a-year operation undoubtedly are available for Mafia purposes."

The fields of entertainment and sports—big business in the U.S.—also are heavily infiltrated by the underworld, a Justice Department aide said.

Hoodlums—who are they? Who are these hoodlums who have invaded U.S. business? How do they operate?

The Mafia and other criminal gangs exist in every sizable city in America. New York, Chicago, Philadelphia, Detroit, Cleveland, St. Louis, Boston, New Orleans, Pittsburgh, Buffalo, Kansas City, Miami and Miami Beach, Tampa, Providence and Las Vegas are known to investigators as the centers.

Many of the richest gangsters of today made their millions in the old prohibition days. Then repeal and income tax prosecutions ended that era.

Now the big money in crime, officials say, is made in gambling, narcotics and "loan-sharking"—the lending of money at exorbitant interest rates. These illegal activities provide the billions which the underworld is funneling into legitimate businesses.

When a businessman falls behind on his payments to a loan shark, the gangster often simply takes over the business.

The new image: In the new world of gangster-businessmen operations, the gangster has taken on a new image. As a rule, the top-level gangster no longer is a crude, flashily dressed, fast-living character. More often, he wears Ivy League suits. He lives quietly, often in the best residential communities, and sends his children to select colleges. Sometimes he hires public-relations firms to add luster to his image.

"We have 50 important Mafia leaders living in Nassau County on Long Island," District Attorney William Cahn told "U.S. News & World Report." "They live circumspectly, in houses costing upward of $75,000. They take part in civic projects and are liberal with their charitable contributions.

"They all claim they are respectable businessmen. Until we began exposing them, many citizens did not know that they were narcotics pushers, gamblers, labor racketeers, blackmailers and panderers, with hired killers to do their dirty work."

Officials say that criminals often have "devious reasons" for entering legitimate businesses. Often they want the business as a respectable "front" for their illegal activities.

"Criminals are smarter now about income tax matters," an investigator said. They try to show enough 'legitimate' income on their tax returns to cover up their illegal income and keep out of trouble."

War on crime: Director J. Edgar Hoover of the FBI views the underworld's vast invasion of the legitimate business world as a menace. He says it enables criminals to gain a "respectable front" for their illicit activities.

Within the Department of Justice, Attorney General Robert F. Kennedy has strengthened the organized crime and racketeering section of the criminal division. An intelligence unit has been set up. It draws on the resources of more than 25 federal enforcement agencies. These include the FBI, the Securities and Exchange Commission, and the Treasury Department, including the Internal Revenue Service, Secret Service, Narcotics Bureau and Customs.

Selected police departments throughout the country also co-operate. In return, they receive information from the Government.

"We keep track of 1,100 racketeers," says William G. Hundley, chief of the rackets section.

Thus, a constant battle is being pressed forward by the nation's law-enforcement agencies. Its aim: to bring under control what the U.S. Attorney General calls "the increasing encroachment of the big businessmen of the rackets into legitimate business."

Here is a list—gathered by U.S. News & World Report from official sources—of the types of legitimate business in the U.S. invaded by organized crime:

Banks, stockbrokers and real estate operations, including management of office buildings, apartment houses, residences and commercial property.

Hotels, motels and restaurants.

Mortgage and loan companies, factoring firms, insurance brokers.

Interstate and local trucking, interstate automotive hauling, leasing of trucks, cars, charter boats, automobile and truck sales, bus lines, taxicabs, garages, filling stations, parking lots, car-wash companies.

Ranching and farming, riding stables.

Construction, housewrecking, paving, engineering, hoisting, plastering, carting, garbage and waste removal, landscaping, coal and fuel oil, coppering, metal shops, aluminum anodizing, die-casting, cable companies, scrap metal, waste paper, warehousing.

Women's and men's clothing manufacturing, undergarments, draperies, awnings, carpets, linen supply, optical goods, prefabricated doors, aluminum storm windows, miscellaneous manufacturing.

Vending and coin-machine operations—especially cigarettes and juke boxes. Also, companies which distribute records to juke boxes, and small recording companies.

Entertainment and sports, through management of performers and athletes, theatrical agencies, and ownership of night clubs and bars. Also, drive-in theaters, race tracks, bowling alleys, pool halls, hat-check concessions in clubs and theaters.

Liquor, beer and wines, wholesale and retail; breweries, nonalcoholic beverages.

Cheese, olive-oil and coffee importing; fruit juices and dairy products, vegetables, meats, fish, bakery products, pizzas, and other foods, wholesale and retail.

Newspaper distribution, photographic processing and supplies, printing plants, surplus-sales outlets, laundries, dry cleaners, barber shops, barber and beauty-supply houses, novelties, antiques, miscellaneous retail shops.

Trade schools and barber colleges, travel agencies, funeral parlors.

One gangster-undertaker is believed to have used his funeral limousines for illegal activities.

Known criminals also have bought heavily into a wide variety of large publicly owned corporations through stock purchases.

Mr. PERCY. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I am happy to yield to the Senator from Illinois.

Mr. PERCY. I should like to ask a question, prefaced by a statement.

Having lived all my life in the city of Chicago, Cook County, that has been beset with problems of organized crime, I am deeply concerned by the organized crime problem. I understand the profits from gambling alone, available to the criminal elements of this country, are in excess of $6 billion a year, a figure which exceeds the combined profits of the three largest corporations in this country. Essentially they are tax-free profits.

Does the Senator from Nebraska feel that the pendulum of our system of criminal justice has swung too far away from the public's right to protection from the criminal element?

Mr. HRUSKA. There has been thinking that perhaps that is the case.

It is difficult, of course, to assess the entire situation; but we find example after example of cases where the theoretical, legalistic, constitutional rights of an individual are pressed to a point that leaves the community and the public at large almost helpless in certain areas. There seems to be a firm foundation for believing that the Senator is justified in asking that question, and that the answer would be in the affirmative.

There has been a loss of balance, in the judgment of many students of this problem, between the rights of the individual on the one hand and the right of survival of society on the other.

Mr. PERCY. Will the Senator from Nebraska yield for a brief comment on those remarks?

Mr. HRUSKA. I certainly will.

Mr. PERCY. I agree with the Senator's answer, and I would state that while I am in sympathy with the administration's approach, to provide Federal aid programs to help local law enforcement, it is not enough to simply throw money at the crime problem. In my opinion no defendant has a right to be tried under an unbalanced, often outdated system of laws. Now, in the judgment of the Senator from Nebraska, is not the objective of the Criminal Procedure Revision Act we are introducing today to balance society's right to enforcement of its criminal laws?

Mr. HRUSKA. That is correct. That is its principal thrust. In the near future we shall have hearings before the Subcommittee on Criminal Laws and Procedures. Those hearings are scheduled, Mr. President, during the week of July 10. That thrust will have a substantial impact on the direction of the testimony to be heard.

Mr. PERCY. I commend the distinguished Senator from Nebraska [Mr. HRUSKA] for his incisive statement. I am happy to have been associated with him in the effort to perfect a series of bills which take effective aim on the large but elusive target of organized crime in America. As one who represents an area which in both legend and fact is a stronghold of the nationwide crime syndicate, I commend also the distinguished Senator from Arkansas [Mr. McClellan], whose work in this area with that of his Investigations Subcommittee has been indispensible to what progress has been made in recent years in attempting to curb the activities of organized crime.

Mr. President, I ask unanimous consent that an address by Mr. Lewis F. Powell, Jr., be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PERCY. Mr. Powell, a former president of the American Bar Association and a member of the President's Commission on Law Enforcement and Administration of Justice, delivered these remarks at a recent meeting of the business council at Hot Springs, Va. A member of the Organized Crime Task Force Panel of the Commission, Mr. Powell concludes in his speech that—

> The greatest crime challenge to our free society is organized crime.

One illustration he includes to support this thesis is worthy of special attention: the estimated annual profit to organized crime from gambling alone—at $6 to $7 billion per year—is greater than the combined net profits of our three largest corporations.

Mr. President, one has only to pick up the paper, in my own city of Chicago or almost anywhere, to read in detail of the activities of the leaders of the organized crime syndicate. They are walking examples of an increasingly prevalent view, among many of our youth, that crime may well pay.

Responsibility for particular crimes can be traced to the door of the syndicate, where abruptly the trail disappears behind the ironbound security of a highly disciplined organization. Frequently, the terrorist or killer involved is well known to police through underground information. But the word of the grapevine—however reliable—is not evidence, and gangland convictions are exceedingly hard to come by. Our methods of procuring reliable evidence, therefore, must be modernized and made more effective.

Consider but one example of Chicago's organized crime problem. Since 1919 there have been over 1,000 unsolved gangland killings. Compare this with the national statistics that 91 percent of all murders are cleared through arrest, and you can better understand that a threat of violence from the syndicate implies a swift, sure sanction if compliance with syndicate orders is not forthcoming.

In March 1966, the President of the United States made an arresting statement to the Congress and the Nation in a special message on crime:

> The most flagrant manifestation of crime in America is organized crime. It erodes our very system of justice—in all spheres of government. It is bad enough for individuals to turn to crime because they are misguided or desperate. It is intolerable that corporations of corruption should systematically flaunt our laws.

This year the President's Commission on Law Enforcement and Administration of Justice issued a landmark document on the nature and scope of organized crime. Anyone who reads chapter 7 of the Commission's report, and studies the subsequent Task Force Report on Organized Crime should be sobered by the detailed description of a nationwide outlaw government that divides the country into areas, from which select groups or families have an exclusive on terror and plunder.

Notwithstanding these and other similar expressions of concern, Mr. President, the Commission's report concluded—at page 200:

> Law enforcement's way of fighting organized crime has been primitive compared to organized crime's way of operating. Law enforcement must use methods at least as efficient as organized crime's. The public and law enforcement must make a full-scale commitment to destroy the power of organized crime groups.

The President, in his message, "The War on Crime" and in the legislation introduced to prosecute that war dealt principally with Federal assistance to State and local law enforcement.

The legislative proposals I have sponsored today—and may I state that I am reserving judgment at this time on the electronic surveillance measure—are designed to make more effective the battle against organized crime. They should be subjected to the most careful scrutiny by the Members of the Senate. The Criminal Procedure Revision Act follows closely the recommendations of the President's Commission which are fully documented in the Commission report, chapter 7. The proposals to bring the antitrust laws to bear on the organized crime menace, and respond to present methods of syndicate operation.

If this Nation can spend $25 billion a year to better assure freedom of political choice for 14 million people of South Vietnam, 11,000 miles from our shores, it can afford to spend more ingenuity and financial and human resources to provide a greater freedom from fear for over 193 million people right here at home.

Mr. President, I yield the floor.

Exhibit 1

Organized Crime—Challenge to a Free Society

In a message announcing the creation of the National Crime Commission in 1965,[1] the President said: "Crime has become a malignant enemy in America's midst".

THE SHAMEFUL FACTS

In this, and in subsequent addresses the President has emphasized the now familiar—and shameful—facts. There has never been a time when there were more serious crimes against persons and property. Crime is increasing several times faster than population growth. Juvenile crime is a national disgrace, with nearly 50% of all arrests involving youths 18 years of age and under.

More than two and three-quarter million serious crimes were reported in 1966, and this startling figure is grossly understated because for every crime which makes the record books there are two or more which remain unreported.

The statistics of crime only become meaningful in terms of people. The President has said that "crime—the fact of crime and the fear of crime—marks the life of every American". There are the victims who suffer injury, loss of property, and even death. There is also the staggering economic loss to our nation.

Perhaps the most degrading effect of mounting crime is the fear which it generates. Citizens are afraid to walk the streets at night. Our public parks are often deserted. It has been said, without too much exaggeration, that fear of crime is turning us into a nation of captives "imprisoned behind chained doors, double locks and barred windows".

It is paradoxical indeed that these conditions exist in America today. We enjoy more prosperity, more productivity, more education and more progress in science and technology—than at any other time in all history. Nor are we concerned only with material things. There is more genuine concern by man for his fellow man, more determined efforts to wipe out poverty and disease, and far more progress in minimizing discrimination and injustice—than at any other time in all history.

Yet, despite this unprecedented material progress and the equally unprecedented humanizing of our attitudes toward less fortunate people, the crime rate continues to spiral upward. At the same time, there is a disquieting eroding of respect for law and due process.

This, in capsule summary, is the situation which prompted the creation of the President's Commission. The task assigned, of determining causes and proposing solutions, was obviously impossible in any absolute sense. There is no more complex problem confronting mankind, and it is by no means unique to our country.

THE COMMISSION'S REPORT

The Commission, with 19 members, 63 staff members, and more than 200 consultants, and with the assistance of the FBI and other agencies of government, worked intensively for a period of 18 months. A massive report was submitted to the President in February 1967.

The Report makes some 200 specific recommendations—steps which could lead to a safer and more just society. They relate to basic changes in the operations of police, the courts and our system of corrections. They deal with juvenile delinquency.[2] They call for far greater anti-crime effort by government at all levels and all citizens.

But this is hardly the occasion to discuss detailed recommendations. Rather, it seems more useful to consider a specific major problem. The greatest crime challenge to our free society is organized crime. I thought it might be of special interest to this distinguished group to consider this particular challenge.

ORGANIZED CRIME

Despite Congressional investigations and much talk, the public generally has only the vaguest conception of organized crime, what it is, and what it does. The term evokes, for the average person of our generation, an image of gang warfare (largely in Chicago) and perhaps of Al Capone being sent to jail for income tax violation because the law was too bumbling to convict him of murder and extortion.

The difficulty is that organized crime is largely invisible. The Commission described it as:

"An organized society that 'operates outside of the control of the American people and their government. It involves thousands of criminals, working within structures as complex as those of any large corporation, subject to (private) laws more rigidly enforced than those of legitimate governments. Its actions are not impulsive, but rather the result of intricate conspiracies, carried on over many years and aimed at gaining control over whole fields of activity in order to amass huge profit'."[3]

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[1] The Commission's legal name is "National Commission on Law Enforcement and the Administration of Justice".

[2] The recommendation for Youth Service Bureaus is one hopeful result of this study.

The objectives of organized crime are power and money. The base of its activity is the supplying of illegal goods and services—gambling, narcotics, loan sharking, prostitution and other forms of vice. Of these, gambling is the most pervasive and the most profitable. It ranges from lotteries (such as the numbers racket), off track betting, and organized betting on sporting events, to illegal gambling casinos. In the large cities of our country, few gambling operators are independent of organized crime groups.

No one knows the total take from illicit gambling. The best estimates available to the Commission indicated an annual profit of perhaps $6 to $7 billion per year. This illegal, non-taxed income is greater than the combined net profit last year of AT&T, General Motors and Standard Oil of New Jersey[4]—the three largest corporate giants in this country.[5]

The importation and distribution of narcotics, chiefly heroin, is the second most important activity of organized crime. The estimated annual profit is some $350 million. This enterprise is organized much like a legitimate importing, wholesaling and retail business. The heroin, originating chiefly in Turkey, is moved through several levels between the importer and the street peddler. The markup has no parallel in legitimate business. Ten kilos of opium, purchased from a Turkish farmer at $350, will be processed into heroin and retailed in New York for $225,000 or more. This cost to the addict, usually an unemployed slum dweller, makes it almost necessary that he steal regularly to support his addiction. The disastrous effect of drugs on those who become addicted is well understood. There is far less understanding of the extent to which drug traffic promotes other crimes.

The third major activity of organized crime is loan sharking. Operating through an elaborate structure, large sums of cash are filtered down to street level loan sharks who deal directly with borrowers. Interest rates vary widely, with 20% a week not being unusual. The loan sharker is more interested in perpetuating interest payments than in collecting principal. Force and threats of force of the most brutal kind, are customarily used—both to collect interest and to prevent borrowers from reporting to the police.

In all of these illicit operations the "customers"—in reality the victims—are the people least able to afford criminal exploitation. They are the poor, the uneducated and the culturally deprived; in the great cities, where organized crime flourishes, the victims come largely from the ghettos. Their number is legion.

But organized crime's expanding activities are not limited to illicit goods and services. To an increasing extent, and with the profits from these activities, organized crime is infiltrating legitimate businesses and unions. In some cities, it dominates juke box and vending machine distribution. Its ventures range from laundries, restaurants and bars to funeral homes and cemeteries. Through the use of force and intimidation, monopolies in the service or the product are frequently established and maintained.

The full extent of this penetration of legitimate business is not known. But it is national in scope and increasing steadily, with some nationwide manufacturing and service industries already believed to be under racketeering control.[6]

The basic core of organized crime in this country consists of 24 groups, operating as criminal cartels. Originally known as the Mafia, they are now called La Cosa Nostra. The 24 groups are loosely controlled at the top by a national body of overseers. J. Edgar Hoover describes the organization as follows:

"La Cosa Nostra is the largest organization of the criminal underworld in this country. . . They have committed almost every crime under the sun . . .

"La Cosa Nostra is a criminal fraternity whose membership is Italian either by birth or national origin. It has been found to control major racket activities in many of our larger metropolitan areas . . . It operates on a nationwide basis . . . and until recently it carried on its activities with almost complete secrecy. It functions as a criminal cartel, adhering to its own body of 'law and justice'.

"The twenty four groups, each known as a 'family' vary in size from as many as 700, to as few as 20. Each group is tightly organized and carefully structured—to assure loyalty, discipline and efficiency, and particularly to protect the upper echelons from the law."

At least two aspects of organized crime characterize it as a unique form of criminal activity. The first is systematic corruption—usually by bribery of police and public officials.

The second is rigid discipline, maintained through the position of "enforcer". It is his indelicate duty to maintain undeviating loyalty by the maiming and killing of recalcitrant or disloyal members.

The efficiency of these professional enforcers is such that even the federal government, in organized crime prosecutions, can protect witnesses only by almost total confinement. Indeed, it has been necessary—to protect witnesses from this retribution—to change their physical appearances, change their names, and even to remove them from the country. Incredible as it seems, this a measure of the impotence of our law enforcement.

WHY ORGANIZED CRIME LIVES ABOVE THE LAW

Why is it that we are so helpless in the face of such arrogance and criminality? This question received the most careful attention by the Commission. We found a number of reasons:

1. *Lack of Resources.* Effective investigation and prosecution of organized crime require heavy commitments of time and resources by experienced manpower. The necessary commitment of resources has simply not been made—by the federal government or any state or local government.

2. *Lack of Coordination.* Organized crime is national in scope. Our system of law enforcement is essentially local. The FBI makes a valiant effort to encourage—it cannot command—cooperation and coordination. But itc resources are too thin, and the local response is often uninformed—and sometimes already corrupted.

3. *Absence of Strategic Intelligence.* Fighting organized crime is a form of warfare—against an enormously rich and well-disciplined enemy. Police intelligence is usually tactical, being directed toward a specific prosecution. The greater need is for true strategic intelligence on the capabilities, intentions and vulnerability of organized crime groups.

4. *Failure to Impose Adequate Sanctions.* The penalties imposed by law and the courts are usually inadequate to deter this type of crime. One difficulty is that the leaders are seldom brought to court. This causes judges, perhaps understandably, to be reluctant to impose stiff sentences on the underlings. Bookies, for example, are rarely jailed. In my view, a far sterner form of justice must be meted out—whether the guilty defendant is a lowly bookie or a syndicate head.

5. *Lack of Public and Political Commitment.* Much of the urban public wants the services provided by organized crime. This tends to blunt the sort of demand, by an outraged public, which would assure more effective law enforcement. Moreover, there is frequently the corrosive effect of bribery and corruption which reaches into government itself.

6. *Difficulty in Obtaining Evidence.* I have saved until last the single most important reason why organized crime flourishes beyond the reach of the law. This is the difficulty of obtaining evidence, admissible in court, for conviction of its leaders. There is no secret as to the identity of many of these leaders. Their names are known to the police, the press and often to the public. They live in luxury, are often influential in their communities, and even become the subject of admiration—especially by the young and witless. They are living proof that crime does pay in America.

Yet, these known robber barons of the mid-20th Century are rarely brought to justice because our system of law handicaps itself. These handicaps take many forms. Some are rooted in our Bill of Rights, as construed and enlarged by the courts.

THE NEED FOR ELECTRONIC SURVEILLANCE

This morning I shall speak only of one of these limitations: namely, that which effectively prevents the use against these criminals of modern scientific methods of detection. I refer, of course, to wiretapping and bugging.

Organized crime, astutely taking advantage of our self-imposed restraints, operates largely through unwritten communications—word of mouth and the telephone. Records so familiar to legitimate business are never maintained. Massive gambling operations, in particular, are conducted nationwide through telephonic communications.

Under present federal law, we have the insensible anomaly of permitting wiretapping, provided the information obtained is not publicly used—in court or elsewhere. There is no federal law with respect to bugging. State laws vary widely—both as to wiretapping and bugging—with doubt still existing whether federal law preempts the field. In sum, the present legislative situation is—as the Commission found—intolerable.

Congress is currently debating a new federal law. There are, broadly, three positions: (i) electronic surveillance by law enforcement should be permitted, and the product used in evidence, without restraint other than constitutional limitations; (ii) such surveillance should be denied to law enforcement entirely, except only in espionage cases; or (iii) it should be allowed against major crime, upon court order and subject to carefully defined limitations.

We rightly cherish the privacy of citizens in their conversations. Indeed, unless substantial privacy exists the very fundamentals of free speech are threatened. Unrestrained wiretapping would be bad enough, but bugging is an even more repulsive form of intrusion. Progress in electronics permits conversation to be bugged at distances of hundreds of feet and through the most miniaturized and ingenious devices. Certainly, no serious thought should be given to granting unlimited right to eavesdrop.

At the other end of the spectrum of this argument, the view is strongly held that privacy is too dear a right to be entrusted even to judicial discretion, and that the only solution is absolute prohibition—under any and all circumstances—of the use of wiretapping or bugging to combat crime.

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[3] Crime Commission Report, 187.

[4] AT&T, $1,987,943,000; General Motors, $1,793,391,691; Standard Oil of New Jersey, $1,090,944,000.

[5] Crime Commission Report 189; Report of the New York State Commission of Investigation, entitled "Syndicated Gambling in New York State" (1961).

[6] Nor have the unions escaped the grasping hand of organized crime. Control of labor provides unique opportunities for stealing union funds, extorting money by threat of labor strife, and providing pension and welfare funds to finance business ventures.

The middle ground, of court controlled electronic surveillance, seems far wiser to me than either of the foregoing extremes. This is a middle course which has proved successful in New York for some twenty years. It is the position advocated for many years, until recently, by the Department of Justice.[7]

The essence of this middle ground is to allow electronic surveillance by law enforcement in its investigation of major crime, but only pursuant to prior order of a judge upon a proper showing of need and probable cause by a responsible law enforcement official.[8] Legislation to this effect should also outlaw, with appropriate penalties, all private and unauthorized use of such surveillance.

In my judgment, this middle course would protect and preserve privacy more effectively than would legislation which denies to law enforcement all use of these modern techniques of crime detection. The absolute prohibition would simply not be obeyed, as the need for this type of evidence in certain categories of crime is so compelling that surveillance would be accomplished surreptitiously.

There are some who argue that this need of law enforcement has not in fact been demonstrated. One wonders what level of demonstration is required. The overwhelming majority of law enforcement officials believe that this type of evidence is indispensable to reach the higher echelons of organized crime.

The most experienced district attorney in the United States in this field, Frank Hogan of New York, has testified that electronic surveillance is "the single most valuable weapon in law enforcement's fight against organized crime." Mr. Hogan has further testified under oath that without wiretapping, then permitted by New York law, his office could never have convicted Luciano, Jimmy Hines, Shapiro and other hoodlums.[9]

As the Crime Commission found: "Only in New York have law enforcement officials achieved some level of continuous success in bringing prosecutions against organized crime." This was possible because New York permitted court-authorized wiretapping until federal court decisions clouded the legality of this procedure.

A majority of the members of the President's Commission were convinced of the necessity of this type of evidence if law enforcement is to have any reasonable chance of confronting organized crime successfully.

Nor must we rely solely on American experience. A Privy Council study in Great Britain concluded that it would be neither wise nor prudent "to deprive the police of this necessary weapon."[10]

Indeed, I know of no other nation which imposes the type of limitations on law enforcement now being advocated in our country.

THE BALANCE OF VALUES

It is true, of course, that no other nation has a Bill of Rights as revered as ours, and no other nation provides so elaborately for the rights of persons suspected or accused of crime. Indeed, a case is now pending before the United States Supreme Court in which the constitutionality of the New York electronics surveillance law is at issue. Congressional action obviously should await and be governed by the outcome of this case.

But whatever the outcome may be, the fundamental issue will remain. How should we, in a free society, balance—to the greatest good of all—the interest of privacy against the needs of law enforcement. The balance actually is between the possibility of some limited intrusion on the privacy of a few innocent people as weighted against the urgent need for more effective means of dealing with the most sinister type of crime.

The middle course, tried and tested in New York, seems to be the sensible answer. This course will result, it is true, in the interception of conversations by some innocent people—despite all of the safeguards. But is not this a small price to pay to protect our people and our institutions from this type of predatory criminal activity?

Or, putting it different, is it really either necessary or socially desirable for the most powerful nation in the world to so shackle itself that cartels of organized criminals are free to prey upon millions of decent citizens and to make a mockery of the rule of law?

It seems to me that the answer is crystal clear, and that appropriate remedial action is long overdue.

Mr. **HRUSKA**. Mr. President, I thank the Senator from Illinois for his support.

Mr. President, I yield the floor.

TREASURY AND POST OFFICE APPROPRIATIONS, 1968—CONFERENCE REPORT

Mr. **BARTLETT**. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7501) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1968, and for other purposes. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER**. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of June 27, 1967, p. 17790, CONGRESSIONAL RECORD.)

The **PRESIDING OFFICER**. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. **BARTLETT**. Mr. President, I wish to make a relatively brief statement on the conference on H.R. 7501, the Post Office and Treasury Department's appropriation bill for fiscal year 1968.

The conference report contains a total of $7,545,641,000. This is $69,507,000 under the budget estimates; $46,411,000 over the House bill; $9,526,000 under the Senate bill; and $451,584,865 over the 1967 appropriations.

For the Treasury Department, the conference bill contains $921,887,000, an increase of $6,161,000 over the House bill, $7,347,000 under the budget estimates, $150,000 under the Senate bill, and $24,956,000 over the 1967 appropriation. Major changes under this title occurred in connection with the Internal Revenue Service. For "Revenue accounting and processing," the Senate receded from its amendment numbered 4, thus allowing $177,000,000 for this activity for 1968. This amount is $24,000 under the budget estimate. Amendment numbered 5, as agreed to, appropriates $494,800,000 for compliance activities of the Internal Revenue Service, instead of $490 million as proposed by the House and $496.8 million as proposed by the Senate. The amount agreed to is $2 million under the estimate.

For the Post Office Department, the bill appropriates $6,603,098,000, an increase of $425,778,000 over 1967, and represents a decrease of $61,910,000 under the estimates. The amount allowed is $40 million over the House bill and $9.3 million under the Senate bill. For "Administration and regional operation," there is appropriated $103,450,000, instead of $100,450,000 as proposed by the House and $105,973,000 as proposed by the Senate. The amount appropriated is $7.9 million over 1967 and $4.5 million under the estimate. At an average salary of $10,600, the Department will be able to fund 8,365 positions under this appropriation for 1968. This will be an increase of 534 positions over the 7,831 positions that are available in fiscal year 1967.

Language, as proposed by the House, limiting the number of employees in postal regional offices was deleted, and language, as proposed by the Senate, prohibiting payment of salaries of special assistants to regional directors for public information remains in the bill.

For "Operations," there is appropriated $5,306,500,000, instead of $5,269,500,000 as proposed by the House and $5,307,500,000 as proposed by the Senate. The amount agreed to for "Operations" is $262.9 million over 1967, $37.6 million under the estimate, $37 million over the House bill, and $1 million under the Senate bill. The amount appropriated will fund approximately 738,000 positions, an increase of 37,100 positions over 1967. These additional or new positions will be mostly clerks and carriers to cope with the estimated increase in mail volume over 1967.

In connection with the "Building occupancy and postal supplies" account, the Senate insisted on language, as contained in the Senate bill, to establish two separate appropriations to reflect "Building occupancy and postal supplies and services" costs separately.

For "Postal public buildings," the bill appropriates $50 million instead of $45 million as proposed by the House and $55,853,000 as proposed by the Senate.

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[7] See testimony before various Committees of Congress; see also Rogers, The Case for Wiretapping, 63 Yale Law Journal, 792 (1954).

[8] There should also be carefully defined limitations as to place, duration, ultimate disclosure and reporting.

[9] Responsible law enforcement experts who have testified in favor of federal legislation allowing controlled wiretapping include the following: Francis Biddle, Ferdinand Pecora, Robert F. Kennedy, Anthony P. Savarese, Jr. (Chairman, New York Joint Legislative Committee on Privacy of Communications), Herbert J. Miller, Jr., Judge J. Edward Lumbard, Frank O'Connor and numerous others. Support for such legislation has also come from the Association of the Bar of the City of New York and the New York County Lawyers Association.

[10] Privy Councillor's Report, 1957 (cited in the brief *amici curiae* on behalf of the National District Attorneys Association in *Berger* v. *New York,* Case No. 615, Oct. Term 1966, U.S. Supreme Court, p. 44, et seq. The Privy Council Report further found that court controlled wiretapping resulted in no "hardship to the innocent citizen."

The amount agreed to is $5,853,000 under the estimate, $5 million over the House, and $5.8 million under the Senate.

Mr. President, this presentation touches on the main items of the report. I ask unanimous consent that a table showing the 1967 appropriations, the 1968 budget estimates, the House and Senate action, and the conference action on the bill be printed at this point in the RECORD. I hope the Senate will be willing to accept the conference report.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

[Conference table]

Treasury, Post Office, and Executive Office appropriation bill (H.R. 7501), fiscal year 1968

TITLE I—TREASURY DEPARTMENT

	Appropriations, fiscal year 1967 [1]	Budget estimates, fiscal year 1968	Passed House	Passed Senate	Conference action	Conference action compared with—			
						Conference Appropriations, fiscal year 1967	Budget estimates, fiscal year 1968	House	Senate
Office of the Secretary	$7,027,000	$7,317,000	$7,015,000	$7,156,000	$7,015,000	−$12,000	−$302,000		−$150,000
Bureau of Accounts:									
Salaries and expenses	32,988,000	34,500,000	34,500,000	34,500,000	34,500,000	+1,512,000			
Fund for payment of Government losses in shipment	265,000					−265,000			
Total, Bureau of Accounts	33,253,000	34,500,000	34,500,000	34,500,000	34,500,000	+1,247,000			
Bureau of Customs	88,278,000	[2] 89,061,000	90,700,000	89,361,000	89,361,000	+1,083,000	+300,000	−$1,339,000	
Bureau of the Mint	21,193,000	14,600,000	14,000,000	14,000,000	14,000,000	−7,193,000	−600,000		
Bureau of Narcotics	6,275,000	6,565,000	6,565,000	6,565,000	6,565,000	+290,000			
Bureau of the Public Debt	53,794,000	[3] 54,784,000	52,048,000	54,748,000	54,748,000	+954,000	−36,000	+2,700,000	
Internal Revenue Service:									
Salaries and expenses	18,896,000	20,060,000	19,960,000	19,960,000	19,960,000	+1,064,000	−100,000		
Revenue accounting and processing	173,029,000	177,024,000	177,000,000	175,000,000	177,000,000	+3,971,000	−24,000		+2,000,000
Compliance	473,207,000	501,016,000	490,000,000	496,800,000	494,800,000	+21,593,000	−6,216,000	+4,800,000	−2,000,000
Federal tax lien revolving fund		800,000	500,000	500,000	500,000	+500,000	−300,000		
Total, Internal Revenue Service	665,132,000	698,900,000	687,460,000	692,260,000	692,260,000	+27,128,000	−6,640,000	+4,800,000	
Office of the Treasurer	6,348,000	6,588,000	6,588,000	6,588,000	6,588,000	+240,000			
U.S. Secret Service	15,631,000	16,919,000	16,850,000	16,850,000	16,850,000	+1,219,000	−69,000		
Total, title I, Treasury Department	896,931,000	929,234,000	915,726,000	922,037,000	921,887,000	+24,956,000	−7,347,000	+6,161,000	−150,000
TITLE II—POST OFFICE DEPARTMENT									
Administration and regional operation	$95,546,000	$107,973,000	$100,450,000	$105,973,000	$103,450,000	+$7,904,000	−$4,523,000	+$3,000,000	−$2,523,000
Research, development, and engineering	16,152,000	23,148,000	23,148,000	23,148,000	23,148,000	+6,996,000			
Operations	5,043,600,000	5,344,059,000	5,269,500,000	5,307,500,000	5,306,500,000	+262,900,000	−37,559,000	+37,000,000	−1,000,000
Transportation	640,700,000	656,500,000	650,000,000	650,000,000	650,000,000	+9,300,000	−6,500,000		
Building occupancy and postal supplies	243,322,000	276,130,000	275,000,000			−243,322,000	−276,130,000	−275,000,000	
Building occupancy				185,724,000	185,724,000	+185,724,000	+185,724,000	+185,724,000	
Supplies and services				89,276,000	89,276,000	+89,276,000	+89,276,000	+89,276,000	
Plant and equipment	138,000,000	201,345,000	200,000,000	195,000,000	195,000,000	+57,000,000	−6,345,000	−5,000,000	
Postal public buildings		55,853,000	45,000,000	55,853,000	50,000,000	+50,000,000	−5,853,000	+5,000,000	−5,853,000
Total, title II, Post Office Department	6,177,320,000	6,665,008,000	6,563,098,000	6,612,474,000	6,603,098,000	+425,778,000	−61,910,000	+40,000,000	−9,376,000
TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT									
Compensation of the President	$150,000	$150,000	$150,000	$150,000	$150,000				
The White House Office	2,955,000	3,009,000	3,009,000	3,009,000	3,009,000	+$54,000			
Special projects	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000				
Operating expenses, Executive Mansion	692,000	708,000	708,000	708,000	708,000	+16,000			
Bureau of the Budget	8,913,135	9,500,000	9,250,000	9,500,000	9,500,000	+586,865		+$250,000	
Council of Economic Advisers	790,000	858,000	858,000	858,000	858,000	+68,000			
National Security Council	664,000	664,000	664,000	664,000	664,000				
Emergency fund for the President	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000				
Expenses of management improvement	350,000	350,000	350,000	350,000	350,000				
Total, title III, Executive Office of the President	17,014,135	17,739,000	17,489,000	17,739,000	17,739,000	+724,865		+250,000	
TITLE IV—INDEPENDENT AGENCIES									
Tax Court of the United States	$2,355,000	$2,407,000	$2,407,000	$2,407,000	$2,407,000	+$52,000			
Administrative Conference of the United States		250,000					−$250,000		
Advisory Commission on Intergovernmental Relations	436,000	510,000	510,000	510,000	510,000	+74,000			
Total, title IV, independent agencies	2,791,000	3,167,000	2,917,000	2,917,000	2,917,000	+126,000	−250,000		
Grand total, titles I, II, III, and IV	7,094,056,135	7,615,148,000	7,499,230,000	7,555,167,000	7,545,641,000	+451,584,865	−69,507,000	+$46,411,000	−$9,526,000

[1] Includes amounts carried in 2d Supplemental Appropriation Act, 1967 (Public Law 90–21).

[2] Includes reduction of $1,339,000 contained in S. Doc. 23.

[3] Includes increase of $2,700,000 contained in S. Doc. 23.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under authority of the order of the Senate of June 28, 1967, The Secretary of the Senate, on June 28, 1967, received the following message from the House of Representatives:

That the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

H.R. 4880. An act to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965;

H.R. 5615. An act to continue until the close of June 30, 1969, the existing suspension of duties for metal scrap;

H.R. 10943. An act to amend and extend title V of the Higher Education Act of 1965; and

H.J. Res. 652. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a resolution of the General Assembly of Ohio, which was referred to the Committee on Foreign Relations, as follows:

Senate Resolution 66

Resolution memorializing the 90th Congress of the United States to take whatever action may be necessary and appropriate to bring a lasting peace to the Middle East

Whereas, The recent tragic war between Israel and the Arab states has emphasized, once again, the fact that the nations of the world are highly interdependent and that, consequently, a rash and unconsidered action by any one of them may jeopardize the peaceful pursuits and well-being of all; and

Whereas, This situation has also demonstrated that such interdependence has raised the destructive potential of every nation, regardless of its rank as a primary or secondary power, to an historically unprecedented level; and

Whereas, The territorial integrity of the Middle East, together with the right of all countries to the free and unharassed use of the Suez Canal, the Strait of Tiran, and the Gulf of Aqaba, has thus become a matter of supreme human, as well as international, importance, and one which we can disregard only at our peril; and

Whereas, The events of the past several years have thoroughly illustrated the dangers inherent in a failure to thoroughly resolve such problems—which have displayed a tendency to proliferate that is in almost direct proportion to the degree of complacency with which we have regarded them; therefore be it

Resolved, That the 107th General Assembly of Ohio hereby memorializes the 90th Congress to take all necessary and appropriate action to end forever the possibility of conflict in the Middle East; to encourage fruitful negotiations between Israel and the Arab nations; and to reaffirm the position of the United States in regard to the right of innocent passage through the affected waterways; and be it further

Resolved, That a copy of this Resolution be spread upon the pages of the Journal, and that the Clerk of the Senate transmit duly authenticated copies of this Resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States, the Honorable Frank J. Lausche, the Honorable Stephen M. Young, to each member of the House of Representatives in Congress from Ohio, and to the Honorable James A. Rhodes.

Attest:

Thos. E. Bateman,
Clerk of the Senate.

PETITION FOR CONSTITUTIONAL CONVENTION

Mr. **DOMINICK**. Mr. President, as my distinguished colleagues know, a number of States have approved petitions calling for a constitutional convention to propose an amendment to reapportion the State legislatures. Colorado has joined those States; and, according to the rules of the Senate, I ask unanimous consent that Senate Joint Memorial No. 5, adopted by the 46th General Assembly of the State of Colorado be printed in the Record and appropriately referred.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

The joint memorial was referred to the Committee on the Judiciary, as follows:

Senate Joint Memorial 5

Joint memorial memorializing the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States, to secure to the people the right of some choice in the method of apportionment of one house of a state legislature on a basis other than population alone

Whereas, The United States Supreme Court has ruled that membership in both houses of a bicameral state legislature must be apportioned only according to population; and

Whereas, For one hundred and seventy-five years the people of the various states have had the freedom to apportion their state legislatures in the manner they felt best reflected the interest of the people, recognizing that a system of apportionment that might be appropriate for one state would not necessarily meet the needs of another state, but that each state should be free to make its own selection; now, therefore,

Be It Resolved by the Senate of the Forty-sixth General Assembly of the State of Colorado, the House of Representatives concurring herein:

That this General Assembly hereby respectfully petitions the Congress of the United States to call a constitutional convention for the purpose of submitting a constitutional amendment to the states, which will secure to the people the right of some choice in the method of apportionment of one house of a state legislature on a basis other than population alone; and

Be It Further Resolved, That this Memorial is rescinded if the Congress itself, no later than June 30, 1967, proposes such a plan to the states for ratification; and

Be It Further Resolved, That a duly attested copy of this Memorial be transmitted to the members of the Congress of the United States from the State of Colorado.

Mark A. Hogan,
President of the Senate.
Comfort W. Shaw,
Secretary of the Senate.
John D. Vanderhoof,
Speaker of the House of Representatives.
Henry C. Kimbrough,
Chief Clerk of the House of Representatives.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. PROXMIRE, from the Committee on Banking and Currency, with an amendment:

S. 5. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit (Rept. No. 392).

Mr. **BYRD** of West Virginia subsequently said: Mr. President, earlier today the Senator from Wisconsin [Mr. Proxmire] filed a report on S. 5, the truth-in-lending legislation.

I ask unanimous consent that the report be printed, together with the individual views.

The **PRESIDING OFFICER** (Mr. Young of Ohio in the chair). Without objection, it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HRUSKA (for himself, Mr. Dirksen, Mr. Ervin, Mr. Miller, Mr. Percy, and Mr. Hansen):

S. 2048. A bill to amend the Sherman Act to prohibit the investment of certain income in any business enterprise affecting interstate or foreign commerce; and

S. 2049. A bill to prohibit the investment of income derived from certain criminal activities in any business enterprise affecting interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Hruska when he introduced the above bills, which appear under separate heading.)

By Mr. HRUSKA (for himself, Mr. Dirksen, Mr. Ervin, and Mr. Hansen):

S. 2050. A bill to prohibit electronic surveillance by persons other than duly authorized law enforcement officers engaged in the investigation or prevention of specified categories of offenses, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Hruska when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA (for himself, Mr. Dirksen, Mr. Ervin, Mr. Percy, and Mr. Hansen):

S. 2051. A bill to amend title 18, United States Code, to provide for improved criminal procedure, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Hruska when he introduced the above bill, which appear under a separate heading.)

By Mr. BAKER:

S. 2052. A bill for the relief of Hong Sing Cheung; to the Committee on the Judiciary.

By Mr. MILLER (for himself and Mr. Percy):

S. 2053. A bill to amend title II of the Social Security Act to provide for periodic cost-of-living increases in monthly benefits payable thereunder; to the Committee on Finance.

S. 2054. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Miller when he introduced the above bills, which appear under a separate heading.)

By Mr. ERVIN (for himself and Mr. Jordan of North Carolina):

S. 2055. A bill for the relief of Yadkin County, N.C.; to the Committee on Labor and Public Welfare.

By Mr. SPONG:

S. 2056. A bill to require Members of Congress to file annual financial statements for themselves, their spouses, and their minor children, and for other purposes; to the Committee on Rules and Administration.

By Mr. RIBICOFF:

S. 2057. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for more effective regulation under such act, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. DOMINICK:

S. 2058. A bill to provide a practicable weather modification program for the Upper Colorado River Basin; to the Committee on Commerce.

(See the remarks of Mr. Dominick when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER (for himself and Mr. Tydings):

S. 2059. A bill to authorize construction of the Six Bridge Dam and Reservoir on the Monocacy River in Frederick and Carroll

Counties, Md.; to the Committee on Public Works.

(See the remarks of Mr. BREWSTER when he introduced the above bill, which appear under a separate heading.)

By Mr. PELL:

S. 2060. A bill to amend section 503 (f) of the Federal Property and Administrative Services Act of 1949 to extend for a period of 10 years the authorization to make appropriations for allocations and grants for the collection and publication of documentary sources significant to the history of the United States; to the Committee on Government Operations.

(See the remarks of Mr. PELL when he introduced the above bill, which appear under a separate heading.)

By Mr. PELL (for himself, Mr. YARBOROUGH, Mr. WILLIAMS of New Jersey, Mr. KENNEDY of Massachusetts, Mr. JAVITS, and Mr. GRUENING):

S. 2061. A bill to amend the National Foundation on the Arts and the Humanities Act of 1965; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PELL when he introduced the above bill, which appear under a separate heading.)

By Mr. PERCY:

S. 2062. A bill to increase the supply of trained housing and community development specialists; to the Committee on Banking and Currency.

(See the remarks of Mr. PERCY when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE:

S. 2063. A bill to provide for the establishment and development of the Kenilworth National Capital Park in the District of Columbia for the benefit of the people of the United States and, in particular, children; to the Committee on the District of Columbia.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

AMENDING SOCIAL SECURITY AND RAILROAD RETIREMENT ACTS

Mr. MILLER. Mr. President, I send to the desk two bills, in behalf of myself and the junior Senator from Illinois [Mr. PERCY]. I ask unanimous consent that they be printed in the RECORD, and appropriately referred.

The PRESIDING OFFICER. The bills will be received and appropriately referred, and, without objection, the bills will be printed in the RECORD.

The bills, introduced by Mr. MILLER (for himself and Mr. PERCY), were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

S. 2053. A bill to amend title II of the Social Security Act to provide for periodic cost-of-living increases in monthly benefits payable thereunder:

"S. 2053

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202 of the Social Security Act is amended by adding at the end thereof the following new subsection:

" 'COST-OF-LIVING INCREASE IN BENEFITS

" '(w) (1) For purposes of this subsection—

" '(A) the term "price index" means the annual average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and

" '(B) the term "base period" means the calendar year 1965.

" '(2) As soon after January 1, 1968, and as soon after January 1 of each succeeding year as there becomes available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary shall determine the per centum of increase (if any) in the price index for the calendar year ending with the close of the preceding December over the price index for the base period. For each full 3 per centum of increase occurring in the price index for the latest calendar year with respect to which a determination is made in accordance with this paragraph over the price index for the base period, there shall be made, in accordance with the succeeding provisions of this subsection, an increase of 3 per centum in the monthly insurance benefits payable under this title.

" '(3) Increases in such insurance benefits shall be effective for benefits payable with respect to months in the one-year period commencing with April of the year in which the most recent determination pursuant to paragraph (2) is made and ending with the close of the following March.

" '(4) In determining the amount of any individual's monthly insurance benefit for purposes of applying the provisions of section 203(a) (relating to reductions of benefits when necessary to prevent certain maximum benefits from being exceeded), amounts payable by reason of this subsection shall not be regarded as part of the monthly benefit of such individual.

" '(5) Any increase to be made in the monthly benefits payable to or with respect to any individual shall be applied after all other provisions of this title relating to the amount of such benefit have been applied. If the amount of any increase payable by reason of the provisions of this subsection is not a multiple of $0.10, it shall be reduced to the next lower multiple of $0.10.' "

To the Committee on Labor and Public Welfare:

S. 2054. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the benefits payable thereunder:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Railroad Retirement Act of 1937 is amended by adding after section 21 thereof the following new section:

"COST-OF-LIVING INCREASES IN BENEFITS

"SEC. 22. (a) As soon after January 1, 1968, and as soon after January 1 of each succeeding year as there becomes available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Board shall determine the per centum of increase (if any) in the price index for the calendar year ending with the close of the preceding December over the price index for the base period. For each full 3 per centum of increase occurring in the price index for the latest calendar year with respect to which a determination is made in accordance with this subsection over the price index for the base period, there shall be made, in accordance with the succeeding provisions of this section, an increase of 3 per centum in the amount of each annuity, pension, and other benefit payable under this Act.

" '(b) Increases under subsection (a) shall be effective in the case of any annuity, pension, or other benefit under this Act payable with respect to months in the one-year period commencing with April of the year in which the most recent determination pursuant to subsection (a) is made and ending with the close of the following March.

" '(c) Any increase under subsection (a) shall apply with respect to all benefits payable under this Act during the period for which such increase is effective regardless of the provisions under which such benefits are payable or the manner in which the amounts payable are determined, but shall be applied with respect to the benefit payable to or with respect to any particular individual only after all of the other provisions of this Act which relate to eligibility for and the amount of such benefit have been applied; except that (1) the provisions of section 5(i) shall not be applied until after such increase is applied, and (2) in determining the amount of any individual's annuity for purposes of applying the first sentence of section 5(h), any amount payable by reason of this section shall not be regarded as part of such annuity.

" '(d) If the amount of the increase in any benefit under subsection (a) is not a multiple of $0.10, it shall be reduced to the next lower multiple of $0.10.

" '(e) For purposes of this section—

" '(1) the term "price index" means the annual average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and

" '(2) the term "base period" means the calendar year 1965.' "

Mr. MILLER. Mr. President, the first of these bills has to do with social security pension increases, and the second has to do with Railroad Retirement Act pension increases. Under these bills, there would be an automatic increase in the pensions for every 3-percent increase in the retail Consumer Price Index.

This proposal was first advanced by me as an amendment to the Medicare Act in 1965. If it had been accepted, it would have taken the place of the flat 7-percent increase that was authorized at that time.

Mr. President, my amendment was defeated because of the opposition of the administration leadership in the Senate. I am very sorry that it was defeated, because if it had been accepted, the 7-percent increase which social security pensioners are enjoying would now be 12 percent, because that is the amount of the cost-of-living increase which would have taken effect for their pensions.

Last year, the Republican Party's task force on problems of the aged unanimously endorsed my proposal. They also made a finding that it would not require an increase in social security taxes because, as the price index went up, wages would also go up, and that would mean a higher amount of salary and wages subject to the social security tax.

Therefore, this proposal has a built-in safety feature in that no additional taxes would be required, and at the same time millions of older Americans would be protected from the erosion of their pensions by the inflation which is steadily growing and worsening.

We read in the newspapers today that for the last month there was an increase of three-tenths of 1 percent in the cost of living, which was the identical amount of the increase in the previous month, so that in only 2 months there has been an increase in the cost of living of six-tenths of 1 percent.

What are these older Americans going to do to meet the erosion of their pension dollars as the result of this continuing and worsening inflation? They are helpless. The only place they can turn is to Congress. Heretofore Congress has legislated increases in social security and railroad retirement pensions every 3, 4, or 5 years. I suggest, Mr. President, that it is wrong to put these millions of older Americans in the political arena; especially the partisan political arena, by putting them at the mercy of politicians who make speeches just before elections, in effect promising them that if they will vote right they will have social security or railroad retirement pension increases when Congress reconvenes.

Under my proposal this would not happen and there would not be partisan political appeals to these people because as the Consumer Price Index goes up pensions automatically would go up. There is nothing new or unusual about this proposal. Congress in 1962 adopted this approach with respect to civil service retirees. Today, those who have been faithful public servants and who are retired and are living on civil service retirement pensions receive automatic increases when the Consumer Price Index rises 3 percent. When it rises by 3 percent their pensions are automatically increased. It is little enough for us to do the same thing for Railroad Retirement Act retirees and social security retirees.

Mr. President, I hope that these two bills will receive early and favorable consideration.

FEDERAL PESTICIDE CONTROL ACT OF 1967

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, the Federal Pesticide Control Act of 1967. This bill is essentially identical to S. 2470 which I introduced in the 89th Congress.

I am pleased to introduce the administration's pesticide control bill once again. I appreciate the action of the chairman of the Committee on Agriculture in granting me this privilege.

This legislation was developed from the hearings of the Subcommittee on Executive Reorganization and International Organizations during the 88th Congress. It carries out some of the principal recommendations of the subcommittee report on pesticides and public policy filed last year.

The bill contains six major provisions. First, it requires that every establishment engaged in the manufacture or processing of an economic poison be registered with the Secretary of Agriculture. Second, it permits the inspection of any establishment in which economic poisons or devices are manufactured, or any means of conveyance of economic poisons. Third, it provides that an economic poison shall be deemed misbranded if it is manufactured in an establishment which is not duly registered. Fourth, it states that an economic poison shall be considered adulterated if the manufacturing methods do not conform to good manufacturing practice. Fifth, it empowers the Federal courts to issue injunctions to restrain violations of the act. And sixth, it adds civil remedies to the existing criminal sanctions. These new tools will strengthen the regulatory efforts of the Department of Agriculture.

The only significant change in this bill is the addition of the designation of the Secretary of the Interior in section 8 of the bill for coordination and other purposes. This change was made to reflect the transfer of the Federal Water Pollution Control Administration to the Interior Department in Reorganization Plan No. 2 of 1966.

Mr. President, it has been almost 3 years since I introduced my first bill to strengthen Federal regulation of pesticides. In that time pesticide production has increased 15 percent to nearly 1 million pounds a year. During this period 13,000 new pesticide products have been registered with the Department of Agriculture. The growth in production and the number of new pesticides poses difficult problems of effective regulation.

Many of the new pesticides are more potent and more selective than their predecessors. This shows notable progress over the broad spectrum of pesticides. The new generation will not indiscriminately harm any organism they touch. They are an important advance in safety for plants, animals, and humans.

But inherent in these new forms is a new danger to life. For these new pesticides are becoming more like drugs in their content and potential effect. They raise the specter of unrecognized, grave hazards to man. Recent reports from three researchers indicate that agents contained in certain pesticides are capable of doubling the mutation rate in human beings. If the mutations occur in the nonreproductive cells of the body they can cause numerous diseases, including cancer. If the mutations occur in the reproductive organs they can result in genetic changes which could be transmitted to future generations.

In following this line of inquiry an FDA scientist conducted an investigation of certain fungicides which have a chemical structure very similar to thalidomide, the sedative that resulted in the birth of thousands of deformed babies a few years ago. The researcher found that the pesticides produced a high rate of birth defects in the experimental animals.

These findings were supported by another study which concluded that—

> The amount of pesticide chemicals man is now absorbing from his environment is enough to double the normal mutation rate.

The dangers of the "silent spring" Rachel Carson wrote about are still with us. They underscore the need for better regulation of the pesticide manufacturing, labeling, and distribution process to assure that high safety standards are maintained. Pesticides are becoming more sophisticated in their composition and effect. Accordingly, we must enact regulations which keep pace with scientific progress—and with new chemicals aimed at killing insects and other life forms that destroy agricultural crops. Since pesticides are developing the attributes of drugs, it is appropriate that we provide drug-like controls over pesticide production and transportation.

The widespread use of pesticides at home, on farms, and in industry has launched the world on an uncharted ecological sea. For better and for worse we are altering our environment in numberless, unknown ways every day. We are controlling pests and so promoting more abundant agricultural production, but at what human cost? What latent genetic changes have we unleashed? No one knows.

How have we impaired man's ability to function in his world? A report by the University of Colorado Medical Center last year showed that men exposed to certain pesticide compounds over a long period have relatively slow reaction times and poor memories, tend to have less energy and become unusually irritable.

What is the impact on wildlife of continued exposure to pesticides? Studies of DDT residues in a marsh on the Long Island shore indicate that fish and bird populations are adversely affected by sustained ingestion of this pesticide.

All these experiments and studies strongly suggest that harmful chemical substances are moving through the biological and geological cycles of the earth in unknown concentrations that have far-reaching and only dimly known effects on the ecological system.

In our determination to save crops, we may be shortening our own lives.

Mr. President, the bill I introduce today is an important step forward improved pesticide control. But beyond this, the entire Nation must be more concerned with preserving the ecological balance in nature. For if this balance is upset, all life on the planet could be jeopardized.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2057) to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for more effective regulation under such act, and for other purposes, introduced by Mr. RIBICOFF, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 2057

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the "Federal Pesticide Control Act of 1967".

SEC. 2. (e) Section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat. 167; 7 U.S.C. 135b) is hereby amended by adding at the end thereof a new subsection as follows:

"(g) Any person who on the date of enactment of this subsection owns or operates any establishment in any State, territory, or the District of Columbia, engaged in the manufacture, preparation, propagation, compounding, or processing of an economic poison shall, within one hundred eighty days after such date, apply to the Secretary for the regulation of each such establishment giving his name and the address of each such establishment operated by him. Any person who begins operation of any such establishment after such date shall, within thirty days after beginning such operation, similarly apply for registration with the Secretary. Except as otherwise provided in this subsection, the Secretary shall register any such establishment if the operator thereof furnishes the required information. In any case in which the Secretary finds, after notice and opportunity for hearing, that any methods used in, or any facilities or controls used for, the manufacture, preparing, propagating, compounding, or processing of any economic poison, or the disposal of waste resulting therefrom, are in violation of regulations of the Secretary, or otherwise do not conform to, or are not operated or administered in conformity with, good manufacturing and waste disposal practices to assure that such economic poison will meet the requirements of this Act as to safety and will have the identity and strength and meet the quality and purity characteristics which it purports or is represented to possess and to assure that the disposal of waste will not result in any pollution which would endanger the public health or welfare, he may suspend the registration of such establishment until the operator demonstrates compliance with the requirements of this subsection. No establishment for which a registration has been suspended shall be reregisterd during the period of suspension."

(b) Section 2 of said Act (61 Stat. 163; 7 U.S.C. 135) is amended by changing the period at the end of subsection z to a semicolon and adding the word "or" and a new paragraph as follows:

"(i) if it was manufactured, prepared, propagated, compounded, or processed in an establishment for which a registration was not fully effective under section 4g of this Act."

Sec. 3. (a) Said Act is amended by changing the present heading preceding section 5 (61 Stat. 168; 7 U.S.C. 135c) to read "Books and Records and Factory Inspection."

(b) Section 5 of said Act (61 Stat. 168; 7 U.S.C. 135c) is amended by designating the existing provisions as subsection (a) and by adding a new subsection (b) reading as follows: "For purposes of enforcing the provisions of this Act, officers or employees duly designated by the Secretary, upon presenting appropriate credentials to the owner, operator, or agent in charge, are authorized (1) to enter, at reasonable times, any factory, warehouse, or other establishment in which any economic poison or device is manufactured, prepared, propagated, compounded, processed, or held for distribution or sale in any Territory or in the District of Columbia or in interstate or foreign commerce, or is held after such distribution or sale, or to enter any means of conveyance being used to transport or hold any economic poison or device in any Territory or the District of Columbia or in interstate or foreign commerce; (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, establishment, or means of conveyance and all pertinent data and equipment, finished and unfinished materials, containers and labeling therein, and all things therein (including records, files, papers, processes, controls, and facilities) bearing on whether any economic poison is adulterated or misbranded within the meaning of this Act, or which may otherwise bear on whether such Act is being or has been violated; and (3) to obtain samples of such materials or containers thereof, or of such labeling. Each such inspection shall be commended and completed with reasonable promptness. If the officer or employee obtains any samples, prior to leaving the premises, he shall give to the owner, operator, or agent in charge a receipt describing the samples obtained. If an analysis is made of any such sample, a copy of the results of such analysis shall be furnished promptly to the owner, operator, or agent in charge."

(b) Section 3 of said Act (61 Stat. 166; 7 U.S.C. 135a) is amended by inserting before the semicolon at the end of subsection c(2) a comma and the following: "or to refuse to permit entry or inspection as authorized by section 6 of this Act".

Sec. 4. Subsection y of section 2 of said Act (61 Stat. 163; 7 U.S.C. 135) is amended by inserting before the period at the end thereof a comma and the following: "or if the methods used in, or the facilities or controls used for, the manufacture, preparation, propagation, compounding, or processing of said economic poison were in violation of regulations of the Secretary or otherwise did not conform to or were not operated or administered in conformity with good manufacturing practice to assure that such economic poison will meet the requirements of this Act as to safety and will have the identity and strength and meet the quality and purity characteristics, which it purports or is represented to possess."

Sec. 5. (a) Section 2 of said Act (61 Stat. 163; 7 U.S.C. 135) is further amended by adding a new subsection (aa) as follows:

(aa) The terms 'proper court' and 'district court' mean a United States District Court, the District Court of Guam, the District Court of the Virgin Islands, and the highest court of American Samoa."

(b) Section 6 of said Act (61 Stat. 168; 7 U.S.C. 135d) is further amended by redesignating subsections d and e as subsections e and f, respectively, and by adding after subsection c a new subsection d as follows:

"(d) The district courts are vested with jurisdiction specifically to enforce, and to prevent and restrain violations of, this Act."

(c) Section 8 of said Act (61 Stat. 170; 7 U.S.C. 135f) is amended by redesignating subsections c and d as subsections d and e, respectively, and by adding after subsection b a new subsection c as follows:

"c. Any person who violates any provision of this Act shall forfeit to the United States a sum, not more than $1,000, for each such violation, which forfeiture shall be recoverable in a civil suit brought in the name of the United States."

Sec. 6. Section 9a(1) of said Act (61 Stat. 170; 7 U.S.C. 135g) is amended by (1) striking out "or" after the semicolon in clauses (c) and (d), and (2) by adding after clause (d) two new clauses as follows:

"(e) If any of the claims made for it or any of the directions for use differ in substance from the representations made in connection with its registration; or

"(f) if its composition differs from the composition as represented in connection with its registration; or".

Sec. 7. Section 2 of said Act (61 Stat. 163; 7 U.S.C. 135) is further amended by inserting before the semicolon at the end of subsection z(2)(c) a comma and the following: "including the protection of living man and other vertebrate animals, vegetation, and useful invertebrate animals".

Sec. 8. (a) The Secretary of Agriculture and the Secretaries of Health, Education, and Welfare, and the Interior shall provide for appropriate coordination of the administration of this Act with the administration of any other Act administered by the Secretaries of Health, Education, and Welfare and the Interior relating to control, prevention, or abatement of air or water pollution.

(b) Nothing in this Act shall be construed as superseding or limiting the functions of the Secretaries of Health, Education, and Welfare and the Interior under any other law relating to control, prevention, or abatement of air or water pollution and no proceeding or determination under this Act shall preclude any proceeding or be considered determinative of any issue of fact or law in any proceeding under any Act administered by the Secretaries of Health, Education, and Welfare and the Interior.

COLORADO RIVER BASIN LEGISLATION

Mr. DOMINICK. Mr. President, the Senate Interior Committee is currently engaged in the markup of the Colorado River Basin legislation. The controversy surrounding this legislation highlights the critical water problems facing the seven Colorado River Basin States.

But there is only one total solution to the problem—more water. There are several ways in which the solution to this problem can be approached. Clearly, the importation of more water into the basin would be helpful and very likely the development of desalinization processes would take some of the pressure off the Upper Basin States.

But I would submit that weather modification can offer an immediate and direct partial solution to the problem by increasing the supply of water in the river.

The bill I am introducing today would provide for a pilot project for weather modification in the Upper Colorado River Basin States. The bill authorizes $3 million for each of 3 years—$1 million each year for the direct application of weather modification techniques and $2 million each year for the study of the results and effects of the program. The program would be under the direct supervision of the Secretary of Interior with a coordinating committee for assistance purposes.

Such a program should relieve the pressure of the problems of water shortages being encountered in the Colorado River Basin States.

I am aware of many of the problems connected with weather modification. Certainly we have much to learn about the effect of weather modification upon ecology and we must be equally aware of the legal ramifications. This is one reason why the bill I am proposing provides twice as much money per year for the study of the effects of the program as it does for the actual application of weather modification techniques.

However, we must recognize the tremendous advances made in recent years—even in recent months—in the field of weather modification. We now have at our disposal sophisticated scientific methods of weather modification. I am, therefore, convinced that it is time to get off dead center and start applying these techniques for the direct benefit of our water-hungry regions.

Mr. President, later in the session I plan to say more on this subject and detail my thoughts on the potential of weather modification.

But at this time, Mr. President, I introduce, for appropriate reference, a bill to provide a practical weather modification program for the Upper Colorado River Basin.

I ask unanimous consent that the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2058) to provide a practicable weather modification program for the Upper Colorado River Basin, introduced by Mr. Dominick, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2058

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Upper Colorado River Basin Weather Modification Act".

SEC. 2. It is recognized that the present and growing water shortage in the Colorado River Basin has created serious problems of national concern. Congress recognizes that there is an urgent need to find new sources of water for the Colorado River Basin to support the rapid increase in population, agricultural production and industrial development which is being and which will be experienced in the Basin. It is also recognized that the Colorado River Basin States, consisting of Colorado, Wyoming, Utah, New Mexico, Arizona, Nevada, and California, rely to a significant degree upon the Colorado River for their water supply and that such States contribute significantly and materially to the commerce of the United States and to the welfare of its citizens. It is, therefore, the public policy of the United States to assist the basin in alleviating its water shortage by devising methods to augment the supply of water in the Colorado River Basin and it is the purpose of this Act to increase the supply of water in the Colorado River through weather modification programs conducted in the Upper Colorado River Basin in furtherance of that policy.

SEC. 3. (a) The President shall within ninety days of enactment of this Act, appoint a Coordinating Council on Weather Modification for the Upper Colorado River Basin (here referred to as the "Coordinating Council") consisting of the Secretary of the Interior or his designee, the Secretary of Commerce or his designee, the Director of the National Science Foundation or his designee and four public members appointed without regard to the Civil Service laws by the President. Two of such public members shall be persons connected with institutions of higher education and who are knowledgeable in the field of atmospheric research, and two of such public members shall be persons connected with private concerns experienced in the practical application of weather modification techniques. The Coordinating Council shall select a Chairman from among its members and shall meet at the call of the Chairman but not less often than four times per year.

(b) The Coordinating Council shall consult and confer with the Secretary of the Interior concerning the preparation and implementation of a plan for the practical application of weather modification techniques in the Upper Colorado River Basin.

(c) The Coordinating Council shall consult and confer with the Secretary of the Interior or his designee with respect to policy matters arising in the administration of this Act and with respect to the coordination of weather modification research and programs conducted under this Act.

(d) The Coordinating Council may make interim reports to the President of its recommendations on the programs instituted hereunder and shall make annual reports, commencing one year from the date of enactment of this Act, of its findings and recommendations to the President. The President shall transmit each report to the Congress together with his comments and recommendations.

(e) Members of the Coordinating Council who are not regular full-time employees of the United States shall, while serving on the business of the Council, be entitled to receive compensation at the rate of $100 per day, including traveltime; and, while so serving away from their homes or regular places of business, members may be allowed travel expenses including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(f) In carrying out its functions pursuant to this section, the Coordinating Council may utilize the services and facilities of any agency of the Federal Government in accordance with agreements with the head of such agency and may engage such technical assistance as may be needed to carry out its functions and as may be approved from time to time by the Secretary of the Interior.

SEC. 4. The Secretary of the Interior (hereinafter referred to as the "Secretary") shall carry out weather modification programs designed to increase to the extent practicable the annual average supply of water from rainfall and snowfall in the Upper Colorado River Basin of the United States; and shall authorize research and study programs by contract or grant with institutions of higher education to determine the effectiveness of such programs, the development of new and improved techniques and mechanics in the operation of the programs, the effect on the ecology of the area, and such other matters as may be pertinent to the operations hereunder.

SEC. 5. (a) In order to carry out the provisions of this Act, the Secretary shall—

(1) within six months after enactment of this Act, and in consultation with the Coordinating Council, prepare a plan for the practical application of weather modification techniques in the Upper Colorado River Basin, which may include new and innovative as well as existing weather modification techniques;

(2) contract with institutions of higher education and business concerns, skilled and experienced in weather modification, weather modification operational activities in accordance with the plan developed pursuant to the preceding clause of this subsection; and

(3) conduct by grant, contract, or other agreement with institutions of higher education, skilled and experienced in weather modification and atmospheric research, such research studies as he determines appropriate to evaluate the practicability and efficacy of the program authorized by this Act.

(b) In the performance of the duties specified in subsection (a) of this section, the Secretary is authorized to—

(1) accept gifts and bequests, including gifts or bequests restricted or limited by the donor for use in connection with certain projects or areas;

(2) acquire by purchase, license, lease or donation such inventions, patents, patent applications, licenses, real property and interests therein as he deems necessary;

(3) utilize the property, equipment, and personnel of other agencies of the Federal Government, with the approval of the head of such agency, and pay for such property, equipment, and personnel out of funds made available pursuant to this Act, either in advance, by reimbursement, or by direct transfer; and

(4) consult with appropriate representatives of the Environmental Science Services Administration and of the National Science Foundation, and such representatives are authorized and directed to furnish such assistance as the Secretary may reasonably require.

SEC. 6. As used in this Act—

(a) The term "weather modification" includes any artificially produced changes in the composition, behavior, or dynamics of the atmosphere.

(b) The term "Upper Colorado River Basin" means that area of the United States consisting of the following States: Colorado, New Mexico, Utah, and Wyoming.

SEC. 7. (a) There are authorized to be appropriated to carry out the provisions of this Act $3,000,000 for the fiscal year ending June 30, 1968, and for each of the two succeeding fiscal years. It is the intent of Congress that the Secretary in carrying out the provisions hereunder shall expend funds authorized hereunder in the approximate ratio of $2 for research for each $1 expended on operational techniques.

AUTHORIZATION FOR CONSTRUCTION OF THE SIX BRIDGE DAM AND RESERVOIR, FREDERICK AND CARROLL COUNTIES, MD.

Mr. BREWSTER. Mr. President, I am today introducing, on behalf of myself and my colleague from Maryland [Mr. TYDINGS], a bill (S. 2059) to authorize construction of the Six Bridge Dam and Reservoir on the Monocacy River in Frederick and Carroll Counties, Md.

This project was one of the key projects recommended by the North Atlantic division engineer in his April 3, 1963, letter to the Chairman of the Board of Engineers for Rivers and Harbors. It pointed out that the Six Bridge project would offer substantial water quality control and recreation benefits as well as meet present and future local and downstream water supply needs.

The Corps of Engineers 1963 report stated, in part:

> The Six Bridge project will increase the dependable flow of the Monocacy River by 104 cfs. This will provide, together with the 25 headwater reservoirs located upstream, sufficient flow to sustain the anticipated growth of the Frederick, Maryland, area through the maintenance of both water quantity and quality. Recreation and fishing will be enhanced. Up to 625,000 visitor days can be accommodated annually at this reservoir. The very small drawdown during the recreation season in an average year will make this reservoir particularly attractive for recreation, and its accessibility from both Washington and Baltimore should assure high utilization.
>
> There are no alternative major sites to replace the Six Bridge site. A large site was investigated downstream of Six Bridge but was found to be less suitable. Small reservoirs upstream are heavily utilized in the plan. Of the 97 sites originally studied, 41 are used in the plan. The remaining sites could furnish a major portion of the flow provided by the Six Bridge Reservoir, however at a much greater economic cost.
>
> The failure to develop the Six Bridge site would eventually arrest the growth of the Frederick area or place an increasing burden on downstream communities including Washington by an increase in the severity and range of the resultant pollution.

Last summer, the fifth consecutive summer of severe drought, Mr. James J. O'Donnell, director of the Maryland State Planning Department and chairman of the Governor's Potomac River Basin advisory committee, urged the Federal Interdepartmental Task Force on the Potomac to include the Six Bridge project in its recommendations to the President. In his letter to Mr. Kenneth Holum, Assistant Secretary for Water and Power, Mr. O'Donnell pointed out that:

> This request stems from impending urbanization and economic growth in Frederick County and the surrounding area on a scale not earlier anticipated and the urgent need

> to meet on a timely basis local water supply requirements.

Only recently, a study prepared by Dr. Abel Wolman for the Metropolitan Washington Council of Governments recommended the Six Bridge Reservoir because of its close proximity to Washington as compared with proposed alternate tributary sites. The report further pointed out that Six Bridge would benefit both the Monocacy River Valley and the National Capital area.

The Six Bridge project was initially endorsed by the State of Maryland in August 1964. It has the support of the Frederick and Carroll County Boards of Commissioners, the mayor of Frederick, the Frederick County Planning and Zoning Commission, the Frederick County Metropolitan District and Sanitary Commission, and the Frederick Chamber of Commerce.

The Corps of Engineers "Potomac River Basin Report" recommended that Six Bridge should be in operation by 1971. While this date is fast approaching, the project has not yet been authorized because of delays related to restudying the corps 1963 proposals.

I would be the first to admit that I disagree with some of those original proposals, particularly the idea of constructing a gigantic dam on the main stream of the Potomac at Seneca. However, the Six Bridge project proposal has received solid support at all levels of government. It appears foolhardy to me to delay one much-needed project until there is complete agreement on every aspect of the Potomac River Basin plan.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2059) to authorize construction of the Six Bridge Dam and Reservoir on the Monocacy River in Frederick and Carroll Counties, Maryland, introduced by Mr. BREWSTER (for himself and Mr. TYDINGS), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. TYDINGS. Mr. President, I am happy to join Senator BREWSTER in introducing this important bill for the construction of the Six Bridge project, or as the residents of the central Maryland region call it, Sixes Bridge. Designed to control the flow of the Monocacy River, Six Bridge was originally recommended by the Army Corps of Engineers in their 1963 "Potomac River Basin Report." As stated in that report:

> The Six Bridge project would provide water quality control and municipal water supply for Frederick, Maryland, enhance the recreational opportunities of the area, and furnish additional water for the Washington Metropolitan Area.

The primary reason for the project is the need for an increase in the dependable flow of the Monocacy to avert a possible water shortage in the Frederick County area within the next decade. As the prime waterway through Frederick County, the Monocacy provides water essential for industrial, residential, and agricultural needs. The Monocacy watershed has experienced five consecutive drought years, from 1962 through 1966, culminating in a record low flow for the river of 9 million gallons a day at the city of Frederick on September 12, 1966. The population of the immediate area will more than double by 1980, and the water needs of Frederick and the nearby Fort Detrick alone are predicted to exceed 9 m.g.d. by 1976. It is, therefore, obvious that a water storage facility is essential to the development of central Maryland.

So important, in fact, is the Monocacy to the general region through which it flows that James J. O'Donnell, director of the Maryland State Planning Department and chairman of the Potomac River Basin Advisory Committee, has given top priority to a study of the Monocacy flood plain. The need for the study has also been recognized by the Corps of Engineers, who will initiate this study in July. The study will trace the 50-year history of the Monocacy flood plain and will be an essential tool in preserving the uses of the plain in a manner compatible with the waterway's development.

Six Bridge would make use of the Monocacy to assure an adequate water supply for the entire central Maryland region. The project would have a substantial economic impact. The Corps of Engineers in 1963 estimated that an average annual monetary benefit of $1,352,900 would result from the construction of the Six Bridge Dam and Reservoir.

Six Bridge would also enable the counties involved to meet the new high standards of the Water Quality Act by "flushing out" the river at times of low flow. In addition, the recreational benefits of Six Bridge, provided by a regulated flow of water and the lake formed above the dam, would be considerable in areas where there is practically no type of water recreation now. The need for more recreation facilities has recently been noted by the Frederick County Planning and Zoning Commission, which is beginning formulation of a comprehensive plan for the region that will emphasize recreation. The Six Bridge project is particularly well suited for expanding recreational opportunities because of the very small drawdown that the reservoir would undergo during the recreation season and its proximity to both Baltimore and Washington.

This proximity points up another important feature of Six Bridge in providing for the future water supply of the Washington metropolitan area. Six Bridge Reservoir would be the closest to Washington of any in the Potomac River Basin now being considered, except for the questionable Seneca project. In contrast with Seneca, however, Six Bridge has been unanimously recommended by every group which has studied it. The proximity of the Six Bridge Dam and Reservoir to Washington was specifically noted in a recent report to the Metropolitan Council of Governments on the Future Water Supply of Metropolitan Washington. In pointing out the ability of the Six Bridge Reservoir to serve the Washington area, the report stated:

> Reservoir releases could not be regulated to match exactly variations in [Metropolitan Washington] demand and [Potomac River] stream flow, but should more closely approach requirements than with more distant reservoirs.

The Corps of Engineers report in 1963 noted that:

> There are no alternative major sites to replace the Six Bridge site . . . The failure to develop the Six Bridge site would eventually arrest the growth of the Frederick area or place an increasing burden on downstream communities, including Washington, by an increase in the severity and range of the resultant pollution.

I believe that the time has come to grant this most worthwhile project the authorization that it deserves.

AMENDMENT OF SECTION 503(f) OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

Mr. PELL. Mr. President, I send to the desk, for appropriate reference, a bill to amend the Federal Property and Administrative Services Act of 1949 to extend for a period of 10 years the authorization for appropriations supporting the collection and publication of significant historical documents.

The purpose of this legislation is to facilitate long-term planning of editing and publishing commitments recommended by the National Historical Publications Commission, on which I have the honor to serve.

At present these commitments are authorized in the amount of $500,000 per year for a period of 5 years, but because of the nature of the commitments which must be made, the program is presently handicapped by the 5-year limitation.

This legislation is sought by the executive branch and is part of the 1967 legislative program of the General Services Administration, which makes the allocations and grants of funds on the advice of the Commission. I ask unanimous consent that I may insert an explanatory letter from the administrator of GSA at this point in the RECORD, along with the text of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 2060) to amend section 503(f) of the Federal Property and Administrative Services Act of 1949 to extend for a period of 10 years the authorization to make appropriations for allocations and grants for the collection and publication of documentary sources significant to the history of the United States, introduced by Mr. PELL, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 2060

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 503(f) of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended (44 U.S.C. 393), is amended by substituting the word "fourteen" for the word "four" in the phrase "for the fiscal year ending June 30, 1965, and each of the four succeeding fiscal years".

The letter presented by Mr. PELL is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., February 27, 1967.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a draft bill to extend for a period of ten years the appropriation authorization, contained in section 503(f) of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. 393), for the collection, preservation, and publication of documentary sources significant to the history of the United States.

This proposed legislation is part of the legislative program of the General Services Administration for 1967.

Public Law 88-383 of July 28, 1964 (44 U.S.C. 393(d)-(h)), provides for a program of allocations to Federal agencies and grants to State and local agencies and to non-profit organizations and institutions for the collecting, preserving, and publishing of documentary sources significant to our Nation's history. The allocations and grants are made by the Administrator of General Services, within the limits of appropriated and donated funds available therefor, on the advice of the National Historical Publications Commission. An appropriation not to exceed $500,000 each year for a period of five years is initially authorized for the program.

The proposed legislation would extend for a ten-year period the existing authorization to appropriate such sums to carry out the program.

The grant program was established to support and stimulate the efforts of public and private sources to compile and publish in easily available form the important documentary record of American history. During the three years of its existence, the grant program has resulted in a very considerable impetus to documentary publication. The program has strengthened and accelerated the publication projects of 36 institutions.

Through the use of challenge (or matching) grants it has been possible to secure financial support that was formerly not available—from State legislatures, educational institutions, publishers, and other private contributors. Finally, a program has been started for the publication on microfilm of collections of documents not of such general interest as to deserve elaborate presentation in printed volumes, but important enough to deserve wider distribution among educational institutions and individual scholars.

In spite of the substantial progress that has been achieved through judicious use of grants, a great backlog of worthy projects remains untouched. During the past 15 years, 31 major letterpress publication projects have been begun. In recent years, 17 of these projects, undertaken by a like number of institutions, received Federal support. Yet there are approximately 80 projects of comparable importance that should be commenced as soon as the requisite financial support can be secured.

Similarly, during the three years of the grant program, 19 microfilm publication projects have been supported. There are, however, at least 200 projects of like importance that should be undertaken as soon as possible.

In order to maintain the present productive momentum of this valuable work and to continue the cooperative undertakings which the grant program has achieved, it is essential that an extension of the program for an additional ten years at its present level of authorized funding be made. We are asking for this extension in the third year of the present five-year program because we are already handicapped in considering projects requiring long-term planning. We have, for example, lost the initiative in making challenge grants (that bring in matching funds), and we cannot accept offers to sponsor projects the National Historical Publications Commission feels are deserving of priority. We hope for favorable action this session because we will otherwise be forced to use any funds available these last two years for projects of restricted scope, leaving the larger projects which we have been supporting uncertain again of their future and thus impairing their efficiency. To insert in the legislation a new terminal date only five years ahead would simply repeat this uncertainty. It would limit our ability to provide stable and balanced continuity to long-term projects, a continuity which is essential for a successful program.

GSA recommends prompt and favorable consideration of this draft bill.

Enactment of the proposed legislation would authorize appropriations to GSA, not to exceed $500,000 annually, for a period of ten years.

The Bureau of the Budget has advised that, from the standpoint of the Administration's program, there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,
LAWSON B. KNOTT, Jr.,
Administrator.

AMENDMENT OF NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

Mr. PELL. Mr. President, on behalf of myself and Senators YARBOROUGH, WILLIAMS of New Jersey, KENNEDY of Massachusetts, JAVITS, and GRUENING, I would like to introduce, for appropriate referral, a bill to amend the National Foundation on the Arts and Humanities Act of 1965, and authorize the continuance of the Foundation's presently operating programs.

You will recall that the act of 1965 authorized funding for the Foundation through fiscal 1968. The Foundation's appropriations for 1968 have now been approved by the Congress. I believe it is in the national interest that we now extend the life, capabilities, and potentials of this new agency into future years. For the Foundation to submit its budget later this year for inclusion in the President's budget for fiscal 1969, it is important that new enabling legislation be passed during this first session of the 90th Congress.

Many of the present Members of the Senate joined with me in supporting the original legislation which established the National Foundation on the Arts and Humanities. At this point I would like to pay special tribute to Congress, both as an institution and to its individual Members, for the National Foundation on the Arts and Humanities was and is a true demonstration of imaginative congressional initiative. When the measure was first introduced President Johnson stated that this legislation could well insure for the 89th Congress "a sure and honored place in the story of the advance of our civilization." Surely that statement prophesied great achievement—achievement which has become a concrete reality through the work of the National Foundation on the Arts and Humanities as is evidenced by the response of the public.

I would also like to pay tribute to Vice President HUMPHREY, who helped so much to originate these legislative concepts while he was a Member of the Senate and who has so valiantly supported them. I would like particularly to salute, and thank, the chairman of the Senate Committee on Labor and Public Welfare, Senator HILL, through whose committee the original legislation was approved and without whose help this legislation could never have been enacted.

The enabling legislation received strong bipartisan support; indeed, Senator JAVITS was a pioneer in this field. I would also like to acknowledge the efforts and support of Senator GRUENING, who was among the earliest sponsors of the original bill and who introduced similar legislation at the beginning of the 89th Congress. In all, 43 Members of this body sponsored the Arts and Humanities Foundation Act.

As you know, the Foundation includes two endowments, one for the arts, under the chairmanship of Roger L. Stevens, and the other for the humanities, under the chairmanship of Barnaby C. Keeney. The record of each endowment indicates that both Chairmen have provided admirable leadership, and that the two 26-member councils of distinguished private citizens, who advise the two endowments, have recommended programs greatly beneficial to our citizens throughout the country.

The wide range of the more than 100 projects currently funded by the arts endowment on a national basis have been of special consequence, as have been the close to 300 other projects supported by State arts agencies on a matching basis with the endowment's funds. Similarly the humanities endowment has supported a broad spectrum of fellowships, research, educational, and public programs beneficial to our country's progress in learning and scholarly pursuits. Indeed, I would say that the Foundation has made an exceptionally fine beginning with the relatively limited funds at its disposal.

Mr. President, when this legislation was originally discussed in the Congress, we were primarily concerned with its basic philosophy. We, along with the many distinguished witnesses who testified on the legislation, addressed ourselves to the question of whether or not our Government should support, for the first time, an independent agency to benefit the arts and the humanities in the United States. I believe that that philosophic question has been answered resoundingly in the affirmative, and that we should now concern ourselves with the specific needs in both cultural areas.

These needs are well known and will be further documented in the hearings the Special Subcommittee on Arts and Humanities plans to hold. We shall also address ourselves to certain recommended technical changes and refinements in the law, so that the Foundation can carry out its mandate from the Congress in the best possible fashion, and in accordance with experience already gained.

Personally—and I am sure that there are others who join me in this feeling—I would like to see the Foundation much more substantially funded than in the past. I believe that its work can make a highly significant contribution to the welfare of our people in the future. In truth, its work is basic to so many of the goals we seek and wish to achieve as a mature nation.

Mr. President, a "sure and honored place" can describe important legislation, but I believe those words apply, most cogently to the role of the arts and humanities in our society. I believe that this bill can greatly enhance the values of that role, and that it deserves our best consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2061) to amend the National Foundation on the Arts and the Humanities Act of 1965, introduced by Mr. PELL (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

HOUSING AND COMMUNITY DEVELOPMENT SPECIALIST TRAINING ACT OF 1967

Mr. PERCY. Mr. President, I send to the desk, for appropriate reference, a bill (S. 2062) to increase the supply of trained housing and community development specialists.

Mr. President, across the country today hundreds and perhaps thousands of organizations and neighborhood groups have begun to devise and implement programs for the provision of decent housing to our lower income citizens at prices within their reach.

Their resources are few, but their aspirations are high. They exemplify again the American tradition of helping others to help themselves—a tradition that perhaps more than any other should be a source of pride to the American people.

The task is an arduous one. Its requirements encompass nearly every skill or profession of modern America. To handle this job effectively, the housing and community development project administrator must be at the same time a specialist in so many fields that a Thomas Jefferson or a Leonardo da Vinci might well stand in awe of the responsibilities.

The housing and community development specialist must know how to work with his sponsoring organization, whether it be a neighborhood block club, a church or synagogue, a labor union, a citywide improvement association, or other kind of nonprofit organization dedicated to the goal of increasing the opportunities for a better life for those who have not been able to share fully in the promise of America.

He must know how to work with the civic leadership—the business community, the labor and professional leaders of the community, the educators and philanthropists, the leaders of every community group whose interests touch upon his work and whose resources can make a contribution to the success of his venture.

He must know how to work with the architects and planners who conceive the shape of progress and translate concept into detailed design.

He must know how to work with the realtor, the professional who specializes in the buying and selling of property.

He must know how to work with the builder who can take a dilapidated tenement or a vacant lot and produce a home for an aspiring family.

He must know how to work with the lenders—the banks, the savings and loans, the mortgage houses—whose job is to accumulate capital and put it to work to build a better America.

He must know how to work with the lawyer, whose skills are needed for the orderly development of any project.

He must know how to work with the city regulatory agencies, who have responsibilities for building codes and zoning and a thousand and one other regulations.

He must know how to work with the vast array of public and private welfare and educational agencies and organizations whose services can be so important in helping a disadvantaged family move up the ladder to economic security.

He must know how to work with the people of the neighborhood themselves, understanding their problems and frustrations, their hopes and their dreams.

And he must know how to work with the Federal Government, through whose often tortuous and exasperating labyrinths he must steer a course if the promise of national legislation is to be realized by the people and communities at the grassroots level.

A staggering task for an army of workers; but yet a task which frequently falls upon the shoulders of one man or woman—the housing and community development specialist.

With such demanding requirements, it is no wonder that specialists who can come into a neighborhood and handle a project successfully, often in the face of every complication nature and the mind of man can devise, are in extremely short supply. If this Nation is to achieve the promise of voluntary action by its people to rebuild its cities and declining rural areas, this supply must be drastically expanded.

The Housing Act of 1964 contained provision for encouraging the qualification of specialists in this area. Title VIII, section 802 of that act provided for Federal-State training programs, and section 810 provided for fellowships for city planning and urban studies. The former provision has never been funded by Congress, and the latter only to the extent of $500,000 a year. The House of Representatives has now approved $2.5 million for the Federal-State training programs for fiscal year 1968, and I urge my colleagues to join me in lending their full support to that appropriation.

But making the appropriation alone is not enough. Title VIII as enacted by the Congress contained two glaring oversights in the Federal-State training program language. The Federal funds could be used only for training "technical and professional people who are, or who are training to be, employed by a governmental or public body which has responsibility for community development."

This language excludes the training of capable men and women who, although they might not have the formal credentials to qualify as technical and professional people, nonetheless could with the proper training develop into top-notch housing and community development specialists. The administrators of two of the most successful local home ownership projects I know of could not have qualified under this language for training.

The language also excludes men and women not employed by a governmental or public body and with no intention of being so employed. This limitation effectively excludes training for specialists whose interests lie with the local nonprofit organizations or association. Thus this title of the law, even had it been funded, would have been of little direct benefit to the local nonprofit groups which so sorely need the trained personnel to make their programs work.

So even as we must affirm our support for an initial funding of this program, its authorizing language must be broadened to meet a broader national need. And that, Mr. President, is the purpose of the legislation I now introduced.

The Housing and Community Development Specialist Training Act I offer today is not the first measure that would improve and expand upon the present title VIII of the Housing Act of 1964.

My distinguished colleague from Connecticut, Senator ABRAHAM RIBICOFF, has taken the lead in this area by introducing S. 593 last January 23. The bill I now offer is actually based more on his amending legislation than on the existing title VIII language.

The differences between our two bills are entirely in language and not in spirit. I intend to support his S. 593 in the Housing Subcommittee, while offering some broadening amendments to make absolutely clear the intent of both the Senator from Connecticut and myself, which I think is identical.

The only reason I offer this bill today, Mr. President, is so that the full language and effect of the proposed amendments may be studied by those most directly affected—the officers and members of local nonprofit housing and community development organizations, including local community action agencies and other such groups working toward the goal of enhanced economic opportunity and improved living conditions for our less affluent citizens.

Mr. President, I ask unanimous consent that a chart I have prepared comparing the existing title VIII provisions with those of S. 593 and S. 2062 be included at this point in the RECORD and that the text of S. 2062 be printed at the end of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the chart will be printed at this point, and the bill will be printed at the conclusion of the remarks of the Senator from Illinois.

The chart, presented by Mr. PERCY, is as follows:

Comparison of language—Title VIII, S. 593, and S. 2062

Item	Section (title VIII)[1]	Title VIII	S. 593 (Ribicoff)	S. 2062 (Percy)
Entities cooperating in program	801(b)	States and public and private universities, colleges, and urban centers.	Same as title VIII	Same as title VIII, plus "business firms and associations, labor unions, and other associations and organizations.
Educational level; persons to be trained	801(b)(1) and 802(a)(1)	Technical and professional people	do	Same, plus "other persons with the capacity to master and employ such skills."
Prospective employers of trainees	801(b)(1) and 802(a)(1)	Governmental or public body	do	Same, plus private nonprofit organizations.
Special training for youths	801(b)(2)	No provision	"Advanced training for young persons showing unusual promise for leadership in urban affairs".	Training, including internships, for "young persons who have shown the interest in and capacity for the planning or management of local housing and community development programs."
Research scope	801(b)(3) and 802(a)(1)	No specific mention or rehabilitation and construction technology.	Same as title VIII	Specifically includes research in rehabilitation and construction technology.
	801(a)(4)	No mention of self-help techniques, resident involvement, or achievement motivation.	Includes self-help techniques	Includes self-help techniques, resident involvement, and achievement motivation.
Authorizations of appropriations for Federal-State training program.	802(d)	$30,000,000 without fiscal year limitation for all activities.	$10,000,000 for community development training and State research, without fiscal year limitation. $5,000,000 for special youth training programs annually for fiscal years 1968–72. $5,000,000 for self-help housing techniques annually for fiscal years 1968–72.	Same as S. 593.
Authorization for city planning and urban studies fellowships.	810(a)	$500,000 annually for fiscal years 1968–72.	$10,000,000 annually without fiscal year limitation.	$2,500,000 annually for fiscal years 1968–72.
Urban environmental studies	1011(e)[2]	Such sums as may be necessary	$50,000,000, at least half of which to be used for contracts with colleges and universities.	No provision (preserves existing sec. 1011(e)).

[1] As amended by S. ——.

[2] Of the Demonstration Cities and Metropolitan Development Act of 1966 (not title VIII).

Mr. PERCY. Mr. President, I think the chart, together with the text of S. 2062 is self-explanatory. In a nutshell, aside from some improved wording, my bill would expand the existing authority for Federal-State training programs for housing specialists to include trainees who may not happen to be technical or professional people, and who may not be employees or prospective employees of a public or governmental agency; and it would authorize the creation of special programs for training promising young people and for acquiring experience in self-help techniques. These last two improvements, as I have mentioned, are due to the distinguished Senator from Connecticut [Mr. RIBICOFF] and I hasten to give him full credit for their origination. The chart shows clearly the variations in appropriations authorized by the three pieces of legislation.

Thirty-eight Senators representing both parties have joined me in sponsoring the National Home Ownership Foundation Act (S. 1592). The National Home Ownership Foundation Act would charter a private nonprofit National Home Ownership Foundation to provide technical assistance and mortgage financing to local organizations conducting programs to help lower income families become owners of their own homes.

The bill I introduce today is a natural companion to the National Home Ownership Foundation Act. For if the program contemplated by that legislation is to succeed, there must be a sufficient supply of trained and skilled local housing and community development specialists to staff the local sponsoring organizations. This legislation would, if aggressively implemented, go far to ensure that supply. I would thus hope that sponsors of the National Home Ownership Foundation Act would join in supporting this modest measure as well. But even if the National Home Ownership Foundation Act does not immediately become law, the need for housing and community development specialists will remain acute. The broadened authority provided by S. 2062 will meet a most urgent national need.

The distinguished Senator from Connecticut has also introduced S. 1433, a bill to encourage the formation of neighborhood development corporations. The bill would authorize the Director of the Office of Economic Opportunity to make grants to such corporations to defray their first 2 years' operating expenses. Up to $30 million annually is authorized by this legislation.

I am glad to announce my support for this bill. The neighborhood corporation, in any one of many varied forms, is the cornerstone of the National Home Ownership Foundation program. It is the local "eligible borrower" to whom the Foundation may provide technical assistance and loans. The great difficulty encountered by these local housing and community development corporations or organizations is the difficulty of continually raising "front money" for the staff needed to design and execute a sound program. This program is particularly troublesome due to the extraordinary delays often encountered between the time of an FHA insurance application and the final approval—ranging in many cases up to 18 months or even 2 years. Helping these local organizations get off the ground in their first 2 years makes the prospects for their successful operation significantly brighter. In doing so, this bill provides additional support for the National Home Ownership Foundation program.

Mr. President, the Senate Housing and Urban Affairs Subcommittee, chaired by the distinguished Senator from Alabama [Mr. SPARKMAN] will hold hearings on some 34 bills now pending before it, commencing on July 17. Among those bills are the National Home Ownership Foundation Act, S. 1592, Senator RIBICOFF's expansion of the urban affairs training legislation, S. 593; my own bill, introduced today, to achieve the same end, S. 2062; and the neighborhood development corporations bill just referred to, S. 1433.

As a member of the subcommittee, I encourage persons active as officers or executives of local nonprofit organizations, community action agencies, cooperatives, and similar groups, as well as concerned citizens in general, to submit to me their views on any or all of these bills, soon enough so that I may have time to study them prior to the hearings. I am sure I speak for the other members of the subcommittee when I state that we intend to give very careful consideration to the bills pending before us, and the views of those most directly concerned will be very sincerely welcomed.

The bill (S. 2062) to increase the supply of trained housing and community development specialists, introduced by Mr. PERCY, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2062

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that this Act may be cited as the "Housing and Community Development Specialist Training Act of 1967".

SEC. 2. (a) Section 801 of the Housing Act of 1964 is amended to read as follows:

"FINDINGS AND PURPOSE

"SEC. 801. (a) The Congress finds that the rapid expansion of the Nation's urban areas and urban population and the associated changes involving the Nation's rural areas and their economies, have caused severe problems in urban, suburban, and rural development and created a national need for specialists trained in the methods of housing and community development, and for the further development of those methods themselves.

"(b) It is the purpose of this part to assist and encourage the States, in cooperation with public or private universities and colleges and urban centers, and with business firms and associations, labor unions, and other interested associations and organizations, to—

"(1) organize, initiate, develop, and expand programs which will provide special training in skills needed for economic and efficient housing and community development programs to technical, professional and other persons with the capacity to master and employ such skills, and who are, or who are training to be, employed by a public body or private non-profit organization conducting or with responsibility for housing and community development programs;

"(2) organize, initiate, develop and expand special programs, including internships, for the training of young persons who have shown the interest in and capacity for the planning and management of local housing and community development programs;

"(3) support State and local research that is needed in connection with housing programs and needs, including rehabilitation and construction technology, public improvement programming, code problems, efficient land use, urban transportation, and similar community development problems, and

"(4) support State and local research, including demonstration projects, to determine the most effective methods for training residents of deteriorating urban and rural areas in self-help techniques for rebuilding their physical environments, the promotion of resident involvement in neighborhood improvement and development programs, and the generation of additional achievement motivation in the residents of such areas."

(b) Section 802(a) of such Act is amended to read as follows:

"MATCHING GRANTS TO STATES

"SEC. 802. (a) Subject to the provisions of this part and in accordance with regulations prescribed by him, the Secretary may make matching grants to States to assist in—

"(1)(A) organizing, initiating, developing, and expanding programs which will provide special training in skills needed for housing and community development programs, to technical, professional, and other persons with the capacity to master and employ such skills, and who are, or who are training to be, employed by a public body or private nonprofit organization conducting or with responsibility for housing and community development programs; and

"(B) supporting State and local research that is needed in connection with housing programs and needs (including rehabilitation and construction technology), public improvement programming, code problems, efficient land use, urban transportation, and similar community development problems, and collecting and publishing statistics and information relating to such research;

"(2) organizing, initiating, developing and expanding special programs, including internships, for the training of young persons who have evidenced the interest in and capacity for the planning or management of local housing or community development programs; and

"(3) supporting State and local research, including demonstration projects, to determine the most effective methods for training residents of deteriorating urban and rural areas in self-help techniques for rebuilding their physical environments, the promotion of resident involvement in neighborhood development and improvement programs, and the generation of additional achievement motivation in the residents of such areas."

(c) Section 802(d) of such Act is amended to read as follows:

"(d)(1) There is authorized to be appropriated for grants to assist training and research activities described in subsection (a)(1) of this section not to exceed $10,000,000.

"(2) There is authorized to be appropriated for grants to assist training activities described in subsection (a)(2) not to exceed $5,000,000 for each fiscal year commencing after June 30, 1967, and ending prior to July 1, 1972.

"(3) There is authorized to be appropriated for grants to assist research and demonstration projects described in subsection (a)(3) not to exceed $5,000,000 for each fiscal year commencing after June 30, 1967, and ending prior to July 1, 1972.

"(4) Appropriations authorized under this subsection shall remain available until expended."

(d) Section 803 of such Act is amended by striking out "the total" and inserting in lieu thereof "any".

SEC. 3. Section 810 of the Housing Act of 1964 is amended by striking out the first sentence of subsection (a) and inserting in lieu thereof the following: "There is hereby authorized to be appropriated not to exceed $2,500,000 annually for a three year period commencing on July 1, 1967, to be used by the Secretary of Housing and Urban Development for the purpose of providing fellowships in urban studies, including the graduate training of professional city planning and urban and housing technicians and specialists as herein provided."

KENILWORTH NATIONAL CAPITAL PARK IN THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill to provide for establishment and development of a recreational park for the benefit particularly of the children of the District of Columbia living in the Kenilworth area of the District. These children, many of whom are disadvantaged, are sorely in need of recreational facilities.

I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2063) to provide for the establishment and development of the Kenilworth National Capital Park in the District of Columbia for the benefit of the people of the United States and, in particular, children; introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

S. 2063

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The Secretary of the Interior (hereafter in this Act referred to as the "Secretary") is hereby authorized and directed to establish the Kenilworth National Capital Park in the District of Columbia for the benefit of the people of the United States and, in particular, children. Such park and gardens shall be established and developed in accordance with a comprehensive plan to be prepared in consultation with a planning and policy council, established by section 5 of this Act, and with a development and programing advisory committee established by section 6 of this Act. An initial summary of this plan shall be reported to Congress no later than January 8, 1968.

SEC. 2. The Secretary shall establish and develop the park and gardens authorized by the first section of this Act on the tract of land, consisting of one hundred and eighty acres, more or less, which is bounded on the north by Kenilworth Aquatic Gardens and Polk Street, extended; on the west by the Anacostia River; on the east by Anacostia Avenue along Watts Branch to Kenilworth Freeway and by the Thomas School property; and on the south by the Benning Road property of the Potomac Electric Power Company. This tract of land is, and shall remain, under the jurisdiction of the National Park Service.

SEC. 3. The park and gardens authorized to be established and developed by the first section of this Act shall be created as a model maximum-use park of outstanding beauty and graceful design, with emphasis on the lively sports and varied general recreation, providing both the facilities and the educational staff supervision for community participation in crafts and performing arts and, further, providing an attractive center for public gatherings and family entertainment.

SEC. 4. The plan to be prepared by the Secretary as required by the first section of this Act shall provide for a permanent Board of Regents consisting of nine members, with the Director of the National Park Service as chairman; two members appointed by the Senate; two members appointed by the House of Representatives; two members appointed by the District of Columbia Board of Commissioners; and two members appointed by the Secretary. Members of the Board of Regents shall serve for terms of four years, such terms to be staggered so that no more than four appointments shall expire in any one year.

It shall be the duty of the Board of Regents to review activity programs, standards of beautification and maintenance, budgetary recommendations and proposals for innovations or improvements. As part of the intended purpose that the park shall serve as a model for other cities, the Board of Regents shall authorize the publication of such reports as may seem advisable.

SEC. 5. The Secretary shall create a planning and policy council consisting of the Secretary of the Smithsonian Institution, the Secretary of Housing and Urban Development, the Secretary of Agriculture, the Secretary of Commerce, the Chairman of the President's Council on Physical Fitness and one member nominated by each of the following organizations: The American Red Cross, the National Recreation and Parks Association, the American Society of Landscape Architects and the American Institute of Architects. It shall be the duty of the planning and policy council to advise the Secretary in carrying out his duties under this Act.

SEC. 6. The Secretary shall create an advisory committee for development and programing consisting of the Director of the National Park Service, the Chairman of the District of Columbia Board of Commissioners, the Chairman of the Recreation Board of the District of Columbia, the Chairman of the National Endowment for the Arts, the Chairman of the White House Committee for a More Beautiful National Capital; and one nominee of each of the following organizations: The U.S. Office of Education, the Boy Scouts of America, the Girl Scouts of America, the American Rose Society, the American Forestry Association, the Garden Club of America, the Metropolitan Washington Board of Trade, the District of Columbia Federation of Civic Associations and the Federation of Citizens Associations of the District of Columbia. It shall be the duty of this advisory committee to make recommendations for park development and program planning and to assist the Secretary in carrying out his duties under this Act.

SEC. 7. The Secretary, in consultation with the planning and policy council and with the advisory committee for development and programing, shall prepare a comprehensive plan for design and development of Kenilworth National Capital Park, including proposals of public policy relating to programed recreation, amusement, perpetual maintenance and long-range beautification; giving careful consideration to the Federal share of the cost, including all existing Federal programs as well as an estimated schedule of direct appropriations.

For these purposes, there is authorized to be appropriated from the Treasury of the United States such funds as may be required to carry out the provisions of this Act.

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS IN REDUCING THE INCIDENCE OF CRIME—AMENDMENTS

AMENDMENT NO. 223

Mr. HRUSKA (for himself, Mr. Percy, and Mr. Hansen), submitted amendments, intended to be proposed by them, jointly, to the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes, which were referred to the Committee on the Judiciary and ordered to be printed.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of March 16, 1967,

Mr. BARTLETT, from the Committee on Appropriations, reported favorably, with amendments, on Thursday, June 29, 1967, the bill (H.R. 10368) making appropriations for the legislative branch for the fiscal year ending June 30, 1968, and for other purposes, and submitted a report (No. 393) thereon, which was printed.

NOTICE OF HEARINGS BY SENATE SUBCOMMITTEE ON SEPARATION OF POWERS

Mr. ERVIN. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Separation of Powers, I wish to announce that the subcommittee will hold its opening hearings on July 18, 19, and 20 at 10 a.m. each morning in the Senate Auditorium, room G-308, New Senate Office Building.

As I have noted in previous statements, the subcommittee was established early in this session of the Congress to conduct a 2-year study of the powers and duties of the three branches of the Federal Government and the extent to which any branch, in exercising its powers, may have encroached upon the powers, functions, or duties of any other branch in violation of the constitutional system of separation of powers and checks and balances.

This first round of hearings will be general in nature and will be devoted principally to receiving statements by members of the subcommittee and other Senators regarding the scope of the subcommittee's study and specific problems of encroachment to which the subcommittee should devote its attention in subsequent hearings.

A number of Senators have already indicated an interest in appearing as witnesses at these hearings. Any other Senator who desires to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Separation of Powers, room 1403, New Senate Office Building.

HEARINGS TO RESUME JULY 20 ON S. 1602 AND SENATE JOINT RESOLUTION 64

Mr. METCALF. Mr. President, I wish to announce that hearings by the Committee on Government Operations will resume Thursday July 20, and be continued on Friday July 21, on Senate Joint Resolution 64, which would establish a Commission on Balanced Economic Development, and S. 1602, which would create a Northwest Regional Services Corporation to provide a central location for various training centers and programs.

The hearings will be held in room 3302, New Senate Office Building, beginning at 10 a.m. on both days.

I shall again serve as cochairman of the committee for the purposes of this hearing, by designation of the distinguished senior Senator from Arkansas [Mr. McClellan], chairman of the committee.

Persons who wish to testify or submit statements on Senate Joint Resolution 64 or S. 1602 should notify Mr. William E. O'Brien, professional staff member of the Committee on Government Operations.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. GRIFFIN:

Statement by him entitled "Jackson: Birthplace of the Republican Party."

CAP PROGRESS TO CONTINUE

Mr. HICKENLOOPER. Mr. President, Brig. Gen. William W. Wilcox, of the U.S. Air Force, is the commander of the Civil Air Patrol of the Air Force at Maxwell Air Force Base, Ala. The publication Civil Air Patrol Times for May of this year contains a statement by him in the nature of an editorial entitled "CAP Progress To Continue."

General Wilcox is an able pilot and has a distinguished war record.

I ask unanimous consent to have printed in the Record a short biography of General Wilcox and the article to which I have referred.

There being no objection, the biography and article were ordered to be printed in the Record, as follows:

Brig. Gen. William W. Wilcox, USAF, Commander, Civil Air Patrol-USAF Maxwell AFB, Ala.

Brigadier General William W. Wilcox assumed command of the Civil Air Patrol-USAF on May 1, 1967 . . . was formerly commander of the 19th Air Division, Strategic Air Command, Carswell AFB, Texas . . . is a command pilot with more than 6,000 hours . . . the ninth National Commander of Civil Air Patrol.

General Wilcox was born in Oskaloosa, Iowa, September 11, 1915 . . . is a veteran of 30 years service . . . enlisted in the U.S. Army Reserve in March 1935 . . . attended the U.S. Military Academy at West Point, and was commissioned in June 1940 . . . received his wings in 1941.

WWII bomber pilot in the Mediterranean and the China-Burma-India theaters for four years . . . led the 81st Bomb Squadron in combat missions in the Middle East . . . his was among the first bombardment units to hit the Germans in North Africa . . . played major role in driving the Germans into Algeria, then into Tunisia . . . General Hoyt S. Vandenberg (who later became Chief of Staff of the Air Force) flew with him when their bomber was riddled by antiaircraft fire.

Commanded the 12th Bomb Group (Light) in campaigns over Italy . . . later led the same group against the Japanese in the CBI theater . . . after WWII he was assigned to the Air Training Command for a short time . . . served as an instructor in mathematics at the Military Academy for four years—1946–1949.

During Korean War he was with the directorate of intelligence, Headquarters, USAF, . . . attended the Air War College in 1953 . . . was assigned to the Far East Air Forces July 1954 where he commanded a resupply group.

The General was assigned to Strategic Air Command in 1957 . . . was a wing commander for four and a half years until his assignment to Headquarters, SAC, as chief of operations and training division.

. . . combat record includes 73 missions in the B–25 light attack bomber during WWII over India, Burma, Libya, Sicily, Naples, Anzio and Rome . . . has flown the B–52, T–39, C–118, SA–16, B–29, B–47 and the U–2 weather reconnaissance aircraft.

General Wilcox has been awarded the Silver Star, Distinguished Flying Cross, Legion of Merit, Air Medal with seven Oak Leaf Clusters, Air Force Outstanding Unit Award, Distinguished Unit Citation and several campaign ribbons.

. . . married Retha O. Goddard in June 1941 . . . their children are: William W. Jr, February 1, 1946; Charles H, March 19, 1948; and Sarah G, December 13, 1949.

PROMOTIONS

2Lt., 11 June 1940 temporary, 11 June 1940 permanent.

1Lt., 10 October 1941 temporary, 11 June 1943 permanent.

Capt., 1 March 1942 temporary, 26 July 1943 permanent.

Maj., 11 July 1942 temporary.

Lt. Col., 14 July 1943 temporary, 1 July 1948 permanent.

Col., 3 July 1950 temporary, 1 July 1954 permanent.

Brig. Gen., 27 July 1964 temporary.

[From the Civil Air Patrol Times, May 1967]

CAP Progress To Continue

(By William W. Wilcox, Brig. Gen., USAF National Commander)

I am looking forward to my assignment as your National Commander with great anticipation. I have been aware of the Civil Air Patrol for many years, but, I must admit, I am not as well informed about the organization as I would like to be. I plan immediate action to remedy that.

I have devoted much of my life to aviation and to airpower. True, most of my active aviation experience has been with the military, but I do not subscribe to the theory that military aviation alone comprises this nation's airpower. The great civilian aircraft fleet—and the people who operate and maintain that fleet—contribute equally to our national airpower. This is why I am particularly looking forward to my association with the Civil Air Patrol. That is why I am especially happy to begin that association at this point in the organization's history.

From the briefings I have heard and from talking to Col. Joe L. Mason and Col. Lyle Castle, your national board chairman, I have the feeling that CAP is definitely on the move. Two particular programs are, I think, indicative of the direction in which we are moving. I am referring to the expansion again this year of the national cadet flying encampments and the aircraft acquisition program. The true impact upon our daily lives of the great strides in aviation over the recent past has not been fully recognized by many Americans. The need for development of aviation-oriented youth in this country is recognized by all too few individuals and organizations.

I am, therefore, convinced that the Civil Air Patrol has an unequalled opportunity to take the lead and to render a real service to our country through our aerospace education and training programs. I feel our two-pronged approach to the CAP program is the correct one. In other words, the combination of flying and academic activity in our cadet program seems to me to be the only logical route to run in accordance with the CAP mission. These two elements of our cadet program—flying and academics—complement each other. The emphasis of either element over the other works to the detriment of the whole.

I do not mean to imply that our cadet flying encampments and the aircraft acquisition program are the only important parts of the CAP program. The FAA instructor pilot upgrading program, the IACE, AAOC, and Jet Orientation Course, to name only a few, are important to the overall CAP program, of course. But the cadet encampments and the acquisition program are fairly recent developments for the CAP. They will be watched by many people outside of our organization. That is why they are so important at this time. I urge each of you, however remotely connected with either of these programs, to put forth whatever effort is necessary to assure their success.

Now to another subject.

I can assure you, as your new National Commander, that I do not believe in the "new broom" concept. The idea of change for the sake of change does not appeal to me in the slightest. Because of my lack of detailed knowledge of the CAP, I do not consider myself qualified to even begin to recommend changes to existing programs or organization. And I will refrain from doing so. The obvious answer is to spend the next several months doing a whole lot of listening and very little talking. For the immediate future, I plan to travel as much as possible and talk to as many of you as I can. In this way I hope to become more familiar with the Civil Air Patrol and acquainted with the people who make it work. So, when we meet, if some of my questions seem to you to be a bit "off base," please be patient. The questions will only be my way of trying to educate myself about our organization. I can think of no better way to learn.

This assignment will be something entirely new and different for me. It is one I know I will enjoy. I know, too, that I am fortunate to have become associated with a forward-looking, dynamic organization; one whose dedication to American airpower and humanitarian ideals is well known.

With your continued enthusiastic support, we can be assured that CAP will continue on the progressive course we have set.

THE LARGER FEDERAL PAYROLL

Mr. WILLIAMS of Delaware. Mr. President, on September 25, 1966, the President issued an executive order the purpose of which was to freeze Federal civilian employment at the July 1, 1966, level. Notwithstanding this fact we find that for the past 8 months the administration has been padding the public payroll at the rate of eight extra employees every 5 minutes.

These 131,871 employees are in addition to the normal replacements for resignation, retirement, and so forth, and they are as follows:

Month	Employment	Increase
October	2, 798, 212	24, 488
November	2, 834, 940	36, 728
December	2, 842, 528	7, 588
January 1967	2, 848, 249	5, 721
February	2, 864, 626	16, 377
March	2, 882, 639	18, 013
April	2, 899, 673	17, 034
May	2, 905, 595	5, 922
Total		131, 871

The addition of 131,871 new employees in 8 months is the equivalent of adding 16,000 per month or 4,000 per week or 800 per day—5-day week—or 100 per hour—8-hour day.

These 131,000 extra employees which the administration admitted they did not need are costing the taxpayers over $1 billion annually.

Nor can all of these additions be attributed to the war in Vietnam. A large percentage are new employees hired under the ever-expanding Great Society programs. For example, in the 5,922 additions for May we find the larger increases were in the Agriculture Department with 3,795, the Interior Department with 1,693, the Veterans' Administration with 1,246, and the Post Office Department with 969. The Treasury Department reported a decrease of 5,407.

In May in the Department of Defense the larger increases in civilian employment were reported in the Navy with 4,054 and the Army with 2,297. The Air Force reported a decrease of 4,625 for May.

This total of 2,905,595 civilian employees certified to the Joint Committee on Reduction of Nonessential Federal Expenditures by Federal agencies in their regular monthly personnel reports includes some foreign nationals employed in the U.S. Government activities abroad, but in addition to these there were 122,231 foreign nationals working for U.S. agencies overseas during May who were not counted in the usual personnel reports.

NEED FOR STUDY BY CONGRESS OF MAJOR ADMINISTRATIVE LEGISLATION

Mr. WILLIAMS of Delaware. Mr. President, this administration has developed a practice of sending messages to the Congress which involve major legislative procedures at the last minute and then in a great atmosphere of urgency demand enactment without time to consider any amendments.

The result is that Congress, by its meek acquiescence, is retreating to the role of a rubber stamp.

Anticipating another such experience on the administration's tax policy I have written to the Secretary of the Treasury suggesting that if the administration is going to ask the Congress for a tax increase prior to its adjournment that it make its decision promptly and submit it to the Congress in order that we may have time not only to study the recommendations themselves, but also to have time to hold hearings and discuss proposed changes in some of the various recognized loopholes in our present tax structure.

On the top of this list of inequities in our existing tax structure which need a broad revision before any tax increase is considered are the numerous depletion allowances for oils and minerals.

At this point I ask unanimous consent to have printed in the Record a copy of my letter to Secretary Fowler embracing this suggestion.

There being no objection, the letter was ordered to be printed in the Record, as follows:

June 28, 1967.

Hon. Henry H. Fowler,
Secretary of the Treasury,
Department of the Treasury,
Washington, D.C.

My Dear Mr. Secretary: According to recent press accounts the Administration is planning to submit to the Congress sometime before its adjournment a request for a broad tax increase.

Before any tax increase is enacted many of us feel that certain recognized loopholes in our existing tax structure should be reexamined. I am therefore trusting that the Administration's decision will be submitted to the Congress far enough in advance to give us adequate time to consider these revisions along with your request for new taxes.

Yours sincerely,
John J. Williams.

"FLY-IN" OF FARMERS UNION—THE WHEAT SITUATION

Mr. MANSFIELD. Mr. President, on June 13 and 14, there was a so-called fly-in under the sponsorship of the Farmers Union from the States of Minnesota, North Dakota, South Dakota, and Montana.

The purpose of this fly-in was to bring to the attention of appropriate Members of the House and Senate the situation in which the wheat ranchers of this country find themselves because of the price structure under which they have to operate.

The Montana Farmers Union through its president, Leonard Kentfield, of Great Falls, Mont., made a statement in behalf of the Montana group before the House Committee on Agriculture on June 13 and also before a panel consisting of some members of the Senate Agriculture Panel and others on June 14.

The Senate panel was presided over by the distinguished junior Senator from South Dakota [Mr. McGovern], and its members included the distinguished senior Senator from North Dakota [Mr. Young], the distinguished junior Senator from North Dakota [Mr. Burdick], the distinguished senior Senator from Kansas [Mr. Carlson], and the distinguished junior Senator from Minnesota [Mr. Mondale]. In addition, Senators Aiken, Metcalf, Pearson, Mundt, and McCarthy, and myself were in attendance, and were aware of all of the arguments raised by the Farmers Union groups.

In the main, as I have said, the discussion was on wheat, its price, and its future. It was a worthwhile panel hearing.

It was illuminating, it was educational. It was very well attended. Approximately 100 farmers and ranchers came from Montana at their own expense and by air which, of course, explains the use of the term "fly-in."

These farmers have much on their minds. They are extremely worried about the price of wheat and its future. Their arguments were cogent and to the point.

Mr. President, I ask unanimous consent that the statement made on behalf of the Montana Farmers Union be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of the Montana Farmers Union for Hearings of the House Committee on Agriculture, June 13, 1967, and Senate Agriculture Panel, June 14, 1967

Honorable Chairmen and Members of the Committees:

We urge immediate approval of S. 7 or comparable farm income-increasing legislation as a necessary first step in overcoming the most pressing problem facing farmers today—the *lack* of *adequate income.*

We have seen that increasing allotted wheat acres by about 32 percent in two boosts for 1967 holds no promise of increasing farm net income. On the contrary, the outlook is that wheat farm income is going down as production goes up.

The U.S. Department of Agriculture is now estimating a record U.S. wheat crop for 1967.

As of March 15, 1967, the farm parity ratio stood at 74 percent for prices received. It had dropped to 72 percent for the month ending April 15. On May 15 it increased to 74 percent again—still 26 percent less than a fair level.

On May 31 of this year growers received about 61 percent of parity (national average) in the market for their wheat. Wheat prices received by farmers for the 1966 wheat crop averaged nationwide $1.58 a bushel February 15, 1967.

We must remember that the so-called surpluses of wheat and feed grains are gone.

This price condition is deplorable. The gross disparity becomes very clear when it is realized that price parity for wheat is $2.60 a bushel (May 15).

In Montana because of an unjust freight rate differential the Commodity Credit Corporation loan rate runs 6 to 16 cents or more below the national authorized level of $1.25 per bushel.

Even with the domestic certificate value blended in, our Montana growers are fortunate to realize $1.50 per bushel gross on their crops—a level much below parity. This bad situation would be worse without the domestic certificate.

Net income has vanished for many farm operators in Montana.

We urge all-out support, therefore, for legislation now under consideration here to provide a wheat export certificate starting at 65 cents a bushel and a commensurate increase in feed grain supports.

While farm prices go down the cost of living continues to go up.

It is interesting to note that farmers are continuing to subsidize consumers. The Labor Department report of March showed a sharp drop in wholesale grocery prices which was offset by a big cost of living increase for clothing, transportation and medical care which boosted the cost of living index to a new high.

The deepening depression in agriculture, marked by too low prices which have not been anywhere near parity since the 1950's, is forcing large numbers off the land.

Since 1950 the number of farms in Montana has declined from 35,000 to 27,000 in 1964.

The average size of Montana farms has increased from 1,600 acres in 1950 to 2,400 acres in 1964.

The increase in acres per farm has not brought prosperity either to farmers or to the business enterprises in the rural areas. As a matter of actual fact, low prices and high acreages have been accompanied by the growth of vacant store windows in our towns. Today our farm people are asked not only to produce cheap food for the American people, but they are asked to produce for the hungry abroad. This is a worthy challenge.

However, we feel that our farm families cannot continue to survive providing food at sacrifices so serious it is undermining their own welfare.

United States makers of munitions of war are assured parity plus. Should American farms be required to take less than parity for Food for Peace?

Last October delegates attending the Annual Convention of the Montana Farmers Union adopted a resolution calling for an export certificate on wheat of at least 65 cents a bushel to eligible producers.

We urgently call upon Members of Congress and the Administration to provide legislation that will increase substantially farm income and improve the economy of our rural communities.

Thank you.

NATIONAL RIFLE ASSOCIATION'S USE OF CAMP PERRY SHOULD BE DENIED DURING VIETNAM CONFLICT

Mr. YOUNG of Ohio. Mr. President, it is of the utmost importance during the period when more than $30 billion of taxpayers' money is being blown up in smoke in South Vietnam that we search out and make every reasonable and possible cut of nonessential spending; and those cuts should continue until such time as our involvement in the ugly civil war in Vietnam is ended. This is the least we can do for already heavily taxed citizens and corporations.

The national rifle matches held in Ohio at Camp Perry year after year cost taxpayers approximately $3 million each year. I seriously question the propriety of conducting these matches this year in view of the tremendous budgetary requirement for the Vietnam war, and while more than 500,000 American boys are fighting and many dying in this small distant country which is not within our sphere of influence. Also, in view of the alternative possible uses for this facility and its equipment, this expenditure should be ended.

During World Wars I and II and also for a part of the Korean conflict, these matches, which are held in conjunction with the National Rifle Association, were called off. This precedent should be followed this year. Granting that the national rifle matches are interesting and instructive, it is also evident that they are regarded as a fat-cat junket for civilians who, year after year, shoot at targets at Government expense.

Much of the vast cost of these matches, held under the authority of the Department of Defense and by means of a Government subsidy, goes for the use of Camp Perry, for housing, feeding, and supplying competitors and service personnel, for travel expense for civilian competitors and for ammunition. Approximately 3,000 servicemen are assigned for support duty. With competitors from our Armed Forces, the total number of servicemen involved in this recreational project numbers 5,000 or more.

Next August, nearly 30,000 young Americans will be drafted for service in our Armed Forces.

Very definitely, with many Americans killed and wounded daily in combat in Vietnam and $2,500 million being blown away each month in that conflict, this Government subsidy to the National Rifle Association should be terminated. Of course, officers of the association will yelp and tell members to write their Congressmen. However, the President has asked that expenditures for all nonessential activities and programs be curtailed to help ease the budgetary strain of the Vietnam conflict. Certainly these rifle matches come under the category of nonessential activities.

Those matches which are a necessary part of military training for active duty servicemen could easily be rescheduled at another time or at another base, and would require only a portion of the expense, manpower, and facilities now expended in the Camp Perry rifle matches.

Camp Perry is in a beautiful beach area of Lake Erie between Sandusky and Toledo, Ohio. It is a lovely vacation area. It is a facility of great size and flexibility, capable of providing room and board for many more than 10,000 people. It is unconscionable to reserve it during the months of August and September for these nonessential rifle matches. I make vigorous objection to that.

Its many acres would afford magnificent weeks of recreation and training for 15,000 or 20,000 underprivileged children in the Hough area of Cleveland and from slum areas of Toledo, Cincinnati, Dayton, and other cities of Ohio and of neighboring States. It would mean much for the health, happiness, and rehabilitation of many of these youngsters. Camp Perry would be put to better use and the expense to our taxpayers would be much less.

In addition to using Camp Perry for youth-improvement programs, it would be an ideal place for a rest and recreation camp for wounded and convalescing Vietnam veterans who are presently packed in hospitals extending from Vietnam to Walter Reed Hospital in Washington, D.C.

Some time ago I was at the Clark Air Force Hospital near Manila, and the hospital was absolutely clogged and filled with wounded and sick young men who had been brought there from Vietnam. Therefore, instead of rifle matches and a happy junket for civilians, why not do the logical thing? Why not make Camp Perry available for the use of these veterans who were wounded or afflicted with malaria and other jungle diseases in Vietnam? It is such a logical thing to do that officials of the Defense Department will probably not do it. It would certainly be more sensible than the holding of shooting contests requiring great expenditures of military funds and manpower.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Without objection, it is so ordered.

THE ADMINISTRATION'S SILVER POLICY

Mr. DOMINICK. Mr. President, I take the time of the Senate today only because I feel the administration's current silver policy is a source of concern not only to the Senate but also to the country as a whole.

The administration's current silver policy is a hydra-headed monster which: First, is costing the U.S. taxpayers millions of dollars; second, is providing a direct subsidy to our large silver manufacturers; third, is a direct depressant to our already depressed mining industry; and, fourth, is endangering our supply of silver needed for defense purposes.

Mr. President, the current silver giveaway will cost the U.S. taxpayers at least $71.8 million during the next few months unless corrective action is taken by the Treasury. In fact, the cost to the American taxpayer may soar well over the $71.8 million figure if the world price of silver continues to climb.

The U.S. Treasury is currently selling silver to domestic manufacturers at $1.29 per ounce, which is approximately 42 cents less than the world market price.

As of June 22 the Treasury had 25.6 million ounces of silver in its free silver reserves. In addition, the President signed the silver certificate bill into law last Saturday, June 24, 1967, and this bill authorizes the Secretary of the Treasury to write off as much as $200 million worth of silver certificates which will free 154 million additional ounces of silver. Assuming this is done, the Treasury will then have a total of 179.6 million ounces of silver which it can sell off at the taxpayers' expense.

The Treasury has been selling its free silver reserves at these bargain basement prices in tremendous volumes. From the first of the year the Treasury's free silver reserves dropped from 154 million ounces to approximately 90 million ounces on the first of May. The tempo of sales has increased dramatically in the past few weeks; and as of June 22, the Treasury had only 25.6 million ounces in its free reserves.

As the world price increases, the number of domestic bargain hunters increases, and at the same time the taxpayers' silver supply entrusted to the Treasury decreases millions of ounces per month—at a loss to the taxpayers of approximately 42 cents per ounce.

The sale of silver to domestic manufacturers at $1.29 per ounce amounts to a direct subsidy of these business concerns. If the Treasury were to stop selling the taxpayers' silver at $1.29 our domestic manufacturers would have to purchase their silver on the open market at approximately $1.71 per ounce. There is absolutely no reason why the administration should be subsidizing our large silver manufacturers.

Of equal concern to me is that the administration's silver policy has further depressed an already depressed silver mining industry. Last year domestic consumption of silver for the arts and industries totaled approximately 150 million ounces, while domestic production was only 42.5 million ounces. Despite this silver "gap", the administration's silver policy is designed to suppress rather than stimulate silver mining.

The administration's silver policy is also jeopardizing our supply of silver for defense purposes.

Mr. President, I explained in detail my concern over the lack of a specific "set aside" of silver for defense purposes in a floor speech on June 5, 1967. While I will not repeat those remarks at this time, I do want to reiterate my concern over the refusal of the Treasury to cooperate in establishing a defense stockpile of silver.

The principal rationale used to support the administration silver policy is as illogical as the policy itself.

It is argued that during the transition period from silver coins to clad coins, the price of silver had to be maintained at $1.29, the monetary value of silver, to prevent the melting down of our silver coins which, if it had happened, would have compounded the coin shortage experienced in 1963 and 1964. As you know, Mr. President, it might become profitable to melt silver coins for their silver content at about $1.40 per ounce. It was never envisioned that the Treasury would continue to hold the price of silver at $1.29 permanently—but rather only for the protection of our silver coinage during the transition period.

The only rationale then for maintaining the domestic price of silver at $1.29 is the Treasury's claim that we are still in the transition period from silver to clad coins.

The facts clearly dispute this.

The Treasury, both by word and deed has indicated that we have passed through the transitional period.

In House Report No. 1468 of the 89th Congress it is stated that the Treasury indicated the mint would implement a "crash" production schedule for coinage by producing coins on a 7-day, 3-shift basis until the transition period was completed.

This "crash" schedule was, in fact, implemented.

However, last November the mint eliminated their crash program and reverted from a 7- to a 5-day week.

On May 4, 1967, Under Secretary Barr stated in his testimony before the Senate Banking and Currency Committee on S. 1352, at page 6 of the hearings, that commencing June 30 the mint "will shift from a three- to a two-shift operation in the production of our coins."

If we have not completed the transition period and if there is any danger of a coin shortage, why has the administration reduced coin production and why are they contemplating further reductions later this week?

Even more startling is the statement of Under Secretary Barr found on page 69 in those same hearings. He stated and I quote:

> At the present time, we are approaching the limits of capacity of our facilities for storage of new coins available to be issued if needed. It is our belief that we probably have in circulation, in inventory, and in production, a sufficient amount of the new coins so that if the existing silver coins in circulation should begin to disappear, we would have enough coins to meet the country's needs. However, it is difficult to estimate the total needs of the country for coinage, and we feel that we can take no chances in this regard. Accordingly, we are continuing heavy production of the new coins at all of our Mints to insure an amount of the new coins in circulation and in inventory which, according to every estimate, will be more than sufficient to meet any potential needs of the country for coinage.

It is inconceivable to me that the administration can reduce the production of coinage, state that the transition period is "probably" over and still justify giving away the taxpayers' silver at $1.29 per ounce under the guise of protecting our silver coinage.

The administration wants it both ways.

They must not be permitted to cry "wolf" on the one hand and reduce the production of our coinage on the other hand—at the expense of the American taxpayer. It is apparent that the administration's credibility gap extends even to our silver policy.

But the absurdity of the administration's position does not stop here.

The justification for maintaining the price of silver at $1.29 through sales at that price has been to prevent the melting down of our silver coinage. The Coinage Act of 1965, enacted on July 23, 1965, gave the Treasury the authority to issue regulations prohibiting the melting of our coinage under severe penalty of law.

However, no such regulation was issued until May 18 of this year—nearly 2 years after the authority was granted. This regulation is now in effect and should, therefore, prevent the melting of silver coins even if the domestic price of silver were permitted to rise to meet world prices.

I submit that the time is past due for the administration to embark on a new silver policy.

It is time to stop selling the taxpayers' silver at bargain basement prices.

It is time to stop subsidizing our large domestic silver manufacturers who through the Silver Users Association has successfully lobbied for our current silver policy.

It is time we let the price of silver reach its own level in the market place in order that our silver mines may be profitably reactivated and production increased.

I would urge the Treasury to suspend its silver sales. This would lock-in the taxpayers' silver investment, and would assure an adequate supply of silver for our national defense stockpile and coinage purposes.

In the alternative, I would urge the

Treasury to sell its "free" silver only at the world market price.

I would not be surprised if the Administration spokesman replied that they should not alter the Treasury price of silver until the Joint Commission on the Coinage has studied the matter. As a member of that Commission, I would remind the administration that the establishment of the Commission was authorized in 1965 but the Commission could not meet until May, 1967, because the President failed to appoint the eight public members. I must candidly state that I am convinced this Commission was rendered inoperative for nearly 2 years because the administration chose to dictate our silver policy rather than have the matter independently studied by the Commission.

We have unfortunately reached the point where, in my judgment, the Treasury should now act first and seek the belated counsel of the Commission at its July meeting.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BREWSTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

U.S. MERCHANT MARINE POLICY

Mr. BREWSTER. Mr. President, during the past week, under the able chairmanship of my distinguished colleague from Alaska, Senator BARTLETT, the Merchant Marine Subcommittee of the Senate Committee on Commerce has conducted detailed hearings aimed at exploring the true condition of the U.S. merchant marine.

The purpose of these hearings is not only to give ourselves an understanding of the current woeful condition of the American maritime industry, but to provide a foundation for a congressional remedy of that condition.

The normal sequence of events has been somewhat reversed. Usually, it is the administration that sends its recommendations to Congress for deliberation, debate, and enactment into law. But today, when concrete legislative proposals are needed desperately to keep the American-flag fleet afloat, none have been forthcoming from the executive branch.

Instead, there has been a lot of talk—too much talk and too little action. Much has been said about the Secretary of Transportation's new maritime program, but in reality this program has never been set down in detail on paper. It is a vapor, an intangible that has brought not new hope for the maritime industry, but only frustration and anger.

Recognizing this situation, my distinguished colleagues in the Senate, Senators MAGNUSON and BARTLETT, and my friend and fellow Marylander, Congressman EDWARD GARMATZ, have joined together to form a congressional maritime policy.

Recognizing the policy vacuum that could be fatal to our merchant marine, they pledged to join together in creating and enacting a new program this year.

In a joint statement issued 2 weeks ago, they said:

> Each passing day, each new crisis makes it increasingly obvious that our country must have a modern, well-balanced merchant marine and related industry components. Equally obvious is the fact that such is not at hand.

I applaud this statement and the action of Senators MAGNUSON and BARTLETT and Congressman GARMATZ in seizing the initiative where the executive branch has hesitated. I certainly give my wholehearted support to the program now being formulated as a result of the merchant marine review hearings.

I think that finally we are going to get something done, for surely concrete steps must be taken this year, right now, to bolster the American-flag fleet.

I recognize, of course, that the administration has been reluctant to make its plan definite until it can be almost entirely sure that it will be well received. As a result, the sky has been darkened by numerous trial balloons sent aloft to the cheers of some parts of the industry and the groans of other parts.

This may be wise politics, and sometime, someday it might result in a good program. But when? Our shipowners, our shipbuilders, our maritime unions, and our ports cannot wait forever. They need a revitalized maritime policy before we go home in the fall. I pledge myself to do everything I can to help them get it.

In all honesty, I must admit that some of the blame for delay lies with ourselves in Congress. Congressional apathy toward the merchant marine has been a major stumbling block to needed improvements. Unfortunately, the merchant marine seems not to have much sex appeal.

This is a serious problem. Apathy can kill a program just as easily as strong opposition. It is the duty of those involved with the maritime industry, if they wish to thrive, to educate the Nation in the problems they are beset with and the need for reform. People today simply do not realize how vitally important our fleet is to America, both commercially and for reasons of national defense.

How many people realize, for instance, that 97.6 percent of supplies to Vietnam go by ship? We simply never hear of the tremendously important role that our merchant marine is playing in Southeast Asia.

How many people realize that 60 percent of all troops sent to Vietnam go by ship—an astonishing figure which proves that, despite the rapid development of air transportation, ships are essential to the deployment of our Armed Forces.

Of course, on this subject, the Administration did make one concrete proposal which, fortunately, was defeated by Congress before it got off the ground. This was the celebrated fast deployment logistics ship idea, the proposal to construct, at enormous cost to the American taxpayer, huge floating arsenals stationed offshore trouble spots, ready to deploy men and arms to the scene of battle faster than ever before.

What a terrible idea. Not only would these leviathans lend a very trigger-happy outlook to our foreign policy, but they would deal a crushing and unnecessary blow to our shipping industry. It is a well-known fact that any slowup in the line of supply between, say, San Diego and DaNang occurs not in San Diego, not on the high seas, but in the unloading process in Vietnam. FDL's could in no way obviate this congestion problem. In reality, they would not speed the supply process up an hour. Fortunately, this fact was patently clear to the House and Senate Armed Services Committees, which killed the FDL plan.

The point is, of course, that the Department of Defense, realizing the obsolescence of our merchant and liner fleet, and realizing the fact that our global position depends on a well-equipped, modern fleet, determined to skirt around the need to revitalize the merchant marine, and build a merchant marine of its own—Government owned, Government operated, and offering slim dividends to the taxpaying public.

In two World Wars in this century, and in the Korean war, our merchant fleet outmatched all others in getting men and supplies across the oceans fast. There is no reason to believe that this record of achievement cannot be continued during the current conflict, just so long as we buckle down and give our merchant fleet the governmental support it needs.

I can find no justification whatsoever for abandoning the time-honored policy of integrating the privately owned American-flag fleet into the national defense in times of crisis. Fortunately, Congress vindicated that policy this year, and I hope it will continue to do so against all future counterproposals from the Department of Defense.

The American maritime industry does not benefit from the traditional means of protection: duties and barriers of distance. Nor does it profit from constant injections of technological research sponsored by the Government. The simple fact is that our maritime industry exists because of a complicated set of Government programs and regulations. If these are abandoned, or, more realistically, if they are allowed to become obsolete, the industry will die. Without Government assistance, our shipping and supporting industries could not compete successfully in the world market.

The reason, of course, is our higher wage rates. In Japan, the leading shipbuilding nation today, a shipyard worker earns one-third or less of what he would earn here. A ship can be constructed in Japan for 45 percent of what it costs here. In fact, the shipbuilding materials here cost what the whole ship would cost in Japan.

A similar disparity can be found in the wage rates of foreign and American ships' crews. Furthermore, unavoidable operating costs, like dockage, pilotage, and cargo-handling, cost here two to four times what they do in foreign ports.

I would submit that in no other industry is the confrontation between American and foreign wage rates more dramatic. The need to accommodate our vastly higher wage rate, plus the need to replace and expand a fleet that is growing obsolete in block—this, basically, is the problem we face today.

In the years since the war, we have slipped to 16th in shipbuilding. At this moment, we have 48 ships of 596,300 gross tonnage under construction, while Japanese yards have 583 ships of 18 million gross tons in the works.

Further, only 7 percent of our own foreign commerce goes in American-flag ships. The American-flag fleet totals 10.3 million gross tons, or 6.4 percent of the world total. That ranks us as the fifth greatest maritime power, when 20 years ago we were No. 1.

By contrast, the Soviet Union, which at the end of World War II was a maritime power of little significance, has now risen to sixth place, with a fleet of over 9 million gross tons. Today, Russia contracts to build ships in foreign yards, not because it is cheaper to do so, but because her own yards are filled to capacity. Clearly, the Russians realize the importance of a strong merchant marine, and are bent on making sure they have one. Needless to say, our own declining fleet suffers by comparison.

In 1965, the Soviet Union accepted delivery of 100 merchant ships, while the United States took delivery of only 16. We had on order 41 merchant ships of over 1,000 tons, and the Russians had 464. Consequently, while the average age of our fleet creeps up to around 20 years, the Soviet fleet gets younger every year.

The question is now what do we do about this sad state of affairs. Given the total dependency of the maritime industry on Government programs, it follows that the only answer lies in a Government policy of rejuvenation. What should such a policy include?

First, in the general area of governmental reorganization, I would recommend that the Maritime Administration be established as an independent agency, under neither the Department of Commerce nor the Department of Transportation. I believe firmly that only as an independent agency, free from subordination to other transportation concerns, can the Maritime Administration come up with the kind of program necessary to revitalize our fleet. If a sound and progressive maritime policy had already been presented by the Administration, then perhaps I and other friends of the maritime industry would be content to see Marad inside that department. But this has not happened.

In line with this proposal, I would recommend that the Commerce Committee be allowed to authorize merchant marine appropriations. At present, merchant marine funds are reviewed only by the Appropriations Committee. I have introduced a bill to provide for this change, which, I believe, would strengthen congressional oversight in the maritime field.

Second. The maritime industry cannot continue to operate without subsidies, no matter how alien they may seem to the free enterprise system. Subsidies can be divided into two essential categories, construction and operating.

The Secretary of Transportation has proposed informally that construction subsidy payments be made directly to the shipyards, and basically this seems a sound plan. It is important however, to make it clear from the beginning what price differential the subsidies are based on: the relatively small British-American differential, or the high U.S.-Japanese differential. The complications here are obvious, and need to be worked out well in advance.

Due to the high standard of living of American seamen, there appears to be no alternative to continued operating subsidies. Only in this way can American-flag liners continue to compete in the world market. In the merchant marine review hearings, several witnesses have proposed that operating subsidies be extended to what are now unsubsidized liners and bulk carriers. Considering the ever-increasing requirements of our world trade, this proposal has definite merit, and should be implemented.

My third general proposal comes in the field of vessel replacement. We are currently more than 90 ships behind in our vessel replacement program. In order to maintain our fleet, we should be building at least 30–40 new ships a year, rather than the 13 provided for in this year's maritime budget.

I do not believe one penny should be spent for the rehabilitation of old ships or the reconditioning of the mothball fleet. That is only a temporary expedient, and would do nothing to improve the overall quality of the fleet. All money that it has been proposed to spend in this way should go to the construction of new ships. Rehabilitation of old ships is economically unsound.

The Secretary of Transportation has given considerable weight to the proposal that part of our ship replacement program be carried out in foreign yards. I am strongly opposed to this plan. There can be no doubt whatsoever that it would deal a crushing blow to the shipbuilding industry in America. Only when our shipyards are full to capacity should we even consider building American-flag ships abroad, and then only after due consultation of Congress.

Hand-in-hand with modernizing the fleet goes the modernization of our shipyards—there are only 11 of them left. In 1953, U.S. yards delivered 45 ships. U.S. shipyards can deliver as many ships today without driving costs up. I would strongly recommend, however, that Congress consider extending loans to American shipyards, in much the same way as loans were extended to foreign shipyards after World War II, to accomplish the modernization that is needed.

Fourth. Another area in which the Government can be of great assistance in the promotion of a healthy merchant marine is the retention and reaffirmation of the Cargo Preference Act under which at least 50 percent of all U.S. Government cargo must go in U.S. bottoms.

Despite explicit Presidential orders to the contrary there have been numerous occasions when this requirement has not been met.

Fifth. Considering the tremendous amount of benefit that airlines and railroads have derived from Government-sponsored research, I believe it is essential that the Government step up its research in the maritime field. The signs this year were profoundly discouraging, when the Bureau of the Budget recommended removing from the Maritime Administration budget the $2 million necessary to keep the nuclear ship *Savannah* in operation. It is essential that we continue development in the nuclear field, for this is one area in which we have a clear lead. It was enormously gratifying to the friends of the maritime industry when the House Committee on Merchant Marine and Fisheries restored that vital $2 million to keep the *Savannah* in operation for another year.

A new merchant marine policy must include much more than these five points. I would consider these simply a starting point. The tragedy is that the longer we go without a policy the more the situation deteriorates. In fact, what is holding all aspects of the maritime industry back more than anything else at this point is the lack of a policy that will give firm assurance for the future.

THE VISTA BAIL BOND PROJECTS

Mr. MONDALE. Mr. President, our Nation's legal system is one of the most refined and sophisticated in the world. It is predicated upon the fundamental principle that a man is "innocent until proved guilty." Yet this historic privilege of American law too often has little meaning or relevance to the more than 30 million Americans living in poverty.

The bail system—one of the most enduring anachronisms in American legal procedure—relegates an indigent accused of a crime to a position of second-class citizenship. Because a poor person cannot afford bail he cannot afford equal justice. The point is that legal equality is undermined by the bail procedure which in essence forces the accused—who is still innocent—to pay for his freedom, thereby jeopardizing the legal rights and equality of the poor.

Many Senators are lawyers by education and past profession, and they especially understand this cruel legal irony. The distinguished Senator from North Carolina [Mr. ERVIN] has focused the attention of the Senate on this problem. Under Senator ERVIN's leadership, Congress enacted the Bail Reform Act, which instituted long-needed changes in Federal bail practices.

That is one of the reasons why, today, I want to tell Congress of the significant and effective job VISTA volunteers are performing for the poor. Almost all of us know of their devoted and lasting service to the less fortunate in urban ghettos and rural hollows, mental health institutions, migrant communities, and on Indian reservations. But today I wish to speak of VISTA's bold and imaginative bail bond programs that endeavor to make law's justice a reality to all Americans—not just to those who can afford it.

At present VISTA has bail bond projects in several of the Nation's largest cities. In these cities, VISTA volunteers are making it possible for thousands of arrested persons who cannot afford bail to be released—persons who might otherwise be confined to a jail cell for months awaiting trial. Now, the thought of releasing persons charged with crimes arouses an understandable apprehension in some; some people argue that society should protect itself. The work of VISTA volunteers in no way challenges this responsibility. In fact, it secures equal justice for first offenders only after comprehensive interviews with the indigent defendants and key witnesses and thorough character investigations. And even then, the defendant is released on his own recognizance only after all the facts are presented to the judge so that he can make a fair decision in the interest of both the defendant and society as a whole.

So society is not threatened, indeed all society benefits from VISTA's bail bond programs. First, the defendant and his family are not discriminated against because they are poor. The defendant can continue in his job and support his family. Personal dignity is not subordinated to and poverty is not perpetuated by antiquated legal procedure.

Second, society gains from the implementation of legal equality. It costs the State nearly $4 a day to keep a man in prison. The average period of time that a defendant has to remain in jail awaiting a trial is 3 months. Therefore every worthy defendant who is set free pending a trial represents a saving of hundreds of dollars to the taxpayers of that State. When we consider that more than 4,200 defendants have been released as a result of VISTA's bail bond program, this means savings to the States involved in excess of $1 million.

Additionally, a fantastic amount of money is saved the State because the released defendant's family is kept off the welfare rolls and the defendant himself continues to contribute to the economy and pay taxes. All told then, VISTAs are saving the State millions of dollars as a result of their service with bail bond projects.

The service of the VISTA volunteers over the past 2 years has been most impressive and encouraging. The facts speak for themselves: In four cities across the country, more than 4,200 arrested persons who could not afford bail have been released pending their trial—all of them upon the recommendations of VISTA volunteers. Of those defendants released as a result of the VISTA bail bond projects, 98 percent have showed up for trial. These facts confirm both the validity of the aims of VISTA's bail bond program and the volunteers' effectiveness in realizing those aims. Also justified is VISTA's trust that the poor would accept such assistance in good faith, thankful for the chance to retain their dignity and means of self-support.

I should like to cite a couple of specific examples that illustrate the service VISTA volunteers are providing to both the poor and society as a whole. In San Francisco, more than 16,500 indigent defendants have been interviewed by VISTA volunteers. More than 2,700 of them have been released without bail by the judges assigned to their cases upon VISTA's recommendations—this is more than double the number released before VISTA's program was initiated—and 98 percent of those released without bail have showed up for their trial.

In a new effort in Miami, volunteers working in the public defender's office have interviewed thousands of arrested indigents. All of those released upon the recommendations of VISTA volunteers have reported to trial. But the volunteers go beyond seeking only a release. Prior to the trials of those released, volunteers call upon the person and his family, offering counsel and assistance. After the trials, VISTAs continue to provide counseling and serve as an employment service for persons whose sentences are suspended or who are acquitted—a majority of those accused, it turns out—and are in need of work.

A Tulsa Tribune editorial tells in a few words the real meaning of VISTA's service in the field of jurisprudence and the reason why the Senate and, indeed, the whole Nation must give VISTA all the support and encouragement possible in their bold endeavor:

> We've had a feeling of hopelessness for some time in the shadow of rising crime statistics. The good men (police, judges, most lawyers, prosecutors) have always outnumbered the bad men (criminals, delay-seeking lawyers, cooperating professional bondsmen), but they usually are ambushed some place along the way. Most of the positive action has come from the bad men. VISTA offers a chance to even up the weights.

I am sure the Senate will give VISTA the mandate to "even up the weights" of justice's scale, so that the poor as well as the affluent of our Nation may realize law not as their enemy, but rather as their guardian. By so doing, both the less fortunate and all of society will realize the benefits of legal equality and real equal justice.

GEORGETOWN FATHERS HONORED—REVS. FRANCIS J. HEYDEN AND DANIEL E. POWER, S.J.

Mr. DIRKSEN. Mr. President, on this day, June 29, the Religious Heritage of America is conferring on the Reverend Francis J. Heyden, S.J., and the Reverend Daniel E. Power, S.J., its coveted Faith and Freedom Award. The presentation of the award is being made in full recognition of their solid achievements on behalf of the nationally renowned Georgetown University Forum. Founded in 1946 by Father Heyden, who in his own right is an outstanding astronomer and scholar, the Georgetown University Forum has grown to be one of the most effective media for the discussion and clarification of current issues facing our Nation. The public service it has performed is invaluable and enduring.

It is with a great sense of admiration and esteem, which I know is shared by many Senators, that I express my warm congratulations to the honored fathers for their work and accomplishments in the interests of our Nation. In further fitting recognition of their constructive efforts I ask unanimous consent that their short biographies, the numerous awards won by the Forum, and a list of Senators and Representatives who have appeared on the Forum in the period of only 1960–67 be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Rev. Francis J. Heyden, S.J.

Father Heyden, Director of the Georgetown University Forum, was its founder in 1946. A native of Buffalo, New York, he entered the Society of Jesus in 1924. He has received degrees in Philosophy and Theology from Woodstock College, Maryland; M.A. and Ph.D. degrees in Astronomy from Harvard University; and the D.Sc. (honoris causa) degree from Georgetown University. For the past 21 years he has been Professor and Head of the Department of Astronomy at Georgetown University.

He is a member of Phi Beta Kappa, Sigma Psi, and the National Association of Educational Broadcasters.

Rev. Daniel E. Power, S.J.

Father Power, the Program Director of the Georgetown University Forum, is a native of New York City. He holds A.B. and A.M. degrees from Boston College, and a Ph.D from the Gregorian University in Rome. He entered the Society of Jesus in 1922, took Philosophy studies at Weston College, Massachusetts, and Theology at Woodstock College, Maryland. In 1937 he became Professor of History and Government at Georgetown University. During World War II he was an Army Chaplain, serving on Leyte and Luzon from 1943 to 1946. Presently, he is Director of the Office of Public Affairs at Georgetown University.

He is Vice President of the Greater Washington Educational Television Association, a member of the National Press Club, and the National Association of Educational Broadcasters.

[The Georgetown University Forum]

Clarification, Not Controversy, Has Its Reward

(By Lucile Parish, WTJS Airlines in the Jackson Sun, Tenn., April 10, 1960)

In the fall of 1946, the Georgetown University Radio Forum began their discussion programs. From its beginnings, the Georgetown program has taken the attitude that listeners are busy people who nonetheless feel responsible for knowing what is going on in the world around them. They like to be able to rely upon expert opinion as they gather political, historical and scientific information.

Georgetown University has always been conscious of being part of a great living laboratory of ideas and public affairs. It was, therefore, a logical step for the University to carry its role of educator into the studio as well as the classroom. Members of the University's distinguished faculty were heard speaking about topics of current—and often urgent—interest, not as they would treat them in formal lectures, but as they would discuss them among themselves.

The Forum extended its service to its listeners by calling upon its distinguished neighbors in this world capital. The number of listeners grew with each new guest panelist. Soon the Georgetown Forum was on a growing radio network bringing information to the nation.

Now the Forum goes into its second decade, at a time when it is more vital than ever that the voices of free men be heard. It still talks to the same kind of listeners. everywhere, and it never aims its words over their heads. It keeps its listeners aware—and awake—without shouting at them. It tries always to offer facts, reasoned opinion, and logical conclusion. It likes to present several experts thinking a subject out together; the listener can think with them as they lay down their ideas to help form the bulwark of truth we call American democracy.

AWARDS—1957 TO 1959

Citation by National Association of Educational Broadcasters.

American Cancer Society.

American Association of University Women.

Freedoms Foundation.

National Multiple Sclerosis Society.

Catholic Broadcasters Association.

The Bethesda-Chevy Chase Branch of the American Association of University Women awards this certificate to Channel 5 in recognition of the rewarding content in "Georgetown Forum," February 1954—June 1956.

The Washington, D.C. Area Chapter, National Multiple Sclerosis Society, Certificate of Appreciation, is presented to The Georgetown University Forum, whose dedicated leadership and devotion to humanitarian service have given inspiration and substance in assisting those stricken with Multiple Sclerosis, and promoted research to aid the advance of science in conquest of the disease.

H. R. Thurber,
Vice Admiral, U.S. Navy, (Ret.),
Chairman of the Board.

Distinguished Service Award presented to Georgetown University Forum in recognition of notable public service in aiding The Crusade for Freedom under the sponsorship of The American Heritage Foundation.

Walter Bedell Smith,
President.

——— ———,
Chairman.

The Trustees, Directors and Officers of Freedoms Foundation at Valley Forge announce with pleasure the selection of Georgetown University, by the distinguished National Awards Jury, to receive George Washington Honor Medal, No. 50, for College Program, Georgetown University Radio Forum. An outstanding achievement in helping to bring about a better understanding of the American Way of Life during 1954.

(Awards announcement on George Washington's Birthday, February 22, 1955, at Valley Forge.)

Kenneth D. Wells,
President.

Don Belding,
Chairman of the Board.

For meritorious public service in furtherance of the public's heritage: "An Informed Press Means an Informed People," over the DuMont Television Network this Certificate of Public Service is herewith awarded the following television program as a feature of "Newspaper Week" to The Georgetown University Forum, of Georgetown University, Washington, D.C., by Washington Lodge, No. 15, of the Benevolent and Protective Order of Elks of the United States of America.

By Order of the Lodge:

James P. Keating,
Exalted Ruler.
R. S. Pickrel,
Secretary.

The Washington Board of Trade Awards to Georgetown University Forum. A certificate of recognition for noteworthy contributions to community education and understanding of many challenging and timely issues via the media of radio and television, 1946 to 1954.

Presented: October 19, 1954.

Howard C. Drake,
Secretary.
Francis I. Kane,
President.

Georgetown University Radio Forum, produced by Georgetown University, has been selected for distribution to the stations of the National Association of Educational Broadcasters Radio Network. Recognition is hereby given to this contribution to the educational broadcasting movement.

January 10, 1958,

Robert E. Underwood, Jr.,
Network Manager.
Harry J. Skornia,
Executive Director.

The Business and Professional Women's Club of the District of Columbia, Inc., awards a Citation to Georgetown University Forum, as the most outstanding public affairs program locally produced for television.

May 20, 1957,

Elizabeth Haltom,
President.

Received in 1966: Another award from American Association of University Women.

Received in 1967 (addressed to Father Heyden and Father Power), letter of commendation from the Secretary of the Navy.

LIST OF SENATORS AND CONGRESSMEN WHO HAVE APPEARED ON THE GEORGETOWN FORUM 1960–67

[C.-Congressman; S.-Senator]

	Year
Hon. James J. Roosevelt (C.)	1960
Hon. Bruce Alger (C.) (Texas)	1960
Hon. Alvin M. Bentley (C.) (Michigan)	1960
Hon. Wayne L. Hays (C.) (Ohio)	1961
Hon. Joseph S. Clark (S.) (Pennsylvania)	1962
Hon. William G. Bray (C.) (Indiana)	1963
Hon. Vance Hartke (S.) (Indiana)	1963
Hon. Thomas Curtis (C.) (Missouri)	1963
Hon. John A. Blatnik (C.) (Minnesota)	1963
Hon. Thomas M. Pelly (C.) (Washington)	1963
Hon. Samuel Stratton (C.) (New York)	1963
Hon. Alan Bible (S.) (Nevada)	1963
Hon. Joel T. Broyhill (C.) (Virginia)	1964
Hon. Armistead I. Selden, Jr., (C., at large) (Alabama)	1964
Hon. Edna F. Kelly (C.) (New York)	1960
Hon. John E. Fogarty (C.) (Rhode Island)	1961
Hon. Silvio O. Conte (C.) (Massachusetts)	1961
Hon. Edmund S. Muskie (S.) (Maine)	1961
Hon. Harris A. Williams, Jr. (S.) (New Jersey)	1961
Hon. Ed Edmondson (C.) (Oklahoma)	1962
Hon. Eugene McCarthy (S.) (Minnesota)	1962
Hon. Thomas J. Dodd (S.) (Connecticut)	1962
Hon. Don L. Short (C.) (North Dakota)	1962
Hon. John O. Marsh, Jr. (C.) (Virginia)	1963
Hon. Louis C. Wyman (C.) (New Hampshire)	1963
Hon. Joe L. Evins (C.) (Tennessee)	1963
Hon. Richard Bolling (C.) (Missouri)	1965
Hon. Robert C. Byrd (S.) (West Virginia)	1965
Hon. William Moorhead (C.) (Pennsylvania)	1965
Hon. Peter H. Dominick (S.) (Colorado)	1965
Hon. Michael Feighan (C.) (Ohio)	1965
Hon. Ogden R. Reid (C.) (New York)	1965
Hon. Carlton R. Sickles (C.) (Maryland)	1965
Hon. George T. Broyhill (C.) (Virginia)	1965
Hon. Jack Miller (S.) (Iowa)	1966
Hon. Henry S. Reuss (C.) (Wisconsin)	1966
Hon. Harry Flood Byrd, Jr. (S.) (Virginia)	1966
Hon. George S. McGovern (S.) (South Dakota)	1966
Hon. Claiborne Pell (S.) (Rhode Island)	1967
Hon. Edward J. Derwinski (C.) (Illinois)	1967

DOMINION DAY

Mr. BURDICK. Mr. President, for 121 years, Canada and the United States have lived together in peace and harmony. In these days of international strife and turmoil over borders and national integrity, it is most refreshing for me to think of the International Peace Garden which lies on the border between North Dakota and the Province of Manitoba. This monument which has been developed cooperatively by our two nations is eloquent testimony to the friendly relations we have with the neighbors to the north of us, the citizens of Canada. July 1 is Dominion Day, the Canadian National Holiday, and I believe the Senate should take proper note of it.

Another example of cooperation between the United States and Canada is the St. Lawrence Seaway, which was opened 8 years ago. It has provided a trade route to the heartland of both the United States and Canada, and has enabled both nations to market their agricultural products to those parts of the world which are not able to grow all of the food necessary. Without the cooperation of Canadian citizens, the St. Lawrence Seaway would not have been possible.

Our joint defense arrangements with Canada are more extensive than with any other country in the world and Americans must pay tribute to the fine spirit of the Canadian people in working together to provide early warning radar bases and other installations which are an important part of the defenses of both countries. Though we may say that geography made cooperation necessary, it could not have taken place without a spirit of willingness to work together.

North Dakota shares many historical and cultural traditions with Canada. I am told that 30 percent of the people of Canada are French descendants. In the northeastern and north-central parts of North Dakota, one finds that French names like Peltier are common. Canada also has great open prairies which produce abundant crops of agricultural products, and pastures for livestock to graze, just as there are in North Dakota. Among Canadian citizens are natives of Iceland and those who immigrated to the new world during food shortages in Ireland, just as they did to my State. North Dakota and Canada number among their citizens people with similar old world roots in the Scandinavian and most northern European countries.

Canada is rich in natural resources, not only in terms of iron ore, coal, uranium and oil, but also the natural resource of people. The United States should be proud to have Canada as its stanch ally, and we should do everything possible to promote good relations with our Canadian neighbors.

This year is the 100th anniversary of the passage of the law out of which the Canadian Nation grew. In honor of this anniversary, the Canadian people have created a World Fair, Expo 67, which many citizens of the United States have had the opportunity to visit, and to which many more will go. Because of the concentration of Expo 67 on people and the things which influence peoples' lives, it is my belief that this celebration reflects the fact that Canada is growing in its national feeling of identity as a nation, and that it is growing in pride and prestige among the other nations of the world.

I am proud to number among my friends in North Dakota people of Canadian descent. The vigor and determination which the climate and soil of Canada required of these people has contributed to the growth and development of the United States. They have been a great asset to the United States.

Canada is not the gold rush boomtown or the Yukon wilderness so often associated with it in the popular media of entertainment. Canada is a modern nation of people working together toward their future. Canada is a partner in world affairs, Canada is a nation of great opportunities and great people. I believe it appropriate for the Senate to recognize the contribution which Canada has made to the United States and to the world to its 100 years.

NO ONE HAS SEEN INFINITY

Mr. BOGGS. Mr. President, the distinguished Chairman of the U.S. Civil Service Commission, Hon. John W. Macy, Jr., recently delivered the commencement address at the University of Delaware graduation ceremonies in Newark.

He challenged the graduates to "always seek the higher goal, the fixed star of human concern and human betterment."

Mr. Macy was awarded an honorary degree by the university which I might say I am proud to call my alma mater.

In the interest of giving others the opportunity to share his thoughts, I ask unanimous consent that the text of his speech, entitled "No One Has Seen Infinity," be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

NO ONE HAS SEEN INFINITY

President Perkins, fellow honorees, members of the Board of Trustees, faculty, students, and, most especially, the Class of 1967:

For all of us gathered in this pleasant spot, this is a day of change. We gather to recognize change. Whether it be "graduation" or "commencement," this point in time marks, particularly for the men and women receiving their degrees, an experience in change, a watershed of existence, a personal transition in a world of accelerating change.

If any theme is appropriate for such an occasion as this when those we recognize are concentrating on personal interests of a much higher magnitude than any matter offered from this platform, it is the nature of change and what it augurs for the future of the graduate.

Unfortunately, far too many Commencement speakers, especially those in public life, abuse platforms such as this to address audiences far beyond those graduates within range of their voices. They tend to forget John Bunyan's admonition, that "The excitement of perpetual speechmaking is fatal to the exercise of the highest powers." They seek to warn the world, postulate new programs or condemn contemporary society from a platform which should address itself to matters of future meaning to the true VIPS of the ceremony—the graduating class.

But what of life with change in the final third of the 20th century? From this vantagepoint today at the educational heart of the "First State," what do the forces of change—those generated by science and technology, by social and economic pressures, by the rising aspirations of men and women in the undeveloped world, by perpetual threat of self-destroying conflict—what do these forces hold in store for those concluding their experience in this fine university?

CHANGE IS NOT NEW

Change is not new. It has been going on since the beginning of time. It will continue into infinity. No one has been infinity, no one can expect to see it. It is the speed of change that is the phenomenon of our time. This speed magnifies and multiplies the human problems which must be solved if man is not only to survive but to maintain direction toward affirmative goals of peace and creativity. When the members of this Class arrive at the pinnacle of that "command generation" at the age of 55, the year will be 2000. From your ranks will come the leaders, the problem solvers upon the eve of the 21st century. The promise and the problems of what appears to be infinity today will be the reality of your time.

Certain conditions of that time have already been predicted by expert forecasters. They predict the population of the country will approach 315 million, 125 million jobs will be required, 9 out of 10 Americans will be living in super-cities or their suburbs. In technological developments, 30 years of moon exploration will have been completed, supersonic flight will have further collapsed time and space in global travel, satellites will have afforded instant communication by word and picture among the people of the world, artificial control of climate and perhaps even of human behavior may be within the grasp of man.

In the face of these conditions, the future-oriented graduate has a broad spectrum of choices in planning his future. But, hopefully, this wealth of choice will be invested with an eye toward his own personal influence on tomorrow. That influence may appear to be infinitesimal and inconsequential but one person's commitment to a better future can be satisfying to him and can be disproportionately potent in contemporary society. But admittedly choices are harder to make because of the certainty of change and the necessity for a realization that choices must be changed as conditions change.

There will be conflicting voices from counselors in the forming of choices. There will be those who say that the notion of serving a lifetime in a single profession is obsolete. There will be those who, like John Gardner, stress the necessity of "an ever-renewing society," where change and choice through new experiences foster innovation and where the only true stability is possible through stability in motion. Yet others will assert that ultimate fulfillment can only be achieved through the cultivation of excellence in a single professional field or specialization. But I am sure you have learned in your academic experience to accept contradictory guidance without becoming confused.

In our society, in the face of change, we must constantly strive to assure that there are opportunities for as many of our people as possible to enjoy the luxury of choice. But there needs to be a higher goal—a fixed star—to provide navigational direction in steering a course among choices. There need to be comprehensive goals that serve as objectives that will remain fixed in a changing world. These objectives are "human concerns." As science and technology amplify the power of man, concern should focus that power on the most human and humane goals.

My distinguished Federal colleague Dr. Glenn Seaborg, here on this platform, has eloquently presented this view in another Commencement address:

"You are being asked to enter this world of immense new physical possibilities confined by barriers of social inertia, of affluence existing adjacent to poverty, of knowledge and concern amid ignorance and indifference, of political turmoil and philosophical upheaval, of all this tossing about on a sea of change. You feel the urgent need for coping with this, for working to control and direct the tide of change. The whole thing cries out for action—meaningful action. Yet there seems to be little opportunity for it, especially for you. . . ."

OPPORTUNITIES IN PUBLIC SERVICE

But the opportunities for the expression of human concern in solving these problems of change are available to us in a great variety of forms in public service. Professional service in the interest of the American people can channel these concerns into penetrating analysis of human problems, and ultimately into constructive political and administrative action designed to relieve these concerns, or at least to have human progress keep pace with technological change. The public service is an important place because it is important to take charge of change, to use it to direct the future toward human goals. Here is the place where one's natural criticism of present or anticipated ills and blemishes can be translated into planned action for progressive change.

PROBLEMS OF MEGALOPOLIS

This beautiful campus is a green spot in the midst of a rapidly urbanizing belt extending from north of Boston to south of Washington. In this belt, which sociologists have come to call megalopolis, exist the greatest industrial productivity, the highest professional and technical skills, the most accomplished executive leadership, and other showcase assets of American life. But in the same area we have ample evidence of two dire and drastic problems which have arisen from these conditions—urban decay and urban disadvantage. In the great cities along this belt we see manifestations of alarm on the urban front which prompted President Johnson to say, in describing the objectives of the Great Society:

"It is harder and harder to lead the good life in American cities today. The catalog of ills is long. There is the decay of the centers and the despoiling of the suburbs. There is not enough housing for our people or transportation for our traffic. Open land is vanishing and old landmarks are violated."

He called for "a place where every child can find knowledge to enrich his mind and to enlarge his talents. A place where leisure is a welcome chance to build and reflect, not a feared cause of boredom and restlessness. A place where the city of man serves not only the needs of the body and the demands of commerce, but the desire for beauty and the hunger for community."

The poor, the disadvantaged, the discriminated against are increasingly concentrated in tight qualid urban areas where they are deprived of a decent environment, where they are offered little opportunity and less hope. This is the almost invisible but increasingly tragic by-product of our otherwise affluent society. In response to these conditions there is a rising desire on the part of urban leadership to search out new and better ways for attacking the problems of city management, planning, and resource allocation. But this desire can only be fulfilled if a larger number of imaginative and committed persons from many different disciplines are mobilized to find new approaches before degenerating change places solution beyond our reach.

The mobilization of talent and imagination to attack these problems constitutes an urgent demand upon the younger generation in every profession. Public service to build better cities demands the engineer and the planner, the teacher and the social worker, the doctor and the health technician, the lawyer and the manager. But this is a demand for the specialist with the broad view, with the public commitment, with the humane outlook.

AMERICA'S UNFINISHED BUSINESS

The city will continue to be the arena in which renewed and special efforts must be made to complete America's unfinished business—the true equality of the Negro in American society.

In the recent past our attention has been drawn with shock and disbelief to the conditions of inequality in the South. But the time has now come to examine conditions closer to home. We need to concentrate on failures to achieve equality in urban areas outside of the South if equality is to be a reality and not just a recently re-affirmed legal fact. No American can be exempted from his part in fulfilling the rights now recognized and expressed by Congress in the civil rights statutes of the past three years and the court decisions of the past thirteen years.

We must find the means for eliminating the black ghetto and for breaking the white suburban noose around our cities. We must remove the disadvantage of segregated education whether imposed by de facto conditions or past practices. We must develop and share with all Americans, the assets of culture and natural beauty. We must move from protest demonstration to the demonstration of actual change and progress. We must face the difficult task of organization for action and problem solving. Here is an opportunity of choice to contribute individual capability in a special public service to overcome America's long-term human disability.

POPULATION CONTROL—AN ESSENTIAL ISSUE

Because megalopolis is an area of population concentration, we are also reminded of the reality of population growth, at home and abroad. Fortunately, the subject of population control has moved out into the bright light of public discussion in recent years. This discussion must have a high place on any agenda for the future. Any future solution to national and international problems will hinge heavily on the answer to these very large questions: Can we stop the deluge of unwanted pregnancies? Can we harness technology and culture to bring new dignity to the miracle of birth and the blessings of parenthood?

Unless we can answer these questions affirmatively in the years ahead, man may be truly overwhelmed by man. At the present rate of reproduction there will be one square foot of land space per person on the globe in 200 years, and in 750 years the weight of human frames would exceed the weight of the planet. Nature would, of course, unleash its own population control program in a much shorter time—a program of plague and starvation, murder and cannibalism. The future can be very seriously influenced through a realistic though compassionate consideration of this problem.

QUESTIONS OF GLOBAL CONCERN

The necessity of the years leading to the century's end will not be limited to this urban portion of the public sector or to the global problems of population control. There will be a myriad of issues relating to life or death among the nations of the world. The struggles of the past few days in the Middle East have starkly illustrated the delicate balance between war and peace among the closest of international neighbors. But as I look forward with you, here are some of the questions the answers to which you may join in seeking:

What transition will the nation-state system undergo as the globe contracts further through supersonic travel, as Tokyo draws within a couple of hours of New York, as more and more of our concerns leave the bilateral conference table and enter the multilateral forum, with the entire world watching via fleets of Telstars?

Will Latin America have a common market in 1975, economic integration by 1985, political union by 1995? And if such a timetable becomes the historic record, what kind of relationship will emerge between the "Colossus of the North" and a supercolossus of the south?

Will Africa have to endure the convulsions of violent revolution, civil war, the oppression of labor, and urban squalor that have accompanied the rise of industrial society in the West and in the Soviet Union?

Will Asia evolve into a regional community where patterns of development can assure better than a marginal existence for its vast populations?

Will the support of the Western world be sufficiently steadfast and sympathetic to assure a conquest of hunger, ignorance, and disease?

Before a true world community is formed, susceptible to the rule of world law, what new superstates will emerge?

How can the powerful intercourse of the superstates be regulated and channeled into constructive designs?

These are the questions forged by the forces of change and crying for leadership to pursue solutions. This leadership, bred in your generation, must be developed for public service, all the way from the precinct to the global level. Increasingly, leaders in nongovernmental activities—in business, in universities, in professions—have recognized their public service responsibilities, and have joined forces with those in government in dealing with conditions that require affirmative change.

In these real and ever-present public issues are opportunities for the type of public service Plato described so long ago:

"But when their turn comes, toiling also at politics and ruling for the public good, not as though they were performing some heroic action, but simply as a matter of duty."

ANTI-LEADERSHIP VACCINE

In a report which attracted widespread attention last year, John Gardner sounded a warning and a plea for future leadership when he discussed the subtle though powerful ingredients of what he described as the "anti-leadership vaccine." He deplored a tendency in our contemporary education whereby men and women of the highest intellectual capacity were encouraged to scorn leadership and to pursue a more self-centered professional development. I prescribe public service, drawn from the many intellectual disciplines and diverse professional preparations, as the counter-agent to this vaccine. The fine educational experience offered by this university provides the ideal foundation for such public service commitment.

Each generation in its time has moved forward. Lack of vision has caused many mistakes to be made along the way but when recognized, they are corrected. It is the nature of man to try to do the best as he sees it in the conditions and circumstances that surround him. This is what confronts you—no more, no less. It is obviously more difficult for you because of the unprecedented pressures and the conflicts of change, the collapse of time and space, the knowledge explosion and other conditions. But this means it will be a greater human experience because you will accomplish more, you will have more challenging problems to solve, you will need brighter and broader visions. May you seize the opportunities of change, may you influence its course, may you always seek the higher goal, the fixed star, of human concern and human betterment.

TEACHERS' REACTION TO TEACHER AIDES

Mr. NELSON. Mr. President, yesterday the Senate passed an extension of the Teachers Corps and the new Education Professions Development Act. Both these programs will improve the quality of education for all the Nation's schoolchildren.

Included in the Education Professions Act is a provision for the training and maintenance of teacher aides.

I have introduced along with Senators CLARK, MONDALE, and PELL, an amendment to the 1967 Elementary and Secondary Education Act to create a full-time program to train and maintain teacher aides in the Nation's elementary and secondary schools.

Teacher aides can relieve the classroom teacher of many of the burdensome, time-consuming, nonteaching duties they are now required to perform.

At a time when the national teacher shortage has reached an alarming level, we must take immediate steps to keep the teachers we now have and make the job more attractive so that new teachers can be recruited.

At the initiative of Representatives SCHEUER, of New York, and STEIGER, of Wisconsin, provision for teacher aides has been included in the House-passed Elementary and Secondary Education Act.

Hearings on this proposal will be held by the Senate Education Subcommittee after the Fourth of July recess, and I am hopeful that this program will be enacted this year.

The proposal has the full support of the National Commission on Teacher Education and Professional Standards of the NEA. They have, through exhaustive study, revealed the widespread enthusiasm for such a program among classroom teachers.

The Teacher Education and Professional Standards Commission has compiled a record of comments made by teachers concerning the teacher aids.

I ask unanimous consent that the remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

[From the National Commission on Teacher Education and Professional Standards, June 1967]

WHAT DO TEACHERS SAY ABOUT TEACHER AIDES?

One of the fastest and most efficient ways to improve schools is to provide teacher aides for the classrooms of the nation.

The National Commission on Teacher Education and Professional Standards believes that teacher aides help both teachers and children. We believe that professional teachers spend too much of their time supervising lunchrooms, cranking ditto machines, and selling football tickets, correcting objective tests, and it is the children who suffer. Having a trained teacher to do these chores is like having a surgeon spend most of his time carrying bedpans.

Teacher aides can make it possible for the teacher to individualize the school program. The aide can help the teacher reach and teach the child.

But what the TEPS Commission says is less important, really, than what teachers say. The evidence is already overwhelming. Teachers in schools with aides like the idea; they know that having an aide helps the children and the teachers.

The following statements are part of a large and rapidly accumulating collection of statements from teachers about the values of the teacher aides program:

From James E. Morse, Fourth Grade Teacher, Elementary School District No. 96, Valley View Public Schools, Lockport, Illinois:

"My name is Jim Morse, teacher of a fourth grade gifted class at Valley View School, Lockport, Illinois. I am twenty-five years old, married, have a B.S. degree in Zoology and Chemistry, and will receive a M.S. of Education in School Administration in August of this year. My class is involved in a National Demonstration Center for the 'Year of the Non-Conference' sponsored by NEA and will be involved in a State of Illinois Gifted Demonstration Center next year. Our program incorporates a cooperative teaching team specially trained to teach elementary students of the fourth and fifth grades, a comprehensive and on-going inservice program for teachers, and content innovations at the fourth and fifth grade level.

"A vital part of our program are the teacher aides. These personnel are used to directly help the teachers of the gifted program. We utilize a secretary and a task force teacher. The secretary assists the teacher in typing, making audio-visual aides and doing general clerical work. The task force teacher is a certified teacher who is assigned to/and involved in the gifted program. She understands the processes and methods of teaching and she is available to relieve the regular teacher when he is attending conferences, orienting visitors to a demonstration lesson or conducting a critique session of a demonstration lesson.

"Teacher aides are beneficial in that they free the teacher from non-academic duties and enable him to become more involved in teaching and counseling children. The teacher can take an active part in program planning and curriculum development. An added benefit is increased morale in that the teacher feels he is spending more time in utilizing his professional training."

From Elizabeth N. Johnson, Classroom Teacher, Lawsonville Avenue School, Reidsville City Schools, Reidsville, North Carolina:

"I have taught six, seven, and eight year old children for seventeen years in public schools of North Carolina. For the past twelve years I have taught at Lawsonville Avenue School in Reidsville, North Carolina.

"The following are some of the major tasks which the teacher aides perform in my classroom. Collect all monies, maintain attendance registers, make lunch reports, maintain cumulative record folders, weigh and measure pupils, score objective tests, supervise loading and unloading of school buses, help with playground activities, supervise lunch period, transport sick or injured children home, assist with operation of audiovisual equipment, assist with the instructional program under my supervision.

"I have found that classroom teachers are confronted with many duties during the school day that are not related to the program of instruction. The teacher aides in our school have relieved the classroom teacher from many of these duties. We are now able to devote more of our time to the important things in education, such as the instructional program as it relates to the needs of children. Teacher aides have provided us with more time to teach."

From Eleanor W. Cawthorne, Classroom Teacher, Morse School, Washington, D.C.:

"My name is Eleanor W. Cawthorne. I am a teacher at Morse School, a small elementary school in the Cardozo inner-city area of Washington, D.C.

"Just over a year ago, three very pleasant and very capable women were assigned to our school as teacher aides, trained and employed with funds provided under Title I of the Elementary and Secondary Education Act. None of the three had attended college, yet the value of their short training was appreciated immediately. Sometimes I wonder now how I ever got along before I had the help of a teacher aide. My aide does most of the clerical work, handles arrangements for field trips, helps with special art projects, takes lunch duty, and does so many other things too numerous to put on paper. Our aides are able to and often do assume responsibility for a whole class if a substitute or parent is not available. (I feel they should get extra pay for this work.)

"As a teacher, I find that I am able to do better planning and to give more individualized attention to the children in my class. When I had to do all of the routine and clerical work myself there just wasn't enough time for individual instruction. Most of my teaching had to be directed to the class as a whole. Now the children get much more attention from me as a teacher and something extra from the aides as well. The children respect the aides as much as they do the teachers. Children often take their problems to the aides. In fact in personal matters I think the aides can reach children better than the teachers. One little girl who was a discipline problem has become one of the nicest in the school. She was habitually tardy or truant and well on her way to delinquency. Lately, she has had a perfect attendance. One of our aides took the time and got through to her. She is only one of many Morse School children who have been directly helped by teacher aides.

"The program of special training provided by the teacher aide staff combined with the personal strengths of the aides themselves have already had a strong impact on all aspects of our school life. Our great hope now is that steps will be taken within the D.C. School System to establish the teacher aide career on a permanent basis, so that the impact will be a lasting one. The other teachers of Morse School join me in urging a strong national teacher aide bill that would make available to all classroom teachers the benefits that we have experienced."

From (Mrs.) Eleanor B. Voss, Classroom Teacher, Anniston Public Schools, Anniston, Alabama:

"As a teacher of both programmed and conventional mathematics at Johnston Junior High School, I am able not only to describe but to evaluate the importance of teacher aides in our program.

"The role of the aides in our individualized program in mathematics is of vital importance. Their duties consist of administering tests in a testing room, grading test papers, cataloging and issuing books, maintaining a current roster of all mathematics classes, aiding in the placement of students new to our school to the proper classes, filing test papers in students' individual folders, and assisting the teachers by any possible method. The performance of these necessary, but time-consuming, tasks frees the teacher to teach.

"Here at Johnston team teaching is used as a means to individualize our program. All mathematics teachers attend a daily planning meeting where they discuss and plan various methods for achieving the objectives of the program. Team teaching is successful in the mathematics commons where two teachers supervise the individual work of approximately sixty students ranging from seventh grade mathematics to plane geometry. This type instruction is possible only with the use of trained clerks to aid the teacher. Too, effective use of team teaching is practiced in two of the algebra classes where teachers direct small group discussions of concepts at various levels of learning. This permits a student from the larger groups to participate in activities that meet his needs and provides for him, a more enriching program. Through these sessions the student is able to progress vertically through the course at a higher rate of speed.

"The importance and necessity of the work of the clerks cannot be overemphasized. Without their assistance it would be virtually impossible to provide an individualized program. Individual testing, an essential phase of individualization, cannot be carried out without their assistance. Since testing is also an important learning experience, the correcting and scoring of test papers by the clerks enables the teacher to schedule a more detailed conference with the student for an explanation of his weaknesses. In general, the success of our program depends upon the effective functioning of the clerks."

From Mrs. Roy Strowser, English-Speech Teacher, Joint School District No. 233, Box 236, Hagerman, Idaho:

"I am an English-Speech teacher and high school librarian for Hagerman School District at Hagerman, Idaho. I feel that at Hagerman the first big step in raising the quality of instruction in my classes and increasing the efficiency of the operation of the Library was to free me of many non-instructional duties. Previously roll taking, supervising hallways and study rooms, selling tickets, clerical work, averaging grades, and duplicating materials for class work took much of my time. Aides now file catalog cards, do library research, check cross-references, make posters, administer objective tests, score these tests, type business letters, reserve materials, order materials, file, answer the telephone, take messages and assist other students in the operation of the audio-visual equipment.

"I am now able to spend much more of my time in the things I was trained to do such as directing, planning, preparing, motivating, evaluation, and providing resources for increased learning opportunities for my students. I have twenty-two student aides and one adult aide working directly under my supervision. The adult aide, Mr. Deanna Ills, supervises some of the student aides, answers much of the correspondence, and is responsible for seeing that students and teachers receive excellent service from the library. Mrs. Ills performs most of the duties traditionally thought to be a librarian's, leaving me much more time to organize and develop a much more efficient learning situation for our students.

"How many of our people could afford medical service if your doctor and mine still handled their own laboratory work, took temperatures, did their own bookkeeping and operated their own x-ray machines? Teachers are too valuable to spend their time in a manner that the medical profession has long outgrown."

From Mrs. Louise Corbin, Director, NECDC-Hilltop Center for Families with Young Children, 344 Blue Hill Avenue, Dorchester, Massachusetts:

"There is hardly a school with as many professional teachers as local demands require. This problem is more acute in low income areas. Because of this, there is a drastic need for utilizing the services of trained non-professionals. The teacher aide becomes a valuable asset to any classroom. We have used them successfully at Hilltop Center.

"It is a mistake to assume that people from poverty communities are lacking in ability, intelligence and ambition. It is imperative, therefore, to provide programs geared towards developing the talents of non-professionals. They are valuable as assistants to head teachers. They should have an accurate understanding of what their duties should be. An aide should be given the responsibilities of a head teacher. If the teacher is absent, the aide should be able to take charge of the class. There is a vital need for trained non-professionals. Training programs for these people should be continued."

From A Bruce McKay, Mathematics Department Chairman, John F. Kennedy High School, 1901 Randolph Road, Silver Spring, Maryland:

"I am a Mathematics teacher at John F. Kennedy High School in Silver Spring, Maryland, and have been involved in the utilization of services of teacher aides for the past two years. Generally, these services can be categorized as administrative/clerical and instructional in nature. The extent and degree of these services is, of course, dependent on the particular competence of the individual aide.

"In mathematics we have found the most beneficial services to be preparing stencils and dittos of daily work; administering and correcting tests, recording pupil achievement and assisting in the organization and preparation of materials. That aides perform these duties allows me more time to work with students and other mathematics teachers in (a) the careful selection of specific problems for daily work and tests; (b) more precise scrutiny of the student's work and diagnosis of his difficulties leading to (c) more effective prescription of materials and methods he can use to correct these difficulties. Other administrative duties that are performed by aides includes preparing visual transparencies and arranging the details before large group instruction, organizing filmstrips, locating audio-visual materials of instruction, preparation of mathematics orders, and other clerical responsibilities.

"We have been fortunate in our selection of teacher aides, in that they have had special skills that enable them to assist with instruction in various ways. Presently our teacher aide had enough training in mathematics to be able to help students having difficulty with certain mathematic skills. She has also enough background in computer programming to assist a small group of students in learning this skill. Outside the field of mathematics, she has worked with the school's majorettes and girl's drill team. In short, the teacher aide is utilized according to her special skills and talents.

"I believe that the role of the teacher is improved in schools utilizing the services of teacher aides. Effective utilization of teacher assistants or aides can enable teachers to spend more of their time helping students or performing tasks more directly related to the individual student and his needs. The common plea of 'time to teach' and the 'professionalization' of the teacher has been satisfied to a large degree by the utilization of these paraprofessionals. The overall result is indeed, an improved learning situation for our youth, and a more logical use of the professional skills of our teachers."

From First year art teacher, Timberlane Regional High school, Plaistow, New Hampshire:

"In large group lecture situation and in open lab, the teacher aides have been of great assistance.

"In large group lecture (about 160 students) the aides have taken care of attendance and getting much of the equipment (projectors, recorders, sound system 'in ready') into the lecture hall. This is all absolutely necessary, as time is at a premium. The success of the lecture often times depends on the ability of the teacher aides to keep the machinery running smoothly.

"For assisting with the open labs, it is necessary that the aide have some background and experience with art. Keeping order is not the function of this individual. It is assumed that he or she will be able to go beyond a babysitting kind of situation . . . actually working with students who are doing such things as painting, drawing, sculpture, etc.

"As there are about 400 students in the art program it is essential, if we are to work the maximum amount of time, that the room be open the whole day. For one teacher to carry this load, is a bit much.

"There is a great quantity of ordering of supplies. It takes time and is something an aide could do. Making arrangements for field trips (buses, permission slips, etc.) takes time from actual class teaching and planning time, here too an aid could be helpful.

"In the large group lecture when a test is being given, an aide can administer it and when given a key, or what ever is necessary, also correct them.

"When all of these things really are operating for the teacher there is essential time gained to plan and organize."

Testimony in behalf of Teacher Aides by the Reading Teacher of Timberlane Regional High School, Plaistow, New Hampshire:

"Seventeen years teaching experience. 11 years adult education. Worked with student teachers, department aides and teacher aides just this year.

"All typing is done by my aide. Acts as a sounding board for preliminary planning, supervised study after knowledge of how to use multiple materials, corrects objective type tests not corrected by students, decorates (art) bulletin boards, and runs mimeograph machine. Keeps closets and materials in order.

"Having an aide has made possible my opening a developmental lab nearly full time. It has released me from 'chores' and gives me time to plan professionally and work individually with remedial students and act as a consultant for other curriculum associates who feel the need and realize the value in making use of a reading specialist.

"The Teacher Aide has saved the day for me."

From Mrs. Stonebarger, Coordinating Teacher, Tamura School, Fountain Valley School District:

"The Child—heart of the educational system, the motivational force and the ultimate goal. American educators would agree that the above statements are true. Without the child our system of education would have no purpose. It is reasonable then to assume that the education of children should be as effectively and efficiently pursued as possible.

"In operation in several schools in the United States is a system whereby professionals and non-professionals join forces in an attempt to create an educational atmosphere conducive to the efficient education of the child.

"The classroom teacher influences the formal education of the child to a far greater extent than any other adult. This teacher must provide a well-thought-out program for each child in the class in order that the ultimate goals for the child are achieved.

"She must first develop a physical atmosphere which will increase the child's desire for knowledge. Bulletin boards, interest areas, seating, all must be planned by the teacher in the best interest of her children.

"Knowing each child and diagnosing his or her particular needs is in the realm of the teacher. A child may be average in reading, but excel in math. The classroom teacher must be aware of this and prescribe an appropriate program of study for each child individually.

"Concept development and instruction are a major part of educating the young and are specifically the duties of the classroom teacher. She has been academically trained to understand the best possible way to deal with a specific need in the best interest of the child.

"The teacher determines the course which each child will follow throughout the year, will set academic goals for the child, and be perceptive to which a goal adjustment is necessary.

"The total development of the child in an academic setting is the responsibility of the teacher. She is the professional person controlling and influencing his academic growth.

"Working along with the teacher and at her instigation is a new person in the educational field. A nonprofessional person who is one not specifically trained to teach or whose teacher training is not complete. These people are teacher aides and function as their title implies. They come from several sources; the first is the community. Many times they are parents in the community who wish to provide a service to the district with a nominal remuneration. They also may be provided through a college on a work study program. Usually they are students studying in the field of education who are interested in working with children and teachers.

"These non-professional members of the staff add greatly to the efficient educational program developed by the teacher and may work in many non-instructional capacities.

"Freeing the classroom teacher from the tedious tasks which often reduce her planning time is a primary area in which the teacher aides work. Clerical work such as typing, filing and duplicating may be done effectively by the teacher aide. Bulletin boards planned by the teacher may fall into the area of work of a teacher aide, thereby assisting the teacher in a main area of educating the child—that of creating an atmosphere conducive to learning.

"The teacher aide may do taping of specific lessons or prepare materials for an art lesson upon request by the teacher.

"Many picture files, ditto files and tape banks have been prepared by teacher aides, and in these ways make the individualizing of instruction more manageable for the teacher.

"Although the instruction in a classroom may be done only by the teacher, the teacher aide may assist in the room in many ways. While the teacher is working with a small group of children in the room, the teacher aide may act in a supervisory capacity—making sure students have needed materials (books, paper, etc.), and that they are working on assigned work. This frees the teacher from the old problem of 'dividing her attention'. She may devote her full attention to the area of work at hand.

"The teacher may have planned a listening comprehension test for a group of students. The teacher aide may read a story to the group and then dismiss them to take the teacher's prepared test. During this time the teacher will be making use of her time—instructing.

"Basic math drills using flash cards or math wheels may be part of the teacher aide role. Students in need of much drill may respond to the teacher aide giving him extra work in the problem area but not the instruction.

"Many art lessons planned and presented by the teacher may be implemented by the teacher aide again as a supervisor along with the teacher.

"A time-consuming area for the professional person has always been the various yard duties she must stand. Now the teacher aide can relieve many of these duties freeing the teacher for even more preparation time.

"This new concept in education pairs professionals and nonprofessionals in such a way that they are both able to use their capabilities in an effort to raise the education of the child to its optimum."

From: Jamaica Plain Day Care Center, at Bromley Park, 962 Parker Street, Jamaica Plain 30, Massachusetts:

"As a teacher of a group of older 4 year olds and a training teacher in the Garland Summer Institute program, I welcome the opportunity to express my own views and ideas concerning the value of an aide in the classroom situation.

"At the present time I am extremely fortunate to have an aide who is a graduate of the Garland Summer Institute.

"While at Garland she was introduced to Child Psychology, Children's Literature, Pre-School Science, Art, Curriculum and many varied subjects to help in her work with young children.

"With this initial training she was able to step right into the classroom situation and assume her many responsibilities. This would not have been possible without her training beforehand. I would have had to take time away from the children in order to help her adjust.

"The duties of the aide varies. Not only does she help with the household chores in the room, along with the teacher and children; she works directly with the children in programming. This includes: reading stories, introducing new art media, conducting science experiments, and many other classroom projects.

"She is always aware of the children's needs and readily takes cues from the teacher. I think it is fair to say that she's more of an assistant than helper. Without her the room does not function properly.

"The one fault I have to find is that the program is not long enough. These girls should be able to continue on in the Fall and continue their studies while they work. I speak for my aide who said, 'It was all over just when we were beginning to see results of our work.' With more schooling my aide could one day be an assistant or head teacher."

From Jacquelyn Armstrong, Second Grade Teacher, Lincoln School, School District No. 25, Riverton, Wyoming:

"I would like very much to take this opportunity to express my feelings concerning the use of teacher aides. I have had the assistance of a part-time teacher aide for the past two years, thanks to the federal money appropriated under Title I, ESEA.

"My name is Jacquelyn Armstrong. I have been teaching second graders for the past six years at the Lincoln Elementary School, for School District No. 25, in Riverton, Wyoming.

"The administration has, during each of the last two years, hired the equivalency of five full-time teacher aides for Lincoln School, to be shared with the fourteen classroom teachers.

"At Lincoln, the teacher aides are utilized in many different capacities. Several of the aides are used prior to, and after school each day, in order to provide individual help with additional drill exercises for children in such areas of weakness as arithmetic, reading, and phonics.

"One aide, known as the teacher's secretarial assistant, provides a great deal of daily help by typing and doing general copy work, as well as working in our centralized library which was begun under Title II funds.

"Other ways in which the aide helps me each day are:

"The aide corrects papers and workbooks, thus getting material back to the children shortly after it has been worked.

"The aide gives individual help to children at their seats while the teacher is holding group instruction.

"The aide displays the children's work and helps with bulletin boards.

"The aide sets up machines and equipment which would otherwise take me from the classroom, such as the overhead projector, the opaque projector, and the slide and movie projector.

"The aide helps assemble materials for specific lessons on tape for our listening centers.

"The aide helps with secretarial chores such as making room lists, form work, typing, chart making, and inventories.

"The aide listens to children read orally, after the formal lesson has been presented by the teacher.

"The aide is the children's friend. She answers their questions when the teacher is busy elsewhere.

"I feel this program has tremendous merit and is one of the best aspects of the federal aide program. I personally would like very much to see it extended so that we might have the use of teacher aides for a greater portion of each day.

"It has made much more individual instruction possible for the children who really need it. Through the aides' help the teacher can reach more children and help with their individual problems. This is being demonstrated through the remedial classes before and after school. In the classroom, also, children can now be helped when and where they need it.

"Another reason I feel that the aide program is so successful is that we can now offer an enriched and expanded program due to the time gained from release of menial classroom chores. We now have more actual teaching time.

"The program does not reduce the teacher's responsibilities; it enhances her teaching."

FAIR PLAY FOR THE CATTLEMAN

Mr. **HRUSKA**. Mr. President, Senate bill 1588, which has been introduced by me with the cosponsorship of 37 other Senators, is intended to revise and tighten up our present system for applying import quotas on meat under certain circumstances, as now provided for in Public Law 88-482 enacted 3 years ago. As a result of sponsoring this legislation, some of us have been accused of wanting to push the price of meat up to some outrageous level, perhaps, and generally to hold up the housewife when she goes to the grocery store to buy food for her family.

Particular reference is made to a statement by a group called the Meat Importers Council of New York which referred to S. 1588 as a "Clout the Consumer" bill. The statement was placed in the CONGRESSIONAL RECORD by my good friend the senior Senator from New York [Mr. JAVITS] on June 14 of this year and appears at page 15793. I do not quarrel with the Senator's action in making this RECORD insertion, nor with the tenor of his remarks. As always, the Senator spoke in excellent taste, and did not personally associate himself with the kind of language used in the statement he inserted. I realize that by making available the other side of the argument he represented the interests of his constituents as he understood them.

Nevertheless, certain of the arguments and implications contained in the statement of the Meat Importers Council should be answered or clarified.

The first is an implicit suggestion by the Meat Importers Council that the American housewife is prepared to cheat the cattleman by paying less than a fair price for the meat she buys. I reject this notion completely. The American housewife no more wants to profit at the expense of the beef producer than she wants her husband to get less than a fair price for the product of his labor.

The Senator from New York will recall the shameful history of the garment industry in his State. He will remember the sweatshop conditions that existed under which women and children were in virtual bondage.

Happily, that era is now only an unpleasant memory but still vivid enough that the unions which worked so valiantly to remove this stigma from the American scene still use their sponsored radio programs to appeal that only garments bearing a union label be purchased in order to avoid a return to the days of the sweatshop.

Workers in the garment industry properly demanded and received improved working conditions and better pay for their labor. Americans generally responded to this demand and have been willing to pay more for a dress or a coat made in a union shop than for a cheaper product made in a sweatshop.

The burden of the argument by the Meat Importers Council is that those of us who wish to tighten up the quota law wish to "Clout the Consumer." They suggest that we are asking for some kind of special unjustified subsidy from the Government for the cattleman, and that we will push the price of beef out of the reach of the city dweller. What are the facts?

To answer that question, I have put together figures showing the course of average hourly wage rates during the past 20 years, compared with the average price of choice steers ready for slaughter at Chicago. Mr. President, the average wage in all manufacturing industries in this country in 1947 was $1.22 per hour. By May of 1967, the average factory wage was $2.80 per hour; during that 20-year span it had more than doubled.

The cattleman has not been so fortunate. His wage rate is expressed in the price he receives for the cattle he sells. In 1947 the price of choice steers, Chicago, was $26.22 per hundred pounds. In May of 1967 the price for the same quality of animal at the same market was not even as high as it had been 20 years earlier. It was $25.46 according to Department of Agriculture official figures.

I ask unanimous consent that there may be inserted at the end of my remarks the table with these figures, and certain other tables being discussed in the course of these remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **HRUSKA**. Mr. President, is it hard to understand why cattlemen feel they have just cause for complaint? Since 1947 wages have more than doubled. The prices of just about everything else have gone up. The cost of living has gone up. But cattle prices have not gone up. After 20 years they are down just a little.

The farmer must pay 1967-level wages for labor he hires. He must pay 1967-scale prices for everything he buys. But he is expected to content himself with receiving the same prices for cattle in 1967 as in 1947—or perhaps a little less.

It is said that if we should tighten up our controls over the importation of foreign beef, it might push beef out of the reach of lower income city families. Let us analyze the argument also, in the light of the cold, hard facts.

My next table shows what is called the per capita "disposable personal income." In 1947 the per capita income was $1,179 in this country. In 1966 the corresponding per capita income figure was $2,568 for every man, woman and child—more than double the 1947 figure. Each individual had more than twice as much money to spend on food, clothing, shelter and other things.

With this greatly increased income, consumers were able to live better. They could spend more for food, and still have more money left over for other things.

How much did they have to spend for food? My table shows that in 1947 they had to spend 25.7 percent of their incomes for food. But year by year the percentage of income that had to be devoted to food went down.

By 1966 food took only 18.1 percent of consumers' income, leaving so much more money available for other purposes. That is a measure of how much the grocery bill of the average family has declined, compared with the income at the disposal of the wage earner.

The consumer is spending less of his income for food, but what is he getting for his money? Is he living as well? Is he getting as much for his money?

Of course, the answer is that he is getting more. The figures on consumption of beef are most revealing. In table III is shown the per capita consumption of beef, year by year, from 1947 to 1966. In 1947 the American people ate 69.6 pounds of beef apiece. In 1966 they ate 104 pounds of beef apiece—an increase of 50 percent more per capita.

How can anyone honestly suggest that the American cattleman is exploiting the consumer in the face of these facts? The consumer is getting 50 percent more beef per capita. He is eating better generally. And his grocery bill is taking a smaller and smaller part of his weekly paycheck.

One other point should be covered. Those who urge the unrestricted use of foreign beef sometimes argue that the imports go mostly into hamburger and the like and therefore do not directly compete with U.S. beef.

It is true that the imported beef is not of very high quality. Most of it does go into hamburgers, frankfurters, and other manufactured meats. But it is not true that it does not compete with U.S. production.

The fact is that most of the meat in the hamburger or frankfurter comes from American animals, and a good part of it comes from steers graded Good and Choice.

In 1964, the U.S. Tariff Commission made a special study of beef and beef products. That report pointed out that most of the meat from grain-fed steers goes into table cuts—that is, steaks and roasts. However, certain parts of a beef carcass, regardless of grade, are used for processed meats, that is, hamburgers, sausage, and so on. For example, necks, shanks, and plates, even those from Choice steers, nearly always go into manufacturing use, instead of as table cuts. Also, some parts, such as flanks and briskets, particularly of carcasses grading "Good" or "Utility," are consumed either as table beef or manufacturing beef, depending on market conditions.

In its report the Tariff Commission presented a tabulation showing the quantities of beef consumed in the form of table cuts, hamburgers, and so on, and the type of cattle or the source from which it came. This table shows, for example, that in 1963 4.4 billion pounds of beef was consumed as hamburger, and that over 80 percent of that beef—3.6 billion pounds—came from domestic production. Over half of it—2.4 billion pounds came off of fed cattle.

In the same way, out of the 3.5 billion pounds of beef used for other processed meat products, 2.8 billion pounds came from domestic animals, not from imports.

Let me return for a moment to the question of the price of cattle. As previously noted, in 1947 the average price for choice steers in Chicago was $26.22 a hundred; in May of 1957 it was $25.46. During the intervening years, it has averaged above $30 in only 3 years. In 5 years, the average was below $24 a hundred—a bankruptcy level. Mostly it has fluctuated between $24 and $30 a hundred.

During the 20 years since 1947, the cost of living has increased by 48.2 percent. That cost of living has gone up for the cattleman and his wife, the same as for everyone else.

If cattle brought $26 in 1947, they would have to bring 48 percent more today—almost $39 a hundred—in order to maintain the cattleman's buying power. American cattlemen do not ask for so much. To us, $30 a hundred would seem like heaven.

If the factory worker needs a raise from time to time, so does the cattleman. The record shows that the factory worker has received a raise every single year since 1947. But the cattleman received $26 a hundred for choice steers in 1947, and only $25 a hundred in 1967.

The Meat Importers Council has called S. 1588 clout-the-consumer legislation. It has called for a full and objective inquiry into all of the facts. American cattlemen are willing and anxious to have all the facts made public. When that is done, we are confident that no one will ever again refer to legislation of this sort as "clout the consumer" legislation.

EXHIBIT 1

TABLE I.—*Average hourly earnings in manufacturing industries compared with average prices of choice slaughter steers, Chicago, 1947–67*

	Average hourly earnings—Manufacturing industries [1]	Steers sold out of first hands for slaughter—Chicago, Choice (per 100 lbs.) [2]
1947	$1.217	$26.22
1948	1.328	30.96
1949	1.378	26.07
1950	1.440	29.68
1951	1.56	35.96
1952	1.65	33.18
1953	1.74	24.14
1954	1.78	24.66
1955	1.86	23.16
1956	1.95	22.30
1957	2.05	23.83
1958	2.11	27.42
1959	2.19	27.83
1960	2.26	26.24
1961	2.32	24.65
1962	2.39	27.67
1963	2.46	23.96
1964	2.53	23.12
1965	2.61	[illegible]
1966	$2.71	$26.29
1967 May	2.80	25.46

[1] As reported by Department of Labor.
[2] As reported by Department of Agriculture.

TABLE II.—*Disposable personal income and per capita expenditures for food, 1947–66*

	Disposable personal income per capita	Expenditures for food	
		Per capita	Percent of disposable personal income
1947	$1,179	$303	25.7
1948	1,290	316	24.5
1949	1,264	300	23.8
1950	1,364	303	22.2
1951	1,468	338	23.0
1952	1,518	348	23.0
1953	1,582	347	22.0
1954	1,585	348	22.0
1955	1,666	351	21.1
1956	1,743	359	20.6
1957	1,801	373	20.7
1958	1,831	383	20.9
1959	1,905	386	20.3
1960	1,937	388	20.0
1961	1,983	392	19.8
1962	2,064	398	19.3
1963	2,136	404	18.9
1964	2,273	418	18.4
1965	2,411	439	18.2
1966	2,568	464	18.1

TABLE III.—*Per capita consumption of beef in the United States, 1947-66*

	Pounds
1947	69.6
1948	63.1
1949	63.9
1950	63.4
1951	56.1
1952	62.2
1953	77.6
1954	80.1
1955	82.0
1956	85.4
1957	84.6
1958	80.5
1959	81.4
1960	85.2
1961	88.0
1962	89.1
1963	94.6
1964	99.7
1965	99.3
1966	104.0

Source: Economic Research Service, U.S. Department of Agriculture.

General note: Includes 48 States from 1947 through 1963, 50 States thereafter. Consumption is civilian only. Units are carcass-weight equivalent.

TABLE IV.—*U.S. civilian consumption of beef, by forms and by sources, 1963*

[Billions of pounds, carcass weight]

Form in which beef is consumed	Domestic production			Net imports [1]	Total
	Fed cattle	2-way cattle	Cows and bulls		
Table cuts	7.0	2.6	(2)	0.1	9.7
Hamburger	2.4	.7	0.5	.8	4.4
Other processed meat products	.1	.4	2.3	.7	3.5
Total	9.5	3.7	2.8	1.6	17.6

[1] As reported by the U.S. Department of Agriculture.
[2] Less than 50,000,000 pounds.

Source: U.S. Tariff Commission, Beef and Beef Products (Washington, D.C., June 1964), p. 27.

THE FEDERAL BUDGET IS GETTING SMALLER

Mr. YOUNG of North Dakota. Mr. President, the June 18 issue of Arizona Days and Ways, a Sunday magazine published by the Arizona Republic of Phoenix, Ariz., contained an article on the Federal budget entitled "The Federal Budget Is Getting Smaller," written by Mr. Ben Cole. The article is based on interviews with Senator CARL HAYDEN, chairman of the Committee on Appropriations. Senator HAYDEN is one of the most respected Members of Congress.

Mr. President, through long years of service on the Committee on Appropriations, Senator HAYDEN, working with a highly competent staff, is more knowledgeable concerning Federal budgets than anyone else in or out of Government. This is a very interesting and well-written article which I commend to the reading of anyone interested in Federal budgets. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FEDERAL BUDGET IS GETTING SMALLER

(By Ben Cole)

The first words Carl Hayden spoke when he went to Washington as a member of the House of Representatives were in support of an amendment to increase an appropriation for fire-fighting in national forests.

"When I finished my five minutes, I sat down beside Bob Talbot, who was one of the two surviving Confederate veterans.

"Uncle Bob said, 'You just had to talk. That reporter took down every word you said and you can never get it out of the Congressional Record, so be careful about what you have to say.' "

Hayden took the old-timer's advice and became one of the least heard members of Congress. He wryly suggests that his silence may have been the secret of his political longevity.

But when the veteran Arizona senator does say something it is with authority: For example, when he speaks to those who consistently voice concern over increased federal spending and who appeal to him as chairman of the powerful Senate Appropriations Committee.

Sen. Hayden is undismayed by the growth of the federal budget. There are more people, he says, and people demand services and create problems. They cost money.

Therefore, looking ahead from his 55 years as a lawmaker, Hayden says the total figure on yearly appropriation measures will be bigger.

This does not necessarily, he cautions, indicate that the per capita expenditure is higher, or that the federal government is spending more and more of what the people produce.

On the contrary, as a percentage of the Gross National Product—the total production of the economy each year—the federal budget might be said to be getting smaller, the senator suggests.

Hayden's career in Congress has been closely involved with the appropriation of funds, a function he considers the basic duty of lawmakers.

Since Hayden went to Congress in 1912 more than $2.3 trillion has been appropriated to run the nation.

As chairman of the Senate Appropriations Committee, the 89-year-old is probably the highest authority on the federal spending process.

He measures appropriations in two ways:

Are they productive capital expenditures like public roads, flood control projects or other types of tangible things needed and wanted by the people? If so, he is for them.

Are they valuable programs which benefit the whole nation? He cites the postwar "GI Bill of Rights" with its educational aid for veterans as an example since it provided the country with skilled and scientifically trained manpower not otherwise available.

Congress, Hayden contends, was never supposed to function as a rubber stamp for the executive branch in money matters. He can cite notable skirmishes he fought to preserve the congressional prerogative.

At the conclusion of each Congress, he places in the Congressional Record a table showing how much the President asked Congress to appropriate, and how much the two houses were able to cut from that figure.

It is, of course, the House of Representatives that always or nearly always can cite the largest reductions.

By tradition, the House acts first on all appropriations measures. This means the Senate can, if it sees fit, restore the reductions and work out compromises in conference committees with House managers.

Hayden notes with considerable satisfaction that the Senate very often agrees with the House and has, on many occasions, found even further reductions were possible.

The Senate is derisively called the "upper body" by members of the House of Representatives who argue that "the Senate always 'ups' the appropriation bills after we cut them."

Sen. Hayden also chuckles at the criticism. He has observed, without complaint, that in some years a majority of the members of the House Appropriations Committee have been before him to seek restoration of funds cut by the House from projects affecting their districts.

Sen. Hayden is aware that members of the House have vastly different problems from senators. For one thing, they are elected every two years; and, for another, they represent limited local interests.

Thus, for example, Rep. Morris K. Udall may concentrate at times on matters of interest only to his own constituents, but Sen. Hayden must consider the needs of the entire state. The same applies to every senator and every representative.

In a sense, the appropriations committees of the Senate and House of Representatives are the bill-payers for all the other committees.

Contrary to popular belief, Sen. Hayden and his House counterpart, Rep. George Mahon, D-Tex., cannot wave their great powers as chairmen and make the federal establishment vanish. Neither can they pare the federal budget to a nubbin and bring back the drowsy days of the 1920s.

Congress, first of all, authorizes the spending programs for which appropriations are made. Some authorizations may wait years before appropriations are provided to carry out the projects they specify.

But the important thing to remember is that the appropriations committee passes on appropriations bills only. These bills, under congressional rules, may not contain any legislation.

When, in 1912, Hayden arrived in Washington to start his unique congressional career, the federal budget was just over $1 billion and the gross national product $46 million.

World War I sent the budget soaring, and appropriations in 1918 and 1919 were $18 billion and $27 billion, respectively.

Then came the tranquil '20s, with appropriations of $3 billion, $4 billion, $5 billion—up until the New Deal pump priming days of 1935 when they began to climb to $9 billion and $10 billion levels.

The first year of American participation in World War II saw appropriations of $34 billion, the gross national product $139 billion. Uncle Sam was taking 24.4 per cent of what the economy produced.

The war crest year of fiscal 1945 appropriations reached $98 billion—47.1 per cent of a gross national product of $216.8 billion.

Subsequently, while yearly appropriations have climbed, so has the level of the economy. The 1967 spending estimate is $126.7 billion against a gross national product of $762.5 billion—16.6 per cent.

The national debt was $269.9 billion in 1946 and represented 133.9 per cent of a gross national product of $201.6 billion. This year the national debt is $327.3 billion, representing 42.9 per cent of the current gross national product of $762.5 billion.

According to this method of figuring, the public debt expressed as a percentage of the gross national product is decreasing, the same way the federal budget is decreasing in relation to the gross national product.

The Bureau of the Budget, in its booklet called, "The Budget in Brief," lists some of the reasons why Congress is called on for increasing funds.

"The growing workloads of federal agencies," the booklet says, "stem directly from these steadily increasing requirements for more and better public services. For example, between 1958 and 1968:

"The number of active urban renewal projects will have risen by over 250 per cent.

"Visitors to our National Parks will have increased 150 per cent.

"The number of occupied federally assisted public housing units will have grown by nearly 70 per cent.

"Enrollees in vocational education programs will have increased by almost 80 per cent.

"The volume of mail delivered will have risen by nearly 40 per cent.

"The number of passports issued will have increased 175 per cent.

"The number of federal grants and loans to college students will increase more than four-fold, to 2.2 million.

Then, there are programs that did not exist 10 years ago. For instance, in 1968:

Medicare will cover more than 40 percent of the medical costs incurred by 20 million older citizens.

The education of 8.5 million disadvantaged school children will be strengthened.

The number of medical schools improved or constructed with federal support will total 71.

Federal funds will have assisted in making about 117,000 low and moderate income housing units available under private sponsorship.

Anybody, Sen. Hayden notes, can go down the list and pick out programs or items he would throw. The trouble is that every program has its supporters, and budget-making is never merely an accounting exercise for the U.S. Senate. It is a political undertaking, and it requires getting compromises every step of the way.

"I doubt if there ever was an appropriations bill that pleased every senator, or even one senator altogether," Sen. Hayden has observed.

Currently, of course, the Vietnam war is adding to the demands for federal appropriations. Yet, without considering the demands of war, the trend of the federal budget is, and has been for a long time, upward.

The mystery of the appropriation process at times overwhelms even the Congress itself which manifests its bafflement by proposing ostensible innovations which often are old methods long rejected as unsuited to the need.

The new Congressional Reorganization Act, currently nearing final action in the House of Representatives, contains at least one such deference to the lawmakers' general belief that somehow the appropriations committees might function more rigidly.

The bill calls for the committees to hear the Director of the Budget each year explain the federal spending proposals of the coming fiscal year.

For decades this had been the custom: The Director of the Budget would come to Capitol Hill with his thick book and his reams of supporting papers. The meetings were singularly dull, and before long Sen. Hayden found himself sitting dutifully and alone. He continued each year to conduct the meeting, usually the only member of the committee to sit it out. Then, at last, he quietly suspended the obviously unwanted ceremony.

The new reorganization act would require Hayden to reinstitute these annual conversations with the director. When the provision was called to Sen. Hayden's attention with the suggestion he might want it amended out of the reorganization measure, he only shrugged.

"It won't make any difference. Let it be," was his decision. There were other more restrictive items he preferred to eliminate.

President John F. Kennedy, as a young senator from Massachusetts, undertook to reform the federal budget-making procedure in what many colleagues believed was a sound economy move.

He proposed the frequently recommended adoption of an accrued accounting system instead of the annual administrative budgeting system used by the executive agency.

Sen. Hayden notes that the system looks good on the surface because it appears to tighten down the lid on spending. In actuality, in his opinion, it would shift the control of the appropriation process away from Congress and put it in the hands of the federal bureaus.

The subtlety of this is best explained in an over-simplification: instead of telling the Fish and Wildlife Service, for example, how much it may spend in a fiscal year under the present system, Congress would be told by the agency what it planned to spend in the next 12 months.

Sen. Hayden interposed an objection when the Kennedy accrued account bill reached the calendar. It was, therefore, not called up. Finally, it was agreed as a compromise to send the bill, which came out of the government operations committee, to the appropriations committee then under the chairmanship of the late Sen. Styles Bridges, R-N.H.

The appropriations committee considered it and reported it again. The Senate passed it. It went through the House and President Eisenhower signed it into law.

But it was unworkable, as Sen. Hayden foresaw. So it was never implemented, and it died a natural death on the day set for its expiration.

"The appropriations procedures of the Senate are the result of 100 years of experience—sometimes very hard experience," Sen. Hayden warns. He is disinclined to rush into any improvisations for that reason.

The late Sen. Harry F. Byrd, D-Va., the leader of the economy bloc in the Senate for a quarter of a century, urged all appropriations be considered in a single bill.

Byrd succeeded in selling his idea to Congress, and it was tried once in 1950. The late Rep. Clarence Cannon, D-Mo., who prided himself on slashing presidential budgets without mercy, angrily denounced the procedure.

The bill itself looked like a fat, coverless phone book. It was physically unwieldly and nearly incomprehensible even to committee members. It was never tried again.

In an analysis of the failures of the one-package system, Sen. Hayden set down, also, five arguments for and against the "item veto," frequently advanced as a tool a President might use to eliminate from spending bills any items of which he might disapprove.

As Sen. Hayden noted, the proponents of the item veto declare:

"It would permit the elimination of legislative riders.

"It would reduce extravagance in public expenditures.

"It has worked successfully in 39 states, where the governors have been given that power.

"The constitution of the Confederate States of America, adopted in 1861, permitted the President to 'veto any appropriation or appropriations, and approve any other appropriation or appropriations.'

"Presidents Grant, Hayes, Arthur and Franklin D. Roosevelt have recommended the item veto."

On the other side Sen. Hayden set down these arguments:

"It would lessen the responsibility of the Congress.

"It would increase the influence of the executive whose powers have already been expanded.

"It would be an uncertain grant of power.

"It would impair the system of checks and balances established by the Constitution.

"It would defeat the legislative intent of the Congress."

Thus, far, Congress has withheld the item veto. Presidents Eisenhower, Kennedy and Johnson have subsequently improvised a modest kind of substitute: They have, on occasion, simply not spent funds Congress voted for which they had not asked.

From the outset, Congress has guarded jealously its right to control the federal purse. President Washington, in 1791, sent the Senate a message indicating he intended to ransom some Americans held captive by Algiers and urging an appropriations "on your earliest attention" for the recognition of a new treaty with the emperor of Morocco.

The Senate quickly advised President Washington by resolution to suspend his operations for the ransom of the captives until funds were provided. It then voted to appropriate $20,000 for recognizing the emperor of Morocco, the funds to be derived from duties on distilled spirits.

The Senate Appropriations Committee which Sen. Hayden has directed since 1955 is only 11 years older than its chairman.

The Senate created the appropriations panel in 1867, following the Civil War. President Lincoln's wartime regime is considered by congressional historians to be the "high water mark of the exercise of Executive power in the United States."

Francis S. Hewitt, writing the history of the committe, notes of that period, "Millions in federal funds were spent without appropriations having been made for such. The exigencies of the moment had in many instances pre-empted other considerations so that congressional attempts to control the purse were frustrated by an executive who wrote: 'I feel that measures, otherwise unconstitutional, might become lawful by becoming indispensable to the preservation of the nation.'

"Once the national danger subsided, the Congress reasserted its constitutional rights. Appropriations control was one area to which attention was directed."

The Senate, March 7, 1867, adopted a resolution by Sen. Henry B. Anthony, R–R.I., creating a seven-member committee on appropriations.

Today's Senate Appropriations Committee, far from being Sen. Hayden's one-man show, is an organization of 26 senators and a professional staff of 35 men and women, including three Arizonans, Thomas J. Scott, of Douglas, chief clerk; Paul Eaton of Yuma, for many years Hayden's administrative assistant, and Joe E. Gonzales of Superior.

PRESIDENT JOHNSON'S SKILLFUL HANDLING OF THE MIDDLE EAST CRISIS

Mr. PELL. Mr. President, the performance of the Johnson administration during the Middle East crisis is receiving widespread—and deserved—praise.

Writes publisher John S. Knight:

> President Johnson has shown excellent judgment and commendable restraint in dealing with the Middle East crisis.

This sentiment has been echoed by a large number of newspaper editorials from coast to coast.

I share this view. I believe that President Johnson demonstrated superb statesmanship and patience in dealing with a highly complex and dangerous situation. There is no question but that the President took the most reasonable course for the Nation—one that avoided the possibility of a confrontation with the Soviet Union, but which also acted as a restraint to those seeking to escalate or widen hostilities to the point where the whole world could have been involved.

The President's performance deserves the warm praise and commendation of the Congress and of all the American people.

I ask unanimous consent to insert into the Record a sampling of newspaper reaction to Mr. Johnson's diplomatic skill.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Chicago Daily News, June 10, 1967]

L. B. J. Restraint Wins in Crisis

(By John S. Knight)

President Johnson has shown excellent judgment and commendable restraint in dealing with the Middle East crisis.

He was not thrown off balance by emotional appeals for U.S. unilateral intervention in behalf of Israel.

Nor did he later yield to pressures from the Soviet Union demanding an Israeli pullback as a condition of a cease-fire agreement.

Had the President employed the same calm and discerning approach to the problems of Southeast Asia, we would not today be engaged in a frustrating and inconclusive large-scale war in Vietnam.

Israel's spectacular military successes against the Arabs have greatly allayed the fear of a third world war. For that, we can eternally be grateful.

But the triumph of arms, though temporarily reassuring, is but the prelude to our hopes for peace.

Three times in the last two decades have we seen Israel and the Arab nations at war. The hatreds born of these conflicts—together with centuries of religious, ideological and economic strife—have made the Israelis and the Arabs irreconcilable enemies.

Yet there must be a better approach to coexistence in the Middle East than border raids, retaliatory measures and eventual resort to war.

If we accept this premise rather than living forever under the Arab threat to drive the Israelis into the sea, the appointment by President Johnson of a special committee to work for acceptable and permanent solutions of the border struggle must be viewed as a most constructive step.

For this is the hour and the opportunity to remove the impasse which has seen Israel and the Arabs at each others' throats for the last 19 years.

The flimsy undertakings made after the Anglo-French-Israeli attack of 1956 and the subsequent withdrawal of these forces were found to have no validity in practice.

Thus Israel was denied access to the Suez Canal, open to all other nations, and Nasser's restriction of navigation through the Gulf of Aqaba invoked the present hostilities.

Israeli Foreign Minister Abba Eban concedes that Arab denial of the existence of Israel is the heart of the problem. And Mrs. Avraham Harman, wife of the Israeli ambassador to the United States, believes that ignorance and poverty fostered by rulers of the Arab world are Israel's real enemies rather than the peoples of the Arab countries.

So the questions facing President Johnson's task force on the Middle East are not easily answered. Yet we do have the assurance that they will not be neglected or ignored as they were in 1956.

The dramatic story of Israel, a product of the United Nations in 1947, is too well known to be repeated here except to say that the United States has a compelling interest in her survival.

With government aid and privately sold Israel bonds, this tiny country has expanded its industry, established irrigation projects, built new towns in the Negev desert, constructed new harbors, highways and housing ad pushed exploitation of natural resources such as phosphates, cooper, oil and the potash and bromine of the Dead Sea.

Moreover, Israel has given technical assistance to the majority of the 50 new countries which have come into being since Israel itself was born.

Thus, our involvement with Israel—whether emotional or in admiration for her accomplishments—is very deep indeed. The leaders of Israel unlike that mischievous tyrant, Gamal Abdel Nasser, seek no dominion over other lands.

As Israel's 20th Century prophet, David Ben-Gurion, wrote in "Jews in Their Land": "We must dispel the hostility of the encircling Arab peoples and make a covenant of peace between them and Israel that will culminate in economic, cultural and political co-operation, and advance the well-being of the whole Middle East.

President Johnson's committee will discover, however, that an Israel disillusioned by the broken pledges of the '50s has passed the point of accepting promises in good faith.

She will demand and should obtain as a matter of justice access to both the Suez Canal and the Gulf of Aqaba.

To help accomplish these ends, we must be firm in our dealings with Nasser, who first broke off diplomatic relations with the United States.

The usual U.S. tendency to reward our enemies with massive grants of aid once the fighting has stopped should be avoided this time around.

Our best diplomacy must be summoned in our relations with Russia, always remaining firm, patient and unrelenting on matters of high principle.

Thus far in the Middle East turmoil, the Johnson administration has an admirable record.

We pray then that its wisdom is more than a passing mood that firmness, dignity and restraint will mark its coming to maturity in the field of foreign affairs.

[From the Christian Science Monitor, June 12, 1967]

WHITE HOUSE: TIGHTLY ORGANIZED POLICY SECTION BRIEFS JOHNSON ON MIDEAST CRISIS

(NOTE.—A dispatch Saturday viewed United States handling of the current Mideast crisis from the standpoint of the State Department. The following report approaches the matter from the perspective of the White House.)

(By Saville R. Davis)

WASHINGTON.—The outbreak of the Middle East crisis was unexpected by the United States Government in the sense that most such explosions come without sure warning. And in the Middle East the barometer always points to sun in the sky and storm in politics.

But criticisms of the lack of advance planning for this crisis are both understandable and not the whole story.

When the crisis did break, President Johnson was ready with a firm and strong statement of the United States' basic position within 2½ hours of the moment he was awakened in bed with the news. This basic policy was not changed by a millimeter as the crisis rolled on, and what looked like an Arab success was turned into an Arab defeat.

To those closely covering the White House this firm hand at the top, while confusion reigned elsewhere, was not an accident.

Most of the charges of confusion come from persons and countries who disagree with the policy, not from the absence of firm policy.

CRITIC MAKES CHARGE

The reason why the President knew what he was doing, irrespective of whether one agrees or disagrees with it, is to be found in his own tightly organized foreign-policy section, which functions around the clock. It is in action when the more relaxed planning machinery of the State Department is understaffed or preoccupied with routine or other matters.

Where the White House staff might be faulted is in failure to take steps in advance to head the crisis off. But the critic who makes this charge has two additional questions to answer, in his turn: What steps? And how can the divided political situation in the United States, with respect to the Middle East, be brought to the point of supporting action when it is preoccupied with Vietnam?

The steps which might have deflected President Nasser from his adventurous gamble were roughly two: First, to hurt him or maneuver American force in his path so that he was unable to move (he knew the fundamental American commitment to defend Israel was a firm one, and his ploy was to block the Strait of Tiran, not to "bribe Nasser."

Second, to use credit with Colonel Nasser to induce him to cope with his problems at home and not risk everything by plunging abroad. But American opinion, and congressional opinion, were strongly set against either step. The prevailing mood was not to "go it alone" in the Middle East, and not to "bribe" Nasser.

So the White House, in a political situation where action in the Middle East was not possible, held itself ready for action when events should compel it and make it politically possible. Democracies can take steps in time of crisis which are unthinkable when the heat is not on.

The chief White House adviser on foreign policy, Walt Whitman Rostow, is known to have made a consistent and deliberate effort to keep the President's attention focused on areas other than Vietnam. His unit in the White House basement prides itself on having made considerable progress in areas like Europe and Latin America while the attention of the country is riveted almost exclusively on Vietnam. Mr. Rostow has kept active policy discussions on these other areas—including the Middle East—going both in the White House itself and at lower levels of government.

CRISIS GROUP DESIGNATED

When a crisis actually comes, however, any advance planning has to be applied to the specific situation, and this takes fast and supple footwork. The Rostow group, together with Secretary of State Dean Rusk and his staff, who are always kept closely geared into the White House calculations lest an administrative disorder take over, carried on this function of helping to guide this improvisation during the first phase of the crisis. Now the President has designated a special crisis-management group, under the experienced McGeorge Bundy, to head it up.

Looking back on the period before the explosion, therefore, it appears that in the lower echelons of government there were gaps of personnel and what sometimes looked like confusion. But on the whole, a case can be made by those who watched it closely that the people at the top knew what they were doing and were better prepared for it than most persons yet recognize.

In sum: from the perspective of the White House press room, it would appear that most of the "confusion" was at base caused by differences of judgment by various groups and critics as to what should be done, rather than by a breakdown in preparing for what was actually done.

[From the Christian Science Monitor, June 12, 1967]

AMERICA'S MIDEAST DIPLOMACY

Washington has shown considerable skill in its handling of the Middle Eastern crisis so far. Despite the (almost inevitable) crumbling of the American position throughout the Arab lands, the United States has followed a generally well-thought-out line of action. We cannot agree with those critics who say that the administration has been weak and wavering.

It is true that Washington appears to have been caught flat-footed by the speed with which the crisis developed last May. There are suggestions that Washington should have sought to temper the swiftness with which United Nations Secretary-General U Thant fell in with Cairo's demand for the removal of United Nations Emergency Force units from parts of the Sinai. But it must be remembered that all nations (and this includes Israel and the Soviet Union) appear to have been caught equally by surprise at the speed with which the crisis developed.

Before the fighting began, the United States supported efforts to have the Security Council take preventive action. After the fighting broke out, Washington was quick to demand that the Council act to halt the warfare.

Although Washington has warm ties with Israel, its spokesmen immediately announced a hands-off-the-fighting policy. There are, of course, those who question whether Washington would have followed such a policy were Israel, rather than the Arabs, being defeated. Washington is also criticized by some for not having agreed that the Council's first cease-fire demand also calls for a surrender of all territory taken by either side. Yet, given all the circumstances, particularly Washington's conviction that President Nasser was deeply anti-America, the American stand since the beginning of the crisis in mid-May has been at most points commendably even-handed when compared with that of, say, the Soviet Union.

Perhaps most important of all has been the manner in which Washington has handled Moscow throughout the crisis. Indeed, it has been apparent from the beginning that Washington clearly understood that the main goal throughout the crisis must be to keep American-Russian relations on as steady and unheated a basis as possible. Although the crisis is still far from over, it would seem that Washington (with equal reciprocation from Moscow) has succeeded in this important work.

There is evidence that Western Europe as a whole has approved of American policy towards the crisis. This will be welcome indeed to the White House. Whether in the non-Western parts of the world, that is in Asia and Africa, there will be similar approval is less certain. But it seems likely that, in the West at least, American diplomatic stock is higher than at any time since America's massive intervention in the Vietnamese war in the winter of 1965. This provides an encouraging background for the almost inconceivably difficult diplomacy which must now begin in and around the Middle East.

RENT SUPPLEMENT PROGRAM DESERVES SUPPORT

Mr. HART. Mr. President, nearly 2 years ago, Congress enacted legislation to provide an imaginative, unique, and sound program to provide good housing to very-low-income people; this is the rent supplement program.

It is imaginative for several reasons, but chief among them is the fact that it enables private enterprises to serve the low-income housing market directly for the first time.

The new feature embodied in the program is the payment of a rent supplement to the private housing owner to make up the difference between the rent a poor family can afford, and the market rent for the housing unit the family needs.

The program is a sound one. It is built on the concept that major involvement of the private sector in every endeavor brings efficiencies, economies, and progressive improvement.

It does not force the low-income family that improves its lot in life out of decent housing and back to the slums because family income passed a certain limit.

Instead, it encourages families to advance, and, having done so, pay their full rent.

This program is a hand up—not a handout.

Rent supplement housing is financed in the traditional manner.

The mortgage loans are made by private lenders. They bear interest at the market rate, and are insured by the Federal Housing Administration.

The money for rent supplements and the authority to contract to pay the supplements are provided in appropriations by Congress.

As I said earlier, we provided the basic program about 2 years ago.

Unfortunately, we did not act as quickly as we might have to get it under way.

It was not until May 1966—about 9 months later—that contract authority for rent supplements was provided in supplemental appropriations.

In the intervening months there was a lively public debate about the merits of this housing aid for low-income families.

This discussion has continued for about 2 years. Some comments have been helpful and informative. Others, unfortunately, resulted from misinformation or lack of understanding. Some were plain distortions. These latter have muddied the issue.

The latest variation on the distortion theme goes like this: "There is no demand for the program."

This, of course, is pure nonsense.

In calendar 1966, Congress provided rent supplement contract authority totaling $32 million.

That allocation was exhausted in less than a year.

Project proposals continue to pour into the FHA offices at the rate of about 5,000 units a month.

Right now, FHA has enough proposed rent supplement units in its pipeline to earmark $20 million in additional contract authority.

In other words, half of the President's budget request for rent supplement funds—$40 million—could be reserved immediately for new projects, and without affirmative action by this body and this Congress there is no contract authority.

In spite of the public record, we continue to hear the charge that there is no demand for the rent supplement program.

Now for the second criticism—"The program is not producing."

The record shows the strongest of FHA multifamily housing mortgage insurance programs to be section 221(d)(3) housing, which provides rental units for low-income families through below-market interest rate financing.

This program grew from about 8,800 units in fiscal 1962 to some 24,700 units in fiscal 1966. Applications under the (d)(3) program account for about 39 percent of all FHA multifamily housing applications.

The (d)(3) program—FHA's fastest growing rental program—was created in mid-1961. But, the first (d)(3) project was not ready for occupancy until nearly a year later.

By comparison, the rent supplement program had a project in occupancy within 7 months after it was funded.

A number of projects are now in operation and about 800 families are receiving the benefits of rent supplements. Some of these projects were created by rehabilitation of sound but rundown existing housing. Others are housing-for-the-elderly projects that were under construction or recently completed.

I understand that scores of all-new construction projects will be underway this year. Some already are being built.

So much for the program's productivity.

There is another criticism—more often implied than stated. That is, "The rent supplement program somehow really does not serve the poor."

Let us review briefly some of this program's requirements.

First, eligible tenants must have incomes at or below those for admission to public housing in the locality.

Total family assets cannot exceed $2,000 unless the applicant is 62 or older; then the limit is $5,000.

In addition, eligible tenants must qualify as displaced by governmental action, be elderly or handicapped, living in substandard housing, or be without housing because of a natural disaster.

Eligible tenants pay 25 percent of family income toward the rent. Any difference between that and the economic rent is met by the supplement paid directly to the private project owner.

If family income changes, so does the supplement. Thus, it is possible for the family to better itself economically, pay the full rental, and not have to move.

The housing is privately planned, owned, and operated. The private owner selects his tenants, and there are the usual landlord-tenant relationships.

Rent supplement housing developments are subject to local taxing authority.

They are modest in design, but there is no institutional or project look to them. This is a private housing program. In my judgment, it is a most productive program.

More than 33,600 families will have a decent home because of it. This is the progress to date.

We have in our hands the potential for its greater service in the months ahead.

The requested $40 million in contract authority would provide about 44,000 poor families with housing that meets the American standard.

I urge every Senator to join with me in full support and funding of the rent supplement program.

THE NATIONAL HOME OWNERSHIP FOUNDATION ACT—VIEWS OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mr. PERCY. Mr. President, on January 11 of this year the distinguished Representative from New Jersey [Mr. WIDNALL], who is ranking Republican member of the Banking and Currency Committee and its Housing subcommittee in the other body, placed in the RECORD a memorandum describing what at the time was the plan which has since been embodied in the National Home Ownership Foundation Act, S. 1592. Shortly thereafter the Department of Housing and Urban Development circulated an unsigned memorandum critical of the proposal as it then stood.

After 3 arduous months of research and development, the legislation to create a National Home Ownership Foundation was introduced, with numerous and important improvements over the January version, on April 20. The following day Secretary Weaver of HUD issued a nine-page statement sharply critical of the proposal, drawing upon the earlier HUD memorandum.

Subsequently, on June 10, Secretary Weaver was interviewed by United Press International and again commented on the National Home Ownership Foundation Act.

In order to clarify certain misconceptions about the act, and to offer a dollars-and-cents analysis of its potential benefits to lower income families, I have had prepared a statement which addresses itself to these criticisms and misunderstandings, dated June 20.

In view of the wide interest this statement has generated, I feel that it is appropriate to make its contents available to the public. I thus ask unanimous consent that the HUD memorandum of January 31, Secretary Weaver's statement of April 21, excerpts from Secretary Weaver's UPI interview of June 10, and the text of my analysis of June 20 be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Unsigned memorandum dated Jan. 31, 1967, referring to National Home Ownership Foundation plan as described in the CONGRESSIONAL RECORD of Jan. 11, 1967]

A NEW DAWN FOR OUR CITIES—A HOMEOWNERSHIP ACHIEVEMENT PLAN

(As described by Senator CHARLES H. PERCY)

SUMMARY OF PROPOSAL

A new private nonprofit corporation would be chartered by Congress—the National Home Ownership Foundation, Inc. (NHOF). Two-thirds of the board of directors of NHOF would be drawn from the private sector of the economy and the remainder would be appointed by the President with Senate approval.

NHOF's function would be to encourage the formation of local nonprofit housing associations (LNHA) and to provide them with technical assistance, trained personnel and some of the funds needed to carry on their activities.

The function of the LNHA's would be to (1) prepare low-income families for homeownership by providing them with a basic education, on-the-job training and other forms of counseling; (2) acquire substandard dwelling units; (3) hire contractors who, using low-cost techniques and the trainees recruited in the area being rehabilitated, will rehabilitate the dwelling units; (4) sell to the low-income families these remodeled units; (5) finance their purchase by a mortgage loan the interest on which would vary depending primarily on the need and the income of the buyer and the cost of the unit.

The financing of the program would be as follows:

(1) NHOF will have the blanket obligational authority to channel funds to the LNHAs from existing Government programs to cover its training and counseling services.

(2) NHOF will issue Federally tax exempt debentures in the private money market. These bonds will, in effect, be Federally guaranteed—that is, they will, in case of default be exchangeable for equivalent government securities. They will have an interest rate pegged to the rate of prime commercial bonds. An initial subscription of up to $100 million will be made by the Government, which money will be repayable without interest. A further source of funds would be the sale by NHOF of some of the mortgage loans it has received from LNHA to FNMA, which would purchase these uninsured below-market-interest-rate mortgages at par, using Special Assistance Funds furnished by the Treasury.

(3) FHA will insure the new owner against losing his home due to curtailment of income through ill health or economic recessions. The cost of this insurance will be borne by borrowers under FHA insured mortgages.

ANALYSIS

Delegation of sovereign power to private corporation

The program is administratively weak in that there is unbridled delegation of power to a nongovernmental corporation. The proposal grants to a private corporation the power not only to siphon funds from Congressionally authorized programs but to pledge the credit of the United States. Control by legislative and executive branches is so weak as to run the substantial risk of the program being declared unconstitutional by the judicial branch.

The basic financing aids specified cannot provide housing for the poor

The crucial element of the plan—developing a method to make it possible to rehabilitate housing at a price which puts it within reach of the poor—is also its weakest spot. There is no indication of the mechanism by which hired contractors will achieve the "low-cost technique" which has as yet eluded such giants of United States industry as United States Steel and U.S. Gypsum. Without such a technological breakthrough, the major financial mechanism specified by the proposal—low interest rate money achieved through using Federal credit and Federal guarantees, and through exemptions from income taxes, is barely sufficient to produce lower middle income housing, let alone low-income housing.

Yet the cost to the Treasury of the proposed use of Federal credit and guarantees, and tax exemption could be very great. The proposal clearly contemplates amending "the FNMA laws to provide the FNMA purchase of a specified amount of NHOF-held mortgages in order to revolve the financing funds." But the proposal carefully avoids the question of how much in Federal funds FNMA would need. Every below-market-interest-rate mortgage acquired by the NHOF would have to be purchased by FNMA with Treasury funds if the NHOF is to be able to "turn over" its limited capital and carry on any sizeable operations. Assuming that the average below-market-interest-rate mortgage is $10,000, the purchase of only 10,000 such mortgages a year would require $100 million in Treasury funds. In addition, the loss in Federal tax revenue involved in exempting from taxes the interest payments on NHOF debentures would be equal to 50 percent of the dollar amount of the interest payments.

The "Hooker"

Apparently in belated recognition of the fact that the basic financing aids specified in the proposal cannot bring housing within the reach of the poor, the author suggests that Federal urban renewal funds be used to help local public agencies acquire buildings in "urban renewal or concentrated code enforcement areas for low-cost resale to LNHAs". This would permit LNHAs to get buildings acquired by condemnation at a fraction of the price paid for them (and perhaps as a gift from the local public agencies) with Federal and local funds paying the difference between the cost of acquiring the buildings and the amount paid for them by the LNHAs. While there is a specific and sizeable Federal and local subsidy involved in this kind of "write down", it *can* be a valid and desirable use of the urban renewal program. Use of this kind of a "write down" can help to accomplish the redevelopment of slum and blighted areas in accordance with a public plan which emphasizes reuse of the area for residential purposes by low-income families.

However, the author, perhaps fearful that his "new-dawn" proposal may work only with this kind of subsidy, and anxious not to be limited to buildings in urban renewal and concentrated code enforcement areas, also recommends amending the urban renewal laws "to permit the use of urban renewal funds for acquisition of building shells for LNHA rehabilitation *in areas not presently designated as urban renewal or concentrated code enforcement areas.*" [Emphasis added] The LNHAs would thus be given a roving commission to obtain homes (apparently through condemnation by local public agencies on their behalf) at a fraction of their real cost. The write-down would be borne by Federal and local funds.

There are very serious questions as to the legality of this kind of indiscriminate taking of property, improving it and conferring the benefits provided by Federal and local funds upon an individual selected by a private nongovernmental body. Aside from the very questionable legality of this aspect of the proposal if Federal funds are going to fully underwrite the difference between the cost of producing housing and the price the poor can afford to pay, we ought, at least, to be told how much this will cost per house, who will select the beneficiaries of the program, and how we will avoid windfalls to a beneficiary whose income rises and who sells a house he has acquired with substantial subsidy.

Not in the mainstream of housing finance

The program will have a disruptive effect on the existing structure of housing finance.

(1) FNMA will be required for the first time to purchase mortgages on dwelling units which are neither insured nor based on an economic analysis of the value of the underlying security. The amount of the mortgage may often exceed the market value of the property (rehabilitation often adds less to the market value of a house than the cost of doing the work) and the cost to the Treasury of possible foreclosures could be catastrophic.

(2) The sale of tax exempt, Federally guaranteed debentures, which promise a yield equal to that of prime commercial bonds with no risk, will tend to siphon funds from the usual mortgage markets, thereby increasing the pressure on interest rates and the cost of homeownership to nonsubsidized families.

(3) The proposal contemplates "insurance to protect homeowners against foreclosures due to curtailment of income through ill health or economic recession". If the homeowners, selected from among the poor, are required to pay an actuarial premium for this insurance, its size would be far more than they could bear. On the other hand, if the proposal assumes (as it appears to) FHA assumption of the insurance payment, with the risk spread over all FHA borrowers, nonsubsidized families participating in the FHA program will be saddled with the cost of benefits provided to the beneficiaries of this program. If subsidized insurance is to be provided the beneficiaries of this program, its cost should be borne by the entire society, not just the person who happens to have an FHA mortgage.

SUMMARY

While well-intentioned, the "New Dawn" proposal indicates little understanding of the problems of developing housing within the economic means of poor people. The proposal is totally unsupported by any factual analysis of the problems involved or the impact of its purported solutions.

It is predicated on a reasonable notion—that the provision of housing within the means of the poor requires some subsidy. But there is not an iota of cost analysis of what kind of subsidy would be required to make housing available at low enough costs for low-income families to afford. Beyond statements of good intentions and financial juggling, there is only one phrase devoted to the difficult problem of reducing the cost of rehabilitation—"The plan by opening up a mass market for housing rehabilitation products and techniques, would stimulate technological advances in those fields."

There may be great potential for the application of technological advances to the development of new rehabilitation products and techniques. But the comparatively small additional expenditures the "New Dawn" proposal would add to the present $11 billion a year being spent on housing rehabilitation will not by itself stimulate the development of either new products or new techniques.

Relatively speedy duplication of space-age technology to housing rehabilitation will require public subsidy. There are no corporate giants in the whole rehabilitation industry with the resources or the competence to develop the new products and techniques that may be found.

In addition, significant reductions in the cost of rehabilitation will be possible only if substantial numbers of houses to be rehabilitated can be assembled in one place and worked on at one time.

Although it is superficial and seeks an easy "Madison Avenue" solution—home-ownership—to the complex problem of providing decent housing for the poor, the proposal should not be totally condemned except insofar as it purports to be a "New Dawn for Our Cities". Subject to revision and refinement, and supported by factual analysis, a reasonable pilot or experimental home-ownership program could be developed which would be helpful to some lower income families in achieving better housing and living conditions. But to pretend that such a program could have any massive impact is to deceive and raise false hopes while deferring the search for realistic solutions to the difficult problems of urban living.

STATEMENT BY ROBERT C. WEAVER, SECRETARY, U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, ON THE PROPOSED NATIONAL HOME OWNERSHIP FOUNDATION ACT, APRIL 21, 1967

While well-intentioned, the proposal for a National Home Ownership Foundation indicates little real understanding of the problems of producing housing within the economic means of poor people. The proposal is based on a reasonable notion—that providing housing the poor can afford will require some subsidy. But it is totally unsupported by any factual analyses as to the kind, and amount, of subsidy that would be required for workable home ownership by poor families. Despite glowing statements of good intentions and a bewildering maze of financial juggling, it provides a wholly inadequate subsidy to the low-income home buyer at an incalculable total cost to the taxpayer.

The proposal has a number of serious defects:

It fails to involve local government.

It fails to connect adequately its provisions to local communities' plans for their own growth or redevelopment.

It fails to coordinate the assistance it might provide with existing Federal and local programs.

It fails to provide adequately for the relocation of people who may be displaced.

It fails to provide the means for families of low incomes to own their own homes.

It ignores the fact that only a small segment of the urban poor have incomes stable enough to undertake home ownership.

And it unnecessarily proliferates Federal programs for housing assistance, and greatly complicates the governmental machinery for assisting housing and the growth and redevelopment of our cities.

Thus, it does not hold, as the supporters have said, "great promise for rebuilding decaying urban and rural areas and providing decent housing for their people."

Nor is the idea of home ownership for the poor as novel as this proposal implies. On March 15, 1967, President Johnson announced a housing program for low-income families saying: "For many American families, home ownership is a source of pride and satisfaction, of commitment to community life. . . . We learn how best to help low-income families to own their own homes."

THE PROGRAM

The heart of the proposal is:

A federal guarantee of principal and interest on up to $2 billion in debentures to be issued by a Federally-chartered National Home Ownership Foundation and

An interest subsidy paid by the U.S. Treasury to reduce monthly payments on individual mortgages.

The Foundation would use the borrowed money to make loans to various local nonprofit organizations which, in turn, would use the funds to construct or rehabilitate private housing for sale to low-income purchasers.

The low-income purchaser of the housing would obtain a mortgage either from a private lending institution at whatever interest rate was required by that institution, or, and most likely, **from the non-profit organization.**

The Treasury Department would pay monthly on behalf of the low-income purchaser, a portion of the interest on the mortgage.

Under the statutory formula in the bill, the Federal interest subsidy payment would range from 3 percent to a fraction over 4 percent during different periods of time. At the present time, under the formula in the bill, the Federal interest supplement payment would be 4⅜ percent of the interest on the mortgage.

To pay this interest subsidy, contracts would be executed which would obligate the Congress in fiscal 1968 to appropriate $10 million per year for 30 years, and this obligation could be increased in fiscal year 1969 to $30 million annually, and increased in fiscal year 1970 to $60 million per year.

The most disheartening aspect of the proposal is that while its potential cost to the taxpayer is very great, its benefit to the poor families it seeks to help is very limited.

The interest payment subsidy that Treasury would pay to private lenders would not reduce housing costs enough to enable low-income families to afford home ownership.

In large measure, this results from the fact that the mortgage interest rate paid by low-income purchasers of homes under the proposal would have to be around 6½ percent. The National Home Ownership Foundation would have to pay close to 6 percent for money that it could borrow in the capital market. After adding ¼ percent that the National Home Ownership Foundation would be required to pay Treasury as an insurance premium, plus a small margin for operating expenses of the NHOF and the local nonprofit organization, the mortgage would have to bear a 6½ percent interest rate. Any private lender making a 30-year uninsured mortgage loan would also require a 6½ percent interest rate.

The subsidy, based on the statutory formula, could cover up to about 4¼ percent of the 6½ percent interest. This would be equal to $32.50 for a $12,500 mortgage with 30-year maturity. The $32.50 subsidy would reduce the monthly housing expenses required of the homeowner to about $100 per month. To pay this amount with an expenditure of no more than 20 percent of income, families would require a $6,000 annual income. Even if they were to spend up to 25 percent of income for housing, they would need an income of at least $4,800. Thus, the program would not subsidize home ownership for the low-income families that now are housed in public housing, where the median income of non-elderly families is $3,225.

In addition, the mortgage limits, $12,500 and $15,000 in high costs areas, would not permit the construction of single-family homes in most of the cities where the urban poor are concentrated. Thus, not only would the proposal provide inadequate subsidies for low-income home purchasers, but the mortgage limits would not enable the construction of the type of housing promised by the sponsors.

The failure of the proposal to involve local government means that it cannot become a major instrument for revitalizing urban slums and blighted areas. Good housing exists only in good neighborhoods. Blighted neighborhoods cannot be improved without the participation of local government. Needed public facilities and services can only be provided through the action of local government.

The local governing body has to be involved in any large-scale attempt to improve neighborhoods. For code enforcement and other public action are basic to neighborhood rehabilitation. The use of the local governing body's power of eminent domain is essential to putting together a large enough group of houses to be rehabilitated, or a large enough piece of land on which new houses are to be constructed, on an economic basis.

In addition, only with the help of the governing body of a community can adequate provisions be made for the relocation of people displaced from substandard housing by a rehabilitation program. The public housing and urban renewal programs of HUD have, after great effort and tough administrative requirements, achieved effective relocation; but their experience documents the fact that well-motivated non-profit organizations do not succeed in this area. Effective relocation requires public administrative machinery and a continuing public involvement.

The failure of the proposal to involve local government may result in the activities actually harming a local community's plans for its redevelopment or growth. Since, under the proposal, non-profit groups need not in any way coordinate their activities with local public activities, their actions may disrupt or conflict with local public programs of social and other assistance, which aid neighborhood rehabilitation.

The technical services which could be performed by the foundation have not been explicitly considered in terms of costs. But all experience to date indicates that they are as expensive as they are necessary. By providing no explicit adequate financing to cover these costs, the proposal appears to require they be covered in the mortgage. Since there is no maximum on the cost that will be charged for these purposes, a significant part of the benefits of an interest rate subsidy could be eaten up if the technical assistance is on a meaningful scale.

The proposal fails in its attempts to protect the low-income purchaser. The proposal to develop insurance to protect the purchaser against inability to make the mortgage payment because of disability, or unemployment, is hopelessly naive. There is little hope that private insurance companies, without substantial subsidy, can provide the insurance needed at acceptable rates.

This Administration has long been experimenting with and developing a group of programs to achieve maximum involvement of private enterprise in rebuilding our cities. In the process, we have developed the rent supplement program, the turnkey approach to public housing, and the 221(d)(3) moderate-income housing program.

Only last year the Congress enacted the Sullivan Amendment which utilizes Section 221(d)(3) for the acquisition and rehabilitation of housing for non-profit groups for resale to families of very low income. Thus we have already developed a method of achieving, without additional and burdensome administrative machinery, the home ownership objectives of the proposal.

We are also undertaking a demonstration program to supply the answers to the very questions that remain unanswered in the proposal. In his message on Urban and Rural Poverty the President directed me to carry out a low-income home ownership program, so that we may learn how to help low-income families own their own homes. Among the matters to be probed are how to identify low-income families with the potential to build an ownership equity in a home and how to make self-help operative in an urban setting; what is the practicability of insurance against foreclosures because of idleness or unemployment, and how to develop a less costly house.

We have also conducted and sponsored a series of local experiments involving many forms of cooperation between private enterprise and government. As these developments occur, we have discovered two basic facts. First, this maximum private involvement is complex and cannot be done in a one-shot, isolated way. Second, there must be maximum involvement of private enterprise and government at all levels if we are to succeed.

This Administration welcomes interest in urban development and the rebuilding of declining urban and rural areas. We are encouraged, too, by the fact that there is agreement between the Administration and the supporters of this proposal on certain basic goals. All of us are dedicated to maximum involvement of private enterprise in housing and urban development and the increase of home ownership opportunity among aspiring low-income families.

As the proposal is being considered by the Congress, we hope that its analysis will afford the basis for a bi-partisan support of effective legislation in this vital aspect of domestic life.

On the Percy Proposal

(Robert Weaver, Secretary of HUD, UPI interview program, "From the People," Washington, June 10, 1967)

Q: Republicans say that we are not getting private enterprise interested enough in fixing up the cities. Senator Percy has put in a bill to establish some kind of home ownership foundation which would raise a couple of billion dollars in the private market and then relend it to moderate-low-income people so they can buy their own homes. What about that program, that approach?

Dr. Weaver: Let me say two things. As far as the objective of having home ownership among the people with low incomes, I think it is just like being against sin. I think everybody would take that position. However, I think to promise large numbers of low income people that in the immediate future that they are going to be able to achieve home ownership is a snare and a delusion and it can be a cruel hoax because in many instances with these extremely low down payments, with these long periods of loans after three years they will have a negative equity. And if they lose their jobs, or if they are sick, they will lose their home. And if you think you have disillusionment and you think you have despair and potential violence in the ghetto now, what's going to happen if this occurs in large numbers? And this plan says this is going to be protected by an insurance program which is not going to be subsidized. Well we know that you can't do this without a subsidy or the insurance program is no good. And these people are going to lose their homes under this program. Finally the Percy program involves an extremely complicated whole new system of machinery from a party which wants to cut down on government. They're setting up a whole new machinery of government and neglecting existing units which can do this, and under the Sullivan bill are doing this. But under the Sullivan bill we are taking the position that we have to walk and crawl before we can run. And we are doing this as a demonstration and an experimental program to find out what are some of the basic problems. And we are not promising that this is going to be the universal approach to all of these things. We are tying this in to the other programs, as contrasted to the Percy program which would be out there by itself and would not be coordinated with all that's going on.

Q: Well what is this Sullivan bill?

Dr. Weaver: The Sullivan bill is a bill which was passed last year using the 221(d)(3) program, the 3% interest money on home ownership. But it's on an experimental basis. We have $20 million which we are financing this with under the Fanny Mae program.

Q: Isn't there a danger that some of those people will lose their homes?

Dr. Weaver: Yes, but this would be in the hundreds not in the 10's, 15's and the 20 thousands.

THE NATIONAL HOME OWNERSHIP FOUNDATION ACT—FACTUAL ANALYSIS OF STATEMENT BY ROBERT C. WEAVER, SECRETARY OF HOUSING AND URBAN DEVELOPMENT, ISSUED APRIL 21, 1967

(Prepared by the office of Senator CHARLES H. PERCY)

On the day following introduction of the National Home Ownership Act (S. 1592—H.R. 8820), Secretary Weaver issued a nine page statement attacking the NHOF proposal on various grounds. The purpose of this memo is to analyze Secretary Weaver's criticisms in order that their merit may be evaluated.

I. THE ROLE OF LOCAL GOVERNMENT

The first principal thrust of Secretary Weaver's statement is that the NHOFA "fails to involve local governments."

Close reading of the NHOFA reveals:

1. "local public agency" defined for later use in section 3(d).

2. "local nonprofit housing association" defined broadly enough to include a public or quasi-public local agency (section 3(e)), which point is explicitly stated in the explanatory memorandum accompanying the legislation in the CONGRESSIONAL RECORD, which reads:

"A public corporation designed to provide housing could presumably qualify as a local nonprofit housing association."[1]

3. The Foundation, in furthering the purpose of the Act, required to "make maximum use of existing *public* and private agencies, institutions, firms,, consultants, and programs." (section 101(a)).

4. The Board of the Foundation composed of, among others, "two from among representatives of State and *local public agencies.*" (section 102(b)).

5. The Technical Assistance Service authorized "to assist eligible borrowers in securing the participation of local business firms, financial institutions, religious organizations, educational institutions, labor unions, foundations and professional and civic organizations and associations, *local public agencies*, and all other such groups in homeownership programs." (section 108(a)(3)).

6. The Technical Assistance Service authorized "to assist eligible borrowers to obtain, through *both public and private* channels, the access to supporting programs in the fields of training, employment, and counseling", etc. (section 108(a)(6)).

7. The eligible borrower, as a condition for obtaining a Foundation loan, required to demonstrate that, in the course of planning and developing its program, it "shall have consulted with the appropriate Federal, State, and local public agencies". (section 110(a)(13)).

8. The Foundation authorized "to enter into a coadjuvant agreement with any private individual, corporation, or institution, or with any State or *local public agency.*" (section 112).

9. The Housing Act of 1949 amended to require that a local governing body explicitly find that a proposed urban renewal plan will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise "or nonprofit organizations including eligible borrowers" as defined in the National Home Ownership Foundation Act (section 202).

10. Local urban renewal agencies authorized to convey urban renewal property at fair value to an eligible borrower under the National Home Ownership Foundation Act (Section 203).

In addition to these provisions of the Act itself linking together the Home Ownership program and local government, supplementary comment by the Act's sponsors adds additional support. Senator Percy's Special Assistant, addressing the National League of Cities on March 13 on the Home Ownership proposal, stated:

"How can local government cooperate if this program were installed? Well first of all, one of the greatest assets of the local government is the prestige of the mayor. If a mayor puts his endorsement and his prestige and support behind it, it would of course be a tremendous advantage to a local nonprofit association.

"Secondly, programs of code enforcement which most mayors are now aggressively pursuing could certainly tie in very well in promoting this kind of urban rebuilding. Open space programs, taking advantage of the 701 programs of HUD or locally financed programs, would of course make a great contribution to neighborhood development as would improvement of community facilities and schools.

"Building code modernization, a task which faces many cities today, would be an additional help insofar as it would help permit the use of new technological means of providing decent housing which are not presently allowed by building codes, which in many cases were drafted 30 or 40 years ago.

"Tax abatements or tax freezes at the prerehabilitation level for some period . . . would of course help hold the cost down to low income buyers and thus make home ownership more available to more people.

"We have also included a rather ingenious method whereby a city housing authority could generate a great deal of local slum improvement without incurring any substantial overhead. It would work something like this: the public authority would issue its own tax exempt bonds at, say 3%. With the proceeds it would purchase an equivalent amount of equal term National Home Ownership Foundation bonds, also at 3%. With those proceeds, the Foundation would make a previously arranged loan, or number of loans, to local associations working in that city at the 3% rate, which would of course lower the costs to the home buyer.

"The local associations would transmit the mortgages to the Foundation or its local agent in repayment of the loan.

"As the mortgagor made his regular payments on his mortgage, the Foundation would service the bonds sold to the public authority, which in turn would service its own tax exempts. At the end of the term, the Foundation would retire its bonds, and the authority would retire its bonds.

"While this may sound complicated, upon some reflection I think you can see that the city authority here—or a State authority for that matter—could get the results without ever having to get into the management and mortgage marketing business. We think this offers a really exciting way, susceptible to many imaginative innovations, for a responsive city government to stimulate programs right in its city."

It would thus seem clear that substantial thought has been given to ensuring a cooperative working relationship between Foundation-financed projects and local governments. Indeed, as Secretary Weaver points out, such cooperation is certainly essential to the success of local organizations working through the National Foundation.[2]

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[1] Note that, under Secretary Weaver's 221(h) mortgage insurance program, relied upon by him as the answer to the Percy proposal, only a "private nonprofit corporation or association" could obtain FHA insurance. The NHOF plan would include both local public instrumentalities and limited-dividend sponsors.

[2] It is interesting to note that Secretary Weaver's 221(h), 221(d)(3), and rent subsidy programs do not require the approval of elected local officials.

II. ASSISTANCE TO POOR FAMILIES, COSTS AND LEVERAGE

The other main thrust of Secretary Weaver's statement is the charge that the NHOF plan would be inadequate to help lower income families achieve home ownership, even though the cost to the taxpayer would be "incalculable."

Secretary Weaver begins his analysis with a factual error regarding the amount of interest payable by the Treasury as subsidy to a home buyer. He states that, under the statutory formula in the bill, "the Federal interest subsidy payment would range from 3 percent to a fraction over 4 percent during different periods of time." A close reading of the relevant section (113(a)) reveals that (a) nowhere is the figure 3% mentioned, and (b) the interest subsidy payment or any given mortgage would not vary during different periods of time, but would be at a fixed rate not in excess of the average market yield to maturity on all outstanding marketable obligations of the United States at the date of the loan or loan commitment. Currently this rate is around 4¼%.

The main point of the Secretary's argument centers on the respective merits of the NHOF proposal and the 221(h) mortgage insurance program enacted in the Housing and Urban Development Act of 1966. This program, known to Congress as the Sullivan Amendment after its author, Congresswoman Leonor K. Sullivan (D.-Mo.), essentially extended the existing 221(d)(3) program to single family rehabilitated homes for sale to public-housing eligible families at below market interest rates.[3]

The Secretary makes these statements (emphasis added):

"The interest payment that the Treasury would pay to private lenders (under the NHOF plan) would not reduce housing costs enough to enable *low income* families to afford home ownership."

"Only last year the Congress enacted the Sullivan Amendment which utilizes Section 221(d)(3) (*sic*) for the acquisition and rehabilitation of housing for nonprofit groups for resale to families of *very low income*. Thus we have already developed a method of achieving, without additional and burdensome administrative machinery, the home ownership objectives of the proposal."

A. Comparison

It is thus instructive to draw a comparison in dollars and cents terms of the benefits afforded by the respective proposals. The assumptions and computations used are based on standard FHA amortization schedules and on FHA instruction handbook 3700, "Program For Purchase and Rehabilitation of Housing for Resale to Low Income Purchasers." (Section 221(h))[4]

For purposes of the example, assume a *family of five in Washington, D.C.* with a yearly gross income of $4100, or $342 per month. This gross income is equal to the public housing admission level in Washington. Subtracting $9 in withholding taxes yields a monthly net effective income of $333.

The FHA chart, "Prospective Monthly Housing Expense Related to Mortgagor's Effective Monthly Income, Washington, D.C. Jurisdiction", reveals that the prospective monthly housing expense—the total cost of housing, including debt service, insurance, taxes, utilities, heat, repairs and maintenance—for this family would be $120. Since the FHA rule is that debt service runs only 55% of prospective monthly housing expense, the debt service in this case would be $66.00. This is the maximum debt service a $4100 income family of five in Washington, D.C. can pay to obtain loan insurance under the new 221(h) program.

Under the 221(h) program loans will normally be insured at 3% interest for a period of 20 years. In certain cases, if a home buyer cannot meet payments at this level, the Commissioner is authorized to extend the maturity to 25 years. The 25 year figure will be used to compute the maximum assistance available under this amendment.

According to standard FHA amortization schedules, a 3%, 25 year mortgage requires a monthly debt service payment of $4.75 per thousand dollars of loan. Thus with $66.00 available for debt service, the family in question could afford a home loan of $13,895. ($66.00 divided by 4.75, times 1000).

Thus, to sum up, under the 221(h) program's maximum terms, a $4100 Washington, D.C., family of five could afford a $13,895 mortgage loan.

What income would the same family need to afford a $13,895 mortgage loan under the NHOF program?

Secretary Weaver estimates that the NHOF could make mortgage loans on a breakeven basis at 6½% interest. The maximum amount of the assistance the NHOF program could provide is governed by the average market yield to maturity on all outstanding marketable obligations of the United States, as of the date of loan or loan commitment. At the time of Secretary Weaver's analysis, that yield was, to the next lower quarter of a percent, 4¼%. The effective interest rate to be paid by the home buyer under the NHOF plan would then be 2¼% (6½% minus 4¼%). The NHOF plan would permit loans of 30 year maturity.

From the standard FHA amortization schedules, a 2¼%, 30 year mortgage requires a monthly debt service payment of $3.83 per thousand dollars of loan. For a home loan of $13,895, the monthly debt service payment would thus be $53.22 ($3.83 times 13.895).

According to the 221(h) handbook, the prospective overall monthly housing expense would be $53.22 divided by 55%, or $96.77. From the FHA chart referred to, this amount corresponds to a monthly net effective income of about $235. Since at this income there is no withholding, this is also the monthly gross income, yielding a maximum yearly gross income of $2820.

Thus, using approved FHA rules, under the NHOF program a $2820 family of five in Washington, D.C., could afford a $13,895 mortgage loan, while under Secretary Weaver's 221(h) program the same family would require an income of $4100 for the same house.

While the official position of Secretary Weaver is that a lower income family should spend no more than 25% of its income on total housing costs, the FHA tables reflect actual operating experience for section 203 single family homes. Thus in some cases near the lower income range families will be found actually allocating up to 40% of their incomes for housing costs.

Since the sponsors of the NHOFA agree with Secretary Weaver that 25% is a more reasonable number, this result will be corrected to reflect that decision, notwithstanding the fact that Secretary Weaver's official 221(h) regulation permits housing costs to range up to almost 40% of a poor family's net effective income. To do this, the calculated prospective monthly housing expense is set equal to one fourth the monthly income. This shows that $96.77 monthly housing expense (NHOF) can be sustained by a Washington, D.C., family of five with a net effective income of $387 a month or $4644 a year, while a $120 monthly housing expense can be sustained by a family with an income of $480 a month or $5760 a year.

It would thus seem that Secretary Weaver's assertion that his 221(h) program would effectively help "very low income" families, while the NHOF program would fail to help even "low income" families, does not stand up under close scrutiny.

B. Costs of the subsidy

It remains also to examine the cost to the taxpayer of the NHOF plan, which Secretary Weaver terms "incalculable", with the costs of his 221(h) program.

Under the NHOF plan, the monthly cost borne by the Treasury, should there be no subsidy repayment by the home buyer, would for the example used be the debt service on a 6½%, 30 year, $13,895 mortgage, less the corresponding figure for a 2¼% mortgage. This amount, from the FHA amortization schedules, is $87.96 less $53.22, or $34.74.

Unfortunately, while it is simple to compute the subsidy cost under the NHOF program, it is exceedingly difficult to do so for the 221(h) program, in effect a direct government lending program at a below market interest rate.

The "Report of the Committee on Federal Credit Program to the President of the United States" (1963), in a section headed "Need for Measurement of Subsidies", recommended: "that the subsidy element be explicitly recognized. The first step should be to compare the interest rate paid by the borrower on direct Federal loans to be the sum of (a) the prevailing market yield on Government securities of comparable maturities, (b) an allowance for administrative costs, and (c) an allowance for expected losses. Similarly, the revenues if any, from premiums and other fees charged on insured and guaranteed loans should be compared with a reasonable allowance for administrative expenses and expected losses in the guarantee or insurance program."

Clearly this computation involves a number of arbitrary assumptions, and experts will vary in their evaluation of the various components.

The point, however, is that under the NHOF program Congress and the taxpayer know exactly how much is being spent, and on whom, and for what. Under the below market interest programs such as 221(h), the costs are buried far from view in the financial underpinnings, and cannot be precisely ascertained.

C. Leverage effect

It is also useful to compare the economic leverage of Federal funds used as interest assistance payments under the NHOF program, and as FNMA special assistance funds under the 221(h) program.

Assume, to conform to the previous illustration, that the homes sold under each program average $13,895, and are sold at the most favorable terms afforded by each program, and that $10 million in Federal funds is available in each case.

Under the NHOF program, we have seen that the annual subsidy cost in this case, *again aside from any repayments by the* buyer, would be $416.88 (12 times $34.74). With $10 million available for interest assistance, some 23,987 homes could be provided.

Since no private lender will accept a 221(h) 3% mortgage, FNMA must issue a commitment to buy the mortgage from the private lender as soon as it is made. With $10 million available for this purpose, FNMA will be able to finance only 720 such units.[5]

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[3] The 221(h) program does not apply to new construction or to multifamily cooperative or condominium ownership.

[4] Hereinafter referred to as the "221(h) handbook".

[5] In an unsigned memo circulated by the Department of HUD in January of 1967, the then-current version of the NHOF plan (since substantially revised) was criticized for insufficient leverage effect as follows:

"The (NHOF) proposal clearly contemplates amending the FNMA laws to provide the FNMA purchase of a specified amount of Foundation-held mortgages in order to revolve the financing funds. But the proposal carefully avoids the question of how much in Federal funds FNMA would need. Every below-market-interest-rate mortgage acquired by the Foundation would have to be

Under the NHOF plan, of course, again leaving aside any subsequent repayments of the subsidy, the entire $10 million is spent and not just loaned. Over the years, of course, the $10 million used to purchase mortgages through FNMA in the 221(h) program will be returned to the Government, less defaults and other costs.

The NHOF plan has now been revised to eliminate FNMA purchase of below-market-rate-mortgages; but the Department's earlier analysis is an exact description of the working of the 221(h) program. It would indeed require $100 million from the Treasury to permit FNMA to take out 10,000 $10,000 mortgages under 221(h).

To create 23,987 new homes at $13,895 each under 221(h) would require an immediate special assistance appropriation of $333.3 million. The statutory limitation of $20 million for this program indicates not only its limitations but also the difficulty of obtaining larger amounts given the present wartime budget situation. The NHOF program, by contrast, would get the same results in delivered housing for an annual budget outlay of only $10 million, a figure much more acceptable in the appropriations process.[6]

III. MISCELLANEOUS POINTS

The following criticisms also appear in Secretary Weaver's statement:

A. Insufficient mortgage limits

The Secretary observes that a unit mortgage limit of $12,500 ($15,000 in high cost areas) is too low to permit single family construction in cities. The figure $12,500 is equal to the single family mortgage limit under the existing 221(d)(2) mortgage insurance program for low and moderate income families and displacees, which program's effectiveness is thus called into question. In addition, the Secretary does not seem to recognize the possibility of rehabilitation of multifamily buildings, which can frequently result in mortgages within the $12,500 limit.

Should testimony indicate that these figures are too low for some exceptionally high cost areas there would be no objection to revising them in light of evidence presented.

B. Relocation

Secretary Weaver's statement also claims that the Home Ownership proposal "fails to provide adequately for the relocation of people who may be displaced." Among the loan criteria in S. 1592 appears the following (section 110(a)(9)):

> "Wherever a program includes demolition or extensive rehabilitation of inhabited dwellings, the eligible borrower must make arrangements for the relocation of the inhabitants, either on a permanent basis, or temporarily until such time as the improved housing can be made available to them."

It is contemplated that local public agencies with experience in relocation would play a prominent role in helping an eligible borrower meet his criterion.

C. Insuring homeowners against foreclosure

Secretary Weaver refers to President Johnson's instruction to him to carry out a pilot low income home ownership program to find out, among other things, how to identify low income families with the potential for ownership, and how to protect lower income buyers against foreclosure because of idleness or unemployment.

At the same time, however, he announces the results of his forthcoming investigations. Without knowing how to identify potential owners, he asserts that "only a small segment of the urban poor have incomes stable enough to undertake home ownership." He goes on to state that the "proposal to develop insurance to protect the purchaser against inability to make the mortgage payment because of disability, or unemployment, is hopelessly naive. There is little hope that private insurance companies, without substantial subsidy, can provide the insurance needed at acceptable rates."

On this point Professor Charles Abrams, perhaps America's foremost housing authority, has cited FHA officials who estimated that the annual premium for such insurance would be on the order of $25. He goes on to say, "When I submitted the proposal to HHFA and FHA in 1962 [when Secretary Weaver was HHFA administrator], it was rejected principally because their functionaries felt the administrative costs would be too high. In the experimental scheme, FHA estimated the 'high cost' at $3.5 million for the first year, $2.5 million for the second year, and $1.5 million annually thereafter. It is clear that the real obstacle is not the administrative cost but FHA's traditional aversion to innovation and to the assumption of social functions."[7]

IV. SUBSEQUENT REMARKS BY SECRETARY WEAVER

Secretary Weaver was the featured guest on UPI's "From the People" interview program on June 10, 1967. In the course of the program he was asked his views of the NHOF proposal. In addition to views expressed previously, the Secretary added this observation:

> "I think to promise large numbers of low income people that in the immediate future that they are going to be able to achieve home ownership is a snare and a delusion and it can be a cruel hoax, because in many instances with these extremely low down payments,[8] with these long periods of loans after three years they will have a negative equity. So if they lose their jobs, or if they are sick, they will lose their homes. And if you think you have disillusionment and you think you have despair and potential violence in the ghetto now, what's going to happen if this occurs in large numbers?"

Secretary Weaver then stated that his 221(h) home ownership mortgage insurance plan for lower income families obviated any need for the NHOF proposal. He was then asked: *"Isn't there a danger that some of those people will lose their homes?"*

To which the Secretary replied:

"Yes, but this would be in the hundreds, not in the ten, fifteens, and the twenty thousands."

The *New York Times*, reporting this interview on June 11, 1967, noted:

> "A similar danger exists with a home ownership program recently initiated by the Administration, Mr. Weaver conceded. But since the Administration effort is relatively small, the potential for violence is less, he said."

This position of Secretary Weaver's thus seems to be that the Administration's plan, in contrast to the NHOF program, would lead to less violence since it would attempt to help less people become home owners.

The official Administration position on the rent subsidy program, however, takes a different approach. According to Vice President Humphrey, speaking in New Orleans on July 18, 1966, "Without rent subsidies, we will have open violence in every major city and county in America."

The sponsors of the NHOFA feel that these statements speak adequately for themselves.

V. CONCLUSION

Secretary Weaver concludes his statement with these remarks:

> "This Administration welcomes interest in urban development and the rebuilding of declining urban and rural areas. We are encouraged, too, by the fact that there is agreement between the Administration and the supporters of this proposal in certain basic goals. All of us are dedicated to maximum involvement of private enterprise in housing and urban development and the increase of home ownership opportunity among aspiring low-income families."
>
> "As the proposal is being considered by the Congress, we hope that its analysis will afford the basis for a bipartisan support of effective legislation in this vital aspect of domestic life."

The sponsors of the National Home Ownership Foundation Act find themselves in strong accord with these constructive remarks.

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purchased by FNMA with Treasury funds if the Foundation is able to 'turn over' its limited capital and carry on any sizable operations. Assuming that the average below-market-interest-rate mortgage is $10,000, the purchase of only $10,000 such mortgages a year would require $100 million in Treasury funds."

[6] Throughout these calculations discussion has focused on a unit costing $13,895. This is only because the chosen example related to that figure, and is not to suggest that that figure represents any sort of expected median unit cost. Especially when rural housing is taken into consideration, it is believed that the NHOF median unit cost would be much closer to $10,000.

[7] *The City is the Frontier,* (New York: Harper & Row, 1965), p. 265.

[8] Note that the NHOFA does not attempt to prescribe the amount of down payment. Section 110(c) states that "The Board shall establish minimum downpayments or other similar contributions to be made by the prospective home buyer or person seeking to acquire equity in a dwelling unit." Whether these minimum levels would be "extremely low" is a matter of conjecture.

SENATOR MUNDT ALERT TO THE DANGER IN "BRIDGEBUILDING"

Mr. HRUSKA. Mr. President, as the administration continues its blundering policy of "bridgebuilding" with its ill-conceived proposal to Congress to expand East-West trade, more and more is being disclosed as to just how far they have already gone by executive branch action alone.

President Johnson, by Executive order, last October opened up for trade to the Communist-bloc countries with no licenses or restrictions, over 400 items. Supposedly they are to be nonstrategic items. Unfortunately, grave doubts exist as to the administration's understanding of the word "nonstrategic," and several of the items are more than borderline cases.

In addition, the Commerce Department has authority to license various items *that would be used for peaceful purposes.* Here the administration evidently assumes that they will be, even though many of them have dual purposes. One such item was disclosed recently by the alert action of the senior Senator from South Dakota, [Mr. MUNDT]. Senator MUNDT noticed and promptly protested the granting of a license to ship to Poland a valuable gravity meter which could assist the Communists in improving the accuracy of its guided missiles. Senator MUNDT, placed the exchange of correspondence relative to this item in the CONGRESSIONAL RECORD of June 21, 1967, and it can be found on page 16629.

Subsequently, newspapers around the country have referred to the extraordinary action on the part of the Commerce Department, and have commended the alert action of Senator MUNDT. I join in commending my colleague for his service, and I believe it points out clearly

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For purposes of the example, assume a family of five in Washington, D.C. with a yearly gross income of $4100, or $342 per month. This gross income is equal to the public housing admission level in Washington. Subtracting $9 in withholding taxes yields a monthly net effective income of $333.

The FHA chart, "Prospective Monthly Housing Expense Related to Mortgagor's Effective Monthly Income, Washington, D.C. Jurisdiction", reveals that the prospective monthly housing expense—the total cost of housing, including debt service, insurance, taxes, utilities, heat, repairs and maintenance—for this family would be $120. Since the FHA rule is that debt service runs only 55% of prospective monthly housing expense, the debt service in this case would be $66.00. This is the maximum debt service a $4100 income family of five in Washington, D.C. can pay to obtain loan insurance under the new 221(h) program.

Under the 221(h) program loans will normally be insured at 3% interest for a period of 20 years. In certain cases, if a home buyer cannot meet payments at this level, the Commissioner is authorized to extend the maturity to 25 years. The 25 year figure will be used to compute the maximum assistance available under this amendment.

According to standard FHA amortization schedules, a 3%, 25 year mortgage requires a monthly debt service payment of $4.75 per thousand dollars of loan. Thus with $66.00 available for debt service, the family in question could afford a home loan of $13,895. ($66.00 divided by 4.75, times 1000).

Thus, to sum up, under the 221(h) program's maximum terms, a $4100 Washington, D.C., family of five could afford a $13,895 mortgage loan.

What income would the same family need to afford a $13,895 mortgage loan under the NHOF program?

Secretary Weaver estimates that the NHOF could make mortgage loans on a breakeven basis at 6½% interest. The maximum amount of the assistance the NHOF program could provide is governed by the average market yield to maturity on all outstanding marketable obligations of the United States, as of the date of loan or loan commitment. At the time of Secretary Weaver's analysis, that yield was, to the next lower quarter of a percent, 4¼%. The effective interest rate to be paid by the home buyer under the NHOF plan would then be 2¼% (6½% minus 4¼%). The NHOF plan would permit loans of 30 year maturity.

From the standard FHA amortization schedules, a 2¼%, 30 year mortgage requires a monthly debt service payment of $3.83 per thousand dollars of loan. For a home loan of $13,895, the monthly debt service payment would thus be $53.22 ($3.83 times 13.895).

According to the 221(h) handbook, the prospective overall monthly housing expense would be $53.22 divided by 55%, or $96.77. From the FHA chart referred to, this amount corresponds to a monthly net effective income of about $235. Since at this income there is no withholding, this is also the monthly gross income, yielding a maximum yearly gross income of $2820.

Thus, using approved FHA rules, under the NHOF program a $2820 family of five in Washington, D.C., could afford a $13,895 mortgage loan, while under Secretary Weaver's 221(h) program the same family would require an income of $4100 for the same house.

While the official position of Secretary Weaver is that a lower income family should spend no more than 25% of its income on total housing costs, the FHA tables reflect actual operating experience for section 203 single family homes. Thus in some cases near the lower income range families will be found actually allocating up to 40% of their incomes for housing costs.

Since the sponsors of the NHOFA agree with Secretary Weaver that 25% is a more reasonable number, this result will be corrected to reflect that decision, notwithstanding the fact that Secretary Weaver's official 221(h) regulation permits housing costs to range up to almost 40% of a poor family's net effective income. To do this, the calculated prospective monthly housing expense is set equal to one fourth the monthly income. This shows that $96.77 monthly housing expense (NHOF) can be sustained by a Washington, D.C., family of five with a net effective income of $387 a month or $4644 a year, while a $120 monthly housing expense can be sustained by a family with an income of $480 a month or $5760 a year.

It would thus seem that Secretary Weaver's assertion that his 221(h) program would effectively help "very low income" families, while the NHOF program would fail to help even "low income" families, does not stand up under close scrutiny.

B. Costs of the subsidy

It remains also to examine the cost to the taxpayer of the NHOF plan, which Secretary Weaver terms "incalculable", with the costs of his 221(h) program.

Under the NHOF plan, the monthly cost borne by the Treasury, should there be no subsidy repayment by the home buyer, would for the example used be the debt service on a 6½%, 30 year, $13,895 mortgage, less the corresponding figure for a 2¼% mortgage. This amount, from the FHA amortization schedules, is $87.96 less $53.22, or $34.74.

Unfortunately, while it is simple to compute the subsidy cost under the NHOF program, it is exceedingly difficult to do so for the 221(h) program, in effect a direct government lending program at a below market interest rate.

The "Report of the Committee on Federal Credit Program to the President of the United States" (1963), in a section headed "Need for Measurement of Subsidies", recommended: "that the subsidy element be explicitly recognized. The first step should be to compare the interest rate paid by the borrower on direct Federal loans to be the sum of (a) the prevailing market yield on Government securities of comparable maturities, (b) an allowance for administrative costs, and (c) an allowance for expected losses. Similarly, the revenues if any, from premiums and other fees charged on insured and guaranteed loans should be compared with a reasonable allowance for administrative expenses and expected losses in the guarantee or insurance program."

Clearly this computation involves a number of arbitrary assumptions, and experts will vary in their evaluation of the various components.

The point, however, is that under the NHOF program Congress and the taxpayer know exactly how much is being spent, and on whom, and for what. Under the below market interest programs such as 221(h), the costs are buried far from view in the financial underpinnings, and cannot be precisely ascertained.

C. Leverage effect

It is also useful to compare the economic leverage of Federal funds used as interest assistance payments under the NHOF program, and as FNMA special assistance funds under the 221(h) program.

Assume, to conform to the previous illustration, that the homes sold under each program average $13,895, and are sold at the most favorable terms afforded by each program, and that $10 million in Federal funds is available in each case.

Under the NHOF program, we have seen that the annual subsidy cost in this case, again aside from any repayments by the buyer, would be $416.88 (12 times $34.74). With $10 million available for interest assistance, some 23,987 homes could be provided.

Since no private lender will accept a 221(h) 3% mortgage, FNMA must issue a commitment to buy the mortgage from the private lender as soon as it is made. With $10 million available for this purpose, FNMA will be able to finance only 720 such units.[5]

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[3] The 221(h) program does not apply to new construction or to multifamily cooperative or condominium ownership.

[4] Hereinafter referred to as the "221(h) handbook".

[5] In an unsigned memo circulated by the Department of HUD in January of 1967, the then-current version of the NHOF plan (since substantially revised) was criticized for insufficient leverage effect as follows:

"The (NHOF) proposal clearly contemplates amending the FNMA laws to provide the FNMA purchase of a specified amount of Foundation-held mortgages in order to revolve the financing funds. But the proposal carefully avoids the question of how much in Federal funds FNMA would need. Every below-market-interest-rate mortgage acquired by the Foundation would have to be

Under the NHOF plan, of course, again leaving aside any subsequent repayments of the subsidy, the entire $10 million is spent and not just loaned. Over the years, of course, the $10 million used to purchase mortgages through FNMA in the 221(h) program will be returned to the Government, less defaults and other costs.

The NHOF plan has now been revised to eliminate FNMA purchase of below-market-rate-mortgages; but the Department's earlier analysis is an exact description of the working of the 221(h) program. It would indeed require $100 million from the Treasury to permit FNMA to take out 10,000 $10,000 mortgages under 221(h).

To create 23,987 new homes at $13,895 each under 221(h) would require an immediate special assistance appropriation of $333.3 million. The statutory limitation of $20 million for this program indicates not only its limitations but also the difficulty of obtaining larger amounts given the present wartime budget situation. The NHOF program, by contrast, would get the same results in delivered housing for an annual budget outlay of only $10 million, a figure much more acceptable in the appropriations process.[6]

III. MISCELLANEOUS POINTS

The following criticisms also appear in Secretary Weaver's statement:

A. Insufficient mortgage limits

The Secretary observes that a unit mortgage limit of $12,500 ($15,000 in high cost areas) is too low to permit single family construction in cities. The figure $12,500 is equal to the single family mortgage limit under the existing 221(d)(2) mortgage insurance program for low and moderate income families and displacees, which program's effectiveness is thus called into question. In addition, the Secretary does not seem to recognize the possibility of rehabilitation of multifamily buildings, which can frequently result in mortgages within the $12,500 limit.

Should testimony indicate that these figures are too low for some exceptionally high cost areas there would be no objection to revising them in light of evidence presented.

B. Relocation

Secretary Weaver's statement also claims that the Home Ownership proposal "fails to provide adequately for the relocation of people who may be displaced." Among the loan criteria in S. 1592 appears the following (section 110(a)(9)):

"Wherever a program includes demolition or extensive rehabilitation of inhabited dwellings, the eligible borrower must make arrangements for the relocation of the inhabitants, either on a permanent basis, or temporarily until such time as the improved housing can be made available to them."

It is contemplated that local public agencies with experience in relocation would play a prominent role in helping an eligible borrower meet his criterion.

C. Insuring homeowners against foreclosure

Secretary Weaver refers to President Johnson's instruction to him to carry out a pilot low income home ownership program to find out, among other things, how to identify low income families with the potential for ownership, and how to protect lower income buyers against foreclosure because of idleness or unemployment.

At the same time, however, he announces the results of his forthcoming investigations. Without knowing how to identify potential owners, he asserts that "only a small segment of the urban poor have incomes stable enough to undertake home ownership." He goes on to state that the "proposal to develop insurance to protect the purchaser against inability to make the mortgage payment because of disability, or unemployment, is hopelessly naive. There is little hope that private insurance companies, without substantial subsidy, can provide the insurance needed at acceptable rates."

On this point Professor Charles Abrams, perhaps America's foremost housing authority, has cited FHA officials who estimated that the annual premium for such insurance would be on the order of $25. He goes on to say, "When I submitted the proposal to HHFA and FHA in 1962 [when Secretary Weaver was HHFA administrator], it was rejected principally because their functionaries felt the administrative costs would be too high. In the experimental scheme, FHA estimated the 'high cost' at $3.5 million for the first year, $2.5 million for the second year, and $1.5 million annually thereafter. It is clear that the real obstacle is not the administrative cost but FHA's traditional aversion to innovation and to the assumption of social functions."[7]

IV. SUBSEQUENT REMARKS BY SECRETARY WEAVER

Secretary Weaver was the featured guest on UPI's "From the People" interview program on June 10, 1967. In the course of the program he was asked his views of the NHOF proposal. In addition to views expressed previously, the Secretary added this observation:

"I think to promise large numbers of low income people that in the immediate future that they are going to be able to achieve home ownership is a snare and a delusion and it can be a cruel hoax, because in many instances with these extremely low down payments,[8] with these long periods of loans after three years they will have a negative equity. So if they lose their jobs, or if they are sick, they will lose their homes. And if you think you have disillusionment and you think you have despair and potential violence in the ghetto now, what's going to happen if this occurs in large numbers?"

Secretary Weaver then stated that his 221(h) home ownership mortgage insurance plan for lower income families obviated any need for the NHOF proposal. He was then asked: "Isn't there a danger that some of those people will lose their homes?"

To which the Secretary replied:

"Yes, but this would be in the hundreds, not in the ten, fifteens, and the twenty thousands."

The *New York Times*, reporting this interview on June 11, 1967, noted:

"A similar danger exists with a home ownership program recently initiated by the Administration, Mr. Weaver conceded. But since the Administration effort is relatively small, the potential for violence is less, he said."

This position of Secretary Weaver's thus seems to be that the Administration's plan, in contrast to the NHOF program, would lead to less violence since it would attempt to help less people become home owners.

The official Administration position on the rent subsidy program, however, takes a different approach. According to Vice President Humphrey, speaking in New Orleans on July 18, 1966, "Without rent subsidies, we will have open violence in every major city and county in America."

The sponsors of the NHOFA feel that these statements speak adequately for themselves.

V. CONCLUSION

Secretary Weaver concludes his statement with these remarks:

"This Administration welcomes interest in urban development and the rebuilding of declining urban and rural areas. We are encouraged, too, by the fact that there is agreement between the Administration and the supporters of this proposal in certain basic goals. All of us are dedicated to maximum involvement of private enterprise in housing and urban development and the increase of home ownership opportunity among aspiring low-income families."

"As the proposal is being considered by the Congress, we hope that its analysis will afford the basis for a bipartisan support of effective legislation in this vital aspect of domestic life."

The sponsors of the National Home Ownership Foundation Act find themselves in strong accord with these constructive remarks.

SENATOR MUNDT ALERT TO THE DANGER IN "BRIDGEBUILDING"

Mr. HRUSKA. Mr. President, as the administration continues its blundering policy of "bridgebuilding" with its ill-conceived proposal to Congress to expand East-West trade, more and more is being disclosed as to just how far they have already gone by executive branch action alone.

President Johnson, by Executive order, last October opened up for trade to the Communist-bloc countries with no licenses or restrictions, over 400 items. Supposedly they are to be nonstrategic items. Unfortunately, grave doubts exist as to the administration's understanding of the word "nonstrategic," and several of the items are more than borderline cases.

In addition, the Commerce Department has authority to license various items that would be used for peaceful purposes. Here the administration evidently assumes that they will be, even though many of them have dual purposes. One such item was disclosed recently by the alert action of the senior Senator from South Dakota, [Mr. MUNDT]. Senator MUNDT noticed and promptly protested the granting of a license to ship to Poland a valuable gravity meter which could assist the Communists in improving the accuracy of its guided missiles. Senator MUNDT, placed the exchange of correspondence relative to this item in the CONGRESSIONAL RECORD of June 21, 1967, and it can be found on page 16629.

Subsequently, newspapers around the country have referred to the extraordinary action on the part of the Commerce Department, and have commended the alert action of Senator MUNDT. I join in commending my colleague for his service, and I believe it points out clearly

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purchased by FNMA with Treasury funds if the Foundation is able to 'turn over' its limited capital and carry on any sizable operations. Assuming that the average below-market-interest-rate mortgage is $10,000, the purchase of only $10,000 such mortgages a year would require $100 million in Treasury funds."

[6] Throughout these calculations discussion has focused on a unit costing $13,895. This is only because the chosen example related to that figure, and is not to suggest that that figure represents any sort of expected median unit cost. Especially when rural housing is taken into consideration, it is believed that the NHOF median unit cost would be much closer to $10,000.

[7] *The City is the Frontier*, (New York: Harper & Row, 1965), p. 265.

[8] Note that the NHOFA does not attempt to prescribe the amount of down payment. Section 110(c) states that "The Board shall establish minimum downpayments or other similar contributions to be made by the prospective home buyer or person seeking to acquire equity in a dwelling unit." Whether these minimum levels would be "extremely low" is a matter of conjecture.

the need for vigilance on the part of Congress to supervise and restrain the executive branch.

Mr. President, I ask unanimous consent that Willard Edwards' column from the Chicago Tribune of June 22, and editorials from the Fort Lauderdale Sun-Sentinel and the Fort Lauderdale News, be placed in the RECORD at this time.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Chicago (Ill.) Tribune, June 22, 1967]

CAPITOL VIEWS

(By Willard Edwards)

WASHINGTON, June 21.—The United States government, it is now disclosed, was prepared early this year to assist Russia in improving the accuracy of its guided missiles.

In pursuance of President Johnson's program for "an enlarged partnership" with the communist bloc, the commerce department approved an export license for shipment to an iron curtain site of a unique American scientific instrument, concededly of vital military value in missile warfare.

At the request of intelligence agencies, the shipment has been delayed but it remains "under consideration" and government officials are still arguing that it should be authorized.

The alertness of Sen. Karl E. Mundt [R., S.D.] led to revelation of this seemingly incredible incident. Not much can jolt Mundt, who has spent nearly 30 years in Congress, often playing a leading role in investigations of espionage, scandal, and corruption in government. But he was understandably shocked in this instance.

On June 6, he spotted, on a list of export licenses approved by the commerce department, the scheduled shipment to Poland of a "gravity meter" valued at $10,200.

On the surface and to the layman's eye, the item seemed innocent enough. It was a "geodetic instrument," sought by the Institute of Geodesy and Cartography in Warsaw, allegedly for use in connection with "a geodetic mapping project, sponsored by the International Association of Geodesy." Geodesy is a branch of applied mathematics used to measure large portions of the earth's surface and variations of terrestrial gravity and magnetism.

FIRES OFF LETTER FOR INFORMATION

Mundt's suspicions were aroused, however, and he fired off a letter demanding complete information on the nature of the instrument and its "military application," if any. Some geodetic instruments of exceptional accuracy, he noted, could furnish data of value to "guided missile trajectory determinations." What was this one's accuracy in terms of milligals? If it could, in fact, be used for military purposes, what was the commerce department's rationale for granting the export license?

The answer, on June 13, was apologetic, defensive, and highly revealing. Rauer H. Meyer, director, office of export control, reported that the instrument was a "Worden type gravity meter" with a reading accuracy of 0.01 milligals. Since a milligal is a unit of acceleration which approximates one millionth of the normal acceleration of gravity at the earth's surface, the instrument's accuracy is almost beyond human comprehension, far beyond the needs of "geodetic mapping."

The Worden type gravity meter, in fact, can be made nowhere else in the world but in the United States. Made of quartz fibres, its manufacture demands such technical skill that fewer than a dozen experts, all Americans, can make one. The major purpose of a device of this accuracy is to provide data for guided missile trajectory determinations.

Each missile carries it own guidance system. Measurement of the force of gravity is essential to the accuracy of directional instruments built into these systems. The Worden meter, with its unequaled capacity for measuring the force of gravity, provides data for perfecting the guidance system, thus making the missile more certain of reaching its target.

ADMITS VALUE IN MISSILES SYSTEMS

Meyer conceded that such instruments were, indeed, "a source of data of value" in missile systems. In fact, he reported, the license approved on Feb. 1 had been withdrawn Feb. 16 at the request of "intelligence sources." Shipment of the meter to Poland had been held up.

However, he wrote Mundt, "currently the license is pending further consideration." He offered arguments in support of its approval. Present military emphasis in the missile field, he asserted, is on seaborne inertial navigation and the Worden meter could be used only on land. He also suggested that comparable Russian instrument were available in Poland, causing Mundt to wonder why the Communists were so anxious to obtain a made-in-America type. The answer, an expert said, is that the Worden meter is truly matchless.

At times, Mundt commented wonderingly, the cold war takes on a dreamlike if not nightmare quality. Trading with the enemy—once deemed indefensible—continues to command administration support despite evidence that Russia supplies most of the war materials to North Vietnam and armed the Arab states for their effort to drive Israel into the sea.

[From the Fort Lauderdale (Fla.) Sun-Sentinel, June 26, 1967]

U.S. AIDE APPROVED SELLING MISSILE DEVICE TO REDS

Suppose you were looking at the muzzle of a pistol being held by a person spouting epithets and vowing your death, and you noticed the gun wasn't quite aimed at your heart.

Consequently, you suggest, "a little higher and slightly to the left. That's it, right on target."

If that sounds fantastic and stupid, it is.

So is the idea of selling to the Communist bloc a highly sophisticated device that will increase the accuracy of guided missiles which unquestionably are poised behind the Iron Curtain and aimed at the United States, because we have intercontinental ballistic missiles programmed for Soviet targets—just in case.

Incredible as it may be, someone in our Department of Commerce authorized selling to Poland an instrument that would refine the accuracy of Red ICBMs. Their use would virtually guarantee a knockout blow by nuclear warheads fired at us.

The idea, it seems, stems from the desire for an "enlarged partnership" with the Communists.

Involved is a gizmo called a "Worden-type gravity meter" which relates factors of the earth's gravity to a missile's trajectory to a degree of accuracy almost beyond human comprehension.

The device is so advanced that it is made nowhere else in the world and only about a dozen Americans know its manufacturer. Yet for $10,200 somebody in the Department of Commerce was prepared to sell one to Poland, supposedly for geodetic mapping purposes.

This completely defies our belief.

It amounts to an over-the-counter sale of a top-secret piece of equipment that could lead to the obliteration of our country for the mere price of $10,200.

With bargains like that, the Kremlin need not invest all the time and money required for elaborate spy rings to steal our military secrets, as was the case of the Rosenbergs filching out atomic secrets that made Russia the threat it is today.

Apparently, the watchfulness of Sen. Karl Mundt, R-S.D., has nipped the sale in the bud, preventing what very well could be a monumental threat to our national security.

According to the Chicago Tribune Press Service, the senator was examining a list of export licenses issued by the Commerce Department when he noticed the scheduled shipment of a gravity meter to Poland for a "geodetic mapping project" sponsored by the International Assn. of Geodesy.

"Geodesy," the press report explained, "is a branch of applied mathematics used to measure large portions of the earth's surface and variations of terrestrial gravity and magnetism."

These data are vital to missile accuracy, as Sen. Mundt was aware, so he queried the Commerce Department and received a reluctant admission that the "geodetic device" could be employed for improving missile accuracy.

A department spokesman, however, also disclosed that the export license had been held up at the request of "intelligence agencies," although it was further noted that the shipment remained under consideration.

Sen. Mundt's disclosure now might kill the deal, regardless of the Johnson administration's penchant for courting the Kremlin, irrespective of the consequences to our security.

As the press service noted, Senator Mundt has spent nearly 30 years in Congress, "often playing a leading role in investigations of espionage, scandal and corruption in government."

We can only add that if the senator had done nothing else in three decades as a lawmaker he has rendered his nation priceless service by detecting the proposed sale of the missile guiding device to our avowed enemy. He deserves a letter of gratitude from every reader of this newspaper.

Something else remains to be done, and that is an exhaustive investigation to determine whether authorization of the export license was the result of sheer idiocy, or whether there was an audacious attempt to imperil our nation. In fact, Sen. Mundt's disclosure mandates some system of review and full explanation of all export licenses approved by the Commerce Department. As costly or as burdensome as the task may be, it could mean the difference between life and death for the United States.

Lenin boasted that the United States would sell Communists the rope by which they would hang us. He employed the wrong analogy. He should have said that we would aim the gun at ourselves and suggest when to pull the trigger.

[From the Fort Lauderdale (Fla.) News, June 24, 1967]

EAGERNESS FOR EAST-WEST TRADE IS SENDING VITAL WEAPONS TO COMMUNISTS

There has been a tendency for many years to toss the label traitor at individuals whose actions or statements failed to conform to the last degree to our precepts. But most Americans are very reluctant to believe their fellow men will place the interests of other nations ahead of their own.

However, there are frequent incidents where it takes strained reasoning to maintain that patriotism has not been trampled while other purposes were being advanced.

Hardest of all to put into terms of American interests was the incident disclosed this week. It was one of those situations which fit in with the present policy of building bridges to the East, particularly furthering trade with the Red bloc nations.

As has been pointed out in the past, aspects of trade with the Red bloc frequently involve materials, supplies or other items which are of military significance to unfriendly nations.

But there has never been disclosed before an incident of extending such vital aid as was the situation this week.

Involved was a license granted to export to Poland a $10,200 device known as a Worden-type gravity meter.

Sen. Karl Mundt, R-S.D., noted this on the list of export licenses and became, in turn, curious and then furious.

Sen. Mundt wanted detailed information on the gravity meter and its military application, if any.

As the facts developed, this was not any simple $10,200 instrument. It was most special, one that only 12 people in the world have the know-how to make. And those 12 are all Americans.

It was not a simple device to be used, as represented, in geodetic mapping. It was capable of far out accuracy in gravity reading, described as almost beyond human comprehension and far beyond the needs of any geodetic mapping.

This delicate, specialized, precision instrument has one prime purpose today—to provide data for guided missile trajectory determinations. In short, it is vital in pinpointing the targets for missiles. It is capable of Zeroing a missile in on a distant target rather than ranging a few miles afield.

This was what the Commerce Department export license experts were ready to put into friendly hands. As a matter of fact, a department spokesman told Sen. Mundt, the license is being given further consideration.

While department spokesmen conceded the gravity meter was indeed a source of data valuable in missile systems, it was asserted the importance was minimized by the fact that Russian meters were available in Poland.

Sen. Mundt's study, however, indicated the American instrument was truly matchless, far superior to the Russians.

The situation makes it quite clear how far we have come as a nation since the late 1930s. Then, the United States was happily selling scrap iron and steel to the Japanese, blissfully ignoring the fact the Orientals were making it into armaments like mad. Later, that scrap iron and steel was hurled at our fighting men, creating the greatest threat to our existence in history.

We have refined all of that nowadays. We are sending materials which will assure that potential enemies do not waste any missiles or military might if they turn them on us.

This same theory was involved in another story of the past week—the announcement by the Atomic Energy Commission that it would like to share its proposed $370 million electron volt nuclear accelerator with Russia.

This giant, to be built at Weston, Ill., is intended to further research into matter and electronics.

And, of course, the United States is anxious to share its discoveries and developments with others, particularly Russia.

To be sure, the AEC put out a feeler that the Russians might want to reciprocate by letting our scientists use their machine which is about one-third the size.

But we cannot recall that Russia has ever shown any inclination to force upon us strategic war materials, military secrets or the like.

In fact, the Russians seem downright ungrateful. There was a time when Soviet agents had to slink around, eavesdropping, bribing and stealing to get a few secrets. They show little appreciation of present practices which make all of these available in the mail order catalogue.

One cynic put it another way. He said we will never have another Alger Hiss case—after all, we have no secrets any longer, and what would another Hiss be able to pass along to an enemy?

CBS PROGRAM ON WARREN COMMISSION REPORT

Mr. McINTYRE. Mr. President, from the very day of its publication, the Warren Commission Report on the assassination of President Kennedy has been the subject of controversy. It has been described as a "whitewash." It has been denounced as a "cover-up." Books have been published, articles have been distributed, and investigations have been conducted, all of them pointing to weaknesses within the Warren Report. As a result, polls have revealed that 6 of every 10 Americans have grave doubts about the veracity of the report itself. In Europe, where the critics' books have been given wide circulation, the uncertainty regarding the Commission's conclusions is even greater.

Starting last Sunday night, and continuing through the following four evenings in prime viewing time, the CBS television network has been broadcasting a timely and needed documentary analysis of the evidence relative to the event. It examines in minute detail the points brought out by critics. The divergent opinions of scientific specialists are presented. The conflicting testimony of ear and eye witnesses at the scene of the tragedy is revealed for evaluation by the viewer. The network's presentation is painstaking and methodical. It retains objectivity. Alternative conclusions are proffered until, through application of logic, only one is reasonable. In each case, on each point, the conclusion eventually chosen is the same as that reached by the Warren Commission.

The tremendous exposure given this series of programs should reduce the nagging doubt many citizens have had about the Warren Commission Report. Mr. President, the CBS network should be commended for this fine reportorial analysis. It is an excellent example of an intelligent and informative use of the TV medium in the public interest.

AIRCARGO SHIPMENTS

Mr. PEARSON. Mr. President, a revolution in the shipment of aircargo is occurring throughout the world as the surge of containerization commences to affect all aircargo operations.

Containerization is a form of moving goods more rapidly and economically and at the same time providing space utilization on large air transports.

Nearly all forms of transportation are presently experimenting with containerization, but the field of aircargo is developing rapidly into a containerized business. Airfreight rates for containerized cargo are averaging 40 percent below the general airfreight cost, and shippers who containerize their freight are being given incentive discounts of $1 per 100 pounds.

Mr. President, I invite the Senate's attention to an article prepared by Mr. Gerald Godbout, an internationally known aircargo expert, and published in a recent issue of Interavia. Mr. Godbout says that containerization is the most workable, useful tool ever conceived for cheaper, faster, and safer movement of goods.

It is estimated that by 1975 we shall probably see 80 percent of our airfreight moving in containers.

I ask unanimous consent that the article, entitled "The Cargo Container: Key To Total Worldwide Distribution," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

THE CARGO CONTAINER: KEY TO TOTAL WORLDWIDE DISTRIBUTION

(By Gerald J. Godbout)

International trade is in the midst of a container revolution and we air cargo advocates—possibly smug after witnessing four years of success for IATA's container programme—had best look around at what shiplines, railroads and trucklines are doing in the field of containerisation. Failure to take such a look could well leave international airlines on the outside when the full economic potential of the container revolution finally is realised and recognised. We might begin by asking ourselves: just what is a container? The answer is not so obvious. A burlap bag is a container, and so is a barrel. A box, of course, is a container, but so is a hand. Put wheels on a box and what results—a container or a trailer?

None of these answers comes close to fixing an economic definition for a container. The real answer is that the cargo container is the most workable, useful, inter-modal tool ever conceived for cheaper, faster and safer movement of goods. It is the key to total distribution; the key to making full economic use of all the inherent advantages of all forms of transportation—the speed of the airplane, the low cost of the box car and the ocean vessel and the flexibility of the truck.

Physically, containerisation has been around ever since pre-historic man curled his hand around a stone. Economically, containerisation's history still is to be written; but there is no doubt that this history will be bright. Some economic experts estimate the cost of distributing the world's products runs to about $100 billion a year and, as a part of the total cost of doing business, distribution is exceeded only by the cost of labour and raw materials. There seems to be little anyone can do about labour and materials costs. But there is much that can be done about cutting the cost of distribution and the container—with its ability to be moved through the air and over rails, roads and waterways—doubtless is the basic working tool in this area of cost reduction.

TODAY

An IATA member airline will give a cargo shipper a discount of 12 per cent if the cargo is delivered in an IATA-approved container. A standards committee established by IATA's Container Board has recommended 12 specific sizes for future containers. The new series of containers would have volume displacements ranging from 61.75 cubic feet to 450 cubic feet, the latter occupying a full pallet of the type used aboard today's jet freighters. The containers would be modular with today's cargo jets and would meet requirements of the US domestic container programme.

The new US domestic container programme presents a family of four standard container types. These containers accommodate freight in amounts ranging from a maximum of 10,000 pounds in Container Type A, the largest, to 420 pounds, the minimum freight weight which must be tendered to qualify for an incentive rate reduction, in Container Type D, the smallest.

All shippers participating in the domestic containerisation programme receive a packaging incentive discount; one dollar per 100 pounds, for example, below otherwise applicable rates in the case of Container Type A.

The packaging incentive is given the shipper in return for his delivering a loaded container to the airline. It applies on commodities moving under both the general commodity and specific commodity rates.

A density discount gives shippers a further rate reduction of 33⅓ per cent per pound on each pound by which a shipment exceeds 10 pounds per cubic foot. The greater the density beyond 10 pounds per cubic foot, the greater the saving to the shipper. The density discount applies to commodities moving under the general commodity rate. The combined effect of the packaging and density discounts can reduce total air freight charges by 30 per cent or more on container loads of relatively high density. The savings on rates are in addition to shipper savings in labour costs, packaging and time which flow from containerisation.

A US shipline will move containerised cargo across the Pacific at rates varying from 20 to 50 per cent of what it charges for non-containerised cargo. What's more, the shipline uses only 50 men and 20 hours to unload a containership in contrast to the 150 men and five days it takes to unload a conventional cargo ship.

Direct operating costs (DOC) for selected aircraft

Aircraft	DOC per mile	DOC per day	Total cost per day (DOC+IOC)	Daily cargo ton-miles	DOC per cargo ton-mile (cents)	Total cost per cargo ton-mile (cents)
DC-3	$0.69	$802	$1,604	4,069	19.71	39.42
C-46	.82	1,144	2,288	8,649	13.23	26.45
DC-4	1.15	1,693	3,387	11,780	14.38	28.75
DC-6A (6B)	1.19	2,306	4,611	31,969	7.21	14.42
Lockheed 1049-H	1.56	3,023	6,045	33,906	8.91	17.83
DC-7F (7C)	2.37	5,051	10,102	35,166	14.36	28.73
CL-44	1.88	5,837	11,675	86,940	6.71	13.43
DC-8F (8) B-707-320C	1.79	7,811	15,262	192,375	3.97	7.94
747 [1]	2.75	12,375	24,750	495,000	2.50	5.00

[1] Estimated from manufacturers' preliminary data.

Note.—The same average speeds and average daily utilization shown in the table below are used. Indirect cost (IOC) is assumed to be equal to 100 percent of direct cost.

Gross revenue earning capabilities of selected aircraft in cargo configurations

Aircraft	Manufacturer	Cargo (tons)	Average speed (miles per hour)	Daily cargo (ton-miles)	Average daily revenue at 20 cents per ton-mile
DC-3	Douglas	3.5	150	4,069	$814
C-46	Curtiss	6.2	180	8,649	1,730
DC-4	Douglas	8.0	190	11,780	2,356
DC-6A (6B)	do	16.5	250	31,969	6,394
1049-H	Lockheed	17.5	250	33,906	6,781
DC-7F (7C)	Douglas	16.5	275	35,166	7,033
CL-44	Canadair	28.0	345	89,940	17,388
DC-8F (8) 707-320C	Douglas Boeing	45.0	475	192,375	38,475
747	Boeing	110.0	500	495,000	99,000

Note.—Average daily utilization is assumed to be 7.75 hours for piston aircraft and 9 hours for turboprop and jet aircraft.

Several European railroads are about to complete plans for a trans-European express train hauling only containers. This train will leave north European ports daily, dropping off loaded containers all the way from Rotterdam to Rome. At each drop-off point trucklines will take over to make final delivery.

A US truckline is selling container service in the Orient through a surprisingly simple marketing technique. The truckline has convinced US buyers of Far Eastern goods that small shipments should be turned over to the truckline's Far East agents. The shipments are consolidated into container loads heavy enough to qualify for low ocean shipping rates based on volume and turned over to ocean carriers for movement to the US where the truckline makes final delivery. The US buyers save on ocean transport costs. The truckline gets business.

A common factor in all of the container applications outlined is the mutual economic benefits that flow to both shipper and carrier—rate reduction for the shipper and cost-cutting for the carrier. There is, however, another more important factor and its implications should not be overlooked. The truckline selling containerisation in the Orient is achieving mutual shipper-carrier benefits by making the best possible use of the low-cost advantage of the steamship and the door-to-door delivery advantage of the truck. Containerisation, thus, is altering competitive relationships that have existed between surface carriers for hundreds of years and, as such are changed, competitive relationships between air and surface inevitably must change. Quite simply, the future of air cargo containerisation cannot be different from the future of containerisation per se.

CHANGING ATTITUDES

Despite the general air of optimism in the air cargo side of the airline industry, there are still some who are sceptical and disbelieve the forecasts. It is recalled that the air cargo enthusiasts have been talking for years about the coming breakthrough which never arrives and financial results have been continuously disappointing, particularly in all-cargo operation, so the passenger oriented executive argues that air freight operation can never be self-supporting.

This attitude may explain to a great extent why air freight has not developed at a faster rate—some managements have been too passenger orientated. The hopeful signs that this attitude has changed or is changing are the orders for increased cargo carrying capacity and ground facilities; but it is still too early to assume that all the lessons of the past have been learnt and understood; and that the airlines clearly understand that the passenger market and the cargo market are separate and unlike in every respect except that the aircraft is the means of transportation. It is because of this dissimilarity that sales methods must be different and the sales organizations must be separated.

A factor in passenger transportation which has bedevilled the airline industry from its earliest days has been the wide fluctuations of traffic volume—seasonally, daily, and hourly—and flow rates. On a major air route such as the North Atlantic, the airlines have been forced to offer a wide scale of promotional fares in an effort to smooth out the fluctuations in traffic at different seasons of the year and in the flow pattern. In the air cargo business, there is no round trip business, so sales must be generated at both ends.

There is another major difference between passengers and cargo. Millions of individual passengers make their own decisions on where and when they desire to fly, but in the case of air cargo it is important to remember that 80 per cent of the world's international business is done by only 800 companies and there is tremendous competition between air and other forms of transport for the business they generate. Some passenger oriented airline executives, conditioned by years of success in diverting traffic from ships and railroads, wrongly assume that the same pattern will be followed in the cargo market, overlooking the efforts that the shipping, railroad and truck industries are making to increase their share of the freight market by improved service and modernization. A great word in the air cargo world today is containerisation, but the other transport systems are developing and expanding container operation. The use of these standardized containers is integrated between sea, rail and road transport systems in the most economical and fastest combinations with the object of offsetting the speed advantage of air transport.

Cost still plays and will continue to play a major role in determining whether freight travels by air or surface transport and the gap continues to narrow between air and its competitors. With passenger loads of 100 per cent the Boeing 747 will still have capacity for freight equal to today's jet freighters. This alone should accelerate the downward trend of freight rates and this factor coupled with the frequent departures of the passenger aircraft to widely scattered destinations should provide a tremendous impetus to expansion of the air cargo industry. Perhaps the passenger oriented airline executives are partially right and the future of air freight depends to a great extent on passenger carrying services, but which will get priority when in 1975 or 1985 air freight revenue exceeds passenger revenue? Perhaps the SST will provide the answer.

TOMORROW

I am convinced the container concept is the glue that will bond all elements of the world's transportation and distribution pattern into an integrated whole. The container is the physical device that will make the best possible use of all forms of transportation in order to get the world's goods to the right place at exactly the right time at the lowest possible overall cost. A container system suitable for moving freight by air, water and land—in any combination or sequence—may be the only really effective answer to today's growing trend toward reducing distribution costs, the last frontier of industrial cost cutting. Such a system combining simplified paperwork, reduced handling costs, minimal loss and damage, lower insurance charges, higher speeds and greater efficiencies can create opportunities never before envisioned in international trade. All efforts to develop profitable international markets will be fruitless unless a total transportation system moves the right goods to the right place at the right time at the right price.

To view the container in this light must be something of a challenge for the world's airlines where the undeniable glamour of flight too often has led us to think of our industry as separate and apart from other forms of transportation. But the law of the market-place—like an immutable law of nature—is change or perish. We air-oriented thinkers need only to look at the passenger traffic carried by ocean carriers to realise the truth of such a law.

A growing volume of air cargo over recent years must not deter the continued application of imaginative approaches to the airline business. Success must not breed apathy. It must not be a deterrent to creative marketing. The air industry's role in the container revolution will be determined by how well we interpret the distribution needs of the world's traders, rather than how we analyse our own operating desires.

I doubt that we will stand idly by, mute witnesses to the ferment that is containerisation. We will, I believe, realise that change is the only consistency. We will realise we are working for the customer and that he must be a mutual beneficiary in any cost reduction brought about by containerisation. We will keep alive the internal enthusiasm and zest for achievement that traditionally has characterised air transportation.

We will become a part of the container revolution—and soon!

WHO ARE THE OPPONENTS OF THE HUMAN RIGHTS CONVENTIONS ON FORCED LABOR AND SLAVERY?—XCVIII

Mr. PROXMIRE. Mr. President, one of the most confounding exercises for advocates of U.S. ratification of the Human Rights Conventions on Forced Labor and Slavery is to attempt to identify any real opponents of ratification.

In July of 1963, President Kennedy asked for the Senate's advice and consent to these Conventions because "they will stand as a sharp reminder of world opinion to all who may seek to violate the human rights they define. They also serve as a continuous commitment to respect these rights. There is no society so advanced that it no longer needs periodic recommitment to human rights."

Certainly we in the United States are especially fortunate that slavery and forced labor are not in any way contemporary problems. But the practice of forced labor is no stranger to wide sections of the earth.

Slavery is a flourishing economic activity in parts of the Arabian peninsula.

The true opponents to U.S. ratification of these Conventions are not any pressure lobby nor any special interest group; instead, they are the two traditional nemeses of human rights everywhere—ignorance and indifference.

This attitude holds that slavery is a closed, albeit sad, chapter in our national history. It continues: how can forced labor even be seriously considered in a nation where the merits of the 35-hour workweek are being widely debated?

We cannot continue ignorant to the existence of these practices in the world, or indifferent to their dehumanizing effect upon their victims.

The United States has a deep moral obligation to ratify the Conventions on Forced Labor and Slavery. American labor leaders have recognized this obligation and urged the ratification. These spokesmen want, as I believe all Americans want, established and guaranteed standards of international behavior.

The freedom from human slavery or from forced labor is a human freedom—an inalienable freedom—not one to be alternately granted or grabbed at the whim of some dime store despot.

I want to emphasize again that the Convention on Slavery is a Supplementary Convention to the Convention on Slavery signed by the United States during the administration of President Calvin Coolidge and ratified during the administration of President Herbert Hoover.

I cannot accept the apparent conclusion that the United States of four decades ago was more strongly opposed to slavery than the United States of 1967.

Without any further delay the Senate should ratify the Conventions on Forced Labor and Slavery along with the other Human Rights Conventions on Freedom of Association, Genocide, and Political Rights of Women.

COLUMBIA DEMOCRAT PRAISES REVENUE SHARING

Mr. BAKER. Mr. President, on June 9, the Columbia, Tenn., Democrat published a very thoughtful and timely editorial on the merits of tax sharing. As I have said many times, not only in this Chamber but also across the State of Tennessee, the future of federalism in America is not guaranteed. Rather we must work to safeguard it.

Our system of government is premised upon local initiative. In most cases, our problems are best solved by the people involved at the local level. But today local government units need the moneys to meet the growing demands placed upon them.

Should the Federal Government embark upon a plan of revenue sharing with the States then I think the Nation will have taken a significant step forward to preserve our federal system as our Founding Fathers intended.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Tax Sharing Plan Good Idea; Worth Some Consideration

Several years ago a proposal came to public notice whereby the federal government would return a proportion of the taxes it takes from the states back to the states. The purpose was to put the states back into a better financial position to meet the wants and needs of their people.

The proposal disappeared for a while but made a new appearance on the Senate floor in the maiden speech of Tennessee's Republican Senator Howard Baker. At this time it seemed the proposal had substantial political support. Now it seems to have disappeared again, as expected, and whether anything ever comes of it or not the implications and the possibilities are still worth full public consideration.

The states, and local governments, have been depending more and more on a wide assortment of federal aids. Voters are even encouraged to promote all manner of local programs if Uncle Sam will pick up part or perhaps most of the chit.

What isn't mentioned is that this money has to first be taken from the people—and that a substantial part of that take disappears in paying the overhead of vast and sometimes mysterious Washington bureaucracies.

Worse than the financial question is that federal aid also means federal domination. So state and local rights, responsibilities and pride of purpose are gradually eroded away. In this, as in individual affairs, handouts create mendicants.

The best solution of course would be to end federal participation in strictly local affairs. But this is unlikely. Failing of that, a return of just part of the federal tax take to the states from which it came might give local governments some resurgence of independence and authority that they so sorely need.

CRIME: STILL OUR NATION'S NO. 1 DOMESTIC CRISIS

Mr. HANSEN. Mr. President, for the past 3 days, Richard Starnes, by means of his articles in the Washington Daily News, has given many of us insight into the forgotten victims of crime. He has revealed to us the suffering and misery of those who know by personal experience that the crime rate in this country is increasing many times faster than the population.

Today Mr. Starnes' article concerns another victim of crime—policemen—policemen who daily face death on the streets of our cities in order to protect their countrymen. Their's is an increasingly dangerous job as is revealed by FBI Director J. Edgar Hoover:

> Since 1960 . . . there have been 278 police murdered by criminals . . . There were prior histories of criminal arrests for 76% of the 362 persons involved in murdering law enforcement officers. . . .

This fact coupled with the poor attitude that too many have toward policemen has had its effects. According to Fred E. Inbau, professor of criminal law at Northwestern University Law School:

> During the first six months of 1964, 1965 and 1966, Chicago's police resignations—without pension and for the purpose of accepting other employment—jumped from 20 in '64 to 37 in '65 and to 90 in '66. In July 1966 alone there were 37 such resignations!

Patrolman Anthony Paga, the policeman who is the subject of the News article today, points out another very striking reality:

> The pay is inadequate. The truck driver who collects our trash makes more money than I do.

No one is more aware, Mr. President, of the fantastic increase in crime than is the underpaid, poorly respected policeman. It is time that we take steps to improve the lot of these brave men who perform one of the most important services in our country. It is time that we move forward in a united force against the most insidious enemy of our Nation's well-being—crime.

As the discerning Senator from Nebraska so adequately pointed out this morning, the ramifications of crime in this country go far beyond our city streets. Crime, organized and unorganized crime, directly and indirectly affects every man, woman, and child in this country. If we get a haircut, buy a home, eat in a restaurant, have garbage removed from our front yard, buy cigarettes from a machine, or go to see a boxing match we may be adding funds to the coffers of the crime movement in this country. It is time that we protect the would-be victims of crime by positive, and progressive action.

Mr. President, I ask unanimous consent that this moving article be entered in the Record along with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FORGOTTEN VICTIMS OF CRIMES: I COULDN'T GET UP THAT HILL NOW

(By Richard Starnes)

PITTSBURGH, June 29.—A policeman's wife lives in a twilight world of apprehension, an endless nightmare where the chime of a phone can bring the cold embrace of terror.

"I heard on the radio that a policeman had been hurt, shot by a bank robber. I knew it was in my husband's district. I prayed it wasn't him. Then they called me from the hospital and I knew it was."

Speaking is Mrs. Anthony Paga, a frail, careworn woman for whom the past eight years have been an eternity of travail. Seated beside her is her husband, who wryly describes himself as a "medical miracle." He was wounded July 23, 1959. For months he clung to the shadows between life and death. Today he still has an open wound in his back. He will never recover more than a semblance of his former rugged good health.

"It was a blistering hot day," Patrolman Paga recalls. "I'd been painting this house. Up on a ladder, at 96 degrees."

Their house in Pittsburgh's Beechview neighborhood means a great deal to the Pagas. With five children ranging in age from 5 to 16 they still manage to keep it shining with the sort of scrubbed glow that is produced only by elbow grease and dedication.

"I was due at the station house at three that afternoon. I got there a few minutes early, but before I could even stand rollcall we heard on the police radio that a couple of guys from our station were after two gunmen who'd stuck up a bank. Well, cops are a clannish lot, and I'd been a cop for nine years. So my buddy and I piled into his car and headed toward the West End. There was a wooded area called Chicken Hill, and that's where the two were."

Paga, a heavy smoker, lights a cigaret.

"I started up the hill. I told my buddy, Bob Thompson, to hang back, not to come up after me if something happened. 'I'll get back down,' I told him."

Patrolman Paga was a cool head under fire. He'd been wounded in Europe in World War II, and subsequently served in Korea.

"Getting up that hill was tough going, but I was in good shape. I saw a guy in a white shirt—a sport shirt or a tee-shirt. I don't know which. I had the drop on him, but I couldn't shoot because I was afraid it might be a detective. I knew there were plainclothesmen on the hill too. So I called out to this guy to throw down his gun. That's when I was hit. It was like somebody kicked me in the stomach; it knocked me down. I knew I was hit bad. I guess nobody wants to die. All I could think about was that poor woman sitting there. I wondered who would take care of her. We had three children then and she was pregnant with Cindy."

"Cindy was born five days later," Mary Paga supplies. "I went over to the hospital as soon as they called me. They told me it was very bad. I could hear him in the emergency room, and I could hear the man who'd shot him, crying for help. He'd been shot, too. I felt like taking a gun and going in there and killing him." She smoothes a wrinkle out of a sofa cushion. "The doctors did just as much for him as they did for my husband."

"Those doctors were terrific," Paga said. "I wouldn't be here otherwise. By the time I got to the hospital I was in terrible pain, but they told me they couldn't give me anything to help until they'd started blood transfusions and done some other things. The bullet had gone through my liver and colon, and had hit my pancreas and a kidney. It nicked my spine before it stopped.

"I was raised in a Catholic orphanage—both my parents died when I was a child—and right after I was hit I really wanted a priest. I wanted one bad. Then, it was like a miracle, I guess, a young priest just happened to be passing by. They told him two cops had been shot—they'd shot Bob Thompson, too—and the priest climbed up to the West End railroad trestle where they were carrying me off the hill. He was a very brave man. I made a confession to him, and that made me feel much better."

The arrival of little Cindy was the only ray of cheer that penetrated the pain and despair of the next few days.

The doctors at Mercy Hospital noted "remarkable" improvement in the wounded patrolman almost as soon as he was told of the event, but he remained on the critical list. Forty-five days later the wounded policeman watched from his bed as the Most Rev. John J. Wright, bishop of the Pittsburgh Catholic Diocese baptized little Cynthia Eve Paga. It was the first time Paga had seen his daughter.

"The Bishop was very kind to do that," Paga says. "He knew it would mean a lot to me, and it did."

But in spite of superb medical care, and in spite of encouragement from fellow officers, department officials, and a personal visit from the late Gov. David Lawrence, Paga's wounds proved obstinately dangerous. Complications occurred in his damaged pancreas, his wounded kidney eventually had to be removed, and osteomyelitis developed where the robber's bullet struck his spine. The spinal wound is still draining. The patrolman, a six-foot-two 210-pounder when he was wounded, had shrunk to 132 pounds before he turned the corner and began slowly to mend.

He testified from a wheelchair at the trial of the two gunmen, both of whom were convicted and sentenced to 17 to 35 years imprisonment.

"I truly don't know what I'd say if I were to see those two today," Paga says. "One of them was wounded twice in the buttocks, and I've heard he has a lot of trouble with sciatica as a result of it. I don't know if I shot him or not; I remember getting off four shots after I was hit, but I just don't know if I hit anybody.

I've done a lot of thinking about it since it happened. I know I wouldn't want any son of mine to be a policeman. I'd been on the force nearly 10 years when I was shot, and I was still making only around $5,000. I'm still on the force on limited duty, and now I'm making $6,900. The job is tough—80 per cent of the time you see the worst that's in people—and nowadays they expect you to be an attorney. The pay is inadequate. The truck driver who collects our trash makes more money than I do. I'm not complaining. Everyone has been great to me. The hospital bills, everything. They were even going to send me to Philadelphia for a special pancreas operation they'd developed there. And that wonderful old Irish nurse . . ."

". . . Margaret Doherty," Mary Paga interjects.

". . . Margaret Doherty, was there all the time, just wonderful. The Bishop, the Governor, everybody was great. But the profession of police officer needs to be upgraded. It's a tough job. O.K., I had my job to do, and I did it. But I'm not so sure I'd do it the same way again.

Anthony Paga laughs. "I couldn't get up that hill now." Then he thinks of another ripple from the ever widening series of events radiating from the gun duel that almost cost him his life. "David, he's 13 now, was always my special buddy. We were real pals. When I got shot he wouldn't eat. He just stopped eating. He got anemic, and they had to put him on liver and iron."

Patrolman Paga, a specimen example of the 20,000 or so policemen who are wounded every year in the war on crime, pats his wife's hand. "Without this one I'd have never made it at all."

STATE DEPARTMENT IN TROUBLE?

Mr. FULBRIGHT. Mr. President, on June 20, I made a statement on the need for organizational reform of the State Department, Foreign Service and other agencies involved in the field of foreign relations. At that time, I inserted in the RECORD an article by Mr. Attwood in the February issue of the Atlantic and an article from the January 27 issue of the New York Times on the results of a study made by Prof. Chris Argyris of Yale.

I would like, at this point, to insert in the RECORD a recent article on the same subject. The article is entitled "State Department in Trouble?" and appeared in the latest issue of the U.S. News & World Report.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the U.S. News & World Report, July 3, 1967]

STATE DEPARTMENT IN TROUBLE? WHAT'S GOING ON INSIDE

(NOTE.—The State Department is coming under increasing attack from its own career diplomats. They complain that red tape, bureaucracy, caution—and often incompetence—make it impossible for the huge Department to do the job it is supposed to do.)

At a time when the U.S. is facing more and more worldwide problems, complaints are rising that the organization for dealing with those problems—the State Department—is in a mess.

A high-ranking American diplomat charged in mid-June, after the outbreak of war in the Mideast, that his January warnings from Cairo had been downgraded or ignored.

A Yale professor, hired by the Department to interview Foreign Service officers of all ranks to find out what was wrong, has blasted the entire organization for pussyfooting.

Critics in and out of the State Department, in books and article—and sometimes in confidence—have explained why the machinery which formulates U.S. foreign policy is out of whack.

President Johnson himself has shown an awareness that all is not well in the sprawling diplomatic establishment.

Last September, he asked his Attorney General, Nicholas deB. Katzenbach, to step down from a Cabinet post and become the Under Secretary of State. His assignment: to shake up and streamline a bureaucracy which has grown from 6,000 persons in 1940 to more than 25,000 today.

It wasn't long before Mr. Katzenbach was reported to have echoed an appraisal first voiced by his predecessor in the post, George W. Ball—that he was in the midst of a "fudge factory." Loosely translated, that seemed to be another way of saying what would-be reformers have said in the past: The Department has massive, built-in resistance to change.

That the State Department harbors some nagging doubts about its role in the nuclear age was seen when it engaged Chris Argyris, chairman of the department of administrative sciences at Yale, to look into the State Department's methods of operation.

The Argyris report, made public in January, said, in effect, that the Department is a closed society, populated by careful citizens. They would, in the words of one Foreign Service officer, rather "keep quiet 1,000 times than speak up once and be wrong."

A prominent exception to this particular accusation is David G. Nes, U.S. chargé d'affaires in Cairo—until he led the evacuation of Americans from Egypt in early June.

Washington, he said, ignored his frequent warnings that war was imminent. Ignored also, he said, were his repeated pleas to send a top-level diplomat to Cairo for an effort to divert Egypt's President Gamal Abdel Nasser from a fight with Israel.

When a new Ambassador finally arrived in Cairo and was asked on May 21 about the impending crisis, the new Ambassador reportedly responded: "What crisis?"

INACCESSIBLE SECRETARY?

All this was a result, Mr. Nes said, of the inability of high-ranking diplomats in the Department to lodge their views quickly at the highest level—with Secretary of State Dean Rusk. Mr. Nes, "The Baltimore Sun" reported, said that the Secretary simply wasn't accessible to subordinates knowledgeable on Middle Eastern affairs.

When a "U.S. News & World Report" staff member attempted to talk to Mr. Nes in Washington, a State Department official said: "Mr. Nes has said all that he is going to say—ever."

A former Foreign Service officer who resigned five years ago, shrugged this off. "Nes isn't the first good man the Department didn't listen to," he said, "and he won't be the last to complain that nobody paid any attention to his good advice."

In recent months, the State Department has been subjected to a drumfire of criticism.

A former career Foreign Service officer, Smith Simpson, in his book, "Anatomy of the State Department," develops the thesis that the Department is both unwilling and unable to accept the leadership of American foreign policy and diplomacy.

Mr. Simpson quotes former Secretary of State Dean Acheson as saying that the critical and central considerations in judging Foreign Service people are "the factors of insight and will."

Then, Mr. Simpson adds: "For these factors, however, the Department has only a dilettante's concern. No political experience whatever is required for admission to the diplomatic establishment and no tests have been developed of candidates' political judgment.

"Various *symptoms* of political instinct are indeed demanded—such things as tact, sense of humor, ingratiating manners—but more because they are the qualities the fraternity likes to find in its brothers, than because they are indicators of a politically oriented mind."

"ARCHAIC" SYSTEM?

"The National Observer," in a detailed appraisal of the Department on May 22, said this:

"Basic to most of the criticism are two themes: Mr. Rusk, it is said, has failed to provide leadership and direction both within the Department and in the Government's foreign-affairs establishment as a whole; and the system itself is archaic, obsolete, and incapable of speedily providing the kind of shrewd, informed judgments on which wise policy must be based."

Even "The Foreign Service Journal" raised a highly embarrassing question about the State Department in a recent article. The title: "Are We Obsolete?"

Drawing a bead on the State Department is not a new game. Harry Hopkins, White House aide to Franklin D. Roosevelt, said the Department was made up of "cookie-pushers." After World War II, critics said it got too big too fast. Senator Joseph R. McCarthy charged it was full of Communists and "deviates." President John F. Kennedy called it "a bowl of jelly."

Today, however, the cries of the critics are louder and more urgent.

In a world which grows increasingly complex, they say, the U.S. can no longer afford the State Department's clubby ways. What is needed, they add, is a fresh approach to the whole business of formulating foreign policy.

The mission of the State Department, simply stated, is to represent the United States abroad. That involves reporting on significant developments and recommending policy lines.

SECRETARY JEFFERSON

In the days of Thomas Jefferson, the first Secretary of State, only a handful of State Department officers were needed to man the 16 consular posts abroad. Dispatches went forward by sea pouch.

Now Secretary of State Rusk has nearly 275 listening posts around the world. To and from these posts abroad, a daily tide of 2,000 telegrams ebbs and flows.

In Washington, the mimeograph machines crank out dozens—sometimes scores—of copies of the incoming messages. The reading burden for literally hundreds of officers is nearly insupportable. Many complain that only a fraction of the material they are called upon to read is pertinent to their duties.

But that is only a part of the problem. Many communications require so-called "immediate action." This calls for a written reply which generates meetings, multijointed authorship, "clearances" with all those who "need to know." And then there is the countertide of outgoing messages.

Said one harassed officer, who specializes in West European affairs:

"Ninety per cent of the junk I have to read is just thumb-sucking. Somebody writes it to impress his boss. The boss rewrites it because then he gets his initials on the dispatch, too. That way, Washington is convinced that everybody is busy. But all the dispatch generally says is 'on the one hand' and 'on the other hand.' I could write most of it from here. But who needs it?"

YOU'D BETTER LAUGH

A more philosophical Foreign Service officer, who recently resigned after 13 years of service in the Far East, said this:

"Sure, the State Department is a 'paper tiger.' It lives on paper. But I could stand that. It's the system that got me. It's all so deadly serious. And there is the business of the annual efficiency rating for everybody. You may be working for a cretin or a dolt. But you'd better never disagree with him—and you'd better laugh at his jokes. One really good knifing on an efficiency rating and you've had it."

It was this aspect—each member of the Foreign Service living at the sufferance of his immediate superior—which the Argyris report diagnosed as "the living system."

Time after time, career diplomats, in tape-recorded sessions with Mr. Argyris, lashed out at the system.

Here are their own views of the organization which is entrusted with a vital role in the nation's foreign policy—

Officer A: "I think that one reason I have succeeded is that I have learned not to be open, not to be candid. Do [you] realize what you are implying—that we should strive to be more open? That's like asking us to commit organizational suicide."

Officer B: "You think you've understood the system, and suddenly you find you haven't. You try to hit it, change it, yell at it, but it seems to go on, undisturbed and largely untouched."

Officer C: "All this talk on being open and leveling is nice—I'm for motherhood, too. But I can tell you, if you get the reputation of having lost several important battles—no one wants a loser. The word gets around and you have been ruled off the promotion lists."

Officer D: "I was given a job to type 3,000 file cards. I was furious. Why not use a girl for this? I was told that secretaries were scarce. Then I found that another Foreign Service officer had done the same job one year earlier. I came up with a simple solution and took it to my boss. He told me it was a great idea but it wouldn't work. . . . He told me to go back to my typing. I continued so that no one would consider me a troublemaker. Finally, I got out."

TOO MANY PEOPLE

The Foreign Service men were equally candid on the problem of overstaffing. Here is a composite reaction of a number of the Department's officers on the relationship between crises and size of embassy staffs abroad:

"I believe that we staff for crises. Once the crisis is over, it is hard to cut back. We create and enjoy crises. Our office operates with crises. There are too many people for everyday work and they have too little to do. The more the crises, the better they like it. They feel like they're doing something."

Ellis O. Briggs, when Ambassador to Czechoslovakia, had a unique solution for overstaffing. He recommended, back in 1948, that Washington reduce by 50 per cent his staff of 80 Americans, 33 of whom were from the Pentagon.

The recommendation got no action until the Czechs, for reasons of their own, declared five sixths of the U.S. Embassy staff *persona non grata.*

The exodus left Ambassador Briggs with what he described as "the most efficient mission of any in which I have been privileged to serve."

Later, Mr. Briggs said this:

"The only American official who can rescue the conduct of our foreign affairs from the expensive confusion created by unneeded personnel abroad is the President himself, by directing the Secretary of State to take action."

Sometimes departmental disorganization hits the headlines and involves U.S. spokesmen abroad in dangerous problems of semantics. When Arab-Israeli fighting erupted in the Middle East, a State Department spokesman in Washington said:

"Our position is neutral in thought, word and deed."

Before the day was out, a White House aide added some embroidery. The State Department view, he said, was "not a formal declaration of neutrality."

Finally, the air was cleared by Secretary Rusk himself. Said he:

"We are not a belligerent. We have no forces involved, but this does not involve indifference."

Around the world, State Department spokesmen dutifully reported this view—and its subsequent modifications.

Mr. Argyris, in a summation of his report on the Department, emphasized that his analysis was only a partial one. He expressed the hope that the system's "stranglehold is not so strong as to make change impossible."

And he also paid tribute to the "intellectual integrity" and "strength of character" of the men he interviewed.

COMPANY PROBLEMS, TOO

Some of the nation's largest corporations, Mr. Argyris wrote, have many of the same weaknesses he found in the State Department.

But he pinpointed the problems of the diplomatic establishment in these words:

"As an organization [it] may not collapse, but it has, in my opinion, the seeds for its own rigidity, sluggishness and pathology."

The Argyris report concluded with a carefully written series of recommendations on how "the living system" of the State Department might be gradually changed.

The first proposal called for a shakeup at the top in "behavior and leadership style" of the Department's senior officials.

Six months later, a staff member of "U.S. News & World Report" called the office of the Deputy Under Secretary for Administration, requested an interview to determine what, if anything, had been done to implement the Argyris recommendations.

A spokesman for that office made this response:

"I don't think he has time to see you. Things are pretty hectic over here."

TRIBUTE TO SENATOR HARRY F. BYRD, JR.

Mr. ERVIN. Mr. President, I ask unanimous consent to have printed in the body of the Record, the following editorial which appeared in the Richmond Times-Dispatch on June 29, 1967, entitled "Senator Byrd Winning a Place."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Senator Byrd Winning a Place

U.S. Sen. Harry F. Byrd Jr. is making an unusual record for a new member of the upper legislative branch. The manner in which his influence is being felt in that body would gratify his late father.

Sen. Byrd's latest demonstration of leadership was in connection with the vote to raise the limit on the national debt. He led the fight to slash the proposed ceiling, and failed by only one vote to win approval for his amendment. The vote was 44 to 43.

Subsequently he made another effort to hold down the ceiling, in connection with the arrangement to make it flexible on a seasonal basis. The vote on this was 44 to 42.

For a man who had served only a few months, filling out the term of his father, until last year's election, and then had been in the Senate for only a few additional months, following his successful candidacy before the people, this is a quite exceptional performance.

It has been evident for some time that Harry Byrd Jr. was determined to make an impact in the Senate, and that he would not be content simply to keep his chair warm and draw his pay.

He has been quite vocal in criticizing the failure of our allies to aid us in Vietnam—particularly for their shipments to our enemies through the port of Haiphong. Not content to view the problem at a distance of some 10,000 miles, Sen. Byrd, a member of the Armed Services Committee, visited the war zone of Vietnam, as well as nearby countries.

He came back with the view that more aggressive action by our forces is needed. He also was firm in his belief that the Soviet Union is not desirous of peace, since it is furnishing most of the weapons with which the Viet Cong's resistance is made effective.

Mr. Byrd also has been vigorous in opposing the proposed consular treaty with Russia, as well as the suggestion that we lend $50 million to an Italian bank to finance a giant Fiat automotive plant in the U.S.S.R. "Bridge-building" is not to his liking.

He may not be right in all these attitudes, although we are inclined that he is "on the beam" in most of them. But he is working industriously to inform himself, he is outspoken in his expressions, and he is winning a position in Washington which commands respect.

FEDERATION OF ATOMIC SCIENTISTS VIETNAM STATEMENTS—A DISSENTING VIEW

Mr. McGEE. Mr. President, some time ago much was made over an essentially anti-Vietnam policy position publicly taken by the Federation of Atomic Scientists.

Critics of the President's policy in Southeast Asia were quick to cite the Federation of Atomic Scientists position as further justification of their own opposition to the struggle in Vietnam.

I think it is noteworthy, therefore, to call attention of those critics to the April 1967 Federation of Atomic Scientists newsletter, in which one of the society's most distinguished members, Ernest C. Pollard, strongly dissents from the Federation of Atomic Scientists previously announced position and expresses his dismay that a scientific organization had chosen to involve itself in partisan politics.

In printing Mr. Pollard's letter in the newsletter, the editor acknowledges that several of their members had expressed grave reservations about both the substance of the Federation of Atomic Scientists policy dissent and the wisdom of the Federation of Atomic Scientists in taking a public position in an area of national policy where it could not claim to speak with scientific competence.

Mr. President, I ask unanimous consent that those pertinent portions of the Federation of Atomic Scientists newsletter of April 1967 be printed at this point in the Record.

There being no objection, the newsletter portions were ordered to be printed in the Record, as follows:

Federation of Atomic Scientists Vietnam Statements—A Dissenting View

(Note.—As noted in the February Newsletter which carried the FAS Vietnam statements, a substantial fraction of FAS members had serious reservations either about (1) the substance and tone of the statements or (2) the wisdom of the FAS taking a public position in an area of national policy where it could not claim to speak with scientific competence, however strongly held the views of individual members. For this reason, it seems appropriate to print in the Newsletter the following letter from Ernest C. Pollard. Professor Pollard is Chairman of the Department of Biophysics at Penn State. He has been an FAS member for over twenty years, and is a former Vice Chairman and Council member. Formerly at Yale University, Pollard was Chairman of the Yale-centered FAS Scientists Committee on Loyalty and Security which produced, in 1954, a carefully researched and objectively written 33,000 word report on the Fort Monmouth security investigations. It seems fair to say that the 1954 FAS report, for which Pollard was chiefly responsible, and the 1967 Vietnam statements represent somewhat contrasting ways in which the FAS, over the years, has chosen publicly to address itself to issues of concern to its members and to American scientists.—H.L.P.)

April 25, 1967.

The February Newsletter gave me my first chance to read the FAS statements on Vietnam. I had also read the release of the correspondence between President Johnson and Ho Chi Minh. This letter brought home to me the reality of the North Vietnamese position and the obstacles this presents to negotiation.

I am dismayed at the general approach taken by the FAS which seems to me to be partisan and not in keeping with a scientific position. I can single out especially the following part of a paragraph:

"It is evident to us that the continuation of the war is damaging to the interests of the nation, of the people of Vietnam, of mankind. We are opposed to our government's present role in Vietnam and urge the U.S. to take immediate steps to reduce its military involvement and to achieve an early termination of hostilities."

The release of the exchange between President Johnson and Ho Chi Minh showed that President Johnson did offer to de-escalate mutually and start negotiation. I cannot find any suggestion that Ho Chi Minh has similar thoughts. To do what is suggested in the paragraph just quoted from the FAS statement, therefore, requires that the United States can only achieve an early termination of hostilities by pulling out. It is my emphatic belief that to do so would not be furthering the interests of the nation, the people of Vietnam, and mankind. It would instantly create a sharp change in the balance of power, result in uprooting or death for perhaps five million Vietnamese and strongly set back the hopes for freedom of a large part of the world. It is not surprising that I feel that it is out of place for FAS to issue the statement. It seems to me that it is greatly at variance with their past operations such as the McMahon Bill, the FAS study of the Fort Monmouth security investigations, and the reinstatement of A. V. Astin. In the case of the McMahon Bill the overriding importance of civilian control of atomic energy was first understood by scientists who presented the case clearly and forcefully. The Fort Monmouth study was concerned with the vulnerability of security policies affecting science and scientists to political pressures. The reinstatement of A. V. Astin was based on the right of a careful laboratory study to be reported without political manipulation of the director of the laboratory. All these were clear cut instances in which the FAS had a real understanding of the point of issue and in which they could make their position clear without fear that time would damage the validity of their stand.

In the case of the Vietnam war, if we are to take a position, we should have carefully examined it and be certain it is valid. I do not believe this was done, and because I do not, I present some different thoughts.

First, there is a real difficulty about negotiation. This is because the clear majority opinion in the U.S. differs sharply from Ho Chi Minh's stated position that negotiations are only possible after the U.S. has withdrawn. Without pretending to be an opinion analyst I can say that of some 40 scientists I have recently polled as to a satisfactory end solution there is almost a total agreement on either (a) forming a separate S. Vietnam in an analogous way to S. Korea or (b) holding our position in S. Vietnam for a ten year period, after which an election is held. A very small minority favor an all out war, but this minority is as great as those who favor a gradual pull-out with the expectation that the Viet Cong would take over. Almost noone thinks we should pull out, apologize and pay an indemnity, probably the only present basis for a rapid end to the war. It would be worthwhile for the FAS to conduct an opinion poll on a wider basis. I suggest they do it.

Since we face a continuation of conflict, why are we involved and what do we seek to gain by prolonging it? I here suggest a few factors which influence me.

To me the central issue involved is open government. I define this as a government in which scholars have access to truth, especially in domestic affairs, can teach and publish it, and discuss it. It should include some means of change of policy which can result from such teaching, publication and discussion, either by elections (preferably) or some how else. I believe that only with this kind of government can conference table solutions to international problems be achieved. These problems are the urgent matters to which we must seek solution to avoid catastrophe in the future. The peaceful record of open government is very good since 1920 or so. In Vietnam we are supporting incipient efforts at forming open government. This is not only in Vietnam, but very importantly in the whole area from Korea to India and Africa. Our presence with our troops is far more eloquent than words. I believe it is being effective outside Vietnam.

The existence of open governments is not a natural consequence of normal progress. This is something which we as scientists should be acutely aware of. We have only been free to think, even in a limited way, for three hundred years or so. In recent times it has been clear that the degree of open government in the world is not increasing and perhaps is even diminishing at the moment. Only by strong effort on someone's part can this form of government, which I believe to be that desired by the majority of all peoples, but not desired by groups who seek to exert special power beyond their personal scope, to be allowed to grow. It is to me a sad thing that many of the other nations in which open governments occur do not see the importance of military adequacy. I am convinced, for example, that lives would be saved in the long run by a much more active intervention in Rhodesia than is at present being contemplated by Great Britain and that it is really her job to do more than she is doing. The United States is taking her responsibilities seriously and doing so should be given credit.

This present war is not a war of aggression. That there be suggestion that it is, which is present in the FAS news release is a distortion. We are a tortured and unhappy people. We are driven to do what we are doing because it is our belief that in the long run there will be less bloodshed and more lives saved by doing it. This is without question our viewpoint and one that needs to be respected.

The kind of war which is being fought against us, guerrilla warfare, is a particularly repulsive form of influence. It means the control of 90% who want to live and farm, by 1% who want to raise trouble and gain power. I find it hard to think of a better cause in which to intervene than on behalf of some kind of government, almost any kind, which is not introducing such type of terrorist blackmail.

If we have to keep a runinng confrontation with communism, and it looks very much as though we have to, then Vietnam is a good place. The supply line from China into Vietnam is terribly difficult. I grew up in that part of the world and I well remember the journey which took me from Yunnan to Haiphong. It is a difficult supply line.

It seems to me that the opposition to the Vietnam War comes from two sources. One is the "new left" which is an anarchist group offering very little positive to society and which seeks essentially to create disturbance because they are convinced that our present society is not one in which they wish to live. Vietnam is convenient for them. Something else would be used if there were no war. The other group is a group which believes in what I call the "undeclared peace." They are a group who think the pattern of world thought has pased beyond that of force and armed efforts and warfare and instead has moved into a state in which peaceful settlement is to be sought. It would be very desirable if this were so, but I can find no evidence for it. The present mood of the nations of the world is not very different from that which existed in the 1930s. At that time many of us (and I was one of them) felt that the time had come to strengthen the League of Nations and seek disarmament. What became clear was that it was very easy for strong military leaders to take over nations and in a short six years pose one of the greatest of all threats to the freedom of mankind. The reason we are still free today is not because of the peaceful intentioned people, like myself, but because of those who resolutely supported and strengthened scientifically their nation's military potential. This is a lesson which we scientists should not ignore.

If it were true that we did have this genuine sweep of feeling throughout the world in favor of peaceful settlements, then it would be worthwhile risking our position. The FAS should examine whether this is a real position, whether the degree to which peaceful settlement will in the future be relied on has increased, and whether there is a strong sense of feeling in the world in this direction. I would like such a statement, assessing this present position. However, it has not been done and in the meantime we have to rely on our own impressions. My impression is that there is an active minority in the United States and perhaps a larger group in England that feels this way, but there is nowhere near strong enough feeling for us to say that we can abandon all thought of national techniques of intervention. Because there is tacit agreement to avoid nuclear weapons, we are very probably going to see much more of the type of guerrilla war which aims at imposing on the majority the will of a minority. To show that this does not pay, is, in my opinion, a contribution to world order and worth doing.

I definitely resent the statement which has put scientists versus our government. It is most unwise to do this unless we have a strong feeling that we must. Merely to have had to poll the Federation implies that the drive was questionable.

I greatly regret that the FAS for whatever reason, has given support to those who show, increasingly, that they have always been enemies of the U.S. It is my personal belief that they are also enemies of negotiated international justice, effective disarmament, and freedom of thought. I am not seeking to resign from the FAS and in fact as evidence of this, here is my check for $25. Nevertheless, I am very sad that a group in which I have been closely involved has become so partisan.

Yours sincerely,

ERNEST C. POLLARD.

SMALL WATERSHED PROGRAM SOLVES COMMUNITY PROBLEMS

Mr. BAKER. Mr. President, on June 10, 1967, I had the privilege to participate in the dedication of the Shady Valley watershed project in Johnson County, Tenn. This offered an ideal example of community problems being solved through group action.

A principal address at the dedication ceremony was delivered by Dr. D. A. Williams, Administrator of the Soil Conservation Service. It was an inspiring address. Dr. Williams has a vast storehouse of experience in community development. In fact, he has made a career of it. He has dedicated 32 years of his life to community development through soil and water conservation. He has been Administrator of the Soil Conservation Service for the past 14 years. During that period he has directed that agency through a period of its greatest change since it was established by the Congress in 1935.

Major responsibility of SCS when he became Administrator was technical assistance on erosion control to soil conservation districts. A few months earlier, SCS had been assigned responsibility for the Department of Agriculture's flood-prevention and river-basin investigation activities. Just getting started was the pilot watershed program, authorized by the House Appropriations Committee in July 1953. Major emphasis was on erosion control and conservation management of agricultural land.

Dr. Williams carried the resource conservation concept into another stage of development in which the extensive interrelationships of soil, water, plants, and animals, and a more dynamic concept of land use and treatment were recognized.

His long experience as an engineer specializing in water conservation led him to conclude that soil and water management are inseparable, that the conservation of these resources is more than an agricultural problem, and that these resources can be effectively developed for all the people only through a program for an entire watershed.

The leadership he gave to the concept that flood prevention, water supply management, and land management are watershedwide problems requiring the joint efforts of the people of town and farm in the watershed community, aided by the State and the Federal Government, led to the enactment of the Watershed Protection and Flood Prevention Act, Public Law 566, in August 1954.

Through this small watershed program the Department of Agriculture is providing technical and financial assistance to a large and growing number of rural-urban communities in developing multiple-purpose watershed projects for flood prevention, agricultural water management, municipal and industrial water supply, fish and wildlife development, and recreation. And they do this through local organizations.

In his address Dr. Williams said:

> Planning and carrying out a watershed project cannot be successful without local support such as the people of Shady Valley have given. The action must come from the local level—then draw in other help—rather than the other way around.

This, in my judgment, is real sound philosophy for community development. I should like to expose all Senators to it. Therefore, I ask unanimous consent that Dr. Williams' address be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

TALK BY D. A. WILLIAMS, ADMINISTRATOR, SOIL CONSERVATION SERVICE, U.S. DEPARTMENT OF AGRICULTURE, AT DEDICATION OF THE SHADY VALLEY WATERSHED PROJECT, JOHNSON COUNTY, TENN., JUNE 10, 1967

It is a privilege to participate in the dedication of the Shady Valley Watershed Project.

We in the Soil Conservation Service—and I am sure I can speak also for others in the Department of Agriculture—are glad that we have been able to be a part of your undertaking. While it is always an inspiration to help get projects underway—it is doubly rewarding to join a community in dedicating a completed, or essentially completed project such as yours.

Planning and carrying out a watershed project cannot be successful without local support such as the people of Shady Valley have given. The action must come from the local level—and then draw in other help—rather than the other way around.

It is this kind of community action and local leadership that has made our country what it is today. It is this kind of action and leadership that assures progress in the future.

Just as this watershed project is a part of a wider plan for the economic development of Johnson County—for the Appalachian Region—and the State, so is it also a part of an even wider endeavor to bolster the Nation's rural economy through more complete resource development.

In a broad sense, your project may also be considered as part of a worldwide effort to attain economic stability and agricultural sufficiency.

Last month, a Water for Peace Conference was held in Washington, attended by representatives from all over the world. The conference was prompted by the President and authorized by the Congress. It brought nations together in a common cause. It emphasized the vital role water plays in feeding the world and in supporting industry and progress . . . and in alleviating problems that cause so much of the unrest in the world today.

Many presently unproductive land areas in developing nations can be made productive through proper water management. They are the hope for feeding millions of underfed people.

Water management in any country, however, starts with the land. It must be combined with proper land management. This, of course, is the basic concept of your watershed project. It is the basic concept of the soil and water conservation program being carried out nationwide through soil conservation districts.

Erosion control drew most of the attention of conservation districts when they were first formed. Today districts are tackling much broader soil and water conservation problems. They are helping to develop efficiently the potential of natural resources. They are planning resource development to provide foundations to support the economies of rural communities.

Our countryside is endowed with abundant natural resources.

However, financial resources are not always available to develop resource potentials.

Congress has, during the last decade or so, provided tools to bring the two together.

Watershed projects are one of these tools.

People in more than 125 watersheds are already enjoying the benefits of completed watershed projects. These, plus yours and nearly 700 others that are being installed will prevent tens of millions of dollars in flood damages each year. These savings alone, extended over the life of the projects, will more than pay for their installation and maintenance costs.

Other benefits in these watersheds—some planned, such as recreation, water supply, and fish and wildlife developments—some unplanned and unforeseen—multiply the benefits many times.

I know that you have already had the opportunity to realize some of the effects of your project. Although yearly benefits are estimated at $36,000, they cannot be measured in dollars alone. They can and should be measured in terms of how the project affects the lives of the people who live here. The ability of people to make a living. The well-being of the community. The increased value of farms. A place where young people will have a future.

People are the reason for soil and water conservation. All resource development programs should provide a better living for people. Our resources—soil, water, plants, and wildlife—are significant only as they provide for people's needs. With growing population and a more affluent society, those needs are increasing rapidly.

Your Johnson County Soil Conservation District—along with the others in Tennessee—have within the last five years revised and broadened your programs. The new programs respond to new responsibilities and challenges while continuing to deal with old conservation problems that need continued attention.

The need is great for continuing and strengthening the Federal-State-local teamwork and cooperation to get the conservation job done. I assure you that the Soil Conservation Service will do everything it can to support this relationship.

But the real strength comes from you—the local people. You know what your needs are. You know your problems. You set the goals.

The leadership in resource development also comes from the local part of the partnership—the soil conservation district. The district has the knowledge. It has the experience. It has the organization to act. It understands the local problems. It recognizes the potentials in resource development.

You, the people of the watershed community, deserve congratulations for your many contributions to this partnership that made your watershed project possible.

Yours is a major contribution to the agricultural program of Johnson County. It is a contribution to the well-being of the community.

Last year a Gallup Poll revealed that half of the people in the United States would like to live in the country—but that only a third of them do.

Why? Because of lack of opportunity in many rural areas.

Johnson County and other parts of the Appalachian Region are facing up to this problem.

Your watershed project and other plans for economic development are aimed to halt the migration of young people and others to seek employment elsewhere.

I congratulate the sponsors of the Shady Valley Watershed Project—the Shady Valley Watershed District and the Johnson County Soil Conservation District. I especially want to comemnd Mr. Argus Blevins, President of the Watershed District, and Mr. Wiley Taylor, Secretary of the Watershed District and member of the Soil Conservation District, who I understand have provided much of the driving force that has made this project a reality.

Shady Valley has a reputation for its natural beauty. One could not visit here without knowing why. It has great resource assets worth protecting. It has great potential. It is heartwarming to have been a part of its development.

OIL AND GAS PRODUCTION IN KANSAS TOTALS $½ BILLION ANNUALLY

Mr. PEARSON. Mr. President, as Senator from the State of Kansas I am always mindful of the contribution that oil and gas make to my State. Kansas ranks seventh in oil and gas production nationally and our economy enjoys more than $500 million annually from this industry. With domestic production sagging in the past few years, I want to call attention to the oil industry of Kansas and what it means to the State and the workers who help produce this form of energy for many other sections of the country.

At this time I ask unanimous consent that an article by Kansas City Star Science Editor Alvin S. McCoy entitled "Oil and Gas Production in Kansas Totals $½ Billion Annually" be inserted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

In Seventh Place Nationally: Oil and Gas Production in Kansas Totals $½ Billion Annually

(By Alvin S. McCoy)

Lawrence, Kans.—Rhythmically the rocker arms of oil pumps are in quiet motion over Kansas, symbols of an industry that produces approximately one-half billion dollars of raw products in Kansas in a year.

The activity extends across the state. Oil or gas, or both, are found in 92 of the state's 105 counties.

From the discovery well in Neodesha, Kans., in 1892 the fields spread west to El Dorado, Russell, and then over the entire state. Many have been pumping for decades.

From them, and from the rich gas fields in the Hugoton area, a flow of products comes to Kansas City and Eastern markets.

Oil is as close to Kansas City as southern Johnson County.

Gas is found in Johnson, Wyandotte and Leavenworth Counties. Wyandotte and Leavenworth production lumped together by the State Geological Survey in 1965, was estimated at 160,000 cubic feet.

For years Kansas was fifth in the nation in total production of crude oil, but it has been nudged out in the last several years by the new discoveries in Wyoming and New Mexico to make it seventh.

Kansas is topped also by Texas, Louisiana, California and Oklahoma.

In the production of natural gas, however, Kansas ranks fifth.

From its original 12 barrels a day at Neodesha, Kansas produced an estimated 103,713,256 barrels of crude in 1966, the State Geological Survey estimates. At an average price at $2.95 a 42-gallon barrel, this figures $305,954,105 from crude oil alone. Average daily production was 284,146 barrels.

Natural gas (856,421,989 million cubic feet) was valued at $107,052,749, which does not include natural gasoline and helium.

Natural gasoline, and liquid petroleum gas extracted from gas, were worth $43,200,000 and helium, which has been booming since the government's conservation program in 1963, was valued at $32,635,000.

The survey appraises total oil and gas raw products at $484,965,000 for 1966, or 83 per cent of the value of all minerals produced in the state.

Missouri production is much smaller. No wells were drilled in 1965, the last year of final reports from the Independent Petroleum Association of America's "Oil and Gas Production in your State." Crude oil production was 73,000 barrels, averaging 200 barrels a day from eight of the 114 counties.

Missouri oil production in 1965 was valued at $183,000; gas at $27,000. Until January 1, 1966, there had been 136 oil wells, 160 gas wells, and 655 dry holes drilled in the state.

By contrast, Kansas, a major oil producing state, had 3,402 wells drilled in 1965. Of these, 1,422 were dry holes, 1,466 were oil wells, 206 were gas wells, and 308 were service wells.

Oil exploration still is a risky business. Those who chanced their money in wildcat territory (not adjoining proven fields) hit 555 dry holes, 70 oil wells and 14 gas wells in 1965. Thus those who went into virgin territory had an 11 per cent chance of striking oil.

In development wells, extending present oil fields, the percentage was much better. There were 1,396 oil wells, 192 gas wells and 867 dry holes.

Once there was drama, quick wealth and romance in seeking the elusive pools of black gold. Kansas has witnessed the transition from the early independents, who struck it rich, to the more efficient operations of major oil companies today. These companies are quick to purchase an independent's strike, if he will sell.

In early times nitroglycerine was used to crack the oil-bearing rock and increase the flow. Geologists studied surface structure, or cores, and made decisions largely by hunch and intuition on whether a "dome" or anticline would be found a half mile below.

Then came the seismographs and mapping of echoes from explosions to chart the structure below. Today, automation and computers have been added to predict the convolutions of likely formations.

Nitroglycerine was replaced by "hydrofracing," a system of cracking the rock by injecting oil under great pressure, about 15 years ago, and fields in Eastern Kansas were re-opened.

Kansas has been producing oil for 75 years. Many of the wells have run for decades. Best evidence of the state's long experience is the estimate that 65 percent of the total crude oil produced in Kansas is from stripper wells, most of which run only a few barrels a day.

Since the 1930's the state has prorated the production from new fields as a conservation measure. The Kansas Corporation commission issues "allowables" to the better fields, limiting the daily production of wells and fields so that more oil will be recovered over the years.

Owners can make a quick buck by pumping their wells to the limit. But water comes in and thousands of barrels are lost. Most Midcontinent states restrict production under state laws, a program in which Alf M. Landon, former governor, played a major role, Illinois refused to adopt regulatory laws and its fields were prematurely exhausted.

A great many wells, particularly in Eastern Kansas, are secondary recovery wells. As production declines to a barrel a day or so, it has been the practice to drill other wells or use abandoned ones, inject water, and force oil to a central recovery well by water flooding. More recently, steam, heat, and other methods are used.

At the end of 1965 there were 46,500 producing oil wells in Kansas and 7,200 gas and condensate wells.

Deepest ever drilled, a dry hole, went to 8,243 feet. There were 70 drilling rigs active in the state.

Formations generally tilt toward the west and south. The Kansas City limestone, which outcrops in Kansas City, dips in to a half mile deep in Central Kansas, and has been a good producing formation. Toward the southwestern border, depths are nearly a mile.

Oil wells generally are drilled on each 20 acres in a field, although the industry is striving for 40-acre spacing. There is usually only one gas well to a section of 640 acres.

An indication of the impact of the oil industry in Kansas is the estimate that 20 per cent of the state's total acreage—some 10,465,000 acres—are leased for oil and gas production or are producing oil or gas.

Farm owners usually receive an average of $1 an acre a year for a lease. Income on the estimated 5,265,000 nonproductive leased acreage would exceed 5 million dollars a year.

The land owner retains a one-eighth royalty interest in all oil produced on his land and the monthly checks amount to a large sum. Royalty rights are property rights and may be sold or traded.

Because of the risk, and the depletion of oil reserves, the industry has been permitted to deduct 27½ per cent of its income from crude oil and gas production before federal income taxes are figured on the rest.

GUIDELINES FOR EFFECTIVE FEDERAL HOUSING POLICY

Mr. PERCY. Mr. President, I recently had the good fortune to discover an excellent article by Dr. Saul Klaman, vice president and chief economist of the National Association of Mutual Savings Banks, in the fall 1966 issue of Business Economic.

Dr. Klaman's article, entitled "Guidelines for Effective Federal Housing Policy", contains a great deal of wisdom. In particular, the points made by Dr. Klaman serve to point out the sound and responsible financing approach of the National Home Ownership Foundation Act—S. 1592—which I am privileged to sponsor along with 38 other Members of this body.

The National Home Ownership Foundation would be a private nonprofit institution created by congressional charter to make technical expertise and mortgage loans to local organizations conducting programs for helping lower income families to become owners of their own homes or apartments.

Dr. Klaman emphasizes the need for a creative public/private partnership in housing, with private enterprise showing the way, and government supplementing but not preempting its efforts. The NHOFA is founded on precisely that principle.

Dr. Klaman decries the use of below market interest rate programs, such as 221(d)(3) for two reasons: First, they clearly preempt rather than supplement private credit; and, second, they obscure actual subsidy costs, preventing any meaningful cost/benefit analysis. Through the financing method employed in the NHOFA both these objections to below market interest rate mortgages are completely overcome.

Dr. Klaman also makes a number of trenchant observations on the present practices of the Federal Housing Administration, and offers some perceptive thoughts on its potential role in the future. And he concludes by recommending a "voluntary public/private administrative network at the national, State, and local levels, in which public agencies and private groups jointly plan, develop, and implement programs for urban rebuilding." While Dr. Klaman does not develop this idea further, it is not difficult to see how the proposed National Home Ownership Foundation, with its regional offices and local eligible borrowers, could square with that recommendation.

I commend Dr. Klaman's outstanding article to Members of the Senate, and ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GUIDELINES FOR EFFECTIVE FEDERAL HOUSING POLICY

(By Saul B. Klaman, vice president and chief economist, National Association of Mutual Savings Banks)

(NOTE.—A creative partnership is required, involving private resources as well as the Federal, state and local governments, if the massive complex tasks of urban revitalization are to be accomplished. The broad basic goal of Federal policy should be to encourage and supplement rather than preempt the use of private resources. Moreover, cost/benefit principles, as well as proper public/private balances, should normally guide Federal involvement. Political and emergency pressures must yield to these long-range criteria.)

"The finance of home building . . . is the most backward of our whole credit system. The whole process of (home) purchase and finance involves a ceremony like a treaty between governments. . . . Part of the difficulty lies in inadeqate financial organization and part of it you will find in obsolete laws."

These were among the introductory remarks of President Hoover at the Conference on Home Building and Home Ownership, which he convened in 1931 to consider how to deal with the nation's collapsed housing and mortgage market structure. Out of this conference came the establishment of the Federal Home Loan Bank System in 1932, followed shortly thereafter by the Home Owners Loan Corporation and the Federal Housing Administration. Federal intervention in urban real estate processes had begun.

Now, more than three decades later, many remain cynical about the structural improvements achieved. Some still maintain, as did Mr. Hoover, that "the finance of home building is the most backward of our whole credit system." Even more observers would hold that the process of home purchase and finance continues to involve "a ceremony like a treaty between governments." And there is probably only minor disagreement that today's housing markets remain hampered by "inadequate financial organization and . . . obsolete laws." Many others would argue, on the other hand, that Federal achievements in upgrading our housing supply broadening home ownership, and modernizing the mortgage contract far outweigh old problems still unsolved and new ones created.

While lively debate on the impact of Federal housing policy will undoubtedly continue, no one will dispute that Federal intervention in the housing industry has broadened and deepened over the years—through war and peace, depression and prosperity. Indeed, there has scarcely been a year since the Great Depression in which new and expanded housing programs have not been enacted. And with the establishment of the Department of Housing and Urban Department in 1965, a new era in Federal urban and housing policy has been launched. As Robert Weaver, the first Secretary of the Department, recently observed: "The national role in urban problem-solving is large and growing."

This role extends well beyond the housing and mortgage industries. Attention is now focused on urban revitalization and the wide range of problems that this term implies—from air pollution to blighted neighborhoods, to central city congestion, to ill-used land, to urban and suburban ghettoization, to shortages of community facilities, to inadequate metropolitan and regional planning, and so on to countless interrelated problems that beset our cities today.

GOALS OF FEDERAL POLICY

In launching its new urban effort, it will be crucial for the Federal government to keep its role in balanced perspective, relative to that of the private sector. It is equally essential, I believe, for private enterprise to recognize that the Federal government does have a key function to perform in the building and rebuilding of our urban environment.

What we must establish, in essence, is a creative partnership between the private and public sectors parallel to the "creative federalism" envisioned with respect to Federal and state and local governments. Such a partnership will seek the realization of broadly accepted public goals through maximum use of private means.

The objective of maximizing the participation of the private sector in the revitalization of our cities is more than a basic tenet of a private market system. It is a realistic approach to the massive task involved. It recognizes the practicality of using existing private institutional arrangements, funds, and skills. It recognizes that major reliance on the public sector for needed funds would severely strain the Federal budget and administrative structure.

The broad, basic goal of Federal policy must, therefore, be to encourage and to supplement—not to pre-empt—the use of private resources. This broad policy goal must also bear allegiance to the basic cost/benefit principle of public finance. Stated simply, this principle requires Federal financial assistance to be openly recognized and disbursed so that costs incurred may be measured directly against benefits achieved.

It cannot be said, unfortunately, that these basic principles have always been closely observed in Federal housing policy. Indeed, immediate expediency—arising out of political or emergency circumstances—has more often dictated policy than long-range criteria of appropriate private/public or cost/benefit balance. This has meant that the approach to Federal housing and urban development programs has often been uncoordinated and piecemeal. It has meant the accumulation of Federal aids, including direct grants, loans, and mortgage insurance, in programs which have tended to supplant, rather than to supplement, private credit. And it has meant that costs have too often been obscured while concentrating on benefits obtained.

AN EXAMPLE OF BAD PUBLIC POLICY

One specific Federal approach may be cited, which violates both criteria of maximum private participation and cost/benefit balance. It is the use of "submarket" interest rates, in direct and insured mortgage lending programs, to provide housing cost subsidies for low and middle-income families. It is widely recognized, of course, that FHA-insured below-market-rate loans "purchased" by FNMA in the so-called secondary market, represent a thinly disguised substitute for direct Federal lending.

Admittedly, the submarket rate approach—whether used in direct or insured lending—is an administratively convenient and politically expedient device to achieve housing cost subsidies. But, if the basic long-range policy guidelines suggested here are useful and meaningful, this technique must be gradually eliminated because: (1) it clearly pre-empts, rather than supplements, the use of private credit, and (2) it obscures actual subsidy costs, which cannot, therefore, be measured against benefits achieved.

I would also emphasize that, even when direct Federal loans are appropriate to fill a private credit gap, they ought not be offered at submarket rates of interest. It is one thing to provide Federal credit, as a matter of public policy, at going rates of interest to borrowers unable to secure private funds on competitive terms. It is quite another to provide a cost subsidy through the submarket rate technique. If subsidies are deemed sound social policy, they should be provided more directly and accepted as a social cost.

A NEW TURN IN FEDERAL POLICY?

Recent Federal actions have, at long last, given overt recognition to the need for new types of subsidy techniques to achieve desired public objectives. In proposing the new rent supplement program in the 1965 Housing and Urban Development Act, for example, President Johnson stated that:

"Up to now government programs for low and moderate income families have concentrated on either direct financing of construction, or on making below-the-market rate loans to private builders. . . . [If the rent supplement program] works as well as we expect, it should be possible to phase out most of our existing programs of low-interest loans."

At another point, in his 1965 "Message on the Cities," the President indicated that even the practical advantages of low interest mortgage programs were running out:

"We must recognize that the benefits [of below-market-interest-rate programs] are decreasing as the rising cost of Federal borrowing narrows the difference between the interest we ask and that demanded in the private market."

He might have added further that such a huge amount of funds is required to rebuild our cities that scarcely a dent can be made by the submarket interest-rate approach, through which Federal monies are ladled out with an eyedropper.

In any event, Federal recognition that both the concept and practicality of submarket interest rate programs may have run their course is a major step forward. It may, in fact, prove to be a significant turn in the direction of Federal housing policy towards increased reliance on the private sector. Admittedly, the 1965 Housing and Urban Development Act did provide for submarket interest-rate programs, but it would be expecting too much to have these programs cut off entirely until other, more direct, subsidy techniques have been proven successful.

This is why I regard the rent supplement program as so critically important. It is essential, in my judgment, that the program be funded and gotten underway without further delay. Conceptually, at least, rent supplements meet the dual test of good Federal policy that I have outlined here. Maximum reliance is placed on the private sector, for the housing to be provided under this program will be privately built, privately owned, and privately financed. And the subsidy costs of supplemental rent payments to low-income groups will be openly measurable against benefits received, rather than obscured through interest-rate subsidies.

ROLE OF FEDERAL MORTGAGE INSURANCE

Perhaps the single most significant Federal housing program which epitomizes the creative partnership between the private and public sectors is Federal mortgage insurance. This is so, of course, only at market rates of interest. With respect to costs, moreover, the program is entirely self-supporting through income from insurance premiums. For both reasons, Federal mortgage insurance, through the long-established FHA, should be the principal credit aid in the revitalization of our cities.

There is a body of opinion among private market participants which disagrees with this view. It holds that for FHA to embrace the new high-risk urban rebuilding programs is to forsake the basic business principle of insuring economically sound residential mortgage credits for which it was created. Indeed, it is said, that the fundamental concept and philosophy, under which FHA has operated so successfully for three decades, is violated when it moves into areas other than standard single-family housing and multi-family projects. Accordingly, this view concludes that FHA should stick to its original knitting.

At the other extreme, there is the view that FHA, as originally conceived, is obsolete, that there is no longer any need for the government to continue a general business-like insurance operation for the financing of regular suburban tracts or apartment projects. Such financing has already been proven sound in the eyes of private lenders, as the increasingly liberal conventional mortgage terms bear witness.

The view I espouse, which is somewhere between these widely disparate positions, I believe to be wholly consistent with the original FHA concept and purpose. Nor do I believe these to be obsolete when applied to current new needs and goals. What, then, were FHA's basic purposes and objectives, and how do they apply to today's environment?

The Federal Housing Administration was established in the depths of economic depression to stimulate the construction of new housing and the repair and modernization of existing housing, in large part to provide new employment opportunities. Federal mortgage insurance was the technique adopted to encourage the flow of private credit into markets which, in retrospect, had proven to be excessively risky. The clear intention was to create and maintain a broad, sound residential mortgage market and to develop a viable, modern mortgage credit instrument. While the approach was new, daring, and imaginative, the concept of "economic soundness" was its cornerstone and prerequisite.

FHA'S CONSERVATIVE APPROACH

In the almost uninterrupted rise in real estate markets which followed its establishment, FHA became a resounding business success. Success often tends to breed conservatism. So also does responsibility. And as the years wore on, the protection of its excellent "business record" became a prime objective of FHA. Field office administrators, especially, clung to proven markets and risks. Interest in broadening housing and mortgage horizons and in accepting greater risks—the basic foundation of the FHA idea—lessened considerably. Meanwhile, conventional mortgage lending terms—following the FHA lead—were steadily liberalized. And the private market reduced the value it placed on FHA insurance, as shown by narrowed yield differentials.

More recently, FHA has been broadening its sights and programs to encourage the flow of private credit into urban rebuilding and rehabilitation. Other special-purpose high-risk programs have also been embraced. But with each halting new step, a volley of criticism has been fired at FHA by those who maintain that to move in these new directions is to violate the basic concept and philosophy of Federal mortgage insurance, to undermine the cornerstone of "economic soundness."

It seems to me, however, that just the reverse is true, that only by pursuing these new programs does FHA fulfill its original purposes and objectives—to open up new markets and opportunities with private resources which otherwise might be long deferred or developed eventually only with public funds. Indeed, FHA serves its most useful function, I believe, when it operates on the frontiers of housing and mortgage markets. It must innovate. It must be cognizant of changing market patterns and unmet needs and, through the insurance technique, channel resources into those areas where private industry still fears to tread alone. To follow this course is to break new paths in the original FHA tradition. Not to follow it is to retrogress into a shell of safe, proven markets until the fundamental reason for Federal mortgage insurance disappears.

A DYNAMIC ROLE FOR FHA

In this frame of reference, no program is more suitable to the fulfillment of the fundamental concept and objectives of Federal mortgage insurance than the revitalization of our cities. And no technique is better suited than mortgage insurance, at market rates of interest, to maximize the use of private resources to implement broadly accepted public goals. Certainly, few tasks are of greater domestic economic and social significance than the rebuilding of our urban complex. Yet, in the initial stages of development, the risks confronting private lenders are great. These ingredients are tailor-made for the use of Federal risk-sharing aids. Once urban rebuilding programs prove economically sound, private industry participation will increase and the need for Federal assistance will be reduced.

The acceptance of greater risks inherent in broad new programs means that an increased share of the contingent liabilities borne by the Federal government through mortgage insurance may ultimately turn into real liabilities. But a Federal insurance agency and the American community should be willing to bear this burden, if the objective sought is worth the risk entailed. It seems entirely logical and appropriate, then, that Federal mortgage insurance be centered on those investments which are riskier than alternative private market opportunities, but which have a strong long-range base of economic soundness.

It would be incorrect to infer from all of this that FHA should withdraw entirely from *all* proven minimum-risk markets, as some have suggested. This would be premature, primarily because it is through FHA's role in underwriting and standardizing mortgage contracts that nationwide marketability is achieved. So long as legal and structural barriers hinder the interstate flow of conventional mortgage credit, so long will FHA continue to play a vital role in channeling funds from capital-surplus to capital-shortage areas.

Private mortgage insurance has only recently begun to make headway. Apart from savings and loan associations, in fact, few lenders use it. As experience is built up and reserves accumulated, however, the protection offered by private mortgage insurance companies will become more meaningful, and lender resistance to this approach may lessen. Other techniques for increasing the marketability of conventional loans may also be developed over the years. To the extent that this occurs and state laws are modernized, the need for FHA insurance will diminish. But in the meantime, one may characterize nationwide lending as one of the "frontiers" of mortgage markets, still heavily dependent on the Federally underwritten mortgage instrument.

In strictly local markets, however, I would regard the continued need for FHA loan insurance on "standard-type" single-family and multi-family housing as steadily diminishing. The high-ratio, long-term amortized mortgage contract—pioneered by FHA—is now widely accepted. Moreover, increased knowledge of basic economic processes and built-in stabilizers, and the Federal government's broad commitment to maintain full employment, represent stronger insurance against financial disaster than the individually insured mortgage. At the very least, it would seem worthwhile to experiment with techniques which would place a greater share of the risk of local lending on private lenders. Perhaps a system of Federal/private co-insurance might be developed in which the lender receives a higher yield on FHA loans in return for greater risk.

PUBLIC/PRIVATE ADMINISTRATIVE STRUCTURE

In this brief consideration of selective aspects of Federal policy in housing and urban development, I would like to offer one final thought with respect to administrative structure. We ought to give careful consideration to the establishment of a voluntary public/private administrative network—at the national, state, and local levels—in which public agencies and private groups jointly plan, develop, and implement programs for urban rebuilding. Such Councils of Urban Rebuilding Enterprises (CURE) would give administrative recognition to the need for a creative public/private partnership. The existence of CURE would recognize that private institutions have more to give than money: they have imaginative and technical skills as well.

This kind of cooperative public/private structure is not especially new. It has been developed before at various levels of government with various degrees of success. Much can be learned from these other arrangements—both the successful and unsuccessful. The important thing is that through a continuing, cooperative administrative arrangement, old battle lines between public and private forces might more quickly disintegrate. And this, of course, is essential to the forging of a meaningful private/public partnership.

TRUTH-IN-PACKAGING REVISITED

Mr. HART. Mr. President, when the 89th Congress finally passed—almost unanimously—the truth-in-packaging bill, I said:

> It is my belief that the passage of the Truth-in-Packaging bill in its final form is a historic breakthrough in the area of consumer legislation, that this breakthrough is the beginning of a long and successful program of consumer assistance legislation; that the Truth-in-Packaging bill is strong, effective and meaningful legislation.

Yes, my fingers were crossed. But only to wish that strong regulations would be promulgated under the directions and standards of the bill. For, as the President noted at its signing, the bill would prove either effective or noneffective, depending on how the administrative agencies responded to the legislative mandate.

There is always some danger when the writing-in of details is left to an administrative agency. However, because of the nature of the subject, it seemed to me that the need for flexibility and specific expertise demanded this approach. Congress is not equipped to write detailed specifications for hundreds of product lines. Nor does freezing this kind of detail into a statute make much sense.

Therefore, the possibility of congressional intent being thwarted by agency inaction or timidity seemed a necessary risk in the interest of sound, meaningful, and fair legislative draftsmanship.

The FDA regulations now have been written and the FTC can be expected to conform with those of FDA. In addition, the Department of Commerce has established procedures and set up machinery to develop weight and measure standards where "undue proliferation" requires it.

Since the publication of the FDA proposed regulations, I have heard no informed source apply the description "watered down" to the law as some were doing at the time of its passage. Indeed, at the Federal Bar Association briefing conference on the legislation, expressions suggested quite the contrary.

It is apparent to me from the FDA regulations and the procedures established by the Department of Commerce that the agencies entrusted with formulating regulations have fairly interpreted both the spirit and intent of Congress. The regulations appear strong enough to assure meaningful improvement in consumer assistance and at the same time are not unduly harsh for industry. The regulations published thus far, I believe, are well balanced and deserve industry support.

Unfortunately, this support does not look likely. Hundreds of comments have been filed by industry groups. While some are constructive and reasoned, many are not. They appear, instead, to be raising again the same arguments which were used in an attempt to defeat the legislation. Industry serves neither its own best interest nor that of consumers when it closes its eyes to the fact that truth-in-packaging is now the law of the land. Congress considered, and rejected, the objections which are being made in response to publication of the proposed regulations. I cannot emphasize too much one point which I would think is obvious—the bill has passed, these objections are now resolved.

The goal of affected parties now, I would hope, should be not to frustrate the law's implementation but to insure that regulations are workable and fair. Some diehards seem not to understand that they only hurt their own long-term best interest when they adopt an obstructionist instead of a constructive stance.

They should remember that the bill was passed to assist consumers. This policy must be uppermost in the actions of the agencies involved. Certainly there will be some inconvenience and difficulties for industry in the first instance. But these were carefully weighed in Congress—for almost 5 years—and on balance the present formula contained in the truth-in-packaging bill was accepted.

I would hope that in the future the more constructive lead of the more realistic companies and trade associations would become the standard for the industry.

Of course, the regulations proposed to date deal with only the mandatory provisions of the bill. We have yet to see what action will be taken under the discretionary sections. It will be necessary for the agencies to continue their momentum if the consumer is to gain the full measure of assistance the bill provides. However, a sound beginning is a good omen for a successful program. It is likely the agencies are no more anxious to have Congress begin further consideration on ways to strengthen the truth-in-packaging bill than is industry. Yet Congress surely will reenter the picture if effective agency effort lags.

Congress also left the door open on one of the most controversial aspects of the proposal. This related to establishment of reasonable weights and measures where undue product proliferation requires it. The law contains a House amendment of a voluntary procedure for the so-called mandatory provision of the Senate version. It is this section which truly puts the good faith of industry on trial.

Industry argument ran that reforms can best be accomplished in this area voluntarily. Enough House Members believed these arguments to give industry its chance. But if industry does not make good on its promise, not only will it invite swift legislative response from those who took its word in good faith, in addition, grave doubts will be cast on such arguments in regard to other legislation. Whether or not voluntary solutions to economic problems are possible is the sole issue here. And how it is resolved in this case will have far-reaching legislative consequences.

One fact must be evident—Congress has given a clear mandate that undue proliferation must cease. And in many respects the mandate in the House version is more clearly set forth than in the earlier Senate version.

First, the House removed the Senate's complex procedural steps. All appeal procedures were removed in regard to this provision.

Second, the House removed all the "due regard" provisions which would have required extensive evidence by the agency in five different categories, all difficult of proof.

Third, the House removed all exceptions to the provision contained in the Senate bill.

Fourth, the House version requires a yearly report to Congress and suggestions for legislation if voluntary procedures are not working.

The final act, therefore, removes all exemptions, all strictures regarding specific finds to be made by the agency and all appeal procedures which had been contained in the Senate version.

The House action, agreed to by the Senate, makes clear the intent of Congress that the "unreasonable weight and measure" provision "be a simple, direct and uncluttered demand" to industry to work out reasonable solutions with the Department of Commerce or face tough mandatory legislation.

A word is also in order on the concept of "undue proliferation." It does not refer to numbers alone but must be considered in relationship to the product market involved. It is a relative term. An individual manufacturer may have no more than four separate weights. And his principal competitors may have no more than four separate weights. But if the weights are not standardized so that in the aggregate the consumer is faced with a larger number of differing weights in competing brands, undue proliferation may exist. The purpose of this provision is not to encourage a counting game—rather to consider realistically the problem of the consumer in attempting to compare prices of competing brands.

Shifting to another area, at the time the bill was passed I said:

> The Senate Truth-in-Packaging bill declared it a policy of the United States to assist consumers by "facilitating *price* comparisons." The House very deliberately changed the word *"price"* to *"value"*, and this change has been concurred in by the Senate. What this means is that the U.S. Congress has now assumed responsibility for assisting consumers by facilitating *"value* comparisons." This declaration is significant because it enlarges Congressional policy to include "quality" comparison—a component of value. This *"quality"* element has vastly greater implications than the more limited concept of *price*. For instance, it opens the door to consideration of legislation such as grade labelling and government testing of consumer products.

After passage of the bill the reason for change was given a different interpretation by the author of the amendment, Congressman Gilligan. He said:

> It is designed to insure that the government agencies and officials charged with enforcing the law and issuing regulations thereunder do not exercse the powers conferred upon them, particularly section 5, for the sole purpose of facilitating a mathematical computation; that is, a price comparison, in the supermarket aisle. Price is only one element in a *consumer value decision;* other factors of equal or greater importance are product performance, the convenience of the package, and the suitability of the size or quantity of the product in satisfying a *consumer's* personal desire or need. Obviously what constitutes value is highly subjective.

Congressman Gilligan did not give this explanation until the act had been passed by both houses, hence is not part of the Congressional history of the bill when one determines congressional intent.

It seemed to me that the House amendment was clear and unambiguous on its face. Changing the word "price" to "value", it appears to me now, as it did at the time of consideration and passage, obviously adds the element of quality to the policy statement. Had Congressman Gilligan made his after-the-fact explanation before the bill was passed, there are many of us who might not have been so ready to accept the amendment.

Indeed, the conferees' report states:

> Section 2 of the Senate-passed bill states that the label on packages of consumer commodities should facilitate "price comparisons, and section 5(c) of the Senate-passed bill provides that the discretionary regulatory requirements would be applicable where necessary to facilitate "price" comparisons. In both instances, the House amendment uses the term "value" in lieu of "price". The conference substitute adopts the House version and uses the term "value" in both instances. The conferees wish to make clear that the concept of "value comparison" is broader than the concept of price comparison" and includes the latter within the former at a very important factor in making a value comparison.

This is the only reference I am aware of either in the floor debates or in any report on the matter. And I for one accepted the language at face value. It is doubtful that the clear, unambiguous language can be modified by the unspoken motives of the sponsor.

One last word. Relatively modest requests were made by the agencies involved for appropriations to cover their truth-in-packaging activities. These were cut, in some cases substantially, by the House Appropriations Committee. It would indeed be ironic if, after 5 years of legislative battle ending in almost unanimous congressional approval, the war was to be lost because of inadequate agency appropriations.

The bill is entitled to a fair chance. The consumer is entitled to save the money which proper agency response to the law's direction will make available.

It is neither good economics nor good sense after a house has been built to let it rot by saving a few dollars on paint.

I am confident that the modest requests will be restored, for certainly this, at least, is the commitment of Congress to the American consumer implicit in passage of the legislation.

The truth-in-packaging bill is a historic breakthrough in consumer legislation. It heralds increasing congressional awareness of consumer problems. The measure of its application depends on agency determination and good sense and industry cooperation. The outcome will determine the direction of congressional action for many years to come in this field. I would hope that an awareness of this basic fact is clear to all concerned.

THE RESPONSIBILITIES AND OPPORTUNITIES OF ADVERTISING'S FUTURE

Mr. MAGNUSON. Mr. President, perhaps the most encouraging development in the past few years in the marketing and advertising of consumer goods has been the strong call for enlightened self-regulation raised within industry itself. I know of a no more enlightened voice than that of Frederick E. Baker, a leader in the advertising industry, both in his hometown of Seattle and nationally.

In his role as vice president-ethics for the American Advertising Federation, Fred Baker delivered, on June 25, in Long Beach, Calif., a speech on "The Responsibilities and Opportunities of Advertising's Future," in which he asserts the need for strong and meaningful self-policing by the advertising industry itself. In that speech, he outlined a new program for the establishment of ethics committees in local advertising clubs to enable the advertisers, themselves, to implement their excellent "Advertising Code of American Business."

Mr. President, I ask unanimous consent that this speech be printed in its entirety at the close of my remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE RESPONSIBILITIES AND OPPORTUNITIES OF ADVERTISING'S FUTURE

(Speech by Frederick E. Baker)

This noon, let's think together as to where advertising presently is, and the likelihood of its future.

To people who do not earn their living in advertising, or in related fields such as marketing, advertising can mean any of a number of things.

It can mean the convenience of knowing where desired goods or services are to be found—what brand, what features and at what price.

It can mean the instrument that helps provide them news and entertainment.

It can mean news itself—new items—new approaches—new services—new time-saving devices—new opportunities.

It can mean a method of disposing of something of their own—perhaps through the classified section.

It can mean the frustration of an expenditure based on misleading claims.

It can also mean the frustration caused by messages in poor taste.

For the most part, people appreciate advertising. Consciously, or unconsciously, they recognize advertising performs a vital function and is here to stay.

Only when we who do earn our living in advertising "play games" with the consuming public do they rise in righteous indignation.

So our first responsibility is to not "play games."

Not all the advertising you read or hear today is great advertising. Very little is, in fact. Most is good. Some not good at all. A small part is obnoxious or atrocious.

So our second responsibility is to constantly strive for great advertising—and never be satisfied with anything less than good. Never the obnoxious. Never the atrocious.

Basically, advertising is the presentation of facts in an interesting and effective manner.

So our third responsibility is to know what the facts are. It follows, then, our fourth responsibility is to present our communication in an interesting and effective manner.

Advertising is intended to fill a need, satisfy a want, or create a desire. No one, of consequence, has ever quarreled with advertising's role in filling a need. Or even to satisfy a want. Some critics do not agree that creating a desire is a virtue. However, if there could be no advertising except to fill a need, or satisfy a want we would be back in the horse and buggy days for certain.

Without creating a desire, there would be no automobiles, airplanes, refrigerators, freezers, washers, dryers, advanced technology in foods, or clothing, or furniture, or housing—you name it.

So our fifth responsibility is to fill a need, satisfy a want, or create a desire.

There is more to advertising than facts, creative ideas and clarity of expression. There is the construction of the advertising itself, be it print or broadcast.

Hence our sixth responsibility is to make certain we have assembled the proper, and best, physical ingredients for a successful ad — type — engraving — art — photography — sound — film, etc.

The best of ads, with an inefficient media selection is a great waste of the advertiser's dollars.

So our seventh responsibility calls for intelligent media strategy and selection. We must know the demographies which apply to our needed audience and evaluate what medium, or media, best deliver the needed audience.

This is beginning to sound like a primer on advertising—and such certainly is not my intention. Let me close this phase of the discussion by talking a minute about the most important responsibility of all—the responsibility of personal attitude.

Advertising seems to be such a glamorous business that sometimes we forget the devotion to detail so necessary if advertising is to function properly. Even the giants in this business must do their homework. Yes—with perspiration and wrinkled collars even. There are so many chances for a slip—or a poorly thought out decision—or careless handling—or insufficient, perhaps even inaccurate, information. One slip—mistake in judgment, or inferior performance, and a part of somebody's money goes down the tube.

The kind of responsibilities we have been discussing have always been a part of advertising, are today, and will be so in the future. They, and others, are the responsibilities which must be met if fine, effective advertising is to result.

We have another responsibility which does not relate so much to individual advertisements. It relates, primarily, to the immediate problems which face the advertising industry. Some of these stem from our own actions, or failures.

Inherent in meeting this responsibility is also one of the great opportunities for advertising's future. I am referring now to our ethical or moral responsibility.

Let's take a hard, realistic look at the facts of life. We are an immense business—14 or 15 or 16 or 17 or 18 billions a year are spent in advertising trying to convince people about something. Some authority said the average person is exposed to 1500 or 1600 advertising impressions every day. There are people, in and out of government, who believe we in this business enjoy too much freedom—that in the public interest we should be subject to more and more regulation and confinement. Who are these people? Some are well meaning citizens who genuinely believe the power of motivation that we enjoy is too great. Others are trouble makers or nit-pickers who get their own ego satisfactions by raising Cain with nice people like us. They write inspired letters to their state legislators and Congressmen. They are for truth in packaging—truth in lending—truth in everything.

Well, so are we—but more about that a bit later.

We need to understand the elected office holder and the career public servant, also. The elected office holder keeps his eye on two balls—all the time. One ball relates to his continuing to hold office. Here he needs issues—popular issues—vote-getting issues. Currently, the entire "consumer interest" issue is just a dandy. Being for the consumer is like being for the flag and motherhood. In the months and years ahead we can expect unrelenting pressure on our business in the name of consumer interest.

The other ball relates to trying to do an effective, hopefully statesmanlike job in the day-by-day meeting of his responsibilities. With the multitude of legislation introduced each session, be it state or national government, his job is not an easy one—particularly if he is conscientious and sincere.

So when the two balls seem to follow the same line of flight something is likely to happen. That's where we are right now, with a deep consumer interest on the part of citizens and a myriad of legislation designed to appeal to them and cure any or all of the ills allegedly involved.

Before progressing further, a word about the career public servant. Here I refer to the people on the Federal Trade Commission, Food and Drug Administration, Justice Department, Department of Commerce, the Special Assistant to the President for Consumer Affairs, etc. We are thinking here, also, about both the appointed executives and their staffs.

Most of these people are highly dedicated. Most of them could earn a better living—more money—outside of government than inside. While some hold deep-seated prejudices—most of them try very hard to be fair minded.

As AAW Vice President-Legislation for two years; as General Chairman of the AFA-AAW Washington Conference in 1966, and as a member, for the past 8 or 9 years of the 4A Committee of the Board on Government and Public Relations, I have come to know most of these people quite well indeed.

When I was selected last fall as AAF's Vice President-Ethics, it seemed to me two things needed to be done—and promptly. The first was to attempt to remove the dialogue between government and our business from a public dialogue into a private dialogue. With this in mind, while at this year's Washington Conference, I had a very fine meeting with Esther Peterson. I promised her that if things the government was up to disturbed us (in the AAF) we would not make speeches about it but would contact her, or the proper governmental agency. In turn, if she had complaints about advertising, instead of making a speech on it she would refer the problem to us. Only if we were unsuccessful in meeting the problem would the matter go further. We shook hands on it—she kept her word and we have been keeping ours. We are working right now on a problem referred to the office now held by Betty Furness by a New York Congressman. We are doing it with AAF Board approval and through AAF channels.

It is our purpose to maintain this identical relationship with Chairman Paul Rand Dixon of the Federal Trade Commission, with Food and Drug's Dr. Goddard, with Senator Warren Magnuson, Chairman of the powerful Senate Commerce Committee, with Commerce Secretary Sandy Trowbridge, and their associates and staffs. We will continue, of course, to clear the bulk of our matters of mutual interest with Betty Furness.

The Board of AAF understands this policy and approves it.

The second thing I believe needed to be done was to establish a positive, constructive program of action within AAF designed to recognize that, from time to time, advertising does have shortcomings—so it thereby is important that we keep our own house in order.

We are responsible for the Advertising Code of American Business. We, and the National Better Business Bureau, are its primary champions. This code has also been endorsed by about 30 additional national associations.

We are now entering into a new program for implementing the Advertising Code.

The purpose of this program is to develop and sustain an effective method for reducing the incidents of advertising which fail to comply with the basic tenets of the Advertising Code of American Business; and to accomplish this by encouraging voluntary self-regulation by the advertiser.

It is intended that the program be developed and implemented as a joint effort between the local advertising club and the local Better Business Bureau. We have requested that each advertising club establish an Ethics Committee. Our suggestion is that the committee consist of three representatives each, from advertising agencies, advertisers, media and suppliers.

As a beginning step, the officers of the local ad club, together with the appointed Ethics Committee chairman, confer with the officers of the local Better Business Bureau and request the appointment of a comparable group from the Better Business Bureau so that a Joint Committee on Ethics, AAF-BBB, can be established for the local area.

The Committee's basic function would be to review specific advertisements submitted to it which are believed to be false or misleading in contest; or otherwise fail to meet the standards required by the Advertising Code for American Business.

As a reminder—this is a condensation of the Code:

1. Truth—Advertising shall tell the truth and reveal significant facts.
2. Responsibility—Advertising agencies and advertisers shall be willing to provide substantiation of claims.
3. Taste and Decency—Advertising shall be free of statements, illustrations or implications offensive to good taste or public decency.
4. Disparagement—Advertising shall offer merchandise or service on its merits, and refrain from attacking competitors unfairly or disparaging their products or services.
5. Bait Advertising—Advertising shall offer only merchandise or services readily available at the advertised price.
6. Guarantees and Warranties—Advertising of guarantees and warranties shall be explicit.
7. Price Claims—Advertising shall avoid false or misleading price or savings claims.
8. Unprovable Claims—Advertising shall avoid use of exaggerated or unprovable claims.
9. Testimonials—Advertising containing testimonials shall be limited to those of competent witnesses reflecting a real and honest choice.

At the outset, the membership of both the Ad Club and the Better Business Bureau should be advised of the Ethics Committee's formation and purpose. It should be made clear to the members of both organizations that should anyone find an advertisement which he or she believes fails to meet the standards of the Advertising Code for American Business, they should send it to the Ethics Committee for review and action. It is left to the discretion of the local ad club and Better Business Bureau as to the timing of advising the general public that the program is in being and available to anyone disturbed by an advertisement.

Two courses of action would be open to the Ethics Committee.

(1) After review and discussion, the committee may determine that the advertisement in question is correct in its claims and that it is not in violation of the Code. If so, the committee's finding should be forwarded to the inquirer in an appropriate letter. One of the responsibilities of the Ethics Committee is education. It is important that when an advertisement is mistakenly questioned by the consumer as being false or misleading, the true facts be given the consumer from the Committee's analysis. Otherwise, the consumer may continue to carry a false judgment against the advertiser.

(2) After review and discussion, the Committee may conclude that the advertisement in question is indeed false or misleading; or that it does not meet the requirements of the Code. If so, two representatives of the Committee, one from the ad club, the other from the Better Business Bureau would make a personal call on the advertiser pointing out how and why his advertising

fails to meet the Code requirements. In addition, suggestions could be made as to how the advertisement in question might be altered in order to conform to standards. The advertiser would be asked to voluntarily cease and desist said advertisement until appropriate changes were accomplished.

It is extremely important that the tone and approach of these personal conversations be professional and friendly. Honest mistakes in advertising copy are easily made by the advertiser or his agency. We recognize, also, false and misleading statements are sometimes intentional. Either way, personal contacts by advertising and business representatives should be friendly, dignified, patient and professional.

It is believed that the majority of those advertisers who are so contacted would voluntarily comply with the suggestions made. However, if the advertiser chooses not to comply, and the situation is flagrant, he should be made aware that a formal complaint will be filed with the Better Business Bureau.

At this point no further action would be taken by the Ethics Committee. Any further action would be handled through regular Better Business Bureau channels.

Once again, the committee should report final disposition of each case to the original inquirer. The consumer is then assured that something has been done about his complaint.

At the Houston AAF convention a few days ago, the head of the New York Better Business Bureau advised that an extensive survey conducted upon several thousand consumer complaints indicated only a very small percent—less than 3%—would in any way fall under the category we have been discussing. Yet this small portion of the whole spectrum of advertising is precisely what causes our problems with Congress, the regulatory agencies and state legislatures.

With our fine ad clubs, teamed up with equally fine Better Business Bureaus in approximately 180 cities throughout this nation, we should be able to make a marked contribution for the betterment of the advertising industry and the consuming public.

This is our great opportunity.

This is our great responsibility.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BREWSTER in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 394) authorizing the Speaker of the House of Representatives and the President of the Senate to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

AUTHORITY TO RECEIVE MESSAGES

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House of Representatives during the adjournment.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—LEGISLATIVE APPROPRIATIONS ACT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, when H.R. 10368, the Legislative Appropriations Act, is reported, it be made the pending business before the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I reiterate the words of the majority leader earlier today in putting the membership of the Senate on notice that when the Senate convenes on Monday, July 10, the legislative appropriations bill will be before the Senate, at which time we expect to have rollcalls.

The majority leader expresses the hope that Senators will be here so that the Senate may proceed with rollcalls and dispatch its business accordingly.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, JULY 10, 1967

Mr. BYRD of West Virginia. Mr. President, pursuant to the terms of the concurrent resolution previously agreed to, I move that the Senate stand in adjournment until Monday, July 10, 1967, at 12 o'clock meridian.

The motion was agreed to; and (at 11 o'clock and 53 minutes a.m.) the Senate adjourned until Monday, July 10, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 29, 1967:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Clifford L. Alexander, Jr., of New York, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1972, vice Stephen Shulman.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law.

To be lieutenant colonels

Abrams, Edwards, Jr., 38122.
Abramson, Emanuel M., 37586.
Adams, Michael E., 37342.
Adams, William D., 36775.
Ainsley, Edward J., 37912.
Akers, Charles H., 38023.
Alexander, Jack D., 38465.
Alford, Frank B., Jr., 37300.
Algeo, John B., 23925.
Allbright, William P., 37927.
Allgood, Vernon L., 37783.
Alloway, William G., 36102.
Along, Joseph D., 38401.
Alton, Noel S., 37792.
Amend, Billy T., 37472.
Ames, Douglas M., 22584.
Andersen, Howard J., 37148.
Anderson, Hugh B., Jr., 37999.
Anderson, Hunter W., 17737.
Anderson, James R. 37707.
Anderson, Philip B., Jr., 52332.
Anderson, Stanley L., 25532.
Armistead, Victor, 37546.
Armitage, John V., 64432.
Armstrong, Donald N., 37449.
Arney, Cloyd L., 37866.
Arnold, Howard B., Jr., 17651.
Arpke, Charles K., 23834.
Arriaga, Eusebio, 38463.
Arrington, Harry B., 38414.
Ash, William O., 38118.
Atterbury, Wilfer R., 37700.
Aubel, Clark L., 37498.
Aulbach, Charles E., 37386.
Ault, Clyde E., 37806.
Averett, John B., 38374.
Baca, Leo C., 16704.
Bachman, Jay G., 20752.
Bachtelle, Stewart M., 38024.
Bacon, Thomas R., 38054.
Bacon, William P., 38200.
Bagnard, Richard W., 37225.
Bailey, Cecil D., 38407.
Bailey, William K., 37316.
Baird, Jack R., Jr., 52480.
Baisley, William D., 17386.
Baker, Bert L., 37384.
Baker, Charles E., 38146.
Baker, Dwight R., Jr., 37201.
Balch, Clayton L., 23734.
Baldwin, Ernest A., 37653.
Ballew, Monte, Jr., 37155.
Banks, Roland L., Jr., 64441.
Barfield, Herman E., 38462.
Barger, Richard D., 38303.
Barker, Clyde E., 38471.
Barker, William R., 23880.
Barnard, John R., 17920.
Barnes, George W., Jr., 21467.
Barnes, William B., 52378.
Barrow, Ruffin C., 37008.
Bartels, Henry G., 64425.
Barth, Jack E., 37676.
Barthel, George J., Jr., 38419.
Bartlett, William H., Jr., 37212.
Barton, James R., 38087.
Basco, Johnnie M., 37493.
Basler, Sterling A., 52529.
Batson, Gerald W., 24365.
Bauer, James H., 38420.
Baumgartner, Jack E., 37482.
Beal, Frederick R., 37717.
Beatie, Charles F., Jr., 38143.
Beaumont, Lee C., Jr., 37685.
Beaver, Robert R., 52527.
Becker, Clarence E., 37356.
Beckett, James V., 36430.
Bedell, Charles H., 37948.
Bell, John C., Jr., 37611.
Bell, William I., 37345.
Bellovin, Milton, 17686.
Benner, James W., 36275.
Bennett, Gayle M., 38034.
Bennett, Wesley E., 52435.
Berbec, Cornelius P., 37741.
Berggreen, Cole J., 23941.
Berkovitz, Martin, 37347.
Berman, John J., 37284.
Berner, Lawrence E., 52402.
Bernier, Joseph P. L., 37264.
Beseler, Eldon S., 38193.
Bijold, Eugene J., 38329.
Billman, Joe T., 36334.
Biltoft, Max O., 64459.
Bishop, Russell, 27678.
Bixler, Kenneth, 37914.
Black, William E., 38282.
Blackburn, William R., 38403.

Blair, Emerson B., 37246.
Blanchard, Felix A., 17692.
Blanchard, Lionel D., 37667.
Blandin, Robert W., 23735.
Bocken, Richard C., 25612.
Bohne, Robert E., 38018.
Bold, John E., 52407.
Bolstridge, Leslie J., 37719.
Bone, Vernon F., 37861.
Bontempo, John C., 37280.
Booth, Joseph B., 37723.
Boots, Maurice J., 24392.
Borini, John N., 38159.
Borresen, Edward W., 25786.
Boster, Charles F., 37552.
Bouldin, Richard J., 38338.
Bourke, Donald W., 38055.
Bourque, Arthur D., 38328.
Bouvier, Arthur O., Jr., 38012.
Bowe, Donovan K., 36509.
Bowen, Robert W., 37743.
Bower, John A. B., 37630.
Boyce, Harris S., 37022.
Boyce, James T., 37626.
Boyd, John H., 38015.
Boyle, Joseph M., 37731.
Boynton, John B., 37826.
Brady, Francis R., 37620.
Brady, Joseph C., 48803.
Brady, William A. 37446.
Brashear, Wesley C., 37818.
Braun, James A., 37978.
Braun, Leo M., 52423.
Breding, Robert H., 52344.
Breedlove, James M., 17671.
Brennan, Herbert O., 17653.
Breslauer, Irving H., 37525.
Brewer, James L., 52489.
Brewer, William M., 37917.
Bridges, Benjamin E., 38111.
Bright, Bruce B., 38312.
Bright, William A., Jr., 37591.
Brisick, Edward J., 21480.
Brooks, Joseph E., 37600.
Broshek, John A., 37406.
Brothers, Walter F., 37592.
Brower, Walter L., 37526.
Brown, Earle P., 36309.
Brown, Edward G., Jr., 52416.
Brown, Elton D., 36701.
Brown, Francis O., 52342.
Brown, Walter A., Jr., 52419.
Brown, William Y., 37149.
Bruner, Evan R., 37359.
Brunner, Leroy P., 60037.
Bryant, Charles S., 37722.
Bryant, Robert L., Jr., 38270.
Buck, Wendell R., 37033.
Bueker, Frederick L., 37786.
Buie, John H., 36099.
Buihner, Norman E., 36597.
Bullard, Thomas L., 52403.
Bulow, Charles W., 37957.
Bunch, Charles L., 37857.
Burgenheim, Miles E., 37829.
Burgnon, Eugene L., 52464.
Burke, Wesley A., 37444.
Burkett, Homer H., 52413.
Burnett, William R., 25798.
Burns, Erit L., 37590.
Burns, Warren L., 38237.
Burry, Frank J., Jr., 52338.
Burton, James E., 37657.
Burton, Roy J., 37989.
Butcher, Budd H., 37241.
Butler, Eugene H., 38135.
Byrne, Joseph K., 37294.
Cain, Earl W., 37838.
Caldwell, Charles E., 37994.
Callanan, William E., 38100.
Cameron, Robert J., 37941.
Campbell, Jack O., 38349.
Campbell, Oliver F., 37698.
Cann, James P., 37438.
Cann, Robert E., 37810.
Card, Edward R., Jr., 38347.
Carey, Woodrow T., 52382.
Carlisle, Joe L., 37728.
Carlson, Donald D., 17916.
Carpenter, William S., Jr., 17667.
Carr, Charles C., 38365.
Carroll, Bill J., 17292.
Carson, Anthony H., 38386.
Carson, Robert K., 37410.
Carter, Braxton, 23726.
Carter, Duffey A., 36270.
Carter, Paul T., 52396.
Cartwright, Lewis E., 38052.
Caselman, Everett, Jr., 32406.
Cassil, John F., 38056.
Castillo, Bennie, 52507.
Castleberry, Woodie O., 37361.
Caughron, Kenneth D., 38038.
Cayton, Cecil B., 36426.
Cecil, Floyd M., 37799.
Chalker, Albert E., Jr., 37629.
Chandler, Charles B., Jr., 37341.
Chapman, Jack W., 36228.
Chapman, Kenneth E., 52331.
Chapman, Lewis T., 37331.
Charon, Hubert J., 64404.
Chase, Levi R., 37352.
Chason, Robert L., 27680.
Chernis, Philip B., 52526.
Childers, David C., 37828.
Childers, Raymond R., 48794.
Christian, Harold K., 37908.
Christian, William S., Jr., 38269.
Christie, Douglas S., Jr., 60028.
Church, Frank C., 37759.
Ciccolella, John E., 38197.
Clark, Allen C., 37250.
Clark, Charles M., Jr., 64423.
Clark, Donald M., 38355.
Clark, Frederick W., 38443.
Clark, Howard W., 38309.
Clark, Jack W., 37378.
Clees, Robert J., 38162.
Clement, Leonard L., 37496.
Clemovitz, Fred, 37938.
Clift, William H., 36235.
Coapman, A. L., 52503.
Cochran, Robert W., 38233.
Cochran, William F., 38302.
Cockman, Chester W., 37639.
Cohn, Murray E., 37932.
Coleman, Robert D., 37257.
Collins, John W., 37455.
Comstock, William P., 37182.
Connor, James J., Jr., 38413.
Connors, John A., 38105.
Conrey, Robert L., 37355.
Consta, Arthur L., 23718.
Coon, William R. Jr., 37762.
Cooper, Edwin H., 36215.
Cooper, Robert W., 37171.
Cooper, William E., 52496.
Copeland, Bert F., 38459.
Corbin, William D., 38164.
Cottongim, John E., 17626.
Coulter, John M., 37454.
Coulter, Richard R., 38096.
Coumbs, Thomas J., 52427.
Courtney, Richard D., 36558.
Covarrubias, Robert W., 37705.
Covi, Angelo G., 38475.
Cowan, William M., 38318.
Cox, Philip S., 64445.
Coyne, John M. Jr., 17688.
Crain, Forest B., 64464.
Crawford, Milton N., 38241.
Crawford, William A., Jr., 21797.
Crook, Frank D., 37545.
Cross, Cecil J., 52457.
Crowder, Jess W., 37292.
Crozier, Harry J., 37357.
Crumplar, John R., 37189.
Cullen, Ray W., 38379.
Cummins, Charles O., 52393.
Cuomo, Stephen D., 38576.
Custer, Samuel A., 37711.
Daggett, Stanley A., Jr., 37439.
Dailey, Warren, 37849.
Dakan, Spencer G., 52522.
Daniels, William L., 38357.
Danyliw, Bohdan, 24553.
Darcy, Edward J., 38022.
Daries, Stanton G., 25779.
Darilek, Allen H., 52472.
David, Lester T., 37832.
Davis, Benjamin W., 37892.
Davis, Frank R., 37809.
Davis, Howard S., 21521.
Davis, John G., 37254.
Davis, Shadrach E., 38046.
Davison, Fred, 37219.
Dean, John C., 38225.
Debellefeuille, Jean O., 38422.
DeJonghe, Joseph J., 38009.
Delaney, Louis A., 38405.
Delano, Willard A., 52303.
Delaune, Herman L., 17915.
Delise, Dominic V., 36966.
Dempsey, William E., 37190.
Desens, Sherwin G., 38449.
Desmond, James A., 38244.
Dess, William J., 64433.
Detrick, William R., 23733.
Devitt, John R., 37811.
DeWitt, John E., 52442.
Dewland, John J., 52432.
Dey, Howard E., 52506.
Dicks, Norman R., 37610.
Dickson, Harry H., 37929.
Diefenderfer, William H., 64468.
Diehl, Carl W., Jr., 37397.
Dillard, George E., 17542.
Dilley, Riley N., 37757.
Dixon, Jack C., Jr., 24263.
Dixon, Joseph P., 52401.
Dombrowski, Joseph A., 37616.
Donegan, Charles E., 18283.
Dorfman, Herman, 37511.
Dorries, Garland W., 38252.
Doty, John C., Jr., 52362.
Doughty, David H., 20722.
Dowd, Robert H., 37207.
Dowd, William H., 52366.
Downey, William J., 52421.
Downhill, Jack E., 24587.
Drake, Flavious F., 26773.
Driskill, Sanford G., 52458.
Druary, John W., 38222.
Drumm, William H., Jr., 28224.
Duame, Donald D. 37925.
Dubisher, Francis E., 38396.
Duseberry, Philip T., 37222.
Dukes, Sterling W., 24420.
Dulin, John W., 37312.
Dunham, David M., 17663.
Dunlap, Jack R., 37153.
Dunn, Edward W., 37327.
Dunn, James M., 25800.
Dunn, Roscoe B., 52490.
Dunning, Hal H., 37575.
Dunstan, Albert J., 52434.
Dutton, Dutton C., 38126.
Earhart, Charles A., 36046.
Earle, Guy C., 37025.
Early, James W., 38342.
Easley, Richard K., 52347.
Eastman, Burns R., 22782.
Eatman, Jack B., 38108.
Eaton, Alfred F., 37683.
Eberle, Harold J., 17628.
Eccles, Clifton W., 52356.
Eckenroth, Philip L., 38351.
Eddy, Egbert B., 23728.
Edmisten, Stamy E., Jr., 52470.
Edwards, Harry L., 37962.
Ehart, William G., 36568.
Ellet, Marshall J., 37701.
Elliott, Robert A., 37333.
Ellis, Leonard L., Jr., 37240.
Ellison, William E., 38247.
Ells, David E., 48812.
Elmendorf, Harry H., 38291.
Elvin, Bruce M., 37969.
Elwood, John E., 52351.
Emminger, Robert M., 37430.
Engel, Henry J., 38305.
Engelhardt, Raymond E., 52474.
Enos, James W., 17645.
Entwistle, Harry G., 37194.
Enyeart, Robert E., 52377.
Erickson, Robert E., 38658.
Ervin, Delbert J., 37255.
Erwin, Otis H., 37185.
Evans, Carl V., 52519.
Evans, James D., 37221.
Ewan, Ernest O., 37213.
Fabiani, Henry L., 37297.
Fagan, James B., 22834.
Fahrney, John W., 25608.
Faour, George F., 37268.
Farar, Marvin B. D., 37951.
Farmer, Francis A. D., Jr., 36776.

Farnham, Arthur E., Jr., 38178.
Feeney, Vincent G., 38017.
Feezel, Ralph S., 37585.
Fels, Edward T., Jr., 37551.
Fennell, William E., Jr., 37733.
Fenton, John S., 52397.
Fenton, Melvyn, 38179.
Fergerson, Jack B., 37796.
Ferguson, George W., 52345.
Fernandez, Gonzalo, 17577.
Ferranti, Anthony J., 38412.
Finn, Lawrence R., 37890.
Fioretti, Edward A., 52521.
Fiorillo, John A., 37252.
Fisher, James B., 37481.
Fisher, James L., 52473.
Fithian, Ben L., 38256.
Flaherty, Leo F., 24711.
Flanders, Donald V., 37244.
Fleckenstein, George J., 52483.
Fleischer, Herbert L., 37536.
Fleming, Edward F., 75779.
Fleming, Glenn E., 37335.
Fleming, Paul F., 37475.
Floto, Carl T., Jr., 38216.
Flowers, Dale L., 36638.
Flusche, Raymond P., 37509.
Folmar, William E., 37414.
Fontanella, Charles E., 37530.
Forbes, Thomas R., 36058.
Ford, James J., 24350.
Foster, Charles T., 38148.
Fouts, Sidney L., 37158.
Fowkes, William, 37870.
Fox, Cecil E., 17600.
Franklin, Earl N., 52449.
Frazier, Foster F., Jr., 38288.
Frederick, James A., Jr., 52361.
Freeman, Melvin B., 52440.
French, A. L., Jr., 37141.
French, Faye E., 23716.
Frey, George A., 36091.
Frey, Raymond E., 52381.
Fry, Kenneth L., 38192.
Fuerst, Milton, 38051.
Fugett, Kenneth A., 64472.
Fuller, Henry C., Jr., 37062.
Funk, Dale R., 52477.
Gabel, Wilfred V., 52412.
Gaffney, Joseph H., 37844.
Gagnier, James L., 37382.
Gahagan, James D., 37734.
Galgan, John C., Jr., 37724.
Gall, Joseph A., 52441.
Gallman, Robert B., 64429.
Galyean, Marcus W., 38415.
Gambel, Burrel B., 37195.
Gannon, William J., 37542.
Garces, John R., Jr., 36349.
Garcia, Jan, 38383.
Gard, Samuel A., 38001.
Gardner, John F., 23784.
Gardner, Robert G., 37893.
Garland, Jack C., 37833.
Garrabrants, Edson L., 17622.
Garrett, Charles A., 52355.
Garrett, Everette T., 64439.
Garrison, Edward L., 37953.
Garwood, David E., 52415.
Gates, Albert E., Jr., 36919.
Gates, Paul N., 37050.
Gaumond, George W., 37309.
Gautschi, Fred H., Jr., 21490.
Gayle, Benjamin B., Jr., 37992.
Gerhart, Paul E., 38026.
Gerwig, John W., 37703.
Giannarelli, Errico G., 37680.
Gieseman, Earl R., Jr., 38275.
Gilbert, Reginald G. M., 37200.
Gilchrist, Guy G., Jr., 38234.
Giles, Garland E., 37281.
Gilligan, Thomas C., 37146.
Gillis, Mallon A., 38364.
Gilmer, Harold P., 37557.
Gingland, Richard P., 38163.
Glauch, Alden G., 37574.
Glesener, Cletus E., 52350.
Gohsler, Harry R., 38171.
Goldberg, Lester B., 37715.
Goldberg, Oscar, 48806.
Goldman, Sidney A., 37584.
Good, James O., Jr., 37987.
Goodale, George G., 37581.
Goodson, Howard P., 37478.
Goodwin, Norman E., 38248.
Gordon, Lawrence T., 37548.
Gouchoe, Maurice W., 38020.
Gould, Jack K., 60033.
Grafton, Harry E., 64443.
Graves, James M., 38092.
Gray, Edmond D., 22746.
Gray, William W., 17589.
Greene, Howard R., Jr., 36236.
Greene, John K., 37727.
Gregory, Newman S., 37735.
Gremillion, William N., 37598.
Griffin, Arthur W., 37253.
Griffin, Frederick J., 37879.
Griffith, James M., 38061.
Griffith, Robert B., 17602.
Grindstaff, Ernest W., 37773.
Grits, George H., 37661.
Grossman, Harold W., 38215.
Groves, Alonzo W., 38243.
Guisinger, Ralph C., 38441.
Gunderson, Hebert L., 37432.
Gundry, Hugh C., 36593.
Gutches, William H., 37453.
Guyote, Tarlton A., 38423.
Gwinnett, Allen F., 38165.
Haek, Jack J., 37911.
Haesecke, Herbert L., 37679.
Hagen, Earle Q., 37249.
Hagerstrom, James P., 37787.
Haggstrom, Robert J., 37237.
Haines, Franklin W., 37484.
Hales, Ermine L., 22826.
Hall, Billy J., 37419.
Hall, James M., Jr., 37963.
Hall, Robert S., 64460.
Hall, Robert W., 52485.
Halstead, Warren W., 38155.
Hamant, Vincent F., 21484.
Hamel, Robert B., 38286.
Hamilton, Jack M., 37217.
Hamlin, Horace C., 38411.
Hamner, Winford E., 37855.
Hand, Clarence B., 37555.
Hanna, Theodore M., 37970.
Hansen, Richard J., 37541.
Hanson, Quentin D., 52409.
Harbst, Kenneth E., 37304.
Hardy, George E., 64473.
Harlan, Henry H., 37898.
Harley, Ernest G., Jr., 38078.
Harmon, Frank F., Jr., 37973.
Harpster, John S., 24441.
Harrelson, Harry D., 64444.
Harrington, George F., 17620.
Harrison, Philip P., 37636.
Harrop, John V., 37851.
Harry, Arthur S., 38062.
Hart, Allen C., 24418.
Hart, Gene, 37891.
Hartman, Dwight W., 37223.
Hartwell, Norris E., Jr., 38065.
Hatcher, William D., 38258.
Haugen, Warren G., 26786.
Haymond, Richard, 37637.
Hearn, Johnnie L., 37758.
Heath, John G., 37175.
Heckman, Edward C., Jr., 37913.
Hedges, Walter N., 38308.
Heflin, Felder F., 38007.
Heiser, William J., 37749.
Heller, Emerson E., 23678.
Hemm, Robert V., 37363.
Henderson, Jack B., 52370.
Henderson, Robert A., 37374.
Hendricks, Ernest L., Jr., 37462.
Hendricks, Jesse L., 64450.
Hendricks, Junior, 37651.
Henehan, Alva D., 37945.
Henley, Frank O., 36424.
Hennessy, Donald G., 52424.
Hennings, Merwin D., 37882.
Heppler, Harold S., 38326.
Herbst Clay E., Jr., 38339.
Hernandez, Mario M., 38410.
Hess, Alfred S., 24353.
Hexberg, Caspar J., 37779.
Hezlep, William H., Jr., 38213.
Hickson, John H., 37226.
Highfill, Thompson N., 37573.
Hightower, Edwin C., Jr., 17619.
Hill, Alvis B., 38066.
Hill, Charles J., 38195.
Hill, John C., Jr., 38085.
Hill, Steven E., 17441.
Hillis, Dwight N., 38366.
Hills, Arville W., 37290.
Hine, Leonard D., 38068.
Hines, Larry A., 38457.
Hipple, William R., 64427.
Hirsh, Nathan J., 78281.
Hitchens, Harold L., 37391.
Hobson, Claude I., 38404.
Hoelscher, William B., 37767.
Hoffman, John N., Jr., 37881.
Hoffman, Robert W., 26840.
Hofman, Dick M., 38340.
Holland, Ralph T., 37362.
Hollingworth, George K., 38343.
Hollis, Raymond H., 38290.
Hollowell, John D., 20751.
Holman, William S., 21487.
Holt, Hardy L., 37142.
Homza, George J., 22720.
Hooker, Walter P., Jr., 38335.
Hoppe, George W., 38083.
Hoptay, Michael L., 38115.
Horn, Robert P., 17743.
Horne, Wickliff H., 37523.
Houchin, Bobbie E., 38207.
Houston, Carl L., 37211.
Howard, Murray, 38033.
Howell, Martin L., Jr., 38025.
Hower, Doyle D., 38464.
Howk, Elmer D., 38201.
Hubbard, Carl J., Jr., 37307.
Huckabay, James T., 37400.
Hudgins, Andrew L., 17672.
Hudgins, Harold, Jr., 37315.
Hudson, Eugene L., 23770.
Huffman, Robert D., 23761.
Hug, John H., 38036.
Hughes, Arthur L., 25780.
Hughes, Louis T., 52334.
Hull, Harry E., 37800.
Humiston, Ray S., 38097.
Hunt, Bruce E., 37408.
Hunter, Charles M., Jr., 37165.
Hunter, Gordon M., 36622.
Hurley, Joseph W., 37588.
Hushbeck, Elgin L., 37172.
Hutchins, Hartley F., 37365.
Hutchinson, Wilbur T., 52249.
Hutto, Robert A., 37322.
Hyde, Bayard W., 37647.
Idtse, Robert P., 38028.
Irving, John C., 38367.
Isenhower, George G., 37921.
Isley, Thomas H., 38090.
Iverson, Martin, 37401.
Jack, Eugene B., 38438.
Jacks, Maston M., 64474.
Jackson, Alvin J., 37301.
Jackson, Donald H., 38283.
Jackson, Eugene M., 38045.
Jackson, James L., 37168.
Jackson, Ottie B., 36246.
Jackson, Urban B., 37428.
Jacobsen, Robert T., 38043.
Jacoby, Fred W., 17681.
Jaffray, Robert M., 36627.
James, Harold L., 38356.
Jaquez, Arthur A., 37527.
Jarrel, James R., III, 37744.
Jenkins, Robert L., 37434.
Jenkins, William D., 37395.
Jennings, George H., Jr., 37486.
Jennison, John C., Jr., 37458.
Jensen, Nils B., 38168.
Jensen, Robert F., 38388.
Jesperson, Max D., 38473.
Johnson, Charles R., 37859.
Johnson, Earl E., 38249.
Johnson, Henry L., 37379.
Johnson, Leroy H., 52374.
Johnson, Melvin E., Jr., 22741.
Johnson, Olin H., 37775.
Johnson, Ralph E., 37919.
Johnson, Ralph H., 37931.
Johnson, Roger F., 38161.
Johnson, Walter S., 38032.
Johnson, Wendell C., 37634.

Johnson, William C., 37918.
Johnston, Joe D., 17646.
Jones, Charles D., Jr., 24359.
Jones, Dale L., 37563.
Jones, Finch M., 38360.
Jones, James T., 21481.
Jones, Joseph L., 24730.
Jones, Ralph W., 38272.
Jones, Richard W., 22766.
Jones, William T., 37847.
Jordan, Eli G., 64467.
Jordan, Vincent A., 26676.
Jory, Francis L., 38214.
Jowdy, Frank J., 25531.
Joyner, William R., 37413.
Judge, James A., Jr., 37350.
Justinak, Charles A., 37566.
Kaden, George, 37896.
Kaericher, Kermit C., 17608.
Kahn, Frederic J., 37231.
Kaidy, Erwin J., 36822.
Kain, Harry R., 17677.
Kaiser, Charles, Jr., 22786.
Kalebaugh, George C., 38304.
Kamaras, Henry J., 35990.
Kay, Avery, 37824.
Kaye, Ted, 37677.
Keheley, Thomas L., 37516.
Kehl, Raymond H., 37937.
Keith, Herbert W., 37543.
Kellan, Victor, 37900.
Keller, George R., 37887.
Keller, Melvin R., 64456.
Kelley, Dwayne E., 38461.
Kelliher, Joseph R., 37480.
Kelly, Michael J., Jr., 37904.
Kelly, Robert H., 37662.
Kelly, William J., 23183.
Kelsey, Joseph P., 36602.
Kenna, James H., 37663.
Kennedy, William E., 37789.
Kenny, Richard M., 38099.
Kentroti, Theodore A., 38188.
Keplinger, Donald L., 37607.
Kerr, Charles A., 37670.
Kerr, Robert C., 38470.
Keutzer, Eugene F., 38080.
Keyte, Kenneth N., 37674.
Kiernan, John W., 28212.
Kilby, Robert H., 37795.
Kilgore, Donald K., 37314.
Kilpatrick, Leweir L., 37210.
Kimball, Richard D., 38307.
Kimerer, Perry E., 37383.
Kimsey, Clinton L., 37949.
Kinevan, Marcos E., 17625.
King, Tommy O., 37742.
Kiser, Oscar J., 38048.
Kissinger, Richard B., 37129.
Klein, Carl P., J., 38149.
Knapp, William A., 38098.
Knauss, Frederick J., 17585.
Knight, Artemus R., 37996.
Knipscher, William C., 38000.
Koehler, Walter C., 48802.
Kondall, Albert R., 21497.
Korbitz, Frederick W., Jr., 37748.
Krahn, Herman J., 52471.
Kratt, Jacob, Jr., 69708.
Kreft, Ivan J., 36742.
Kress, Lester F., 52469.
Kretzer, Ralph I., 38361.
Krick, Arthur W., 37737.
Krig, Kenneth A., 37138.
Krom, Frederick B., Jr., 38218.
Kruse, Kenneth, 38029.
Kuder, Wesley L., 37178.
Kuehn, Robert J., 37533.
Kuhn, Byron G., 38426.
Kuykendall, William T., 17636.
Kuzma, Myron L., 26822.
Kvamme, Orville J., 17918.
Lally, Robert W., 37803.
Lamborn, Frank P., 47310.
Lamp, Richard E., 17416.
Lamper, Joseph F., 37947.
Lane, Gerald R., 23903.
Lappo, John S., 37694.
Larivee, Roger P., 25529.
Larner, Edward L., 38198.
Laroche, James N., 38238.
Larsen, Packard, 36682.
Larson, James D., 37808.
Larsson, Campbell E., 38094.
Laski, Joseph S., 23869.
Lateano, Guy J., 37888.
Laughlin, William E., 17262.
Lawson, Francis R., 20606.
Layman, Archie H., 37488.
Layne, Otis L., 38427.
Leahy, Harold C., Jr., 64447.
Learmonth, Allen F., 17682.
Leavitt, Max V., 37460.
Lee, James M., 37179.
Lefler, Harlan E., 52353.
Lehman, William P., 37134.
Lehrman, Arthur C., 52494.
Leland, Harvey K., 38354.
Lenhoff, Clement J., 37860.
Leon, Lawrence L., 37423.
Leonard Raymond K., 52512.
Leone, William E., 37791.
Lerohl, John K., 17582.
Letts, Ned M., 37296.
Levine, Arnold F., 38352.
Levings, Frank L., 38418.
Levisen, Martin C., 37471.
Levy, Joseph E., 37836.
Lewallen, Charles E., 37388.
Lewis, Eugene B., 26424.
Lewis, Walter L., 26754.
Libuse, Frank C., 37556.
Lilley, J. Robert, 17689.
Linbacher, Philip C., 37915.
Lindberg, Earl L., 38239.
Lindberg, William E., 28308.
Lindsay, Keith J., 37940.
Lingel, Lyle E., 23745.
Lipsey, Alfred E., 38250.
Lipton, Jules M., 48808.
Lloyd, Jesse E., 64461.
Logan, James H., Jr., 38253.
Loisel, Cyriaque J., 38408.
Long, Atwood E., Jr., 38224.
Long, Byron E., 38227.
Long, Chester H., 37986.
Long, Mahlon H., 37227.
Long, William F., 37649.
Loomis, Donald O., 38089.
Loring, Phillip N., 38450.
Lovelace, William P., 52417.
Lovingfoss, Robert B., 37326.
Lowe, Charles S., 52385.
Loyd, Robert N., 35926.
Lucas, Rio G., 37170.
Ludden, John C., 24360.
Lundholm, Donald A., 17388.
Lupton, Frederick A., 37277.
Luthy, Lloyd C., 37751.
Maas, Robert R., 52408.
Macdonald, Tom S., 23768.
Mackie, John V., 17298.
Madden, George W., 37739.
Madden, Joseph M., 38451.
Mahan, John V., 37368.
Maher, Thomas E., 48813.
Mahoney, Francis R., 38442.
Manes, Charles V., 38476.
Mann, Howard P., 26480.
Mann, John H., 37349.
Mann, Lyle E., 24357.
Marcus, Woodrow C., 37935.
Marks, Murray, 52504.
Maronde, Lawrence F., 52324.
Marquette, Donald E., 36763.
Marsh, Donald C., 37440.
Martin, Donald E., 38333.
Martin, James C., Jr., 17909.
Martin, John M., 52460.
Martin, Lee R., 37958.
Martin, Whitfield A., 37266.
Martin, William M., 38091.
Marvin, George C., 38226.
Mason, Floyd H., 37325.
Mason, Stephen F., 52343.
Massie, Jack K., 52392.
Mathews, Donell, 37846.
Mattes, George J., 52379.
Mau, Jerome R., 37137.
Maxey, Arthur B., Jr., 37790.
Maxfield, Arthur, 38430.
Maxwell, Dewayne J., 37271.
Maxwell, James E., 37625.
Maxwell, John W., 24355.
McAnallen, Heyward M., 52437.
McArdle, Thomas J., 34993.
McBride, Charles C., Jr., 38231.
McCabe, John T., 37939.
McClain, Clyde F., 37427.
McCloskey, Dean F., 36332.
McCloy, Earl M., 38041.
McClure, Richard A., 17658.
McCurdy, Arthur, 37288.
McDonagh, John A., 52500.
McDowell, Eurfryn W., 37853.
McDowell, Robert E., 38416.
McFadden, John A., Jr., 37605.
McGraw, Clinton C., 38332.
McGuffey, Darrell E., 37718.
McGuire, Charles S., 52429.
McGuire, Ivan L., 26776.
McHale, Joseph M., 37418.
McHugh, Aloysius P., 37487.
McKee, Morris, Jr., 37801.
McKissack, Ray F., 37738.
McLaughlin, Eugene C., 38208.
McMillan, William E., Jr., 37524.
McNeil, James E., 52364.
McPhee, Charles E., 38088.
McVicar, Daniel J., 37977.
Meade, Walter R., 37459.
Meiklejohn, Milton A., 37959.
Mercer, Donald J., 37699.
Merriman, John E., 38466.
Metivier, Joseph R., 37837.
Meyen, Herman J., 38394.
Meyer, Joel L., 37995.
Meyer, Phil H., 37752.
Midkiff, Kenneth A., 38265.
Miller, George L., 25508.
Miller, John P., 38059.
Miller, Noel F., Jr., 38050.
Miller, Ollie D., 24715.
Miller, William P. Jr., 21491.
Miller, William S., 22854.
Miner, William D., 38184.
Misenko, Joseph F., 37746.
Mishler, Donald W., 38358.
Mistrot, Ralph W., 37821.
Mix, Robert W., 55742.
Mock, John E., 17576.
Modica, Edward S., 38071.
Modisette, James O., Jr., 23849.
Moe, Walter S., Jr., 22762.
Molett, William E., 37976.
Moody, Hall A. Jr., 37780.
Moomaw, Hollis R., 37805.
Moore, Charles D., 52498.
Moore, Charles P., 38174.
Moore, Forrest N. Jr., 37521.
Morgan, Thomas J., 38311.
Morgan, Tilford H., 37318.
Morris, Thomas L., 37267.
Morrison, John C., 37380.
Morrison, Merle E., 37716.
Morrissey, Joseph M., 24377.
Morrow, Robert W., 52447.
Morse, John H. I., 37646.
Morton, Noble L. Jr., 37608.
Mosier, Andrew P., 37752.
Moss, Charles L., 38158.
Moulder, James H., 37979.
Mueller, Frederick W., 38019.
Mulanax, Arthur G., 37966.
Mumma, Jack L., 38395.
Munday, Herbert A., 37426.
Murphy, Miles J., 38011.
Murphy, Robert J., 38035.
Murphy, William J., 36949.
Murray, Dycus A., 60027.
Myers, Roy E. R., 37909.
Myers, William D., 28323.
Nahodil, Roy F., 37216.
Namur, Howard M., 37848.
Nash, Vincent E., 37457.
Naylor, William C., 37372.
Nelson, Allen S., 37492.
Nelson, Edward D., 37604.
Nelson, Eugene A., 52367.
Neuwirth, Irving, 37760.
Neville, Thomas J., 28336.
Newell, Wallace B., 36249.
Newville, Van H., 52405.

Nichols, Irwin A., 37169.
Nichols, Merle B., 38103.
Nicholson, Benjamin W., 52467.
Nicholson, Robert W., 37654.
Northcott, Clyde A., Jr., 22739.
Norton, James A., Jr., 52486.
Novak, Eugene A., 21514.
Novotny, Edmund E., 38455.
Nowak, Francis V., 52372.
Nunn, Donald G., 38154.
Nyland, Edward S., 37515.
Oberschmid, Robert E., 37287.
O'Connor, Frederick M., 37652.
Odell, David A., 17621.
Odell, Paul H., 37843.
Odor, David D., 38042.
Odorisio, Camillo C., 38153.
Offerman, Donald H., 38389.
Ohnemus, Roman H., 37245.
Oldham, Richard T., 37889.
Olinger, Harold R., 38119.
O'Neil, Robert, 38116.
Opdahl, Owen R., 37166.
Ormerod, Sidney, 60032.
Osak, Joseph S., 52394.
Osborne, James W., 37467.
O'Toole, Joseph P., 38110.
Overmoe, Ralph W., 37709.
Owens, Calvin C., 36610.
Owens, Laurence E., 38323.
Owens, Raymond E., 37974.
Oxley, Dan D., 38187.
Pagliuso, Lester C., 37236.
Pallister, David S., 37750.
Palmer, Gordon B., 37990.
Palmer, Richard W., 52399.
Palumbo, Rocco, 52539.
Paris, George E., Jr., 38175.
Paschall, Lee M., 38002.
Pasho, Robert E., 37688.
Pattenaude, Louis I., 37394.
Patterson, Ralph O., 52359.
Pattillo, Charles C., 23720.
Pattillo, Cuthbert A., 22715.
Patton, Clifford P., 38391.
Paul, Henry C., 69869.
Paulisick, John G., 38189.
Paulson, Gerald F., 38519.
Paxton, Wilmot E. Y., 37274.
Payne, Earl S., 38346.
Payne, William G., 38150.
Paynter, Harry A., 21469.
Pea, Max A., 38398.
Pearce, Jack V., 17588.
Pelszynski, John J., 37139.
Pennington, Harry E., Jr., 52349.
Penzien, William R., 38142.
Perry, Aubrey S., 38378.
Perry Francis R., 17696.
Peters, George A., 52481.
Peters, Herman, 36116.
Peters, John L., 37409.
Peters, Warren E., 18276.
Petersen, Albert C., 37376.
Peterson, Harry E., 37886.
Peterson, Warren H., 37756.
Petty, Reginald, 36492.
Pflegl, Robert A., 37128.
Pfrang, Richard J., 25821.
Phillips, Howard R., 37181.
Phillips, Robert S., 52465.
Phinisey, Claude W., 37354.
Pickard, Walter M., 37819.
Picken, James L., 36173.
Pickett, Maurice W., 37416.
Picone, Gregory D., 52456.
Pierce, Haywood W., 37684.
Pinkerton, Herbert C., 17593.
Pitner, Jean B., 37483.
Pitsch, Richard E., 38251.
Pittman, Don D., 37369.
Pless, Frederick H., 64471.
Plunkett, Sterling L., 52505.
Poliner, Saul, 37317.
Pool, Robert W., 38605.
Porreco, Andrew R., 36283.
Porter, Paul V., 37725.
Potter, William C., 52455.
Pottorff, Wayne H., 37771.
Powell, Adrian E., 37023.
Powell, Harold L., 37404.
Powell, Kenneth V., 37421.
Preston, Ernest A., 38047.
Proctor, Robert F., 52514.
Profitt, Glenn A., 60025.
Prong, John K., Jr., 36036.
Prout, Leslie R., Jr., 37933.
Prussing, George A., 37532.
Pugh, Homer H., 38358.
Putnam, Harry H., Jr., 37230.
Pyle, William R., 38210.
Quintana, Joe R., 25815.
Quirk, Daniel H., 38031.
Rabourn, Clarence W., 37464.
Raby, Billy M., 38432.
Radzinski, John J., 52426.
Ragan, Harry W., 52337.
Randell, John W., 26435.
Rash, Thomas W., 38298.
Rasmussen, Kenneth C., 37238.
Ratliff, Robert S., 37885.
Rauch, Richard W., 38485.
Read, Charles M., 37202.
Reames, Charles E., 37802.
Reat, Grover O., 38203.
Reber, Thomas R., 36542.
Reck, William T., 38014.
Redd, Leonard B., 38137.
Redmon, William K., Jr., 52390.
Redpath, Robert S., 64457.
Reed, Marvin C., 17496.
Reed, Walter D., 28021.
Reeder, Herbert B., 38160.
Reedy, Walton B., 38172.
Reeves, Philip N., 52492.
Reichenberg, Harold E., 37183.
Reid, William E., 38486.
Reinsmith, Leonard L., Jr., 38075.
Reisner, Horace J., 18271.
Rennhack, William O., 38127.
Reynolds, Clyde C., 17630.
Rhode, Harry T., 38219.
Rhodes, John, R., Jr., 38112.
Rice, Harry F., 36994.
Rice, Paul B., 22751.
Rickelman, Thomas E., 52508.
Riepma, Marjorie L., 22808.
Riggle, Lewis E., 38336.
Risher, Thomas R., 37479.
Ritchard, Leonard H., 38106.
Ritchie, Richard L., 52478.
Ritchie, William A., 37691.
Rizer, Virgil H., 23736.
Roark, Bob, 23794.
Robb, Donald O., 17579.
Robbins, Tom W., 52368.
Roberts, Lawrence E., 52422.
Roberts, Raynor H., 37595.
Robertson, Alexander., 38273.
Robertson, Edwin W., II, 17580.
Robertson, Howard N., 37804.
Robinson, Leroy B., 17573.
Robinson, Lewis M., 64455.
Rockafellow, John W., Jr., 38301.
Rodewald, Warren A., 22679.
Rogers, Dow A., Jr., 28214.
Rogers, Evan Y., 52404.
Rogers, Norman C., 37278.
Romine, Charles G., 25494.
Ropp, George H., Jr., 38317.
Rose, Boone, Jr., 38060.
Rose, John S., 37344.
Ross, Joseph G., 37452.
Ross, Lawrence S., 38399.
Rotter, Gerald D., 38073.
Roust, George W., 64442.
Rowley, Robert U., 52453.
Rubin, David S., 52517.
Ruckman, Joe B., 37845.
Rudkins, Raymond E., 52352.
Rush, Willard W., 37869.
Ryan, James E., 17676.
Sabourin, Roland E., 37580.
Sager, William F., 38310.
Sakakida, Richard M., 60026.
Sander, Michael, 37286.
Sanders, Donald W., 38205.
Sanders, Lowell L., 37470.
Sanders, Ray H., 36337.
Sanders, Stephen J., 17535.
Satriano, Joseph, 37830.
Sautter, Albert L., 52516.
Savage, George J., 23747.
Sawin, Robert D., 37519.
Scanlon, James J., 37248.
Schauwecker, Paul G., 21466.
Scheingold, Henry, 64452.
Scheinkman, Martin, 38381.
Schestopol, Abe, 37562.
Scheuring, Francis J., 38081.
Schlogl, John G., 38086.
Schneider, Albert G., Jr., 37928.
Schoppe, John C., 23858.
Schrieber, Frank, 38330.
Schwab, Jack C., 22716.
Schwarzrock, James A., 38362.
Scott, Roy G., 37865.
Scoville, Winston O., 17640.
Scowcroft, Brent, 17607.
Scroggin, Orville O., III, 17738.
Scroggins, William W., Jr., 38167.
Seabolt, Robert H., 37151.
Secrest, James K., 26791.
Self, Melvin L., 38296.
Selin, Fredrick P., 37381.
Sellers, Cloyd W., 37658.
Sellers, Ronald E., Jr., 37343.
Selsor, William C., III, 38211.
Senft, Oscar L., 37726.
Shank, Robert E., 48804.
Shaw, Donald N., 37436.
Sheaffer, Abram B., 52511.
Shelton, Joseph L., Jr., 52438.
Sherman, Charles C., 37024.
Sherman, Fred M., 24409.
Sherrill, Herbert L., 37834.
Shore, Marshall B., 37761.
Showalter, Robert E., 37176.
Sibley, Jimmie L., 38240.
Siegrist, Fred, G., Jr., 37798.
Simon, King D., 17597.
Sims, Joe, 37862.
Skaggs, John E., Jr., 37645.
Skartvedt, Paul S., 23782.
Skipper, Francis H., 23945.
Skipper, Roy B., 52428.
Slagle, Harold R., 64466.
Sleeper, Warren C., 37565.
Slessman, Dale E., 37690.
Sletten, Robert P. O., 37205.
Sloan, Roy O., Jr., 36179.
Smejkal, Joseph F., 37214.
Smith, Daniel C., 38235.
Smith, Francis E., 37494.
Smith, Francis P., Jr., 37233.
Smith, Grant R., 37305.
Smith, James E., 37706.
Smith, Kenneth S., 38082.
Smith, Leo E., 38156.
Smith, Lloyd, 52391.
Smith, Lloyd D., 22585.
Smith, Norman S., 24346.
Smith, Paul E., 35922.
Smith, Richard W., 22583.
Smith, Robert E., 37501.
Smith, Winston S., 37441.
Snow, Daniel W., 36466.
Snow, Harry E., 37899.
Sofaly, Raymond A., 38456.
Sohle, Frederick V., Jr., 37203.
Songer, Donald E., 38533.
Sonnenberg, Eugene P., 37988.
Sonnenschein, Gerald, 37681.
Sody, Floyd A., 37451.
Spaduzzi, Robert F., 38008.
Spann, Walter D., 37567.
Spaulding, John P., 37692.
Speicher, Henry O., 38444.
Spellman, Edward V., 37975.
Sperber, Harold H., 38217.
Spicer, Laurence S., 37797.
Staats, Aaron C., 37619.
Stahl, Roy D., Jr., 38380.
Staley, Raymond M., 38324.
Stallings, Herbert D., Jr., 38005.
Stamatis, Milton, Jr., 24727.
Stanley, James W., 37473.
Stanley, Paul P., 37348.
Starke, Robert T., 37518.
Starling, Andrew L., 52491.
Starr, Fred W., 37835.
Staszak, Leonard A., 17605.
Staver, Arie, 52436.
Steele, Donald F., 17966.

Stephan, Leonard P., 38177.
Stephanidis, James G., 37466.
Sterling, Eugene B., 37442.
Stewart, Charles C., 17643.
Stewart, John W., 37228.
Stewart, Loyal P., 37682.
Stewart, Wesley T., 22788.
Stidd, Cyril C., 38370.
Stinchcomb, Roger W., Jr., 36898.
St. John, Drew T., Jr., 37720.
Stoddard, Moreau E., 38236.
Stokes, Clyde B., 36631.
Stokes, Jone C., 37589.
Stover, Lawrence P., 37550.
Strada Raymond A., 37697.
Strahan, Hubert W., 37854.
Strom, Francis E., 37540.
Stryker, Jackson R., 37403.
Stuckey, Daryle R., 55084.
Stueck, Walter E., 38181.
Stuk, Martin, 38452.
Stukas, Robert R., 17169.
Stutzer, Norman H., 38254.
Suber, Clarence H., Jr., 37187.
Sugrue, Francis J., 25790.
Sullivan, James F., 38190.
Sundborg, Andrew T., Jr., 38123.
Sundstrom, Oscar J., 37564.
Surratt, Maurice D., 37390.
Sussmann, Philip B., 37693.
Sutterly, Robert A., 38435.
Sutton, James O., Jr., 37740.
Sutton, John H., 38468.
Swain, Charles A., 38173.
Swain, James N., Jr., 36137.
Swant, Gene R., 37781.
Swanton, Robert T., 37686.
Sweet, Robert V., 36134.
Swift, Lowell J., 37668.
Sybenga, Philip M., 37673.
Sydlowski, Eugene, 38321.
Taff, Harold A., 37188.
Tager, Thomas E., 37450.
Tappen, Alfred A., 37968.
Tate, Lawrence H., 38359.
Taylor, Mervin M., 17938.
Taylor, Richard J., 37477.
Taylor, Robert C., 37628.
Taylor, William J. D., 38274.
Teague, Charles E., 22728.
Tempest, Rone B., Jr., 38313.
Templin, Albert E., 38439.
Thacker, Charles E., Jr., 43294.
Thacker, Elmer C., 52461.
Thacker, Jack H., 37895.
Thames, Barney H., Jr., 37273.
Thaxton, William F., 36384.
Thiaville, Joseph E., 37323.
Thomas, Glenn V., 37623.
Thomas, Ned, 37293.
Thomas, Richard F., 37435.
Thompson, Albert L., 37964.
Thompson, Dennis H., 37463.
Thompson, Jack H., 37784.
Thompson, John D., 37360.
Thompson, Templeton A., 37559.
Thompson, Warren C., 38010.
Thornton, Billie E., 38436.
Tiernan, Harry J., 38067.
Timmins, Jack L., 38157.
Tinney, Frank, 37512.
Tippin, Don A., 37506.
Titus, Lowell E., 37412.
Tolbert, Dalphy E., 37499.
Torres, Victor, 37997.
Traendly, Eugene W., 24578.
Trapp, Lansford E., 37366.
Traylor, Robert S., 37338.
Triwush, Henry, 37206.
Troup, Duane H., 37827.
Truett, Herbert W., 24446.
Tuck, Elmer L., 37644.
Tuck, John R., 37260.
Tuck, Sterling L., 36183.
Tucker, Carl E., 37568.
Tucker, Leland C., 37303.
Tucker, Young A., 17670.
Turcotte, Wilfred N., 37537.
Turner, William J., 37982.
Turner, William L., 37842.
Tutsock, John J., 38440.
Tway, Duane C., 37508.
Twyford, Thomas L., 36755.
Tyree, Guy, 37298.
Udick, Earl W., 37198.
Ulbricht, Walter E., 37983.
Ulrich, William A., 37601.
Upstill, Charles W., 60030.
Vaden, Joe C., 37874.
Vanbuskirk, George L., 36953.
Vanderhoek, Paul C., 37289.
Vandiver, Everett B., 37613.
Vanek, Gerald J., 37930.
Vanepps, James S., 38337.
Vanhorn, Ben A., 38284.
Vanhouten, Philip J., 36693.
Vanzee, Glen V.. 38375.
Vaughan, Harry B., 37774.
Veiluva, Edward F., 37320.
Velders, Merwin G., 38040.
Vengelen, Ray F., 52531.
Verhusen, Ben L., 38180.
Vetter, Emerson W., 38281.
Vickers, A. J., 38474.
Vogle, George W., 37377.
Vornbrock, Walter G., Jr., 37675.
Voss, William R., 38268.
Vrilakas, Robert A., 37364.
Wadlington, Irvin L., 37276.
Waggy, William, Jr., 38659.
Wagner, Michael, 38079.
Wahl, Eugene A., 37635.
Waid, Charles L., 25507.
Walcott, Oliver M., 36473.
Waldron, Karl M., Jr., 60038.
Walker, Donald M., 64430.
Walker, John A., Jr., 37884.
Walker, Lyle H., 37199.
Walker, Van S., 37265.
Wall, Frank A., 38230.
Walters, Robert E., 37905.
Wanfried, Harold W., 64422.
Warden, Arthur F., 38220.
Warren, Frank H., 37468.
Washmon, Douzer E., 37602.
Waski, Raymond, 37324.
Watkins, James R., 37224.
Watts, Blanchard K., 37776.
Wautelet, Raymond J., 37920.
Weatherwax, Kenneth C., 52515.
Weaver, Douglas C., Jr., 17583.
Weaver, Richard E., 38255.
Weaver, Wilton G., 38437.
Wegener, Willis B., 37490.
Weir, Richard H., 37220.
Welch, James P., 37998.
Welch, Stanley H., 37485.
Wells, Harold G., Jr., 52414.
Werdung, Romeyne M., 52387.
West, Leroy, 37641.
Westbrook, Luther J., 38242.
Weydert, Charles F., 37405.
Wheelhouse, Henry L., 37319.
Whitaker, Raymond N., 37144.
White, Alton E., 37558.
White, Charles J., 37753.
White, David B., 37572.
White, Dean R., 38467.
White, Lee W., 24696.
White, Robert W., 17618.
White, Thomas S., 37665.
White, Zane W., 38353.
Whitehead, John L., Jr., 37088.
Wickman, Russel A., 37666.
Widman, Walter F., 37505.
Wigley, Erskine, 37794.
Wilcox, George W., 52333.
Wilder, Thomas L., 37535.
Wilkes, Harry T., 37544.
Wilkinson, John L., Jr., 52228.
Wilkinson, William A., 37507.
Williams, Harry J., 37813.
Williams, Leo M., 48793.
Williams, Leonard E., 37371.
Williams, Richard M., 37321.
Williams, William A., Jr., 38261.
Willing, Thomas P., 37517.
Willis, J. Vern, 37417.
Willsie, Richard E., 38266.
Wilson, George S., 37491.
Wilson, Kieth G., 38021.
Wilson, Thomas E., 38245.
Wimer, Alvin L., 22752.
Windoffer, Robert A., 38130.
Wing, Robert L., 37880.
Winner, Alan M., 37967.
Winters, Earl E., 37597.
Wise, Harold C., 37944.
Wise, William H., 52360.
Witchey, Francis M., 37729.
Witt, Harry A., 37429.
Wittneben, Henry F., 37971.
Woiro, Warren S., 21506.
Wojciehoski, Gerald J., 17609.
Wolbrette, David J., 38392.
Wolf, Paul J., 52369.
Wolfe, Ernest R., 37993.
Wolfgong, William H., Jr., 37547.
Wood, Crispin M., 38363.
Wood, James W., 28202.
Wood, Rodney J., 37883.
Wood, Ward D., 64435.
Wood, William L., Jr., 37373.
Wood, William R., 37295.
Woodcock, James W., 48805.
Woods, Gilbert N., 37878.
Woods, Harold B., 37609.
Woods, Leo T., 37500.
Wooten, Clyde W., 38003.
Wray, John D., 25793.
Wren, Donald B., 37678.
Wright, Devere M., 37745.
Wright, Louis A., 37208.
Wulff, Earl G., Jr., 38417.
Wynecoop, Joseph A., 37627.
Wyseman, Thomas K., 48785.
Yahle, Joseph G., 38232.
Yarbrough, John F., Jr., 37946.
Yeaman, Donald R., 37469.
Yon, Verus A., 37313.
Yost, Warren C., 38263.
Young, James A., 38101.
Young, John E., Jr., 60034.
Young, John M., 17629.
Young, Lawrence J., 38287.
Young, William H., 22743.
Young, William R., 38057.
Zahn, George A., 37135.
Zanolli, Louis W., 37437.
Zartman, Monroe D., 52463.
Zerbe, Franklin E., 52400.
Zorich, Sam, 37903.
Zwartjes, William J., 37906.
Zweizig, James A., 64438.

CHAPLAINS

Bird, Dallas A., 23206.
Boardman, William A., 25631.
Buck, Wesley J., 48610.
Denehy, John F., 24683.
Harms, Sudderth A., 32421.
Huber, Walter H., 48609.
Meerdink, Vernon J., 48608.
Nelson, John F., 1860232.
Sandrock, Hans E., 27998.
Schroeder, Victor H., 23207.
Schuck, David B., 24682.
Tollett, Vaughn H., 55115.
Trapp, Richard D., 55117.
Waugh, Earl E., 23208.

DENTAL CORPS

Adams, William C., 23214.
Adkisson, Sam R., 26749.
Beidelman, Edward R., 28126.
Brest, Harold C., 32026.
Clower, James C., 59484.
Coons, George F., 23177.
Cowe, Donald W., 51569.
Crosby, James F., Jr., 28129.
Devlyn, John E., 29415.
Everett, Richard H., Jr., 32572.
Hicks, Rodeheaver H., 25703.
Jenkins, Charles A., Jr., 26388.
Kobler, Milton J., 29653.
Lindenmuth, James E., 32356.
Loper, Clifford E., 61151.
Mellow, Emil A., 32571.
Ridgley, Charles D., 23215.
Samaha, Francis J., 27496.
Schutt, Harold E., 51005.
Seamands, Charles W., 29279.
Slack, Wesley G., 55871.
Sloan, Roy S., 29865.

Stansbury, Bruce E., 27525.
Stewart, Kenneth L., 24679.
Stewart, Luie D., 25485.
Tanquist, Robert A., 56157.
Trovillion, Howard M., 27979.
Vernino, Daniel M., 25668.

MEDICAL CORPS

Anderson, Claude T., 26701.
Bratt, Harry R., 26354.
Burwell, Robert R., 26738.
Dietz, Harold W., 69727.
Haworth, Wallace G., 27585.
Jacobs, Paul H., 26697.
Johnson, Howard H., Jr., 25637.
Kable, Kelvin D., 26368.
McCann, Robert J., 24216.
Miller, Perry B., 24139.
Odland, Lawrence T., 24135.
Olson, Robert O., 55852.
Pierard, Albert A., 27611.
Randolph, Charles L., Jr., 24217.
Shea, William H. H., 29771.
Spivey, Charles G., Jr., 29772.
Steck, Willard D., 27626.
Stuteville, James H., 27589.
Thompson, James M., 26364.
Tredici, Thomas J., 25656.
Woosley, Homer E., Jr., 24137.

NURSE CORPS

Aragon, Frances, 21137.
Muns, Angelica G., 22051.
O'Donnell, Regina C., 21019.
Peden, Louise S., 25747.

MEDICAL SERVICE CORPS

Beisner, Arthur T., 48960.
Berlow, Leonard, 23239.
Bundrick, George B., Jr., 48952.
Callaghan, Donald E., 19848.
Christiansen, Frank R., 48978.
Cocheres, Thomas L., 48975.
Colon, Howard, 25337.
Galati, Ralph H., 48962.
Hannah, Ernest A., 48974.
Hobson, Robert W., 48967.
Kennedy, James M., 48968.
Loebig, Gordon F., 48971.
Nichols, Glendal D., 48965.
Patrick, John H., Jr., 48979.
Preston, Robert J., 48970.
Quenk, Joseph J., 23230.
Rhodes, Stanley, 21646.
Rogers, George H., 48961.
Thacker, Bob B., 48964.
Wolff, Francis E., 48963.

VETERINARY CORPS

Barnes, Charles M., 23218.
Benson, Richard E., 24226.
Bilderback, William R., 23216.
Davis, Harold C., 23075.
Garner, Howard S., 25669.
Moe, Douglas F., 26645.
Reeves, Johnie L., 23220.
Ringley, Donald W., 24225.
Seigneur, Leslie J., 27499.

BIOMEDICAL SCIENCES CORPS

Albert, Paul A., 61158.
Gilbert, George E., 48977.
Krause, Richard E., 48980.
Morris, Floyd M., 21645.
Nowell, Wesley R., 25737.
Stauch, John E., 23079.
Thompson, Ralph F., 48958.

IN THE AIR FORCE

The following distinguished graduates of the Air Force precommissioned schools for appointment in the Regular Air Force in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Bienvenue, John R., FV3204558.
Blankenbeker, Cleon, FV3189243.
Cole, Robert A., FV3189377.
Condon, Robert C., FV3206396.
Cool, Lawrence E., FV3199089.
Davenport, Michael R., FV3205129.
Devitt, Thomas K., FV3199090.
Dunn, David J., FV3199091.
Dunn, David J., FV3205844.
Engstrom, Philip J., FV3205507.
Gaskell, William L., FV3163386.
Graef, James P., Jr., FV3205517.
Grant, Anthony P., FV3204465.
Guarino, Gilbert B., FV3174099.
Hoffman, Robert P., FV3199092.
Horton, William F., FV3177655.
Janelle, Donald G., FV3154560.
Killeen, John E., FV3174111.
Knolle, Hermann, FV3199094.
Lagrange, Lance, FV3174493.
Lee, Joseph P., FV3206367.
Mekaru, Mark M., FV3174499.
Messamore, Claude E., FV3193481.
Meurer, Earl L., FV3199100.
Miller, William D., FV3205695.
Moholt, Thomas J., FV3206427.
Philo, John D., FV3199102.
Radcliffe, Allen B., FV3161937.
Rodgers, Jimmie A., FV3199105.
Rudin, John U., FV3205706.
Ryan, Philip W., Jr., FV3205654.
Satchell, Wallace J., Jr., FV3199106.
Schlauch, Paul J., FV3206440.
Smith, Harold K., Jr., FV3204208.
Southall, David M., FV3204209.
Stanley, Rowland D., FV3157807.
Steele, Robert G., FV3162069.
Steinman, John A., Jr., FV3206315.
Stengel, Joseph E., Jr., FV3157744.
Streib, Victor L., FV3204211.
Thompson, Donald L., FV3205781.
Underwood, Bobby C., FV3204213.
Whisenant, Herman A., FV3156963.
White, Lewis C., FV3206197.
Wolfson, David M., FV3206763.

Subject to medical qualification and subject to designation as distinguished graduates, the following students of the Air Force Reserve Officers' Training Corps for appointment in the Regular Air Force, in the grade of second lieutenant, under the provisions of section 2106, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Adams, Nathan J., Jr.
Bailey, Patrick G.
Baker, Norman R.
Brandt, Arthur J.
Carter, Gregory S.
Courter, Jim R.
Davis, Charles R.
Debellevue, Charles B.
Harris, William R.
Harvin, Michael E.
Holmes, David L.
Jonkosky, Charles K.
Kowalski, Richard C.
Layton, Ronald A.
Lewis, John D.
Mason, William C.
McDonald, Paul W.
McMahan, Michael R.
Murphy, Robert O.
Newman, James H.
Nuttleman, Robert A.
O'Malley, Robert G.
Phifer, Lonnie D., III
Polito, Joseph, Jr.
Richter, Kenneth
Romberg, Gary P.
Shearer, James A.
Soileau, Bruce E.
Tarr, Terry G.
Taylor, Paul A.
Vansice, Robert B., Jr.
Washburn, Thomas E.
Watson, Tony J.
Williams, James R.
Williams, William R.
Williford, Richard L.
Worthington, Jesse C.

IN THE ARMY

The following-named officer for appointment as professor of English, U.S. Military Academy, under the provisions of title 10, United States Code, sections 4331 and 4333:

Capps, Jack L., O57322.

The following-named officer for appointment as professor of Earth, Space and Graphic Sciences, U.S. Military Academy, under the provisions of title 10, United States Code, sections 4331 and 4333:

Kirby, Gilbert W., Jr., O59134.

The following-named persons for appointment in the Regular Army, by transfer in the grade specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288 and 3290:

To be major

Drury, Orcutt P. (MSC), O71914.

To be first lieutenant

Freeman, Eldon V. (MSC), OF106112.

To be second lieutenant

Kinnan, Donald P. (MSC), O98259.

To be first lieutenant, Medical Service Corps

Gabbert, John H. (Arty), OF103113.

To be second lieutenants, Medical Service Corps

Ammerman, Frederick W. (Arty), OF104590.
LaRochelle, David F. (Arty), OF104851.
Lazenby, Gerald A. (Arty), OF101958.
McKelvey, L. Patrick (Arty), OF105479.
Parker, Thomas C. (AGC), OF106764.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287 and 3288:

To be majors

Cameron, Donald T., Jr., O2265363.
Kirk, Windle E., O1937703.
Kleinfelder, Robert H., O1924596.
Koester, Kenneth M., O1937850.
Martin, William R., O1879915.
Murray, Patrick B., O1882598.

To be captains

Alvadj, Gordon S., O5504269.
Brewer, Charles F., Jr., O4010388.
Brigham, Hugh W., O5405426.
Brooks, Earl R., O4063046.
Cary, Kenneth R., O2288203.
Coley, William, Jr., O5210981.
Coppley, Johnny R., Jr., O5304101.
Craig, Jack A., Jr., O5304309.
Doherty, Terence, O5002193.
Fischer, Robert C., O2283372.
Grasmeder, John M., O4035622.
Haley, Robert H., O4062700.
Hayes, Norman C., O4004630.
Herrera, Francisco A., O1915421.
Holcombe, Jerry V., O4063028.
Hunter, Clifford J., O5006797.
Johnson, James R., O2268357.
Jones, John L., Jr., O1935865.
Keck, Richard L., O4303817.
Kuhr, Richard E., O4021836.
Lajoie, Roland, O5001170.
Layman, John W., O5405526.
Lipscomb, Lawrence A., O4032193.
Lokay, Fred J., O4069017.
Longarzo, William L., O5405174.
McCampbell, Charles D., O5209602.
McDonald, William E., O5504022.
McFadden, James M., O5304237.
Mitchell, Gene A., O4030603.
Monahan, James F., O5208111.
Neal, Barney K., Jr., O2206965.
Nixon, Paul L., O4075808.
Norris, Kenneth S., O5201120.
Norton, Daniel B., O4066368.
Peters, William R. S., O5209981.
Pollard, Joseph W., III, O4075521.
Ragan, James A., O5304147.
Reynolds, Willie R., O5404512.
Santoro, John M., O4052479.
Shreve, Wayne L., O2277022.
Slagle, James V., O5405391.
Smith, Charles K., O5510654.
Smith, Edward N., O5900026.
Snyder, Richard J., O5301803.
Storment, Calvin A., O1341306.
Sweeney, John P., III, O5405580.
Tocher, Robert B., O5704944.
Truby, Allen G., O4045448.
Villa, Joseph A., O4075564.
Virciglio, Paul J., O4068040.
White, Neal A., O5405219.
Wilde, Marvlyn R., O5405088.
Wilfong, John F., O5401997.
Willis, Edward C., O5403073.
Wingo, Franklin J., O5402248.
Yakshe, John S., O5304542.

To be first lieutenants

Akin, Kenneth A., Jr., O5222247.
Alderman, John H., Jr., O5707162.
Allen, David L., O5706439.
Ashworth, Jimmy P., O5320544.
Atkinson, Thomas J., Sr., O5216760.
Baker, Robert G., II, O5531405.
Bateman, Billy B., O5415598.
Baumann, Allen A., O2312246.
Bell, David A., O5316804.
Bell, Jack K., O5227773.

Berg, Earl E., O2306764.
Bobbitt, John F., O5406129.
Bock, James W. E., O5316014.
Bolling, George H., O5316892.
Boss, Ora L., O5412391.
Boterweg, Conrad, III, O5316807.
Bowen, Dennis M., O5414806.
Boyett, Warren G., O5318137.
Bullock, Thomas G., O5221349.
Burelli, Robert C., O5221053.
Burman, John L., O5223549.
Canady, Morgan E., O5320974.
Cembor, William G., O5517721.
Chomko, John, O2306229.
Cleveland, Charles R., O5313634.
Coester, Jan W., O5515688.
Collins, Robert F., O5315071.
Conner, Leroy E., Jr., O5530259.
Cooper, Teddy N., O5402018.
Correll, Phillip W., O5322370.
Cunningham, David A., O5016325.
Deblois, Thomas A., O5009080.
Degyansky, Albert W., O5416899.
DesChamps, Patrick L., O5314559.
DeVore, Matthew, O5316617.
Drake, Earle A., O5705506.
Durand, Ernest R., O5318161.
Elliott, James R., O5410503.
Elliott, Thomas L., O2311440.
Eudy, Spencer M., Jr., O5420763.
Feddo, Peter A., O5016024.
Ferrie, Bertram W., O5009088.
Fisher, Johnnie W., Jr., O2297733.
Fix, Jerrold E., O5514477.
Flores, James P., O5415873.
Foutter, Richard R., O5022096.
Gannon, David L., O5220300.
Garner, Jay M., O5314798.
Gillen, James, O4085415.
Gisler, Charles J., O5320953.
Goodell, Rodney T., O5531625.
Gonneville, Donald E., O5320465.
Graham, Allan D., O5316236.
Green, Gary A., O5414872.
Green, Joe W., O5320307.
Groves, William C., O5218973.
Guajardo, Tigrio, O5415905.
Guenther, Hartmuth D., O5405918.
Hafner, George J., Jr., O5709181.
Harrell, John W., O5310605.
Harris, James E., Jr., O5312287.
Haubrich, Robert W., O5517460.
Hazen, Donald E., O5530272.
Heglund, Chester R., O5321791.
Helms, Harold J. A., O2305288.
Helwig, Bill J., O5709570.
Henderson, Donald D., O5414013.
Hobbs, Thomas W., O5220400.
Hoffman, Dieter H., O5406664.
Holland, Thomas G., O5018061.
Holmes, Allan J., O5212425.
Howe, Charles E., O5533438.
Hutcherson, Nickey J., O5408689.
Hutek, Charles E., O5004925.
Imel, Gary L., O5709900.
Jackson, John H., O5412773.
Jaedicke, Cecil D., Jr., O5312149.
Jennette, Alexander T., Jr., O2299334.
Johnson, Adrian J., Jr., O5415818.
Johnson, Claude W., O5307793.
Johnson, James C., O5412630.
Johnson, John C., O5233217.
Johnson, Ronald L., O5315224.
Kearney, William M., O5703429.
Keating, David W., O5009992.
Keating, Michael D., O5315226.
Keenan, James E., O5010766.
Kettering, John R., O5530620.
Koch, William L., O5515844.
Kosolapoff, Michael G., O5320803.
Kotouch, James H., O5233525.
Laslie, James C., Jr., O5313186.
Ledford, Larry G., O5314069.
Lillard, Larry D., O5310298.
Lockwood, Nile S., O5017640.
Lukitsch, Joseph M., O5213838.
Lynn, Larry D., O5218490.
Lynn, William E., O5532367.
Mackenzie, Robert B., O5705660.
Mead, Stuart A., O5318932.
Miller, John D., Jr., O5411717.
Millett, Jack R., O5216411.
Miscik, John G., O5406348.
Morris, James W., O2303575.
Morris, William G., O5223079.
Morrison, Carlos S., O5216296.
Mossburg, James E., O5310919.
Myers, James R., O5310799.
Myers, Jesse, O5316554.
Nichols, James O., O5414605.
Noble, John A., O5307633.
Norris, Donald G., O5414485.
O'Reilly, John W., Jr., O5413839.
Palladino, George F., O2317434.
Pope, Danny E., O5315547.
Ray, Ernst R., O5706933.
Reading, Charles N., O5707830.
Roderick, Gary L., O5413030.
Rodman, David B., O5406742.
Roerty, Dennis F., O5015917.
Rogers, Richard L., O5413304.
Ropp, Robert H., O5316248.
Roskowski, Raymond F., O5018285.
Roths, Melvin L., O2306162.
Rowe, William J., O5412257.
Royal, Donald D., O2293911.
Royal, Reginald P., O5317421.
Royer, Aaron M., O5405997.
Sanders, John D., O5709871.
Schneider, Ralph R., O5416352.
Scott, Donald L., O5512759.
Seibert, Gunter P., O2307303.
Seitz, Quentin L., Jr., O5208750.
Shuler, Lucius, Jr., O5221556.
Smith, Daniel L., O5320988.
Snodgrass, Wilder M., O5412580.
Speltz, Karl W., O5702016.
Steinmetz, Karl, O5221523.
Stewart, Alan P., O5215764.
Surette, Warren J., O5015728.
Swedish, Benjamin R., O5311562.
Timmons, Aurin C., Jr., O5214022.
Turner, Duane B., O5410081.
Valentine, Kit J., O5709341.
Vernon, Edwin T., O5320593.
Vick, Prentice R., Jr., O5413667.
Watkins, Jack R., O5315174.
Watts, William J., O5316252.
Waugh, Marion E., O2300136.
Weigand, James R., O5222175.
Whigham, John A., O2304834.
Wiker, Charles M., O5009016.
Wilkinson, John W., O5414076.
Williams, Arthur E., O5007330.
Wright, Frederick S., III, O5405542.

To be second lieutenants

Adamowski, Paul L., O5023111.
Anderson, Cecil T., O5417059.
Anderson, William F., Jr., O5324333.
Baker, Hugh M., Jr., O2310773.
Beard, Beau B., O5416637.
Beard, John D., O5423832.
Berry, Rolland H., Jr., O5224349.
Brandenburg, Lawrence E., O5324885.
Brown, Frederick A., O5413436.
Brown, Jeffrey W., O5225319.
Brumley, Leland J., O5417114.
Caswell, Edward S., O5019525.
Caudell, Jimmy J., O5417761.
Cimral, Ted A., O5710563.
Cochran, Michael D., O5406376.
Coen, Kendall B., O5327532.
Collier, Samuel M., 05418708.
Conine, William H., O5536442.
Conway, Peter J., O5326210.
Datesman, George H., Jr., O5420451.
Daverso, Frank S., O6325550.
Davies, Gerard J., O5023766.
Early, Gerald H., O5711669.
Ellis, John M., O5419013.
Eng, Harry F., O5419857.
Engle, Clifford L., O5324006.
Entzminger, Ronald B., O5531415.
Etheridge, John T., O5419353.
Farrow, Russel K., O5900113.
Gerrie, Andrew A., O5713639.
Getz, John E., O5224744.
Gilliam, James W., O2318195.
Grant, Barclay F., Jr., O5329652.
Harvey, Daniel B., O5324936.
Hatton, Edward T., O5020540.
Healy, Maurice W., O5322890.
Henderson, John W., Jr., O5418885.
Hennessy, James B., O5224927.
Hotard, Ernest P., O5417728.
Hunt, Carl V., Jr., O5418801.
Kanaga, Keith C., O5713170.
Kania, Leon W., O5226796.
Kaucheck, David J., O5534551.
Kearns, Philip F., O5326426.
Kennedy, Freddie A., O5322545.
King, James P., O5418646.
Knox, John W., O5420058.
Lander, Joseph N., O5419377.
Lander, Robert J., O2299777.
Leonard, Ronald R., O3145771.
Maher, John C., O5225177.
Marlow, Ronald J., O5535308.
Marm, Walter J., O5325600.
McClenahan, John S., O5230405.
McCormack, Jay A., O5225646.
McGinty, Terrance J., O5322567.
McMillan, Wesley J., O5328646.
Meredith, Richard A., O5420896.
Miner, Dennis K., O5419555.
Nolan, John P., O5331329.
Owen, Robert V., Sr., O2321740.
Peck, John A., O5225706.
Pendarvis, Edward T., O5328079.
Phaup, Arthelius A., Jr., O5223080.
Poole, George G., O5229575.
Potts, Robert E., O5710065.
Quirin, Peter H., O5322444.
Randles, Douglas L., O5325317.
Rehfeldt, Charles C., Jr., O5023275.
Seaman, Richard W., O2325435.
Sivigny, Michael J., O5019650.
Smith, Michael R., O5421362.
Sponberg, Darrell L., O5413866.
Stango, Marty R., O5227888.
Thompson, John H., O5709976.
Todd, Terry L., O5423979.
Vance, Richard L., O5420199.
Walters, William P., O5326824.
Weidinger, Thomas H., O5418772.
White, Frank L., Jr., O5419679.
Williams, Robert P., Jr., O5323940.
Wright, George M., O5326516.

The following-named persons for appointment in the Regular Army of the United States, in the grades and branches specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, and 3311:

To be major, chaplain

Hager, Richard E., O2270821.

To be captains, Army Medical Specialist Corps

Brady, Barbara R., R2755.
Carmona, Louis S., MJ2295755.
Hamai, Fay S., J2296075.
Johnson, Danessa W., J100268.
Lofton, William, Jr., MJ100308.
Lopez, Sarah J., M2326019.
Schmechel, Marilyn J., R2675.
Strayer, Eleanor J., R2289665.

To be captains, Army Nurse Corps

Conley, Everett W., MN2292051.
Ferry, Oswald A., MN2291971.
Genito, Gerard S., MN805855.
Girvan, John B., MN2295640.
Harder, Mary F., N2300399.
Hartman, Jay N., MN902595.
Hill, Maurine L., N3075181.
Myers, Charles L., Jr., MN2294734.
Smith, John A., Jr., MN5003433.
Tracy, Joseph M., MN805791.
Wetsch, Thomas J., MN805854.

To be captains, Dental Corps

Belasco, John R., O5239959.
Berube, Joseph D. O., O5501097.
Boyer, Kenneth H., O5232294.
Carpenter, William M., O5219305.
Eaton, John D., III, O5416176.
Green, James K., O5227430.
Hammett, John E., O5408336.
Hansen, Carl A., O5518322.
Harrison, John W., O5300728.
Masterson, Martin P., O5220189.
Neighbors, Clyde R., O5310346.
Oman, Edward R., O5525650.

To be captains, Judge Advocate General's Corps

Briggs, David B., O5204623.
Robbins, Thomas Q., O5309985.
Iskra, Wayne R., O2314126.
McGinley, Stanley E., O5704330.

To be captains, Medical Corps

Barta, Joseph A., Jr., O5315838.
Buck, Edward G., Jr., O5227207.
Casat, Charles D., O5241660.
Gaither, Robert H., O5210836.
Kirchenbauer, Stanley J., O5310083.
Lewin, Marvin L., O5540809.

To be captain, Medical Service Corps

Osborne, Harold S., O4075363.

To be first lieutenants, Army Medical Specialist Corps

Durey, Doris J., R2741.
Haley, Donald L., MM2307696.
Hawkes, Harold W., MM2310946.
Henry, Ralph E., MJ2308960.
Schiska, Richard L., MJ2308106.
Swanson, John A., MM2307813.
Yokoi, Frances N., J2308147.

To be first lieutenants, Army Nurse Corps

Baca, Richard C., MN2316257.
Bauman, Ivonna, N5411436.
Cochran, Jacqueline C., N2326231.
Delap, James N., MN2305076.
Dorstewitz, Ellen M., N5519483.
Goad, Nan J., N5312881.
Jensen, Glenda, N5709050.
Jones, Royce E., MN5411692.
Kolbeck, Patricia A., N2321263.
Kuklinski, Joanna L., N5411650.
Massimino, Joseph J., MN2307786.
Matteson, Ruth A., N5708656.
Moriarty, Francis M., MN2315891.
Morman, Geraldine G., N3112442.
Sanders, Bobbye J., N2311060.
Scarber, Fannie L., N5709039.
Scott, Ruby R., N5411291.
Sepulveda, Gladys E., N2303734.
Shinskie, Edward F., MN2308104.
Sokoloski, James L., MN2206074.
Voisine, Marcia J., N2320553.
Weir, Patricia A., N2315899.
Zanto, Raymond L., MN2316275.

To be first lieutenant, Chaplain

Hutchens, James M., O5407551.

To be first lieutenant, Dental Corps

Kotwal, Keki R., O5326023.

To be first lieutenants, Judge Advocate General's Corps

Cundick, Ronald P., O5709715.
Davis, Gary L., O5709404.
Johnson, Jeremy R., O5001878.
Kelley, Oliver, O5402217.
Moss, Frederick E., O5515256.
Rose, Lewis J., O2311465.
Rosenstock, Louis A., III, O5220869.
Vlach, Robert B., O5516929.
Zleit, William E., O2329183.

To be first lieutenants, Medical Corps

Carnes, Thomas E., O5218143.
Collins, Conrad D., O2320682.
Coppa, Michael G., O2325761.
Darby, Frank J., Jr., O5408333.
Flandermeyer, Kenneth L., O2325420.
Funderburk, Marshall S., Jr., O5320013.
Glass, Richard S., O2320919.
Hart, Michael N., O2320751.
Hayes, Thomas D., O5416173.
Heiny, Bernard A., O5708458.
Judy, Kenneth L., O2321014.
McEarchern, Walter W., O2325442.
Merenstein, Gerald B., O2325439.
Nettles, Harry H., O5316943.
Payne, Ronald J., O5707827.
Phyliky, Robert L., O2320666.
Steller, Robert T., O2325890.
Tarry, Kirby B., O2325758.
Teske, Theodore K., O5711855.
Troop, Joe R., Jr., O232097.
Tse, Francis H., O2325891.
Wilson, Lynn E., O2326086.

To be first lieutenants, Medical Service Corps

Billingsley, Herchel O., O5317046.
Cole, Ronald M., O5413200.
Durey, Richard W., O2314326.
Frew. William D., O5218225.
Intolubbe, James G., O5216609.
Isgrig, Frederick A., II, O5409024.
Italiano, Angelo J., O2313739.
Laible, Robert J., O5313755.
Lindahl, James H., O5516520.
Lloyd, Felix R., O5413594.
Miller, William C., III, O5405826.
Morrissey, Blaise M., Jr., O5014285.
Pytlik, John C., O5531590.
Valenti, Fred, O2317445.
Wilson, Claude L., O5531655.

To be second lieutenants, Army Nurse Corps

Chase, Harold M., Jr., MN5417349.
Dunlap, Ivan L., MN2320343.
Hill, Otis J., MN2325777.
Hubbard, Sonia S., N5520528.
Kosik, Janet A., N5234528.
Lester, Rodney C., MN2325328.
McLellan, Donna J., N5417286.
Murrin, Barbara J., N5422090.

To be second lieutenants, Medical Service Corps

Daniel, William G., II, O5323127.
Handren, Robert T., Jr., O5011856.
Jones, George H., O5324057.
Juchau, Simmeon V., O5702076.
Mathis, Wayne R., O5226205.
McMinn, Morris T., O2320351.
Mooney, Richard J., O5417624.
Walker, Henry J., O2319208.

To be second lieutenant, Women's Army Corps

Davis, Rosemary L., L2321264.

The following-named distinguished military students for appointment in the Judge Advocate General's Corps, Regular Army of the United States, in the grade of first lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3285, 3286, 3287, 3288 and 3292:

Baillargeon, Paul P., O5019809.
Barnes, Rudolph C., Jr., O5321515.
Bogan, Robert, O5019351.
Burke, Michael A., O5533184.
Davenport, Peter M.
Duffie, Jerry R., O5225463.
Eisen, Charles L., O5019279.
Gates, Elmer A., O5534531.
Heeseman, Rex A., O5710604.
Holmes, J. E., III, O5710226.
Kadish, Mark J., O5225353.
Kendy, Joseph, Jr., O5019854.
Link, John D., O5534004.
Offer, Stuart J., O5710546.
Robertson, William W., O5020597.
Rodriguez, Jaime A., O5826641.
Smith, John C., O5532920.
Sugarman, Myron G., O5710415.
Taylor, Richard C., O5535384.
Thompson, William D., O5225555.
Torquato, Thomas M., O5221078.
Vernon, Elliott H., O5019201.
Werdehoff, William G., O5327277.
Zacks, David M., O5323386.

The following-named distinguished military students for appointment in the Medical Corps, Regular Army of the United States, in the grade of first lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284 and 3294:

Berry, Boyce M., Jr., O5316230.
Kabo, Robert D., O5219509.
Mattsson, Carl A., O5707825.
Miller, Franklin J., Jr., O5218746.
Pachuta, Donald M., O5011622.
Young, Robert L., Jr. O5218461.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288 and 3290:

Davis, Brian K.
Enquist, Lynn W.
Hinkel, Robert E.
McLain, Frederick R., J O5537793.
Melzer, Albert W.
Moore, Robert E.
Novak, Carl A.
Schade, Harold C., III
Schrader, Robert W.

The following-named distinguished military and scholarship students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 2107, 3283, 3284, 3286, 3287 and 3288:

Adams, Charles H.
Akin, William R.
Aldape, Joel
Altschul, Gerard M.
Ambrose, Richard L.
Ash, Sherwood E.
Baker, Howard L.
Baxendale, John R. D., O5238476.
Beddow, Sidney W., II
Bevington, Richard L., Jr.
Borns, Charles J.
Bradley, Bernard K.
Brightman, Alan H., II
Britton, William N.
Brooks, Franklin R.
Brooks, Jerry R.
Bufford, Danny F.
Burritt, Benjamin E.
Carroll, William J.
Carter, John L.
Casey, James R., II
Centanni, Ross J., Jr.
Chalustowski, George
Cherry, Atwood C.
Chirumbolo, Edward T.
Christmas, Richard J.
Clark, Elliot J., Jr.
Clark, Ernest E., Jr.
Collins, David R.
Combs, James C., Jr.
Conti, Robert J.
Coppedge, Warren F., Jr.
Coupal, Joseph E. Y.
Cronin, Dennis P.
Current, David D. K.
Dandorph, Kenneth M.
Darmanin, Emmanuel
Davidson, Van M., Jr.
Davis, James C.
Devendorf, David G.
Dickinson, Thomas R.
Dill, Michael J.
Dixon, Roy L.
Donovan, Ronald E.
Drue, Roger H.
Dupre, Durward D.
Durfee, Gary L.
Dykes, George O., Jr.
East, Charles M., III
Ehlers, Frederick D.
Elliott, James B.
Emig, John T.
Feil, Leslie K.
Fisher, James H.
Fleming, John R., Jr.
Ford, Charles H., Jr.
Foster, Gary N.
Gale, Bruce R.
Gallant, John A., Jr.
Garlitz, Richard L.
Gibson, William A.
Giddens, Paul J.
Glass, Patrick R.
Gray, Gary
Green, Dennis A.
Haimovitz, Benny P.
Hall, John C.
Hampton, William A.
Hannah, William P.
Harper, Gary N.
Harrod, Roger B.
Heslop, Ronald D.
Hindman, William R.
Homan, James V.
House, John K.
Isensee, Donald M.
Jackson, John W., Jr.
Jacobs, John A.
Jensen, John L.
Jensen, Robert W.
Johnson, William R.
Jones, Donald R., Jr.
Jooss, Carl C.
Jordan, Adolphus W.
Keller, Brian G.
Knight, Jerry L.
Kowallik, Richard L.
Krakowiak, Joseph J.
Lach, Herbert F., Jr.
LaClair, Danny L.
LaPaglia, Michael W.
Lawrence, Edward A.
LeBlanc, Dalton A., Jr.
Leggett, Isiah
Lins, Frederick A.
Lott, Ralph E.
Madigan, William G.
Marchese, Frank D.
Marks, James L.
Marsden, Henry H., III
Marx, Walker N., Jr.
Mayersohn, Michael
McDevitt, Cornelius A. O5714373.
Meisel, George E., Jr.
Meldrum, John H.
Miller, Donald D.
Millett, Roman L.
Montgomery, Alvin E., Jr.
Moore, James P., Jr.
Morgan, James L., III
Muzzy, James W.
Nelson, Patrick G.
Nemeth, Richard D.
Newby, Carl G.
Newman, Joel I.
Olinger, Ronald D.
Oliver, Vincent G., Jr.
Orr, Raymond J.
Passen, Lewis M.
Perez, Edward L.
Rae, Vernon W., Jr.
Randall, Charles I.
Ratajczak, Jerome F.
Ray, John A.
Reed, Cliff W.
Reed, Dennis K.
Richards, David A.
Robertson, James A.
Rockwell, William J.
Ronning, Craig O.
Ross, John L., Jr.
Rossa, Raymond S., Jr.
Rowe, Arthur W., Jr.
Rudzik, Richard P.
Ruiz, Robert
Russell, William T., Jr.
Scandrett, William, Jr.
Scheeren, William O.
Schoenborn, Donald W.
Schoenborn, Robert M., Jr.
Schriver, William H.
Schroeder, Phillip V.
Schultz, Kurt L.
Shipp, John S.
Smith, Clyde G., Jr.
Smith, Ted H.
Sopko, Rance D.
Spector, Dennis E.
Steiger, Michael S.

Stewart, Bobby A.
Stohr, Stanley J.
Street, George L., IV
Taliaferro, Franklin D.
Tatum, Edwin R.
Taylor, Everette L., Jr.
Thompson, Don R.
Tolbert, Larry D.
Traver, Robert L.
Trexler, Herbert J., Jr.
Tschudi, Robert L.
Tucker, Carlos L.
Vargas, Hector S.
Victum, Larry C.
Von Trott, John T.
Wagstaff, John S.
Walker, Harold S., III
Wedding, Benny E.
Wehri, James L.
Welch, Patrick R.
Wells, David R., Jr.
Wisneski, Joseph A.
Young, Howard A.
Zak, Michael I.

In the Navy and Marine Corps

The following-named officers of the U.S. Navy for promotion to the grade of chief warrant officer, W-4 subject to qualification therefor as provided by law:

Acuff, Burnis R.
Allen, Howard W.
Altizer, Robert B.
Altomare, Gasper R.
Alves, Frank
Ambrose, Timothy J.
Andress, Samuel E.
Baier, Kenneth C.
Beckner, Charles C.
Begg, Robert W.
Bishop, Herbert H.
Bocko, Peter P.
Bohline, John C.
Bonenberger, Norman G.
Breeding, James R.
Broyles, Kermit E.
Brumbaugh, France W.
Burger, Elmer S.
Carroll, William O.
Cash, John C.
Cavanaugh, Charles H.
Chapman, Homer L.
Christensen, Jack C.
Christie, Harold D.
Clark, Harlan D.
Clements, William R.
Colter, Lessie H.
Cook, Charles B.
Corman, William C.
Cottrell, Billy R.
Cullinan, John F.
Daniel, Charles L.
Day, Gordon H., Jr.
Donnelly, Frederick J.
Dracoules, Harry L.
Dredger, Robert F.
Duenwald, Vernon D.
Eells, Burton B.
Elkins, Harvey W.
Emond, Francis L.
Engle, Clarence W.
Engler, Donald A.
Epoch, Wilbert M.
Fazer, Vernon T.
Feeney, James F.
Fore, Ralph W.
Forgey, Augustine H.
Forsen, George U.
Fousie, Howard M.
Gardner, John F.
Gentry, Gerald H.
Giblin, Walter L.
Gibson, William E.
Gilbert, Edgar L., Jr.
Goodwin, Ballard E.
Gordon, Robert C.
Griffin, Robert A.
Grueser, Sidney L.
Haffey, John E.
Hansen, Donald A.
Heeney, Joseph F.
Hollowell, Joseph M.
Holmes, Theron C.
Howell, Abbie R.
Huddleston, Howard E.
Hughes, Raymond W.
Johnson, Byron W.
Johnson, Harley, Jr.
Joyner, Edward C.
Kelly, Francis H.
Knutson, Robert G.
Kopchinsky, Edward A.
Lane, Robert T.
Lofgren, Earl W.
Loftus, Joseph F.
Lowe, Kenneth A.
Lydon, John F.
Malloy, Lloyd L., Jr.
Mansell, John T., Jr.
Marlino, Lena M.
Martin, Vincent E.
Mathiasen, Vernon A.
Mathison, Elmer L.
May, Willie C., Jr.
Mayer, Edward J.
McCarron, John H.
McCay, George E.
McClure, Lester G.
McCracken, James M.
McKelvey, Allen O.
McNaught, Ray A.
Miller, William V.
Milligan, John C.
Mitchell, Harold H.
Morissette, Lucian G.
Murray, Eugene C.
Newton, Thomas A.
Pace, William J.
Parrett, Vanita F.
Petersen, Hans P.
Pick, Robert J.
Pierson, Harmon L.
Pillow, John T.
Porter, Newell H.
Prince, Louis F.
Prisk, Lloyd E.
Pryor, Walter T.
Racette, Arthur H.
Redden, Dennis J.
Revolinsky, Walter R.
Rice, Harold B.
Rooney, Philip J.
Sanchez, Rogelio, Jr.
Scanlan, Philip T.
Schlais, Alvin E.
Sekerak, Francis A.
Shealy, Harold O.
Sheldon, Robert E., Jr.
Shontz, Michael
Smith, Clark L.
Smith, William R.
Smolski, Stephen
Spisak, Frank
Steffen, John V.
Stenstrom, Joseph F.
Still, Stephen R., Jr.
Stone, Thurman R.
Stubbs, James E.
Summers, Clarence E.
Talton, Lewis E.
Taylor, Earl P.
Taylor, Jodie V.
Thompson, Homer C.
Travis, John R.
Treanor, Peter F.
Unkle, Osborne L.
Upton, "L" "R"
VanHorn, Gerald M.
Vedomske, Cyril M.
Webb, Howard J., Jr.
Welch, Calvin K.
Wheeling, James T.
White, James A.
Williams, Joseph H.
Williams, James V. P.
Willis, Donald W.
Windham, Joe C.
Wooten, Robert W.
Yackle, Milton R.
Zacharias, Clarence J.
Zelechoski, Stanley F.

Douglas G. Matthews, midshipman (Naval Academy) to be a permanent ensign in the line of the Navy, subject to the qualifications therefor as provided by law.

Lt. (jg.) Charles P. O'Neill, Jr., Civil Engineer Corps, U.S. Navy, for temporary promotion to the grade of lieutenant in the Civil Engineer Corps, subject to qualification therefor as provided by law.

Lt. (jg.) Richard I. Millson, for temporary promotion to the grade of lieutenant in the line subject to qualification therefor as provided by law.

Lt. William P. Oehrlein, Supply Corps, for permanent promotion to the grade of lieutenant (junior grade) in the Supply Corps subject to qualifications therefor as provided by law.

Lt. James P. Kurtz, Civil Engineer Corps, for permanent promotion to the grade of lieutenant (junior grade) in the Civil Engineer Corps subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the line subject to qualification therefor as provided by law:

Hudson, Lyndon R.
Marik, Charles W.
Ruffin, James T.
Templin, Erwin B., Jr.
Worcester, John B.

James T. Reilly (cadet, West Point) to be a permanent ensign in the line of the Navy in lieu of ensign in the Supply Corps as previously nominated, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve Officers' Training Corps candidates) to be permanent ensigns in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law:

Robert W. Fiene
Robert W. Fout
Ronald J. P. Wroblewski

Clare A. Emery, Jr. (Navy Reserve officer), to be a permanent lieutenant in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

William F. Coakley
Peter Kobes
Luther T. Lineberger

The following-named (meritorious noncommissioned officer) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Evinrude, Michael G.
Pitman, Thomas E.
Swanson, Calvin L.
Wright, Eugene O., II

Thomas H. Bruce for permanent appointment to the grade of commissioned warrant officer (W3) in the U.S. Marine Corps, pursuant to the provisions of title 10, United States Code, section 1211.

The following-named (Naval Reserve Officer Training Corps candidate) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Medford, Gary L.

The following named (Army Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Charles D. Raper

The following named (staff noncommissioned officers) for temporary appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Marion R. Baggs
Sheldon J. Bathurst

CONFIRMATIONS

Executive nominations confirmed by the Senate, June 29, 1967:

Department of Defense

Paul H. Nitze, of Maryland, to be the Deputy Secretary of Defense.

Paul C. Warnke, of the District of Columbia, to be an Assistant Secretary of Defense.

John T. McNaughton, of Illinois, to be the Secretary of the Navy.

Charles F. Baird, of Maryland, to be Under Secretary of the Navy.

Department of Justice

Veryl L. Riddle, of Missouri, to be U.S. attorney for the eastern district of Missouri for the term of 4 years.

John C. Begovich, of California, to be U.S. marshall for the eastern district of California for the term of 4 years to fill a new position created by Public Law 89-372, effective September 18, 1966.

U.S. Air Force

Maj. Gen. Robert A. Breitweiser, FR1406, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of lieutenant general, under the provisions of section 8066, title 10, of the United States Code.

U.S. Navy

The following-named officers of the line of the Navy for temporary promotion to the grade of rear admiral, subject to qualifications therefor as provided by law:

Maurice H. Rindskopf
James D. Ramage
William E. Kuntz
Daniel K. Weitzenfeld
William H. House
Norbert Frankenberger
Albert H. Clancy, Jr.
James C. Longino, Jr.
Vincent P. Healey
Allen A. Bergner
Thomas B. Owen
Robert R. Crutchfield
Walter D. Gaddis
Ralph E. Cook
David F. Welch
Jerome H. King, Jr.
Douglas C. Plate
Martin D. Carmody
William J. Moran
James B. Osborn
John B. Davis, Jr.
Parker B. Armstrong
Jack M. James
Michael U. Moore
William R. McClendon
Leo B. McCuddin
Sam H. Moore
William M. Harnish
Leslie H. Sell
Thomas R. McClellan
James C. Donaldson, Jr.
Tazewell T. Shepard, Jr.
Kenneth C. Wallace
John K. Beling
George C. Talley, Jr.
Shannon D. Cramer, Jr.
Robert E. Adamson, Jr.
William W. Behrens, Jr.

The following-named officers of the Navy for temporary promotion to the grade of rear admiral, in the staff corps indicated, subject to qualifications therefor as provided by law:

MEDICAL CORPS

Felix P. Ballenger

SUPPLY CORPS

Paul F. Cosgrove, Jr.
Grover C. Heffner
Elliott Bloxom
Roland Rieve
Stuart H. Smith

CIVIL ENGINEER CORPS

Spencer R. Smith
James V. Bartlett

U.S. Air Force

The nominations beginning Marcos E. Kinevan for appointment as permanent professor, U.S. Air Force Academy, and ending Thomas F. Ziemer, to be first lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on June 8, 1967 (8AF).

U.S. Army

The nominations beginning Gene P. Abel, to be first lieutenant, and ending Linus P. Zins, to be first lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on June 14, 1967 (7A).

EXTENSIONS OF REMARKS

Congressman Shriver Announces 1967 Kansas Fourth District Opinion Poll Results

EXTENSION OF REMARKS
OF
HON. GARNER E. SHRIVER
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 29, 1967

Mr. SHRIVER. Mr. Speaker, it has been my practice since coming to Congress to send to my constituents in the Fourth Congressional District of Kansas a questionnaire on important issues facing the Nation on the foreign and domestic fronts.

This year my 1967 opinion poll was sent to approximately 100,000 households in the seven counties of the Kansas Fourth District. This was done with the assistance of interested volunteers throughout the district who aided me in addressing envelopes from telephone directories. I am pleased to report that approximately 18,100 questionnaires have been returned and tabulations on these are complete. This is an excellent response. It represents the keen interest and concern which citizens of my district have regarding Government and legislative matters facing the Congress.

For the first time this year husbands and wives in the household had an opportunity to express their individual views on the issues. I was pleased to receive additional comments and personal opinions on many of the questions from my constituents.

Mr. Speaker, I am again placing the tabulations which have been made on the questionnaire in the RECORD in order that Members of Congress and the President may be apprised of the opinions of citizens in the Kansas Fourth Congressional District on the issues included in the poll. Under the leave extended, I also include a few of the comments which accompanied the ballots.

Tabulation of 1967 opinion poll in 4th Congressional District of Kansas

[In percent]

	His	Her
1. Do you favor combining the Departments of Commerce and Labor into a single Department of Business and Labor?		
Yes	40.9	40.6
No	38.1	32.0
No opinion	11.0	27.4
2. Do you favor increasing social security benefits providing it does not require an increase in the social security payroll tax?		
Yes	64.5	65.5
No	31.4	30.3
No opinion	4.1	4.2
3. Do you favor an increase in social security benefits which would require an increase in the social security payroll tax?		
Yes	20.6	19.2
No	76.4	77.1
No opinion	3.0	3.7
4. The present draft law expires June 30, 1967. Do you feel that the selective service law as it now operates is fair to all citizens?		
Yes	24.7	22.4
No	66.6	67.4
No opinion	8.7	10.2
5. Would you favor Federal legislation to regulate the sale of firearms?		
Yes	37.4	48.5
No	60.5	46.7
No opinion	2.1	4.8
6. The administration has pledged to follow "a sensible course of fiscal and budgetary policy." To achieve such objectives, do you favor:		
a. A 6 percent surcharge on individual and corporate income taxes as requested by the President?		
Yes	17.6	15.1
No	76.7	73.3
No opinion	5.7	11.6
b. Postponing and/or reducing certain domestic spending programs until the Vietnam war is ended?		
Yes	88.2	86.3
No	9.4	10.3
No opinion	2.6	3.4
c. Imposing wage and price controls?		
Yes	24.2	26.7
No	71.2	65.7
No opinion	4.6	7.6
7. Do you favor expansion of East-West trade between the United States and the Soviet Union and other Communist countries in Eastern Europe?		
Yes	41.0	39.3
No	51.4	47.7
No opinion	7.6	13.0
8. Do you favor limiting foreign imports of certain agricultural products such as meat and dairy products?		
Yes	70.3	72.9
No	24.1	20.0
No opinion	5.6	7.1
9. Would you favor lowering the voting age from 21 to 18?		
Yes	36.2	34.3
No	61.8	63.0
No opinion	2.0	2.7
10. Do you favor enactment of Federal legislation prohibiting restrictions on the sale or rental of housing on the basis of race, color, or creed?		
Yes	21.8	22.6
No	73.1	71.1
No opinion	5.1	6.3

VIETNAM

President Johnson in his State of the Union Message on January 10, 1967 stated:

"We have chosen to fight a limited war in Vietnam in an attempt to prevent a larger war . . ."—"I wish I could report to you that the conflict is almost over. This I cannot do. We face more cost, more loss, more agony. For the end is not yet. . ."

Which of the following courses of action do you favor most?

[In percent]

	His	Her
1. Withdrawal of U.S. forces	10.3	13.5
2. Continue our present course	1.4	5.1
3. Increase ground, air, and naval forces sufficient to insure complete control of South Vietnam in the shortest possible time	65.7	56.6
4. Cessation of bombing in North Vietnam	2.6	2.1
5. No increase in ground forces, but increased use of air and sea power against North Vietnam and supply routes to the south	20.0	22.7

ON VIETNAM

"I would like to state that I am for either getting in and win the war in Vietnam or get out. . ."

"As to the Vietnam conflict (not war), all I know is what I read and hear, but with that information, we are supposed to be such a strong nation, and yet we can't win over a small country like N. Vietnam. We are losing more men and planes all the time and I am personally in favor of either showing them we mean business, or if we don't get Vietnam's 100% support, get out and bring our men home."

"In regard to the war, I wish I knew the answer."

"President Johnson has much information that we do not. He is doing the best he knows how—in an impossible situation. He has my sympathy."

"We are most sad about the Viet Nam war, just can't see how it is a just war."

ON SOCIAL SECURITY

"I feel that with the spiral of cost of living raises that Social Security payments need a boost."

"Frankly I'm unequivocally opposed to any increase in the social security tax ever! Had I had my way in the beginning any Social Security program would have been strictly voluntary."

"Inflation has adversely affected effectiveness of Social Security payments to senior citizens, consequently an increase in monthly Social Security payments would be helpful."

ON THE DRAFT

"There is no such thing as a fair draft law. To be fair would mean to draft every eligible male into the service and we all know this doesn't happen and would not happen under any draft law. It would be chaos if it did."

"I feel if everyone's son had to serve by the time he was 22, there would be other ways to settle difference."

"I just wish to say how frightful I think it is to pick on 19-year-olds, and by lottery at that! It's not much of a graduation present . . ."

ON SPENDING

"I want you to know that I am a very irate and disgusted taxpayer because of all the spending of the government. The domestic programs must be curtailed war or no war. This 'Great Society is ridiculous.'"

"Along the money line . . . just think what would happen to the families if they had the same spending policies that are presently employed by our government. . . . Our government is just one big family and it should govern its expenditures like the little family has to."

ON AGRICULTURAL IMPORTS

"I feel that our foreign imports of not only agricultural products but other items such as metals, petroleum and numerous other finished products have been much too high and that we should do everything possible to bring into balance our export-import program."

"The farmers of this country labor long and hard to keep ahead of problems caused by nature, i.e. drought and floods. Why, they make less per hour than most city dwellers. We don't import foreign labor to compete with our labor. If we are to import foreign food clearly label where they are grown and by whom they were packed. The cost off the grocer's shelf should equal the amount of the American grown product."

OTHER TOPICS

"Personally, I sometimes feel that our constitution has been kicked around considerably in the last 30 or 35 years."

President's Rat Extermination Act Advances

EXTENSION OF REMARKS

OF

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 1967

Mr. BARRETT. Mr. Speaker, last week the Committee on Banking and Currency ordered reported H.R. 11000, the Rat Extermination Act of 1967. This is one of the most humane pieces of legislation that has ever come out of our committee, and it is aimed at a problem that must weigh on everyone's conscience.

In his message on urban and rural poverty, the President stated:

> The knowledge that many children in the world's most affluent nation are attacked, maimed, and even killed by rats should fill every American with shame. Yet this is an everyday occurrence in the slums of our cities.

I share the President's deep concern, and I was most pleased to see our committee approve H.R. 11000 embodying the President's recommendations by a vote of nearly 4 to 1.

The program which H.R. 11000 would authorize will supplement our present efforts in training, education, and research on the problem of rat extermination and control by providing grant assistance to cities to carry out local programs. In fact, this program will be the principal form of federally aided direct action to eliminate rats from the slums in our cities and towns. The bill authorizes the appropriation of $20 million in each of the fiscal years 1968 and 1969 to make grants to local governments to cover two-thirds of the cost of exterminating rats and then providing continuing control through such measures as eliminating their food supply through better refuse collection and better waste storage.

Mr. Speaker, it seems almost incredible that we have delayed so long in concentrating our efforts on this serious problem. The threat to health and the damage to property and the human fear these rodents cause must be removed. There is no excuse for this national disgrace in our supposedly wealthy society. Thousands of ratbite cases are reported every year and most of the victims are infants or small children. H.R. 11000 should reach the floor of the House very shortly after the Independence Day recess, and I hope that it will receive the same overwhelming support here that it did in committee.

Jackson: Birthplace of the Republican Party

EXTENSION OF REMARKS

OF

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Thursday, June 29, 1967

Mr. GRIFFIN. Mr. President, July 6 marks the 113th anniversary of the founding of the Republican Party at Jackson, Mich., in the year 1854.

To mark that anniversary, the people of Jackson are planning an appropriate observance in that city over the weekend of July 7. Among the events scheduled are a banquet, a pageant, exhibits and addresses by prominent Republicans, including Members of Congress.

A highlight of the observance will be an address by Representative FRED SCHWENGEL, of Iowa, who is well known in and out of Congress as an authority on the first Republican President, Abraham Lincoln.

The early days of the Republican Party, and the concerns which gave birth to the party, need to be recalled frequently—not only in Jackson, Mich., but throughout the Nation.

It was in Jackson on July 6, 1854, that our party was founded; here that the principles for which the youthful Republican organization then stood, and still holds to, were adopted by a formal convention assembled precisely for that purpose. That famous gathering "under the oaks" remains a testament to the conscience of this America, and to the initiative and human concern of the people of Michigan.

The Republican Party is unique in our political history. It originated spontaneously, born of a determination to no longer avoid an issue—slavery—which to them was of the utmost moral consequence. It was not so much the glamor of a particular leader which brought together men of various political allegiances, backgrounds, and loyalties; but rather the love of individual liberty and the nobility of the human spirit.

Think back to that green summer day in Jackson, over a century ago, when Whigs and Democrats, Free Soilers, and Liberty men banded together to voice their anger at the evil of slavery and their belief that human dignity is not limited by color or race or religious beliefs—principles on which the Republican Party still stands today.

The party's birth is chronicled in numerous journals, from one of which I quote the following excerpt:

> As the hall was entirely inadequate to the accommodation of those assembled [a complaint we cannot make today], an adjournment was had to an oak grove on the outskirts of the village, where a platform was hastily erected. The scene, as the crowd moved toward the grove, was an inspiring one. As far back as the eye could reach was a procession of men, with many women also. The grove itself was a beautiful piece of woods, situated on what was known as "Morgan's Forty," situated between the village and the race course. The scene there was an animated one, suggesting a huge picnic, the Jackson brass band enlivening the occasion with patriotic airs.

The convention, assembling at the spot which later became the intersection of Franklin and Second Streets, was perhaps the first group officially to fuse the new antislavery elements into a cohesive group and to give that group the name "Republican." The Jackson Convention is clearly the first assembly to formulate and give an abiding place to Republican principles in a party platform.

Horace Greeley is thought to have been responsible for suggesting the Party's name. Joseph Warren, the editor of the Detroit Tribune, who had done so much to galvanize public sentiment in opposition to the extension of slavery, later stated that Greeley had suggested the name Republican a day or two before the assembly in Jackson. At the convention Warren urged the adoption of the name, which was included in the platform.

The name was a logical choice—for theoretical, sentimental, and historical reasons. Because Jefferson had initiated the policy of restricting slavery in the Ordinance of 1784, sentiment favored naming the new party "Republican"—a name which Andrew Jackson had earlier deemed expendable. For the slavery-sympathizing Democrats had betrayed both the heritage of Jefferson and the cause of liberty. It was up to the new party to revitalize the Jeffersonian concept of human freedom and republican liberty which were now so shamefully abused. Writes Arthur Norman Holcombe:

> The original spirit of the Anti-slavery Republicans was the spirit of the Declaration of Independence, of the Land Ordinance of 1785, and of the Northwest Ordinance of 1787. Of the first of these great documents, Thomas Jefferson was the author; he had a leading part in the preparation of the second; his ideals were embodied in the third. In these three documents the fighting principles of the Anti-slavery Republicans were first set forth. The interests to which the Anti-slavery Republicans were most strongly devoted were those which had most loyally supported the Jefferson policies. Thus the spirit as well as the name of the original Jeffersonian party was revived by the party of Lincoln, of Seward, and of Chase.

William S. Myers has pointed out that Michigan was especially fertile ground for the Republican Party to take seed in, since its people were well informed and scorned the institution of human slavery.

He writes:

> The State of Michigan was then peopled by inhabitants of old American stock, far above the average in education and intelligence, and we can see this section of the American people at its best.

The young Republican Party appealed to the educated and culturally sophisticated men and women who formed the intellectual nucleus of the Nation. As one historian—A. M. Simons—has noted:

> Whittier wrote its campaign songs, Lowell translated its doctrines into poetry, while Emerson, Bryant, Longfellow, Holmes, and Motley were some of the names high in American literature counted on its membership rolls.

Particularly important in gaining for the Republicans the publicity necessary to political survival, was Horace Greeley's newspaper, the New York Tribune. Journalists such as Greeley helped the Republican Party recognize in its 1854 platform the interests of working men and women as well as the intellectuals of the day.

The Kansas-Nebraska Act of 1854, which repealed the Missouri Compromise and opened the Western territories to slavery, led to the Jackson meeting. Among the Democratic leaders who participated were Kingsley S. Bigham, Hovey K. Clarke, and Isaac P. Christiancy, all famous names in the history of Michigan politics.

Among the Whigs who joined the group was Zachariah Chandler, who later distinguished himself as Republican Senator from Michigan. Chandler's speech at the 1854 convention was particularly stirring. He caught the spirit of this conference. Said Chandler:

> Misfortunes make strange bedfellows. I see before me Whigs, Democrats, and Free Soilers, all mingling together to rebuke a great National wrong. I was born a Whig; I have always lived a Whig, and I hope to die fighting for some of the good Whig doctrines. But I do not stand here as a Whig. I have laid aside party to rebuke treachery.

Another speech of great appeal was made by Lewis Clark, a fugitive slave, immortalized as the character, "George Harris" in "Uncle Tom's Cabin."

Clark was the son of a Revolutionary soldier and a Kentucky Negress, and was then living on a farm near Sandwich, Ontario. He told how at the death of his father the family was sold on the auction block, and how he escaped from slavery. The effect of his speech on the assembly was powerful, intensifying the determination of the audience to end this institution.

It was an inspiring day; one of those high moments in history which still affects human affairs.

The timelessness of that first Republican platform makes it worth repeating:

> Surely that institution [that is, slavery—for which today we may substitute civil injustice of all kinds] . . . Surely that institution [reads the platform] is not to be strengthened and encouraged against which Washington, the calmest and wisest of our Nation, bore unequivocal testimony; as to which Jefferson, filled with a love of liberty, exclaimed: "Can the liberties of a Nation be ever thought secure when we have removed their only firm basis, a conviction in the minds of the people that thir liberties are the GIFT OF GOD? That they are not to be violated but with his wrath? Indeed, I tremble for my country when I reflect that God is just; that His justice cannot sleep forever . . ." We believe these sentiments to be true now as they were then.

In 1967, those sentiments are just as true; the Republican Party still stands for the rights of men, for human justice, and for individual dignity. The convocation under the oaks on that bright summer day did the Nation an invaluable service, for which the city of Jackson, Mich., is justly remembered.

This city is today a thriving example of the American spirit. A center for industry, transportation, and higher education; it has a reputation for enlightened political activity. The congressional district in which Jackson is located sends a Republican Representative to the Congress—partial testimony to the prominent role Republicans have played in Michigan history in the century following the Jackson convention.

Yes, we are proud of our party, and of the role which Jackson has played in its formation and perpetuation.

I salute the city of Jackson and offer my sincere admiration for the loyalty of its people to the principles for which the Republican Party stands.

As the Detroit Post Tribune wrote long ago:

> To the men who gathered on that midsummer day in the oak grove at Jackson belongs the honor of being the first to comprehend a great opportunity; they were wise enough to improve all its possibilities, and there founded and named the party of the future.

SENATE

MONDAY, JULY 10, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. Edward B. Lewis, D.D., minister, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear God of all goodness, we are reminded of the positive part of living when we bow for a moment of prayer.

In this time of history when we are prone to major on the negative, we need the thought of the power of the basic goodness which is given to life as its sure foundation.

Help us to have the spirit to minister and not expect to be ministered unto. Quicken in us an awareness of human need. Teach us to forget ourselves in service to others. Give us the will to pay the personal spiritual price for the peace we seek.

May we share our abundance with the hungry, open doors of beauty to the troubled, and extend the hand of friendship to the lonely and confused.

Give us the grace to be wise stewards of good things that have been entrusted unto us.

We pray in the name of our Lord. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that the President had approved and signed the following acts:

On June 30, 1967:

S. 617. An act to authorize the States of North Dakota, South Dakota, Montana, and Washington to use the income from certain lands for the construction of facilities for State charitable, educational, penal, and reformatory institutions; and

S. 1432. An act to amend the Universal Military Training and Service Act, and for other purposes.

On July 3, 1967:

S. 66. An act for the relief of Dr. Alfredo Reboredo-Newhall;

S. 714. An act to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and to amend the Federal Credit Union Act to modify the loan provisions relating to directors, members of the supervisory committee, and members of the credit committee of Federal credit unions; and

S. 763. An act to amend the act approved August 17, 1937, so as to facilitate the addition to the District of Columbia registration of a motor vehicle or trailer of the name of the spouse of the owner of any such motor vehicle or trailer.

On July 4, 1967:

S. 1649. An act authorizing the change in name of certain water resource projects under jurisdiction of the Department of the Army.

On July 7, 1967:

S. 1226. An act to transfer from the U.S. District Court for the District of Columbia to the District of Columbia court of general sessions the authority to waive certain provisions relating to the issuance of a marriage license in the District of Columbia.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nomination of Dale Wayne Hardin, of Virginia, to be an Interstate Commerce Commissioner which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 2082. An act to amend title 37, United States Code, to authorize travel, transportation, and education allowances to certain members of the uniformed services for dependents' schooling, and for other purposes; and

H.R. 10918. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were each read twice by their titles and referred, or placed on the calendar, as indicated:

H.R. 2082. An act to amend title 37, United States Code, to authorize travel, transportation, and education allowances to certain members of the uniformed services for dependents' schooling, and for other purposes; to the Committee on Armed Services.

H.R. 10918. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; placed on the calendar.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 29, 1967, was dispensed with.

WAIVER OF CALL OF THE CALENDAR

On request of Mr. Mansfield, and by unanimous consent, the call of the Legislative Calendar, under rule VIII, was dispensed with.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare.

The Subcommittee on Criminal Laws and Procedures and the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, the pending business is the legislative branch appropriation bill, which will be considered today.

Following that, it is anticipated that the Senate will take up S. 5, Calendar No. 378, the truth-in-lending bill. Following that, it is anticipated that S. 1963, Order No. 337, the AEC authorization bill, will be considered, to be followed—though not necessarily in this order—by such legislative proposals as the election of a Governor of the Virgin Islands, S. 450; the Great Salt Lake National Monument, S. 25; the air quality bill, S. 780, and the agricultural appropriations bill, H.R. 10509.

So it appears that the Senate will have a busy week, and I would hope that the Members of the Senate would be on hand, so that this legislation may be disposed of as expeditiously as possible.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. If we are able to conclude consideration of the legislative appropriation bill today—and there is no question in my mind that we will—is it the desire of the majority leader to lay down S. 5, the truth-in-lending bill, as the pending business this afternoon?

Mr. MANSFIELD. Yes; and if there is no objection, even to get started on its consideration.

Mr. TOWER. Does the majority leader anticipate that there will be any votes in connection with S. 5 today?

Mr. MANSFIELD. I would doubt it, because there will be some discussion and even votes on the pending business, the legislative appropriation measure.

Mr. TOWER. I thank the majority leader.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER (Mr. Montoya in the chair). Without objection, it is so ordered.

THE SENATE SCORE AFTER 6 MONTHS

Mr. MANSFIELD. Mr. President, the Members of Congress have just returned—invigorated and refreshed—from a 10-day recess, so I consider this an appropriate time to discuss what is yet to be done in the Senate and also summarize what the Senate has done.

Before a sine die adjournment of the first session of the 90th Congress we must consider:

Nine appropriation bills, excluding the legislative, to be acted on today, and agriculture, which is to be reported tomorrow;

The AEC authorization which is to be acted on Wednesday;

A new method of financing the rural electric and rural telephone systems;

Amendments to the Consolidated Farmers Home Administration Act to provide loans to individual farmers or tenants to finance outdoor recreational enterprises;

The Federal Meat Inspection Act;

The military construction authorization;

The extension of the Export-Import Bank Act which has been reported;

The Investment Company Amendments Act redefining the equitable standards governing relationships between investment companies and the investment advisers and principal underwriters;

The truth-in-lending bill which will be acted on tomorrow;

The Rat Extermination and Control Act;

The National Flood Insurance Act;

The Fire Research and Safety Act;

The revision of the protection provisions under the Flammable Fabrics Act;

The Natural Gas Pipeline Safety Act;

The District of Columbia crime control bill;

The national crime control measures;

The extension of the interest equalization tax for 2 more years;

The election reform measures;

The social security amendments;

The foreign aid authorization;

The Indian Resources Development Act;

The wild rivers bill;

The bill establishing a nationwide system of trails for recreational purposes;

Amendments to the Elementary and Secondary Education Act and the Higher Education Act;

Extension of the Juvenile Delinquency Prevention Act;

The health bills including the Medical Device Safety Act, amendments to the Mental Retardation Act, Comprehensive Health Act amendments, and Vocational Rehabilitation;

Amendments to the poverty program;

The Air Quality Act which is to be reported tomorrow;

The authorization for the highway safety and beautification program;

The postal revenue and District of Columbia revenue bills;

The military and civilian pay bills;

Civil rights, and perhaps a tax bill.

The completion of the Food Stamp Authorization Act, the congressional redistricting bill, the space authorization, the emergency strike legislation, and the Veterans' Benefits Act, all of which are in conference.

The above is not all inclusive by any

means but it provides us with a sampling of what lies ahead before we can close the doors with the feeling that we have met our responsibilities.

To summarize our activities to date, I ask unanimous consent that the following report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Senate legislative activity to July 10, 1967—Senate Democratic policy committee

Days in session	103
Hours in session	508:04
Total measures passed	391
Treaties	19
Confirmations	37,385
Public Laws	53

Following is brief summary of major Senate activity. Presidential recommendations and bills in accord with the President's program are indicated by (PR).

AGRICULTURE

Community development act: Provides for grants to assist local areas in planning for facilities and services necessary to their future development. S. 645. P/S 5/9. (PR)

Food stamp authorization: Extends for 3 years the food stamp program and authorizes a total appropriation of $675 million to be allocated as follows: $200 million for fiscal 1968, $225 million for fiscal 1969 and $250 million for fiscal 1970. S. 953. In conf. (PR)

Forest resources survey: Increases the limit on annual appropriations from $2.5 million to $5 million to keep the timber survey current. S. 1136. P/S 5/9.

Tobacco: Removed restrictions on leasing and transferring Maryland tobacco allotments. PL 90–6.

Tobacco—acreage allotments: Authorizes the lease, sale and transfer of acreage allotments and acreage-poundage quotas for fire-cured, dark air-cured and Virginia sun-cured tobacco to other farms in the same county. PL 90–51.

Tobacco—5-acre limitation: Removes the 5-acre limitation on the amount of tobacco allotment acreage which may be leased. PL 90–52.

APPROPRIATIONS

1967

Second supplemental: Appropriated a total of $2,197,931,417 for various departments. PL 90–21. (PR)

Vietnam: Appropriated a total of $12,196,520,000 for the support of military operations in Southeast Asia. PL 90–8. (PR)

1968

Interior: Appropriated a total of $1,382,848,350 for the Department of the Interior and related agencies. PL 90–28. (PR)

Treasury-Post Office: Appropriated a total of $7,545,641,000 for the Departments of Treasury and Post Office. PL 90–47. (PR)

CONGRESS

Art and antiquities: Establishes a bipartisan commission on Art and Antiquities of the Capitol. S. J. Res. 27. P/S 4/6.

Congressional redistricting: Establishes Federal standards of contiguity and compactness to be met by States in changing boundaries of congressional districts based on population changes shown by census. HR 2508. In conf.

Economic Report: Extended required date for transmission of President's economic report to Congress from January 20 to January 30. PL 90–1.

Joint Committee on Organization of Congress: Extended through June 30, 1967, the Joint Committee on the Organization of Congress established March 11, 1965. The resolution authorized an additional $60,000, making a total authorization of $350,000 since the committee was established. S. Con. Res. 2. S. adopted 1/30. H. adopted 1/31.

Joint Committee on Organization of Congress: Continues through 12/31/67 the Joint Committee on the Organization of Congress established 3/11/65. Authorizes the Joint Committee on to make expenditures from 7/1/67 through 12/31/67, not to exceed $50,000 to be paid from the contingent fund of the Senate. S. Con. Res. 32. Senate and House adopted 6/12/67.

Joint Economic Committee: Expanded Joint Economic Committee from 16 to 20 members, one member of each party from the Senate and the House. PL 90–2.

Legislative Reorganization Act: Provides for major changes in committee procedures, strengthens fiscal controls and informational sources in order to permit Congress to operate more efficiently. S. 355. P/S 3/7.

Special Senate Committee on Organization of Congress: Extended through June 30, 1967 in order to take care of any conference requirements on S. 355, the Legislative Reorganization bill. S. Res. 106. Adopted 4/11.

Special Committee on Organization of Congress: Continues through 12/31/67 the Special Committee on the Organization of Congress established by S. Res. 293, agreed to 8/26/66. S. Res. 133. Senate adopted 6/12.

U.S. Capitol grounds: Provides for formulation, adoption, administration and periodic updating of a comprehensive plan for US Capitol grounds. S.J. Res. 74. P/S 5/18.

DEFENSE (ALSO SEE VIETNAM)

Coast Guard authority: Authorizes $165,014,000 to be appropriated to the US Coast Guard for fiscal 1968 for their capital requirements in ships, planes, shore facilities, and aid to navigation. PL 90–37. (PR)

Military procurement authorization for fiscal 1968: Authorizes a total of $21,168,032,000; of this amount $13,862,400,000 is for procurement of aircraft, missiles, naval vessels and tracked combat vehicles and $7,305,632,000 is for research, development, tests and evaluation. PL 90–22. (PR)

Military Selective Service Act: Extended the draft through 7/1/71, preserved student deferments and prohibited a lottery system unless authorized by Congress. PL 90–40. (PR)

DISTRICT OF COLUMBIA

Escheat claims: Removes the dollar limit on the authority of the DC Board of Commissioners to settle claims of the District of Columbia in escheat cases. PL 90–33.

Liens: Provides that a judgment or decree of the US District Court for the District of Columbia shall not constitute a lien until filed and recorded in the office of the Recorder of Deeds of the District of Columbia. S. 1227. P/S 6/13.

Marriage licenses: Transfers from the US District Court for the District of Columbia to the District of Columbia Court of General Sessions the authority to waive premarital blood test and waiting period requirements relating to the issuance of marriage licenses in the District of Columbia. PL 90–53.

Motor vehicle titles: Facilitates transfers of motor vehicle or trailer ownership by eliminating requirement that applications to the Director of Motor Vehicles for official certificates of title and statements relating to liens be made under oath. S. 764. P/S 6/13.

Parking facilities: Provides an effective method for dealing with the present and future needs for motor vehicle parking facilities in the District of Columbia. S. 944. P/S 6/27.

Traffic Act amendments: Authorizes the DC Board of Commissioners to issue and renew motor vehicle operator permits for periods less than 3 years whenever it is found, on the basis of medical evidence, that the physical or mental condition of the applicant warrants such limitation. S. 762. P/S 6/13.

Pennsylvania Avenue: Establishes the Commission on Pennsylvania Ave. to see that Pennsylvania Ave. is developed as a national historic site. S.J. Res. 18. P/S 3/13. (PR)

Vehicle Registration: Permits an individual owner to add to the registration of a motor vehicle or trailer the name of the spouse of such owner, as a joint owner, without obtaining an entirely new registration with full fees. PL 90–43.

DUTY

Manganese ore tariff: Extended duty-free treatment for manganese ore from 6/30/67 to 6/30/70. PL 90–49.

Metal scrap tariffs: Continued duty-free treatment for certain metal scrap through June 30, 1969. PL 90–45.

Nickel tariff: Extended tariff-free treatment for nickel from June 30, 1967 to September 30, 1967. PL 90–48.

Tariff refund claims: Extended the deadline for filing claims for refund of duty pursuant to the Tariff Schedules Technical Amendments Act of 1965 from June 30, 1967 to September 30, 1967; and extended for 1 year to June 30, 1968, the following programs:

(a) Aid to families with dependent children's program

(b) 3rd-party payments on behalf of dependent children

(c) Foster care in child care institutions

(d) Repatriated Americans

(e) Dependent children of unemployed parents

(f) Foster care by arrangement with other state agencies

(g) Demonstration projects. PL 90–36.

ECONOMY AND FINANCE

Alaska development planning: Authorized $300,000 for fiscal 1968 and for each fiscal year thru fiscal 1970 for operating expenses of the Federal Field Committee for Development Planning in Alaska for long-range economic planning. S. 1281. P/S 6/12. (PR)

Appalachian Regional Development Act Amendments: Authorizes $273,650,000 for Appalachian programs other than highway construction for the 2 fiscal year period ending 6/30/69; expands medical services and facilities, provides needed hardwood products research, gives technical assistance for low and moderate income housing, in addition to continuing programs established under the 1965 act. S. 602. P/S 4/27. (PR)

Balance of payments: Extends to June 30, 1969 the authority for granting exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States. S. 1648. P/S 6/29. H.R. 8630. H. Cal.

Bank credit: Permits Federal Reserve banks to extend credit to member banks and others in accord with current economic conditions. S. 966. P/S 4/14.

Bank obligations: Permits Federal Reserve banks to invest in certain obligations of foreign governments. S. 965. P/S 4/14.

Dicyandiamide—Duty free: Delegated authority to negotiate a zero tariff on imported dicyandiamide free of staging requirements of Trade Expansion Act of 1962. PL 90–14.

Federal Reserve Loans: Increased amounts which member banks may lend to their executive officers and Federal credit unions may lend to their directors and members of supervisory and credit committees. PL 90–44.

Investment credit restoration: Restored 7% investment tax credit and certain uses of accelerated depreciation methods effective May 24, 1967; however, property or equipment ordered during the suspension period but not *delivered* before May 24, 1967 will be eligible for the credit; makes Presidential Election Campaign Fund Act inoperative until statutory guidelines are enacted. PL 90–26. (PR)

Public debt limit: Provided temporary debt limit of $336 billion through June 30, 1967. PL 90–3. (PR)

Public debt limit: Increased the permanent debt limit from $285 billion to $358 billion, effective 7/1/67; increased the debt limit temporarily by $7 billion to $365 billion, effective 7/1/68 and each July 1 thereafter until June 29 of each succeeding year; and provided that the limit would revert to $358 billion on each June 30. PL 90–39. (PR)

Savings and loan holding companies: Provides for regulation of Savings and Loan Holding Companies and subsidiary companies. S. 1542. P/S 6/26. (PR)

Silver certificates: Allowed Treasury to free up to $200 million of silver in its stock by writing off a portion of outstanding silver certificates and to end redemptions for all outstanding silver certificates after one year. PL 90–29. (PR)

Small Business Amendments of 1967: Increases by $650 million the authorization for the Small Business Administration's revolving fund and, among other things, would establish new minimum capital requirements for small business investment companies. S. 1862. P/S 6/29. (PR)

EDUCATION

American Academy: Increases from $10 million to $25 million the amount of real property which may be held by the American Academy in Rome in the District of Columbia. S. 281. P/S 5/19.

Public Broadcasting Act: Provides grants for construction of educational television and radio facilities; establishes a Corporation for Public Broadcasting to facilitate expansion and development of noncommercial broadcasting and program diversity; authorizes Secretary of HEW to conduct a comprehensive study of instructional television and radio. S. 1160. P/S 5/17. (PR)

School Construction: Authorizes the State of Washington to use income from certain lands to construct school facilities and other public institutions. PL 90–41.

Teachers Corps—Education professions development: Extends the Teachers Corps through fiscal 1970 and authorizes $33 million for fiscal 1968, $46 million for fiscal 1969, and $56 million for fiscal 1970. Establishes a National Advisory Council on Education Professions Development and 4 new programs beginning in fiscal 1969 to provide—

(1) Grants and contracts to attract qualified persons to the education field;

(2) Grants to local educational agencies experiencing critical shortages of teachers;

(3) Grants and contracts to provide advanced training;

(4) Fellowships, traineeships, institutes and preservice and inservice training.

PL 90–35. (PR)

FEDERAL EMPLOYEES

ASCS county office employees: Recognizes periods of employment service in the county offices of the Agriculture Stabilization and Conservation Service for the purposes of salary adjustment, annual and sick leave, and reductions in force for former county office employees in the Department of Agriculture. S. 1028. P/S 6/28.

Foreign Service retirement: Placed annuitants of the Foreign Service retirement system on the same basis as civil service annuitants for purposes of computing future cost-of-living increases in annuities; provides retired Foreign Service personnel and their survivors with the same cost-of-living increases accorded civil service annuitants; and increases the maximum creditable service from 35 to 40 years. S. 2003. P/S 6/26.

Political activity: Extends the life of the Commission on Political Activity until 12/31/67. S. 853. P/S 4/6. H. Cal.

Survivors annuities: Amends the Civil Service Retirement Act to provide for inclusion of certain periods of reemployment of annuitants for purpose of computing annuities of their surviving spouses, S. 1190. P/S 5/9.

Temporary employees—Career status: Resolves temporary status appointment problems of classified and postal services by permitting agencies to convert temporary employees to career positions under specified conditions. S. 1320. P/S 5/9. H. Cal.

GENERAL GOVERNMENT

Federal property accountability: Provides for adequate accountability by a Federal agency over property under its control. S. 805. P/S 6/26.

Guam: Provides for popular election of Governor and Lieutenant Governor for the territory of Guam. S. 449. P/S 5/9.

Puerto Rico: Extended congratulations to the people of Puerto Rico on their 50th anniversary of US citizenship. S. Res. 86. Adopted 3/2.

Real property taxes: Extends for 2 years from 12/31/66 the period during which payments in lieu of taxes may be made to State and local tax authorities by the Federal Government with respect to certain real property transferred by the RFC and its subsidiaries to other Government departments. PL 90–50.

Trust Territory of Pacific Islands: Increased from an annual authorization of $17.5 million to maximum of $25 million for fiscal 1967 and $35 million for fiscal 1968 and 1969; provided that future appointments to office of High Commissioner shall be made by the President and confirmed by the Senate. PL 90–16. (PR)

HEALTH AND WELFARE

Mental health centers: Extended federal grants for the construction of community mental health centers for 3 years, through June 30, 1970 and authorized $50 million in fiscal 1968, $60 million in fiscal 1969 and $70 million in fiscal 1970. PL 90–31. (PR)

Older Americans Act: Extends the grant programs under the Older Americans Act of 1965 through 1972 and authorizes $16,950,000 for these grants in fiscal 1968 and $26 million for fiscal 1969. Appropriations for the following 3 fiscal years, 1970 through 1972, will be authorized later. PL 90–42. (PR)

Product safety: Establishes a 7-member National Commission on Product Safety appointed by the President, with final report to be submitted to President and Congress by 1/1/69. S.J. Res. 33. P/S 6/6. (PR)

HOUSING

Homeowners assistance authorization: Authorizes $11 million during fiscal 1967 for use by the Secretary of Defense to provide assistance to military or civilian employee homeowners who suffer financial losses in selling homes where military installations close. S. 1216. P/S 4/11. H. Cal.

Update laws: Amended several existing housing laws to conform them to the establishment of the new Department of Housing and Urban Development, PL 90–19.

Urban fellowship program: Extends for 3 years the authority to appropriate $500,000 annually for city planning and urban studies fellowship program. S. 1762. P/S 5/15. (PR).

INDIANS

Flathead Reservation: Authorizes distribution of an award (approximately $4 million) by Indian Claims Commission to confederated Salish and Kootenai tribes of Flathead Reservation in Montana. PL 90–11.

Indian Claims Commission: Extended the life of the Commission through 4/10/72 and expanded its membership from 3 to 5 commissioners. PL 90–9. (PR)

Southern Ute Reservation: Authorizes distribution of an award (approximately $1.5 million) by Indian Claims Commission to Southern Ute tribe of Southern Ute Reservation in Colorado. S. 1191. P/S 3/13. P/H amended 4/17.

INTERNATIONAL

Centennial of confederation of Canada: Extended congratulations of Congress to Parliament of Canada as a gesture of goodwill and friendship in marking the 100th anniversary of the Confederation of Canada. H. Con. Res. 280. H. adopted 3/20; S. adopted 3/21.

Diplomatic Relations Act: Complements the Vienna Convention on Diplomatic Relations by conveying greater privileges to foreign personnel. S. 1577. P/S 6/15. Motion entered to reconsider 6/19.

Food for India: Recommended up to an additional three million tons of food grains for India and an additional $25 million of emergency food relief for distribution by American volunteer agencies. PL 90–7. (PR).

High-risk benefits: Authorizes additional employee benefits for all U.S. Government personnel serving in hostile areas abroad, such as Vietnam and for Foreign Service personnel and their dependents in emergency or extraordinary situations. S. 1785. P/S 5/17. (PR).

International bridges: Grants congressional consent for the construction of international bridges and collection of tolls for their use. S. 623. P/S 4/3.

International human rights: Creates an 11-member advisory and coordinating committee to be known as the US Committee on Human Rights to formulate plans for participation by the US in the observance of the year 1968 as International Human Rights Year. S. 990. P/S 6/14.

Peace Corps authorization: Authorizes appropriation of $115,700,000 for fiscal 1968 operation of the Peace Corps. S. 1031. P/S 5/15. (PR).

JUDICIAL

Appellate review: Provides for appellate review of sentences imposed in criminal cases arising in the district courts of the US. S. 1540. P/S 6/29.

Inmate transfer: Authorized the Attorney General to transfer an inmate of the DC jail to any other institution under the control of the DC Department of Corrections notwithstanding the pending of a petition for a writ of habeas corpus. S. 388. P/S 6/29.

Judicial review: Provides judicial machinery necessary for instituting an equitable action for declaratory judgment to obtain judicial review of constitutionality of grants or loans made under certain enumerated acts of Congress. S. 3 P/S 4/11.

Obscene telephone calls: Makes it a Federal offense to make certain obscene or harassing telephone calls in interstate or foreign commerce or within the District of Columbia. S. 375. P/S 4/24.

U.S. magistrate: Abolished the Office of the U.S. Commissioner and established in lieu thereof the Office of U.S. Magistrate within the judicial branch of the Government. S. 945. P/S 6/29.

LABOR

Railroad shopcraft dispute: Extended until 5/3/67 the period for making no change of conditions under section 10 of Railway Labor Act applicable in current dispute between railroads and certain of their employees. PL 90–10. (PR)

Railroad shopcraft dispute: Extended for an additional 47 days, until 12:01 a.m. June 19, 1967, the original 20-day cooling-off period in current railroad labor-management dispute. PL 90–13. (PR)

Railroad shopcraft dispute: Provided for establishment by the President of a five member Special Board to operate during a 90-day no-strike, no-lockout period which begins upon enactment of this resolution in order to maintain the Nation's railroad transport without interruption during further collective bargaining to settle the dispute. S.J. Res. 81. In conf. (PR)

MEMORIALS

Golden Spike Commission: Establishes a 13-member Federal Golden Spike Centennial Celebration Commission to cooperate with Utah Golden Spike Commission in planning an appropriate observance of the 100th anniversary on May 10, 1969. S.J. Res. 10. P/S 4/14.

Kennedy birthplace: Established the birthplace of the late President John F. Kennedy in Mass. as a national historic site. PL 90–20.

Patrick V. McNamara Building: Provides that the federal office building to be constructed in Detroit, Mich., be named the "Patrick V. McNamara Office Building" in memory of the late Senator from Michigan. S. 343. P/S4/4.

PROCLAMATIONS

American History Month: Designated February of each year as American History Month and requested the President to issue a proclamation. S.J. Res. 26. P/H amended 5/25.

Father's Day: Designated the third Sunday in June of each year as Father's Day and requested the President to issue an annual proclamation. S.J. Res. 11. P/S 5/18.

National Carih Asthma Week: Authorized the President to issue a proclamation designating the week beginning 5/1/67 as "National CARIH Asthma Week," thus focusing attention on the broad program of clinical and basic research at the Children's Asthma Research Institute and Hospital in Denver, Colo. PL 90–4.

National Coal Week: Authorizes the President to proclaim the week beginning June 18, 1967 as National Coal Week in honor of the golden anniversary of the founding of the National Coal Association. S. Con. Res. 20. S. adopted 4/17; H. adopted 5/25.

National Coin Week: Authorizes the President to proclaim the fourth week in April of each year as National Coin Week. S.J. Res. 28. P/S 5/18.

National Employ the Physically Handicapped Week: Amends the act of 1945 establishing the first week in October of each year as "National Employ the Physically Handicapped Week" to broaden its applicability to all handicapped workers by removing word "physically." S.J. Res. 44. P/S 5/18.

National Farmers Week: Requests the President to issue annually a proclamation designating the 7-day period beginning on the first Sunday in April as National Farmers Week. S.J. Res. 19. P/S 5/18.

National Home Improvement: Requests the President to proclaim the month of May, 1967 as National Home Improvement Month. S.J. Res. 69. P/S 5/18.

Professional Photography Week: Authorizes the President to issue a proclamation designating the week of July 23 through July 29, 1967 as Professional Photography Week. S.J. Res. 41. P/S 5/18.

Rush-Bagot Agreement: Designates April 28–29, 1967 as Rush-Bagot Agreement Days. PL 90–12.

Safety Patrol Week: Designates the second week of May of each year as National School Safety Patrol Week and authorizes the President to issue an annual proclamation. S.J. Res. 72. P/S 5/18.

See-the-United States: Authorizes the President to extend through 1967 his proclamation of the period to see-the-United States and its territories. S.J. Res. 57. P/S 4/14.

UNICEF: Designates October 31 of each year as National UNICEF Day. S.J. Res. 56. P/S 4/14.

REORGANIZATION

Budget Commission: Establishes a 14-member Joint Committee on the Budget. S. 538. P/S 5/11.

Plan No. 1: Transferred from the Secretary of Commerce to the Secretary of Transportation authority to approve surrender of certain ship documents. Effective 5/9/67.

RESOURCE BUILDUP

Banks Lake: Authorizes the Secretary of Interior, pending completion of Columbia Basin project, to operate and maintain Banks Lake of the Columbia Basin project for the purpose of recreation as well as presently authorized project purposes for a period not to exceed six years. S. 605. P/S 3/6.

Desalting plant: Authorized the Department of Interior, thru its Office of Saline Water, to participate in construction and operation of a nuclear desalting plant in California. PL 90–18. (PR)

Feasibility studies: Permits the Secretary of Interior to continue feasibility investigations of certain specified water resource proposals which were not authorized by PL 89–561 or by other legislation and authorizes feasibility investigations of new water resource projects. S. 1788. P/S 5/24.

Interstate oil and gas compact: Grants congressional consent to a 4-year extension of the interstate compact to conserve oil and gas. S.J. Res. 35. P/S 5/4.

Kennewick irrigation extension: Authorizes construction, operation and maintenance of Kennewick division extension, Yakima project, Wash. in order to bring an additional 6,300 acres of land under irrigation in the Yakima river valley. S. 370. P/S 3/6.

Missouri River Basin: Increases to $69 million the authorization for continuing work on the Tiber Dam of the Missouri River Basin project during fiscal 1967 and 1968. S. 1601. P/S 5/4.

National Water Commission: Establishes the National Water Commission to review and advise in the entire range of water resource problems. S. 20. P/S 2/6. H. Cal. (PR)

River basin monetary authorization: Authorized $472 million for 82 separate water projects in 14 river basin development plants. PL 90–17. (PR)

Saline water conversion authorization: Makes available for appropriation in fiscal 1968 a total of $26,782,000 for the saline water conversion program. PL 90–30. (PR)

San Rafael Wilderness: Sets aside San Rafael as a wilderness under the National Wilderness Preservation System enacted in 1964. The San Rafael wilderness is part of the Los Padres National Forest and is located in the San Rafael and Sierra Madre Mountain Ranges in southeastern Santa Barbara County, California. S. 889. P/S 5/2. (PR)

SPACE

Space authorization: Authorized appropriations totaling $4,851,006,000 for the National Aeronautics and Space Administration for fiscal year 1968, as follows: research and development, $4,135,700,000; construction of facilities, $67,100,000; Administrative operations $648,206,000. S. 1296. In conf. (PR)

TRANSPORTATION AND COMMUNICATIONS

Alaska: Authorizes the disposal of Government-owned longlines communication facilities in the State of Alaska. S. 223. P/S 5/9.

Interoceanic Canal Study Commission: Extends to 12/1/70 the time in which the Atlantic-Pacific Interoceanic Study Commission must complete its study and make recommendations on the feasibility of, and the most suitable site for, a second overland canal thru the American isthmus. S. 1566. P/S 6/12. (PR)

Manele Bay, Hawaii: Authorizes $172,000 for additional construction costs on the small-boat harbor at Manele Bay, Lanai, Hawaii. S. 423. P/S 5/1.

Obscene Matters and Materials Commission: Creates a Commission on noxious and obscene matters and materials. S. 188. P/S 5/11.

30-year leasing: Extended to June 30, 1972 the authority of the Postmaster General to negotiate and enter into lease agreements for periods up to 30 years for special-purpose post office buildings. PL 90–15.

Urban mass transit: Extended for 4 months, to 11/1/67, the authority for the Dept. of Housing and Urban Development to provide grants to States and local public bodies and agencies for the acquisition, construction, or improvement of urgently needed urban mass transportation facilities. PL 90–34.

VIETNAM

Military procurement and construction supplemental authorization: Authorized $4,548,200,000 in supplemental funds for fiscal 1967 as follows: $3,788,700,000 for procurement of aircraft and missiles; $135 million for research, development, test and evaluation; and $624,500,000 for military construction; included a declaration of Congressional policy on supporting our Armed Forces in Vietnam. PL 90–5. (PR)

Supplemental appropriations: Appropriated a total of $12,196,520,000 for fiscal 1967 for the support of military operations in southeast Asia. PL 90–8. (PR)

Veterans: Authorizes an average increase of 5.4% in nonservice-connected pensions to veterans, widows and dependents; provides additional benefits to veterans who have served in the Armed Forces during the "Vietnam Era" comparable to those benefits provided by Congress for veterans of World Wars I and II and the Korean conflict; and authorizes increases in educational allowances under the 1966 GI bill. S. 16. In conf. (PR)

TREATIES (PR)

Soviet Consular Treaty: Provided for prompt notification and access to nationals of one country arrested or detained in the other, and extends criminal immunities to consulate officials and employees. Ex. D (88–2). Resolution of ratification agreed to 3/16.

Outer space: Established general principles for the peaceful exploration and use of outer space; including the moon and other celestial bodies. Ex. D (90–1). Resolution of ratification agreed to 4/25.

Narcotics Drug Convention: Simplified the international narcotic control machinery and provided additional measures for the international control of narcotic drugs. Ex. G (90–1). Resolution of ratification agreed to 5/8.

Convention for the International Council for the Exploration of the Sea: Authorized the Council to promote and encourage research and investigations for the study of the sea, particularly living resources, and to publicize and disseminate the results. Ex H (89–2). Resolution of ratification agreed to 3/1.

Great Lakes Fisheries Convention Amendment: Amended the existing convention between the U.S. and Canada to increase the size of the Commission from 6 to 8, with the U.S. and Canada each entitled to name 4 instead of the present 3 commissioners. Ex T (89–2). Resolution of ratification agreed to 3/1.

International Convention for the Conservation of Atlantic Tuna: Established an International Commission to make a study of tuna and tunalike fish populations, including research on the abundance, biometry, and ecology of the fishes, the oceanography of their environment, and the effects of natural and human factors on their abundance. Ex. U (89–2). Resolution of ratification agreed to 3/1.

Customs Convention on Temporary Importation of Professional Equipment: Authorized temporary duty-free entry of articles such as press, radio, television equipment, movie cameras, typewriters and scientific materials. Such equipment must be reexported within six months unless the time period is extended for valid reasons. Ex. K (89–2). Resolution of ratification agreed to 3/1.

Customs Convention on the ATA Carnet for Temporary Admission of Goods: Provided for the issuance of a carnet for the goods covered by the convention in Ex. K (above), so it will not be necessary to post a bond. Ex. L (89–2). Resolution of ratification agreed to 3/1.

Customs Convention Regarding ECS Car-

nets for Commercial Samples: This convention is a companion to the International Convention to Facilitate the Importation of Commercial Samples and Advertising Material approved in 1956, and obviated the necessity for posting bond. Ex. M (89–2). Resolution of ratification agreed to 3/1.

Customs Convention on Containers: Required member states to permit the temporary duty-free entry, generally three months, of large containers used in international trade. Ex. J (89–2). Resolution of ratification agreed to 3/1.

Customs Convention on the International Transport of Goods Under Cover of TIR Carnets: This is a companion to the container convention (Ex. J) above and allowed a loaded container to transit through a country or to pass the point of entry without inspection, which will take place at the point of destination. This carnet covers dutiable goods transported by road vehicles only. Ex. N (89–2). Resolution of ratification agreed to 3/1.

Convention of Mar Del Plata: Reduced the burden of paperwork for ships in international voyages. Ex. Q (89–2). Resolution of ratification agreed to 3/1.

Convention on Facilitation of International Maritime Traffic: Promoted international trade and travel by simplifying, standardizing and reducing the usual formalities. Ex. R (89–2). Resolution of ratification agreed to 3/1.

International Convention on Safety of Life at Sea Amendments: Improved the fire protection of ships, particularly passenger vessels. Ex. E (90–1). Resolution of ratification agreed to 3/21.

Convention on the Service Abroad of Judicial and Extrajudicial Documents: Assured that parties involved in a suit be given timely notice with respect to judicial and extrajudicial documents served abroad and to facilitate international judicial assistance by simplifying and expediting the procedures. Ex. C (90–1). Resolution of ratification agreed to 4/14.

International Telecommunications Convention Annexes and Protocol: The main purpose of this convention was to replace the Geneva Convention approved in 1961. The Geneva Convention formed the International Telecommunication Union (ITU), the organization which carries on negotiations among its members and coordinates the use of all forms of international telecommunications. The new convention follows the pattern of the 1961 convention but contains a number of minor improvements and several major modifications relating primarily to the functioning of the ITU and some of its organs. Ex. O (89–2). Resolution of ratification agreed to 4/18.

United Nations Charter Amendment: Amended article 109 of the UN charter to correct an oversight in the Security Council voting requirements. Ex. A (90–1). Resolution of ratification agreed to 5/8.

International Exchange of Publications and Documents: Provided for the exchange, on a reciprocal basis, of official publications and Government documents. Ex. G (88–1). Resolution of ratification agreed to 5/8.

Convention Concerning International Exchange of Publications: In this general convention the parties undertake to encourage and facilitate the exchange of publications between both governmental bodies and nongovernmental institutions of an educational, scientific and technical or cultural nature which are nonprofit-making in character. Ex. G (88–1). Resolution of ratification agreed to 5/8.

MESSAGE FROM HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of June 29, 1967,

The Secretary of the Senate, on June 29, 1967, received the following message from the House of Representatives:

That the House had agreed to the amendments of the Senate to the bill (H.R. 10730) to amend the Older Americans Act of 1965 so as to extend its provisions.

ENROLLED BILLS SIGNED

The message announced that the Speaker had affixed his signature to the following bills, and they were signed by the President pro tempore:

H.R. 1516. An act for the relief of Giuseppe Tocco;

H.R. 1703. An act for the relief of Angiolina Condello;

H.R. 1763. An act for the relief of Dr. Raul E. Bertram;

H.R. 1764. An act for the relief of Dr. Ernesto M. Campello;

H.R. 1765. An act for the relief of Dr. Ubaldo Gregario Catasús-Rodriguez;

H.R. 3523. An act for the relief of Chang-You Wu, M.D.;

H.R. 4930. An act for the relief of Mr. Robert A. Owen;

H.R. 5702. An act to remove the 5-acre limitation on the amount of tobacco allotment acreage which may be leased;

H.R. 7501. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year, ending June 30, 1968, and for other purposes;

H.R. 8265. An act to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of tobacco acreage allotments and acreage-poundage quotas; and

H.R. 10730. An act to amend the Older Americans Act of 1965 so as to extend its provisions.

REPORT ENTITLED "ECONOMIC EFFECT OF VIETNAM SPENDING"—REPORT OF A COMMITTEE DURING ADJOURNMENT—SUPPLEMENTAL VIEWS (S. REPT. 394)

Pursuant to the order of the Senate of June 29, 1967,

Mr. PROXMIRE, from the Joint Economic Committee, on July 7, 1967, submitted a report entitled "Economic Effect of Vietnam Spending," together with supplementary views of Senators JAVITS, JORDAN of Idaho, and PERCY, which was printed.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communications and letters, which were referred as indicated:

Report of Secretary of the Interior Resulting From the National Study of Strip and Surface Mining

A communication from the President of the United States, transmitting, pursuant to law, a report of the Secretary of the Interior resulting from the national study of strip and surface mining (with an accompanying report); to the Committee on Public Works.

Approval of Loan for Financing of Certain Transmission Facilities

A letter from the Administrator, Rural Electrification Administration, Department of Agriculture, reporting, pursuant to law, approval of a loan to M. & A. Electric Power Cooperative, Poplar Bluff, Mo., in the amount of $2,941,000, and the use of $1,321,746, of funds available from previous loans, for the financing of certain transmission facilities (with an accompanying paper); to the Committee on Appropriations.

A letter from the Administrator, Rural Electrification Administration, Department of Agriculture, reporting, pursuant to law, approval of a loan to the Rural Cooperative Power Association of Elk River, Minn., in the amount of $10,280,000, and the use of $55,000, available from previous loans, for the financing of certain transmission facilities (with an accompanying paper); to the Committee on Appropriations.

A letter from the Administrator, Rural Electrification Administration, Department of Agriculture, reporting, pursuant to law, approval of a loan to Sho-Me Power Corp. of Marshfield, Mo., in the amount of $9,866,000, including $8,541,610, for the financing of certain transmission facilities (with an accompanying paper); to the Committee on Appropriations.

Report on Export-Import Bank Insurance and Guarantees Issued in Connection With U.S. Exports to Yugoslavia

A letter from the Assistant Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, that the amount of Export-Import Bank insurance and guarantees issued in connection with U.S. exports to Yugoslavia, for the month of May 1967, totaled $1,352,437; to the Committee on Appropriations.

Reports on Proposed Projects for Certain Reserve Units of the Armed Forces

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on the proposed facility project to be undertaken for the Army Reserve Center, at San Juan, Puerto Rico; to the Committee on Armed Services.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on a training facility project proposed to be undertaken for the Army National Guard, at Camp Drum, N.Y.; to the Committee on Armed Services.

Adjustment of Legislative Jurisdiction Over Lands of the U.S. Naval Station, Long Beach, Calif.

A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to authorize the Secretary of the Navy to adjust the legislative jurisdiction exercised by the United States over lands comprising the U.S. Naval Station, Long Beach, Calif. (with an accompanying paper); to the Committee on Armed Services.

Proposed Plan of Action Relating to Middle East Crisis as It Affects Petroleum Supplies

A letter from the Assistant Secretary of the Interior, transmitting, for the information of the Senate, a recommended plan of action relating to the Middle East crisis as it affects petroleum supplies (with an accompanying paper); to the Committee on Banking and Currency.

Report Under Cigarette Labeling and Advertising Act

A letter from the Chairman, Federal Trade Commission, Washington, D.C., transmitting, pursuant to law, a report under the Cigarette Labeling and Advertising Act, dated June 30, 1967 (with an accompanying report); to the Committee on Commerce.

A letter from the Chairman, Federal Trade Commission, Washington, D.C., transmitting, for the information of the Senate, a copy of an erratum noting a correction in the above-mentioned report (with an accompanying paper); to the Committee on Commerce.

Proposed Legislation Relating to District of Columbia

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes", approved February 27, 1925 (with an accompanying paper); to the Committee on the District of Columbia.

Retirement Credit for Certain Alien Employees of the Foreign Service

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to authorize retirement credit for certain alien employees of the Foreign Service during breaks in diplomatic relations, and for other purposes (with accompanying papers); to the Committee on Foreign Relations.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on potential savings attainable through improved control over computations of disability compensation, Bureau of Employees' Compensation, Department of Labor, dated June 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on guidelines needed for custodial and engineering staffing in the public schools of the District of Columbia, Board of Education, District of Columbia Government, dated June 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of duty-free sales of certain waste produced from imported conditionally duty-free carpet wool, Bureau of Customs, Treasury Department, dated June 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on problems in processing claims against voluntary relief agencies arising from alleged loss or misuse of food donated for distribution abroad, Department of Agriculture, Agency for International Development, dated June 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for improvement in the Coast Guard Reserve training program, U.S. Coast Guard, Department of Transportation, dated June 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of application of revised procedures for determining irrigation benefits to the Almena Unit, Missouri River basin project, Bureau of Reclamation, Department of the Interior, dated July 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of procedures for preventing the payment of dual benefits for the same disability or death, Bureau of Employees' Compensation, Department of Labor, dated July 1967 (with an accompanying report); to the Committee on Government Operations.

Amendment of Act Reserving Certain Public Domain Lands in Nevada and Oregon

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of January 17, 1936 (49 Stat. 1094), reserving certain public domain lands in Nevada and Oregon as a grazing reserve for Indians of Fort McDermitt, Nev. (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Report on Anticompetitive Practices in the Marketing of Gasoline

A letter from the Chairman, Federal Trade Commission, Washington, D.C., transmitting, pursuant to law, a report on anticompetitive practices in the marketing of gasoline (with an accompanying report); to the Committee on the Judiciary.

Audit Report of Pacific Tropical Botanical Garden

A letter from the attorneys for the Pacific Tropical Botanical Garden, Washington, D.C., transmitting, pursuant to law, an audit report of that organization, for the calendar year 1966 (with an accompanying report); to the Committee on the Judiciary.

Suspension of Deportation of Certain Aliens

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

Third Preference and Sixth Preference Classification for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to the granting of third preference and sixth preference classification for certain aliens (with accompanying papers); to the Committee on the Judiciary.

Report of National Labor Relations Board

A letter from the Chairman, National Labor Relations Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Labor and Public Welfare.

Rehabilitation of Navigation Structures of the St. Lawrence Seaway Project

A letter from the Secretary of Transportation, Washington, D.C., transmitting a draft of proposed legislation to authorize rehabilitation of navigation structures and appurtenant works of the St. Lawrence Seaway Project to be carried out by the St. Lawrence Seaway Development Corporation and financed from appropriations (with an accompanying paper); to the Committee on Public Works.

Report on Guidelines for Minimizing Possible Soil Erosion From Highway Construction

A letter from the Secretary of Transportation, Washington, D.C., transmitting, pursuant to law, a report on guidelines for minimizing possible soil erosion from highway construction (with an accompanying report); to the Committee on Public Works.

Study of Advance Acquisition of Highway Rights-of-Way

A letter from the Secretary of Transportation, Washington, D.C., transmitting, pursuant to law, a "Study of Advance Acquisition of Highway Rights-of-Way" (with an accompanying document); to the Committee on Public Works.

Highway Relocation Assistance Study

A letter from the Secretary of Transportation, Washington, D.C., transmitting, pursuant to law, a "Highway Relocation Assistance Study" (with an accompanying document); to the Committee on Public Works.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint memorial of the Legislature of the State of Oregon; to the Committee on Appropriations:

"Enrolled House Joint Memorial 19

"To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

"We, your memorialists, the Fifty-fourth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

"Whereas the Bureau of Land Management of the Department of the Interior is charged with improving and maintaining the public range lands at a level of forage production in keeping with the need for watershed protection and other resource uses; and

"Whereas the bureau has announced reductions of 52,886 animal units months in grazing use scheduled over the next three years on public lands in Eastern Oregon; and

"Whereas it has been estimated that a sum approximating $3 million is needed for rehabilitation of the public grazing lands where reductions are scheduled, primarily to insure watershed protection and erosion control but also to restore forage for livestock and wildlife and to perpetuate other multiple-use benefits; and

"Whereas it has been the policy of the Bureau of Land Management not to permit the expenditure of money by private individuals for purposes of the long-term rehabilitation of public grazing lands; and

"Whereas the announced reductions in grazing use would be deleterious to the economic well-being of this state generally, and especially of those communities dependent in large part upon the livestock industry; now, therefore,

"Be It Resolved by the Legislative Assembly of the State of Oregon:

"(1) The Congress of the United States is memorialized to appropriate the moneys necessary for rehabilitation of the public grazing lands in this state where reductions in grazing use have been scheduled by the Bureau of Land Management, so that the necessary watershed protection, natural beauty, and erosion control may be accomplished as speedily as possible without drastic reductions in grazing use and consequent economic dislocations in this state. Until such time as Congress provides funds for public range improvement, it is urged that grazing use be stabilized at its present permitted level.

"(2) A copy of this memorial shall be sent to the presiding officer of the Senate and to the House of Representatives, to the Secretary of the Interior and to each member of the Oregon Congressional Delegation."

Two memorials of the Legislature of the State of Florida; to the Committee on Finance:

"Senate Memorial No. 1094

"A memorial to the Congress of the United States to provide for protective tariffs on imported agricultural products

"Whereas, the government of the United States has established as national policy that poverty within this nation shall be eliminated, that every citizen is entitled to a decent and respectable standard of living and each worker entitled to a minimum wage in excess of that earned by the citizens of any other nation, and

"Whereas, the United States, the world's greatest agricultural nation, depends heavily upon agricultural laborers to produce the necessary food and fiber for the sustenance and clothing of our people and of other friendly peoples throughout the world, and

"Whereas, no other nation on earth pays its agricultural workers as well or maintains such a high standard of living and healthful environment for her people as does the United States and that as a result thereof, the cost of labor for food production in the United States greatly exceeds the cost of labor in any other nation, and

"Whereas, in our determinaion to provide only the most wholesome foods of the highest qualities possible for our citizens we have added to the cost of food production expensive inspection and grading services for the benefit of our consumers, and

"Whereas, the preceding factors have resulted in an unavoidable increase in the prices of home grown agricultural products, and

"Whereas, foreign agricultural products do not have to contend with comparable cost increasing factors and therefore are economically sold for a price lower than that of the home grown agricultural products, causing the American product to have an unfavorable competitive position, and

"Whereas, the disparity in prices between home grown and foreign grown agricultural products induced by governmental action can only be removed by governmental action, and

"Whereas, if remedial action is not forthcoming the American agricultural industry will expire and the American consumer, though initially paying a lower price, would eventually be at the mercy of prices set solely by foreign producers and food quotas authorized by foreign governments, and

"Whereas, the lack of remedial action will result in American investment in foreign agricultural industries with a consequential additional depletion of the gold supply, and

"Whereas, food has been recognized by the federal government as our most powerful weapon in the fight for peace, and

"Whereas, the collapse of the American agricultural industry or a reduction in the productive capacity of such industry would detrimentally affect the civil defense posture of the country as the survivors of a civil defense emergency would be solely dependent upon American agricultural products for continued existence.

"Be It Resolved by the Legislature of the State of Florida:

"That the congress of the United States be and is hereby requested to maintain those protective agricultural import tariffs which currently exist.

"Be it further resolved that the congress of the United States make a detailed determination of what additional agricultural tariffs and quantitative limitations of imports is needed to perpetuate the American agricultural industry and that the congress expeditiously enact such import controls.

"Be it further resolved that copies of this memorial be dispatched to the president of the United States, to the president of the United States senate, to the speaker of the United States house of representatives, and to each member of the Florida delegation to the United States congress.

"Filed in Office Secretary of State June 21, 1967."

"House Memorial No. 180

"A memorial to the Congress of the United States to provide for the retention of 5 per cent of all Federal income taxes collected within the several States to be used by said States for general State purposes

"Whereas, there has been pending in the congress of the United States a bill for the refund in and transfer to the states of five per cent (5%) of all federal income taxes collected within the several states for use for general state purposes without any federal direction, control or interference, now, therefore,

Be It Resolved by the Legislature of the State of Florida:

"That we do hereby petition the members of the congress of the United States to adopt legislation to provide that five per cent (5%) of all income taxes collected on individual or corporation incomes shall be deemed to be revenue of the state or territory within which it is collected for general state purposes without any federal direction, control or interference.

"Be it further resolved that said legislation shall direct the several district directors or regional units of internal revenue to deduct said five per cent (5%) from all such federal tax collections and retain and remit said amounts to the state or territory where collected to be used for the aforesaid purposes.

"Be it further resolved that copies of this memorial be dispatched to the president of the United States, to the president of the United States senate, to the speaker of the United States house of representatives, and to each member of the Florida delegation to the United States congress.

"Filed in Office Secretary of State June 29, 1967."

Two joint resolutions of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"Senate Joint Resolution No. 16

"Relative to inclusion of the Middle Fork Feather River in proposed federal wild rivers system

"Whereas, The Middle Fork Feather River from the community of Sloat (Plumas County) downstream to Oroville Reservoir (Butte County) flow through the spectacular Middle Fork Canyon for 45 miles. This canyon and its river provide one of the most unique scenic and recreational areas in California. Its peak of scenic beauty occurs in Bald Rock Canyon where Bald Rock, a great granite dome, towers over 2,500 feet above the majestic view of Bald Rock Falls in the river below; and

"Whereas, Tributary to Bald Rock Canyon is Feather Falls, the third highest (640 feet) waterfall in the United States. Numerous tributary streams between Sloat and Oroville Reservoir add cool, clear water to the main river, and are spawning and nursery grounds for one of the outstanding native trout fisheries in the nation; and

"Whereas, The Middle Fork Feather River represents more than 17 percent of the remaining large, free-flowing mountain rivers in California that have no guarantee for perpetuation. It presently provides a fishing and hunting paradise to sportsmen seeking a quality experience; a picturesque haven to the photographer and artist; a thrilling raft trip to the experienced white-water navigator; and a varied outdoor laboratory to the scientist; and

"Whereas, The Middle Fork Feather River could be a symbol of timelessness and continuity to future generations. It is a river that can and should be cherished in perpetuity in its natural free-flowing state, and should be set aside as a wild river; and

"Whereas, Development of the Middle Fork Feather River for irrigation and hydroelectric power is being considered. Such development would destroy much of the scenic, fishery and recreational qualities associated with this rare type of flowing river environment. The supplemental water needs of the irrigation interests involved can be met in several ways, without prohibiting agricultural expasion in the area. Hydroelectric power produced by the project would be surplus to northern California for at least the next 20 years; and

"Whereas, Nowhere in California has a single river been dedicated to the wild river concept, wherein the scenic and recreational attributes are preserved in a free-flowing condition. The opportunity for such dedication is rapidly disappearing; and

"Whereas, Because of the growing public demand for river-oriented recreation and the fact that the proposed water-power development is not essential to the people of California, it is evident that perhaps in no other area of the state could a wild river be established with so little impact upon conflicting needs of the citizens; and

"Whereas, Almost all lands surrounding the area are federally owned and are included within a federal power withdrawal; and

"Whereas, It is not now feasible for the State of California to designate or establish the Middle Fork Feather River as a wild river, but it is feasible for the Congress to include the Middle Fork Feather River in any proposed federal wild rivers system; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to include the Middle Fork Feather River in any proposed federal wild rivers system; and be it further

"Resolved, That the Legislature of the State of California respectfully memorializes the Federal Power Commission to defer taking any action with respect to any pending license application for the development of the Middle Fork Feather River for irrigation and hydroelectric power pending possible congressional action regarding the inclusion of the river in a federal wild rivers system; and be it further

"Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Chairman of the Federal Power Commission."

"Senate Joint Resolution No. 27

"Relative to withdrawal of lands in public domain from lease or mineral location for development of geothermal steam

"Whereas, The outstanding strength and world position of this nation and the advanced state of the arts and sciences attained by its citizens has been due in large part to its wealth of natural resources, and in turn to the capacity it has developed over the years for production of raw natural resources and for their conversion to manufactured goods essential to our society; and

"Whereas, The products of mines form a very large part of these natural resources; and

"Whereas, A close relationship may be in-ferred between the capacity of this nation for production from mines, and the system put into being by congressional acts, particularly by means of the General Mining Law of 1872, whereby the discoverer of valuable minerals on the public domain has been able to take such discovery into possession without let or disturbance on the part of his fellow citizen or even of his government; and

"Whereas, From time to time certain areas of the public domain have been withdrawn from mineral location by the federal government (when the lands were properly shown to be needed for such purposes as national parks, reservoirs, military bases, and the like) under prescribed procedures and with due consideration, with at least one form of such withdrawal requiring express congressional approval; and

"Whereas, All such withdrawals have been within distinctly described boundaries, and all have been more or less localized and limited in extent; and

"Whereas, Though conflicts have developed from time to time between claimants and even owners of surface resources, on the one hand, and of mineral resources below ground, on the other, as for example conflicts developing in the 1950's between uranium mining claimants on the Colorado plateau and holders of federal leases for gas and oil production on the same lands, all such conflicts have been resolved either by judicial process or by occasional act of Congress amending but not rescinding the basic philosophy of the General Mining Law of 1872; and

"Whereas, The foregoing notwithstanding, there was published in the Federal Register, on February 7, 1967, a proposal by the Department of the Interior, Bureau of Land Management, for withdrawal from all forms of mineral location or leasing of all those lands of the public domain valuable or prospectively valuable for geothermal steam, the lands being no further described, and apparently being subject only to designation by the U.S. Geological Survey as to potential value of such purposes; and

"Whereas, Not until March 24, 1967, was the issue clarified by the publication, in the Federal Register for that date, of a modified request in which the lands to be withdrawn are described by reference to legal subdivisions of the United States survey and total more than 800,000 acres in California; and

"Whereas, The legal effect of publication in the Federal Register of the proposal for such withdrawal is tantamount to immediate withdrawal of all land so designated, and renders invalid all claims staked thereon since date of publication (March 24, 1967) including those unwittingly staked on such lands by prospectors and miners not accustomed to reading the Federal Register; and

"Whereas, In addition the legal effect also has caused suspension of all negotiations and proceedings in progress in the state on the part of the U.S. Bureau of Land Management and the U.S. Forest Service that would have completed mineral leases, including petroleum leases, land exchanges, and patents, within the area designated; and

"Whereas, Conflict that may be anticipated between lessees from the federal government of lands for geothermal purposes and locators, under the mining law, of locatable minerals on the same land, is open to solution by many means other than cancellation of location privileges; and

"Whereas Energy from geothermal steam may be important in the future but today is so new and so undeveloped and in some of its aspects (especially geological relationships) is so little understood as to render unfeasible any exact definition of land of geothermal steam potential except in unusual and extremely limited cases; and

"Whereas, If administrative convenience is at stake, this is of no such importance to the nation as is the need for administratively unhampered, orderly, and continuous production of mineral raw materials by private industry; now, therefore, be it

"Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California records its opposition to the proposed withdrawal as being most harmful to existing land uses, as unnecessary to the anticipated needs, as too broad, as embracing for too much land, as unnecessary to the control of water pollution, if that is a purpose, and, finally, as being contrary to the expression of Congress in the general mining laws that the public domain be open to discovery, possession, and utilization of mineral deposits by citizens; and be it further

"Resolved, That the Legislature of the State of California respectfully memorializes the President of the United States and the Secretary of the Department of the Interior to rescind the action taken by publication in the Federal Register of the proposed withdrawal; and be in further

"Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of the Department of the Interior and to each Senator and Representative from California in the Congress of the United States."

A concurrent resolution of the Legislature of the Territory of American Samoa; to the Committee on Interior and Insular Affairs:

"SENATE CONCURRENT RESOLUTION

"Requesting the Congress of the United States to enact legislation which would permit American Samoa to be represented in the House of Representatives of the United States by a non-voting delegate

"Whereas, the people of American Samoa are among the very few groups of Americans not now represented in the Congress; and

"Whereas, such representation would be an effective bridge whereby the American Samoan people could make-known to other Americans and their representatives in the halls of Congress their problems, hopes, and aspirations; and, at the same time, in the consideration of problems of mutual concern facing the Congress, he could pass on the benefit of the experience and insight of an ancient and unique culture; and

"Whereas, the enactment of legislation giving the people of American Samoa representation in the Congress would be a further demonstration of making the democratic dream a reality for more people; and it would demonstrate to all people of the world, and particularly the people of the South Pacific area, the practice of the democratic way of life by all who are under the protection of the American flag; and

"Whereas, we are Samoans, but we are Americans also, and for more than three score years we have served our Country, the United States of America, with full devotion and an abiding faith in those virtues of justice, equality and freedom for which countless thousands have given their last full measure, in order that democracy might survive on this earth; and

"Whereas, as American Samoa is moving forward for self-government, we have knocked at your doors once, we have asked and have not been disappointed when our desire for a voice in Congress was presented to the 87th Congress by our two devoted friends, the Honorable Oren E. Long, then Senator from Hawaii, and the Honorable Ernest Gruening, Senator from Alaska in 1961; Now, Therefore,

"Be it resolved by the Senate of Tenth Legislature of American Samoa, the House of Representatives concurring, that the 90th Congress of the United States be, and it is hereby respectfully urged to consider and act favorably upon legislation such as S. 994 and S. 995, introduced by Senator Oren E. Long during the 87th Congress, which would permit American Samoa to be represented by a non-voting delegate in the House of Representatives; and

"Be is further resolved, that certified copies of this Concurrent Resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, the Chairman of the Senate and House Committees on Interior and Insular Affairs, Senator Daniel Inouye of Hawaii, Senator Ernest Gruening of Alaska, the Secretary of the Interior, the Director of the Office of Territories, Department of the Interior, and the Governor of American Samoa.

"A. P. LAUVAO-LOLO,
"President of the Senate.
"MUAGUTUTI'A F. TUIA,
"Speaker, House of Representatives."

A resolution of the General Assembly of the State of Missouri; to the Committee on Public Works:

"HOUSE RESOLUTION 256

"Memorializing Congress to provide funds for the relief of those suffering losses from the effects of floods now prevalent in Missouri

"Whereas, a large area in Missouri which includes many communities are now suffering from floods due to an unusually heavy amount of rain; and

"Whereas, these floods are causing extremely heavy damage to property, crops and livestock and could result in the loss of human life besides posing serious threats of disease; and

"Whereas, these floods occur at frequent and irregular intervals in the state and usually result not only in tremendous material losses but untold misery to the people within those areas affected by the high water; and

"Whereas, it is possible to control these floods and thereby stop this great damage and loss through adequate flood control and conservation structures; and

"Whereas, plans for controlling floods and water conservation for most of the major streams in Missouri have been developed by the U.S. Corps of Engineers and submitted to Congress; and

"Whereas, the implementation of these plans will not only result in efficient flood control but also in more adequate water supplies for the growing economy of the state as well as the development of the recreational and fish and wildlife resources;

"Now, therefore, be it resolved by the House of Representatives of the 74th General Assembly of the state of Missouri, that the Congress of the United States be memorialized to provide funds for the relief of those victims suffering losses from the effects of floods now prevalent in Missouri; and

"Be it further resolved that every effort be made to expedite the initiation and completion of federal flood control and water conservation projects already authorized in the basin of the major rivers of Missouri; and

"Be it further resolved that the Missouri agricultural levees program be expanded and greatly enhanced; and

"Be it further resolved to also authorize the construction of flood control and water conservation projects upon those rivers and streams where such are now needed badly and are not presently authorized; and

"Be it further resolved that a duly attested copy of this memorial be immediately transmitted to the Secretary of the Senate of the United States, to the Clerk of the House of Representatives of the United States and to each member of the Congress from the state of Missouri.

"AGNES MOORE,
"Chief Clerk, Missouri House of Representatives."

A resolution adopted by the Pennsylvania Society of Sons of the Revolution, urging the expedition of appropriation of funds for the acquisition of lands on the Potomac River opposite Mount Vernon; to the Committee on Appropriations.

A resolution adopted by 700 citizens of Bronx County, Bronx, N.Y., relating to a durable and just peace between Israel and the Arab States; to the Committee on Foreign Relations.

A petition, signed by Ronald H. Gundt, and sundry other citizens of Gakona, Alaska, protesting the method of operation of the U.S. Bureau of Land Management, located in Anchorage, Alaska; to the Committee on Interior and Insular Affairs.

The memorial of Robert W. Collins, of Yazoo City, Miss., remonstrating against the enactment of House Concurrent Resolution 346, relating to the printing of additional copies for the use of the House of Representatives; to the Committee on Rules and Administration.

A resolution adopted by the Border Cities League Speech Congress, of Grosse Pointe, Mich., remonstrating against the actions of certain elected Representatives, to the Committee on Rules and Administration.

A resolution adopted by the State board of education, ex officio regents of the Montana University System, Helena, Mont., relating to the establishment of Mansfield endowment, University of Montana; ordered to lie on the table.

RESOLUTION OF GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA

Mr. SCOTT. Mr. President, I present, for appropriate reference, a resolution adopted by the General Assembly of the Commonwealth of Pennsylvania. I ask unanimous consent that the resolution be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution was referred to the Committee on Appropriations, as follows:

PENNSYLVANIA HOUSE OF REPRESENTATIVES RESOLUTION, APRIL 11, 1967

Additional flood control dams are needed on the Monongahela River if major flooding similar to the disaster of March 7 is to be avoided.

The Rowlesburg and Stonewall Jackson Dams, both in West Virginia, are urgently needed to control watersheds along the Monongahela's tributaries. The Rowlesburg Dam would be of particular value in solving any flood danger in the immediate future. Both dams have been authorized by Congress, but little money has been appropriated. About one million dollars is needed to get the plans off the drawing boards and into construction.

In addition to the two West Virginia dams, reservoirs will have to be built at strategic locations on creeks flowing into the Monongahela; therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to make the necessary appropriations to start construction of dams, particularly the Rowlesburg Dam to put into effect flood control on the Monongahela River; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

The PRESIDENT pro tempore laid before the Senate a resolution of the General Assembly of the Commonwealth of Pennsylvania, identical with the foregoing, which was referred to the Committee on Appropriations.

CONCURRENT RESOLUTION OF GENERAL ASSEMBLY OF SOUTH CAROLINA

Mr. HOLLINGS. Mr. President, I have received from the South Carolina General Assembly a concurrent resolution, introduced by the agriculture committee and passed by both Houses of that body, memorializing the Congress of the United States to provide for protective tariffs on imported agricultural products. This resolution correctly points out that this country's workers are paid the highest wages on earth which they deserve as the most proficient and well-trained workers on earth. It further points out that in their attempts to provide only the most wholesome foods of the highest quality possible for our citizens, the agricultural industry has incurred costs not experienced by foreign producers. These and other factors have contributed to the disparity in prices between homegrown and foreign grown agricultural products.

The need to provide protection for America's agricultural industry has been recognized by the President as is evidenced by his recent action in imposing quotas on the importation of dairy products. It is my belief that this action was prompted at least in part by a Senate bill introduced by Senator PROXMIRE, of Wisconsin, and cosponsored by 56 Senators, including myself, which would have accomplished the same end.

However, the job is far from done. Other segments of American industry are still experiencing these same problems. There is legislation currently in the Senate to provide the same type of relief for American meat producers, and I have legislation pending to provide this same protection for the American textile industry which is so important to many segments of our agricultural industry.

Mr. President, this resolution is evidence of the widespread and ever-growing awareness in this country of the unfair competition American industry is facing from foreign products produced at labor wages which would not be tolerated in this country.

I ask unanimous consent on behalf of myself and my colleague, Mr. THURMOND, that this resolution be printed in the RECORD and referred to the Agriculture Committee for appropriate action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution was referred to the Committee on Finance, as follows:

CALENDAR NO. S. 603

A concurrent resolution to memorialize the Congress of the United States to provide for protective tariffs on imported agricultural products

Whereas, the government of the United States has established as national policy that poverty within this nation shall be eliminated, that every citizen is entitled to a decent and respectable standard of living and each worker entitled to a minimum wage in excess of that earned by the citizens of any other nation; and

Whereas, the United States, the world's greatest agricultural nation, depends heavily upon agricultural laborers to produce the necessary food and fiber for the sustenance and clothing of our people and of other friendly peoples throughout the world; and

Whereas, no other nation on earth pays its agricultural workers as well or maintains such a high standard of living and healthful environment for her people as does the United States and that as a result thereof the cost of labor for food production in the United States greatly exceeds the cost of labor in any other nation; and

Whereas, in our determination to provide only the most wholesome foods of the highest qualities possible for our citizens we have added to the cost of food production expensive inspection and grading services for the benefit of our consumers; and

"Whereas, the preceding factors have resulted in an unavoidable increase in the prices of home grown agricultural products; and

Whereas, foreign agricultural products do not have to contend with comparable cost increasing factors and therefore are economically sold for a price lower than that of the home grown agricultural products, causing the American product to have an unfavorable competitive position; and

Whereas, the disparity in prices between home grown and foreign grown agricultural products induced by governmental action can only be removed by governmental action; and

Whereas, if remedial action is not forthcoming the American agricultural industry will expire and the American consumer, though initially paying a lower price, would eventually be at the mercy of prices set solely by foreign producers and food quotas authorized by foreign governments; and

Whereas, the lack of remedial action will result in American investment in foreign agricultural industries with a consequential additional depletion of the gold supply;

Whereas, food has been recognized by the federal government as our most powerful weapon in the fight for peace; and

Whereas, the collapse of the American agricultural industry or a reduction in the productive capacity of such industry would detrimentally affect the civil defense posture of the country as the survivors of a civil defense emergency would be solely dependent upon American agricultural products for continued existence. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the Congress of the United States be, and is hereby requested to maintain those protective agricultural import tariffs which currently exist.

Be it further resolved that the Congress of the United States make a detailed determination of what additional agricultural tariffs and quantitative limitations of imports is needed to perpetuate the American agricultural industry and that the Congress expeditiously enact such import controls.

Be it further resolved that copies of this Resolution be forwarded to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the South Carolina delegation to the United States Congress.

The PRESIDENT pro tempore laid before the Senate a concurrent resolution of the General Assembly of the State of South Carolina, identical with the foregoing, which was referred to the Committee on Finance.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD:

S. 2064. A bill for the relief of Basile Christopoulos; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 2065. A bill to amend the prevailing wage provisions of the Davis-Bacon Act to include subsistence allowances; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE:

S. 2066. A bill to establish certain policies with respect to certain use permits for national forest lands; to the Committee on Agriculture and Forestry.

By Mr. BARTLETT (for himself, Mr. Byrd of West Virginia, Mr. Church, Mr. Fong, Mr. Muskie, and Mr. Randolph):

S. 2067. A bill to provide for the protection of the public health from radiation emissions from electronic products which are in commerce or are imported into the United States; to the Committee on Commerce, by unanimous consent order.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. ELLENDER (by request):

S. 2068. A bill to repeal certain acts relating to containers for fruits and vegetables; exportation of tobacco plants and seed; naval stores; and wool; and for other purposes;

S. 2069. A bill to provide for U.S. standards and a national inspection system for grain, and for other purposes; and

S. 2070. A bill to further amend the Agricultural Marketing Act of 1946; to the Committee on Agriculture and Forestry.

By Mr. SMATHERS:

S. 2071. A bill for the relief of Dr. Antonio M. Tagle; and

S. 2072. A bill for the relief of Nestor S. Cueto; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 2073. A bill to allow a credit against income tax, or a deduction from gross income as the taxpayer may elect, for certain political contributions made by individuals; and

S. 2074. A bill to amend title XVIII of the Social Security Act and related provisions of other acts to permit individuals insured for benefits under part A of such title to receive, for a limited period, certain payments with respect to inpatient hospital services and outpatient hospital diagnostic services furnished to them by certain hospitals not participating in the program established by such part A, and to permit individuals so insured to receive certain payments with respect to emergency hospital services furnished to them by certain hospitals which are licensed under State law but which are not authorized to be paid under such part A for services provided by them; to the Committee on Finance.

(See the remarks of Mr. Talmadge when he introduced the above bills, which appear under separate headings.)

By Mr. HILL:

S. 2075. A bill to provide for the vesting or primary responsibility for the protection of the public health from radiation hazards in the Department of Health, Education, and Welfare, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. JAVITS:

S. 2076. A bill to assist public and private nonprofit hospitals to carry out needed modernization and improvement projects by providing Federal guarantees of loans made for such purpose and by providing for Federal payment of part of the interest on such loans, and to encourage the development of new technology systems and concepts in the provision of health services; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 2077. A bill for the relief of Ling (Josephine) Chu (Sister Josetta Marie); to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 2078. A bill for the relief of Dr. Alberto De Jongh; to the Committee on the Judiciary.

By Mr. HARRIS:

S. 2079. A bill for the relief of Dr. Alfredo F. Mendez, M.D.; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 2080. A bill for the relief of Li Yau Cheung; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 2081. A bill for the relief of Jacqueline Whang-Peng; and

S. 2082. A bill for the relief of Joseph J. Jefferies; to the Committee on the Judiciary.

A BILL TO INCLUDE SUBSISTENCE ALLOWANCES IN THE WAGE PROVISIONS OF THE DAVIS-BACON ACT

Mr. KUCHEL. Mr. President, in the Western States it has long been a custom to compensate workmen for the costs incurred in taking employment at construction sites in remote areas far away from urban centers. In California, and most other Western States, these subsistence payments are an essential part of the wage package, enabling the worker to put himself on the job. I introduce today legislation to include these payments as one of the so-called fringe benefits to be included in the prevailing wage provisions of the Davis-Bacon Act—40 U.S.C. 276A.

In many Western States, the payment of subsistence, sometimes known as "out of town" payments, is customarily included in collective bargaining agreements between representatives of the contractors and the unions of the building trades. In most areas, nonunion contractors also follow this practice. These payments are, therefore, a matter of local custom and not exclusively an element introduced by the collective bargaining process.

Mr. President, I ask unanimous consent that at this point in the Record there be printed portions of collective bargaining agreements concerning subsistence wage payments, specifically a portion of article XXIV of the agreement between the Sheet Metal & Air Conditioning Contractors Association of Southern California, Inc., and the Heating, Ventilating & Air Conditioning Contractors Association.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Article XXIV. Subsistence and Out of Town

Section 1. All work beyond forty (40) miles from the Zone Center is out of town work, and subsistence shall be paid as follows:

	Per day
40 to 50 miles	$9
Over 50 miles	12

Section 2. When an Employee works in the forty (40) to fifty (50) mile area, he shall be paid Nine Dollars ($9.00) for each day worked.

Section 3(a). When an Employee works in an area beyond fifty (50) miles from the Zone Center, he shall receive Twelve Dollars ($12.00) per day subsistence on a seven (7) day basis or actual reasonable expenses incurred, if higher.

Section 3(b). Such subsistence shall be paid for holidays or week-ends when employment continues beyond such holidays or week-ends.

Section 3(c). If an Employee works on a job site beyond the fifty (50) mile area on any day, he shall be paid expenses for that day even though he travels back to his home on that day.

Section 3(d). For each round trip beyond the fifty (50) mile area required by the Employer, where the Employer does not furnish transportation, the Employee shall be paid on out of town work at the rate of Twelve Cents (12 cents) per mile for said transportation.

Mr. KUCHEL. Mr. President, this is a typical example of the agreement on subsistence wage payments. It shows that these payments are made both in recognition of the distance from residence to job site and of the number of days worked. The customary payment is made on a per diem basis.

The need for this kind of pay adjustment is a direct result of the vast distances in the American West which have influenced so much of its culture and economic development. Subsistence was originally a premium wage paid to encourage qualified workers to travel extra distances, frequently over rough roads and difficult terrain, to take jobs required to build the highways and communications nets, the dam sites and reservoirs, and the many other public works projects which have been vital to the economic growth of Western America.

Today, many workmen have camping trailers in which they live during the workweek and return to their homes weekends. They do, in fact, maintain two homes. As recognized in other forms of work it is only normal that they be paid a compensation. This is fairly recognized by both management and labor in most of the West.

There are, however, contractors coming into the Western States from outside the area of normal bargaining agreements who do not accept this custom. As a consequence, they are able to bid on the basis of lower wage cost. In effect, they are undercutting the local contractor who has accepted the customary wage package which includes subsistence.

In my view, these subsistence payments are clearly the kind of compensation intended to be included in the fringe benefits definitions in section (1)(b) of the Davis-Bacon Act. The administration disagrees with this view. I believe the legislative history of the Davis-Bacon Act and its various amendments indicates quite clearly that the phrase "or other bona fide fringe benefits" as written in the act in 1964 would include subsistence payments.

Mr. President, I ask unanimous consent at this point that a portion of the House report on H.R. 6041—89th Congress, second session—be printed in the Record. It shows clearly the intent to give a broad latitude to the definition of "fringe benefits" in the act.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

TYPES OF FRINGE BENEFITS

As far as the committee has been able to determine, H.R. 6041 enumerates all types of fringe benefits that are now common to the construction industry as a whole and it doubts that additional types would be recognized at this time. The committee has provided the means for avoiding problems which might arise in the future by including an "open end" provision so that new benefits might be recognized as they become prevailing. In this connection, the committee wishes to point out that a particular fringe benefit need not be recognized beyond a particular area in order for the Secretary to find that it is prevailing in that locality. Any other conclusion could result in undermining prevailing local wage standards in violation of the basic purpose of the Davis-Bacon Act.

Mr. KUCHEL. The policy of the Davis-Bacon Act has ever been to include all elements of pay in the wage package. The failure to include subsistence payments is a serious oversight.

Mr. President, the projects which may be affected by the legislation I am proposing today are usually small as Federal public works projects go. But, they may include reclamation projects costing hundreds of millions of Federal taxpayers' dollars. A fair determination of wage rates in advance of bidding may well decide what contractor gets the job. The present law gives an unfair advantage to those contractors who do not accept the prevailing wage standard. This is a grave injustice to both management and labor. It requires the urgent attention of the Congress.

Mr. President, I ask that this legislation be appropriately referred, and I further ask unanimous consent that the full text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2065) to amend the prevailing wage provisions of the Davis-Bacon Act to include subsistence allowances, introduced by Mr. KUCHEL, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2065

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1(b)(2) of the Act of March 3, 1931, as amended (40 U.S.C. 276a(b)(2)) is amended by inserting immediately after "for vacation and holiday pay," the following: "for subsistence allowances,".

RADIATION SAFETY ACT OF 1967

Mr. BARTLETT. Mr. President, I introduce, for myself and Senators BYRD of West Virginia, CHURCH, FONG, MUSKIE, and RANDOLPH, the Radiation Control for Health and Safety Act of 1967, a bill to provide for the protection of the public health from radiation emissions from electronic products which are in commerce or are imported into the United States.

This act authorizes the Secretary of Health, Education, and Welfare to step up the research efforts of the Department in the field of radiological health and safety and to develop and administer standards for the control of radiation emissions from electronic products. Standards would be set after consultation with appropriate parties, and the Secretary would review and evaluate on a continuing basis whatever testing programs were then set up by industry to assure that electronic products complied with the prescribed standards. Similarly, standards would be set for imported products, and the Secretary of the Treasury would refuse admission to any product which did not meet these specifications. The bill sets up appropriate penalties for violators, and establishes routes of appeal.

This bill is in most respects identical to H.R. 10790, introduced by Representatives ROGERS of Florida and JARMAN of Oklahoma, now scheduled for hearings before the House Committee on Interstate and Foreign Commerce. In addition to some technical modifications, two minor changes have been made. The bill has been made more flexible in its specifications as to where administrative authority will reside within the Department of Health, Education, and Welfare. It may be that in the course of hearings, it will be decided that the Secretary should be given less latitude in this regard, but I do not now feel competent to prejudge the matter. Second, the definition of "electronic product" has been revised to clarify the fact that the bill's coverage extends, but is not limited to, the entire range of devices which emit X-radiation.

It has now been 72 years, Mr. President, since Dr. Wilhelm Roentgen discovered X-rays, and it must be said that the efforts of Representatives ROGERS, JARMAN, and myself to regulate their use are not without precedent. For example, in the State Assembly of New Jersey in the early days of experimentation with X-rays, the assemblyman from Somerset County introduced a bill as follows:

> Mr. President, I rise to propose to the honorable gentlemen of the State of New Jersey a new bill, one which, in view of the strange invention of Mr. Roentgen and its possible insidious use in public places, will protect the integrity and self-respect of American womanhood. Gentlemen, I call for the prohibition of these indecent and indiscreet X-rays in the manufacture of opera glasses.

For good or for ill, X-rays never displayed the potential which the gentleman from Somerset feared—or perhaps hoped—that they would. But Dr. Roentgen's discovery has nonetheless been applied in ways which would have surpassed his wildest dreams. And we are now at a time and place in our technological development where an increasingly wide range of devices are being employed which directly utilize X-rays or other types of radiation, and where another sizable class of products may inadvertently, or as a side effect, produce high levels of radiation.

One device of this latter sort has been very much in the news recently: the television set. The public and the Congress have been understandably alarmed with the news that General Electric has found it necessary to recall 90,000 color television sets manufactured between June 1966 and February 1967. These sets have been found to produce X-radiation levels considerably in excess of the limit of 0.5 milliroentgen per hour recommended by the National Council for Radiation Protection and Measurement. This is disturbing enough, but what is even more disquieting is the fact that these are sets which first came off the assembly line a year ago and have been on the market some 9 months.

Only a month ago the National Center for Radiological Health was issuing assurances that no television viewers had received excessive exposure. But 2 weeks ago the Director of the Center, Dr. James G. Terrill, confirmed the fact that these sets, which in many cases had been on dealers' shelves and in consumers' homes since last September, were potentially a very grave health hazard. General Electric, it was announced, was in the process of recalling the defective sets.

This incident casts grave doubts, Mr. President, upon the adequacy of our present efforts at product surveillance and control. Certainly it should relieve us of any illusion that the atomic age has automatically brought with it the effective control of radiation hazards. Hopefully it will serve us as a concrete example of what may be a much broader set of problems, and will stimulate us to gather needed information and take remedial action.

This television X-ray incident is a warning to us. It is a warning of future risks and dangers that our people may encounter as our modern technologies emphasize ever more powerful electronic and X-ray devices for industry, for communications and for medicine. We are clearly in the age of high-powered electronic circuits and vacuum tubes that operate under conditions which can generate X-rays to expose the uninformed and the unwary.

We are coming to the age of the "radar range," when housewives may have in their kitchens electronic devices powerful enough to cook a good-sized roast in just a few minutes. Such units may well employ high voltage tubes that, unless properly designed and installed, may be a source of exposure to X-rays in the home. Industry and agriculture are beginning to make more use of machines to generate radiation powerful enough for the processing of chemicals, for sterilizing surgical products, for killing crop pests or for extending the shelf life of perishable foods by "radiation pasteurization."

Our unquenchable thirst for electrical energy in industry and in our homes may well lead to the specification of higher and higher voltages in various electronic circuits and machines, with the consequent possibility of unwittingly introducing new sources of ionizing radiation into the places where we work and live.

The television X-ray incident warns us that we cannot blithely assume someone will in fact check new high voltage components, new high-powered circuits, new potential producers of radiation. Who would have thought that one of the leading companies in the development of nuclear energy and one of the most experienced in working with radiation hazards, would have to recall 90,000 color television sets because of a radiation hazard?

Mr. President, the warning is clear. Our technological progress in electronics and in high-powered vacuum circuits is moving rapidly, and we cannot assume that engineers in industry who are educated in power or in electronics or in communications will anticipate radiation hazards associated with their designs for components and equipment.

It has long been recognized, of course, that the wide range of diagnostic and therapeutic X-ray devices used in medicine, while they are of inestimable value in modern medical care, still afford great risks if defective or misused. Certain fragmentary studies would suggest that the use of defective medical equipment might be quite widespread. The National Committee on Radiation Protection and Measurement, for example, has said that there is no reason why fluoroscopes should emit more than 10 roentgens per minute and has set that as the maximum safe level of exposure. Yet a survey in a southern county a few years ago showed that of 189 fluoroscope machines tested, 113 or 60 percent emitted more than 10 roentgens per minute.

Such dangers, while seldom effectively countered, have not gone totally unrecognized. The National Advisory Committee on Radiation over a year ago pointed to a "gap" with regard to standards for X-ray equipment used in medicine and dentistry and recommended to the Surgeon General that the Public Health Service "should take the initiative in the formulation and promulgation of standards for the premarketing clearance of X-ray equipment used in the health professions and in industry." On February 16 of this year the President noted in his message on consumer protection:

> Congressional testimony has revealed that . . . X-ray machines, which could have been properly safeguarded at little cost, emitted excessive doses of radiation.
>
> I recommend the Medical Device Safety Act of 1967.
>
> Under this Act . . . the Food and Drug Administration will establish standards to assure the safety and performance of certain classes of widely used devices—bone pins, catheters, X-ray equipment and diathermy machines.

The problem is thus a far-ranging one, Mr. President, extending far beyond 90,000 defective television sets. How far we do not know. That is what we must find out.

We also must obtain a clearer picture of the scope and adequacy of our present regulatory efforts. It has now been more than 20 years since Congress, in the Atomic Energy Act of 1946, gave the Atomic Energy Commission the authority to regulate the possession and use of artificially radioactive materials throughout the country. Congress overhauled that act in 1954, renewing and expanding this regulatory authority. But in neither of these instances did Congress feel compelled to come to grips with the regulation of radiation from X-ray devices and other electronic products, from electronic components, or from naturally radioactive materials. The Public Health Service has been charged with building up a national capability in radiological health, but it does not have authority to enforce compliance with whatever standards it may recommend or to regulate in any other manner. By implication, that responsibility has remained with the States.

The performance of the States in this regard has been mixed, but by almost any standard it has been inadequate. Most States simply have not been able or willing to build up their own capability effectively to control this kind of hazard. The latest figures available to me from the Public Health Service show that for fiscal year 1965, nine States still had less than two people in State radiological health, and 45 States had a total full-time equivalent of only 193 men in their radiological health activities. Only eight States had the full-time equivalent of 10 men or more each for their radiological health activities. These few individuals are the only persons in the Nation entrusted with the oversight and regulation of devices ranging from television sets to dental X-ray machines; from high-voltage tubes employed in industry to the fluoroscopes used in gastrointestinal examinations.

If manpower figures furnish us with an index to the paucity of State regulatory efforts, so does a look at most State statute books. Perhaps the most dramatic example is to be found in shoe fitting fluoroscopes. For many years it has been known that these devices are a source of severe gonadal dosages of a totally unnecessary sort. Yet there are still 18 States that have not banned their use. As I noted on the Senate floor on July 21, 1966, there are eight States that have no regulations or statutes of any kind governing any devices that emit X-radiation. The States spend only $1.8 million a year on all their X-ray programs combined, and this sum includes formula grants from the Public Health Service.

In light of these limited State capabilities and in view of the proliferation of devices which emit radiation, it seems imperative that we provide for increased Federal efforts in surveillance and research and provide the Secretary with authority to regulate the manufacture and the importation of potentially hazardous devices. By moving now to control commerce in devices which may be sources of dangerous ionizing radiations, we can deal with these problems before they become so pressing or so emotionally charged that hasty action is required or public fears hinder the full exploitation of the positive potentialities of radiation and radioactive materials.

Surely we cannot wait until we suffer through the equivalents of collapsed bridges, exploded boilers, crashed aircraft, and harmful drugs before we act. We have come dangerously close to this with the General Electric television incident. Surely the alternative of no action, or of continuation along our present course, is not acceptable.

It is important to note, however, that the Radiation Control Act would not preempt or discourage most State efforts at surveillance and control. The Secretary would be authorized to set up and enforce certain standards, some of them preemptive, to govern the manufacture of devices where the national health and safety are found to be at stake. But the Secretary is also empowered and directed to stimulate and encourage the efforts of the States and of industry. He would be enabled to expand the Department's support and assistance for research and investigations relating to the biological effects of radiation and their treatment and control. Perhaps even more important, the Secretary is directed to undertake a long-range, continuing program to inform and educate all State public health personnel about control of ionizing radiation in our technological age.

Moreover, the bill in its present form deals only with the standards which products meet before their introduction into commerce. It would leave the inspection and regulation of devices after their installation to the States. It may be that here, too, Federal participation is appropriate, after the model of the Atomic Energy Commission's performance of inspection functions at certain installations. It may be that we would opt for some further stimulation or subsidizing of State, local, or regional efforts at inspection and control. This is a matter with which we must deal, however, and we will need to explore it in hearings.

In any case, Mr. President, I wish to stress that the Radiation Control Act is not intended as a substitute for State and local efforts at surveillance and control but, on the contrary, is designed to supplement and to stimulate those efforts.

In a similar fashion this bill might complement other regulatory statutes currently receiving congressional attention. The President's proposed Medical Devices Safety Act, as I noted a few moments ago, would provide for some regulation of therapeutic—though not diagnostic—X-ray devices. Another relevant piece of current legislation is Senate Joint Resolution 33, introduced by Senators MAGNUSON, COTTON, and MOSS, which authorizes the establishment of a Product Safety Commission. This resolution has already passed the Senate, and I am hopeful that it will soon receive favorable House attention. It would provide for a major stepup in our Federal research effort in the area of product safety. The commission would establish the identity of products offering various kinds of hazards to the consuming public, would evaluate industry's efforts at self-regulation and the protections now afforded by Federal, State, and local laws, and would make reports and legislative recommendations to the Congress. Surely, this matter of radiation hazards would come within its purview.

But while it is thus important to coordinate the Radiation Safety Act with other governmental efforts at research and regulation, it is also important that we give radiation protection the attention and the priority it deserves. We are, after all, dealing with a particular and unique sort of hazard, although it involves a wide and expanding range of medical, industrial, and household devices. We have the opportunity now to anticipate a certain set of dangers that may flow from accelerating technological progress, and to institutionalize a sort of vigilance and protective authority.

The dangers are present and growing: the General Electric television incident is ample documentation of that, and for years I have been urging that we act upon the information we either have or can obtain concerning the hazards connected with diagnostic or therapeutic X-ray devices. Moreover, radiation hazards are of a particularly insidious sort. Exposure to radiation cannot be seen, smelled, heard, or felt; the victim is particularly defenseless, knowing nothing of the dangers to which he is being exposed. And whatever dangers may exist apply not only to the exposed individuals themselves, but also have a bearing on the characteristics and the infirmities their children and grandchildren might inherit.

It is thus important, Mr. President, that we in Congress gather extensive information concerning the scope and the degree of radiation dangers connected with medical, household, industrial, and communications devices. It is important that we move to step up our present Federal research efforts. It is important that we come to some evaluation of the adequacy of present efforts at regulation and inspection. It is important that we provide for Federal monitoring and control where needed. The Radiation Safety Act of 1967 in its present form is only an imperfect beginning, but it is a beginning, and I am hopeful that hearings, revisions, and favorable action will be forthcoming during the next few weeks. Our people are entitled to the relief from uncertainty and irrational fears that will come with increased knowledge of radiation hazards and with the institution of needed standards and controls.

Mr. President, I ask unanimous consent that the proposed Radiation Control for Health and Safety Act of 1967 be printed at this point in the RECORD, and that the bill be referred to the Committee on Commerce.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The bill (S. 2067) to provide for the protection of the public health from radiation emissions from electronic products which are in commerce or are imported into the United States, introduced by Mr. BARTLETT (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2067

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Radiation Control for Health and Safety Act of 1967".

CONGRESSIONAL DECLARATION

SEC. 2. The Congress hereby declares that the public health and safety must be protected from the dangers of radiation from electronic products as provided in this Act. In order to achieve this objective, the Secretary of Health, Education, and Welfare shall (1) undertake and provide support and assistance for research and investigations relating to the biological effects and control of such radiation hazards, (2) cooperate with public and private organizations for these purposes, and (3) develop and administer standards for the control of radiation emissions from electronic products.

DEFINITIONS

SEC. 3. As used in this Act—

(1) the term "Secretary" means the Secretary of Health, Education, and Welfare;

(2) the term "radiation" means any electromagnetic radiation, including but not limited to ionizing radiation, and any sound radiation which can be generated during the operation of electronic products or devices;

(3) the term "electronic product" means any manufactured product or device which has an electronic circuit which during operation can generate or emit a physical field of electromagnetic radiation or sound radiation, and such term includes any X-ray device;

(4) the term "commerce" means (A) commerce between any place in any State and any place outside thereof; and (B) commerce wholly within the District of Columbia; and

(5) the term "State" includes the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa.

RESEARCH, STUDIES, INFORMATION

SEC. 4. (a) The Secretary shall establish and carry out a program to protect the public health from hazardous radiation emissions from electronic products and, as part of such a program, shall—

(1) plan, conduct, coordinate, and support research, development, training, and operational activities to minimize radiation exposure of people to radiations emanating from electronic products and to minimize such radiations;

(2) maintain liaison with and receive information from industry, industry associations, and other organizations on present and future potential radiation emissions from electronic products;

(3) study and evaluate emissions and conditions of exposure to such radiation in relation to epidemiological and bioeffects studies and control activities; and

(4) develop, test, and evaluate the effectiveness of procedures and techniques for minimizing radiation exposure.

(b) In carrying out the provisions of subsection (a), the Secretary is authorized to—

(1) collect and make available, through publications and other appropriate means, the results of, and other information concerning, research and studies relating to the nature and extent of radiation hazards and control thereof, including appropriate recommendations in connection therewith;

(2) make grants to public and private agencies and institutions and to individuals and nonprofit organizations for research purposes stated in subsection (a)(4); and

(3) contract with public or private agencies, institutions, and organizations, and with individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

STANDARDS

SEC. 5. (a) The Secretary shall by rule prescribe such standards applicable to the emission of radiation from electronic products as he determines to be necessary in order to protect the public health and safety. In the development of such standards, the Secretary shall consult with appropriate interested persons, including representatives of industries which would be affected by such standards.

(b) The provisions of section 553 of title 5, United States Code (relating to the administrative procedure for rulemaking), and of chapter 7 of title 5, United States Code (relating to judicial review), shall apply with respect to any rule prescribing, amending, or revoking any such standard.

(c) Each such rule shall specify the date on which it shall take effect which, in the case of any rule prescribing or amending any such standard, may not be sooner than the one hundred and eightieth day or not later than one year after the date on which such rule is issued, unless the Secretary finds, for good cause shown, that an earlier or later effective date is in the public interest and publishes his reason for such findings, in which case such earlier or later date shall apply.

(d) The Secretary shall review and evaluate on a continuing basis testing programs carried out by industry which are intended to assure that electronic products comply with standards prescribed under this section.

IMPORTS

SEC. 6. (a) The Secretary of the Treasury shall deliver to the Secretary of Health, Education, and Welfare, upon the latter's request, samples of electronic products which are being imported or offered for import into the United States, giving notice thereof to the owner or consignee, who may have a hearing before the Secretary of Health, Education, and Welfare. If it appears from an examination of such samples or otherwise that any electronic product fails to comply with applicable standards prescribed pursuant to section 5, then, unless subsection (b) of this section applies and is complied with, such electronic product (1) shall be refused admission, and (2) the Secretary of the Treasury shall cause the destruction of such electronic product unless such article is exported, under regulations prescribed by the Secretary of the Treasury, within 90 days after the date of notice of refusal of admission or within such additional time as may be permitted by such regulations.

(b) If it appears to the Secretary of Health, Education, and Welfare that any electronic product refused admission pursuant to subsection (a) of this section can be brought into compliance with applicable standards prescribed pursuant to section 5, final determination as to admission of such electronic product may be deferred upon filing of timely written application by the owner or consignee and the execution by him of a good and sufficient bond providing for the payment of such liquidated damages in the event of default as the Secretary may by rule prescribe. If such application is filed and such bond is executed the Secretary may, in accordance with rules prescribed by him, permit the applicant to perform such operations with respect to such electronic product as may be specified in the notice of permission.

(c) All expenses (including travel, per diem or subsistence, and salaries of officers or employees of the United States) in connection with the destruction provided for in subsection (a) and the supervision of operations provided for in subsection (b), and all expenses in connection with the storage, cartage, or labor with respect to any electronic product refused admission pursuant to subsection (a) of this section, shall be paid by the owner or consignee, and, in event of default, shall constitute a lien against any future importations made by such owner or consignee.

RECORDS AND REPORTS

SEC. 7. Every manufacturer of any electronic product which is subject to standards prescribed under section 5 shall establish and maintain such testing records, make such reports, and provide such information as the Secretary may by rule reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this act.

PROHIBITED ACTS

SEC. 8. No person shall (1) introduce, or deliver for introduction, into commerce, or import into the United States any electronic product which fails to comply with any applicable standard prescribed under section 5, (2) fail or refuse to permit access, to the Secretary or any of his duly authorized representatives, to testing records required pursuant to section 7, or (3) fail or refuse to make any report required pursuant to section 7.

ENFORCEMENT

SEC. 9. (a) The district courts of the United States shall have jurisdiction, for cause shown, to restrain violations of section 8.

(b) Any person who violates section 8 shall be subject to a civil penalty of not more than $1,000. For purposes of this subsection, each activity set forth in section 8(1) with each electronic product involved shall constitute a separate violation, except that the maximum civil penalty imposed on any person under this subsection for any related series of violations shall not exceed $400,000.

SENATOR RANDOLPH COSPONSORS RADIATION CONTROL FOR HEALTH AND SAFETY ACT—CITES HAZARDS NOT ONLY TO ADULTS, BUT TO CHILDREN AND UNBORN GENERATIONS

Mr. RANDOLPH. Mr. President, it is my privilege and responsibility to cosponsor with my distinguished colleagues, particularly the senior Senator from Alaska [Mr. BARTLETT] and my compatriot from West Virginia [Mr. BYRD], the Radiation Control for Health and Safety Act.

Since the discovery, in 1929, by Dr. Hermann J. Mueller, that X-rays cause genetic changes, or mutations, in living cells, scientists the world over have devoted thousands of research hours to studying these changes and the phenomena associated with them. Dr. Mueller was awarded the Nobel Prize in physiology for this pioneer work, so important was it found to be to man.

In the intervening 38 years, we have developed, in this country and abroad, a vast wealth of information as to what irradiation does to living cells—human and nonhuman—and this knowledge is being expanded upon every day in both private and public research laboratories.

But one fact has been demonstrated so often, and so clearly, that in one area we need no further demonstration—and that is in the area of the fact of genetic change. Irradiation does cause change. It causes visible changes in the chromosomes, which can be seen under microscopic lenses; it causes changes which are not always visible in the chromosome itself but which become visible in the next generation of life—changes in such characteristics as color of skin pigment, color of eyes, length of hair, or fertility. It has been demonstrated that irradiation produces—in species after species tested—sterility.

This is, of course, dependent upon dosage to a certain extent. That is to say, that with irradiation by "x" number of rays, the probability of producing a measurable effect can be calculated. But let us not forget that the measurable effect is produced often by one ray hitting, and changing by its tremendous energy input, one chemical "gene" on one chromosome. All it takes to produce a miscarriage, blindness, or lesser deficiencies—such as a lack of resistance to measles—is one ray.

It is well known, and detractors of safety devices and warnings of the effects of irradiation, state frequently that we receive on this planet a certain amount of irradiation daily from the sun's energy field which peppers the earth with rays. This is true. But we, as a species, have what every other viable species—plant and animal—has, and this is a tolerance level which allows us to survive in spite of this rather standard dosage of natural irradiation.

But our tolerance level is, Mr. President, just that—a tolerance "level." We cannot, without facing dire consequences, exceed this level. We cannot change the natural, God-given laws in accordance with which we live and reproduce ourselves, giving life to succeeding generations. I have said this before, in connection with the problem of crime, and I state it again:

> No species can survive—and ours is no exception—if it commits suicide.
>
> To let even one generation come of age without any respect for authority—the authority of the parent, the society, *or the natural laws which govern the plant and animal kingdoms and the universe*—is tantamount to suicide at this point in time.

Because I feel so strongly about this problem, Mr. President, I take, with pleasure, this opportunity to cosponsor the bill introduced by Senator BARTLETT to provide for research, and some regulation, perhaps, in connection with those household, industrial, medical, and other items which could prove hazardous both to the adults who use them, the children exposed to them, or the offspring from the seeds being carried within us which will produce our progeny and our children's progeny. Once a change has been made in a gene, it is difficult to reverse it. And, in closing, I would like to point out to my colleagues that laboratory measurements have shown that at least 90 percent of known genetic changes are harmful.

Man can improve himself socially, morally, and spiritually. He can also, through carelessness, ruin himself physically.

CREDIT AGAINST INCOME TAX FOR CERTAIN POLITICAL CONTRIBUTIONS

Mr. TALMADGE. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to allow taxpayers either an income tax credit or tax deduction for political contributions.

Under the provisions of my bill a taxpayer would be permitted at his option to take one-half of the total contributions made to political campaigns as a credit on his Federal income tax up to a maximum credit of $10 a year or take as a deduction from gross income contributions made to political campaigns up to a maximum deduction $100 a year.

The tax credit or deduction would be allowed for political contributions made to candidates for any Federal, State, or local elective office in a general or primary election.

The bill is designed to provide an equitable and effective method of encouraging greater citizen participation and interest in the political process, and at the same time provide candidates for public office with an adequate source of funds to meet campaigning expenses without relying on large contributions of special interests.

By allowing an option of either a tax credit or deduction, the bill insures that all taxpayers will have an opportunity to benefit regardless of their tax bracket or whether they use the standard deduction. The tax benefit procedure, as provided for in my bill, will allow much needed action in the field of campaign financing while still retaining the traditional and basic relationship between the candidate and contributor. In addition, since considerable experience has been gained in the use of tax benefits for other purposes, adequate administrative control procedure can be readily established.

Mr. President, I believe this bill incorporates the only acceptable approach to government support for political campaigns. In the past few months a variety of other bills have been introduced which seek to improve the current method of financing political campaigns through some form of government support. I have studied these proposals and the comments of those who have spoken for them, and I have become convinced that the tax incentive approach, as provided for in my bill, represents the most practical vehicle for congressional action in this area.

I shall not at this time comment on all the proposals which have been made concerning political campaign financing, but I would like to draw some contrast between my bill and the direct subsidy approach recommended by the administration.

S. 1883, which embodies the recommendations of the President, provides for a direct subsidy in the form of a congressional appropriation to political parties. This approach raises, I believe, a number of serious problems which cast grave doubt on the wisdom of enacting such a bill. There are three specific points that I would like to raise.

In the first place, the bill purports to foster the desired goals of eliminating financial qualifications for public office and reducing possible influence exercised by special interests through large campaign contributions.

These are admirable goals, Mr. President, but I find it difficult to believe that the administration's bill will help to achieve them. On the contrary, I believe one of the greatest defects of this proposed legislation to be that it creates the impression of action without the substance.

On the other hand, by limiting Federal assistance to presidential campaigns in the general election, the bill applies to the elections where it is already relatively easy to raise money. It does not help a man in the primaries where money can be a very important factor, nor does it apply to senatorial or congressional campaigns, where it can be difficult to raise money without incurring obligations. Moreover, it creates the impression that some element of control is established. This is no more than an illusion. The restrictions on expenditures contained in the administration's bill will reach no further than the national party committee, or subsidiary bodies under its control. What this amounts to, in effect, is that in the future there will be a proliferation of corporation and lobby associations, and of "independent" or "spontaneous" citizen groups which will serve to channel contributions into campaign coffers of candidates. The candidates will, of course, be well aware of this source of assistance, and obligations will be created which are every bit as real as are now created under the present system.

In contrast, the tax incentive approach represents a definite step toward the realization of these goals. This approach permits aid to candidates at all levels—local, State, and Federal—and in all elections—primary and general.

Thus, aid will truly be available to men who might otherwise be prevented from seeking public office because of financial barriers. In addition, since the tax incentive approach is designed to encourage relatively small political contributions from the greatest number of persons, the likelihood of a candidate being forced to seek campaign funds from special interests is reduced.

The second point I would like to raise concerns the administration of the President's bill. Since the provisions of the bill will be administered by an executive department, it will be necessary to establish administrative guidelines to insure uniform and equitable treatment of all candidates.

Now, to some extent these guidelines will be shaped by the Finance Committee, but I feel certain that because of the complexity of this bill, they will be determined in a large measure by the executive department responsible for the administration of the bill. I am sure that the administration will claim that these guidelines will be reasonable and fair.

Perhaps they will be, but this is not my point. I only assert my belief that once again we will witness the assumption of a quasi-legislative role by the executive branch of Government at the expense of Congress.

Mr. President, this problem arises from the complex nature of drafting legislation to administer Federal subsidies. We have seen it before with other programs. But why invite this problem when a suitable alternate course of action exists in the form of a tax incentive bill?

As I have said before, the administration of my bill will be relatively simple because it will be possible to follow established practice set up in accord with rules now designed for other types of tax credits and deductions. These are practices, I might add, that are under the direct control of Congress.

The third and final point I would like to make about S. 1883 concerns its effect on our democratic system. Mr. President, there is nothing in this bill to prevent the Communist Party of the United States from receiving Federal funds. Furthermore, considering the present attitude of the Justices of the Supreme Court, I seriously doubt whether such a prohibition could be added that would not be struck down by the courts.

Mr. President, I do not want to see the Communist Party drink from the same cup as the Democratic and Republican Parties. Whatever the intention of the drafters of this legislation, this could be the effect if it becomes law. Some may say this is unlikely, but I say we cannot afford to run the risk, however small.

In conclusion, Mr. President, it is quite obvious that the increasing cost of politics is a situation that must be corrected. But S. 1883 does not provide the answer.

I believe that my bill will at least put us on the right track, and I hope my colleagues will join with me in helping to see it become law.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2073) to allow a credit against income tax, or a deduction from gross income as the taxpayer may elect, for certain political contributions made by individuals, introduced by Mr. TALMADGE, was received, read twice by its title, and referred to the Committee on Finance.

PAYMENT TO CERTAIN INDIVIDUALS UNDER MEDICARE PROGRAM

Mr. TALMADGE. Mr. President, the bill I introduce today is designed to solve a significant and inequitable medicare problem.

Frequently, older people require emergency hospital care as a result of an accident or sudden acute illness. There is often no time in such urgent situations to hunt down a hospital which meets the requirements for emergency care under section 1861(e). Nonetheless, a hospital fully licensed by a State may be nearby, but because of its inability to meet the section 1861(e) requirements, payment may not be made for its emergency care.

Let us face it. The normal and sensible thing to do in an emergency situation created by accident or illness is to get the person to the nearest hospital. You just do not wait around trying to find out whether that hospital will cooperate with medicare. You worry about treatment—not payment—at that point.

But, later on, the patient and his family all too often are faced with the hard fact that the hospital rendering the emergency care does not participate or is not eligible to participate under medicare and/or will not accept the reimbursement agreement for emergency services in such hospitals. This leaves the old person not only confronted with illness, but a fat hospital bill which, in some manner, he has to pay. Once again, the promise to pay the hospital bills is an empty one—obviously a situation which Congress never intended to bring about.

The problem is particularly serious in rural areas where hospitals are often few and far between.

I think we of the Congress are quite capable of applying our commonsense to correct this situation. This bill proposes to pay to a person covered under medicare after June 31, 1966, 75 percent of the reasonable charges for emergency care rendered him in a licensed hospital which did not have, or refused to execute a reimbursement agreement with social security.

In addition, Mr. President, the bill I am now introducing is designed to pay directly to the senior citizen participating in the medicare program 75 percent of the reasonable charges for his treatment in a hospital which is not participating, or has not participated, in the program but has met the requirements in paragraphs (1), (2), (3), (4), (5), and (7) of section 1861(e). The social security law prohibits the payment of reasonable charges to the medicare patient if the hospital he or she attends has not been admitted into the program. My bill will enable the medicare patient who knowingly or unknowingly receives treatment in a nonparticipating hospital to be reimbursed a substantial portion of the reasonable charges for necessary care. This is not a permanent provision, but rather a temporary measure that will allow a reasonable transitional period from July 1, 1966, to December 31, 1968, for hospitals and social security to work out any problems which now prevent good hospitals from participating. Payment of 75 percent of the reasonable charges was selected as a fair figure to reimburse the patient and yet not provide an incentive to hospitals to remain out of the program.

The bill is not to be construed as a reward for the hospital that has not complied with title VI, but it is to indemnify the innocent medicare patient who has no control over whether or not the hospital to which his doctor sends him is medicare approved. In this regard, it is totally consistent with the congressional intent that our fine older Americans not be financially "wiped out" by the high cost of hospital care.

Many hospitals were a few weeks to a few months late in complying with the guidelines, but were eventually certified to care for medicare patients. Unfortunately, those medicare patients who were forced to seek hospitalization during this transitional period will not be reimbursed for their expenses.

Mr. President, my legislation is introduced so that Congress may reaffirm its pledge to our senior citizens and provide them the promised hospitalization insurance. It is my sincere belief that Congress has an obligation to these patients. They have paid into the program with the expectation that medicare benefits would be provided, but for many of them we have failed on our promise. It is for this reason that I call your attention to this problem and urge your serious consideration of this legislation.

It must be realized that this forgotten patient has no decision as to whether his community hospital will participate. With many, the fact that the hospital is not participating is only an afterthought until sickness strikes and a huge bill is presented for payment. Furthermore, the choice of hospital is generally decided by his doctor's hospital affiliation. Otherwise, the poor, sick old person must try to find a new physician on the staff of a participating hospital. In this case, a longstanding relationship of trust for 10, 20, 30, or even 40 years must be sacrificed so that the so-called medicare beneficiary can save himself in many cases from virtual personal bankruptcy.

These are tragic and terrible choices to force upon sick, helpless, older Americans. Medicare was supposed to relieve the "financial nightmare" of illness and not to substitute one bad dream for another.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2074) to amend title XVIII of the Social Security Act and related provisions of other acts to permit individuals insured for benefits under part A of such title to receive, for a limited period, certain payments with respect to inpatient hospital services and outpatient hospital diagnostic services furnished to them by certain hospitals not participating in the program established by such part A, and to permit individuals so insured to receive certain payments with respect to emergency hospital services furnished to them by certain hospitals which are licensed under State law but which are not authorized to be paid under such part A for services provided by them, introduced by Mr. TALMADGE, was received, read twice by its title, and referred to the Committee on Finance.

HOSPITAL MODERNIZATION AND IMPROVEMENT ACT OF 1967

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, the Hospital Modernization and Improvement Act of 1967. A companion measure is being introduced today in the House of Representatives by the dean of the New York State congressional delegation, Hon. EMANUEL CELLER.

This bipartisan legislation is aimed at correcting the condition of intolerable obsolescence which afflicts at least one-third of our Nation's hospital capacity. It is reaching crisis proportions in many metropolitan areas, according to hospital authorities.

Specifically, the legislation provides:

First. Federal loan guarantees of up to 90 percent for hospital modernization and Federal payments of interest charges above 2 percent to fill the need of $1 billion annually for hospital modernization. The estimated cost of this program to the Federal Government in its first year of operation would be $49 million.

Second. A grant program to develop new techniques in hospital modernization and construction, at a cost of $15 million to the Federal Government for the first year of operation.

One-third of our Nation's hospital capacity is outmoded and obsolete, impairing the quality of our health care, adding to already rapidly increasing health costs and limiting medical education and research centered on hospitals. The bill I introduce today is designed to meet this need. The program contemplated by the bill has the support of the American Hospital Association with whom I worked in drafting its provisions.

Present Federal aid to hospital modernization is inadequate to meet the need of modernizing the obsolete 272,000 beds—one-third of the Nation's hospital capacity—and the 13,000 additional beds becoming obsolete each year. The $50 million contemplated under the Hill-Harris amendments will cover only 6,200 beds in the next fiscal year. Federal funds for depreciation under medicare and medicaid will account for another estimated $125 million.

This bill fills the need for the $1 billion required annually for hospital modernization.

Under this legislation, for the next 5 years, the Federal Government would provide guarantees of up to 90 percent on loans for the modernization of public and private, nonprofit, short-term general hospitals. Loans would not exceed 25 years and could include projects adding up to 5 percent to the institution's capacity. Interest above 2 percent would be paid by the Government, similar to the procedure now followed in federally guaranteed rural electrification and college student loans. The estimated first year's cost of the bill is $49 million.

American communities are meeting only 59 percent of the country's modern hospital needs. In New York State, for example, outside New York City, more than $287 million in hospital modernization is required, 52 percent of the area's capacity. And New York City, according to the most recent estimates, needs an estimated $1.25 billion in modernization funds.

The Hospital Review and Planning Council of Southern New York has observed that while on the one hand modern developments have made possible new patterns of diagnosis and treatment, these advances have placed such heavy demands on existing hospital facilities that virtually every hospital plant in New York City requires costly alterations or complete replacement. Among the 130 general care hospitals in the city, 72 percent of the surgical suites are inadequate, 90 percent of the X-ray suites are inadequate, 71 percent of the emergency departments are inadequate, 72 percent of the outpatient facilities are inadequate and only 17 percent would pass Public Health Service fire standards.

Twentieth century medical care cannot be given in 19th century hospitals. It is necessary that we proceed with a hospital modernization program without delay, not only in the interests of providing urgently needed health care, but also in the interest of economy. Hospital construction costs are increasing an estimated 7 percent annually. Thus, postponing for 1 year the $1 billion needed for hospital modernization annually would add another $70 million to hospital construction costs, an increase which is passed on to local taxpayers and local users of hospital services.

Hospital modernization will also serve to hold down costs to patients. Hospital fees are the fastest increasing item in the cost of living—last year, the index rose 16.5 percent and some authorities anticipate further increases ranging up to 30 percent for the current year.

Obsolete and outmoded hospitals can be wasteful of the most expensive element in hospital operation—key hospital personnel. Personnel costs now exceed 70 percent of hospital operation costs and are becoming an increasingly important consideration.

The larger hospitals, which are usually the older ones, are the primary sources for the education of health personnel. The superior health system of the Nation is dependent upon these hospitals for the essential personnel to continue essential medical research and to translate the product of medical research into effective medical care.

The older teaching hospitals are primarily located in metropolitan areas and for this reason they have received relatively little assistance under the Hill-Burton program since its inception shortly after World War II in 1946. Because these older teaching hospitals are mostly large institutions, the financial problems of their modernization are so extensive as to require them to look to the Federal Government for assistance if they are to continue to serve the best interests of the public.

In addition, these larger hospitals serve not only patients living in urban areas but are also necessary to provide care for the more difficult cases which are sent in from rural areas, areas which have insufficient facilities to provide more complex care. Hospitals, it should be emphasized, are not independent.

As I have indicated, the bill also contains a new program for modernization of hospital procedures, funded at $15 million for fiscal year 1968. Provision of hospital care ranks as one of the first 10 service industries in the Nation. As an essential element of health care, hospital procedures should be as effective and as efficient as is possible. While the Department of Health, Education, and Welfare is engaged in some efforts in this area of modernization of procedures, it is generally acknowledged to be insufficient. As long ago as 1952, the President's Commission on the Health Needs of the Nation advocated "an immediate start on studies necessary for improvement of hospital functions." That start should no longer be delayed.

Governor Rockefeller has stressed the need for legislation when earlier this year he urged the New York congressional delegation to "immediately undertake appropriate action leading to greater Federal participation in meeting crucial hospital needs." This bill would accomplish that purpose.

Mr. President, with Representative CELLER sponsoring this legislation in the House, we intend to do everything we can to push it. It is critically essential, if medicare and medicaid are really to be made to mean anything, and that hospital facilities be adequate to the task. I say, advisedly, that one-third, at least, of hospital facilities today are inadequate to the task. The people are bound only to be frustrated and disappointed in their enjoyment of the benefits we have made available to them by the fact that we are not giving them the facilities to enjoy them. Yet, with the modest budget which I have just described of $50 million a year, it can be done, with the aid of the private sector, in more investment. Everyone knows that the people will buy hospital bonds which are guaranteed by the Federal Government. No one wishes to sue a hospital. People will certainly rely upon the Federal Government to guarantee the bonds. This is an intelligent and wise way in which to do it and I hope it will have very early action on the part of Congress.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2076) to assist public and private nonprofit hospitals to carry out needed modernization and improvement projects by providing Federal guarantees of loans made for such purpose and by providing for Federal payment of part of the interest on such loans, and to encourage the development of new technology systems and concepts in the provision of health services, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2076

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Hospital Modernization and Improvement Act of 1967".

FINDINGS OF FACT AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby finds and declares that—

(1) one-third of the Nation's hospital capacity is outmoded and obsolete including many of the Nation's largest and most comprehensive hospitals on which the public relies for its health care,

(2) the needs of the Nation for hospital facilities require that existing hospital facilities be modernized and replaced in order to improve and expand patient care through the adaptation of their facilities to new medical uses,

(3) loans for the modernization and replacement of public and private nonprofit hospitals are currently not generally available on reasonable terms and at moderate interest rates, and

(4) payments to hospitals for providing service to patients insured under title XVIII of the Social Security Act and payments under title XIX of the Social Security Act do not sufficiently take into account the costs which must be incurred in order to meet the needs of hospitals for modernization as well as for maintenance, repair, and replacement of plant and equipment.

(b) It is therefore the purpose of this Act to assist public and private nonprofit hospitals in meeting the costs of needed modernization, replacement, and improvement of hospital facilities by providing for Federal guarantees of loans made to hospitals to defray such costs and by providing for payment, by the Federal Government, of a portion of the interest on such loans.

AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT

SEC. 3. (a) Title VI of the Public Health Service Act (42 U.S.C. ch. 6A, subch. IV) is amended by redesignating part B as part C, by redesignating sections 621 through 625 as sections 631 through 635, respectively, and by inserting after section 610 the following new part:

"PART B—LOAN GUARANTEES FOR MODERNIZATION OF HOSPITALS

"FEDERAL ASSISTANCE THROUGH GUARANTEED LOANS AND PARTIAL PAYMENT OF INTEREST ON SUCH LOANS

"SEC. 621. (a) In order to assist public and private nonprofit hospitals (other than hospitals primarily for the care and treatment of mentally ill or tuberculous patients) to obtain loans for the purpose of modernization and replacement of their buildings and equipment, the Surgeon General, on behalf of the United States, is authorized (subject to the succeeding provisions of this part) to guarantee to non-Federal lenders making loans to such hospitals for such purpose, payment when due, of all principal and interest on loans approved under this part.

"(b) The amount of the aggregate of the loans with respect to which guarantees may be extended under this part shall not exceed, in the case of loans made in the fiscal year ending June 30, 1968, $725,000,000; in the case of loans made in the fiscal year ending June 30, 1969, $855,000,000; in the case of loans made in the fiscal year ending June 30, 1970, $850,000,000; in the case of loans made in the fiscal year ending June 30, 1971, $845,000,000; in the case of loans made in the fiscal year ending June 30, 1972, $840,000,000; and in the case of loans made in any of the three succeeding fiscal years, such amount as may be established by Act of Congress. No loans which are made after June 30, 1975, shall be guaranteed under this part.

"PROJECTS ELIGIBLE FOR LOAN GUARANTEE

"SEC. 622. (a) A loan under this part shall be granted with respect to any project only if the Surgeon General determines that—

"(1) such project is for the modernization or replacement of a public or private nonprofit hospital (other than a hospital primarily for the care or treatment of mentally ill or tuberculous patients),

"(2) the amount of the loan (when combined with amounts available from other sources) will be sufficient to complete the project,

"(3) such project does not involve or will not result in more than a 5 per centum increase in the bed capacity of such hospital.

"(4) there is available from the allocation (made pursuant to section 623) a sufficient allotment from which a loan guarantee may be made, and

"(5) such project is needed by such hospital to enable it more effectively to meet the health needs of the population area served by it.

"ALLOCATION IN ACCORDANCE WITH NEED

"SEC. 623. The Surgeon General, after consultation with the Federal Hospital Advisory Council, shall, after considering the extent to which the various areas of the United States are in need of hospital modernization and replacement, and the relative financial abilities of such various areas to meet such need, allocate the amounts with respect to which loan guarantees are available for any year among such areas with a view to assisting, in a fair and equitable manner, each such area most effectively to meet its hospital modernization and replacement needs through the loan guarantee program established by this part.

"CONDITIONS FOR LOAN GUARANTEES

"SEC. 624. (a) (1) Only a loan which is made on reasonable terms and which bears a reasonable interest rate (as determined under regulations of the Secretary) shall be eligible to receive a guarantee under this part. No guarantee under this part shall apply to so much of the principal amount of any loan as exceeds 90 per centum of the cost of the project with respect to which the loan is made.

"(2) No guarantee shall be made under this part unless the indebtedness to be guaranteed has a maturity not exceeding 25 years and unless the Surgeon General determines that there is reasonable assurance of the repayment of the guaranteed indebtedness.

"(b)(1) The United States shall be entitled to recover from the applicant the amount of any payments made pursuant to any guarantee under this part, unless the Surgeon General for good cause waives its right of recovery; and, upon making any such payment, the United States shall be subrogated to all of the rights of the recipient of the payments with respect to which the guarantee was made.

"(2) Guarantees under this part shall be subject to such terms and conditions as the Surgeon General determines to be necessary to assure that the purposes of this part will be achieved, and, to the extent permitted by subsection (c), any of such terms and conditions may be modified by the Surgeon General if he determines such modification is necessary to protect the financial interest of the United States.

"(c) Any guarantee made by the Surgeon General pursuant to this part shall be incontestable in the hands of an applicant on whose behalf such guarantee is made, and as to any person who makes or contracts to make a loan to such applicant in reliance thereon, except for fraud or misrepresentation on the part of such applicant or such other person.

"PAYMENT OF INTEREST ON GUARANTEED LOANS

"SEC. 625. (a) The Surgeon General shall pay to each holder of a loan guaranteed under this part, for and on behalf of the hospital to which such loan was made, so much of the interest which becomes due and payable on such loan as is attributable to so much of the interest rate of such loan as exceeds 2 per centum. Each holder of a loan guaranteed under this part shall have a contractual right to receive from the United States interest payments required by the preceding sentence.

"(b) There are hereby authorized to be appropriated for each fiscal year such amounts as may be necessary to carry out the provisions of subsection (a)."

SEC. 3. The Public Health Service Act is further amended by adding after section 318 the following new section:

"DEVELOPMENT OF NEW TECHNOLOGY SYSTEMS AND CONCEPTS IN THE PROVISION OF HEALTH SERVICES

"SEC. 319. (a) The Surgeon General is authorized to make grants to any public or nonprofit private agency, institution, or organization and enter into contracts with any public or private agency, institution, or organization for research, experiments, or demonstrations to improve the quality of health services or make more efficient the provision of such services, in institutions or otherwise, including development and testing of automatic equipment and systems and other new technology systems or concepts for the provision of such services.

"(b) Payments of any such grants or under any such contracts may be made in advance or by way of reimbursement, and in such installments, as the Surgeon General may determine; and shall be made on such conditions as the Surgeon General finds necessary to carry out the purposes of this section.

"(c) There are authorized to be appropriated to carry out this section $15,000,000 for the fiscal year ending June 30, 1968, and such sums as may be necessary for each fiscal year thereafter."

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Oregon [Mr. HATFIELD] be added as a cosponsor of the bill (S. 1948) to amend the Economic Opportunity Act of 1964 to provide day care for children of low-income families in order to enable their parents or relatives to choose to undertake vocational training, basic education, or employment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from South Carolina [Mr. HOLLINGS], I ask unanimous consent that, at the next printing of the bill (S. 1796) to impose quotas on the importation of certain textile articles, the names of Senators BAKER, SPARKMAN, STENNIS, and HANSEN be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Missouri [Mr. SYMINGTON], I have been asked to state that through oversight, the name of the Senator from Indiana [Mr. HARTKE] was not included as a cosponsor of Senate Resolution 143, which Senator SYMINGTON submitted on June 28. At Senator SYMINGTON's request, I ask unanimous consent that, on the next printing of the resolution, Senator HARTKE's name appear as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Tuesday, July 18, 1967, at 10:30 a.m., in room 2300, New Senate Office Building, on the following nominations:

Philip Neville, of Minnesota, to be U.S. district judge, district of Minnesota, vice Gunnar H. Nordbye, retired;

Thomas D. Lambros, of Ohio, to be U.S. district judge, northern district of Ohio, to fill a new position created by Public Law 89–372, approved March 18, 1966; and

John D. Butzner, Jr., of Virginia, to be U.S. circuit judge, fourth circuit, vice J. Spencer Bell, deceased.

At the indicated time and place persons interested in the above nominations may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

S. 836, A BILL TO CREATE A NATIONAL FOUNDATION FOR THE SOCIAL SCIENCES—NOTICE OF CONTINUATION OF HEARINGS

Mr. HARRIS. Mr. President, I announce that the Subcommittee on Government Research of the Committee on Government Operations will continue hearings on S. 836, a bill to create a National Foundation for the Social Sciences. The hearings will be held on Wednesday, July 12, and Thursday, July 13, in room 3110, New Senate Office Building, beginning at 10 a.m. each day. Testimony is expected from 11 witnesses.

GEOGRAPHIC DISTRIBUTION OF FEDERAL RESEARCH AND DEVELOPMENT FUNDS—NOTICE OF CONTINUATION OF HEARINGS ON TUESDAY, JULY 11

Mr. HARRIS. Mr. President, the Subcommittee on Government Research of the Committee on Government Operations will continue hearings tomorrow, Tuesday, July 11, at 10 a.m., in room 1318, New Senate Office Building, on Senate Resolution 110. The resolution concerns the geographic distribution of Federal research and development funds. Testimony will be heard from five additional witnesses.

NOTICE OF HEARINGS ON FEDERAL JURY SELECTION BILLS (S. 383, S. 384, S. 385, S. 386, S. 387, S. 989, S. 1319)

Mr. TYDINGS. Mr. President, as chairman of the Subcommittee on Improvements in Judicial Machinery, of the Committee on the Judiciary, I wish to announce a hearing for the consideration of S. 383, S. 384, S. 385, S. 386, S. 387, S. 989, and S. 1319. These bills would provide improved judicial machinery for the selection of Federal juries.

The hearing will be held at 10 a.m. on Thursday, July 20, 1967, in the District of Columbia Committee hearing room, 6226 New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

NOTICE OF HEARINGS RELATING TO ELECTORAL COLLEGE REFORM

Mr. TYDINGS. Mr. President, in behalf of the chairman of the Senate Judiciary Subcommittee on Constitutional Amendments, I wish to announce hearings on resolutions pending before that subcommittee which pertain to electoral college reform. The hearings are scheduled for 10 a.m. on July 12, 13, 14, 18, 19, and 20. The hearings on July 12, 13, and 14 will be held in room 457 of the Old Senate Office Building. The hearings on July 18 will be held in room 324, Old Senate Office Building. The hearings on July 19 and 20 will be conducted in room 457, Old Senate Office Building.

NOTICE OF HEARINGS OF BUSINESS AND COMMERCE SUBCOMMITTEE OF SENATE DISTRICT OF COLUMBIA COMMITTEE

Mr. TYDINGS. Mr. President, as chairman of the Subcommittee on Business and Commerce of the Senate District of Columbia Committee, I wish to announce hearings for the consideration of S. 1941, a bill to control and abate air pollution in the District of Columbia, and S. 1245, S. 1246, and S. 1247, bills relating to the use of space surrounding freeways and public streets in the District of Columbia.

The hearing on S. 1941 will be held on July 18, 1967, beginning at 9:45 a.m., and the hearings on S. 1245, S. 1246, and S. 1247 will be held on July 25 and 27, 1967, beginning at 10 a.m. All hearings will take place in the District of Columbia Committee hearing room, 6226 New Senate Office Building.

Any person who wishes to testify or to submit a statement for inclusion in the record should communicate as soon as possible with the Senate District of Columbia Committee, room 6200 New Senate Office Building.

NOTICE OF POSTPONEMENT OF HEARINGS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that the public hearings on the following nominations scheduled for Tuesday, July 11, 1967, at 10:30 a.m., in room 2228, New Senate Office Building, before the Committee on the Judiciary, have been postponed to Thursday, July 13, 1967, at 10:30 a.m.:

Thurgood Marshall, of New York, to be an Associate Justice of the Supreme Court of the United States; and

Warren M. Christopher, of California, to be Deputy Attorney General, vice Ramsey Clark.

At the indicated time and place persons interested in the above nominations may make such representations as may be pertinent.

NOTICE OF RECEIPT OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

Kennedy M. Crockett, of Virginia, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States to Nicaragua.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. JAVITS:

Congratulatory messages relating to 92d birthday anniversary of Charles A. Upson, Lockport, N.Y.

By Mr. METCALF:

Department of the Interior Conservation Award of citations to Maurice Arnold and Robert McColly, of Montana.

CENTRAL ARIZONA PROJECT

Mr. HAYDEN. Mr. President, the Senate Interior and Insular Affairs Committee has ordered reported the central

Arizona project bill, S. 1004. The committee worked hard to resolve the differences among the States over certain provisions in this bill, and it also eliminated some of the controversial features of previous proposals. The central Arizona project bill is a good, workable measure, which I hope will command the support of a majority of Senators.

A very good analysis of this bill, describing how the differences and controversies have been resolved, is found in the lead editorial of the Washington Post of Sunday, July 2, 1967.

Mr. President, I ask unanimous consent that this editorial be printed in the Record as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Water for Arizona

> The Colorado River bill reported out by the Senate Interior Committee is a compromise designed to avoid the opposition which resulted in its defeat last year. The central purpose of the bill is to supply Arizona's desperate need for water. Some other projects have been included, but the proposed Marble Canyon and Hualapai Dams have been properly eliminated so as to center attention on the main issue.
>
> At present central Arizona is drawing from its underground supply of water about 2.2 million acre-feet a year in excess of the replenishment from rain and snow. Continued over a long period, this could mean only disaster for a rapidly growing state. Even with all the water it has a right to claim from the Colorado River, Arizona will still face critical shortages. In these circumstances there should be no controversy over the granting of Federal aid for what is essentially a rescue operation.
>
> Fortunately, Arizona can get the 2.8 million acre-feet of water annually to which it is entitled under the 1963 Supreme Court ruling without construction of either of the controversial dams. Reservoirs already in use will store more water than is available in the Colorado system at present. Additional dams were sought because of the power they would produce and the revenue they would raise under the Reclamation Act to finance the tapping of additional water supplies.
>
> If Congress passes the bill in somewhat its present form, there will be new hope for adding Marble Canyon to the Grand Canyon National Park. Indeed, this is the understanding in the Senate Interior Committee. As for the Hualapai Dam site, the Committee reserved judgment and would instruct the Federal Power Commission to issue no permit for the site until Congress has resolved the issue some time in the future. Both precautions are sensible. Five or ten years hence the question of the usefulness of the dam may be substantially altered, and it certainly ought not to be built unless it ultimately proves essential to a regional solution of the Southwest's water problem.
>
> Some Californians are hostile toward the bill, not only because of the elimination of the Hualapai Dam, but also because of the 27-year limitation on the guarantee of 4.4 million acre-feet of water to California and because of the absence of any provisions for studying ways and means of augmenting the supply of water to the Southwest. But the guarantee of water to one state in times of shortage, when all the participating states have a right to their share, is itself highly dubious. And since the Senate has already passed a bill to create a National Water Commission to study all the country's acute water needs and a similar bill has been reported out of committee in the House, there is no need for duplicating that legislation in the Colorado River bill.
>
> We think Congress would be well advised to end the long controversy over water for parched Arizona by accepting the Senate committee bill with possibly additional refinements.

RETURN OF SENATOR INOUYE

Mr. KUCHEL. Mr. President, I wish to observe that a beloved friend has returned, and I have a tear in my heart in saying, "Thank God you are well, Dan."

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. MANSFIELD. Mr. President, I wish to join the acting minority leader in what he has just said about the return of our distinguished and esteemed colleague, the Senator from Hawaii, Daniel K. Inouye.

With his return, Senator Inouye brings to this Chamber a warmth, an understanding, and a tolerance we all appreciate. We are glad that this distinguished and most highly esteemed colleague of ours is once again back in harness; and we expect to see him here every day performing his many tasks with the same high degree of skill and competence that has characterized all of his many contributions in the service of the Nation.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. TOWER. On behalf of my fellow members on the Committee on Armed Services, I should like to say "welcome back" to Senator Inouye. We have missed him. We have missed his wisdom, his calmness, his good humor, and his equable manner, and we are delighted to see him back.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. YOUNG of Ohio. I associate myself with the remarks of my colleagues. We are all happy to welcome back a very great and distinguished American, a beloved colleague of ours, Daniel K. Inouye, of Hawaii.

The United States is not the only place on earth that honors him. I vividly recall visiting, in Brazil, the homes of Japanese immigrants who were building new lives in the great Republic to the south; and in many of those little homes were pictures of Senator Inouye, with flowers around him. They were serving as shrines of those fine people who have come to the New World.

We are happy to have this great American patriot back in our midst, and we want him to stay away from hospitals and to be with us from now on.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from California may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. BARTLETT. Mr. President, when I last talked with the Senator from Hawaii [Mr. Inouye] he said he would return to the Senate on July 10, and here he is, looking as fit as a fiddle, as we knew he would. We knew that a man who went through what he went through in Italy in World War II would not be held down by a little old operation. We are happy to see him back with us in complete health to make further contributions on behalf of his State to the Nation. We welcome his return with grateful hearts.

Mr. CASE. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to the Senator from New Jersey.

Mr. CASE. Mr. President, the Senator from Hawaii [Mr. Inouye] has such a warm place in the hearts of all of us that we would like to have the opportunity all day of telling him and each other how glad we are that he is back. I think it is commendable that the Senator from California has made this opportunity available. I wish to add my warm good wishes to the Senator from Hawaii and extend congratulations from all of us that he is here.

WELCOME BACK, DAN

Mr. FONG. Mr. President, it is with a deep sense of relief and gratitude that I welcome back to the Senate Chamber my esteemed colleague from the State of Hawaii [Mr. Inouye].

I am sincerely happy—for Dan Inouye, for his family, for my State, for all of us—that he has recovered from a major operation. His successful recovery is a great relief to all of us, for we know the ordeal he has experienced.

We missed him during the 2 months he has been away, undergoing the preliminary tests and operation, and then recuperating at his home.

When I visited him at Walter Reed Army Medical Center, shortly after his operation, Dan showed the cheerful and indomitable courage which we all admire in him. I am glad that he has had the quiet rest at home with his wife Maggie and their young son.

I know I express the warm feelings of all of us when I say, "Welcome back, Dan."

Mr. BYRD of West Virginia. Mr. President, I want to join in expressing my delight in seeing the able and congenial Senator from Hawaii [Mr. Inouye] return to his Senate floor duties. We have missed him, and we have all been concerned for his welfare. It is good to note that he is looking so very well and is in every way his old self. Senator Inouye is a conscientious and diligent public servant who attends to his duties in an exemplary way, and I am glad that we can now be assured, as we tackle the heavy legislative load before us, that we will have the assistance of Senator Inouye during the remaining difficult days of this sesssion.

COMMENCEMENT ADDRESS DELIVERED BY SENATOR ALLOTT AT COLORADO SCHOOL OF MINES

Mr. KUCHEL. Mr. President, the distinguished senior Senator from Colorado [Mr. Allott] made the commencement day address at the Colorado School of Mines at Golden, Colo., on June 2, 1967. I have read the text of his address. It is most provocative.

Mr. President, I ask unanimous consent that the address by the senior Senator from Colorado [Mr. ALLOTT] be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY GORDON ALLOTT, U.S. SENATOR, COLORADO SCHOOL OF MINES, GOLDEN, COLO., JUNE 2, 1967

President Childs, Members of the Board of Trustees, faculty members, students, and friends, it is an honor to be here today and be asked to give what has long been called "a commencement speech" at the graduation ceremony of this great school.

Whether graduate or undergraduate, the fact that you are here and about to happily participate in this day, is in itself proof of your perseverance.

The Colorado School of Mines is unique. Few other institutions of learning require as much from their students for their professional degrees.

No other sets higher standards for its graduates.

No other of comparable size is superior in the nine disciplines in which professional degrees are offered.

Under the leadership of your President and faculty the School of Mines has remained a leader in the search for knowledge of the world in which we live. You have never forgotten you are concerned with all the elements that make life possible—our natural resources, of minerals, air and water.

The Colorado School of Mines has a reputation for excellence, for breadth and depth of its curriculum, and its faculty. You, as a school, are a part of the soil and the minerals, the materials and the industry of our State.

EMBARKATION

Commencement, for each new generation, means embarkation into a world of new things—new ideas—new problems. For my generation it was a depression, the dust bowl, worldwide economic chaos, and a world war. For you, too, there are problems. To name a few: Vietnam, worldwide hunger, the problems attendant upon the population explosion. And to you falls the task—which all the generations that have gone before you have failed to completely discharge—the building of bridges of law, of justice, and of peace between Nations, both old and new. Intimately connected with all this, is the need for wisdom in conserving the vast natural resources. And here is where you can make a particular contribution as graduates of this school.

Yours also is the enormous task of correcting the mistakes of the past—of rebuilding and rehabilitating our environment so that once again it will serve human need and not serve to degrade human life. Yours is the task of cleaning up the streams which past generations have befouled, of cleaning from the air the thousand-and-one types of refuse mankind has so profusely spewed forth through the years.

These are gigantic tasks, an enormous responsibility *to pass on* from one generation to another. But your education you have received *here* has provided you with the skills and the burning desire to rectify these errors of the past. To those of you going on to graduate school will you keep true conservation as an ideal so as not to pass on the pollution with which man has surrounded himself?

You and I, though of different generations, are bound by a number of common ties. We are, I hope, rational human beings seeking solutions to enormous problems. But we are more than separate human beings wandering alone in the world. We have a common heritage—and a common destiny. We have a heritage that is National. And we have a common destiny—a destiny which can be a glorious one—or shameful. It depends—as it has always depended—on us.

My generation has not solved the problems of an increasingly complicated world, we are passing on to you new problems. And, I do not expect your generation will solve all the problems of its time. You will undoubtedly pass on some equally as insoluble to those who come after you.

No, we have not solved all our problems; nor will you. But, God has given us the unalienable right to try! And God has given us talents to apply toward the search for solutions which so far have eluded us. The question I ask is how we—or, since the task ultimately will be yours, how you can make your fullest contribution to the solution of these growing problems. Problems of technology whirl in on us at break-neck speed. Problems of a world population doubling in size—not every thousand years but every forty—and this in some nations where men have barely emerged from the stone age. Problems both domestic and foreign—that demand our time and attention.

These are the challenges of today and the future. Their very complexity and magnitude lead to the confusion and the frustration which, in turn, lead inevitably to what might well be termed a crisis mentally. This is what I would especially talk to you about today.

CRISIS MENTALITY

Many intelligent people when faced by one or more of these complex problems feel it can be solved by an emergency panacea. They are sincere in this belief, even though the panacea evolves during a period of alarum—or even hysteria. Such so-called solutions often exhibit little more intelligence than a fireman attempting to quell a flame by pouring on gasoline.

And yet they act! And having acted by way of an intellectually puny panacea they are able to salve their conscience. After all, they have acted. They've done *something*—and that seems to be that. It is time to relax until the next crisis is upon them.

This is not a phenomenon restricted to any single group; nor is it restricted to a single political party, nor to a generation. It is not new, for history is replete with situations where men failed to come to grips with reality. The graveyard of history is strewn with the bones of panaceas which evolved through crisis mentality; when principle gave way to expediency, and long-term need was suborned to short-term economic, social or political gain.

I am not a prophet and I cannot predict the future. I would not attempt to prophesy—for I remember where a prophet is without honor. But the future *can* be determined—and we are a nation of determinists.

We *can* determine the future if we first understand the alternatives and then make a choice based on principle and ultimate good rather than expediency and immediate gain, and have courage to establish priorities.

The future is not something that simply unfolds—independent of human and natural actions and reactions. And yet, there are those who talk of the future as if it were such an independent force. This is decadent thinking. I think it is safe to set down as a great lesson learned from science that anything is possible in principle will be done if people want to do it. I mean, really *want* to do it.

So, when we try to avoid this crisis mentality, this knee-jerk reaction to problems, by asking ourselves, "what is going to happen?", what we really mean is: "What do we want to happen?"

To illustrate . . . witness the most significant contribution of this very school in oil shale research.

Earlier study into feasible means of extracting oil from shale had come almost to a complete halt some years before, and the Anvil Points pilot plant at Rifle, Colorado was virtually idle. Recognizing this growing void in efforts to achieve a technological break-through in this important area of future resource development, the Research Foundation of your school . . . in consort with industry . . . pioneered a new effort in 1964 that literally breathed new life into an industry with enough potential economic impact to stagger the imagination. And the events today in the Near East show the wisdom of this foresight. There is no waiting for the crisis of a world-wide petroleum shortage by this consortium; instead their effort is to prevent the crisis.

Many a commencement speaker has told the new generation coming up, "The future is yours." Well—yes, it is. That is, if you are willing to exert yourself. You can capture this elusive future with ideas. And you must have the energy to translate those ideas into values.

MAN HAS POWER

Man has more power than he realizes. Man today has power to make life for all humans not only bearable but abundant, useful, dignified, and yes, even creative. But we cannot leave this power in a neutral gear. We must start today applying that power. If we wait too much longer we will paint ourselves into a corner.

We can no longer afford to say to ourselves, "given time, things will sort themselves out". For we have no more time. I repeat, the world is doubling its human population every forty years.

Hence, it well behooves us to take a long-range look at man and his problems. We must, to the best of our ability, look into the future from the platform of the present to determine where man is heading. Having made this determination we must start now to do something about it.

Having looked into the future, though, we must not panic. We must not, for example, look at this portentious problem of a doubling world population in forty years, go into contortions of thoughtless emotionalism, and come up with a sudden cure-all—another panacea—to provide food, housing and security for all.

That, I believe, leads to crisis mentality, just as it has in the past when any problem looms suddenly and with foreboding on the horizon.

It is in another area, but let me give you an example of what I am discussing:

The year was 1957. The Soviet Union startled the world—and, I might add, shocked American pride—by sending into orbit the first satellite. They called it Sputnik—and that little chunk of metal shook Washington as it had not been shaken before.

Crisis mentality took over.

Not only did we find over-reaction in Government, but also among the press, the educators, the social observers, economists. We were told this was now "the age of Sputnik", as if nothing else mattered.

All called for immediate action.

And action there was. Yes, the Nation acted!

And we very nearly had chaos as well.

There were demands that our educational system be changed.

There were, and are now, some serious and thoughtful people—intelligent men—who suggest that college courses be retooled in terms of space science. They want to subordinate liberal arts, history, religion, literature and the earthbound sciences to the bottom of the totem pole.

Would it not have been possible to approach the problem more calmly? Was it mandatory that we give up the American principle of calm approach to complex problems just to throw a small round sphere into the sky?

Were American physicists, engineers and technicians somehow to be considered feebleminded because they had concentrated on developing advanced circuitry and cygrogenics rather than concentrating in the area of building a bigger and more powerful version of what was essentially a rocket engine of the 1940's? I think not.

But crisis mentality exploded the Nation's Capital. Everything had to be refocused to the overpowering urge to get something into the air.

With this historic perspective in mind I think the term "crisis mentality" might be defined as an alarmist reaction to vexing and intricate problems. Those problems could more often than not be solved—I mean actually solved—by the application of logic and reason along with a large dose of perserverance—rather than by hasty application of a do-it-all-now panacea. For one of the inevitable results of the latter is frustration or despair as the results fail to measure up to overheated expectations. This is followed by a sort-of apathy, to be relieved only by the whipped-up excitement of a new crisis in a new field.

THE COMPLEXITY OF THE 20TH CENTURY

Certainly one reason the crisis mentality is so much in evidence in our time is the increased complexity of our environment. To approach the challenging demands of our world rationally and effectively, we daily need more knowledge about the nature of man, and the nature of his universe.

These things used to be very simple. The universe was infinite and that was that. Today I understand there is considerable discussion over whether or not it is constantly expanding or oscillating or remaining relatively stable.

And we have discovered—I should say more properly you in the audience and thousands of dedicated men and women like you have discovered—that matter is not just matter. It is all sorts of little bits and pieces of energy that pop out when you crack an atom open or even when you just bump them a bit.

And now that we have discovered coherent light—this remarkable thing that comes out of the end of a laser—we find out all sorts of new things about light and what it can do—all quite unheard of as recently as yesterday.

But this is not yesterday. It is already today and pretty soon it will be tomorrow. And here is where my concerns lie.

Unfortunately, crisis mentality has, governmentally, become a way of life. Those who rely upon it as such too often sit back and do nothing until a crisis—sometimes easily predictable—develops. As I said, in many fields we have the required knowledge—and the required power—to act. But we do not.

Another and more recent governmental example of this crisis mentality in action comes to mind.

The seven percent tax credit to encourage modernization or expansion of plant capacity is a case in point. A complicated one, but a case nonetheless.

First, the economy was over-heating. There was threat of runaway inflation instead of planned inflation. The panic button sounded. And the seven percent investment tax credit was removed.

Then there was a business slowdown. It looked as though things might get worse. Again the alarums were sounded, and the trumpets blew.

And so it was requested that the investment tax credit be reinstated.

Place yourself in the position of an American businessman. He does not know whether to buy or to sell, whether to expand or retrench, to build or not to build, to increase his inventory or to clear his shelves and warehouses.

Because it has been treated as a quick-cure panacea, the seven percent tax credit has become an economic albatross.

THE FEDERALIST PAPERS

A century and a half ago the Philadelphia Convention gave to the United States a constitution which, despite great Civil War, has stood the test of time and experience. For the most part the members of the Convention were young—Alexander Hamilton, for example, was only thirty and James Madison only thirty-six—but young or old, it was an enormously gifted group of men who were assembled in Philadelphia on May 14, 1787.

Between October, 1787 and May, 1788, a total of eighty-five lengthy articles in defense of the constitution were published, most of which appeared in the New York newspapers. They were the joint effort of Hamilton, John Jay, and Madison. The very first of these articles in what we know today as the "Federalist Papers" was written by Alexander Hamilton and in it he made direct reference to the crisis mentality. Said Hamilton:

"It has been frequently remarked that it seems to have been reserved to the people of this country, by their conduct and example, to decide the important question whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions on accident and force."

We have our choice today; to follow the path of reflection and choice or to depend upon accident and force. Is this not really just another way of saying that the merit of the future is that we can exert our worth, our ideas, and try to validate our values?

CHALLENGE OF THE YOUNG

Your challenge, and the alternative to the crisis mentality, is to join together the forces of the old and the new; experience and experiment; history and destiny; the world of men and world of science.

It is to project the future, with courage, confidence and decision, prepare for it, guide it.

How well you achieve this synthesis will be the measure of your generation.

POPE PAUL'S ENCYCLICAL "ON THE DEVELOPMENT OF PEOPLES" ELOQUENT PLEA FOR HUMAN RIGHTS AND HUMAN DIGNITY—XCIX

Mr. PROXMIRE. Mr. President, His Holiness Pope Paul VI has authored a truly remarkable encyclical "On the Development of Peoples."

Pope Paul has eloquently pleaded the cause of mankind, emphasizing man's inherent dignty and his solidarity.

The words of the Holy Father have special meaning for the advocates of the U.S. ratification of the Human Rights Conventions. Pope Paul has stated with great eloquence what I have been trying to emphasize during every session of the 90th Congress in hopes of persuading the Senate to ratify the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery.

In his "Final Appeal," the pontiff spoke to men of good will when he wrote:

> Finally we turn to all men of good will who believe that the way to peace lies in the area of development. Delegates to international organizations, government officials, gentlemen of the press, educators: all of you, each in your own way, are the builders of a new world. We entreat almighty God to enlighten your minds and strengthen your determination to alert public opinion and involve the peoples of the world. Educators, it is your task to awaken in persons, from their earliest years a love for the people who live in misery. Gentlemen of the press, it is up to you to place before our eyes the story of the efforts exerted to promote mutual assistance among peoples, as well as the spectacle of the miseries which men tend to forget in order to quiet their consciences. Thus at least the wealthy will know that the poor stand outside their doors waiting to receive some left-overs from their banquets.
>
> Government officials, it is your concern to mobilize your peoples to form a more effective world solidarity, and above all to make them accept the necessary taxes on their luxuries and their wasteful expenditures, in order to bring about development and to save the peace. Delegates to international organizations, it depends on you to see that the dangerous and futile rivalry of power should give place to collaboration which is friendly, peaceful, and free of vested interests, in order to achieve a responsible development of mankind, in which all men will have an opportunity to find their fulfillment.

Mr. President, I do not presume to construe the words of Pope Paul to any partisan end. But the message is unequivocal: human rights, human dignity, and peace.

This is the objective of the Human Rights Conventions—the establishment of minimum universal standards of human dignity, I urge the Senate to ratify the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery.

CREDIT UNIONS AS A TOOL AGAINST POVERTY

Mr. PROXMIRE. Mr. President, J. Williams has written a most perceptive and informative report for the Ohio State Legal Service Association on the credit union movement and its value as a tool in the fight against poverty. The report points out the desirability and necessity of providing an economic alternative to the higher interest rates, the higher prices, and the inferior service that lower income groups receive. Fighting such discrimination against the poor in these fields is an important step in breaking the perpetual ties of the poverty cycle.

The credit union movement encourages escape from this cycle by providing benefits to lower income families that are presently available only to upper- and middle-income groups. These benefits include loaning money to members at reasonable rates of interest without unmanageable service charges and with the encouragement of thrift and saving. This leads to better income management for participants in the credit union movement.

As a membership-operated concern, the credit union also serves as a focal point for community action work by providing a tool for helping the poor help themselves. In this sense the credit union movement is an educational program, serving to teach its members the talents of running their own business and managing their own resources. Thus, it not only ends discrimination in the money market, but also helps educationally to break the oft-discussed and tenacious circle of poverty.

Because of the importance of the credit union movement and the significant innovation it represents in the war on poverty, I ask unanimous consent that Mr. Williams' report entitled "Organizing the Credit Union, a Self-Help Enterprise" be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

ORGANIZING THE CREDIT UNION: A SELF-HELP ENTERPRISE

(By J. Williams)

OVERVIEW OF POVERTY

There are approximately thirty five million poor people in our affluent society. On a percentage basis, this total, alarmingly, equals 18% of the population. Of the free enterprise system, it has been said that everyone has a chance to succeed almost without really trying. Obviously, some people have been doing more succeeding than others or perhaps succeeding at the expense of others.

This paper will review the plight of the millions of poor people who are separated from the good things of life. In many instances, even from the bare necessities of life.

Sometimes, the poor are second and third generation welfare recipients. Usually, these persons have large families. Where this is not the case, lack of training, poor health and/or advanced age are contributing factors. In this climate, the poor feels frustrated, bitter, locked in and without hope. They commonly live from payday to payday or from unemployment check to unemployment check or from welfare check to welfare check without plan or purpose. For all practical appearances, the poor are literally defeated souls.

MARKET PLACE

When the poor venture into the "market place" to borrow money or to purchase appliances, clothing, furniture, etc., the extent to which they are victimized is staggering to the imagination. This occurs because available cash is low and the cost will involve credit. Therein lies trouble. Unable to secure credit at old time, reputable establishments, the only solution is to patronize the "dollar down" merchant.

From the beginning, the prices at such places may vary anywhere from 50% to 100% over prices for similar items at other stores. When this disadvantage is further compounded by installment contracts which includes add-on provisions, hidden charges for credit reports, late payment fees, etc., the fact that "the poor pay more" is understood.

The picture gets worse when the poor borrow money. Interest rates charged by debt adjusters, debt proraters, loan sharks, pawn shops and finance companies, may go as high as 48%. In addition, there are charges for life insurance, credit reports, service charges and the like.

NEED FOR AN ECONOMIC ALTERNATIVE

A review of the cycle of poverty with its degrading by-products; e.g., hopelessness, fear, frustration, etc., reveals that there is need for an alternative for the poor. An economic alternative creates a choice. The privilege of a choice stimulates competition for the consumers dollar which works to the advantage of the consumer. Middle class and wealthy people, for example, may shop at Macy's or Gimbel's for merchandise, depending upon which has the better sale. Or, they may borrow money, for example, from New York Manufacturers and Trust or Chase Manhattan Banks, depending upon which has the lower interest rates on loans. Not so for the poor. They either deal with the high cost "dollar down" merchant or loan sharks and finance companies who charge high rates of interest. Clearly, there is need for an economic alternative.

CREDIT UNION FILLS THE NEED

The Credit Union is ideally suited to fill the need. Members pool their savings as a hedge against emergencies and economic exploitation. Loans are usually granted for any provident and productive purpose. Members are taught to separate their money shopping from their shopping for goods. If a member finds a good buy on a television set, he is encouraged to borrow the money for the purchase from the Credit Union and not sign a questionable sales contract at the store.

Being poor will not prevent a person from receiving every consideration the Credit Union can offer. In the Credit Union, the most important security for a loan is the character of the individual.

DEFINITION AND BRIEF HISTORY

The Federal Credit Union Act describes a "Federal Credit Union" as a cooperative association organized in accordance with the provisions of the Act for the purpose of promoting thrift among its members and creating a source of credit for provident or productive purposes. Federal Credit Unions are corporations chartered by the United States to operate among well-defined groups with a strong common bond.

Generally speaking, Credit Unions are part of a world wide plan for the economic betterment of mankind. The Credit Union movement was started approximately 118 years ago in Germany. Friedrich Wilhelm Raiffeisen organized the "Union in Aid of Impoverished Farmers" because of the fact that unfair and oppressive rates of interest were charged them for credit. The Credit Union movement first came to North America via Canada in 1909. Alphonse Des Jardins initiated the first Credit Union in this country in 1909 in New Hampshire. Edward A. Filene, a Boston merchant, was responsible for the rapid spread of Credit Unions in the United States.

The United States Federal Credit Union Act was passed in 1934. Today, there are 22,600 federally chartered Credit Unions in the United States. These Credit Unions have *18 million* active accounts with *$11 billion* in assets.

In Latin America after only 4½ years of American assistance, Credit Unions have increased from 432 to 2,216; the membership from 124,000 to 590,000 and the assets from $4.2 million to $41.4 million.

There are at present, forty-seven OEO-funded Credit Unions serving low income families. These Credit Unions offer great promise as a means of bringing to more and more of the poor the advantages of Credit Union membership. At the end of 1966, OEO-funded Credit Unions had 16,000 members and $785,000 in assets. In terms of people, this means that each year, 9,000 loans with a cumulative value of over $1 million, are being made to people who cannot get such assistance from other financial institutions.

BASIC OBJECTIVES

The basic objective of a Credit Union is to make credit for provident purposes more available to people of small means, thereby, helping to stabilize the credit structure of the United States. Credit Unions exist and flourish primarily because they promote thrift and provide credit at reasonable rates for people of small means. "Not for profit, not for charity, but for service" has become the slogan of the Credit Union movement. The true success of any Credit Union is measured not by the amount of dividends it pays, nor by the amount of money it accumulates, but by how well it serves its members, how well it helps them form habits of thrift and how well it helps to teach them to control their finances. Real thrift, however, goes far beond the mere amassing of money. In a Credit Union, the savings members accumulations are used to make loans to other members, granted upon the judgment of officials elected by the members for that purpose. Thus, savings are not hoarded, but are put to work by enabling members to provide not only for necessities and emergencies, but also by helping them raise their general standard of living as well. The supreme objective of any Federal Credit Union is to assist its members, through systematic thrift and the wise use of credit to obtain more of the things that make their lives richer and more satisfying while at the same time they are strengthening their over-all financial security.

In the UPO program, it was initially feared that although Credit Union objectives were noble, dealing with poor credit risks would soon render the program meaningless to the people it was designed to serve. This has not been the case. Two-thirds of the Credit Unions in the program paid dividends at the end of 1966. The bulk of the losses, less than 1%, were incurred during the first year of operation. This is a remarkable record since most Credit Unions are located in Government agencies or private firms and are inaccessible to low-income groups.

Because some method was needed to teach budgeting skills and promote savings among the poor at the inception of the Poverty program, the Office of Economic Opportunity was persuaded to consider how the unique characteristics and objectives of Credit Unions would benefit the poverty stricken family. In order to further achieve goals envisioned by OEO, staff members insist that each borrower include in his monthly or weekly repayment, at least a small amount for savings. Since Credit Union membership is tied to consumer education, members are constantly urged to save. The basic objectives of Credit Unions serving low-income families are the same as all Credit Unions. The only difference is the degree of urgency.

LEGAL REQUIREMENTS

A Credit Union is simply a group of people who save their money together and make loans to each other at low interest rates. Each Credit Union is organized by members of a particular group, such as people who work for the same employer (occupational); or, who belong to the same fraternal order, church, labor union (associational); or, who live in the same community (community). Occupational groups require a minimum potential membership of 100 employees by a single employer. Associational groups require a minimum membership of 200 members, and a community group, 200 potential families. Most Credit Unions serving low-income families through community action programs are organized on an association basis. There will be a fairly wide latitude in the field of membership of a Consumer Action Program associational type group. An example of the wording used in the field of membership for Friendship House Community Federal Credit Union of Washington, D.C. reads as follows:

"Persons enrolled and participating within the past twelve months in neighborhood development programs of the United Planning Organization which are administered by Friendship House in Washington, D.C., who live within the area bounded by East Capitol Street on the north, South Capitol Street on the west and the Anacostia River on the south and east; employees and currently registered volunteers of participating agencies of the United Planning Organization who work in neighborhood development programs administered by Friendship House in the above described area; employees of this credit union; members of their immediate families; and organizations of such persons."

Although Credit Union policies are set by the individual membership or by their selected officials, each group functions under a federal or state charter and their financial operations are reviewed and supervised by the Government or State. Details for formation including role of the incorporators, functions of the keyman, form of organization certificate, etc., may be found in Federal Credit Union Pamphlet (HEW, No. 505) entitled "Completing the Organization of a Federal Credit Union."

Federal requirements and State of Ohio requirements for formation of Credit Unions are very similar. Each will require a strong common bond. Filing fees will vary slightly.

OEO is not a chartering agency and will therefore not have legal requirements concerning formation of Credit Unions. In those Credit Unions funded by OEO, the Boards and respective committees are encouraged to have representation from the poor. This condition in no way creates a problem, since the concept is basic in the Credit Union operation.

SCOPE OF OPERATION

Credit Unions serving low-income families have a single, two-part objective—promotion of systematic savings and extension of low cost credit to all persons of the target population who have been previously excluded from these services by existing financial institutions. Credit Unions lend themselves to the economic growth and enrichment of both the adult and youth in the community. In Washington, D.C., permission has been secured from the Superintendent of the D.C. Public School System to establish money management classes and school-located Junior Credit Unions. Demonstration programs are under way in certain target areas to provide low-income Credit Union members with discount buying privileges in selected retail stores. Although the Credit Union in the Consumer Action Program is designed to benefit low-income families, all persons in the community are urged to participate, including rich and poor, businessman and wage earner, churches and pool room operators. The underlying concept is a merger of the "haves" with the "have nots", thereby, raising the standard of living in the community through a painless re-distribution of the wealth. Further, when a cross section of the target area participate in huge numbers, the law of averages, coupled with the power of fifty cents (50 cents) is likely to function favorably. This thesis has been highly successful in the insurance industry.

FUNDING

Usually, Credit Unions are initiated and run by volunteers until they are able to hire full time staff. This process naturally, takes quite a few years. Most Credit Unions participating in CAP programs are funded by OEO for three full time staff members plus expenses for operation, totaling approximately $25,000 per year. The reason for this level of funding is two-fold: a) There are thousands of low-income families who need financial counselling and instruction in money management immediately, which would require full time personnel plus, b) a full time staff encouraging all eligible persons to join, will hasten the time when the Credit Union will become self-sustaining, thereby, reducing the amount of subsidy required in the long run. Regardless, it is difficult to imagine a community based Credit Union not being well on the way to a self sustaining operation after say, four (4) years. It is significant to state, that Credit Unions should be organized wherever possible to provide an economic alternative for marginal families, *funding notwithstanding.*

MEMBERSHIP REQUIREMENTS

Individuals who meet the field of membership requirements are eligible to join by paying an entrance fee of twenty five cents (25 cents) plus, five dollars ($5.00) for their first share. In the absence of five dollars and twenty five cents ($5.25), an eligible person may join by paying as little as fifty cents (50 cents); (25 cents entrance fee plus 25 cents installment on first share). The Credit Union Board may, by resolution, reduce the entrance fee for minors to ten cents (10 cents), in an effort to encourage them to develop early thrift habits.

In the low-income Credit Union, individuals are introduced to the program through community organizations, referrals, social service agencies, community and block clubs, posters placed in the neighborhoods and jointly-sponsored mailings with other component programs in which community persons are directly receiving services or volunteering their time. The most rewarding of all referrals are those made by an already benefit receiving member. This member is able to tell first hand, how easy it is to join and how saving a few cents quickly adds up to many dollars. The Credit Union is not concerned about how much the member saves, rather the rhythm.

MEMBERSHIP BENEFITS

In the Washington area, potential members are constantly told about four (4) benefits resulting from Credit Union membership; namely,

(a) Life Savings Insurance—for each dollar of savings in the Credit Union, there is a dollar of Life Insurance, usually up to $2,000 without cost to the member. Two thousand dollars ($2,000), in savings will create a $4,000 estate. This is true for savings deposited before age 55. Between age 55 and 70, life insurance benefits are on a graduated table. There is no life insurance for savings deposited after age 70.

(b) Loan Protection Insurance—all loans to members are covered by life insurance without cost to the member. This protection also ceases at age 70.

(c) Money Orders usually are sold to members for a flat fee of twenty cents up to two hundred dollars. Since many low-income families pay bills in this fashion, the savings accumulate quite rapidly.

(d) Members learn to save small sums regularly without difficulty. This occurs because the members are furnished saving aids; e.g., dime savers which hold three dollars and quarter savers which hold five dollars plus, other kinds of banks and coin holders.

Other membership benefits consists of innovative Credit Union hours and that of borrowing at regulated low interest rates. In addition, dividends are earned on savings accounts. Since for many members the Credit Union is their only form of banking, becoming familiar with the world of finance is another benefit.

ADMINISTRATION

A Credit Union is member owned and controlled. The members themselves elect the officials who carry on the daily business. Nonetheless, these officials and employees are responsible to the members for the management of their business. This democratic feature of the Credit Union operation has made it very appealing to low-income persons who have been historically left out of the decision making process. They are given to understand that each member has only one vote regardless of whether he has five dollars in the Credit Union or $5,000. During the months of January, February and March of this year when the nine UPO Credit Unions were holding their second annual membership meetings, the participation by community residents was highly encouraging. Plain citizens were asking questions about Credit Union lending policies, savings policies, promotion policies, etc., which was not unlike questions which may have been asked at the annual meeting of AT&T.

Generally speaking, the Board of Directors will set all policies. The Credit Committee will approve or reject loans and the Supervisory Committee will audit the books quarterly. The office of the Credit Union Coordinator at UPO Central Staff Headquarters acts as technical adviser to the nine Credit Unions. Central staff provides on-the-job-training classes in Credit Union management, daily assistance in routine accounting procedures and training techniques in Board development and meaningful citizen participation by officials in the performance of their vested duties as requested by the Presidents of the Boards of Directors.

The most serious problem encountered in implementing the low-income Credit Union program was the procedures to reduce the chance of loans becoming delinquent, or in cases where this had already happened, working towards a meaningful solution. At the end of January 1967, one thousand six hundred and seventy five loans were outstanding in the amount of $196,708.39. Of this number, one thousand three hundred were current and less than two months delinquent. Three hundred and seventy five loans in the amount of $28,735.62 were more than two months past due and classified as delinquent. The average ratio of delinquency for this period was 14.6%. This matter has been discussed with Credit Union staff, Boards of Directors and the Examiners from the Bureau of Federal Credit Unions. The BFCU realize that this is above the average for the Credit Union movement, however, the Bureau has indicated that it was anticipated, and is considered normal for a low-income Credit Union in the early stages of development and operation in target area locations.

Initially, *all* Credit Union Boards of Directors were plagued with the same conflicting views by staff and community persons; i.e., that of believing that the loan program was affiliated with public assistance type emergency loans. Through discussions with staff and community, a change of attitude developed and slowly the idea that the low-income Credit Union Program *alone* will not solve the problem of poverty, has become a reality.

PROCEDURE FOR ORGANIZING A CREDIT UNION

Determine interest

Before planning for a Credit Union, interested persons should discuss the idea with key people in the community including the potential sponsor. In the course of these meetings and discussions, a genuine effort should be made to determine if the community would support a Credit Union if one is established. A Federal Examiner, State Examiner or representative from local Chapter of the Credit Union League, should work closely with the interested group.

Charter meeting

After it has been determined that the idea of a Credit Union has met with approval, a Charter meeting should be arranged. At the Charter meeting, at least seven persons and not more than ten should complete the signing of the organization certificate. The Examiner or League representative will help in describing the proposed field of membership (who may join).

At this meeting, a nominating committee and/or organizing committee should be selected. The nominating committee obviously will recruit potential Credit Union Board members and committee members whose names for election at the * * * will be submitted to the members for election at the organizational meeting.

The organizing committee has the responsibility of arranging and planning for the organizational meeting. This group will mail announcements, secure a satisfactory meeting place, provide refreshments, ballots, etc.

Organizational meeting

The highpoints of the organizational meeting will be the Charter presentation ceremony and the election of officials to serve on the Board of Directors and the various committees. The Examiner will give a brief history of the Credit Union movement and also explain the duties and responsibilities of the officials. The organizational meeting is the only meeting in which members as well as potential members are permitted to vote. After a staff is selected, the Credit Union is ready to commence business.

First board meeting

Within seven days, the new Board of Directors will convene for the purpose of electing officers from their own number. Also, at the first Board meeting many important policies will be established. Among the policies will be: (1) depository for Credit Union funds, (2) maximum share limit, (3) maximum amount of unsecured loans, (4) rate of interest on loans, (5) business hours, (6) change fund amount, (7) petty cash fund amount, (8) selection of surety, (9) maximum period of repayment on loans.

Credit committee

The Credit Committee will have at least three members and not more than five. They will approve or reject loans submitted to them under guidelines established by the Board. These guidelines pertain to maximum amount of loan and maximum period of repayment.

Supervisory committee

The Supervisory Committee will audit the records quarterly and report its findings to the proper regulatory authority. Credit Unions use a standardized accounting system.

Education committee

The number of persons who can serve on the Education Committee is unlimited. All interested persons are encouraged to volunteer their services to help educate the community about the Credit Union and consumer problems. An active Education Committee is essential in the development and growth of a community based Credit Union.

FORWARD PLANNING

Credit unions

After 2 years of progress and problems, the Washington CAP Credit Unions are planning an all out assault on poverty and some of the causes thereof. Staff members recently completed six months of classroom training in Credit Union operation. The graduation exercise was held on March 23rd, and certificates were awarded to members of the class by the Director of the Bureau of Federal Credit Unions. This training will serve as a springboard in providing greater service to members, including better family financial counselling.

In order to keep abreast of all matters which affect Credit Unions, low-income Credit Unions in particular, the Boards of Directors of the nine United Planning Organization's Credit Unions are framing a Constitution for an American Federation of Community Credit Unions. According to the volunteer officials, this organization will focus on items which can be dealt with on a city wide and national basis. Such items include joint purchasing, promotion and perhaps funding and accounting. Also docketed, are other ideas pertaining to charge-card instant credit for members; on premise Credit Unions for Senior Citizens who live in housing projects within Credit Union fields of membership; and, feasibility of selling Food Stamps in Credit Union offices.

Consumer action

Some of the above programs will be possible only if a linkage of Credit Unions and Consumer Action occurs. Present Credit Union staffing patterns preclude undertaking any new prorgams because of current workload.

SUMMARY

Mr. J. Deane Gannon, Director of BFCU, and Mr. J. Orrin Shipe, Managing Director of CUNA International, are on record as supporting Credit Unions serving low-income families.

Credit Unions are uniquely structured and designed to benefit the common man whatever his race, creed or religion. Credit Unions in the District of Columbia with an average age of twenty months operation at the end of March 1967, pointed with pride to Assets of $277,844.00; Savings of $239,182.00; and, 1794 loans outstanding, totaling $214,202.00. Members at the end of the same period numbered, 5868.

While the above figures are impressive, friend and foe alike in the Credit Union movement have their eyes on Credit Unions serving low-income families. It is anticipated that the Credit Unions will continue to grow because they are basic cooperatives and, as such, are fundamentally sound.

Credit Unions, along with viable consumer programs, have the capability to arrest such practices as balloon notes, debt pooling, bait advertising, hidden finance companies, instant wage attachments, etc. The poor consumer will be the chief beneficiary in each instance.

COMMENDATION OF THURGOOD MARSHALL

Mr. PROXMIRE. Mr. President, the Milwaukee Common Council, in a resolution adopted June 23, 1967, has taken the laudable step of commending and congratulating Thurgood Marshall on the occasion of his nomination as Associate Justice of the U.S. Supreme Court.

In my opinion this recognition of an important step in American history represents the deep national support for President Johnson's nomination of this most distinguished and qualified man to such a powerful position. In addition to recognizing the contribution that Mr. Marshall will make to the Supreme Court as an individual, however, the resolution further recognizes the implications that his nomination has in making the American dream open to all without reference to race, creed, or other artificial qualifications. In many ways, then, this nomination is recognized by the resolution as being the climax to both a life and an era spent in opening doors to a whole segment of the American population.

Because of the expression of national support this resolution represents for a most significant act on the part of the President and because it so strongly indicates the feeling prevalent in the State I represent, I wish to bring this resolution to the attention of the Senate. I therefore ask unanimous consent that this resolution be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION COMMENDING THURGOOD MARSHALL ON HIS SELECTION AS ASSOCIATE JUSTICE OF THE UNITED STATES SUPREME COURT

Whereas, Thurgood Marshall, Solicitor General of the United States, has been elevated by President Lyndon B. Johnson to the Supreme Court; and

Whereas, Mr. Marshall served for twenty-three years as Chief Counsel for the N.A.A.C.P. during which time he successfully argued 29 civil rights cases before the Supreme Court; and

Whereas, In this tenure he was instrumental in reversing many segregation laws and Southern election inequities; and

Whereas, His "Brown vs. Board of Education" victory in 1954 opened the way to integration of the public schools; and

Whereas, Mr. Marshall was appointed in 1961 by President Kennedy to the Federal Court of Appeals; and

Whereas, He relinquished this post at the request of President Johnson to assume the position of Solicitor General, the Justice Department's Director of all Federal litigation before the Supreme and Appellate Courts; and

Whereas, President Johnson on June 13, 1967 nominated Mr. Marshall to serve on the Supreme Court because he had "earned, and deserved a place on the Supreme Court and is the man best qualified for the job by training and experience"; and

Whereas, It is fitting that this recognition be forthcoming to a Negro American, for it is appropriate as part of the "American dream" that rewards should go with greater frequency to the deserving without reference to race, creed, or other artificial qualifications; and

Whereas, This Honorable Body wishes to congratulate Mr. Marshall on his elevation to the high court, and to commend him for his lifetime dedication to the cause of human rights; therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that it hereby congratulates Mr. Thurgood Marshall on his selection as Associate Justice of the United States Supreme Court, and extends its best wishes for his continued success in the service of his country; and, be it

Further resolved, That this resolution be spread upon the permanent record of this Council and suitably engrossed copies forwarded to President Lyndon B. Johnson and Mr. Marshall.

Adopted June 23, 1967.

SENATE ETHICS

Mr. YOUNG of Ohio. Mr. President, after some 9 days debate, which at times appeared to be akin to filibustering, the charges brought against Senator DODD were finally brought to a vote and disposed of. Since then, there has been from time to time editorial and news comment that we in the Senate should immediately proceed to adopt a code of ethics and that the Senate Select Committee on Standards and Conduct should without delay hold hearings and then submit a proposed code of ethics to the Senate for debate and adoption before adjournment of this session of Congress.

Mr. President, I take a very dim view of such proposals and question the urgency of these proposals. The Select Committee on Standards and Conduct is composed of six of the most eminent and highly respected Senators of the United States. They are among the busiest men in the Senate, and frankly I consider every one of our colleagues to be very industrious. There is a tremendous load of legislative work to dispose of before adjournment. I doubt very much if this session of the Senate in any event will be able to complete its duties before late September or October. In my opinion there is no occasion whatever for these committee members to work many hours this summer and fall preparing to submit a code of ethics and conduct termed proper for Senators.

The Senate, following prolonged debate and listening day after day to arguments, many of which were superfluous restatements of arguments previously made, did its duty in a grievous and most unhappy situation. We met our responsibility without evasion and determined by a large majority of our membership that there was clear and convincing proof that a colleague had engaged in a course of conduct over a period of years from 1961 to 1965 of exercising the influence and power of his office as a U.S. Senator to obtain, and use for his personal benefit, funds from the public through political testimonals; and that he deserved censure for conduct which was contrary to accepted morals, derogated from the public trust expected of a Senator, and tended to bring the Senate into dishonor and disrepute. In doing this we sustained the conclusions of the committee.

In the course of that debate mention was made by the distinguished junior Senator from Louisiana [Mr. Long] and others that there were no standards, guidelines or specific rules of conduct with which a Senator must comply, and since no such rules had been laid down, the inquiry was an ex post facto proceeding. It was and is my judgment that this was an unfounded argument without any validity whatever.

It is 178 years since the drafting of the Constitution of the United States. Those patriots who wrote the Constitution of our country did not consider it necessary that either body of the Congress be guided by a set of rules of conduct or a specific catalog of ethics to be adhered to by Senators and Representatives. As no canons of ethics or rules of ethical conduct have been promulgated in 178 years, surely the tranquillity and well-being of our Nation will not be in jeopardy if the Senate Committee on Standards and Conduct postpones giving consideration to this subject until next year.

Mr. President, honesty is easy to define. There is nothing difficult when it comes to defining dishonesty or honesty. Any adult knows, or should know, what funds that come into his possession happen to be trust funds and what funds in his possession really belong to him personally to be used by him as he sees fit. Thousands of years ago Almighty God handed down to Moses on Mount Sinai the Ten Commandments, thereby establishing for all time proper and adequate rules of personal conduct. I have said before and I repeat, that no group of 50 or 100 men and women in our entire country, whether in industry or serving as directors of great institutions or in any field of endeavor or serving in any capacity whatever, is more trustworthy, or has greater integrity and probity and a higher sense of responsibility and dedication to their duty than Members of the U.S. Senate. I stand by that statement. I salute every Member present in this Senate Chamber.

Finally, Mr. President, may I state that nearly 10 years ago, on July 11, 1958, to be exact, there was a joint resolution passed in the Congress of the United States which really set up a code of ethics. Those who state that we Senators should hurriedly at this time adopt a code of ethics for U.S. Senators would do well to read this code which has been in existence for 10 years. The joint resolution adopted in both the Senate and the House of Representatives states:

> All Government servants must expose corruption wherever discovered.

I recall that the entire debate on the recent charges against the Senator from Connecticut [Mr. Dodd] consumed 9 days. This could just as well have ended in 2 or 3 days. The facts are, and I am certain that most Senators will agree with me, that nothing was gained and no new arguments were advanced following the first 2 or 3 days. Throughout the entire debate a group of former employees in the office of the Senator from Connecticut [Mr. Dodd] were castigated and denounced for making public what they regarded to be wrongdoing on the part of the Senator on whose staff they had served. That portion of the joint resolution to which I made reference provides: "All Government servants must expose corruption wherever discovered," and appears to me to definitely place a direct obligation on the employees of Senators and Congressmen or any other Government servants to report publicly any corruption or wrongdoing to the prejudice of our Government. In this recent case these persons had knowledge that this particular Senator concerning whom they believed they were justified in making a complaint was in years past an FBI agent for a period of 11 months. It seems understandable, therefore, that there was reason for some, or all, of them to feel they would not accomplish anything by reporting their statements to FBI Director J. Edgar Hoover, or to some other officials in the Federal Bureau of Investigation. Therefore, it would seem entirely reasonable for them to report the facts, as they understood them, to a nationally known newspaper columnist. They did that. The result is history.

Mr. President, it is ironic that during the same period that the Senate Committee on Standards and Conduct investigated and considered the charges against the senior Senator from Connecticut, certain cadets, termed "tolerators," at the U.S. Air Force Academy were asked to resign, not for cheating, but for their failure to inform on other cadets whom they allegedly knew to have cheated or suspected of cheating in their class work. At almost the same time the Select Committee on Standards and Conduct and other Members of the Senate castigated former Senate employees for making public evidence they had of misconduct of a U.S. Senator. It is evident that a very curious double standard of morality seems to exist if there is validity to the denunciations we listened to recently day after day for 9 days. Certainly, employees of the Senate should be held to the same standard of moral conduct as the cadets at our service academies.

Mr. President, I am hopeful that in the future any Senate employee, or any employee of the Federal Government in whatever capacity, will make known any incidents of wrongdoing by his superiors or coworkers that come to his attention. Such conduct should be commended, not condemned and denounced.

MINED LANDS RECLAMATION

Mr. YOUNG of Ohio. Mr. President, my colleague, the distinguished senior Senator from Ohio [Mr. Lausche], was unexpectedly called to Cleveland yesterday because of the untimely death of his brother, Dr. William Lausche, who suffered a heart attack late Saturday evening. Dr. William Lausche was a highly respected professional man in our home city, Cleveland. Senator Lausche had prepared and had expected to make a speech on the subject of mined lands reclamation and a recent report of the Secretary of the Interior, and I was asked to act on his behalf.

Mr. President, the facts are that my colleague, Senator Lausche, has over the years been a leader as Governor of Ohio and in the Senate in efforts to require the strip mining industry to reclaim future mined lands and to provide Federal assistance in the reclaiming of lands mined prior to any State laws. It is folly to spend money for beautification, for planting trees and otherwise, while at the same time we allow to go unregulated the strip mine operators who are devastating thousands of acres of land in many States of the Union. I am happy to be a cosponsor of S. 217, the legislative proposal which he introduced earlier this year to provide a system of control over the strip mining of coal.

Mr. President, I ask unanimous consent that Senator Lausche's remarks, which he had intended to deliver today as well as the text of the chapter in the Secretary of the Interior's report dealing with recommendations, be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, *as follows:*

Mined Lands Reclamation

(Statement by Senator Lausche)

I have had the pleasure during the recent recess period of reviewing the final report, "Surface Mining and Our Environment", issued a few days ago by the Secretary of the Interior, the Honorable Stewart L. Udall, as a result of a two-year comprehensive nationwide study of surface mining.

I have taken a personal interest in this study for it is the direct result of my repeated efforts to have legislation enacted to provide for a study by the Secretary of the Interior of strip and surface mining operations in the United States and for a report to Congress of the results of such study, and for other purposes. I introduced bills on this subject on three different occasions: first, in 1962 (S. 3304); secondly, in 1963 (S. 1013); and thirdly, again in 1965 (S. 368). Finally, in 1965, the contents of my bill were incorporated as an amendment to S. 3 and became Section 205(c) of the Appalachia Bill, which passed the Congress and was signed into law in March of that year and is now known as Public Law 89–4.

I commend Secretary Udall and all those who participated in the study, research, documentation and publication of this extremely important report. I urgently recommend that each Senator and each Member of the House study it thoroughly in order that they may become familiar with past and present problems resulting from inadequate stripped-land reclamation and also the importance and the necessity for the Congress to address itself to this subject without further delay.

In reading the chapter on "Recommendations", beginning on Page 104 of the Report, I am particularly gratified to note that these recommendations follow very closely to the provisions and objectives set forth in S. 217, which I introduced on January 12th of this year together with my able colleagues, the Senator from Alaska, Mr. Bartlett; the Senator from Arkansas, Mr. Fulbright; the Senator from Montana, Mr. Metcalf; the Senator from Wisconsin, Mr. Nelson; the Senator from Pennsylvania, Mr. Scott; the Senator from Maryland, Mr. Tydings; and the Senator from Ohio, Mr. Young.

The bill contemplates establishing a system of control over the strip mining of coal. Our Government, through the Congress, has undertaken the responsibility for underwriting extensive nationwide programs for highway beautification, soil conservation, building of new parks, and recreational areas, rehabilitation of slum areas in the cities, and many other programs entailing huge expenditures of the taxpayers' money.

While we have been speaking of beautifying the countryside, we have stood idly by while the strip miners of coal are destroying the land, removing the coverage, eliminating the trees, polluting the waters, and otherwise rendering useless the land which has been stripped of its surface.

RECOMMENDATIONS FROM "SURFACE MINING AND OUR ENVIRONMENT," A REPORT ISSUED BY THE SECRETARY OF THE INTERIOR, JULY 1967

FINDINGS

Surface mining in the United States has affected 3.2 million acres of land. Of this total, 2.0 million acres need varying degrees of treatment to alleviate a range of environmental damage both on-site and off-site. About 20,000 active operations are disturbing the land at a rate estimated in excess of 150,000 acres annually. Data submitted by the surface mining industries indicate that, in 1964, the amount of land partially or completely reclaimed was equivalent to only 31 percent of the area disturbed in that year. Surface mining activities are expected to expand rapidly in coming years. By 1980, it is expected that more than 5 million acres will have been affected by surface mining.

Some damage from surface mining is inevitable even with the best mining and land restoration methods. But much can be done to prevent damage and to reclaim mined lands.

Elementary principles of resource management dictate that our Nation put a stop to unnecessary damage from future mining, and begin an orderly program to repair damage from past mining. Ravages of unreclaimed surface mining affect virtually all resource values: Forest, lands, fish and wildlife, clean water, natural beauty.

There is a strong Federal interest in such a program. Soil erosion, water pollution, and economic dislocations caused by irresponsible surface mining affect not only the State in which the mining is done; the entire region, and the Nation itself, suffer.

A large measure of responsibility, however, must rest with State and local governments, and with landowners, mining companies, and other interested groups. New Federal programs to minimize future mining damage, and to repair past mining damage, should be designed to stimulate and encourage stronger efforts by States, local governments, and private enterprise. But, if the efforts of State and local government and private enterprise continue to fall short, the new Federal programs also should be designed to assume without delay a large measure of direct Federal action.

It is essential that a national surface mining program include both the prevention of future damage, and the repair of past damage. Should available funds not be sufficient to carry forward both parts of the program on the desired schedules, Federal, State, and local programs should give priority to the prevention of future damage, followed by basic reclamation and finally rehabilitation. A public dollar spent to assure the prevention of future damage can be many times more effective than one spent on restoration of lands damaged in the past.

Basic reclamation comprises remedial measures necessary to alleviate or eliminate conditions resulting from surface mining, such as: Erosion, flooding, water pollution, damage to aquatic and wildlife habitat, barriers to access, and hazards to public safety.

A supplemental program of rehabilitation comprises land development for parks and recreational areas, residential and industrial sites, scenic improvements, and other specialized land uses contributing to the economic potential or social improvement of areas.

In light of the foregoing findings, we make the following recommendations for a national surface mining program:

PREVENTION OF FUTURE DAMAGE

We recommend that:

a. The Federal Government establish standards and reclamation requirements for the reclamation and conservation of surface-mined areas regardless of ownership, in cooperation with industry, conservation, governmental (Federal and non-Federal) and other interests. Because the prevention of future damage is of high priority, consultation and active development of appropriate standards and requirements should be initiated as soon as possible. Such activities should take into account other Federal, State or local plans, programs and regulations which relate to surface mining and the reclamation and rehabilitation of mined lands.

b. It should be recognized as an obligation of the State governments to enact and enforce regulations on non-Federal lands, adequate to assure that the costs of reclaiming lands mined from now on will not become a public responsibility. Regulation and enforcement should be explicit responsibilities of the State; however, their effectiveness should be subject to continuing review by the Federal Government to prevent the continued build-up of derelict lands. The annual Federal/State cost to assure adequate reclamation as an integrated part of the mining cycle would be only one-tenth as much as the cost of reclaiming the derelict land which would accrue in the absence of such a program.

c. In the absence of satisfactory State regulation to control current and future surface-mining operations, or a failure of enforcement, Federal standards and reclamation requirements upon the surface mining industry should be imposed until such time as the State is prepared to assume its responsibilities.

d. All agencies of the Federal Government should apply effective, coordinated controls to surface-damaging exploration and surface mining activities conducted on lands under their jurisdiction.

e. Federal standards and requirements, both for guidance of Federal land-managing agencies, and for the States in adopting regulations, should include but not be limited to

(1) Measures to control or alleviate effects of surface-mining operations that have a harmful impact upon the environment both during and following mining;

(2) provisions which relates specifically to: (a) Control or elimination of water pollution, (b) control or soil erosion, (c) elimination of health and safety hazards, (d) conservation of natural resources, and (e) preservation and restoration of natural beauty;

(3) issuance of a permit, or license, to surface mine contingent upon the submission by the operator of an acceptable mining and reclamation plan, with time limits imposed for the completion of reclamation;

(4) penalties for surface mining without a license, or permit, and for willful refusal to comply with Federal or State regulations;

(5) performance bonds sufficient to cover anticipated cost of reclamation, the forfeiture of which may involve the denial of future permits and licenses;

(6) funding to insure an adequate inspection and enforcement staff;

(7) periodic reports from operators on reclamation progress;

(8) requirements and procedures reasonably consistent with those of adjacent States, or similar ecological areas; and

(9) sufficient administrative flexibility to apply the regulations and reclamation standards in a manner that will reflect variations in local conditions, and prohibit mining in areas where reclamation is determined to be physically or economically unfeasible.

f. The Federal Government should encourage cooperative mined-land conservation activities by the States and other interested parties, such as:

(1) The enactment of State reclamation laws that are compatible with those of contiguous States; and

(2) the establishment of effective legal agreements or compacts relating to the regulations of surface mining.

REPAIR OF PAST DAMAGE

We also recommend:

a. Federal participation with States, and private landowners, in a program of remedial, or basic, reclamation and a supplementary program of rehabilitation, or land development, should be authorized. Total program completion could be accomplished within 20 years, although the program could be longer or shorter depending upon availability of funds. Flexibility in scheduling would permit necessary budgetary adjustment. The Federal Government has a major interest in basic reclamation and must assume a major share of the cost if the program is to be accomplished. The Federal share in rehabilitation generally should be less than for basic reclamation.

Federal assistance to programs of reclamation and rehabilitation of surface-mined lands should not be available where: (1) A non-Federal legal obligation to reclaim the lands exists but has not been performed; or (2) where current mining may impair the reclamation undertaken. Further, Federal assistance to programs of rehabilitation should not be available where the State has not developed an acceptable regulatory plan.

b. The Federal Government should be authorized to acquire privately-owned surfaced-minded and contiguous lands where the public interest requires such action for the furtherance of an effective mined-land conservation program. Following successful reclamation, the acquired lands should be placed under the management of an appropriate Federal agency; in many instances it would be appropriate to place such lands within the National Park, National Wildlife Refuge or National Forest systems. Provision also should be made for transfer to appropriate State or local agencies, or public sale. In the latter case, proceeds of the sale could be placed in a revolving fund to acquire additional mined lands or otherwise to advance the mined-land conservation program.

c. Financial, technical and other appropriate assistance should be provided to States and their subdivisions for developing plans for reclamation of lands affected by surface mining. Such plans should be on a watershed, or other suitable basis, and should include but not be limited to:

(1) Legal authority to engage in cooperative reclamation efforts and necessary maintenance;

(2) an inventory of damage resulting from surface mining, to be conducted in cooperation with appropriate Federal agencies;

(3) determination of private and public responsibilities for reclamation and rehabilitation including the extent to which full utilization has been, or will be made, of other legal remedies available for accomplishment of surface-mine reclamation objectives;

(4) remedial actions to be undertaken, including land treatment and structure measures;

(5) financial and other arrangements for installation and maintenance of the treatment program; and

(6) an analysis of alternatives considered to attain the imperative objectives including the possibility of legal enforcement actions to alleviate damage to property and impairment of water quality, together with a schedule of Federal and non-Federal contributions and benefits.

d. Primary responsibility for reclamation of past surface-mined areas on Federally-owned or—managed lands should rest with the agency with jurisdiction over the land.

e. It should be the responsibility of the operator or landowner to reclaim lands surface-mined in the future. Federal funds should not be used to reclaim or rehabilitate lands that are mined after adoption of appropriate Federal regulations.

RESEARCH AND INVESTIGATION

A long-range, coordinated research and demonstration effort is required to provide the scientific and engineering foundation needed to insure technological progress in mined-land reclamation and conservation. To achieve these purposes, both as to past and future surface mining, the following measures are recommended:

Fundamental research efforts should be expanded to provide a better understanding of acid formation, nutrient deficiency, effects of bacterial action, ground water hydrology, and classification of waste or spoil bank materials in surface-mined areas. Applied research is recommended to improve mining equipment, procedures, slope stabilization, erosion control, and to prevent acid water production. Demonstration sites should be provided to explore research possibilities and to educate personnel in effective mined-land conservation techniques.

The Federal Government, in cooperation with State agencies, should prepare and maintain an inventory of existing surface-mined acreage, showing locations with respect to watersheds and other geographic features, travel corridors, and population centers. The inventory also should describe environmental factors, including soils, vegetation, climate, terrain, and air and water conditions in the mined area. A list of active surface mining operations should be prepared and maintained to provide similar information for each area, or district, in which mining is being conducted.

The specialized knowledge of Federal and State agencies should be utilized both in compiling and interpreting the above data. It is suggested that existing programs be expanded to provide the desired information on a continuing basis. For example, the U.S. Bureau of Mines should obtain information on the type and extent of disturbed and reclaimed acreage in connection with its annual collection of mine production data; specialists of the Soil Conservation Service of the U.S. Department of Agriculture should obtain data on soils and vegetation; specialists in other Federal and State agencies should provide basic information on water quality, aquatic and wildlife habitat, and economic factors.

An expanded program of land reclamation will require a corresponding increase in research facilities, personnel, and financial resources. Grants and technical advisory assistance to States, local agencies, universities, and others will be necessary to provide assistance for programs of research and development.

ADMINISTRATION

A comprehensive national surface-mined land conservation program should provide for:

a. Coordinated Federal activities relevant to the reclamation and rehabilitation of surface-mined land;

b. Federal standards and requirements for the reclamation of past, present and future surface-mined areas;

c. cooperation among State and Federal agencies in the development of land-use programs and criteria for past and future surface-mined areas;

d. cooperative agreements among Federal, State, and other governmental agencies, associations, and private landowners for the reclamation and conservation of past surface-mined areas;

e. acquiring, reclaiming, and conserving mined-land areas where the public interest requires such action;

f. technical and financial assistance to States, local agencies, universities, and others to promote research and development;

g. demonstration projects either separately or in cooperation with other interested parties and government agencies;

h. priorities and criteria for selection of programs and projects; and

i. promulgation of regulations necessary for effective administration of the program.

TAX CREDITS

Mr. PEARSON. Mr. President, on May 10 I introduced a bill, S. 1743, providing a 50-percent credit against Federal tax payments for individuals and corporations paying State and local income taxes. At that time, I sent a copy of my introductory remarks and the bill to the 50 Governors and to a list of 30 mayors of cities across the country for their comments and evaluation of the proposal.

Mr. President, I would like to comment briefly on the responses which I have received. To date, only 25 Governors have responded to my letter of May 11. Of these 25 responding, nine indicated that the question of tax credits and the various tax sharing proposals were now under study and, therefore, they were unable to make specific comments. Replies of three of the Governors were couched in such general terms that it was impossible to determine what their position might be.

Of the 14 which did specifically state a position, 10 indicated that they would be opposed to a tax credit program. As would be expected, those States which do not have an income tax at the moment were the most likely to indicate opposition to the tax credit approach. Also, a number of those indicating opposition to a tax credit expressed support for tax sharing.

Two of the Governors indicated that they definitely favored a tax credit program. Two additional Governors indicated that they would be in favor of tax credits if the program were to be adopted as a complement to a tax sharing program, rather than as a substitute.

Six of the 30 mayors responded to my letter and of these three indicated that they were very much in favor of the proposal. Two indicated that the question of tax credits and tax sharing was now under review by their administration. One of the six mayors indicated that he was opposed to the tax credit proposal.

These returns are too incomplete to suggest any definite consensus among Governors and mayors on the tax credit proposal. However, on the basis of the response that I have received, both in terms of the number of the letters and of their contents, it is my impression that the Governors who do have positions one way or the other prefer tax sharing to tax credits, although in several instances it was apparent that they were beginning to have some questions about tax sharing and that they might become more favorable to tax credits.

On the basis of the very brief returns from the mayors, it would indicate that they are much more likely to favor tax credits than are the Governors.

But, Mr. President, I suppose the most vivid impression I have, on the basis of the returns to date, is that the Governors and mayors have given surprisingly little serious thought to this whole question. The majority seem unwilling or unprepared to express definite views at this time. In fact, Mr. President, I must be frank and say that the lack of response and the quality of the comments of those who did bother to respond suggests to me an attitude of casual indifference.

This raises the rather interesting point that while we here in Congress are pushing for a program or programs which are for the benefit of State and local governments, the authorities at those governmental levels remain rather uninformed and uninterested.

MARRIAGE OF SENATOR AIKEN

Mr. PROUTY. Mr. President, I was delighted to learn of the marriage of my distinguished senior colleague, GEORGE AIKEN, to his always charming and highly competent administrative assistant, Lola Pierotti.

For many years Lola has been the right arm in the administration of the Senator's office. Now that she has assumed the added responsibility of wife and homemaker, I know that she will exercise a much greater influence in the Senator's career.

I think that GEORGE and Lola are fortunate indeed to have gained each other as husband and wife, and I know I speak for their many friends in expressing hope and confidence that the years ahead will be outstandingly kind to them in all respects.

U.S. ACTION IN THE CONGO

Mr. RUSSELL. Mr. President, I rise to register my earnest protest against the action of our Government in sending planes and troops into the Congo to intervene or take sides in what has been termed a rebellion, but what appears to be an internal disturbance. There has been no claim that any political ideologies are involved, and the question of communism has nothing whatever to do with the disturbance there.

It might be well to briefly review some of the facts in this case. At the outset the Congolese Government claimed that a number of so-called mercenaries had been dropped into their cities and were creating this disturbance. They have now abandoned that claim. It was made in the United Nations, and when not the slightest shred of evidence was produced to support that claim, it was no longer pressed.

We must bear in mind, in considering these mercenaries who are involved, that they are in the pay of Mobutu, the President of the Congo, and have nothing whatever to do with Tshombe or any other previous official of that country.

And we should also bear in mind, Mr. President, that so far as we know from the press accounts, when this small group, apparently of less than 300, seized the city of Bukavu, they did not commit any atrocities. They did not kill anyone or cause any great damage to property. However, when they moved out of the city and Mobutu's army, which we are rushing aid to the Congo to support, moved in, they looted the city and killed a large number of people, including women and children.

Mr. President, I have consistently opposed our involvement in purely local rebellions or local wars in countries where we have no stake and where we have no legal or moral commitment to intervene. I have forgotten the exact number, but the number of different tribes in Africa is very large. There are very bitter feelings between some of these tribes, and it is highly likely that within the next few decades there will be a large number of tribal wars between these new African countries. Indeed, one is raging in Nigeria now, and I would not be surprised at any moment to hear that we had decided to intervene in the conflict there.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. RUSSELL. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUSSELL. Mr. President, I say it is immoral to send even one American boy into a country where we have no commitment or any vital interest whatever, as is the case in the Congo. Why do we have any special obligation to Mobutu?

On a prior occasion when we sent some planes and some assistance to Mobutu, I protested privately to the highest officials of this Government who are in charge of those operations; and I come to this floor and make this public protest today only because that protest was unheeded, and no real substantial reason was given as to why we involved ourselves in that controversy.

Another thing, Mr. President: When we consider our apparently irrepressible desire to rush into some of these situations, just how long can we expect the Soviet Union and Red China to remain quiescent in similar situations? Just how long can we expect them to refrain from stirring up internal troubles to bring us into these countries over the world where there is, at the present time, no question of political ideology involved, and where the subject of communism is not even remotely concerned?

Mr. President, I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, an article entitled "Congolese Kill 60 in Vengeance Assault on Bukavu," published in the Washington Sunday Star of July 9, 1967; an article entitled "United States Sends Three Aircraft to Mobutu," written by George Weeks and published in the Washington Post of today, July 10, 1967; and an excerpt from an article entitled "Revenge-Bent Congo Force Kills 60 in Recaptured City," published in the Washington Post for yesterday, July 9, 1967.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1, 2, and 3.)

Mr. RUSSELL. It is significant, Mr. President, that one of those planes stopped at MacDill Air Force Base in Florida to pick up a task force headquarters of strike forces, to carry them into the Congo. Why was that, Mr. President? If we are just going down there to fly some of Mobutu's troops around over the Congo, why should it be necessary to send a headquarters there, to make preparations for sending troops?

I do not know why that is the case, Mr. President, but there is a very strong influence in this country which it seems impossible to satisfy unless we do have a very large military presence almost everywhere; and that influence is making itself particularly felt in this present instance.

Mr. President, I have spent most of my career here in the Senate laboring and working to try to assure that the armed strength of these United States is sufficient to defend the people of this country; but I have not spent that time and that effort striving to create forces that would be sent all over the world under such circumstances as these people are going. "Oh," Senators might say, "there are only about 100 of them; about 60 Air Force people and 45 paratroopers." But, Mr. President, Vietnam started out with a force not much larger than this. This presence can swell, and it will swell. If a few sons of American mothers are killed in the Congo, there will be an irresistible demand in this country that something be done about it.

We should have enough commonsense to keep our heads, and keep our people out of situations of that kind over the world. It is disheartening to me to see such abuse of the military forces of the United States.

EXHIBIT 1

[From the Washington (D.C.) Sunday Star, July 9, 1967]

CONGOLESE KILL 60 IN VENGEANCE ASSAULT ON BUKAVU—FIVE EUROPEANS SLAIN, AIDED REBEL FORCE

KAMEMBE, RWANDA.—Congolese government troops, routed by rebels aided by white mercenaries, returned to the border city of Bukavu on Friday and killed more than 60 persons, including five Europeans in a wild rampage of revenge, diplomatic and Red Cross officials reported yesterday.

They said disciplined Congolese paratroopers brought calm to the eastern Congo resort city after their arrival by air from Kinshasa, the Congolese capital.

The reports of the refugees from Bukavu to their neighboring nation came as the Congolese radio announced that forces loyal to President Joseph D. Mobutu had defeated mercenaries and rebels in Bukavu, Kisangani—formerly Stanleyville—and Kindu. The radio said the fighting was over.

LINKED TO TSHOMBE PLOT

It said the fighting that started last Wednesday had ended with government forces in control. Mobutu claimed the rebels launched the hostilities as part of an attempted coup plotted in Spain by Former Premier Moise Tshombe, who is now in custody in Algeria.

His chartered plane was hijacked while flying over Spain's Balearic Islands and diverted to Algiers. The Congo seeks his extradition to execute him as a traitor and subversive.

Mobutu canceled a nationwide radio address on the end of the fighting yesterday "pending more information on the role played by some Congolese in the rebellion," a Congolese radio broadcast said.

But the Congolese Interior Ministry issued an appeal for calm and respect for others' lives and properties, the broadcast said.

The refugees reaching Kamembe, two miles across the border from Bukavu, said the Bukavu area is now in the hands of loyal forces.

The Congo-Rwanda border, however, remained closed to all Europeans.

AMERICANS SPARED

About 1,500 Europeans live in Bukavu. U.S. officials in Rwanda said they knew of no deaths or injuries to any Americans there. About 50 American missionaries in the Bukavu area fled to Rwanda at the start of the hostilities.

The diplomatic and Red Cross officials at the border said the murder rampage of the Congolese troops lasted most of Friday.

They were said to be seeking revenge for the easy capture of Bukavu by Katanga mutineers. Katanga is the province Tshombe led into secession after Belgium granted The Congo independence in 1960.

TOWN SEIZED QUICKLY

The mutineers and mercenaries took over the town without firing more than a few shots. The Congolese garrison fled into the bush and about 150 of them sought refuge in Rwanda.

Thursday afternoon, little more than 24 hours later, the mutineers left Bukavu as suddenly as they had arrived. Witnesses said the city was then calm and there was little damage.

Through Thursday night there were no troops in the town. After daybreak Friday, the Congolese soldiers in the bush realized the mutineers had left and surged back into town, the witnesses said.

They then sought out Europeans they suspected of having aided the mercenaries and shot several of them at point-blank range.

The dead included three Belgians—a male schoolteacher, a grocer and a businessman—and two residents of Greek nationality.

WOMEN, CHILDREN SLAIN

The Congolese dead included numerous women and children, shot down as the troops returned in the first flush of their anger.

Witnesses said there was widespread looting and some Europeans living in outlying villas have not been seen since Friday morning.

The unidentified teacher was called out of his house and accused of having given information to the mercenaries. He denied it and was allowed to return to the house. Half an hour later the same troops returned, called him out a second time and shot him dead as he opened the door.

The uprising in Bukavu at least appeared to be connected with the kidnaping of Tshombe.

MERCENARIES JOIN

When the news of Tshombe's kidnaping reached the numerous troops of Katanga origin still operating in the area under command of Belgian, French and Spanish mercenaries, they mutinied against the regime of Mobutu, informed sources said.

The mercenary officers, heavily outnumbered, apparently had no choice but join the movement, according to the sources.

They occupied Bukavu early Wednesday at the same time as similar mutinies by Katanga troops apparently took place in Kisangani and Kindu.

It was not known where the mutineers went after evacuating Bukavu. Several reports said they were seen heading north in commandeered trucks.

Exhibit 2

[From the Washington Post, July 10, 1967]

U.S. Sends Three Aircraft to Mobutu—Noncombat Aid to Congo Includes Force of 150 Men

(By George Weeks)

The United States dispatched Air Force transport planes to the Congo yesterday for the third time in six years to help the central government quell a rebellion.

The State Department made the announcement, declaring that "the United States has consistently supported the territorial integrity and unity of the Congo."

Three C-130 turboprop transports with 150 Americans aboard were sent to Kinshasa, the Congolese capital, in response to President Joseph Mobutu's request for "noncombatant" logistical support to meet a mercenary-led uprising in which Mobutu already appears to have the upper hand.

WHITES REPORTED SLAIN

The announcement came as diplomatic reports reaching here told of isolated massacres of whites in the eastern part of the country. U.S. officials had no confirmation of the number of revenge slayings or of casualties in the fighting that began Wednesday.

Between 1000 and 2000 whites, including about 20 Americans, are said to be in the areas of Bukavu, Kindu and Kisangani—formerly Stanleyville.

[Reuters reported that the official Congolese radio announced that the National Army is in complete control of Bukavu, Kindu and Kisangani.

[The broadcast said poisoned arrows have been reserved for the fleeing foreign mercenaries and rebelling Katangese troops. "The patriots have received orders not to kill them with bullets imported from the West," the broadcast was quoted as saying. "They will be massacred with arrows."]

ARRIVE TODAY

The four-engine C–130s the Air Force version of the Lockheed Hercules transport planes, are to arrive at Kinshasa, formerly Leopoldville, today after a rest stop at Ascension Island.

They carried double crews, maintenance and communications personnel and 45 paratroopers from the 82d Airborne Division at Ft. Bragg, N.C., who will act as "plane guards."

The planes departed Pope Air Force Base near Ft. Bragg late Saturday. One stopped at McDill Air Force Base near Tampa, Fla., to pick up personnel from the U.S. Strike Command who are to establish a small task force headquarters in the Congo under the command of Col. W. L. Welch, deputy director of operations at Strike Command Headquarters.

The Command is comprised of Army and Air Force elements capable of rapid deployment, especially in Africa and Southern Asia. As in past airlifts to the Congo, officials here stressed that the United States had no intention of providing combat units.

Each C–130 can carry 92 fully equipped combat soldiers, 64 paratroopers or 74 litter cases. The plane has a range of more than 2000 miles and can carry 36,700 pounds.

The Congo reportedly has 18 transport planes of its own, including C–47s supplied by the United States.

The United States previously had provided airlift support in 1961–63 for the U.N. campaign to put down Moise Tshombe's efforts as Premier of Katanga to secede from the Congo. It furnished air transport again in 1964–65 to help the central government suppress a leftists rebellion at Stanleyville.

In addition, in a move widely condemned in Africa, the United States provided the transports from which Belgian paratroopers jumped at Stanleyville in late 1964 to rescue hostages. Tshombe then was Premier of the Congo.

The belief in Washington is that Mobutu, even without U.S. transports, has been able to contain the rebellion by supporters of Tshombe, who is being held in Algeria after he was kidnaped on a flight over the Mediterranean. Tshombe is under death sentence in the Congo for treason.

There appears to be confidence here that with continued logistical support in the form of airlifted vehicles, food, medicine and other supplies, Mobutu should be able to insure victory.

U.S. officials confirmed a claim by Mobutu yesterday that his forces had defeated mercenaries and rebels in Bukavu, where the United States has a consulate, but were unable to confirm his reports of victory at Kindu and Kisangani.

Diplomatic reports said refugees from Bukavu claim that Congolese troops who recaptured the city from rebel forces went on a rampage, killing more than 60 persons, including at least five Europeans.

[Reuters quoted sources in Brussels as saying Bukavu's European residents were put in a camp and threatened with execution but were rescued by a 95-man contingent of Congolese paratroopers sent in by Mobutu.]

Reports from Lubumbashi, the Katanga capital formerly called Elisabethville, said Congolese, on hearing of the mercenary-led uprising, rounded up whites from the streets, drove them out of town in a truck and killed them. Reports of the dead ranged from seven to 15. The victims were said to be Belgians and Greeks.

Mobutu, who proclaimed a state of emergency throughout the nation when fighting began, further strengthened his hand late Saturday by suspending constitutional freedoms until further notice.

Mobutu also announced that surviving mercenaries would be captured and put on trial for "their indefensible crimes." He also said he would get rid of all remaining mercenaries in the Congo.

Exhibit 3

[From the Washington Post]

Revenge-Bent Congo Force Kills 60 in Recaptured City—No Outside Help Seen in Mercenaries' Revolt

Paris, July 8.—"One thing is certain: there has been no invasion of the Congo by armed elements from outside," writes Figaro correspondent Max Clos today. "We are witnessing simply a military putsch by white mercenaries who favor Tshombe, with the support of soldiers of Katanganese origin.

"It represents probably no more than 3000 armed men, of whom about 1000 are whites. Nevertheless, this is a colossal force against the 30,000 soldiers of Gen. Mobutu, badly commanded, hardly disciplined, whose military value is practically nil."

Clos describes the mercenaries as a sort of Pretorian Guard, theoretically at the service of the Congo government, but always ready to serve its own interests.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. FULBRIGHT. I ask unanimous consent that the Senator be given such time as he may require.

Mr. BYRD of West Virginia. Mr. President, reserving the right to object, would the Senator mind placing a limitation on that?

Mr. FULBRIGHT. Well, 5 minutes.

Mr. BYRD of West Virginia. I have no objection.

Mr. RUSSELL. I yield.

Mr. FULBRIGHT. Mr. President, I think this is a matter of great importance. We have here the chairman of the Armed Services Committee commenting upon this recent movement of American forces to the Congo. As he has already stated, there is no evidence to indicate any incursion into the Congo by the Soviet Union or anybody else from outside. The situation, whatever one may think of it, does not fit any of the intervention or commitment theories, that have been applied to Vietnam.

I associate myself with what the Senator from Georgia has said. Statements have been made by the Secretary of State, speaking for the administration, about American responsibility to meet aggression anywhere, and to intervene anywhere. I think this is an example of intervening where there is no aggression and no justification for intervention.

The Secretary called me on the telephone merely to advise me that planes were being sent. Originally, as I understood his first call, this was for the purpose of rescuing American citizens in the Congo.

Mr. RUSSELL. To evacuate, yes. I had the same calls, I might say.

Mr. FULBRIGHT. I am sure the Senator had similar calls.

But that does not seem to have been the case; and our action is an incitement, an inducement, for other countries to react to this incursion and intrusion by us. The first thing one knows, as the Senator says, we will have a confrontation with other parties. I think it is very dangerous, and I do hope the administration will take the advice of the Senator from Georgia most seriously, and that certainly, at the very least, such intrusions into other countries will not be made until there has been serious conference and consultation with the Senator from Georgia and other interested Senators. In that way we may be given an opportunity, not just to receive a telephone call, but to discuss these matters, and possibly, I would hope, to impose some restraint upon this kind of intervention.

We have almost acquired a habit, it seems to me, of intervening wherever the slightest eruption takes place. There will be many such cases, in many parts of the world. I certainly hope that the administration takes the advice of the Senator from Georgia on this matter most seriously. I thoroughly agree with him.

Mr. RUSSELL. I thank the Senator.

Mr. CASE and Mr. MANSFIELD addressed the Chair.

Mr. RUSSELL. I yield first to the Senator from New Jersey. Then I shall be happy to yield to the majority leader.

Mr. CASE. Mr. President, I completely agree with the Senator from Georgia, and to my chairman I make this suggestion: The distinguished chairmen of the two committees most concerned with this matter might very profitably call their committees together and seek to hear from the administration, in open session, just exactly what the rationale for this action is, and what has happened.

Mr. RUSSELL. I yield to the majority leader.

Mr. MANSFIELD. Mr. President, I commend the distinguished chairman of the Committee on Armed Services and the distinguished chairman of the Committee on Foreign Relations. I was very much surprised to pick up the paper and learn that three planes and a number of paratroopers had been sent to the Congo.

I do not know what they are doing there. I hope this is not a precedent which will call for participation in other areas of the world, once a conflict breaks out. I had thought that, at long last, we were finally learning the lesson that we cannot participate in every part of the globe with American manpower and American might. No matter what type of planes these were, they were accompanied by paratroopers; and I was shocked, surprised, and dismayed.

I hope, on the basis of the statements made by the two distinguished chairmen and others, that there will be a reawakening and a more careful assessment of events of this nature, because I do not believe we can involve ourselves in any and every part of the world. Before doing so, I think we ought to have consultations ahead of time, so that we will be aware of the facts, if there are any in addition to what the newspapers indicated. What the newspaper have stated certainly did not form a basis, in my opinion, for the intervention—and that is what it is—which this country has undertaken in the Congo. We have enough trouble as it is.

Mr. RUSSELL. I thank the Senator.

Mr. STENNIS. Mr. President, will the Senator from Georgia yield to me, on my time?

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I came into the Chamber late, and did not hear the full statement of the Senator from Georgia, but I know the substance of it because of prior conversations. I commend the Senator for the wisdom of his position on this matter, and for his alertness in bringing the matter to the attention of the Senate.

Certainly, Mr. President, if we have not already learned a lesson by going in alone and getting unnecessarily involved on the other side of the world, we never will learn it. Furthermore, there will be a serious question, if we should get involved here to any appreciable degree, about our having the ready manpower, or even the ready planes, to undertake any mission of any considerable consequence.

So I hope the Senator from Georgia, with his wisdom and alertness, will continue to pursue this matter with all the vigilance he possesses.

Mr. RUSSELL. I thank the Senator for his kind comments. Despite what he says, I certainly seem to lack the powers of persuasion. This is the second time this has happened. If it continues, and history does not turn itself backward, there will sooner or later be some occurrence, some event that will involve us on a much larger scale.

It is not so much a question of manpower, Mr. President. Not a single American boy should lose his life in the Congo under circumstances such as exist there today.

Mr. PEARSON. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I yield.

Mr. PEARSON. Mr. President, can the distinguished Senator from Georgia indicate to the Senate whether any request was made by the Government or the factions involved and the justification for the administration's granting and acceding to that request.

Mr. RUSSELL. I understand that Mr. Mobutu, President of the Congo, did request assistance from this country.

The request was accompanied by a newspaper statement to the effect that he had the situation completely under control, having recaptured Bukavu and Kisangani, which was formerly the city of Stanleyville. However, that is not the question in my mind.

Any time there is a local or a civil war, someone is going to be calling for help. I do not think we have any obligation to supply that help unless American interests are directly involved.

Mr. PEARSON. I understand that. I was seeking from the Senator some justification or definition of our national interest in this particular situation.

Mr. RUSSELL. None has been given to me. I have undertaken to gather all of the information I could in the situation. I spent the greater part of Saturday on the matter and went to sources that I thought should know.

I ascertained that this was purely an internal matter. And, to my mind, that would eliminate any reason on earth for American intervention in this situation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may be permitted to continue for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. YOUNG of North Dakota. Mr. President, I commend the Senator from Georgia for his fine statement.

This policy seems to be a continuation of the policy that was initiated following World War II, at which time the experts in the Pentagon and the State Department determined that we were going to police the whole world. At that time, it did not seem to be too bad an undertaking. We had some allies. However, today, we do not have a single ally remaining. They have all deserted us in this undertaking.

Mr. RUSSELL. We had help at that time.

Mr. YOUNG of North Dakota. We were pretty well able to police the world at that time. It is entirely a different situation today. Immediately following World War II we were the only Nation that possessed the nuclear bomb. This gave us unchallenged power and influence to try and police and keep peace throughout the world. That situation no longer exists today. There are at least five nuclear powers.

For some 600 to 800 years the British did a pretty good job of policing the world. They had one great advantage which we enjoyed for a period of years following World War II. They had a Navy which was supreme and with it they were able to effectively police the world.

I commend the Senator for his appropriate and timely statement.

Mr. MORSE subsequently said: Mr. President, this morning I was unable to attend during the morning hour of the Senate because I was on duty in an executive meeting of the Committee on Foreign Relations. The committee held an executive session on the pending treaties with Panama and we were briefed by Ambassador Irwin. I had planned to join with certain other Senators in the statements they made on the floor of the Senate during the morning hour, in opposition to the latest U.S. military intervention, our intervention in the Congo. However, because I had to be at the Foreign Relations Committee meeting, I was unable to participate in the discussion at that time, and therefore I now proceed to make the statement that I would have made during the morning hour.

This morning, several leaders in the Senate on foreign policy—the Senator from Georgia [Mr. RUSSELL]; the chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT]; a member of the Foreign Relations Committee, the Senator from New Jersey [Mr. CASE]; the majority leader of the Senate [Mr. MANSFIELD], and other Senators made justifiably critical statements of what I consider to be the United States' unjustifiable, and uncalled for military intervention into the Congo.

I join with those voices and with other voices that have been raised in the Senate, warning the administration against its unilateral intervention in the affairs of the Congo. The sending of American planes and American soldiers to aid the Congolese Government is but another example of an ill-advised abuse of executive power.

It is time for Congress to demand that the executive branch stop using American servicemen as shrapnel fodder for diplomatic intrigues. The lives of the first batch of American troops are precious enough; but the first batch has a very definite way of being only the first installment of an American intervention that calls for more and more and more American lives to be sacrificed to keep in power abroad a chosen favorite of the administration.

Interestingly enough, most of the chosen favorites of this administration are dictators, and to keep them in power we sacrifice American boys. That is why the senior Senator from Oregon has for years spoken on the floor of the Senate in protest of such illegality on the part of this administration. I shall continue to protest it, because I have no intention of walking out on what I consider to be my constitutional trust.

Rumor, and more than rumor, has it that American soldiers are already involved in guerrilla warfare in Bolivia, as well as in the Congo. The rumor is that we have a small number of military men in Bolivia acting as so-called military advisers. But do not forget that we started that way in Vietnam. The first military personnel we sent into Vietnam were military advisers.

How well I recall advising the administration at that time of my opposition to it, saying to the administration that I feared it would be the beginning of bogging down large numbers of American soldiers in Asia, where we have no right to be.

This afternoon I say again that if we permit the executive branch of the Government to follow such an illegal course of action, the great danger is that we will be bogged down in other parts of the world, with increasing numbers of American boys being used as shrapnel fodder. In my judgment such a foreign policy is without the slightest justification legally or morally.

Congress must demand full information about these adventures on the part of the executive branch, and must put a stop to them before they bleed this country even more than it is already bleeding in Vietnam. The best way Congress can put a stop to them is by repealing the Tonkin Gulf resolution, for it is that resolution that has encouraged adventurism all over the world on the part of the administration.

In due course, in connection with foreign policy legislation on the floor, I intend to offer the Members of the Senate another opportunity to vote for the continuance of the Tonkin Bay resolution or to vote to rescind it, and a rescission is long overdue.

Mr. President, I view with great concern the proposal coming out of South Vietnam these days that we should send 100,000 more American boys into Vietnam. I shall oppose that proposal, as I have opposed every implementation of this illegal war in South Vietnam.

I shall continue to maintain my abiding faith in the judgment of the American people, because I believe it is only a matter of time before the American people will understand that our soldiers are doing most of the fighting in South Vietnam. It is our men who are doing most of the dying in South Vietnam on the combat battlefield. For the most part the participation of the so-called South Vietnamese army is but a token participation. They are withdrawing farther and farther from the front lines. Oh, they keep a few men out there for propaganda purposes. They cannot even make a pacification program work.

It is my continued plea that the United States should let this Asian civil war be fought by the Asians, and stop murdering American boys in the name of an illegal war in South Vietnam.

ORDER OF BUSINESS

The **PRESIDING OFFICER**. The Senator from New Jersey is recognized.

Mr. **CASE**. Mr. President, I ask unanimous consent that I may proceed without a time limitation.

Mr. **BYRD** of West Virginia. Mr. President, would the Senator mind placing a time limitation on his speech?

Mr. **CASE**. Mr. President, I ask unanimous consent that I may be permitted to continue for 10 or 12 minutes.

Mr. **BYRD** of West Virginia. Mr. President, I have no objection.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

VIETNAM

Mr. **CASE**. Mr. President, the Johnson administration has been taking a savage pummeling for the last year or more over our involvement in Vietnam. Much of this has been undeserved and very unfair. Some of it, such as the chant—

> LBJ, LBJ, How many kids have you killed today?

Comes close to a new low in mindless indecency.

I resent that sort of attack on the President of the United States.

But far more important than the matter of taste and good manners is the fact that most of this criticism has been misdirected. It has been largely aimed at pinning upon Lyndon Johnson the responsibility for getting us into the mess in Vietnam, ignoring, and in some cases intending to divert attention from, the responsibility of others and previous administrations. I suggest that when President Johnson took office there were fewer options left open to the United States than during any previous administration back to and including that of President Truman.

Before Mr. Johnson became President, American troops had been committed to the war in substantial numbers. Moreover, the United States had acquiesced in, if it did not actually encourage, the overthrow of the Diem government on the ground that a better successor government could be found; thereby, as one observer recently pointed out, the United States had incurred for the first time a moral responsibility in Vietnam.

President Johnson can hardly be charged with major responsibility for involving us in Vietnam. We were already deeply involved when he entered the White House.

Furthermore, I have come, reluctantly, to be more and more firmly convinced that at no time during the Johnson administration has there been, and that there is not now, any real opportunity for negotiation settling the war except on the basis of giving up U.S. objectives. Max Frankel's closely reasoned and thoughtful article on this subject in the New York Times magazine of April 30, last, seems to me unanswerable. And so the criticism that Mr. Johnson has been unwilling to negotiate, or has "hardened his bargaining position," is, I believe, unjustified.

I do not like criticism to be unfair whether it is directed at a member of my own party or another.

But the really serious thing about these unwarranted attacks on Mr. Johnson is that they have largely obscured his failures in the conduct of the Vietnam war. The attention of the public and of the critics has been diverted from the serious inadequacies and shortfalls in the administration's operations in Vietnam. These inadequacies and shortfalls are the direct responsibility of President Johnson. Unless they are corrected there is grave danger that the whole effort in South Vietnam will collapse.

Less than a month ago, Ward Just, a reporter for the Washington Post, ended a stint of 18 months in Vietnam with the following grim assessment:

> This war is not being won, and by any reasonable estimate, it is not going to be won in the foreseeable future. It may be unwinnable.

Ward Just is one of a number of highly perceptive American newspapermen whose reports, individually and collectively, afford by far the best picture one can get of what is actually going on in Vietnam and what the future holds in that unhappy country.

Everything I saw during my recent visit to Southeast Asia and in conversations with a variety of people both before, during, and since my visit, confirms the basic soundness of Ward Just's somber appraisal.

Overall, progress in the revolutionary development program is scarcely noticeable.

A highly respected American who had been working in the program and its predecessors for years was asked recently by a group of newsmen at a farewell gathering how long it would take to win the hearts and minds of the South Vietnamese peasants. He ventured, with great hesitancy, that at the present rate of progress it might perhaps be done in 10 years. There are a number of reasons for this and I shall discuss some of them shortly.

Before I do, however, it is necessary to dispel any idea that there is some quick and relatively easy way out. And here we have to remember that the question before us now is not whether we should have gotten into Vietnam in the first place. We did intercede and our present choices are even more limited now than those faced by Mr. Johnson at the outset of his administration.

They are, in brief, to withdraw, to escalate, or to stick it out.

I do not believe that we can withdraw.

I came to this position with great reluctance because, like so many Americans, I had been hoping against hope that I would find it possible in some way to justify our cutting our losses and ending our involvement in Vietnam at one stroke.

But as Edwin O. Reischauer, our former Ambassador to Japan, has written:

> We have allowed the stakes to escalate, until now our withdrawal would seriously shake confidence in our word and would be interpreted as a great triumph for the Communist program of immediate world revolution. This in turn would encourage further warfare and instability throughout Asia.
>
> If we withdraw . . . we are likely to have to pay a much greater price in the long run, since this could encourage more guerrilla "wars of national liberation" and discourage those who would withstand them. The least unsatisfactory course would seem to be our present one of limited warfare to pacify South Vietnam, and economic and political development to build up a government and society more resistant to internal subversion. But this will be at best a long, slow and painful process.

Barbara Ward said substantially the same thing a few weeks ago in a speech in Washington:

> To pull out of Viet Nam is not a serious option at this time.

She went on to say that to pull out would be an admission that wars of national liberation succeed and this would be a blow not only to the Atlantic powers but also to Moscow, "whose whole case against Peking is that wars of national liberation are too risky since they cannot be won without precipitating nuclear war."

Even such a critic of U.S. policy as David Halberstam, former New York Times correspondent in Vietnam, has noted:

> Any decision we make in Viet Nam will be watched closely and will affect other countries in the area.

This is true, and it illustrates a positive side of our policy.

In my discussions with citizens and officials of a number of countries in Southeast Asia outside Vietnam, I found substantial evidence that China's neighbors have taken heart from our commitment to help preserve the independence of South Vietnam. There is at least the beginning of a movement toward regional cooperation, primarily now in economic matters, but which holds promise of the eventual emergence of an effective Asian force for the protection of the independence of the nations in that area.

But if we cannot pull out, what of escalation?

I am convinced that escalation of the war carries very great risks with little, if any, increased prospect of success. That is why I have urged—and I still urge—that we confine the bombing of targets in North Vietnam to those having a direct bearing on the infiltration of men and supplies into South Vietnam.

Similarly, I very much doubt that the answer to Hanoi and the Vietcong is a substantial increase in American military manpower in South Vietnam over that now scheduled as, it is said, the President is being told by his military advisers.

The nearly one-half million of our men now on the ground have by their very presence inevitably generated or exacerbated a host of conditions, ranging from anti-Americanism to inflation, that compound the difficulties we face.

And the more we undertake to do for the Vietnamese, the less they can and will do for themselves those things which only they can do.

The essential—and still largely missing—factor in Vietnam is security for the villages and hamlets in which most of the people live. The security that is lacking is no less psychological than physical in kind; to provide security is, therefore, no less a political than a military challenge.

It is, in short, an indigenous problem to which there must be an indigenous solution. Only the Vietnamese can do the job.

In fact, however, they are not yet doing it—not yet. With some notable exceptions, the military forces of South Vietnam, numbering more than 600,000, have thus far failed in this task.

There are many reasons for this failure: weakness of motivation, inadequate and wrongly directed training, too few good leaders at every level of command, a tradition of corruption.

None of these is easy to remedy; weakness of motivation is perhaps the most difficult. This has many causes. Some are longstanding and deep-rooted, such as regional and religious hostilities, and a traditional suspicion of central government.

Some are more recently derived: low pay, for example; favoritism; the paucity of opportunity for advancement, and, perhaps most importantly, the failure of the current government to instill in the people an acceptance of its legitimacy and right to govern and a feeling that they have a stake in its success.

To correct these conditions is enormously difficult, though a start has been made. But both the South Vietnamese Government and we have to do a great deal better if we are to win out. It is to this that we must direct our best efforts, rather than the substitution of Americans for the Vietnamese.

Subject to a clear demonstration by our defense experts of an overriding military necessity, I believe we should avoid the introduction of additional American forces beyond those presently scheduled.

This conclusion is by no means mine alone; it accords with the views of a number of the best informed and most experienced persons with whom I have discussed the subject in recent months, both at home and during my visit to the Far East.

Our goal must be to insist upon maximum effectiveness of both civilian and military resources of South Vietnam in the "long, slow, and painful process" of helping the Government of South Vietnam to bring security and stability to its people and to win their confidence and support. Upon our success in this depends the attainment of the very objective we seek—the establishment of an independent and viable nation in South Vietnam.

What this administration needs, then, is not more berating for having gotten us into the Vietnamese war or for its alleged unwillingness to negotiate or its asserted insensitivity to signs of willingness to negotiate on the part of the enemy. What it needs is for all of us to concentrate on the kind of job it is doing in its conduct of the total war effort. Here its responsibility is its own and its accountability is total.

Toward the end of his article Ward Just has this to say:

> The Johnson Administration has got its priorities badly out of joint in this war. Pressed by the generals and other traditionalists, it has attempted to win the war on the cheap, by forcing Hanoi to the bargaining table; by destroying her means of production.
>
> This strategy has its corollary in the South in the indiscriminate use of artillery fire at night and literally hundreds of air strikes a day. The most severe side effect of the first is that it diverts attention from the essentials, a shift to a notion that somehow the war in the South can be won in the North. The second practice argues that machinery is a substitute for hard slogging. Anyone who has watched how hard the slogging is knows the compulsion to substitute machinery for it. But it won't work.
>
> If as much effort and money were put into retraining the ARVN (South Vietnamese Army), reforming the bureaucracy and forcing the generals to prosecute corrupt colleagues as are put into dropping bombs on the country, there is more than a fair chance that the Americans could pull it off. . . .

This prescription must be followed. It is the only one, I believe, that holds real promise of accomplishment of our objectives.

Finally, a problem that has plagued Americans in South Vietnam from the beginning is still unresolved. We must come to grips with it, and quickly, too.

The problem is how much influence we should attempt to exercise upon the South Vietnamese leaders to get them to do the things we are convinced must be done if our common goal is to be realized.

I think we must, once and for all, make up our minds that we must exercise the full weight of our influence on every important issue, whether it be to restrain the personal ambitions of military leaders, to force reforms both in the civilian and military establishments, to reduce the corruption and get rid of the corruptors, to limit censorship to a minimum instead of permitting its use without restraint as a campaign tool and for other improper purposes, to restore vigor, discipline, and morale to the Vietnamese armed forces and get them doing their job.

All this and much more must be accomplished if we are not to see the whole Vietnamese effort bog down in complete chaos and eventual failure with effects which will last for decades and will be felt far beyond that remote and relatively tiny area of the world.

It has been said on this point, in high circles within our Government as well as elsewhere, that in truth the United States has very little capacity to influence the South Vietnamese Government because our prestige is already so deeply involved that we cannot withdraw. It is said that the South Vietnamese Government knows this and will laugh at us if we tell them that unless they meet the minimum requirements we see as essential we will no longer continue our assistance. In short, that we must accept whatever the South Vietnamese do and, beyond complaining, we can do nothing about it. We have, it is said, no "leverage."

This is an intolerable position. We must not accept it. We have, and we must maintain, the right to withdraw from Vietnam if it is clear that despite our best efforts the Vietnamese themselves will not permit the accomplishment of the objectives we both seek.

This would be a catastrophe. But there is little, if any, chance to prevent catastrophic failure in South Vietnam except by using all our influence and all our efforts in the ways I have indicated. If this is done, I believe, with Ward Just, that this most difficult undertaking can succeed.

Mr. President, I ask unanimous consent to have printed in the RECORD articles written by: Edmund Stillman, New York Times magazine, June 18, 1967; Max Frankel, New York Times Magazine, April 30, 1967; Ward Just, Washington Post, June 4, 1967; and Edwin O. Reischauer, former Ambassador to Japan, Look magazine, April 4, 1967.

In this connection, Mr. Reischauer testified on January 30 of this year before the Senate Foreign Relations Committee further developing his ideas in regard to U.S. policy in Asia, including the situation in Vietnam.

I also ask unanimous consent to have printed in the RECORD a report in the Washington Post, May 20, 1967, of a speech by Barbara Ward before the Women's National Democratic Club, and an article by David Halberstam, New York Times Book Review, April 1967.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times Magazine, June 18, 1967]

THE SHORT WAR AND THE LONG WAR

(By Edmund Stillman)

The war in the Middle East has thrown into glaring relief the essential sentimentality and disorientation of the contemporary United States in world affairs. It came at a time when the United States was deeply involved in war in Southeast Asia in defense of national interests that have never been rigorously explained, under cover of legalities that have never been precisely defined—but a war justified, in general terms, as antiappeasement and the honoring of pledges.

The American reaction to the Egyptian blockade of the Strait of Tiran was curiously different. Despite the categorical nature of previous diplomatic guarantees to Israel, given after the 1956 Sinai campaign, the United States moved ponderously, demanding the auspices of a 15-nation *ad hoc* alliance prior to taking action—whatever that action was to be. This was to temporize in a fashion that bore more than a fanciful resemblance to the behavior of the demoralized Western democracies facing the Fascist powers' histrionic threats in Ethiopia and Central Europe during the nineteen-thirties.

The interest of a small state—admittedly at this point only its marginal interest in access to the Red Sea by a tiny merchant marine, but pregnant with ultimate threat—was to be compromised in favor of general peace. Only in its attitude toward the military power of the United Arab Republic and the Arab world did the State Department significantly differ from prewar Whitehall. No one in Washington feared Nasser as a military opponent, but behind the Arab demands loomed the threat of the Soviet Union, or so it was felt.

Reading the signs of an ultimate threat, the putative victim made a pre-emptive attack. Here the script departs from the original. The result was an Israeli victory and an American demand for an immediate cease-fire—a "recourse to reason" within the context of the most generalized call for a basic settlement in a region so inflamed by political and national passions that the combatants and their sponsors cannot even agree on a common definition of the stakes.

This is the fundamental contrast. In Vietnam, the United States, directly involved and paying a heavy cost, rejects the notion of an early negotiated compromise that would recognize the existence of the enemy Vietcong's interests. Instead, the United States pushes for a military solution to a complex civil turmoil in which American interests are only problematically involved, although our native allies are incompetent and weak, and the war, in fact, is not being won.

In the Middle East, Israel is, in the world view, America's protégé and, in the Arab view, an outpost of American imperialism, however much Washington's wish is to be a friend to all parties. Yet Washington's sentimental reaction is to deplore others' use of force to settle serious issues comparatively easy to define—namely, the issues of free access to the seas and the end of border raids across Arab-Israeli frontiers.

This is the American reaction even though in the Middle East it is the hostile forces that are weak and America's protégé that is competent in war. The brutal fact is that some wars are better and more reasonable than others. It is true that the Arab defeat will rankle, but so greatly inflamed were Arab passions that it is not certain the Arabs' bitterness against Israel has been significantly increased. Indeed, clear-cut defeat might smash the Arab world's pathological illusionism and serve as the beginning of wisdom. A plausible effect would be to free realistic Arab politicians to negotiate a compromise, for, so long as the Arab world believes it can destroy Israel, no Arab politican can safely call for peace.

The sentimentality and unrealism—some might say the latent Phariseeism—of a nation that employs force sometimes casually, as at the Bay of Pigs and in Santo Domingo, and yet deplores its use by others are easy enough to demonstrate. But there is another characteristic of contemporary American foreign policy that is less easy to define—a generalized anxiety about change, the potentially damaging aspect of any change, that sometimes finds a contrary expression in interventions that do not count feasibility and the cost of failure. This has been a besetting American error in Southeast Asian affairs, and is dangerously likely to influence United States policy in the Middle East in coming months.

Thus the initial reaction in Washington to President Nasser's tendered "resignation" following Egypt's defeat was one of acute anxiety—for what might succeed him—just as the rumored possibility of the fall of Nikita Khrushchev in the aftermath of the Cuban missile fiasco and his failure to bring the Chinese ideologues to heel elicited exaggerated fears in the State Department that someone "even worse" waited in the wings.

Policy today is too often calculated in terms of sponsoring or strengthening one or another internal faction, even though it is the business of governments to deal with governments—with what is permanent in the relations between states rather than with what is evanescent. Sensitivity to the personality of foreign statesmen is one thing, but for the purposes of diplomacy a nation ought to be taken as an external, corporate identity. What is permanent are the political and economic interests, the geography of a nation, its power—rather than the murky and often unknowable jungle of internal society and politics.

In these terms, giving limited economic and military aid and assigning limited numbers of advisors to the Government of Ngo Dinh Diem, the South Vietnamese state, was, as events have proved, unwise, but it was not folly. To acquiesce in and even encourage a coup d'etat against him on the grounds that a better successor Government could be formed was not mere folly; it was morally wrong. By doing so, the United States for the first time incurred a moral responsibility in Vietnam. Diem, however reactionary, whatever his egregious faults, was at least a quasi-authentic voice of Vietnamese nationalism. The Government of Nguyen Cao Ky that is our client today is hardly that, but a mere facade for an overwhelming American military intervention that guards a state that is not a state against the chaos that the United States, with its massive economic and social intervention, as much as anyone else has let loose.

It has been argued that a chief reason for the American intervention in Vietnam has been the need to demonstrate the validity of the United States' word. Whatever the legalities of the argument may be (at what time and under what conditions were these commitments made?), with nearly 450,000 men deployed in Vietnam the practical effect has been to cut down the United States' ability to intervene elsewhere. For the nation to commit so large a portion of its forces to a peripheral war has its dangers, but one happy consequence of the heavy American involvement in Vietnam has been a reluctance to deploy United States air and ground forces in the Middle East—as did the Eisenhower Administration following the Iraqi revolution of 1958, to no great and lasting effect.

Yet interventions need not be purely physical. If, now that the military situation seems less explosive and the danger of Soviet intervention rather remote, the United States by diplomatic action and covert pressures seeks to repeal the current *diktat* of force and ensure a return to what would be substantially the situation before the war erupted, it will become gravely responsible for the aftermath. A too close involvement with the details of settlement, a demand that general diplomatic assurances be accepted by Israel once again in lieu of the advantages achieved on the battlefield, can only make the United States in honor a primary military guarantor of the settlement. Yet that settlement, however achieved, is all too likely to prove unstable.

To argue for an American spirit of comparative aloofness now is not to argue for isolationism or to scoff at international solutions to political crises. It is to argue for essentially the same spirit of detachment in the aftermath of the Israeli military victories that prevailed in Washington as the crisis loomed. It is to note that the United Nations record in the Middle East is not a good one; that as an empirical matter, rather than an assertion of faith, the United Nations, in which today the Afro-Asian states are heavily represented, has not been unbiased on Middle Eastern issues.

In the Middle East the new methods of security-keeping have not worked well, so that a return to traditional methods of seeking security cannot simply be dismissed out of hand as a return to an obsolete law by those whose own security is not threatened—and who have shown themselves prone to unilateral action when their private interests are at stake.

Indeed the victories won by the Israelis are hardly unwelcome. True, they do nothing to right the manifest wrongs of the Arab refugees or to address the Arab states' far-from-trivial argument that while historically Europe has persecuted the Jews, it is the Middle East that now pays the bill. But history is full of disappointment and injustice. They are the normal stuff of the life of nations; what one cannot plausibly reverse must be accepted. Three disastrous military encounters with Israel have only enlarged the Jewish state and strengthened its claim to authenticity.

To appreciate the distinction between political fantasy—the dream of exterminating Israel—and reality is not merely a callous prescription for the spiritual and mental health of Arabs. The United States, too, will have to come to terms with reality—the reality of a vast yet finite power, and of a world in which no nation gets its heart's desire. In the American case, this is likely to mean the disappointment of a bitter compromise, damaging to national pride, that will finally end the war in Vietnam.

What the Israeli victories have done is to puncture the rhetorical violence of the Nasserites, and so to impair the general climate of aggression. And in a world which the United States evidences a profound anxiety over the Communist states' continuing rhetoric of violence and revolution, the Israeli victories have served to humble the Soviet Union and China. Their pretentions to sponsor, guide and protect revolutions have been exposed as sham—at little direct cost to the United States, in contrast to the seemingly endless United States commitment to discredit Communism in Southeast Asia.

A stable politics in the Middle East is hardly likely to develop in the wake of the Arab humiliations but it is difficult to see how Communism can make much headway in the ensuing turmoil now that the chief Communist states have done so little for those they incited. For Arabs, the bluff that lay behind the Soviet reinforcement of naval units in the Mediterranean, plainly designed to intimidate the United States at small cost, is likely to rankle for years to come. Smarting from defeat, even as they vent a traditional anger at Washington and London, the Arab intelligentsia are more likely to blame Moscow or Peking than themselves.

But the effects of these victories extend beyond the Middle East. To the degree that even post-Stalinist Russia has been prone to reckless intervention in distant regions—as in the Congo disorders in 1961 and in the Caribbean in the autumn of 1962—the outcome has been one more lesson in reality. In the days and weeks to come we may expect the Soviets to attempt by severing relations, by conditional threats and vague warnings, to recoup lost prestige.

The loss of more than $1-billion in military aid may be only a minor matter to the Soviets. But the instability and incompetence of Egyptian and Syrian forces call into question the utility of the often near-hysterical Afro-Asian regimes as instruments of Communist policy against the West. To this extent, the turn of events in the Middle East can only hasten the day when the Soviet Union, abandoning its pretentions to oversee universal revolution, takes up its proper role as a great Eurasian state, ambitious and difficult no doubt, but ambitious and difficult in traditional terms.

The American responses to the Middle East crisis and the Southeast Asian crisis have been very different in outward form, yet there is a common denominator: a persistent inability to comprehend the scope of endemic violence in the world and a persistent unwillingness to see a purely local balance of forces emerge without the direct intervention of the United States. Happily insulated by history, the United States barely understands the irrationality of these traditionally unreasonable regions, all the while pressing on them plausible solutions for "constructive" substitute activity—the sensible pursuit of economic development and gain—in a world peopled by idealist fanatics who would rather die than submit to "reason" as Washington defines reason.

In this American inability to make contact with the darker impulses of the world there is an element of real nobility—and real tragedy. America is a kind of historical accident, a place where a popular revolution brought forth reason, not a reign of terror; where 18th-century concepts of political reason and the innate goodness of mankind (once subject to wise laws) not only survive but draw powerful support from the testimony of material abundance and practicing democracy, only a little marred by the plight of the submerged poor and by racial violence. Yet wealth and democracy do not place America in emotional contact with the fantasy ideologies of state power that agitate the Middle East and Asia.

No doubt, America's political strength and its immense material power derive from the habit of reason as much as from the inherent natural resources of the land. But the habit of reason is far from being universal. In effect, the virtues that endow the United States with its immense strength—its capacity to affect distant events in the world—rob America of the understanding necessary to deploy that power well.

If the world sought the things that Americans believe in, it would be possible to mitigate the world's violence. Unfortunately, what agitates Afro-Asia today is not, as the sentimental argument would have it, a mere revolution of rising expectations; it is not merely a desire for political dignity and a just share in the world's wealth.

Afro-Asia reacts today against a centuries-long humiliation—its subjugation, not merely to the white man's empires, which are gone, but to the powerful technological civilization of the West, which endures and is fundamentally destructive to inherited native values and self-respect. The mere presence of an alien civilization—even while the Middle East, for example, covets the techniques of power which that alien civilization uses—is why the Arab states, hardly without exception, speak of Israel as an outpost of neo-imperialism. They would do so whether or not Israel were neutralized and denied political and military alliances and arms from abroad.

That is also why dispatching nearly half a million American troops to Vietnam (in this sense, Negro paratroopers are as alien as white Americans) has not checked the Vietcong movement, but fed it. However much the United States would like to ignore distinctions of language, culture and race, America does not belong to the conceptual world of Afro-Asia and, for Afro-Asians, has pitiably little of relevance to say.

Nor does the tragedy end there. For the curious fact is that the United States' almost pathological anxiety about change has led to a strange inversion of isolationism. Instead of blocking out an alien world, fending it off, modern America has accepted a kind of universal responsibility and embarked on a campaign of almost universal scope.

In crude terms, a kind of interventionist mania has developed, so that no issue is taken as alien to America, or as engaging our interests only tangentially. According to the new internationalism, there is no remote cause in today's world, no second- or third-order crisis, no situation in which the American presence plausibly harms rather than aids solution. Granting that isolationism was a great evil, well-ended, it does not follow that the proper alternative to isolationism is megalomania. Yet it is this aspect that American interventionism sometimes takes on.

The hard truth is that for all the goodness of the American intention, for all the alliances and territorial guarantees, for all the blood, for all the billions in economic aid, we have not done much that is truly positive for the Middle East or Southeast Asia. One might plausibly argue that the United States—by involving these marginal areas at a fever pitch of nationalism in the confrontation with the Soviets—has helped enlarge the cold war.

Certainly we have overestimated the discipline and centralization of the Communist movement; we have grievously underestimated the effective resistance that hypernationalism, if it is allowed legitimate expression, can oppose to Communism. The trouble is that the United States too often by its suffocating presence has strangled that hypernationalism at birth.

There are more areas in the world holding their own against Communism and aggression, without direct United States aid and intervention, than it is fashionable to number in today's Washington. Abstention—a pragmatic and reluctant interventionism—is an austere doctrine for Americans, but it may well be we must learn to practice it more.

[From the New York Times, Apr. 30, 1967]

HOW LONG WILL IT LAST?

(By Max Frankel)

WASHINGTON.—How long will it last? How could it possibly end? Will bombing Haiphong make them say "Ouch" or "Nuts"? Will grazing Hanoi soften them up or merely annoy? Let's pacify. Let's mortify. Let's escalate so as to negotiate.

In most wars, the armchairs are full of generals refighting every battle, recasting every strategy, second-guessing every field commander. But Vietnam, being different in virtually every other sense as well, has also produced a new kind of kibitzer—the armchair diplomat. The galleries to this war are crowded mostly with mediators who second-guess, not the warriors but the negotiators, and spin many an intricate design not for winning the war but for ending it.

Senator Robert F. Kennedy would end the bombing briefly. Dr. Martin Luther King, Jr. would stop the shooting unilaterally. Gen. James Gavin would huddle in enclaves. Senator Wayne Morse would summon the United Nations. Senator J. W. Fulbright has eight points. Secretary-General U Thant has three. Walter Lippman has variations on one. The New York Times editorial page has one after another.

Most of the sideline proposals represent a degree of protest against the war or the military tactics with which it is being waged. Invariably, however, the amateur suggestions have been borrowed, imitated or supplanted by the diplomacies of the belligerents—Ho Chi Minh's four points and Dean Rusk's 14—so that at any one time there are usually more peace plans than bombs in the air.

What is more, a large number of the sideline brokers really abhor the sedentary role. Ministers, journalists, scholars or officials of wholly uninvolved or even uninterested governments periodically leap from their armchairs and fly about the world seeking out the combatants, carrying messages to and fro, adding their own interpretations of what they hear, or think they hear, and propounding yet another formula for peace.

In the spirit of referees everywhere, these intermediaries generally profess objectivity, and often make a good claim for it, thus incurring the wrath of now one side, now the other. Washington has learned to hide its scorn and to speak respectfully even of the once deeply resented U Thant, although President Johnson and Secretary Rusk still mumble contemptuously about all the "self-appointed candidates for the Nobel Peace Prize."

Yet the same kind of peace games are regularly played also inside the American Government and, if recent hints are to be believed, inside the Government of North Vietnam. Both are regularly confronted, it seems, by "scenarios" to step up the war, to step down the war or, in various ways, to interrupt the war—all presented as the quickest way to conclude the war.

So insistent are the discussions of how best to end the war, it is sometimes forgotten that all the active belligerents have a prior interest in *winning* the peace, not simply making it. In fact, the fighting itself is often dismissed by the mediators as a matter quite separate from the quest for a settlement. In some quarters, every new form of military pressure is automatically deemed hostile to peace; in others, every suggestion of striking a bargain is seen as a betrayal of the military cause.

The result of all this is that the prospects of peace are, like the objectives of war, being debated in a semantic jungle as dense as the most overgrown terrain in Vietnam itself. Every day someone is urging one side or the other to escalate or to deescalate, to deaugment and to disinfiltrate, to pause temporarily or unconditionally and, above all, to negotiate. On paper, at least, it is time to defoliate.

This war, like any other, could end in a dozen different ways, planned or unplanned, the result of the war itself or of some wholly irrelevant development far away. We can only guess how it will end and when, but some sense of the possibilities and probabilities underlies every informed choice of tactics on all sides.

The semantic defoliation might best begin with the genus *neg-otium,* the Latin root of "negotiate," meaning "not easy."

A hawk wanting to sound reasonably dove-ish—Gen. Maxwell D. Taylor while serving as United States Ambassador in Saigon—once said of Vietnam that all wars end by negotiation. Whatever his hopes at the time, the general knew better, of course. Wars do not always end by negotiation. They also end in capitulation or annihilation or both. And if you asked a Vietnamese below the age of 25, he might speak from the fullness of his experience and reply that some wars never end.

If there is any point in speculation about whether this war will ever end, and how, it would help to ban the word "negotiate" altogether. It was once both meaningful and respectable, but of late it has become the catch-all slogan of all too many irreconcilable notions. Men who really dream of total military victory, like Premier Nguyen Cao Ky of South Vietnam, offer to "negotiate" while really imagining only some ceremony of surrender. Men who really wish the United States would just get out, like Walter Lippmann, talk of "negotiation" because they deem the word politically more neutral than "withdrawal."

Indeed, for the major antagonists in the war, periodic offers to "negotiate" have been largely extensions of the military conflict—verbal and diplomatic ploys aimed at achieving a more advantageous battlefield position.

In his recent letter to President Ho, President Johnson offered relief from the bombing of North Vietnam and assurances of no further American troop build-ups in South Vietnam if only Hanoi would let the Communist forces of 280,000 men fight unsupplied and unreplenished against the allied forces of one million. And President Ho replied that if the bombing of his country stopped unconditionally, he might consider talking about how the 450,000 American forces are to be withdrawn from the battle as the first step toward a settlement.

One can argue about this or that interpretation of this or that element in the avalanche of peace proposals. But it is no mere coincidence that throughout the war, the most vigorous invitations to "negotiate" have come from the side that saw itself in a militarily superior, or at least potentially superior, position—North Vietnam until February, 1965, and the United States since April, 1965. And the potentially weaker side has been reluctant or downright deaf.

Now one side, now the other, has been only too willing to "negotiate" what amounted to a face-saving retreat by the other, and both sides have clearly understood this, even when the armchair peacemakers around the world have not.

At various times, in fact, both sides have been confident that a mere agreement to "negotiate" by the other would significantly injure the morale of its military forces and allies, so that getting the enemy's agreement to "negotiate" has at times been this war's direct equivalent of his crying "uncle."

Back in the autumn of 1964, when Hanoi was offering peace talks while the Johnson Administration gagged every time it tried to pronounce the word "negotiation," Secretary Rusk once remarked that the anti-Communist forces were then so weak and near to total defeat that he would rather just quit and run than "negotiate" his own humiliation.

And similarly today, as they confidently propose "negotiation" to the Communist side, American officials think that the same logic is probably at work in Hanoi. Deep down, they believe—and also hope—in Washington that when North Vietnam comes to terms with its own predicament it will choose to quit the battlefield as quietly as it arrived rather than sign an agreement that would define the proportions of its failure.

"Negotiation" in its original sense meant "not easy," that is, a difficult process of bargaining in which parties who want something roughly comparable from each other sit down and haggle about the price and the wording of the contract. If ever both sides in a war need peace badly enough simultaneously, then the conflict may well end in a bargain that leaves both equally satisfied or frustrated or both. But we had better call this process "bargaining" to distinguish it from the now debased slogan of "negotiation." The concept of a hard and difficult bargain is useful also because it vividly suggests that a real deal is far from the only possible end of the Vietnam saga.

A bargain requires a coincidence of interest and a balance of power that is only seldom achieved in war diplomacy—and rarely recognized in time even when the coincidence occurs. Americans have not genuinely bargained for the end of a war since 1815, and even that war's settlement with the British merely acknowledged a military stalemate and left most of the real issues for subsequent resolution.

The prospects for a bargain in Vietnam are especially remote because on each side of the conflict there are allies pursuing noticeably different objectives. Thus, the conflict really encompasses two distinguishable—though no longer separate—wars. It is hard at present even to imagine how they could be sortied out in a bargain involving the four principal belligerents.

One war is between the so-called National Liberation Front (N.L.F.) and the so-called Government of South Vietnam, or more accurately, Army of the Republic of Vietnam (A.R.V.N.). It is a battle for power—for territory and, above all, direct authority over the people living in the southern half of Vietnam—waged by military, political and economic means.

Unfortunately for those who are trying to design a deal, or even merely to blow the whistle and arrange a standstill, this war has not produced two readily definable encampments between whom the spoils of territory and population might be divided. Neither the N.L.F. nor the A.R.V.N., rules effectively in clearly delineated or contiguous hunks of territory or over divisible groups of people. They hold a town here and a village there, reign in a province there and a district here, control a road by day or a river by night.

Not now, and not in the foreseeable future, therefore, can the fighting between them be ended by any conceivable scheme of partition, as in Laos five years ago.

Nor is there any significant third or neutral force in South Vietnam to which the two rival forces might be persuaded or compelled to submit. The N.L.F. and the A.R.V.N. are the only two effective "national" institutions that could even pretend to power in South Vietnam, and their writ rarely extends farther into the countryside than the length of their bayonets.

War No. 2 is between North Vietnam and the United States. Though bloodier than the first, it is nonetheless an ancillary contest in which each side is trying to defeat, or at least to nullify, the power of other so as to leave itself free to assist its ally in war No. 1. The second war has not only complicated the tactics of the conflict, it has raised the stakes by injecting the prestige of two proud Governments. Moreover, to real interests, it has added issues of principle ("wars of liberation must be defeated once and for all") and ideology ("anticolonial wars are just and thus inevitably successful"). And behind each of the ancillary contestants there now stands a host of allies, involved in varying degrees, with varying stakes in the outcome.

Not only the four principal antagonists but at least a dozen other nations could now rightly claim a seat at a Vietnam peace conference. And even if they ever did manage to come together, the presence of the Soviet Union and Communist China alone—allegedly on the same side of the table—would quickly plunge the meeting into cacophonous chaos.

Those who call for "negotiations" cannot shake off these realities. They may, nonetheless, try to arrange a real bargain but they must deal with the real issues to be bargained about, not merely with the simple notions of finding a time and place for a meeting.

The problem, as they say in professional diplomatic establishments, is substantive, not procedural. There are already ample channels of communication between Hanoi and Washington, direct and indirect through other capitals and governments, as the Johnson-Ho exchange showed. The N.L.F. and the A.R.V.N. could probably exchange messages between any two waiters in a Saigon hotel.

Nor is there any shortage of intermediaries, professional or amateur. Besides the wandering minstrels, and journalists, there are the Canadian Indian and Polish members of the International Control Commission for Indochina shuttling around the capitals of the region, including Hanoi and Saigon. There are the so-called co-chairmen of the 1954 and 1962 Geneva Conferences on Indochina, the Soviet Unions and Britain; dozens of nonaligned and moderately aligned governments seeking peace or merely self-importance; U Thant, and even the International Committee of the Red Cross.

Their inquiries and invitations to peace talks have produced a record of rejections and conditions by one side or the other that clearly suggests no lack of understanding. Indeed, the record suggests that the belligerents have understood each other only too well. No mere lack of communication and no mere insistence on ceremony has blocked the path to peace. The central issue remains what it was as this war began, and it remains the focus of contest: Who shall hold sway in South Vietnam?

That problem, not some exaggerated sense of protocol or pride, accounts for the celebrated reluctance of the United States to deal directly with the N.L.F. and for the less celebrated but equally firm refusal of North Vietnam to deal with the leaders of the A.R.V.N. If either of the contestants in the second war were to deal with the enemy's ally in the first war, it would be conceding an essential piece of the peace—a share of the power in South Vietnam that both the N.L.F. and the A.R.V.N. continue to claim exclusively.

Who talks to whom is thus not a minor matter of form but something close to the essence of the conflict.

In this situation, only two types of bargain are really conceivable.

To end the first war by compromise, the N.L.F. and the A.R.V.N. would have to agree to share power in some kind of genuine coalition arrangement. "Coalition," too, is a tricky word because the virtual defeat of one side or the other might some day be concealed in a clearly pro-Communist coalition such as those that rule in Eastern Europe or a clearly anti-Communist coalition of the type sometimes seen in Western Europe. But a real compromise in the foreseeable future would require a real coalition of a kind never before effectively constructed anywhere between Communists and non-Communists, even in situations of lesser passion.

The coalition arranged for Laos at the Geneva Conference in 1962 is not an apt precedent. It never worked in fact, and it worked on paper only because a middle-of-the-road, or so-called neutralist, faction could be assigned a central role in the coalition, and because a virtual demarcation line could be drawn between the territories held by Communist, non-Communist and anti-Communist forces on the ground.

The advocates of a bargain in Vietnam must face up to the design of a viable coalition. So far, they have not done so and none of the major parties to the war has given them any ground for hope. The United States Government decided long ago that a coalition was unworkable, undesirable and therefore unacceptable. The military leaders of South Vietnam have said they would never agree to a coalition. The leaders of the National Liberation Front have spoken of a coalition, but never of one that would assign even a minority place to their principal antagonists in Saigon and usually only of a coalition in which they would have a dominant voice.

Senator Kennedy came close to proposing a coalition in his first critical appraisal of the war more than a year ago, when he said the Vietcong would eventually have to be offered a "share" of the power in South Vietnam, but he backed away from suggestions that he meant a Laotian-type of coalition and has let the idea languish without further development. No one else has developed it either.

It has been suggested in many quarters that the political and ethnic and religious factions of South Vietnam might yet work out an acceptable means of governing themselves if only they were left to their own devices or if a Buddhist Government were deliberately installed in Saigon in place of the military and encouraged to bargain directly with the N.L.F.

The trouble with this is that neither the Buddhists nor any other faction has demonstrated any capacity to organize or administer a larger portion of South Vietnam than the A.R.V.N.; on the contrary, the indications are that the A.R.V.N. would forcibly destroy such a movement, if only in the interests of physical self-preservation. Nor have any of the anti-military and anti-Communist groups shown themselves capable of dealing constructively with the N.L.F. or willing to defect to do it. There simply is no meaningful third force around which to build.

The United States' answer to this problem has been to encourage the transformation of the present military Government into a more civilian, more legitimate and more charitable regime that might eventually come to resemble a "third force." By encouraging the proclamation of a new Constitution, the holding of national elections and a policy of national reconciliation or amnesty, the officials of Washington and Saigon hope gradually to lure many of the N.L.F.'s political and military cadres to their own ranks, or at least toward more conventional and peaceful political contest.

But such reconciliation is a long-range process. And if it worked, it would really represent a military and psychological as well as political defeat for the N.L.F., resulting in a bogus, rather than genuine, coalition with supremacy assured for the anti-Communist forces.

The only other conceivable bargain that could be struck in the near future would be aimed at ending war No. 2 between North Vietnam and the United States.

Since neither seems willing to leave the South Vietnam battlefield to the other, such a bargain would have to arrange for their simultaneous and genuine withdrawal from the contest, leaving the N.L.F. and the A.R.V.N. to slug it out alone. This has been the objective of most of the "negotiating" formulas advanced from the sidelines over the years.

Such a bargain is obstructed, first, by the *reluctance of both North Vietnam and the United States to withdraw from the conflict, even in a fair deal, so long as their respective allies, the N.L.F. and the A.R.V.N., would be left to the mercy of the other.* Something close to perfect parity between the rival South Vietnamese belligerents would have to exist, or be thought to exist, if Hanoi and Washington are to be persuaded to keep hands off at this late stage.

Even if some prolonged period of delicate balance could be imagined, a second major difficulty would develop around the meaning of "hands off" or "withdrawal."

Would every "Northerner"—that is, even a native Southerner trained in guerrilla warfare in the North and then sent South again to fight—have to retire from the battlefield before North Vietnam was considered to have withdrawn from the war?

Would every C.I.A. agent or other American "adviser" have to sail for home before the United States was considered to have withdrawn?

Could neither side ship weapons and ammunition to its allies in the continuing war No. 1? And if not weapons, uniforms? Or medical supplies? Or rice?

And who, conceivably, could inspect and enforce such unimaginable restraint by two Governments that have already spent so much blood and treasure in their respective interventions?

Yet these are the issues that would have to be resolved in the design of an ancillary bargain to end the ancillary war in Vietnam.

The seed of such a deal was perhaps planted in the Manila declaration of the United States and its allies last October, promising that American forces would be withdrawn "as" the North Vietnamese withdrew and as the level of violence "thus" subsided. The last of the Americans, it was promised after some logistic calculations, could be shipped out within six months after the last of the North Vietnamese had departed.

This declaration, however, was more in the nature of a vague assurance that the United States sought no permanent bases in Vietnam than a serious bargaining position. The horrendous difficulties of defining the proposition and of policing such an arrangement have left Hanoi and Washington equally, and understandably, cold to it.

So much, then, for a direct bargain in which any two or all four of the main antagonists would deal more or less equally with each other in arranging a major reduction or total cessation of the fighting. A "negotiated" or genuinely bargained settlement does not now loom among the more likely prospects. Nor did it ever.

This is a conclusion that can be reached even by those who disagree about the origins of the war, the nature of the war or the wisdom of United States involvement in it. Barring gross ineptitude by one of the negotiating parties, no conference-table bargain can ever achieve what the soldiers and other men of power have failed to achieve.

In Vietnam today, there is neither a decisive victory by one side nor a stable, wellnigh unbreakable stalemate of the two sides. Each side still expects either its own victory or the enemy's exhaustion and these are not attitudes that can be translated or bargained into a settlement.

The result, as the most sober men on both sides have long recognized, is a bitter and determined war of attrition, a negotiation by fire.

To recognize that fact is not to condone it, but the overwhelming odds are that one of the sides in this war will have to be forced and mightily persuaded to yield effective rule in South Vietnam to the other before the war can end.

Such an end may ultimately be ratified at one or more surrender ceremonies disguised as "negotiations" or it may simply happen through the stealthy retreat of the North Vietnamese and their allies.

Either kind of end could come through an important change in the context of the war—the death of one or more of the most persistent advocates of the war in Hanoi or Washington or their effective political defeat at home or a sudden choking off in the supplies of war due to upheaval in Moscow or Peking or economic depression in the United States.

Any such dramatic event—comparable to the death of Stalin, which seemed to clear the way for acceptance of stalemate in Korea—could lead sooner than anyone now expects to the withdrawal of the United States or North Vietnam, since neither would risk conquest or subjugation even if it quit entirely. But upheavals cannot, by definition, be predicted. Each side maneuvers to be in position to take advantage of such a break, but in the meantime it must reckon on altering the balance of power in South Vietnam by direct and bloody action.

To force an end of the war by direct action, both sides must think in terms of the risks and opportunities of fighting a significantly larger or wider war, a significantly smaller or more limited war, or the kind of war euphemistically called "more of the same."

The N.L.F. and the A.R.V.N. are now fighting at virtually peak capacity, militarily and politically. A more intensive war, therefore, could result only from the action of their respective allies.

North Vietnam could send the bulk of its 300,000-man army to join its 50,000 troops in South Vietnam, thus risking the virtually total destruction of its country from much more massive bombing by the United States, a much larger, more or less conventional ground war against a still further augmented allied force in the South and possibly a counterinvasion of its territory.

It would be risking enormous losses and at least eventual military defeat against the rather slim chance that a much bigger war would be suddenly repudiated or abandoned by the United States.

Communist China or the Soviet Union or both could further intensify the war by intervening openly with "volunteer" or regular forces, but they would thus risk retaliation against their home territories while, at best, prolonging the war and denying the United States an outright victory. Only the rapid escalation of such an enlarged war toward a worldwide or nuclear conflict could so frighten all parties that it would increase rather than further injure the chances of compromise.

With every form of Communist escalation certain to be matched or doubled by the United States, it seems much more likely that the Communist tacticians would seek advantage in a smaller war of sporadic guerrilla assault, terror and political action, aimed not so much at winning or ending the conflict as at prolonging it past the point of American endurance.

Taken to its logical extreme, this strategy could even lead to a North Vietnamese decision to quit the war altogether—though only temporarily—by yielding South Vietnam and somehow bargaining most American troops out of the country while planning to mount a new assault a few years later, when Washington would have turned its attention to other matters and presumably lost all taste for a resumption of the war.

There have been some suspicions in Washington that this is precisely what the Russians have urged upon North Vietnam, and that at least a few leading officials in Hanoi have been willing to listen.

To guard against this possibility, the United States has placed ever more emphasis on the political and economic measures that could assure the survival of a non-Communist Government in Saigon and arm it to withstand such a future challenge without permanent American occupation. However, having paid so dearly for such a North Vietnamese withdrawal and for such a respite in the South, it is unlikely that the United States would soon abandon South Vietnam to its fate until it felt sure of a peace of at least some years.

This leaves North Vietnam and the N.L.F. with only the choice of a major capitulation or "more of the same." By yielding South

Vietnam to the A.R.V.N. forces, the Communists could probably buy an amnesty for their own fighters in the South and guarantees of both economic help and physical security from both the United States and the Soviet Union.

But unless their fortunes in war deteriorate rapidly in the next few months—as some Americans insist they will—the Communist leaders are unlikely to seek such an end until they have tested the persistence of the United States through the 1968 election campaign and perhaps even longer.

President Johnson, for one, is convinced that North Vietnam is waiting to win in Washington what it cannot win on the battlefield; that it remains obsessed by the memory of that 100-to-1 shot that scored in 1954 when political collapse in Paris preceded the military collapse of the French forces in Vietnam. The visible unpopularity of the war in the United States, the active opposition of influential men and commentators and the heady notion that conquerors from afar can always be outwaited by defenders of the homeland may indeed sustain the Communist forces beyond all rational military calculations.

The accumulated grievances of two decades, the mistrust of the European white man, the ignorance and suspicion of all Western contracts and of the previous Western-style negotiations in Geneva in 1954 may well endow North Vietnam with the traditional strength of the weak, the sense that survival itself is at stake and that only the enemy has anything left to lose. Hanoi could easily find virtue in the necessity of simply hanging on.

So far, at least, the Johnson Administration has been similarly unwilling to risk a significant enlargement of the war. It has been urged by some of its officials to attack more diligently the routes and even the sources of North Vietnam's military supplies, accepting the risk of harming Soviet ships or a direct Soviet or Chinese intervention.

The larger the war, it has been said, the more decisive the American military superiority. The greater the danger of a Soviet-American clash, it has also been said, the greater the incentive for Moscow to force Hanoi to settle or quit. Such an end may yet be sought by the United States, but less from calculation than desperation. For the moment, Washington does not appear to feel so much pressure that it will rush to that most precipitous brink.

Also before the Administration are proposals for fighting a drastically curtailed kind of war, including a long or indefinite pause in the bombing of North Vietnam and experiments with cease-fires and stand-stills and retreats to enclaves in South Vietnam.

The answers in Washington to these suggestions is that too many important military battles are being fought and too many political efforts have been mounted now in South Vietnam for the United States to inhibit or handicap its own troops. Even if gradually reciprocated by North Vietnam, the Administration argues, such restraint would leave the Saigon regime under guerrilla and terror attack before it has had time to consolidate its rule over significant portions of South Vietnam.

Instead, the United States has decided to continue to wear down the insurgents by bombing them into endless flight around the difficult terrain of South Vietnam, destroying their military installations and secret supply depots, killing or luring into defection as many as possible and thus winning time for the creation of a more viable society and government.

That is why the intensified American military action is being accompanied by strong pressure for political evolution, reform and economic stability and development, even in the midst of war.

How, then, will it end? By attrition in South Vietnam or by now unimagined accident in Moscow or Hanoi or Washington or Peking.

How soon? Probably not soon, even if the pace of combat subsides remarkably. For even if the United States is right in thinking itself to be the stronger side now, it cannot hide from the Communist forces what President Johnson knows and concedes.

Though the American military situation is considerably strengthened, he said recently, and though South Vietnam's political maturation will prove helpful, "I think we have a difficult, serious, long-drawn-out, agonizing problem that we do not yet have the answer for."

For the "other side," as it is called, the problem must appear still more difficult, serious, long-drawn-out and agonizing.

[From the Washington (D.C.) Post, June 4, 1967]

This War May Be Unwinnable—Staff Writer Ward Just Has Left Saigon After Reporting the War in Vietnam for the Past 18 Months—This Is His Assessment of the Fighting, Both for Territory and for the Minds of Men

(By Ward Just)

Saigon.—This war is not being won, and by any reasonable estimate, it is not going to be won in the foreseeable future. It may be unwinnable.

Frustrated at the resiliency and resources of the enemy, the Administration revises its rules of engagement and widens the war. South Vietnam, unstable at best, threatens to become unmoored altogether.

The Americans and the Saigon government have not been able to dispel what one official calls "the revolutionary atmosphere." It persists, and it is the property of the Communists. Non-Communist Vietnamese refuse to place themselves in the center of the struggle.

"Man is so made that he never wholeheartedly risks his life fighting for an illusion," Saigon newspaper publisher Dang Van Sung said in 1963. "He may willingly die for an illusion."

There are few illusions left in Vietnam, least of all among the non-Communist Southerners. The Vietcong may not be regarded as marauders, but they are no longer saviors, yet the roots of revolution are deep in the peasanty. Thirty billion dollars and thousands of dead men have not bought us a better illusion, one around which the population can rally wholeheartedly.

The middle class sees the country being torn apart by a war machine fitted not to counter insurgency but for what Gen. William C. Westmoreland correctly calls a war of attrition. To Vietnamese, it seems a case of killing a man in an auto accident to save him from cancer.

THE IRRELEVANCE OF TIME

Among the Americans, what is missing is a sense of purpose and a sense of priorities. No one can agree on what the situation in Vietnam is, except that it is surely unsatisfactory.

No one can say with any certainty that the Allies are a quarter or a half or three-quarters down the road. No one can say whether it is the end of the beginning or the beginning of the end or, indeed, whether units of time have relevance in Vietnam.

Five officials of the American mission, all close friends with access to the best information available here, decided a few months ago to take an informal accounting of the situation in Vietnam. They assembled at noon over pots of hot coffee and in the best academic tradition assigned each other themes.

One man took revolutionary development; another, combat operations; a third, the effectiveness of the government. Before beginning, however, one man thought there ought to be an agreed estimate of the overall situation. They fell to talking of that and did not rise until shortly after 7 p.m.

"You wouldn't believe the divergence of view," one of them said later. "We finally managed to get everyone more or less together. We drafted a weasel-worded statement that came out, I guess, on the very light side of optimism."

Or the very light side of pessimism, depending on the turn of mind, all having to do with "resolution" of "the situation."

STRAWS IN THE WIND

There are no measurements here, only attitudes. And in trying to sum up 18 months in Vietnam, there are no movements this way and that and no deep-going themes. There is only incident:

On the basis of the evidence, American officials have decided that the Revolutionary Development cadre program is workable. This is not to say that it will work, but that it can work. In some places, it is working, and in other places it is not working. Generalizations are difficult.

Prime Minister Ky and Chief of State Thieu, now locked in a struggle for the Presidency, are on a collision course. Senior American diplomats believe there will be no collision because Vietnamese generals have told them that the army will stay out of it. Other Americans are skeptical.

The incidence of mental breakdown among American civilian officials in Vietnam is rising. No one has isolated the causes.

The rifle range at the base camp of the 25th Infantry Division at Chuchi, 20 miles west of Saigon, is insecure and frequently under sniper fire. Recruits cannot use it for weapons testing unless they are accompanied by a patrol. The division has been at Chuchi 12 months.

Only one field grade officer in the South Vietnamese army has been wounded leading troops into battle in the past three years. He is Gen. Cao Van Vien, the current chief of the General Staff, who was wounded as a young colonel three years ago. He was recently given a silver star by Gen. Westmoreland.

The new American military compound at Tansonnhut is expected to cost more than the Rayburn Building on Capitol Hill, or about $100 million. And there are no swimming pools.

AN ALIEN CONCEPT

Verbs in the Vietnamese language have no tense changes. The verb is the same whether past, present or future, and is modified by a second word. This says something for the Vietnamese mentality and its sense of time, but for Americans here (including this one) that is a tertiary matter. Only a handful understand the language well enough to use it in sophisticated discourse.

No one can understand the shooting war in Vietnam because the correspondents have not devised a calculus for measuring it as a continuum. The military is worse, professing to find significance in the corpse count and mistaking valor for progress.

The war is now reported by correspondents as Broadway is reviewed by drama critics. Each operation is a production of its own, unrelated to its predecessors. It is reviewed on its own merits, because there are no other standards of judgment.

When the Marines assaulted Kienhoa Province in the Delta, correspondents were on the beach to greet them—Walker Kerrs and Harold Clurmans in fatigues—awaiting the sound of gunfire. Communists killed, weapons caches uncovered, villages searched.

If there are very few Communists killed and no weapons uncovered, and the Marines thrash around for ten days without any significant meeting, the correspondents can write, as this one did, that the operations was "said . . . publicly and privately . . . to be unsuccessful."

OLD CHARLIE KICKS, TOO

So the battles erupt: small ones in the Delta, larger ones in the Highlands, the largest of all in the First Corps, and none of them battles for terrain or control of population but for men and supplies.

"If we keep going at it like this," said a young Marine lieutenant at the Demilitarized Zone last weekend, "my kids are going to be fighting this war."

He had been in Vietnam nearly a year, and was asked what progress he saw. "We're sure kicking hell out of old Charlie," he said, "but old Charlie sometimes kicks hell out of us. I guess I don't see the progress because I am too close to it."

Frustrated, angry, bewildered at the inability of American firepower to contain "old Charlie," the military puts ever more incredulous schemes in train. Invade the DMZ. Bomb Hanoi. Mine Haiphong harbor. Land at Vinh. And none of them bear on winning the war in South Vietnam except as they marginally impede the ability of the enemy to send men and supplies south.

These are sideshows introduced by authors who sense that the main plot is slipping and losing the velocity required to hold the attention of the electorate. The insurgency seems impossible to beat back, so you invade the Demilitarized Zone. Half the province chiefs in the country are corrupt, half the Vietnamese army won't fight, so you bomb Hanoi.

A former Premier of South Vietnam sat at lunch in the Caravelle Hotel the other day, cut into an "entrecote grille," sipped an American beer and pronounced sadly, "The problem isn't the North Vietnamese army; it's the South Vietnamese government."

THE FRONT-LINE VIEW

But tell that to the Marines fighting in Quangtri Province or the Fourth Infantry Division 30 miles west of Pleiku. They are fighting North Vietnamese infantry splendidly equipped with modern Chinese weapons, well-disciplined, fanatically dedicated. Those troops have come down from the North, and somehow the flow must be stopped. There must be a tourniquet somewhere.

The bombing of the trails from the North was supposed to stanch the flow, but it failed. Now the planners want to dig a ditch from the South China Sea to western Laos. These planners make a plausible case for it—you can make a plausible case for anything in Vietnam—but somehow common sense throws up its hands. Is a ditch really the answer? Perhaps it is.

Intelligent men have been wrong before. They said that American troops would not fight well in Vietnamese jungles; they have. They said that jet aircraft was useless against the guerrilla; it isn't. They said that B–52 strikes were inconsequential, no more than jungle-busters; they aren't ("and at only a million dollars a raid," an official said dryly).

Maybe a ditch would prove its worth.

THE LONG, SLOW SLOG

In South Vietnam, the heavy weaponry, the tanks and aircraft more often than not make the headlines, but it is the long, slow slog that makes the war.

The time was early March, 1966. Two brigades of the First Cavalry Division were operating out of Bonson in northern Binhdinh Province. The company was moving very slowly, the Vietcong just ahead of it. From time to time, the retreating enemy would leave a man behind to squeeze off a sniper round.

We were walking through bombed out villages and carefully tended rice fields. The company was taking two casualties an hour from the snipers. The company commander was new and not certain how he would proceed.

The faces of the villagers bewildered him. The faces were opaque, but occasionally you thought you saw a trace of a smile.

We were walking along a footpath with the villagers standing along the side. One old woman had been injured and blood came from a cut on her face.

An exhausted sergeant who had seen friends killed that day, had been under fire himself and had walked four hours through heat so wet and oppressive it fell like a heavy blanket, stopped before an elderly villager. The rest of the company went on, but the sergeant stood and stared at the old man.

The two stood watching each other, the sergeant from Columbus, Ga., and the old man from a village in Vietnam. The American pulled up his M-16 rifle, the light automatic weapon manufactured by Colt of Connecticut and said to be the finest rifle the American forces have ever fielded, and leveled it at the old man's chest.

The Vietnamese began slowly to weep, somehow without losing his dignity or breaking the stare. Wisps of beard grew from wattled chin and neck. Then his legs began to shake. His hands involuntarily jerked upward in the Vietnamese expression of welcome, or of prayer.

The American's jaw went very tight and the blue eyes went cold and blank. He moved the gun barrel so it was an inch or two from the old man's breast-bone. It lasted long enough for the American to take the cigarette out of his mouth and drop it on the ground. Then it passed and he put the gun down.

The gun was pointed at the ground and the sergeant moved his face around to see where his platoon was. A few of them were watching him. "Hell!" he said to the old man. "Go on and get back to work. I ain't going to kill you."

He hefted the rifle and walked on, and the villager stayed, still expressionless, still shaking uncontrollably. He had come as close as man can come to death.

A DIFFERENT WAR

A tough and talented woman came to Vietnam last year to write war correspondence. She did her homework very well and ended up one night at Maj. Gen. Jack Norton's dinner table at Ankhe.

Norton was the commanding officer of the First Cavalry Division and set one of the best tables of any field commander in Vietnam. The woman writer had known him in World War II, but that had been a different war.

Norton was very solicitous that the woman not get hurt. In fact, wherever she went, she found tough, experienced American officers who were concerned for her safety. "Charlie is everywhere," they would say. She couldn't understand it.

In World War II, as a war correspondent she lived in the trenches with a steel helmet along with the rest of them. The danger was equal. You went where you had to go and took your chances along with everybody else.

She recalled to Norton a mortar attack they had both survived in France. There had been no solicitousness then. There had even been—and here there is certain to be misunderstanding, but I know no other word—a certain exhilaration.

Now there was no exhilaration, only a kind of clammy "Charlie-is-everywhere" psychology. There was no sense, the woman said, of fighting the good fight. It all seemed so unequal.

What she meant was that the Americans had assembled the most formidable fighting force in the world to defeat half-naked natives. This was the effect, leaving aside for the moment that the half-naked natives were remarkable fighters, and seldom half-naked.

But they possess no fighter-bombers, no B–52's. In mid-1966, they had no heavy artillery. They did not command a single helicopter, and there was no cold beer or instant medical attention in the field.

They launched sporadic mortar attacks, but there was nothing like the long-barreled 175 guns at Giolinh just south of the Demilitarized Zone. Those guns sit there in full view and fling shells into North Vietnam. There was just "Old Charlie," who assaulted at night, and sometimes ambushed by day, and melted away.

A PSYCHOLOGICAL PRICE

The game becomes frustrating. A price is paid for the sort of military superiority we have built in this country, and that price is a certain psychological imbalance. Americans know all about fair play, and this game isn't being played fairly.

There is, of course, no other way to play it. A war is not a football game or a tennis match, and points are not given away so that the participants may feel more evenly matched. But there is a psychological price to pay, and the Americans are paying it.

"Why won't he come out and fight?" ask the young colonels and majors newly arrived in Vietnam. He stays back, playing a tight, nasty game: night mortar attacks, assassinations of government officials (149 so far this year), a grenade in a bar, sniping, infiltration.

To counter, the Americans bring their heavy artillery and air power to bear. The Americans have flights of B–52s, but the North Vietnamese have a rocket accurate enough—or lucky enough—to hit (as one did the other week) ten feet from the bed of Brig. Gen. Ike Ryan, the commander of Task Force Delta, at the forward Marine command post at Dongha, ten miles south of the Demilitarized Zone.

The woman writer found an unnatural apprehension among American troops. It was a result of both overestimating and underestimating the enemy, and of seeing unmatchable power brought to bear without seeming to be working.

I did not at first understand what the woman meant. Later, when I read Michele Ray's account of how the Vietcong behaved during an air strike, I would know a little more of what she was getting at. As the bombs fell and the Communist soldiers crowded into a tiny cave, Ray wrote, there was laughter.

NO SIGN OF CRACKING

It is easy to make supermen of the Vietcong. Surely they have taken more punishment than any other revolutionary army in history. And while captured documents and prisoner interrogation reports show that there is disillusionment and pain, they do not yet show that there is despair. There is no evidence of a crack, least of all among the fresh fighters from the North.

The problem is seen in a better perspective, however, when it is realized that the Americans and the Saigon government have an incomparably more difficult job than the Communists. The Saigon government must administer the country, fight an offensive war and assemble a social revolution.

Saigon must deal with the fractured Vietnamese society, from Thich Tri Quang on the left to Father Hoang Quynh on the right, but must also deal with dissatisfied civil servants, get the rice to market, protect the population, educate the children and somehow deal with the Americans.

The Communists do not have these problems, which are the problems of responsibility. They do not have to administer a country or fabricate a social revolution. They have the patent on social revolution, perhaps largely because they have not yet had to make it work. They are heirs to the Vietnamese nationalist tradition.

The objectives are to stay alive, keep control of the machine, intimidate collaborators, hit the Americans and the ARVN at times and places of their own choosing (an increasingly difficult assignment) and wait. While they are waiting, they are enduring terrible hardships.

It is not the best of all possible worlds in Vietnam today to be a Vietcong. But some ways it is worse to be a supporter of the government, or anyway a supporter of the war against the Vietcong. The Communists can say with justice that they had the war won before the Americans got into it. It is the Americans who reversed its course and must bear responsibility for what is now happening.

Saigon must, for its part, demonstrate that the war is worth winning and that life will somehow be better when the Communists are defeated. Most educated Vietnamese believe this, but for the average man who has eyes to see and ears to hear, it must strain credulity. Not that the Vietcong are to be preferred, but the war has gone very far. Anything would be better.

A TOUGH AUDIENCE

The veteran was sitting crosslegged on the stone floor of the airport waiting room. It was hot and crowded and dirty, and we were all waiting for the 5 a.m. flight to Pleiku. Flares were up on the eastern edge of the field.

The veteran was dressed in blue pajamas, his back against the wall and surrounded by six grinning Vietnamese Rangers. Rangers are among the toughest Vietnamese troops, not celebrated for their sensitivity. It is said that villagers would rather be protected by the Vietcong any day than by Rangers.

The veteran was sightless. His sockets were raw gashes in a shallow face which was scarred and shiny, as if polished. Both hands were missing, and a foot. He had obviously been hit by a mine or a grenade, and I looked at him and wondered how he had lived through it.

But he seemed cheerful. He was looking from side to side with the sightless eyes, waving the stumps, telling the story. The Rangers were listening seriously, as one listens to an experienced older brother or someone entitled to respect. The veteran was telling them how he had been wounded.

The story went on for ten minutes, with most of the Americans in the room averting their eyes. The veteran spoke very excitedly. Occasionally, one of the Rangers would ask him a question, and he would think about it, and answer slowly. He stopped finally and pawed at his eyes with a wrist.

One of the Rangers lit a cigarette and carefully placed it in the wounded man's mouth. Then he put the package of cigarettes in the breast pocket of the blue pajamas. They stood there laughing until it was time to board the plane, and then one of the Rangers took the veteran by the arm and helped him to the bus. They were together all the way to Pleiku, laughing and smoking cigarettes.

THE MULTIPLE GOVERNMENT

There is no more complex matter in Vietnam than the Vietnamese government, which is in reality two—some say three—governments.

There is the military regime of Nguyen Cao Ky, and the corps commanders and province chiefs theoretically responsive to it. But under the regime there is a vast layer of French-trained civil servants who work in a world unconnected with the war or the Americans.

They record natural deaths, births, marriages, deeds. They process traffic tickets and collect a few taxes. They exist in a world quite apart from the rulers.

It is often impossible to know which lever to pull to get action. The ministries in Saigon often exist principally as a vehicle for payment of salaries. The one truly operational ministry is the Ministry of Revolutionary Development, now headed by Gen. Nguyen Duc Thang.

Thang's ministry is responsible for the Revolutionary Development cadres, which are financed by the Central Intelligence Agency. What Thang says presumably goes, unless Ky or the CIA say something different, in which case it doesn't go.

To the extent that the junta (a Spanish word, incidentally, meaning "together" and thus, in the context of the Ky government, inappropriate) governs, it governs through the corps commanders, the province chiefs and the ReDev Ministry.

The level of leadership, both in Saigon and the provinces, is low. The primary problem is corruption. The top jobs in the provinces and districts are often for sale, at prices said to range from a quarter of a million piastres in a poor province to a million and a half in a rich one.

In the opinion of some observers here, the corruption problem will not be solved until all the money is gone. And at the rate the Americans are putting money into Vietnam, that millennium is some distance away.

BEWILDERING LARGESSE

Deeper than corruption, though, is the incapacity of the Vietnamese to absorb Lyndon Johnson's Great Society, a concept not exactly rooted in Asian tradition or especially congenial to it.

In Washington, the President can ask why there aren't more schools. In the provinces, the problem is more complex. Are there books? Teachers? Who will build the school? Does the village need one? Want one? How much "squeeze" (local jargon for graft) must be taken off the top?

The bewildering variety of American programs, from advisers on tax collection to experts in animal husbandry to projects involving health, auto repair and journalism, is beyond the capacity of the Vietnamese to absorb. The Americans are trying to stuff ten pounds of sugar into a five-pound bag. And the bag more often than not is labeled "Made in America."

What the Vietnamese want is not bigger and better rice crops or even handsomer schools, but social justice and security. United Nations Ambassador Arthur Goldberg found this out when he came to Saigon in March.

An enterprising Embassy official arranged for a meeting between Goldberg and Saigon student and youth leaders. These leaders are not often sought out by the Embassy, and the last meeting between them and a prominent American—Vice President Humphrey—was very nearly a disaster.

The students told Goldberg that there was no social justice in Vietnam, and that was the trouble. What did the students mean by that, the Ambassador asked. "Corruption in the government," one said bluntly. Beyond social justice, one young government official told the Ambassador that Vietnamese more than ever had the feeling that the war had become an American war with Vietnamese on the outside looking in.

A DIFFICULT CONCEPT

The students emerged depressed, and one said later that Goldberg did not appear to understand what they meant. If that was true, the Ambassador is not alone. Vietnamese intellectuals, particularly young ones, are not always easy to follow. They appear to want the Americans to dispose of the generals, win the war, liquidate all holdings in Vietnam and exit as quickly as possible—all simultaneously with as little dislocation to Vietnamese society as possible.

It comes easy, after a year and a half of watching the money-grubbing cyclo drivers and bartenders, the insistence of the street vendors and the massive indifference of much of the armed forces, to place the blame for the inertia in this war principally on the Vietnamese, or anyway on the Vietnamese leadership.

But it is not that simple in Vietnam. Nothing is. The most attractive Vietnamese in the country is in many ways the Prime Minister, Nguyen Cao Ky. Since he began to regard himself as presidential material, he has become crafty, which has detracted some from a kind of blitzkreig honesty that once permitted him to say, "In Vietnam, 85 per cent of all rumors are true." Since the principal rumor at the time was an outrageous story about himself, the comment showed a lot of class.

Americans, particularly American military officials, tend to forget that the Vietnamese are laughing most of the time. They embarrass easily, and have a highly developed sense of the ridiculous. The war, or as many of them call it, "the situation in Vietnam," strikes many of them as intrinsically mad, an East Asian theater of the absurd where, almost without anyone's realizing it, a full-scale war has erupted, and no one can quite say what is being fought for, or over.

DEMONSTRATIVE

My Vietnamese assistant, Vu Thuy Hoang, who is also the foreign editor of one of the Saigon papers, comes to the office each day at 6 p.m. with a compendium of the day's news. About once a week he picks up news of a demonstration to be held in this or that sector, protesting this or that outrage.

"There will be a demonstration tomorrow," Hoang said on Monday.

"Whose?" I asked.

"Buddhist," Hoang said.

"What are they demonstrating against?"

"Buddha's birthday."

"Are they for it or against it."

"That is not clear," Hoang said.

"Who will actually be doing the demonstrating?"

"Monks and nuns," Hoang said, laughing.

Hoang went to America on a State Department grant in April. He was in New York at the time of the Vietnam demonstrations and asked a friend if all the people who had carried Vietcong flags were Communists. He was told no, that in most cases they were just people against the war. He observed that the demonstration was very orderly for so many people; in Vietnam, there would have been violence.

On the rest of his visit, he was noncommittal. The United States, he said, is an immense country.

When the Vietnamese are good, they are very, very good. There is a young American-educated girl working for AID in the Saigon suburbs with the refugees. She is one of the very good ones, from an old, educated Hanoi family with a sense of the social revolution so desperately required in this country.

She has become pessimistic over the course of the war and the reconstruction of the countryside. She is depressed at the sort of programs proposed by the Americans, and depressed at the inability of the Vietnamese to assert their fragile sovereignty. Most of all, she is depressed over the people of the countryside, who perceptibly withdraw a little more each day. They move a little further into the cocoon prepared by ancestors and attitudes increasingly irrelevant to Vietnam in 1967.

She came to lunch a month ago and said that it was hopeless. The country was hopelessly schizophrenic. She said very slowly, "I am a seller of dreams to people who don't want any."

That is enough to break your heart if you care about the Vietnamese, and the Americans in Vietnam do, and want to see the war succeed because of the awful responsibility the Americans have assumed by coming to Vietnam and changing the land and its people. When you lose girls like that, it is worse than losing a battalion of troops.

THE NEW WAR

This war is finally a matter of responsibility, a point that the articulate dissenters in the United States might remember. The Vietcong met the Saigon government in a reasonably fair test of arms and ideals in the late 1950s and early 1960s and for all practical purposes won.

The Americans escalated as the North Vietnamese escalated, and finally in 1965 the combat troops came and from there on the balance of nature in Vietnam was altered. The situation in this country is Washington's responsibility as much as it is anyone's responsibility.

How then?

The Johnson Administration has got its priorities badly out of joint in this war. Pressed by the generals and other traditionalists, it has attempted to win the war on the cheap, by forcing Hanoi to the bargaining table; by destroying her means of production.

This strategy has its corollary in the South in the indiscriminate use of artillery fire at night and literally hundreds of air strikes a day. The most severe side effect of the first is that it diverts attention from the essentials, a shift to a notion that somehow the war in the South can be won in the North. The second practice argues that machinery is a substitute for hard slogging. Anyone who has watched how hard the slogging is knows the compulsion to substitute machinery for it. But it won't work.

If as much effort and money were put into retraining the ARVN (South Vietnamese Army), reforming the bureaucracy and forcing the generals to prosecute corrupt colleagues as are put into dropping bombs on the country, there is more than a fair chance that the Americans could pull it off. But in Vietnam, the Americans have a leadership problem.

There are men of immense ability and dedication here, but there are not nearly enough of them. Many of the best, from the lieutenant colonel transferred from his province to the logistics command in Arizona to the young intellectual given appallingly short shrift by the USIA, go unappreciated by the American Establishment, which in its way is as opaque as the Vietnamese.

In the final analysis, the war can only be won by the Vietnamese. But it is still the Americans' to lose, by misapplication of power or by impatience or sheer unwillingness to do what needs to be done. The Administration ought to decide that it is in the war for keeps and that victory is not to be bought by bombing a power plant in Hanoi. What it is going to mean is more dead men, both Americans and Vietnamese.

It is going to mean fighting the war on their terms, not ours. It is going to mean a definition of war aims, so far not supplied by the Administration, and most of all a careful explanation of the kind of casualties that can be expected, and the manner in which men will die.

A LAST CIGARETTE

Truman Schockley died at 19, a poor boy from somewhere in the Midwest, his buddies said. He was a Negro, in a war which has taken its share of Negroes.

He was standing on the edge of a rice field on the east slope of the Anloa Valley in January, 1966. His company had chased the Vietcong all afternoon, had killed some, wounded others. The company slipped back to a clearing in the early afternoon to await extraction by helicopter.

There, smoking a Lucky Strike and staring off into the mountains, Schockley died with a sniper's bullet through the heart and stopped breathing before the cigarette stopped burning. The company commander sent a platoon into the underbrush to look for the sniper, but the sniper had left. Schockley was put in a green body bag and sent to Bongson for transport to Saigon and then home.

[From Look magazine, Apr. 4, 1967]

THE FORMER U.S. AMBASSADOR TO JAPAN TELLS WHAT WE SHOULD DO NEXT IN ASIA—WE CANNOT BECOME THE POLICEMAN OF ASIA, A SCHOLAR-DIPLOMAT SAYS, AND WE MUST NOT WITHDRAW FROM THE CONTINENT ON WHICH MORE THAN HALF THE WORLD'S PEOPLE LIVE. HE ADVISES THAT WE ENCOURAGE ASIAN NATIONALISM, AVOID THE QUICKSANDS OF VIETNAM-TYPE WARS AND STOP TRYING TO ISOLATE RED CHINA

(By Edwin O. Reischauer)

There is not much agreement in this country about the war in Vietnam, except that it is something we should have avoided. We are paying a heavy price for it—in lives, in national wealth and unity, and in international prestige and influence. The best we can hope for from the war is sufficient peace and stability in South Vietnam to allow that small and weak country to get painfully to its feet at last; the worst is a nuclear conflict too horrible to contemplate.

Our choices of action are very limited, and all are unsatisfactory. If we escalate the fighting, we run the risk of paying a much higher price, with little increased prospect that this will end the original guerrilla war in South Vietnam. If we withdraw to cut our immediate costs, we are likely to have to pay a much greater price in the long run, since this could encourage more guerrilla "wars of national liberation" and discourage those who would withstand them. The least unsatisfactory course would seem to be our present one of limited warfare to pacify South Vietnam, and economic and political development to build up a government and society more resistant to internal subversion. But this will be at best a long, slow and painful process.

Some feel that the Vietnam war is too costly to bear. Certainly, we could ill afford to have more Vietnam-type wars or bigger ones. There is no easy way to extricate ourselves from the war we are in, but we should at least learn from it to avoid getting into similar situations in the future. Not just Washington, but we, the American people, must do a great deal of studying, pondering and discussing. We need a great debate—not just about Vietnam but about Asian policy in general. I do not think that we really have an Asian policy—that is, a well-thought-out concept of our relationship with Asia. We lack an overall understanding of the problems we face there, the limitations of our influence and the potentialities the Asians themselves possess. Decisions have been made country by country and case by case. Small and seemingly reasonable steps have been taken to meet specific, immediate problems, but sometimes these little steps have led us by slight, imperceptible turns away from our objectives. This is the way we stumbled into the blind alley of our present Vietnam policy. Let us learn from this experience to try to chart our course in Asia as a whole, so that the little decisions will collectively lead us in the right direction.

There is a danger that in our frustration over the Vietnam war, we may react blindly and unwisely. Some people, reacting like a desperate bettor who hopes to recoup his past losses by continually doubling the wager, advocate increasing our military efforts. They seem to feel that our national security demands that we defend every square mile of Asia from the threat of Communist encroachment. This course would end by making us the policeman of Asia. The absurdity of this concept is shown by the enormity of the task in Vietnam alone, which, North and South together, holds only two percent of the population of Asia.

At the other extreme, some urge the United States to isolate itself from Asia. They argue that Asians, having their own distinctive cultures, should go their own way, in poverty and turmoil, I suppose, while we go our own prosperous and peaceful way. But this is the second half of the twentieth century. The world has been drastically shrunk by the wizardry of science and wil undoubtedly go on shrinking. More than half the people of the world live in Asia, even in the restricted sense of the area from Pakistan and India eastward through Southeast Asia and Indonesia to China, Korea and Japan. And we in the United States control about one-third of the world's wealth and power. Is it conceivable that we can isolate our one-third of the world from their half? To attempt to do so would be folly.

There is, of course, a wiser middle course, somewhere between backward-looking isolationism and the hopeless task of trying to be the policeman of Asia. But in order to find it, we must first decide in what way Asia is important to us.

In the early postwar years, during the stark confrontation between a seemingly unitary Communist bloc and the free world, it appeared that our chief interest was in keeping the nations of Asia out of Communist clutches, so that in the future, when they had come to possess greater strength, they would not augment the power of a monolithic Communist movement dedicated to the destruction of the remaining free nations. This picture of the world situation, however, has since faded. The Communist countries are far from unitary, and at least some of them show lessening enthusiasm for the Communist crusade. Even the seizure by a neo-imperialist China of some of her neighbors seems less likely than it once did. China is obviously beset by serious inner ailments, and the swallowing of indigestible foreign peoples would only add to her woes.

Our interest in Asia, thus, is not primarily negative—to deny it to the Communists; it is positive—to help it become a healthier part of the world we live in. The Asian half of humanity will unquestionably have a growing influence on the well-being of the rest of us. It wil become increasingly difficult for the world to continue half poor and half rich, half in turmoil and half at peace. An impoverished, hungry Asia is a continuing drain on the rest of the world. An unhappy, war-torn Asia is a threat to all of us. We have already seen this all too clearly in the Korean War and now again in Vietnam. We shall all be the richer when Asia is more affluent, and world peace will be much closer for all of us when Asia has achieved stability.

There may be more agreement on this general objective than on how we should go about achieving it. I believe that our past errors have largely stemmed from a failure to understand the scale and the complexity of the problem in Asia. The area involved is huge, and the number of people, staggering. Except for the Japanese, all live in relatively poor and underdeveloped lands. In our ignorance of Asia, we have often applied false analogies.

We assumed, for example, that if our postwar aid to Europe and Japan could restore these regions so quickly to prosperity, a comparable infusion of economic aid in Asia should start it on a takeoff to prosperity. Restoring war-devastated, industrialized lands, however, is a relatively easy task, for they already possess the requisite technical skills. Bringing underdeveloped countries to industrialized affluence is a much slower and harder job, because complicated skills and habits must first be learned. The achievement of democracy and the social attitudes and institutions that accompany it is even more difficult and time-consuming. We have been unrealistic in expecting many Asian countries to develop democracy quickly. Possibly, it may never come to some of them.

Another false analogy we applied to Asia was the concept that a sharp, firm defense line could be established there, just as had been done in Europe. Communist engulfment of an industrialized Czechoslovakia had added significant strength to the Communist side. The seizure of a strategically placed Greece might have done the same. Hence, we built a firm defense line across Europe. Based as it was on the solid terrain of advanced societies, it held fast against the waves of communism. But the analogy breaks down in most of Asia. North Vietnam, which the Communists have engulfed, or other regions that might fall to them are essentially deficit areas today. Their shift from one side to the other would subtract no strength from the one or add any to the other. Moreover, a defense line, such as we can help build with our sort of military power, sinks all too easily in most of Asia into the quagmire of underdeveloped economies and unstable political systems. It can achieve little against subversion and guerrilla warfare, which, rather than open invasion, are the real threat.

We failed to see the limitations of our economic and military power and at the same time overestimated the speed with which most Asian lands would become significant elements in the world balance of power. In this sense, we have approached Asia with the wrong time scale, thinking in terms of months or years, when we should have been thinking in decades. Most of the countries of Asia are still struggling to become viable units. Many face a grim race between rapidly increasing mouths to feed and a lethargic rise in food production. Most of Asia will not figure in the world balance of power for decades, and many now unpredictable changes will have taken place before then. Thus, we need not become too exercised over existing conditions. What is important to us is not where an Asia nation stands today but where it may be heading in the long run.

Perhaps our most serious blunder has been to underestimate the force of nationalism in Asia. We have continually talked about how important it was, but we have not always acted as though we understood this. Actually, nationalism has stood as the chief barrier to the take-over of Asian nations by unitary world communism, by Chinese neocolonialism, or, for that matter, by any outside force. We have had rather spectacular evidence of this in Indonesia. We see it in the determined independence of weak and unaligned countries like Burma and Cambodia. Nationalism is also the chief hope for developing viable political and economic systems in Asia. Most countries have little wealth and few skills, but in nationalism, they have a driving force that will help them in time to overcome these handicaps.

It is a pity that in our eagerness to draw sharp defense lines against communism and to achieve quick economic progress, we have so often run afoul of Asian nationalism. It is inevitably focused against the countries and the race that held so much of Asia in colonial bondage until only a few years ago. We Americans may feel no guilt about colonialism, because we never believed in it and eagerly withdrew from our accidental venture into colonial rule in the Philippines. But we are today by far the strongest of the Western powers, and as such, we inevitably appear in Asian eyes as the chief successors to the colonial masters of yesterday. When we take the lead in defense, or even in economic development, the Asian hears overtones of colonial domination. When we, with our superior weapons, fight Asians, no matter how worthy our motives may be, all Asians—and many other people, too—feel a sense of revulsion.

Vietnam itself is a good illustration of these points. If we had understood the dimensions of the problem, the time scale involved, the ineffectiveness of our type of military power and the strength of nationalism, we would have stayed clear of the quicksands of the present Vietnam situation. In 1945, we would have sided with Vietnamese nationalism, whatever the Communist leanings of the leaders, rather than giving grudging aid to the hopeless French attempt to reestablish their empire. Since Vietnam has had a history of more than a thousand years of determined opposition to Chinese domination, the Vietnam that would have emerged would certainly have been no more inimical to our interests than a Titoist Yugoslavia and would probably have been much further along the road to becoming a healthy member of the family of nations than it is today. Those of us interested in Asia back in 1945 saw this, but the preponderant concern—both in Washington and in the nation at large—for our European friends, rather than for Asians, led to our unwise support of French colonialism.

Again in 1954, a clearer understanding of the problems involved in Vietnam would have kept us from stepping into the unsound situation the French left behind them. The results, while probably less advantageous than if we had sided with nationalism in 1945, would still have been better than what we have today. Even later, there were times when we should have made a different choice than we did. But, bit by bit, the choices became harder and fewer. We have allowed the stakes to escalate, until now our withdrawal would seriously shake confidence in our word and would be interpreted as a great triumph for the Communist program of immediate world revolution. This in turn would encourage further warfare and instability throughout Asia.

We should not, however, be too harsh on ourselves for our past errors in judgment. As the only great country to survive World War II unscathed, we suddenly found huge and complicated responsibilities thrust on our inexperienced shoulders. We were deployed militarily around the world. We should be proud that we rose to the challenge with as great success as we did. Faced as we were with unfamiliar problems, we have not too surprisingly made many mistakes, especially in areas like Asia, which we knew so little about. But let us learn from these errors to do better in the future.

We need a shift in our approach—or perhaps we might define it as a sharper focus on our long-range relationship with Asia. Nationalism is the great force within Asia. The largest external force that can be brought to bear on Asia's problems is the one-third of the world's economic power in our hands, especially if this is joined by another third in the hands of the other industrialized, free nations. We should not let these two great forces work at cross-purposes. We should not antagonize Asian nationalism or smother it with our eager, mother-hen activities. To be more specific, we should withdraw gradually from the role of leadership we so naturally fell into in the early postwar years and shift to a role of outside supporter of Asian initiatives.

On the military side, for instance, we should be extremely chary about committing our power in Asia, because it is so relatively ineffective and so easily stirs up countercurrents. There will be, of course, great variations in our military strategy. Japan, as a major modernized nation, really stands in the same position to us as our chief allies in Europe. Few of the generalizations about Asia apply to it. A defense alliance with Japan and full partnership in every other way are as natural as are similar ties with the countries of Europe.

We also have strong historic ties with the Philippines, Taiwan and South Korea that put them in a special category. But a good rule of thumb would be to try to avoid military involvement in most of the rest of Asia. In economic and technological aid, we can probably do more as an outside supporter than as a would-be leader. Our leadership, recalling as it does past colonialism, raises fears and resentments. As helper, rather than leader, we would be less suspect and could therefore probably by more effective. It would be a healthier situation if Asian countries were eagerly seeking our aid rather than having us so insistent on offering it. A reduction in our leadership role might also induce the other industrialized nations to try to do more than they are.

The fields of politics and social development are even more sensitive than economics. Our greatest dilemma in the past has been the question of whether we should support a regime that is not democratic or is failing to carry out the economic and social reforms we feel the situation calls for. But this is a false dilemma. We should not be so identified with any Asian regime or so responsible for it that such problems arise. Nor do Asians want us to be in such a position. It smacks too much of colonialism. We cannot expect many Asian regimes to be democratic; nor are they likely to handle their affairs as we think best. But for us to try to correct such a situation is likely to do more harm than good.

We should be both less sure that we have all the answers and more respectful of Asian distinctiveness. As with economic aid, our guidelines can be simple. We should do what we can whenever an Asian country desires help and we feel that such help would, in the long run, be beneficial to its development.

Asian nationalism and the vast economic power and technical skills of the free world, if properly harnessed together, can in time produce the kind of Asia both we and Asians desire. In the meantime, we need not sink into black despair because of our frustrations in Vietnam. Even now, the situation in Asia as a whole is moving in the right direction. Most countries are inching upward economically, and some, like South Korea, Taiwan, Thailand and Malaysia, are actually racing ahead. Most are strengthening their political and social institutions. Meanwhile, China is a fading menace. It is beset by inner difficulties and baffled by a series of foreign-policy failures. Its international prestige has fallen sharply. Thus, despite the war in Vietnam, or possibly behind the shield that it has afforded, most non-Communist Asian states are growing in viability and becoming less vulnerable to the inner subversion that is the chief threat to their stability.

Recently, there has been a great increase in a sense of regional solidarity, particularly in Southeast Asia. The oft-heard phrase "Asian solutions for Asian problems" is beginning to take on real meaning. Regionalism can become a strong support for the nations of Asia, giving them collectively greater strength than each could muster alone. This is particularly true when advanced nations are included in the region.

Fortunately, two small Western nations, Australia and New Zealand, are often included in the Asian club, and Japan, the industrial giant of Asia, is a full member. Already the world's sixth-largest economic unit and rising fast, Japan can play a major role in bringing technological and economic progress to the rest of Asia. It can also serve as an inspiration, for its example as an affluent society with social and political freedom has much greater appeal than China's impoverished regimentation. One of the most encouraging developments of recent years is the emergence of this potentially influential Japan from its postwar mood of self-doubt and withdrawal to a more positive, constructive role in international affairs.

Japan is also in other ways one of the reasons for optimism about the future of Asia. It is the one major, modernized nation that is not Occidental in cultural background, Caucasian in race, or located in the North Atlantic area. Thus, it fortunately bridges the greatest fissure in the modern world. It is on our side in the division between the industrialized North and the less-developed South, but on the other side in the divisions between Western and non-Western cultures and between the white and the so-called colored races. The huge and mutually beneficial economic, cultural and intellectual relationship Japan has developed with us and other Occidental lands also points to happier future relations between us and Asia, when more of its becomes modernized.

I have said little about China policy, but it can hardly be ignored. China's size and the hostility of its leaders make it a problem of particular importance and difficulty. Much of what I have said about the rest of Asia, however, applies to it too. China is poor and backward, and its chief motive force is nationalism. Despite its size, it will enter only slowly into the world balance of power. Nuclear weapons are no more usable by it than by the great nuclear powers. China is a military force only on or near its own soil, where its great manpower gives it muscle. Its economic influence is far less than that of Japan alone and is falling further behind each year. Its pretension of dominance repels its neighbors more than it overawes them. I believe that we should be more relaxed about China and less negative and defensive in our approach to the problems it poses. Our interest in China is primarily in its future. Will it someday become a healthy member of a stable world order or will it continue to play a disturbing role? Our chief objective should be to help it develop in the desirable direction. We should help the Chinese recognize the realities of the world around them, so that they will come to realize that peaceful coexistence and eventually cooperation are the only roads that can lead to the strong and prosperous China they desire.

Our policy of containment of China's aggressive urges has been sound, but we have been unwise, I feel, in trying to isolate her. This policy has had scant success and has cost us dearly. It disturbs most Asians, and others, too, to see us, the greatest white nation, seeking to blackball in the United Nations the largest non-white country. Few of our chief allies sympathize with our effort. But worst of all, it puts us in the role of locking doors on China, when it is to our long-range interest to have the Chinese come out of their isolation and learn about the world.

A redefinition of our attitude toward China would probably have few immediate results, except to rid us of the burden of an essentially false stance. The 12 million people on Taiwan are adamantly opposed to falling under Communist rule, and there is every reason for us to support their right to self-determination and a seat in the United Nations. With Taiwan there, China is not likely to enter the United Nations—at least for the time being. Nor is it likely to let us grant it recognition, even if we asked.

But let us at least remove the roadblocks we have ourselves set up in the way of China's reentry into the world. Let us show respect for Chinese nationalism by withdrawing the needless insult of pretense that Peking does not rule over China and that Chiang's government may someday reassert its control over the mainland. Let us make clear that we would be happy to coexist peacefully with China and even cooperate with it. Let us open the doors to China. Frustrations are mounting there, and the time may not be so far off when Chinese leaders might wish to come out through those doors, if they know they are open.

The above is, of course, only the roughest sort of sketch of an Asian policy, touching but briefly on a few of the main points. We need far more study and discussion before we will be ready to chart our course more specifically. But we should not delay. The heartrending dilemmas we face in Vietnam are no reason to put it off. Instead, they show the urgency of approaching our Asian problems not in the haphazard fashion of the past but with a broad, far look over the terrain ahead of us.

JUNE 9, 1967.

Miss BARBARA WARD,
The Economist,
London S.W. 1.

DEAR MISS WARD: When you spoke in Washington on Viet Nam around the middle of May at the Woman's National Democratic Club luncheon, I was in Viet Nam and read about your talk in the Washington Post on my return.

It sounds to me as though your thinking is very much along the lines of my own and I should be grateful if you had a complete copy of your talk and would be willing to let me look at it. I am sending you a copy of a brief statement I made on the matter when I returned.

Sincerely,

CLIFFORD P. CASE,
U.S. Senator.

[From the Washington (D.C.) Post, May 20, 1967]

BARBARA WARD SAYS: STALEMATE, DON'T ESCALATE

(By Marie Smith)

A warning against further escalation or "instant solutions" to the war in Vietnam was sounded yesterday by noted British economist Barbara Ward who suggested instead a "creative stalemate" in the current conflict.

Such a stalemate, she said, could be the solution for preventing the present war from erupting into World War III and a nuclear holocaust.

Miss Ward suggested the stalemate could be achieved by a "shield or heavy defense line on the 17th Parallel from the sea to the Mekong" through which infiltration from the North to the South would be difficult.

Such a line, she told a Woman's National Democratic Club luncheon audience at the Shoreham Hotel, "would serve to advertise to the world the limited and defensive character of America's commitment" and show to Ho Chi Minh, America's determination "not to pull out" of the area.

Miss Ward said "pauses and truces" should be tried, but added "I fear an end to all bombing would mark a break from the only successful pattern we have discovered since 1945 for fending off general war."

The policy of a "creative stalemate" she said, has been practiced by the United States for the last 20 years and cited its use in the Berlin crisis, the Korean conflict and the Cuban crises all of which were threats to setting off World War III.

"In the end in each case we were right back where we started," she said. To pull out of Vietnam is not a serious optimum at this time, she declared.

To pull out, she continued, would be an admission that wars of national liberation succeed and this would be a blow not only to the Atlantic powers but also to Moscow whose whole case against Peking is that wars of national liberation are too risky since they cannot be won without precipitating nuclear war.

Miss Ward said alarm on both sides of the Atlantic centers on fear of an American policy of escalating the bombing which is interpreted as a policy of "clobbering the enemy into quiet submission."

"I basically support the American position in Vietnam," she added, "but what we look for is proof that America is not the prisoner of escalation, that its policy is flexible, varied, responsive, sophisticated and not bound to some timetable of increasing air attacks leading to the risk of wider war and ultimately to a nuclear holocaust."

[From the New York Times Book Review, April 1967]

THE WAR THAT GREW

(The Bitter Heritage. Vietnam and American Democracy 1941–1966. By Arthur M. Schlesinger Jr. 126 pp. Boston: Houghton Mifflin Company. $3.95. The United States in Vietnam. By George McTurnan Kahin and John W. Lewis. Maps. 465 pp. New York: The Dial Press. $5.95. The Politics of Escalation in Vietnam. A Citizens' White Paper. By Franz Schurmann, Peter Dale Scott and Reginald Zelnick. Foreword by Arthur Schlesinger Jr. Summary and Conclusion by Carl E. Schorske. 160 pp. Boston: Beacon Press. $3.95.)

(By David Halberstam)

Vietnam consumes us now. I can remember just a few long years ago when it was still a small country and a small war, and the joke among the military was "Don't knock the war in Vietnam; it may not be much, but it's the only war we've got." And I remember, too, the excitement of us correspondents there when Bill Mauldin did a cartoon based on one of our stories about helicopters' problems—our story and our war were being recognized.

Now the war has caught up with us at home; it haunts our thoughts and dominates our politics. The war has divided the country, has divided the Democratic party, has compromised the Great Society programs, and threatens to do to Lyndon Johnson what Barry Goldwater never could. It was just a few short years ago that we were coasting along in our rhetoric of international idealism, the time of Kennedy and the Peace Corps. Now, sadly, the complexities of the war are emerging at a time when the Government, paying the price for its management of news, cannot make a statement about the war—however accurate—that can be accepted without reservation.

The consequent and increasing debate has finally begun to produce a corresponding literature, which up to now has been so slim that our leading expert was a French citizen, the late Bernard Fall. Much of this one might call the literature of doubt, and these three books are all a part of it.

The best is "The Bitter Heritage" by Arthur Schlesinger Jr., the Roosevelt historian who served as a Special Assistant to President Kennedy, and who is now an Albert Schweitzer professor at the City University of New York. On Vietnam he is probably the most articulate of the doubters (rather than doves).

This book is an expansion of an article written for The New York Times Magazine, and it is at times cool, lucid and intelligent; when Schlesinger is good, he is very good. He has one line on Vietnam that tells all too much about this whole sad business: "In retrospect, Vietnam is a triumph of the politics of inadvertence." Then he adds: "We have achieved our present entanglement, not after due and deliberate considerations, but through a series of small decisions." This is a useful reminder at a time when there is a growing tendency in this country to believe in the conspiracy theory and the great evil of American military power.

There is some excellent description of the difficulties in applying our great power in a country where the enemy is not rich enough to afford us good targets ("like trying to weed a garden with a bulldozer") and some good stuff knocking down those who think we can win antiseptically by bombing the Viets into submission, while sleeping between clean sheets. (In this he pays due respect to that blunt and candid hawk, Hanson Baldwin, for telling precisely what it would take to win, if win is the word there—one million men.)

Schlesinger is still Rusk-hunting (you will remember that in his book on the Kennedy Administration he had Rusk about to be fired) and spends a good deal of his time needling and mocking the Secretary of State, even quoting him in 1951 when he was Assistant Secretary: "The Peiping regime may be a colonial Russian government—a Slavic

Manchukuo on a larger scale." Fun and games.

The failing of his book is that Schlesinger has not used the same tough standards on President Kennedy as he has on President Johnson. He reads selectively from the Kennedy record, and the implication is always there: that Kennedy would not have turned the second Indochina war into a ground war with white boys fighting Asian boys.

But it was Johnson's ill fate to be around when all the Indochinese chickens came home to roost, when all the other measures, the semi-measures and the half-measures had failed. A good historian like Schlesinger should pay more attention to the question of which President really had more freedom of action in Vietnam: one who took over when there were only 600 Americans there, as advisers, or one who took over when a commitment of 16,000 had failed. Moreover, the latter combined bomber pilots and armed helicopter men with a Government news policy that called for a steady stream of visitors to Saigon to make statements about the firm and final commitment of the U.S. to stay in Vietnam, as a means of both reassuring and giving credibility to the South Vietnamese Government.

One can speculate on the differences in the psychological makeup of the two men, but we don't really know how differently they would have reacted to the growing dilemma. Besides, the key Johnson advisors in much of this have been Kennedy men—Taylor, McNamara, Bundy, and indeed Rusk. Johnson talking on Vietnam with false modesty and false humility may be a bit tough to take, but Vietnam is not his alone; it is truly a bitter heritage for all of us.

The other major book of the three is "The United States in Vietnam," by George McT. Kahin and John W. Lewis, both professors at Cornell. One of the things this country needs right now is a good simple common-sense book that combines a good history of Vietnam with an account of the American role there. So I read this book with considerable anticipation, sometimes liking it, sometimes gaining from it, sometimes disappointed by it. Finally, I think it is not as good as it should be, and it left me a little uneasy.

It is a history of America in Vietnam—but it is more: it is a very strong attack upon America in Vietnam. There is every reason in the world to attack our presence there, but not all its record should be attacked. The book would be considerably more valuable if it were more balanced and spent more time describing the conditions that governed the various key decisions. The book is good in its discussion of the earlier history and of the role of nationalism in Indochina, and how in Vietnam the Communists made it Communist nationalism. It has always seemed to me that this is the decisive problem in Vietnam, and that most of our failures there can be traced back to it.

There are two parts in particular that made me uneasy. One is the blanket declaration that the second Indochina war is simply an indigenous rebellion against the repressions of Ngo Dinh Diem, that it took place in spite of Hanoi's wishes, and that there was growing tension in the south because of Hanoi's tardiness in getting aboard the bandwagon. Certainly it is true that if Diem hadn't existed the Communists would have wanted to invent him, and that he played very well into their hands.

Perhaps the authors' view of the beginning is true, and when we have Ho Chi Minh's private diary we may learn that he opposed the war in 1959 but was forced into it by angry southerners. But until then we don't really know this, and I don't think the evidence cited by the authors is completely convincing. They should at least point out that there is a considerable body of opinion, of people who are hardly State Department White Paper enthusiasts, who doubt their view, and who believe that the war was cynically and calculatedly orchestrated by Hanoi with southerners from the start.

Vietnamese Communism, while nationalistic, has always struck me as being very tough, cruel and brutal, so that I find it a little hard to believe that the beginning of the second Indochina war was quite as happenstance as the authors suggest. Indeed it is now a little fashionable to point to the immediate post-Diem period as one when there was a chance for negotiations and neutralism. That was the time when Gen. Duong Van Minh, a rare popular national figure, took over; the Vietcong, uneasy, I suspect, that he might have the capacity to govern the country and put it together, struck with everything they had in order to weaken the junta and make sure that it never had a chance to unify the country. I emphasize this because whether or not Hanoi called the shots at the beginning is a major point in our national debate.

The second part of the book that bothered me is the authors' attack on the domino theory. I am not a great domino man myself, but I think there is some truth in it: any decision we make in Vietnam will be watched closely, and will affect other countries in the area. Perhaps the dominoes will be like Thailand, without a colonial past, and will turn out to be of sturdy stuff and will be able to stand, but there will be an effect nevertheless.

The authors dismiss the theory completely, attack Gen. Maxwell Taylor for suggesting it, of what he called "the bandwagon" reaction, and ridicule the Administration for presenting it. If, they say, the United States Government talked about the domino theory in Europe, an area which Americans know, the people here would laugh at it. But that's not quite fair; Europe is different, the European states are basically stronger. I am sure in Eastern Europe where those governments are weak, the Russians think in terms of the domino theory; if one country begins to pull too far. . . .

I checked out their note on this in the back, and there was poor General Taylor making the same point: "There is always a danger of a sort of bandwagon movement, I am afraid, among these very weak countries." Since the domino, or semi-domino theory is one that concerns a good many people in the country, and since it is one of the most basic reasons for the American commitment there, it seems to me that serious historians should at least put the Government's case fairly. The American record in Vietnam is hardly an attractive one in the best light, and hardly needs to be exaggerated.

The third of these books is called "The Politics of Escalation in Vietnam" by three faculty members of the University of California at Berkeley, Franz Schurmann, Peter Dale Scott and Reginald Zelnik (foreword by Schlesinger). It is not so much a book as a White Paper, or Black Paper if you happen to work for the State Department. It is a very tough critique indeed of American actions there, perhaps too tough. Early in the book it charges the Americans with telling General Minh that "progress in the war," not progress in popularity, should be his Government's prime objective.

I was there in those days, and it was more complicated; the Americans, particularly Ambassador Lodge and a group of his younger aides, realized then the mistakes of the past and wanted desperately for Minh to win some popularity. But it was all too late; the Vietcong practically owned the countryside; the vaunted strategic hamlet program existed only in the imagination of the previous Ambassador and American general, and the combination of the political problems and the awesome military difficulties was simply too much for Minh and his generals. No American conspiracy here: simply too little too late.

The theme of this book, relentlessly pursued, is that every time there has been a chance for negotiations in Vietnam the U.S. has chosen to escalate; the other half of that same coin is simply (for, all the inane optimistic comments by all the generals and news managers aside, the war has never gone well) that we have escalated only out of desperation, when the previous commitment failed, and we found thereupon that the previous commitment had also pulled us in so much deeper that it was just that much harder to negotiate than ever. Westerners, it turns out, are very sensitive and bad about losing face. Therefore we escalated only out of weakness, when we had nothing to negotiate.

This book has few pretensions, and makes no claim to being objective, being in the *J'accuse* tradition. So if you have someone in your family who is cocksure about our right and might and conduct in Indochina, I suggest this as a present. But if you are already uneasy about the war and its conduct, I suspect this will not teach you anything new.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. PEARSON. Mr. President, the Senator from New Jersey has made a most important contribution to the greatest and most vital issue facing our Nation today.

I suspect what has caused so much concern is that those foreign policy positions in relation to Europe, formed in the years immediately following World War II, have now been applied to Southeast Asia. We heard earlier that we had a moral or legal obligation to go into Vietnam, and that it was in our national security to go in at the inception.

Whether or not this was true at first, as the Senator from New Jersey has pointed out, it is true now, and his analysis of why we cannot withdraw is most meaningful and helpful to me.

Mr. President, I wish to make one observation because I think the Senator developed the point in its entirety. If my memory is correct, it was the Truman doctrine in going into Greece which first announced the proposition that we would go wherever we were requested to help a free, independent nation to maintain its independence against aggression, whether it be by conventional warfare, nuclear blackmail, or guerrilla warfare; and that we would go in if we were requested to do so.

I understand the point of the Senator to be, and it is so well taken, that: "Yes, we will go but only under conditions that those free people are willing to do their fair share, uphold their responsibility, accept their own burdens of freedom, and their burdens of participating in their defense and independence."

I think that the Senator has made a great contribution and it has had a great influence on me. I thank the Senator for the comments he has made today.

Mr. CASE. I thank the distinguished Senator from Kansas.

If I were to capsulize what I think our policy should be, it should be always calculated, conceived, and carried out with one clear guiding principle: The best interests of the United States. We can hardly do more than that. It seems that when we attempt to proceed in broad generalizations we only get in bad trouble and do more harm.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 10 minutes.

THE CRISIS IN THE MIDDLE EAST

Mr. JAVITS. Mr. President, I wish to address myself this morning to the crisis in the Middle East and the policy of the United States with regard to it. In my judgment the present policy of the United States is a sound one. We should persist in it.

As I see evidence of efforts to shake, divert, or perhaps even blackmail us away from it, I think it is very important that a statement with respect to our constancy of policy should be reiterated. We should not allow ourselves to be misled by the Soviet Union which at least verbally is pursuing a line unlikely to attain a stable and durable peace which the United States has, very properly, announced as its objective in the resolution filed for consideration by the United Nations General Assembly on June 20, 1967.

The refusal of the General Assembly to support the Arab line—backed in debate by the Soviet Union—in effect to continue the state of war of the last 20 years in the Middle East has preserved the peace credibility of the United Nations. In my judgment, the action of the General Assembly has served to preserve the cease-fire and has been a credible action in that respect.

I learned a long time ago that "no" is also an answer and that is what the General Assembly gave to Arab efforts to continue the belligerent situation, and to the Soviet Union with respect to its policy. I hope Soviet policy will be revised, and I understand the leaders in the Kremlin are considering this now. It is discredible to them and dangerous to the cause of peace to continue on the path of vituperation and opportunism.

The Soviet Union has engaged itself most unwisely in seeking to redeem in the United Nations what the Arab leaders lost in war. It looks as if this effort is going to be transferred to the Security Council. That is where the constancy of American policy should now be demonstrated. Any effort to go back to the old policy which bedeviled the Middle East for 20 years should not be permitted by the United States to succeed in the Security Council after failing in the General Assembly. We must remember that so long as the present situation continues there is danger. Accordingly, we will remain in the present dangerous situation of cease-fire—with peace or war still in the balance—for some time, perhaps months. We see the incident on the banks of the Suez Canal emphasizing the danger which continues to persist.

My purpose in speaking today is to affirm my belief that the policy of the United States as announced and developed should be constant. In this connection I would like to praise the team headed by McGeorge Bundy, Walt Rostow in the White House, Secretary of State Dean Rusk, and Ambassador Arthur Goldberg at the United Nations, which has shown great devotion and skill during the most harrowing moments of the Middle East crisis.

Considering the Soviet Union's reckless, irresponsible supply of massive arms to President Nasser and Syria and its military demonstration of support—like the current one of sending Soviet warships into a fighting zone near the Suez Canal—the utmost resolution will be required on the part of the United States if the situation is not to deteriorate again into open conflict. The Arab leaders might be misled into trying a "second round" by Soviet arms supply, or, in the sheer effort to redeem their shredded prestige to launch military incidents like those now resulting in the fighting in the canal area, which could escalate again into a major struggle. It is indispensable that the United States maintain a resolute position that the cease-fire must be respected and that Israel will not be allowed to be gravely disadvantaged and jeopardized by the arms supply to the Arab leaders now renewed by the Kremlin on what is apparently a crash basis perhaps for some new offensive purpose. It is for that reason that the posting of U.N. observers to patrol the Suez area is certainly desirable. I note that Israel is likely to accept. I hope the United Arab Republic will, too—if it really is not fomenting the breaches of the cease-fire as propaganda for its internal consumption.

During these months of strain—I say months of strain, in the sense of the coming months—there is also a great opportunity to do something about the Arab refugees—the number variously estimated at 700,000 to 800,000—who are now physically in territory occupied by Israel's forces. The humanitarian aspect of this issue has always been the overriding consideration; therefore, every effort should be made with assistance both public and private physically to settle the Arab refugees in these areas, whatever may be the ultimate political disposition of the area.

Indeed, I am devoting myself at this time to an effort in this regard upon which I shall, in due course, report to the Senate.

While I recognize that there has been considerable discussion about what Israel claims is only the administrative reunification of Jerusalem, there is no question about the fact that respect for the religious shrines of the three great faiths involved will be assured and will be the dominant consideration. Here, too, the critical point is the physical one—that at long last the Holy City is not the subject of intermittent shooing by Arab soldiers on parapets and that communicants of the three great faiths—wherever they may be coming from—may, at last, visit the shrines without hindrance or discrimination, with the peace, order, and propriety which should characterize the environment of these great shrines.

Sixty-three Senators have, in Senate Resolution 143 sponsored by Senator SYMINGTON and myself, shown their support of the policy of our Government in the Middle East. The President has already seen the sentiment of the country supporting this policy, too, as shown by the latest Harris and other polls.

Mr. President, I ask unanimous consent to have printed in the RECORD the Harris poll just referred to.

There being no objection, the poll was ordered to be printed in the RECORD, as follows:

THE HARRIS SURVEY: MAJORITY IN UNITED STATES BACKS MOST ISRAELI POSITIONS

(By Louis Harris)

By sweeping majorities—many of them over 80 per cent—the American people support the principal arguments by Israel for a permanent peace in the Middle East. By 3 to 1, the public rejects the original Arab and Russian position in the United Nations that Israel first withdraw its troops from Arab territory before other issues can be settled.

Seven out of ten, however, think that the formerly Jordanian sector of Jerusalem should not be absorbed by Israel but that Jerusalem should be made an international city open to all. And a majority believes that Israel should make concessions to Arabs displaced from their former homeland.

Key Israeli concerns meet with this kind of overwhelming approval in the United States:

82 per cent believe that Israel's existence as a sovereign state should be formally accepted by the Arab nations.

88 per cent think that Israel should be guaranteed the right to send ships through the Gulf of Aqaba, where an Egyptian blockade of Israel's port of Elath helped trigger the recent hostilities.

86 per cent feel that Israel should also have freedom of passage through the Suez Canal.

Two demands made by Russian Premier Kosygin in support of the Arabs are rejected by a decisive majority of Americans:

By 79 per cent to 7 per cent, Americans oppose any U.N. condemnation of Israel as the aggressor in the war and making Israel pay reparations for war damage to the Arab nations.

By 62 per cent to 21 per cent, U.S. public opinion rejects Israeli withdrawal from occupied territory as a precondition to negotiations.

The key to peace in the Middle East, two out of three Americans believe, is to have the world's major powers guarantee all countries in the region against attack by their neighbors. Despite the inability of the United Nations to prevent the most recent war there, 58 per cent believe that the U.N. Security Council is the place where the terms should be worked out. However, there is some disagreement over the best procedure for arriving at a settlement. And 87 per cent also say they favor the Arabs and Israelis working out a settlement without outside interference.

A carefully drawn cross-section of the American people was asked:

"As far as the Middle East situation is concerned, do you tend to agree or disagree that:

Views on Middle East

	Agree percent	Disagree percent	Not sure percent
Israel should be guaranteed the right to send ships through the Gulf of Aqaba	88	1	11
Israel should be given the right to use the Suez Canal	86	1	13
Israel should be recognized as a state by the Arab nations	82	3	15
The Arabs and Israel should work out a peaceful settlement without interference	87	13	-------
Jerusalem should become an international city open to all	70	10	20
Israel should give full rights to Arabs who live or used to live where Israel is now	58	14	28
Israel should withdraw all its forces from Arab territory before other issues can be settled	21	62	17

In addition, the cross-section was asked:

"The Russians want the U.N. to condemn Israel as the aggressor in the Middle East war and make Israel pay Arab nations for damage done in the war. Do you agree or disagree with such action by the United Nations?"

Russian condemnation of Israel

	Total public (percent)
Agree	7
Disagree	79
Not sure	14

Finally, the public was asked:

"Do you think the U.N. Security Council is the proper place where peace terms in the Middle East can be worked out, or do you think peace should be worked out elsewhere?"

U.N. role in Middle East

	Total public (percent)
Security Council proper place	58
Elsewhere	28
Not sure	14

Mr. JAVITS. Mr. President, our people and our Government will now, notwithstanding dangers and vicissitudes, be called upon to be constant to it. We shall not gain any favor from the Arab leaders if we depart from our policy; on the contrary, the greatest hatred is found in contempt. We simply have to see this one through so that the Arab world may at last have a chance to be redeemed from the parochial fanaticism of its leaders which has kept it immersed in ignorance, disease, misery, and danger for centuries.

Nor need we be blackmailed by threats of cutting off the Middle East's oil. In the first place, it is very doubtful that any such threat can be made to stick in view of the divisions of self-interest in the Arab world. In the second place, the world can, if it must, gear itself to meet the situation, as it did during the Suez crisis in 1956 and 1957.

I have heard discussion this morning about Africa and Vietnam, but here in the Middle East is one place where U.S. foreign policy is right. Let us keep it that way and see that it succeeds and is not diverted or swayed by any efforts on the part of the Soviet Union or the Arab leadership.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE SAN FELIPE DIVISION, CENTRAL VALLEY PROJECT, CALIFORNIA

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order No. 273, S. 1111.

The PRESIDING OFFICER. The clerk will state the bill by title.

The Assistant Legislative Clerk. A bill (S. 1111) to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, Central Valley project, California, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 4, after the word supplies", to strike out "area development,"; on page 2, at the beginning of line 5, to strike out "unit" and insert "division"; in line 7, after the word "facilities.", to insert "No facilities shall be constructed for electric transmission and distribution service which the Secretary determines, on the basis of an offer of a firm fifty-year contract from a local public or private agency, can through such a contract be obtained at less cost to the Federal Government than by construction and operation of Government facilities"; after line 13, to strike out:

Sec. 2. Subject to the provisions of this Act, the operation of the San Felipe division, shall be integrated and coordinated from both a financial and an operational standpoint, with the operation of other features of the Central Valley project in such manner as will effectuate the fullest, most beneficial, and most economic utilization of the water resources hereby made available.

Sec. 3. (a) The Secretary is authorized in connection with the San Felipe division to construct, operate, and maintain or otherwise provide for basic public outdoor recreation facilities, to acquire or otherwise to include within the division area such adjacent lands or interests therein as are necessary for present or future public recreation use, to allocate water and reservoir capacity to recreation, and to provide for the public use and enjoyment of division lands, facilities, and water areas in a manner coordinated with the other division purposes. The Secretary is authorized to enter into agreements with Federal agencies or State or local public bodies for the operation, maintenance, and additional development of division lands or facilities, or to dispose of division lands or facilities to Federal agencies or State or local public bodies by lease, transfer, conveyance, or exchange, upon such terms and conditions as will best promote the development and operations of such lands or facilities in the public interest for recreation purposes.

(b) Federal operation and maintenance costs allocated to recreation and fish and wildlife enhancement and Federal costs incurred specifically for land for those purposes and basic recreation facilities shall be nonreimbursable; joint costs allocated to recreation and fish and wildlife enhancement shall in the aggregate be nonreimbursable to the extent thay do not exceed the sum of $7,000,000 plus 10 per centum of the joint costs in excess of $40,000,000. Provision shall be made for the reimbursement, for the contribution by non-Federal interests, or for the reallocation of costs allocated to recreation and fish and wildlife enhancement in excess of the foregoing limit under one or a combination of the following methods, as may be determined appropriate by the Secretary: (1) provision by non-Federal interests of land or interests therein or facilities required for the division; (2) payment or repayment, with interest at a rate comparable to that for other division functions, pursuant to agreement with one or more non-Federal public bodies; (3) reallocation to other project functions in the same proportion as joint costs are allocated among such functions.

(c) Costs of means and measures to prevent loss of and damage to fish and wildlife shall be treated as division costs and allocated to the other division purposes. Nothing herein shall limit the authority of the Secretary granted by existing provisions of law relating to recreational development of water resource projects or disposition of public lands for recreational purposes.

And, in lieu thereof, to insert:

Sec. 2. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the San Felipe division shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

Sec. 3. The Secretary may contract with the State of California for the delivery through facilities of the State water project to the San Luis forebay reservoir of all or any part of the water of the Central Valley project assigned to the San Felipe division.

On page 5, line 12, after "Sec. 5.", to strike out "There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act." and insert "In view of the special circumstances of the San Felipe division, neither the provisions of the third sentence of section 46 of the Act of May 25, 1926 (44 Stat. 636, 649) nor any other similar provision of the Federal reclamation laws shall be applicable in the south and north Santa Clara subareas so long as the water utilized on project lands is acquired by pumping from the underground reservoir.";

After line 20, to insert a new section, as follows:

Sec. 6. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b) (10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

And, on page 6 after line 8, to insert a new section, as follows:

Sec. 7. There are hereby authorized to be appropriated for construction of the new works involved in the San Felipe division $92,380,000 (October 1966 prices), plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes, and, in addition thereto, such sums as may be required to operate and maintain said division.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of providing irrigation and municipal and industrial water supplies, conserving and developing fish and wildlife resources, enhancing outdoor recreation opportunities and other related purposes, the Secretary of the Interior acting pursuant to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain, as an addition to, and an integral part of, the Central Valley project, California, the San Felipe division. The principal works of the division shall consist of the Pacheco tunnel, pumping plants, power transmission facilities, canals, pipelines, regulating reservoirs, and distribution facilities. No facilities shall be constructed for electric transmission and distribution service which the Secretary determines, on the basis of an offer of a firm fifty-year contract from a local public or private agency, can through such a contract be obtained at less cost to the Federal Government than by construction and operation of Government facilities.

Sec. 2. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the San Felipe division shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

SEC. 3. The Secretary may contract with the State of California for the delivery through facilities of the State water project to the San Luis forebay reservoir of all or any part of the water of the Central Valley project assigned to the San Felipe division.

SEC. 4. In locating and designing the works and facilities authorized for construction by this Act, and in acquiring or withdrawing any lands as authorized by this Act, the Secretary shall give due consideration to reports prepared by the State of California on the California water plan, and shall consult with local interests who may be affected by the construction and operation of said works and facilities or by the acquisition or withdrawal of lands, through public hearings or in such manner as in his discretion may be found best suited to a maximum expression of the views of such local interests.

SEC. 5. In view of the special circumstances of the San Felipe division, neither the provisions of the third sentence of section 46 of the Act of May 25, 1926 (44 Stat. 636, 649) nor any other similar provision of the Federal reclamation laws shall be applicable in the south and north Santa Clara subareas so long as the water utilized on project lands is acquired by pumping from the underground reservoir.

SEC. 6. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

SEC. 7. There are hereby authorized to be appropriated for construction of the new works involved in the San Felipe division $92,380,000 (October 1966 prices), plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes and, in addition thereto, such sums as may be required to operate and maintain said division.

Mr. KUCHEL. Mr. President, the purpose of this legislation is to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division of the Central Valley project, under which water would be transported from the San Joaquin Valley across Pacheco Pass into the area occupied by San Benito, Santa Clara, Santa Cruz, and Monterey Counties, and particularly the city of San Jose.

The Bureau of Reclamation has developed a plan which could alleviate water supply problems of the four counties for many years to come through the importation of water developed by the Central Valley project.

I particularly wish to commend my longtime friend, Representative CHARLES S. GUBSER, who has pioneered this important venture. At this time his steadfast efforts are guiding this legislation through the House of Representatives.

This project will eventually provide 273,000 acre-feet of water annually for land in California counties on the west slope of the coast range. Wells in that area are becoming dry, or polluted from boron infiltration, and in the coastal areas, sea water intrusion threatens to become a major problem. Rapid urbanization of the area has also resulted in serious pressures on the existing water supply.

The project water supply will be obtained from the Sacramento-San Joaquin Delta through the operation of existing facilities of the Central Valley project, and will then be transported through State or Federal facilities from the delta to the San Luis Reservoir. A low level tunnel will carry the water through Pacheco Pass in the Diablo Range to a 104-mile canal and pipeline distribution system.

Other features of the project will include one large and several smaller pumping plants, three small regulatory reservoirs, and distribution facilities.

The total cost of constructing the works will be $98.3 million. Inlet works and the first 2-mile section of the Pacheco tunnel are nearing completion under a 1964 contract, awarded as an economy measure to permit construction before the site was covered with water by the filling of the San Luis Reservoir.

In October 1966, the Department of the Interior approved and submitted to Congress a Bureau of Reclamation feasibility report recommending authorization of the project. The report stated that the project was economically feasible and financially justified.

Local agencies, cooperating with Federal authorities in planning this project, have shared the cost of investigation to date, and are organizing an entity qualified to contract with the United States under reclamation law.

The bill was reported unanimously by the Committee on Interior and Insular Affairs.

I ask unanimous consent that copies of the letters from the Department of the Interior and the Budget Bureau appear at this portion of the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 18, 1967.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: This responds to your request for the views of the Department on S. 1111, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, Central Valley project, California, and for other purposes.

We recommend enactment of the bill if amended as set out herein.

The San Felipe division is a proposed multiple-purpose addition to the Central Valley project, involving the delivery of water from that project system to portions of Santa Clara, San Benito, Santa Cruz, and Monterey Counties, Calif. The plan of development is described in detail in our planning report to Congress dated September 26, 1966, printed as House Document 500, 89th Congress.

The service area for the division lies south of San Francisco Bay in the Santa Clara Valley west of the Diablo Range. It includes lands in the valley of the Pajaro River and in the portion of Santa Clara County which drains north to San Francisco Bay. For convenience, the area has been considered as four subareas each of which differs substantially from the others in terms of present water supply, current and projected urbanization, proposed method of water service, and other physical and ecological characteristics.

The largest subarea and the one having the most complex water problem is north Santa Clara County. This highly urbanized and rapidly growing area depends to a large extent upon ground water for municipal and industrial supplies as well as for agriculture. Pumping of water in amounts greater than the natural recharge for many years has lowered the ground-water levels below sea level in some places. The dewatered aquifer has allowed serious land subsidence and the intrusion of saline waters from San Francisco Bay. Despite the diligence of local agencies in developing local water supplies and importing water, this overdraft of the ground-water resource is expected to continue and to increase under the demands of a forecasted growth of population and industry.

The water problems of the other three areas are oriented more toward agricultural water requirements and are even more immediate than north Santa Clara's in that the surface water is almost completely utilized and there are less extensive or satisfactory ground-water resources. In those areas substantial areas of arable lands now are limited in production and other suitable lands cannot be developed for lack of dependable water.

Under the proposed plan about 273,000 acre-feet of Central Valley project water would be made available to the San Felipe division each year by pumping from the Sacramento-San Joaquin Delta into San Luis Reservoir of the authorized San Luis unit (Public Law 86–488) which is now under construction. The proposed Pacheco tunnel through the Diablo Range under Pacheco Pass would transport the water from San Luis Reservoir into the valley of Pacheco Creek, a tributary of the Pajaro River. From that point, two major canals would be built; one flowing northward to serve South Santa Clara Valley and to tie into the existing water control and distribution system of north Santa Clara County; the other flowing westward to serve the Hollister and Watsonville areas. Other principal engineering works proposed for construction include conduits, pumping plants, three small reservoirs and distribution systems with numerous relift pumping units.

The estimated cost of constructing the works proposed for the San Felipe division is $98,340,000 at October 1966 prices, including distribution systems estimated to cost $21,711,000. The inlet works for the Pacheco tunnel have been built as a part of the San Luis unit at a cost of about $5,960,000. Future appropriations of $92,380,000 would be needed to build the San Felipe division.

The total division cost including assigned costs for Central Valley project power and water storage and interest during construction is $126,399,000. This amount is tentatively allocated among purposes of the division as follows: Irrigation, $65,901,000; municipal and industrial water, $51,397,000; recreation, $3,133,000; and fish and wildlife enhancement, $5,968,000. Total annual costs, comprised of amortization of division costs and operation and maintenance, are $6,471,000.

Construction and operation of the division would result in annual benefits as follows:

Irrigation:	
Direct	$6,840,000
Indirect	4,425,000
Municipal and industrial	5,826,000
Recreation	265,000
Fish and wildlife enhancement	513,000
Total benefits	17,869,000
Total direct benefits	13,444,000

The benefit-cost ratios resulting from these figures are 2.76 to 1 for all benefits and 2.08 to 1 for direct benefits only.

The irrigated lands of the San Felipe division now total 180,000 acres. It is expected that as a result of urban encroachment on irrigated lands, the net service areas for irrigation will be about 107,000 acres in year 2020. The land and climate are favorable to intensive cultivation of a wide variety of fruits, nuts, vegetables, and row crops, and to dairying. The irrigation water users will be able to repay a portion of the construction costs allocated to that purpose, in addition to all of the costs of operation and maintenance and of the distribution and drainage systems. The municipal and industrial water users would repay with interest all of the costs allocated to that purpose, in addition to all of the costs of operation and maintenance and of the distribution and drainage systems. To accomplish this repayment water rates will be set at $7 per acre-foot for irrigation water and $30 per acre-foot for the municipal and industrial water supplies delivered at the Pacheco tunnel outlet.

The benefits to fish and wildlife enhancement will accrue from improved water supply in existing reservoirs, and no specific facilities or separable costs are involved. The only specific costs for recreation involve acquisition of lands and construction of facilities at Hudner Reservoir. As required by the Federal Water Project Recreation Act (Public Law 89–72) the San Benito County Board of Supervisors has indicated its intent in writing to agree to administer the land and water areas for those purposes and to assume the repayment of the non-Federal portion of these costs, now estimated at $150,000.

Of the 180,000-acre total, slightly less than 10,200 acres are presently in excess of the permissible acreage per ownership under reclamation law. It is anticipated that this excess total will diminish due to continued urbanization of the area, notably in north Santa Clara County. Most of the excess lands will be served through surface facilities, and there is no reason to anticipate any unusual problems in connection with excess land administration in those areas. In the south and north Santa Clara subareas where the San Felipe division will provide ground-water recharge, the administration of acreage limitations will likely be more complex. However, in all cases where excess irrigable lands, as defined in reclamation law, are involved, recordable contracts will be required in advance of water delivery, if the lands are to receive project water for irrigation, either by surface application or by recharging the adjacent underground aquifers. Either type of delivery would be considered the "receipt of water" supplied by the San Felipe division within the meaning of section 46 of the act of May 25, 1926, as amended. In the case of those areas to be served by underground water recharge rather than surface deliveries, recordable contracts will be required from all excess owners prior to initiation of water supply for recharge purposes.

We would propose that the bill be amended in some respects. On line 4, page 1, the words "area development" should be deleted as there is no longer a project cost allocation for that purpose. On line 3, page 2, the word "division" should be substituted for the word "unit." Section 2 of S. 1111 concerning operation of the division does not appear to provide any authority which is not elsewhere specifically conferred or implied. In the interest of simplifying the bill, we suggest section 2 be deleted.

Section 3 of S. 1111 concerns the functions of recreation and fish and wildlife enhancement in connection with the San Felipe division. The passage of the Federal Water Project Recreation Act (79 Stat. 213) and subsequent legislative history makes it possible to provide for inclusion and cost sharing of these functions by reference to that act. The limitation on joint costs in Public Law 89–72 would not be exceeded under our present analysis.

Accordingly, we recommend the following language in lieu of that found in section 3 of S. 1111:

"The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the San Felipe division shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213)."

The transportation of the division water supply from the delta to San Luis forebay reservoir may be accomplished by either of two methods: first, as discussed in the planning report, by use of available capacity in the pumps and aqueduct of the State of California water project, or second, by utilizing capacity in the Delta-Mendota Canal of the Federal Central Valley project.

In order that we may utilize the former plan if it proves to be more desirable, we recommend a new section be added to the bill:

"SEC. 6. The Secretary may contract with the State of California for the delivery through facilities of the State water project to the San Luis forebay reservoir of all or any part of the water of the Central Valley project assigned to the San Felipe division."

In the event the committee wishes to establish a ceiling on the appropriation of funds for the construction of the San Felipe division, the following language is suggested in lieu of the present section 5 of the bill:

"There are hereby authorized to be appropriated for construction of the new works involved in the San Felipe division $92,380,000 (October 1966 prices), plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes and, in addition thereto, such sums as may be required to operate and maintain said division."

A tabulation indicating the estimated additional personnel and expenditures for the first 5 years of the construction program is enclosed in compliance with Public Law 801, 84th Congress.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

KENNETH HOLUM,
Assistant Secretary of the Interior.

Estimated additional man-years of civilian employment and expenditures for the 1st 5 years of San Felipe division

	1st	2d	3d	4th	5th
Estimated additional man-years of civillian employment:					
Executive direction:					
Executive	2	2	2	2	2
Clerical	2	2	2	2	2
Total, executive direction	4	4	4	4	4
Administrative services support:					
Accountant	3	8	10	10	10
Clerical	6	12	18	20	20
Property management	7	10	12	15	15
Records maintenance	5	7	7	7	7
Total, administrative services and support	21	37	47	52	52
Substantive (program):					
Engineering aids	11	57	78	103	103
Engineers	9	45	64	84	84
Geologists	5	7	7	7	7
Total, substantive	25	109	149	194	194
Total, estimated additional man-years of civilian employment	50	150	200	250	250
Estimated additional expenditures (thousands):					
Personal services	$407	$1,260	$1,700	$2,225	$2,250
All other	634	7,183	14,502	18,716	23,094
Total estimated additional expenditures	1,041	8,443	16,232	20,941	25,344

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., April 18, 1967.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to your letter of March 2, 1967, requesting the views of the Bureau of the Budget on S. 1111, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, Central Valley project, California, and for other purposes.

The purpose of this legislation is stated in its title.

The Department of the Interior, in a report to your committee on S. 1111, recommends a number of perfecting changes to the bill. Bureau of the Budget concurs in these recommendations.

We have a question concerning the timing of the proposed project. We feel that initiation of construction may not be warranted until about 1970. If the project is authorized, we would expect the Department of the Interior to review the timing of project initiation in order to insure that the public investment is not made prior to its need. Our views on this subject were set forth in our letter of September 14, 1966, to the Secretary of the Interior as printed on page v of House Document No. 500, 89th Congress, second session.

In anticipation that the Department will make the necessary review of project timing, the Bureau of the Budget would have no objection to enactment of S. 1111 if amended as recommended by the Department of the Interior.

Sincerely yours,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

Mr. KUCHEL. Mr. President, I ask that the committee amendments be adopted.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc; and, without objection, the amendments are agreed to.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BYRD of West Virginia. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

BIBLIOGRAPHY OF PANAMA CANAL ISSUES

Mr. THURMOND. Mr. President, an objective study of the Panama Canal situation must depend upon current knowledge. I am pleased therefore to offer to my colleagues an up-to-date bibliography on Panama Canal issues. I believe this compilation will be one of the most extensive and current which will be available; I hope that my colleagues and other students of the canal problems will draw upon it freely.

In beginning the study of any important question, it is always necessary to view all sides. Therefore, I would like to emphasize that the items in this bibliography are not necessarily reflections of my own views. One will find here the articles of the distinguished and courageous defender of American rights in the Canal Zone, the Honorable DANIEL J. FLOOD; one will find the articulate and technical writings of historical specialists and other experts; but one will also find the work of the pro-Castro Panamanian Deputy, Thelma King. No one, of course, is going to read all of this material. Yet those who do draw upon it should realize that these sources are not all of equal value; nor do they carry any endorsement because they are listed here.

Students of canal problems soon become familiar with the monumental bibliography, "Subject Catalog of the Special Panama Collection of the Canal Zone Library-Museum"—G. K. Hall & Co.; Boston, 1964. That work may be useful to specialists, but it contains many items of purely historical value. Moreover, its publication in 1964 revealed that the library-museum's collection was itself far from complete, particularly with regard to current issues. There appeared to be a tendency to collect material that supported only certain factions in canal controversies, and to ignore worthy material on the opposing side. Those who are researching contemporary problems, therefore, need a more objective and current bibliography.

This bibliography depends in part upon the compilation printed in the CONGRESSIONAL RECORD on September 2, 1964, by the Honorable Clark W. Thompson, Representative from Texas. Many additions have been made, however, and a complete rearrangement is offered. Nevertheless, it is quite possible that significant items have been inadvertantly omitted. I intend to publish an addendum if necessary. Therefore, I ask those who know of other items that should be included to forward them to me to be entered upon the list.

Mr. President, I ask unanimous consent that the "Bibliography of Canal Issues, 1967" be printed in the RECORD at the conclusion of my remarks.

There being no objection, the bibliography was ordered to be printed in the RECORD, as follows:

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PANAMA CANAL TREATIES

Mr. THURMOND. Mr. President, the late Friday editions and Saturday editions of the Chicago Tribune carried the first solid news that the public has received about the specific terms of the treaties with Panama. It is remarkable how far this Nation has departed from the historic doctrine of "open covenants, openly arrived at." The terms of the treaties have been shrouded in secrecy from the very beginning of the negotiations. The excuse has been given that Panamanian nationalists would use knowledge of the terms to stir up resentment against its ratification.

From events last week, it is clear that Panamanian politicians will attempt to exploit the situation no matter how much secrecy is employed. The real objective of the Robles and Johnson administrations, in my judgment, was to keep publicity and interest in the treaties at a low ebb, thus depriving the people and their elective representatives of the opportunity of a careful and leisurely study of the treaties and their implications. The result is that the American people are just now getting their first look at treaties which will have an important bearing on the future of this Nation. Ironically, they are getting that look because of the desire of Panamanian nationalists to block the treaties.

Mr. President, I want to congratulate Mr. Chesly Manly and the Chicago Tribune for their initiative and persistence in getting the news scoop of the year. It is a shame that the American people should have to get this news—information rightfully theirs—in such a roundabout manner. Yet as long as we have newspapers which are as courageous and forthright as the Tribune, the American people have much for which they can be thankful. The most worthy tradition in journalism is the tradition that does not wait for an official handout of managed news, but goes directly to the source and obtains that which is suppressed. Until the official text is released, those of us in the Senate who want to study this matter objectively, and with the source documents, will have to make do with the partial text published by the Tribune. I ask unanimous consent that the article, "Tribune Bares Canal Pact," by Chesly Manly, be printed in the Record at the conclusion of these remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Tribune Bares Canal Pact—Nationalists See Rejection—Find Defense Terms Extremely Offensive—Treaty Recognizes Sovereignty—Opposition Leader Calls It Political TNT

(By Chesly Manly)

Panama City, July 6.—The new treaty for the defense of the Panama canal contains provisions which are so offensive to Panamanian nationalists that they predict its rejection by the national assembly. Yet American military authorities and members of Congress probably will find the treaty hopelessly inadequate for the protection of the canal.

A major part of the text of the defense treaty was made available to The Chicago Tribune today by an opposition leader of the assembly, who called it "political T. N. T." It authorizes the use of certain defense areas by the United States, but any military measures outside of these specified areas which the United States might consider necessary for the protection of the canal in case of aggression, armed conflict or other emergency, could be taken only with the consent of Panama.

The treaty is one of three recently approved in Washington by negotiating teams of the two governments. One treaty, which explicitly recognize Panama's sovereignty in the canal zone, would replace the treaty of 1903, which granted to the United States "in perpetuity" all rights in the present canal zone "which it would possess and exercise if it were the sovereign of the territory . . . to the entire exclusion of the Republic of Panama of any such sovereign rights, power, or authority."

RIGHT TO BUILD ANOTHER CANAL

The third treaty would give the United States the right to build a sea level canal across Panama, if it should choose a site in this country, instead of other possible routes in northern Colombia and on the border of Nicaragua and Costa Rica.

Foreign Minister Fernando Eleta, chief negotiator of the new treaties for the government of President Marco Robles, successfully resisted efforts of opposition leaders to make the texts public at a special meeting of the permanent legislative commission of the national assembly today.

This commission which acts when the assembly is not in session invited both the foreign minister and the nine-member foreign relations council and advisory body appointed by the President to attend the meeting, but the council voted 8 to 1 to be represented only by its chairman, Octavio Fabrega, a former foreign minister.

Eleta said the government was inhibited by diplomatic protocol, implying an understanding with the United States—from publishing the draft treaties. Also, he said the drafts brought back from Washington on June 23 were in English and that the official Spanish translations have not been completed.

After the treaties have been formally signed, he said, they will be presented to a special session of the national assembly, not the permanent legislative commission. His defiance of the commission was challenged as unconstitutional, but not successfully.

It is reported that President Robles will go to Washington on or about July 23 for a joint signing ceremony with President Johnson. Unlike Johnson, Robles cannot succeed himself, but he expects to choose his successor from Panama's ruling oligarchs and both presidents intend to exploit the new treaties for all possible political advantage.

STUDENTS DEMAND NATIONALIZATION

About 500 students from the Panama National institute demonstrated outside the national assembly building, carrying signs demanding "nationalization" of the canal and "Sovereignty or Revolution." The mob burned a United States flag, produced by one of the students.

In January, 1964, students from the institute invaded the canal zone to raise Panamanian flags and haul down United States flags, and in the rioting, looting, and burning that followed, there were more than 100 American casualties including four killed. An official United States report said the mobs were "infiltrated and led by extremists, including persons trained in communist countries for political action of the kind that took place."

More details of the treaty on the canal itself were disclosed today. A deputy who has read the text confirmed reports that Panama's share of the toll revenues will be based on a formula which would yield from 28 to 30 million dollars in the first year and gradually rise to about 40 million dollars.

Panama now receives only about $1,930,000 a year as compensation for the use of the canal zone, but its direct financial benefits from the United States operations in the zone, including wages and salaries to Panamanians and the purchase of goods and services, totaled more than 115 million dollars a year. This is about the same as the government's budget for 1967.

The new treaty would expire in 1999 or upon the completion of a sea level canal, except that it could be extended for 10 more year if a sea level canal had been started and not completed.

The present canal zone, 10 miles wide and 50 miles long, would be abolished and replaced by a much smaller "canal" area. Besides an original payment of 10 million dollars to Panama for the present zone, the United States purchased all the ground in the area from individual owners. Among other lands and facilities that would be turned over to Panama are 13 docks and piers, with 3.3 miles of berthing space, at Balboa and Cristobal, which are valued at 30 million dollars. Commissaries now operated by United States agencies for the armed forces and canal company employees including 4,000 Americans and 11,000 Panamanians, would be turned over to private Panamanian interests.

The canal company would be abolished and replaced by a joint administration with 9 directors—5 Americans and 4 Panamanians.

The government of Panama would have the right to shut down the Panama railroad, now operated by the canal company, two years after the effective date of the treaty. Opposition leaders say this provision is obviously designed to benefit Panama's powerful bus monopoly.

CHARGE ELECTION STOLEN

Opposition deputies, representing a "united front" organized by former President Arnulfo Arias, leader of the Panamenista party, say the treaties contain many objectionable provisions, but their main complaint is that the Robles regime stole the election from Arias in 1964, that it is not representative of the Panamanian people, and that it has no right to negotiate treaties of such importance.

Arias is in Europe, but he told this reporter last November that no matter how good a treaty negotiated by the Robles regime might be, the assembly would not approve it.

Altho the canal treaty recognizes Panama's sovereignty, the opposition leaders note that the United States would have a 5 to 4 majority on the joint board, and that the treaty also provides for separate administrations of justice in the canal area. United States nationals accused of crimes would be tried in American courts.

SCHOOLS CHANGE HANDS

Latin American schools now operated by the canal administration, however, would be taken over by the Panamanian department of education.

Altho Panamanian nationalists say the treaty falls far short of giving Panama effective sovereignty, American military and civilian authorities, both here and in Washington, say the recognition of Panama's sovereignty would be a standing invitation to nationalization of the canal by any communist infiltration government.

If Panama should nationalize the canal, these critics say, the United States could not act effectively to protect it, even in the event of a communist takeover, without raising the cry of intervention thruout Latin America.

PART OF TREATY TEXT

Following is part of the text of the defense treaty:

'The Republic of Panama and the United States of America shall provide jointly for the defense, security and continuity of operation of the Panama canal and its appurtenant and supporting facilities and services and of the canal area, as same is defined in Article 3 and delineated in annex one of the treaty concerning the Panama canal which the Republic of Panama and the United States of America have signed on this date. To this end and for its part, the Republic of Panama hereby makes available to the United States of America the use of defense areas described in annex A of this treaty for canal defense areas and the canal as purposes.

"Pursuant to this treaty, the United States of America shall have the right to act to insure canal defense for the purpose of carrying out its responsibilities hereunder, the United States of America shall have access to and free movement between the defense areas and the canal are referred to in this paragraph.

"The provisions of this treaty shall apply mutatis mutendis [to be altered when necessary] to the defense and security of any sea level canal constructed and operated in the Republic of Panama, pursuant to the provisions of the treaty concerning a sea level canal entered into by and between the Republic of Panama and the United States of America on this date, with such modification of annex A and other provisions of this treaty as agreed by the two governments to be necessary to provide for such defense and security.

PROVISIONS FOR DEFENSE

"In case of an international conflagration or the existence of any great threat of aggression or any armed conflict or other emergency endangering canal defense, the Republic of Panama and the United States of America shall take such preventive measures as are necessary for the protection of their common interest in effectuating the purposes of this treaty.

"Any such measure which shall appear essential to the United States of America * * * take and which would affect the territory of the Republic of Panama outside of the defense areas and the canal area referred to in Paragraph one of this article will be the subject of consultation in the joint committee.

"The joint committee shall be composed of one representative each of the government of the Republic of Panama and of the government of the United States of America, each of whom shall have one or more deputies. The joint committee shall determine its own rules of procedure and appoint such subcommittees as may be required. The joint committee shall be so organized that it may meet immediately at any time at the request of the representative of either the government of the Republic of Panama or the government of the United States of America.

"If the joint committee is unable to resolve a particular matter, it shall refer that matter to the respective governments for further consideration through appropriate channels."

SPEECH BY PRESIDENT JOHNSON IN BALTIMORE

Mr. BREWSTER. Mr. President, success or failure of the American way of life may not always be measured by the number of things we have produced, or the material goods we have accumulated.

Indeed, the success of the American way of life may better be expressed—as President Johnson put it in a speech to the Jaycees at Baltimore—by how much we have done to stretch the human mind in education; how much we have cared for the body in need of health; how far we have extended the horizons of those bypassed by the rapid advance of our own civilization.

There are many things for which Americans should be happy, as President Johnson pointed out in that speech.

We ought to be happy that there is freedom here, and that we are able to defend it abroad.

We ought to be happy that we are using more of our resources to raise America to the standard of living all its citizens desire.

We ought to be happy about America's diversity, and her unity.

We ought to be happy that we belong to the peace seekers, and not to the warmakers—no matter what our enemies say.

We ought to be happy that we are rich and powerful, but that we are also responsible and compassionate.

We ought to be happy that our enterprise system has remained free while it has become more socially responsive.

Mr. President, I ask unanimous consent to have printed in the RECORD the speech by President Johnson to the Junior Chamber of Commerce of Baltimore.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT AT THE NATIONAL CONVENTION OF THE JUNIOR CHAMBER OF COMMERCE, BALTIMORE, MD.

President Suttle; Governor Agnew; Senators Brewster and Tydings; Congressmen Garmatz, Fallon, Machen, Long, and Friedel; Mayor McKeldin; Mr. D'Alesandro; Mr. Shriver; distinguished J.C.'s and your ladies, I am glad that you asked me to come here today and I am so happy that I could come.

Some one said recently that "I am for the future. I expect to live the rest of my life there."

So all of us here this morning are going to live the rest of our lives in the future—most of us in this country. Not only are we going to live our lives in the future, what is more important, our children and our grandchildren are.

We can give them a country where crime is commonplace, where strife is certain, where free enterprise is frowned upon, where the state is everything—or we can invest our money and our efforts wisely to make the next generation freer and happier than ours has been.

A former President of the United States once said—when he was speaking about our living under the First Amendment and exercising the freedoms that go with it—that "Criticism is no doubt good for the soul." But we must beware that it does not upset our confidence in ourselves.

You would hardly expect a man who has had an automobile for sale to tell you that the motor heated, the wheels had not been put on properly, the horn wouldn't blow, that the automobile itself had a very short life—and then expect you to buy it.

But we hear other nations say so many things about our own in criticism—and we say so many things ourselves—that I sometimes wonder if the rest of the world hears only what is wrong with America.

It is good that we have a system where we can freely talk about what is wrong because when we have the proper information, we make the proper judgments. We can only get information by communication.

Proceeding on the assumption this morning that you young leaders of America have heard some of the things about what is wrong with this country, I am going to assume that I may be permitted to talk about some of the things that are right with America.

I should like to ask each person here to engage in a little introspection for the next few minutes I am privileged to be with you. I would like you to ask yourselves to count your own blessings—to ask yourself "What do I have to be thankful for; what do I have to appreciate; what do I have to be proud of; what do I have to look forward to? What do I have that my grandfather did not have—or that my father did not have—or that my brother did not have?"

Let us compare some of the present day conditions to—and I quote—"the good old days".

Or if we could—and still be polite—we might compare some of our conditions in America to some of the conditions in other countries that we have had pointed up to us from time to time.

Let us look at our educational system—because the very basis of a great nation is an educated mind, a healthy body, and a free enterprise system.

50 years ago in our educational system, only 10 percent of our boys and girls graduated from high school. Today that figure is not 10 percent. It is 75 percent. That is more than double that of France or West Germany, Italy or Great Britain.

50 years ago only about 4 percent of our young people went to college. Today that figure is about 40 percent. Only 10 percent of the young people of Great Britain and France go to institutions of higher learning.

Let us look at some other education we are getting from protesting and expressing dissent in this country. During a week a short time ago, our newspapers and our T.V. programs, our radio commentators, informed us fully about the protesters and the "peaceniks" who invaded the Pentagon.

They came there to stay—they walked over the tulips; they sat down on the steps; they slept in the halls. After we had analyzed it all carefully and the reports had been fully given—sometimes dramatically and occasionally emotionally—the "sleep-ins" numbered 12, a bare dozen.

During that very same week, there were 10,000 young Americans who voluntarily—on their own—walked into the military enlistment centers directed by the Pentagon and volunteered their services and their lives for America.

Let me repeat, there were over 10,000 first term enlistments in one week.

Unfortunately, a student carrying a sign or protester wearing a beard, or an attention-seeker burning a draft card in front of a camera can get more attention—and more billing—than all 10,000 of these volunteers.

So we will continue to have those visit the Pentagon to speak their mind. We will continue to have those visit the enlistment stations to give their lives—but let us keep the two in perspective.

In exercising our freedoms, let us check on them as we go along—and be sure that we never abuse them.

Americans are the best fed, the best paid, and the best educated people in the world. That is something we ought to be proud of in America. I know what we do when we are not the best fed, or the best read, or the best paid.

All we have to do is look back to the situation in Washington when I first came there in 1931—when the Bonus Marchers were driven down Pennsylvania Avenue—and look back to the emergency legislation which was required in the days following.

The banks had to be closed—and reopened again. Our farm commodities were being burned, and our soup kitchens stretched for half a mile in some of the main centers of our towns.

So much for our employment and our education. What about our health conditions?

Deaths from the dread diseases have been cut in half in the last 50 years. Life expectancy has doubled in the last 100 years. Infant mortality rates have been cut in half in the last 30 years. Artificial kidneys now in use soon will be joined by the artificial heart.

Measles have been retired in the pages of history. Polio is no longer the fear of every mother in the land—thanks to our great medical profession, and thanks to a country which has concentrated on trying to do what is right—and correct what is wrong.

Medical care has recently forged an extraordinary partnership. We have almost 20 million elderly persons. We have over 200,000 doctors working with this group. Under the Medical Care Program, over five million Americans in the last year—and the first anniversary is coming up very soon—have received physician services. Almost three million have received hospital care.

I have not come here to say to you that all is right and perfect. We still have many problems. We are facing up to them. We are recommending measures to deal with them. We won't get them all. We may just get a fraction of them—but we are not ignoring them—we are not running away from them—and we are not cutting out on them.

I saw in some report from some great university yesterday something about how we had cut back on our Poverty Programs, and how we had denied our people education programs and health programs because we were defending our country.

Well, that is just not true. That is just not so.

A little over three years ago—when I became President—we had no poverty program. We were in Vietnam, but we had no poverty program. We started one—and we have increased it every year since.

This year, we are increasing it by 25 percent—without tucking tail and running in Vietnam.

More money will be spent on poverty in the United States in trying to do something about it this year by the Federal Government than we spend in Vietnam.

In our educational program—when I became President a little over three years ago—we were spending $4 billion a year. This year our budget is $12 billion—three times as much for education in three years—and we are still doing our duty in Vietnam.

In our health program three years ago, we were spending a little over $4 billion a year in the Federal Government for health needs. This year our budget is a little over $12 billion—three times as much for health in three years as we were spending three years ago.

We still have many problems of unemployment and poverty. Even though America's poorest housing is in a luxury class for the masses of some other countries, we do have slums. We want to do something about them. We are doing something about them.

We passed our Model Cities program this year. That is the most far-reaching step in that direction that this nation has ever taken.

Today there are seven million fewer people living in poverty than there were seven years ago. The unemployment rate has dropped from 5.7 to in the neighborhood of 3.7. Operation Head Start has already given three-quarters of a million children from the poor families a leg up on education. It is growing every day.

More than a million persons are receiving job training under Federal programs compared to none seven years ago.

Almost one million people are going to college this year because of higher educational programs enacted under our Administration and passed by our Congress.

We all owe a debt to the Congress which has enacted this legislation for us.

So when you go back and talk about something that went wrong—how a motor failed—or how a red light stuck—or how someone looked on television—or how long they spoke—or what they didn't say—ask yourself to remember some of the good things that you have produced.

Our educational system—summarizing—is second to none anywhere in the world. Our prosperity is second to none anywhere in the world. Our standard of living is second to none anywhere in the world.

We produce more goods; we transport more goods; we use more goods than anyone in the world.

We own almost a third of the world's railroad tracks. We own almost two-thirds of the world's automobiles—and we don't have to wait three years to get a new one either.

I shouldn't be surprised—if you are anxious enough right now—but what some people on this very floor will take your orders.

The Baltimore New Car Dealers Association had better be careful or they will get outfigured. Someone will make you a cut rate proposition.

We own half the trucks in the world. We own almost half of all of the radios in the world. We own a third of all of the electricity that is produced in the world. We own a fourth of all of the steel. Our health conditions rank favorably with those of other countries in the world. Although we have only about six percent of the population of the world, we have half of its wealth.

Bear in mind that the other 94 percent of the population would like to trade with us.

Maybe a better way of saying it would be that they would like to exchange places with us.

I would like to see them enjoy the blessings that we enjoy. But don't you help them exchange places with us—because I don't want to be where they are.

Instead, I believe we are generous enough—I believe we are compassionate enough—and I believe we are grateful enough that we would like to see all of them enjoy the blessings that are ours.

I say to you young business leaders of America, there never has been a time when the business groups of this country—the young leaders of this country—the employees and the labor leaders of this country have cooperated with their Government more than now. Your President is grateful for it.

I want to leave one thought with you. If you forget everything else I say, please remember this when you go back to your own community to provide them with the leadership that I want to provide you—that I am trying so hard to provide you.

You say to them that it is not absolutely essential—it is not a prerequisite—and it is not required that you tear our country down, and our flag down, in order to lift them up.

I want to conclude now by just quietly saying a word to you about this larger world that we all live in. I think it is on your mind and in your heart—as it is on mine and in mine.

We are in South Vietnam today because we want to allow a little nation self-determination. We want them to be able to go and vote for the kind of leaders they want and select the type of Government they want. We want them to be free of terror and aggression in doing that—as we want it for ourselves.

We made a contract. We had an agreement. We entered into a treaty that was confirmed by our Senate, 82 to 1, saying that in the face of common danger, we would come and help.

We came. We are helping. We are doing our best. I solicit the cooperation of each of you to the extent that you can give it.

We Americans are deeply concerned about the recognition of the right of self-determination. That is what each of you demands for yourself. So let us help your fellowman in other parts of the world enjoy it, too.

Self-determination is really the right to live. That is what we ask for all of the nations of the Middle East—not just for some of them.

We believe that for the peoples of the 122 nations of the world, speaking now of the under-developed nations of the world specifically, real self-determination only comes when hunger and disease and ignorance and poverty are overcome. We believe that the peoples of all of these nations are entitled to that self-determination. They won't have it until we can conquer those ancient enemies—illiteracy, ignorance, disease and poverty.

Just as it is here in our home, we believe in the First Amendment, in free speech and in a free press. We believe in the Bill of Rights. We believe what matters abroad is also freedom from fear and freedom from want—the freedom to make choices and not just to submit to a brutal destiny.

Two days ago, not very far from here, I met with Chairman Kosygin of the Soviet Union. The nations we spoke for are two of the most powerful nations in all of the world. In the family of nations, two of the strongest have two of the greatest responsibilities.

For my part, and for your nation, that responsibility involves helping other nations to choose their own futures as they see it.

We seek as well maximum understanding between these two great powers. For 10 hours we looked at each other with only the interpreters present in a very small room.

Though our differences are many, and though they run very deep, we knew that in the world's interest it was important that we understand, if we could, the motivations as well as the commitments of each other. We religiously, dedicatedly, and determinedly worked at that assignment for those two days.

That is why we met in the house called Hollybush. To bring about better understandings, and to discuss respective goals and commitments, we came there.

When we left I believe we had achieved that. We agreed we would continue to maintain contact through diplomatic channels, through other means of communication, and direct contact.

In Saigon, in the Sinai, at Hollybush in New Jersey, in the slums of our cities, in the prairies of our land, in the hollows of Appalachia, in scores of underdeveloped countries all around the world where men struggle to make their own future and to secure their little families, that it what we are about.

If the young leadership of our country supports us over the long hard pull that lies ahead, if you can endure the tensions, if you can understand that the air is going to be rough and the road is going to be bumpy, you can, in the words of your own creed, "Help us unlock earth's great treasure—human personality."

Then the cussers and the doubters will be relegated to the rear; the doers and the builders will take up the front lines.

Now you are going to return to your homes. You have engaged in looking at yourselves and at your country. I have been able to discuss it for only a very brief time.

I am going back to attend a one o'clock meeting with Secretary Rusk and Secretary McNamara and others who are giving everything they have to your country. We are not only going to talk and plan and work and pray to develop ways and means of keeping your country and your families secure, but we are going to do our dead level best to bring peace to every human being in the world.

Our problems are many. Our solutions are few. I am not as concerned about the individual differences which we have with other nations—because with few exceptions I think those can be reconciled—but I am concerned that every boy and girl, that every man and woman who enjoys citizenship and freedom and prosperity and the blessings of this land know what they have and are determined to build upon it, to improve it—and by all means to keep it.

CUBA: THE DANGER AT OUR SOUTHERN SHORES

Mr. HANSEN. Mr. President, it appears as if our Nation's press is awakening to the danger off our southern shores. For a number of months the issue of Fidel Castro and his Communist Cuba has gone relatively unnoticed. Since the verbal clash over Cuba's Russian missiles in 1962, little attention has been paid to this small island 90 miles off Florida's coast.

Recently, however, a change has occurred. Some weeks ago I placed in the RECORD several articles, by Carl T. Rowan, concerning Cuba's potential threat to the United States. In the weeks since those articles were published, a subcommittee of the House Committee on Foreign Affairs has issued a comprehensive report, the Organization of American States has undertaken a study of Cuba's involvement in guerrilla activity in Latin America, and several other articles and columns have concerned themselves with this insidious threat.

Mr. President, today I ask unanimous consent to place in the RECORD two more articles, one written by David Lawrence and published in the Washington Star, the other written by Tom Wicker and published in the New York Times.

Both gentlemen concern themselves with the large part that Cuba has played in the subversion and terrorism continually going on in Latin America.

Mr. Wicker notes Castro's part in guerrilla activity in Bolivia and Venezuela and then points out that—

> Castro . . . . is behind similar terrorism in Colombia, the Dominican Republic and Guatemala.

Mr. Lawrence quotes from the House subcommittee's report that—

> Cuba is still receiving considerable assistance from our "friends and allies." Such assistance results in improving Cuba's economy as well as furnishing Castro with additional resources to expand his revolution.

England, Spain, Japan, France, Morocco, Italy, and Canada have all continued their trade with Cuba in the face of strong protests by members of the OAS.

Yet, despite the danger Cuba poses to freedom in the Western Hemisphere and the trade that our allies continue to maintain with this threat, official Washington does nothing.

Mr. Wicker points out that—

> The seriousness of guerrilla activity in Latin America is not overlooked in Washington.

Let us hope that Washington breaks its silence on the matter to show that it has noticed and that it will not permit the status quo to continue.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

LATIN AMERICAN "VIETNAMS" LOOM

(By David Lawrence)

The United States is confronted with the possibility of a half-dozen or more Vietnam-type conflicts. For the Castro government of Cuba, supported by the Soviet Union, has instigated an extensive series of guerrilla wars designed to harass the military forces of governments in Central and South America.

A comprehensive report, just issued by a subcommittee of the House Foreign Affairs Committee, declares that Castro has expanded his list of target countries, and is holding on July 28 in Havana a conference of Communist parties from various areas in Latin America to plan more subversive and terrorist activities.

At present, the report says, "There are guerrilla movements of significance" in Venezuela, Colombia, Guatemala and Bolivia. Details of these operations now are furnished by the House committee, based on an extensive investigation and public hearings.

The big question is whether some of the principal countries in the world are going to cooperate with the United States in preventing Cuba from carrying out its plots. The House committee—which heard testimony from officials of the State Department and the Defense Intelligence Agency—makes these findings:

"Cuba is still receiving considerable assistance from our 'friends and allies.' Such assistance results in improving Cuba's economy as well as furnishing Castro with additional resources to expand his revolution.

"The British are trading with Cuba and recently completed a credit guarantee for a large fertilizer plant, despite our protests. At least nine members of the Organization of American States have remonstrated with the British government, but to no avail.

"A number of other countries have granted credits to Cuba, including Spain, Japan, France, the Benelux countries, Morocco, the United Arab Republic, Italy and Canada. Canadian wheat, purchased by the Soviet Union and shipped to Cuba, amounted to $208 million in 1965, according to the latest figures available.

"The United States should urge other members of the Organization of American States to join with it in taking the most forceful measures practicable toward terminating entirely all significant trade between the free world and Cuba."

Realistically, the only effective method of cutting off trade with Cuba is a blockade. When a nation is virtually in a state of war with other governments, as is the case with Cuba, measures can be taken to "quarantine" the perpetrator of a widespread aggression.

The Organization of American States has already adopted resolutions condemning the government at Havana for "aggression and intervention" and recommending suspension of diplomatic relations as well as trade and shipping between member countries and Cuba. It is significant that only Mexico has not complied with the 1964 decision to cut off relations with Cuba.

The OAS has also proclaimed the right of its members to engage in individual or collective self-defense, "including armed force, if Cuba persists in aggressive and interventionist acts."

The Soviet Union, too, is on notice to keep missiles and other aggressive weapons out of Cuba, and the House committee report says that the OAS has urged that "member countries take all necessary individual or collective measures, including armed force, to assure this."

Although an agreement was reached in 1962 between the late President Kennedy and the Khrushchev regime in Moscow to dismantle the missile bases set up in Cuba, there is no certainty as to how many weapons remain. The House committee declares that a large supply of arms is present in Cuba as well as about 5,000 Soviet nationals. These include a "military assistance group" of around 2,000 which, the committee says, "helps in maintaining and operating the Soviet equipment turned over to Cuba."

While there is no evidence to indicate that Soviet combat troops are in Cuba, it is clear that Soviet military aid has increased since September 1966. This, the committee says, could be "a phase of the necessary Soviet replacement and resupply program for the equipment introduced in 1962." Cuba's air defense capability, moreover, is being modernized. But the primary threat posed to the hemisphere by the Soviet-Castro conspiracy is, as the committee points out, "the continuing support of Communist insurgency activities in Latin America."

[From the New York Times, July 6, 1967]

IN THE NATION: GUERRILLAS SOUTH OF THE BORDER

(By Tom Wicker)

WASHINGTON, July 5.—Reports from Buenos Aires suggest that President Barrientos of Bolivia has asked Argentina for ground troops to assist him in fighting Cuban-trained guerrillas supposedly under the leadership of the almost legendary Che Guevara. This is doubted here because such requests are unheard of among the sensitive South American states, and because Barrientos has been known to exaggerate the guerrilla scare to strengthen his own position.

Nevertheless, the report dramatizes a situation of considerable menace in Latin America; it adds perspective to one apparent failure of Soviet Premier Kosygin's visit to this hemisphere; and it suggests the potential importance of the Organization of American States.

SERIOUS BUSINESS

The seriousness of guerrilla activity in Latin America is not overlooked in Washington. Barrientos' forces have been hard hit by the Cuban-trained cadres and the United States already is providing Bolivia some training assistance and a few helicopters. Just recently an O.A.S. investigating mission confirmed Cuban-fomented guerrilla incidents in Venezuela, which has been having mounting troubles of this kind since 1963.

Castro, it is believed on good evidence, is behind similar terrorism in Colombia, the Dominican Republic, and Guatemala.

Therefore, it is useful to look at a little-publicized meeting of the Economic Commission of Latin America (E.C.L.A.) five weeks ago in Caracas.

E.C.L.A. is an arm of the United Nations, of which Cuba is a member, so Castro was represented by a large delegation. But the largest group of "observers" came from the Soviet Union, which is not an E.C.L.A. member. The observers' mission was to drum up trade with Latin America, and the Russians not only did a hard selling job but also offered all sorts of perquisites—Soviet technical assistance, for instance, and training in the Soviet Union for Latin-American personnel.

Experts here think the potential for Soviet-South American trade, if politics were no barrier, is considerable, and the Soviets at Caracas obviously thought so. But the guerrilla intervention in this hemisphere by Moscow's ally Castro is one of the major barriers to the development of this trade.

In a news conference this week in Alaska, Vice President Humphrey said President Johnson had urged Kosygin to put pressure on Castro to call off his guerrillas. If so, it adds interesting perspective to Kosygin's talks with Castro—the perspective of another instance of parallel Soviet-American action.

But since Kosygin apparently failed to convince Castro, the question of what can be done about subversion in Latin America is sharpened. The United States would not be welcome as a policeman in that area, nor is either Congress or the Administration likely to have much stomach for another Vietnamese-style intervention. Nor does anything like Barrientos' purported request for assistance from Argentina make much sense when the O.A.S. is available.

What the O.A.S. is available for is the major question. As a result of the recent investigation in Venezuela, the organization's foreign ministers will meet here, probably in August, to consider the "hemispheric threat" the investigators believe they found, and to decide what to do about it.

A POLICE FORCE

An O.A.S. police force appears out of the question, given the reluctance of Chile, Mexico, Colombia and even Venezuela to create such as instrument (although Argentina, Brazil and the United States have looked favorably on the idea).

A tighter economic squeeze on Cuba is all that appears in prospect. But if the threat continues, the O.A.S. sooner or later will have to do more—either to alleviate the conditions in which subversion and "wars of liberation" thrive, or to provide stronger military resistance, or both.

RESOLUTIONS ADOPTED BY ARKANSAS STATE AFL–CIO

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that several resolutions recently adopted by the Arkansas State AFL–CIO bc printed in the body of the RECORD following my remarks. These resolutions concern several critical public policy issues and deserve the attention of the Senate.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION NO. 9—SOCIAL SECURITY IMPROVEMENTS

(Submitted by Executive Committee)

Whereas, President Johnson has urged the Congress of the United States to increase Social Security benefits by an average of 20 percent with the biggest proportionate share going to the 2½ million retirees who now get only the minimum of $44 a month ($66 for a couple); and

Whereas, even the proposed increases would fall short of assuring Social Security beneficiaries genuine financial independence, as contemplated by the Social Security Act; and

Whereas, many other nations, far less affluent than the United States, have far more adequate social welfare systems; and

Whereas, no remotely comparable insurance protection is available to Americans at any price.

Now therefore be it resolved, that the Congress of the United States take prompt, positive action to attack the deficiencies that exist in the Social Security system, so that older Americans, widows and children, and the disabled can live out their retirement years in dignity and self-respect rather than in poverty and despair.

Be it further resolved that since the program's biggest single defect is lack of adequate cash benefits, that the Congress act to increase these benefits as proposed by the President.

Be it further resolved that copies of this resolution be sent to the United States Senators and Congressmen from Arkansas requesting them to support the President's proposals, and to place this resolution in the records of Congress.

Be it further resolved that this resolution be given the fullest publicity through the communications media.

RESOLUTION NO. 10—PERSONAL INCOME TAX EXEMPTION

(Submitted by International Association of Machinists and Aerospace Workers, AFL–CIO; District Lodge 156; Lodges 921, 997, and 1775)

Whereas, it has always been the goal of organized labor to seek a new way of life for and add dignity to the lives of America's millions of working people; and

Whereas, the destiny of these working people are more often than not molded by national legislation; and

Whereas, we all recognize the fact that the cost of living has so greatly risen in the past 20 years; and

Whereas, while this cost of living has risen, the amount of personal tax exemption for each dependent has remained unchanged.

Now therefore be it resolved that the Arkansas State AFL–CIO does hereby go on record in support of an increase in the personal tax exemption for each dependent from $600 to $1,000.

Be it further resolved to notify the Arkansas Congressional delegation of its action and urge their support in this important issue.

RESOLUTION NO. 11—WAGE-HOUR ENFORCEMENT

(Submitted by Executive Committee)

Whereas, the new federal minimum wage law that went into effect February 1st has extended coverage to more than nine million additional workers; and

Whereas, in the state of Arkansas in 1966 over one million dollars in back wages was found due to employees; and for the nation the amount exceeded ninety million dollars; and

Whereas, complaints of employer violations of the Wage-Hour Act rose sharply in the first two months of the new amendments to the law. Complaints filed in February were up 36 percent over the filings for the same month of 1966—some 1,885 to 2,572. March complaints were up 48 percent—some 2,216 to 3,275; and

Whereas, the Labor Department has never had enough inspectors to do an adequate job.

Now therefore be it resolved that the Arkansas State AFL–CIO Central Bodies and Local Unions set up watch dog committees to aid and assist all workers, including non-union employees, to file complaints and to publicize this effort in their local communities.

Be it further resolved that the Arkansas State AFL–CIO and its affiliates notify their congressional delegation of the crucial need to provide funds for additional inspectors of the Wage-Hour Act.

RESOLUTION NO. 17—CONSUMER PROBLEMS (FEDERAL)

(Submitted by Executive Committee)

Whereas, high on the list of items which demand immediate and extensive attention from the 90th Congress are the problems of the American consumer; and

Whereas, of primary concern to consumers are the specific products bought for personal use. Consumers need and should have adequate protection against fraudulent practices, assurance that the products are safe to use, and that product and price information is adequate and accurate; and

Whereas, in testing the current state of affairs by these standards, we find that much Congressional concern and action is needed.

Now therefore be it resolved by the Arkansas State AFL–CIO, in convention assembled, that in cooperation with National AFL–CIO we seek:

1. Action to remedy the exploitation of consumers by those who provide consumer credit.
2. A general investigation by the Congress of the insurance industry in all its aspects.
3. Action on the over-pricing of key consumer products like food and drugs.
4. Legislation to provide consumers with unbiased product information to aid in the wise purchase of consumer products and to end misleading, false or fraudulent information about consumer products, including the sale of land.
5. Swift action to insure the safety of consumer products and to prevent accidental death and injury to those who buy them.
6. Establishment of formal governmental machinery to help assure that consumer problems will receive the attention they deserve and that solutions will not only be devised but aggressively promoted both by the Congress and the Executive Branch.

RESOLUTION NO. 19—SITUS PICKETING

(Submitted by International Brotherhood of Electrical Workers, Local 295)

Whereas, inequitable restrictions have been imposed upon legitimate economic activity of building and construction trades unions on construction sites by virtue of a literalistic interpretation of the picketing provisions of the National Labor Relations Act rendered by the National Labor Relations Board and followed by the Supreme Court of the United States in the Denver Building Trades case (341 U.S. 675); and

Whereas, legislation to eliminate these inequitable restrictions on the building and construction trades has been pending before Congress for over twelve years; and

Whereas, such legislation has been given long and exhaustive consideration by both the executive and legislative branches of the government with the result that there is, and has consistently been, wide bipartisan support for such legislation, evidenced by the endorsement of such legislation by Administrations of Presidents Truman, Eisenhower, Kennedy and Johnson, and commitments made for a vote on the floors of Congress by Republican leaders; and

Whereas, Secretaries of Labor Arthur J. Goldberg and W. Willard Wirtz have both testified before Congress in favor of the enactment of corrective situs picketing legislation.

Now therefore be it resolved that the delegates assembled at this Sixth Biennial Convention of the Arkansas State AFL–CIO declare their wholehearted and undivided support for the enactment of the Situs Picketing Bill to grant the long delayed relief to which building and construction trades workers are entitled.

RESOLUTION NO. 21—LEVEL FIVE FOR ALL LETTER CARRIERS

(Submitted by National Association of Letter Carriers, Branch 35)

Whereas, the most unrealistic evaluation of the Letter Carriers duties for purposes of establishing a fair wage for the position is the linkage of his job description to employees in Level 5 of the General Schedule grade; and

Whereas, the inequity of this injustice has been compounded by the neglect of the Executive Branch to establish machinery and methods that could be expected to produce data on which true comparability might be measured, as was clearly intended by the Congress when it included a "Declaration of Policy" in the Pay Act of 1962; and

Whereas, the once glowing promise of "comparability" is nothing but a fantasy at best and a cruel hoax at worst, because it fixes federal wages to those paid by the least enlightened private employers, and to industries in which relatively few people are engaged, rather than to the better and bigger firms in private enterprise.

Now therefore be it resolved that we exert every possible effort to secure legislation that will place all PFS Level 4 employees in PFS Level 5.

Be it further resolved that the first two steps in Level 5 be eliminated.

RESOLUTION NO. 22—PRESIDENT LYNDON B. JOHNSON: A COMMENDATION

(Submitted by United Steelworkers of America, AFL–CIO, Local Union No. 4880)

Whereas, President Lyndon B. Johnson, during his administration, has consistently and effectively supported laws and programs that were in the best interest of the people of the United States; and

Whereas, many of the laws and programs which members of organized labor have supported for years have been enacted into law during President Johnson's administration; and

Whereas, many improvements have been made in existing laws and programs that help people who need help the most; and

Whereas, real gains have been realized such as:

1. Continuing prosperity with six million more people at work in higher paying jobs and a drop in the unemployment rate from 5.7% to less than 4%.
2. Protection of more than 19 million elderly people under hospital insurance part of Medicare and 17½ million under supplementary medical insurance with over 3 million having already received hospital care and 5½ million having received doctor's services under this program.
3. A better living for older people because of the 7% increase in Social Security benefits for 23 million Americans and Social Security benefits for additional millions with additional improvements being pushed in Congress at this time.
4. A better education for our young people with 8 million disadvantaged children being helped in 17,000 communities under the Elementary and Secondary Education Act, 135,000 college students receiving direct grants and another 198,000 being helped under work study programs, and 49 million school children receiving benefits from library books, textbooks, and other educational material.
5. Hope for the poor of our country under programs in which $9.3 billion dollars have been spent to assist the poor and combat poverty. Under these programs more than 4 million Americans have moved above the poverty line, over 737,000 children have been helped through Head Start programs,

350,000 youths have been helped by Neighborhood Youth Corps and more than 30,000 by the Job Corps, more than 1 million persons have received training under the Manpower Development and Training Program, and more than 8 million more workers added to coverage of minimum wage laws and increases from $1.25 per hour to $1.60 per hour in the minimum wage.

6. Improvement in the living conditions in our cities through improved Housing laws, rent subsidies, urban renewal, area redevelopment, model cities programs, and programs to relieve the air and water pollution problems in our cities.

7. More equality of rights and opportunities for all of our citizens under Civil Rights and Voting Rights laws, and

8. Continuation of a Foreign Policy that has enabled the people of the free world to improve their economies through our Foreign Aid programs and has protected their National Independence against armed aggression from Communist nations through our treaties of mutual defense, including the use of our own military forces as has been necessary.

Now therefore be it resolved that the Arkansas State AFL–CIO commends President Lyndon B. Johnson and his administration for these great achievements and pledge to him our wholehearted support for his programs and his re-election as President of the United States in 1968.

Be it further resolved that the Arkansas State AFL–CIO urges all United States Senators and Representatives from our state to unite behind President Johnson and his programs and to give him their support.

Resolution No. 24—Citizens' Job Protection Law

(Submitted by Little Rock Allied Printing Trades Council)

Whereas, organized labor has proved to be of great economic value to the democratic progress of the United States, and provides security and stability not only for its membership but for industry, churches, civic and cultural groups and fraternal organizations; and

Whereas, any element of our society that tends to lessen the effectiveness of the organized labor movement must, of necessity, lessen the security and stability of the American social, economic and governmental system; and

Whereas, professional strikebreakers, their procurers, herders and employers have been proven to be economic mercenaries who contribute nothing to the community they invade, pay little or nothing to the support of the local government; the availability of a strikebreaking complex negates fair and legal collective bargaining, and the professional strikebreaker himself, more often than not; and

Whereas, more than seventy cities and thirteen states have, to date, enacted laws barring professional strikebreakers from practicing their trade within their jurisdictions which indicates the desire of the American people for legislation in this area.

Now therefore be it resolved that the Arkansas State AFL–CIO support legislation pending in Congress that would prohibit interstate traffic in strikebreakers as being inimical to the economic growth and well being of the American people.

Be it further resolved that copies of this resolution be transmitted to President Johnson and the entire Arkansas congressional delegation.

Resolution No. 32—Compulsory Arbitration

(Submitted by BLF&E Lodges 45, 428, 551, and 779)

Whereas, on August 28, 1963, the Congress enacted and the President signed a compulsory arbitration law (Public Law 88–108) compelling the five railroad operating unions to submit the basic issues of the employment and use of locomotive helpers (firemen) and train crew consist to a final and binding settlement by an arbitration board; and

Whereas, after four years of operating under PL 88–108 and experience is that it is unworkable, unsatisfactory, unfair, undemocratic and has created more problems than it has solved; and

Whereas, the Senate Committee on Commerce and the House Committee on Interstate and Foreign Commerce heard President George Meany testify:

"I just merely point out, as a matter of common justice, as a basic tenet of democracy, that you cannot give special protection to one citizen from the consequences of the legal action of another. And, if it is legal for a man to quit his job, then you cannot protect somebody from the consequences of him quitting his job.

"If you are going to make it illegal for him to quit his job, then I think you have got to look at the paramount public reason for taking this right away from a man, and the answer is quite obviously public ownership.

"If you are going to compel people to work, whether they want to work or not, because of a paramount public interest, then the paramount public interest should be asserted by seeing that nobody makes a profit out of that particular operation."

Now therefore be it resolved (1) That the Arkansas State AFL–CIO in convention, records its unalterable opposition to compulsory arbitration and expresses fear that Congress has given management an incentive not to bargain; and, further, (2) That Congress be urged to scrutinize the railroad industry—its operations and financial structure—to ascertain whether the industry is as poverty stricken as claimed. (3) We vigorously oppose all further efforts to impose compulsory arbitration by National Congress.

Resolution No. 34—Advertising of Distilled Spirits

(Submitted by Coopers International Union of North America, Local 85)

Whereas, federal law on advertising of distilled spirits allows age to be claimed only for the period during which whiskey is stored in new charred oak cooperage; and

Whereas, the federal government adopted such regulations in 1937, and reaffirmed them in 1949 and 1962, to protect the quality of American whiskey and to guard the consumer and distilling industry against deceit and fraud; and

Whereas, certain distillers have asked that federal regulations be changed to permit age to be claimed on neutral spirits stored in reused cooperage and add color and flavoring, without stating these facts on the bottle label; and

Whereas, the changes proposed would deceive the consumer and permanently deprive cooperage workers in Arkansas of employment; and

Whereas, Senator Fulbright and Representative Mills have introduced in Congress S. 1614 and H.R. 10380, bills which would protect and preserve the present fair advertising standards for distilled spirits.

Now therefore be it resolved that the Arkansas State AFL–CIO go on record opposing proposed changes in federal standards for advertising distilled spirits; and

Be it further resolved that copies of this resolution be mailed to the Arkansas delegation in Congress.

PRESIDENT JOHNSON—A DETERMINED PEACE-SEEKER

Mr. BYRD of West Virginia. Mr. President—

The true political strength and the true victories of this President lie not in home but rather in world affairs.

"This President" is, of course, President Johnson. And the point made by William S. White, in a recent column, is that the President's talent as a firm, but flexible, world leader who is determined to find peace in a troubled world, is a source of great strength to Mr. Johnson as the leader of the American people.

Mr. White notes that the President's popularity is increasing now because of his skill in foreign affairs—particularly in Latin America, Asia, and in the Middle East.

The American people overwhelmingly support the Commander in Chief's policies in Vietnam. They are with him in his quest for progress for Latin America and Asia; and they solidly support his policy for a peaceful settlement of differences in the Middle East.

As Mr. White said:

> The people are giving him a good report card because (he has avoided) an ineffective, sugar-candy line in this country's dealings with the world overseas.

Mr. White is correct. And the American people will continue to support a President who remains steadfastly committed to a firm and flexible policy that aims to leave no stone unturned in the quest for a just and lasting peace.

I ask unanimous consent to insert in the Record Mr. White's column, from the Washington Post of July 5, 1967, entitled "L. B. J.'s Strength."

There being no objection, the column was ordered to be printed in the Record, as follows:

[From the Washington Post, July 5, 1967]

L. B. J.'s Strength: He Scores High in Foreign Policy

(By William S. White)

President Johnson's dramatic rise in the polls, and concurrently in the fickle affections of the Nation's Democratic Governors, has a simple and richly ironical meaning.

He has moved up sharply in favor not because of but rather in spite of his ceaseless domestic reformism. The people are giving him a good report card because he has not allowed a high and surely a debatable degree of liberalism in home affairs to lead him to take an ineffective, sugar-candy line in this country's dealings with the world overseas.

He is riding high, in short, because he has shown an essentially conservative-minded skill in foreign affairs; in Latin America, in Asia, in the Middle East and in Africa. This is the very area, moreover, in which the cliche-thinkers among American politicians and commentators had so long pictured him as a kind of naive Texas cowboy with dung in his boots and you-all in his mouth.

When Mr. Johnson came to office in the tragedy of the Kennedy assassination, the stereotype here, and, far more importantly, abroad, was of a no doubt able but still parochial politician really at home only on the range of the United States. He would deal well with Congress; and perhaps his Great Society would surpass Kennedy's New Frontier in civil rights, medicare, urban renewal, and all that. But he would be lost in the sophisticated outer world.

The first half of this estimate was sound enough and has in fact materialized; materialized too well, for a good many Americans, including this one. But the second part was profoundly ill-informed and even more profoundly dangerous to the interests not simply of Johnson or the Democratic Party but rather to the United States. For it misled people abroad, and notably those who hold high position, about the capacity of an American President unable to lead.

His "accent"; his rural Southern upbringing; the circumstance that he had gone to a little freshwater college and never to an Ivy League university—all these led to instant conclusion in the foreign press and diplomatic communities in Washington that here was a possibly able fellow in domestic matters but a fellow sure to be quite lost among the complexities of foreign policy.

The bottom truth of it was inevitably lost in all this nonsense. That truth, as the recent polls have clearly shown, is that the public itself has not accepted the stereotype, as at length it rejected a similar stereotype about Harry Truman, who was a country boy, too. All the objective indications are that Lyndon Johnson's domestic legislative successes hardly enchant most of the people. His marked, and sometimes extreme, liberalism at home does not, as the saying goes among the teen-agers, really send the national consensus.

Where he scores with that consensus—that ultimately controlling body of national opinion which is rightly preoccupied not with domestic reforms but with national safety and national honor in an exceedingly perilous world—is in his ability to look after this country's gut interests abroad.

The irony? It is that the true political strength and the true victories of this President lie not in home but rather in world affairs.

LOVETT-LEARNED PROFESSORSHIP OF BUSINESS ADMINISTRATION

Mr. JACKSON. Mr. President, a good deal is heard these days about the "revolutionary development" in the science of management and the use of new tools in decisionmaking, such as systems analysis, cost-effectiveness studies, and planning-programing and budgeting. These techniques have reached a point where, if wisely applied, they can be helpful aids in much Government business. There is, however, exaggerated talk about the differences between what has been done and what is being done. It is useful to be reminded that modern management tools are rooted in more than a quarter-century of experience and evolution.

Of particular significance was the work of statistical control in applying advanced management principles in the U.S. Air Forces during World War II. This Air Forces Statistical Control organization was the forerunner of the function of the Air Comptroller—a function which has been adopted by the other services and the Department of Defense. Statistical control was also the predecessor of systems analysis and linear programing.

A heartwarming event last month recalls some of this history. Robert A. Lovett, former Secretary of Defense, and Harvard Prof. Edmund P. Learned were jointly honored in an endowed professorship by the Harvard Graduate School of Business Administration. Mr. Lovett, as Assistant Secretary of War for Air in World War II, in consultation with Gen. H. H. Arnold, commanding general of the Army Air Forces, initiated the establishment of the Statistical Control organization. Professor Learned was the first director of training at the Statistical Control Officers School at Harvard and later served as consultant to the commanding general of the Air Forces.

The text of the release announcing the Lovett-Learned Professorship of Business Administration at the Harvard Business School tells more of the story.

I ask unanimous consent that the text of the release be printed in the Record.

There being no objection, the release was ordered to be printed in the Record, as follows:

A Harvard Business School Release,
Boston, Mass., June 7, 1967

Robert A. Lovett, former Secretary of Defense, and Harvard Professor Edmund P. Learned were jointly honored in an endowed professorship announced last night (June 6, 1967) at the Harvard Graduate School of Business Administration at a 25th reunion gathering of former officers of the Air Forces Statistical Control organization.

The Texas-born banker and Harvard Business School educator had differing but critical roles in introducing modern business concepts to military planning, procurement, and personnel deployment during World War II through the advent of Statistical Control.

The Lovett-Learned Professorship of Business Administration at the Harvard Business School was made possible by gifts of former officers of Statistical Control, their associates and organizations with which they are now affiliated. The effort to raise the endowment fund was headed by Charles B. Thornton, the World War II organizer and chief of Statistical Control, and Roy L. Ash, a former Statistical Control officer. Mr. Thornton is chairman of the board and Mr. Ash is president of Litton Industries.

Mr. Lovett, then Assistant Secretary of War for Air, had primary responsibility for expanding the Air Forces from 4,000 combat planes and 300,000 men late in 1941 to the 80,000 aircraft and 2,500,00 men it later commanded. Mr. Lovett, in consultation with General H. H. Arnold, Commanding General of the Army Air Forces, authorized the establishment of Statistical Control and selected Mr. Thornton to organize and direct it. Former Harvard Business School Dean Donald K. David was requested to set up the Air Forces Statistical Control School at Harvard.

Professor Learned, now the Charles E. Wilson Professor of Business Administration at Harvard, was the first director of training at the Statistical Control Officers School and later served as consultant to the Commanding General of the Air Forces.

The mission of Statistical Control was to apply advanced management principles to the planning and operation of the U.S. Air Forces during World War II. Trained at the Harvard Business School, a corps of more than 3,000 carefully selected officers was assigned throughout the world to gather, analyze, and report data for the planning and efficient management of the resources of the Air Forces.

The Statistical Control organization that they set up was the forerunner of the Air Comptroller's function, which is applying today the most sophisticated management systems to Air Forces operations, as well as having been adopted by the Department of Defense and the Departments of the Army and the Navy.

In turn, the management systems developed for military use by then Colonel Thornton and his Statistical Control staff are recognized today as also the forerunners of such programs as systems analysis and linear programming indispensable to modern industry.

Commenting on the new chair, Dean George P. Baker said, "We at the School are proud to be able to honor these two distinguished Americans in this way. Mr. Lovett, an alumnus of the Harvard Business School, is a business statesman in the best and most exacting sense of the term who has placed his extraordinary abilities and management skills frequently in the service of his country. In both his public and private careers, he has acted with courage, vision, and human understanding, enabling business and government to meet their great responsibilities effectively and efficiently. Professor Learned has been a leader in the development of almost every phase of graduate education for business since he joined the Harvard Business School Faculty 40 years ago, and, like Mr. Lovett, has unstintingly made his skills and knowledge available to business and the nation. It is most appropriate that the names of these two men, whose contributions flowed together in the creation of the Statistical Control Organization in World War II, should be paired, in honor, in this professorship of Business Administration.

"We are also most grateful to Mr. Charles B. Thornton, who is a member of the Harvard Business School Visiting Committee, and Mr. Roy L. Ash, an alumnus, for their leadership in making this professorship possible. In their support of education for business responsibility, they have demonstrated the creative potential of skilled and dedicated managers in war and peace and exemplified Professor Learned's view of business management as 'releasing the creative energies of this nation.' "

Mr. Lovett, who now makes his home in Locust Valley, Long Island, N.Y., was born in Huntsville, Texas, in 1895. The son of a Texas judge, he learned to fly before World War I, in 1916, and, with the entry of the United States into the war, left Yale University to become one of the Navy's first pilots. He was sent to France in 1917, won his French Wings, and established the U.S. Naval Air Service Transitional Flying School in France. Transferred to Royal Air Service in England, he piloted flying boats on North Sea submarine and convoy patrol, and, after participating in the first night raids on the German submarine pens, established the first Navy bombardment squadron. As a result of his experience, he became one of the nation's leading proponents of air power.

He received his Bachelor's degree from Yale in 1918, went to Harvard University for postgraduate work at the Law School (1919-1920) and the Graduate School of Business Administration (1920–1921), and in 1921 joined the National Bank of Commerce in New York City as a clerk. Five years later, he became a partner in the banking house of Brown Brothers Harriman & Company, with which he has been associated throughout his business career, with periodic leaves for public service.

He was appointed a special assistant to Secretary of War, Henry L. Stimson in December of 1940 and four months later was named Assistant Secretary of War for Air, a post he held throughout World War II. He served as Undersecretary of State with Secretary George C. Marshall from 1947 to early 1949, and when General Marshall was named Secretary of Defense in 1950, joined him again as Deputy Secretary of Defense. Mr. Lovett himself served as Secretary of Defense during the Korean war years of 1951 to 1953. Returning again to Brown Brothers Harriman & Company in 1953, he was made a general partner, a position he still holds. He is a director of the Union Pacific Railroad, Columbia Broadcasting System, Inc., New York Life Insurance Company, Freeport Sulphur Company, and North American Aviation, Inc. He is also a trustee of Carnegie Institute of Technology and the Carnegie Foundation for the Advancement of Education, and a life member of the Corporation of the Massachusetts Institute of Technology.

He is a holder of the Navy Cross, the Distinguished Service Medal, the Presidential Medal of Freedom, and the Grand Cross, Order of Leopold II (Belgium).

Professor Learned was born in Lawrence, Kansas, the home city of the University of Kansas, from which he received his Bachelor of Arts degree in economics with honors in 1922 and M.A. in 1925. Travelling East then to the Harvard Business School, he received his Master of Business Administration (M.B.A.) degree and joined the Faculty as an instructor there in 1927, the year the School moved from quarters in Harvard Yard to its present campus. In 1929, he was named as Assistant Professor of Marketing, and a year later became the third person to receive the degree of Doctor of Commercial Science from Harvard. Since then, he has taught in eight course areas at the Harvard Business School, and headed six of them. He helped to bring about the marriage of accounting and statistics that produced the concept of management control and provided the basis for the Army Air Force Statistical Control Organization. He also played a major role in the development of courses in the area of Human Behavior in Organizations and for six years was head of the Business Policy course, the only required subject in the second year. He also helped to introduce the executive training programs pioneered at the School.

In addition to teaching in a great many areas of study at the School, Professor Learned has been chairman of several key educational planning committees for the School, and is the author of several books and case books.

After serving as director of training for the Statistical Control Officers School, Professor Learned has continued as a special consultant to several federal agencies and military services, including the Chief of Staff of the Air Force. A business and economic consultant to industry for 40 years, he has maintained long continuing relationships with Standard Oil Company (Ohio), Standard Oil Company (N.J.), Ethyl Corporation, and Litton Industries.

He has been a lecturer at the Air War College, a founding director and a member of the faculty of the Hawaiian Advanced Management Program, and a member of the Visiting Committee of the University of Kansas School of Business. He and his two brothers, Stanley Learned of Bartlesville, Oklahoma, president and chief executive officer of Phillips Petroleum Company and Albert P. Learned, of Kansas City, Missouri, a consulting engineer, have all received the University of Kansas Alumni Association Award for distinguished service to mankind, the only family ever so honored there.

He is the recipient of the Distinguished Service Medal, U.S. Army, in 1945; the Exceptional Civilian Service Medal from the U.S. Air Force in 1952, and, last fall, the Meritorious Civilian Service Medal for "distinguished performance" as consultant to the Chief of Staff of the U.S. Air Force from 1942 through 1966.

Professor Learned, after 40 years on the Faculty will retire August 31 from the Harvard Business School. He and Mrs. Learned make their home at 985 Memorial Drive, Cambridge, Massachusetts.

CRISES BLUR REALITY OF SLOW BASIC CHANGE

Mr. McGEE. Mr. President, in this age of crises and confusion, we stand in danger of failing to grasp the perspective of the changes which are reshaping the world in which we live. We tend to focus our attention on a day-by-day, almost hour-by-hour, process of coping with the symptoms of change without paying due attention to the cumulative impact. Prof. Zbigniew Brzezinski has drawn this problem into sharp focus with a thoughtful address, which was published in the Washington Post on Sunday, July 9, 1967.

I ask unanimous consent that the article, entitled "Crises Blur Reality of Slow Basic Change," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, July 9, 1967]

Crises Blur Reality of Slow Basic Change

(By Zbigniew Brzezinski [1])

International politics is dominated by crises. The result is that we often mistake these crises for the reality of international politics. Going from crisis to crisis, we lose sight of the more basic and often more important changes that imperceptibly reshape the world in which we live.

It is useful, therefore, sometimes to pause and ask in a detached way: What is the nature of our era? What is really changing in international politics? By posing these questions, we become better equipped to discuss the implications of historical trends for American foreign policy. Definition of a broad framework of that kind in turn enables us to see in sharper relief our true interests and goals in specific regions of the world, such as Europe or Asia.

As I look at international politics, I see five major changes taking place, together fundamentally altering the nature of international relations in our day. The changes are not obvious, because they are slow, but their cumulative impact is most important.

IDEOLOGY LOSING IMPACT

The first involves the waning of ideological conflicts among the more developed nations of the world.

Since the French Revolution, conflicts between states have been profoundly emotionalized by mass struggles induced by a mixture of ideology and nationalism. Where that mixture was particularly intense, as in the case of Nazism, the conflicts which resulted were particularly bloody and destructive.

By and large, during the last 150 years or so, relations among the more advanced states, particularly in Europe, have been poisoned by the emotionalizing impact of absolute doctrinal answers concerning most of the basic issues of humanity. This condition is waning because of a variety of factors.

First of all, nuclear weapons have necessitated greater and greater restraint in relations among state. The realization of the enormous destructiveness of nuclear conflict has had a most sobering effect on statesmen. Hitherto, one could calculate the cost and the potential advantages of war; today, this simply is no longer possible, and thus even the most bitter ideological hatreds have to be restrained by common sense.

Second, we are realizing more fully that social change is such an enormously complex and interrelated process, with so many variables, that it cannot be reduced to a few simple ideological formulas as in the early stages of industrialization. Ideological attitudes are thus giving way to a problem-solving, engineering approach to social change.

Third, communism, the principal, and until recently the most militant, revolutionary ideology of our day, is dead; communism is dead as an ideology in the sense that it is no longer capable of mobilizing unified global support. On the contrary, it is increasingly fragmented by conflicts among constituent units and parties. This has contributed to ideological disillusionment among its members.

Communist states, Communist movements and Communist subversion are still very important on the international scene, but Communist ideology as a vital force is no longer with us. Revolutionary movements in different parts of the world instead relate themselves more specifically to local radical traditions and try to exploit local opportunities.

Thus the common doctrine and its alleged universal validity are being diluted by specific adaptations. The process is destroying the universal appeal and global effectiveness of ideology.

All of that, cumulatively, prompts the waning of the ideological age in relations particularly among the developed nations. The role of ideology is still quite important in relations among the less developed states where problems are simpler, where issues can be translated into black-and-white propositions and where absolute doctrinal categories still appear superficially relevant.

VIOLENCE ALSO EBBING

Closely connected with the waning ideological conflicts among the more developed nations of the world is the decline of violence among these states.

Over the last 150 years, the international scene has been dominated by conflicts fought principally among the more advanced and largely European nations of the world. The focus of violence today is shifting to the third world. Increasingly, conflicts are either between some of the developed nations and the less developed nations or instability in the underdeveloped world is itself the source of global tensions. It is thus a basic reversal of the dominant pattern of the recent past.

The new restraint on violence displayed by the more advanced states in relations among one another is also largely due to the nuclear age. It should be acknowledged that without the presence of nuclear weapons, a major war probably would have erupted in the last 20 years. Given the range of conflicts, the frequent tensions and the occasional clashes between the United States and the Soviet Union, in almost any other era in history a war between them probably would have ensued.

This restraint among the more advanced states is still largely absent insofar as relations among the less developed states are concerned. Moreover, the ideological passions and nationalist tensions have not yet run their full course there and consequently the propensity toward total reactions, total commitment and total violence is still quite high.

Without discussing the pros and cons of the Vietnamese war, it offers a good example of the generalization made above. It reflects the shift of focus in global affairs from conflicts between the developed states to a conflict that involves a wealthy and highly advanced country in an effort to create regional stability. The unwillingness of the Soviet Union to become totally involved in the conflict stems from the realization of its own interest in preserving peace in the nuclear age and also from the gradual waning of its ideology, which weakens its sense of total identification with every revolutionary movement in the world.

THE BROADER VIEW

The third generalization is that we are witnessing the end of the supremacy of the nation-state on the international scene. This process is far from consummated, but the trend seems to me to be irreversible. It is not only a matter of security interdependence among allied states. It is also a matter of psychological change.

People through history have expanded their sense of identification. At first, men identified themselves with their families, then with their villages, then with their towns, then with their regions and provinces, then with their nations. Now, increasingly people are beginning to identify with their continents and regions.

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[1] A member of the State Department Policy Planning Staff, Zbigniew Brzezinski is also professor of public law and government at Columbia University and director of its Research Institute on Communist Affairs. He is the author of several books, including "Alternative to Partition: For a Broader Conception of America's Role in Europe." The accompanying article is excerpted from an address to the National Foreign Policy Conference for Editors and Broadcasters at the State Department.

This change has been induced by the necessities of economic development and of the technological revolution, by changes in the means of communication—all of which cause people to identify themselves more and more with wider, more global human interests.

AMERICA'S EMERGENCE

The fourth major change which has taken place in our times is the emergence of the United States as the preponderant world power.

The conventional view is that since 1945 we have seen three basic stages of international development: first, U.S. nuclear monopoly; second, bipolarity, based on two homogeneous alliances rigidly confronting each other, and now increasingly polycentrism, with many states playing the international game.

I submit that this is a wrong perspective; in fact, the sequence has been the opposite. The first postwar era—1945–50—was essentially a polycentric era.

The United States was largely disarmed. It had a nuclear monopoly, to be sure, but its nuclear power was essentially apocalyptic; it was not applicable—it was only usable in circumstances which everyone wished to avoid—hence it was not politically relevant.

The United States was disarmed, it was only beginning to be involved in Europe, hardly involved in Asia and there were still two major empires on the scene, the French and the British. The Russians were asserting their regional control over Central Europe, but they were not yet involved in Asia. Asia itself was in turmoil. This truly was the polycentric era.

It gave way to the era of bipolarity, of dichotomic confrontration, if you will, between two alliances, one led by the Soviet Union, one led by the United States. The Soviet Union during this time acquired nuclear capacity, and under Khrushchev it misjudged its nuclear power and attempted to pursue between 1958 and 1962 a policy designed to assert Soviet global supremacy.

These years were dominated by the Soviet effort to throw the West out of Berlin, to put missiles in Cuba and to force a showdown. However, Khrushchev discovered in 1962 that the Soviet Union still had only apocalyptic power. Its nuclear power was not relevant when faced with American power, which by then had become much more complex and much more usable in a far greater diversity of situations.

Today, the Soviet Union is in effect a regional power, concentrating primarily on Europe and on the growing danger from China. Our power during this ensuing period has become applicable power with a long-range delivery system, with the means of asserting itself on the basis of a global reach.

A FRAGMENTING WORLD

The fifth major change involves the growing fragmentation of the world, not only between the developed states and the underdeveloped—which is, of course, much talked about—but the increasing fragmentation of the developed world.

I have particularly in mind the growing difference between the United States and the rest of the advanced world. The United States is becoming a new society, a society no longer shaped by the impact of the industrial process on social, economic and political life.

That impact still shapes European life; if you look at the changes in the nature of the European political elite, if you look at problems of employment or unemployment or welfare, if you look at efforts to create greater access to education in Europe—all of these are manifestations of the impact of the industrial process on a formerly rural and traditional society.

The United States is no longer in this kind of historical era. Increasingly, our social dilemmas are of leisure, well-being, automation, psychic well-being, alienation of the youth (usually from well-to-do middle-class families). All of that is connected with a standard of living which has become relatively stable and high, connected with a society which is well-to-do but in many respects has new dilemmas of purpose and meaning.

We are becoming, in effect, a postindustrial society in which computers and communications are shaping more and more our way of life. Our education and our image of the world are shaped more by television and less and less by sequential, logical media such as books and newspapers. If the Europeans are today experiencing the automobile revolution—which extends physical mobility—Americans are undergoing an electronic revolution, which extends our senses and nervous systems.

All of this induces new perspectives and new attitudes and sharpens the difference between us and the rest of the developed world. It also creates underlying tension in addition to the obvious problems of foreign policy, such as the Kennedy Round, the problem of NATO, the problem of East-West relations and so forth.

If there is any merit in this highly generalized analysis of the nature of change in our time, what are its implications for American foreign policy? First of all, we should not become ideological latecomers.

We have traditionally been the pragmatic society, free of ideological shackles. It would be unfortunate if now we succumb to internal and external ideologization, either because of belated anti-Communist rigidity at a time when the Communist world is becoming fragmented or because of radical reactions to internal dilemmas, the new dilemmas of our society that I spoke about.

It would be unfortunate if these new dilemmas, inherent in the United States' becoming a new type of society, were responded to on the basis of essentially irrelevant, outmoded, 19th century ideological formulations. And this is the great danger, particularly with the New Left, which is looking for ideological guidance and only too often turns to outmoded anarchistic, Trotskyite or nihilistic doctrines completely irrelevant to the new dilemmas of our society.

Second, in our foreign policy, we ought to avoid the prescriptions of the extreme right or the extreme left. The right only too often says erroneously that to protect a better America, we ought to stay out of the world. The New Left says that to build a better America, we have to stay out of the world.

Both are wrong, because today our global involvement and our prepondeance of power is such that our disinvolvement would create international chaos of enormous proportions. Our involvement is a historical fact—there is no way of ending it. One can debate about the forms it ought to take, about its scope and the way it is applied, but one cannot any longer debate in absolutist terms, "Should we or should we not be involved?"

Third, we should not underestimate, because of our own historical formation, the role of revolutionary nationalism in the world. While we have to pursue the task of building a world of cooperative communities, we have to realize that revolutionary nationalism is a stage of development which in many cases cannot be avoided. We should therefore be very careful not to get overinvolved in conflicts with the result that we are pitched against revolutionary nationalisms, making us appear as impediments to social change.

WHEN TO INTERVENE

This raises the extremely complicated issue of intervention. Under what conditions should we or should we not intervene? It is extraordinarily difficult to define clear-cut criteria; but as a broad generalization, it might be said that intervention is justified whenever its absence will create regional instability of expanding proportions.

It has to be judged largely on its international merits and not in terms of specific domestic consequences within individual states. It is that distinction which justifies intervention; it is that distinction which warrants our involvement today in the effort to create regional stability in Southeast Asia.

Fourth, in seeking ties with the developed nations of the world, particularly with Western Europe, we have to emphasize, in addition to specific political and security arrangements, increasing efforts addressed to the fundamental social dilemmas which are inherent in the widening gap between the United States and Western Europe. We ought to try to share and distribute our new knowledge and technological skills, because this is the unique asset of the postindustrial society.

Finally, to apply these remarks cumulatively and briefly to Europe: Since the ideological age is waning, since the developed world is increasingly becoming the zone of tranquillity, since the United States is playing a predominant role in the world and since we are in a new historical era which gives us special assets, it is our task to develop a broader approach for Europe, the purpose of which, as the President said in New York Oct. 7, is to end gradually through reconciliation the cold war, a remnant of the civil war that has divided the most advanced parts of the world for the last 150 years.

A TRANSOCEANIC COMMUNITY

Thus we need to adapt the Atlantic concept to the post-cold war era. We should strive increasingly to shape a community of the developed nations which will contain four basic components: the United States; a more homogenous and integrated Western Europe in close ties with the United States but also in increasingly close linkage with Eastern Europe; an Eastern Europe which will gradually begin to stand on its own feet and engage in subregional integration more independently of the Soviet Union while in turn retaining its ties with the Soviet Union; a Soviet Union which will also be drawn into constructive relationships with Western Europe and the United States.

Only by developing such a community of the developed nations, of which Japan should naturally be a member, can we try to assure a measure of order to a world which otherwise will be increasingly dominated by chaos.

If we look 20 years ahead, we can clearly see a challenge to the survival of organized society in several parts of the world. When we look 20 years ahead in the developed parts of the world and particularly in the United States, where the scientific, technological, medical and chemical revolutions are progressing most rapidly, we can increasingly see a challenge to the individual as a mysterious, autonomous human being.

We cannot effectively respond to these twin challenges if we are at the same time preoccupied with ideological and doctrinal conflicts which no longer have much relevance to the fundamental concerns of our day. Given the traditional American quest for human freedom and today's U.S. global power, we have the opportunity and the responsibility to take the lead in responding to these twin challenges.

FOOD FROM THE SEA

Mr. BARTLETT. Mr. President, it might be said that in recent years we have learned a great deal about the sea and its resources. Yet, when one attempts to put the available information to good practical use, he sooner or later comes up against some rather disturbing deficiencies in knowledge. The sea and its resources constitute one of man's last frontiers, a source of staggering amounts of both food and wealth. While we are very much aware that the potential is great, we cannot say with certainty how great it is; neither do we know how best to utilize it and to manage it. Even more disturbing to me is that the United States is far back in the pack in the race to put the sea's treasures to use. Other countries are far ahead of us.

We do, however, have a few men of vision in this field—in the Government, in the Bureau of Commercial Fisheries, the Navy, the Coast and Geodetic Survey, the Coast Guard, and other agencies, and in the private sector. We would do well to listen to them.

One of the most knowledgeable and forward looking of those in the private sector is Dr. W. M. Chapman, director, division of resources of the Van Camp Sea Food Division, Ralston Purina Co. In mid-March of this year he gave a paper at a conference on law organization and security on the use of the ocean, at Ohio State University. Dr. Chapman's paper, entitled "Food Production From the Sea and the Nutritional Requirements of the World," is worthy of our serious study. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

FOOD PRODUCTION FROM THE SEA AND THE NUTRITIONAL REQUIREMENTS OF THE WORLD

Dr. Kasahara has asked me to make some notes on food production from the sea and the nutritional requirements of the world. It must be kept in mind that the base of knowledge existing is not adequate to make statements on either subject that are more than very rough approximations. However some comments are made on these and related matters.

FOOD PRODUCTION FROM THE SEA

The actual food production from the sea in 1965, the last year of full record (FAO, 1966b) was just over 45 million metric tons. This was the ocean part of a total aquatic yield for that year of 52.4 million metric tons.

Professor Schaefer (1965) on the basis of a careful review of the existing data and previous such estimates, interpreted by his long fishery experience, concluded "That, at a conservative estimate, the world fishery production may be increased to 200 million metric tons per year, with no radical developments, such as fish farming or far-out new kinds of fishing gear" (Schaefer, 1967).

I have estimated that the ocean is producing at least 2 billion tons per year of organisms which have a size and form that render them capable of practical harvest by man with known technology. (Chapman, 1967).

My calculations were based on an average production somewhere between the first and second trophic level amove the phytoplankton. Schmitt (1965) has estimated by quite different means that the potential ocean productivity of the first trophic level above the phytoplankton is about 4 billion tons per year.

As Kasahara (1967) has quite properly pointed out, the lack of basic information on the production of organisms in the sea make such mathematical exercises of limited value since they are based largely on assumptions that are simple guesses, bolstered by meager data, and they do not indicate how soon, under what circumstances, or in what form of animals, the estimated yields might be obtained. For present purposes their relevance is only in their rough comparison with needs.

NUTRITIONAL REQUIREMENTS OF THE WORLD

The phytoplankton which forms the bulk of the ocean's plant production are single-celled organisms that are not practical of harvesting by man under available technology, and there is nothing in sight at the present which would indicate that they could ever be harvested under a situation where the value of the yield would exceed its cost. Accordingly, leaving aside the multicellular kelps and algaes of the inshore area, the food production of the ocean requires to be harvested in animal form at one or more steps above the plants in the food chain. As a result the bulk caloric content of the human diet will continue to be provided by the carbohydrates of land plants and is not considered herein. The largest bulk of ocean food is, and will be, animal protein, with considerable volumes of animal oil, and with vitamins, nutrient minerals, etc., merely as plus factors.

The world-food deficit in 1970 is estimated by the U.S. Department of Agriculture (1964) to include the equivalent of 6.5 million tons of non-fat dry milk or 3.0 million tons of fish protein concentrate, plus the equivalent of 3.2 million tons of soy grits, either in that form or otherwise. Since the seed proteins are all somewhat less well-rounded in amino-acid content for the human diet that animal protein, 7 million tons of fish protein concentrate should be quite adequate for the purposes of filling the 1970 estimated world deficit in protein for the human diet anticipated by the Department of Agriculture.

A normally inefficient fish meal plant averages using somewhat less than 6 tons of whole fish for making 1 ton of fish meal. Fish protein concentrate plants, when operating on a commercial scale, should do considerably better than this. Figuring rather roughly in terms of these fish meal yield factors 48 million tons of fish (say anchovy, herring, or sardinella) would produce at least 8 million tons of fish meal or the equivalent fish protein concentrate.

Thus in rough terms, a doubling of the 1965 fish catch, if the new amount were made into fish protein concentrate, could fill the 1970 world deficit in edible protein estimated by the Department of Agriculture. Thus the conservative estimate of Schaefer respecting ocean production potentials is more than enough to accommodate the existing situation for the near future and there is no need to worry much presently about the more astronomical estimates of potential ocean productivity given by Chapman and Schmitt.

Schaefer (1967) has come at this problem from a somewhat different viewpoint by comparing the potential harvest of the living resources of the sea at the second trophic level above the plants with the requirements of 6 billion people, not quite double the present world population. He assumes a per-capita diet of 2500 kilogram calories per day, 80 grams per day of total protein, and 15 grams per day of animal protein. He notes that about 46% of present ocean catch consists of herring-like fishes that feed at the second, or first, trophic level above the plants. This computation results in a higher than necessary figure because more recent nutritional research indicates that an average daily intake of 54 grams of properly balanced protein is adequate to maintain health (FAO, 1965). Nevertheless his calculations indicate that the sea potential at the second trophic level is adequate to provide somewhere between 1.6 and 6.1 the total protein requirement of 6 billion people, or between 8.7 and 34 times their animal protein requirement.

The purpose of these calculations is only to demonstrate that there is more than adequate wild stock of usable animals being produced by the ocean at present to satisfy the total animal protein needs, and in fact the total protein needs, of a world population substantially larger than presently exists or is anticipated during the course of this century (Schmitt, 1965). Accordingly the causes for the present acute shortages of protein in the suman diet are to be sought in socio-economic roots and not in availability of wild living resources. This has a bearing on rather expensive schemes now being considered to raise the level of ocean natural productivity through induced upwelling, genetic manipulation, aquaculture, etc.

AVAILABLE FOOD PROTEIN SOURCES

Animal protein foods of all sorts contribute less than ten percent of the total calorie value and only one-fourth of the protein content of the food supply in countries with over 64 percent of the world's population (West, 1965). The rest comes from plant sources. There are very large underutilized sources of edible protein from plant sources available and much scope for their increased production from the land. These are the pulses, among others, and the press-cake from a variety of vegetable oil seeds (soy, peanut, cotton, sesame, safflower, sunflower, etc.,) are high in protein. These proteins are ordinarily short one or more of the amino-acids needed to form a balanced human protein ration but this can be remedied by adding synthetics (methionine to soy, for example), or adding a smaller quantity of a higher priced but better balanced protein (such as dry skim milk or fish protein concentrate).

There are also schemes afoot, at the laboratory level yet, to produce edible protein through the culture of single cell algae using organic wastes or paraffin as an energy base. While these may be a good way from commercial exploitation on a substantial scale there is nothing I know of that would appear to be a substantial block to this.

The purpose for mentioning this subject is to note that fish protein concentrate must be available at a relatively low cost per unit in order to be able to compete with these other sources of protein in the human diet.

The respective costs of production and prices available for fish protein concentrate are not yet available in good enough shape for doing more than guessing with but the large use of the ocean fish presently is for fish meal for livestock feeding and the cost parameters are well known there. At a delivered price of $180.00 per ton for fish meal at the mixing plant in North America the market begins to stagnate because of competition with soy plus synthetic methionine. Manufacturing, overhead and related costs are not less than $60.00 per ton (aside from transportation costs between processing plant and feed mill). Twenty dollars per ton and 6 tons of raw material per ton of meal would yield a processed meal cost of $180.00 per ton at the plant. These are only rough costs. Increased oil yield and increased plant efficiency will raise the price that can be paid for raw material; lowered oil yield, transportation costs, taxes and fees will lower it, but a range between approximately $10.00 per ton and $30.00 per ton encompasses the whole world price range for whole fish for fish meal production, to the best of my knowledge. The lid of other available proteins keeps it there.

AQUACULTURE

Aquaculture is a fashionable subject just now among uninformed dreamers who seek to remedy the world protein deficit and see this as a panacea to that end. Aquaculture also has been practiced since antiquity and there are few forms of agriculture that are more sophisticated.

The chief barrier to aquaculture as a panacea for human diet relief is that the unit cost of production is high. It is suitable for oyster, mussel, clam and shrimp production where demand is high and the cost of equivalent produce from wild stock is also. In Central Europe, Israel and parts of Asia (chiefly, but not exclusively, in association with paddy-rice culture) it is locally important as a fish producer. There is no place in the world where significant volumes of aquatic products are produced by aquaculture close to the permissible cost range of raw material for fish meal or fish protein concentrate noted above. Nor is there any foreseeable likelihood of this.

Although aquaculture production has not expanded in the world at the rapid rate experienced by harvesting of wild marine stocks in the past twenty years (and is not likely to in the next twenty) it has been expanding somewhat, and has scope for further expansion. This lies in at least three directions:

(1) for luxury priced products such as oysters, mussels, claims and shrimp

(2) for fish that are to be used fresh locally without bearing added processing and transportation costs, and

(3) specialty products for speciality markets (pearls, laver, etc.,). The scope is not large enough to affect materially the world food picture.

NEED AND DESIRE

The peoples in the diet-deficit countries *need* more protein, in some cases most desperately. Their basic problem is not a world shortage of protein but that their total productivity of everything, except more babies, is insufficient to produce enough food to feed themselves or enough of other products to afford to buy the food they require. Whatever is to reduce their protein needs must be very cheap.

In contrast the peoples of the adequate-diet countries *want* more protein. Their total productivity of everything is sufficient to produce the food they need and enough other products to afford to buy the food they *want*. Without exception, as countries (and people) have gone through the economic course from poverty to affluence, their diet has included relatively more protein and less carbohydrates. They have enough disposable income to buy what they want.

It is to the diet of the adequate-diet countries that most of the vastly increased production of the ocean in recent years has gone. The United States was the magnet drawing the fish production of the world to it in the immediate post-war world, then the industrialized countries of Western Europe, then Japan, then Russia, then the other countries of Eastern Europe. Now the internal use of fish by the middle income countries increases as their disposable income increases.

As other countries join the affluent list the already affluent countries continue using more fish totally and per capita. The total use of fish in the United States continues to grow and it has been for some time the largest user of fish among the nations in the world. Its own domestic fish catches have remained reasonably level for a generation and it has steadily increased its imports of fish to fill its wants. For several years it has imported more fish than it caught. Japan encouraged the building of its fisheries in the post-war period to produce the protein and dollars it needed. Its fisheries grew to much beyond pre-war level, and are still expanding slightly but in the last few years it has trended steadily toward being a net importer of fish. In 1966 Japan imported $135 million worth of aquatic products. This was 52% greater than 1965 imports, which were substantially greater than those for 1964, (Suisan Keizai Shimbun, 2/9/67). The European Economic Community has been a large net importer of fish for a long time.

THE FOREIGN EXCHANGE PROBLEM

Nations worry about the diets of their people but by and large both they and their peoples worry more about their foreign exchange balances, and the manufactured items that can be bought with them. This affects the production and flow of fish and fishing effort in the world quite materially.

Among the affluent countries the United States has been so wealthy and inattentive to such matters that its government could ignore the mounting annual fish bill, which now comes to about $600 million per year. (Bureau of Commercial Fisheries, 1966b). This has not been so comfortably the case in other countries. Japan has long supported its fishing in the outside world both to earn foreign exchange and to bring in food. The "Outer Seven" in Europe and Canada subsidize their fisheries heavily so they can earn foreign exchange, in some instances, and conserve it in others. France has a highly protected fishing industry to conserve foreign exchange. Italy, Greece and Spain in recent years have been subsidizing their long-range fleets heavily in order to conserve foreign exchange. Although many people attribute all sorts of motives to Russia for the massive support given its fisheries, the original economic argument used to persuade the Presidium to devote the required capital and labor to the matter was couched in terms of protein being cheaper to take out of the sea than to produce on the land. The other countries of eastern Europe are following suit.

On the other side of the coin developing countries with serious dietary problems and serious foreign exchange problems encourage the growth of their fisheries to earn foreign exchange first and provide food for the country second. Examples are legion, but Peruvian fish production mostly ends up in North America and Europe, and the fishery of India which has been well mechanized and attended to is that for shrimp, which produces foreign exchange.

CONSERVATION

It is now fashionable among the few economists who are concerning themselves with fishery problems to look down their noses a little at conservation practices in fisheries as something slightly evil which biologists foisted on an unsuspecting world through ignorance or to cause economic injustices. There is nothing about conservation that is easy or simple, including its defense. The point of maximum sustainable yield for any particular stock may vary considerably with the periodic changes in environment. In only a very few stocks of ocean fish are the parameters required to estimate the point of maximum sustainable yield available, and their acquisition is always costly and difficult.

About the only thing that can be said for the proposition of stopping the increase of fishing effort in a fishery on a particular stock as a point somewhere near that corresponding to maximum sustainable yield is that, on the one hand you can often get the governments and their fishermen to do so, and on the other hand the general public understands the general thesis and is not only in favor of it but demands its application. The fishermen reluctantly agree to it because the more they overfish the quicker they go broke. The general public agrees to it because the more overfishing the less the food production from that stock, and this is bad.

Aside from a few economists, everybody is in favor of the conservation of marine fish stocks and this is a standard to which all can rally. There was no dissent on this point at the 1958 Conference on the Law of the Sea, nor is there in the theory of international cooperation in this field. The Russians are as avid to conserve as anyone else (in fact it was the Russian fishery scientist Baranov who thought up the idea in 1909). Even the Norwegians and Japanese have come around to the view that large marine fish stocks can be overfished and considerable economic damage be done in the process.

THE DIVISION OF THE SEA'S WEALTH

In this section I am talking about wealth in its simplest connotation—the division among nations and their fishermen of the crop of living resources which the sea produces each year.

There are several ways in which this problem can be handled.

One way was to have a narrow territorial sea, with everything outside that being common property among the nations, with everybody agreeing not to overfish any of the common owned resources, and leaving the division of the profits among the nations open to negotiation among them, so long as they did not damage the commonly owned resources.

A second way is to divide up the resources or areas of the ocean among the nations as their own property, as has been done with most of the land area of the world.

A third way that has been seriously proposed is to turn the whole thing over to the United Nations as its property to be used for the benefit of its treasury.

There are variations of these schemes, like giving particular nation's specially rich pieces of the ocean because they are poor and need the help (such as the fisheries of the continental shelf, or within 200 miles, etc.,), but these are the three main systems available.

The first way is the one proposed in the 1958 "Convention on Fishing and the Conservation of the Living Resources of the High Seas" which really was a concretion from growing international practice during this century. I have been in favor of this solution during my whole professional career, and so have many of my colleagues.

It is a very discouraging side of the street to work. It calls for cooperation among the affected nations and their fishermen. The nations and their fishermen, irrespective of race, color or previous condition of servitude, tend to be grasping, thievish and uncooperative. It calls for considerable costly research the money for which the fishermen will not willingly contribute, about which the nations are so niggardly that the necessary research cannot be done, and which "pure" oceanographers will use for other purposes if you turn your back for a moment. It calls for patience and a little tolerance of other thoughts, and there is little enough of either in the world.

As a matter of fact antagonists can point with considerable scorn to the fact that the system worked disastrously with Antarctic whales and they will be delighted as the next few years show how poorly it is working throughout the whole of the North Atlantic, on both sides, and beginning to work poorly along the whole West Coast of Africa as well. Proponents can only point with pride to rather modest and infrequent accomplishments—North Pacific Fur Seal, Fraser River Salmon, Northeast Pacific Halibut, Northwest Pacific Salmon and Crab, and perhaps eastern tropical Pacific yellowfin tuna. These are the very instances that so incense the economists.

The third system is quite clear cut and has a good deal theoretically in its favor. The bulk of the world's surface and contained resources is high seas and the common property of all the nations. The harvesting of the resources and their husbandry, all hands agree, require much better attention quite rapidly. The United Nations is the representative of all of us and we all have a voice in it. It belongs to all of us and it needs more money for its running. The husbandry of the living resources of the high seas requires more money. It therefore seems clear that the only sensible thing to do is to give the whole thing, lock, stock and barrel to the United Nations, it pay all costs, get all profit (or net economic yield) and either keep the overage to pay its own bills with or divide it out by some system to the former owners and its members—the nations. By restricting entry into fisheries, it is said, the United Nations can create enough net economic yield that unregulated fisheries would otherwise waste so that the whole thing would be profitable.

It is not clear to me how the nations can attend to their selfish interests in fish (such as making or defending foreign exchange, feeding their people, toadying to their special interests, etc.), under such a system. The system would look to me to require quite a different sort of United Nations than now exists (with a juridical system more complex than the International Court of Justice, an ocean police system which might just eat up all the profits, a research and management agency quite different than anything existing in the present U.N. structure or family). I am not sure that the net result would not just be to make the cost per ton of catching fish, and its price to the consumer, higher. Other than some things of this nature the third system warrants close examination.

The second system, to divide out the ocean among the individual nations (together with systems involving wide area, or continental shelf claims) seems to me to be indefensible in respect of the living resources of the sea. The result of the same system on land has been to eradicate those wild resources that required to wander a good deal in their life or, in the case of the more elusive birds, to reduce them down to population that would yield some sport for rich people but not interfere with domesticated crops and things.

So many of the important marine living resources find it necessary to their existence to migrate great distances along shore, across oceans, or just far out to sea, that it does not seem likely that broad fishery limits or dividing up the ocean between nations would reduce international strife over these resources, reduce the need for cooperative international action, increase the yield of food or wealth from the ocean, or save the resources from overfishing or, in the case of some mammals, extinction.

THE USE OF THE OCEAN'S PRODUCTIVITY

A key problem in using the ocean's productivity for feeding people is the loss of efficiency in transfer of energy from one step to another in the web of life. While the figures are by no means as well known as the following statement would indicate, it takes about ten pounds of diatoms to make one pound of anchovy, ten pounds of anchovy to make one pound of bonito, and ten pounds of bonito to make one pound of yellowfin tuna. A general difficulty is that the kinds of fish that are high on the trophic level (tuna, flounder, cod, salmon) tend to taste better, have better texture, and handle and process better than those of the lower trophic level, which are ten to one hundred times more abundant.

Because of these characteristics fishing effort is attracted to the higher trophic level fishes and the much more abundant lower trophic level animals are not much used. From the standpoint of amino-acid balance of their proteins, however, pound by pound of protein they are as nourishing as the scarcer higher trophic level animals. It is flavor, texture, and appearance that are the high-priced and delicate attributes of fish; the protein simply as protein is cheap from them.

Three main ways to use the great production of animal life at the second, and first trophic levels are: (1) to can, pickle, or otherwise preserve the herring, anchovy, etc., for direct human consumption; (2) run it through higher trophic level fish (tuna, salmon, etc.,) thus taking a great loss in efficiency but getting a more desirable product, or; (3) making it into fish meal and running it through chickens or swine to yield a more desirable product.

The processing and transportation costs relative to raw material costs and end price obtainable in the competitive market are a handicap to the first method. For example in a large part of the world canning of sardine is not practical because the value of the can is higher than the value of the product in it. Consequently this use of those raw materials does not expand rapidly.

Making the fish meal and running it through chickens or swine is considerably more efficient ecologically and economically than letting nature take its course and yield the more valuable tuna, salmon, flounder, etc. The processing costs are relatively light, as are transportation and storage costs; you end up with live, fresh meat (chicken) where and when you want it; and if feed grains are available at reasonable costs the whole process results in the production of animal protein in acceptable form where you want it quite cheaply. It is to this use that the great expansion of fish production from the world ocean in the past twenty years has been put. It is the only way so far developed of practically getting these large volume, low cost, low trophic level marine proteins into the human diet and actually used.

A device for short cutting the tuna, salmon, flounder, cod, chickens and swine in this process of getting low trophic level animal proteins into the human diet much more efficiently is marine protein concentrate. For reasons that will be noted below marine protein concentrate is better generic term for this device than fish protein concentrate.

The theory is that water, which comprises perhaps 75% by weight of the living resource and is no more nutritious than water from a tap, is extracted and thrown away, thus simplifying the storage and spoilage problems and vastly cheapening the transportation costs. The second step (although not necessarily in that processing order) is to extract the fats, treat them properly so that they do not rancidify, and use them for human nutrition, or otherwise, also. What you have left is the solids of the fish which comprises about 20% of the original raw material weight. It contains substantially all of the original protein and also a good deal of vitamins and nutrient minerals that add plus factors to the nutritional quality of the product. The product is stable, odorless and tasteless. It is cheaply stored and transported. It can be incorporated in formulated foods so that without adding much to the cost of the food its nutritional quality is greatly enhanced.

This device would be such a break through in the problem of efficiently getting the animal protein production of the ocean directly into the human diet that it could quite conceivably revolutionize this whole process and mitigate the worst aspects of present human malnutrition in the world, or quite eradicate protein malnutrition, which is generally considered to be among the greatest health problems in the world.

This possibility is so striking as to have great popular appeal. It does to me also, and I think the whole thing is quite possible of accomplishment. It is necessary to caution, however, that this accomplishment is a long way yet from reality. The processing methods have not been worked out and tested on a full commercial scale yet. The formulated foods which would be the carrier are not in general use yet in the world, and where they are coming to use is in the industrialized world and not the developing world where they are *needed* rather than *wanted*. Chickens are simply acceptable as food in a wider sector of humanity than is marine protein concentrate, and this may be the case for a long time to come.

A reason for calling such a substance marine, rather than fish, concentrate is that a great deal of the ocean's protein (and oil) production at the second, or first, step above the plants is invertebrates such as krill (Euphausia), red crab, and various other invertebrates that are impractical to use for direct human consumption but which make good fish meal or marine protein concentrate. Dr. Kasahara (1967) has reported on the exciting possibility of tapping a resource of krill in the Antarctic which may amount to 100 million tons per year, the possibility of which the Russians are exploring at present.

THE MORAL QUESTION

In these problems of more fully using the food potentials of the ocean it seems to me that a moral question of considerable moment is involved.

What should be the objective—protecting the livelihood of inshore fishermen, long range fishermen, particular societies or nations, regions or economic classes of nations, or feeding those who need feeding? Almost anyone who is asked the question will answer in reverse order to that above, but the general tenor of several papers submitted at this conference have not been thought through very thoroughly in respect of their practical effects on this question.

If the answer is that we should give attention to the proper nutrition of the developing world then it seems to me the practical steps would be—

(a) prevent overfishing of any particular resource, and

(b) place no barrier in the way of harvesting any underfished resource, and particularly one that would raise the cost per unit of production. This is the sense of growing international practice and of the 1958 "Convention on Fishing and the Conservation of the Living Resources of the High Seas". It is contrary to the sense of turning management of these things over to the United Nations or establishing broad ranges of fishery jurisdiction over the adjacent high seas by nations, both of which would restrict access to resources and raise costs of production.

On the other hand the steps required to implement existing policy require expenditure of monies and skills for conservation research, management activities, and related matters which the developing nations do not have and which the industrial nations have not been prepared to do on a scale adequate to the need.

This note has not intended to be comprehensive in its treatment of the relations of food production of the ocean to the nutrition of man. It has only indicated that the ocean is producing naturally more animal protein that is usable by man than the present population of the world could use, and indicated a few of the questions which need further consideration and attention before the ocean contributes its share to the solution of human nutrition problems.

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THE GALBRAITH VIETNAM WAR PROPOSAL

Mr. McGEE. Mr. President, repeatedly we hear the suggestion that U.S. troops in South Vietnam should withdraw to enclaves and from these strongholds defend that Asian nation from complete Communist takeover. Most recently this suggestion came from a highly regarded scholar, John Kenneth Galbraith. His thesis, however, has been refuted. Among those who disagree and who have expressed their disagreement is columnist Howard K. Smith, who pointed out in the Washington Star Sunday that such a policy would surrender the initiative to the invaders and free the Communists to continue their advances in other nations of Southeast Asia. This, as Mr. Smith concluded, is not a reasonable alternative to our present policy of slow, but steady, attrition in Vietnam.

Mr. President, I ask unanimous consent that Howard K. Smith's column refuting Galbraith's Vietnam war proposal be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REFUTING GALBRAITH'S VIETNAM WAR PROPOSAL

(By Howard K. Smith)

There is an old saying about the French to the effect that if they can sum up a problem in a neat phrase, they think that they have solved the problem. Frustration over the war in Vietnam is causing many Americans to imitate the French and espouse the "enclave strategy" of settling down in Vietnam in a defensive posture. Then they assume that this is a solution when in fact it is merely a phrase with little meaning.

John Kenneth Galbraith, the head of A.D.A. and one of our best wordsmiths, is the newest exponent of the strategy. In a speech he has proposed the defensive enclave plan as the heart of what he calls a "moderate solution." Since Moderate has become a good word, even better than Liberal—and Solution is a better word—the wrapping is novel. But the idea within is old and of doubtful substance.

The defensive enclave plan was first offered by Gen. Gavin. Since he proposed it, however, he has virtually defined it out of existence. He has made it clear that his plan does not mean that our soldiers in Vietnam should just sit in their coastal enclaves. He intends the plan to be one of "flexible defense." That is, our forces would reconnoiter extensively outside their enclaves, would send out patrols everywhere, and when they find the enemy concentrating, they would 'copter out large units to attack the enemy and prevent him from taking the initiative against our enclaves.

The trouble with this definition of Gen. Gavin's plan is that it describes just about what we are doing now. Our men do not roam about all year and bivouac wherever they happen to find themselves at night. In fact, they sleep most nights in enclaves, and they keep their weapons and machinery and hospitals in enclaves. And they go out from the enclaves to fight the enemy where they find him, returning to the enclaves afterwards. So the enclave plan as defined by Gen. Gavin comes near to being just words that signify little.

Apparently, however, Mr. Galbraith means the strategy to be truly and completely defensive. If so, the military flaws in his proposal should be too obvious to need a fresh rebuttal. The plan abandons the initiative to the enemy, letting him choose where and when and in what force battles will be fought. That means that in every encounter he will be in superior strength. He is already bringing down large units, and with our troops pulled back into enclaves he will be able to blast us with much bigger forces.

Important details are different, but essentially the Maginot line in World War II and Dienbienphu in the French colonial war in Indochina were instances of enclave strategy. The policy means higher casualties and demoralization for the defenders.

But there is an even more serious objection to the enclave plan. It ignores the reason we entered into a land war in Vietnam in the first place.

The President did not decide to go into Vietnam in force in July of 1965 just to save South Vietnam. If only that small country were at stake he might have imitated President Eisenhower in the case of the Hungarian rebellion against Moscow in 1956; he might have said that the risks and the costs are too great for so small a stake.

The prospect the President faced was that if South Vietnam went, the rest of Southeast Asia would follow. The Communists were advancing in Laos, had bent Cambodia to their will, had announced and launched guerrilla war in Thailand, and were pouring arms into Indochina in order to try to seize that country in the fall of 1965. None of this is domino theory; it is domino fact.

The U.S. intervention in Vietnam tied the Communists down and halted this progression of disasters.

If we decided now to draw back into coastal enclaves, we would be freeing the Communists to continue their advance inland. We would be abandoning the purpose for which we intervened. In time the alarm of the American people would require us to resume the offensive; but now the fighting would be deep inland under very disadvantageous circumstances.

Our present policy of attrition in the field, and government-building in the populated areas, is slow. It can be amended and improved. But in two years the policy has at least somewhat changed the situation for the better. The Communists have ceased winning in the field, and a viable government is crystallizing in a country that was pure chaos in the summer of 1965.

No one likes what we are doing. Real alternatives are still wanted. But Mr. Galbraith has not offered one.

A NEW LOOK AT THE VIETNAM WAR

Mr. FULBRIGHT. Mr. President, the Commercial Appeal, of Memphis, Tenn., is one of the outstanding newspapers of the country. The editor, Mr. Frank R. Ahlgren, is one of the most perceptive and discriminating observers of the American and world scenes.

On July 6, the lead editorial of the Commercial Appeal presented some observations about the war in Vietnam which deserve the attention of the Senate and of the administration. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LOOKING AT VIETNAM ANEW

As Defense Secretary Robert McNamara takes off for still another visit to Vietnam, the time has come to take a new look at the Vietnam War.

Two questions face the Administration at this point.

One is: Should we increase the number of United States forces there? The other: Can we increase the number of forces?

The answer to the first question must be found in political assessment of the situation. This means assessment not only of the political situation within the United States but also a measuring of what the continued build-up of the United States troops in Vietnam is doing to our political objectives there and in all of Asia.

At home, this means mainly a judgment by President Johnson as to whether a step-up in Vietnam operations at this time will strengthen the Administration's position with the voters in 1968. The President will have to weigh the cost in lives which United States forces now are experiencing—we already have 11,000 American dead—and the cash cost—it is now estimated at 70 million dollars a day—against voter reaction to an increase of these costs.

On this last point it should be noted that the President's popularity has declined steadily with past increases in Vietnam operations, but rose sharply when he managed to keep the United States out of involvement in the Middle East war.

Stepping up the Vietnam War also will mean stepping up the national budget and the national debt. Defense and war already are taking an 80-billion-dollar bite out of the budget each year. Congress already has indicated its opposition to the idea of automatically escalating the national debt. It must come to the realization soon that the major reason for that increase is the cost of war and defense and the extension of that kind of spending into the future.

On the question of what effect increased involvement will have on Vietnam and Asia, we must depend upon reports from the observers who have been there. Last Sunday Peter Arnett and Horst Faas of the Associated Press, who have won Pulitzer prizes for their work in Vietnam, told the readers of The Commercial Appeal that five years of war have not begun to accomplish what the United States set out to do in Vietnam.

The Vietnamese people and nation are being torn apart more and more by the conflict without promise of achieving anything like democracy there even if a military victory should be achieved some time in the long future.

There were great expectations for the popular elections which are scheduled there now in September. Those elections may give more clues to how the Vietnamese themselves feel about the war, the government which the United States is supporting and, perhaps, even about the United States. The elections, however, will have to be weighed carefully, for the antics of the Ky Government there already have indicated that we have failed even to make it possible to get a true expression of opinion by the people at the ballot boxes.

On this page today The Commercial Appeal begins a series of two articles by Guy Northrop, chief editorial writer for this newspaper, who has just returned from a seminar on China and Vietnam at Stanford University.

From his reports and from the reports of others one must conclude that the United States is running grave risks by its increasing involvement in Vietnam.

If more troops are to be sent there now, there is fairly general agreement, mobilization of the reserves will be required. This will be necessary because the Army is suffering already from a serious shortage of non-commissioned officers, helicopter pilots and experienced lieutenants, captains and even majors. This will mean further sapping our military strength in Europe and our forces in the United States which have been held in readiness for an emergency such as the Mideast war might have caused.

The danger, then, is that the United States is putting so much into Vietnam for so little result and leaving the rest of the world exposed for aggression whenever Moscow or Peking decide they want to move.

In short, the United States is being mousetrapped.

This does not mean that the original idea that Communist China poses a world threat was wrong. The question is, are we meeting that threat in the best possible way by continued escalation of the Vietnamese War? The demonstration of China's nuclear threat in the high-flown test of the H-bomb should be a major factor in reassessing our entire Far East policy. A victory in Vietnam will not prove a defense against that kind of power and certainly not a deterrent.

From all indications, the task facing Secretary McNamara as he visits Vietnam again is not trying to figure out how to expand the war there, but rather how to consolidate what small gains we may have achieved so that we can be an effective force in all areas of the world in the years ahead.

THE MEANING OF THE FOURTH OF JULY

Mr. BYRD of West Virginia. Mr. President, in these days of supersophisticated activities, which are designed by large numbers of groups to make simple patriotism appear out of date, it is good that we have an opportunity on the Fourth of July to review all that Independence Day and independence itself means to us as Americans.

Such an assessment was done quite effectively by the Wheeling News-Register, of Wheeling, W. Va., in its July 4 editorial, "The Land We Love."

Similar sentiments were expressed by an editorial in the July 3 issue of the Martinsburg Journal, of Martinsburg, W. Va., entitled "A Debt to the Past."

The Herald-Dispatch, of Huntington, W. Va., also carried a very thoughtful editorial, commenting on the column, "We Have Abandoned Our Symbols," by James J. Kilpatrick, stressing that so-called activists are today weakening the very form of government which has provided their freedom, whereas all too many citizens are indifferent to the erosion occurring in our national fervor for the cause of independence. This editorial, "It's Quite a Document, Really," and the column by Kilpatrick were carried side by side in the July 4 issue of the Huntington Herald-Dispatch, and state a strong call for greater respect for our symbols of freedom.

I believe many of us here in the Senate will find that these editorials articulate well our own feelings on this score.

I ask unanimous consent that these editorials and the Kilpatrick column be printed in the Record.

There being no objection, the newspaper editorials and column were ordered to be printed in the Record, as follows:

[From the Wheeling (W. Va.) News-Register, July 4, 1967]

The Land We Love

On this Independence Day we suppose that most Americans will find little time to look back at whence this Nation sprang. We are so busy with our personal pleasures that what is past is past and sometimes even the future doesn't concern us much. It would seem that we live in an era that worships only the present. Too bad because there is so much to be learned from history.

There is for example the urgent need for Americans to understand that while this Nation was born in rebellion, the rebels of 1776 cannot at all be compared with today's advocates of "direct action" which plague our land with stress and conflict. True it is we had a Boston Tea Party but that affair was staged by men who were not represented in the British Parliament. That makes quite a difference.

Either because they are ignorant of this Nation's history or choose to ignore basic truth, the so-called "activists" of today are weakening the very form of government which has provided their freedom. Uncontrolled license simply kills liberty. Thus there is ample cause for concern with the tempest of anarchy which plagues America.

It was at the close of the American Constitutional Convention that someone asked Benjamin Franklin, "What is this kind and form of our new government?"

Mr. Franklin replied, "A republic—if you can keep it."

On this Independence Day Americans should ponder those words of Benjamin Franklin. There have been other republics which have failed, even powerful and influential ones. Recall how one day Rome held sway over the world from Britain to Egypt. Its legions, behind the eagle standard, were long invincible. Its wealth was beyond comprehension. But Rome is no more.

A republic can only be constituted by a representative system of the people. Thus we can act only through our duly elected representatives and not through direct mass action. We cannot take the law into our own hands or choose to obey only certain laws.

Recall for a moment what did happen in ancient Rome when disregard for law became a way of life. Ferdinand Lot writes, "To harshness and dishonesty were added venality and peculation. Everyone stole." And J. H. Breasted in "Ancient Times" writes, "Life and property were nowhere safe; turbulence, robbery and murder were everywhere."

It is to be hoped that we have not gone too far down the road which led Rome to her final collapse. Pray too that our people have not become so distressed and discouraged with current trends that they believe themselves alone and helpless. The voice of the people again must be heard in this land we love for it is our firm conviction that the great majority of Americans are lawabiding, decent and deeply spiritual people. All that is required of them is to shake off their lethargy and exercise the power entrusted to them by the use of the ballot.

From a hot, steamy Philadelphia in late June 1776, John Adams wrote his wife that when the day of adoption of the Declaration of Independence arrives it "ought to be solemnized with pomp and parade, with shows, with games, sports, guns, bells, bonfires, and illuminations from one end of this continent to the other, from this time forward, forever more."

There probably is a need for patriotism as expressed by John Adams, but patriotism is more than flag-waving and bonfires and parades. Patriotism is the tranquil and steady dedication of a lifetime.

[From the Martinsburg (W. Va.) Journal, July 3, 1967]

A Debt to the Past

One hundred and ninety-one years ago tomorrow a brave band of patriots took one of the boldest actions in the history of mankind in formally approving the Declaration of Independence which forever severed our ties from the government of the British Empire.

It is easy to sit here today and say "so what" but it should not be forgotten that the men who took this irrevocable step were not only pinning their fortunes but their very lives upon the successful outcome of a military venture which must go down in history as one of the longest shots imaginable.

If the rugged and ragged little band under the leadership of George Washington had failed, then men who signed the Declaration of Independence would undoubtedly have died as traitors to the king. It is hard to realize that this volunteer and misfit army could successfully challenge the power of Great Britain, then the mightiest nation in the world.

Some will say we were lucky that the British were having their troubles at home, that King George didn't really care too much about losing these miserable colonies, that France decided to help us but too much combined to make for a winning cause to believe it could have been all luck. We prefer to think that there was considerable intervention of Divine Providence on our side.

If we accept this idea of Divine Providence being with us, then we must also accept a great responsibility forever to see that this support of Divine Providence was not misplaced. In other words, it is up to present and future generations to see that the United States of America remains a bastion of freedom and a beacon of hope for all mankind.

[From the Huntington (W. Va.) Herald-Dispatch, July 4, 1967]

It's Quite a Document, Really

Elsewhere on this page today James Kilpatrick suggests we have abandoned our symbols, almost nothing stirs patriotism. The very least we can do on Independence Day is to refresh our memories. It's quite a document we celebrate today. The world has seen nothing like it then or now.

The purpose of the Declaration is set forth in the first paragraph—a striking sentence, in which simplicity of statement is combined with what historians have called "urbane solemnity of manner" and "haunting cadence" which is the peculiar quality of Jefferson's best writing. Recall this:

"When in the course of human events, it becomes necessary for one people to dissolve the political bands, which have connected them with another, and to assume, among the powers of the earth, the separate and equal station, to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation."

No nation before had begun with such a political philosophy. Before setting down specific grievances against the king of Great Britain, a philosophy was set forth upon which the case of the colonies could solidly rest.

This amazing philosophy, which affirms the right of a people to establish and even overturn its own government, is formulated in the first part of the second paragraph of the Declaration:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights; that among these are life, liberty and pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to affect their safety and happiness."

Having presented their case, and having formulated a philosophy of government, the framers of the Declaration had but one choice:

"We therefore the representatives of the United States of America in general Congress assembled and appealing to the supreme judge of the world for the rectitude of our intentions do in the name and by the authority of the good people of these colonies solemnly publish and declare—

"That these united colonies are and of right ought to be free and independent states; that they are absolved from all allegiance to the British crown; and that all political connection between them and the state of Great Britain is and ought to be totally dissolved; and that as free and independent states they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things, which independent states may of right do. And for the support of this declaration, with a firm reliance on the protection of divine providence, we mutually pledge to each other our lives, our fortunes and our sacred honor."

So remarkable is the document we celebrate today, it has room for the militant patriot and the chronic, professional dissenter. It provides for those for whom love of country is a matter of the heart, and for those whom President Johnson calls "the cussers and the doubters." The rights of both are protected under its freedoms.

We have quoted only briefly. We suggest that as part of your celebration today you take time to reread it for yourself. You may be amazed at how refreshing the Declaration still is. You might even recapture some of its spirit.

[From the Huntington (W. Va.) Herald-Dispatch, July 4, 1967]

WE HAVE ABANDONED OUR SYMBOLS

(By James J. Kilpatrick)

For most Americans, the Fourth of July long since has lost its patriotic meaning. There will be some rallies today, but crowds will be thin. A few flags will fly on drowsy residential streets. Now and then a couple of sinful firecrackers will punctuate the quiet. Mostly, it will be beach, beer and barbecue, and back to work tomorrow.

It is foolish to preach sermons on the topic. Man can no more be scolded into being patriotic than he can be cajoled into being lovable. You feel these things, or you don't. Many persons with an abiding love for their country have no particular love for history. It is not necessary to wave a flag today to prove a point.

All the same, it is regrettable that so little attention is paid these days to the American Revolution, and to the human beings we tend to identify most closely with it. For this was a revolution unlike other revolutions. The men who led it were attractive and interesting persons—men of substance, men of learning, men of quality.

One thinks of revolutions, late and soon: The French Revolution, and the Bastille stormed; the Russian Revolution, and a tattered mob at the Winter Palace; revolutions in Africa and South America, Castro's shirtless ones. In the familiar pattern, revolutions breed in human misery: They are the desperate adventures of outs who seek to get in. The objects may be spiritual in part, but they are mostly material; in the eyes of the leadership, a love of liberty is weighed by a love for power, for treasure, for land. It is not aristocracy alone that must be overthrown, but in *Carlyle's phrase, the "Aristocracy of* the Moneybag."

None of this was true of the American Revolution. The Declaration of Independence, reflecting the many-faceted man who was its principal author, is a diamond strangely cut. It begins with poetry, leaps into legalisms, flies briefly into hyperbole, and winds up in the fine-honed phrases of contract law. But the first grievances to be recited are not grievances of the human spirit. The King had "refused his assent" to certain laws; he had "utterly neglected to attend" to other laws, and he had "refused to pass" still more laws. He had dissolved legislatures, discouraged immigration, obstructed the administration of justice, and "sent hither swarms of officers to harass our people and eat out their substance."

True, the Declaration goes on to accuse the Crown of having "plundered our seas, ravished our coasts, burnt our towns, and destroyed the lives of our people." Mercenaries were on their way to complete those works of death, desolution and tryanny that already had been marked by "cruelty and perfidy scarcely paralleled in the most barbarous ages." But these two or three sentences to one side, the Declaration is a model of lawyerly restraint.

The fact is that the leaders of the American Revolution were not "oppressed" by the standards of their day or of ours. Many of the signers, far from having nothing to lose, in truth had everything to lose. Francis Lewis, William Floyd, and Lewis Morris, all of New York, had great estates on Long Island; they saw their property plundered and their families imprisoned. Arthur Middleton of South Carolina, Carter Braxton of Virginia, George Clymer of Pennsylvania, Charles Carroll of Maryland, Richard Stockton of New Jersey—all were men of wealth and position. They were not firebrand conspirators or barefoot peasants. In the homely word, now out of fashion, they were patriots.

Our schools no longer teach their stories. Who today has heard of Caesar Rodney? He was dying by inches of cancer that had eaten half his face away, but he rode 80 miles through a storm so that Delaware's vote could be cast for independence. Stephen Hopkins, the fighting Quaker of Rhode Island, signed with a hand that shook with palsy. Thomas Nelson, in Virginia, learned that British troops had taken refuge in his beautiful home. "Give me the cannon," he said; and pulled the lanyard.

Why did they do it? It was because political liberty and personal freedom had meanings then that men have mislaid today. The founding fathers ached for independence, dreamed of it, died for it. In our own time, a new bureaucracy sends forth swarms of officers to harass our people; once again, a distant power lays down infinite regulations for the purpose of fatiguing the people into compliance with them. The spirit of independence wanes.

And that is the only purpose in regretting our neglect of the glorious Fourth. The day symbolizes a spirit worth preserving; and a nation that abandons its outward symbols sooner or later risks the loss of inner grace.

FIRST ANNIVERSARY OF MEDICARE

Mr. McGEE. Mr. President, the medicare program recently passed its first anniversary. Its first year, while not perfect, has represented a remarkable *achievement in that 19 million American* people were put under a program entirely new and without the chaos which many doubters had predicted.

Columnist Marquis Childs took note of this achievement in a column which appeared last week in the Washington Post *and other* newspapers.

Mr. President, I ask unanimous consent that Mr. Childs' column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

MEDICARE'S YEAR: A HAPPY BIRTHDAY

(By Marquis Childs)

At least two cheers should go up for the anniversary just past. Medicare is one year old and, despite some delays and dislocations, it has been instituted with remarkable success. To put 19 million people under a program entirely new to American medical practice and resisted by a large part of the organized medical profession as a socialist intrusion on the free way of life was no small task. As President Johnson has said, this is the greatest single civilian undertaking since World War II.

Small wonder that Social Security Commissioner Robert M. Ball is proud of what he and his staff have been able to accomplish. His report on the first 12 months bulges with impressive statistics—4 million persons for in-patient hospital services; $2.4 billion paid to hospitals for these services; 25 million doctor bills for which $640 million was paid out.

The gloom and doom opponents of Medicare predicted that so many people over 65 would rush to the hospitals for free service that hospital care would inevitably break down. This has not happened. The expected increase has been within reasonable limits, according to Ball. There has been a 15 to 20 per cent increase in hospital use by those qualifying under Medicare but this has resulted in less than a 5 per cent increase in total hospital use.

The President with his extraordinary capacity for spreading his interest far and wide, together with his driving energy, has helped to nurse the program along. He was determined to bring into active cooperation groups, such as the American Medical Association, that had fought Medicare. Under his direction Social Security contracted with Blue Cross, Blue Shield and 27 commercial insurance companies to administer both the hospital and the doctor's service phases.

Not the least of the achievement is the integration of the hospitals as required under the Civil Rights Act before they could benefit from Medicare. Of 6550 hospitals throughout the country only 146 cannot qualify. Of the latter 43 are in Missisisppi, 21 in Alabama and the rest scattered throughout the South.

This is a revolution in custom and behavior. Blacks and whites share rooms in Southern hospitals. Where Negro doctors qualify they serve on hospital staffs.

At the start of Medicare delays in the repayment to individuals for what they had paid out to doctors, unwilling to accept responsibility for collecting directly from Social Security, caused hardships. Older people on small incomes had to borrow money to meet these obligations while they waited often for months to be reimbursed. Ball says that the waiting time has now been reduced to days instead of weeks in virtually every state. There are still problems in administering certain outpatient phases of Medicare, with the need perhaps to make minor changes in the law.

With these minor qualifications the overwhelming fact is that millions of Americans are getting quality medical care, many of them for the first time in their lives. They are getting it as a right grounded in the Social Security System and not, as the American Medical Association would have it in its swing toward reaction, as a privilege. Nor is there evidence that the program has contributed substantially to the spiraling costs of medical care.

Pride of achievement to one side, when measured against need this is a small revolution indeed. Sargent Shriver produced the other day appalling figures to show how in affluent America with the highest medical standards in the world roughly one-third of the Nation has little or no share in the benefits of medicine or dentistry.

Two black marks on the record point this up. One is the high proportion of rejections in the draft for physical reasons. The second is the fact that the rate of infant mortality in the U.S. stands seventh or eighth in the list of nations, below countries with far more scarce resources.

It was no long in coming, with Harry Truman denounced as a dangerous radical for daring to propose it, that Medicare must seem the successful end of the road rather than merely a beginning. The pinch of the cost of the war in Vietnam and the threat of a big government deficit, together with the increasingly conservative temper of Congress, seems to put a period to any further advance. Shriver is battling to save his poverty program from destruction with the odds against him.

Yet Medicare proved what can be done. And history has shown that revolutions can rarely be checked in mid-course.

POSTMASTER GENERAL LAWRENCE F. O'BRIEN

Mr. MONRONEY. Mr. President, I wish to express my admiration for the great work which is being done on behalf of the American people by Postmaster General Lawrence F. O'Brien. Every Member of the Senate is deeply concerned with the ever-growing problems faced by the Post Office Department in dealing with the fantastic growth in mail volume. I am convinced that Larry O'Brien has organized the postal service in the last 2 years to identify these problems more accurately than ever before in the past.

At the same time, the Postmaster General has been bringing to the attention of the American people certain positive means of dealing with these unprecedented problems which their increasing use of the mails has caused.

But beyond his tremendous responsibilities as Postmaster General, Larry O'Brien continues to serve the American people in extraordinary fashion as the President's legislative expediter and adviser.

The people of Oklahoma recently had an opportunity to become more familiar with Mr. O'Brien's contributions to their Government. He was in our State to make the dedicatory address at the new Tulsa Post Office and Federal Building. As would be expected, he did a superb job.

The measure of Postmaster General O'Brien's accomplishment on this particular mission for the President can be gained by noting an editorial published after his visit in the Tulsa World, a newspaper often highly critical of this administration.

To emphasize my admiration and approval of Mr. O'Brien's labors both as Postmaster General and as an efficient and loyal member of a great administrative team, I bring this editorial to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

At the same time, I invite the attention of Senators to Mr. O'Brien's remarks at the Tulsa dedication, and ask unanimous consent that they be printed in the RECORD.

There being no objection, the editorial and remarks were ordered to be printed in the RECORD, as follows:

LOYAL TO THE BOSS

It's not hard to understand why Larry O'Brien, the U.S. postmaster general, has been described in the highest terms of affection by two Presidents—the late John F. Kennedy and Lyndon Johnson.

In his series of appearances in Tulsa last week—meeting the press, dedicating the new postoffice and firing up local Democrats—O'Brien showed a deep personal loyalty to both of the men he has worked for at the White House.

He is known as the last of the "Irish Mafia"—one of the close-in groups around President Kennedy—for all the others have departed since L.B.J. took over the office. O'Brien is a professional politician, and proud of it, and he has found satisfaction in carrying on under the Johnson administration.

His attachment is more than personal; he regards the work of the Administration as a cause worthy of a man's best efforts. He also feels that Mr. Johnson has been wrongly maligned by some of his critics—and doesn't hesitate to defend the President with the voice of a man who knows the story from the inside.

Regardless of how we feel about some of the Administration's programs, we have to respect Larry O'Brien for his loyalty and what appears to be a sincere unyielding devotion to the men he has served in Washington.

ADDRESS BY POSTMASTER GENERAL LAWRENCE F. O'BRIEN, AT THE DEDICATION OF THE TULSA POST OFFICE AND FEDERAL OFFICE BUILDING, TULSA, OKLA., JUNE 23, 1967

I am delighted to join my friend and one of America's great statesmen, Senator Mike Monroney, and the other distinguished guests here today for this notable occasion. This new Post Office and Federal Office Building represents an investment of well over $8 million and reflects continued cooperation between the General Services Administration and the Post Office Department. The space in this building will be used by several government agencies, thus making the building a new center of Federal activity in this area. More important, it symbolizes and is tangible evidence of the health of Tulsa's economy.

I know that a lot of hard work and community effort have gone into this project and I know, from a number of conversations with Senator Monroney, Senator Harris, and members of your House delegation, that this project has enlisted the personal concern of your very able Members of Congress, all of whom realize that better postal service in Tulsa will help improve service throughout the entire State. This is a proud day for us, and I want to thank Senator Monroney for inviting me here today to share in this dedication ceremony.

Senator Monroney, as you well know, is Chairman of the Senate Post Office and Civil Service Committee. This Committee brings to its Chairman not headlines, not the glare of publicity, but rather enormous demands on his time, mountains of hard, detailed work and the satisfaction of a job well done. And to that Chairmanship Senator Monroney has brought a sense of responsibility, a diligence in pursuit of the public interest and, above all, a spirit of objectivity and independence. Everyone who knows Mike Monroney in Washington knows what you know here in Oklahoma—that here is a man who serves one interest and one interest only: the interest of the people of this State and the Nation. He is beholden to no man. He recognizes no special interests.

Yes, Mike is a no-nonsense chairman. But he has to be to achieve his aim—which is better postal service for you here in Oklahoma and for all Americans. He fights hard to improve the postal service. His personal interest and encouragement have resulted in a great increase in the air transportation of mail, and many other postal innovations are directly rooted in his close association with the Post Office Department.

Senator Monroney is also Chairman of the Appropriations Subcommittee which passes on postal funds. Since Congressman Tom Steed has parallel responsibilities on the House side, where appropriations measures are formed, these two men together have a tremendous impact on the postal service. Their vision, their knowledge, experience, and sympathetic understanding are simply vital if we are to function effectively. Certainly, they have, year after year, hammered out budgets that combine the greatest possible economy with the greatest amount of improved service. In Senator Monroney and Congressman Steed you are blessed with a powerful team fighting and working to safeguard and strengthen the nation's greatest communications resource: your postal service.

In the restless, ever changing world in which we live, the word "explosion" is more and more frequently used to describe current events. There is the threat of nuclear explosion, and the number of nations now holding in their hands the H-bomb has increased to four. There is the population explosion, in which nations such as India and the countries of Latin America find themselves overwhelmed, their productivity increases absorbed by ever new legions of hungry mouths. There is the violence explosion, for which our crime statistics form the fever chart.

But, from my desk in Washington, the explosion that most immediately concerns me is the "information explosion." Years back a leader of another nation threatened to bury us. Well, it often seems that we are going to bury ourselves, not with nuclear fall-out, but with piles and piles and piles of paper. This blizzard of paper is produced by the most dynamic economy in the world.

Our gross national product is about $763 billion.

We are in the 76th month of unprecedented economic prosperity.

Our index of industrial production is about 155 per cent of what it was back in 1957 to 1959.

Personal income rose to $614 billion a year as of last month.

We are better educated than ever before. The average number of school years completed per citizen is at an all-time high of 11.8. More Americans are going to school than ever before. And the Federal, State and local governments are pouring almost $30 billion into education, more than twice the entire national income of Spain and 70 per cent of the entire income of Italy.

In short, the United States right now has more people earning more and learning more than at any time in its history—or the history of any nation in the world.

What does this mean for the Postal Service? Simply that we are the mirror of this affluence, this rising standard of living and learning.

For this rising standard has produced the "information explosion" with its fall-out of paper. And much of this paper is moving through the mails. The mail statistics, my friends, are almost staggering.

Back a century ago the average mail patron wrote six letters a year; now the figure is 403 a year for every man, woman and child in the country, and will soon reach 415. And, of course, we have almost 200 million Americans compared to 36 million in 1867.

As a result right now—this year—we are moving 80 billion pieces of mail. During the last Christmas Holiday period alone the Post Office Department delivered as much mail as is handled in France all year.

How do we keep from being smothered by this deluge of mail?

How do we reduce to the absolute minimum the direct and indirect cost of mail service to our society?

The really enormous increase in mail volume places us in a new dimension. Old ways of thought, old methods simply will not cope with this problem. In fact, I would say that right now your Post Office is in its third period of development.

The first such period was when Benjamin Franklin established the United States Postal Service. This was the period of *organization*.

The second period was when President Lincoln's Postmaster General, Montgomery Blair, paved the way for the Universal Postal Union, and established free city mail delivery, the money order system, and the railway postal service. This was the period of *extension*.

The third period coincides with the 1960's. To meet the growing strain on our postal communications system, we are moving into a massive program of mechanized mail handling.

My first official visit to a post office in November, 1965, was symbolic of our entry into the third stage, the period of the *postal industrial revolution*. The occasion was the unveiling of a new mail handling machine, a device that reads ZIP Coded addresses electronically, and then sorts the mail by the numbers. This is only one of many new machines now in our arsenal of mechanized mail handling instruments.

Also symbolic of this third stage of development is the fact that postal research, hitherto a stepchild, has at last been recognized as the seed-bed of future progress, and for the first time in the history of the Post Office Department we have an Assistant Postmaster General for Research and Engineering. As far as the status of research and development is concerned, this puts us about where General Motors and DuPont were 40 years ago—but at least the step has been taken, and we look confidently forward to an acceleration of progress in this vital area.

A third aspect of our postal industry revolution is that we have now established one of the greatest networks of electronic information gathering in the world. Through automatic data processing your postal service soon will have a kind of radar that will permit us to see where we are going, and where the rocks and shoals are that we should be avoiding.

Thus, the answer to better mail service lies not alone in hiring more postal employees . . . though our postal force grows each year.

The answer does lie in giving these dedicated employees the finest tools and facilities available so that they achieve their full productivity . . . and so that you can get your mail on time.

President Johnson has given me a mandate to achieve this end. He has told me:

"I have said in the past, and I repeat now, that I want you to provide this country with the finest mail service it has ever known, while managing the Post Office Department efficiently and prudently. I want you to explore all the techniques available to modernize our postal service and make certain that they are being used to provide the American people with the best postal system in the world at the lowest possible cost to the taxpayer."

This is the President's order to me, and I want the people of Tulsa to know that I intend to carry out that order. Certainly with men of the caliber of Senator Monroney and Representative Steed as Chairmen of Senate and House Committees deeply concerned with postal matters, we have a powerful constructive force at work.

My friends, the Post Office Department is a precious instrument of education and democracy. It is the most public and the most private form of communication known to man. It is the most public because any man, woman, or child can mail a letter. It is the most private because first-class mail is as safe from prying eyes as your own homes. It takes a court order to open a letter—and the courts have to be given a mighty good reason. This Post Office of ours is something we should be proud of. It has bound together a diverse and enormous nation with chains of paper.

And let me add that a building, no matter how well designed and constructed, is simply a beginning—it is an inert thing of brick and mortar. For it takes people, good people, to turn that beginning into achievement.

I know that we are fortunate in the caliber of postal employees who will assure that achievement. In your postal staff, Tulsa has outstanding and dedicated public servants. You know without my reminding you how hard and how well these good people work to move your mail.

It is a pleasure to turn this post office over to your Postmaster, John W. Henderson, and to repose in him the heavy responsibility for assuring that Tulsa continues to receive mail service second to none, the kind you need—the kind you deserve—the kind we intend that you get.

A SMALL AND DANGEROUS WORLD

Mr. McGEE. Mr. President, a world that wants peace waits hopefully, as Ralph McGill reminds us in a very worthwhile column published in the Washington Star of July 5, 1967. It is a small and dangerous world, he says, in which "agreements do not come in a single conversation." Mr. McGill's point bears upon the recent summit conference in New Jersey and reminds us that the world's hope for peace is aided by the realization that men of great power are able to look one another in the eye and try to reason from facts before them.

Mr. President, I ask unanimous consent that Mr. McGill's column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WORLD REMAINS SMALL, DANGEROUS

(By Ralph McGill)

In Glassboro, New Jersey, suddenly cast in the role of the most important international city in the world, the crowds set up a cry of "We want Johnson! We want Johnson!" after each of the conferences with Soviet Premier Alexei N. Kosygin. There were cheers, too for the Russian. The Kosygin tour to Niagara Falls brought him applause and hopeful good will.

In Los Angeles, where President Johnson flew to address a badly disorganized Democratic party after recessing the first discussions, there was at least a unity of listening. (Outside the sandaled, bearded pickets marched, carrying signs calling the President a murdered and declaring Vietnam to be "Johnson's war.")

There runs through the world a deep desire for peace—there always has been such a desire. But when peace, or something approaching it, comes, it will be the result of the power realists such as Johnson and Kosygin, not of the groups that degrade their own country and carry out a childish sick-joke criticism of the President as a part of their "dissent" for "peace."

At Los Angeles, where the Democratic lions and lambs met together to hear what is one of the two most important voices in the world today, the President said:

"It is good to sit down and look a man in the eye and try to reason with him and to have him reason with you . . . Agreements do not come in a single conversation. But I think we understand each other better and I was able to make it very clear indeed that the strength and determination of your country and its government are fully matched by our persistent eagerness to talk and work for peace and friendship with all who will work with us . . ."

The President reminded the nation of another truth.

"Past summit meetings have not ended our troubles . . . The world remains small and dangerous, and all nations—even the greatest—have hard and painful choices ahead of them . . ."

The President was reflecting on past failures only to remind us of them. But, it is important to know that Johnson went to the old college house in Glassboro, once the home of a tycoon of the "feudal baron" era, better prepared, despite the brief time for it, than his predecessors.

President Eisenhower went to the Paris summit meeting with the Russians briefed by the semi-messianic conclusions of the then Secretary of State John Foster Dulles. Eisenhower was not suited by background or politics to "sit down and look a man in the eye and try to reason with him and to have him reason with you . . ." The Paris summit session broke up in disaster and humiliation for Eisenhower.

President Kennedy went to Vienna in 1961 without an agenda. He was entirely unresilient, having gone to meet Nikita Khrushchev with two basic ideas—to stand on the Western alliance and to ask for a Soviet easement in Laos, where the first act of the Vietnamese drama was then in progress.

Kennedy, able and intelligent, reached Vienna with the Western alliance concept all but destroyed by his previous talks with Gen. de Gaulle. His prestige had been severely damaged by the Bay of Pigs disaster. This summit, too, was totally unproductive, save for the educational resolve it gave the young President.

Johnson, despite the short time afforded him, was prepared. He had with him a most impressive group of able, knowledgeable men. They were realists in international power relationships. They, too, understand that men must be able to look one another in the eye and to try, at least, to reason from the facts before them.

Johnson, for example, has been able to extricate himself, as Kennedy was in the process of doing when death came, from the impossible Dulles-Eisenhower "Cold War" doctrine. The Johnson policy is that "those involved in the hostilities must be involved in the peace." This is a flexible policy, permitting regional decisions, as the Dulles policy did not.

Meanwhile a world that wants peace, waits hopefully. Agreements are not made in one or two conversations. But they may emerge from such conversations. The world is small and dangerous. And even the powerful nations have painful decisions to make.

There are "miles to go before we sleep."

COAL IS ENERGY BARGAIN

Mr. BYRD of West Virginia. Mr. President, those of us who have watched closely the manner in which coal is competing successfully in the energy markets of the world take great pride in noting that U.S. coal can, in many instances, be delivered to European destinations at a price substantially less than that of European coal.

Undoubtedly, the manner in which the U.S. coal industry is forging ahead with its research is being rewarded with significant new markets for coal.

Because of the importance to the U.S. economy of a healthy coal industry, I have noted these developments in an article, "U.S. Coal Is an Energy Bargain for the Free World," which was published in the June 1967 issue of the Coal Mining & Processing magazine.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. COAL IS AN ENERGY BARGAIN FOR THE FREE WORLD

(By Senator ROBERT C. BYRD)

Everyone, at home and abroad, is concerned these days about rising prices. And everyone is looking for useful bargains.

We have one to offer the Free World—abundant reserves of high quality low-cost U.S. bituminous coal. Long-term contracts between foreign consumers and U.S. coal producers offer the greatest security of supply and encourage investment to better meet the specific needs of consumers.

Steel producers in Europe and Japan are particularly aware of this fundamental fact of modern business life. They are looking with more than passing interest to U.S. coal as a vital ingredient in their continuing struggle for economic survival. Indeed, economically competitive coal from American mines can mean more than survival for European industry; it can provide for the growth that is needed by European businesses to meet competition in foreign markets.

EUROPEANS TOUR OUR MINES AND PORTS

The growing European interest in coal from America was brought into sharp focus by a recent tour of U.S. coal production and transportation facilities by representatives of the Coal Committee of the United Nations Economic Commission for Europe. The tour was sponsored by the National Coal Association and its affiliate, the Coal Exporters Association of the U.S., in cooperation with the State Dept. and the Dept. of the Interior.

Coal men from Europe, including some from behind the Iron Curtain, came to see how vast amounts of coal are produced in this country at amazingly low cost. They learned, for example, that the average American coal miner turns out more than 17 tpd—over five times as much as the West German miner, his most efficient European counterpart.

They became convinced that our coal reserves are sufficient to meet demands for several centuries to come. In my home state of West Virginia alone, a report filed with the Coal and Steel Community's High Authority stated that known reserves of low-sulfur, low-ash coking coal amount to 6.5 billion metric tons. About 4 billion metric tons of this can be recovered, according to conservative estimates.

"It appears that the expression of fear about insufficient availability in the long-term of (U.S.) coking coal of a good quality and with a low content of volatile matter," the report concluded, "can be set at rest."

The ECE Coal Committee saw first hand how coal is moved in great bulk from the mine to a single major consumer in a single express-train movement of 10,000 tons or more. Development of this transportation technique by American railroads in very recent years has permitted reduction of coal freight charges by more than one-third in many cases.

The European coal representatives also inspected the modern coal-loading facilities at the Tidewater port area in Virginia where increasingly larger colliers are being loaded in less than a single turn of the tide to carry coal from America to consumers in half the nations of the world.

Three essential elements in the U.S. coal scene, as viewed by the ECE tour participants, can be summarized as follows: (1) The amazingly efficient U.S. mines, tapping now only a trace amount of the economically recoverable reserves of coal still underground; (2) the increasingly economical means which have been developed, and which are in the process of further improvement, to transport coal rapidly in bulk from mine to market; (3) the facilities through which U.S. coal can be shipped to overseas destinations in greater amounts than ever, arriving in European markets at costs substantially below those of indigenous coals.

OUR EXPORT COAL IS COMPETITIVE

European coal producers, always faced with poor mining conditions—thin seams at great depths—are now caught up in a spiral of rising wages and the necessity to increase coal prices to meet miners' wage demands. The result is that U.S. coal can, in many instances, be delivered to European destinations at a price substantially less than that of European coal.

Governments in Western Europe are seeking to keep their coal industries alive with payments of various forms of subsidies, partly to keep their own coal competitive with coal from the U.S. Just recently the European Coal and Steel Community approved a subsidy plan for coke and coking coal produced in the Community. The subsidy amounts to $1.70 per ton, with a sliding scale up to $2.20, and a maximum average of $1.70. The subsidy program runs from Jan. 1, 1967, to Dec. 31, 1968, and amounts to an over-all total of $22 million. The major portion of $20.1 million has been allocated to West Germany.

In the midst of this situation U.S. coal still remains competitive in certain European markets and the demand for coal from this country continues. Markets for U.S. coals in Europe registered a slight decline last year, owing to difficult marketing conditions. But forecasts point to increased fuel needs in this market. A bright future is predicted for U.S. coal exports to foreign countries, not only to Europe but to South America and Japan also.

WE CAN CONTRIBUTE TO THEIR ECONOMIC HEALTH

By remaining strongly competitive in European energy markets, coal from the U.S. can actually make significant contributions to the economic well-being and growth of industry in this critical region of the Free World. A specific case in point is the role that high-quality coking coal from U.S. mines can play in the steel industry and in steel-using industries on the Continent.

In the shrinking world in which we live, international trade is important to every reasonably industrialized nation. Goods and services produced in one country must be exportable on a competitive basis if a nation is to survive in the world marketplace.

With rising costs, the highly-industrialized nations of Western Europe and their economies, individually and collectively, are in danger if the products of their industries cannot compete abroad. An essential ingredient to the future economic welfare of Europe, and perhaps much of the Free World, is the strength of the steel industries of these countries.

Freerer use of low-cost, high-quality U.S. coking coal in European steel mills will permit these steel producers to turn out raw steel and steel products at more competitive prices. Likewise, European manufacturers of products made with steel produced in Europe will be better able to keep abreast of competition throughout that area and in many parts of the world. And everyone concerned will benefit, including U.S. coal producers and the men who mine the coal in this country.

Efforts to penalize American coal in the energy markets of Europe, through subsidy payments and by various import restrictions, can only penalize, in the long run, the industries which must rely on the lowest-cost coal available. The more far-sighted approach is to permit coal from the U.S. to find its place in the energy markets on the Continent on the basis of its ability to compete with indigenous energy sources. The industries of Europe, and the over-all economy of Continental nations should be able to benefit from the abundance of useful energy available from coal to be found within our shores.

From our own point of view, there is much we can do enhance the economic attractiveness of U.S. coal to European industrial consumers. Congress has already taken one step in this direction by authorizing a $30-million project to deepen the main ship channels in Hampton Roads habor at Norfolk, Va. The deepening of the outbound channel of the Norfolk Harbor and Thimbleshoal channels was completed in mid-January of this year. Shortly thereafter, the largest coal-carrying ship in the world, the "Cetra Columbia," departed for France with a cargo of 84,000 tons of U.S. steam coal.

"Carrying coals to Newcastle" has long been regarded in the English language as a symbol of a futile endeavor, but with conditions as they are in Britain today this time-worn phrase may take on new meaning. The British coal industry is having its own problems, not unlike those on the Continent. British steel and iron producers are urging their government to lift the total ban on coal imports to permit use of low-cost, high-quality U.S. coking coal in their mills. These pleas for American coking coal have been enhanced by the recent community subsidy program on coking coal.

Meanwhile, the British iron and steel manufacturers have suggested that the "foreseeable economies in . . . home coal seem small in relation to the . . . savings which could be secured by the regular importation of coal in bulk carriers." The cost advantages of imported coals do not seem likely to disappear before 1975, they have said.

RESEARCH CAN CREATE NEW MARKETS

While the efforts of American coal producers and exporters are focused on present uses and markets, eyes are being turned as well to the future. The U.S. coal industry is becoming increasingly research-oriented. This attention shows signs of being rewarded with significant new markets for coal.

In the chemical and physical sense, coal is a complex substances. Properly treated, it can yield hundreds, perhaps thousands, of new and useful products. At least two are important in terms of the future energy needs of mankind at home and abroad.

One is the production of competitively-priced gasoline from coal. A pilot plant now under construction at Cresap, W. Va., is expected to demonstrate that coal can be used to make gasoline at a cost comparable with gasoline produced from petroleum. Commercial application of the process will be the next step, producing petroleum refinery feedstock in our major coal regions.

If, eventually, the coal industry can provide the crude oil industry with only 10 percent of its annual needs, production of coal to meet this requirement alone would run to about 143 million tpy. And this is regarded by many as a very conservative estimate.

Then, too, there is the very strong likelihood that pipeline-quality gas can be produced from coal to supplant potentially dwindling reserves of natural gas in the U.S. The U.S. Office of Coal Research is sponsoring some of these developmental efforts with federal funds, but it is significant to note that the gas industry, through the American Gas Association, is also financially involved in the research now moving along several lines.

If coal can, in time, produce 10 percent of the pipeline-quality gas needed for the future, as now seems to be possible, the industry will have another new market for something on the order of 145 million tpy. This again is a conservative estimate.

Energy from these two new sources—produced by low-cost U.S. coal—may also find customers abroad. We must be prepared to meet these demands when they arise. Our producers and exporters, and the manufacturers of new products from coal, can fill many of the Free World's needs for energy and goods and services.

WE NEED A HEALTHY COAL INDUSTRY

I have noted that ours is a shrinking world, one in which international trade is most important. We in the U.S. do not regard it as being any different, for much concern is expressed these days about the current balance-of-payments situation. We are, in effect, paying out more in American dollars to import goods and materials from abroad than we are taking in through exports of materials produced in this country.

There is little doubt that a healthy coal industry is important to many in this country, particularly in Appalachia, if only because coal exports contribute substantially toward our balance of international trade payments. Coal exports to about 50 nations bring in approximately $500 million a year. And there is every indication this amount on the plus side of the trade balance sheet will increase as demand for coal from America grows.

As a West Virginian, I am certainly proud to pay tribute to the role played by the coal industry in the economy of my home state. As a U.S. Senator, I am proud also that coal, West Virginia's principal product, is playing such an important part in the economic life of the nation and the Free World.

Despite the strong challenge from atomic energy in the domestic electric utility fuel market, the coal industry, in my opinion, is faced with a rewarding future wherever low-cost energy is needed in great abundance. The nations of Europe are beginning to see in U.S. coal a hope for greater economic strength in terms of present uses of coal.

U.S. coal can hardly be regarded as an old fuel. Indeed, as I see it, coal may just now be coming of age. And it is certainly a bargain the world sorely needs.

LULAC NATIONAL CONVENTION ENDORSES BILINGUAL AMERICAN EDUCATION BILL

Mr. YARBOROUGH. Mr. President, the League of United Latin American Citizens has endorsed S. 428, the bilingual American education bill. LULAC is the largest organization of Latin American citizens in the country, and the 39th National Convention, held at Phoenix, Ariz., was attended by people from all over the United States. Senate bill 428, cosponsored by a number of Senators, including all Senators from Texas, New York, and California, where the largest concentrations of Spanish-speaking citizens live, is the first bilingual education bill ever introduced in Congress. Hearings have been held in Washington, D.C., California, and Texas on S. 428.

I ask unanimous consent that resolution No. 17 of the 1967 National Convention of the League of United Latin American Citizens be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 17, LEAGUE OF UNITED LATIN AMERICAN CITIZENS, 1967 NATIONAL CONVENTION, PHOENIX, ARIZ.

Whereas: Our forefathers established a Government based on democratic ideals and,

Whereas: This Nation has flourished by the blending of various cultures and,

Whereas: Our democratic form of government requires that citizens be educated in order to fully exercise their citizenship and,

Whereas: A bilingual-bicultural curriculum will best meet the educational needs of Spanish-speaking students in the United States and,

Whereas: The present limited aid to education program guidelines do not specifically focus attention on the development of bilingual-bicultural education programs and,

Whereas: There are nine and one-half million Spanish-speaking persons in this Nation and its territories who would best develop their God-given talents in a bilingual-bicultural curriculum and,

Whereas: In comparison with all other groups in the United States, the Spanish-speaking people receive the lowest level of education under the present educational structure,

Be it resolved: That LULAC go on record in support of bilingual-bicultural education—especially Senate Bill No. 428, introduced by Senator Yarborough and the House of Representatives Bill No. 10224, introduced by Congressman Hawkins.

Every LULAC Council is hereby instructed to contact their Representative and Senator in Washington and strongly advocate his support of these measures.

PROGRESS OF ANTIPOVERTY PROGRAM IN HAWAII

Mr. INOUYE. Mr. President, now that Senator CLARK's Subcommittee on Poverty has interrupted its field hearings to begin its hearings with the administration witnesses from the Office of Economic Opportunity, the time has arrived for a careful appraisal of our national effort to combat the roots of poverty in America. It has been brought to my attention that the committee had not been able to review firsthand the progress of the antipoverty programs in my State of Hawaii.

If they had had the opportunity to travel there, they would have found the poverty program progressing at a more than satisfactory pace with the well-developed cooperation of various State and local public and private groups. Community action agencies, for example, have been established in each county and are reaching out to help the poverty-stricken at the local level. The Job Corps centers have been running smoothly and providing the disadvantaged youth of Hawaii with a chance to develop useful skills which will allow them to contribute to society and live in dignity.

This laudatory appraisal of the progress to date and optimistic outlook for the future of these programs in Hawaii was amplified in a recent letter from Gov. John A. Burns, to Senator CLARK of Pennsylvania. The Governor indicated an overwhelming enthusiasm and endorsement of our Federal antipoverty programs in his State and urged expansion in all areas.

So that the informed views of Governor Burns who has followed these programs closely might be made available to my fellow colleagues, I ask unanimous consent that his letter to Senator CLARK, dated May 29, 1967, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 29, 1967.

Hon. JOSEPH S. CLARK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CLARK: This is to express my regret that the Senate Subcommittee on Poverty was not able to visit Hawaii during its Western tour. I am sure it would have found some interesting developments in the State of Hawaii. The poverty programs throughout the State have been moving along rather well with extensive cooperation from all levels of government, labor, private groups and the target residents.

In each county we have a community action agency. The NYC program is in operation in each county. The Job Corps program which is operated by the State Department of Land and Natural Resources has its center in Honolulu with Satellite Camps in Hawaii and Kauai Counties.

Our community action agencies have been working very closely with the Department of Education to fully implement the cooperative agreements developed by the Office of Education and the Office of Economic Opportunity. Committees on the State, District and School levels have been established and are meeting regularly to discuss problems as they relate to Head Start and the Elementary and Secondary Education Act.

The Cooperative Area Manpower Planning Systems (CAMPS) Committee has been established and are in the process of developing a State plan.

It is my feeling the effort being expended in this State is in the right direction. We do have our problems but we feel much of it can be resolved with clear thinking and hard work. I fully support the efforts of the poverty programs and do hope there will be expansions in all areas.

Warmest personal regards. May the Almighty be with you and yours always.

Sincerely,

JOHN A. BURNS.

DR. RALPH SEGALMAN, OF THE UNIVERSITY OF TEXAS AT EL PASO, OFFERS SOUND SUGGESTIONS ON MIGRANT WORKER SITUATION

Mr. YARBOROUGH. Mr. President, Dr. Ralph Segalman, of the University of Texas at El Paso, recently wrote me his observations on the migratory worker situation. His letter contains so many sound suggestions that I feel it should be called to the attention of every Senator and all others who are concerned with this problem. I therefore ask unanimous consent that his letter of June 7, 1967, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE UNIVERSITY OF TEXAS AT EL PASO, TEXAS WESTERN COLLEGE,
June 7, 1967.

Senator RALPH YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR RALPH: I'm sorry that you were on the floor when I tried to reach you on Monday, June 5, 1967. I wanted to talk with you about the Migrant Worker situation in relation to Texas in general, and particularly in West Texas.

I'm enclosing a map of the migrant stream which goes from Texas into the West, Central, and East of the United States. No one really knows how many there are but it could be anywhere from five to seven million people involved. Every year these people go out for the crops and then return some time in November, although many stay on, in the hope of finding some winter work. This year, more than ever, I believe that they will be coming home to Texas. The reason is simple—the machines are taking over on the farms. I doubt that many will stay on in the North without work and in the cold. And this time, they may come home to stay, or to move on to the warmer climate near the border where they may have relatives or friends.

I became interested in the problem as an educational and technical consultant for one of the Migrant Education Programs at Mathis, Texas. I also became interested in the migrant problem when I helped plan the development of Project Bravo, the Community Action Program in El Paso. I have also been involved in helping develop a number of other programs relating to the migrants, including a High School Equivalency program, Upward Bound at UTEP.

I have fast come to the conclusion that:

1. The migrant problem is not local but national in responsibility. The local communities, whether rural or urban, are unable to deal with the problem.

2. Texas is particularly concerned with the problem, because it is, or will be the place these people come home to; and these communities either are, or soon will be overtaxed with the problems involved. I have the feeling that they would be presently over taxed, except for the fact that the migrants are often treated as if they were invisible; and because they have, in the past, come home with a bit of savings from their thousand dollars or so of earnings. This time, however, they'll come home with little or nothing in savings and our communities are not prepared for them.

3. I've observed many of the programs which have been set up to deal with the problem. My observations are that:

(a) The projects are sparsely scattered, and badly under-financed.

(b) Worst of all, the projects, other than the few under direct supervision of O.E.O., are all too often handled unimaginatively, and "by the numbers." Often, in the educational field, the programs meet all the "packaging" requirements and few of the intrinsic qualities directly related to teaching the people in terms which they can understand, and which have real meaning to their lives and job realities. In relation to employment, somehow, despite the availability of O.E.O. funds for retraining and special job placement to follow, (a rehabilitative educational program at the disposal of the Labor Department) the Secretary of Labor has not made sufficient arrangements for the present group or even part of the presently available group, letting alone the arrangements to prepare adequately for the thousands who can be expected to come home in the coming months.

I doubt that health facilities for migrants exist to an extent where the impact can be felt in terms of health rehabilitation of migrants. How can we expect a migrant to study basic education with an abscess in his teeth, or a hernia uncorrected. Frankly, except for the O.E.O. people, in too many cases, the bureaus seem to operate in a "business as usual" manner and seem to concern themselves more with their own structural antonomy and bureau growth and influence, and less on the effectiveness of the job to be done. It seems as if everyone seems to want to multiply more of the unrelated and uncoordinated services without too much concern over the products and the effectiveness of the service.

The so called CAMPS Program may or may not work, depending upon how much leverage O.E.O. will have in seeking coordination and effective education, followed by follow-through job training and employment which is watched over carefully.

The expected return of the migrants to their home bases or the nearest large cities can only aggravate most of the inter-group tensions which already exist there. The usual reaction to such tensions is, all too often, unresolved but obscured by destructive riots and repressions which occur instead. In some cases, the riots are merely "seeded" while the tensions are "saved up" sometimes for years, until some seemingly "little" incident sets them off.

There are numbers of solutions for the problems which include minimum wage expansion, pension programs, and expansion of welfare services. I'm in agreement with such efforts although as a social scientist, I believe that these are only "first steps" to the major solution, which is rehabilitation on a major scale. Minimum wage expansion, we know, leads on to more automation on the farm. Pensions are ways of resolving the problems of the older adults but open no new hope for the young people. These young people are important to the older people whose lives have reached a "dead end." Either they hold hope for their next generation for "a better life," or they reach a condition of despair in which irresponsible actions are born.

To expand rehabilitative services of education, employment training and placement which is not geared to this client group is hopeless and wasteful. Robert H. G. Thompson, one of the British critics of American efforts has said, "somehow, whenever Americans double their effort, they manage to square the error." I'm afraid that in too many instances, they're right and I hope that in migrant work, the emphasis will be put on placing those who can, and who have demonstrated that they can when permitted, to be given the opportunity to harness the available resources and secure more resources to meet the problem now while it still can be done.

I know that the problem exists all over America, but the migrants are different in this sense. If we act now, we can perhaps resolve the problen. before they get to the inner cities of America, and particularly the cities of Texas, where it will then be harder to solve a year or two of living along the pattern of those already in poverty and without hope for the future.

In other words, what I'm saying is, allow the dedicated people who are concerned with the problem some leverage with the structured agencies with which they have to deal, and give them the money to produce results over a reasonable period of years, not months.

In my opinion, results are possible, given the leverage and the resources. In Mathis, Texas, for example, we have an adult migrant education program which we can all be proud of. Unlike other cities, where the structured group elected to take over, and "do more of the same," in Mathis, they yielded to the Community Action Group which was guided by the Migrant Division people of O.E.O. You'll be interested to know that by various innovative techniques and, of course, by teachers trained specifically to work on this special process without concern for other irrelevant preparations, we are securing and maintaining three years academic progress for ten months of teaching. This takes a new kind of "savvy," dedication and sincerity which perhaps can be taught to established agencies, if you give the potential teachers of the agencies the means and role of setting out the path and keeping the agencies on it.

As a Texas legislator, I believe that you have a stake in the situation which has a potential for considerable difficulty and perhaps even danger. What would happen, for example, if the people who return in such numbers and in such condition that there will be health welfare or other problems aggravated enough to finally bring local authorities to realize that they need immediate help? Will the agencies be ready to give them the help they need? After years of doing routinized untested or unevaluated activities, will they be ready to set up services to deal with the thousands involved? Are the migrants equipped with trained, educated leadership who can help them work with the communities? Are the uncoordinated agencies in such shape that they can provide local community leadership geared to work with rather than to fight with the returning migrants?

More and more, I'm convinced that education and retraining on an innovative and dedicated basis is the basic answer to problems of poverty in Texas, if followed up by careful job placement and rechecking on job adjustment and retention. This can be done, in my opinion, only if:

1. The money allocated has to be quadrupled in order to have any real effect.

2. The job has to be done on a coordinated basis, which is possible, I believe, only if someone in O.E.O. is given some leverage in control of month by month funding based on results achieved and demonstrated coordination by state operating agencies.

3. The job is possible only if the Department of Labor opens up the required MDTA and other training opportunities expanded to meet realistic requirements. It is a dreary thing to see so many unfilled jobs for trained workers in Texas, while so many Texans are without training.

I though that you would want me, as a sociologist who is acquainted with the problem directly, to report my observations and conclusions to you. I know that you are concerned and interested enough about the implications for Texas that I would suggest that this might well be a subject you might want to discuss with your Texas colleagues in the House and Senate. In any case, I can only hope that something can be done, for once, in advance, on time, and not in the all too often encountered experience of "too little and too late" to do anything more than stretch out the problem into one of the decades of difficulty. In this kind of a crisis, it's time to do what is effectve rather than what comes naturally. I would apprecate any reactions you may have to this communication.

Sincerely,

Ralph Segalman, ACSW, Ph. D.

P.S.—It seems incongruous to me that USPHS, Immigration, Agriculture, Customs, Labor, and even the Texas Liquor Commission can work so well together at border points in checking admissions into Texas (which is, primarily, a police function) and yet somehow the various Federal and State agencies cannot seem to develop similar active cooperative roles when migrant people with problems are involved. Is it visionary to expect such active cooperation in what is probably an equally urgent matter? Cannot one agency, the O.E.O., for example be given the leverage with the other agencies, so that a productive job can be done with the migrant group?

THE DESPERATE NEED FOR FLOOD PROTECTION IN MISSOURI

Mr. SYMINGTON. Mr. President, the results of the recent terrible floods in Missouri are summed up well in a letter I received from one of the most prominent women in my State. I would hope that every Member of the Senate would be sympathetic to her tragic observations. I ask that they be included at this point in the Record.

There being no objection, the observations were ordered to be printed in the Record, as follows:

Everything in the Grand River Basin is already gone. A few days ago I stood on Seminary Hill—a high point here—and looked at the gorgeous green and yellow carpet of corn and wheat that stretched as far as my eye could see—because I wanted to just look at its beauty. Sunday I stood and looked again with all the others at the sickening, sickening sight of flood waters that in the night tore away the barriers and gobbled up that beautiful carpet—all that work, all that unpaid-for seed and fertilizer. The Grand was moving more sluggishly for she had gorged until she was literally stuffed.

The people stood and just gazed. My throat hurt with emotion caused by the stupidity of the mixed sense of values in Washington. I could hear the words of people—"There's money for everything, everybody, everywhere, and all we want are some dams—but then we don't count." It wasn't a bitterness exactly, but a sound and look of having been betrayed—a sound of futility. It's a sound that's growing lately here and in all the surrounding counties. I've pondered and pondered over it. It reminds me of the 30's. People aren't hungry, but this feeling. Can it just be that America has forgotten it can't live by bread alone. Are we sacrificing principle for privilege—or must people yearn for office so they try to buy the masses by sacrificing the others?

People here know that war and poverty—that's a fighting word—cost; but they also know that that excuse is not good enough, for all they have to do is turn on their television and hear people in the Administration say, "We will help every underdeveloped country." They know what that takes and whose taxes. They know too that much of North Missouri is underdeveloped, despite the fact it has what many a country yearns for—water, open spaces, places for industry, room for people to live, breathe and play. But it seems all this is expendable, and its people will be forced to join the misery of the already teeming dirty cities.

What a poor reward for a people that are part of a science that has made America the leader in the world of the one thing that man cannot exist without—food.

In our own relatively small area here, 100,000 acres of the best cropland in America have been covered with flood. That alone would feed a great many. Added to that, think of the human misery, in the economy of the little towns, the danger of the outbreak of disease. Houses that are flooded have to be cleaned after a flood; and believe me, land does too.

It just seems stupid to me. Perhaps we should demonstrate.

COAL FLY ASH

Mr. BYRD of West Virginia. Mr. President, some of the amazing results of research and development of new technology in the coal industry offer tremendous potentials for benefit to the American people.

As one example, coal fly ash is now being used to both lighten and strengthen bricks and concrete building blocks.

The development of this material for building use is discussed in an excellent article, "A New Industry in the Making—A Late Report on Coal Fly Ash," published in the July 1 issue of the United Mine Workers Journal.

As a person instrumental in getting funds to initiate the fly ash research project, with the support of the membership of the Senate, I wish to provide information as to the effective utilization of the funds to construct a pilot brickmaking plant at Morgantown, W. Va., which have resulted in this development of the useful potentials of coal fly ash.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A NEW INDUSTRY IN THE MAKING: A LATE REPORT ON COAL FLY ASH

Coal fly ash, which most people regard as a kind of nuisance waste material if they even know what it is, is actually one of the nation's major industrial minerals. On a tonnage basis fly ash ranks as the sixth most abundant mineral produced in the United States today. Fly ash is simply the principal residue left over from the combustion of coal.

The Journal, from time to time, has reported on the tremendous potential for uses for fly ash to make brick and other construction material, to strengthen road beds, to add to soil to increase porosity and to mix with cement to strengthen concrete.

Dr. Walter R. Hibbard, Jr., director of the U.S. Bureau of Mines, thinks the nation is throwing away a fortune each year by its failure to make greater use of fly ash. The Journal reported in detail on Dr. Hibbard's views on fly ash in the March 1 issue.

The latest report on fly ash comes from Gerard C. Gambs, assistant to the vice president-chemicals, Consolidation Coal Co.

Among other things, the more extensive sale of waste fly ash could enable electric power companies to reduce the production cost of electricity which would be of great benefit to the coal industry in its competition with atomic energy, natural gas and oil for electric power markets.

Because of the importance of this subject the Journal herewith publishes major portions of the statement by Gambs, presented recently to the Senate Subcommittee on Air and Water Pollution. It is entitled, *The Marketing of Fly Ash in the United States, Europe, The United Kingdom and the U.S.S.R.*

The summary statement follows:

"Fly ash is a major industrial mineral in the United States. . . . Fly ash ranks as the sixth largest mineral produced in the United States today.

"Coal burning power stations in the United States were among the first in the world to install efficient ash-collecting systems ahead of their stacks. This whole program of ash removal from stack gases has been pursued by the power companies just about as fast as technological developments permitted and the progress in removing particulate matter has been phenomenal. Each year since the first mechanical and electrostatic precipitators were installed, more efficient ones have come on the market and a modern power station today spends many millions of dollars on the ash collectors which can now remove over 99 percent of the particulate matter coming to their stacks. . . . The U.S.A. is now one of the world's largest producers of fly ash with an annual production of 20 million tons. Until recent years . . . it was all dumped as a waste product. . . . More than two million tons of fly ash will be consumed for useful purposes in the U.S.A. in 1967. . . . When all the present programs for using fly ash commercially are brought to fruition, fly ash shortages could possibly develop in many coal-burning areas of the country.

"During 1966, I . . . (visited) . . . the United Kingdom, West Europe, and Russia . . . (to learn what) . . . being done in these countries to utilize their fly ash commercially.

"Russia is the only country . . . that produces more fly ash than the U.S.A., 30 million tons a year, and has done virtually nothing toward consuming it usefully. . . . The Russians are extremely interested in utilizing their fly ash, particularly in concrete because Russia produces even more cement than the U.S.A. and has a constant cement shortage. As a result of my talks . . . several Russians have visited in the U.S.A. and travelled across the country to learn what is being done here to utilize fly ash commercially.

"West Germany produces a total of nine million tons of fly ash a year. . . . Most power stations burning bituminous coal reinject the fly ash into the boilers and convert it into a comparatively coarse granular slag. This slag is all used for aggregate and amounts to four million tons a year. Germany happens to be a country short of good aggregates so this solution to a significant part of their fly ash problem fits nicely into their economy. Four million tons a year of fly ash produced from burning brown-coal, or lignite, is not used commercially there although I . . . believe . . . it could be used in concrete. . . . The Germans have also expressed interest in new uses for fly ash and I . . . expect . . . they will soon . . . use their excess fly ash in concrete.

"In France, . . . fly ash production is about four million tons a year and half of it . . . is sold commercially. The principal use . . . is in the manufacture of cement, either as a part of the raw material feed for the kiln, or interground and blended with cement clinker to make the equivalent of our portland-pozzolan cements.

"The United Kingdom produces about nine million tons of fly ash annually. Of this, about 3.5 million tons are utilized commercially. The largest single use in England is as a structural fill for land, in roadways, airport runways and similar applications. . . . Very little fly ash . . . is used in concrete, but the English are very much interested in the progress of our fly ash concrete work . . . and have . . . visited several of our installations. . . .

"When all the various constructive uses of fly ash are fully developed in the U.S.A., we can consume it all. . . . However, . . . no one single use, such as in concrete, can accomplish this, and some entirely new uses . . . under development will . . . be needed. One very important project on fly ash utilization is being sponsored by the Department of the Interior's Office of Coal Research at the Coal Research Station of West Virginia University. A good-sized pilot plant has been built and is just about to start producing high-grade bricks and blocks from a raw material containing 97 percent coal ashes consisting mostly of fly ash which is mixed with some bottom slag ashes. The coal ash bricks and blocks made experimentally so far on smaller equipment appear to have superior qualities. If this project proves to be a commercial success . . . this use . . . alone could consume a lot of the U.S.A.'s fly ash. . . .

"Reasons why industry is working so hard to utilize all fly ash commercially . . . can be summarized . . . as follows:

"1. Utilization of fly ash will result in the reduction of the cost of coal burned by utilities and ultimately means lower electric costs. . . . The . . . utility can not only eliminate their disposal costs but receive income from the sale of fly ash. The . . . total can mean as much as 1 to 2 cents per million Btu reduction in the cost of coal burned. . . . This means that these credits rather than debits to the utility will be most helpful in keeping our coal industry competitive with the nuclear power industry.

"2. As the country becomes more urbanized and the generation of electricity continues to grow, the areas available for . . . fly ash disposal become . . . difficult to locate. . . . The conversion of fly ash into commercially useable products is absolutely essential if the coal-burning power generating industry is to continue to grow. . . .

With regard to the specific use of fly ash in concrete . . there are no . . . limitations. . . . One of the principal jobs . . . is to make every engineer, architect, and contractor . . . aware of the usefulness of fly ash in concrete. We are meeting with considerable success along these lines with the "ads" Consolidation Coal Co. has been running. . . .

"Additional and continued financial assistance by the U.S. Government for funding research projects on fly ash utilization would be very helpful in accelerating the commercial use of fly ash. . . .

"The National Coal Association is working with the electric utility industry . . . (to set) up a National Fly Ash Association.

"Badly needed . . . to provide . . . dissemination of . . . information about fly ash uses . . . to provide the technical services needed, and to actively promote new and different uses just as fast as they are developed."

SENATOR MUSKIE'S WARNING SHOULD BE HEEDED

Mr. NELSON. Mr. President, in an article entitled "Clearing the Air," published in the May 1 issue of Forbes magazine, the distinguished Senator from Maine [Mr. MUSKIE] is quoted as laying down a frank warning to American industry. He says in effect that the rising menace of air pollution makes comprehensive and effective control measures inevitable. Senator MUSKIE, an eminently wise and practical legislator, reminds industry that it has two alternatives. It must either take bold action on its own initiative to curb pollution or it will be faced with strong Federal legislation that may prove far less palatable.

Senator MUSKIE warns that public reaction to increasing air pollution may "generate pressures for precipitous action in many cases. Intelligent corporation executives should remove the chance of their company becoming a scapegoat when a serious incident occurs." He urges companies to "take concrete steps to abate any air pollution they can before an incident occurs—to gain a reputation for a clean-air program in advance."

Mr. President, no one favors Federal intervention when alternative solutions are possible. Nothing would be a greater vindication of the spirit of free enterprise than for American industry to rise to the challenge and through private initiative take the necessary measures to control the air pollution for which it is largely responsible. I urge the industrial community to heed Senator MUSKIE'S sound advice.

I ask unanimous consent that the text of the Forbes article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EDMUND S. MUSKIE—CLEARING THE AIR

When Edmund S. Muskie went to Washington in 1959 as the first Democratic senator from the state of Maine, the big domestic issue then, as now, was civil rights. The Senate Majority Leader called him in and said: "How do you plan to vote on cloture?" And Muskie replied: "You'll know when I cast my vote."

The Senate Majority Leader was Lyndon B. Johnson, and nobody talked to Johnson like that. He got even with Muskie by putting him on the Public Works Committee, which in those days was the Senate's "Siberia."

Today, air pollution and water pollution are major national concerns. Johnson, as President, has asked the Congress for stiff legislation to control air pollution. And who is chairman of the Public Works subcommittee on pollution? Edmund S. Muskie.

According to some estimates, cleaning up the nation's air and water "may cost about $30 billion over the next ten years and about $120 billion over the next 33 years," and Muskie's subcommittee has to find the answers to such questions as: Who shall do what? And who will have to pay for what? The latter question, Muskie believes, is purely a technical one. The public will have to foot that $120-billion bill, whether as stockholders, consumers or taxpayers.

Muskie thinks industry would be well advised not to wait for Congress to act on the President's request for legislation to eliminate air pollution but to start moving right now. "With air pollution, we are seeing more emotionalism than we saw with water pollution," he says, "and this emotionalism can generate pressures for precipitous action in many cases. Intelligent corporation executives should remove the chance of their company becoming a scapegoat when a serious incident occurs. There is a tendency in all of us to look for a scapegoat, you know. If a major incident happens, many people not even directly affected by it might call for a halt in the use of automobiles in an area, for a stop in the use of oil, of coal, and so forth. Therefore, companies should . . . take concrete steps to abate any air pollution they can before an incident occurs—to gain a reputation for a clean-air program in advance."

Muskie's rise to a position of such influence in the Senate is only less surprising than the man himself. Tall and lanky, he looks like the very model of a Down-Easter. Actually he is the son of a Polish immigrant tailor. He practiced law before he went into politics in the mid-Fifties and became governor of Maine.

Taciturn as a true Down-Easter, he will not say now what kind of antipollution legislation he will propose. However, his attitude seems clear: Pollution is an important issue and a potentially popular one, and unless industry moves decisively against it, then the Government is going to—and in a big way.

LT. JOSEPH BENJAMIN ANDERSON, JR., TOPEKA, KANS.

Mr. PEARSON. Mr. President, Kansans this week are honoring a distinguished resident who was a superior 1965 graduate of West Point. I invite the Senate's attention to Lt. Joseph Benjamin Anderson, Jr., of Topeka, who was the subject of a documentary film taken in combat in Vietnam and produced by French writer Pierre Schoendoerffer.

Because he is a typical Kansan and American, we in Kansas are distinctly proud of the accomplishments of Lieutenant Anderson and his dedication to the defense of freedom. Lieutenant Anderson last week was the guest of honor in Topeka and the featured speaker at the dedication of a new bridge in that city. It was during this dedication that Lieutenant Anderson explained his feelings toward the Vietnam war and the sense of duty which his comrades in arms have toward that conflict.

Mr. President, I ask unanimous consent that an article entitled "U.S. Strength in Its People," published in the Topeka Daily Capital of July 5, 1967, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. STRENGTH IN ITS PEOPLE

"What makes America great," Joe Anderson was telling Topekans gathered to dedicate the Kansas Avenue Memorial Bridge, "is not its lands, its rivers, or its money—but its people."

1st Lt. Joseph B. Anderson, 24, was home in Topeka from the war in Vietnam to dedicate the bridge as a memorial to war dead.

He was standing there, on a platform, speaking, and everybody who had been in the parade, or had come to watch the ceremonies—about 300 persons—seemed to forget the bridge dedication.

All attention focused on Anderson, the man in a dress-white Army uniform.

He was soft-spoken, talking about the meaning of the Fourth of July. Pinned to his uniform was the Silver Star Medal for heroism and the Bronze Star Medal for meritorious service—both earned as a platoon commander in Vietnam.

The only reference Anderson made to his experiences in Vietnam was in the form of a joke. It was July 4, he said, and he found he "ducked a couple of times" at firecrackers.

Instead, he said the wars for American ideals began with the Revolutionary War and continued through Vietnam, where "I'm happy to say men are upholding the standards of the United States without question." They are "tested daily," he said, "and are doing an excellent job."

MAYOR SPEAKS

Mayor Charles W. Wright, speaking briefly, said the bridge symbolizes "getting from one place to another," and said that each light on the bridge will serve as a candle for the war dead who died to aid progress.

But everyone at the bridge dedication was watching Joe Anderson, the man in the dress-white uniform. They could ask for no better representative.

At the dedication ceremonies was Pierre Schoendoerffer and his wife, who arrived in Topeka Monday from Paris, France.

PRODUCED SHOW

Schoendoerffer produced a television program about Anderson and the platoon of U.S. soldiers he commanded in Vietnam. It was broadcast for the first time in the United States over CBS television and WIBW-TV Channel 13 Tuesday night.

Anderson and Schoendoerffer appeared on WIBW-TV Tuesday afternoon.

Mr. PEARSON. Mr. President, on Tuesday, July 4, 1967, the CBS television network carried an hour program entitled "The Anderson Platoon." This film, as I have noted, was made by French producer Pierre Schoendoerffer.

I ask unanimous consent that an article published in the Topeka Daily Capital of July 2; a column by Rick DuBrow, published in the Washington Post; and an article entitled "Anderson's Platoon," published in Newsweek for June 26, be printed in the RECORD. These articles and columns graphically depict the remarkably human story of men at war and the reactions of such men as Lt. Joseph Anderson, Jr.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Topeka (Kans.) Daily Capital, July 2, 1967]

TOPEKA'S JOSEPH ANDERSON STARS IN TV REPORT

(By Dick King)

A much-acclaimed hour film report from Vietnam, featuring a Topekan, will be shown at 9 p.m. Tuesday on Channels 13 and 5.

It is "The Anderson Platoon," a CBS news special based on the activities of 33 men commanded by 1st Lt. Joseph B. Anderson, son of Mr. and Mrs. J. B. Anderson, 1037 Chandler.

The day-to-day terror and tedium facing front-line Americans at war in Vietnam are captured by a Frenchman, Pierre Schoendorffer, and a two-man camera crew which spent six weeks last fall with Anderson's platoon.

A diary kept by Schoendorffer, illustrated with still pictures taken by his cameramen, provided a two-page Midway special report in the April 23 issue.

The documentary was shown on British national television in May after it had been seen in Canada and France. The London Daily Mail said response to the program in Britain was "tremendous" and critics said it helped them understand more clearly the position of the United States in Vietnam.

The documentary focuses on Lieutenant Anderson and his men as they push through an alien jungle, fight the enemy, assist the wounded—and enjoy lighter moments in Saigon.

Schoendorffer, a veteran of Dienbienphu in the same country in 1954, lets his camera tell the story and the documentary, he says, expresses no political point of view. "I am on the side of the soldier," he explains.

The men of the company had one thing in common, Schoendorffer said—youth. Industrial workers, hillbillies, farm boys, an amateur blues singer, a small farm owner and a beatnik from New York were among the men commanded by Lieutenant Anderson, a 24-year-old graduate of the Military Academy at West Point.

By the time the action shown on "The Anderson Platoon" is over, one is dead and six are wounded.

Their company was part of the 1st Cavalry Division that launched "Operation Irving" in the Bong-sun region of the Danam coast. The Anderson platoon was charged with protecting an artillery battery.

The camera follows the platoon as it searches out and destroys major Viet Cong stockpiles, evacuates dead and wounded, interrogates suspected Viet Cong spies and assists rescuers after a helicopter crash.

Schoendorffer catches the strained faces of the men as they help wounded buddies and the pain of the little girl injured by a mortar grenade. He captures intimate moments: soldiers sharing laughter, socializing at the Lovely Bar in Saigon and sightseeing.

The camera follows a Southern farm boy renting his first hotel room with a bath, spending all his money "on the town," and returning to the Anderson platoon four days early because he has no money left.

It shows sudden violence in Saigon as the Viet Cong attack members of Prime Minister Ky's government seated on a reviewing stand during a celebration.

And it focuses on moments of tragedy and incongruity: a North Vietnamese prisoner eating a banana as bullets whiz overhead; the helmet of the first American killed in the action, and a pig roast in a jungle thick with the enemy.

Says Schoendorffer about filming "the Anderson Platoon": "We went in order to find Vietnam, but, except for several poignant scenes, we discovered, above all, America."

Lieutenant Anderson was graduated from Topeka High School in 1961. He was co-captain of the football squad and one of the 16 most honored seniors.

During his four years at West Point, he led his class in mathematics and science, was listed on the dean's honor roll and was a member of the cadet choir and glee club. He often was soloist in Sunday services.

Upon graduation from West Point in 1965, he attended the Army's airborne and ranger schools before going to Vietnam last summer.

Lieutenant Anderson has been awarded a Silver Star, A Bronze Star with "V" device with oak leaf cluster, the Air Medal and an Army Commendation medal with "V" device for his actions in Vietnam.

He is due to return to Topeka this week.

[From the Washington (D.C.) Post, July 6, 1967]

"Anderson Platoon" a Triple Success

(By Rick DuBrow)

Hollywood.—Rarely does a documentary come along that succeeds in all three levels sought by public affairs filmmakers; as journalism, as social comment and as art.

Such a documentary, "The Anderson Platoon," a French-made broadcast about a group of American soldiers at war in Vietnam, was presented for an hour Tuesday night on CBS–TV.

The program, already seen in France, England, Italy and Switzerland, was the work of Pierre Schoendoerffer, 38, and a film crew that spent six weeks, day and night, with the chosen platoon of 33 men last fall.

Schoendoerffer, who was with French troops at the fall of Dienbienphu in 1954 and was a Communist prisoner-of-war for four months, presented his story of men at war without political comment.

"I am on the side of the soldier," he said, adding: "We went in order to find Vietnam, but, except for several poignant scenes, we discovered, above all, America."

The platoon he and his crew lived with, in obvious constant danger, was under the command of Capt. (then Lt.) Joseph Anderson, 24, Topeka, Kans., a Negro West Point graduate.

And the sparseness of words in the hour heightened the impact of the achievements of reporting, social comment and art.

As combat reporting, the battle photography, with its emphasis on individual human beings, was certainly among the most impressive ever seen on American television. The sounds, the smells, the horror, the boredom were all captured with powerful understatement.

There was the religious service while bullets cut up the ground nearby. There was the exposed living in the rainfall which lasted for a week. There was the crap game. There were the soldiers, white and Negro, trying to comfort each other when wounded. There was a helicopter that crashed into a palm tree on takeoff.

As social comment, there were the flashes of insight into some of the relationships in the integrated platoon. There was the cross-section of America in the composition of the fighting men—the boys from the farms and cities. The blues singer, the young man described inadequately as a "beatnik." There was the unspoken comment of the common bond among all men who must depend on each other to survive.

As art, there were the moments, even in this grotesque situation of wartime, that appreciated the small beauties of existence—the raindrops on a twig, for instance. There was the night-time shot of a lit-up helicopter in flight. Repeatedly there were the faces.

There was the farm boy who blew all his money in Saigon in a hurry and returned four days early to the platoon because he was broke. But above all there was the art that distinguished the documentary as a whole: The simplicity, the lack of pretension, in the directness of the many pictures and the few words.

[From Newsweek, June 26, 1967]

Anderson's Platoon

In the jungle of South Vietnam, raindrops splatter on a quiet pond as a sprawled Negro soldier hums the blues. Artillery shells thump in the distance as a Catholic chaplain distributes Holy Communion to a line of kneeling GI's. Enemy machine guns clatter overhead as a a young draftee tucks himself into a fetal position under a protective log.

This is the human side of the Vietnam war as seen by a 38-year-old French producer named Pierre Schoendoerffer. For six weeks last fall, Scheondoerffer and two crewmen from the French broadcasting system slogged through the mud near Bong Son with a 33-man platoon led by Lt. Joseph B. Anderson, a 24-year-old Negro West Pointer. The result is "The Anderson Platoon," a 60-minute documentary that presents a remarkably candid and uncluttered portrait of American men at war. "This is not a war picture," says Schoendoerffer, who was captured by the Viet Minh while serving as a French Army cameraman at Dienbienphu. "It is a picture of how hard life is, how difficult it is to be a man."

It is also a picture that both French and American television men, forced to focus on the sporadic action of the war, have all but overlooked. "This is a story we simply missed," admits Perry Wolff, a CBS executive who was instrumental in buying the film for airing on July 4. "It's one of the most humanistic documents I've ever seen."

With scant narrative, Schoendoerffer's camera follows the patrol down a jungle trail, recording the tense, heavy breathing punctuated by the sounds of birds and insects; it peeps in on boisterous crap games played in a cardboard box between battles; and looks on as villages are searched and captives questioned. Briefly, Schoendoerffer switches to Saigon to accompany a 20-year-old platoon member on leave as he buys a guitar for a succulent bar girl. Back in the jungle, the cameraman holds his ground to film confused battles in the elephant grass and record the casual bravery of a sergeant hit by a rifle slug. Finally, to the whining strains of "St. James Infirmary," the camera takes leave of the Anderson platoon as its wounded are airlifted and its survivors quietly sift back into the jungle.

Unlike much of French journalism from Vietnam, which is heavily anti-American, Schoendoerffer's film is simply antiwar. "I am for the Vietnamese and against the war," he emphasizes. "But I didn't want to push ideas on people." He was so intent on being objective, in fact, that even he was surprised by the film. "We set out to discover Vietnam," Schoendoerffer says. "We discovered America instead."

GEORGE W. MEAD II OF CONSOLIDATED PAPERS, INC.

Mr. NELSON. Mr. President, Wisconsin is the leading paper-producing State in the Nation. This is no accident. Wisconsin has been blessed not only with bountiful natural resources but with high-caliber and aggressive industrial leadership. Its paper industry's paramount position reflects in no small measure progressive and imaginative management.

An outstanding example of such leadership is George W. Mead II, president of Consolidated Papers, Inc., of Wisconsin Rapids. Under Mr. Mead's management, Consolidated continues to rank first in the industry in the production of coated papers, despite rigorous competiton from the "bigs." The March 15 issue of Forbes magazine spotlights Mr. Mead and his company's achievements. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

George W. Mead II: On Doing One Thing Well

Wisconsin Rapids' Consolidated Papers, Inc. is still largely a family company, and its president, George Witter Mead II, obviously was not hindered in his rise by his birthright. Even so he is one of the industry's most capable new executives. He picked up a B.S. from Yale and an M.S. from the Institute of Paper Chemistry, then worked around the company for 14 years before succeeding his father, Stanton W. Mead, a little over a year ago. Now 39, George Mead is the youngest chief executive in the paper industry, outranking even George Weyerhaeuser by 15 months.

Family domination has crippled more than one major paper company in recent years. But under the tutelage of the Mead family, which still owns about 44% of its common stock, Consolidated has established itself as one of the most profitable companies in the industry. Founded as a hydroelectric power company in 1893, Consolidated moved into paper—newsprint, that is—in 1902, shortly after the Meads came into the company, as an outlet for its power. In the thirties, when low-cost Canadian newsprint began to move into the U.S. market, Consolidated got out of newsprint and into coated papers for magazine covers, advertising inserts and the like. This fastest-growing segment of the printing paper business now provides over 80% of the company's $119-million sales.

Consolidated was never much of a world-beater as a newsprint producer; but in coated papers it ranks first in the industry. It claims close to 12% of the market, as against some 10% for Kimberly-Clark, its closest rival, and even less for potent competitors like Crown Zellerbach, International Paper, Champion and Mead.

As George Mead sees it, Consolidated has one major advantage: "Our competitors are scattered all over the market," he says, "and we're not. We think it's better to do one thing well." So apparently do its biggest customers—*Time* and *Life, Look, Newsweek* and *Reader's Digest,* among others—who do not argue much when Mead claims to offer better service, greater technical skill, and higher quality than most of his competitors. "To maintain our positions," Mead says, "we've got to excel."

At the same time, however, Mead has no intention of limiting Consolidated narrowly to its specialty. "We have certain technical abilities," he says. "Our goal is to put them to use in areas where we haven't used them before." A case in point is the new carbonless copy paper that Consolidated and Minnesota Mining will introduce early next month. A highly technical product that took almost three years to develop, the new paper will compete for a share of the single-copy carbon-paper market, in which National Cash Register's NCR papers are already a major factor. Though Mead shrinks from making predictions, he concedes that within a decade Consolidated could be producing 100,000 tons a year of the new product vs. a total company paper output last year of 439,000 tons. "The more brainpower you put into a product the better," Mead says. "We don't want to make something anybody can turn out. We want to do things that are hard to do."

Such products, of course, are less vulnerable to competition than high-volume commodity papers, and at the same time, generally command higher margins. Which is one reason why Consolidated last year racked up a return on stockholders' equity second only to Scott's among the narrow-line paper producers—a record $10.6 million, or 11.9%—and did so without a thin dime of debt to provide leverage. For 1967, Mead is cautious. "There are a lot of crosscurrents," he says. "Even so, we ought to keep a little ahead of last year."

PUT REDWOOD CREEK IN REDWOOD PARK

Mr. METCALF. Mr. President, in his column published in the Washington Post of Sunday, July 9, 1967, Irston R. Barnes, chairman of the Audubon Naturalist Society, discussed the proposed Redwood National Park.

Mr. Barnes concluded that—

> Primary attention should be given to Redwood Creek, where cutting by lumber companies may soon destroy the opportunity to save these best, unprotected stands.

Many Members of the Senate and House concur in that view.

Mr. President, I ask unanimous consent that Mr. Barnes' article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, July 9, 1967]

What Price a Redwoods National Park?

(By Irston R. Barnes)

The Johnson administration has formulated a compromise plan to more than compensate the State of California, various communities, and the lumber companies for any "losses" that might be imagined, or sustained, through the establishment of a Redwoods National Park. However, with this compromise, the Administration and the Congress should now work to secure the enactment of the Metcalf-Cohelan bill rather than the more limited Administration bill sponsored by Sen. Thomas H. Kuchel (R-Calif.)

Opposition to the Redwoods National Park has come, predictably, from the lumber companies operating in the area—notably from Georgia-Pacific, the country's second largest lumber company.

Opposition has also come, curiously, from Governor Reagan, who has insisted that California be compensated for the creation of a national park, despite the fact that California, more than any other state in the Union, has benefitted economically from the national parks within its boundaries.

The compromise proposal with the State of California contemplates negotiations for the transfer to the State of 25 Federal areas approximating 250,000 acres, which a State study has identified as suitable for recreational development; an increase in the allowable timber cut on national forests to provide for continuance of lumbering operations; an exchange of lands to adjust the boundaries of Six Rivers National Forest, and a program of road building.

There are two areas that should be included in any Redwoods National Park; Redwood Creek and Mill Creek.

Redwood Creek is the finer area, but unfortunately all of the land to be acquired is in the hands of private timber interests. Redwood Creek has the largest, the tallest, and the best stands of redwood trees. The value of the region for national parks purposes was recognized in a 1964 report of the National Park Service.

In opposing the taking of the Redwood Creek area for the National Park, the lumber interests have argued that all of the best stands are already in state parks, which is not the fact, and that there is little difference between cut-over land with second-growth trees and groves of virgin redwoods 2000 or more years old. If the difference is slight to the lumber companies, they should end their opposition; the public sees a great and controlling difference for national park purposes.

Because of budgetary restrictions, an inevitable condition so long as the Vietnam war continues, the Administration proposals center on the less satisfactory Mill Creek area in Del Norte County. Here two of the best stands, about 14,400 acres, are already incorporated in the Jedediah Smith and Del Norte Coast State Redwood Parks. The proposal is to acquire an additional 18,000 to 24,000 acres from private timber interests to connect the two State Parks.

If it is impossible to include both the Mill Creek and Redwood Creek areas in a national park at this time, primary attention should be given to Redwood Creek, where cutting by lumber companies may soon destroy the opportunity to save these best, unprotected stands.

The Mill Creek park proposals are less costly, but this should not be the determining factor in an investment in perpetuity for all future Americans. Mill Creek is also smaller and less satisfactory, and by reason of the state parks, less urgent.

If there is to be a two-step program in creating the Redwoods National Park, it should begin with Redwood Creek.

The political problem in getting a Redwoods National Park centers in the House of Representatives and in getting the best bill out of the House Interior Committee. Letters to your representatives and senators would help immensely at this stage.

The Senate is reportedly prepared to pass either the Administration bill sponsored by Senator Kuchel or the more adequate Metcalf-Cohelan bill. It is to be hoped that whatever the House action, the Senate will enact the latter bill as the only measure consonant with the importance of a Redwoods National Park for all Americans.

THE TREASURY'S SILVER POLICY

Mr. DOMINICK. Mr. President, I commend the Washington Post for its editorial entitled "The Silver Fiasco," published on Saturday, July 8, 1967. The editorial points out the folly of the Treasury's policy of selling our silver reserves at $1.29 while the world market price is much higher. It supports in part a statement I made on the floor of the Senate on June 29, in which I urged that the Treasury suspend silver sales. However, in the alternative I urged that if sales are to continue, the Treasury should sell the taxpayers' silver only at the market price. Currently, the taxpayers' silver is being used to subsidize our large silver manufacturers which will ultimately cost the American taxpayers a minimum of $70 million over the next few months if our current policies continue.

As a member of the Joint Commission on Coinage, I intend to express myself fully on this issue at the Friday meeting.

I am pleased to see that the Washington Post has once again pointed out the fallacy in the Treasury's silver policy. I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Post, July 8, 1967]

The Silver Fiasco

Economists, as recent events demonstrate, are endowed with something less than perfect foresight, but there are areas in which their analysis works with tolerable accuracy. It has long been asserted that efforts by governments to control the prices of widely traded commodities results in mischievous disruption. And the recent experience with silver validates that proposition.

Because world consumption is in excess of production, the market price of silver is much higher than the $1.293 per troy ounce at which the Treasury makes purchases. But that obvious imbalance made little impression on the Treasury decision makers who in May opted to go on selling silver to "legitimate domestic concerns" at the low official price while prohibiting everyone else from exporting or melting the old silver coins to take advantage of the higher world prices.

At the time this newspaper pointed out that perpetuating a two-price system confers handsome subsidies on silver users, penalizes producers and increases upward pressures on world prices. Those predictions were validated by the course of events. In fact, one coin and currency dealer in New York is now offering $1.12 for each $1 silver certificate that is offered him. And with the rising trend of the price of silver, there will doubtless be violations of the ban on export or melting down old coins.

A second meeting of the Joint Commission on the Coinage is tentatively set for July 14. Its first order of business should be a recommendation to eliminate the $1.293 ceiling on silver and dispose of the remaining Treasury stock at market prices.

THE JOHNSON-KOSYGIN SUMMIT—MEASURED STEPS TOWARD PEACEFUL AGREEMENT

Mr. McGEE. Mr. President, everyone is saying that we should have expected no miracles from the recent meeting between President Johnson and Premier Kosygin.

Yet the most miraculous thing of all was that such a meeting took place, and that it took place in a spirit of friendliness and understanding.

Surely, a meeting between the two most powerful nuclear nations in the world—at the height of some of the differences—contains something of the miraculous.

But I believe the American people are well satisfied with the summit meeting.

They are satisfied that President Johnson did explore every possible means to peaceful agreement.

They did admire the cordial atmosphere in which the meeting was held.

They did think that there were positive results from the meeting, and that the world is a little less dangerous, as President Johnson said.

Such support for the President is reflected in an editorial published in the Wyoming Eagle of June 27, 1967. I believe that this editorial reflects the thinking of people all across our country. I ask unanimous consent that it be printed in the RECORD.

I share with them that feeling, as I also share with them a feeling of sustained faith in President Johnson's herculean efforts toward peace with honor and dignity for mankind.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Wyoming Eagle, June 27, 1967]

JOHNSON-KOSYGIN TALKS

We are not among those who seem to believe the just-concluded talks between President Johnson and Soviet Premier Kosygin were a waste of time.

The talks gave the leaders of the two most powerful nations in the world a chance to become a little better acquainted. They made for a little better understanding, and they may have paved the way for a little closer communications in the future.

As President Johnson noted, sometimes "it does help a lot to sit down and look at a man—right in the eye—and try to reason with him, particularly if he is trying to reason with you.

"We may have differences and difficulties ahead, but I think they will be lessened, and not increased, by our new knowledge of each other."

News reports indicated the two world leaders were far apart in their views—ran into vast areas of disagreement—during their talks which were described as blunt but never reaching the point of warnings or ultimatums.

One report said the only area in which the two seemed to have agreed was on what the President termed "the urgent need for prompt agreement" on a treaty to prevent the spread of nuclear weapons.

Kosygin still contended, at the close of the talks, that the United States "is continuing its aggression" in Vietnam and that the United States must quit bombing North Vietnam and withdraw its troops from South Vietnam. And he still contended that the first step toward settlement of the Middle East crisis is condemnation of Israel as the aggressor and withdrawal of Israeli troops from captured Arab territory.

Yet, the President said, "even in Vietnam I was able to make it very clear, with no third party between us, that we will match and outmatch every step to peace that others may be ready to take."

Even before the talks began, no one really expected President Johnson and Kosygin to come up with solutions to the many, knotty world problems or even to alleviate, drastically, the tensions of the cold war.

In fact, last Friday, the President, himself, warned that his talks with Kosygin would not necessarily ease Soviet-American difficulties.

But, as the President said Sunday, "sometimes in such discussions you can find elements—beginnings—hopeful fractions—of common ground, even within a general disagreement."

He also said that the talks had made the world a little smaller and "a little less dangerous."

If this turns out to be the case, the talks will have been well worth the time and effort.

Even though it appears the two leaders made little or no progress toward solving the major problems of the world—even though the United States and Russia are as far apart as ever—it seems certain that the weekend talks reduced misunderstandings. And that, in itself, is important in this world of tensions and nuclear weapons.

DEFERRAL OF CHOICE OF LOCATION FOR BEVATRON ATOM SMASHER

Mr. DOMINICK. Mr. President, the Joint Committee on Atomic Energy has filed its report authorizing appropriations for the Atomic Energy Commission for fiscal year 1968.

It is important to note that a major project which drew nationwide attention during recent months was again the subject of controversy. The chairman of the Joint Committee on Atomic Energy, the distinguished Senator from Rhode Island [Mr. PASTORE] was joined by the Senator from Vermont [Mr. AIKEN] and the Senator from Washington [Mr. JACKSON] in filing a separate view recommending the deferral of authorizations for the proposed 200 Bev accelerator to be located near Weston, Ill.

The chairman noted that the proposed authorization would be inconsistent with Government policy regarding civil rights legislation. I have always supported and voted for progress in civil rights and believe that Congress has been making significant strides in this field. In keeping with this progress, one of the criteria in selecting a site for the accelerator was to be an atmosphere free of discrimination, and having a progressive civil rights attitude.

The National Academy of Sciences recommended the only site, out of six finalists, which did have and continues to have a questionable civil rights atmosphere. Aside from this basic inconsistency, the legislature of the State, where the site is located recently failed to enact pending legislation on the subject. We are being asked to dedicate ourselves to one principle and practice another. It would seem to me that a wise and firm national policy is certainly called for if we are to continue our efforts to develop legislation which recognizes the dignity and equality of man.

The distinguished chairman voiced concern over several other factors which might affect the project; among them was a U.S. Supreme Court decision this month curtailing the amount of water the State of Illinois is entitled to divert from Lake Michigan. Also, some uncertainty has been expressed as to the size and scope of the machine itself.

Certainly all of these factors are important and warrant at least additional time for a closer look before we proceed with a program of such scope.

Mr. President, since S. 1963, authorizing appropriations for the Atomic Energy Commission will soon be taken up for debate, I ask unanimous consent that there be printed in the RECORD two editorials from the Denver Post entitled "Disqualify Weston as Bevatron Site" and "Illinois on the Bevatron Spot." I also ask unanimous consent that two newspaper articles, one from the Rocky Mountain News, entitled "Illinois Could Lose Atom Smasher," and one from the Denver Post, entitled "Atom Smasher Site Choice Threatened," be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Denver Post, Apr. 17, 1967]

ILLINOIS ON THE BEVATRON SPOT

Most hopeful human rights news of last week is the report that Dr. Glen T. Seaborg, chairman of the Atomic Energy Commission, has warned Gov. Otto Kerner that Illinois may lose a proposed $375 million proton accelerator unless the state enacts a fair housing law.

For Coloradans, this is most hopeful news for two good reasons.

First, of course, Dr. Seaborg's action could mean that Colorado, a finalist in site selection competition for the AEC bevatron, might still have a chance of winning that great scientific and financial prize.

Certainly, if Dr. Seaborg and other AEC commissioners stick to their guns and insist that equal opportunity in housing is a prerequisite for winning this multimillion dollar federal installation. Colorado is in an excellent position to benefit. Colorado is a national leader—perhaps the national leader in fair housing.

But the second and more important reason for Coloradans to be encouraged by Dr. Seaborg's action is that it represents the first overt sign of a wise national policy which The Post, for one, has long urged. That would be to make all site selections for major federal installations contingent upon the locality selected demonstrating real progress toward equal opportunity for all its residents.

A firm federal policy of this kind would, of course, be good for Colorado—and a well-deserved reward for its past progress. But it would also be good for the whole nation, Colorado included, to have such a potent incentive to make further progress in the field of equal opportunity.

We can think of no development more likely to speed progress in human relations than for every state, at one time or another, to face the alternative Governor Kerner and other Illinois leaders are facing now: either shape up, open up, move forward in human relations—or lose out in competition for major federal installations and payrolls.

It will be interesting to see how Illinois, where Chicago was a pioneer in creating segregated housing back in 1917, responds to Dr. Seaborg's warning.

At any rate, we must commend Dr. Seaborg for his initiative. Regardless of whether Colorado gains any ground thereby in competition for the AEC bevatron, what Seaborg is doing is profoundly good for the nation.

[From the Denver Post, Feb. 9, 1967]

DISQUALIFY WESTON AS BEVATRON SITE

Witnesses before the Joint Congressional Atomic Energy Committee jabbed sharply Tuesday at the Achilles heel of the Atomic Energy Commission's decision to put the world's largest atom smasher in Weston, Ill.

That Achilles heel is the fact that housing in DuPage County, the Chicago suburb where Weston is located, is rigidly segregated—closed to Negroes.

In this category Weston is the antithesis of Denver, which was one of six finalists in the competition for site selection by the AEC. The other cities in the running also have better records in race relations than Weston.

Unless this situation is changed, we believe this fact should flatly disqualify Weston as a site for the proposed bevatron or any other major federal installation. And we believe the Atomic Energy Committee would be doing the nation—and President Johnson—a favor by enforcing such a ban.

There are two major reasons why this is so.

First there is the human reason. As Clarence Mitchell, astute Washington lobbyist for the National Association for the Advancement of Colored People put it, "If the AEC had set out to find a site where its colored employes, scientists and visitors would be most likely to encounter discrimination in housing, Weston would clearly qualify for that dubious honor."

This is a disgraceful and inhumane environment in which to put a scientific tool which will draw scientists of all races and colors from all over the nation and world.

And there is no doubt how the real estate industry in DuPage County feels about permitting nonwhite residents. When Illinois Gov. Otto Kerner tried to effect open housing in the state by means of an executive order, the organized real estate industry of DuPage County spearheaded a successful fight for an injunction to block enforcement of the order.

The second reason to wipe DuPage County off the books as a possible bevatron site is that it would be good policy. The federal government should use the location of new federal installations to advance the whole concept of equal opportunity for all American citizens—particularly in jobs and housing.

Inherently, site selection for big federal installations is a tremendously influential tool to help end segregation of all kinds. The allure of a big federal payroll puts the issue right to those whose practical support of equal opportunity is most needed—local business and governmental leaders.

Moreover, this is a lever which the executive branch of government can use, to a great extent, without waiting on congressional action. So the executive branch is derelict in its duty if it does not use this lever whenever it can.

Apparently President Johnson and his aides did not consider the chance they were passing up when they permitted AEC to select Weston as the site for the bevatron. So we believe the Joint Atomic Energy Committee would be doing the President a favor if it holds up funds for Weston and gives the President a chance to change the AEC's mind.

No greater blow for liberty could be struck now, in our opinion, than for the Congress, the AEC and the President to make equal opportunity in housing a decisive factor in site selection for any major federal installation.

[From the Rocky Mountain News, Apr. 14, 1967]

ILLINOIS COULD LOSE ATOM SMASHER

SPRINGFIELD, ILL., April 13.—Illinois could lose a giant atom smasher planned for the Weston area because of alleged racial discrimination in housing, the Atomic Energy Commission chairman said here Wednesday.

But an "open housing" law could insure the location of the multi-million dollar facility in Illinois, Glenn T. Seaborg said.

The atom smasher planned would cost more than $50 million and would be a prime magnet to the Chicago area and the Midwest for top scientists and technicians. Nearly every state in the nation fought to have the facility located within its boundaries.

Four of the five commission members met here with Gov. Otto Kerner, legislative leaders, and mayors of communities in the Weston area.

Seaborg told them that Congress, which must authorize the project, could demand that it be located elsewhere.

Allegations of housing discrimination in the Weston area and lack of an "open housing" law in Illinois would be debated when the authorization bill for the facility goes before Congress within the next two weeks, Seaborg said.

The Denver area was among the five semifinalists which lost out to Weston.

Sen. Peter H. Dominick (R-Colo), said he believed the AEC should have given greater weight to Illinois' lack of an open housing law, a statute in effect in Colorado since 1897. But he disagreed with Seaborg's reading of congressional sentiment.

[From the Denver Post, Apr. 14, 1967]

HOUSING LAW LACKING: ATOM SMASHER SITE CHOICE THREATENED

SPRINGFIELD, ILL.—The selection of Weston, Ill., as the site of a nuclear accelerator may be endangered by lack of a statewide open housing law, says Glenn T. Seaborg, chairman of the Atomic Energy Commission.

Failure of the Illinois General Assembly to enact such legislation, Seaborg said, could result in the removal to some other state of the $375 million atom smasher plant awarded to Weston.

Seaborg and three AEC members met Wednesday with Gov. Otto Kerner, legislative leaders and mayors from towns in the Weston area to discuss antidiscrimination measures.

"If this issue could be eliminated," Seaborg said, "we believe the chances of obtaining the authorization and attendant confirmation of Weston as the site for the project would be greatly enhanced."

Seaborg said Congress has been concerned because of protests by civil rights organizations against the Weston site.

DENVER IN FINALS

The Denver area was among five semifinalists which lost out to Weston. A large tract of land on the old Lowry Bombing Range south of Aurora was acquired by the state and set aside for the atom smasher.

Colorado officials were hopeful, until the Weston decision was announced, that the Lowry site would be chosen.

The National Association for the Advancement of Colored People strongly endorsed Denver as having the best racial climate of any of the six sites in the final competition.

Sen. Peter H. Dominick, R-Colo., said he believed the AEC should have given greater weight to Illinois' lack of an open housing law, a statute in effect in Colorado since 1897.

ABUSE OF TAX-FREE MUNICIPAL BONDS

Mr. NELSON. Mr. President, the abuse of the tax-free status of municipal bonds for purposes of private industrial development is reaching scandalous proportions. In 1966, more than half a billion dollars in tax-exempt bonds were issued to induce industries to move to or locate in the bond-issuing States. This is not only a flagrant abuse of a public subsidy originally established to promote development of public facilities in underdeveloped and depressed areas but works a serious economic hardship on States which do not authorize industrial development bonds.

I have introduced two bills, S. 1282 and S. 1283, to restrict this practice. Representatives ZABLOCKI and REUSS have introduced similar proposed legislation in the House. Support for such legislation is widespread. The National Association of Real Estate Boards in November 1966, called upon Congress to enact such restrictive legislation. On June 17, 1967, the Milwaukee Journal forcefully spoke out against the increasing abuse of the industrial development bond and endorsed the Zablocki-Reuss bills.

I ask unanimous consent that the Journal's editorial and the statement of policy of the National Association of Real Estate Boards be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Milwaukee Journal, June 17, 1967]

BAN ON TAX FREE BONDS FOR INDUSTRIAL PLANTS NEEDED

The Milwaukee County Industrial Development Corp. (MCIDC), spurned by the internal revenue service in its bid for tax exempt status on industrial development loans, now favors federal legislation to outlaw sale of tax free public bonds to finance new facilities for private industry.

Whatever the firm's motives, the cause is certainly right. Municipal industrial development bond financing has grown into a mad scramble of plant enticement that sometimes borders on the disgraceful. It should have been prohibited long ago.

The federal government originally granted state and local governments the right to issue tax exempt bonds for the single purpose of helping them reduce costs when borrowing to finance public facilities—schools, hospitals, roads, etc. Because the bond buyers are not required to pay federal tax on the interest they receive on their loans, state and local governments are able to sell the securities at a low interest rate. Uncle Sam thus forgoes tax revenues—an estimated $3.6 billion—which otherwise would flow to Washington, in order to reduce state and local public facility and service costs. In other words, this is a federal subsidy that all American taxpayers underwrite.

However, when states, local governments or specially authorized "development organizations" misuse these tax exempt securities to finance industrial facilities for sale or rent to profit making firms, they in effect are channeling the benefits of cheaper, subsidized tax exempt financing designed for public purposes into private pockets instead. This indirect raid on the national treasury clearly perverts the original intent of tax free bonding.

The situation has become so bad that many small communities with meager resources have floated enormous bond issues simply to lure industry. Other towns have been left holding the bag after having been duped by fly by night operators.

Obviously, this practice must be curbed. Reps. Zablocki and Reuss (D-Milwaukee) have introduced bills to restrict municipal industrial development bond financing by denying private corporations the right to deduct from the federal income tax the rental which they pay to local governments for the use of factories built with tax free bonds. Restrictions along this line are needed.

NATIONAL ASSOCIATION OF REAL
ESTATE BOARDS,
Washington, D.C., March 17, 1967.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: I have read with interest your comments in the Senate on March 14, 1967 in connection with your introduction of S. 1282 and S. 1283 relating to tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes.

Our Association endorses legislation such as S. 1282. I am enclosing a copy of the pertinent resolution adopted by our last annual convention.

Sincerely yours,
JOHN C. WILLIAMSON.

"STATEMENT OF 1967 POLICY, ADOPTED BY THE DELEGATE BODY, NATIONAL ASSOCIATION OF REAL ESTATE BOARDS, MIAMI BEACH, FLA., NOVEMBER 17, 1966

"MUNICIPAL INDUSTRIAL BONDS

"Increased use of municipal tax-exempt bonds to finance construction of plants and other facilities by instrumentalities of government for leasing to business enterprises represents a gross distortion of the principle of tax exemption because the bonds are issued primarily for private benefits. Municipal industrial financing also poses the threat of government ownership of industrial facilities. To minimize the chance of abuse in the use of municipal tax-exempt bonds we call upon the Congress to enact legislation denying tax deduction for any amount paid to a municipal government unit by a private company for occupancy of an industrial facility financed out of the proceeds of tax-exempt municipal industrial bonds."

THE RIGHT TO GOOD HEALTH

Mr. NELSON. Mr. President, the American Medical Association has taken an unfortunate step backward in its election of Dr. Milford O. Rouse as its new president. Dr. Rouse can hardly be speaking for the average American physician when he asserts, as he did in his inaugural address to the AMA, that organized medicine must oppose the concept that health care is a right rather than a privilege.

Even the AMA, which has consistently opposed Government involvement in health care, has maintained in the past that all Americans are entitled to adequate medical care. Their point of contention has been, rather, that the private practice of medicine is the proper means for insuring that such care is provided. For organized medicine to now assert that medical care is a privilege and not a right—in other words, that medical care is contingent upon the patient's ability to pay for it—reduces the practice of medicine to a coldblooded and inhumane business transaction. Dr. Rouse's position is clearly in violation of the basic principles of medicine, the Hippocratic oath.

On June 28, 1967, the Milwaukee Journal published a very fine editorial attacking this deplorable shift in AMA policy. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE RIGHT TO GOOD HEALTH

Do all Americans have a *right* to proper medical care? The new president of the American Medical association (AMA) apparently thinks not. In his inaugural address to the AMA last week, Dr. Milford O. Rourke lambasted government health programs in general and medicare and medicaid in particular as threats to the private practice of medicine. Organized medicine, he warned, must oppose the concept that health care is "a right rather than a privilege."

The Declaration of Independence holds "life, liberty and the pursuit of happiness" to be self-evident, unalienable rights. The corollary—self-evident to most Americans but not to Dr. Rouse—is that the rights to life and happiness presuppose the right to good health.

The purpose of the government health programs is to insure proper medical care to all Americans, rich and poor, as a matter of right—not just to some as a matter of privilege. The fact that many conscientious doctors treat needy patients without thought of gain demonstrates that they, too, recognize proper medical care as something to which all are entitled.

This country is rich enough, wise enough, humanitarian enough to provide proper medical treatment to those who need it as a matter of right.

FEDERAL-STATE TASK FORCE

Mr. HANSEN. Mr. President, the Johnson administration's newly organized Federal-State task force went to Wyoming on March 18 for a series of meetings with the State's elected officials and State agency and department heads.

That they had a stormy session was borne out in two editorials published in the Wyoming State Tribune and by the statements of Wyoming Governor Stanley K. Hathaway.

Governor Hathaway had some particularly constructive points to make in a statement of May 25. He said that States such as Wyoming "cannot possibly enter into every program" as can other larger States. He noted also that there are some 500 various Federal-State programs, many involving participating grants by the States—grants which place a particularly heavy burden on smaller States.

Governor Hathaway points out that between the Federal and State governments, "the process of communication is slow."

Mr. President, I ask unanimous consent that the remarks of Governor Hathaway and the Wyoming State Tribune editorials to which I have alluded be printed in the RECORD.

There being no objection, the editorials and remarks were ordered to be printed in the RECORD, as follows:

[From the Wyoming State Tribune, May 26, 1967]

ANOTHER SNOW JOB

Witnessing yesterday's Federal-State Partnership Program meeting at the Capitol here was to review a depressing spectacle. One can only conclude that it was nothing more than a snow job, designed purely for the purpose of making the state governments of America further receptive to federal rape.

This is not to demean the sincerity of purpose of all the members of the federal delegation that came here from Washington, or the majority of these persons anyway, nor of the various federal officials of the state and region. As a matter of fact, listening to the various state representatives aim their shafts at Federalia, we got the distinct impression that they had mostly kind words for the regional representatives of the various agencies involved. It is Washington that gets the state people's ire aroused.

Some of the sub-sections like highways and others went off very well in their meetings; but predictably health, education and welfare was another matter. It is here too that the greatest conflicts inevitably arise between the federal and the state governments, where the federal bureaucracy is the most intransigent and unyielding; and in short where the action is in government in this country.

One federal spokesman yesterday had the gall to try to pass the buck to Congress for the inflexibilities of gobbledegookery of the various federal health, education and welfare programs.

Included in this claim was the amazing assertion that the state executive department representatives were in effect soulmates with the federal administration people from Washington. "We understand each other," this individual said in effect, implying that both of them had their problems with their respective legislative branches of government.

The state people, from what we gathered, didn't understand it that way at all and told the federal people so in so many polite words.

The implication was raised by some federal members in this group that if Congress would just stay out of it, the federal HEW programs could be arranged for the convenience of both the state and federal administrators.

The federal bureaucrats overlooked one point, however, which was offered as a reminder by one of the state participants. The latter noted that most of the programs enacted by Congress in implementing the health, education and welfare programs have been laid down by the federal administrators themselves.

In connection with a certain amount of local enthusing today over defeat of the so-called Quie Amendment to the Elementary and Secondary Education Act of 1965, it might be noted in this particular connection with the bitterest opposition to the Quie proposal—a state-oriented idea if ever there was one, that would have provided a certain amount of state emancipation from Federalia—was fought most bitterly by the Johnson Administration. And by, it must be presumed, some of the very people who were here yesterday telling our state government officials that if they could just divest themselves of congressional interference, the federal and state administrators could in effect run things pretty well to suit themselves.

This argument was to the effect that a more flexible arrangement between the federal and state levels could be achieved without congressional interference.

It's a pretty amazing—or perhaps brazen is a better word—attitude when one looks back on the Quie proposal which would have achieved just this result—a more flexible arrangement suitable to the needs of the various states, in administering the red-tape clogged federal aid to education program.

And so we say that yesterday's visit here was nothing more than window-dressing, something that one state administrator in effect accused the federal visitors of seeking to carry out.

Next year is election year and presumably the Johnson Administration wants to get some of the more abrasive areas between the states and Washington smoothed off.

We're here to say nobody should have been fooled by what transpired yesterday. In fact, we believe nobody was.

[From the Wyoming State Tribune, May 25, 1967]

KEEP YOUR FINGERS CROSSED

The federal-state partnership talks at the Capitol today will cover a multitude of problems, judging from the announced schedule of the discussion groups.

There is just one friction point, however, whose solution would do much to improve relationships between these two levels of government.

If cabinet officers and sub-functionaries in the various departments of the United States government would just answer their mail, things would go much better for them at the state level than now.

The federal department heads are especially remiss in this respect, 'and particularly so in their dealings with the states.

We know of instances too numerous to mention in which federal department chiefs have either totally ignored communications addressed to them by the elected heads of state governments in this country, have delayed for days and in many instances weeks, or have delegated the responsibility of answering such communications to some assistant far down the line.

Bluntly, this hacks the governors and the state department and agency chiefs, and it annoys a lot of their constitutents, too.

The people of the various states are inclined to place a great deal more confidence in their state officials than in the federal-level authorities especially when the latter mostly are bureaucratic appointees. These various state residents who feel in this fashion, are all voters, too, a point that some how seems to escape the federal-level people.

When governors don't get a reply from Washington on some query, not only they but the citizens who initiated the action in the first place, are apt to become very unhappy.

Thus you have federal-state relationship problems necessitating the sort of meeting that is being held here today, when just a little simple foresight and attention to business at the Washington level might go a long way toward prevention—much further, indeed, than conferences.

During the Hansen Administration, there were instances when then Governor Hansen addressed protests, pleas, appeals and other communications to federal cabinet officers, to which he received no reply at all. The worst offenders in these instances we recall were the secretaries of interior and agriculture.

A very good instance occurred this spring in connection with Governor Hathaway's protest to Postmaster-General Lawrence O'Brien about the threatened cutback of railway postal clerks domiciled in Cheyenne. The governor of Wyoming addressed a letter to O'Brien on March 24 concerning this cutback. He did get a somewhat prompt reply, dated April 5. However, it was not from O'Brien, but a deputy assistant postmaster general for whom the letter was signed by a sub-functionary in the deputy assistant postmaster-general's office! Not a word from the head of the department to whom the communication had been addressed in the first place.

We see by the Congressional Record that Cliff Hansen still is having his problems in this regard, too, despite the fact that he now is a member of the U.S. Senate instead of governor of Wyoming. Senator Hansen noted somewhat plaintively the other day, according to the Record, that he had received a reply from a cabinet officer in late April, to a communication he addressed to that individual in early March.

Which proves Cliff has moved up somewhat in status insofar as the federal panjandrums are concerned. Once upon a time they used to ignore him altogether.

So there. You have one small idea for the suggestion box as to how to improve federal-state relations. Undoubtedly a lot of things will be explored by the various federal-state panels this afternoon.

We hope much good will come of this partnership program. But we doubt it.

YOUR GOVERNOR REPORTS

By the time this column appears in print, the Western Governor's Conference in West Yellowstone, Montana and the National Republican Governor's Conference in Jackson will be over.

The Governors will be back in their respective States and the business of administering their branch of American government will again occupy their utmost attention.

However, I believe it is safe to say even before these two Conferences begin, that the 13 Governors at the Western Governors Conference and the 25 Republican Governors in attendance at the Jackson meeting, will take up the reins of State Government following the June meetings with a bolstered sense of purpose and dedication to the necessity of keeping State government strong and responsible.

This is one of the most important problems facing the Chief Executives of the 50 States today.

While strictly local and regional matters demand close attention from the Governors and their various organizations, like the 7 member Federation of Rocky Mountain States, they face a common challenge in finding ways and means of strengthening government close to the people.

That the need to improve the ability of State government to meet the demands of the people is recognized by officials from Washington to the basic municipal governmental structure, was demonstrated by the visit to Cheyenne on May 25 of more than 40 Federal officials headed by former Florida Governor Farris Bryant, chief of the Federal Office of Emergency Planning.

The meeting of this "Federal-State Task Force" came on the heels of a gathering in Washington, D.C., March 18 at which President Johnson urged the nation's Governors to cooperate with him in making his "New Federalism" work.

Such cooperation, no matter under what slogan, has been sought by Federal officials for many years.

The one major hurdle, I believe, has been an unwillingness on the part of the Federal government to allow the States an equal voice in planning necessary programs and implementing them.

Former Governor Bryant told me in Cheyenne that the complaints registered by myself and other Wyoming officials and heads of State agencies, were similar to those he had heard in other States during his tour.

These complaints are sound and they are based in fact and in a desire on the part of the States to actively pursue the best interests of their citizens.

I told the Federal visitors to our Capitol City that unless the Federal Government recognizes that Wyoming does not need and, in fact, cannot afford to enter into every one of the more than 500 Federal spending programs cataloged today then, in my opinion, there is no Federal-State partnership. There is only Federal government control and directives to the States to spend money we do not have on programs we do not need.

The continuation of the Federal policy of penalizing States which choose not to accept Federal dole for projects not suited to their needs, by cutting off such necessary funds as highway money, will only serve to further strangle the shrinking financial resources available to the States.

The Federal task force which discussed these problems with us in Cheyenne in May indicated that the Federal government is sympathetic to relaxation of the insistence that all States participate in various programs.

Coupled with this is the apparent attitude toward the proposal of bloc grants and a return of a certain share of the Federal income tax to the States with no strings attached.

But, the fact that an election year is near and that the Great Society is not meeting with the success desired by its architects must be taken into consideration.

The 25 Republican Governors can be a very strong force in moving the Federal Government toward a return to its rightful role as a defender of the people standing ready to do only what cannot be done through local levels of government.

Here in Wyoming we have taken a great many steps since the beginning of 1967 to do necessary things for ourselves.

I believe that recently Wyoming State Government, the Legislature and dedicated citizens at all levels of local government and in their private organizations, have done much to prove State Government is effective and efficient when it has the support of the citizenry.

The new Wyoming Industrial Development Corporation has been incorporated and will soon be in operation, the State Department of Recreation is busy now laying plans for an immediate beginning to improvement work in the State's recreational areas and the development of new facilities for visitors to our State.

Wyoming is cooperating with the Federation of Rocky Mountain States in stepped up research work into the uses of oil shale, coal and other mineral resources.

This State is keeping pace with her sister States. We are doing so because we have the advantage of being young and vigorous.

Through our own efforts we are setting an example of local government doing its utmost to work for the improvement of a State by efforts at the local and State level.

And this, I believe, is a path more and more people are demanding be followed by their Government.

In my July report to you I hope to be able to discuss some of the suggestions made by the 25 Republican Governors for a return to strong, grass-roots government.

REMARKS BY GOVERNOR STANLEY K. HATHAWAY TO THE FEDERAL-STATE TASK FORCE, CHEYENNE, WYO., MAY 25, 1967

I would like to introduce our elected officers who are here this afternoon: Our Secretary of State, the Honorable Thyra Thomson; our Superintendent of Public Instruction, the Honorable Harry Roberts; our State Treasurer, the Honorable Minnie Mitchell; our State Auditor will be here a little bit later—Mr. Copenhaver.

Well, this is a unique occasion for us in Wyoming, a small state, to be visited by so many of you people in the federal government. We are grateful for the opportunity to talk with you this afternoon.

I hope that you will not construe any of the things that I may say as being political, because they are not intended to be so. I am merely speaking as a former country lawyer who now finds himself in the Governor's Chair, who loves his country and his state and wants to do something to improve government at all levels.

I confess that in the first five months of my administration I felt a little bit like the hare and the hounds in dealing with some of the federal agencies, and mostly because I didn't realize that there were so many. I suppose that I have been briefed on at least 100 federal aid programs of one type or another, or subdivisions of such. This is quite a job, to become acquainted with and have a sound working knowledge of this myriad of programs. I haven't yet conquered the matter, but I am working on it, and I hope that today our understanding will be greater. Of course, the program that Governor Bryant will talk to you about, a good program, the federal-state partnership, encompasses more involvement in state government, particularly the Governor's office. With a staff of six people, this has its burdens, I can tell you, but it also has its gratifications.

It has its budgetary problems, and the first thing I would like to say to you, gentlemen, Governor Bryant and Governor Peabody, we cannot match every program that is conceived at the federal level, and I know that you don't anticipate that we will. The budget of this state has doubled in four years, mostly in an effort to match many categorical federal programs.

We find that once we become involved in some of the programs, sir, the federal finances quit in a few years and we have to pick up the entire burden. This is one of the great problems of a small state like this, with an economy that is not progressing as rapidly as we would like to see it. Of course, recognizing that we can't enter into every phase of federal involvement, it is hoped that when we make indications that we can't we will have more understanding at the federal level. We cannot possibly enter into every program that they do in Ohio, New York, Pennsylvania or California. We would like to do a better job in the things we are working on and not try a shot-gun approach to the entire field. We are not doing a good job in many areas—this is as much our fault as it is yours. We have to do a better job in state government. We have to restore some vitality in state and local government, because I think you will all agree, and I believe our colleagues in the federal government today will agree with me when I say that you cannot put a program into effect because it looks good on the drawing board and because it is passed by Congress. The implementation is the important facet of the program, and that has to be done basically at the local level, at the grass roots: the state government, the city and county government. There has been a wide area of lack of communication in this field, and that is why I am encouraged about this meeting today, because I think we are starting to bridge this communications gap.

There are some other observations I would like to make, as I see it in my first months as Governor of this state. We seem to throw away the guidelines of some of the established programs, and we seek new guidelines and new rules and new regulations for every new program that is conceived, and yet many of these tried and tested formulas that have worked for the federal and the state government are not being used. I fail to understand why we have to write a new rulebook for every program that is enacted by Congress.

We write new regulations and the pure paper work and involvement of people keeping up with these regulations and rules is in itself a monstrous problem.

I hope that we can get more flexibility in these programs and we are not stymied by tons and tons of red tape between Cheyenne and Denver and Washington.

Somehow we can simplify some of these procedures. The federal-state partnership is great, and I'm for it one hundred percent, and yet I think we have to define exactly what that partnership is going to be. Is the state a limited partner, is the role of the state merely to administer the federal programs on the local level? If this is the context of the word "partnership", I think it is going to fail at the outset. If the partnership means that the states are going to have a voice in the planning and writing the rules and regulations, then I think it may work much better than it has in the past. We must be allowed some flexibility in this area.

I think that we must also remember that the states are not here merely to push all of the programs that the federal administration wants pushed; in other words, we are not here just to carry out the directives that may come from Washington. I have found and I regret to say this, that communication is a little bit different when we're trying to implement a new program that is conceived at the Washington level, than it is when we are conceiving something at the grass-roots and trying to get communications through the regional and national levels. The process of communication is slow. A couple of examples—maybe not very good examples—but the trouble we had here last winter on the elk slaughter—we were trying to save the elk from being shot down from helicopters in Yellowstone Park and yet I couldn't get an answer, Governor, from my telegrams to Washington—no communication at all. And finally public pressure brought about a Senate hearing in which we finally got the matter stopped. This is a state that craves economic development, and yet I can't get fifteen acres of land purchased in Sweetwater County for a five million dollar new plant. I can't get an answer from the Department of the Interior to my telephone calls and letters. These kinds of problems bother us at the local level. When we are asking, the communication is slower than when we are being told. Somehow, we have got to find a moderate aspect of this, one that we can all live with. I am sure that we can.

I don't want to take all afternoon talking here—let me say that I congratulate you, sir, and Governor Peabody also, for being part of this team, because I know that you understand state problems, being former Governors of two great sovereign states, and I think in our discussion here today we can point out some of the inadequacies of our communications. This is one of our major purposes, I know, here today.

Let me say to the state department heads here, we are going to divide up a little later into discussion groups. I hope that you will discuss your problems frankly and that we will have a good give-and-take discussion. This is our role. Now I'm sounding like I'm just being critical and haven't said anything constructive. I am the first to admit that we can run a lot better state government. A lot of our inadequacies are our own fault and we are going to try to do something about that. I don't think we can do it all in committee hearings and conferences, and let me say that we are asked to send someone to Washington every week to a conference of one kind or another, and I think we all better frankly admit that some of these conferences are not properly planned—they do not have enough meat in them to justify sending two or three people 2000 miles to spend a half a day or a day. Frankly, we don't have the budget to afford trips like this every week or every couple of weeks. As I said earlier, we can't participate in every federal program. I hope that when we write back and tell the federal agency that we can't participate in it, they will accept that. We find it necessary now to write two or three letters to indicate that we just can't see our way clear to participate in this program at this time. There are some of the problems of a small state, gentlemen, and I am sure they are not unique in many areas, but they are very real to us. We want to cooperate completely. The federal government and many of these programs are essential to the economy and well-being of the people of this state—we know that. We want to do a better job. We want to help you do a better job. I think we can do that.

At this time, I would like to present a great Governor, a former Governor of the State of Florida, a very charming gentleman, a man you will love to hear—we are proud to have him in Wyoming. Governor Farris Bryant.

THE MUCH-MALIGNED RETAIL DRUGGIST

Mr. NELSON. Mr. President, some pharmaceutical manufacturers would like to have the American public believe that the local pharmacist is the villain behind high prescription drug prices. Such allegations are totally unfounded. It is high time that the blame be removed from the much-maligned retail druggist and placed where it belongs, right at the front door of the drug manufacturers themselves.

The distinguished Senator from Louisiana [Mr. Long] made this point very forcefully in an address he delivered on June 17, 1967, before the Louisiana Pharmaceutical Association.

The fact is that the pharmacist is as anxious as the general public to see drug prices reduced.

I ask unanimous consent that the text of Senator Long's address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address of Honorable Russell B. Long, United States Senator Before the Louisiana Pharmaceutical Association, June 17, 1967

I appreciate your invitation to come here and visit with you fine folks who do so much to keep Louisianians healthy.

This is a chance for me to see old friends and to share my thoughts on what can be done to reduce prescription prices while at the same time increasing the net earnings of drugstores.

Now, before I tell you how my bill will help you, as well as the patients and every taxpayer, I want to discuss a very serious and dangerous situation which has developed.

Organized attempts are being made to place the blame for high prescription prices on the local pharmacy. You all know about the superficial surveys of prescription costs recently undertaken in Chicago by some bureaucrats of the American Medical Association. The biased, distorted and misleading conclusions concerning surveys of less than 700 prescriptions were trumpeted in national publicity as conclusive evidence that local drugstores are the villains behind the high price of drugs. No mention whatsoever was made of the exorbitant prices charged to pharmacies by drug manufacturers as being a principal cause of inflated prescription costs. (I suggest that a good slogan for the big brand name manufacturers might be "There's gold in them thar pills"!) No mention at all was made of the fact that the local drugstore has to pay much higher prices for the same quantities of the same drug product than do hospitals, clinics or physicians.

This is just one example of the kind of attack being made upon the integrity, honesty and business practices of our community pharmacies.

One thing needs to be made crystal clear right now. Here is one United States Senator who is not deceived for a single minute as to who is really responsible for the high cost of drugs. Here is one Senator who will not watch dedicated pharmacists being made the scapegoat for intolerable prescription prices. Here is one Senator who will not stand idly by and see the fine pharmacists of this nation held up to scorn and ridiculed as greedy, heartless, profiteers. You know better, I know better, and the perpetrators of that propaganda know better.

Let me tell you what is being done, at least in one case, to correct the situation.

A few months ago, the President asked the Department of Health, Education, and Labor to hold a conference on the costs of health care. That conference will be held in Washington on June 27th and 28th. Quite properly, drugs is one of the five major topics on the conference program.

The preliminary title of the section on

drugs was "Drug Cost Factors". However, after H.E.W. consulted with the Pharmaceutical Manufacturers Association and other groups, the title was changed to "The Cost of Pharmaceutical Services". I repeat, "The Cost of Pharmaceutical Services"—not "Drug Cost Factors". Here we have a conference on the high costs of health care and the title of this important section instead of being something more accurate like "Drug Prices and Costs" or "Costs and Pricing Policies of Large Drug Manufacturers", seems to settle on "The Cost of Pharmaceutical Services" as the big factor in the high cost of prescription drugs.

I didn't like that one-sided attempt to pick on the retail pharmacy. H.E.W. asked for my comments on their conference and I instructed my staff people to make absolutely clear to them my strong feelings about the matter. In fact, H.E.W. was told that if a change in the title of the drugs section was not made, I would protest this deplorable situation to the President.

Gentlemen, it sometimes pays to raise a little hell in the interest of fair play. The Department of Health, Education, and Welfare has just announced a change in the title of that section on drugs. It is no longer called "The Cost of Pharmaceutical Services", it is now "The Cost of Drugs and Pharmaceutical Services".

Perhaps this is a small victory in a big war. We will keep fighting to bring out the truth as to who is primarily to blame for the high cost of prescription drugs—and, in this "good" fight the community pharmacy will not be tarred with a misdirected brush if I have anything to say about it.

As you know, I have introduced a bill in the Senate which, if it becomes law, might very well achieve the "hat trick"—improved drug quality, lower prescription prices and higher earnings for pharmacists.

That drugs bill, S. 1303, was written up with the help of organizations such as the American Pharmaceutical Association and the National Association of Retail Druggists. Your own Sal D'Angelo and Frank Vogt provided helpful comments. S. 1303 is a better piece of legislation because of all of that expert assistance.

When Sal D'Angelo and Frank Vogt were in Washington some weeks back, they invited me to write an article for your magazine, "The Louisiana Pharmacist" explaining my drugs bill and telling how it would benefit pharmacists. Sal tells me that the article will appear in your next issue of "The Louisiana Pharmacist". That article will give you a full explanation of the "Long Bill", including its important advantages for pharmacists, patients and taxpayers.

Right now, I'd like to describe the highlights of the drugs proposal. *Quality*—First and foremost is drug quality. We are not about to force second-rate drugs on anyone. Under the Long Bill, the Government would not pay for any substandard, poor quality or inferior drug products.

Governmental agencies would be responsible for assuring the quality of drug products. The Food and Drug Administration and the Formulary Committee, set up under the bill, would conduct expanded inspection of manufacturing plants and all necessary testing of drug products. That inspection and testing would be done continuously—it's not a one-shot proposition.

The pharmacist would be able to identify a product of proper quality through the use of what amounts to a kind of super "Good Housekeeping Seal of Approval".

Under present law, all producers and distributors of drugs are required to register with the Food and Drug Administration. Right now that registration is nothing more than an information list—the F.D.A. can't take someone off that list no matter how bad a job he does in producing or handling drugs.

Under S. 1303, those same manufacturers and distributors who now must register under the law, would be required to put their registration numbers and names on their drug packages. But—and here is the key point—when a manufacturer or other person is found to be producing or distributing a substandard drug product he would be forbidden to place his registration number on his drugs.

No Medicare or welfare payments could be made for a product which did not have a registration number on it. All the pharmacist has to do is to check for the registration numbers to know whether he was dispensing a product which met all the standards for the drug.

I suspect that no pharmacist would want to sell an unregistered product to any of his customers—regardless of whether he could get paid for it. The lack of a registration number would be clear evidence of problems.

Another advantage of this registration is that the pharmacist will be able to identify the manufacturer of the drug—whereas right now all he often gets is the name of the packager or distributor. The products paid for under S. 1303 would certainly not be "Drugs Anonymous"!

We are not interested in keeping the source of a drug anonymous—but the industry may very well want to do so. For example, in recent testimony before the Nelson Committee it was brought out that New York City paid $15.63 per 1000 for 50 milligram Benadryl capsules. When the drug was ordered generically under the name Diphenhydramine—the cost was only $3 per 1000 capsules. In both cases the drug was purchased from the same manufacturer, Parke-Davis. Here is a true generic equivalent if I've ever seen one—despite the fact that the Pharmaceutical Manufacturers Association says, "there ain't no such animal". I suppose that Parke-Davis will say that the drug is 5 times better, 5 times faster, and 5 times purer when it's called Benadryl!

Furthermore, do you think Parke-Davis would sell Benadryl to your drugstores for $15.63 a thousand? Would they sell it to you on a generic basis for $3 a thousand? We all know the answer to that one. I'm not arguing that they should increase their prices to hospitals—I just want them to reduce their prices to community pharmacies.

Once again, let me emphasize that only drug products of proper quality could be paid for under the bill, regardless of whether they were produced by the big drug companies or the smaller ones. The drug recall lists of the Food and Drug Administration provide evidence that the large brand name firms also have to be policed to guard against substandard drug products. They make them too.

Payment for Prescriptions—Under the bill I propose, the drugstore would be paid the actual cost of the drug product plus a professional fee. The fee would be negotiated with a State agency—such as the Welfare Department—by organizations like the Louisiana Pharmaceutical Association.

It is intended that the professional fee be sufficient to cover all costs of operation plus a fair profit. It is not intended that the pharmacy have its net income reduced. In fact, under proper operation, net income should be increased—particularly where below average payments are now being made for welfare prescriptions.

Based upon present welfare prescription allowances in Louisiana, I understand that a professional fee would work out to about $1.50. I think that amount is inadequate. A fair fee ought to more realistically reflect costs of doing business and allow for a reasonable profit. Maybe it ought to be $1.75 or $2.00—it certainly should not be $1.50. The professional fee, would, of course, be in addition to the actual cost of the drug to the pharmacy.

I also think it should be understood that my bill does not establish a system of compulsory generic prescribing and dispensing. S. 1303 simply encourages a greater usage of quality generics in the Medicare and welfare programs by placing sensible limits on the amounts that the Federal Government will pay. The bill does not prohibit payment toward the cost of good-quality brand name products—in some cases even full payment may be made.

A committee would be set-up consisting of the Surgeon-General, the Commissioner of F.D.A., the Director of the National Institutes of Health, the Commissioner of Narcotics and 5 public members distinguished in medicine and pharmacy. That committee would establish a Formulary of the United States—pretty much on the same basis as a good hospital formulary—listing all drugs reimbursable under Medicare and welfare.

Under S. 1303, there are 3 cases where full payment could be authorized for brand name drug products.

First, if the drug was provided in a hospital using a proper formulary system. (As you know, most accredited hospitals purchase their drugs generically.)

Second, where there were no generic products of proper quality available for a particular drug.

Third, where a manufacturer proves to the Formulary Committee that his particular product has, "distinct, demonstrated, therapeutic advantages" over the products offered by other manufacturers of the same drug.

Where brand name payment is not authorized under these three conditions, Federal allowances would be limited to the range of prices charged for a reasonable selection of quality generic versions of a drug. These price ranges would, of course, allow for differential pricing by manufacturers so that the Government can take advantage of lower prices, where they exist, without, on the other hand, penalizing the local pharmacy which often has to pay the highest prices. Where a doctor prescribed by brand name, Federal funds would be allowed on that prescription only up to the top of the range of prices charged for quality generic versions of that same drug. The differences between the quality generic price and the brand name price would have to be paid by a State. A State could, on the other hand, change its anti-substitution laws to permit the pharmacist to fill a welfare prescription with a good generic product even though the doctor prescribed by brand name.

Freedom of Choice of Pharmacy—There is another very important provision in the Long Bill which I know is of great interest to you. That is the section providing for "Freedom of Choice of Pharmacy" under Title 19 (Medicaid).

This amendment would give the welfare patient the right to have his prescription filled at *any* community pharmacy which had agreed to comply with the drug cost and service requirements established by a given State.

The purpose of this amendment, which was worked out with your national organizations, is to put an end to the "sweetheart" arrangements under which welfare prescriptions can be filled only at specific drugstores or hospital pharmacies. This "freezeout" is not only unfair to the local drugstores, but it often requires the welfare patient to go miles out of his way to get a prescription filled. Enactment of S. 1303 would put an end to this inequitable and inconvenient kind of arrangement.

CONCLUSION

Many favorable and encouraging comments on the Long Bill have been received from pharmacists. Recently, the "Somerset County Apothecary", the bulletin of the Somerset County Pharmaceutical Association in New Jersey, published an editorial by James M. Beatty which in good part sums up my thoughts.

After discussing some of the problems

facing pharmacists—such as discriminatory pricing by manufacturers—the editorial goes on to say that legislative relief is on the way. I now quote:

"This is the bill by Senator Long of Louisiana, which advocates the use of 'quality generics', whenever possible in all Federal programs, including Medicaid, Medicare, etc. The APhA at its 1967 annual meeting recommended that this bill be adopted, and recommended that pharmacists support the generic concept.

"Why? Because the public, as well as the government is becoming more and more price conscious. Generic prescribing, they have been told, results in cheaper prescriptions for the same medicine, almost every time. You will soon be getting more and more questions from your patients concerning 'branded vs. generics'.

"I believe it is time for every pharmacist to support the generic concept. The choice of the drug to be used rightfully belongs to the doctor, but the choice of the specific product belongs to *you*, the registered pharmacist. Your training, knowledge and capabilities make this so. You are the one who is the drug expert. All a doctor learns about medicines, he learns from the detail men, who teach only about their specific product.

"The generic concept has the pharmaceutical manufacturers running scared. They say that the patent and trademark systems are the basis of our free enterprise system, and that this system is being threatened by this concept.

"But they are only crying wolf to protect their vested interests. The generic concept does not threaten to abolish the patent system. It merely says that, where a patent is not in effect, a quality generic equivalent should be used wherever possible. The effect of this is merely to take the choice of the brand to be used away from the doctor and give it to the pharmacists.

"If Senator Long's bill is passed, and I believe it will, you will find more and more manufacturers' representatives will be telling you, the pharmacist, why their particular product will be the best one to use. Also, I doubt that a manufacturer will continue to give discriminatory prices to doctors and hospitals when the community pharmacist determines what brand to use on all prescriptions for non-patented items.

"Furthermore, I believe that it is time that community pharmacists, and pharmacy as a whole, realize that their interests coincide with those of the public, and not necessarily with the manufacturers. The dispensing of a less-expensive but *just as effective* 'quality generic' instead of a high-cost brand name for the same drug is definitely in the public interest. This can only result in increased stature for pharmacists in the eyes of the public as well as the manufacturers."

Thank you again, for providing this chance to get together with you.

WHY THE 500-PERCENT MARGIN OF ERROR IN BUDGET DEFICIT?

Mr. BENNETT. Mr. President, now that fiscal year 1967 has drawn to a close, we are all waiting to hear what the precise budget deficit will be. Estimates are that it will run around $11 billion. When the President presented his budget message to Congress in January 1966, for fiscal year 1967, we were told the deficit would be $1.8 billion.

As it turned out, he was off 500 percent.

For fiscal year 1968, we were told that the deficit would be $8 billion. I pray that the budget for fiscal year 1968 does not have a 500 percent margin of error in it. If it does, we will be pushing into a $40 billion deficit at this time next year.

I have just returned from an extensive tour of Utah during the July 4 congressional recess. I found that almost overwhelmingly Utahans support the war efforts, but they expressed deep concern over the cost of the Vietnam war.

The administration must bear the brunt of criticism for the grave miscalculations of the deficit, but it is the tax-ridden and inflation-weary taxpayer who must bear the cost to the economy.

When the deficit is made public, undoubtedly the administration will blame the war in Vietnam.

The war carries a $2 billion a month price tag, but the administration still will have to explain why spending in strictly civilian areas increased more than $27 billion over the 1966 fiscal year.

The administration has pushed ahead with spending on Office of Economic Opportunity projects, swimming pools, golf courses, and subsidized recreation programs while blaming the war for budget deficits.

Certainly inflation will continue to threaten the economy as long as nonessential programs continue unchecked.

A timely and thought-provoking editorial entitled "Why the Mistakes in Viet War Costs?" was published in the Deseret News, Salt Lake City, Utah, on July 8, 1967.

I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Salt Lake City (Utah) Deseret News, July 8, 1967]

Why the Mistakes in Viet War Costs?

For two years now, the Vietnam War has been the single most important factor in the U.S. economy. Thus it is incredible that the Administration can be accused of badly understanding the impact of the war on the U.S. budget.

Yet that is just what the Congressional Joint Economic Committee is doing. In one of the bluntest criticisms of the Administration yet, the Joint Committee this week said that because Congress wasn't given more accurate estimates of the war, it was unable to consider in their true light the need for a tax increase or a cutback in federal spending to keep the economy on an even keel.

In its criticism, the Joint Committee is only following the lead of such noted private economists as Eliot Janeway and Paul Samuelsen, who have warned that the unanticipated costs of the Vietnam War will lead to a whopping deficit. One can almost take his pick of how big that deficit will be; the official estimate now is $13.5 billion, but unofficial guesses range between $25 and $30 billion.

Moreover, congressmen, in their unanimous report, place the blame for fiscal 1967's money shortages and soaring interest rates on the Administration and warn, "The same dreary cycle of events threatens again."

The Administration originally figured fiscal Vietnam costs at $10.5 billion. That figure was increased to $19.9 billion last January and is now said to be about $20.4 billion. That's an error of $10 billion—enough money to run the agriculture and space programs combined and have a little left over.

As if that bungle were not enough, it now appears estimated war costs for fiscal 1968, which began July 1, will only be half of the actual costs.

What has gone wrong? Is the Administration guilty of distortion or merely wishful thinking when it continues to make a series of mistakes like this in an area so vital to the economy?

Or is the fault with a Pentagon which is unable, for some reason, to come up with accurate estimates? If so, then Secretary of Defense Robert McNamara, who has a reputation for enforcing monetary discipline in that building, has much to answer for.

Even now, Sec. McNamara is in Vietnam, and after almost every other time he has visited that unhappy land the U.S. troop commitment has increased. Gen. William Westmoreland is asking for more troops—at least 100,000 and maybe 200,000. Each addition of 50,000 troops is estimated to add another $5 billion to the costs of the war—and to the deficit.

The Joint Economic Committee warns that the Administration's underestimates may lead to the second year of tight money. Certainly, inflation will continue to threaten the economy as long as spending in nonessential "butter and jam" programs continues unchecked. The tax increase, which the Administration counted on in its budget to take effect July 1, is still in limbo, and revenues will be lower because of the current business slowdown.

President Johnson must bear the brunt of criticism for this series of miscalculations. But it's the tax-ridden and inflation-weary taxpayer who must bear the cost to the economy.

VALUABLE RESEARCH IN FOREST PRODUCTS MARKETING

Mr. BYRD of West Virginia. Mr. President, I have supported funds to permit the establishment and continued operations of the U.S. Forest Service's Forest Products Marketing Laboratory at Princeton, W. Va., and have noted with much satisfaction the effective work being performed at this Federal facility.

Others, too, have been impressed with the potentials of the work developing at Princeton. An editorial in the June 19 issue of the Sunset News-Observer—Princeton-Bluefield, W. Va.—entitled "Valuable Research," reports on the value of a recently developed wooden guardrail post in future highway construction.

I ask unanimous consent that this editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Sunset News-Observer, June 19, 1967]

Valuable Research

The recent demonstration of a wooden guard rail post driver at the Forest Products Marketing Laboratory was impressive enough to command the attention of the guard rail contractors, installers and various state highway department officials who attended the event. Even more commanding were the study reports made to the group. However, there was some opposition to the machine and the studies, although it wasn't strong and nothing that can't be overcome.

Installing wood guard rail posts in this manner is less expensive than the old method of digging holes. That was a time consuming process, and one that a machine driving steel posts had supplanted.

With the new wood post driver the cost comes down to a more than competitive price. Actually, researchers note that using this method of driving the wood post will save from $1 to $1.50 per post. This would be a tremendous savings when a state is installing thousands of posts each year.

The state of California and the General Motors Corporation have also done studies on the wood post. As well as showing them more economical, the studies prove that wooden posts with solid steel rails are safer than the steel post and steel rails. The safety angle could be more important in the long run than the present economics.

With the wood post and the steel rail, a car has less chance of bouncing back into traffic after striking the rail, since the impact snaps the post and allows the rail to bend under the force of the impact.

Some of the arguments raised against the wood post driver is the cost. Many of the contractors and installers feel that $15,000 per machine is high, too high when they already have steel post driving machines that cannot be modified to drive the wood post.

Their second argument is that they know they have a continuing supply of steel posts, but do not know if they can be supplied with wood posts.

The Forest Laboratory personnel feel that West Virginia has a tremendous future in supplying these posts, either round or squared-sawed. At the present time Forest Service scientists at Madison, Wis., are conducting a study on the strength of West Virginia timber, and early reports indicate that it is showing up well.

If the final results of the study confirm the early reports, it would appear that the Mountain State is going to become a prime producer of these posts in the future.

The local laboratory is now moving into a second phase of its project in a marketing study. This will cover such things as the amount of timber now used in guard rail posts, the amount that will be used in the future and its cost. This is expected to show that there is an abundance of West Virginia timber for the job.

Based on what is known now, it would appear that the wood guard rail post is about to assume new importance in highway construction. Because of the money savings, States where the guard rails are widely used should begin to require them in all construction. The fact that they are safer should almost alone be reason enough to demand their use.

We think the forest lab has done a fine job in this study. It shows why such a research facility was needed. It should have been in operation many years ago, before the wood industry lost so many markets.

Since the industry did not do this type of research, it could very well be that the federal government will do more for the industry than it ever did for itself.

THURGOOD MARSHALL

Mr. NELSON. Mr. President, few men have ascended to the Supreme Court with higher qualifications and greater experience than has Thurgood Marshall. While his distinction as the first Negro to serve on the Court has understandably received the greatest attention in the press and news media and while the appointment of a Negro is long overdue and particularly fitting, it is important to emphasize that Mr. Marshall was the best man for the job regardless of the color of his skin.

Thurgood Marshall has had a long and distinguished legal and judicial career. He has probably argued more cases before the Supreme Court than any other man. He has had extensive experience in just about every phase of the judicial branch, serving both as an appellate court judge and as Solicitor General of the United States.

The Common Council of the City of Milwaukee has recently passed a resolution commending Thurgood Marshall on his selection as Associate Justice of the U.S. Supreme Court. I join them in their congratulatory wishes and ask unanimous consent that their resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution Commending Thurgood Marshall on His Selection as Associate Justice of the U.S. Supreme Court

Whereas, Thurgood Marshall, Solicitor General of the United States, has been elevated by President Lyndon B. Johnson to the Supreme Court; and

Whereas, Mr. Marshall served for twenty-three years as Chief Counsel for the N.A.A.C.P. during which time he successfully argued 29 civil rights cases before the Supreme Court; and

Whereas, In this tenure he was instrumental in reversing many segregation laws and Southern election inequities; and

Whereas, His "Brown vs. Board of Education" victory in 1954 opened the way to integration of the public schools; and

Whereas, Mr. Marshall was appointed in 1961 by President Kennedy to the Federal Court of Appeals; and

Whereas, He relinquished this post at the request of President Johnson to assume the position of Solicitor General, the Justice Department's Director of all Federal litigation before the Supreme and Appellate Courts; and

Whereas, President Johnson on June 13, 1967 nominated Mr. Marshall to serve on the Supreme Court because he had "earned, and deserved a place on the Supreme Court and is the man best qualified for the job by training and experience"; and

Whereas, It is fitting that this recognition be forthcoming to a Negro American, for it is appropriate as part of the "American dream" that rewards should go with greater frequency to the deserving without reference to race, creed, or other artificial qualifications; and

Whereas, This Honorable Body wishes to congratulate Mr. Marshall on his elevation to the high court, and to commend him for his lifetime dedication to the cause of human rights; therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that it hereby congratulates Mr. Thurgood Marshall on his selection as Associate Justice of the United States Supreme Court, and extends its best wishes for his continued success in the service of his country; and, be it

Further resolved, That this resolution be spread upon the permanent record of this council and suitably engrossed copies forwarded to President Lyndon B. Johnson and Mr. Marshall.

Adopted June 23, 1967.

BOYS WHO WORK WITH FEAR, CRIME: OUR NATION'S NO. 1 DOMESTIC CRISIS

Mr. HANSEN. Mr. President, I have spoken out on the Senate floor about the innocent victims of crime and the price they pay.

On Sunday, July 9, an excellent article by Miriam Ottenberg appeared in the Washington Star concerning such victims. Her first few lines tell the entire story:

> Every day, somewhere in Washington, a working boy is yoked and robbed . . . always, fear is a weapon.

The article further revealed the inability of our present standards to cope with juvenile crime and prompted several questions which deserve answers, particularly with respect to the attitude of the courts in returning offenders to the streets.

Mr. President, I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Boys Who Work With Fear

(By Miriam Ottenberg)

THE PROBLEM

Every day, somewhere in Washington, a working boy is yoked and robbed. Sometimes, a knife is pressed against his side to back up a demand for money. Often, half a dozen youths gang up on him.

Always, fear is a weapon—the victim's fear of reprisal if he tells who was involved in what has happened to him.

Parents, sharing the fear, hesitate to let their sons report the robbery to police. Sometimes a boy is too terrified even to tell his mother.

If the crime is reported, the young victim often claims he can't identify his assailants although they may go to the same school or use the same playground.

This aura of fear settles not only on the boy and his parents but on whole neighborhoods. No one wants to get involved.

Only rarely do young robbers carry out their threat to "get" their victim if he identifies them, but the fear of retaliation is always there. What adult—much less a 12-year-old newsboy—feels comfortable about putting the finger on a knife-wielding bandit? After all, he knows from experience that Juvenile Court is going to put the young criminal back on the streets within a couple of days if he's kept in custody at all.

Even the most cursory check of juvenile records shows the hoodlum is quite likely to remain at large through half a dozen yoke robberies, house-breaking and car-stealing episodes.

In Washington now, the young criminals are riding high because—as they brag openly nobody can touch them. They've beaten the rap, as they see it, and they want their friends to know it. They've got the law on their side. All the talk they hear about their "constitutional rights" makes them feel they've really made the "big time."

Meanwhile, the number of young victims of juvenile robbers has risen sharply. In the first 10 months of this fiscal year, 456 children under 16 years of age were robbed, compared with 48 young victims for all of fiscal 1957—an 850 per cent increase. Studies of robbery reports show that the majority of the young victims were working boys.

That's why The Star decided to investigate the plight of working boys and to seek ways to curb the runaway rampage of juvenile robbery gangs, particularly with school out and honest teen-agers trying to earn money.

With public officials and community leaders calling for employment opportunities for juveniles to keep them out of trouble, The Star found too little attention being paid to the juveniles who already work but are being robbed of the fruits of their employment by other juveniles. And sometimes they're robbed of the jobs, too.

For the young robbery victims, feeling like marked men, have given up the newspaper carrier jobs, stopped spending their Saturdays delivering groceries or have quit any work that kept them on the street after dark.

Profiles of victims

Often the term "disadvantaged" is used to excuse juvenile criminals but it applies just as well to their victims. The working boys come from the same neighborhoods and frequently have faced greater deprivations than their assailants. Eighty-four percent of this year's young victims have been Negro.

By far the majority of the working boys who get robbed range in age from 11 to 15 years. The bullies always pick on the smaller or weaker, but there's another reason why younger boys become the targets. They're known to have money at certain times and their work often takes them on the streets alone after dark.

As a group, probably the most frequent victims are the newspaper carrier boys collecting on their routes. About 10 of them a week are now being robbed by other juveniles.

Another hard-hit group are the boys of Organized Community Youth for D.C. Inc. (OCY), who wear badges, obey a set of rules and earn their money in tips by hauling packages for grocery customers.

A few years ago, one of these boys saved $3,000 toward his college education with tips collected during four years of carrying packages. No longer.

A mother last week recalled her grocery-carrying son brought home $8 in tips one Saturday. Since he had been bringing home only $2 or $3 a week, she asked if he were getting bigger tips.

"No," he said. "The big guys weren't around today so I got to keep all my tips."

That was how she learned her son had been robbed week after week.

Organized Community Youth used to have grocery-carrying boys at 26 groceries. The group had to give up serving four stores because of frequent attacks on boys on their way back from delivering the groceries.

In the 22 remaining stores served by OCY, delivery boys at four or five stores are now being robbed weekly.

How many working boys have been robbed in Washington this year and kept quiet about it is anybody's guess. A national estimate puts the unreported robbery figure at 50 per cent. It could run higher among the young victims here.

Mother backs silence

A Southeast mother explained why she didn't let her young son report being beaten and robbed as he was returning from his service station job one night. "This time," she said, "they used fists. If he tells police what happened, next time they may come after him with a knife."

One newsboy was so terrorized by the robbers that he determined to make good the loss of his subscriber's money out of his savings rather than tell even his mother that he'd been threatened with the jagged edges of a broken bottle unless he emptied his pockets.

Occasionally, robbery comes to light because the boy is injured. One boy suffered fractured ribs. Another had his front teeth knocked out. Often the victims require treatment for cuts.

Sometimes, working boys are beaten after the gangs get their money. A 14-year-old was smashed in the jaw by a young robber who warned him: "Next time, don't tell me you don't have any money." Two days later, the boy spotted his assailant and alerted police. But the boy's parents decided there wasn't going to be a "next time" for their son to be robbed. They made him give up his newspaper route.

Experiences of youthful victims in the Fifth Precinct are typical of what's happening to working boys in many parts of the city. This year, in less than five months, more than 30 Southeast juveniles were robbed and all but a few were working boys.

These excerpts from Fifth Precinct reports tell the story:

"Youth with Abe Lincoln beard jumped out of the bushes and pointed a small black pistol at him."

"Surrounded by eight boys who told him if he ran they would hit him with stick. Took $27.42."

"Approached from behind by three youths. One pointed long-bladed knife at him while second got $17 from his pockets."

"Four boys took $32 and then beat him about face and stomach. One wore stocking mask."

"Three boys went through his pockets and got $16. Victim then beaten about face and knocked to ground where he covered his face to prevent further injury."

Actions are adult

These are the nightmarish encounters which go under the misnomer of "misconduct." Tomes have been written of late about juvenile misconduct by such authorities as Supreme Court justices and the National Crime Commission but the District's young robbers don't match the popular descriptions of the juvenile delinquent.

They may be classed as children but they rob like adults, and nearly as often. Juveniles accounted for 46 percent of all robbery arrests in the District during fiscal 1965 and 42 percent during fiscal 1966. Nationally, juveniles accounted for only 28 percent of robbery arrests.

The number of juvenile arrests for robbery in Washington rose from 191 for all of fiscal 1957 to 725 in fiscal 1965 and 598 in fiscal 1966. Juvenile authorities predict a sharp increase this year.

As an influence for bad among teenagers, the effect of these juvenile robbers is incalculable. In April, one week after a Northwest newsboy was robbed and lost $51 in newspaper collections, he was arrested himself with two others for robbing a newsboy. He was tired of fighting the gangs so he joined them. He's been in trouble ever since.

In another case, a bigger boy threatened to beat up a youngster if he didn't hand over $10 by the next day. Terrorized, the younger boy stole $10 from his mother's pocketbook. That was his introduction to crime.

Pattern of offenders

The Star's study of juveniles who rob juveniles shows some meaningful patterns.

Usually, they're no longer first offenders when they start yoke-robbery.

Earlier, they've tried their hand at shoplifting and housebreaking. When they move from crimes against property to crimes against the person, their first targets are the working boys.

The young criminals don't buy food or clothing with their loot because it wasn't hunger for necessities that made them rob. More often, the money goes into the nearest pinball machine or to adults who'll buy whiskey for them.

These "children" may be arrested five times a year but, more often than not, their only experience behind locked doors is a night or two in the Receiving Home. They're supposed to get rehabilitated in the community but, all too often, their only change is to become more confident that they can get away with the next offense.

They used to admit their "involvement." Now they deny it. They know they can keep silent when police question them. They want a lawyer. They ask for a jury trial. They are told they're entitled to a face-to-face meeting with the witnesses who speak against them. They know their rights.

That's apparently the way the Supreme Court justices want it—all but Justice John M. Harlan, who thinks the court has gone too far in some ways and not far enough in others, and Justice Potter Stewart, dissenting all the way, who warns that the court is inviting "a long step backward into the 19th century."

Court decision effects

Why are so many juvenile offenders left to roam the streets? Here's how court decisions have contributed:

1. The Supreme Court says the boys should have lawyers and the lawyers demand jury trials—even though the judicial conference here a few years back suggested abolishing jury trials in Juvenile Court. At the end of May, 31 juveniles were waiting to be tried by juries, the highest in the history of the court. Half the jury demands were made by the group that represents many of the boys—Neighborhood Legal Services. Meantime, the boys are free to rob again.

2. The U.S. Court of Appeals has overwhelmed Juvenile Court with so many new time-consuming procedures that a juvenile robber arrested today won't appear before the judge until late September, if he faces the judge at all. One jury trial, for instance, occupies the hours that could be spent on 25 initial hearings—the first and often the only time a juvenile comes face to face with the judge.

3. The appellate court's wide-open invitation to lawyers to test other aspects of Juvenile Court law has prompted more motions, arguments and hearings that springboard the cases to the higher court while the juveniles involved in it all are often free to spring-board from one offense to another.

4. Even when they are tried, found involved and committed, the commitment has a way of coming apart and the boy is put on the street again. The latest such case, by coincidence, mirrored many elements of The Star's investigation.

A 17-year-old with two unknown companions allegedly grabbed a 13-year-old newsboy in pre-dawn darkness, struck him in the eye and demanded money. A jury found the youth "involved" and committed him to the National Training School. Then a Neighborhood Legal Services lawyer appealed the boy's commitment and the D.C. Court of Appeals ruled that a verdict of "involved" was too vague and indefinite to satisfy the constitutional requirement of due process now laid down by the Supreme Court.

Conviction reversed. The boy is now free to go his way unless the corporation counsel wants to start all over again, which is highly unlikely.

If a finding of "involved" or "guilty" does stand, probation is much more likely for the youth than either commitment to an institution or a waiver of the case to District Court for trial as an adult.

Juveniles who are not really juvenile any more figure the percentages. What are the odds for continued freedom? Right now, the odds are with them, despite these two pointers the other way:

1. The number of delinquents referred to Juvenile Court this fiscal year hit an all-time high weeks before the fiscal year ended.

2. Robbery is a crime against the person and thus more dangerous than property crimes, and juvenile robberies are on the increase.

More crimes, yes, and more dangerous crimes, but the number of boys committed because of their crime sprees has gone steadily downward.

At Cedar Knoll, the Welfare Department's institution for older delinquents, the average daily population decreased from 465 in April, 1966, to 391 in April, 1967. Admissions likewise dropped, from 63 in April, 1966, to 44 this April. Lack of space didn't hold down the commitments, either. Space hasn't been a problem at Cedar Knoll for 10 years.

Washington's young toughs aren't bulging the National Training School for Boys, either. Currently, only 80 District boys are lodged in the training school compared with 113 in June, 1966, when the rate of serious juvenile crime was considerably lower.

Study of cases

What's happening to the boys picked up repeatedly for preying on other boys? The Star delved into eight cases where the juvenile had included such robberies among their assorted crimes. Of the eight offenders—all with sizable records—only one had been committed to an institution. The others are still on the street.

The case of a 14-year-old is typical.

He had been picked up and warned by police repeatedly since 1963 for such offenses as beating up a boy, disorderly conduct, shouting curses and petty larceny where a shop owner declined to prosecute.

In October, 1966, he climbed to the roof of a garage and damaged cars stored there. He was charged with unlawful entry and made his first trip to Juvenile Court. It was a short trip because the case against him was dropped and the boy never went before the judge.

Two weeks later, police caught him and two other boys when they broke into a beauty parlor. That time, he faced the judge. On December 12, 1966, he admitted his involvement and the case was continued for disposition.

A week after that court appearance, he was arrested with four other boys in a vacant house piled high with stolen merchandise. Police charged him and the other boys with two housebreakings. The boy showed police how he had entered some 34 other stores on burglary expeditions since February but he wasn't charged in those cases.

Juvenile Court officials decided not to take the boy before a judge even in the two housebreakings where the loot had been recovered and the boy had been caught with it.

Now the boy's criminal career shifted from housebreaking to robbery.

On January 21, 1967, he joined seven or eight others in ganging up on a 16-year-old grocery employe and demanding his money. The 14-year-old robber was caught near the scene. He didn't see the judge that time either. The intake section decided against it on the grounds that the boy denied the offense, which would have meant a trial; he was already under court jurisdiction, although the first case still hadn't been disposed of, and he was being seen at the adolescent clinic.

In March, with another boy, he yoke-robbed a 12-year-old newsboy and took $11.40 from his pocket. Again he denied the robbery and gave police an alibi which turned out to be false. The victim identified him. This case wasn't presented to the judge either. The youth was still awaiting disposition of the original case—the housebreaking for which he had seen the judge more than three months earlier.

On May 18, he robbed for the third time in five months. He pushed a boy against the wall of a school building, pulled up his shirt and took the money the boy had hidden under his belt. When police picked him up this time, they decided it wasn't safe to leave him in the community any more. They put him in the Receiving Home.

On May 22, he was taken from the Receiving Home to appear before the court's hearing officer for disposition of the housebreaking in which he had been caught the previous November.

None of the three robberies had gotten the boy to the judge. The hearing officer didn't even know about the robbery four days earlier. He put the 14-year-old robber on probation.

Juvenile Court records show a boy can stay on probation through a series of robberies. The case of a 17-year-old tells a story repeated many times:

After six robberies, he's still on probation.

The continued presence of these juvenile robbers on the streets contributes to the victims' sense of hopelessness and adds to the fear of reprisal. What's the use of risking a beating by reporting the robbery, the victims ask, when nothing changes for the one who does the robbing—and the threatening, too?

What's done elsewhere?

If the juvenile robbers stray across the line into Maryland and threaten to "get" a young victim who reports what happened to him there, the chances of the robber remaining free to carry out the threat are much less likely than in Washington, The Star found.

"If a robbery with threats of reprisal ever came to my attention, the leaders of the gang would be put away," said Judge Edward A. Loveless Jr., who is assigned to juvenile matters in Prince Georges County. "This goes beyond the question of rehabilitation. They're not only hurting themselves but everybody else."

In Montgomery County, Juvenile Court Judge Alfred D. Noyes said he has warned boys that "if you threaten or any of your friends threaten retaliation, we'll hold you responsible."

Judge Noyes believes the "streetwise" should be put in a facility where they can be controlled because "I don't think it does any good to put a boy on probation if he thinks he's getting away with something."

Maybe it's a coincidence but neither county is plagued by reprisal-threatening young bandits preying on working boys.

Judge Robert I. H. Hammerman of the Supreme Court of Baltimore's Division of Juvenile Causes likewise reported that his court didn't have that kind of problem. "We avoid reprisals through detention," he said.

In Cleveland, Juvenile Court Judge Walter G. Whitlatch, president of the Ohio Association of Juvenile Court Judges and an adviser to the National Crime Commission's task force on juvenile delinquency said he keeps boys in custody if there's any threat of retaliation.

He feels strongly that putting aggressive boys into residential training schools is the real way to handle chronic young offenders and to prevent their followers from being involved in similar crime careers.

And how does Judge Whitlatch react to juvenile robbers preying on working juveniles?

"We consider this serious," he said. "These boys need custody and control. If you take them out of the community, you don't have this problem."

But they're not out of the District of Columbia community and we do have a problem. All kinds of long-range solutions are proposed to the over-all problem of juvenile crime in the District in both the National and District Crime Commission reports.

Chief among the District recommendations is a Youth Commission, which would seek out pre-delinquents and steer them in the right direction before trouble catches up with them. The proposed commission would also oversee the treatment of delinquents.

Other solutions are being sought.

Chief Judge Morris Miller of Juvenile Court insists he can't accomplish his goal of bringing juveniles promptly before the court without a fourth judge, even with the new third judge. Judge Miller wants more probation officers to reduce the impossible case load now being carried by the workers and he's asked for the nucleus of a research unit to pin down individual problems in need of special attention just as The Star has pinned down the problem of juvenile robbers preying on working boys. The unit would also analyze the results of various treatment programs.

Welfare Director Winifred Thompson is having such success with the three small half-way houses now in operation on an experimental basis that she has asked Congress to fund not only the three original ones but five more. These closely supervised centers are the bridge between commitment and the community, giving court and welfare staffs a better chance of determining when it's best for both the juvenile and the community for a boy to be on his own again.

Commissions and officials are trying to meet long-festering problems with long-range solutions. But the problem of juvenile criminals preying on juvenile workers is immediate. What can be done now—not a decade from now—to protect boys against both robbery and reprisal?

Herbert J. Miller Jr., District Crime Commission chairman, reaches the same solution as the judges in other jurisdictions.

"The only immediate short-range step that can be taken is to remove from society those who have demonstrated their inability or unwillingness to comply with the law," he said.

"Just because you feel sorry for these boys doesn't mean you have to leave them on the street. You don't really help them by turning them loose to prey on more kids."

Since offenders are being turned loose, these steps are now promised or proposed to make the city safer for the working boy:

Both Judge Miller of Juvenile Court and Welfare Director Thompson intend to have their staffs focus more attention on robbery repeaters.

Judge Miller wants to make sure juvenile robbers see the judge even if their status doesn't change.

Miss Thompson wants all new offenses by welfare wards reported to the department, which doesn't always happen now. Then, as a condition of their parole, these repeaters would have to attend group discussions at least once a week because "they may outsmart the case workers but they can't fool each other."

Corporation Counsel Charles Duncan plans to make certain that the government is represented at every stage of Juvenile Court proceedings where juveniles now have counsel. For example, he said government attorneys could recommend to the judge that the juvenile robber make restitution as a condition of probation.

Similar suggestions to take the profit out of crime came from Deputy Chief John F. Ryan, head of the Youth Aid Division, who wants parents held responsible for their children's depradations, and from Assistant School Superintendent John D. Koontz, who proposes disciplining juvenile offenders by putting them to work on neighborhood improvement projects.

Out of all the what-can-be-done questioning, this answer came most often: "Report the crime!"

And what about the threats of retaliation that keeps so many victims silent?

Says Police Chief John B. Layton: "Where there is a threat of reprisal, one of the best assurances of safety is police awareness of the original offense. The fact that the offender is identified and known to the police acts as a deterrent against reprisal."

Layton said police officials will stress reporting these boy-against-boy crimes when they address civic meetings and confer with precinct councils.

Ryan will have the schoolboy patrol coordinators carry the same idea to class assemblies in the fall. At the same time, the coordinators will sound a warning that any reprisal will be considered more serious than the original offense.

Emmett R. Brown, Sr., president of the District Congress of Parents and Teachers, will urge the juvenile protection chairman of each PTA to launch a concerted drive to encourage both children and parents to report the robberies.

And Deputy School Superintendent John M. Riecks says if police believe a report-the-crime campaign will be useful, the schools will hold anti-crime assemblies as soon as school starts—beginning with the trouble spots, particularly in Southeast Washington.

Meanwhile, the mother of one newsboy has her own answer.

"For my own peace of mind," she said, "I walk with him when he's collecting. As soon as he gets a dollar bill, I take it. At least when I'm with him. I know he's all right."

SOME ACTION

Chief Judge Morris Miller of the District's Juvenile Court has changed court policy to make sure juveniles charged with robbery are taken before a judge, it was learned last night.

In a memorandum to the court's director of social work, the judge said: "It appears to me that we must at this point make a concerted effort to handle offenders in cases involving offenses against persons on a firmer basis and with more exposure to the judicial processes of the court as the circumstances may warrant."

The judge acted after reviewing the facts brought out in The Star's investigation of the increasing number of juveniles preying on working boys. The Star noted that despite repeated robberies and threats of reprisal if the robbery is reported, many of the juveniles never appear before the judge on a robbery charge.

That's what Judge Miller wants changed.

He recalled that after Judge Aubrey E. Robinson, Jr. left for District Court in November, 1966, and seven months passed before a successor was sworn in, two judges, in effect, had to cover the work of three.

So, court procedures were modified to give priority to cases where the boy was being held at the Receiving Home or a change of his status—such as commitment—was involved.

Judge Miller said he had become increasingly concerned with the number of complaints filed with the court involving offenses against persons. He particularly cited yoke robberies of youngsters engaged in delivery and collections as well as assaults on persons accompanied by intimidating threats.

"I have noted, too," the judge added, "that there have been incidents of repeaters in these categories of cases and under our present policy, since no change of status may be involved, subsequent cases are not normally petitioned and brought before a judge."

In calling for a change of policy, Judge Miller specified that these complaints should get to the judge, not only initially but more particularly where there is evidence of a pattern of repeated incidents.

"Intake workers and probation officers," Judge Miller warned, "should be alert to situations where intimidation is involved and threats of reprisal are made to the victims and these facts should be made known to the judge in social study reports and at hearings in court.

"This will, of course, involve more judicial time, but the situation should be somewhat alleviated after the third judge is confirmed and takes office and will be even more alleviated should pending legislation to expand the bench of this court to five judges be passed by the Congress."

THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. DODD. Mr. President, the Washington Star published, several days ago, an excellent editorial on the space authorization bill which will be taken up in conference shortly.

Two items singled out in this editorial, an independent safety panel and a requirement for NASA to keep Congress more "fully and currently informed" about space problems, are proposals which I, too, fully support. To quote the Star:

> It would be well to embody both in the final 1968 authorization bill, if only to put NASA on firm notice that it is time to shape up.

The way to shape up NASA is to follow and look into its day-to-day activities much more closely than we have in the past. These two proposals would help us to do so, and I hope the conferees will agree to retain these two features of the House bill.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A Senate-House conference will convene shortly to reconcile differences in versions of the space agency authorization bill acted on late last month. Important adjustments must be made if the country is to get the most from its space dollar henceforth.

The National Aeronautics and Space Administration is at a crossroads, partly because of the tragic Apollo fire of January 27, partly because of competing pressures for tax dollars. If continuity and momentum are to be maintained in the space program—as we believe should be done—the conferees must act with special wisdom this year.

This is no time for pet projects, boondoggles and log-rolling, and no time to curtail valuable programs of tomorrow simply to fatten and sustain less valuable ones of today. Some of this already has been irrevocably done, and there is real danger that more may be done in conference.

The Senate has cut the Voyager program of unmanner Mars spacecraft to zero this year, while the House is allowing $50 million—less than NASA asked for. In our view the House position should be accepted; half a loaf is better than none.

Two other items in the House bill should be embodied in the final version in the interest of orderly administration of the space program. One would establish an independent safety panel in NASA, and the other would require the space administrator, on his own initiative, to keep Congress "fully and currently informed" of problem-areas in the space effort.

The appalling disregard of elementary safety procedures last January 27 bespeaks a need for advice on this score. The evasiveness of NASA officials regarding the "Phillips Report" underscores a need for improved communication between the agency and the committees.

Both proposals were strongly opposed by administration spokesmen on grounds that seem shallow and legalistic. It would be well to embody both in the final 1968 authorization bill, if only to put NASA on firm notice that it is time to shape up.

THE DISTRICT COURT CLERK AND FEDERAL JURY SELECTION

Mr. HRUSKA. Mr. President, on June 28, 1967, the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary received testimony from a number of witnesses concerning proposals for Federal jury selection.

The subcommittee was privileged to have the benefit and experience of those individuals who are directly responsible for the actual operation of jury selection systems, the clerks of the district courts. Included among those who testified is a man whom I have known for many years, Mr. Richard C. Peck. Mr. Peck has served as clerk of the U.S. District Court for the District of Nebraska since April 1, 1959. Prior to that, he was chief assistant U.S. attorney for the district of Nebraska for 3 years. He has also served as law clerk to the Honorable J. W. Woodrough, circuit judge of the U.S. Court of Appeals for the Eighth Circuit. In addition, he has been a practicing attorney for a period of 6 years. He is also the author of many legal articles and is well qualified to speak on the subject of jury selection.

Mr. Peck's prepared statement reminds us not to forget that the bulk of the work of the courts is in the civil field and that civil cases "more often present some of the most complex factual problems to be resolved by jury verdict." In light of this basic fact, he goes on to explain the jury selection system in Nebraska, how it works and the particular characteristics of the State of Nebraska which require its particular jury selection system.

He cautions that any selection system should not degenerate into "administrative 'paper shuffling' " and that the problem should not be compounded by "legislative requirements for administrative details whereby we lose ourselves in further masses of regulatory exercises." Mr. President, the analysis, observations and recommendations of Mr. Peck concerning the various legislative proposals for jury selection are based on long experience, and I think, merit the attention of all Senators. I therefore ask unanimous consent that Mr. Peck's statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF RICHARD C. PECK, CLERK, U.S. DISTRICT COURT, DISTRICT OF NEBRASKA

To the Honorable Chairman and Members, Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary, U.S. Senate:

In considering the merits of various jury proposals, some almost agitatingly proffered in recent years, there recurs to me repeatedly the caution which Senator Hruska has given on several occasions; namely, that the mission of the courts is not one of simply providing a vehicle for the imposition of a civics lesson upon every citizen of this country. The admonition poignantly reminds us that it is the administration of justice between litigants which is the primary function of the courts.

Too often, with the term "trial by jury" we think firstly, if not solely, of criminal matters and thus lose sight of the fact that it is the civil cases which not only constitute by far the greater volume of work in the courts but also more often present some of the most complex factual problems to be resolved by jury verdict. Just as the importance of having effective juries in the disposition of criminal matters is never to be minimized, it is likewise no less true that the jury tribunal must be so equipped as to enable it to competently strive for correct resolution of the intricacies involved in such things as civil anti-trust litigation, complex contractual disputes, maritime proceedings, personal injury actions, etc.

It is from these premises that my analysis of the proposals before you begins. You have invited me to testify generally on the 7 Senate bills now being considered by this Committee, and 4 major questions have been propounded:

1. *Is Legislative Change Called For Now?*

I think each Clerk of Court can reliably answer this question only in terms of what he has experienced and observed in his own District. In the District of Nebraska we overhauled our jury procedures at the turn of this decade using as a guide the 1960 report of the Judicial Conference Committee on the Operation of the Jury System. We use what is generally referred to as the "Suggester" or "Key-Man" system. The Jury Commissioner shares equal responsibility with the Clerk in the securing of names of prospective jurors and in the subsequent drawing of jury lists.

The District comprises the entire State of Nebraska with no divisional units but with 3 designated places of holding court; namely, Omaha and Lincoln in the eastern part of the State and North Platte in the west central area. The State is some 450 miles in length from east to west and 250 miles in width from north to south. The population is about 1,430,000 with the only metropolitan center being the Omaha area. Otherwise the State ranges from a generally sparsely populated western ranching area graduating easterly into intensive farming units and more numerous towns and smaller cities.

There are 93 counties in the State. A highway network dictated by geographic characteristics and population distribution causes some areas to be well over 300 road miles from a place of holding court. We have therefore availed ourselves of the permissive provisions of 28 USC 1865 and to minimize inconvenience and financial loss to jurors and to reduce the cost to taxpayers we do not call jurors from all counties. The counties designated by court order for the securing of jurors for each of the 3 court sites are concentrated enough to allow us to cause jurors to travel no more than slightly in excess of 100 miles one way, yet wide enough in area to reflect a balance of urban and rural populations, political and religious affiliations, racial and ethnic origins, and the various levels of economic and social structure.

Our experience with this system of jury selection has been excellent. I have not been made aware of unfavorable comment by either the bar or by litigants. On the contrary, such observations as have been made were of a complimentary nature; and since our State courts use voter lists taken from poll books, there has been a real basis for comparison of juries selected by each of these methods. Since 1960 the system has received and withstood a challenge on appeal in a capital case, *Pope* v. *U.S.*, 372 F2d 710 (8 Cir., Feb. 13, 1967). In another bank robbery case challenge was made by motion to dismiss filed prior to the Pope decision but was abandoned by a plea of guilty after that decision. The procedure as operating before 1960 was also sustained in *Beatrice Foods* v. *U.S.*, 312 F2d 28 (8 Cir. 1963), Cert. denied 373 U.S. 904, 83 S.Ct. 1289, 10 L.Ed.2d 199.

So my answer to query No. 1 is that nothing in our experience in Nebraska would indicate a need for legislative change now.

Possibly my testimony should end there. But I am enough of a realist to sense that legislative change is about to occur nonetheless; and, if this be true, then I count my efforts best exerted toward obtaining the most desirable legislation possible. Therefore, I pass on to the next major question put to me.

2. *If Change Is Called For, How Detailed Ought The Statute To Be?* (*Cf. S. 383 and S. 384 with S. 989 and S. 1319*).

It seems to me that if a change is to be made, S. 383 represents by far the most sensible and adequate approach. I agree wholeheartedly with Senator Tydings' observation made at the time of the bill's introduction that a careful look at this proposal should be taken before indulging in pursuit of another solution. It fixes the responsibility for meeting constitutional standards exactly where it belongs (namely, the district courts) and preserves the flexibility which is so necessary to enable the courts to deal with their own peculiar problems. If all districts, in their geographical characteristics, in their population composition and distribution, and in their volume and nature of litigation handled, were like, for example, Maryland, or Nebraska, or any other selected district, then it would be quite easy to devise a detailed and rigidly uniform procedure for accomplishing jury selection. But it should be abundantly evident that this is not the case, and to make the assumption that a jury selection procedure for one district is necessarily adequate or equally operable in all other districts is to close the mind to the reality of the great variation of characteristics which does exist over the length and breadth of this country.

The purported safeguards and remedies provided for in S. 384 do not strike me as necessary. Nothing in my experience would justify the requirement in proposed section 1864(b)(iii) that drawing be made of three times the number of persons required during the preceding year. And the enforcement provisions set forth in subsection (d) appear to me as unwarranted invitation for "mini-picking" harassment of the Judicial Council by any person who feels compelled to make it his business to "ride herd" on the judicial processes. There is adequate machinery already provided for whereby *litigants* can test the adequacy of the processes by which a jury is selected; witness *Rabinowitz v. U.S.* 366 F2d 34 (5 Cir.); *Pope v. U.S.*, (8 Cir.), Supra; and *Beatrice Foods v. U.S.*, (8 Cir.), Supra.

My chief criticisms of the other bills are: (1) that they prescribe a too rigidly detailed procedure which reduces the jury selection process to a mere mechanical exercise; and (2) that they impose record making chores upon the courts in an amount far more burdensome than the benefits therefrom can justify. Here I reassert my conviction that the most pressing current need of the courts is to find a capability for rising above indulgence in burgeoning amounts of administrative "paper-shuffling" and thereby more fully free themselves for the task of promptly moving to conclusion the ever increasing amount of litigation which comes upon their dockets. Congress ought not to be guilty of further compounding this problem by the passage of legislative requirements for administrative details whereby we lose ourselves in further masses of regulatory exercises.

S. 989 and S. 1319 are both open to the criticisms enumerated above. Nearly every section, subsection, and subdivision makes provision for something which must be recorded or reported. Both bills are so detailed as to read more nearly like an agency regulation than like a basic statute.

But if the decision of the Congress is that a rigid procedure must be imposed then my reluctant preference is S. 989.

There should be first resolved, however, the basic question of the advisability and workability of procedures requiring a Judicial Council to approve individual district plans which may later be in issue upon appeal to a court whose members are that Council. This is a concept quite radically different from traditional practices which have historically isolated a court from any involvement in an issue until it is confronted with it through litigation between parties. The Criminal Justice Act plan mechanism is not analogous; for the mechanics by which an attorney is selected for a defendant without funds to employ counsel is not apt to foment litigable controversy, but the mechanics by which juries are selected are themselves so entwined with constitutional principles as to make litigation almost inevitable. I can do no more here than simply state my conviction of the existence of the question.

In addition, the laborious procedures outlined for the drafting, submission, modification and approval of those plans run contrary to my conviction that the courts should not be compelled to indulge in elaborate time consuming paper work. The danger is that to spell out and implement machinery by which we satisfy everyone's fancy as to the ultimate in reflection of a community cross-section, we labor so hard that we have neither the time nor the capacity to move the actual work of the courts. But it may be wisdom to tolerate this burden if the plan mechanism thereby retains a degree of flexibility for the individual districts which might better enable them to cope with peculiarly local problems.

I note that subdivision (3) of section 1863(b) directs that names of persons residing in each county of the district must be placed in the master wheel, and subdivision (8) authorizes the district court to fix the distance from the place of holding court beyond which a juror so residing may claim excuse from jury service. The latter subdivision gives some relief from the proposals advanced in the other bills which make service mandatory from every county no matter what the distance; but I submit that this still unnecessarily compounds the flow of superfluous paper work. First we must follow the routine of selecting names at random from registration lists in these far away counties make cards for them, put them in the master wheel, then questionnaire them, and then grant their requests for excuse because of the distance from the place of holding court. The better and more practical course is simply to permit the court to exercise its sound discretion in fixing the areas from which jurors will be selected, as is now permitted by 18 USC 1865(a). It avoids this useless administrative burden, it reduces the cost of jury service which must be borne by the taxpayers, it minimizes inconvenience and financial loss to jurors, and still permits the selection of jurors from an area deemed large enough to reflect a reasonable cross-section of the social, economic, racial and religious structure of the entire district.

I would propose a change to section 1866 (c). In subdivision (1) thereof it is provided that a person summoned for jury service may be "excused by the court for not more than six months at a time upon a showing of undue hardship or extreme inconvenience". I see no justification for the six months restriction. Suppose a young housewife makes a showing that she has 4 children ranging from age 1 month to 6 years and no one to care for them; or a husband with a wife and 8 minor children makes a showing that his sole earnings are sales commissions, that he is deeply in debt because of protracted illnesses in his family and any diminution of earnings now will be the straw that throws him into bankruptcy—to merely excuse these people every six months is an exercise in futility and a waste of time, effort and paper work. Surely a judge of a district court can be trusted with the discretion necessary to determine whether the excuse for hardship in an individual case should be 1 week, 1 month, 1 year, or until the master wheel is next emptied and re-filled. I would recommend that this six month period be stricken.

I would also eliminate the requirement that the results of peremptory and cause challenges, as provided for in subdivisions (4) and (5) of 1866(c) must be noted on the qualification form or on the juror card. These challenges arise in the course of empanelment for trial, are reflected on such juror striking lists as may be in use in each district, and I fail to see how an additional record on the qualification form or card can serve any useful purpose for anyone.

One particular facet of S. 989 sows a seed which, I think, merits considerable consideration; namely, that part of the proposed section 1863(b)(1) which would enable a court to choose not to establish a jury commission but rather to authorize the Clerk alone to manage the jury selection process. I walk with him when he's collecting. As soon as he gets a dollar bill, I take it. At least when I'm with him. I know he's all right."

SOME ACTION

Chief Judge Morris Miller of the District's Juvenile Court has changed court policy to make sure juveniles charged with robbery are taken before a judge, it was learned last night.

In a memorandum to the court's director of social work, the judge said: "It appears to me that we must at this point make a concerted effort to handle offenders in cases involving offenses against persons on a firmer basis and with more exposure to the judicial processes of the court as the circumstances may warrant."

The judge acted after reviewing the facts brought out in The Star's investigation of the increasing number of juveniles preying on working boys. The Star noted that despite repeated robberies and threats of reprisal if the robbery is reported, many of the juveniles never appear before the judge on a robbery charge.

That's what Judge Miller wants changed.

He recalled that after Judge Aubrey E. Robinson, Jr. left for District Court in November, 1966, and seven months passed before a successor was sworn in, two judges, in effect, had to cover the work of three.

So, court procedures were modified to give priority to cases where the boy was being held at the Receiving Home or a change of his status—such as commitment—was involved.

Judge Miller said he had become increasingly concerned with the number of complaints filed with the court involving offenses against persons. He particularly cited yoke robberies of youngsters engaged in delivery and collections as well as assaults on persons accompanied by intimidating threats.

"I have noted, too," the judge added, "that there have been incidents of repeaters in these categories of cases and under our present policy, since no change of status may be involved, subsequent cases are not normally petitioned and brought before a judge."

In calling for a change of policy, Judge Miller specified that these complaints should get to the judge, not only initially but more particularly where there is evidence of a pattern of repeated incidents.

"Intake workers and probation officers," Judge Miller warned, "should be alert to situations where intimidation is involved and threats of reprisal are made to the victims and these facts should be made known to the judge in social study reports and at hearings in court.

"This will, of course, involve more judicial time, but the situation should be somewhat alleviated after the third judge is confirmed and takes office and will be even more alleviated should pending legislation to expand the bench of this court to five judges be passed by the Congress."

THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. DODD. Mr. President, the Washington Star published, several days ago, an excellent editorial on the space authorization bill which will be taken up in conference shortly.

Two items singled out in this editorial, an independent safety panel and a requirement for NASA to keep Congress more "fully and currently informed" about space problems, are proposals which I, too, fully support. To quote the Star:

> It would be well to embody both in the final 1968 authorization bill, if only to put NASA on firm notice that it is time to shape up.

The way to shape up NASA is to follow and look into its day-to-day activities much more closely than we have in the past. These two proposals would help us to do so, and I hope the conferees will agree to retain these two features of the House bill.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

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Mr. Peck's prepared statement reminds us not to forget that the bulk of the work of the courts is in the civil field and that civil cases "more often present some of the most complex factual problems to be resolved by jury verdict." In light of this basic fact, he goes on to explain the jury selection system in Nebraska, how it works and the particular characteristics of the State of Nebraska which require its particular jury selection system.

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The purported safeguards and remedies provided for in S. 384 do not strike me as necessary. Nothing in my experience would justify the requirement in proposed section 1864(b)(iii) that drawing be made of three times the number of persons required during the preceding year. And the enforcement provisions set forth in subsection (d) appear to me as unwarranted invitation for "mini-picking" harassment of the Judicial Council by any person who feels compelled to make it his business to "ride herd" on the judicial processes. There is adequate machinery already provided for whereby *litigants* can test the adequacy of the processes by which a jury is selected; witness *Rabinowitz v. U.S.* 366 F2d 34 (5 Cir.); *Pope v. U.S.*, (8 Cir.), Supra; and *Beatrice Foods v. U.S.*, (8 Cir.), Supra.

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S. 989 and S. 1319 are both open to the criticisms enumerated above. Nearly every section, subsection, and subdivision makes provision for something which must be recorded or reported. Both bills are so detailed as to read more nearly like an agency regulation than like a basic statute.

But if the decision of the Congress is that a rigid procedure must be imposed then my reluctant preference is S. 989.

There should be first resolved, however, the basic question of the advisability and workability of procedures requiring a Judicial Council to approve individual district plans which may later be in issue upon appeal to a court whose members are that Council. This is a concept quite radically different from traditional practices which have historically isolated a court from any involvement in an issue until it is confronted with it through litigation between parties. The Criminal Justice Act plan mechanism is not analogous; for the mechanics by which an attorney is selected for a defendant without funds to employ counsel is not apt to foment litigable controversy, but the mechanics by which juries are selected are themselves so entwined with constitutional principles as to make litigation almost inevitable. I can do no more here than simply state my conviction of the existence of the question.

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I would propose a change to section 1866 (c). In subdivision (1) thereof it is provided that a person summoned for jury service may be "excused by the court for not more than six months at a time upon a showing of undue hardship or extreme inconvenience". I see no justification for the six months restriction. Suppose a young housewife makes a showing that she has 4 children ranging from age 1 month to 6 years and no one to care for them; or a husband with a wife and 8 minor children makes a showing that his sole earnings are sales commissions, that he is deeply in debt because of protracted illnesses in his family and any diminution of earnings now will be the straw that throws him into bankruptcy—to merely excuse these people every six months is an exercise in futility and a waste of time, effort and paper work. Surely a judge of a district court can be trusted with the discretion necessary to determine whether the excuse for hardship in an individual case should be 1 week, 1 month, 1 year, or until the master wheel is next emptied and re-filled. I would recommend that this six month period be stricken.

I would also eliminate the requirement that the results of peremptory and cause challenges, as provided for in subdivisions (4) and (5) of 1866(c) must be noted on the qualification form or on the juror card. These challenges arise in the course of empanelment for trial, are reflected on such juror striking lists as may be in use in each district, and I fail to see how an additional record on the qualification form or card can serve any useful purpose for anyone.

One particular facet of S. 989 sows a seed which, I think, merits considerable consideration; namely, that part of the proposed section 1863(b)(1) which would enable a court to choose not to establish a jury commission but rather to authorize the Clerk alone to manage the jury selection process. I have never had adequately demonstrated to me just exactly what present need exists for the office of Jury Commissioner. Apparently, in days gone by it served the purpose of insuring that jury service did not become a matter of political patronage, hence the requirement that the Clerk and Commissioner be of opposite political parties. Now, however, juror fees are not a financial plum, and indeed you do no service to your political friends by placing their names in the jury wheel.

Though it is not the case in the District of Nebraska, my understanding is that in many of those districts where the Suggester system is not used the Clerk performs nearly all of the administrative work required in the securing of names of qualified persons for service and the Commissioner only performs the perfunctory chore of assisting in putting the names into the wheel "alternately" as required by 18 USC 1864. It may well be that the time has come to recognize the present day lack of purpose or need for a Jury Commissioner and to accept the fact that the management of the jury selection process is a task properly delegable to the Clerk alone, just as is true of many other administrative processes involved in the performance of the courts' functions.

This would become unquestionably true if the jury selection process is so rigidly fixed as is prescribed by S. 989 or S. 1319. With no discretion or judgment to be exercised, the check and balance of the office of Jury Commissioner becomes completely unnecessary. Much better would it be to provide the Clerk with the additional deputies necessary to operate the processes prescribed by the proposed Act than to fix a fee of $50 per day for the services of someone appointed to an office the functions of which have been rendered obsolete.

3. *Are Voter Lists An Appropriate Source For Achieving The Goal Of Community Representation?*

My answer is that such lists are no worse and probably not much better than any other list, such as city directories, telephone directories, personal property assessment lists, etc. Nevertheless, if the Suggester System is to be abandoned, then the use of voter lists is probably the best choice for a source of names. This will depend, however, upon whether or not voter registration is required by state law in all States. Not until only a few weeks ago did the legislature of the State of Nebraska enact legislation requiring voter registration in all counties, and that law will not be operative to the extent of providing a source of names until registration is closed 10 days before the 1968 Primary elections which will be held on May 14 of that year. After that time we will be able to use voter registration lists in the District of Nebraska, though the abstracting of names from lists for a total of 93 counties will constitute no small task. We will pray that deputies in such additional numbers as required will be supplied.

In this connection, consideration ought also to be given to the possible need for authorization of funds to purchase copies of voter lists from the county offices in which those lists will be compiled. The securing of copies of such lists would avoid the cost and loss of time which of necessity would result by sending deputies to each of the offices for the purpose of abstracting the random selections of names from the original registration records. It may be that in comity most officials will not make a charge for this service, but I think that would by no means be a certainty. Moreover, such an assumption would in turn assume that actual lists exist as opposed to a mere assembly of card files. I have been informed that unless the charge be waived, the cost of a listing of the voters registered in Douglas County would be about $150 and in Lancaster County about $100.

4. *Should The Statute Contain A Provision Such As Section 1866(b) (3) Of S. 385, Which Would, In Conjunction With 1866(a) Authorize A Subjective Examination Of Potential Jurors?*

If procedures proposed by S. 989 or S. 1319 are enacted, then my answer to this question is NO. The suggester system provides a satisfactory machinery, admittedly open to abuse if extreme care is not exercised in the selection of suggesters, whereby persons "so lacking in intelligence, information, probity or common sense as to be unable to render satisfactory jury service" are not likely ever to be recommended for service. That determination not to recommend is thus confidentially made by a reliable person using his own knowledge derived from observation of the individual in his own community over a period of time. Without the benefit of such personal contact I would not want, as a member of a jury commission, to be empowered with the authority of making a decision of "not qualified" under the standards indicated above. That more properly is the function of the Court acting upon challenge for cause by a litigant, or of the attorneys in their exercise of peremptory challenges.

In summary, if legislative change is to be made, S. 383 is my first choice; with the changes suggested we could live with S. 989 (or with S. 1319 so modified), but I am not enthusiastic about it.

Respectfully submitted,

Richard C. Peck.

THE ROLE OF BUSINESS AND INDUSTRY IN PUBLIC WELFARE

Mr. HRUSKA. Mr. President, the problems of the poor, disadvantaged, and deprived were the subject of detailed study during the Business-Civic Leadership Conference sponsored by the Department of Justice in Chicago, Ill., on June 5–7, 1967. Among those attending the conference was Philip H. Vogt, a man who has studied such problems for over 25 years.

Mr. Vogt is a professor of sociology at the Municipal University of Omaha, in Nebraska. Prior to joining the university staff in 1960, Professor Vogt was Douglas County welfare director for 20 years. During his tenure as welfare director, I came to know and respect his judgment. In the summer of 1966, I asked Professor Vogt to serve as a special consultant on education and welfare. In this effort, as in all others, he brought a combination of first-rate professionalism and down-to-earth commonsense to bear on the problems.

Professor Vogt made a number of observations as a result of the conference and highlighted several important considerations relating to the poor and disadvantaged minority groups. The initial observation was that all of the social welfare programs, most of which are sponsored by the Government "are producing minimal results." Following this he pointed out that the treatment of social problems is very expensive and it therefore is apparent that only the ingenuity and resources of business and industry are such as to provide sufficient impact and coverage to make a real dent on the social ills of our great urban centers. Finally, Professor Vogt reminds us:

> If business and industry fail to accept this responsibility, then government will continue to expand the welfare state, with continued blundering and waste, and the eventual loss of the uniqueness of American life.

It is this very danger that many of us see developing to a greater extent every day. And it is heartening to see the examples of where business and industry have taken the lead in providing education, training, and jobs to the disadvantaged poor. Some of these efforts are listed by Professor Vogt.

Mr. Vogt also relates the experience of the Cook County Department of Public Aid, in Illinois, where the relief and aid to dependent children caseloads have been reduced, while the national caseload average has been increasing at approximately 50 percent. He points out that this has been accomplished by the "adoption of policies specifically designed to help families to become productive and economically self-sufficient." This is not accomplished by doing for others, but rather "it embodies the concept of working with people."

It is refreshing to know that steps are being taken to help those in our society to discover the promise of what it really meeans to be "created equal." I ask unanimous consent that Professor Vogt's observations be printed in the Record.

There being no objection, the observations were ordered to be printed in the Record, as follows:

Business-Civic Leadership Conference,
Chicago, June 5–7, 1967

It is fair to state that Omaha is confronted with serious social problems, of minority-group relations: violence, crime and dependency.

There continues to be controversy and confusion over what should be done, how it should be done and who should do it.

The recent Business-Civic Leadership Conference in Chicago provided some basic considerations and suggestions to these problems which can be very helpful to us here.

GENERAL OBSERVATIONS

1. The many symptoms of social disorganization of the disadvantaged, largely minority people of the ghetto, are closely inter-related and inter-dependent. Any effective attack requires a total, coordinated, approach utilizing the combined resources, ingenuity and participation of business, volunteer welfare organizations and government.

2. Flexibility, originality and experimentation should characterize programs designed to find solutions to these multi-faceted problems. The volunteer, private sector of society is uniquely equipped to pioneer and invent new ways, methods, and solutions which meet the many varied and changing situations in urban America.

3. The business leadership of the community is beginning to realize their obligation and opportunity for contributing to the solution of social-economic problems of the community. This direct business concern and involvement is the most promising element to be added to the total effort which is required. More specifically, industry and business are finding that:

a. A job is the best answer to poverty and unrest and a large proportion of the disadvantaged ghetto dwellers can become economically productive. But special arrangements and modifications in procedure and personnel practices are required.

b. Investment of time and money is required to "level the cycle of poverty", but when flexible employment policies are utilized, organized training programs instituted more ingenious methods of recruitment devised, and individual concern is shown by management, morale is improved, high turnover of employment reduced and production increased.

c. The same ingenuity applied to human resources as applied to production pays long term dividends.

d. A positive philosophy on the part of management that recognizes the natural desire and need for the normal individual to be useful and productive is being rediscovered in the training and employment of the disadvantaged and previously considered unemployable.

e. A work environment, that includes the entire life of management down to the foreman, must be created which understands the special problems of the disadvantaged minority. According to Robert Bushelle of the Illinois Bell Telephone Co. of Chicago, there has never been an unsuccessful experience in employee integration when it is handled properly. "Business and industry are rapidly requiring the art and practice of human relations in production." The "business frame of reference" for solving the problem of the marginal worker is a success story when put into operation.

4. A great deal is being learned and applied in community organization which is giving new meaning and vitality to neighborhood life. A re-vitalization of constructive participation and involvement of neighborhood life revolving around basic issues and social problems can take place where indigenous leadership is discovered and individuals are made to feel the "belong"; that they count, and that they can participate in planning and decisions which effect them.

5. The Chicago Public Aid Department has demonstrated that relief rolls can be leveled off and even reduced when clients are given an opportunity and the responsibility for basic education, job training and cooperation with industry. Tax consumers are being transferred to tax producers.

SPECIFIC APPLICATION TO OMAHA

1. The disadvantaged minority in Omaha must be effectively and constructively organized. The key to this organization is to uncover latent, indigenous leadership in the Negro Community and make them a vital factor in the planning and decisions which effect their welfare. It has been demonstrated that this kind of community organization is possible and invaluable in raising the level of participation and involvement, in restoring self-confidence and hope, in establishing more effective means of social control, and in determining and maintaining consensus. But this kind of organization requires understanding, expertise and time. But it is apparently essential if we are to reduce the unrest and effect greater stability and control.

2. The business and industrial leadership in Omaha have the opportunity and responsibility of providing more jobs for the disadvantaged minority. This will include:

a. A review of entrance requirements to the job including greater flexibility and in some instances the removal of any arbitrary requirements.

b. Setting-up of basic education and training programs.

c. Establishing employee programs and policies designed to give individual attention to the marginal employee and assistance with personal problems which endanger stable employment.

d. Providing recruitment facilities conveniently located in the ghetto areas.

e. Initiate corrective measure to improve transportation and housing.

3. Minorities are handicapped by poverty, ignorance and language difficulties. To effectively deal with these problems it has been found invaluable to locate service agencies in the neighborhood. The multi-purpose service center is apparently becoming the model where all the inter-related problems of the individual family and neighborhood can be seen and treated constructively, immediately, and multilaterally. In this way buck-passing, confusing referrals, piece-meal approaches are minimized.

It is urgently recommended that Omaha develop this plan of operation and establish a "helping center" where people can be seen and served in the environmental setting. The multi-services included in such a center could be:

a. Classes in urban living.

b. Literacy and basic education for adults and school dropouts.

c. Job counseling and placement.

d. Family counseling.

e. Day care for children.

f. Action oriented activities related to improving housing, transportation, neighborhood improvement.

g. Family planning.

h. Public assistance, applications and reviews.

i. Communications improvement including the availability of community resources, interpretation of laws and regulations, changes in policy, etc.

j. Legal aid.

k. Childrens' clinics.

ILLUSTRATIONS OF WHAT IS BEING DONE:

1. "Jobs-Now", in Chicago, is a cooperative arrangement between the YMCA and industry to recruit, give two week job orientation and assist in job placement of youths from the gangs in the ghettos.

2. Project Jet, in Buffalo, is a cooperative arrangement with business to provide jobs, education and training in which the supervisory staff of management is the crucial element.

3. STEP—Solutions to Employment Problems—is a challenging program developed by the National Manufacturing Association, concerned with the "people problem" or the "hard core employee". It is a three-pronged attack including basic research into employment problems, a clearing house for information and ideas and assisting in local action programs.

4. Dwight R. Zook, Corporate Director, Personnel Services, North American Aviation, has participated in the Watts area in California to increase employment by recruitment directly in the ghetto, improving transportation and modification of hiring standards.

5. Paul Smith, Industrial Manager of Western Electric at Kearny, N.J., has participated in a joint business and endeavor of recruitment and job training which has resulted in employment of over 1,000 from minority groups.

6. Robert Bushelle, Public Relations Manager, Illinois Bell Telephone Company, Chicago, Illinois, has developed a program of human relations with special emphasis on the role of the supervisor in understanding the minority, recognizing his potential, emphasizing successes and search for talent which has paid dividends in hundreds of new jobs for minority members.

7. Edward W. Subert, Civic Affairs Manager, Caterpillar Tractor Co., Peoria, Illinois, made a study of minority employees in his company which demonstrated the economic injustice of segregated housing and resulted in a vigorous company policy in support of open housing.

CONCLUSION

1. It is apparent that the array of programs now underway in behalf of the poor and disadvantaged minority groups, largely by the government, are producing minimal results. In fact, we are not certain what programs may be successful, partially so, or are failing. The social scientists are either not being used to evaluate the programs or when they are the operators and politicians refuse to accept their findings unless they support earlier assumptions.

2. Intensive treatment of social problems is very expensive and at best limited due to shortages of personnel and willingness and ability to finance the cost.

3. It seems apparent that only the ingenuity and resources of business and industry are such as to provide sufficient impact and coverage to make a real dent on the social ills of our great urban centers.

4. If business and industry fail to accept this responsibility then government will continue to expand the welfare state, with continued blundering and waste, and the eventual loss of the uniqueness of American life.

THE COOK COUNTY DEPARTMENT OF PUBLIC AID

The Cook County Department of Public Aid has a unique story to tell covering their operations during the past 5 years. For a while the caseloads of relief and Aid to Dependent Children have been increasing nationally approximately 50% (particularly ADC) the caseload in the Chicago area has not only been contained but reduced slightly. This has been done by the adoption of policies specifically designed to help families to become productive and economically self-sufficient.

First, the legislature increased appropriations for administration which made possible reduction of caseloads, in-service training of staff and education leaves and most important an allocation of 5 million dollars for education and training of clients on the relief rolls.

Second, a Bureau of Training and Education was formed "to ensure that every person receiving public aid in Cook County gets as much education and training as he is willing to get and as he can profitably use". Specifically:

a. An Adult Literacy Program was established in cooperation with the Chicago Board of Education to help the great number of uneducated and under-educated public assistance recipients acquire the necessary communications and computation skills to enable them to compete for jobs.

b. Welfare Rehabilitation Services were initiated. The employment and placement unit provides tests and examines potential employees. On-the-job training is made available through a shelter workshop setting arranged on a contract basis from private industry. Special training programs are carried on in cooperation with service and business firms in: Nurses Aid, Practical Nursing, Department Store, Clerical, Yellow Cab Drivers, Food Preparation, Service Station, Wood Finishing, Institutional Housekeeping and National Cash Register Office Machine Training. During the past year, 10,942 men and women were placed in jobs by the Welfare Rehabilitation Service.

Third, a Bureau of Home Economics and Family Improvement was designed to uplift the social and environmental conditions of public aid recipients. A total of 55 locations are utilized to provide classes, demonstrations and personal assistance to improve the quality of responsible family life.

Fourth, the Cook County Department of Public Aid is making use of the provisions of the Manpower Development and Training Act, and funds available from the Economic Opportunity Act, for specialized training and upgrading persons in various occupations; the creation of a Parents Opportunity Program, designed to rehabilitate deserting fathers, reunite them with their families and offer intensive training and supportive services; and a long range program which attempts to increase basic reading skills of culturally deprived children by means of a computerized learning device which provides individual instruction to every pupil.

The success of the Cook County Department of Public Aid is based on the very solid premise that vast numbers of people who are on the relief rolls can be helped by an aggressive program of supportive services to help themselves to become economically and socially self-sufficient. It suggests that rights to assistance also involves obligations to total advantage of available opportunities to help yourself. It embodies the concept of working with people rather than simply doing things for people.

Even more fundamental, the question may be raised as to whether the ADC Program should not be completely eliminated as method for meeting the problems of the disadvantaged in today's society. There is considerable evidence that the conditions which may have justified such a program in the mid-thirties no longer exist. Today, with accelerated trends of urbanization and technology, and the increasing disorganization of family life, a new philosophy and methodology are indicated. The unskilled job opportunities are declining, women in increasing numbers are working. A higher level of sophistication is required of the individual to live in today's metropolitan, technological complex. While society continues to have the responsibility of meeting the needs of the unfortunate, those in need have the responsibility of participating in all opportunities which lead to self-sufficiency and independence; basic education, job training, and the discipline which a job demands, family planning, responsible child care, etc. And this should hold true whether or not the father is in the home. A new rational is indicated based on the facts of life in contemporary America.

The Human Resource Development Group of the U.S. Chamber of Commerce might well make an inquiry here. The Advisory Panel on the Guaranteed Income could profitably explore this approach as a substitute for the simplistic, radical proposals now being made.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If there be none, morning business is concluded.

LEGISLATIVE BRANCH APPROPRIATIONS, 1968

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 379, H.R. 10368.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (H.R. 10368) making appropriations for the legislative branch for the fiscal year ending June 30, 1968, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARTLETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARTLETT. Mr. President, the pending business before the Senate, the legislative branch appropriation bill for fiscal year 1968 (H.R. 10368), provides funds for the operation of the Senate, House of Representatives, Architect of the Capitol, Botanic Garden, Library of Congress, Government Printing Office, and the General Accounting Office.

This is the second time that the appropriation for the General Accounting Office has been included in this bill.

The total of the bill is $273,662,404. Senators will observe from page 1 of the report, which is before each Member, that the bill is $45,572,452 over the bill as it passed the House of Representatives in June. I should like to point out, however, that this increase includes $45,165,305, which was not considered by the House of Representatives. This amount is for Senate items traditionally omitted from the bill by the House. Therefore, the increase by the Senate committee is $407,147 above the appropriations approved by the House and consists of three items: $366,769 for the Library of Congress; $18,620 for the Joint Economic Committee; and $21,758 for the Capitol Police.

Perhaps the most far-reaching provision in the bill this year relates to the conversion of pay rates of Senate employees to a gross rate basis. Senators will recall that the legislative reorganization bill, S. 355, as it passed the Senate in March of this year, contained the following provision:

> Sec. 324. The Committee on Appropriations of the Senate is requested to prepare, and make recommendations to the Senate, at the earliest practicable date with respect to—
>
> (1) a plan for the conversion to a gross rate basis of pay rates of employees of the Senate who are being paid on a basic plus additional compensation basis;
>
> (2) a schedule of gross salary rates to be applicable in fixing and adjusting pay rates of such employees; and
>
> (3) a plan for the conversion of Senator's clerk hire allowances from an aggregate basic salary basis to an aggregate gross salary basis.
>
> Such recommendations shall include, or be in the form of, legislative proposals designed to carry into effect the plans and schedule referred to in this section.

Since the provision I have just read relates solely to the Senate, it would not normally be altered by the House of Representatives in its consideration of the legislative reorganization bill. So the committee decided to proceed forthwith. Under the committee's proposal, the plan for the conversion of pay rates of Senate employees to a gross rate basis, along with the abandonment of the controversial basic-gross system, will be effective August 1, 1967.

The chief complaint about the basic-gross system, which has been in operation for over twenty years, is that the basic amount is misleading in that it does not reflect the actual compensation of the employee, nor does the basic allowance for Senators reflect the total expenditures for clerk hire. The existing basic-gross system has a minimum salary of $1,142.52—a basic of $60—and there are now 149 steps beginning with $60 basic per annum and proceeding upward to $8,880 basic per annum in multiples of $60. The gross rates range from $1,142.52 to $24,460 in varying, though not uniform, steps.

The new language proposed by the committee fixes a minimum gross salary per annum of $1,080 and establishes rates in multiples of $180, thereby providing a total of 131 levels to a maximum of $24,480.

The committee studied the estimated gross obligations for fiscal year 1967 for each Senator based on the payrolls of May 11, 1967. The committee selected, first, a gross allowance for the 54 Senators from States with a population of less than 3 million, this minimum being based upon estimated obligations, together with the addition of a conversion factor. This same procedure was followed for the four Senators from States with a population of 17 million and above, to secure a maximum allowance. The remaining States were fitted into this pattern, based upon population. The new gross allowances for clerk hire for Senators are found on page 6 of the committee report and, insofar as possible, preserve the traditional mathematical differences in allowances between States of varying populations. I ask unanimous consent that the table be printed at this point in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

Clerk hire allowance

	Conversion[1]
Under 3,000,000 (54)	$167,400
3,000,000 (14)	[2] 180,000
4,000,000 (10)	[3] 190,800
5,000,000 and 6,000,000 (8)	200,700
7,000,000 and 8,000,000 (2)	211,500
9,000,000 (0)	224,100
10,000,000 (6)	236,700
11,000,000 (2)	[4] 249,300
12,000,000 (0)	261,900
13,000,000 and 14,000,000 (0)	274,500
15,000,000 and 16,000,000 (0)	287,100
17,000,000 and over (4)	[5] 300,600

[1] Amount includes revisions of clerk-hire allowance to accommodate maximum usage except as noted in footnotes 2, 3, 4, and 5.

[2] Two Senators presently expending in excess of amount indicated.

[3] Two Senators presently expending in excess of amount indicated.

[4] One Senator presently expending in excess of amount indicated.

[5] One Senator presently expending in excess of amount indicated.

Mr. BARTLETT. Mr. President, I also believe it would be desirable to include in the Record the old basic rate allowances for each population group, so I ask unanimous consent that this table be printed at this point in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

Clerk hire allowance

[Old basic rate at $60 basic multiples]

Under 3,000,000	$55,020
3,000,000	60,000
4,000,000	63,000
5,000,000 and 6,000,000	66,000
7,000,000 and 8,000,000	69,000
9,000,000	72,000
10,000,000	76,980
11,000,000	79,980
12,000,000	82,980
13,000,000 and 14,000,000	85,980
15,000,000 and 16,000,000	88,980
17,000,000 and over	91,980

Mr. BARTLETT. Mr. President, a review of estimated obligations for fiscal year 1967 for each Senator was made on June 28, 1967, and based upon the conversion to new rates as of that date, some Senators will be required to adjust downward their obligations in order to live within the new gross allowances recommended by the committee. Senators will observe the footnotes on the table on page 6 of the report, which explains that two Senators in the 3 to 4 million population group are expending at the present time in excess of the new gross allowance of $180,000. This situation applies to two Senators in the next population group of between 4 and 5 million. It is also true of one Senator in the 11 to 12 million population group and of one Senator in the group above 17 million. These Senators, as well as two other Senators whose new allowances, to a very small degree, are insufficient, have been advised fully of this situation.

The committee was faced with the proposition of converting from a basic to a gross rate while, at the same time, providing no increases in present clerk-hire allowances.

The difficulty arises from the fact that the $60 basic allowance results in an annual expenditure of $1,142, whereas much higher basic allowances do not rise in the same proportion. While some Senators availed themselves of the opportunity, in accordance with the law, to use small basic allowances, other Senators did not. The use of small basic allowances—and, consequently, additional employees—thereupon resulted in a higher annual expenditure. Two Senators with the same basic allowances would have entirely different gross allowances by reason of this system.

The committee did not provide additional clerk-hire allowances; consequently, these few Senators will be faced with the necessity of reducing personnel. The new conversion table for salaries for Senate employees is printed on pages 7 and 8 of the committee report. I ask unanimous consent that the table be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Conversion, gross per annum

[Present and proposed]

$1,142.52	$1, 260
$1,300.78	1, 440
$1,459.06	1, 620
$1,617.32	1, 620
$1,775.59	1, 800
$1,933.85	1, 980
$2,092.12	2, 160
$2,250.37	2, 340
$2,420.11	2, 520
$2,579.12	2, 700
$2,738.13	2, 880
$2,897.17	3, 060
$3,056.17	3, 060
$3,211.66	3, 240
$3,338.87	3, 420
$3,466.08	3, 600
$3,627.36	3, 780
$3,755.77	3, 780
$3,884.19	3, 960
$4,012.62	4, 140
$4,130.36	4, 140
$4,248.06	4, 320
$4,365.77	4, 500
$4,483.50	4, 500
$4,601.22	4, 680
$4,775.90	4, 860
$4,911.36	5, 040
$5,046.83	$5, 220
$5,186.11	5, 220
$5,335.14	5, 400
$5,484.10	5, 580
$5,633.12	5, 760
$5,782.15	5, 940
$5,986.32	6, 120
$6,136.72	6, 300
$6,287.07	6, 300
$6,437.47	6, 480
$6,587.88	6, 660
$6,738.25	6, 840
$6,888.66	7, 020
$7,039.03	7, 200
$7,255.69	7, 380
$7,407.48	7, 560
$7,559.25	7, 560
$7,711.05	7, 740
$7,862.83	7, 920
$8,014.58	8, 100
$8,166.38	8, 280
$8,318.14	8, 460
$8,469.93	8, 640
$8,700.46	8, 820
$8,853.60	9, 000
$9,006.77	9, 180
$9,159.90	9, 180
$9,313.09	9, 360
$9,466.26	9, 540
$9,619.41	9, 720
$9,772.57	9, 900
$10,015.55	10, 080
$10,170.12	10, 260
$10,324.67	10, 440
$10,479.21	10, 620
$10,633.78	10, 800
$10,788.31	10, 800
$10,942.85	10, 980
$11,097.41	11, 160
$11,352.88	11, 520
$11,508.81	11, 520
$11,664.74	11, 700
$11,820.68	11, 880
$11,976.62	12, 060
$12,132.54	12, 240
$12,288.47	12, 420
$12,444.42	12, 600
$12,600.35	12, 780
$12,869.68	12, 960
$13,024.62	13, 140
$13,174.80	13, 320
$13,324.94	13, 500
$13,475.13	13, 500
$13,625.31	13, 680
$13,775.48	13, 860
$13,925.63	14, 040
$14,199.82	14, 220
$14,351.32	14, 400
$14,502.82	14, 580
$14,650.31	14, 760
$14,788.02	14, 940
$14,925.74	14, 940
$15,063.47	15, 120
$15,201.18	15, 300
$15,472.86	15, 480
$15,611.80	15, 660
$15,750.72	15, 840
$15,889.65	16, 020
$16,028.58	16, 200
$16,167.51	16, 200
$16,306.40	16, 380
$16,445.33	16, 560
$16,584.27	16, 740
$16,867.99	16, 920
$17,008.11	17, 100
$17,148.24	17, 280
$17,288.36	17, 460
$17,428.50	17, 460
$17,568.61	17, 640
$17,708.74	17, 820
$17,848.87	18, 000
$18,143.41	18, 180
$18,284.74	18, 360
$18,426.07	18, 540
$18,567.39	18, 720
$18,708.71	18, 720
$18,850.05	18, 900
$18,991.39	19, 080
$19,132.74	19, 260
$19,438.07	$19, 440
$19,580.61	19, 620
$19,723.15	19, 800
$19,865.67	19, 980
$20,008.21	20, 160
$20,150.75	20, 160
$20,293.26	20, 340
$20,435.79	20, 520
$20,578.35	20, 700
$20,895.73	21, 060
$21,039.46	21, 060
$21,183.21	21, 240
$21,326.93	21, 420
$21,470.68	21, 600
$21,614.43	21, 780
$21,758.14	21, 780
$21,901.88	21, 960
$21,949.79	21, 960
$22,230.09	22, 320
$22,375.05	22, 500
$22,519.97	22, 680
$22,664.90	22, 680
$22,809.85	22, 860
$22,954.76	23, 040
$23,099.73	23, 220
$23,244.66	23, 400
$23,583.70	23, 760
$23,729.85	23, 760
$23,875.98	23, 940
$24,022.13	24, 120
$24,168.27	24, 300
$24,314.41	24, 480
$24,460.00	24, 480

Mr. BARTLETT. Mr. President, another important change which the committee recommends relates to the telephone and telegraph allowances for Senators. Again, the legislative reorganization bill, as it passed the Senate in March, directed the Sergeant at Arms to submit a plan for consolidating telephone and telegraph allowances of Senators. Upon the recommendation of the Sergeant at Arms, the committee has inserted language in the bill which will provide for this consolidation. Under this provision, which is almost identical to the existing statutory language relating to telegram allowances, it will be possible for both accounts—telephone and telegraph—to be placed on a calendar-year basis, with both allowances handled in the same accounting period. The Committee on Rules and Administration will be in a position to promulgate necessary rules and regulations so as to permit the interchangeability of the two allowances. Under this plan, when all the telephone allowances of a Senator have been used, he will be in a position to use telegraph allowances, if he has a balance remaining, for telephone calls and vice versa.

The committee was advised that the backlog of work in the service department is such that additional employees were urgently needed. The committee has included language and funds in the bill for nine additional employees in the department. These positions are described on page 9 of the report.

The Sergeant at Arms of the Senate and the Chief of the Capitol Police appeared before the committee and recommended 46 additional police positions, including 40 privates, four sergeants, one lieutenant, and one captain. It was explained to the committee that with these additional positions, it will be possible to establish a 5-day workweek for the Senate positions similar to the 5-day workweek recently approved by the House of

Representatives and, in addition, to bring the number of police on the Senate side to the full complement believed necessary by the Sergeant at Arms and the Chief of Police.

I believe it is generally agreed that the elevator service in the New Senate Office Building is unsatisfactory. At least, the committee has stated so in its report for several years. Last year, Senators will recall, the committee directed the Architect of the Capitol to examine into the situation and make recommendations. The Architect of the Capitol is recommending the installation of three additional elevators at the southwest corner of the New Senate Office Building adjacent to the subway entrance. The budget estimate recommended $470,000 for these three additional elevators, which will be located in the space now occupied by the stairwell. The committee has provided the necessary funds for the installation of these elevators at the location specified.

The committee has also included in the bill sufficient funds to operate the air conditioning in the Senate Office Buildings 24 hours a day. This is in accordance with the recommendations of the Architect of the Capitol and approved by the House of Representatives for the continuous operation of the air conditioning in all of the buildings of the House, the Senate, and the Capitol.

For the Library of Congress, the committee has increased the House bill in the amount of $366,769. With these funds, the Library will be in a position to increase its personnel in the Processing Department, Reference Department, and the Office of the Librarian. Within the Processing Department, the additional personnel will help in maintaining its file of information on periodicals and other serial publications. If the serial record is not maintained on a current basis, the services of the rest of the Library are seriously affected, and if this information is out of date, all of the major libraries in the country are affected. The committee did not amend the House bill with respect to any other items under the Library of Congress and concurs in the recommendations contained in the House bill.

The committee has concurred with the House of Representatives on all of the appropriations for the General Accounting Office and the Government Printing Office. However, the committee felt that an increase in the limitation on travel for the Office of the Superintendent of Documents from $1,500 to $4,000 was justified.

The report attempts to describe in more detail the recommendations of the committee, and I will be glad to answer any questions the Members may have.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc and that the bill as thus amended be regarded for the purposes of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to this request.

The **PRESIDING OFFICER**. Is there objection? The Chair hears none, and it is so ordered.

The amendments, agreed to en bloc, are as follows:

At the top of page 2, to insert:

"SENATE"

On page 2, after line 1, to insert:

"COMPENSATION OF THE VICE PRESIDENT AND SENATORS, MILEAGE OF THE PRESIDENT OF SENATE AND SENATORS, AND EXPENSE ALLOWANCES OF THE VICE PRESIDENT AND LEADERS OF THE SENATE

"COMPENSATION OF THE VICE PRESIDENT AND SENATORS

"For compensation of the Vice President and Senators of the United States, $3,299,305."

On page 2, after line 8, to insert:

"MILEAGE OF PRESIDENT OF THE SENATE AND OF SENATORS

"For mileage of the President of the Senate and of Senators, $58,370."

On page 2, after line 12, to insert:

"EXPENSE ALLOWANCES OF THE VICE PRESIDENT, AND MAJORITY AND MINORITY LEADERS

"For expense allowance of the Vice President, $10,000; Majority Leader of the Senate, $3,000; and Minority Leader of the Senate, $3,000; in all, $16,000."

On page 2, after line 17, to insert:

"SALARIES, OFFICERS, AND EMPLOYEES

"For compensation of officers, employees, clerks to Senators, and others as authorized by law, including agency contributions and longevity compensation as authorized, which shall be paid from this appropriation without regard to the below limitations, as follows:

"OFFICE OF THE VICE PRESIDENT

"For clerical assistance to the Vice President, $211,680."

At the top of page 3, to insert:

"CHAPLAIN

"Chaplain of the Senate, $15,995."

On page 3, after line 2, to insert:

"OFFICE OF THE SECRETARY

"For office of the Secretary, $1,445,745, including $156,060 required for the purposes specified and authorized by section 74b of title 2, United States Code: *Provided*, That effective August 1, 1967, the gross allowance for clerical assistance and readjustment of salaries in the disbursing office shall be $204,300; and the gross salary of the Financial Clerk shall be $25,611 per annum."

On page 3, after line 10, to insert:

"COMMITTEE EMPLOYEES

"For professional and clerical assistance to standing committees and the Select Committee on Small Business, $3,486,060."

On page 3, after line 14, to insert:

"CONFERENCE COMMITTEES

"For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, $103,320.

"For clerical assistance to the Conference of the Minority, at rates of compensation to be fixed by the chairman of said committee, $103,320."

On page 3, after line 21, to insert:

"ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

"For administrative and clerical assistants and messenger service for Senators, $18,054,000."

At the top of page 4, to insert:

"OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

"For office of Sergeant at Arms and Doorkeeper, $3,878,510: *Provided*, That, effective July 1, 1967, the Sergeant at Arms is authorized to employ the following additional employees: one assistant night supervisor at $2,460 basic per annum; one automatic typing repairman at $2,880 basic per annum; one mailing equipment repairman at $2,640 basic per annum; one senior addressograph operator at $2,400 basic per annum; two addressograph operators at $2,160 basic per annum each; one offset press operator at $2,700 basic per annum; two inserting machine operators at $1,980 basic per annum each; one Captain, Police force, at $4,320 basic per annum; one Lieutenant, Police force, at $3,600 basic per annum; four Sergeants, Police force, at $2,940 basic per annum each; and forty Privates, Police force, at $2,160 basic per annum each: *Provided further*, That appointees to the Capitol Police force positions authorized herein shall have the equivalent of at least one year's police experience."

On page 4, after line 19, to insert:

"OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

"For the offices of the Secretary for the Majority and the Secretary for the Minority, $172,905."

At the top of page 5, to insert:

"OFFICES OF THE MAJORITY AND MINORITY WHIPS

"For four clerical assistants, two for the Majority Whip and two for the Minority Whip, at rates of compensation to be fixed by the respective Whips, $19,080 each; in all, $38,160."

On page 5, after line 5, to insert:

"OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

"For salaries and expenses of the Office of the Legislative Counsel of the Senate, $327,575."

On page 5, after line 9, to insert:

"CONTINGENT EXPENSES OF THE SENATE"

On page 5, after line 10, to insert:

"SENATE POLICY COMMITTEES

"For salaries and expenses of the Majority Policy Committee and the Minority Policy Committee, $211,325 for each such committee; in all, $422,650."

On page 5, after line 14, to insert:

"AUTOMOBILES AND MAINTENANCE

"For purchase, exchange, driving, maintenance, and operation of four automobiles, one for the Vice President, one for the President Pro Tempore, one for the Majority Leader, and one for the Minority Leader, $44,700."

On page 5, after line 19, to insert:

"FURNITURE

"For service and materials in cleaning and repairing furniture, and for the purchase of furniture, $31,190: *Provided*, That the furniture purchased is not available from other agencies of the Government."

On page 6, after line 2, to insert:

"INQUIRIES AND INVESTIGATIONS

"For expenses of inquiries and investigations ordered by the Senate, or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, including $404,335 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, $5,623,265."

On page 6, after line 9, to insert:

"FOLDING DOCUMENTS

"For the employment of personnel for folding speeches and pamphlets at a gross rate of not exceeding $2.32 per hour per person, $41,900."

On page 6, after line 13, to insert:

"MAIL TRANSPORTATION

"For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $16,560."

On page 6, after line 17, to insert:

"MISCELLANEOUS ITEMS

"For miscellaneous items, exclusive of labor, $4,088,420, including $365,000 for payment to the Architect of the Capitol in accordance with section 4 of Public Law 87–82, approved July 6, 1961."

On page 6, after line 22, to insert:

"POSTAGE STAMPS

"For postage stamps for the offices of the Secretaries for the Majority and Minority, $140; and for airmail and special delivery stamps for the office of the Secretary, $160; office of the Sergeant at Arms, $125; Senators and the President of the Senate, as authorized by law, $90,400; in all, $90,825."

On page 7, after line 4, to insert:

"STATIONERY (REVOLVING FUND)

"For stationery for Senators and the President of the Senate, $303,000; and for stationery for committees and officers of the Senate, $13,200; in all $316,200, to remain available until expended."

On page 7, after line 9, to insert:

"COMMUNICATIONS

"For an amount for communications which may be expended interchangeably for payment, in accordance with such limitations and restrictions as may be prescribed by the Committee on Rules and Administration, of charges on official telegrams and long-distance telephone calls made by or on behalf of Senators or the President of the Senate, such telephone calls to be in addition to those authorized by the provisions of the Legislative Branch Appropriation Act, 1947 (60 Stat. 392; 2 U.S.C. 46c, 46d, 46e), as amended, and the First Deficiency Appropriation Act, 1949 (63 Stat. 77; 2 U.S.C. 46d–1), $15,150."

On page 7, after line 21, to insert:

"Administrative Provisions

"Effective January 1, 1968, the paragraph relating to official long-distance telephone calls to and from Washington, District of Columbia, and the paragraph relating to long-distance telephone calls originating and terminating outside Washington, District of Columbia, under the heading "Contingent Expenses of the Senate" in the Legislative Branch Appropriation Act, 1947, as amended (Public Law 479, Seventy-ninth Congress; 2 U.S.C. 46c, 46d), and the paragraph relating to flat rate long-distance telephone service contracts under the heading "Administrative Provisions" in the appropriations for the Senate in the Legislative Branch Appropriation Act, 1966 (Public Law 80–90; 2 U.S.C. 46d–2) are repealed.

"Effective January 1, 1968, and thereafter, there shall be paid from the contingent fund of the Senate charges on strictly official long-distance telephone calls when so designated in accordance with rules and regulations prescribed by the Committee on Rules and Administration of the Senate."

On page 15, line 21, after the word "Committee", to strike out "$383,000" and insert "$401,620".

On page 17, line 9, after the word "Board", to strike out "$75,000" and insert "$96,758".

On page 23, after line 12, to insert:

"Senate Office Buildings

"For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel, and for personal and other services; including eight attendants at $1,800 each; for the care and operation of the Senate Office Buildings; including the subway and subway transportation systems connecting the Senate Office Buildings with the Capitol; uniforms or allowances therefor as authorized by law (5 U.S.C. 5901; 80 Stat. 299), to be expended under the control and supervision of the Architect of the Capitol; in all, $3,204,900, of which $470,000 shall remain available until expended."

On page 24, after line 2, to insert:

"SENATE GARAGE

"For maintenance, repairs, alterations, personal and other services, and all other necessary expenses, $58,600."

On page 27, line 2, after the word "Board", to strike out "$15,712,000" and insert "$16,078,769".

On page 32, line 10, after the word "exceed", to strike out "$1,500" and insert "$4,000".

On page 34, after line 9, to insert a new section, as follows:

"SEC. 105. (a)(1) Whenever the rate of compensation of any employee whose compensation is disbursed by the Secretary of the Senate is fixed or adjusted on or after the effective date of this section, such rate as so fixed or adjusted shall be a single per annum gross rate which is a multiple of $180.

"(2) New or changed rates of compensation of any such employees shall be certified in writing to the disbursing office of the Senate on or before the day on which they are to become effective, except that in the case of any change, other than an appointment, to become effective on or after the first day and prior to the tenth day of any month, such certification may be made at any time not later than the tenth day of such month.

"(b) The rate of compensation of each employee whose compensation is disbursed by the Secretary of the Senate which was fixed before the effective date of this section of a basic rate with respect to which additional compensation is payable by law shall be converted as of such date to the lowest per annum gross rate which is a multiple of $180 and which is not less than the aggregate rate of compensation (basic compensation plus additional compensation provided by law) which such employee was receiving immediately prior to such date. Any increments of longevity compensation to which an employee became entitled prior to the effective date of this section under section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended (2 U.S.C. 60j), shall be excluded in converting such employee's rate of compensation under this subsection, but such employee's rate of gross compensation shall be increased by $540 (which shall be considered to be an increase under such section 106(b)) for each such increment.

"(c) In any case in which the rate of compensation of any employee or position, or class of employees or positions, the compensation for which is disbursed by the Secretary of the Senate, or any maximum or minimum rate with respect to any such employee, position, or class, is referred to in or provided by statute or Senate resolution, and the rate so referred to or provided is a basic rate with respect to which additional compensation is provided by law, such statutory provision or resolution shall be deemed to refer, in lieu of such basic rate, to the per annum gross rate which an employee receiving such basic rate immediately prior to the effective date of this section would receive (without regard to such statutory provision or resolution) under subsection (b) on and after such date.

"(d)(1) On and after the effective date of this section, the aggregate of the per annum gross rates of compensation of employees in the office of a Senator shall not at any time exceed—

"$167,400 if the population of his State is less than 3,000,000;

"$180,000 if such population is 3,000,000 but less than 4,000,000;

"$190,800 if such population is 4,000,000 but less than 5,000,000;

"$200,700 if such population is 5,000,000 but less than 7,000,000;

"$211,500 if such population is 7,000,000 but less than 9,000,000;

"$224,100 if such population is 9,000,000 but less than 10,000,000;

"$236,700 if such population is 10,000,000 but less than 11,000,000;

"$249,300 if such population is 11,000,000 but less than 12,000,000;

"$261,900 if such population is 12,000,000 but less than 13,000,000.

"$274,500 if such population is 13,000,000 but less than $15,000,000.

"$287,100 if such population is 15,000,000 but less than 17,000,000; or

"$300,600 if such population is 17,000,000 or more.

"(2) Within the limits prescribed by paragraph (1) of this subsection, Senators may fix the number and the rates of compensation of employees in their respective offices. The salary of an employee in a Senator's office shall not be fixed under this paragraph at a gross rate less than $1,080 per annum or in excess of $14,400 per annum, except that (i) the salary of one employee may be fixed at a gross rate of not more than $18,180 per annum, (ii) the salary of one employee may be fixed at a gross rate of not more than $22,320 per annum, (iii) the salary of one employee may be fixed at a gross rate of not more than $23,400 per annum, and (iv) the salary of one employee may be fixed at a gross rate of not more than $24,480 per annum. A Senator may establish such titles for positions in his office as he may desire to designate, by written notification to the disbursing office of the Senate.

"(e)(1) Subject to the provisions of paragraph (3), the professional staff members of standing committees of the Senate shall receive gross annual compensation, to be fixed by the chairman ranging from $14,220 to $22,320.

"(2) The rates of gross compensation of the clerical staff of each standing committee of the Senate shall be fixed by the chairman as follows:

"(A) for each committee (other than the Committee on Appropriations), one chief clerk and one assistant chief clerk at $6,120 to $22,320, and not to exceed four other clerical assistants at $6,120 to $10,620; and

"(B) for the Committee on Appropriations, one chief clerk and one assistant chief clerk and two assistant clerks at $15,840 to $22,320; such assistant clerks as may be necessary at $10,800 to $15,660; and such other clerical assistants as may be necessary at $6,120 to $10,620.

"(3) No employee of any standing or select committee of the Senate (including the majority and minority policy committees and the conference majority and conference minority of the Senate), or of any joint committee the expenses of which are paid from the contingent fund of the Senate, shall be paid at a gross rate in excess of $22,320 per annum, except that—

"(A) two employees of any such committee (other than the Committee on Appropriations), who are otherwise authorized to be paid at such rate, may be paid at gross rates not in excess of $23,400 per annum, and one such employee may be paid at a gross rate not in excess of $24,480 per annum; and

"(B) seventeen employees of the Committee on Appropriations who are otherwise authorized to be paid at such rate, may be paid at gross rates not in excess of $23,400 per annum, and one such employee may be paid at a gross rate not in excess of $24,480 per annum.

For the purpose of this paragraph, an employee of a subcommittee shall be considered to be an employee of the full committee.

"(f) No officer or employee whose compensation is disbursed by the Secretary of the Senate shall be paid gross compensation at a rate less than $1,080 or in excess of $24,480, unless expressly authorized by law. In any case in which the fixing of any salary rate in multiples as required by this section would result in a rate in excess of the maximum rate specified in this subsection, the rate so fixed shall be reduced to such maximum rate.

"(g) The first sentence of section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended (2 U.S.C. 60j) is amended to read as follows: 'An employee to whom this section applies shall be paid during any period of continuous service as such an employee additional gross compensation (hereinafter referred to as "longevity compensation") at the rate of $540 per annum for each five years of service performed as such an employee during such period.'

"(h) Section 5533(c) of title 5, United States Code, is amended to read as follows:

"'(c)(1) Except as provided by paragraph (2) of this subsection, unless otherwise authorized by law, appropriated funds are not available for payment to an individual of pay from more than one position if the aggregate amount of the basic pay from the positions exceeds $2,000 a year, and if—

"'(A) the pay of one of the positions is paid by the Clerk of the House of Representatives (in the case of employees receiving basic rates of compensation); or

"'(B) one of the positions is under the Office of the Architect of the Capitol.

"'(2) Unless otherwise authorized by law, appropriated funds are not available for payment to an individual of pay from more than one position if the aggregate (gross) compensation from the positions exceeds $5,987 a year, and if the pay of one of the positions is paid by the Secretary of the Senate or the Clerk of the House of Representatives (in the case of employees receiving single per annum rates of compensation).'

"(i)(1) The paragraph under the heading 'Administrative Provisions' in the provisions relating to the Senate in the Legislative Branch Appropriation Act, 1958 (2 U.S.C. 72a–4), is repealed.

"(2) The paragraph relating to the authority of Senators to rearrange the basic salaries of employes in their offices in the Legislative Branch Appropriation Act, 1947, as amended (2 U.S.C. 60f), is repealed.

"(3) The paragraph imposing limitations on basic and gross compensation of officers and employees of the Senate appearing under the heading 'Senate' in the Legislative Appropriation Act, 1956, as amended (2 U.S.C. 60a note), is repealed.

"(4) The paragraph relating to rates of compensation of employees of committees of the Senate, contained in the Legislative Appropriation Act, 1956, as amended (2 U.S.C. 72a–1a, is repealed.

"(5) The joint resolution entitled 'Joint Resolution providing for a more effective staff organization for standing committees of the Senate', approved February 19, 1947 (2 U.S.C. 72a–1), as amended, is repealed.

"(6) Section 4(f) of the Federal Employees Salary Increase Act of 1955, as amended, is repealed.

"(j) The rate of compensation of each telephone operator on the United States Capitol telephone exchange and each member of the Capitol Police, whose compensation is disbursed by the Clerk of the House of Representatives shall be converted to a gross rate in accordance with the provisions of this section.

"(k) This section shall be effective from and after August 1, 1967."

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. BARTLETT. I yield.

Mr. ELLENDER. Mr. President, as the Senator knows, in the past the stationery allowance has been a bone of contention in this bill. Should the money not used to purchase stationery go to the individual Member of Congress, or should it revert to the Treasury?

When I went to my office this morning, I had a notice from the Senate's financial clerk that the amount of my stationery allowance for the fiscal year just ended this July 1 was $3,000.

I spent for stationery $1,563.90 and had a balance in the account of $1,436.10 on July 1.

I was given the option of taking that money for my own use or returning it to the Treasury.

Ever since I have been a Senator, that money has always been returned to the Treasury. It is my feeling that any money appropriated or made available to a Senator for stationery should be used for stationery.

I have wondered about the authority under which it was possible for Members of Congress to convert unused stationery funds to their personal use.

I find that the transcript of hearings on the legislative appropriations bill for fiscal year 1967, at the bottom of page 21, traces the legislative history of the Stationary Account back to the 1868 Deficiency Appropriation Act. Here is the pertinent language, which supposedly gives the authority for commuting unused stationery funds to the Members personal account.

In this appropriation act there was contained a provision which reads as follows:

"Provided that from and after the third day of March 1868 no Senator or Representative shall receive any newspapers, except the Congressional Globe, or stationery or commutation therefor, exceeding $125 for any one Session of Congress."

2 U.S.C 41 ANNOTATION

Now, this proviso is a basis, appears to be the basis from the codifier's annotation, for 2 U.S.C. 41 which reads that "no member or delegate is entitled to any allowance for newspapers".

It is also the basis for the commutation that we have been making since.

Is that a correct statement?

Mr. BARTLETT. That is a statement of fact.

Mr. ELLENDER. Where is the law that expressly permits that action? Is there any other provision in the law that permits a Senator to withdraw for his own personal benefit the unused amount of his yearly stationery allocation.

Mr. BARTLETT. That is it. There is nothing else as far as I can tell.

Mr. ELLENDER. Mr. President, I think the law ought to be amended because this language amounts to almost nothing insofar as law is concerned. It merely limits the amount of funds available to Members for newspapers and stationery. I suppose the fact that the money cannot now be used for newspapers gives rise to the proposition that this language is also the basis for the commutation of stationery funds.

If the money is not all used for the purchase of stationery, the assumption is that one can take the cash balance and pocket it if he wants to.

Mr. BARTLETT. That has been the case for 100 years, whether it is right or not.

So that the RECORD will be complete, the Senator from Louisiana brought this matter before the Senate at the time the legislative reorganization bill was being considered. There was a rollcall vote on the matter, and the Senator prevailed by a lopsided vote of 59 to 18.

The Legislative Reorganization Act is now before the House of Representatives for consideration, and I am told—notwithstanding some pessimistic statements that have been made regarding that subject—that there is a good probability that the bill, in one form or another, will be considered by the House in this session.

I would trust that this would take care of the matter which bothers the Senator.

I personally would not like to see any change made in the pending bill with relation to this matter, because I am pretty well convinced that since it would also relate to Representatives, the House conferees would not be disposed to accept any provision the Senate might put in the bill. They might not even be willing to discuss the matter on the ground that it is a matter for consideration by the House Administration Committee.

I point out for the RECORD that the Senator has expressed his opinion before on this matter, and his opinion has prevailed. There is fair assurance that, within the comparatively near future, the condition about which he complains will no longer obtain.

Mr. ELLENDER. I have no intention of offering an amendment. What I was attempting to do was to bring to light the law that permitted this to be done. From what I can see, there is no actual law on the subject. It simply has been a custom that has been practiced, as the Senator has said, for almost a hundred years. I think it is wrong, because any time the Senate appropriates—as it does now in the pending bill—$3,000 per year, any part of that money that is not used for the stated purpose of buying stationery should revert to the Treasury.

Mr. BARTLETT. I should like to ask the Senator a question. Do I recall correctly that the amendment of the Senator from Louisiana, which was incorporated in the Legislative Reorganization Act, provided that if within 30 days after the end of the fiscal year, a Senator could produce receipts showing that he had purchased stationery from sources other than the Stationery Room, in a different amount than shown in the stationery account, he could be reimbursed for the amount?

Mr. ELLENDER. I do not recall the exact wording, but I would have no objection whatever if a Senator desired to buy stationery for official purposes whether he bought it from the Stationery Room in the Senate Office Building or anywhere else.

Mr. BARTLETT. In his home State, for example.

Mr. ELLENDER. If he used it to purchase stationery which is used in his official business, I would have no objection.

Mr. BARTLETT. I am now informed that this is the amendment offered by the Senator from Louisiana, which was adopted by the Senate on March 6 last.

Mr. ELLENDER. As I said, I would have no objection to outside purchases. I am arguing against the practice of Members collecting the balance of their stationery account which has not been used, and converting it for personal purposes. I understand that some buy newspapers. It would seem to me that under the language I have just read, that would be prohibited, particularly since the reference to allowing the purchase of newspapers was deleted from the language in 1913.

I would have no objection to the use of this fund for other purposes, provided Congress agrees to it. But I do not think it right for us to appropriate for each Senator, and for each Member of the House of Representatives, $3,000 per year for stationery, and then allow half of it to be used for stationery and the other half pocketed. When I say "pocketed," I mean drawn out, considered as income, income tax paid on it, and anything you please, done with it. I do not believe Congress ever intended that to be the case.

I understand that the rule in the House is that on the day Congress convenes, a Representative withdraws his $3,000 and does what he wishes with it. It goes to his bank account. If he wants to purchase stationery, he can do so; if he does not want to purchase stationery, he does not have to do so.

I believe it is wrong for us to appropriate a specific sum for a specific purpose and then for that purpose not to be followed. That is what I object to.

Mr. BARTLETT. On March 6, 59 Senators agreed with the Senator from Louisiana and only 18 disagreed.

Mr. ELLENDER. Notwithstanding that, I notice the withdrawals continue. In the last 3 or 4 years, in the report of the Secretary of the Senate, appear the names of those who have withdrawn the cash—that is, the cash balances that were due—left over from the amount allocated for stationery purposes.

Mr. BARTLETT. I am glad the Senator mentioned that. I am glad, particularly, because a myth has grown up that everything, or almost everything, about the fiscal affairs relating to Senators is concealed, is never made a matter of public record; and of course the facts are otherwise.

The Senator from Louisiana has just pointed out a vivid illustration of this. If you have any money left in the account and withdraw it—I have been in favor of that for quite some time, having consumed all of it—your name appears in a book which is published, I understand, twice a year by the Secretary of the Senate.

Mr. ELLENDER. The Senator is correct.

Mr. BARTLETT. So it is all there. The newspaper reporters can discover what has happened, and the public can thereby learn what has transpired.

Mr. ELLENDER. I am glad that the Senator has clarified for us the authority for a Senator to retain whatever he does not spend. To my way of thinking, the authority cited does not give that authority.

Mr. BARTLETT. Personally, I would say that it is a fairly weak authority upon which to lean.

Mr. ELLENDER. I agree with the Senator.

Mr. BARTLETT. But there it is.

I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. In line with what the Senator from Louisiana has said, I, too, am disappointed that the House has not acted upon the Legislative Reorganization Act, which includes the amendment offered by the Senator from Louisiana. I was a cosponsor of that amendment, the purpose of which was to make it mandatory that any part of a stationery allowance which is not used for stationery, as defined under the law, would automatically revert to the Treasury.

I agree fully with what the Senator from Louisiana has said. I do not believe it was ever intended that the unused balance of this allowance would revert to the individual Members.

In this connection, I am offering an amendment which is identical with that passed by the Senate in March, as a part of S. 355. This is the so-called Ellender-Williams amendment. The amendment I am offering today is identical with the other amendment, except that the dates have been changed to bring it in conformity with the bill now before us. I hope that this amendment will be accepted. Certainly, the Senate, having acted on it before, is on record in favor of it.

I send the amendment to the desk, and ask that it be read.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The amendment offered by the Senator from Delaware will be stated.

The legislative clerk proceeded to read the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

Mr. HOLLAND. I object. I should like to hear it all read, because we have had so many different suggestions, and I want to know which one is pending.

The PRESIDING OFFICER. Objection is heard. The amendment will be stated.

The legislative clerk read the amendment, as follows:

On page 42, between lines 4 and 5, insert the following:

"SEC. 106. (a) The paragraph under the heading 'Stationery (revolving fund)' in the appropriations for the Senate in title IV of the Foreign Aid and Related Agencies Appropriation Act, 1964 (77 Stat. 864; 2 U.S.C. 46a), is amended by adding at the end thereof the following: 'The allowance for stationery shall hereafter be available only for (1) purchases made through the Senate stationery room of stationery and other office supplies for use for official business, and (2) reimbursement upon presentation, within thirty days after the close of the fiscal year for which the allowance is provided, of receipted invoices for purchases elsewhere of stationery and other office suppiies (excluding items not ordinarily available in the Senate stationery room) for use for official business in an office maintained by a Senator in his home State. Any part of the allowance for stationery which remains unobligated at the end of the fiscal year 1968 or any subsequent fiscal year shall be withdrawn from the revolving fund established by the Third Supplemental Appropriation Act, 1957 (71 Stat. 188; 2 U.S.C. 46a 1), and covered into the general fund of the Treasury.'.

"(b) The stationery allowance, as authorized by law, for each Member of the House of Representatives and each Resident Commissioner shall hereafter be available only for (1) purchases made through the House stationery room of stationery and other office supplies for use for official business, and (2) reimbursement upon presentation, within thirty days after the close of the session for which the allowance is provided, of receipted invoices for purchases elsewhere of stationery and other office supplies (excluding items not ordinarily available in the House stationery room) for use for official business in an office maintained by a Member in his home State. Any part of the stationery allowance which remains unobligated at the end of the session for which it is available, beginning with the first session of the Ninetieth Congress, shall be withdrawn from the revolving fund established by the Legislative Branch Appropriation Act, 1948 (61 Stat. 366; 2 U.S.C. 46b 1), and covered into the general fund of the Treasury."

Mr. WILLIAMS of Delaware. Mr. President, I wish to repeat that this amendment is identical with the provisions of the Ellender-Williams amendment which was agreed to earlier in 1967 as a part of S. 355, the so-called Legislative Reorganization Act. The only change in the amendment which is now being offered and the amendment which was agreed to then would be to bring the dates into conformity with the fact that we are now in a new fiscal year. Other than that this is the same amendment.

I believe the debate on this matter has been rather broad over a period of years, and it should not be necessary to repeat. This matter has been agreed to by the Senate on numerous occasions, including its adoption earlier in 1967.

In order to save the time of the Senate I am wondering whether the Senator from Alaska, who is in charge of the bill, is willing to accept the amendment. If he is willing to accept the amendment, as far as I am concerned, we can bring the debate to a close; if he is not willing to accept the amendment I will ask for a record vote on it.

Mr. BARTLETT. Mr. President, I regret to say to the Senator from Delaware that I cannot accept the amendment. The reasons for not accepting the amendment are twofold. In the first instance, this proposal was not considered either in the subcommittee or in the full Committee on Appropriations. Coupled with that is the fact that many of the items incorporated in the Legislative Reorganization Act were discussed within the subcommittee and the full committee, and there were obvious needs for changes in this appropriation bill to conform with some of the provisions in the Legislative Reorganization Act. However, this amendment was not discussed in committee.

Before making my second point, I should like to ask the Senator a question. Did I hear correctly when the clerk read the amendment that it covers Members of the House of Representatives as well as the Senate?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. BARTLETT. The other reason why I, as chairman of the subcommittee, do not believe I can accept the amendment is that from my understanding the House conferees would not accept any provision of this nature. It is obvious from what we understand that in all likelihood the House conferees would say that they do not have the authority to discuss it and that it lies entirely within the discretion of the House Committee on Administration. That being the fact, or so I believe it to be, I think it would be a gesture in futility for us in this body to try to impose on the other body our judgment as to how they should operate their business.

Mr. WILLIAMS of Delaware. Why does not the Senator let us agree to the amendment and then it could be taken up with the House conferees. The Senator may be pleasantly surprised; the House conferees may be very enthusiastic for the amendment—or at least they should be. Let us give them a chance. If the House conferees will not accept that portion of the amendment which affects their stationery allowance certainly we would want it to apply to the Senate. However, I have a feeling that the House may be more interested in accepting this amendment than the Senator realizes. This amendment has merit.

Not only would the amendment, as drafted, provide for payments for stationery at the stationery store, but also if office supplies as described under the rules were purchased elsewhere the proposal would provide for routine reimbursement to the Member from the disbursing office. A Member could get reimbursed for actual expenditures either in the stationery store in Washington or back home in any stationery store. It would provide for complete reimbursement for all stationery expenses.

However, whatever is left over at the end of each fiscal year would automatically revert to the Treasury as is presently the custom with all other expense allowances of Members of Congress; such as, the Western Union allowance, the telephone allowance, the travel allowance, and so forth. Of course, all of those allowances are available only when they are actually paid out.

If the money is not used, if it is not spent for the purpose allocated, it would revert to the Treasury. That is all that is provided in this measure. There have been questions raised, as the Senator from Louisiana pointed out, that the present rules may not be broad enough and that Members should be allowed to buy newspapers and charge that expense to stationery expense. That point would come within the jurisdiction of the Committee on Rules.

This bill deals only with appropriations, and this is a limitation as to how the money being appropriated can be used.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. HOLLAND. Do I understand that the amendment as drawn and submitted applies equally to the allowance in the Senate and in the House of Representatives?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. HOLLAND. Under those conditions I would hope that the chairman of the subcommittee would accept this amendment.

I recognize there are different interpretations of the existing law. Senators have been uniformly told by the staff of the Committee on Appropriations and the Disbursing Office that we are entitled to the commutation of any unexpended allowance, and many of us have claimed it.

The Senator from Florida has felt that the subscription to newspapers in his home State and the payment for film for television and clips for radio should be covered, and are covered by this matter, because this particular section of the law enacted nearly 100 years ago was enacted long before these more recent means of communication had been worked out.

This is really a communications allowance for Members of Congress. The Senator from Florida hopes that this entire question can be clarified by the able committee, so well handled and headed by the distinguished Senator from Alaska [Mr. BARTLETT] in conference with the other body; and if not, in this particular conference that the subject will be cleared up before this question comes up again, because every Member of the Senate has been embarrassed one way or another by the continued existence of this question.

The Senator from Florida feels the entire allowance is hopelessly inadequate to cover all of the things it is supposed to cover: stationery, stationery for our newsletters, the envelopes for our newsletters, the clips for radio, the television films, the subscription for newpapers—all of these things having to do with our communication with our people back home. The Senator from Florida hopes that clarifying language will finally be enacted into law. With that in view, he respectfully asks his distinguished chairman of the subcommittee to accept this amendment and let us see what can be worked out.

Mr. BARTLETT. Mr. President, with respect to the amendment offered by the Senator from Delaware, I said that it had not been discussed in full committee or subcommittee and I had not talked to any member of the committee concerning it. Since then, I have had an opportunity to discuss the matter with the ranking minority member of the subcommittee, the distinguished Senator from California [Mr. KUCHEL], and as a consequence of our discussion of this subject, the committee will accept the amendment offered by the Senator from Delaware.

Mr. WILLIAMS of Delaware. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. TYDINGS. Mr. President——

The PRESIDING OFFICER. The Senator from Maryland.

Mr. TYDINGS. Mr. President, for myself, and Senators MONDALE, BAKER, BAYH, BROOKE, CASE, CLARK, GRIFFIN, GRUENING, HARRIS, HART, HATFIELD, JAVITS, KENNEDY of New York, LONG of Missouri, MCINTYRE, MUSKIE, PERCY, SPONG, and WILLIAMS of New Jersey, I send to the desk an amendment to the legislative appropriations bill of 1968, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk read as follows:

On page 36, line 10, strike out "$167,400" and insert in lieu thereof "$190,800".

On page 36, line 12, strike out "$180,000" and insert in lieu thereof "$203,400".

On page 36, line 14, strike out "$190,800" and insert in lieu thereof "$214,200".

On page 36, line 16, strike out "$200,700" and insert in lieu thereof "$224,100".

On page 36, line 18, strike out "$211,500" and insert in lieu thereof "$234,900".

On page 36, line 20, strike out "$224,100" and insert in lieu thereof "$247,500".

On page 36, line 22, strike out "$236,700" and insert in lieu thereof "$260,100".

On page 36, line 24, strike out "$249,300" and insert in lieu thereof "$272,700".

On page 37, line 1, strike out "$261,900" and insert in lieu thereof "$285,300".

On page 37, line 3, strike out "$274,500" and insert in lieu thereof "$297,900".

On page 37, line 5, strike out "$287,100" and insert in lieu thereof "$310,500".

On page 37, line 7, strike out "$300,600" and insert in lieu thereof "$324,000".

On page 37, lines 17 and 18, strike out "the salary of one employee may be fixed at a gross rate of not more than $23,400" and insert in lieu thereof "the salaries of two employees may be fixed at gross rates of not more than $23,400".

On page 3, line 24, strike out "$18,054,000" and insert in lieu thereof "$20,254,000".

Mr. TYDINGS. Mr. President, the purpose of the amendment to the legislative appropriation bill for fiscal 1968 is to enable every Senator to pay for the legislative assistance which was authorized by the legislative reorganization bill. Senators will recall that last year the House of Representatives passed similar legislation. We are approximately 1 year late now.

THE NEED FOR ADDITIONAL LEGISLATIVE ASSISTANCE NOW

Mr. President, we all know that current staff allowances are grossly inadequate to the crushing congressional workload. We are now considering a $170 billion Federal budget, thousands of bills, enormously complex and dangerous international problems, and major domestic programs sought by the President. In addition, we must determine which programs should go forward and which must be postponed to avoid a major budget deficit.

Neither the executive branch nor any major business operation would attempt to make these vitally important decisions with the meager staff assistance Senate allowances now provide. It would be the worst kind of false economy to fail to provide modest additional staff allowances to help us in making these multibillion-dollar decisions.

Every Senator knows how difficult it is to keep track of the scores of bills reported by the subcommittees and committees of which he is a member and the hundreds of significant bills reported to and enacted by the Senate during every session of Congress.

In fact, no Senator can possibly attend all the meetings and hearings of the committees and subcommittees of which he is a member since two or more subcommittees frequently meet simultaneously. Until it becomes possible for a Senator to be in two places at once, we need more staff to monitor committee proceedings and other legislative developments and analyze and report to us about them.

The job of a U.S. Senator, I submit, is to legislate—not only to be an ombudsman, not only to serve the needs of his constituents—but the main purpose of a U.S. Senator is to legislate.

Existing staff allowances seriously inhibit the ability of a U.S. Senator, particularly if he happens to be a junior Senator, to do this most effectively.

Mr. President, I recall so well my first year in the Senate when I sat on the Committee on Space and Aeronautical Sciences, the executive branch came in to present their request for a multibillion-dollar authorization, and rank on rank of $50,000 to $100,000 a year consultants testified, with rank upon rank of the highest paid executive personnel, six or seven rows of them, ready to present why we, the legislative branch, should, in effect, rubberstamp the executive proposal.

What did we have on our side, supposedly an equal branch of the U.S. Government with the executive department?

We had three professional staff members on the committee. They are good people. They are good secretaries. Each Senator up there, in order to handle this complicated presentation, had only a notebook about this multibillion-dollar proposal, but was supposed to be able to stand up and question, direct, give serious thought to, innovate, implement, and criticize the authorization of billions of dollars. It was just impossible to do so.

It is impossible today, I submit, to do the proper job if we do not have the proper supporting personnel.

Last year, the House of Representatives, recognized the complete inadequacy of existing staff allowances to meet the demands of the mammoth legislative burden. In the legislative appropriation for fiscal year 1967, the House voted every Member an additional clerk-hire allowance of $7,000 basic per year—which was, relatively speaking, more than I request for the Senate. This increased the basic clerk-hire allowance by more than 27 percent for every Member of the House. The Senate also increased its clerk-hire allowances last year, but by a maximum of 8 percent, and by only 3.8 percent in the case of the majority of Senators.

This minimal increase in Senate clerk-hire allowances was hardly adequate to the legislative needs of more Senators. Recognizing this, the Joint Committee on the Organization of the Congress—ably headed by the distinguished senior Senator from Oklahoma [Mr. Monroney]—recommended that every Senator receive an additional staff allowance of $23,400 annually for the purpose of hiring a legislative assistant. The Senate adopted this provision as part of the Legislative Reorganization Act we passed by a vote of 75 to 9 this spring.

There is the rub, Mr. President. This additional allowance will not become available until 30 days after the reorganization becomes law. And the reorganization may not become law for another full year.

Unfortunately, the chances for House action on the Reorganization Act during this session of Congress—which is already half over by any measurement—appear dim. After exhaustive consideration by the Senate, the bill was referred to the House Rules Committee on March 9. It was the subject of only one hearing, on April 11, and has not been formally considered since. Every sign points to prolonged consideration of the bill in the House.

The Congressional Quarterly, in its June 9, 1967, issue No. 23, pages 975, 976, 977, and 978, heads up its article on the reorganization bill with this heading: "House Outlook Dim for Legislative Reorganization Bill."

Let me quote one paragraph from page 978. This is at the conclusion of the article on the reorganization bill. The paragraph is entitled "Outlook":

> Judging from all indications, House Democrats will not accept S. 355 as passed by the Senate. Although even the Senate version cannot be considered, according to most analysts, to be a comprehensive reform measure, it touches too many sensitive spots in House committee procedures, in the hierarchy of the House and in longstanding practices to gain wide support. Substantial changes in the bill appear to be mandatory if the bill is to be brought up for floor action at all.

In the July 7 issue of Congressional Quarterly, No. 25, which just came out this morning, on page 1147, there is an even more pessimistic report of what is going to happen to the reorganization bill. I read from the middle of that paragraph, under the caption, "What Congress Has Done: Congressional Housekeeping." It reads as follows:

> The Senate spent six weeks in sporadic debate on a relatively mild Congressional Reorganization bill (S. 355) which was approved March 7 after Senators had acted on 75 floor amendments. By early July, however, the bill was still languishing in the House Rules Committee, where it was opposed by influential and senior House Members. Moves were afoot to water down the bill to satisfy powers in the House, but whether this could be accomplished to gain passage in 1967—or at all—was anybody's guess.

Eventual House approval of the bill may require a great deal of substantive amendment of its provisions, certainly leading to a long and difficult House-Senate conference. Not until 30 days after both Houses accept the conference report will the additional $23,400 become available to any Senator.

Last year, at the time that the House of Representatives passed its amendment authorizing money for a legislative assistant for each Member of the House of Representatives, I proposed a similar amendment to provide a similar legislative assistant for each Member of the Senate. At the request of the senior Senator from Oklahoma [Mr. Monroney], I did not force that amendment to a vote. I withdrew it on the ground that the legislative assistant proposal was needed as an inducement to secure Senate approval of the Reorganization Act.

I would like to quote some of the language of some Senators in that debate at that time, first of all myself, summarizing what I felt was the principal need. I said:

> I think it is high time that Congress face the fact that it has lost pace with the executive branch in providing itself with the necessary manpower to analyze and criticize administration recommendations for legislation.
>
> Every Senator's staff is greatly overburdened in just trying to keep track of legislation and constituent matters. Too little time is left for the members of any Senator's staff for really critical analysis of administration programs. Practically no time is left to either a Senator or his staff to research, organize, and propose constructive legislative programs. Yet this body, the Congress, is supposed to be the branch of the Federal Government which proposes legislation.

I am reading from the Congressional Record, volume 112, part 13, page 17470:

> Mr. Stennis. I walked into the Chamber just a few minutes ago, but I am familiar with the subject matter, and I heard the statement of the Senator of Oklahoma. I want to express my interest in the subject matter and say to the Senator from Oklahoma and members of the subcommittee that I think they have done an outstanding job in recognizing so clearly this need and making a recommendation in connection with it. I shall strongly support it when it comes before us as a matter of legislation. I am entirely in sympathy with the purpose of it. It is a "must."
>
> We operate at a disadvantage. We come into session every January, when we have a budget of over $100 billion, when we have many laws already in operation, and more laws proposed that go into every facet of the economic, political, and every other phase of the lives of the people of the entire Nation. We must have someone who is interested in legislation as a career, who is willing to stay with it year after year. This proposal is a step forward in trying to reach that problem. I support it.
>
> However, I think the Senator from Maryland would be wise not to press his amendment. I see in the report some reference to the fact that there may be a delay in the recommendation; for instance, committees of the Senate and House might be divided.

Mr. President, I did not press for this amendment in the last fall's or this spring's supplemental appropriation bill, because the Senator from Oklahoma said they still needed time. But I am pressing today, because the need for some legislative help, which was acute last year, is no less critical this year. In fact, the executive branch salary scales are so much higher than ours in the Senate, that competition for top personnel is sometimes impossible within current allowances. Within the last 6 months, for example, two key members of my own staff have been offered comparable jobs in the executive branch at salaries considerably in excess of what I am able to pay them.

I do not think the Senate of the United States wants to default legislative leadership to the executive branch for still another year, while the House decides what, if anything, to do about the Reorganization Act. Or should we provide, on an interim basis, the funds for legislative assistance we have already voted to authorize through that act?

PROVISIONS OF THE AMENDMENT

The amendment I offer would simply appropriate for 1 year an additional $23,400 in clerk-hire allowance for the use of every Senator. This amount is equal to the sum we authorized for a legislative assistant in the Reorganization Act. Should the reorganization emerge from the House and go to a successful conference before next year, funding of its legislative assistant provision can simply be amended so as to take effect upon expiration of the legislative appropriation with which we are dealing. Thus there will be no overlap of funds.

I submit that this amendment will not delay the Reorganization Act. When I offered a similar amendment last year to this same bill, Senator MONRONEY, floor manager of the bill as well as chairman of the Joint Committee on the Organization of the Congress, prevailed upon me not to press it to a vote, lest it imperil the Legislative Reorganization Act. He said:

> I am dedicated to the need for such a staff member, and at the earliest practicable date, but it should not interfere with the overall considerations of the entire Reorganization Act.

I wholeheartedly support the reorganization bill and, along with 74 other Senators, voted for it. I would do nothing to subvert this important reform. I withdrew my amendment last year because Senator MONRONEY thought it might jeopardize final approval of the bill. However, now that the Senate has passed the Reorganization Act there is no reason for Senators to wait to get the legislative assistance nearly everyone agrees we desperately need.

Providing these funds for the Senate will not slow House action on the Reorganization Act. Problems in the House stem from deep-seated reservations among certain Members about the changes in House procedures proposed in the bill. These are House problems which only the House can solve. Providing these essential legislative assistance funds for the Senate now will not affect House action one bit.

I might add, Mr. President, that in the House of Representatives the request for a legislative assistant was never included in the reorganization bill. They passed on that issue before the reorganization bill ever passed the Senate. They passed theirs 18 months ago.

In any case, no Senator's support for the reorganization bill will be diminished by providing these funds now. If a Senator supports the bill now, he will support it just as strongly if we provide him more legislative help now. If he opposes the bill, nothing we do now will change his mind.

SENATORS WILL USE THESE FUNDS FOR ADDITIONAL LEGISLATIVE ASSISTANCE

One other objection made against this amendment does not restrict the funds to hiring a legislative assistant whereas the Reorganization Act's provisions would. Thus the funds this amendment theoretically would provide may be used for other personnel purposes, such as more stenographers or clerical help.

To continue to deny the essential legislative help to all Senators now for fear that a few will not make use of it neither serves the national interest nor is it fair to the overwhelming majority of Senators who desperately need this help now.

In any case, now that the Senate has passed the reorganization bill, the objection that these funds could be used for other than legislative purposes is no longer valid. This legislative appropriations bill we consider today is for 1 year only. If the reorganization takes effect before next June 31, the conference committee can merely tie the effective date of its legislative assistant provision to that date—the end of fiscal 1968. Thus as this legislative appropriation lapses next year, the similar Reorganization Act provision would become effective. I trust the Appropriations Committee will make the necessary adjustment in clerk-hire allowance next year, if, in fact, the Reorganization Act becomes law before then.

CONCLUSION

In short, the need for action to provide every Senator with added legislative assistance is more urgent now than ever before. We should act now to provide that help.

Mr. President, a number of questions have been proposed by various Senators concerning my amendment, and I have endeavored to set forth a number of the more pertinent questions and my responses, which I should like to read at this time:

QUESTIONS AND ANSWERS ABOUT THE LEGISLATIVE ASSISTANCE AMENDMENT

1. Q. Why should Senators have more legislative assistance?

A. The primary job of a Senator is to legislate. Last year the Senate passed nearly 700 bills and resolutions which became public law and considered countless others which did not. More than 3,900 bills and resolutions were introduced in the Senate alone last session and more than 18,500 in the House of Representatives.

This year the congressional workload will not only be just as heavy, but it is complicated by the question whether to increase income taxes to meet the Vietnam war cost, increase social security taxes to increase benefits, and/or decrease federal spending on already authorized programs. If the Senate is to deal in an informed and effective manner on these delicate and difficult questions which so critically affect our economy and the well-being of every American, it must have the staff to do the job.

Presently every Senator must hire such legislative assistance as he has from his clerk-hire allowance. To the extent he hires legislative staff, he is unable to hire other staff to meet the increasing demands of constituent mail and requests for services, to maintain effective liaison for his state and its local governments and organizations with federal agencies and to handle the countless other tasks facing every Senate office.

Recognizing the inadequacy of present staff allowances to the legislative needs of each Senator, Section 326 of the Legislative Reorganization Act passed by the Senate 75–9 last March provided $23,400 for every Senator to hire a legislative assistant. That provision of the Reorganization Act was specifically sustained by a 55 to 26 rollcall vote in the Senate on March 6, 1967.

2. Q. Why not wait for the Reorganization Bill to pass the House?

A. The Senate passed the Reorganization Bill on March 7. It was referred to the House Rules Committee on March 9. That committee held one day of hearings three months ago, but has taken no further formal action on the bill. There is no prospect of imminent House action to pass the bill. In fact, it is quite possible the bill will not pass the House this session.

In a June 9 article entitled "House Outlook Dim for Legislative Reorganization Bill," Congressional Quarterly reported that the bill "is stalled in the House Rules Committee" on account of House objections to some of its provisions, and that, even if the bill is watered down enough to secure House approval, "Differences may be irreconcilable, unless the Senate recedes to House amendments." Thus a long and difficult conference must be expected even after the bill eventually passes the House.

3. Q. How does the Legislative Assistance Amendment work?

A. The Amendment would increase every Senator's clerk-hire allowance for one year by $23,400—the same amount the Reorganization Bill would already be providing Senators had the House passed it.

Since enactment of the Reorganization Bill is unlikely in the foreseeable future, the question facing Senators is simply whether they wish to wait indefinitely for the staff allowance they had already authorized in the Reorganization Bill. This proposed amendment will provide the additional funds immediately.

4. Q. Will the proposed Amendment diminish the chances of the Reorganization's passage?

A. The Reorganization Bill passed the Senate by a vote of 75 to 9. Its problems in the House derive from deep-seated objections by influential House members to some of its provisions. Nothing the Senate does about providing itself sufficient staff now will affect the chances of the Reorganization Bill in the House or in the Senate if a Conference on the bill succeeds. As a matter of fact, the House itself increased its clerk-hire allowance by 27–30% last year to meet the increasing congressional workload.

5. Q. What will the Amendment cost?

A. The Amendment provides a $23,400 addition to every Senator's staff allowance. The Reorganization Bill Report estimated the cost of the comparable Reorganization Bill provision at $2.2 million a year, or $22,000 per office, on the practical theory that not every Senator would spend the whole amount. (By inadvertance, my original letter to you about this amendment indicated this cost figure would be the figure used in the amendment. The actual amount authorized by the Reorganization Bill was $8,460 basic or $23,244 gross. The Legislative Appropriations Bill converts all basic figures to gross figures this year, however, producing a gross of $23,400 for $8,460 basic. Therefore the higher figure of $23,400 will be used in the amendment.)

6. Q. Why not use the language of the Reorganization Bill restricting the use of the funds to the hiring of a legislative assistant?

A. That would be "legislating on an appropriation," forbidden by Senate rules, and be subject to a point of order.

7. Q. Won't some Senators use the funds for hiring non-legislative staff, such as secretaries?

A. The question is whether all Senators should be denied these urgently needed funds because a few might use them to hire additional clerical help they need.

In any case, the appropriation is for a single year which has already begun. If the Reorganization is passed before next July, its legislative assistant provision can be simply made effective as of the beginning of next year, and the funds provided by this amendment earmarked in next year's legislative appropriation for that use.

8. Q. Doesn't the Legislative Appropriation Bill, in converting a Senator's basic salary scales to gross amounts, provide additional funds for some Senators?

A. Yes, for some. But at least five Senators will have their *present payrolls reduced on August 1* by the conversion. Others, who for one reason or another are not presently spending their full basic allowance, *will find they have less money under the new bill than they have today*. For example, a Senator from a state of 3 to 4 million people who presently has an unexpended balance of $6,000 basic and a present gross payroll of $166,000 would have about $183,000 to spend for staff if he paid the unexpended $6,000 to one additional staff member today. Under the new system he will have only $180,000—a $3,000 annual loss. Thus, the need for this amendment is increased, not decreased, for many Senators by the conversion of basic to gross salary scales in this year's Legislative Appropriation Bill.

9. Q. Has the House provided similar assistance to its Members?

A. Yes. Last year, through this same bill.

The House increased the basic clerk-hire allowance of every Member by $7,000—an actual minimum amount of at least $19,220. This increased the clerk-hire allowance of each House Member by 27 to 30%. The Senate also increased its clerk-hire allowances last year, but by a maximum of 8%. Most Senators received an increase of only 3.8%.

The practical benefit of last year's increase will be significantly reduced for a number of Senators and eliminated altogether for some by the conversion of basic allowances to gross allowances proposed in this year's Legislative Appropriation.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. TYDINGS. I am happy to yield to the Senator from Minnesota.

Mr. MONDALE. I commend the distinguished Senator from Maryland for his leadership on this issue. I think it is, in its way, one of the most important issues to face this Congress, because it deals with the fundamental issue of whether the legislative branch is to be able to deal effectively with the many issues that come before it. It recognizes, as have many outside independent studies, that one of the big crises in American government is the inability of the legislative branch to adequately deal with the many issues that come before it. That situation, in turn, I think, is traceable to the limited staffs made available to Senators and Representatives. I believe that is why the pending amendment is of such importance.

Does the Senator from Maryland believe that the exceptionally heavy demands on the time of Senators necessitates the highest quality, most competent staffs available to assist with legislative committee duties?

Mr. TYDINGS. Absolutely. As the distinguished Senator from Missouri [Mr. SYMINGTON] pointed out to me, the Congress of the United States is constantly being criticized for inaction, for lack of knowledge, for failure to assert initiative in the legislative field, for always waiting for the executive branch to move first, for not proposing our own legislation, for not taking the initiative.

Here is one way, at least, that we can try to bring the legislative branch up to a par with the executive, and reassert the old basis of quality of the three branches of Government.

I submit, Mr. President, that the legislative branch is just as important as the executive or the judiciary, and that we ought to have the tools with which to work.

Mr. MONDALE. I thank the Senator from Maryland for that answer, with which I wholeheartedly agree.

I suppose that I am a typical Senator. I have three legislative committee assignments, and one special committee assignment, to the Select Committee on Aging.

I serve on 12 subcommittees. Each of those subcommittees and each of the committees has before it, at all times, matters involving the spending of billions of dollars; profound issues of Federal, State, and local relationships; issues of human rights, social development, and social advance; issues involving the relative status of this country in the aeronautical and space age, and the strength and vitality of the American economy—the question, for example, of how we are to deal with what I call the retirement explosion, which is caused by better health and better living standards—and the whole spectrum of the quality of life in America.

I ask the Senator from Maryland whether he feels that, as the workload each of us must bear to deal with these issues increases, we have, today, adequate staffs to do the quality of work which one would expect and require, on all occasions, of the Senate.

Mr. TYDINGS. Unless a Senator is fortunate enough to be in the senior segment of the Senate with the resources of a powerful committee or subcommittee at his beck and call, he is not in a position to do justice to the legislative programs presented by the legislative branch.

Junior Senators are not in a position to provide the initiative, imagination, and critical oversight which is so necessary on the part of every legislator in doing his job.

It is not right to have to act on multibillion dollar authorizations when they are laid on the desk and brought up for action without a Senator, or at least a trusted staff member, having the opportunity to go over the matter.

Too many Senators are doing just that.

There is no possible human way for a Senator such as the Senator from Minnesota or myself or any Senator to know the facts about even the principal appropriation bills without some type of legislative assistance.

Mr. MONDALE. Mr. President, I am glad that the Senator from Maryland pointed out the difference which might exist between a new Senator, or a Senator who for one reason or another does not chair a committee or subcommittee, and a Senator who does chair such a subcommittee or committee to which a staff is assigned and selected by the committee.

It does create a difference which is little recognized on the outside.

It is quite apparent here. It is a matter of substantial importance to a Senator. It is a distinction which is not justified.

Certainly each Senator has enormous responsibility to his State and country. He must be able to deal with the problems before him.

This is a distinction that should not exist, and the only way that I know of to do away with this distinction is to create the post of additional legislative assistant.

That is exactly what we sought to do. It is the reason why I think the Senator from Maryland was correct in offering his amendment.

At this point, the chances that the amendment will be agreed to do not look as bright as we had hoped.

Am I correct in my understanding that in the last Congress the House of Representatives voted itself an additional post of legislative assistant at a time when the Senate did not do so?

Mr. TYDINGS. The Senator is correct.

I offered this amendment last summer as an amendment to the Legislative Appropriations Act for the fiscal year 1967. At that time the House of Representatives added funds for a legislative assistant for each House Member.

At the request of the distinguished Senator from Oklahoma [Mr. MONRONEY], I withdrew the amendment at that time, although I felt that I had a majority of the Senate with me. I was asked to withdraw the amendment because Senator MONRONEY said it might jeopardize the passage of the reorganization bill in the Senate.

The Senate did pass the reorganization bill with a vote of, I think, 75 to nine this past spring. The House has already had its legislative assistant for almost a year, through its additional clerk hire.

As pointed out in the Congressional Quarterly, it is even possible that not even a watered-down reorganization bill will be passed this year.

Mr. MONDALE. The President has requested approval by Congress of a budget that is approximately $170 billion.

Mr. TYDINGS. The Senator is correct.

Mr. MONDALE. Would it not make sense to allocate a modest increase in funds with which to provide Congress with the staff necessary to maintain an understanding and comprehension of what this vast budget involves and all of the policies underlying it?

Mr. TYDINGS. The Senator is correct.

Mr. MONDALE. If we did so, what percentage of that budget would we use if we had an assistant?

Mr. TYDINGS. It would be approximately one one-hundred-thousandth of 1 percent for each Senator or one one-thousandth of 1 percent for the entire U.S. Senate.

Mr. MONDALE. I thank the distinguished Senator from Maryland for his fine leadership in this field.

Mr. TYDINGS. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. JAVITS. Mr. President, I am honored to be a cosponsor of the amendment. However, I think politically that a showing of an intelligent application to our jobs far outweighs the feelings of some people concerning the size of the salary or the number of assistants.

We serve as 100 Senators with the fate of the world in our hands, and we render our best judgment.

That is why the people sent us here. They expect us to use our best judgment and to stand up and defend ourselves against those who oppose what our best judgment dictates.

That is the type of amendment offered

by the Senator, and I am very honored to support it.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. PEARSON. Mr. President, can the Senator inform me of the ratio of the staff on the standing committees as between majority and minority representation?

Mr. TYDINGS. I am sorry. I do not have the figures.

Mr. PEARSON. My question rather suggests the answer. I do not know whether it is factually so, but I imagine it is about 10 to 2.

On many committees, such as Armed Services and Foreign Relations, and the other committees, as far as I know, the staff serves both the majority and minority representation equally well.

The amendment of the Senator, if agreed to, would be of great advantage to the minority Members of the Senate. Is that not correct?

Mr. TYDINGS. It would be. I am very honored to have many distinguished minority Members as cosponsors.

Mr. PEARSON. I am not a cosponsor, but I certainly intend to support the amendment.

Mr. TYDINGS. I thank the Senator.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. YARBOROUGH. Mr. President, I congratulate the distinguished Senator from Maryland, and the Senator from Minnesota, who is a cosponsor of the amendment.

I think this would answer one of the greatest needs of the Senate today.

Does this need for staff not grow more acute as the population of a State increases?

Mr. TYDINGS. It certainly does. I can see how great it is in Maryland. I shudder to think what it must be in the more populous States, States such as New York, Texas, and Michigan.

I know what it is in my relatively small State.

Mr. YARBOROUGH. With 10,700,000 population, the problems increase manyfold.

I refer to the table on page 6 of the report. The Senator will notice in the tabulation on page 6 that a certain amount of money is provided a Senator with which to run his office, but if a Senator represents a State with a population, such as is the case in my State, he would only have about 50 percent more money than would a Senator representing a State with less than 3 million population.

This is wholly inadequate to do the job of Senator of the United States.

I commend to the Senate the book, "Congress Needs Help," by Dr. Philip Donham and Robert J. Fahey, with an introduction by David Brinkley, which was published by Random House, New York, 1966. I shall read a few lines from the foreword by David Brinkley, as a predicate for a question to the Senator. In the foreword, Mr. David Brinkley says:

> In the beginning, they said Congress would make the laws and the President would execute them. That is still the idea and it is still a good one, but after all these years it has turned out that the Presidents are better able to do their job than the Congresses are able to do theirs, and so it has turned out the Presidents try, often successfully, to do both.

That is, to make the laws and execute them.

> We have, then, what amounts to a profound revision of our Constitutional system. It came almost without our noticing it, and certainly without anyone deliberately planning it, but it simply is the history of governments that whoever has power and does not use it does not keep it. And that also is the history of Congress.
>
> It has great power, more than any other branch of the government. But effective use of power or leadership certainly requires change to accommodate to the changes in society. A leadership institution that fails to change will become an interesting and perhaps charming irrelevance, like the founder of the hardware business now grown into a huge corporate enterprise, an elderly gentleman whose oil portrait hangs in the board room, who mouths nineteenth-century platitudes, who is ceremoniously honored for his early achievements and always remembered on his birthdays but otherwise ignored.
>
> Congress has not yet reached this state of honored irrelevance, but it is moving toward it and unless it makes some changes in itself, it will shortly arrive.

Does the Senator agree with that statement?

Mr. TYDINGS. I agree with the statement. I believe that is the crux of the debate, the crux of the amendment—the need to make Congress a coequal branch with the executive branch of the Government.

Mr. YARBOROUGH. It is absolutely impossible to get the information and to do the work without qualified staff assistants to help us, is it not?

Mr. TYDINGS. It is completely impossible.

Mr. YARBOROUGH. I understand that the executive branch has over 3 million civilian employees.

Mr. TYDINGS. That is my understanding.

Mr. YARBOROUGH. And the legislative branch, the supposed coequal branch, has 5,000 employees for 535 Members of Congress—435 in the House and 100 in the Senate.

Mr. TYDINGS. That is my understanding.

Mr. YARBOROUGH. So with an average of less than 10 employees per Member of Congress, we say that we are a coequal power with the branch that we give 3 million employees, not counting the military, and we give those employees the salaries which are said to be needed to retain that personnel. We raise their salaries above those of our staffs, and enable the executive branch to hire our staffs away, as it constantly does. Does the Senator agree?

Mr. TYDINGS. I agree with the Senator from Texas.

Mr. YARBOROUGH. In the book "Congress Needs Help," by Dr. Philip Donham and Robert J. Fahey, in which they talk about many things, including mainly the staff to do the work, appears this statement:

> What it has recommended, as will be seen, is that within its existing power structure Congress make some changes that will help it do better the job *it wants to do.* I emphasize that because from the beginning of this project, the understanding among all of us involved was that we were not trying to see how Congress could be made more liberal or more conservative or more of anything except more effective in doing the work the Constitution assigns to it and the work it wants to do and the country needs it to do.

Is that not the crux of the matter?

Mr. TYDINGS. It is.

Mr. YARBOROUGH. It is not to make Congress more liberal or more conservative, but to enable each Congressman to do the work that the people elected him to do.

Mr. TYDINGS. The Senator is correct.

Mr. YARBOROUGH. I quote further from the book:

> Had we proceeded otherwise, the Arthur D. Little report would have been received as just one more complaint from the left or the right and soon dismissed. There are already several organizations devoted, they say, to making Congress more effective. But they all define an effective Congress as one ideologically leaning their way—that is, effectively liberal or effectively conservative. They are, therefore, ineffective themselves. They are lumped in with all the other ideological interest groups in a city perhaps oversupplied with them. Arthur D. Little's report is concerned only with how Congress could make efficient use of the modern techniques of information, communication and management. It is not concerned with ideology.

Is that not the purpose of the Senator's amendment? The amendment is not concerned with ideology, but is designed to enable the Senate to be an effective part of the Government and to exercise and to have the power it is intended to have under the Constitution.

Mr. TYDINGS. That is the purpose of the amendment.

I thank the distinguished Senator.

Mr. YARBOROUGH. The same need is pointed out in "U.S. Senators and Their World," a political science study, by Donald R. Matthews, published by the University of North Carolina Press, at Chapel Hill, in 1960, and "Professional Staffs of Congress," by Kenneth Kofmehl, part of the Purdue University Studies, Humanities Series, 1962.

They point out that Congress is losing its power, its status, and its capability to do its job, because we will not hire the necessary people to do the work for us.

A few years ago 20,000 bills were introduced in one session of Congress, and 5,000 bills were passed in 2 years.

It is utterly impossible for a Senator to know what is in all those bills, and it would be utterly impossible with the one legislative assistant that the amendment of the Senator from Maryland would provide.

I am amazed at the modesty and the smallness of the Senator's amendment, but I realize it is so small because of the problems involved. He realizes that if he proposed an amendment to give us the staff we need, it would not be adopted. It is similar to sampling the water in a pool. Do not put your entire toe in the water, but touch it with the big toe. The Senator has touched the water with the big toe. I hope we will not wipe it off, but will let a little water stay on the end of the big toe of this amendment.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. PERCY. I commend the Senator from Maryland for his leadership in this area. I am happy to cosponsor the amendment.

I know that some Senators have gained a modest amount of funds as a result of the legislative appropriation bill. I come from a State of 10,700,000 people, and I should like to report to the Senator that I have just been notified by the financial clerk of the Senate that as of August 1, I must cut my payroll by $2,000. It is impossible to cut my payroll by $2,000, when I have not seen my own paycheck since I began my service in the Senate. I have put it into a special fund which is used for salaries, and which has been supplemented in the last 6 months by other personal funds necessary to maintain an office to carry out the responsibilities I am dutybound to uphold.

The mail in our office has run upward of 2,500 letters a day. Unless I am to start a campaign to have people write to their Representative, rather than to their Senator, I shall have to somehow maintain a staff to answer those letters; because every letter comes from a citizen in my State who is concerned with matters in which his Senator should become involved, and the writer should be informed of the position of the Senate or of my position with respect to those matters.

Also, as a freshman Senator from the State of Illinois, I have been assigned by the Senate to some 13 committees or subcommittees of the Senate, and I know that I am not able to fulfill the responsibilities assigned to me, simply because we do not have adequate staff to carry out the responsibilities.

As the ranking Republican member on the Subcommittee on Small Business of the Committee on Banking and Currency, I would like to do many things for the small businessmen of this country. Many of the provisions of our present legislation should be researched and looked into, but I am not able to take the initiative, simply because the legislative assistance provided in my office—even though it is strongly supplemented by additional funds—is inadequate to do the job.

I can attest to the fact that the best possible investment of funds would be to give the Senators an additional legislative assistant, to provide the kind of staff that is required so that the Senator can carry out his responsibilities.

I commend the Senator from Maryland for initiating such an amendment, which is not particularly popular with constituents unless they understand that a modest investment at this level can in the end result in a Senator, who is dealing with multibillion-dollar problems, doing a much better and a more conscientious job than he could do otherwise.

Mr. TYDINGS. I thank the Senator.

Mr. MONRONEY. Mr. President, I regretfully rise to speak against the amendment pending before the Senate at this time.

I think it would be a tragedy to forgo what was accomplished after 7 weeks of debate by the Senate on a congressional reorganization reform bill, and after dozens of rollcall votes and amendments on various items where the Senate worked its will in an effort to provide for better reorganization of our body. There were many things which Senators did not particularly like but which they felt were absolutely necessary if we are to reform and reorganize ourselves into an efficient body.

I believe that one of the finest parts of the Legislative Reorganization Act was the unanimous recommendation by the bipartisan committee of 12 members who studied this matter on behalf of the House of Representatives and the Senate for the employment of a legislative assistant.

Let us get the language correct. This is provision for a legislative assistant. There was to have been provision for a legislative assistant who would be able to help us in that job which we are sent here to do, which is to consider all elements which enter into the passage of legislation—what the legislation is about, the cost to the Federal Government, the desirability, and the reasons for its passage. However, through either an accident or a mistake in spelling the Tydings amendment has language that changes the legislative "assistant" that the Congress overwhelmingly endorsed to legislative "assistance," which takes away the skilled, able, competent expert that was required to be hired for this specific job after long discussion and consideration by the committee and the Senate. The change has been to legislative assistance which would permit the employment of whatever clerical help we want instead of a legislative assistant.

We could have a very high level man, as would be needed by the Senator from Maryland, who is a Senator of ability and understanding, to substitute for us in committee hearings, listen to testimony, and be able to brief us about a situation where we might have three other committee meetings to attend that day—someone who would be able to advise us on the aspects of the legislation and the effect of weeks or months of hearings on proposed legislation.

Instead, we are asked to tear out the requirement which the Senate voted for, which was the specific provision for a legislative assistant, and go to a program of hiring a lot of clerks, typists, secretaries, robot operators and addressograph operators. We would be tearing up a major provision of the bill.

Mr. TYDINGS. Mr. President, will the Senator yield at that point?

Mr. MONRONEY. Of course, it can be said that Senators will not do that. They have been able to hire this man by forgoing up to about $23,000 all along, and they may hire a group of stenographers, or they could hire a legislative assistant. However, they have not done it. The fact remains that during the 7 weeks that we spent in debating the bill—and other members of the committee have also reiterated this—Senators wanted to be free of the obnoxious thing that people who have studied political science know to be a fact: We need an expert assistant; not a large number of people.

Mr. TYDINGS. Would the Senator agree that the reason why it is impossible to have the exact language in the proposed amendment is that it would be legislating on a regulation, which is subject to a point of order?

Mr. MONRONEY. I think that the Senator has the right, under Senate appropriation procedures, if he wishes, to hire these people as clerks, which we did not anticipate when we passed the Legislative Reorganization Act. But if the Senator wanted to hire a batch of clerks and say that they are legislative assistants, the Senator has the authority, I believe, under the legislative appropriation bill to do it, or he may do it right and hire a legislative assistant. I think that we would be tearing up the main thing that we hoped to bring about: A package that was seriously studied for over a year by a joint committee and on the floor of the Senate for some 7 weeks and which Senators understood when they voted. There was tacit agreement to abide by the joint legislative activity and to take our bill up, when action is completed in the House, and put it into conference and accept the amendments we thought good and reject those which we thought bad.

Now, the Senator is in a hurry and I do not blame him. The Senator from Maryland is a very able and competent Senator. He lives a bus ride from a major group of his constituents. He must have a very busy office. I know he does because he has an important position on the Committee on the Judiciary and other committees. However, to rush into this new proposition and hire so many stenographers and clerks——

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. MONRONEY. I shall yield to the Senator in a moment. I did not interrupt the Senator. The Senator spoke for nearly an hour and I enjoyed hearing him and did not interrupt him. I shall be happy to yield in a moment.

We are now asked on an appropriation bill to chuck this measure because we want our Christmas presents in July. We are to take this action on the basis that somebody wrote in the Congressional Quarterly that the bill does not have a chance in the House of Representatives. None of the Congressmen, the majority leaders, or the leaders over there in the Committee on Rules, or the Joint Committee on Legislative Reorganization have been quoted as being responsible for this story or the belief that this bill is dead in the House of Representatives. My information from members of the joint committee and the leadership of the House of Representatives is that they are going to pass the bill.

The big ruckus that is going on is whether the Committee on Rules would have a voice in the establishment of House rules. The joint committtee, Members of the House of Representatives, concurred in by the Senate on a pro forma basis in the Reorganization Committee, wrote new House rules governing committee procedures. It is my understanding that Representative BOLLING of Missouri, a member of the Committee on Rules, has written a bill which has the consensus of the Committee on Rules of the House of Representatives, which is a powerful body and does not like to lose jurisdiction. They have rewritten many of the prevailing House rules on procedure. It is my understanding that there is a likelihood that this will be supported by the Committee on Rules as an amendment to the Reorganization Act and, having completed that, there are very few points of difference between the Senate and the House bills.

I do not know why we have to rush into this simply because a few of us—and I do not yield to the Senator from Maryland in his need for additional assistance; I have the same pressure as other Senators—have a need for more clerical assistance. If the need is for clerical assistance, why not propose legislation providing the clerical assistance which is needed and save the big and important matter of having a man of character and caliber as a legislative assistant, and not bring in an open-door invitation with much in the statement that it does not really meet the requirements or the payroll, as they would wish.

Everyone knows that our legislative duties require some degree of expertise, and there is required someone who can act at times when we cannot be present in three or four committee hearings at the same time when there may be such an important task as marking up a bill.

I am happy to yield to the distinguished Senator from Maryland.

Mr. TYDINGS. Is it not a fact that when the reorganization bill does pass and the conferees can agree on a reorganization bill, that my amendment, if adopted, would be, in effect only 1 year, and thereafter the Senator would have the language he wants?

I rely on the integrity of the Senate. If we get the reorganization bill, fine. We supported it. It was July 22 last year when it was decided to wait. We passed a supplemental last fall and this spring. We waited. It is now July. I cannot for the life of me see how adoption of the amendment by the Senate would affect in one iota the action of the House Rules Committee or the House Members. They already have their legislative assistants. How would adoption of the amendment imperil in one iota what happens to the reorganization bill?

Mr. MONRONEY. The Senator sat, as I did for 7 to 8 weeks and listened to the various attacks on the Legislative Reorganization Act. Many things in it were not popular, including the registration of lobbyists. There were many other things which were hard medicine to take. I am saying that if we take out this one item which will so strongly benefit Members of the Senate in the work they need to do, we are going to find precious little pressure to get through a Reorganization Act at all.

I, as a working member of that committee, refuse to take the responsibility of saying that there is any reasonable chance that we will perfect a Reorganization Act if this matter is stricken from the bill requiring the legislative assistant to be a man of some competence and some expertise, and turn loose this $23,400 salary which can be spread around, among messenger boys, letter folders, stenotypists, and others of that kind.

I hope we could have—as we did manage to get in the first Reorganization Act—these administrative assistants for Members of Congress. Most of us find that we would be lost without the able and specific assistance we get from them.

Mr. HOLLAND. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am happy to yield to my distinguished colleague, the Senator from Florida.

Mr. HOLLAND. I thank the Senator for yielding to me. I want to make it clear that I completely agree with the expressions just made by the distinguished Senator from Oklahoma. I think that adoption of the amendment would do what he has suggested—that is, reduce the strength behind the reorganization bill as passed by the Senate and reduce the eagerness of Senators to get a reorganization bill passed by Congress. The particular item we are now discussing was one of the favorite items of many Senators, and one which many Senators felt they most needed. I realize that the distinguished Senator from Oklahoma, and the distinguished Senator from South Dakota who was the minority leader on the bipartisan committee which worked out this reorganization bill, stood on the floor of the Senate for 7 weeks before they could get a bill passed, and until they had disposed of some 75 amendments.

I do not want to do anything to reduce the chance of their efforts becoming effective. I think that is exactly what we would do, in the first instance, in the Senate, if we adopted this amendment. We know that the bill will be materially changed in the House. But, aside from that, and more important right now, is the effect of adopting such an amendment by the Senate upon the House of Representatives.

I have listened to this debate. I had not intended to participate. I listened to my good friend the Senator from Minnesota [Mr. MONDALE] a short time ago say that he did not think the reorganization bill was going to pass in the House, that he wanted this measure badly, and therefore he was supporting the amendment. If he thinks that, what are we going to expect to be told by those in the House—and there are a good many there, and they are in high places there—who oppose the bill?

I think it will materially reduce the chance of consideration and passage of the reorganization bill by the House.

I agree so completely with my good friend that I must say this, if he will permit me to say a few words more, that I do not believe the Senate can, in justice to its fine Members who worked out the reorganization bill, take this action against their advice, and against their knowledge of how this would affect the whole picture.

My recollection is that the able committee worked more than a year on bringing out this reorganization bill with Members of the other body who worked with them.

I remember clearly that we debated the measure for 7 weeks. I marveled at the patience of the Senator from Oklahoma, the Senator from South Dakota, and other members of the committee who labored so long on getting something done here in the Senate.

If we start to whittle away on it now, taking the things which we most ardently desire, we could take everything that applies solely to the Senate in just that way.

Would we not materially reduce the enthusiasm of those who support the bill in the House of Representatives and materially increase the optimism of those who are trying to beat it and would feel that they will be able to beat it there?

I think we will do a great disservice to our own committee and to the Senate itself, which has adopted the reorganization bill by a very heavy vote, if we adopt this amendment, which is admitted to be one of the most eagerly desired reforms so far as the Senate is concerned in the whole length and breadth of the reorganization bill.

Mr. President, I hope the Senator from Oklahoma will insist stoutly upon his position.

I shall certainly support him strongly.

Mr. MONRONEY. I appreciate very much the support of the distinguished Senator from Florida, because it means a great deal. The measurement of his wisdom on this point is even more important.

I agree very much that we will be sending out a signal, loud and clear, that the Senate has abandoned all hope of reorganizing Congress, that it has taken to the lifeboats, that we will all row for ourselves, that we have to have a few messenger boys, clerks, letter mailers, or stamp lickers, in the office instead of a well-qualified, able, and competent legislative assistant to be our alter ego to attend committee meetings when it is impossible for Senators to do so.

I think the Senate can wait a little while before it surrenders, before it throws in the sponge. The Senate is the greatest legislative body in the world—and the House is the next greatest deliberative body in the world. It has the competence or should have the competence without panicking to then reorganize itself and bring about an improvement in the way it handles its business in the Senate.

The effort today to scuttle the bill and get out what we can and junk the rest will not be a credit to the Senate or to Members who, I feel, do not understand the implications that action in favor of this amendment would bring about in the opinion of those who follow the proceedings of Congress, who are students of government and political science, or even those who understand the normal economy of congressional organization.

Mr. MONDALE. Mr. President, will colleague yield to me?

Mr. MONRONEY. I am happy to yield.

Mr. MONDALE. I thank my distinguished colleague for yielding to me. I believe the Senator will recall that I was one of those who supported him throughout the fight for congressional reform.

Mr. MONRONEY. The Senator was very effective, too.

Mr. MONDALE. I very much believe that my colleague performed a magnificent role and continues to do so in seeking reform in Congress. I applaud him for it.

What I find difficult to understand is why adoption of the Tydings amendment would, in any way, interfere with the adoption of the Congressional Reform Act, now bottled up in the House Rules Committee, as I understand it.

The Senate has passed the Congressional Reform Act. It can do it again. Our problem is that this is the best opportunity to add that legislative assistant. If the Congressional Reform Act is not passed, we will still have the necessary and substantial assistants that we so desperately need to perform our responsibilities.

I have never understood why the adoption of the Tydings amendment in any way would reduce the chance of adoption of the Congressional Reform Act.

As I have stated before, the problem is in the House. The House has already added assistants for its Members in a previous Congress. I find it difficult to understand why this matter has any bearing.

Would the Senator tell me why?

Mr. MONRONEY. I think the Senator must know because he was in the Chamber during the 7 to 8 long weeks we were trying to pass the Reorganization Act. He knows the differing opinions of Senators. He knows the great number of amendments which ranged from rule XXII to lobbying registration, and many other items. This was one of the first pieces of the bill that directly assisted the Senator to carry forward his work. Every Senator knows this. The Senate was united on this one thing.

Strip this away from the Reorganization Act and, in effect, I might say, we will be serving the ice cream and no one is going to eat the spinach. This is about the situation we are in.

I can tell Senators, based on experience I have had in this Chamber, that the Reorganization Act will be just as dead as a doornail if this provision comes out of the bill. I do not propose to see it come out if I can in any way persuade the Senate that that is the situation.

If I were a Member of the House and I saw the Senate reach in and grab this $23,400 and turn it over to stenographers, instead of the experts we need, I would say the bill is dead. "Why bother us about broadcasting? Why bother us about open sessions of Appropriations Committees? Why bother us with all of that? Dump it, and we are through, because the Senate has already done it."

This is the choice we have to make. Are we so eager to take advantage of the necessary added help, the way the Senate has provided, by changing a fund restricted to legislative assistants, a man or perhaps a woman who would be able to help a Senator in the legislative job he needs, to money for answering the mail or doing the necessary tasks that naturally fall on a Senator's office? We have a choice to make. We are at a crossroads. If we choose to have this extra amount for a stenographer or perhaps an occasional legislative expert or two—maybe some will do that—we should consider the Reorganization Act dead.

It took 20 years after the first one in order to get started with another one. It is not all I hoped for, but it does do some good. It will be a long time before we will be able to find anyone else to take that job on and do all the work, listen to testimony, listen to people who say how this "shop" should be run, have a bill passed, and then see it not enacted because we are too eager to take our share of the benefits of it, before the House can act in what must be a joint action of the two Houses of Congress.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the Senator from Colorado.

Mr. ALLOTT. I agree with what the Senator has said about the reorganization bill; but would he not agree that, in the event the Senate desired to do this in the latter days of this session, it would be fully possible to do it, for example, on the first supplemental bill that came before the Senate?

Mr. MONRONEY. I beg the Senator's pardon. I did not hear him.

Mr. ALLOTT. Would the Senator not agree that, if it were desired to do what is proposed here, it would be possible to do it in the first supplemental bill in the latter days of the session, when that bill came before the Senate?

Mr. MONRONEY. A supplemental bill would be subject to amendment to provide for additional help as much as the legislative appropriation bill would be. It certainly would be as open to such an amendment at that time, when the House had had more chance to work its will. The House has to work its will. It was not nearly as slow as the Senate was place.
in getting the bill passed in the first

Mr. ALLOTT. I understand the arguments the Senator uses in reference to the reorganization bill, and I am in sympathy with them. It was not a bill that was a very popular bill. A number of weeks were used in debating it on the floor, and it consumed much time.

As the Senator will recall, I had a different approach with respect to the question of legislative assistants than the one which the committee adopted. I realized the futility of trying to change the bill, and finally voted for the method which the committee itself brought out. But I say this, and I say it particularly to my friends on the other side of the aisle: Here is a legislative appropriation bill before us. We have a new chairman of that subcommittee, who has been a Member of this body for a long time. This is his first year as chairman of that subcommittee. I understand there was not a word of testimony before the committee on this item. I have not read all of the hearings, but I understand there was not a word of testimony on it before the committee.

I ask the chairman of the subcommittee if I am correct in that statement.

Mr. BARTLETT. The Senator is correct.

Mr. ALLOTT. Now we ask a man who has undertaken the arduous task of chairmaning the subcommittee which considered this appropriation bill and brought it to the floor, without any hearings on that item, without any background on it, without any testimony on it with respect to the specific needs, only generalities, to take this amendment on the floor and say we shall provide $23,400, or whatever the exact amount is.

I say to my friends that the Senate is based on the supposition that the committees do their work. The chairman of the committee and the ranking minority member, the Senator from California, I think have a right to consider the items with relation to this bill which properly come before them in committee.

I do not know what I might do on a later bill if it came before us—on a supplemental bill, for example—but I would think at this time, considering how much is at stake for the Reorganization Act, considering that many of us do want the opportunity to get some legislative assistants that we do not have, particularly in the skilled fields, and the scientific fields, for example, it would be very, very unwise to endanger the movement or passage of that bill in the House of Representatives.

As far as I am concerned, I would certainly be willing to listen to testimony on this matter when it came before the committee later. A supplemental bill will come before us sometime before we adjourn. If the situation in the House were still in abeyance and stalemated—which we hope it will not be—then Members of the Senate could come before the subcommittee which is chairmaned by the senior Senator from Rhode Island [Mr. PASTORE]. Everybody knows he is a fair man and an openminded man. Then perhaps we could lay a foundation for this item, rather than just debate it in remarks made on the floor, because I think justifications for this additional amount should be a part of the record.

But, more than that, I go back to one thing which I am afraid the Senate is getting away from in some things; and that is that the Senate cannot function unless it functions through its committees. If the committees do not have an opportunity to take testimony, the opportunity to cross-examine, then the record is not going to reflect accurately the situation the committee is trying to establish, and in effect we would pull the rug out from under the committee.

For that reason, I shall vote against the amendment, not precluding its consideration later in this session.

I am heavily swayed by my good friend and neighbor from Oklahoma with respect to the arguments about the reorganization bill, which we will hope to see over here, and I think the tangible help from it will be very great.

Mr. MONRONEY. I thank the distinguished Senator from Colorado for his very kind remarks. I agree thoroughly that there will be other opportunities, more appropriate at least, when the House has had a greater amount of time to consider the bill. I know the position of the House is a very sensitive one, one that could be highly influenced by any action we would take here today, to indicate, at least to it, that we were abandoning the idea and gutting the Reorganization Act.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the distinguished Senator from Ohio.

Mr. YOUNG of Ohio. Having listened to the statements made by the distinguished senior Senator from Oklahoma, and having listened to the entire debate on this amendment, I wish to associate myself with the remarks of the Senator from Oklahoma. I think he has made a very valid and very strong argument against the adoption of the amendment, particularly at this time. I note that while the statement is made that this amendment would allow each Senator to hire one additional employee at a salary of $23,400 a year, a super-clerk of some kind, in fact the $23,400 is merely an addition to each Senator's staff allowance. A Senator, if he could find a person who was worth $23,400, could hire him and pay him that. Or, he could use the funds in any manner that he saw fit—to hire secretaries, messengers, and typists, or spread it around among his present employees.

I am unalterably opposed to this amendment. If it is adopted, I assure my colleagues and citizens of Ohio that this potential loss to taxpayers will be decreased by at least the $23,400 which would be allotted to me. Very definitely, I shall not add to my senatorial staff the additional employee provided at a salary of $23,400 per annum if this amendment is adopted. I do not need to add this high salaried person to my office staff.

Mr. President, this is not a trivial matter. It would cost the taxpayers of this country an additional $2,340,000 a year. In addition to that, as the Senator from Oklahoma knows, there would be additional costly fringe benefits.

It happens that I represent one of the more populous States of the Union. Ohio has a population of 10 million. My view on this issue is just the opposite of that of my distinguished friend, the senior Senator from Texas [Mr. YARBOROUGH], as well as to that of the distinguished junior Senator from Illinois [Mr. PERCY]. I observe in the Congressional Directory that the State of Ohio is listed as having a larger population than the State of Texas, and a population of about 300,000 less than the great State of Illinois. The fact is that my State of Ohio today has a population of approximately 10,500,000.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I wish to continue for a moment; then I shall be happy to yield to my distinguished neighbor.

Mr. President, the President has asked that expenditures for all nonessential activities and programs be curtailed to help ease the budgetary strain, because of our Vietnam involvement, that is causing $2.5 billion of taxpayers' money to be blown up in smoke every month. Budget requests from every Federal agency are being carefully scrutinized for areas in which they should be cut. The Congress has been asked to levy increased income taxes on individual citizens and on corporations. There are reports that this increase may even be more burdensome than the previously stated proposal of a 6-percent surtax on all individuals and corporations. I agree with the senior Senator from Oklahoma that it seems unconscionable at this time, and it is premature, for us to vote ourselves an additional $2.5 million a year for staff allowances.

If some Senators feel that, in order to fulfill their duties properly, they require additional staff help, I regret that situation; because we all want to be good public servants. I voted for the legislative reorganization bill last March, although I really had some reservations about this particular authorization. But I voted for it, and I state to the senior Senator from Oklahoma that I am prepared to do so again.

But it is my view that our present allowances for hiring staffs is entirely adequate and we should work a little harder and I think we can get by, in this grim era when American individuals and corporations are being very heavily taxed to meet the extraordinary expenditures due to our involvement in an ugly civil war in Vietnam, more than 500,000 young Americans have made an American ground and air war at a cost of many priceless American lives.

Mr. President, I voted for the legislative reorganization bill last March, although I had reservations regarding the authorization which it contains for additional clerk-hire allowance for Senators. However, I felt that it was on the whole a meritorious legislative proposal and believed that this unnecessary provision could be nullified in the proper appropriation bill. The House of Representatives has not yet acted on the legislative reorganization bill. Now we find a premature attempt to put one of its least meritorious provisions into effect.

Mr. President, it is the view of the junior Senator from Ohio that present allowances for hiring of senatorial staffs is entirely adequate. I find that the allowance provided for the Senators from Ohio and from States with similar populations to be more than adequate. The fact is that I personally have never used the entire amount authorized to me. I doubt that it will be necessary for me to do so in the future.

When I was first elected to the Congress in 1932 as Congressman-at-large from Ohio, Senators of the United States were allotted staff allowances which permitted the employment of four or five employees. Times have changed, and the demands on Members of Congress have grown immensely since that time. Today a Senator requires many more employees in order to fulfill his duties and responsibilities, but in my judgment our present clerk-hire allowance is adequate—in fact liberal. This amendment calls for an unnecessary ependiture of a huge sum of money.

The ostensible purpose of this amendment is to enable Senators to hire an additional assistant at a salary of $23,400 a year. The fact is that there is nothing in the amendment that would limit these additional funds for that purpose. For instance, the additional $23,400 clerk-hire allowance could be used to hire more secretaries or any other staff increase desired by a Senator.

Under existing rules, each Senator is entitled to employ four people at a salary in excess of $18,000 a year; one at not more than $18,180; one at not more than $23,320; one at not more than $23,400; and one at not more than $24,480. There is no limit on the number of employees that a Senator may hire at salaries below $18,180 a year, as long as his total allotment is not exceeded. Frankly, I believe these limitations are fair and adequate. I do not believe that the duties and responsibilities of a Senator of the United States have increased in the last 2 or 3 years to an extent warranting an additional employee at a salary in excess of $23,000 a year, or the expenditure of taxpayers' money for that purpose.

Furthermore, should this amendment be adopted, we have every reason to expect that the other body will surely adopt similar legislation, thereby greatly increasing the loss to taxpayers. I was glad to note that the appropriations for the legislative branch recommended by the Committee on Appropriations were below the budgetary estimate. It is fitting that the Congress should set an example for other Federal agencies and departments to follow. To vote ourselves additional taxpayers' money for hiring employees for our senatorial offices would, in my estimation, be an unneeded and unconscionable action at this grave period with our national budget greatly unbalanced. I urge that the amendment be defeated.

I should like to support my personal friend, the junior Senator from Maryland, who offers this amendment, and who spoke so glowingly about it. I should like to support the views of my neighbor, the senior Senator from Texas, whose problems, it seems to me, must be similar to the problems of the State of Ohio, because our populations are just about the same. But I will not take second place to him regarding the workload placed upon me and concerning the volume of correspondence received by me. I believe I have the most letter-writting constituency of any Senator. I try to answer their letters, and I try to do my job. I think we should exercise a little patience, stand with our committee in voting down this amendment, and patiently follow the leadership and guidance of the senior Senator from Oklahoma on this matter. I say to the Senator that I appreciate the argument that he has made.

Mr. MONRONEY. I thank the Senator from Ohio for his endorsement, and I yield the floor.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a brief colloquy with the Senator from Ohio?

Mr. YOUNG of Ohio. Yes, indeed, but do not tell me Texas is growing faster than the State of Ohio.

Mr. YARBOROUGH. Mr. President, I am forced to overcome the Texan's natural reticence and rise to the statement of the Senator from Ohio that the population of Ohio exceeds that of the State of Texas. I will admit that it was greater 7 years ago, but that no longer happens to be the fact, and our population is now 700,000 greater than that of Ohio. The State of Texas is proud of that fact, but it adds to the woes of a Senator trying to serve 10¾ million people, and to render that service on the basis of a formula set up many years ago, before the present rapid and easy communications and the present high literacy rate in this country.

Mr. President, we are the most letter-writing people on earth. Americans receive 80 billion pieces of mail a year—more than the rest of the world combined, both slave and free. The problems of Congress have grown immeasurably; and to try to communicate effectively with the people on the present modest budget is virtually impossible.

Even before I came to the Senate, former Senator Lehman of New York diligently tried to answer every letter he received. Being a wealthy man, he was able to hire enough staff to do the job. The amount of the payroll that he paid out of his own pocket was larger than the amount supplied by the Government.

That is the problem that the Senator from Illinois [Mr. Percy] has told us about. He has said that he used his salary to hire people. However if one is not able to do that, he has an impossible situation.

This relates only to Senate staff and not to the House staff.

With all due respect to my good friend, the distinguished junior Senator from Ohio, I speak only to claim for my State what the people deserve since they are fourth in population among the States of the Union.

The State of Texas has passed not only the State of Ohio in population but also Illinois. Because of the larger population, the problems are greater and we need more help to do the job that the people sent us here to do.

Mr. YOUNG of Ohio. There is no dispute between my distinguished friend, the senior Senator from Texas, and me. I am in the fortunate position of having my office located right next to the office of the Senator from Texas.

I know that 7 years ago Ohio, according to the census at that time, had a population of approximately 9,700,000, and I believe that at that time the State of Texas had a population of approximately 9,500,000.

It is true, of course, that today the State of Texas has 500,000 more citizens than does the State of Ohio. However, it is difficult for me to believe that the Texas citizens write more letters than do the citizens of my State.

The Senator and I know each other well, and I know what a busy office he maintains. I see the lights in his office on Saturday afternoons and frequently on Sundays. I see the crowds of people that come to see him.

The truth, however, is that Ohio is only 1 hour distant from Washington by jet plane. I am glad to have constituents come and give me the benefit of their views and their advice. Many of them do.

I suspect that, while the population of the State of Texas has grown in the last several years to the point where it exceeds the population of the State of Ohio, I suspect that we each have approximately the same number of callers from our respective States.

I know that we devote a great deal of time in handling these affairs. I am sympathetic with the fact that the Senator feels it necessary that this amendment be agreed to. However, I cannot concur in that view.

I feel that we should wait until the reorganization bill has been enacted instead of now giving every Senator, whether he really needs it or not, an additional $23,400 for clerk hire that he can spend in any way he sees fit, and thus, in this critical and grim period, add approximately $2,340,000 to the already heavy burden of taxpayers.

I will vote against the amendment.

Mr. CLARK. Mr. President, no Senator is more in favor of congressional reorganization than I. I testified at great length before the Monroney-Madden committee.

I supported a far more strenuous reorganization bill than the joint committee came out with. I voted for the bill on the floor. If the measure comes back from conference in any kind of reasonable form, I will vote for it.

The arguments made against the Tydings amendment make no sense at all.

I have listened with interest to the comments made by the Senators from Florida, Oklahoma, Colorado, and other States.

I cannot see that this proposal would interfere in any way whatever with the passage or nonpassage of the reorganization bill in the House.

As we all know, the bill is in durance vile in the House Rules Committee, and apt to stay there for the foreseeable future. The senior Members of the House of Representatives do not want the bill to be passed.

Why should we let the House prevent us from having a legislative assistant, which most of us badly need?

I could not follow the argument of the Senator from Colorado that there was not any testimony before the Committee on Appropriations. Of course there was no testimony given, and why should there have been? We had 7 weeks of debate on the measure on the floor of the Senate earlier in the year.

The joint committee worked long and faithfully to create the bill in which the provision for a legislative assistant is a relatively minor but nevertheless a most useful part.

I cannot conceive that this action which I hope we will take in supporting the Tydings amendment will influence the vote of a single Member of the House of Representatives.

Together with some 30-odd additional Members of the Senate, I am up for reelection next year. I desperately need the additional money to put my staff to work on the legitimate legislative issues which will be called into controversy in Pennsylvania next year.

If the pending amendment is agreed to, I shall spend every nickel of this money for an additional legislative assistant, whom I need very badly.

It is said that we could spend this money for clerk hire instead of a legislative assistant, and that is true. However, it is also true that we could do the same thing under the other measure. So it makes no sense to vote against the Tydings amendment and wait for the reorganization bill, when we can do the same identical thing under the legislative reorganization bill by a device so transparent that I think every Senator is aware of it.

I hope very much that the Tydings amendment will be agreed to, because to me it is a most important matter to get additional legislative help for Members of the Senate who need it badly, and I need it desperately.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. MONRONEY. Mr. President, will the Senator explain how anyone will find it possible—and certainly not the Senator from Pennsylvania—to spend in that way the $23,400 that is specifically authorized. The section of the Legislative Reorganization Act so specifies—that it may not be spent for any other purpose than for a legislative assistant. It does not say "assistance."

I do not see how it can be done without violating the law, and I do not think that Senators are inclined to violate the law to get additional clerical hire. But this would be plainly the provision of $23,400 for any help that a Senator wishes to employ, whether in his home office or here or on the floor of the Senate or any place else.

It would be wide open under the Tydings amendment.

On a rollcall vote the Senate, by a vote of 26 to 56, voted down a proposal of the Senator from Louisiana [Mr. Ellender] to strike that very section of the bill, a part which would require this money to be spent specifically and only for legislative assistants.

Mr. CLARK. The legislative history of the pending bill, resulting from the debate this afternoon, makes it very clear indeed that it is the intention of the sponsor of the amendment and those who support him, to have the money used for legislative assistants.

It is true that we cannot legislate in an appropriation bill.

The Senator from Maryland did not make it very clear that this money was to be spent only for a legislative assistant. I am confident that the overwhelming majority of the Members of the Senate will use it for the purpose which the Senator from Maryland intends it to be used for.

To answer the other question, the Senator knows full well that it is a perfectly simple matter, if the reorganization bill is passed, to designate somebody in your office as an additional legislative assistant, to take the money then and spend it for additional clerk hire. It is as simple as that.

Mr. MONRONEY. I believe the Senator is ignoring the plain declaration of law that requires this money to be spent specifically for the employment of a legislative assistant. You can upgrade a mail clerk to be a legislative assistant. But I do not believe many Senators wish to do that. I have spoken with dozens of Senators, and I believe many of them want stricken from the act the requirement that only a legislative assistant be hired.

I believe that a large portion of this would go into clerical hire and not for the purpose for which it is designated in the Reorganization Act, and for which the Senator has written many bits of testimony and speeches and statements in his books regarding the need of more skilled help by Members of this body.

Mr. CLARK. As the Senator knows, there are many ways to skin a cat. I do not have the slightest doubt that there is more than one way, if the Legislative Reorganization Act is passed and the extra legislative assistant is authorized, by which a Senator, if he desired—and I would not—could convert the additional legislative assistant by moving his pawns around in such a way that in the end he would get clerk hire, if that is what he wanted, or a legislative assistant, if that is what he wanted, just as much under the original Reorganization Act as under the amendment of the Senator from Maryland.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. PEARSON. The Senator made reference to the fact that the House would make a determination as to whether or not the Senate would have the extra legislative assistant. It is my understanding—and I ask if my understanding is correct—that the House has already made provision for an extra legislative assistant under their procedures.

Mr. CLARK. It is my understanding, but I yield to the Senator from Maryland with respect to that.

Mr. TYDINGS. That is correct. The House, in the 1967 fiscal year legislative appropriation, funded a legislative assistant for every Member of the House of Representatives. When that bill came to the Senate, I proposed to do the same thing for each Member of the Senate.

At that point, the Senator from Oklahoma said that it might jeopardize the adoption of the reorganization plan by the Senate, and he asked me to hold off until after the adoption of the reorganization plan by the Senate.

The Senate passed the reorganization plan, 75 votes to 9, last spring—several months ago. The congressional reorganization bill passed by the Senate is still tied up, has not even gotten out of the House Rules Committee; and the authorization for each Senator's legislative assistant—the legislative assistant for each House Member was created a year ago—cannot go into effect for the Senate—despite the fact that the Members of the House have had theirs for a year—until 30 days after the House of Representatives agrees to the congressional Reorganization Act, if ever.

Mr. PEARSON. I thank the Senator.

Mr. THURMOND. Mr. President, if I were voting strictly on the merits of the proposed amendment, I would vote for it. But I expect to cast an economy vote in this matter, and therefore I shall vote against the Tydings amendment.

When this matter was brought up during the consideration of the reorganization bill, I voted against limiting a Senator to this amount for the legislative assistant. It is my judgment that a Senator should have the flexibility on that point that he has on all other matters within his jurisdiction. In my opinion, if it is wise to pass the legislative assistant authorization as provided in the reorganization bill, there is no reason why the same method should not be adopted by the Tydings amendment.

As I stated, if I were casting a vote on either of those issues, I would vote for the Tydings amendment because it merely gives the Senator's office more money, and he can use every dollar, if he wishes, for a legislative assistant. I see no need to wait until a later date for it to be implemented, if it is needed.

I want to tell the Senator from Maryland my position on this matter, not because I am opposed to the principle of allotting this amount to the Senator's office, because I think that is where it should be allotted, and not pinned down to any one staff assistant. The next thing that will be requested will be a special appropriation for a research assistant or a special appropriation for a military assistant. I have those positions. Why should we single out one? They all work on legislation. That is our main function here.

It is my judgment that if we are going to allow the legislative assistant appropriation, the wise thing to do is to allow it as proposed in the Tydings amendment. However, although I voted for the reorganization bill, I considered the bill as a whole; but when that particular issue came up I did not vote for it then. I did not think the Senator's hands should be tied on that issue.

I expect to vote against the Tydings amendment from an economy standpoint. I do not see how we can ask the executive branch or the agencies of Government to economize when we are spending more. The Vietnam war is on and I think the executive branch should be required to tighten its belt. If that is the case, I think the legislative branch could tighten its belt some. I think we could get by without that additional amount, and for that reason I shall cast my vote against the Tydings amendment.

Mr. BARTLETT. Mr. President, first I should like to address a question to the proposer of the amendment, the Senator from Maryland.

It is noted that the sum provided for in the amendment does not provide the amount required for a full fiscal year. I think I know the reason or reasons that this is so. However, a statement in this regard should be in the RECORD.

Mr. TYDINGS. I am delighted to explain. My figure was taken from the "cost of legislation" table which appears on page 12 of the Legislative Reorganization Act of 1967, compiled by the legislative staff committee. Not all Senators will, of course, put on a new legislative assistant to utilize the fund. We also have completed 1 month of the new fiscal year. The proposal would take effect August 1 if it were adopted today. It would be operating in 11 months of the 12-month fiscal year. That is the reason.

Mr. BARTLETT. That is the reason I anticipated the Senator to disclose.

Now, Mr. President, the senior Senator from Colorado [Mr. ALLOTT] said a while ago that I was the floor manager of the bill for the first time. That was a statement of absolute truth. When I was appointed chairman of the subcommittee a few months back by the senior Senator from Arizona [Mr. HAYDEN], I thought the appointment was a great honor. When the full committee finished working over the report of the subcommittee, I was not sure of the degree of that honor. As this afternoon wanes I feel less and less competent on this subject.

There has been a very interesting debate on this proposition. The junior Senator from Ohio, for example, and the senior Senator from Texas, both coming from very large States, mentioned the tremendous correspondence they receive, which they are required to answer. The Senator from Ohio said that he did his very best to successfully attend to all his correspondence and we, his colleagues, and the public, understand that he does do that, and sometimes his letters are reasonably short and quite pointed.

Mr. President, I do not have any authority to accept the amendment of the Senator from Maryland. This proposition was not discussed in the subcommittee or before the full Committee on Appropriations. There are other matters that were considered.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. BARTLETT. I yield.

Mr. YARBOROUGH. Is it not true that in the subcommittee I brought up the question of the dire need for additional staff? I brought it up last year, and at that time it was said that we were getting more allowance for stamps and travel home. I brought it up last year and I brought it up this year, and we were not able to make headway.

Mr. BARTLETT. The Senator is correct. I may be in error——

Mr. YARBOROUGH. I do not mean it was brought up in testimony. I mean it was brought up in executive sessions over and over.

Mr. BARTLETT. The Senator constantly pointed out that Senators should be adequately staffed in their offices and have enough people to do the job that faces them. I do not think there would be many Senators who would disagree with the case he presented.

I merely wish to say at this point, that since the committee did not consider the specific matter and since it did not approve the specific matter, I have no authority and I have no right, on behalf of the committee, to accept the amendment of the Senator from Maryland.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BARTLETT. I yield.

Mr. HOLLAND. Is it true that if the amendment were adopted, the subject would not be in conference, because it applies only to the Senate, and the House would not challenge an amendment voted by the Senate that applied only to the Senate?

Mr. BARTLETT. If the House of Representatives were to challenge it, it would be a considerable break in a long-standing tradition. I think the answer is in the affirmative.

The subject has been debated fully. It has been approached from one side and from the other side. I believe that every possible argument has been brought to bear by both sides and there is no need for me to take additional time of the Senate in further discussion of the matter.

Mr. President, I suggest that since the yeas and nays have been called for, that the Senate proceed to vote at this time.

The PRESIDING OFFICER (Mr. Kennedy of New York in the chair). The question is on agreeing to the amendment of the Senator from Maryland.

Mr. MUNDT. Mr. President, speaking as the ranking Republican member of the Joint Committee on the Reorganization of Congress, I wish to say that I strongly support the position stated by the chairman of our committee, the Senator from Oklahoma [Mr. Monroney].

I think it would be a very tragic error if we were now to start to cannibalize the Reorganization Act. Nobody knows what the House of Representatives is going to do on this reform legislation. But we can be sure that the House of Representatives would be stultified and do nothing if we take out all the candy sack elements for one group or the other, passing them separately, and ask the Congress then to take the barebones and less attractive features where somebody has to make a sacrifice.

The Reorganization Act is a great step forward. If I sense the public opinion around the country, it is moving in the direction that the Senate moved in approving the Reorganization Act overwhelmingly. I think that the House of Representatives, before the end of the session, is going to decide that it is confronted with public opinion in terms of reform. After having passed this bill after 7 long weeks of debate, we must not walk down the hill again because we think there is a pot of gold at the bottom of the hill whereby we can obtain quicker than ordinarily the extra amount of money desired for Senate staffing. It has been brought out, but it should be emphasized, that when the Senate voted in favor of this before, it set the extra money apart specifically for the hiring of a legislative assistant, precisely as we have an administrative assistant, and whose name would appear on the public payroll as a legislative assistant. Now we have a request for more money, $23,400 per office—big States, little States, needy States, whether we need it or not, come and get it, $23,400, to be distributed around our offices some way, not for a legislative assistant as provided in the Authorization Act so far as the reorganization of Congress is concerned, but just to be spent for messengers, guides, typists, perhaps for 20 or 30 extra summer interns to be added to the influx which is already present in the corridors and in the office buildings in great numbers.

Mr. President, I think that we should stick with the reform legislation in which we get $23,400 per office for a legislative assistant. That is progress. Adoption of the Tydings amendment would be walking down the hill, unwilling to wait for the House to determine in its orderly procedure whether to act or not and failing to earmark the extra salary allowance to meet existing needs.

I think the House will act, as the Senator from Oklahoma has pointed out. If it does not act, then we will this year have another supplemental bill. We will have another legislative appropriation bill next year and a supplemental bill before that, in January.

I can say, speaking as the ranking Republican member of the subcommittee dealing with supplemental appropriations, that the Senator from Rhode Island [Mr. Pastore] and I will be glad to hear the Senator from Texas or the Senator from Maryland, or anyone else who has a case to make in behalf of this legislation. But we prefer to hear it after we know what disposition the House is going to make.

At this time, let us not shoot reorganization and congressional reform out of the saddle in the name of either avarice or impatience. Let us be temperate. Let us wait. No one's office is going to collapse in the next 6 months. Let us find out whether the House will act as we hope it will, and the problem will be solved. If the House fails, then appropriate committees are ready to hear the testimony of those who believe we should then act independently. We are legislating in time of war and when our national budget is already alarmingly out of balance. We hear talk of new taxes to meet increasing Federal expenditures. Surely we can afford in the Senate to practice some of the economy we preach.

I hope that the Tydings amendment will be defeated.

Mr. MONRONEY. Mr. President, I observe the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Maryland [Mr. Tydings]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HRUSKA (when his name was called). On this vote I have a pair with the senior Senator from Illinois [Mr. Dirksen]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Virginia [Mr. Byrd], the Senator from Ohio [Mr. Lausche], the Senator from Louisiana [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from Montana [Mr. Metcalf], the Senator from Utah [Mr. Moss], the Senator from Rhode Island [Mr. Pell], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I also announce that the Senator from Indiana [Mr. Bayh], the Senator from North Dakota [Mr. Burdick], the Senator from Tennessee [Mr. Gore], the Senator from Indiana [Mr. Hartke], the Senator from Washington [Mr. Magnuson], and the Senator from Rhode Island [Mr. Pastore] are absent on official business.

I further announce that, if present and voting, the Senator from North Dakota [Mr. Burdick] and the Senator from Florida [Mr. Smathers] would each vote "nay."

On this vote, the Senator from Indiana [Mr. Bayh] is paired with the Senator from Virginia [Mr. Byrd]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Virginia would vote "nay."

On this vote, the Senator from Louisiana [Mr. Long] is paired with the Senator from Rhode Island [Mr. Pastore]. If present and voting the Senator from Louisiana would vote "yea," and the Senator from Rhode Island would vote "nay."

Mr. KUCHEL. I announce that the Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senator from Illinois [Mr. Dirksen], and the Senator from Idaho [Mr. Jordan] are necessarily absent.

The pair of the Senator from Illinois [Mr. Dirksen] has been previously announced.

The result was announced—yeas 48, nays 31, as follows:

[No. 178 Leg.]

YEAS—48

Baker
Brewster
Brooke
Byrd, W. Va.
Case
Clark
Cotton
Dodd
Eastland
Fannin
Fong
Fulbright
Griffin
Gruening
Hansen
Harris
Hart
Hatfield
Hickenlooper
Hollings
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
McGee
McGovern
McIntyre
Miller
Mondale
Montoya
Morse
Murphy
Muskie
Nelson
Pearson
Percy
Randolph
Scott
Spong
Stennis
Symington
Tower
Tydings
Williams, N.J.
Yarborough

NAYS—31

Aiken
Allott
Bartlett
Bennett
Bible
Boggs
Cannon
Carlson
Church
Curtis
Dominick
Ellender
Ervin
Hayden
Hill
Holland
Jordan, N.C.
Mansfield
McClellan
Monroney
Mundt
Prouty
Proxmire
Russell
Smith
Sparkman
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.
Young, Ohio

NOT VOTING—21

Anderson
Bayh
Burdick
Byrd, Va.
Cooper
Dirksen
Gore
Hartke
Hruska
Jordan, Idaho
Lausche
Long, La.
Magnuson
McCarthy
Metcalf
Morton
Moss
Pastore
Pell
Ribicoff
Smathers

So Mr. Tydings' amendment was agreed to.

Mr. TYDINGS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. YARBOROUGH. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ALLOTT. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. BARTLETT. Mr. President, I offer an amendment on page 2, line 25, to strike out the sum of "$211,680" and insert "$235,080."

The PRESIDING OFFICER. The clerk will state the amendment.

The Legislative Clerk. It is proposed, on page 2, line 25, to strike out the numeral and insert in lieu thereof "$235,080".

Mr. BARTLETT. Mr. President, this amendment has one purpose, and one purpose only. The Tydings amendment which has just been adopted gives to each Senator an additional $23,400. The amendment which I have proposed would give the Vice President the same sum for the same purposes. My understanding is that the Vice President has an imperative need for more assistants, and it is my very strong belief—I have cleared this with the ranking minority member of the Legislative Appropriations Subcommittee, the senior Senator from California [Mr. Kuchel]—that what we have done just now for ourselves we ought to do likewise for the Vice President.

I hope the amendment will be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CLARK. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment, as follows:

On page 37, between lines 7 and 8, insert the following:

"In any case in which the aggregate of the gross salaries (basic compensation plus additional compensation provided by law) payable on June 28, 1967 to employees in the office of a Senator is in excess of the aggregate amount of the gross rates provided for such Senator under the foregoing provisions of this paragraph, such amount shall be increased, in the case of such Senator, by an amount equal to such excess, rounded to the nearest multiple of $180.

"In determining for the purposes of the foregoing sentence the aggregate amount of the gross rates provided for any Senator there shall be excluded the amount of $23,400".

Mr. MUNDT. Mr. President, I make the point of order that this proposal is a legislative amendment on an appropriation bill.

Mr. CLARK. Mr. President, I ask for a ruling on the point of order. This amendment has been passed on by the Legislative Reference Service, specifically on the issue of whether it would be subject to a point of order. I ask the Chair to rule.

The PRESIDING OFFICER. (Mr. Kennedy of New York in the chair). It appears to the Chair to look like legislation on an appropriation bill.

Mr. CLARK. Does the Chair sustain the point of order?

The PRESIDING OFFICER. The point of order is sustained.

Mr. CLARK. Mr. President, I withdraw the amendment.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. KUCHEL. Mr. President, the Senator from Alaska [Mr. Bartlett] deserves the praise of his fellow Senators for the legislative appropriation bill that is now pending. I also wish to point out that the Senator from Delaware [Mr. Williams] a year ago asked this parliamentary body to direct the Committee on Appropriations to make a study of clerk hire and all the problems associated with it. The Senate acceded to this recommendation. Under the able leadership of the Senator from Alaska, a study was made by the committee staff and recommendations presented to the Committee on Appropriations. Its recommendations were adopted by the committee and are now before the Senate. Now at long last the prestidigitation surrounding the mysteries of clerk hire goes by the board.

I say to the Senator from Alaska that what he and the other members of his committee have done is in the public interest. I want the Record to show that as far as I am concerned—and I think I reflect the feelings of the Senate—the staff, the members of the committee, and particularly the Senator from Alaska deserve our thanks and a just meed of praise from all of us in the Senate. I also wish to express again my respect and gratitude to the Senator from Delaware for his continued and unflagging efforts to seek and sustain high standards in the conduct of the business of this body.

Mr. BARTLETT. I am delighted, of course, with what the Senator has said. A while ago I told the Senate that I was not sure that I had been particularly honored by being made the chairman of this subcommittee. Now my faith is being restored.

Left solely to my own devices, I never could have prepared the conversion table which is incorporated in the pending bill. It was also the work of Mr. Scott, Mr. Brenkworth, and Mr. Woodruff, and they deserve credit.

Mr. KUCHEL. I quite agree.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. WILLIAMS of Delaware. As the author of this proposal last year, I wish to express my appreciation also for the work of the subcommittee in carrying out this revision. I think it is a long overdue revision in our appropriating system.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. SPARKMAN. Mr. President, after reviewing the bill, the report, and the hearings on this legislation, I confess that I, too, find considerable difficulty in converting myself to the various positions that are stated.

Mr. YARBOROUGH. Mr. President, may we have order in the Senate? It is utterly impossible to hear the Senator.

The PRESIDING OFFICER. The Senate will be in order.

Mr. SPARKMAN. I merely wish to express the hope that the chairman of the committee, through his staff or the office of the Secretary of the Senate, will publish a letter or a statement which will define the different positions provided for on committee staffs and the pay scales for them, and the same for the offices of Senators. I think that would be of great help to us.

Mr. BARTLETT. That will be done promptly, I assure the Senator from Alabama.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Virginia [Mr. Byrd], the Senator from Ohio [Mr. Lausche], the Senator from Louisiana [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from Montana [Mr. Metcalf], the Senator from Utah [Mr. Moss], the Senator from Rhode Island [Mr. Pell], the Senator from Connecticut [Mr. Ribicoff], the Senator from Florida [Mr. Smathers], are necessarily absent.

I also announce that the Senator from Indiana [Mr. Bayh], the Senator from North Dakota [Mr. Burdick], the Senator Tennessee [Mr. Gore], the Senator from Indiana [Mr. Hartke], the Senator from Arizona [Mr. Hayden], the Senator from Washington [Mr. Magnuson], and the Senator from Rhode Island [Mr. Pastore] are absent on official business.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from North Dakota [Mr. Burdick], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senators from Rhode Island [Mr. Pastore and Mr. Pell], the Senator from Connecticut [Mr. Ribicoff], the Senator from Arizona [Mr. Hayden], and the Senator from Florida [Mr. Smathers] would each vote "yea."

Mr. KUCHEL. I announce that the Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senator from Illinois [Mr. Dirksen], and the Senator from Idaho [Mr. Jordan] are necessarily absent.

If present and voting, the Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senator from Illinois [Mr. Dirksen], and the Senator from Idaho [Mr. Jordan] would each vote "yea."

The result was announced—yeas 76, nays 3, as follows:

[No. 179 Leg.]

YEAS—76

Aiken
Allott
Baker
Bartlett
Bennett
Bible
Boggs
Brewster
Brooke

Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cotton
Curtis
Dodd
Dominick
Eastland
Ervin
Fannin
Fong
Fulbright
Griffin
Gruening
Hansen
Harris
Hart
Hatfield
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Mansfield
McClellan
McGee
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morse
Mundt
Murphy
Muskie
Nelson
Pearson
Percy
Prouty
Proxmire
Randolph
Scott
Smith
Sparkman
Spong
Stennis
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—3

Ellender
Russell
Talmadge

NOT VOTING—21

Anderson
Bayh
Burdick
Byrd, Va.
Cooper
Dirksen
Gore
Hartke
Hayden
Jordan, Idaho
Lausche
Long, La.
Magnuson
McCarthy
Metcalf
Morton
Moss
Pastore
Pell
Ribicoff
Smathers

So the bill (H.R. 10368) was passed.

Mr. BARTLETT. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BARTLETT. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. Bartlett, Mr. Proxmire, Mr. Yarborough, Mr. Hayden, Mr. Kuchel, Mr. Cotton, and Mr. Young of North Dakota conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, the overwhelming vote just recorded speaks best for the outstanding ability demonstrated by the chairman of the Appropriations Subcommittee on the Legislative Branch. As in every endeavor he has undertaken, the Senator from Alaska [Mr. Bartlett] has again excelled. And every Member of this body appreciates the task he has performed on this as on all measures that gain his support. In short, he has won an outstanding victory and has done so with great skill and wisdom. Senator Bartlett deserves the praise of the Senate. He certainly earned it.

The Senate similarly is grateful to the senior Senator from California [Mr. Kuchel]. As the ranking minority subcommittee member, he supported this measure with his typically outstanding competence and keen skill. His cooperation, his devotion, and his articulate advocacy served immensely to assure this great success.

The Senator from Maryland [Mr. Tydings] is to be commended for the able manner in which he presented his views on this measure, offering the amendment concerning additional funds for legislative assistants and winning its approval. The success of the amendment was due in large measure to his persuasive arguments. Joining Senator Tydings with their clear and concise views were the Senator from Minnesota [Mr. Mondale], the Senator from Illinois [Mr. Percy], the Senator from Texas [Mr. Yarborough], and others. The Senator from Florida [Mr. Holland], the Senator from Oklahoma [Mr. Monroney], and the Senator from Colorado [Mr. Allott] contributed to the discussion with the thoughtful and articulate analysis that has characterized all of their many contributions. The Senator from Louisiana [Mr. Ellender] is similarly to be commended for adding his thoughtful appraisal.

Finally, the Senate may be proud of another achievement gained expeditiously and with full regard for the views of all Members.

MARTHA BLANKENSHIP

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 361.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 117) for the relief of Martha Blankenship.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. FANNIN. Mr. President, as a member of the Republican calendar committee, I ask unanimous consent to have printed at this point in the Record a memorandum with respect to the pending bill.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Memorandum With Respect to S. 117 (Calendar 361), for the Relief of Martha Blankenship

The sponsor of this bill is Senator Jennings Randolph.

A similar bill, S. 3750, passed the Senate in the closing days of the 89th Congress but died in the House.

The bill would relieve the beneficiary of this bill of her liability to the United States in the amount of $1,887.86, which was the total "insurance lump sum" and the "residual lump sum" paid her under the Railroad Retirement Act with respect to the death of a railroad employee, Hasten Daniels.

The report of the Railroad Retirement Board reads, in principal part, as follows:

"The payment of the lump sums was made to Mrs. Blankenship solely by virtue of the fact that she filed an application for such sums with respect to the death of Mr. Daniels, her brother, of whose estate she is the administratrix, and gave the answer 'None' to the question therein requesting the names of and other information about the employee's children. '* * * including illegitimate, adopted children, and stepchildren * * *'. Under the law, the existence of minor children, eligible for monthly annuities, had the effect that the lump sums were not payable. Mrs. Blankenship's asserted use of the money to pay debts of the decedent, or to pay his burial expenses, is not relevant.

"After the lump-sum payments were made to Mrs. Blankenship, the Board was informed that the employee was survived by two minor children. It was developed that these children were born to Mabel Jones, the divorced wife of the deceased employee, while she was still married to him. Mrs. Blankenship's attorney contended that the children were nevertheless illegitimate; but the Board's Bureau of Retirement Claims notified her on November 16, 1965, of its determination that the children were legitimate, and after protest and some further correspondence with her attorney the Bureau adhered to its position. *No appeal has been taken from that determination.* (Italic supplied.)

"The Board is opposed to any essentially private relief bill which, like S. 3750, would waive recovery of benefits erroneously paid under the Railroad Retirement Act through the fault of an individual in giving inaccurate or misleading information on the application form submitted by the individual. The answer 'None' to the question respecting the employee's children was erroneous since these children were born to the employee's wife during the existence of their marriage, before they were divorced. *The question on the application is expressly phrased so as to make clear that it is for the Board, not the applicant, in case of any question, to determine whether a child is the child of the employee and is legitimate.* (Italic supplied.)

"To grant relief in these circumstances by way of a private bill would establish a precedent which would lead to demands from other persons for similar relief in similar circumstances. The volume of cases in which misstatements of this character result in payments not due, which have to be recovered, while small in a relative sense to the Board's overall volume, is not inconsiderable in terms of absolute numbers. Congress has authorized the Board to waive overpayments, payments of amounts not due, in cases where, in the judgment of the Board, first, the individual paid was without fault and, second, recovery would be contrary to the purposes of the act or against equity or good conscience. The Board had made no such determinations here. The enactment of this bill would in effect circumvent the requirements for waiver now in the law. The Board opposes any such bill, the purpose of which is to extend to certain individuals benefits or privileges not available to all others similarly situated."

The following is quoted from the committee report:

"The committee disagrees with the conclusions of the Railroad Retirement Board and finds that the bill, S. 117, should be recommended favorably.

"Attached to this report following the departmental letters is a certified copy of the divorce wherein it was adjudicated that the two minor children were not the children of the claimant's deceased brother. Thus the presumption of legitimacy has been rebutted and the committee belives that this is controlling on the Railroad Retirement Board. Since these were not the deceased's children the claimant correctly answered 'None' on the application she filed as administratrix. The effect of the court decree is that these children are not the illegitimate children of the deceased. They are the illegitimate children of the divorced wife."

In view of the obvious fact that enactment of this bill would constitute a precedent, it is questionable whether relief of this nature should be granted by way of a private bill in behalf of a single individual rather than through general legislation which would be applicable to all those similarly situated.

Mr. RANDOLPH. Mr. President, on November 16, 1965, the Railroad Retirement Board wrote a letter to Mrs. Martha J. Blankenship, stating that payments made to her were made erroneously, and containing the following statements:

In response to our letter, dated August 12, 1965, requesting that you refund the erroneous payments totaling $1,887.86 which you received from the Railroad Retirement Board, you indicated that you consider that the two children born during the marriage of Hasten Daniels were not the children of the late Mr. Daniels. We have considered the contents of the Decree of Divorce of the marriage of Hasten and Mabel Jones Daniels, which includes a statement that the defendant, the natural mother, gave testimony that her children were not the result of her marriage to Hasten Daniels, and that Hasten Daniels was not obligated to support those two children who were borne by his wife during their marriage.

In determining whether the surviving child of an insured employee can qualify for a child's insurance annuity under the Railroad Retirement Act as the legitimate child of the employee, the Railroad Retirement Board follows the applicable law of the State of the employee's domicile. Evidence submitted by parents which tends to make a child illegitimate will not be accepted by the Board, if, under the law of the State of the employee's domicile, children born during wedlock are presumed to be the legitimate children of the mother's husband at the time the child was born or conceived, and where, under the State's law, the presumption of the child's legitimacy cannot be rebutted if the only available evidence as to the child's illegitimacy is the testimony of the mother or her legal husband.

We consider that the State of West Virginia, the State of the late Hasten Daniels' domicile, follows the rule of law which provides that testimony by the child's mother or the person who was her legal husband when the child was born or conceived is not acceptable evidence to disapprove the child's legitimacy, and that the presumption of the husband's paternity of such child can only be overcome by the clearest evidence that it was impossible for him to be the father of the child. For judicial decisions of the State of West Virginia in support of the presumption of a child's legitimacy, see *State* vs. *Reed*, 149 S.E. 669, (W. Va. 1929) and *State* vs. *Joplin*, 47 S.E. 2nd 221 (W. Va. 1948).

Based on the applicable laws of the State of West Virginia, the Board considers that the two children, born during the marriage of Hasten Daniels, are the legitimate children of the deceased employee and, as such, they are entitled to survivor's benefits under the Railroad Retirement Act on the basis of the late Mr. Daniels' account. Because of the children's annuity entitlement, no survivor benefits were payable to you on your claim with respect to the death of the late Hasten Daniels.

I would call to Senators' attention the fact that, acting as a judge in the State of West Virginia, having full knowledge of the law of that State, the Honorable Charles W. Ferguson found that the two children—Carol Fay, age 15 months, and Larry Ray, age about 5 months—were the illegitimate children of Mabel Jones and not the illegitimate children of Hasten Daniels.

On this basis, after having received legal opinions, I introduced S. 3750 last year, and, since this bill passed the Senate on October 20—too late for House action—reintroduced the bill, now S. 117, on January 11, this year.

Although I am not myself a lawyer, I would suggest to Senators that we might well be faced with an extremely difficult problem if we were to take the suggestion of my very able colleagues on the Republican Calendar Committee and attempt to deal, on a Federal level, with general legislation in this area—since this is basically a question of a judge of a State circuit court making a particular finding in a particular case of divorce.

I am grateful to my colleagues on both sides of the aisle for their cooperation in assisting this distressed lady, who spent well over the amount of money she received from the Railroad Retirement Board to liquidate the honest debts left by her deceased brother. My thanks to the majority leadership, especially my colleague, Senator Robert C. Byrd, and to the minority members, under the leadership of Senators Dirksen and Fannin.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 375), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill is to relieve Mrs. Martha Blankenship, of Meador, W. Va., of her liability to the United States in the amount of $1,887.86, which is the total of the "insurance lump sum" and the "residual lump sum" paid her under sections 5(f) (1) and (2) of the Railroad Retirement Act of 1937, 50 Stat. 307, as amended (45 U.S.C. 228a–228z–1), with respect to the death of the railroad employee, Hasten Daniels.

STATEMENT

A similar bill, S. 3750, was reported favorably and passed by the Senate in the closing days of the 89th Congress and was referred to the House of Representatives, where no action was taken prior to the adjournment of that Congress.

The facts of the case contained in the report on S. 3750, 89th Congress, from the Railroad Retirement Board are as follows:

"The payment of the lump sums was made to Mrs. Blankenship solely by virtue of the fact that she filed an application for such sums with respect to the death of Mr. Daniels, her brother, of whose estate she is the administrator, and gave the answer 'None' to the question therein requesting the names of and other information about the employee's children, '* * * including illegitimate, adopted children, and stepchildren * * *.' Under the law, the existence of minor children, eligible for monthly annuities, had the effect that the lump sums were not payable. Mrs. Blankenship's asserted use of the money to pay debts of the decedent, or to pay his burial expenses, is not relevant.

"After the lump-sum payments were made to Mrs. Blankenship, the Board was informed that the employee was survived by two minor children. It was developed that these children were born to Mabel Jones, the divorced wife of the deceased employee, while she was still married to him. Mrs. Blankenship's attorney contended that the children were nevertheless illegitimate; but the Board's Bureau of Retirement Claims notified her on November 16, 1965, of its determination that the children were legitimate, and after protest and some further correspondence with her attorney the Bureau adhered to its position. No appeal has been taken from that determination.

"The Board is opposed to any essentially private relief bill which, like S. 3750, would waive recovery of benefits erroneously paid under the Railroad Retirement Act through the fault of an individual in giving inaccurate or misleading information on the application form submitted by the individual. The answer 'None' to the question respecting the employee's children was erroneous since these children were born to the employee's wife during the existence of their marriage, before they were divorced. The question on the application is expressly phrased so as to make clear that it is for the Board, not the applicant, in case of any question, to determine whether a child is the child of the employee and is legitimate.

"To grant relief in these circumstances by way of a private bill would establish a precedent which would lead to demands from other persons for similar relief in similar circumstances. The volume of cases in which misstatements of this character result in payments not due, which have to be recovered, while small in a relative sense to the Board's overall volume, is not inconsiderable in terms of absolute numbers. Congress has authorized the Board to waive overpayments, payments of amounts not due, in cases where, in the judgment of the Board, first, the individual paid was without fault and, second, recovery would be contrary to the purposes of the act or against equity or good conscience. The Board had made no such determinations here. The enactment of this bill would in effect circumvent the requirements for waiver now in the law. The Board opposes any such bill, the purpose of which is to extend to certain individuals benefits or privileges not available to all others similarly situated."

The committee disagrees with the conclusions of the Railroad Retirement Board and finds that the bill, S. 117, should be recommended favorably.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 117) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Martha Blankenship of Meador, West Virginia, is hereby relieved of all liability for repayment to the United States of the sum of $1,887.86, representing the amount of survivor benefit payments which were erroneously paid to the said Martha Blankenship under the Railroad Retirement Act of 1937 incident to the death of her brother, Hasten Daniels, such payments having been used by the said Martha Blankenship to pay the funeral expenses and debts of her deceased brother prior to a determination by the Railroad Retirement Board that such payments should have been made to the surviving children of the said Hasten Daniels. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

Sec. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Martha Blankenship, the sum of any amounts received or withheld from her on account of the payments referred to in the first section of this Act.

CWO BERNHARD VOLLMER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 365.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 2762) for the relief of CWO Bernhard Vollmer, U.S. Navy, retired.

THE PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. FANNIN. Mr. President, as a member of the Republican calendar committee, I ask unanimous consent to have printed at this point in the RECORD a memorandum with respect to the pending bill.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM WITH RESPECT TO H.R. 2762 (CALENDAR 365), FOR THE RELIEF OF CWO BERNHARD VOLLMER, U.S. NAVY (RETIRED)

The sponsor of this bill is Bob Wilson (Rep., Calif.).

This bill would waive applicable limitations to permit CWO Bernhard Vollmer, U.S. Navy (retired), to file a claim for retired pay allegedly erroneously withheld from him during his employment by the Fire Department of the government of the District of Columbia and to have that claim considered under applicable law.

Claimant was employed by the Fire Department of the government of the District of Columbia from November 1, 1946 to July 31, 1948. During this period, $4365.90 was withheld from his retired pay on the assumption that his employment was subject to the restrictions of the dual compensation provisions of section 212 of the Economy Act of 1932. However, subsequently, the Comptroller General held (in March 1958) that, in view of decisions by the Court of Claims, commissioned warrant officers would no longer be considered subject to the dual compensation limitations of the 1932 act. Based on this decision claimant would have been entitled to a refund of the entire pay withheld during his District of Columbia employment. However, the 10-year statute of limitations applied to any claim for the amounts withheld. Accordingly when claimant submitted his claim for retired pay on July 30, 1958 he was advised that no action could be taken on his claim.

The Department of the Navy, with Budget Bureau clearance, has no objection to relief.

Comment: The General Accounting Office has taken a consistent position through the years that the 10-year statute of limitations should be considered a complete bar to all claims. This is not only for the purpose of providing finality through the operation of a statute of limitations, but also because the provision of relief by way of a private bill for one claimant would be preferential and discriminatory as to all others similarly situated. The favorable report of the committee would indicate that the General Accounting Office has not been contacted with respect to the merits of this claim. This was confirmed by my contact with the General Accounting Office via telephone.

Moreover, to provide relief in this situation would constitute a windfall to claimant. It was not he who pressed his claim through the Court of Claims, but others who did not sleep on whatever rights they had but, instead, pressed their claims within the period of the statute of limitations until those rights were established. To follow the principle which this bill pursues could be quite costly to the Treasury, whether by other private bills or through general legislation.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 379), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to waive applicable limitations to permit CWO Bernhard Vollmer, U.S. Navy (retired), to me a claim for retired pay allegedly erroneously withheld from him during his employment by the Fire Department of the government of the District of Columbia and to have that claim considered under applicable law. The bill further provides that the claim shall be filed within 1 year of the bill's enactment.

STATEMENT

The Department of the Navy, in its report to the committee on the bill, has indicated that it would have no objection to its enactment. The government of the District of Columbia in its report takes no position in connection with the bill because it does not directly relate to the District of Columbia.

Mr. Vollmer was employed by the Fire Department of the government of the District of Columbia from November 1, 1946, to July 31, 1948. During this period $4,365.90 was withheld from his retired pay on the assumption that his employment was subject to the restrictions of the dual compensation provisions of section 212 of the Economy Act of 1932 (5 U.S.C. 59a). However, subsequently, in a Comptroller General decision (37 Comp. Gen. 591 (March 1958)), it was held that in view of decisions by the Court of Claims, commissioned warrant officers would no longer be considered subject to the dual compensation limitation of the 1932 act. Based on this decision, Mr. Vollmer would have been entitled to a refund of the retired pay withheld during his District of Columbia employment. However, by the time the situation was clarified, the 10-year statute of limitations provided in section 71a of title 31 of the United States Code applied to any claim for the amounts withheld. The Navy in its report to the committee noted this fact and stated as follows:

"In view of the fact that the entitlement was not changed by the Comptroller General interpretation until after the 10-year period had expired, the Department of the Navy has no objection to the enactment of this bill."

The committee concurs in the action of the House of Representatives and recommends that the bill, H.R. 2762, be favorably considered.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

So the bill (H.R. 2762) was passed.

TRUTH-IN-LENDING ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 378, S. 5. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be read by title.

The LEGISLATIVE CLERK. A bill (S. 5) to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Truth in Lending Act".

DECLARATION OF PURPOSE

SEC. 2. The Congress finds and declares that economic stabilization would be enhanced and that competition among the various financial institutions and other firms engaged in the extension of consumer credit would be strengthened by the informed use of credit. The informed use of credit results from an awareness of the costs thereof by consumers. It is the purpose of this Act to assure a full disclosure of such costs with a view to promoting the informed use of consumer credit to the benefit of the national economy.

DEFINITIONS

SEC. 3. For the purposes of this Act—

(a) "Board" means the Board of Governors of the Federal Reserve System.

(b) "Credit" means the right granted by a creditor to a person other than an organization to defer payment of debt or to incur debt and defer its payment, where the debt is contracted by the obligor primarily for personal, family, household, or agricultural purposes. The term does not include any contract in the form of a bailment or lease except to the extent specifically included within the term "consumer credit sale".

(c) "Consumer Credit Sale" means a transaction in which credit is granted by a seller in connection with the sale of goods or services, if such seller regularly engages in credit transactions as a seller, and such goods or services are purchased primarily for a personal, family, household, or agricultural purpose. The term does not include any contract in the form of a bailment or lease unless the obligor contracts to pay as compensation for use a sum substantially equivalent to or in excess of the value of the goods or services involved, and unless it is agreed that the obligor is bound to become, or for no other or a merely nominal consideration has the option of becoming, the owner of the goods upon full compliance with the provisions of the contract.

(d)(1) "Finance charge" means the sum of all the charges imposed directly or indirectly by a creditor, and payable directly or indirectly by an obligor, as an incident to the extension of credit, including loan fees, service and carrying charges, discounts, interest, time price differentials, investigators' fees, costs of any guarantee or insurance protecting the creditor against the obligor's default or other credit loss, and any amount payable under a point, discount, or other system of additional charges.

(2) If itemized and disclosed under section 4, the term does not include amounts collected by a creditor, or included in the credit, for (A) fees and charges prescribed by law which actually are or will be paid to public officials for determining the existence of or for perfecting or releasing or satisfying any security related to a credit transaction; (B) taxes; (C) charges or premiums for insurance against loss of or damage to property related to a credit transaction or against liability arising out of the ownership or use of such property; and (D) charges or premiums for credit life and accident and health insurance.

(3) Where credit is secured in whole or in part by an interest in real property, the term does not include, in addition to the duly itemized and disclosed costs referred to in clauses (A), (B), (C), and (D) of paragraph (2), the costs of (i) title examination, title insurance, or corresponding procedures; (ii) preparation of the deed, settlement statement, or other documents; (iii) escrows for future payments of taxes and insurance; (iv) notarizing the deed and other documents; (v) appraisal fees; and (vi) credit reports.

(e) "Creditor" means any individual, or

any partnership corporation, association, cooperative, or other entity, including the United States or any agency or instrumentality thereof, or any other government or political subdivision or agency or instrumentality thereof, if such individual or entity regularly engages in credit transactions, whether in connection with the sale of goods and services or otherwise, and extends credit for which the payment of a finance charge is required.

(f)(1) "Annual percentage rate" means, for the purposes of sections 4(b) and 4(c), the nominal annual rate determined by the actuarial method (United States rule). For purposes of this calculation it may be assumed that:

(A) The total time for repayment of the total amount to be financed is the time from the date of the transaction to the date of the final scheduled payment.

(B) All payments are equal if every scheduled payment in the series of payments is equal except one which may not be more than double any other scheduled payment in the series.

(C) All payments are scheduled at equal intervals, if all payments are so scheduled except the first payment which may be scheduled to be paid before, on, or after one period from the date of the transaction. A period of time equal to one-half or more of a payment period may be considered one full period.

(2) The Board may prescribe methods other than the actuarial method, if the Board determines that the use of such other methods will materially simplify computation while retaining reasonable accuracy as compared with the rate determined under the actuarial method.

(3) For the purposes of section 4(d), the term "equivalent annual percentage rate" means the rate or rates computed by multiplying the rate or rates used to compute the finance charge for any period by the number of periods in a year.

(4) Where a creditor imposes the same finance charge for all balances within a specified range, the annual percentage rate or equivalent annual percentage rate shall be computed on the median balance within the range for the purposes of sections 4(b), 4(c), and 4(d).

(g) "Open-end credit plan" means a plan prescribing the terms of credit transactions which may be made thereunder from time to time and under the terms of which a finance charge may be computed on the outstanding unpaid balance from time to time thereunder.

(h) "Installment open-end credit plan" means an open-end credit plan which has one or more of the following characteristics: (1) creates a security interest in, or provides for a lien on, or retention of title to, any property (whether real or personal, tangible or intangible), (2) provides for a repayment schedule pursuant to which less than 60 per centum of the unpaid balance at any time outstanding under the plan is required to be paid within twelve months, or (3) provides that amounts in excess of required payments under the repayment schedule are applied to future payments in the order of their respective due dates.

(i) "First mortgage" means such classes of first liens as are commonly given to secure advances on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located.

(j) "Organization" means a corporation, government or governmental subdivision or agency, business or other trust, estate, partnership, or association.

DISCLOSURE OF FINANCE CHARGES

SEC. 4. (a) Each creditor shall furnish to each person to whom credit is extended and upon whom a finance charge is or may be imposed the information required by this section, in accordance with regulations prescribed by the Board.

(b) This subsection applies to consumer credit sales other than sales under an open-end credit plan. For each such sale the creditor shall disclose, to the extent applicable—

(1) the cash price of the property or service purchased;

(2) the sum of any amounts credited as downpayment (including any trade-in);

(3) the difference between the amounts set forth in paragraphs (1) and (2);

(4) all other charges individually itemized, which are included in the amount of the credit extended but which are not part of the finance charge;

(5) the total amount to be financed (the sum of the amounts disclosed under (3) and (4) above);

(6) the amount of the finance charge (such charge, or a portion of such charge, may be designated as a time-price differential or as a similar term to the extent applicable);

(7) the finance charge expressed as an annual percentage rate, if the amount of such charge is $10.00 or more;

(8) the number, amount, and due dates or periods of payments scheduled to repay the indebtedness; and

(9) the default, delinquency, or similar charges payable in the event of late payments.

Except as otherwise hereinafter provided, the disclosure required by this subsection shall be made before the credit is extended. Compliance may be attained by disclosing such information in the contract or other evidence of indebtedness to be signed by the obligor. Where a seller receives a purchase order by mail or telephone without personal solicitation by a representative of the seller and the cash price and deferred payment price and the terms of financing, including the annual percentage rate, are set forth in the seller's catalog or other printed material distributed to the public, the disclosure shall be made on or before the date the first payment is due.

(c) This subsection applies to extensions of credit other than consumer credit sales or transactions under an open-end credit plan. Any creditor making a loan or otherwise extending credit under this subsection shall disclose, to the extent applicable—

(1) the amount of credit of which the obligor will have the actual use, or which is or will be paid to him or for his account or to another person on his behalf;

(2) all charges, individually itemized, which are included in the amount of the credit extended but which are not part of the finance charge;

(3) the total amount to be financed (the sum of items (1) and (2) above);

(4) the amount of the finance charge;

(5) the finance charge expressed as an annual percentage rate, if the amount of such charge is $10.00 or more;

(6) the number, amount, and due dates or periods of payments scheduled to repay the indebtedness; and

(7) the default, delinquency or similar charges payable in the event of late payments.

Except as otherwise hereinafter provided, the disclosure required by this subsection shall be made before the credit is extended. Compliance may be attained by disclosing such information in the note or other evidence of indebtedness to be signed by the obligor. Where a creditor receives a request for an extension of credit by mail or telephone without personal solicitation by a representative of the creditor and the terms of financing, including the annual percentage rate for representative amounts of credit, are set forth in the creditor's printed material distributed to the public, or in the contract of loan or other printed material delivered to the obligor, the disclosure shall be made on or before the date the first payment is due.

(d)(1) This subsection applies to open-end credit plans.

(2) Before opening any account under an open-end credit plan, the creditor shall, to the extent applicable, disclose to the person to whom credit is to be extended—

(A) the conditions under which a finance charge may be imposed, including the time period, if any, within which any credit extended may be repaid without incurring a finance charge;

(B) the method of determining the balance upon which a finance charge will be imposed;

(C) the method of determining the amount of the finance charge (including any minimum or fixed amount imposed as a finance charge), the percentage rate per period of the finance charge to be imposed if any, and, in the case of an installment open-end credit plan, the equivalent annual percentage rate; and

(D) the conditions under which any other charges may be imposed, and the method by which they will be determined.

(3) For each billing cycle at the end of which there is an outstanding balance under any such account, the creditor shall disclose to the extent applicable—

(A) the outstanding balance in the account at the beginning of the billing period;

(B) the amount and date of each extension of credit during the period and, if a purchase was involved, a brief identification (unless previously furnished) of the goods or services purchased;

(C) the total amount credited to the account during the period;

(D) the amount of any finance charge added to the account during the period, itemized to show the amount, if any, due to the application of a percentage rate and the amount, if any, imposed as a minimum or fixed charge;

(E) the balance on which the finance charge was computed and a statement of how the balance was determined;

(F) the rate, if any, used in computing the finance charge and, in the case of an installment open-end credit plan, the equivalent annual percentage rate;

(G) the outstanding balance in the account at the end of the period; and

(H) the date by which, or the period (if any) within which, payment must be made to avoid additional finance charges.

(4) If a creditor adds to this billing under an open-end credit plan one or more installments of other indebtedness from the same obligor, the creditor is not required to disclose under this subsection any information which has been disclosed previously in compliance with subsection (b) or (c).

(e) Written acknowledgment of receipt by a person to whom a statement is required to be given pursuant to this section shall be conclusive proof of the delivery thereof and, unless the violation is apparent on the face of the statement, of compliance with this section in any action or proceeding by or against an assignee of the original creditor without knowledge to the contrary by such assignee when he acquires the obligation. Such acknowledgment shall not affect the rights of the obligor in any action against the original creditor.

(f) If there is more than one obligor, a creditor may furnish a statement of required information to only one of them. Required information need not be given in the sequence or order set forth in this section. Additional information or explanations may be included. So long as it conveys substantially the same meaning, a creditor may use language or terminology in any required statement different from that prescribed by this Act.

(g) If applicable State law requires disclosure of items of information substantially similar to those required by this Act, then a creditor who complies with such State law may comply with this Act by disclosing only the additional items of information required by this Act.

(h) If information disclosed in accordance with this section and any regulations prescribed by the Board is subsequently rendered inaccurate as the result of a prepayment, late payment, adjustment, or amendment of the credit agreement through mutual consent of the parties or as permitted by law, or as the result of any act or occurrence subsequent to the delivery of the required disclosures, the inaccuracy resulting therefrom shall not constitute a violation of this section.

(i) (1) Subject to paragraph (2)—

(A) whenever an annual percentage rate is required to be disclosed by this section, such rate may be expressed either as a percentage rate per year, or as a dollars per hundred per year rate of the average unpaid balance; and

(B) whenever a rate other than an annual rate is used to compute a finance charge and is required to be disclosed under subsection (d), such rate may be expressed either as a percentage rate per period of the balance upon which the finance charge is computed, or as a dollars per hundred per period rate of such balance.

(2) On and after January 1, 1972, all rates required to be disclosed by this section shall be expressed as percentage rates.

REGULATIONS

SEC. 5. (a) The Board shall prescribe regulations to carry out this Act, including provisions—

(1) describing the methods which may be used in determining annual percentage rates under section 4, including, but not limited to, the use of any rules, charts, tables, or devices by creditors to convert to an annual percentage rate any add-on, discount or other method of computing a finance charge;

(2) prescribing procedures to ensure that the information required to be disclosed under section 4 is set forth clearly and conspicuously; and

(3) prescribing reasonable tolerances of accuracy with respect to disclosing information under section 4.

(b) In prescribing regulations with respect to reasonable tolerances of accuracy as required by subsection (a) (3), the Board shall observe the following limitations:

(1) The annual percentage rate may be rounded to the nearest quarter of 1 per centum for credit transactions payable in substantially equal installments when a creditor determines the total finance charge on the basis of a single add-on, discount, periodic, or other rate, and such rates are converted into an annual percentage rate under procedures prescribed by the Board.

(2) The use of rate tables or charts may be authorized in cases where the total finance charge is determined in a manner other than that specified in paragraph (1). Such tables or charts may provide for the disclosure of annual percentage rates which vary up to 8 per centum of the rate as defined by section 3(f). However, any creditor who willfully and knowingly uses such tables or charts in such a manner so as to consistently understate the annual percentage rate, as defined by section 3(f), shall be liable for criminal penalties under section 7(b) of this Act.

(3) In the case of creditors determining the annual percentage rate in a manner other than as described in paragraph (1) or (2), the Board may authorize other reasonable tolerances.

(4) In order to simplify compliance where irregular payments are involved, the Board may authorize tolerances greater than those specified in paragraph (2).

(c) Any regulation prescribed hereunder may contain such classifications and differentiations and may provide for such adjustments and exceptions from this Act or the regulations thereunder for any class of transactions, as in the judgment of the Board are necessary or proper to effectuate the purposes of this Act or to prevent circumvention or evasion of, or to facilitate compliance by creditors with, this Act or any regulation issued hereunder. In prescribing exceptions, the Board may consider, among other things, whether any class of transactions is subject to any State law or regulation which requires disclosures substantially similar to those required by section 4.

(d) In the exercise of its powers under this Act, the Board may request the views of other Federal agencies which in its judgment exercise regulatory functions with respect to any class of creditors, and such agencies shall furnish such views upon request of the Board.

(e) The Board shall establish an advisory committee, to advise and consult with it in the exercise of its powers under this Act. In appointing such members to such committee the Board shall seek to achieve a fair representation of the interests of sellers of merchandise on credit, lenders, and the public. Such committee shall meet from time to time at the call of the Board, and members thereof shall be paid transportation expenses and not to exceed $100 per diem.

EFFECT ON STATE LAWS

SEC. 6. (a) This Act shall not be construed to annul, alter or affect, or to exempt any creditor from complying with, the laws of any State relating to the disclosure of information in connection with credit transactions, except to the extent that such laws are inconsistent with the provisions of this Act, or regulations issued thereunder, and then only to the extent of the inconsistency. This Act shall not otherwise be construed to annul, alter or affect in any manner the meaning, scope or applicability of the laws of any State, including, but not limited to, laws relating to the types, amounts or rates of charges, or any element or elements of charges, permissible under such laws in connection with the extension or use of credit, nor to extend the applicability of such laws to any class of persons or transactions to which such laws would not otherwise apply, nor shall the disclosure of the annual percentage rate in connection with any consumer credit sale as required by this Act be evidence in any action or proceeding that such sale was a loan or any transaction other than a credit sale.

(b) The Board shall by regulation exempt from the requirements of this Act any class of credit transactions which it determines are subject to any State law or regulation which requires disclosures substantially similar to those required by section 4, and contains adequate provisions for enforcement.

(c) Except as specified in section 7, nothing contained in this Act or any regulations issued thereunder shall affect the validity or enforcibility of any contract or obligation under State or Federal law.

CIVIL AND CRIMINAL PENALTIES

SEC. 7. (a) (1) Any creditor who, in connection with any credit transaction, knowingly fails in violation of this Act, or any regulation issued thereunder, to disclose any information to any person to whom such information is required to be given shall be liable to such person in the amount of $100, or in any amount equal to twice the finance charge required by such creditor in connection with such transaction, whichever is the greater, except that such liability shall not exceed $1,000 on any credit transaction.

(2) In any action brought under this subsection in which it is shown that the creditor disclosed a percentage rate or amount less than that required to be disclosed by section 4 or regulations prescribed by the Board (after taking into account permissible tolerances), or failed to disclose information so required, there shall be a rebuttable presumption that such violation was made knowingly. Such presumption shall be rebutted if the creditor shows by a preponderance of evidence that the violation was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error: *Provided,* That a creditor shall have no liability under this subsection if within fifteen days after discovering the error, and prior to the institution of an action hereunder or the receipt of written notice of the error, the creditor notifies the person concerned of the error and makes whatever adjustments in the appropriate account as are necessary to insure that such person will not be required to pay a finance charge in excess of the amount or percentage rate so disclosed.

(3) Any action under this subsection may be brought in any court of competent jurisdiction within one year from the date of the occurrence of the violation. In any such action in which a person is entitled to recover a penalty as prescribed in paragraph (1), the defendant shall also be liable for reasonable attorneys' fees and court costs as determined by the court.

(4) As used in this subsection, the term "court of competent jurisdiction" means either any Federal court of competent jurisdiction regardless of the amount in controversy, or any State court of competent jurisdiction.

(b) Any person who knowingly and willfully gives false or inaccurate information or fails to provide information required to be disclosed under the provisions of this Act or any regulation issued thereunder, or who otherwise knowingly and willfully violates any provision of this Act or any regulation issued thereunder, shall be fined not more than $5,000 or imprisoned not more than one year, or both. The responsibility for enforcing this subsection is hereby assigned to the Attorney General.

(c) No punishment or penalty provided by this Act shall apply to the United States, or any agency thereof, or to any State, any political subdivision thereof, or any agency of any State or political subdivision.

(d) No person shall be subject to punishment or penalty under this Act solely as the result of the disclosure of a finance charge or percentage which is greater than the amount of such charge or percentage required to be disclosed by such person under section 4, or regulations prescribed by the Board.

EXCEPTIONS

SEC. 8. The provisions of this Act shall not apply to—

(1) credit transactions involving extensions of credit for business or commercial purposes, or to governments or governmental agencies or instrumentalities, or to organizations; or

(2) transactions in securities or commodities in accounts by a broker-dealer registered with the Securities and Exchange Commission;

(3) credit transactions, other than real property transactions, in which the total amount to be financed exceeds $25,000; or

(4) transactions involving extensions of credit secured by first mortgages on real estate.

REPORTS

SEC. 9. Not later than January 3 of each year commencing after the effective date of this Act, the Board of Governors of the Federal Reserve System and the Attorney General shall, respectively, make reports to the Congress concerning the administration of their functions under this Act, including such recommendations as the Board and the Attorney General, respectively, deem necessary or appropriate. In addition, reports of

the Board of Governors of the Federal Reserve System shall include the Board's assessment of the extent to which compliance with the provisions of this Act, and regulations prescribed thereunder, is being achieved.

EFFECTIVE DATE

SEC. 10. The provisions of this Act shall take effect upon July 1, 1969; except that section 5 shall take effect immediately upon enactment.

Mr. MANSFIELD. Mr. President, for the information of the Senate, there will be no debate on this bill tonight, but it will be the pending business at the conclusion of the morning hour on tomorrow.

RIOT PREVENTION

Mr. JAVITS. Mr. President, I call to the attention of my colleagues, an advertisement by the National Association for the Advancement of Colored People, which was published in the Washington Post of this morning. The advertisement is entitled "Riot Prevention," and contains 15 specifications from this very reliable and prestigious organization in the civil rights and race relations field concerning what they consider to be the causes of the existing discontent in many cities. Unfortunately, this discontent has resulted in riots in many cities in this Nation, including, most recently, the city of Buffalo, N.Y.

I do not think anybody present, including myself, needs protest his fidelity to the concept of public order or his confidence in the ultimate justice which can be done under our Constitution and form of government. And while I join with all of my distinguished colleagues in vigorously asserting the fact that we will at no time be intimidated in what we do by public disorders, it is a fact that our job is to anticipate such disorders and do justice.

One of the objectives of citing these 15 specifications is to emphasize that riots of this kind must be anticipated and that there are measures which can be taken in the private and public sectors and at all levels of government which deal with the primary complaints of human beings which finally drive them into action against an orderly society.

It is a fact that deep frustration creates this difficulty at a time of the year when it is the most vivid in the minds of people who riot. And this frustration is aggravated by trade unions and business communities which fail to find or create job opportunities, by the action of the Federal Government in failing to pass and strictly enforce strong civil rights legislation, and by the local governments in not being alert to the needs of their own communities.

This advertisement makes very constructive reading. It is a very intelligent, well-done job.

We do not have to agree with every specification in order to respect the scholarship and the understanding which has gone into this message.

I advise every Senator to read it, and I especially advise officials of States, municipalities, and cities who are charged with the responsibility for public order to take heed of the fact that we must see these events coming months ahead, if we want a chance to head them off.

If we try to bring to bear the facilities of all agencies of government, the community relations councils, local, public and private agencies before the riots hit us, we may avert them. However, if we do not plan ahead and make an effort, for example, to get jobs for Negro teenagers, it will be too late to avert the riots which we fear and deplore. Society will then have suffered a very disastrous blow as a result of our failure to act.

Mr. President, I ask unanimous consent to have the advertisement to which I have referred printed at this point in the RECORD.

There being no objection, the advertisement was ordered to be printed in the RECORD, as follows:

RIOT PREVENTION

Riots are bad business for all concerned—the rioters, the targets and an ordered society. Superficial studies always seek to find who fired what shot, who shouted thus and so, or who made a speech at what place. Hardly anyone gives a passing thought to the shavings and gasoline which have been piled up and scattered around for months and years, just waiting for an emotion-laden, overt act to ignite it. Some smoldering material, ready to burst into flame, has already been piled up on the civil rights issue.

1. The 1966 Civil Rights Bill was filibustered to death in the United States Senate last fall after passing the House. No part of the bill was allowed to reach the floor. Negative predictions on the fate of the 1967 Bill fill the political air.

2. Congressman Adam Clayton Powell was summarily deprived of his chairmanship of the House Education and Labor Committee on the day before the Congress opened last January and was refused his seat the next day. Although re-elected overwhelmingly by the voters in his district in a special election, he has not yet been seated in the 90th Congress.

3. The 1967 Civil Rights Bill, containing, among other titles, one calling for the Equal Opportunity Commission to have the authority to issue cease and desist orders, has been virtually buried. At present the EEOC can determine that a firm is discriminating and thus violating the Civil Rights Act of 1964, but it cannot order it to stop.

4. The Atomic Energy Commission awarded a multimillion-dollar atom smasher plant to Weston, Ill., even though Illinois had no state fair housing law, on the pledge of responsible Illinois officials that such a law would be enacted. But on June 16 and 27, 1967, the Illinois state Senate finished killing the last of eight fair housing bills previously passed by the House.

5. Nine-tenths of the Selective Service Boards in the nation contain no Negro members. Negro young men, drafted to serve in their country's armed services, see very few members of their race among the board members who order them off to war.

6. The guidelines laid down by the Office of Education of the Department of Health, Education and Welfare for speeding up the desegregation of the public schools in the South were blunted and trimmed by the 90th Congress in response to pressure from the Southern states. Thirteen years after the historic Brown decision of 1954, Dixie pressure has forced HEW to restrict its enforcement machinery to one locality in the Secretary's office. It also has forced the elimination of the Commissioner of the Office of Education from any enforcement duties in connection with school desegregation.

7. Rent supplements, on which poor Negro and white families depend for improvement of their housing, was killed by the House of the 90th Congress.

8. The appropriation for the model cities program affecting Negro citizens in the center cities was cut from a requested $662-million to $237-million by the House of the 90th Congress.

9. The Teachers Corps, which supplies teachers for school districts with a heavy enrollment of pupils from low-income families, has been placed completely under state control.

10. The income of Negro families has dropped to 53 percent of the income of white families, from a previous figure of 57 percent.

11. The national unemployment rate is at its lowest percentage—3.8, but the Negro unemployment rate is freely acknowledged to be twice to four times that. The Negro teen-age unemployment rate in the summer of 1966 was 33 per 100, whereas the white teen-age rate was 14 per 100.

12. In New Rochelle, N.Y., and in Cleveland, Ohio, craft unions in the building trades have been refusing employment to Negroes and refusing them entrance to apprentice training programs, even though the buildings projects are Federal ones, the contracts for which can be cancelled on revelation of discriminatory practices. This exclusion of Negroes from employment on tax-financed building projects is a widespread practice.

13. The Coleman Report of a Johns Hopkins University team has disclosed that the gap between Negro and white children in the public schools is widening, yet stubborn opposition persists to changes in crowded ghetto schools, to new teaching methods and to quality elementary and secondary education.

14. The walls around Negro center city ghettos remain unbreached except for an occasional crack. Whenever a Negro family escapes into a previously all-white area, the parents and children have to run the gauntlet of insults, rocks, bottles, telephone threats and other intimidations.

15. With unprecedented speed, the House has passed an "anti-riot" bill. This was cleared for the floor promptly by Rep. William M. Colmer of Mississippi, chairman of the House Rules Committee, thus confirming it as a punitive measure, rather than as a preventative. Already there exist ample legislation and more than ample policing forces to deal with anything short of a full-scale civil war.

The list can go on and on. Courts hand down decisions which are ignored. Laws are passed, but not observed. Congress enacts measures, but the funds to carry out the provisions are cut to the bone or denied completely by the appropriations committees. Anti-poverty projects are booted about. Funding is denied or delayed.

The upshot is that the majority of the Negro population, which believes in law and order, cannot bring itself to sweeping and unreserved condemnation of the ones among it who are impatient at the slamming doors, impolite to the slammers and insubordinate to the winking authority and to its minions who confront them with anti-riot formations and anti-Negro mentalities.

Nobody except troublemakers wants another upheaval, North or South, but if one should occur, remember the tinder that has been scattered, hither and yon, these many years.

Remember, too, that if the white population had been cooped up and shackled down in ghetto housing, slum schools and jim crow jobs the nation would be in the midst of a genuine revolution, not a series of riotous outbreaks by a riotous few.

Riot prevention begins with the Congress, with state legislatures and city councils, with boards of education (and the vast School

Establishment), with housing authorities, with organized labor, with employers, with courts and the police.

Did you lay the groundwork for a riot today?

National Association for the Advancement of Colored People,
Kivie, Kaplan, *President.*
Bishop Stephen G. Spottswood,
Chairman, Board of Directors.
Roy Wilkins,
Executive Director.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORSE. Mr. President, I understand that the Senator from New York has inserted in the Record the advertisement that was published in this morning's Washington Post by the National Association for the Advancement of Colored People.

Mr. JAVITS. The Senator is correct.

Mr. MORSE. I was going to do the same thing. I associate myself with every remark made by the Senator. I think it is an excellent statement.

I commend Mr. Wilkins for his statement.

Mr. HART. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HART. Mr. President, as the Senator from Oregon has said, I have also read the advertisement.

I had the advertisement on my desk, and I am delighted that the Senator from New York has made the remarks he made and had the advertisement printed in the Record, as I intended to do.

I think it is the sort of thing which all of us in this country would do well to quietly read, and those of us who have legislative responsibilities should react to it.

Every line of it is gospel.

Mr. JAVITS. These words could not come from greater advocates of justice and the dignity of man in this country. I am grateful to the Senators.

MILITARY AID TO HANOI BY MOSCOW AND PEKING

Mr. MILLER. Mr. President, the administration, which is advocating increased trade with the Soviet Union and its satellites, should read an article appearing in the Washington Evening Star on July 7.

Gathering the data from a variety of U.S. Government sources, the Associated Press details the volume of assistance the Soviet Union is providing and has provided North Vietnam.

The article reports that Russia has furnished North Vietnam more than 10,000 artillery pieces, mortars, and other heavy weapons, and that in the first 3 months of this year, the volume of cargo unloaded by Soviet ships at Haiphong reached a record level of more than 200,000 tons.

It also shows that Communist China has sent in supplies of more than 750,000 small arms, most of which were then sent to the Communist forces fighting in South Vietnam.

I believe this report should be kept in mind in the days ahead when the euphoric talk of a detente with the Soviet Union takes on greater intensity.

I ask unanimous consent that the article, entitled "Scope of Arms Aid to Hanoi by Moscow, Peking Disclosed," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Scope of Arms Aid to Hanoi by Moscow, Peking Disclosed

Communist China has supplied North Vietnam more than 750,000 small arms, many of which have been shipped on to Communist forces fighting in South Vietnam, U.S. sources report.

Russia has furnished North Vietnam more than 10,000 artillery pieces, mortars and other heavy weapons.

These figures, gathered from a variety of U.S. government sources, indicate the scope of Russian and Red Chinese aid to North Vietnam, the main supplier of the Communist Viet Cong as well as North Vietnamese regulars in South Vietnam.

The volume of cargo unloaded by Soviet ships at Haiphong, North Vietnam's chief port, reached a record level of more than 200,000 tons in the first three months of this year.

ESTIMATED $1.5 BILLION

U.S. experts calculate that Soviet military aid to North Vietnam totaled close to $1.5 billion from 1955 through last year. Chinese military assistance to North Vietnam came to nearly $200 million through 1966.

Economic aid to North Vietnam from all Communist sources reached $1.5 billion during this period. About half came from Moscow, a little less than half came from China and some 10 per cent from Red nations of eastern Europe.

The war in Vietnam currently is costing the United States about $25 billion a year.

The current assessment by knowledgeable U.S. officials is that even without help from the Soviet Union or China, North Vietnam could continue the war, but its effort would be much less effective. This assessment also covers action in Laos.

PORT CLOSING IMPACT

U.S. experts believe shutting off the port of Haiphong would magnify North Vietnamese problems and drain material and human resources.

But if the Russians and Chinese kept up basic support in the face of a port closure, American analysts are convinced North Vietnam could continue the present degree of operations in both South Vietnam and Laos.

The Russians, it was said, could use South Chinese ports, shifting to rail transportation there, instead of sending goods into Haiphong. Crude oil could be shipped to Chinese refiners and refined products transshipped to North Vietnam by train.

This supposes the Chinese would permit such action. Although the Russians and Chinese are bitter foes politically, indications are the Chinese are not interfering with present Soviet overland shipments through China to North Vietnam.

SMALL ARMS SUPPLIED

China is providing most of the small arms, ammunition, antiaircraft artillery, some heavy weapons and some trucks to North Vietnam, U.S. experts say. Moscow is furnishing virtually all of the petroleum supplies to North Vietnam, with some small amounts from Romania.

The Soviet Union also is sending North Vietnam most of its radar, surface-to-air missiles, MIG jet fighters, heavy weapons and some of its trucks.

More than 95 per cent of the small arms, artillery and ammunition enters North Vietnam by rail—which makes vitally important the two main railroad lines connecting Hanoi with China.

About 90 per cent of the petroleum supplies are carried in North Vietnam by sea. All of the trucks, essential to moving heavy military cargoes toward South Vietnam, also arrive in North Vietnam by sea.

The Chinese are carrying the main load in training North Vietnamese antiaircraft gun crews—reportedly in North Vietnam.

It is not known how many surface-to-air missiles the Soviet Union has supplied North Vietnam, but many more than 3,000 have been fired so far.

North Vietnamese missile men undergo their training in their own country, but North Vietnamese MIG pilots are reported trained in the Soviet Union.

U.S. authorities say Moscow has supplied North Vietnam some 60 MIG jet fighters and nearly 140 other military aircraft. Red China is reported to have given North Vietnam more than 40 MIGs.

Latest estimates indicate there are up to 10,000 Chinese military men in North Vietnam serving as antiaircraft instructors, supply handlers and engineers for repair of docks, railroads, bridges and other similar facilities destroyed or damaged by U. S. air attack.

There was no estimate on the number of Soviet citizens in North Vietnam.

DUBUQUE COLLEGE GROUP CHEERS GI'S

Mr. MILLER. Mr. President, the part that one Iowa college is playing in boosting the morale of our soldiers overseas was vividly portrayed by writer Ruth Dean in a Washington Evening Star article on July 8.

It is particularly gratifying to see the reception being accorded the Clarke College USO drama troupe, led by a nun, Sister Mary Xavier Coens, B.V.M.

The Dubuque college group already has toured U.S. Army installations in Europe, and in a few weeks will visit facilities in Iceland, Greenland, Labrador, and Newfoundland.

As Sister Mary Xavier puts it:

> The girls come home waving the flag, and back at college we had "Cheer John" campaigns to keep in touch with the GIs we've visited.

I believe we need more of such wholesome and constructive student activity on our campuses.

I ask unanimous consent that the article, entitled "GI Nun Is Colonel, Too," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

GI Nun Is Colonel, Too

(By Ruth Dean)

It's a little unusual to hear a nun throwing military jargon around like "TDY, hit the road and CO" and more startling yet to see a pair of colonel's eagles pinned to her habit.

But this is nothing to the first impression Sister Mary Xavier Coens, B.V.M., made when she landed at several U.S. Army installations in Europe with her 14-girl Clarke College U.S.O. drama troupe.

DOUBLE TAKE

"Whose general's sister are you?" was the greeting she got at one airport. And the welcoming committee did a double-take when she calmly replied: "I'm TDY," which translates to "temporary duty" in civilianese.

In a few weeks, Sister Mary Xavier will be off again on her second U.S.O. trip with a troupe from the same Dubuque, Iowa college where she teaches speech and drama, headed this time, for the Army's northeast command—"the big icebox," she calls it, comprising Iceland, Greenland, Labrador and Newfoundland.

Sister's fame may have preceded her since her European venture has been recorded in a soon-to-be-published book, "G.I. Nun" coauthored with Robert C. Healey (P. J. Kenedy & Sons $4.50).

Sister Mary Xavier and Sister Mary Jeremy Macklin, also of the Clarke College drama department, are the first nuns ever to take a show on tour for the USO.

It wasn't long before the GIs started calling them the "girls in black." If their 35,000-member GI audience expected a hymn-singing routine, their "show-me" boredom erupted into applause when they saw the 90-minute "Coffee House Theater" revue put on by the girls.

The hit of the show? When the college girls donned formal evening dress with long white kid gloves and "went over the top" of the footlights to visit with their audience.

This moment proved to be the most touching of the revue, Sister recalled yesterday at a Washington press conference.

Instead of whistles, there was silence—then applause.

One GI exclaimed "God, they're beautiful!" And one burly one came up to her afterwards with tears in his eyes, and said: "Thanks Ma'am, for the white gloves." "They were really gentlemen," Sister said of their GI audiences.

The girls are carefully picked for this assignment. "Talent is the last on the list," said Sister Xavier. "You take those few girls among that many men and personal integrity comes first on the list of qualifications."

Most of the time the girls and the nuns found themselves "listening posts" for GIs wanting to pour out their loneliness, disgust, or disappointment with the girl back home.

"The girls come home waving the flag," said Sister, "and back at college we had 'Cheer John' campaigns to keep in touch with the GIs we've visited."

NEW ROLE?

In fact Sister Xavier sees a new role for nuns. "People laugh at me but I think there ought to be God's WACs and God's WAVES," she said. "They would make great listening posts."

It is easy to see how Sister's warmth and understanding brought her first an honorary captain's bars, then more recently a pair of honorary colonel's eagles. But she is adamant in stressing she's neither abdicated her vows to join the Army or that she's in show biz.

Sister had one inflexible rule for the girls—no single dating and no dating of officers. The latter occasioned about the only time she "pulled rank." She forbade a young officer to date one of her girls. Bewildered he asked her, "What have you against me, Sister?" and she replied, "Only that you're a second lieutenant!"

IT'S TIME TO STAND UP FOR THE UPPERDOG

Mr. MILLER. Mr. President, Miller Upton, president of Beloit College, Beloit, Wis., recently delivered an address at the honors convocation of Ripon College, Ripon, Wis.

President Upton did not mince any words in asserting that it is about time to give more recognition to the achiever and the doer.

I have just about reached the end of my tolerance—

He said—

for the way our society at the present time seems to have sympathetic concern only for the misfit, the pervert, the drug addict, the drifter, the ne'er-do-well, the maladjusted, the chronic criminal, the underachiever, the loser—in general, the underdog.

Mr. Upton does not say that society should ignore these but he does say that society must take note of the achievements of those who rise above their surroundings and contribute to society as a whole.

I believe the address merits attention and I ask unanimous consent that the article, "It's Time To Stand Up for the Upperdog," which appeared in the July 10 issue of U.S. News & World Report, be placed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

"It's Time To Stand Up for the Upperdog"

(Note.—Is U.S. going too far in its concern for the "underdog"—the ne'er-do-well, the criminal? A college president suggests that it is time to give more recognition to the "upperdog." Here he tells what he means by the "upperdog." He also suggests that the U.S. worry less about creating a "great society," first build a "decent" society.)

(From an address by Miller Upton, president of Beloit College, Beloit, Wis., which he delivered recently at the honors convocation of Ripon College, Ripon, Wis.)

I have just about reached the end of my tolerance for the way our society at the present time seems to have sympathetic concern only for the misfit, the pervert, the drug addict, the drifter, the ne'er-do-well, the maladjusted, the chronic criminal, the underachiever, the loser—in general, the underdog.

It seems to me we have lost touch with reality and become warped in our attachments, if not in fact psychotic.

In short, I feel it is time for someone like me to stand up and say, "I'm for the upperdog!" I'm also for the achiever— the one who sets out to do something and does it; the one who recognizes the problems and opportunities at hand and endeavors to deal with them; the one who is successful at his immediate task because he is not worrying about someone else's failings; the one who doesn't consider it "square" to be constantly looking for more to do, who isn't always rationalizing why he shouldn't be doing what he is doing; the one, in short, who carries the work of his part of the world squarely on his shoulders.

Not the wealthy, necessarily; not the ones in authority, necessarily; not the gifted, necessarily—just the doer, the achiever—regardless of his status, his opulence, his native endowment.

We are not born equal; we are born unequal. And the talented are no more responsible for their talents than the underprivileged for their plight. The measure of each should be by what he does with his inherited position.

No one should be damned by the environmental condition of his life—whether it be privileged or underprivileged. . . .

It is a dying fashion to pay respect to those who achieve—who really "have it," to use the vernacular. This is the day when the fashion is to be for the underdog. The attitude is being developed that if you really want to care for you—and who doesn't?—don't be successful; be a misfit, a loser, a victim of one's environment. This is an occasion to honor the successful—to say it is better to win than to lose, better to receive an A than a C, that class rank is meaningful, that those who have developed the pattern of achieving in college will go on achieving out of college, and, because of their achievement, the rest of us will live richer and easier lives.

I'm not entirely sure of the reason for what appears to me a general social-psychological aberration, but I suspect it springs from a massive social guilt.

Each of us individually is so aware of our personal limitations that we have developed a form of masochistic reaction to problems of the day. Instead of attempting to deal with the problems in a forthright way, we berate ourselves, we martyr ourselves, we pillory ourselves.

Or, if the problems seem too much to us to handle, we mitigate our sense of guilt by heaping all blame on convenient scapegoats or by concerning ourselves with the problems of others at a conveniently remote distance.

Let me illustrate my point by specific reference:

I have become increasingly bored and resentful of the ridicule and snide references made of the WASPS—the white, Anglo-Saxon, Protestant suburbanites. I wouldn't feel the point so strongly were the criticisms leveled by those outside the circle. Such could be looked upon as healthy social criticism and competition. But when it comes mainly from those who are part of the circle—WASPS stinging themselves—it assumes the nature of sick self-immolation.

Our society's treatment of the Negro over the years is deplorable. In fact, that's too mild a term for it. The word "sinful" in its full theological sense is more accurate. But this fact does not justify us, in our sense of guilt, condemning a particular segment of society which in many ways constitutes the backbone of American social existence.

If damning by association is wrong, as I would maintain strongly it is, then how horribly wrong it is to level our guns of hostility, envy and ridicule in this fashion on the successful white man who more often than not struggled financially to get a college education, who more often than not works at his job more than 60 hours a week, who buys a comfortable home in the suburbs with the welfare of his family in mind, who is active in his church and community affairs who gives his time to service on boards of education and social-welfare agencies, and in some cases is shortening his life span through overwork and anxiety resulting from the basic social responsibilities he must carry.

These are among the chief doers and achievers of today. And where would our society be without them? For one thing, we would not have Ripon College or Beloit College or the University of Wisconsin as we know them today were it not for the likes of these people. Nor could we afford to have a major portion of the population going to school for 12 to 20 years. Nor would we enjoy the leisure time, recreational activities and cultural advantages which are a direct product of our material welfare. However, there would be one by-product advantage: We would have to be so concerned individually with eking out our own meager existence that there would be no time to be wasted on such irrelevant and dishonest name-calling and buck-passing.

BLAMING ECONOMIC SYSTEM UNFAIRLY

Or, just as we point an accusing finger at those who succeed within our economic system, so we accuse the system itself of faults which are not of its creation. In short, we tend to blame the economic system for the faults of individuals who operate within it.

It is important to recognize that the quality of any society is directly related to the quality of the individuals who make it up. Therefore, let us stop referring naively to creating a "great" society. It is enough at this stage of our development to aspire to create a "decent" society. And to do so our first task is to help each individual be decent unto himself and in his relationship with other individuals.

A decent society cannot be created out of a vacuum and imposed. It can only evolve out of the lives of constituent members. In this regard, our economic system has become the scapegoat for the failures of our educational, religious and family institutions to develop decent and responsible individuals.

Whenever one blames another or group of individuals for one or more of the ills of mankind—beware! He is expressing personal hostility and offering no solution. There is no single scapegoat for the world's ills, unless it be our own personal limitations as finite beings.

Also, the Puritan ethic and religious morality in general have come in for some heavy-handed humor and disdain. I can support that criticism which focuses on arbitrary value judgments. But we seem to be in the process of developing a much more perverse kind of moralism—a moralism which says that since love is the one absolute virtue of man, the one way we will solve the problems of poverty, crime, racial discrimination and the like is by forcing everyone to love everybody else—we must love the white man because he is white, or the black man because he is black, or the poor because he is poor, or the enemy because he is the enemy, or the perverse because he is perverse, or the afflicted because he is afflicted! Rather than because he is a human being, any human being who just happens to be white or black, poor or rich, enemy or friend.

This is a hideous abuse of the notion of love that avoids the hard fact that love is a uniquely personal experience.

If it is idle to attempt to legislate individual morality, it is even more idle, and even arrogant, to attempt to force individual love. There can be no love unless it is genuine and authentic. To love, or go through the pretense of loving, without truly feeling that way is one of the lowest forms of hypocrisy. It is dishonest at its worst. And the fruit of such dishonesty, as with all forms of dishonesty, is distrust, degradation, chaos. We should respect all people so much that we would not dare demean one by pretending to love him when we don't. . . .

We need to start being honest with ourselves in more ways than one. It is too bad that we have failed to heed the charge that Polonius made to his son: "This above all, to thine own self be true." For were we to do so we would have to admit honestly and joyously that love in its very essence is selfish. Were it not so, there would be none—not real love—only a martyred imitation. . . .

We have serious problems and issues facing our society at the present time. Let there be no doubt about it. But they can be solved over time if we will attack them directly and honestly—that is, if we will be willing to pay the price in time and persistent personal effort.

They will never be subject to instant solution—to wishing it so. Nor will they be solved by blaming others for their existence, or by making certain segments of society the scapegoat for the general ills of society. Nor will they be solved by running away from them by concerning ourselves with remote situations rather than those at hand. Nor will they be solved by application of the perverse notion that to love means only to sacrifice one's self.

The one most certain point is that they will be solved by doers—not people with good intentions, but individuals with good deeds. Not those who talk a good game, but those who play a good game—the achiever.

"ENCOURAGING INDIVIDUAL EXCELLENCE"

We will never create a good society, much less a great one, until individual excellence and achievement is not only respected but encouraged. That is why I'm for the upper-dog—the achiever—the succeeder. I'm for building an ever better society, and this will only be done by those who take seriously their responsibility for achievement, for making the most of their native ability, for getting done the job at hand.

IN THE CAUSE OF PEACE—PRESIDENT JOHNSON AT GLASSBORO

Mr. MORSE. Mr. President, President Johnson has always said that he would go anywhere at any time without any conditions in the cause of peace.

The summit conference at Glassboro illustrated his passion for peace.

Mr. President, for this course of action I applaud my President as I have always applauded my President when I think he is within the framework of our constitutional system; and I have criticized him when he does not stay within the framework of our constitutional system. He is clearly outside of it in Vietnam but he was within it at Glassboro.

The President went to great lengths to take advantage of Premier Kosygin's visit to the United States and set new grounds for peaceful negotiations.

He went to great length to reach an accommodation of views on where the summit meeting would be held.

He succeeded in having a much longer discussion than was probably anticipated.

And he stated the American position on world affairs clearly, directly, and without threat or intimidation.

Indeed, as the attached editorial in the Oregonian of June 24 says, President Johnson has gone "more than halfway" in the spirit of Hollybush.

Whatever the specific results, few can deny that a calmer, more peaceful atmosphere has been created by the meeting, and we should be proud of the President for having taken the conference from start to finish without a single misstep.

I ask unanimous consent to have printed in the Record an editorial published in the Oregonian of June 24, 1967, supporting the President's peace efforts at Glassboro.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

More Than Half Way

President Johnson has always said he'd go more than half way to negotiate with the Communists. And so he did yesterday.

Glassboro, N.J., is 135 miles from Washington and only 111 from New York, a difference of 24 miles. However, Mr. Johnson traveled by plane from Washington to Philadelphia and then by helicopter to Glassboro, whereas Premier Kosygin took the New Jersey Turnpike from New York. Distances by air usually are less than by highway, so maybe the President didn't concede the full 24 miles to the man from the Kremlin.

In any event, Mr. Johnson didn't have to go crawling to New York to meet Mr. Kosygin and the latter didn't have to go hat-in-hand to Washington or Camp David. Both obviously felt they had to maintain an air of reluctance if not indifference. Israel and perhaps many Americans would have resented Mr. Johnson's kowtowing to the Russians and the Arab and Red Chinese would have taken an even dimmer view of Mr. Kosygin's running down to Washington. This despite the fact that everyone knew the two had communicated frequently on the hot line during the war in the Middle East and that Messrs. Rusk and Gromyko had been working like beavers to arrange a "summit" meeting.

Glassboro, a town of some 10,000 population, got its name from a glass factory established there about the time of the American Revolution. For the 1840 presidential compaign, the factory produced bottles in the shape of the log cabin where William Henry Harrison was born. A Philadelphia distiller named E. C. Booz filled the bottles with whiskey and they became known as Booz bottles. The common term "booze" comes, however, from an old English word borrowed from Flemish.

The Victorian stone house of the president of Glassboro State College, where the "Big Two" met, is called Hollybush. Should Messrs. Johnson and Kosygin prove to have got along as well in their comic-opera meeting as Messrs. Eisenhower and Khrushchev did at Camp David, which caused Mr. Khrushchev to refer to the "Spirit of Camp David," Hollybush would be a pretty name for a similar term. "Spirit of Glassboro" is not inspiring and "Spirit of Booz Bottle" is out of the question, of course.

However, one should not expect too much from a meeting arranged by laying a ruler on a map.

PHYSICAL FITNESS

Mr. MORSE. Mr. President, in an article appearing in the May issue of the monthly magazine Physical Fitness Newsletter, a resident of my State, Prof. H. Harrison Clarke, has offered several thought-provoking suggestions for improving our Nation's physical fitness program by revamping the operations of the President's Council on Physical Fitness.

Professor Clarke is eminently qualified to discuss the performance of the President's Council on Physical Fitness. He has been associated with the Council as a research consultant; he holds the position of research professor in the School of Health, Physical Education, and Recreation; and he serves as editor of the magazine Physical Fitness Newsletter.

Professor Clarke's article deserves to be carefully studied by all those concerned with the present and future performance of the President's Council on Physical Fitness. I ask unanimous consent that excerpts from Professor Clarke's article be printed in the Record.

The PRESIDING OFFICER (Mr. Mondale in the chair). Without objection, it is so ordered.

The excerpts referred to follow:

Suggestions for the President's Council on Physical Fitness

(By Prof. H. Harrison Clarke, University of Oregon, Eugene, Oreg.)

Three Presidents of the United States should be saluted for their insight into the need for and support of the fitness Council they created and continued for over a decade of usefulness. This Council, without doubt one of the smallest and most dynamic of federal agencies, has become well established and accepted by the American public. Without doubt, too, it has reflected credit upon the Presidents whom it served. But, even more important, it has rendered a great service to the children, youth, and adults of this nation in successfully sponsoring processes for improving their physical fitness . . .

COUNCIL STATUS

Since 1961, the Physical Fitness Consultant to the President has been a part-time appointee. The Council staff has consisted of four full-time individuals, one of whom has also served as Administrator. The qualifications of this staff have been divided between public relations experts and physical educators. The Council per se has consisted of the Secretary of Health, Education, and Welfare, Chairman, the Secretaries of Defense, Interior, Agriculture, Commerce, and Labor, the Attorney General, and the Housing and Finance Administrator. For several years, the Council's budget was shared by these agencies; presently, it is a line item in the Public Health Service budget. There has been no change in the amount of the budget since 1961.

The functions and activities of the Council have changed greatly since its origin in 1956 by President Dwight D. Eisenhower. Under this President, its function was primarily public relations. Under Presidents John F. Kennedy and Lyndon B. Johnson, the public relations function continued but it also became actively involved in suggesting and promoting physical fitness programs and practices. The research function of the Council has been studied and a specific proposal for a Physical Fitness Research Institute has been formulated . . .

SUGGESTIONS

Below are suggestions for the future of the President's Council on Physical Fitness. Logically, the President is now giving consideration to the whole status, direction, and potential usefulness of the Council. From his public statements, he has indicated that a truly great society must rest basically upon a physically fit citizenry: that continuance of a generally low level of physical fitness is a shocking waste of human resources. The United States of America should be preeminent in the world in its sponsored physical fitness program.

1. Some way should be found to give the Council permanency and continuity within the federal government, either by placement in an existing agency or by establishment of a new agency. In initiating and continuing the Council, a new agency was formed because Presidents Eisenhower, Kennedy, and Johnson believed that no existing agency encompasses all of the functions of the Council; the selection of the eight agencies to form the Council, as listed above, supports this assumption. However, the Council now does not have permanency, and continuity is dependent upon the views of each new appointee as Physical Fitness Consultant to the President.

The most logical existing agency for location of the Council is the Department of Health, Education, and Welfare. However, if this were done, it should be a new agency within the Department. Locating the Council under either the Office of Education or the Public Health Service would be too restrictive for the functions it should perform. And, further, it could well be treated as an "orphan", if channels for action became too tenuous.

Among the advantages of the Council's presidential source has been its active support by the President of the United States and his dynamic call to the nation for action to improve the physical fitness of all citizens. Without doubt, this has been a tremendous asset. The risk is that succeeding presidents may not hold the same views relative to the need for physical fitness leading to government involvement as heretofore.

* * * * *

3. An increased budget for the Council is definitely needed. As indicated above, the budget amount has not changed since 1961, despite the fact that several new programs have been initiated. Without going into detail here, additional funds are needed to provide for a full-time professional Consultant to the President, additional staff to carry out the Council's mission, publication of revised and new manuals, expanded public relations efforts, utilization of additional professional consultants, and stimulation and support of physical fitness research.

4. Government support of physical fitness research is desperately needed. Presently, federally support of such research for the common man is infinitesimal. The United States is a laggard in this regard, being exceeded by far by Russia, Poland, Yugoslavia, Sweden, West Germany, Canada, and other nations. Physical fitness research in the U.S.A. is confined almost exclusively to university physical education research laboratories; where, financial support is meager and studies are largely dependent upon the completion of the thesis requirement by graduate students.

In general, exceptions admitted, the present interest of government support of physical fitness research may be summarized as follows: Extensive research is being conducted at opposite poles of the physical fitness continuum: at the upper pole, the physical fitness needs of astronauts, flight personnel, submariners, underwater demolition frogmen, and others subjected to special stresses; at the lower pole, the medical care of sufferers from heart disease, cancer, arthritis, infectious diseases, metabolic diseases, neurological conditions, blindness, mental aberrations, and others. Very little physical fitness research for the benefit of the great mass of humanity receives federal support.

The President's Council on Physical Fitness cannot realize its mission adequately, cannot service all Americans effectively, and cannot achieve world leadership without recourse to research. Over a period of five years, this fact has been recognized by the Council through its appointment, first of a Research Consultant and a committee to study research needs, and, later, a Physical Fitness Research Task Force. This effort has been seriously hampered by lack of funds, but has, nevertheless, continued to function progressively. The Council has continuously recognized that existing findings of physical fitness research must be mobilized, disseminated, and applied and that physical fitness research must be stimulated, supported, and conducted. In this way only can the most effective physical fitness processes and practices be proposed.

The Council has established the fact that no existing government agency or combination of agencies as presently constituted will work cooperatively with the Council in meeting its research needs. As a consequence, the Physical Fitness Research Task Force, composed of physicians, physiologists, and physical educators, was formed to examine into ways by which research of vital interest to the Council can be realized. This Task Force has now prepared a statement of the need, feasibility, and purposes for establishment of a Physical Fitness Research Institute. The support of such an Institute is essential for the full realization of the Council's mission.

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS PENSION BENEFIT TRUST FUND—ANNUAL MEETING AT SEA ISLAND, GA.

Mr. MORSE. Mr. President, during the past several years, I have served as the public member of a 25-man board of trustees of the International Brotherhood of Electrical Workers pension benefit trust fund. Twelve members of the board of trustees are representatives of the electrical construction industry, and 12 members are representatives of the International Brotherhood of Electrical Workers.

Theoretically, my responsibility as an impartial public member of the board is to make such recommendations as may be needed to resolve any differences which conceivably might develop over the administration of the pension benefit trust fund between the representatives of the electrical contractors and the representatives of the union. However, I am pleased to report that such a high degree of stabilization within the electrical industry between the electrical contractors and the International Brotherhood of Electrical Workers exists that determinative recommendations by the public member of the board have not been necessary in a single instance during my terms of office on the board.

This does not mean that the board of trustees meetings and exchange of written communications are always characterized by unanimity of opinion. However, one of the most remarkable things about the relationships within the electrical industry in the country is the long record made by representatives of management and labor in talking out together their differences of opinion to the point of resolving and molding those differences into a common agreement acceptable to both sides.

Without diminishing in any way the credit that is due the representatives of management and labor within the electrical industry for resolving their differences among themselves, no little credit is undoubtedly due to the late Prof. Edwin Witte of the University of Wisconsin, who was the public member of the board of trustees, starting in 1948 until his death in 1960. Professor Witte for many, many years was professor of labor economics and industrial relations at the University of Wisconsin. He was one of my academic benefactors to whom I shall never be able to repay my debts of gratitude. Professor Witte and his distinguished colleague, Prof. Selig Perlman, were the two professors in the field of labor economics under whom I studied, both as an undergraduate and graduate student at the University of Wisconsin. Their scholarly publications in the field of labor economics are still and will be for many years to come standard reference works in the required reading in the economic classrooms and seminars of the colleges of America.

Professor Witte was one of the academic architects of our social security system. When I was a member of the War Labor Board during World War II and the compliance officer of that Board, it was necessary for me on many occasions to present the compliance papers in a defiance case to President Roosevelt for his signature. I remember that on one of those occasions, President Roosevelt talked to me in very high praise of the contributions which Prof. Edwin Witte had made in the preparation of the great piece of New Deal legislation, known as the Social Security Act. He also spoke of Professor Witte's work in the field of labor legislation, such as the Wagner Act.

Professor Witte served the War Labor Board in various capacities as mediator, arbitrator, and member of the regional War Labor Board in the Middle West. After I retired from the War Labor Board to become a candidate for the U.S. Senate in 1944, Professor Witte became a member of the National War Labor Board where he served with great distinction.

Upon his death in 1960, I was asked by the board of trustees of the International Brotherhood of Electrical Workers pension benefit trust fund to succeed Professor Witte as the public member of the board. I consider it a great honor to sit in the chair occupied by my teacher and beloved friend, Professor Witte.

Each year, the International Brotherhood of Electrical Workers' pension benefit trust fund holds an annual meeting at which the two cochairmen of the board submit an annual report to the board.

The annual meeting this year was held at Sea Island, Ga., on May 26, 1967. Each year at the annual board of trustees meeting, I am called upon to make a statement on any subject matter that I think will be of interest to the members of the board. This year, my statement related to some aspects of labor relations problems in time of war with special emphasis on the 1966–67 railroad dispute involving the railway industry and six shopcraft unions.

In view of the fact that the pension benefit trust fund of the electrical industry is one of the oldest in example-setting funds in American industry with a record that has exercised great influence in the development of other management-labor pension benefit trust funds, Mr. President, I ask unanimous consent that the May 26, 1967, report of Cochairmen Joseph D. Keenan, representing the union, and Robert L. Higgins, representing industry, and my statement to the board of trustees be printed in the RECORD.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

REPORT ON THE IBEW PENSION BENEFIT TRUST FUND BY THE BOARD OF TRUSTEES

This report of the Trustees of the Pension Benefit Trust Fund is being presented at Sea Island, Georgia, May 26, 1967. It is issued according to the provisions of Article III–A, Section 3, Paragraph (g) of the Employes' Benefit Agreement by which the Pension Benefit Trust Fund was created and under which it operates. This section of the agreement states that the Trustees shall "make a full and complete report to the National Board" each year.

While the "full and complete" report refers specifically to the funds and the operation of the Pension Benefit Trust Fund, this year marks the 15th Anniversary of the Trustees Report in printed and expanded form. We have included in our reports, information concerning the electrical industry and the high degree of cooperation which exists between the National Electrical Contractors Association and the International Brotherhood of Electrical Workers in many fields. By so doing, and by giving our report the widest possible coverage, we have demonstrated that joint planning has paid off for employers and union members, and that cooperation is a better way of life for labor and management than dissonance and strife, and the public we both serve has benefited immeasurably through our joint endeavors.

Much of the material found in this annual report has been adapted from our reports of previous years, though perhaps written up in different form. Therefore, if it seems repetitious to those of us who participate in our Board meetings each year, please bear in mind that some 900,000 of our reports are circulated annually, not just to members of NECA and IBEW but also to members of Congress, every major library and college in the country, to Government agencies, employers, unions and labor departments, unions and schools in foreign countries. Many persons are being exposed to a Trustee's Report for the first time and for their benefit and the review of others interested, we again attempt to bring our readers a comprehensive picture.

EXCHANGE OF IDEAS

In order for men to understand and cooperate with each other, they first must communicate with each other. With that in mind, there has always been a free exchange of speakers at NECA and IBEW gatherings. NECA President Richard Osborn was a principal speaker at the IBEW's Diamond Jubilee Convention in St. Louis, Missouri in September 1966 and IBEW President Gordon Freeman journeyed to Houston, Texas to address NECA's annual Convention in October, 1966.

Regional meetings of NECA chapters and Progress Meetings of the Brotherhood have seen a free exchange of guest speakers during the past year.

From some of the themes presented it would be difficult to a stranger to ascertain whether he was attending a Contractors' or a Union gathering. We are both concerned with the daily rapid growth of our industry, for the tremendous potential projected for the future, and ways and means of meeting the challenge of the electronic and atomic age.

FUTURE OF THE INDUSTRY

The Edison Electric Institute recently projected some figures—some statistics of vital concern to all in the Electrical Industry, whether it be the Utility or the Construction branch.

By the end of 1966, the total electric utility industry in the United States had a generating capability estimated at 247.8 million kilowatts. This represents a 5.1 percent increase over the actual 1965 total of 235.7 million kilowatts. Total generation of electricity in 1966 reached 1.25 trillion kilowatt-hours—6,373 kilowatt hours for every man, woman and child in the United States. Before the end of this year a 7.8 percent increase over last year's total is expected.

And by the year 2000, a little more than three short decades from now, the total electric utility industry will be generating at a figure somewhere between 6 and 10 trillion kilowatt hours. According to William J. Clapp, President of E.E.I., assuming a total of 8 trillion kilowatt-hours, that means the industry will build in three and one-half decades the equivalent of seven additional power systems the size of the 1965 system. Increased use per customer will account for most of this gain.

This tremendous growth in the electric power business also spells tremendous growth for the construction industry. Building the new power facilities and bringing "the juice" to all the new homes, office buildings, factories, presents an ever-growing work load for those of us involved in the construction industry. And when we look forward to new developments being projected for our industry—the tremendous sales potential of electric heat (20 million homes by 1980); the electric car, the advance of nuclear power; pollution control; our part in urban renewal—the job picture ahead is certainly bright.

However, the picture also brings with it added responsibility on our part, to plan together and be ready for the "challenge of the future."

APPRENTICESHIP TRAINING

Perhaps our greatest need is in the field of Apprenticeship Training. We are constantly striving to set up the number of apprentices and the quality of their training and with considerable success. But this is a "constant" job and one that NECA and IBEW must work on every day particularly at the local level.

More and more local Joint Apprenticeship and Training Committees are bringing their programs into conformity with the requirements of the laws and good practices. They are securing adequate financing through contracts, and are obtaining sufficient help to keep the necessary records to do a good job.

The employers and the union in the electrical construction field have always agreed on two points—one, that an adequate force of apprentices should constantly be added to employment rolls in order to insure a constant supply of trained workmen to meet the needs of a growing industry. And two—that training of apprentices and journeymen be thorough and kept up to date.

The National Joint Apprenticeship and Training Committee for the Electrical Industry (NECA and IBEW) has its headquarters in Washington under the direction of "Buck" Baker and assistants "Mac" McIntyre and "Andy" Phillips. Under the policies set by the National Committee, these men have developed a National Course for Apprentice Inside Wiremen and Apprentice Linemen. They have also produced several journeyman short courses and developed visual aids used in instructing apprentices and journeymen. All of these materials will be updated and improved as they are used, revised, and reprinted from year to year. The National Committee will continue to gather statistical data so the industry can be informed as to the trends in the nation.

JOURNEYMAN TRAINING

Second only to building our Apprenticeship program is the job of continuing to build and expand our journeyman skill improvement training. There is a growing demand in the construction industry for specialized contractors, which also means workmen capable of doing specialized work. Our changing industry demands new skills and abilities. We can take pride in the courses which we have developed in such fields as Atomic Energy, Industrial Electronics, Motor Control, National Electrical Code, Blueprint Reading, Electrical Heating and others. All of these courses are helping to keep Electrical Workers and their Contractors up to date in an ever-changing, ever-growing electrical world.

We can also take pride in the fact that so many in our industry are taking advantage of the courses offered. The thousands of certificates being issued yearly are concrete evidence of the progress being made in this field.

NATIONAL ELECTRICAL WEEK

Your Trustees want to mention the growth and importance of National Electrical Week as a means of publicizing the electrical industry and our part in it. NECA has always been more active than IBEW in this important public relations venture. However, the number of local unions of the Brotherhood joining in the enterprise is increasing yearly, due we feel, to the stimulation by employers and the International Office of the Brotherhood, in providing planning kits to all local unions and urging their use.

LEGISLATIVE FRONT

Your Trustees Report usually makes mention of any legislative efforts in which NECA and IBEW have been engaged. In this session of Congress, the Brotherhood again renewed its efforts to have the Situs Picketing bill passed. This effort has received the support of the National Electrical Contractors Association and the outlook is good far passage this year.

Another note of interest insofar as Congress is concerned. Hearings were held before the United States Senate Committee on Urban Development in April. They were chaired by Senator Abraham Ribicoff who spoke of the field of Urban renewal as a project involving expenditures of a *trillion* dollars. This is a program important to our country but also very important to our industry. Representatives of our industry appeared before this committee pledging "practical technology and highly efficient procedures" in accomplishing the urban renewal and development job.

COUNCIL ON INDUSTRIAL RELATIONS

The Council on Industrial Relations for the Electrical Construction Industry has always been our top example of success in labor-management cooperation. In the event that some reading this booklet are not familiar with the CIR, this is the 47-year-old organ used for settling disputes in the electrical construction industry.

The Council is made up of 12 members, six from the Contractors and six from the Union. The Council handles those cases in which the normal collective bargaining processes between local contractor and local union have bogged down and become dead-locked. This is the electrical industry's answer to strikes and lockouts. The Council decisions must be unanimous. Only once in its 47-year history has it ever had a decision violated.

Today many labor and management groups are exploring the possibility of trying to set up an arbitration and mediation organ, in an attempt to eliminate strikes and bring more stability into their respective fields. It is amazing to educators, writers, arbitrators, to learn about our Council for the first time. Our set-up is being widely recommended today in an effort to bring the same kind of peace we have known for nearly half a century, to other industries, their employers and employes.

For the last five years, the CIR has averaged a workload of 100 cases per year. During that period, cases have been presented from all 50 states of the Union and the District of Columbia, with the exception of Alaska, Hawaii, Rhode Island and South Carolina.

There are approximately 500 construction locals in the IBEW. This means that approximately one out of every five locals and corresponding contractor group, is using the Council each year. Of course, there are some contractors and local unions which never employ the CIR to settle their differences. However, the very fact that it exists—a Supreme Court—has been an impetus to many employer-employe groups to resolve their differences at home.

The Council on Industrial Relations is very much a part of the Electrical Industry as we know it.

Of course, as with every man-made organ, there are those who will be dissatisfied with its operation. Our CIR is no exception. Therefore, at every IBEW and NECA Convention we find it necessary to oppose efforts to eliminate the Council and also to seek means to strengthen and preserve it.

The Council is almost half a century old. It has worked well. However, there is never a man-made organ of any kind that cannot possibly be improved and made better. As your Trustees Report was going to press, a meeting was being held at IBEW headquarters in Washington (formed by a resolution passed at the IBEW Convention in St. Louis) to study CIR procedures and perhaps suggest changes in procedures for IBEW and NECA consideration.

We are all agreed that our Council has worked well and brought peace to our industry. If it can be made to work even better, bringing a higher degree of satisfaction to both sides in any dispute, then we will welcome any innovation.

We now come to the final area of labor-management cooperation to be covered in this report.

THE PENSION BENEFIT TRUST FUND

For the benefit of those reading about the Pension Benefit Trust Fund for the first time, we again present a brief history.

The first Pension Plan covering workers in the Electrical Construction Industry was developed by the IBEW and applied to beneficial members of the union. It was established by the 1927 Convention of the Brotherhood and the first pension payments began in 1928. In the beginning a member of 20 years membership could retire at age 65 and receive a pension of $40.00 monthly. The pension was financed by a 37 cent per month payment by each beneficial member.

The IBEW plan was carried on without change for some 20 years. On January 1, 1947 the benefit was increased to $50.00 monthly.

Until 1946, these benefits were financed entirely by an apportionment of the monthly dues (except for earnings on the fund) payable by "A" (beneficial) members, to the Pension Benefit Fund administered by the IBEW.

About 1945, the IBEW employed a firm of consulting actuaries who told them that the IBEW Pension Plan was in trouble and that considerably more money would have to be brought in if the plan was to survive. In fact the actuaries said that the 37 cent monthly contribution would have to be increased to about $5.00. It was then that the IBEW turned to the Contractors' Association to ask for help in continuing to provide pensions for its members.

EMPLOYES' BENEFIT AGREEMENT

In 1946, NECA and IBEW reached an agreement whereby the Contractors in the Association would put 1 percent of their total payroll into a special fund (The National Electrical Benefit Fund—N.E.B.F.). Another fund was set up called the Pension Benefit Trust Fund (the P.B.T.F.). At the start, the contractors' 1 percent payments were put in the N.E.B.F. and then out of the N.E.B.F. each year, an amount which matched the total I.B.E.W. members' contributions to their own pension fund was put into the Pension Benefit Trust Fund. All pensions for the I.B.E.W. members were then paid out of our pension fund (the P.T.B.F.). Pensions were then running $50.00 monthly.

In 1952, the IBEW changed the plan so that 30 years of membership was required for the $50.00 pension. Members with 25 to 29 years would get a $40.00 pension and members with 20 to 25 years membership would get a $30.00 pension. This change did not apply to any of the members already in the plan—in other words IBEW members initiated or reinstated before 1952. About the same time the Contractors agreed to take out the whole 1 percent from the N.E.B.F. and put it into the Pension Benefit Trust Fund (instead of just matching the IBEW contributions).

Until 1957, the combined resources of the PBTF and the PBF were considered as applicable to meet the liabilities of the IBEW Members' Pension Plan, although somewhat less than half of the total beneficial membership of some 300,000 were actually working for contributing contractors. In fact, after establishment of the PBTF, the payment of all pension benefits for existing pensioners was shifted from the PBF to the PBTF, and the benefits for all new pensioners were paid from the PBTF until 1957.

NLRB RULING CHANGES SET-UP

In 1957 the National Labor Relations Board ruled that the provision of the Employes' Benefit Agreement which required 20 years of membership in the IBEW in order to qualify for pension was illegal.

As noted, prior to this ruling, all pension disbursements were made from the PBTF, and the PBF was kept fully invested, with the combined funds applicable to the Plan liabilities. The effect of the 1957 amendment was to create two separate funds, each with their respective liabilities.

As a result of this amendment, there now exists a separate plan covering all *employes* (not necessarily Union members) covered by the agreement between IBEW and NECA. The Contractors (or covered employers) still contribute 1 percent of gross labor payroll of covered employees to the NEBF, which pays operating expenses and transmits the balance of the payroll assessments to PBTF.

The PBTF continued to pay pension benefits (at the rate of $50.00 per month) to all surviving pensioners who retired prior to June 1, 1957. The 1957 NLRB ruling also changed the existing arrangement to provide pensions for eligible employes in the electrical industry instead of only to "A" members of the Brotherhood.

Until more recent amendments affected a change, with respect to all employes who retired after June 1, 1957, the PBTF, provided a pension benefit based on years of service in covered employment, a sum which was generally equal to 50 percent of the pension benefit to which an "A" member of the IBEW would be entitled under the IBEW members' Pension Plan with a corresponding period of membership.

AMENDMENTS TO AGREEMENT

The NECA Plan has counted only "covered employment" with a contributing employer. Initially "covered employment" was restricted to employment with an employer during that period of time which the employer was obligated to contribute 1 percent of payroll to the NEBF. Since 20 years of "covered employment" is required for retirement, and since contributions (and consequently covered employment) did not commence until 1946, no employe (except for the closed group retired prior to 6/1/57) has been eligible for a benefit from the NECA Plan.

On September 26, 1964 the definition of covered employment was amended to permit the recognition of up to 5 years of past service credits, for service with an employer prior to the date the employer became obligated to contribute. These past service credits count as years of service in covered employment and were made retroactive to employes who retired, prior to 1/1/65.

This amendment allowed employes retired after 1962 to receive benefits from the PBTF.

Today as the full audit presented to all members of the National Board will show, the Pension Benefit Trust Fund has assets amounting to more than $130,000,000. Last fall the actuaries made another study of the plan and pronounced it fully funded. The fund is in excellent shape for two reasons—good return on investments; and the fact that pension benefits are flat dollar amounts while contractors have been paying 1 percent of payroll which has continued to rise. Because of this advantageous position, the change indicated above, whereby employes retiring after 1962 began to draw pension from the Pension Benefit Trust Fund took place. If this amendment had not been put into effect, 1966 would have been the year for such change. The pensions added as a result of this change resulted in a net increase of some 2800 receiving pension in 1965.

Because of the report of the actuaries and the soundness of the fund, the Employes Benefit Agreement was amended October 23, 1965 (Effective January 1, 1966) as follows:

"The purpose of the amendment is to provide for pension payments on a graduated scale with a base of $2.00 per month per year of covered employment for each year of credited service. Consequently, an employe with a minimum required twenty years of covered employment would receive $40.00 per month and an employe with twenty-one years, $42.00; twenty-two years, $44.00, etc. Although this formula applies to all employes who commenced receiving retirement benefits from the National Electrical Benefit Fund on or after January 1, 1965, the amendment takes effect on January 1, 1966."

SUPPLEMENTAL INFORMATION

At the conclusion of this report appears our Statement of Receipts and Disbursements and a statement showing the number of members on pension for the year 1966.

Your Trustees met monthly in conformity with Article III-B of the Employes Benefit Agreement to approve applications for pension.

Readers will note that in 1965, because of the amendment effective January 1, 1965, which allowed for five years of past credited service to employes engaged in the electrical industry for periods prior to their employer being subject to the agreement, that the NEBF commenced paying pensions to some 2600 additional employes.[1]

IBEW EFFECTS CHANGES

The amendment of January 1, 1966 which liberalizes the pensions being paid to Electrical Workers, is another big step in the field of labor-management cooperation. At its Convention in St. Louis last fall, the IBEW introduced amendments to stabilize and liberalize its own IBEW Pension Plan.

The amendments met with considerable opposition because of the substantial increase of payment by IBEW members to the plan. However, on rollcall vote the amendments did pass by a considerable majority. Pensions were increased and disability, vesting and insurance clauses were incorporated into the improved plan.

Now, IBEW members working for Electrical Contractors covered under the Employes Benefit Agreement receive pensions from both funds. These payments added to Social Security will enable Electrical Workers to live out their senior years in security and dignity.

All of us present at this annual meeting, in some measure, are responsible for the present operation and the future of the electrical construction industry. We feel we can take pride in the fact that the men who helped bring our industry to the position it occupies today, have not been forgotten. The pensions provided for them can make the difference between living in modest comfort and merely existing. It is a sense of security that blesses living and enables a man to enjoy life while he also continues to contribute to the good of his industry and his community. NECA-IBEW cooperation has effected this while it has continued to meet its responsibility to the Electrical Industry and the public.

Henry S. Owens and Company, Certified Public Accountants, have audited the books of the Trustees for the year 1966 and a copy has been furnished to all members of the board.

Once again your Trustees wish to thank all members of the National Board and the officers of the National Electrical Contractors Association and the International Brotherhood of Electrical Workers, especially NECA President Richard W. Osborn and IBEW President Gordon M. Freeman. We extend our special thanks also to Wilfred D. Howell, Executive Secretary of the Pension Benefit Trust Fund for his efficiency in the operation of his office and his assistance to us, and also to Leo S. Woolls, IBEW comptroller for his cooperation.

We extend our thanks likewise to the Public Member of our Board, Senator Wayne Morse, not only for his attention to our Pension Fund but his over-all interest and help in the basic labor-management policies of our two organizations.

Respectfully submitted.

JOSEPH D. KEENAN,
ROBERT L. HIGGINS,
Trustees.

Statement of receipts and disbursements

Cash on hand Jan. 1, 1966	$1,100,904
Cash receipts:	
Contributions from NEBF	15,925,000
Payments—real estate loans	7,616,062
Interest:	
Real estate loans	4,283,187
Securities	1,020,615
Sale and redemption of securities	26,526,599
Dividends	297,596
Rents	253,951
Commitment fees and discounts	30,168
Other	173,450
Total	56,126,628
Total	57,227,532
Cash disbursements:	
Pensions paid	4,212,282
Securities purchased:	
Real estate loans	17,671,812
Securities	5,132,474
Time deposits	21,350,000
Stocks and bonds	4,120,469
Real estate purchased	3,210,752
Postage and supplies	69,464
Investment expenses	348,547
Other	18,684
Total	56,134,484
Balance, Dec. 31, 1966	1,093,048
Cash, Dec. 31, 1966:	
American Security & Trust Co.:	
Checking account	$806,154
Agency	236,894
Bank of Nova Scotia:	
In transit	10,750
Checking account	39,250
Balance, Dec. 31, 1966	1,093,048

Statement re number of members on pension 1966

Date	Admitted	Returned to trade	Deaths	Pension received
Dec. 31, 1965				7,230
1966				
January	163	22	75	7,296
February	119	7	58	7,350
March	101	12	32	7,407
April	107	35	61	7,418
May	87	34	47	7,424
June	104	42	56	7,430
July	132	26	39	7,497
August	101	22	50	7,526
September	93	23	50	7,546
October	19	2	41	7,522
November	20	17	44	7,481
December	23	3	44	7,457

1966

Total admitted	1,069
Returned to trade	245
Deaths	597
Net increase	227

Comparative analysis—Members going on pension

1965

Total admitted	3,582
Returned to trade	211
Deaths	563
Net increase	2,808

1966

Total admitted	1,069
Returned to trade	245
Deaths	597
Net increase	227

STATEMENT MADE BY SENATOR WAYNE MORSE, PUBLIC MEMBER OF THE NATIONAL EMPLOYEES BENEFIT BOARD, AT THE ANNUAL MEETING OF THE BOARD OF TRUSTEES OF THE NATIONAL ELECTRICAL BENEFIT FUND AT SEA ISLAND, GA., MAY 26, 1967

Once again, I want to commend Mr. Joseph D. Keenan and Mr. Robert L. Higgins for another excellent annual report on the IBEW Pension Benefit Trust Fund, which they have submitted this morning for the consideration of the Board of Trustees.

It is a matter of great pride to me that I am privileged to serve as the Public Member of the Board. Although I contribute very little to these annual meetings, I, nevertheless, learn a great deal from them.

As I listened this morning to the reading of the report to the Board of Trustees, prepared by our Co-Chairmen Robert L. Higgins and Joseph D. Keenan, I was particularly impressed by the section dealing with the Council on Industrial Relations for the Electrical Construction Industry. The record of the work of that Council in the handling of labor disputes within the Electrical Construction Industry is simply phenomenal.

As the report states, "The Council is made up of 12 members, six from the Contractors and six from the Union. The Council handles those cases in which the normal collective bargaining processes between local contractor and local union have bogged down and became dead-locked. This is the electrical industry's answer to strikes and lockouts. The Council decisions must be unanimous. Only once in its 47-year history has it ever had a decision violated.

"Today many labor and management groups are exploring the possibility of trying to set up an arbitration and mediation organ, in an attempt to eliminate strikes and bring more stability into their respective fields. It is amazing to educators, writers, arbitrators, to learn about our Council for the first time. Our set-up is being widely recommended today in an effort to bring the same kind of peace we have known for nearly half a century, to other industries, their employers and employees.

"For the last five years, the CIR has averaged a workload of 100 cases per year. During that period, cases have been presented from all 50 states of the Union and the District of Columbia, with the exception of Alaska, Hawaii, Rhode Island and South Carolina.

"There are approximately 500 construction locals in the IBEW. This means that approximately one out of every five locals and corresponding contractor group, is using the Council each year. Of course, there are some contractors and local unions which never employ the CIR to settle their differences. However, the very fact that it exists—a Supreme Court—has been an impetus to many employer-employee groups to resolve their differences at home."

It is my hope that other industries will follow the good example that the Electrical Construction Industry has set. No doubt I am particularly impressed with the section of the report on the Council on Industrial Relations because for many years, I have been so involved in trying to help settle labor disputes in so many industries that have never developed the techniques for settling their own labor disputes without a third party intervention.

Therefore, I have decided this morning to make some comments on the pending nationwide railroad dispute which involves the railroad carriers and the six shop craft unions. These shop craft unions include among their members electricians, as well as machinists, mechanics, sheet metal workers, railway carmen, firemen and oilers. I thought the Board might find it of interest for me to review briefly what the Federal Government has been trying to do in its capacity as the third party intervenor in attempting to resolve this dispute without a railroad strike.

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[1] The total number of IBEW members on pension as of May 1, 1967 was 27,767.

President Johnson asked me to introduce in the Senate in his behalf the Administration's proposed procedure for seeking a peaceful settlement of this dispute. The President's recommendations for the procedure that he proposes to have followed in an endeavor to settle the dispute are set forth in Senate Joint Resolution 81, which I introduced in the Senate in behalf of myself, the Senator from Montana, Mr. Mansfield, and the Senator from Illinois, Mr. Dirksen. The President announced the resolution as a proposal or extended collective bargaining and mediation to finality.

In discussing the proposal, I want to make clear that I do so only for informational purposes and not out of any other motivation. I am sure that some of you will not agree with some aspects of the proposal, but the national emergency that will be created by a railroad strike or lockout at this time makes this issue one about which we should inform ourselves.

President's proposal is a wise and statesmanlike solution to insure the security and welfare of the American people. It is fair. It is just. It is new and it is unique. It will do the job, and, at the same time, it will insure the collective bargaining rights of both labor and management if they want to exercise those rights in good faith.

I have followed this dispute very closely for eight long months. I have been consulted by the President on numerous occasions as to the course of action the Government should take. I have studiously avoided taking sides because I know that collective bargaining, in the final analysis, is always the best solution.

But, at the same time, I have made it clear to the administration that both seizure and compulsory arbitration should be avoided in the interest of preserving economic freedom of choice and action for all of American labor and management. My advice has been based on the truism of American constitutionalism that under our system of self-government rights of any individual or group must be exercised in relation to and in respect of the relative rights of others. In the field of industrial disputes, as in the areas of other human relations in our society, most rights under our constitutional system are relative especially in respect to the superior interests of the public welfare. We should never forget that our social, economic and political order rooted in our system of constitutional self-government has as its primary objective the promotion of the general welfare of all of our people.

The decisions of our courts throughout our history are legion in proclaiming that as a matter of law the public interest and general welfare of all of the people must prevail when there is a conflict between public rights and subordinate private rights.

In the final draft of the President's proposal for ad hoc emergency legislation, which the President has recommended to the Congress for its consideration in meeting on the legislative front the threat of a nationwide stoppage of railroad transportation in time of war, I am pleased to see the President has carefully avoided these two extremes.

This proposal does not seize the railroads.

This proposal does not ignore the negotiations which have already taken place.

This proposal is not compulsory arbitration.

He did not sacrifice the basic rights of either side of this dispute—despite enormous public pressure to find a speedy solution.

The American people are well aware of what a nationwide railroad strike would mean to their welfare and security. They are also well aware of the painstaking efforts taken by the President and the Congress to do everything possible to avert a disastrous and paralyzing strike.

The proposal by the President builds upon these previous efforts. Specifically, the President is requesting a new procedure to extend collective bargaining, not to supplant it.

He is proposing a joint congressional resolution authorizing the establishment of a five-member special board to operate during a 90-day, no-strike, no-lockout period.

The heart of the proposal pulsates these guarantees of fair dealing to the parties and to the public through the arteries of just channels:

First, the protection of the public interest;

Second, the protection of the collective bargaining process;

Third, the protection of the purposes of the Railway Labor Act;

Fourth, the assurance of a fair, equitable extension of true collective bargaining in this case if the parties wish to protect that precious right of economic freedom; and,

The providing of a final judgment of the Board filling the narrow gap now separating the parties if, at the end of 90 days, they have been unable to resolve their differences through extended good faith collective bargaining and mediation.

During the first 30 days in the life of this Board, there would be intensive mediation efforts with both sides in the dispute in an effort to find a satisfactory solution.

If no agreement is reached, beginning on the 31st day, the Board would be authorized to hold hearings to study the equity of the President's Special Mediation Panel proposals of April 21.

That Panel, I might add, was the very best that could have been appointed. It was neither anti-union nor anti-management. It sought neither to muscle aside outstanding issues nor to ignore the rights and interests of either side.

The Chairman of the Board, Judge Charles Fahy, has had a brilliant career of serving our Government in many capacities since 1933. From 1949 to 1967, he was U.S. Circuit Judge, U.S. Court of Appeals, District of Columbia.

The two other members of the President's Special Board are Dr. George W. Taylor and Dr. John T. Dunlop.

Dr. Taylor is professor of industry, Wharton School, University of Pennsylvania. He has been one of the Nation's leading arbitrators of labor disputes for over 25 years. I had the honor of serving under his leadership on the War Labor Board during World War II. Dr. Taylor was Vice Chairman of the Board. His expert knowledge in the field of industrial relations and unimpeachable impartiality are proclaimed by both labor and management throughout the Nation.

Dr. John T. Dunlop is a professor at Harvard University and also is one of the leading labor arbitrators in the country. He was Vice Chairman of the Boston Regional War Labor Board during World War II and was of great assistance to the National War Labor Board in helping resolve some of the most critical industrial disputes during the war.

These three members of President Johnson's Special Panel performed dedicated and distinguished public service to our President in seeking to lead the six railroad craft unions and carriers to a mediated settlement of the pending railroad dispute. The record shows that the Board was successful in narrowing the gap of differences between the parties, and they submitted a report to the President and to the country which will be turned to as a document of authoritative reference by students and scholars working in the field of industrial relations for years to come.

This Special Presidential Panel recommended a general wage increase of 6 percent, effective January 1, 1967, for 18 months.

Now, under the President's proposal, if there is still no agreement reached by the 60th day following passage of the resolution, the board would file its determination with the Congress and the President, stating whether any modification of the Special Mediation Panel proposals is deemed necessary.

If, on the 91st day, there is still no agreement, the Special Mediation Panel proposals, or any modifications which the board has found necessary, would take effect. They would continue in effect until both sides reach their own agreement through the process of collective bargaining. The board's recommendations would continue in effect until agreement is reached, or for a period not to exceed 2 years from January 1, 1967.

Let me emphasize: A final agreement reached by both sides will, at any time, supersede that Board's recommendations and would apply retroactively.

The President has recommended a reasonable and equitable formula for helping the parties reach a settlement in this dispute. While this proposal effectively eliminates the possibility of a walkout, it does not impede the effectiveness of collective bargaining.

This proposal is fair to both labor and management. It is fair to the American people. It is in the public interest.

What we have done in this resolution is really to follow the procedure that was followed on the War Labor Board in many, many cases during World War II, in which we gave the parties an opportunity to settle their dispute by way of collective bargaining and mediation. Then we would say, "If you two sides can't settle this dispute now that we are in the midst of this war, we will have to settle it in the public interest for you."

There are differences between the War Labor Board procedures and the procedures set forth in this resolution, but the similarities are greater than the differences.

The result was that during World War II, our procedure of extended collective bargaining and mediation settled most labor disputes without the need for the last step of finality by way of a War Labor Board decision on the merits of the substantive issues that caused the dispute in the first place.

I will be very much surprised if these parties do not settle this dispute long before the expiration of the 90 days, because the gap of financial difference between them is very small, anyway.

But, as I explained to the President and his advisers in our various discussions, we cannot escape the fact that we are at war, a very serious war. That war raises for evaluation and comparison the right of self-help on the part of the carriers and the brotherhoods by way of lockout or strike as against the right of the people of this country, from the standpoint of their public interest, to have uninterrupted operation of the railroads for the duration of the war. It is on that basis that I advocate this resolution.

Further, may I say that in arbitration you do not have mediation. Arbitration is a straight judicial process. When you walk into an arbitration room, you walk into a courtroom, and the case is decided on the basis of the evidence before the board of arbitration, as before a court, with the proponent of each issue having the burden of proof on it and the responsibility of sustaining his burden of proof on that issue. But the procedure involved in this resolution is not arbitration in that sense. This resolution, may I say, provides basically for a procedure calling for extended collective bargaining and mediation ending up, if necessary, with a ruling of finality on the part of the Government ordering a continuation of operation of the railroads on a basis of a reasonable application and adaptation of what would seem to be a fair and equitable compromise of the position taken by the parties in collective bargaining and mediation.

You will not find a jury box of 12 Americans anywhere in this country that would not render a unanimous verdict in opposition to a stoppage of the operation of the railroads, because they know our national security would be imperiled. They know that the war interests that face the Republic are so serious that the public interests cannot possibly justify a shutting down of railroad transportation in this country.

Let me make perfectly clear that this is not an arbitration board.

Let me make perfectly clear that this resolution does not in it have a single element of what is known as arbitration.

In spite of the fact that opponents of the resolution, in and out of Congress, and some of the leaders of labor, keep referring to it as a compulsory arbitration resolution, there is not an element of compulsory arbitration in it.

This is a 100-percent mediation proposal. The Board will have to act upon it within the framework of mediation.

I want to dwell on this point momentarily because there is so much misunderstanding about the resolution in the publications which have appeared.

It is a very difficult and complex concept of law regarding the distinction between arbitration and mediation. However, it is vital to a proper understanding on the part of the parties and on the part of Members of Congress, to state what this resolution really is.

The Special Panel that would be provided for under this resolution could not even make use of the Ginsburg report, for that report is a judicial report. It is one based upon what we call a record hearing. It is a report bound by the evidence which was submitted to it at the official record hearings of the Board. The Ginsburg Board had, of course, the responsibility of documenting its recommendations with evidence the parties submitted on the record.

The Special Panel that is being set up by the President under this resolution is a mediation panel, a panel which seeks to lead the parties to a conscionable compromise of the dispute over the unsettled issues. In making its recommendations, it is not bound to, or confined by, evidence submitted on the record. I want to repeat that the resolution provides for a mediation procedure, and not an arbitration procedure.

What is arbitration? Arbitration is the judicial process, as we point out in the committee report, and as was discussed during the hearings in much greater detail than I propose to outline today.

In broad-brush outline, arbitration is the judicial process in which the arbitrator, or the board of arbitration, if we are dealing with more than a single arbitrator, is bound by two very important judicial rules. First, the parties that appear before the arbitrator have the burden of proof on each issue in accordance with the burden on the proponent. That is, if the brotherhoods in this case, for example, speaking hypothetically, make a proposal for a change in the vacation provisions of the old contract, then they have the burden of proof on that proposal. The arbitration board is bound by the second rule of procedure, namely, the proponent has to establish that burden of proof by the preponderance of the evidence.

If the proponent of a particular issue fails to establish his contention by a preponderance of the evidence, then the arbitration board has no course available to it other than to rule against the proponent. Usually the recommendation is in such language as this: "The request of the proponent is denied," or "The board's recommendation is that the request of the proponent be withdrawn."

The arbitrator is subject to review. If it can be shown that the arbitrator went outside of those two points of procedural rules, that arbitration award can be subject to attack in court. The law books contain many, many cases in which arbitration awards have been channeled into the courts on the ground that the arbitrator went outside of his frame of reference or that the arbitrator failed to abide by these two important procedural rules.

What is a mediation procedure? Mediation is not a judicial process at all. The mediator is not bound by any rules with reference to the burden of proof. The mediator is not bound by the rule that the request of either party must be sustained by a preponderance of the evidence. The mediator's job is to lead the parties to a conscionable compromise, irrespective of what the evidence may be. Of course, a mediator does not ignore the proof and evidence that the parties advance in support of their arguments in the mediation process.

Let us get down to the nub of the question. The mediator also takes into account the economic position and the economic strength of the parties to the dispute. He takes into account what he thinks would be a fair and reasonable compromise of their differences.

Unless we understand that vital difference between arbitration and mediation, we will never be able to understand the differences that will probably develop in the debate between the proponents of the resolution and the opponents of the resolution.

In explaining the proposal for settling the railroad dispute which the President has recommended to the Congress, I want to stress that the practical issue we have had to consider was what kind of action should be taken to keep the rails operating and to deal with the dispute. The solution we worked out at the White House and which the Senate has adopted is in most respects similar to the procedures that worked so successfully during the two years of my service on the War Labor Board. That is why I endorsed this procedure. I saw it produce agreement after agreement in 1942 and 1943.

We started then, of course, with a declaration of war after the attack on Pearl Harbor. An industrial conference of labor and management executives followed a few weeks later, from which came an agreement that there should be no strikes or lockouts, and that a tripartite board would be established to decide *finally* all labor disputes not otherwise settled peacefully. Labor's "no-strike" pledge came from William Green, Philip Murray, and John L. Lewis, and was frequently repeated during the war by individual leaders and by international and local unions.

The tripartite board was created by executive order in January, 1942, "pursuant," it said, "to the declaration of war." A War Labor Disputes Act followed in 1943 codifying our function by statute. I was one of the four public members of that board; four others represented labor and four others represented management.

I shall always be proud of the record that Board made during the two years I served on it. It was particularly true in those first two years that the "no-strike, no-lockout" pledge was honored by both labor and management. The rulings of the Board were unsupported by any enforcement power. Indeed, in the spring of 1944, the District of Columbia Court of Appeals ruled that the directives of the War Labor Board were advisory only, and that noncompliance did not subject anyone to legal penalties, since neither the Executive Order nor the War Labor Disputes Act made strikes illegal or prescribed any penalties for failure to comply with Board orders.

That makes its record for achieving settlements especially remarkable. Another public member, the late Ed Witte of the University of Wisconsin, my benefactor and predecessor on this Board of Trustees, recorded its history in a 20-page article published at the close of the war by the Harvard Business Review. In it, Professor Witte reports that over the whole life of the War Labor Board, over 21,000 disputes were handled and decided by it, most of them involving a great many issues. Out of those 21,000, the Board failed to gain voluntary compliance in only about 250 instances, or a trifle over 1% of all disputes handled.

How well I remember the determined and emphatic position the union representatives took when they joined in urging a union to accept a Board recommendation, even after the four labor members may have been outvoted! That was how we gained compliance from both labor and management.

Of the 250 failures, only in 75 instances did the Board consider them to be of sufficient impact upon the economy to call for a report to the President or the Director of Economic Stabilization, setting forth the facts in the situation. Of these 75 reports, 50 resulted in seizure of the facilities in order to forestall a work stoppage, 47 of them coming during actual hostilities.

The great bulk of noncompliance came in 1944 and 1945, after I had left the Board. While I served on it, I was also compliance officer, and in those 2 years only 10 or 11 cases went so far as seizure. Virtually all of those were necessitated by management rejection of a proposed settlement. All told, of the 47 wartime seizures, 21 were for union noncompliance and 26 for management noncompliance.

Ed Witte summarized the matter very well when he wrote:

"Any careful study of the wartime handling of labor disputes, in the author's opinion, must lead to the conclusion, shared by all the members of all three sides of the War Labor Board—management, labor, and the public—that the mainstay in the government's policy was the no-strike pledge, rather than any law or executive order. . . It became a saying in Board circles that its compliance policy consisted largely in kicking a case around in the hope that a settlement would be effected ultimately."

This was because even seizure did not carry with it any legal compulsion, either to work or to accept a Board recommendation. It did carry the patriotic compulsion to work or to operate under the flag in time of war. Archibald Cox, labor adviser to President Kennedy, described the seizure procedure in World War II labor cases as not having been used "to bring about a negotiated settlement of the underlying labor dispute. In most cases, the WLB had made a decision, and although the parties were nominally free to negotiate a different settlement, seizure was in reality a sanction for commanding the obedience of the recalcitrant party."

As Ed Witte described it:

"The National Board had a high percentage of last-minute successes in such strike hearings, but if defied could do nothing but report the situation to the Director of Economic Stabilization. Generally, plant seizure then followed, with resumption of operations and a call to the strikers that they return to work. With the exception of the anthracite coal miners in 1945, the strikers during the war always did go back to work after government seizure. They were under no legal obligation to do so, however, and many times it was doubtful up to the last minute whether even seizure would be effective."

Of course, it was never more than token seizure. The flag went up over the property, but the operation went on as before, with the union, or management, accepting under the color of the flag what it would not accept otherwise. Those seizures were terminated as soon as the recommendation of the Board was made part of the contract, or the parties reached a different agreement.

It is pertinent to the current rail case to point out that the use of seizure to gain union compliance with a Board order began to break down in a Machinists' dispute in the San Francisco Bay area in September of 1944. The union had rejected a Board order that it accept overtime work assignments. The plants had to be seized before the union would work overtime; but it never did accept the recommendation under conditions of private management. The government had to keep control of those shipyards for the duration in order to keep them operating, and as soon as the seizure ended with the end of hostilities, the strike was resumed.

That dispute late in 1944 marked the beginning of a steady rise in failure to gain union compliance. As victory in the war neared, the patriotic urgency lessened, and when seizure was used after the war and during the Korean war in specific disputes, it came to be accompanied by injunctive powers. The railroad industry has undergone far more seizures than any other. They date back to World War I, and the impact has been less fruitful each time, until in 1951 over a year and a half of nominal government operation dragged on before any settlement was reached.

In this rail dispute, the history of the industry suggests that another token seizure would lead nowhere, so far as settlement is concerned. Now, the form of penalty seizure advocated by some, calling for impounding of profits, implies that the carriers are the party that has resisted the recommended settlements, which is not the case at all. All that penalty seizure would say to the carriers is that they have to give in to union demands, and if that were to be the course of public policy, it would be more forthright of Congress simply to enact into law the union demands as the future condition of work.

In short, I think we have exhausted the usefulness of seizure, so far as reaching a settlement in this rail dispute is concerned. A "mediation to finality," as this bill is called, affords a much better prospect. That is why, however, I want to emphasize that the President's proposal is designed for this dispute. It must not be construed as a precedent for future legislation applicable to other industries, nor should it be construed as a precedent for permanent legislation for this industry.

I have taken the time this morning to give you my views on the President's proposal for settling the railroad dispute, because I think all management and all labor, as well as the general public, have a great stake in the outcome of this dispute. As I have been heard to say so many times, our substantive rights as free men are determined in no small degree by the procedural rights available to us. The procedure of the President's proposal I think offers both management and labor the maximum of collective bargaining and mediation freedom consistent with protecting a superior public interest in a time of great national emergency.

DISPATCH OF U.S. PARATROOPERS TO THE CONGO

Mr. THURMOND. Mr. President, the press this morning carried reports that three U.S. Air Force planes, with 150 Americans aboard, have been sent to the Congo to assist in quelling rebellion against the central government. The planes are said to be four-engine C–130 transports. The personnel aboard include 45 paratroopers from the 82d Airborne Division, officially described as "plane guards."

Although all personnel are described by the State Department as "noncombatants," it seems clear that the U.S. assistance is designed to show the world that we are backing the government of Congolese Dictator Joseph Mobutu against its internal dissidents. Granted that Mobutu asked for U.S. aid, this is a pure case of U.S. meddling in the civil strife of another country. No one believes for the moment that outside nations are invading the country. There is no evidence that Communists are attempting to overthrow the government. This is a matter of internal politics, and the United States has taken the side of Mobutu.

The speed with which the State Department has intervened is amazing, in view of the record of the Mobutu regime. Mobutu seized power by force. He executed his opponents who remained in the country. He issued a sentence of death against his capable opposition leader, Moise Tshombe, who had gone into exile. He has gone to the far leftist side of the spectrum, and is seeking to nationalize Western investments in the Katanga mines. In recent days, he has shown himself willing to become an accomplice to the act of piracy and kidnaping which abducted Tshombe and confined him to a pro-Red Algerian prison. In spite of this, the U.S. State Department has leaped to his aid.

Mr. President, we have no business in the Congo, and certainly no business propping up an anti-Western regime that is in trouble because of its tyrannical and unpopular measures. Tshombe is a genuinely popular figure throughout the Congo. It is only natural that Mobutu's drive to get custody of Tshombe and execute him should arouse resentment and rebellion among his supporters in that land. Indeed, it should arouse indignation in the United States, for Tshombe has proved himself to be an ardent friend of America. In 1964, it was Tshombe's strength and popularity that saved the Congo from Communist guerrilla war and devastation. Today the State Department says that Tshombe is "none of our business," but it intervenes and strengthens the hand of the man who seeks to kill him.

The truth is that we have an interest in Tshombe, but not in the Congo. We owe it to Tshombe to see that his life and freedom are preserved. To the Congo, we owe only the obligation to keep our nose out of her internal strife. After all, Nigeria has been in rebellion for months with one region proclaiming itself an independent state, much as Katanga did 6 years ago. We have no business there. I need only remind this body that our commitment to South Vietnam began with a handful of advisers—so-called noncombatants. Yet there is no Communist-free world struggle in the Congo today. We do not need to be noncombatants adding our weight to the struggle of an anti-Western nation to be independent of civilized standards of justice.

TIME TO TAKE HEED

Mr. BYRD of West Virginia. Mr. President, today's newspaper headlines place the United States back in an old rut—attempting to backstop the Congolese Government in an internal military fracas which apparently resulted from insurrection in the ranks of its national armed forces.

I call attention to the fact that this is the third time in less than 10 years—1960, 1964, and now in 1967—that the United States has rushed assistance to the Congo. In order to put down a revolt, the Congolese Government has evidently now requested the United States to provide supporting assistance, and our Government has ordered three large transport planes to the Congo, reportedly carrying 150 servicemen, including 45 paratroopers, technically to guard the planes and to provide the task force with mechanical care and logistical support.

While there is a scarcity of factual information available as to the exact situation in the Congo, with the Congolese Government headed by Mobutu claiming intervention by foreign mercenaries from European nations, it appears clear enough that this is round three of American aid to a new government involved in internal military problems.

I join with the majority leader, with the Senator from Georgia [Mr. RUSSELL], chairman of the Senate Armed Services Committee, with the Senator from Arkansas [Mr. FULBRIGHT], chairman of the Committee on Foreign Relations, and other Senators, in saying that I am dismayed at our unilateral action in the matter. The situation has been considered by the United Nations Security Council, at the request of the Congolese Government, and it is apparently due for further consideration.

This would certainly appear to be a U.N. problem. When are we Americans going to learn our lesson on unilateral action? Where are other nations and their planes and personnel at this time?

Are we as a nation trying to earn the title of "Fire Brigade to the World"? Are we going to rush to the scene of action whenever internal military breaks occur in all the recently emergent nations of the world? If so, where are the resources which we will need to allocate for manning such backstopping efforts?

Specifically with regard to the current hot spot in the Congo, I wonder what we shall next send in to support Mobutu? The situation in the Congo could possibly become another Vietnam. Of course, if the dispatch of planes is a necessary effort to remove American citizens to safety, that is a different matter. But paratroopers would not be needed. In any event, we should take heed—we should stop to review the manner in which we may become quickly and easily committed in the internal difficulties of foreign nations.

The United States must not assume the role of fire brigade, military style, for the nations of the world. I am opposed to our intervention where our country's security interests are not endangered in any way. We have no business in the Congo, and I protest the action our Government has taken.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock tomorrow noon.

The motion was agreed to; and (at 5 o'clock and 25 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, July 11, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 10, 1967:

Diplomatic and Foreign Service

Kennedy M. Crockett, of Virginia, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Nicaragua.

Small Business Administration

Robert C. Moot, of Virginia, to be Administrator of the Small Business Administration, vice Bernard L. Boutin.

U.S. Mint

Marian N. Rossmiller, of Colorado, to be Superintendent of the Mint of the United States at Denver.

National Mediation Board

Leverett Edwards, of Oklahoma, to be a member of the National Mediation Board for the term expiring July 1, 1970 (reappointment).

National Science Foundation

Dr. Roger W. Heyns, of California, to be a member of the National Science Board, National Science Foundation, for the remainder of the term expiring May 10, 1970.

U.S. Marshal

Paul G. April, of New Hampshire, to be U.S. marshal for the district of New Hampshire for the term of 4 years (reappointment).

Interstate Commerce Commission

Dale Wayne Hardin, of Illinois, to be an Interstate Commerce Commissioner for the remainder of the term expiring December 31, 1972, vice Charles A. Webb.

In the Army

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Ashton Herbert Manhart, O18773, Army of the United States (major general, U.S. Army).

WITHDRAWAL

Executive nomination withdrawn from the Senate July 10, 1967:

Interstate Commerce Commission

Dale Wayne Hardin, of Virginia, to be an Interstate Commerce Commissioner for the remainder of the term expiring December 31, 1972, vice Charles A. Webb, which was sent to the Senate on June 7, 1967.

HOUSE OF REPRESENTATIVES

Monday, July 10, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Thou shalt rejoice in every good thing which the Lord thy God hath given unto thee.—Deuteronomy 26: 11.

Almighty God, our Father, again we come to Thee with gratitude for the rest and change of our recess and for the opportunity of serving Thee and our country this present hour provides. We pray that Thou wilt help these representatives of our people to face the challenge of these times with courage: to accept their responsibilities with confidence and to solve their ever-present problems with creative wisdom.

May they learn anew the lesson that the secret of finding life and happiness is not to do what you like to do but to learn to like what you have to do. In this spirit we pray and in this spirit may we do our work this day.

Our Father, we pray for him whose companion has entered into the life immortal. May the comfort of Thy spirit abide in his heart and in the heart of his family. Help them and us to trust Thee more fully, to remember that love and life are everlasting and that Thy mercy endures forever. May our sympathy draw us closer to him and to each other and make Thy presence more real in all our lives. Through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 29, 1967, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 43. An act for the relief of Mi Soon Oh;

S. 171. An act for the relief of Timothy Joseph Shea and Elsie Annet Shea;

S. 388. An act to authorize the Attorney General to transer an inmate of the District of Columbia jail to any other institution under the control and supervision of the Director of the District of Columbia Department of Corrections notwithstanding the pendency of a petition for a writ of habeas corpus with respect to such inmate, and for other purposes;

S. 440. An act for the relief of Dr. Julio Alejandro Solano;

S. 475. An act to provide an additional place for holding court in the district of North Dakota;

S. 910. An act for the relief of the estate of Patrick E. Eagan;

S. 945. An act to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes;

S. 1106. An act for the relief of Dr. David Castaneda;

S. 1257. An act for the relief of Kuo-Hua Yang;

S. 1398. An act for the relief of Irma Stefani Ruiz-Montalvo;

S. 1540. An act to amend chapter 235 of title 18, United States Code, to provide for the appellate review of sentences imposed in criminal cases arising in the district courts of the United States;

S. 1580. An act for the relief of John W. Rogers; and

S. 1648. An act to extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States.

ANNOUNCEMENT BY THE SPEAKER OF SIGNING OF ENROLLED BILLS

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him by House Concurrent Resolution 394, 90th Congress, he did on June 29, 1967, sign the following enrolled bills of the House:

H.R. 1516. An act for the relief of Giuseppe Tocco;

H.R. 1703. An act for the relief of Angiolina Condello;

H.R. 1763. An act for the relief of Dr. Raul E. Bertram;

H.R. 1764. An act for the relief of Dr. Ernesto M. Campello;

H.R. 1765. An act for the relief of Dr. Ubaldo Gregorio Catasus-Rodriguez;

H.R. 3523. An act for the relief of Chang-You Wu, M.D.;

H.R. 4930. An act for the relief of Mr. Robert A. Owen; and

H.R. 7501. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1968, and for other purposes.

DISCUSSION OF REPUBLICAN PROPOSAL FOR DEESCALATION OF WAR IN VIETNAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, eight of our Republican colleagues this morning have presented a proposal for a staged deescalation of the war in Vietnam.

While I have some reservations about the usefulness—and the philosophy—of this document, there is one statement of policy with which I am in total agreement. The authors warn against changing the nature of the war from a limited one to a total one. At the same time, they argue against a complete cessation of the bombing, which, as they put it, would "involve a great military risk to the United States." This is a reasonable approach—an approach that has been the cardinal policy of the administration, from the beginning of the Vietnam conflict.

But here I must part company with my eight Republican colleagues. My principal objection to their proposal is that it implies that the key to peace in Vietnam lies not in Hanoi, but in Washington. I categorically reject this implication. And I reject it on the basis of the facts.

The proposal may reflect good intentions, but it reveals a shockingly bad memory on the part of its authors.

Have they already forgotten that there have been 28 separate proposals for peace—accepted by the United States and rejected by the Hanoi regime?

Have they forgotten that President Johnson has literally searched the world—communicating with practically every head of state and meeting with practically every ambassador—to find terms acceptable to Hanoi?

Have they forgotten the vituperative reply that Ho Chi Minh made to President Johnson's letter earlier this year?

Have they forgotten that Ho Chi Minh has flatly stated that he will consider nothing short of a complete and unconditional cessation of the bombings?

Have they forgotten that America has on five separate occasions, ceased bombing in the north for a total of 52 days? It is common knowledge that we refrained from bombing an area of 300 square miles in and around Hanoi for the entire first quarter of this year—a period of cessation much longer than the Republicans are now calling for.

The meaning of all this is inescapable: The United States has led the way in proposing peace in Vietnam. But it takes two sides to negotiate, and Hanoi has not revealed the slightest interest in coming to the peace table.

So I would like to ask our eight colleagues this morning: Are they addressing these proposals to Washington—or to Hanoi? And perhaps even more to the point: Are they in possession of some new information as to the attitude of Hanoi that the administration is not aware of? If they are, I am sure that the President would be eager to learn what it is.

The record shows that as far as the Johnson administration is concerned, no stone has been left unturned, no rumor ignored, no advice unheeded, no plan left unexplored.

And yet, these eight members describe the administration's diplomacy as "unyielding and inflexible."

I think each Member of this body has heard both the President and the Secretary of State say that the United States would meet at the negotiating table by sundown if there were somebody there to meet with. If this is "unyielding and inflexible," then I need a new dictionary.

These same gentlemen imply that the United States is pursuing a policy of unconditional surrender. Yet, we are not asking for one acre of ground, the surrender of a single enemy soldier, or the abdication of the present regime in Hanoi. Our sole objective in Vietnam is a peaceful solution, acceptable to both sides. If this is a policy of "unconditional surrender," then we are living in "Alice in Wonderland."

For the benefit of those who seem to have forgotten what has come before, I think it is vital that we review the record.

On the diplomatic side, 28 separate proposals have been accepted by the United States and rejected by Hanoi. These proposals were offered by governments of both friendly and unfriendly nations. They were carefully considered, sincerely presented, and contained equitable and realistic conditions to deescalate the struggle and to begin solid negotiations for peace. I would like to review these proposals.

First. A reconvening of the Geneva Conference of 1954—and return to the agreements of 1954.

Second. A reconvening of the Geneva Conference of 1962 on Laos—and a return to the agreements of 1962.

Third. A conference on Cambodia.

Fourth. An all-Asian peace conference.

Fifth. A special effort by the two Cochairman of the Geneva Conference.

Sixth. A special effort by the members of the International Control Commission—India, Canada, and Poland.

Seventh. A role for the U.N. Security Council—or the General Assembly—or the Secretary General.

Eighth. Talks through intermediaries—single or group.

Ninth. Direct talks—with the United States or with South Vietnam.

Tenth. Exchange of prisoners of war.

Eleventh. Supervision of treatment of prisoners by International Red Cross.

Twelfth. Demilitarize the DMZ.

Thirteenth. Widen and demilitarize the DMZ.

Fourteenth. Interposition of international forces between combatants.

Fifteenth. Mutual withdrawal of foreign forces, including North Vietnamese forces.

Sixteenth. Assistance to Cambodia to assure its neutrality and territory.

Seventeenth. Cessation of bombing and reciprocal deescalation.

Eighteenth. Cessation of bombing, infiltration, and augmentation of U.S. forces.

Nineteenth. Three suspensions of bombings to permit serious talks.

Twentieth. Discussion of Hanoi's four points along with points of others, such as Saigon's four points and our 14 points.

Twenty-first. Discussion of an agreed four points as basis for negotiation.

Twenty-second. Willingness to find means to have the view of the liberation front heard in peace discussions.

Twenty-third. Negotiations without conditions, negotiations about conditions or discussion of a final settlement.

Twenty-fourth. Peace, and the inclusion of North Vietnam in large development program for Southeast Asia.

Twenty-fifth. Government of South Vietnam to be determined by free elections.

Twenty-sixth. Question of reunification to be determined by free elections.

Twenty-seventh. Reconciliation with Vietcong and readmission to the body politic of South Vietnam.

Twenty-eighth. South Vietnam can be neutral if it so chooses.

I would like to repeat that each of these proposals—regardless of the source—was accepted by the United States and rejected by Hanoi.

But even in the face of one diplomatic rebuttal after another, the United States did not cease its efforts to deescalate the war. On five separate occasions we ceased the bombing in North Vietnam without imposing any conditions on North Vietnam.

The first pause was for a 7-day period in 1965, from May 12 through the 17th. Hanoi's response was that the halting of the bombing was a trick.

In December 1965, there was a 36-day pause. Again, there was no change in Hanoi's belligerent attitude.

In December 1966, we paused twice for 2 days each. And in February of this year, we paused for another 5 days.

On five separate occasions we presented Hanoi with an opportunity for peace. And she used that opportunity to resupply her troops in the south.

This is the record of the U.S. Government. What is the record of Hanoi? It was stated bluntly on February 10 of this year in a letter from Ho Chi Minh to President Johnson. That letter asserted that the only way for the restoration of peace is this:

> The U.S. Government must stop definitely and unconditionally its bombing raids and all other acts of war against the Democratic Republic of Vietnam, withdraw from South Vietnam all U.S. and satellite troops, recognize the South Vietnamese National Front for Liberation, and let the Vietnamese people settle themselves their own affairs.

In other words, Hanoi will not negotiate until the free world has turned over to the Communists the 15 million citizens of South Vietnam on a silver platter. And then, of course, there will be nothing to negotiate.

Mr. Speaker, there can no longer be the slightest doubt who wants peace and who wants the war to continue.

For his part, President Johnson has emphasized our Nation's determination to continue to press for negotiations.

We will not be discouraged. Nor will we be deterred from this quest to find a formula that will bring Hanoi to its senses and to negotiations.

But I again ask my colleagues: Have they received some indication that Hanoi has relaxed its position?

I ask them further: Are they transmitting their proposal in document form to Hanoi for its consideration?

President Johnson has said that we will talk without conditions or we will talk about conditions.

I can speak from experience when I say that there is no man in the world who wants peace more than Lyndon B. Johnson. And there is no man in the world who is working harder to achieve it. Hanoi may choose to ignore this fact. Some of our Republican colleagues may choose to question this fact. But the record of this Government speaks for itself. And so does the record of Hanoi.

MRS. FRANCES HUMPHREY HOWARD, A DEDICATED CAREER PUBLIC SERVANT

Mr. BURKE of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, Mrs. Frances Humphrey Howard is well known to many of us as a dedicated career public servant. She now holds a position as program liaison officer for the Volunteer Foreign Aid Service, Office of Technical Cooperation and Research, Agency for International Development, to which she brings extensive experience as an educator, consultant to the United Nations, and a world traveler.

On June 5, 1967, Mrs. Howard addressed the eastern Massachusetts region of the women's American ORT—Organization for Rehabilitation Through Training—luncheon which was held at the Sheraton Boston Hotel. Mrs. Howard's well-presented perspective on the issue of foreign aid—one which is enigmatic to much of the public—was enthusiastically received on that occasion, and I would like to include here the text of her remarks for the consideration of my colleagues:

Our Private and Public Efforts in Foreign Aid

(Address by Mrs. Frances Humphrey Howard)

I am delighted and deeply honored that you have asked me to be here today and to address this large charming and distinguished audience.

I note with pleasure that your luncheon has been planned around the theme "ORT International", and the presence here of representatives of several countries adds greatly to the international flavor of this event.

And all of this is as it should be. Yours is a world-wide organization dedicated to the rehabilitation of the underprivileged in many parts of the world through vocational training.

Organizations such as yours help promote a fellow feeling among men in many countries.

In these times when our security and aspirations are linked with the security and aspirations of freedom-loving people in many other lands, the responsibility for improving mutually beneficial international understanding and human well-being can be met only through a combined effort by all of us, in and out of Government.

In this respect also your organization is rendering a valuable service to our country as well as to the cause of international understanding, human well-being and peace.

Women's American ORT deserves much credit for the tremendous success of vocational training in many countries on five continents.

ORT has been helping teach thousands of formerly displaced persons the technical knowledge and skills which will make them useful and self-respecting members of society.

Moreover, the many workshops and trade schools maintained by ORT overseas contribute substantially to the economy and general welfare of these countries.

Naturally and understandably, a substantial part of your humanitarian efforts in spreading vocational education and other training is directed toward Israel. In fact ORT has helped much to make Israel what it is today—a land where people live in dignity, justice and equality for all.

Three weeks ago we shared a special gratification in observing the 19th anniversary of the rebirth in Israel. Israel today is a truly modern miracle. With faith in God and dogged determination, the people of Israel have rescued hundreds of thousands of persecuted human beings from all over the earth.

What has taken place in that land is a truly monumental achievement. Desert is being transformed into fertile valleys. Barren land has been made fruitful and productive. Its industrial output is increasing daily, and its economy is expanding at a phenomenal rate.

We hope and pray that peace will prevail in that area of the Near East, the dark clouds hovering there will be dispersed, and our efforts both within and without the United Nations will result in dispelling the fears which now plague the life of that region—a region sacred to the three great religions of Christianity, Islam, and Judaism.

Many among you in this hall are my personal friends and I happen to be acquainted with many more members of ORT in other parts of our country. I have therefore had ample opportunity to become familiar with the goals and philosophy of ORT.

The dignity of the individual and the concept of the brotherhood of man under the fatherhood of God is a cornerstone of your philosophy.

Our Nation, composed of many ethnic strains, races and religions, is dedicated to upholding human dignity and the concept of the spiritual nature of man. And if we ever were to lose our sense of brotherhood, of kinship with all free men, we would have entered upon our Nation's decline.

It is true that many are the people who will agree with such a philosophy of the brotherhood and dignity of man, and men will often pay lip service to such noble ideals, but not many are those who will actually put these ideas and ideals into practice.

In this and other aspects, you who are active in the ORT movement deserve much praise. You are actually giving a new and vibrant meaning to the concept of being "our brother's keeper."

Another cornerstone of ORT philosophy is the recognition of brotherhood and equality of all immigrants—recent or old. Organizations such as yours have worked long and hard for the liberalization of the immigration laws of the United States and the abolition of that abominable national origins quota system.

That quota system, you will recall, was based on the fallacious belief that the place of birth, or the racial origin of a human being, should determine the quality of man's intellect or his moral character, or his suitability for assimilation into our Nation and our Society.

The Immigration Act of 1965 has cast the discredited national origins theory, devised in 1921, on the junk pile of other obscure and inhuman ideas that have been discarded long ago. And although the reform was a long time in coming, the fruit of the lengthy labor of good organizations such as yours is sweet.

The legislation enacted two years ago was a monumental step in establishing an immigration policy consistent with our times and based upon a man's family relationship and value to the United States.

Thanks to the concerted efforts of all of us, we need not—as we have over so many decades—hide our eyes in shame to the other nations of the world for the way we admit their people to our country. The lamp of the Statue of Liberty at the golden door has been rekindled and has banished forever those shadows that have dimmed its bright flame too long.

I also happen to know that ORT favors the broad objectives of the civil rights movement and deplores any barriers to equal opportunity.

In ancient times, people built walls around cities to protect themselves from barbarians on the outside. Now we do not have walls of stone to keep people outside from coming in, but we have psychological walls, economic and social barriers, which imprison people within the city slums and ghettos and areas of obsolescence.

The people of whom I speak are cut off from the mainstream of American life. They live as if they are a separate nation. President Johnson called it "the other nation" in his famous Howard University speech. In America there is no room for two classes of citizenship. This must be one nation with one citizenship.

We must understand there are no easy answers, no instant solutions, to problems generations in the making. The vital task of building a system of justice which treats all men alike—black and white, rich and poor—must be carried out everywhere in our country.

"Equal justice under law" is more than a slogan etched over the entrance of the Supreme Court. It is the foundation of our entire democratic system of government. But we should strive to translate legal promises of equality and freedom into reality.

It is one thing to demand the Federal Government to meet its growing responsibilities in civil rights. But it is another to generate in our states and localities the commitment and urgency required to produce significant improvement in the lives of people.

And it is one thing to overcome flagrant examples of racial prejudice—segregated hotels, buses and parks. But it is another to eliminate the more subtle and sophisticated techniques which effectively restrict true freedom of choice in jobs, education and housing.

The real change must take place within our hearts and minds. We should strive to bring this about because it is proper and just, because we have the moral obligation to match our promises with performances and to reward faith with fulfillment.

All of us are partners in this great effort to create a better society, a Great Society at home and a better community of free nations living together in peace, justice and freedom.

Building a great society is not the job of a President alone. It is not the sole responsibility of a Congress. It cannot be done only in Washington. It has to be the special goal of every citizen. Every American has to pitch in and improve the corner of the country where he lives.

This is a new working partnership among *all* elements of our society—Government, business, labor, the university, the voluntary organization, and the individual citizen—without regard for old jurisdictions and animosities, a partnership of free men and women, working through free institutions, for a common goal.

At home, we will continue to attack poverty through such weapons as community action and Headstart; rent supplements and child nutrition; aid to elementary and secondary education in poverty areas; the Job Corps; the Neighborhood Youth Corps; medicare and neighborhood health centers, and so forth.

Our goal for the next decade is modern medical care for every person of every age, whatever his means.

Our goal for the next decade is that the child born in America will have a normal life expectancy of 75 years; that the child born in America—no matter what color his skin—will have the same or better chance for life as the child born in Sweden, which has the lowest infant mortality rate in the world.

We set as our goal that the child born in America need no longer fear smallpox, measles, diphtheria, and whooping cough; that he no longer suffer the heart damage caused by rheumatic fever; that he will no longer fear tuberculosis as a serious threat to health and happiness.

Our goal for America is to cut the kill rate from heart disease, cancer, and stroke by 300,000 men and women each year.

We cannot settle for less. In fact, we ask for more; we want to find not only a longer, healthier life for every child and every citizen now living, we want also to find a happier life. We will find it. Our children and their children will be stronger and live longer because of the work we do today.

Some say we seek to create in America a welfare state. This is indeed a sad misunderstanding. What we seek to create is a state of opportunity. As the Vice President said recently, "we seek not to paralyze initiative, but to revive it; not to build up the opportunity of those below at the expense of those above—but to broaden the horizons of both; not to dictate the terms of help, but to allow each community to find its own answers in its own way."

That is what our national investments in the war against poverty, in health and education are all about. They are investments in opportunity, in self-help and personal initiative.

Now the question is can we afford all these programs? Should we cut back here at home?

The answer of all responsible economists is that *we can* afford to continue our efforts toward full opportunity for *all* Americans; toward social justice; toward making every American citizen a positive and productive citizen who contributes something to his society.

The fact is that we cannot afford not to continue.

Some 11 million Americans have been reached in the past three years by our national programs for opportunity, and have begun their journey toward becoming self-sustaining, taxpaying citizens.

Our economy has been expanding for the past 6 years without interruption and our Gross National Product has already exceeded the three quarters of a *trillion* dollar mark.

Yes indeed, we can amply afford to spend a portion of our wealth to create a better, a happier society.

And, I repeat, we are all partners in this great effort to improve living conditions at home and abroad.

As you know, large sections of mankind are trying, in a rising tide of hope, to catch up with the 19th and 20th centuries. They look to us, as leaders of the free world, for help. And our response is, as it should be, more than words of compassion—it is deeds. Our response is in keeping with our best national traditions.

We must help developing countries because it is just and right. We must also help them because our own welfare demands it. It takes no great gift of perspicacity or foresight to realize that unless there is progress and unless there is growing satisfaction of just desires, there will be discontent, restlessness and turmoil.

The developing world would soon become a cauldron of violence, hatred, and revolution without some assistance. How would you feel if you were a member of a family whose total income was less than $80 per year? Yet a majority of the people of the world have incomes of less than $80 a year.

Under such conditions, communism, with its false and easy promises might well be able to transform these popular desires into an instrument of revolution. We should help these people even if communism never existed.

Be that as it may, every American who is concerned about the future of his country must also be concerned about the future of Africa, Asia, and our old friends and neighbors in Latin America.

Our foreign aid programs are helping the less developed free nations to acquire the human skills and capital resources they need.

Foreign aid has been attacking illiteracy in most of the less developed countries; feeding hungry people; helping people build decent places in which to live; and eradicating malaria and other diseases in various parts of the free world.

A.I.D. programs in education and health last year totalled $350 million. Today, AID is financing educational teams from 71 American colleges and universities working in 38 countries. In the last 5 years, 240,000 classrooms were constructed with AID help. More than 500 million people have been freed from dangers of malaria with A.I.D. assistance.

Our programs have helped establish or improve industries in various free countries thus contributing to economic and political stability around the globe.

Yet no program of our Government has been more misunderstood and criticized. We still hear the tired and worn-out cliches about "give-away" programs, about "money poured down the drain" and so forth.

The myth that foreign aid is a give-away program should have died long ago. The actual cost of our economic assistance is less than one half of one percent—not one percent—*less than one half of one percent of our Gross National Product*.

Another important fact to remember is that the purchases of goods and services for foreign aid are financed right here in the United States.

Over 90 percent of the disbursements by the Agency for International Development are estimated to be committed right here in the United States, thus creating jobs for Americans. Therefore, I repeat, foreign aid is an investment abroad that pays long-range and short-range dividends at home.

Of course, we are deeply concerned with the widening gap between food production and human needs in many areas of the world. Most of the world's population is losing the battle to feed itself.

Our war on hunger, therefore, is an intensive and sustained drive, led by the United States, to increase the supply of food throughout the free world. It aims to create the economic and technical capacity that each nation must have either to produce or buy commercially the food it needs.

The new Food for Freedom Act stresses the need for strengthening indigenous scientific and technological capacity in food and agriculture and describes self-help measures to increase per capita food production and improve storage and distribution.

A.I.D. now proposes to increase its investment in agriculture—to mobilize greater U.S. technology and resources by transferring American farming techniques and equipment to the developing countries; constructing fertilizer plants; establishing more extension services and financing research for better and nutritious crops.

Today, 1,300 A.I.D.-financed agricultural experts are working overseas; 2,000 foreign agricultural professionals are studying in this country under A.I.D. auspices.

A.I.D. projects are helping to irrigate more than a million acres in India, a half million acres in Pakistan, and a hundred thousand or more each in Korea, Afghanistan, Ecuador, Morocco and Tunisia.

Food output has been rising in the less developed countries, but it has not kept pace with rising population.

A solution to the population problem of each country must be found by the individual countries themselves, according to their cultures, needs, and traditions.

Solutions to such problems cannot be imposed from outside. But, as President Johnson said, "we will give help and our support to nations which make their own decision to insure an effective balance between the numbers of their people and the food they have to eat. And we will push forward on the frontiers of research in this important field."

Significantly complementing our official foreign assistance efforts are the private voluntary agencies. These are the associations formed by dedicated people such as you who seek to help people to help themselves.

Among these associations, ORT occupies a prominent and honored place. I am proud of my close association with these private groups. Our Government considers such voluntary efforts very important. In the Vice President's opinion, as he expressed it a few weeks ago, "the work of the Voluntary Agencies is the true Voice of America and the true spirit of this land."

And so, my charming friends, as we meet here today, in this atmosphere of beauty, serenity, peace and contentment, the wheels of the State Department's Agency for International Development are turning, and the representatives of the voluntary agencies such as ORT are hard at work, and the beneficial results are felt in distant lands—in many and varied ways, but always for the good of humanity.

Because of Women's American ORT efforts at home and abroad, young men and women in Tunisia or Morocco are achieving self-fulfillment and the satisfaction born of a good and creative life.

Because of Women's ORT efforts, a bright-eyed boy or girl in Israel may some day be placed on the road to great achievement in the fields of technology and science.

Because of Women's ORT efforts, hundreds of skills are placed into the hands and minds of countless thousands around the world and doors are opened to life, freedom and dignity.

May ORT continue to grow and flourish for the benefit of humanity—for the benefit of all of us.

I thank you. You have been a wonderful audience.

WHY WERE U.S. MILITARY FORCES SENT TO THE CONGO AS SHOW OF SUPPORT FOR THE CONGOLESE GOVERNMENT?

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, I am shocked to note that the United States has sent military forces to the Congo, ostensibly as a show of support for the Congolese Government. We have no treaty obligations there. Congress has not been asked to authorize or to appropriate funds for such a venture. Nor would we.

May I sadly remind those in power that we already have a war. It is halfway around the world in Asia, and the progress we are making there is painfully slow. It is now costing the lives of nearly 1,000 Americans a month. We do not want another war in Africa. It was a token intervention, much like the one in the Congo, which led to full-scale involvement in Vietnam.

It is inconceivable to me that we would attempt to settle civil disorders for other nations throughout the world. We have not even shown that we can solve our own. Through token intervention, we can invite similar involvement by the forces of other nations and find ourselves in a contest to get there first in every danger spot. It is altogether too obvious that this can lead to world conflict. There should be immediate withdrawal of American forces from the Congo.

DISPUTE BETWEEN NATIONAL EDUCATIONAL TELEVISION AND OTHER GROUPS CONCERNING THE PROGRAMING OF EDUCATIONAL TELEVISION

Mr. ADAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ADAMS. Mr. Speaker, we have recently been involved with a dispute between national educational television and other groups concerning the programing of educational television.

I am inserting in the Record today a fine editorial by Mr. John Voorhees in the Seattle Post-Intelligencer, Wednesday, June 7, 1967, indicating the type of programing which can be done and which will, in my opinion, provide an incentive for even finer programing on the networks:

Public TV And NET

(By John Voorhees)

The current issue of Newsweek has a provocative, sometimes puzzling report on PTV's future, an article by Joseph Morgenstern who waxes enthusiastic about the subject but who also spouts more than a little nonsense, particularly in reference to N.E.T.

There are passages which sound as if Morgenstern were out "to get" National Educational Television—he condescends to describe N.E.T.'s programming as "competent," talks about "pussyfooting documentaries," terms programs like "A Time for Burning" and "The Way It Is" as "interesting." Since Morgenstern is so critical of N.E.T., one wishes he could point to similar fine efforts by commercial networks.

And he is dead wrong in insisting there's an absence of "unsafe, unpopular, unexpected views" in N.E.T. programming. It was first to question Vietnam—"The Mills of the Gods" may have been a Canadian film but it was the first critical documentary seen on American TV. It had a thoughtful series on the Far Right and the Far Left and explored the "new morality" prior to the commercial networks. And the excellent, comprehensive "Arts: USA" series spotlighted controversial art, poetry and drama that has yet to be seen on commercial TV.

Morgenstern is right in saying PTV needs money, fresh ideas, more showmanship—but his idea that N.E.T. is afraid of getting good enough to compete with commercial TV is nonsense. N.E.T. is already competing in news, drama and public service—last night's on-the-spot "News in Perspective" is a case in point. It isn't competing in the silly entertainment series that certainly have their place but are hardly indicative of what TV should be at its best. Expecting PTV to always be entertaining is a contradiction in terms—like a "fun war."

Morgenstern is also correct when commenting on the future danger of local station managers who may want to play it safe and keep PTV uncontroversial. PTV is going to be an increasingly important force in the years ahead and now is the time for all Americans who feel TV should be so much more than it is to do everything possible to support it.

But to attempt to give it lip service on one hand, while making snide remarks about N.E.T., which has practically singlehandedly, with the Ford Foundation, given educational TV the stature it has attained, is not only ridiculous but insulting.

Crisis condition—The three networks dumped their re-runs to provide full coverage of the UN Security Council's emergency session Tuesday night, followed by wrap-up comments by network analysts, the most complete being that on CBS with Mike Wallace in charge.

But N.E.T. never spent Ford money for interconnection more wisely than it did Tuesday night in arranging for a special "News in Perspective" session (at 8 p.m., (Channel 9)). The opinions and background information of Lester Markel, Hanson Baldwin, C. L. Sulzberger and Max Frankel offered welcome information to combat the rhetoric of the diplomats at the UN.

The four men interestingly and thoroughly explored the past, present and future of Israel, the Arab nations and the UN, giving viewers the invaluable depth reporting that the commercial networks so seldom have the time for. It was an evening that showed how commercial TV and PTV can complement each other.

THE HERITAGE OF ST. LOUIS UNIVERSITY, FIRST BEYOND THE MISSISSIPPI

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include copy of joint resolution introduced today.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, I am today introducing a joint resolution (H.J. Res. 691) to provide official recognition by the Government of the United States of the forthcoming sesquicentennial observance beginning next year of the founding of St. Louis University, the oldest university beyond the Mississippi and the one most deeply involved in the development of the American West.

The university was founded on November 16, 1818, at a time when no State of the Union lay entirely west of the Mississippi and of all of the vast territory of the Louisiana Purchase, only Louisiana had been admitted as a State. The great regions of Texas and California were still parts of another nation. The Erie Canal had not yet connected the Atlantic with the Great Lakes. The Great National Road had barely reached the headwaters of the Ohio River. On the Western Plains, Sitting Bull and Crazy Horse were young braves, who could hardly be aware of the irresistible tide of the white man that would sweep through the West in their lifetimes.

St. Louis University taught the sons of William Clark, Pierre Chouteau, Joseph Roubidoux, Toussaint Charbonneau and his Indian wife, Sacajawea, Judge Silas Bent, Gov. Alexander McNair, and Senator Ninian Edwards, and of other explorers and statesmen of the West. It taught men who themselves explored and developed the western country including Marcellin St. Vrain, Joseph Primeau, the Bent brothers—stabilizers of the Santa Fe Trail—and Pierre Jean De Smet, missionary extraordinary among the Indians of the Northwest.

Even before New Mexico became territory of the United States, students from there and other provinces of our sister Republics to the south came to St. Louis University for their education. Three of these young men later represented the Territory of New Mexico in the U.S. House of Representatives.

"TR" NOTED ITS VAST INFLUENCE ON THE WEST

On his visit to the school at the time of the Louisiana Purchase Expedition in 1904, President Theodore Roosevelt commented on the influence of St. Louis University in the West. The President said:

> I have been much in the West, and I have come across the traces of your work both among the communities of our own people and among the Indian tribes; and it is indeed a pleasure to be here today . . . as the guest of the first and oldest University founded in our country west of the Mississippi in this Louisiana Purchase.

From the time when President Jefferson purchased the Louisiana Territory from Napoleon until the present hour, the story of the West has been the story of cooperation between the Federal Government and the communities and the people of the West. This has been eminently the pattern at St. Louis University. The Federal Government and the municipal government of St. Louis subsidized the education of certain groups of students in its earliest years. One of the most colorful personalities among them was Touissaint Charbonneau, the son of one of the guides of the Lewis and Clark Expedition, who was destined to be a prominent western guide later on.

FEDERAL SUBSIDY TO JESUIT FATHERS TO EDUCATE INDIANS

The Jesuit Fathers, who have staffed the school since 1829, and requested its university charter in 1832, came to the Middle West under the joint sponsorship of President James Monroe and Bishop Louis W. V. Du Bourg, of Louisiana. Secretary of War John C. Calhoun had launched a program of help for the Western Indians in 1819. The Government offered to defray up to 75 percent of the expenses entailed by any religious, educational, or philanthropic group that offered a satisfactory program for the improvement of the tribes. Under this proposal, in 1823, Bishop Du Bourg offered an estate near the conflux of the Missouri and Mississippi Rivers as a site for a combined Indian school and Jesuit seminary. The Government provided a subsidy to start the St. Regis Indian Seminary. Some of the greatest missionaries of the American West, preeminently Pierre Jean De Smet, gained their first knowledge of American Indians at this school. Other seminarians prepared to teach at St. Louis University.

This cooperation with the Federal Government, so pronounced during the school's early years, again became evident after the outbreak of World War II, when Parks Air College, now a constituent part of St. Louis University, trained one out of every 10 fliers in the Army Air Force.

ST. LOUIS UNIVERSITY A KEY FACTOR IN CITY'S URBAN RENEWAL

In recent decades, St. Louis University stood as a stabilizing influence in the center of the city of St. Louis, when many individuals and other institutions were fleeing to the suburbs. Its campus erected a wall against the spread of urban decay. It formed an island from which the community could launch its inner city restoration. Its expanded campus now forms an integral part of the city's large urban redevelopment program.

When President Lyndon Johnson, the third Chief Executive to visit the St. Louis University campus while in office, went to St. Louis to launch the city's bicentennial celebration, he planted a maple tree next to the Busch Memorial Center. He said:

> This city and this campus are now and will continue to be in the forefront of our nation's leadership in this new age of science and technology.

On March 11, 1967, an article in the Saturday Review singled out St. Louis University as an exemplar of how an urban university can cooperate with the community for the betterment of all citizens. It stated:

> A number of universities have made a good deal of headway in this difficult field of community adjustment and community service. One of them is St. Louis University, which has reached out to serve the whole metropolitan area, whether by easing tensions in

the inner city or by bringing the benefits of good music and art to the people. In urban renewal, it has done a remarkable job.

TEXT OF HOUSE JOINT RESOLUTION 691

Mr. Speaker, the observance by St. Louis University of its forthcoming 150th anniversary is an event in which all Americans who are proud of the great heritage of this country, and of the courage and foresight of the brave men and women who explored and settled the western half of our Nation, would want our Government to participate.

In the city of St. Louis, and in the State of Missouri, we are deeply involved in this impressive anniversary. All of the areas of the West which have been the beneficiaries of the scholarship and compassion and guidance of the Jesuit Fathers who made this University great should have some means of joining in the celebration of one of the notable events of American educational history.

Therefore, I have submitted, for appropriate reference and, I hope, early action by the House, a joint resolution which extends the greetings and felicitations of the people of the United States, through their Government, to those who today carry on the work so well begun in November 1818, in the founding of the first and, in a great many respects, the foremost university of the West, St. Louis University.

My own ties to this fine institution are many, particularly through my husband, the late Congressman John Berchmans Sullivan, who was throughout his life proud of the training he had received at St. Louis University as an undergraduate and as a student of law, and whose attachment to his alma mater I came to share.

The text of the House joint resolution relating to the forthcoming 150th anniversary of St. Louis University is as follows:

H.J. Res. 691

Joint resolution extending greetings and felicitations to Saint Louis University in the city of Saint Louis, Missouri, in connection with the 150th anniversary of its founding

Whereas Saint Louis University, founded in 1818 and formally chartered by the General Assembly of Missouri in 1832, was the first institution of higher learning to be established west of the Mississippi River; and

Whereas its early administrators and members of the faculty were members of the Society of Jesus who came to Missouri with the cooperation and aid of the then Secretary of War, John C. Calhoun; and

Whereas certain members of the Society of Jesus performed invaluable service for the United States in its relations with the Indians and were consultants to various Presidents of the United States; and

Whereas the Jesuit Fathers explored and arranged important councils between the Indians and the United States Government and were able to make suggestions to the United States Government for the alleviation of Indian problems; and

Whereas the University served as friend and consultant to several of the official explorers of the Trans-Mississippi and was alma mater to others, pioneers, and settlers of the West; and

Whereas there have been members of the Cabinet of the President of the United States, and several Congressmen, Senators, Governors, and statesmen who can be counted among its alumni; and

Whereas its graduates have founded many schools as well as other institutions of higher learning throughout the United States; and

Whereas in a century and one half the University has enhanced the prestige of American scholarship and scientific research and has contributed to the advancement of learning, the betterment of the professions, and the enrichment of the community; and

Whereas in the past decade, the University has expanded its physical facilities and stabilized a decaying area of the city of Saint Louis; and

Whereas Saint Louis University will during 1968–69 celebrate its founding by significant intellectual and cultural events, under the theme "Knowledge and the Future of Man," at which illustrious scholars and personages will attend; and

Whereas these activities connected with the anniversary will be devoted to furthering and developing the values implicit in the theme; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government of the United States extends its greetings and felicitations to Saint Louis University, its President and board of trustees, its faculty and students, and urges the citizens of the United States to cooperate with the university anniversary observances to promote the deepening of human understanding and the enlargement of human knowledge for the common good of all men.

RATES ON JUNK MAIL SHOULD BE RAISED BEFORE TAXES

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, as the cost of the war in Vietnam increases beyond what had been anticipated, and as the budget deficit mounts, there has been considerably more talk about an increase in personal and corporate taxes. In fact, I was rather interested in a startling headline in the financial section of the Sunday New York Times, reading "Support Growing for Higher Taxes." This new analysis by Robert A. Wright commences with these sentences:

> Reluctantly, some businessmen have concluded that a tax increase is needed. With an eye on the mounting Federal deficit and another on the Vietnam situation, an increasing number of executives believe that a tax increase is the most realistic course, if not the most preferable.

The taxes which people and businesses pay provide revenue for many different services. Over $400 million annually out of these taxes goes to make up the deficit created because third-class mail pays only a little over 60 percent of what it costs the Post Office Department to deliver it. Every time you pay your tax bill, part of it goes to help subsidize the direct-mail industry. Under our free enterprise system when a business is already making a good profit, as the third-class mailers are, why should the rest of the taxpayers kick in to help them make an even greater profit?

This week the Postal Rates Subcommittee will probably take action on the first comprehensive postal rate bill we have had since 1962. Before we even consider raising personal and corporate income taxes, we should raise the rates on third-class mail so this class of mail pays 100 percent of its way, instead of the very mild increase to 80 percent which is being advocated in the administration bill.

As I have repeatedly and publicly stated, I also feel that there is a strong and valid case for raising second-class rates even beyond the level advocated in the administration bill. For example, a surcharge on magazines with circulations over 500,000 would be advisable.

These steps should be taken firmly before talk about either a first-class postal rate rise, or an increase in taxes. There is a far stronger argument today than six months ago for tapping the available revenue sources before deciding on the feasibility of a tax increase.

Now is the time to require profitmaking enterprises to pay the full cost of mailing their advertising instead of expecting the taxpayers of this Nation to subsidize this class of mail.

THE ACTIVITIES AND ACHIEVEMENTS OF THE AMERICAN FARM BUREAU FEDERATION

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, my attention has been called to an attack recently made on this floor by one of my colleagues from New York against the Farm Bureau.

In essence that attack contended that the Farm Bureau was not a bona fide organization of farmers properly concerned with matters of farm policy, but was in reality a gigantic insurance combine masquerading as a organization of farmers.

These are very serious charges, Mr. Speaker. As one who has served in this House for more than 8 years, and who has worked closely with members of grassroots Farm Bureau groups throughout upstate New York during all those years, and as the New York State Member of Congress whose district includes more Farm Bureau members than any other New York district, I must say most emphatically that this charge that the Farm Bureau is not an organization of farmers but a massive insurance combine masquerading as farmers is simply not true as far as my experience is concerned.

I am frank to say that I have not always agreed with all the views and recommendations of Farm Bureau groups in my district, any more than I have always agreed with every single recommendation of any kind of organization, farm or otherwise. But in 8½ years of working closely with Farm Bureau members and Kitchen Konferences throughout my district I know that Farm

Bureau members are not only farmers but good farmers. They are devoted to their profession and they take a very conscientious interest not only in farm legislation but in all kinds of legislation affecting our country. In fact I know of no group more conscientiously interested in what goes on in Washington than the Farm Bureau.

I may not always agree with them but I certainly warmly welcome their interest and their views and I hope they continue that very useful, very patriotic, and very conscientious effort.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I am happy to yield to the gentleman.

Mr. ARENDS. Mr. Speaker, I want to commend the gentleman on his laudatory remarks concerning the Farm Bureau. I too have had a great experience with the Farm Bureau organization, both nationally and in my home State of Illinois where they have a tremendous membership. They are objective in their approaches, and they try to do a public service, and in my humble opinion they do an extraordinarily fine job.

Mr. STRATTON. Mr. Speaker, I certainly appreciate the comments of the distinguished gentleman from Illinois.

I might just make this additional comment. The impression has been given that lots of nonfarm families join the Farm Bureau, not because of their interest in agriculture, but in order to buy certain insurance policies available to Farm Bureau members. Well, I have done a little research on this point in my home district, and I think it will be of interest to Members of this House that in the eight counties of my district, for example, those members of the Farm Bureau who also participate in Farm Bureau insurance programs range from 31 to 82 percent of the total county membership. If only a portion of those who join the Farm Bureau bother to obtain the insurance benefits that are available to members of the organization, it hardly looks as though the insurance benefits are so lush and so desirable that vast throngs of nonfarm families, as has been suggested, are joining the Farm Bureau simply to take advantage of its available insurance benefits.

In fact, in all of New York State, I am informed, only 6,309 Farm Bureau members out of a total statewide membership of 14,185, or in other words 44 percent, have participated in Farm Bureau's insurance benefits.

Actually, there is nothing very unusual in an organization's offering special insurance benefits to its members. I have long been a member of the Reserve Officers Association, for example, and I know that periodically special insurance programs are offered to us by virtue of our membership in that group.

SPECIAL ORDER TO BE GIVEN ON THE VIETNAM WAR

Mr. MORSE of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, I am gratified indeed at the qualified endorsement which the distinguished majority leader has given to a proposal which several Republican Members have endorsed concerning the situation in Vietnam.

Mr. Speaker, I will not respond to the questions he raised in his remarks a few moments ago, but I would merely call the attention of the Members on the floor that later in today's proceedings I will, under a special order, on behalf of seven of my colleagues from the minority side put forth this plan, and I earnestly hope that many Members will want to take part in what I believe will be an interesting and stimulating debate at that time.

THE ADMINISTRATION HAS NOT MADE A CASE FOR INCREASED TROOP COMMITMENT IN VIETNAM

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, Secretary McNamara is in Vietnam as a part of the publicity buildup in support of a major increase in troop strength there.

The Congress should demand thorough and detailed justification for any increase. Before our troops get more deeply involved in a war on the Asian mainland, basic questions must be answered satisfactorily by the administration. The President's warmaking powers are not open ended with no restraint except his own self-restraint.

Congress should demand its proper, constitutional voice in this decision. No one can reasonably contend that the Gulf of Tonkin resolution of 1964 or President Johnson's electoral victory that year gave him a mandate to send ground forces without limit into Vietnam. Indeed the resolution and the President's subsequent victory at the polls occurred while he was warning against U.S. involvement in an Asian land war.

A new resolution giving the President specific authority to commit additional ground forces to Vietnam should be required before any increase occurs. In my opinion, the administration at this point has not made a case for an increase.

U.S. INTERVENTION IN THE CONGO

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the action by President Johnson in sending three C-130 transport planes to participate in the rebellion in the Congo ought to be condemned by every thinking American.

These military aircraft, manned by U.S. Air Force crews and paratroopers from the 82d Airborne Division, have been dispatched without the slightest approval of Congress. These planes, crews, and combat troops have not been sent to the Congo to evacuate American nationals. According to the State Department, they have been dispatched primarily to airlift Congolese troops and military equipment.

In other words, President Johnson has injected the United States into still another rebellion around the world, this time in support of the so-called President of the Congo, Lt. Gen. Joseph Mobutu, who clearly demonstrated a year ago that he is, in fact, one of the world's most brutal military dictators.

Mr. Speaker, what will happen if the Communists also decide to intervene in the Congo rebellion by sending Mig jet fighters to stop the use of U.S. transports?

Mr. Speaker, the United States cannot longer attempt to police and finance the rest of the world. Are we also scheduled to intervene in the rebellion in Nigeria and every other fracas in Africa?

Congress ought to take action immediately by telling Lyndon Johnson to get those planes, crews, and paratroopers out of the Congo and back to the United States as fast as it is possible to do so.

WILL THE REAL KOSYGIN STAND UP? THE ONE THAT VISITED PRESIDENT JOHNSON OR THE ONE THAT VISITED CASTRO?

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I just wonder if the real Mr. Kosygin will stand up. I know that many of the students and parents who lauded and applauded in Glassboro at the university when Kosygin took the platform and pledged supposedly himself and his country to peace that those students were heartened by those words. It is understandable why. However, that heartening reaction became disenchantment and disheartening immediately thereafter when Kosygin went to Cuba to consort with Castro, who is building and continuing to build a Communist-dominated island, and to peddle revolution throughout this hemisphere and throughout the world from this Communist seedbed island 90 miles from the shores of the United States of America.

I was hoping that there would be some evidence of the Communist-announced—at Glassboro, that is—peaceful intent there in Cuba as well, as a result of Kosygin's visit. But I have seen no retraction of the announced meeting of another tricontinental meeting to return to Havana on July 28, 1967, which is just a few days from now, at which time some 27 Communist revolutionary action organizations will meet with Castro and, conspiring and using war materiel provided by the Communists, are to renew plans to inflame further revolution of a Communist nature throughout this hemisphere and throughout the world.

So I say today, Will the real Mr. Kosygin stand up? I think I know which one he really is. The record and history shows it. But if he is going to put out any Communist fires threatening world peace let him put one out in Cuba to start with. That is something that the Communists are not going to do and have not done. To the contrary they are intentionally building Cuba as a Communist revolutionary export island 90 miles from our shore.

Reminiscent of assurances given in the 1962 missile crisis when the Russian Ambassador was assuring President Kennedy that no missiles were in Cuba at a time when they were being put in operational status, is it not?

How often are we to gullibly be taken in by Communist duplicity and deceit?

SUPPORT OF THE PRESIDENT'S ACTION IN AFRICA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is in the interest of the United States and of the world that the territorial integrity of the Congo and of other African countries be protected. I was not consulted as to what happened in the Congo, but I was in Chicago yesterday, and early yesterday morning I was called up and informed as to the sensible Congo determination before a public announcement was made. I said that speaking for myself and I thought for my subcommittee, the Subcommittee on Africa of the Committee on Foreign Affairs, I completely approved of what had been done. We were sending in no armed men, no armaments, only furnishing three airplanes for communication in the interest of peace. I think it is very necessary that the territorial integrity of all of the African countries should be preserved. I think it is possible that in the future the trend will be toward federations, as in the case of Kenya, Uganda, Tanzania, and Zanzibar, but at the present time it would be nothing short of tragedy, if existing countries should break into pieces, several small nations instead of one large and relatively powerful nation.

In regard to Nigeria, I think it is well known that it is the hope of our country and our Government that domestic quarrels may be resolved and that Nigeria may remain intact, territorially, perhaps ultimately to fulfill her destiny as one of the great nations of the world.

Mr. Speaker, I do think that within 50 years there will be in Africa one of the great nations of the world, and I do hope that in this uneasy present time every effort of our Government will be made within the proper limitations to preserve the territorial integrity of the African countries and as far as it is within our power by peaceful means to prevent them breaking up into parts.

BANKRUPTCY OF U.S. POLICY TOWARD NATO

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the House Republican Committee on Western Alliances, continuing a study of the NATO decline, issued on July 5 a second statement in the series which sharply denounced the administration for neglect of the Atlantic alliance, demonstrating that the bankruptcy of American diplomacy toward the West is weakening the institutional ties provided by NATO.

Contrasting President Kennedy's July 4, 1962, declaration of interdependence with the deterioration of Atlantic relations, the committee said that since President Kennedy's appeal, U.S. policy has steadily "undermined the unity and vitality of the Atlantic alliance."

In its analysis, the committee unfolded a factual, chronological record of administration failures. It blamed the Government for failing to utilize NATO channels, for unilateral actions pursued without consultation with NATO partners, for refusing to accommodate legitimate allied demands and interests, and for routine employment of allies as mere executors of American military doctrine.

The statement was prepared by a committee team consisting of Representative Seymour Halpern and Representative Marvin L. Esch.

Other members of the committee, which I serve as chairman, are: Representatives E. Ross Adair, William O. Cowger, William C. Cramer, Sherman P. Lloyd, Rogers C. B. Morton, William S. Mailliard, Alexander Pirnie, Albert H. Quie, William V. Roth, Herman Schneebeli, Charles W. Whalen, and Larry Winn.

Full text of committee statement:

U.S. POLICY TOWARD NATO: THE LONG RETREAT FROM PRESIDENT KENNEDY'S JULY 4 DECLARATION OF INTERDEPENDENCE

United States foreign policy under the Kennedy and Johnson Administrations, despite repeated verbal assurances to the NATO commitment, has served to undermine the unity and vitality of the Atlantic Alliance. Political and military decisions taken by our government, and the frequently unilateral method of reaching them, in disregard of NATO, have helped weaken NATO's importance in a fast-changing world.

The decline of NATO, as an instrument of diplomacy and solidarity, is a bitter disillusionment when measured against the expectations raised by President Kennedy's 1962 July 4 Declaration of Interdependence, when he called at Philadelphia for a renewed drive toward Atlantic partnership.

Unhappily, our own neglect has replenished the skepticism of those who look upon NATO as an enterprise of increasing irrelevance. On the European continent, political outlooks are changing. Our apparent indifference to Alliance principle strengthens the notion that NATO as a military pact and political entity can no longer play a major role in shaping allied policy.

While President de Gaulle must share responsibility for the continuing NATO decline, the contradictory nature of America's approach to the Alliance has, during the past several years, raised European suspicions about our motives and is leading the NATO institution into an increasingly infectious malaise. This inconsistence on our part, between big power unilaterialism and professed allegiance to post-war NATO ideals, reflects a methodology which, given the other negative influences, can be fatal.

What is more, the United States has evidently lost the power and art of productive leadership when precisely this quality is needed more than ever to mend the disarray. Reaffirmations of support for NATO integration and Atlantic unity are indeed hollow in contrast to our compunction for solitary action and failure to consult. NATO, as a theoretical and practical answer to common interests, is workable both as part and consequence of a functioning inter-allied diplomacy. It is, at least partially, the bankruptcy of American diplomacy toward the West that is weakening the institutional ties provided by NATO.

In a previous statement, we reviewed the NATO situation in broad terms, referring briefly to American policy-making which is damaging the continued validity of the Alliance structure.* It is not possible to reform our basic approach, and pose realistic solutions to NATO's deterioration, without thinking seriously about the past.

The shortcomings of Administration policy are being constantly analyzed in public journals. The decision of France to withdraw from the NATO command stirred a new round of discussion. At the same time, one does not sense that the ongoing crisis has precipitated a similar, searching debate in officials quarters, among those responsible for the formulation of policy.

The very critical state of the Alliance results, in part, because over a lengthy span of time we have failed to use it, or more concretely, we have not found it expedient or necessary to do so. Generally, our unilateral pursuit of developments outside the NATO sphere; our unwillingness to accommodate allied thinking so as to facilitate a unified, Western position on world problems; or disinclination to utilize fully NATO channels for negotiation and consultation when crises erupt or strategic decisions are pending; or routine employment of allies as mere executors of American military doctrine; all of this has helped to shape the apprehensions and doubts now being voiced by a resurgent Europe and concerned Americans.

NATO suffers not only a power gap but a gap in expertise. American defense thinking has dominated NATO Preparedness to such an extent that what is sporadically and tardily referred for communal resolution becomes, in reality, a discussion of how to implement American decisions and technology. We have never encouraged Europeans to develop essentially European concepts of defense strategy.

The record testifies to a persistent neglect of NATO interests:

Subsequent to the building of the Berlin Wall, the major allies could not agree to a common response to Khrushchev. The administration, clinging to a policy of seeking discussions with Moscow, which never transpired, refused to accommodate in any measure the more adamant position of President de Gaulle, resulting in a lingering disagreement which made impossible any future Franco-American summit talks, despite the fact that these had been planned when Mr. Kennedy met President de Gaulle in Paris earlier.

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*Statement of House Republicans Committee on Western Alliances, dated June 13, 1967.

In May, 1962, Defense Secretary Robert S. McNamara abruptly announced, and later elaborated, a new NATO strategy of "flexible response" which, in effect, relegated the Europeans to a beefed-up conventional role in NATO defense. This turnabout was not first subjected to debate within NATO. It supplanted the Radford Plan of 1957, which emphasized the employment of tactical and strategic nuclear weapons in Europe's defense. Intelligent observers could see that the new posture was, in reality, an outgrowth of purely American security interests, regardless of their legitimacy. Also, the reversal raised questions about the authority of U.S. defense planning—the Radford Plan was supposedly a fit strategy for the future.

Washington's consistent refusal to harmonize Western policy toward the newly-independent states of Afro-Asia leaves a giant portion of the earth's surface benevolently open to American unilateralism. This was demonstrated by the administration's approach to the Congo crisis, Angola, and our flamboyant pursuit of Sekou Toure' of Guinea, who de Gaulle considered a renegade. Whatever the merits of these policies, they nevertheless underscored allied differences, somewhat ostentatiously, and amounted to a dubious attempt to disassociate the country from the legacy of British and French colonialism. Paradoxically, this concern for imagery came at a time when Europe had already relinquished almost the last vestiges of Empire, some said too quickly.

Europeans, unjustly, were claiming that we were putting the interests of Nkrumah and other more short-lived governments above their own. It is indeed ironic that today, throughout much of the have-not world, the United States has superseded those European colonialists as the foremost "imperialist" interloper.

During the Cuban missile crisis of 1962, the principal allies were not consulted previous to the crucial decisions, despite the possible impact of any confrontation on the Alliance.

In December of 1962, the Kennedy administration brusquely cancelled the Skybolt project and forged a new British-American nuclear working partnership; de Gaulle first got the word by reading press dispatches of the official communique of the Nassau meeting. Later France was offered the same Polaris deal, but rejected it; to polite inquiries, the administration hedged about exporting nuclear know-how to the French, putting them on a par with Britain, and to de Gaulle this represented another instance of preferred treatment under the nominally undiscriminating Polaris arrangement.

In essence, this scornful regard for the French nuclear program, the un-readiness to cooperate fully with France on nuclear matters when the force de frappe became an irrevocable fact, however negligible or even dangerous as a deterrent, served to underwrite de Gaulle's claim about Anglo-Saxon collusion and again stressed the unfettered dominance of American interests in Alliance politics.

In 1963, a Soviet-American understanding forced the dislodgement of U.S. missiles in Turkey and Italy, without the prior sanctioning of NATO.

In 1964, the President qualified the automatic character of the NATO commitment to Turkey, in the event of a Cyprus invasion which might have precipitated a Soviet incursion.

The multilateral nuclear force (MLF) concept, which underwent some revisions, was an ill-conceived gimmick aimed at broadening NATO control over nuclear deterrence without surrendering the American veto. Despite the State Department propaganda campaign, even the Germans were never entirely enthusiastic. Moreover, no one seems to have thought of the plan's effect on French-American relations, and of its unquestionable adverse influence on Franco-German Conciliation, which remains the key to peace and stability in Europe.

After President de Gaulle's 1966 press conference announcing the NATO withdrawal, American policy geared itself to mobilizing European opinion in defence of the status quo and against the French attitude. In any case, the tactless outpouring of anti-de Gaulle sentiment on the part of highly-placed American diplomats could hardly reverse the situation, and it is difficult to escape the conclusion even now that U.S. policy prefers to cordon off France from further NATO concerns. We do not agree with the French view of NATO and much of her foreign policy. Despite obvious differences, however, a U.S. policy which quarantines France or abstains from endeavoring to reach accommodation on matters of mutual concern, is clearly detrimental to the interests of the Alliance as a whole.

American initiatives in the field of disarmament and arms control, including the current prolonged negotiations on nuclear non-proliferation, have proceeded outside the NATO context. Disarmament is certainly a desirable goal on its face, which no American or European statesman would deny. But our evident tendency to ignore the impact of such agreements on the NATO situation and allied interests, and to refrain from thorough consultation within NATO prior and during the evolution of concrete proposals, further illustrates our inattention to the prerogatives of the other Alliance members.

Similarly, the European states look with understandable favor upon the prospect of a Washington-Moscow detente. They recognize that their ultimate security relates to Russo-American understanding. But they are suspicious of possible faits accomplis reached bilaterally, on sensitive issues affecting their future and security, without an effective voice in the formulation of policy concerning Europe. This is particularly true in the case of West Germany, the most vulnerable state, seeking to maintain options, which needs solid support from its NATO partners. By some wretched illogic, the Johnson government may be handling the sought-for detente so that it wrenches Atlantic relationships, and in the end, fails dismally in both areas. Alliance solidarity and mutual understanding are not inconsistent with East-West easing of tensions, although the immediate urgency of military factors may fade. Surely the Alliance is based on something more than the threat from Moscow.

Since President Eisenhower left office, there have been no meetings of NATO heads of government. President Johnson has gone to the summit with Latin American chiefs of state. He has just recently conferred with Premier Kosygin. These meetings reflect a resourcefulness and high-level concern which are urgently needed to meet the NATO crisis.

For an over-all view of the sequence of U.S. policy toward NATO, here is the factual record:

May 1961—The North Atlantic Council expressed concern over bilateral consultations initiated by President Kennedy with the Soviet Union on disarmament, and urged close consultation with the Council.

June 1961—President Kennedy downgraded his special visit to President de Gaulle by making it only a stopover on his trip to Vienna to meet Chairman Khrushchev.

August 1961—Building of the Berlin Wall was permitted by the Four Powers.

Spring 1962—Declaration of Paris ignored by Kennedy Administration.

May 1962—NATO strategy altered unilaterally by Kennedy Administration.

Fall 1962—No consultation within NATO prior to President Kennedy's ultimatum to Soviet Union and blockade of its vessels enroute to Cuba despite direct impact on allies if war ensued.

December 1962—Kennedy Administration cancelled Skybolt missile project and proposed substitution of a multilateral force of Polaris submarines.

January 1963—Kennedy Administration abruptly withdrew missiles from Turkey and Italy, apparently as a unilateral concession to Soviets.

May 1963—Kennedy Administration offered half-measures to assuage allies desire for nuclear sharing—allied nuclear deputy to SACEUR, allied observers at Omaha.

June 1963—Kennedy Administration negotiated nuclear test ban with Soviet Union; established "hot line" between Moscow and Washington, but no such link with NATO capitals.

October 1963—Operation Big Lift raised doubt about U. S. commitment of troops to NATO.

January 1964—Johnson Administration discouraged foreign investment and travel.

January 1964—Johnson Administration sold wheat to Soviet Union at super discount.

June 1964—President Johnson qualified NATO commitment to Turkey vis-a-vis the Soviet Union.

September 1964—U.S. private investment in Europe restricted by Johnson-sponsored interest equalization tax.

December 1964—President Johnson refused to license export of computer to France.

May 1965—Secretary of State was sent to Dominican Republic instead of North Atlantic Council meeting. Switched to Council after Republican prod.

July 1965—Pierrelatte overflight by U. S. NATO plane was not adjudicated through NATO.

December 1965—U. S. trust of NATO allies put in doubt by nuclear non-proliferation negotiations in Geneva.

March 1966—U.S. rebuffed French request for consultation on troop and base agreements—aligned other 13 allies against French position.

March 1966—Despite objection of several allies, Johnson Administration initiated proposal to move the North Atlantic Council from France.

April 1966—President Johnson rejected the date for withdrawal of troops from France—U.S., United Kingdom and Germany formed a group to deal with France.

October 1966 and April 1967—President Johnson traveled abroad to participate in chiefs-of-state meetings of Far East and OAS powers, but no NATO chiefs-of-state meeting has been held since 1958 when Eisenhower was President.

May 1967—During Greek crisis, Johnson Administration failed to re-affirm our automatic commitment to defend all NATO nations—a commitment which, in respect to Turkey, had been seriously qualified by unilateral action in 1964.

The overriding need is to reform our thinking about the Alliance and give it a meaningful political role. Our indifference to NATO, except as an appendage of homegrown strategic thinking, will not suffice in the context of a resurgent "Europeanism" and rapid changes taking place in the world arena.

In a forthcoming third statement, we will recommend means for revitalizing NATO and bringing about a fresh, realistic American posture.

NUCLEAR TREATY: TIME TO START OVER AGAIN?

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the House Republican Committee on Western Alliances believes it is time to start over again on a nonproliferation treaty.

In a statement, July 5, prepared by a team consisting of Representatives E. ROSS ADAIR and LARRY WINN, JR., the committee observed that—

> Formal American efforts to achieve a nuclear nonproliferation treaty have been underway since August of 1965 and may have new impetus as the result of the Glassboro meeting.

It posed the questions, "What has been the trend in NATO since these talks started?" "What has been achieved as regards the so-called detente with the Communists?" "What has been the trend in disarmament?"

These questions naturally occur in view of subsequent Soviet action: Stepped-up aid to North Vietnam, refusal to ratify the consular treaty, continuing shipment of arms in great quantities to the Middle East in spite of the recent fighting there, harassment of our fleet on the high seas, continuing buildup of arms in Cuba, and support of subversion in Latin America.

Other members of the committee, which I serve as chairman, are Representatives WILLIAM O. COWGER, WILLIAM C. CRAMER, MARVIN L. ESCH, SEYMOUR HALPERN, SHERMAN P. LLOYD, WILLIAM S. MAILLIARD, ALEXANDER PIRNIE, ALBERT H. QUIE, WILLIAM V. ROTH, HERMAN T. SCHNEEBELI, CHARLES W. WHALEN, JR., and ROGERS C. B. MORTON.

Full text of the statement:

NUCLEAR TREATY: TIME TO START OVER AGAIN?

Formal American efforts to achieve a nuclear nonproliferation treaty have been underway since August of 1965, and may have new impetus as the result of the Glassboro meeting. It is now time to assess the results. What has been the trend in NATO since these talks started? What has been achieved as regards the so-called "detente" with the Communist world? What has been the trend in disarmament?

As regards NATO, it is all too clear what has happened. After all, the question of nuclear weapons was a significant factor, most people seem to feel, in President De-Gaulle's decision to "go it alone." American installations are by now almost completely abandoned in France. France is proceeding on every front, within the limitation of her resources, to become a true nuclear power. She now has nuclear bombs and bombers with which to deliver them. She has launched a nuclear submarine.

Germany is rapidly becoming both suspicious and alienated, as a result of our seemingly desperate haste to conclude a nonproliferation treaty with the USSR. As one of the world's leading industrial powers, she feels that she will not only be forced to take a back seat in nuclear technology as a result of the proposed treaty, but under changed conditions would be left defenseless from attack by a nuclear power.

Italy has expressed misgivings concerning the treaty. During Vice President Humphrey's recent visit, Italian Premier Moro and Foreign Minister Fanfani are thought to have told the Vice President that the treaty could become a serious bar to future unity moves in Western Europe in the fields of political and military institutions.

A recent statement by George Ball, former U.S. Under Secretary of State, suggesting that Great Britain should surrender her nuclear deterrent to America as "a contribution to peace" brought a strong reaction. The London Daily Express stated: "Such interference in our affairs is futile and impertinent."

These negotiations have now been going on for nearly two years. The Soviet Union, it is generally agreed, is in no hurry to sign such a treaty. In fact, it can be argued that there is no reason for them to hurry as long as the mere fact of negotiating tends to split the NATO alliance. After all, the more seeming concessions we make to the Soviets over this issue, the more suspicions grow among our European NATO allies that they are somehow to be left out in the cold. This attitude only increases the stature of President Charles DeGaulle and his "third force" concept of Europe.

Aside from the Outer Space Treaty in the field of disarmament, little has been achieved since we seriously started trying to achieve a nonproliferation treaty. Red China has recently tested a hydrogen bomb, and in the next few years, should be able to fire atomic missiles at her neighbors. Elsewhere, armaments and the number of worldwide trouble spots have increased.

How has the Communist world and in particular the Soviet Union responded? The Soviets have stepped up their aid to North Viet Nam. They have refused to ratify the Consular treaty out of spite for our policy in Viet Nam. They are reported to be continuing to send arms in great quantities to the Middle East in spite of the recent fighting. They are actively engaged in harassing our fleet on the high seas. They are daily poaching in our domestic fishing grounds. The East European satellites are assisting North Viet Nam. The Soviets refuse to consider cutting back on their anti-ballistic missile system in order to prevent adding a new dimension to the arms race. They continue to arm Cuba and support subversion in Latin America.

How then should we proceed? First, let us face the fact that the Soviet Union has permitted the United States to lead in these negotiations to the point that any failure of them will be laid at our door. Worse than that, any undue restrictions it places upon our allies will also be blamed on the United States.

Recent reports in the press speak of some progress in the negotiations for a treaty, both as regards our NATO allies and the Soviet Union. However, we have had many ups and downs during these negotiations. Might not our best course of action be to withdraw our proposed treaty text and start anew? This would serve several purposes. The Soviet Union would be put on notice that we had gone just about as far as we could by way of making concessions in order to achieve this treaty. Second, it would present us with the opportunity to start anew with our NATO allies. We could then proceed to hammer out a new treaty draft acceptable to all of NATO. Then and only then should we proceed to reopen negotiations with the Soviets, if the Soviets appeared to be genuinely interested. In fact, such a pause would give us the further opportunity of achieving a truly integrated NATO nuclear command.

In any case, we should press forward with plans for an anti-missile system—to close the ABM gap. To the maximum extent possible, this should be done in collaboration with our NATO allies, as Dr. Edward Teller has recently suggested. We should never sacrifice the interests of a major part of the free world—NATO—just to secure a signature on a nonproliferation treaty that might or might not help the cause of world peace.

THE KENNEDY ROUND AND THE FUTURE OF U.S. TRADE POLICY—AN EVALUATION OF PROGRESS AND ISSUES IN THE SIXTH ROUND OF TRADE NEGOTIATIONS UNDER THE GENERAL AGREEMENT ON TARIFFS AND TRADE—PART IV: INDUSTRIAL NEGOTIATIONS: CHEMICALS

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, I include at this point a list of contents covering my remarks:

LIST OF CONTENTS OF CHEMICAL SECTION

The Industrial Sectors Discussed in the Present Report.
Chemicals in the Kennedy Round.
Chemicals and International Trade.
Trade Negotiations Effect on U.S. Chemical Companies' Foreign Investment and Sales.
Raw Materials Costs and Competitiveness.
Future Tariff and Trade Negotiations Will Require Broader Scope.
The Nature of World Trade in Chemicals: Statistical Problems.
A Continuing Export Surplus.
Benzenoid Chemicals Trade.
The Converted ASP Rates—The Importance of Intermediates and Dyes.
ASP As a Customs Valuation Method.
Some Attributes of the ASP System.
ASP In the Context of Its Time.
The Problem of European Postwar Reconstruction.
Dynamism and Continuing Innovation.
International Chemical Competition and International Pricing.
U.S. Chemical Industry, Trade Negotiations, and Change.
The Conversion of ASP to Normal Valuation Methods.
Nagging Objections to Conversion.
The Negotiation of ASP in the Kennedy Round.
What is the Nature of the Benzenoid Industry?
Why the Benzenoid Chemical Sector Asks Special Treatment.
What is the Margin of Injury from Changing the ASP System?
The European Stake in the Removal of American Selling Price.
European Arguments.
Kennedy Round Trade Negotiations.
Two Packages, One "Decouped" From the Other.
Reciprocity in the First Package.
Share of Dutiable Imports.
Reciprocity in the Second Package.
Foreign Non-Tariff Concessions in the Second Package.
Important Problem of Border Taxes.
Border Taxes in the Kennedy Round and in Future Negotiations.
Border Tax and Export Rebate are Integral Parts of National Taxation Systems.
Nullification of Tariff Concessions.
Need for Immediate Action on the Border Tax Problem After the Kennedy Round.
GATT Meeting on Countervailing Duties Should be Broadened.
1967 Meeting of GATT Contracting Parties.
Patents and International Trade.
Conclusion.

Mr. Speaker, this is the fourth in a series of reports attempting to explain the major issues of the Kennedy round.

These discussions demonstrate why these issues have been so difficult to resolve and at the same time why their rational resolution is so important to each American—indeed also to each world citizen—in some way: as a consumer, as a worker or producer, a farmer, a businessman, or investor. A deeper understanding of trade also brings about a greater realization of how important trade is to peaceful relations among nations.

It is also the purpose of these reports to record the events of a landmark international trade negotiation that may be the last of its particular type. But the end of the traditional tariff negotiation is also a beginning of a new, more important, and more fruitful kind. In deciding our new international trade policies, we will want to take into account the factors that shaped the present negotiations, and devise strategies to comprehend them. Thus, throughout this series of speeches. I have tried to emphasize their meaning for future trade policy. I would not have tried to make my analyses so thorough, otherwise, of events that will soon be past.

This report follows the "crisis" of the Kennedy negotiations—the week of May 8 to May 15, and the formal conclusion of the Kennedy round on June 30. Thus this report on four key industry sectors is an attempt to relate the events leading up to the final decisionmaking that ended during that week in May—and to be as explicit as now is possible about the nature of the final decisions themselves.

The weeks since May 15 have been consumed in negotiating the details of the broader agreements, and with the technical work of rewriting the tariff schedules of all participants to record and implement the agreements negotiated. In the case of the U.S. Tariff Schedules that means the rewriting of the bulk of the 6,300 tariff items therein. It can be expected that the Tariff Commission experts who are rewriting the schedules will take this opportunity to somewhat simplify them without altering their negotiated effect. However, many substantive decisions were perforce made in this detailed work and accordingly we have not been able to have a full report of the Kennedy round decisions until these details were resolved, and until the experts of other nations also compiled their new schedules.

THE INDUSTRIAL SECTORS DISCUSSED IN THE PRESENT REPORT

The industrial sectors dealt with in the present report have been among the key concerns of the industrial negotiations. Chief among these is the sector of chemicals, which was almost from the beginning singled out as a critical area of negotiations at Geneva.

In the third in this series of speeches, given on May 1—CONGRESSIONAL RECORD, pages 11320–11335—I explained the origin and usefulness of the "sector approach" to negotiation in difficult industry groups, and I discussed the sector of steel. I also described as a principal tactical concern of the negotiations the problem of disparities. I will not retread this ground in the present report.

CHEMICALS IN THE KENNEDY ROUND

One of the problems which caused the chemicals sector to be treated for purposes of Kennedy round negotiations as a separate sector is the American selling price—ASP—system of customs valuation, established by law in 1922, and the important "benzenoid"—coal-tar—chemical products to which ASP applies. The European Common Market negotiators sought to make those chemicals to which the American selling price system applies, although the trade involved effectively amounts to only about 5 percent of total U.S. chemical imports, the key to a successful industrial negotiation and to a considerable degree they succeeded in doing so.

The United States responded by proposing a "two-package" approach, one that would allow negotiation in the Kennedy round of a small separate package including benzenoid chemicals which would then be referred to Congress for implementation through the legislative process. Separation of the benzenoid chemical—ASP problem in this manner from the much larger chemicals sector allowed the negotiators to make use of the authorities already granted to the President by Congress to reciprocally lower U.S. duties.

The U.S. concept of the chemical sector negotiations and the separate package prevailed over that of the European Common Market which, in particular among the other negotiants with interest in the American selling price system, sought to secure U.S. acceptance of a one-package approach.

The one-package approach would have required the United States to submit the bargains in the entire chemical sector to the Congress. This approach not only could have endangered fullest use of the negotiating authorities already given the President by Congress in 1962, but it would have presented Congress with a situation that it has chosen to avoid since the "Smoot-Hawley" Tariff Act of 1930, the last occasion when Congress attempted to legislate each U.S. rate of duty. Certainly, though I have held that in the recently completed restructuring of our tariff schedules the Ways and Means Committe should act as a court of appeals under carefully defined guidelines, as a general principle I believe Congress should continue to avoid the practice of setting individual rates.

Thus the American selling price, merely a method of assessing duties on foreign imports that was singled out as a nontariff barrier to trade will become an issue before Congress. The Common Market, Britain, and other countries have contended that American selling price should be removed and have made special tariff-cut offers of considerable importance to secure this objective, and which are conditioned on changing the ASP system. As a nontariff trade problem, the United States has also succeeded in obtaining reciprocal nontariff offers from the Common Market, Britain, and Switzerland, and these too are contained in the "separate package" for ASP which I will describe below.

CHEMICALS AND INTERNATIONAL TRADE

ASP and the chemicals to which it applies aside, the American chemicals industry is internationally competitive, aggressively innovative, and therefore rapidly changing and growing. Dr. Jules Backman, professor of economics at New York University, called it "one of our great growth industries during the past half century."

Since the Second World War the chemical industry has truly internationalized. The growth of chemicals as a worldwide industry is closely interwoven with rising standards of living and industrial development, so that most economic sectors in some way depend on chemicals to meet agricultural and industrial requirements.

Not only is the American chemical industry a great exporter of its products, the export surplus for chemicals averaging more than one-quarter of U.S. total export surplus in the 1960's, it is also a great exporter of capital for "investment" in foreign production.

Reason for the growth and essentiality of the chemicals industry is found in two key functions the chemicals industry performs; invention of new substitute materials that compete directly with the products of agriculture and mining, and processing of the products of agriculture and mining in such a way as to multiply their uses and enhance their physical properties and capabilities.

The growth potential and industrial importance of the chemicals sector, particularly plastics, is demonstrated by a study of the uses of competing plastic products in industrial production, as projected into the future. This study by Dr. Guy Suits for the 1966 Conference on Government, Science, and Public Policy, published in the 89th Congress by the House Committee on Science and Astronautics, concludes that—

> Plastics (polymers) are already replacing many metals in consumer products to such a degree that in American industry as a whole the volume of polymers used in manuafcturing products already exceeds the volume of steel . . . polymers will soon overtake steel—even on a weight basis— and they may have already done so. It is difficult to escape the conclusion that polymers will, in the future, become the basic structural materials of our civilization.

One lesson of this forecast is that steel, and other metals, must not only remain price competitive, but must innovate aggressively. It would seem evident that steel would put itself at a disadvantage vis a vis other strongly competing materials by cushioning itself from international competition; this could well be the effect of some sort of special levy on imported foreign steel.

Another lesson is that, though steel will continue to be industrially important, it would appear that this once most essential industry may be reaching the point at which it has become one of the limbs of the industrial "tree" that may be overshadowed by new, higher limbs. The new limbs and their branches will be the newer product groups, that may have been developed either to compete directly with steel and the more traditional materials, or to process natural mining and agriculture products in such a way as to allow them to compete with such materials. But this is a gradual process at best and the use of steel will continue to grow if it remains competitive.

In discussing chemicals we are therefore discussing an international industry to which international trade and investment are important, and to which international tariff and trade negotiations are thus also important. Its involvement in the international economy is another vital difference between the American chemical industry and the steel industry. Our large chemical corporations are truly international corporations, but this is not true of our steel producers, whose perspective seems to be limited to our domestic marketplace.

TRADE NEGOTIATIONS' EFFECT ON U.S. CHEMICAL COMPANIES' FOREIGN INVESTMENT AND SALES

The Kennedy round international trade negotiations will affect international direct investment in chemical plants and facilities, but the extent of the effect is difficult to measure precisely. The reason is that many factors, not tariff and trade barriers alone, go to make up a decision about foreign investment.

The foreign capital "transactions"—outflows of funds for investment and inflows of profits from investment plus royalties, and so forth—of the chemical industry are summarized in the following table:

Selected foreign transactions reported by 75 chemical companies reporting under the voluntary program

[Millions of dollars]

	1964	1965	1966			Annual percent change	
			Original projections	Actual 1st half results	1st half as percent of projected	1964-65	1965 to projected 1966
1. Exports	1,625	1,644	1,707	885	51.8	1.2	3.8
2. Earnings from direct investments and other specified transactions:							
(a) Dividends, interest, branch profits	221	267	239	129	54.0	20.8	−10.5
(b) Royalties, management fees, etc., net	103	127	144	72	50.0	23.3	13.4
(c) Reinvested earnings of foreign affiliates	140	175	299	113	37.8	25.0	81.2
Total	464	569	682	314	46.0	22.6	20.1
3. Earnings from other investments, fees, etc	27	27	30	16	53.3	0	11.1
4. Direct investment capital transactions:							
(a) Reinvested earnings	−140	−175	−299	−113	37.8	25.0	70.9
(b) Capital outflows	−363	−352	−533	−163	30.6	−3.0	51.4
Less use of funds borrowed abroad by U.S. incorporated companies [1]		17	180	37	20.5	(2)	1,058.8
Adjusted capital outflows	−363	−335	−353	−126	35.7	−7.7	5.4
Total	−503	−510	−652	−239	36.7	1.4	27.8
5. Other long-term capital transactions (with nonaffiliates)	−12	57	15	9	(1)	(1)	−73.7
Total transactions	1,601	1,787	1,782	967	54.3	11.6	−.3

[1] Funds raised through foreign sales of securities issued by special U.S. incorporated companies or through long-term loans from foreign banks, etc., to all types of U.S. incorporated companies.

[2] Not applicable.

Source: U.S. Department of Commerce, Nov. 17, 1966.

In spite of its substantial overseas investment, the U.S. chemical industry continues to supply its overseas markets by exporting from its United States facilities: chemical exports from the U.S. as a percent of sales by foreign plants has decreased, but total chemical exports have continued to increase. The mix is changing, and when participation in foreign markets by means of exports or sales under licenses is threatened, the industry is ready to make direct investments in production facilities abroad. Also, U.S. chemical companies think of export business as a means of testing product lines abroad, from which marketing footholds direct investments in foreign production might be shown to be worthwhile. Foreign chemical investors follow a similar course and in benzenoid chemicals production in the United States they have adopted a similar policy.

There is a prevalent view that bulk chemicals that are low in value must be produced near the point of consumption, or freight, tariff, internal taxes and other costs of international sale will add so much to the export price that they cannot compete in distant, foreign markets. On the surface this seems to be true, but when U.S. chemical exports are closely analyzed, it seems that they consist of many bulk products—basic chemical products and intermediates.

U.S. direct foreign investment in chemical plant production abroad will likely continue, but at the same time it is expected that substantial tariff cutting in the chemical sector, cuts close to the internationally agreed optimum of 50 percent, will somewhat mitigate U.S. chemical firms' incentive to directly invest abroad.

These observations about direct investments should not seem to be intended critically. The above table shows that direct foreign investment produces substantial returning income to the U.S. which is reflected positively in our balance of payments. In fact, the income on investments and from royalities is much greater than the capital outflow—item 46 above. Rather than criticizing American companies' direct foreign investment it would be more appropriate to direct criticism at the government policies that now threaten to injure it. In spite of U.S. controls on U.S. direct private foreign investment in the developed world, U.S. chemical firms' direct investment has fortunately continued to be substantial, even though the sources of capital are more diverse.

The continuing need for such foreign investment has been succinctly given by Mr. John J. Powers, president of Charles Pfizer and Co., Inc., in a speech at Stanford University on April 13:

> To leave competition to enjoy the growth potentialities abroad would be to concede to them substantial earnings which they can use to compete more effectively everywhere, *including the domestic market.* (Italic added.)

The obligation of the American government is to realize that international trade and international investment do not operate in watertight compartments—they are intimately related. Thus, to pursue a policy of trade expansion through reciprocal reduction of trade barriers should be complemented with an equally expansive foreign investment policy.

It seems unfair to American industry to expose it to competition in international markets without allowing it to protect its interests by investment in production in foreign markets. At the same time, it would be wise for those American industries, such as the textile industry, that do not seize opportunities for direct foreign investment, particularly in the poorer countries where U.S. investment is not constrained by the voluntary program, to do so, for they could likely improve their profits and create genuine economic and industrial development in poor areas through such investments.

RAW MATERIALS COSTS AND COMPETITIVENESS

A problem of somewhat similar nature is that of petrochemical feedstocks. Increasingly the chemical industry has turned to using petroleum derivatives as the raw base for its products. Other nations' chemical industries have followed the same course. But there is an essential difference in the competitive structure of costs that has emerged as the use of petroleum feedstocks grows. This is, U.S. chemical companies have limited access to such feedstocks because the importation of oil into the United States is controlled by a system of quotas that by and large were structured to consider only the health of the U.S. petroleum producing industry, and omitted consideration of the health of the petrochemical industry, when instituted in 1959 under national defense provisions of U.S. trade law.

The oil import quota program has been receiving a growing amount of criticism and complaint on many fronts. The key result of several years of the import quota program as now administered is that supplies of crude oil and its derivatives have become substantially more expensive in the United States than they are in the rest of the world.

For a fuels industry, which is almost totally domestic in nature, these higher costs produce no significant competitive effects. For the U.S. petrochemical industry, which competes worldwide, an extremely critical problem is posed. In this industry, raw materials generally comprise around two-thirds of the total manufacturing cost, and are available to foreign competitors at prices which in many instances have not been artificially inflated.

The U.S. petrochemical producer is, therefore, bound to be at sharp competitive disadvantage not only in export markets but now domestically with his foreign competitor, now that the Kennedy Round has further lowered tariffs on petrochemicals. The oil import quota program is a knotty problem. It is the only case of import control that has ever been justified in terms of national defense essentiality. It is inextricably linked with the economics of the Southwestern United States. But these and other complexities should not dissuade impartial governmental analysis of the effects of the oil import quota program, and prevent the program from impairing the competitiveness of our chemical companies in world markets.

FUTURE TARIFF AND TRADE NEGOTIATIONS WILL REQUIRE BROADER SCOPE

Chemicals is an industry in which national levels of technology are fairly equal. European, Japanese or American hesitance to cut tariffs cannot very logically be based on claims that technological "gaps" create disparate competitive situations. This similarity has in fact led some to suggest that world chemicals is one of those industrial sectors that would be a good candidate for "free" international trade, and this would be a reasonable suggestion if it were not for what appear to be serious disparities in wage rates, in patent laws, research and development costs, government subsidies in various forms and in standards of business conduct. In world chemicals trade the Japanese are now rapidly becoming a more important factor, and now in chemicals, as in steel and textiles and other industry areas, there are growing complaints that apart from simply being aggressive salesmen, Japanese are employing "unfair practices" in their external trade.

A recent example from the auto industry is instructive to relate. Fortune magazine of June 1967, page 114, describes increasing Japanese success in selling autos, and describes the business practices used in achieving high sales. These include dual pricing, "one price for cars shipped overseas and one for those that are sold at home," and also intensive advertising.

Fortune also reports that the domestic Japanese auto market is "carefully protected." There is no reason why the Japanese auto producers should not sell their autos in the American market, but they, in my judgment, are coming very near the borderline of unfair business practice in pursuing deliberate and open dual pricing policies as they allegedly do. And they are pursuing faulty domestic economic policy in doing so.

In pursuing deliberately, as is implied, a policy of dual pricing, the Japanese are in fact pricing at less than home market value. This is the first condition for a finding of dumping, the second stage of which in American law and accepted standards of international commercial practice is proof of serious injury. It will probably be very difficult to prove that American automakers are being seriously injured by Japanese imports, so the deliberate market pricing differentials probably cannot be changed by U.S. action.

But the Japanese are following an unwise economic course, in two ways. First, by their high domestic prices they are denying to their own people the ability to buy cars, and therefore they are preventing the most important development necessary for a truly highly developed industrial economy—sustained consumer purchasing power. There are fewer cars per capita in Japan than in any other free world industrial country, and there are no more important consumer industries than the automotive. Lowering prices of autos and raising wages would have two important effects on the Japanese economy. It would result in higher standards of living and would allow Japan to complete the most important developmental stage, and it would help remove that extraordinary labor cost differential that makes Japanese competition so disturbing to older industrial economies.

But there are other important steps needed to be taken. Japan must accept fully the obligations of the OECD charter and allow foreign companies to invest in Japanese production. The recent foreign investment control liberalization is known and admitted by the Japanese not to be really meaningful. And it must allow for foreign competition. American auto companies may not be "seriously injured" by the carefully planned, aggressively priced, low profit Japanese auto sales in this market, but they expect, and they should fully expect, that they be allowed equally to compete in the Japanese market either by exporting to that market from their facilities in America or in Europe, or by investing in Japanese auto production.

Without this significant "liberalization" of practice and attitude in all industrial areas the Japanese can expect limited sympathy from those Americans like myself who demand equality and fairness in international trade and investment when the Japanese complain about restrictions which prevent them from expanding their exports further to the United States or to other foreign markets.

A more completely competitive international economy, unhindered by tariff as well as other-than-tariff trade barriers, will require new concentration on nontariff barriers. In this effort a new appreciation of the General Agreement on Tariffs and Trade may be necessary. It seems that many of us have forgotten that GATT already contains rules of fair and uniform trading practice that in effect are a sound underpinning for future efforts to establish fair competition by removing non-tariff barriers and export subsidies of many and varied kinds. If GATT has seemed to be inefficient, or slow to enforce these standards of fair conduct, it may be because many nations' trading rules were enacted sometime long before the GATT was drafted and agreed.

If this is the case, the passage of time alone will have an effect on unifying nations' practices as these nations laws and practices evolve to conform to GATT. But this conformity by accretion should be hastened by deliberate international action continually to redefine and improve the GATT regulations against unfair and unnecessary practices that do impede trade. This should be among the first of our international trade priorities after the Kennedy round, and it should proceed without delay. A full scale conference among GATT members on other-than-tariff trade problems is increasingly urgent. This conference should take place in the fall even if it is at "working" level to establish an agreed agenda for a larger conference.

THE NATURE OF WORLD TRADE IN CHEMICALS: STATISTICAL PROBLEMS

World trade in chemicals and the place of the American chemical industry in this trade is indicated in the following data on world chemical trade flows. At the outset, it is important to realize that the statistics relating to chemicals are in an incomplete stage of development. It is therefore hazardous to draw general conclusions at any time—or indeed any conclusions—too quickly. There are no definitive data relating U.S. chemical imports and exports to U.S. production to make statistics really comparable. There are too many chemicals, and too many stages of processing and reprocessing among them to be able to obtain accurate net figures.

The best guide to imports and exports in relation to production is the statistical series titles "U.S. Commodity Exports, Imports as Related to Output," Census Bureau publication ES-2, 1963-64. But this compilation has serious drawbacks because it does not eliminate the various stages of reprocessing to produce a net result. And a good part of the difficulty in obtaining statistical completeness results not from methodology but from remarkable innovation that continually in progress.

It is proper to point out here that American statistical compilations and methods are generally accepted to be the best in the world. If our statistics in the area of chemicals are not perfect, and impede somewhat the international discussion of these issues, then the inadequacies of others' statistics have impeded the discussions even more.

Nonetheless, it is important to have the best statistics possible in order to conduct the trade negotiations in chemicals with intelligence. And the Office of the Special Representatives for Trade Negotiation, in cooperation with other Government agencies, and importantly and commendably, with the American chemical industry, has compiled detailed data relating to world trade in chemical products, data which, though sometimes limited as stated, has been invaluable in the negotiations.

To present an overall picture, the statistical compilation agreed to be the best one is the series prepared by the Organization for Economic Cooperation and Development—OECD—the 21-member nation international consultative organization headquartered in Paris. The OECD series B statistical bulletin for 1966 presents chemical sector data according to the standard international trade classification—SITC—and presents them in comparable form for all countries involved in the chemical negotiations.

These OECD data are valid for use in general discussion of the chemical sector, but the detailed trade negotiations themselves have been conducted in terms of the more specific data relating directly to the Brussels Tariff Nomenclature—BTN—both for the European Community and the European Free Trade Association—EFTA—countries and the Tariff Schedules of the United States—TSUS—for the United States.

This has required the construction of a "concordance" between the tariff structures of the United States and the EEC. This tariff schedule concordance, which is an agreed, definitive comparison between the TSUS items and BTN items, was forged after years of effort. On the American side the work was done largely by Tariff Commission personnel in Geneva and Washington, but this work has unfortunately not been completed for all other major participants. Thus we lack, for example, a formally agreed "concordance" between the chemical schedules of Japan and the United States, and the United Kingdom and the United States.

A CONTINUING EXPORT SURPLUS

But for our more general purposes here, international trade in chemicals, including chemicals subject to the American selling price system, can be intelligently discussed on the basis of the OECD data. These data presenting international chemicals trade as compiled by the OECD on the basis of SITC data for 1964–65 follow—see table, page 7:

U.S. chemical trade

[In millions of dollars; all data f.o.b.]

SITC section	U.S. imports from— World	EEC	EFTA	Canada	Japan	U.S. exports to— World	EEC	EFTA	Canada	Japan
5 All chemicals:										
1963	567	153	79	164	33	1,943	412	203	301	157
1964	707	183	95	192	38	2,375	540	255	334	193
1965	781	202	106	222	46	2,402	555	265	382	148
1966	943	262	140	253	69	2,676	596	272	411	181
512 Organic chemicals:										
1964	127	49	29	24	12	445	196	38	44	52
1965	160	64	33	32	17	669	237	68	81	41
1st half 1966	107	43	22	15	14	343	112	35	40	22
513 Inorganic chemicals:										
1964	254	29	8	88	13	219	44	31	43	9
1965	219	29	11	77	14	300	75	37	64	12
1st half 1966	127	21	6	43	9	161	47	14	33	6
53 Dyes:										
1964	37	11	16	1	----------	91	12	10	24	6
1965	43	14	19	2	----------	93	13	10	29	6
1st half 1966	29	10	13	1	----------	52	8	5	17	3
541 Pharmaceuticals:										
1964	42	15	11	1	4	291	48	21	25	19
1965	58	17	13	1	3	256	40	20	22	11
1st half 1966	39	13	6	1	2	132	21	9	13	7
561 Fertilizers:										
1964	105	21	3	65	----------	146	9	1	12	12
1965	124	12	3	90	----------	153	5	1	13	13
1st half 1966	75	6	2	56	----------	94	1	----------	5	6
581 Plastic materials:										
1964	31	12	10	2	7	390	86	72	71	22
1965	41	16	9	7	8	425	95	76	88	20
1st half 1966	29	17	6	5	6	241	60	45	49	12
599 Chemical products, n.e.s.:										
1964	42	13	6	4	----------	572	95	55	87	51
1965	53	14	6	7	1	337	61	36	56	30
1st half 1966	32	9	5	3	----------	201	36	21	31	17

Note.—SITC data for entire year available only for all chemicals.

Source: OECD.

This table shows the large surplus of U.S. exports over imports in the chemicals sector: $943 million of imports versus $2.7 billion of exports in 1966. This surplus extends throughout U.S. chemicals trade by SITC sector, including those SITC sections which contain most of the chemical products subject to American selling price: Organic chemicals, dyes, and pharmaceuticals.

Dyes is the only SITC category in which all U.S. import trade is entirely subject to ASP. The Organics and Pharmaceuticals categories contain mixtures of ASP and non-ASP items. Dyes are claimed by their domestic manufacturers to be most vulnerable to foreign imports and therefore most in need of continuing high rates of ad valorem duties based upon the American selling price—ASP—system of customs valuation. But, note in the above table that U.S. imports of dyes in 1965 were worth $43 million, while U.S. exports were worth $93 million.

The SITC sections in the above table are broken down more thoroughly. It is possible to obtain a figure for dyes in three digits, rather than just two digits as above. Even in the more minute category there is a surplus of exports over imports. About half of U.S. dye exports go to Canada. The United Kingdom and EEC sells us more dyes than we sell them.

Imports of dyes and intermediates will probably increase under the negotiating scheme agreed to in Geneva on May 15, though the question of damage is still open, and the import increase could be substantial. But, that the U.S. dye industry is sufficiently competitive right now to sell $93 million of its products abroad, requires evaluation. It may be that U.S. dye and intermediate export opportunities will increase as a result of the approximately 45 to 48 percent reduction of Swiss, Common Market, and United Kingdom chemical tariffs after the ASP "second package" is complete.

BENZENOID CHEMICALS TRADE

The data cited above show U.S. chemicals trade in perspective. They give some idea of trade flows in categories in which ASP items are found, in relation to total U.S. chemical import-export trade.

The data below show trade in benzenoid chemicals separately. They are abstracted from Tariff Commission Report 181 of July 1966, the report in which the Commission finally determined, after public hearing and lengthy investigation with active participation and constructive assistance stemming from the worldwide commercial contacts of the American chemical industry, the ad valorem equivalents of rates of duty "converted" from the ASP basis. "TC 181" can be considered the best currently available public description of the ASP system. It explains the nature of the ASP system and its effects on trade in a past period—1964—in terms of "converted" rates of duties expressed as percentages. According to TC 181:

> Total imports (of benzenoids) in 1964 were valued at $53 million—equivalent to 1.5 percent of domestic sales. Included among 39 importing firms which accounted for 86 percent of the total value of imports were 13 domestic subsidiaries of foreign manufacturers. These 13 accounted for 56 percent of the total invoice value of imports. Imports by domestic (chemical) concerns from foreign subsidiaries were not significant.
>
> U.S. exports of benzenoid chemicals and products in 1964 had a value of approximately $285 million.

In other words, according to TC 181, imports of ASP-subject benzenoids were a very small—1.5 percent—portion of 1964 U.S. production of benzenoids. Further in 1964 the United States had a significant export surplus in the same ASP subject benzenoids—$53 million versus the Tariff Commission's necessarily approximate estimate of $285 million. The export figure in that year could have been higher, or lower.

This is not to ignore that without the ASP system, imports might rise quite substantially. Certainly Europeans, apart from their emphasis on the American selling price system as a bargaining tactic, think they have a real commercial interest in expanding their trade in benzenoid products by changing the American selling price system through international bargaining.

THE CONVERTED ASP RATES—THE IMPORTANCE OF INTERMEDIATES AND DYES

There are about 800 chemical rates—or items—in the chemical section of the U.S. tariff of which 108 are potentially subject to ASP. The Tariff Commission found that of these 108 items, the converted rates of six are lower than they would be under conventional valuation procedures, 22 are the same, and another nine are only nominally higher. For this group of 37 of the 108 ASP-affected item, the ASP system does not have an important effect. The adverse trade effect in this group, if any, is a nontariff effect that I will discuss below.

We are mostly concerned, then with 71 rates. These 71 ASP-subject rates are higher than they would be under convention valuation procedures—most not excessively higher except in the tariff "positions" relating to dyes and intermediates. Thus, conversion of the ASP system to the conventional system itself would have little tariff effect except in intermediates and dyes, according to TC 181.

The converted TC 181 rates in the section of the TSUS relating to dyes—item 406.02 to item 406.80B—in terms of percentages ad valorem equivalent, are 75, 43, 34, 46, 57, 64, 82, 98, 38, 42, 54, 65, 73, 83, 98, 117, 172, 48, 54, 72, 98, 43, 22, and the basket rate of 48 percent. The arithmetic average of these rates is about 70 percent. These are extremely high rates in comparison to the arithmetic average of all U.S. rates of duty, which is about 12 percent and they are quite high also in relation to foreign countries' rates for comparable products.

Thus the portion of the TSUS applicable to dyes, when converted to ad valorem equivalents based on 1964 data, contains the much noticed rate 172 percent, which U.S. Deputy Special Representative for Trade Negotiations Michael Blumenthal called in a speech at Kronberg, Germany, on December 8, 1966, the "Mont Blanc" of the U.S. tariff schedule. But Ambassador Blumenthal also pointed to the European Common Market rate on manufactured tobacco of 180 percent, which he appropriately called the "Everest" of the Brussels Tariff Nomenclature.

ASP AS A CUSTOMS VALUATION METHOD

I discussed the workings and the history of the American selling price system at considerable length in my report to the House of Representatives on the trade negotiation of May 31, 1966. The portion of the report having to do with chemicals and the American selling price problem appeared in the CONGRESSIONAL RECORD, volume 112, part 9, pages 11861–11865 of that day. In reviewing that statement I find that it remains accurate. Thus I will deal here only in a general way with the background of the ASP system and how it works, for this has a bearing on the possible change of the system through future legislation.

The American selling price system of customs valuation is one of nine methods for determining how rates of duty shall be assessed on imported items. These nine methods are provided by sections 402 and 402(a) of the 1930 Tariff Act. These sections of the Tariff Act provide that any imported benzenoid chemical which is competitive with a similar American product shall be valued on the basis of the wholesale price of that American product. The same system applies to only three other categories of goods: rubber-soled footwear, canned clams, and wool gloves by the dozen. It is now important only for chemicals and footwear.

A U.S. duty is normally assessed on the basis of the foreign market value of the imported article which is true also of the normal assessment of duties of European and other countries, except that the U.S. uses an f.o.b. basis while other countries use c.i.f. The c.i.f. base vis a vis f.o.b. gives an average rate advantage of about 10 percent to those who use it because the percentage ad valorem duty rate is applied to a base cost that is increased an average of 10 percent by the addition of costs of insurance and freight—c.i.f.

But, under ASP, when a benzenoid chemical enters U.S. ports, the first act of the customs officer is to examine the chemical through a laboratory test, determine whether it is competitive with a similar American-made benzenoid, find out the wholesale price of the similar American chemical, assess the rate of duty on that amount, then finally apply the amount of the duty to the imported product.

SOME ATTRIBUTES OF THE ASP SYSTEM

The ASP system is unique in that it alone of our valuation systems provides a tariff derived from the wholesale price of the American product, whatever that price may be. And the ASP system is unique in that it automatically comes into effect whenever American producers begin to make a benzenoid chemical. In such a situation a benzenoid chemical not made in the United States that had been imported for several years under normal valuation systems and normal rates of duty may be suddenly valued according to ASP if a U.S. company begins to produce it. When the company stops producing it the valuation basis again becomes the normal one.

ASP IN THE CONTEXT OF ITS TIME

American selling price became a fixture of American tariff law in the Fordney-McCumber Tariff Act of 1922. It was the sequel to a special law enacted on behalf of chemicals in 1921, for what might then have been adequate reasons.

During World War I the United States had to generate its own organic chemicals industry, in order to supply the domestic market, which had relied almost completely on German chemical production particularly of dyes. By the end of the war the German industry, in the context of the economic disruption of its own economy and the unstable postwar world economy marked by disrupted trade patterns and widely fluctuating prices, fought to regain old markets and reestablish its former dominance. Enactment of the special measures of protection for the portion of the chemicals industry producing "coal-tar" chemicals resulted. In this period chemical industries everywhere were not the integrated industries we know today; they were specialized in areas of production such as explosives, dyes, and so forth. Chemicals using petroleum as a base were almost unknown.

In the extensive Senate debate on the Fordney-McCumber Tariff Act, led in the Senate by Republican Finance Committee Chairman Smoot, Senator Smoot explained that the majority of the Finance Committee had rejected the former embargo as unnecessary because the chemical industry had largely regained its strength, and that the committee had rejected also the American selling price—which was then called "American valuation"—as the basis for the valuation of all American duties. On page 5876 of the CONGRESSIONAL RECORD of April 24, 1922. Senator Smoot explained the reasons why the Finance Committee had rejected the American valuation method:

> The [American valuation] plan was abandoned early in the discussion first, because of the limited number of exactly comparable domestic and foreign products; second, the difficulty and probably litigation involved in defining comparability to the satisfaction of importers, domestic manufacturers, and customs officials; and third, the disturbance to business while these difficulties were being adjusted.

Senator Jones, Democrat, of New Mexico, asked later in the debate why then the Finance Committee had adopted American valuation for the chemicals schedule of the new tariff bill, in light of the fact that the bill would permit about 50 percent increase in tariffs. Senator Jones wished to make a case that the

American valuation was simply a disguise for taxes much higher than 50 percent.

Mr. Smoot, page 5881:

> The spread in certain items is so great between the foreign valuation and the American valuation that the only way we could protect at all by giving the President the power to increase to the extent of 50% would be on the basis of the American valuation. We could not do it on the foreign valuation.

Mr. Jones:

> Then if I understand the Senator, the purpose in conferring power upon the President to change the basis of classification (valuation) is to enable the President to impose a duty which would be beyond 50% of the foreign valuation.

Mr. Smoot:

> Absolutely.

Late in the debate, page 5883, Senator Smoot went on to point out that when the American valuation was used:

> The duties will be exceedingly high. There is no doubt about that; . . . in fact I will say to the Senator (Mr. Jones) now that if the duty under the foreign valuation were 60% which did not give sufficient protection . . and the President . . increased that . . to a 900% rate of duty . . . The American people might just as well know about it now as at any time . . .

Senator Jones, page 5881, had claimed that the essential purpose of American valuation was to disguise these high rates so as not to "shock the public conscience."

THE PROBLEM OF EUROPEAN POST WORLD WAR I RECONSTRUCTION

Prof. J. B. Condliffe, a noted economic historian, writes of this period of postwar reconstruction, in which the United States emerged as the only economically wealthy nation, on page 479 of his textbook, the "Commerce of Nations," as follows:

> In its changed creditor status, the United States should logically have moved toward lower tariff duties so as to admit a greater volume of imports. Instead, the first postwar depression led to the Fordney-McCumber Tariff Act of 1922. The average level of duties in this tariff was not very high as compared for example with the average level of the Hawley-Smoot tariff of 1930.
>
> But the increases were shrewdly placed on the very imports that might have done the most to right the balance of payments . . . The American refusal to take payment for its much needed exports by accepting a larger volume of imports diverted the American exporters who needed European markets, and the European consumers who needed American food, materials, and equipment, to what seemed the only possible alternative—American loans to Europe

This was the period in which ASP originated. Initially, of course, ASP applied only to coal-tar chemicals. It was extended to certain rubber-soled footwear in 1933, boiled baby canned clams packed in their own juice in 1934, and wool-knit gloves worth less than $1.75 a dozen in 1936. These latter applications of the ASP system are discussed in my May 31, 1966, Kennedy round report referred to above. ASP was used five additional times, in the 1920's. One of these instances was rejected by the courts, the other four were repealed by the 1930—Smoot-Hawley—Tariff Act. There is precedent for congressional repeal of ASP.

But in the period of the First World War chemistry as an industry was only beginning to be developed. Even in Germany the chemical industry was infant in contrast to other older industries. In the United States chemicals did not become one of our largest industries until the 1930's, and in the rest of the industrial countries the rise of chemicals as an industrial mainstay really had its roots in the late 1930's and the 1940's.

DYNAMISM AND CONTINUING INNOVATION

The American chemical industry has come a very long way indeed from its former infancy, as has the entire world chemical industry. According to the First National City Bank of New York's review of corporate profits in 1966 as compared to 1965—see the April 1967 addition of the Monthly Economic Letter—the chemical products industry—distinct from petroleum production and refining—reported a net income after taxes of $1.8 billion, the third largest net income for all U.S. manufacturing industries, an increase of 6 percent over 1965. Return on net worth was 15.1 percent, which was above the average for all manufacturing industries as reported by the Securities and Exchange Commission and the Federal Trade Commission, but this is not to ignore that net income increased less for chemical industries in 1966 than it did for many other manufacturing industries.

Chemical industry research and development worldwide is extensive, as the following table based on 1959 data shows:

Percentage distribution of industry R. & D. expenditures in various countries, 1959

[Percentages in each industry]

Industry	Country				
	United States	United Kingdom	Sweden	Japan	Canada
Research intensive:					
Aircraft	32.2	40.2	----	10.4	----
Vehicles	9.2	4.3	----	----	30.0
Electronics	12.3	10.9	79.1	14.1	18.2
Other electrical	11.5	9.2	----	10.6	----
Machinery	10.1	9.1	----	5.6	----
Instruments	3.8	2.7	----	2.3	----
Chemicals	13.0	14.2	5.3	29.4	21.0
Total, research intensive	92.1	90.6	84.4	72.4	69.2
Total, other industries	7.9	9.4	15.3	27.3	31.0

Source: Organization for Economic Cooperation and Development; "Science, Economic Growth, and Government Policy" (Paris: 1963), p. 81.

INTERNATIONAL CHEMICAL COMPETITION AND INTERNATIONAL PRICING

In its international trade the chemical industry has shown significant international competitive ability. In contrast to the steel industry, the chemical industry prices on an incremental basis, apparently called in industry jargon a net-back basis. That is, it does not attempt to maintain a fixed margin between cost and selling price, rather, it meets competitors' prices in foreign markets just so long as it obtains a reasonable return from the sale above the cost of the item. This pricing practice does not constitute actionable or injurious dumping, though it can a priori be considered sales at less than home market value.

We are therefore discussing an industry that has demonstrated considerable competence and great experience in international marketing—a giant industry that should experience net gain from the export opportunities that would appear to be a result of significant Kennedy round reciprocal tariff reductions.

U.S. CHEMICAL INDUSTRY, TRADE NEGOTIATIONS, AND CHANGE

From the data in the preceding table on U.S. chemical trade, 1966 U.S. chemical exports to all countries were $2.67 billion, as opposed to imports of $943 million. According to these OECD data, the United States has a trade surplus in each of the categories of chemical production.

But the position of the American chemical industry toward the trade negotiations has traditionally been unenthusiastic. It admits to being satisfied with the international status quo in trade, even though the result of effective cuts in the chemicals sector worldwide could mean an increased volume of trade and therefore greater business, more employment, and hopefully, larger profits.

When looking at the components of an industry's production and activity, there is always the tendency to become wedded to a static viewpoint. It is of course much easier to measure what has happened or what is happening at the given moment, than what will happen in the future. We tend to forget that the key element in any dynamic economy is change. In the American economy we have grown used to the idea that economic change is synonymous with economic growth. The size of the economic pie, the totality of economic activity, is increasing, but businessmen tend to want to maintain at least their former percentage, even though in absolute terms they may be experiencing growth.

An efficiently functioning marketplace economy makes all these economic sharing decisions. But sometimes it is hard for a businessman to accept that the market has determined his share to be proportionately smaller than what it used to be. The realization that it is not as big as it could be if economic relationships were not continually changing tends to make some businessmen attempt to maintain the economic status quo, which is of course incompatible with a truly dynamic economy as well as their own long-run interests.

So we are continually faced with this question: What is most important, having a bigger pie, or maintaining some historical division of the economy in which industries retain their dominant or less dominant place? This important question is posed continually in all areas of the economy.

THE CHEMICAL INDUSTRY AND TRADE NEGOTIATIONS

So the chemical industry as a whole has been hesitant, and the sector of the industry engaged in producing benzenoid chemicals has been outspoken in its opposition to fundamental change in the American selling price system and the rates of duty that are applied on the American selling price valuation basis. This opposition, as one might expect, has taken the form not only of representations to the executive branch of the Government, but also to the Congress, where the activities of the industry, as represented by legal counsel and members of the industry, have been intense.

The reason for this representational effort, of course, is that it has been acknowledged by the executive branch for some time that any change in the American selling price system would require congressional implementation.

Senate Concurrent Resolution 100, passed by the Senate in the 89th Congress on June 29, was an attempt to dissuade the executive from even starting negotiating in this area on the theory that the 1962 Trade Expansion Act did not provide authority to do so. Senate Concurrent Resolution 100 was the subject of an explanatory letter my fellow House congressional delegate, my colleague from California, Cecil R. King, and I addressed to the members of the House Ways and Means Committee on July 10, 1966:

Congress of the United States,
House of Representatives,
Washington, D.C., July 20, 1966.

Dear Colleague: On June 29, the Senate passed S. Con. Res. 100 expressing the sense of the Senate that the President should not go beyond the authority given by the Trade Expansion Act in the "Kennedy Round" trade negotiations at Geneva (Congressional Record, vol. 112, pt. 11, pp. 14704–14709). The Resolution is primarily directed against possible negotiation to remove the American selling price (ASP) system of customs valuation. Secondarily, the Resolution is directed against efforts to negotiate an international anti-dumping code.

As background, you may want to know that Governor Herter, at the request of the President, has asked the Tariff Commission to convert the duty rates now based on the ASP system to conventional rates. Four groups of products are now subject to ASP: benzenoid (coal-tar) chemicals, certain rubber-soled footwear, boiled baby canned clams and certain wool gloves. In making the conversion the Commission has held a public hearing at which representatives of these industries testified. After the Tariff Commission makes such a conversion it will hold another public hearing to determine the economic effect of conversion of rates on the industries concerned. Then the President will decide whether to negotiate removal of ASP on a contingent basis. If he so decides, and negotiations take place, then the President must return to Congress for approval of the results of the negotiation.

In the meantime, U.S. representatives at Geneva have begun to discuss hypothetically with representatives of foreign nations what they might be prepared to offer in exchange for changing the ASP systems; whether it might be worth our while in reciprocal concessions from Europeans and others, partly in the chemical sector, to consider beginning actual negotiations. These explorations began in early May.

Against this brief background we are enclosing for your further information a copy of a letter we have received from the President's Deputy Special Representative for Trade Negotiations, Ambassador William Roth. In his letter Ambassador Roth states why he considers the primary concern of S. Con. Res. 100 to be groundless.

Sincerely,

Cecil R. King.
Thomas B. Curtis.

Executive Office of the President, Office of the Special Representative for Trade Negotiations,
Washington, D.C., June 30, 1966.

Hon. Cecil King,
House of Representatives,
Washington, D.C.

Dear Cecil: As you know, on June 29, 1966, the Senate passed Senate Concurrent Resolution 100. This resolution is apparently intended to express the sense of the Congress that the President should not enter into a trade agreement affecting, in particular, the American selling price (ASP) system of customs valuation before obtaining statutory authority to implement such an agreement. I recognize that the operative language of the resolution is stated in general terms, but I know of no issue in the Kennedy Round other than the ASP system which would come presently within its terms.

We are sorry that the Senate saw fit to pass this resolution, because we do not feel that the concern which underlies it—however legitimate—is actually warranted. We gather that the resolution was prompted basically by a concern that any trade agreement which the President might enter into concerning the ASP system would present the Congress with a *fait accompli*, and that the Congress would have no choice but to pass the necessary implementing legislation. This will not be the case, as we have said before, for the following reasons.

First, the Congress would be kept fully informed at every step. Before the President decides whether or not to offer a modification of the ASP system, two public hearings will have been held. This will permit the Congress, as well as interested private parties, to consider the issues regarding any possible modification of the ASP system. Moreover, before a decision is made, the Congressional Delegates to the Kennedy Round will be able to observe the progress of the exploratory discussions in Geneva, as one of the Congressional Delegates did at the first meeting early in May. In addition, the Congressional Delegates will also have an opportunity to follow the conduct of any formal negotiation concerning the ASP system.

Second, the Congress would be free to accept or to reject any agreement concerning the ASP system on the basis of its individual merits. The United States has already made it abundantly clear and will continue to emphasize that the Congress would, in effect, have to approve any agreement involving the ASP system, and that it would do so only if such an agreement provided mutual and equivalent benefits. Moreover, it is clearly understood that any such agreement will be separate and distinct from the overall Kennedy Round agreement. Therefore, in considering whether to enact the necessary implementing legislation, the Congress would be able to appraise any such agreement on its individual merits, without getting enmeshed in the rest of the Kennedy Round.

Accordingly, it is our considered judgment that the present exploratory discussions in Geneva concerning the ASP system fully safeguard the freedom of action of the Congress, and that this would be equally true of any formal negotiation on this issue. However, as you know, there will be no such negotiation unless and until the President, after having reviewed the results of the two Tariff Commission hearings and of the exploratory discussions in Geneva, decides to proceed. As we continue our discussions in Geneva with respect to the ASP system, we will make a particular effort to see that you and your staff are kept fully and continuously informed. We would also urge you to attend a session in Geneva concerning the ASP system whenever your schedule permits.

I am sending this letter to the other Congressional Delegates as well.

Sincerely,

William M. Roth,
Acting Special Representative.

THE CONVERSION OF ASP TO NORMAL VALUATION METHODS

Responding to the continued European pressure to modify the American selling price, and with the realization that without some movement on ASP a large segment of U.S. export trade, in which the United States had an important interest, namely all chemicals, might otherwise not benefit from potent tariff cuts, the Special Representative for Trade Negotiations agreed to open discussions in the Kennedy round to indicate U.S. willingness at least to consider attempting to achieve congressional elimination of the system if satisfactory bargains were offered to the United States to make the conversion worthwhile.

At that time one of the difficulties of taking such a decision was, plainly, that no comprehensive study had ever been made of the American selling price system, including some understanding of what it meant in trade terms—that is, what its actual effect as measured by an ad valorem tariff really was, and what the trade flows over and around this barrier really looked like.

How to determine these facts about the effects and the workings of the ASP system were debated within the administration for over a year, because any attempt to convert or to translate rates entailed many administrative and statistical complexities. These complexities, which related largely to the collection of data on import sales of benzenoids and other items subject to ASP, and methods of evaluating the data to insure its accuracy, were discussed in my May 31, 1966, report on the Kennedy round in the Congressional Record, volume 112, part 9, pages 11856–11859.

In order to determine the economic meaning of the American selling price system, the Tariff Commission was requested by the Office of the Special Representative for Trade Negotiations acting at the request of President Johnson to schedule a second set of hearings. At these hearings the domestic chemical industry and importers would be able to present their views of the accuracy of the converted ad valorem rates and of the economic impact of the suggested course of action.

The Commission's hearing on the conversion brought forth the representatives of interested groups and had an excellent effect. After years of too often uninformed discussion about ASP, the ASP system was in a position to be evaluated. The participation in the hearing by the domestic industry and by importers resulted in the presentation of extensive data on the sale prices of foreign chemicals, data which were not available to the Commission and data which the Commission used to make more accurate rate conversions.

One result was that Mr. Marshall Young, then vice president of the Monsanto Co., could say to the Commission at the fall hearing on economic impact that "your acceptance of documented foreign pricing for the conversion of some of the rates is a clear indication of the Commission's determination to be objective."

NAGGING OBJECTIONS TO CONVERSION

Nonetheless the benzenoid chemical industry has not accepted the conversion as providing protection equivalent to that provided by the ASP system. In the words of Mr. Young, "conversion to new rates and the elimination of ASP do not result in a tariff system equivalent to ASP which automatically adjusts for the cost disadvantages of manufacture in the United States."

This objection to the Tariff Commission's conversion would apply to any conversion, or abandonment, of the ASP system. For the conversion of rates could be utterly honest and fair, but the removal of the system would eliminate its unique tariff effects: its responsiveness to changing domestic prices, production decisions, and its nontariff trade barrier effects.

Thus, when the Tariff Commission removed the competitive, noncompetitive distinction at the root of the ASP system—when a foreign product is competitive then it is assessed on the basis of the wholesale selling price of the American competing product, rather than its own price—it attempted to do so in such a way as to, when converted, yield the same amount of duty as would be yielded under the ASP provisions, but it removed the unusual valuation provisions at the root of the system.

But the dye sector of the benzenoid industry has additional complaints, relating to the adequacy of the conversion, that should be related here: These complaints in part concern a basket item in the portion of the converted benzenoid schedules relating to dyes—item 406.50–J—a basket which could potentially contain thousands of individual imported dyes because of the development of new products, changes in the names of products and other reasons. This would occur even though the Commission, in establishing the new schedule of converted rates, attempted to "line out," or provide a rate specifically for, all items in which trade in 1964 had been important. And in determining "importance" they chose to use a "sliding scale" of value. That is for example, trade in an item with a duty rate of 20 percent would be important if the trade were $200,000. But trade worth only $20,000 over a rate of 75 percent would also be considered important.

The benzenoid industry claimed the averaging process to be unfair because it refused to recognize the competitive, noncompetitive distinction that is the most distinct feature of the American selling price system. According to Tariff Commission Report No. 181, page 55:

> To continue that distinction in the converted schedules could be accomplished by "freezing" the competitive-non-competitive status of imports as of 1964 and providing for compounds not imported in that year at the competitive rate (on the assumption that the varied domestic production would have provided competitive articles had not the ASP provisions presented competing imports). However, such a solution would require naming specifically about 1,700 noncompetitive articles imported in 1964 (many of them trade-named articles).
>
> On the other hand, a substantial degree of equivalency of protection for those benzenoid chemicals imported in 1964 has been achieved by specifically naming as many compounds within the various sub-categories as sound standards of tariff nomenclature would allow.

The dye industry has also been concerned for two other reasons. One was that the existence of the large basket item 406.50–J with the "low" rate of duty of 48 percent would cause distortion of the trade and not provide "equivalency of protection." For example, in the case of a certain black dye, that in one chemical formulation is valued at 80 percent, there is an incentive to domestic users to obtain a cheaper black dye or a new, renamed, or reformulated black dye that could be imported under the basket rate of 48 percent.

Second, the industry has pointed out that the international color index system, the usual basis on which the dye duties have been "lined out" in the U.S. schedule and the system on which the Tariff Commission based its converted schedules for dyes, can be changed in several ways. The estimation of the dye industry was that, if the distinction proposed by the Tariff Commission were continued, within 3 or 4 years procedural and legalistically proper changes will have been made whose effect will be simply to change the nomenclature of dyes to make them importable at the "low" basket rate of 48 percent. Because there would be distinct economic incentive to rename dyes so that they would be imported in the basket, the dyes would in fact be renamed and in time all dyes would be imported at the low basket rate.

This was a valid and telling argument, but it was in effect obviated by the manner in which the dye duties were handled in the second ASP package negotiated at Geneva. Because all dyes will, if the package is enacted, have a single rate of 30 percent, there will be no economic or technical incentive to shift from one category to another.

The discussion and debate about the adequacy of the conversion in providing equivalency, and the question of technical flaws in new converted schedules for dyes particularly, have continued since December 23, 1965, when the special representative requested the Tariff Commission to convert the rates, in his words, "in order to provide a sound basis for U.S. policy in this field."

THE NEGOTIATION OF ASP IN THE KENNEDY ROUND

At the outset, the special representative assured that there would be no decision to negotiate ASP without basically observing the prenegotiation procedures set forth in the 1962 Trade Expansion Act, including Presidential decision to negotiate based on interagency recommendation and Tariff Commission advice. Because the negotiation of ASP would not take place under authority of the Trade Expansion Act but rather be negotiated ad referendum there was no legal requirement that the prenegotiation procedures in the 1962 Trade Act be used.

But from the outset there have been insinuations of bad faith on the part of the special representative, and implications that the intention of the special representative was to negotiate the ASP system in Geneva prior to the final Tariff Commission conversion prior even to the tentative conversion of rates and also before the Commission's study of the economic impact of their conversion and reduction by a hypothetical 50 percent.

From my own experience with the negotiations, including my presence at the negotiations in Geneva when the United States in May 1966 began its first exploratory talks with European and other delegations about the ASP system to determine what they might offer in exchange for change in the system, and from constant contact with the problem throughout the period during which it has been a concern, I would judge that, in carrying out his intention to negotiate ASP in the context of the Kennedy round, the special representative has given every indication of awareness of the need to achieve substantial reciprocal bargains in return for changing the system, has consistently presented change in the ASP system as requiring congressional approval, and has attempted to act fairly and in good faith with the domestic industry.

WHAT IS THE NATURE OF THE BENZENOID INDUSTRY?

It will be useful to define and describe the benzenoid chemical industry. How many firms, of what size, could be affected by ASP change? In discussing benzenoids, the tendency seems always to speak as if it were a sector of production isolated from all other chemical production, a type of product made by a wholly distinct group of firms.

If we were to take the statement from Tariff Commission Report 181 that "724 manufacturing companies employing 116,000 persons" made benzenoids, it might appear that the ASP system is responsible for the continued existence of all these firms and all these workers. But this does not seem to be the case.

There is some doubt about the accuracy and coverage of the data on employment presented by the Commission. First, the data was collected by means of a Tariff Commission questionnaire to the industry, not through an actual field investigation. And there is the possibility that the reported information tended to maximize the number of workers by including all those production as well as salaried employees whose jobs would in some way be affected by removing the ASP system, such as those only part of whose day is spent making or marketing a benzenoid chemical. It is possible that the number of employees directly involved in benzenoid production could be as low as 60,000 instead of 116,000. On the other hand, there are those who contend that benzenoid employment could actually be greater than 116,000.

Of the 12 types of benzenoid chemical products subject to American selling price valuation all of which the Synthetic Organic Chemical Association believes to be subject to inquiry, there are only four considered to be sensitive to removal in the ASP system. These four types of production are pigments, intermediates, dyes, and azoics. In each of these product groups, except azoics, analysis shows that a group of large companies account for the bulk of production, and that many of the same large companies are the biggest producers in each of the three areas.

In intermediates, for example, about 16-odd companies account for the bulk of production, worth in total $711 million in 1964. Among these are Monsanto, Dow, Du Pont, American Cyanamid, Allied Chemical, Goodyear, Goodrich, Hercules, Eastman Kodak, Mobay—Monsanto-Bayer—Koppers, Shell, Cal Standard, Union Carbide, and General Aniline. Of course, all of these companies produce many other products. Imports of intermediates as a proportion of domestic sales were 2 percent in 1964.

Dye and dye intermediate makers reporting to the Tariff Commission in 1964 numbered a little over 40. Of these, it is estimated that only about 35 sell dyes. That is over 40 firms are said to produce dyes for consumption somewhere in their own operations, but about 35 actually sell dyes in the marketplace. About one-half of all dye sales, worth $264 million in 1964, were accounted for by only four firms. A handful of other large firms account for more than three-quarters of total sales. The biggest plant in the industry is that at Tom's River, N.J., owned by a consortium of three Swiss firms, which employs 800–1,000 people, it is estimated. The same three Swiss firms are also reported to be closely linked with several German chemical companies.

The other major dye producers include Du Pont, General Aniline, and the National Aniline Division of Allied Chemical, Cyanamid, Southern Dyestuff Division of Martin-Marietta, Hilton Davis Division of the Sterling Drug Co., American Aniline, and the Verona-Pharma Corp.

Of the remaining dyemakers which reported to the Tariff Commission in 1964, most are allied with some larger firm. For example, Otto B. May Corp., of New Jersey, a medium-sized firm, is owned by the large textile firm of Cone Mills, Southern Dyestuff is a division of Martin-Marietta, and Berkshire Chemical is a division of the Tenneco Chemical Co., itself a part of Tenneco, Inc., which, according to Fortune magazine's directory of the 500 largest firms, is ranked 53d.

However, there is a committee of dyemakers called the Ad Hoc Committee of Dye and Dye Intermediate Producers composed of 16 members which are largely independent—Berkshire and Southern Dyestuff are members of this group. This group of 16 claims also to speak for 40 other independent dyemakers. It should also be noted that the ad hoc committee comprises makers of pigments and azoics as well as dyes and dye intermediates.

The third area of import-sensitive benzenoid production is azoics. Azoics are said to account for about $9 million of U.S. benzenoid sales in 1964. Four firms accounted in 1964 for the bulk of azoic sales. Less than a dozen firms account for the entire azoic production.

The fourth area of production, pigments, shows the same pattern of production. Here 1964 sales of $84 million are accounted for by firms among which the following seem to account for the bulk of production: Du Pont, Holland-Succo Division of Chemetron, Sherwin-Williams, American Cyanamid, Harmon Division of Allied Chemical, Imperial Color Department of Hercules, General Aniline, Hilton-Davis, Ansbacher-Seigel Division of Sun Oil, Federal Color Labs, and Ridgeway Color Division of Martin-Marietta. Imports of pigments were 1.3 percent of domestic sales of pigments in 1964.

WHY THE BENZENOID CHEMICAL SECTOR ASKS SPECIAL TREATMENT

The benzenoid chemical industry trade association is the Synthetic Organic Chemical Manufacturers Association—SOCMA—and secondarily the Manufacturing Chemists Association—MCA. SOCMA claims that its 75 members account for 80 percent of U.S. benzenoid production subject to ASP. A SOCMA publication titled "Tariffs and the U.S. Benzenoid Chemical Industry" presents the case of those in the industry opposed to changing the ASP system, which I will outline briefly here. Copies of this report may be obtained from SOCMA, 261 Madison Avenue, New York, N.Y.

In general, the industry claims that a sound benzenoid industry should be maintained in this country; that this requires an equalization of U.S. production costs with the substantially lower cost of production in Europe and Japan; and that tariffs based on the American selling price provide the best known procedure for accomplishing the required equalization.

The SOCMA arguments for unchanged ASP protection more specifically is as follows:

First. Because of the nature of the molecular structure of benzenoid chemical it is necessary to produce and to sell all of a series of benezenoid coproducts, all of which may not be in demand, with the result that some products provide the bulk of the income and others are available at extremely low prices.

Thus SOCMA argues that if a substantial quantity of one key coproduct were to be imported into this country at a low price it could break that necessary economic balance and make an entire line of products uneconomical.

Such an effect assumes that there will be serious injury to the benzenoid industry. This assumption is challenged by Dr. Walter Haines in his study for the organic chemicals group of the American Importers Association. Dr. Haines, chairman of the Department of Economics at New York University College of Arts and Sciences, using basic data prepared by the firm of Arthur D. Little for the SOCMA itself, shows in this data that even under a 100-percent cut in all duties to zero there would still occur growth in sales. Dr. Haines' method was to present data from 1954 to 1964, obtain an average yearly growth rate for sales of all benzenoids of about 7 percent and apply this to the next 10 years, then to compare this with a projected growth of imports under a 50-percent tariff cut, and under a 100-percent tariff cut.

Dr. Haines' conclusion—page 83—is that "the effect of a 50-percent reduction in all benzenoid duties will be to reduce the annual rate of growth of domestic sales from a level of 7.1 percent—1954 to 1964—to one of 6.3 percent—1964 to 1974." And this would occur in spite of a rise in the rate of growth of imports from 14 to 30 percent. On page 86 he concludes that:

> So boundless is the potential of this industry that even the complete elimination of tariffs will not cause it to decline in terms of sales.

Second. SOCMA argues that because product prices vary considerably among all countries producing benzenoids, there is no "uniform market price on which to base a tariff." The SOCMA argues that an attempt to base ASP tariff rates on the same base used for all other imports, called foreign value or export value, will not provide adequate protection because the foreign prices vary too greatly and cannot be "counted on."

On the other hand it can be argued that were import trade in benzenoids to increase, thir situation would somewhat modify. And it is possible to challenge the assumption that the trade in benzenoids is so different from other types of trade that it requires a special valuation system. The argument that widely fluctuating foreign prices required a more stable valuation base was used as a justification for the American selling price in 1922 debates. Then it had as substantiation the wild inflation of the German currency. There is no need to have a "uniform" foreign price level on which to base a tariff at present.

Third. Many benzenoids are made by a "batch" process, in contrast to continuing production runs which allow efficiencies of scale. Because batch preparation requires higher labor costs in relation to other costs, it is said to be cheaper to produce benzenoids abroad, though there is a distinction made between small batches and medium batches. In the former, SOCMA says the United States is generally unable to compete in world markets.

On the other hand it is argued that the "batch process" argument applies only to a small portion even of dye and azoics production, which was only about $264 million out of a total benzenoid production of $3.9 billion in 1964. Closely related to the "batch process" argument is the argument that labor costs abroad are very much lower than in the United States, and therefore the totality of production costs are necessarily lower. The fact that the United States actually exports dyes is proof of some international competitive ability.

Fourth. SOCMA argues that foreign production is "rationalized," that is, one or two producers supply the entire foreign country's needs for certain products, versus four or five producers in the United States. This gives foreign producers volume as well as production advantages, because U.S. antitrust law prevents similar "rationalization" of the U.S. industry. To evaluate this claim there should be some attempt to compare benzenoid production by type with production in other major producing countries, to determine the relative size of each.

Fifth. SOCMA argues that the result of reduction of duties on benzenoids would be a loss of incentive for research in the benzenoid field particularly in the creation of new dyes for new synthetic fibers, and in the development of coproducts that have important industrial uses. U.S. fiber producers, SOCMA argues, could not hope for "truly dedicated assistance" from the European dye industry, because the European dye producers are also producers of synthetic fibers.

If it is true that no danger to the industry will result from tariff cuts then this argument cannot be applicable. Even if there is some damage to the industry there is no presumption that research activity will cease. On the other hand, let us stop to take a closer look at the relationship between research and the ASP system. I recall a report that the head of the benzenoid operation of a major U.S. chemical producer complained that for years he had been trying to obtain capital funds to develop his dye operation, but that the board of directors would not allocate the investment funds in his direction. There was clearly no need to do so; why invest to develop an already profitable operation with no tough competition? This experience would indicate that the existence of ASP has been a disincentive to research. I understand that a new patent in dyes has not been filed since 1933. On the other hand one of the competitive effects of a decrease of benzenoid duties could actually, it is argued, stimulate research and investment in new ways of making the same products.

WHAT IS THE MARGIN OF INJURY FROM CHANGING THE ASP SYSTEM?

I have described above the composition of the benzenoid chemical industry in terms of production of four types of benzenoids considered to be particularly sensitive to competition from foreign production. How can the impact of converting and cutting the rates of duty on these items be accurately measured, and what is the possibility of actual "injury"? These questions are at best difficult to answer.

In the dye area, at least two firms of substantial size have made some decisions regarding their future business operations as contingency planning were ASP to be removed. I will outline these plans here in order to give an idea of the way in which these firms would continue to operate by adjusting to new market conditions, and how they might continue to operate in such a way, as to retain the special close relationship with our American fiber producers that is of concern to the textile industry. This type of operation is essentially the same as that used by the 13 foreign subsidiaries making benzenoids in the United States.

One of the firms in question would first begin to import foreign semifinished dyes, and finish them in the United States to provide customers with their usual product. It is estimated by the Customs Bureau that the amount of value added to finish dyes for marketing may be 20 percent and much higher.

Second, the company would establish in conjunction with a foreign firm a dyestuff and intermediate plant in a foreign country, in order to supply both growing European business and their own U.S. needs and to provide a competitive manufacturing facility for its research and new products.

In these ways the firm would continue to maintain its sales network and its ability continuously to supply American dye customers with their needs. So there should be no automatic presumption that employment will be immediately and directly affected by change of this kind; the firm would continue to be a viable business operation, taking advantage of the economics of the changed situation and perhaps even reshaping itself into an international company with large European sales.

Nonetheless, for all the above reasons, and reasons relating to the adequacy of the Tariff Commission's judgments on economic impact of conversion and cutting, certain elements of the U.S. benzenoid chemical industry along with some of those the dye industry have registered opposition to changing the system at all.

These elements have given an erroneous impression that the chemical industry as a whole is hostile to the GATT negotiations. That the industry is not unified in opposition to the negotiations has become evident during the past month. This diversity of opinion within the industry is itself evidence that some chemical firms believe that on balance the negotiations were beneficial to their own export sales and to the long-run interests of the entire economy.

THE EUROPEAN STAKE IN THE REMOVAL OF AMERICAN SELLING PRICE

The European stake in removing the ASP system and cutting the converted rates by large percentages is tactical, economic, and emotional. These three motivations were clear during my discussions with European businessmen, trade association executives, and officials of governments in early December 1966, particularly in Germany, France, and Belgium but also in Britain.

The tactical importance of the American selling price system to Europeans was to balance the pressure that Americans applied on the European Community to remove or modify its newly developed farm systems. Clearly the European tactical interest was to find the basis of a negotiating counterthrust and they chose what they thought to be the Achilles heel of the American tariff structure, the American selling price, particularly its application to the only sector where it really mattered to Europeans: benzenoid chemicals. And in benzenoid chemicals the Europeans saw that their unfavorable balance of trade in such chemicals could be better balanced toward their favor by expanding the American market for European benzenoid chemicals.

The countries most interested in converting, then cutting, the converted American benzenoid rates were Germany and France. Italy, with no real export interest in benzenoids, chose to make an issue of ASP removal to the point of impeding agreement on the Common Market's position in the chemical sector. Italy's motive seemed to be to remove chemicals entirely from the Kennedy round and thus to protect its own chemical industries.

To evidence its determination to make an issue of the narrow ASP problem the Common Market made some major exceptions from its offers—it excepted from the negotiations three of its tariff "chapters"—29, 32, and 39— containing chemicals—and made partial and conditional offers on the remainder. It seemed, plainly, that the U.S. interest was to reduce the rates in these schedules, which covered a very substantial share of U.S. exports. Common Market exception of these items was indeed a serious threat to our continued exports.

Thus in the final weeks of decision ending May 15, the two issues that predictably became pivotal were the American selling price and gains. The final bargains that were made in order to seal the negotiations on May 15 were made mostly in these two most important items.

Because it had been emphasized for several years as important for tactical reasons, and because there is a strong European economic interest in removing the American selling price system for benzenoid chemicals, the ASP issue by the time of my December 1966 trip to Europe had been allowed to become quite an emotional issue.

German and French chemical producers and certain Common Market officials spoke of the American selling price system as "the symbol of the difficulty of competing in the American market," or the "symbol of American protectionism." I was amazed at the extent to which economic sin—American variety—was identified with the ASP system. It is superficially comparable to the way in which many Americans, myself included, have spoken of the variable levy systems and its elaborate applications to EEC farm production. The key difference is that ASP is a system of limited applicability that has not been applied to a new product since 1936. In contradistinction the variable levy and its supporting agricultural price systems is a major new development with far-reaching effects on international trade in farm products.

EUROPEAN ARGUMENTS

The Europeans with whom I spoke in December had an outlook on the American selling price system and the negotiations relating to it that may explain why the negotiations became so difficult.

First, they did not seem to accept the American argument that the conversion from one system to the normal system was itself a change requiring payment in terms of European nontariff barriers. In taking this position they were inconsistent with their own past complaints about the troublesome mechanics of the operation of the ASP system, mechanics that allegedly caused exporters to the United States so much difficulty and gave ASP nontariff barrier attributes.

Second, there was an extraordinary unwillingness to accept, or even to think in terms of, the need to make reciprocal offers in chemicals and in benzenoids in return for our negotiating ASP rates.

Third, there was unwillingness to accept the need for a separate package of bargains on benzenoids that required implementation by the Congress. Even the requirements of congressional approval was somewhat questioned.

My reply to these comments was to assert that in order to succeed in implementing the conversion of ASP by Congress there would have to be meaningful tariff and nontariff offers by the Europeans—offers sufficient to make the same American industry and unions that might oppose the conversion feel that the advantages of conversion were at least equal to the disadvantages.

KENNEDY ROUND TRADE NEGOTIATIONS

The problem of American selling price was felt as early as November 17, 1964, when exceptions lists were tabled in Geneva. As I noted above, at that time the European Community withheld its tariff "chapters" 29, 32, and 39, which contain products of substantial U.S. export interest. Thus, the chemicals sector became one of the problem sectors isolated by consent of the participating countries in the GATT for special negotiations as a sector. Countries participating in the sector discussions were initially the EEC, United Kingdom, Switzerland, and the United States. These were later joined by Japan.

The difficult decision to study publicly the ASP system was taken and the Tariff Commission was requested, as I described above, with the help of the Customs Bureau, to convert the rates based on American selling price to normal ad valorem rates, even though in order to do so a certain amount of selectiveness would have to be used in choosing the data on which to make the study. As I indicated above, the study went forward in the Commission. By early May, 1966, a list of tentative converted rates was made available by the Commission to the special representative and a discussion with other delegations, at which I was present, was held at Geneva.

U.S. CONDITIONS FOR NEGOTIATING ASP

In opening its discussion of ASP, the U.S. delegation made the following points:

The discussions were to be purely an exploration of what might be feasible and they were in no way to be taken as constituting a formal offer on the part of the United States, or even a commitment to make such an offer at some future date.

Second, our trading partners must be willing to specify significant offers before the United States would decide whether or not to offer such a concession on ASP.

Third, any negotiation on ASP must be on the basis of a separate reciprocal package unrelated to the general Kennedy round agreement, so as to avoid making the latter conditional upon implementation of the ASP agreement. Thus the United States made what was to prove to be the key decision not to jeopardize the entire chemical negotiations by returning them for congressional approval but to make fullest possible use of the Trade Act's negotiating authority in chemicals, and to return a separate ASP-oriented, self-balanced, package to Congress. This strategy was dubbed the "two-package" approach.

Fourth, with respect to benzenoid chemicals, in particular, any concession by the United States on ASP would require significant Common Market offers on chemicals, especially benzenoid chemicals.

Fifth, any ASP agreement would require implementing action by the U.S. Congress, just as it might require approval by other nations' parliamentary bodies.

In other words, the U.S. delegation made clear that ASP had two effects, which would require separate payment to remove. The first effect, the nontariff barrier effect, would require payment by the Europeans in kind: in terms of a nontariff barrier such as the road tax. Our modifying the second effect, the tariff effect of ASP, would moreover require other nations to give concessions in the chemical sector and also specifically in benzenoid items.

In making these opening moves, the United States met the negotiating challenge squarely, and put other negotiants in the position of having to respond to the American suggestion. As late as Christmas 1966, only two nations, Switzerland and Britain, had responded with offers based on our hypothetical proposal.

TWO PACKAGES, ONE "DECOUPED" FROM THE OTHER

The problem then became to convince the Common Market of the American tactical approach to the problem, the so-called "two-package" approach, a concept given by the Community the French name "decoupage," or loosely translated, "cutting apart." It has been observed that the very fact that this American idea was given a French name was itself an indication that the Community had understood the importance of the concept and that therefore the Americans had won at least a psychological victory. Even so, the Community was very slow in making a concrete offer based on the "decoupage" principle. Acceptance of "decoupage" by the Community was in fact a key step in the solution of the ASP problem in the final decisionmaking in May.

RECIPROCITY IN THE FIRST PACKAGE

Each package is said to be reciprocal in dollar terms. The first package provides that the United States shall cut the duties on all chemicals, including present duties on benzenoid chemicals based on ASP, by an average of about 40 to 42 percent. The EEC, United Kingdom, Switzerland, Japan, and others will make cuts in combination averaging about 25 percent.

The cuts of the United Kingdom and the EEC are partial cuts. The EEC agreed to make 50 percent cuts on a group of items, and somewhat less than 50 percent on another group. It will make no cuts on only three items. On items on which it has agreed to eventual full 50-percent cuts, it has offered in the Kennedy round—first package—to cut by 30 percent those chemicals with rates of 25 percent and higher, by 35 percent on chemicals of primary interest to third countries—such as Switzerland—and by 20 percent on other chemicals. The remaining percentage cuts are conditional on ultimate U.S. change in ASP.

On chemicals eventually to be cut by less than 50 percent, two-fifths of the cut will be made in the Kennedy round, the remainder will await congressional implementation of ASP. The United Kingdom offers in the first package are roughly similar in scope to those of the Common Market. Switzerland, Japan, and others cut by close to 50 percent in the first package. U.S. exceptions included no reductions and some small partial cuts, on duties where rates are already low, and on a few specialized items relating to lead and zinc.

On the surface the first package would appear to be out of balance to the disadvantage of the United States if considered only on the basis of the percentage cuts. But in this case, measurement of reciprocity—always a difficult task—should not be based only on percentage duty cuts. In the case of chemicals the better measure is the effect on the dollar volume of trade subject to tariff cuts, and the potentials for increasing that trade as a result of tariff cuts.

In one sense, reciprocity is synonymous with opportunity. The best government can do is to provide opportunity for expanding exports by obtaining cuts in the barriers that inhibit exports. In the first chemicals package there was a significant success in cutting substantially the duties of our trading partners on items appearing to be of great export interest to the United States.

Thus, the United States, as a large net exporter—$2.7 billion in exports versus $940 million in imports in 1966—has achieved the substantial percentage cuts mentioned above on a broad range of products that it already sells in volume and in items where U.S. exports are growing fast and where good potential seems to lie. On the other hand, the United States has made substantial tariff cuts on a much smaller volume of chemical import trade. If the tariff cuts received by the United States and the tariff cuts we made on the volume of import trade are expressed in terms of dollars, it now appears that the United States has actually obtained in the first package a positive dollar balance in our favor.

Even though in terms of percentage cuts alone, the first package might not seem reciprocal, in terms of dollar trade flows the United States can gain.

Typical of this situation is plastics where, upon completion of the second package, foreign duties will be 10 percent or less. In organic chemicals other than plastics duties now up to 33 percent will generally be no higher than 12 percent.

SHARE OF DUTIABLE IMPORTS

The importance of percentage tariff cuts can also be measured by the amount of trade to which tariffs apply. Generally speaking, our principal bargaining partners in the chemicals sector apply duties on a larger portion of their chemical trade than does the United States. This would indicate that an equal percentage cut in all countries' tariffs could have less meaning for the United States than for some of our principal trading partners.

For example, 79 percent of U.S. chemical imports from the EEC were dutiable in 1964, whereas 88 percent of EEC imports from the United States were dutiable in 1964. U.S. duty-free treatment of chemicals is principally in the raw material or crude form of chemicals, such as chemical fertilizers. The United States is also a large exporter of bulk chemicals as well as of finished products. Thus, in 1964, 18 percent of U.S. imports from Canada were dutiable, and 56 percent of Canadian imports from the United States were dutiable. Also in 1964 90 percent of U.S. chemical imports from the United Kingdom were dutiable compared to 93 percent of U.S. chemical exports to the United Kingdom. In such cases an equal tariff cut has more meaning for U.S. exports than U.S. imports.

RECIPROCITY IN THE SECOND PACKAGE

In the second package, which requires implementing legislation on the part of the United States, the United States agrees to remove the American selling price method of assessing customs duties. Then the converted Tariff Commission rates would be cut by 50 percent, and, where the converted rate still exceeds 20 percent ad valorem, it will be brought down to 20 percent. This formula will apply to virtually all the benzenoid chemicals subject to ASP. Among the exceptions will be certain drugs which need not be cut below 25 percent ad valorem after a 50-percent cut, and dyes and azoics need not be cut below 30 percent ad valorem after a 50-percent cut.

In exchange for these cuts in converted ASP rates, the United Kingdom and the EEC will generally make further cuts of 20 to 25 percent or more, bringing the rates of duty on chemicals for the EEC and the United Kingdom down to or less than an average rate of about 12 percent. In some cases the United Kingdom will cut by 60 percent in order to reach this low level. After the second package is complete all of the major participants will have cut by an average of about 45 to 48 percent substantially all their chemical duties.

FOREIGN NONTARIFF CONCESSION IN THE SECOND PACKAGE

Also, to pay for the removal of the adverse nontariff effect of ASP system, the United States demanded and got modifications of nontariff barriers by the Common Market, the United Kingdom, and Switzerland. The most important of these nontariff barrier concessions made in return for American selling price is modification of the Common Market's road taxes. There is some debate about the meaning of this concession for American auto sales in Europe. From my discussions in France in December, however, it would appear that distributors of U.S.-made autos in Europe would benefit greatly from modification of the effects of the road tax.

The British concession, modification of the Commonwealth preference on tobacco by a cut of about 25 percent in the most-favored-nation—MFN—rates, could have real meaning for U.S. tobacco exports. At present U.S. tobacco exports are inhibited by an astonishingly wide range of foreign tariff and nontariff barriers. Two important reasons are: First, that in many countries tobacco is State controlled; second, taxes on tobacco sales are a large source of revenue in many countries. The cut in the margin of preference enjoyed by Britain's Commonwealth members should have trade meaning particularly in respect to diminishing the preferential advantage of Rhodesia, traditionally a large supplier of tobacco to the United Kingdom until cut off by Britain for political reasons last year.

Finally, in recognition of the nontariff barrier effect of ASP, Switzerland has offered to modify its regulations on imports of canned fruit.

At the completion of the second package and the staged reductions of tariffs after the Kennedy round, foreign chemical duties will be at very moderate levels. Few chemical duties in the United Kingdom and the EEC, for example, will be greater than 12 percent. Reduction of chemical duties by Switzerland and the United Kingdom will allow U.S. exports greater access to the entire market of the eight countries of the European Free Trade Association.

It appears that the negotiations in the chemical sector have been among the most successful in any sector in achieving the original goals set for the negotiations, given the difficulties in this sector from the beginning of the negotiations, and the last-moment negotiating impasse on the problem of the two-package approach.

IMPORTANT PROBLEM OF BORDER TAXES

Success has been achieved in tariff negotiations and the effects of the negotiations in terms of tariffs can be predicted to offer substantial new advantages to the American chemical industry, as well as new challenges.

But the reduction of tariffs to low levels in all major trading countries, is only the beginning of the elimination of barriers to exports of U.S. products. In a speech to the Synthetic Organic Chemical Manufacturers Association on June 6, 1966, Mr. C. M. Brown, chairman of the board of the Allied Chemical Corp., identified what he considers these types of obstacles as follows:

> Most foreign nations have carefully refined their complex systems of turnover and value-added taxes, of export rebates, or (sic) arbitrarily administered customs regulations, of border taxes and transit fees. They have refined and polished them to the degree that their domestic industries can grow and prosper—in spite of American competition.

Most of the objections of Mr. Brown stem from the border tax—these alone would account for his references to turnover and value-added—or indirect—taxes, and export rebates.

With regard to methods of valuing imports used by trading nations, it should be remembered that the United States is one of the few countries—besides the Commonwealth countries—that use the f.o.b. or freight on board system, not the c.i.f. system for valuing imports.

The latter system is based on the so-called Brussels definition of value for customs purposes, which has become a widely accepted standard for the majority of most countries' customs administration. These countries, with or without justification, complain about U.S. nonconformity.

As I have said in the past, I am willing to discuss the faults of the United States if other nations are willing to equally discuss their own faults. One American virtue and European fault, is the problem of Government buying. Here American practice, though now somewhat inconsistent as among Government agencies, is completely in the open, conducted in accordance with published administrative regulations and open bidding. In many European countries and Japan, however, government buying is done secretively, with little opportunity for bidding that would include foreigners, and without publicly known ground rules.

What emerge then as nontariff matters of deep trade importance are border taxes and Government buying regulations. These should become major areas for negotiation and international action in the near future. I will discuss further here only border taxes, leaving Government buying to another paper.

BORDER TAXES IN THE KENNEDY ROUND AND IN FUTURE NEGOTIATIONS

In spite of the fact that the Kennedy round was the first international tariff and trade negotiation to include nontariff barriers, they were not its main emphasis: the border tax problem was perhaps beyond its scope from the outset. The reason is that the border tax and its corollary, the export rebate are only the outward manifestations of the indirect taxation systems employed in most European countries, and to a lesser extent, by the U.S. Federal and State Governments.

In the General Agreement on Tariffs and Trade, the border tax was accepted on ground of equity—it would have been inequitable, was the reasoning, to have allowed a foreign import to enter Holland let us say, without adding a certain margin to the cost of the import equal to the margin of the indirect—or "excise"—tax the domestic Dutch supplier had to pay on his product.

Similarly, the logic holds for exports, as follows: "Why should our Dutch exports to the outside world be outpriced because they are burdened with an added value or turnover tax?" The GATT answer was that an export rebate in this circumstance was legitimate.

It should be remembered that U.S. excise or indirect taxes, for example, excise taxes on tires and automobiles, are rebated for exports and added to the value of imports.

But what about the U.S. system of direct taxes? Should there not be a margin added to imports to account for the added cost represented by U.S. income taxes? The theory was that a direct tax does not get passed forward to the consumer as an indirect tax theoretically does. The theory in fact was that the manufacturer absorbed entirely the cost of the income tax and perhaps simply passed it back to the investor in the form of fewer profits. But, in fact, the system almost certainly works so that the costs of our direct taxes are passed forward also.

Thus, in practice, we may very well find that the indirect tax may not be passed forward to the consumer as relentlessly as was assumed when the border tax was legalized in GATT, and that the direct tax does get passed forward much more than was thought at the time.

BORDER TAX AND EXPORT REBATE ARE INTEGRAL PARTS OF NATIONAL TAXATION SYSTEMS

From this brief discussion of a very complex problem one fact should emerge very clearly: the "border tax" and the "export rebate" are not simply isolated practices to be removed by the stroke of a pen—they are integral parts of national taxation systems. It must therefore follow that "doing something" about the border tax is a big and very difficult undertaking, and that "doing something" may perhaps require change in European taxation systems, the GATT, and our own practices in the United States.

What should be clearest is that, given the labyrinthine technicalities of the Kennedy round even without the border tax problem being thrown in, the Kennedy round physically, logistically, was not a good place to deal with the big border tax problem.

But there is the suspicion, at least in regard to U.S. exports to the border tax countries, that the problem is mitigated for practical purposes. For example, there are those observers of American international commerce who believe that U.S. chemical companies consider the border tax problem in their pricing for export, and absorb the cost of the border tax by reductions in their sale price. One confidential study has shown that U.S. chemical companies on the whole price higher in the United States than in any external market. In direct contrast with the steel industry, the chemical industry prices incrementally in foreign markets, depending on the competitive conditions in each market. They do so, it seems, without offending their domestic U.S. buyers—one of the reasons the steel industry has traditionally given for not pricing incrementally abroad. And some observers think that in pricing for foreign markets one of the considerations is the element of tax that may be imposed at the foreign border.

But, what about the immediate trade effects of the border tax on our exports? This, it is claimed, hurts our exports now and will hurt them more in the future as the Common Market harmonizes its domestic taxation systems along the lines of the French model and the border tax and export rebate both become 14.7 percent in 1968. For some EEC member countries this will be a substantial increase.

Germany has already begun moving toward this objective, and will receive an equivalent rebate on exports, competing with United States exports in third markets. These adjustments, however, it must not be forgotten, are to be accompanied by correspondent increases in the domestic taxes paid by German industry. Thus, according to the rationale of the border tax, competing imports for reasons of equity to German industry should be taxed comparably at the border. This example shows the complexity of the border tax system.

NULLIFICATION OF TARIFF CONCESSIONS

On its face the border tax is a serious problem—it certainly is serious when considering the competitive effects on U.S. exports to third markets. Some determined international action must be taken to get at the roots of the problem and arrive at some equitable determination of it. One such effort was the U.S. attempt to include in the final Kennedy round settlement a provision that when nontariff barriers nullify the effect of tariff concessions, grounds for international compensatory action is provided.

This provision would have reasserted the right of a GATT member to take steps under article 3(1), 3(2), and 2(1)(b) to be compensated for internal tax adjustments.

Until now the U.S. chemical industry has been able to export far more to the world than the U.S. imports from the world. But there is no reason why the industry should have to cope with a system that may be unfair and places on it an unfair competitive disadvantage, particularly in third markets. There would probably be less incremental pricing and therefore less danger of engaging in real, injurious dumping were the border tax-import rebate problem to be resolved.

NEED FOR IMMEDIATE ACTION ON THE BORDER TAX PROBLEM AFTER THE KENNEDY ROUND

The border tax problem will not just go away. Particularly now that tariffs will be reduced by stages to quite low levels as a result of the Kennedy round, the border tax will constitute an increased proportion of the "costs of entry" of U.S. exports to border tax countries' markets, even though finance costs are borne by European industries. Thus there is a need for immediate action on the part of the United States. This action should be both domestic and international. First, the U.S. special representative for trade negotiations should immediately institute studies in conjunction with industry by examining companies' records on export sales, that would show the exact commercial effect of the border tax system. At the same time, there should be an effort to determine the actual economic effects of the direct tax as opposed to the indirect tax on domestic producer and consumer.

Two international meetings this year could be forums in which to address ourselves to these and other problems. One is a meeting now in tentative planning stages to examine into the application of countervailing duties by various GATT members. The second is the annual meeting of the Contracting Parties to the General Agreement on Tariffs and Trade, a meeting that will be held in the fall.

GATT MEETING OF COUNTERVAILING DUTIES SHOULD BE BROADENED

As part of the Kennedy round settlements the Nordic countries have secured from the United States and other participating countries a commitment in principle to meet in late 1967 to discuss the issue of countervailing duties. A countervailing duty, permitted by article IV of the GATT, is a duty levied by an importing country to protect itself against goods on which a bounty or a subsidy of some kind has been applied in the exporting country.

A countervailing duty is therefore a sanction against an unfair trade practice. Quotas, licenses, and embargoes are by far the most regressive of mechanisms to regulate trade. A countervailing duty, on the other hand, is one of the several means provided by GATT and accepted by international practice to take action against measures that damage trade. Another example is the right of a GATT member country to levy a compensatory duty against another country which takes action affecting the tariff on its exports.

A countervailing duty action by the U.S. Government can be taken under section 303 of the 1930 Tariff Act, which has its roots in a U.S. statute of 1898. Other nations also have countervailing duty provisions; in the case of the Common Market, article 96 of the Treaty of Rome provides for countervailing duties. The General Agreement on Tariffs and Trade, article IV, also provides a countervailing duty provision which states that countervailing duties should not be applied against an imported product unless the imports are causing injury to a domestic producer.

Because the U.S. countervailing duty provision predates the GATT, it does not contain such an injury requirement. There are those who believe that U.S. law should be amended to "conform" to GATT, and in fact an attempt was made to amend section 303 in the early 1950's, without success. The majority of other trading countries apply their countervailing duty laws and regulations to determine injury before assessing a countervailing duty. But this aspect of the problem requires further study.

Thus the nonconformity of U.S. law with GATT article IV has been of concern to some of our trading partners. Acting on this concern, the Nordic countries have obtained a tentative commitment from the United States in the context of the Kennedy round to have an international conference this year on the problem.

The United States should, of course, be willing to discuss its countervailing duty laws with other countries provided also that such countries are also willing to discuss aspects of their own laws that we might find troublesome. We may even wish to argue at such an international meeting that the GATT provision requiring injury before assessing a countervailing duty is unrealistic and should itself be changed, rather than changing the U.S. countervailing duty provision to conform to other's practices. For there seems to be little reason why there should be a necessity for proof of injury from a plainly unfair practice like a subsidy. On the other hand, it is argued that, if there is no injury to a domestic industry, why should consumers not take advantage of the foreign country's subsidy? Still others argue that such an unfair trade practice should be a malpractice per se. This is a complex issue, but these are some of the considerations that must be looked into.

In any case, the United States should attempt to broaden any meeting this year on the subject of countervailing duties to include other problems, particularly border taxes.

MEETING OF GATT CONTRACTING PARTIES, 1967

The meeting in the fall of the contracting parties of the general agreement would provide the opportunity to discuss some of the most pressing concerns in the international trade field. This would include the entire area of nontariff barriers, including the problems of international taxation systems as they reflect on international trade, licenses, quotas, and differences in national systems for the valuation of imports. It should also include problems stemming from the differentials in national patent laws, the differences in national antitrust concepts, and other methods of business operation that pass under the term "restrictive business practices." In addition there is the area of competitive export promotion programs that might include subsidy but also would include Government promotion of very aggressive export sales techniques.

All of these problems can and must be handled in an international, multilateral forum. The results of their investigation and discussion in GATT should be to internationally harmonize national trade and business practices. The International Antidumping Code now drafted is an excellent precedent for such action.

Both the fall of 1967 meeting now planned to look into the specific matter of countervailing duties, and the much more comprehensive annual contracting parties meeting, are in their own ways appropriate to handle these problems. United States participation in these meetings should be directed to elevating the whole area of "other-than tariff" trade practices to the level of concentrated, purposeful discussion among the membership of the General Agreement, which now has 72 contracting parties—full members—four provisional members —Argentina, Iceland, Tunisia, United Arab Republic—three countries that participate under special arrangement—Cambodia and Poland—and eight other countries to whose territories the GATT has been applied and which now, as independent states, maintain a de facto application of the GATT pending final decisions as to their future commercial policy.

The attention we have given in the past to negotiating tariffs should now be turned to these newer trade problems, including the border tax. All of these problems are too important to put aside. They are in need of study and also of international action to resolve. Economic change, domestic and international, proceeds too quickly to allow time for rest periods—trade policy cannot lag while trade problems await action.

PATENTS AND INTERNATIONAL TRADE

For the American chemical industry, where sizable sums are invested in research and development, patent protection of inventions is of great importance. A good patent system serves two important functions. It opens up inventions to the public as opposed to sealing them off as trade secrets, so providing for more widespread public use and further development of the patented invention, in exchange for giving the patentee an assured period of time in which to use—or license—the patented invention exclusively, thereby allowing him to recoup his research and development costs at a profit.

Though we are improving our already effective patent system, an important problem in its development is the international system for registering and protecting patents. With the growth of world commerce, investment, and business activity there has not been a concomitant growth of our ability to provide patent protection on a worldwide basis.

The United States and other countries have already taken steps toward trying to create an international patent system, and these efforts must be continued. One area that might be developed both here and abroad is in the concept of design copyrights and patents. United States patent and copyright law and very few if any foreign laws do not adequately protect from foreign copying the designs of domestic industries heavily involved in new design. In the United States this is of particular concern to the textile and apparel industries. This is an area to which I hope it will be possible to give much fuller attention, with a possible view also to internationally coordinating countries' approaches to design protection.

CONCLUSION

In this report on a key aspect of the Kennedy round I have attempted to explore the historic and economic background of the ASP system itself, its workings as a method of customs valuation, the reasons of those who wish to maintain the systems, the background of the Kennedy round negotiations and some of the attitudes that shaped the European position on the removal of ASP, and the nature of the final packages themselves.

Throughout, I have tried to discuss this difficult and complex issue in the context of the totality of world trade and investment in chemicals, and in terms of a dynamic, innovative, and growing international industry. Finally, I have underscored the need for new approaches to deal effectively with the "other-than-tariff" problems in international trade, problems that have assumed a new prominence in international trade negotiations.

To implement the second, ASP package resulting from the Kennedy round chemicals sector negotiations, Congress will be asked to study and decide the changes negotiated. This public procedure promises that as much, if not more public attention will be given to the chemicals sector and the American selling price system of customs valuation after the formal conclusion of the Kennedy round on June 30, 1967, as during it. During the processes of congressional study and deliberation there will be ample opportunity to examine all of the above matters in full.

OUR AMERICAN HERITAGE

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, Independence Day was commemorated this year with increased spirit in thousands of communities throughout the country as citizens recognized the significance of their American heritage and the need to reaffirm their support of our national beliefs. Three independent publications serving the south suburban area of Cook County, Ill., produced impressive editorial comments during the Fourth of July period and I submit them for the RECORD at this point as sound expressions of grassroots American opinion.

[From the Suburban Life, June 29, 1967]

HAIL, COLUMBIA

Strike up the band! Wave the flag! Show your pride in the United States!

Corney? Yes, in some quarters it is considered that. But we don't buy such criticism.

Patriotism is something that is looked upon today in many quarters as "square." If it is square tell it to those guys who are slugging it out in Vietnam or those who were lucky enough to make it back from Korea, World War II or those who mucked their way through the mud and trenches of World War I. And then duck.

Tuesday we will observe the 191st anniversary of the Declaration of Independence, a document drawn up by a handful of British colonists who knew full well they were standing in the shadow of the gallows.

If they could stand proud and unbending, so can we.

The Fourth of July is the most celebrated holiday of this nation. It's too bad that it isn't celebrated as it once was. Several communities in this area have scheduled programs, but there are many more that haven't.

It's also too bad that many youngsters and some adults will suffer injuries because of illegal fireworks and that others will die or be injured in automobile accidents.

This is the most productive, the wealthiest, the strongest nation on the face of the earth. Everyone has the right of free speech, to go where he chooses when he chooses. There are no frontier barriers or armed guards to restrict our movements.

It's true we have our racial and religious bigots, but they will disappear in time with the proper moral and legal outlook which will assure the freedom of all, regardless of race, creed or color. Laws are not the answer; the acceptance is.

It is to our credit that we realize our shortcomings and that we are willing to do something about them, even though the slow processes are not to the liking of those in opposition.

Despite our failures, we still make up the best nation in the world. And we should be proud of it and proclaim it more than we do.

Reflect for a moment on Belleau Woods, the Argonne, Pearl Harbor, the Hertgen Forest, the Chosan Reservoir and the steaming jungles of Laos and Vietnam.

And then thank God for the men who bled and died that we may live in the greatest country in the world.

Stand up and be counted on Tuesday. Fly the flag, stamp your feet to the tunes of a marching band and proclaim to the rest of the world that we're Americans and proud of it.

If that be corny, make the most of it.

[From the Tribune, July 2, 1967]

DECLARATION SIGNERS—TRULY "INDEPENDENTS"

Lately it seems we in America are celebrating the Fourth of July instead of Independence Day.

Lately it has been fashionable to deride "flag wavers" as right-wing super-patriots and if you get a lump in your throat when the flag goes by, you're a square.

Patriots today aren't the same as patriots of 1776.

Ben Franklin, with words like "a penny saved is a penny earned" would have no place in government because he subscribed to the wrong theory about money management.

Patrick Henry saying "Give me liberty or give me death" would be met by crowds of university students shouting "Give him death!"

George Washington, forsaking a comfortable plantation life to spend a grueling winter at Valley Forge with his rag-tag army would have been replaced by a supreme commander who would tell him that diplomatic warfare is preferred to victory and that the revolution could be won by "reasoning together" with Old King George.

Paul Revere, merely a silversmith and not a university egghead, would have had to stay at his forge. He didn't have security clearance to go galloping around the countryside, releasing classified information.

Thomas Jefferson, obviously a member of the opposition party of the future, was getting set to run for office. What right did he have to write, "these truths we hold to be self-evident"? What did he know about "Life, Liberty and the Pursuit of Happiness"?

Lafayette represented a foreign power. After all, neither the Colonies nor Britain then was sending foreign aid to France. If we had been, of course, France probably would have taken Britain's side and the Declaration of Independence would have become a design for wallpaper.

And, had there been a United Nations, the American forces would probably have been censured, all 13 colonies would have been turned back to England, and the security council would have demanded that damages be paid for the Boston Tea Party.

Washington, Jefferson, Franklin, Revere, Henry and Lafayette were men of their times, not ours. They wouldn't stand a chance today, because they were squares and flag wavers.

It's a good thing they were around in 1776.

[From the Sun-Standard, June 29, 1967]

OLD GLORY HAS A PROUD HERITAGE

Independence Day is a day for waving Old Glory—a day to hold the stars and stripes high, a day to salute our nation's flag. How did our national emblem come into being? Did Betsy Ross make the first American flag? Those searching our history can find no factual foundation for this traditional story.

The American Flag consists of thirteen horizontal stripes, seven red alternating with six white, and in the upper corner near the staff, a rectangular field of blue containing fifty five-pointed white stars. The stripes symbolize the thirteen colonies which originally constituted the United States of America; the stars represent the States of the Union. In the language of the Continental Congress which defined the symbolic meaning of the colors red, white, and blue as used in the flag, "White signifies Purity and Innocence; Red, Hardiness and Valor; Blue signifies Vigilance, Perseverance and Justice."

The first national standard of the new colonies, designed and adopted even before the United States itself was formed, was known as the Grand Union Flag. It was displayed by General George Washington on Prospect Hill, outside of Boston on Jan. 1, 1776, and was composed of thirteen alternate red and white stripes with the British Union Jack in the upper left corner. Washington's troops carried this flag when they drove the British from Boston.

The Declaration of Independence was signed under this flag, which remained our standard until June 14, 1777, when the Continental Congress adopted the design of the Stars and Stripes. At that meeting it was resolved that, "the flag of the United States shall be thirteen stripes, alternate red and white, with a union of thirteen stars of white on a blue field, representing a new constellation." Conclusive proof exists to support the fact that one Francis Hopkinson, a signer of the Declaration of Independence designed this flag not Betsy Ross. When it was first flown has not been determined.

The Stars and Stripes remained unchanged until Jan. 13, 1794, when Congress voted for two stripes and two stars, one each for Vermont and Kentucky. As new States joined the Union they demanded representation in the stars and stripes of the flag. This practice was followed until April 18, 1818, when with fifteen stripes and fifteen stars, Congress voted that the flag should contain thirteen alternate red and white stripes representing the original thirteen states, and that a star for each new state should be added on July 4, following its admission to the Union. The last two stars to be added were for Alaska and Hawaii, which achieved statehood in 1959.

In 1912 President William H. Taft issued the first executive order of its kind, which dealt with the proportions and details of the flag since much confusion had arisen over the design, size, form, color, arrangement of the stars and parallelism of the stripes.

The overall width and length of the United States flag, known technically as the hoist and fly respectively, is fixed in the ratio of 1:1.9. The thirteen stripes were established as being of equal width. The hoist of the blue field containing the stars was fixed at seven thirteenths of the overall hoist, that is, as extending from the top of the flag to the bottom of the seventh stripe; and the fly of the blue field was fixed at a tiny fraction over three fourths of the overall hoist. The diameter of each star was established as a minute fraction under one sixteenth of the overall hoist.

The flag should be displayed on all days when the weather permits, especially on New Year's Day, January 1; Inauguration Day, January 20; Lincoln's Birthday, February 12; Washington's Birthday, February 22; Easter Sunday (variable); Mother's Day, second Sunday in May; Armed Forces Day, third Saturday in May; Memorial Day, (half staff until noon), May 30; Flag Day, June 14; Independence Day, July 4; Labor Day, first Monday in Sept.; Constitution Day, Sept. 17; Columbus Day, Oct. 12; Veteran's Day, Nov. 11; Thanksgiving Day, fourth Thursday in Nov.; Christmas Day, Dec. 25; and such other days as may be proclaimed by the President; the birthdays of States (dates of admission); and on State holidays.

Mr. Speaker, at a time when there is a deliberate assault on the great principles of our country it is especially stimulating to note the true spirit exhibited at the grassroots level by editorials such as these.

COMPARISON BETWEEN THE NATIONAL HOME OWNERSHIP FOUNDATION ACT AND THE 221(h) PROGRAM

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WIDNALL. Mr. Speaker, more than 150 Members of both Houses of the Congress, including members from both parties, have joined Senator CHARLES H. PERCY in cosponsoring the National Home Ownership Foundation Act. Critics of our proposal, while recognizing the need to increase homeownership possibilities for our lower income citizens, have contended that there is nothing in the National Home Ownership Foundation bill that cannot be done under existing law, particularly the 221(h) program enacted last year. This latter program has been described by the President in his message to Congress on poverty as a "pilot program." As recently as June 10, 1967, HUD Secretary Robert Weaver referred to it as "a demonstration and experimental program." The first obvious difference, therefore, is in the attitudes toward the potential scope of homeownership among lower income Americans that the two approaches exhibit.

A more detailed comparison between National Home Ownership Foundation and the section 221(h) program follows in the accompanying charts. In general, the following should be noted:

First, the existing program, nearly a year old without any funds disbursed, relies on the Government to be the regulator of lending and construction activity, with the private sector only a participant. National Home Ownership Foundation sees Government as the guarantor of a private institution, with the private sector as the major initiator and developer.

Second, the present law makes use of the Federal Housing Administration in the Department of Housing and Urban Development. Both FHA and HUD have undistinguished bureaucratic reputations in the area of aiding lower income housing, and both are dedicated to the rental approach. National Home Ownership Foundation avoids this ossified bureaucracy and relies on private enterprise efficiency and expertise.

Third, the existing law cannot funcmight find troublesome. We may even wish to argue at such an international meeting that the GATT provision requiring injury before assessing a countervailing duty is unrealistic and should itself be changed, rather than changing the U.S. countervailing duty provision to conform to other's practices. For there seems to be little reason why there should be a necessity for proof of injury from a plainly unfair practice like a subsidy. On the other hand, it is argued that, if there is no injury to a domestic industry, why should consumers not take advantage of the foreign country's subsidy? Still others argue that such an unfair trade practice should be a malpractice per se. This is a complex issue, but these are some of the considerations that must be looked into.

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MEETING OF GATT CONTRACTING PARTIES, 1967

The meeting in the fall of the contracting parties of the general agreement would provide the opportunity to discuss some of the most pressing concerns in the international trade field. This would include the entire area of nontariff barriers, including the problems of international taxation systems as they reflect on international trade, licenses, quotas, and differences in national systems for the valuation of imports. It should also include problems stemming from the differentials in national patent laws, the differences in national antitrust concepts, and other methods of business operation that pass under the term "restrictive business practices." In addition there is the area of competitive export promotion programs that might include subsidy but also would include Government promotion of very aggressive export sales techniques.

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Hail, Columbia

Strike up the band! Wave the flag! Show your pride in the United States!

Corney? Yes, in some quarters it is considered that. But we don't buy such criticism.

Patriotism is something that is looked upon today in many quarters as "square." If it is square tell it to those guys who are slugging it out in Vietnam or those who were lucky enough to make it back from Korea, World War II or those who mucked their way through the mud and trenches of World War I. And then duck.

Tuesday we will observe the 191st anniversary of the Declaration of Independence, a document drawn up by a handful of British colonists who knew full well they were standing in the shadow of the gallows.

If they could stand proud and unbending, so can we.

The Fourth of July is the most celebrated holiday of this nation. It's too bad that it isn't celebrated as it once was. Several communities in this area have scheduled programs, but there are many more that haven't.

It's also too bad that many youngsters and some adults will suffer injuries because of illegal fireworks and that others will die or be injured in automobile accidents.

This is the most productive, the wealthiest, the strongest nation on the face of the earth. Everyone has the right of free speech, to go where he chooses when he chooses. There are no frontier barriers or armed guards to restrict our movements.

It's true we have our racial and religious bigots, but they will disappear in time with the proper moral and legal outlook which will assure the freedom of all, regardless of race, creed or color. Laws are not the answer; the acceptance is.

It is to our credit that we realize our shortcomings and that we are willing to do something about them, even though the slow processes are not to the liking of those in opposition.

Despite our failures, we still make up the best nation in the world. And we should be proud of it and proclaim it more than we do.

Reflect for a moment on Belleau Woods, the Argonne, Pearl Harbor, the Hertgen Forest, the Chosan Reservoir and the steaming jungles of Laos and Vietnam.

And then thank God for the men who bled and died that we may live in the greatest country in the world.

Stand up and be counted on Tuesday. Fly the flag, stamp your feet to the tunes of a marching band and proclaim to the rest of the world that we're Americans and proud of it.

If that be corny, make the most of it.

[From the Tribune, July 2, 1967]

Declaration Signers—Truly "Independents"

Lately it seems we in America are celebrating the Fourth of July instead of Independence Day.

Lately it has been fashionable to deride "flag wavers" as right-wing super-patriots and if you get a lump in your throat when the flag goes by, you're a square.

Patriots today aren't the same as patriots of 1776.

Ben Franklin, with words like "a penny saved is a penny earned" would have no place in government because he subscribed to the wrong theory about money management.

Patrick Henry saying "Give me liberty or give me death" would be met by crowds of university students shouting "Give him death!"

George Washington, forsaking a comfortable plantation life to spend a grueling winter at Valley Forge with his rag-tag army would have been replaced by a supreme commander who would tell him that diplomatic warfare is preferred to victory and that the revolution could be won by "reasoning together" with Old King George.

Paul Revere, merely a silversmith and not a university egghead, would have had to stay at his forge. He didn't have security clearance to go galloping around the countryside, releasing classified information.

Thomas Jefferson, obviously a member of the opposition party of the future, was getting set to run for office. What right did he have to write, "these truths we hold to be self-evident"? What did he know about "Life, Liberty and the Pursuit of Happiness"?

Lafayette represented a foreign power. After all, neither the Colonies nor Britain then was sending foreign aid to France. If we had been, of course, France probably would have taken Britain's side and the Declaration of Independence would have become a design for wallpaper.

And, had there been a United Nations, the American forces would probably have been censured, all 13 colonies would have been turned back to England, and the security council would have demanded that damages be paid for the Boston Tea Party.

Washington, Jefferson, Franklin, Revere, Henry and Lafayette were men of their times, not ours. They wouldn't stand a chance today, because they were squares and flag wavers.

It's a good thing they were around in 1776.

[From the Sun-Standard, June 29, 1967]

Old Glory Has a Proud Heritage

Independence Day is a day for waving Old Glory—a day to hold the stars and stripes high, a day to salute our nation's flag. How did our national emblem come into being? Did Betsy Ross make the first American flag? Those searching our history can find no factual foundation for this traditional story.

The American Flag consists of thirteen horizontal stripes, seven red alternating with six white, and in the upper corner near the staff, a rectangular field of blue containing fifty five-pointed white stars. The stripes symbolize the thirteen colonies which originally constituted the United States of America; the stars represent the States of the Union. In the language of the Continental Congress which defined the symbolic meaning of the colors red, white, and blue as used in the flag, "White signifies Purity and Innocence; Red, Hardiness and Valor; Blue signifies Vigilance, Perseverance and Justice."

The first national standard of the new colonies, designed and adopted even before the United States itself was formed, was known as the Grand Union Flag. It was displayed by General George Washington on Prospect Hill, outside of Boston on Jan. 1, 1776, and was composed of thirteen alternate red and white stripes with the British Union Jack in the upper left corner. Washington's troops carried this flag when they drove the British from Boston.

The Declaration of Independence was signed under this flag, which remained our standard until June 14, 1777, when the Continental Congress adopted the design of the Stars and Stripes. At that meeting it was resolved that, "the flag of the United States shall be thirteen stripes, alternate red and white, with a union of thirteen stars of white on a blue field, representing a new constellation." Conclusive proof exists to support the fact that one Francis Hopkinson, a signer of the Declaration of Independence designed this flag not Betsy Ross. When it was first flown has not been determined.

The Stars and Stripes remained unchanged until Jan. 13, 1794, when Congress voted for two stripes and two stars, one each for Vermont and Kentucky. As new States joined the Union they demanded representation in the stars and stripes of the flag. This practice was followed until April 18, 1818, when with fifteen stripes and fifteen stars, Congress voted that the flag should contain thirteen alternate red and white stripes representing the original thirteen states, and that a star for each new state should be added on July 4, following its admission to the Union. The last two stars to be added were for Alaska and Hawaii, which achieved statehood in 1959.

In 1912 President William H. Taft issued the first executive order of its kind, which dealt with the proportions and details of the flag since much confusion had arisen over the design, size, form, color, arrangement of the stars and parallelism of the stripes.

The overall width and length of the United States flag, known technically as the hoist and fly respectively, is fixed in the ratio of 1:1.9. The thirteen stripes were established as being of equal width. The hoist of the blue field containing the stars was fixed at seven thirteenths of the overall hoist, that is, as extending from the top of the flag to the bottom of the seventh stripe; and the fly of the blue field was fixed at a tiny fraction over three fourths of the overall hoist. The diameter of each star was established as a minute fraction under one sixteenth of the overall hoist.

The flag should be displayed on all days when the weather permits, especially on New Year's Day, January 1; Inauguration Day, January 20; Lincoln's Birthday, February 12; Washington's Birthday, February 22; Easter Sunday (variable); Mother's Day, second Sunday in May; Armed Forces Day, third Saturday in May; Memorial Day, (half staff until noon), May 30; Flag Day, June 14; Independence Day, July 4; Labor Day, first Monday in Sept.; Constitution Day, Sept. 17; Columbus Day, Oct. 12; Veteran's Day, Nov. 11; Thanksgiving Day, fourth Thursday in Nov.; Christmas Day, Dec. 25; and such other days as may be proclaimed by the President; the birthdays of States (dates of admission); and on State holidays.

Mr. Speaker, at a time when there is a deliberate assault on the great principles of our country it is especially stimulating to note the true spirit exhibited at the grassroots level by editorials such as these.

COMPARISON BETWEEN THE NATIONAL HOME OWNERSHIP FOUNDATION ACT AND THE 221(h) PROGRAM

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WIDNALL. Mr. Speaker, more than 150 Members of both Houses of the Congress, including members from both parties, have joined Senator Charles H. Percy in cosponsoring the National Home Ownership Foundation Act. Critics of our proposal, while recognizing the need to increase homeownership possibilities for our lower income citizens, have contended that there is nothing in the National Home Ownership Foundation bill that cannot be done under existing law, particularly the 221(h) program enacted last year. This latter program has been described by the President in his message to Congress on poverty as a "pilot program." As recently as June 10, 1967, HUD Secretary Robert Weaver referred to it as "a demonstration and experimental program." The first obvious difference, therefore, is in the attitudes toward the potential scope of homeownership among lower income Americans that the two approaches exhibit.

A more detailed comparison between National Home Ownership Foundation and the section 221(h) program follows in the accompanying charts. In general, the following should be noted:

First, the existing program, nearly a year old without any funds disbursed, relies on the Government to be the regulator of lending and construction activity, with the private sector only a participant. National Home Ownership Foundation sees Government as the guarantor of a private institution, with the private sector as the major initiator and developer.

Second, the present law makes use of the Federal Housing Administration in the Department of Housing and Urban Development. Both FHA and HUD have undistinguished bureaucratic reputations in the area of aiding lower income housing, and both are dedicated to the rental approach. National Home Ownership Foundation avoids this ossified bureaucracy and relies on private enterprise efficiency and expertise.

Third, the existing law cannot function with its below-market-interest rate mortgages without the guarantee that Treasury funds will be available to the Federal National Mortgage Association to purchase the mortgages. That is the only way it can keep its interest charge low to the potential homebuyer. National Home Ownership Foundation, however, relies on a direct interest subsidy by the Treasury on a market interest rate mortgage. There is also no recoverability feature in present law for the subsidy involved in below-market-interest rate mortgage under section 221(h) under National Home Ownership Foundation, as the income of the homebuyer reaches levels where he can pay a more economic mortgage payment and interest rate, the subsidy is recovered.

Most importantly, for the same Federal budget impact, the National Home Ownership Foundation subsidy approach can produce 33 times as many housing units. Given present budget difficulties, there is no hope for any expansion of the present pilot program under 221(h) to a significant level of units. And given the tremendous leverage per Federal dollar that is possible under National Home Ownership Foundation approach, any significant expansion of the existing pilot program would be uneconomic, in comparison, under any budget conditions.

Fourth, the National Home Ownership Foundation program can reach families at lower income levels than under section 221(h). Using approved FHA rules, for example, under the 221(h) program's maximum terms, a $4,100 Washington, D.C., family of five could afford a $13,895 mortgage loan. The same loan could be assumed, under National Home Ownership Foundation, by a similar family with an income of only $2,820 annually.

Finally, a key to acceptance of any new program in the rehabilitation and construction fields is the expansion of job opportunities. Only a program of adequate size and duration can actually place additional workers on the employment rolls. The same is true of returns for private investment and profitably to private enterprise.

The existing Federal program under 221(h) is a $20 million pilot program which can produce only 2,000 housing units scattered across the country, using an average unit cost of $10,000. The National Home Ownership Foundation program, utilizing $2 billion of private investment capital has a potential for broadscale projects involving 200,000 such units as a minimum goal.

I include at this point a detailed analysis of the two programs:

COMPARISON BETWEEN 221(h) AND NATIONAL HOME OWNERSHIP FOUNDATION

	SECTION 221(h)	NATIONAL HOME OWNERSHIP FOUNDATION
1. Philosophy of Government.	Government as regulator of lending activity and construction; private sector as participant only.	Government as guarantor of private institution; private sector as major initiator and developer.
2. Organization and control.	FHA program, under HUD. Non-profit organization at neighborhood level.	No FHA, HUD control, private non-profit national corporation chartered by Congress. Neighborhood non-profit corporations, coops, limited dividend corporations.
3. Interest rate on mortgage.	3 per cent, same as 221(d) (3) below market rate.	Market interest rate.
4. Interest rate to purchaser of equity ownership.	3 per cent.	Could range from market interest rate to substantially lower figure as determined by formula in law, and allocated by Foundation (at present as low as 2¼ per cent).
5. Resale of mortgage in secondary mortgage market.	No resale. Below-market-rate interest required purchase by FNMA in its special assistance operations.	Conventional secondary mortgage market; resale possible without dependence on FNMA.
6. Source of mortgage funds.	Dependent on FNMA willingness to purchase any mortgage made under program. Otherwise private lending institutions will not lend with below market rate.	Sale of $2 billion in guaranteed bonds at market rates. Private capital.
7. Cost to taxpayers.	Money or FNMA to buy 3 per cent mortgages must be borrowed by Treasury at higher market rates. Difference is subsidy. If FNMA then pools mortgages and sells participation certificates in pool, the difference between the 3 per cent mortgage return to FNMA and market rate on the PC must be made up by Treasury subsidy.	Where necessary, difference between interest rate paid to mortgage holder by home buyer and rate due holder from mortgage is met by Treasury. $10 million first year; $30 million second year; to $60 million maximum authorization annually, third year.
8. Recoverability of subsidy.	None.	Interest subsidy paid back by home buyer when his income reaches moderate income levels, or when he sells equity at taxable profit.
9. Supporting services to local non-profit groups and to the prospective home buyer.	None provided in law. Requirements added in Regulations.	Supporting technical, planning, job training, budget counseling, etc. services required in law.
10. Neighborhood involvement.	Local non-profit corporation may be neighborhood oriented, but nothing required in law.	First chance for homes and employment opportunities must be for neighborhood residents. Local non-profit corporation, cooperative, etc., must have neighborhood involvement.
11. "Sweat equity" and downpayment.	Provides for volunteer work by potential home owner with value of labor reflected in lower mortgage figure for unit. This does not take place of minimum FHA downpayment of $200. Units can be rented with credit towards downpayment on rent with option to purchase plan.	Allows for "sweat equity" labor to cut down on cost of owning home to borrower in form of larger downpayment. Downpayment or equivalent to be set by Foundation.
12. Income levels served.	Limited to those who can be served by rent supplement program, which in turn is defined as public level incomes.	Mortgage money available to anyone unable to afford and obtain conventional financing who shows capability of becoming a home owner. Would cover both public housing income levels and level immediately above that level where shortage of housing and mortgage funds also exists.
13. Type of housing assisted.	Limited to single family detached, semidetached or row housing.	Includes single family detached semidetached row housing; also multi-family cooperatives and condominiums in recognition of core city type of housing supply.
14. Rehabilitation and new construction.	Limited to rehabilitation.	Applies to both rehabilitated and new construction housing.

15. Tie in with local government.	No direct tie-in with local government required in law.	Requires consultation with Federal, state and local public agencies; requires the Foundation to use existing public agency programs as much as possible; coadjuvant (shared risk) loans with public agencies; "local non-profit housing association" defined to include public housing.

AMEND NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES ACT OF 1965

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Reid] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am happy to be able to join with several colleagues in introducing today legislation to amend the National Foundation on the Arts and Humanities Act of 1965.

The amendments proposed, while generally of a technical nature, will make needed changes in the scope of the Foundation's endeavors and the procedures under which it operates.

I believe the Foundation has worked creatively in the State of New York and throughout the Nation to support and encourage artists, authors, playwrights, and the members of the dance.

In addition to grants to a number of talented individual New Yorkers in several fields, national organizations based in New York City have also received assistance from the National Endowment for the Arts. For example, the Academy of American Poets received a matching grant to launch a lecture series entitled "Dialogs on the Art of Poetry," for high school teachers.

The American Lyric Theater Workshop received a grant to create a special theater laboratory for professional actors, writers, musicians, and dancers, under the direction of Jerome Robbins. The Educational Broadcasting Corp. received a matching grant under a program to enable educational stations throughout the country to provide additional programing in various art fields. Other grants indicative of the diversity and creativity of the Foundation's endeavors went to the American Playwright Theater, the New York City Opera Co., the New York Shakespeare Festival, and the New York State Council on the Arts—the first State arts council.

The National Endowment for the Humanities has supported as well numerous individual and institutional projects with financial assistance for research and publications, educational, and special projects, and fellowships and stipends in many areas of intellectual and creative endeavor.

This range of work gives earnest of our concern at the national level for the arts, and we should, in my judgment, continue to fully support the efforts of the Foundation.

To this end, the amendments proposed in this legislation will make important changes in the procedures of the Foundation while continuing that artistic freedom and independence from Government control or direction that is vital for full and free development of creative endeavors. I think that the Congress must take especial care that, whatever the nature of the amendments ultimately adopted, we do not attempt to legislate standards for projects supported by the Foundation. The role of the critic and the judge should be left to Roger Stevens and Dr. Barnaby Keeney, and to their distinguished councils.

Five significant amendments are contemplated in this legislation. First, the definition of the term "workshop" in section 3(f) of the act would be amended to include workshops in the humanities as well as those in the arts.

Second, changes in sections 5(c) and 5(f) of the act would permit the National Endowment for the Arts to enter into contracts as well as award grants. Further, the endowment could, under this amendment, provide assistance to a group for a survey in the arts without requiring the group to match the Federal contribution. This change could be particularly valuable for new arts organizations which do not yet have the facilities or personnel for matching fund solicitation.

Third, section 5(h)(5) would be amended to permit the National Endowment for the Arts to use any amounts remaining after grants are made to the States for further program activities. It is contemplated that such funds could be used to make grants to groups within States or to support regional activities among several States.

Fourth, changes are proposed in the duties of the National Council on the Arts and the National Council on the Humanities. Under present law, each council must make a recommendation on every application submitted to the Endowment before the Chairman may approve or disapprove the application. This procedure, given the large volume of applications and the relative infrequency of Council meetings, is not in the best interest of efficient operation. Thus, it is suggested that a Council recommendation not be required where the Chairman intends to disapprove an application and that each Council be authorized to waive the application review requirement in favor of the Endowment Chairman concerned under such circumstances and with such restrictions as the Council may choose to include.

Fifth, amendments are suggested to permit more discretion with respect to the matching of restricted gifts with funds provided under section 11(b). At present, only unrestricted gifts may be matched, a requirement which has curtailed the opportunity for obtaining gifts.

Finally, open-ended authorizations are recommended, beginning in fiscal year 1969, in order to accommodate the increasing number of applications. Open-ended authorizations will also permit more flexibility in allotting funds to the different categories of assistance, as demand and budgetary considerations will allow.

RESPONSIBLE DISSENT OR CALCULATED TREASON

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the Honorable Edwin E. Willis, chairman of the House Committee on Un-American Activities, has compiled a valuable, short, foreword to the committee's annual report for 1966, which points out the damage that is being done to our Nation's efforts in Vietnam by antiwar protestors who have fallen prey to the Communist's "big lie."

There is no doubt that many of the protests against the war are inspired, organized, led, and promoted by Communists in the United States. These facts were well publicized in the committee's recent Vietnam Week report. But little attention is given to the effects these actions have upon Communists in Vietnam and those outside Vietnam who are the suppliers of the war.

Chairman Willis points out a statement by Gen. William Westmoreland which shows the significant achievements of antiwar protestors.

Mr. Willis states:

> General Westmoreland had no doubt about the ability of the United States to defeat its enemy on the military front. His only real concern was the enemy attack on his rear—a Communist victory on the political, propaganda, and psychological warfare fronts, particularly in the United States, which could rob this country of victory even though it won every battle in Vietnam.

This statement of General Westmoreland's beliefs followed from his hesitation to find North Vietnamese General Giap wrong on two of seven reasons why the Communists would win the war. These were, as stated in the foreword:

> Giap's belief that the Communists would win because of increased pressure on the United States from other nations and because "pressure against the war is growing in the United States." The latter, General Westmoreland said, is "the central consideration."

It would indeed be ironic if those who profess so vehemently a desire for an end to the war, regardless of the terms or losses to the free world, would actually be prolonging this conflict by giving the Communists a hope against all hope.

This, however, may be the case, as General Westmoreland's statements tend to indicate. Add to this a statement, reported in the New York Times of June 19, 1967, of Gen. Lewis W. Walt:

> General Walt . . . said today that the North Vietnamese believed that if they held out long enough and caused enough American casualties, "the people here in the states will give up and pull out."
>
> General Walt said that he had found out, from talking with prisoners and defectors, why the Vietcong and the North Vietnamese kept fighting in spite of heavy military losses. "They realize that they cannot win this war militarily, but they believe they can win it politically and psychologically, back here in the United States," the general said.

And if these sources are insufficient, the North Vietnamese themselves print glowing reports of antiwar activities in the United States.

Vietnam Courier, which calls itself an information weekly, and lists as its address, 46 Tran Hung Cao Street, Hanoi, carried in the April 10 edition a long article entitled "American People's Growing Opposition to L.B.J.'s Vietnam War." The article goes on for many column inches citing the actions of draft card burners, the antiwar activities of intellectuals, student groups and so forth, including, National Coordinating Committee to End the War in Vietnam, Youth Against War and Fascism, Students for a Democratic Society, Student Nonviolent Coordinating Committee, Du Bois Clubs, Robert Lowell, Staughton Lynd, M. S. Arnoni, the Mississippi Freedom Democratic Party, Arthur Miller, and other groups or persons or movements which are, knowingly or unknowingly, aiding the Communist position.

The statement of the gentleman from Louisiana [Mr. WILLIS] sets the actions of these groups and persons in detailed relief and provides yet another call for all Americans to assume the responsibility of searching out the truth about anti-Vietnam stands. I include it in the RECORD at this point for the use of others who might not have seen it:

FOREWORD

The Chinese Communist "Song of the Guerrillas" was also known by a title that sounds ludicrous to the average American, "Go to the Rear of the Enemy and Give Him a Kick in the Pants."

The message and this alternate title of the "Song of the Guerrillas" illustrate the strategy the Communists are using against the United States today, the strategy they always use when engaged in armed conflict with any enemy.

Communists do not fight purely military engagements. They believe in, and practice, the concept of total war. They fight not only on the battlefields but on all fronts. They use psychological and political means, propaganda, subversion, economics, the arts—every conceivable weapon—to attack, undermine, and weaken their military opponent from the rear.

Moscow, Peking, and Hanoi have a direct hand in the war the United States is fighting against the forces of international communism in Vietnam today. They are openly providing military equipment, munitions and other forms of material assistance to the Viet Cong.

This direct aid from Hanoi and the two most powerful Communist nations on earth, however, is not the limit of outside Communist participation in the war in South Vietnam. Communist nations and organizations which are not sending direct material assistance to the Viet Cong, as Moscow, Hanoi, and Peking are doing, are giving aid on the important nonmilitary fronts mentioned above. They are doing this by waging intense political and psychological warfare against the United States and in behalf of the Viet Cong. The effectiveness of the warfare they have been conducting has been demonstrated on numerous occasions during the last few years by the hostile demonstrations that have greeted top officials of the United States when they have visited foreign countries.

Addressing a White House luncheon on April 28, 1967, General Westmoreland, commander of our military forces in Vietnam, revealed that a year earlier General Giap, the military leader of North Vietnam, had listed seven reasons why he believed the Communists would eventually win the war in Vietnam. General Westmoreland added that he thought Giap's reasons comprised "a very intelligent assessment" of U.S. problems in Vietnam.

General Westmoreland then cited facts to prove that General Giap was wrong on five of his seven reasons. He hesitated to find the Communist military leader in error on only two points—Giap's belief that the Communists would win because of increased pressure on the United States from other nations and because "pressure against the war is growing in the United States." The latter, General Westmoreland said, is "the central consideration."

General Westmoreland, in other words, had no doubt about the ability of the United States to defeat its enemy on the military front. His only real concern was the enemy attack on his rear—a Communist victory on the political, propaganda, and psychological warfare fronts, particularly in the United States, which could rob this country of victory even though it won every battle in Vietnam.

There is little reason to doubt the validity of General Westmoreland's judgment and concern. The Communists have made it clear that, in their efforts to win in Vietnam, they are pinning their hopes largely on the nonmilitary phases of the struggle.

What is the Communist aim as regards the war in Vietnam and, more importantly, how do they hope to achieve their aim?

The New Draft Program of the U.S. Communist Party (1966) states: "The supreme challenge of the moment * * * is to halt U.S. aggression, to end U.S. military occupation of South Vietnam * * *."

U.S. Communist Party leader Guss Hall told the delegates to the 18th National Convention of the party, held in New York City in June 1966: "We cannot rest until the last piece of U.S. military equipment, the last warship, the last plane, the last unit of military personnel has been removed from the soil of Vietnam. * * *"

These two statements echo the world Communist line. Communists everywhere have been saying the same thing for several years.

How do the Communists hope to achieve their above-quoted aim?

A recent issue of the Communist Party's official newspaper, *The Worker*, spelled out their strategy for victory. Referring to the war in Vietnam, it said:

"The war will come to an end when it becomes untenable for the [U.S.] ruling class. This will occur when inability to win the war on the battlefield is coupled with *such mass opposition and resistance at home that the only alternative is a reversal of course.* * * *" [Emphasis added.]

It is significant that the Communist Party did not claim in this statement that North Vietnam and the Viet Cong can actually inflict a military defeat on the United States. On the contrary, it emphasized that the nonmilitary phase of the struggle, particularly as it is conducted within the United States, is the key to Communist victory. In doing so, it spotlighted the vital role the U.S. Communist Party has to play in the Vietnam war.

How well are the U.S. Communists carrying out their assignment of undermining our military forces in Vietnam by attacking them from the rear—on the homefront?

Henry Winston, a longtime party leader, led the delegation of U.S. Communist Party members who attended the 23d Congress of the Soviet Communist Party in Moscow last year. In his address to the congress, Winston assured the assembled Soviet Reds that "the Communist Party of the USA, gives its support to, and participates in, the building of the broadest unity of all strata to stop the war in Vietnam. * * *"

In his message to the 23d Soviet Party Congress, U.S. party boss Gus Hall said that in the United States various "forms of struggle" are "challenging U.S. aggression in Vietnam." Spelling out the forms of struggle, he listed the following—"parades, demonstrations, mass meetings, picket lines, delegations, petitions, public hearings, polls, teach-ins, read-ins, television, radio, and many others. * * *"

Never before while the United States has been engaged in war have there been so many and such varied antiwar demonstrations and protests within its borders. It would be untrue to say that each and every one of these demonstrations has been organized by Communists. Despite this, it is a fact that the Communist Party, U.S.A., and other Communist organizations and their adherents have been importantly involved in the great majority of them and have been the originating and guiding force in the major demonstrations.

Clearly, the Communists are doing their sabotage job well. Moreover, the recent calculated and concentrated Communist effort to tie the war in Vietnam to the inflammatory civil rights issue is reason to believe that the Communists now aim to promote other than peaceful demonstrations against the war. It is evidence that they are trying to put into effect a defeat-the-U.S. strategy outlined in the past by Gus Hall.

Writing in an international Communist journal about 7 years ago, Hall rejoiced in the fact that (in the Communist view) the balance of world power had been so altered that the Communists could now defeat the United States without a world war. He pointed out, however, that this "would not happen automatically" and though the defeat of the United States did not require a world war, it could not be achieved "without mass actions."

What did he mean by this?

To illustrate what he meant, he referred to developments in South Korea, Cuba, Turkey, and the Congo where incidents characterized by mob violence or armed revolutionary uprising had taken place. He also stated that, in considering the possibilities of bringing about the downfall of the United States, the recent "heroic struggle" against U.S. imperialism in Japan was "a good example to study." This was a direct reference to the massive demonstrations, characterized by widespread violence, which had toppled the regime of pro-U.S. Premier Kishi and had forced President Eisenhower to call off his visit to Japan planned for June 1960.

The Communists in the United States alone do not have the numbers to constitute "such mass opposition and resistance" that our Government will be forced to reverse its Vietnam policy. To succeed in creating the impression of such opposition, therefore, they must get others to do their work for them. If they can also incite them to violence, so much the better.

How are they going about doing this?

By large-scale, organized dissemination of lies, falsehoods, half-truths, and distortions about the war in Vietnam; about why the United States is fighting there, how it is fighting there, and its aim in fighting there.

They are counting on winning the required numbers of aroused followers, and thus their homefront war against this country, by massive use of the weapon totalitarians have traditionally used to achieve their ends—the big lie technique, the constant repetition of falsehoods until they finally gain credence.

Numerous Communist organizations in this country have distributed millions of words completely distorting the reality of the war in Vietnam and all matters related to it.

By this massive propaganda attack on the homefront—the rear of our military forces in Vietnam—the Communists have made every American citizen a combatant in the war. They have imposed on each of us the same obligation to fight the enemies of our country as our troops in Vietnam have. They have also made it clear that the war is being fought not only in Vietnam, but that enemy forces are operating in this country as well.

Widespread dissemination of the truth about Vietnam, combined with revelation of the lies the Communists are telling about the war and why they are telling them, is the only thing that can defeat the U.S. Communists' effort to confirm General Giap's belief that fifth column operations here at home can ultimately defeat our forces in Vietnam.

Over 10,000 men have already given their lives for the United States in Vietnam. The least we on the homefront can do is to so thoroughly inform ourselves about the facts and issues that not only will we not be taken in by the Communist lies and distortions, but that we will be able to keep others from falling for them as well. This requires some effort and sacrifice, but very little compared to what is required of those in our military services and certainly no more than every citizen owes his country.

We cannot afford to underestimate the importance of the domestic front in this war and the kind of enemy we face on it. Propaganda warfare has been a vital factor in some past Communist victories. As regards the enemy we face, his nature was spelled out for us by the Communist playwright Berthold Brecht when, in his play, "Die Massnahme," he pictured the ideal Communist in the following words:

"Who fights for Communism must be able to fight and not to fight, to say the truth and not to say the truth, to render and to deny service, to keep a promise and to break a promise, to go into danger and to avoid danger, to be known and to be unknown. Who fights for Communism has of all the virtues only one: that he fights for Communism."

The Communists in the United States, attacking the rear of our Armed Forces, are fighting as dirty and unprincipled a war on the propaganda front as the Viet Cong are on the military front. In fighting them on the homefront, however, we, as Americans, can no more adopt the completely unprincipled practices of the "ideal" Communist as spelled out by Brecht than our military forces in Vietnam can in fighting on the military front.

As Americans, however, we are challenged to demonstrate to the world that both the American ideal and the ideal American are far superior to their Communist counterparts and that they will prevail here as well as in Vietnam.

We are also challenged to distinguish sharply between honest and responsible dissent and calculated treason which masquerades as dissent—so that we may protect the former and destroy the latter.

Carefully contrived falsehoods, spread by plan from one end of the country to the other on a massive scale in a concerted effort to injure the United States and promote hostile foreign powers, is not dissent. It is treasonous conspiracy.

Further, those who exercise their constitutionally protected right of dissent must face the fact that it does not include any right to spread Communist-concocted lies about this country or to collaborate with the Communist enemies of the United States, domestic or foreign. To do this is a stab in the back, to betray here at home, all those who are fighting—and those who have died—on the military front in Vietnam.

Edwin E. Willis,
Chairman.

CRAMER AMENDMENT ESSENTIAL TO PREVENT FEDERAL CONTROL OF DEVELOPMENT AND PLANNING IN METROPOLITAN AREAS AND TO STOP FORCED METRO GOVERNMENT

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Cramer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CRAMER. Mr. Speaker, my colleagues are well informed as to my efforts to prevent the implementation of section 204 of last year's Demonstration Cities Act, which would withhold Federal funds in numerous grant-in-aid programs in order to force metro government through federally dictated regional planning agencies. As you know, the House adopted my amendment to the independent offices-HUD appropriations bill specifically denying the use of funds for the administration and implementation of this section.

This appropriations bill, carrying my amendment, is now before the Senate subcommittee and I would urge my colleagues in the House to join me in bringing to the Senators' attention the importance of this amendment and the seriousness of the consequences to all major cities and metropolitan areas throughout the United States should the Senate fail to join the House in approving my amendment.

I submit herewith an article on this subject which appeared in the May 12 Pittsfield, Mass., paper. This article points up further the little publicized effect implementation of section 204 will have and I hope it will assist in focusing attention both on the scope and impact of the section, as well as in reemphasizing the urgent need for enactment of my amendment to the appropriations bill to prevent the implementation of this program at this time. I hope that by preventing the implementation of section 204, the way will be paved for eventual repeal of the authorizing legislation.

The following article is submitted in the hope it will add to my colleagues' understanding of this situation and I therefore respectfully submit it for their interest and information.

Regional Planning Units Designated To Review Federal Aid Applications

(By Grier Horner)

Starting in July Pittsfield and all other U.S. cities of more than 50,000 may be forced to submit their applications for most types of federal aid to regional planning agencies for review.

But enforcing the little-publicized July 1 deadline might jeopardize funding for the many cities where regional planning boards have not been formed. Therefore, the Johnson administration is expected to propose a one-year extension of the effective date.

Pittsfield and almost every other city in the New York-New England region, however, should be safe even if the extension isn't granted, according to a highly placed official in the federal Department of Housing and Urban Development (HUD).

Only one city in that Northeastern region, the official said, is without an area-wide planning agency.

BCPC IN LINE

The agency that will presumably be approved to review Pittsfield aid applications is the Berkshire County Planning Commission (BCPC).

If it is designated, it will not have an actual veto over Pittsfield's plans. However, it will have the power to recommend whether or not the various federal agencies should grant aid to most local projects.

Among the many types of applications that would have to be submitted to the BCPC are those for open space land programs, water and sewer facilities, mass transportation, river basin pollution control, highway landscaping, highway development, airport planning and construction, soil and water conservation loans, and construction of hospitals, mental health centers and libraries.

The point of channeling the applications through an areawide planning agency is to coordinate a city's planning with that of its surrounding communities. The section (204) was inserted in the administration's 1966 model cities measure by its floor manager, Sen. Edmund S. Muskie, D-Maine.

A Republican staff member of the House Banking and Currency committee, which has jurisdiction over urban affairs, told The Eagle the section has "set a monster in motion."

"I don't think too many states or localities are aware of its existence," he said.

Some Republicans feel the provision is changing the course of local government by stripping cities of control over their destiny.

A Congressional Quarterly fact sheet says the section's provisions have caused "a severe legal tangle." According to the publication one source of confusion is that the section "does not stipulate what steps will be taken if local officials bypass the review." Another problem it cites is administrative slowness by the Budget Bureau in implementing the section.

If an effort is made to extend the deadline to July 1, 1968 it will take the form of an amendment to the housing bill still in the House Banking and Currency Committee.

A Democratic staff member of that committee said such a move would be made if it is determined the July 1 deadline will create trouble for too many cities.

A JOURNALIST LOOKS AT VIETNAM

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Devine] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DEVINE. Mr. Speaker, a highly respected journalist, businessman, and community leader, A. Monroe Courtright, visited Vietnam, and wrote an outstanding article which I commend to the

attention of the Members of Congress and the public generally:

A Journalist Looks at Vietnam—First Hand Impressions on a Trip to the Far East

(By A. Monroe Courtright)

A. Monroe Courtright, 40, publisher of the Westerville, Ohio, Public Opinion and a member of the Air Force for four years during World War II, was one of a group of editors and publishers who traveled to the Orient in the spring to "examine the military position of the U.S. in the Far East." The trip was made with the co-operation of the Defense Department, although the men paid their own way.

NO WAR JUSTIFIED

No war, in my opinion, can ever be rationalized effectively as a "just" war and certainly the Vietnam War is no exception. However, after a month's tour of the Far East with 26 other men from newspapers, radio and television stations in 17 different States, I am convinced that the policy the United States is pursuing in Vietnam is as justified as that in any war in which this country has ever participated.

And in view of the fact that the menace of communism, under the leadership of the U.S.S.R. and Red China, is such a threat as it is in the world today, I'm not sure but that what we're trying to do in Vietnam isn't even more important than past wars, insofar as this country's—and the world's—future is concerned.

FAR EASTERN COUNTRIES THANKFUL TO THE UNITED STATES

Strangely enough, I, and the rest of the men in our group, came to this conclusion not because of being in Vietnam, but as the result of meeting and talking with the officials and people of Taiwan (Formosa), South Korea, Thailand and the Philippines. Without exception, they expressed to us their thanks for what America has done and is doing in Vietnam, in order to assure that the smaller countries of the Far East can determine their own destinies.

As the Foreign Minister of Thailand, Thanat Khoman, said to me, "Until the United States took a definite stand in Vietnam, all of the smaller countries in the Far East were concerned greatly about the communist menace of Red China—how we can maintain our freedom and determine our own destiny is our paramount interest and concern and we feared for our ability to do it. However, when your great country showed that it would stand beside us to repel communism, we took hope, and today we no longer fear Red China and we are more than willing to add our resources and our cooperation to those who defend freedom."

He went on to add that an indirect result of the United States' stand in Vietnam was to be seen in Indonesia, where the forces opposing communism rose up and purged the country of the Red threat, fairly sure that Red China would not, in view of the U.S. action in Vietnam, send in "volunteers" to put down the revolt and sustain the communist-dominated Sukarno government.

A DIFFERENT KIND OF WAR

A visit to Vietnam makes it rather clear as to why we are fighting a war there, but the war itself is something else again, since in all of our history, America has never fought a war such as is going on in Vietnam. In all our prior conflicts, we have identified our enemy forces, sought them out and destroyed them in order to bring about victory.

It's not that easy in Vietnam, since there are four important phases of the war, all of which must succeed if victory is to be achieved there and a permanent peace is to be brought to the country. They are:

(1) The battle against the regular North Vietnamese or "main forces,"

(2) The struggle against the Viet Cong,

(3) The success of the Chieu Hoi or "Open Arms" program whereby the Viet Cong are encouraged to desert the communist forces and come over to the government's side, and

(4) The success of the pacification program and the bringing of security to the villages now dominated by Viet Cong terrorism.

Without exception, American officials, from General William Westmoreland on down, are convinced that the only way to solve the Vietnam situation is to work through the Vietnamese people themselves We, meaning the United States, could occupy the country, but it would take double and perhaps triple the men now there to do it, and nothing would be gained, in the long run.

This reasoning is simple and it boils down to the primary reason we are in Vietnam today—we are there because this nation feels that any other nation, regardless of size, should be allowed to determine its own destiny. South Vietnam has asked us to help it remain free and we are furnishing that help. To pull out before this objective has been accomplished would be disastrous to the whole Far East situation, and ultimately would reflect on the stature and security of the United States itself.

AN EVEN GREATER PROBLEM

While seeing the Vietnam war, first-hand, opened our eyes to a lot of misconceptions we held before visiting the country, our eyes were also opened to another problem in the Far East, which if not solved, will cause the world far more trouble and problems than is now caused by the war in Vietnam. It may be summed up by three words—too many people.

The average American has no conception of the misery and poverty the people in the Far Eastern countries endure. The worst slums in our cities would be paradise to millions of people living—"existing" is a better word—in shacks or in no houses at all in these countries.

During the trip I spent four days with Dr. and Mrs. Norman H. Dohn in Manila, where he is connected with the American Embassy as a United States Information Officer. Norm showed me the results of the population explosion in the Philippines and it was hard for me to realize that human beings exist under such conditions.

TO FEED THE HUNGRY

Fortunately, the United States is earnestly trying to do something to improve the situation, one of the most oustanding endeavors being the International Rice Institute, about 30 miles from Manila, where Americans are revolutionizing the rice industry. (The Institute is headed by Dr. Richard Bradfield). I was amazed to learn that for hundreds of years, Oriental farmers have been growing rice and losing from 50 to 90 percent of their crop, simply because the stalks were too weak and the ripened grain caused them to bend over and drop the rice into the water of the rice paddies.

In a little more than three years, American scientists at the Rice Institute have come up with the simple solution of developing a rice plant with a stronger stalk, which will increase rice production a great deal in future years. Unfortunately the increased production will not nearly satisfy the hunger of the millions of additional mouths to feed, unless the present high birth rate is curtailed.

Probably the biggest personal thrill that I got out of the trip was a sense of pride in America—its aims and accomplishments in trying to help the world be a better place for all people—and a sense of thankfulness to God that I was privileged to have been born in this country in the first place. In short, it takes a trip of this sort to make an American appreciate the blessings we have—I only wish that all Americans could take a similar trip.

"OEO'S WORK IS REALLY JUST BEGINNING"

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BUTTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BUTTON. Mr. Speaker, on June 14 a group of businessmen from across the country, who work closely with local community action programs, held a meeting in Washington to exchange views, reflect constructive criticism, and present their proposals on community action programs. More than 50 businessmen, all of whom serve on local councils of community action programs, attended the meeting, and at the close of the session a resolution was presented and unanimously adopted. Since I am sure many of my colleagues are interested in what business leaders have to say about community action programs, with unanimous consent I insert the resolution at this point in the RECORD:

A Resolution to the Congress of the United States Passed Unanimously by the Community Action Sub-committee of the Business Leadership Advisory Council Chaired by Ralph M. Besse, Chairman, Cleveland Electric Illuminating Company:

"Whereas those in attendance at this meeting are representatives of a variety of business interests throughout the Nation;

"And whereas we are actively engaged in the War on Poverty through service on Community Action boards and through private efforts to alleviate poverty in our own communities;

"And whereas we are vitally interested in the continued success of the Community Action Program;

"We therefore strongly recommend:

"(1) that the Office of Economic Opportunity, whose work is really just beginning, remain intact and that it be the central organization to lead the efforts in the War on Poverty.

"(2) that the funds recommended in the President's message to Congress for the Office of Economic Opportunity effort for the coming year be passed by Congress.

"(3) that this include the maximum amount of versatile funds for Community Action."

Mr. Speaker, local leaders in business are important factors in the formation and support of all antipoverty projects. It is gratifying, that businessmen throughout the country, and in sizable numbers, have responded to the challenge of our national consciousness by involving themselves directly with community action programs, which, all of my distinguished colleagues know, are central to the war on poverty.

Back a few years, many business leaders, along with others, were doubtful that poverty really existed, but when the facts about deprivation in America began to surface, experts in the field of business—trained with expertise in marketing and sales problems—realized that this Nation with the greatest distribution system of goods and services had never bothered to create delivery systems to reach one-fifth of its people. America's 35 million poor.

Since that time, Mr. Speaker, I am glad to say, our country's business leaders, both with local and national responsibilities, have attempted to meet this exciting and rewarding challenge. Strong support from all sectors of American business have now urged continuation, and in some cases expansion, of many of the OEO initiated programs—programs that for the first time have attempted to meet squarely the root causes of poverty.

Businessmen, such as those gentlemen who met here recently, have helped in the design and organization of war on poverty programs since OEO was created with the mandate from Congress "to eliminate the paradox of poverty in the midst of plenty in this Nation." Sixty of these men now serve on the Business Leadership Advisory Council. Men like Walker Cisler, chairman of Detroit Edison; Marion Folsom, of Eastman Kodak; Edgar Kaiser, of Kaiser Industries; Gerald Phillippe, chairman of General Electric.

Out of this committee of distinguished business leadership have come practical proposals such as the recent "Success Insurance" plan, which will make it possible for smaller businesses across the country to participate in programs which will train hard-core unemployables and guarantee the employer that his investment will be returned. Incidently, the first grant funding a "Success Insurance" plan was approved just this past Friday.

Business leaders, I believe, see the value of their participation in these programs. Tex Thornton, president of Litton Industries, put it well when he said:

> In terms of the economic benefit and in terms of savings in the cost of relief, crime and institutional care, there is very much in it for us as businessmen.

Other major business organizations involved in the poverty effort, to name just a few, are Westinghouse, I.T. & T., Brunswick Corp., RCA, and IBM. This is as it should be, for there is certainly plenty of work to be done.

Business leaders know that one-fifth of a nation is too rich a resource to lie fallow. They know that by raising the living standards of the poor their dependency on welfare can be lessened or done away with completely.

Additionally, many major professional, civic, educational and religious organizations have reacted favorably to OEO initiated programs.

The American Bar Association has strongly endorsed the OEO legal services program.

Leading officials of the American Medical Association have endorsed neighborhood health centers, federally funded.

The U.S. Conference of Mayors has urged the continuing and strengthening of community action.

The National Education Association has endorsed the Job Corps.

The National Congress of PTA's has issued a resolution commending VISTA—the domestic Peace Corps.

Our Nation's younger civic leaders are responding too, and are well represented in the millions of American volunteers in the war on poverty. This was evidenced recently by Mr. Bill Suttle, president of the U.S. Jaycees, who said that OEO's objectives of alleviating poverty, suffering, ignorance, and blight while building a greater America—through the resources of local community action is fully consistent with the Jaycee objectives of "personal growth through civic involvement."

One of the particular areas of OEO activity praised by Mr. Suttle was the attempt to provide job opportunities for all Americans. He said the Jaycees placed emphasis on the need to make productive taxpayers out of potential welfare recipients. He also promised to contact local Jaycee officers in selected cities around the country, asking them to work with leaders of locally established OEO community action agencies.

Mr. Speaker, this kind of broad-based support for all the new programs created by the Office of Economic Opportunity is heartening. More than that, it is solid proof that OEO is recognized as the one Federal agency which serves as the spokesman for the poor in government. Only half the size of the Small Business Administration, OEO provides the central command post for the Nation's effort to win a war against all the causes of poverty.

Mr. Speaker, I am also pleased to note, that many distinguished colleagues on my side of the aisle have already indicated the need for more money next year for the war on poverty, and, in fact, have gone on record favoring the continuation of each of the programs initiated by OEO.

Like the businessmen, Mr. Speaker, who took time out of their tight schedules to attend the June 14 conference referred to earlier, I, too, believe OEO's "work is really just beginning."

A NEW LOOK AT VIETNAM

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. Morse] is recognized for 60 minutes.

Mr. MORSE of Massachusetts. Mr. Speaker, I sincerely regret that the distinguished majority leader has left the floor of the Chamber. As I said earlier, I was pleased that he took the time to respond to an address that had not yet been delivered on the floor of the House, and I am grateful, as my colleagues are, for the qualified endorsement which the distinguished majority leader, speaking I presume, for the administration, made to the proposal that I shall set forth now on behalf of several of my colleagues on the minority side—the gentleman from Oregon [Mr. Dellenback], the gentleman from Michigan [Mr. Esch], the gentleman from New York [Mr. Horton], the gentleman from Maryland [Mr. Mathias], the gentleman from Ohio [Mr. Mosher], the gentleman from Pennsylvania [Mr. Schweiker], and the gentleman from Vermont [Mr. Stafford].

I would also like to call the attention of the majority leader to the fact that my colleagues and I, who have worked on this proposal for several months, have already—in a spirit of what I deem to be responsible concern—made our proposal available to the administration several weeks ago.

It is disturbing to us that the recent public discussion of the war in Vietnam has polarized into rigidly opposing sides, the one urging military escalation in the hope of a quick settlement of the war, the other urging total withdrawal or complete cessation of bombing in the north as the only key to peace. Both of these points of view, in our judgment, reflect their advocates' lack of understanding of the nature of limited war. In addition, they are essentially negative and do not offer any positive approach to the tragic problems of Southeast Asia.

What both sets of critics have forgotten is that the conflict in Vietnam is a limited war. This fact imposes special requirements not only on our military planning but on our diplomatic efforts as well.

We do not for a moment believe that the proposal we will make later in these remarks is the only hope for settlement, but we do think that discussion of the kind of diplomatic initiative we will suggest would contribute to a more balanced appraisal of our problems and perils in Vietnam.

THE NATURE OF LIMITED WAR

The war in Vietnam is a limited war. It is limited in the combatants involved. It is limited in the objectives of the combatants. It is limited in the weapons they use. It is limited in the targets against which those weapons are employed.

Without a clear perspective of the nature of limited war, it may not be possible to devise practical diplomatic and military steps to bring the war to an end.

Many of the comments of the administration and of both groups of its political critics on the Vietnamese war—both those who would bomb more and those who would bomb less—reflect a failure to comprehend the differences between limited and total war. Those differences are essential to an understanding of which steps may maximize the opportunities for peace.

What are the essential truths about limited war?

First, a limited war with limited objectives cannot be ended and cannot remain limited if one side insists on the unconditional surrender of the other. In one sense this is obvious; the weapons and level of force necessary to obtain an unconditional surrender would turn the war from limited to total. In another sense this fact is not so obvious; when objectives and weapons are limited both sides must be willing to compromise if the war is to be ended.

Second, the end of a limited war requires that the combatants that meet at the peace table appear to be equals. If one side were to appear to "lose face" by negotiating; negotiations in a limited war context would not occur. A peace conference between victor and vanquished is possible only when one side wins and the other loses—loses not just face but the war, too. But that means surrender, which in turn means that at least one side has removed most of the limits on its use of military force. In other words, negotiations to end a limited war must appear to be at the initiative of both sides, must appear to some degree to be the result of a military stalemate in which both sides can claim success, and must result in an agreement which each side can convincingly claim as a major achievement in pursuit of its objectives. It is not necessary for the two sides to be actual equals; nor is it necessary for the agreement to be equally valuable to each side; but it is of paramount importance that both governments can make a believable case to their people that will justify both the negotiations and their results.

Third, negotiations to end a limited war are unlikely without an advanced degree of mutual confidence in the word of the combatants. Unlike total war, limited war requires communications between the opposing sides—effective communications of both a tacit and direct form. It is through these communications that each side can understand the objectives of the other side and understand that both those objectives and the weapons used in support of them are genuinely limited. The purpose of the communications is not merely to avoid catastrophe from misunderstanding but also to build the kind of confidence in the sincerity of the other side that will allow negotiations to take place. It is thus in the interest of each side to define its limited objectives precisely, to avoid extravagant public diplomacy which might easily be misinterpreted as mere posturing for public relations purposes, and to be credible by keeping its promises and being willing to listen to the thoughts of others. It would be unwise for anyone to expect that a limited war will end suddenly—by one dramatic gesture which will lead to an immediate peace conference. On the contrary, if such a conference is to happen, it must be preceded by a series of small steps by which each side can test the other's genuine desires and by which each side can clearly demonstrate its own. Without that atmosphere of mutual confidence, negotiations for the end of a limited war are not likely to happen and are even less likely to be successful.

Fourth, it is not possible for one side to fight a limited war and the other a total war. The escalation of one side will inevitably be matched by the other. It is unreasonable to think that if one side has an advantage in available air power and the other in available numbers of land forces, that either would allow the other to use its advantage without employing its own. It is equally unwise to become preoccupied with the limits you have imposed on your own military forces and neglect the obvious but unused power available to the other side. A decision by either side to remove the limits to the power it employs is a decision to risk the likelihood of total war.

From the perspective of these truths of limited war, the Vietnam positions of the Administration and both sets of its critics are found wanting.

Those who advocate a rapid or steady escalation in the power applied against North Vietnam are convinced that such a course would force North Vietnam to the negotiating table on its knees. Far more likely would be the rapid escalation of the conflict from a limited to a total war.

Among the options still available for Communist escalation in the Vietnamese conflict are: The use of terrorist bombings against Saigon and the civilian populations of other South Vietnamese cities; the infiltration in massive numbers of the very large North Vietnamese standing Army; the use of Communist volunteers in massive numbers from other Communist countries; the opening of a second diversionary military action in Korea to sap Western strength; and so forth.

Despite its increasing qualifications as a truism, it is nonetheless vital to appreciate that it is not in the U.S. interest to become engaged in an unlimited land war on the Asian Continent. Escalation which would change the psychological atmosphere of the Vietnam war from emphasis on restraint to emphasis on power would be likely to result in such an unlimited land war. Therefore, it would be wrong.

Those who advocate a sudden and complete halt to the bombing are similarly convinced that this step would have the best chance of bringing North Vietnam to the negotiating table. Unfortunately, this step would also be unlikely to achieve the desired results. Given the history of U.S. policy and the nature of U.S. domestic politics the government in Hanoi is likely to think that the sudden and complete cessation of or even pause in the bombing is either a ruse or a sign of desperation—and in either case the cause of negotiations would not be meaningfully advanced.

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I am glad to yield to the gentleman from New York.

Mr. HORTON. First, I would like to commend the gentleman from Massachusetts for the statement he is making. I wish to indicate to him and to the House that, as he knows, I have worked very closely with him in the development of this proposal. Second, I want to indicate to him and to the House that I have joined with him in this statement on this proposal that we are making. I think it is very appropriate that this statement is being made at this particular time, because the Secretary of Defense, Mr. McNamara, is now in Vietnam talking in terms of perhaps increasing the number of units of American troops in Vietnam. There is no talk at the present time about deescalation. As far as I know, there is no talk at the present time other than just wishful thinking that we could arrive at the negotiating table. Many efforts have been made, of course, by the administration to try to arrive at a stage where they could get to the negotiating table, but it seems to me at this particular point in time all indications are for escalation and not negotiation. I am hopeful this plan being presented at this particular time will bring about debate and discussion and can be used as the basis for deescalation rather than escalation.

So, Mr. Speaker, I want to take this occasion to commend the gentleman and those who have joined with us in presenting this proposal to point out that I think it is a very good time to propose this and also to indicate my hope that it can be the basis on which this Nation and North Vietnam can arrive at a more meaningful effort for negotiations.

Mr. MORSE of Massachusetts. Mr. Speaker, I thank the gentleman from New York for his comments and I would like to acknowledge the significant contribution that the gentleman has made in the preparation of the proposal which we jointly make to the House today.

Making the cessation a pause minimizes its risk and its effectiveness, too. The only positive value a sudden and complete cessation of the bombing of North Vietnam would have would come if the bombing were stopped for such a long time that North Vietnam became convinced of the genuine nature of U.S. motives and had the opportunity to make a diplomatic initiative of its own which would appear to be unrelated to the bombing cessation and would thereby not cause any loss of face to the Hanoi government. But in all likelihood the period of time required would be so long as to involve serious military risks in allowing the reestablishment of free-flowing supply and support channels to the south.

In other words, a complete bombing pause would not prove the genuine sincerity of the United States while a complete bombing cessation long enough to prove the genuine sincerity of the United States would involve a great military risk to the United States.

In still other words, a complete bombing pause would not prove the genuine sincerity of the United States but a complete bombing cessation long enough to prove the genuine sincerity of the United States would not in any way assure the genuine sincerity of North Vietnam. It might, therefore, prove to be a greater impetus to instability than to stability.

While the administration rejects both of these suggestions from its two sets of critics, its position is also a dubious one. It appears to be unyielding and inflexible—rigidly insisting that the first concrete step toward deescalation be taken by North Vietnam—dogmatically demanding that North Vietnam demonstrate its genuine sincerity for negotiations before the United States does. It is an attitude which may reflect a misunderstanding of the nature of limited war, for it asks the enemy to risk losing face. The administration insists on publicly putting the Government of North Vietnam on the spot by insisting that she back down first. It is a position which comes dangerously close to changing the atmosphere of restraint to an atmosphere of power—and a limited war cannot stay limited or be ended in an atmosphere of power.

Significant military escalation, sudden and complete cessation of the bombing of North Vietnam, and a rigid devotion to the status quo all fail to meet the limited war criteria of a promising policy to bring about honorable negotiations to end the war in Vietnam.

Does a viable policy option exist? To

qualify such a policy must meet the following criteria:

It must not risk expansion of the limited war to total war.

It must not risk significant erosion of the current military advantage of the United States in Vietnam.

It must induce a growing atmosphere of mutual confidence.

It must permit each side the opportunity to claim initiative.

It must not require either side to "lose face."

It must be susceptible to presentation, verification, and implementation through the private channels of diplomacy.

STAGED DEESCALATION

Such a potential policy does exist. The experts would probably call it "staged deescalation." One variation of it would be as follows:

The United States would halt all bombing in North Vietnam north of the 21st parallel for 60 days.

If during that time the North Vietnamese Government undertook a similarly limited, similarly visible and similarly measurable step toward deescalation the United States would immediately halt all bombing in North Vietnam north of the 20th parallel for 60 days.

If within the first 60-day period the North Vietnamese had taken no such step, the bombing would be resumed.

In five such successive steps the United States would gradually cease all bombing of North Vietnam. Each step after the first would be dependent upon a similar deescalation by Hanoi. If no such step were taken in the first 60 days, the plan would end.

If either side violated its word at any time, the plan would end.

The United States should propose the plan to the Hanoi government through private diplomatic channels only. Any public notice or acknowledgment of its acceptance or implementation should be made only by mutual agreement.

Those equivalent deescalatory steps to be taken by the North Vietnamese Government could be proposed in the plan by the United States, or could be defined in advance by the North Vietnamese Government, or could be accepted one by one as they are implemented. It is vital, however, that clear and precise information about them be communicated so that they can be verified. Obviously, agreement in advance would be preferable in order to assure that what Hanoi thinks is equivalent Washington does also.

Examples of measurable and equivalent deescalatory steps by the North Vietnamese Government might include: the cessation of shipments to and from specific military supply depots in the southern portion of North Vietnam; the erection of barriers on and the nonuse of specific supply routes in North Vietnam and Laos along the Ho Chi Minh Trail; the withdrawal of all Mig fighters to distant bases in northern North Vietnam; the cessation of all terrorist bombings in specific areas of South Vietnam; the release of U.S. prisoners of war; et cetera.

It would be vital not to expect the North Vietnamese to undertake steps which might put themselves at a distinct military disadvantage.

The staged cessation of U.S. bombing, if the plan does not work, can be reversed on a few hours' notice. The steps to be taken by North Vietnam should be expected to be of the same nature. It would be unwise, for example, at an early stage in the deescalatory process to demand or expect, from the North Vietnamese, steps such as the dismantling of their SAM sites, total evacuation of supply depots, or withdrawal of army units from the south.

This policy of staged deescalation meets each of the criteria cited previously to maximize the chances for negotiations in a limited war and minimize the military risks involved.

It obviously does not risk expansion of the limited war to total war.

It does not risk significant erosion of the current military advantage of the United States in Vietnam. The greatest military advantage which results from the bombing of North Vietnam comes from destroying targets in southern North Vietnam—supply depots and routes along the Ho Chi Minh and other trails into South Vietnam. By halting the bombing stages, by starting the cessation in northern North Vietnam and gradually working southward, by tying each successive stage to equivalent North Vietnamese reductions in its support operations to the south, the plan minimizes the military risks to the United States. If a cessation of U.S. bombing north of the 21st parallel were matched by a dismantling of and evacuation from major North Vietnamese supply depots along the Ho Chi Minh Trail, and if successive U.S. steps were matched by similar North Vietnamese steps, by the time U.S. bombings were halted in all of North Vietnam, most significant North Vietnamese infiltration of men and supplies into South Vietnam would also be halted. The first U.S. step envisaged in the plan may not be matched by the North Vietnamese—in which case after 60 days all the bombing the United States is now doing could be resumed. Furthermore, the 60-day cessation of bombing above the 21st parallel would affect raids over Hanoi, but would not affect raids over Haiphong or Nam Dinh areas, each of which would be immune from bombing only after the second U.S. step which must be preceded by some significant North Vietnamese deescalatory step.

The staged deescalation plan would induce a growing atmosphere of mutual confidence. In fact, the most important attribute of the plan is that each step by each side involves little military risk in itself, is clearly visible to and measurable by the other side, and is dependent upon a previous step by the other side. It is a series of small steps, each of which builds confidence in the genuine sincerity of each of the combatants. If it is successful, at the end of the process not only will U.S. bombing in the north and North Vietnamese infiltration into the south be ended, but a spirit of confidence might have emerged. That spirit of confidence could provide a real opportunity for fruitful and honorable negotiations or for a similar staged deescalation in South Vietnam itself—or both.

The plan would permit each side the opportunity to claim initiative. The plan calls for nine or 10 separate steps, taken alternately by the United States and North Vietnam. Patriots, political scientists, and propagandists in each country will be able to claim that it was the steps taken by their government which led to the other side taking similar steps. Each side can claim—and do so justifiably—that its initiatives paved the way toward peace. It is a flexible system through which both sides can equally contribute toward peace and through which both can appear to pursue their national objectives.

The plan would not require either side to "lose face." It would not require that one side yield either to the force or the threat of force of the other. It would be a mutual deescalation from which both sides could benefit. This would be especially true if the plan were initiated through private diplomacy—and implemented and announced through mutual diplomacy, which leads to the final criterion:

The plan obviously can be susceptible to presentation, verification, and implementation through the private channels of diplomacy. It can be, and if it is to succeed, it should be.

Even if the plan meets all the criteria of limited diplomacy, will it work? No one can answer that. All that can be said for it is that it seems to offer more promise than the stand-pat policy of the administration or the alternatives suggested by either set of its major critics. For too long the administration implicitly, and its Vietnam critics explicitly, have held out the hope to the American people that there is some simple formula, some magic key which, if found, could end the Vietnamese war suddenly and dramatically. This is extremely unlikely. It is not in the nature of limited war for peace to come overnight—for surrender is improbable and a cease-fire comes only after arduous diplomacy.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I am glad to yield to the distinguished chairman of the Committee on Armed Services.

Mr. RIVERS. Did we not try a 30-day pause in the bombing of North Vietnam?

Mr. MORSE of Massachusetts. I recall that we did, but that was 2 years ago, if my recollection is correct.

Mr. RIVERS. Mr. Speaker, if the gentleman from Massachusetts will yield further, it was fewer than 2 years ago.

Then we had the lunar truce which represented another pause in the bombing. However, they did not show any indication at all that they would cease their activities.

Mr. MORSE of Massachusetts. I believe the reason, if I may respond to the distinguished gentleman from South Carolina, was the lack of the kind of intensive diplomatic effort which should have been made in connection with that particular cessation, but which was not made.

Mr. RIVERS. The 30-day period to

which I refer was not 2 years ago. The President of the United States sent ambassadors and emissaries to over 19 nations in a very, very viable and intense effort to get these people to come to the negotiating table.

The President even said that if they even raised an eyebrow any time, anywhere, any place, to indicate that they would discuss this problem, this country would be willing to discuss it.

However, what did Ho Chi Minh say? His response was based upon the condition that we withdraw all of our forces from Vietnam first. He was positive and adamant with reference to that position.

Mr. Speaker, I cannot see where the gentleman's proposal would bring about any sort of proposal or response on the part of the North Vietnamese to the effect that they wish to sit down and discuss this situation.

All of us want to stop this thing, and God knows that. I receive the casualty figures every single day. However, these people do not seem to worry about that. At this time they are carrying on a very large-scale offensive right now with rockets from Russia, bombing our bases with rockets which are coming into the port of Haiphong and down the railroad tracks from Red China.

If the gentleman has any private information that these people would do something like this, if he would present such information he would indeed render a great service to his country, if we could just have some indication that we may find a plan where these people will be willing to sit down and discuss these issues.

But I would remind the gentleman that in the demilitarized zone there were hundreds and hundreds of violations of the truce during the lunar truce, and that they were crowding the roads of Laos in order to go down the back way to the Mekong Delta.

These people do not frighten easily, and these people are not frightened now.

As I say, I must commend any effort—and certainly I do not deprecate the efforts of the gentleman nor do I demean the efforts of the gentleman for any plan that he has—but I just cannot see where the program the gentleman has suggested will work, and be successful, based on past experience.

I would ask the gentleman, if the gentleman does not mind talking to me for a second or two longer, whether the gentleman does not share my opinion.

Mr. MORSE of Massachusetts. I would say to the distinguished chairman of the Committee on Armed Services, if I were to have the opportunity to respond, that the distinction is this, I believe: In the previous efforts that the administration has made—and there have been many of them, several of which the distinguished majority leader recited earlier today. And I believe we all give credit to and applaud the efforts the administration has made—I believe in each one of these efforts we have asked for simultaneous matching action by the North Vietnamese, whereas the approach we put forth today involves a limited U.S. initiative at a minimum military risk. It would mean that the United States would first take a certain course of action, at minimum military risk. This approach never has been tried before; it is a novel approach. We believe it has very great opportunities of leading the way to possible negotiations, a goal that I know the distinguished chairman of the Committee on Armed Services and everyone in this body wants to achieve.

I believe the earlier history which the distinguished chairman has recited does not have relevance to this proposal.

Certainly every Member of this House is aware of the intransigence of the North Vietnamese. Certainly we are aware of the fact that they are not about to quit. Certainly we are well aware of the terroristic activities they have engaged in. But we conscientiously and earnestly believe that this kind of new departure is likely to bring about results which the earlier efforts have not achieved.

Mr. RIVERS. I would say to the gentleman that we have not as yet gone all out to punish these people. They have sanctuaries the gentleman ought to know about. They have sanctuaries that contain the most intensive antiaircraft fire that has ever been known in the history of warfare. Our fliers call it the road to hell, as they fly over it. They shoot our planes down day after day. They have knocked down many of our planes by reason of these sanctuaries. We have ascertained they have thousands of antiaircraft guns. So I would say to the gentleman that we have not in fact punished them enough.

Mr. MORSE of Massachusetts. I would suggest that one of the measurable, verifiable deescalatory steps that we might require from the North Vietnamese would be a halt in the use of these sanctuaries.

Mr. RIVERS. Mao Tse-tung says that all diplomacy begins at the barrel of a gun, and I say we have not punished these people as I believe we should, and if we do, then they may even get around to the point of talking with us, but so far we have not punished them enough, in my opinion.

I believe the gentleman has made a fine effort, but in my opinion it would not work.

Mr. Speaker, I thank the gentleman for allowing me this time.

Mr. MORSE of Massachusetts. Mr. Speaker, I am glad the distinguished chairman of the Committee on Armed Services could take part in this debate. As I said before, if after the first 60-day period the North Vietnamese have not taken any step toward deescalation, then the bombing could be resumed, and the plan would come to an end. But if something were forthcoming of a meaningful, verifiable, and measurable nature, then in five successive steps the United States would gradually cease all bombing of North Vietnam, each step after the first being dependent upon similar and comparable deescalation by Hanoi.

Mr. RIVERS. But if either side violated that, then it would end at any time?

Mr. MORSE of Massachusetts. Then it would end.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman.

Mr. STRATTON. I wonder if the gentleman would repeat his suggestion? As I understand it, this is a kind of proposal for a step-by-step deescalation. Your first proposal is that we cease the bombing north of the 20th parallel?

Mr. MORSE of Massachusetts. North of the 21st parallel.

Mr. STRATTON. Yes, north of the 21st parallel. That is 300 miles north of the demilitarized zone where bitter fighting has been going on.

Mr. MORSE of Massachusetts. That is right.

Mr. STRATTON. Let me ask the gentleman two questions. First of all, his proposal would not involve any reduction in the bombing of the vital, key, choke points of infiltration points of South Vietnam.

Mr. MORSE of Massachusetts. Certainly, in its initial stages that would be so and I am glad the gentleman from New York has clarified that point.

Mr. STRATTON. In fact, if I understand the gentleman's proposal correctly, we might even conduct more intensive bombing in that critical, narrow neck choke point area so as to prevent the infiltration of these weapons that have been killing our boys in the DMZ.

Mr. MORSE of Massachusetts. There is nothing in our proposal that would prevent such an intensification.

Mr. STRATTON. Let me ask the gentleman one further question.

As I understand it, this proposal is that we undertake this cessation for a period of time and he says if then we find some appreciable reciprocal action on the other side, we can move into the second step.

Mr. MORSE of Massachusetts. The deescalatory step which, by hypothesis, the North would take would have to be a measurable and verifiable and comparable one.

Mr. STRATTON. What period of time would the gentleman propose that we cease bombing north of the 21st parallel to find out whether or not there was any reduction by the other side?

Mr. MORSE of Massachusetts. We have suggested a period of 60 days believing that that period of time would permit the kind of intensive diplomatic approaches that would be necessary before we could see whether there had been a measurable, verifiable, and significant deescalation by the North. The system should have the flexibility, however, to cause a minor violation merely to set back the timetable rather than necessarily ending the entire experiment.

Mr. STRATTON. If, as the distinguished chairman of the Committee on Armed Services just pointed out, we get no further on that suggestion, and I think it is very interesting—but if we get no further with the North Vietnamese than we have on the 28 or 29 other proposals that our Government has made, then the gentleman would suggest that we resume the bombing?

Mr. MORSE of Massachusetts. We would revert to the status quo ante. I do, indeed, suggest that. However, I would point out to the gentleman from New York that this effort is different from each of the 28 or 29 efforts that the administration has made in that it is not conditioned upon simultaneous action of the North Vietnamese.

Mr. STRATTON. I think the gentleman is right. This is different. I am not sure I would agree with it. We have always suggested that the other side make a simultaneous move and I think the President has said if we can just see any indication on the other side of any desire to put a brake on their operations, then we would take a number of steps on our side. The fact of the matter is we have seen absolutely no effort made. I think the President said at one point if we could just see one truck going north to Hanoi after all the trucks coming down, we might think there had been a change but we have not even seen that. So I am not too optimistic that even within these 60 days we would see that. But I think, as the distinguished chairman of the committee has said, that this is an interesting proposal and I appreciate the gentleman clarifying it as he has just done.

Mr. MORSE of Massachusetts. I thank the gentleman from New York.

I would like to point out to the gentleman from New York that the proposal which my colleagues and I are making today is designed to achieve the very kinds of objectives that the President has indicated we are trying to achieve.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from Oklahoma, the distinguished majority leader.

Mr. ALBERT. It is very difficult for me to share the optimism that the gentleman has expressed about the 60-day proposal which would involve, as I understand it, a discontinuance of bombing north of the 21st parallel. I say this because a total discontinuance of bombing for a period of 30 days was completely unfruitful. It was unfruitful even though we made intensive diplomatic efforts during this period to bring the matter to the conference table. What has changed in Hanoi that would cause the gentleman to believe that we would be doing anything other than encouraging the enemy if we stopped the bombing north of the 21st parallel?

What has happened since the last cessation of bombing that causes the gentleman to come to that conclusion?

Mr. MORSE of Massachusetts. Mr. Speaker, in responding to the distinguished majority leader, I do not pretend to have optimism. We do not suggest this proposal as a panacea. We merely propose it as an approach which the administration has not yet taken. Obviously, as the gentleman knows, I cannot speak for the other side, but I believe that what we propose is sufficiently different from the approaches that have been utilized by the administration heretofore to merit our careful examination of it. It involves a minimum military risk. I know that the distinguished gentleman from South Carolina would certainly not want to take any risks that would result in a serious military setback.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from South Carolina.

Mr. RIVERS. Say that the course which the gentleman has suggested is followed north of the 21st parallel, that good faith is evidenced by the United States, of course, and the whole world knows it.

Mr. MORSE of Massachusetts. That would be a very significant advantage to the United States.

Mr. RIVERS. Certainly. I understand. Suppose we tell the whole world what we are doing. Suppose we give it worldwide publicity, and say after the period of time suggested, 60 days or whatever it is, Hanoi would say that our conditions are still these: Withdraw from Vietnam first. What would the gentleman then say?

Mr. MORSE of Massachusetts. Mr. Speaker, I have already given my answer to that question. Of course, it would not be proper for the United States to withdraw from Vietnam. That is one of the prefatory conditions of our proposals.

Mr. RIVERS. So we would say, "We are not interested." Would we then go back to bombing?

Mr. MORSE of Massachusetts. Indeed.

Mr. RIVERS. In the same pattern which we are now following?

Mr. MORSE of Massachusetts. That decision would be for minds other than mine to determine.

Mr. RIVERS. Or would you intensify the bombing?

Mr. MORSE of Massachusetts. I think that determination is for one far more skilled in military affairs than any Member of Congress.

Mr. RIVERS. You are pretty skilled in presenting your plan, and I wondered if your plan would then contemplate subsequent knocking out of the Port of Haiphong, by mining or in some other way, but leaving it to the military to do.

Mr. MORSE of Massachusetts. Mr. Speaker, I would say that this House and the other body should engage in the days ahead in some serious debate about the course of action that our Nation should pursue in Vietnam. It is likely that the Secretary of Defense will return to the United States in a few days with recommendations which will be put before this Congress. It seems to me that every Member of this House and every Member of the other body has an important responsibility to take part in the debate, and only if persuasive evidence for intensified military activity is put forward should we acquiesce in intensifying that effort

Mr. RIVERS. During this lull about which you speak and which you propose, suppose we find that the North Vietnamese are moving vast stores of supplies, materiel, and logistics, including men, to some strategic point in South Vietnam, Laos, the DMZ, and other places and say that our conditions are the same as they have always been. Would the gentleman then intensify the bombing all up and down the line?

Mr. MORSE of Massachusetts. Mr. Speaker, I think the chairman has misinterpreted what we have proposed, because there is nothing in the plan which we advocate which would in any way inhibit the military action now being pursued by the United States south of the 21st parallel, even after the inauguration of the plan.

Mr. RIVERS. I am speaking of north of the parallel.

Mr. MORSE of Massachusetts. Are you familiar with that area north of the 21st parallel, Mr. Chairman?

Mr. RIVERS. I have never been there, if that is what you are talking about.

Mr. MORSE of Massachusetts. Neither have I; but the right of interdiction of the supply routes would still be maintained.

Mr. RIVERS. I have understood from newspapers that in certain areas some of our planes have not flown over. I do not know exactly what the areas are, but I know that in certain areas they have not flown over North Vietnam.

If the proposal should fail, would you permit them to fly over those certain areas in North Vietnam that they are not now flying over?

Mr. MORSE of Massachusetts. I would say this: If there is no significant, visible, measurable response from the North Vietnamese after the intensive diplomatic efforts which will have been made by the United States during the 60-day period which we have described, the status quo would be resumed.

Mr. RIVERS. You would not commit yourself to an intensification of the bombing?

Mr. MORSE of Massachusetts. I think, sir, without far greater and compelling evidence than is now before the Congress that no Member should make that sort of determination.

Mr. RIVERS. If we did not, we would be there for a thousand years.

Mr. MORSE of Massachusetts. It may well be, Mr. Chairman, but I think that those who advocate total intensification of the military effort overlook—as I sought to point out in my prefatory remarks—the fact that this is a limited war and that it is in the national interest of the United States that it remain so.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. Mr. Speaker, I was interested in the remarks of the gentlemen that, the Secretary of Defense returning shortly, there should be a debate and that every Member of the House and of the Congress should express himself. I agree with him on that. Can I come to an understanding with my good friend from Massachusetts? Does he recommend we should pull out of Vietnam?

Mr. MORSE of Massachusetts. I categorically do not so recommend.

Mr. O'HARA of Illinois. The gentleman definitely does not. Then, in the next political campaign, could it be the position of his party that we should pull out?

Mr. MORSE of Massachusetts. One of the strengths of the Republican Party, is the fact that we encourage intellectual differences within the party. We do not insist upon intellectual conformity. I certainly could not predict at this time that this or any other position will be the position of the Republican Party in the political campaign of 1968.

Mr. O'HARA of Illinois. Does the gentleman recommend bringing on the third World War? Does he advocate that?

Mr. MORSE of Massachusetts. I certainly do not. As I sought to make clear to the chairman of the House Armed Services Committee, I believe those who advocate an intensification of the escalatory effort overlook the fact that we do have a limited war situation, and it is in the interest of the United States to keep it as such.

Mr. O'HARA of Illinois. The position of the gentleman is somewhere between these two extremes?

Mr. MORSE of Massachusetts. Precisely.

Mr. O'HARA of Illinois. The gentleman is making a proposal. Is there anything novel in the proposal the gentleman makes? Is there anything novel in the proposal the gentleman is now making?

Mr. MORSE of Massachusetts. I believe there is.

Mr. O'HARA of Illinois. What?

Mr. MORSE of Massachusetts. It contemplates a dramatic U.S. initiative, and it gives the other side, as the Secretary of State describes the enemy, a period in which to come forward, as the result of the stimulation by our best and most intense diplomatic efforts, and undertake comparable, inexorable, identifiable, deescalatory steps of its own. I think this is unique, and different from any of the proposals the administration has made.

Mr. O'HARA of Illinois. I know the gentleman will agree with me that the President has sought in every possible way to bring about some way of getting the other side to the conference table to negotiate, and he has operated through many foreign governments.

Mr. MORSE of Massachusetts. I would disagree with the gentleman in this respect. He said "every possible way." I do not believe that is accurate. I certainly do credit the President with the most conscientious efforts to achieve negotiations with North Vietnam. But there is one way that has not been tried and that is the way we advocate. I believe it deserves the study of the administration and the Congress as an avenue which we hope will lead to an honorable conclusion, to an honorable peace.

Mr. O'HARA of Illinois. I have a great and profound respect for the gentleman and I know the power of his intellect. May I ask him how many days or weeks or months he has been giving to finding this solution?

Mr. MORSE of Massachusetts. I spent well over 12 months in working over the plan which my colleagues and I propose today.

Mr. O'HARA of Illinois. Meanwhile the White House and various people in the Congress and our Ambassador to the United Nations have been operating through many governments in the world and through religious organizations to try to find some answer. Do I understand the gentleman from Massachusetts has finally found that answer?

Mr. MORSE of Massachusetts. I certainly am not presumptuous enough, Mr. Speaker, to assume that we have found the answer. We do not pretend we have a panacea. We do pretend to introduce into the debate a concept, an approach, which hopefully will deserve the attention of the administration and will hopefully deserve the support and the attention of the people of the United States.

Mr. O'HARA of Illinois. I hope the gentleman has found the answer. If he has, I will pay tribute to him and to his year of fruitful study on this. The gentleman tells me this has gone on for a year.

Mr. MORSE of Massachusetts. I am sorry I did not understand the gentleman.

Mr. O'HARA of Illinois. The study which has resulted in the proposal the gentleman is making took a year?

Mr. MORSE of Massachusetts. Yes.

Mr. O'HARA of Illinois. If it turns out all right, I will pay the gentleman tribute and say it is the most fruitful year that has ever been given by any Member of Congress to the service of his country.

Mr. MORSE of Massachusetts. I certainly will welcome those words from the distinguished gentleman from Illinois.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I share the feeling of the distinguished gentleman from Illinois in his last statement, but the gentleman knows the old axiom that the whole is greater than any of its parts.

It is very difficult for me to understand why a partial discontinuance of bombing is a new approach when a total discontinuance for a 30-day period was tried and failed. I do not see anything new about it. It is just a part of something which has already been fully but unsuccessfully tested.

Mr. MORSE of Massachusetts. Mr. Speaker, in response of the comment made by the distinguished majority leader, I would merely point out that what my colleagues and I advocate is unique and distinguishable from that which the administration has already pursued, in that it involves a first step being taken by the United States, followed by intensive communication, by intensive diplomacy with the other side, in order to obtain a limited deescalatory—step that is comparable, measurable, verifiable.

I believe that at no time has the administration so divided this terribly complex problem into a series of smaller and hopefully more achievable steps.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from New York.

Mr. STRATTON. I apologize for intruding on the gentleman's time, but I should like to make one other comment and to ask another question.

I believe the gentleman's comments a moment ago made it clear that he is offering this proposal, and others join him in offering it, because he does not quite believe that this Government really has done everything it can to elicit the interest of Hanoi in deescalating the conflict.

Mr. MORSE of Massachusetts. I would say that they have not done this.

Mr. STRATTON. I referred to 28 or 29 proposals. The gentleman said this is a new one that has not been made.

The gentleman's proposal really is based on the assumption, is it not, that Hanoi is interested in getting out of this war if only the right kind of formula can be provided.

Mr. MORSE of Massachusetts. I certainly would not join the gentleman in that statement. I would say this: it is incumbent upon every American, and especially upon those of us who have a policymaking responsibility, to search for techniques and for avenues which will encourage the North Vietnamese to adopt that posture.

Mr. STRATTON. We have found, have we not, as the distinguished majority leader has pointed out on several occasions, that all of the ideas which have been suggested before—I will agree that the gentleman's specific idea has not been proposed before—have foundered on the proposition that Hanoi just is not interested in cranking this down. They still believe they can win. They figure, why should they bother to agree to any proposals, because if they hang on a little longer we will get tired over here and they can pick up all of the marbles without a single string attached.

The gentleman feels this is not true, that Hanoi still would like to make peace, but we have not come up with the right formula?

Mr. MORSE of Massachusetts. I would suggest that the ingredients of the plan of which my colleagues and I propose take full cognizance, are No. 1, that this is a limited war; No. 2, that it is designed to increase mutual confidence of the adversaries; and No. 3, that it presents an approach which will permit the other side to respond without losing face, which is imperative in this kind of situation.

Mr. STRATTON. I ask the gentleman another question. Suppose that the proposal is put into effect and suppose, after the two months the gentleman proposes, we get no response of the type he expects from the other side. Then could we have some assurance that the gentleman and those proposing this will recognize what many of us I believe have reluctantly concluded already, that Hanoi just is not interested in making any kind of an agreement?

Therefore, the only way to settle this is to continue to apply the pressure in a military way, I agree with the gentleman, and a restrained way but to continue to apply the pressure until they just have to get out.

Mr. MORSE of Massachusetts. I have already said, Mr. Speaker, that if the North Vietnamese did not respond in the arbitrary period that we have described, hostilities could be resumed as before.

Mr. STRATTON. Would not the gentleman take the lead as eloquently as he is now taking it in saying that "We have had a fair trial. It is clear to me and to my colleagues that Hanoi is not interested in this and therefore we have no alternative but to pursue this as long and intensively as necessary in order to force them out of this and end their aggression rather than continuing to pretend that they really want to get out of it but just have not found the right formula."

Mr. MORSE of Massachusetts. I would agree with the gentleman but I point out that just as I cannot speak for the North Vietnamese, neither can the gentleman speak for them. I think we beg the question when we say obviously this will not be the answer.

Mr. STRATTON. I think I have said already that the gentleman's proposal I believe is an interesting one and it ought to be studied. It has some dangers but may be something that would be valuable. I do feel there ought to come some point, though, after we have tried all of the suggestions—and this is the 29th one—there ought to come some point at which we finally say, "There is not any point in suggesting these people really want to make peace. The only thing we can do is to continue to support our friends and make their aggression on the other side of the DMZ absolutely impossible."

Mr. MORSE of Massachusetts. In the diplomatic influence that would follow the first step of this plan it might be made abundantly clear.

Mr. STRATTON. I think at some point we ought to have a little unity in this country. I think the President has gone not only the first mile but has gone the second mile as well. There are people—and the gentleman is one of them—though who think he has not. It seems to me that we ought to be pretty clear as to where we stand, and if it is clear they do not want in North Vietnam to come to the conference table under any conditions except that they take everything on their terms, this country then ought to be unified in support of our objectives there.

Mr. MORSE of Massachusetts. I remind the gentleman that at the Manila conference the President of the United States made clear a principal objective of the United States was to achieve honorable and fair negotiations. We are united with the President of the United States in offering this plan to achieve that objective.

Mr. STRATTON. Absolutely, but it takes two to make peace, as the gentleman well knows.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I am glad to yield to the distinguished majority leader.

Mr. ALBERT. The gentleman has been very courteous and very liberal in yielding his time. The gentleman from New York suggested there have been some 28 proposals to which the United States has agreed but which have been rejected by Hanoi. Would the gentleman yield for the purpose of my reading those 28 proposals into the RECORD? It seems to me, if the gentleman has the time, it might be well to have this done at this point. Otherwise I will ask unanimous consent that they be made a part of the remarks which I made earlier in the day.

Mr. MORSE of Massachusetts. Could you do it in that way?

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that with my remarks made earlier today I may include a list of the proposals referred to.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, I am grateful to the gentleman for making this inclusion which he just has, because, as I said, every one of us who are responsible for the proposal that I make at this moment are mindful and appreciative of the efforts that the President has made in this direction. However, I think the formula that we advance is sufficiently different from those advanced earlier to warrant full, careful, and deliberate study by those in responsibility in the executive branch.

Mr. RUMSFELD. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from Illinois.

Mr. RUMSFELD. Mr. Speaker, I appreciate the gentleman yielding. I asked him to yield because I did want to comment on the statement by the gentleman from New York when he said that he hoped at some point we would have some unity in this country. I hope and trust that it was not a suggestion that by raising the proposal which the gentleman from Massachusetts raised he was working against this desirable factor of unity in this country. My problem with the statement of the gentleman from New York is that the President himself has said repeatedly he would welcome all suggestions and all ideas of people in this country of both political parties, as well as people from other nations. He has put out this request. The gentleman from Massachusetts, I think, is being useful, exceedingly useful, by contributing to the dialog on Vietnam, by discussing this subject responsibly and by making recommendations and suggestions. I think such a dialog is a healthy thing in a free country.

And, I might say further, that if, in fact, the conflict in Southeast Asia—and I mean all Southeast Asia, as well as Vietnam—is to be a long one, as has been repeatedly said by our leaders within the last 12 months, but was less frequently said in the first 3 years—if it is to be a long and expensive war and if it is to be painful, as indeed it is, then the people of this country can understand it and support it to the extent it merits support, and participate in their roles of helping to guide our Government only to the extent that there has been a dialog and that there is a full understanding of the problems and the nature of the pressures which we face on this situation.

Therefore, Mr. Speaker, I congratulate the distinguished gentleman from Massachusetts [Mr. MORSE] for contributing to this dialog. I certainly would not want the RECORD to suggest that he or his colleagues are doing anything to create disunity in this country. On the contrary, it is my opinion that they are serving a very useful purpose.

Mr. STRATTON. Mr. Speaker, will the gentleman from Massachusetts yield to me at this point in order to respond to the gentleman from Illinois [Mr. RUMSFELD]?

Mr. MORSE of Massachusetts. I yield further to the gentleman from New York.

Mr. STRATTON. Mr. Speaker, I think it was quite clear in my remarks in the RECORD and in my remarks to the gentleman from Massachusetts that I was commending the gentleman for this proposal and stated that I thought it was a very interesting one and one that deserves deep consideration.

Mr. Speaker, I know that the gentleman from Illinois [Mr. RUMSFELD] is well aware of the fact that this country is not united in its support of the Vietnam commitment. And, this has concerned me very deeply, because there is a great gap between the commitment of the men on the fighting lines in Vietnam whom I have seen and whom I am sure the distinguished gentleman from Illinois [Mr. RUMSFELD] has seen, and the commitment of the people back here in this country.

I was saying and suggesting to the gentleman from Massachusetts [Mr. MORSE] that his is a very interesting suggestion. However, following out his suggestion, and if it does not produce any results, would the gentleman feel we might be a little bit closer toward the goal of unity in this country in recognizing that Hanoi does not want peace and that the only way out of this thing is to continue to push the war until they are no longer able to commit aggression in South Vietnam?

That, I think, is what we are working toward and looking for.

Mr. Speaker, I was not suggesting that the gentleman from Massachusetts was contributing to disunity. I was thinking that, as a result of his proposal, perhaps we might be at least a little closer to unity on the subject.

Mr. RUMSFELD. Mr. Speaker, will the gentleman yield further?

Mr. MORSE of Massachusetts. I yield further to the gentleman from Illinois.

Mr. RUMSFELD. I see. The point I think that I feel so strongly about is the fact that certain people of this country in order for them to support something requires that there is an understanding of it. I have not been totally satisfied with the information policies of this administration with respect to the war in Vietnam and with respect to our activities in Southeast Asia.

I am not saying merely that there has been news manipulation. I am going beyond this. I feel that there is an affirmative responsibility on the part of the administration to do what they have increasingly done in the last few months, namely, to develop within this Nation and the free world a better understanding of what the pressures are as well as the fact that they will not be quickly resolved with the use of massed armies across the borders, as in World War I and II, and to develop an understanding of the nature of this operation. Only with this kind of information and understanding will this country have the kind of unity which the gentleman from New York is so earnestly seeking.

Mr. DELLENBACK. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from Oregon.

Mr. DELLENBACK. Mr. Speaker, I thank the gentleman from Massachusetts for yielding to me at this time and I wish to commend the gentleman from Massachusetts [Mr. Morse] as well as the gentlemen from the other side of the aisle for what I think has been a very helpful dialog.

However, may I make a comment with reference to a remark which was made by the distinguished majority leader, the gentleman from Oklahoma [Mr. Albert]. The gentleman asked what happened in the last days or the last weeks or months in Hanoi that might lead us to think that things have changed and that they might listen now.

As I say, we do not know what has happened here, but unless we are prepared to say that just because a thing has been tried once, or because something has been tried once and it brought forth no response, that we should not pursue it further. I believe we should continue to try it.

As the gentleman from Illinois pointed out just a moment or so ago, the President himself has asked that we, the people, and we, the Members of Congress, come forth with all of our best thinking on this subject.

Mr. Speaker, I commend the gentleman from Massachusetts for the creative thinking which has gone into this proposal as something which indeed has not been tried, but which is something that may open up the door and produce that which we have been constantly seeking, so that Hanoi will respond to something which it has rejected before, namely, sitting down under this new proposal which, as stated, has the great advantage of not risking the lives of our boys over in Vietnam, and that under this new proposal something may indeed spark a reply from Hanoi and lead to a very earnest and real discussion of the proposal of the gentleman from Massachusetts over prior plans.

When ideas have been put forth before to stop the bombing across the border in North Vietnam, we know and our military leaders have said that it produces the great risk that we would permit the floodgates to open so that supplies will flow to the south, and every time this happens we increase the loss of life of our men in the south.

However, under this plan we would not open those floodgates, there would still be a constriction of the funnel that leads into the south, but certainly as a result of this direct stand we will be asking the North Vietnamese to show whether or not they are interested—we do not know whether in truth they are interested in any meaningful negotiations—but the hope of this plan is that we will take a direct action without running great risk to our men in the south. We are calling for an affirmative declaration that the North Vietnamese are interested, or whether they are not interested, and we can then proceed to take future actions on the basis of the measures they have taken.

Mr. Speaker, I thank the gentleman from Massachusetts for yielding to me.

Mr. MORSE of Massachusetts. Mr. Speaker, I thank the gentleman from Oregon for his comments, and I also acknowledge the important contributions he has made in the development of the program which is the subject of our discussion this afternoon.

Mr. SCHWEIKER. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. SCHWEIKER. Mr. Speaker, I thank the gentleman from Massachusetts for yielding, and I wish to congratulate him on the excellent leadership in the work that he has done in presenting this proposal to us.

Mr. Speaker, today our Nation grinds through its longest war.

It is a war which has escalated from a small force of 600 American technicians to over 500,000 American fighting men. And more requested.

It is a war in which more than 11,000 Americans have been killed and over 65,000 wounded.

It is a war in which we are spending $22 billion yearly—almost one-sixth of our national budget—with another increase in taxes threatened.

It is a limited war to gain limited objectives.

But it is a war with which Americans are growing increasingly impatient and frustrated because of its seeming endlessness, its enormous cost, and its tragic human consequences.

The time has come when we must ask whether we are following the best road towards peace.

I would question today whether everything possible is being done to seek settlement of the war.

I suggest that there is available to us a more promising road towards peace than any of the paths which the administration or certain "hawks" or "doves" would have us follow.

I propose today, as a plan for peace in Vietnam, that this Nation initiate a policy of mutual step-by-step deescalation with Hanoi.

The outlines of one variation of this policy are these:

The United States, having proposed the plan to Hanoi through private diplomatic channels, would halt all bombing north of the 21st parallel in North Vietnam for 60 days.

If within the first 60-day standby period the North Vietnamese had taken no such step, the plan would end and the bombing would be resumed.

The United States would gradually, in five successive steps, cease all bombing of North Vietnam if, after each 60-day step, the North Vietnamese took a similar deescalation step.

The measurable and equivalent deescalation steps which the North Vietnamese could take without putting themselves at a distinct military disadvantage would include: the stopping of all terrorist activities in specific areas of South Vietnam; the stopping of shipments to and from specific military supply depots in the southern part of North Vietnam; the barricading and abandonment of specific supply and infiltration routes along the Ho Chi Minh Trail; and the withdrawal of Mig fighters to distant bases in northern North Vietnam.

I suggest that this proposal for a policy of mutual step-by-step deescalation is both positive and practical.

It enhances the chances for peace through negotiations in a limited war and it minimizes military risks.

It avoids the danger of the course advocated by those "hawks" who would escalate the war, because it obviously does not risk expansion of the limited war to total war.

It avoids the dangers of the naive course advocated by those "doves" who would unilaterally cease fire and retreat from the countryside, because it does not risk significant erosion of our current military advantage in Vietnam.

Netiher side would be placed at a distinct military disadvantage because both sides would be required to mutually deescalate.

I suggest that this step-by-step deescalation plan would induce an increasing atmosphere of trust—a necessary prerequisite to meaningful negotiations.

It is a series of small steps, each involving relatively little military risk, and each of which builds confidence in the genuine sincerity of each of the combatants.

The plan would not ask either side to "lose face." It is a plan which gives each side the opportunity to claim justifiably that its initiative promoted peace and served its national objectives.

I cannot guarantee that this policy of mutual step-by-step deescalation will bring peace. But I do believe strongly that it holds tremendous promise.

I do believe that it holds far greater promise of peace than either the administration's stand-pat policy or the alternatives suggested by either the "hawks" or the "doves."

I would urge today most sincerely that the President immediately examine in good faith this plan for peace in Vietnam through initiation by the United States of a policy of mutual step-by-step deescalation.

For such a plan, I am confident, could move us forward to fruitful negotiation and peace.

It is time, now, to become more aggressive in our search for peaceful settlement through negotiations.

It is time, now, to persuade the administration to pursue peace through negotiations with the same intensity that our valiant fighting men resist aggression.

But it is not time, now or ever, to suggest, as some have done, that without any indication of good faith from the communists, we should unilaterally cease fire throughout Vietnam and hope the Communists do the same, firing only if fired upon.

These same critics suggest that we abandon the policy of searching out and destroying Communist forces in South Vietnam.

They suggest that we retreat in Vietnam, shoring ourselves up in what are described as "easily defensible positions" and "sallying out perhaps from time to time to protect the perimeter from mortar fire." I would argue that these critics show their naive misunderstanding of world affairs.

I suggest to you that theirs is a call for retreat from reason.

In effect, they ask that the United States and South Vietnamese forces cease fire, abandon the countryside and the peasants to the Communists, and retreat to the more easily defended cities.

I submit to you that such suggestions—made in the name of promoting peace—are utterly unrealistic when we face the hard, cold facts, something that proponents of these suggestions are either unwilling or unable to do.

To follow such suggestions at present would be to deal a devastating blow to the chances of achieving a lasting world peace.

To follow such suggestions at present would be tantamount to surrender and withdrawal of U.S. forces from Vietnam—a tragic defeat for the free world.

Those who make such suggestions at times appear as if they believe they alone seek peace. They have no monopoly on peace. Their path is not the only road, and certainly not the best road towards peace.

Let us not forget the lesson of Munich—how Hitler grabbed the Rhineland, Austria, and Czechoslovakia.

Let us not forget that to yield to aggression today is to invite wider wars tomorrow.

There is an important role to be played today by informed critics willing to face facts and shed any naive dreams about the state of the world.

A constructive critic might reasonably ask, as I have today, whether everything possible is being done to seek settlement of the war short of total military victory. Are efforts really being made to reveal our limited objectives by the offering of new political and military inducements?

A constructive critic today might reasonably ask how the administration can justify the escalation of recent months when it rejected that same escalation 2 years ago as being out of bounds.

A constructive critic today might reasonably ask whether the administration has given good faith consideration to proposals such as those for an All-Asian Peace Conference.

A constructive critic today might reasonably ask why the American people long ago were not leveled with and told frankly of the long range implications of this conflict—why they were led down the primrose path and given only small doses of bad news in sugar-coated pills.

But no reasonable critic willing to face the hard, cold facts would naively insist that this is a civil war, or call on the United States and South Vietnamese forces to abandon the countryside and peasants to Communist terror and subversion.

It makes far more sense to pursue peace by immediately initiating a policy of mutual step-by-step deescalation.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Speaker, I congratulate the gentleman from Massachusetts for the initiative he has started in what I hope will be continuing dialog on the conduct of the war in Vietnam, and the military and diplomatic policies involved there.

I also believe we are all indebted to the leadership of the House, the attention of our distinguished Speaker, and the participation of the majority leader in this dialog.

I have felt for months that this House of Representatives has really fallen down on its constitutional responsibility in the field of warmaking. We have yielded this to far too great an extent to the President. I am very much heartened by what I have heard this afternoon, and I hope it will be followed on subsequent days by further exploration of new ideas, new initiatives, new possible policies to bring this conflict to a satisfactory conclusion.

Mr. MORSE of Massachusetts. I thank the gentleman from Illinois for his comments.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. Mr. Speaker, I do not want this debate to close without paying a compliment to my colleague from Massachusetts, and to commend him for the liberality he has used in giving time to the opposition, or at least to this side, as well as the other side.

I believe that the gentleman should be commended for his attitude in this regard.

Mr. MORSE of Massachusetts. Mr. Speaker, I thank my good friend from Illinois.

I would also like at this time to call attention to the contribution the distinguished gentleman from Pennsylvania has made in the development, formulation, and exposition of this proposal which we today have made.

Mr. Speaker, I will just take a few more moments, and then I will conclude.

I would like to point out the distinction between what we are proposing here and what has been the policy of the administration. As I said, it seems to me the administration has been overly inflexible, and let me, just as evidence of this fact, read from the President's well-publicized letter to Ho Chi Minh of February 2, 1967.

At that time the President of the United States said:

> I am prepared to order a cessation of bombing against your country and stop further augmentation of the United States forces in South Viet Nam as soon as I am assured that infiltration into South Viet Nam by land or by sea has stopped.

Mr. Speaker, in my view and in our view, the United States by this proposal offers too much and asks too much.

It seems to me if we can do it step by step as we here propose, we are adopting a new approach which hopefully will lead to negotiations that we all hope and trust will lead to an honorable conclusion of hostilities.

Mr. PRICE of Texas. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman.

Mr. PRICE of Texas. Mr. Speaker, I want to congratulate the gentleman from Massachusetts for taking this time to discuss this problem on the floor of the House. I think it is time that we spend many more hours on this matter of the war in Vietnam and for the entire membership of the House of Representatives to be informed better than we are today about what is going on in Vietnam.

As a freshman Member of the Congress, I am appalled at the lack of knowledge when we try to find out what is going on in Vietnam. I have attended a few of these briefings as the gentleman has and then after the briefing you can go out and read the very same thing in the newspaper.

However, I do want to take issue with the gentleman on the position that he takes. Having been a jet fighter pilot in the Korean war, I feel that the gentleman's proposal would actually cost us more lives. I have never been an advocate of deescalation in this sort of situation. However, I do want to congratulate the gentleman for this colloquy here today and I hope it will stimulate more and more talks about the war in Vietnam so we can try to bring it to an honorable close.

Mr. MORSE of Massachusetts. I thank the distinguished gentleman from Texas and I certainly respect his point of view in this regard.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman.

Mr. ALBERT. I know the gentleman is sincere and is making a real effort to be helpful, but it seems to me the gentleman is trying to blow out a forest fire with his breath.

The SPEAKER pro tempore (Mr. PATTEN). The time of the gentleman from Massachusetts [Mr. MORSE] has expired.

Mr. McCORMACK. Mr. Speaker, the gentleman from Massachusetts [Mr. MORSE] has been so generous in yielding of his time and since the gentleman indicates that he would like a few more minutes, I ask unanimous consent that the gentleman may proceed for 10 additional minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MORSE of Massachusetts. I thank the distinguished Speaker of the House.

Mr. Speaker, let me just say in closing, that we conscientiously believe that what we have proposed here today is something that is worthy of consideration at the very top level of the executive branch of our Government.

We think it does provide for a significant U.S. initiative at minimum military risk.

We think what we propose will stimulate the other side to make the kind of response that we would like to see.

There is no panacea for Vietnam and the proposal offered here is certainly not put forth as a panacea. Without doubt, it can be improved but we honestly believe that the best chance for peace lies not in giant power and giant concessions, but that it lies in small steps taken quietly, steps that make the position of each side credible to the other side. This in our view is now the task of responsible diplomacy in Vietnam.

POLITICAL PERVERSION OF SCHOLARSHIP

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. FINDLEY] is recognized for 60 minutes.

Mr. FINDLEY. Mr. Speaker, Agriculture Secretary Orville L. Freeman is guilty of political perversion of agricultural scholarship and his Director of Agricultural Economics, Dr. Walter W. Wilcox, of poor scholarship.

I base these charges on personal correspondence just completed with agricultural economists in nine universities.

My correspondence and study reveal what I consider to be extensive misrepresentation of facts, conclusions for which assumptions and computations could not be furnished, and—worst of all—a shocking abuse and misuse of scholarship as symbolized in the highly respected term—land grant universities.

It is clear that Secretary Freeman in testimony April 3 before the Senate Subcommittee on Agricultural Appropriations, and in speeches April 19, in Hutchinson, Kans., and Ames, Iowa, and on April 20, in Decatur, Ind., stooped to political perversion of agricultural scholarship.

In his testimony and speeches, Freeman has contended that the scholars agreed with his prediction that legislation—H.R. 8001—proposed by myself and 19 other Congressmen would cut farm income by one-third.

The other members who have introduced similar legislation are TOM CURTIS, FRANK CLARK, CRAIG HOSMER, JIM CLEVELAND, CHARLES TEAGUE, SILVIO CONTE, FERNAND ST GERMAIN, LAWRENCE WILLIAMS, GEORGE RHODES, ALEXANDER PIRNIE, WILLIAM ROTH, HAROLD DONOHUE, RICHARD OTTINGER, JAMES HARVEY, THOMAS O'NEILL, CARLETON KING, CHARLES MATHIAS, JR., JOHN DENT, and LOUIS WYMAN.

Detailed computations to support the prediction did not exist.

The conclusions were not presented generally to agricultural economists at land grant universities for review, and therefore general endorsement by them did not occur. Quoting from my letter:

> The conclusions were not even endorsed by the agricultural economists to whom you privately showed a copy of the prediction study at the Iowa State University luncheon meeting February 1 in Chicago. From our correspondence and communication with your office it is obvious this event formed the principal if not the entire basis for comments made subsequently and erroneously by Mr. Freeman to the effect that agricultural economists from nine land grant universities had endorsed the study. Although several indicated general support, even in this carefully selected group, the exceptions and sharp reservations were notable.
>
> The "no program" policy proposal which you and Mr. Freeman said would cut farm income one third was actually a non existent "straw man." No legislation is now before the Congress which could reasonably be called a "no program" approach.

Here is the text of my letter dated today summarizing my correspondence:

JULY 10, 1967.

DR. WALTER W. WILCOX,
Director, Agricultural Economics, Department of Agriculture, Office of the Secretary, Washington, D.C.

DEAR DR. WILCOX: Subsequent to our exchange of letters I have engaged in extensive study and correspondence in regard to your document entitled "Farm Program Needs 1968–1970."

I have sought to determine the assumptions and computations, if any, on which it was based; the accuracy of its analysis; the degree to which it reflected the views of the economists from several leading universities with whom you consulted; and the degree to which Agricultural Secretary Orville L. Freeman has been objective and fairminded in recent speeches during which he discussed this document in relationship with legislation introduced by myself (H.R. 8001) and 19 other Members of Congress.

My correspondence and study are now complete, and the results are most disturbing. They reveal what I consider to be extensive misrepresentation of facts, conclusions for which assumptions and computations could not be furnished, and—worst of all—a shocking abuse and misuse of scholarship as symbolized in the highly-respected term—land-grant universities.

It is clear that Secretary Freeman, in testimony April 3 before the Senate Subcommittee on Agricultural Appropriations, and in speeches April 19 in Hutchinson, Kansas and Ames, Iowa, and on April 20 in Decatur, Indiana stooped to political perversion of agricultural scholarship.

I realize that you cannot always control the use of a document like this, even though prepared under your direction, and perhaps circumstances may make it impossible for you even to control completely its contents. Therefore, I make no attempt to hold you personally accountable for it in all its detail, nor do I blame you for the unfair manner in which this document has been converted to political purposes by Mr. Freeman, or by others.

But I do feel compelled to give you the opportunity to help set the record straight regarding the document itself and the official comments made about it.

In the speeches mentioned above, as officially reported in USDA release 1226–67, No. 4608 as released by the Office of the Secretary, Mr. Freeman is quoted as stating:

"There are three basic options—three alternatives—before us. One is to swap the present voluntary programs for no program at all. Pending in Congress right now is a bill sponsored by the farm organization I mentioned previously. I point out to you that studies by our Department economists indicate that the 'no-program' approach will cut farm income one-third below present levels. I point out further that this conclusion is concurred in by experts from nine Land-Grant Universities."

When I read this astounding paragraph, I telephoned your office and asked for the detailed assumptions and computations upon which Mr. Freeman based his forecast of farm-income reduction. My phone conversation confirmed that the "no-program" approach mentioned by Mr. Freeman was the bill supported by the American Farm Bureau Federation and introduced by myself, Rep. Thomas B. Curtis (Mo.) and others. Your office supplied me with a copy of the document "Farm Program Needs 1968–1970" as being the "studies" to which Mr. Freeman referred. The document contained the following paragraph:

"In preparing this report, analysts in the Department of Agriculture benefitted from the advice and counsel of nationally recognized agricultural economists at Iowa State University, University of Minnesota, Kansas State University, Michigan State University, University of Wisconsin, Ohio State University, North Carolina State University, Harvard University, and Stanford University."

The universities total nine and presumably are the "nine Land-Grant Universities" to which Mr. Freeman referred, although neither Harvard nor Stanford is so classified.

I examined the document carefully and found that it did not set forth to my satisfaction assumptions and computations which would reasonably support the income forecast. I expressed my dissatisfaction to your office, requesting all available additional detail, and had the following exchange of correspondence with you:

"APRIL 27, 1967.

"DEAR MR. FINDLEY: The Department of Agriculture release, Farm Program Needs 1968–1970, constitutes a complete report of the study on that subject. The basic assumptions underlying the study are on page 2 of the release. Yields of feed grains, food grains, and cotton were assumed to increase by 2 to 3 percent per year. It is also assumed that all the price support features of the current annual adjustment programs would be discontinued along with the diversion features.

"The farm program needs study was largely based on an earlier study titled *A Look Ahead for Food and Agriculture* made in the Economic Research Service. A copy of that study and a statistical supplement is attached. The earlier study contains a more complete discussion of the assumptions and trends. The earlier study, however, concentrated on the productive capacity of agriculture 10 to 15 years from now with supports continuing at current levels. As such, it does not convey the near term impact of terminating all aspects of the annual adjustment programs. The farm program needs study is an extrapolation of the earlier study with emphasis on the near term impact of eliminating the price support as well as the diversion features of the current annual adjustment programs.

"An earlier draft of the program needs paper was reviewed by economists of the land grant colleges and their comments were received at a luncheon in Chicago on February 1. Additional comments from three of the economists were received by letter. The following are some of the comments contained in their letters.

" 'I certainly agree that our agricultural economy will continue to face the problem of excess capacity during the next several years.'

" 'The area in which I found myself agreeing most readily was that relating to field crops. . . . On the matter of livestock (top of page 5) I was left a little unsure about predicted behavior of the aggregate figure because of the diverse patterns of dairy cattle, beef cattle, hogs and poultry. I think the expected movement through 1970 may not be far off.'

" 'I like the report very much but I do feel that the emphasis should be on the continued imbalances that will exist in our food and fiber system. . . . we also have the responsibility of maintaining minimum income standards in the farming segment. The end result is a stand-by type of program that would maintain the stability of the food and fiber system of the U.S. and at the same time maintain the type of income levels that currently exist. I arrive at the same conclusion that you do that the programs as such cannot now be terminated. . . . I guess the only difference is one of emphasis . . . .'

" 'As purchased inputs become more important to the farming segment the stability of that purchasing power becomes more important to those firms supplying the inputs such as farm machinery, fertilizer, pesticide companies, etc. Undoubtedly, those supplying farm inputs would welcome a program of food and fiber stability just as much as the farmer would.'

"Sincerely yours,

"Walter W. Wilcox,
"Director, Agricultural Economics."

"May 2, 1967.

"Dear Dr. Wilcox: Thank you for being so helpful with your letter and enclosures of April 27. You mentioned a luncheon meeting in Chicago on February 1 attended by economists of the land grant colleges. You also quote briefly from letters written to you subsequently by three of the economists.

"May I have a list of the names of the people and their capacities who attended the February 1 meeting? May I also have photo copies of the letters written by the three economists mentioned in your letter from which excerpts were quoted?

"In addition if a summary of the discussion which ensued in connection with the February 1 luncheon in Chicago was placed on paper I would value very highly a copy of it.

"In the 'summary' of March, 1967, which discusses farm program needs 1968–1970, on the top of page 3 is the sentence which begins 'With no annual adjustment programs and no commodity loans during the 1968–1970 period.' I assume from the construction of this sentence that the estimates assume that no commodity loans would be made either from public or private sources. Am I correct in this assumption?

"Thank you for giving this your attention.

"Inasmuch as I am getting inquiries concerning Secretary Freeman's speeches in which he refers to the effect of the 'no program' approach I have urgent need for the information requested in this letter.

"Sincerely yours,

"Paul Findley,
"Representative in Congress."

"May 9, 1967.

"Dear Mr. Findley: This is in reply to your letter of May 2, 1967. The sentence on the top of page 3 which you quoted referred only to government loans. It was assumed that loans would be available from private sources on the usual terms.

"The college professors with whom I counseled at a luncheon meeting in Chicago are as follows:

"Earl O. Heady, Distinguished Professor, Iowa State University, Ames Iowa

"R. J. Penn, Professor, University of Wisconsin, Madison, Wisconsin

"James G. Maddox, Professor, North Carolina State University, Raleigh, North Carolina

"Luther Tweeten, Visiting Professor, Stanford University, Palo Alto, California

"Dale Hathaway, Professor, Michigan State University, East Lansing, Michigan

"H. C. Williams, Professor, Ohio State University, Columbus, Ohio

"Any notes made by the individuals on the draft they reviewed have been discarded.

"The excerpts in my last letter were taken from letters received from:

"Vernon Ruttan, Head, Department of Agricultural Economics, University of Minnesota, St. Paul, Minnesota

"John Nordin, Head, Department of Economics, College of Arts and Science, Kansas State University, Manhattan, Kansas

"Ray Goldberg, Graduate School of Business Administration, Harvard University, Boston, Massachusetts

"Perhaps it would be appropriate for you to write them if you wish rather than for me to make photo copies of their letters.

"Sincerely yours,

"Walter W. Wilcox,
"Director, Agricultural Economics."

Your letter of May 9 listed, in total, nine agricultural economists, each serving on the staff of a different one of the listed universities.

Accordingly I wrote to each of them as follows:

Dear ———: Dr. Walter W. Wilcox, Director, Agricultural Economics Department, Department of Agriculture, tells me that you were among the college professors with whom he counseled at a luncheon meeting February 1 in Chicago in regard to a departmental study entitled "Farm Program Needs 1968–1970."

"On April 20, Secretary of Agriculture Orville L. Freeman in regional farm policy conferences in the Midwest made the following statement:

" 'Pending in Congress right now is a bill sponsored by the farm organization I mentioned previously. I point out to you that studies by our Department economists indicate that the no-program approach will cut farm income one-third below present levels. I point out further that this conclusion is concurred in by experts from nine land-grant universities.'

"I have verified with the Department of Agriculture that a bill I have introduced, H.R. 8001, which is supported by the American Farm Bureau Federation and is almost identical with similar bills introduced by Representatives Curtis of Missouri and Clark of Pennsylvania, is the proposal to which the Secretary referred as a "no-program" approach which will cut farm income one-third below present levels.

"Under the circumstances you can understand my interest in determining in as great detail as possible the reasoning, assumptions, and computations through which the one-third figure was determined.

"As you attended the February 1 luncheon to which Dr. Wilcox referred, I would appreciate any comments you may have about the study which was the subject of discussion. I would appreciate very much having a copy of any summaries of the discussion or your own personal evaluation of the study which developed during or subsequent to the luncheon.

"In seeking your cooperation, I assure you that I think it entirely proper for economists of the leading colleges and universities of the United States to cooperate fully with Secretary Freeman and with other government officials in evaluating proposed programs. As you may know, I served six years on the Committee on Agriculture in the U.S. House of Representatives and because of this background continue to have a keen interest in the future of American agriculture.

"Thanks for your cooperation.

"Sincerely yours,

"Paul Findley,
"Representative in Congress."

I also wrote to the deans of the colleges of agriculture where such exist within the nine universities. My letter of inquiry to the deans was as follows:

"Dear Dean ———: In a series of speeches, April 19–20, 1967 in Kansas, Iowa and Indiana, Secretary of Agriculture Orville L. Freeman included the following paragraph:

" 'There are three basic options—three alternatives—before us. One is to swap the present voluntary programs for no program at all. Pending in Congress right now is a bill sponsored by the farm organization I mentioned previously. I point out to you that studies by our department economists indicate that a "no program" approach will cut farm income one-third below present levels. I point out further that this conclusion is concurred in by experts from 9 land grant universities.'

"Upon inquiry I learned that your school is among the "9 land grant universities" mentioned by Secretary Freeman.

"Correspondence with Dr. Walter Wilcox, Director, Agricultural Research, Department of Agriculture, discloses that on February 1 in Chicago a luncheon meeting was held at which farm program needs for 1968–70 were discussed in some detail. I enclose a copy of a letter dated April 27 which I received from Dr. Wilcox in which he refers to this luncheon and quotes briefly from unidentified agricultural economists who attended.

"I have also verified with the Department of Agriculture that a bill I have introduced, H.R. 8001, which is supported by the American Farm Bureau Federation and is almost identical with similar bills introduced by Representatives Curtis of Missouri and Clark of Pennsylvania, is the proposal to which the Secretary referred as a 'no program' approach which will cut farm income one-third below present levels.

"Under the circumstances you can understand my interest in determining in as great detail as possible the reasoning, assumptions, and computations through which the one-third figure was determined.

"Accordingly I would like to know if you or any agricultural economists on your staff actually concurred in the conclusion on farm income reduction as reported by Secretary Freeman. If so I would value very highly having a copy of any written material which may have been prepared in letter form or otherwise bearing upon this conclusion.

"If you or any members of your staff have had the opportunity to examine the H.R. 8001 or similar bills whether in connection with Secretary Freeman's study project or not I would again very much appreciate having a copy of such statements.

"In closing may I assure you that my only purpose in writing is to have the benefit of the thinking of you and agricultural economists of your staff. I think it is entirely proper for agricultural economists of the leading colleges and universities of the United States to cooperate with Secretary Freeman and with other government officials in evaluating proposed programs.

"As you may know, I served for six years on the Committee on Agriculture in the U.S. House of Representatives and because of this background continue to have a keen interest in the future of American agriculture.

"Thanks for your cooperation.

"Sincerely yours,

"Paul Findley,
"Representative in Congress."

Let me outline briefly the facts and conclusions I have drawn from the various documents and correspondence.

1. The April 3 testimony and the April 19–20 speeches of Secretary Freeman pleaded the case for maintaining existing "commodity programs for grain" and denounced those who sought to change his programs. Your office confirmed that in these statements he was attacking legislation introduced by myself (H.R. 8001) and 19 other Congressmen. The document you prepared for the Secretary, and which your office stated he used as the basis for his attacks, actually predicted the possible effects of eliminating current support, payments, and diversion programs for wheat, feed grains and cotton.

It was shocking to discover that the Secretary had based his plea for maintenance of existing "grain programs" alone on a study which in fact included the "effects" of abolishing the cotton program as well as those for grain.

What serious legislative proposals motivated your study and the attendant remarks about a so-called "no program" approach by the Secretary?

While your office confirmed he was referring to the bills of my colleagues and myself, your study can, in no way, be considered an analysis of any of the 20 bills, for several reasons.

First, the inclusion of cotton increased substantially the immediate reduction in government payments (thus immediate income). That also increased substantially the diverted acreage which would most likely be shifted into soybeans and other feed grains.

The bias this introduced into Mr. Freeman's interpretation of your study is substantial. Cotton is in a terrible mess, brought on by unsound domestic and international government policies, and that is why it was not included in the bills. It must be dealt with separately so that commercial wheat and feed grain producers are not required to bear cotton's adjustment burden.

Second, your May 9 letter, saying "it was assumed loans would be available from private sources on the usual terms," completely ignores the impact of the loan insurance feature of my bill. The 90 percent insured loan would substantially raise the level of loans made to the individual producer by reducing risk to the lender. Reduction of risk would also reduce interest rates on these loans to farmers. To suggest otherwise is to imply that the FHA Home Improvement, Farmers Home, Veterans' Administration and other insurance or guarantee programs have no impact on the housing and home improvement money markets.

Third, the removal of the nonrecourse loan program imparts a degree of risk to the producer in his planting plans and, in the full context of managerial decisions, this risk acts to moderate any production expansion. My bill would remove the threat of CCC dumping such as occurred in 1965 and 1966 and thus would remove a substantial depressant to market prices. The various features of my bill would facilitate orderly marketing by giving farmers the means to hold their commodities, strengthen prices by removing the threats of dumping and gluts at harvest time. It would force the government to purchase aid-program supplies directly from the market.

Fourth, the longterm effect of my program would be to accelerate the healthy trend toward contract farming in wheat and feed grains. Under it production would be to fill pre-production contracts. Control of farm production would be placed in the hands of producers responding to consumer demands. Consumers of course would include the government which itself could contract for milk, grain, or other program needs, foreign or domestic.

2. Your letter of April 27 states your study was based on the document *A Look Ahead for Food and Agriculture*. In it supports were assumed to continue "at current levels." I note on page 2 of this document it says: "Although policy assumptions are difficult to specify in long-run appraisals, the projections imply some type of program to stabilize farm prices and income."

Dr. Wilcox, in fairness you must admit that your assumption of "current levels" is only *one* possibility consistent with the "Look Ahead" document. An increase in the attractiveness of the voluntary long-term land retirement system (which would remain in effect under my bill) is a possibility that is also consistent with it.

The increase in attractiveness would be possible in both relative and absolute terms.

My bill increases the relative attractiveness of long-run retirement by removing the more costly and damaging short-run diversion programs. Current commodity programs place a premium on short run diversion through heavy cash payments for diversion itself, plus higher supports on production from remaining acreage.

The current program not only encourages the shift of resources to remaining acreage, it also finances virtually riskless expansion of total resources and thus total productive capacity on the remaining acres! If I may say so, this document shows rather poor scholarship. Its conclusions derive heavily from a glaring distortion of the "Look Ahead" study, and it provides no valid basis for condemning either my bill or those of my colleagues.

3. My correspondence directly with the deans and professors does not substantiate the claim of support indicated by the study and by Secretary Freeman. Let me quote directly from several of the replies I received:

Reply A: "I raised several questions regarding the draft I saw. My plane schedule required that I leave prior to the luncheon mentioned by Dr. Wilcox in his letter. Therefore, I did not benefit from the discussion by other individuals who had also read the document, nor have I written any letters regarding the document. I was somewhat surprised, therefore, to find myself listed as one of those who implicitly endorsed the conclusions that were presented in the final report."

Reply B: "Individual faculty members are, of course, free to express their personal views about public issues in which they are interested as private citizens. Professor ——— informs me that the extent of his participation in the matters about which you inquired in your letter of May 3 was to take part in the luncheon discussion of a draft of a statement which was apparently later issued by the U.S. Department of Agriculture as the release entitled 'Farm Program Needs 1968–70'."

Reply C: "The meeting (February 1 in Chicago) was called by Iowa State University to review manuscripts that might be included in a book to be published on agricultural policy. . . .

"Walter Wilcox was at the meeting and although not a formal part of the session, he gave Prof. ——— a chance to read and privately comment on a tentative confidential statement on farm program needs 1968–70. Whether the final statement included any of Prof. ———'s verbal comments is not known."

Reply D: "In addition to Dean ———'s comments, I might add that on looking informally at the confidential document on February 1, I suggested that increased agricultural production would not be as rapid nor as easy to get as most economists were indicating, particularly in the livestock sectors. . . ."

Reply E: "In conclusion, the USDA evaluation of economic conditions for 1968–70 seems reasonable, but is only a crude forecast because of uncertainties which plague any prediction. It should not be interpreted to mean that farm prices must be supported above free market equilibrium levels. But it does mean that a trend toward a free market must be accompanied by an adequate transition program, and must consider the unstable nature of farm production and marketing, and the advantages of economic stability for farmers."

Few people would dispute the need for a transitional alternative in moving ahead to a freer market system. It is precisely because of this need that my bill (H.R. 8001), and those of my colleagues, deals only with wheat and feed grains, with provision for using insured loans, freezing CCC stocks, offsetting CCC sales by equivalent purchases, purchasing aid supply needs directly from the market, and increasing greatly the relative attractiveness of long-run land retirement.

None of these features were analyzed in your study. Indeed they were totally ignored by you and Secretary Freeman. Yet they are essential features of the proposal the Secretary condemned so summarily and without the slightest analysis.

To label our proposed legislation as a "no program" approach is not merely inaccurate. It is a gross distortion of the facts.

Finally, the misuse of our nation's scholars for purely political purposes is shocking. It is disturbing to find that a Cabinet Officer has such a poor regard for our intellectual community.

In view of your long and prominent career in agricultural economics, I am confident you will wish to acknowledge frankly that:

1. Detailed computations to support the "Needs" document's conclusions as to projected farm income under programs proposed by myself and 19 colleagues (and to which the Secretary referred directly in his invective) did not exist, and therefore could not be furnished in response to my request.

2. The conclusions were not presented generally to agricultural economists at land-grant universities for review, and therefore general endorsement by them did not occur.

3. The conclusions were not even endorsed by the agricultural economists to whom you privately showed a copy of the study at the Iowa State University luncheon meeting February 1 in Chicago. From our correspondence and communication with your office it is obvious this event formed the principal if not the entire basis for comments made subsequently and erroneously by Mr. Freeman to the effect that agricultural economists from "9 land-grant universities" had endorsed the study. Although several indicated general support, even in this carefully-selected group, the exceptions and sharp reservations were notable.

4. The "no program" policy proposal which you and Mr. Freeman said would cut farm income one-third was actually a non-existent "straw man." No legislation is now before the Congress which could reasonably be called a "no program" approach. Nor has such legislation ever been proposed or supported by any farm organization of national prominence, at least not within the past 30 years.

5. The legislation I have introduced (H.R. 8001), which is supported by the American Farm Bureau Federation, deals only with wheat and feed grains. Programs would be left intact for cotton, tobacco, rice, peanuts, sugar, wool, and other commodities under discretionary price support programs—each of which involves either extensive price support payments and/or payments for land retirement. My bill would also leave in full effect the Cropland Adjustment Program and would establish insured loans for wheat and feed grain producers, all of which would work to strengthen farm income.

With deep regret I conclude from this material that the remarks of the Secretary were not directed to sound long-run policy in the interest of a healthy agriculture. Rather they were intended to discredit unfairly a bill to return farm management to farmers, provide food supply at prices established at fair levels through the marketplace, and reduce significantly the tax cost of farm programs.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

COOK COUNTY, ILL., AGRICULTURAL PROFILE

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, on June 28 the gentleman from New York [Mr. RESNICK] made a statement on the floor—which appeared in the CONGRESSIONAL RECORD—in which he questioned the presence of an agricultural basis for the existence of the Cook County, Ill., Farm Bureau. In making this allegation, he said:

I seriously question how many farmers or people who have a major agricultural interest there are in the city of Chicago.

Apparently the gentleman from New York is not aware that Cook County and Chicago are not conterminous. That much of Cook County lies outside the city of Chicago is clearly indicated by the fact that the limits of the city of Chicago include only 143,488 acres of the 610,560 acres in Cook County. In other words, the city of Chicago comprises less than one-third of the land in Cook County. In fact, Cook County, my home county, has an active agricultural community. Since much of this farming activity is based in my district, the 13th District of Illinois, I thought it proper to set the record straight by including the following statement outlining the agricultural statistics for Cook County, Ill., as taken from the 1964 Census of Agriculture, the most recent data available:

AGRICULTURAL PROFILE, COOK COUNTY, ILL.—1964 CENSUS OF AGRICULTURE—ALL DATA ARE FOR 1964

Farms—Number and size

Number of farms	959
Lands in farms ____acres	100, 849
Land in county ____do	610, 560
Proportion of land in farms ____percent	16 .5
Average size of farm (county) ____acres	105. 2
Average size of farm (State) ____do	225. 5

Land in farms and number of farms by size of farm

Acres per farm	Number of farms each class	Total acres each class
Less than 10	230	754
10 to 49	231	5, 383
50 to 69	57	3, 338
70 to 99	89	7, 309
100 to 139	105	12, 333
140 to 179	73	11, 474
180 to 219	43	8, 446
220 to 259	27	6, 315
260 to 499	73	24, 032
500 to 999	28	17, 885
1,000 to 1,999	3	3, 580
2,000 or more	0	----------

Farm investment

Value of land and buildings per farm	$146, 810. 00
Value of land and buildings per acre	1, 450. 39
Value per farm (State)	80, 894. 00
Value per acre (State)	356. 94

Equipment and facilities

Item	Number on farms	Number of farms reporting items
Automobiles	1, 328	876
Motortrucks	1, 211	714
Tractors (other than garden)	2, 008	799
Garden tractors and motor tillers	551	363
Grain and bean combines	330	304
Pickup balers	214	213
Hay conditioners	55	55
Crop driers	29	23
Cornpickers	353	323
Field forage harvesters:		
Cylinder or flywheel	65	65
Flail	25	25
Telephone	(1)	905
Television set	(1)	853
Home freezer	(1)	593
Milking machine	(1)	51
Bulk milk tank	(1)	32

[1] Not reported in 1964 Census of Agriculture.

Other production inputs, cost

Item	Dollar value	Number of farms using items
Livestock and poultry feed	$551, 044	323
Livestock and poultry purchased	761, 902	290
Seeds, bulbs, plants, and trees	1, 314, 830	810
Fertilizer	563, 214	686
Gasoline and petroleum products	844, 746	930
Machine hire and customwork	134, 326	402
Hired labor (including 944 regular workers on 276 farms)	3, 838, 750	469

Farm production and income

CROPLAND HARVESTED

Cropland per farm	Total acres	Number of farms each class
Any cropland harvested	79, 624	885
Less than 10 acres	370	173
10 to 49 acres	3, 645	215
50 to 69 acres	2, 554	57
70 to 99 acres	5, 226	89
100 to 139 acres	9, 734	105
140 to 179 acres	9, 079	73
180 to 219 acres	6, 787	43
220 to 259 acres	5, 371	27
260 to 499 acres	19, 321	72
500 to 999 acres	14, 307	28
1,000 to 1,999 acres	3, 230	3
2,000 acres or more	0	---------

PRODUCTS SOLD, VOLUME AND VALUE

Livestock and Livestock Products

Item	Farms	Number sold	Value of sales
Cattle and/or calves	182	5, 362	$748, 469
Hogs and pigs	132	21, 794	647, 084
Sheep and lambs	26	407	5, 830
Horses and mules	24	218	63, 167
Honey and bees	4	(1)	3, 240
Fur bearing animals and other products	5	(1)	171, 417
Dairy and poultry products:			
Milk or cream	73	(1)	688, 665
Poultry and poultry products	157	(1)	304, 020
Crops: Field crops, other than vegetables and fruits and nuts	---------	---------	4, 082, 118
Vegetables: Value of sales, 163 farms sold $1,434,498.			

[1] Not reported in 1964 Census of Agriculture.

ACREAGE HARVESTED FOR SALE

Item	Farms	Acres
Tomatoes	136	1, 493
Sweet corn	106	1, 774
Cucumbers and pickles	52	68
Snapbeans (bush and pole)	29	34
Watermelons	17	33
Cabbage	69	516
Cantaloups-muskmelons	48	85
Sweet peppers	69	109
Green peas	6	84
Squash	63	143
Dry onions	41	220
Asparagus	11	16
Carrots	27	47
Pumpkins	66	194
Fruits and nuts: Value of sales; $11,422.		

AMOUNT HARVESTED

Item	Farms harvesting each item	Volume harvested
Strawberries (sales)	4	2,553 qt.
Raspberries (sales)	1	400 qt.
Apples	24	138,925 lb.
Peaches	14	8,381 lb.
Pears	23	409 bu.
Grapes	19	26,325 lb.
Plums and prunes	13	144 bu.
Cherries	14	3,896 lb.

AMOUNTS SOLD OR HARVESTED

Item	Farms reporting harvest or sale	Volume sold or harvested
Corn, as grain (sales)	388	1,555,733 bu.
Soybeans (harvested for beans)	449	548,269 bu.
Wheat (sales)	245	258,375 bu.
Oats (sales)	164	134,724 bu.
Barley (sales)	3	2,248 bu.
Rye (sales)	14	6,462 bu.
Alfalfa (sales)	149	7,454 tons
Clover, timothy, etc. (sales)	35	1,296 tons
Small grains as hay (sales)	3	81 tons
Other hay (sales)	13	509 tons
Alfalfa seed (harvested)	1	1,000 lb.
Red clover seed (harvested)	2	2,940 lb.
Irish potatoes (harvested)	14	2,162 cwt.
Sweet potatoes	1	2 bu.

Nursery and greenhouse products:

- Value of sales: 297 farms sold $8,575,684.
- Nursery products: 113 farms harvested 1,811 acres, $2,129,987.
- Cut flowers, etc.:
  - Under glass: 142 farms with 3,293,025 square feet glass.
  - Grown open: 46 farms with 45 acres.
  - Value of sales: Cut flowers, etc., $5,598,155.
- Vegetables, seeds, bulbs, mushrooms:
  - Under glass: 34 farms with 358,209 square feet glass.
  - Grown open: 39 farms with 1,005 acres.
  - Value of sales, vegetables, seeds, bulbs, mushrooms, $847,542.

Forest products:

- Standing timber: One farm sold $1,500.
- Firewood, pulpwood, fence posts, sawlogs, Christmas trees: Four farms sold $3,325.

Recreation income: Hunting, fishing, and other recreational services: Eight farms sold $119,301.

Income recap

All farm products sold	$16, 861, 915
All crops	14, 108, 547
Field crops	4, 082, 118
Vegetables	1, 434, 498
Fruits and nuts	11, 422
Forest products and horticultural species	8, 580, 590
All livestock and livestock products	2, 634, 067
Poultry and poultry products	304, 020
Dairy products	688, 665
Livestock and products	1, 641, 382
Average sales per farm (county)	17, 583
Average sales per farm (State)	15, 983

Commercial farms in the county (745 of the 959) had $16,426,595 of the $16,861,915 worth of sales. For commercial farms:

Average sales per farm (county)	$22, 049
Average sales per farm (State)	18, 880

Farms by economic class and value of farm products sold

Economic class:

Commercial farms	745
Class I	93
Class II	133
Class III	177
Class IV	157
Class V	130
Class VI	55
Other farms	214
Part time	132
Part retirement	76

Value of farm products sold

Value per farm:	*Number of farms*
Under $250	26
$250 to $499	36
$500 to $999	64
$1,000 to $1,499	57

Value of farm products sold—Continued

Value per farm:	*Number of farms*
$1,500 to $1,999	48
$2,000 to $2,499	33
$2,500 to $4,999	130
$5,000 to $7,499	88
$7,500 to $9,999	70
$10,000 to $14,999	111
$15,000 to $19,999	68
$20,000 to $29,999	93
$30,000 to $39,999	41
$40,000 to $59,999	45
$60,000 and over	49
Farms by tenure of operator	
Full owners	488
Part owners	234
Managers	23
All tenants	214
Cash tenants	126
Share-cash tenants	47
Crop-share tenants	24
Livestock-share tenants	6
Other tenants	34

A REVISED AND VIGOROUS U.S. DIPLOMACY NEEDED TODAY MORE THAN EVER

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MONAGAN. Mr. Speaker, the announcement by Germany of the decision to reduce her commitment to NATO by 40,000 to 60,000 troops underlines the urgent necessity for a reexamination of U.S. policy regarding the Western defense organization in the coordination of objectives among the pact countries.

In the view of competent authorities a dangerous euphoria exists among NATO members concerning the extent of the detente in Eastern Europe and the possibility of reliance thereon.

Since the United States recently withdrew 18,000 support troops from France it has announced a decision to withdraw 35,000 combat troops from Germany after January 1, 1968—apparently for balance-of-payment reasons—we must bear some responsibility for creating the atmosphere in which this new reduction of strength by the hitherto most willing European partner was deemed advisable.

Is this a good time to disassemble NATO?

In the light of today's international situation, the answer must be negative. The forces on the East side of the curtain have not decreased, but have increased in capacity over the years. Twenty Russian divisions are maintained in East Germany, several in Poland and Hungary, as well as many more in the western U.S.S.R. In the very newspaper which bore the word of the German reduction there appeared a report of the refusal of the Russians to give up the military leadership of the Warsaw Pact. Finally, a host of events from Vietnam to Glassboro and including the naval surveillance in the Sea of Japan, the guerrilla activity in Latin America, and the lightning-fast rearming of the Arab Nations testify that there has been no softening of the Kremlin line.

Either we need something like NATO as a Western defense or we do not. In my judgment, the increasing military capacity of the Communists requires a counterforce. We must not allow any preoccupation with Southeast Asia to blind us to the needs of the Atlantic community or to diminish the force of our leadership.

A revived and vigorous U.S. diplomacy in Western Europe is needed today more than ever.

ESCAPE FROM POVERTY

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DENT. Mr. Speaker, on Friday, June 30, the distinguished chairman of the Committee on Education and Labor addressed the National Seminar on Vocational-Technical Education at the University of Maryland. Chairman PERKINS delivered an inspired message to those in attendance and I certainly share his feelings on poverty and in a concentrated Federal attack on it.

The very able gentleman from Kentucky also emphasized the vital need for vocational training as an avenue of attack—perhaps the most productive one. I emphatically echo his belief in this, and in the role of vocational-technical training in our country. The principal escape from poverty is adequate employment; and we can do much toward that end by making vocational education and training a reality to many of our citizens now living lives of despair.

I commend the remarks of my chairman to the Members who, I hope, will find as much satisfaction in them as I did:

SPEECH BY REPRESENTATIVE CARL D. PERKINS

I am happy to greet you today as representatives of the men and women responsible for the great strides we have made in recent years in the field of vocational education.

You have translated into solid accomplishment the aim and purpose of the Vocational Education Act of 1963, the Manpower Development Training Act, and other legislation in this field. For this, you deserve the lasting gratitude of your countrymen.

Because you so thoroughly understand the problem, no one realizes more clearly than you that 1967 is no time to rest on the glories of past achievement. This is the time to get on with the job.

There are still many of our fellow citizens who must be brought into the mainstream of American economic life, and kept there. I happen to believe that vocational-technical education is one of the best vehicles for getting this job done.

Geographically, our target is in the ghettos of the great cities of the land, in the rural Spanish-American areas of the Southwest, the Indian reservations of the Great Plains, the old tenant-farmer fields of the Southeast, and the isolated mining camps and rural communities of my Appalachian homeland.

But this is not a geographic problem to be attacked with dams and dikes and irrigation systems. This is a social problem involving 32 million Americans who do not share the general affluence of history's most prosperous civilization.

I am talking about our fellow citizens to whom the great breakthrough in health and medicine means little or nothing. The knowledge explosion and the great improvements in education have scarcely touched them. The billions we have spent on supersonic jets, interstate highways and 150-mile-an-hour trains leave them unmoved—for they are immobile in an age in which we talk of traveling to the Moon by 1970. The development of modern time-saving devices means little to a man when time already hangs heavily on his hands.

Today we are engaged in a great Congressional debate, the outcome of which will determine the future of these millions of American citizens. This, to me, is astonishing—that there should be any argument at all over the most concerted effort in our history to lift poverty from the backs of men.

Down on Pennsylvania Avenue there is a building on whose facade is inscribed *What is Past is Prologue*. In light of our progressive history and our abiding concern for human beings, I am convinced that when the debate is resolved within a few weeks, we will have taken another historic step forward. Were it to be otherwise, we would have to revise that inscription to read *The Future Contradicts the Past*. I do not believe for one moment that the American nation will turn its back upon the progressive tradition of its yesterdays.

As a matter of history, we began the 20th Century with the prospect that a wage earner could live productively and in old age retire to a life of poverty.

We set out to revise the unhappy cycle with the enactment of the Old Age Survivor's Insurance legislation in 1935—a direct attack on the poverty that weighed so heavily on our elder citizens. This was thought of as an antipoverty program.

Today, the Social Security Retirement system is no longer a poverty program. It is a broad-based retirement insurance program serving virtually all segments of the population.

Other landmark national legislation has sought to provide individuals and families with protection against those calamities with which they cannot cope. Unemployment insurance, workmen's compensation, bank deposit insurance, Medicare—these are just a few instances of national concern.

The point is this: Whereas in the past the victims of mass unemployment, the victims of disability or sickness, and the elderly were often subject to poverty, these conditions are no longer permitted to imprison millions of Americans in a straight-jacket of want.

These great programs which guard the mass of our citizens from economic disaster are, however, *predicated upon the initial participation of all beneficiaries in the mainstream of American economic life*.

That is to say, the Social Security retiree must first have been a wage earner. To be covered by the minimum wage law, one must first have possessed an employable skill and a job. To be a beneficiary of most of the technological and vocational programs, one must first have had certain basic education skills such as reading, writing, arithmetic, and quite often a high school diploma.

But the man or woman we are trying to reach today, the hard core victim of poverty, quite likely has never been a consistent wage earner. He may never have completed grade school. And, unfortunately, he is quite likely to feel hostile to the established institutions that serve the mainstream.

So you see, in spite of all the broad-gauge programs we have devised to shield people from economic disaster, some 32 million Americans are still confined to conditions of poverty.

These are not people put in a temporary

squeeze because of a downturn in the economy. They are not necessarily people felled by injury or disease.

Theirs is a self-perpetuating poverty, inherited from their parents and now being transmitted to their children. It is a poverty of hope and motivation, and it is a poverty of outlook. The road ahead for these people is down hill. They are isolated from the national goals, the national thought, and the national activity.

The vibrant economy of which this nation is so justly proud simply operates at a level above their heads and beyond their reach.

These were the men and women the country and the Congress had in mind when we enacted the Economic Opportunity Act of 1964. From the vantage point of 30 years of experience in social legislation, we saw that the needs of several million American families simply were not being met through the normal and institutional means of providing educational opportunities, welfare, economic development—yes, even occupational training. Many, many millions had benefitted. But 32 million had not.

Perhaps most tragic of all is the fact that the children of the poor were insulated from the benefits we intended because of the unreachability of their parents.

I am happy to say that the great debate about which I spoke a few minutes ago does not involve abandoning the effort to reach the poor. Rather, the argument is over the means of doing it.

The efforts which were initiated in 1964 are concerned principally with education, occupational training, health services, legal assistance and community development.

The principal critics of the 1964 act simply contend that these programs should be splintered away from the Office of Economic Opportunity and lodged in the established agencies of government that have traditionally operated in these areas.

I reject that argument. Moreover, I shall fight to the last hearing, the last motion, and the last hour of debate and conference to preserve a centralized and coordinated assault on the root causes of poverty.

It would be the height of folly to divide our forces and dissipate our strength at this critical point in the effort.

Strong, efficient, coordinated direction is now being given by Sargent Shriver through the Office of Economic Opportunity. That is where these programs belong, and that is where they must stay until their success is so firmly established that their day-to-day administration can be delegated to the old line agencies of government.

A splintering-off of the anti-poverty programs from the Office of Economic Opportunity at this point in time would produce this result:

The agency to which the new program is assigned would have to reorient its operation in terms of servicing the poor and thus diminish its major mission.

The alternative is that the primary objective of the particular anti-poverty program would be diminished by merging with the broad mission of the old-line agency to which it is assigned.

I want you to understand that I am a longtime champion of the Department of Health, Education, and Welfare. It is ably administered and performs tremendous service to the nation. But I do not feel it is prudent to require that the Department reorient its operation or its mission in order to concentrate on the peculiar needs of the poor.

Similarly, the Department of Housing and Urban Development, the Department of Agriculture and the Department of Labor have broad-based missions to serve the needs of the nation. The constituencies of all these agencies have strong representation in national organizations to promote the general interest of farmers, home builders, workers, unions, and others. But they have no representatives of that vast, unorganized, inarticulate constituency of the poor. This group, 32 million strong, would simply be lost in the shuffle if the programs O.E.O. now administers were redistributed.

If anti-poverty efforts are to be parceled out to established agencies and to appear merged as only small budgetary items surrounded by budgetary items for the major missions of the agency, we shall have lost a major and perhaps decisive thrust in the effort to eliminate poverty.

This effort requires many different approaches, many different tactics and programs.

I can't help feeling that we are neglecting one of the best approaches by underfunding our vocational education mission. In fiscal 1967, Federal support for vocational education under the 1963 Act reached a ceiling of $225 million. To meet the fundamental needs of vocational education the Federal Government should be spending in support of these programs $1 billion annually.

I am hopeful that *this Congress* will raise the authorizations contained in Section 2 of the Vocational Education Act from $225 million to $400 million effective for fiscal 1968 and to $1 billion thereafter.

At the same time, I feel that it is urgent that we increase authorizations for the Economic Opportunity programs in the Occupational Training areas, in the Neighborhood Youth Corps, Job Corps, and community action oriented occupational training. By keeping these activities centered in the Office of Economic Opportunity we will assure continued focus upon the specific needs of the people now trapped in poverty.

At the same time we must assure the continued participation of vocational educators in Economic Opportunity oriented programs of occupational training. These programs are *successfully and effectively reaching* the most needy groups.

We are making good progress on many fronts. Let us make sure that this progress continues by keeping the effort against poverty united and coordinated in the Office of Economic Opportunity. I certainly hope you can support us in that intent.

Today I urge keeping intact the authority of the O.E.O. to enage in a great variety of programs specifically directed to poverty and the poor, but I look forward to the day when O.E.O. will work itself out a job.

That day will dawn when the 32 million American poor finally achieve full participation in the good life that we know this country can provide.

VIETNAM: FENCING THE NORTH

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BINGHAM. Mr. Speaker, in the New Republic for July 8, Mr. Andrew Hamilton, a writer on military affairs for Newhouse newspapers, has written a most interesting article on the idea of seeking to establish a physical barrier to the infiltration of men and supplies into South Vietnam from the north. Mr. Hamilton appears to be sympathetic to the President's fear that a cessation of the bombing in the north would give Hanoi a military advantage, but he points out that this situation would change if such an effective barrier to infiltration could be established. He further argues that the high cost of the barrier would be less than the cost of aircraft losses over North Vietnam plus the cost of bombs dropped.

I commend Mr. Hamilton's article to my colleagues and other readers of the RECORD, as follows:

VIETNAM: FENCING IN THE NORTH

(By Andrew Hamilton)

With the presidential campaign barely more than a year away, there are signs that Mr. Johnson is planning to add something new to the war effort which could eventually change the nature of the Vietnam struggle. The new factor is a "barrier" of electronic devices around Vietnam to monitor infiltration of men and supplies from North Vietnam, Laos and Cambodia, and to permit rapid border enforcement. If the electronic wall were to curb infiltration, the residual arguments for continued bombing of North Vietnam would lose whatever validity they might still have.

The impression grows that under present strategy, neither the many battles in the South nor the air war against the North are going to bring an end to the fighting. One no longer hears much about that "light at the end of the tunnel" which glimmered fitfully last fall. General Westmoreland has sent Washington his estimates of the number of additional American troops he could use, mostly for more search and destroy operations. These are said to run from one more division up to four or five, in descending order of priority. But there is no evidence that General Westmoreland guarantees that any number of additional troops will produce victory within a year or 15 months. The retraining of South Vietnam's 'Army (ARVN) for "pacification" duty has turned out to be a far longer-term project than the optimists expected last fall, and one begins to hear about all sorts of new organizational schemes to make better use of ARVN's manpower.

The bombing campaign against North Vietnam has run for nearly 30 months. Well over $1 billion worth of American aircraft has been lost to enemy fire or in accidents; at least another $1 billion in ordnance has been dropped on or shot at North Vietname; more than 500 American pilots have been killed or captured; most of the North's industry has been hit and at least partially destroyed, and its roads, railroads, bridges and waterways are under constant attack. Yet the enemy force in South Vietnam keep growing slowly, according to publishd intelligence estimates. The intensity of conflict in the South is also growing. The North Vietnamese leaders seem fully prepared and able to sit out another year or more of bombing, both to prove that they will not submit to coercion and to see what the American presidential election will bring. Pondering this, the President must at times be tempted to believe that "more of the same" will bring only more of the same—another year or more of "this bloody impasse," as he called it last month, with a settlement not perceptibly nearer. Not the best record to run on.

But Mr. Johnson believes that a negotiated settlement is no more attainable than a military victory in the short run. In the opinion of the officials who estimate Hanoi's intentions, the North Vietnamese government would agree to "talks," if the bombing of North Vietnam were stopped. They doubt, however, that the "talks" would lead to "negotiations" during which Hanoi would back away from any of its aims—certainly not until after the US elections. The estimate of the Joint Chiefs of Staff, which the President can hardly ignore when he has troops in the field, is that Hanoi would take military advantage of the cessation of bombing to increase infiltration of men and supplies in the South, in hopes of achieving a major tactical victory that would have maximum political impact in Washington and Saigon. So when the military are asked about ending the bombing, they growl "over our dead bodies," and they mean that literally.

Thus, the President is told that the safest way to fight the war in the South is to continue bombing the North, relentless pressure countering relentless presssure. At the same time, he is also being given a highly unfavorable assessment of the bombing as a costly and inefficient counterinfiltration weapon. (According to the air force chief of staff himself, most bombing raids against North Vietnam achieve a "700-foot CEP"—circular error probable. This means that only half the bombs drop within 700 feet of their targets.) Moreover, persistent bombing is poisoning relations between the US and other nations, particularly the Soviet Union and contributes to holding up such vital matters as talks on limiting deployment of anti-ballistic missiles or a Middle East settlement. Nor is it bringing Hanoi to the conference table. Moreover, Mr. Johnson is told it is morally repugnant to a lot of Americans who are not the demonstrating sort. Curiously enough, this assessment is coming from the Pentagon, although not from the Joint Chiefs of Staff. It is held not only by Department of Defense civilians, but by some lower-grade officers.

For several years, the Defense Department has considered various schemes for blocking the infiltration from North Vietnam by physical barriers. Most were discarded as too static, too costly in terms of manpower, and not likely to have the same military or (it was hoped) political advantages as bombing. The military, in particular, were opposed to the barrier plans. But the idea remained as a possible alternative to the bombing strategy, and as possible insurance against the reintroduction of infiltration following any political settlement. For these reasons, a major research program named "Practice Nine" was started by Defense Secretary Robert S. McNamara last year to determine whether new detection and warning devices could be developed that would make a barrier "cost effective."

"Everybody and his brother," according to one research official, has been called in to deliver opinions on the feasibility of the sensor technology required and on the "trade-offs" between a barrier and bombing, as well as to do the engineering. Combinations of airborne and ground-based sensors have been studied to determine the best way to detect foot infiltrators, bicycle and pack animal traffic under dense jungle canopy in wild, rough terrain. When the sensors detect such traffic, they would alert observation posts or planes which could order artillery fire, air strikes and helicopter-borne troops to stop the infiltration. Barbed wire, minefields, strongpoints and other standard barrier devices would be used where the terrain permitted. Where it did not, mine-activating sensors could be installed along infiltration trails, along with sensors to call in air strikes and reaction forces.

An electronic fence of this sort would make use of improved night observation devices using light intensification techniques; personnel detection radars which see moving targets by means of the Doppler shift, and which have been used successfully at ranges of several miles to aid in protecting isolated Special Forces camps in Vietnam; seismic detectors that can be remotely placed to pick up ground tremors caused by marching men; magnetic detection devices; infrared sensors; ultraviolet sensors; acoustical amplifiers; "electric eye" beam-breaking devices and other gadgetry. Some would have a radio link to rapid data-processing equipment, which would analyze the patterns for estimates of the amount and kind of traffic.

WHERE WOULD IT BE BUILT?

Army studies have determined that a "reasonably impermeable barrier" using this sort of technology could be constructed at a cost of $1 million a mile, including manning costs which make up 80 percent of the total. And even if the cost estimate doubled, officials have said, it would be cheaper to build a barrier around the the 600 miles of South Vietnam than to lose another 600 attack aircraft over North Vietnam, at $2 million a plane plus the cost of bombs dropped.

The same sensor technology can be used to improve the efficiency of search and destroy forces in South Vietnam, which one defense official describes as very low. By helping to pinpoint enemy forces, camps and tunnels, he said, the technology "can improve search and destroy by a factor of 10."

Advances in sensor technology, notwithstanding, the barrier plan remains controversial. Some find repugnant the concept of a "Berlin wall" built by the United States, although the arguable point is made that the Berlin wall was designed to keep people in while this wall would be designed to keep them out. The military are no longer so strongly opposed to the idea, but they don't want to take men from search and destroy operations and tie them down guarding the barrier. It is thought that a barrier of any length would require three to four divisions of airmobile troops (more than two divisions are now on border duty). Also, they believe the barrier should stretch from the South China Sea across the northern tip of South Vietnam and then on across Laos to the Mekong River, instead of ending at the Laotian border. But that is ruled out; the Laotion government firmly opposes the plan. An alternative is to turn the barrier south along South Vietnam's western boundary. But this is very rough territory, where installation of the barrier would be more difficult and its effectiveness more open to question. Finally, some of the sensor devices will not be available for at least a year, if then. Technologically, they present "magnificent problems," one official notes.

Nevertheless, the Administration apparently is preparing to field-test the electronic barrier on a major scale, beginning just south of the demilitarized zone between North and South Vietnam. Already, Marines have cleared a seven-mile strip between Gio Linh and Con Thien which is being widened to 500 yards. This will be sowed with mines, barbed wire and sensors and covered by concentrated artillery. According to reports, the strip will next be extended four miles from Gio Linh to the coast, then westward. It might then be carried south along the boundary.

Officials think that, using present technology, a barrier covering the major infiltration routes can be installed within a year. If this is done, and it proves effective, the President will perhaps be in a position to deescalate, then stop the bombing without risking major trouble in the South from infiltration. This might be the formula to solve the current impasse, and, conveniently, it would be available for use just about the time the presidential campaign picks up momentum during the fall of 1968.

In the 17th century the rival war lords of the Trinh and Nguyen families, rulers respectively of North and South Vietnam, fought constantly with each other. But the Trinh, although stronger, were unable to overcome the Nguyen and seize the South. Historians attribute the successful southern defense in part to two huge walls built across the coastal plains by the Nguyen in the 1630's, near the narrow waist some 25 miles north of the present demilitarized zone. That division of Vietnam, according to Bernard Fall, lasted 150 years. But it did not bring peace. The learning curve in Vietnam is very flat.

THE MARKET FOR U.S. COINS HAS FINALLY STABILIZED

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FASCELL. Mr. Speaker, during the years of the coin shortage, one of the prime causes which aggravated the serious lack of coin was its withdrawal from circulation by the coin speculator whose principal motive was to make a quick and easy profit. These speculators who diverted bags and barrels of coin from normal circulation patterns increased the problems of the average businessman who could not obtain sufficient coin for his normal needs. Because of this, his costs of doing business were increased, which no doubt resulted in higher prices to the consumer. Incidentally, the true coin collector, the hobbyists, found a steady rise in the prices for the coins which he needed for his collection.

Since early 1964, the Legal and Monetary Affairs Subcommittee of the Committee on Government Operations, of which I am chairman, attempted by reason of its work to assure that the country would have adequate supplies of coin in order that the businessmen would not be hampered in the conduct of their normal commercial operations.

In the coin shortage report, part 2—House Report No. 195, 89th Congress, first session—which was issued on March 22, 1965, we tried to distinguish between hoarders and coin collectors. In the report we stated:

COIN HOARDING AND SPECULATION

The measuring of coin needs is further complicated by the lack of valid information on the quantities of coin which are being kept out of circulation by hoarders. The true coin collector does not materially contribute to the coin shortage. The Treasury witness stated that he felt the coin collector has never been a problem, in that, assuming there are 10 million coin collectors (which he thought to be a pretty high estimate) and each withdrew a set of each mint's coin, per year, that would amount to only about 100 million coins, a sizable quantity in itself, but of little consequence in the overall picture.

However, those who buy up new coin by the bag and roll are a problem. Their goals are not the education and pleasure derived from the pursuit of a hobby but solely expectations of financial gain. This gives rise to speculation, creates hoarding, increases prices inordinately, and intensifies the shortage. Collaterally, it also adversely affects the true collectors, who are finding it difficult to add to their collections except at highly inflated prices.

While there is no way of accurately counting the coin holdings of hoarders, a clear realization that the holdings are large may be gained from a perusal of the advertisements in coin publications. Often these contain offers of coins, at fancy prices, by the roll, the bag, and even the ton. Treasury officials in reviewing one such publication found advertisements by 53 dealers and 69 individuals which offered 1964 coins for sale or trade by the roll or the bag. Such trafficking in, or holding of, coins is not illegal; however, there is at present no reliable means of estimating the quantities of coins so held out of circulation.

Some further conception of the sizes of hoards is reflected in an articles in the Wall Street Journal for January 14, 1965, which reports that a bank has loaned speculators $1.1 million, secured by 34 tons of silver coins, and expressed a willingness to make more such loans.

A belief popular with many coin hoarders is that they cannot lose on their investment in coins; that even if they do not make a profit, they cannot lose. The fact is, as testified to by the Treasury witness, they are losing the interest or profit which could be made by putting their money somewhere else. Thus they could earn 4 or 4½ percent by putting their money in banks or savings and loan accounts, their losses would be protected at least to the extent of $10,000 of each deposit, and they would be relieved of the burdens of safeguarding and storing bulky quantities of heavy coin.

Since about 1962 what had formerly been the quiet hobby of coin collecting developed for many persons into a wild speculation, with bid-asked markets and sales conducted through teletype services throughout the United States. A small dealer in a remote part of the United States can offer coins just as can his counterpart in metropolitan areas, quite a contrast to the time when trades took place at meetings of local coin clubs. The speculation grew to such extent that rolls and bags of coins minted in 1964 were hoarded, and advertised for sale at premiums the Treasury witness characterized as "fantastic." Speculators are interested in promoting the idea that there is a coin shortage, that current coins have high value and are going to get more valuable and, therefore, are good investments for individuals.

Speculation is often completely unrelated to realities. For example, dealers have offered, at from $2 to $3 each the 45 million silver dollars which the Congress has authorized, but which have not been minted.

As more and more people enter the market, prices rise. The bubble of speculation, however, can burst and purchasers of coin can suffer large losses. Even in coin publications, warnings to that effort are beginning to appear, cautioning speculators that they will sooner or later find that they have built cardhouses that will come toppling down around their collective ears.

The sad thing about it, the Director of the Mint said, is that people are going to lose money; they are "going to lose tremendous amounts of money, unfortunately."

Meanwhile, hoarding and speculation deprives commerce of coins needed in the carrying on of businesses and impedes the Treasury in its attempts of forecast future coin needs.

The subcommittee was impressed with the "crash program" which the Bureau of the Mint had planned in order to overcome the coin shortage. On the basis of the success achieved, shortly after the inauguration of the program, and its faith in the ability of the Mint to accomplish what it set out to do, the subcommittee was assured that production would be adequate to make speculation unprofitable. In the coin shortage report, part 2, the subcommittee found:

> The bubble of wild speculation in ordinary coins at ever-increasing prices it expected to break with large losses to speculators.

On October 20, 1966, I reported to the Members of the House on this problem stating that the coin speculator's bubble had burst, and inserted in the RECORD an article which had been published in Coin World which commented on the downward trend of values of U.S. coins in the collector's market. In that article, the author listed several factors to which he attributed the change in the market. The first of these factors which I think was most significant is quoted as follows:

> Coin prices became too inflated due to excessive unrealistic promotion, all of which was successful due to the human desire for large and quick profit the easy way. And neither the dealer nor the investor is without blame in this respect.

The 1968 edition of "A Guide Book of United States Coins," generally known as the Red Book to coin collectors, has just been published and it confirms the prognostications of my subcommittee with respect to recent speculation in coin. I am happy to report that the market is stabilizing and that the collector should be able to obtain coins at reasonable prices. Much credit is due to the Bureau of the Mint, which has shown a remarkable capacity to produce coin in large quantities, resulting in the overcoming of a serious coin shortage. To me, this indicates that there is no need to fear the recurrence of such a situation for many years to come.

The article by Mr. Herbert C. Bardes in the New York Times of June 25, 1967, I feel sure will be of interest to every Member of the House.

COINS: RED BOOK REVEALS STABILIZING MARKET

(By Herbert C. Bardes)

There are more price changes in United States coins in the 1968 Red Book than there have been in any of the previous 20 annual issues. Although many of the changes are on the down side, the drops are moderate and the same holds true for the increases. Thus, the overall trend toward a stabilized market continues.

The 21st annual Red Book, officially called "A Guide Book of United States Coins," will be available next month in coin shops, as well as in the coin sections of department stores and in many book stores throughout the country. The red, hardcover book is published by the Hobby Supply Division of the Whitman Publishing Company, Racine, Wis. and it is priced at $2.

The Red Book, a guide to retail prices, lists coin quotations arrived at by averaging the prices reported by a panel of nearly 50 established dealers from all parts of the country.

SOLID BASE

An optimistic trend for the entire hobby is the continuing downward adjustment of prices from the speculative heights of two or three years ago. Richard S. Yeoman, editor of the Red Book, observes that, as a result of this trend, "the true scarcity of certain issues is being brought into sharper focus."

The coins that have been hardest hit are the modern, relatively common issues. "Sharp downward fluctuation in the values of these coins," he notes, "has resulted from the continued lessening of interest by the speculator element."

Late-date proof sets are also in the forefront of price reductions. "It will come as no surprise," Mr. Yeoman says, "that modern proof sets have dropped drastically in value as more and more holdings are dumped on the market."

Another not unexpected drop can be observed in Lincoln cents; they are down for the second straight year. Also disheartening to dealers is the continued slump in the Indian head cent series. These two have always been among the most popular United States coin series. The interest is still there, he says, but not enough to sustain inflated prices.

NICKELS KNOCKED

One of the biggest surprises is the Buffalo nickel series. Although prices in the better grades are steady, or show slight increases, the lower grades are down slightly. "This," observes Mr. Yeoman, "is the first time—ever—that the Red Book has had any lowering of prices" in Buffalo nickels.

All through the speculative boom of the early sixties, cooler heads in the hobby continued to sound the warning that a collapse was inevitable. Their predictions came true as soon as the hoarders, especially the hapless amateurs, woke up to the simple economic fact that "for every coin there must be a collector."

This truth was borne out then, and is still being illustrated, by the steady appreciation in the prices of type coins. Mr. Yeoman comments, "The most common coins in each series (the basic type coins), particularly in uncirculated condition, continue to reach new highs. It takes no great prognosticator to see that the type coins in extremely fine and very fine condition should soon be on their way up in price."

Also noticeable in this 21st issue of the Red Book is that "almost no coin is priced under 10 cents. This does not mean that some of the common material is not worth less than 10 cents, but only that nowadays no dealer can afford to merchandise a coin for under that price."

American Colonial coins—those made in this country or in Europe for circulation in the Colonies from the mid-1600's to the early 1790's—rarely are spectacular price performers from year to year. They usually make slight to moderate advances.

AUCTION EFFECT

This year the Red Book shows a better-than-average Colonial performance, with about half of the coins showing moderate increases. This growth was anticipated, and is generally attributed to the results of the nationally publicized auction of the outstanding C. H. Stearns collection of Colonials, conducted by Mayflower Coin Auctions in Boston last Dec. 2 and 3.

"However," Mr. Yeoman notes, "many of the rarities in this series have not come up for public sale in many years, so that new prices could not be established."

The long-hoped-for surge of interest in the silver commemorative half dollars has still not materialized. Almost every value in this series is down, and some of the issues have dropped radically. Even the much smaller series of gold commemorative coins has slumped.

In half cents, general price increases are noted in proof and uncirculated coins, with somewhat less strength in the very fine and extra fine grades of condition. In most instances, the lower grades are down.

Large cents are even stronger. The early dates made heavy gains, especially those in better condition. Sharp increases are noted for large cents in uncirculated condition.

The sustained interest in type coins revealed itself most strongly, of course, in the limited-mintage 19th century issues such as 20-cent pieces, silver three-cent pieces, nickel three-cent pieces, bronze two-cent pieces and the trade dollar.

A detailed review of the Red Book discloses that there are some 40 major categories of United States coins in gold, silver, copper and cupronickel. Collectors will find it interesting and instructive—and quite possibly profitable—to take the time for a series by series comparison between 1967 and 1968 (copies of the 1967 edition are still available in most coin shops).

CANADA CELEBRATES INDEPENDENCE CENTENNIAL

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FASCELL. Mr. Speaker, it was just 100 years ago, as our own people were striving to rebuild the framework of their Nation which had been so severely shattered by the Civil War, that the Canadian people were preparing to undertake the often perilous task of forging a nation from the legacies of British imperialism.

One hundred years ago, on July 1, 1867, despite the differences and sectional rivalries endemic in a land of such large and diverse proportions as Canada, the colonial Provinces of Ontario and Quebec, and New Brunswick and Nova Scotia, under the conditions established by the British North American Act, joined together to form the Confederation of Canada. Although other Provinces were to join the confederation later, and the expanses of the central plain were as yet unorganized, the fact that the vital step had been taken marked the final passing of the age of British North America and the beginning of a long and fruitful relationship between the United States and the Dominion of Canada.

Today, the Canadian nation reaches from the Atlantic to the Pacific and from the St. Lawrence to lands end at the edge of the Arctic Ocean. Within this area of such majestic proportions is a nation of people fused from many nationalities who are proud to call themselves Canadians, and this pride is not without the greatest justification. For today Canada is not only one of the world's leading producers of such staples as wheat and timber, but one of the world's mightiest industrial nations as well.

That the Canadian people eagerly accepted their responsibilities as a member of the world community has come as little surprise to those who have watched the development of this conscientious and independent state. While fully aware of her position as a member of the British commonwealth of nations and of her economic ties with the United States, Canada has played an increasingly important and creditable role in the United Nations. During the past 25 years, Canadian statesmen, doctors, and soldiers, acting as representatives of the United Nations, have labored strenuously in every corner of the globe to insure the maintenance of international peace and to provide care and hope for the less fortunate members of the family of man.

Yet the thoughtful Canadian who turns to his country's history to seek explanations for his nation's greatness will quickly pass over the somewhat romantic image of rugged Canadians carving a dynamic nation out of the vast northern wilderness and bring his thoughts to rest on the true meaning of the struggle for a Canadian community. This quest for an independent Canada did not erupt as dramatically as had our own drive for independence, nor was it accompanied by the irrational excesses of patriotism that have so often characterized the birth of new states. It was slow, tedious, and often without fanfare. But it was, nevertheless, as doggedly determined as that of any nation on the earth whose peoples have earned the right to statehood and independence.

The real meaning of the Canadian experience has been that nation's efforts to create a meaningful and separate identity in the northern half of the North American Continent. This Canada has done, and for this the United States can be thankful.

Canada's independent and truly distinctive culture has given this country the most precious gift either a man or a nation can have—a friend. From our friendship based on diversity, mutual respect, and trust, has flowed an interchange of ideas and criticism which has vastly enhanced the wealth and strength of both our nations.

Though at times critical of American policy, Canada's criticism has been offered in what she has always considered to be the best interest of both countries and the world in general. In all her relations with the United States and with other nations, Canada has acted with a steadfastness of purpose and toleration of others that can only be the product of her own long and determined struggle for a Canadian identity.

During this year of Canada's centennial, the people of the United States of America offer their warmest congratulations to their northern neighbors and closest friends, the Canadian people.

FREEDOM SHRINE ESSAY CONTEST IN MIAMI

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FASCELL. Mr. Speaker, on June 29 I had the privilege of calling to the attention of my colleagues the first of five essays that were first-place winners in the annual Freedom Shrine Essay Contest sponsored by the Exchange Club of Miami. Today I commend Clarence Smith, Betty Holzmann, Robert Clark, and Ellen Sandler for their fine expressions of the meaning of the freedom shrine to each of them. Their essays follow:

What the Freedom Shrine Means to Me

(By Clarence Smith, Miami Senior High)

"Two roads diverged in a yellow wood,
And, sorry I could not travel both
And be one traveler, long I stood
And looked down one as far as I could
To where it bent in the undergrowth;"

Robert Frost tells of a traveler who must make a critical decision which will affect his life and the lives of countless others for years to come. He has an opportunity to take the short road which seems to lead to success, or he may take the long road which after many attempts appears to lead nowhere.

Many of my fellow Americans apparently feel the same way or have the same idea that the short road will lead to success. They will reach out at any opportunity, not really knowing where they are going or what they are doing. Their reply is, "Why should I fight; I am not protecting myself; why should I die." The chant goes on, but these cheers go beyond the words. The youth will destroy documents symbolic of their responsibilities, carry picket signs, and go so far as to denounce the system of our government.

The Freedom Shrine reminds the youth of these responsibilities and serves as a guide in life to those who haven't forgotten them.

In 1776 our forefathers felt that tyranny should no longer exist in our country. They wanted the coming generations to have liberty and equality. After weeks of writing, Thomas Jefferson created the ideals and the words that brought a nation, our nation, together: "We hold these truths to be self evident that all men are created equal." But this declaration was only the beginning; the battle had begun. The time came for fighting and dying. These gallant patriots were looking down that long road. They were hoping that by taking that road future generations would be free.

Our nation began the long journey to freedom; they knew not where it led, but with faith in its people, they knew that they were headed in the right direction.

America became known as the "Cradle of Liberty," and our heritage was strengthened by many races and creeds. These people were seeking freedom found only in the United States. These people, here for many reasons, helped create our nation.

Our Freedom Shrine also reminds us that as the young democracy grew, grave problems arose which split the nation, and brother took arm against brother. The people of this land found that another terrible obstacle could be passed with perseverance.

Our Nation is the longest living democracy and we ask ourselves why. The treaties of the two world wars we have fought, which are in the Freedom Shrine, remind us of our great heritage, and when traveling down the road, when an obstacle stands in the way, we can look back at the heritage of our ancestors. We then will conclude that a nation can only survive with the help of its citizens.

We have faced many obstacles, and we have seen the people of the United States react. What road will the youth follow? We have a choice. However, the temptation to take the short road is strong. Before we continue on our way, we should stop, look, and remember the days when our country was born and the heritage left us.

A respect for the past should be instilled in the youth of America. They should realize the debt they have to pay. They need a shrine to do this, a shrine symbolic of freedom, the freedom they now possess. The Freedom Shrine serves this purpose.

Two roads—one leads easily to a world enslaved; the other, although more difficult to traverse, leads to a life of freedom. We the youth must make a decision based on the shrine of inspiration, encouragement, and guidance in order that one day we will be able to say:

"Two roads diverged in a wood, and I—
I took the one less traveled by,
And that has made all the difference."

The Freedom Shrine: Its Meaning to Me

(By Betty Holtzmann, Thomas Jefferson Jr. High)

"We hold these truths to be self-evident: that all men are created equal, that they are endowed by their Creator with certain unalienable rights, and that among these are life, liberty, and the pursuit of happiness."

These were the words set down by a group of politicians on July 4, 1776. Now the deed was done. The Americans had openly declared their independence from English tyranny. There was no turning back; the wheels of progress had begun to turn.

The Declaration of Independence, in itself, is nothing. What it symbolizes is more important. Through it, and the rest of the Freedom Shrine, we can come to fully realize that our country's heritage goes beyond the dusky past into the foreboding future.

As we gaze at the documents that constitute the Freedom Shrine, our magnificent past is easily seen in all its splendour. The Pilgrims again embark on the hazardous voyage across the Atlantic, hoping to find their long-desired freedom. The colonists stand up to the mother country, and the lion is subdued by the mouse. And as we look onward, a vast panorama of rolling plains and high plateaus is shown to us, proving that America's manifest destiny has been fulfilled, and that our country truly reigns from sea to shining sea. But then the roll of drums and the thunder of cannon reminds us that a civil war has to be fought, and that many will die for a cause so complex that its bare essentials would fill volumes. But, the war is won, and, in the midst of joviality, a pistol shot is heard, and a man dies for his country. President Lincoln is buried, and the the nation weeps.

The Freedom Shrine moves on, and the terror of the World War is relived before our eyes. Our country grieves for the dead and the wounded, but, in the end, the United States comes through triumphant.

We have now arrived at the present. The documents that are to be displayed in the future have not yet been written, and we are struck with awe. What will follow? Which wars will be won and lost? Which men will live and die? The answers to these and many questions can be found in the Freedom Shrine. "There is, of course, more to be gained from the use of documents than the recapturing of significant moments from the history of free men." Because this statement could not be truer, we may well find the answers to many probing questions of the future by delving into the documents of the past.

Looking again at the Shrine, we recognize many a famous document. Every one of them was written for a significant purpose. Let us begin with the Northwest Ordinance. The document shows plainly the good judgment of our government. Is it any wonder that Daniel Webster doubted whether "any single law of any lawgiver, ancient or modern, has produced effects of more distinct, marked, and lasting character than the Ordinance of 1787"? We also find much food for thought in the Monroe Doctrine of 1823. In studying this declaration, we find evidence of the well-known virtue of Americans to stand up boldly in the midst of adversity.

When President Lincoln was about to sign the Emancipation Proclamation, he raised his eyes and declared, "I never, in my life, felt more certain that I was doing right." With this, he wrote his name in bold letters across the bottom of the page. This document symbolized our nation's willingness to give equality to all men. By this proclamation, Negro slaves were officially freed. Negroes, it is true, still struggle for equality, but the Emancipation Proclamation marked the beginning of the popular belief in civil rights. It need not be said that one day soon all racial prejudice will be eradicated.

Now we have seen three of the many famous documents of the past. By studying them, we find dramatic proof of the unmarred record of goodwill and courage of our country. With this knowledge, we can face the future and rest assured that the future of America will be as honorable as its past.

When I think of the Freedom Shrine, I am reminded of many things. I think of an open field with the scent of daisies in the air. I think of crying gulls and roaring surf and the feel of the warm sun on my back. I think of the bustling city, with its gleaming towers and reverent monuments; its cool marble halls and its warm city sidewalks. I think of the morning sun, appearing on an horizon that never ends, and that is unlimited in its grandeur. I think of carefully-planted crops, given to Mother Nature's care; the nourishing grains, the varieties of vegetables, and the open fields that lie and wait to be cultivated. And in the midst of this farm life, I recognize an insignificant red barn, bordered by the traditional white picket fence. And as I think of all these things, in relation to the Freedom Shrine, my heart leaps with joy as I realize that this *is* America! But more than this, America is people. America is the landlady downstairs and the handyman down the street. It is the distinguished executive and the insignificant clerk.

So, when I am asked the Freedom Shrine's meaning, I can only say:

America, from, sea to shining sea!

(NOTE.—The source of all Quotations is the book, *Living American Documents*, available at the Thomas Jefferson Junior High School Library.)

FREEDOM SHRINE: ITS MEANING TO ME—THE GERMAN INSTRUMENT OF SURRENDER (World War II)

(By Robert Clark, Kimloch Park Jr. High School)

On May 7, 1945, in allied headquarters at Reims, France, Alfred Jodl, representing the German high command, was forced to surrender, unconditionally, all forces on land, sea, and air under German control. This marked the cessation of the hostilities between the allied powers and the Third Reich.

Beginning in 1939 and lasting until May 1945, the German forces captured towns, cities, and countries, in an attempt to take over the entire world. During these ruthless years, they executed millions of Jews. In short, they threatened the safety of the whole world.

On December 11, 1941, the United States entered the war determined to bring these hostilities to a stop. After 3½ years of bitter fighting the allies succeeded, they had won the war and ended the immediate threat to the free peoples of the world.

Although no bomb or Nazi soldier ever touched this country, we still took the responsibility of preserving freedom in our hands and fought to save the European people.

Without the courage of the American soldier and the clever war strategy, we might all be living under Fascism. But because of the valor and agility of the G.I. we live in a Democracy, as do most of the Europeans.

More than 16 million men fought in this dreadful war, and 291 thousand of them did not come home. They fought in strange lands so that their families at home would be safe. These gallant men fought and died for us so that we might worship as we please, hold a job we like, make a profit, and have all the rights guaranteed through Democracy.

I believe that the United States is truly the world leader in protecting the Democratic ideals and customs of those free countries throughout the world that are Democracies and also in encouraging and aiding the many people and countries of the world that are seeking our ways of life and Government—those of a Democracy.

The instrument of surrender is not just a lot of words on a piece of paper; to me, it is the whole idea that we, as Americans, are so dedicated to and proud of our great Nation and its free Government that we will not tolerate any power or force that threatens our freedoms.

In the Second World War we succeeded in preserving our freedom and also the freedom of Europe.

For years the United States has been trying to promote and protect Democracy. I believe that the German Instrument of Surrender not only ceased the spread of Nazism, but also put Democracy one step higher on the ladder to world-wide approval.

THE FREEDOM SHRINE: ITS MEANING TO ME

(By Ellen Sandler, Rockway Jr. High School)

For Orango and Gavril the date was Julian 8, 2095, yet of course they realized that for Aron and me it was July 17, 1967. That night, in the dark, empty corridors of Rockway Junior High, a strange meeting took place.

Aron and I were walking to the store to pick up some groceries for his mother. The night air was fresh and clear, and we enjoyed each other's company. Our usual route took us past Rockway, our last year's school.

As we approached Rockway, I experienced a sensation which I find somewhat difficult to put into words. Have you ever felt as though you were being drawn into a place, propelled by an unknown force? It is knowing deep within you that something awaits you inside, indefinable yet, nevertheless, existent, not wholly understandable, yet on the verge of being so.

For a split second everything went black. I was vaguely aware of Aron's supporting me to a bench just outside Rockway's main office.

"What happened?"

"I'm not exactly sure."

"Let's get going. This place bugs me."

"Aron, I'm staying here. I can't explain it, but I *must* stay here . . . now . . . for a while. You too, I think. I know you don't understand what I'm trying to say, but something is going to happen. I can feel it. We're needed here for something tonight—something important." The urgency in my voice must have impressed him.

We walked silently through the dark, deserted corridors like two conspirators. The walls appeared huge and distorted, with black shadows lurking everywhere. I started to speak, but the ominous atmosphere of the vacant classrooms reduced me to an awed silence.

Suddenly I stopped where I was, dead still. The blood drained from my face. My lips worked furiously in an attempt to speak, yet no sound emerged.

My first impression was that the entire wall was aglow, but after I recovered from the initial shock, I realized that the eerie, yellow-green light radiated from a glass-enclosed case, which Aron and I recognized as the Freedom Shrine.

However, the light was not transmitted directly from the case, but originated deep within the wall, from an immeasurably far-off distance. The wall and the documents appeared transparent. The night air had a faint rusty odor, as of burning fuel.

I stood in apprehension as the yellow light slowly flooded the corridor. The center, growing rapidly larger, began to take shape. It was some sort of whirling machine consisting of a rectangular chrome-colored platform completely covered by a transparent dome. On the platform I could distinguish a multi-colored panel with flashing lights and gyrating discs. There were three reclining chairs: one vacant, the other two occupied by men. I shuddered involuntarily, quivering with excitement and anticipation. I heard a distant rumbling which got louder and louder as the machine grew nearer, until a great roar filled the empty school. I covered my ears with my palms, closed my eyes, and waited.

All at once everything stopped. There, in front of the Freedom Shrine, stood the machine I had seen through the glass. It was approximately half the length of the corridor, and measured about seven feet from the ground.

Slowly the glimmering dome rose. The men came suddenly to life in their chairs. One glanced around, spotted Aron and me, and silently formed the word "wait." I could not have moved if I wanted to. They unstrapped their seatbelts and stepped down.

Their attire astounded me. There is a kind of period-style overriding current fashion, and these two travelers seemed out-of-joint with the times.

"So, my young friends have already arrived. Good. I am Gavril," spoke the man on the right. "This is Orango, my . . . uh . . . assistant. Our business in this century will take but a brief time-span, but it is of utmost importance."

I studied him. His earnestness was beyond question. He asked for neither introduction nor explanation, and I did not venture any. He already seemed to know all about us.

He spoke with a depth of feeling and emotional power that commanded attention. My earlier fear left me. Curiosity took its place, yet I was secure in the knowledge that all my questions would be answered.

Gavril continued: "We are from star-date 2095. This," he motioned to the machine "is our time capsule."

"You mean we are your past—your history?" I asked timidly.

"History," he repeated quietly, musing to himself. "What we experience this moment glides, in the next moment, into the past."

"From the unchangeable past to the unknowable future." I recited.

Gavril smiled. "The fallacy that the past was unchangeable did not matter as long as there was no means of changing it. Your statement is quite untrue. Tonight my past will be altered, and you shall know your predestined future. And," he added as an afterthought "change it. You see, your civilization is headed for destruction. Tonight we will alter the path that man has followed thus far in the process of evolution, to the year 2095. Man has forgotten the essentials of living together with his kind; those essentials are in these documents." He gestured toward the Freedom Shrine. It was then that I began to understand.

"It will be your job to inform the masses. Show them the difference between democracy and dictatorship, conformity and individualism, education and indoctrination, before it is too late. Teach them to use their eyes, ears, and brains to 'see' my friends, to 'see'! To be aware of the vast world around them, to remember that the choice is their own.

"The Freedom Shrine is not just a collection of 'dead' documents. They are not just part of the patriotic past. Liberty, justice, rights—these were fighting words back in the beginning of governmental history. Revive them! Bring them back to life!"

My mind raced. I thought of what I had read in history books: of our forefathers fighting, dying, giving up their homes, families, and everything they had strived for all their lives so that our land might be free. Times when "liberty" and "freedom" were on the lips of every man, woman, and child, when rebellion was in the very air they breathed. We are breathing the same air! Another rebellion is in store for us—a patriotic rebellion. Were our forefathers to have died in vain? What they did should not only be remembered, but practiced. Now, and for generations to come!

There was so much I wanted to know. "But what happened to my world?" I asked. "Did it wipe itself out in some vast global war?"

Gavril sighed. "No, little one, it did not get even that far. It just died—as did all the early civilizations."

He had no reason to lie, yet it hardly seemed possible. Just died? I thought of my world, with all its complexities. Progress everywhere you looked—medicine, space, science, engineering. Yet it had serious problems. Racial intolerance . . . Crime . . . War . . . traffic casualties. Why didn't people read the Freedom Shrine documents? But, unfortunately, to get people to read was one thing—to get people to understand what they read was quite another.

It was then that I realized that this was not the drama of what life might be, but the nightmare of what it is becoming. The time to do something about it was now! The Freedom Shrine documents were the savior of this planet!

"Your world is decaying." Gavril's voice startled me. "Governmental corruption is inevitable."

No, I thought wildly. No! No! No! This was *not* man's destiny, *not* his reason for creation! To "Just die?" Never! There was only one solution.

"Yes" said Gavril, motioning to the Freedom Shrine. "The answer is here."

For the first time he turned to Orango. I had not yet heard him speak. "Well, Orango, what is your opinion?" asked Gavril.

"You know what I think. I told you right from the start. We thought that coming back when they still had a chance could change our world. Look at them—only kids! Did you see the faces of the people passing by? Lethargic! Do they care what happens after they die? All they worry about is themselves, oblivious to their neighbor's problems. Who are we to tangle with predestiny? If we fail . . ."

He whirled around to face the Freedom Shrine. "Look!" he yelled in blind fury. "Look, you fools! Why, they've got it right in front of them and they don't even know it's there!

"In front of them is the key to the future—entrusted to these idiotic, insecure, drunken conformists!"

Orango fell to his knees. He wept feverishly, passionately, desperately as he kissed the glass enclosing the documents.

Suddenly he turned, pointing a finger at Aron. "What do you see, boy? Pieces of yellow paper covered with illegible doodling? Look closer than that, boy, if you intend to survive!" He covered his face with his hands, his huge body racked with convulsions.

Gavril's clear, concise voice cut through the blackness. "I'm afraid I must apologize for . . ." Before he could continue, Orango was on his feet, seething with anger.

"Apologize, eh?" Then, without warning, Orango ran straight for the Freedom Shrine, throwing all his weight against the glass . . . a blinding crash, and it shattered in a thousand pieces.

Gavril bent over Orango's inert form. With a great effort, he succeeded in dragging him to the time capsule and placing him in his chair.

Gavril walked resignedly to where we stood. He looked solemnly at Aron. "Are you aware of your duty?" Aron nodded.

"What do you mean?" I asked.

"Come." Aron took my arm. His voice resounded ominously in the lonely corridors.

"Everything Gavril said was right, you know."

We were leaning against the railing on the second floor. The view was not much: houses containing sleeping people, fat and bloated, ignorant and petty.

"You understand now, don't you?" asked Aron, urgently.

"I—I'm not sure."

Just think how wonderful it would be if I really *could* wake these people from their apathy. . . . No more weapons or wars. . . . People could live, work, and be happy.

"It's up to us," he said. I looked into his eyes and saw something there that I had never seen before. Sudden comprehension struck me like a physical blow.

"You're going with Gavril, aren't you?"

Gavril came up behind us. Aron stared at me, unseeing, then turned and walked toward the Freedom Shrine.

Oh why, why? Gavril, you have no right to take Aron from me like this. I turned my back to Gavril, feeling wretched and sick at heart. I was aware of him standing behind me. Was he having his doubts about me? You have a huge job ahead of you, I told myself.

I straightened up and turned to face Gavril with a determined look on my tear-stained face.

For a moment I thought I saw relief pass over Gavril's countenance—or was it glory?

Aron stood in the shadows lost in thought. He fingered a few chips of broken glass, absently trying to piece them together.

Gavril put his hand on my shoulder reassuringly. "Do not worry about your friend. He will have the best of care. He will learn many things, and some day be a powerful galactic leader. For he already knows the first step to eternity—the Freedom Shrine.

"Please, do not feel sad. You have your own life to live, just as important to mankind. You live in a world where the Freedom Shrine still exists. Help people to understand that in these documents lies hope for mankind . . . You will do your task well." He looked deep into my eyes. "Ah, little one. So young, yet so old."

Gavril walked slowly to Aron. The pair walked side by side to the time capsule. They took their places on the platform. Gavril touched a button, and the whole apparatus began to purr. Slowly a clear dome covered the machine.

As I watched, the wall again became transparent and the time capsule receded back into the Freedom Shrine. The whole school seemed ablaze with light. As sight of the time capsule grew dimmer, I imagined I heard Aron yell through the raging crescendo of sound. "I will be back someday!"

But I can never be sure.

Nor will I ever be sure of anything again.

You see, I not only had our country's destiny but the whole future of mankind before me. There were two paths: One to glory and greatness, a harmony of human beings and nature; the other, to death and destruction, hate, war, and the eventual extermination of the species.

It was up to me—and the "Freedom Shrine!"

MORE FISCAL MISMANAGEMENT

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OTTINGER. Mr. Speaker, on June 28 the Federal Highway Administration announced release of $1.6 billion in Federal-aid highway funds, effective July 1. According to the official announcement, $1.1 billion is the regular first quarter apportionment for fiscal year 1968 and $515 million represents the remainder of the $1 billion in highway funds ordered deferred by President Johnson last November in an effort to reduce inflationary pressures on the economy.

I strongly protested the two-stage release earlier this year of $525 million in highway funds, pointing out that inflation was still a serious problem and that the administration was still talking about a 6-percent income tax surcharge to meet the demands of its programs, both foreign and domestic. If anything, the pressures of inflation have increased over the past 3 months and I am once again constrained to point to the administration's failure to chart a prudent and responsible fiscal course.

It is not difficult to understand why the stock market is uncertain, why consumers are confused, why Members of Congress are aroused. Estimates of the 1968 budget deficit range from the $13.5 billion offered by Chairman Ackley of the Council of Economic Advisers to Treasury Secretary Fowler's $20 billion to Ways and Means Chairman MILLS' $29 billion.

Yet, the administration seems to be doubletalking on its fiscal policy. On the one hand, it apparently does not feel inflation is a threat for it has requested and received, over my protest, a record increase in the national debt, outrageous appropriations for wasteful and clearly deferable programs, and now adds more fuel to the fire by releasing $1.6 billion in highway funds. On the other hand, it threatens at 6 percent or higher regressive tax increase supposedly because it feels the threat of inflation to be serious.

Is it too much to ask that the American people be told where our economy is going and why? Is it so difficult to establish realistic priorities among Federal programs?

I, for one, Mr. Speaker, do not want to be approached later this year with an emergency tax increase bill necessitated by an unwillingness to head off the crisis now. It is not too late to call a halt to runaway Federal spending. But time is running out.

FUNDS NEEDED FOR GRAZING DEVELOPMENT

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ULLMAN. Mr. Speaker, I wish to bring to the attention of the House of Representatives a memorial from the Legislature of the State of Oregon. The legislature memorializes the Congress to appropriate $3 million for the rehabilitation of the public grazing lands in Oregon.

This memorial is fully consistent with my testimony on March 15 of this year before the House Appropriations Subcommittee for Interior and Related Agencies. At that time, I pointed out that the Bureau of Land Management has advised reductions in grazing permits in Oregon amounting to 52,886 animal-unit-months within the next 3 years unless $3,093,652 is appropriated for a rehabilitation program.

As I emphasized in March, it has been amply demonstrated that mere reductions in grazing use does little, if anything, to restore range lands to productive use. However, such reductions impose crushing burdens on those adjacent landowners and communities dependent upon the fullest possible utilization of public lands for their economic base.

In my congressional district, the Vale grazing project—a pilot project using modern management techniques—has shown that intensive land management does pay off.

I, therefore, urge the Congress to give its careful attention to this memorial from the Legislature of the State of Oregon.

THE SILVER SCANDAL OF 1967

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, it has been evident for some years that the diminishing supply of silver in the world, against increasing industrial demands, would force the U.S. Treasury to cease minting silver coin and cease the sale of silver at a controlled price. The result has been that speculators, who were aware of this situation as early as 1960, have closed in and driven up the price of silver, banking on the hope that prices would rise suddenly on the day that the Treasury ran out of free silver.

This past month, we have seen the sad spectacle of the U.S. Treasury being driven literally to the wall by speculators, and our worst fears have been realized: silver speculators have made a killing, at the expense of the Treasury and the silver users.

It is clear that the Treasury has known as long as anybody else that there has been speculative pressure, and that it has been taking defensive measures to prevent an explosion in silver prices. Yet, when the storm finally broke in May, the Treasury found itself completely unprepared, and the result is the silver scandal of 1967. This whole affair needs investigation, and I have called upon the Banking and Currency Committee to investigate why speculators were able to command the day, and how it happened that the Treasury was unwilling or unprepared or unable to deal with the situation. I am also introducing today a bill to reinstate the silver transfer tax, which for 22 years succeeded in preventing speculation in silver.

I believe that had this tax been in force this year, speculative fever would have been much lower and the present crisis would have been avoided. As it is, the Treasury has been forced to stop sales of free silver to any except recognized industrial and business users, and has been forced to scrabble about and find 150 million ounces of silver in the redemption fund for use in the free silver reserve. But this measure cannot do more than depress futures prices. On Monday, the first trading day after the transfer bill was signed, silver futures were off, but on Tuesday, they were up. The London silver price now stands at about 40 cents higher than the Treasury price.

Obviously, Mr. Speaker, the silver situation is chaotic, and fully in the hands of speculators. Even the most reputable of U.S. dealers has been forced to increase the price on silver for immediate delivery, and futures are selling at as much as forty cents an ounce above the Treasury price.

Dealers now talk about melting coinage, speculating that this will happen when silver reaches $1.38 an ounce, which is not far away, if the current trend continues. They talk about vast amounts of silver coming from India, if the price hits $1.50 an ounce or more. They speak of dealers and industrial users stocking up on silver coin, so as to have a supply available. No matter what they say, they are bidding up the futures prices, and making their killings today, no matter what the real situation is or may be in six months.

Congress has known, and the Treasury Department has known that there would be speculative operations as a result of known differences between the demand and supply of silver. It is this difference that caused us to stop making 90-percent coin, and this difference that causes unrest in the market. It is a known fact that silver will rise in price, and the problem has been to prevent the market from going into speculative hands as a result of this knowledge.

The Treasury has been aware of this since 1959, and every year since 1963, I have questioned the Treasury about it. Every year, I have been told, there is no problem. I was told last year, and I was told this year, that there would be no price break in silver. But here it is. This month there is not only a price break, but we see the spectacle of the Treasury being unable to supply silver at the Treasury price, except to industrial and business users, and then only with the aid of an enormous writeoff of the redemption reserve. We see the Treasury selling 4,000 ounces of silver one day and five times that much the next, until they suspended sales—obviously because something went wrong between May 4 and May 5.

This sad spectacle has caught the Treasury unprepared. It has undermined the most reputable silver dealers in America by making them the victims of speculators. It will result in an unnecessarily high increase in the price of all silver products, all applications of silver for all uses.

I believe that we need to find out why this has happened, and when we do, I believe that the remedy will be the same as it was years ago—the silver transfer tax.

The silver transfer tax places a 50-percent tax on the gain of silver sold from one interest to another. It applies only to speculators. By making half of the gain of the speculator the gain of the Treasury, it effectively prevents speculation at all. But the tax is repealed now, on Treasury advice. I think that the time has come when we should determine whether that advice is valid.

WASHINGTON POST ARTICLE DAMAGING TO INNOCENT TEXAS INSURANCE COMPANY

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, on June

8, the Washington Post carried an article relating to a fine imposed against the United Services Life Insurance Co., and mentioning that the House Banking and Currency Committee intended to fully investigate United Services Life.

The publicity generated from this fine has adversely affected an uninvolved insurance company in my district. United Services Life is in no way connected with USAA Life Insurance Co., which is headquartered in San Antonio. However, the similarity of names has caused USAA Life to lose customers and potential business. This is most unfortunate, inasmuch as the USAA companies are, I believe, highly regarded by their customers and by the insurance industry.

Mr. Speaker, I include at this point a letter from the vice president for underwriting of USAA Life of San Antonio which sets the situation straight, and I also include my letter to the Washington Post:

June 14, 1967.

Dear Mr. Gonzalez: A published article in the Washington Post, Washington, D.C., dated June 8, 1967, disclosing that the United Services Life Insurance Company of Washington, D.C., had been fined $10,000 by Insurance Superintendent Albert F. Jordon for misrepresenting terms of a policy in a promotional letter has caused embarrassment and potential loss of business to USAA Life Insurance Company of San Antonio, Texas. This is due, in all probability, to the similarity of names. The USAA Life Insurance Company is a wholly owned subsidiary of United Services Automobile Association of San Antonio, Texas, and neither of these companies is affiliated in any way whatsoever with United Services Life Insurance Company of Washington, D.C.

The USAA Life Insurance Company, like its parent organization, United Services Automobile Association, has a prime objective of providing an insurance service to officers of the Armed Forces and Members of the Association.

USAA Life Insurance Company, without agents or representatives in the field, has undertaken the task of offering low cost life insurance protection to its eligibles. In addition, active duty officers are considered for up to $20,000 of permanent life insurance even if they are scheduled for duty or serving in Southeast Asia. The policy is issued without an increase in premium or a war exclusion.

USAA Life Insurance Company began doing business in October of 1963 and in this short period of time has had a very rapid growth. At year end 1966, the financial statement of the Company indicated assets of $6,561,609.69 and a net gain from operations of $545,171.15. The National Underwriter, issue of May 6, 1967, indicated USAA Life Insurance Company to be 487th in size as determined by insurance in force. With over 1,700 life insurance companies in existence, this is also an indicator of the Company's fantastic growth.

Since our inception the similarity of names has caused much confusion with our eligibles. We have had to make special efforts to counteract the misconception. Many of our Members have indicated that agents of United Services Life Insurance Company of Washington, D.C., left the impression that there was an affiliation.

We would appreciate any action by you on our behalf to call this matter to the attention of the Honorable Wright Patman, the Washington Post and any other media or individuals who might help prevent any further misunderstanding.

For your edification of this matter, we have attached an excerpt of the Washington Insurance News Letter of June 12, 1967, a copy of a letter just received from one of our Members in Washington, D.C., and a summary of our subsequent telephone conservation with him.

Sincerely yours,

James L. Snyder,
Major General, USA-Ret., Vice President, Underwriting.

June 15, 1967.

The Editor,
The Washington Post,
Washington, D.C.

Dear Sir: On June 8, The Washington Post carried an article stating that the United Services Life Insurance Company had been fined for violating the laws of the District of Columbia.

This company is in no way connected with USAA Life Insurance Company, which is headquartered in San Antonio, and which is known world wide for the quality and integrity of its service. However, USAA Life has suffered adverse effects because of the June 8 story in the Post. I hope that you will clarify the differences between these firms, inasmuch as USAA Life is in no way guilty of wrong doing.

With every good wish, I am,

Sincerely yours,

Henry B. Gonzalez,
Member of Congress.

EVEN THE CHEF IS MEXICAN

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I would like to call the attention of my colleagues to a fine Mexican restaurant, the Alamo, in nearby Riverdale, Md., owned by Mr. and Mrs. John Van de Putte. If any transplanted Texans miss the fine restaurants of San Antonio as I frequently do, they will be interested to know that the Alamo approaches the best of Spanish-American food, and hints at the rare atmosphere of San Antonio. Everyone should be thinking of attending HemisFair 1968 in San Antonio next spring, and the Alamo will provide a good preview of what to expect in native food.

Mr. Speaker, I include at this point the column which appeared in the Washington Evening Star, on June 22, by restaurant critic John M. Rosson, who tried the "San Antonio" plate at the Alamo:

Dining Out: Even the Chef Is Mexican

(By John M. Rosson)

Of all the jurisdictions in the Washington area, Prince Georges County probably is the least rewarding where fine restaurants are concerned.

You can count them on one hand and still have fingers left with which to fold your napkin.

We were pleasantly surprised, then, when we found a thoroughly enjoyable spot in nearby Riverdale this week called the Alamo, a tidy little Mexican restaurant nestled away in a small shopping area near the intersection of Kenilworth Avenue and Riverdale Road.

Not only did we find it spotless, but the Alamo, owned and operated by Mr. and Mrs. John Van de Putte—veteran area restaurateurs—boasts a Mexican chef who knows his dishes. It does not go without saying, of course, that a Mexican restaurant has a Mexican chef. There are German restaurants hereabouts sporting Georgia-born chefs, and French spots with Algerian chefs.

The Alamo has something else, too, despite its suburban setting. It has atmosphere. The picture begins with a restrained, and therefore tasteful, use of Mexican appointments—from serapes to sombreros—but it culminates with the performances on Thursday, Friday and Saturday nights of Los Rene's, two young men who stroll about the dining room (beginning at 7 p.m.) playing South-of-the-Border music. Those are the nights to visit the Alamo. They play until 11 p.m.

As is the case with most Mexican restaurants in the Washington area, the Alamo menu falls into the "Tex-Mex" category. That is, the recipes—and they are no less authentic because of it—come as close to being those the diner would find along the Texas-Mexican border as the ones he would encounter in Mexico proper.

To put it another way, the Alamo cuisine is not as hotly seasoned as one would find in the Mexican hinterlands. It is more reminiscent of Mexican preparations found in Mexico City restaurants and in Texas. Of course, the diner can make them hotter. All he has to do is dip into the bowl of salsa picante, the pepper-hot Mexican sauce.

For purposes of wide sampling, we chose the Alamo's San Antonio dinner: A plain chopped lettuce and tomato salad (with oil, vinegar and salsa picante), a bowl of tostados (crisp cornmeal chips), a delicious taco (a tostado filled with meat, chopped lettuce, onion and tomato and seasoned with hot sauce), cheese-filled enchiladas, a meat-filled tamale, frijoles refritos con queso (Mexican beans) and arroz Mexicana (Mexican-style rice). We finished with flan (the rich Latin custard topped with burnt caramel sauce) and coffee. The bill came to just over $3.

There are many such offerings at the Alamo. In most cases the arrangements make provision for a sampling of many dishes. However, if the diner has a favorite there's an a la carte listing, which means he may do his own selecting.

Again, like most Mexican restaurants in the area the Alamo makes a token effort to aid the non-adventurous guest. It lists three American offerings: One steak, one chicken and one seafood dinner.

Finally, the Alamo offers better than average service. What our waitress lacked in cheerfulness she made up for in promptness. Perhaps she'd have been happier if she'd made out better in her effort to help another waitress don earrings. The little vignette included a lengthy consultation, a phone call, the daubing of rubbing alcohol on the earlobes, the insertion of the rings, and at least four checks and discussions in front of a nearby mirror. Surprisingly, the pretty duo somehow kept their eyes on the tables and, as far as we could determine, left no one waiting.

The Alamo address is 5508 Kenilworth Avenue. Since it's a bit difficult to spot, the driver heading north on Kenilworth should look for the big Acme store on the left side of the avenue just before coming to the Riverdale Road intersection. The restaurant is next door.

The Alamo hours are 10 a.m. to 2 a.m., Monday through Friday, and 1 p.m. to midnight on Saturday. It's closed on Sunday. The kitchen is open at least until 10 p.m. nightly. The later hours are for the benefit of those who want to patronize the bar, a room separate from the dining area.

PROGRESS IN THE DOMINICAN REPUBLIC

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WRIGHT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WRIGHT. Mr. Speaker, in a crisis-prone world it heartens us to point to a major trouble spot of the past which is showing signs of progress toward constitutional democratic government. This is our close neighbor in the Caribbean, the Dominican Republic.

On July 1, the constitutional government of President Joaquin Balaguer completed its first year in office. This year has been the longest period of freely elected government in that country in almost 40 years. It is true that conditions for political unrest and upheaval are still present—even though dormant—there. But the Dominican people have come a long and encouraging way from the chaos and dangers of the crisis in April 1965.

Under the harmonizing and stabilizing influence of President Balaguer the Dominican people have had the opportunity to lay aside some of the differences which so bitterly divided them over the preceding years. They have been able to plan and to work at the task of economic and social development.

The obstacles and difficulties that remain are formidable enough to require their best efforts. The economy is not yet diversified and balanced enough to be able to support a modern nation. The country is largely dependent on sugar production for foreign exchange earnings. Its other agricultural resources have not been sufficiently developed. Imports are running far ahead of exports. The private sector of the economy is undernourished, and it needs more encouragement. Unemployment is high.

President Balaguer has brought austerity measures and sizable development programs to bear on these problems, and the United States is doing its part with substantial technical and financial assistance to advance these programs as rapidly as possible.

The objective of all this is basic and radical change. We should not expect it to come about easily, but fortunately the Dominican people seem to be committed to the effort, and with continued stability there is reason to believe they will be increasingly successful.

THE SUMMIT AT GLASSBORO—THE PRESIDENT STATES THE AMERICAN POSITION

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, last month's summit conference was much more than a bargaining session between two world leaders. It was a remarkably personal forum in which President Johnson could make unequivocally clear the American position on Vietnam, on the Middle East, on the arms race, on the nonproliferation of nuclear weapons, and on a host of other economic and diplomatic issues which could bring the Soviet Union and the United States closer together or could carry us to the brink of disaster.

It is always better for one's adversary to know your position. There are fewer possibilities for mistakes.

Thus, I believe the summit was of inestimable value. It permitted President Johnson and Premier Kosygin to sit down together and exchange personal views about the tenuous state of peace in the world.

I believe the President deserves credit, and the polls indicate that he is receiving it, for having made the meeting possible, and for having sought every avenue to peace.

It is apparent that the majority of Americans support the wisdom of the summit meetings, and that President Johnson was reflecting the national will when he went to those meetings as our representative.

I insert in the RECORD editorials from well-known newspapers which explore the meaning of the summit, and which applaud the President's efforts there.

The editorials follow:

[From the Cheyenne (Wyo.) Eagle, June 27, 1967]

JOHNSON-KOSYGIN TALKS

We are not among those who seem to believe the just-concluded talks between President Johnson and Soviet Premier Kosygin were a waste of time.

The talks gave the leaders of the two most powerful nations in the world a chance to become a little better acquainted. They made for a little better understanding, and they may have paved the way for a little closer communications in the future.

As President Johnson noted, sometimes "it does help a lot to sit down and look at a man—right in the eye—and try to reason with him, particularly if he is trying to reason with you.

"We may have differences and difficulties ahead, but I think they will be lessened, and not increased, by our new knowledge of each other."

News reports indicated the two world leaders were far apart in their views—ran into vast areas of disagreement—during their talks which were described as blunt but never reaching the point of warnings or ultimatums.

One report said the only area in which the two seemed to have agreed was on what the President termed "the urgent need for prompt agreement" on a treaty to prevent the spread of nuclear weapons.

Kosygin still contended, at the close of the talks, that the United States "is continuing its aggression" in Vietnam and that the United States must quit bombing North Vietnam and withdraw its troops from South Vietnam. And he still contended that the first step toward settlement of the Middle East crisis is condemnation of Israel as the aggressor and withdrawal of Israeli troops from captured Arab territory.

Yet, the President said, "even in Vietnam I was able to make it very clear, with no third party between us, that we will match and outmatch every step to peace that others may be ready to take."

Even before the talks began, no one really expected President Johnson and Kosygin to come up with solutions to the many, knotty world problems or even to alleviate, drastically, the tensions of the cold war.

In fact, last Friday, the President himself, warned that his talks with Kosygin would not necessarily ease Soviet-American difficulties.

But, as the President said Sunday, "sometimes in such discussions you can find elements—beginning—hopeful fractions—of common ground, even within a general disagreement."

He also said that the talks had made the world a little smaller and "a little less dangerous."

If this turns out to be the case, the talks will have been well worth the time and effort.

Even though it appears the two leaders made little or no progress toward solving the major problems of the world—even though the United States and Russia are as far apart as ever—it seems certain that the weekend talks reduced misunderstandings. And that, in itself, is important in this world of tensions and nuclear weapons.

[From the Washington (D.C.) Star, July 1, 1967]

THE GREAT INTERNATIONAL GAMBLE

(By Gould Lincoln)

President Johnson has emerged from the Glassboro "summit" conference in stronger position in this country and in the free and non-aligned countries.

Soviet Premier Alexei N. Kosygin, on the contrary, while doing what the Politboro in Moscow ordered—what he was expected to do—by his complete intransigence in regard to the Vietnam and Middle East situations has revealed himself and his government as no friends to negotiated and just peace in either area.

His demands that the United States, as a preliminary to any peace talks in Vietnam, not only cease bombing targets in North Vietnam but remove its armed forces from South Vietnam are recognized, except by the extremist "doves" as entirely unrealistic. And so are his demands that the Israelis retreat to their old lines before the war on June 5 as a prerequisite to any discussion of the recognition of Israel as a sovereign state and of its right to free access to the sea.

The Russians having lost out while backing the Arab Nations, headed by Nasser's Egypt, in their war of extermination against Israel, are doing their best to win a so-called peace, and to regain some of their own lost prestige —all of which was predictable and evident to the world. However, it is not necessary that the Russians be permitted to win the peace.

This is not to say that the Glassboro conferences between Johnson and Kosygin were without value. During their many hours both were able to explore the problems in Vietnam and in the Middle East and to state their positions. It is possible to report that Johnson exhibited a certain degree of flexibility, without yielding in any way to his basic demands for a just peace, a peace in which the South Vietnam republic and its people will be free from further Communist attack, and a peace in the Middle East that will do justice to Israel and to the Arab nations.

Just what is and how far the "spirit of Glassboro" goes have yet to be developed. The hope has been expressed in many quarters that it will lead to a reduction in world tensions. This, however, is still just a hope. One thing is all to the good. Direct lines of communication between the President of the United States and the Soviet premier remain open. If, as so often has been said and written, the Russians want peace, it is within reach. If, however, it is peace on their own terms alone, it is not likely to happen.

Kosygin was cordially welcomed by the

Americans and he expressed his pleasure at their welcome, and that so far constitutes the "spirit of Glassboro." In his later press conferences he said frankly that no agreements had been made and his position and that of his country had not changed.

Johnson said much the same thing, though he went further and expressed a hope that something might be done in the future for the cause of peace.

Like his predecessors in the White House, he has again and again announced he was ready to seek peaceful settlement of the issues that have divided the West and the East ever since the conclusion of World War II.

While Kosygin had an opportunity to see the United States for the first time and to see American people in their own country, the American people were able to see and to hear the Russian premier. And what they heard, although commentators urged that it was for home consumption and for the ears of the Arab nations—and for the Chinese—sounded very like a contemptuous attack upon the United States and its policies. Traditionally, Americans do not like to be kicked around by any one, be he king, emperor, Fascist or Communist dictator.

So far as is known today, Kosygin has left the leaders of this country still in the dark as to Russia's aims. And some of them are saying it is a big gamble what the Soviet Union will do—the same gamble since the days of Lenin. It is a gamble this country has to face, and not from a position of weakness. Johnson has recommended patience—but not without firmness.

CONGRESSMAN HAMILTON'S ADDRESS TO INDIANA FUTURE FARMERS OF AMERICA CONVENTION

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Hamilton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HAMILTON. Mr. Speaker, a wonderful group of young Hoosiers gathered recently at Purdue University for the 38th annual Indiana Future Farmers of America Convention.

This year it was my privilege to deliver the keynote address to these young men and women who are so vitally important to the future of our State and Nation.

The text of my remarks follows:

I don't want to speak to you tonight from false pretenses. I am not a farmer. I have never plowed a furrow, either straight or crooked. I have milked a cow but it was not altogether a satisfactory experience. As a matter of fact, it was almost agonizing for me as it was for the cow.

But I come here as one with unbounded admiration for farmers. Daniel Webster, the great statesman of the early 19th Century, made the observation that farmers are the founders of civilization and prosperity. I have come to know enough about the economy of this country and the economies of many less developed countries around the world to know that Daniel Webster knew what he was talking about.

One reason I admire farmers is because they have a talent for growing things. You see before you a man whose flair for growing things runs to crabgrass in lawns and weeds in flower gardens.

In preparation for this speech I began to read the Creed of the Future Farmers of America. I say I began to read because I couldn't get much farther than the first few words. Those words are, "I believe in the future of farming."

The question that immediately popped into my mind was: why should you?

There are some facts about farm life in America today that are deeply disturbing. They must cause any young man or woman, thinking about his future on a farm, a moment's pause, thoughtful hesitation, or even genuine doubt.

Listen to some of these disquieting facts:

1. People are leaving the farms in large numbers. An average of 800,000 people have left the farm in each of the last five years. In the past 3 decades the farm population of the nation has shrunk from 32 million to 12 million.

These people are not persuaded there is a future in farming. The question posed in that popular song during World War I has not been answered. "How're you gonna keep 'em down on the farm, after they've seen Paree."

2. Farmers are getting older. By 1970 nearly half of the farmers in America will be 55 years of age or older.

Fewer and fewer young people are studying agriculture in the nation. The number of agricultural undergraduate students decreased from 12½% of total enrollment at land grant institutions in 1951 to 3.9% in 1965.

Evidently fewer young people believe they have a future in farming.

3. The number of farms are declining. There were 6.4 million in 1940; today there are 3.2 million.

4. The farmer is not getting his fair share of the nation's prosperity. On the subject of how is a farmer doing, you can become involved in an avalanche of statistics and comparisons. I am usually reminded of James Thurber's response to the routine inquiry of a friend who asked him, "How's your wife?" He replied, "Compared to what?"

Likewise, the farmer's income depends largely on what it is compared to.

The important point for our purposes is assented to by all. The farmer is not being adequately rewarded for his efforts.

5. The farmer is not sufficiently appreciated by the American people. The American people must soon realize that broke farmers cannot continue to produce our present abundance and that present prices are not sufficient to bring to and hold in agriculture young people like yourselves, and other resources to support abundant production.

In view of these circumstances, how can you recite that Creed of the FFA, "I believe in the future of farming?"

I am reminded of a story about John Adams. During the great debate in Philadelphia in 1776 over the adoption of the Declaration of Independence, the opponents of the Declaration spoke first.

They pointed out that a Declaration of Independence would not strengthen the country by one regiment or one cask of powder. They said to declare for independence was like destroying your home in the winter before you had another shelter. They said to declare for independence meant war: A war for which the colonies were unprepared—economically, politically and militarily.

There were a hundred arguments against independence, all of them forceful and persuasive:

The people had not spoken clearly.

The time was not right.

The Congress had no power to declare independence.

The colonies were not united.

The British war machine would overwhelm them.

Then John Adams was given the assignment to respond to the opponents of the Declaration. He came out with the power of thought and expression that moved the delegates. He poured his soul into the debate and the resolution for independence was adopted.

Logic, reason, many facts may have supported the opponents of the declaration. History as it unfolded did not.

Logic, reason and some facts may be evoked to persuade you that farming is not a good future. But, I believe, history as it unfolds will applaud your belief, and your future in farming.

There may be some facts which should make you examine carefully your decision to farm. Some may even suggest that there is not a future in farming.

I take heart from you and I agree with you. I do not agree with the voices of gloom and doom in American agriculture. I join you in saying that there is a future in farming today.

The facts I recited are only the dark side of agriculture. The bright side includes the following:

1. Farm income—Last year, net farm income climbed to $16.3 billion, the second highest in history, while total gross income by farmers was setting an all-time record. The net income figure was 40% greater than it was in 1960 and 15% higher than in 1965. Realized net income per farm was setting an all time record at $5,024—this is 19% higher than the previous year and 70% greater than 1960.

2. Grain exports—Exports have risen dramatically, especially in feed grains for dollars. Feed grains became our largest single dollar earner of any export last—year—agricultural or industrial. And increased exports are reflected in higher prices. On April 15, wheat was 15¢ higher than a year ago and corn was up 7¢.

3. Reduced surpluses—Those surpluses which plagued us in the 1950s are all gone. By January 31, this year, the investment of Commodity Credit Corporation in farm commodities was down to $4.3 billion, a reduction of nearly $2.5 billion from 1966 and $4 billion less than the peak years of 1956 and 1959. Of greatest importance, however, is the fact that surpluses have been reduced without depressing farm income. In fact, prices in surplus commodities have moved steadily up as we have disposed of the surplus in government storage.

4. Family farms—There has been an increasing number of family farms graduating into the "adequate size" class in recent years. Since 1959, nearly 200,000 farm families have moved to gross sales of $10,000 or more a year. They are gaining on city workers and approaching parity of income.

5. Soybean and feed increases—Producer receipts, as of April 15 this year, were up $564 million in wheat and $381 in feed grains—as compared with 1965. Income from soybeans was up $537 million compared with 1960.

There is a future in farming for you because you will have a sure sense of your own usefulness.

You practice what Thomas Jefferson said was, "The first and most precious of all the arts."

Not the least of blessings that come to a man is a sure sense of his own usefulness. Surely this blessing comes to a farmer. Upon him people are dependent for food and, thus, life itself. Thomas Carlyle understood the necessity of feeling useful.

It was he who wrote: "Blessed is he who has found his work." And Thomas Carlyle knew whereof he spoke. He had tried the ministry, but he gave it up because he said most of his fellow clergymen spent more time studying the Bishop than the Bible. He tried the Law, but he gave it up when its drudgery and technicality drove him to despair. He tried teaching, but he gave it up when he lost patience with mediocrity and stupidity. He worked at each pursuit without joy doing his duty as he saw it, and then he turned to writing.

He experienced an immense victory. He found an inner satisfaction and it was then that he wrote "Blessed is he who has found his work." And having found it, the consequences to Carlyle were tremendous. This average lawyer and mediocre minister, the run of the mill teacher became one of the great men of English literature with his flamboyant and bombastic style assuring him a place in the sun.

The farmer at his tractor must have a feeling of akinship to Carlyle or to Michelangelo, who said as he worked on the statue of the David: "It is only well with me when I have a chisel in my hand."

He must share with Carlyle a sure sense of his own usefulness.

By obtaining mastery over plants and animals in the development of agriculture the farmer enables more than 3 billion people to inhabit this globe. Without him, if man had to revert to nature, only one person out of every 1,000 alive today would be able to survive.

Recognizing that, can a man farm and not feel useful?

You as a farmer know that your productivity is the underpinning of a vigorous economy. Agriculture is the single most dynamic force in a dynamic American economy.

The observation of William Jennings Bryan is still true. He said: "Burn down your cities and leave our farms and your cities will spring up again as if by magic. But destroy our farms and the grass will grow in the streets of every city in the country." The amber grain, the verdent corn, the fruited plains have become a major economic force in this country and abroad.

As a farmer you will be the most productive worker in a marvelously productive, ¾ trillion dollar, economy.

One worker on the farm today feeds and clothes himself and 32 others. By 1975, he will feed and clothe 50.

Today the farmers' assets total $273 billion with an equity ratio at a very favorable 83%.

That 5% of our population can produce so much is one of the truly incredible achievments of the 1960s. It is an indelible tribute to the ingenuity, the enterprise and the usefulness of the American farmer.

If the farmer didn't product a thing, he could still be an enormous economic asset because he is the nation's biggest consumer. He spends more than $30 billion annually for goods and services, buying 7% of the nation's steel, 10% of its petroleum, 9% of the nation's rubber.

In fact 3 of every 10 jobs in private employment in the nation today are related to agriculture.

Not long ago I was talking with several of my colleagues in the Congress, all of whom represent big cities. They were curious about Indiana, and I suddently realized they though of our state in terms of a rustic, homely, quaint Indiana—warm, friendly, easy-going. They thought of Indiana farmers sitting around the old pot bellied stove, smoking the corn cob pipe, spouting epigrams and witticisms, living the life so wonderfully pictured by James Whitcomb Riley. It may be part of our history, it is certainly part of our folklore, but it simply isn't true anymore.

We have a job to do in telling our big city representatives that the Indiana, the American, farmer is a vital, indispensable, incredibly productive person, without whom the cities would crumble and deteriorate with alacrity.

That is why Congressman Ed Roush and I have invited Congressmen from the three largest metropolitan centers in the nation to visit Indiana farmers to exchange views on urban and farm problems.

We are concerned that the big city representatives do not fully appreciate the importance of the American farmer in maintaining the security, strength and prosperity of the nation or the seriousness of the economic plight of the farmer, caught in the grip of a cost-price squeeze.

We want the metropolitan Congressmen to visit cornfields, hog barns, cattle sheds, watershed and soil conservation projects and to meet with Hoosier farmers for informal conversations on the wide variety of common concerns in urban and rural life. It is our hope that as a result of their visist to Indiana, they will have enjoyed Hoosier hospitality, experienced the flavor of Indiana rural life, and gain new insights into Indiana agriculture and its problems.

As a future farmer, you in Indiana enter one of the richest agriculture regions in the world. Indiana ranks third in this nation in the production of corn and hogs. You become one of the genuine miracle men of the day. The record your predecessors have compiled is one that just doesn't fit into the stereotype Hoosier farmer of old.

Indiana agriculture is a $5 billion a year business with an investment per worker of $74,000, three to four times as much capital investment to create one job in agriculture in Indiana than in American industry. Indiana agriculture is a big, complex business and it takes a highly intelligent, hardworking man and woman to succeed at farming today.

As farmers, you will have a sure sense of your own usefulness because the food-population crisis has cast the American farmer in a vital new role.

It can be said without exaggeration that the American farmer must be regarded as one hope of the world in years ahead. His task is not to feed all the people everywhere, which would simply be impossible. But his task is to help fend off a global catastrophe while effective solutions are being worked out. His task is to go into all the world, telling the story of the secrets of his productivity.

The simple fact is that next to the pursuit of peace, the greatest challenge to the human family is the race between food supply and population increase. That race tonight is being lost.

It is an irony of tragic proportions that with the enormous productivity and technology of American agriculture, we have a crisis in the world in the most elemental task: feeding ourselves. Surely the first obligation of the community of nations is to provide food for all of its members.

Secretary Rusk, who goes from crisis to crisis, said to a group of us the other day that rarely a day goes by that he is not engaged in a food related problem.

The underdeveloped nations of the world are slowly learning that they cannot neglect the development of their agricultural sector. The American farmer is the key man as this nation extends help to those countries which are determined to expand their own food production and are willing to make agricultural development the top priority.

The only effective solution to the world food problem will be to export to the underdeveloped countries not surplus food—except in cases of emergency—but to export the knowledge, techniques and the tools of the American farmer which have produced the abundance that we enjoy.

The old Chinese proverb is "If you give a man a fish, you feed him for one day—if you teach a man to fish, you feed him for many, many days."

Jonathan Swift wrote, "Whoever could make two ears of corn or two blades of grass to grow upon a spot of ground where only one grew before would deserve better of mankind and do more essential service to his country than the whole race of politicians put together."

That's not very complimentary to those of us who are politicians, but I must acknowledge the truth of the statement.

The future farmer can say with assurance "I believe in the future of farming" because he is indispensable, sure of his own usefulness:

In providing food and fiber for his countrymen,

In providing the economic underpinnings of a prosperous economy,

In becoming the major asset in the war against hunger.

Farming will demand the full use of your powers: your physical energy, your intellectual capacities, and your moral fiber. Farming is no longer just a job. It is a skillful profession. It is no longer the solitary, burdened figure pictured in Millet's "The Man with a Hoe."

Today's farmer manages men, machines and capital. He knows horticulture and animal husbandry. He is an appraiser of scientific developments and an analyst of consumer needs. He is a marketing strategist. He is a laborer and a mechanic, a conservationist, a community leader concerned with the revitalization of rural America.

Your future in farming will be exciting and challenging.

The long hours of drudgery doing farm chores will be drastically reduced. Weekends off will become possible even for the livestock feeder. Family farms will be 600-1000 acres with $1¼ million invested. You will have far more control over your market and your bargaining power will grow. Your rural communities will be healthier, stronger, more vigorous. Science will push and prod agriculture into achievements we can only dimly foresee.

Computerized weather analysis systems will guide the time of planting, fertilizing and harvesting crops. Push button feeding operations will control the blending, the processing and delivery of feed to livestock and poultry. New types of harvesters will become common, like the mechanical tomato picker which gathers as many tomatoes in one hour as can be picked by 60 farm hands or the new lettuce harvester which bypasses heads of lettuce not yet mature. Herbicides with the magical talents of killing weeds and pests but not grain are being developed.

The day is not too far off when farmers will be able to dispense with cultivation of his crops altogether.

Even today agriculture uses more units of atomic energy than any other single peacetime industry. The fly and the screwworm commit hari-kari as the result of the use of atomic radiation preventing reproduction.

An expert on Southeast Asia told me that the single most important development in all of Asia in recent years came not from the statesman, but the farmer who developed a tough, resilient strain of rice which will enable the rice farmer to enrich the diets of millions and help to resolve the food crisis problem.

And to those of you burdened with the daily chores of the farm, the day of the push-button farm will come sooner than you think. When it does, you or your children will put your unmanned machines into operation by directing them with radio signals while you watch on a TV scanning screen in your office.

But don't be misled by dreams of the future. Remember the disturbing realities of farming I mentioned earlier.

The future for the farmer will not be easy. His path is beset with many obstacles. But farmers have been and are problem solvers.

If a machine won't work, they fix it; if soil is washed way, they conserve it; if land is dry, they irrigate it; if production is unsatisfactory, they fertilize.

According to the faith of a democratic society, freemen respond to the challenge of problems wherever found. The farmer will use his full powers to respond to the real challenges on the farm. The nation, indeed the world, depends upon him.

All of us want to build and grow and create. Your predecessors in farming have done this in a remarkable way. They have conserved and improved and made use of our natural environment to the benefit of all of us. And we draw strength and encouragement from what they have done for the nation.

Accept the hard realities of agriculture, but don't ignore the accomplishments. I cannot share the gloomy forebodings of many voices in agriculture today. I know you do not either, because you say: "I believe in the future of farming."

I look forward with you to a great future for farmers in Indiana and in the nation. A future in which they will match their performance with their potential, their wealth with their resources, their power with their purpose.

I look forward to a rural Indiana, restless, thriving, striving, developing its natural environment, harvesting its rich crops, making its economy vital and vibrant. And I salute you for the major parts you will play in making rural America strong, and free and productive.

NATIONAL GUARD UNITS AND LAW ENFORCEMENT OFFICIALS HANDLE VANDALS IN LAKE GENEVA, WIS.

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I realize that in the immediate future we shall be considering H.R. 421 and the possible prohibition of riots and other civil disturbances, but I would like to bring up a matter which occurred during the recess which relates to such disturbances.

The Fourth of July holiday was spoiled for residents, merchants, and visitors in my district when several thousand young men and women absolutely ran amok. There were no racial overtones, and this is one reason the potentially explosive series of incidents was able to be handled without the usual cries of "police brutality."

I am sorry that our friends in the other body have not yet passed a bill on the desecration of the flag, for this is one of the events that transpired at Lake Geneva, Wis., during the disturbance. Fortunately, there was a group of about a dozen Vietnam veterans who were attempting to enjoy a holiday in the area, and they did battle with the young marauders when a flag was burned. Although not totally successful in their efforts because of the sheer weight of numbers opposing them, the veterans did raise a new flag the next day and acted as guards to prevent the vandals from repeating the unfortunate action.

The successful effort which turned back the rioters and saw them jailed—some 500 strong—was a tribute to local government and an example of community cooperation. Mayors, sheriffs, police chiefs, deputies, and the National Guard were more than a match for the invading throng.

The local law enforcement officials in Lake Geneva, Delavan, and Fontana are to be particularly congratulated for their valiant effort to maintain law and order. It is not easy for a policeman to stand his ground against a thousand ranting and raving hoodlums. These men did their jobs and are a credit to our Nation. The judges who handed out stiff sentences and fines to the then more docile marauders are also to be commended. A slap on the wrist is not sufficient punishment for a participant in mob violence, and the judges taught the visiting vandals this fact in no uncertain terms.

But my real point in taking the floor today concerns the excellent action of the Wisconsin National Guard. Col. Hugh Simonson, chief of staff of the unit, demonstrated the versatility of Guard units, and showed us once again how much we do need the National Guard.

Administration leaders who would abolish National Guard units had best think twice about law enforcement emergencies, times of State and local disaster, rioting, in addition to the backup and reserve strength the National Guard furnishes.

I am proud of my district residents and the Guard units who have done such an effective job in showing the Nation that rioters and hoodlums can and will be handled when the task is performed by individual States and localities.

THE GROWTH AND FUTURE OF RURAL AMERICA

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. ZWACH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ZWACH. Mr. Speaker, this month the Rural Development Subcommittee of the House Agriculture Committee will continue hearings on the growth and future of rural America.

I have high hopes that the subcommittee will make a helpful contribution to the development of the American countryside. Today the exploding population of urban areas has created a crisis in the city. Metropolitan areas simply cannot provide clean air or water or adequate transportation, schools, housing, roads, or other facilities rapidly enough.

At the same time the heavy migration of people to the cities has created a crisis in the countryside. Presently, there just are not enough jobs to take care of our rural people. The problem is complicated by consistently low farm prices. Recently, parity slipped to a low 72 percent of a fair price. Administration farm policies to allow large quantities of competing imports have aggravated this situation even more. Many family-farm food factories have been forced to shut down.

As soon as I came to Washington, I urged early hearings to study country problems. Basically, what we need to do is determine how we can expand industry and encourage new business in our rural areas. The countryside has been denied the financial increases granted to all other American industries. We have the finest labor markets, because people are hardworking, conscientious, and honest. The countryside is the place to live and work and play and pray.

Mr. Speaker, a number of people have worked hard for countryside development. Mr. G. B. Gunlogson, founder of Countryside Development Foundation, Inc., recently presented a proposal for a congressional Committee on Countryside Affairs. Mr. Don Olson, editor of the Marshall Messenger in Lyon County, Minn., has done a great deal of work in this area also. Recently he testified before the Rural Development Subcommittee of the House Committee on Agriculture. Mr. O. B. Augustson, editor of the West Central Tribune of Willmar, Minn., has spoken out on this issue for many years. He is a real leader in the movement in central Minnesota.

Although many others have played a vital role in the development of the countryside, these three have made outstanding contributions. I should like to have articles written by them printed in the CONGRESSIONAL RECORD. Mr. Gunlogson outlines his proposal for a congressional committee. Don Olson reviews one aspect of our difficulty, the dilemma faced by dairy farmers. Mr. Augustson raises significant questions facing rural America today.

The material referred to follows:

A PROPOSAL FOR A CONGRESSIONAL COMMITTEE ON COUNTRYSIDE AFFAIRS

(By G. B. Gunlogson)

This proposal for establishing a Committee on Countryside Affairs is hereby submitted to leaders in Congress.

The American economy has been so dynamic and complex that some of its basic elements have been thrown out of balance. Technology has almost completely changed former methods, sometimes at the expense of certain groups of people and sometimes at the expense of wide areas and communities.

The most critical area of imbalance and lack of understanding has grown up between the urban and rural segments of the nation's economy. Yet there has never been a time in our history when their interdependence and mutuality of interests and resources were so essential to human progress. This committee could do much to explore the relationship and provide a body of information and understanding in light of today's changing conditions and needs.

There is much convincing evidence that many of our most perplexing economic and social problems would have been avoided or greatly minimized if the public had been better informed about these conditions. Certainly it would have provided some basis and facts to guide individuals in planning their affairs and to adjust to changing conditions.

The committee would provide a forum and bring to public attention a wide range of viewpoints from leaders in the countryside, in cities, in industry, government and education concerning causes and solutions of problems that confront both cities and countryside. Most importantly, it could help give direction to the many discordant influences and forces that are now shaping the future.

The countryside is not just an incident in the nation's affairs. It is the foundation of our whole economy. The United States is 98 percent countryside and 2 percent cities in terms of area and natural resources. Its affairs transcend current issues in importance. Almost every aspect of human welfare is tied to the countryside. These are the circumstances to examine. Because of the complexities and scope of these aspects, only some of them are summarized here:

First. Ever since the land was first settled, the countryside has been primarily dependent on raw materials from its fields, forests, and mines. Each community became increasingly dependent on one commodity or a single source of income. Most of the enterprises in towns, in effect, grew out of the land. This became the pattern and the ceiling for the countryside economy.

Meantime, the development of highly varied industry and business became the function of cities. This economy became more creative and dynamic, and advancing technology favored this growth. The goal of cities became growth. They became the symbols of American progress.

The cities acquired many great qualities, including grandeur and excitement, important cultural centers, great political power and money potential, compelling acquisitiveness, tremendously influential metropolitan press and other media. At the same time, many are now in deep trouble from population pressure, rising costs, and taxes. Many of them are no longer suitable for the development of the kind of industry that can provide wide employment for middle-class people. Economic and social problems and human despair are prevalent in increasing numbers of big cities.

Second. These growing contradictions make it clear that cities cannot stand by themselves. They are a part of the whole national picture and should be viewed in this perspective. About 98 percent of the United States lies outside the big cities. All agriculture and nearly all natural resources, over 24,000 places and country towns under 10,000 population (as listed in the Rand McNally Road Atlas), and 65 million people compose the countryside complex.

Third. Both human and natural resources are at stake. Already the human environment in many high-population centers has become polluted. Lakes Erie and Ontario are reported dying. The time has come when we must consider new alternatives.

Our vast natural resources and living space cannot be effectively used by the greatest number of people when more than 100 million continue to be squeezed together and increasingly constrained within less than 2 percent of the 3.6 million square mile area of the United States. This incongruity becomes even more apparent when it is realized that these conditions are also creating problems in the rest of the country and leaving its great potential of land and natural resources relatively underdeveloped.

Fortunately, the symptoms of these circumstances may be leading a growing number of people toward a more realistic future. This movement would combine city values with those qualities that exist only in close proximity to the good earth. This kind of town and country development is taking place in many parts of the country. While some of the phases are still in their formative stages, there are no less than 5,000 small cities in the countryside ranging in size from one to fifteen thousand or more that serve as prime examples. In this development we may find the answer to many of the most baffling problems that now confront the country.

Fourth. Agriculture is responsible for more than 35 percent of all jobs in the country, but more of these jobs are being created outside than within the countryside. In many of the richest agricultural areas, whole communities have been deteriorating and left in decaying circumstances. This has been laid to technological advancements. Much of the technology has served as a two-way pump, sucking money and people away from the countryside and returning finished goods. The process has impoverished the economy and created a human wasteland in many areas of the countryside.

But technology per se is not biased; it can be directed to serve the public welfare at all levels. It is just that the value system applied to it has not been thought out to end objectives. We have been more concerned with machine efficiency, production efficiency, and cost effectiveness than with living effectiveness, with environmental effectiveness, or with effects on the human being.

While the farmer is the most efficient producer in industry, judged by almost every yardstick that may be applied, the rank-and-file farmer remains the most underpaid member of the production economy. This efficiency has not been willed to him. Before the turn of the century, he had developed the most efficient agriculture in the world; and this enabled the country to become a lender instead of a borrower nation. In all our history of foreign relations, the farmer has probably been the greatest good-will builder we have had.

Fifth. There is widespread concern in the countryside about a growing land "monopoly." In some sections of the country, large land holdings are now in the hands of absentee owners, some of whom are big corporations. Invariably, the communities suffer, opportunities disappear, and people move out. This kind of "monopoly" could become far more serious to the quality of living conditions in the country and to the future welfare of the American public than the kind of economic monopoly with which the government has often been deeply concerned. It is well that we look at these symptoms now, or we may have to face up to "land reform" measures later, such as now confront many nations.

The relationship of people and the land resource is not a new issue. It was early recognized that the people who owned their land and homes became better community builders and better citizens. Our system, which has encouraged wide individual ownership of land, homes, and property, has been in a large degree responsible for the initiative and enterprise of the American people.

Sixth. No longer can farming alone support the countryside and provide opportunities for the people who live there. The economic base must be broadened by diversification. Not only is farm labor being replaced by machinery, chemicals, and higher-yielding seed, but many substitutes are continually replacing farm-grown products. For example, hand-made fibers now account for about 50 percent of all textile fibers. Wool consumption has gone down from about 9 percent of the total in 1950 to less than half of that.

The impact of these developments has been enormous. *Now less than one family in five is farming, while four out of five have to make a living in town or get out.*

It has long been clear that the decline of most country towns has resulted from lack of economic diversification. It makes no difference whether the industry is single-crop agriculture, mining, one-plant manufacturing, or exclusively forestry. Single economy in a community tends to stagnate and to limit local opportunities and to degrade the community. Individual initiative and skills have little chance to develop, and the more progressive and competent leave the community.

These conditions have been in the making for a long time. The processes of adjustment will come slowly. Unless they grow largely from within and are tailored to the condition in each community, they are not likely to bring permanent improvement. If these facts had been recognized in time, Appalachia probably would not have become the poverty symbol it is today.

Seventh. We must begin to look to the countryside for much more than raw materials. Nowhere else are there to be found greater future opportunities for industry and new business development. Nowhere else is investment safer. Nowhere else is the environment so friendly nor the air and water so fresh. Here are the green earth, ample living space, and all the vital resources to sustain the highest standard of living to be found anywhere in the world.

Much of the vitality, the planning, and the progress in the countryside are centered around its small cities. It is important that they continue to go ahead. They provide business services, educational, health, social, and recreational facilities, and opportunities for young people. To support such a town requires diversification and people. The country towns are the gateways not only to all our land resources but to a new kind of future for millions of people. People in the country are eager to move forward.

Farmers, too would have as much or more to gain than anyone. Such development could bring more local processing and packaging of farm products as well as increase local consumption and demand for various products of the land. It would mean more local opportunities for farm families, and there would be more incentive to plan for their future in their own communities.

Actually, a great deal of progress is already under way. It has gone on without attracting much public attention, yet much of it has contributed more to our basic resources than many skyscrapers. More than 9,000 towns and small cities now have modern highways, power, improved educational, health and recreational facilities—often better than found in big cities. Lakes, waterways, vacation areas, forests, and soils have been improved. In 1965, 57 million acres produced 4 billion bushels of corn compared with 2.08 billion bushels from 100 million acres in 1930. This is progress in which the whole nation has been sharing.

The concept of diversification and creative development of industry and business is still very new in much of the countryside. Yet there are many towns and small cities in every state that are outstanding examples of what initiative and inventiveness can do. *Their experiences should become more widely known.*

Many leaders in government and industry are advocating more industry and business development in the countryside, and they are becoming more numerous every week. Representative John Zwach has recently stated: "I am making development of the countryside one of my primary efforts in Congress." Secretary of Agriculture Freeman pleads: "More people moving into the cities means more problems, more waste, more loneliness and more despair . . . A 180-degree turn in the thinking of big city-oriented America is necessary to save the cities and revitalize rural America." From Mr. W. B. Murphy, president of Campbell Soup Compay: "It is in order to suggest . . . that manufacturers can do themselves a favor and our country a service by allocating a fair share of their new plants to the rural areas." Scores of others have recently made similar pronouncements.

Eighth. The "rural" image is misleading and is hurting the countryside. *The public needs a clearer picture of what the countryside is and what it has to offer. The committee can help formulate a body of countryside values, perspective, and identity.* The countryside has had no voice or means with which to project an up-to-date image.

The term "countryside" itself needs wider popular acceptance. The census classifies all populations on farms and in towns under 2,500 as "rural." The press and many agencies commonly refer to everything outside "urban areas" as "rural." While rural is a revered tradition, it is no longer adequate or appropriate for defining the combined economy of town and farm. It doesn't fit this kind of countryside and is misleading.

For example, most of the 3,500 towns and cities in the country ranging in size from 2,500 to 10,000 (and some larger) in population are just as much countryside based and dependent on farming or on the land economy as are towns under 2,500. There are many fine communities centered in towns under 2,500 and even half that size; but as the countryside develops, the better towns are certain to grow. Should they pass this population mark, they become no more urban than before so long as they remain a part of the countryside.

Actually, industry is moving to the countryside. In the last two years, several hundred plants have been opened in small cities. A study covering a limited number of these enterprises has revealed some significant facts. In general, the attitude of the workmen is better than in big-city plants. They have more pride in their place of work. More of them own their homes and take more interest in the total welfare of the community. They are stable and responsible.

These advantages may be more important than is generally recognized by industry or the local community. A much broader survey covering a large number of establishments in a number of states is one of the more urgent projects to be undertaken at this time.

The human factor is an important resource in every country community. Improvements in the physical assets have been or are being realized in thousands of country towns—modern highways, power, education, health and recreational facilities. Fortunately, these developments are taking place without sacrificing traditional values of country living and at just the time when population and social pressures are building to painful heights in the big cities.

Ninth. The nation is living in a dangerous age. For a whole generation the country has been engaged in hot and cold wars. This year 67 billion dollars are going into defense and to fight a war in Asia. Another 40 billion or more may soon be added for missile defense. Despite these great efforts, it may be assumed that a growing number of ICBM's are zeroed in right now on every big city in the country. Whatever our defense calculations may be, the nation's ultimate survival would be in the countryside.

But the greatest threat to the nation may not be from outside hostilities, but from man-made dangers—pollution of his environment, abnormalities from overcrowding, increase in crime, and spiritual impoverishment. There is no one answer or one solution we can turn to, but the most promising haven to explore is the countryside.

Tenth. If the countryside, which embraces more than 98 percent of the land area in the country, is to accommodate future developments, it must not stand still. It must continue to make its tremendously diversified resources and natural advantages still more attractive and inviting to industry that is seeking more suitable environment and to people seeking homes in communities that are more to their liking. This is just as important to the future of big cities as it is to the countryside.

The countryside must continue to foster its native virtues and qualities, which have contributed so much to our history—to our finest literature, art, culture, and national leadership. Four of our last six Presidents have come from the countryside; and more than its share of leaders in government, industry, science, and education continue to come from there. This is the American background, and here is where our most enduring future lies.

Dairy Association Is Learning

(By Don Olson)

The year 1967 will go down in history as the year when many farm organizations and associations caught up with the more advanced thinking of their own members. This is particularly true in the dairy industry.

In the past most dairy associations repeated monotonously the old cliche that farmers must become more efficient if they are to become more prosperous. The poor are lazy or dumb or poor managers.

Then the U.S. Naval Academy examined the books of its dairy operation and found that with top-grade cattle, bigness and all kinds of efficiency, it still was losing money by the tens of thousands of dollars.

Kern County Land Co., owner of one of the largest dairy operations in the world, sold off its milk cows after losing a reported million dollars. Their computers told them there was no way out of the mess.

As we said earlier, the farmers have learned. Now their associations are learning.

We are proud of the American Dairy Assn. editorial we are reprinting below. It doesn't mean a millennium has arrived, but it's a darned good sign.

"The great exodus of dairy farmers from the American scene is quite evident in Minnesota as we move into the 31st anniversary of June Dairy Month. Some 6,051 dairy farms are no longer in existence in Minnesota reducing the number of dairy cattle by 96,000.

"Why? What are the reasons? Well . . . the reasons are varied and many. The narrow margin of profits for the small dairy farmer has taken some of the toll. Attraction of better paying jobs and shorter hours are another reason. Health, age, lack of competent help, these and many other reasons can be added to the list.

"The average dairy farmer works seven days a week, 365 days a year. Cows must be milked morning and evening, they don't adjust to an 8 to 5, 5 day a week schedule, with two weeks vacation and all legal holidays off.

"How about age? The average age of the Minnesota dairy farmer is 57 years old. Not old, but when you have to work 16 to 18 hours per day at being a jack of all trades . . . that 57 can seem awful old. If you are fortunate enough to be able to find good farm labor, the cost is almost prohibitive and the margin of profit is cut even smaller. And then you have to give him at least two days off a month.

"You say the youngsters coming up can help and take over. Perhaps this would be true if the young farmer-to-be wasn't attracted by big city industry and wages. Let's face it, 40 hour weeks with paid vacations is much more alluring to him and it's much easier to make a living for his family. When you have to work far below the minimum wage most businesses are required by law to pay . . . who wouldn't leave the farm?

"All right, what are some of the answers? Number one, of course, is an increase in the price of milk paid to the dairy farmer. And how about the consumer? Mrs. Housewife often complains because butter is 75c per pound or the price of a quart of milk has gone from 23 to 24c. But you'll never hear anyone argue or write their congressman when the price of a cocktail goes to 75c or a bottle of beer goes to 35c.

"The American Dairy Assn. doesn't feel everyone should become temperance, nor do they feel we should go back to prohibition, but instead, the consumer should take a look at the healthful aspects of dairy products. Not just for children, but for adults as well. More than 100 food elements are found in milk. A quart of milk provides 82 per cent of the day's need of calcium, 63 per cent of phosphorus, 40 per cent of protein, 83 per cent of riboflavin, 30 per cent of vitamin A, 21 per cent of calories and 22 per cent of thiamine."

Rural America Apathy?

(By O. B. Augustson)

This issue of The Tribune could almost be called a Rural Life edition. In the news columns a three column headed story on Town and Country Committees and a two column headed story covering the Christian Rural Life meeting held recently at Olivia. Add to this an article in the Public Forum. And now, this editorial.

All this was not planned. Just sort of happened. But we are glad it did. Perhaps with some stresses of this kind one can arouse the folks of rural America out of their apathy. Perhaps there may be some action—if rural America wants to save itself. Or do people just don't care. Or are they looking for someone else to do something. Well—they will wait in vain. No one helped labor in its day—they did it themselves. Farmers and Main Streets dependent upon them—may have to do the job.

Already one has seen the effects of the policy so harshly enunciated by the Committee on Economic Development—to rub out millions of small farmers—let them go down the drain. Development?—no Destruction. Look thru the country and see the vacant farm buildings. Look at some of our villages and see the empty store buildings. Note the loss of farm population, the loss or stagnancy of village population. The picture is there for even the blind to see.

But does rural America care? The farmers themselves, the business people in our town? Well one can quote Holy Writ which so often says that a people without vision, perish. What vision has rural America just now, what vision did it have during these past years when this denuding of a countryside began? Someone sleeping—someone did not care? Willing to let the big boys lead rural folks by the nose—down the road they should not go—the wrong road for the farmers, the wrong road for the rural town—yes, the wrong road for our nation and society as a whole. To substitute big, complex teeming centers of population, the interurbias of tomorrow, for the wonderful countryside of rural America where there is still some evidence of human kind fearing both God and Man!

It is about time that rural America, the farmers and the businessmen plus the professions to including the church, rise up in arms or this thing is going to wind up with ghost towns on the prairies of rural America. The day to come of the big farmer, the corporate farmer—another big to add to all the other big in the country—where a handful are going to tell the people what they are going to pay thru the nose. This is to be done thru monopoly or simple collusion.

Strong language? Alarmists? Don't think so. We say and will say again that a lot of little people built this wonderful nation, bigness in all its forms can lead it down disintegrating roads and the very fate our our Christian democracy may be at stake either from the left or the right

Farm organizations are divided. Their leadership does not seem inclined to get together on some compromise program. There is no farm bloc in the Congress. Farmers are a small ten per cent or less. Politicians are urban minded—where the big votes are. There is no united front for rural America and no one single voice. Who will supply it. There is only one answer—it must be, allied with the farmers, the people of our rural villages, town and rural cities who compose 40% of the population of the nation or 70 million people. When they unite and demand economic justice—even the politicians will listen—at least someone will—if not the politicians—rural people will demand that farm leaders finally forget their own jealousies, decide on the one program and see it thru. But decide—rural America must do and quit fiddling while the Rome of rural America burns.

The farmers need help in their cause—which cause is also that of the rural towns—or don't the latter realize this yet—perhaps the cash registers have not squeaked enuf or enuf business places closed. Rural America is at the crossroads—what will it do about it—continue to sleep?

MEETINGS HELD IN WEST CENTRAL IN CAUSE OF TOWN AND COUNTRY—BUSINESSMEN URGED TO ENLIST IN THE MOVEMENT—ACTIVE UNIT ALREADY SET UP IN KANDIYOHI COUNTY—MORE UNITS SOUGHT IN OTHER WEST CENTRAL COUNTIES

During the past year or so there have been in this area of our state many meetings which have concerned themselves with what is happening to rural America. The loss of family farms, the loss of farm populations, the inadequate farm income, the adverse effects on the economy of rural villages and also rural cities.

These meetings have been sponsored by farm groups, by commercial interests and even held under religious auspices. They have all been concerned about what is happening in rural America, are apprehensive about the continuing trends which if carried to the extremes could actually lead to ghost towns on the prairies of our agricultural states.

IN MANY TOWNS

In this region such meetings, concerned with the future of agriculture and their effects on rural towns, have been held in many places—in Willmar, Granite Falls, Montevideo, the little town of Sunburg and more recently at Olivia.

At those meetings there have attended, businessmen and professional men, some from labor and of course leaders and members of farm organizations. They have all expressed concern over trends in agriculture today and the present and ultimate effects on the Main Streets of rural America. And the meetings have been to good purpose, to call and direct attention to the farm situation and the rural economy.

UNIT AT WILLMAR

Along this line there has been organized in Willmar in recent months a group which has adopted the name of the "Town and Country Action Committee of Kandiyohi County." Its purpose is to concern itself with the problems of our rural area. It has a board of directors composed of business and professional men, labor, the clergy and farmers—a composite group. This Committee is designed towards final study of the problem of rural America as a mutual concern of both town and country. Memberships are now being promoted among rank and file farmers, business and professional people. When this organizational machinery is perfected the Committee will take up its task of what should be done to halt the present trends in agriculture which are detrimental to both the farmers and the rural towns.

SUNBURG MEETING

In the meantime—in Kandiyohi County again—another group has been meeting at the village of Sunburg. Here under the leadership of the late Russell Wagner the Commercial Club of that town came out not long ago with a resolution calling for some action to obtain higher farm income, to save what are left of our family farms and all this to the economic interest also of rural town business. This resolution which was the first to come out of any rural town in the region was published in the West Central Daily Tribune.

Later on this same group at Sunburg called another meeting with farmers and merchants from Kandiyohi, Swift and Pope counties. At this meeting it was decided that an area meeting should be held to which the leaders of the four national farm organizations would be invited to speak—heads of the Farmers Union, Farm Bureau, the NFO and the Grange.

AREA PROSPECT

To accomplish this purpose an area wide organization would be needed. Instead of attempting this difficult task alone, the representatives of the Sunburg gathering, noting that a county organization had already been effected at Willmar in the Town and Country Action Committee of Kandiyohi County, prevailed upon this latter group to take up the task of trying to establish similar units in all the counties of West Central Minnesota. Thus the Sunburg inspired movement joined its cause with the organization centered at Willmar. The latter Town and Country Action Committee accepted the task.

BANKERS MEETING

This took effect when a meeting of the bankers of several counties was held Monday evening June 19th at the town hall in Murdock at which members of the Kandiyohi Town and Action Committee brought their message. To this wise—that perhaps the bankers in their respective counties could help organize units like the one in Kandiyohi county. It was both felt and expressed that the leadership for such county units must come through the cooperation of banking and business people working with the farmers.

At the Murdock meeting, Ed Broden, Murdock merchant, presided. John Vikse of rural Willmar chairman of the Kandiyohi County Action Committee spoke of the purpose for such organizations and explained what the unit at Willmar was seeking to do. O. B. Augustson, editor of the Tribune at Willmar, pointed to the need for action, Walter Carlson, Pennock businessman and vice president of the unit at Willmar expressed the concerns of Main Street and Harold Arvidson of Kandiyohi stated that the facts of what is happening in rural America must be assembled and action come from the grass roots. State Senator Robert Johnson of Willmar endorsed the proposals made and informed how the rural areas are losing out economically and legislatively as well in Minnesota with 51% of the state's population now located in the 7 county metropolitan area.

NEED FOR ACTION

Mr. Vikse pointed out that rural America, its farmers and all rural towns, villages and cities comprise 40% of the nation's population or 70 million people. He urged the bankers present to return to their respective counties and help organize units similar to the Town and Country Action Committee of Kandiyohi County.

There was an excellent discussion by the bankers and others present at this Murdock meeting and it is hoped that action will be taken in the other counties of West Central Minnesota. When this is done there will doubtless be an area wide meeting of all the county units to discuss the problems of rural America and suggest plans and reach agreements on possible solutions and remedies.

At the Murdock meeting the sudden passing of Russell Wagner of Sunburg was noted with regret and a moment of silent tribute and prayer was offered in his memory.

NEED UNITED FRONT

It is now the hope of the Sunburg movement, now merged with the Town and Country Action Committee of Kandiyohi County established at Willmar, that this cause will embrace all counties in West Central Minnesota. An area movement which could well spread thruout the state as Main Street joins hands with the farmers in studying the agricultural problem and coming up with some solutions and answers. This to the desired end that rural America will have a united front and one large single voice which will speak not only from the acres but also from the business streets of the area.

MAIN STREET SPEAK?

During the past decade and more Main Street has not been vocal. The time has come when it no longer should be silent. Main Street should now join with the farmers in a mutual cause involving the economic welfare of both. Unless this is done the present trends in agriculture could continue from bad to worse—there could be less and less farms and less and less business on our Main Streets. That is the outlook, that is the cause, that is the task facing all rural America today!

ON FARM LEADERS

To the EDITOR:

The main speaker at the Rural Life meeting sponsored by the New Ulm Diocese and held at Olivia Friday evening was Sister Thomas More of Manitowoc, Wisconsin. The main theme of her speech given by after introductory remarks by Bishop Schladweiler, was that the common people of this country have reneged on their responsibility.

She said that what is at stake here (rural America) is not the cost-price squeeze, not Colby cheese imports, not ice cream mix imports, etc., it is the preservation of our system of government. She said our federated system of government is the most difficult to make work but it is the only one in which the individual is preserved and that the present imbalance between the ruler and the ruled is the fault of the ruled because they have reneged on their share of the responsibility.

Sister Thomas More, who researched all the farm organizations for her doctor's thesis, proposed a three-point program for farmers. 1. coordinate action. 2. democratize organizations. 3. appreciate people. Farmers do not lack brains but they lack the machinery needed in a federation of existing farm organizations. It is not a merger she proposes nor a new organization but a restructuring of present organizations. These must begin at the county level which is large enough to get a cross section of the thinking of the people in the area and small enough to make the individual responsible. It is useless to wait for national leaders to work for a better deal for farmers. "The fellow with four aces doesn't want a new deal," she said. She thinks farmers could find many areas of common agreement.

In order to coordinate action you are going to have to reform all farm organizations, is her idea. "Don't get on the defensive," she said, "Anybody wanna say your organization is perfect? Nobody is that big a fool." The needed reforms include limited tenure for elected officers and free press and free speech for all members, even the kooks. Failure to let everybody present their ideas indicates a lack of faith in the judgment of the common people. They can be depended upon to separate the good ideas from the kooky ones.

At one time or other during her speech, Sister More attacked all the major farm organizations and said you should figure out which organization has the machinery you could best use, join it and become active. "Mr. Dechant was Sec.-Treas. for 20 years, so you have new leadership, but new ideas? Who are you kidding." She knows people who say Mr. Staley is a fine man, he'll know when to get out. "I betcha Lyndon Johnson wishes he had that break." They elect their Mother Superior for a term of six years and if you want her longer than that, you write to Rome. "I don't know what you know about writing to Rome, but you'll be dead a long time before you get the answer." She belongs to the Grange, but, "you go to a meeting and honest to God, you gotta hold a mirror under their noses to see if they are alive."

To start the proposed federation of farm organizations which would permit farmers to compete with the oligopolies and become price makers rather than price takers. Sister thinks it would be necessary for someone other than a farmer to call the farmers together the first time. The County Agent, rural clergy, or editor, etc., were suggested. She stated, "It is not the obligation of the clergy to come up with the answers but they can come up with the principles and the farmers find the answers."

During a question period some one asked: "Why not try this simple formula, 'Seek ye first the kingdom of God, etc'." and Msgr. O'Rourke of Des Moines, Iowa and National Director of Rural Life answered that that kingdom is not something esoteric but refers to building a kingdom of God here on earth where justice will prevail.

Also on the program were Father McRaith, Milroy, Diocesan Rural Life Director, Msgr. Louis Miller of South Dakota and Pastor Robert Hendrickson, Jasper, Minnesota.

Sincerely,

MRS. FRANCIS BOUTA.

CLONTARF, MINN.

A MEASURE DIRECTING BENEFITS FROM RAILROAD RETIREMENT ACT KEEP PACE WITH INCREASING COST OF LIVING

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. ZWACH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ZWACH. Mr. Speaker, at a time when inflation is increasing and the value of the dollar is becoming less and less, folks living on fixed incomes are having a hard time paying their bills.

In the Sixth District of Minnesota thousands of retired citizens and widows with children rely on income from the social security and railroad retirement programs. But inflation has cut into their pension, and has drastically reduced their purchasing power.

These are people who have worked hard over the years to provide for their families, and to plan ahead for their retirement. But the modest amount that folks were able to put away for their retirement years so that they could live a decent life has often been cut in half by the Government's unsound fiscal programs. The dollar that many of them saved was worth 100 cents. That was in 1940. Today that dollar can be bought for 42 cents. At the present rate of decline it will be worth only 31 cents in 10 more years.

Add a devalued dollar to the inflationary spiral—with its reduced purchasing power—and you have a critical situation with any folks who rely on a fixed income.

The cause of inflation is excessive Government spending. It comes when the Government will not balance the budget. Even though we have made cutbacks in spending during this Congress, the majority party continues to support deficit spending. Only recently the Federal debt limit was increased, encouraging and allowing the administration to continue high levels of spending.

Mr. Speaker, the innocent victims of these policies are the folks on a fixed income. It is urgent that they be rescued immediately. For that reason, I am introducing a measure in the House today that will direct that benefits from the Railroad Retirement Act keep pace with the increasing cost of living. This bill is a companion to legislation introduced by the gentleman from Nebraska, Congressman GLENN CUNNINGHAM. It provides that when the cost of living increases by 3 percent, railroad retirement benefits will automatically be increased by a comparable amount.

I hope that this legislation will be passed without delay.

TIME TO DEFEND "UPPERDOG"

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. NELSEN. Mr. Speaker, the July 10 issue of U.S. News & World Report carries excerpts of a thoughtful, highly impressive address by Miller Upton, president of Beloit College in Beloit, Wis. Dr. Upton's remarks bear on the present warped tendency to glorify the losers in society while downgrading the accomplishments and importance of our winners—the doers and achievers of America. Dr. Upton's speech is most deserving of public attention, and I am pleased to include it in the RECORD at this point in my remarks:

IT'S TIME TO STAND UP FOR THE "UPPERDOG"

(From an address by Miller Upton, president of Beloit College, Beloit, Wis., which he delivered recently at the honors convocation of Ripon College, Ripon, Wis.)

I have just about reached the end of my tolerance for the way our society at the present time seems to have sympathetic concern only for the misfit, the pervert, the drug addict, the drifter, the ne'er-do-well, the maladjusted, the chronic criminal, the underachiever, the loser—in general, the underdog.

It seems to me we have lost touch with reality and become warped in our attachments, if not in fact psychotic.

In short, I feel it is time for someone like me to stand up and say, "I'm for the upperdog!" I'm also for the achiever—the one who sets out to do something and does it; the one who recognizes the problems and opportunities at hand and endeavors to deal with them; the one who is successful at his immediate task because he is not worrying about someone else's failings; the one who doesn't consider it "square" to be constantly looking for more to do, who isn't always rationalizing why he shouldn't be doing what he is doing; the one, in short, who carries the work of his part of the world squarely on his shoulders.

Not the wealthy, necessarily; not the ones in authority, necessarily; not the gifted, necessarily—just the doer, the achiever—regardless of his status, his opulence, his native endowment.

We are not born equal; we are born unequal. And the talented are no more responsible for their talents than the underprivileged for their plight. The measure of each should be by what he does with his inherited position.

No one should be damned by the environmental condition of his life—whether it be privileged or underprivileged. . . .

It is a dying fashion to pay respect to those who achieve—who really "have it," to use the vernacular. This is the day when the fashion is to be for the underdog. The attitude is being developed that if you really want people to care for you—and who doesn't?—don't be successful; be a misfit, a loser, a victim of one's environment. This is an occasion to honor the successful—to say it is better to win than to lose, better to receive an A than a C, that class rank *is* meaningful, that those who have developed the pattern of achieving in college will go on achieving out of college, and, because of their achievement, the rest of us will live richer and easier lives.

I'm not entirely sure of the reason for what appears to me to be a general social-psychological aberration, but I suspect it springs from a massive social guilt.

Each of us individually is so aware of our personal limitations that we have developed a form of masochistic reaction to problems of the day. Instead of attempting to deal with the problems in a forthright way, we berate ourselves, we martyr ourselves, we pillory ourselves.

Or, if the problems seem too much for us to handle, we mitigate our sense of guilt by heaping all blame on convenient scapegoats or by concerning ourselves with the problems of others at a conveniently remote distance.

Let me illustrate my point by specific reference:

I have become increasingly bored and resentful of the ridicule and snide references made of the WASPS—the white, Anglo-Saxon, Protestant suburbanites. I wouldn't feel the point so strongly were the criticisms leveled by those outside of the circle. Such could be looked upon as healthy social criticism and competition. But when it comes mainly from those who are part of the circle—WASPS stinging themselves—it assumes the nature of sick self-immolation.

Our society's treatment of the Negro over the years is deplorable. In fact, that's too mild a term for it. The word "sinful" in its full theological sense is more accurate. But this fact does not justify us, in our sense of guilt, condemning a particular segment of society which in many ways constitutes the backbone of American social existence.

If damning by association is wrong, as I would maintain strongly it is, then how horribly wrong it is to level our guns of hostility, envy and ridicule in this fashion on the successful white man who more often than not struggled financially to get a college education, who more often than not works at his job more than 60 hours a week, who buys a comfortable home in the suburbs with the welfare of his family in mind, who is active in his church and community affairs, who gives his time to service on boards of education and social-welfare agencies, and in some cases is shortening his life span through overwork and anxiety resulting from the basic social responsibilities he must carry.

These are among the chief doers and achievers of today. And where would our society be without them? For one thing, we would not have Ripon College or Beloit College or the University of Wisconsin as we know them today were it not for the likes of these people. Nor could we afford to have a major portion of the population going to school for 12 to 20 years. Nor would we enjoy the leisure time, recreational activities and cultural advantages which are a direct product of our material welfare. However, there would be one by-product advantage: We would have to be so concerned individually with eking out our own meager existence that there would be no time to be wasted on such irrelevant and dishonest name-calling and buck-passing.

BLAMING ECONOMIC SYSTEM UNFAIRLY

Or, just as we point an accusing finger at those who succeed within our economic system, so we accuse the system itself of faults which are not of its creation. In short, we tend to blame the economic system for the faults of individuals who operate within it.

It is important to recognize that the quality of any society is directly related to the quality of the individuals who make it up. Therefore, let us stop referring naively to creating a "great" society. It is enough at this stage of our development to aspire to create a "decent" society. And to do so our first task is to help each individual be decent unto himself and in his relationship with other individuals.

A decent society cannot be created out of a vacuum and imposed. It can only evolve out of the lives of constituent members. In this regard, our economic system has become the scapegoat for the failures of our educational religious and family institutions to develop decent and responsible individuals.

Whenever one blames another or group of individuals for one or more of the ills of mankind—beware! He is expressing personal hostility and offering no solution. There is no single scapegoat for the world's ills, unless, it be our own personal limitations as finite beings.

Also, the Puritan ethic and religious morality in general have come in for some heavy-handed humor and disdain. I can support that criticism which focuses on arbitrary value judgments. But we seem to be in the process of developing a much more perverse kind of moralism—a moralism which says that since love is the one absolute virtue of man, the one way we will solve the problems of poverty, crime, racial discrimination and the like is by forcing everyone to love everybody else—we must love the white man because he is white, or the black man because he is black, or the poor because he is poor, or the enemy because he is the enemy, or the perverse because he is perverse, or the afflicted because he is afflicted! Rather than because he is a human being, any human being who just happen to be white or black, poor or rich, enemy or friend.

This is a hideous abuse of the notion of love that avoids the hard fact that love is a uniquely personal experience.

If it is idle to attempt to legislate individual morality, it is even more idle, and even arrogant, to attempt to force individual love. There can be no love unless it is genuine and authentic. To love, or go through the pretense of loving, without truly feeling that way is one of the lowest forms of hypocrisy. It is dishonesty at its worst. And the fruit of such dishonesty, as with all forms of dishonesty, is distrust, degradation, chaos. We should respect all people so much that we would not dare demean one by pretending to love him when we don't. . . .

We need to start being honest with ourselves in more ways than one. It is too bad that we have failed to heed the charge that Polonius made to his son: "This above all, to thine own self be true." For were we to do so we would have to admit honestly and joyously that love in its very essence is selfish. Were it not so, there would be none—not real love—only a martyred imitation. . . .

We have serious problems and issues facing our society at the present time. Let there be no doubt about it. But they can be solved over time if we will attack them directly and honestly—that is, if we will be willing to pay the price in time and persistent personal effort.

They will never be subject to instant solution—to wishing it so. Nor will they be solved by blaming others for their existence, or by making certain segments of society the scapegoat for the general ills of society. Nor will they be solved by running away from them by concerning ourselves with remote situations rather than those at hand. Nor will they be solved by application of the perverse notion that to love means only to sacrifice one's self.

The one most certain point is that they will be solved by doers—not people with good intentions, but individuals with good deeds. Not those who talk a good game, but those who play a good game—the achiever.

ENCOURAGE INDIVIDUAL EXCELLENCE

We will never create a good society, much less a great one, until individual excellence and achievement is not only respected but encouraged. That is why I'm for the upperdog—the achiever—the succeeder. I'm for building an ever better society, and this will only be done by those who take seriously their responsibility for achievement, for making the most of their native ability, for getting done the job at hand.

MORTGAGES FOR THE POOR

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. DWYER. Mr. Speaker, in view of the great and growing interest in the proposed National Home Ownership Foundation as a means of encouraging and making feasible the rehabilitation and purchase of houses by low-income families, I feel certain our colleagues will welcome the very informative discussion of this plan by its principal sponsor, Senator CHARLES H. PERCY, of Illinois, which appeared in the July issue of the Mortgage Banker.

As a cosponsor of the legislation to create the Foundation, I have been delighted to learn that the Senate Subcommittee on Housing and Urban Affairs will hold hearings on the plan and that prospects are good that our own Housing Subcommittee will also schedule hearings on the legislation.

Senator PERCY's article, which is entitle "Mortgages for the Poor," and which I include herewith as a part of my remarks, will contribute to a greater understanding of this imaginative and constructive proposal.

The article follows:

NATIONAL HOME OWNERSHIP FOUNDATION: MORTGAGES FOR THE POOR

(By Senator CHARLES H. PERCY, Republican, of Illinois)

Last February a CBS television team did a special presentation on life in a Chicago slum building. At one point the CBS commentator is standing in a vacant lot adjacent to the tenement. Children are playing amid the waste paper, junk, and broken bottles.

The commentator is talking with Mrs. Barber, a Negro lady who lives in the tenement building. He asks her about her dream house, and she says:

"My dream house? I would like to have a dining room—kitchen, say, and three rooms and a sun porch on the first floor, and most of all, have a recreation center in the basement."

And Mr. Staples, who lives in the same slum tenement, adds softly:

"This is every man's dream, to own his own home and be able to have a decent place for your family to live in—because you know if you own this, you know this is yours."

Time and again, in encounters and correspondence with poor people and their organizations, I have heard this sentiment repeated with a depth of feeling that can be very moving. There is no doubt in my mind that this desire to own a home—not just any home, but a *decent* home in a *decent* neighborhood—is as common to today's urban poor as to middle and upper income suburbanites.

For home ownership, aside from its economic values, can generate important psychological values as well. It can bring pride and dignity and self-esteem to families who have known little of those feelings. It can bring a new sense of community responsibility, stability, and respect for law and order. It can yield the vital feeling of "roots," of having a place and an identity in urban mass society. It can contribute to the practice of deferred gratification—of saving today for tomorrow's benefit, a characteristic conspicuously absent from most poor families. It gives the home buyer a new understanding of the workings of the business world—of taxes and insurance and mortgage payments and credit ratings. And, perhaps most important, just the prospect of owning a decent home of his own can be a powerful force to motivate a poor man to strive to overcome poverty and advance to a better, more independent life.

No one would pretend that every poor person can be made into a responsible home owner. Obviously, some can scarcely hope to achieve it—the mentally and physically handicapped, the unemployable, the perpetual welfare case, the elderly poor, the transient, the criminal or degenerate. But even when all these people are excluded, there remain hundreds of thousands of American families that have *or can develop* the capacity for home ownership, but who today have little realistic opportunity to enjoy its advantages.

Few greater challenges—and opportunities—confront this nation today than devising a way for helping these families help themselves to become home owners—whether it be a single family home, row house, or condominium or cooperative apartment.

In many places around the country, local home ownership projects for lower income families are in operation or taking shape. The Bicentennial Civic Improvement Corporation in St. Louis has perhaps received the most publicity. The Interfaith Interracial Council of the Clergy of Philadelphia is on the same track. Better Rochester Living in upstate New York has now completed 55 homes for sale to poor families. Flanner Homes in Indianapolis has for over 15 years pioneered in urban home ownership and cooperative "sweat equity" construction. HOPE, Inc. has a project under way in Baltimore. Dr. Martin Luther King is sponsoring a condominium conversion for lower income families on Chicago's West Side.

It is noteworthy that most projects of this sort were generated not by government grants, but by the voluntary initiative of concerned citizens at the local level. And it is equally noteworthy—and indeed axiomatic—that wherever this sort of project has been a success, behind that success stands a mortgage banker who cared enough to make it happen.

In St. Louis, to take the leading example, the Federal Housing Administration and the War on Poverty couldn't be bothered with a dedicated priest's dream for rebuilding a slum into a community of home owners. But some mortgage lenders in St. Louis saw the promise. And through their faith and support—and unsubsidized, uninsured, 15-year, 6% home mortgages—these mortgage lenders helped bring about a new dawn of opportunity for 57 families who up to that time knew only the desperation of public housing or the squalor of the slum.

But as so often happens, no sooner has a private-sector idea begun to prove itself than the advocates of government action move in. Progress, they solemnly aver, comes from the initiative of government, not from the strengths and resources of the private sector.

Few would say today that government—federal, state, and local—has no responsibility in the field of housing. The debate is whether government should be the initiator and executor of programs for enlarging housing opportunities, or whether it should serve as a guarantor and reinforcing agent to back up private sector efforts.

In my view, government has an important concern in expanding home ownership opportunities for all Americans. But, in the words of a recent Mortgage Bankers Association policy statement, government should "be concerned with the removal of the obstacles that impede the potential utilization of private credit." Where there are credit gaps, the statement continues, "their elimination will best be achieved by directing the influence and action of government to fostering the institutions through which private initiative will be given encouragement and confidence to reach its fullest capabilities."

To try to foster this sort of private institution, I have joined 38 other Senators and 110 Representatives in sponsoring legislation to create a private National Home Ownership Foundation. The National Home Ownership Foundation would have two essential functions: (1) to provide the needed technical knowhow and expertise to local groups sponsoring home ownership programs for lower income families who have or can develop the potential for carrying a modest mortgage, and (2) to make mortgage funds available to finance projects which do not now have direct access to local capital.

The federal government would aid in two principal ways. It would, first of all, stand behind the debentures issued by the Foundation to insure investors against loss, just as, for example, it now stands behind maritime bonds to encourage ship construction. Second, it would subsidize the cost of home ownership for a lower income family. But the program would not operate through FHA or FNMA. And the investment of $20 million in government interest assistance money could, through a powerful leverage effect, generate the financing of perhaps 60,000 homes, compared with only 2,000 through direct FNMA takeout without participations.

Let me construct an example of how the National Home Ownership Foundation program could work. A local organization undertakes to sponsor a home ownership program in its neighborhood. Part of that program, of course, will be the production of decent housing; an equally important part will be the identification of families with home ownership potential and their preparation to accept its responsibilities.

The Foundation's Technical Assistance Service, at the invitation of this local "client" group, helps design a program—including involving members of the local business and financial community on the local organization's board. Local lenders will be approached for construction and mortgage financing.

Some prospective buyers, presumably, will be unable to obtain or afford local conventional financing. The Foundation is then authorized to make loans directly to these buyers, from funds raised through the sale of debentures on the open market. Local mortgage management institutions would service these mortgages on contract with the Foundation. The home buyer, of course, would pay the bulk of the monthly mortgage payment; the Treasury would make payment for the difference. (Later on, if the buyer's income rises substantially, he would begin to pay back the previous subsidy, which would convert it from a subsidy into an investment on the part of the government.)

There are many variations of this basic plan. Using the "coadjutant agreement" section of the bill, a local lender could make a loan to a local organization, with the Foundation absorbing over 90 percent of the risk. To do so, the lender would buy government guaranteed Foundation debentures in an amount equal to 90 percent of the required project mortgage, and put the remainder out directly on a risk basis to the local borrower. The Foundation would simultaneously make a loan to the local organization equal to the lender's bond purchase. Here, I think, is a way in which local lenders can make loans to local projects without incurring undue risk of loss—but retaining the advantages of highly visible sponsorship of a worthy local effort to produce better homes.

Or, consider this possibility: instead of buying debentures of the Foundation, the local mortgage lender might obtain a cash deposit directly from the Foundation to cover 90 percent of the local project's cost. This loan would be made with the agreement that the Foundation would accept 90 percent of any loss that might ensue waiving its claim as a depositor-creditor. In this variation, the Foundation would not hold mortgages at all, while the local lender would have effective insurance against up to 90 percent of his potential loss.

The plan, contained in S. 1592, covers some 33 pages of legal language. No doubt much of that language is susceptible to improvement—perhaps even those parts of it contributed by mortgage bankers who were consulted during the four-month drafting process. Without attempting to explain all of its details, let me point out some particular benefits it offers to the mortgage banking profession.

First, the National Home Ownership Foundation program promises a substantial increase in home ownership and home mortgages, especially among those who under present circumstances would never expect to become mortgagors. As experience accumulates, lenders will develop sound criteria for evaluating loan applicants on grounds in addition to mere credit history. When relevant social factors are taken into account—especially a sustained determination on the part of the prospective home owner to achieve the economic security needed to carry a mortgage—I am firmly convinced that America's mortgage lenders will discover a sizable new market presently beyond their lending experience.

Second, the program would result in thousands of families doing business with local mortgage lenders. It would teach them the fundamentals of modern banking practice, insurance, taxes, and prudent savings, of which so many lower income families are ignorant. It would give them the reassuring knowledge the mortgage lender is there to make a better life possible for them, and not to exploit them for someone else's advantage.

Third, it would provide a useful yardstick for evaluating present below-market government programs—and a responsible alternative in which the private enterprise system can function without the privileged competition of government agencies.

But beyond these specific advantages to the mortgage banking industry, I am convinced that enactment of this legislation—if wholeheartedly backed by the private enterprise system—can lead to a major turning point in America's domestic life. For, by restoring government to its proper role as guarantor and reinforcer, the private institution envisioned in this legislation can generate a new spirit of private initiative to meet national problems the free enterprise way. And as such, it can signal a turning away from 35 years of adherence to the notion that good things happen *only* when a government program is created to make them happen.

I say this *can* happen, not that it *will* happen. The mere chartering by Congress of a new private institution is not enough. Private enterprise, including the financial community, must display the dedication and resolution needed to recapture the initiative from government. *Now* is the time for bold action to implement those decades of luncheon club speeches about the "free enterprise way."

Is this bill the last, best hope for reversing the dangerous drift to ultimate dependence on government for all new initiative? It would be presumptuous of me to say so. Yet I cannot help but feel that here, for the first time in recent years, is a proposal for an effective mechanism for mobilizing the enormous resources of the private sector to meet one of the nation's most crucial problems. It is a proposal to give direction and discipline to private efforts, with the government's role restricted to safeguarding against the risks inherent in pioneering a largely unfamiliar new area. If the private sector does not rally to the cause, if its experts do not supply the technical refinements that may be needed, if its leading spokesmen do not boldly and clearly reaffirm and act upon their belief in private initiative—then, I must confess, my hopes for generating a rebirth of nongovernmental action and responsibility will not be bright.

PROGRESS REPORT ON THE NORTHEAST DROUGHT

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. DWYER. Mr. Speaker, for nearly 7 years, the Northeastern United States, the center of much of the Nation's population and industry, has been subjected to one of the longest and most severe droughts in history.

As many of our colleagues will recall, Congress in 1965 approved an amendment to the omnibus rivers and harbors bill to launch an attack on the water supply problems of this great area. The amendment authorized the Northeastern United States Water Supply Study, which was begun in August 1966, under the direction of the North Atlantic division of the U.S. Army Corps of Engineers.

The North Atlantic division has now issued a summary report of the accomplishments and current activities of the Northeastern United States Water Supply Study which I am sure will be of great interest to our colleagues.

According to the report, the text of which I shall include following my remarks, the Northeastern United States Water Supply Study has now completed a drought survey of the entire northeast. It has identified and studied all communities which have been forced to impose water restrictions. It has reviewed the scope and services of all public water supply utilities in the area, initiated efforts to obtain necessary information on industrial water use, begun an evaluation of newer concepts in hydrologic analysis, and planned a study to determine the economic value of water as a basis for policy decisions regarding the scope of local financial participation in Federal water supply projects.

The Northeast United States Water Supply Study has conducted 22 public hearings covering every State in the study area, considered local and regional plans and programs for attacking water supply problems, and received proposed solutions in which the Federal Government could reasonably be expected to participate.

It is especially significant, Mr. Speaker, that as a result of the study to date, the metropolitan areas of northern New Jersey and Washington, D.C., have been identified as having "an urgent need" for water supply projects during the next 10 to 15 years.

As one who supported very strongly the authorization for the Northeast United States Water Supply Study, I believe that the Congress will welcome the report as an indication of substantial progress. I am hopeful that the appropriate committees of the House and Senate will follow the progress of the Northeast United States Water Supply Study closely and will be prepared to act expeditiously on its recommendations for relieving the area of the constant threat of drought.

The provision of improved water supply systems for the northeast in general and for northern New Jersey and Washington, D.C., in particular is so urgent a need for the simple reason that this area is the most densely populated part of the country, with some 47 million people occupying approximately 201,000 square miles. This area contains 20 of the Nation's 100 largest cities, and 72 percent of its population resides in metropolitan areas. The area's population is expected to double in the next 50 years, and its water supply needs are anticipated to increase at a substantially higher rate.

We are making a good, if belated, beginning, Mr. Speaker, but ultimate success, at a cost we can afford, will depend on our understanding of the seriousness of prolonged water shortages and our willingness to act expeditiously in effecting sound solutions. The report, which follows, makes an important contribution toward this objective.

Summary of Accomplishments and Current Activities Northeastern United States Water Supply Study, June 15, 1967

Work on the Northeastern United States Water Supply Study began in August 1966. An initial "Plan of Study" was drafted and subsequent activities have involved: a series of public hearings; consideration of the need for urgent projects; a review of proposed local action reports; a survey of all communities experiencing drought restrictions; development of statistical information on all public water utilities; a search for sources of detailed industrial water supply information; the selecting of advanced hydrologic analysis procedures; examining procedures that might define the economic value of water in the Northeast; and expansion of the "Plan of Study".

Public Hearings—The NEWS Study has conducted public hearings at 22 locations covering every state within its study area. At these hearings; local and regional water supply problems have been described to us; the plans and programs that have been developed or are being developed to attack these problems have been submitted; and at our request outlines of the solutions in which the Federal government could reasonably be expected to participate, were presented.

Approximately 30,000 hearing notices have been mailed to interested parties. Establishing the mailing list for the hearings has itself required a major effort, since the organizations and individuals interested in, and influential upon northeastern water supply have not been recorded or kept on file by any particular group of agencies. Therefore as a service to others as well as itself, the NEWS Study has coded each hearing's mailing list on IBM cards, so that all or portions of the list may be used by anyone wanting to contact those interested in Northeastern Water Supply.

Urgent Projects—Among the areas currently showing an urgent need for water supply projects during the next 10 to 15 years, are the metropolitan sections of northern New Jersey and Washington, D.C.

Northern New Jersey communities have experienced severe water use restrictions during the recent drought. Many of their sources have already reached estimated yields, and the management structure of their water utilities is so vested and complex that total and judicious water supply management has not been attainable.

One tentative solution to the water source problem of northern New Jersey under consideration by the NEWS Study, is the feasibility of developing a storage reservoir for the area, that would possess the capability of having its inflow augmented with water pumped from the Hudson River. Depending on the availability of site locations, such a reservoir might also be used to provide storage releases for the New York City water supply system and for assistance in repressing the salt front in the Delaware River.

An extremely serious situation developed in the Washington, D.C. area during the recent drought when the demand for water supply nearly equalled the amount of water available from the source, the Potomac River. Since high increases in the growth rate of this area are expected, it follows that the demand for water in the near future could not be met during a return of this previous drought. The NEWS Study is therefore considering prior recommendations by the Corps of Engineers, for reservoir development in the Potomac Basin. In addition, the Study is considering the possibility of connecting the Potomac Basin with the Susquehanna River via a pipeline.

Among the many local proposals being reviewed are suggestions for

a) a tidal dam on the James River

b) a pipeline connecting the Susquehanna River with the Delaware River so that storage releases from Federal reservoirs currently authorized for these river basins, might be re-routed to the communities of southeastern Pennsylvania and northern Maryland. Extension of this pipeline, known as the Mason-Dixon project, to the Potomac Basin has also been suggested and is under consideration as mentioned above.

c) the construction of a tidal dam just north of New York City to create a fresh water reservoir in the Hudson River.

d) the construction of dams at both ends of Long Island Sound, including possible diversion of the Hudson River so as to create a fresh water reservoir which among other uses, could supply New York City, Long Island and southern Connecticut with water. This suggestion further proposed that highway and railroad crossings be incorporated into the dam structures to make the dams more functional and economical.

Drought Survey—A drought survey of the entire northeast has been completed. Those communities experiencing water restrictions have been tabulated and we know *the size of* the populations served, the severity of the restrictions and the cause of the restriction whether it be due to the water source, the transmission line, the treatment facilities or the distribution system. This survey will be put to use in making the selections of those areas in which the Federal government can become a co-sponsor of immediate or urgently needed projects.

Public Water Supply Statistics—The name, address and operating head of every public water supply utility in the northeast, of which there are 4,003, has been determined as well as information on each utility's source of water, pumpage, service population and annual revenue. From this we know that there is currently a 10% transfer of water among systems of the northeast, which means that this section of the country already has a certain preparedness for the concept of inter-regional transfer of water. We know from the revenue statistics, that these water utilities may have a total borrowing power of more than 5 billion dollars, which in turn could be applied to the solution of their own water supply problems.

Industrial Water Supply Statistics—Since industrial water use is intimately tied to industrial production, the availability of such information has been found to be highly confidential and consequently, difficult to obtain. The NEWS Study therefore, has chosen to seek the assistance of the Bureau of the Census in a manner similar to that developed by the Office of Appalachian Studies. The Census of Manufactures has on file, detailed industrial water use data for every section of the country. We intend to develop with the Bureau of the Census, procedures whereby they can provide us with as much of this information as possible without violating their disclosure rule. We also hope to acquire their mailing list so that cooperation may be sought directly from particular industries.

Selection of Hydrologic Procedures—According to the American Water Works Association, the effects of the past drought on water supply sources have been in good part a measure of the error water supply planners made in estimating safe yield. This has prompted the NEWS Study toward evaluating some of the newer concepts in hydrologic analysis. These new concepts which are admittedly controversial, draw on the strength of statistics to synthesize long streamflow sequences from the relatively short, historical records of the past. From this we hope to be able to visualize more explicitly, the extremes of the future and plan more appropriately for their occurrence than traditional methods would otherwise enable us to do.

Economic Value of Water—The NEWS Study is approaching Ph D candidates in the field of Water Resources, with the proposal that they utilize our drought survey and our other statistical information on water supplies, as raw data from which they can postulate the extent of economic damage suffered as a result of the recent drought. From this, guidelines might be developed for determining the economic value of water which could then be translated into policy regarding the scope of local financial participation, in Federal water supply projects. So far, two Ph D candidates have expressed an interest in using our data to develop such economic theories. From their point of view, the drought has been a great experiment providing invaluable, empirical data.

Plan of Study—The original "Plan of Study" as written for NEWS was general with regard to the engineering and economic decisions required for immediate and long range planning. The "Plan of Study" is being expanded consistent with our current accomplishments, to make our work assignments more explicit and our goals more detailed and specific.

At the close of the Fiscal Year 1967, the *NEWS Study will have undergone extensive* exposure to many water supply interests and to the general public in the northeast. Information will have been compiled on those areas in need of urgent projects; initial review of state and local water supply plans will have been completed; development of new engineering and economic procedures will be underway and a substantial amount of basic statistics will have been compiled both on the effects of the drought and on the characteristics of the water supply utilities themselves.

In Fiscal Year 1968, the scope of our basic data will be extensive enough to enable the beginning of detailed engineering analysis on specific projects and to begin framework development of intermediate and long range plans. A special attempt will be made to complete at least one specific project proposal. The NEWS Study will also re-evaluate the yields of sources currently serving the larger communities of the northeast and will initiate development of guidelines for local participation in Federal water supply projects.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Burke of Massachusetts, for 60 minutes, on July 11, 1967; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. Price of Texas) to revise and extend their remarks and to include extraneous material:)

Mr. Findley, for 60 minutes, today.

Mr. Zwach, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Price of Texas) and to include extraneous matter:)

Mr. Bush.

Mr. Rumsfeld.

(The following Members (at the request of Mr. Stratton) and to include extraneous matter:)

Mr. Pucinski.

Mr. Tenzer in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 43. An act for the relief of Mi Soon Oh; to the Committee on the Judiciary.

S. 171. An act for the relief of Timothy Joseph Shea and Elsie Annet Shea; to the Committee on the Judiciary.

S. 388. An act to authorize the Attorney General to transfer an inmate of the District of Columbia jail to any other institution under the control and supervision of the Director of the District of Columbia Department of Corrections notwithstanding the pendency of a petition for a writ of habeas corpus with respect to such inmate, and for other purposes; to the Committee on the Judiciary.

S. 440. An act for the relief of Dr. Julio Alejandro Solano; to the Committee on the Judiciary.

S. 475. An act to provide an additional place for holding court in the district of North Dakota; to the Committee on the Judiciary.

S. 910. An act for the relief of the estate of Patrick E. Eagan; to the Committee on the Judiciary.

S. 945. An act to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes; to the Committee on the Judiciary.

S. 1106. An act for the relief of Dr. David Castaneda; to the Committee on the Judiciary.

S. 1257. An act for the relief of Kuo-Hua Yang; to the Committee on the Judiciary.

S. 1398. An act for the relief of Irma Stefani Ruiz-Montalvo; to the Committee on the Judiciary.

S. 1540. An act to amend chapter 235 of title 18, United States Code, to provide for the appellate review of sentences imposed in criminal cases arising in the district courts of the United States; to the Committee on the Judiciary.

S. 1580. An act for the relief of John W. Rogers; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1516. An act for the relief of Giuseppe Tocco;

H.R. 1703. An act for the relief of Angiolina Condello;

H.R. 1763. An act for the relief of Dr. Raul E. Bertram;

H.R. 1764. An act for the relief of Dr. Ernesto M. Campello;

H.R. 1765. An act for the relief of Dr. Ubaldo Gregorio Catasús-Rodríguez;

H.R. 3523. An act for the relief of Chang-You Wu, M.D.;

H.R. 4930. An act for the relief of Mr. Robert A. Owen; and

H.R. 7501. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1968, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on June 29, 1967, present to the President, for his approval, bills of the House of the following titles:

H.R. 1516. An act for the relief of Giuseppe Tocco;

H.R. 1703. An act for the relief of Angiolina Condello;

H.R. 1763. An act for the relief of Dr. Raul E. Bertrám;

H.R. 1764. An act for the relief of Dr. Ernesto M. Campello;

H.R. 1765. An act for the relief of Dr. Ubaldo Gregorio Catasús-Rodríguez;

H.R. 3523. An act for the relief of Chang-You Wu, Md.;

H.R. 4930. An act for the relief of Mr. Robert A. Owen;

H.R. 5702. An act to remove the 5-acre limitation on the amount of tobacco allotment acreage which may be leased;

H.R. 7501. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1968, and for other purposes;

H.R. 8265. An act to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of tobacco acreage allotments and acreage-poundage quotas; and

H.R. 10730. An act to amend the Older Americans Act of 1965 so as to extend its provisions.

ADJOURNMENT

Mr. STRATTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Tuesday, July 11, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

870. A communication from the President of the United States, transmitting the report of the Secretary of the Interior resulting from the national study of strip and surface mining, pursuant to the provisions of Public Law 89–4; to the Committee on Public Works.

871. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a notification of the location, nature, and estimated cost of an additional facility project proposed to be undertaken for the Army Reserve at San Juan, P.R., pursuant to the provisions of 10 U.S.C. 2233a(1), and to the authority delegated by the Secretary of Defense; to the Committee on Armed Services.

872. A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to authorize the Secretary of the Navy to adjust the legislative jurisdiction exercised by the United States over lands comprising the U.S. Naval Station, Long Beach, Calif.; to the Committee on Armed Services.

873. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a notification of the location, nature, and estimated cost of a training facility project proposed to be undertaken for the Army National Guard at Camp Drum, N.Y., pursuant to the provisions of 10 U.S.C. 2233a(1) and pursuant to the authority delegated by the Secretary of Defense; to the Committee on Armed Services.

874. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes"; to the Committee on the District of Columbia.

875. A letter from the Chairman, National Labor Relations Board, transmitting the 31st Annual Report of the National Labor Relations Board, for the fiscal year ended June 30, 1966, pursuant to the provisions of section 3(c) of the Labor Management Relations Act, 1947; to the Committee on Education and Labor.

876. A letter from the Assistant Secretary, Export-Import Bank of Washington, transmitting a report of the amount of Export-Import Bank insurance and guarantees issued in connection with U.S. exports to Yugoslavia for the month of May 1967, pursuant to the provisions of title III of the Foreign Assistance and Related Agencies Appropriation Act of 1967, and to the Presidential Determination of February 4, 1964; to the Committee on Foreign Affairs.

877. A letter from the Comptroller General

of the United States, transmitting a report of review of procedures for preventing the payment of dual benefits for the same disability or death, Bureau of Employees' Compensation, Department of Labor; to the Committee on Government Operations.

878. A letter from the Comptroller General of the United States, transmitting a report of review of application of revised procedures for determining irrigation benefits to the Almena unit, Missouri River Basin project, Bureau of Reclamation, Department of the Interior; to the Committee on Government Operations.

879. A letter from the Comptroller General of the United States, transmitting a report of review of duty-free sales of certain waste produced from imported conditionally duty-free carpet wool, Bureau of Customs, Treasury Department; to the Committee on Government Operations.

880. A letter from the Chairman, Federal Trade Commission, transmitting a report concerning (A) the effectiveness of cigarette labeling; (B) current practices and methods of cigarette advertising and promotion; and (C) recommendations for legislation which are deemed appropriate, pursuant to the provisions of section 5(d)(2) of the Federal Cigarette Labeling and Advertising Act; to the Committee on Interstate and Foreign Commerce.

881. A letter from the Archivist of the United States, transmitting a report of records proposed for disposal, pursuant to the provisions of 63 Stat. 377; to the Committee on House Administration.

882. A letter from the executive director, the Military Chaplains Association of the United States of America, transmitting the Annual Report of the Military Chaplains Association of the United States of America, for the year 1966, pursuant to the provisions of Public Law 81–792; to the Committee on the Judiciary.

883. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in certain cases of aliens found admissible to the United States, pursuant to the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

884. A letter from the general counsel, Pacific Tropical Botanical Garden, transmitting a report of audit of the Pacific Tropical Botanical Garden, for the period January 1, 1966, through December 31, 1966, pursuant to the provisions of Public Law 88–449; to the Committee on the Judiciary.

885. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of list and orders entered in cases in behalf of certain aliens, pursuant to the provisions of section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

886. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

887. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

888. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according to certain beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended, to the Committee on the Judiciary.

889. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to authorize retirement credit for certain alien employees of the Foreign Service during breaks in diplomatic relations, and for other purposes; to the Committee on Post Office and Civil Service.

890. A letter from the Secretary of Transportation, transmitting the "Highway Relocation Assistance Study," pursuant to the provisions of Public Law 89–574; to the Committee on Public Works.

891. A letter from the Secretary of Transportation, transmitting the "Study of Advance Acquisition of Highway rights-of-way," pursuant to the provisions of Public Law 89–574; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. GREEN of Pennsylvania: Committee on Post Office and Civil Service. H.R. 7659. A bill to amend title 13, United States Code, to provide for a mid-decade census of population, unemployment, and housing in the year 1975 and every 10 years thereafter; with amendment (Rept. No. 480). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASHMORE: Committee on the Judiciary. S. 454. An act for the relief of Richard K. Jones; with amendment (Rept. No. 475). Referred to the Committee of the Whole House.

Mr. DOWDY: Committee on the Judiciary. H.R. 3195. A bill for the relief of Eli Eleonora Bianchi (Rept. No. 476). Referred to the Committee of the Whole House.

Mr. CAHILL: Committee on the Judiciary. H.R. 3881. A bill for the relief of Despina and Christina Hatzisavvas; with amendment (Rept. No. 477). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 7427. A bill for the relief of Maria Kolometroutsis; with amendment (Rept. No. 478). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 7516. A bill for the relief of Song Sin Taik and Song Hyung Ho; (Rept. No. 479). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 11293. A bill to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Ways and Means.

By Mr. ADAMS:

H.R. 11294. A bill to provide Federal assistance to courts, correctional systems, and community agencies to increase their capability to prevent, treat, and control juvenile delinquency, to assist research efforts in the prevention, treatment, and control of juvenile delinquency, and for other purposes; to the Committee on Education and Labor.

H.R. 11295. A bill to provide for the establishment of a Federal Judicial Center; to the Committee on the Judiciary.

H.R. 11296. A bill to assist in combating crime by creating the U.S. Corrections Service, and for other purposes; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 11297. A bill to assist public and private nonprofit hospitals to carry out needed modernization and improvement projects by providing Federal guarantees of loans made for such purpose and by providing for Federal payment of part of the interest on such loans, and to encourage the development of new technology systems and concepts in the provision of health services; to the Committee on Interstate and Foreign Commerce.

By Mr. CULVER:

H.R. 11298. A bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road; to the Committee on Public Works.

By Mr. CUNNINGHAM:

H.R. 11299. A bill to amend the Federal Firearms Act to prohibit the use in the commission of certain crimes of firearms transported in interstate commerce; to the Committee on Ways and Means.

By Mr. DAVIS of Wisconsin:

H.R. 11300. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 11301. A bill to prohibit age discrimination in employment; to the Committee on Education and Labor.

H.R. 11302. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. FULTON of Tennessee:

H.R. 11303. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 11304. A bill to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 11305. A bill to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes; to the Committee on Agriculture.

H.R. 11306. A bill to authorize the issuance of savings bonus bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. STAFFORD (for himself, Mr. Biester, Mr. Button, Mr. Cahill, Mr. Don H. Clausen, Mr. Conte, Mr. Dellenback, Mr. Erlenborn, Mr. Esch, Mr. Frelinghuysen, Mr. Fulton of Pennsylvania, Mr. Grover, Mr. Halpern, and Mr. Harvey):

H.R. 11307. A bill to amend the Military Selective Service Act of 1967; to the Committee on Armed Services.

By Mr. THOMPSON of New Jersey (for himself, Mr. Perkins, Mrs. Green of Oregon, Mr. Holland, Mr. Dent, Mr. Pucinski, Mr. Daniels, Mr. Brademas, Mr. Carey, Mr. Hawkins, Mr. William D. Ford, Mr. Hathaway, Mrs. Mink, Mr. Scheuer, Mr. Meeds, Mr. Burton of California, Mr. Reid of New York, Mr. Esch, Mr. Giaimo, and Mr. Moorhead):

H.R. 11308. A bill to amend the National Foundation on the Arts and the Humanities Act of 1965; to the Committee on Education and Labor.

By Mr. WHALEN (for himself, Mr. Railsback, Mr. Reid of New York, Mr. Robison, Mr. Rumsfeld, Mr. Ruppe, Mr. Saylor, Mr. Schneebeli, Mr. Shriver, Mr. Stanton, Mr. Steiger of Wisconsin, Mr. Taft, and Mr. Whalley):

H.R. 11309. A bill to amend the Military Selective Service Act of 1967; to the Committee on Armed Services.

By Mr. WRIGHT:

H.R. 11310. A bill to authorize the establishment of the Dinosaur Trail National Monument in the State of Texas; to the Committee on Interior and Insular Affairs.

By Mr. ZWACH:

H.R. 11311. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the annuities and pensions (and lump-sum payments) which are payable thereunder; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHWEIKER (for himself, Mr. Horton, Mr. Keith, Mr. Kupferman, Mr. Latta, Mr. McDade, Mr. MacGregor, Mr. Mathias of Maryland, Mr. Meskill, Mr. Morse, Mr. Morton, Mr. Mosher, and Mr. Myers):

H.R. 11312. A bill to amend the Military Selective Service Act of 1967; to the Committee on Armed Services.

By Mr. HICKS:

H.R. 11313. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. PELLY:

H.R. 11314. A bill to permit surplus nursery stock to be used for noncommercial beautification purposes; to the Committee on Agriculture.

By Mr. CHARLES H. WILSON:

H.R. 11315. A bill to amend title 39, United States Code, to provide that postmasters and other employees in the postal field service shall receive at all times basic compensation in excess of the basic compensation of any employee under his supervision and direction; to the Committee on Post Office and Civil Service.

By Mrs. SULLIVAN:

H.J. Res. 691. Joint resolution extending greetings and felicitations to St. Louis University in the city of St. Louis, Mo., in connection with the 150th anniversary of its founding; to the Committee on the Judiciary.

By Mr. BEVILL:

H. Res. 725. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. BINGHAM:

H. Res. 726. Resolution concerning peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. BRAY:

H. Res. 727. Resolution providing for a thorough review of U.S. policy toward the U.S.S.R.; to the Committee on Foreign Affairs.

By Mr. McCLURE:

H. Res. 728. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

247. By Mr. ULLMAN: Memorial of the Oregon Legislative Assembly, 1967 regular session, relative to the appropriation of moneys necessary for rehabilitation of the public grazing lands in the State of Oregon; to the Committee on Appropriations.

248. By the SPEAKER: Memorial of the Legislature of the State of California, relative to the proposal by the Department of the Interior for withdrawal from all forms of mineral location or leasing of all those lands of the public domain valuable or prospectively valuable for geothermal steam; to the Committee on Interior and Insular Affairs.

249. Also, memorial of the Legislature of the State of California, relative to the deferring of action with respect to any license application for the development of the Middle Fork of Feather River in any pending wild rivers system in California; to the Committee on Interior and Insular Affairs.

250. Also, memorial of the Legislature of the State of Florida, relative to protective tariffs on imported agricultural products; to the Committee on Ways and Means.

251. Also, memorial of the Legislature of the State of Oregon, relative to appropriation of moneys necessary for rehabilitation of the public grazing lands in Oregon; to the Committee on Appropriation.

252. Also, memorial of the Legislature of the State of South Carolina, relative to protective tariffs on imported agricultural products; to the Committee on Ways and Means.

253. Also, memorial to the Legislature of the State of Texas, relative to an amendment to the Constitution of the United States which would return, without restriction, 5 percent of individual and corporate income tax collections to the 50 States of the Union; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 11316. A bill for the relief of Shigeyasu Matoba; to the Committee on the Judiciary.

H.R. 11317. A bill for the relief of Andrea Ribaudo; to the Committee on the Judiciary.

H.R. 11318. A bill for the relief of Filippo LiParoto; to the Committe on the Judiciary.

H.R. 11319. A bill for the relief of Vincenzo Acierno; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R. 11320. A bill for the relief of Jose Joaquim Bulhoes; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 11321. A bill for the relief of Michele and Ivana Tiriticco; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 11322. A bill for the relief of Ricardo Siguancia Rosario; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 11323. A bill for the relief of Jozsef Jutasi and his wife, Gizella Jutasi; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 11324. A bill for the relief of Dr. Nagarapu Reddy; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 11325. A bill for the relief of Nellina F. Mirjah; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 11326. A bill for the relief of Kennie E. Ashton; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 11327. A bill for the relief of John L. Wolfe; to the Committee on Merchant Marine and Fisheries.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

120. By the SPEAKER: Petition of the Communications Workers of America, Washington, D.C., relative to situs picketing; to the Committee on Education and Labor.

121. Also, petition of Henry Stoner, Portland, Oreg., relative to antiriot act legislation; to the Committee on Rules.

EXTENSIONS OF REMARKS

Postal Problems and Salaries

EXTENSION OF REMARKS

OF

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 1967

Mr. RUMSFELD. Mr. Speaker, the need for the development of legislation to improve and advance the postal service and the working conditions and salaries of career postal employees is most urgent. On several occasions in the past, I have called attention to the inadequacies and inefficiencies of the postal service in the 13th Congressional District of Illinois. I have discussed these problems with postal employees who have repeatedly emphasized that the major obstacles to the improvement of postal service are the constant turnover of personnel and the difficulty of recruiting high-caliber employees, due to the level of salaries and the working conditions which, I have been told, are not conducive to high morale in many instances.

The Congress must find an acceptable and effective solution. Bills have been introduced, on which hearings have been held, to reclassify the levels of positions in the postal field service in an effort to attract qualified personnel to the service. I am hopeful that the House Committee on Post Office and Civil Service will give particular attention to the problem of employee turnover and full consideration to the steps that have been proposed to meet this problem, including the reclassification of postal positions.

I would also urge once again that the concept of pay differentials, based on cost-of-living data, be thoroughly explored. What may be a fair wage in one section of the country may not be a fair or even a livable wage in another area. The Chicago metropolitan area, for example, is one of the highest cost-of-living areas in the country. Based on the 1959 comparison study of 20 cities, the latest such study conducted by the Bureau of Labor Statistics, the Chicago area ranked with Seattle, Wash., as the most expensive section in the United States.

There is no question but that postal employees in the Chicago area find it difficult to maintain a reasonable standard of living on their salaries.

Rapid and reliable postal service is a necessity, not a luxury, in a modern commercial society. It is past time for the Congress to take the initiative in seeing that the necessary steps are taken to assure that goal.

Results of 1967 Questionnaire

EXTENSION OF REMARKS

OF

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 1967

Mr. BUSH. Mr. Speaker, in May of this year, I sent a questionnaire on 10 important issues facing our Nation to all of the households in the Seventh Congressional District of Texas—221,000. I am happy to report that we received approximately 30,000 replies to this questionnaire, and today I am placing in the RECORD the opinions of my constituents.

The results speak for themselves. The vast majority of my constituents are not satisfied with the status quo. They would like to see constructive action by this Congress on almost every important issue. I respectfully request that all Members review this tabulation so that they, too, may have the benefit of the opinions of these interested citizens from the Seventh Congressional District of Harris County, Tex. The tabulation follows:

RESULTS OF 1967 GEORGE BUSH QUESTIONNAIRE

[Results in percent]

1. What should we do about Vietnam?

Total	100
Escalate military action by continuing bombing enemy airbases	66
Continue present course without negotiations	2
Continue present course with negotiations	22
Withdraw as soon as possible	10

2. What should we do about the administration's estimated deficit?

Total	100
Increase personal and corporate taxes to reduce deficit	6
Curtail domestic spending	62
Combination of these	21
No action required as long as gross national product increases	11

3. What should we do about the war on poverty?

Total	100
Increase expenditures	3
Reorganize program to make it more responsive to local needs	52
Eliminate program	45

4. What should we do about the draft?

Total	100
Eliminate all college deferments	27
Eliminate graduate school deferments only	28
Eliminate draft and make service careers attractive enough to attract volunteers	27
Retain present system	18

5. Should a tax credit be allowed parents of college students?

Yes	75
No	25

6. Should third-class mail rates be increased?

Yes	80
No	20

7. What should we do about relatives on congressional payrolls?

Total	100
Require Congressmen to disclose relatives	60
Make it illegal to have relatives on payroll	37
Take no action	3

8. What should we do about social security?

Total	100
Increase benefits 20 percent as recommended by President	17
Increase benefits 8 percent with no tax increase necessary	69
Increase benefits 50 percent but finance program through general revenues rather than social security taxes	14

9. What should we do about gun legislation?

Total	100
Strong bill requiring all citizens to register firearms	34
Strong bill providing tougher penalties for criminals	55
No additional laws required	11

10. What should we do about trade with communist countries?

Total	100
Increase all trade with Soviet-bloc nations	7
Increase trade of nonstrategic items only	36
Eliminate trade altogether	29
Defer trade talks until Vietnam war is terminated	28

A 92d Birthday Anniversary

EXTENSION OF REMARKS

OF

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Monday, July 10, 1967

Mr. JAVITS. Mr. President, Mr. Charles A. Upson, of Lockport, N.Y., recently celebrated his birthday anniversary—his 92d.

Mr. Upson, in 1910, founded and for years served as president of the Upson Co., a Lockport firm specializing in the manufacture of wood fiber panels and laminated paper products. Many of the company's principal products were invented and patented by Mr. Upson himself.

As befits a civic leader marking his 92d birthday, Mr. Upson received many congratulatory messages from friends all over the country, including one from Vice President HUBERT H. HUMPHREY.

Included among his birthday honors was the Award of Merit, conferred upon him by the American Paper Institute.

I ask unanimous consent that the congratulatory message from Vice President HUMPHREY, the American Paper Institute's Award of Merit, and an article published in the Buffalo Evening News, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

Mr. CHARLES A. UPSON,
Lockport, N.Y.:

Your many friends in Washington join me and Mrs. Humphrey in extending our heartiest congratulations to you today on the great occasion of your 92nd birthday.

We know what great satisfaction you must feel as you look back over almost a century of service and devotion to your country, your industry, and your fine family.

We are especially pleased to learn that the American Paper Institute will soon honor you with an award in recognition of your many contributions over the years to the progress of the paper-making industry. This is an honor you richly deserve.

Best wishes to you and your family for many more happy birthday celebrations.

Sincerely,

HUBERT H. HUMPHREY,
The Vice President of the United States.

Award of merit conferred upon Charles A. Upson on the occasion of his 92d birthday in recognition of his many contributions over the years to the progress of the paper making industry;

His imaginative and enduring innovations in the development of paper products;

His energetic leadership in the expansion of the frontiers of knowledge in the paper making industry;

His dedicated participation in civic affairs and humanitarian activities at the local, state, and nationl levels;

His constant striving toward the brotherhood of man under the fatherhood of God.

In testimony whereof the signatures of the President and Secretary and the Seal of the Association are hereunto affixed this — day of April, 1967.

———, ———, *President,*
———, ———, *Secretary.*

PAPER INSTITUTE WILL HONOR UPSON FOR HIS CONTRIBUTIONS

LOCKPORT, March 31.—A 92-year-old retired business executive who pioneered many innovations in the paper making and wall board industry will be honored next week by the American Paper Institute Inc.

Charles A. Upson, who marked his 92d birthday Monday will receive a citation in his home at 573 Washburn St. for his contributions to the industry and national economy while he was president of The Upson Co. which he founded in 1910.

Mr. Upson, who still keeps busy with civic duties and gardening and flower raising, has received birthday congratulatory telegrams from Vice President Hubert Humphrey and Robert E. O'Connor, president of the Paper Institute.

He was born March 27, 1875 in Tonawanda, the son of the late William H. and Nella M. Ayrault Upson, descendents of early French Huguenots who first settled in Connecticut and later at Canisteo.

Mr. Upson founded the Upson Co. here after graduation from the University of Pennsylvania and association with the former Beaverboard Co. of Buffalo and the Niagara Paper Co. here.

His career included patenting more than

40 inventions associated with the papermaking industry. Included were development of protective film paper for Eastman Kodak Co., the manufacture of jigsaw puzzles, special fasteners for erecting fiber board and designs for machinery used to produce laminated fiber board, paper board and specialty papers.

District of Columbia Residents Deserve Right To Vote for Representation

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 1967

Mr. TENZER. Mr. Speaker, I am certain that all Members of the House have known for many years that the residents of the District of Columbia have never had and still do not have the right to vote for any representation in the Congress.

When one comes here, and meets the people of Washington and appreciates the size and beauty and substance of this community, he cannot help but wonder why they have no representation in the national body.

The U.S. Constitution speaks of Senators and Representatives being selected by and coming from the several States and since the District of Columbia is not a State, it does not have the right to elect Representatives and Senators. The legislative history of the Constitutional Convention does not avail itself with information which can today clearly explain this omission.

Washingtonians can and should be able to participate in the national debates and decisions which concern the citizens of our Nation. It is also interesting to note that Washingtonians have an added involvement in the Congress because it is the city council for the District.

If separation from the voters was a reason for disenfranchising nearby residents in the earlier years, it is no longer valid today because it is impossible. The means of transportation and communication have become so progressive that geographical separation is no longer an insulation, even for those who might desire it.

I understand, Mr. Speaker, that back in December 1800, Representative Dennis made a speech in this body, on this subject, and that he said:

> If it should be necessary, the Constitution might be so altered as to give them a delegate to the general legislature when their numbers should become sufficient.

This seems to be a reasonable criterion. If there were not enough people in the new District to justify a Congressman, then they should not have one at that time. It would follow then that the District should be franchised when it has an adequate population.

We all know that the District has grown tremendously. The census of 1880 showed it to have acquired a population that would have entitled it then to ask admission as a State if it were upon the footing of an ordinary territory. At that time the number of persons to be represented by each Member of the House was about 152,000 according to the apportionment. The District then had 177,638 residents and exceeded the populations of Nevada, Delaware, and Oregon. Today it has more residents than 11 of our States.

Washington, D.C., has thus met the qualifications stated by our predecessor, Mr. Dennis, in 1800. It has the people and it is entitled to the representation that he suggested.

In summary, Mr. Speaker, the arguments of freedom from popular pressure and of inadequate population have been met and overcome by developments in our modern society and are now irrelevant. It is highly desirable for Washingtonians to elect their own representatives to the Congress. Since this will not impair our national independence from State governments and will actually assist us in providing for our own protection, I believe we should give them the franchise now.

I am therefore introducing my own resolution—House Joint Resolution 597—to indicate my support for an amendment to the U.S. Constitution which provides for representation of the District of Columbia in the Congress.

Department of the Interior Conservation Award Conferred on Two Montanans

EXTENSION OF REMARKS

OF

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Monday, July 10, 1967

Mr. METCALF. Mr. President, the highest award the Secretary of the Interior can confer is the Department's Conservation Award. On June 12, the Secretary so honored two Montanans. They are Maurice Arnold, a member of the Valley Board of County Commissioners, and Robert McColly, chairman of the Valley County Citizens' Advisory Planning Committee.

Senators may recall that I took some part in the floor deliberations of the Classification and Multiple Use Act when it was before us in 1964. I am very pleased therefore, that the activities of these two Montanans led to the first classification under this important act.

The Classification and Multiple Use Act—Public Law 88-607—is interim legislation calling on the Secretary of the Interior to review public lands to determine those suitable for certain kinds of dispositions and those suitable for retention in Federal ownership. The legislative history anticipated the closest cooperation between Federal officials and the States and localities in which these reviews would take place.

Mr. Arnold and Mr. McColly are proof that the anticipation has been fully met. Working through the National Association of Counties, Valley County, Mont., accepted an invitation from the Bureau of Land Management to test the criteria and procedures.

The Valley County commission appointed a citizens' planning advisory committee to acquaint the people of Valley County with the facts affecting land use in their county. The committee, led by Mr. McColly, met group by group with the various people using the public lands in Valley County. Later there were meetings with all groups together. At these meetings the Bureau of Land Management officials were invited to explain the terms of the Classification and Multiple Use Act, the criteria and procedures for the review. In other words, these Federal officials working with respected local leaders were able to bring complete understanding of the purposes of this act down to the citizens who were affected by it.

"As a result of this widespread understanding," as Secretary Udall's citation declares, "the first classification order under this crucial public land act designates 614,000 acres of public lands in Valley County as the first public lands" to be marked for retention in Federal ownership for multiple-use management. As Secretary Udall points out in his citation—

> This classification erases the indeterminate status of these lands which has been impending management levels need to produce their potential contribution to American life.

Mr. President, this classification of public lands in Valley County, Mont., shows the excellent results we can get when the purposes of laws are fully understood by the local people most immediately affected by them. We owe much to the Maurice Arnolds and Robert McCollys throughout the West who have undertaken to be thoroughly briefed on the meaning of the Classification and Multiple Use Act and are taking an active part in explaining it to their friends and neighbors.

Mr. Arnold and Mr. McColly received their award at the annual meeting of the Montana County association at a meeting in Miles City on June 12, 1967. Harold Tysk, State Director for the Bureau of Land Management, represented Secretary Udall and presented the awards during a session of the public lands panel. Dan Mizner, president of the Montana County association; Ken Rustad, chairman of the public lands panel; and John Stevens, new president of the Interstate County Commissioners Association, were present.

Mr. President, I ask unanimous consent that Secretary Udall's citations to Maurice Arnold and Robert McColly be printed in the RECORD.

There being no objection, the citations were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
Washington, D.C., June 12, 1967.

MR. MAURICE ARNOLD,
Hinsdale, Mont.

DEAR MR. ARNOLD: In recognition of your outstanding leadership resulting in historic milestones in public land management, it is a pleasure to present to you and Mr. Robert McColly the Department of the Interior Conservation Service Award.

Your local leadership in Valley County, Montana, has fully justified President Johnson's faith that "new concepts of cooperation" can be devised between national leaders and "the leaders of local communities." You have combined a concern for proper land use with skill as respected local leaders to place before the people of Valley County the fundatmental facts regarding the new Classification and Multiple Use Act as it was proposed to be applied in Valley County.

As a result of this widespread understanding, the first classification order under this crucial public land act designates 614,000 acres of public lands in Valley County as the first public lands prossessing "such values as to make them more suitable for retention in federal ownership . . ." This classification erases the indeterminate status of these lands which has impeded a management level needed to produce their potential contribution to American life.

This classification came about because of your dedication to good land use planning, your willingness to grasp the principles of a new law and your untiring efforts to place before the people the facts of the land situation in eastern Montana as they related to the law.

Representing the people of Valley County, you and Mr. McColly have erected a historic milestone in public land management. You have justified the President's belief that new modes of cooperation can be worked out between national and local leaders. Please accept our congratulations and gratitude for your fine public service.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

THE SECRETARY OF THE INTERIOR,
Washington, D.C., June 12, 1967.
Mr. ROBERT MCCOLLY,
Hinsdale, Mont.

DEAR MR. MCCOLLY: In recognition of your outstanding leadership resulting in historic milestones in public land management, it is a pleasure to present to you and Mr. Maurice Arnold the Department of the Interior Conservation Service Award.

Your local leadership in Valley County, Montana, has fully justified President Johnson's faith that "new concepts of cooperation" can be devised between national leaders and "the leaders of local communities." You have combined a concern for proper land use with skill as respected local leaders to place before the people of Valley County the fundamental facts regarding the new Classification and Multiple Use Act as it was proposed to be applied in Valley County.

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Representing the people of Valley County, you and Mr. Arnold have erected a historic milestone in public land management. You have justified the President's belief that new modes of cooperation can be worked out between national and local leaders. Please accept our congratulations and gratitude for your fine public service.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

Executive Branch Must Act on Aircraft Noise Abatement

EXTENSION OF REMARKS
OF

HON. HERBERT TENZER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 10, 1967

Mr. TENZER. Mr. Speaker, on June 30, 1967, the U.S. District Court for the Eastern District of New York struck down as unconstitutional an aircraft noise abatement ordinance of the town of Hempstead, N.Y. In his decision Federal Judge John F. Dooling held that regulations restricting aircraft must come from a Federal agency.

As a sponsor of legislation to establish maximum aircraft noise levels—H.R. 1398—I have maintained that jet noise is a national problem. On February 6, 1966, in his transportation message to Congress, the President recognized jet noise as a national problem and appointed a White House task force "to frame an action program to attack this problem."

The task force is headed by the President's science adviser, Dr. Donald Hornig who wrote to me on June 5, 1967, stating that the passage of the aircraft noise abatement bill was "critically important."

The problem of jet noise has now been recognized at the highest levels of our Government as a national problem and by the courts as a Federal responsibility. The time for action is now.

The wheels of the legislative process move slowly. The use of the airplane as a means of transportation is growing at a faster rate than our population. It is estimated that the airplane passenger rate is growing at the rate of 10,000 passengers daily while our population is increasing at the rate of 6,700 persons per day. This rate of increase is bound to accelerate the hazards of air travel. Air safety must not be sacrificed because of the failure of Congress to act. That is why I am calling for the exercise of executive authority.

The 1958 Federal Aviation Act—section 307(c)—authorized the Administrator of the Federal Aviation Agency to establish regulations limiting the use of navigable air space "to protect persons and property on the ground." The Congress has mandated the FAA to protect the rights of homeowners and persons living in and around the airports. The nuisance of jet noise and the growing menace from the increased number of jet flights as more jet planes are delivered, leave no room for delay. The people of my district, within the shadow of Kennedy International Airport, are crying out for relief from this menace and demand the protection and the right to quiet and peaceful enjoyment of their homes.

At the request of the President, the Congress approved the establishment of a separate Department of Transportation with a secretary at the Cabinet level. The Honorable Alan S. Boyd was made Secretary of the Department of Transportation. I have today written to Mr. Boyd urging him to take cognizance of the mandate of the Congress and exercise his executive authority to set aircraft noise standards at a maximum level. By administrative regulation, the executive branch of the Government will make it immediately clear to every airline operator and airplane engine manufacturer that the Federal Government recognizes its obligation in the area of aircraft noise abatement. The Secretary should promptly take the necessary steps to implement the basic objectives of the pending aircraft noise abatement bills, cosponsored by more than 20 Members of the House of Representatives. This will be a step in the right direction. The people have spoken; the Congress has issued its mandate in the Federal Aviation Act; the Federal courts have pinpointed the responsibility; the President has called for action and his science adviser has called the need "critically important." Now is the time for Secretary Boyd to take the necessary action.

Northeastern Illinois State College—A New Liberal Arts Institution for Chicago's Northwest Side

EXTENSION OF REMARKS
OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, July 10, 1967

Mr. PUCINSKI. Mr. Speaker, it is my pleasure to announce that on July 1, 1967, by action of the Illinois Legislature and Gov. Otto Kerner, Northeastern Illinois State College became a legal entity. This college, located in the 11th Congressional District of Illinois, in the city of Chicago, is both a very old and very new institution of higher learning. It is very old since it is one of two institutions tracing descent back to the normal school established in Cook County in 1869. It is very new since it has been acting as an autonomous unit only since the occupation of its new campus in 1961.

In a rapidly changing world, educational systems, too, are changing. It is, therefore, appropriate that this college should look toward change in the present and the future. At the same time, it should also be mindful of, but not unduly influenced by, the past, for it has almost 100 years of continuous service.

In 1869, the general assembly of the State of Illinois authorized the establishment of a normal school in any county of the State. The Cook County Board of Supervisors, which had been operating experimental normal school classes at Blue Island, established a normal school in the village of Englewood. When Englewood was annexed to Chicago, ownership, control, and support of the normal school was transferred to the city of Chicago.

The length of the program was originally 6 months; in 1899, it became 2 years. In 1938, upon authorization to grant the bachelor of education degree, the 4-year curriculum was introduced. Graduate study was also inaugurated in 1938. After a series of changes, the name of the Cook County Normal School became Chicago Teachers College in 1938.

To meet the growing demand for accessible teacher training facilities in Chicago and to relieve overcrowding on the south campus, one or more branches of the college have been maintained in various locations since 1949. This policy led to the decision, in 1957, to establish and build a permanent north campus. Chicago Teachers College North began operation on this new campus in 1961.

On July 16, 1965, the ownership and control of Chicago Teachers College was transferred, by authorization of the General Assembly of the State of Illinois, to the board of governors of State colleges and universities and its campuses renamed Illinois Teachers College Chicago—North and South.

When Chicago Teachers College became Illinois Teachers College, it had a precise and single purpose—to educate men and women to become career teachers. This was also the purpose of the Cook County Normal School when it opened its doors in 1869, as it was the purpose of many normal schools and teachers colleges which blossomed in the United States in the late 19th century.

Under Colonel Parker, who was principal from 1883 to 1899, the Cook County Normal School acquired a worldwide reputation for innovation. Visitors from far and near were attracted to the campus by reports of the radical practices and ideas being used to modify the process of teacher education. Northeastern Illinois State College does not reject the innovative heritage of its ancestor. From the beginning on the new campus in 1961, the program has been openly and frankly experimental with the broad general goal of developing in each individual student his ultimate potential of human worth and dignity and the concomitant sense of responsibility to himself and his fellow men, individually and collectively.

To guide each student as he strives to develop his full potential, the faculty used the basic assumption that any process designed to help a person understand himself, other human beings, and the society in which he lives, must be in essence a liberally trained student. The faculty believes that the educational process should enable a student to broaden and deepen his insights into man through the study of world cultures. It believes this process should assist a student in developing understanding of some of the major concepts and principles of knowledge as they bear on the full range of human concerns. It believes this process should stimulate intellectual curiosity and provide the incentive for continuing study and inquiry throughout life. It believes this process should encourage the student to question and explore across disciplinary lines as he attempts analysis and synthesis within his expanding intellectual world. It believes the process should include decisionmaking and problem solving on the part of the student as preparation for his role as citizen and potential leader. Also, the faculty of the college believes that the process should provide a foundation for skill in the art and science of teaching for the many students who seek careers in the classroom.

The excellent faculty at the college has developed a philosophy for the education of teachers which is strikingly nontraditional. It is a deliberate attempt to make the liberal arts the major emphasis in the education of teachers. Such a strong emphasis on the liberal arts for teachers is in the college's tradition of questioning the wisdom of the well-worn paths in education. Our program has encompassed a succession of experiments and innovations in content, method, and organization. Some have been more productive than others. The college has tried to keep the most productive processes and discard the least productive in both old and new approaches. This attitude has served well in the past and the intent is to foster it in the future in the face of whatever changes there may be. This college proposes to imitate no other college as it continues its tradition.

It does not see itself as a shadow institution molded to a pattern, however good that pattern may be; it aspires to be an institution of unusual substance, changing with a changing world; it accepts as the only constant in this world of change, the creativity and ingenuity of a faculty engaged in exploring education with a good student body.

The plans for nonteaching majors and the curriculums designed for the education of secondary school teachers have been in preparation for 2 years. The new curriculums will be available in the academic year 1967–68 and will reflect the basic philosophy of the college that an education to be worthy of the name must have as its primary goal the liberation of the mind of man.

It should be emphasized that in becoming a multipurpose institution, the college will not in any sense neglect teacher education. This will continue to be a major interest of the institution. It is expected that more teachers will be produced than ever before. Young people just graduating from high schools sometimes do not see the promise of careers in teaching. The faculty of this college hopes that its conviction that teaching can be both exciting and rewarding, that it offers a unique opportunity for the creative person, will be contagious. By its example, this faculty will attract young people of intellectual quality to the profession of teaching.

This college is, and will continue to be, concerned with the problems of urban areas. The advantages of our urban location are many. The city dominates cultural activities. The city has become the focus of political ferment; it serves as a laboratory for social problems of astonishing diversity. This is where the problems are. This is where the problem solving goes on. Here are the challenges in education, in housing, in matching people without jobs to jobs without people. Here are the problems in transportation, in air pollution, in water supply. Here is a world microcosm with many cultures in close proximity. Here is the battlefield for undoing the wrongs of the past and doing careful planning for the rights of the future. Here are the great industries, the research laboratories, the thought-provoking meetings of opposing convictions, the media centers for television, radio, the great newspapers. If the wish is to stimulate problem solving, the city may serve as a text, resource, laboratory. From megalopolis, this college draws its students. While they are on campus, they are still in close contact with the city. If the college succeeds in liberating their minds, and helps them to become problem solvers, these students will leave campus with ideas and ideals which will bring a fresh vitality and enthusiasm to their battle to improve the human condition. The city and the Nation will reap the benefits.

As an urban institution, the college will maintain its experimental and innovative bent. Experiments seeking the answers to many questions in education are in progress or being planned. Two questions which concern the college greatly should suffice as examples—

First, how can an urban commuter college attain the climate for learning claimed for the living-learning situation of the residential college?

Second, as we grow, how can we preserve the advantages of the small close-knit community?

The college intends to continue asking probing questions about the problems and myths of higher education. It has expressed the firm determination to be candid about failure and to recognize the ephemeral quality of success.

The college is fully aware of its responsibilities in developing problem-solving approaches which deal with major questions at the State, National, and international levels. It is important in our shrinking physical world that all educated people understand that many problems are worldwide. It is also essential that we come to realize that an understanding of some of the diverse world cultures is a prerequisite for progress toward a peaceful better world. With this in mind, the college is developing programs in international education.

The college will continue to develop activities on the campus which will be intellectually provocative and culturally stimulating. There will be expanded services to the community. Neighbors have been welcome at concerts, plays, art exhibits, and lectures. Planning is being done for a wide variety of credit and noncredit activities designed for residents of the community. These could range from art classes to seminars on the Far East. Northeastern Illinois State College is an educational and cultural asset to its community, the city, the State, and the Nation.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 11, 1967

The House met at 12 o'clock noon.

Rev. Ross W. Dye, Church of Christ, Washington, D.C., offered the following prayer:

As the hart panteth after the water brooks, so panteth my soul after Thee, O God.—Psalm 42: 1.

Our Father, we pray that we may recognize our inadequacies and know that the only answer to our need is the living God. We invoke Thy guidance upon the Members of this body that they may frame wise and just laws designed to provide for the welfare of all citizens. Imbue each of us with not only the long view of history but also with an awareness of eternity. May we desire to be Thy servants, and grant us wisdom for our tasks. We pray that men and nations may lay aside their ancient hatreds and dwell in peace. Give us clear views of personal and national goals, and supply the strength that no just cause shall ultimately fail. In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On June 24, 1967:

H.R. 6133. An act to authorize appropriations for the saline water conversion program, to expand the program, and for other purposes;

H.R. 6431. An act to amend the public health laws relating to mental health to extend, expand, and improve them, and for other purposes; and

H.R. 9029. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

On June 26, 1967:

H.R. 1526. An act for the relief of Cecil A. Rhodes; and

H.R. 2048. An act for the relief of William John Masterton and Louis Vincent Nanne.

On June 28, 1967:

H.R. 834. An act to amend section 5 of the act of February 11, 1929, to remove the dollar limit on the authority of the Board of Commissioners of the District of Columbia to settle claims of the District of Columbia in escheat cases;

H.R. 4445. An act for the relief of Aurex Corp.;

H.R. 4717. An act to authorize the conveyance of certain lands owned by the United States to the State of Tennessee for the use of Memphis State University, Memphis, Tenn.; and

H.J. Res. 601. Joint resolution extending for 4 months the emergency provisions of the urban mass transportation program.

On June 29, 1967:

H.R. 4880. An act to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965; and

H.R. 10943. An act to amend and extend title V of the Higher Education Act of 1965.

On June 30, 1967:

H.R. 5424. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard;

H.R. 10867. An act to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes; and

H.J. Res. 652. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes.

On July 1, 1967:

H.R. 10730. An act to amend the Older Americans Act of 1965 so as to extend its provisions.

On July 3, 1967:

H.R. 5615. An act to continue until the close of June 30, 1969, the existing suspension of duties for metal scrap.

On July 7, 1967:

H.R. 1516. An act for the relief of Giuseppe Tocco;

H.R. 1703. An act for the relief of Angiolina Condello;

H.R. 1763. An act for the relief of Dr. Raul E. Bertran;

H.R. 1764. An act for the relief of Dr. Ernesto M. Campello;

H.R. 1765. An act for the relief of Dr. Ubaldo Gregorio Catasus-Rodriquez;

H.R. 3349. An act to continue until the close of September 30, 1967, the existing suspension of duties on certain forms of nickel;

H.R. 3523. An act for the relief of Chang-You Wu, M.D.;

H.R. 3652. An act to continue until the close of June 30, 1970, the existing suspension of duties on manganese ore (including ferruginous ore) and related products;

H.R. 4241. An act to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments;

H.R. 4930. An act for the relief of Mr. Robert A. Owen;

H.R. 5702. An act to remove the 5-acre limitation on the amount of tobacco allotment acreage which may be leased;

H.R. 7501. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1968, and for other purposes; and

H.R. 8265. An act to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of tobacco acreage allotments and acreage-poundage quotas.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 2762. An act for the relief of CWO Bernhard Vollmer, U.S. Navy (retired).

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 10368. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1966, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10368) entitled "An act making appropriations for the legislative branch for the fiscal year ending June 30, 1968, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BARTLETT, Mr. PROXMIRE, Mr. YARBOROUGH, Mr. HAYDEN, Mr. KUCHEL, Mr. COTTON, and Mr. YOUNG of North Dakota to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 117. An act for the relief of Martha Blankenship; and

S. 1111. An act to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, Central Valley project, California, and for other purposes.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. MONRONEY and Mr. CARLSON members of the Joint Select Committee on the part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 68–1.

PELLY APPLAUDS HOUSE DISCUSSION OF PEACE PROPOSAL

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, in the past I have called for a full debate by this body on the question of the war in Vietnam. Yesterday we witnessed the closest thing to a debate on this issue when the gentleman from Massachusetts [Mr. MORSE] along with a number of our colleagues presented a policy of "staged deescalation" to end the Vietnam war.

On June 5 I raised the question before this House on whether or not constructive alternatives have been available and proposed within our Government and outside it at each stage in the escalation of the Vietnam conflict. All policies of Government need alternatives which can be readily available, and especially policies concerned with warfare. The gentlemen who spoke yesterday deserve the thanks of the Nation for coming forth with the constructive alternatives to a difficult situation. I was also happy to hear our distinguished majority leader [Mr. ALBERT] take an interest in the proposals put forth yesterday by our eight colleagues.

Along the same lines, Mr. Speaker, I was delighted that a number of Members of Congress spoke up against the intervention of the administration in the present rebellion in the Congo. The token intervention approval by the President was completely ill advised.

Mr. Speaker, a constituent of mine recently wrote:

Sons, fathers, brothers, husbands are dying today. Ask yourself why. Give yourself the answer—if you can. Let's have the "guts" to make up for our own mistakes—let's not make that unborn babe pay our bills, fight our wars, furnish our food and housing. Let's wipe the ingratiating grins off the faces of the warmongers and political spendthrifts who "paint the picture" with colors we have never seen.

Again, Mr. Speaker, I wish to applaud the Members of the House who took part in yesterday's discussion of a proposal to bring about peace. The House at long last is showing signs of constructive and constitutional responsibility in debating the Vietnam issue.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

EXTENDING THE LIFE OF THE COMMISSION ON POLITICAL ACTIVITY OF GOVERNMENT PERSONNEL

The Clerk called the bill (S. 853) to extend the life of the Commission on Political Activity of Government Personnel.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, on June 19 the extension of the life of this Commission on Political Activity was before the House, under the Consent Calendar, and certain questions were asked at that time. The information was not then available.

It was pointed out that the Commission on Political Activity had failed in an early start, because of the failure to appoint all of the Commissioners for nearly 3 months. Questions as to what progress had been made were not answered at that time.

Since that time, Mr. Speaker, the report has been made available. This is a simple extension in order to complete the business of the Commission. I understand the cost will be less than or at least no more than an additional $25,000.

I wonder if the distinguished chairman of the subcommittee of the Committee on the Judiciary would advise us further as to what progress has been made in the Commission's original aims and objectives, and whether it has made any progress.

Mr. ASHMORE. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman or to any other Member who has this information.

Mr. ASHMORE. I notice the gentleman who is a member of the Commission is present in the Chamber. I am sure he could give a better report as to what the Commission has done than I.

Mr. HALL. I appreciate the response of the gentleman from South Carolina.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Minnesota.

Mr. NELSEN. The committee, of course, has met and organized, and a staff has been engaged to carry on the work of the Commission. Hearings have been held in various parts of the country.

We seek to determine whether or not there should be greater liberalization of the Hatch Act. Frankly, there is a disagreement in the committee to some degree as to what the objectives ought to be.

I feel, as a member of the Commission, that there should be some investigation of the violations of the Hatch Act in order to determine where the act should be tightened up, to eliminate political activity.

This seems to be glossed over, and I am very disappointed about that. However, there are areas where there needs to be some clarification as to penalties and other phases of the Hatch Act. I think that we will get things straightened out and finally come up with a good report. I have not attended all of the meetings myself but have attended enough so that I do feel we will bring this thing out in pretty good shape before we get done.

Mr. Speaker, I hope that the appropriation for this will be allowed.

Mr. HALL. Mr. Speaker, if I might ask the gentleman an additional question. I think, as per his last sentence, that he does hope this bill will be allowed for the limited extension of the Commission so that we can have further funding and additional staff and complete the writing of the report. What would you expect to happen as a result of the writing of the report? Would you expect the people in the military services, for example, to be encouraged to read beyond the first page of the existing Hatch Act which tells them what not to do and to read into the second and third pages which tells them what their rights are as citizens and their responsibilities thereunder?

Mr. NELSEN. My feelings are—and the hearings developed this—that the Federal employees and the military are unaware of what they can and what they cannot do under existing law. We have suggested to the Civil Service Commission that more information be made available to the Federal employees so that they know what they can and cannot do. I think this is important, but it has been pointed out to me that the Civil Service Commission has been limited in what they can do because of the limited appropriations available to them. I think there is some merit to that observation.

Mr. HALL. I will say further to the gentleman, Mr. Speaker, that I appreciate his responses and certainly appreciate his being on the Commission. I am very familiar with the work he has done in certain administrative agencies and departments where they "bug" the employees for political contributions, in direct violation of the Hatch Act. I hope that the Commission will further emphasize and develop, under his natural leadership and membership on this Commission, these phases. This might be emphasized as well as the rights of all the citizens and Government employees—or others—in exercising their franchise to select as well as elect good representatives in our representative republic.

Mr. NELSEN. Will the gentleman yield?

Mr. HALL. I will be glad to yield.

Mr. NELSEN. I would like to point out in the hearings early I made it very clear that I thought not only should we investigate the possibility of some liberalization in some areas, but I also felt it was necessary that we provide some enforcement machinery where there were violations. I also feel there should have been some thorough investigation as to violations so that we might understand the extent to which it has occurred. There have been fundraising dinners where Federal employees have been pressured to purchase tickets. Yet this seems to be sort of shoved aside and there seems to be a desire of some to look toward liberalization and not toward a tightening of the enforcement side. I hope before we are through we can get at it. I have asked that counsel be provided for some of these investigations. So far my request has not been honored.

Mr. HALL. Mr. Speaker, I would like to ask, in the opinion of the gentleman, if he believes that there will be proper coordination with this body's new Committee on Standards and Ethics, and the subcommittee of House of Representatives administration—as far as campaign funds, the declaration of intent, disclosure, and any other standards of ethics and conduct as far as the members of the Government and this Congress are concerned?

Mr. NELSEN. I am sure there will be. I must say in the Commission there are some very, very competent men and some outstanding persons. I think you will find on the Commission itself, whether they be Republican or Democrat, that there is a unanimity of feeling that moves in the direction I have suggested. I am sure when we are through we will be pleased with the report we have to offer.

Mr. HALL. Does the gentleman feel that the delay in the appointment of the Commission, originally, is what is primarily responsible for the need for an extension of time and additional moneys?

Mr. NELSEN. Without question that is true.

Mr. HALL. This is rather expensive, but in view of the statements of the gentleman and the reaction in the weeks since this first came up, I withdraw my reservation, Mr. Speaker.

Mr. NELSEN. Thank you.

Mr. GROSS. Mr. Speaker, further reserving the right to object, I should like to ask someone why, since President Johnson signed this legislation on October 3, 1966, the members of the Commission were not appointed until the following January 26? The bill plainly specified that the Commission should report within 1 year. In other words, on October 3 of this year. Can anyone shed any light on the intriguing question of why the President delayed from October 3, 1966, to January 26, 1967, to appoint members of the Commission?

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Minnesota.

Mr. NELSEN. I do not know that I can specifically answer the question, but I would like to point out to the gentleman from Iowa that it is my recollection the act was passed late in the session and actually I think that the time for reporting should have been at a different time. However, there was not enough time for a commission to get into operation in order to make a report within the limitations of the language of the act itself.

Mr. Speaker, I think that is about the best answer I could give to the gentleman from Iowa. However, it is my further opinion that there has also been some delay as to the appointment of a Commission. But, perhaps, we are as much in error on our side on this question as others are on the other side of the aisle, where the names have not been suggested to fill these positions.

Mr. GROSS. Well, there is not very much economy involved when the delay necessitates an additional expenditure of $25,000.

Mr. Speaker, this amount of money would supply a substantial amount of light at the White House.

Mr. NELSEN. Mr. Speaker, if the gentleman from Iowa will yield further, I would agree with the gentleman that we could buy a lot of electricity for $25,000.

Mr. GROSS. It seems very, very strange to me that the President of the United States could not appoint the members of this Commission during the time from October 3, 1966, until January 26, this year.

I wonder how much has been expended by this Commission to date? Does the gentleman have any idea as to how much has been expended by the Commission so far?

Mr. OLSEN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman.

Mr. OLSEN. There has been obligated, as of July 1, $110,000.

Mr. GROSS. And, now, you want another $25,000 to complete this study. You will not be back here asking for more money as a result of the procrastination at the White House; is that correct?

Mr. OLSEN. Mr. Speaker, if the gentleman will yield further, we do not anticipate asking for a further extension.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection, but before doing so I submit for printing in the Record at this point an editorial from the July 5, 1967, issue of the Waterloo, Iowa, Courier which deals with the strange action of the Civil Service Commission and Department of Justice in the case of a Federal employee who was held to have violated the Hatch Act. I suggest that the Commission scrutinize the handling of this case.

The editorial follows:

Justice Department Fails To Back Hatch Act Verdict

A man by the name of Robert E. Hobart of Concord, N.H., is a member of the Postal Clerks Union and part-time secretary-treasurer of the New Hampshire AFL–CIO.

According to the union newspaper, "The Machinist," "As part of his duties for the state labor body, Hobart mailed out (during the 1964 campaign) a pamphlet, 'Right Wing Takes Over a Major Political Party.' The pamphlet included a report on right-wing activities at the Republican National Convention and was published by Group Research Reports, an organization which keeps tabs on extreme groups."

For this political activity, the Civil Service Commission suspended Hobart for 30 days for violation of the Hatch Act and as a result he lost $674.62 in pay. But the AFL–CIO associate counsel appealed to the Court of Claims on behalf of Hobart.

The Justice Department failed to defend the case in any way and Hobert was awarded back pay.

In answer to an inquiry from Rep. H. R. Gross, R., Iowa, Acting Assistant Attorney General Carl Eardley declared:

"The department's analysis of the litigation factors in the Hobart case produced the conclusions that it was not a typical Hatch Act case, that any defense would, of necessity, raise Constitutional issues, and that it would be a wholly unattractive test vehicle upon which to premise a major court battle over the Constitutionality of the Hatch Act. . ."

Chairman John W. Macy, Jr., of the U.S. Civil Service Commission, declared in a letter to Gross: "In short, a settlement of the case which cost the government less than $700 (repayment of 30 days' pay to Mr. Hobart), constituted the most considerate defense of the statute under the circumstances."

Thus, the Civil Service Commission, after finding Hobart guilty of violating the Hatch Act by administrative order, refused with the Justice Department to defend its position in court.

The whole concept of the Hatch Act is that civil servants are protected against political discharge and in return are denied the right to engage directly in partisan politics except for private discussions with friends and voting at elections.

It is the function of the Civil Service Commission and the Justice Department to enforce this concept of the law and they were, in our opinion, grossly negligent in refusing to defend the original administrative order.

The U.S. Supreme Court found the Hatch Act Constitutional in 1947; but it often reverses itself according to the personal views of the justices. But a reversal in this case would disastrously undermine the civil service concept and would soon result in government by the government rather than government by the people.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

S. 853

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 7(b) of the Act entitled "An Act to create a bipartisan commission to study Federal laws limiting political activity by officers and employees of Government", approved October 3, 1966 (80 Stat. 868), is amended to read as follows: "The Commission shall submit a comprehensive report of its activities and the results of its studies to the President and to the Congress on or before December 31, 1967, and upon the filing of the report, the Commission shall cease to exist."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 2733 OF TITLE 10, UNITED STATES CODE

The Clerk called the bill (H.R. 10482) to amend section 2733 of title 10, United States Code, to authorize the application of local law in determining the effect of claimant's contributory negligence, to clarify the procedure for appeal from certain claims determinations, and to limit the amount of attorney fees thereunder.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to interrogate the gentleman from South Carolina [Mr. Ashmore] as to the provisions of this bill.

Mr. Speaker, as I view this bill, at the present time under the Tort Claims Act, the doctrine of comparative negligence would apply only if a State has the doctrine of comparative negligence; is that true?

Mr. ASHMORE. Mr. Speaker, if the gentleman will yield, that is true. It is also what this bill, if enacted, would provide as to the Military Claims Act.

Mr. JOHNSON of Pennsylvania. So, what this bill provides is with respect to the liability of the Military Establishment for tort claims, and that in enforcing a claim, if a State has a doctrine of comparative negligence, you would pay based upon that doctrine; is that correct?

Mr. ASHMORE. That is correct.

Mr. JOHNSON of Pennsylvania. It is my judgment based upon a reading of the bill—or, rather, a reading of the report that you do not know what the additional cost will be involved by reason of, let us say, liberalizing our tort claims laws insofar as the Federal Government is concerned and insofar as our Military Establishment is concerned?

The gentleman does not know how much it would cost the Government if we so liberalized the law?

Mr. ASHMORE. Mr. Speaker, if the gentleman will yield further, I will state to the gentleman that there is no way, based upon our hearings and the information which we had presented to us, to predict what the estimated or the exact cost would be, because we do not know how many cases there will be, as a matter of fact. But it, primarily, provides for greater fairness toward all people who might have claims against the Government.

Mr. Speaker, I read from Report No. 377, page 6 thereof, the following:

> Only clause (1) of the bill would have some increased budgetary impact.

A realistic estimate, however, is not possible as this proposal would apply only to accidents arising in areas where the doctrine of comparative negligence applies, and where the application of the Federal Tort Claims Act and the Foreign Claims Act is not involved. The bulk of the claims would be for property damage resulting from traffic accidents involving U.S. vehicles and private vehicles of U.S. nationals in foreign countries. In the past, the number and amounts of these claims have not been large—and of course we anticipate they would not be large in the future. Clause (2) would result in considerable savings to the Government in the cost of administration and processing of appeals.

It was the opinion of the subcommittee that the cost would not be very much more than what it is at the present time.

As we say in the report, and as you

and I realize, no one knows how many accidents are going to happen in some foreign land.

Mr. JOHNSON of Pennsylvania. Does the gentleman know how many States in the Union apply the doctrine of comparative negligence?

Mr. ASHMORE. I could not answer the gentleman's question.

Mr. JOHNSON of Pennsylvania. Does the committee have an answer in its files?

Mr. ASHMORE. I do not believe that we have the precise number. Some States, of course, have the doctrine of contributory negligence as a complete bar to a claim, and I believe that the doctrine of comparative negligence is followed in approximately 10 States.

Mr. JOHNSON of Pennsylvania. If this bill passes, will the Federal Government then involve its several departments in embracing the doctrine of comparative negligence fully and completely?

Mr. ASHMORE. I am sorry. Would the gentleman repeat his last question?

Mr. JOHNSON of Pennsylvania. Yes. I was just wondering: We apparently have the doctrine of comparative negligence in the ordinary Federal Tort Claims Act, and we will now be extending it to the military.

Mr. ASHMORE. That is correct.

Mr. JOHNSON of Pennsylvania. And inasmuch as it will apply to all military establishments, then I presume it will prevail abroad if we have an accident abroad?

Mr. ASHMORE. It would under this act; yes.

Mr. JOHNSON of Pennsylvania. Are there any other departments or any other parts of the Federal Government now where you have involved and do embrace the doctrine of comparative negligence?

Mr. ASHMORE. Not that I am aware of beyond those administering the statutes cited in the committee report.

Mr. JOHNSON of Pennsylvania. I would state to the gentleman from South Carolina the reason I am asking him the questions is that when I was in the Pennsylvania Legislature we considered adopting the rule of comparative negligence for our great State, and the evidence showed it would cost a tremendous amount of money to do away with the doctrine of contributory negligence and adopt the doctrine of comparative negligence.

However, if the gentleman says it is not going to cost the Federal Government very much money, I withdraw my reservation of objection.

Mr. ASHMORE. I am convinced it would not.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 10482

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2733 of title 10, United States Code, is amended by—

(1) striking out the word "and" at the end of clause (4) of subsection (b) and inserting in place thereof "or, if so caused, allowed only to the extent that the law of the place where the act or omission complained of occurred would permit recovery from a private individual under like circumstances; and";

(2) striking out the period at the end of subsection (g) and inserting in place thereof the following: ", subject to appeal to the Secretary concerned, or his designee for that purpose."; and

(3) adding a new subsection (h) to read:

"(h) No attorney shall charge, demand, receive, or collect for services rendered, fees in excess of 10 per centum of any award or settlement under this section. Any person violating the provisions of this subsection shall, if recovery be had, be fined not more than $2,000, or imprisoned not more than one year, or both."

With the following committee amendment:

On page 2, lines 7 through 13, strike the language of lines 7 through 13 on page 2 of the bill.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend section 2733 of title 10, United States Code, to authorize the application of local law in determining the effect of claimant's contributory negligence, and to clarify the procedure for appeal from certain claims determinations."

A motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

PERMISSION FOR SUBCOMMITTEE ON GENERAL EDUCATION OF THE COMMITTEE ON EDUCATION AND LABOR TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on General Education of the Committee on Education and Labor may be permitted to sit during general debate today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate this afternoon.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISAPPROVAL OF U.S. INVOLVEMENT IN THE CONGO

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, while not a member of the Foreign Affairs Committee, I want to associate myself with those who are critical of President Johnson's sending of military planes and personnel to the Congo these last 2 days. I believe it is unwise to directly intervene in the tempestuous, unstable boiling pot of unsettled, restless, darkest Africa. The United States is already overextended. We ought not to invite further foreign involvements in this way at this time.

More particularly, this ought not to be done without the prior approval and authorization of the Congress of the United States. Telephone consultation with a few Senators is not enough. Congress is not a rubberstamp for any President, whatever his political party.

Although the conduct of foreign affairs is undeniably entrusted by the Constitution to the executive branch, when such conduct can lead to war by extensive predictable involvement of men and equipment it ought not to be undertaken without advance deliberation and approval of the Congress. Accordingly, I have today introduced a resolution of disapproval of this latest foreign involvement in the Congo. I would offer such a resolution whether the administration were Republican or Democrat. The United States can no longer afford the risk of one-man involvement in war of this entire Nation.

PRIVATE CALENDAR

The SPEAKER. This is the day set for the call of the Private Calendar.

The Clerk will call the first bill on the Private Calendar.

E. F. FORT ET AL.

The Clerk called the bill (H.R. 2661) for the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DEMETRIOS KONSTANTINOS GEORGARAS

The Clerk called the bill (H.R. 1596) for the relief of Demetrios Konstantinos Georgaras (also known as James K. Georgaras).

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PUGET SOUND PLYWOOD, INC., OF TACOMA, WASH.

The Clerk called the bill (H.R. 4949) for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to

the request of the gentleman from Missouri?

There was no objection.

ANTONINA RONDINELLI ASCI

The Clerk called the bill (H.R. 1564) for the relief of Antonina Rondinelli Asci.

There being no objection, the Clerk read the bill, as follows:

H.R. 1564

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of sections 203(a)(2) and 205 of the Immigration and Nationality Act, Miss Antonina Rondinelli Asci shall be held and considered to be the natural born daughter of Alfred A. and Francesca A. Asci, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That in the administration of the Immigration and Nationality Act, Antonina Rondinelli Asci may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Alfred A. Asci, citizens of the United States, pursuant to section 204 of the Act: *Provided,* That the brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege or status under the Immigration and Nationality Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CARLOS ROGELIO FLORES-VASQUEZ

The Clerk called the bill (H.R. 2036) for the relief of Carlos Rogelio Flores-Vasquez.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. INGE HEMMERSBACH HILTON

The Clerk called the bill (H.R. 6096) for the relief of Mrs. Inge Hemmersbach Hilton.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

CAPT. REY D. BALDWIN

The Clerk called the bill (S. 95) for the relief of Capt. Rey D. Baldwin.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

JESSE C. JOHNSON

The Clerk called the bill (S. 324) for the relief of Jesse C. Johnson.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. MARY T. BROOKS

The Clerk called the bill (S. 371) for the relief of Mrs. Mary T. Brooks.

There being no objection, the Clerk read the bill, as follows:

S. 371

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Public Printer is authorized and directed to pay out of the revolving fund of the Government Printing Office the sum of $742.40, representing salary due Mrs. Mary T. Brooks, an employee of the Government Printing Office, for the period January 13, 1966, through February 26, 1966, when she was separated from her employment due to the erroneous notification by the Civil Service Commission of approval of her application for disability retirement. After tax withholding, payment of group life and health insurance premiums, and deductions of amounts due the Civil Service Retirement and Disability Fund, the balance of the amount hereby appropriated shall be paid to Mrs. Brooks in full settlement of any and all claims against the United States arising out of her erroneous separation, and the period January 13, 1966, through February 26, 1966, shall be deemed a period of creditable Federal service by Mrs. Brooks for retirement and related purposes. The Public Printer is further authorized and directed to pay out of the cited revolving fund the agency contributions for retirement, life insurance, and health benefits purposes which would have been required by law had Mrs. Brooks been in paid employment during the period of her erroneous separation.

(b) No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. CHIN SHEE SHIU

The Clerk called the bill (S. 636) for the relief of Mrs. Chin Shee Shiu.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

T. SGT. ANTHONY J. CORSO

The Clerk called the bill (S. 650) for the relief of T. Sgt. Anthony J. Corso, U.S. Air Force (retired).

There being no objection, the Clerk read the bill, as follows:

S. 650

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Technical Sergeant Anthony J. Corso, United States Air Force (retired), is hereby relieved of all liability for repayment to the United States of the sum of $468.86, representing the amount of overpayments of basic pay received by the said Technical Sergeant Anthony J. Corso, for the period between April 1, 1950, and January 7, 1963, as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Technical Sergeant Anthony J. Corso, referred to in the first section of this Act, the sum of any amount received or withheld from him on account of the overpayments referred to in the first section of this Act.

AMENDMENT OFFERED BY MR. ASHMORE

Mr. ASHMORE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASHMORE: On page 2, line 8, insert:

"No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN EMPLOYEES OF PUGET SOUND NAVAL SHIPYARD

The Clerk called the bill (S. 652) for the relief of certain employees of the Puget Sound Naval Shipyard.

There being no objection, the Clerk read the bill, as follows:

S. 652

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the following named persons is relieved of liability to the United States in the amount which appears beside his name:

Rita L. Burdick, $604.00; Frederick R. Bixler, $910.07; Rolland A. Bastrom, $105.60; R. C. Boyce, $593.71.

Each such amount is the amount of overpayments, arising out of an administrative error, of his salary as a civilian employee of the Puget Sound Naval Shipyard during the years 1962, 1963, 1964, and 1965. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each person named in the first section of this Act an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to his indebtedness to the United States specified in such section.

(b) No part of the amount appropriated in subsection (a) of this section for the payment of any one claim in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES H. THURSTON

The Clerk called the bill (S. 819) for the relief of Charles H. Thurston.

There being no objection, the Clerk read the bill, as follows:

S. 819

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Charles H. Thurston of Macon, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of $905.08, representing overpayments of salary which he received as an employee of the Department of the Air Force at Robins Air Force Base, Georgia, for the period from September 3, 1963, through July 17, 1965, such overpayments having been made as a result of administrative error in determining the rate of basic compensation to which the said Charles H. Thurston was entitled when he was changed from grade GS–9 to grade GS–7, effective September 3, 1963, due to the abolishment of his former position. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Charles H. Thurston the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WARREN F. COLEMAN, JR.

The Clerk called the bill (S. 985) for the relief of Warren F. Coleman, Jr.

There being no objection, the Clerk read the bill, as follows:

S. 985

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Warren F. Coleman, Junior, an employee of the Department of the Air Force, is hereby relieved of all liability for repayment to the United States the sum of $1,253.07, representing the amount of overpayments of salary received by the said Warren F. Coleman, Junior, for the period from July 10, 1955, through February 24, 1962, as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Warren F. Coleman, Junior, referred to in the first section of this Act, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

AMENDMENT OFFERED BY MR. ASHMORE

Mr. ASHMORE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASHMORE: On page 2, line 8, insert:

"No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALTON R. CONNER

The Clerk called the bill (S. 1045) for the relief of Alton R. Conner.

There being no objection, the Clerk read the bill, as follows:

S. 1045

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Alton R. Conner, of Warner Robins, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of $736.46, representing overpayments of salary which he received as an employee of the Department of the Air Force at Warner Robins Air Force Base, Georgia, for the period from June 8, 1958, through February 23, 1963, such overpayments having been made as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Alton R. Conner, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THOMAS M. SCANLON

The Clerk called the bill (H.R. 1537) for the relief of Thomas M. Scanlon.

There being no objection, the Clerk read the bill, as follows:

H.R. 1537

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Thomas M. Scanlon, of 1131 Chalet Avenue, New Carlisle, Ohio, is relieved of liability to the United States in the amount of $268, representing the balance of a salary advance which the United States Air Force failed to withhold from his pay and allowances at his direction prior to his discharge. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OMER PENNER

The Clerk called the bill (H.R. 1653) for the relief of Omer Penner.

There being no objection, the Clerk read the bill, as follows:

H.R. 1653

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of the war claims fund, to Omer Penner, 1924 Cabrillo Street, San Francisco, California, the amount certified to him under section 2 of this Act. The payment of such sum shall be in full settlement of all claims of Omer Penner against the United States for detention benefits under section 5(a) through 5(e) of the War Claims Act of 1948, as amended by the War Claims Act Amendments of 1954: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. The Foreign Claims Settlement Commission shall promptly determine and certify to the Secretary of the Treasury the amount which would have been payable to Omer Penner as detention benefits under section 5(a) through 5(e) of the War Claims Act of 1948, as amended by the War Claims Act Amendments of 1954, if Omer Penner had filed a claim therefor within the period prescribed by law.

With the following committee amendment:

On page 2, line 1, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARA B. HYSSONG

The Clerk called the bill (H.R. 1655) for the relief of Clara B. Hyssong.

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

FRANK I. MELLIN, JR.

The Clerk called the bill (H.R. 1674) for the relief of Frank I. Mellin, Jr.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. LESSIE EDWARDS

The Clerk called the bill (H.R. 1680) for the relief of Mrs. Lessie Edwards.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

OUR LADY OF PILLAR CATHOLIC CHURCH, SANTA ANA, CALIF.

The Clerk called the bill (H.R. 1894) for the relief of Our Lady of Pillar Catholic Church in Santa Ana, Calif.

There being no objection, the Clerk read the bill, as follows:

H.R. 1894

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Our Lady of Pillar Catholic Church in Santa Ana, California, is relieved of liability to the United States in the amount of $505.80, representing its liability to the United States because of an inadvertent violation of a restriction regarding the use of donated property which Our Lady of Pillar Catholic Church received under the Federal Property and Administrative Services Act of 1949. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. No part of the amount appropriated in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 2, line 5, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHILDREN OF MRS. DORIS E. WARREN

The Clerk called the bill (H.R. 2454) for the relief of the children of Mrs. Doris E. Warren.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

COMDR. ALBERT G. BERRY, JR.

The Clerk called the bill (H.R. 2757) for the relief of Comdr. Albert G. Berry, Jr.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

IKE IGNAC KLEIN

The Clerk called the bill (H.R. 3474) to require the Foreign Claims Settlement Commission to determine the amount and validity of the claim of Ike Ignac Klein against the Government of Hungary, and for other purposes.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MAURITZ A. STERNER

The Clerk called the bill (H.R. 3865) for the relief of Mauritz A. Sterner.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

T. MICHAEL SMITH

The Clerk called the bill (H.R. 4015) for the relief of T. Michael Smith.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

TO CONVEY PROPERTY IN PENNSYLVANIA

The Clerk called the bill (H.R. 4833) to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania.

There being no objection, the Clerk read the bill, as follows:

H.R. 4833

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is authorized and directed to convey to Mr. Ralph J. Litchard, rural delivery numbered 1, Montgomery, Pennsylvania, all right, title, and interest of the United States in and to that portion of the 0.262 acre tract of land described in section 2 of this Act and owned by the United States on the date of enactment of this Act, upon payment to the United States by or on behalf of Ralph J. Litchard of the fair market value of the United States portion (as determined by the Attorney General).

SEC. 2. The 0.262 acre tract of land referred to in the first section of this Act is described as follows: Beginning at a point along the western side of United States Route 15 approximately 10 miles south of the city of Williamsport, Pennsylvania, and is bordered on the south by land of Ralph J. Litchard and on the west and north by land of United States Bureau of Prisons. Land markings begin at an iron pipe on the western right-of-way line on Route 15; said iron pipe being opposite the first culvert under Route 15, north of Litchard's Motel; thence from iron pipe marking north twenty-seven degrees thirty minutes east a distance of 129.75 feet to a second iron pipe marking; thence north sixty-nine degrees thirty-one minutes west a distance of 175.85 feet to a third iron pipe marking; thence south thirty-one degrees fifty minutes east a distance of 199.80 feet to the first iron pipe marking the place of beginning on Route 15, adjacent to Litchard's Motel property. This property described contains 0.262 acre, presently belonging to the Northeast United States Federal Prison Camp.

With the following committee amendment:

On page 2, after line 21, add a new section as follows:

"SEC. 3. In conveying the tract hereinbefore referred to, the Attorney General may vary from the description stated: *Provided,* That the total area actually conveyed by him shall not exceed 0.500 acre (½ acre)."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HAZEL M. LaFRANCE

The Clerk called the bill (H.R. 5025) to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on certain claims of Mrs. Hazel M. LaFrance against the United States.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ALBERT P. MORELL

The Clerk called the bill (H.R. 5967) for the relief of Albert P. Morell.

There being no objection, the Clerk read the bill, as follows:

H.R. 5967

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $954.67 to Albert P. Morell, of Dunmore, Pennsylvania, in full settlement of his claims for funeral and burial expenses rendered in connection with the funeral of the late Nunziata Lalli which were not paid due to the fact that the principal assets of the decedent consisting of three $1,000 and two $500 series E savings bonds were made payable upon death to the United States and were not, therefore, available for the payment of necessary and proper funeral and burial expenses. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike all after the enacting clause and insert:

"That the Secretary of the Treasury is authorized and directed upon receipt of the United States savings bonds of series E totaling $4,000 (face value), numbered D-32876574-E, D-30831656-E, M-30623497-E, M-30623498-E, and M-30623499-E, outstanding on the books of the Treasury Department, registered in the name of Nunziato Lalli, 610 North Washington Avenue, Scranton, Pennsylvania, payable on death to the Treasurer or the Treasury Department of the United States, or upon receipt of evidence satisfactory to him establishing their loss, together with evidence of the death of Nunziato Lalli, so that redemption of the bonds is effected, to apply the proceeds, or so much thereof as may be necessary, to pay not in excess of the sum of $954.67 to Albert P. Morell of Dunmore, Pennsylvania, to the extent judicially determined, or otherwise established to the satisfaction of the Secretary, in full settlement of his claims with respect to funeral and burial services rendered in connection with the funeral of the late Nunziato Lalli which were not paid due to the fact that the principal assets of the decedent consisted of the aforedescribed bonds, and were not, therefore, available for the payment of necessary and proper funeral and burial expenses. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SWIFF-TRAIN CO.

The Clerk called the bill (H.R. 6004) for the relief of Swiff-Train Co.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

FRED W. KOLB, JR.

The Clerk called the bill (H.R. 6189) for the relief of Fred W. Kolb, Jr.

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

JOHN A. DANISCH

The Clerk called the bill (H.R. 6324) for the relief of John A. Danisch.

There being no objection, the Clerk read the bill, as follows:

H.R. 6324

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Civil Service Retirement Act of July 31, 1956, as amended (70 Stat. 743, Eighty-fourth Congress), the period of time served by John A. Danisch with the Intergovernmental Committee for European Migration (I.C.E.M.), a public international organization, from April 15, 1952, to February 9, 1954, shall be held and considered to be creditable Federal service for retirement purposes.

With the following committee amendments:

On page 1, lines 6 and 7; strike "Intergovernmental Committee for European Migration (I.C.E.M.)" and insert "Provisional Intergovernmental Committee for the Movement of Migrants from Europe (PICMME)".

On page 2 line 1, strike "creditable Federal service" and insert "leave without pay from Federal employment".

On page 2 after line 2, add new section 2, as follows:

"SEC. 2. The limitations of section 8348(g) of title 5, United States Code, shall not apply with respect to benefits payable on the basis of the provisions of this Act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN E. COPLIN

The Clerk called the bill (H.R. 6452) for the relief of John E. Coplin.

There being no objection, the Clerk read the bills, as follows:

H.R. 6452

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any limitation of time with respect to application for, or payment of, reimbursement of expenses incident to the shipment of Federal employees' household effects incident to change of duty station, the claim of John E. Coplin, an employee of the Department of Agriculture, for shipment of his household effects from Philadelphia, Pennsylvania, to Chicago, Illinois, shall be deemed to have been timely filed and shall be considered and acted upon in accordance with applicable law and regulations if such claim is filed within one year after the date of enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALGONAC MANUFACTURING CO. AND JOHN A. MAXWELL

The Clerk called the bill (H.R. 6462) granting jurisdiction to the Court of Claims to render judgment on certain claims of the Algonac Manufacturing Co. and John A. Maxwell against the United States.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

JESSE W. STUTTS, JR.

The Clerk called the bill (H.R. 6663) for the relief of Jesse W. Stutts, Jr.

There being no objection, the Clerk read the bill, as follows:

H.R. 6663

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Jesse W. Stutts, Junior, is relieved of liability to pay to the United States the sum of $1,294.40, representing the aggregate amount of overpayment of compensation received by him during the period beginning April 8, 1963, and ending May 29, 1965, both dates inclusive, as an employee of the Department of the Army at Redstone Arsenal, Alabama, due to an administrative error which occurred without fault on his part. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for the amount for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jesse W. Stutts, Junior, the sum certified to the Secretary of the Treasury by the Secretary of the Army as the aggregate of amounts paid to the United States by Jesse W. Stutts, Junior (including amounts withheld by the United States from amounts otherwise due him), on account of the liability for which relief is granted by the first section of this Act. No part of the amount appropriated in this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 2, line 12, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SLATOR C. BLACKISTON, JR.

The Clerk called the bill (H.R. 6862) for the relief of Slator C. Blackiston, Jr.

There being no objection, the Clerk read the bill, as follows:

H.R. 6862

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to Slator C. Blackiston, Junior, an employee of the Foreign Service of the United States, the sum of $9,515.73 in full satisfaction of his claim against the United States for compensation for personal property lost while performing his official duties. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. EMANUEL MARCUS

The Clerk called the bill (H.R. 7599) for the relief of Dr. Emanuel Marcus.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

RICHARD ALAN WHITE

The Clerk called the bill (H.R. 7811) for the relief of Richard Alan White.

There being no objection, the Clerk read the bill, as follows:

H.R. 7811

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of subchapter III (relating to civil service retirement) of chapter 83 of title 5, United States Code, Richard Alan White shall be held and considered to be the adopted son of Benny R. White, deceased former employee of the Rural Electrification Administration, United States Department of Agriculture. No benefits shall accrue by reason of the enactment of this Act for any period prior to the date of enactment of this Act.

SEC. 2. Section 8348(g) of title 5, United States Code, shall not apply with respect to annuity benefits resulting from the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES WAVERLY WATSON, JR.

The Clerk called the bill (H.R. 8091) for the relief of Charles Waverly Watson, Jr.

Mr. GROSS. Mr Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

EDDIE GARMAN

The Clerk called the bill (H.R. 8485) for the relief of Eddie Garman.

There being no objection, the Clerk read the bill, as follows:

H.R. 8485

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eddie Garman, of Mill Creek, Pennsylvania, the sum of $897.30. The payment of such sum shall be in full settlement of all claims of the said Eddie Garman for a death gratuity payment on account of the death of his brother, who was killed in action in Korea on September 19, 1951, while serving in the Army. The payment of such claim by the Secretary of the Army is barred by the provisions of the Act of October 9, 1940 (31 U.S.C. 71a), which imposes a ten-year limitation of time on the payment of claims against the United States. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 2, line 4, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VICTOR L. ASHLEY

The Clerk called the bill (H.R. 10414) for the relief of Victor L. Ashley.

There being no objection, the Clerk read the bill, as follows:

H.R. 10414

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Victor L. Ashley, of Green Cove Springs, Florida, is relieved of liability to the United States in the amount of $3,708.80, representing an overpayment of compensation from January 27, 1957, through October 1, 1961, received by him while employed with the Florida group, Atlantic Reserve Fleet, Green Cove Springs, Florida. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Victor L. Ashley an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section of this Act: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ATHANASIA ARGERE

The Clerk called the bill (S. 39) for the relief of Athanasia Argere.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DR. OTON SOCARRAZ

The Clerk called the bill (S. 60) for the relief of Dr. Oton Socarraz.

There being no objection, the Clerk read the bill, as follows:

S. 60

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Oton Socarraz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 13, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. JUAN RAMON DIAZ ZAYAS BAZAN

The Clerk called the bill (S. 67) for the relief of Dr. Juan Ramon Diaz Zayas Bazan.

There being no objection, the Clerk read the bill, as follows:

S. 67

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Juan Ramon Diaz Zayas Bazan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 16, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ALBERTO FERNANDEZ-BRAVO Y AMAT

The Clerk called the bill (S. 132) for the relief of Dr. Alberto Fernandez-Bravo y Amat.

There being no objection, the Clerk read the bill, as follows:

S. 132

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Alberto Fernandez-Bravo y Amat shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 3, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. CESAR A. MENA

The Clerk called the bill (S. 164) for the relief of Dr. Cesar A. Mena.

There being no objection, the Clerk read the bill, as follows:

S. 164

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Cesar A. Mena shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 11, 1960.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA JORDAN FERRANDO

The Clerk called the bill (S. 168) for the relief of Maria Jordan Ferrando.

There being no objection, the Clerk read the bill, as follows:

S. 168

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, as amended, Maria Jordan Ferrando shall be held and considered to be the parent of Mrs. Victoria Trabue, a citizen of the United States, within the meaning of section 201(b) of the said Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROSA ANNA GENOVESE

The Clerk called the bill (S. 256) for the relief of Rosa Anna Genovese.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

ROSA AGOSTINO

The Clerk called the bill (S. 280) for the relief of Rosa Agostino.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DR. CARLOS VICTOR DE LA CONCEPCION GARCIA

The Clerk called the bill (S. 327) for the relief of Dr. Carlos Victor De La Concepcion Garcia.

There being no objection, the Clerk read the bill, as follows:

S. 327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Carlos Victor De La Concepcion Garcia shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 1, 1962.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. JESUS L. LASTRA

The Clerk called the bill (S. 462) for the relief of Dr. Jesus L. Lastra.

There being no objection, the Clerk read the bill, as follows:

S. 462

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jesus L. Lastra shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 6, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. GUILLERMO N. HERNANDEZ, JR.

The Clerk called the bill (S. 464) for the relief of Dr. Guillermo N. Hernandez, Jr.

There being no objection, the Clerk read the bill, as follows:

S. 464

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Guillermo N. Hernandez, Junior, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 31, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. MARIO GUILLERMO MARTINEZ

The Clerk called the bill (S. 465) for the relief of Dr. Mario Guillermo Martinez.

There being no objection, the Clerk read the bill, as follows:

S. 465

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Mario Guillermo Martinez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 17, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. MANUEL A. ZUNIGA

The Clerk called the bill (S. 499) for the relief of Dr. Manuel A. Zuniga.

There being no objection, the Clerk read the bill, as follows:

S. 499

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Manuel A. Zuniga shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 18, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DOREEN DELMEGE WILLIS

The Clerk called the bill (S. 904) for the relief of Doreen Delmege Willis.

There being no objection, the Clerk read the bill, as follows:

S. 904

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the Immigration and Nationality Act, the periods of time Doreen Delmege Willis has resided and was physically present in the United States or any State since August 2, 1952, shall be held and considered as compliance with the residence and physical presence requirement of section 316 of said Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LUIS TAPIA DAVILA

The Clerk called the bill (S. 906) for the relief of Luis Tapia Davila.

There being no objection, the Clerk read the bill, as follows:

S. 906

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Luis Tapia Davila shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 12, 1960.

With the following committee amendment:

On page 1, line 3, after the word "That", insert the following: ", for the purposes of the Immigration and Nationality Act".

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ESTHER YOLANDA LAUZARDO

The Clerk called the bill (S. 996) for the relief of Dr. Esther Yolanda Lauzardo.

There being no objection, the Clerk read the bill, as follows:

S. 996

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Esther Yolanda Lauzardo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 21, 1960.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. AMPARO CASTRO

The Clerk called the bill (S. 118) for the relief of Dr. Amparo Castro.

There being no objection, the Clerk read the bill, as follows:

S. 118

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Amparo Castro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 1, 1958.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SETSUKO WILSON (NEE HIRANAKA)

The Clerk called the bill (S. 534) for the relief of Setsuko Wilson (nee Hiranaka).

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

HYE SUK PAENG AND MI KUNG PAENG (PATRICIA ANN)

The Clerk called the bill (S. 822) for the relief of Hye Suk Paeng and Mi Kung Paeng (Patricia Ann).

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DR. FLORIBERTO S. PUENTE

The Clerk called the bill (S. 1278) for the relief of Dr. Floriberto S. Puente.

There being no objection, the Clerk read the bill, as follows:

S. 1278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Doctor Floriberto S. Puente shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 3, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELISABETA HORWATH

The Clerk called the bill (H.R. 2485) for the relief of Elisabeta Horwath.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

RAMIRO VELASQUEZ HUERTA

The Clerk called the bill (H.R. 3497) for the relief of Ramiro Velasquez Huerta.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

TERESINA FARA

The Clerk called the bill (H.R. 4159) for the relief of Teresina Fara.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DR. JOHN E. YANNAKAKIS

The Clerk called the bill (H.R. 4538) for the relief of Dr. John E. Yannakakis.

There being no objection, the Clerk read the bill, as follows:

H.R. 4538

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, John E. Yannakakis, doctor of medicine, shall be held and considered to have complied with the requirements of section 316 of that Act as they relate to residence and physical presence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERTO MARTIN DEL CAMPO

The Clerk called the bill (H.R. 5216) for the relief of Roberto Martin Del Campo.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

DR. BERNARDINO D. MARCELO

The Clerk called the bill (H.R. 5996) for the relief of Dr. Bernardino D. Marcello.

There being no objection, the Clerk read the bill, as follows:

H.R. 5996

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Doctor Bernardino D. Marcelo shall be held and considered to have been lawfully admitted for permanent residence as of December 28, 1956.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAN DROBOT

The Clerk called the bill (H.R. 8254) for the relief of Jan Drobot.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

FEDERICO DE LA CRUZ-MUNOZ

The Clerk called the bill (H.R. 9080) for the relief of Federico de la Cruz-Munoz.

There being no objection, the Clerk read the bill, as follows:

H.R. 9080

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Federico de la Cruz-Munoz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 28, 1960.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. DEMETRIA MESSANA BARONE

The Clerk called the bill (H.R. 1820) for the relief of Mrs. Demetria Messana Barone.

There being no objection, the Clerk read the bill, as follows:

H.R. 1820

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mrs. Demetria Messana Barone shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Mrs. Demetria Messana Barone. From and after the date of the enactment of this Act, the said Mrs. Demetria Messana Barone shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call of the Private Calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. This concludes the call of the Private Calendar.

ANNUAL REPORT OF COMMODITY CREDIT CORPORATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency:

To the Congress of the United States:

I am pleased to transmit to the Congress the annual report of the Commodity Credit Corporation for fiscal year 1966.

This report shows clearly the progress that is being made toward our goal of economic equality for rural America.

Farm surpluses have virtually been eliminated. With the removal of this threat to farm prices, farm income has been strengthened.

Yet the elimination of surpluses poses a new dilemma:

On the one hand, national and world needs demand a high level of production of food and fiber. With populations soaring and the margin of food supplies growing thinner in many areas of the world, we cannot gamble on the possibility of inadequate stocks.

On the other hand, farmers who produce supplies in excess of immediate requirements as a national precaution, cannot be expected to bear the cost themselves through depressed farm prices and income.

To increase price protection for farmers in these new circumstances, the Commodity Credit Corporation has recently expanded its price-support loan program.

The price-support loan program has long provided farmers protection against commodity price reductions. Under the program, farmers are able to obtain loans at harvesttime, enabling them to withhold their products from the markets until later in the marketing season when prices are more favorable. Loans for this purpose totaled nearly $2 billion in fiscal 1966.

The expansion of the price-support loan program will permit more farmers to keep commodities off the market beyond the current crop season. The commodities will continue to be owned by the farmers, with the Government paying the storage costs as part of the Nation's price for maintaining adequate reserves.

By thus drawing further upon the resources of the Commodity Credit Corporation to meet changing conditions, this Nation will be taking another important step toward economic equality for the American farmer.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *July 11, 1967.*

TWELFTH ANNUAL REPORT OF BOARD OF ACTUARIES FOR RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Armed Services:

To the Congress of the United States:

I am pleased to transmit the 12th Annual Report of the Board of Actuaries for the Retired Serviceman's Family Protection Plan.

This plan, which was adopted in 1953, allows retired servicemen to elect reduced pay so that their widows and children can receive survivor benefits. At the end of 1965, the year covered by this report, more than 67,000 retired servicemen were participating in this program and about 5,000 families were receiving its benefits.

I commend this report to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *July 11, 1967.*

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

CALL OF THE HOUSE

Mr. HALEY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 162]

Adair
Ashley
Baring
Berry
Bevill
Blackburn
Brock
Burton, Utah
Clawson, Del
Collier
Conable
Daddario
Dent
Diggs
Dingell
Dwyer
Feighan
Fino
Flood
Foley
Friedel
Grover
Hagan
Hansen, Idaho
Hansen, Wash.
Hathaway
Hébert
Hungate
Karth
King, Calif.
Kyl
Leggett
McClure
McDade
McEwen
Martin
Meeds
Miller, Calif.
Monagan
Moore
Moorhead
Morgan
Moss
Murphy, N.Y.
O'Hara, Mich.
O'Konski
O'Neal, Ga.
Pepper
Purcell
Rees
Reifel
Reinecke
Reuss
Rostenkowski
St Germain
St. Onge
Shipley
Smith, N.Y.
Stephens
Taft
Tuck
Tunney
Watson
Wilson, Charles H.

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 370 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF THE U.S. CIVIL RIGHTS COMMISSION

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10805) to extend the life of the Civil Rights Commission.

The Clerk read as follows:

H.R. 10805

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104(b) of the Civil Rights Act of 1957, as amended (78 Stat. 251; 42 U.S.C. 1975c (b)), is further amended by deleting the words "January 31, 1968", and substituting therefor the words "January 31, 1973".

The SPEAKER pro tempore. Is a second demanded?

Mr. McCULLOCH. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from New York [Mr. CELLER] will be recognized for 20 minutes, and the gentleman from Ohio [Mr. McCULLOCH] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, this bill, H.R. 10805, extends the existence of the U.S. Civil Rights Commission for a period of 5 years, which is from January 31, 1968, to January 31, 1973. In his recent message, the President has recommended the extension of the Commission for 5 years. The Department of Justice has likewise supported the extension of the Commission.

The U.S. Commission on Civil Rights is an independent, bipartisan agency which, on the recommendation of then President Eisenhower, was first established in 1957 and then extended by the Congress at various times. It is not a law-enforcement or prosecuting agency; it acts primarily and solely as a factfinding and research agency. In 1964, Congress expanded the scope of its duties to serve as a clearinghouse for information on the problem of civil rights throughout the Nation. The members of the Commission are all distinguished, dedicated gentlemen, all devoted to maintenance of civil rights.

In each of the States, including the District of Columbia, there are advisory committees to assist the Commission in gathering and disseminating information about civil rights problems. It has conducted conferences on local as well as on a national basis on many problems affecting civil rights. In the past, most of the work of the Commission has been centered on what was the major problem in the field of civil rights—that in the South. However, it is now planned to broaden its work, and I may say it has already started to broaden it to the problems which exist in other parts of this country. For example, hearings have been held by the Commission in many cities throughout the Nation—in New York, Chicago, Washington, New Orleans, and Boston.

The Commission has now undertaken studies on a variety of new issues which require this extension. The program in the past has emphasized the denial of civil rights to Negroes in the South, but currently the Commission has launched a similar program of factfinding and research into the urban civil rights problems, with emphasis on the North. It has broadened its scope beyond just the hard-core civil rights problems so as to include examinations of the more complex problems of civil rights and possible solutions.

The Commission has undertaken the examination of the problems faced by the American Indian and the Mexican-American in the denial of civil rights. These are areas of civil rights which need to be examined and assessed in order to point up the need for legislation.

The Commission performs a very useful function as the only independent agency which can examine the impact of the various Federal programs and Federal activity affecting the problem of civil rights. It has studied on a local and State level the activities in federally assisted programs, thus, appraising the Federal laws and policies in order to be determined whether they are being effectively implemented.

The reports of the Commission have been widely published and circulated and have received the approval of most of the experts in this field.

This bill will in no way affect the basic authority which prior legislation has conferred on the Commission. It is specifically authorized to investigate complaints that citizens are being denied their right to vote by reason of their race, religion, color, or national origin. It is authorized to investigate allegations of vote fraud, to study and collect information concerning legal developments constituting a denial of equal protection of the laws because of race, color, religion, or national origin, including the administration of justice, to appraise the laws and policies of the Federal Government with respect to the denial of equal protection of the laws, and, finally, to serve as a national clearinghouse for civil rights legislation.

Despite the fact that the Commission's limited authorization—normally for 2 years—has in the past presented it with the problem of maintaining continuity of its program and its staff, the Commission has performed its work and performed it well. I believe that it should be relieved of the problem of attempting to maintain an adequate staff and a long-range, effective program. This bill is designed to do that very thing.

As I have stated earlier, there are many problems which need to be analyzed and appraised. The enactment of this bill will do that very thing. It is the only agency in our Government which can do it and, therefore, I believe this legislation should be enacted.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. GROSS. I have been very much intrigued in reading the report accompanying the bill to note that 99 percent of the report is dedicated to a departmental report. Does the committee have no views on this legislation that ought to be stated in this report? I tell the gentleman frankly that I have never seen a report quite like it. The panel report refers to a gentleman by the name of William L. Taylor, who is not otherwise identified. Who is William L. Taylor?

Mr. CELLER. I will say to the gentleman that William L. Taylor is the staff director. In addition thereto, the statements made in the report reflect the views of the committee. The vote in the committee was unanimous. There was no dissenting vote with reference to this bill. We feel that the bill is very meritorious. The Commission has been established in a Republican administration and has carried on through a Democratic administration. It is a purely bipartisan agency, and I do hope the gentleman from Iowa will consider it in that light.

Mr. GROSS. If the gentleman will yield further, I would have appreciated something in the report attempting to justify the continuance of this Commission. I see nothing in the report to justify a continuance at a cost of some $2,600,000 a year except a self-serving statement on the part of a member of the staff of the Commission.

Mr. CELLER. The gentleman was probably inattentive to what I said in my statement, which gave some idea of what the Commission is doing. If the gentleman would want me to, I would be very glad to give him a copy of my statement. In addition to that, the President of the United States in his message covered the subject rather well and pervasively. If the gentleman will look at the President's message, which is the House document, he will see some very cogent reasons why we should extend the life of this Commission.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. CELLER. Yes, I yield further to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, in my opinion, based upon what I can read—and, certainly, I cannot obtain any information from this report, on the basis of reading a report that is written by a staff member of the Commission itself—I say again that it is self-serving.

Mr. Speaker, if this Commission has accomplished anything by way of stopping riots, by way of doing anything to protect the civil rights of all the people of this country, I know nothing about it. In my opinion the Commission is an aggregation of payroll straphangers.

Mr. CELLER. That may be the gentleman's opinion. But it is an opinion that is not shared by the rank and file of the people of this Nation. The President does not share that point of view; the Department of Justice does not share that point of view; the members of the Committee on the Judiciary do not share that point of view and I would further state to the gentleman from Iowa it is my opinion that a preponderant number of the Members of this House will not share that point of view.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. I thank the gentleman from New York for yielding.

I noticed in the press over the past weekend that this Commission is having a difficult time keeping members and personnel; that there has been quite a number of resignations of directors and members of the Commission itself. Also that there has been a tremendous number of resignations and quite a turnover in the personnel of the Commission.

Can the gentleman from New York give us any information as to the reason for this?

Mr. CELLER. The period heretofore of extension was only for 2 years and it made it difficult for the Commission to maintain good personnel, and it made it very difficult to recruit new personnel which had to be paid. It is for that reason that we are asking that the extension be for a period beyond the 2 years as recommended by the President; namely, 5 years.

Mr. ABERNETHY. Mr. Speaker, if the gentleman from New York will yield further, I gathered from that press report that the Commission was facing a great difficulty in finding something to do; that it was having to make work for itself with little or no work suggested for it by people around the country; and, that they were having all kinds of problems in finding new fields of so-called rights violations, thus indicating it is serving a useless function.

Mr. CELLER. It is my opinion that the gentleman would find that they primarily addressed themselves to situations in the South. They are now spreading into other sections of the country and particularly into the North and into a number of metropolitan areas of the North which need the attention of such a Commission as this.

Mr. ABERNETHY. Mr. Speaker, if the gentleman will yield further, the press report indicated that these people went out of their way to locate civil rights violations, and that it was just simply difficult for the Commission to find something to do. I think that is about the situation.

Mr. CELLER. The hearings held before the Appropriations Committee seemed to indicate a vast number of complaints with reference to voting, covering almost every State of the Union.

The gentleman from Mississippi will find that information on page 269 of the hearings which were held before the Subcommittee on Appropriations for the Departments of Justice and Commerce, the judiciary and related agencies for fiscal year 1968.

Mr. ABERNETHY. Mr. Speaker, if the gentleman will yield further, does this Commission have any authority to look into the riots that have been visited upon the country, the destruction of property and the violation of local laws and so on that have been incidental to these riots?

Mr. CELLER. I should think that it has that authority where there is involved a denial of civil rights.

Mr. ABERNETHY. Could we expect

that they might look into those situations?

Mr. CELLER. I do not know whether we could expect anything like that or not. I do not know whether they intend to do that or whether they expect to work for the Director in other fields. I cannot say. But the inquiry the gentleman has made is a very sound one.

Mr. ABERNETHY. There is really not a genuine need for the continuance of this Commission, is there? Is it not a most useless and unnecessary thing?

Mr. CELLER. I believe there is, because there is a continuing deprivation of civil rights in the North, in the West, and in the East, not only in the part of the country the gentleman comes from, but in my own part also, I can assure the gentleman.

Mr. ABERNETHY. I thank the gentleman for yielding.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Florida.

Mr. CRAMER. I thank the gentleman for yielding.

Mr. Speaker, I note in the committee report on page 2 in item 2, under No. 1, Commission Functions, that it says: "Investigate allegations of vote fraud."

I assume that that refers to the power to investigate under section 104, paragraph 5, which the Commission has under the 1957 act to investigate allegations made in writing under oath or affirmation that citizens of the United States are unlawfully being prevented from or being denied the right to vote, or to have their vote counted in any national elections involving the election of Members of the Senate or the House or other Federal elections, and so forth. I assume that that is what section 2 refers to?

Mr. CELLER. I believe the gentleman should add further that it was at the gentleman's suggestion that the amendment was offered and agreed to successfully. It is the gentleman's amendment.

Mr. CRAMER. I thank the gentleman for that observation. However, my continuing interest is in inquiring whether or not the gentleman has any information as to whether that has been effectuated, and in fact whether the Commission is going to go into further vote fraud cases as directed by the Congress—and this of course relates to vote fraud and the right of everyone to vote, and have their votes properly counted, meaning people in the majority as well as in the minority.

Mr. CELLER. I can say in answer to the inquiry of the gentleman that there have been over 1,139 complaints of vote fraud on the basis of voting rights coming from practically every State in the Union. Apparently the Commission has addressed itself to some of these complaints. Some of these complaints were sworn to and some were not sworn to. They cover general irregularities concerning voting, particularly in civil rights. Now, I cannot give the gentleman information as to how far the Commission went or how deeply they went into this particular question, but apparently they are addressing themselves to it.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from New York has consumed 16 minutes; the gentleman has 4 minutes remaining.

Mr. CELLER. I thank the Speaker for directing my attention to that fact.

Mr. McCULLOCH. Mr. Speaker, I rise in support of this legislation and also, of course, the motion to suspend the rules.

As the chairman of the Committee on the Judiciary has reported, this legislation was initially recommended in the Eisenhower administration, and the life of the Commission has been extended four times. Regretfully, there were some interims between the extensions of the life of the Commission by reason of the slow action of the Congress. It is hoped that this legislation will be passed today, and by an overwhelming vote, so that the Commission and the employees will fully realize that this Commission has the support of the House of Representatives.

Mr. Speaker, from the very beginning of the Commission the members thereof were people of great ability and great standing in this country. Today, the Chairman of the Commission is Dr. John A. Hannah, president of Michigan State University. The Vice President is Eugene C. Patterson, an official with the Atlanta Constitution.

Dr. Theodore M. Hesburgh, president of the University of Notre Dame, is a member of the Commission and has been a member of the Commission for most of the time since its inception.

Dr. Erwin N. Griswold, Harvard University Law School, is a member of this Commission.

Robert S. Rankin, professor of political science at Duke University, is a member of this Commission.

Mrs. Frankie Muse Freeman, an official of the St. Louis Housing Authority, is a member of this Commission.

Mr. Speaker, it has been asked: What has the Commission done? I am pleased to report to the House of Representatives that numerous studies have been made by the Commission in various parts of the country including the State of Ohio and particularly in Cleveland, Ohio. We now have some information as to why we had the riots in Cleveland that were so disastrous to the people up there.

One of my colleagues will speak at some length on these reports and will bring some of the tangible evidence to the House for its view and I shall not dwell upon it longer.

Finally, Mr. Speaker, I think the overwhelming evidence furnished by this Commission and by the staff since 1957 shows that it has been performing a useful public service every day of its life and that its life should be extended for 5 years.

As a matter of fact, Mr. Speaker, I think it should be a permanent Commission, because the problem of civil rights is a continuing one.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman for one question.

Mr. WAGGONNER. I wonder if the gentleman would care to tell the House, since he will only yield for one question—what the studies of the Civil Rights Commission finally say were the causes of the riots in his native State of Ohio?

Mr. McCULLOCH. I am sorry I did not understand the gentleman's question.

Mr. WAGGONNER. Would the gentleman mind telling the House, since the Civil Rights Commission has now conducted an investigation of a sort into the problems of civil rights in Cleveland and in Ohio, what they have found the cause of the demonstrations and riots and violence in Cleveland to be?

Mr. McCULLOCH. Of course, the official findings on the immediate causes of those riots are contained in the report of the grand jury which investigated that case.

In addition to those findings, the Civil Rights Commission found that we had neglected the education of some of the youth in Cleveland and that we did not satisfy the housing needs of the people there.

Mr. WAGGONNER. Would the gentleman yield for just one further question?

Mr. McCULLOCH. In further answer to the gentleman's question, it has been suggested by an alert staff member that the Cleveland riots had as their immediate cause professional agitators who were sent there from other States in the Union.

Let me quote briefly from the grand jury report:

> "It was established before the jury that the leaders of the W.E.B. DuBois Club and the Communist Youth Party, with interchangeable officers and virtually identical concepts, *arrived in Cleveland only a few days before the Hough area disorders*. They took up residence at 1844 East 81st Street, only a short distance from the central point of origin of the Hough area troubles.
>
> "These men, *who came from Chicago, New York and Brooklyn*, were Mike Bayer, otherwise known as Mike Davidow, Daniel Mack, Ronald Lucas and Steve Shreeter. They were seen constantly together. They made swift contact with the JFK (Jomo Freedom Kenyata House, headquarters for the rioters) House leadership, and with Phil Bart of Middlehurst Road, Cleveland Heights, Ohio, and his wife, Connie, who, the evidence showed, are the leaders of the Communist Party throughout the Ohio Valley district, including Cleveland."
>
> Hard on the heels of this report, the UPI quoted Stokely Carmichael from New York as saying, "In Cleveland they're building stores with no windows—all brick. I don't know what they think they'll accomplish. It just means we have to move from Molotov cocktails to dynamite."

Mr. WAGGONNER. Does the gentleman mean the same type of agitators who have been going into the South have been going into Cleveland?

Mr. McCULLOCH. I do not know the names of all the people who have been going into the South. I am speaking only as to what the record shows up there. In any event, whether they go into the South or not, when they are violating the law, they should be punished. When they are interfering with the rights of citizens of this country and using the highways and the streets and the byways to do so and when they are engaging in riots in violation of the law, they should be punished.

Mr. CONYERS. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Michigan.

Mr. CONYERS. I thank the gentleman for yielding and for stating his thoughts on this situation which does concern all the Members of this House of Representatives.

The U.S. Civil Rights Commission, has not nor ever will be able to come up with the precise reasons for the riots in the distinguished gentleman's State or in my State or anywhere else. A reading of the transcript of the Cleveland hearings of the Commission in April 1966 reveals that the Commission's investigation found serious problems of inadequate housing, education, job opportunities, health and welfare programs, and a very poor state of police-community relations. In fact, these serious problems seem to have been the precipitating factors in the riots in the Hough area which occurred a few months after the Commission's Cleveland hearings.

None of the many investigations by the Civil Rights Commission throughout America has ever found that the riots which so trouble us all actually were caused by professional agitators sent there from other States of the Union. It would be a wonderful thing, I suppose, if that were true, because it would then be so easy to eliminate these riots. But the riots are not caused by malevolent travelers who go from place to place but are instead caused by the system of degradation and discrimination that occurs in so many places throughout America.

The U.S. Commission on Civil Rights has done an excellent service for America by exploring and analyzing the true causes of these riots and bringing them to the attention of the Congress and the American people. As long as we focus on the statements and activities of a few colorful and flamboyant figures as the causes, these riots will certainly continue. Only if we focus on the true causes do we have any hope of developing effective answers and solutions.

I think it would certainly be helpful if the American people and the Congress would begin to appreciate the extreme sense of frustration that is felt in the ghettos of America which is the basic and underlying cause of these riots.

As the gentleman from Ohio has so correctly pointed out these riots are caused by the serious problems that have existed—and over several generations—in the racial ghettos of America of slum housing, unemployment, poor education, totally inadequate welfare programs, and the whole system of racial discrimination. These interrelated set of problems have resulted in poverty being inherited from one generation to the next. The riots are caused by the great and increasing frustration and despair felt by millions of Americans who are trapped in this inherited poverty and degradation.

The Commission on Civil Rights has always taken the true and constructive approach of analyzing the basic causes of these riots as the only effective answer. This is just part of the Commission's overall vital and important role in focusing the attention of America on the problems of civil rights which the gentlemen from Ohio so correctly stated are continuing problems.

I want to strongly second and support the statement of the distinguished ranking Republican member of the Judiciary Committee, that the Civil Rights Commission should be made a permanent agency of our Government. I very much regret that the Judiciary Committee was not able to bring out a bill to this House which would have given the Commission permanent status.

I doubt that any Member of this House is ready to assure us that the problem of assuring equal opportunity to every American will be solved this year, next year, or even in the 5 years for which this Commission's life is being extended.

Mr. McCULLOCH. Mr. Speaker, I wish to thank the gentleman from Michigan [Mr. CONYERS], our colleague on the Judiciary Committee, for his contribution.

I yield 2 minutes to the gentleman from Illinois [Mr. McCLORY].

Mr. McCLORY. Mr. Speaker, I thank the gentleman for yielding. I just want to support the gentleman from Ohio in his statement and to state that in my opinion the Civil Rights Commission is a most useful agency in connection with the long-range problem of civil rights. It would be a mistake for this body not to recognize that civil rights problems will be with us for a long time. We need the Civil Rights Commission as a forum before which civil rights problems can be brought, where they can be discussed, and where reliable, factual information can be gathered for the benefit of the Nation, and particularly for the benefit of the Congress.

From the committee meetings, from the report, and from the statements that have been made on the floor today I would conclude that this is the most useful agency which we can have in connection with the problem of civil rights.

Mr. McCULLOCH. Mr. Speaker, I should like to address a question to the gentleman from Illinois. Is it not a fact that some of the most effective legislation which the Judiciary Committee has approved and the Congress has passed came from recommendations made by the Commission, such as the Voting Rights Act of 1965?

Mr. McCLORY. That is my understanding.

Mr. McCULLOCH. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS of Maryland. Mr. Speaker, I thank the gentleman for yielding this time to me. The distinguished gentleman from Ohio, the ranking Republican member of the Judiciary Committee, has long been identified with legislation which has helped to establish and to continue the life of the Civil Rights Commission. So I am particularly happy to be associated with him in supporting this legislation today. I would be happier, as I am sure he would be happier, if this were a bill which would make the Civil Rights Commission a permanent Commission. But I think that we can support the bill in good conscience today, in view of the fact that this is a substantial extension of the life of the Commission, and that after the expiration of 5 years of new life which we will provide, there will be a further opportunity to make it a permanent Commission.

I say that it ought to be a permanent Commission because it deals with the civil rights of everyone. Because of the nature of the problems that have plagued our society in the last few years there is the tendency to believe that civil rights are solely connected with racial tensions. But this is not so.

As my distinguished colleague from Florida mentioned a few moments ago, there are civil rights related to the right to vote. That is a civil rights problem. It has nothing to do with race as such, or it need have nothing to do with race. This should be a problem with which the Commission should concern itself.

Civil rights are rights that every American has. They are rights to do something—the right to be educated, the right to vote, the right to be represented in this House, and many other civil rights which all of us have. They do not necessarily have a racial connotation. But civil rights are rights which every American has. These are rights which the Commission is constantly supervising. The purpose of the Commission is to find facts.

I believe the Commission has done a superb job of finding facts. In the course of its existence, it has published some very distinguished reports. They are reports which cover broad areas. They are reports which committee counsel has at the table. They are reports which have been of great help to the Judiciary Committee in the discharge of its legislative responsibilities.

Again, these reports are not related solely to the rights of one group of Americans, but to the rights of all Americans. As our society grows—and, I hope, improves and prospers—different kinds of civil rights problems may be presented from those which are in the forefront today. This is why I believe we need a continuing Civil Rights Commission, one that will watch over these rights and one that will relate to Congress the problems of the day so that we can legislate effectively in these areas.

At this point I would like to offer an article that appeared in this morning's Washington Post. The article is as follows:

U.S. RIGHTS UNIT CITES POLITICAL BIAS IN SOUTH

(By David S. Broder)

A year-long investigation by the Federal Civil Rights Commission has found evidence of "numerous incidents" of discrimination against Negroes by both political parties in the South, a Commission official said yesterday.

William L. Taylor, the Commission's staff director disclosed in an interview the preliminary results of its investigation of political practices in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, South Carolina and Tennessee.

"Problems of discrimination of one kind or another were found in most of the states," he said.

The most widespread complaints were directed at both Democratic and Republican parties, Taylor said. These concerned the absence of Negroes among the official primary and general election-day poll workers and the failure of local party officials to give adequate notice and publicity to party caucuses and conventions.

DIRECTED AT DEMOCRATS

Aside from these general problems, Taylor said, specific complaints about exclusion of Negroes from party processes were directed almost exclusively against the Democrats, still dominant at the local level in the eight states the Commission investigated.

The only allegation of discrimination against a Republican official concerned the action by county GOP committee in one state which rejected a Negro candidate's filing papers for the State Legislature. The county committee's action was reversed by the State Republican executive committee in that instance, Taylor said.

But Taylor said there were "numerous incidents," ranging from direct intimidation to subtle forms of discrimination, involving complaints against local and state Democratic officials in the eight Southern States.

A special equal rights committee of the Democratic National Committee is scheduled to meet here Wednesday to discuss guarantees against discrimination in the selection of delegates to the 1968 national convention.

FORMED IN 1964

The special committee was formed in the aftermath of the 1964 convention controversy over the predominantly Negro Mississippi Freedom Democratic Party's challenge to the seating of the Mississippi delegation. It has a mandate from the 1964 convention to "assure that voters in (every) state, regardless of race, color, creed or national origin, have the opportunity to participate fully in party affairs . . ."

Gov. Richard J. Hughes (D-N.J.) took over chairmanship of the committee earlier this year after the death of its original chairman, former Gov. David L. Lawrence of Pennsylvania. The committee is expected to begin drawing up guidelines Wednesday for specific standards that the state parties will have to meet in order to have their delegates accepted in 1968.

Taylor said the Commission investigation findings would be made available, on request, to officials of both Republican and Democratic parties. The Republican party has no specific rule on non-discrimination and no panel comparable to the Hughes committee.

According to the staff director, the Civil Rights Commission launched its investigation after receiving several complaints that newly registered Negro voters and would-be Negro candidates were finding discrimination from party officials in the South in their effort to join party activities.

Taylor noted that the Voting Rights Act of 1965, which led to a spurt in Negro registration in Southern states, extended its guarantees against discrimination to "all action necessary to make a vote effective in any primary, special, or general election . . . with respect to candidates for public or party office."

Investigators for the Commission, under general counsel Howard Glickstein and attorney Frank Parker, interviewed Negro complainants, civil rights leaders and officials of both parties in 30 counties in the eight states during the past 12 months, Taylor said.

The staff's findings and recommendations will be submitted to the Commission and then reported sometime next fall, Taylor said. There are no current plans for public hearings in the South.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS of Maryland. I yield to my friend from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

As the gentleman from Maryland probably knows, there was a riot in Waterloo, Iowa, my home city, during the last weekend, reportedly because of an invasion of professional agitators from Detroit, Mich.

Since the gentleman is so sold on the Commission's ability to dispense rights to others regardless of race, creed, color, or other condition of servitude, what are the rights of the merchants and others whose properties were the targets of Molotov cocktails, rocks, and other devices for destruction? What are their rights?

Mr. MATHIAS of Maryland. Mr. Speaker, I would say to my distinguished friend from Iowa that his constituents of Waterloo, Iowa, have very basic rights in this situation, rights that I believe will be better protected if we have the Civil Rights Commission looking into instances of disturbances, looking into the reasons behind these riots, bringing to the attention of the Congress the problems that exist. If there are wrongs being perpetrated, the Commission will find out what they are.

I believe the gentleman from Iowa will agree with me that if we can surface these problems, if we can see who is at fault, and what is at fault, and if we can discern the answers, there will be fewer riots in Waterloo, Iowa.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McCULLOCH. Mr. Speaker, I yield an additional minute to the gentleman from Maryland.

Mr. Speaker, will the gentleman yield?

Mr. MATHIAS of Maryland. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Mr. Speaker, I should like to give a partial answer to the question of my colleague from Iowa.

Of course, those unlawful acts—if any there were in Waterloo—and I am not denying them; I am saying if there were unlawful acts in Waterloo, they are proscribed by the laws of the State of Iowa. Complaints may be filed against the transgressors or, if they be certain offenses, the transgressors may be indicted by the grand jury if the facts warrant indictment, and they may be brought to trial.

Furthermore, I am happy to say to my friend from Iowa, there is likely to come onto the floor for debate and vote this week the antiriot legislation, which passed this body in 1966, which would proscribe the movement of people in and out of interstate commerce in fomenting and inciting and organizing riots.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. Mr. Speaker, I yield for one question.

Mr. GROSS. Mr. Speaker, if we are to depend on State law in the State of Iowa—and I hope the reliance will be upon the State law, for God help the people of my State if they must rely on the Federal arm of government—if we are going to do that, then why have a Civil Rights Commission, the only accomplishment of which has been to spend several millions of dollars?

Mr. McCULLOCH. Mr. Speaker, I yielded for one question, and my answer to the question of my good friend from Iowa is the same answer that goes for the legislation that proscribed automobile theft in interstate commerce, interstate activities in prostitution, and in kidnaping, and the like.

Furthermore, in few if any Federal laws have we assumed jurisdiction, at the loss of any State. It is supplemental legislation.

If Iowa, Ohio, or Louisiana should fail to enforce criminal laws, such failure would be primarily the fault of the officials and the citizens of those respective States.

Mr. CELLER. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Speaker, I rise in support of H.R. 10805.

The gentleman from Iowa just alluded to "condition of servitude" in discussing the fields of concern of the Civil Rights Commission.

I am pleased to report that the 13th amendment to the Constitution has ended that particular problem, and the Commission does not have to grapple with it.

The U.S. Commission on Civil Rights is an independent, bipartisan agency established by the Congress under the Civil Rights Act of 1957. The Department of Justice earlier this year reaffirmed "the valuable contribution of the Commission to our understanding of racial problems in diverse areas," and strongly urged the importance of permitting the Commission to continue its work.

The Commission's sole function, from the beginning, has been to find facts—to identify the areas where inequities exist and equal opportunity is denied, and to report these facts to the President, the Congress, and the Nation. It is not charged with enforcement powers of civil rights laws.

In 1964, we extended the Commission until January 1968. Because of this additional grant of time, the Commission has been able to undertake a variety of studies that would not have otherwise been possible. The Commission has been able to plan for long-range projects and more comprehensive programs. The 5-year extension, as provided in this legislation, will enable the Commission to continue to its optimum worth.

I urge passage of H.R. 10805 as being in the best interest of the Nation.

Mr. CELLER. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Speaker, I should like to ask a question or two of the chairman of the committee on the report, which is, as the gentleman from Iowa says, largely a personal opinion of a single staff member of the Civil Rights Commission.

Dealing with one of the reports, which the Commission during its existence has issued, there is listed the report on "Racial Isolation in Public Schools in 1967."

Is this not the particular report wherein the Civil Rights Commission chose to recommend reform of the school systems of northern Virginia, Maryland, and the District of Columbia, and recommended a reorganization of these schools and busing students between two sovereign States and the District of Columbia to achieve their version of racial balance in schools?

Mr. CELLER. I cannot answer that question, because I do not recall exactly what were the recommendations. I have the volume here. Given time, probably I could answer.

I am sorry I cannot give the gentleman an adequate answer at the moment.

Mr. WAGGONNER. Can the gentleman recall one instance of a study or a report which has been issued by the Civil Rights Commission which was not predicated upon race? We speak of other civil rights, but has the Civil Rights Commission issued a report on any other basis?

Mr. CELLER. I do not know of any. I can say this, though, in reply to the gentleman's question: there was a report on law enforcement with reference to civil rights, called the "Report on Equal Protection in the South." I know the gentleman is familiar with that. That certainly impinged very directly on civil rights and constitutional rights, beyond question.

Mr. WAGGONNER. The gentleman in his initial statement set forth the possibility that in the future work of the Commission it would conduct particular investigations in the North. Does this constitute an admission on the part of the Civil Rights Commission and others who are concerned that there is a need because of existing discrimination for the Civil Rights Commission to expand its activities out of the South?

Mr. CELLER. I would be the last man in the world to say there is no discrimination based on race, color, or creed in the North. I would say we have that discrimination in my own bailiwick, Brooklyn, N.Y., in New York State, and in many other States of the North. Certainly the Civil Rights Commission should direct attention to it.

Mr. McCULLOCH. Mr. Speaker, I should like to say, in answer to the question of the gentleman from Louisiana, that the U.S. Commission on Civil Rights made a study and issued a report in 1966 entitled "Children in Need."

"Children in Need." That has no reference to race, as such, but to poverty.

Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. MacGregor].

Mr. MacGREGOR. Mr. Speaker, it is unusual in this body when every member of a subcommittee joins in sponsoring the same item of legislation. H.R. 10805, the bill to extend the life of the Civil Rights Commission for 5 years, is sponsored by all seven of the Democrats and by all six of the Republicans serving on Subcommittee No. 5 of the House Committee on the Judiciary. As we approach a vote on this matter it is important to understand the limited authority and powers of the Civil Rights Commission, because, as the chairman of the Committee on the Judiciary just said, primarily it is a factfinding body. This is a body that seeks to facilitate the transmission of information on a problem or a series of problems or a whole family or area of problems of vital concern to all Americans, regardless of the color of their skin or the circumstances of their birth. It also makes recommendations. Those recommendations in and of themselves will not affect the school system of northern Virginia. Those recommendations in and of themselves will not solve the problem of riots in Waterloo, Iowa, or anywhere else. But Mr. Speaker, if Congress has a serious weakness today it lies in having an insufficient factual foundation of knowledge on current problems so as to legislate intelligently. No one in this body need accept any of the recommendations or conclusions of the Civil Rights Commission. Each of us, however, can benefit from the factfinding function of this committee, headed as it is by such a distinguished educator and administrator as the president of Michigan State University and including in its membership Father Hesburgh of Notre Dame University and the other distinguished members listed by the able gentleman from Ohio [Mr. McCulloch].

Mr. MATHIAS of Maryland. Mr. Speaker, will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman from Maryland.

Mr. MATHIAS of Maryland. I just want to call the attention of the House to the sheer weight of the volumes that have been produced in recent months and years by the Civil Rights Commission.

The SPEAKER. The time of the gentleman has expired.

Mr. CELLER. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. MacGREGOR. I yield further to the gentleman from Maryland [Mr. Mathias].

Mr. MATHIAS of Maryland. I thank the gentleman for yielding.

I would like to point out these volumes include reports on education, employment, housing, justice, a general report on civil rights, the hearings in Cleveland, Ohio, the hearings on the administration of justice, the report on law enforcement, the report on public education and on racial isolation in public schools, just to name a few outstanding examples of the factfinding function of the Commission.

I think our friend from Iowa expects too much of this Commission. What it does is find facts.

Mr. MacGREGOR. I am glad that the gentleman from Maryland mentioned the reports with respect to the State of Ohio, because this reminds me of the fact that the Civil Rights Commission has in turn spawned citizen advisory committees in virtually all of our States. Much of its work in Ohio recently is a direct result of the initiative of the citizens advisory committee of that State.

Mr. ABBITT. Mr. Speaker, when the Civil Rights Commission was created in 1957, it was proposed as a temporary organization which would cease to exist "60 days after the submission of its final report." The final report was to be submitted "not later than 2 years from the date of the enactment of this act." Ten years later, the Civil Rights Commission is still with us and is supposed to submit its final report not later than January 31, 1968. The Civil Rights Commission complains that it cannot maintain a competent staff unless it is given a 5-year extension instead of the shorter term extensions previously granted. This in itself demonstrates that the Civil Rights Commission has no intention of ever submitting a final report. Thus what starts out as temporary becomes permanent as far as Federal creations are concerned. Dissenting members of the Judiciary Committee warned of this in 1957, and I supported their contentions.

If this Commission deserved continuation, I would propose an amendment to make it permanent. However, it should never have been permitted to continue so long. The most significant recent accomplishment of the Civil Rights Commission is the publication of the results of a yearlong study entitled "Racial Isolation in the Public Schools," a document so radical in its recommendations that the White House and even Federal education czar Harold Howe II have followed a hands-off policy.

Among other things proposed by the Civil Right Commission in this study was the enactment of a Federal statute requiring uniformly across the country the elimination of racial imbalance, which they define as any school having more than 50 percent of its students with nonwhite skin. Communities without enough white students in the area presumably would have to bus them in to fullfill percentage racial requirements. The long range proposal to overcome racial imbalance is to require that sites selected for low-rent Federal housing projects be chosen and rentals made on a basis which will bring about the proper racial mixture. Even urban renewal projects must follow this line to win approval. In other words, the answer to our problems, according to the Commission, lies in racism—the forcing of people to reside and attend school because of the color of their skin.

I wonder how the Civil Rights Commission missed altogether the complaints of Negro parents now being reported by the press against the elimination of predominantly Negro schools?

By extending the life of the Civil Rights Commission, we are promised that more projects of this type can be undertaken. I can say without a moment's hesitation that anything too radical for the White House and Commissioner Howe is definitely too radical for me, and I, for one, do not wish to finance any more such projects. I was recently forced by a sense of responsibility to vote for an increase in the debt ceiling caused by continuous waste and overspending of the peoples' money. I think the Record will show that I did not help create this financially unsound situation which the increased debt ceiling represents. To continue this Commission is, in itself, unjustifiable; to finance such radical mischief without a national debt hanging over us would be inexcusable; but to pay for this rot when we must raise the debt ceiling, lay out more than $14 billion in interest on the national debt, and are asked to raise taxes is unconscionable, irrational, and deserving of the condemnation of every taxpayer in the country.

For 1968, the House allowance for the Civil Rights Commission is $2,650,000 for the support of the Commission and its 153 employees. This works out to an expenditure of $17,320 salary and expenses to keep each staff member on the job. Considering the work done, one dollar could not be justified.

Members may tell their constituents that they are looking for ways to reduce Federal spending. Here is an opportunity to vote a constructive "no" and live up to those statements about economy that pour forth from our offices.

Let the Civil Rights Commission submit its final report by January 31, 1968, as the present law requires, and let us be done with this unsound crowd.

Mr. FEIGHAN. Mr. Speaker, this bill, H.R. 10805, which extends the existence of the Civil Rights Commission from January 31, 1968 to January 31, 1973, merits the approval of this House.

The President, in his message relative to racial discrimination, has recommended the extension of the Commission for an additional 5 years, as has the Department of Justice.

The U.S. Commission on Civil Rights, as we all know, is an independent, bipartisan agency which was established by Congress in 1957. Its existence has been extended from time to time by the Congress. There should be no doubt in anyone's mind that the existence of the Commission on a periodic basis has given rise to problems, such as hiring of personnel and planning. In 1964, the Congress extended the term of the Commission. It has been able to undertake studies on a variety of issues and to plan long-range projects, while in the past the Commission's program was one of factfinding and reporting of the denial of civil rights on the part of Negroes, particularly in the South. At present, the same program has been launched into the civil rights problems in the North. The Commission has been able to broaden its program beyond the scope of the basic civil rights problems, such as denial of the right to vote, discrimination in housing, and school segregation. There are many problems today in the field of civil rights which require the extension of the Commission. I emphasize that its principal function remains only to find facts and report to the President and the Congress. There is no law enforcement authority granted to the Commission.

The Commission is the only agency within our governmental structure which operates independently to study and analyze the impact of the various programs which the Government has undertaken. It is in a position to determine whether or not the policy contained in these programs is being effectively implemented on all levels—Federal, State, and local. It works closely with its State advisory committees. It cooperates and has close liaison with the various Federal departments administering programs.

In the past, the Commission's work has dealt principally with the issue of the denial of civil rights of Negroes, but presently it is about to consider the civil rights problems of other minority groups. The American Indian, and the Mexican-American are subject to denial of civil rights and there is a great need for study to be done in these fields. The need here is for an independent, factfinding body, which the Commission is, in order to determine objectively what the facts are and to recommend what needs to be done. There is no agency in the Federal Government other than this Commission which can perform this necessary work. If this Congress is to legislate effectively, we need facts. The Commission is the agency which can submit these facts. Therefore, I recommend to this body favorable consideration of this legislation.

Mr. WILLIAMS of Mississippi. Mr. Speaker, we are considering a bill to extend for 5 years an agency which, in my opinion, is useless. It has become the propaganda mouthpiece of militant civil rightists.

In city after city, the Commission has held hearings which have distorted the true picture of racial relations. It affords twisted minds the opportunity of achieving the greatest amount of publicity. Irresponsible and reckless charges are made without the Commission making any effort to control such outbursts.

The Civil Rights Commission is costing the American taxpayers over $2½ million each year. The prime goal of the Commission now appears to be bringing about racial balance in public schools. The Chairman of the Commission made this astounding statement to the Committee on Appropriations:

> We consider long range that we will never really have as good education for negroes as for whites until we have a greater degree of racial balance than we have now.

Thus, the Chairman of the Civil Rights Commission parrots the line taken by militant civil rights activists who constantly insult the intelligence of American Negroes by declaring they are incapable of acquiring knowledge unless they sit by a white child.

The House would perform a great public service, give the taxpayers a break, and improve racial relations by defeating this bill.

The SPEAKER pro tempore (Mr. ALBERT). All time has expired.

The question is on the motion of the gentleman from New York [Mr. CELLER] that the House suspend the rules and pass the bill H.R. 10805.

Mr. CELLER. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. WAGGONNER. Mr. Speaker, a parliamentary inquiry.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that I may be permitted to withdraw my point of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, on that motion I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 284, nays 89, not voting 59, as follows:

[Roll No. 163]

YEAS—284

Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Bates
Battin
Bell
Betts
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Burke, Mass.
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Cohelan
Conte
Conyers
Corbett
Corman
Cowger
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Derwinski
Devine
Dole
Donohue
Dow
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Findley
Fino
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gubser
Halleck
Halpern
Hamilton
Hanley
Hanna
Harrison
Harsha
Harvey
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Karsten
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kyros
Laird
Langen
Latta
Leggett
Lipscomb
Lloyd
Long, Md.
McCarthy
McClory
McCulloch
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
MacGregor
Machen
Madden
Mailliard
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meskill
Michel
Miller, Ohio
Minish
Mink
Minshall
Mize
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Multer
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
Ottinger
Patten
Pelly
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Pollock
Price, Ill.
Pucinski
Quie
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Sullivan
Taft
Talcott
Teague, Calif.
Tenzer
Thompson, N.J.
Thomson, Wis.
Udall
Tiernan
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Watkins
Watts
Whalen
Whalley
White
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—89

Abbitt
Abernethy
Andrews, Ala.
Ashbrook
Ashmore
Belcher
Bennett
Bevill
Blackburn
Blanton
Brinkley
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Cabell
Colmer
Cramer
Davis, Ga.
Dickinson
Dorn
Dowdy
Downing

Duncan
Edwards, Ala.
Edwards, La.
Everett
Fisher
Flynt
Fountain
Fuqua
Galifianakis
Gardner
Gathings
Gettys
Gross
Gurney
Haley
Hall
Hammerschmidt
Hardy
Henderson
Herlong
Jarman
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Kornegay
Kuykendall
Landrum
Lennon
Long, La.
McMillan
Mahon
Marsh
Mills
Montgomery
Nichols
Passman
Patman
Poage
Poff
Pool
Price, Tex.
Pryor
Quillen
Rarick
Rivers
Roberts
Rogers, Fla.
Satterfield
Scott
Selden
Sikes
Smith, Okla.
Snyder
Stuckey
Taylor
Teague, Tex.
Thompson, Ga.
Utt
Waggonner
Wampler
Whitener
Whitten
Williams, Miss.
Willis

NOT VOTING—59

Adair
Baring
Barrett
Berry
Brock
Burton, Utah
Clawson, Del
Cleveland
Collier
Conable
Dent
Diggs
Dingell
Feighan
Flood
Friedel
Grover
Gude
Hagan
Hansen, Idaho
Hansen, Wash.
Hathaway
Hébert
Hungate
Karth
King, Calif.
Kyl
Lukens
McClure
McDade
Martin
Meeds
Miller, Calif.
Monagan
Moore
Moorhead
Morgan
Moss
Murphy, N.Y.
O'Konski
O'Neal, Ga.
O'Neill, Mass.
Pepper
Purcell
Reifel
Reinecke
Reuss
Rostenkowski
Sandman
St Germain
St. Onge
Shipley
Smith, N.Y.
Staggers
Stephens
Tuck
Tunney
Watson
Wilson, Charles H.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. O'Neill of Massachusetts and Mr. St. Onge for, with Mr. Hébert against.

Mr. King of California and Mr. Dent for, with Mr. O'Neal of Georgia against.

Mr. Barrett and Mr. Miller of California for, with Mr. Tuck against.

Mr. Feighan and Mr. Murphy of New York for, with Mr. Hagan against.

Mr. Moore and Mr. Conable for, with Mr. Watson against.

Until further notice:

Mr. Hungate with Mr. Martin.
Mr. Monagan with Mr. Grover.
Mr. Friedel with Mr. Halpern.
Mr. Charles H. Wilson with Mr. Reinecke.
Mr. Karth with Mr. Hansen of Idaho.
Mr. Dingell with Mr. Berry.
Mr. Rostenkowski with Mr. Collier.
Mr. Shipley with Mr. Del Clawson.
Mr. Reuss with Mr. Burton of Utah.
Mr. St Germain with Mr. Cleveland.
Mr. Morgan with Mr. McDade.
Mr. Moorhead with Mr. Smith of New York.
Mr. Flood with Mr. Brock.
Mr. Hathaway with Mr. Sandman.
Mr. Purcell with Mr. Adair.
Mr. Moss with Mr. Reifel.
Mr. Staggers with Mr. O'Konski.
Mr. Diggs with Mr. Meeds.
Mr. Baring with Mr. Lukens.
Mr. Tunney with Mr. McClory.
Mr. Pepper with Mr. Kyl.
Mr. Stephens with Mrs. Hansen of Washington.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

IMPROVEMENT IN BENEFITS AND FINANCIAL STRUCTURE OF FEDERAL EMPLOYEES' INSURANCE PROGRAM

Mr. DULSKI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11089) to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund.

The Clerk read as follows:

H.R. 11089

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 8704(a) of title 5, United States Code, is amended to read as follows:

"(a) An employee eligible for insurance is entitled to be insured for an amount of group life insurance plus an equal amount of group accidental death and dismemberment insurance, in accordance with the following schedule; which schedule shall be automatically extended correspondingly whenever the rate of annual pay assigned by section 5313 of this title to positions of level II of the Executive Schedule is increased:

"If annual pay is—		The amount of group life insurance is—	The amount of group accidental death and dismemberment insurance is—
Greater than—	But not greater than—		
0	$750	$1,000	$1,000
$750	1,500	2,000	2,000
1,500	2,250	3,000	3,000
2,250	3,000	4,000	4,000
3,000	3,750	5,000	5,000
3,750	4,500	6,000	6,000
4,500	5,250	7,000	7,000
5,250	6,000	8,000	8,000
6,000	6,750	9,000	9,000
6,750	7,500	10,000	10,000
7,500	8,250	11,000	11,000
8,250	9,000	12,000	12,000
9,000	9,750	13,000	13,000
9,750	10,500	14,000	14,000
10,500	11,250	15,000	15,000
11,250	12,000	16,000	16,000
12,000	12,750	17,000	17,000
12,750	13,500	18,000	18,000
13,500	14,250	19,000	19,000
14,250	15,000	20,000	20,000
15,000	15,750	21,000	21,000
15,750	16,500	22,000	22,000
16,500	17,250	23,000	23,000
17,250	18,000	24,000	24,000
18,000	18,750	25,000	25,000
18,750	19,500	26,000	26,000
19,500	20,250	27,000	27,000
20,250	21,000	28,000	28,000
21,000	21,750	29,000	29,000
21,750	22,500	30,000	30,000
22,500	23,250	31,000	31,000
23,250	24,000	32,000	32,000
24,000	24,750	33,000	33,000
24,750	25,500	34,000	34,000
25,500	26,250	35,000	35,000
26,250	27,000	36,000	36,000
27,000	27,750	37,000	37,000
27,750	28,500	38,000	38,000
28,500	29,250	39,000	39,000
29,250		40,000	40,000".

(b) Section 8707 of title 5, United States Code, is amended to read as follows:

"§ 8707. Employee deductions; withholding

"During each period in which an employee is insured under a policy of insurance purchased by the Civil Service Commission under section 8709 of this title, there shall be withheld from the pay of the employee his share of the cost of his group life insurance and accidental death and dismemberment insurance. The amount withheld shall be at the rate, adjusted to the nearest half cent, of 60 per centum of the level cost of each $1,000 of insurance, as determined by the Commission. The amount withheld from an employee paid on other than a biweekly basis is determined at a proportional rule adjusted to the nearest half cent.".

(c) Section 8708(a) of title 5, United States Code, is amended to read as follows:

"(a) For each period in which an employee is insured under a policy of insurance purchased by the Civil Service Commission under section 8709 of this title, a sum equal to two-thirds the amount which is withheld from the pay of the employee under section 8707 of this title shall be contributed from the appropriation or fund which is used to pay him.".

SEC. 2. The amendments made by this Act shall take effect on the first day of the first pay period which begins on or after the sixtieth day following the date of enactment of this Act, but shall have no effect in the case of any employee who died, was finally separated, or retired before such date of enactment. In the case of an employee who dies or retires during the period beginning on the date of enactment of this Act and ending immediately before the effective date of such amendments, the amount of insurance shall be determined as if such amendments were in effect during such period.

The SPEAKER. Is a second demanded?

Mr. CORBETT. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from New York [Mr. DULSKI] is recognized for 20 minutes.

Mr. DULSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 11089 provides a long-overdue modernization of the Government employees' life insurance program. The program was established by Public Law 598 of the 83d Congress, approved August 17, 1954. There has been no substantial change in the program for nearly 13 years.

H.R. 11089 makes three major changes. It replaces the outdated $20,000 maximum of insurance, set in 1954, with a $40,000 maximum. It grants every employee insurance equal to 1⅓ times his annual salary carried to the next higher thousand dollars. And it provides for financing the full level cost of the program, with premiums shared by employees and the Government on a 60–40 basis. Presently, employees pay two-thirds, and the Government pays one-third of fixed-rate contributions which fall about 8 cents per thousand dollars biweekly short of covering the full level cost.

Mr. Speaker, our Subcommittee on Retirement Insurance, and Health Benefits—and particularly the subcommittee chairman, the distinguished gentleman from New Jersey [Mr. DANIELS]—are to be highly commended for their fine work in developing this excellent bill and bringing it before the House.

Mr. Speaker, I yield 10 minutes to the chairman of the subcommittee, the gentleman from New Jersey [Mr. DANIELS].

Mr. DANIELS. Mr. Speaker, H.R.

11089, the bill under consideration, serves two vital purposes by incorporating important changes in the Federal employees' group life insurance program. First, it provides improvement in the insurance protection of all Federal employees by increasing present coverage at least 33⅓ percent. Second, it not only provides for full funding of the proposed benefits by the employees and the Government, but for sharing the full costs of the presently underfinanced program as well.

The Government life insurance program is one upon which 2½ million Federal employees and several more millions of their family members depend heavily for the major part of their total insurance protection. The number and scope of bills that have been introduced on the subject demonstrate the keen interest of Members of Congress in the progress of the program's 13-year history. In fact, both the House and Senate last year demonstrated their concern for the inadequacies existing, and deficiencies being incurred, in the program by unanimously adopting a measure which provided greater benefits, at a higher price tag, than the proposal recommended by the Committee on Post Office and Civil Service today. H.R. 6926 of the 89th Congress, passed by the Congress without a dissenting vote, differed from H.R. 11089 by providing an additional $2,000 of insurance not subject to reduction after retirement.

Most of us recall, I am sure, that the President attributed his disapproval of that bill to the inflationary dangers then present in the economy, and the high costs entailed to both the employees and the Government. The total cost of the vetoed bill would have come to about $196 million, $105 million of which would have been paid by employees, and $91 million of which would have involved additional Government expenditures to the program.

To overcome these objections, the committee has agreed to a modification that reduces the total annual cost by almost $90 million, while providing a progressive and attractive plan and fully financing all present and proposed costs. Since enactment in 1954 of an insurance program for Federal employees on a cost-sharing basis, coverage equal to the next higher thousand dollars approximating an employee's annual salary has been provided. Maximum coverage geared to the top salary levels existing in 1954 has been limited to $20,000. The maximum premium authorized upon enactment has been consistently charged—25 cents biweekly to the employees and 12½ cents to the Government, totaling 37½ cents for each thousand dollars of coverage.

Free insurance coverage is available to retiring employees under certain conditions. Such coverage reduces, however, by 2 percent per month beginning upon retirement or at age 65, whichever occurs later. Minimum protection equal to 25 percent of the original face value is reached 38 months after the postretirement reduction begins.

The maximum 37½ cents biweekly premium authorized by law has been charged since the program's creation. Although such premium had been contemplated to be sufficient to pay the level costs of the benefits, several relatively minor amendments to the law, without any increase in premiums, have increased the program's costs. These amendments encompassed lowering the requirements for free coverage after retirement from 15 years to 12 years; the crediting of military service toward such service requirements and a change whereby active employees over age 65 continue to be covered by the full face value of their policies. The rise in actuarial determinations that the level costs currently require a total premium of at least 45½ cents rather than 37½ cents, is attributable, principally, to these past liberalizations.

Evidence developed by the committee during public hearings in the 89th Congress, and again in the 90th Congress, indicates that insurance programs offered workers by employers in the private sector have progressed far beyond the Federal program, which has been largely unchanged since its inception. It is shown that the cost-sharing for life insurance programs in private industry has improved markedly, some industries paying all of the premiums and most sharing at least one-half.

While H.R. 11089 does not go as far as some measures would contemplate, nor to the extent employees and their representative organizations have urged, it is the unanimous judgment of the committee that a reasonable increase in life insurance coverage is highly desirable and prudently wise. The bill under consideration accomplishes a dual objective by extending greater protection for lower paid employees who can least afford to provide adequate insurance entirely at their own expense, and by furnishing appropriate coverage for higher level employees where recruitment and retention in Government service are most essential. It further modernizes the program by updating its maximum coverage which, in the opinion of the committee and the administration, is totally unrealistic in relation to current salary levels.

Although there is considerable sentiment to require equal sharing of premium costs, comparable to the minimal practice in private enterprise today, it is the consensus of the committee that the program's cost-sharing ratio be modernized from a 2-to-1 basis to a 3-to-2 basis—the employees' share to be increased from 25 cents to 27½ cents, and the Government's share to be increased from 12½ cents to 18⅓ cents per thousand. I wish to point up the fact that the employees will continue to pay the major portion—60 percent—of the total insurance premium. The bill removes the present statutory limitation of 25 cents per thousand and authorizes the Civil Service Commission to adjust premium rates in the event future actuarial determinations indicate increases as necessary to fully cover the level costs of the benefits.

Failure to provide for payment of premiums to cover the level costs of the benefits has resulted in annual deficiencies of $40 million. Experience has evidenced that failure of the Government to assure adequate financing of trust funds similar to the employees' life insurance fund inevitably leads to serious trouble. I have only to invite your attention to the fact that the history of the Government's contributions to the civil service retirement fund, has been one of "too little and too late." That kind of history, which presently causes a serious threat to its financial integrity, must not be repeated in the employees' life insurance program. The bill fulfills the present and future financial needs of this program.

H.R. 11089 will accomplish these objectives:

First, it fills, to a reasonable degree, the inadequacies of protection by increasing each employee's coverage by at least 33⅓ percent;

Second, it extends such coverage to persons earning up to $30,000 and provides for automatic adjustment of the insurance schedule at such time as upper level salary schedules might be further extended;

Third, it overcomes the program's financial deficiencies by requiring full funding of the level costs of the benefits by a revised cost-sharing ratio.

Mr. Speaker, it is the consensus of the Committee on Post Office and Civil Service that H.R. 11089 offers answers to the objectives of a progressive program that is meaningful and essential to its financial needs, and one which serves the best interests of both the employees and the Government. Mr. Speaker, I urge the Members of this body to wholeheartedly support the bill H.R. 11089, as it is unanimously reported by the Committee on Post Office and Civil Service.

Mr. OLSEN. Mr. Speaker, will the gentleman yield?

Mr. DANIELS. I shall be happy to yield to the distinguished gentleman from Montana.

Mr. OLSEN. For a Member of Congress with reference to the reductions, it is 2 percent per month until it reaches 25 percent?

Mr. DANIELS. Not only for a Member of Congress, but for all Federal employees.

The bill under consideration provides for reductions after the age of 65 or retirement, whichever occurs later. The policy reduces at the rate of 2 percent per month, and 38 months later the policy will have reduced by 75 percent of the principal sum, leaving a balance of 25 percent of insurance in force.

Under the existing insurance program Members are entitled to $20,000 of life insurance. After retirement, it would reduce to a basic level of $5,000. Under the proposed bill each Member would have no less than $10,000.

Mr. OLSEN. And, Mr. Speaker, if the gentleman will yield further, with respect to other employees, what is the improvement proposed?

Mr. DANIELS. What is the improvement with reference to other employees?

Mr. OLSEN. Yes. Is it the same 25 percent of the total?

Mr. DANIELS. The same formula applies to all Federal employees. The policy would reduce at the rate of 2 percent a month for the period of 38 months, to 25 percent of the principal sum.

Mr. OLSEN. Twenty-five percent; yes.

Mr. DANIELS. Yes, leaving a balance of 25 percent of the principal sum.

Mr. OLSEN. I thank the gentleman.

Mr. DANIELS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. NIX] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. NIX. Mr. Speaker, I am pleased to rise in support of H.R. 11089, a bill amending the benefits and financing structure of the group life insurance plan available to the employees of the United States, which has been reported to the House unanimously by the Committee on Post Office and Civil Service and its Subcommittee on Retirement, Insurance, and Health Benefits and cosponsored by 20 of its Members.

The present program insures each employee in an amount equal to the highest thousand dollars exceeding his annual salary, up to a maximum of $20,000. The employee pays $6.50 for each thousand dollars of coverage per year, or two-thirds of the cost. The employing agency contributes $3.25 each year per thousand, or one-third of the cost.

After retirement on disability or on an immediate annuity upon completion of at least 12 years' service, the insurance is provided on a cost-free depreciating basis, the value of the policy eventually declining to 25 percent of its original face value. Accordingly, an employee whose salary is $7,200 is insured for an amount of $8,000, which subsequently depreciates to $2,000 after retirement.

H.R. 11089 proposes increasing such an employee's coverage, predicated upon each $750 or part thereof of salary, to $10,000. The minimum amount of post-retirement coverage would be accordingly increased to $2,500. The employee would continue to pay the major share of the premium, approximately $7.15 for each thousand dollars of coverage each year, and the Government approximately $4.72.

Testimony presented to the subcommittee, during its hearings on H.R. 464, recommended modifying the postretirement reduction from 2 percent to 1 percent each month, and revising the maximum amount of depreciation from 75 percent to 50 percent of full value. Several organizations urged the inclusion of previously retired employees, with particular respect to extending to them the irreducible $2,000 additional unit of coverage contemplated in the introduced bill.

Being cognizant of the needs of the Government's faithful retirees and their survivors, the committee gave thorough and sympathetic consideration to such proposals. Providing active employees with $2,000 of unreducing coverage would have entailed a Government cost of $35 million annually, and was deleted from the pending measure to enhance the prospect of final approval. To extend the deleted provision to 400,000 deserving annuitants would have entailed an additional Government cost of $800 million. The budgetary realities of today simply precluded the committee from incorporating such a proposal in H.R. 11089.

Mr. Speaker, the bill under consideration does not go as far as some proponents would desire. However, it is a reasonable measure, one which is financially sound, and a definite step toward a progressively ideal life insurance program. I urge its wholehearted adoption.

Mr. CORBETT. Mr. Speaker, I yield 1 minute to the gentleman from Virginia [Mr. SCOTT].

Mr. SCOTT. I appreciate the gentleman yielding to me. Let me say, Mr. Speaker, that my name does not appear as a cosponsor of this bill, even though I do support it, and I was given that opportunity, but I did not cosponsor the bill because I have some reservations about two of the provisions of the bill.

One is the ratio by which the cost is divided by the Government and the employees. I would prefer to see a 50–50 sharing basis. I would also prefer to see a $30,000 maximum on the amount of insurance rather than the $40,000.

But, Mr. Speaker, this is a good bill and I urge that it be adopted by the House.

Mr. CORBETT. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, back in the year 1954 I sponsored and floor managed the legislation under which this life insurance program came into being. The law has been very slightly changed since that time and it is now obviously quite out of date because of inflation, because of changes in the salary structure, and the like.

This bill, as reported by the Committee on Post Office and Civil Service, does correct many of the inadequate features of the system and by providing a new method for funding it, it is our confident prediction that the program will be self-sustaining—and that it will be a very wholesome thing.

Second, we believe that increasing the maximum amount of insurance available to $40,000 is in keeping with the increased salaries that are paid not only in the Congress but to many of those in the executive branch.

This bill which really could be titled a bill for the relief and security of widows and children is a very wholesome bill, and I hope it passes unanimously as it did in the committee. I hope that because we have retailored it to meet the President's objection to the bill that passed last year that the President will see fit to sign it into law and that we will have for our employees a life insurance program that is more modern and up to date and more in keeping with practices in private industry.

I recognize that this bill does not do everything that some of us would like to see done in this program, but those features, if they ever are enacted into law, will have to wait for another amendment.

So, Mr. Speaker, I again urge that we pass this bill and move it along to the day when it will be the law and all of our employees will be enjoying its many benefits.

Mr. Speaker, I reserve the balance of my time.

Mr. DULSKI. Mr. Speaker, I yield 3 minutes to the gentleman from Montana [Mr. OLSEN].

Mr. OLSEN. Mr. Speaker, I rise in support of the bill, H.R. 11089, which I am privileged to cosponsor.

I want to commend the chairman of the full committee, the gentleman from New York [Mr. DULSKI] as well as the chairman of our subcommittee, the gentleman from New Jersey [Mr. DANIELS] on what has been an excellent job of investigation and negotiation on the subject of what can be done economically and without great expense to the taxpayers in the way of improving the life insurance of Federal employees.

Like our friend, the gentleman from Virginia [Mr. SCOTT] I think we could have had or should have had a greater participation on the part of the employer, but it just would be too expensive at this time.

Mr. Speaker, I rise in support of H.R. 11089, which I am privileged to cosponsor, a bill providing needed improvements in the life insurance program of the Federal work force, while strengthening the financial condition of the employees' life insurance fund.

I wish, first of all, to commend the gentleman from New Jersey, the chairman of the Subcommittee on Retirement, Insurance, and Health Benefits, for his diligence and dedication in seeking to obtain advances in the field of employee benefits and for his continuous concern for the financial soundness of this program that is of such vital importance to all Federal workers and their families. I commend the committee's acting unanimously and responsibly in bringing before the House a measure that keeps faith with our employees, and one which I feel is in the interest of the United States.

Since enactment of the Federal Employees' Group Life Insurance Act of 1954, this program has consistently furnished coverage equal to the employee's annual salary, plus an equal amount of accidental death and dismemberment insurance. It has consistently limited coverage, anachronistically, to the maximum salary ceilings in effect 13 years ago. It has been equally consistent in failing to authorize premiums sufficient to cover the full costs of the benefits payable—a failure which incurs an annual deficit in the insurance fund of $40 million.

During the 13-year history of the program, the premium sharing of life insurance programs in the private economy has progressed significantly. Reliable Government surveys disclose that many industries provide its work force cost-free life insurance protection, while the vast majority pay at least one-half the premiums. The subcommittee, during its public hearings on the subject, developed evidence that the insurance benefits offered to workers by model employers in private enterprise have improved markedly, while no relative or significant advances have been made in the Federal program with respect to career employees since its inception.

H.R. 11089 modernizes the program, to a reasonable extent, by providing one-third more insurance during an employee's service, and a slightly greater death benefit payable after retirement. This is a small, but significant, step forward.

While existing reserves have been adequate to pay the increasing costs of the coverage, the costs will eventually increase to the point that a substantial increase will be necessary to pay the premiums required to soundly finance the benefits. The committee proposes avoiding this eventuality by revising the cost-sharing from its present 2-to-1 ratio to a 3-to-2 ratio, increasing the Government's contribution from 33 percent to 40 percent of the total premium. Although it revises the employee's share from 66 percent to 60 percent, still requiring the employee to pay the major portion of the cost, it does not attain the minimal ideal 50–50 sharing practice prevalent in the private sector. It is noteworthy that a provision is included authorizing the Civil Service Commission to establish and revise, on a 60–40 basis, the rate of contributions to meet the actual level costs of the program, when deemed necessary.

I urge, Mr. Speaker, the unanimous adoption of H.R. 11089.

Mr. **BUTTON**. Mr. Speaker, I would like to express my support for H.R. 11089. The increased insurance coverage provided by this bill will be a great help to the families of Federal employees, especially those with lower incomes. It is these employees who can least afford to buy insurance privately or put back substantial savings for their families to live on in the event of their death. These improved benefits will help lift—at least partially—the burden of providing for a family at a time when increased living costs cause problems enough.

It is also heartening that the cost-sharing of this insurance has been adjusted from a 2-to-1 employee-Government ratio to a 3-to-2 ratio. While encouraging, this, in my opinion, is still not as it should be. The Government should follow the lead set by many private industry insurance plans, in which the company assumes the entire cost of the insurance. While I consider the adjustment made by this bill a good sign and a start in the direction of a better cost-sharing plan, I believe we should continue to work toward at least a 1-to-1 ratio of cost sharing.

In addition, I would like to have seen a provision covering rate of reduction of the value of this insurance. Presently, Mr. Speaker, the rate beginning at age 65 or retirement is 2 percent per month to a floor of 25 percent of face value, a bill introduced by Congressman OLSEN, H.R. 3380, would change this to a 1 percent per month rate of reduction to a floor of 50 percent of face value. This measure is presently pending in our committee, but since it is so closely related, I would like to express my support for it at this time.

Mr. Speaker, we are all aware that a bill similar to H.R. 11089 was passed by the Congress last year only to be vetoed by the President. The grounds for this veto were that it would be an inflationary measure. It is my view that the veto did very little toward stemming the flow of inflation, but it did make the families of Federal employees potentially greater victims of inflation for another year. Now we, the Congress, have the opportunity to correct that by passing this legislation.

Mr. **HAMILTON**. Mr. Speaker, H.R. 11089 is a bill to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees and to strengthen the financial condition of the employees' life insurance fund. Today this bill, favorably reported with amendment by the Post Office and Civil Service Committee, is scheduled for consideration by the House under suspension of the rules.

H.R. 11089 would make several major changes in the financing and in the amount of benefits an individual is entitled to receive. Specifically it would:

(1) require the Government and employees to share the full cost of the insurance program by authorizing an increase in the employee and agency contributory rates.

(2) change the cost-sharing ratio by raising the Government's contribution rate from 33⅓% to 40% of the total premium, and by lowering the employee's rate from 66⅔% to 60% of the premium.

(3) provide at least 33% more protection for employees at all salary levels.

Essentially H.R. 11089 is identical in purpose to the provisions of H.R. 6926, 89th Congress, with the exception of the elimination of one provision. This measure passed both Houses, but was vetoed by the President statedly because of its cost. In an effort to reduce the price tag of the proposed legislation, the committee deleted the most costly provision, that provision which provided an additional unit of $2,000 insurance which would not reduce after retirement. By eliminating this provision the committee was able to lower the cost to the Government of the proposed legislation from $91 million to $56 million—a reduction of $35 million.

The need to improve the financing of the existing program is urgent. Current benefits are presently underfinanced; a $40 million annual deficit is being incurred. The present contributory rates set by the Federal Employees' Compensation Act of 1954 are too low to cover the actual continuing cost of the insurance. They are too low primarily because minor progressive revisions since 1954 have increased the program's costs without concurrently increasing the contributory rates. By allowing the Commission to set rates at a level which would cover the actual cost of the benefits provided, the proposed legislation would put the program on a self-sustaining basis.

The proposed liberalization of the amount of benefits to which an employee is entitled under the program is long overdue. Statistics compiled by the Subcommittee on Retirement, Insurance, and Health Benefits, during its public hearings on H.R. 464, show that insurance programs offered workers by employers in private industry have improved markedly, while no significant amendments have been made in the Federal program with respect to career employees since the program's inception in 1954. In addition to being a step toward comparability with the private sector, the proposed increase in coverage would give more protection and security to lower echelon employees who can least afford private insurance as well as help to recruit and retain higher level employees whose services are essential to administrative excellence.

H.R. 11089, as proposed, would render the Federal Government's Insurance Program for its employees more sound, more equitable, and more progressive. I strongly urge each of you to support this bill.

Mr. **MATSUNAGA**. Mr. Speaker, I rise in support of H.R. 11089, a bill which would provide needed improvement in the life insurance protection of Federal employees.

I introduced a measure similar to the legislation we are now considering, except that my bill, H.R. 7849, would extend to presently retired Federal employees the benefit of an additional $2,000 worth of life insurance which would not be subject to the monthly reduction provisions. Our Committee on Post Office and Civil Service, however, has deleted this provision—the costliest item—in order to report a measure which would be more receptive to the administration's program.

The deletion of the provision for $2,000 irreducible life insurance coverage would reduce the cost of the bill now on the floor to $56 million. This is a substantial reduction from the $91 million price tag of the 1966 bill which was vetoed by the President. H.R. 11089, therefore, pegs the cost of these needed life insurance improvements in the vicinity of the midpoint between the administration proposal which would cost $13.4 million and the $91 million which the 1966 bill would have cost the Government. Because I feel strongly that the group life insurance program for our Federal employees ought to be immediately strengthened in order to have it compare favorably with insurance programs offered workers by employers in the private sector, I urge a favorable vote for H.R. 11089.

Mr. **DULSKI**. Mr. Speaker, I have no further requests for time.

Mr. **CORBETT**. Mr. Speaker, I yield back the balance of my time.

Mr. **DULSKI**. Mr. Speaker, I yield back the balance of my time.

The **SPEAKER** pro tempore (Mr. MATSUNAGA). The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill H.R. 11089.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. **DULSKI**. Mr. Speaker, I ask that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The **SPEAKER** pro tempore. Without objection, it is ordered.

There was no objection.

ACQUISITION OF CAREER STATUS BY CERTAIN TEMPORARY GOVERNMENT EMPLOYEES

Mr. **DULSKI**. Mr. Speaker, I move to suspend the rules and pass the bill (S.

1320) to provide for the acquisition of career status by certain temporary employees of the Federal Government, and for other purposes, as amended.

The Clerk read as follows:

S. 1320

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter I of chapter 33 of title 5, United States Code, is amended by inserting immediately after section 3304 the following new section:

"§ 3304a. Competitive service; career appointment after three years' temporary service

"(a) Except as provided by subsection (b), and subject to subsection (c), of this section an individual serving in a position in the competitive service under an indefinite appointment or a temporary appointment pending establishment of a register (other than an individual serving in GS–16, GS–17, or GS–18) acquires competitive status and is entitled to have his appointment converted to a career appointment, when—

"(1) he completes, without a break in service of more than thirty days, a total of at least three years of service in such a position;

"(2) he passes a suitable unassembled, noncompetitive examination;

"(3) the appointing authority (A) recommends to the Civil Service Commission that the appointment be converted to a career appointment, and (B) certifies to the Commission that the work performance of the individual for the past twelve months has been satisfactory; and

"(4) he meets current Commission qualification requirements for the position, and is otherwise eligible for career appointment.

"(b) An individual serving in a position in the competitive service in the postal field service under a temporary appointment without a definite time limitation (other than an individual serving in a postmaster or rural carrier position) acquires competitive status and is entitled to have his appointment concerted to a career appointment, when—

"(1) he completes, without a break in service of more than thirty days, at least three years of service in such a position during each of which he has been paid for at least seven hundred hours of work;

"(2) he passes a suitable unassembled, noncompetitive examination;

"(3) the appointing authority (A) recommends to the Civil Service Commission that the appointment be converted to a career appointment and (B) certifies to the Commission (i) that the work performance of the individual for the past twelve months has been satisfactory and (ii) that straight time hours as determined by the past twelve months' experience of career substitutes on the rolls on the date of the certification will not be reduced solely because of the conversion; and

"(4) he meets current Commission qualification requirements for the position, and is otherwise eligible for career appointment.

Section 3302 of title 39 does not apply with respect to the operation of this subsection.

"(c) In computing years of service under subsections (a) (1) and (b) (1) of this section for an individual who leaves a position in the competitive service to enter the armed forces and is reemployed in such a position within one-hundred and twenty days after separation under honorable conditions, the period from the date he leaves his position to the date he is reemployed is included.

"(d) The appointment of an individual who does not pass a suitable unassembled, noncompetitive examination under subsection (a) (2) of this section, who is not recommended for conversion to career appointment under subsection (a) (3) of this section, or who fails to qualify under subsection (a) (4) of this section, shall be terminated not later than ninety days after he has completed the three-year period referred to in subsection (a) (1) of this section.

"(e) The Commission may prescribe regulations necessary for the administration of this section.".

(b) The analysis of subchapter I of chapter 33 of title 5, United States Code, is amended by adding the following new item immediately below item 3304:

"3304a. Competitive service; career appointment after three years' temporary service.".

Sec. 2. The first sentence of section 1310(a) of the Supplemental Appropriation Act, 1952 (65 Stat. 757), as amended, is amended to read as follows:

"The Civil Service Commission and the heads of the executive departments, agencies, and corporations shall make full use of their authority to require that initial appointments to positions in and outside the competitive service shall be made on other than a permanent basis: *Provided,* That any position vacated by a permanent employee called to military service or transferred to a national defense agency shall not be filled except on a temporary or indefinite basis.".

Sec. 3. (a) This section and section 2 of this Act shall become effective on the date of enactment of this Act.

(b) The first section of this Act shall become effective on the one hundred and twentieth day following the date of enactment of this Act. In the case of an individual who, prior to such effective date, shall have completed the three-year period referred to in section 3304a(d) of title 5, United States Code, as enacted by the first section of this Act, the date of such completion shall be deemed to be such effective date.

The SPEAKER. Is a second demanded?

Mr. BROYHILL of North Carolina. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DULSKI. Mr. Speaker, I yield as much time as he may consume to the gentleman from North Carolina [Mr. Henderson].

Mr. HENDERSON. Mr. Speaker, I rise in support of S. 1320, as amended, to provide for the acquisition of career status for certain temporary employees of the Federal Government and for other purposes.

S. 1320, as amended, which was unanimously voted out of the House Committee on Post Office and Civil Service on June 17, offers a timely solution to a personnel administrative problem in the Federal Government; namely, the appropriate appointment arrangements for employees who have served for an extended period in a temporary status without prospects of regular status or benefits.

The purposes of S. 1320, with the committee amendments, are twofold:

First, to make it possible for certain Federal employees, including employees in the postal field service, to acquire competitive status and to have their appointments converted to career appointments.

Second, to remove the permanent statutory ceiling on the number of permanent Federal employees.

Under existing civil service regulations, appointing officers in Federal agencies can employ a person in a temporary capacity for a permanent position when a suitable civil service register of eligible candidates is not available. Such an employee continues on the job until an examination is held, a register established, and an appointment is made on a permanent basis. Sometimes a special register cannot be justified in the immediate future.

The Manpower and Civil Service Subcommittee in late 1966, working with the Civil Service Commission, developed data indicating that there were some 19,000 Federal personnel working in permanent positions but without career status through no fault of their own. When hired, the Government did not have registers covering these positions. Of the 19,000, the subcommittee found that some 8,000 had been working in the same jobs for 3 years or longer. In fact, over 4,200 had been working for 5 years or more without status.

Federal Government personnel, working as TAPERS, face the following personnel administrative problems:

First. No retirement privileges under the civil service retirement system;

Second. They can be separated at any time by the employing authority;

Third. No appeal rights under Civil Service Commission regulations;

Fourth. In case of a reduction in force the only employees with lower retention credits are those serving in limited temporary appointments;

Fifth. Limited promotional opportunities within the agency;

Sixth. They cannot transfer under the TAPER appointment to another job; and

Seventh. They are not covered by the Universal Military Training and Service Act.

The legislation before the House today will correct these personnel problems.

The first section of S. 1320, as amended, will entitle employees, except those in the postal field service, who are serving in positions of the competitive service under a temporary appointment pending the establishment of a register, to acquire a career status. An employee's appointment can be converted to a career appointment, when he meets all of the specified conditions. Individuals in supergrade positions are excluded. The conditions which must be met are:

First. The employee completes a total of at least 3 years' service in his position without a break in service of more than 30 days;

Second. He passes a suitable, unassembled, noncompetitive examination;

Third. The appointing authority recommends to the Civil Service Commission the conversion of the appointment to a career appointment, and certifies to the Commission that the work performance of the individual for the past 12 months has been satisfactory; and

Fourth. That he meets Commission qualification requirements for the position and is otherwise eligible for a career appointment.

Subsection (b) of section 1 relates to an individual serving in a position in the competitive service in the postal field service working under a temporary appointment without a definite time limitation, and authorizes conversion of such temporary appointments to career appointments for such individuals. The standards to be met are substantially the same, as I detailed above, except that the period of service must be at least 3 years during each of which the employee has been paid for at least 700 hours of work and that the straight time hours of work of the other employees in that office will not be reduced solely because of the conversion. Postmasters and rural carriers are excluded.

Section 2 of the bill amends section 1310(a) of the Supplemental Appropriation Act, 1952, commonly referred to as the Whitten amendment, to delete the reference to the numerical ceiling on permanent appointments. The remaining provisions of this section would not be affected. These include: restrictions on rapid promotions, overgrading of positions and veterans' rights. By lifting the personnel ceilings, we are recognizing the unprecedented growth that has taken place in our economy, in our population, and the services to be provided.

The committee members have noted over the years that Federal employee ceiling restrictions have forced management officials in several agencies to resort to the use of either combat-trained military or contractor personnel to perform work historically and successfully done by civil service employees. Many times the alternatives are more expensive.

In recommending this change, the committee members do not consider the removal of the ceiling as a lack of interest on their part in controlling or limiting civilian employment but as a recognition of the need to consider the total labor costs to get the job done. Likewise, the Manpower and Civil Service Subcommittee plans to continue to review the changing employment patterns in the Federal Government in light of work to be performed and the promotional opportunities of the Government employees called to active military duty. If conditions again warrant a ceiling the subcommittee will initiate legislation to that end.

It must be reiterated, the other provisions of the Whitten amendment—namely, restrictions on rapid promotions, overgrading of positions, and veterans' rights—are not only maintained but are as necessary today as in 1952.

Mr. Speaker, the legislation we have before us today has been strongly endorsed by administration spokesmen, including the Chairman of the Civil Service Commission and the Postmaster General, and by numerous employee group leaders—leaders representing both postal employees as well as employees in other departments and agencies of the Federal Government.

Mr. OLSEN. Mr. Speaker, will the gentleman yield?

Mr. HENDERSON. I yield to the gentleman from Montana, one of my colleagues on the committee.

Mr. OLSEN. Speaker, I rise in support of S. 1320 and also commend the gentleman from North Carolina in the well [Mr. HENDERSON] for the excellent job and for the exhaustive examination into the many problems in this bill. I believe it will make Federal service more attractive to people now employed by the Federal Government, and I hope it will continue to make the Federal service more attractive to them, and attract others to Federal service. I commend the gentleman very highly on the superb job. I cannot more highly endorse this bill. I hope the Members will vote for it unanimously.

Mr. HENDERSON. I thank the gentleman from Montana for his support.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. HENDERSON. I am delighted to yield to the gentleman from Missouri.

Mr. HALL. I should like to add my compliments to the gentleman from North Carolina, the chairman of this distinguished subcommittee, for the action has always taken in behalf of our valued Government employees, and especially for the study he has made with regard to all matters pertaining to manpower in the civil service or the postal service, and its proper utilization, which is a direct responsibility of this Congress. As I understand the bill before us today, would it eliminate the competitive examination feature in order to establish a register for all those who had had temporary employment for 3 years?

Mr. HENDERSON. It would provide for an unassembled noncompetitive examination, which is not the usual competitive examination.

I would point out to the gentleman that the purpose of the competitive examination is to determine whether or not an applicant can do a job, and if he is the most qualified applicant.

As the distinguished Chairman of the Civil Service Commission testified before our subcommittee, the best test is the fact that the man has been performing the job for the 3-year period, and satisfactorily. It must be certified by the agency that his work has been satisfactory for the last 12 months, before he can be considered for conversion.

Mr. HALL. I understand the four stipulations. I believe they are valid. In fact, I had certain functions as a personnel officer at a time during World War II when this would have been very desirable from the point of view of the executive department.

Does the gentleman not feel that we are getting to the place we are allowing agencies and the administration and the executive branch in particular to make decisions which perhaps should be made by the Congress?

Mr. HENDERSON. Except for one thing with regard to this particular area. We are insisting that the Civil Service Commission speed up its examining process. We have been assured that by the consolidation of examining boards over the Nation there should be a lesser need for temporary appointments in the first instance.

I am sure the gentleman would agree that while there have been reasons for these TAPER appointments, that is not the best way to get the best employees in Federal service.

Mr. HALL. I certainly do agree. I am not for increasing temporary appointments. On the other hand, I hate to see, as the Chairman of the Civil Service Commission said, just another one-time cleanup.

Actually, what this amounts to is a channeling into permanent service of all of those who have served well, or whom someone certifies as having served well for a period of 3 years.

Mr. HENDERSON. I could not agree with the gentleman more.

I believe the very fact that the committee is here today with this legislation demonstrates that we feel Congress should keep oversight in this area, rather than to have coverage by Executive order, as has been the case in the two most recent instances.

If necessary, Congress ought to know why, and ought to investigate, as we have done in this case, and present the matter before the full Congress, as we do, for action today.

Mr. HALL. Once the legislation is passed they will not have to come back to Congress, unless we rescind this action.

Mr. HENDERSON. The gentleman is correct. But it is the clear intent of the subcommittee, in its report, that if the administration is not continued as we believe it should be, they will have to come back at least before our subcommittee, to assure us, and to give us the reasons why it has not been administered as we understand it should be.

Mr. HALL. I appreciate the legislative record.

Am I correctly advised that maintenance employees of all Federal buildings must be veterans now, by law?

Mr. HENDERSON. I am not certain.

Mr. DULSKI. Mr. Speaker, will the gentleman yield?

Mr. HENDERSON. I am happy to yield to the gentleman from New York.

Mr. DULSKI. Examinations are limited to them.

Mr. HALL. In other words, that is true for maintenance employees of all Federal buildings, not just U.S. post offices?

Mr. DULSKI. For all Federal buildings.

Mr. HALL. The examinations and the establishment of a register are limited to veterans; is that correct?

Mr. DULSKI. Yes. They have the preference.

Mr. HALL. Is it not true, with this preference, assuming they pass an examination with 70 points, they will not only be given veterans' preference, of 5 or 10 percent, depending upon service-connected disability, but will be put at the head of the list? Is that correct?

Mr. DULSKI. That is correct.

Mr. HALL. Is it not also true they may draw their retirement benefits from the military at the same time they are earning in this new capacity, after an appointment from the register?

Mr. DULSKI. Subject to the Dual Compensation Act.

Mr. HALL. That is right, but the Dual Compensation Act excludes these people in particular. I can give you instance after instance where this is happening and where up to 33⅓ percent of the disabled veterans are off duty as new civil service appointees with preference given all the time.

If the gentleman will yield further, my

question is this: I simply want to make a legislative record and point out to the distinguished committee that I wonder if we are not coming to the time and place where maintenance involves not only broom pushers and people who mop down and clean up in the Federal buildings at the end of the day but also people who are involved in maintenance of machinery as we become more and more automated. They are maintenance employees, but I wonder if we are not getting to the point where we should give serious consideration to this. I want to mention that as a member of the Committee on Armed Services I am very keenly interested in veterans preferences. I doubt very much if they should draw both retirement, which is tax free, for physical disability and their new civil service preferential appointment on full pay. I know if they will be off 15, 20, or 33 percent of the time and they are not maintenance employees other than custodians, that we are coming to the time and the place where we should give serious consideration in the subcommittee and in the full committee to their particular utilization.

Mr. HENDERSON. Mr. Speaker, before I yield to the distinguished chairman, there is a comment that I would like to make to the gentleman from Missouri in response. I want to say that we are fortunate the chairman of our full committee also serves on the Veterans' Affairs Committee. That is why I thought I would yield to him, because this is a matter which is within the jurisdiction of that committee.

Specifically with regard to your comments on the Dual Compensation Act, I might point out to the gentleman that we have divergent views. A very distinguished member of the Committee on Armed Services approached me the other day saying that the Dual Compensation Act should be liberalized so employees covered by the act could draw more of their retired military pay as well as the full pay benefits. This has been before our subcommittee. The Dual Compensation Act was handled by the subcommittee. We recognize it is a problem, but at this time and as a part of this legislation we are not prepared to take it up.

Mr. HALL. Yes. I understand that, but I did want to get this before the committee. I appreciate the gentleman's reassurance and am sure that we can disagree without being disagreeable. This does not eliminate the Whitten amendment?

Mr. HENDERSON. You are absolutely correct.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HENDERSON. I am delighted to yield to the distinguished minority member of the committee.

Mr. GROSS. I think that the gentleman from Missouri [Mr. HALL] raised a very interesting point. I think this is something that the committee ought to go into. I am very much for the veterans' preference, but I think here is a situation which, as he says, is growing with regard to the matter of numbers of maintenance personnel involved. I think the Post Office and Civil Service Committee ought to take a look at it from the standpoint of personnel and the utilization of manpower in the Federal Government. It may be that jurisdiction belongs in the Veterans' Affairs Committee. I do not know. I do think that the Post Office and Civil Service Committee ought to have a look at this situation.

Mr. HENDERSON. I am very much appreciative of the gentleman's contribution to this legislation. I think we could agree that the point the gentleman from Missouri made with regard to the increased level of maintenance people on the maintenance of postal equipment is a matter that our full committee or one of the subcommittees has gone into this year. All of these problems are oftentimes interrelated.

But again, Mr. Speaker, I wish to urge the adoption of the Senate bill as amended.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. HENDERSON. I am delighted to yield to the gentleman from Virginia.

Mr. SCOTT. I would like to ask the distinguished chairman of the subcommittee the number of people that will be affected by this legislation and if he knows the length of time some of them have been in the Government service under temporary appointment.

Mr. HENDERSON. Well, we know that in 1966, at the time we did the study with the Civil Service Commission, there were over 19,000. Of that group there are over 4,200 who have served over the 3-year period and who are certified in this bill now pending before us today with respect to the length of service. There is a sizable number that have been in service over 10 or 12 years and, certainly, we feel that if they have performed in a temporary status satisfactorily to the Government that there is a point at which they should be entitled to a career status.

Mr. SCOTT. Mr. Speaker, if the gentleman will yield further, I want to say that I am sure the distinguished chairman shares my concern for the welfare of all Government employees. It is my further opinion that this is a situation which represents a matter that undoubtedly needs correction and study.

Mr. Speaker, I am wholeheartedly in favor of the proposal.

Mr. HENDERSON. The distinguished gentleman, a member of our committee, obviously knows of the benefits provided hereunder for our various Federal employees, but for the benefit of all the Members of the House, I would point out that our study revealed that these temporaries are scattered all over the United States, and the need for this legislation not only exists in the centers where they have such heavy Federal employment, but in other areas as well.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I take this time for the purpose of asking the gentleman from North Carolina [Mr. HENDERSON] if the gentleman knows that the legislation includes authority for these temporary employees in the postal field service to acquire competitive career status, provided they meet the standards laid down under this legislation.

We discussed in the committee, however, certain problems that may occur when these conversions take place. I think there are problems now, particularly in areas where we are faced with surplus career regular and substitute clerks in the mobile service because of the curtailment and discontinuation of railway postal units. I note that this problem was alluded to in our report. I wonder if the gentleman from North Carolina [Mr. HENDERSON] could give us any information as to just what rights these employees have? Would the enactment of this legislation in any way take away their rights of finding jobs at post offices near their present homes?

Mr. HENDERSON. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL of North Carolina. I shall be delighted to yield.

Mr. HENDERSON. Mr. Speaker, I certainly shall answer the question propounded by the distinguished gentleman from North Carolina [Mr. BROYHILL]. But, first, I would like to say that the contributions which the gentleman has made to the subcommittee's deliberations this year, and particularly in the consideration of this legislation, have been most important. I wish to commend the gentleman for his diligence and very fine assistance.

Specifically, with reference to the gentleman's interrogation in respect to post office employees, it was the interest of the gentleman from North Carolina who has yielded to me in this area that brought about specific language in the bill with respect to substitute clerks and how they might be affected. In that instance we were able to come up with language which we thought should be contained in the legislation.

Mr. Speaker, in answer to the specific request of the gentleman from North Carolina [Mr. BROYHILL] with reference to the continuance of the mobile units and the shifting of those people back into the postal service, we were not so successful as reflected by the language as contained in the bill. However, on page 6 of the report the gentleman will find that we included some very strong language to this effect:

> The committee has been assured by representatives of the Post Office Department that every effort will be exerted to protect the rights, and to give all possible assistance to the mobile clerks who are now facing reassignment because of the discontinuance of the mobile units.

And, Mr. Speaker, I might say in further answer to the inquiry of the gentleman from North Carolina [Mr. BROYHILL], I realize that there are a lot of these employees in the areas that the gentleman represents, and that with the two of us now serving on this subcommittee, it is my opinion that we should be able to do a good job in seeing that their rights are protected.

Mr. Speaker, I thank the gentleman from North Carolina for yielding.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield myself 2 additional minutes.

Mr. Speaker, I rise in support of S. 1320, as amended. This bill would provide much needed relief to many Federal employees who have been hired to work for the Federal Government, are doing a satisfactory or better job, and through no fault of their own they lack status and retirement benefits.

From time to time in the past both Congress and the President have provided relief for TAPER employees. During the 84th and 85th Congresses, legislation was enacted to provide conversion to career status for certain temporary employees in the classified and postal services.

Recent Executive orders have also been issued to provide career status. In October 1964, certain employees in the postal field service were given career appointments. Then in March 1965, an Executive order permitted certain Treasury employees to be given career appointments.

As the members of the Post Office and Civil Service Committee have stated emphatically in our report on this bill, we do not regard this proposed legislation as a means of abating the competitive processes of the civil service system. In the words of the Chairman of the U.S. Civil Service Commission, this legislation provides "another one-time cleanup."

Mr. Speaker, I strongly support the bill before us today, S. 1320, as amended.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL of North Carolina. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I rise in support of S. 1320, as amended.

This bill corrects an inequity for Federal Government employees who have been hired by the Government for permanent jobs and who are doing satisfactory work.

Under existing civil service regulations, Federal agencies can employ persons in a temporary capacity for permanent-type jobs when suitable civil service registers of eligible candidates are not available. These employees continue on the job until examinations are held, registers are established, and appointments are made on a permanent basis. These Government workers are what we call TAPER appointments—temporary appointments pending establishment of a register. They have been hired to fill needs but have not acquired career status simply because the Civil Service Commission has not conducted appropriate examinations.

It is my understanding, after hearing testimony from the Chairman of the Civil Service Commission, that many of these appointments are in occupations where there is relatively little employment and the Commissioners felt it economically unwise to conduct examinations for so limited a number of job vacancies.

The bill before us today lays down specific criteria for these TAPER employees to meet. If they can meet them, then career status is possible. The criteria include: three years in a position in the competitive service; passing a suitable, unassembled, noncompetitive examination; meeting Civil Service Commission qualification requirements; and management's certification of a satisfactory performance on the job.

In public hearings on this proposed legislation, the Chairman of the Civil Service Commission assured the members of the committee that the Commission had no intention of relaxing its standards in the Government's competitive examination program. The Commission has wisely adopted suggestions made some 2 years ago by my able colleague from North Carolina and chairman of the Subcommittee on Manpower and Civil Service, Hon. David Henderson, whereby the examining and recruiting procedures of the Commission are being revised and, in turn, placed under tighter control by the Commission. John Macy, Chairman of the Commission, has assured the subcommittee that these reforms will reduce the number of TAPER appointments in the future and also will provide a more suitable service to the public.

The bill before us today reflects, to a marked degree, the work of our Manpower and Civil Service Subcommittee. We are continually reviewing the manpower and civil service policies and operating techniques of the departments and agencies. I feel certain that the Chairman is going to continue an active review of personnel policies and practices in the Federal Government and will take appropriate action.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL of North Carolina. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding.

Just to establish a legislative record, is the bill under consideration under suspension of the rules, S. 1320, identical with the bill, H.R. 8495, on which hearings were held by the same subcommittee?

Mr. BROYHILL of North Carolina. This is the bill, as amended in committee. The amendments have been pointed out.

Mr. HALL. In other words, the bill under consideration as amended in committee, would be generally the same as the bill on which the hearings were held?

Mr. BROYHILL of North Carolina. That is correct.

Mr. HALL. I thank the gentleman.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. Findley].

(By unanimous consent, Mr. Findley was granted permission to speak out of order.)

Mr. FINDLEY. Mr. Speaker, years ago a Congressman listened to President Theodore Roosevelt deliver an inspirational speech filled with moral injunction. After it was over he observed dryly to a friend:

> The thing I admire most about Teddy Roosevelt is his original discovery of the Ten Commandments.

I was reminded of this when I heard what our colleague, the gentleman from New York [Mr. Resnick], had to say about the Farm Bureau and its insurance companies. One would think he had made an original discovery.

No doubt about it. Farm Bureau is in the insurance business in a big way.

Now that the gentleman from New York has acquired this knowledge, he should not stop there. A little knowledge, it is said, is a dangerous thing, and our colleague should go all the way, and get all the facts he can about not only Farm Bureau, but the other major farm organizations as well. They should be invited to supply membership figures, sources of income, financial statement, summary of activities, and also full information on affiliated activities. Three of the major organizations—Farm Bureau, Farmers Union, and the Grange—have their insurance companies. At one point at least, Farmers Union did rather extensive contract work for the Federal Government under the poverty program. It may still be so involved.

The gentleman from New York could provide a useful service in acquainting the public with all facets of farm organizations, and it may be that some changes are desirable. I would not attempt to prejudge the situation, and I would hope that all farm organizations will welcome scrutiny and improvements.

Several years ago, I recall, Farm Bureau successfully led a legislative effort which resulted in deferred dividends of cooperatives being subjected to taxation. I have always felt that cooperatives should bear their fair share of the Federal tax load, and frankly I have yet to find a Farm Bureau leader who argued against the point. Maybe additional changes are in order.

Mr. SPRINGER. Mr. Speaker, would the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Illinois.

Mr. SPRINGER. May I say this not only to my colleague from Illinois, but to all of my colleagues in this House: that I read with some concern the words of my distinguished colleague from New York with respect to Charles Shuman, the president of the Farm Bureau Federation, who lives in Moultrie County in my district. I would like to say for the Record that I know of no person whose own personal integrity is thought more highly of in my entire congressional district than Charles Shuman.

Charles Shuman is a farmer. He lives on a farm, in Moultrie County, Ill. His family was one of the earliest of our settlers, going back into the 1830's. In Moultrie County the Shuman family itself is very widespread, and they are all equally as well thought of as Mr. Shuman. He is widely known in his field, and one of the most distinguished men in the field of agriculture in the entire United States.

Mr. Speaker, I hope my colleague from New York will also take note of the fact that Charles Shuman has been a registered Democrat in Moultrie County, as are most of his family, and I believe his family for more than 100 years have been connected with the Democrat Party.

So there is nothing partisan about this at all. I do want to make clear the entire record that this man has made. His reputation is excellent. I know of no person in my congressional district who is more highly thought of than Charlie Shuman. He made a great record as president of the Illinois Agricultural Association, which is the largest farm bureau in all of the 50 States. On that record alone, he was made president of the American Farm Bureau Federation. As Charlie Shuman knows, he and I have not always agreed, and I am sure that my distinguished colleague now addressing us from the well of the House has not always agreed with Mr. Shuman, but this has never in any way detracted from my regard for the sincerity and the conviction of Charlie Shuman as a man and as a person in agriculture who is trying to do the best job, as he understands it, for agriculture. I am happy to say to my colleagues in this House that Charlie Shuman personally is one of the finest men I know.

Mr. FINDLEY. I thank the gentleman.

Mr. BROYHILL of North Carolina. Mr. Speaker, I yield the gentleman from Illinois [Mr. FINDLEY] 2 additional minutes.

Mr. FINDLEY. Mr. Speaker, I appreciate the fine contribution made by my colleague, the gentleman from Illinois.

Although I do not pretend to have all the facts about farm organizations—or all the facts about Farm Bureau, for that matter—I have had the opportunity over a period of 20 years—first as a newspaperman, then as a Congressman—to observe firsthand the local, State, and national leadership provided by Farm Bureau.

Illinois has the largest Farm Bureau organization in the Nation and, I believe, always has had this distinction. For years an Illinoisan, Charles Shuman, has served with distinction as president of the American Farm Bureau Federation. He moved to that position from the presidency of the Illinois Agricultural Association—Farm Bureau—a position which has been occupied with equal distinction for years by William Kuhfuss.

During my years as a newspaperman I came to know personally many of the county directors of Farm Bureau and members of their organization staff. As Congressman and for 6 years as Illinois' only Congressman on the House Agriculture Committee, I came to know personally the professional staff of both the American Farm Bureau Federation and the Illinois Agricultural Association, as well as the AFBF staff which does legislative work on the Hill.

In all those years I have never known a Farm Bureau leader or employee who was anything but honest, straightforward, and high type in every respect. Never once have I been misled or given misinformation by anyone connected with Farm Bureau. In my book Farm Bureau is a synonym for integrity.

Although more often than not I have admired and supported the legislative positions of Farm Bureau, there have been occasions when I have been opposed. But regardless of whether I supported or opposed their recommendations, I never once had reason to question the integrity of the organization or the people in it.

And I shudder to think what would have happened to freedom on the American farm during those tumultuous years, 1961–63, had it not been for the effective leadership of Farm Bureau—leadership which was brought to bear in opposition to straitjacket legislation and in behalf of freedom to plant.

I make no claim that Farm Bureau is perfect—and it may well be that some changes should be made in the cooperative affiliations of all farm organizations—but I cannot sit quietly and hear the gentleman from New York voice charges of fraud and confidence game against Farm Bureau without rising to state my personal respect and admiration for the men who make up Farm Bureau. The ones I know are all fine, decent Americans, and I am confident the insinuations against them will soon evaporate in the political heat our colleague has generated.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman.

Mr. ARENDS. Mr. Speaker, I am pleased that the gentleman has taken this time to make the statement he is now making on the floor of the House with respect to the American Farm Bureau. I am also very pleased to hear the words of our colleague, the gentleman from Illinois [Mr. SPRINGER].

I heartily endorse what my colleagues from Illinois [Mr. FINDLEY and Mr. SPRINGER] have said about the Farm Bureau and its president, Charlie Shuman. We may seem to be here defending an organization and its president when, in fact, neither needs any defense. The constructive contribution the American Farm Bureau and its president have made to agriculture and to our national welfare generally belies the charges that have been made.

Without question, the Farm Bureau is the most outstanding farmers' organization in the country. And, without question, Charlie Shuman is a man of unimpeachable character. I might add that I have known him for many years, and I am well acquainted with other officers in the organization. In no one organization will be found men more dedicated to the cause of the farmer, to the advancement of agriculture, and to our country's well-being.

I have not always agreed with all that the Farm Bureau has advocated. But I have always known that what they have proposed represented their best judgment as to what is best for the farmers themselves and agriculture generally.

I am pleased that the facts have been set straight here this afternoon. What we are saying here is no more than what the American farmers and everyone who has had any knowledge of the Farm Bureau's operations have long recognized.

Mr. HAMILTON. Mr. Speaker, I rise in support of S. 1320.

A special word of appreciation is in order to the chairman of the Subcommittee on Manpower, the gentleman from North Carolina [Mr. HENDERSON], for the careful and skillful manner in which he has guided the subcommittee in producing this legislation. It has been a privilege for me to work under his leadership in this task.

The evidence before the Subcommittee on Manpower and Civil Service showed that there were approximately 19,200 Federal employees who have served for an extended period in a temporary status without prospect of regular status, promotion, or benefit. Of this number, 8,110 have been working at the some job on a temporary basis for over 5 years. The injustices of such a situation are obvious and should be removed. These TAPER—temporary appointments pending establishment of a register—appointees who have served for extended periods should have opportunities for advancement and they should have reduction-in-force protection. They should have retirement privileges and opportunities which a permanent employee in a similar position is entitled to. Under the existing circumstances, however, through no fault of their own, they have none of the above benefits.

S. 1320, a bill to provide acquisition of career status by certain temporary Government employees, rectifies the above-mentioned injustices by making it possible for TAPER appointees who have completed at least 3 years of service in such positions without a break in service of more than 30 days, to acquire competitive status and to have their appointments converted to career appointments.

S. 1320 also removes the outdated statutory ceiling on the number of permanent Federal employees. This ceiling was set 16 years ago. It was based on 1950 conditions. Today it is impractical and unrealistic in the light of the tremendous growth of our economy and population, and the corresponding increased demand for services. In removing the ceiling Congress will not be relinquishing its control over the size of the Federal bureaucracy. No increased Federal employment should result. The ceiling limits permanent, not total employment. In fact, savings should result because in the past agencies and departments in an effort to meet their needs and still remain under the statutory ceiling have had to resort to more expensive contractor personnel.

S. 1320 is an honest recognition of existing problems and conditions within the structure of the Federal Government. Because it is another effort by this body to render the Federal machinery more efficient and equitable in operation, it merits the support of each Member of this body.

Mr. WHITE. Mr. Speaker, I rise in support of S. 1320, as amended, which was reported unanimously out of the House Committee on Post Office and Civil Service.

One of the fundamental purposes of the Civil Service Act of 1883 was to establish a career system in the Federal Government. Under this system, Federal employees have been able to progress in an orderly manner through stages of tenure culminating in permanent status. However, there have been instances where a few employees have been placed in permanent jobs to meet the unusual needs of agencies. Included in this category are TAPER employees, who have had considerable experience and are doing a satisfactory job, but the Civil Service Commission has not found it possible or necessary to set up registers. Unfortunately, a few thousand of these employes remain in this TAPER status for years without an opportunity to better themselves or provide security for their families.

The Subcommittee on Manpower and Civil Service has reviewed this problem rather intently for the last few weeks. Let me quote for you just two of many cases that have been brought to our attention:

> I have been stuck with a TAPER appointment for 3½ years. A mere drop in the bucket compared to some. I am employed as a Crypto Equipment Operator at ——— Army Depot. Although I have been in the Communications Section longer than most operators, I have no seniority, no promotion opportunities, no transfer rights and no civil service retirement. If we ever have a RIF, I would be the first to go, as most of the other operators were transferred here from other Defense activities with status. I am a TAPER here simply because the Commission has not established a civil service register for "Cryptographic Equipment Operator."
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> * * * * *
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> I have been employed at the Veterans' Administration Center in ——— as a Manual Arts Therapist, GS-8, four years this month and I am still classified in a temporary status, simply because there has not been a register. Including my four years in the military, I have eight years credit. Acutely aware of the fact that should there be a reduction-in-force, with my low retention rights, this insecure position has caused me to seriously consider leaving VA for employment where I could find a more secure situation.

The bill before the House today, S. 1320, as amended, provides a solution to this problem. The bill makes available to the employee who has held a TAPER appointment for 3 years, who is doing a good job, and who passes an unassembled examination, an opportunity to obtain career status.

Mr. Speaker, this bill corrects inequities for these Government employees.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of S. 1320, which would provide career status for certain temporary Government employees.

The measure has come to the floor with an amendment consisting of substitute text by our Committee on Post Office and Civil Service. As thus amended, the legislation would serve two principal purposes. First, it would enable certain Federal employees who are serving in positions in the competitive service under indefinite or temporary appointments, and who complete at least 3 years of service in such positions without a break in service of more than 30 days, to acquire competitive status and to have their appointments converted to career appointments. Second, it would remove the permanent statutory ceiling on the number of permanent Federal employees.

The legislation is clearly designed to correct an inequitable situation, and it has ample precedent in action taken in the past by both Congress and the President. Our committee reports that over two-fifths of the 19,140 Federal personnel who in late 1966 were found working in permanent positions without career status, had been working in the same jobs for 3 years or longer. When we consider the multitude of employee benefits of which these temporary employees were deprived because of their lack of career status, the urgency of this legislation becomes at once apparent.

I am impressed by the committee statement that this legislation would not be a means of evading the competitive processes of the civil service system. It would only provide what the Chairman of the U.S. Civil Service Commission reportedly has called another one-time cleanup. Similar relief provided in the past would tend to substantiate this view.

Mr. Speaker, this legislation deserves our support, and I urge a favorable vote for S. 1320.

The SPEAKER. The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill, S. 1320, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DULSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, S. 1320.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISMISSING THE CONTESTED ELECTION CASE OF WYMAN C. LOWE, CONTESTANT, AGAINST FLETCHER THOMPSON, CONTESTEE, FIFTH CONGRESSIONAL DISTRICT OF GEORGIA, AND DENYING PETITION OF WYMAN C. LOWE RELATIVE TO GENERAL ELECTION ON NOVEMBER 8, 1966, IN SAID DISTRICT AND STATE

Mr. ASHMORE. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 541 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 541

Resolved, That the election contest of Wyman C. Lowe, contestant, against Fletcher Thompson, contestee, Fifth Congressional District of the State of Georgia, be dismissed, and that the petition (numbered 75) of Wyman C. Lowe relative to the general election on November 8, 1966, in the Fifth Congressional District of the State of Georgia be denied.

Mr. ASHMORE. Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. GOODELL], pending which I yield myself such time as I may consume.

The SPEAKER. The gentleman from South Carolina is recognized.

Mr. ASHMORE. Mr. Speaker, the purpose of this resolution is to dismiss an election contest brought against FLETCHER THOMPSON, Representative from the Fifth District of Georgia, by Wyman C. Lowe of Atlanta, Ga., and to deny Mr. Lowe's petition (No. 75) relative to the general election on November 8, 1966, requesting the House to investigate the right of the gentleman from Georgia to his seat and to declare his election null and void and his seat vacant.

To summarize the facts and the reasons underlying the recommendation of the Committee on House Administration, FLETCHER THOMPSON, the Republican candidate was elected to the seat from the Fifth District of Georgia, defeating his Democratic opponent, Archie Lindsey. His election was challenged under the contested-election law by Wyman C. Lowe, an unsuccessful candidate in the Democratic primary election, whose name was not on the ballot in the general election. It appearing to the Subcommittee on Elections that there was a serious question of Mr. Lowe's standing to bring a contest under the contested-election law, the parties were invited to file briefs and to appear before the subcommittee for oral argument on that question. At the hearing, Mr. Lowe claimed that he was a candidate in the general election by virtue of having conducted a "write-in" campaign. However, he admitted that he had announced his withdrawal from the race a few days before the election and the committee concluded that he was, in fact, not a candidate on election day. In the committee's opinion, the recent precedents, going back to Miller against Kirwan in 1941, indicates that the House regards a noncandidate as lacking the requisite standing to be a contestant under the law because a noncandidate cannot claim a right to the seat. These precedents are cited on page 2 of Report No. 365 accompanying the resolution.

Therefore, in accordance with the precedents, we recommend dismissal of the case on the ground that Mr. Lowe is not a "contestant" for the seat within the meaning of the term as used in the contested-election law.

After the hearing on May 4, Mr. Lowe filed a petition with the Speaker, challenging Mr. THOMPSON's election on the same grounds asserted in the contested-election case, praying that the House investigate the election and declare the election invalid and the seat vacant. This petition was referred to the Committee on House Administration on May 8. It attacks Mr. THOMPSON's election on ground that the nomination of his Democratic opponent was illegal, being contrary to the Georgia Election Code and the rules of the State Democratic Party, and that, since there was no lawful Democratic candidate, the election of Mr. THOMPSON was a nullity. The report of the committee points out that there is no precedent for unseating a Member because of the illegality of his opponent's nomination, even assuming it was illegal, and that the establishment of such a precedent would jeopardize the integrity of congressional elections. If, as petitioner contends, the validity of a Member's election is dependent on the legality of his opponent's nomination, it is not difficult to perceive the potential danger to the integrity of congressional elections. If the House were to find out that there was no lawfully nominated Democratic candidate and to declare the election null and void for that reason, the door would be open for the party of a losing candidate in a congressional election to impeach the election of the winning candidate by claiming that the election was invalid because the losing candidate had not been nominated in accordance with election laws and party rules.

It should be noted that, prior to the election, Mr. Lowe brought suit against the Democratic nominee and certain election officials, seeking to enjoin Mr. Lindsey's candidacy and ordering the call of a special Democratic primary. This suit was dismissed by the Georgia State court prior to the election.

Therefore, Mr. Speaker, I urge adoption of the resolution.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Florida.

Mr. HALEY. Mr. Speaker, was the contestant, Mr. Lowe, under the law at any time a nominee of any recognized political party in the State of Georgia?

Mr. ASHMORE. Mr. Speaker, I will say to the gentleman, Mr. Lowe was not. He was a candidate in the primary election, during the summer or fall, prior to the general election, but he was, I believe, third. He was not the nominee of the party at any time.

Mr. HALEY. Of no recognized political party in Georgia?

Mr. ASHMORE. No, sir.

Mr. HALEY. I thank the gentleman.

Mr. GOODELL. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I join the distinguished gentleman from South Carolina, who chairs this subcommittee, in the opinions he has expressed. I commend him for the fairminded and fairhanded way he handled the hearings, as he always does in these types of contests.

Our subcommittee spent a great deal of time on this case. We gave the contestant, or the alleged contestant, ample opportunity to argue his viewpoint, and it came down to a very simple matter. The alleged contestant, Mr. Lowe, was not a candidate. As the gentleman from South Carolina indicated, Mr. Lowe had been a candidate in the Democratic primary and failed. After the nominee of the Democratic Party withdrew, Mr. Lowe claimed there were some violations of Georgia law with reference to the nomination of the replacement of Mr. Weltner on the Democratic ticket. Those problems with the nomination of the Democratic candidate were carried to court.

There was a dismissal in the Georgia courts of Mr. Lowe's case. The duly authorized Democratic candidate ran against the Republican candidate, Mr. FLETCHER THOMPSON, and there is no contention that Mr. FLETCHER THOMPSON was in any way disqualified by his nomination or that there was any fraud of any other irregularity in the election of Mr. FLETCHER THOMPSON as a Member of this House.

As a matter of fact, Mr. Lowe never claimed the right to the seat himself. He simply wanted to have another election.

I would join the gentleman from South Carolina in indicating that whether we base our dismissal in this instance on the fact—and I believe it is a fact—that Mr. Lowe was not a candidate under the law and he had no standing as a contestant, or whether we base it on the more general grounds in dismissing his petition, we must not open the door to this kind of election contest.

It would open all of us, if we should accept such a contest, to a type of vexatious harassment which certainly should not be permitted. If in any instance we were to permit this type of contest, a party which felt it had no chance would simply have to see to it that there were irregularities in nominating its own candidate. Thereafter it could challenge the election of the candidate who had been duly elected, claiming that the nomination of the defeated candidate was in some way in violation of law.

In this instance there is no question of the qualifications of the Republican candidate who won the election. His nomination was proper.

I strongly support the view of the committee and of our chairman that this case should be dismissed, including both the election contest and the petition which has been filed.

Mr. ASHMORE. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONTESTED ELECTION CASE OF JAMES A. MACKAY, CONTESTANT, AGAINST BENJAMIN B. BLACKBURN, CONTESTEE, FOURTH CONGRESSIONAL DISTRICT OF THE STATE OF GEORGIA

Mr. ASHMORE. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 542 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 542

Resolved, That Benjamin B. Blackburn was duly elected as Representative from the Fourth Congressional District of the State of Georgia to the Ninetieth Congress and is entitled to his seat.

The SPEAKER. The gentleman from South Carolina is recognized for 1 hour.

Mr. ASHMORE. Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. GOODELL], pending which I yield myself such time as I may consume.

Mr. Speaker, the purpose of this resolution is to declare that BENJAMIN B. BLACKBURN, Representative from the Fourth District of Georgia, was duly elected and is entitled to his seat in the 90th Congress. The question of the final right of the gentleman from Georgia to his seat was referred to the Committee on House Administration by House Resolution 2 adopted on January 10, 1967.

Briefly, the facts are that in the general election last November the incumbent Democratic Representative from the Fourth District of Georgia, James A. Mackay, was defeated in a very close race by the Republican candidate, Mr. BLACKBURN. Voting was conducted by use of Votomatic vote recorders and punchcard ballots tabulated on computers. Mr. Mackay challenged the election results, claiming that the computers erroneously failed to count about 7,000 votes and that the procedures for duplicating defective ballots were improper. His charges were the subject of a limited investigation by the Special Committee to Investigate Campaign Expenditures, 1966, which filed a report recommending that Mr. BLACKBURN be made to stand aside at the swearing in of the Members of the 90th Congress and that he not be seated until the election contest could be resolved.

While the matter was before the special committee, Mr. Mackay filed a formal election contest in the House of Representatives under the contested-election law.

On the opening of the 90th Congress, an objection was made to the administration of the oath to Mr. BLACKBURN and he was asked by the Speaker to stand aside while the other Members were sworn. Thereafter, pursuant to House Resolution 2, he was conditionally seated and the election contest was referred to the Committee on House Administration to determine, in the words of said resolution, "the final right of Benjamin B. Blackburn to a seat in the 90th Congress."

While the contested-election case was in progress in the House, a group of Mr. Mackay's supporters filed suit against Mr. BLACKBURN in a Georgia State court, challenging his election under the Georgia Election Code of 1964. This litigation was terminated on March 30, 1967, by the Georgia supreme court's denial of a writ of certiorari to the Georgia court of appeals which, on January 25, 1967, had held in favor of Mr. BLACKBURN on the key issue in the case. In short, they adopted Mr. BLACKBURN's contention that the election officials had been correct in programing the computers to reject ballots where the voter had punched out the scored block for either "straight Democratic ticket" or "straight Republican ticket" and also punched out the scored block for the congressional candidate of the opposing party. The court ruled that these were invalid "over-votes" and not valid "split ticket votes," as claimed by Mr. Mackay.

As a result of the adverse court decision, Mr. Mackay withdrew his election contest in the House by letter to the Speaker dated April 13, 1967. Accordingly, the committee has concluded that Mr. BLACKBURN should be declared to be entitled to his seat and urges adoption of House Resolution 542.

If the gentleman from New York [Mr. GOODELL] will permit me to, I would like to yield for 1 minute to our colleague from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Speaker, I was named by the Speaker to serve on the Special Elections Committee on Campaign Expenditures which had its existence from the general election of 1966 until the organization of this Congress in January. As a part of my responsibility serving on that committee I was the Member of Congress who objected to the seating of the gentleman from Georgia

[Mr. Blackburn] at the time that the 90th Congress was organized. I felt since the election was in doubt and was under contest by Mr. James Mackay that it was my responsibility to interpose this objection. In the light of the fact that Mr. Mackay withdrew his objection by his letter of April 13, 1967, I am happy to join with the subcommittee, that is, Mr. Ashmore's subcommittee, of the Committee on House Administration, of which I am also a member, and to endorse the recommendation of that committee.

Mr. GOODELL. Mr. Speaker, I also join in the committee decision in this instance to dismiss the contest brought by Mr. Mackay against the incumbent contestee, the gentleman from Georgia [Mr. Blackburn]. It should be emphasized that at this stage Mr. Mackay has requested the withdrawal of his contest, so there is really no issue left to argue about.

I think there is one point, however, that should be made in this debate which affects all of us in the possibility of election contests in our own districts in the future. We must move to clarify the whole procedure of election contests in the interim between the election date and the opening of a new Congress. In that period the jurisdiction lies to a degree in the Special Committee on Campaign Expenditures. As a practical matter, the ultimate decision for investigating and determining election contests rests with the new Congress and with the Subcommittee on Elections of the Committee on House Administration. We have had in the past confusion in election contest cases. The contester in some instances has felt he had complied with the law by giving notice of contest to the Special Committee on Campaign Expenditures and failed to give notice under the law to the Clerk of the House and the Subcommittee on Elections of the Committee on House Administration.

In addition, Mr. Speaker, it seems unnecessary that we have two such subcommittees operating with overlapping jurisdiction.

We have moved to a degree to provide that the membership of the Special Committee on Campaign Expenditures will be the same as the membership of the House Subcommittee on Elections.

Perhaps this would be a solution. In any event I believe this Congress should move to try to eliminate the overlapping and confusion that exists in the present law between the jurisdictions of these two committees. It caused some difficulty in this instance. The Special Committee on Campaign Expenditures spent considerable time debating its proper jurisdiction, and the special committee ultimately, by a divided vote, recommended that the gentleman from Georgia [Mr. Blackburn] not be seated on opening day. There was considerable difference of opinion as to the proper jurisdiction of the Elections Subcommittee as distinguished from the Campaign Expenditures Special Committee in this situation.

Mr. Speaker, I would hope that we could move to eliminate any possibility of this type of confusion in the future.

Mr. Speaker, one other point should be made. It is clear from the history and the contest that was brought by Mr. Mackay, that there were serious difficulties experienced with the Votomatic voting machines and the cards that were used and which were punched out by the voter. In many instances they apparently did not go through the machine properly.

There were difficulties in counting the ballots. Because of this there were a great many allegations, brought by Mr. Mackay, with reference to this subject matter. They were not crucial turning points in the determination of this case.

Mr. Speaker, we did not go into these allegations in any great detail in our subcommittee. We do not feel that it is our obligation as a committee of the Congress of the United States to investigate the relative merits of Votomatic voting machines and other machine. But, certainly, when we are dealing with a problem of election contests and are trying in some instances to have a recount of the vote, we must be concerned with the automatic equipment which is used that might make it impossible to have an accurate recount, where such a recount may be indicated, as determined by our subcommittee.

Mr. Speaker, the difficulties were numerous with the Votomatic machines in this election.

Another aspect of the election was the difficulty in controlling the Votomatic cards. Allegations were made to the effect that some of them were left out in the corridors overnight and then put through the machines, and so forth.

Mr. Speaker, we do not pass judgment as a subcommittee, and as a committee we do not ask Congress to pass upon these allegations. But we do call attention to the fact that these allegations were made and that there appears to be some substance to the allegations that great difficulties were experienced with reference to this particular type of equipment.

It is very clear, however, that the decision of the Georgia courts to the effect that Mr. Blackburn won this election under the laws of the State of Georgia was correct and that the gentleman is surely qualified to be seated.

Mr. Speaker, the committee is unanimous in recommending the dismissal of this election contest.

Mr. BLACKBURN. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Georgia [Mr. Blackburn].

Mr. BLACKBURN. Mr. Speaker, I want to say that I certainly appreciate and thank my colleague, the gentleman from Georgia [Mr. Davis] for joining in the endorsement of the resolution which has come from the Committee on House Administration.

I want to say on my own behalf that I am certainly grateful for the consideration shown to me by the leadership of the House and by the Members of the House during this period when this matter was under debate.

Mr. ASHMORE. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

The title was amended so as to read: "Declaring that Benjamin B. Blackburn was duly elected as Representative from the Fourth Congressional District of the State of Georgia to the 90th Congress and is entitled to his seat."

A motion to reconsider was laid on the table.

UNIFICATION OF JERUSALEM UNDER ISRAELI ADMINISTRATION

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, we have heard a great deal in recent days about the restoration of the status quo ante in Jerusalem. In a speech some days ago, I predicted that Arabs of Jerusalem, no less than Jews, would be pleased by the results of the unification of Jerusalem under Israeli administration. The press reports since that time—and I speak of every reliable press source—confirm that this is the case. Jerusalem is free again, to Arabs, Christians, and Jews. What is holy to all three is receiving careful attention and the people of the former Arab sector are being treated with generosity and brotherhood.

I cannot help but contrast this, Mr. Speaker, to the late administration of the old section of Jerusalem under the Jordanian Government. A story which appeared in the New York Times on July 4, a dispatch from Agence-France-Presse, tells of how the Jordanians, during their 20-year rule in Jerusalem, removed gravestones from the Jewish cemetery on the Mount of Olives, one of the holiest cemeteries in the Judaic world, and used them, literally, to pave the road to Jericho. The inscriptions on the stones were still visible to the reporter who wrote the story. I trust that every Member of this body is as outraged as I by this barbaric conduct on the part of the Jordanians.

Mr. Speaker, one might also have noted a story in the New York Times of July 9, telling of the damage the Jordanians did to the highly regarded Rockefeller Archeological Museum in Jerusalem. The damage to the museum was slovenliness; to the cemetery, it was deliberate sacrilege. Is there any civilized human who thinks that the Arab government of Jordan deserves to have restored to it the honor of taking care of the holy places of three great religions? I regard such an idea as folly. In my view, Jordan has forfeited its rights in Jerusalem forevermore.

Never again, Mr. Speaker, can such gross irresponsibility be tolerated. Premier Eshkol has indicated that Israel would be amenable to the presence of some international guard of the holy places of Jerusalem. I favor such a symbolic detachment. What we must never countenance, however—not for a minute—is a return to the way things were before last June 5.

I include the full text of the July 4 article from the Times and the relevant paragraphs of the July 9 article:

Jordan Desecrated a Jewish Cemetery

Jerusalem, July 3 (Agence France-Presse).—Many gravestones removed from the Jewish cemetery on the Mount of Olives were used to build Jordanian Army Camps at Al Azariya and Sur Bahir.

The Mount of Olives, which for centuries had been the burial ground for the Jerusalem Jewish community, was occupied by Jordan after the 1948 war and had been inaccessible to Jews until Israeli forces seized Jordanian Jerusalem June 7.

Newsmen who toured the camp, on the road to Jericho, saw dozens of gravestones, their inscriptions still legible, in walls and flooring.

The Minister of Religious Affairs, Dr. Zerah Wahrhaftig, who was on the tour, called the sacrilege deliberate. He said that by such acts Jordan had proved unworthy to be a custodian of holy places.

Israel Repairing Ravaged Museum—Building Used as a Fortress Gets Ready for Visitors

(By James Feron)

Jerusalem, July 8.—An Israeli workman spent this week removing the plaster that had long concealed the chiseled Hebrew signs on the walls of the Palestine Archeological Museum in the former Jordanian sector of Jerusalem.

The three languages of the British mandate—English, Arabic and Hebrew—had been used when the handsome stone building, familiarly known as the Rockefeller Museum, came into use in the middle nineteen-thirties. The Rockefeller family donated funds for the museum in 1927 but stipulated that it should not bear the Rockefeller name.

For the 19 years of Jordanian operation the Hebrew lettering had been hidden, plastered in where it was etched into the stone, hidden elsewhere with cardboard or display cases.

Staff members of the Israel Museum, whose archeological department is assuming control, have been removing the rubble of war to prepare one of the best known of Middle Eastern museums for an expected rush of visitors.

MUSEUM BECAME FORTRESS

Jordanian soldiers had used the fortress-like museum as a military position. It was one of the last buildings to fall before the Old City walls, which are across the street, were breached on June 7.

The signs of battle are everywhere, and some will last for some time. Most of the windows are broken. Shrapnel holes punctured the ceiling and walls, and new cracks have been made in ancient pots and jars.

Some ancient glass items spun 180 degrees during the shelling. They remained intact but their showcases splintered.

Dr. Avraham Biran, director of the Government antiquities department, said that it would cost about $80,000 to make repairs.

AVOIDING WATER POLLUTION IN NORTHEAST TEXAS—REMARKS OF FRANKLIN JONES, SR.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, my distinguished constituent, Mr. Franklin Jones, Sr., a prominent east Texas attorney, has shared my interest and concern for the lakes, rivers, and streams of northeast Texas for many years. As president of the Cypress Valley Navigation District, he has watched with particular concern the water problems resulting from industrial and population growth in many areas of our Nation, and has shown great foresight in alerting the people of the First Congressional District to the need for comprehensive planning to protect our waterways. Excerpts from Mr. Jones' recent address to the Marion County Chamber of Commerce were cited in an editorial in the Marshall News Messenger, July 2, and I enter this editorial in the Record:

Clean Water

Speaking before the Marion County Chamber of Commerce last April, Franklin Jones Sr., focused public attention on a subject that is seldom considered in Northeast Texas—water pollution.

Our streams, rivers and lakes are clean, we say, and free of pollution. That's a problem for the big cities, we think.

Jones, however, sounded the alarm in noting this area's lack of industrial growth in bygone years may have been a blessing in disguise. But he pointed out that this region is now beginning to grow industrially, with possibilities unlimited, and that new industries should install pollution control devices, keeping the water free of pollution.

"Had Northeast Texas undergone an industrial boom several years ago, it would now be attempting to eradicate the pollution problem as other areas are," Jones said. "Now as industry comes to our land, we can take precautions to keep our waters clean," he continued.

So two months ago, Jones, president of the Cypress Valley Navigation District was bringing attention to the pollution problem in Northeast Texas. The visit to Texas of the President's Water Pollution Control Advisory Board has now served to focus public attention on this very important problem of this generation: How can we assure this and succeeding generations of Texas an adequate supply of potable water?

Texans have thought big in many fields, but have betrayed only a limited vision on the subject of water supplies until recent years. Population growth and industrialization have forced a complete reappraisal of the question of water supply and distribution. The first tentative steps toward major redistribution of water supplies through interbasin transfer have already been taken. As with most beginnings the extent and the nature of the ultimate plan is still uncertain.

In any comprehensive water plan for the state, though, the question of water pollution assumes paramount importance. For wise use and reuse of water is essential to a successful program. This means that a municipality or an industry which uses water must return it to a river system without having reduced substantially its quality.

The responsibility for pollution must be shared. There is more than enough blame to go around. It will not do to just blame industry for all our pollution woes. Municipalities, through sewage and storm sewer facilities, remain one of the most troublesome offenders of all. The people are as much to blame as business and industry and share responsibility for abating pollution.

We in Texas are barely on the threshold of revolutionary developments in water treatment. Primary treatment is no longer good enough. Secondary and tertiary treatment may be required in many industries. Some industries may indeed be forced out of business if adequate treatment of waste waters cannot be developed. The days of "to hell with the downstream users" are over.

Water treatment in Texas is going to be a tremendously expensive business. Tens of millions of dollars will be required for research to develop new processes or improve those now used. But there is no escaping the necessity for adequate treatment of water before it is returned to a river or stream. The health of our people as well as the economic well-being of our state, as Jones pointed out, demand it.

BIG CORPORATIONS DOMINATE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, over the course of many years in the Congress, I am strongly impressed with the great contribution of a few outstanding thinkers who combine a dedication to our democratic principles with a keen awareness of economic and social realities. One of this distinguished group is Prof. J. Kenneth Galbraith of Harvard who, over the many years, has shown a great capacity for casting his bright light on the society around us and showing, in sharp focus, what the facts are and, even more important, how existing facts often deviate from our hopes and expectations. Unlike many other thinkers in and out of academic life, professors like J. Kenneth Galbraith are not blinded by their own preconceptions or misconceptions. They are accurate and brilliant observers of the world around them.

Professor Galbraith's latest contribution to thinking on public policy is a new book entitled "The New Industrial State." It deals with a matter that vitally concerns all of us here in the Congress—namely, the role of the huge corporation in our society. It is his thesis that our economy is dominated by some 500 huge corporations which are controlled not so much by stockholders as by their own managerial officials. And their power and size frees them from their reliance on the traditional market economy. They raise their own money through pricing and goods high enough to permit capital accumulation and they are powerful enough to manipulate demand in the market.

Of particular concern to us in the Congress is his observation of how weak our antitrust enforcement has proven in reaching and coping with this growing dominance of the big corporation. I do not agree with Professor Galbraith's pessimism about the total ineffectiveness of antitrust laws. They continue to be our main hope and bulwark to stem a dangerous trend toward monopoly. But I think he has done a great service in exposing existing weaknesses. It is my fervent hope that this excellent book will be read widely by those of us in the Congress who are becoming more and more concerned by the merger trend and with the imperfections of existing antimonopoly laws. In my opinion, we must strengthen these laws to preserve what is left of our free competitive economy.

The book, of course, is not primarily a treatise on antimonopoly provisions. It undertakes to analyze broad trends in our industrial society and, as such, it will be read by many people concerned with public policy. At the same time, it has particular relevance for antimonopoly policy. I commend it to the attention of my colleagues and all members of the public who are interested in public policy.

I submit for the Record a summary of some of Professor Galbraith's conclusions on these matters which appeared in an article in the Atlantic Monthly for May 1967. Part of this article follows:

MARKET PLANNING AND THE ROLE OF GOVERNMENT

(By John Kenneth Galbraith)

In fact since Adam and as a matter of settled doctrine since Adam Smith, the businessman has been assumed to be subordinate to the market. In last month's article I showed that modern highly technical processes and products and associated requirements of capital and time lead inevitably to planning—to the management of markets by those who supply them. It is technology, not ideology, that brings this result. The market serves admirably to supply simple things. But excellent as it may be on muskets, it is very bad on missiles. And not even the supply of components for the modern automobile can be trusted to the market; neither is it safe to assume that the market will absorb the necessary production at a remunerative price. There must be planning here as well.

The principal planning instrument in the modern economy is the large corporation. Within broad limits, it determines what the consumer shall have and at what price he shall have it. And it foresees the need for and arranges the necessary supply of capital, machinery, and materials.

The modern corporation is the direct descendant of the entrepreneur. This has kept us from seeing it in its new role. Had the corporation been an outgrowth of the state, which we readily associate with planning, we would not be in doubt. The modern corporation has, in fact, moved into a much closer association with the state than most of us imagine. And its planning activities are extensively and systematically supplemented by those of the state.

Let us consider first the regulation of prices in the modern economy and the means by which public behavior is accommodated to plan. Here, I should warn, we encounter some of the more deeply entrenched folk myths of our time, including a certain vested interest in error on the part of both economists and businessmen. If one takes faith in the market away from the economist, he is perilously barren of belief. So, he defends the market to defend his stock of knowledge. And the large corporate enterprise needs the concept of the market as a cover for the authority it exercises. It has great influence over our material existence and also our beliefs. But accepted doctrine holds that in all of its behavior it is subordinate to the market. It is merely an automation responding to instructions therefrom. Any complaint as to the use or misuse of power can be met by the answer that there is none.

Control of prices is an intrinsic feature of all planning. And it is made urgent by the special vagaries of the market for highly technical products. In the formally planned economies—that of the Soviet Union, for example—price control is a forthright function of the state, although there has been some tendency in recent times to allow some of the power of prices to devolve on the socialist firm. In the Western-type economies, comprehensive systems of price control have come about by evolution and adaptation. Nobody willed them. They were simply required by circumstance.

The power to set minimum industrial prices exists whenever a small number of firms share a market. The innocent at the universities have long been taught that small numbers of firms in the market—oligopoly, as it is known—accord to sellers the same power in imperfect form that has anciently been associated with monopoly. The principal difference is the imperfect nature of this monopoly power. It does not permit the exploitation of the consumer in quite such efficient fashion as was possible under the patents of monopoly accorded by the first Elizabeth to her favorites or by John D. Rockefeller to himself.

But in fact, the modern market shared by a few large firms is combined, in one of the more disconcerting contradictions of economic theory, with efficient production, expansive output, and prices that are generally thought rather favorable to the public. The consequences of oligopoly (few sellers) are greatly condemned in principle as being like those of monopoly but greatly approved in practice. Professor Paul Samuelson, the most distinguished of contemporary economists, warns in his famous textbook on economics that "to reduce the imperfections of competition" (by which he means markets consisting of a small number of large firms or oligopoly) "a nation must struggle perpetually and must ever maintain vigilance." Since American markets are now dominated by a very few small number of very large firms, the struggle, obviously, has been a losing one and is now lost. But the result is that the economy functions very well. Samuelson himself concludes that man-hour efficiency in the United States "can hardly help but grow at the rate of three per cent or more, even if we do not rouse ourselves." A similar conflict between the inefficiency of oligopoly and the efficiency of an economy composed thereof is present in every well-regarded economic textbook. Samuelson agrees that technology and associated capital use are what improve efficiency. But these are precisely what require that there be planning and price control.

And here we have the answer. Prices in the modern economy are controlled not for the purposes of monopolistic exploitation. They are controlled for purposes of planning. This comes about as an effortless consequence of the development of that economy. Modern industrial planning both requires and rewards great size. This means, in turn, that a comparatively small number of large firms will divide the production of most (though not all) products. Each, as a matter of ordinary prudence, will act with full consideration of its own needs and the common need. Each must have control of its own prices. Each will recognize this to be a requirement of others. Each will foreswear any action, and notably any sanguinary or competitive price-cutting, which would be prejudicial to the common interest in price control. This control is not difficult either to achieve or to maintain. Additionally, one firm's prices are another firm's costs. So, stability in prices means stability in costs.

The fact of control is far more important than the precise level at which prices are established. In 1964 in the United States, the big automobile companies had profits on their sales ranging from 5 percent to over 10 percent. There was security against collapse of prices and earnings for firms at either level. Planning was possible at either level of return. All firms could function satisfactorily. But none could have functioned had the price of a standard model fluctuated, depending on whim and reaction to the current novelties, from, say, $1800 to $3600, with steel, glass, chrome, plastics, paint, tires, stereo music, and labor moving over a similar range.

However, the level of prices is not unimportant. And from time to time, in response to major changes in cost—often when the renegotiation of a wage contract provides a common signal to all firms in the industry—prices must be changed. The prices so established will reflect generally the goals of those who guide the enterprise, not of the owners but of those who make the decisions. Security of earnings will be a prime objective. This is necessary for autonomy—for freedom from interference by shareholders and creditors. The next most important goal will be the growth of the firm. This is almost certainly more important than maximum profits. The professional managers and technicians who direct and guide the modern firm do not themselves get the profits. These accrue mainly to the shareholders. But the managers and technicians do get the benefits of expansion. This brings the prestige which is associated with a larger firm and which is associated with growth as such. And as a very practical matter, it opens up new executive jobs, new opportunities for promotion, and better excuses for higher pay.

Prices, accordingly, will be set with a view to attracting customers and expanding sales. When price control is put in the context of planning, the contradiction between expectation of monopolistic exploitation and expectation of efficiency, which pervades all textbook discussion, disappears. Planning calls for stability of prices and costs, security of return, and expansion. With none of these is the consumer at odds. Reality has, by its nature, advantages of internal consistency.

I must mention here one practical consequence of this argument, namely, its bearing on legal action against monopoly. There is a remarkable discrimination in the way such measures, notably the antitrust laws, are now applied. A great corporation wielding vast power over its markets is substantially immune. It does not appear to misuse its power; accordingly, it is left alone. And in any case, to declare all large corporations illegal is, in effect, to declare the modern economy illegal. That is rather impractical—and would damage any President's consensus. But if two small firms making the same product seek to unite, this corporate union will be meticulously scrutinized. And very possibly, it will be forbidden. This may be so even though the merged firm is minuscule in size or market power as compared with the giant that is already a giant.

The explanation is that the modern antimonopoly and antitrust laws are substantially a charade. Their function is not to prevent exploitation of the public. If great size and great market power led to such exploitation, our case would long since have been hopeless. Their function is to persuade people, liberal economists in particular, that the market still exists, for here is the state vigilantly standing guard. It does so by exempting the large firms and swatting those that seek to become larger.

The French, Germans, and Japanese either do not have or do not enforce such laws. That is because they are not impelled similarly to worship at the altar of the market. They quietly accept the logic of planning and its requirements in size for effective market control. There is no indication that they suffer in consequence.

When prices for a particular product are set by a few large firms, there is little danger of price-cutting. This part of the control is secure. There does remain a danger of uncontrolled price increases.

In particular, when a few large firms bargain with a strong union, conflict can be avoided by acceding to union demands. And there is not much incentive to resist. There is a common understanding among the firms that all will raise their prices to compensate for such a settlement. If demand is strong enough to keep the economy near full employment, it will be strong enough to make such price increases feasible. These price increases, in turn, set in motion demands for further wage increases. Thus, the familiar upward spiral of wages and prices proceeds. And this too is prejudicial to planning. The individual firm, moreover, cannot prevent such price increases; they are beyond its control as a planning unit.

So here, more and more we follow the practice of the formally planned economies. We rely on the state to set maximum wages and prices. In the United States as in Britain this is done with great caution, circumspection, and diffidence, somewhat in the manner of a Victorian spinster viewing an erotic statute. Such action is held to be unnatural and temporary. Economists accord it little or no standing in ecomonic policy. They say it interferes with the market. Unions also dislike it: they say it interferes with free collective bargaining. Businessmen disapprove: they say it interferes with their natural freedom of decision on prices. But what everyone opposes in principle, all advanced countries end up doing in practice. The answer once more is clear. In a market economy, such ceilings would be unnecessary. But they are an indispensable counterpart of economic planning and of the minimum price control that already exists.

This price- and wage-setting by the state could be dispensed with by having such a shortage of demand that it would be impossible for firms to raise prices and unions to raise wages. That is to say, we could do without such controls by rehabilitating the market for labor and industrial products. It would not then be possible to raise wages in response to prices or prices in response to wages. But that would mean unemployment or greater uncertainty of employment, and it would mean greater market uncertainty for producers—for businessmen. Despite everyone's affection for the market, almost no one wants these results. So we have strong demand, small unemployment, reliable purchases, and the maximum price and wage controls that these require. And we try to avert our eyes from this result. It would be simpler were we to recognize that we have planning and that this control is an indispensable aspect.

This leads to another subject, the management of what people buy at the controlled prices.

The key to the management of demand is effective influence over the purchases of final consumers. The latter include both private individuals and the state. If all such purchases are under effective control, there will then be a reliable demand throughout the system for raw materials, parts, machinery, and other items going into the ultimate product. If the demand for its automobiles is secure, an automobile company can accord its suppliers the certainty of long-term contracts for *their* planning. And, even in the absence of such contracts, there will still be a reliable and predictable flow of orders. How, then, are the individual consumers managed?

As so often happens, change in modern industrial society has made possible what change requires. The need to control consumer behavior arises from the exigencies of planning. Planning, in turn, is made necessary by extensive use of advanced technology and the time and capital this requires. This is an efficient way of producing goods; the result is a very large volume of production. As a further consequence in the economically advanced countries, goods that serve elementary physical sensation—that prevent hunger, protect against cold, provide shelter, suppress pain—include only a small and diminishing part of what people consume. Only a few goods serve needs that are made known to the individual by the palpable discomfort or pain that is experienced in their absence. Most are enjoyed because of some psychic or aesthetic response to their possession or use. They give the individual a sense of personal achievement; they accord him a feeling of equality with his neighbors; they make him feel superior; or they divert his mind from thought or the absence of thought; or they promote or satisfy sexual aspiration; or they promise social acceptability; or they enhance his subjective feelings of health, well-being, and adequate peristalsis; or they are thought to contribute to personal beauty.

Thus it comes about that as the industrial system develops to where it has need for planning and the management of the consumer that this requires, we find it serving wants which are psychological in origin. And these are admirably subject to appeal to the psyche. Hence they can be managed. A man whose stomach is totally empty cannot be persuaded that his need is for entertainment. Physical discomfort will tell him he needs food more. But though a hungry man cannot be persuaded to choose between bread and a circus, a well-fed man can. And he can be persuaded to choose between different circuses and different foods.

By giving a man a ration card or distributing to him the specific commodities he is to consume, the individual can be required to consume in accordance with plan. But this is an onerous form of control, and it is ill adapted to differences in personality. In advanced industrial societies, it is considered acceptable only in times of great stress or for the very poor. (Even in the formally planned economies—the Soviet Union and the Eastern European states—the ration card is a manifestation of failure.) It is easier, and if less precise, still sufficient, to manage people by persuasion rather than by fiat.

Though advertising will be thought of as the central feature of this persuasion, and is certainly important, it is but a part of a much larger apparatus for the management of demand. Nor does this consist alone in devising a sales strategy for a particular product. It often means devising a product, or features of a product, around which a sales strategy can be built. Product design, model change, packaging, and even performance reflect the need to provide what are called strong selling points. They are as much a part of the process of demand management as the advertising campaign.

The first step in this process, generally speaking, is to ensure a loyal or automatic corps of customers. This is known as building customer loyalty and brand recognition. If successful, it means that the firm has a stable body of customers who are secure against any large-scale defection. Being thus reliable and predictable, they allow planning.

A purely defensive strategy will not however, suffice. In line with the goals of its directing organization, the firm will want to expand sales. And such effort is necessary to hold a given position. The same will be true of others. Out of these efforts, from firms that have the resources to play the game (another advantage of size), comes a crude equilibrating process which accords to each participant a reasonably reliable share of the market.

Specifically, when a firm is enjoying a steady patronage by its existing customers and recruiting new ones at what seems a satisfactory rate, the existing strategy for consumer management—advertising, selling methods, product design—will be considered satisfactory. The firm will not quarrel with success. However, if sales are stationary or slipping, this will call for a change in selling methods—in advertising, product design, or even in the product itself. Testing and experiment are possible. And sooner or later, a formula providing a suitable response is obtained. This will lead, in turn, to countering action by the firms that are then failing to make gains. And out of this process a rough but reliable equilibrium between the participants is achieved.

It does not always work. There are Edsels. But it is the everyday assumption of those who engage in management of demand that if sales of a product are slipping, a new selling formula can be found that will correct the situation. By and large, the assumption is justified. Means, in other words, can almost always be found to keep the exercise of consumer discretion within safe or planned limits.

Management of the consumer on the scale that I have just outlined requires, that there be some comprehensive, repetitive, and compelling communication between the managers of demand and those who are managed. It must be possible to win the attention of those who are being managed for considerable periods of time without great effort on their part.

Technology, once again, solved the problem it created. Coincidentally with rising mass incomes came first radio and then television. In their capacity to hold effortless interest, their accessibility over the entire cultural spectrum, and their independence of any educational qualification, these were superbly suited to mass persuasion. Television was especially serviceable. Not since the invention of speech has any medium of communication appeared which is so readily accommodated to the whole spectrum of mental capacity.

There is an insistent tendency among social scientists, including economists, to think that any institution which features singing commercials, shows the human intestinal tract in full or impaired operation, equates the effortless elimination of human whiskers with the greatest happiness of man, and implies that exceptional but wholesome opportunities for seduction are associated with a particular make of automobile is inherently trivial. This is a great mistake. The modern industrial system is profoundly dependent on this art. What is called progress makes it increasingly so.

And the management of demand so provided is in all respects an admirably subtle arrangement in social design. It works not on the individual but on the mass. An individual of will and determination can, in principle, contract out from under its influence. This being the case, no individual compulsion in the purchase of any product can ever be established. To all who object there is a natural answer: You are at liberty to leave! Yet there is no danger that enough people will ever assert this choice—will ever leave—to impair the management of mass behavior.

MAYOR ANGELO J. SARUBBI OF NORTH BERGEN, N.J., CITIZEN OF THE YEAR

Mr. DANIELS asked and was given permission to extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, local government is the cornerstone of our democratic society. Upon the efforts of our local officials rests the very fabric of the American system of government.

All too often, however, officials who serve at this level of government are the targets of criticism if for no better reason than the fact that they are closest to the citizens they serve. Because they are so accessible, it is very easy for the outraged citizen to take out his frustrations by denouncing those public officials entrusted with the operations of municipal government.

On the other hand, it is a rare event when mayors and councilmen receive the praise which is due them when they have given outstanding service. Thus, Mr. Speaker, it is a great privilege and a high honor for me to call to the attention of all Members of this House an honor which has been bestowed upon a very distinguished constitutent of mine.

The Honorable Angelo J. Sarubbi has served the town of North Bergen, N.J., for many years with great distinction and since 1955 has been a member of the town commission, and is now serving his second term as mayor of North Bergen.

It is with a great sense of pride that I insert at this point in the RECORD an article which appeared in the Hudson Dispatch, a leading newspaper in the 14th Congressional District, which tells of Mayor Sarubbi's selection as "Citizen of the Year" by the North Hudson chapter of UNICO, a highly esteemed service organization.

Mayor Sarubbi is an old friend of mine and I would like to extend to him and to his beloved father, John Sarubbi, and to all members of the close-knit Sarubbi family, my own personal congratulations.

The article follows:

WILL HONOR SARUBBI—HE'S UNICO "MAN OF THE YEAR"

North Bergen Mayor Angelo J. Sarubbi has been selected as "Citizen of the Year" by North Hudson Chapter UNICO National, it was announced yesterday.

The announcement was made by President August Orlando and the selections were made by a special committee of past presidents of the service organization headed by Frank De Socio.

Mayor Sarubbi will be honored at a dinner-dance to be preceded by a cocktail party on Saturday, Nov. 4, at Skyline Cabana Club in Jersey City.

Previous North Hudson citizens to receive the award are West New York Mayor John R. Armellino, Union City Mayor William V. Musto, recently named North Bergen School Board Trustee Alfred V. Failla, Hudson Dispatch Managing Editor Thomas R. Oliver, late Editor of Hudson Dispatch John Mitchell, Commissioner John E. Otis of West New York, Principal Joseph Coviello of North Bergen High School, and the late John F. Cahir of Weehawken.

In announcing the award, Orlando praised Sarubbi, who was reelected a commissioner on May 9, for his part in bettering North Bergen community life. He also singled out Sarubbi's work with North Bergen's youth.

Sarubbi first entered North Bergen public life in 1949 when he was appointed secretary to the board of adjustment. He served in this post until 1955, when he was first selected mayor. He has been a member of the town's governing body ever since.

He was born in West New York on Feb. 28, 1916, and was graduated from St. Joseph's Elementary School and Memorial High School in that municipality. Sarubbi is also a graduate of Pratt Institute in Brooklyn.

Now a successful building contractor, he lives with his wife, the former Mildred Thomson and two sons, John 25, and William 18, at 428 74th st., North Bergen.

In an interview, Orlando said that Sarubbi deserved the award because he is an "outstanding citizen of Hudson County in general." The work with youth that Sarubbi is praised for in particular, Orlando added, "the playgrounds that have been built with his backing throughout North Bergen and the track that is being built in North Hudson park now."

UNICO is a service organization whose North Hudson branch was started 13 years ago. Besides other charities, the group gives out one college scholarship a year and it has chosen a "man of the year" for the last 10 years. The proceeds from the "man of the year" dinners go to help pay for the scholarships.

BRING TO TRIAL, NASSER, THE NO. 1 WAR CRIMINAL OF OUR DAY

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, there will be no peace in the Middle East until several things occur—and they must occur practically simultaneously.

First. Peace treaties must be consummated between the Arab States and Israel as part of which there must be agreement as to the geographic boundaries of the countries involved. Peace treaties necessarily require as a condition of their execution full recognition of the political existence and sovereignty of each party.

Second. Acknowledgment by all and guarantees by the international community of the right of all to peaceful transit without interference of the Suez Canal, the Gulf of Aqaba, and the Strait of Tiran.

Third. Resettlement of the refugees.

The delegates in the U.N. have been talking about this for weeks. Unfortunately, the talk emanating from the Arabs and their supporters has been false, virtuperative, irrelevant, intransigent, steeped in hate and thus promising more war than peace.

How do we make some progress away from war and toward peace?

Let us take a lesson from World War II and its aftermath.

As a result of the Hitlerian atrocities we set up the Nuremberg trials and the pattern thus set has been consistently followed in arresting and prosecuting war criminals.

The Arab war criminals, led by Nasser, have learned nothing from those trials. I say let us teach them.

We should set up a new war crimes court. The first culprit to be tried should be Abdel Gamal Nasser.

Ever since taking over the Government of Egypt and its successor, the United Arab Republic, he has been urging the annihilation of the Israelis and the destruction of the State of Israel. His incitement of hatred, his training of terrorists and infiltrators was and is for the soul purpose of killing the inhabitants of an entire nation, a duly and fully recognized member of the family of nations. His last massive but abortive attempt was for the sole purpose of fulfilling his threats to destroy that entire nation.

The proof of this foul and unprovoked conduct on Nasser's part is spread across the pages of history and is indisputable.

The last conflict was instigated and brought about primarily by Nasser. The responsibility for every death, every wound, every damage to property, is his.

He should be brought before an International Court of Justice and tried for his villainous misconduct. In the calm atmosphere of such a court, the entire record should be exposed. Let him dare to deny his own statements.

Regardless of any punishment that may be meted out to him, once his nefarious actions are made known to the Arab masses, they will reject him and his dastardly false propaganda. When they learn that the billions of dollars wasted on armaments could have been wisely spent to improve their economic condition, they will respond with demands for permanent peace.

Law, order, and justice can prevail among nations only when their leaders believe in and practice obedience to right.

INVOLVEMENT IN THE CONGO

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, the distressing news comes to us that three U.S. Air Force planes and accompanying paratrooper guards have been sent to the Congo to shore up the forces of President Joseph D. Mobutu.

This is a dangerous situation, and we might be asking for real trouble, because the commitment of even a token force of Americans could well be an invitation to full-scale involvement. We need but think back on how our involvement mushroomed in Vietnam, starting with the assignment of a few mechanics in 1954 and escalating to an assignment of some 450,000 troops today. And even now there is a call for another 100,000 or more American troops in this area.

A wholesale involvement in the Congo—on top of our already heavy commitment in Vietnam—would place a terrible burden on our American manpower and resources. All of this raises the question of just how long America can play the role of "policeman of the world."

What if some form of trouble were to break out in South America, in India, in South Korea? Would we rush American men and materials to those trouble spots in an effort to straighten things out with a heavy cost of American men and materials?

Mr. Speaker, the time has come for a serious reassessment of our foreign policy against the background of our available human and material resources. The question is this: Even if the role of "policeman of the world" were a desirable one, would we have the men and materials to back it up?

We are a rich country, but we are not wealthy in manpower. Our population figure becomes token when compared with the heavy population statistics of Asia and Africa. While our material resources are plentiful, they do not by any means carry any built-in insurance against exhaustion.

Confusion throughout the world centers in a conflict of political philosophies and ideologies, even as in the case of the current troubles in the Congo. We are deeply involved in Southeast Asia in a sharp conflict with Communist forces, and all the while these forces threaten new outbreaks in Thailand, South Korea, and other parts of the world. One cannot help but be concerned that this might be a long-range design of communism to bleed America white, draining off her manpower and materials into carefully contrived trouble spots throughout the world.

It is disconcerting to observe that on March 1, 1966, the official Chinese Communist Party newspaper, People's Daily told its readers:

> United States . . . can be destroyed piece by piece, once it is split up. Everything can be split up into its parts, and so can United States imperialism, even though it is strong and powerful.

The Communist newspaper went on to explain that wars like the one in Vietnam stretch out U.S. power, weaken the Americans and make them vulnerable. It then added:

> If some of the world's people (meaning the Communist revolutionaries) strike at its head and others at its feet, the divided United States imperialism can be destroyed piece by piece.

What, then, Mr. Speaker, are we doing to guard against this evil eventuality, whether it be in the Congo, Vietnam, or some other trouble spot of the world? Apparently nothing, because every time there is an eruption in some part of the world, Uncle Sam puts on his police uniform, picks up his nightstick, and rushes to the place of disorder.

Mr. Speaker, the world is too big and has too many trouble spots for America to act as a world policeman.

The Congo is a point in order. What obligation do we have there? Why should we be committed with our men and materials in that area? Is there any good reason why we should invite the sacrifice of American lives on this continent?

Is it not about time we put a stop to trying to act as a lone policeman on a vast world beat and, instead, confine our police activities to what we can afford in men and materials—and what, in our national interest, are bona fide obligations?

WIRETAP BAN GOES TOO FAR

Mr. POFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, the problems of crime, organized criminal activity, and law enforcement continue to mount. The people are demanding that Congress prepare new and stronger laws to deal with the Nation's unprecedented spiraling crime rate. But no matter how strong, no matter how carefully drawn, no matter how well developed new laws may be, Congress only legislates. It takes enthusiasm and dedication at the law-enforcement level to turn our laws into effective tools to combat crime nationwide. Law enforcement requires more than laws, studies, or commissions. It requires cooperation among the legislative, judicial, and executive branches. It requires determination and a continuing effort to enforce the laws that Congress has written.

It has been said that the Attorney General's recent memorandum banning all wiretapping and nearly all eavesdropping by Federal agents, except in isolated cases, leaves as the next logical step an order instructing Federal law-enforcement officers to wear blinders and stuff cotton in their ears. On Monday, July 10, 1967, the Christian Science Monitor noted that:

> The Attorney General's rulings mean that some federal agents have been stripped of some of their most effective weapons in the warfare against organized crime. And at the very time there exists the overwhelming need to escalate that warfare.

The battle against crime has not been won. The problems are still with us in even greater numbers. I quote herewith the Christian Science Monitor editorial with the hope that it will receive the careful attention of my colleagues:

RECONSIDER THE WIRETAP BAN

> In issuing new regulations banning all wiretapping and practically all eavesdropping by federal agents, except in national security investigations, Attorney General Ramsey Clark has gone too far.
>
> His purpose—to protect individual privacy in accord with the Fourth Amendment provision against unreasonable searches—is commendable. But constitutional rights are not absolute. Government errs when it interprets them so broadly that their enforcement would substantially endanger the public safety.
>
> The individual's right to privacy, especially now that developments in technology make invasion of that right increasingly easy, deserves adequate protection. But this right must always be weighed against the public's right to safety—its right to receive adequate protection against the ruthless and well-organized forces of the national crime syndicate.
>
> The Attorney General's rulings mean that federal agents have been stripped of some of their most effective weapons in the warfare against organized crime. And at the very time when there exists the overwhelming need to escalate that warfare.
>
> Mounting public pressure is building for a tough crackdown on crime, regardless of individual liberty. The Attorney General's regulations could well have the unintended effect of adding to that pressure, and thereby ultimately hurt more than help the cause he espouses.
>
> The public as a whole have "certain unalienable Rights," among which are "Life, Liberty and the pursuit of Happiness." The government errs when it interprets the Fourth Amendment so liberally that it seriously impairs the ability of its own agents to protect these rights of all the people.
>
> The Constitution was established not only to "secure the blessings of liberty" and "provide for the common defense" but to "insure domestic tranquility" and "promote the general welfare." Mr. Clark's regulations, going well beyond President Johnson's 1965 statement on the subject, fail to strike the needed balance.
>
> He may have been anticipating that the Supreme Court will ban the use of eavesdropping devices which do not demand a physical trespass. In our judgment, he should not have so anticipated. And the court should not so decide. We also find unduly restrictive the decision not to permit wiretapping by federal agents where information gleaned will not be publicly divulged or introduced as evidence.
>
> Without at least *these* uses of electronic surveillance—coupled, to be sure, with adequate administrative controls—we seriously doubt whether the government can mount an offensive capable of protecting the public from the insidious machinations of Mafia-type operations. We hope that the Attorney General will reconsider his extreme and rigid regulations in light of the pressing national need to root organized crime from the American scene.

L. B. J. AT THE SUMMIT FORGES NEW HOPE FOR A PEACEFUL WORLD

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker—

> Mr. Johnson said the world is a little less dangerous place because they met. This could well be true, for even getting to know one another better could make future communications between the two readier and more productive.

This editorial opinion, expressed by the Witchita Eagle, sums up, I think, the view shared by a majority of sensible Americans. We know that the summit meeting between our President and the Soviet Premier did not produce dramatic agreement on a host of outstanding differences.

But as the Eagle notes, the world may indeed be a less dangerous place simply because the two most powerful leaders in the world expressed themselves candidly and openly with one another.

> Perhaps—

Says the Wichita Eagle—

> the most significant thing about the meetings is their tone—relaxed and amicable. Such a beginning can only make it easier to work toward further understanding.

In my judgment, most of the American people are rightly proud of President Johnson's proven statesmanship and continuing, tireless efforts in pursuit of a just, enduring peace. Surely the Glassboro meetings have served to bring home to Premier Kosygin these qualities and dedicated objectives of our President, as spokesman for the American people.

The President's policies toward the Soviet Union have been firm, but fair. The Glassboro summit should have brought a greater awareness of these policies to the Soviet leadership—as well as a greater awareness of the firmness and resolution of our Chief Executive.

The cause of peace was therefore well served at the summit conference in New Jersey. Our hope—indeed, all of humanity's hope—is that this meeting will be but the first step in a continuous process of acquiring both greater respect and sounder understanding between two nations with the greatest capacity to advance a peaceful world.

Under unanimous consent I insert in the RECORD this excellent editorial from the Wichita Eagle:

No Progress on Major Problems, but Summit Talks Were Useful

It is not surprising that no particular progress was made in the summit talks between President Johnson and Premier Kosygin on the two toughest issues of the moment—Vietnam and the Middle East.

And it was evident from the statements issued after Sunday's meeting that the position of neither country has been changed on those questions. They could hardly have been. The Russian attitude cannot be changed without the concurrence of the committee that really rules the Soviet Union, and its present stand is unacceptable to the United States.

But this doesn't mean the talks were not valuable. The mere fact that they happened is important. President Johnson issued the invitation and Kosygin accepted. The ten hours they spent together cannot but have resulted in a better acquaintance and a firmer grasp by each of the problems and attitudes of the other. Mr. Johnson said the world is a little less dangerous place because they met. This could well be true for even getting to know one another better could make future communications between the two readier and more productive.

Both leaders reported basic agreement on non-dissemination of nuclear weapons, which is a major step forward in a vital area. It also has been suggested that they may have moved closer to agreement on halting the nuclear arms race by ending deployment of antiballistic missiles. This, if it comes to anything, would spare both nations a costly and essentially fruitless competition that would end in greater armament but no particular advantage for either.

And whatever common ground may have been found in the private talks, it would be impossible for either leader to alter his public stance at once because of the public opinion each must face at home. Moreover, the wounded cries from Peking about the meeting serve as a reminder that there is a third major nuclear power in the world now—a fact that greatly alters both the means and the substance of diplomacy.

Perhaps the most significant thing about the meetings is their tone—relaxed and amicable. Such a beginning can only make it easier to work toward further understanding.

NAVAL ROLE IN DEFENSE GAINS NEW RECOGNITION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, the U.S. Navy has been a source of pride and comfort to the people of this Nation since its founding. I believe it is a great credit to the Navy that it has maintained and strengthened its role in our national defense in the space age.

Hanson W. Baldwin, an expert on military affairs, presented an excellent picture of the current and potential capabilities of this space age Navy in an article entitled "Missiles Go to Sea" in the New York Times of Sunday, June 9.

I would like to have this article appear in the Record, and certainly commend it to my colleagues as a well-deserved tribute to the technology and capability of the U.S. Navy.

The article follows:

Missiles Go to Sea

(By Hanson W. Baldwin)

The nuclear age has gone to sea. Last week's news from the Pentagon that the Navy is studying a ship-based anti-ballistic missile system emphasizes once again—in modern context—Alfred Thayer Mahan's "influence of sea power upon history."

In mobility and in weapons, the marriage of the "Nuke" and the ship has transformed the two-dimensional navy with control of the seas as its objective to a three-dimensional navy with the added objective of attack against, and defense of, the great continental land masses of the world.

Strategically and tactically the role of the Navy has been transformed by the nuclear age; the depths of the sea, the space above the atmosphere and every part of every land mass on earth are now accessible to modern naval power.

Today, the single most important nuclear contribution of the Navy is its fleet of 41 missile-firing submarines, each equipped with 16 missiles, each capable of destroying with its megaton nuclear warhead any city on earth.

Nuclear-powered engines—which require no air—enable these submarines to remain completely submerged for indefinite periods and their mobility and invisibility give them unequaled defensive invulnerability.

PLANS FOR POSEIDON

The submarine-launched ballistic missile has, moreover, another major asset; it draws the lightning of enemy nuclear attack toward the seas rather than—as land-based missiles do—toward the populated land.

In the next few years the Polaris family of missiles will be succeeded by the fourth-generation Poseidon, a missile with greater power, capable—alternatively—of carrying a larger warhead for a longer distance or several warheads, as well as various devices known as penetration aids to help the missile break through the enemy's defenses.

This submarine missile force, which is an important part of the nation's strategic nuclear offensive capability, may become even more important in the next step of the arms race. If the Russians develop MIRV—Multiple Individually guided Reentry Vehicles—or several warheads for each missile, each capable of maneuvering along a different trajectory to its target, the threat of destruction to a fixed missile launcher ashore may become so great that the defensive answer may have to be to put more missiles at sea.

In addition to the Navy's ballistic missile bombardment force, the Navy's planes, flown from carrier decks, have a definite role in nuclear war. However, the nuclear role of naval aviation is now more "tactical" than "strategic"; the targets of naval aircraft are primarily near the periphery of the enemy's territory—submarine bases, airfields, radar and missile sites—rather than targets deep in the interior.

NUCLEAR DEPTH CHARGE

The Navy, like the other services, has developed so-called tactical, or smaller, nuclear weapons for specific purposes. A nuclear depth charge, which can be projected from plane or surface ship, is designed for use against enemy submarines. Small atomic bombs for taking out point targets—such as a strongpoint on a beach, are available. As far as is known, the Navy has no nuclear shells, but its short-range missiles—fired from surface ships or from planes—can carry nuclear warheads. Development of a naval model of the Army's 175 mm. gun is under way, and a whole "family" of new naval guns, some with rocket-assisted shells, others with devices to multiply present ranges many times, are under study. Any or all of these could utilize nuclear shells or warheads.

The Navy has also pioneered in the use of nuclear power for surface ships; the nuclear-powered aircraft carrier Enterprise has chalked up records in combat off Vietnam. Nuclear power for surface ships provides virtually unlimited high-speed cruising range, frees the ship of dependence upon oilers, eliminates stack gases and provides so many other advantages that despite Secretary McNamara's reluctance (based on greater costs) a nuclear powered fleet for all major vessels seems certain.

The Navy's seagoing anti-ballistic missile system would work this way. A number of ships—some with powerful radar, others as launching vessels—would position themselves across the "window" or angle of approach of missiles launched against the United States from bases in Communist countries. Such a sea-based system would provide an outer line of defense; interception of enemy missiles could be made during their mid-course, rather than terminal phase.

INTRASTATE AIR CARRIERS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I am in receipt today of a reply to my inquiry of Chairman Charles Murphy of the Civil Aeronautics Board regarding the Board's position on the respective rolls of interstate and intrastate air carriers which I think is sufficiently significant that it should be included in the Record today with my inquiry and reply for the benefit of the Members and of the public.

The correspondence referred to follows:

May 19, 1967.

Hon. Charles S. Murphy,
Chairman, Civil Aeronautics Board,
Washington, D.C.

Dear Chairman Murphy: There has been a recent announcement that you have granted to Northern Consolidated Airways temporary traffic rights for nonstop service between Anchorage and Fairbanks, Alaska, in competition with the service now being performed by Alaska Airlines. It is understood that Alaska Airlines has gone into the State court to secure a restraining order against the State Transportation Commission from granting a certificate to Interior Airways of Fairbanks which had applied for rights to fly seven daily shuttle flights between Anchorage and Fairbanks.

The Anchorage Daily Times of May 11, in commenting on these two actions, states, "Sources in Washington reported the Civil Aeronautics Board was 'terribly exercised' by reports the State planned to approve intrastate service over a route which now is subsidized by the federal govenment. The CAB, one source said, 'took a dim view' of the state plans".

This press story prompts me to inquire of you just what may be the position of the CAB in its promotion of aviation with regard to the respective roles which properly should be played with interstate and intrastate carriers. In such connection, I wish that you would include the actions and positions which the Civil Aeronautics Board has taken regarding the operation of intrastate service between Los Angeles and San Francisco.

Sincerely yours,
Harley O. Staggers,
Chairman.

CIVIL AERONAUTICS BOARD,
Washington, D.C., July 10, 1967.
Hon. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your letter of May 19, 1967, inquiring about the Board's position regarding the respective roles which interstate and intrastate carriers should play in aviation.

The Board's policies towards intrastate carriers, and actions by State regulatory commissions, have evolved in the context of the limited coverage of the Federal Aviation Act over the economic aspects of intrastate activities. While that Act extends safety regulatory control over any operation "in", or which "directly affects" interstate commerce, the economic regulatory provisions do not explicitly apply to operations which "affect" commerce but are not "in" commerce (§ 101 (4) and (21)).

The scope of this statutory grant of jurisdiction affects the Board's actions with respect to both the intrastate aspects of the operations of interstate carriers and the operations of intrastate carriers. As to interstate carriers, a State Supreme Court has held that the State commission can regulate the air carriers' rates for local transportation between points in the State (as opposed to rates for interstate passengers moving between the same points). (*People* v. *Western Air Lines,* 268 P.2d 723, *appeal dismissed,* 348 U.S. 859.) Another State Supreme Court has ruled that its State commission could not require an interstate carrier to continue serving the intrastate portion of a route over which the Board had authorized the carrier to discontinue service. (*Frontier Airlines* v. *Nebraska Dept. of Aeronautics,* 175 Neb. 501, 122 N.W. 2d 476.)

As to the so-called intrastate operators, where a carrier operates only between points located within a single State, the Board's jurisdiction has been judicially upheld if the carrier participates substantially in the carriage of traffic moving interstate (*C.A.B.* v. *Friedkin Aeronautics, Inc.,* 246 F.2d 173; *C.A.B.* v. *Canadian Colonial Airways,* 41 F. Supp. 1006), or if the carrier flies its aircraft over a place outside the State. (*Island Airways* v. *C.A.B.,* 352 F.2d 735.)

The Board has never asserted authority over purely intrastate carriers (not carrying interstate traffic), even where the intrastate carriers compete with federally certificated ones. Furthermore, the Board does not intervene before State commissions to oppose applications by local carriers for intrastate authority, although it may on occasion file an *amicus* statement. The same policies are generally followed with respect to State regulatory commission matters involving interstate carriers.

The lack of federal control over intrastate carrier operations by air did not present substantial economic problems until recent years. When the Civil Aeronautics Act was enacted in 1938, and for many years thereafter, operations by intrastate carriers were not extensive; and no State denied interstate carriers permission to operate over intrastate segments. Furthermore, there was little regulatory action by the States. By 1961, however, 18 States had begun to issue certificates of public convenience and necessity for intrastate common carriage by air. In California, at least, passenger traffic is already sufficient to enable intrastate carriers to operate large jet aircraft.

The California and Alaska situations illustrate the resulting problems. In California, the Board sought over a decade ago to enjoin the intrastate carrier, Pacific Southwest Airlines (PSA), from operating unauthorized flights which carried many passengers whose journeys began or ended outside California. (*Friedkin, supra.*) Eventually, PSA agreed to entry of a cease-and-desist order which barred such carriage. (*Western Air Lines, Inc.* v. *PSA,* CAB Order E-19655.) Earlier this year the Board exempted PSA from Title IV of the Act to the extent that those statutory provisions applied to PSA's jet flights which momentarily operate beyond the three-mile limit in connection with takeoff or landing at mainland California points, but which do not otherwise involve transportation subject to the Board's jurisdiction. (*Pacific Southwest Airlines,* Orders E-23958 and E-24895.) (Copies enclosed.)

PSA now operates over several important intra-California routes in competition with Federally certificated air carriers, including Pacific Air Lines (Pacific), a subsidized carrier. The California Commission has also licensed at least one other carrier for operations between various points within the State.

In Alaska the Alaska Transportation Commission has undertaken to assert exclusive jurisdiction to authorize new nonstop service between Anchorage and Fairbanks, and initially attempted to prevent one federally certificated carrier, Northern Consolidated Airlines, from offering such service. The State commission also entertained an application by an intrastate carrier, Interior Airways, to offer the very same service in competition with the existing federally certificated carrier, Alaska Airlines. Although no final decision has been reached, a State court has enjoined the Commission from authorizing Interior to operate; and Northern Consolidated has begun service.

The Federal Government has a large stake in the sound development of intra-Alaskan service. Before Alaska became a State and enacted its aeronautics statute, the Board had exclusive jurisdiction over all air transportation within or to Alaska. From 1938 through mid-1959, the total subsidy bill for the Alaskan air carriers was $77 million, of which $42 million was for intra-Alaskan operations. For the two federally authorized carriers on the Anchorage-Fairbanks route, the subsidy bill for their total operations in all areas was about $16 million during fiscal 1962–1966 and is estimated to be over $2.6 million for fiscal 1967. If the Alaska Transportation Commission allows an intrastate carrier to divert Anchorage-Fairbanks traffic, the Federal Treasury could bear much of the resulting burden.

It does not appear that State authorizations for intrastate air carriers have had a substantially adverse effect upon the development of the federally regulated air transportation system. They have given rise to problems, e.g., the impact of PSA's operations in California upon Pacific, which is federally subsidized. But there is little doubt that PSA's operations have had a salutary effect upon air travel in California by way of improved service, lower fares, and increased volume. This may be an appropriate place for the Board to apply the policy that it should not pay subsidy to a carrier to provide airline service some other carrier will provide without subsidy—which is easier said than done.

Similarly, if the State Commission in Alaska should insist on actions impairing the earning ability of federally subsidized carriers, our Board may be driven to considering withdrawal of Federal subsidy. I very much doubt, however, if it will come to that.

In summary, it seems to us that there is a useful role which intrastate air carriers can play; that in most cases this will not impinge unduly upon the federally regulated systems; that we should undertake to minimize "conflicts" through informal contacts with State officials; that we should not interfere with intrastate operations merely for the purpose of asserting or extending Federal jurisdiction; that we should be alert to prevent intrastate air carrier operations from impinging unduly upon the federally regulated system by taking such actions as are open to the Board under the present law; and that, if it should prove unhappily that the present law is not adequate for that purpose, we should then come to Congress for a legislative remedy.

Sincerely yours,
CHARLES S. MURPHY,
Chairman.

JULY 11, 1967.

Hon. CHARLES S. MURPHY,
Chairman, Civil Aeronautics Board,
Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter of July 10 replying to my inquiry of May 19 regarding the Board's position on the representative roles which interstate and intrastate carriers should play in aviation.

I am pleased to note that the Board recognizes that in the national transportation picture there is a useful role which intrastate carriers can play, and that there is a problem of the extent to which interstate carriers should be supported by the Board where intrastate carriers provide improved and adequate service, at lower fares, to the traveling public.

Sincerely yours,
HARLEY O. STAGGERS,
Chairman.

AIRLINE ACCIDENT INVESTIGATIONS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, many Members of the House may be interested in the progress of investigations into a number of airplane crashes which have shocked the public during the last 3 or 4 months. For their information I include a letter from the Chairman of the National Transportation Safety Board to the Committee on Interstate and Foreign Commerce in the RECORD.

As may be seen from the letter—

> The investigation of civil aircraft accidents is now the responsibility of the National Transportation Safety Board.

Investigations into three aircraft accidents occurring in March 1967 are presently underway. It is to be noted that the investigations follow standard procedures, in which well-qualified experts are employed. The public is kept informed throughout the investigation by the Safety Board—the primarily responsible body. After their investigations are complete, detailed findings and the probable causes of the accidents will be released.

Our committee has been kept informed that a study of the accidents was underway.

If any legislation is indicated as a result of any reports of the Safety Board, and if such legislation is referred to our committee, we shall hope to act on it with all due speed.

The letter from the Chairman of the National Transportation Safety Board follows:

DEPARTMENT OF TRANSPORTATION,
NATIONAL TRANSPORTATION SAFETY BOARD,
Washington, D.C., July 7, 1967.
Hon. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CONGRESSMAN: In accordance with your request, the Board is more than happy to bring you up to date on the status of three commercial airline accidents which occurred in the past few months and in which your Committee has expressed a particular interest.

In addition, this letter will serve to review again with you, for your benefit and for the benefit of your Committee, the procedures the Board follows in connection with the investigation and reporting of results in aviation accidents of this type.

1. *Air collision at Urbana, Ohio, involving TWA DC-9 and a Beechcraft Baron B-55, privately owned, March 9, 1967.* Since our last progress report to you in connection with this case, the detailed field investigation has been completed; an extensive public hearing was held in Dayton, Ohio, on June 6-8, 1967; and we are presently receiving comments and suggestions from interested parties who have, under our rules, thirty days from the date of the hearing in which to submit them.

2. *Delta Airlines training flight crash at New Orleans, Louisiana, March 30, 1967.* The field investigation has been completed and a public hearing has been scheduled to begin in New Orleans on July 19, 1967. The hearing will be presided over by Member Oscar Laurel of this Board, and at that time all of the known or ascertainable facts will become a matter of public record. It is expected that the hearing will not last more than two days.

3. *Lake Central Airlines, accident near Marseilles, Ohio, March 5, 1967.* The field investigation in this case has been completed and a public hearing is scheduled to be held in Indianapolis, Indiana, commencing on August 2, 1967. In this case, too, the hearing is expected to reveal all of the known and ascertainable facts and to point the way toward corrective action if such has not already in fact been instituted.

I am sure you are quite familiar with the investigative process of the Board in aircraft accidents of the sort we have been discussing, but it might be well to restate it for the record.

The investigation of civil aircraft accidents is now the responsibility of the National Transportation Safety Board. This responsibility, with a staff of experienced air safety investigators, was recently transferred to us from the Civil Aeronautics Board under the provisions of the Department of Transportation Act, but the function had been exercised by the CAB from 1940 until the recent transfer to us.

The practice has always been to organize a team of experts in the various technical areas that might be involved in any such accident, under the leadership of trained investigators representing the National Transportation Safety Board. After as exhaustive a field investigation as the situation requires and permits, the Board schedules and holds a public hearing at or near the site of the accident. At this stage of the process, all interested parties, such as the airline concerned; the Federal Aviation Administration; airline employees associations; air-frame manufacturers; engine manfacturers; and any other possible interested parties, are active participants in adding to and thus developing a complete record of all the known or ascertainable facts.

Subsequent to such public hearing, the Board analyzes the record and other information known to it and issues a formal report as to the probable cause of the accident.

Of course, as you know, the entire chain of process is conducted entirely in the open, and as rapidly as facts are identified as uncontrovertible and relevant, beginning at the accident site, they are immediately made known to the interested parties to the investigation and are at the same time released to the news media and the public. In fact, a major part of the constructive results which flow from accident investigations are the immediate putting to use for corrective purposes of all the information developed during the preliminary stages of the investigation or in the public hearing.

The Board appreciates and understands the continuing interest you and your Committee have with respect to the performance of the accident investigative functions by our Board. Please feel free to call on us at any time for information or report either as to our process generally, or as to the handling of any particular case.

Sincerely,

JOSEPH J. O'CONNELL, Jr.,
Chairman.

CONGRESSMAN HORTON INTRODUCES ANTISMUT BILL

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I am today introducing a bill which will permit a person to effectively remove himself from the mailing list of any publisher engaged in the dissemination of morally objectionable material. Existing laws, which are directed primarily at suppressing patently obscene materials, have proven woefully inadequate to protect the public from peddlers of filth.

In recent months I have received numerous complaints from parents in my district who are appalled by the degenerate publications which they and their children have received, unsolicited. It is imperative this body act promptly to protect people not only from that very limited range of materials which falls within the legal definition of obscenity but also from the myriad publications which are not within that definition but are, nonetheless, repulsive to the vast majority of Americans.

Because the purveyors of smut almost universally develop their mailing lists by purchasing subscription lists from reputable publications, any man or boy who subscribes to even such a wholesome publication as a sports magazine is likely to receive printed garbage at some future time. It is this unwarranted invasion of the individual's privacy which my bill seeks to prevent.

The Horton bill provides that any person who receives unsolicited mail which he deems to be obscene, lewd, or indecent may return it to the Postmaster General and request that the sender be notified to cease sending such mail to the complainant. The bill specifically provides that any parent may take such action to protect the privacy of his children as well as his own privacy.

Upon receiving a complaint, the Postmaster General is required to notify the sender to halt all such mailings to the complainant. If the publisher continues to send smut to the complaining individual, the Postmaster General is directed to schedule a hearing to determine whether or not the act has been violated. If the act has been violated, the Postmaster General may direct the Attorney General to apply to a U.S. district court for an order demanding compliance with the act. The bill provides that if the sender does not comply with this court order he is subject to the penalties for contempt of court.

This measure, which respects all of the recently announced constitutional limitations on the police power of the Government, will provide every American with a simple and totally effective method of preventing both his own privacy and that of his children from being disturbed by unsolicited and highly offensive pornography.

I know many of my colleagues share my contempt for purveyors of smut and I look forward to your strong support of this much-needed legislation.

CONGRESSMAN HORTON INTRODUCES TWO MEASURES TO AID THE RESOLUTION OF THE MIDDLE EAST CONFLICT

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I am today introducing two much-needed measures to aid in settling the present conflict in the Middle East. The first of these measures is a sense-of-the-House resolution expressing what I believe are the guidelines within which a settlement must be achieved if it is to be enduring. The resolution provides that the sovereignty of Israel must be recognized, that the Suez Canal must remain an international waterway open to all nations, that all nations must recognize as final the boundaries that will emerge from the anticipated negotiations, that the shipment of arms to all countries of the Middle East be halted and that all Middle Eastern countries immediately devote their full attention to the longstanding problems of the Palestine refugees.

The second measure I am introducing should provide the necessary stimulus to cause the countries of the Middle East to relocate these refugees. It is clear that if we are to forge a lasting peace in this historically contentious area these refugees, who have long been one of the prime sources of friction between the Arab and Israel peoples, must be removed from the refugee camps along the 1949 frontier between Israel and the Arab nations and that adequate provision must be made for their permanent settlement elsewhere. Because the recent conflict has dramatically increased the number of refugees on both sides of the borders, it is now even more important that the refugee population be relocated.

Those of us who have been intimately familiar with the situation in the Middle East have long recognized the continuing threat to peace which these refugee camps pose. Fortunately, many carefully considered and thoroughly documented newspaper articles have brought the importance of this problem to the public attention in recent days.

However, public awareness of the problem is not enough. Absent positive action by one or more of the great powers of the world, these refugee camps and the concomitant hostility they generate will persist long after the present crisis of the Middle East subsides.

My bill directs the Secretary of State to reimburse—to such extent as he deems appropriate—any Middle Eastern country for expenses it incurs in relocating Arab refugees from Palestine to within its own borders. These payments are to be made directly to the host governments subject to such terms and conditions as the Secretary may deem necessary.

It is my fervent hope that if this bill is enacted into law, the Soviet Union, in furtherance of the spirit of cooperation which was manifest at the Glassboro summit meeting, will join with the United States in this worthwhile and nonpolitical effort to relieve world tensions.

Since 1948 many thousands of Arabs who were formerly residents of Palestine have existed in the miserable squalor of refugee camps. These camps on the Arab-Israel frontier have not only been a source of continuing irritation to both sides, but also senselessly demeaned the residents of these camps who nearly 20 years ago were victims of the Arab-Israel war. An entire generation of refugees has grown to virtual maturity knowing no other life. United Nations statistics indicate that over one-half of the population of these camps is under the age of 18.

If this body enacts into law the proposal I am making today, this Nation will not only be helping to eliminate one of the myriad sources of animosity that produced the recent crisis, but it will also be helping to terminate the senseless waste of human resources that necessarily continues as long as these refugee camps remain.

DAY CARE ACT OF 1967

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Reid] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am introducing today the Day Care Act of 1967 which was developed by Senator Javits and has already sponsored by a number of Members of both the House and the Senate.

This legislation will provide day care for children of low-income families in order to enable their parents or relatives to choose to undertake vocational training, basic education, or employment. Far more than merely providing additional day-care facilities, this measure is designed to attack the problem of growing welfare rolls by encouraging parents to find vocational training or employment once they are assured that their children will be well taken care of during the day.

The increasing number of Americans receiving public assistance is staggering. In New York City alone, the monthly average of recipients rose from 531,000 in 1965 to 621,000 in 1966; nationally, some 7.5 million people are aided by the four federally sponsored welfare programs.

In dollar terms, the total cost has risen from $4.2 billion in 1962 to $6.1 billion in 1966 and these figures provide assistance to only one-half of those Americans whose income level is below the national poverty standard.

However, a considerable proportion of the 900,000 mothers receiving assistance under the aid-to-dependent-children program are anxious to undertake training and employment if they can place their children in adequate day-care facilities. These mothers want their children to grow up with parents who are working, participating members of the community, and who are not dependent on the monthly relief check.

There is a second important way in which this day-care program would reduce the cycle of dependency. The large number of personnel needed to staff and maintain the day-care centers can, to a great extent, be drawn from among the mothers who children make use of these facilities. Several existing manpower training programs can assist in training these women for such subprofessional positions. The Headstart program has already indicated that parents and neighborhood residents actively participating in their children's experiences add meaningfully to the entire program.

There are a number of other significant features to this legislation which I believe are worthy of special mention. Provisions are included in the program to make it self-liquidating. The Secretary of Health, Education, and Welfare—whose Department will administer the program—may require at least partial payment for the day-care services in the case of those families who, through employment or otherwise, are able to make a contribution.

Coordination at all levels of government and between all similar programs is mandated by specifying certain mechanisms of program administration.

Finally, evaluation requirements are written into the bill so that congressional oversight will be a meaningful, concurrent procedure.

The bill would authorize $60 million for 1 year as a new part B of title V of the Economic Opportunity Act. This should provide about 50,000 new day-care slots—not nearly enough to meet the need but certainly a meaningful start with possibilities for expansion, and hope for self-confidence and self-sufficiency for many families who now know only a future of despair.

THE NEW LEFT

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, Walter Trohan has written a most comprehensive article on the New Left which appeared in the Sunday, July 9, 1967, issue of the Chicago Tribune. Mr. Trohan is the chief of the Tribune's Washington bureau and has spent more than a year studying and reporting on campus movements which he finds shows a "hostility to law and order, to civilized behavior and to the concept of liberty under law." It is characterized by "anarchism, nihilism, and negativism and it flouts and derogates the institutions which give it the freedom it enjoys."

Mr. Trohan's report is "must" reading for any American who wants to have a better understanding of the New Left in America. I include the article with these remarks, Mr. Speaker, and I hope all of the Members will read it closely:

The New Left

(By Walter Trohan)

The Student New Left is a many splintered thing. A common denominator is most difficult to find. The New Left is a mixture of theory, sociological action, and bitter protest. It is linked with the civil rights movement, the fight against poverty, and the war in Viet Nam.

It is all of these things, yet no one of them. If it is any one thing, it is the culmination of the age of protest. We see it in flag burning, draft card destruction, demonstrations, and challenges to all forms of authority. It carries the seeds of revolution in its anarchism—and therein lies its great danger to those who revere and respect democratic law and order.

The New Left is of the campus but goes beyond the campus. It involves students, faculty members, writers, intellectuals, beatniks, and hippies. Many of its adherents dress wildly to accentuate their nonconformism. They wear beat-up trousers and dresses, long hair and beards, and the rest. Sometimes it is difficult to distinguish among the sexes. Members of the New Left are in the minority, but they have influenced many of their fellows, and their activities affect almost everyone on all campuses, directly or indirectly.

Let it be understood that the New Left is not communist, altho it is Communist infiltrated. Nor does it embrace all youth; the vast majority of young people have no part of it. This infiltration is coming from various directions. First, there is the Moscow wing in the Communist party and its youth organization, the W. E. B. Du Bois clubs. Second there is the Trotskyite wing of communism in the Socialist Workers party and its youth affiliate, the Young Socialist alliance. Finally, there is the arm of the pro-Chinese Communists, the Progressive Labor party. However, these Communists are neither in control of the New Left nor working in concert. They see the movement as a means of gaining access to college campuses, reaching the minds of students, and gaining an aura of respectability.

Many people are inclined to dismiss the New Left as another harmless manifestation of college foolishness, such as swallowing live gold fish or staging panty raids. There is more to the movement, however; if organizers and Communists have their way, a dagger might be forged for the destruction of the American way of life. The average American sees the New Left in terms of protest marches and demonstrations. These should be enough to convince him that the movement has power to mobilize its members in large numbers to win attention or concessions.

One of the major aims of the New Left is to destroy the links between American industry and colleges. Industry and industrialists are a major source of college revenue. Universities are institutions from which industry can recruit the talent it needs and which serve as a valuable adjunct in research. The New Left is working to undermine this relationship. It attacks industry as part of the Pentagon complex, which is blamed for policies the New Left dislikes. The strongest attacks have been levied against industries directly producing for the war effort.

For some, morality is "bourgeois" and "old fashioned." Some reject bananas as food but are devoted to them for hallucinatory smoking. Some smoke marijuana, and others dote on LSD or other drugs. New Leftists can and do look like the conventional boy or girl next door, and they often are the brightest students.

A key ingredient of the New Left is expressed in a word they like, "alienation," although its meaning is not always clear. However, to the New Leftist it signifies what he derides as "the establishment," the "power structure," or "the military-industrial complex."

"The young people of the 'movement,'" writes one of its spokesmen, "make no polite protest; they rage against the war because they see it as the embodiment of all they are fighting in American society. It is a product of 'the system' from which they are alienated."

The mood of the New Left is described by one of its spokesmen, the Students for a Democratic Society [S. D. S.], as one of disillusionment, pessimism, and alienation. Many see strong nihilistic or anarchistic strains in declarations that our present society is decadent and that bourgeois moral values are outmoded. In the core of the movement there seems to be a passionate desire to destroy, to hate, and to tear down. They hate free society, the concepts of law and order, and established values.

"Among the central questions that a radical ideology must attempt to answer are these," according to a New Left spokesman: "What are the fundamental changes needed to transform society, and what are the steps that radicals can take to bring these about?" These steps have included defiance of law, civil disobedience, and disparagement of the American heritage. But when the New Leftists are asked to describe their new society, they offer little other than impious incantations and misty generalizations. They have no practical suggestions in their accent on the negative.

The Dow Chemical company, which is a major manufacturer of napalm, a fire chemical, has been a major target. Last Feb. 28, a student demonstration was sponsored at Old Dominion college, in Norfolk, Va., when company officers were conducting job interviews. The demonstration was orderly, altho placards and literature attacked the company. A much larger anti-Dow demonstration was staged at the University of Wisconsin, in Madison. The student newspaper carried the headline: "S. D. S. to Block Chemical Company Interviewing" and told of a massive sit-in against the interviews. Still another demonstration was staged at Penn State university. Students walked into the room where interviews were being conducted and called for a discussion of the "moral issues of the war in Viet Nam."

The right to dissent is the key weapon of the New Left. However, its leaders would confound this right with what they believe to be a right to break any law that does not please them. Civil disobedience of the New Left has manifested itself in blocking traffic, lying down in doorways, and invasion of private and public property. The New Left doesn't believe in attempting to repeal laws it dislikes or believes to be wrong or immoral. Instead it disobeys them and encourages others to disobey them.

Running thru the New Left movement, like a weird *leit motif*, is a pattern of personal habits as reflected in dress, language, and moral habits. In some respect these serve as recognition symbols for its members, not only on college campuses but elsewhere. Many New Leftists are identified by their beatnik-style long hair and sandals. Some of the young men wear beards, and the young women dress in black stockings, old shoes, and odd-fitting dresses. Often personal cleanliness is neglected, as is evidenced by dirty finger nails, unbrushed hair, and unwashed faces.

In the anti-Viet Nam war demonstration in Kezar stadium in San Francisco last April, a high percentage of the participants were beatniks and hippies, who were conspicuous with their long hair, unkempt beards, sandals, and multicolored wearing apparel. They were heckled during their parade to the stadium by pro-Viet Nam war demonstrators, who kept calling, "Take a bath!"

A curious psychology seems to underlie the desire for unconventional dress. At the heart of the New Left is the concept of rebellion against society and its institutions. Bizarre dress becomes, in the eyes of the New Leftists, a way of striking back at what they call regimentation. They want to be different. They seek ways to scoff at established institutions—not only to satisfy their own inner feelings of alienation, but to antagonize those who believe in the accepted morality. To the New Left, unconventionality is an inherent characteristic of its view of the world.

Associated with the habit of weird dress is widespread use of drugs, or the psychedelic world. It is difficult to state with accuracy the extent of hippie activity among members of the New Left—the use of LSD, marijuana, opium, dried banana skins, and other types of drugs or supposed drugs.

Obviously, many New Leftist followers have not dabbled in this activity, just as many do not adopt the strange mode of dress. However, the New Left does nothing to discourage use of or experimentation with drugs. Considerable publicity about drugs on campus has appeared in the press. Don Smith, the onetime New Left president of the Student Council at Iowa State university, admitted that he smoked marijuana at pot parties on the campus. The Scholastic, student magazine of the University of Notre Dame, has discussed use of drugs on the campus. The use of drugs seems to be part of the shock psychology of the New Left. It is a demonstration of its spirit of rebellion and practical evidence of its unconventionality. Still another hallmark of the New Left is the use of obscene language. Here again is evidence of the desire to be different and to be nonconformist. Four-letter words are frequent in "New Left Notes," the publication of the S.D.S., the New Left's campus bastion. Its writings are designed not only to shock, but also to make the authors feel themselves to be part of the "liberal modern trend," which accepts and encourages such language in literature and daily life.

Some obscene language even appears in college newspapers. The Observer, student newspaper at the University of Notre Dame, carried an article last Dec. 8, on California's anti-nudity laws. The story contained a paragraph sprinkled with obscenities. The March 14 issue of "The Spectrum," a publication of the State University of New York, in Buffalo, published a review of a performance given by "The Fugs," a university musical group. The article described, in "frank" language, the music performed and the lyrics employed. The songs ranged from a gutter description of sex to an obscene description of American foreign policy.

The moral standards of many New Leftists can be summed up in the dictum: "Whatever you want to do goes!" S. D. S. members have held some meetings in rural resort areas with members of both sexes, dressed and undressed, using the same cabins. In sex, as in language, dress, and drugs, some New Leftists believe they can assert their individuality and personality by unconventional behavior. It is ironic, however, that members of the New Left in their desperate effort to throw off the fetters of convention adopt a code even more rigid and binding than what they throw off.

A San Francisco church recently offered its facilities to hippies, and a controversy arose. The clergyman who made the offer said that hippies have "a very strong and urgent spiritual hunger" and the church should help them. An official of the church, however, took exception, saying: "When a group of people reject the moral code of our society, curse and swear, are admitted fornicators, are physically unclean, reject, if not despise, the law, etc., I believe they are un-Christian and immoral. The fact that they may practice principles which are also Christian, does not make them either Christian or religious."

Another key characteristic of the New Left is unrelenting criticism of the United States usually accompanied by approval of its enemies. The New Leftists not only shout that the United States is wrong but they also assert that this country must have an evil, malicious, and unworthy motive for almost any action it takes.

In the war in Viet Nam, the United States is accused of "murder," "destroying civilians," and "unjustified and immoral bombing." At the same time virtually nothing is said about Viet Cong or communist atrocities, raids, and terror tactics. This hatred of things American constitutes a devil theory of modern history.

An anti-Viet Nam war rally was held at the University of Hawaii on March 21, 1966. The platform of Hemenway hall was decorated with a large parody of the American flag. Dollar signs replaced the stars; the flag was red, white, and black, and the stripes were pointed. A Viet Cong flag was flown. There were two signs, one with swastikas at the top and bottom, which bore the legend, "Down with L. B. J. and his fascist running dogs."

The anti-Americanism of the New Left is demonstrated in many ways. Draft cards have been burned. The flag has been desecrated. Bitter attacks are made on American policy and on our leaders. In an antiwar demonstration in New York City, floats included a replica of the Statue of Liberty lying on its side. Trucks were filled with parts of mannequins to symbolize destruction in Viet Nam. There was a replica of a submarine painted yellow. More than 50 persons burned their draft cards in Central Park during the demonstration in a ceremony organized by the Cornell university chapter of S. D. S.

"They are a minority, a tiny minority, and not a very representative one at that," the Washington Daily News commented editorially on the New York draft card burning. "What unites them is their faulty vision. They have a truly astigmatic view of the war. They ignore United States motives in Viet Nam: to let the South Vietnamese settle their political future free from subversion from the north. They ascribe to the United States only the basest of motives: murder, conquest, dominance."

One looks in vain for any comparable criticism of North Viet Nam, of its communist allies, Soviet Russia and Red China, from the New Leftists. Not all the New Leftists, or even a majority of them, are Communists, but many Communists are New Leftists. The New Leftists seem to share the basic communist hatred of America, a hatred that apparently can be satisfied only by the total destruction of this country.

In its nihilism and anarchism lies the danger of the New Left. The National Guardian of April 8 carried this analysis of S. D. S.: "A year ago S. D. S. was discussing the possibility of moving 'from protest to politics.' Today the discussion is 'from protest to resistance.' The distinction between politics and resistance is so great as to imply a qualitative change. By politics the S. D. S. meant the creation of a leftist political force in the United States that would work within the norms of society. By resistance, according to Gregory Calvert, S. D. S. national secretary, is meant this formulation: 'No matter what America demands, it does not possess us. Whenever that demand comes—we resist.' "

The concepts of "resistance," not working within "the norms of society," should be noted. The S. D. S. plans to organize unions of draft resisters. Carl Davidson, S. D. S. national vice president, said anti-draft organization "moves from protest activity to activity that takes on more and more of the characteristics of a seditious resistance movement." Davidson added that if arrest of draft resisters is inevitable, they "should jump bail, cut out, and go underground, either in the United States or Canada."

The resistance concept was developed by Calvert, who said the S. D. S. has to "build a movement out of people's guts, out of their so far internalized rejection of American society, and present people with a revolutionary alternative to the American way of life." Calvert continued:

"A resistance movement, based on the slogan, 'not with my life, you don't,' is basic to helping people break out of their own prisons. People are capable of doing extraordinary things when they are in resistance. They can walk out on their studies and take up new lives if necessary. They do not walk to gas chambers. In the process of resistance, in struggling against the powerlessness that capitalism imposes on the individual, there is a rediscovery of self in the midst of dehumanizing society.

"Many of us in S. D. S. share a conviction that this is what has to happen. That we must resist, and that people must break free. None of us is sure we can win. All we can say is that there are other ways to lead our lives in the face of the obscenity of what American life is—and we intend to live that way."

The S. D. S. idea that American society isn't worth saving is amplified by Yale Prof. Staughton Lynd, the philosopher in residence of the New Left. He says:

"Participatory democracy seems to be driving toward the 'live-in,' the building of a brotherly way of life even in the jaws of the leviathan. It is conscientious objection not just to war, but to the whole fabric of society. It is civil disobedience not just by individuals, but, hopefully, by broad masses of alienated Americans. Like the conscientious objector, however, the participatory democrat has unfinished business with the question: Is what's intended a moral gesture only, or a determined attempt to transform the American power structure?"

The flag desecration and the draft card burning are apparently the outward manifestations of a deeper malady—a total rejection of the United States of 1967. This rejection would be brought about by various types of resistance in the hope of ripping apart the American society.

Another prime target of the New Left is the military. Not only does the New Left hate the war in Viet Nam and all military leaders, but it also hates the uniform and the flag and anything else that smacks of patriotism.

Most especially does the S. D. S. hate the selective service system. The draft and military service represent the "old system" the New Left would overthrow and the American military effort in Viet Nam. Some New Leftists shuttle among campuses organizing protest. Members of the New Left counsel students on how to avoid military service, and some have burned their draft cards, usually at a public rally to capture headlines. By involving themselves in civil disobedience protests New Leftists have received support from pacifists and some religious groups.

A petition supporting draft card burning, refusal to pay income taxes, and military desertion was signed last April at a national conference on the draft held in St. Louis. The signatories supported emigration to Canada by American youths so they could avoid the draft. The same month the S. D. S. participated in an anti-Viet Nam war rally in New York City. Attendance was estimated at between 100,000 to 125,000. S. D. S. president Nick Egelson urged support of the peace movement by draft card burning. He praised the 75 students who burned their cards during the rally and called upon those attending to "refuse to go to war, and join us in acts of disobedience if the war continues."

Last December the national S. D. S. council met at the University of California, Berkeley. S. D. S. Vice President Davidson, a philosophy instructor at the University of Nebraska, proposed formation of anti-draft unions. He said he thought that a small percentage of youths of draft age, perhaps 3 per cent, if properly organized, could disrupt operations at local draft boards. He explained that 20 or 30 youths could accompany each objector to his draft board, where they could protest and harass selective service officials. This S. D. S. council also discussed elimination of grades at various campuses to create problems for draft boards which rely on student grades for draft deferments.

An article in New Left Notes, official S. D. S. organ, offers instruction on harassment of draft officials. Among its suggestions are:

"Send items to your draft board to be put into your file [as they are supposed to keep these], such as a copy of Trotsky's 'History of the Russian Revolution,' or Mao's 'Military Writings.' [One person in the west expropriated several hundred Gideon Bibles, and sent one to his draft board each day for six months.]

"You are supposed to notify your board of any change in your physical condition, so you might wish to send them a postcard each day telling them you had sneezed the night before.

"Go to the board and demand to see your file. Under most circumstances, there is nothing to prevent you from absconding with all or part of your file.

"Send a weekly note to your board saying you lost your draft card and need a new one.

"Don't forget the possibilities of feigned insanity."

In recent months there have been many sit-ins at draft boards. S.D.S. members at the University of Texas sat down in an Austin draft board meeting last October. At Princeton university, a full page advertisement appeared in the student paper of last April 14, signed by 66 students, who said they would not fight in Viet Nam. A similar ad signed by 33 students appeared in the Michigan State university paper.

The New Left has demonstrated against military research conducted at universities and colleges. At the University of Pennsylvania, in Philadelphia, two protests were staged last October against alleged "germ warfare research."

The New Left is also bitter against other "things military" on the nation's campuses: recruiting, military parades, drills, R.O.T.C., and even military-sponsored social functions.

Early this year, students at Claremont college, in Claremont, Cal., held a silent protest against a visit by Lt. Gen. James C. Richardson, commander of the 6th army, to review an R.O.T.C. drill. The S.D.S. chapter of the University of California, at Santa Barbara, picketed an R.O.T.C. drill. And students of the University of Notre Dame demonstrated during a review of R.O.T.C. units by the university's president.

When recruiting teams come to campuses, the New Left often organizes demonstrations. Last winter the S.D.S. conducted a demonstration at the University of Maryland to protest the presence of navy and marine corps recruiters. A sit-in was staged around an air force recruiting booth at Oberlin college, in Ohio, and students at State university, New Paltz, N.Y., tried to prevent recruiters from meeting students.

New Leftists often use campuses as mobilization centers for demonstrations against nearby military bases and industrial facilities. Last November S.D.S. units at San Fernando Valley State college, Northridge, Cal., protested the war at the California air national guard facility in Van Nuys. Some of the protesters were arrested. At the trial, evidence was developed that the participating students were given S.D.S. instructions on how to behave or misbehave, and they evidently were told in advance that bail would be provided by a professor. The judge held that the students had a right to dissent but not to break the law. Other off-campus demonstrations also have been held by college students at Fort Monmouth, N.J., and Fort Holabird, Md.

Last April scores of students at Howard university, a Negro college in Washington, chanted "burn, baby, burn" as they set fire to an effigy of Gen. Lewis B. Hershey, director of the selective service system.

A favorite tactic of the New Left on college campuses is the disparagement of America's leaders. Americans have long been critical and outspoken about their leaders, and they consider such criticism a sacred right. However, the current criticism differs from that of the past in that it arises from the intellectual community, where tolerance and understanding should be watchwords, but, too often, are not.

Violent and disrespectful remarks against the President, the Vice President, members of Congress, and ambassadors have become a way of life among members of the New Left. Not only are the leaders denounced in writings and speeches in language that is vitriolic and even shameful, but they are booed and derided when they make public appearances. Last September, when President Johnson visited Detroit, the Detroit Committee to End the War in Viet Nam demonstrated in front of Cobo hall, where he spoke. During the President's speech, the demonstrators moved into the hall and shouted anti-war slogans. They were ejected by guards.

Last October, President Johnson spoke at the East-West center of the University of Hawaii. Anti-war demonstrators unfurled a banner which read, "You are the aggressor." They also carried bamboo poles from which two life-size figures hung in effigy, one in the uniform of an American soldier which was labeled "Pentagon," and the other in cowboy clothing with the initials "L.B.J." The bad taste of some of the signs can be judged in their slogans: "L.B.J. Heading for His Last Roundup," "Our Vietnamalady is Pentagonorrhea," and "L.B.J. Murders My Asian Brothers."

Last January the "Newsletter," student paper of Johns Hopkins university, Baltimore, ran a poll for men of the year, 1966. One of the candidates was President Johnson, who was characterized as follows: "Last year's top mass murderer was a Texas plowboy who has come a long way in the American crime business. Lyndon Baines Johnson of Johnson City, Tex., graduated from his humble origins of torturing half caste Indians . . . to the American Presidency, where he killed John F. Kennedy, Lee Harvey Oswald, Jack Ruby, and 13 other people whose names have been withheld by request. Johnson, an easy-going ex-school teacher whose hobby is bombing defenseless people, culminated a remarkable five years, when, on Dec. 25, he told Jack Ruby to die of cancer."

The genesis of a demonstration is revealed in what happened at Antioch college, Yellow Springs, O., in connection with a Presidential visit to nearby Dayton last September. The demonstration was sponsored by the Antioch Committee to End the War in Viet Nam, and the S. D. S., the sponsors, posted this notice on a college bulletin board:

"President Johnson is coming to Dayton on Monday, Sept. 5, Labor day, to speak at the Montgomery County fair. . . . It is extremely important that Johnson's illusory consensus be dramatically and publicly challenged as often as possible. The unpopularity of the Viet Nam war—one of the least popular wars in history—has, in fact, been stimulated and maintained by such challenges. Their [sic] is a need, therefore, for as many people as possible to confront Johnson on Monday afternoon.

"Realistically, any demonstration before an American President contains possibilities of physical violence and arrest. Their [sic] will be a meeting . . . to discuss types of action to be carried out, discipline, transportation, and availability of legal assistance and bail money [in case such contingencies are necessary]. It is essential that anyone intending to take part in Monday's demonstration attend this meeting."

Note the mention of "violence," "arrest," and "bail money," which indicates the extremes to which organizers of the New Left are willing to have others go or to go themselves, if necessary.

Vice President Humphrey, one of the founding fathers of the left-wing Americans for Democratic Action, has been pilloried time after time by the New Left, which hates him as a member of the establishment and as a supporter of war policy. Last October, Humphrey was picketed at the University of Florida, in Gainesville. When he spoke at the 200th anniversary of Rutgers university, pickets representing the S. D. S. and Women Strike for Peace carried signs, which read: "Humphrey—Killer Hawk" and "Support Your Vice Assassinator." Still another placard portrayed President Johnson holding a machine gun: its legend said, "Blood Finger Johnson."

Last February a mob of students stormed Humphrey's limousine after he had participated in a student forum. Young men and women banged on the windows and body of the car with their fists, shouting, "Shame! Shame!" and "War criminal!" Secret service men had to clear a path for the car by shoving demonstrators out of the way. Neither the President nor the Vice President would abridge the right to dissent, even at the risk of personal violence. But they must feel that the right is often carried too far.

Secretary of State Dean Rusk and Secretary of Defense Robert S. McNamara have been prime targets of the New Left. Last March, Rusk was heckled when he spoke to an audience of 2,000 at Cornell university, and in December he was the target of demonstrations at a two-day peace vigil at Ohio university, in Athens. McNamara was jeered and heckled in an appearance at Harvard last November. Some students threw themselves beneath his car and forced him out. Last February, 500 Harvard and Radcliffe students staged an hour's demonstration, planned by S. D. S. against United Nations Ambassador Arthur Goldberg. Gen. Earle G. Wheeler, chairman of the joint chiefs of staff, spoke at Pembroke college in Providence, R. I., last November. After the speech a group of students charged the platform. Police ushered the general out thru a side entrance.

At San Fernando Valley State college, in Northridge, Cal., Vice President Humphrey stopped his speech and addressed an S.D.S. group whose members were heckling him. "One of the things college is supposed to teach you is manners," he said. "A number of you appear to have flunked that course."

Gen. Lewis B. Hershey, draft administrator, has repeatedly been a target of the New Left. Recently, extremist student elements, thru boisterous and unruly acts, prevented him from delivering a talk at Howard university. He was hanged in effigy on the campus.

The New Left displays an intense hostility to government investigative agencies and police. The CIA and FBI are part of the "Establishment" and therefore dangerous to the kind of "freedom" envisioned by the New Left. At a rally, sponsored by the campus Viet Nam Day committee, at the University of California, Berkeley, last Feb. 23, speakers verbally attacked the university administration, the Berkeley police department, the CIA and the FBI.

Morris Hirsch, a faculty member, criticized the university for furnishing records to investigate agencies without student permission. He called for an end to any cooperation with the FBI and CIA. Bettina Aptheker, student communist leader and daughter of the well-known communist leader, denounced cooperation between the university and the FBI and CIA. She called upon professors and students to join in driving them off the campus.

The intellectual intolerance of the New Left has not gone uncriticized. The American Civil Liberties union, which can scarcely be regarded as reactionary, has attacked student demonstrations that infringe upon the rights of nonparticipants. The A. C. L. U. mentioned the protests against McNamara at Harvard and Hershey at Howard university.

"In the light of recent occurrences on some college campuses," the statement said, "the American Civil Liberties union considers it important that it does not approve of demonstrators who deprive others of the opportunity to speak or be heard, or physically obstruct movement, or otherwise disrupt the legitimate educational or institutional processes." The A. C. L. U. said that such actions threaten the academic freedom of others. The statement concluded that students who employ such tactics "must accept responsibility for their action."

The intolerance of the New Left is regarded by many as a prime danger on American campuses today. For in these demonstrations, many see the totalitarian patterns of Adolf Hitler or Joseph Stalin.

At the heart of the New Left movement is a bitter attack against American higher education—its policies, procedures, and goals. In fact, the very nature of the university, in its traditional approach toward education, is under assault.

The pressure of the New Left has become so organized and intense that in some schools, such as the University of California at Berkeley, rioting and demonstrations have been so common as to constitute a way of student life. In other institutions there have been sit-ins and other forms of harassment. In still others, there have been protests unrelated to the New Left but traceable indirectly to its virus of violence.

At the University of Notre Dame, students struck for the right to stay out all night, altho South Bend takes up most of its sidewalks by midnight. In Washington, students of American university staged a protest just to answer newspaper suggestions that they were apathetic because they hadn't demonstrated. And in Madison, University of Wisconsin students rioted over the direction of a bus route.

The attack against the university arises from the New Left's basic distrust of established society. The New Left opposes the university as part of the hated "power structure" which reflects the values of a "decadent society."

"In the administrative republic of America," according to New Leftist writings, "the primary structure encountered by living beings is the bureaucracy. It takes various forms: educational [universities, colleges, and high schools], economic [corporations], military, governmental, and ideological [religious and academic institutions]."

S. D. S. Vice President Carl Davidson, in a recent issue of New Left Notes, argued that universities must be reformed. "Our educational institutions are corporations and knowledge factories," he said. "They produce conformist, pliable students for our 'dehumanized, oppressive' system." He urged students to become more militant, saying that what is obviously needed is "to build a movement on the campuses with the primary purpose of radically transforming the university community." He specifically suggests the building of a student syndicalist movement, which organization would have as a basic purpose "student power," a favorite New Left slogan.

"What we do want," he says, "is a union of students where the students themselves decide what kind of rules they want or don't want. Or whether they need rules at all." A primary aim of student control would be the abolition of the grade system, according to Davidson. This, he says, would be a weapon to disrupt the normal operations of both the university and the draft systems. Without grades, he says, "the selective service would have a hell of a time ranking us."

Other forms of "student power" advocated by Davidson include:

1. Constant harassment and disruption of meetings of the existing student government, such as "showing up *en masse* at a meeting and singing the jingle of the now defunct 'Mickey Mouse club.' "

2. Request or demand of the professor at the beginning of a semester "that you and your fellow classmates participate in shaping the structure, format, and content of that particular course."

3. Sign up for, attend, denounce and walk out of, and picket excessively large classes.

4. Organize students and "liberated profs" to work out "model counter-curricula."

5. Hold mock trials of university officials for their "crimes against humanity."

Davidson's ideas are being circulated widely on campuses these days. A recent report in the New York Times, which said Columbia University was considering whether to withhold grades from draft boards, listed Wayne State University in Detroit, Reed College in Portland, and Haverford college in Haverford, Pa., as having abandoned class standings.

Many educators feel that if the S. D. S. "student power" and "control" should ever come, institutions of higher learning would become centers of chaos and turmoil. Pres. Wilson Elkins of the University of Maryland says that if the "radical fringe" on his campus and other campuses gains the control it is seeking, the result will be "complete anarchy without any financial support."

Elkins emphasizes that dissent is vital to a university, but he stresses that the issue "is one of participation, not student control," and that there is a basic need for the university to act *in loco parentis* for discipline, guidance, and manners.

Other college presidents have spoken out against the New Left. Clifford Lord, president of Hofstra university, says: "A new and disturbing element has been injected thru the adoption by student groups of the techniques of nonviolent civil disobedience—a revolutionary tactic which is justifiable only where revolution is justified, i.e., where the democratic processes have broken down and offer no chance for dialog or reform."

James M. Nabrit Jr., president of Howard university, pledged support of free speech and academic freedom on his campus last April, but said the university will not become a "place of lawlessness and disorder."

John A. Logan, president of Hollins college, says: "No recent event in our national life is so ominous as the fact that thousands of intelligent and dedicated students have demonstrated a contempt for legality and for the foundations of democratic order upon which our society rests."

Grayson Kirk, president of Columbia university, urged "self-imposed" restraint upon all members of the university community, saying, "The right to interfere with the rights of others is no part of academic freedom." He called upon professors to think twice before making a "ringing public declaration . . . on a controversial subject, particularly if it is far removed from his own areas of scholarly competence or expertise."

The "free" or "counter-university" is a manifestation of the New Left. Many such institutions have been set up on and off college campuses across the country to challenge existing educational processes. The "free university" is not a university in the accepted sense of the word, nor does it have an administration, a competent or organized faculty, or regular classes.

These so-called "free universities" represent a potpourri of hastily organized "classes," "bull sessions," or harangues on selected topics. Sometimes universities authorize use of a regular classroom, and sometimes the "classes" are held off-campus. The "free university" is an assembly of students and nonstudents, who want to study topics not given on the campus or to discuss topics in a way their teachers do not. The instructors range from New Leftist professors to Communist party leaders.

To the New Leftist, "free" connotes the opposite of "conforming." But this definition of "free" is similar to that employed behind the iron curtain, where newspapers are "free" to print what the totalitarians prescribe, just as schools there are "free" to teach the party line.

In a New York "free university," New Left Prof. Staughton Lynd of Yale was listed as teaching "American Radical Tradition to 1900." Another subject was "Socialist Thought and Action." There are often courses on civil rights, "participatory" democracy [a favorite New Left term], and Marxism-Leninism.

Communists are known to infiltrate these radical student classes, where they work among an odd assortment of radicals, Socialists, anarchists, nihilists, and dupes. The New Left Notes issue of Feb. 27 announced a seminar on the topic of "Marxism and Contemporary Problems" at Harvard university last March. The S. D. S. sponsored the seminar in association with the American Institute for Marxist Studies, which has been identified as a communist front headed by a Communist party leader, Herbert Aptheker.

The "free universities" are mainly schools for anti-Americanism and revolution, in the opinion of qualified observers. In some there may be serious discussion and some scholarship, but many professors believe their chief aim is ideological—the study of radicalism, the venting of hate against traditional forms of society, and the plotting of protests.

The Feb. 3 issue of New Left Notes carries an article by Charles Bauman, a student of Southern Illinois University free school, who said that as a student of the state school he "tried to figure out how to live in a culture he disliked." He said the free school gave him his answers.

New Left leaders do not want very many of their followers to go into "free universities" because that would drain people from the S.D.S. projects which seek to disrupt and harass university officials. S.D.S.'s Davidson says the "unfree" universities may "have it easier since we aren't around making trouble."

A sample of the trouble the New Left can make was demonstrated at Iowa State university, where Don Smith, a bearded student, was elected president of the student body. Smith's program included abolition of all university regulation of student life outside the classroom, the elimination of class rank, and the end of cooperation with selective service officials unless a student so requested. Meanwhile, Smith addressed the American Lutheran pastors and their wives on "Why I Left the Church." Subsequently, he admitted he smoked marijuana in "pot parties" on the campus: Impeachment petitions were circulated, and he resigned as student president.

One of the main reasons for the power and effectiveness of the New Left, despite its small numbers, is the widespread support the movement has received from clerical leaders as well as from teachers in the academic community.

The religious support, in particular, has enabled the movement to achieve a respectability and acceptance it probably would not otherwise have. The presence of clergymen of various faiths at demonstrations and rallies lends a moral appeal to the movement, which the movement itself doesn't have and which many of its members do not personally profess. The fact that professors often participate and give guidance provides an academic and intellectual aura.

One important clerical activist is the Rev. William Sloane Coffin Jr., Yale university chaplain. He has been very active as a speaker, counselor, and adviser. An article in the New Haven Register on Washington's birthday reported that Coffin had proposed that clergymen encourage American students to burn their draft cards.

"Massive civil disobedience in this instance is really a form of moral justice," he said. "On the other hand, we simply have to recognize that as men vote their fears and prejudices as much as anything else, there is no guarantee that majority rule represents the rule of conscience."

Rabbi Abraham Feinberg was a key speaker at the anti-Viet Nam war rally in San Francisco last April 15. The Rev. Martin Luther King spoke at a companion rally in New York the same day. The late Rev. A. J. Muste frequently identified himself with the New Left.

On Feb. 3 the New Left Notes carried a story that a group of Detroit clergymen, lawyers, and others had established a draft-counseling center for young men seeking to avoid military service. The headquarters of the center was given as St. Joseph's Episcopal church.

"Those of us creating this center are opposed to American intervention in Viet Nam and feel we have a responsibility to the many young men who are being forced to fight in the war they may not understand or agree with," said the Rev. David M. Gracie, center chairman. "This responsibility includes discussing with them the alternatives to military participation in this immoral war."

Use of such phrases as "immoral war" by the clergy lends a moral or spiritual tone to New Left disobedience. These clergymen apparently see in the New Left a "sense of mission," or "a moral thrust" to a better society.

Other clergymen consider it unfortunate that they do not look deep enough to see that this radical fringe actually is working against law and order, deeply distrusts democratic processes, and possesses not a constructive "idealism" but a cynical attitude toward the nature of man.

Tho there are many varieties of opinion among New Left adherents, there doesn't appear to be much sincere belief in religion and God. Some New Leftists were reported to have joined in a mingling of the sacred and profane under the vaulted dimness of Washington cathedral last May 21. Some young women danced in mini-skirts to rock 'n' roll bands on the altar. Some of the more impious smoked cigarets and sneered at a service. Some observers thought they detected blasphemy and desecration, but Suffragan Bishop Paul Moore pronounced it "a terrific success."

Members of the New Left don't openly attack religion and the church, as a rule, but they give them no support. Religion seems to play a minor role in the lives of most New Leftists. Some openly admit they are atheists.

"It just bothers me to go home because I have to lie so much," said one New Left student. "I'm just sitting there and wishing I could tell them I'm an atheist, but I can't yet."

Staughton Lynd, professor at Yale university, has a tremendous influence on members of the New Left. An article in the New York Times of Dec. 28, 1965, identified Lynd as one of the New Left's elder statesmen, altho he was then only in his mid-thirties. Students were quoted as saying he could be "the one man to lead the whole left, one of those great men of history and the best political spokesman on the left."

Lynd is best known for his bizarre and publicized visit to Hanoi in late 1965 and early 1966, without state department permission. He traveled with Thomas Hayden, an S. D. S. leader, and Dr. Herbert Aptheker, Communist party functionary. On his return he addressed many New Left rallies. Lynd's influence on the New Left is immeasurable. His wife, Alice Lynd, has reported she is writing a book on draft resistance.

Greg Calvert, former history teacher at Iowa State university, was another such influence in a more limited area. Calvert left the campus to become national S. D. S. secretary.

Despite the clergy and professors among S. D. S. ranks, many other professors and students find the New Left movement hollow and superficial. They find the speakers and the writings echoing the same old cliches. They consider the protest movement entirely negative in that it offers nothing positive and is concerned only with tearing down established procedures and processes.

These professors and students, who are in the majority, do not see the members of the New Left as facing up to the facts of 20th century life. They do not see the movement as offering the intellectual integrity, hard work, and common sense needed to grapple with such problems as poverty, peace, and the nuclear age. They see the New Left's approach as emotional and simplistic.

The New Left seems to distrust all persons over the age of 30. Altho the alleged gap between the ages is as old as recorded history, the generation gap takes on a special significance among members of the New Left. It is not so much based on differences of age or environment as on distrust, rejection, and possibly hatred. The New Left has absolutely no use for the older generation and not the slightest hesitation in saying so. Julian Bond, Negro leftist legislator in Georgia, sums it up: "I'm 28 and already I feel old."

The New Leftists accuse their elders of having "sold out." They contend that any policy is invalid unless the younger generation has a hand in its formulation. They preach the right to break laws or rules they don't like.

By their self-righteous posture and contempt for those who disagree with them, the New Leftists have made themselves the most isolated group in American life. They have alienated themselves from the mainstream of university life and national life. This isolationism tends to make them more radical and more arrogant and more impractical, and it is the reason they are shifting from a policy of protest to a policy of resistance.

The greatest danger of the New Left is that it contains the seditious seeds of a new whirlwind of destruction and revolution. The impact of the relatively small membership of the New Left is evident from the increased coverage it gets in the news media.

Student unrest and dissatisfaction, however, are not new. To some members of the older generation, student behavior is shameful, but to others of the same generation, student excesses are merely part of growing up. Mellowing college adults cannot fail to remember, usually with nostalgia and humor, some college prank, demonstration, or incident in which they participated at school that might have brought them dismissal, if they had been detected. Some were detected, and the memory is the more enjoyable.

College students have long done strange things, such as moving statues, ringing bells, dreaming up curious initiation rites, blocking traffic, defying prohibition, painting signs, putting cows in dormitories, holding panty raids, and swallowing goldfish. Today's college youths, for the most part, don't behave very differently from their fathers and grandfathers.

Student dissent does not worry many perceptive citizens today because dissent is an integral part of the American way of life—it is indeed, the very heartbeat of academic life. What concerns these people is something far more fundamental and dangerous: the alienation of the New Left from our democratic processes and ideals. It is the open hostility of the minority of students to law and order, to civilized behavior, and the concept of liberty under the law. It is the growing anarchism, the swelling nihilism, and the mounting negativism of a movement which flouts and derogates the institutions which give it the freedom it enjoys.

Buell G. Gallagher, president of City College of New York, writing in the Saturday Evening Post for May 6, says in discussing the new species of radical student:

"One alarming aspect of current rebellion is its disregard of the consequences of illegality. In essence this is anarchy."

The New Left identifies itself with the problems of American society: civil rights, poverty, disease, slums, and peace. But it refuses to cooperate sincerely with other groups interested in solving the problems. From their behavior the New Leftists do not seem legitimately interested in bringing about a better country, except by destroying the values it has. They are dedicated in their strange and unpredictable ways to cutting at the roots of American society.

The New Left rejects the seasoned experience of the past. Its members distrust all motives but their own. They see the future in terms of emotion and fanaticism instead of reason and common sense.

The tragedy of the New Left is that its members will not communicate. They are arrogant, haughty, and obnoxious. They sit on the side lines and criticize others, who are playing the game. They will not do their share. In addition to being fanatics, they attract a vast variety of irresponsibles and malcontents. They influence many good and true students, but they attract beatniks, kooks, hippies, and embryonic demagogs.

Recently they have undertaken to recruiting high school students. In Chicago and nearby Indiana the S. D. S. has begun attempting to organize high school chapters. They have circulated literature among high school students which reads:

"Now it's our turn. Now the United States government controls South Viet Nam. Now it is American big business men who profit from starvation-level Vietnamese wages [$1.40 a day maximum]. Now it is L. B. J., Rusk, McNamara, and company who yell and scream about communist aggression to the free world. While they [send] 400,000 American guys to protect the freedom of the rich landlords and American business men to get richer. . . ."

The New Leftists are anti-democratic, anti-American, and anti-common sense. Its members become prey to the superior organizational ability of the old-line subversive organizations, such as the Communist party and Socialist Workers party and their satellites. The history of the New Left is one of manipulation by men bred in the traditions of Lenin and Stalin. The doors of the New Left are open for infiltration.

"Today's college rebels are a new breed," says President Gallagher. "They know it and it's time we knew it also: New dimensions of understanding are required."

This is the task and duty of all good Americans—to know more about the New Left and to follow its anarchist, nihilist, and cynical strains. It cannot be arbitrarily equated with the Old Left, for all the communist infiltration. It is too simple to identify all members of the New Left as Moscow or Peking Communists. They are a new type of subversive and their danger, if allowed to run unchecked is great.

AUTOMATION PRESERVES JOBS AS WELL AS CREATES THEM

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, in the early sixties, some economists feared that automation would cause massive unemployment. Since then we have learned that advancing automation and declining unemployment are not mutually exclusive. Now, Alfred L. Malabre, writing in the Wall Street Journal on May 22, 1967, offers evidence suggesting that cybernation may be a preserver, not a destroyer, of jobs.

First. Automation has contributed to the recent increase in jobs. It hastens the growth of new businesses and enables old ones to stay competitive. As a result, many new employees are needed—not necessarily production workers but more likely sales and research people.

This suggests the second reason automation preserves jobs during an economic slowdown. Automation has increased the proportion of white-collar jobs. These react in a less volatile manner to fluctuations in economic activity.

Third. Automation makes it easier to trim production without laying off large numbers of workers. It increases the range of production a firm can handle with a fixed number of employees. As Mr. Malabre says, "The same knobs that were so easily turned up can be turned down."

These three changes tend to preclude any sudden, sharp rise in joblessness. But this does not eliminate the need to maintain steady economic growth. A steep decline in the level of business activity could still trigger a major worsening of the unemployment situation.

Nonetheless, Mr. Malabre's article does indicate that private industry strengthens the economy by automating its plants. Cybernation creates and preserves jobs. It stabilizes employment, especially when soft spots are showing up in the economy.

Under unanimous consent, I insert this article in the RECORD at this point:

APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

Will automation turn out to be a preserver of jobs if the economy runs into trouble in coming months? There is evidence to suggest so.

At the start of the decade, some economic Cassandras were warning that automation would soon cause massive unemployment, as machines replaced men at an accelerating rate. For a while it seemed that maybe the warnings were well founded. The nation's unemployment rate continued to rise for nearly half a year after the current economic expansion began, and the rate remained above 5% for more than three years.

The sluggish labor situation, in the face of continuing business expansion, was widely attributed to automation. Employers, with their highly automated plants, were able simply to turn the proper knobs and increase production accordingly. Additional output, it seemed, no longer necessitated additional employes.

The assumption, of course, proved incorrect. Knob-turning is sufficient up to a point. Then new employes are needed—not necessarily production workers but more likely such personnel as sales and research people. The point seems to have been reached during 1965, when the nation's unemployment rate finally began to drop sharply. By the end of the year, less than 4% of the U.S. labor force was jobless and the rate has remained below that level ever since.

In the last year or so, in fact, labor shortages have been much more a matter of concern than automation or massive unemployment. Indeed, it can be argued that automation actually has contributed to the recent increase in jobs, by hastening the growth of new businesses and enabling old ones to stay competitive.

Moreover, there now are signs that automation may be helping to keep unemployment from rising substantially as business shows some softness. Just as it was possible in the early Sixties to boost production without hiring a lot of production workers, it now appears possible to trim production without having to lay off or fire a lot of workers. The same knobs that were so easily turned up can be turned down. In addition, the spread of automation in this decade clearly has brought changes in the makeup of the work force that tend to preclude any sudden, sharp rise in joblessness.

Indications that business is softening show up, among other places, in the nation's industrial production index. U.S. output in April declined to 155.9% of the 1957–59 average, after adjustment for seasonal variations. This is the lowest output level since May 1966. As recently as last December, the output index stood at 159. The latest figure also is down from the 1966 full-year average of 156.3.

At the same time, however, unemployment in mid-April amounted to only 3.7% of the labor force, seasonally adjusted. This is precisely the level that prevailed last December and a shade less than the average jobless rate of 3.8% for all of 1966.

This is very different from the situation that existed at the start of the decade. Between June and October of 1960, in the early stages of the 1960–61 recession, the industrial production index fell about three percentage points, slightly less than the recent December-April decline. However, in marked contrast to the recent situation, unemployment in the 1960 period shot up from 5.4% of the labor force to 6.1%.

It is occasionally claimed that today's employers, unlike their 1960 counterparts, are more likely to put workers on short time than lay them off, and that this, rather than any new stability from automation, explains the continuing low unemployment level. The trouble with this idea, however, is that the average workweek declined almost exactly the same small amount in the 1960 period as in the recent five months.

The average workweek in manufacturing industries amounted to 40.5 hours in April, according to the latest Government estimate. The April figure is down from an average workweek in December of 40.9 hours. A glance at the 1960 situation shows the trend then was remarkably similar. In October 1960, the average workweek in manufacturing stood at 39.6 hours, down from an average of 39.9 hours in June of the same year.

A steep decline in business activity, of course, could trigger a major worsening of the country's unemployment situation. Such a decline could eventually lead to layoffs involving the very sorts of white-collar personnel who became necessary when the expansion finally boomed beyond the knob-turning stage.

In this connection, it is noteworthy that such occupations tend to react in a less volatile manner to changes in the level of economic activity. And a detailed look at the makeup of the nation's work force clearly shows that such relatively insensitive jobs bulk considerably larger in the economy today than at the start of the decade. Then, more of the working population was tied down on production-line work that now can be performed automatically.

* * *

A few statistics help to underscore what has been happening. Since April 1960, near the end of the 1958–60 business expansion, total civilian employment in the U.S. has climbed about 20%, but the nation's production-line work force has risen only 9%. However, manufacturers' non-production-line employment has swelled nearly 25% in the seven years. In addition, employment in service-type businesses, such as ad agencies and computer programming concerns, has soared 35%, on the average, and even larger gains have been registered by such other service-type categories as teaching.

Obviously, it is impossible to pinpoint precisely the degree to which increasing automation is responsible for such changes in the work force. There seems little doubt, however, that automation has played no small role in the changes. And there also seems little doubt that the changes tend to stabilize employment at a time, such as the present, when soft spots are showing up in the economy.

—ALFRED L. MALABRE, JR.

AN "ECONOMIC IMPACT" BUDGET

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The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have long been concerned with the inadequacies of conventional budget statements in measuring the impact of Federal expenditures and revenues on the economy. Measuring this impact is, of course, essential in formulating expenditure and tax policies.

Michael Hugo, in an article in the July 1967 edition of the Michigan Business Review, is concerned with one major limitation of the cash transactions and national income accounts budgets. He proposes a supplemental "economic impact" budget to complete the picture of Government expenditures.

Conventional budgets suffer from a major structural limitation. They record only the payment or delivery stage of the expenditure process; they do not record the placement of orders. Yet an important amount of economic activity is generated when obligations are incurred. Thus, if an order is placed during one fiscal year, and delivery or payment is made during another, the initial impact on economic activity is hidden. As a result, the influence of Federal expenditures may be significantly greater than conventional figures indicate. In such a situation, the Federal Government may unknowingly feed inflationary pressure into the economy.

To avoid this limitation, Mr. Hugo suggests the use of an "economic impact" budget, based on obligations incurred and accrued receipts. This series would measure the orders placed by the Government and the taxes owed to the Government.

His proposal has several merits. First, the statistics are readily available. The concept is fully defined—the last five budgets have contained summary tables of obligations incurred. Second, for the executive branch, obligations represent the major points of financial control and political responsibility.

Mr. Hugo recognizes, however, that an "economic impact" budget is useful only as a supplement to conventional budget statements. Used alone, it would entail several very clear hazards. It would both overstate the initial impact of Government outlays and present an exaggerated picture of their initial impact on liquidity.

Nonetheless, when there is a significant lag between obligation and delivery or payment, the "economic impact" budget draws a more accurate picture of the impact of the Federal financial program on the economy than any other budget.

Mr. Hugo has constructed a provocative supplement to the conventional budgets. In a period when Federal fiscal policy is being used more and more frequently, more accurate measures of its impact must be found. We need more articles like Mr. Hugo's.

I include this article in the RECORD at this point:

AN "ECONOMIC IMPACT BUDGET"

(By Michael Hugo)

The financial operations of the federal government have a substantial impact on the American economy, and this impact creates an urgent need, by public and private decisionmakers, for complete and meaningful information concerning the nature and extent of those operations. Unfortunately, most analysis of fiscal policy rests on a body of statistical data which is, in a vital respect, incomplete.

Nearly all evaluations of the impact on the economy of federal expenditures and revenues have as their empirical core the two conventional budget statements: (1) the consolidated cash statement and/or (2) the federal sector of the national income and product accounts. This holds true even though it is generally recognized that these series suffer from a major structural limitation; namely, they record only the *payment* (consolidated cash statement) or *delivery* (federal sector accounts) stage of the expenditure process.

An important amount of economic activity is generated when contracts and orders *are initially placed* (obligations incurred), and the conventional series do not indicate this initial impact on economic activity if enough time elapses between obligation and delivery or payment so that these stages are registered in different recording periods.[1] A complete picture of government expenditure would include data on orders placed, and thus be *three*-dimensional, measuring (1) orders, (2) payments, and (3) deliveries.

The nature of the process of government expenditure thus argues that the conventional series present a seriously inadequate picture of federal impact,[2] and, *a priori*, numerous rough calculations support this argument. For example, of the obligations incurred by object class for fiscal 1965, five object classes—accounting for 41 percent of the obligations—appear likely to have involved a significant time lag between obligation and payment or delivery; that is, a time lag which could place obligations for an object class in one fiscal year, and deliveries or payments in a subsequent fiscal year.[3] Some specific consequences of this asychronization are the differences between obligations and payments which can be observed in Table I. These data indicate the relative magnitudes involved in adding an obligations dimension to the conventional payments series. The analytical significance of this dimension, of course, depends on a qualitative evaluation of the data, and professional literature is replete with vigorous—though general—assertions that the employment of obligations data would greatly enhance the validity of fiscal analysis.[4]

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[1] This problem has been dealt with extensively by Murray Weidenbaum. See "The Economic Impact of the Government Spending Process," *The Business Review of the University of Houston*, Vol. 8, Spring, 1961, pp. 3–47.

[2] *Ibid.*, pp. 4–16.

[3] See technical note No. 1, appended hereto.

[4] Joseph Scherer, "On Measuring Fiscal Policy," *The Journal of Finance*, Vol. 20, No. 4 (December, 1965), pp. 685–86; Michael E. Levy, *Fiscal Policy, Cycles and Growth* (New York: The Conference Board, 1963), pp. 119–20; Weidenbaum, *op. cit.*, pp. 4–6, and "The Timing of the Impact of Government Spending," *National Tax Journal*, Vol. 12, No. 1 (March, 1959), pp. 79–85.

TABLE I.—*Comparison of net obligations to the public* [1] *(obligations) and cash payments to the public (payments), fiscal years 1962–68*

Fiscal years	A. In billions of dollars								
	National defense [2]			Nondefense			Total		
	Obligations	Payments	Excess of obligations or payments (−)	Obligations	Payments	Excess of obligations or payments (−)	Obligations	Payments	Excess of obligations or payments (−)
1962	$52.3	$51.5	$0.9	$60.2	$56.2	$4.0	$112.5	$107.7	$4.9
1963	51.6	53.4	−1.8	64.8	60.3	4.5	116.5	113.8	2.7
1964	52.8	54.5	−1.2	69.1	65.8	3.3	121.9	120.3	1.6
1965	52.9	50.8	2.1	75.0	71.6	3.4	127.9	122.4	5.5
1966	65.9	58.5	7.4	82.3	79.4	3.0	148.2	137.8	10.4
1967	78.3	71.3	6.9	91.8	89.5	2.2	170.0	160.9	9.1
1968	79.3	76.8	2.5	101.4	95.6	5.9	180.7	172.4	8.3

See footnotes at end of table.

TABLE I.—*Comparison of net obligations to the public*[1] *(obligations) and cash payments to the public (payments), fiscal years 1962–68*—Continued

Fiscal years	B. In terms of percentage growth from the preceding fiscal year					
	National defense[2]		Nondefense		Total	
	Obligations	Payments	Obligations	Payments	Obligations	Payments
1963	−1.3	3.7	7.6	7.3	3.6	5.7
1964	2.3	2.1	6.6	9.1	4.6	5.7
1965	.01	−6.8	8.5	8.8	4.9	1.7
1966	24.6	15.2	9.7	10.9	15.9	12.6
1967	18.8	21.9	11.5	12.7	14.7	16.8
1968	1.3	7.7	10.5	6.8	6.3	7.1

[1] Net obligations of administrative budget and trust funds, minus interfund and intragovernmental transactions and contributions to Government employee retirement funds.

[2] "National defense" covers the same accounts as does the functional classification "National defense" in the consolidated cash statement.

MERITS OF THE OBLIGATIONS SERIES

Obligations series receive high marks on two other counts. First, obligations have blue ribbon credentials as a series of financial statistics. As a financial statistic, the concept is fully defined by statute and administrative regulation,[5] and the data are precisely and verifiably anchored in the operating statistics of government agencies.[6] Secondly, for the executive granch, obligations represent the major points of financial contral and political responsibility.[7] In these regards obligations have the same significance for the executive that appropriations have for the Congress.

The analytical application of obligations data remained unlikely so long as the information was presented only in the detail of the budget appendix, and this impediment prevailed until 1958. Administrative budget obligations were totaled for the first time in the budget for fiscal 1959, and a summary of administrative budget obligations by agency first appeared in the budget for fiscal 1963. The last five budgets have contained summary tables on obligations incurred for administrative budget and trust funds, and the summary tables in the last three budgets have been supplemented by a detailed analysis, issued separately by the Bureau of the Budget, which itemizes obligations by object for the government as a whole, and for each major agency, for administrative budget and trust funds.

However tardy these developments have been, they now provide a significantly enhanced capability to analyze the economic impact of federal transactions. Regrettably, this capability has yet to be exploited; both the summary obligations data available with the last five budgets and the detailed series which accompanied the last three budgets have been largely ignored in both professional and lay analyses of the economic impact of these budgets.[8]

CONSTRUCTING THE ECONOMIC IMPACT BUDGET

This paper is intended to suggest, as one possibility for employment of obligations data, that a given budget's economic impact could be measured more fully and accurately if the conventional series were supplemented by an "economic impact budget" based on *obligations incurred* and *accrued receipts*. The "economic impact budget" (hereafter referred to as EIB) can be easily constructed from available budget data. It is best understood as the consolidated cash statement with (1) obligations incurred substituted for the conventional checks-paid recording of expenditures, and (2) receipts adjusted to show the accrual of business taxes. And the difference between:

Net obligations to the public and *cash consolidated receipts, adjusted to accrual basis* equals *economic impact budget,* surplus or deficit.

On the expenditure side, the aggregate for any year is derived simply by adding net obligations incurred for administrative budget and trust funds,[9] and then deducting intragovernmental and interfund transactions which do not involve the public. These transactions represent payments between the administrative budget and trust funds, payments within these funds, and contributions to government employees retirement funds. On the receipts side, the EIB places consolidated cash statement receipts on an accrual basis by using the same adjustment factor which is applied in the budget in converting consolidated cash receipts to federal sector receipts. Only business taxes, of course, need such adjustment.

EIB AS A LEADING INDICATOR

The value of obligations incurred as a rough "leading indicator" is readily apparent. However, use of the EIB to attempt precise measurement of the aggregate and net impact of government transactions on the economy entails several very clear hazards. For transactions where delivery and payment will significantly lag behind obligation, the EIB will somewhat overstate the initial impact of government outlays on manpower and machinery. The EIB records the entire amount of a government order or contract (obligation incurred) in a single fiscal period, even though government outlays for other than current services and transfer payments will utilize productive resources during subsequent fiscal periods.

Further, the ability of the EIB to measure government's impact on liquidity depends on where and when the costs of production are financed. If most of the cost of filling a government order is financed internally or by borrowing within the private sector, then the EIB's obligation incurred would serve as an accurate and simultaneous record of this mobilization of financial resources. In contrast, the conventional budget series would not register this activity. On the other hand, if private sector financing is undertaken gradually over the period of production, then the obligation incurred would represent an exaggerated picture of the initial impact on liquidity. Finally, if the government makes advance or progress payments, these would be registered in the consolidated cash series.

EMPLOYMENT OF THE EIB

The January 1966 budget submission was the subject of unusually intense interest concerning the effect which Vietnam funding could have on the overall composition of the budget, the effects which that budget might in turn have on the economy, and the related fiscal policy measures, if any, which the administration would undertake. Nearly all public analyses of the budget submission and of the policy statements set forth in the Economic Report[10] were based on one or more of the conventional budget series. Yet it is hard to imagine a situation were obligations data were so imperative for valid analysis of fiscal policy.

Table II represents an application of the Economic Impact Budget as of January, 1966. From the data in this table, it is evident that the major implication for fiscal policy of the budget for fiscal 1967 related not to the proposals for the budget year (fiscal year 1967) but to the midyear estimates for fiscal 1966 which had been substantially revised since the fiscal 1966 budget was originally submitted. Specifically, the estimate for obligations incurred during fiscal 1966 (EIB basis) was revised from $135.7 billion to $153.7 billion. The 1965 to 1966 increase was originally estimated at $3.8 billion; the midyear estimate was $25.8 billion. The conventional series did not register these revisions, which virtually constituted a new budget for fiscal 1966. In short, in this set of circumstances, the conventional series entirely missed the main point—for fiscal analysis—of the budget submitted in January, 1966.

During the last half of fiscal 1966, the belief was widespread among private analysts that the influence of federal expenditures on the economy was significantly greater than conventional budget figures indicated. This influence stemmed from a substantial acceleration of federal orders during the last half of fiscal 1966. Final figures for obligations incurred (EIB basis) show the full extent of the 1965–66 acceleration, which fall short of the levels indicated in January, 1966. (Table II).

The midyear (January, 1967) obligations figures (EIB basis) for fiscal 1967 show trends which are strikingly similar to those apparent in the mid-year estimates for fiscal 1966. The original estimate for obligations incurred in fiscal 1967 was $156 billion; the midyear estimate is $170 billion. The 1966–67 increase was originally $2.2 billion; the midyear estimate is $21.8 billion. Fiscal 1968 shows an excess of obligations over payments of $8.3 billion; in weighing economic impact, this figure must be considered together with the possibility of a third straight major midyear revision in January, 1968.

The value of the EIB as a supplement to the conventional budget series is clearly highest when substantial government outlays are being made for items with a "significant lag" between obligation and delivery or payment. Recent budgets have pegged such outlay at a high level, and subsequent budgets will very likely be similarly composed. In such a situation it will not be possible to draw an adequate picture of the impact of the federal financial program on the economy unless obligations data is employed as an additional dimension to the consolidated cash statement and federal sector accounts.

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[5] Public Law 663, 83rd Cong., amended by P.L. 79, 86th Cong., 31 USCA 200, "Instructions Relating to Apportionments and Reports on Budget Status," Bureau of the Budget Circular No. A–34, July, 1960.

[6] In contrast to figures which make up the Federal Sector of the National Income and Product Accounts (FSNI&PA). FSNI&PA totals are derived by numerous adjustments for timing and coverage, many of which must, by nature, be tenuous. FSNI&PA figures are not published at all for individual programs.

[7] The President may establish reserves "to provide for contingencies or to effect savings. . . ." (P.L. 759, 81st Cong.; 31 USCA 665). The effect of this authority is to provide the President with wide discretion as to when—or whether—funds authorized by Congress shall actually be obligated.

[8] An exception was Murray Weidenbaum's "The Inflationary Impact of the Federal Budget," Washington University Working Paper 6529, February 10, 1966.

[9] See technical note No. 2 appended hereto.

[10] *Economic Report of the President,* transmitted to the Congress, January, 1966, together with *The Annual Report of the Council of Economic Advisers,* (Washington: U.S. Government Printing Office, 1966).

TABLE II.—*Original and revised budget proposals for fiscal 1966*

[Billions of dollars]

	Original, as of January 1965			Revised, as of January 1966		
	1965 estimate	1966 estimate	Change	1965 actual	1966 estimate	Change
EIB basis:						
Defense [1]	$53.8	$52.7	−$1.1	$52.9	$67.5	+$14.5
Nondefense [1]	78.1	83.0	+4.9	75.0	86.3	+11.3
Total	131.9	135.7	+3.8	127.9	153.7	+25.8
Receipts	116.5	121.7	+5.2	119.9	129.3	+9.3
Surplus or deficit	−15.4	−14.0	1.4	−8.1	−24.6	16.5
CCS basis:						
Defense [1]	50.1	50.0	−.1	48.2	55.0	+6.9
Nondefense [1]	71.2	77.4	+6.1	74.2	80.0	+5.8
Total	121.4	127.4	+6.0	122.4	135.0	+12.7
Receipts	117.4	123.5	+6.1	119.7	128.2	+8.5
Surplus or deficit	−4.0	−3.9	1.0	−2.7	−6.9	4.2

[1] For the EIB, "defense" covers the same accounts as does the functional classification "national defense" in the consolidated cash statement.

TABLE III

[Billions of dollars]

	1965 actual	1966 actual	Change
Obligations incurred (EIB):			
Defense	$52.9	$65.7	+$12.9
Nondefense	75.0	82.3	+7.3
Total	127.9	148.2	+20.3
Receipts	119.9	133.3	+13.4
Surplus or deficit	−8.1	−14.9	6.8

TABLE IV.—*Detail and derivation, economic impact budget*

[In millions]

	1962	1963	1964	1965	1966	1967 estimate	1968 estimate
Net obligations of administrative budget and trust funds	$117,472	$121,754	$127,303	$133,724	$154,045	$177,666	$188,587
Deduct interfund and intragovernmental transactions	−4,102	−4,381	−4,399	−4,765	−4,764	−6,524	−6,732
Deduct deductions from employees' salaries for retirement	−848	−917	−976	−1,046	−1,092	−1,135	−1,135
Net obligations to the public	112,522	116,456	121,928	127,913	148,189	170,007	180,720
Receipts, consolidated cash statement	101,887	109,739	115,530	119,699	134,480	154,662	168,106
Adjust business taxes to accrual basis	+2,500	+600	−700	+200	−1,200	−3,900	+400
Adjusted receipts, consolidated cash statement	104,387	110,339	114,830	119,899	133,280	150,762	168,506
Surplus or deficit, economic impact budget	−8,135	−6,117	−7,098	−8,070	−14,904	−19,245	−12,214

TECHNICAL NOTE NO. 1

The author constructed these speculative estimates from object class descriptions set forth in Budget Bureau circular A–12, "Uniform Classification According to Objects," April, 1961. Obligations incurred for fiscal 1965 were classified as follows:

Significant lags (41%)

(7.9%)	Equipment
(2.6%)	Lands and structures
(11.4%)	Grants, subsidies, contributions
(12.7%)	Supplies and materials
(6.6%)	Research and development *

Insignificant lags (58%)

(19.0%)	Personal services and benefits
(2.5%)	Travel and transportation of persons and things
(1.1%)	Rent, communications, utilities
(.2%)	Printing and reproduction
(6.2%)	Other services, except for R & D
(6.8%)	Investments and loans
(15.3%)	Insurance claims and indemnities
(7.1%)	Interest and dividends
(.2%)	Refunds

Unfortunately, the "object classes" used by the Bureau of the Budget are, from the point of view of economic analysis, deplorably heterogeneous. For example, object class 26 totals, without distinction, obligations for office supplies, chemicals and fuels, ammunition and explosives, and materials and parts for construction and repair of equipment and structures. Object class 31 lumps together obligations for furnishings, books, machinery, transportation equipment, and armament. Object class 32 does not distinguish between obligations for land, interest in land, acquisition of structures, construction of structures, and fixed equipment. Object class 41 combines grants and subsidies to State and local governments, individuals, and extranational recipients.

If it were possible to establish probable time lags for certain object classes or subclasses, it would still be necessary to relate time and behavior. A six month lag between obligation and payment or delivery for a particular object class is significant only in relation to the length of the fiscal period, and to points in time within single or successive periods. A six month lag would be highly significant on a quarterly basis, but its significance within twelve months would depend on the point of obligation within that twelve months.

TECHNICAL NOTE NO. 2

In order to maintain symmetry with the consolidated cash statement, the EIB shows obligations to the public *net of receipts*. However, *gross* obligations to the public provide a more realistic measure of the government's aggregate impact on the economy. While the surplus or deficit remains the same, the difference between net and gross obligations to the public is substantial.

[In billions]

	1966 actual	1967 estimate	1968 estimate
Gross obligations	$204.9	$235.0	$246.9
Deduct interfund and intragovernmental payments	4.8	6.5	6.7
Deduct reimbursements between accounts	28.1	32.5	30.0
Gross obligations to the public	172.0	196.0	210.3
Deduct recoveries of prior year obligations	1.5	1.2	1.1
Deduct receipts from the public	19.8	22.2	25.9
Net obligations to the public [1]	150.7	172.6	183.3

[1] In order to make this total correspond precisely to net obligations to the public, EIB basis, it would be necessary to deduct payments to employees retirement funds, as is done in table IV.

The receipts from the public which are applied directly to finance program operations serve to substantially reduce the apparent magnitude of government financial operations. The $25.9 billion of such fiscal 1968 receipts were collected by five types of accounts:

[In millions]

Public enterprise (revolving) fund accounts	$21,330
Trust enterprise (revolving) fund accounts	1,939
Intragovernmental revolving and management fund accounts	1,851
General fund accounts	559
Trust fund accounts	193

Some of the major programs involved are:

[In millions of dollars]

Program	Fiscal 1968	
	Gross obligations	Net obligations
Department of Agriculture:		
Commodity Credit Corporation:		
Price support and related programs	8,221	2,615
Farmers Home Administration:		
Agricultural credit insurance fund	752	−12
Rural housing insurance fund	469	−15
Direct loan account	529	−487
Rural housing direct loan account	60	−1,621
Post Office Department: Postal fund	6,804	651
Department of Housing and Urban Development:		
Renewal and housing assistance:		
Urban renewal fund	447	79
College housing loans	362	−1,298
Low rent public housing fund	948	368

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* The official object classes do not separately identify obligations for research and development contracts, but a close estimate can be derived from (1) data on obligations for all R & D contained n Tables 1 and 2 of "Special Analysis I" of the Fiscal 1967 Budget, and (2) comparisons of intramural and extramural R & D contained in Volume 14 of *Federal Funds for Research, Development, and Other Scientific Activities*, (National Science Foundation, July, 1956), Table C–54.

[In millions of dollars]

Program	Fiscal 1968	
	Gross obligations	Net obligations
Department of Housing—Continued		
Federal National Mortgage Association:		
Management and liquidating functions	244	−302
Special assistance functions	505	121
Participation sales fund	350	---------
Loans, secondary market operations	1,400	---------
Federal Housing Administration: Federal Housing Administration fund	1,000	16
Veterans' Administration: Direct loan fund	203	−94
Export-Import Bank: Export-Import Bank fund	2,852	753
Small Business Administration: Business loan and investment fund	605	5
Tennessee Valley Authority: Tennessee Valley Authority fund	506	113

PRICE-WAGE GUIDEPOSTS REVISITED

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, the concept of wage-price guideposts fixed by the Federal Government to help ward off inflation requires better understanding by public as well as by Members of Congress and the administration.

A recent article in the American Bar Association Journal by Dr. Reuben E. Slesinger, professor of economics at the University of Pittsburgh, contributes to our understanding of the guideposts by reviewing their history and application.

The professor made three particularly noteworthy observations.

First, serious questions of public policy are raised by the use and misuse of stockpiles by the administration. Dr. Slesinger points out:

> Presumably, the stockpile was accumulated for reasons of national security, and additions or subtractions should be geared to this consideration. Nevertheless, threats of stockpile disposal were used to attain far-removed objectives, even at the expense of national security. . . .

Second, the professor feels that the administration has been "less adamant" on holding labor to the wage segment of the guideposts.

Third, Dr. Slesinger observes that on the balance, if the basic framework of our free enterprise system is to be preserved, the idea of the guideposts as a substitute for the marketplace must be condemned.

The author concludes:

> If inflation is a danger, then it should be attacked at its source—the demand and cost factors involved.

Under unanimous consent, I include the address referred to in the RECORD at this point:

THE PRICE-WAGE GUIDEPOST REVISITED

(By Reuben E. Slesinger)

This article intends to provide perspectives on an extremely controversial current topic, one that has brought both labor and business into conflict with the Federal Government. Although first emphasized by President Kennedy's Council of Economic Advisers (CEA) in 1962 and outlined in the *Economic Report* of that year, the voluntary guidepost tool was brought into greater prominence by President Johnson as part of his "let us reason together" (informal) approach. The extensive emphasis on wage-price guideposts has been spurred, to a great extent, by the Administration's concern over inflation, not only because of the effects of inflation on the domestic economy, but also because of its repercussions on the balance of payments problems, which continue to influence domestic policies.

It has become commonplace to credit the idea of the guideposts, as detailed in the 1962 *Economic Report,* to President Kennedy and Professor Walter Heller (the then Chairman of the Council of Economic Advisers). Although the root of the idea can be traced to an earlier period, the Kennedy-Heller approach was the first to spell out in some detail the importance of the wage-price-productivity relationship in warding off inflation. Guidelines for price-wage stability, with a recommendation for their implementation, were set forth by the Committee for Economic Development (CED) in its 1958 publication, *Defense Against Inflation.*

In his 1957 State of the Union message, President Eisenhower warned against inflation and exhorted management and labor to avoid a wage-price spiral. He urged that business should avoid "unnecessary price increases", and "wages and other benefits negotiated by labor and management *must be reasonably related to improvements in productivity*. . . . Except where necessary to correct obvious injustices, wage increases that *outrun* productivity . . . are an inflationary factor."

To implement his concern with prices and wages, President Eisenhower created two committees, one on Price Stability for Economic Growth and the other on Government Activities Affecting Prices and Costs. He also instructed the Bureau of the Budget to "accelerate programs for enlargement and improvement of public information on prices, wages and related costs, and productivity".

In his 1960 *Economic Report,* President Eisenhower made some further comments regarding the wage-price productivity relationship and emphasized the importance of influencing public opinion.

In his *Economic Report* of 1962, President Kennedy called on business and labor leaders to accept the "productivity benchmark" as a "guide" to wage and price decisions in order to hold the line on the price level. In its report the CEA used the phrase "guideposts for non-inflationary wage and price behavior".

At this juncture, the concept of the guideposts recognized several difficulties of implementation including: (1) problems involved in the actual measurement of productivity changes; (2) problems concerning the distribution of the gains of productivity between the factors of production; and (3) the irregular pattern of wages among industries. It is emphasized, too, that productivity is not the only basis for the determination of wages.

It is clear from President Kennedy's 1962 *Economic Report* that the guideposts were to be completely voluntary. There may be some apparent conflict here. On the one hand, volition and free collective bargaining without compulsion are set forth as an objective. But there was a recognition of national interests. This qualification could open the door for a degree of mandatory control and governmental intervention. It also creates the necessity for somebody, possibly the President, to determine when national interest is satisfied and if and when there is any conflict between private and national interests.

President Kennedy's confrontation with the United States Steel Corporation in April 1962, focussed new attention on the guideposts. For those who sided with the steel industry, the guideposts became anathema, whereas among the late President's supporters they took on a luster.

In the 1964 report, the designation was changed to *price-wage* guideposts, from the earlier reference to "wage and price" guideposts, thus implying that the price guideposts perhaps had become more important than the wage guideposts. A numerical figure of 3.2 per cent was cited as being the annual average trend increase of productivity in the private economy during the last five years. Earlier the CEA had resisted citing a specific figure because of the complexity of calculating a representative average.

THE RECORD OF PRICE INCREASES

Between 1962 and 1964 the attitude of the CEA toward the use of guideposts hardened noticeably. In the words of Arthur F. Burns, former CEA Chairman under President Eisenhower: "The official position, as now developed or clarified, is that the national interest can be best served by setting wages and prices in accordance with the *formula* of the general guidelines—not, to be sure, in every instance, but almost that."[1]

Governmental and public interest in the use of the guideposts began to increase during the latter half of 1964, largely as the result of the rapid pace of domestic economic development and the attention of the Administration to major wage and price decisions as the over-all economy continued to expand. In August, in the midst of rumors that steel prices would soon be raised, President Johnson stated that he was flatly opposed to any increase in steel prices. In September, both Chrysler Corporation and Ford Motor Company signed new three-year labor agreements which were reported to amount to an annual increase of about 4.7 per cent, well above the wage guidepost; in October, after a four-week strike, General Motors Corporation also settled with the United Automobile Workers. The White House remained silent on the automobile settlements, however.

In the meantime, officers of the United Steel Workers labeled the wage guidelines as "unworkable and inequitable" and announced that the union would seek a substantial pay increase next year from the basic steel industry. In early October, Inland Steel Company, which had yielded to President Kennedy's pressure in 1962 and had refused to follow the price increase initiated by United States Steel, announced that steel boosts were now needed. Soon thereafter, articles in the trade papers as well as the general press appeared with increasing frequency, announcing that steel prices were firming noticeably and reporting that major producers were virtually unanimous in their opinions that prices "ought to go up". In late October a news story reported that the Administration believed that any increase in steel prices at this time would be extremely difficult to justify in view of the industry's nine-month profit record and the import problem. In December, 1964, Inland Steel raised the base price of galvanized steel sheet and coil by $6.00 per ton, "less than 3%", and rumors of other possible product increases appeared in the press. Although the President had not openly opposed any steel price increase since his August statement, he called on the CEA early in 1965 to "study" the current movement to higher steel prices and to make a report.

The President's 1965 *Economic Report* contained nothing new regarding the guideposts. However, with the economy pushing upward and with the appearance of some inflationary tendencies, the guideposts grew in significance. In March, 1965, after a three-week strike, the can companies signed a wage agreement with the United Steel Workers at a higher-than-guidepost figure and immediately raised prices. Late in April, the eleven major steel companies and the U.S.W. agreed to extend their contract expiration date from May 1 to September 1. Shortly thereafter, the CEA released its long-awaited report to the President on steel prices in which it concluded that, since steel productivity had kept pace with the national trend, the industry could afford to give workers an increase in wages and benefits without raising prices. Late in May, in the strongest anti-inflation statement yet from any White House spokesman, CEA Chairman Gardner Ackley told American businessmen they must stop raising prices.

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[1] Burns, *Wages and Prices by Formula?,* HARV. BUS. REV., March-April, 1964, page 58

Early in June, 1965, the aluminum industry signed new three-year contracts with major unions at a figure which substantially exceeded the wage guideposts. The U.S.W. announced the value of the new contracts as being 50.1 cents per hour, an annual increase of 4.1 per cent. At the same time, aluminum producers announced partial price restorations, up to one cent per pound, on virtually all fabricated products. Newspaper articles reported that the Administration was unhappy with the industry's pricing moves. In August and September, attention again shifted to the steel industry.

Late in August, as the steel negotiations became snarled, President Johnson summoned both parties to the White House and obtained an eight-day strike deadline extension. The President then interjected himself into the negotiations, and on September 6 the steel companies and the U.S.W. agreed on a new contract. According to the union, the settlement was worth 47.3 cents per hour, equal to an annual increase of 3.7 per cent over the thirty-five month contract period.

During the last few months of 1965, a number of price increases were announced by large firms. Aluminum companies announced price restorations of 7 to 12 per cent on selected electrical conductor products. United States Steel announced a tin-free steel for cans which was cheaper than black plate and at the same time raised prices of electrolytic tin-coated products by 2 to 3 per cent. American Can Company increased prices 4 to 6 per cent on cartons for the frozen food and dairy industries; Revere Copper and Brass, Inc., raised prices for copper plate and sheet used for roofing; Bridgeport Brass Company (since merged into National Distillers and Chemical Corporation) raised prices on a number of copper and brass mill products.

It was becoming increasingly apparent that market conditions in the economy not only would support more and more price advances, but that the continued squeeze on profits was forcing companies to seek price increases as the only way to react to the ensuing cost push effects.

INFLUENCE OF NATIONAL STOCKPILE

In this setting a special development took place that was to emphasize the Administration's growing concern over rising prices and to furnish it with the opportunity it may have wanted to provide a visible demonstration to businessmen that the Federal Government intended to enforce the guideposts, at least on the price side. On October 29, Olin-Mathieson Chemical Corporation announced that it would increase the price of aluminum ingot by one half cent per pound, effective November 5, and Reynolds Metals Company, Kaiser Aluminum and Chemical Company and Harvey Aluminum followed suit. President Johnson was reported to be quite disturbed over the increases. One week after Olin's original announcement, Aluminum Company of America stated it would follow the ingot price increase as well as raise some fabricated product prices one cent per pound. In retaliation, a few days later the Government terminated the industry's efforts to resolve disposition of the national aluminum stockpile, despite an industry offer to purchase all the surplus metal. Defense Secretary Robert S. McNamara also announced intentions to dump large quantities of surplus aluminum in the open market. After several days of Administration criticism and pleading Alcoa rescinded its price restorations. In doing so, Alcoa emphasized that it felt strongly that its pricing actions were noninflationary and were justified by market circumstances.

The company pointed out that its return on invested capital was inadequate and that aluminum prices, even with the proposed increases, were considerably below those of several years ago. However, the company stated that it felt compelled to cancel the price restorations because of the insistence of the Government, which was urgently concerned about the possible adverse effect of any general price increases on the national economy while the Vietnam military operations were being waged. Secretary McNamara announced that President Johnson considered Alcoa's price rollback "an act of industrial statesmanship—as do I", and agreed to immediate resumption of negotiations with the industry for the "orderly disposal" of 1.4 million tons of surplus aluminum in the stockpile. Within two weeks the aluminum industry and the Government had reached agreement on the disposition of surplus metal from the stockpile.

Shortly after Alcoa rescinded its price restorations, Secretary McNamara again used material in the national stockpile to influence market conditions—namely, in copper. Early in November, all United States copper producers except Kennecott Copper Corporation had raised the domestic price of refined copper from 36 to 38 cents per pound. Mr. McNamara announced that the Government would sell at least 200,000 tons of copper from the national stockpile to ease the severe copper shortage and relieve upward pressure on prices. Within a week all copper producers rescinded their earlier two-cent advance. Next, the Administration moved to clamp down on prices for wheat and flour by announcing that it was selling high-quality bread wheat from government stocks. As a result, flour mills reduced spring-wheat bakery flour by 10 cents per hundred pounds, cash prices for high-quality wheat slumped as much as 7 cents per bushel, and wheat futures fell 4 cents.

The foregoing examples raise a serious question of public policy. Presumably, the stockpile was accumulated for reasons of national security, and additions or subtractions should be geared to this consideration. Nevertheless threats of stockpile disposal were used to attain far-removed objectives, even at the expense of national security in view of the expanded Vietnam demands. To say the least, one might raise the question of the constitutionality of these actions.

At the end of 1965 the steel industry again roiled the Administration. On New Year's Eve, Bethlehem Steel Corporation announced a $5.00 per ton increase in prices of structural steel. Inland followed soon after, but Colorado Fuel & Iron Corporation (now known as C F and I Steel Corporation) raised prices only $3.00 per ton. The Administration showed its displeasure by ordering defense and other government purchases of structural steel transferred to companies holding the price line. On January 5, United States Steel announced a price increase in structural steel of $2.75 per ton (about 2 per cent) and at the same time disclosed a reduction of $9.00 per ton (about 6 per cent) in prices of cold rolled sheet produced on the West Coast. CEA Chairman Ackley stated that these price adjustments were acceptable to the Administration. Newspaper articles implied that Mr. Ackley had "cleared" these adjustments beforehand.

It is of interest to note the Administration's less adamant stand on holding to the wage segment of the guideposts.

One of the most flagrant violations of the wage guideposts occurred in January when the New York transit strike of 36,000 workers ended in an expensive pact costing $60 to $70 million, or an increase of 15 per cent over a two-year period. President Johnson was highly displeased, terming the settlement inflationary and against the national interest. Under questioning from newsmen, however, the President said he planned no action, because: "We have no controls. These are voluntary matters."

In the latter part of January, 1966; the Administration expressed unhappiness with wage settlements in the construction trades. Nonetheless, most of these trade unions rejected the Administration's plea "to hold the line". The guidelines were attacked further by AFL–CIO President George Meany.

During the protracted strike against the airlines by the Machinists Union in the summer of 1966, many sides—management, labor and the Government—began to question the guidelines. The ultimate settlement did exceed the guidelines, but the concept still lives. As late as September, 1966, the Administration asked United States Representative Henry S. Reuss to postpone for a short while hearings scheduled on this issue. The President's Labor-Management Advisory Committee also endorsed a more flexible use of guideposts. Interestingly enough, labor, which had been opposing the guideposts, took a position in their favor—perhaps with the thought of being able to exert a role in flexible wage-price guidepost policy. It appears also that this Advisory Committee may become the influential guidepost agency, rather than the CEA, which has been more or less policing guidepost policy since 1962.

That the 3.2 guidepost seems to be dying slowly is evident from the number of wage settlements negotiated since mid-1966 that seem to imply a new limit of about 5 per cent. In addition, a number of price increases, although receiving varying degrees of official condemnation, have remained, such as a recent one involving stainless steel.

The 1966 *Economic Report* contained a detailed discussion of productivity and labor trends and costs and prices in selected problem areas. It emphasized the increasing importance of the guideposts by citing specific instances (steel and aluminum) where they have been helpful. However, the discussion differed from the 1965 *Economic Report* in one important aspect—the Government changed the ground rules with respect to the productivity measurement. In announcing the wage guideposts for 1966 at 3.2 per cent, the CEA abandoned its mathematical technique of using as its benchmark the average rise in output per man-hours over the past five years. In the two prior years, the five-year period had included both the extraordinarily low productivity gains of a year of recession (1960) and the extraordinarily high productivity gains of a year of recovery (1962). However, in setting the guide for 1966, using the five-year average would have meant dropping the 1960 recession year from the average and retaining the unsustainable productivity gains of a year of recovery plus four years of expanding utilization of resources. Hence, the CEA decided to drop the five-year average because it "no longer gives a reasonable approximation of the true productivity trend". If the CEA had not altered its measurement technique, the wage guidepost for 1966 would have been about 3.6 per cent. However, the CEA asserted that wages should increase no faster than the sustainable trend of productivity, which is only slightly over 3 per cent in the long run, independent of cyclical swings. This shift in the method of measurement has been subjected to severe attack by organized labor.

THE CURRENT SITUATION

That inflationary pressures have become stronger in recent months is shown in the quickening rise of most broad measures of prices and costs. While farm prices, food products and nonferrous metals have accounted for major portions of the increases over the past year, price rises now appear to be gaining momentum in the industrial sector as well. On the basis of what the various price measures have shown since early 1965, some inflation has already occurred, and the major questions now are how much more inflation will there be and what will be done to contain it. The important point relative to the guideposts is that the type of inflation at present underway essentially is one of demand-pull. With the economy operating close to, if not actually at, full capacity, aggregate demand is expanding at a more rapid pace with the result of price inflation. The current federal budget is definitely expansionary, regardless of the talk of restraint. The combined demands of the Great Society and the war in Vietnam are excessively large.

In addition to an expansionary fiscal policy, the money supply (demand deposits and currency) has been rising at an advanced rate since last summer. From 1960 to mid-1965 the money supply rose at a 2.8 per cent annual rate. From June, 1965, through April 27, 1966, it grew at an annual rate of 6.7 per cent. Since mid-February, 1966, it has expanded at a more rapid annual rate.

Added to a stimulative fiscal situation and the monetary expansion have been burgeoning plant and equipment expenditures. Capital spending by business rose a rapid 14.5 per cent in 1964, 15.7 per cent in 1965, and probably it will show a 1966 rate of about 16 per cent. On the supply side, however, output can scarcely expand at the rate prevailing since mid-1964, because the labor force is not expected to accelerate, and the pool of unemployed workers has been greatly reduced. Shortages of skilled labor and of some materials are hindering growth of production, and high rates of capacity utilization already prevail in many industries.

Recently, CEA Chairman Ackley indicated that the guideposts were needed because "we can have inflation without excess demand, arising from excessive private income claims". But he conceded that the guideposts had made only a "modest contribution to price stability" and also that they could "play no significant role in a condition of general excess demand".

A POSTSCRIPT ON RECENT GUIDEPOSTS

In his January, 1967, *Economic Report*, President Johnson startled the diehards of wage-price guideposts by omitting reference to a fixed numerical guidepost percentage. Thus, the President recognized what had been happening the prior year—that the 3.2 per cent ceiling was being broken on a number of occasions, and that labor unions would not acquiesce in a 3.2 limit in the many contracts due in 1967. Thus, a decided break in the Administration's anti-inflationary attitude became evident.

The Council of Economic Advisers justified departure from the fixed guideposts on the grounds that labor unions would not accept settlements at a 3.2 per cent level for two reasons: (1) the fact that the Consumer Price Index had advanced by 3.3 per cent in 1966, and (2) the rise in corporate profits in aggregate as compared with labor income. The latter would be true, however, if profits were measured only from slack or recessionary years, such as the late 1950's or early 1960's.

The dropping of specific guideposts was not without comment by some Congressmen who suggested that hearings be conducted on this subject.

It is interesting that attention to the guideposts now is coming from some circles that looked upon this ceiling as a stabilization and anti-inflationary measure, and now are fearful that wage increases in 1967 will be greater at a time when productivity is slackening and profits are being squeezed.

Now, let us review the major arguments that have been presented on both sides of the guidepost question. In many instances there is no right or wrong or black or white, but a cloudy gray area in which the pros and cons tend to move closer together.

THE PRO SIDE

1. During the latter half of the 1950's the American economy experienced two recessions, yet suffered from creeping inflation which at least in part was due to cost-push elements. The guideposts are intended to restrain the inflationary behavior of business and labor, both of which have discretionary market power.
2. The wage guidepost has helped the Administration to curb demands of government employees.
3. Guideposts may be effective in the short run to stall premature inflation, which reflects special bargaining positions in labor and product markets.
4. Guideposts have the great merit of calling attention to the fact that the basic way to raise the real earnings of labor is to increase output per man-hour of work.
5. The enforcement of the guideposts has not involved the establishment of a permanent bureaucracy which would inevitably widen and deepen its controls as time went on if direct controls were used.
6. From the viewpoint of the Administration, the guideposts offer the distinct advantage that they can be applied with great rapidity.

THE CON SIDE

1. Guideposts are ineffective as anti-inflationary measures. It is impossible to do more than suppress inflationary pressures in certain areas of the economy, but they still show up in other areas or in ways other than price increases, such as quality deterioration or dimensional change.
2. Underlying the guideposts is a sort of crude post-markup theory of prices which largely ignores demand factors.
3. Rather than improve co-operation and understanding between business and Government confrontations over guidepost "violations" tend to identify an industry or one company as for or against the President and the United States Government.
4. When economic freedom is not exercised, it is no longer a part of life. An economy in which wages and prices are set voluntarily according to a formula suggested by the Government would be almost indistinguishable from an economy in which wages and prices are directly fixed by government authority.
5. What's sorely missing from the guidepost approach is full appreciation of the role flexible wages and prices play in a competitive, free-market economy.
6. The guideposts will change the American system of checks and balances. Protection against arbitrary government action has been guaranteed in the United States.
7. The guideposts are based on elusive estimates of complex aggregates and are applied by an averaging technique.
8. There is a lack of precision as to when and to whom the controls or guidelines will be applied which creates inequities that can lead to an erosion of good economic relations among Government, industry and labor.
9. Guideposts, if effectively implemented, are only a step away from the direct controls which are used in centralized economies but have been tolerated by the people of the United States only in war.
10. Compliance with voluntary controls imposes a severe conflict of responsibilities on businessmen and labor leaders. The corporate official is an agent of his stockholders; the labor leader, of the members of his union. They have a responsibility to promote their interests.

On the balance, if the fundamental framework of the American enterprise system is to be preserved, the idea of guideposts as a substitute for the market place must be condemned. If inflation is a danger, then it should be attacked at its source—the demand and cost factors involved. Finally, the administrative problems met in trying to enforce a single guidepost figure of 3.2 per cent against all types of firms in all sorts of industries is far from practicable, not only because of the variations among firms and industries, but also because of the difficulties in calculating productivity changes with a high degree of accuracy.

REPORT ON ACTIVITIES OF CONGRESSMAN MARK ANDREWS

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. Andrews] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ANDREWS of North Dakota. Mr. Speaker, it is my custom from time to time to report to the people of my district on my activities as their Representative in Congress, and to express my views on a number of the matters facing Congress. In the report I am sending today, I discuss the cost of police protection, the Mideast situation, and the need for antiriot legislation, plus several other topics. Under unanimous consent, I place it in the Record at this point:

Having been appointed to the Canada-U.S. Interparliamentary Conference by the Speaker of the House every year since I was elected to Congress, I was the senior Republican delegate from the House of Representatives at this year's 4 day Conference in Canada's Capital City. Joining us, of course, were delegates from the U.S. Senate as well as Canada's Parliament and we discussed many issues, including mutual defense, the war in Vietnam, wheat sales abroad and import duties on goods shipped between our countries. The informal discussions we held provide the basis for future agreements between our 2 great nations. Pictured with me above are Senate Majority Leader Mike Mansfield of Montana and the Honorable Alvin Hamilton, Member of the Canadian Parliament and former Minister of Agriculture.

NO QUANTITY DISCOUNT ON POLICE PROTECTION

Generally, economies can be affected by doing business on a large scale. You might think, therefore, that a city the size of Chicago would have a lower police cost per resident than a smaller town. This simply isn't true. Police protection in cities of one million or more population costs each citizen an average of $27.31 per year, according to the National Research Bureau.

In checking with the 5 largest cities in Eastern North Dakota, I found that, despite general increases in budgets for salaries, residents pay an average of $10.82 per year for our police—and North Dakota enjoys the lowest crime rate in the nation.

It follows, of course, that we need less police protection because we have less crime. We have less crime because we have far less of the social and economic conditions that produce criminals. Also, people in smaller towns and cities seem to work better together, have a higher regard for our neighbors and more pride in our communities.

Finally, as everybody knows, people in North Dakota are just plain *better.*

MIDEAST SITUATION CONTINUES CRITICAL

The problems that have brought about 3 crises in the past 20 years in the Middle East still remain largely unresolved. The flair up of an actual war in this powder keg region of the world brought to mind a statement I issued almost exactly a year ago urging the Administration to "demonstrate some ability to cope with more than one international problem at a time before—once again—it is too late".

Unfortunately, they were caught off guard again; and despite clear warnings months in advance the White House badly misjudged the seriousness of this pending crisis.

Actually the Administration failed to even have an Ambassador on hand in Cairo for the critical 3 months preceding the crisis.

Despite the summit conference and all the talk about U.S. and Soviet cooperation in keeping the war from spreading, final settlement of the problem is actually further away than at any time since the end of Arab-Israeli war in 1956.

HOODLUMS AGAIN THREATEN AMERICA

So far this summer, major riots have been reported in more than 29 American cities. Professional agitators have roamed about the country preaching hatred and urging violence. Lives have been lost and millions of dollars in property damaged.

Last year, I introduced legislation making interstate travel to incite or encourage these riots a Federal crime punishable by up to 5 years in prison, $10,000 in fines or both. The proposal was "bottled up" in Committee and the same tactics to hold back this legislation were employed in this Congress. In June a group of us introduced Resolutions to force action on the anti-riot bill and our strategy was successful. The Judiciary Committee released the bill and House Floor action is now scheduled for mid-July.

The rights of every citizen to live safely and peacefully in his own community must be protected from these outside hoodlums, who have no connection with any responsible civil rights organization and seriously damage the cause they pretend to promote.

$45,000 FOR A FLAGPOLE

When my Appropriations Subcommittee was trying to figure out how the Bureau of Standards managed to spend more than $107 million on their new headquarters—$42 million more than expected, I discovered one extravagance that shows how nonthinking bureaucrats are able to waste the taxpayers' money. The 90 foot stainless steel flagpole erected in front of the building costs $45,000—$500 per foot! I think "Old Glory" would have waved just as proudly on a more reasonably priced pole.

NATURALIZATION CEREMONY AT MONTICELLO

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, on July Fourth, Secretary of the Treasury Henry H. Fowler addressed the U.S. Court for the Western District of Virginia 1967 Naturalization Ceremony at Monticello, the home of Thomas Jefferson. In those auspicious surroundings the Secretary gave us an eloquent reminder of the thought of Jefferson and his rival, Andrew Hamilton. As the Secretary noted, much of what those illustrious gentlemen had to say has applicability to our own situation. I call his remarks to the attention of my colleagues and insert them in the Record at this point:

SPEECH BY HON. HENRY H. FOWLER

(Remarks of the Honorable Henry H. Fowler, Secretary of the Treasury, on the occasion of the 1967 Naturalization Ceremony for Applicants for Citizenship, before the U.S. District Court for the Western District of Virginia, under auspices of the Thomas Jefferson Memorial Foundation, Monticello, Va., July 4, 1967)

As an American, and a Virginian, I am honored to be here with you today. Any thoughtful human being is stirred when he enters this home of the great humanist; any American should feel true pride called forth by the anniversary of the signing of the Declaration of Independence and this significant occasion; any Virginian asked to participate in a ceremony of this nature at Monticello must say, simply, "I thank you for this honor."

Here at Monticello which housed the person and thought of Thomas Jefferson, some of you today will become new citizens of the United States. You have had no easy time of it in achieving this status. We need you. We need people who want and are willing to work for the things which United States citizenship signifies.

What, essentially, are those things? Plainly stated, they are two in number:

One of them is the right to live in freedom with the natural rights of the individual assured by a system of government based on the Declaration of Independence and the Constitution—embodying the noblest political concepts ever brought forth by the mind of man.

The other is the responsibility to work for the preservation and development of this country, that system, and the ideals which brought it into being.

Now, which of these comes first—the right or the responsibility? That question was never fully answered in the formative days of our nation. It was never answered because strong men, sincere men, men of skill, enterprise and ability, fought each other to a philosophical draw over which of these concepts should have priority. The battle was joined shortly after these same men, who served together as brothers in the cause of creating the new republic, achieved their immediate goal of winning the war of revolution and achieving American independence.

The problem they tried to decide was inherent in the very idea of government by the people, of the people and for the people. When a people itself truly rules—without a king—without a feudal aristocracy—without an oligarchy—which must come first: rights as individuals or responsibilities to society?

How should the principle that the nation should assure the freedom of the individual be reconciled to the principle that the individual has responsibilities to that nation as something which is greater than himself?

Efforts to answer these questions sometimes crystallized into issues on which passions were aroused to the point that rights and responsibilities instead of being complementary seemed to be placed in direct confrontation. Some of these issues were: freedom of the individual versus organized and centralized power; state and local preference versus national will.

Many able men contributed much to the intellectual ferment and political action that swirled around these questions in the early days of our nationhood. But none contributed more than Thomas Jefferson, in whose home we are gathered today—and his philosophical and political opponent, Alexander Hamilton, whose portrait was hung in an honored place on the walls of this home by the man whom he sincerely opposed.

As a native Virginian, wholly committed by heritage and conviction to the Jeffersonian tradition, now occupying the post of Secretary of the Treasury in which Hamilton put his theories into practice, I have thought much about these two men, their acts and words.

My conclusion is that history, in weaving its seamless web, is demonstrating that, instead of confronting each other down through the ages in irreconcilable opposition, Jefferson and Hamilton are complementary. Fused properly, their contributions constitute the great American tradition of individual rights and collective responsibilities, indissolubly bound, with the function of government being to aid in the realization of both.

Time does not permit a thoroughgoing analysis of this conclusion—only a few reminders may be noted. Let us remember the Jefferson who penned that shattering Declaration that our rights as human beings are inalienable rights, given to us, along with our existence, by God himself. Let us think of the way in which this man, through this document alone, opened the gates of history so that men could walk through them erect and proud of their condition as men, and away from a past, in Jefferson's phrase, of "ignorance, indigence and oppression."

If Hamilton foresaw a future in which America would be primarily an industrial power, he was right. And if Jefferson saw a future in which the states and localities, along with the individuals of that nation needed the full protection from centralized power that the Constitution and laws could give them, he was right, too.

If Hamilton saw that the new nation would be weak if it were to consist merely of a loosely-knit grouping of communities, his idea was sound. Some centralized authority and direction was needed if the new nation was to achieve sufficient power and resources to defend the rights and promote a realization of the responsibilities of its individual citizens and play a role on the world scene. Can we doubt that Jefferson, after two terms as President and the Napoleonic Wars failed to recognize the need for means to assure the continuing independence and growth of the United States?

And if Jefferson saw that the Constitution, which to a great degree owed its passage to Hamilton's influence, failed to provide assurances of individual liberty in its original form, he was right. And he was right when he fought for the immediate adoption of the first amendments which constituted the Bill of Rights and brought the power of the government back into a more equitable balance with the power of the individual citizen.

I would not assign the principle of rights to Jefferson and responsibility to Hamilton. Rather it seems more accurate to conjoin the emphasis by Jefferson on broad human and moral ends to Jefferson and technical and practical concerns with the role of national economic and political power to Hamilton.

An eminent scholar of the Founding Fathers has defined their respective contributions in these terms:

"The Republican experiment was a success and can still serve as a model to all the world, as the founding fathers hoped, because they, by their joint activity, saw the necessity for the constant balance and tension of power and morals. . . . Jefferson contributed the most searching statement of the equal rights of man in terms that he intended to be a common human faith. Hamilton contributed the most searching statement of the strategic means for establishing the economic basis for a society that could operate as a unity in controlling the resources of nature to increase national productivity. These two in their strong but complementary opposition contributed the strategic ideal of an extensive republic. . . . Their dialectic opposition and argument, together with their strong personal qualities and great talents, resulted in securing the national interest for the common pursuit of happiness." (KOCH, *Power, Morals, and the Founding Fathers*)

The views of these two men, I feel, are important to us today. The very fact that they have never been completely resolved has had an effect upon this country which their exponents might never have dreamed of as being possible at the time:

This might best be defined as motion with stability. I mean this in the sense in which a great ship is enabled to rush forward through the waves of the ocean at tremendous speeds, and yet preserve the stability of its decks because of the paradox that there are two huge tops in its hold, spinning in opposite direction, on opposite sides of the ship.

In this analogy, the ship becomes the United States of America. The rough seas become the real dangers which have threatened and are threatening its progress. The speed of the vessel represents the result of the human energy unleashed by the success of the American Revolution. And the two, huge counter-spinning "tops", or gyroscopic stabilizers, represent the balances provided by the ideas of individual freedom and local rights versus individual responsibility for a strong central government—balances, because they oppose each other with equal strength—balances which have, it turns out, complemented each other, and helped assure the strength and steady progress of our country.

On the day one hundred and ninety-one years ago on which the people of the Thirteen Colonies declared that they were free and independent, every person who agreed with the declaration became a new citizen.

Jefferson became a new citizen. Hamilton became a new citizen. Jefferson was thirty-three at the time he wrote the Declaration; Hamilton, nineteen and a captain of artillery. On that day, George Washington, who had held the command of the Continental Army for just one year, was only forty-four years old.

These facts give us a clue to an understanding of the men who fought to create this country. They were young men. They were young giants. The fact is that they set loose a tide in the affairs of the world that has never stopped running.

They won the war of revolution which guaranteed freedom for the new nation, yes. But further than that, they started a revolutionary movement in world history which has never really ended. It is in progress today, gathering strength and direction as it moves. It has been subject to slowdowns and explosive diversions. But ever since it started it has moved restlessly in pursuit of its goal—that pursuit defined by Jefferson: in brief, it has assured our country the liberty in which we can try to achieve what each man defines for himself as "happiness."

The big achievement of these men was that they took ideas out of the printed pages—off the dusty book shelves and away from the quiet libraries, and put them into startling, physical, actual operation.

They took the concept of individual liberty, guided by rule of the individuals themselves, and fashioned it so that it was no longer a concept but an actuality.

And it worked.

And it is still working.

And it is still revolutionary.

Now, since we are the greatest nation on earth—since the revolution which started in 1776 has pushed us forward, with ever-increasing momentum to the point at which we can no longer seek—as a nation nor as individuals—to pursue our dreams alone and apart from the world around us—what are the great issues which face us today?

Many of them involve the now familiar domestic problems of assuring the domestic tranquillity promised in the Constitutional Preamble. They face us wherever we go—in city streets and urban slums and squalor, in suburban settlement and rural backwater. We are engaged in seeking solutions compatible with the great tradition of rights and responsibilities of U.S. citizenship—for example, the right to equal opportunity must be conjoined to the responsibility for avoiding civil disobedience and violence.

These issues involve the rights and responsibilities of U.S. citizenship, we face of necessity because they physically confront us each day. But there are others beyond our borders where more of a choice seems to be presented. It is those on which I would touch.

Let us all fully understand that the international leadership which we will show in our times will do much to determine the future for the world and for succeeding generations of Americans.

We face many challenges. However, there are three which are surely basic:

First, the effort of Communism to impose its will and extend its influence both by outright aggression and by acts of subversion backed by the threat of aggression.

Second, the responsibilities presented to us in our time by the collapse of colonialism and the emergence of new nations of underprivileged peoples who demand, through some system of government, help in seeking relief from hunger, disease, illiteracy and poverty and the right to the pursuit of happiness in the terms of our Declaration.

Third, excessive nationalism, highly visible today in some of the world's more developed nations as well as—and more understandably—in less developed countries, complicating the efforts of nations to work together—multilaterally—to attack common problems and achieve common objectives.

The work set before us by these issues will demand our energies and efforts for long, hard years to come. If any of us entertain the illusion that these stark problems will disappear, or fall to pieces as the result of sudden or simple solutions, we should have shed it long ago.

Let us face another harsh fact: the responsibilities of today's world are not ours alone—either to determine or to bear. They are determined by the realities and events of the world in which we live—often open to our influence but beyond our control. They are shared by all the other nations of the free world—by all people who, with us, cherish freedom and independence and who labor alongside us to further the cause of peace and justice and freedom and well-being throughout the world.

This is hard work that we face. But let us not face it in fear and trembling. We have good reason to be self-confident without being vainglorious; to be realistically capable of assessing our own ability without being deluded by the thought that we are all-powerful.

For we have done great work in our time. We have helped counter aggression in all its guises, open or concealed, throughout the world, in large countries and in small: in Greece, in Turkey, in the beleaguered Berlin of Germany; in Lebanon, in Iran, in India, in Taiwan, in the Congo, in Laos, and now in South Vietnam. Let those who may feel that this country's revolutionary allegiance to the right of a people to live as they desire stopped with the Revolutionary War look at this record and pause. It represents nothing less than a recitation of the list of battle honors for freedom we have earned in your time and mine.

We have not sought to act alone and apart from the rest of the world. With other free nations we have forged effective alliances against aggression—through the North Atlantic Treaty Organization, through the Southeast Treaty Organization, through the Organization of American States, and through the United Nations.

We have not shrunk from the sacrifices which the times have called forth. We have borne the cost of fighting for liberty both in the measurable material sense and in the immeasurable losses we have taken on the battlefield.

Also in our time, I submit, we have not been found wanting in efforts in support of the right to pursue happiness in the developing nations of the world. Since World War II there has been no great multilateral organization for social and economic development which does not reflect our leadership and our support. Let me run down this roll call of progress: the United Nations, the International Monetary Fund; the World Bank, the Marshall Plan, the Inter-American Development Bank, the Alliance for Progress, and the Asian Development Bank. What opportunities in economic abundance and social progress have these institutions opened up throughout the world? We may never know the full answer in our times. But this we know—that in the postwar decades we have devoted a fair share of our wealth and of our resources through multilateral programs—as well as through our own major governmental foreign assistance programs—to the task of helping others increase their share of the world's abundance. In money we have contributed a total of some $100 billion of our national wealth to these objectives in addition to many more billions of privately invested capital.

Far more, we have contributed to these objectives with the personal services of thousands of our citizens who have served this cause and are serving it, under strange, and sometimes harsh and dangerous conditions, throughout today's world.

Never before in history has any nation done so much and at so great a cost to help others gain what we gained through our revolution—the promise of the Declaration of Independence.

We may not always have been right. We may not always have been successful. But we have not been found wanting.

And we will not be found wanting today or tomorrow.

We will continue to yield to no nation in patient pursuit of peace and the works of peace. We will continue to demonstrate, as we do in Vietnam, that we have the determination and the weapons to resist aggression.

We must bear the burden and accept the uncertainties and the unpleasantness and the imperfections that come with such a war as that in Vietnam. It is a war of wills as well as a war of weapons. It is a test of our willingness to endure—to surmount—the strain of constant, continuing conflict whose end is never clearly in sight.

At the same time we must continue—together with other developed nations of the Free World—to carry our share of the burden of leadership in the common task of helping the developed nations realize their destiny and enrich the lives of their people in dignity and freedom. We must be willing to take the initiative in new multi-national efforts to promote free trade, to strengthen the international monetary system, and to make available to needy peoples everywhere the opportunity and the means and the incentives for conquering hunger and disease, and for living under the liberating light of education and knowledge.

We seek for others no more than we seek for ourselves—the opportunity for a full and free life. Abroad as at home, our efforts reflect our awareness that with might must come maturity, with wealth and riches must come wisdom and responsibility, and with success must come sacrifice.

The challenges before us in the days ahead are too great and the world is too small for any of us to retire into an island of purely private concern—into what one observer has called the "cult of private sunshine and secluded complacency."

It is today, almost two centuries after our war of revolution began, that we understand most deeply all that America is and can be—a land where every man can find not only infinite promise but abundant opportunity for a full and free life.

Nine days ago, on the 50th anniversary of the Bolshevik Revolution, a Soviet Communist party document was issued in Moscow which stated, and I quote:

"The revolutionary rejuvenation of the world, begun by the October revolution and embodied in the triumph of Socialism in the U.S.S.R., has been continued by the triumphant Socialist revolutions in other countries. The emergence of the world Socialist system is the most important historic event after the great October Socialist revolution.

"Imperialism, notably U.S. imperialism, was and continues to be the main enemy of the national liberation movement."

The challenges implicit in these false attacks cannot be ignored.

You and I know that "national liberation" as used in the context I have quoted, means nothing more than the coercion of one state by another to change its freedom for a totalitarian system forced on it by a neighbor.

You and I know that we are in the mainstream of a true revolution—and that it began on July 4, 1776—and not 50 years ago last June 25.

I ask to submit a definition of what our revolution is doing. This definition stands on its own terms against the sterile accusations of "imperialism" contained in the Moscow document which I have quoted. The definition which I am going to quote was written on the occasion of the fiftieth anniversary of our revolution. It was written by Thomas Jefferson, just a few weeks before he died, on July 4, one hundred and forty-one years ago, and it refers to the Declaration of Independence. Here it is:

"May it be to the world . . . the signal of arousing men . . . to assume the blessings and security of self-government. That form which we have substituted restores the free right to the unbounded exercise of reason and freedom of opinion. All eyes are opened, or opening, to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favored few, booted and spurred, ready to ride them legitimately, by the Grace of God. These are grounds of hope for others. For ourselves, let the annual return of this day forever refresh our recollections of these rights, and an undiminished devotion to them."

Guided by our undiminished devotion to the rights for which the revolution was fought, and by our sense of responsibility which causes us to work to preserve and extend those rights, our nation moves on today.

To you, who today will become citizens of that nation, I emphasize that the rights for which we are fighting, and the responsibility to fight and work for them, are part and parcel of the lives of every man and woman who can say today, "I am a citizen of the United States of America." They are the two sides of a medal you have earned. To have one side of it alone is impossible.

Being a citizen of the United States means that one accepts the entire medal: the inherent rights which go with citizenship, along with the responsibilities and any future individual hardships which those responsibilities may imply—at the same moment in time.

Whether that medal of citizenship is bright and newly-minted, as will be the case with those offered and accepted today; or whether the medal of citizenship has become dulled because it has been held for a lifetime, it still has these two sides—obverse and reverse—rights and responsibilities; and no one should ever become so accustomed to it—so inured to it—as to ever try to buy his way through life with it on the strength of one side only.

This has not been our history. And as long as our history is guided by this principle, we should have no fear of what the future may hold for us.

A MAJOR THEME FOR 1967 CAPTIVE NATIONS WEEK—REVIEW OF U.S. POLICY TOWARD THE U.S.S.R.

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BRAY. Mr. Speaker, the period of July 16 to 22, 1967, will mark the ninth observance of Captive Nations Week. Since its inception in 1959, when Congress passed the Captive Nations Week resolution—Public Law 86–90—the observance of Captive Nations Week has progressively grown in this country and abroad. One need only scan the book "Captive Nations Week: Red Nightmare, Freedom's Hope," and he will appreciate the scope and depth of the event for 1966 alone. Not only in every section of this country has the annual observance taken root, but also in the Republic of China, South Korea, the Philippines, Turkey, India, West Germany, Argentina, and many other free world countries.

We cannot ever afford to abandon the 1 billion captive humans in the Red empire. The present tendency to neglect the captive nations is both immoral and harmful to the vital interests of our Nation. In view of imperiocolonialist Russian operations in Vietnam, North Korea, the Middle East, and Cuba, the time has arrived to examine and review fully our policy toward the U.S.S.R. The scourge of Soviet Russian imperiocolonialism has yet to be highlighted in the United Nations.

Every Member has recently received the pamphlet "Review of U.S. Policy Toward the U.S.S.R.: A Major Theme for the 1967 Captive Nations Week." Written by Dr. Lev E. Dobriansky of Georgetown University, the article emphasizes that no such review has ever been undertaken by Congress and that one is long overdue, particularly in the light of recent developments. The article contains a proposed resolution which I, for one, support and have submitted because it is well substantiated by fact. I hope many of my colleagues will do likewise in celebration of this ninth observance of Captive Nations Week. So that the general public may become familiar with this subject, I include the Dobriansky article in full in the RECORD:

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REVIEW OF U.S. POLICY TOWARD THE U.S.S.R.: A MAJOR THEME FOR THE 1967 CAPTIVE NATIONS WEEK

(By Lev E. Dobriansky)

During the period of July 16–22 millions of Americans will again observe in one form or another the annual Captive Nations Week. As in the past few years, they will be joined by increasing numbers of peoples in other lands—in Asia, Latin America, Western Europe, and Africa—where the annual observance has also taken root. Developed into a vital tradition since its inception in 1959, Captive Nations Week is entering into its ninth year of observance, and each year has exceeded in breadth and depth all preceding years.[1] The full spectrum of the 1966 observance, here and abroad, is well described in book form, and thousands of copies have already entered into circulation both nationally and internationally.[2]

AMERICA'S BREED OF PAVLOVIAN DOGS

Captive Nations Week has from the start proven to be a national forum for the discussion and evaluation of U.S. foreign policy, current trends in Cold War developments, and forecasts of Red strategy and tactics in the immediate future. It has become the midway point in any calendar year for the crystallization of thought and action bearing on the Red Empire and its dozens of captive nations. Moscow and its syndicated associates make no bones about their aim to have the Week eliminated, and in our country several circles have responded to Pavlov's bell, salivating with the same desire in behalf of what they call "detente," "peaceful coexistence," "easing of tensions," "relaxation" and other strikingly appropriate physio-psychological terms for the Pavlovian experience. Few will forget *Izvestia's* compliments to the editor of *The Washington Post* for his salivated response, which it characterized as a "realistic understanding of the matter" and then poured on the following for nuclearitizing effect: "in a situation where the relation of power has shifted to the side of Socialism, the U.S. cannot force the peoples of the Socialist countries to adopt its standards without risking the holocaust of a world war. How long do the Capitol and the White House intend to amuse the world with their absurd plans?"[3] And the dog is supposed to rest euphorically until the bell rings again.

As in many other spheres of Cold War activity, the Red attempt to cultivate the breed of Pavlovian dogs with regard to Captive Nations Week is persistent and, in individual cases, successful. In 1966, for example, Radio Riga blurted out, "We recall a meeting with Shabad, a correspondent of *The New York Times*, after the 25th anniversary of Soviet Latvia. He said he had never written about any such 'Week' and would not do it in the future because it was all lies."[4] Interestingly enough, this controlled propaganda agency hammered away at the Week on six occasions. Here are a couple of samples: "The announcement that the so-called Captive Nations Week has been proclaimed, reaches us from the USA like a demagogical ghost . . . It cannot be fully ignored because such manifestations have become an important part of US political attitude (July 17,

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[1] For a capsule account see author's article, "Forget The Captive Nations?", *Washington Report*, American Security Council, July 18, 1966.

[2] *Captive Nations Week: Red Nightmare, Freedom's Hope*. National Captive Nations Committee, U.S. Government Printing Office, 1966, Washington, D.C. pp. 310.

[3] *Izvestia*, Moscow, July 15, 1964.

[4] Radio Riga, Latvian S.S.R., July 23, 1966.

1966). Three days later—"These miserable 'Captive Weeks,' proclaimed officially by Washington, serve not only the purpose of the cold war. The USA is endeavoring to pose, by this means, as a guardian of freedom and right, at a time when she conducts a sanguinary war against the Vietnamese people." Were he alive, Ivan Petrovich Pavlov, the famous Russian physiologist, would be aghast at the psycho-political applications of his theories on conditioned reflexes.

Especially illuminating is the fact that last year Moscow itself changed gears in radical departure as concerns its attitude toward the Week. After seven years of tirades and vehement denunciations it decided to try the technique of mute silence. This stance contrasted sharply with the past and particularly with Suslov's 1965 blast, "Especially disgusting is the villainous demagogy of the imperialistic chieftains of the United States. Each year they organize the so-called Captive Nations Week, hypocritically pretending to be defenders of the nations that have escaped from their yoke." Undoubtedly, by the silent technique the boys in *Agitprop* hoped to minimize the impact of the Week and at the same time further their pretentions of peaceableness and conversion to "good and soft communism." They left the denunciatory task to puppets and subsidiaries, instead. For example, a Red periodical sought to tie the captive nations issue with anti-Semitism, referring to "criminals" who "are active in the organizations of the so-called 'captive nations' . . . have their own press and conduct war-inciting activities through demonstrations, picket lines, etc."[5] The Reds are apparently concerned that the " 'captive nations' organizations are often connected with similar organizations in other countries in Europe and Latin America."[6]

If one bothers to scan the book on Captive Nations Week mentioned earlier, he cannot but be impressed by the fact that the spiritual communion extends to all continents of the world. In 1966, for instance, President J. Ongania of Argentina joined the many Chiefs of State in issuing a Captive Nations Week proclamation, urging government institutions and the people to mark the week by appropriate observance. Similar proclamations were issued by Argentine mayors, such as Mayor J. Schettini of Buenos Aires, and Cardinal A. Caggiano devoted a special solemn Mass for the captive nations in the Cathedral of that city. For the first time, too, Australia launched the observance, with Minister V. Meckman and others participating in rallies in Melbourne and elsewhere. Much to Moscow's chagrin, no doubt, the truths about the captive nations in the face of all the alleged "tremendous changes" in the Red Empire will not be allowed to be brushed under the rug of diplomatic expediency and make-believe.

The Week has also served the very important purpose of highlighting the numerous myths a number of Americans have been pavlovized into. For one, not a year goes by without the need for impressing upon our people the nonsensical conceptions still nurtured by many as to the nature and composition of the Soviet Union. Here is an outstanding example of misguided notions commercialized into the millions: "Geographically the largest single nation in the world, the land traditionally known as Russia sprawls across one-seventh of the earth's surface. . . After the U.S. this once-backward nation now produces more steel, oil, electric power, aluminum and cement than any other country. In 1949 the USSR became the second nation to produce an atom bomb. . ."[7] In rudimentary fact, neither the Czarist Russian Empire—the so-called traditionally known Russia—nor the USSR has ever been a "nation," and the present empire's economic advances rest on broad foundations of Russian imperio-colonialist exploitation of over a dozen captive non-Russian nations and countries in the USSR, but one couldn't know these fundamental facts from this superficial, commercialized effort to "inform" the American reader. The untiring dispenser of Kennan's Fables spreads similar nonsense in garbled, sophisticated style, but fortunately few legislators are taken in by his involute language and weak judgments, notwithstanding the mass of conceptual confusion that underlies them.[8] It is a pity, indeed, that through the club alliance in the Department of State the case of Svetlana Stalina was initially entrusted to the dispenser's care, but despite the fears of the club the situation can be properly sanitized by several Congressional hearings.[9] A vaunted 'Russian expert' is scarcely a competent analyst of one who can be tested on her Georgian background.

OTHER ASPECTS OF THE CURRENT ILLUSION

In the course of the 1967 Captive Nations Week several other myths, dominant wishful thoughts, and glaring omissions of thought will doubtlessly be underscored. One, of course, is the myth that the so-called satellites in Central Europe are progressing toward "independence." For a striking expression of this myth, read this: "With the exception of East Germany, Russia has no more satellites, in the sense the term was used for so long. Rumania has defied her, as did Yugoslavia and Albania years ago. Czechoslovakia has proposed Eastern European military arrangements that exclude the Soviet Union. To keep her troops in Europe, Russia has been forced to negotiate status-of-forces agreements, not unlike the ones we have around the world. Where she used to be able to commandeer the production of Eastern Europe for her own use, Russia now sends her raw materials to Hungary and Czechoslovakia and Poland, to supply their growing industries."[10]

Little has it occurred to the Senator grasping at these minor, accidental changes that each of these parts of the Red Empire is ultimately dependent for its survival under a Red regime upon the strength and power of the USSR. Also, the points he raises are given to other more accurate interpretations. The Rumanian contingent of the syndicate, for example, has defied the northern industrial sphere of captive Central Europe rather than what he calls "Russia." In short, there is no shred of substantial evidence that supports this convenient myth and, if as a case in point, the Senator wants to learn about Poland, he would do well to read the excellent summary on developments there as provided by one legislator who states, "Independence and liberalism in Soviet satellites—if Poland is typical of them—are myths."[11] Needless to say, as concerns the captive nations, the peoples themselves, nothing the Senator has said alters, or will alter, their basic state of captivity under the reign of the interlocking, though sometimes squabbling, Red syndicate.

Concerning Vietnam, those who have participated in the Captive Nations Week observances have consistently upheld President Johnson's actions in that heated arena of the Cold War. Criticisms have been directed, however, at the scope of his policy there and the implementation of our measures. Vietnam is a sterling example of our unpreparedness in the Cold War—too little and too late, followed as usual by desperate, last-minute recourse to military arms. At present, our situation there has assumed scandalous proportions, and when we are told that we can look forward to a long, drawn-out struggle, this is really the measure of the price facing us for our Cold War negligence in the past, from 1954 on.

The plight of the 17 million captive North Vietnamese will again be highlighted. It is strange, indeed, that few of our leaders ever discuss this troublesome subject. Yet it is crucial to our winning the war in South Vietnam. Canada's diplomat and former representative on the International Control Commission for Vietnam, Laos and Cambodia, Theodore B. Blockley, has significantly pointed out, "Many of the North Vietnamese whom I met expressed the hope that one day the Americans would 'again' liberate them from tyranny and oppression. The previous liberation, in their minds, was from the Japanese."[12] Characterizing the ICC as not only impotent but a "fraud," the Canadian diplomat has revealed how thousands of North Vietnamese had stormed the Canadian delegation's office in the mistaken belief that exit visas could be obtained. Lagging miserably in ways and means of psycho-political warfare, we haven't even begun to scratch the potentialities of the captive North Vietnamese in the war with totalitarian Hanoi, and this largely with free Vietnamese and Korean means in the spirit of "Asia For Free Asians."

Another chief theme of the 1967 Captive Nations Week observance is the fraudulence of the Russian Bolshevik revolution. Moscow and its associates are planning a tremendous propaganda show this coming November, celebrating the 50th anniversary of this tragic event. Though scarcely any Western journalist or commentator surmised it, even the designation of the new USSR spaceship—"Soyuz"—is symbolically tied up with the forthcoming propaganda show. The emphasis on the "union" of the USSR will be in the forefront to conceal the captivity and exploitation of the numerous non-Russian nations in that artificial state. The sharp contrast these past 50 years between expansive Soviet Russian imperio-colonialism, particularly in the USSR, and the almost complete decolonization process in the Free World should be of basic educational worth to our citizenry.

For those under the powerful Pavlovian influence there will also be the need to stress the anti-anticommunism drive of the Red Syndicate, the deepening reality of the Cold War, and Red economic strategy in the whole East-West trade issue. Those who wishfully think that concepts of captive nations, Red Empire, communist conspiracy and so forth are rigid and deep-frozen representations of thought should begin familiarizing themselves with Red literature. Actually, such people are mental throwbacks to the mid-30s and appetizing meat for the Pavlovian exercise. To mention only one, Moscow's *International Affairs* is replete with articles on exploiting "intellectuals," non-Communists, and liberals in the West for the destruction of anti-Communism. The same applies to those who through conditioned reflexes are under the illusion that the Cold War has ended or is on the verge of ending. The illusion itself is a prime product of Moscow's Cold War management, and this at a time when we are deeply steeped in a heated sector of the Cold War, namely Vietnam itself. Last September,

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[5] Chaim Suller, "Anti-Semitism In The USA," *Political Affairs,* Fall Issue, 1966, p. 26.

[6] Ibid, p. 28.

[7] The Editors of Life, *Handbook of the Nations and International Organizations,* Life World Library, New York, 1966, p. 14.

[8] "Kennan's Version of Why Communist World Is Split," *The Sunday Star,* Washington, D.C., February 5, 1967, p. C–3.

[9] For a timed and planted article see Murrey Marder, "U.S. Fears Svetlana Hill 'Circus,' " *The Washington Post,* April 23, 1967.

[10] Senator Edward M. Kennedy. "Europe And The Next Generation," CONGRESSIONAL RECORD, April 21, 1967, p. 10468.

[11] Congressman Paul Findley, "Poland: The Myth of the Independent Satellite," CONGRESSIONAL RECORD, January 31, 1967, p. 2106.

[12] Associated Press, New York, February 6, 1967.

Pravda summed up the matter this way: "The ways and methods of revolution embrace the whole arsenal of methods in the class struggle . . . including armed struggle." By class struggle is meant divide and conquer in behalf of ultimate Soviet Russian imperio-colonialist power, and the struggle proliferates with varying intensity on every continent, including our own country.

To facilitate Moscow's world-wide Cold War operations, especially in Vietnam, by liberalizing our trade with its empire borders on psycho-political lunacy. The present drive for such liberalization is also a shining example of our Cold War ineptitude, and in the end will result in desperate measures of military intervention, as seen in Vietnam. The matter of trade was brought up time and time again in the fight over the Senate's ratification of the US–USSR Consular Convention, which was the first part of a package deal that spells only a series of American Cold War blunders and losses. It is regrettable that Senator Dirksen, who coud have won great distinction in blocking the ratification, now thinks the USSR has made "a new ball game" for the East-West trade issue by signing a pact in March with Red China to step up the flow of war materials to North Vietnam.[13] No, the ball game still is the old one, and it was best shown during the hearings on the Consular Treaty. That episode alone should convince us of the dire need for a full review now of US policy toward the USSR, rather than for us to bounce haphazardly from issue to issue as the winds blow tactically from the East.

PARAMOUNT SYMBOL OF U.S. POLITICO-CULTURAL LAG

To appreciate how much narrow domestic politics and pressure were exerted on this basic Consular Treaty issue, we can start with the concerned declamations of a lady Senator who changed her mind at the last capricious moment. Senator Margaret Chase Smith of Maine solemnly declared, "I find it difficult to rationalize making a consular treaty with a nation that is helping the enemy kill American service personnel. This situation is completely contrary to the alleged treaty goal of the development of more friendly relations between the United States and Russia."

Concise and taken alone, this statement points to the three essential aspects of the controversy that had significantly surrounded the issue of the U.S. Senate's ratification of the treaty. These basic aspects are: the poor timing for the treaty's ratification, the acute doubtfulness of its advancing "more friendly relations," and the flagrant misconceptions (e.g., USSR is "Russia") justifying the pressing need for a full and thorough review of U.S. policy toward the USSR.

The treaty could not have been pushed for ratification at a worse conceivable time. Signed on June 1, 1964, the convention had not been put to the test of popular interest and criticism until the summer of 1965 when an attempt was made to railroad it through the Senate for ratification. The attempt failed, but was repeated this past January, only to fail again as increasing numbers of Americans, concerned with the USSR's heavy support of Hanoi's aggression against South Vietnam, demanded at least open hearings on the treaty. The situation in Vietnam was radically different in 1964 than it is now. Americans weren't being killed daily by Russian and other communist arms as they have been in mounting numbers since 1965. In March of this year about 100,000 tons of war supplies were shipped into Haiphong, the chief port of North Vietnam, by Red ships from the USSR and the so-called "independent" satellites of Central Europe.

In contemporary circumstances it was not only difficult, as Senator Smith said, to rationalize Senate consent of this treaty, but it was also irrational to accept a pact which by substantive analysis would guarantee a clear, net psycho-political advantage to our prime enemy in Vietnam. The war in Vietnam would not last long if Moscow and its Red associates in Eastern Europe were, in the interest of genuine peace, to cut off their flow of critical war supplies to Hanoi. In this ultimate sense of sustaining power in the war, Moscow, rather than Hanoi, is our chief enemy in Vietnam. Well over 80 per cent of the high-powered items used by the North Vietnamese totalitarians is furnished by Moscow. Even now, long-range Russian weapons, the 140-mm. rockets, have been provided the Viet Cong to extensify the decimation of American lives.

"Subtle" rationalization in support of the treaty and the next step, liberalized trade with the USSR, had gone so far in Washington that it is being argued, "it is not to American advantage to have the flow of Russian aid to Hanoi reduced."[14] The twisted logic of this position is that Hanoi's greater dependence on USSR support as against Red Chinese aid would enable Moscow to influence its compatriot aggressors into peace negotiations. It is small wonder that letters to Senators from citizens across the nation, many of them with loved ones in the war, have ranged in the ratio of 200 to 1 against a treaty with the prime enemy. Senator Charles H. Percy of Illinois, who was elected to represent his alert constituents, actually boasted of defying a ratio of 7,000 to 46 in opposition to the pact.[15] Despite the feelings of many Republicans in the House of Representatives, this and similar actions in the Senate killed the possibility of making this episode an issue for Republicans in the 1968 Presidential election.[16] Only a 3rd Party candidate can make it a live issue.

Following the open, public hearings on the Consular Treaty, an obviously less "subtle" but further rationalization for Senate consent was the CIA's great desire to have the pact ratified. The new pitch to undecided Senators was the opportunity the treaty would provide for broadened CIA operations in the USSR. This so-called "confidential matter" changed the minds of several legislators as well as a few national leaders who had been previously against ratification. The rationalization only demonstrated how few really had bothered to seek convincing answers to poignant questions and points raised during the public hearings. Of course, a number were motivated to favor the treaty by political considerations far remote from its substantive contents, as next year's presidential elections, the open housing amendment, internal Party problems and the like.

The February hearings on the treaty established three general facts which should serve as solid lessons for America's alert citizenry in the future. As shown in the proceedings of the Senate's Committee on Foreign Relations, the three facts are: (1) the clear inability of the treaty's proponents to meet the most fundamental points of criticism against its ratification, (2) a patent lack of awareness concerning the psycho-political ramifications of the pact, and (3) as indicated by outmoded preconceptions used, a deficient and stumbling understanding of the Soviet Union itself, which, behind the facade of "peaceful coexistence" is not only our prime enemy in Vietnam but also the chief instigator of anti-American attitudes and activity in Western Europe, the Middle East, Africa, and Latin America.[17] These easily substantiated facts cast grave doubt on the objective of "more friendly relations" that the treaty is supposed to advance.

One major objection is that the treaty is superfluous and represents a sham performance of improving relations with the Soviet Union. It is part of the present concocted make-believe in detenting the USSR. The objection is firmly based on the Roosevelt-Litvinov exchanges of 1933 that established diplomatic relations between the United States and the USSR. Aside from adventitious references made to a proposed consular convention then and an exemplifying German-USSR Agreement of 1925, Litvinov expressly agreed to the protection of American citizens touring or residing in the USSR in a November 16, 1933 communication. It reads: "Furthermore, I desire to state that such rights will be granted to American nationals immediately upon the establishment of relations between our two countries."

Predicated on the establishment of simple relations, this agreement was never legally abrogated and thus, in international law, has remained in force to the present day. Supreme Court decisions, such as U.S. vs. Belmont in 1937 and U.S. vs. Pink in 1942, as well as a case in New York, are founded on the exchanges. The so-called Russian concession on notification and access in the present treaty is really no concession at all. This right should have been demanded long ago on the basis of the '33 agreements. When this vital point was brought up in the hearings, the chairman, Senator J. W. Fulbright, rightly admitted—for the record shows it—that the State Department was never challenged on this. And this after two years of concern with the treaty! Yet, following the hearings the State Department minced the truth in response to the Committee's inquiry when it predicated the whole Litvinov exchange and declaration of protection on the German-USSR Agreement of 1925.[18] It is amazing that no one in the Senate challenged this stratagem.

Another important legal objection is based on the misrepresentations in the treaty itself, which are clearly indicative of the askewed preconceptions dominating our officials who framed the pact. The treaty is replete with the notion of a "Soviet national," "a national of the sending state," "the national flag of the sending state," and "the national coat-of-arms of the sending state." Even on the basis of the USSR Constitution, not to mention rudimentary political realities in the USSR, there is no such political animal in existence as a "Soviet national," nor are there such objects in existence as a "national flag" or a "national coat-of-arms" of the USSR. These concepts are applicable to the United States, which is a nation-state, but they are myths as concerns the USSR, which is an empire-state made up of numerous, different national republics.

In a court of law, a contract of this sort, dealing in part with mythical objects, would be thrown out for its crass misrepresentations. But worse still, from a psycho-political point of view, Moscow surely must gloat over the unbridged gap of understanding shown by our professed bridge-builders with regard to the many non-Russian nations in the USSR. On the one hand, it naturally welcomes this treaty and its fantastic conceptual contents, for by all evidence the treaty is essentially a diplomatic affirmation of Moscow's imperium in imperio, the Soviet Union itself; on the other hand, it will unquestionably use the treaty in its dealings with the non-Russian nations as prime evidence of the fact that they have little to look forward to from a country that in one breath speaks of "friendship with *all* peoples and in the next doesn't even recognize their distinctive national identities, which Moscow at least nominally does.

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[13] See on pact Karl E. Meyer, "Hanoi's Move In Sino-Soviet Pact Is Cited," *The Washington Post*, April 20, 1967.

[14] *The Christian Science Monitor*, February 23, 1967.

[15] "Consular Pact Passes 1st Test," *The Evening Star*, March 10, 1967, p. A–5.

[16] Rep. John M. Ashbrook, "The Consular Convention With The Soviet Union—An Issue For the 1968 Presidential Campaign," The CONGRESSIONAL RECORD, January 26, 1967, p. 1775.

[17] *Consular Convention With The Soviet Union*. Hearings, Committee On Foreign Relations, United States Senate, USGPO, Washington, D.C., 1967.

[18] See CONGRESSIONAL RECORD, March 10, 1967, p. 6269.

Aggravating all this further is the branch principle of consularism, the instrument that supposedly attests to the "national" integrality of the USSR. Regardless of the specious distinction made between the treaty as a body of guidelines and subsequent negotiations on consulate locations, the very proffer of this principle in regard to the multinational USSR reduces the non-Russian republics in that state to a territorial expression of "Russia," negates their distinctive national identities and sovereign popular wills, and creates an additional legal mess where in the United Nations our representatives recognize both *de jure* and *de facto* two original, sovereign Charter members, Soviet Ukraine and Soviet Byelorussia. Again, on this point the State Department played on the weakness of many a Senator with a high-pressure memorandum that blatantly raised the question "Does the Convention prejudice the position of subject peoples incorporated against their will into the Soviet Union?" and then glibly answered it, "No, it does not." [19]

Plainly, if more windows are desired in "Russia," if mutual understanding toward all peoples were a sincere objective, and if we had the foresight to avoid these and other psycho-political disadvantages of the treaty, we would wisely consider the realistic alternative of setting up embassies in Byelorussia, Ukraine, Georgia, and Kazakh Turkestan. This is accommodated by Article 18a of the USSR constitution. It would also be a real test of Moscow's desire for peaceful relations. Moreover, on a reciprocal basis with their embassies in Washington, we would be able to cover their espionage and subversive political activity far more effectively than with "Russian" consulates in Chicago and other cities. It is noteworthy that the State Department has consistently opposed the far more advantageous embassy idea because of the presence of more communists here; yet, with the consulate idea, it would allow for more of them in more vulnerable areas of the country.

Significantly, none of these points and criticisms were challenged by the treaty's proponents. The amateur show staged by Senators Morton and Percy avoided these points entirely, confused "Russia" and the USSR with "the Soviets" throughout and came up with some fantastic interpretations as, for example, Latin American states won't follow us because they haven't in the past, not recognizing that Moscow just began to exert pressure there in a major way in the past ten years.[20] Neither have they or other proponents answered the additional criticism bearing on the real protection of Americans traveling in the USSR. Superficially bandying about the 20,000 figure of Americans touring the USSR annually and the 250 "Soviet nationals" here measures neither the relative intelligence worth of the projected ratio nor the scope of the hoped-for protection. With greater freedom of movement here the specially assigned 250 may in these terms be equivalent or exceed in value the 20,000 there, most of them given to typical American tourism and guided, of course, by overseeing Intourist. Furthermore, it cannot be too strongly emphasized that the treaty's notification and access provision is no guarantee whatsoever against the continuation of arbitrary arrests of American nationals who, if they are important enough to Moscow, can easily be brainwashed in the span of three days. As in the recent Kazan-Komarek case, such Americans can be arrested and held incommunicado by the Russians indirectly on the terrain of their outer empire, in Poland or Czecho-Slovakia. It is noteworthy that almost immediately after the Senate's inept ratification the State Department released a brochure warning Americans, in effect, that travel in the USSR is at their own risk.[21]

The espionage and subversion disadvantages of the treaty were also not met with adequate explanation. The shell game of manipulating the 15 or 20 figure of Russian consular personnel expected here conceals the net disadvantage we face because of several reasons. One is that well spy-trained Russians would enjoy a larger pond to fish in here than we there. Second, the coefficiency of their spy effectiveness is generally conceded to be greater. Third, a point which was completely overlooked though it is already well founded in this country, the Russians will have expanded opportunities for coercion, blackmail of U.S. citizens with relatives in the USSR, bribery, and sundry subversive tactics directed against ethnic groups; and this with unprecedented diplomatic immunity covering felonies such as murder and kidnapping. It doesn't require much imagination to see how little or no reciprocity there exists in this for us.

No reply could be found for the additional criticism that the treaty opens up a Pandora's box of Soviet Russian pressure against every free government in Latin America. With the supposed leader of the Free World extending this benefit to the rulers of the Kremlin, what Latin American government could refuse their request for a similar convention. Beginning with 15 or 20 here we may well end up with several hundred additional Russian operatives in the hemisphere, cloaked with diplomatic immunity and at a time when many of our own officials have been warning us to expect stepped-up Red subversion south of the border. The Morton reply mentioned above is about as lame as one would expect, for we're in the 60's not the 30's.

Finally, Secretary of State Rusk was honest to point out that one objective for the treaty's ratification is its contribution to "increasing trade between our two countries." This is just the first step, a part of a large package. Piercing the vagaries and slogans of "normalizing relations," "advancing peace," "improving communications" and so forth, an internal analysis of the treaty results in a grave disadvantage for us. It will even be graver if our citizens permit the next part of the package deal to be handled as in slipshod a manner as the first one was. For, on trade, we will only be repeating our tragic economic errors of the 20's and 30's in regard to the USSR. Flushed with a supposed victory on ratification, Senator Morton is talking antiquated nonsense when he states, "There are strong indications that a new era is beginning for the peoples of Russia and Eastern Europe. It is in our national interest that we make sure that American ideas and skill become a part of that changing world." [22] He reveals not only his complete ignorance of the Cold War but also of the record of U.S. trade with totalitarian powers.

Enough has been shown here to indicate the glaring politico-cultural lag existing in our country with regard to the USSR. It is almost like an ineradicable blind-spot for some legislators and others alike. However, the matter of accommodating Russian consulates in this country still is not resolved. Proponents of the treaty repeated ad nauseum the point that ratification of the treaty does not necessarily mean the establishment of Russian consulates here, which is a subject for further negotiations. Also, in rationalizing his switch Senator Dirksen stressed emphatically that the "treaty would not enable the Soviet Union to establish a consulate in Chicago or any other city." [23] Not only this, but the citizenry was informed that Dirksen "was assured by Secretary of State Dean Rusk that 'appropriate Congressional Committees' would be consulted before a U.S. consulate was established in Russia as well as clearance with community official before a Soviet consulate could be located in this country." [24] This agreement opens up a whole new area on the issue, and Mayor Daley of Chicago has already declared that his city wants no Russian consulate. As we approach Captive Nations Week, pressure is building up to have other Mayors of our port-cities declare themselves along the same lines. It will be interesting to see what counter-pressure will be brought to bear to overcome the agreement.

TIME FOR REVIEW OF U.S. POLICY TOWARD THE U.S.S.R.

The hearings on the Consular Convention have shown beyond question of doubt our pressing need for a full and thorough review of U.S. policy toward the USSR. On the scale of politico-diplomatic calculation the treaty definitely does not rest on a quid pro quo basis; the net disadvantage is ours. What makes the situation worse is that we, rather than the Russians, have pressed for it; and though the President could initiate negotiations for consulates without a treaty, it has been felt that at least the Senate should assume part of this responsibility. But the treaty is a vestigial remain of the 30's when our knowledge of "Russia" and its global ambitions and operations was quite wanting. Judging by the preconceptions and concepts displayed in the hearings, there still is the want, but will the need for such a review be recognized?

Never in our history has such a review been undertaken to eliminate the conceptual cobwebs which misdirect us into net disadvantageous positions. In part, Senator Roman Hruska has sensed this need in stating that this treaty and other measures "are going to affect the basic philosophy of our relations with the Communist countries." There can be no better time than now to do what we have never done before but should have done long ago.

The author offers a proposed resolution which, in content, can be easily documented and substantiated on the basis of the misconceptions and contradictions to facts uttered by our foremost leaders in the past twenty years, exclusively in relation to the Soviet Union. We rightly pride ourselves in this country on seizing upon the innovative, the new, and the changing. It will be interesting to see whether, with courage and foresight, we can bring into full public view and for unprecedented examination and assessment our policy toward the USSR. The proposed measure reads as follows:

"RESOLUTION ON REVIEW OF U.S. POLICY TOWARD THE U.S.S.R.

"A resolution providing for a thorough review of U.S. policy toward the U.S.S.R.

"*Whereas* in his 1967 State of the Union Message the President declared 'the genius of the American political system has always been expressed through creative debate that offers reasonable alternatives; and

"*Whereas* U.S. policy toward the USSR is most crucial to the issue of global peace or war, and the cumulative evidence of the past two decades, including Greece, Iran, Korea, Cuba, the Congo, the Dominican Republic, and Vietnam, casts a reasonable and heavy doubt on the peace-insuring efficacy of the pursued policy; and

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[19] "US–USSR Consular Convention, Questions and Answers," Department of State, February 6, 1967, p. 7.

[20] CONGRESSIONAL RECORD, March 9, 1967, pp. 5992–5996.

[21] Hon. John R. Rarick, "Traveling to Communist Russia?", daily CONGRESSIONAL RECORD, April 10, 1967, p. A1676–77.

[22] "Morton Asks Widening of Red Contacts," *The Washington Post*, April 4, 1967.

[23] "Consul Pact Will Not Aid Spies: Dirksen," *Chicago Tribune*, February 20, 1967.

[24] "Dirksen Says GOP To Back Consul Pact," *The Washington Post*, March 1, 1967.

"*Whereas* there has never been a thorough Congressional review of our policy toward the USSR, even at levels below another Great Debate, examining and illuminating questionable preconceptions, arrant conceptual confusions, contradictions to fact and principle, and high-level counter-contradictions that have surrounded this policy; and

"*Whereas* proposed particular measures, such as the U.S.-USSR Consular Convention, U.S.-Soviet trade, cultural exchange agreements, etc., depend for their accurate and proper evaluation on the soundness or no of the underlying assumptions and criteria in the general policy; and

"*Whereas* these assumptions and criteria have been too frequently conveyed by official assertions that are patently contrary to fact and/or principle, and especially at this time deserve to be openly and thoroughly examined; and

"*Whereas,* to cite one example, on the highest level an old, imperial Czarist Russian usage, albeit fictional to present conditions, has been revived in the thought 'The common interests of *the peoples of Russia* and the United States are many'; and

"*Whereas,* by way of further example, the notion expressed by one of our Presidents, 'no nation in the history of battle ever suffered more than the Russian suffered in the course of the Second World War,' contradicts the facts that the ravaged territories in the USSR were largely non-Russian and the losses of Lithuanians, Latvians, Estonians, Ukrainians, Armenians and other non-Russian nationals were equal if not greater; and

"*Whereas,* in additional contradition to fact, more than one national leader has voiced the mythical constructions of '200 million Russians' in existence and the USSR as 'Russia,'; and

"*Whereas,* to mention another apt example, a high-level conception misjudges 'areas, such as the Ukraine, Armenia, or Georgia' as constituting 'traditional parts of the Soviet Union . . . an historical state,' which factually has been in existence for only forty-five years; and

"*Whereas,* in sharp contradiction to this quoted misconception, an outstanding official U.S. statement in the United Nations emphasizes: 'An independent Ukrainian Republic was recognized by the Bolsheviks in 1917' and later 'with the help of the Red Army, a Ukrainian Soviet Socialist Republic was established and incorporated into the USSR'; also, 'In 1920, the Soviet army invaded, and Armenian independence, so long awaited, was snuffed out', also, 'in 1921, the Red Army came to aid of Communists rebelling against the independent State of Georgia and installed a Soviet regime'; and

"*Whereas* these selected examples of basic confusion, contradictions of reality, and official counter-contradictions are compounded by growing doubts related to operating principles, double-standards, and policy inconsistencies, even at a time when the USSR and its syndicated Red associates supply the totalitarian Red regime in North Vietnam to kill increasing numbers of American defenders of independent South Vietnam; and

"*Whereas,* on the basis of these and numerous other points of evidence, it is not inconceivable that the forthcoming 50th anniversary of the Russian Bolshevik revolution, which gave rise to Soviet Russian imperiocolonialism and its world-wide aggressive ambitions, might elicit in 'the spirit of peaceful coexistence' harmful expressions virtually equating this fraudulent revolution with our own American Revolution and its symbolization of national independence, individual liberty, and freedom; and

"*Whereas* a genuine policy of peaceful coexistence means progressive reciprocity, substantial reduction of barriers year by year, the absence of controlled movements, an intensified understanding between nations in the USSR and the United States, and surcease from indirect provocation in other parts of the Free World, none of which has been realized in the past decade; and

"*Whereas* a policy founded on basic misconceptions, myths, and internal contradictions generates a grand illusion which in the long run can only lead to disastrous results for our independence and national security and certainly, in the short run and with reference to the nations in the USSR, fails to validate the President's declaration in his 1966 State of the Union Message: 'The fifth and most important principle of our foreign policy is support of national independence—the right of each people to govern themselves and to shape their own institutions. . . . We follow this principle by encouraging the end of colonial rule': Now, therefore, be it

"Resolved by the Senate of the United States of America (or the House of Representatives) in Congress assembled, That a complete and thorough review of U.S. policy toward the U.S.S.R. be undertaken. The review shall be conducted by means of public hearings, designated studies relevant to all essential aspects of the subject, and scheduled symposia consisting of Members of the Senate (the House), representatives of interested areas in our Government, and invited participants from the private sector of our society. The results of this comprehensive review will be made available by publication and other media to the American public. On the basis of the results the Senate (the House) shall determine what 'reasonable alternatives' exist to our present policy toward the USSR."

In the midst of many foolish notions being expressed almost daily with reference to our commitment in Vietnam and the obvious inconsistency, nay irrationality, of policies pursued by the Administration in relation to different but inseparable sectors of the Red Empire, the American people, who in the last resort are called upon to sustain the price of policy misjudgments, are at least entitled to this kind of review—a truly first Great Debate on U.S. policy toward the USSR. Will courage, foresight, and openmindedness prevail? This is the question for Captive Nations Week, 1967—or are we content to pursue make-believe measures based on crass misconceptions, Pavlovianized reactions, and insular political considerations?

STAMP TO COMMEMORATE THE 50TH ANNIVERSARY OF THE INDEPENDENCE OF THE BALTIC STATES

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I have today introduced a bill to provide for the issuance of a special postage stamp to to commemorate the 50th anniversary of the independence of the Baltic States.

My bill authorizes the Postmaster General to issue a special postage stamp to commemorate the 50th anniversary of independence of the Baltic States. The stamp would be of such denomination and design as the Postmaster General would determine.

The bill would provide for sale of the stamps to commence on February 16, 1968, which is the 50th anniversary of the independence of Lithuania, the first of the Baltic States to gain its independence.

The illegal and oppressive Soviet Russian control of the Baltic States is one of the great tragedies of modern history and we should take every possible step to dramatize the desire of the Baltic peoples for the restoration of their legitimate independence. I believe that the issuance of a special postage stamp will effectively and dramatically demonstrate that the American people and our Government stand behind the perseverance of the Baltic peoples in their continued hopes for restoration of their freedom under independent governments truly reflecting their national traditions and histories.

STATEMENT OF RUMANIAN NATIONAL COMMITTEE

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, the Soviet involvement in the Middle East war dramatizes a fact that many in the United States had conveniently ignored; namely, the persistence of the Soviet Union in attempting to expand its colonial holdings. It is obvious that the basic motivation of the Soviet Union is to seize control of a number of Arab States depriving the citizens of freedom and producing direct Communist territorial holds in the Middle East. Therefore, it is with great interest that we note the effective and accurate analysis of the Soviet Middle East scheme by knowledgeable observers and students of history.

One very forceful group maintaining legitimate concern over Communist control of Rumania and other Eastern European lands is the Rumanian National Committee. In a special meeting on June 23, 1967, this group issued a special statement on the Middle East crisis which I deem of special significance and place in the Record as a continuation of my remarks:

Statement of the Rumanian National Committee in Connection With the Middle East Crisis and the Declarations Made in the United Nations Assembly by the Prime Minister of the U.S.S.R., June 23, 1967

During the United Nations Assembly debates on the Middle East crisis, the Prime Minister of the U.S.S.R., Mr. Kosygin, declared that the Soviet Union defends—and demands that all others, too, respect—the independence and territorial integrity of all nations. We quote:

"While upholding the rights of peoples to self-determination, the Soviet Union just as resolutely condemns the attempts by any state to conduct an aggressive policy toward the other countries, a policy of seizure of foreign lands and subjugation of the people living there." (U.N. Assembly, June 19, 1967.)

In this connection, it is most appropriate to recall the following solemn declaration made by the Soviet government on April 3, 1944:

"The Soviet government declares that it does not pursue the aim of acquiring any part of Rumanian territory or of changing the existing social order in Rumania."

Several months later, by force of arms, the Soviet government imposed on Rumania—with a two-hour ultimatum—a communist-dominated government. Thus, against the will of the Rumanian people, Soviet Russia installed a communist regime that exists there to this day.

The Soviet government denies to anyone the right to annex territory by military action. But, Soviet Russia, at the end of World War II, annexed the Rumanian provinces of Bessarabia and Northern Bucovina (19,752 square miles and a population of 3.7 million), both provinces integral parts of Rumania.

For Soviet Russia to have the authority to make declarations such as that quoted from the address in the U.N. Assembly, a prime requisite would be that she, herself, be not guilty of the very acts her representatives call "international crimes" and, moreover, that she renounce the fruits of those aggressions committed—in violation of the principles she, herself, proclaims—against the independence and territorial integrity of other nations.

C. AUSTIN BARKER DISCUSSES GOLD CRISIS

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, those who consider Fort Knox a reservoir, and those who are concerned with our balance-of-payments problem will find enlightenment on the gold crisis in the very interesting talk given by C. Austin Barker, of the firm of Hornblower & Weeks-Hemphill, Noyes at the Pacific-Northwest Metals and Minerals Conference earlier this year.

The Commercial and Financial Chronicle printed it on June 8, and I appreciate the fact that my constituent, Joseph A. Gimma, brought it to my attention so that I in turn could present it to my colleagues.

Mr. Barker's "golden" discussion follows:

GOLD AS AN ECONOMIC FEVER THERMOMETER

(By C. Austin Barker)

Our economy appears to be more sickly today than a year ago on an international payments basis and it has been getting sicker since 1957. Since 1960 when foreign central banks noted that our gold had become insufficient to cover short-term liabilities to all foreigners, our treasury gold has declined to about $13.1 billion. The amount of gold set aside for the statutory reserve requirement of a 25% gold cover for Federal Reserve notes has risen somewhat since the commercial banks' cash deposit gold reserve requirement was abandoned in March 1965. The gold reserve requirement is now just a little under $10 billion which leaves us about $3 billion free gold. Meanwhile, as of last year-end, our short-term liabilities abroad had risen to over $31 billion. Of this amount $5.1 billion was held by foreign international institutions, and of the balance, roughly, one-half was held by foreign central banks and the other one-half by foreign individuals.

Chart I [chart not printed in RECORD] shows the decline in U.S. gold stocks since 1949, the rise in short-term liabilities to foreigners and the current 25% statutory reserve requirement of gold to cover our national currency. It is interesting to note that two years ago the liquid U.S. dollar liabilities held by foreign central banks and governments totaled $13.2 billion. At year-end 1966 these holdings had shrunk to $12.6 billion, indicating that there is a definite measure of decline of confidence in the dollar by foreign central banks. The dip in the lower curve is the result of the removal of the gold cover for bank cash deposits with the Federal Reserve. The middle curve shows the run on gold that accompanied this policy debate and the Congressional legislation to effect it.

Chart II [chart not printed in RECORD] indicates that our exports of goods and services are growing rapidly and we have the largest trade and services surplus of any nation in the world, largely the result of American business efforts. Yet our spending abroad, largely by the Federal government, has created a perennial payments deficit with no end in sight. And our trade surplus has been deteriorating for several years because of rising costs and prices in our domestic economy due to the spending burden of foreign aid, military defense and our national budget deficit.

Based upon UN data on wholesale prices since World-War II, the purchasing power of the Swiss franc has fallen far less than the U.S. dollar. In the past two years, the purchasing power of the Canadian dollar, French franc and German mark have bettered or equalled the U.S. dollar on this score and for a dozen years the Japanese yen has been the world's most stable major currency. The dollar's record is not a relatively enviable one on this basis.

It is clear that gold serves a role as a fever thermometer in that the rise or fall of gold stock indicates too heavy a payments surplus or too large a payments deficit. The basically simple remedy would be to prescribe easy or tight money, respectively. But there are also other national policies which affect foreign trade balances of goods and services payments deficits which can be examined as collateral remedies.

Despite the practice of many nations, it is still a fundamental economic truth that for the national economic body to remain healthy, it should practice good health habits in the form of sound fiscal and sound monetary policies domestically and internationally. The gold thermometer has already warned us repeatedly that something must be done about the balance of payments deficit. There is no sense in changing the scale on the thermometer because we would only be fooling ourselves. This is what some are advocating by a change in the bookkeeping for our international payments accounting. No government can control fundamental economic forces by legislation or changes in bookkeeping entries.

MONETARY REFORMS

There once was a Greek god named Proteus who, legend says, was a hard man to get hold of because when caught or cornered, he disengaged by simply changing shape. He reminds us of some monetary reformers. As soon as one argument or proposal is exposed or about to be exposed as unworkable in a worldly market place, a new reform shape shows up in the headlines. The sum total over the past decade is that a lot of people are confused or uncertain over what is a sound monetary policy. They are still a little wary of the "free lunch" idea but politicians and political administrators seem to be afraid to adopt standard, disciplined solutions and their inaction creates a fertile field for scholars and government staffers who are emerging as supple innovators of "painless solutions." In the Protean tradition, escape is involved herein, rather than reform. As long as most countries felt there was no doubt that they could convert dollars into gold, U.S. dollars were considered a good supplement to their official gold reserves. This feeling lasted for many years. Now that there is doubt in those minds, some scholars and money managers and officials, primarily from England and the United States, are suggesting new monetary systems.

Some of these plans call for substituting a new kind of borrowing in place of borrowing from the International Monetary Fund because to avoid being paid back with depreciated currency, the IMF has in effect put gold clauses on their loans to avoid this possibility. The new borrowing plan is to give the creditors some sort of composite units which they would hold as a sort of "paper gold" but which would not be subject to conversion into gold. Naturally, all the creditor nations, those with favorable balances of international payments, are critical of these plans, and this is basically the description of most types of reform in international monetary systems in the debates now going on. Yet, as long as the U.S. Treasury and the Administration argue that gold revaluation is simply not in the cards and as long as we have some supply of gold in our Treasury stock, the arguments for non-gold "reform" will go on. If we lose our gold, other nations ultimately may take over the international banker's role and there will be no more "reform" debate.

Almost without exception, these "new" reforms include more government controls, immediately or inevitably. There is little consideration for the free market found in their structure. Some new propositions might even sacrifice our nation's monetary sovereignty. On this score, a United States citizen need not be cynical to be concerned. Many of the supporters of such risky solutions advocate monetary controls artificially to bring about "riskless" interest rates to "punish" the bankers and "reward" the poor. The resultant inflation, which is the cruelest tax of all, would then be checked by government price and profit controls, ceilings, or freezings. If business expansion and growth slow down, the reformers would be ready to have government step in and provide full employment by spending first, which is popular, and raising taxes later.

A popular answer to our concern is usually put in the form of a question, "Would you raise interest rates to solve the payments deficit and cause grave unemployment?"—or—"Are you not a Christian?" Many businessmen cringe at these questions. I suggest there are alternative solutions if we face the problem realistically.

WHAT ARE THE CHOICES?

In today's serious monetary situation we could first tighten money and credit by slowing down the purchase of government securities and by other Federal Reserve measures to prevent an outflow and also to correct the basic economy. However, the economy has already softened somewhat and the Federal Reserve is cooperating in this respect and creating new money to help avoid a recession. Under these conditions we can expect a gradual loss of gold and if it continues, possibly a run on gold.

A second step to solve the payments deficit would be to cut foreign aid temporarily until the Vietnam war is concluded and also to re-examine our policy of non-Vietnam military expenses abroad with a view to our allied nations sharing more of the burden or else we may have to reduce it unilaterally on the grounds that we simply cannot afford the foreign exchange burden. Europe has become stronger now and Russia is preoccupied on her eastern borders. This decision could be made on a military rather than on a political basis. The armed services have traditionally supported a sound U.S. dollar as fundamental to our national security. "Who will be our friends when our gold is gone?" is a national defense as well as a political question.

A third choice is to raise the price of gold to, say, $70 an ounce. This would be the most orderly of the alternatives because all countries would then do the same and there would be a status quo in this respect. The $13 billion of U.S. gold would become $26 billion and this would buy time for some of the above solutions to be worked out. In itself it would not solve the payments deficit but it would cut off the "crisis pressure."

The fourth alternate solution would be to stop selling gold at $35 an ounce, or at any price. In effect, this would be a gold embargo. Other nations would then either close their "gold windows" or keep them open, but in either case the U.S. dollar would tend to depreciate in relation to other currencies as long as we have deficits. This would be an unstable and unsatisfactory situation and would require other nations to devalue irregularly or set up various counteracting forces in order to avoid an export advantage to America in its trading abroad. Presumably it would be immensely complicated by exchange controls and other controls which would handicap international free trade.

If we closed the "gold window" to foreigners the price of gold would rise because we would then have discontinued the policy of dumping gold on the market to hold it down to $35 an ounce and the demand pressure for gold would increase relatively because of the uncertainties of a worldwide rise in gold prices. However, closing the gold window would slow but not stop the drain on our Treasury gold because U.S. industry buys gold from the Treasury at almost four times the annual U.S. gold mining production rate.

Thus if the gold embargo were continued for an indeterminate period, a fifth alternate remedy would need to be adopted then, or sooner, i.e., an exploration and/or production subsidy on gold for American miners. A subsidy was enacted to encourage uranium production and was very successful. The subsidy could be another "stop-gap" to "bide for time" but on a necessarily long-term approach to give American miners a chance at least to supply our industrial needs for gold.

RECENT GOLD PROPOSALS

On April 6th, the House Banking Committee of the U.S. Congress announced hearings on the legislation releasing some of the Treasury's silver stock from use as backing for silver certificates. The announcement came out about the same time as a disclosure by the U.S. Treasury that the stock of "free" silver had dwindled to less than 100 million ounces for the first time in decades. Only three years ago, it was widely believed that there was a many years' supply of silver in the Treasury's silver stock.

On the same date, April 6th, Mr. Rudolph A. Peterson, President of the Bank of America, in an address before the New York Chamber of Commerce, called for a reappraisal of the U.S. policy for combating the balance of payments deficit and for a relaxation of government controls over foreign lending and investing by American business. He stated that the U.S. piecemeal negative attempts to fix balance of payments problems have failed. And he called for a better understanding of the actual strength of the nation in world economic affairs. What we need, he proposed, is an overall long-range payments strategy which will be economically sound. He noted that the past U.S. approaches on the balance of payments deficit have resulted in short-term tactical moves which have led us astray and caused anxiety abroad about the soundness of the dollar as well as the economic aims of the United States.

One cannot help but agree 100% with this leading banker and especially his desire for a timetable to roll back the pseudo-exchange controls now in existence, i.e., the interest equalization tax and the voluntary restraint program on bankers and corporations abroad. He is taking the strong, long-term forward view on this score and away from the tenets of mercantilism which we are in danger of having imposed upon us more and more. However, I am puzzled in one respect wherein it is stated that the increases in U.S. short-term liabilities abroad are measures of strength not weaknesses just as increases in deposit liabilities of commercial banks are one criterion of their strength. I understand why deposit liability increases are one criterion of strength for a commercial bank so long as the deposit monies are wisely and profitably invested which is the goal of commercial banking. This type of well-managed banking growth is what made the Bank of America the world's largest bank. Nevertheless, I cannot envisage a commercial bank asking its depositors not to withdraw their deposits because the bank would then be in difficulties (unless as a special plea for continuance as with some CD's). This appears to be the analogy of what the U.S. Treasury is doing by asking certain foreign nations not to cash in their claims for gold. Unfortunately, this cannot prevent a surreptitious liquidation by friendly nations of dollars for tangible U.S. goods.

We knew when the United States incurred short-term liabilities abroad that they could be turned into dollars at will and we had guaranteed that those dollars were convertible into gold at will. However, foreigners are not subject to restrictions about gold as U.S. citizens are. U.S. citizens cannot ask for payment in gold of domestic liabilities as, for example, for Federal Reserve notes. But if foreign central banks have accepted dollars as equivalent to gold, they have a choice later (which we do not have) of asking for final payment in gold. Moreover, in what did the U.S. invest the monies arising from these liabilities abroad? In foreign aid gifts or loans, a domestic deficit, or was it expensed abroad for military purposes? Thus, we have no counterpart claims or earnings as a bank has. It is for these reasons that I cannot see the commercial bank analogy in the case of our international short-term liabilities. We simply incur an interest burden when these liabilities grow. To be sure, if we could sell all of our foreign assets, short and long-term and pay off all short and long-term liabilities we would have a surplus of many billions of dollars, but we cannot plan so drastic or far-reaching a liquidation if we are to remain the world's banker and continue free international trading.

Mr. Peterson stated that as a last resort, if the drains on the U.S. gold stock became intolerable, the United States might have to refuse to sell gold. If the Administration can come up with an overall payments strategy which would be economically sound, as Mr. Peterson proposed, there would be no need for the drastic step of putting an embargo on our gold. On the other hand, I would suggest that if the Administration believes that we are going to reach this drastic requirement in the near future, perhaps it should raise the price of gold while we still have sufficient gold in our coffers, which, if doubled, could pay off a substantial part of the current U.S. liabilities abroad owed to central banks and would undoubtedly bring tremendous amounts of gold out of the hoards that investors have been holding as an inflation hedge. This gold undoubtedly would find its way into central bank official gold reserves and answer the gold liquidity problem. It is estimated by one international gold expert that there is between $20 and $25 billion of gold locked up in private investors' hands. A price rise for gold would be a sounder action than the removal of the law requiring 25% in gold as a backing of the U.S. national paper currency. Removal of the 25% gold backing would free up nearly $10 billion of our gold, all of the gold cover, and could cause a drastic run on gold. We all know what happened when Congress removed the small gold backing of commercial bank cash deposits with the Federal Reserve Bank. We lost $1.5 billion of gold in a half year to "free up" $4.7 billion of our gold reserves. The Treasury experts had estimated less than a $400 million outflow of gold if we removed this "outer perimeter" of our gold protection. We can only conjecture the gold outflow if the 25% cover, the "inner perimeter," is breached, particularly with our payments deficit worsening and prospects of a rapidly increasing domestic budget deficit.

As an economist, recognizing the economic-fiscal impasse where the Administration and the Treasury refuse to revalue gold and have not been able to eliminate the deficit in gold drain, I cannot believe the Bank of America is strategically wrong in suggesting that the United States close the "gold window" under these given circumstances. It seems fruitless to tell the government, in effect, that its firmly reiterated policy is wrong. After all, they are our elected officials. Perhaps time will show them a better solution if they adopt a policy to stop selling gold to temporarily solve the emergency of losing our gold and then see the resultant effect on the dollar.

In my opinion, and I have no inside information, the proposal seems to be a very subtle and complicated approach with an educational purpose. Although it is not the best or most orderly solution, it could be turned into a better solution, later, after the price for its educational effect were paid. Thus it would be a step, though somewhat costly, toward order and better than butting one's head against the Treasury's well-publicized stone wall of $35 an ounce and the continuing payments deficit.

I cannot pinpoint the cost of closing the "gold door" but the cost of our nation and to the world of losing all of our gold would be far, far greater in effect than the loss of the $13.1 billion in U.S. Treasury stock. Congress has been spending billions of our dollars in foreign aid to the poorer nations for food and education and billions to fight poverty in our underdeveloped urban areas, including large amounts for education and retraining. The educational effect toward sounder fiscal and national policies in the United States that might be brought about by closing the gold door and noting the results might well be worth the cost. Therefore, I cannot criticize what I believe to be the well thought-out strategic approach to close the "gold window."

I also respect and support the admonitions of the vast majority of banks and most economists that the Administration adopt sound fiscal policies to solve our balance of payments deficit. But what is really to be done, now? Isn't this the overriding question for our national position as the world's international banker and the free world's freedom?

CONCLUSION

In an economy like ours which is geared to emphasize productivity and where politics is geared to popularity, pressures are created which tend to compromise financial and personal integrity. The social ills and fiscal irresponsibility are so much everybody's fault that they become nobody's fault. "Paper gold" solutions are not novel but horse-and-buggy innovations, out of place in a scientific age which needs financial integrity now more than at any other period in history. I could continue to catalog the fiscal-political problems but the big question for the American public remains, "Is the apparent insolubility of this conflict inevitable?" I say it is not inevitable if we guide our national body by diagnosing its economic health periodically with our gold fever thermometer and acting accordingly.

For centuries, gold has been the best money in the world, especially for international trade purposes. He who possesses gold may buy anything that is for sale. This is not always true of other currencies. It is less true of credit. That is why gold is the best hedge against a decline in the purchasing value of a country's currency, or conversely, the best known hedge against inflation where such factors are substantial enough to offset the cost of holding a nonearning asset. Over the past hundred years and more so in recent years, the world's leading international monetary experts have explained in books and treatises why gold is such an important and necessary element of any international monetary system under the economic policies of free international trade. Therefore I do not think it is necessary for me to try to explain why gold is so desirable or so useful for this purpose. Rather, it seems to me that all of the debates that have been going on for the past decade, and more intensely so in the past four or five years, have arisen because of the balance of payments deficits of the world's two key currency nations—the United States and Great Britain, and standard solutions are painful.

Since 1948 to the end of 1966, the gold holdings of all free nations rose from about $33 billion in U.S. dollars to $42 billion, or an increase of about 27%. World trade, on the other hand, measured by imports alone, more than tripled over that period. If we compare this with the free world gold production which has been rising gradually over the last dozen years and is now running at a little over $1.4 billion a year and add the supplemental Soviet gold sales of $300 million to $400 million in the past years (except 1966), you will note that new supplies are not increasing at as rapid a rate as world trade. In recent years most of the new supplies seem to have disappeared into private hoards, because a look at the tables of official gold stocks discloses that they have risen very slightly since 1960 and not at all in 1966. Also, the gap between the two growth rates is largely made up by increased holdings of foreign currency reserves which are almost entirely in U.S. dollars. These inflationary increases were more than the total growth in the official gold stocks and have arisen primarily from the serious U.S. balance of payments deficits since 1948.

As to the arguments of those who cite current statistics on gold production figures to prove that there is not enough gold increase to supply increased liquidity for world trade, we should remind them that our present gold exchange standard is more flexible than the full gold standard, some say even too flexible. But it still serves as a fever thermometer and the reading is clear. If the United States adopts a realistic policy of equilibrium in its balance of payments and proves it, to the satisfaction of investors, worldwide, then gold should come out of hiding in sufficient quantity to solve the gold increase problem for a score or more years. And if this national policy is also followed by a rise in the price of gold to, say, a minimum of $70 an ounce it is possible that new discoveries plus increased production in old gold mines ultimately should solve the problem of gold liquidity with respect to international trade requirements for at least a generation. Proteus can then return to Mount Olympus. I cannot speak for the next generation.

One needs to be a philosopher as well as an economist to try to understand the hopes and fears of humans in relation to gold and other forms of money and investors are human, even if some would classify them into a lower order. If I were to adapt an ancient admonition to describe our monetary reformers it would become, "For the love of (control of) money is the root of all (inflationary) evil."

Some people say that if everyone stopped talking about the "gold problem," the problem would disappear. Longer term investors look at the operating facts and financial performance of a nation whose money they own just as carefully as for a company whose securities they own. If, after investigation, the rumors and discussions turn out to be erroneous, the situation is disclosed in short order. The problem of gold and the U.S. payments deficit is not a sudden, speculative occurrence but has been going on for many years. Until the actual results of our nation's financial performance improves, the gold problem will be with us. It won't be cured by halting the talk or changing the payments accounting rules.

When human nature changes and every man shall work for and with his neighbors, we shall not need gold or any other form of money. Meanwhile, investors must find legal ways to protect their savings even though such self-defense is often criticized by some government officials and money managers.

NASA NEEDS A WATCHDOG

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Anderson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ANDERSON of Illinois. Mr. Speaker, I believe that the following editorial from the Chicago Daily News will be of interest to all Members of the House of Representatives. It pays a well deserved tribute to the work of my distinguished colleague, Congressman Donald Rumsfeld, of Illinois, for his effective and thoughtful work as a member of the House Science and Astronautics Committee. His suggestions should be adopted if Congress is to fulfill its responsibility to the American people as the editorial writer points out.

His specific recommendation for an independent safety review board for the Space Agency has ample precedent. For some years the reactor development program of the Atomic Energy Commission has been monitored by an independent board of this type. The Joint Committee on Atomic Energy recently held extensive hearings on the manner in which this review board has functioned. I believe that it is the unanimous view of that committee that it is helpful to have the independent views and recommendations on safety by a group of experts who are not under any obligation to justify or defend administrative actions and decisions by those who are employed by the Government within the executive branch.

I hope the conference committee will heed the recommendations of our colleague, Congressman Rumsfeld.

Mr. Speaker, under unanimous consent, at this point I include the editorial referred to:

[From the Chicago Daily News, July 10, 1967]

NASA Needs a Watchdog

It will be interesting to see how Rep. Donald Rumsfeld (R-Ill.) fares in his fight to preserve his House-approved safety amendments for the U.S. space program. He has pitted common sense against a formidable combination of space agency arrogance and contractors' vested interest. Both the National Aeronautics and Space Administration and the big space contractors have strong influence in Congress. In such circumstances right doesn't always prevail.

Rumsfeld's proposals, airily rejected by NASA, would:

—Set up an independent safety review board to keep tabs on NASA operations and provide a double check for NASA in spotting dangers.

—Require NASA to keep the two congressional space committees fully informed and up to date on its operations.

There is ample justification for these requirements.

Part of it can be found in the scandalous record of fumbling, bumbling and pure carelessness unearthed in the investigation of the blazing death of three astronauts at Cape Kennedy last January. Most of the blame was directed at the prime Apollo contractor, North American Aviation Inc., but some of it had to be shared by NASA, with over-all responsibility for the project.

And part of the justification goes back to the condition President Eisenhower alluded to in his famous farewell speech: the perils of an alliance between big government and the big industries that serve it and profit by its contracts.

Congress, the branch of government in closest touch with the people, has a unique obligation to exert discipline over the executive department's workings. In exotic fields like those of the Central Intelligence Agency and NASA there is an understandable tendency to resent such surveillance. But those same agencies, for all the high average caliber of their work, have demonstrated that when supervision is lacking both arrogance and carelessness flourish.

Rumsfeld is serving the public interest in trying to bring NASA to some kind of accounting.

The bill is before a conference committee that begins consideration this week. NASA succeeded in keeping Rumsfeld-type provisions out of the Senate bill, and Rumsfeld, himself, while a member of the House Science and Astronautics Committee, was not named to the joint House-Senate committee. There is obviously good reason to fear that, unless public concern is expressed, NASA will quietly work its way on the measure and keep the public's nose out of its "private" affairs.

A LETTER FROM VIETNAM

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Gardner] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GARDNER. Mr. Speaker, I have become more and more concerned about our present policy in Vietnam, specifically why we are not doing more to halt the flow of supplies to North Vietnam. For the information and consideration of my colleagues, I quote the following portions of a letter received from an officer serving aboard a ship in the Western Pacific:

For sometime I have meant to write you on a subject, one which both infuriates me and gives me a sense of deep impotence—the continuous stream of Russian and Soviet bloc ships which we sight daily, indeed hourly, in the Gulf of Tonkin, generally with laden hulls on a northerly course, or riding high heading towards the southeast. As CIC Officer, I am often able to listen in over the radio nets to the many contact reports filed on these Soviet ships, and it is continually paradoxical to me to then read in the next issue of *Stars and Stripes, Time,* or *Newsweek,* that some administration official is pledging all efforts to fight this war and bring our men home quickly and safely. And yet, still these ships steam steadily on, unperturbed by political bombast, carrying the materiel to kill American troops.

For one doesn't have to be too perceptive to understand what is being carried in those hulls, or where they are going. While our carrier based planes are bombing the scattered oil, munition and supply depots and lines of communication in North Vietnam, with our pilots risking their lives over murderous barrages of anti-aircraft weapons, the Soviets are shipping in a flood of war supplies to their North Vietnamese and Viet Cong allies, allowing them to maintain their aggression against South Vietnam. I have the terrible feeling that political expediency and indecision as to the goals of this war are forcing our pilots to lose their lives bombing dispersed targets, when the one stroke of closing Haiphong Harbor and its associated smaller ports could eliminate the necessity for many of these costly strikes over North Vietnam.

It is generally acknowledged that a large portion of the munitions the North Vietnamese need to fight the war are coming in by sea. Were we to use our Navy to control the seas (as we have the capacity so easily to do), we could remove a major Communist supply link to Vietnam and deal a crippling blow to the ambitions of Ho Chi Minh.

I do not pretend to be an expert in the ways of world power politics, nor do I know what effect this further "escalation" of the war might have, but I do know what effect our failure to interdict Communist supply lines, to more effectively fight this war, is having.

I have only to pick up a copy of the UNC Alumni News to see that already several of my classmates—and friends—have died in Vietnam, and to note that a substantial number of the men from the classes preceding mine have died fighting over here. I have only to go down a list of former shipmates who volunteered for duty in Vietnam to pick out a name here, a name there, of men who have been killed in the past year. Both you and I know that more will die in the months ahead.

It is tragic to be killed in any war, even a just war, but it must be of some consolation to the parents and wives of these men, and the men themselves, to know that they are dying for a cause toward which every effort is being made to win, and in which their sacrifice meant something; it is unforgiveable to be killed in a war that our leaders have not the strength to pursue to victory, but are content only to yearn for a dubious stalemate of questionable honor.

I know that you will consider my remarks, sir, and I hope that if you agree with them, you will be able to act in the future to lead America toward a more constructive policy for victory in Vietnam. Only American victory will provide that elusive peace we all seek.

ESTABLISHMENT OF A U.S. WORLD FOOD STUDY AND COORDINATING COMMISSION

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. DON H. CLAUSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, today I enthusiastically join those colleagues who have, with great imagination and foresight, called for a joint resolution to establish a U.S. World Food Study and Coordinating Commission.

By cosponsoring this resolution for an 18-member, bipartisan group to study world food problems and what can be done about them, I wish to call to the attention of the House the two major problems which this all-important initiative is intended to deal with—

First, the world problem of food supply and demand brought about by a universal population explosion.

Second, the decline in American agriculture resulting from steadily increasing production costs and farm debts.

Experts tell us, Mr. Speaker, that by 1980—only 13 years away—there will be five times more people to feed throughout the world than are now being fed. Imagine for a moment what this increased demand for food would mean, for example, to famine-ravished India and to the truly underdeveloped and war-torn countries of the world.

Where is this food? Where will it come from? What is the answer? Undoubtedly responsibility for meeting such a crisis will eventually rest with the rich countries—those who presently can sustain themselves—and principally to the United States. But I contend that, unless we plan and act now, neither we nor any other country acting alone or in concert with others will be up to the task of feeding a starving world.

I am not saying that the United States can or should solve or even attempt to solve the world's food problems. On the contrary, passage of this resolution might well avert such a possibility. In any event, however, we cannot ignore our basic responsibility to humanity should this awesome prospect become reality and there seems to be little doubt that the handwriting is on the wall.

The thought of a major world famine—widespread starvation—people dying like flies in the streets and in their homes from hunger and malnutrition—is a disturbing one indeed. More disturbing than that, moreover, is the added thought of a world unable to respond to more than 100 countries pleading and begging for food at our doorstep. Such a situation conjures up in my mind conditions as gruesome as nuclear holocaust in terms of panic and frustration.

I have always maintained, Mr. Speaker, that in the final analysis, the world will choose between communism and freedom, not as a result of war or conquest, but on the merits of what these two systems can offer people everywhere for the greater uplift of mankind. Historically, the Communists have been long on promises but short on delivery and I need only cite the recent Middle East struggle as an example. To meet this serious food challenge of the future, I submit that the forces of freedom—under our leadership—had better get their heads out of the sand to meet this impending international crisis.

We can best approach this objective by being alert for every opportunity to use our great productive capacity as a major weapon in a stronger economic offensive. Hungry people throughout the world are looking to America for guidance in agricultural policy—we must unleash the creative and productive genius of American agriculture. This has the potential of being one of our greatest weapons as we seek victory in the cold war.

Second, Mr. Speaker, is the promise this entire prospect of a subsequent world food shortage holds for the American farmer and our agricultural experts—both from a short-range and a long-range viewpoint. Now is the time for us to plan to avoid these future shortages.

As far back as 1964, I pointed out that there was a dangerous trend in our slumping agricultural economy that had to be reversed. In that speech, I specifically stated:

> The American farmer has always been known as the "Backbone of this Nation" but improper Federal agriculture and fiscal policies have been "chipping away" at his ability to maintain his independence and self-sufficiency. Without equivocation, I stand ready to work for a reversal of this dangerous trend.

When one considers these and other probelms, in the light of the present farm slump in which we find ourselves, grave doubts arise about our ability to feed ourselves 13 years hence—much less any other countries.

Again, Mr. Speaker, we return to the premise on which we began. What is the answer? Unfortunately, there are no readymade solutions which have already been conceived. A beginning, however, is to be found in the preamble to the joint resolution which I offer today and I quote:

> To establish a United States World Food Study and Coordinating Commission to study world food and agricultural needs, to coordinate present United States efforts toward meeting these needs, and to evaluate the future role of United States agricultural and other resources in the light of present and projected world food and population trends.

In summary and in conclusion, Mr. Speaker, it has been said and I repeat here today that the world is rapidly losing the race between an adequate food supply and a growing population. At the same time, the American farmer is fast losing out as his production costs and farm debt hit record highs.

We must, in my judgment, act now by getting the best minds together to study and evaluate the problem and to make constructive, realistic recommendations for meeting this awesome prospect of the future.

I urge the immediate establishment of a U.S. World Food Study and Coordinating Commission in accordance with the provisions of the joint resolution which I offer here today.

REDWOOD NATIONAL PARK

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. DON H. CLAUSEN] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, today I again place in the Congressional Record information pertaining to the Redwood National Park matter now pending before the House Interior Committee.

Specifically, I will insert my testimony made before the committee on June 27, 1967.

With the proposed park to be located in my congressional district, I hope my colleagues will benefit from the points I make. It will be my intent to do everything possible to keep my friends in the Congress posted on the progress of this important and complicated conservation measure.

Therefore, I include my statement at this point in the Record:

Thank you, Mr. Chairman and members, for the opportunity to appear on this legislation to create a Redwood National Park on the North Coast of California. It has been aptly labeled the most important conservation legislation before the Congress, and I concur. Besides the need to create a National Park to give suitable recognition to the coast redwood giants, unemployment in several of the counties in the redwood area has been running at levels up and beyond 15% of the labor force. The economic stimulus offered by a major tourist attraction would be of great help to this area, *providing it doesn't undercut the economic base we already have.*

Today, I expect to take very little of your time. As Congressman from the redwood area, I have presented a plan which I call "Redwoods-to-the-Sea". This conservation package includes a Redwood National Park and Seashore of 53,000 acres in the north as well as two other major units—creation of the 31,500 acre Kings Range Conservation Area near the center of my district and completion of the 53,000 acre Point Reyes National Seashore at the Southern end of my district. This is a regional plan calculated to achieve a balanced development according to priority.

I have done this to encourage legislative action on these three units because of their importance to the future of the area. The Committee and the Congress have an obligation to the Nation's taxpayers to tell the entire story—what is planned in the way of conservation projects and what it will cost.

Too often, there is a tendency on Federal projects to not tell the whole story—yet the projects are authorized—and then watch the costs escalate to astronomical figures.

As Members of Congress, we have a dual responsibility. We must represent the conservation organizations advocating these projects, but we must also represent the people affected and in particular, the taxpayer who must inevitably pay the price.

They are entitled to know the exact costs involved. Further, the people affected must be relieved as soon as possible.

They have been living in a kind of economic hell, under the threat of government action, waiting for these projects to be completed.

I cannot over-emphasize the vital need to take the necessary legislative action to complete the Redwoods-to-the-Sea conservation proposal.

The people of the Redwood Empire will continue to be harassed and restricted until the boundaries of these three important conservation units are established.

No one can make definite plans until the necessary Federal legislative action is complete.

The area is in a depressed condition now because of the uncertainties previously mentioned.

I believe all af you have copies of this map and brochure. With the Committee's permission, I will submit these copies to the Committee for its files.

Rather than go into detail on Redwoods-to-the-Sea at this point, I would like to submit for the record, a copy of a speech I gave before the National Wildlife Federation in San Francisco, and then make one observation. This plan contains a Redwood National Park and Seashore proposal on which, right now, there is substantial agreement. Further, it contains language granting the Secretary of the Interior expanded authority so that the boundaries on this map can be expanded, *providing further agreement is reached.* In other words, I have proposed a compromise that would create an outstanding Redwood National Park and Seashore in its present form and can be expanded to include additional new redwoods and further fruits of compromise through negotiations between the Federal and State governments and private owners. In my judgment, this is the only way you will get a Redwood National Park worthy of the name.

With that brief and general explanation, Mr. Chairman, I will rest my case for today. I believe I may be of much greater service to this Committee in its orderly consideration of the Redwood issue if I yield to other witnesses. Later, when the Committee has isolated the specific problems in creation of a Redwood National Park, and has held field hearings and trips into the area, I will make myself available for any questions or detail work the Committee may desire. As a pilot who has flown the area between San Francisco and the Oregon line nearly 1,000 times, as a native of the area and as a representative of the people in local government and the Congress for nearly 12 years, I feel that I can be of assistance.

Before I close, however, I would like to review very briefly the three major problems involved in creation of a redwood national park in this area, mainly for the purpose of focusing your attention on them early in the hearings. These problems are: (1) Federal acquisition of State park lands to be included in the national park; (2) acquisition of private lands; and (3) the cost.

Regarding the first, I want to congratulate the State of California and the Federal Administration for their diligent efforts to reach agreement on an exchange of Federal lands for the State Redwood Parks. My mail and a number of news stories have indicated an impression that we were undergoing a moratorium on the Redwood issue. Such is not the case. I am well aware of the continued efforts by the State and Federal administrations to reach agreement on acquisition of State Redwood Park lands for a national park. It is my understanding that general agreement has been reached, and I am anxious to hear the testimony of Interior's witnesses on this point.

Regarding the acquisition of private lands, however, I am sorry to report that no such activity has taken place. This is the area affecting local tax base, hundreds of jobs and the economy of the entire area. To my knowledge at this time, I have not learned of any progress or initiative by the Federal agencies in land exchange negotiations between the Federal government and the private land owners involved.

This seems to be a key to future success. If new redwoods are to be added to park lands, the Federal government should be developing a prospectus and the proper forum for entering into negotiations with the private owners.

It is for this reason that I have included Title III in my bill.

The key words to success in establishing a Redwood National Park are "compromise", "negotiations" and "exchange".

There is probably no precedent for some of this, but we've said all along that the Redwood Park "question" is unique and will require different approaches to solutions than any other conservation or park proposal—if you're going to have a worthwhile Redwood National Park.

One final point—the Federal cost to create this park. The Sierra Club's proposal has been estimated at between $120 million and $250 million, depending on the estimator. The Administration's proposal has been estimated by them at $60 million, and I understand this has now been refined to a figure near $100 million. As we all know, Mr. Chairman, cost can be a mortally wounding factor to the proposals for a Redwood National Park. In a year when the Congress temporarily refused to increase the debt limit, when all of us are concerned about government expenditures, closest scrutiny will be given to any park proposal that costs $100 million or $60 million. Only by broad use of exchanges can we create an excellent park at minimal cost, as my bill provides.

I believe this Committee and the Congress has an opportunity to establish a benchmark for future land-use policy that will be extremely beneficial to all Americans as they consider this Redwood Park question.

But in so doing, we must recognize the fact that there are two schools of conservation thought—preservation conservation and wise multiple-use conservation—giving balanced consideration to both.

If you adopt the Redwoods-to-the-Sea concept, tie down the respective boundaries once and for all—you will properly set the stage for a National land-use policy that will greatly enhance the potential for economic growth.

This, in effect, would establish a land-use pattern in the Redwood Empire of California that could be adopted elsewhere.

NEW YORK'S LUCK RUNNING OUT ON LOTTERY SCHEME?

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Wylie] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WYLIE. Mr. Speaker, tomorrow this body takes up H.R. 10595, a bill which would prohibit federally insured financial institutions from taking part in lotteries. It is imperative that this legislation be enacted so that banks can immediately be disassociated from the lottery scheme in New York, and to free the banks from any adverse reaction from the public which could result from the lottery. This morning's New York Times reports that the New York State lottery, which had previously been reaching only 50 percent of its ticket sale estimates, has now dropped to 25 percent of its goal.

When the lottery was first conceived, it was estimated that 1 million tickets would be sold a day. However, during the first month of the lottery, only 7 million tickets were sold, and indications are that sales will drop even more in the coming months.

Typical of the reaction by the public to the New York State lottery was the remark by an upstate New York bank official, whose region had been allotted 1.2 million tickets and had sold a little more than 100,000 tickets.

"Do you know anybody that can use a million unused tickets?" he said in the Times' article. "Maybe we can have one hell of a bonfire."

[From the New York Times, July 11, 1967]

BANK FIGURES SHOW STATE LOTTERY SALES ONLY 25 PERCENT OF GOAL

(By Sydney H. Schanberg)

Nearly complete returns, from the first month of the New York State lottery indicate that sales were only about one-quarter of what the state had predicted.

A survey of the nine regional banks for the lottery showed yesterday that about seven million, or possibly less, of the $1 tickets were sold in June. The state had predicted a sale of $30-million a month, or $360-million a year, and had based its 1967–68 school-aid budget on this forecast. All profits from the lottery are to go for education.

The biggest loser, if the lottery continues to falter, will be New York City, which is supposed to receive $72-million extra in state school aid from the lottery.

The lottery's failure to live up to expectations could thus push both the city and the state closer to seeking tax increases next year—a year when all state legislators are up for re-election and therefore very reluctant to pass any new taxes.

The State Tax Department, which is running the lottery, refused to discuss the sales results yesterday, except to acknowledge that they were "off."

Tax Commissioner Joseph H. Murphy contended that the figures received so far from the regional banks were incomplete and possibly misleading. He said he would make public "the final audited figures" as soon as they were available, possibly early next week.

Officials at almost all the regional banks, however, said the figures they gave out yesterday were either final or close to final, with perhaps a handful of lottery outlets still to trickle in.

The tickets are being sold in about 4,000 banks, hotels and motels around the state; they are also available at a few local government offices and at the harness-racing tracks.

The regional bank for New York City, the Chemical Bank New York Trust Company, declined to release the sales figures for the city, saying that it was up to the Tax Department to make them public, if it chose to. However, sources elsewhere reported that city sales were in the area of 4.5 million.

New York City is the key to the lottery's success or failure; when the state issued its forecast of 30 million tickets a month, it estimated that about 60 per cent of them, or 18 million, would be sold in the city.

The eight regional banks covering the rest of the state reported total sales of about 2.2 million tickets.

One upstate bank official, who asked to remain unidentified, noted that his region had been allotted 1.2 million tickets and had sold only slightly over 100,000. "Do you know anybody that can use a million unused tickets?" he said. "Maybe we can have one hell of a bonfire."

One apparent reason for the lottery's poor performance is the lack of a vigorous advertising campaign. Because of Federal laws that keep lottery advertising off the air and out of magazines and most newspapers, the state is limited generally to highway billboards and posters in buses, subways, commuter railroad stations and the outlets themselves.

LAST MINUTE ADS TAKEN

"There's no question," Commissioner Murphy said recently, "that our promotional efforts are so severely restricted that it's very difficult to get the word around."

The Tax Department allotted $1.5-million to its billboard and advertising campaign. Also, in a last-minute attempt to boost the lagging sales, it took several ads in a few Albany and New York City newspapers during the last week of June. Because of the Federal laws, the ads could run only in the editions that were not put in the mails.

The lottery's slump will have no effect on the size of the monthly prizes. There will still be 240 prizes for every million tickets sold, ranging from $150 up to $100,000. A yearly superprize of $250,000 will also be awarded at the end of the state fiscal year, March 31.

The first monthly drawing will be held in three stages, starting in Albany on July 20 and ending in New York City on July 24 and July 26. The pattern for all the monthly lotteries is expected to be the same, with the prize-drawing for the July lottery, for example to be held sometime in late August.

THE SOVEREIGNTY OF THE PANAMA CANAL

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. BOLTON] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. BOLTON. Mr. Speaker, today I am introducing a House concurrent resolution, identical to the one sponsored by a number of our colleagues, expressing the sense and will of Congress that the Government of the United States maintain and protect its sovereign rights and jurisdiction over the Panama Canal and that the administration in no way forfeit, cede, negotiate, or transfer any of these sovereign rights or jurisdiction to any other sovereign nation or international organization.

Along with a number of my colleagues I am deeply distressed and disturbed at the recent reports that the administration has entered into a proposed treaty with Panama that would surrender U.S. sovereignty over the Canal Zone. While the House has no part in the ratification of treaties, we do have a responsibility to all of the people of the United States to safeguard their interests.

Theodore Roosevelt wrote in December 1918:

> The Panama Canal must not be internationalized. It is our canal; we built it; we fortified it, and we will protect it, and we will not permit our enemies to use it in war. In time of peace, all nations shall use it alike, but in time of war our interests at once become dominant.

These words are just as applicable today. The United States cannot discharge its responsibilities for the Panama Canal with less control and jurisdiction than that to which it is entitled under the 1903 treaty. The Panama Canal is no ordinary enterprise but a vast economic and strategic agency that can in nowise serve two masters or operate under divided authority. Over 70 percent of the Canal Zone traffic either originates or terminates in U.S. ports.

The Panama Canal has a major strategic importance to the United States—politically throughout the Caribbean and Latin America, and economically to U.S. commerce. The United States has to make certain that freedom of transit between the Atlantic and the Pacific exists for everybody. What would happen under this proposed treaty if a Nasser should become President of Panama?

It should seem clear that this proposed treaty is not in the best interests of either the United States or Panama. It will only further the ambitions of a few Panamanian politicians who have used the canal for all these years as a campaign issue to cover up the real problems of their country. Rather than solve any problems, the proposed treaty would give rise to more and very serious problems. Therefore, Mr. Speaker, I urge all my colleagues to join in expressing the will of Congress that it is for maintenance and preservation of U.S. sovereignty and jurisdiction in the strategically important Panama Canal.

FARMERS SUFFER FROM PRICE-DEPRESSING IMPORTS

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GOODELL. Mr. Speaker, once again I must call to the attention of the House the fact that another segment of the American farm community is suffering great damage because of the rising flood of price-depressing imports from abroad.

Many mink farmers—including those in my 38th Congressional District of New York—will be forced to abandon their industry unless the flow of mink pelts into the United States is limited.

I have today introduced legislation that would place a yearly quota on the imports of mink pelts that compete with domestic producers. The rate that these pelts are being imported is an alarming statistic. It is driving down the market price for American mink farmers. Last year 5.7 million pelts were imported and the average monthly rate so far this year is higher than the last.

The mink farmers in my congressional district are suffering great damage from the effects of this competition. My bill would insure that the markets would not be lost to our domestic mink farmers.

Under my bill a quota based on domestic consumption would be placed on imports of whole skins, whether or not dressed, with a duty of 50 percent ad valorem on mink imports in excess of the quota.

DR. JOHN G. SUGG, PRESIDENT, AMERICAN OPTOMETRIC ASSOCIATION

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. HAMMERSCHMIDT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to

the request of the gentleman from Texas?

There was no objection.

Mr. HAMMERSCHMIDT. Mr. Speaker, on Saturday, July 1, Dr. John G. Sugg, an optometrist from Fayetteville, Ark., assumed the leadership of organized professional optometry in the United States upon his elevation to the presidency of the American Optometric Association.

Dr. Sugg is a native of the State, having been born in Gentry, Ark., in 1922. He was graduated from high school there in 1940, after which he took three semesters of work at John Brown University in Siloam Springs, Ark., and attended the Junior College at Poteau, Okla. Following 3 years in the Navy during World War II, he enrolled in Northern Illinois College of Optometry. Following his graduation there, he established his first practice in Siloam Springs in 1950. He moved the practice to its present location in Fayetteville in 1954, and has conscientiously served his patients and his community.

Dr. Sugg has been president of the Fayetteville Junior Chamber of Commerce and president of the Rotary Club, and served a term on the Jaycees' national board of directors. He is a recipient of the Jaycees' Distinguished Service Award.

This gentleman also has served his profession in an exemplary manner, as chairman of important State association committees, president of the Arkansas Optometric Association, and in the organization of which he is now president. He was director of the department of public information of the American Optometric Association for 3 years; was elected to the AOA board of trustees in 1962, where he served as trustee for the department of optometric practice during his first 2 years on the board. He was elected vice president in 1965, and was trustee for external agencies and liaison trustee for the International Association of Boards of Examiners in Optometry during that year.

Dr. John Sugg accepted further responsibilities to his more than 14,000 colleagues in the AOA when he was designated president-elect at the annual meeting in 1966. In that capacity he functioned as trustee for the association's ad hoc committees.

His other professional affiliations include membership in the American Optometric Foundation and the optometric extension program. He is also a fellow in the American Academy of Optometry.

Arkansas is proud of this native son and father of four, who has attained the highest position which can be conferred by his fellow professionals. We wish him well in his year at the helm of this great organization, the American Optometric Association, which is devoted to provision of the best possible visual care of the American people.

DESPERATE NEEDS FOR WATER POLLUTION CONTROL FUNDING

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. Wyatt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WYATT. Mr. Speaker, during the Fourth of July congressional recess, I toured my congressional district each and every day, talking to people, discussing local problems with various groups, speaking, and attending meetings. Other than Vietnam, perhaps the greatest concern throughout my district was for the full funding of the Federal Water Pollution Control Act. My State has a good record in this field, yet much remains to be done and is being undertaken. But the State cannot do it alone. Upon my return to Washington, I found waiting for me a most eloquent plea for full funding from Kenneth H. Spies, the chief engineer of our State sanitary authority. The text of the letter will be of interest to my colleagues because it so graphically describes the problems of a State that is making a huge effort to help itself. When we are discussing $5 billion for the space program, and huge sums for highway beautification, foreign aid, and for the administrative costs of the poverty program, we must attempt to assign priorities with needs like this in mind.

The letter referred to follows:

State of Oregon,
Oregon State Sanitary Authority,
Portland, Oreg., July 7, 1967.

Re Federal grants for sewage treatment works construction.

Hon. Wendell Wyatt,
House of Representatives,
Washington, D.C.

Dear Mr. Wyatt: For the past ten years the federal grant programs authorized by PL 84–660 for assisting local communities in the financing of sewage treatment works construction has been of considerable help in the state of Oregon. Now, however, unless Congress substantially increases the appropriation for fiscal year 1968, this federal grant program may be responsible for delaying for an extended period of time the construction of many urgently needed sewage treatment projects in Oregon.

Under amendments to the Federal Water Pollution Control Act approved by Congress in 1966, a maximum appropriation of $450,000,000 for construction grants for fiscal year 1968 is authorized. Of this amount, Oregon's share would be $4,695,050. The President's budget, however, calls for an appropriation of only $200,000,000, of which Oregon is to receive $2,262,550. This will be woefully inadequate to meet the requests made by our communities.

We have just completed our compilation of the applications that we have received for fiscal year 1968 for federal grants under PL 84–660, and for state grants under the bill passed recently by the 1967 Oregon Legislature. These applications which cover 49 projects request a total of $14,324,788 in federal funds and $7,461,738 in state funds.

Enclosed for your information is a summary of Oregon's present sewage treatment works grant requirements. From it you will note that we have 7 projects that received 30% grant offers from the 1967 FY appropriation, but because they did not get under construction before July 1, 1967, they are now eligible for an increased federal grant equal to 50%, and in some cases to 55%, of the total project cost. The increases in these 7 grants amount to $833,533 which must come from the 1968 federal appropriation.

In addition, there were 2 other projects that were approved for federal grants in FY 1967, but they did not receive grant offers because of insufficient federal funds. These 2 projects will require $1,129,500 from the 1968 federal allotment. A third project (North Umpqua Sanitary District) was not approved for a grant offer in FY 1967, but its construction was started during that fiscal year and under the 1966 amendments passed by Congress it is now eligible for a 33% federal grant.

These 10 projects, which were either started or intended to be started last fiscal year, will therefore require $2,032,278 from Oregon's 1968 allotment of only $2,262,550. This leaves only $230,272 to apply toward the 39 new projects which are eligible for at least $12,292,510 in federal grants.

Even if Congress appropriates the maximum amounts authorized for the next two years ($450,000,000 in 1968 and $700,000,000 in 1969), Oregon's allotment will not be enough to fill these requests because it will total only $11,822,600.

In response to the demands of Congress and in order to do their share in abating the pollution of the nation's public waters, the Oregon communities have greatly accelerated their programs for construction of sewage treatment works. The Oregon State Sanitary Authority recently adopted water quality standards and an implementation and enforcement plan in order to comply with requirements of the Federal Water Quality Act of 1965. This plan calls for secondary treatment of all sewage wastes throughout the State within a five year period. It is hoped that these programs will not have to be delayed awaiting the receipt of federal grants. Any assistance you can give us in this matter will be sincerely appreciated.

Respectfully yours,
Kenneth H. Spies,
Secretary and Chief Engineer.

TRIBUTE TO JOHN QUINCY ADAMS

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. Burke] is recognized for 60 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, the great esteem in which John Quincy Adams is held by his countrymen is shown by such things as the recent visit to the Adams National Historic Site made by Mrs. Johnson, the First Lady, and by the fact that the late President Kennedy opened his book, "Profiles in Courage," with an account of how this great American statesman willingly risked his public career by submerging both personal and regional interests to the national good. I have expressed my own regard for the tradition of public service of the Adams family by introducing a bill which would enlarge the Adams National Historic Site.

Today, July 11, we observe the 200th anniversary of the birth of John Quincy Adams. He was born in 1767 in the North Parish of Braintree, Mass., the son of John and Abigail Adams.

Among his earliest memories were the sights of warfare and revolutionary struggle. With his mother he watched the British attack upon Bunker Hill. During his long life he took pride in the accomplishments of the Revolution and knew his greatest satisfaction in observing the growth and achievements of the American Republic.

In February of 1778, at the age of 11, he accompanied his father on a brief diplomatic mission to France. In June 1779, they left on a second mission to Europe, the negotiation of a treaty of peace with Great Britain. On this voyage, young John Quincy Adams began the diary which he continued with minor interruptions until a few years before his death in 1848. Prof. Samuel Flagg Bemis has said of this diary that it is "the greatest personal record ever set down by anyone in the United States."

In it are described the men and events of the early years of our beloved country as seen by one of America's finest statesmen. Only the high points can be mentioned in the brief sketch of his distinguished career that I can offer on this occasion.

He was graduated from Harvard College in 1787 and then studied law for 3 years in the Newburyport office of a lawyer who later became chief justice of Massachusetts. Adams then practiced law, wrote politically controversial newspaper articles, and in 1794 was appointed the American representative to the Netherlands. He served in a similar post in Berlin. In 1801 he resumed his law practice in Boston.

In 1802 he was elected to the Massachusetts Senate. In February of 1803 he was elected a U.S. Senator by the Great and General Court of the Commonwealth. In many of the stands that he took as a U.S. Senator he earned the wrath of the Federalist Party, and his Senate career came to an end in 1808. He had previously been appointed Boylston professor of rhetoric and oratory at Harvard, where he now concentrated all his energy and ability. Despite his disagreements with the Federalists, he was not a Republican. Neither did he fully support the Republican administration, and he refused a Republican offer of a congressional nomination. Suffering the fate of many independents of that period and of later ones, he was regarded with suspicion by both parties.

When James Madison became President of the United States, he appointed Adams the American representative at the Russian court. Adams participated in the peace negotiations with Britain after the War of 1812, and was then appointed American Ambassador to Great Britain, serving in a post his famous father had once occupied with great distinction.

In 1817 he was invited by President Monroe to serve as Secretary of State. The most important negotiation conducted by Adams in this important Cabinet post was the treaty for the cession of Florida by Spain to the United States. While the Spanish treaty was in the making, Missouri applied for statehood and a struggle arose on the issue of the exclusion of slavery. Adams approved of the Missouri Compromise. He believed that the measure excluded slavery in territories and States formed in the area north of the dividing line. He saw clearly that the principle involved in the Missouri Compromise had momentous possibilities that might even lead to the dissolution of the Union. To him the controversy over Missouri was the "title-page to a great tragic volume." His opposition to slavery was strong, and in his diary he noted that a life devoted to the problem of emancipation would be one "nobly spent or sacrificed." In foreign affairs, the Monroe Doctrine, enunciated by President Monroe on December 2, 1823, owed much to the influence of Adams as Secretary of State.

As the presidential election of 1824 approached, Adams was one of four candidates. The office of Secretary of State which he occupied had by custom come to be regarded as a steppingstone to the Presidency. During his term as Secretary, however, Adams had done very little in practical ways to advance his prospects. When the returns were in, Jackson had received 99 votes. Adams 84, Crawford 41, and Clay 37. Support for Adams had come from New York and the New England States. With Crawford seriously ill, the decision in the House of Representatives rested with the supporters of Clay. Clay's dislike of Jackson made him support Adams. Adams received the votes of 13 States to Jackson's seven.

In his inaugural address, Adams stated a broad plan of internal improvements for the country. In his annual messages, he set forth his ideas for directing the powers of the Federal Government toward improving arts and sciences, and for establishing a national university, astronomical observatories, and other enterprises and activities designed to improve the general welfare.

Opposition took shape in Congress. A majority of those elected to Congress in the middle of his presidential term were opposed to Adams. In the bitter presidential election of 1828 he was defeated by Jackson. He returned to Massachusetts where he expected to remain in retirement in Quincy. The people of the Plymouth congressional district had other plans for him, however, and he was elected as their Representative to the 22d Congress by a large majority. He was reelected for eight successive Congresses, serving for 17 years less 10 days. Neither before nor since has a Member sat in the House of Representatives who possessed so rich and varied an experience as he did. He was a former President who had an insider's knowledge of the political history of 40 years both at home and abroad.

He was industrious and conscientious in discharging his duties as a Member of the House of Representatives. He served on many important committees and prepared reports which covered a great number of the issues of public policy of his time. As a debater he was listened to with respect and sometimes with fear. His integrity was unquestioned, his information was vast and ready, and his manner of speech was direct, forceful, and sometimes caustic.

On September 17, 1842, Adams gave to his constituents a full statement of his conduct during his service in the House of Representatives in the form of a study of the administrations of the successive Presidents of the period. It was called "An Address of John Quincy Adams to His Constituents of the 12th Congressional District." He described his conception of what the South and the slave power had done and had wished to do, and the extent to which their policies had been aided by a sacrifice of principle by the North. It was the last political document of importance prepared by Adams, and vividly recapitulated 12 years of American politics at the national level as seen by a leading participant.

On November 19, 1846, he was stricken with paralysis while walking in Boston, but recovered enough to take his seat in the House on February 16, 1847. One year later, on February 21, 1848, just after he had responded to the call of his name in the House Chamber, he suffered a second stroke. He was carried to the Speaker's room in the Capitol, and died there on the evening of February 23.

The next day, the Speaker officially announced to the assembled House Members the death of their venerated fellow Member. Eulogies followed, and the Members of the House unanimously agreed that a committee of one Member from each State and territory of the Union should be appointed to escort the remains of their esteemed colleague, the Honorable John Quincy Adams, to the place designated by his friends for his interment. Thomas Hart Benton said of him in the Senate:

> Wherever his presence could give aid and countenance to what was useful and honorable to man, there he was. Where could death have found him but at the post of duty?

The funeral ceremonies in Washington and elsewhere assumed the proportions and significance of a national pageant. Thousands filed past his coffin as it lay in a committee room of the House of Representatives. On Saturday, February 26, from sunrise to noon, cannons were fired in salute to the departed statesman. At 10 minutes before noon, the Speaker called the House of Representatives to order. The President of the United States entered and took his place at the right hand of the Speaker. Then came the Justices of the Supreme Court, senior officers of the Army and Navy in full uniform, the diplomatic corps in formal attire, all taking their seats in order right and left of the aisle in front of the rostrum. The Senate followed, the Vice President taking his place at the Speaker's left. Finally, the son of the deceased, Charles Francis Adams, other members of the family, and close friends came in and seated themselves in a row reserved for them. Then, after a prayer, entered Senators Webster and Davis of Massachusetts, preceding the coffin.

On a catafalque in the space directly in front of the Speaker rested the mortal remains of John Quincy Adams. The silver-mounted coffin bore a plate with an inscription that had been written, at the request of the Massachusetts delegation, by Daniel Webster. It read:

> John Quincy Adams, born an inhabitant of Massachusetts, July 11, 1767, died a citizen of the United States, in the Capitol, at Washington, February 23, 1848, having served his country for half a century, and enjoyed its highest honors.

The Chaplain of the House preached a funeral sermon. A choir sang a closing hymn, and the cortege moved out of the Capitol through the east front, joining a civic funeral procession which had been formed at the portico.

Not since the city of Philadelphia had paid similar homage to its beloved Benjamin Franklin had there been such public testimony to a deceased American statesman. The funeral procession that honored John Quincy Adams reflected the nature of his 60 years of public service, years that extended from the American Revolution to the end of the Mexican War. Slowly the procession moved out of the Capitol Grounds on its way to the Congressional Cemetery to which Adams in his lifetime had accompanied so many of his friends and colleagues.

First marched the military companies of Washington with a funeral band. Many times had Adams reviewed them in the District of Columbia.

Then came the Chaplains of the House and Senate, and the clergy of the District. In his day, Adams had worshiped at all the churches of Washington and had been personally acquainted with most of their pastors.

Next followed the Committee of Arrangements, composed of one Member of the House from each State and territory. Young Abraham Lincoln represented the State of Illinois.

A Committee of Escort similarly represented the States and territories. Then came the funeral carriage, flanked by 12 honorary pallbearers, including John C. Calhoun. Adams had known Calhoun as a friend and colleague during his Presidency, and had argued with him many times. Each had thought ill-natured things about the other in the heat of political controversy, yet each had respected the other as a man and a statesman.

The family, represented by Charles Francis Adams and Mary Hellen Adams, followed in carriages after the hearse. After them came the Sergeant at Arms of the House and the Members of the House, preceded by the Speaker and the Clerk. Behind the House were the Senate and its officers in corresponding order.

After the Congress, marched the President of the United States, James Polk. The Justices of the Supreme Court followed. President Madison had appointed Adams to the Court, but Adams had declined the office.

Next came the foreign diplomatic corps. Adams had been America's greatest diplomat during the first half century of our independence when were laid the foundations of American foreign policy.

Finally followed a procession of Government officials, military and naval officers, members of State legislatures, the Corporation of Washington, the Columbia Typographical Society, the faculty and students of Georgetown College and of the Columbian College, and members of literary institutions, fire companies, and other organizations and societies of the District of Columbia. With all of these Adams had had close and friendly relationships during his many years in the Nation's Capital.

Following these national honors the body rested temporarily in the tomb of the Congressional Cemetery pending its conveyance to Quincy. A week after the ceremonies at Washington, the Committee of Escort entrained to take John Quincy Adams back to Massachusetts.

John Quincy Adams' death at his post of duty touched the imagination of his countrymen as nothing had since the deaths of John Adams and Thomas Jefferson on the 4th of July in 1826, the 50th anniversary of American independence. People sensed in a dramatic way the breaking of the last personal link between the Founding Fathers and the men of a new and uncertain era. All along the funeral train's route, flags were at half-mast. Business was suspended in the towns where the funeral party stopped for local tributes. Along the countryside people stood with bowed heads as the train passed by with its black-draped car. The Nation experienced an outpouring of eulogies, elegies, obituaries, requiems, odes, poems, orations, sermons, resolutions, biographical sketches, anecdotes, reminiscences, and editorials in praise of the venerable Yankee patriot and public servant. Newspapers printed selections from his verse, quotations from his letters and his sayings, illustrations of his steady habits, and statements of his religious opinions. The obsequies developed into what amounted to a countrywide ceremony, a rejoicing that the Republic should have produced such a great and honorable man and so notable a Christian as John Quincy Adams.

Boston, which would not make John Quincy Adams wholly her own while he lived, now took him to herself in death. Upon news of his passing, the Massachusetts Legislature, which four times had declined to elevate him from the U.S. House of Representatives to the U.S. Senate, listened to eulogies and passed resolutions extolling his republican simplicity of manners, his elevated morals, his Christian virtues, and his reverence for religion and its institutions:

> With melancholy pleasure, we behold such a public servant, when summoned to his final account, falling at the post of his duty.

Bostonians thronged the streets when the funeral train arrived. A distinguished local committee received the escort, and amid tolling bells took the coffin to Faneuil Hall, where many were waiting in mourning. Conspicuously placed inscriptions listed the State and National posts that Adams had held from boyhood through old age. Over the entrance to Faneuil Hall, grasped in an eagle's beak, was a placard:

> This is the last of Earth—I am content.

Beneath:

> John Quincy Adams, aged 81, Born a citizen of Massachusetts. Died a citizen of the United States.

Between the galleries above the auditorium were these words of George Washington in 1797:

> John Quincy Adams is the most valuable character we have abroad and the ablest of all our diplomatic corps.

Adams' onetime enemy and later friend, Joseph T. Buckingham, State senator from Middlesex County, who had delivered a eulogy in the legislature, received the body from the congressional committee and consigned it to Mayor Josiah Quincy of Boston for delivery to the townsmen of Quincy. Adam's lifetime friend, Mayor Quincy, said:

> This is no mere pageant. The spots on which this bier rests on its journey to the grave will not be marked by visible tokens . . . but associations and recollections shall cluster there, inspiring the living with the spirit of the dead; and, should the time ever come when distance and difference of interest shall seem for a moment to weaken the bonds of the Union, we will remember that our sister States sympathized with us in our grief as readily as their fathers rushed to our assistance in peril.

Tomorrow, he said, the townspeople of Quincy would mourn the loss of a fellow citizen not so much as a statesman but as a friend:

> He will be "gathered to his fathers," and how great is the significance of the expression. When again shall the tomb of a President of the United States open its doors to receive a son that has filled the same office?

All that was mortal of Massachusetts' illustrious son remained in the Cradle of Liberty until the following day, when escorting committees, National, State, and municipal, entrained for Quincy. There a town meeting had already adopted resolutions of affection and respect "to the truthful expositor of the principles upon which our republican institutions are based, a champion of the universal rights of man, and a promulgator of those ideas of human freedom shadowed forth in the Declaration of Independence and destined yet for a long time to agitate the world, till the rights of man, as man, are everywhere fully and practically acknowledged."

A marshaled procession of town fathers and Norfolk County officers met the State and National escorts at the then new railroad station.

After a brief repose at the Adams Mansion, they followed the remains to the Stone Temple, under a final salute of gunfire from atop Penn's Hill, where the boy John Quincy Adams and his mother, Abigail, had watched the Battle of Bunker Hill across Back Bay. Amid the tears of old friends and neighbors, the pastor, William Lunt, preached a moving sermon based on a text from Revelation 2:10:

> Be thou faithful unto death, and I will give thee a crown of life.

Then Adams' neighbors carried his remains to the family tomb that he himself had prepared in the churchyard.

Perhaps the best epitaph to the memory of John Quincy Adams was the one that his son Charles placed on the front wall of the Unitarian Church in Quincy:

> Near this place reposes all that could die of John Quincy Adams, son of John and Abigail Smith Adams, sixth President of the United States. Born 11 July, 1767, amidst the storms of civil commotion, he nursed the vigor which nerves a statesman and a patriot, and the faith which inspires a Christian. For more than half a century, whenever his country called for his labors, in either hemisphere or in any capacity, he never spared them in her cause. On the twenty-fourth of December 1814, he signed the second treaty with Great Britain which restored peace within her borders; on the twenty-third of February, 1848, he closed sixteen years of eloquent defense of the lessons of

> his youth by dying at his post in her great national council. A son worthy of his father, a citizen shedding glory on his country, a scholar ambitious to advance mankind, this Christian sought to walk humbly in the sight of his God.

Mr. McCORMACK. Mr. Speaker, on this July 11, we observe the 200th anniversary of the birth of one of the greatest sons of Massachusetts, and one of our outstanding Americans, John Quincy Adams.

He was born in 1767 in the North Parish of Braintree, the son of John and Abigail Adams. He was the only son in American history to occupy the great office which his father had won before him, the Presidency of the United States.

He served his country for many years and in many different roles. He accompanied his father when the treaty of peace was negotiated which ended the Revolution. He was an American representative in the negotiations which terminated the War of 1812.

He served as an Ambassador to Great Britain, as a member of the Massachusetts Senate in 1802, and as a U.S. Senator from Massachusetts from 1803 until 1808. He was the American representative to the Government of the Netherlands.

George Washington said of his diplomatic activities:

> John Quincy Adams is the most valuable character we have abroad and the ablest of all our diplomatic corps.

John Quincy Adams was appointed Secretary of State by President Monroe. The Monroe Doctrine of December 2, 1823, was in large measure the result of the labors of Adams as Secretary of State.

He won the Presidency in 1824 in an election contest decided in the House of Representatives. His inaugural address contained a masterful plan for American internal improvements; and in foreign affairs he was a master.

After the strenuous presidential election campaign of 1828, and the election of Andrew Jackson, he returned to his beloved home in Quincy, Mass., where he expected to enjoy the retirement from public affairs to which he had long aspired. Yet he was not permitted by the voters of the Plymouth congressional district to remain inactive. He was elected by them to the U.S. House of Representatives beginning with the 22d Congress, and was reelected to the next eight Congresses, serving for almost 17 years before his death on February 23, 1846. It was in the House of Representatives that John Quincy Adams made a major part of his most notable record.

His death, universally lamented, came as he was at work in the Chamber of the House of Representatives in which he had served with such distinction. He was the only former Chief Executive in our history who served in the House after his presidential term.

Mr. PHILBIN. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. PHILBIN. Mr. Speaker, I commend and congratulate the gentleman in the well for the very brilliant and exhaustive and illuminating and impressive and eloquent address he has delivered on one of the great leaders of American history, John Quincy Adams. I recognize that the distinguished gentleman in the well of the House, my good friend the Honorable James Anthony Burke, has the great honor and privilege of representing the district that was once represented by the great President John Quincy Adams. I might say he is an illustrious successor of a very illustrious Member of the Congress and a very illustrious President.

I feel anything I might say with respect to the contributions to our country of one of our great forebears might be like carrying coals to Newcastle, but nevertheless I want the gentleman to know how much I appreciate hearing this and how very impressive his remarks were regarding this great American. I associate myself with his remarks and the analysis and recital the distinguished gentleman has made about John Quincy Adams.

Mr. BURKE of Massachusetts. I thank the gentleman for his contribution.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Massachusetts. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I join the distinguished gentleman from Massachusetts and my fellow member on the Committee on Armed Services in commending the gentleman in the well for this timely and most appropriate recognition of our sixth President.

John Quincy Adams has long been one of my favorites in history. I am constantly impressed, as I walk the halls of this Capitol, that he once walked here. I oftentimes go to the place in the old House Chamber, now Statuary Hall, where he always resided. Rumor and story are that he had a certain place where he could overhear, because of the acoustic effects, the Members of the opposition in their plans and strategy sessions.

Most of all, however, John Quincy Adams was recognized by the first Senator from Missouri, elected by the Missouri Assembly and known now as a magnificent Missourian in book and recorded prose.

At the risk of tittering when greater larks sing on high. I would like to join the gentleman, because I think John Quincy Adams' greatest contribution was the fact that he recognized that in a representative republic it was perhaps as great an honor to represent the people in this body as it was to be elected as the Chief Executive Officer. He served in the House of Representatives after having served as the sixth President of the United States. I certainly compliment the gentleman in the well. I wonder oftentimes whether we fail to appreciate the fact that such great men in history have walked these same halls where the gentleman in the well and others of us strive mightily to emulate our predecessors. I thank the gentleman for what he has brought to the body today.

Mr. BURKE of Massachusetts. I thank the gentleman for his contribution.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Massachusetts. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, I want to add my commendation to the gentleman in the well for bringing this to the attention of the House. I believe in my first study of history I felt a great sense of disappointment that John Quincy Adams was elected rather than "Old Hickory," Andrew Jackson. But I have since recovered from that and, following the illustrious career of the great President Adams and also following the illustrious career of the gentleman who is now in the well, who represents the same district, I share the sentiments of all those who honor John Quincy Adams for his great service to the State of Massachusetts and to the Nation.

Mr. BURKE of Massachusetts. Mr. Speaker, I thank the gentleman for his contribution.

Mr. IRWIN. Mr. Speaker, I would like to join my colleagues in the House in calling attention to the important anniversary occurring on this date—the birth 200 years ago of John Quincy Adams, destined to become the sixth President of the United States.

John Quincy Adams was the famous son of a famous family—a man who gave most of his life to dedicated service for his country.

He was a man who served in the House of Representatives from the great Commonwealth of Massachusetts for nearly 17 years. He was a man who rose to the high office of President of the United States—a man who after losing presidential reelection in 1828 nevertheless continued to serve his country by returning to the House of Representatives until his death in 1847.

But John Quincy Adams also served his country in other ways than as an occupant of the White House or a Member of the House of Representatives.

In 1794, he served with great distinction as the American representative to the Netherlands and later in a similar post in Berlin.

He was a member of the Massachusetts Senate in 1802 and 1803 when the people of his State via the Great and General Court of the Commonwealth sent him to the U.S. Senate.

In 1817, John Quincy Adams was invited by President Monroe to become Secretary of State, an office he held until he was himself elected to the Presidency.

John Quincy Adams was a great statesman, a great patriot, and a great American who represented a congressional district in Massachusetts now represented by an equally outstanding American, an equally great statesman and patriot—my distinguished colleague and good friend, the Honorable James A. Burke.

Mr. ANNUNZIO. Mr. Speaker, I am happy to associate myself with the remarks of my distinguished colleague from Massachusetts, the Honorable James A. Burke, who has requested a special order today to commemorate the 200th anniversary of the birth of John Quincy Adams.

It is indeed appropriate that we observe this anniversary, for John Quincy Adams was the sixth President of the

United States from 1825 to 1829. All of us are familiar with the contributions of this great American patriot, soldier, and statesman who served his country in the diplomatic service, as Secretary of State, in his State legislature in Massachusetts, in the U.S. House of Representatives, in the U.S. Senate, and as President of our wonderful country.

His whole life was dedicated to public service, and his sincerity and dedication of purpose in the best interests of the people of America were evidenced time and time again during his career. Indeed, our sixth President's depth of feeling for his beloved country can best be expressed in his own historic words when he delivered his inaugural address on March 4, 1825:

> Intentions upright and pure, a heart devoted to the welfare of our country, and the unceasing application of all the faculties allotted to me to her service are all the pledges that I can give for the faithful performance of the arduous duties I am to undertake.

My distinguished colleague, Congressman BURKE, represents the same congressional district of Massachusetts which John Quincy Adams represented so ably for nearly 17 years. Mr. Burke was elected to the 86th Congress, and was reelected to the 87th, the 88th, the 89th, and the 90th Congress. His outstanding service on the House Ways and Means Committee and in the Congress have merited the admiration and confidence of both his colleagues and his constituents. It is indeed a privilege to serve in this body with my distinguished colleague from Massachusetts who is continuing to serve his country in the same noble and lofty traditions established by his predecessor, John Quincy Adams.

It is my pleasure to join in this commemoration of the 200th anniversary of the birth of a great American—John Quincy Adams.

Mr. KYROS. Mr. Speaker, John Quincy Adams, diplomat, Senator, Congressman, and President of the United States, created one of the most remarkable and valuable careers in the service of this Nation ever recorded. Although we are now commemorating the 200th anniversary of his birth, his place in history has not been eroded, his brilliant contribution has not been dimmed.

Had his service to the country been limited to his diplomatic efforts, his skillful handling of American affairs in the Netherlands and Russia, and his talent as a negotiator at the peace conference with England after the War of 1812, his work would be memorable. Had his single term as U.S. Senator been his only public role, with his stanch defense of the Louisiana Purchase and his courageous support of President Jefferson's measures of retaliation against overbearing Britain, that too would have been memorable.

Had his presidential term, at the outset of America's industrial development and western expansion, during which John Quincy Adams worked diligently for advancement in those areas, been his final accomplishment, it would have been a memorable climax to an outstanding career of public service.

But, weary and frustrated, John Quincy Adams answered once again the call of his fellow citizens and returned to Washington as U.S. Congressman; there to write perhaps the most outstanding chapter of his career. For as Congressman Adams, the aging statesman became the forceful advocate of a firm foreign policy by opposing the cavalier French attitude toward its obligations to this Nation, and of fiscal responsibility by supporting the controversial Bank of the United States. Most important, John Quincy Adams spoke out, virtually alone, against the notorious "gag rule" which suppressed the political activities of those who opposed slavery. Year after year he ceaselessly attacked the tactics of those who preferred the old order to civil liberty.

John Quincy Adams' probity and strict integrity, his courage and unflinching independence, enfused his campaigns to promote the national interest above those of State and party. His vision and endurance, his steadfast refusal to desert a cause he thought right are qualities that serve as a model for those who have followed him into public service.

John Quincy Adams, in public office for most of his six adult decades, has earned a place in history as a magistrate who sacrificed all for his country and his conscience.

Mr. CONTE. Mr. Speaker, it is with a considerable feeling for history that I rise today to join Congressman BURKE in honoring the 200th anniversary of the birth of John Quincy Adams, of Massachusetts.

A distinguished son of one of America's most fervent Revolutionary families, he helped to perpetuate a dynasty which for well over a hundred years has continued to provide the Nation and the Commonwealth of Massachusetts with thoughtful, sensitive, and intelligent leadership. As Secretary of State, as President of the United States, and as a Member of this great deliberative body he contributed mightily to the successful growth and development of the United States.

John Quincy Adams was a frequent visitor to my own district in western Massachusetts. On one such visit he wrote that the view from Pocumtuck Mountain overlooking historic Deerfield "is a view unexcelled by none, not excepting the Bay of Naples." So like an old friend and with a profound admiration for his unusual intellectual attainments, I join with my distinguished colleague from the eastern part of the Commonwealth in paying this tribute to John Quincy Adams whose greatness in history is secure and in recent years ever growing.

Mr. BROOKS. Mr. Speaker, Massachusetts has produced many great patriots and leaders, among them President John Quincy Adams, our sixth President.

The 11th District of Massachusetts has been particularly blessed in that it was represented here in Congress by President Adams for almost 20 years. On this day, the 200th anniversary of the birth of that great American, we salute the great State of Massachusetts and its outstanding Representatives both past and present.

The 11th District at present is represented by a man well qualified to serve in the tradition of his illustrious predecessor. Our colleague, JAMES A. BURKE is a highly respected and effective Member of this body. We who have the pleasure of serving with him congratulate the people of his district on their excellent choice and good judgment in sending such a capable and dedicated person to represent them in the U.S. House of Representatives.

Mr. MORSE of Massachusetts. Mr. Speaker, I am delighted that my distinguished colleague, the gentleman from Massachusetts [Mr. BURKE], has taken this time today in recognition of the 200th anniversary of the birth of John Quincy Adams, our sixth President and for nearly 17 years a Member of this body. Massachusetts can be justly proud of a number of statesmen who helped forge the foundations of our freedom. Certainly, no family was more distinguished than the Adams. Two Presidents and numerous other public figures from the Commonwealth have carried the famous name of Adams right into our own time.

It was a measure of the esteem in which John Quincy Adams was held that the people of his congressional district returned him to the U.S. House of Representatives after his unsuccessful bid for reelection against Andrew Jackson in 1828. With characteristic Yankee stubbornness his constituents insisted on retaining the benefits of his public service, even though the country as a whole had failed to return him to office.

The long and active career of public service of John Quincy Adams reminds us of the statement of another famous Adams, Samuel Adams who, a month after the signing of the Declaration of Independence, said:

> I ask no greater blessing than to share with you the common danger and the common glory.

In marking the birth of John Quincy Adams today, we also mark a notable tradition of public service.

Mr. KEITH. Mr. Speaker, for almost 17 years the 12th Congressional District of Massachusetts was represented in the U.S. House of Representatives by one of the outstanding statesmen of early American history. Following his defeat in the bitter presidential election of 1828, John Quincy Adams, the able if controversial sixth President of the United States, was pressed into service by the people of the Plymouth Congressional District. Although population changes have altered the makeup of the 12th District, much of that original district remains in my congressional district, and I am particularly honored to join my colleagues today in paying tribute to my predecessor.

John Quincy Adams, who was born just 200 years ago today, served his Nation and his constituency conscientiously and tirelessly. One of the ironies of history is that this dedicated statesman was not fully appreciated until his death at the age of 81. When the Nation learned of his death following a fatal stroke in the House Chamber, however, John Quincy Adams was accorded the highest honors and praise. Eulogies, orations, and obituaries in acclaim of the venerable public servant flooded the Nation. Even the Massachusetts Legislature, which had four times refused to elevate the Congressman from the 12th District to the rank of U.S. Senator, passed resolutions extolling his manner, his morals, and his virtues.

Mr. Speaker, if John Quincy Adams was not accorded as much respect, love, and admiration as his 60 years of public service merited while he lived, at least his fellow countrymen realized upon his death that America had lost one of its outstanding statesmen. I am indeed awed at the thought that such a man was my predecessor in the U.S. House of Representatives—awed, and more than a bit inspired by the example of this illustrious son of Massachusetts and the United States of America. John Quincy Adams was, as his son declared in the epitaph on the front wall of the Quincy Unitarian Church, "a son worthy of his father, a citizen shedding glory on his country, a scholar ambitious to advance mankind."

Mrs. HECKLER of Massachusetts. Mr. Speaker, July 11 marks the 200th anniversary of the birth of John Quincy Adams of Braintree—Quincy—Mass.

The people of the United States best remember him as the sixth President of the United States, following James Monroe and preceding Andrew Jackson. My colleagues may remember that the House of Representatives voted him into the Presidency following his failure to win an electoral college majority over Henry Clay and Andrew Jackson. The people of Massachusetts also remember that John Quincy Adams served with distinction in the Senate and in the House of Representatives. However, many people may forget that John Quincy Adams also served as a major policymaker with great distinction in James Monroe's Cabinet.

Prior to his appointment as Secretary of State, John Quincy Adams served as American Minister to the Netherlands, Prussia, England, and Russia. His careful study of European politics led him to believe that the security of the fledgling United States lay in the development of a strong republican form of government, necessary to counteract the aggressive power and intentions of the European nations. As Secretary of State, 1817 to 1824, he successfully continued his advocation of a strong Union despite the opposition of the "weak constructionists." This opposition later hampered his efforts as President.

Mr. Speaker, his efforts to form a strong Republic are best illustrated by the policy position adopted during his tenure as Monroe's Secretary of State. In successfully advocating the purchase of Florida and the prohibition of slavery in most of the Louisiana Territory, despite the opposition of the "weak constructionists," he strengthened the development of Presidential power, necessary for a strong Union. With full realization of the security requirements of our country and the significance of this country to independence movements in Latin America, he became the principal architect of the Monroe Doctrine. This doctrine and the foreign policy aspects of Washington's "Farewell Address," have served since as the historical premises of American foreign policy.

Truly, the pinnacle of public acclaim and personal achievement for John Quincy Adams was his election to the Presidency. However, I believe that his successful efforts in Monroe's Cabinet produced the most lasting effects for the development of our republican form of government. There is no question in my mind that in word and deed this great patriot and son of Massachusetts provided essential cornerstones for our Union which emerged greatly strengthened from the test of the Civil War.

John Quincy Adams, like Abraham Lincoln, was concerned with the preservation of this Union, "the last, best hope of earth."

Mr. BOLAND. July 11 is the 200th anniversary of the birth of John Quincy Adams, a truly great son of the American Revolution and of Massachusetts. When he was born in 1767, the son of John Adams and Abigail Smith Adams, the stirring events that were to lead to our national independence were the concern of Americans throughout the colonies. With his mother he witnessed the Battle of Bunker Hill as a boy, watching the patriots of the Boston area subdue the power of the mighty British Army. With his father he traveled to the peace negotiations which ended the War of Independence with the triumph of American arms.

He served his beloved country for many years, always with a full measure of devotion and intelligence. He was our ambassador to Great Britain and to the Netherlands. He was a U.S. Senator from the Commonwealth of Massachusetts. He was Secretary of State under President Monroe, and helped in formulating and drafting the famous Monroe Doctrine which was enunciated in a message of December 2, 1823.

As the sixth President of the United States, Adams wisely guided his country in domestic and foreign affairs. After his Presidential term he served his Massachusetts constituents for almost 17 years as their Representative in the U.S. House of Representatives.

He died while still active in the affairs of that House and of the Nation. His death brought forth expressions of admiration for him and his record of public service from all parts of that country which he had served so well. In observing the anniversary of his birth, we pay respect to the memory of one of our country's greatest men.

Mr. ST. ONGE. Mr. Speaker, today marks the 200th anniversary of the birth of John Quincy Adams, sixth President of the United States. I would like to join with our distinguished colleague from Massachusetts, the Honorable JAMES A. BURKE, in paying tribute to an American who dedicated his life to his country.

Adams started his career in government in 1782, at the age of 15, when he joined his father in Paris and acted as an "additional secretary" to the American commissioners negotiating the peace treaty concluding the War of Independence. He then returned to the United States to attend law school, after which he opened a law office in Boston. Adams wrote a series of papers controverting some of Thomas Paine's doctrines in the "Rights of Man," and later another series which supported the administration's neutral policy toward England and France. Soon after these writings, President Washington appointed him Minister to the Netherlands and other posts followed later.

In 1802, John Quincy Adams was elected to the Massachusetts Senate, and the following year he was sent to Washington as a U.S. Senator. He was not a strict party man, and his support of the 1807 embargo, recommended by Jefferson, met extreme opposition which ultimately resulted in the naming of a successor to his Senate seat.

President Madison appointed Adams as one of the American commissioners to negotiate a treaty of the War of 1812. The result was the Treaty of Ghent in 1814.

He served as U.S. Minister to England, and subsequently in 1817 became Secretary of State in President Monroe's Cabinet. The Monroe Doctrine, which dramatically has affected U.S. foreign policy since its formulation in 1823, was primarily the work of John Quincy Adams during his term of office as Secretary of State.

The 8 years of Monroe's Presidency are known as the "era of good feeling." As his second term drew to a close, the era of good feeling among his official advisers ended rapidly. Adams; Calhoun, the Secretary of War; and Crawford, the Secretary of the Treasury, each aspired to succeed him. In addition, Henry Clay and Andrew Jackson were also candidates for the Presidency.

No candidate received a majority of the electoral votes, however, and the election was taken to the House of Representatives where Adams was elected President after Henry Clay had given him his support. In return, Adams named Clay the Secretary of State. Unjust charges of "bargain and corruption" followed, and the feud thus created between Adams and Jackson greatly influenced the history of the United States.

Adams served only one term in the Presidency, from 1824 to 1828. He was defeated in his bid for a second term by Andrew Jackson. After 2 years of private life, Adams once again decided to return to public service. In 1830 he was elected to Congress where he served until his death in 1847. It was said that in some respects his service in Congress was the most noteworthy part of his career. While in Congress he was an avid opponent of the extension of slavery and the champion of the right of petition. His prolonged fight for the repeal of the so-called "gag laws" was one of the most dramatic contests in the history of this body. Adams contended that these gag rules were a direct violation of the first amendment to the U.S. Constitution and refused to be silenced on the question. When it was suggested to him that his acceptance of this position would degrade an ex-President, Adams replied that no person could be degraded by serving the people as a Representative in Congress.

Mr. Speaker, John Quincy Adams had a distinguished career of service to his country. Few men in American public life have possessed more intrinsic worth, more independence, more public spirit, and more ability than the man we honor today on the occasion of the bicentennial of his birth. He well deserves this honor as a great statesman and leader of our country during the early and formative years of our Nation.

Mr. BATES. Mr. Speaker, I am very pleased to join with my distinguished colleague the gentleman from Massachusetts [Mr. BURKE] in recognition of the 200th anniversary of the birth of John Quincy Adams, a great servant of both my State and my Nation.

I gladly pay tribute to an outstanding son of Massachusetts who served his State and his country with great distinction over a long and illustrious public career. John Quincy Adams eagerly applied his abundant talents to a number of elected positions. Our Nation is better for having had the benefit of his energy and his wisdom at a vital phase of its development.

Many people remember John Quincy Adams principally for his term as the sixth President of our United States. He served that noble position ably. Those of us who serve in the House of Representatives, however, feel a special kinship with him because no one exemplified more the lofty position of the House of Representatives in our governmental structure than the man we honor today. By his action in serving in our distinguished body, after his term as President, John Quincy Adams demonstrated clearly his appreciation for the coequal standing of the independent branches of the Government. This principle of independence and equality of stature is one of the most valuable foundations of our Republic.

Once again I thank the distinguished gentleman of the House of Representatives for permitting me, on this occasion, to offer this tribute to the memory of a distinguished American.

Mr. HALPERN. Mr. Speaker, on July 11 we celebrate the 200th anniversary of a great American who served for almost 17 years in the House. John Quincy Adams is known to most Americans as the sixth President of the United States. Few know that after his Presidential term he came to the U.S. House of Representatives where he served both his district and his country with all his great ability, all his vast energy, and all his broad experience of men and issues.

He was born in 1767 in Braintree, Mass., where the revolutionary enthusiasm that would lead eventually to the assertion of American independence from England was strong indeed. With his mother, Abigail Smith Adams, young John Quincy Adams even watched a battle of the revolution being fought, the battle of Bunker Hill. He was a true son of the Revolution, just as he was a true son of that doughty patriot, John Adams. In all of our long history, John Quincy Adams was the only son of a President of the United States to himself become President.

On February 13, 1778, as a boy of 10, John Quincy Adams boarded the frigate *Boston* with his father who has been named one of three commissioners to negotiate a treaty with France. John and John Quincy Adams arrived in France when American prestige was almost entirely lacking. By the careers of both father and son that prestige became a force to be feared in the councils of the great powers of the world of their eras.

John Quincy Adams was graduated from Harvard College in 1787 and then studied law for 3 years. He practiced his profession, wrote political articles for newspapers, and received an appointment in 1794 as the American representative to the court of the Netherlands. After serving as the American representative in Berlin he returned to Boston to practice law.

He was elected to the Massachusetts Senate in 1802. The following year he was elected by the Massachusetts Legislature to be a U.S. Senator, and served until 1808. Then came energetic service to his alma mater, Harvard, as a professor of rhetoric and oratory. He left academic life to serve his country once again when President Madison named him the American representative to the Russian Government. Adams served as a member of the group which negotiated a treaty with Britain ending the War of 1812 and as Ambassador to the Court of St. James.

He became Secretary of State in the Monroe administration, directed the negotiations by which Florida was ceded to the United States by Spain, and was responsible in large measure for the principles embodied in the Monroe Doctrine.

As President of the United States from 1824 to 1828 he served his beloved country with determination, skill, and foresight. Returning to his Massachusetts home after his Presidential term, he found that his services were again required by his friends in the Plymouth Congressional District. To both his constituents and his country he rendered distinguished service for almost 17 years as the only former President of the United States to serve in this body.

We salute his name and memory on this 200th anniversary of his birth.

Mr. O'HARA of Illinois. Mr. Speaker, I commend my able and warmly esteemed colleague from Massachusetts [Mr. BURKE] for his special order commemorating the 200th birthday of the sixth President of the United States and a former Member of the House of Representatives, John Quincy Adams.

My joy in participating in this occasion is a very personal one. Victoria Adams, a lineal descendant of John Quincy Adams, was a high school teacher in the city which is my home and which I love, Chicago. Victoria Adams taught American history at Calumet High School, in the district adjoining the second, which I have the honor to represent. Moreover, Victoria Adams spent her last days in the Second District and she was well known at the University of Chicago.

After her death, her will disclosed that Victoria Adams had willed her fortune of $85,000 to the University of Chicago to establish scholarships in American history for the students of Calumet High School.

John Quincy Adams was a great American. He was Secretary of State in the Cabinet of President Monroe and gave dynamic force and drive to the Monroe Doctrine. He was elected President of the United States by the House of Representatives, of which later he was a Member and in which he died in his 81st year. The couch upon which he died is now preserved in the office of the Clerk of the House.

Mr. Speaker, the district in Massachusetts served in this historic body for so many years by the great American whose memory we honor today is indeed signally fortunate in the type of representation it has enjoyed. I know of no one in this body in the 90th Congress who is held in higher esteem and affection than John Quincy Adams' successor, the Honorable JAMES A. BURKE.

Mr. DONOHUE. Mr. Speaker, we pay tribute today on July 11 to the sixth President of the United States, John Quincy Adams, born 200 years ago in 1767 during the crisis-filled period that preceded the Revolution.

He served his country long, faithfully, and well. He accompanied his famous father, John Adams, to the treaty negotiations that brought the Revolution to its victorious end. He participated in the negotiations with Britain which ended the War of 1812.

He served as one of his country's best diplomats when he was America's representative to the Netherlands and to Great Britain, and President Monroe's Secretary of State. George Washington once said:

> John Quincy Adams is the most valuable character we have abroad and the ablest of all our diplomatic corps.

When the Monroe Doctrine was enunciated in a Presidential message of 1823, the arduous work of Secretary of State Adams was responsible for many of its great principles.

He was an able U.S. Senator from Massachusetts, dedicated President of the United States, and, for almost 17 years until he died in 1846, an exceptionally distinguished and conscientious Member of the House of Representatives.

John Quincy Adams was one of the greatest Americans of all time. On the 200th anniversary of his birth we salute his achievements; we pay homage to his record of public service; we honor his memory.

Mr. CORMAN. Mr. Speaker, there are many brands of courage but few have been as commemorative as the courage that typified John Quincy Adams. This Massachusetts man's fortitude was of such caliber that another inimitable man from Massachusetts, the late President John F. Kennedy, saw fit to feature the resolute deeds of John Quincy Adams in his Pulitzer Prize winning book, "Profiles in Courage."

Few men have exercised their capacity for vision to the extent that was true of John Quincy Adams. Devoted to the principles imbued in him by his parents, John and Abigail Adams, he did not subvert his concept of national responsibility for the more immediate interests of his constituency. Risking his own popularity, he stood for the acquisition of western lands that were to add immeasurably to the vast richness of our

Nation. Though most of his constituents were merchants, he backed the Embargo Acts in an effort to strengthen first his country and, therefore, his own district.

This strength did not waver, his course withstood the hurricanes of time and circumstance. His perception encompassed not only his Nation but the globe. He envisioned a cohesive, autonomous hemisphere and implemented the Monroe Doctrine to insure its reality. President Kennedy once said:

> This country cannot lie still in the harbors but must set sail.

John Quincy Adams served with distinction at that stormy helm.

I join with my colleagues on this the 200th anniversary of the birth of John Quincy Adams in giving this stalwart and noble statesman the tributes after his death that were due him in his lifetime.

Mr. MURPHY of New York. Mr. Speaker, today we commemorate the 200th anniversary of the birth of John Quincy Adams. It is much less a celebration of his birth, however, than it is a celebration of his accomplishments. The present shape of our Government and of our Nation were both influenced by his efforts.

During his lifetime of public service, Mr. Adams held a variety of important positions. He served as Ambassador to Great Britain and as the American representative to the Netherlands. He was a member of the Massachusetts Senate, a U.S. Senator from Massachusetts, the Secretary of State under President Monroe, President of the United States, and served nearly 17 years in the House of Representatives.

His accomplishments in these positions were equal to the importance implied by their titles. In foreign affairs he was a strong advocate of a firm foreign policy. He was one of the chief negotiators at the peace conference with England after the War of 1812. As Secretary of State he played a key role in the formulation of the Monroe Doctrine, a policy as important today as it was in 1823.

His domestic accomplishments were equally impressive. He successfully advocated the purchase of Florida and defended the Louisiana Purchase. As President he proposed a broad plan of internal improvements and generally promoted the western expansion and increased industrialization throughout the Nation.

He was one of the earliest and most vocal opponents of slavery, and once wrote that a life devoted to the problem of emancipation would be one "nobly spent or sacrificed." He spoke out, virtually alone, against the "gag rule," which suppressed political activities of those who opposed slavery.

Mr. Adams was the only ex-President ever to serve in the House of Representatives, and his 17 years in this body produced some of his greatest accomplishments. His death, following a stroke on the floor of the House, was a dramatic climax to a distinguished career. The legacy he left for the generations which followed remains today as an example of the great accomplishments of a truly brilliant and dedicated public servant. We who serve in the House today would do well to emulate his example.

Mr. O'NEILL of Massachusetts. Mr. Speaker, in a country such as this where so much of what we now have we owe to the wisdom and courage of our forefathers, it is right to occasionally take time out to acknowledge their contribution to America. John Quincy Adams was certainly one of those to whom we owe the most, and on the occasion of the 200th anniversary of his birth, I wish to express my appreciation of his accomplishments.

Adams devoted the greater part of his life to public service both at home and abroad. In 1802, after serving for 7 years in Europe, he was elected to the Massachusetts State Senate, and 6 months later he was elected to the U.S. Senate. Adams went from here back into diplomatic service and was largely responsible for the peace settlement following the War of 1812. As a diplomat, Adams was greatly responsible for the truth of his own description of U.S. foreign relations:

> America, in the assembly of nations, since her admission among them, has invariably, though often fruitlessly, held forth to them the hand of honest friendship, of equal freedom, of generous reciprocity. She has uniformly spoken among them, though often to heedless and often to disdainful ears, the language of equal liberty, equal justice, equal rights.

In 1817 President Monroe appointed Adams Secretary of State. In filling this position Adams drew on his vast wealth of political experience and as usual he served with tremendous vigor. A great deal of the credit for the Monroe Doctrine belongs to him.

Adams became President in 1824. During his term in the White House he worked hard to bring about a large variety of improvements, especially in the field of education. He pursued these goals incessantly and with a self-restraint which was true to his concept of the ideal government.

In 1831 Adams began a period of service in Congress almost 17 years long which was probably the high point in his long public career. This made him the only ex-President ever to serve in the House. He was always knowledgeable and conscientious, and he served on many of the most important committees. Throughout, he brought all of his influence and powers to bear in defending the rights of man.

In February of 1848 he suffered a stroke from which he never recovered, just after responding to the call of his name in the House. Few have devoted themselves to the pursuit of their ideals with the persistence, honor, and courage of John Quincy Adams.

Today we do well to follow Adams' own advice which he quoted from a barbarian chieftain who defended his country against the Roman invasion:

> Think of your forefathers and of your posterity.

Mr. MINISH. Mr. Speaker, I am pleased to join with our distinguished colleague, the gentleman from Massachusetts [Mr. BURKE], in observing the 200th anniversary of the birth of a great American, John Quincy Adams. Ambassador, Congressman, Senator, Secretary of State, and President, Adams was a truly remarkable statesman and patriot.

As just one example of President Adams' noble legacy to our Nation's history, I would like to speak of one of his lesser known qualities—a brave and forthright respect and sympathy for the rights of minority groups. This characteristic of the gentlemen from Massachusetts is best illustrated by the Georgia-Indian controversy of the mid-1820's.

Pressure from wealthy plantation owners in the South caused the Indian Office to proclaim the Treaty of Indian Springs between the United States and the Creek Indian Nation. Signed in 1825, before Adams took office, the treaty was approved by the Senate. But the Creeks repudiated it and charged fraud. When after investigation, Adams found the Indians correct—the treaty had been signed by a Creek with no authority to agree to such a pact—he denounced the agreement as void.

Adams' respect for the Indians' rights was not widely shared and his action crippled him politically in the South and West. Historians, in fact, cite this incident as a contributing factor in President Adams' reelection defeat of 1828. This generation of Americans would do well to emulate John Quincy Adams' understanding and courage.

The residents of the 11th District of Massachusetts have reason for pride in the quality of their public servants as exemplified by John Quincy Adams and their present Representative, JAMES A. BURKE. As did his illustrious predecessor, Congressman BURKE enjoys the respect and esteem of all his colleagues in the House of Representatives for his ability, integrity, and patriotism.

Mr. ULLMAN. Mr. Speaker, I want to join with my good friend and distinguished colleague from Massachusetts [Mr. BURKE] in paying tribute to a great citizen.

John Quincy Adams, the son of the second President of the United States and himself the sixth President of the Republic, was above all an American. He foresaw a Nation based upon liberty and freedom which would stretch from ocean to ocean. From this vision he never strayed. As a young Senator, his support of the Louisiana Purchase led to condemnation by his Federalist colleagues from New England who had urged him to follow a sectional rather than national policy. His continued support for the territorial expansion of the new nation eventually alienated him from his former partners and led him into the party of the Jeffersonian Republicans.

As a Republican Secretary of State, his advocacy of freedom was not limited to the United States, and he worked for recognition of the right of peoples everywhere to throw off unrepresentative and tyrannical governments. Adams, one of the principal authors of the Monroe Doctrine, rejoiced at the end of Spanish colonial rule in South America.

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Mr. Speaker, John Quincy Adams had a distinguished career of service to his country. Few men in American public life have possessed more intrinsic worth, more independence, more public spirit, and more ability than the man we honor today on the occasion of the bicentennial of his birth. He well deserves this honor as a great statesman and leader of our country during the early and formative years of our Nation.

Mr. BATES. Mr. Speaker, I am very pleased to join with my distinguished colleague the gentleman from Massachusetts [Mr. BURKE] in recognition of the 200th anniversary of the birth of John Quincy Adams, a great servant of both my State and my Nation.

I gladly pay tribute to an outstanding son of Massachusetts who served his State and his country with great distinction over a long and illustrious public career. John Quincy Adams eagerly applied his abundant talents to a number of elected positions. Our Nation is better for having had the benefit of his energy and his wisdom at a vital phase of its development.

Many people remember John Quincy Adams principally for his term as the sixth President of our United States. He served that noble position ably. Those of us who serve in the House of Representatives, however, feel a special kinship with him because no one exemplified more the lofty position of the House of Representatives in our governmental structure than the man we honor today. By his action in serving in our distinguished body, after his term as President, John Quincy Adams demonstrated clearly his appreciation for the coequal standing of the independent branches of the Government. This principle of independence and equality of stature is one of the most valuable foundations of our Republic.

Once again I thank the distinguished gentleman of the House of Representatives for permitting me, on this occasion, to offer this tribute to the memory of a distinguished American.

Mr. HALPERN. Mr. Speaker, on July 11 we celebrate the 200th anniversary of a great American who served for almost 17 years in the House. John Quincy Adams is known to most Americans as the sixth President of the United States. Few know that after his Presidential term he came to the U.S. House of Representatives where he served both his district and his country with all his great ability, all his vast energy, and all his broad experience of men and issues.

He was born in 1767 in Braintree, Mass., where the revolutionary enthusiasm that would lead eventually to the assertion of American independence from England was strong indeed. With his mother, Abigail Smith Adams, young John Quincy Adams even watched a battle of the revolution being fought, the battle of Bunker Hill. He was a true son of the Revolution, just as he was a true son of that doughty patriot, John Adams. In all of our long history, John Quincy Adams was the only son of a President of the United States to himself become President.

On February 13, 1778, as a boy of 10, John Quincy Adams boarded the frigate *Boston* with his father who has been named one of three commissioners to negotiate a treaty with France. John and John Quincy Adams arrived in France when American prestige was almost entirely lacking. By the careers of both father and son that prestige became a force to be feared in the councils of the great powers of the world of their eras.

John Quincy Adams was graduated from Harvard College in 1787 and then studied law for 3 years. He practiced his profession, wrote political articles for newspapers, and received an appointment in 1794 as the American representative to the court of the Netherlands. After serving as the American representative in Berlin he returned to Boston to practice law.

He was elected to the Massachusetts Senate in 1802. The following year he was elected by the Massachusetts Legislature to be a U.S. Senator, and served until 1808. Then came energetic service to his alma mater, Harvard, as a professor of rhetoric and oratory. He left academic life to serve his country once again when President Madison named him the American representative to the Russian Government. Adams served as a member of the group which negotiated a treaty with Britain ending the War of 1812 and as Ambassador to the Court of St. James.

He became Secretary of State in the Monroe administration, directed the negotiations by which Florida was ceded to the United States by Spain, and was responsible in large measure for the principles embodied in the Monroe Doctrine.

As President of the United States from 1824 to 1828 he served his beloved country with determination, skill, and foresight. Returning to his Massachusetts home after his Presidential term, he found that his services were again required by his friends in the Plymouth Congressional District. To both his constituents and his country he rendered distinguished service for almost 17 years as the only former President of the United States to serve in this body.

We salute his name and memory on this 200th anniversary of his birth.

Mr. O'HARA of Illinois. Mr. Speaker, I commend my able and warmly esteemed colleague from Massachusetts [Mr. BURKE] for his special order commemorating the 200th birthday of the sixth President of the United States and a former Member of the House of Representatives, John Quincy Adams.

My joy in participating in this occasion is a very personal one. Victoria Adams, a lineal descendant of John Quincy Adams, was a high school teacher in the city which is my home and which I love, Chicago. Victoria Adams taught American history at Calumet High School, in the district adjoining the second, which I have the honor to represent. Moreover, Victoria Adams spent her last days in the Second District and she was well known at the University of Chicago.

After her death, her will disclosed that Victoria Adams had willed her fortune of $85,000 to the University of Chicago to establish scholarships in American history for the students of Calumet High School.

John Quincy Adams was a great American. He was Secretary of State in the Cabinet of President Monroe and gave dynamic force and drive to the Monroe Doctrine. He was elected President of the United States by the House of Representatives, of which later he was a Member and in which he died in his 81st year. The couch upon which he died is now preserved in the office of the Clerk of the House.

Mr. Speaker, the district in Massachusetts served in this historic body for so many years by the great American whose memory we honor today is indeed signally fortunate in the type of representation it has enjoyed. I know of no one in this body in the 90th Congress who is held in higher esteem and affection than John Quincy Adams' successor, the Honorable JAMES A. BURKE.

Mr. DONOHUE. Mr. Speaker, we pay tribute today on July 11 to the sixth President of the United States, John Quincy Adams, born 200 years ago in 1767 during the crisis-filled period that preceded the Revolution.

He served his country long, faithfully, and well. He accompanied his famous father, John Adams, to the treaty negotiations that brought the Revolution to its victorious end. He participated in the negotiations with Britain which ended the War of 1812.

He served as one of his country's best diplomats when he was America's representative to the Netherlands and to Great Britain, and President Monroe's Secretary of State. George Washington once said:

> John Quincy Adams is the most valuable character we have abroad and the ablest of all our diplomatic corps.

When the Monroe Doctrine was enunciated in a Presidential message of 1823, the arduous work of Secretary of State Adams was responsible for many of its great principles.

He was an able U.S. Senator from Massachusetts, dedicated President of the United States, and, for almost 17 years until he died in 1846, an exceptionally distinguished and conscientious Member of the House of Representatives.

John Quincy Adams was one of the greatest Americans of all time. On the 200th anniversary of his birth we salute his achievements; we pay homage to his record of public service; we honor his memory.

Mr. CORMAN. Mr. Speaker, there are many brands of courage but few have been as commemorative as the courage that typified John Quincy Adams. This Massachusetts man's fortitude was of such caliber that another inimitable man from Massachusetts, the late President John F. Kennedy, saw fit to feature the resolute deeds of John Quincy Adams in his Pulitzer Prize winning book, "Profiles in Courage."

Few men have exercised their capacity for vision to the extent that was true of John Quincy Adams. Devoted to the principles imbued in him by his parents, John and Abigail Adams, he did not subvert his concept of national responsibility for the more immediate interests of his constituency. Risking his own popularity, he stood for the acquisition of western lands that were to add immeasurably to the vast richness of our

Nation. Though most of his constituents were merchants, he backed the Embargo Acts in an effort to strengthen first his country and, therefore, his own district.

This strength did not waver, his course withstood the hurricanes of time and circumstance. His perception encompassed not only his Nation but the globe. He envisioned a cohesive, autonomous hemisphere and implemented the Monroe Doctrine to insure its reality. President Kennedy once said:

> This country cannot lie still in the harbors but must set sail.

John Quincy Adams served with distinction at that stormy helm.

I join with my colleagues on this the 200th anniversary of the birth of John Quincy Adams in giving this stalwart and noble statesman the tributes after his death that were due him in his lifetime.

Mr. MURPHY of New York. Mr. Speaker, today we commemorate the 200th anniversary of the birth of John Quincy Adams. It is much less a celebration of his birth, however, than it is a celebration of his accomplishments. The present shape of our Government and of our Nation were both influenced by his efforts.

During his lifetime of public service, Mr. Adams held a variety of important positions. He served as Ambassador to Great Britain and as the American representative to the Netherlands. He was a member of the Massachusetts Senate, a U.S. Senator from Massachusetts, the Secretary of State under President Monroe, President of the United States, and served nearly 17 years in the House of Representatives.

His accomplishments in these positions were equal to the importance implied by their titles. In foreign affairs he was a strong advocate of a firm foreign policy. He was one of the chief negotiators at the peace conference with England after the War of 1812. As Secretary of State he played a key role in the formulation of the Monroe Doctrine, a policy as important today as it was in 1823.

His domestic accomplishments were equally impressive. He successfully advocated the purchase of Florida and defended the Louisiana Purchase. As President he proposed a broad plan of internal improvements and generally promoted the western expansion and increased industrialization throughout the Nation.

He was one of the earliest and most vocal opponents of slavery, and once wrote that a life devoted to the problem of emancipation would be one "nobly spent or sacrificed." He spoke out, virtually alone, against the "gag rule," which suppressed political activities of those who opposed slavery.

Mr. Adams was the only ex-President ever to serve in the House of Representatives, and his 17 years in this body produced some of his greatest accomplishments. His death, following a stroke on the floor of the House, was a dramatic climax to a distinguished career. The legacy he left for the generations which followed remains today as an example of the great accomplishments of a truly brilliant and dedicated public servant. We who serve in the House today would do well to emulate his example.

Mr. O'NEILL of Massachusetts. Mr. Speaker, in a country such as this where so much of what we now have we owe to the wisdom and courage of our forefathers, it is right to occasionally take time out to acknowledge their contribution to America. John Quincy Adams was certainly one of those to whom we owe the most, and on the occasion of the 200th anniversary of his birth, I wish to express my appreciation of his accomplishments.

Adams devoted the greater part of his life to public service both at home and abroad. In 1802, after serving for 7 years in Europe, he was elected to the Massachusetts State Senate, and 6 months later he was elected to the U.S. Senate. Adams went from here back into diplomatic service and was largely responsible for the peace settlement following the War of 1812. As a diplomat, Adams was greatly responsible for the truth of his own description of U.S. foreign relations:

> America, in the assembly of nations, since her admission among them, has invariably, though often fruitlessly, held forth to them the hand of honest friendship, of equal freedom, of generous reciprocity. She has uniformly spoken among them, though often to heedless and often to disdainful ears, the language of equal liberty, equal justice, equal rights.

In 1817 President Monroe appointed Adams Secretary of State. In filling this position Adams drew on his vast wealth of political experience and as usual he served with tremendous vigor. A great deal of the credit for the Monroe Doctrine belongs to him.

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As just one example of President Adams' noble legacy to our Nation's history, I would like to speak of one of his lesser known qualities—a brave and forthright respect and sympathy for the rights of minority groups. This characteristic of the gentlemen from Massachusetts is best illustrated by the Georgia-Indian controversy of the mid-1820's.

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A man of uncorruptible integrity, he steadfastly refused to become the partisan of any political faction. His blunt-ness made him somewhat unpopular among his colleagues, but he never compromised when he felt the interests of the Nation were at stake. In all of the many positions in which he served his Nation and his God, he did what he believed was right without regard to the political consequences.

After his defeat for reelection to the Presidency in 1828, he planned to retire from public life; but in 1830, he accepted a nomination to the House of Representatives with the proviso that, if elected, he be allowed complete independence. Following his subsequent election to Congress, Adams embarked on what may have been the most monumental part of his career. The next 17 years were marked by a continuing fight against slavery and for the preservation of American liberties. A firm nationalist, Adams was an even more stanch believer in the principles for which the country stood. When the right of petition was circumscribed by the infamous "gag rule," Congressman Adams used every resource at his disposal to eliminate this violation of the first amendment. It was to his credit that he helped forge the link between the issues of freedom of speech and slavery, a tactic which significantly aided the antislavery forces. Adams had always believed the Declaration of Independence to be as much a part of the law of the land as the Constitution and that slavery was therefore antithetical to the American idea of universal equality. His untimely death in 1848 temporarily left a void in the meager ranks of those fighting what he termed the southern slavocracy, but the vacuum was soon to be filled by Charles Sumner and other proteges of Adams.

John Quincy Adams, Senator, Secretary of State, President, and Congressman, led perhaps the fullest career of public service of any American, past or present. His greatest memorial has been the growth of the continental American Nation dedicated to freedom and premised on the idea that all men are created equal.

GENERAL LEAVE TO EXTEND

Mr. BURKE of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of this special order.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

POSTAL RATES FOR NONPROFIT ORGANIZATIONS—AS WE GO DEEPER INTO THE RED, THE POSTAL SERVICE GETS MORE NONPROFIT EVERY DAY

The **SPEAKER**. Under a previous order of the House, the gentleman from West Virginia [Mr. HECHLER] is recognized for 15 minutes.

Mr. HECHLER of West Virginia. Mr. Speaker, sympathy for a worthy cause is a good old American trait, but it has gone hogwild in the setting of ridiculously low postal rates for churches, charities, and other nonprofit organizations. This is an area which Congress has long regarded as a "sacred cow." In advocating a more rational approach to postal rates, I have been besieged with arguments like the following:

"Would you penalize your poor country churches, struggling to mail out their weekly church bulletins? How can the Little Church in the Wildwood possibly survive if its fund drive is crippled by higher postal rates? Would you slap the crippled children in the face? Are you against the community chest? What about Father Flanagan's Boys Town and the Christmas seals?"

It is high time that Congress took a cold, hard look at the facts. Third-class mail was established as a special category in 1928—39 years ago. In the past 39 years, the rate for bulk mailings of nonprofit organizations have gone up exactly one-fourth cent, from 1 cent per piece to 1¼ cents per piece. In sharp contrast, over the same 39-year period, first-class rates have shot up from 2 cents to 5 cents. First-class rates, in other words, have already increased 150 percent during a period when third-class nonprofit rates went up a meager 25 percent. And the administration bill proposes a further increase in first-class rates to 6 cents.

When you consider that nonprofit third-class postal rates have gone up only one-fourth cent in the last 39 years, contrast this with the price of other items. In 1928, you could buy a pound loaf of bread for 9 cents; today, the cost is about 22 cents. In 1928, you could have a quart of milk delivered to your home for 14 cents; today, the price is doubled to about 28 cents.

HUGE VOLUME INCREASE IN NONPROFIT MAIL

As the postal rates for nonprofit organizations remained extremely low, more and more nonprofit organizations began to take advantage of the situation through larger mailings. These organizations now account for 17 percent of all bulk-rate third-class mail, as compared with only 8 percent in 1952. In the same period, the volume of nonprofit third-class mail has shot up 250 percent—from slightly over 800 million pieces to nearly 2.9 billion pieces of bulk-rate nonprofit third-class mail. Now let us contrast that with other third-class mail. During the same period since 1952, commercial bulk-rate third-class mail increased 58 percent, while the total mail volume was going up 52 percent over the same period.

In addition to the volume increase in third-class mail, many new organizations appear to be getting in under the nonprofit umbrella. The law defines a "qualified nonprofit organization" as "religious, educational, scientific, philanthropic, agricultural, labor, veterans or fraternal organizations, or associations not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual."

Many nonprofit organizations are now mailing neckties, pins, souvenirs, and other items for which they are seeking monetary contributions. A number of these items are unsolicited. The increased volume of such unsolicited items slows the delivery of mail, and also competes with private enterprise firms forced to pay higher postal rates.

NONPROFIT RATES SHOULD BE 50 PERCENT OF COMMERCIAL RATES

The Postal Policy Act of 1958, which is Public Law 85-426, states:

> Postal rates and fees shall be adjusted from time to time as may be required to produce the amount of revenue approximately equal to the total cost of operating the postal establishment less the amount deemed to be attributable to the performance of public services.

Title II of the 1958 act also prescribed that the minimum charge per piece for third-class matter mailed in bulk by nonprofit organizations should be 50 percent of the charge for commercial mailings. As a result, when the commercial third-class bulk rate was raised from 2 to 2½ cents on July 1, 1960, the rate for other nonprofit organizations went up from 1 to 1¼ cents.

But in 1962, when the rates for commercial mailings were raised in stages to their current bulk rate level of 2⅞ cents, the bulk rates for third-class mailings remained frozen at 1¼ cents. In addition, the 1962 legislation actually reduced the nonprofit bulk pound rate by about 40 percent. This was accomplished by reducing the pound rate on circulars mailed by nonprofit organizations from 16 cents to 9 cents, and on nonprofit books and catalogs from 10 cents a pound to 6 cents a pound.

I feel strongly that we ought to return to the policy established in the Postal Policy Act of 1958—that rates for nonprofit organizations should be 50 percent of the rates for commercial mailings. That is why my bill, H.R. 99, provides for a bulk rate of 2¼ cents a piece for nonprofit organizations, and 4½ cents a piece for commercial bulk mailings.

Several critics have pointed out that percentagewise the rate increases for nonprofit organizations are steeper than for commercial organizations. But that is only because these rates are initially so low. As Postmaster General O'Brien very fairly pointed out in his testimony on May 9 before the House Postal Rates Subcommittee:

> Even with the proposed increased such organizations would still maintain large and valuable postal preferences. Currently, the public service cost of handling nonprofit mail exceeds $200 million yearly, nearly 40 percent of all public service costs.

ADVISORY PANEL ON POSTAL RATES

In 1965, the Advisory Panel on Postal Rates, headed by former Representative Robert Ramspeck of Georgia, made some very pertinent observations on postal rates for nonprofit organizations:

> We question whether these subsidies should be intermingled with postal rates. If there is merit in these subsidies, they should be identified and included as direct payments from the budgets on the Federal agencies charged with overseeing public welfare activities. Since rate policy and subsidies are now commingled, the Postmaster General is in a position that compels him to propose rates based on extraordinary welfare considerations as well as on conventional value-of-service and cost criteria . . . Funds for subsidies should be provided by direct appropriations, to the agency over-

seeing the welfare activity, rather than as a hidden cost in the postal budget.

Philosophically, the increasing subsidy to the nonprofit organizations has disturbed thoughtful students. What it means is that the general taxpayer is forced to pay to make up the postal deficit caused by causes in which he may not believe. "Why should I be taxed to subsidize someone else's religion?" pertinently asked a writer from Pittsburgh. The question well might be raised also whether the Post Office Department, with the prime responsibility of delivering the mail on time—which it increasingly finds difficult to accomplish efficiently and speedily—should also be burdened with extending assistance to all sorts of causes.

Our colleague, the gentleman from Kentucky [Mr. SNYDER], a few months ago gave me a packet of junk mail he had received from one of his constituents, T. A. Hamilton, of 3709 Hillsboro Road, Louisville, Ky. Over a period of several weeks, Mr. Hamilton accumulated packages including three neckties, two throat lozenges, a plastic thermometer, a package of Christmas cards, two packets of name and address labels, a recipe book, a gasoline credit card, numerous catalogs and coupons, and a set of gummed stickers with prayers printed on them.

CHARITABLE CONTRIBUTIONS SHOULD BE FROM THE HEART

All of this material came to Mr. Hamilton unsolicited, and most of it came from nonprofit organizations at the low nonprofit, third-class postal rates. Many sent articles of merchandise and asked for a contribution. Mr. Hamilton probably spoke for a great many people when he said:

> I have nothing against charitable organizations. However, I believe that our giving to such organizations should come from the heart, and should not be placed under the pressure of modern-day merchandising.

Under the current rates, it is really fantastic what and how much a nonprofit organization can mail. Up to eight publications can be mailed by these organizations under the nonprofit second-class rates for as little as 1 penny. Furthermore, there is no extra charge for long hauls. For 1 penny, the post office will take these eight publications mailed in New York and deliver them in Hawaii.

If a nonprofit organization wishes to make a fund solicitation through third-class mail, the post office will deliver four fund solicitation letters for only a nickel. These rates have been the same since 1962, although other postal rates were raised in that year.

NEW RATES ON NONPROFIT ADVERTISING

I am pleased to note that the administration bill contains new language to cover nonprofit publications that carry more than 10 percent advertising. There will be a moderately higher rate scaled upward in proportion to the volume of advertising carried by these publications. This is essentially the same postage principle which has long been applied by Congress for commercial publications. Yet under the new proposal, nonprofit organizations would continue to receive huge postage concessions.

As my colleagues are aware, the Internal Revenue Service is looking into the problem of tax exemptions and advertising in nonprofit publications. It is my understanding that Congress will be asked to curb the tax exemptions that permit churches and other charitable organizations to buy up firms which then operate in competition with taxpaying businesses. I believe this is a healthy development, and many prominent church officials have endorsed these moves.

The postal deficit which is caused by third-class mail sent by nonprofit organizations has been rising. The difference between fully allocated costs and the revenues received from nonprofit third-class mailings was $58 million in fiscal year 1963. These costs rose almost 62 percent in 3 years for a total of $94 million in fiscal 1966, and are now estimated to be running at a rate of about $100 million a year. The deficit caused by second-class nonprofit mailings has risen to about $110 million per year. This means that the annual deficit of second- and third-class nonprofit mailings runs over $200 million annually. Perhaps this could be labeled "How To Fail in Business While Really Trying."

In conclusion, I trust that the Congress will face up to this problem directly and raise the rates on both commercial and nonprofit mailings when the postal rate bill is considered.

INVESTMENT IN FUTURE EDUCATION

The SPEAKER. Under previous order of the House the gentleman from New York [Mr. HALPERN] is recognized for 20 minutes.

Mr. HALPERN. Mr. Speaker, in this technological age, our stockpile of highly skilled manpower is as important to the economic welfare and military defense of our Nation as our stockpile of industrial raw materials and nuclear weapons.

We must depend upon our colleges and technical schools to train these leaders of the future, and we must take steps now to be certain that our colleges will be able to do the job properly.

The problem goes far beyond the question of providing trained technological manpower. Virtually all Government agencies—at all levels of government—depend upon colleges for vital research into such fields as medicine, public health, defense, agriculture, space technology, air and water pollution, sociology and many others.

Our colleges must meet the demands of today, and the demands of the future. And as for the future, all of our institutions of higher education face an increasing problem during the next decade.

It has been estimated that 10 years from now, 12 million young men and women will be seeking entrance to institutions of higher learning in the United States.

Our college plants will have to double their present capacity to handle that wave of applicants. Faculties will have to be greatly expanded, and that means we must start now to train the scholars who will become part of those faculties.

Our problem will go far beyond that of capital improvements to the college plant, and manpower expansion in the faculty. Many young men and women from families in the lower income brackets will strive for the opportunity to enter colleges, posing these questions:

How can we make it possible for the brainpower of these young people to be utilized for the Nation's good? How can we make it possible for colleges, junior colleges, and technical schools of our country to expand and serve all of the scholars who are knocking at their doors?

It has become more and more the custom, in the past few years, to look to the Federal Government to solve such problems. Federal grants have become the panacea for all our ills.

But together with such Federal paternalism must go Federal control. Higher education must yield some part of its autonomy when it depends upon Federal handouts.

Localities must give up their home rule prerogatives.

How much better it would be, how much more in keeping with the principles of American free enterprise, to devise a way in which the private sector of the economy could provide the funds to make it possible for our colleges and universities to expand and serve the growing demand from the youth of America.

How much better it would be if every child in America could look forward to at least a basic nest egg on which he can focus his hopes for future higher education.

A plan which can accomplish just that was outlined in this House not long ago by the distinguished gentleman from Iowa [Mr. SCHWENGEL]. He called it the Iowa plan, in deference to its State of origin.

It is a great plan—so great, that it could very well be called the American plan. Today, I have introduced a bill to put a large part of that plan into operation. Later, I know, Mr. SCHWENGEL will introduce additional legislation to clarify some aspects of the plan, and to add to it.

Briefly, the plan involves a program under which parents would purchase educational investment certificates to provide at least part of the funds to make it possible for their children to attend institutions of higher learning.

A parent could purchase one $50 educational certificate each year of a child's life, until the child reaches the age of 18—the usual age for college entrance.

For each $50 certificate purchased in this way, the parent would be entitled to a $50 deduction from his annual income tax. For example, a parent buying three $50 bonds for three children, might have a total income tax liability of $600 in that year, but he would have to pay only $450.

In cases of lower income families, some parents may not have enough tax liability at the end of a year to make it possible to take advantage of a full $50 credit for each child. In that case, a grandparent, an uncle, or another relative could buy a certificate, and he, too, would be entitled to a $50 deduction.

If no relative can buy certificates, a friend designated by the parents can assume the responsibility. It would be no burden at all, because each $50 certificate would entitle the purchaser to a $50 tax rebate.

If a certificate is purchased each year of a child's life until he is 18, the accumulated funds, with interest added, would amount to about $1,400 at college entrance age.

After the young student has entered college, his parent would be entitled to an additional tax deduction of $100 a year during the 4 college years, providing $400 more—or $1,800 in all—to help pay the costs of tuition, books, fees, and educational material.

Educational investment certificates would be sold by banks, savings and loan institutions and insurance companies approved by the Secretary of Health, Education, and Welfare, or his designated representative.

The educational investment certificate program would accumulate $25 billion in the private sector of the economy to help expand higher education facilities. That would be money distributed and used without Federal controls. It would be money put to the best use by those who know best how to do the job—the educators themselves.

At the same time, such a program would give many Americans an opportunity to become shareholders in the Nation's future, and would offer opportunities to many deserving young men and women who might not otherwise manage to get to college.

Under this plan, there should be no reason why each young man and young woman capable of college study should not find a nest egg waiting to help him toward higher education when the time comes.

Estimates place the annual cost of tax credits under this program at approximately $2.6 billion, but that would not be the net cost. Many present Federal-aid programs would no longer be necessary, and that would reduce the cost.

Let us not forget that we grant investment tax credits as a spur to the economy, and the cost to the Government in 1967 is estimated at about $2.6 billion. Certainly, we can afford an equal amount for stimulation investment in our future scientists, mathematicians and teachers.

L. B. J.'S ORDER FREED LORAIN DOPE BOSS: JUDGE OBJECTED

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 10 minutes.

Mr. ASHBROOK. Mr. Speaker, this heading appeared in the Cleveland, Ohio, Plain Dealer on Tuesday, July 4, 1967, "L. B. J.'s Order Freed Lorain Dope Boss: Judge Objected."

Today, I have called upon the Justice Department to release information regarding the questionable circumstances surrounding the surprising and unwarranted release of an Ohio hoodlum, Johnny Gay, who got out of custody by order of the President of the United States.

As the article in the Cleveland paper stated:

> Nearly everyone in Northern Ohio knows him (Johnny Gay) from the cops to the Costa Nostra.

Gay was a big narcotics pusher. In 1962, Federal agents described him as the "largest source of heroin in the State of Ohio." They said he was in the narcotic business as a wholesaler.

U.S. District Judge James C. Connell, an eminent jurist, the sentencing judge, said:

> Gay for reasons of his own chose to live a life spiced up with crime, narcotics, prostitution, bigamy and whatever degrading thrills he was susceptible of absorbing, over a long period of time, and with malice aforethought every day involved.

Judge Connell ordered Gay imprisoned until 1972 but today this hoodlum is free. It cannot be doubted that "someone up there—Washington—likes him." The President has the obligation, I believe, to tell us what considerations prompted Gay's early release despite the objection of the U.S. judge who best knew the facts of the case.

The commutation was granted over the objection of Judge Connell and the U.S. attorney's office in Cleveland, Ohio. What particular political pressure was Gay able to bring to bear? What well-placed attorneys were able to wrought this miracle—or should it be called a travesty of justice? The eyes of the Nation have been on the Congress and the alleged wrongdoing of Members of the House and Senate. Would this case stand the same light of day as was shone on Senator DODD?

The people, yes, and we in the U.S. Congress, have a right to know what magic Gay seemed to have. He did not even qualify for the usual requirements for release—namely, a job. He has been unemployed 4 of the approximately 6 months he has been out of Federal custody.

Something smells very bad. Johnny Gay has in his possession a document bearing Lyndon B. Johnson's name. A U.S. judge, those charged with the administration of justice, Congressmen, and the public have a right to know just how it got there. Will you tell us, Mr. President?

The articles from the Cleveland Plain Dealer are most illuminating on this subject. I include them at this point:

[From the Cleveland Plain Dealer, July 4, 1967]

L. B. J.'s ORDER FREED LORAIN DOPE BOSS: JUDGE OBJECTED

(By Doris O'Donnell and Harry Stainer)

LORAIN.—Johnny Gay is back in town.

Nearly everyone in Northern Ohio knows him—from the cops to the Cosa Nostra.

Before he was sent to prison, he was a big narcotics pusher. In 1962, federal narcotics agents described him as "the largest source of heroin in the State of Ohio." They said he was "in the narcotic business as a wholesaler."

U.S. District Judge James C. Connell, the sentencing judge, said in 1962: ". . . Gay for reasons of his own chose to live a life spiced up with crime, narcotics, prostitution, bigamy, and whatever degrading thrills he was susceptible of absorbing, over a long period of time, and with malice aforethought every day involved."

He ordered Gay imprisoned until 1972.

Today Gay is free.

Today Gay is a big man with a presidential commutation that helped cut his prison term in half.

The commutation was granted over the objection of Judge Connell and the U.S. attorney's office here.

What magic got him out while others remain in prison without friends, without influence? Why and how did people prominent in social, civic and police circles in Lorain back his release in writing?

To find out The Plain Dealer assigned two reporters to crash through the curtain of bureaucracy, to talk with people on Broadway, Vine Street, Dallas Avenue and in the "campito," a mixed Negro-white-Puerto Rican community in Sheffield Township.

They came up with a story bigger than Johnny Gay.

It is the story of a city.

The Johnny Gay who bolted to freedom more than five months ago by executive clemency of the president of the United States once owned a bar in downtown Lorain, called Johnny's Bar. It was a black and tan honky-tonk hangout for action and action people—booze, girls, numbers, narcotics.

Until forces of Cleveland and Detroit police, federal narcotic agents and Coast Guard intelligence men moved in on Gay in 1962, Gay operated high, wide and handsome. Lorain law enforcement people were conspicuously absent in the raid that bagged Gay as a narcotic pusher.

In 1956 Gay beat a marijuana charge. But a Negro bootlegger and friend of Gay's, Mrs. Zetta Brown, caught in the same illegal marijuana trap, served 10 years in a state prison. She was paroled a few days ago from Marysville, O., Reformatory for Women.

In 1962, Gay's luck was bad.

Doors of the federal hospital-prison for narcotic addicts at Lexington, Ky., closed on him July 11, 1962.

Only days before, Judge Connell doled out two five-year sentences to run consecutively.

No parole was to cut the sentence, Judge Connell said. When he went to Lexington, Gay was 45, fat and paunchy. About 215 pounds. Balding.

At age 49, he had served four years, six months, two weeks of his prison term.

Doors flew open for him Jan. 20. Out strode Johnny Gay, trimmer and thinner, with a piece of paper signed by Nicholas D. Katzenbach, former U.S. attorney general and now a U.S. undersecretary of state.

Lyndon B. Johnson's name appears twice in bold, black, block letters. The paper shows that executive clemency was granted June 9, 1966. Probation will be up Jan. 1, 1969.

The Department of Justice has rules governing applications from any federal prisoner for executive clemency. One covers pardons. One covers commutations or reduction of prison terms.

The eligibility rule for a commutation is:

"A petition for commutation of sentence, including remission of fine, should be filed only if no other form of relief is available, such as from the court or the United States Board of Parole, or if unusual circumstances exist, such as critical illness, severity of sentence, ineligibility for parole, or meritorious service rendered by the petitioner."

The attorney general's office reviews all such petitions, and then the attorney general advises the president whether the request is warranted.

"Whenever a President notifies the attorney general that he is denying a request for clemency," the rules state, "the attorney general or the pardon attorney, shall so advise the petitioner and close the case."

Gay said in his petition that his father, a stroke victim, was dying, that his 10-year sentence was unfair and that his record at Lexington had won the praise of the staff. He said appeals to the district court had failed.

Gay's presidential commutation, according to Reed Cozart, U.S. pardon attorney, was based on an evaluation that Gay's sentence was "disparate." His two five-year terms, or 10 consecutive years, were, Cozart said, "disparate" in the national picture for first offenders. Most narcotic violators serve the maximum of five years.

Gay's 10-year term was knocked down to seven years.

His term was further reduced to four years, six months and 20 days by virtue of "good time" earned at Lexington.

Statutory and meritorious good time earned by Gay at the prison-hospital amounted to 1,328 days.

A statutory credit is "good time" earned by prisoners who work in production or industrial programs.

Gay was not engaged in these areas but still received staff review board credits for work he actually did.

Meritorious credit is for "acts of heroism" or comparable endeavors. Gay earned his for "extraordinary" performances at Lexington, based on opinions of staff doctors who either worked with him or observed his conduct and actions.

Presidential commutations are a rarity in the Cleveland area. Few law enforcement agents can recall another like the Gay case.

Even Cozart could not name another Ohioan who had received executive clemency in recent years.

During the Eisenhower administration, a Justice Department spokesman said, there were 1,157 presidential pardons and commutations. Under the late President Kennedy, there were 575 in a three-year period. But in 12 months, President Johnson has approved 566, nearly as many as Kennedy did in three years. President Johnson has granted 420 pardons, and 146 commutations, such as Gay's.

One highly placed federal official said: "There are more of them all the time. They always go to the worst ones. The criminal element gets to the politician."

But Cozart denies that any kind of political or other influence figured in Gay's release or any other. He cited the case of Jake (The Barber) Factor, a West Coast figure who reportedly contributed to President Johnson's campaign fund from behind bars. This delayed clemency. When freed, Factor told newsmen he gave an identical sum to U.S. Sen. Barry Goldwater, at the time a presidential candidate.

It is not impossible to tell the story of Gay's commutation without looking back into Gay's career.

It is like dropping a rock in a pond. Ripples widen and widen.

Ripples spread from Gay into the city, to persons in all walks of life. Many lives have intertwined with Gay's.

Gay was arrested April 30, 1962, after an exhaustive investigation lasting more than six months.

Since 1960, tipsters had been telling police and federal agents of weekly purchases of narcotics at Gay's place of business.

Arrested with Gay were Curtis Orr, then 33, and his sister, Virginia Orr, then 25, Miss Orr was Gay's barmaid.

From March 1, 1962, until the arrests, federal agents contended, Gay and the Orrs illegally bought, sold and transported heroin. The trio, singly or in pairs, made flying trips to Chicago and New York. The three were charged with a total of 21 counts, or separate offenses. Gay alone had 18 counts.

The charges in Gay's indictment state he bought, sold and transported 10.06 grams of heroin. He sold 10.02 grams to a narcotics agent on March 11, 1962, and 0.04 grams on April 30.

With Orr, Gay bought and sold 28.54 grams to federal agents, and Gay and Miss Orr illegally sold 9.88 grams of heroin to agents. For all purchases, two agents paid $1,375.

Gay pleaded innocent to 18 counts. Faced with a possible prison term of 90 years, he changed to a guilty plea on six counts. The other 12 were dropped.

Gay pleaded guilty—along with Curtis Orr—to selling 9.88 grams—about one-third ounce—of heroin to federal narcotic agent Arthur Lewis and another special government agent March 17, 1962. He also pleaded guilty to selling, again with Orr, 14.62 grams to Lewis and another agent March 27, 1962.

Later, in motions to reopen his case, Gay claimed he did not understand how he was pleading because he was incompetent due to the use of drugs.

At Gay's trial, his attorney, John P. Butler, Cleveland criminal lawyer, told the court: ". . . I realize that the charge is very serious. Nothing could make me more conscious of that fact. I do not mitigate the seriousness of the charge.

"He had a distinguished record of service to the government and while in service in the Merchant Marine, on one occasion, he was torpedoed. He suffered from shock . . . I realize that serving the government under elements of peril may not justify the use of narcotics but this is his explanation for his original involvement."

The judge was not deterred. Three sentences, each of five years, he held should run concurrently. On three other five year terms, he again ruled a concurrent course. But the two sets were to be consecutive.

"So it will be 10 years in the custody of the attorney general," Judge Connell said.

(Heroin is a drug made from morphine. Morphine, in turn, is a drug made from opium. Both are addictive drugs. Gay reportedly was selling "cut" heroin as opposed to "pure" heroin.)

(Records show that at the time of Gay's arrest federal narcotics agents found Beta Lactose milk sugar, which is used to "cut" or dilute heroin for resale. They confiscated, too, a wire screen strainer used to sift heroin in the cutting process for resale.)

Curtis Orr received a total of six years on three counts. Miss Orr received two years, or two two-year terms, running concurrently. She served her term at Lexington too. Paroled in 1963, she returned there voluntarily for treatment on a voluntary basis for five months. Gay bigamously married Miss Orr in Chicago on August 23, 1960.

In a written document later denying Gay's plea that he was a pauper and wanted a new trial without counsel, Judge Connell wrote:

"Gay made a drug addict out of this young colored girl (Miss Orr) when he made her his agent for buying and selling drugs, and then married her in Chicago, and lived with her in rooms above his dope den. He fooled her into believing he was divorced."

Miss Orr, now off parole, lives in downtown Lorain and it is an open secret, say Miss Orr's friends, that she and Johnny Gay have broken up. But they still communicate with each other, and neighbors of Miss Orr's have frequently seen Gay's car parked in front of her Broadway apartment.

Relatives of Miss Orr told reporters that when she returned to Lexington for treatment she gave her marriage certificate to Gay, who has never returned it.

Mention of Johnny Gay in Lorain always raises the question of whether he was an addict.

And why he served all of his term at Lexington instead of a federal maximum security prison. (One advantage of a regular prison is that prisoners earn money for working. At Lexington, Gay did not earn any money.)

And how he happened to get the presidential mandatory release.

Some people stare in disbelief when it is mentioned.

Lorain Mayor Woodrow Mathna said: "That takes a lot of pull, a lot of influence. I have an idea who got it for him."

Lon. B. Adams, a Lorain lawyer, was Gay's first lawyer of record following his 1962 arrest. He recalled that Gay was held briefly in Cuyahoga County Jail. He was released on $25,000 surety bond, for which Gay's wife pledged their home, valued at $35,000 with $15,000 mortgage, and the bar property, valued at $55,000 with a $20,000 mortgage. The Orrs could not make bail and were held in jail.

On May 4, four days after his arrest, Gay was admitted voluntarily to Hanna Pavilion of University Hospital, Adams said, for "psychiatric treatment." Gay remained until May 19. The diagnosis of his condition was "suspected narcotic addict."

The court record quotes from a federal probation department report on Gay's condition requested by the probation officer from Dr. James W. Jolliff, psychiatric resident at Hanna Pavilion:

"Dr. Jolliff stated that the defendant did not experience any withdrawal symptoms and that the diagnosis would therefore have to continue the term 'suspected' since it was based entirely on the defendant's statement of a history of drug addiction.

"Dr. Jolliff stated that the defendant gave no evidence of psychosis or any major mental disorder and appeared to be experiencing a personality disorder that was not uncommon in the case of individuals who had just been arrested for a major law violation."

The doctor said Gay remained longer than necessary because Gay "stated that he was experiencing suicidal tendencies . . ."

Judge Connell ordered Gay to Lexington for treatment as an addict and then to be transferred to a prison.

Lexington, begun back in the mid-1930s, was known as Lexington Farm for Narcotic Addicts. Many famous stage, movie and athletic stars have been voluntary patients there. It later became the U.S. Public Health Service Hospital. Today it is the National Mental Health Institute Research Center. Even those affiliated with the hospital admit more failures than successes among patients.

A pre-sentence report, detailing Gay's background, was available to Judge Connell, and also to Washington officials who handled his commutation request.

In this, Gay admitted using morphine off and on from 1943 to 1958. After 1958, Gay said he used it more frequently. He said he was worried over his investment in a low-income housing development in East Lorain.

Dr. Jimmie D. Hawthorne, a U.S. Public Health Service officer at Lexington, where he is second in command, said whether Gay was a heroin user was dependent entirely on "Gay's story."

He said Form N–62 was submitted with Gay's pre-sentence report from Cleveland. No medical examination records were attached.

The form read: "I, Gerald Celebrezze (then an assistant U.S. attorney) hereby certify that it is my belief that such a convicted person is an addict within the meaning of the law and authority that established the U.S. Narcotics Farm."

Gay Tried Hand as Lawyer, but Judge KO'd His Appeal

A year after Johnny Gay was sentenced to a 10-year sentence for illegal sale, possession and concealment of narcotics, he tried unsuccessfully to appeal.

From the federal hospital for narcotics addicts at Lexington, Ky., he sent self-authored legal pleas to U.S. District Judge James C. Connell in July, 1963. He was broke, he wrote. He asked the court to hear his petition without counsel.

The judge viewed Gay's request and commented:

"Since his requests are ambiguous, this court will consider this filing as in the nature of a motion to vacate sentence, on the ground that he claims he was not mentally competent on his plea.

"We will consider it as in the nature of the suggestion that Gay says he did not know what he was doing when he pleaded guilty to the various charges against him at the time and consider this as a motion that his plea of guilty be vacated."

The judge questioned Gay's claim that a psychiatric hospital "saw fit" to hold him for three weeks. A doctor's report, the judge noted, said Gay remained voluntarily because he had suicidal tendencies.

The judge observed: "So, immediately after Gay was arrested for his busy life of crime, he voluntarily tried a hospital escape and it did not succeed.

"And from the above report, it was very proper that it failed," the judge added. "And the foregoing amply demonstrates that Gay's first claim that he was so influenced by drugs during his crimes that he did not understand what was going on, and that he was too unable to comprehend his own plea of guilty, is another untenable fabrication."

Connell included major portions of the probation officer's report in his order denying Gay a new trial on a pauper's plea in July, 1963.

The probation report stated:

"The defendant has an extremely unsavory personal reputation in the city of Lorain. This reputation is derived from the manner in which he has operated his nightclub since he purchased it in 1956.

"There is a feeling in the community that the defendant has operated a ring of prostitutes at his club. The county welfare department director advised the probation officers that in the past several years girls have come to his department for assistance stating that they had been prostitutes and that when they became pregnant, they were put out on the street.

"According to the welfare director, these girls identified themselves as 'Johnny Gay's girls.'

"However, police authorities in Lorain advised the probation officer that they never had reason to believe that this defendant was personally involved in any prostitution ring.

"They were of the opinion that he permitted prostitutes to solicit openly at his club and for years the club has had the reputation of being the place to go to get a woman.

"The defendant, when questioned by the probation officer regarding prostitution occuring at the club, denied any personal involvement with prostitution. However, he admitted that prostitutes did solicit at his club and that he permitted this activiy because to stop it would 'ruin his business.'

"The defendant was apparently more concerned with making money than he was with his personal reputation or the reputation of his place of business."

Connell then drew a conclusion:

"This Court considers that his claim of not having conscious control of himself during his 'crimes,' of not understanding his lawyer, of not being fairly treated and of being irresponsible for his actions, is a most frivolous and malicious fabrication. The motion in forma pauperis is dismissed as frivolous and malicious."

[From the Cleveland Plain Dealer, July 6, 1967]

JOHNNY GAY WOOS STAFF: TERM CUT BY 1,328 DAYS

(By Doris O'Donnell and Harry Stainer)

At Lexington, Ky., where the National Mental Health Institute Research Center now operates facilities for drug addicts, Gay became No. 66862.

The tattooed ex-Marine and bar owner became something else, too, a veritable wonder to the hospital staff.

He was there to serve 10 years for numerous violations of federal narcotic laws.

But he could not envision himself stuck in prison for that long. He was 45. He wanted out.

Many prisoners become jailhouse lawyers. Gay went this route, too, using the hospital library for legal research.

He bombarded U.S. District Judge James C. Connell, who had sentenced him in 1962, with legal requests to appeal the conviction and sentence. He had only 10 cents to his name, he said, and wanted the court to hear his petition without counsel.

Gay charged a miscarriage of justice. He charged he was incompetent at the time he pleaded guilty to 18 narcotics charges. He charged his lawyer "took advantage of his incompetence" and promised he would get a five-year sentence and parole. Judge Connell here denied each motion.

Judge Connell used remarkable language in denying Gay's appeal. The judge wrote:

"One can learn something of the mental capacity of a defendant by the way he goes about the business of committing an offense. Of what did Gay's crimes consist? He was in the criminal business which requires more cunning and ingenuity than most others, and he brought to it more cunning than others.

"He was in the business of successfully buying narcotics; finding the sellers; using dupes to make the purchases; then finding the buyers; transmitting to buyers on a successful financial basis and scale; successfully selling only to those he can trust; successfully selling only to known addicts; successfully avoiding sales to government agents.

"No one could possibly have worked up the lucrative business he enjoyed, and at the same time have been so mentally incompetent that he didn't know what was going on around him, or what he said to others, or what they said to him."

He added: "The agents had no easy time with Gay, for Gay brought unusual intelligence, daring, perception and generalship to his nefarious business."

But Gay was not easily deterred.

Gay wrote probation officials. He appealed to the Legal Aid Society in Lexington. He was shooting unerringly at a target—freedom.

Printed application forms for executive clemency are available to all federal prisoners. At Lexington few inmates—only six to eight of about 700—might take advantage of them.

Gay not only took advantage of them, he directed his father, John Gay, a retired steelworker, to get signatures of friends and relatives. Gay wrote a long autobiography, not sparing intimate details of his life, to support his application.

Reed Cozart, U.S. pardon attorney, evaluated the Gay written document, with 14 signatures of friends from Lorain, Cleveland and Lexington as particularly candid. Gay discussed his interracial and bigamous marriage to a former barmaid, Virginia Orr. Cozart was convinced Gay wasn't trying to hide anything.

The Plain Dealer learned who signed the petitions. Names of letter writers were not made available by federal officials.

While the commutation machinery was grinding slowly through the U.S. Justice Department, Gay did not sit around and hope or pray. He had another angle or two. It was to earn time off his sentence by his behaviour at the Lexington hospital.

Dr. Jimmie D. Hawthorne, M.D. assistant to Dr. Robert Rasor, director of the Lexington hospital recalled Gay came to Lexington's Cobb Hall in 1962 in a state of "depression."

Once improved, he was given a clerical job with the staff that handled psychological testing of inmates. Dr. Hawthorne stressed that Gay did not administer tests. He gathered the papers, prepared them for evaluation. Paper shuffling, really.

"He also oiled the machinery on the call system," Dr. Hawthorne said.

The call system involves getting patients safely from security quarters to interview offices for appointments with staff, clergy or visitors.

"Our biggest problem has been separating men from women, preventing them from stopping off en route to appointments or turning up missing at some point along the way," the doctor said.

Before Gay, there were problems of this kind with inmates.

After Gay, none, Dr. Hawthorne said.

A greenhouse had been abandoned. (Dr. Hawthorne explained Lexington officials had discarded an old concept that narcotic addicts needed fresh air and farm work as forms of treatment. The hospital is on 1,000 acres of rolling Kentucky landscape, and farm animals once roamed its blue grass.)

But Gay, "as a voluntary thing," revived the greenhouse greenery.

"While here he was a model patient," Dr. Hawthorne said. "He planted the inner court—turned it into a horticultural garden. He and a professor of romance languages at the University of Kentucky had much in common with the garden."

The professor taught English to Spanish-speaking patients. Gay accompanied the professor into the city of Lexington on occasion.

Gay was an Episcopalian as a youth. At Lexington, he switched to Catholicism. He wrote a booklet on the changes in the liturgy of the mass. He directed incoming patients, who were Catholic, to the chaplain. The Protestant chaplain tried to recruit Gay, too.

The Catholic priest, in exchange, wrote letters of appeal on Gay's behalf, to U.S. Senators Frank J. Lausche and Stephen M. Young of Ohio. He also wrote to U.S. Sen. Robert F. Kennedy, N.Y. Gay said each senator replied that the matter was under investigation by the Justice Department.

Gay's good deeds did not go unnoticed. It earned him time off his sentence. His file is filled with reports by the hospital review staff. Gay was also a guinea pig for the hospital's research project and had an opportunity for post-graduate work in the newer drugs, including LSD.

At Lexington, the U.S. Public Health Service tests drugs, real and synthetic, to learn if they are addictive and "safe" for mass consumption.

During July and August, 1965, Gay took part in four psychological studies—one was a reaction of skin to heat. None, Dr. Hawthorne said, required Gay to take any form of opiate drug.

Dr. Hawthorne said Gay got "lump sums" of good time for his "meritorious performance on a high level," as determined by the staff review board. Normally, Dr. Hawthorne said, this is reserved for "acts of heroism." He cited a person who rescued trapped patients from a stuck elevator.

"But Gay had sustained superior performances over and above what was expected," he said. "When a clerk was off he performed the clerk's duties for three months."

On Dec. 24, 1966, Gay received a furlough. He went to his parent's trailer home at 3948 Reid Avenue, Lorain, where his father was stricken. Earlier the father had suffered a stroke. Gay went unescorted under new rules of Lexington. Persons who saw Gay in Lorain last Christmas were dumb-founded.

Why was Gay kept at the hospital. Why wasn't he transferred to a security prison where drug racketeers usually go?

"At no time," Dr. Hawthorne said, "did the hospital staff feel that we had done all we could for Gay. He continued to fight his legal battle. He was upset. He had letters from his family (two daughters) which upset him. We felt that 4½ years—his stay at Lexington—was short. He needed to be here.

"He left here not dependent on any drug. He had a great deal of psychology treatment and benefited from it, but whether it will sustain him—?

In Washington, Gay's No. G–80 document, the appeal for presidential clemency, with signature of family and friends was fortified with dozens of letters. Cozart handled all of them. He is a veteran of 25 years in penal work. He was one-time deputy warden of the federal prison at Leavenworth, Kan.

The progress report from Kentucky, March 4, 1966, Cozart said, stated that Gay "had been an addict for many years and was now cured."

Here Are Conditions of Gay's Freedom

The Cleveland office of the U.S. Board of Parole provided The Plain Dealer with a list, detailing conditions for a federal parole.

John A. Gay, while free on a mandatory release by virtue of executive clemency, is under the jurisdiction of the Cleveland parole office. The area includes northern Ohio, and extends south to Mansfield, O., where Gay is now employed.

The rules are that a parolee may not leave the limits of the district without permission of the parole officer.

The conditions also prohibit drinking alcohol to excess, the purchase, possession or use of narcotics or other habit-forming drugs and avoiding places where drugs are illegally sold or used.

Parolees also may not associate with persons who have a criminal record or associate with persons engaged in criminal activity.

Firearms are forbidden without written permission.

In addition, a parolee may not act as an informer or special agent for any law-enforcement agency.

[From the Cleveland Plain Dealer, July 7, 1967]

Gay Jobless 4 Months—Lived Off His Old IOU's

(By Doris O'Donnell and Harry Stainer)

LORAIN.—It isn't every day that a felon gets a presidential commutation and walks out of federal custody into freedom.

John A. Gay did.

With the precious document bearing Lyndon B. Johnson's name, Gay was supposed to have a plan—a home, a job, a way of life within the law.

The hard-won presidential document travels with Gay, the former Lorain narcotics pusher. He keeps it in a shoebox in the trunk of his father's car, which he now drives.

Gay was released from the federal hospital for narcotics addicts at Lexington, Ky., last Jan. 20. But it was May 2 before he went to work on his first job in Mansfield, O., as a salesman for Majestic Homes, a real estate development. He told his employer he had been in a clinical research hospital. He stayed at the Mansfield YMCA. He and the job parted company a few days ago.

From January until May, he had numerous problems, but no job. His father, John A. Gay Sr., was in a nursing home, the victim of a stroke. His aged mother, Mrs. Lillie Gay, was unable to drive the family car. Gay took her to and from the nursing home daily.

Plain Dealer reporters checked Gay's activities with the federal parole office in Cleveland.

"That's a ticklish one," an officer there said. "He's supposed to have a job. That's a condition of the release. He's come up with several plans. He wanted to go to Chicago, then Philadelphia. And to Thailand. But none of his plans were realistic."

Michael J. Keenan, Gay's probation officer, explained that under a mandatory presidential release, such as Gay's, Justice Department reviewers apparently considered that Gay, a divorced man, "had a home with his mother, could depend upon her for sustenance and that the regular requirements for employment could be waived."

Gay came out of the hospital-prison with two suits of clothes given him by a former brother-in-law, Frank J. Nardini, 3330 E. Erie Street, Lorain. Nardini is board chairman of Lorain, Inc., an $11-million real estate holding company.

Nardini and his wife, Laura Dandrea Nardini, while driving to Florida last January dropped off the suits when they visited Gay at Lexington.

Gay barely had cigarette money.

Barmaids and tavern owners along Broadway in Lorain say Gay has been collecting on old IOU's the last four years. One businessman with a reputation for losing heavily at gambling is reportedly repaying Gay money loaned him before Gay went to prison.

Gay at that time said his outstanding debts totaled $25,000.

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Mrs. Gay has since remarried. She is Mrs. John Ferracane, 2625 N. Andrews Avenue, Fort Lauderdale, Fla. Her husband runs a bakery and restaurant there.

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Dandrea is vice president of Associated Builders, Inc., secretary-treasurer of Lorain Trucking Co., Inc., half-million dollar shareholder and director of Lorain, Inc. and a principal in American Dock & Dredge Corp. There were no stamps on this transaction between brother and sister.

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"Might as well give them the business," Gay said.

Reporters asked a Lorain vice squad officer whether Gay has been in old hangouts. He

"Since his requests are ambiguous, this court will consider this filing as in the nature of a motion to vacate sentence, on the ground that he claims he was not mentally competent on his plea.

"We will consider it as in the nature of the suggestion that Gay says he did not know what he was doing when he pleaded guilty to the various charges against him at the time and consider this as a motion that his plea of guilty be vacated."

The judge questioned Gay's claim that a psychiatric hospital "saw fit" to hold him for three weeks. A doctor's report, the judge noted, said Gay remained voluntarily because he had suicidal tendencies.

The judge observed: "So, immediately after Gay was arrested for his busy life of crime, he voluntarily tried a hospital escape and it did not succeed.

"And from the above report, it was very proper that it failed," the judge added. "And the foregoing amply demonstrates that Gay's first claim that he was so influenced by drugs during his crimes that he did not understand what was going on, and that he was too unable to comprehend his own plea of guilty, is another untenable fabrication."

Connell included major portions of the probation officer's report in his order denying Gay a new trial on a pauper's plea in July, 1963.

The probation report stated:

"The defendant has an extremely unsavory personal reputation in the city of Lorain. This reputation is derived from the manner in which he has operated his nightclub since he purchased it in 1956.

"There is a feeling in the community that the defendant has operated a ring of prostitutes at his club. The county welfare department director advised the probation officers that in the past several years girls have come to his department for assistance stating that they had been prostitutes and that when they became pregnant, they were put out on the street.

"According to the welfare director, these girls identified themselves as 'Johnny Gay's girls.'

"However, police authorities in Lorain advised the probation officer that they never had reason to believe that this defendant was personally involved in any prostitution ring.

"They were of the opinion that he permitted prostitutes to solicit openly at his club and for years the club has had the reputation of being the place to go to get a woman.

"The defendant, when questioned by the probation officer regarding prostitution occuring at the club, denied any personal involvement with prostitution. However, he admitted that prostitutes did solicit at his club and that he permitted this activiy because to stop it would 'ruin his business.'

"The defendant was apparently more concerned with making money than he was with his personal reputation or the reputation of his place of business."

Connell then drew a conclusion:

"This Court considers that his claim of not having conscious control of himself during his 'crimes,' of not understanding his lawyer, of not being fairly treated and of being irresponsible for his actions, is a most frivolous and malicious fabrication. The motion in forma pauperis is dismissed as frivolous and malicious."

[From the Cleveland Plain Dealer, July 6, 1967]

Johnny Gay Woos Staff: Term Cut by 1,328 Days

(By Doris O'Donnell and Harry Stainer)

At Lexington, Ky., where the National Mental Health Institute Research Center now operates facilities for drug addicts, Gay became No. 66862.

The tattooed ex-Marine and bar owner became something else, too, a veritable wonder to the hospital staff.

He was there to serve 10 years for numerous violations of federal narcotic laws.

But he could not envision himself stuck in prison for that long. He was 45. He wanted out.

Many prisoners become jailhouse lawyers. Gay went this route, too, using the hospital library for legal research.

He bombarded U.S. District Judge James C. Connell, who had sentenced him in 1962, with legal requests to appeal the conviction and sentence. He had only 10 cents to his name, he said, and wanted the court to hear his petition without counsel.

Gay charged a miscarriage of justice. He charged he was incompetent at the time he pleaded guilty to 18 narcotics charges. He charged his lawyer "took advantage of his incompetence" and promised he would get a five-year sentence and parole. Judge Connell here denied each motion.

Judge Connell used remarkable language in denying Gay's appeal. The judge wrote:

"One can learn something of the mental capacity of a defendant by the way he goes about the business of committing an offense. Of what did Gay's crimes consist? He was in the criminal business which requires more cunning and ingenuity than most others, and he brought to it more cunning than others.

"He was in the business of successfully buying narcotics; finding the sellers; using dupes to make the purchases; then finding the buyers; transmitting to buyers on a successful financial basis and scale; successfully selling only to those he can trust; successfully selling only to known addicts; successfully avoiding sales to government agents.

"No one could possibly have worked up the lucrative business he enjoyed, and at the same time have been so mentally incompetent that he didn't know what was going on around him, or what he said to others, or what they said to him."

He added: "The agents had no easy time with Gay, for Gay brought unusual intelligence, daring, perception and generalship to his nefarious business."

But Gay was not easily deterred.

Gay wrote probation officials. He appealed to the Legal Aid Society in Lexington. He was shooting unerringly at a target—freedom.

Printed application forms for executive clemency are available to all federal prisoners. At Lexington few inmates—only six to eight of about 700—might take advantage of them.

Gay not only took advantage of them, he directed his father, John Gay, a retired steelworker, to get signatures of friends and relatives. Gay wrote a long autobiography, not sparing intimate details of his life, to support his application.

Reed Cozart, U.S. pardon attorney, evaluated the Gay written document, with 14 signatures of friends from Lorain, Cleveland and Lexington as particularly candid. Gay discussed his interracial and bigamous marriage to a former barmaid, Virginia Orr. Cozart was convinced Gay wasn't trying to hide anything.

The Plain Dealer learned who signed the petitions. Names of letter writers were not made available by federal officials.

While the commutation machinery was grinding slowly through the U.S. Justice Department, Gay did not sit around and hope or pray. He had another angle or two. It was to earn time off his sentence by his behaviour at the Lexington hospital.

Dr. Jimmie D. Hawthorne, M.D. assistant to Dr. Robert Rasor, director of the Lexington hospital recalled Gay came to Lexington's Cobb Hall in 1962 in a state of "depression."

Once improved, he was given a clerical job with the staff that handled psychological testing of inmates. Dr. Hawthorne stressed that Gay did not administer tests. He gathered the papers, prepared them for evaluation. Paper shuffling, really.

"He also oiled the machinery on the call system," Dr. Hawthorne said.

The call system involves getting patients safely from security quarters to interview offices for appointments with staff, clergy or visitors.

"Our biggest problem has been separating men from women, preventing them from stopping off en route to appointments or turning up missing at some point along the way," the doctor said.

Before Gay, there were problems of this kind with inmates.

After Gay, none, Dr. Hawthorne said.

A greenhouse had been abandoned. (Dr. Hawthorne explained Lexington officials had discarded an old concept that narcotic addicts needed fresh air and farm work as forms of treatment. The hospital is on 1,000 acres of rolling Kentucky landscape, and farm animals once roamed its blue grass.)

But Gay, "as a voluntary thing," revived the greenhouse greenery.

"While here he was a model patient," Dr. Hawthorne said. "He planted the inner court—turned it into a horticultural garden. He and a professor of romance languages at the University of Kentucky had much in common with the garden."

The professor taught English to Spanish-speaking patients. Gay accompanied the professor into the city of Lexington on occasion.

Gay was an Episcopalian as a youth. At Lexington, he switched to Catholicism. He wrote a booklet on the changes in the liturgy of the mass. He directed incoming patients, who were Catholic, to the chaplain. The Protestant chaplain tried to recruit Gay, too.

The Catholic priest, in exchange, wrote letters of appeal on Gay's behalf, to U.S. Senators Frank J. Lausche and Stephen M. Young of Ohio. He also wrote to U.S. Sen. Robert F. Kennedy, N.Y. Gay said each senator replied that the matter was under investigation by the Justice Department.

Gay's good deeds did not go unnoticed. It earned him time off his sentence. His file is filled with reports by the hospital review staff. Gay was also a guinea pig for the hospital's research project and had an opportunity for post-graduate work in the newer drugs, including LSD.

At Lexington, the U.S. Public Health Service tests drugs, real and synthetic, to learn if they are addictive and "safe" for mass consumption.

During July and August, 1965, Gay took part in four psychological studies—one was a reaction of skin to heat. None, Dr. Hawthorne said, required Gay to take any form of opiate drug.

Dr. Hawthorne said Gay got "lump sums" of good time for his "meritorious performance on a high level," as determined by the staff review board. Normally, Dr. Hawthorne said, this is reserved for "acts of heroism." He cited a person who rescued trapped patients from a stuck elevator.

"But Gay had sustained superior performances over and above what was expected," he said. "When a clerk was off he performed the clerk's duties for three months."

On Dec. 24, 1966, Gay received a furlough. He went to his parent's trailer home at 3948 Reid Avenue, Lorain, where his father was stricken. Earlier the father had suffered a stroke. Gay went unescorted under new rules of Lexington. Persons who saw Gay in Lorain last Christmas were dumb-founded.

Why was Gay kept at the hospital. Why wasn't he transferred to a security prison where drug racketeers usually go?

"At no time," Dr. Hawthorne said, "did the hospital staff feel that we had done all we could for Gay. He continued to fight his legal battle. He was upset. He had letters from his family (two daughters) which upset him. We felt that 4½ years—his stay at Lexington—was short. He needed to be here.

"He left here not dependent on any drug. He had a great deal of psychology treatment and benefited from it, but whether it will sustain him—?

In Washington, Gay's No. G–80 document, the appeal for presidential clemency, with signature of family and friends was fortified with dozens of letters. Cozart handled all of them. He is a veteran of 25 years in penal work. He was one-time deputy warden of the federal prison at Leavenworth, Kan.

The progress report from Kentucky, March 4, 1966, Cozart said, stated that Gay "had been an addict for many years and was now cured."

Here Are Conditions of Gay's Freedom

The Cleveland office of the U.S. Board of Parole provided The Plain Dealer with a list, detailing conditions for a federal parole.

John A. Gay, while free on a mandatory release by virtue of executive clemency, is under the jurisdiction of the Cleveland parole office. The area includes northern Ohio, and extends south to Mansfield, O., where Gay is now employed.

The rules are that a parolee may not leave the limits of the district without permission of the parole officer.

The conditions also prohibit drinking alcohol to excess, the purchase, possession or use of narcotics or other habit-forming drugs and avoiding places where drugs are illegally sold or used.

Parolees also may not associate with persons who have a criminal record or associate with persons engaged in criminal activity.

Firearms are forbidden without written permission.

In addition, a parolee may not act as an informer or special agent for any law-enforcement agency.

[From the Cleveland Plain Dealer, July 7, 1967]

Gay Jobless 4 Months—Lived Off His Old IOU's

(By Doris O'Donnell and Harry Stainer)

Lorain.—It isn't every day that a felon gets a presidential commutation and walks out of federal custody into freedom.

John A. Gay did.

With the precious document bearing Lyndon B. Johnson's name, Gay was supposed to have a plan—a home, a job, a way of life within the law.

The hard-won presidential document travels with Gay, the former Lorain narcotics pusher. He keeps it in a shoebox in the trunk of his father's car, which he now drives.

Gay was released from the federal hospital for narcotics addicts at Lexington, Ky., last Jan. 20. But it was May 2 before he went to work on his first job in Mansfield, O., as a salesman for Majestic Homes, a real estate development. He told his employer he had been in a clinical research hospital. He stayed at the Mansfield YMCA. He and the job parted company a few days ago.

From January until May, he had numerous problems, but no job. His father, John A. Gay Sr., was in a nursing home, the victim of a stroke. His aged mother, Mrs. Lillie Gay, was unable to drive the family car. Gay took her to and from the nursing home daily.

Plain Dealer reporters checked Gay's activities with the federal parole office in Cleveland.

"That's a ticklish one," an officer there said. "He's supposed to have a job. That's a condition of the release. He's come up with several plans. He wanted to go to Chicago, then Philadelphia. And to Thailand. But none of his plans were realistic."

Michael J. Keenan, Gay's probation officer, explained that under a mandatory presidential release, such as Gay's, Justice Department reviewers apparently considered that Gay, a divorced man, "had a home with his mother, could depend upon her for sustenance and that the regular requirements for employment could be waived."

Gay came out of the hospital-prison with two suits of clothes given him by a former brother-in-law, Frank J. Nardini, 3330 E. Erie Street, Lorain. Nardini is board chairman of Lorain, Inc., an $11-million real estate holding company.

Nardini and his wife, Laura Dandrea Nardini, while driving to Florida last January dropped off the suits when they visited Gay at Lexington.

Gay barely had cigarette money.

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"Might as well give them the business," Gay said.

Reporters asked a Lorain vice squad officer whether Gay has been in old hangouts. He said he saw Gay in two Broadway night spots in recent weeks.

Another police officer said he heard Gay was an informer for the federal government and that he's "bound to be trouble."

[From the Cleveland Plain Dealer, July 9, 1967]

Gay Defends Release by "Court of Last Appeal"

(By Doris O'Donnell and Harry Stainer)

Lorain.—John Alfred Gay said the federal government put him in prison and that it also was "the court of last appeal" to get him out.

"I was given a sentence over the minimum," he insisted, "and there had been no chance for probation or parole. A presidential commutation was the court of last appeal."

Gay was sentenced to two five-year terms for illegal purchase, sale and concealment of narcotics. The terms were to run consecutively. The maximum sentence for federal narcotics violations is five years per count. With time off for good behavior, a narcotics convict can be freed in less than five years.

Gay, by a presidential order, had his sentence commuted to seven years. This was further cut by time off for good behavior. He was released in 4½ years.

Gay spent three hours with Plain Dealer reporters recently. He answered questions freely, smiled, smoked. He was pleasant, almost charming. He made no bones about disliking publicity.

"If something comes up about me in the newspapers," he said, "I'll relocate. I'd give my commutation back to the President if you print anything about it and me."

Gay sat in the shadow of his parents' mobile home at 3948 Reid Avenue, Lorain. He held a yellow legal pad on his lap, but he wrote nothing on it.

He explained that "social service workers at Lexington" told him of the commutation forms in 1964 and that he began preparing them. He had already tried to pry the hospital doors open with the assistance of Cleveland lawyer John P. Butler and failed. Next he tried the Legal Aid Society of the University of Kentucky.

"An offshoot of my interest in the commutation," Gay said, "was that immediately after sending my petition in, I helped a man named Taylor, an illiterate from New York. We both got seven-year commuted sentences, and we both got out the same time."

Gay said he was investigated for two years by the U.S. Justice Department.

Nathaniel R. Jones, an assistant U.S. Attorney here, said that on Jan. 18, 1965, the U.S. pardon attorney notified the U.S. attorney's office here that the Gay case was under consideration. The Gay file was sent here and reviewed. Jones then wrote the following letter to the pardon attorney, Reed Cozart.

"The seriousness of the offences committed and the period of time over which they were committed, compels this office to the belief that a reduction in sentence at this early date is not warranted, Judge Connell (James C.) concurs in this view."

Jones said the Gay file was returned to Washington in March, 1965, and "we heard nothing more until we were notified of the commutation in June, 1966."

These reporters asked Gay if was a narcotic addict, and if so, whether his assignment to Lexington was based on his own statements about using drugs.

"It was based on my own statements pretty much," Gay said. He explained that after his arrest in 1962, he was not given either a medical or psychiatric examination by the federal court.

"I was a heroin addict," he said, "and for this I received intensive psychotherapy."

Looking back at his preprison life, Gay said:

"I was unstable, I led a dual life. Now, I know where I want to head. I want happiness and contentment. I want to be out of the public eye."

Gay, an ex-Marine, who was also the master on a tanker in the Merchant Marine, said he started taking morphine while in military service.

Why? "The result of being scared."

He saw service in the Mediterranean Sea, the Indian Ocean, the Persian Gulf and the Sea of Japan.

After the war, he said he and John Mariotta started Associated Builders, Inc., in Lorain and later lined up with his two brothers-in-law, John Dandrea and Frank J. Nardini, in Dandrea & Nardini.

"I wanted to try to run my own business," he said. "Rebman's (recreation and bowling) looked like a terrifically good business venture. I sold my interest in Associated Builders and bought the place."

Nardini had said Gay's interest in Associated Builders was around $20,000 but Gay said: "I had more than that coming."

Gay then ventured into the home construction business, operating Dixie Construction Co. along with his Broadway tavern.

Gay said it was during this period that he began using drugs oftener. "I used to get morphine from a doctor here in Lorain," he said. "He's dead now."

Gay said that a John S. a Cleveland Negro, "had connections" for getting heroin.

"I was buying for my own use," Gay said. John S. brought in the federal agent. In my case, the police claimed I sold the agent $1,370 worth of heroin. I've never seen this money."

Gay said "the buys" (for heroin) were all set up in advance. John S., Gay said, set them up.

Speaking of his use of drugs, he said:

"It calmed my anxieties, my nerves, and lessened my sex inhibitions. After I had used it too long, I knew I was physically and psychologically addicted.

"I took it during the height of Dixie Construction," Gay said, explaining he had built 40 or 50 homes in the low-price range.

Gay's barmaid, Virginia Orr, and her brother, Curtis, were convicted also in cases growing out of the purchases made by under cover agents at Gay's tavern.

"The Orrs used drugs before I knew them. They used what I gave them. We used it together," Gay said.

"I'm sorry for what I did. I can't turn back the clock," he said.

Gay said he was "mentally unbalanced" by narcotics when he bigamously married Virginia Orr in Chicago in 1961. Gay said that after the second-floor bowling alleys above his tavern were destroyed by fire, he built an apartment over his tavern where Miss Orr lived.

He said the reason he pleaded guilty to six counts of illegal possession of narcotics in 1962 was because he could not "tell my wife and family about Virginia Orr."

His bigamous marriage, he said, is now invalid or the original marriage contract was illegal. (Gay's wife, Dorothy, divorced him shortly after he went to the prison hospital.)

Gay said Miss Orr was in the Lexington hospital twice while he was there, once because of her sentence, and again voluntarily.

"I tried to get her to school. She was in Lexington five months the second time. I got her enrolled in a federally subsidized school, took her to classes. She went three times and dropped out.

"If she ever needs help, I'll help her," Gay said.

Gay charges a conspiracy sent him to prison.

"There was a conspiracy but I broke the law; the sentence was not justified," he said.

He said that during the years he worked, "I gave everything materially to my wife. I signed everything over to her after my arrest. We agreed about the divorce. We discussed getting together when I got out. I gave her everything materially, but I didn't keep love in the home."

Gay said his former wife has recently returned to him cognovit notes from persons who owed him money.

Gay said he has an apartment building in Cleveland which he is selling on land contract. He draws income from that.

Olimpio Giannini, owner of the Antlers Hotel in downtown Lorain and a bootlegger during prohibition days, said Gay approached him with a business proposition after Gay's release in January.

"I told him I didn't want a sporting house here," Giannini told reporters.

Are you in prostitution? reporters asked Gay.

"I can make money easier than that. I won't go in that direction," he replied.

Gay wound up the interview by relating "a trip" he took on LSD while at Lexington. He said he also tested barbiturates, drugs used in the national space program, and marijuana.

Reporters tried to interview Miss Orr, calling at her downtown Lorain apartment and at the home of her parents in Sheffield but were unable to contact her.

From official sources, they learned that Miss Orr, now unemployed, had been a close friend of Leroy Burns.

Burns is one of six defendants under indictment in a theft of thousands of pills from a Cleveland wholesale drug firm earlier this year.

Vice Raid Nets Lorain Hotel Boss

Lorain.—Olimpio Giannini, owner of four Lorain hotels, was released on $5,000 bond after being charged late Friday with keeping a place for prostitution, procurement and attempted carnal knowledge of a 15-year-old girl.

Giannini, 72, was one of four men arrested Friday night in a prostitution raid at his Antlers Hotel, largest hotel in Lorain.

The Antlers is located just a half block from the Lorain City Hall and police station.

The three other men who were arrested and charged are Joseph Church, 39, of 1038 W. 21st Street, a bellboy and bartender at the Antlers; and Frederick L. Atkinson, 30, and Lawrence Keegan, 24, residents of the hotel.

The four were arraigned before Lorain Municipal Judge John Kolena. Giannini will have a preliminary hearing July 14 on the charges.

Atkinson is charged with five counts of procurement, three counts of carnal knowledge of the 15-year-old and harboring a female for prostitution. His bond was set at $17,500.

Church and Keegan, charged with carnal knowledge of the 15-year-old, had bond set at $2,500 each.

Lorain police said their investigation was aided by the 15-year-old girl who gave statements about previous experiences at the Antlers. She is being held in the Juvenile Detention Home.

U.S. PARTICIPATION IN FIAT-SOVIET AUTOMOBILE PLANT

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ASHLEY. Mr. Speaker, it is my privilege to be chairman of the Subcommittee on International Trade which reports to the House Committee on Banking and Currency. During hearings on April 11 and 12, relative to the Export-Import Bank, the question was raised as to whether the Bank should be permitted to extend up to $50 million in credits to cover purchases in the United States of machine tools for the Fiat automobile plant to be constructed in the U.S.S.R.

This led to additional questions as to whether the U.S. Government should permit at this time the expansion of trade with the Soviet Union and the Communist countries of Eastern Europe, and whether the Export-Import Bank should be allowed to finance such expanded trade. These questions, as well as statements made recently before this body and to the press, have made it clear to me that there are widespread misunderstandings and misconceptions with respect to the Fiat-Soviet automobile plant transaction in particular and to our Government's East-West trade policy in general.

For more than 3 months a bipartisan group of members of the International Trade Subcommittee—Representatives JAMES HARVEY, CHESTER L. MIZE, THOMAS M. REES, and myself—devoted intensive study to the Fiat transaction, including discussions in depth with U.S. Government officials and representatives of the American machine tool builders industry. Between December 7 and 19, 1966, we traveled to Italy and the Soviet Union as well as to other countries.

We discussed in further detail the Fiat transaction with officials of the Italian and Soviet Governments, with officials of the Italian Fiat automobile company, and with other private industrial and banking representatives. Our report, representing the combined opinions of the four of us who conducted this intensive study, was published on March 1, 1967.

Perhaps it will be useful, Mr. Speaker, to set forth the basic facts regarding this proposed Fiat-Soviet auto plant which explain why my subcommittee colleagues and I endorsed U.S. participation in this transaction by allowing exports of U.S. machine tools with Export-Import Bank financing. Our position was based upon these findings:

First. Permitting U.S. firms to supply, and Export-Import Bank to finance, up to $50 million worth of U.S. machine tools for installation in the Fiat automobile assembly plant in the U.S.S.R. will not jeopardize the national security and welfare of the United States.

We are assured that the Department of Commerce will carefully review each application for the export of all tools and equipment for this automobile plant in the Soviet Union. Equipment normally required for the manufacture of light automobiles, like the Fiat passenger cars to be built in this plant, has already been determined by the Commerce Department to be peaceful goods. Based on my personal discussions with Commerce Department officials during our study of this transaction, I am confident that, as required by section 3(a) of the Export Control Act, they will not approve any machine tool exports to the U.S.S.R. that would be detrimental to U.S. national security and welfare.

All of the equipment involved has well-established uses in the production of civilian-type automobiles, but some might also be used for strategic purposes. The Department of Commerce has announced that export approval of such equipment would be less likely. The Department assures us that it will evaluate such equipment against a number of factors before acting on export applications. Factors that will be considered are—

First. What are the alternative uses of the equipment, and are these of military significance?

Second. Are the quantities and types of equipment requested normal for the job and for this proposed plant? The risk of diversion from automobile production to strategic uses will be carefully assessed.

Third. Is comparable equipment available abroad? Would U.S. export denial effectively prevent Fiat and the Soviets from obtaining such equipment from non-U.S. sources?

Fourth. Does the equipment incorporate significant technology that is extractable?

Fifth. Would export approval adversely affect production of equipment for the U.S. defense effort?

Sixth. Is the equipment ordered by Fiat from the United States an integral part of a large package and, therefore, unlikely to be used for any other purpose?

In weighing these factors the Department of Commerce will consult the Departments of Defense and State and other interested agencies.

Department of Commerce officials have informed me that, according to their technical advisers, only a few of the machines expected to be ordered by Fiat are likely to have alternative uses in the production of military vehicles or other items. This is because machine tools for the production of the small Fiat cars and their components generally are not applicable to the production of heavier components required for military vehicles. Moreover, spokesmen for the American machine tool builders industry have advised our subcommittee group that there is no domestic shortage of automotive machine tools of the types likely to be installed in the Fiat plant. Current order backlogs of the American firms are considered normal.

Our subcommittee group concluded that some exports of autos from this plant may develop, but we are convinced that such exports would be small. Several reasons support this conclusion. The types of Fiat autos to be produced will be specially adapted to peculiar Soviet needs in terms of road and weather conditions, and they are likely to have very limited sales appeal elsewhere. Moreover, internal demand in the U.S.S.R. far exceeds its current and proposed automobile production goals. Finally, the new plant is not scheduled to enter into full capacity production until 1974—7 years from now.

In evaluating the risk to our national security and welfare, we should not overlook the magnitude of the Soviet capital investment for this plant. We should consider also the additional capital investments they will later need to make for roads, service stations, gasoline, steel and other production materials. Needless to say, the capital that the Soviets invest in this plant and these related activities will not be available for investment in military production.

Second. The Fiat-Soviet automobile assembly plant will provide benefits to the United States and the free world.

Secretary of Commerce Trowbridge wrote our distinguished colleague, the gentleman from Texas, WRIGHT PATMAN, chairman of the Banking and Currency Committee, on April 12 of this year that—

> The product of this plant—light automobiles—is a peaceful item which will in the years to come provide better transportation and increase the standard of living for the people of the USSR, even though the first customers may be their government officials.

I agree with this. It is in our national interest to encourage through peaceful trade with the Soviet Union the improvement of their consumer economy. Even if the Soviet leaders try to keep these Fiat autos from public consumption by restricting their use to Soviet Government officials, I believe that the clamor of the Soviet people for these cars will compel the Soviet leaders to make them available before long to the Soviet people.

The $50 million that U.S. firms will get for their equipment and the additional returns accruing from sales of their foreign affiliates and licensees should help to improve our balance of international payments, to provide profits for American manufacturers, and to sustain wages and work for American labor. Certainly these are worthwhile benefits to the United States.

Third. The Fiat-Soviet automobile plant will be constructed even if the United States refuses to participate with equipment exports and financing.

Intensive study of this matter has convinced me that our refusal to permit equipment exports and/or credit will not prevent this plant from being constructed by Fiat in the Soviet Union. This conclusion is based on discussions with government and industry officials, here and abroad. In his April 12 letter to Chairman PATMAN, Secretary of Commerce Trowbridge stated:

> It is also quite clear that with or without U.S. equipment or financing the USSR can obtain this and other modern light automotive manufacturing plants from Italy and other Western European countries.

In the face of this judgment, it is difficult to understand why we should deprive American business and American labor of the benefits that will accrue from U.S. participation, or why we should want to impair U.S. relations with Italy and the Soviet Union. We would be cutting off our nose to spite our face.

Fourth. The proposed Fiat-Soviet automobile assembly plant has the solid support of the administration.

President Johnson and the late President Kennedy have been given solid support for this transaction by the Departments of Defense—including the Joint

Chiefs of Staff—State, and Commerce, as well as the Export-Import Bank and other interested agencies.

It is in full accord with U.S. Government policy to maintain contacts with the Soviets which can lead to more normal relations and to encourage the Soviet leaders and people toward peaceful cooperation and open societies. Trade in peaceful goods with the U.S.S.R. and the Eastern European countries helps us to achieve these objectives by promoting contacts and exchanges.

This transaction, like other peaceful trade actions, represents a constructive step toward achieving that "balanced strategy for peace" and the diminution of mutual suspicions and fears that has long been the policy of the United States.

If ever we are to use our trade policies and measures flexibly and purposefully—instead of negatively or passively—to promote a wider range of constructive relationships between the U.S.S.R. and the United States, then now is the time and this Fiat-Soviet auto plant is one of the means.

Fifth. The Vietnam war should not deter us from acting at this time but should, instead, impel us to act now.

It is easy—and perhaps even popular—to say that we should drop the Fiat matter until the Vietnam war ends.

I urge U.S. participation in this transaction now because I am firmly convinced that this is the right thing to do at this time. By seizing the opportunity at hand, we will be acting in a constructive manner to ameliorate the international situation outside the Vietnam orbit.

In the final analysis, Mr. Speaker, the Congress has a responsibility to support and implement our Nation's foreign policy. President Johnson defined our objectives last October 7 when he said:

> Our task is to achieve a reconciliation with the East—a shift from the narrow concept of coexistence to the broader vision of peaceful engagement.
>
> Americans are prepared to do their part. Under the last four Presidents, our policy toward the Soviet Union has been the same. Where necessary, we shall defend freedom; where possible we shall work with the East to build a lasting peace.
>
> We do not intend to let our difference on Vietnam or elsewhere prevent us from exploring all opportunities. We want the Soviet Union and the nations of Eastern Europe to know that we and our allies shall go step by step with them as far as they are willing to advance.

In summary, Mr. Speaker, it strikes me that it is in our enlightened self-interest to promote closer relationships, including trade with the Soviet Union, at this time. I am not unmindful of the fact that the Soviets are supplying North Vietnam with arms and materiel that are being used against our fighting men. Nevertheless, our basic purpose is to achieve a stable and lasting peace, and this requires not only that aggression be thwarted but that positive efforts be made to fully explore and maximize areas of mutual interest. We must look beyond Vietnam and recognize that the responsibility for maintaining peace and security will rest primarily with the United States and the Soviet Union for many years to come. As a country, I think we have had enough experience to be able to be realistic about communism without adopting rigid attitudes which only thwart discussion and heighten dangers in an already dangerous world. Certainly we are sufficiently mature and confident as a nation to be able to meet with those countries with whom we have disagreement and to seek accords which promote the cause of peace.

MICHAEL V. DiSALLE ADDRESSES YOUNG DEMOCRATIC CLUBS OF MISSOURI, INC.

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashley] may extend his remarks at this point in the Record and include extraneous manner.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ASHLEY. Mr. Speaker, recently a distinguished former Governor of Ohio and my very good friend, Michael V. DiSalle, addressed the State convention of Missouri Young Democratic Clubs. Governor DiSalle reviewed the history of great Presidents, pointing out that the truly great ones were often attacked and reviled and that President Johnson will rate a high place in history as a devoted servant to the preservation of peace.

Governor DiSalle's illustrative comments to this youthful audience evidences once again the intellectual breadth and wisdom of this great American and I commend his remarks to the attention of my colleagues, as follows:

Address by Michael V. DiSalle at Young Democratic Clubs of Missouri, Inc., 1967 State Convention, June 10, 1967

It is a privilege to share the platform of this convention with so many distinguished Democrats. It is a particular pleasure and honor to come to Missouri that has given not only the Democratic Party but the Nation and the world so many great leaders. No Democrat, no American and especially one who has worked for him could resist paying homage to that greatest of all of your fellow citizens, one of the Nation's greatest Presidents and one of the world's all-time great leaders—Harry S. Truman. The Nation is firmer in its democracy and the free world stronger in its resolve as a result of his courage and wisdom. It has been these qualities so capably demonstrated by Harry S. Truman that have brought the Democratic Party from Jefferson to Johnson as the oldest political party in world history and the most consistent in its sponsorship of a greater dignity for the individual. A dignity which incorporates equality of opportunity for all.

From May 13, 1792, when Thomas Jefferson founded the Democratic Party, his philosophy has influenced the course of the party's programs. To those who look back and who would like to read history out of context, it is safe to say that Jefferson's vision did not contemplate a strict construction State's rights party. He did not foresee his party urging that the States be given the authority to deny persons the rights and blessings of American citizenship.

The Jefferson purpose was to create a party which could be really democratic in its makeup, in its partisanship, in its purpose and its method. In fact, it was to be a party that would represent one of the great natural views of government.

Today the Democratic Party remains strong in its advocacy of State's rights, even in the face of those who seek to confuse this doctrine with license to take away from the individual the rights reserved to him under our Federal constitution.

As a sidelight, today in these troubled times we might just quickly review that the Democratic Party still contends that the individual must be protected from the excesses of a powerful government, whether that government is that of a State or of a nation. It is because of this constant maintenance of this thread of continuity that the Democratic Party today exists as the oldest political patry in the world. The foresight of Jefferson remains as the wisdom of today's Democracy. We cannot look back at Jefferson, his philosophy, his wisdom, his vision, without marveling at his ability to foresee the future. This at a time when no thought was being given to nuclear energy, let alone the advances in communication or transportation that have since taken place.

His wisdom is practically confounding when we re-read his letter to Monroe in response to Monroe's request for advice in the promulgation of the Monroe Doctrine. In this letter, amidst much sound advice, he asked a question, "Do we wish to acquire to our own confederacy any one or more of the Spanish provinces? I candidly confess that I have ever looked on Cuba as the most interesting addition that could ever be made to our system of States. The control which, with the Florida point this island would give us over the Gulf of Mexico and the countries and isthmus bordering on it as well as all those whose waters flow into it, would fill up the measure of our political well-being." He then dismissed this thought because of the danger of war and risking the enmity of England. Many of us today wish that his musing had been resolved in the affirmative.

It has been said that Andrew Jackson, produced the most turbulent administration in our political history. This, of course, is subject to question, since turbulent administrations seem to be the trademark of Democratic presidencies. At least through the time of Wilson, no other president engaged in such furious and continuous political conflict. It was perhaps the strong feeling on the needs of democratic government which led him to write, "Distinctions in society will always exist under every just government. Equality of talents, of education or of wealth cannot be produced by human institutions.

In the full enjoyment of the gifts of heaven and the fruits of superior industry, every man is equally entitled to protection by law, but when the laws undertake to add to those natural and just advantages, artificial distinctions, to grant titles, gratuities and exclusive privileges to make the rich richer and the potent more powerful, the humbler members of society—the farmers, mechanics and the laborers who have neither the time nor the means of securing the favors for themselves, have a right to complain of the injustice of their government. Consequently, the philosophy which governs the thinking of the Democratic Party today is that which motivated not only Jefferson and Jackson, but other strong Presidents such as Madison and Monroe, Van Buren and Polk, Grover Cleveland, Woodrow Wilson, Franklin D. Roosevelt, Harry S. Truman, John F. Kennedy and now, Lyndon B. Johnson.

When we scan the record of progress for which these Presidents have been the architects it brings to mind an old Winston Churchill story. Engaged in a particularly difficult campaign in his own constituency, he complimented his opponent on his humility and said that it was an admirable quality but, he added in true Churchillian style, that his opponent certainly had a great deal to be humble about! So we, too, can compliment our Republican opponents on their admirable humility but agree with Churchill that in comparing the record of the two political parties, our opponents certainly have a great deal about which to be humble.

The life of the Democratic Presidents during the period in which they held office was not an easy one. There was a constant uproar, instigated, motivated and kept alive by those who have always feared and still fear a truly democratic society. Whereas today we honor Jefferson and Jackson, this was not the case during the period in which they were promulgating the programs for which today they are admired and honored. In our own lifetimes we can think of the abuse received by Franklin D. Roosevelt and the position he now occupies in history. We can remember, especially in this area, that the popular sport during the administration of Harry Truman was to revile him, to downgrade him, to abuse him. Today, no fair-minded person can doubt that he has already achieved a great place in history which time will only serve to emphasize and increase.

The man whose assassination shocked the world, John F. Kennedy of revered memory, was the target of many who sought to stop his march toward national progress. Today, the image-makers are not painting a very kind picture of Lyndon B. Johnson but, just as it was difficult to imagine the positions now held in history by Democratic Presidents of the past, here too, history will write a much more favorable page on the stewardship of Lyndon B. Johnson and Hubert Humphrey.

We are today again involved in a vexatious conflict which saps our energy, our resources and our humanity. The struggle for peace certainly overshadows the fact that progress is being made in areas of domestic concern. The disruptions that occur in families certainly lead to impatience and dissatisfactions, but regardless of how badly we want peace and how much we strive for it, unless our opponents want peace, its achievement within our lifetime, the achievement of a kind of domestic tranquility that we all long for, can remain beyond our reach. This is a situation where the President needs our understanding, our prayers, our assistance and the patience that will help deal with situations which, in many instances, are beyond our control. We must never forget that for the first time in our experience we are dealing with a rival power which denies the theory and the practice of our society.

We must keep in mind that today wherever we are engaged in the defense of democracy, that regardless of the color of our opponents' jerseys the quarterback is always the same, the name of the game regardless of tactics is always the same and that is, "Beat the United States"—the last capable defender of the free individual, the last obstacle in the path of our opponents' goals of world domination.

They challenge the existence of a democratic philosophy anywhere in the world. In spite of all of our efforts this competition will not disappear. In truth, we will have to live in the same world with this rival. But what we do today will determine whether this living together will be in servitude or in equality. We cannot overlook the facts of the Vietnam conflict as they now exist.

We cannot hide, we cannot blind ourselves to the fact that the so-called "peasant" Vietcong, the grossly under-rated North Vietnamese, are carying on a conflict which has every indication that they are possessed of the world's most modern equipment, a seemingly inexhaustible source of supply, that they engage all forms of terrorism and that the techniques, equipment and supplies are being furnished by those foreign powers who are most critical of the United States' involvement and our attempts to preserve a base for freedom in Southeast Asia.

That there is dissent in this country is not unusual, nor is it new. Today we honor the revolutionists who made possible the existence of this free Nation but we must not forget that certainly their cause was not blessed with the unanimity of opinion of all those who were residents of the Colonies during that difficult period. The War of 1812 certainly produced its share of dissent, even though at that time we were fighting for freedom of the seas.

During the War between the States, dissent and opposition occurred, not only between the States but down to families and within families. Brothers fought on each side for what each thought were his principles. During that conflict, Abraham Lincoln was faced with the burning of draft headquarters, rather than draft cards. There are areas in the country today which changed political affiliation over our involvement in World War I and World War II.

All of us who lived during the hectic early fifties remember the attack on communism, Korea and corruption.

Today, the free world, including Richard Nixon, pays to Harry Truman the homage he deserved then, for his courage in taking the action necessary to stop communism in its attempt to enslave another nation. That there is outspoken dissent today is just further evidence to the world that democracy continues to exist and to grow while we strive to protect it for others.

Although there can be no limitation on intellectual dissent, there can be no justification where those extremists may call the President and the Vice President of the United States, "murderers," the stupidity and the extremism of the Stokely Carmichaels must be tolerated in the interest of the protection of a Democratic society, but certainly they need not be accepted without counter-attack and exposure. It is because of the President's position during these difficult days that we will continue to see him buffeted by wave upon wave of attacks and counter-attacks.

Those who today are being classified as "hawks" complain that he is not doing enough to bring the conflict to an end by intensifying the military action. Those whom we refer to as "doves" complain that he is not doing enough to bring peace through negotiations. It should be becoming more evident that our position is to seek an honorable peace, limiting the military action as much as possible and urging unconditional negotiations through every means at our command. Attempts by other nations have been spurned. Attempts at Papal intercession have been rejected. Direct communications by the President himself have been turned down. It is evident that every attempt is being made to discredit us and to paint a picture of an imperialistic nation which desires to subject a small and weaker nation to its will.

Too many in our Nation today are overlooking the excesses of the opposition. The words of Communist leaders are being quoted against the announced positions of American leadership. Since when do we assume that the leaders of a philosophy that we have long distrusted are speaking in the interest of Democracy? Since when can we assume that their interest is our future and our success? Shouldn't we remember that we cannot afford to be the Little Red Riding Hood of the 20th century? The bear has sharp teeth—all the better to destroy us if we lose our sense of perspective.

The critics of our Viet Nam policy have been numerous and vocal. It certainly is not too much to hope that they will join in paying tribute to President Johnson for his masterful performance in handling the current Mid-East crisis.

Working around the clock, pressing incessantly for a solution that would restore peace in that constantly troubled area, drawing on the experience of hours of visiting and getting to know the heads and important personages of other nations, he has brain-trusted our world-wide diplomatic network, while at the same time keeping our anxious legislators informed and in check, and our military forces in readiness. Certainly this outstanding effort on the President's part will rate a high place in the history of the world as a devoted dedication to the preservation of peace.

The latest attempt to frighten the Democratic Party and to try to take advantage of those who lose perspective is the new line that is being peddled, and that is that peace can only come with a Republican victory in '68. Those who are trying to sell this line point to Korea as an example—that it was only after President Truman left office was it possible to negotiate the peace. Those who tell us this fairy tale overlook our continued involvement in Korea, where 15 years later 50,000 men are still committed and billions of dollars have been and still are being spent.

The President is often referred to by his detractors as a completely political animal who seeks only his self-preservation as a politician. How inconsistent can we be, not to give full support to Lyndon Johnson who is staking his political future on what he believes to be the honest posture that must be maintained by this Nation if we are to maintain our commitments and our unsolicited position as the leader of freedom in the world. It is time Democrats review our history and the positions held by Democratic presidents in the past which, although attacked and reviled during their administrations, today constitute the most glorious pages of our history.

Today our Republican opponents are not certain whether to embrace youth or age. If their nominee is young they will base a campaign advocating the role of youth. If he is older, they will support experience. The Democratic Party is always young. A member of the John Birch Society at 24, is older than a Democrat of 83. Lyndon Johnson as the nominee of the Democratic Party in 1968 will have the experience necessary and the youthfulness of ideas, ideals and a willingness to devote himself to the furtherance of peace and increasingly improve standards for not only Americans but freedom-loving people everywhere—as young Democrats looking forward to a better world, you have the responsibility of assisting him in giving him the kind of victory that will help make possible the achievement of our mutual goals.

THE VISION OF C. SCOTT FLETCHER

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. PEPPER. Mr. Speaker, on March 5 through 7 of this year, the education television stations division of the National Association of Educational Broadcasters held their second national conference on long-range finance of educational television stations.

Under the able chairmanship of C. Scott Fletcher, who was responsible for setting up the Ford Foundation's Educational Television program, the conference produced a lucid, factual, incisive report reviewing the Carnegie Commission's report, "Public Television, a Program for Action," and also making suggestions for further action in increasing the scope and range of educational television.

The 350 conferees agreed according to the publication, that—

> The heart of educational television broadcasting is the individual station licensee. Strengthening of local stations should include operations and should occur as a result of local needs. Every effort must be made to increase the number of educational stations.

They further emphasized that general support for local programing by local stations is a priority need, with the main thesis of the report being:

> Public television funds should be insulated, independent and, as far as possible, diversified.

The report also included a historical perspective of educational television with quotes by President Johnson, Vice President HUMPHREY, who spoke at the conference, and others from Government, business, and industry.

Mr. Fletcher—one of the, if not the chief expert on educational television in America—was called out of retirement in Florida to become executive adviser to the National Association of Educational Broadcasters. Under his able tutelage the NAEB has made significant strides toward closing the gap between their goal of public television and the existing conditions of the television industry. Mr. Fletcher's ethic of self-sacrifice and efforts toward public television will be harvested a thousandfold by future generations of Americans who will enjoy the benefits of educational television.

I was very gratified to learn that through my efforts and those of my colleagues of the House Committee on Interstate and Foreign Commerce will hold hearings on the Public Broadcasting Act beginning on July 11. A matter of this importance to the American people both now and in the future deserves careful scrutiny and the utmost priority which I and my colleagues have been able to attain for it.

Mr. Speaker, I would like to insert into the RECORD at this point the news release issued by the National Association of Education Broadcasters:

> WASHINGTON, D.C., June 22.—The concept and principle of a Corporation for Public Broadcasting is strongly endorsed by educational television station managers and their governing boards of directors, it is stated in a report released today by the Educational Television Stations division of the National Association of Educational Broadcasters.
>
> "Public Television funds should be insulated, independent and, as far as possible, diversified."
>
> The report is a result of the Second National Conference on the Long-Range Financing of Educational Television States held here March 5–7.
>
> The 350 Conferees agreed, according to the publication, that "The heart of educational television broadcasting is the individual station licensee. Strengthening of local stations should include operations and should occur as a result of local needs. Every effort must be made to increase the number of educational television stations." They further emphasized that general support for local programming by local stations is a priority need.
>
> The 120-page report covers in detail, results stemming from the Conference. Conference participants were asked to review and react to recommendations to the Carnegie Commission report "Public Television: A Program for Action." Their approval of the Commission study and amendments they added are found in this pamphlet in Chapter I, "Summary of Conference Recommendations." The third chapter elaborates on the findings.
>
> C. Scott Fletcher, ETS Executive Consultant and a member of the Public Board of NAEB, was Conference chairman.
>
> An historical perspective of ETV is part of the book. Throughout the report are quotes on educational television broadcasting by President Johnson, The Vice President who spoke at the Conference, and others from government, business and industry.
>
> The Appendices includes texts of addresses delivered at the Conference by Dr. James R. Killian, Jr., who served as chairman of the Carnegie Commission on Educational Television; James McCormack, chairman of the Communications Satellite Corporation, and McGeorge Bundy, president, the Ford Foundation. Additionally, the appendices has a number of research papers and a diagram of the Carnegie Commission plan.
>
> Copies of the report on The Second National Conference on the Long-Range Financing of Educational Television Stations, compiled and edited by Drs. Warren L. and Serena E. Wade, Wade and Wade Media Consultants, San Jose, California, will be available for $2.00 from the ETS division, National Association of Educational Broadcasters, 1346 Connecticut Avenue, N.W., Washington, D.C. 20036.

AID FOR THE TOTALLY DISABLED

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. WALDIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. WALDIE. Mr. Speaker, I wish to bring to the attention of the House of Representatives my introduction today of a bill which amends title XIV of the Social Security Act to permit aid to the permanently and totally disabled to be paid, under approved State plans with Federal matching, to individuals in institutions for the mentally retarded. The wording which I propose is:

> An institution which is primarily for the mentally retarded shall not be considered an institution for mental diseases.

It is my opinion that action is long overdue to correct the tragic situation of a totally disabled person being denied help because of the type of care he requires. I am aware of many instances where applicants are receiving aid for the totally disabled while living at home, but would lose such assistance when the child is accepted in a facility with six or more residents. I firmly believe that a child, having qualified for ATD, should not be denied the continued support when changing his place of residence. Therefore, to assist individuals who are 18 years of age or over and permanently and totally disabled—but not blind—in attending an institution which is primarily for the mentally retarded and not an institution for mental diseases, I have introduced legislation to broaden the scope of aid to totally disabled, which, in my mind, is long overdue.

HUGHES AIRCRAFT EXHIBIT OUTSTANDING AT PARIS AIRSHOW

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CHARLES H. WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, among the spectacular displays highlighting the recently staged 27th International Paris Airshow were exhibits of American space technology featuring Surveyor, the first soft-landing, picture-taking unmanned spacecraft to land on the moon, and Intelsat II, the world's first commercially operated communication satellite to be operational over two oceans.

These space achievements, internationally acclaimed by space scientists and the world public, bear tribute to Hughes Aircraft Co., of southern California, one of the 111 American companies that were representative of the U.S. aerospace industry at the show.

In the lunar exploration field, Hughes demonstrated an engineering competence which has seen the successful landing of two Surveyor spacecraft on the moon. Hughes has built seven spacecraft for NASA to explore photographically selected regions of the moon for the space agency's lunar manned-landing program. A third Surveyor is at Cape Kennedy now, awaiting launch in mid-July to a new region of the moon.

As an electronics firm whose skills embrace the entire technical spectrum of unmanned space exploration and space communications, Hughes originally envisioned the synchronous communications satellite principle in 1959. Today, 8 years later, five operational satellites born out of that vision are in operation 22,300 miles out in space above the Atlantic, Pacific, and Indian Oceans.

Two of these are the Syncom satellites Hughes built for the National Aeronautics and Space Administration, which were launched in 1963 and 1964, respectively. They subsequently were taken over by the Defense Communications Agency and are in use now for military traffic between the United States and the Far East. One is above the Pacific Ocean, the other is over the Indian Ocean.

The Early Bird satellite represents the second generation of synchronous altitude spacecraft. It was launched over the Atlantic in 1965 for the Communications Satellite Corporation.

The third generation of satellites, popularly known as Intelsat II, were also built for Comsat, and were both launched early in 1967 into around-the-clock commercial service above the Pacific and Atlantic Oceans.

International aeropsace industry acclamation is well deserved for the many dedicated teams of scientists and engineers at Hughes who have made possible these man-made stars which have illuminated the frontier of space.

The Hughes exhibit at the Paris air show, which I had the privilege of attending, reflected the many and varied contributions she has made to our Nation's defense and our space exploration program.

I know that my colleagues in the House of Representatives and my fellow Americans share my pride in our aerospace industry, which, thanks to firms like Hughes Aircraft, was so ably represented at this international show.

SAN ANTONIO HEADSTART EFFECT GROWING WIDELY

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, under unanimous consent I include at this point the text of a picture story on the accomplishments of the Headstart program in San Antonio, which appeared in the San Antonio Evening News on July 5, 1967. As reporter Mavis Bryant states:

> Teachers find rare hidden abilities in children from deprived homes, as well as depressing cultural gaps.

The value of Headstart is well summed up in the sentence:

> The enthusiasm of teachers and supervisors in the Headstart program seems to radiate to parents and others in the community, giving them a sense of purpose and participation.

The article referred to follows:

SAN ANTONIO HEADSTART EFFECT GROWING WIDELY WITH 800 CHILDREN IN 53 CLASSES

(By Mavis Bryant)

A kid who never has heard the English word for arithmetic hardly could be expected to add, subtract and divide.

And this is where Head Start comes in.

The Head Start program, a poverty-war baby now half as old as the slum kids it serves, aims at filling the gaps that throw many youngsters behind in school from the beginning: cultural, linguistic, nutritional, medical.

As one teacher put it, "Then we hope the child can devote full attention to learning to read and write."

The San Antonio Independent School District, one of several San Antonio districts with Head Start programs, has 800 children in 53 classes this summer. They are housed in 16 centers concentrated in poverty areas. Children qualify for the program if their families make under $3,000 a year.

According to Mrs. Doris Brown, one of three directors of the program this summer, highly personal attention to each child is the key to the program. In each class one teacher, one paid aide who is a mother from the poverty area, one Neighborhood Youth Corps assistant, and at least one volunteer from the community at large can spot and minister to individual problems. Spanish-speakers among those supervisors aid materially in teaching English to the child who knows little.

"One of the major benefits of the Head Start program is what the paid aide mothers learn and take back into their homes and neighborhoods," said a teacher at Herff Elementary School. "This helps parents to understand and get involved in their children's education."

Parents' involvement is emphasized by program directors. A Mothers' Ad Hoc Committee in each school recommends subjects which might interest parents attending weekly open houses. In the weekly meetings parents visit classrooms, hear speakers, talk with teachers, and see their children perform.

"You just can't understand what may be troubling a child until you visit his home and talk with his family," commented pretty Mrs. Josephine Perales. "We're going to try to incorporate this into the regular program." Teachers visit each child's home twice during the eight weeks, to gain greater insight into particular environments and also to explain to parents about the program.

Mrs. Perales uses all the resources of David G. Burnet Elementary and the program to teach her pupils basic concepts. During the summer they will build kites, plant seeds, use recording machines and film strips, learn to paint, and many other things.

A visit from the local fire department, with engines and firemen, was a highlight for youngsters at Herff Elementary, according to Mrs. Perales' sister, Mrs. Charlotte Garcia, who teaches in the program there.

"The kids climbed all over the trucks, and the firemen explained everything to them. They loved it," she said.

For many children, the first visit to a doctor or dentist is a terrifying experience if they think they will be hurt. During the summer each pupil will receive thorough medical, dental, visual, and hearing examinations, along with blood tests for anemia and a battery of shots. One doctor cleverly combated child apprehension by calling in one child, who emerged and chose a friend to be next, and so on.

Required medical care can be provided free under the program if parents cannot foot the cost. But nurses, in cooperation with five social workers, often have a hard time getting parental permission for the child's treatment. Clothing and shoes can also be provided when necessary.

Any teacher may find a student who simply does not respond to classroom activity, or one who is such a behavior problem that class is disrupted continually. The program maintains 10 counselors who work with teachers to deal with such individuals. Special testing, individual care by a volunteer, home visits, and other measures may help the child adjust. One child who spoke only German, for example, was assigned an interpreter who translated everything the teacher said during the classes.

"I could get them to eat beans all day, but beef pie or spinach is another story," said the cafeteria director at Burnet.

Children in the program are served breakfast and a hot lunch each day.

Teachers prepare the pupils in class for new foods they may encounter at lunch, and cereal cartons are used for many different things during the day. Eating with knives, forks, and spoons present a real challenge, too, for a 6-year-old who has used only a tortilla previously.

Teachers find rare hidden abilities in children from deprived homes, as well as depressing cultural gaps. One tiny Mexican-American, with a father in the penitentiary and a mother who deserted him and his three small brothers and sisters, lives with a grandmother who speaks no English at all.

Yet, at five, eyes shining with intelligence, he knows how to read and can do addition and subtraction. His teacher cannot find anyone who has taught him those things.

The enthusiasm of teachers and supervisors in the Head Start program seems to radiate to parents and others in the community, giving them a sense of purpose and participation. A father of one student built a scale-model "kitchen," with stove, icebox, and sink, from cardboard, for his class to use.

And a real joy for workers at Burnet is the help given by volunteers from the Golden Age home across the street.

Besides acting as volunteers, the elderly make rainbowhued bean-bags for the children to use.

"We have one lady who throws away her cane as she walks into the classroom because she doesn't want the kids to think she's old," said a teacher.

TO PROHIBIT TRAVEL OR USE OF ANY FACILITY IN INTERSTATE OR FOREIGN COMMERCE WITH INTENT TO INCITE A RIOT OR OTHER VIOLENT CIVIL DISTURBANCE

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. BARING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BARING. Mr. Speaker, this week the House will consider H.R. 421, providing an amendment to title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbances. I urge my colleagues to join me in support of this badly needed legislation.

For weeks now, the newspapers, radio, and television have been reporting the outbreak of riots and civil disturbances in various sections of our Nation. These riots, although local in nature, are festered by professional agitators who flip from one city to another with but one purpose in mind, start a riot.

It is no secret that the Nation's Capital has been earmarked to be the site of a civil disturbance. What are we going to do about it? Sit here and wait until it happens, then throw up our hands in horror and rush to put through an antiriot bill?

The bill that has been scheduled this coming Thursday makes it quite clear that it is not the intent of the statute to preempt State law. The intent is to supplement local law enforcement.

Congress must show these people who take the law in their own hands that the American public is fed up with such action and will not stand for it any longer. Congress has been served notice and it is time we face up to our responsibility.

MEAD JOHNSON FOREIGN AFFAIRS SEMINAR

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HAMILTON. Mr. Speaker, one of this Nation's progressive businesses is Mead Johnson Co. of Evansville, Ind.

Each year the company conducts impressive seminars for its executives.

It was my honor this year to address this group of intelligent and alert businessmen.

The following is the text of my remarks at the Mead Johnson foreign affairs seminar:

No region of the world is more varied or fascinating or challenging than Asia. It is primitive and modern, changeless and changing, savage and gentle, grim and gay, old and new.

Within the vast sweep of its 16,900,000 square miles, extending 5,300 miles from North to South and 6,000 miles from East to West, there is at once diversity and similarity: a diversity of people, language, custom; similarity in environment, tempo and a way of life.

Only in Asia, with its population of 1.8 billion people, is it possible to leave an air conditioned house complete with television set and electric kitchen in the metropolitan city of Manila, get into an automobile and within a day's drive over a modern highway, reach the mountains of Northern Luzon where primitive tribes still use spears with poisoned arrows and go about almost naked and raid the lowlands to kill and take human heads.

In Asia you can find a progressive monarchy in Thailand, a socialist dictatorship in Burma, Communism in China, a parliamentary democracy in Japan, a military and civilian triumvirate in Indonesia.

The Asians like to point out that Asia was civilized when Europe was a forest and a swamp. It bears the imprints of its own traditions and cultures, but also those left from the colonial era by Great Britain, France, Portugal, Spain, The Netherlands, and the United States.

It is the cradle of religions, containing more Buddhists, Hindus, Confucians, Taoists, Shintoists, Zorastrians, Moslems than any other continent. Also more tribes worshipping the spirits of animals and trees.

To understand Asia (if indeed it can be understood) it is necessary to recognize the major forces shaping the future of Asia.

There is nationalism. It is both good and bad.

It can be a unifying force, rallying all the diverse groups within the country and giving them a sense of national unity.

It can direct their energies toward national goals and eliminate internal divisions.

It can give them greater security against foreign domination and internal subversion.

But nationalism can also be dangerous and disruptive.

It can destroy any efforts toward regional and international cooperation.

It can destroy any basis for foreign investment and produce pointless, wasteful and dangerous wars.

It can hinder rational analysis and sober tackling of problems.

It can subordinate the material welfare of whole populations to emotional resentment.

The best and the worst of nationalism can be seen in Sukarno and Indonesia.

Sukarno did give the Buddhists, the Moslems, the Javanese and the Sumatrans a sense of national unity and purpose. But this nationalistic force almost destroyed all that it had created.

In Burma, nationalism has meant an economic war against foreign investors which has very nearly destroyed the country's economy. In Thailand, it has meant a national unity which has produced a stable government, dramatically improving the economy.

Communism is the second major force shaping the future of Asia. This is by no means a single, monolithic, united force.

Communism in Asia has many faces:

There is the well-organized, prosperous, legal Communist Party in Japan, seeking its support from the urban worker.

The Philippine variety is a revival of the Huk insurrection.

The party in Thailand seeks support from the mountain tribes.

In South Vietnam, the support comes from the peasants.

Communism in Asia is also caught in the struggle for leadership within the Communist world between China and the Soviet Union. China aims to make the entire area a sphere of Chinese domination and believes that the United States power and influence are the chief obstacles to its goals. China therefore supports and encourages any force that is alien and hostile to the United States.

The Soviet Union wants to undermine both the United States and China. Peking and Moscow are competing for the loyalties of all the Communist parties in Asia, whether these parties are dominant, as in North Korea and in North Vietnam, or minor, as in Australia and the Philippines. The rivalry is seen most sharply in South Vietnam.

A third major force shaping the future of Asia is the thrust to defeat Communism.

This thrust has many facets:

United States troops in Vietnam,
United States military and economic aid,
The Southeast Asia Treaty Organization,
The British Defense Treaty with Malaysia.

SEATO came about mainly as a result of the American effort after the Communist victory over the French in Indonesia. It seeks to unify the international forces against further Communist gains. It has, of course, some serious defects:

Neither Pakistan nor France have really committed themselves to opposing Communism in Asia.

It has certainly had to rely too heavily on United States power. But it remains a major instrument to blunt the Communist thrust.

These three forces—nationalism, communism, anti-communism—operate in a continent facing massive, enormous, almost overwhelming problems—ineffective government, over-population, inexperience in self-government, poverty, the low levels of education, inadequate food production, the shortage of capital, the effects of the struggle for and against Communism, the pressure of powerful outside forces.

These enormous problems are producing what I hope is becoming a fourth major force: co-operative multinational efforts to solve the problems. I want to discuss this in a little more detail later. It is one of the most encouraging developments in all of Asia.

Given these major forces shaping the future of Asia, what is United States policy in Asia?

The central propositions of that policy are two-fold. One, the extension of control over other nations by Communist China, North Korea or North Vietnam is unacceptable. Such control would create a menace to all countries and present a major and direct threat to the national interest of the country.

Two free and independent states in Asia, working effectively for the welfare of their people, are in the long run necessary to prevent the extension of a hostile power and are in our world-wide interest in peace and prosperity.

These two central propositions are the cornerstones of American policy in Asia. They have been since the end of World War II. They have been carried out by four Presidents and both political parties.

Our military action, our military aid, our strategic alliances, our economic assistance programs, our commitment of military resources are all part of this grand strategy.

If you will draw back, I think you may be surprised at what has happened in Asia, part of which at least may be attributed to the success of that policy.

Japan has made a spectacular advance and soon will become the third ranking economic power in the world.

South Korea, devastated by a conflict only a few years back, has now carried out genuine democratic elections and is beginning to make real economic progress.

The Republic of China has beat back Communist threats on the off-shore islands, carried on sound economic policies—including land reform—and made it possible for the United States to terminate economic assistance. The Republic of China has even started a technical assistance program of its own in other parts of the world.

The Philippines have beat back a Communist Huk rebellion and have become a working democracy.

Thailand, one of the bright spots in Asia, is making steady progress.

Malaysia and Singapore have become independent, self-governing (although the United States has not been directly involved.)

Indonesia was, of course, under Sukarno sharply hostile to the United States. It very nearly came under Red Chinese control. The change in Indonesia has been one of the most dramatic developments in all of Asia. At present Indonesia is prepared to live at peace with its neighbors, turning attention to its own, long-neglected social and economic problems.

All these things viewed in the light of the prevailing circumstances, permit us to draw some satisfaction from developments in Asia. But that's not all.

Among the chief reasons to be hopeful in Asia is the emergence of regional multinational, cooperative efforts to increase the tempo of economic and social progress. There is significant and heartening evidence of progress toward cooperation to meet common problems among the widely diverse countries of Asia.

Asian leaders proclaim the new concept of cooperation publicly and repeatedly. They increasingly recognize that it is in their national interests to foster a community of nations as an alternative to discord and conflict.

Illustrations of this new habit of cooperation which hopefully will produce beneficial results, are many:

1. The Asian Development Bank, a soundly conceived financial institution with a membership of 19 Asian and 11 non-Asian nations to assist in the financial development of the region.
2. Japan's initiative to host the Southeast Asian Development Conference.
3. The Southeast Asia Agriculture Conference.
4. The Southeast Asia Education Conference last November.
5. The habit of regular consultations among the central bankers and planners in Southeast Asia.
6. The Association of Southeast Asia has been reactivated. This includes Thailand, Malaysia, the Philippines.
7. The Asian and Pacific Council consisting of 9 Asian nations met last summer in Seoul, Korea. (First such meeting in history.)
8. A number of United Nations projects have been active in practical development problems throughout Asia.

These and other groups are tackling the basic problems of Asia. The Ministers of Education reviewed the problems and the priorities and explored areas of regional cooperation in education. They will continue to work on a permanently organized basis, supporting centers of technology, tropical medicine, agriculture, higher education, English language, science and mathematics, and educational radio and television.

Cooperative efforts are underway to plan for the development of transportation and communications systems.

Surprising progress is being made on the Mekong Plan, a multi-national effort to develop the full potential of the entire Mekong River Valley. This requires the close cooperation among the four riparian nations and can make a significant contribution to peace and stability in this area. Increased food production will be a major benefit. Today the basin is characterized by six months of floods and six months of dust and drought. There is practically no double cropping. The potential for development is very great indeed. It is now getting underway.

Japanese survey teams have studied 34 sites for dams along tributaries.

Thailand and Laos have agreed to exchange electricity generated by dams on the Mekong and its tributaries.

Last year two tributary dams were completed in Thailand and the first electricity ever generated on the Mekong was transmitted. Eight nations are involved in financing the construction of another dam in Laos.

The Indian government is completing a feasibility study for a dam across the Mekong. The Dutch have made navigation and canal studies. The French have made electric power surveys.

In all 21 nations and 10 United Nations agencies have been involved so far in the Mekong development program.

A significant aspect of this regional development has been the increased involvement and participation of other developed countries. Japan has exceeded expectations and is now clearly committed to provide more aid to Southeast Asia. The Netherlands have increased aid. Canada, Australia, New Zealand will contribute proportionately.

But much work needs to be done here in order to persuade other developed countries to do their share, remembering always that the main initiative must lie with the Asians.

Our top level diplomats are more and more impressed with Asian officials and businessmen. They believe them to be gaining a command of the fundamentals of economic development. They recognize the priority items: increased agricultural production, increased emphasis on education, the necessity of Asian initiative and participation.

So far I have pointed to factors which permit us to be cautiously optimistic about Asia. I don't want to overstate it. Any assessment must also acknowledge the obstacles—the future is filled with uncertainties and difficulties.

Vietnam, of course, is the major one. It represents the principal difficulty to be overcome. In the question and answer session that follows, I'll welcome any questions you may have on Vietnam. For the moment I simply want to mention Vietnam in the context of the broad sweep of our Asian policy. U.S. actions in Vietnam are important in themselves but they are also vital in the wider context of a free Asia.

It probably is not an overstatement to say that the shape of all things to come in Asia depends largely on the outcome of the struggle in Vietnam. If Communism is defeated there prospects will brighten for all Asia. Democratic forces and tendencies will be strengthened. The new cooperative efforts would have a much greater chance of succeeding with the basic social and economic problems. With less Communist interference, even nationalism might become less irrational and damaging.

A Communist victory in South Vietnam would bring the Communists to power in all of Vietnam and Laos. Communist pressures would certainly be strongly turned on Thailand and another long and bloody struggle would loom. Cambodia, if not taken by the communists, would at least become a Communist satellite with little freedom of action.

It is in the context of the future of Asia that the Vietnam struggle has to be assessed and judged.

Vietnam, of course, is not the only problem of Asia.

There is, as you know, an exploding birth rate. The population of Asia is growing at the very critical rate of 2.7% a year. This growth seriously limits the efforts to develop countries.

The Philippines, for example, had a gross national product growth rate of 4.4% per year. But the birth rate was 3.3% leaving real growth at an unacceptable 1.1% per year.

The related problem is agricultural development and food. The scale, severity, and duration of the world food problem, especially concentrated in Asia, is so great that unprecedented efforts are going to be necessary to master it.

Next to the pursuit of peace the greatest challenge to the human family is the race between food supply and population increase. Today that race is being lost. Asia must give population control and agriculture development the highest priority.

There are also severe economic problems. The foreign trade of most of these nations is predominately based on commodities and raw materials. 63% of Burma's export trade is rice; 73% of the Philippine exports are sugar; 73% of Indonesia's exports are rubber and oil.

Wild fluctuations in prices of these commodities and raw materials bring about severe economic dislocations. The effect of world prices for these commodities is felt instantly in the Far East and felt painfully.

It would not be proper to conclude a discussion of Asia without mentioning the role of China. China, of course, presents the major obstacle to the kind of Asia we seek.

China has many severe problems, giving rise to disputes over basic policies—foreign policy, military strategy, economic development. This, in turn, has created the more basic problem of maintaining effective government during the struggle over the issue of who is to govern.

Mao thinks that the indoctrination of the Chinese peasant should liberate enormous energy providing power for a surge forward in production. This is the so called cultural revolution. It has the marks of a power struggle, shaking the positions of those who oppose Mao in China.

Mao, who instituted the Great Leap Forward, wants to eliminate pragmatic, economic policies including those which maintain material incentive to stimulate production. Mao thinks that measures like private plots for the peasants, rural semi-free markets, systems of pay keyed to performance, pose the danger that China will follow the revisionist course of the Soviet Union. He wants full-scale Communism and Socialism.

Most recent reports indicate a Peking engaged in quieting down the uproar and trying to restore the normal operations of the Communist system.

China has suffered severe setbacks internationally in recent years. They were not able to persuade the Afro-Asians to proceed With a Bandung conference. They had great difficulty in several African countries and were expelled from several. They marched uphill and down again in the fighting in India. They were disappointed by the Tash-Kent Agreement. They suffered a major setback in Indonesia—the Communist Party there has been disseminated. In their struggle with Moscow for leadership of the world Communist movement, they have lost ground.

They see the power of the United States committed in Southeast Asia to repel aggression supported openly by them.

China wants to become a world power—someday she will be—but today she lacks many of the attributes of great power status. They are determined to rectify that situation. They have one of the largest armies in the world. They have developed the H-bomb. They are developing a missile delivery system. They are putting heavy proportions of their industrial effort into military and military related fields.

Perhaps the most serious problem in international affairs today (not just in Asia) is how to get Peking to move to a policy of peaceful co-existence.

The main elements of our policy are to do nothing to encourage China to believe that it can profit from aggressive action, and to make it plain that if they will give up their belief that force is the way to resolve disputes and abandon the violent strategy of world revolution, we are ready to welcome China to an era of good relations.

I have tried to give you the broad sweep of Asia. Maybe it is too big a subject. I mentioned the major trends in Asia—nationalism, Communism, anti-Communism, regionalism, the underpinnings of United States policy, the reasons for hope, the problems we face, including China.

There is no ground for complacency. Difficult situations remain, notably Indonesia, the Philippines. We have to look beyond the Vietnam war. In a sense, the primary purpose of our policies in Asia is to prevent another Vietnam.

Progress is slow in Asia but the general trend is upward. The threat of Communism is growing weaker. The forces of co-operation are gathering momentum. National cohesiveness is growing. The success stories—Japan. Republic of China, South Korea—show what can be done.

The United States will not soon be out of Asia. The simple, if unacceptable fact is, Asia is too weak at the present stage of its history to determine its own destiny. Either Asia relies on the United States and its allies to protect it from direct Communist domination, or Asia must accept that domination and make do with being within a Chinese sphere of power and influence.

William Wordsworth wrote that the world is too much with us. A major part of that world—Asia—will be with us for many years to come.

CAN CONGRESS SEE THE URBAN BIG PICTURE?

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentlewoman from Michigan [Mrs. GRIFFITHS] may extend her remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, this year the Joint Economic Committee has established a new Subcommittee on Urban Affairs, under the chairmanship of our distinguished colleague, RICHARD BOLLING, of Missouri, and upon whom I have the honor to serve as a member.

This subcommittee is an outgrowth of an interest for several years of Mr. BOLLING and of the Joint Economic Committee, and we are all very happy that a study can now be undertaken to provide a very broad sweeping investigation of the problems in the Nation that have become obvious through their appearance in acute form in our heavily populated urban areas.

Recently the editor of the publication Nation's Cities interviewed Chairman BOLLING on the subject of urban affairs. The exchange of questions and answers provides a very valuable insight into

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This thrust has many facets:

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SEATO came about mainly as a result of the American effort after the Communist victory over the French in Indonesia. It seeks to unify the international forces against further Communist gains. It has, of course, some serious defects:

Neither Pakistan nor France have really committed themselves to opposing Communism in Asia.

It has certainly had to rely too heavily on United States power. But it remains a major instrument to blunt the Communist thrust.

These three forces—nationalism, communism, anti-communism—operate in a continent facing massive, enormous, almost overwhelming problems—ineffective government, over-population, inexperience in self-government, poverty, the low levels of education, inadequate food production, the shortage of capital, the effects of the struggle for and against Communism, the pressure of powerful outside forces.

These enormous problems are producing what I hope is becoming a fourth major force: co-operative multinational efforts to solve the problems. I want to discuss this in a little more detail later. It is one of the most encouraging developments in all of Asia.

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These two central propositions are the cornerstones of American policy in Asia. They have been since the end of World War II. They have been carried out by four Presidents and both political parties.

Our military action, our military aid, our strategic alliances, our economic assistance programs, our commitment of military resources are all part of this grand strategy.

If you will draw back, I think you may be surprised at what has happened in Asia, part of which at least may be attributed to the success of that policy.

Japan has made a spectacular advance and soon will become the third ranking economic power in the world.

South Korea, devastated by a conflict only a few years back, has now carried out genuine democratic elections and is beginning to make real economic progress.

The Republic of China has beat back Communist threats on the off-shore islands, carried on sound economic policies—including land reform—and made it possible for the United States to terminate economic assistance. The Republic of China has even started a technical assistance program of its own in other parts of the world.

The Philippines have beat back a Communist Huk rebellion and have become a working democracy.

Thailand, one of the bright spots in Asia, is making steady progress.

Malaysia and Singapore have become independent, self-governing (although the United States has not been directly involved.)

Indonesia was, of course, under Sukarno sharply hostile to the United States. It very nearly came under Red Chinese control. The change in Indonesia has been one of the most dramatic developments in all of Asia. At present Indonesia is prepared to live at peace with its neighbors, turning attention to its own, long-neglected social and economic problems.

All these things viewed in the light of the prevailing circumstances, permit us to draw some satisfaction from developments in Asia. But that's not all.

Among the chief reasons to be hopeful in Asia is the emergence of regional multinational, cooperative efforts to increase the tempo of economic and social progress. There is significant and heartening evidence of progress toward cooperation to meet common problems among the widely diverse countries of Asia.

Asian leaders proclaim the new concept of cooperation publicly and repeatedly. They increasingly recognize that it is in their national interests to foster a community of nations as an alternative to discord and conflict.

Illustrations of this new habit of cooperation which hopefully will produce beneficial results, are many:

1. The Asian Development Bank, a soundly conceived financial institution with a membership of 19 Asian and 11 non-Asian nations to assist in the financial development of the region.

2. Japan's initiative to host the Southeast Asian Development Conference.

3. The Southeast Asia Agriculture Conference.

4. The Southeast Asia Education Conference last November.

5. The habit of regular consultations among the central bankers and planners in Southeast Asia.

6. The Association of Southeast Asia has been reactivated. This includes Thailand, Malaysia, the Philippines.

7. The Asian and Pacific Council consisting of 9 Asian nations met last summer in Seoul, Korea. (First such meeting in history.)

8. A number of United Nations projects have been active in practical development problems throughout Asia.

These and other groups are tackling the basic problems of Asia. The Ministers of Education reviewed the problems and the priorities and explored areas of regional cooperation in education. They will continue to work on a permanently organized basis, supporting centers of technology, tropical medicine, agriculture, higher education, English language, science and mathematics, and educational radio and television.

Cooperative efforts are underway to plan for the development of transportation and communications systems.

Surprising progress is being made on the Mekong Plan, a multi-national effort to develop the full potential of the entire Mekong River Valley. This requires the close cooperation among the four riparian nations and can make a significant contribution to peace and stability in this area. Increased food production will be a major benefit. Today the basin is characterized by six months of floods and six months of dust and drought. There is practically no double cropping. The potential for development is very great indeed. It is now getting underway.

Japanese survey teams have studied 34 sites for dams along tributaries.

Thailand and Laos have agreed to exchange electricity generated by dams on the Mekong and its tributaries.

Last year two tributary dams were completed in Thailand and the first electricity ever generated on the Mekong was transmitted. Eight nations are involved in financing the construction of another dam in Laos.

The Indian government is completing a feasibility study for a dam across the Mekong. The Dutch have made navigation and canal studies. The French have made electric power surveys.

In all 21 nations and 10 United Nations agencies have been involved so far in the Mekong development program.

A significant aspect of this regional development has been the increased involvement and participation of other developed countries. Japan has exceeded expectations and is now clearly committed to provide more aid to Southeast Asia. The Netherlands have increased aid. Canada, Australia, New Zealand will contribute proportionately.

But much work needs to be done here in order to persuade other developed countries to do their share, remembering always that the main initiative must lie with the Asians.

Our top level diplomats are more and more impressed with Asian officials and businessmen. They believe them to be gaining a command of the fundamentals of economic development. They recognize the priority items: increased agricultural production, increased emphasis on education, the necessity of Asian initiative and participation.

So far I have pointed to factors which permit us to be cautiously optimistic about Asia. I don't want to overstate it. Any assessment must also acknowledge the obstacles—the future is filled with uncertainties and difficulties.

Vietnam, of course, is the major one. It represents the principal difficulty to be overcome. In the question and answer session that follows, I'll welcome any questions you may have on Vietnam. For the moment I simply want to mention Vietnam in the context of the broad sweep of our Asian policy. U.S. actions in Vietnam are important in themselves but they are also vital in the wider context of a free Asia.

It probably is not an overstatement to say that the shape of all things to come in Asia depends largely on the outcome of the struggle in Vietnam. If Communism is defeated there prospects will brighten for all Asia. Democratic forces and tendencies will be strengthened. The new cooperative efforts would have a much greater chance of succeeding with the basic social and economic problems. With less Communist interference, even nationalism might become less irrational and damaging.

A Communist victory in South Vietnam would bring the Communists to power in all of Vietnam and Laos. Communist pressures would certainly be strongly turned on Thailand and another long and bloody struggle would loom. Cambodia, if not taken by the communists, would at least become a Communist satellite with little freedom of action.

It is in the context of the future of Asia that the Vietnam struggle has to be assessed and judged.

Vietnam, of course, is not the only problem of Asia.

There is, as you know, an exploding birth rate. The population of Asia is growing at the very critical rate of 2.7% a year. This growth seriously limits the efforts to develop countries.

The Philippines, for example, had a gross national product growth rate of 4.4% per year. But the birth rate was 3.3% leaving real growth at an unacceptable 1.1% per year.

The related problem is agricultural development and food. The scale, severity, and duration of the world food problem, especially concentrated in Asia, is so great that unprecedented efforts are going to be necessary to master it.

Next to the pursuit of peace the greatest challenge to the human family is the race between food supply and population increase. Today that race is being lost. Asia must give population control and agriculture development the highest priority.

There are also severe economic problems. The foreign trade of most of these nations is predominately based on commodities and raw materials. 63% of Burma's export trade is rice; 73% of the Philippine exports are sugar; 73% of Indonesia's exports are rubber and oil.

Wild fluctuations in prices of these commodities and raw materials bring about severe economic dislocations. The effect of world prices for these commodities is felt instantly in the Far East and felt painfully.

It would not be proper to conclude a discussion of Asia without mentioning the role of China. China, of course, presents the major obstacle to the kind of Asia we seek.

China has many severe problems, giving rise to disputes over basic policies—foreign policy, military strategy, economic development. This, in turn, has created the more basic problem of maintaining effective government during the struggle over the issue of who is to govern.

Mao thinks that the indoctrination of the Chinese peasant should liberate enormous energy providing power for a surge forward in production. This is the so called cultural revolution. It has the marks of a power struggle, shaking the positions of those who oppose Mao in China.

Mao, who instituted the Great Leap Forward, wants to eliminate pragmatic, economic policies including those which maintain material incentive to stimulate production. Mao thinks that measures like private plots for the peasants, rural semi-free markets, systems of pay keyed to performance, pose the danger that China will follow the revisionist course of the Soviet Union. He wants full-scale Communism and Socialism.

Most recent reports indicate a Peking engaged in quieting down the uproar and trying to restore the normal operations of the Communist system.

China has suffered severe setbacks internationally in recent years. They were not able to persuade the Afro-Asians to proceed With a Bandung conference. They had great difficulty in several African countries and were expelled from several. They marched uphill and down again in the fighting in India. They were disappointed by the Tash-Kent Agreement. They suffered a major setback in Indonesia—the Communist Party there has been disseminated. In their struggle with Moscow for leadership of the world Communist movement, they have lost ground.

They see the power of the United States committed in Southeast Asia to repel aggression supported openly by them.

China wants to become a world power—someday she will be—but today she lacks many of the attributes of great power status. They are determined to rectify that situation. They have one of the largest armies in the world. They have developed the H-bomb. They are developing a missile delivery system. They are putting heavy proportions of their industrial effort into military and military related fields.

Perhaps the most serious problem in international affairs today (not just in Asia) is how to get Peking to move to a policy of peaceful co-existence.

The main elements of our policy are to do nothing to encourage China to believe that it can profit from aggressive action, and to make it plain that if they will give up their belief that force is the way to resolve disputes and abandon the violent strategy of world revolution, we are ready to welcome China to an era of good relations.

I have tried to give you the broad sweep of Asia. Maybe it is too big a subject. I mentioned the major trends in Asia—nationalism, Communism, anti-Communism, regionalism, the underpinnings of United States policy, the reasons for hope, the problems we face, including China.

There is no ground for complacency. Difficult situations remain, notably Indonesia, the Philippines. We have to look beyond the Vietnam war. In a sense, the primary purpose of our policies in Asia is to prevent another Vietnam.

Progress is slow in Asia but the general trend is upward. The threat of Communism is growing weaker. The forces of co-operation are gathering momentum. National cohesiveness is growing. The success stories—Japan. Republic of China, South Korea—show what can be done.

The United States will not soon be out of Asia. The simple, if unacceptable fact is, Asia is too weak at the present stage of its history to determine its own destiny. Either Asia relies on the United States and its allies to protect it from direct Communist domination, or Asia must accept that domination and make do with being within a Chinese sphere of power and influence.

William Wordsworth wrote that the world is too much with us. A major part of that world—Asia—will be with us for many years to come.

CAN CONGRESS SEE THE URBAN BIG PICTURE?

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentlewoman from Michigan [Mrs. Griffiths] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, this year the Joint Economic Committee has established a new Subcommittee on Urban Affairs, under the chairmanship of our distinguished colleague, Richard Bolling, of Missouri, and upon whom I have the honor to serve as a member.

This subcommittee is an outgrowth of an interest for several years of Mr. Bolling and of the Joint Economic Committee, and we are all very happy that a study can now be undertaken to provide a very broad sweeping investigation of the problems in the Nation that have become obvious through their appearance in acute form in our heavily populated urban areas.

Recently the editor of the publication Nation's Cities interviewed Chairman Bolling on the subject of urban affairs. The exchange of questions and answers provides a very valuable insight into

the problems of our city, and the approach that the subcommittee's investigation is to take. I, therefore, commend it to the attention of my colleagues, and place it in the RECORD at this point:

CAN CONGRESS SEE THE URBAN BIG PICTURE?

(NOTE.—Another urban-minded Capitol Hill study is beginning, this one by the recently-formed Subcommittee on Urban Affairs of the influential Joint Economic Committee. To learn its implications to municipalities, Nation's Cities Managing Editor Don Lief interviewed Rep. Richard Bolling (D-Mo.), chairman of the subcommittee. Congressman Bolling has represented the Kansas City area since 1949 and is highly regarded for his ability to be effective even while calling for reorganization of the House. A ranking member of the Joint Committee, he is a leading figure among House liberals. During World War II, Mr. Bolling served more than four years in the Pacific theatre, rose from private to lieutenant colonel, and was awarded the Legion of Merit and Bronze Star. Born in New York City in 1916, he received B.A. and M.A. degrees from the University of the South, Sewanee, Tenn., and also attended Vanderbilt University in Nashville.)

Why has the new Subcommittee on Urban Affairs of the Joint Economic Committee been formed?

For years I have wanted such a subcommittee and now the circumstances are right for it. What I want to do is something different than has been done in the ordinary legislative committee or in the other studies that have been undertaken. Without criticizing either kind of investigation, I have felt basically from my experience when I first came to Congress 20 years ago that anything but a whole approach was being taken to the problems of urban affairs. I suspect they may turn out to be problems of the nation as a whole which are more obvious because they are more acute and more concentrated in the heavily urban areas.

Part of this, too, is I felt we were overspecialized in the field. The "housers" seemed to believe that housing, including public housing, was the answer. Subsequently, urban renewal, including vast demolition, was the answer. Well, in Washington, D.C., 550-600 acres in the southwest section were razed and the poor people booted out. They moved into northwest and new blight was created. In sum, people in different disciplines decided that their portion of knowledge was the whole field of knowledge and that little else need be done.

What I want to do is to take all these different approaches and disciplines, some of them very broad and philosophical and mainly intuitive, some of them very specific, anything but philosophical, and test them out against each other; first by getting a set of papers from carefully chosen specialists. Then calling them in for hearings—having them remixed in panels so that you might have a social psychologist dealing with a person whose only field was a relatively narrow range of transportation. And those two approaches, plus two or three others, rubbing against each other. At the same time we have a conservative and a more liberal point of view represented on the subcommittee.

There would then occur an abrasive process that would hopefully break down the provincialism, the parochialism, the compartmentalism that I feel happens to exist.

How do you conclude that this approach is suitable?

The reason I feel that way is that we have at our disposal a whole lot more knowledge and a whole lot more technology and a whole lot more ability to solve urban problems than we have the will to do it. If you can accomplish this kind of thing—and I don't think there is any evidence you cannot—then you perhaps will move faster toward, not a consensus, but an agreement that the area is broader than any one of its parts.

That is basically the reason why the subcommittee was established. This subcommittee does not start with any conclusions—at least so far as its chairman is concerned.

Your method suggests that urban problems could be helped by better communication.

I think it is a matter of communication and, I would add, information. And I think it is a matter of organizing knowledge and improving it quite deliberately, initially from a very academic point of view. I do not happen to be one who feels that an academic approach leads inevitably to a "nonaction" conclusion.

I want to emphasize that I am not proposing this study as a tactic of stalling currently operative programs. I feel remedial programs are so urgently needed because urban problems have been with us for so long and so long neglected that we are probably 30, 40, or 50 years behind already. In other words, I am not going to vote against what I consider imperfect partial solutions in order to await for the perfect.

Do you have personal views on how important the city is in relation to the national economy?

Well, clearly it is an enormous problem because of the fact this is a largely urban society—the conventional statistic being that 70-to-75 per cent, or 198,000,000, of all Americans live in urban areas. But these problems are inseparable from rural problems. In extent, they are different because you have such concentrations of people without adequate employment, transportation, etc., but in kind, they may be similar problems. The problem of the urban poor may be similar to the problem of the poor in a backward Appalachian town. If we don't help the cities more quickly, it will have enormous economic consequences as well as social.

Will some "people-oriented" experts be part of your dialogue here?

Yes. Jane Jacobs, for one, has pointed out the tragedy of over-reliance on physical renewal. We have, in our urban ventures, too often fragmented people and their wants and desires and their functions as entities. But we now realize people are very complicated entities. So I think you have to have people-oriented as well as physical-oriented.

I think that the impact of the kind of use that is made of the space has an impact on individuals which may or may not be measurable, may or may not have a good or bad effect. Perhaps you've read Hall's *The Hidden Dimension.*

Now, I have always been a strong supporter of public housing. The only good bill that I voted on in my early years in Congress was the great Housing Act of 1949 which recognized the concept of urban renewal and had great chunks of public housing in it. I have never regretted my affirmative vote, but I think it is true that public housing has turned out to have certain disadvantages. I think it would have been nice if we recognized the disadvantages, but obviously we did not.

Our whole environmental problem, concentration of certain kinds of people, the failure to intermingle, for example, as they have in the remarkable blocks in New Haven where all different kinds of housing are provided—housing for the elderly among others.

You told our National Legislative Conference last year about the need for mayors to make themselves heard in Washington. Have you seen any significant changes in how they are being heard these days?

Clearly, the mayors must have played something of a role in our salvaging at least one matter from defeat. That would be the fact that we got 35 Republican votes on the "model city" appropriation in May. I would like to ascribe this to a greater effective participation on the part of the mayors.

Besides what yours and other committees are doing, do you think there is anything else that Congress might do in respect to urban-metropolitan problems?

Limiting myself to the House, I think the House is enormously badly structured to function on an over-all problem such as the urban problem. There is no single committee to deal with an urban problem. But I am not sure that you could establish a committee with exclusive jurisdiction over urban affairs because you would be running into the practical problem of committee jurisdiction that would prevent favorable action.

The Congress, as well as the Executive Branch, should reorganize itself so that it was more realistically organized to deal with broad problems. But that gets into a whole other field on which I have written a book.

As you plot the course of the committee's study, what attention will you pay to the economic impact of local government actions, local government behavior?

This whole area is critically important and it is infinitely complex. For example, I represent much of Jackson County, Missouri. For the first time in more than 30 years its residents are going to vote late this month on a substantial set of bond issues—more than $100 million. Most people feel it will be defeated because we have an antiquated state law. A two-thirds vote is required to pass such a bond issue. If it were to pass, and we in Congress were to provide matching funds, for every dollar that the people of Jackson County will be taxed to pay for those bonds the people of the United States would be taxed $1.50.

There you have gotten both the county and the state and the Federal Government involved in one phenomenon—a so-called "marble cake" in terms of the relationship. A major question is—how sophisticated is the newly affluent urban middle-income group going to be about these benefits.

The impact is obvious, both the impact in terms of what it takes from the community to build structures and what the economic impact will be on a community if, for example, you construct an adequate hospital facility and—for the first time in the history of the area—the less well-off receive reasonably good medical care. The ultimate economic impact of this would be fantastic.

Some local government actions have relatively little to do with the actual expenditure of money but rather such things as zoning and land use.

How quixotic are certain aspects of building codes, not to speak of zoning, around the country. Even building codes are confusing enough in one area where a certain kind of cable is necessary to clothe a wire and in another, a different kind. Differences in zoning cause confusion compounded by chaos.

Former Sen. Paul Douglas heads a presidential commission working in the areas of zoning and building codes. I think a more uniform approach to local problems might make a vast difference, even within a limited area.

Perhaps on a metropolitan basis?

Yes. Title II of the most recent Housing Act is designed to encourage this. And I have been involved enough in the problem of pollution in my own area to know how many political jurisdictions you get involved in when you try to achieve cooperation in a community like Greater Kansas City. I think they add up to over 130.

How much independence do you think the normal general purpose government, city or county, ought to have in respect to, say, its own tax rates or whether it be allowed to issue industrial aid revenue bonds, and so on?

I think there ought to be a national policy on industrial aid revenue bonds. They have had their utility in the past, but I think that they can turn into a monster without too much trouble. The national policy that we have today is not to have one, really.

But I think that here you come to the dilemma that takes you off to a different tangent. The reason the cities came to the Federal Government for assistance is that they found no help in most of the state legislatures. Current estimates are that between now and 1975 the gap between local needs and local funds will be about $262 billion. The reason they found no help in most of the state legislatures is the rural gerrymander.

In the 1960's, the Supreme Court came down with a ruling in *Baker* v. *Carr* that required fair representation. Now, if the quality of state legislatures improves, as did Maryland's, you might see a greater interest on the part of people such as myself in a variant of the so-called Heller Plan for tax sharing. Until such a happy state of affairs is reached, I would be very, very reluctant to accept any sharing of federal taxes with the states or with any other entity until there was established some kind of standard as to the quality of performance at the state level, and at a higher quality than is now in a number of areas.

It raises an infinity of very complicated problems. Personally, and this is not just a pious statement. I would much prefer if we were able to reorganize the various levels of government so that a great deal more of it would really adequately support it at, not a lower level, but at a level closer to where the action and the people are.

Do you think that your subcommittee can come up with anything that judges the healthiness of the rapid increase in local indebtedness? Is this an economically sound rise?

I do not find the increase in indebtedness alarming yet—certainly not at the federal level. If you take the federal debt as a percentage of the GNP, it becomes highly insignificant compared to 1946. But I think we are going to have to do a much more sophisticated job of selling the voter, the taxpayer, on what he is really dealing with when he votes an indebtedness. He is really deciding that he is going to pay deferred taxes with interest in many cases. He really has to be more sophisticated. If he is going to demand services, he is going to have to pay for them at the state, city, or federal level.

In light of this ever-rising demand, do you think that there is possibly a new approach to financing public facilities such as federally supported urban development banks or pools of funding?

I have no objection to studying the feasibility of that kind of a thing. We have done an infinity of important things through federally subsidized programs. The subsidy is often small and the amount of capital generated has been very large on occasion. Of course, in a very tight money market, you have a problem as to how effective a small interest subsidy is in obtaining long-term funds.

Do you see a relationship clarified by your investigations as to national fiscal policy and its impact on local economic matters?

Of course there is a relationship. We know what happened to housing starts last year because of the so-called tight money market—down from an annual rate of about 1.6 million units to slightly above 1 million, as I recall. So there is this business of linkage. The federal budget allocations play a major role in our economy and this can set the tone for employment and by indirection education and other variables.

I am thinking in addition to the taxing policy, national monetary policy and the tightness of the money market for local bonds.

Well, I've answered part of that already. It was apparent that we needed a tax increase in 1966. Otherwise, we were bound to have the kind of impact that we did on housing. It was a selective impact because we forced the monetary authority to take too much of a burden. I think we are in trouble this year partly because we failed to have that tax increase last year, but for somewhat different reasons of mix. Obviously, this whole business of financing underlies your ability.

I surmise that, if we had unlimited money, the problem of the urban areas would not be so great because there are "miracles" that we can perform today technologically that we haven't felt we could put into effect. You know, at last year's Woods Hole conference, a participant, referring to urban racial unrest, said maybe it would be better instead of trying to cool your people with street hydrants, maybe the thing would be to cool their houses—that is, put in air conditioning. It sounds fantastic, but, upon reflection, maybe it would not be.

You are talking here about cost-benefit analysis?

Indeed, but the first step that I want to achieve before we get involved in too much of cost-benefits is to see if broad, philosophical agreement can be reached for a total approach—systems-analysis fashion.

Now, this is not the kind of approach that is so general that it achieves nothing or goes nowhere. It is just designed to give an umbrella to all the different things you must do to put all those different things in some relationship. Otherwise you really can't begin to sell the public on the parts of the program that it doesn't see as of immediate benefit to them.

It is very difficult to convince the mobile, play-oriented middle-class that they must support and become active in programs to help the urban poor, some of whom live in neighborhoods resembling casbahs rather than ghettoes. They don't believe there are any poor there. Incredibly, the affluent don't see the poor—and yet there may be 30,000,000 of them.

I must add that American business—Hallmark Cards, Reynolds, Alcoa, U.S. Gypsum—is already helping in housing.

If the political support were such that urban programs were more fully funded, what would be the main economic obstacles to sound use of the money? Where might we start to improve the machinery in advance of additional funding?

Nothing less than a herioc response will be needed from federal, state, and local administrators to establish, for example, a workable, effective revenue-sharing mechanism. We don't have it and we're not sufficiently preparing for it at a state and local level particularly. I prefer local programs locally arrived-at—but it is not dogma, and to my mind "self government" is not exclusively synonymous with "local government." Then of course Sen. Muskie's work on his intergovernmental relations committee may develop other avenues.

What would be the impact in urban-aid programs should U.S. spending in Vietnam be sharply reduced—in effect, would it make any difference in today's Congress?

I'm skeptical of arguments, advanced by Vietnam doves for example, that if the war ended today the federal spigot could and would be played on our inventory of urban needs. Well, there have been seven key votes so far in the House of Representatives as of our interview today and, believe me, the tone is charcoal gray conservative. The House strangled rent supplements, model cities had a close call, and the crowbar crew is out to dismantle the poverty program.

Do you think that the city programs are paying for Vietnam?

Well, it is all the programs that affect the disadvantaged. I would rather put it that way. Vietnam spending is estimated at $1.5 to $2 billion a month. Cities, of course, get the most of the disadvantaged, the poor, and the people that do not get an education—one source states there are 10,000,000 poor in large urban areas. They are the ones that are caught. I think the programs that are paying the price are the ones that would help those who need help—those that do not get an adequate education, those who do not get health benefits.

We must correct this. The City is the frontier and we've played urban roulette long enough. The City is worth saving. If the subcommittee can generate some unconventional wisdom, we—all of us together—may do just that.

LEGISLATION TO CREATE A JOINT COMMITTEE TO INVESTIGATE CRIME

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PICKLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. PICKLE. Mr. Speaker, the rate of crime in the Nation is increasing at a staggering rate. Present figures indicate that crime is growing six times faster than the population of the country.

Only in the last few months, we have seen reports from the President's Commission on Law Enforcement and Administration of Justice, and from the Task Force on Science and Technology. These studies go far in telling us of the kinds of problems we face in the control of crime, and where our society has fallen down in protecting itself.

One thing, however, is missing. In spite of the work which has already been done in the area, we have not as yet provided a way to interpret these and other studies into legislative proposals, nor have we in Congress provided ourselves with adequate means to research independently the issues involved.

Today, I join my colleagues who have already introduced legislation to create a joint committee to investigate crime. The bill was first introduced by the gentleman from Florida [Mr. PEPPER], and it is designed to create a joint committee of Congress to study all aspects of crime. In addition to making independent studies, the committee would be empowered to make reports to Congress with such recommendations for action as it deems proper.

Mr. Speaker, I think it is high time we in Congress took initiative on the problem of crime. Crime has been given as the reason supporting legislation ranging from gun control to poverty, but we have yet to address the real problem of crime itself.

I say it is high time that we do so.

WIDE SUPPORT FOR CHICAGO MINT

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to

the request of the gentleman from West Virginia?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, on January 16 I introduced legislation, H.R. 2432, that provides for the establishment of a U.S. mint in the city of Chicago.

Since the introduction of this legislation, there has been widespread endorsement for a mint in Chicago among both the banking and business communities.

It is clear, based on the experience of our recent coin shortage, that expanded coinage facilities will be needed in the future. By mistake, some have viewed my bill as a threat to the existing coinage facilities in this country. On the contrary, I fully believe that existing mints should remain in cperation and be modernized, but, in addition, a new mint should be established in Chicago; thus, giving us mints in Philadelphia, Chicago, and Denver, with a standby facility in San Francisco.

Shortly after the introduction of my legislation, Mr. Samuel W. Sax, president of Exchange National Bank of Chicago, took the time to conduct some research on first the need for an additional mint, and second, Chicago as its logical choice. It is a well thought out, factual study and because of this, I am placing it in the RECORD for use by other Members. I am also making a part of my statement letters received from various business leaders in the Chicagoland area supporting H.R. 2432.

The material referred to follows:

STATEMENT OF PURPOSE

The purpose of this paper is to indicate:

1. The need for additional U.S. Mint facilities.

2. The reasons for locating the additional facilities in the Chicago area as proposed in H.R. 2432 introduced by the Honorable Congressman Frank Annunzio on January 16, 1967.

PART I

The Bureau of the Mint presently has three coining facilities in operation. The U.S. Mint in Philadelphia started production in 1793. This mint will be closed and replaced by new facilities in the latter part of 1967. The U.S. Mint in Denver started coinage operations in 1906. The U.S. Mint in San Francisco started operations in 1854, but was closed in 1955 due to outmoded and antiquated facilities. This facility was reactivated by Section 201 of the Coinage Act of 1965, Public Law 89–81. The San Francisco Mint was reopened in an attempt to help alleviate the critical coin shortage. There are 37 coin distribution points that are supplied by these facilities.[1]

In recent years, demand for coin has surpassed the production capacity of the Mint. In an unsuccessful attempt to equate supply and demand, the following steps were taken:

1. The San Francisco Mint was reactivated.

2. Equipment was added to the Denver branch.

3. A program of coin rationing was initiated by the Federal Reserve System.

4. The production of proof sets was curtailed.

5. The production of foreign coins was suspended.

6. Although uneconomical, three shifts five days a week and in some cases three shifts seven days a week were undertaken.

Mrs. Fern V. Miller, Superintendent of the U.S. Mint in Denver related that operations have been on a three shift five day a week basis in an attempt to meet demand and replenish a depleted inventory.[2] Recent figures on domestic coinage executed appear in Table A.

The total capacity of each mint operation by shift is reflected in Table B. One might argue that with an annual production of 20 billion pieces of coin, shortages will cease to exist. The weakness of this argument lies in the fact that the estimated output of 20 billion pieces of coin is unrealistic and uneconomical for the following reasons:

1. Arthur D. Little, Inc., whose survey on the operation of the mint represents the most comprehensive study on this subject since Alexander Hamilton's "On the Establishment of a Mint" communicated to the House of Representatives, January 28, 1791, concluded in their analysis of multi-shift operations that the mint should operate its plants (either new or existing facilities) two shifts a day.[3]

2. The San Francisco operation is intended to be a temporary expediency. Authorized production of coin will continue there until the Secretary of the Treasury determines that the U.S. Mints are able to produce ample supplies of coins.[4]

In relation to the above considerations, Table B indicates that production on a two shift basis in Denver and Philadelphia would only total 7.2 billion pieces.

The most important single factor affecting our coinage situation is the demands arising from the needs of business and those arising from non-business channels. Coin requirement is directly proportioned to population changes and level of economic activity. The additional amount of coin required to satisfy the needs of a larger population undoubtedly accounts for a significant proportion of the increase in the nation's coinage needs. The population growth, however, fails to explain completely the advance in the amount of coin in circulation. The major determinant of coin usage is the advance or decline of GNP. Cyclical changes in the public's coin holdings roughly coincide with fluctuations in Gross National Product. As the level of business activity advances, individuals and business firms require more coin to settle an expanded volume of transactions. Conversely, as the pace of the economy slackens, the supply of coin demanded by the public tends to decline.

In order to project the long run demand for coin, the Government uses the Department of Commerce estimates of the Gross National Product, projected population figures, Department of Labor price indexes, sales tax figures, and estimated vending machine sales. The Government cannot estimate the amount of hoarding and speculation. These two factors affect the flowback of coin to the Federal Reserve System. In the third quarter of 1962, the Chicago Federal Reserve Bank received 2,761,000 coins from the Mint and 58 million pieces of coin in flowback, while in the third quarter of 1964, the Bank received 10,625,500 coins from the U.S. Mint but only 3,614,000 in flowback.[5]

The available methods of predicting coin needs have not proven accurate. In its report on future Mint requirements, Arthur D. Little, Inc., predicts that the stock of coin in circulation will increase at a rate of 5.8% per year.[6] Table C contains Little's projected coin production requirements through the fiscal year 1990. A comparison of Table A and Table C will reveal immediately the discrepancy in the Little projections. The Little projection for fiscal year 1975 is a requirement of 7 billion pieces of coin, while in fiscal 1966, 8.7 billion pieces of coin were executed and demand was not satisfied. Our present Mint facilities have been structured to produce coin according to the projections contained in the Arthur D. Little report. These predictions must be questioned in light of increasing population, Gross National Product and related non-economic factors. With conditions being as they are, the need for additional mint facilities is evident.

House Report No. 194, which was the sixth report by the Committee on Government to the first session of the 89th Congress, dated March 22, 1965 made several recommendations with reference to the coin shortage question. Recommendation "E" reads as follows:

"If and when estimated future needs for coin are indicated to be such that coin could not be produced efficiently and economically by the existing facilities of the Mint, consideration should be given to the timely construction of a new mint, at a location which would be determined upon such economic factors as concentration of population, distribution and transportation costs, commercial conveniences, and availability of labor."

PART II

The need for additional mint facilities has been established. This section of the report will substantiate the choice of Chicago for the site of this facility.

A major cost area of the mint operation is the transportation of finished coin. This factor makes the transportation features of a site very relevant to its being chosen. As the transportation hub of the United States, Chicago has long been recognized as the railroad center of the country. The Chicago Terminal Railroad District is served by 41 railroads.[7] Approximately 1,219,000 tons of freight are shipped in and out of the city on a normal business day.[8]

Chicago is the center of a vast complex of interstate highways. The city is served by national regional, and local motor freight trucking companies. More than 400 motor freight companies move interstate commerce and in addition, approximately 2,000 regional and local trucking firms serve the Chicago Metropolitan Area's hauling requirements.[9]

These transportation facilities would be used by a Chicago mint to economically distribute coin to the Federal Reserve Banks and Branches. The distance from the present mints and from the proposed Chicago mint to the thirty seven distribution points is compared in Table D. Fifteen or 41% of all the distribution points are closer to Chicago than either Denver or Philadelphia. Exhibit 1 illustrates Chicago's relationship to these fifteen points.

When minting facilities are available, the United States Government contracts with foreign governments for the minting of the latter's coin. In recent years, the mints have been working to capacity on domestic production so all foreign coinage has been suspended. Upon resumption of foreign coinage, Chicago's importance as a mint site will be heightened. Chicago is the only deep-water port in the United States which is at the junction of two inland water routes. The

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[1] "Coin Shortage." Sixth Report by the Committee on Government Operations, 89th Congress, 1st Session. March, 1965. Union Calendar #84 "House Report #194" p. 6.

[2] Phone Interview, Mrs. Fern V. Miller, Superintendent U.S. Mint, Denver. Feb. 10, 1967.

[3] "Production Facilities for the United States Mint". Final Report to the Director of the Bureau of the Budget. Arthur O. Little, Inc. Feb. 11, 1963, p. 19.

[4] Section 201 of the Coinage Act of 1965. Public Law 89.81.

[5] "Coin Dearth hits Stores and Banks." *Chicago American*, Dec. 10, 1964.

[6] Arthur D. Little, *op. cit.*, p. 21.

[7] "Seaport of Chicago," Advertising Supplement to the *New York Times*, Sept. 19, 1966.

[8] "Chicago Transportation Facts," Chicago Association of Commerce and Industry. 5th Edition. Nov., 1966. p. 28–T.

[9] *Ibid.*, p. 28–T.

Great Lakes-St. Lawrence Seaway and the 6,000 miles of the Mississippi-Ohio River system which links Chicago and the Gulf Coast are excellent routes for shipping coin to foreign countries.[10]

The level of economic activity in the Chicago area has made it a prime user of coin. In fiscal 1965, the 7th Federal Reserve District Bank in Chicago and branch bank in Detroit received 1.2 billion pieces of coin out of a total of 7.2 billion pieces distributed.[11] The 7th Federal Reserve District received more coin than any of the other districts and population and economic forecasts indicate that this situation will continue.

From 1961 to 1966 Chicago's Gross Metropolitan Product rose from $27.287 billion to $37.6 billion, an increase of 37.79%.[12] This brought Chicago's share of the Gross National Product to 5.09%.[13] This is noteworthy since Chicago's 7,395,600 people in the metropolitan area only account for 3.82% of the nation's population.[14] Also, during this period metropolitan Chicago's Total Personal Income increased 24.37% while unemployment dropped to 2.95%.[15] This helps to account for the fact that 5.12% of the Nation's Disposable Personal Income is in Chicago.[16] With respect to the 7th Federal Reserve District, recent census figures show the population of this area to be 14.8% of the entire U.S. population.[17] This 14.8% concentration is larger than any other Reserve District including the 12th District's 12.9% and the 2nd District's 12.4%.[18]

One of Chicago's greatest assets is it's vast pool of skilled labor as evidenced by Chicago's outstanding production record. Illinois has 6.37% of the total U.S. labor force, most of which is located in the Chicago area.[19] Chicago's highly diversified industrial atmosphere and its stress on equal opportunity employment will continue to attract an experienced and productive labor force.

The many impressive factors in favor of having a mint located in Chicago are evident. There is no doubt that Chicago offers the most favorable conditions as far as central location, working conditions, transportation, labor supply and most of all the largest market area for new coins. A mint should be located in Chicago so that the most economically sound system of distribution and operation can be obtained and one that will benefit over 41% of the receiving points of coins in the United States mint system. A mint located in Chicago can, in addition to improving coin conditions in the middle section of the U.S. improve the overall economy and structure of the present mint system.

TABLE A.—*Domestic coinage executed (excluding proof coin)*

Fiscal year ending 1964	4, 307, 341, 770
Fiscal year ending 1965	7, 231, 406, 086
Fiscal year ending 1966	8, 674, 761, 925
Fiscal year ending 1967 (first 6 months)	4, 994, 752, 681

Source: Bureau of the Mint.

TABLE B.—*Mint production capacity*

[In billions]

	1 shift	2 shifts	3 shifts	4 shifts
Philadelphia (new)	2. 0	4. 0	6. 0	8. 0
Denver	1. 6	3. 2	4. 8	6. 4
San Francisco	1. 4	2. 8	4. 2	5. 6
Total	5. 0	10. 0	15. 0	20. 0

Source: The Coin Situation, 29th report by the Committee on Government Operations, May 2, 1966, p. 12.

TABLE C.—*Forecast of total domestic coinage requirements*

[In billions of pieces]

	Fiscal year														
	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1980	1985	1990
Forecast requirements	4. 1	4. 1	4. 1	4. 3	4. 5	4. 8	5. 1	5. 5	5. 8	6. 2	6. 6	7. 0	9. 6	13. 0	18. 0

Source: "Production Facilities for the United States Mint" final report to the Director of the Bureau of the Budget submitted by Arthur D. Little, Inc., under contract No. EB-88 revised Feb. 11, 1963, p. 2.

Table of miles from U.S. mints to distribution points

	Denver	Philadelphia	Chicago
1. Boston	2, 008	*313	975
2. New York	1, 852	*94	843
Buffalo	1, 554	*365	529
3. Philadelphia	1, 770	(*)	762
4. Cleveland	1, 373	425	*343
Cincinnati	1, 245	578	*295
Pittsburgh	1, 476	*294	461
5. Richmond, Va	1, 762	*257	796
Baltimore	1, 697	*106	687
Charlotte	1, 630	*547	1, 779
6. Atlanta	1, 464	816	*695
Birmingham	1, 364	937	*656
Jacksonville	1, 789	*915	1, 009
Nashville	1, 205	855	*451
New Orleans	1, 314	1, 312	*925
7. Chicago	1, 043	759	(*)
Detroit	1, 302	588	*275
8. St. Louis	895	887	*291
Little Rock	904	1, 217	*644
Louisville	1, 167	689	*301
Memphis	1, 109	1, 076	*544
9. Minneapolis	855	1, 179	*412
Helena	*829	2, 259	1, 478
10. Kansas City	641	1, 141	*499
Denver	(*)	1, 770	1, 016
Oklahoma City	*619	1, 444	797
Omaha	557	1, 213	*476
11. Dallas	*805	1, 561	936
El Paso	*679	2, 127	1, 434
Houston	*1, 049	1, 648	1, 085
San Antonio	*975	1, 795	1, 220
12. San Francisco	*1, 288	2, 960	2, 189
Los Angeles	*1, 189	2, 829	2, 095
Portland	*1, 365	3, 006	2, 112
Salt Lake City	*515	2, 193	1, 431
Seattle	*1, 442	2, 943	2, 063
Cash Division, Treasury Department, Washington, D.C.	1, 707	*139	687
Total miles serviced to cities marked by *	9, 706	3, 030	7, 892
Average miles traveled	882. 36	303. 00	493. 25

* Distribution points nearest to existing and proposed mints: Denver, 12; Philadelphia, 10; Chicago, 15.

Source: Additional mint facilities, hearing before a subcommittee of the Committee on Banking and Currency, U.S. Senate, 88th Cong., 1st sess., Mar. 26, 1963, p. 34.

MICHIGAN AVENUE NATIONAL BANK
OF CHICAGO,
January 31, 1967.

Hon. FRANK ANNUNZIO,
Longworth Office Building,
Washington, D.C.

DEAR CONGRESSMAN ANNUNZIO: I read with great interest the information you recently forwarded to me regarding the bill which you have introduced in the House of Representatives for the establishment of a United States Mint in the City of Chicago.

You have my whole-hearted support in this action. The heavy demand for coin in this area, the transportation savings and the personnel available make Chicago an ideal location for a Mint.

Your efforts are greatly appreciated, and if I can be of any help to you in this project, please feel free to contact me.

Sincerely,

R. L. CURTIS, *President.*

MADISON BANK & TRUST CO.,
Chicago, Ill., January 24, 1967.

Hon. FRANK ANNUNZIO,
House of Representatives,
Washington, D.C.

SIR: You are to be complimented for your introduction of H.R. 2432 which provides for the establishment of a United States Mint in the City of Chicago. Frankly, I can't conceive why this was not done years ago. Chicago, as the hub of the mid-west region, having to get its coin from either the east or the west makes absolutely no sense. Considering the problems of coin shortages that we've had in the last several years (I don't remember when I last saw a half dollar) facilities for minting coin in our country should be expanded in any case, and in fact, from a transporting point of view, having a United States Mint in Chicago would save innumerable dollars in transportation costs.

I do hope that you pursue this matter as vigorously as possible and perhaps even enlist the support of Senators Dirksen and Percy, as well as other members of the Congress from Illinois and our adjoining midwest states.

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[10] "Chicago World Port," Chicago Association of Commerce and Industry. 7th edition, 1965. p. 4.

[11] "Annual Report of the Director of the Mint. For Fiscal Year ending June 30, 1965." U.S. Government Printing Office. Washington: 1966. p. 10.

[12] Interview with John Coulter, Secretary Research and Development. Chicago Association of Commerce and Industry, Industrial Research Dept. 2–10–67.

[13] *Ibid.*

[14] *Ibid.*

[15] *Ibid.*

[16] *Ibid.*

[17] "Distribution of Bank Deposits by Counties and Standard Metropolitan Areas", Board of Governors of the Federal Reserve System. June 30, 1962.

[18] *Ibid.*

[19] "Economic Fact Book", Federal Reserve Bank of Chicago, 1966. p. 6.

Sincerely yours,

A. ANDREW BOEMI.

THE FIRST NATIONAL BANK OF CHICAGO,
Chicago, Ill., February 1, 1967.
Hon. FRANK ANNUNZIO,
House of Representatives,
Washington, D.C.

DEAR SIR: My associates and I are very pleased to learn that you again introduced the Bill H.R. 2432 to establish a mint in Chicago. We concur in your judgment that this would be a wise and economical move by the United States government.

Chicago is the economic capital of America's vast mid-western region which serves more than 60,000,000 Americans. This pivotal location is at the very focus of air, water, rail, and highway transportation, close to the national centers of population, industry and raw materials. It is estimated, for example, that about 72 per cent of all American cities of 60,000 and more are within 500 miles of Chicago, less than one hour by jet.

More people and more goods can be transported from Chicago to the rest of the nation in less time and at less cost than from any other metropolitan area. In this simple fact lies the primary reason for Chicago's economic strength. Located just north of the U.S. center of population, it is the nation's most efficient market place—the most strategic location for nation-wide marketing operations.

American business has capitalized on these factors and has made Chicago the nation's "Supermarket"—the merchandising and distribution hub of the United States.

These same facts strongly support the logic and wisdom of your position that Chicago should be the site of a new United States mint.

Yours very truly,

HERBERT V. PROCHNOW,
President.

CONTINENTAL ILLINOIS NATIONAL BANK & TRUST CO. OF CHICAGO,
Chicago, Ill., January 27, 1967.
Hon. FRANK ANNUNZIO,
Longworth Office Building,
Washington, D.C.

DEAR FRANK: In accordance with your request, I am pleased to enclose statement with respect to the establishment of a United States Mint in the City of Chicago, as proposed in H.R. 2432, as follows:

"Assuming a need for expanded production of coinage, the proposal of Rep. Frank Annunzio to establish a United States Mint in the city of Chicago is eminently practical.

"The existing geographical pattern of Mints—at Philadelphia, Denver, and San Francisco—was established to serve production and distribution requirements that have disappeared under the influence of new technology, population shifts, and modern transportation.

"Chicago's central location, and its consequent superior ability to serve the entire nation, make it the logical site for a Mint facility planned to offer the maximum in economy and efficiency."

Kindest regards.

Sincerely,

DONALD M. GRAHAM,
Vice Chairman of the Board.

CHICAGO FEDERAL SAVINGS & LOAN ASSOCIATION,
Chicago, Ill., January 26, 1967.
Hon. FRANK ANNUNZIO,
House Office Building,
Washington, D.C.

DEAR MR. ANNUNZIO: I was very pleased recently to learn that you had introduced H.R. 2432, which provides for the establishment of a United States Mint in the City of Chicago, and both personally and as president of Chicago Federal Savings and Loan Association I endorse your proposal 100%.

Considering that Chicago is really the axis for a preponderance of commercial, industrial and financial activities here in the midwest and, indeed, is the hub city through which much of these activities funnel from both the east and west, it seems only natural and logical to us that a United States Mint should be located in our area. In addition to effecting considerable savings in transportation costs, it would certainly bring immeasurable benefits to our city in business and in prestige. When you consider that in terms of dollar size our state ranks second only to the State of California in savings entrusted to our thrift institutions, one must conclude that such a facility in close proximity would be extremely advantageous to our activities.

We hope that you are successful in demonstrating to your colleagues, to the members of the Banking and Currency Committee and to the Public Works Committee the need for a Mint in the Chicagoland area.

Cordially,

THOMAS F. WALDON.

CENTRAL NATIONAL BANK OF CHICAGO,
January 30, 1967.
Hon. FRANK ANNUNZIO,
House of Representatives,
Washington, D.C.

DEAR SIR: I am pleased to learn of your introduction of H.R. 2432, and would like to lend my support to this worthwhile measure.

In view of the fact that modernization of U.S. Mint facilities appears to be a matter of some urgency, this would seem to be the proper time to create a new Mint and to locate it in Chicago, from where the best service can be rendered. Some of the problems which were faced last year helped to focus our attention on the desirability of a most responsive production facility located to serve both the Middle West and, through our unexcelled transportation, the entire country. H.R. 2432 would achieve this purpose.

With best personal regards,

Very truly yours,

FRANK E. BAUDER.

AMERICAN NATIONAL BANK & TRUST CO. OF CHICAGO,
Chicago, Ill., January 30, 1967.
Hon. FRANK ANNUNZIO,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ANNUNZIO: I applaud your efforts to establish a United States Mint in Chicago. The entire economy as well as the Chicago Metropolitan area stands to benefit by making this center of population also a leading financial center.

As you know, a tremendous effort is being undertaken to accomplish this objective. Your proposed mint, besides serving the coin needs of a large section of the country more efficiently and with less transportation cost, will also serve to hasten the acceptance of the area as a principal financial center.

I would also hope that the timing for such a project would take into account the period when the added coin production would be necessary as well as the fiscal affect of the added Federal Expenditure. Our first priority should be the elimination of a deficit in a period of prosperity.

Cordially,

ALLEN STULTS.

BELL SAVINGS & LOAN ASSOCIATION,
Chicago, Ill., February 2, 1967.
Hon. FRANK ANNUNZIO,
Longworth Office Building,
Washington, D.C.

DEAR MR. ANNUNZIO: Congratulations on your efforts to establish a United States Mint in Chicago.

Passage of your bill, H.R. 2432, would be beneficial not only to the Chicago area but to the entire nation. Chicago's central location, transportation facilities and the availability of skilled labor are all assets unequalled elsewhere in our country.

I am sure you will receive support from legislators throughout the Midwest, since the availability of coins is a problem which all financial institutions have faced in recent years. Midwest commerce and industry would benefit a great deal by establishment of the Mint as you propose.

Best wishes on your efforts.

Yours truly,

HAROLD P. HALLEEN.

HOME FEDERAL SAVINGS AND LOAN ASSOCIATION OF CHICAGO,
Chicago, Ill., January 26, 1967.
Hon. FRANK ANNUNZIO,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: I have your letter stating that you have introduced H.R. 2432, providing for the establishment of a United States Mint in the City of Chicago.

I think it is a splendid idea. The central location of our city would permit the disbursement of coins at shipping charges far less than those for shipping coinage from mints removed from the central area of the United States.

As a savings and loan, we are not required in our usual day to day business to provide coinage service to our customers. However, because our quarters are located on a merchandising street, we have, for purposes of convenience to our neighbors and customers, provided coin service in limited quantities. Many times, the shortage of coins that has cropped up in the past, prevented us from accommodating many of our customers and merchant neighbors.

I have discussed this matter with the Cook County Council of Insured Savings Associations and the Federal Savings and Loan Council of Illinois. Membership of both of these organizations is composed of savings and loan institutions, both state and federally chartered, in the metropolitan Chicago area. I am asking them to support your efforts in any way they possibly can, in order to bring this activity into our area.

I will explore other possibilities where I feel some help may be obtainable. If you have any other suggestions where I may be of further help to you, please let me know.

Kindest personal regards.

Sincerely,

OTTO L. PREISLER,
President.

THE NATIONAL REPUBLIC BANK OF CHICAGO,
Chicago, Ill., February 10, 1967.
Hon. FRANK ANNUNZIO,
U.S. Court House,
Chicago, Ill.

DEAR CONGRESSMAN ANNUNZIO: I was pleased to receive your letter of January 20th and also read your remarks placed in the Congressional Record. I wish to congratulate you for your efforts on behalf of our City.

There is no doubt in my mind that the acute coin shortage that has plagued us at various times in the past several years, has made it necessary to build additional facilities to mint silver coins. I am sure that the Banking industry, together with its many Merchants, would applaud your sponsoring this Bill and a great credit to you on your foresightedness to obtain such facilities for Chicago.

With kindest personal regards, I remain,

Sincerely yours,

RICHARD PARRILLO, *President.*

METROPOLITAN BANK & TRUST CO.,
Chicago, Ill., March 10, 1967.
Hon. FRANK ANNUNZIO,
Longworth Office Building,
Washington, D.C.

DEAR MR. ANNUNZIO: Thank you for your letter of January 20 transmitting a copy of your proposal for establishing a United States Mint in the City of Chicago.

My associates and I heartily agree that this would be a worthwhile move that would produce multiple benefits. The recent coin shortage certainly would have been lessened if there had been another producing mint, and Chicago is the most logical place for a fifth mint because of its importance as a key financial center. Furthermore, Chicago's centrality means greater convenience, and significant economies.

You may consider this as our endorsement of your proposed Bill, and please feel free to call on us if we can lend any assistance to you in seeing this Bill through to passage.

Sincerely,

ROBERT W. WALLERSTEDT.

THE AMERICAN FARM BUREAU

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. NICHOLS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. NICHOLS. Mr. Speaker, I would call to the attention of this Congress the recent controversy in the House Agriculture Subcommittee on Rural Development in which the chairman of this subcommittee has leveled a rather harsh attack on the American Farm Bureau.

First, Mr. Speaker, let me state that I speak as a Member of this Congress who has been actively engaged in a very small farming operation in Alabama and as one who has been associated with a small independent agribusiness dealing in fertilizer, seed, and cotton ginning for better than 20 years. There have been many occasions when I differed with the policies of the American Farm Bureau. There have been other occasions when we fought side by side trying to improve the farmer's status in an agriculture that has seemed to be constantly in trouble, with the exception of wartime periods, since the depression days of the 1930's.

The charges leveled by our subcommittee chairman were serious ones, Mr. Speaker, and intimated that this farm organization is more concerned with selling insurance than it is in actually working for the betterment of farm people. Certainly, my own Alabama Farm Bureau offers insurance to protect farm homes from fire and windstorm just as it offers life insurance to protect the widows and orphans of a farmer who might be accidentally killed while driving his tractor or who might die of natural causes. The Alabama Farm Bureau also indirectly offers to its members tires, fertilizer, bailing twine, and other related agricultural supplies. Actually, the insurance program of the Alabama Farm Bureau began in 1946 at a time when many general insurance companies would not write fire and extended coverage on rural property. At that time, the Alabama Farm Bureau rate on $5,000 extended coverage was $80 per year. Today the same coverage costs the farmer only $21.68 per year.

Mr. Speaker, this is the story of a group of farm people who got together in the interest of protecting their homes and related farm property. Even today many companies do not write coverage of this type which was in fact initiated by the insurance division of the Alabama Farm Bureau. The Alabama Farm Bureau is a service organization and only through service, including that of insurance to its members, can it justify its existence to its more than 96,000 members in my State.

Mr. Speaker, the charge has been made that people join the Farm Bureau principally because they can buy cheap insurance and since I carry a policy with my own Alabama Farm Bureau, I can state that in many cases their rates are somewhat less than those of commercial companies. This is a savings that accrues to the members of this farm organization and I find no fault with these savings being passed on to their membership.

The charge has also been made that the "primary purpose of the American Farm Bureau is the operation of a mammoth insurance network." However, I notice that in my own State every Farm Bureau member does not necessarily carry Farm Bureau insurance.

The charge has also been made that the Farm Bureau has not been representing the American farmer, but it has been my observation that over the years there has been no group anywhere who has been consistently more interested in legislative programs for American farming than has this organization. There have been times when I felt that the Farm Bureau might have been overly interested because they have always spoken out and waged a vigorous fight for the principles they believe in. They are dedicated to agriculture from the individual county organizations through their State and national organizations and my reason for belonging to this organization is not that I carry the small insurance policy, but because I believe that my farmers need an organization such as the Alabama Farm Bureau to represent them in handling farm problems at the county, State and national levels and I continue to believe that my Farm Bureau is working diligently to achieve for the farmers of this country their fair share of the good things that America has to offer.

PRESIDENT JOHNSON'S ACCOMPLISHMENTS FOR PEACE AT THE SUMMIT

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, this editorial in the Detroit News deftly sums up the most important development of the summit meeting between Premier Kosygin and President Johnson. It states:

> They met at a summit, and, as President Johnson said, they got acquainted with each other. That, whatever tacit understanding was reached . . . is the most important consequence of the Middle East crisis.

This meeting produced a greater understanding between the two leaders on the great issues that divide the world and cause tensions and anxieties. These problems are not solved easily. But a significant first step has been made at the Glassboro meeting—a step toward full understanding of where the United States and the Soviet Union stand on the issues which divide us.

This is no small accomplishment. For if peace is to become a reality for the world family, it will come only when greater trust and understanding can be a reality for the great powers.

President Johnson has been the loyal servant of peace. The American people salute his efforts at Glassboro.

I insert into the RECORD the editorial from the Detroit News, entitled "Hope at the Summit."

THE SPIRIT OF GLASSBORO: HOPE AT THE SUMMIT

They met at a summit and, as President Johnson said, they got acquainted with each other. That, whatever tacit understanding was reached at their first meeting or may be achieved in today's conference, is the most important consequence of the Middle East crisis.

It is sufficient comment on our times that a President of the United States and a premier of the Soviet Union have not met for six years, not since the ebullient Nikita Khrushchev confronted a John Kennedy, only five months in office, six years ago in Vienna. At that time a crisis loomed—Berlin—and Khrushchev tried to browbeat a young man who took his measure and 16 months later faced him down over Cuban missiles.

This weekend the leaders are meeting in the aftermath of a crisis, not before it. The hope has to be that they are assessing each other and that from these meetings they will be able to maintain and broaden the understanding they reached over the Washington-Moscow hot line three weeks ago.

So many things have crowded in during the quick survey they were able to make of the world situation since their predecessors met—De Gaulle, Vietnam, the India-China rupture, and above all, the entry into nuclear power of Red China.

Perhaps the most vital point in their remarks after their first meeting at Glassboro was not what they disagreed about in the Middle East crisis but their mutual agreement that something has to be done, and quickly, about stopping the spread of nuclear weapons.

They were spurred to this by the fact that one week ago China demonstrated it had achieved thermonuclear capability. Six years ago, Mr. Kennedy and Khrushchev did not foresee that within a year and a half they would be in confrontation about nuclear weapons. This time both President and premier can see the ominous shadow of China on the horizon. Ideologies apart, they know what Red China's capability can mean to the tenuous balance of power Washington and Moscow have maintained since Cuba.

Four years at Geneva have not brought about a nuclear nonproliferation treaty. But even before Mr. Johnson and Kosygin met, the Americans and the Russians have come closer together on a pact than some of the interested nonnuclear powers, such as West Germany, India, and Japan, have been capable of accepting.

If there is one benefit from the quickie Middle East war, it has to be the unspoken acknowledgment by such nonnuclear powers of how much it can be in their own interests not to go nuclear and thus reduce the risks of confrontation in so many areas of the world.

In view of the stated opinions of both leaders about what caused the Middle East crisis and how to seek a viable peace after it, agreement on the issues that divide the United States and the Soviet Union in this instance was impossible. But again, their meeting together, not eyeball to eyeball, but face to face in a town almost no one had ever heard of until three days ago, injects life and meaning into a dialog that no teletyped hot line messages can evoke.

In general, summits without agendas are meaningless. But summits between two who are forced to deal with matters of substance are in a different category. It would be foolish to think sweetness and light will flow from the Glassboro meetings. On the other hand, it would be equally foolish to think that some misunderstandings have not been obviated by this conference. At least if neither party knows exactly what to do next, each has a better understanding of what not to do next.

ASKING POST OFFICE TO ISSUE A COMMEMORATIVE STAMP IN 1969 IN HONOR OF THE 100TH ANNIVERSARY OF THE FOUNDING OF PROFESSIONAL BASEBALL

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Taft] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TAFT. Mr. Speaker, I have today written Postmaster General Lawrence O'Brien asking that the Post Office issue a commemorative stamp in 1969 in honor of the 100th anniversary of the founding of professional baseball. Several of my constituents including the former president and general manager of the Cincinnati Reds, William O. DeWitt, requested the special stamp.

The year 1969 will mark one of the most significant milestones in sports history—the 100th anniversary of the founding of professional baseball. Cincinnati is proud to have been professional baseball's birthplace. On behalf of the Queen City, I would hope that the Postmaster General, issues a commemorative stamp marking the historic occasion.

The Cincinnati Red Stockings of 1869 could hardly have envisioned the heights of popularity which baseball would reach. The Cincinnati Reds plan to move from Crosley Field to a new riverfront stadium in 1969 and hope to host the all-star game in that year.

I would welcome the support of my colleagues in urging that the Post Office Department issue a commemorative stamp in honor of the 100th anniversary of the founding of professional baseball.

LEAVE OF ABSENCE

The following Members (at the request of Mr. Philbin):

Mr. Tunney, for today and the balance of the week, on account of illness.

Mrs. Hansen of Washington, for today and tomorrow, on account of official business.

The following Members (at the request of Mr. Gerald R. Ford):

Mr. Moore, for today, on account of official business.

Mr. Watson, for today, on account of illness in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Price of Texas) and to revise and extend their remarks and include extraneous matter:)

Mr. Halpern, for 20 minutes, today.

Mr. Mathias of Maryland, for 60 minutes, July 13.

Mr. Snyder, for 20 minutes, on July 12.

Mr. Ashbrook, for 10 minutes, today.

Mr. Hechler of West Virginia, for 15 minutes, today.

Mr. Halpern (at the request of Mr. Price of Texas), for 10 minutes, on tomorrow, July 12, 1967; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Gross to revise and extend his remarks made in connection with S. 853 and include an editorial.

(The following Members (at the request of Mr. Price of Texas) and to revise and extend their remarks and include extraneous matter:)

Mr. Brown of Michigan in two instances.

Mr. Hammerschmidt.

Mr. Zion.

(The following Members (at the request of Mr. HECHLER of West Virginia) and to include extraneous matter:)

Mr. O'Neill of Massachusetts.

Mr. Reuss.

Mr. Celler.

Mr. Roybal.

Mr. Burleson.

Mr. Kee.

Mr. St. Onge.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 117. An act for the relief of Martha Blankenship; to the Committee on the Judiciary.

S. 1111. An act to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2762. An act for the relief of CWO Bernhard Vollmer, U.S. Navy (retired).

ADJOURNMENT

Mr. HECHLER of West Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 21 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 12, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

892. A letter from the Assistant Secretary of the Interior, transmitting a report on transportation and production problems on the supply of Middle East oil, pursuant to the provisions of section 708 of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

893. A letter from the Comptroller General of the United States, transmitting a report of problems in processing claims against voluntary relief agencies arising from alleged loss or misuse of food donated for distribution abroad, Department of Agriculture, Agency for International Development; to the Committee on Government Operations.

894. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of January 17, 1936 (49 Stat. 1094), reserving certain public domain lands in Nevada and Oregon as a grazing reserve for Indians of Fort McDermitt, Nev. to the Committee on Interior and Insular Affairs.

895. A letter from the Assistant Secretary of the Interior, transmitting a resolution of the Legislature of American Samoa, requesting the Congress of the United States to enact legislation which would permit American Samoa to be represented in the House of Representatives of the United States by a nonvoting delegate; to the Committee on Interior and Insular Affairs.

896. A letter from the Secretary of Transportation, transmitting a report on all standards to be initially applied in carrying out a highway safety program, pursuant to the provisions of section 302, title 23 of the United States Code; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SELDEN: Committee on Foreign Affairs. Report entitled "Communist Activities in Latin America, 1967" (Rept. No. 481). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLMER: Committee on Rules. House Resolution 729. Resolution for consideration of H.R. 421, a bill to amend title 18 of the United State Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes (Rept. No. 482). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRINKLEY:

H.R. 11328. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. BURTON of Utah:

H.R. 11329. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 11330. A bill to amend the National Labor Relations Act to secure to physically handicapped workers employed in sheltered workshops the right to organize and bargain collectively, and for other purposes; to the Committee on Education and Labor.

By Mr. FISHER:

H.R. 11331. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 11332. A bill to amend section 203(e) of the Federal Property and Administrative Services Act of 1949 to facilitate the procurement of certain surplus personal property by State agencies; to the Committee on Government Operations.

By Mr. HALPERN:

H.R. 11333. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for certain amounts set aside by a taxpayer for the higher education of prospective college students in his family, and a tax credit for certain amounts otherwise paid as educational expenses to institutions of higher education; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 11334. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. RARICK:

H.R. 11335. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for physicians' charges under the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved, and to amend title XIX of such act to permit payment to a recipient of assistance for physicians' charges under the medical assistance program; to the Committee on Ways and Means.

By Mr. REID of New York:

H.R. 11336. A bill to amend the Economic Opportunity Act of 1964 to provide day care for children of low-income families in order to enable their parents or relatives to choose to undertake vocational training, basic education, or employment; to the Committee on Education and Labor.

By Mr. ROONEY of Pennsylvania:

H.R. 11337. A bill to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Ways and Means.

By Mr. SCHEUER:

H.R. 11338. A bill to authorize appropriations to carry out the Adult Education Act of 1966 for 2 additional years; to the Committee on Education and Labor.

By Mr. STEIGER of Wisconsin:

H.R. 11339. A bill to assure the purity and quality of all imported dairy products for the purpose of promoting the dairy industry and protecting the public health; to the Committee on Agriculture.

H.R. 11340. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 11341. A bill to adjust the rates of basic compensation of certain employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11342. A bill to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes; to the Committee on Veterans' Affairs.

H.R. 11343. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 11344. A bill to amend title XIV (and title XVI) of the Social Security Act to permit aid to the permanently and totally disabled to be paid, under approved State plans with Federal matching, to individuals in institutions for the mentally retarded; to the Committee on Ways and Means.

By Mr. WYMAN:

H.R. 11345. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois:

H.R. 11346. A bill to amend title VI of the Public Health Service Act in order to provide priority for grants under that title for projects for the construction of hospital facilities damaged or destroyed by tornadoes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of Michigan:

H.R. 11347. A bill to amend the Surplus Property Act of 1944 to authorize certain surplus property of the United States to be donated for park or recreational purposes; to the Committee on Government Operations.

H.R. 11348. A bill to amend title II of the Social Security Act to provide for the establishment of special procedures designed to avoid undue delay in the payment of monthly insurance benefits to which individuals are entitled thereunder; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 11349. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 11350. A bill to reclassify certain key positions and increase salaries in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11351. A bill to provide for the granting of national service life insurance to Vietnam conflict veterans; to the Committee on Veterans' Affairs.

By Mr. DERWINSKI:

H.R. 11352. A bill to provide for the issuance of a special postage stamp to commemorate the 50th anniversary of the independence of the Baltic States (Estonia, Latvia, and Lithuania); to the Committee on Post Office and Civil Service.

By Mr. DOW:

H.R. 11353. A bill to require the Secretary of the Interior to make a comprehensive study of the polar bear and walrus for the purpose of developing adequate conservation measures; to the Committee on Merchant Marine and Fisheries.

By Mr. GARMATZ:

H.R. 11354. A bill to amend the Merchant Marine Act, 1936, to increase the Federal ship mortgage insurance available in the case of certain oceangoing tugs and barges; to the Committee on Merchant Marine and Fisheries.

By Mr. GOODELL:

H.R. 11355. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

H.R. 11356. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 11357. A bill to provide for direct payments to the governments of certain countries which submit to the Secretary of State satisfactory proof that Palestine refugees in the Near East have been resettled in such countries, and for other purposes; to the Committee on Foreign Affairs.

H.R. 11358. A bill to provide for the return of obscene mail matter; to the Committee on Post Office and Civil Service.

By Mr. McFALL:

H.R. 11359. A bill to provide for crediting service as an aviation midshipman for purposes of retirement for nonregular service under chapter 67 of title 10, United States Code, and for pay purposes under title 37, United States Code; to the Committee on Armed Services.

By Mrs. MAY:

H.R. 11360. A bill to require the Secretary of Agriculture to compensate certain permittees where permits for summer or recreation-type residences on national forest lands are terminated and not renewed, and for other purposes; to the Committee on Agriculture.

By Mr. MULTER:

H.R. 11361. A bill to reclassify certain key positions and increase salaries in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11362. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PRICE of Illinois:

H.R. 11363. A bill to provide additional dental care for dependents of members of the uniformed services; to the Committee on Armed Services.

By Mr. ROONEY of Pennsylvania:

H.R. 11364. A bill to amend the Internal Revenue Code of 1954 to provide the treatment processes which shall be considered as mining for purposes of percentage depletion in the case of certain slate, and to allow taxpayers to elect to treat such processes as mining for certain past years; to the Committee on Ways and Means.

By Mr. SPRINGER:

H.R. 11365. A bill to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products; to the Committee on Interstate and Foreign Commerce.

By Mr. WALDIE:

H.R. 11366. A bill to amend the Internal Revenue Code of 1954 to provide that civil service retirement annuities shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. WALKER:

H.R. 11367. A bill to amend title 38 of the United States Code so as to make widows of servicemen who die on active duty in the Armed Forces eligible for educational assistance under that title; to the Committee on Veterans' Affairs.

By Mr. WYMAN:

H.R. 11368. A bill to provide for uniform annual observances of certain national holidays on Mondays; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 11369. A bill to reclassify certain key positions and increase salaries in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McMILLAN:

H.R. 11370. A bill to require the Secretary of Agriculture to compensate certain permittees where permits for summer or recreation-type residences on national forest lands are terminated and not renewed, and for other purposes; to the Committee on Agriculture.

By Mr. TEAGUE of Texas (by request):

H.R. 11371. A bill to amend title 38 of the

United States Code to provide for additional compensation for veterans who have suffered the loss or loss of use of both kidneys; to the Committee on Veterans' Affairs.

By Mr. DON H. CLAUSEN:

H.J. Res. 692. Joint resolution to establish a U.S. World Food Study and Coordinating Commission to study world food and agricultural needs, to coordinate present U.S. efforts toward meeting these needs, and to evaluate the future role of U.S. agricultural and other resources in the light of present and projected world food and population trends; to the Committee on Agriculture.

H.J. Res. 693. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.J. Res. 694. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

H.J. Res. 695. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. JOELSON:

H.J. Res. 696. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. PATMAN:

H.J. Res. 697. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. PICKLE:

H.J. Res. 968. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. WALDIE:

H.J. Res. 699. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mrs. BOLTON:

H. Con. Res. 406. Concurrent resolution expressing the sense of the Congress in re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. GONZALEZ:

H. Con. Res. 407. Concurrent resolution expressing the sense of the Congress with respect to participation by the United States in the International Convention Relating to International Exhibitions; to the Committee on Foreign Affairs.

By Mr. KUYKENDALL:

H. Con. Res. 408. Concurrent resolution expressing the sense of Congress re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. MURPHY of Illinois:

H. Con. Res. 409. Concurrent resolution relating to the U.S. military personnel held captive in Vietnam; to the Committee on Foreign Affairs.

By Mr. DOW:

H. Res. 730. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. HORTON:

H. Res. 731. Resolution expressing the sense of the House that the territorial integrity of Israel be recognized, that international waterways be open to all nations and that the refugee problem in the Middle East be equitably solved; to the Committee on Foreign Affairs.

By Mr. McEWEN:

H. Res. 732. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. WINN:

H. Res. 733. Resolution deploring dispatch of American troops to the Congo; to the Committee on Foreign Affairs.

By Mr. WYMAN:

H. Res. 734. Resolution deploring dispatch of American troops to the Congo; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

254. By the SPEAKER: Memorial of the Legislature of the Commonwealth of Pennsylvania, relative to flood control on the Monongahela River, Pa.; to the Committee on Appropriations.

255. Also, memorial of the Legislature of the State of Ohio, relative to lasting peace in the Middle East; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 11372. A bill for the relief of Paula Mapa Tonga, his wife, Tupou Naeta Tonga, and their minor daughter, Tamasita Tonga; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 11373. A bill for the relief of Nazar Hayat Khan Tiwana; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 11374. A bill for the relief of Dr. Rafael de la Portilla Lavastida; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 11375. A bill for the relief of Ileri Semsinur; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 11376. A bill for the relief of Miss Franca Tolusso; to the Committee on the Judiciary.

H.R. 11377. A bill for the relief of Angelo M. Petitto; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 11378. A bill for the relief of Mrs. Rajani B. Lathi; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 11379. A bill for the relief of Mark Bitar; to the Committee on the Judiciary.

H.R. 11380. A bill for the relief of Ilyas Josef Al-Tawil; to the Committee on the Judiciary.

By Mr. POOL:

H.R. 11381. A bill for the relief of E. L. Townley; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 11382. A bill for the relief of Apostolos Todis; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 11383. A bill for the relief of Federico Campos; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.J. Res. 700. Joint resolution for the relief of the Burnham Chemical Co., a Nevada corporation; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

122. By Mr. STRATTON: Petition of the Center for Human and International Relations, Geneva, N.Y., urging Congress to appropriate a respectable share of funds, commensurate with the importance and magnitude of the problems to be coped with, to implement the 1966 International Education Act and to support an effective long-range foreign aid program; to the Committee on Appropriations.

123. By Mr. UTT: Petition of Lester M. Andrew, Tustin, Calif., and others, relative to trade with Communist nations; to the Committee on Foreign Affairs.

124. By the SPEAKER: Petition of the Women's International League for Peace and Freedom, Philadelphia, Pa., relative to freedoms guaranteed by the first amendment of the Constitution; to the Committee on the Judiciary.

125. Also, petition of the Border Cities League Speech Congress, Wyandotte, Mich., relative to actions on the part of some of our elected representatives; to the Committee on Rules.

126. Also, petition of the New England Association of Fire Chiefs, Hingham, Mass., relative to support of the efforts of municipal, State, and private enterprise to combat fire problems in the United States; to the Committee on Science and Astronautics.

SENATE

TUESDAY, JULY 11, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. Edward B. Lewis, D.D., minister, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear Master of all mankind, we are grateful for these men and women of the U.S. Senate who seek Thy favor and guidance. Inspire, enlighten, and direct them in their proceedings of this day. May they know the quiet confidence that "in everything God works with those who love Him, whom He has called in accordance with His purpose, to bring about what is good."

Bless our President and his advisers. Direct the representatives of the United Nations in Middle East guidance. Give determination, intelligence, and direction to end the war in Vietnam and over the earth.

We pray in the name of Jesus, the giver of peace. Amen.

REPORT OF COMMODITY CREDIT CORPORATION—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

I am pleased to transmit to the Congress the annual report of the Commodity Credit Corporation for fiscal year 1966.

This report shows clearly the progress that is being made toward our goal of economic equality for rural America.

Farm surpluses have virtually been eliminated. With the removal of this threat to farm prices, farm income has been strengthened.

Yet the elimination of surpluses poses a new dilemma:

On the one hand, national and world needs demand a high level of production of food and fiber. With populations soaring and the margin of food supplies growing thinner in many areas of the world, we cannot gamble on the possibility of inadequate stocks.

On the other hand, farmers who produce supplies in excess of immediate requirements as a national precaution, cannot be expected to bear the cost themselves through depressed farm prices and income.

To increase price protection for farmers in these new circumstances, the Commodity Credit Corporation has recently expanded its price-support loan program.

The price-support loan program has long provided farmers protection against commodity price reductions. Under the program, farmers are able to obtain loans at harvesttime, enabling them to withhold their products from the markets until later in the marketing season when prices are more favorable. Loans for this purpose totaled nearly $2 billion in fiscal 1966.

The expansion of the price-support loan program will permit more farmers to keep commodities off the market beyond the current crop season. The commodities will continue to be owned by the farmers, with the Government paying the storage costs as part of the Nation's price for maintaining adequate reserves.

By thus drawing further upon the resources of the Commodity Credit Corporation to meet changing conditions, this Nation will be taking another important step toward economic equality for the American farmer.

Lyndon B. Johnson.

The White House, *July 11, 1967.*

REPORT OF BOARD OF ACTUARIES FOR THE RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Armed Services:

To the Congress of the United States:

I am pleased to transmit the 12th annual report of the Board of Actuaries for the Retired Serviceman's Family Protection Plan.

This plan, which was adopted in 1953, allows retired servicemen to elect reduced pay so that their widows and children can receive survivor benefits. At the end of 1965, the year covered by this report, more than 67,000 retired servicemen were participating in this program and about 5,000 families were receiving its benefits.

I commend this report to your attention.

Lyndon B. Johnson.

The White House, *July 11, 1967.*

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Monday, July 10, 1967, was dispensed with.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

On request of Mr. Byrd of West Virginia, and by unanimous consent, the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare, the Subcommittee on Criminal Laws and Procedures of the Committee on the Judiciary, the Military Construction Subcommittee of the Armed Services Committee, and the Appropriations Committee were authorized to meet during the session of the Senate today.

CRISIS IN THE COURTS

Mr. DIRKSEN. Mr. President, during the last several weeks I have inserted in the Record the series of articles published in the Christian Science Monitor by staff correspondent Howard James entitled "Crisis in the Courts." Today I have the last two articles of a series of 13, "Time for Jury System Reform?" and "Recipe for Court Reform," and I ask unanimous consent that they be printed at this point in the Record.

At a subsequent time I hope to ask that all these articles be compiled as a Senate document, because they are quite authoritative and cover our entire judicial system.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Christian Science Monitor, June 28, 1967]

Crisis in the Courts: Time for Jury System Reform?

(By Howard James)

Scrap the jury system?

To the average citizen the very suggestion sounds ludicrous. You don't just throw out a 700-year-old Anglo-American institution as you would a 10-year-old car. And what's wrong with the jury system anyway?

Plenty, says a small but growing number of judges, lawyers, and scholars. Enough, they assert, to make serious consideration of eliminating it—at least in civil courts—worth considering.

A national study by this newspaper indicates that the most often used arguments are:

Jury trials are too costly.

One judge, Matthew J. Jasen of Buffalo, N.Y., points out that more than $5 million in taxpayers' money is spent on juries alone each year in the New York State courts.

"I'm in favor of the jury system," he says. "But there are many who don't believe it is necessary. To save the system, I am proposing a six-man jury. That would cut costs in half—a saving of over $2 million a year in our state."

SMALLER JURY "SATISFACTORY"

Judge Jasen contends a 6-man jury is "just as effective" as one with 12 members. In New York's lower courts, and in lower courts in several other states, six-man juries are used.

"Recently I looked at six-man juries used in the trial courts of Florida," he adds. "Every judge I talked to told me the plan is extremely satisfactory."

The jury system creates delays and causes court congestion.

In Philadelphia and in a number of other cities I visited it can take days and even weeks to select a jury. This is especially true where a criminal case has made headlines for several days running. Or when the prosecutor intends to ask for the capital penalty and prospective jurors who oppose capital punishment are excused.

Because of the time it takes to conduct a criminal jury trial, judges in Chicago and in other cities are reported to give those who demand a trial by jury longer sentences if convicted.

In civil cases—largely auto-accident disputes—both the insurance companies and plaintiff's lawyers use the threat of a jury trial as a big stick to force settlement. As often as not one side or the other caves in and the case is settled while the jury is recessed, out for lunch, or even when it is out deliberating after spending several days hearing evidence.

Juries may not comprehend what is going on, may not understand the law, nor necessarily follow the logical thread of arguments in a case.

This has been a complaint for years. Back in 1928 a Philadelphia attorney complained in a national magazine that "most law suits present a plurality of complicated issues which single-track minds are utterly unable to grasp.

"To discriminate between conflicting items of evidence, to determine whether a skillful prevaricator is twisting facts to his own profit, to see when they are being grossly exaggerated or manufactured out of whole cloth, requires the highest degree of judgment, education, experience, and mental alertness. No greater demand can be made on the human intellect."

DANGERS EXAMINED

In England, where the jury trial originated, civil juries have been fading from the courtroom. Said Granville Williams, an English scholar, in a series of lectures in 1955:

". . . There seems to be a formidable weight of argument against the jury system. To begin with, the 12 men and women are chose haphazard. Exemption is given to some professional people who would seem to be among the best qualified to serve—clergymen, ministers of religion, lawyers, doctors, dentists, chemists, justices of the peace, as well as all rank of the armed forces.

"The subtraction of relatively intelligent classes means that it is an understatement to describe a jury, with Herbert Spencer, as a 'group of 12 people of average ignorance.'

"There is no guarantee that members of a particular jury may not be quite unusually ignorant, credulous, slow-witted, narrow-minded, biased, or temperamental. The danger of this happening is not one that can be removed by some slight procedural change or adjustment. . . ."

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The history of the jury system and its past role compared to the jury of today is worth considering. For it helps explain why American justice—known as the adversary system—operates as it does.

The jury system is generally considered uniquely English.

As far as can be determined, the jury had its beginning with the inquests of the Middle Ages—perhaps 1,000 years ago—when the king used groups of citizens to find out what was going on in certain segments of his land.

The king would compel 12 persons to take an oath and then report on whatever he was interested in checking on.

They gave him this information from their own knowledge, rather than from testimony of witnesses, as is the case today.

Tom C. Clark, former Associate Justice of the Supreme Court of the United States, traces the development this way:

"Subsequently, Henry II conceived the idea of using the inquest as an implement of justice. If it was helpful to the King in securing information, it might be equally important in the settlement of disputes."

SETTLEMENT BY ORDEAL

Originally this involved disagreement over title to land, and "the party who first obtained 12 oaths on his side was the winner."

Henry II also founded the grand jury or "jury of accusation" in 1166 by ordinance (the Assize of Clarendon).

But most disputes continued to be settled "by ordeal or battle."

"It was in 1215 that Pope Innocent forbade ecclesiastics to participate in trials by ordeal. The Pope's decree had the effect of abolishing the practice."

The next step was for the judge to listen to the accused, or with the consent of those involved, the defendant "put himself upon the country"—which meant being judged by his neighbors.

While some states now accept split verdicts in civil disputes (New York, for example, requires 10 of the jurors to agree), in other states and in criminal cases all 12 jurors must agree.

This, Mr. Justice Clark asserts, comes from the "12 oaths" required by Henry II in settling land disputes.

The jury system was imported to the United States by the colonists. Before the revolution all of the colonies had some form of trial by jury.

CONSTITUTION AMENDED

"The original draft of the federal Constitution of 1789 made no reference to the right of trial by jury in civil cases," says Mr. Justice Clark. "A storm of criticism resulted, and the Bill of Rights made specific provision for both grand juries (Fifth Amendment) and petit juries in criminal cases (Sixth Amendment) and also [petit] civil juries where the amount in controversy exceeds $20 (Seventh Amendment)."

While these provisions apply to federal courts, in all states but Louisiana the state constitutions have broad general provisions for jury trials.

Yet even today other remnants of the old system of dispute settling exist. The courthouse floor has become the battleground, and two attorneys verbally joust in what is technically known as an "adversary proceeding."

The late Roscoe Pound, dean emeritus of the Harvard Law School and one of the founders of the American Judicature Society (a pioneer group in court reform), derided it as the "sporting theory of justice."

"It leads the most conscientious judge to feel that he is merely to decide the contest, as counsel present it, according to the rules of the game, not to search independently for truth and justice," he said. "It leads counsel to forget that they are officers of the court and to deal with the rules of law and procedure exactly as the professional football coach with the rules of the sport. . . .

"It turns witnesses, and especially expert witnesses, into partisans pure and simple. . . . It prevents the trial court from restraining the bullying of witnesses and creates a general dislike, if not fear, of the witness function which impairs the administration of justice."

THEORY BACKS PENALTIES

In football a team that breaks a rule is penalized 5 or 10 yards, while "our sporting theory of justice awards new trials, or reverses judgments, or sustains demurrers in interest of regular play," he said.

"If the law is a mere game, neither the players who take part in it nor the public who witness it can be expected to yield to its spirit when their interests are served by evading it."

Little "wonder that one part of the community strain their oaths in the jury box and find verdicts against unpopular litigants in the teeth of law and evidence, while another part retains lawyers by the year to advise how to evade what to them are unintelligent and unreasonable restrictions upon necessary modes of doing business.

"Thus the courts, instituted to administer justice according to law, are made agents or abettors of lawlessness," he concluded.

He spoke these harsh words in 1906. But a tour of the nation's courts by this reporter shows they are valid today. And it is the jury that is often depended upon to referee the match.

PERJURY CALLED WIDESPREAD

In criminal court lying by witnesses is said to be common.

"Perjury has always been widespread," says the report of the President's Commission on Law Enforcement and Administration of Justice. "According to Pollock and Maitland's standard history of English law, 'our ancestors perjured themselves with impunity.' "

Is a jury capable of discovering this?

A slippery lawyer or dishonest witness has as good or a better chance of being caught by a jury as by a judge, says Mr. Fuchsberg.

Those skilled at this "can just as easily pull the wool over the judges' eyes as the juries," he asserts. "I think there is more wisdom and discernment among 12 people than 1."

Most trial lawyers agree that the very function of the jury is to find out who is telling the truth. If witnesses told the truth there would be little need for either judge or jury in most cases, they explain.

In a proposal for a foundation grant, designed to eliminate the waste of time and money involved in calling citizens for jury duty, the Institute of Judicial Administration in New York asserts:

"Each year many thousands of citizens are summoned to serve as jurors for two, three, or four weeks in courts located throughout the nation. Many of those called do not serve in a single case. And even those who do sit in one or two cases are likely to have most of their time wasted, with the consequence that they become apathetic and antagonistic toward jury service.

"The result is that many qualified citizens deliberately avoid such service, leaving the work to housewives, elderly persons, etc., so that a fair cross section of the community is not achieved.

"In addition large amounts of public and private funds are wasted in jury fees and expenses, in payments of salaries and wages to employees [many large firms now are paying wages while a man serves, and it is often part of a union contract], and in lost income to self-employed persons who sit cooling their heels while on jury 'service.' "

One industrial firm alone paid out more than $250,000 to hourly rated workers for time not worked while on jury duty in 1965, the institute asserts.

BETTER SYSTEM URGED

"If a system could be devised to call only as many people as were genuinely needed for jury service, and to cut down on the waiting time of those called, the jury system would be strengthened and enormous savings would be made," the institute asserts.

Such a system, it suggests, could save taxpayers $1 million a year in New York City alone. It would be multiplied many times over for all the other communities which would benefit and then multiplied many times again for private savings in the form of salaries, wages, and income.

Of all the complaints against the jury system, the one that nearly everyone agrees upon is that juries too often are not really representative of the local community—as the Institute of Judicial Administration points out.

While some juries are weighted with housewives and retired men, in other sections there is an overbalance of businessmen and others in the middle class. In the South a few Negroes are being called for jury duty. But most panels remain largely, if not all, white. Other sections of the country are equally slow to impanel minority groups.

Jurors—except in justice-of-the-peace courts—are not simply "hauled in off the to describe a jury, with Herbert Spencer, as a 'group of 12 people of average ignorance.'

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They gave him this information from their own knowledge, rather than from testimony of witnesses, as is the case today.

Tom C. Clark, former Associate Justice of the Supreme Court of the United States, traces the development this way:

"Subsequently, Henry II conceived the idea of using the inquest as an implement of justice. If it was helpful to the King in securing information, it might be equally important in the settlement of disputes."

SETTLEMENT BY ORDEAL

Originally this involved disagreement over title to land, and "the party who first obtained 12 oaths on his side was the winner."

Henry II also founded the grand jury or "jury of accusation" in 1166 by ordinance (the Assize of Clarendon).

But most disputes continued to be settled "by ordeal or battle."

"It was in 1215 that Pope Innocent forbade ecclesiastics to participate in trials by ordeal. The Pope's decree had the effect of abolishing the practice."

The next step was for the judge to listen to the accused, or with the consent of those involved, the defendant "put himself upon the country"—which meant being judged by his neighbors.

While some states now accept split verdicts in civil disputes (New York, for example, requires 10 of the jurors to agree), in other states and in criminal cases all 12 jurors must agree.

This, Mr. Justice Clark asserts, comes from the "12 oaths" required by Henry II in settling land disputes.

The jury system was imported to the United States by the colonists. Before the revolution all of the colonies had some form of trial by jury.

CONSTITUTION AMENDED

"The original draft of the federal Constitution of 1789 made no reference to the right of trial by jury in civil cases," says Mr. Justice Clark. "A storm of criticism resulted, and the Bill of Rights made specific provision for both grand juries (Fifth Amendment) and petit juries in criminal cases (Sixth Amendment) and also [petit] civil juries where the amount in controversy exceeds $20 (Seventh Amendment)."

While these provisions apply to federal courts, in all states but Louisiana the state constitutions have broad general provisions for jury trials.

Yet even today other remnants of the old system of dispute settling exist. The courthouse floor has become the battleground, and two attorneys verbally joust in what is technically known as an "adversary proceeding."

The late Roscoe Pound, dean emeritus of the Harvard Law School and one of the founders of the American Judicature Society (a pioneer group in court reform), derided it as the "sporting theory of justice."

"It leads the most conscientious judge to feel that he is merely to decide the contest, as counsel present it, according to the rules of the game, not to search independently for truth and justice," he said. "It leads counsel to forget that they are officers of the court and to deal with the rules of law and procedure exactly as the professional football coach with the rules of the sport. . . .

"It turns witnesses, and especially expert witnesses, into partisans pure and simple. . . . It prevents the trial court from restraining the bullying of witnesses and creates a general dislike, if not fear, of the witness function which impairs the administration of justice."

THEORY BACKS PENALTIES

In football a team that breaks a rule is penalized 5 or 10 yards, while "our sporting theory of justice awards new trials, or reverses judgments, or sustains demurrers in interest of regular play," he said.

"If the law is a mere game, neither the players who take part in it nor the public who witness it can be expected to yield to its spirit when their interests are served by evading it."

Little "wonder that one part of the community strain their oaths in the jury box and find verdicts against unpopular litigants in the teeth of law and evidence, while another part retains lawyers by the year to advise how to evade what to them are unintelligent and unreasonable restrictions upon necessary modes of doing business.

"Thus the courts, instituted to administer justice according to law, are made agents or abettors of lawlessness," he concluded.

He spoke these harsh words in 1906. But a tour of the nation's courts by this reporter shows they are valid today. And it is the jury that is often depended upon to referee the match.

PERJURY CALLED WIDESPREAD

In criminal court lying by witnesses is said to be common.

"Perjury has always been widespread," says the report of the President's Commission on Law Enforcement and Administration of Justice. "According to Pollock and Maitland's standard history of English law, 'our ancestors perjured themselves with impunity.' "

Is a jury capable of discovering this?

A slippery lawyer or dishonest witness has as good or a better chance of being caught by a jury as by a judge, says Mr. Fuchsberg.

Those skilled at this "can just as easily pull the wool over the judges' eyes as the juries," he asserts. "I think there is more wisdom and discernment among 12 people than 1."

Most trial lawyers agree that the very function of the jury is to find out who is telling the truth. If witnesses told the truth there would be little need for either judge or jury in most cases, they explain.

In a proposal for a foundation grant, designed to eliminate the waste of time and money involved in calling citizens for jury duty, the Institute of Judicial Administration in New York asserts:

"Each year many thousands of citizens are summoned to serve as jurors for two, three, or four weeks in courts located throughout the nation. Many of those called do not serve in a single case. And even those who do sit in one or two cases are likely to have most of their time wasted, with the consequence that they become apathetic and antagonistic toward jury service.

"The result is that many qualified citizens deliberately avoid such service, leaving the work to housewives, elderly persons, etc., so that a fair cross section of the community is not achieved.

"In addition large amounts of public and private funds are wasted in jury fees and expenses, in payments of salaries and wages to employees [many large firms now are paying wages while a man serves, and it is often part of a union contract], and in lost income to self-employed persons who sit cooling their heels while on jury 'service.' "

One industrial firm alone paid out more than $250,000 to hourly rated workers for time not worked while on jury duty in 1965, the institute asserts.

BETTER SYSTEM URGED

"If a system could be devised to call only as many people as were genuinely needed for jury service, and to cut down on the waiting time of those called, the jury system would be strengthened and enormous savings would be made," the institute asserts.

Such a system, it suggests, could save taxpayers $1 million a year in New York City alone. It would be multiplied many times over for all the other communities which would benefit and then multiplied many times again for private savings in the form of salaries, wages, and income.

Of all the complaints against the jury system, the one that nearly everyone agrees upon is that juries too often are not really representative of the local community—as the Institute of Judicial Administration points out.

While some juries are weighted with housewives and retired men, in other sections there is an overbalance of businessmen and others in the middle class. In the South a few Negroes are being called for jury duty. But most panels remain largely, if not all, white. Other sections of the country are equally slow to impanel minority groups.

Jurors—except in justice-of-the-peace courts—are not simply "hauled in off the street" as some critics imply. Often they are picked from tax rolls, voter registration lists, or rolls compiled by someone in local government.

In Maine the Chief Justice of the Supreme Court appoints two jury commissioners from each of the 16 counties—one Republican and one Democrat. These men make up a master list.

Judge James L. Reid of Portland explains how it works:

"The names on the master list, except in the smaller counties, are submitted from time to time by the municipal officers of towns and cities, at the jury commissioner's request. In a large county there may be as many as 2,500 names on the master list.

"Seasonably ahead of a term of court the commissioners cull from the list a sufficient number of names to be summoned for jury duty, usually about 30. In the case of a murder trial, of course, the number will be substantially increased."

QUESTIONNAIRES SENT OUT

In the past 18 months most counties have been sending out questionnaires to prospective jurors. Lawyers may read these before they begin selecting a jury, in an effort, he says, to permit counsel to "more easily get a cross-section jury of 12."

At a meeting of jury commissioners it was agreed that, among other things, "justices of the Superior Court should be firm in refusing to excuse from jury service except on the grounds of severe hardship or physical or mental infirmity," Judge Reid says.

[Under a bill signed by Gov. Kenneth M. Curtis May 26 this year, Maine jurors will be chosen at random from the voting lists instead of from a master list drawn up by commissioners as at present. The new law will go into effect 90 days after the Legislature adjourns.]

Los Angeles County Superior Court has a selection system that is undoubtedly better than most around the country, though it is far from perfect.

It uses 750 jurors a day in civil court in downtown Los Angeles alone, says William A. Goodwin, the jury commissioner. The names of roughly 3 million voters in the county are on IBM cards. Every sixth name in every sixth precinct is drawn.

"We're lucky to get 1 out of 10 we send letters to," he admits. The list of exemptions is long:

Toll-gate keepers, people who work on boats, jail and prison workers, railroad engineers and other workers, telephone and telegraph employees (the telephone company waives its exception), policemen and firemen, members of the national guard, those serving in the armed services, legislators, elected local officials and other governmental employees, teachers, ministers, druggists, hospital officials, physicians, Christian Science practitioners and readers, monks, and anyone who has already served on a jury within the year.

While the law doesn't exempt policemen's wives, judges usually do not accept them. And other excuses are accepted—like a housewife who says she lacks transportation (Los Angeles is short on public transit). Those who run "little one-man businesses" are let off.

After the cards are drawn by the computer, letters are sent out. Jurors have roughly a week to report. Mr. Goodwin prefers to give a prospective juror a time extension rather than scratch his name if he asks to be excused.

JURORS THEN SCREENED

When the juror arrives he is screened for good health, ability to hear and see, and other qualities necessary to perform his duty. He then takes a written test to determine whether he has "sufficient knowledge of the English language and adequate comprehension and mental capacity to understand proceedings in a court of law." If that test is passed, then an interview is held, where, among other things, the jury commissioner determines whether the individual should be excused.

A prospective juror sits in the "jury pool," a large room with chairs, tables for chess and card playing, and other recreational activities. Each juror serves one month, and some never sit on a jury—despite the screening.

Yet I found less wasted time in Los Angeles than in other cities, including Chicago, which has a comparable court system.

Jurors are paid only $5 a day, plus 15 cents a mile from their home to the courthouse.

Juries have many quirks.

Judges told me it is especially hard to get a jury to convict in a drunken-driving case in many sections of the country. Someone on the jury can be counted on to vote for acquittal, remembering that only last Saturday night he had a little too much under his belt and just wasn't caught.

Yet in other areas juries are tough in drinking cases and similar violations.

One day when I visited the Chicago public defender's office a young lawyer and his friends were celebrating a victory in a narcotics-peddling case. The lawyer was jubilant because, he said, it is nearly impossible to win acquittal from a jury in this kind of case, even in Chicago where many people believe "anything goes."

Juries tend to be especially rough on cases involving sex and children, according to the University of Chicago study. Yet they tend to look the other way in rape cases involving girls near the age of consent if violence is not involved (called statutory rape).

Juries tend to represent the sentiment of the general public at any given time, handing down verdicts that agree with public opinion toward a type of offense.

When a jury does not like a law, it will shape its decision accordingly—either in leniency or severity.

And, according to the University of Chicago study, like each judge, each jury is different. From time to time a jury surprises everyone. Since jurors meet in secret, no one really knows how they hammer out a decision. When the Chicago researchers tried to find out through "jury tapping" they created a national uproar.

JURIES CAN EXPECT BETTER

Juries can expect better treatment in the future, as judges begin to recognize the need for better court administration.

There is seldom if ever a suggestion that jury trials be scrapped in criminal courts. But some judges and lawyers now suggest that auto-accident cases could better be handled by special boards.

They point out that not too many years ago when a worker was hurt he had to sue his employer in court. Now the problem is resolved through workmen's compensation. A similar system is being suggested for the auto crash—perhaps with no finding of fault and all parties involved in the accident being compensated for losses.

If there were no need to decide who was to blame for the accident—and thus who should pay—the dispute-settling role of the jury could be eliminated, proponents argue.

Similar boards or commissions are being proposed for other areas of court business—including traffic cases.

But trial lawyers oppose this, perhaps partly out of defense of their method of earning a living and perhaps partly for good reasons.

Says Warren Burnett, Odessa, Texas, trial lawyer:

"It is argued that boards and commissions are much more efficient than a jury. Efficiency isn't everything. It is . . . efficient to solve crimes by arm twisting or torture, too.

"Some people are always ready to rush in and sacrifice individual rights."

[From The Christian Science Monitor, July 5, 1967]

CRISIS IN THE COURTS: RECIPE FOR COURT REFORM

(By Howard James)

What can be done to improve justice in the state courts?

The list of problems covered in this series has been long. Yet it is not exhaustive.

For each court in each county in each state is different. Each has its own set of challenges. These are closely tied to the experience and temperament of the judge, the size and quality of the bar, the people who live in the area, and the kind of justice they demand.

Court reform is not an easy task because courts are complex institutions. Too many citizens see them as the private property of the professionals—the judges, lawyers, policemen, prosecutors, and the others who work there.

One organization, the American Judicature Society, has been hammering for court reform ever since it was founded in 1913. Its executive director, Glenn Winters, has been on the job 27 years, and only in the past six or seven years has he seen much progress.

It was Arthur T. Vanderbilt, former Chief Justice of the New Jersey Supreme Court, who said, "Judicial reform is not a sport for the short-winded."

Money has long been a problem in court reform. State legislatures, hounded for funds by educators and highway builders and a dozen other groups, too often have neglected the courts.

Foundations have been slow to enter the field. It was only 10 years ago that the Ford Foundation entered it, and officials admit court problems are so gargantuan that private money can only brush away a little accumulated dust.

In Washington, hearings are going on that may result in help—in a small way. The Senate subcommittee on improvements in judicial machinery, headed by Sen. Joseph D. Tydings of Maryland, is considering legislation that would provide $5 million a year for three years "to encourage improved judicial administration in state and local courts." It would set up an office of judicial assistance to help local courts uncover their problems and to improve the caliber of judges and court personnel by educational programs.

But improving justice is largely a state and local responsibility. This is especially clear because the federal government has its own and separate system of courts that parallel the state courts.

The following suggestions for reform, culled from this writer's tour of the nation's state courts, come from interviews with judges, lawyers, private citizens, police officials, sociologists and social workers, and corrections officials. They come from the reports of the President's Commission on Law Enforcement and Administration of Justice. They come from reports and studies by professional groups like the American Judicature Society, the American Bar Association, the American Trial Lawyers Association, the Institute of Judicial Administration, the National Council of Juvenile Court Judges, and the National College of Trial Judges.

Because each state, county, and court is different, suggestions cannot be applicable to all. Yet the suggestions are universal enough to be valid in most areas, and hopefully are already being practiced in many.

WHAT CITIZENS CAN DO

1. Invite judges, lawyers, prosecutors, policemen, juvenile officers, probation officers, corrections officials, and others working in the state system of justice to speak before clubs and other groups. Do your homework and ask them searching questions. Discover what the local problems are.

2. Form a special citizens group to study the local system of justice, perhaps pat-

terned after the Indianapolis plan, under which citizens become volunteer court watchers, keep statistics, present findings to local officials regularly, and demand reform.

3. Find out if qualified professionals are being hired for important jobs like probation officer and whether pay is adequate to attract good men as judges, policemen, etc.

4. If public officials insist on using the spoils system of politics, form a group to study the problem, and work to get it changed over to the merit system.

5. As an individual, sit in court. Is the judge: Attentive? Concerned? Informed? Fair? Strong? Businesslike? Polite? Does he work a full day? How many days a week is he in court? How long are his vacations? Do witnesses, policemen, and lawyers show up on time? In criminal cases do the professionals—the judge, policemen, prosecutor, appointed defense attorney—have poise and skill?

6. Find out if your schools are teaching law and justice. Do young people know what is lawful and right—and why it is lawful and right? Are special programs being held on the law, or system of justice, and its role in a free society?

7. Be willing to sit on juries. Consider it an obligation in a free society, like military service.

8. Demand decent local facilities for youthful offenders. Abandoned and battered children should not be jailed or housed with delinquents.

Help provide good foster homes for neglected children and those who have been in trouble because of horrible home conditions. Juvenile courts across the nation have complained of a shortage of first-class foster homes.

9. Since policemen are the first link in criminal justice, they should reflect a high degree of intelligence, be well educated, understand social problems, be mentally balanced, and carefully trained in police procedures. Citizens should demand this and be willing to pay for it.

10. Individuals can ask the American Judicature Society to hold citizens' conferences in their state to help bring about court reform. Since 1959, when the first was held, 32 conferences have been held in 28 states—a little over half of the states. Six more are scheduled or in the planning stages for this year: Mississippi, Arizona, Vermont, West Virginia, and two in California. Usually 100 leading laymen participate.

WHAT LEGISLATURES CAN DO

1. Take judges out of politics—even if it requires a referendum and/or constitutional amendment. Nomination of judges by a blue-ribbon commission and appointment by the governor is usually considered the best solution.

2. Tie this to a good removal system. California's program is being copied by several states.

3. Provide funds for judicial education, and require all judges to attend a seminar of one or two weeks minimum before taking the bench. Also require a new judge to sit with an experienced judge before presiding over trials, as is done in Delaware.

4. Establish a state court administrator's office. Give this administrator the power to check on judges and keep records and statistics on court business, and to file periodic reports, including comparisons of judicial hours worked, business completed, and backlogs of cases.

5. Establish a strong judicial council composed of judges, lawyers, and citizens to study court problems. Listen to council recommendations. Act on them.

6. Form a study commission for continual review of state laws. This is to throw out horse-and-buggy statutes and to avoid conflicting legislation.

7. Establish a retirement age for judges, but also provide for a "senior judge" system that allows the more able retired judges to work part-time if they wish when court business is heavy.

8. Provide adequate pay and liberal retirement benefits for judges so that leading lawyers will not find it a financial hardship to take the bench. Also encourage judges to retire when they can no longer work at full capacity.

9. Eliminate justice-of-the-peace courts and other independent minor courts, as Illinois has done. Replace these magistrates with professionals and promote the most able from the lower courts to the higher courts. In sparsely populated states, copy the system being used by several states, where circuit judges actually ride a circuit.

10. Require prosecutors to be skilled attorneys. Set pay high enough to encourage the best men to make the job a career. Provide adequate staff, including skilled investigators and competent clerical help. In sparsely populated states, divide the state into districts and have the prosecutor ride circuit, or have a deputy assigned to each county in the district. Eliminate the part-time prosecutor.

11. Establish a meaningful public-defender system—either full time or appointive, perhaps patterned after the Houston plan (described earlier in this series), under which every member of the bar is subject to public-defender service. With a full-time office, establish pay levels comparable to those of the prosecutor, so that the better lawyers will make the defender's office a career. Provide adequate clerical and investigative help.

12. Establish a family court system that treats the entire family and its problems as a unit. This would include divorce court and juvenile court, since the problems found in these courts are often interrelated. The family court should be given adequate professional staff, including marriage counselors, social workers, investigators, and clerical help.

13. Raise juror's pay and issue certificates of recognition for service.

14. Increase the amount paid witnesses, so that the time off from work they must spend in court does not impose such a financial hardship.

15. Require policemen to attend all hearings involving their cases and compensate them for their time.

16. Require courts to operate in a more businesslike manner, following modern court procedures, so that the time of lawyers, witnesses, and those called for jury duty is not wasted.

17. For civil matters involving only a few hundred dollars, establish small-claims courts with specially skilled judges as in Los Angeles, or work out a system of arbitration as Pittsburgh has (discussed in this series).

18. Establish uniform guidelines for all courts in the state, so that a lawyer from a neighboring city knows how to proceed and what to expect from the judge when he enters an unfamiliar courtroom.

19. Prepare, or have a commission prepare, guidelines for judges so that they know what is expected of them. This could include an indication of how many hours they should work under normal circumstances, how many civil cases can be handled in an average month, courtroom decorum, treatment of jurors, handling of witnesses, rules of evidence, and other basics.

20. Establish an "information center" that would—even for rural judges—provide points of law, citations, and information about recent decisions that affect court procedures. This could, in some cases, include a Teletype system similar to that being used by law-enforcement agencies to get information. Experimental use of computers indicates modern technology could help such an information center by listing citations to be transmitted by Teletype.

21. Consider revamping the state bar examination and licensing system so that lawyers are divided up into general practitioners and specialists. Set guidelines for both, and make sure trial lawyers are actually capable of trying a case.

22. Provide funds for adequate court facilities, including accommodations for witnesses who now spend hours standing in corridors waiting to be called.

As Philadelphia Judge Herbert S. Levin has pointed out, it is hard to dispense justice with the hiss of steampipes in musty, dusty, hot, dungeonlike rooms, and with witnesses waiting in drafty, dreary corridors.

23. Establish, by statute, the length of time a man can be held by law-enforcement officials before appearing before a magistrate, and the days, weeks, or months a man can be held without a trial.

24. Require the prosecutor to file a public report every two weeks listing all cases that have been delayed and the reasons for the delays.

25. Tighten up on continuances of cases, so that both lawyer and prosecutor must show the court good reason for postponing cases.

26. In states where judges handle both criminal and civil cases, the cases should be called in order of importance: criminal cases where the defendant is in custody, first; on bond, second; and civil cases, third.

27. Eliminate the old "term" of court except where judges ride circuit, and then require special terms for jailed defendants.

28. All charges against a defendant should be dismissed if he is not tried within the legal time limit or steps have not been taken to begin the judicial process.

29. It is widely suggested that traffic offenses, except the more serious cases like manslaughter and drunken driving, should be taken out of the courts and turned over to a traffic board or commission. Police who handle criminal investigations and disputes and disturbances might also be freed of traffic duty. Separate units, like the Ohio Highway Patrol, could specialize in traffic control—but be trained in police work so they could nab suspects on the road and backstop criminal agencies.

30. Local governmental agencies should be prevented from using traffic fines and tickets as a source of revenue, regardless of need. Traffic court should promote safe driving. It should not be a fund-raising agency.

31. The merger of many small police departments into larger units—perhaps countywide—could improve the quality of the men and the very basic "justice" they mete out as they are confronted with problems hourly.

32. All sentencing should be done by experts. At present there is great disparity. Thus a panel of judges or a special sentencing commission is probably of value. Jury sentencing, in the several states where it exists, should be abolished.

33. There can be great inequities between the rich and the poor when fines are levied. A "$10 or 10 days" sentence is still common in an era when the minimum wage is $1.25 an hour. This practice should be restudied.

34. Examine the purpose of a corrections system and see if—in the light of the growing crime problem—your state system is corrective or simply punitive.

35. Establish or aid associations of judges and court administrators. Support them financially. Make attendance of meetings mandatory.

36. Establish standards of sheriffs' offices and local police departments. Require each to have men with skills other than shooting and fast driving. Schedule educational seminars. Test policemen for intelligence. Add to local police budgets with state funds, if necessary.

37. Consider removing social problems—family and individual—from the court system. Should courts be mere collection agen-

cies for child support, as is the case in many states? Is it a judicial function to deal with alcoholism and vagrancy, or should the social welfare or mental health departments take over this responsibility? What about compulsive speeders? A study of these and similar questions would be of value, and could result in reducing court congestion.

38. Consider giving prosecutors the right to appeal an adverse ruling, especially in the pretrial stage or when essential evidence is suppressed.

39. New institutions are needed to replace or backstop traditional prisons, work farms, jails, and mental hospitals. Pay of those who work in corrections should be increased. Emphasis should be shifted from hiring guards to employing more people with educational and sociological skills.

40. In urban areas establish 24-hour arraignment courts with adequate staff to properly process defendants. In most cities weekend courts should be used to present the arrest process from functioning as a sentencing or punitive action by police.

41. Consider alternatives to trial by jury for auto accident cases. Solutions may include a board of commission that operates in a manner similar to workmen's compensation. Consider revamping insurance practices and litigants paying court costs.

42. Establish probation offices in all court districts or a statewide office that is adequately staffed. Require all probation officials to be professionally trained. Require each probation department to hire women probation officers to handle women probationers.

WHAT EDUCATORS CAN DO

1. Give law students more opportunity to learn about trial work—both civil and criminal.

2. Make courses in writing and public speaking mandatory so lawyers become more articulate as a group.

3. Round out curriculums so that they cover the whole spectrum of the law.

4. Encourage students with specific talents to enter fields of law that match their talents—rather than pushing them to sign up with a Wall Street law firm for prestige or money.

5. Launch basic law and sociological research projects, using the courtroom, lawyer's office, prosecutor's office, defender's office, police station, jail, prison, slum neighborhoods, and court records. These projects would help educators, lawmakers, and court administrators understand how the system of justice is really functioning; where problems exist; how improvements can be made; what to do about court backlogs; and perhaps even how to resolve the nation's growing crime problem.

6. Consider your obligation to teach students ethics. Point out to them that leaders in their field are now emphasizing that it is a profession, not a business, and that their key role is to serve, not turn a fast buck.

7. Launch a legal internship program, so that young lawyers are better prepared to go to court and do clients less harm in their early years.

8 Encourage the establishment of a curriculum in court administration, perhaps a joint effort of the school of law, business, and sociology.

9. Work to improve the "language of the law." The use of common words with uncommon meanings (prayer, for example); of Latin, old English, middle English, and French words (amicus curiae, aforesaid, demurrer); of words designed to perplex laymen (pursuant to stipulation); weasel words (adequate, due care); and words of extreme precision (perpetuity, never, all) should be reevaluated.

WHAT JUDGES CAN DO

1. Accept the office only if you are willing to work full time as a public servant.

2. Stay awake. Pay attention, no matter how routine or dull the matter seems.

3. Run your own courtroom. Prevent prosecutors, lawyers, court clerks, politicians, or others from grabbing control.

4. Study. Attend seminars, special courses, and judicial conferences. Read current professional journals on recent decisions and mounting problems.

5. Try to see through your prejudices and quirks that may affect the quality of justice you are dispensing.

6. Recognize the judicial powers you have been given and use them carefully. Understand that fellow humans are standing before you, and that what you do will affect their lives, their families' lives, the county welfare budget, and the stability of the community.

7. Work carefully with other judges in the district and the state. Meet with them to see that justice is uniformly and fairly administered. Exchange ideas with them. Discuss sentencing, rules of evidence, and other basics.

8. Sentence no one to a juvenile home, mental hospital, jail, or prison until you have carefully examined the facility and understand its ability to cope with inmates. Be aware of serious shortcomings.

9. Urge all law-enforcement agencies that operate in your district to file a weekly report showing how many men are in jail, how long they have been held, and what the charges are against them. Large cities should follow the Los Angeles system, where daily checks are made and a complete list, punched out by a computer, is available to the public around the clock.

10. In multijudge courts judges should be assigned according to experience and skill rather than by seniority or chance. Assignments should parallel their experience as lawyers whenever possible.

11. Teamwork in multijudge courts is essential. Establishing court rules, hours, and procedures should be a group effort. As in Memphis, no judge should consider going home or to the golf links until fellow judges have a clear calendar, with no cases waiting. Regular meetings to discuss law, trends, and difficulties have been found to be profitable.

12. Recognize the need for a competent court administrator—a man with business experience or training in public administration. Work with him. Evaluate what he says, even if suggestions seem new or radical.

13. Welcome the public into your courtroom. Make it possible for them to hear what is going on. Cut down on whispered conferences when a jury isn't present, so the public will be confident that you know what you are doing and that you are not hiding anything.

14. Conduct business whenever possible in open court so the layman feels confident you are more than a politician dispensing favors or giving reprimands.

15. Keep your courtroom quiet. Require your bailiff to act as a gentleman, and to treat those who come into the courtroom—criminal or civil—as he would want to be treated. Ask your clerk not to rattle papers, react to testimony in a way that might influence a jury (disdain or disgust, for example), and to treat those who enter the courtroom courteously.

16. Call your docket in order. Do not let your aides be persuaded or bribed into shuffling the docket when lawyers, witnesses, and those involved in the cases at the top of the docket are present.

17. Recognize that your first obligation is to dispense justice to the public—not to please or appease lawyers.

18. Recognize that while settlements in civil cases are desirable, this is not necessarily the primary function of the judge. It can, in fact, reduce respect for the courts. As New York's Judge Bernard Botein has said: "Forced settlements convert the courthouse into a countinghouse." Also recognize your own skill or limitations in hammering out settlements. It takes a special talent, and without it, you are wasting everyone's time.

19. Require lawyers to file certificates of readiness in civil cases to avoid delays.

20. Refuse to resort to assembly-line justice, regardless of congestion or other court problems. Instead, bring these problems to the attention of the public, to local units of government, and to state lawmakers.

21. Consider the use of key punch and computer operations to keep track of cases, making assignments, docketing, and researching courtroom problems. Cook County, Ill., is one area pioneering in this field. Equipment may be used on a shared-time basis with the county auditor or treasurer or other governmental bodies.

WHAT LAWYERS CAN DO

1. Be prepared when you enter the courtroom. The old concept of flying by the seat of your pants or the smoothness of your tongue leads to charges of ineptness. Look up the law.

2. Do not ask for excessive continuances. As one of the nation's most prosperous lawyers points out, continuances are not profitable to you, and in most cases simply jam up the courts and reduce public confidence in your ability.

3. Avoid trying to "butter up" the judge. If he is half competent he can see through it, and this may prejudice him against your client.

4. Avoid chicanery. An educated public can see through it, and it only hurts the profession as a whole, you as an individual, and your client. The "image problem" of the law profession can only be improved by improving individual habits and performances.

5. If you engage in plea bargaining in criminal court, and you handle few criminal cases in your practice, consult an experienced criminal trial lawyer. Otherwise your client may learn in prison that you have bargained away more years than he might have got without the "deal."

6. Be punctual. Showing up late bogs down the courts, raises tempers, and may affect the justice your client gets.

7. Recognize, that, as Robert B. McKay, dean-elect of the New York University Law School, asserts, lawyers have a "responsibility . . . not simply to their client with whom a private . . . arrangement is made . . . for a fee," but "for the betterment of the entire social structure."

WHAT PROSECUTORS CAN DO

1. Take pride in seeing justice done, rather than displaying an impressive conviction record.

2. Investigate all cases carefully. Screen arrests. Assign men to cases early. Give them investigative and clerical help.

3. Recognize your responsibility to prosecute law violators, to society as a whole, and to the families of men and women you prosecute. Understand the impact of your actions on the local community, the welfare rolls, and the individuals and families involved.

4. Refuse to run for office simply to "learn the trade." Only a competent trial lawyer can represent and protect the people in criminal cases. If experienced lawyers refuse to take on the job, it is probably because the pay is too low or there is a need for a district or statewide prosecutor system.

5. When you must hire inexperienced men, institute an in-service training program where green lawyers work as a team, as in Chicago, or with experienced prosecutors.

WHAT BAR GROUPS CAN DO

1. Muster the courage to stand up to incompetent or corrupt judges, clerks, bailiffs, and other court employees.

2. Adopt national, state, or local codes of ethics and *enforce* them.

3. Push for improved court facilities, better pay for judges, more competent court employees, judicial education, improved police departments, improved correctional practices, uniform court rules, better law-school curriculums, and answers to the many other court and court-related problems.

4. Launch or support programs of continuing education for young lawyers as well as refresher courses for experienced attorneys. See that they are more useful than many now being held.

5. Begin conversations with groups where long-standing conflicts may exist, including social-welfare agencies, and the press. Groups such as real estate brokers, whose work increasingly gets into areas affected by civil-rights laws, should also be included. Work to improve understanding of opposing points of view.

6. Expand member participation in legal aid and defense for the indigent, especially among more affluent members of the association.

WHAT THE PRESS CAN DO

1. Report court news honestly and fairly—seeking accuracy and balance rather than sensationalism. Guidelines for fairness and self-restraint may be necessary.

2. Serve as a guardian of the people, respecting both the rights of society and the rights of individuals who appear in the civil and criminal courts.

3. Ferret out dishonesty and incompetence in the courts and court-related facilities.

4. Crusade for improvement of the adversary system; law schools; judicial training and education; judicial selection, tenure, discipline, and removal; legal ethics; and other problem areas.

5. Evaluate editorial policies that give special treatment to court news about certain individuals or special groups—either for reasons of prominence, friendship, or power, or because they are members of minority groups, or lack influence, money, or power.

This is not an exhaustive list of suggestions. Rather, it may better serve as a starting point for discussion in most communities, large and small.

WHAT IS BEING DONE

Court reform, as has been pointed out earlier, has been slow in coming. But Mr. Winters, of the American Judicature Society, sees a trend that he calls "the court-reform bandwagon."

New York is currently in the throes of a constitutional convention. Plans include modernizing the state court system. Other states have completed constitutional revisions or are making plans for them. Among them are: Michigan, Florida, Maryland, Illinois, Rhode Island, and Pennsylvania.

In 6 of the 50 states, judges are selected on a merit system of nomination and appointment, according to Mr. Winter's tally. Missouri pioneered in this field in 1940 but has not made the system statewide. Alaska was first to do this, beginning with statehood in 1958. Iowa and Nebraska followed in 1962. Colorado has the most far-reaching plan, adopting a system in 1966 that includes the lower courts. Last year the Vermont Legislature passed a statute putting a statewide merit plan into operation. Utah's Legislature took the step this year.

Kansas, Alabama, and Florida have some courts under the merit-selection plan. Illinois and California allow judges to run unopposed on their records after initial election. New York, Oklahoma, and Minnesota (as well as Puerto Rico) fill vacancies on the bench through a merit system of nomination and appointment, where governors or other officials have voluntarily decided to operate in this way.

In four states merit selection of all or some judges will eventually go before the voters. Oklahoma decides next week (July 11). In North Dakota, where the plan was rejected last November, voters will get another chance in 1968. So will Idaho voters. Indiana is working at it.

What of discipline and removal?

California is credited with the best system of removing or reprimanding judges for misconduct or disability (adopted in 1960) as was pointed out earlier in this series. Texas was first to follow, then Florida, Nebraska, Maryland, Ohio, Utah, and Vermont.

New York was the pioneer, establishing a "court on the judiciary" some 20 years ago. Illinois adopted a similar plan in 1962, and Oklahoma voters approved its version a year ago.

In Texas, Louisiana, Alabama, Michigan, and Puerto Rico "removal power is vested, on varying terms," in the state supreme courts, according to Mr. Winters. New Jersey has the law but lacks legislative implementation.

Alaska has a constitutional provision for a board of inquiry—made up of judges and doctors to investigate charges of physical or mental disability.

Several states are considering the California plan in drafts of constitutional revisions.

Other areas of reform?

Seven states—New Jersey, Alaska, Hawaii, Illinois, Colorado, Michigan, and North Carolina have completed, at least to a large extent, statewide court unification, plus "an effective statewide court administrative office." Again add Puerto Rico to this list.

Illinois has done away with the justice-of-the-peace courts. So has Connecticut, Virginia, California, Missouri, Tennessee, Maine, Ohio, New Mexico, and North Dakota are among the states where minor courts have been improved in varying degrees.

Progress has been made, and is being made year by year.

For a man like Mr. Winters, who has devoted most of his working life to trying to bring this about it can only be seen as a bandwagon.

But as this series has pointed out, there is *still* a long, tough trail ahead.

PERSPECTIVE ON U.S. LAW

It is important to put the American system of justice—responsible for bringing order to a complex society—in perspective.

Anthropologists report ancient man lived by the law of "survival of the fittest." The strong man with the big stick carried the law in his hands.

As tribes organized, religious leaders became law givers. Laws were "handed down" by tribal gods. Thus the people were forced to conform to tribal norm largely out of fear. Often priests could order punishment, including execution.

Sometimes tribal counsels sat in judgment. Some early systems of justice were quite advanced.

Babylonian stone and clay tablets tell of a well-developed system of legal codes some nine centuries before the Christian era. They also had courts and written evidence. Those wronged received compensation from the guilty party. A system of commercial and property law was also developed.

Law and religion have always been closely knit.

Moses is credited with making more lenient laws. His "eye-for-an-eye" concept made retribution more equal to the crime.

The American system is based on the English common law—a blending of old church law, the law of kings and feudal lords, standards of property rights, and manners and morals dating back thousands of years.

While it is not static, law does not change swiftly. To a great extent Americans today are governed by their grandfathers, great-grandfathers, and several generations before that.

But Americans, in a system that supports government "by the people," have added legislative law to common law, the former overshadowing the latter.

And each law passed must eventually be weighed against provisions of the United States Constitution and the constitution of each state; Is the new law constitutional?

IT'S UP TO OKLAHOMA VOTERS

OKLAHOMA CITY.—A major overhaul of Oklahoma's court system, first in more than 50 years, will go to the voters July 11 in a two-part constitutional amendment.

The change was referred by the past session of the Legislature. It is an outgrowth of scandals that rocked the state court system three years ago.

Major changes proposed would eliminate the maze of special courts that have grown up in Oklahoma to handle problems of metropolitan areas. The system would abolish justices of peace.

Voters will also decide whether they want all judges elected on a nonpartisan ballot or whether they prefer appellate judges appointed and other judges chosen by the nonpartisan method.

The proposed system would retain the Supreme Court and Court of Criminal Appeals. It would also give the Legislature power to create intermediate appellate courts when it sees fit.

The district court would be the key trial court. Judges of present lesser courts would become associate district judges subject to assignment to cases by the presiding district judge.

Justices of the peace would be replaced by special judges. These would be full-time salaried judges appointed by the presiding district judge.

Special judges would have to be attorneys. However, a nonlawyer could be appointed if there were no attorney available in the area.

If voters adopt the appointive-retention system for selection of appellate judges, jurists would be appointed from a list of three names submitted to the governor. The names would be selected by a 13-member judicial nominating commission.

LABOR-MANAGEMENT AFFAIRS AND THE AGRICULTURAL WORKERS—A STATEMENT BY PRESIDENT GEORGE MEANY, AFL–CIO, BEFORE THE SUBCOMMITTEE ON MIGRATORY LABOR

Mr. WILLIAMS of New Jersey. Mr. President, the president of the AFL–CIO, George Meany, testified before the Subcommittee on Migratory Labor this morning. And he had some things to say that I believe it would profit every Member *of the Senate to hear or to read.*

George Meany said:

> Congress, long ago, acting in the interests of all the people, decreed that the rule of law should supplant the law of the jungle in labor-management affairs. . . . But they made one exception: the agricultural workers.

Mr. Meany pointed out that whatever historic justification this exception may have had 30 years ago has long since disappeared.

He pointed out that the family farm is rapidly disappearing, that 2.7 percent of the farms now pay half the farm wages. He pointed out that farmworkers are responding to the corporate structure of their employers by seeking to organize into unions.

And, he pointed out, that because of the lack of established rules and procedures, that very law of the jungle which we long ago abolished in the industrial world presently prevails on the farms of America where workers are seeking recognition of a union and their right to bargain collectively.

And Mr. Meany recited the terrible litany of economic and cultural poverty which afflicts the farmworker.

Mr. Meany urged, both for the sake of industrial peace in rural America and for the sake of lifting the poorest of America's poor out of poverty, that Congress extend the collective bargaining provisions of the National Labor Relations Act to the farm industry.

Mr. President, I ask unanimous consent that the full text of George Meany's testimony be included in the RECORD at this point.

There being no objection, the text of the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY GEORGE MEANY, PRESIDENT, AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS, BEFORE THE SUBCOMMITTEE ON MIGRATORY LABOR OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE ON FARM LABOR, JULY 11, 1967

Mr. Chairman, my name is George Meany. I am the president of the AFL–CIO. I am here today, on behalf of more than 13½ million union members, to speak for those who work for wages on the nation's farms, but who are denied any legal protection of their right to organize and bargain collectively. The bill before you, S. 8, authored by yourself and other distinguished Senators, would remedy this situation.

More than two months ago I appeared before a committee of the other body in support of the same legislation you are now considering. Since then there has been new evidence of the urgent need for action.

Agricultural workers in Texas, encouraged by the modest gains made by their fellow-workers in California, organized a union, sought to bargain collectively with their employers, and were forced to strike.

In recent weeks, with the strike becoming increasingly effective, these workers have been subjected to almost incredible harassment, including physical abuse and unconstitutional arrest, by the Texas Rangers and other law-enforcement authorities.

I have here three separate, independently-prepared reports on what has been happening. These reports are (1) the signed report of an investigation made by three Texas State Senators, (2) a report made by the Texas Advisory Committee to the United States Commission on Civil Rights, and (3) a report of the Social Action Department of the Texas Catholic Conference to the Catholic Bishops of Texas. In general, Mr. Chairman, these reports cover the same ground covered by your subcommittee in its hearings in Texas so I will not take the valuable time of the committee to read them, but I ask that they be appended as a supplement to my testimony, and I commend them to all the members of the committee.

In short, Mr. Chairman, these reports document a state of affairs which most Americans believe is a dark chapter out of the nation's past. In general, that is exactly what it is.

In general, workers are no longer clubbed down or thrown in jail for attempting to organize. In general, police do not openly make common cause with employers against strikers, and serve as recruiting officers for strikebreakers. And when there are particular exceptions to these general rules, they can be dealt with by invoking and applying the federal law.

But not in this case. For the Texas case involves agricultural workers, and by act of Congress, agricultural workers are in a different class—a lower, less-privileged class.

The right of agricultural workers to organize and bargain collectively is not protected by law. There is no federal machinery through which they can express their will or protect their rights; indeed, in this area they have no rights.

So in order to improve their miserable lot by the only practical means, through union organization, they must do what other workers had to do in the dark ages of labor history—scratch and claw and dig out their own little clearing in a hostile jungle.

And as it was in those dark ages, the whole power of the community, the employers, the police, the courts and the so-called "good citizens" of narrow minds and empty hearts, is thrown into the fight against them.

Mr. Chairman, the distinguished members of this committee know very well that the Congress long ago, acting in the interests of all the people, decreed that the rule of law should supplant the law of the jungle in labor-management affairs.

More than that, they decided that jungle law had no place in any aspect of a civilized society.

But they made one major exception: the agricultural workers.

The men, women, and children who work for wages on American farms have been excluded from the whole range of social reforms achieved in this country over two generations. For example:

Though they suffer more than any other group from recurring periods of unemployment, they are not eligible for jobless benefits anywhere, except in Hawaii and Puerto Rico.

Though agriculture is among the most hazardous occupations, they are fully covered by workmen's compensation in only five states and Puerto Rico; and in more than half the states, none of them are protected at all.

Though their wages are the lowest of any group in the labor force, until last year they were specifically denied inclusion under the wage-hour law; even now, coverage applies to fewer than 30%and the wage floor, when it reaches its maximum will be 30¢ an hour lower than for others.

Though they have no other means to provide against old age, or for their families if they die or become disabled, they are largely outside the scope of the Social Security system.

If we look closer the details get worse.

Child labor—outlawed everywhere else—is still common in agriculture.

Free public schools—supposedly available to all American children—are often unavailable to the children of migrant agricultural workers.

Even the basic state and local welfare services are often out of reach, because of arbitrary residence requirements which migrant workers cannot meet.

All of these are abuses that cry out for correction. But in the long run, the abuse we are specifically discussing today may be the most important of all; for it denies to farm workers the effective right to help themselves.

Let me offer my own analysis of how this shocking situation developed—and I think you will agree, Mr. Chairman, that "shocking" is an understatement.

First of all, the Congress, and the country as a whole, have for a long time been sensitive to the importance of the agricultural industry and to the problems of farmers. So has the labor movement. The AFL–CIO has supported every major bill designed to help farmers—even when its opponents argued that farm subsidies were against our interests because they raised prices. We supported these farm bills because we have never looked for bargains at the expense of some other group, or against the national interest.

However, this general solicitude for the farmers—stimulated by the selfishness of many big farm operators—caused the Congress, and the various state legislatures, to exempt farmers from obligations carried by other employers. This was a mistake—or rather, a whole series of mistakes.

As I have noted, the result has been disastrous for farm workers. And instead of helping the average farmer, it has squeezed him harder than ever.

To understand this—as I am sure you understand it, Mr. Chairman—the agricultural industry must be looked at the way it is today, not the way it was yesterday. I used to read about farm life when I was a boy growing up in a suburban area of the city of New York. There were even what we would call family farms left in that area in those days. And many senior members of the Congress grew up on the kind of farms I used to read about.

It seemed to be a simple life and a good life. There was the farmer and his wife and their children. And there was the "hired man," or maybe several of them, who lived on the farm, and ate at the family table; who taught the boys how to handle the team, how to hoe and how to whittle—family retainers, as permanent as the barn or the well.

It was a pretty picture. I am not sure how true it was then. I know it is not true now.

Yet it was this picture, I am convinced, that was most influential in excluding farm workers from the legal protections that were being won by other workers.

It is a shame to spoil this pretty picture with facts, but here are a few more.

For one thing, half of all the farms in the United States employ no farm labor at all. A mere 2.7% of the farms pay half the farm wages; and 6% of the farms account for 76% of the wage bill.

These are 1959 figures, the latest available. However, despite the changes of recent years, there is no evidence to suggest that these proportions have shifted in any significant way.

Now let's look at the farm labor force. In 1965—again I am using the most recent figures—some three million Americans earned wages for farm work. But for more than a third of them it was incidental. Fewer than two million worked longer than 25 days. Only about 650,000 were employed for more than 150 days.

As of October 1966, the average cash hourly wage for domestic farm workers was $1.18. In the south, which provides half the employment, the average was 95¢ an hour. The highest mainland rates were on the Pacific coast—an average of $1.57. The best sectional average, translated into full-time employment—which few farm workers enjoy—still comes out to a poverty-level income.

That pretty picture I mentioned a few moments ago has to suffer another revision.

Of the nearly two million farm workers who were employed more than 25 days in 1963, hardly one-fourth were provided with housing—and the housing was almost always primitive or worse. Less than 12% were given food grown on the farm. Fewer than 10% received wood or other fuel. Only 7% were served one meal a day.

This is today's version of the farm "hired man" who figured in the tales we read as boys. That kind of "hired man" is a myth.

Maybe he really did exist in the past. Maybe he still existed as late as 1910 to 1914, when hourly wages for farm labor were 67% of the average factory wage, and there were fringe benefits on the farm and none in the factories. But by 1965, the average hourly rate for farm workers was only 36% of the factory rate, and the fringes had all gone over to the other side.

Perhaps that "hired man" wasn't really a myth, but just a species that is now extinct, like the dinosaurs.

The same can be said for the picture of the farm operator as a benevolent employer. Over the years, agricultural workers who tried to organize—and there were many attempts—found themselves faced with firings, blacklists, yellow-dog contracts, even arrest on trumped-up charges. And these same tactics are used against them today.

In the eyes of most farm workers, for good reason, the benevolent farm-owner is also extinct.

But farm labor is not extinct. These workers are very much alive, and in the last few years—and the last few weeks—they have proved it. They are so alive that in many parts of the country they have organized, despite their lack of legal protection enjoyed by other workers; and they have made it clear that they are determined to be full-fledged members of American society.

This is right and proper for them—and we in the AFL–CIO are doing all we can to help them. It is right and proper for America, for it is just as un-American to discriminate on grounds of occupation as it is on grounds of race.

But also, as I suggested earlier, it is right and proper—and economically helpful—to the farmers themselves, to the family farmers whose welfare is of greatest concern to the Congress and the country.

It is not the family farmer, the small farmer, the traditional symbol of American independence and self-reliance, who exploits the farm worker. He doesn't have any workers to exploit.

Thanks to the tremendous advances in farm machinery, the small farmer and his sons—and, perhaps, with a mutual assistance pact among his neighbors—can sow and tend and reap his own crops.

He is threatened, not by higher wages and better conditions for farm labor, but by the perpetuation of low wages and miserable conditions. For in effect, he is placing his own return, his own standard of living, in competition with the exploited workers hired by the corporation farmers, the factories in the fields.

I cannot improve on the calm, direct words of the National Advisory Commission to the U.S. Department of Agriculture:

"The farm family will not earn favorable returns on its own labor when hired labor is chronically cheap . . . The opportunity for family farms to compete and to earn satisfactory returns for their labor will be enhanced if wages and working conditions for hired farm labor compare favorably with those in industry."

That is also the position of the AFL–CIO.

I have already indicated some of the steps that need to be taken.

There must be a complete and final end to those provisions in federal and state law which deny to farm workers the protection and the benefits enjoyed by all other workers.

Measures must be devised to overcome residence and other requirements that prevent farm workers and their children—migrant workers in particular—from full access to schools, medical facilities and other community resources they so badly need.

But the bill before you, we think, is the most important of all.

It offers no subsidies to farm workers. It carries with it no appropriations. It is not special legislation: on the contrary, it is a bill to do away with special legislation.

It offers one simple proposition: That farm workers have the same right as all other workers to organize and bargain collectively, including in Texas.

Surely there is nothing revolutionary about this. But anyone who listened seriously to some of those who have consistently opposed this concept would imagine that the revolutionaries were at the gates.

One of the most restrained objections that has been raised, over the years, to extending the National Labor Relations Act to agriculture is that its administration would be impossible. Farm workers move around too much, according to this argument. They work irregular periods of time for many different employers.

But as S. 8 demonstrates, there is an easy and established solution to this problem—the same solution that works so well in the construction industry, where the work-schedules are in the same pattern. So this objection is not valid at all.

Then there is another, even less rational argument, that goes something like this:

"We couldn't stand a strike at harvest time."

Well, it has been agreed in the past that a steel mill can't stand a strike when it's time to pull the furnaces, and a construction job can't stand a strike when there's only two weeks before the first snow, and the auto industry can't stand a strike during the model changeover. But all of those industries are organized, and all of them have had strikes, and all of them are doing all right. They and many others are paying far better wages and making much more money than the average farm employer.

Beyond this, I resent the implication that trade union organization and strikes go hand in hand. It simply is not so.

Yes, there will be strikes if an employer resists to the bitter end any and all of the proposals offered by the union. But an employer who does this is not basically against the proposals; he is against the union. In reality, he is the one who is on strike, as he is in Texas today.

The farm workers' strikes during the last year have been strikes, not over wages and working conditions, but for the fundamental right to bargain collectively.

No worker in interstate commerce has had to strike for that right since 1935, for the right to organize has been established by law and has been enforceable by law. Simple justice, we contend, would extend that right to farm workers as well.

Indeed, the prevention of such fruitless and disruptive strikes was a major purpose of the original National Labor Relations Act. The act established a procedure through which workers could make their own decision, legally and peacefully. Only a short time ago I joined—with representatives of the National Association of Manufacturers—in celebrating the 25 millionth vote in a representation election. Not a single one of these 25 million votes was cast by a farm worker to establish bargaining rights with a farm employer, because farm workers are denied this basic, democratic right.

The continued denial of that right is an affront to the farm workers and to the American principle of equal justice under the law. Its continuance will lead to more strikes by farm workers who have no other recourse. Its continuance will help to perpetuate the shocking poverty—even degradation—of the men and women, and shamefully the children, who harvest so much of the food and fiber upon which the nation depends.

This bill will not cure all the ills or all the injustices that afflict farm workers. But it is a beginning, and I urge you to give it your prompt approval.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements of Federal home loan banks supervised by the Federal Home Loan Bank Board, for the year ended December 31, 1966, dated July 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of withheld reimbursements of rights-of-way costs of the Federal-aid highways program, District of Columbia government, dated July 1967 (with an accompanying report); to the Committee on Government Operations.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT ON HIGHWAY SAFETY PROGRAM STANDARDS

A letter from the Secretary of Transportation, transmitting, pursuant to law, a report on highway safety program standards (with an accompanying report); to the Committee on Public Works.

MEMORIAL

The PRESIDENT pro tempore laid before the Senate a joint memorial of the Legislature of the State of Oregon, which was referred to the Committee on Interior and Insular Affairs, as follows:

ENROLLED HOUSE JOINT MEMORIAL 7

Whereas establishment of an Oregon Dunes National Recreation Area under the administration of the United States Forest Service would end a controversy over the proper treatment of this area that has continued for nearly a decade; and

Whereas establishment of such recreation area would avoid condemnation of private property and the absorption of tax-paying lands by the Federal Government, which would deprive local government and schools of part of their support; and

Whereas establishment of such recreation area would permit continuation of revenues received by the United States Forest Service from the sale of timber therein, which would be discontinued if such area were under the jurisdiction of the National Park Service; and

Whereas establishment of such recreation area at an early date would permit the United States Forest Service and the State of Oregon to proceed with plans for additional campsites and other tourist facilities now delayed because of the uncertain future of this area; and

Whereas establishment of such recreation area would stabilize conditions in the Florence-Reedsport-Coos Bay area by removing uncertainty as to the future ownership of lands in and near the dunes; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is memorialized to enact legislation placing under the United States Forest Service the area to be known as the Oregon Dunes National Recreation Area, located south of the Siuslaw River and north of Tenmile Creek. The Congress is memorialized further to insure the unqualified continuation of domestic and industrial water supplies within such area.

(2) A copy of this memorial shall be sent to the presiding officer of each chamber of the Congress, to the Secretary of Agriculture, to the Secretary of the Interior and to each member of the Oregon Congressional Delegation.

DEPARTMENT OF AGRICULTURE ANNUAL APPROPRIATION BILL—REPORT OF A COMMITTEE (S. REPT. NO. 395)

Mr. HOLLAND. Mr. President, for the Committee on Appropriations I report favorably, with amendments, at this time the annual appropriations bill for the Department of Agriculture and related agencies for 1968, which is H.R. 10509.

I ask unanimous consent that the report of the committee be printed and I advise the distinguished majority leader that the committee will be ready for the taking up of this bill on the floor of the Senate at any time it suits the convenience of the leadership.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MANSFIELD. I am delighted that the Senator from Florida brought up this matter. Would the Senator be averse to taking up this appropriation bill on Thursday or Friday of this week?

Mr. HOLLAND. Not at all; any day on which the majority leader sets it. I have no instructions from the committee as to any particular day. I am sure that the committee will agree that the matter should be handled as expeditiously as possible.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and without objection, the report will be printed.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TOWER:

S. 2083. A bill to provide for the transfer of certain functions from the Department of the Interior to the Department of Agriculture; to the Committee on Government Operations.

(See the remarks of Mr. TOWER when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON (for himself and Mr. MCINTYRE):

S. 2084. A bill for the relief of the town of Weare, N.H.; to the Committee on the Judiciary.

By Mr. RIBICOFF:

S. 2085. A bill to amend chapter 909 of title 10, United States Code, in order to permit members of the Civil Air Patrol to make purchases in military clothing stores of the Air Force; to the Committee on Armed Services.

TRANSFER FROM DEPARTMENT OF INTERIOR TO DEPARTMENT OF AGRICULTURE OF CERTAIN FUNCTIONS RELATING TO CONTROL OF PREDATORY ANIMALS AND WILDLIFE

Mr. TOWER. Mr. President, I introduce, for appropriate reference, a bill to transfer from the Department of Interior to the Department of Agriculture certain functions relating to the control of predatory animals and wildlife.

This bill is essentially the same as a bill I sponsored in the 89th Congress, S. 1835. The only difference is that since the time that bill was introduced the Division of Predatory Animal and Rodent Control of the Department of Interior has had its name changed and made a part of the Division of Wildlife Services, which in turn is a part of the Bureau of Sport Fisheries and Wildlife. The bill I introduce today takes that change into account.

A number of farmers and ranchers in my State have requested my assistance in having this bill reintroduced. The change is of particular interest to the Texas Sheep and Goat Raisers Association, which feels that a transfer of functions to the Department of Agriculture would be particularly helpful in their efforts to control predatory animals and rodents.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2083) to provide for the transfer of certain functions from the Department of the Interior to the Department of Agriculture, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Government Operations.

INCOME TAX TREATMENT OF CERTAIN DISTRIBUTIONS PURSUANT TO THE BANK HOLDING COMPANY ACT OF 1956—AMENDMENT

AMENDMENT NO. 224

Mr. MORTON submitted an amendment, intended to be proposed by him, to the bill (H.R. 4765) relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended, which was referred to the Committee on Finance and ordered to be printed.

ADDITIONAL COSPONSORS OF BILLS AND CONCURRENT RESOLUTION

Mr. BYRD of West Virginia. Mr. President, on behalf of my colleague, the senior Senator from West Virginia [Mr. RANDOLPH], I ask unanimous consent that, at the next printing of the bill S. 780, the Air Quality Act of 1967, the names of Senators BAYH, MONTOYA, SPONG, COOPER, BOGGS, MURPHY, and BAKER be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut [Mr. RIBICOFF], I ask unanimous consent that, at its next printing, the name of the Senator from Wyoming [Mr. HANSEN] be added as a cosponsor of the bill S. 1593, to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the names of the Senator from Minnesota [Mr. MONDALE] and the Senator from Maryland [Mr. BREWSTER] be added as cosponsors of Senate Concurrent Resolution 25, to express the sense of Congress with respect to an investigation and study to determine the potential of railroad passenger and mail transportation in the United States, at the next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS OF SUBCOMMITTEE ON FEDERAL CHARTERS, HOLIDAYS, AND CELEBRATIONS, OF THE COMMITTEE ON THE JUDICIARY

Mr. DIRKSEN. Mr. President, as chairman of the standing Subcommittee on Federal Charters, Holidays, and Celebrations of the Committee on the Judiciary, I wish to announce that a public hearing has been scheduled on S. 1217, a bill to provide for uniform annual observance of certain legal public holidays on Mondays, and for other purposes.

The hearing on S. 1217 will be held on Wednesday, July 26, 1967, commencing at 10 a.m., in the Judiciary Committee hearing room 2228, New Senate Office Building.

Any person who wishes to testify or to submit a statement for inclusion in the record should communicate with the Subcommittee on Federal Charters, Holidays, and Celebrations, room 2226, New Senate Office Building.

NOTICE OF JOINT PUBLIC HEARING ON S. 2061

Mr. PELL. Mr. President, on behalf of the Special Subcommittee on the Arts and Humanities of the Senate Committee on Labor and Public Welfare, I desire to give notice that a joint public hearing with the House Special Committee on Labor has been scheduled for Wednesday and Thursday, July 12 and 13, at 9:45 a.m., in room 4230 of the New Senate Office Building. The joint hearing will be on S. 2061, amendments to the Arts and Humanities Act of 1965 proposed by myself and Senators YARBOROUGH, GRUENING, JAVITS, KENNEDY of Massachusetts, and WILLIAMS of New Jersey.

At the indicated time and place, persons interested in the above bill may make such representation as may be pertinent.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. SCOTT:

Statement by him relating to 60th anniversary of American-Hungarian Federation.

TROOP REDUCTIONS IN EUROPE

Mr. SYMINGTON. Mr. President, an editorial in the Washington Post of Monday, July 10, "Germany's Forces," notes that the German reduction of troops will be 61,000 down to 400,000.

This will mean that the number of U.S. military forces in Europe will be roughly comparable to the number of German forces in Germany.

Sometime back an effort was made by

some of us to reduce U.S. commitments in Germany, with major negative reactions from many people over there and over here.

Later, the British notified the United States that they would have to reduce their forces in Germany; whereupon we suggested that they request the Germans to pay for the troops that the British planned to take out of Germany.

This the Germans said they could not do, so as usual the United States ended up by putting up the millions involved in keeping the British troops at that level in Germany.

The question we might ask now is a simple one: "How long can our money hold out?"

I ask unanimous consent that the editorial in question be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Germany's Forces

The level of forces arrangements for NATO, so recently concluded after so much anguishing diplomacy, now seem about to become unstuck because of reductions in the military budget of West Germany.

The economic pressures on the Kiesinger government no doubt are enormous and the United States and other Western governments must share in the concern over Germany's financial problems. The military establishment of the country has been devised to preserve it and not intended to wreck its economy.

The West German government has indicated that there will be discussions with its NATO allies on the proposed changes. The news of the cabinet decisions makes the cut from 461 to 400,000 Bundeswehr troops and the three year reduction of the budget sound pretty final. The NATO conferees may be discussing an accomplished fact, by the time they get around the conference table.

This crisis, like previous ones, no doubt will be adjusted some way within the NATO framework. But the way in which these changes emerge to public view, in the affairs of one NATO partner after another, suggests the existence of something more serious and profound than recurrent financial difficulty. It suggests that in the NATO countries, and among the people of these countries, the real problems of each day's existence loom very much larger than the contingencies for which NATO was established.

It has become politically safer to diminish NATO commitments than it would be to cut other government programs. It may, to be sure, invite possible calamity at some remote future point, but that can be faced by politicians with greater equanimity than present plan.

MEMBERSHIP OF FARMERS IN MARKETING ASSOCIATIONS

Mr. AIKEN. Mr. President, on January 11 of this year I reintroduced S. 109, with several cosponsors, to prohibit coercion and discrimination against farmers who are or want to become members of marketing associations.

The bill is a revison of similar legislation introduced in the 89th Congress on which hearings were held by a Senate Agriculture Subcommittee.

S. 109 is simply a fairplay bill for farmers, and it is interesting to note that among its principal opponents are processing and handler corporations for fruits, vegetables, cotton, and grains who have expanded their operations abroad to include production of the raw materials they handle, thereby directly competing with our own agricultural producers.

Hearings were held on the current bill by the Subcommittee on Agricultural Research and General Legislation on May 2, 4, and 11, and these have been printed and distributed.

The general manager of the California Canning Peach Association, Mr. Ralph B. Bunje, testified and stated that several of the large cannery companies in California were not opposed to the bill.

The colloquy is as follows:

Senator Aiken. Are all of the canneries opposed to this bill?

Mr. Bunje. No. I know personally that several of the large companies in California are not opposed to the legislation. In fact, they are in favor of it. There are, also, some small ones.

Senator Aiken. Those are the companies that do not want to be unfair, anyway.

Mr. Bunje. I do not think that any of the companies want to be unfair. We have never found that is the case.

Senator Aiken. Sometimes difficulties come up.

When the representative of the National Canners Association testified, he introduced into the hearing record a telegram from Mr. M. A. Clevenger of the Canners League of California.

In his telegram to the National Canners Association, Mr. Clevenger made the following statement with respect to the statement of Mr. Bunje:

As Executive Vice President of the Canners League of California, which association represents ninety-six per cent of the total California canned fruit and vegetable production, including independents and cooperatives, it is my duty to inform you that this statement is not correct and is in contradiction to action taken by our membership at our annual meeting on March 13, 1967 at Santa Barbara, California.

The effect of this statement was that Mr. Bunje's statement not only was contradictory to the action taken by the Canners League of California, but also was incorrect.

I have received a letter from Mr. Bunje containing a copy of a wire subsequently sent by Mr. Clevenger to Senator Jordan of North Carolina, chairman of the subcommittee, clarifying his previous telegram.

Since the hearings have been printed, I ask unanimous consent that Mr. Bunje's letter be printed in the Record, in order that there will be no question on the correctness of Mr. Bunje's statement during the hearings.

There being no objection, the letter was ordered to be printed in the Record, as follows:

San Francisco, Calif.,
July 3, 1967.

Senator George Aiken,
Senate Office Building,
Washington, D.C.

Dear Senator Aiken: You may be interested in knowing that the Executive Vice President of the Canners League of California has sent the following telegram to Senator Jordan concerning my statement before his committee in connection with Senate Bill 109. In the event that you have not read or seen the telegram, I am setting it forth herewith.

"Hon Everett B. Jordan,
"U.S. Senate,
"Washington, D.C.:

"In my wire of May 3, 1967, regarding S. 109, and the position of the Canners League of California relating thereto, I advised you that Mr. Bunje's statement was in contradiction to action taken by our membership in their annual meeting of March 13, 1967, in Santa Barbara, California. It has been suggested to me that my wire also might be construed to imply that Mr. Bunje did not know of any canner or canners who favored S. 109. This was not intended. I, of course, have no way of knowing whether or not he has any such knowledge. Otherwise, the statement in my wire stands. Please make this wire a matter of record for your committee.

"M. A. Clevenger,
"Canners League of California."

I think you can determine from Mr. Clevenger's telegram that my statement to the effect that certain canners from California were not opposed to S. 109 was in accordance with the facts notwithstanding the efforts on the parts of the canners association to make it appear otherwise. Please accept my warmest regards and best wishes.

Yours very truly,

Ralph B. Bunje,
General Manager, California Canning Peach Association.

ORDER OF BUSINESS

Mr. SYMINGTON. Mr. President, I ask unanimous consent to proceed for 5 minutes.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair.) Is there objection? The Chair hears none, and it is so ordered.

"PRACTICE NINE"—A MAGINOT LINE FOR SOUTH VIETNAM?

Mr. SYMINGTON. Mr. President, several weeks ago, a story appeared in the press which implied that the Defense Department planned an extensive maginot line installation below the DMZ in South Vietnam; and in recent months, some of our colleagues have mentioned this possibility on the floor of the Senate.

I am one who trusts that this strange theoretical idea does not become a reality; because the idea is just that, theory, because any such chain of forts would be tremendously costly, and because, for many reasons, the concept would not work.

When I was in the Far East back in December of 1965, a member of the State Department advanced to me for the first time this idea of a defense line to be drawn across northern South Vietnam, with wire, the forts in question, new gadgets, and so forth.

I thereupon checked the thought out with members of the various military services and found them unanimous in belief that such a scheme would be costly, impractical, and ineffective to the point of being plain silly.

How many times in recent years have the American people read in the press that U.S. forces had cornered a large North Vietnam contingent and were moving in for their capture or destruction, only to hear later that the enemy had successfully slipped away and thereby avoided the trap.

If this has often been true in areas of a few hundred yards, consider how infinitely more fruitless it would be to, in effect, make the same effort in an area stretching over mountainous jungle for a great many miles.

There are other reasons I would doubt there is any such plan to put any such scheme in operation. It would imply that the United States plans to stay in Vietnam for a long period of years, at an additional cost of tens of billions of dollars, with hundreds of thousands of the best of our young Americans remaining in Vietnam indefinitely, on a basis comparable to that which has resulted in hundreds of thousands of these same type young Americans remaining in Europe—where they are now—for nearly a quarter of a century.

One also should ask whether it would be best to put the additional billions involved in such a maginot line, or whether the required money might better be spent to combat the increasing problems of our cities, the critical needs incident to the education of our youth, the control of floods, and water and air pollution control.

I ask this now because many of our fiscal and monetary experts are becoming increasingly apprehensive about the integrity of the U.S. dollar, a problem continuously exacerbated by the heavy U.S. military expenditures now being made all over the world, especially in Vietnam.

A primary reason for not believing such a plan is being prepared for implementation, however, is the fact that, even in executive session, said plan has never been discussed with either the Senate Armed Services Committee or the Senate Appropriations Committee. Obviously, therefore, not only has no money been appropriated to implement the plan, but none has even been authorized.

We all know mistakes have been made in Vietnam, political and economic as well as military; and no individual, no single group, can be held responsible for all of them. Let us not compound these mistakes, however, by now trying to construct any such maginot line. We have enough troubles already, domestic as well as foreign. We should not, we cannot, be the world's policeman.

An editorial in the Washington Sunday Star of July 9, "The Outlook in Vietnam—More Hard Going," states in part:

> There are some who advocate "sealing off" Vietnam south of the demilitarized zone to prevent further infiltration. This looks good on paper, but it would require a very large number of troops—troops who could be used to much better advantage for such other purposes as the search and destroy operation. We will, of course, use all kinds of devices to help detect infiltrating troops. As far as we can learn, no serious consideration is being given to the "human wall" scheme at this time.

Let us earnestly hope these thoughts, as expressed in this editorial, are correct. The plan to some may look good on paper. From a practical standpoint, however, it makes little sense.

The only way to attain possible success in this Vietnam adventure is to utilize in normal fashion our technological superiority in the air and on the sea.

For years I have believed, and have so stated, that any other course would never show light at the end of the tunnel of this long war.

As mentioned at the beginning of this short talk, my apprehension about this matter grew after reading a paragraph in the Periscope of Newsweek. I ask unanimous consent that this paragraph, " 'Practice Nine' for the DMZ," be inserted at this point in the RECORD.

There being no objection, the paragraph was ordered to be printed in the RECORD, as follows:

[From Newsweek, June 19, 1967]

"PRACTICE NINE" FOR THE DMZ

> Pentagon sources say that Defense Secretary McNamara is giving unusually strong encouragement to research designed to develop an electronic infiltration barrier across Vietnam's 17th parallel. The project, code-named "Practice Nine," would use a variety of electronic devices to detect any movement from the north across the DMZ. "Practice Nine" could cost $3 billion to $5 billion and require 250,000 mobile troops to respond to alarms.

Mr. TOWER. Mr. President, I wish to commend the distinguished Senator from Missouri [Mr. SYMINGTON] for his timely and wise remarks relative to Vietnam and our military posture there. There is a great deal of wisdom in what the Senator has said, and he reflects the professional military judgment. I hope that many people will read the material which he placed in the RECORD. I thank the distinguished Senator from Missouri.

EXPANSION OF SANDYLAND RESEARCH

Mr. TOWER. Mr. President, recently the Big Spring Field Station Advisory Board at Stanton, Tex., met and passed a resolution concerning expansion of sandyland research.

A copy of the resolution was sent me by the Chairman of the Research Advisory Board, Mr. Jack Buchanan, who pointed out in his letter that the winter and spring of 1967 have been dry and the need for expanded research on wind erosion and moisture conservation on sandy soils is very evident at this time.

I ask that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

> The Advisory Board for the USDA, Big Spring Field Station, recognizes the need for research to insure a strong stable agriculture on the dryland sandy soils of the Southern Great Plains. We as members of this Advisory Board represent all phases of the agriculture industry in West Texas and ask your support for the following resolution:
>
> "Whereas, the 40,000,000 acres of sandylands in the semiarid Southern Great Plains have an irregular weather pattern causing problems unique to this area and;
>
> "Whereas, the Southern Great Plains has a great potential for agricultural production;
>
> "Whereas, the USDA, Big Spring Field Station is situated in this area and is conducting research on sandy soils; and
>
> "Therefore, be it resolved that the USDA, Big Spring Field Station be expanded into a Regional Research Center to insure an adequate supply of food and fibre to meet the needs of our growing population."

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be allowed to proceed for a period not to exceed 20 minutes. I shall not take that much time.

The PRESIDING OFFICER. The Senator from Montana is recognized for 20 minutes.

VIETNAM

Mr. MANSFIELD. Mr. President, yesterday a thoughtful, considered speech was made by our colleague, the distinguished Senator from New Jersey [Mr. CASE]. The subject was Vietnam. One does not have to agree with every thought contained in that speech to recognize it as constructive and helpful. It showed a facing up to the realities in the situation in that unhappy country. It was the work of a concerned, responsible American carrying out his responsibilities as an elected Member of the Senate. It was an expression of an effort to be helpful to our country by advancing ways and means which might provide a way around the impasse in which we find ourselves in Vietnam.

Our distinguished colleague from New Jersey [Mr. CASE] is to be commended for the sense of sober responsibility which he has shown. I would hope that what I have to say will be useful in the same sense.

The most difficult subject to talk on today is the question of Vietnam. Regardless of how one feels about it, it is an issue which is in the mind of everyone. It is an issue which overshadows all else.

For several weeks, events in the Middle East have held the attention of this Nation and the United Nations. It is not surprising that interest in the situation there is high. What transpires at the crossroads of Asia, Europe, and Africa has long been of many-sided concern to the world.

It is time to note, however, that for the most part the guns are silent in Sinai and along the other frontiers of Israel. All the while, though, they continue to shatter the stillness at the 17th parallel in Vietnam. Even as the last of the fallen from the recent desert war are counted, the dead continue to pile up in Vietnam. If the plight of the refugees from less than a week of conflict in the Middle East weighs heavily on the human conscience, what is to be said of the immense accumulation of the uprooted and homeless after years of war in Vietnam?

It does not minimize the recent clash in the Middle East to point out that a reasonably effective cease-fire has been achieved and the central concern is now the design of a peace which will inhibit another outbreak of war. That is a far cry from the situation in Vietnam. In that tortured nation, the beginnings of the beginning of peace are not yet in sight. There is not even a glimmer of the end.

To be sure there is a continuing danger of a third world war emerging from the local war in the Middle East. The birth of a conflict among the great powers will remain a possibility in the absence of a durable settlement among the small powers of that region. Who will say, however, that a third world war is not already incubating in the ever-deepening and expanding struggle in Southeast Asia?

It seems to me that whatever the angle from which these two situations are viewed, Vietnam remains the most serious disruption in the well-being of this Nation and it constitutes for the United Nations, the most urgent threat of a third world war. That appears to me to be the reality and it would be well to keep in touch with it.

The need is especially acute at this time when, once again, we are apparently approaching a fork in the road in Vietnam. The harbingers of significant decision have emerged in the form of obscure "official" rumblings, rumors, and revelations concerning Vietnam. The search, it is said, is being renewed for a "more effective and extensive" use of airpower against North Vietnam which, may I say, is probably another way of asking why Hanoi and Haiphong are not bombed into extinction. There is talk of again lifting the American manpower commitment in Vietnam—not much, it is said, just another 100,000 or 2 in the next few months—to add to the more than half million or more men presently engaged in and around Southeast Asia. Ironically, this talk of the need for more men comes at a time when it is revealed that only one-sixth or one-seventh of the U.S. troops already in Vietnam are actually involved in combat.

The inference of these rumblings, rumors, and revelations is that one further step in military escalation will carry us over the top. The implication is that one additional reach of American military power deeper into Southeast Asia will bring the sun of final victory out from behind the restraining clouds.

And once again, Mr. President, the Secretary of Defense has gone to Saigon to make a firsthand evaluation of the situation. According to the press he has heard and accepted the most encouraging reports of "progress" toward our "objectives" in Vietnam. While I do not in any sense question the accuracy or the objectivity of the evaluations which he has received, it must be asked in all frankness what is meant by "progress" toward our "objectives" in the context of the present situation in Vietnam? In all frankness, it must be said that these generalizations of progress would be more reassuring if they had not been heard from American leaders in Vietnam at many other times, stretching years into the past. Indeed, I know of no American leader, military or civilian, in Vietnam during the past decade or more who has contended that we were doing anything else except making "progress" toward our "objectives."

The fact is that reports of progress are strewn, like burned out tanks, all along the road which has led this Nation ever more deeply into Vietnam and Southeast Asia during the past decade and a half.

They were present when the sole function of American military personnel in Vietnam was that of aid suppliers to the French-commanded Vietnamese loyalist forces. They were present when our military functions in Vietnam evolved into that of trainers and advisers of the South Vietnamese forces, to that of air transporters and supporters, to that of combat bulwarks and, finally, to that of combat substitutes for the South Vietnamese forces.

The generalization on progress, in short, is the ever-present beat which is to be heard throughout the transition of the American military role from the most remote and invisible rear to the most forward and conspicuous front of the Vietnamese war. It has been present, this promise of progress, as the casualties in our forces in dead and wounded have increased from less than 10 a year, to 10 a month, to 10 a week, to 10 a day, to 10 an hour of every hour of every day. It has been present as the estimated expenditures of the Federal Government for Vietnam have increased from a few hundred million a year, to $2 billion, to $12 billion, to the current level of probably not less than $25 billion a year.

May I say that I have remarked on these overlooked and negative aspects of the Vietnamese situation, not in criticism of our leaders in Vietnam or of the Secretary of Defense, or the President. These men have carried the immense responsibilities of the war with integrity and personal dedication. I have raised them, rather, in the hope of introducing a measure of historic perspective into the consideration of the question of Vietnam as we approach, apparently, another point of significant decision. And may I add that there are other aspects of the question which should be raised in order that the problem of Vietnam may be also seen in the full scope of its worldwide ramifications.

Yes, Mr. President, we can put another 100,000 men into Vietnam or, I suppose, 200,000 or even more; there are a lot of young Americans, even though the supply is not unlimited. Yes, we can mine the harbor of Haiphong as we have already mined the rivers of North Vietnam; we have most effective mines and the best sowing techniques. Yes, we can level the city of Hanoi as we have leveled its power plants; we have the ordnance, as the circumlocution for bombs now puts it.

It is to be hoped, however, that before we embark on this course of expansion toward total war in Vietnam, we will pause for a long and sober think. Before we take another significant step deeper into Vietnam, it is to be hoped that we will have asked ourselves at what point we intend to increase taxes, apply the wage and price controls, tighten the draft exemptions, call up the Reserves, and make the countless other adjustments in our national life which are implicit in further extensions of the American involvement.

It is to be hoped that we will have asked ourselves, too, Mr. President, at what point in this ever-increasing infusion of American men and power into South Vietnam we reduce the present Vietnamese politico-military structure which is based on Saigon to a final irrelevancy.

It is to be hoped that we will have asked ourselves what indiscriminate bombing in North Vietnam may have in common with any objectives of the United States anywhere in Vietnam or Southeast Asia. It is to be hoped that we will have asked ourselves what interests of the Vietnamese people—in whose interests we were prompted to go into Vietnam in the first place—will be served by the bombing of combatant and noncombatant, in Hanoi and Haiphong?

And it is to be hoped that we will have asked ourselves about the next step beyond the bombing of Hanoi and Haiphong if that, too, should fail, as every other escalation to date has failed to bring this conflict to a conclusion.

We have the power, Mr. President, to bomb the Vietnamese back into the Stone Age. And if that power is unsheathed once in error, we had better be prepared to move back into the caves, along with the Vietnamese, and the rest of the world.

It is to be hoped that before plunging deeper we will have asked ourselves at what point that which began as limited U.S. aid to the South Vietnamese military becomes wholly an American war against all Vietnam, becomes a war in Korea, becomes a war in the Formosan Straits, becomes a war with China. And while we are asking we had better ask ourselves, finally, at what point in this ever-widening compass of conflict—at what point along the road to world war III—the Sino-Soviet breach is finally healed? And, thereafter, at what point a new eruption occurs at Berlin or some other pressure point of potential universal conflict?

These are questions, Mr. President, which General Westmoreland and Ambassador Bunker are not equipped and ought not to be required to answer from Vietnam. They are questions which Secretary McNamara ought not to be expected to answer on the basis of a visit to Saigon. Yet, they are questions of great relevance, along with reports of "progress" toward our "objectives," in any decisions involving Vietnam. They are questions for all of us.

Quite apart from the answers, may I say, the very pertinence of the questions suggests to me the need for the greatest restraint in any further increases in the American involvement in South Vietnam or in any expansion of that conflict beyond its present geographic dimensions. Indeed, the very pertinence of these questions urges a renewed effort to reduce the present level of American involvement. In this connection, I would refer once again to the recent proposal of the Senator from Kentucky [Mr. COOPER] to limit bombing in the north to areas of immediate relevance to the infiltration of supplies and men across the 17th parallel into the south. I would refer once again to the proposal to concentrate a military effort on the construction of a defensive barrier just south of the demilitarized zone at the 17th parallel across Laos to the border of Thailand which can be held by South Vietnamese forces. And I would refer once again to the suggestion that this Nation move to have the U.N. Security Council regard the situation in Vietnam at least with the equivalent concern which it shows for the Middle East. We owe it to the Americans whom we have sent to Vietnam, to ourselves, to the Vietnamese, and to the world, to try to bring about a face-to-face confrontation of all involved in Vietnam at the U.N. Security Council.

We need to continue this initiative, based on the U.S. resolution before the U.N. Security Council since January 1966, so that the world may know what kind of peace is sought and by whom. We need to continue this initiative in order that no stone may be left unturned in the effort to bring about a cease-fire and honorable settlement of this ugly war.

We cannot and should not withdraw. We should not and, I hope, will not enlarge the war in Vietnam against the north. The most important question which confronts this Nation at this point is not the Middle East. It is not domestic policies. It is the situation in Vietnam. That will continue to be the case and all else will be subordinate until this conflict can be ended in a fashion which preserves the integrity of political choice of the people of South Vietnam.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. AIKEN. Mr. President, I have listened very carefully, but without any great degree of optimism, to the remarks of the majority leader of the Senate.

It is unfortunate, Mr. President, that the advice of the majority leader has not been accepted by the administration to the same degree as the advice of certain military leaders who have far more knowledge of weapons than they have of people.

I have no particular use for Monday morning quarterbacks, although I recognize there is a great opportunity for their talents in consideration of the situation in Vietnam. I am getting letters now from people who once thought that a short foray into North Vietnam by our planes would bring the war to an early close. Their excuse for not winning the war is that it has not been wide enough, it has not been intense enough, and now they go so far as to say we should, if necessary, destroy all of North Vietnam's resources. What they apparently mean is that we should use the atom bomb.

I do not know whether they have thought through well enough the effect of such action; whether they have considered that our position in history, if we used the atom bomb in North Vietnam, would be more glorious or not, assuming that history is permitted to continue—and it can be destroyed. But I do hope that they are considering the cost. When you talk of dollars and cents, they really understand that.

I suppose Secretary McNamara will be back very shortly from his trip to South Vietnam. I expect that he will recommend intensification and probably some increase in armed services personnel in that part of the world. But before expanding—whether he recommends expansion or not—we should consider whether we are willing to pay the cost.

Senator MANSFIELD and I were told by the highest military authorities what we have in Vietnam, that it takes 10 regulars to cope with one guerrilla. I do not know how much of the opposition over there is in organized units and how much is in the form of guerrillas. I think it is safe to say there are 50,000 or 100,000 who would qualify as guerrillas still operating in Vietnam. Multiply that by 10 and you find that no insignificant number of our forces can cope with them. Even half a million cannot cope with them. Probably a million might be able to control the situation and restore a semblance of order in South Vietnam itself.

We hear that the administration now says we must have a tax increase to meet these additional costs. They have already moved around figures relating to the financial condition of our Government until they really cannot move any further without a tax increase. They talk about a 6-percent increase. More recently we heard it might go to 10 percent. People who know Government financing say it will require an 18- to 20-percent surtax on the income taxes of this country to meet the additional costs which have been incurred over in Southeastern Asia.

I would like to ask these people who are so free with their advice as to what we should do over there, and who suggest exterminating North Vietnam, whether they would be willing to impose the additional taxes needed, whether they would be willing to remove their own tax benefits, particularly those who are making untold millions of dollars out of furnishing supplies and operations for our wars. Are they willing to have wage and price controls imposed, which, if we are to have an increase in the war effort, must come?

They talk about inflation, about only a 2- to 3-percent inflation over the past year or so, or maybe 3 or 4 percent. The inflation has come in the things which the people have to have, and the only reason why the percentage is held down is that included in that estimate of the inflationary gain—or loss, I would call it—are all the things they do not have to have. But if you are sick today, if you have a child needing an education, if you need a home, you will find the cost has gone up 20 percent, rather than 2 percent, the last year or so.

I have no advice to give the administration. They would not take it if I gave it. So what is the use of wasting my breath?

I do not think it was a smart move that we made in Africa. I was very much interested that on this floor statements were made in which they got good advice from people far better advised in military tactics than I am. I hope they will use reason.

I would like to see someone in our Government admit making a mistake. It would make him a big person. I have often thought that anyone in a high position in Government ought to make one mistake so he can admit it and gain or regain the respect of the people.

Mr. MANSFIELD. Mr. President, I thank the distinguished Senator from Vermont for his frankness as well as his kind remarks.

May I express the hope that we will continue to ask ourselves questions, be aware of the potentials and the possibilities involved in that area of the world, and compare them with our own vital interests.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am delighted to yield to the distinguished Senator from Missouri.

Mr. President, I ask unanimous consent that we may proceed for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMINGTON. Mr. President, I respectfully commend the able senior Senator from Montana, our majority leader, for his thought-provoking talk this morning. With most of it I agree; with some I do not.

It is unfortunate to hear the casual way people often discuss indiscriminate bombing. The concept of air power, as recommended, is against meaningful military targets only, and does not involve destruction of towns. The basic idea behind those who believe in Air Force and naval air is that the more artillery and guns destroyed by the Air Force and the Navy in North Vietnam, the fewer Americans will be killed in South Vietnam.

I was saddened to hear the Senator from Vermont, in discussing this matter a few moments ago, talk about the fact people who do not believe in turning this entire war over to ground forces could be people who want to drop the atom bomb in Vietnam. I have heard no military man, at any time, recommend the dropping of the atom bomb in this Vietnamese war.

What we are becoming steadily more involved in today is a major ground war in Asia. If we would utilize—on military targets only—our airpower and seapower, we would have far better results than we are having, or would have if we turned the entire war over to ground forces.

Nobody has greater respect for the Army and Marine Corps than I. On the other hand, it has been proved by the history of past wars that have been successful—far more successful than any results we have achieved to date in Vietnam—that a team of land, sea, and air is far more effective in modern engagement than employing ground forces alone.

Let those who apparently have no faith in airpower, used only on military targets, bear with me in the telling of just one story.

In December 1965, at a U.S. base, a bird colonel said to me, "I am a Regular, proud to fight for my country. But I don't see why I do it under all these restrictions. Several times a week I fly in a multimillion-dollar airplane, in order to bomb an empty barracks or an empty bus."

One year later, I was back at that same base, and asked, "How is my friend Colonel Nelson? Has he gone home, or is he still here?"

The reply was, "No, he got his on his 77th mission, attacking one truck."

It is unfortunate that some people do not realize, if you attack, say, a powerplant in North Vietnam, the casualties to the North Vietnamese would be very few—probably not more than a half dozen people.

Anyone who understands a powerplant operation knows that to be true. But the attack might save many American lives in South Vietnam.

On the other hand, for a great many months, pilots of the Navy and Air Force have been allowed to conduct armed reconnaissance. They can go up a road where a bus is moving and destroy it. They have no idea, of course, whether in that bus are soldiers or schoolchildren.

Rules and regulations governing the action of a single pilot in a single-engine airplane have run as long as seven pages listing what he cannot do. The whole concept of the proper utilization of airpower and seapower, at times, I am sure, inadvertently, is being misstated and becoming misty. We are getting away from any team concept of land, sea, and air, and asking the ground forces to do it all. Mr. President, as stated before, no one has greater respect for the Army and Marine Corps than I, but even if we had a million men in South Vietnam, instead of the half million we approximate today, we would get no further than we have pursuing these unfortunate policies. The trouble is not in North Vietnam; the trouble is primarily with the people in South Vietnam.

Therefore, Mr. President, I hope we do not make this war from here out only a major ground war on the mainland of Asia, which the great military—such as Marshall and MacArthur—have warned against during all this century. It would be far more logical with that premise, to turn it all over to the South Vietnamese Army, not the U.S. Army. But what I do not understand is why anybody would think the poor South Vietnamese would fight any better behind this proposed Maginot line below the demilitarized zone than they have in the rest of their country.

Why not face it? From here out it is the American forces that must do a steadily increasing amount of the fighting if the present South Vietnam Government is to survive.

I thank my beloved friend, the majority leader, for yielding.

Mr. MANSFIELD. Mr. President, I thank the distinguished Senator from Missouri for his frank remarks, to which I have listened with interest. It is evident that there are some matters upon which we disagree, but that is one of the strengths of a democracy, and one of the strengths of the Senate, as I see it, as an institution.

I may some day go into further detail about this barrier below the 17th parallel, because I certainly am in disagreement, to put it mildly, with the thesis advanced by the Senator from Missouri this morning. But it gives us something to think about.

Mr. SYMINGTON. Mr. President, I would only say that perhaps there are things about this proposed barrier which the Senator from Montana knows that I do not know.

For 15 years I have been a member of the Committee on Armed Services; and for many years a member of the Committee on Foreign Relations. There has been no testimony before either committee with respect to any such "barrier." All I know about it is what I read in the newspapers. One gets a bit tired of obtaining military information from the newspapers instead of even in executive sessions with the proper persons from the Department of Defense and State as witnesses.

I know the able majority leader agrees with me on that, and am glad that on many other subjects, such as reduction of our troops in Europe, we are together. It is always a privilege to be together with him in any matter.

Mr. MANSFIELD. I may say to the Senator from Missouri that my information comes only from the public prints; I have no inside "dope."

ONE MAN, ONE VOTE NEEDED FOR CONGRESSIONAL DISTRICTS

Mr. BAKER. Mr. President, especially since the Senate began to consider legislation affecting congressional redistricting, there has been an outpouring of popular sentiment in support of the principle that each man's vote should count as much as the next man's in elections of U.S. Representatives.

The Federal Constitution, good judgment and equity require that any Federal legislation affecting congressional redistricting should strengthen rather than impede the enforcement of this important principle.

Two recent editorials, one published in the New York Times, the other in the Knoxville News-Sentinel, have been particularly timely and thoughtful.

The Times editorial, published today, makes the important point that the Senate's strict prohibition against the discredited practice of gerrymandering is an essential part of the Senate version of the bill and should be retained in the conference report. I thoroughly agree.

The editorial in the News-Sentinel develops in more detail how malapportionment and gerrymandering have in the past denied many American citizens fair representation in the U.S. Congress.

I ask unanimous consent that both of these excellent editorials be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the New York Times, July 11, 1967]

Ban the Gerrymander

Any compromise on the Congressional redistricting bill reached by the House-Senate conference committee should retain the provision against gerrymandering contained in the original measure passed by the upper house. Senator Ervin's reported desire to knock it out and leave this aspect of the problem to the discretion of the states is in effect an invitation to continue an old and dishonored practice.

The bill will be bad enough if it permits a 20 to 30 per cent variation between the smallest and largest districts in a state until the election of 1972, but it will be far worse if it omits the Senate requirement that districts be compact. Gerrymandering is a notorious, discredited device to perpetuate the party in power; and it will be a disgrace if Congress now sanctions it by silence.

[From the Knoxville (News-Sentinel), June 11, 1967]

Correction by the Senate

Under a principle established by the Supreme Court in recent years, the voters are entitled to representation in both houses of their legislatures on a "one-man-one-vote" basis.

There is good ground for dissent from this ruling, especially on the question of the state voters having a right to choose their own system.

But there is no ground for deviation from this rule when it comes to electing members of the United States House of Representatives. Under the Constitution, the House is to be chosen on a population basis.

In the past gerrymandering and neglect consistently have violated this principle. In Oklahoma, for instance, the population of the Fifth District is more than twice the population of the Fourth District. There is a disparity of nearly 280,000 between the largest and smallest districts in California. Even in Nebraska, where apportionment should be relatively simple, there is a difference of 125,000 in the populations of the congressional districts. These are even worse than a disparity of 112,000 a Federal court has just corrected in Tennessee.

Despite all this, the House recently passed a bill permitting the congressional districts in any state to vary as much as 35 per cent until the 1972 elections. The Senate has just reduced this margin to 10 per cent, a reasonable leeway. In this action, the Senate overruled one of its own committees. And Sen. Howard Baker scored a victory over his father-in-law, minority leader Everett Dirksen.

Now the two houses will try to compromise their differences. There can be only one honest "compromise"—in favor of the public and fair representation in Congress. The House should yield to the more equitable Senate bill.

CHARITY BY INDUSTRY PRAISED

Mr. BAKER. Mr. President, American industry has nearly always responded effectively and prudently to the social needs of our Nation in recent years.

This is a very sensible and practical trend among industrial leaders. Not only does it help the industry involved by stimulating good will among potential customers, but it reduces the necessity for Government to step into areas which should be handled privately if possible and feasible.

Recently, Robert D. Lilley of Short Hills, N.J., in a speech before the annual convention of the New Jersey Circle "K" International, outlined the social role of business.

I commend him and New Jersey Bell Telephone Co. for recognizing human needs and going about the vital task of meeting them.

I ask unanimous consent that an article relating to Mr. Lilley's speech be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Pragmatic Charity—Lilley Cites Business' Social Role

Robert D. Lilley, president of New Jersey Bell Telephone Company, said yesterday that the increasing tendency of business organizations to assume social responsibilities has not been prompted "solely by altruism and charitableness."

Lilley said that the willingness of large corporations to direct their power into socially useful channels developed out of the basic insight that business can survive and succeed "only in an atmosphere of liberty, progress and prosperity.

"What's even more important," he said, "is that the business community knows that it either takes an active part in removing obstacles to liberty, progress and prosperity, or it relinquishes initiative."

COLLEGE GROUP

Lilley's remarks were made during a speech in Atlantic City before the annual convention of the New Jersey District of Circle "K" International, the largest college campus organization in the country, with 750 clubs and 14,000 members.

The Circle "K" International is sponsored by Kiwanis International. There are 13 member clubs at New Jersey colleges and universities.

Lilley said he was convinced that business can best demonstrate the effectiveness of free enterprise by being responsive to the nation's human needs.

"What's happening here in the United States is that we've developed a new mix of public and private efforts. It's a mix which we apply, in constantly varying proportions, to the direction of our affairs and the solutions of our problems.

"In the best American tradition, it's a uniquely pragmatic way of getting things done," Lilley said.

WINTHROP ROCKEFELLER DETAILS CASE FOR REVENUE SHARING

Mr. BAKER. Mr. President, almost a year ago, on July 21, 1966, Gov. Winthrop Rockefeller, of Arkansas, spoke in Washington as a Republican candidate for Governor before the International Platform Association's annual convention here in Washington.

Mr. Rockefeller, in his address, underlined the financial dilemma facing the States today and the growing need for the Federal Government to act in the near future to meet this challenge to our traditional system of federalism.

Together with 15 of my colleagues, I introduced a bill—S. 1236—on March 9, which would return a fraction of the Federal revenue to the States for their use without strings attached. While my plan varies from Mr. Rockefeller's in a few details, the underlying principle remains the same—namely, a recognition of the problems of State and local governments and the commitment to face up squarely to the issue without compromising the traditional freedoms and responsibilities of State and local governments.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a copy of Gov. Winthrop Rockefeller's speech of July 21, 1966.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS BY WINTHROP ROCKEFELLER AT THE INTERNATIONAL PLATFORM ASSOCIATION'S ANNUAL CONVENTION, WASHINGTON, D.C., JULY 21, 1966

I. A STEP TOWARD A MODERN FEDERALISM: FEDERAL BLOCK GRANTS TO THE STATES

Today my text comes from Abraham Lincoln:

> "The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all or cannot do so well for themselves."

My topic today concerns what the American people are today doing through the states and what they are doing through the federal government. The question is whether we really must admit that the states cannot live up to their responsibilities. Is it true that all the services now performed by the federal government are, in the words of Lincoln, something the states "cannot do at all or cannot do so well for themselves?"

My main observation this morning is on a familiar theme: our federalist system is out of balance.

Today there is widespread recognition of the fact that we have let our state governments go into decline and sometimes into decay. We have given more and more power to the federal government. We have given Washington more and more power. In one field after another we give to Washington the power to tax, the power to spend, and the power to control or guide a hundred different areas of our life.

Today even those who wield these powers are somewhat frightened at their size.

Is there no stopping place, no way of slowing down this growth of centralized power? Today many of us are saying: *there has to be a way.* We must slow down the growth of Washington. And we citizens must work harder at the problems of our states.

I am pleased that many of the Democratic Party today agree that we must find ways of restoring a proper balance between state and federal power. I believe most of what I say today concerns problems which cut across party lines.

This morning I shall discuss some specific proposals for starting on the road back to a truly federalist form of government, a balanced federalism.

But first I would like to remind you why those of us who are studying state problems are quite alarmed at present trends.

II. A LOOK AT THE PRESENT BALANCE BETWEEN STATES AND FEDERAL GOVERNMENT

It is time that every citizen took a good look at his state government, took a look at what his state is doing, and what it costs beyond the rate of population explosion. In 1952 all the states employed a total of four million persons. Now they employ eight million persons. Their employees have doubled in 14 years.

Few persons realize that the total amount of money spent by the states has kept going up—and rising at a higher rate than the amounts spent by the federal government. In the twenty years since the war, the states' general spending has gone from $11 billion to more than $64 billion. This rate of increase is many times the percentage of federal increase. I repeat, state expenditures have gone from $11 billion in 1946 to $64 billion in 1966.

The federal budget has now gone over $100 billion a year and the total of the states' budgets will probably go over $100 billion by 1970. That's right—the federal and state budgets will be about equal sometime in the early seventies. Then the states' total will pass the federal government's total. I wish when the two were exactly equal someone would ring a bell. In any case I urge you to watch this exciting race—your money is on both sides.

The States do not have the tax resources which the federal government has developed. Today we cannot go into all the reasons for this. Perhaps there are two main reasons: one, the federal government got there first, and now the state governments cannot come along and tap the same sources, not without screams from the taxpayers. Back of that is the other reason: you and I are citizens of the United States and citizens of some state. But as state citizens we have somewhat sat by for years, while tending to leave things to Washington.

Of course this financial situation is but a reflection of the general neglect we have given our state governments. State governments are providing more services, but we are not at all sure that programs assigned to them will be well-managed.

One writer put it in this gloomy fashion in the *Saturday Evening Post.*

"Nearly every state faces the specter of further federal encroachment into areas it once considered to be its own responsibility. Nearly every state faces a fiscal emergency. Nearly every state is inefficiently and wastefully governed—stymied in its actions by an outmoded constitution. Under many Capitol domes, stagnation reigns.

"For the citizens of the states the results is tragic—bad government in all its frustrating, dispiriting aspects."

I quote this not because I agree entirely with this prophet of doom.

But there is plenty of reason for gloom when one looks at the balance of the states and the federal government. I will give you a few more figures. Since 1954 the debt of the federal government has increased by 20 per cent. But the debts of state and local governments have increased more than 400 per cent.

So we have a situation where all our governments are spending a great deal. The federal government has worked out a smooth and powerful system of taxation.

The states have not developed their own tax resources as they should. In any case the federal government's income tax system goes up with production and up with inflation and so to a degree helps keep the main system in balance.

Meanwhile the states are going broke.

The idea I am discussing with you today is simply the idea of taking some tax money from the rich federal government and giving it to the poor—the states.

This is a simple idea, and I think it is a grandly simple idea. This particular scheme for taking from the rich and giving to the poor will be more complicated than the operations of Robin Hood, but it is still essentially a system for restoring a balance.

III. THE REPUBLICAN "POSITION PAPER"

This year the Republican Party, through its coordinating committee, has approved a position paper proposing an interesting and, we believe, a workable plan for block grants. This morning we have reviewed some of the reasons behind this position, so I will quote only one sentence to you. I believe this makes an excellent point about the current situation, "It is very wrong to do what we are doing—building up an entire system of national fiscal controls on state and local governments without adequate consultation with state and local authorities."

This nation is still too large and varied for Washington bureaus to guide and direct. The states and their governors have different problems, different funds, and different money available. The federal government cannot possibly keep up with the changing picture.

For example, in Arkansas we have a good state hospital for the mentally ill. Through it, we are doing already many of the things which the federal community mental health program would like to see done. Therefore, federal funds—now earmarked for mental health facilities and programs—would be of more use in Arkansas if they were earmarked instead for public education. More money for education is one of our greatest needs.

In this one area of education, from one office of one cabinet department, you might be surprised at the number of different programs and procedures with which local government is expected to cope. I do not see how any reasonable person can expect any national organization, governmental or private, to have so many different systems, in cooperation with local systems.

In our Republican position paper we recommend a two-way program for returning to the states a share of federal government revenues with *a minimum of strings attached*. We believe this will help the states to solve some of their problems. The proposed program which we have outlined would have two major objectives.

First, it would return to the states a gradually increasing portion of the personal and corporate income taxes collected by the federal government.

This portion for return to the states would start with two percent of the collections in the first year the program is put into effect. The percentage would gradually increase to ten percent in eight years.

The second major objective of the program we are proposing is a system of federal grants to the states in broad, functional areas such as mental health, education, water pollution control, highways, and the like, *with a minimum of supervisory controls.* There should be no federal attempt to dictate the precise nature of these programs. States would thus be free to spend the money in their own way on needs which they find most pressing. In my view this naturally means that all of us as citizens must then take more interest in state government.

The only federal requirements included in the proposal are (A) *that the states should not reduce their own tax collection levied to finance their programs;* and (B) *the provisions of the 1964 Civil Rights Act prohibiting racial discrimination in federally financed programs should apply.*

The formula for returning a portion of personal and corporate income taxes collected by the federal government to the states would be:

One-half of each state's share would be computed on the basis of returning income tax collections to the state in which they originated.

The other half would be computed in a way which would provide some measure of fiscal equalization.

We believe grants by this formula would help the poorer states along with wealthier ones. You should understand clearly that we are not proposing that "block grants" should replace all special grants from the federal government to the states. We *are* saying that this proposed new system could replace some existing grants and prevent unnecessary growth in other areas.

All of you who believe in the principle that the closer government is to the people, the better it works, must be interested in this basic concept.

IV. IN CONCLUSION, SOME OF MY OWN OBSERVATIONS

In closing, I would like to make two points about the dollar cost of big government and about the cost in human terms.

The cost of administering services goes up surprisingly according to the size and nature of the government agency. It simply costs a great deal more for the Veterans' Administration to run a large hospital than it does for a small town to run a hospital.

Surveys have shown that a dollar's worth of government service at the city level costs ten cents. At the county level the same service costs twenty-three cents to administer. At the state level the cost goes up to forty-nine cents.

At the federal level the same dollar's worth of government service costs a dollar and ten cents to provide.

But I believe the dollar cost is only part of this story. As organizations become larger there is also an increasing human cost which no one can calculate. In my own experience, and very likely in yours, too, we all know something of what is sometimes called the curse of bigness. With the same mission and the same money, a big federal agency may be quite different from a small state agency.

It does, after all, make a difference whether you are going to your county courthouse to see friends of yours or friends of your friends in some office. When you arrive it does make a difference whether you are with persons who can understand your language, customs, and your needs.

Even without such factors, the factor of size of itself causes human complications everywhere. I speak from observations of various kinds of large organizations. Beyond a proper size they all tend to be bureaucratic whether they are a government agency, or a business, a university, or a foundation.

Personally I have spent a good deal of time learning about medical centers. In general I am very much in favor of the new regional concept of up-to-date centers for health care.

But I can sympathize with the poor Puerto Rican woman who has to walk in the door of a great hospital. Perhaps it is a medical center with 30 out-patient clinics. That woman has three children, let us say, and over a period of a year that family—with hard luck—manages to have five different kinds of need for health care.

When that woman enters a modern hospital, she needs a guide. As a matter of fact, the Chairman of the Board of the Hospital needs a guide. Of course, he gets one. The woman doesn't have a guide.

She gets lost and sometimes even gets in the wrong place—and may even get the wrong medicine. That woman has to go to five different places in that great modern scientific complex of buildings.

This kind of thing happens. That woman entering the medical center needs something more than she can get from all the computers in Health, Education, and Welfare. She needs more than all the reports she will eventually be given from the laboratories of that medical center. She needs to be helped by a human being, someone who understands her and life.

In my belief we are now looking for a new balance in many areas of American life. In education, we need to put more attention on the humanities. Bigness is a concern here, too. We need, perhaps, many more junior colleges, and no more universities the size of Berkeley.

Of course, we need a proper balance between the public and the private sector of enterprise and spending.

I would urge upon you that you also consider the balance between federal and state resources and powers.

In this case, I think you will find we have wandered away from that balanced federalism which our forefathers planned for us.

The founders of America were colonials who had been misgoverned by a centralized authority far away. They knew this story. It was an old story even then.

If you look at our situation today I think you will agree that we must roll up our sleeves and go to work to make our states strong again. The reason is not anything so simple—or provincial—as merely to make states strong, nor to pursue some narrow concept of states' rights. The purpose is not to serve government but to serve the human needs of human beings. We must bring government back—closer to the people. This proposal would have more of their tax money handled closer to home. It would lead to *more local representation in charge of our taxation.*

This is an old theme, too. In 1966 it is not so revolutionary as it was in 1776.

But I submit this is still an interesting idea, one which in this form is now appealing both to conservatives and liberals. For my part, I hope we can give it a fair hearing and soon give it a real trial.

JUSTICE TOM CLARK—"WHO MODERNIZED THE MACHINERY OF JUSTICE IN OUR TIME"

Mr. YARBOROUGH. Mr. President, our regret at Justice Tom Clark's leaving the Supreme Court is only partly mitigated by our pleasure in having Ramsey Clark as Attorney General and Justice Thurgood Marshall on the Court.

Justice Tom Clark, whom I have known for 36 years, has made a peerless record of service to his country, in the Justice Department and on the Supreme Court. Our public life has been immeasurably enriched by his activities. All of his friends will share my regret that he has left his high official position, but we know that his useful public service will continue.

For 18 years as a Justice of the Supreme Court of the United States, Tom Clark has contributed his experience and wisdom to the decisions of that Court. It is unprofitable to try to characterize the Supreme Court as having "liberal" or "conservative" blocs, and it is unwise to attempt to assign Justice Clark's decisions to such a label. His decisions are marked by a high regard for the law and the courts, and display his independence of mind and great experience as a public and private lawyer. He wrote the opinion of the Supreme Court in such notable cases as Mapp against Ohio and Sheppard against Maxwell, the school prayer cases, and many others. He has left his mark on the history of justice in our country.

Tom Campbell Clark was born on September 23, 1899, in Dallas, Tex.; his father and grandfather were well-known and highly regarded lawyers, one of whom participated as a delegate in the constitutional convention that wrote the present constitution of Texas.

He attended the Virginia Military Institute briefly and served in the U.S. Army before the end of World War I. He returned to the University of Texas and received his B.A., then his LL.B. in 1922.

Tom Clark was engaged in the private practice of law in Dallas with his father and brother until 1927, when he entered the office of the Dallas County district attorney. It has been said that he did not lose a case during his 5 years there. After another period in private practice he joined the Department of Justice in Washington in 1937.

In the Justice Department, Tom Clark held a variety of positions of increasing importance, including work in antitrust and war frauds cases. He rose steadily within the Justice Department, until in May 1945, he was appointed Attorney General by President Harry Truman, with whom he had worked during the Truman committee's investigation of war frauds. Tom Clark's stature continued to grow during his 4 busy years as Attorney General, heading the Department during the active period of litigation resulting from World War II.

Tom Clark's donning of the judicial robes in 1949 did not mean that he resigned from a concern with public affairs. He has been a tireless worker for the cause of improving the administration of justice. He has traveled thousands of miles to encourage groups of lawyers and judges all over the country, passing on to others his enthusiasm for the legal profession's efforts to improve the quality of justice. He has always been willing to bring an inspiring message on the law to groups across the Nation, and has brought to many a new appreciation of the dignity and authority of the U.S. Supreme Court.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that I might be permitted to continue for an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, it was my great pleasure to be present June 12 at a banquet honoring Mr. Justice Clark for his services as the first and only chairman of the joint committee for the effective administration of justice. President Orison Marden of the American Bar Association led a distinguished group of Justice Clark's coworkers for court modernization in paying tribute to his efforts in the following words:

> Justice Clark has gladly given us virtually all of his spare time for the past decade. He has been correctly called the travelling salesman of justice. But selfishly we want more—much more of his time and of his unique talent.
>
> And so—though saddened by his loss from the Court—we rejoice that he will now be able to give more for improvements in the administration of justice.
>
> Arthur Vanderbilt spoke truly when he said that judicial reform is no game for the short winded.
>
> Most of us I regret to say are short winded—and a Tom Clark is needed to recharge our batteries and push us forward when we have become discouraged.
>
> Elder Brother of the Discouraged is a title we might well confer upon Mr. Justice Clark.
>
> History will group him with Arthur T. Vanderbilt and John J. Parker as the triumvirate who modernized the machinery of justice in our time.

President Marden rightly singled out Justice Clark's tireless work. Justice Clark has recently accepted the chairmanship of a newly created special committee on evaluation of disciplinary enforcement sponsored by the American Bar Association. This far-reaching study will embrace all aspects of professional discipline. It is but another assignment accepted by Justice Clark for the legal profession. As chairman of the ABA section of judicial administration he spearheaded the movement leading to the establishment of the National College of Trial Judges for training of newly elected or appointed state court judges. Even now, Justice Clark is overseas on a speaking tour enhancing international respect for our system of law and justice.

Mr. President, the National College of Trial Judges is an organization through which trial judges from the various States are called to a few of the great universities in the summer, and the judges spend some weeks there taking courses on how to improve their efficiency as trial judges.

The National College of Trial Judges has elevated the cause of justice in this country immeasurably. It is in its beginning. The number of judges participating has doubled and tripled in the last 3 or 4 years.

Justice Clark's whole career has been a symbol of the quest for justice by our bench and bar. His tireless and contructive labors both on and off the Supreme Court bench have made a record hardly equaled by any other jurist in our Nation's history.

In the whole history of this Nation no other Justice has traveled as much or as far or worked as hard to improve the administration of justice all over the country in Federal and State courts as has Justice Clark, and this record will continue to grow.

Mr. President, I ask unanimous consent to print in the RECORD at this point the remarks of the Honorable Orison Marden, president of the American Bar Association, made at the dinner honoring Justice Tom Clark on June 12, 1967.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS AT TESTIMONIAL DINNER FOR MR. JUSTICE CLARK

We are gathered tonight to honor the first and only chairman of the Joint Committee for the Effective Administration of Justice. When the history of our time is written, I think that the Joint Committee will be credited with some of the most notable advances in the field of judicial administration.

The Joint Committee was organized during the administration of President Seymour, largely through the efforts of his President-Elect, John Satterfield. Sixteen organizations interested in the field of Judicial Administration undertook to cooperate in the work of the Joint Committee. All of these organizations are represented here tonight. The original idea was thus summarized in the first literature issued by the Committee:

"This project contemplates a national effort on the part of the people and organizations interested in the effective administration of justice to bring to trial courts of the several states an optimum of effectiveness. This can be accomplished by bringing those who have encountered and solved existing trial court problems into association with those who are presently groping with the same problems in other localities. By tailoring each program to the needs of the community of judges for which the program was developed, the committee can bring the focus of national interest and experience to answer the local needs of the courts."

The Committee met for the first time in June, 1961, under the chairmanship of Mr. Justice Clark. Its excellent staff was headed by Ernest Friesen, now an Assistant Attorney General, and Gene Heine, now chief of Section Services of the American Bar Association. Pilot programs then agreed upon were so promising that the W. K. Kellog Foundation of Battle Creek, Michigan made substantial grants to cover the work of the Committee for a three-year period.

The major thrust of the Joint Committee's program was educational. Each project—whether state-wide, regional or local in scope—sprang from a request made by someone in the area. Arrangements for each program were made with local people; specific judicial problems of the area were canvassed and judges in other jurisdictions who had faced similar problems were then consulted.

After careful preparation by the Committee and its staff, a conference would be sponsored to which every judge in the locality would be invited, along with experts who had dealt with problems similar to those to be discussed. More often than not these experts were drawn from the ranks of the National Conference of State Trial Judges, which, like the Joint Committee owes much to Justice Clark for its existence and vitality.

In addition to educational seminars for judges, the Committee served as a constant source of information and support to states interested in improving Judicial administration, as well as for bar associations and citizens groups considering proposals for modernizing court structures.

Some fifty judicial seminars were sponsored by the Joint Committee over the three-year period. Out of these came a considerable body of knowledge about the problems of trial courts as well as a group of judge-faculty members that had required considerable expertise and were willing to share it. With this combination available the next logical step was the establishment of a National Judicial College.

In 1964 the National College of State Trial Judges was opened with 96 judges in attendance. In 1965 the College accommodated 104 judges. In 1966 it held two sessions to meet the increased demand for admission. These sessions were attended by a total of 213 judges. This coming summer the two courses sponsored by the College will be attended by some 300 state trial judges.

The College has supplemented rather than supplanted the state and regional seminars which are still being held although the Joint Committee has long since been dissolved. The conferences continue to fill a constant need for discussion and solution of problems generated at the community level.

The work of the Joint Committee has continued although it no longer exists in its original form. This national program to modernize state court systems has led to or encouraged court reorganization in more than twenty states. It has moreover inspired some form of court modernization in almost every state.

The notion that a lawyer, once elected or appointed as a judge, thereby comes fully equipped to judicial office, has been dispelled, I hope, for all time. It is now acceptable for new judges to meet together with others more experienced in judicial work to prepare themselves for the efficient administration of their court. This movement is now being reflected in the Federal judicial system, through legislation now pending in Congress for the establishment of a Federal Judicial Center.

So, as we pay tribute to Mr. Justice Clark tonight, the first and only chief of the Joint Committee, we are also honoring the farsightedness of all of those who participated in the work of the Committee—an excellent example of the effectiveness of collective action in attacking difficult problems of judicial administration.

With this all too brief account of the work of a committee which set a new course for the administration of justice, I will turn now to an introduction of the official representatives of the organizations which formed the Committee and of some of our many distinguished guests.

INTRODUCTION OF HEADTABLE GUESTS

I have a dual representation by virtue of being President of both the American Bar Association and of the National Conference of Judicial Councils.

Mr. Justice Black.
Mr. Justice Douglas.
Mr. Justice Harlan.
Mr. Justice Brennan.
Mr. Justice Stewart.
Mr. Justice White.
Mr. Justice Reed.
The Attorney General, Ramsey Clark.
The Solicitor General, Thurgood Marshall.
Earl F. Morris, Columbus, Ohio, President-Elect, American Bar Association.
Ernest C. Friesen, Jr., Washington, D.C., Assistant Attorney General and Staff Director, Joint Committee for the Effective Administration of Justice.
Lewis F. Powell, Jr., Richmond, Virginia, Vice President, American Bar Foundation.
Herbert Brownell, New York, New York, President, American Judicature Society.

Whitney North Seymour, New York, New York, President-Elect, Institute of Judicial Administration, Inc.

Samuel Langerman, Phoenix, Arizona, Vice President, American Trial Lawyers Association.

Judge Orman W. Ketcham, District of Columbia Juvenile Court, President, National Council of Juvenile Court Judges.

Professor Maurice Rosenberg, New York, New York, Director, Columbia Project for Effective Justice.

Lawrence N. Marcus, New York, New York, Chairman, National Conference of Court Administrative Officers.

Paul H. Gantt, Washington, D.C., President, Federal Bar Association.

At a special table in front of the podium are past members of the joint committee who I should like to introduce in recognition of their contribution to the work of the joint committee.

Justice Louis H. Burke, San Francisco, California, Supreme Court of California.

Professor Delmar Karlen, New York University Law School and Secretary, The Institute of Judicial Administration, Inc.

Judge Alfred P. Murrah, Oklahoma City, Oklahoma, U.S. Court of Appeals, 10th Circuit.

Sylvester C. Smith, Jr., Newark, New Jersey, former President, American Bar Association.

Glenn R. Winters, Chicago, Illinois, Executive Director, American Judicature Society.

John C. Feirich, Carbondale, Illinois, former representative of the ABA Section of Young Lawyers in the Joint Committee.

John Eckler, Columbus, Ohio, ABA Committee on Court Congestion.

The Reverend Edward L. R. Elson, Washington, D.C., National Presbyterian Church.

Albert E. Jenner, Chicago, Illinois, Vice Chairman, Joint Committee for the Effective Administration of Justice.

Chief Justice Robert B. Williamson, Augusta, Maine, First Vice President, Conference of Chief Justices.

Judge Frank J. Murray, now of the Federal District Court, Boston, Massachusetts, past Chairman, National Conference of State Trial Judges, former acting Dean, National College of State Trial Judges.

Bernard G. Segal, Philadelphia, Pennsylvania, Treasurer, American Law Institute.

Frank G. Raichle, Buffalo, New York, President, American College of Trial Lawyers.

Professor Wex S. Malone, Baton Rouge, Louisiana, President, Association of American Law Schools.

Theodore Voorhees, Philadelphia, Pennsylvania, President, National Conference of Bar Presidents and past President, National Legal Aid and Defender Association.

Mrs. Tom Clark.

Tom II.

Mr. Justice Clark.

INTRODUCTION OF JUSTICE CLARK

On this very day, Justice Clark concluded 18 years of distinguished service on the highest court of our land. We view his retirement with such contradictory emotions as sorrow, dismay, joy and relief.

To lose him from the Court is a grievous loss indeed—for he has been a very great justice.

Yet as President Johnson said to some of us recently—candidates for the Supreme Court are not hard to find!

And where can our profession find a man as gifted as this—to serve as the catalyst who can make judges and lawyers and laymen to—move together towards reforms of the legal process so long needed and so long neglected.

Justice Clark has gladly given us virtually all of his spare time for the past decade. He has been correctly called the travelling salesman of justice. But selfishly we want more—much more of his time and of his unique talent.

And so—though saddened by his loss from the Court—we rejoice that he will now be able to give more for improvements in the administration of justice.

Arthur Vanderbilt spoke truly when he said that judicial reform is no game for the short winded.

Most of us, I regret to say, are short winded—and a Tom Clark is needed to recharge our batteries and push us forward when we have become discouraged.

Elder Brother of The Discouraged is a title we might well confer upon Mr. Justice Clark.

History will group him with Arthur T. Vanderbilt and John J. Parker as the triumvirate who modernized the machinery of justice in our time.

TRIBUTE TO A DISTINGUISHED JAPANESE AMERICAN COMBAT UNIT

Mr. FONG. Mr. President, Hawaii's 100th Infantry Battalion—the famed "Purple Heart Battalion" of World War II—observed its silver anniversary with a reunion in Honolulu last month. The occasion recalled the formation of this all-Nisei Army unit 25 years ago and its outstanding battlefield record as the first Japanese American unit to go into combat.

The 100th Infantry Battalion was organized as the Hawaiian Provisional Infantry Battalion on May 28, 1942, on orders of Gen. George C. Marshall, Army Chief of Staff. Its enlisted men and most of its officers were former members of Hawaii National Guard units which were inactivated after the Japanese attack on Pearl Harbor.

Instead of "sitting out the war" under a cloud of suspicion because of their racial ancestry, the Japanese Americans insisted on an opportunity to serve in uniform. They received the support of stanch friends in the local community who had complete confidence in the loyalty of the Nisei to their country. The result was the creation of the first Nisei military unit in American history.

On June 5, 1942, the Provisional Battalion left Hawaii for Camp McCoy, Wis. There it was redesignated as the 100th Infantry Battalion, Separate, or the One Puka Puka, and trained for infantry combat duties. In early January 1943, the 100th was transferred to Camp Shelby, Miss., for further training. It left Camp Shelby on August 11, 1943, and on September 2 debarked at Oran, North Africa. There it was attached to the 34th Infantry Division.

The 100th saw action in Italy beginning September 25, 1943, at Salerno, at Volturno, at the Rapido River, at Cassino, at Anzio beachhead, and on the breakthrough to Rome, prior to its integration into the 442d Regimental Combat Team, though retaining its identification as the 100th Battalion of the 442d Regiment.

In its rugged fighting through some of the more difficult battles of the early Italian campaign, the 100th earned its place in the military annals of our country, being given the identification as the "Purple Heart Battalion" because of its heavy battle casualties. Indeed, it suffered so many casualties that most of the 1st Battalion of the 442d were used as replacements, so that when the 442d was sent overseas in May 1944, it sailed minus its 1st Battalion.

The 25th anniversary of the 100th was celebrated a fortnight ago by Club 100 together with other Nisei veterans groups—the 442d Veterans Club, the Military Intelligence Service Veterans Club of Hawaii, and the 1399th Engineers Group. Hundreds of Nisei veterans and their families from the mainland United States joined their hosts in Hawaii for the reunion.

A timely editorial, entitled "Twenty-five Years Later," was printed in the Honolulu Star-Bulletin on June 28, 1967. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Honolulu Star-Bulletin June 28, 1967]

TWENTY-FIVE YEARS LATER

Twenty-five years ago this month, 1,300 young men of the Hawaiian Provisional Infantry Battalion sailed from Oahu for war duty. On the battlefields of Europe, they wrote indelible pages in our nation's history as the bemedaled 100th Battalion.

This week they are holding their Silver Anniversary reunion, culminating in an aloha luau Saturday with Gen. Mark Clark, their wartime commander, as principal speaker.

Many of the men who made up the 100th had been in the Hawaii National Guard before the smoke and flame of December 7 plunged the United States into war. Because the attack on Pearl Harbor had come from Japan, guardsmen of Japanese ancestry were told to surrender their uniforms.

A group of them, unwilling to sit the war out with their loyalty under a cloud, volunteered for any kind of work—digging ditches, anything. They were assigned to a labor battalion.

Meanwhile there were in the Army and in the civilian community a few who not only had faith in these young men, but were willing to put their faith on the line. Among them was Brig. Gen. Kendall J. Fielder who persuaded Gen. Delos C. Emmons to recommend creation of what later became the 100th. He got strong support from Robert Shivers of the FBI, Walter F. Dillingham, Charles Hemenway, Leslie Deacon, Gen. Briant H. Wells, Lorrin P. Thurston and Riley H. Allen. When Gen. George C. Marshall, chief of staff, heard of the plan, he welcomed it and the One-Puka-Puka battalion came into being.

The rest is history. No fighting outfit in American annals performed more valiantly in battle. And when the shooting was over, many of the men of the 100th returned to become leaders in the civilian community: in business, in the professions and, perhaps even more significantly, in the political life of the islands as they moved toward Statehood.

Those who meet this week in nostalgic reunion have given much to their country. They know that they will be asked to give more, for it is from those with the capacity to give that more is asked.

Now in the full flower of mature creativity, they are partners in the great task of building a better life for themselves, their families, their communities, their state and nation and in seeking beyond its shores a community of understanding that will spare their sons the horrors they know on European battlefields.

THE CRISIS IN THE CONGO

Mr. DODD. Mr. President, I want to associate myself with the remarks made on the floor yesterday by the distinguished senior Senator from Georgia [Mr. RUSSELL] concerning the decision to send planes and troops to the Congo. I regret that I was unable to be on the floor at the time because I was conducting a committee hearing. However, I do want to say that I think the Senator from Georgia has raised an issue of vital importance, and he has based his argument on a careful and accurate review of the facts.

The Senator is right in stating that the fighting that has been going on in the Congo in recent days is a purely internal disturbance, that the question of communism has nothing to do with it, and that our national security is not directly involved.

The Senator also performed a service in pointing out that the Mobutu government's story of an invasion by mercenary paratroopers was a complete fabrication, that the mercenaries involved are not in the pay of Tshombe or of any foreign nation but in the pay of the Mobutu government.

It is in our interest to assist countries to protect themselves against Communist subversion and aggression, and there are certain strategic areas where we may be obliged to intervene in order to prevent a Communist takeover.

The majority of the Senators did not question our intervention in the Dominican Republic.

Nor did I.

We supported it as essential to the national security, on the one hand because the lives of American nationals were involved, on the other hand because our own security could not help but be affected by the further expansion of Communist power in the Caribbean.

I also join the majority in supporting our commitment to the freedom of Vietnam, because we cannot afford to permit the whole of Southeast Asia to fall under Communist control.

Lest there be those who feel that I am inconsistent on the Congo because of certain positions I took on the Congo crisis of 1961 and 1962, let me point out that I opposed intervention by the United Nations in an entirely internal Congolese problem at that time, on the same ground that I oppose intervention today.

I note, that there was no significant opposition to the dispatch of a small number of transport planes to the Congo in July of 1964 to help put down a Communist-led and Communist-supplied insurrection—supported by the Soviet Union and China and Prague and Cairo—which by that time had succeeded in overrunning almost two-thirds of that rich and strategically important country.

But this is a completely different situation.

Whether one approves of the Mobutu government or disapproves of it, no one has yet made the charge that the revolt is in any way Communist inspired; and no one believes the claim of the Mobutu government that the revolt is really an aggression from abroad.

I for one cannot share the enthusiasm which some people apparently display for the Mobutu government. This Mobutu government has imposed on the Congo the most tyrannical dictatorship in its 7-year history.

Its extremist policies have frightened away foreign investment and are driving white technicians out of the Congo.

The incredible brutality of this regime was best characterized by the farcical public trial of former Prime Minister Kimba and four other former cabinet members in the fall of 1966. The five men were sentenced to death after a trial that lasted roughly half an hour, conducted without any judicial procedure or defense counsel. And they were publicly hanged the following day—with hoods over their heads because their eyes had been gouged out prior to their execution. The Mobutu government converted the hanging into a public festival and brought out scores of thousands to witness the hanging in Leopoldville's largest public square. The event was so revolting that not a single member of the diplomatic community honored the invitations they had received to attend.

More recently, there was the affair of Mr. Van Den Steen, a Belgian who was arrested by the Congolese authorities and who, in the course of his interrogation, had his stomach burned with hot brands and had the five fingers of his right hand and his right ear cut off. The Mobutu government did not dissociate itself from the torture of Mr. Van Den Steen by condemning the local authorities who were directly responsible. Indeed, its only comment on the case consisted of a counterattack on Belgian colonialists and saboteurs.

The Belgian press has been full of the case of Mr. Van Den Steen. I have here some photographs printed in the Belgian weekly Pourquoi Pas? of Van Den Steen as he was presented to the press in Elizabethville with his hand and head bandaged. But for some strange reason the American press has not said a single word about it. Nor, since the Kimba affair, has it said anything about the arrest and torture and execution of scores and hundreds of Congolese natives suspected of opposing the regime.

In very recent days, the Congo Government has again done violence to every civilized concept of law by bribing an agent to kidnap Moise Tshombe, former Prime Minister of the Congo, by highjacking in midair a chartered plane on which he was a passenger.

It is clearly the hope of the Congo Government that Algeria will honor their request for the extradition of Tshombe to the Congo, where he was some time ago sentenced to death in absentia, in the course of a military trial conducted without counsel of any kind, and the record of which has never been made public.

It is my earnest hope that the Algerian Government will reject this request on humanitarian grounds.

For all these reasons I cannot pretend to any enthusiasm for the present Government of the Congo.

But even if I approved of the Mobutu government, I would still be opposed to our direct military intervention, because that is precisely what is involved, in this purely domestic disturbance.

If we now intervene at the request of the Government of the Congo, will we intervene next at the request of the Government of Nigeria in the current Nigerian civil conflict? Or will we intervene in Rwanda or Burundi or Ethiopia or Tanzania, if these countries become the prey of domestic disturbances and ask for our intervention?

Mr. President, we have in recent weeks made it clear by our attitude that we consider the Biafra cessation in Nigeria to be a purely internal matter and that we intend to keep our hands off. Yesterday this policy was formalized in a public statement.

I say that this is the precedent that must govern our policy, and not the exceedingly dangerous precedent which our intervention in the Congo will serve to establish if it is not countermanded.

From an extensive correspondence and conversations with President Kennedy at the time of the Congo crisis of 1961–62, I can state as a certainty that there were times when President Kennedy had serious doubts about the wisdom of the Congo policy then being advocated by certain people.

It is my belief that President Johnson is today receiving bad advice from much the same group of advisers who were responsible for our mistaken support of the tragic and costly and fruitless United Nations intervention in the Congo.

I know the President to be a man of the greatest good will, and what I have to say about the Congo is not intended as a criticism of him; it is rather an expression of difference with those who have fed him incorrect information and bad advice.

I earnestly hope that before it is too late we will reverse our position with respect to the present difficulty in the Congo.

ARMED FORCES MANAGEMENT MAGAZINE GIVES FULL REPORT ON ECONOMY IN GOVERNMENT HEARINGS

Mr. PROXMIRE. Mr. President, the Subcommittee on Economy in Government of the Joint Economic Committee held hearings in May—at which I had the honor to be chairman—that zeroed in on the Defense Department's procurement and equipment utilization practices. "Sloppy" is the word that most accurately describes these practices, the subcommittee found.

The June issue of the magazine Armed Forces Management contained an excellent article on the subcommittee's hearings which I commend to the attention of the Senate. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOINT COMMITTEE ZEROES IN ON "SLOPPY" PENTAGON BUYING PRACTICES

"Incredibly sloppy, a clear dereliction of duty." These are strange words to have leveled at the Pentagon. Yet, Sen. William Proxmire (D., Wis.) was leveling these charges at the Defense Department, and more than that, applying them to Defense's competitive procurement procedures. This has been one of the backbones of Secretary of Defense McNamara's cost reduction program.

Rep. Thomas Curtis (R., Mo.) went further asserting that the Pentagon has "corrupted the meaning of competition."

These strong words came as the Subcommittee on Economy in Government of the Joint Economic Committee heard testimony from Comptroller General Elmer B. Staats of the General Accounting Office and a brace of Defense officials headed by Paul Ignatius, Assistant Secretary of Defense for Installation and Logistics.

Prompting these congressional outbursts was the assertion by Staats that "a large percentage of the actions which were classified and reported to higher management levels within the Department of Defense as competitive procurements, in our opinion, were in fact made without competition."

Root cause of this problem is that the Armed Service Procurement Regulation, by exception, allows a procurement to be "competitive" if two or more proposals were requested, even though only one might have been finally submitted. Said Staats in explaining the problems: "The primary cause for misclassifying procurements as having been awarded on the basis of price competition appears to stem from the criteria in the Armed Services Procurement Regulation. The regulation permits a contract award to be classified as competitively priced, even when only one response is received as long as two or more proposals were solicited and the accepted proposal meets certain other evaluation tests. In addition, the Armed Services Procurement Regulation permits purchases of $2,500 and under to be reported as competitive even though many are not."

In his prepared statement, Ignatius presented a chart to the committee showing "the dollar value of contracts awarded on the basis of price competition (during FY '66) amounted to 44.4 percent of the total value of contract awards—up from 32.9 percent in FY 1961." Vice Admiral Joseph M. Lyle, Director of the Defense Supply Agency, followed and reported "in spite of the pressure of high priority requests for support of the combat forces in Vietnam, we have maintained a high rate of competition in the procurements made by our supply centers. As of the end of March 1967, 92.5 percent of the $4.8 billion worth of the procurements made during the current fiscal year have been competitive. With regard to this percentage, I might add that we do not have a potential for significant increase because of the continuing high volume procurement of brand name merchandise for commissary resale and off-shore purchases of bulk petroleum, neither of which qualifies as a competitive procurement."

These latter two procurements, however, were not at issue. What was was the more mundane procurement of approximately $2 billion of aeronautical spare parts. In his testimony, Comptroller Staats had pointed out that $425 million of these parts had been reported as being procured competitively. Actually, he said, only $114 million of the $2 billion had been purchased through advertised bids. The remaining $311 million competitive procurements had been bought through negotiated procurements with the number of companies asked to bid "somewhat limited."

Rejecting arguments that these negotiated procurements were necessary because of a lack of adequate technical data, Staats told the subcommittee that GAO would propose ASPR changes to give "additional guidance to contracting officers for classifying and reporting of negotiated contracts." Ignatius' defense of the Pentagon's method of reporting competitive contracts drew the comment by Rep. Curtis that DOD has "corrupted the meaning of competition."

Defense was also criticized for allowing contractors to use government-owned materials, equipment and facilities. Estimating the value of this equipment, located in 5,500 plants, at $11 billion, GAO boss Staats criticized industry for not maintaining "financial control accounts for government-owned material and special tooling" as required by the procurement regulation.

Continuing on industrial use of government equipment Staats revealed that a GAO survey had questioned the retention by contractors of 328 items worth $15.9 million. "We questioned the retention where no use had been made of the equipment over an extended period of time, where 75 percent or more of the equipment use had been for commercial work, or where usage of the equipment was low." He then brought his point home by telling the Congressmen "our examination of records at the Defense Industrial Plant Equipment Center revealed that 81 of the items were in critical or short supply."

GUIDELINES BEING SET

Progress has been made in this area, Ignatius reported. Defense is working with GAO to come up with an improved property accounting system and is also revising the ASPR so as to give property administrators more definitive guidelines requiring closer surveillance of contractors' property control systems and more frequent utilization surveys. Defense Supply Agency Director Lyle listed other steps being taken to get a handle on property administration:

"Requests for procurement of industrial plant equipment are screened by the Defense Industrial Plant Equipment Center to determine whether equipment, available for use, can be obtained from industrial nonmilitary sources or from the Defense Industrial Plant Equipment Center's inventory of idle equipment. Only when equipment is found unavailable are certificates issued permitting procurement.

"To assure proper utilization of industrial plant equipment by contractors, industrial specialists of our Contract Administration Services organization visit facilities of Defense contractors to assess the use of Government-owned industrial plant equipment loaned to the contractor; to evaluate the development of current and projected use controls by which the contractors can plan more effective use of government equipment and to identify items of government-owned equipment no longer required for government contract performance so that such equipment can be reported to the Defense Industrial Plant Equipment Center as available for other use.

"We are also conducting a one-time equipment inventory reconciliation program. The program will provide adequate and compatible central inventory records of the industrial plant equipment located at contractor facilities under Defense Contract Administration Services' cognizance. This two-year program envisions a reconciliation of approximately 83,444 industrial plant equipment items in the hands of 1,081 contractors. At the conclusion of the first three months of 1967, 18,000 industrial plant equipment items reported to be or found to be in the possession of 248 contractors had been reconciled and records corrected."

Senator Proxmire's comment that Pentagon supply practices were "incredibly sloppy" came after hearing Comptroller Staats' discrepancies between stock record balances and the actual quantities in inventory. The difference between the two was so great, the GAO head testified, that Defense had to adjust inventories "up or down . . . an average of $2.4 billion annually in fiscal years 1965 and 1966." Total value of the inventory of spares, components and supplies under question is $10.4 billion and is located at 43 major depots.

During the past year Defense has completed actions designed to improve the management and control of short-shelf-life items. On June 22, 1966, it reached an agreement with the General Services Administration on cross-servicing of shelf-life items. Under the agreement shelf-life items that are potentially excess to DoD components and civil agencies may be transferred without reimbursement. Accordingly, the market is widened and there is greater assurance that items of this type will be consumed before their shelf-life expires.

To implement this agreement, DoD issued an instruction on November 18, 1966. This instruction is comprehensive and covers the many aspects of shelf-life item management, not just the utilization aspect. By November 1, 1967, a date that necessarily coincides with some revisions to its catalog program, Defense expects to have the new system and its controls installed.

During the twelve-month period ending December 31, 1966, approximately 308,000 additional Standardization Status Codes were recorded in the central Federal Catalog System File maintained at the Defense Logistics Service Center. These Standardization Status Codes are assigned to each item of supply after a detailed review of its technical characteristics, application and functional use has been conducted. The codes indicate whether the item is (1) standard; (2) limited standard; (3) non-standard. This information receives consideration in making future procurement decisions.

In regard to the Inventory Item Reduction Program, the Military Services and DSA have submitted "withdrawal-of-interest" and cancellation actions for 236,857 Federal Stock Numbers during the first eight months of FY 1967.

BASE USE REVIEWED

The goal of the base utilization program is to insure efficient use of DoD's world-wide system of bases and installations. Continuous review is needed to keep this system in proper balance. Changes in the alignment of troops and advances in weapon technology have important effects on installation requirements. Moreover, opportunities are disclosed from reviews made to consolidated functions and eliminate unnecesary costs, and to get rid of bases that no longer meet a military requirement.

Since this program began in 1961, a total of 917 separate base closure or reduction actions have been taken. When they are all completed, these actions will result in the release of 1,818,249 acres of excess land, the elimination of 207,000 jobs and annual recurring operating costs of approximately $1.5 billion. The elimination of bases no longer required is necessary in order that funds and manpower devoted to defense are not expended on activities which are no longer required.

To minimize dislocations and inconvenlences which unavoidably result from these necessary base changes, however, the closure schedules provide for an orderly phase-out of activities, in most instances over periods of several years. This also minimizes the impact on the communities involved, and provides employees the maximum possible opportunities for relocation. The Defense Office of Economic Adjustment has assisted 56 communities in 31 States in finding a variety of industrial or public uses for bases closed. A job opportunity is guaranteed for every career employee affected by base closure actions. If the new job opportunity requires a move to another location, the Government will pay transportation and moving expenses for the employee and his family. DoD also arranges for retraining at Defense expense and continue the empolyee's salary while he is being retrained.

Since the guaranteed job opportunity program was initiated, no career employee affected by a base closure or reduction has been separated without having received a valid job offer.

SURPLUS SALES CLEARED

At the end of July 1965 the Committee requested the GAO to make a study of the cost of sales of DoD surplus property and the use of the proceeds, to determine whether any of the proceeds were being used for nonauthorized purposes.

The GAO study concluded that no instances were observed where proceeds from sales of surplus property were diverted for purposes which are contrary to law. However, the report stated that established DoD policies for the reimbursement of disposal expenses and depositing of sale proceeds were not always followed.

The GAO study contained no specific recommendations, although four measures for improving disposal operations were suggested: (1) strengthening of DSA's supervisory role; (2) implementing a uniform cost accounting system; (3) establishing an improved reporting system; and (4) validating the propriety of disposal expenses through internal audit. With regard to the first suggestion, DSA's role as the property disposal program manager was strengthened by Deputy Secretary of Defense memorandum dated November 27, 1964, subject: "Implementation of Secretary of Defense Project 26 as it Relates to the Management of the Department of Defense Property Disposal Program" and was further strengthened by the December 9, 1965 revision of DSA's basic charter. Sufficient guidance has been provided to enable DSA to manage and administer the disposal program. With regard to the other suggestions, the Defense Comptroller will shortly issue a comprehensive DoD instruction which will establish a uniform cost accounting and reporting system for property disposal operations.

While the Subcommittee on Economy in Government will undoubtedly force a change in the "form" of reporting competitive procurement and will continue prodding Defense to improve its supply procedures, another congressional subcommittee could force changes in the "substance" of Defense procurement. Sen. Philip Hart (D., Mich.) announced while the Joint Committee hearings were going on that as Chairman of the Senate Anti-Trust and Monopoly Subcommittee, he had appointed Sen. Edward M. Kennedy (D., Mass.) to examine Defense procurement practices.

Purpose of the hearings is to determine whether Congress should force Defense to widen the base of industrial competitors. A corollary question will be whether Defense, through its concentrated buying, is stifling competition. Said Hart in announcing the hearings, "we know that competition is the force that brings the best products at the best prices to consumers—private or governmental. Our chief concern is that we're encouraging competition in all ways possible when the government makes its purchasing decisions." The hearings are expected to start late this summer.

ADVANCING OCEAN ENGINEERING IN HAWAII

Mr. FONG. Mr. President, I am pleased to invite attention to a current development in marine science affairs in my State of Hawaii. The University of Hawaii, with support from the National Science Foundation, is conducting a unique field laboratory program in ocean engineering. The 6-week summer program is designed to introduce students with bachelor's "land" engineering degrees in such traditional disciplines as civil, electrical, and mechanical engineering, to the relatively new and dynamic field of ocean engineering.

Some of the Nation's outstanding leaders in ocean engineering are serving as advisers and participants in this program. Various mainland universities have sent faculty members and graduate students to Hawaii to participate with their Hawaii counterparts. Valuable facilities and apparatus have been made available to the university by organizations of the Navy, the Coast Guard, the Bureau of Commercial Fisheries, and the Oceanic Institute.

The cooperation exhibited between education, government, and private industry is an excellent illustration that Hawaii can bring its total resources to bear on ocean-related problems.

Ocean engineering, although a relatively new program at the University of Hawaii, is demonstrating the potential of the application of science and technology to problems unique to the marine environment. I congratulate all who are connected with this program for their diligent, farsighted efforts, and contributions to the advancement of ocean engineering.

The program on developing an ocean engineering laboratory was described in two recent articles written by Wallace Mitchell, staff writer for the Honolulu Advertiser. I ask unanimous consent to have printed in the RECORD the articles which appeared in the June 18 and June 25 editions of the Sunday Star-Bulletin & Advertiser.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Honolulu Star-Bulletin & Advertiser, June 18, 1967]

UNIVERSITY TO LAUNCH UNIQUE OCEAN ENGINEERING PROJECT

(By Wallace Mitchell)

The University of Hawaii will launch a trail-blazing program tomorrow to expose civil, mechanical and electrical engineering graduates to ocean engineering.

To get it started, Dr. Charles L. Bretschneider, head of the university's new Ocean Engineering department, has assembled a team of advisers and participants that represents some of the country's most inventive and daring marine science specialists.

Edwin A. Link, famed in both aeronautics and oceanography; Carl Holm of Ocean Systems, North American Aviation Co.; Dr. Manley St. Denis, internationally recognized naval architect; Professor John D. Isaacs of Scripps Institutes of Oceanography and Dr. John P. Craven, chief scientist with the Navy's Deep Sea Submergence Program, are the advisers.

Each will be in charge of one week of the six-week program.

Two dozen professors and graduate students from nine Mainland universities in addition to UH will participate.

Frederick Munchmeyer, associate professor of mechanical engineering at the university, has been designated project director by Bretschneider.

"The university started a new graduate program in ocean engineering last September and we decided it needed a field laboratory program," Munchmeyer explained.

"This is needed for students who come to us as bachelor, 'land' engineering degrees—the traditional, civil, electrical, mechanical disciplines.

"Their applications in oceanography are significantly different than the application on land.

"It was decided that in order to be able to transpose such a student's thinking from land to sea it will be necessary to take him into the sea—put him in the ocean.

"Nobody has ever done this—develop a field laboratory course in ocean engineering. It's been done in oceanography but not in ocean engineering.

"The number of ocean engineering curriculums offered is limited to the University of Rhode Island, Florida Atlantic University, the University of Miami and us.

"And nobody has figured out how to introduce this student to ocean engineering."

To develop such a course, money is needed. The university turned to the National Science Foundation and although that federally-supported agency called the UH approach "unusual," granted $20,000 for the six-week experiment.

The money goes to the visiting participants to pay their transportation and living expenses.

"We had decided that the kind of student we wanted was not an ordinary graduate student but one who would help develop the course," Munchmeyer explained.

"So we wrote to deans of engineering around the country and asked them to help us by sending one of their faculty and one of their graduate students!"

Duke University sent the dean of its school of engineering. The University of New Hampshire, Massachusetts Institute of Technology, the U.S. Naval Postgraduate School, the Universities of Rhode Island and California, Florida Atlantic University, State University of New York, and California State College, sent faculty members and graduate students.

"For facilities to go into the ocean we turned to the Navy, Coast Guard, the Bureau of Commercial Fisheries, Oceanic Institute," Munchmeyer said.

"We've got so many field trips arranged that I've lost count—two or three a week.

"The graduate students will be exposed to the problems of applying their individual disciplines to oceanography, and their problems are many.

"For example, with the Navy we will refloat a sunken ship. We're going out on a submarine, one of the big ones, visit the Navy's diving school.

"Rear Admiral Ed Hooper, commander of the Service Force, Pacific Fleet, made the arrangements for the Navy support and without him this thing would not have happened.

"We are going out on the Bureau of Commercial Fisheries' research ships.

"Tap (Taylor A.) Pryor is going to be one of our consultants and we'll spend two days out at Oceanic Institute at Makapuu Point. His people will demonstrate working with tools in the sea—welding, sawing, attaching a mock-up of an undersea oil well head.

"Without the tremendous cooperation of the university, the National Science Foundation, industry, the Navy and Coast Guard and Fisheries people this couldn't have been done.

"With it, we're going to have a bang-up program."

[From the Honolulu Star-Bulletin & Advertiser, June 25, 1967]

INITIATIVE VITAL, SAYS INVENTOR

(By Wallace Mitchell)

Carl Holm—holder of nearly 50 patents for antisubmarine and ocean engineering devices—sees initiative and persistence as the keys to Hawaii's future in oceanography.

"Initiative is where you find it," said the man who wears the Legion of Merit for a still-classified antitorpedo device he turned over to the Navy in the early days of World War II .

"Development, new concepts, advanced thinking are just as prevalent and perhaps more so in the State of Hawaii than most other places in the world."

Holm was interviewed in a lecture room in Keller Hall, which houses the University of Hawaii's year-old Ocean Engineering department.

He had just finished an informal evaluation of the first week of an ocean engineering field laboratory course for which he was adviser.

The blue-ribbon "class" of 25 participants—graduate students and professors from UH and nine Mainland universities—had opened the six-week course by studying Navy salvage techniques through the cooperation of Rear Adm. Edwin Hooper, commander, Pacific Service Force Fleet.

Holm has an impressive array of medals and citations for the salvage work he directed following U.S. landing assaults on Guadalcanal, New Guinea, Peleliu, Angaur, Okinawa and Leyte Gulf in World War II.

He was asked if Hawaii's distance from Washington, where decisions are made on funding research and development projects, is a deterrent to local firms getting their share of the business.

"You must go to Washington with new concepts that you feel will assist national defense and basic scientific research," Holm replied. "This can be done here under peaceful Hawaiian conditions better than any place I know.

"I am terribly excited about the future of ocean engineering here."

Holm declined to predict whether Congress might reactivate project Mohole, designed to explore the earth's crust by drilling through the ocean floor off Maui. Congress last year withdrew financial backing for the project, under pressure of Vietnam war costs.

"Speaking generally, investigation of the sea floor for scientific and industrial reasons in drilling projects will continue," Holm said.

"It must continue and Hawaii, in my humble opinion, will play a considerable part in this for the long-range future as a result of environmental conditions as well as the already revealed advantages of the sea floor characteristics."

Holm said there is "no question" but that industry will move into ocean-floor drilling.

"They will pitch in with funds for investigation of various conditions that can benefit not only national defense and industry but mankind generally," said Holm, who heads the ocean systems operations of North American Aviation, Inc.

"North American has elected to following the road of taking advantage of environmental power sources in the sea, such as hydrostatic and ocean currents, tidal-operated and sea-slop (surf) operated devices implanted in the surf."

One of Holm's first underwater contracts upon arriving here from Denmark, where he was educated as a naval architect and served in its Navy, was to prowl the Suwanee River in 1928 in search of gold bullion used by the U.S. for the Louisiana Purchase."

"There were reports that it was either $11 million or $13 million," Holm said.

"Papers that arrived here from France said the money never arrived there and whether that is true or not would have to rest with the source.

"But it was persuasive enough to persuade me to spend $15,000 searching for it.

"I didn't find it but the people back in Denmark thought that I did and had become a rich man and was spending it all over here!"

LOWELL SUN ENDORSES BILL PLUGGING GAP IN TRUTH IN NEGOTIATIONS ACT

Mr. PROXMIRE. Mr. President, last month I introduced a bill (S. 1913) to provide authority to the Defense Department to postaudit records of defense contractors. The bill, if approved, would increase the effectiveness of the Truth in Negotiations Act which, I was shocked to learn during the hearings last month of the Subcommittee on Economy in Government of the Joint Economic Committee, has not been adequately enforced by the Pentagon. The Comptroller General pointed out during the hearings that the Pentagon's failure to postaudit contracts is one factor in overpricing that has cost the taxpayer $13 million a year at least. My bill would make it crystal clear that the Pentagon has the authority to postaudit contracts, thus removing any trace of the doubt that apparently is preventing the Pentagon from doing the postaudits now under authority of an administrative regulation.

The Lowell, Mass., Sun, in a recent editorial, strongly endorsed the bill. I commend the editorial to the attention of the Senate and ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Lowell (Mass.) Sun, June 15, 1967]

This Law Is Needed

A way to end Defense Department excuses and close the gap in enforcement of the Truth in Negotiating Act has been presented to both houses of Congress. Nothing should be done to delay passage of the legislation.

The identical bills offered by Sen. William Proxmire, D-Wis., and Rep. William E. Minshall, R-Ohio, specify that Defense Department auditors shall have access to defense contractors' records.

Hearings held by Proxmire and Minshall established that firms doing business with the Pentagon have overcharged at a rate of many millions of dollars a year. They have gotten away with it because Defense has not insisted that they furnish accurate, current and complete cost information as required by the Truth in Negotiation Act.

The Pentagon also has not bothered to inspect company records when contracts are fulfilled, to check differences between estimated and actual costs.

Passage of the Proxmire and Minshall bills should turn the Defense Department auditors loose on a job of economy that needs doing.

"FACTA NON VERBA"—"DEEDS NOT WORDS"

Mr. MUNDT. Mr. President, on June 10, 1967, at Crescent Temple, Trenton, N.J., a class of 185 new Shriners was designated as "The Albert W. Hawkes Class."

Albert Hawkes is a former Member of the U.S. Senate from the great State of New Jersey. During his service in the Senate, he was in the forefront in the continuing effort to build a stronger America and to preserve the cherished freedoms which we enjoy today and which are the envy of many nations around the world.

In his remarks to the class designated in his honor, Senator Hawkes points out that the teachings of Freemasonry have been responsible for inspiring leadership and character for our Republic and other vitally important things in life. He urged the class designated as "The Albert W. Hawkes Class" to be, by their conduct and example, an inspiration to others and thus help to show the way to the preservation of freedom in a peaceful world.

Mr. President, in order that we might all share in the wisdom of our former colleague's remarks to his class, I ask unanimous consent that there be printed in the Record the introduction by Edward D. Stites, Sr.; Senator Hawkes' remarks; and the response of George E. Stringfellow, past imperial potentate of the Shrine.

There being no objection, the items were ordered to be printed in the Record, as follows:

Illustrious Potentate Edward D. Stites, Sr.: Nobles, this class of 185 candidates assembled here tonight and dedicated to duty to God, Country and Brotherhood, is officially named The Noble Albert W. Hawkes Class in honor of an outstanding citizen and member of Crescent Temple, former United States Senator from New Jersey, Past President of the United States Chamber of Commerce and a New Jersey industrial leader. He is a resident of Sea Girt, New Jersey. He is Honorary Chairman of the Washington Crossing Foundation and he is a Trustee of Freedoms Foundation at Valley Forge, Pennsylvania. His wonderful personality and honest opinions have made him an outstanding favorite and I am confident his message to us will be meaningful and very helpful.

I can think of no more appropriate way to present Noble Hawkes to this fine Class of newly created Shriners than to read the citation presented to him tonight by Crescent Temple. That citation says:—

"This citation is presented to Honorable Albert W. Hawkes 'Facta non verba'—'Deeds not words' as a tribute for his many, many services to God, Country and mankind.

Noble Hawkes has endeared himself to all of the Nobility with his unquenchable faith in the dogmas and the performances of our human service for the advancement of world brotherhood.

His labor in life's forum was always enthusiastic; the same kind words of affection and esteem were by him extended, no rank nor station made any difference in his loyalty and devotion to his brethren, individually or to the Craft in general.

It is the wish and desire of the Officers and Past Potentates that whenever possible every Noble convey to the Honorable Noble Albert W. Hawkes their sincere appreciation and most grateful thanks for his many years of distinguished and faithful service.

Therefore, this Citation shall convey our warmest and earnest prayer that Allah shall bless him with good health, success and happiness.

Noble Hawkes will, forever, remain in our hearts for he has won an imperishable place for himself in the annals of Crescent Temple.

It is with pleasure and with a great deal of pride and admiration that I present the Honorable Albert W. Hawkes.

Freemasons' Contribution to Freedom

Albert W. Hawkes: Illustrious Potentate Edward D. Stites, Sr., I deeply appreciate your kind remarks in presenting me to this fine Class and audience and for the great and meaningful tribute on this beautiful plaque from Crescent Temple, for which I trust I may in some measure be worthy.

I am highly complimented that this Class has been named in my honor. The fact that it numbers 185 gives me hope for the future, because the teachings of Freemasonry have been responsible for inspiring leadership and character for our Republic and other vitally important things in life.

I believe if the teachings of Freemasonry were understood by the leading citizens of the nations of the world, we would find a way to make all the necessary sacrifices to live in a world of freedom and peace and thus avoid the miseries and destruction of war.

It was Lord Byron who said "A thousand

years are scarce enough to form a state; a single hour may lay it in the dust." It is the responsibility of the citizens of all nations to avoid that "single hour." Every thoughtful American realizes that that single hour could occur and destroy everything we have and believe in, if the gray cells in a few irresponsible brains became confused and, in anger, pushed the wrong button.

When he was near the end of his long and productive life, George Washington was asked "To what do you attribute your calm and courage on the battlefields, your faith and determination in the right and your honesty and integrity in public office?" After some meditation, he replied "I think I must give as much credit to my teachings in Freemasonry as any one thing."

Paul Revere, who sounded the alarm so valuable to our revolutionary soldiers, was another Freemason and he, like Washington, was Worshipful Master of his Lodge.

The records reveal that a majority of all those who signed the Declaration of Independence were Freemasons. Those patriots knew that if their efforts failed, the signing of that great document meant for them the supreme sacrifice.

A majority of those who signed the Constitution of the United States were Freemasons. That important document became the foundation for our American system of free men, under a rule of laws as enacted by the people's freely-chosen representatives. Our Constitution was referred to by William E. Gladstone, the eminent Prime Minister of England, as "the greatest piece of work ever struck off by the brain and purpose of man." Our Constitution was again referred to by William Pitt, defender of the rights of American colonists, as "the admiration of all future generations."

Behind the chair of George Washington, who presided over the Constitutional Convention, was a representation of the rising sun. After the delegates had signed the Constitution, the venerable Benjamin Franklin, who had been Grand Master of the Grand Lodge of Freemasons in the State of Pennsylvania for three years, said "In the course of the session . . . I looked at the sun behind the President without being able to tell whether it was rising or setting, but now, at length, I have the happiness to know it was rising . . ."

When a nation remains faithful to the ideals of freedom of the spirit—the essence of Freemasonry—there is no final sunset for its people.

The late Winston Churchill, said by many to have been the greatest statesman of this century, was also an active Freemason.

The years since we became a nation have brought swift changes in the American scene. However, patriotic public service remains now, as in the time of our Masonic forebears, the keystone of the Republic's vitality and power. We Freemasons, who are proud of our heritage, can do no more than emulate their example and we can not, in good conscience, do less. If we are eternally vigilant and act courageously, on time, in defense of our way of life, we will be worthy of our heritage and will thus discharge our duty as citizens.

Lest we forget, I beseech every American to recall those unforgettable words of our great patriot, Nathan Hale who, when sentenced to death at the age of 21, said "I only regret that I have but one life to lose for my country." That is such a great statement that it makes those who have lived many years realize it is not the years one has lived that count, but rather what one has done in those years.

For some time Americans have faced the controversial question of whether our political leaders were wise in abandoning Washington's advice in his Farewell Address "Beware of foreign entangling alliances." In disregarding his advice, before we were prepared to accept world leadership, all will agree that we have not made the world safe for democracy.

We are now an inseparable part of a sick world, therefore we must stand together to help the world find peace. We have cured nothing, even though we have given away hundreds of billions of dollars. It is reliably stated that our total debts of Federal, State and local government are as great as the total assessed valuation of all the property in the United States for taxation purposes.

No price, except the abandonment of principle, is too great to pay for peace and freedom, but we must spend our "substance" wisely to avoid defeat of our objective.

If we would have freedom and peace in a happy world, our conduct must be governed by equity—which is the soul of justice and the spirit of righteousness which flow from the bosom of God.

In our negotiations to establish peace and preserve freedom, here are some of the things we must never forget.

1. See things clearly and as a whole.

2. Remember that there are usually three sides to every controversy—our side, the other fellow's side and the *right* side.

3. Realize that *who* is right is inconsequential when compared with *what* is right. Who is right fades from the memory of man in a few generations or centuries, but what is right is eternal.

4. Try to teach the world that fair reward as an incentive to accomplishment has done almost as much as "old mother necessity" in causing human beings to burn the midnight oil to find new and better ways of doing things, not only for one's own benefit, but for humanity in general.

5. Understand that "he who seeks equity must do equity."

6. That "he who comes into equity must do so with clean hands."

7. Voluntary cooperation is the mainspring of free men at work. Voluntary cooperation cannot exist without confidence in one another. Confidence in one another cannot exist without character, honesty, integrity and a spirit of equity in the hearts of our citizens toward one another.

Liberty is freedom, but freedom is not free. It is the most expensive thing in the world, because it is the most valuable thing in life. Life without freedom is a tragedy. In seeking the preservation of individual freedom in a peaceful world, it would be well to remember Abraham Lincoln's advice that our objective in this country should be to find a way to divide "the fruits of common effort fairly among the people who produce those fruits."

My faith in the teachings of Freemasonry tells me we will find a way and make the necessary sacrifices to save and improve the important things our Masonic forebears helped so much to create for the benefit of mankind.

Let us, as Freemasons and Shriners, by our conduct and example, be an inspiration to others and thus help show the way to the preservation of freedom in a peaceful world.

I can think of no better way for us to keep faith with our Masonic forebears than to make one of our most important objectives the outlawing of war by the powerful nations of the earth and thus prove that we no more condone mass murder throughout the world, as a means of settling our differences, than we condone single murder in our midst for the same purpose.

Our No. 1 objective in life, which includes most of the other objectives, must be the accomplishment of the mandate of the Supreme Architect of the Universe—Peace on earth, good will toward men.

Let us all try to make the little poem "The Man in The Glass" applicable to us in our daily lives.

"THE MAN IN THE GLASS

"When you get what you want in your struggle for self
And the world makes you king for a day,
Just go to a mirror and look at yourself,
And see what that man has to say.

For it isn't your father or mother or wife
Whose judgment upon you must pass;
The Fellow whose verdict counts most in your life
Is the one staring back from the glass.

You may be like Jack Horner and chisel a plum
And think you're a wonderful guy,
But the man in the glass says you're only a bum
If you can't look him straight in the eye.

He's the fellow to please, never mind all the rest,
For he's with you clear up to the end,
And you've passed your most dangerous, difficult test
If the man in the glass is your friend.

You may fool the whole world down the pathway of years
And get pats on the back as you pass,
But your final reward will be heartaches and tears
If you've cheated the man in the glass."

Past Imperial Potentate Sir George E. Stringfellow: Illustrious Sir, members of our Divan, Past Potentates, Noble Albert W. Hawkes, distinguished guests and members of the Albert W. Hawkes Class:

I am most happy to take part in this Ceremonial honoring Senator Albert W. Hawkes, one of the nation's truly good citizens. It was my pleasure to have proposed our honored guest for membership in Freemasonry and the Shrine.

Crescent Temple has among its members some of the most outstanding and patriotic citizens of North America, none, however, more illustrious than Senator Hawkes.

Ralph Waldo Emerson, one of the wisest of Americans, must have had such a person in mind as Senator Hawkes when he said, "I consider him a great man who inhabits a higher sphere of thought into which other men rise with difficulty and labor." I know of no one who inhabits a higher sphere of thought and who has done more to lift the moral and ethical standards of his fellow man than Noble Hawkes.

In every movement there is someone who represents the conscience of that movement. I can think of no one who more nearly represents the conscience of Freemasonry and the philosophy of the Shrine than Noble Hawkes.

He has been my faithful friend for many years and, as Napoleon said "A faithful friend is the true image of diety." By his conduct and example Noble Hawkes has, for decades, been the image of things that help to make this a better world.

SOLUTION OF THE MIDDLE EAST CRISIS

Mr. McGEE. Mr. President, among the momentous problems facing us today is the just solution of the crisis in the Middle East. If we are to end the threat to world peace that has existed in that part of the world for the last 20 years, we need calm, wise, and objective judgment. In my opinion, the recent page 1 editorial appearing in the AFL–CIO News, and written by George Meany, president of the AFL–CIO and twice a member of the U.S. delegation to the United Nations, deserves the careful consideration of us all. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial

was ordered to be printed in the Record, as follows:

Who Is the Aggressor?

For the last two months, irresponsible denunciations have marred the UN sessions on the crisis in the Middle East. Our country and to an even greater extent, Israel, have been the targets of bitter abuse and slanders by Soviet spokesmen and their Nasserite proxies. In such an atmosphere, the UN cannot serve as an instrument for fostering honorable and harmonious relations among its member states.

In these UN sessions, the technique of the Big Lie, fanatically applied by Hitler and Goebbels against the Jewish people more than thirty years ago, has been perfected by Federenko and Kosygin. Though the outrageous *charges of Nazism against Israel and the* nations friendly to it are reprehensible frauds, they are not surprising.

It is, however, shocking and distressing that the spokesmen of the democracies sat idly by in stony silence in the face of these diatribes. That such tolerance only encourages Communist arrogance and aggressiveness was subsequently demonstrated in the tone and substance of Kosygin's remarks at the press conference before his departure for Moscow.

It is an old trick of the Communists to charge others with the crimes of which they themselves are guilty. We need but recall that the Soviet government hailed the Nazis as "blood brothers." In partnership with Hitler, the USSR butchered Poland and snuffed out the independence of the Baltic republics. The Kremlin congratulated Hitler on his capture of Paris, while denouncing the Allies for resisting Nazi aggression. Nor has the world forgotten that Communist Russia waged two cruel wars against the small heroic republic of Finland, while denouncing it as an aggressor against the Soviet Union.

And the world can never forgive the Soviet government for crushing by force of arms Hungarian democracy. For years, this same Soviet government—whose representatives now so hypocritically insist on instantaneous compliance with UN decisions—has flagrantly violated 13 UN resolutions for the withdrawal of Soviet troops and the restoration of Hungarian independence. Eighty-five thousand Soviet troops still occupy Hungary. In fact, the circulation of the UN reports and resolutions condemning the massive armed Soviet intervention in the 1956 Hungarian Revolution is still prohibited in all Communist countries on the pain of severe prison penalties.

The Kremlin and its Middle East clients have launched their assaults on truth and decency as a poisonous smokescreen for hiding the humiliating political and military defeat they have suffered at the hands of the overwhelmingly outnumbered Israeli forces, who were fighting for the very life of their country.

The Soviet government is primarily responsible for the dangerous crisis in the Middle East. It equipped Nasser and goaded him on to rally the reactionary Arab rulers for the destruction of Israel. Since the UN cease-fire, the USSR has resumed sowing the seeds of future war by stepping up its shipment of weapons for aggression to the discredited Nasser regime and its Syrian accomplice. The Soviet dictatorship should be sternly condemned and unequivocally repudiated for this war-breeding policy. In this situation, Israel deserves the commendation and support of all people devoted to peace and freedom.

SUPPORT PRESIDENT JOHNSON'S MIDDLE EAST PROGRAM

We appeal to our government to mobilize all its influence and resources for UN support of Pres. Johnson's five point program. It provides a just and sound basis for a peace settlement and joint efforts by all the nations in the Middle East for the social and economic reconstruction they so urgently need. We urge our free trade union colleagues overseas to lose no time in having *their governments give prompt and energetic* support to this program.

We urge all AFL–CIO organizations and *ICFTU affiliates to provide generous assistance* to the Histadrut in its efforts to meet the vital tasks of social and economic reconstruction in peace and freedom. In view of its practical experience, Histadrut can make valuable contributions towards helping Arab and Israeli workers alike enhance their well-being, human dignity and self-respect.

We appeal to the workers of the Arab lands to help their countries strike out in a new direction and cooperate with the people *of Israel in building a peaceful, free and* prosperous Middle East.

CITIZENS COMMITTEE FOR PUBLIC TELEVISION

Mr. JAVITS. Mr. President, as the House Committee on Interstate and Foreign Commerce begins hearings on the Public Broadcasting Act of 1967, it is encouraging to me to learn of the organization and growth of the National Citizens' Committee for Public Television.

The New York Times this morning reports that the committee, formed little more than a month ago, has appointed an executive director, Ben Kubasik, associate director of the Public Broadcasting Laboratory of National Educational Television.

The appointment of Mr. Kubasik is indication that this committee, composed of such distinguished men and women in American arts, letters, and business—many of them residents of New York—is now ready to begin in earnest its work of establishing long-range public interest in public television.

The list of the founders and initial members of this important group, Mr. President, is another indication of awakening national interest in the prospects and possibilities of noncommercial broadcasting. Its chairman is the distinguished New Yorker, Thomas P. F. Hoving, director of the New York Metropolitan Museum of Art and formerly Commissioner of New York City Parks Department. As Parks Commissioner, Tom Hoving captured the spirit of New York and the imagination of its people. I know that his activities on behalf of public broadcasting will be equally effective.

In addition to Mr. Hoving, founders of the committee are: Ralph Ellison, author; Devereux Josephs, former chairman of New York Life Insurance Co. and currently chairman of the board of WNDT, the New York educational television station; Ralph Lowell, chairman of the Boston Safe Deposit and Trust Co., and president of the Boston Education TV station, WGBH; and Newton Minow, former chairman of the Federal Communications Commission and now a director of WTTW, the educational TV station in Chicago.

It has a stellar roster of members highly distinguished in every field of our national life.

The committee has been pledged financial support from the Danforth Foundation, W. K. Kellogg Foundation, Twentieth Century Fund, Inc., Alfred P. Sloan Foundation, the Ford Foundation, and the *Carnegie Corp. of New York*.

When Tom Hoving took over as chairman of the committee, he said:

> There is some real hope now that Public Television will not only get out of the poor house, but will be a magnet for high-voltage talent. I look forward to the day when people will cancel engagements because they have spotted a television show on that evening's program that they can't afford to miss.

The formation of this committee, Mr. President, gives hope to all of us here who supported S. 1160 that the promise of noncommercial broadcasting will be *fulfilled through the work of the Public* Broadcasting Corporation proposed by *the bill and the active support and work* of distinguished Americans such as the members of this committee.

Mr. President, I ask unanimous consent to have printed in the Record the *names of the members of this committee,* and an article concerning the committee published in today's New York Times.

There being no objection, the list and article were ordered to be printed in the Record, as follows:

The following individuals have thus far joined the new National Committee:

Thomas P. F. Hoving, Chairman.

David Amram, Composer in Residence, Philharmonic Hall, New York City.

Robert O. Anderson, industrialist and rancher, Roswell, New Mexico.

Seth G. Atwood, President, Atwood Vacuum Machine Co., Rockford, Illinois; Past President, Young Presidents Organization.

Leonard Bernstein, conductor, composer, New York City.

Kingman Brewster, Jr., President, Yale University, New Haven.

Paddy Chayefsky, author, New York City.

Sister Mary Corita, Professor of Art, Immaculate Heart College, Los Angeles.

Nina Cullinan, Houston.

Mrs. Moise Dennery, President, Greater New Orleans Television Foundation (WYES–TV).

Carl J. Dolce, Superintendent of Schools, New Orleans.

Lee A. DuBridge, President, California Institute of Technology; Chairman, Community Television of Southern California (KCET).

Ralph Ellison, author, New York City.

Mortimer Fleishhacker, Jr., Chairman, Precision Instrument Co.; President, Bay Area Educational Television Association (KQED), San Francisco.

R. Buckminster Fuller, engineer, Carbondale, Illinois.

Gen. James M. Gavin, Chairman, Arthur D. Little, Inc., Cambridge.

Michael Harrington, author, New York City.

Leland Hazard, Professor of Industrial Administration and Law, Carnegie Institute of Technology; Honorary Chairman, WQED, Pittsburgh.

E. William Henry, attorney, Washington, D.C.; former chairman, Federal Communications Commission.

Jerome H. Holland, President, Hampton Institute, Hampton, Virginia.

Devereux C. Josephs, Chairman of the Board, WNDT, New York City.

Milton Katims, conductor, Seattle Symphony.

Arthur B. Krim, President, United Artists Corp., New York City.

Ralph Lowell, Chairman, Boston Safe Deposit and Trust Company; President, WGBH Educational Foundation.

Myrna Loy, actress, New York City.

Arthur Miller, author, Roxbury, Conn.

Newton N. Minow, attorney, Chicago; former chairman, F.C.C.

Mrs. Jennelle Moorhead, President, National P.T.A. Assoc.; Professor of Health Education, University of Oregon, Eugene.

Hugo Neuhouse, architect, Houston.

Prof. Antonia Pantoja, President of the Board, Puerto Rican Forum, New York City.

I. M. Pei, architect, New York City.

Gerard Piel, editor, *Scientific American*, New York City.

Norman Podhoretz, editor, *Commentary*, New York City.

Harold Prince, Broadway producer-director, New York City.

Edward M. Purcell, physicist, Harvard University, Cambridge.

Robert Rauschenberg, artist, New York City.

Edward L. Ryerson, President, Chicago Educational Television Association (WTTW).

Carl E. Sanders, former Governor of Georgia, Atlanta.

Susan Schmidt, editor, *Colorado Daily*, University of Colorado, Boulder.

Budd Schulberg, author, Los Angeles.

Maria Tallchief, ballerina, Chicago.

Alan Temko, Institute of Urban Affairs, University of California, Berkeley.

Leslie Uggans, actress, New York City.

Eli Wallach, actor, New York City.

June Wayne, Director, Tamarind Lithography Workshop, Los Angeles.

Leonard Woodcock, Vice President, United Auto Workers, Detroit.

Whitney Young, Jr., Executive Director, National Urban League, New York City.

BEN KUBASIK JOINS UNIT FOR PUBLIC TV

Ben Kubasik, associate director of the Public Broadcast Laboratory of National Educational Television, was appointed yesterday as executive director of the National Citizens Committee for Public Television. Mr. Kubasik, 38 years old, will assume his new duties on July 31 at an annual salary of approximately $40,000.

The National Citizens Committee for Public Television expects to have as members more than 100 leaders in the arts, education and business. Thomas P. F. Hoving, director of the Metropolitan Museum of Art, is chairman of the group, which currently numbers more than 60.

Mr. Hoving said yesterday that with Mr. Kubasik's appointment "the committee can now begin to move. We have a helmsman now and he certainly knows how to steer. He is the best in the business."

When the committee was formed in May, Mr. Hoving said its main goal was to involve outstanding figures in the nation's cultural life in the promotion of a diversified program service outside commercial broadcast schedules.

The committee has offices at 609 Fifth Avenue.

FEDERAL SPENDING AND THE PUBLIC DEBT

Mr. MOSS. Mr. President, our citizens are always concerned about Federal spending and the public debt. But these matters are of unusual concern at this time because of the military operations in Vietnam which are costing some $20 billion a year.

I have prepared a summary of current spending figures and debt totals which I believe will be of interest to my colleagues.

WHERE DOES YOUR FEDERAL TAX MONEY GO?

Federal expenditures are dominated by items connected with present world crises and past wars, including national defense, veterans benefits, and interest on the debt. These three items alone account for almost four-fifths of total Federal spending—The Problems and Promise of American Democracy, p. 202.

In round figures, here are the 12 categories of the administrative budget—which does not include Social Security:

> National Defense, $75½ billion, 56.4 percent.
>
> International affairs and finance, $4¾ billion, 3.5 percent.
>
> Space research and technology, $5⅓ billion, 4.0 percent.
>
> Agriculture and agricultural research, $3 billion, 2.3 percent.
>
> Natural resources, $3½ billion, 2.6 percent.
>
> Commerce and transportation, $3 billion, 2.3 percent.
>
> Housing and community development, $1 billion, .07 percent.
>
> Health, labor, and welfare, $11⅓ billion, 8.0 percent.
>
> Education, $2¾ billion, 2.0 percent.
>
> Veterans benefits and services, $6 billion, 4.5 percent.
>
> General government, $2¾ billion, 2.0 percent.
>
> Interest, $14 billion, 10.5 percent.
>
> (Estimates for fiscal year 1968.)

In June, Budget Director Charles L. Schultze pointed out that Federal expenditures are going down in relation to the national income. Concerning administrative budget expenditures—which do not include social security payments—he said:

> Excluding the costs of Vietnam, Federal expenditures in the administrative budget were 16 percent of gross national product (GNP) in 1964—they will be 14 percent in fiscal 1967 and 1968. Taking all four years of the Johnson Administration together, Federal non-Vietnam expenditures averaged 14.2 percent of the gross national product, compared to 16.3 percent for the last six years of President Eisenhower's Administration, the period after the end of the Korean War.
>
> Even including the cost of Vietnam—which are running in excess of $20 billion—the ratio of Federal expenditures to GNP, in both fiscal 1967 and 1968, will be 16.8 percent, less than in 1955 and 1959 (years in which there were no war expenditures), and far below the 21 percent reached during the Korean War.

If social security is added in, expenditures look like this—Schultze quote continued:

> If we use the more comprehensive national income accounts budget (NIA), non-Vietnam expenditures fall from 19.1 percent of GNP in 1964 to 17.6 percent in 1967. The ratio will increase to about 18 percent in 1968. The NIA budget (as a percentage of GNP) declines less than the administrative budget primarily because of the rapidly rising expenditures of the self-financed trust funds. (Social Security and Interstate highway.) But these funds are running a substantial surplus—revenues have risen faster than expenditures.
>
> On any measure, non-Vietnam expenditures have risen less rapidly than the national economy. They account for a smaller—not a larger—share of our national income.

THE FEDERAL DEBT HAS GONE UP MUCH MORE SLOWLY THAN PERSONAL, CORPORATE, OR STATE AND LOCAL DEBT

Since 1947, the Federal debt has grown less than 30 percent, while private debt has risen about 550 percent and the debt of State and local government about 700 percent:

[Dollar amounts in billions]

	Federal	Personal	Corporations	State/local
1950	$256.7	$83.9	$167	$20.7
1966	$329.8	$459.6	$533	$101.1
Increase (percent)	28.4	448	219	348

The facts clearly indicate that the greatest portion of our Federal tax moneys and our Federal debt are spent on the security of the Nation. The bill must be paid for war and defense. No one would deny a soldier the money needed to fight a war; but many balk at paying for the freedom, which that soldier gained, when taxes are still being collected 5, 10 or 20 years later.

The responsibility of the Federal Government is to protect the Nation's security and to render those services which our citizens cannot provide as individuals. Wherever there is unnecessary expenditure or any degree of extravagance, it should be ruthlessly cut out. But, by far the greatest proportion of Federal expenditures come in the military and fixed cost areas. Proportionate to our national income there has not been any unwarranted growth in domestic expenditures. It is unrealistic to believe that our fiscal problems can be solved readily by the elimination of unnecessary domestic spending.

THE UPWARD BOUND PROGRAM

Mr. MOSS. Mr. President, it is always a pleasure to receive a letter reporting that a Federal program is going well, and is accomplishing the purpose for which it was established. This is especially true when the program is a humanitarian one, which is improving and conserving our human resources.

I have just received such a letter from Prof. James D. Condie, assistant professor of psychology at Weber State College and director of the Upward Bound program of the Office of Economic Opportunity.

I ask unanimous consent to have Professor Condie's fine letter discussing the positive effects of the Upward Bound program on the lives of students involved in it at Weber State College printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

WEBER STATE COLLEGE,
Ogden, Utah, June 23, 1967.

Hon. FRANK E. MOSS,
U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR SENATOR MOSS: Approximately one year ago, Weber State College began its first year's experience with an Upward Bound Program. I am sure you are aware that Upward Bound is one of the educational endeavors financed through the Office of Economic Opportunity.

Those of us closely associated with Upward Bound at Weber State have seen much improvement in all aspects of the Upward Bound student's life. Naturally, there are some who have been so depressed throughout their lives that in one short year we have been unable to modify their attitude sufficiently to get them college bound. On the other hand, I would like to inform you of the very positive progress which has been made. As you are aware, approximately eight per cent of the eligible college-age students from low-income families, in reality, attend college. This year, there are seventy-eight per cent of our Upward Bound high school graduates who will begin college. For most, this college experience will be done completely on their own with little or no economic or emotional support from home.

We would be most pleased if you could stop by Weber State some time this summer between June 26 and August 5 to visit with the students and a very capable and sensitive faculty and staff. Since there will be field trips and the students will be gone from campus on occasion, we hope you can find time to visit us when the students are here.

Sincerely yours,

JAMES D. CONDE,
Assistant Professor of Psychology,
Director, Upward Bound.

FORMER FOE HAILS HOUSING LAW

Mr. JAVITS. Mr. President, the New York Times of July 8 published a story which should be of interest to legislators and realtors throughout the country. The article concerns a recent statement by John I. Hasselblad, a director of the National Association of Real Estate Boards who, 2 years ago, was a sincere and ardent foe of the proposed Colorado fair housing law. That law was enacted over the protests of Mr. Hasselblad and many members of the industry, but he now declares that such laws are necessary throughout the Nation "if we are going to solve this problem of human relations in housing."

Furthermore, Mr. Hasselblad finds, "The real estate industry has not been hurt by the law" and the extent of public acceptance is "amazing." He destroys the myth that property values deteriorate when minority groups move into a neighborhood and urges his colleagues in other States to support the passage of fair housing laws.

Mr. Hasselblad's statement certainly encourages those of us who have been working for a national fair housing law and, hopefully, will go a long way toward eliminating the opposition of the real estate industry to such a Federal law.

I ask unanimous consent that the full text of the Times article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FORMER FOE HAILS OPEN HOUSING LAW—DENVER REALTOR SAYS FEARS HAVE PROVED UNFOUNDED

NASHVILLE, TENN., July 7.—A real estate broker who led a campaign against the enactment of Colorado's open housing law termed the law a success and a great contribution to the cause of human liberty today.

John I. Hasselblad, a director of the National Association of Real Estate Boards and a former president of the Denver Board of Realtors, told a race relations institute here that real estate men should promote fair housing legislation in other states.

The institute, the 24th annual conference of its kind at Fiske University, ends tomorrow with reports on clinics conducted in the last two weeks by the 200 participants. Those taking part are civil rights workers, church lay leaders, ministers, educators, sociologists and political scientists.

Mr. Hasselblad recounted what he called "a titanic battle to keep fair housing legislation from being enacted" in Colorado two years ago.

WARNED OF RIOT AND REVOLT

"We warned that if legislation of this sort was passed we would see riots and people in rebellion such as we have never seen before," he said. "We quoted the Constitution. We quoted the Bible. We said this would only lead to the eventual breakdown of all our precious freedoms."

But the campaign failed. The bill was passed by the Legislature and signed by the Governor. A Denver Fair Housing Center was organized by civic leaders to help people find housing wherever they wanted in the city.

"We find a condition today that we would not have believed possible two years ago," Mr. Hasselblad declared. "We find that the real estate industry has not been hurt by the law. We find that there has been an amazing public acceptance of the law."

"The law has definitely assisted the public and the real estate industry to bring about a healthier climate in human relations," he continued. "The law has not brought about an increase in so-called incidents, riots, marches and so forth."

PROPERTY VALUES STEADY

"In fact," he said, "just the opposite! We find that there has not been a decrease in property values by an influx of minority people into an area. The law has helped to create an atmosphere in which responsible organizations and individuals dedicated to the cause of human liberty can work together intelligently and effectively."

Instead of being "a bunch of bigoted individuals," as they are sometimes pictured, Mr. Hasselblad said real estate men are vitally interested and concerned about the total welfare of our communities."

"The paths which the realtors of Colorado have walked in the past two years," he said, "are the paths which all realtors throughout the country must eventually walk if we are going to solve this problem of human relations in housing which, of course, leads to many other reforms."

POLITICAL BROADCAST SPENDING

Mr. PEARSON. Mr. President, recently the Senate was embroiled in a protracted debate over the need to establish some system of public financing for election campaigns. The Senate Finance Committee held a number of hearings on the subject and will shortly submit its report and recommendations for further discussion by the Senate as a whole.

Much of the debate and testimony centered on the threat to our democratic principles posed by the need of candidates for high political office to rely upon a few wealthy sources for their campaign funds. Some have expressed the view that this danger is immediate; others, that it is more remote, or nonexistent.

The point has been made that more people are giving more money to political campaigns than ever before. In 1956, approximately 8 million individuals contributed to political campaigns. By 1964, this number had increased to 12 million.

These figures have led many to ask why any Federal financing of elections is needed when more people are contributing than at any other time in our past and thus the reliance of candidates on a few wealthy sources may in fact be declining.

Mr. President, this reasoning ignores the quantum jump in campaign spending that has occurred in the last few years. The fact is that the cost of election to public office is growing so rapidly as to completely outstrip the increase in the number of individual contributors.

Recent evidence of this fact was presented in an article in this morning's New York Times citing the tremendous increase in spending for political broadcasts in the 1966 elections. For last year's campaigns, all candidates spent approximately $32 million for spot announcements and political programs on radio and television. This amount represents an increase of 60 percent over the total spent in 1962, the last nonpresidential election year. This figure almost equals the $34.6 million spent in the presidential year of 1964.

Mr. President, a suspension of the equal time clause of section 315 of the Communications Act of 1934, as I have proposed for candidates for President and Vice President, would help reduce the major cost of political campaigns by permitting broadcasters to donate time for public debate to our major candidates without the fear of inundation by a host of splinter contenders.

Nonetheless, important though such a measure might be, it would only be a partial step. If the tremendous costs of political campaigns are to be responsibly met, if the burden of securing the election of unobligated officials is to be more fully shared, if the dangerous reliance of candidates on special interests for election financing is to be avoided, more comprehensive reform is required. As the tremendous increase in campaign costs for the 1966 elections indicates, some system of public financing for our Federal elections is an absolute necessity.

Mr. President, I ask unanimous consent that the New York Times article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POLITICAL SPENDING FOR RADIO AND TV UP IN 1966—OUTLAYS OF $32 MILLION FOR OFF YEAR CLOSE TO TOTAL IN 1964 PRESIDENTIAL YEAR

(By Eileen Shanahan)

WASHINGTON, July 10.—Political candidates spent almost as much for radio and television advertising in 1966, a year without a Presidential campaign, as they did in 1964, a Presidential election year.

The Federal Communications Commission reported today that candidates of all parties spent a total of $32-million for spot announcements and political programs last year. The figure represents a jump of 60 per cent from the total spent in 1962, the last non-Presidential election year.

Last year's total almost equaled the $34.6-million spent in 1964, for Presidential and non-Presidential campaigns combined. The non-Presidential portion of the outlays in 1964 was $21.8-million.

Democratic candidates spent more than half as much again than did Republican candidates in 1966—$18.5-million, compared with $12.2-million.

DRAIN MAINLY IN SOUTH

The larger Democratic outlays for radio and TV advertising were accounted for, however, by their heavier expenses in primary elections—mainly in the South.

For the November general elections, the Republicans outspent the Democrats, $10.4-million to $8.5-million.

The commission's report on paid campaign advertising that all of the increased spending, compared with 1962, came from an increase in spot announcements and that the increase was greater for radio than for television.

Paid political ads on standard A.M. radio accounted for 41 per cent of the money spent on political broadcasts in 1966—a total of $13.1-million. That was an increase of 70 per cent in the dollar charges for radio advertising, compared with an increase of 50 per cent for television.

Radio and TV station billings for spot announcements, totaling $27.5-million, were 85 per cent higher than in 1962. Outlays for sponsorship of entire programs, however, declined from $5.2-million to $4.5-million.

Although the Democrats have consistently outspent the Republicans, since 1962 for broadcast advertising, the margin widened considerably last year. In 1964, the Democrats spent $17.8-million, compared with the Republicans' $15-million. In 1962, the figures were Democrats, $12-million, Republicans $7.5-million. In 1960, the Republicans outspent the Democrats, $7.6-million to $6.2-million.

Of the 5,500 radio and television stations covered by the survey of the Federal Communications Commission, only 131—including only 21 television stations—said they had broadcast their own editorials for or against candidates.

The average television station received $20,000 for paid political spots and programs and the average radio station a little more than $2,000.

ADDRESS BY VICE PRESIDENT HUMPHREY BEFORE NATIONAL EDUCATION ASSOCIATION

Mr. MONDALE. Mr. President, last Friday night, Vice President HUMPHREY addressed the annual convention of the National Education Association in Minneapolis, Minn.

The Vice President addressed himself in this speech to what is surely the most significant educational issue today, the quantity and quality of programs for the children of the poor.

Mr. HUMPHREY asked schoolmen to dedicate themselves to helping disadvantaged children "all year long—not all year except the hot, troubled months of summer." He called for school facilities—"educational treasure houses"—to open their doors to poor children in the summers; and he called on the schools to reach out to poor families and get them involved in school planning. And he called for an examination of school curriculums to see that all young people are being prepared for a future to fit their aptitudes and capacities.

Mr. President, this was a magnificent speech, enthusiastically received. I believe it deserves wide circulation. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY AT THE NATIONAL EDUCATION ASSOCIATION, MINNEAPOLIS, MINN., JULY 7, 1967

Today I want to talk with you not only as your Vice President, but also as a former teacher, educator, and one who shares your hopes and concerns.

Every one of us is deeply convinced of the importance of education in building a strong and free nation. But sometimes we learn that lesson best by seeing it in practice elsewhere.

I returned two days ago from a mission to the Republic of Korea.

Korea is a nation which has lived for centuries beneath oppression and disaster. At the end of World War II, almost no one would have given odds that the Republic of Korea might one day be a strong, free and self-sustaining nation. Certainly no one would have done so during the terrible years of the Korean war.

But today Korea is a vital, growing nation at the point of economic take-off. It is a nation which will be a power in the years ahead in free Asia—and all this in one generation.

How is it being done?

Careful economic development has been undertaken. However, even more important has been that nation's dedication to education for all her people.

Today the Republic of Korea is still filled with a good deal of poverty. It certainly in no way approximates our own standard of living. But Korea's young people—more than half the population is less than 19 years old—are receiving quality public education. And the nation is moving.

The contrast is stark. Old men and women in traditional dress sit resignedly by their doorways. But the streets are filled with young people—strong, healthy, in Western dress, and typically carrying school books. And these young people are Korea's future.

From a devastated and backward society to a vigorous, progressive nation in one generation—and education is doing it.

One evening while I was in Seoul, I gave a dinner for some of the younger, non-governmental leaders—educators, publishers, labor leaders, businessmen. At the end of the dinner, each of the guests rose to say a few words. All of them shared one theme: We always knew we could do it and that our country could do it. Now for the first time we have the chance.

We have known in our hearts, for a long time, that the best way to build a nation is through education. That is the way Korea is being built today. And that is the way America has been built and will continue to grow.

Ten years ago, we Americans awoke to the fact that our educational system was not what it should be. Sputnik, circling the earth for all to see, gave us a good kick in the seat of our complacency. Sputnik told us something was wrong and that we had better get moving.

I don't need to tell this audience about our progress in education since Sputnik. That progress is well known and evident. What I do want to do is to call your attention to the special efforts we in America still need to make—efforts such as those now being made in the Republic of Korea: I mean better education for the underprivileged and overlooked.

I am Chairman of the new President's Council on Youth Opportunity. For the past several weeks I have been doing my best to open doors for impoverished and underprivileged young people—through summer jobs, camping, more recreational and educational opportunity. This is where we have to do better. This is where your special help is needed.

We have some good laws on the books today. But it will take more than laws to make truly equal opportunity a reality for those whose families have gone so long without it.

We have money, too—still not enough, but more than ever before—and imaginative programs. But these things, too, won't do the job alone if our disadvantaged young people do not have extra help in opening their doors to opportunity. Some of those doors are physical doors—and too many of them are closed right now all over our country. Behind those doors are gymnasiums filled with recreation equipment . . . swimming pools . . . home economics rooms filled with sewing machines and kitchen equipment . . . shops with tools lying unused . . . libraries with books going unread.

In too many American communities, our schools are educational treasure houses closed for three months of the year. And these schools, for many young Americans, are the only positive influences in their lives.

Not only could many of these schools bring education and positive experience to young people in the summer, they could be a source of summer income for poor young people and young adults as well. Teenage boys and girls who need the money could find work supervising activities for their younger sisters and brothers.

Now I know there are a thousand reasons why it is difficult to keep our schools open the year around.

But there are *millions* of reasons why they *must* be kept open—and those reasons are young boys and girls who desperately need the extra help to get an equal chance in life.

These are boys and girls who tomorrow will be statistics on the unemployment, welfare, and crime rolls unless they get help now. These are boys and girls who will be lost resources to our country and a blight on the conscience of a nation which can well afford to help them.

Poor people are poor all year long—not just for nine months a year. Disadvantaged children need help all year long—not all year except during the hot, troubled months of summer.

You may ask: How do we pay for it?

I would like to see the teachers and administrators in every American school district sit down and use their abundant imaginations to find a way their schools can help the children of the poor during the summer months.

Then I would like to see school business managers analyze the costs and come up with what is possible for how much money. I believe we need in our schools the same standards of cost effectiveness which have proved so useful, for instance, in American private industry and the Department of Defense. We need to measure every program in our schools as to its priority and importance vis-a-vis every other program.

I have the feeling that, if truly objective cost effectiveness studies are made, we will find that a twelve-month school year will have priority over any number of other programs already underway.

Then I would like to see every American community scoured for volunteers and a deliberate attempt made to obtain participation of the well-off people in the community.

I believe that our children are more important than the finish on the gymnasium floor. Yes, I believe they are more important than the tradition of three months off for those who work in the school system. And yes, I believe the money has to be found to pay the costs of helping these children a full twelve months of the year.

Yes, I believe our schools should be open twelve months a year.

I also believe that we must do a far better job than we have been doing in the classroom for the children of poverty.

I don't need to tell you that children from families of poverty often have trouble in school.

The whole emphasis of the Elementary and Secondary Education Act is a recognition of this problem—and Head Start is a classic response to it. But the structures of our schools, and the reactions of our teachers to the children of the poor, are two big pieces of unfinished business.

I recently read an article by Miss Jean Grambs, of Baltimore, in the *National Elementary Principal*.

She wrote: "The slum child comes to school with all kinds of things that the school is intent on eradicating. The school can't stand his bad speech habits. The school does not like him to wiggle and squirm. Even if he does so because he is hungry . . . let his stomach growl and churn with hunger; it is no business of the school's, and besides, it is considered good discipline to sit still when your guts ache.

"The school doesn't like ill-fitting clothes, or uncombed hair, or hair that is combed in a flashy style . . . .

"Now all of these are part and parcel of the neighborhoods these childen come from, part of their families and their growing up. So the school is in essence saying to these children: We don't like you and we don't like your families—and we suspect you don't have a decent family anyway. These appraisals by the school tell thousands of children that they have been assessed and found woefully wanting."

We are beginning to see that this reaction is absorbed by the child of poverty and that he actually comes to believe he *is* inferior. His daily failures and report cards tell him this again as time goes on—and rejection and defeat become normal parts of his daily life.

So this is what I mean when I say that all the laws in the world—all the statements of intent . . . all the money . . . all the power structures and empires will not help the poor child so long as he is rejected as a person by the system and its teachers.

And what about the parents of these children?

Our P–TA's are filled with responsible and God-fearing parents, all of them good people.

But how many families of poverty are represented in your P–TA and many others I know? If these people do not come forward on their own initiative, no effort is usually made to encourage them to come forward.

The whole thrust of our national war on poverty is an effort to bring the poor a role in building their own destinies . . . to get them to lift their voices and become involved. But in far too many of our school systems, this concept does not remotely exist.

What happens too often?: The children from middle-class families, from a wholesome home environment, are easy to teach and pleasant to work with. They receive a good share of attention, take the standard precollege courses, and leave our school systems with a good chance for success in life.

Children of poverty, on the other hand, enter school badly prepared by everything in their experience. They are not so easy to get along with . . . they soon experience frustration and rejection . . . and often as not drop out before their schooling is done—unless somewhere along the way a sensitive and understanding teacher or school system has made the extra effort to help them find their way.

Finally, we must think very hard about just what kind of education the children of poverty are receiving.

Many of our instincts tell us, I know, that all our young people should follow exactly the same homogenized curriculum. But I wonder: Does such a curriculum do justice to all our young people?

Today, there are more than 15½ million young Americans of college age. But only 6 million are, in fact, in college. Our goal, of course, is to raise that figure.

But for those among the remaining 9½ million who will not go to college, we must ask this question: Are they equipped to find a job and a role in life?

Too often, I feel, they are not.

Many of you saw late last month the news of President Johnson's visit to the Opportunities Industrialization Center in Philadelphia, when he signed into law a Bill extending the Teacher Corps.

That Opportunities Industrialization Center—supported by business, labor and a cross-section of the community—has trained and found work for 6 thousand people in the past three years. By and large, these were people whose prior education simply did not equip them for jobs.

At the Center, people are taught radio/TV repair, auto mechanics, household and home repair, and other skills needed in an economy increasingly oriented toward services rather than goods. But they are also trained in such basic things as how to apply for a job . . . how to punch a time clock . . . and how to dress properly to hold a job.

This is not glamorous work for the teachers and instructors. But it does help people. It does fill jobs. It does make the City of Philadelphia a better place in which to live.

So, just as we examine our budgets to find ways to keep our schools open year-round, I think we should also examine our curricula to see if all—and not just some—of our young people are being prepared for a future to fit their aptitudes and capacities.

I am afraid that much of what I have said may sound a bit like sermonizing to some of you. Maybe it is. But we will need nothing less than a missionary spirit if we are to really build the kind of nation we say we believe in.

For I believe, as Franklin Roosevelt did, that: "The test of our progress is not whether we add more to the abundance of those who have too much; it is whether we provide enough for those who have too little."

If poor and struggling nations of this world—nations building a new society from the ground up—are willing to pay the price for the kind of education which can do this, I think we should be willing to pay that price.

If it means harder work . . . if it means higher taxes . . . if it means breaking comfortable old habits, I say we have to do it. Because none of us can avoid this fact: There are two Americas. There is the America which you and I know in our daily lives. And there is the America which lives in poverty . . . in city and rural slums . . . without jobs or self-respect or hope.

And until this other America—the one from which it is all too easy to turn our faces—becomes just as free, just as equal, and just as prosperous as the America of affluence, this country does not live up to what we profess for it.

So I ask your help. I ask you to look around you. I ask you to re-examine the programs, the outlooks, the policies of your schools.

I especially ask you, right now, to do something about keeping your schools open next summer—or for the remainder of this summer, for that matter, if it is not too late.

Budgets are being prepared now for the next school year.

I also ask you to join in our national Stay-in-School Campaign—aimed at getting potential drop-outs to stay in school and off the streets when the summer months end. Your local Mayor's Council on Youth Opportunity will be heading this effort.

I believe the future of our country is unlimited. I think America has only begun to show the world what it can do and to exemplify the ideal we all believe in—namely, that we can truly build a society, "indivisible, under God, with liberty and justice for all."

When this America stands as one, when that kind of society has been built—then we can raise our heads and look to the world around us with confidence and pride. For that will be the day that America the nation matches America the ideal.

ADDRESS BY JENO F. PAULUCCI

Mr. MONDALE. Mr. President, I have the honor to invite to the attention of the Senate a remarkable address delivered recently by Mr. Jeno Paulucci on the occasion of the golden anniversary commemoration of Hibbing Junior College in Hibbing, Minn.

Mr. Paulucci, the son of Italian immigrants, was born and reared in northeastern Minnesota and his early years were spent in the midst of poverty. Today, Mr. Paulucci is one of our Nation's most successful and eminent industrialists and his personal story—much of it recounted in this commemorative address—is fascinating and instructive. Jeno Paulucci's story is that of a man who, through diligence, hard work, and self-sacrifice, has made possible for himself and others the fulfillment of the American dream.

Mr. President, Mr. Paulucci's remarks eloquently express a perspective and philosophy of life which deserve wide circulation and consideration. Because of Mr. Paulucci's important remarks concerning our free enterprise system, the necessity for equalizing opportunity for all our citizenry, and the importance of local institutions of higher learning such as the Hibbing Junior College, I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Good evening, friends . . . Salute!

It's good to come home again to meet old friends and acquaintances and former schoolmates and teachers. It's really great to get together with you! My good wife, Lois, sends her greetings and regrets for not being with us this evening. This being the last week of school in Florida, she felt it necessary to be with our children.

Like others here . . . I highly prize the privilege and honor to pay homage and tribute . . . long overdue . . . to our Hibbing Junior College . . . to which so many of us owe so much on the occasion of the Golden Anniversary of its founding 50 years ago. I don't limit this indebtedness to the many thousands of students, graduates, and their families who have benefitted directly from all the Hibbing Junior College has offered and provided over all these years . . .

On the contrary . . . I include *all of us who have lived in this last half century in this community embracing all of Northeastern Minnesota . . . who have shared indirectly . . . and directly . . . in so many countless ways . . . in enriched lives . . . as a result of our Hibbing J. C.* . . . and the wonderful, dedicated staff of teachers, professors and deans who have guided the progress of Hibbing Junior College so well these past 50 years . . . our special thanks and tribute to them.

I personally greatly appreciate and acknowledge with limitless gratitude what Hibbing J. C. gave me and my family during the formative years of my youth . . . as it has so many others here. Hibbing J. C. helped immeasurably in giving me a broader outlook on life as well as that all-important ingredient . . . greater motivation . . . of where I wanted to go in life and how I wanted to get there. Besides giving me new horizons . . . Hibbing Junior College further taught me how and where to look for and how to get the answers to problems later in life . . . of which, believe me, I've had my quota . . . and more, as you have too, I'm sure.

Hibbing Junior College, combined with earlier training in our fine schools . . . and all the experiences inside and outside the home . . . and growing up here on the Iron Range . . . contributed . . . more than I can ever indicate . . . contributed . . . more than I can for myself . . . or, in a word, becoming the individual and the individualist that I eventually became . . . with the help and guidance of my parents and most of all, my mother, Michelina, and my sister, Elizabeth . . . here with us tonight.

When one starts at Hibbing J. C., whether he plans on a life in one of the professions or in any other vocation . . . he finally recognizes and realizes that he has "come next door" to the unsheltered life in the great, wide, wonderful world that awaits his intelligence, talents and energies . . . and which today presents greater opportunities than ever before.

Because of this rapid maturing and "coming to grips with life itself" in the outside world that takes place at Hibbing J. C. . . . this institution has proved such a powerful factor in producing the individuals and the individualists . . . such as make up those gathered here this evening.

Surely everyone knows . . . *only the individual and the individualist . . . "Makes the world go 'round."* Nothing ever happened . . . that some individual or individualist didn't start. Sometimes it appears or looks like a group . . . but a group never acts unless some individual or individualist "sparked it into action" . . . and, whatever the project or program, "got the ball rolling" . . . and *hence the overwhelming importance of the individual and the individualist.*

I have accepted the invitation to speak tonight about "Our Parents' Generation." In accordance with my record as a nonconformist and a "Maverick" . . . *I want to bend the topic a bit . . . just enough to encompass the heritage each of us received from "Our Parents' Generation"* . . . that has made us the individuals and the individualists that we've become.

To do this . . . I must become personal . . . and for this . . . I trust you'll excuse me. I cannot speak for you or anyone else . . . but only for myself . . . because *I intimately know only my own experiences.*

Each of us see "Our Parents' Generation" through youth's candid eyes. *But the kaleidoscope of our lives with our parents takes on new clarity in retrospect.*

Each of us can quickly bring into sharp focus the heritage that "Our Parents' Generation" provided us with . . . the opportunities or the lack of them . . . the character traits passed on to us by design or example or the lack of either . . . the motivation . . . the conscience . . . the ideals.

And as I reflect upon my heritage as I see it now . . . I invite you to do likewise. As I will now with myself . . . *I ask you to take a good hard squint at yourself . . . in your own mental mirror . . . and tell yourself, honestly, what you see.*

In my judgment each of us is motivated by certain beliefs . . . disbeliefs . . . likes and dislikes . . . starting early in our lives and dating back to our childhood experiences. Motivation is how we put to work for good or bad, success or failure, happiness or sorrow . . . the basic elements that result from our early environment and blended with our heritage.

My motivation, simply put, has been to fight for what I believe in and battle against that which provokes me as a result of my own past environment and experience and heritage.

The formula of my life has been very simple . . . first the cause . . . then the reaction . . . then the motivation.

I say to you, motivation is the fuel for your soulful energy . . . the platform of your credo of life . . . and the strength of your convictions.

Once you find and determine your motivations . . . and channel them properly, you put true purpose into your life.

Allow me to quickly review my past experiences so that I can outline the causes, the reactions and the resulting motivations.

Recently a major publisher asked to produce my biography. I seriously doubted it would, at this stage in my life, prove interesting to readers. *Since this leading publishing house initiated the project* . . . I, however, decided after considering it at length . . . to cooperate in the work.

Among the first things . . . this brought up . . . "Let's see what really and basically motivates Jeno from his early age." In checking back . . . *I've known very little middle ground.* From my early childhood in Aurora, Minnesota . . . of which I remember little . . . to my years of growing up in Hibbing, *I've proved to be violently for or against the causes I've espoused or opposed.*

I've just as ardently demonstrated my opposition to that in which I do not have faith . . . as I've fought for that in which I do believe . . . this, frequently to my great personal disadvantage . . . *as witness the lost causes* I've fought for just as hard as those in which I've ended up on the winning side . . . such as the political campaigns and the Taconite Amendment Drive and other projects and programs in which I've had a part here in N. E. Minnesota.

From the outset, and here at Hibbing Junior College, as well as throughout my life . . . I've hated what I've considered injustices, unfairness and impositions of all kinds. *And, not with any mild hate either.*

I don't mind telling you I've found joy and gratification in holding to such a course even though I've often "gotten battle scarred" in pursuing it.

What I like or what others associated with me like . . . does not motivate me. I've taken good care of my family . . . my Mother, my Father (when he was alive) . . . and later my Wife and Children, giving them many of the good things in "la dolce vita". . . and sometimes too much.

What motivates me . . . had its early roots in what I learned when we lived in Aurora before we moved to Hibbing. For example, my Dad held the job of school janitor . . . that paid $5.00 a day. In those days you either kept the bosses happy or you lost your job.

I remember the bosses and school officials . . . who frequently came to our home with their hands out . . . to get spaghetti and wine and other gratuities for their regular *"take"* as office holders and bosses. Ever since, I've hated the thought of anyone having to curry the favor of the boss to get and keep his job, instead of holding his job on the basis of his ability to fulfill the requirements of his work.

Later in Hibbing, we had a similar parade to our door of city, county, state and federal keepers of public trust to "demand their pound of flesh". . . for my Dad's wages of $4.20 a day for 13 hours work, 6 days a week . . . and then in depression years, during which one counted himself lucky if he got one week's work every 6 weeks . . . we made and sold wine like many other Italians. After all, with only $25.00 income every 6 weeks . . . a family of four could hardly keep body and soul together.

In addition, during the winters with temperatures falling as low as 30 and 40 degrees below zero . . . I picked up coal that had fallen off locomotive tenders and coal cars along the railroad tracks.

The owners of the mines in North Hibbing also owned the railroad . . . as many of you will remember . . . and they didn't like trespassers picking up coal on their right-of-ways. Fearing to lose his job in the mines . . . *my Dad* asked me to stop scavenging this coal . . . but I didn't. Where else could I get coal for our stove?

When I couldn't pick up enough coal . . . I had to resort to tar impregnated paving blocks for fuel. Can you imagine the stench from burning these creosoted wood blocks in a pot-bellied stove *in our $5.00 a month, 4-room flat?*

Once I stood in a long, slow-moving relief line awaiting hand-outs. I couldn't stomach myself doing this . . . so I got out of the line and I never returned to become the recipient of such doles. I resolved that one way or another . . . I'd figure out how to help our family get along . . . without going to the relief lines . . . so common in those days . . . *by finding ways and means to earn money.* This credo, in turn, has made me *adamantly* against any type of dole or relief except for the helpless and indigent. My belief has always been that the able-bodied can always find a way to earn a living if they so want.

When I was about 10 or 11 years old, I might . . . if "lucky" . . . get a job paying 25 or 50 cents to unload a whole railroad boxcar of coal for the Mesaba Lumber Company in North Hibbing with a two-wheel scraper that was actually bigger than I was. For unloading a whole boxcar of watermelon by hand . . . for the wholesale produce firms . . . I used to get a speckled watermelon for my pay.

Growing older . . . I went to work in a grocery store . . . at Day Light Market . . . at the age of 14. I worked before and after school and all day Saturdays until Midnight. My day on Saturdays started at 5:00 A.M. Starting with unpacking and putting vegetables and fruit on display and helping there and elsewhere in the store . . . in addition they had me mopping the place and cleaning out the meat counters after the store closed at night. *I really appreciated this opportunity to have a job.* However, for all this work, they used to give me a bushel of over-ripe tomatoes or vegetables and fruit for my pay. They were supposed to pay me $2.50 in cash for a week's work . . . but the boss would instead compute what he felt was $2.50 worth of more or less unsalable fruit and vegetables. I felt *I was being taken advantage of.* Later I stood up for my rights and I got $3.00 a week in cash, and later on $5.00 a week . . . but as a result *I have always demanded and seen to it that a laborer, no matter what his work, receives a full day's wages for a full day's work.*

Going to Duluth at the age of 16 . . . I pitched fruit and vegetables like a circus barker from an open air stand. I started at 6:00 in the morning during school summer vacation until 10:00 or 11:00 every night. On Sundays I would hitchhike home to Hibbing to help my Mother in our neighborhood grocery store so that she could go to an afternoon movie. Her hours in the store were from 7:00 A.M. to 11:00 P.M., seven days a week. On Sunday evenings I then would get a ride back to Duluth with the Zinsmaster bread truck.

At Duluth I was exposed to something I am *against*, and that is *a slow-down on the job.* It amazed me when my fellow workers in this particular store corralled me one day in a group and told me I was working too hard and too fast. They told me I had better slow up so that I didn't take work away from somebody else. It was absolutely unbelievable to me that anyone would create a slowdown. This again created in me an antagonism against anyone who didn't give his best efforts to his job and *an honest day's work for an honest day's pay* . . . because he could always quit if for any reason he didn't like his job.

I pitched so hard and barked so loud and long during those days in the open fruit stand that other businesses in the block in Duluth signed a petition and got the city council to pass an ordinance so that there could be no more barking, and as a result I lost my job.

Returning to Hibbing, I again started working in a grocery store in the morning and at night and on Saturdays. While in school, if I felt the teachers dealt fairly with students and I liked a subject, I worked as hard as the best of them. But the reverse was also true!

At one time we had a teacher by the name of Dr. Milo Bail. No doubt many of you remember him. He came to Hibbing High School to set procedures for students. He wanted each student to do a couple of hours homework at night on each of his subjects. This did not seem fair to me, and it would have made it impossible for me to continue with my work in the grocery store.

Instead of accepting this edict and doing the best I could with it. . . I started somewhat of a rebellion in school against Dr. Ball's policies. I even made speeches when Dr. Ball was present in classes. Possibly some of you remember this.

Over the intervening years, Dr. Ball has become Dean of a college in Missouri. Just recently he nominated me for a trusteeship of that college. I became on the 14th of March of this year . . . a Trustee of Missouri Valley College. It pleases me much that over the years he must have realized that possibly I wasn't just a renegade and a maverick who didn't know what he was doing . . . but rather a person who would not bow to edict or rules if in his heart he felt they were unjust.

All my years in school I held steadfastly to this principle . . . if I believed in something. I was 100 percent for it . . . but if I believed it was against the personal rights and privileges and liberties of the individual, I came out openly against it and fought it tooth and nail. More often than not I found myself on the winning side . . . because most always it wasn't for any personal advantage or benefit that I fought . . . but rather for what seemed to me to be right and fair.

Looking back at my crusades . . . (as I call them) . . . few of the projects and programs for which I've battled have been wholly and solely for private, personal gain . . . but rather and instead for the common good in which we all share and gain.

In spending some time in Mexico a few weeks ago . . . and seeing extreme wealth on the one hand . . . and extreme poverty on the other . . . I thought then, and do now . . . that this is what creates Communism. Eventually the poor and impoverished rebel and one way or another will take the wealth away from those enjoying special advantages . . . when they continue to abuse their privileges and don't share fairly with even the illiterates, the poor and the impoverished. Then Communism naturally follows.

Those who are more fortunate must in some way share their good fortune with those less fortunate . . . no matter whether or not those having money and wealth earned it the hard way . . . by dint of their own strenuous efforts and exceptional talents or abilities. Unless they find a way of sharing it, eventually it will be taken away from them . . . so, it is an enlightened selfish interest of the wealthy to see to it that they share their gains, and their good fortune, with those less fortunate, if for no other purpose than maintaining their position that they treasure so much.

Unless they change their income tax in Mexico from the 3% that it is now, to 20% or 25% or more . . . and use the proceeds of it to build better housing, to supply better farm equipment, to help those people to help themselves . . . eventually the poor peons will take away from those favored few of the small specially privileged class . . . the wealth they now hold more precious than life itself.

America has proved a most wonderful land . . . because we have had an enlightened people as the result of the foresight of our forefathers who believed we must provide for those less fortunate.

Individually and as a nation . . . we fully appreciate . . . as no other people and nation have in all history . . . that we must share with the less fortunate. This . . . and this alone . . . makes our people and our nation the greatest since the beginning of time.

When CBS-TV was making a documentary film of Sinclair Lewis' life in Duluth, they stated in an interview with myself and my wife, Lois, in my office last November that some of the favored few in Duluth . . . some of the "Private Club" members . . . declared that I was a traitor to them; that I was a traitor to the businessman; that I was a traitor to the wealthy; and that I was a traitor to the class to which they felt I should belong . . . *because I fought for the common man and the majority and because I favored unions.* They felt I had sold out the business community! . . . and the favored . . . or should we say selfish few who we commonly refer to as "coupon clippers."

My answer is no! What I have done really has been . . . indirectly in the best interest of the favored few, of the selfish, of the wealthy . . . whether they realize it or not . . . because unless someone battles the status quo as I do, and does what he can to share wealth and good fortune, then it could well happen that it will be taken away as years go on . . . from those who have enjoyed special privileges in the past . . . and unfortunately continue to ignore the less fortunate.

Such *shallow allegations* and charges against me have met with deepest resentment and contempt by me, but *have not swayed my course.* I have not done what I have . . . for "do gooder" or "Pollyanna" reasons. Instead, I've simply provided additional opportunity for those who were willing to progress and earn more . . . who have proved themselves worthy and deserving.

In every plant we have had since starting, no matter where, we've had an organized union shop. But we have made every union fight for every inch they got and we have respected the unions because most of them are run by intelligent, progressive people who once they know the peculiar problems of your particular industry, and if you take the time to fight and argue things out with them, to educate them to your business needs and requirements, they will meet you more than half of the way and will not do anything to put you out of business. *As the result of treating employees fairly and giving them what's justly due them, we have not had a strike or slowdown in any of our plants in more than 20 years in business.*

Call it what you will . . . intuition, superstition, or just a selfish instinct on my part . . . but I learned many years ago that if I felt I did right . . . things appeared to turn out right for me . . . and if I did wrong . . . I some how or some way got hurt. In observing this tenet religiously, I find myself much ahead of the game because of having done so.

Often I liken the life of any of us to that of the farmer who must "put back into the soil" something of what he takes out or the next harvest will suffer. In prospering, we have had to "put back into the soil" in one way or another . . . by helping in a common cause for the general good of one sort or another . . . to reap a more bountiful harvest as the years went on. *This pattern of enlightened self-interest . . . you might call it . . . has worked wonders for most, if not all of us, I'm sure.*

Since a mere youngster . . . I've been opposed to bigotry in all forms because I know the price of bigotry. *I am against those who consider themselves in any way better than others.* Money or good fortune doesn't make one person better than another . . . or any group better than another group. *Money and good fortune and physical properties can make a person only more comfortable . . . but never better.*

One can have a better education and have more advantages . . . but this doesn't make one any better than another.

This conviction has not changed in any way since my first experience in this connection as a youngster . . . 8 or 9 years old . . . when I lived on the edge of the iron ore dumps in North Hibbing. I had made a new friend and we played and got along beautifully together. He was Scandinavian and I was Italian. Then one day he invited me to his very nice home. We had been friends for about a month and I had never been to his home. As we reached his front door, his mother was there and she said, "Don't you try to come in you dirty little Wop!" For years as a result I thought to myself, "For one month this boy and I had been friends and having fun, but because I was a so-called "Wop," our friendship had to cease . . . because the mother "didn't like dirty little Wops."

I also ran into trouble with the prejudice that has existed against Jews. I asked, "What makes the Jewish boy any different than me? . . . or the Swede, or the Frenchman, or the American?" . . . *No one to this day has even pretended to offer a reasonable answer.* This feeling of bigotry has created in me an animosity and vile disgust for anything that smells of bigotry. I value my fight and struggle against bigotry in any form and shall continue to speak and fight against it for the rest of my days.

If you are for something . . . or against something, and if your thought and your actions are for the common cause and the common good . . . then you should let nothing stand in your way . . and I cannot say so more emphatically. Whether it is the loss of friends, or the creation of enemies, or the oppression of political bodies, or the pressures of economic groups and corporations . . . you should just tie into them tooth and nail and fight for what you think is right. What you'll gain, far outweighs any economic losses or social recriminations you might endure from those who may be opposed to your views.

In this last gubernatorial campaign we fought hard for the former Governor. We believed that by keeping the state administration democratic like the federal administration . . . that we would continue to garner the benefits (especially for Northeastern Minnesota) such as we had these past few years. *This was my belief, right or wrong.* Yet it was surprising and disgusting to see the letters we got from professional and business people . . . who should know better . . . accusing me of being a traitor and violently criticizing me because I was supporting the former Governor. They felt anybody who was a businessman was a traitor for so doing.

My answer to this was: *"Isn't this America?* Aren't you and your letters and vile statements against the freedom we cherish so much? Aren't you interfering with my personal privilege of choice of political candidates, my choice as to what I want to say, the freedom of speech?" But no, just because they felt this was against the concepts of class distinction, I was judged wrong. *That's why I am 100 percent for the liberties of the individual.*

I regard my business operations as giving me the wherewithal, the funds, the staff, the people, to do the other things I want to accomplish, to achieve my real purpose in life. And when it comes to business, I have been against following in the footsteps of others.

If there is a better way of doing anything . . . do it that way is our credo . . . notwithstanding what might have been years of accepted practice and custom.

I don't believe in pressures, and don't believe in people forcing you to do something. Anyone who has a business is entitled to run that business as he sees fit within the laws of the land. . . in line with the common good . . . and I have tried to run my enterprises that way.

One thing seems generally well-known. . . Jeno is not any paragon of virtue. Only with the somewhat coming of age . . . have I begun to know some moderation.

At the age of about 14 I could and did drink with the best of them; I got into fights with the toughest of them. Where many people got kicked out of the best of places, I got kicked out of the worst places. Do any of you remember the "Old Stables?". . . that was one of them. Then came a time in my life when I was 27 years of age, I decided I had had enough and I quit drinking overnight . . . also smoking a little while later.

But during the days of drinking and smoking before I was married, I did my share and more of carousing during my early days here on the Iron Range and Duluth. This, however, proved good for me because I got that sort of thing out of my system once and for all. Truthfully I can say that in those early days I mixed with the worst of them and as a result, today *I find there's not much difference in people. . . for there's so much good in the worst and a lot of bad in the best*. . . so I can frankly say that there really isn't one hell of a lot of difference between the worst and the best. . . except possibly a different set of circumstances.

In a 1929 Ford . . . during the spring of 1937 . . . I well recall driving around the Hibbing J. C. steadily one morning for hours wondering and debating with myself whether or not I should get out of the car and continue my schooling and working in the morning and the evening and on Saturdays in the Minnesota Market on Howard Street, plus helping my Mother and Sister in the small neighborhood store in front of our home at 2326 Third Avenue South. My ultimate objective was to become a lawyer.

My dilemma was whether or not I should drive off, go to Duluth . . . and accept an opportunity to work as a commission salesman for a Duluth branch of a St. Paul wholesale grocery house . . . and start opening up new accounts and territories on the Iron Range and in North Dakota, and live off of a couple hundred dollars I had saved until I could get my first commission check. I finally decided that I would rather become a marketing man with "the world as my oyster," and with horizons unlimited, than to become a lawyer where possibly even if I was a good one, I would be restricted in my earning power.

In my judgment I would be limited as a lawyer because in that profession I could do only one man's work at a time. In marketing, if I could do it right, I could have many men doing my job, working for me and I could grow and prosper more and faster . . . and that the best basis of all in my judgment . . . if I could do so . . . was to be an individualist and work for myself in my own business.

As a result eventually I went into the Bean Sprout business so I could be my own boss and where there were no limits to my horizons of opportunity.

When one thinks of going into the Bean Sprout business here in N. E. Minnesota . . . doesn't it really prove how great this land of opportunity is? Where else but in America could an Italian go into the Bean Sprout growing business . . . in the predominantly Scandinavian country of N. E. Minnesota . . . and become the world's largest Chinese food packer . . . right here in the shadow of the iron ore dumps? Do we need any better proof of what a great country we live in and how great our people are?

So why have I related the foregoing?

In this way and by this means . . . I have attempted . . . first to indicate how much of a debt each of us owes "Our Parents' Generation" . . . in the founding of this fine institute, Hibbing Junior College . . . and to the fine staff of teachers, professors and deans who have been part of it these past 50 years. *With formal education becoming such an imperative necessity* . . . required to take advantage of the rapidly expanding opportunities in all directions . . . *you can see how valuable Hibbing J. C. has been and will be in this vast changing universe of ours.*

Secondly, let us . . . while continuing to make Hibbing J. C. an ever greater institute over the decades to come . . . in its effect on the lives of all of us in N.E. Minnesota . . . not overlook nor forget the other powerful forces in this area emanating from "Our Parents' Generation" . . . that have contributed so mightily to making each of us what we are . . . and I don't exclude the adversities and hard times in those early days that no doubt have helped to make a good number of us more reliant individuals and individualists who are able to think for ourselves.

Those adversities served to increase our resourcefulness, ingenuity and imagination . . . by having to get along without . . . and to make do and go with what we had. *I submit this constitutes and results in education of the highest order.* Some of us refer to it as the "school of hard knocks."

To anyone inclined towards self-pity . . . and bemoaning . . . as what might look to them as an unfortunate beginning from "Our Parents' Generation" . . . I say "look again!"

This land of America today offers and will continue to present in the future many times the opportunities of that of any other country . . . in the history of the world.

To all of you tonight, I say it has been wonderful being here with you this evening. In our own way . . . let's always thank the Good Lord for being Americans and part of this great heritage of ours and to have had our early education here at Hibbing Junior College.

Hopefully many of you will be at the next 50 year celebration denoting a century of progress of Hibbing J. C. I know I won't be here as well as others of us . . . but just to be at this 50th celebration of Hibbing J. C. with my Mother and Sister and my other dear ones, along with you tonight, will be a memory I shall cherish for whatever years I may have left.

God bless you and good night.

A VIEW OF VICE PRESIDENT HUMPHREY

Mr. McGEE. Mr. President, last month, Elmo Roper authored for the Saturday Review an article which dealt with our Vice President, HUBERT HUMPHREY. It could, perhaps, be called a defense of HUBERT HUMPHREY for the sake of liberals. But the point it makes is that Vice President HUMPHREY needs no defense among those who carry forth the banner of a true liberal philosophy. His accomplishments are many, and to point this fact out, Mr. Roper has listed a number of HUBERT HUMPHREY's proposals long applauded by the liberal community.

Mr. President, the point of Mr. Roper's article is that quite too often the liberals—or, as he terms them, the so-called liberals—insist upon conformity to their viewpoint in all things, permitting only themselves the right of dissent. I ask unanimous consent that the article from the Saturday Review of June 17 be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A VIEW OF H. H. H.

(By Elmo Roper)

Since this article just might be construed by some as an attack on "liberals"—or at least self-proclaimed liberals—perhaps it would be an act of discretion on my part to present my credentials:

I have been favorable to labor unions since my college days and have several highly esteemed friends—such as Jack Potofsky—in the movement still. I was the first national fund-raiser for the Urban League, was on its board for many years, and have been a member of the NAACP since the days of my Redding friend and neighbor, Walter White. For eighteen years I served as a member of the Connecticut Commission on Civil Rights, and for a time was its chairman. I voted for Al Smith, Norman Thomas, Franklin Roosevelt, Harry Truman, and Adlai Stevenson, in that order. Add to that, current membership on the board of the Fund for the Republic, Freedom House, and the Population Crisis Committee, and decide for yourself whether that adds up to a general liberal or a generally conservative position.

I have gone to the trouble of listing this information because I am very unhappy today with a large segment of people who vigorously proclaim themselves liberals and yet scream when some other liberal disagrees with them on *anything*. It seems to me that the ability to tolerate dissent without abusing the dissenter is—or ought to be—the cornerstone of any liberal philosophy.

And yet today a good many of my friends who insist they are liberals are heaping abuse on Hubert Humphrey because he happens to disagree with them on the virtues and vices of the war in Vietnam. I believe everyone has a perfect right in this country to a viewpoint on Vietnam; all I am insisting is that Hubert Humphrey has that right, too—and that includes the right not to be regarded as "an ex-liberal" or a "traitor to the cause of liberalism" by those who disagree with his viewpoint—however right they may be in opposing that viewpoint.

For twenty-five years Hubert Humphrey has acted as the spearhead of liberal causes and has probably done more to push the liberal cause forward than all of his current detractors put together. But since so many of the self-proclaimed liberals seem to have short memories, let's list here—as a reminder—some things for which Hubert Humphrey was, in large part, responsible:

Human Rights: Mr. Humphrey's record in human rights hardly needs recounting. Under his leadership as mayor, Minneapolis adopted the first municipal Fair Employment Practice ordinance in the nation in 1947. At the 1948 Democratic National Convention his work in drafting a strong civil rights plank and his subsequent speech before the convention brought him to national prominence. Once elected to the Senate, Mr. Humphrey began to introduce bills to protect and strengthen the rights of all Americans. In March 1949 he sponsored an antilynching bill. In April he introduced a bill to establish a Commission on Civil Rights. In June 1951 he introduced a federal Fair Employment Practices bill to prohibit discrimination in employment because of race, color, religion, or national origin; a bill to outlaw the poll tax in national elections; a bill to provide equal access to and use of public interstate transportation; a bill to protect existing rights guaranteed under the Constitution or federal law; and a bill to protect the right of political participation.

Virtually all of these Humphrey human rights proposals, so "extreme" and "impractical" in the early 1950s, have since been written into law. The passage of the historic Civil Rights Act of 1964 climaxed Hubert Humphrey's sixteen years as chief civil rights spokesman in the Senate.

Food For Peace: Mr. Humphrey's concern with utilizing American food stocks to aid hungry people dates back to his earliest Senate days. In 1950 he introduced a bill to send wheat to India and Pakistan. His Food for Peace proposal, which authorizes the use of foreign currencies obtained from sales of surplus U.S. food for promoting local economic development was introduced on February 25, 1954. All subsequent Food for

Peace and Food for Freedom programs have been based on Mr. Humphrey's 1954 bill. Senator George McGovern has said "Humphrey was the Congressional father of the Food for Peace program."

Medicare: In 1949 one of Mr. Humphrey's first proposals was to establish a program of health insurance for the elderly, financed through social security. Congress, however, refused to act on it. Mr. Humphrey reintroduced the bill himself in the 82nd and 83rd Congresses, then asked Senator Anderson to sponsor it in 1955 and in subsequent years. The King-Anderson Medicare Bill passed in 1965, sixteen years after Hubert Humphrey first introduced his original measure.

Aid to Education: Hubert Humphrey was an early and constant supporter of federal aid to education. In 1949, his first year in the Senate, he introduced legislation authorizing federal assistance for the construction of elementary and secondary schools. In 1952 he co-sponsored with Senator Murray a bill to establish a federal scholarship program for college students. In January 1957 he introduced three measures providing for 40,000 federal scholarships coupled with grants to colleges for facilities, loans to college students, income tax credit for college tuition payments, and federal assistance to states for school construction. These bills were virtually ignored until the Soviet Sputnik of October 1957 prompted President Eisenhower and Congress to seriously consider the need for federal contributions to general education. Mr. Humphrey pushed vigorously for the inclusion of scholarships in the National Defense Education Act of 1958, although the final bill authorized student aid only in the form of loans and graduate fellowships.

Arms Control and Disarmament: Although Hubert Humphrey had voiced the need for disarmament in Senate speeches beginning in 1950, his substantive accomplishments date mainly from the work of the Disarmament Subcommittee of the Senate Foreign Relations Committee. In April 1955 he sponsored the resolution to establish the subcommittee which was approved in January 1956. Mr. Humphrey was made subcommittee chairman.

Nuclear Test Ban: The groundwork for the nuclear test ban of 1963 also was laid in the Senate Disarmament Subcommittee (Hubert Humphrey, chairman) during the late 1950s. In October 1956, Mr. Humphrey's subcommittee released a report on the technical aspects of nuclear weapons testing and urged that the United States pursue the negotiation of a test ban among the nuclear powers. By 1958 Hubert Humphrey was speaking frequently on the floor of the Senate for a test ban and was receiving strong support in Congress and from the public for his efforts. In 1959 he introduced a Senate resolution to "support the efforts of the United States to continue to negotiate for an international agreement for the suspension of nuclear weapons tests. . . ."

A "limited" nuclear test ban treaty was signed by the United States, Great Britain, and the Soviet Union on July 25, 1963. Mr. Humphrey then led the Senate to ratify it on September 24, culminating more than seven years of personal effort for a ban on nuclear weapons tests.

Peace Corps: On June 15, 1960, Mr. Humphrey introduced the first bill to establish a program to send young American volunteers overseas for teaching and economic development programs. This was four months before Senator John Kennedy espoused the idea in his Ann Arbor campaign speech. After John Kennedy was elected, Mr. Humphrey introduced the Administration Peace Corps bill which became law in 1961.

To disagree with Hubert Humphrey's stand on the Vietnam war is one thing; but to heap the opprobrium, to hurl the invectives that many "liberals" are loosing today is quite another. Too many times in the past forty years have I seen the effectiveness of good liberals destroyed by the carping criticism of other so-called liberals who seem to insist on conformity to their viewpoint.

Many years ago my good friend Estes Kefauver asked me how I reconciled being a frequent critic of some of his methods and yet was one of his three or four best campaign fund-raisers. I gave him an answer that I still wouldn't change much today:

"Roper's Law for judging U.S. Senators goes like this: If a Senator votes as I would have voted had I been a Senator 40 per cent of the time, I'm disappointed in him. If he votes as I would have voted 60 per cent of the time, I'm pleased with him. But if he votes as I would have voted 80 percent of the time, I begin to worry because he probably can't be reelected."

I suggest that philosophy is worth the consideration of those self-proclaimed liberals who argue loudly for the "right to dissent" and then show by their actions that what they mean is *their* right to dissent—*from them.*

SUPERSONIC TRANSPORT

Mr. HARTKE. Mr. President, few Government-sponsored projects offer the financial returns that are expected of the supersonic transport, now due to enter its prototype construction phase.

Royalty on each aircraft sold begins flowing back into the Federal Treasury the moment the first commercial delivery is made. On this basis, the Government is expected to recoup all of its investment on the first 300 airplanes sold. The total investment plus interest would be returned by the 500th delivery, and the Government would continue to share in the profits until at least 15 years after the plane is certified.

In view of Boeing's estimate that by 1990 a market is expected to exist for at least 650 SST's, with a more likely number being 1,100, I believe this project represents a sound investment for all parties involved.

I ask unanimous consent to have printed in the RECORD a recent Time magazine article which elaborates on the financing of the SST.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW THE SST WILL BE FINANCED

"If you don't do a hell of a job," warned Federal Aviation Administrator William F. ("Bozo") McKee, you sure stand to lose a hell of a lot of money." McKee was talking to negotiators from Boeing and General Electric, shortly after the terms of their FAA contract to build the U.S. supersonic transport were settled. Signed on May 1, and made public in detail last week, the contract is, according to McKee, "one of the toughest that has ever been written." It is certainly one of the biggest.

Calculating the potential market for the SST with conservative care, the FAA figured that sonic-boom problems would limit the aircraft to routes over oceans and sparsely populated areas. On that basis, it predicted sales of 500 planes, at $40 million each, by 1990. By the time the first SST is delivered to an airline in late 1974, the cost of building two prototypes, production facilities and parts inventories will total some $4.5 billion, including $3.43 billion at Boeing, which is assembling the airframe, and $1.07 billion at engine-building G.E.

The contract provides for cost sharing between the Government and the builders on a 90%-10% basis—but only for some expenses. Boeing will actually get only $726 million in cash-on-the-line federal funds. To appease a reluctant Congress, ten U.S. airlines currently holding options on the SST volunteered $1,000,000 in "earnest money" for each of the 52 planes they have ordered. Future "progress payments" from airlines should come to $1.35 billion; tax relief in the development phase will mean another $310 million. In all, by 1975 Boeing will have scraped up a fantastic $1.06 billion on its own. G.E. will face a more manageable risk of $420 million.

Risks & Rewards. Financially, the FAA is determined to let the builders fly on their own after the prototypes are built, though the U.S. may well help Boeing with its huge capital needs by guaranteeing some loans. Even so, the Government's share of the $4.5 billion development bill should come to no more than $1.3 billion. The Government should easily recover all of that through royalty payments with the sale of the 300th plane (so far, including foreign orders, options have been taken on 114 U.S. SSTs). After that, Government royalties will be all gravy; by the sale of the 500th, for example, the return on the taxpayers' investment will be climbing beyond a compound annual rate of 4%.

Boeing and G.E. share most of the risks—and they are in for most of the rewards. It will probably be 15 long years before they recoup their costs, but they could earn more than 11% to 12%, after taxes, on their investment, which makes for quite a deal.

THE ANNUAL DEBATE OVER THE RISING DEBT LIMIT

Mr. McGEE. Mr. President, writer Clayton Fritchey took a look at the annual debate in Congress over the rising debt limit and, in a column printed in yesterday's Evening Star, made the point that it is a rather pointless debate. His viewpoint certainly has its merits. I commend it to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONGRESS SHOULD STOP THE YEARLY DEBT MINUET

(By Clayton Fritchey)

Now that Congress has authorized another increase in the national debt and the republic has once more been rescued from the brink, perhaps consideration can be obtained for a motion to swear off this annual opera.

In the closing days of the debate, before Congress began its Independence Day recess, the House rang with shouts of "baloney," "nonsense" and "irresponsibility" from both sides of the aisle. For once the epithets were in order.

Almost every year the administration (be it Democratic or Republican) marches up Capitol Hill to inform an always horrified Congress of new deficits in the budget and to request legislation to raise the federal debt ceiling.

The ensuing minuet is invariably the same: First step—shock and indignation at the profligacy of the executive branch; second step—warnings that big spending has got to stop; third step—predictions that a soaring debt will ruin the country and break the back of future generations; fourth step—tentative refusal to authorize a higher limit; last step—capitulation.

The travesty of this constantly repeated mock performance is the solemn pretension of Congress that it has any real alternative to raising the ceiling, for the only other course open to it is to bring the entire government to a halt.

The point of the hypocritical exercise is to put on a show of congressional devotion to thrift, economy and a balanced budget. But Congress knows, even if the voters don't, that the debt limit cannot regulate spending. It can only paralyze the Treasury's ability to meet the obligations that Congress itself has created.

As Treasury Secretary Henry Fowler has pointed out in his quiet, rational way, if Congress wants to influence the course and amount of spending by the government, it can do so by its action on appropriations or recessions of specific spending authority—and that, of course, is the proper way for Congress to regulate spending.

The Treasury cannot spend a dime that the Congress does not previously authorize. It controls the purse. The debt limit change is designed solely to enable the government to pay its bills, meet its debt obligations and carry on vital activities such as the Vietnam war.

Congress knows this, but a majority of the House, including every Republican voting, defeated the bill before it was later revived and passed.

The Senate also has given its approval, so all is well for the time being, but there is no assurance we won't be exposed to this dumb show again as soon as the new ceiling requires adjustment.

It can only go on this way because Congress has for years exploited or kowtowed to the seemingly unshakable myths that cling so tenaciously to the national debt, especially the fixation that there is something inherently bad about a rising debt.

This expands into the belief that it is an overhanging burden, that it must be paid off some day (suggesting a day of reckoning is ahead), and finally that the interest on it is going to eat us out of house and home—none of which is true.

The fact is that the federal debt, which rose to $329 billion in 1966, has on balance been a blessing to the economy. It probably will never be paid back, any more than the present corporate debt of $533 billion will be retired.

Americans now living may very well see the federal debt climb to a trillion. If it does, and if it stimulates the economy as it has for the last 30 years, Americans will be living on a scale undreamed of now.

Actually, the federal debt in real per capita terms has gone down, not up, owing to the tremendous growth of the country. It has dropped from $1,911 per capita in 1946 to $625 in 1966. In the depression it cost about $1 billion a year to service the federal debt, as against about $13 billion now, or an increase of $12 billion. Meanwhile, however, personal income in the United States has gone up more than $500 billion a year.

It is also interesting to note that, while the total federal debt went up 28.4 percent between 1950 and 1966, in the same period personal debt increased 448 percent, corporate debt 219 percent, and state-local debt 348 percent.

Moreover, at the end of World War II the federal debt was greater than the nation's gross national product, but today it is only 45 percent of the GNP.

The argument that the budget is a danger to the free enterprise system, says Fowler, is like the notion that our deficits are increasing in real terms—"altogether untrue." Federal spending was a bigger proportion of the economy in the 1950s than it is today.

C. PERRIE PHILLIPS, CONNECTICUT PERSONNEL COMMISSIONER

Mr. RIBICOFF. Mr. President, C. Perrie Phillips, Connecticut's new personnel commissioner, is a son of the Confederacy and a son of the American Revolution by family lineage. He also is a resident of Connecticut by choice, and we in the State are very glad that he is.

Perrie Phillips has served Connecticut well, having a distinguished record as deputy finance commissioner and State auditor. I had the pleasure of working with Perrie myself and the good fortune of benefiting from his many and unique skills during my term as Governor. He is a man of vast and stimulating experience and talent. Mr. President, I salute C. Perrie Phillips as a delightful individual and a truly brilliant public servant. I ask unanimous consent that an article published in the Hartford Courant be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOLDIER, LAWYER, EMPLOYE CHIEF

(By Jean Tucker)

C. Perrie Phillips is a Son of the Confederacy and, on his mother's side, is descended from the Perrie family who were given what is now the State of Arkansas as a baronial fief.

His great, great, great uncle, Francis Johnson, was vice president under Martin Van Buren and his great, great grandfather was the last territorial governor of Arkansas to name just two of his illustrious ancestors.

The story of how he has become Connecticut's new personnel commissioner might make the novel he plans to write some day. It would have the necessary sensitive, restless hero—well-born with brains and dash—adventure, a variety of locales, romance, drama, humor and famous people.

In his 44 years, the quick-thinking, quick-moving, quick-talking Phillips has covered a lot of ground. He said the other day, though, in a typical dramatic pronouncement about himself, that he'd done all the living a man should do in a lifetime before he was 23. (Such remarks are made often, but more for effect than to be believed, and they punctuate his consistently interesting anecdotes).

In those first 22 years, he'd been born in Los Angeles, his father's hometown; lived in Bronxville, N.Y., and West Hartford; went to Paris or Brittany annually to visit his maternal grandparents who spent six months of every year in France; attended Romford School in Washington; was graduated from Williams College (with a B.A. in political science and a Phi Beta Kappa key) and joined the U.S. Army.

WOUNDED TWICE

Because he could speak French fluently, he was assigned to military intelligence. He was soon wounded twice by American fire and almost killed by a German machine gun bullet which zinged through the earpiece on a head 'phone he was using while he was on reconnaissance.

"At 22," he says, "I was the sole tenant with an unlimited drawing account in a gorgeous chateau with five servants," when he was assigned to observe movements near the Jural Mountains.

When World War II ended, Phillips, still 22, went to South America, "I bummed around for six months with a beard and a typewriter," he said, carting the typewriter through jungles and the idea of writing a novel—"like another million ex-G.I.'s," he said.

In South America, he eventually met an American airline stewardess, and when she returned to Miami base, he followed her.

There, he was met by military intelligence personnel who first grilled him for six days about an Ecuadorian revolution he had just bumped into, and then convinced him he should re-enlist with them. He did so and remained either in active intelligence or reserve until 1964.

At headquarters, there was a secretary, "the most beautiful girl I'd ever seen in my life," Perrie said. He borrowed some money from her so he could date the stewardess, but when he received his first pay check, he repaid her and also took her to dinner.

Three weeks later they were married. In August, they'll celebrate their 21st wedding anniversary with their three children.

When doctors ordered Mrs. Phillips to a cooler climate in 1949, they decided to move from Miami to New Haven where her family lived. From there, Phillips entered Yale Law School.

"So, I wouldn't have to go to work," he says, "and to prepare myself for strategic intelligence." For a lazy student, he did rather well, however. He was graduated with honors, 10th in a class of 150.

When he tried for a job in intelligence, he was unsuccessful. Preparing for it and seeking it openly immediately made him suspect, he says.

THAI CONSULTANT

But after a year in a government agency, he became a consultant to the Thai Police force in Bangkok. His family went with him and his middle daughter, then a year, learned to speak both Chinese and Thai before she spoke English. "I couldn't talk to her, because I didn't know any Chinese," he complained.

The stint in Bangkok lasted three years, and it was a marvelous experience for everyone. Phillips would have stayed longer, but his wife decided "This is no place to raise American children."

"It is not a great place for an American woman either," Phillips admits. When he'd been there a short time, he was invited to a reception.

"Delighted," he said, "What time should my wife and I get there?"

"Oh, so sorry," was the answer, "but wife will be provided on arrival."

The Phillips' came back to New Haven, and Perrie joined what is now the law firm of Sachs, Sachs, Giamo and Sachs. He hated the private practice of law, however, and spent only a year at it.

And then Eugene Rostow who at that time was dean of the Yale Law School, recommended him to Gov. Ribicoff who was looking for a young lawyer for his staff. Phillips worked for Ribicoff as a special assistant for two years, then became Deputy Finance Commissioner and finally State Auditor.

He's been called Gov. Dempsey's brain trust, because he doubled as speech writer and drafter of legislation, as well as one of the policy makers for the Democratic Party. And during the last session of the legislature, Perrie was the man to see if you wanted to get a bill through.

A lobbyist who saw him often says, "the leaders would farm out decisions to him; and for us, he was understanding and cooperative to the extent that he could be. He's a gentleman and open-minded."

C. Perrie Phillips, as well as being a son of the Confederacy, is a son of the American Revolution on all four sides. His paternal grandfather was Henry Wallace Phillips a writer who created Red Saunders, "a real cowboy, not one of these pretty boys," whose exploits appeared frequently in the Saturday Evening Post. This grandfather lived with the Dakota Indians for a time and wrote the only Dakota dictionary.

WRITES AS HOBBY

A former colleague says Perrie "can really put words together." Perhaps his talent comes from this grandfather. At any rate, Phillips writes as a hobby. But he's never tried to sell anything.

"It's not good enough," he explains in his abrupt manner, "and I'm a pretty good judge of stuff, including my own."

Some people call Phillips "high strung"

but add that he hates formality and red tape. He describes himself as "casual in a temperamental way." At any rate, he's brilliant, a pacer, and a voracious reader. He smokes four packs of cigarettes a day, sips coffee constantly, prefers Jack Daniels straight and is thought charming by many.

Not everyone thinks of him as a son of either the Confederacy or the Revolution, however. But this is to be expected with such a mercurial chap, and though there are some who might find him irritating, no one could ever find him dull.

COMMUNITY DEVELOPMENT FOUNDATION REPORT

Mr. RIBICOFF. Mr. President, throughout American history the people of this country have demonstrated a deep compassion for human suffering.

Americans have traditionally worked to bring assistance to distressed peoples at home and around the world.

This concern for those less fortunate than we are has, in recent years, increasingly found expression through the social welfare activities of American voluntary organizations working to help others build richer and more productive lives.

There are many of these agencies which depend on voluntary contributions from the American public to carry out assistance and self-help programs in developing countries around the world, and in disadvantaged areas in this Nation.

One of these organizations—the Community Development Foundation—has its headquarters in Norwalk, Conn.

The Community Development Foundation has emphasized the self-help approach to domestic and foreign assistance.

Results show that self-help programs are highly effective in raising the living standards of disadvantaged people and young nations.

For the past 7 years, Community Development Foundation, a private, nonprofit, American agency, has been applying the principles of self-help and demonstrating what can be achieved through community cooperation.

One of its major objectives is to advance the well-being of people living in less developed areas of the United States and abroad on a basis that enhances their self-respect, and in a manner which inspires the good will of other nations for our own country.

The Community Development Foundation was established in 1959 after a period of exploration in the techniques and methods of self-help which indicated a strong potential for fostering social and economic progress.

It has a record of experience with 12,000 community self-help projects in 25 countries around the world, including the United States—in Appalachia and among the American Indian tribes of the Southwest.

What is community development? It is a people-directed program for self-improvement. The needs it recognizes are those expressed by individual persons in a village or community group.

The aims it sets are those selected by the local inhabitants. The tasks it supports are those at which the people freely work.

It begins with a new look at the causes of discontent and moves toward an answer that offers fulfillment.

It creates an ever-growing confidence in man's ability to find new and better ways to increase income and to build a better life.

As we assess our national foreign aid program in line with the idea of self-help and community development, it is helpful to examine how the work of the Community Development Foundation—CDF—has opened up new opportunities and new concepts of freedom and equality for thousands of village people in Europe, Latin America, Africa, Asia, and in our own pockets of poverty.

As an agency registered with the Advisory Committee on Voluntary Foreign Aid, of the Agency for International Development, and as a nongovernmental organization with United Nations consultative status, CDF operates a service designed to help people help themselves through demonstration programs working directly with village self-help and in programs cooperating with national governments.

The foundation has also supported projects recommended by community development experts of the United Nations and U.N. specialized agencies.

With the help of Community Development Foundation, people around the world have been able to build roads to new markets, plant vineyards, put unused acres into production, build docks for better fishing and sea commerce, increase their crops, improve the quality and production of farm animals, construct reservoirs for pure water, install electrical systems and irrigation systems, repair their homes, enlarge their schools, and establish health and recreation centers for more wholesome and abundant living.

The largest and most dynamic program was initiated in Mexico—a community development program in collaboration with the Government of Mexico.

Originally, the cooperative program was a pilot project, limited to five zones. It spread into 16 and then 21 zones.

As eager Mexican villagers—demonstrating their capacity for self-help—built hundreds of miles of roads, erected classrooms, constructed town water supplies, sanitation and irrigation systems for their communities under the cooperative plan, the Mexican Government expanded its program to keep pace with the growing needs and aspirations of the people.

In December 1964, the Mexican Government initiated its own national program. Food grown in Mexico was used to aid villagers in Mexico while they actively participated in community activities. By the end of 1966, this new program, the national program, had surpassed the cooperative program in scope and accomplishment.

Today the prodigious amount of human energy that has been put into both the cooperative program, adding up to 5,027,250 man-days, and the national program, an additional 3,190,237 man-days, in Mexico shows an impressive total of 8,217,487 man-days worked by villagers on some 9,546 projects.

Community development in Mexico has grown to become a $24,344,918 project.

The village people in Mexico have made 68.6 percent of the investment themselves, and it is they who are the senior partners in the venture.

Behind the statistics are the warm human stories. Three brief examples will suffice here.

Compesinos in a remote farm village of Yucatan were motivated to build a road which would connect them with a new market for their crops. It took 2 months of backbreaking labor with picks and shovels to complete the road, and present farm incomes are greatly improved.

Through self-help, the men of Amatitlan built an airstrip 350 meters long, shearing off a mountain to do it, so that medical help would be readily available to the isolated town.

When a tornado destroyed a banana crop, the economic mainstay of nine towns around San Blas, reducing sales from 6 tons a day to 3 tons a week, community development workers encouraged planters and field hands to organize volunteer groups to clear the fields, restore the land, and replant the crops.

In Latin America, CDF technical services are welcomed and widely used. National programs in the Dominican Republic, Guyana, and Honduras have received CDF aid in training personnel, using food incentives, and keeping records through an IBM computer system.

President Joaquin Belaguer, of the Dominican Government has stated:

> I consider community development today as one of the renovation movements for Latin America. It is already a very important factor in economic, social, moral and political transformation. . . . In the urban as well as in the rural zones, private groups are giving economic and technical assistance to many projects of community development. . . . In this form a healthy social integration is being produced in which the most powerful groups pool their resources and techniques toward the creative efforts of the less favored population.

His government has recently approved a contract to utilize more CDF services for statistical reporting, program evaluation, and administrative counseling.

In Brazil, Community Development Foundation participated in the creation of a program between the private sector and local governments which has resulted in the introduction of textile factories in the favelas in Rio de Janeiro.

Now in cooperation with Brazil's Minister of Health and U.S. AID, the foundation is helping the Government of Brazil to expand a national program of community development.

The foundation's longest and broadest experience has been in demonstration programs.

Following up an experiment initiated by Save the Children Federation, in the villages of Greece in 1954, the foundation continued and expanded a program for rural areas in France, Finland, Italy, Korea, Lebanon, and in parts of the United States.

Foundation counselors encourage families and neighbors to work together for a variety of community improvements.

With the support of a CDF counselor and the opportunity to use a small CDF loan or grant, community leaders awaken the people to the potentials of their own manpower to achieve long-dreamed-of goals.

Projects are chosen and carried out voluntarily by village people with their contributed labor and native materials.

The value of self-help is confirmed by looking back at the early demonstration projects as they continue to bear fruit.

Many have generated a succession of additional projects, and a number have shared the self-help idea with neighboring villages where it has also been productive.

The little Greek village of Oropos proved self-sufficient after four village projects, and another town, Geronium, became economically self-sustaining after six cooperative village projects.

Both villages continue to progress without any foundation assistance today.

In Lebanon and Korea as well as in Greece, many villages now initiate and carry out most of their projects alone, turning to the foundation only for interest-free loans which are conscientiously repaid and then made again available for other community improvement projects.

In Kfune, Lebanon, near Jubail, a small town with 130 children and 150 adults, three projects were initiated in 1 year.

To clothe the village children, the women contributed their labor and the use of their machines while a local merchant gave yard goods enough for a dress or suit for each child. To make schools and markets easy to reach, the men of the town improved a mile and a half of road.

The third project renovated the schoolhouse with paint and plaster and a new large glass window.

These projects together were done at the cost of 32 cents per child.

Then the community launched two more ambitious projects—first improving village chickenhouses for healthier hens and better egg production; then planting a community almond orchard, 50 trees per family, which has increased village income.

In the United States, the Community Development Foundation has been working to stimulate community improvement through 412 self-help projects for Appalachia and 251 others to benefit the American Indians in the Southwest.

Since the passage of the Economic Opportunity Act in 1964, the foundation has provided training services enabling community leaders to shape the programs they need to overcome some of their basic causes of deprivation.

With the help of CDF, disadvantaged people of Elliott County in Kentucky planned and operated an OEO project that combined preschool training, work training, recreation and scholarship programs.

Later the OEO provided funds for a program conducted by CDF to train community leaders in four counties of the East Lake Cumberland area.

Following project demonstrations by foundation counselors, Sandoval County Pueblo Indians of New Mexico received a grant for the first American Indian program of Operation Headstart, and more recently another to provide health aids, home enrichment and adult education.

How do foundation ideas accelerate results for less-developed countries beginning their own economic improvement programs?

First, through a counseling method which supports and develops local leadership to find and mobilize local resources rather than to depend on outside aid.

Second, by using U.S. Public Law 480 title II food to sustain the strength and enthusiasm of people who offer volunteer labor on community improvement projects.

This helps to channel the food where the need is greatest, assures adequate nutrition for the arduous hand labor and motivates continued and widespread participation.

Third, CDF officers developing nations the advantages of computers in handling economic and social problems.

An International Data Processing Center established in 1966 in Norwalk, Conn., by the foundation, provides records for thousands of projects in Mexico, the Dominican Republic, France, Greece, Lebanon, Korea, the United States, and South Vietnam.

The speed, flexibility, and accuracy of computerized service cuts redtape and permits efficient allocation of resources to keep economic projects moving steadily forward.

Monthly or quarterly reports help governments know what is happening with every project in the program, point out trouble spots needing immediate attention, analyze the successes and failures, and indicate remedial steps for improvement.

They also serve as work incentives for villagers whose proud record of contributed manpower motivates them to renew and often redouble their efforts.

The foundation also provides cash grants and technical assistance for some small projects administered by others. Such projects have proven successful in Tanzania, the Philippines, Morocco, Cameroon, Italy, Finland, Egypt, and Ecuador.

One of these projects with the Tanzania Community Development Trust Fund is the Mangomeni Teachers Training School near Dar es Salaam where safe and constructive care of children is available while young mothers engage in community activities.

Another recent project helped to introduce solar cookers to improve the diet for African schoolchildren.

The foundation's most recent project is an extensive training program of special teams to work with refugees in South Vietnam, under a contract with the U.S. Government's Agency for International Development and the South Vietnamese Government.

Initially, the training program is centered in Qui Nhon in Bin Dinh Province, where there is an urgent refugee problem.

The program is aimed at teaching displaced South Vietnamese to help themselves.

To carry out this program, the foundation has assembled an international staff of specialists who work under the direction of the foundation's director for Vietnam.

The refugee situation is not merely a problem but also an opportunity to advance the skills and education of an important segment of the South Vietnamese population so that, to the degree that it is possible, they might be enriched during this period.

For this reason, personnel are being trained to handle vocational and home industry training for people in refugee centers.

To help them do a better job, CDF trains mobile teams of Vietnamese workers to work with refugees.

The use of CDF computer technology will keep records of the training program activities.

A feedback system assures that training will be fully understood in spite of the language barrier.

Such teams show villagers how to protect themselves, instruct them in rebuilding their houses, help them to put in a clean water supply and improve their fields.

Thus, even while war rages around them, hope stays alive and learning for productive living goes on.

The philosophy of CDF is based upon respect for the village people everywhere.

CDF counselors do not tell people what they should do; instead, they work to motivate people to think and plan and work together to accomplish those things the village people consider most important.

The executive director of Community Development Foundation is Glen Leet, formerly the head of the United Nations Community Development Unit.

His experience also includes many years in the field of public administration and public welfare in the United States and a distinguished record in Greece as UNRRA Director of Welfare and Repatriation.

Leet expressed the purpose of the foundation very simply when he said:

> If we can show a village how to use its idle manpower to build a road to market, an irrigation system to its fields, or a water supply to its homes, and inspire local leadership to keep working at such improvements, we've done our job. We leave behind a belief that people can help themselves.

Now as our Government seeks new and positive ways to create a world of greater opportunity and advantage, the achievements of the Community Development Foundation acquire major significance.

This international agency whose work pleases people and governments alike and inspires the confidence of the private sector, invites individuals everywhere to support its program and thereby to buttress our national public effort. The foundation maintains headquarters at 345 East 46th Street, New York, and in Norwalk, Conn.

Reports of its work are available on request.

SENATE HAS WAITED TOO LONG—TIME TO RATIFY HUMAN RIGHTS CONVENTIONS IS NOW—C

Mr. PROXMIRE. Mr. President, as I speak today on the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery, I wish to note that this marks the 100th time during the 90th Congress that I have urged the Senate to ratify these conventions.

Someone asked me the other day: "Why do you speak daily? Do you really think your daily statements are accomplishing anything?"

Well, Mr. President, I can only cite the progress that has been made since January.

The distinguished chairman of the Foreign Relations Committee [Mr. FULBRIGHT] appointed an Ad Hoc Subcommittee to consider and report on the Conventions on Forced Labor, Political Rights of Women, and Slavery.

During February and March the subcommittee under the able chairmanship of the senior Senator from Connecticut [Mr. DODD] held hearings on the three conventions.

The lead-off witness before the subcommittee was the exceptionally gifted U.S. Ambassador to the United Nations, the Honorable Arthur J. Goldberg.

I was delighted to testify before the subcommittee in favor of Senate ratification along with dozens of distinguished representatives of American labor, religious, legal, and civic groups.

The subcommittee has since reported the three conventions to the full committee where, it is hoped, they will soon be considered and favorably reported to the full Senate.

Mr. President, I want to emphasize that it is entirely possible that all of these events would have transpired without my daily statements on the Senate floor. However, nothing had happened for 4 years on any of these human rights conventions.

So, with the belief that my daily reminders to the Senate might be doing some good and having some impact, I shall continue.

But the advocates of Senate ratification of the human rights conventions will not be satisfied or mollified with the approval of three of these five conventions.

The Senate has an obligation to ratify the Convention on Genocide and the Convention on Freedom of Association.

So, Mr. President, in response to the original question: I speak daily, because I believe the Senate has a responsibility to the American people, to the United Nations, and to people everywhere to put the United States squarely on record on the fundamental question of human rights by ratifying all the human rights conventions.

ADDRESS BY DR. ROLAND I. PRITIKIN TO PEARL HARBOR VETERANS

Mr. DIRKSEN. Mr. President, Dr. Roland I. Pritikin of Rockford, Ill., delivered a speech to the Pearl Harbor veterans several years ago, and it has been suggested that it would be appropriate to have it included in the CONGRESSIONAL RECORD. Accordingly, I ask unanimous consent that it be printed following these remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

The greatest threat to world peace today are the immoral imperialists in the Kremlin. For twenty years, they have been able to hold the upper hand, because we have been on the defensive. In that time, they have committed hundreds of deeds of deception, and broken pledges around the world. There are three methods by which we can take the offensive, and put them on the defensive.

1. A daily complaint for censure by the U.N. Example: Everytime Soviet or satellite arms and equipment are found in the hands of subversive organizations in the newly emerging nations of Africa or elsewhere, a complaint should be lodged.

2. A daily diplomatic note of protest or proposal. Example: When the Hapsburg empire was dismembered after W.W. I, Czechoslovakia, Austria, Hungary, and Yugoslavia were created. These countries were not satisfied with their national boundaries, because at some time in history they all overlapped each other. Furthermore, they all suffered economically by the partition. One of the many examples is the following: Czech lumberjacks would float down the Danube on their rafts and work in the wheat fields of Hungary all summer and fall. Thus, they were employed the entire year. Hungarian factory workers, when unemployed, would go by train to Czechoslovakia and frequently have a job immediately. Thus, all were employed the entire year. This was impossible after partition, and resulted in great unemployment and poverty. Our proposal should be to form a Danubian confederation based on the provincial boundaries, which have not changed during the centuries. This would be a federal union consisting of Bosnia, Herzegovina, Croatia, Montenegro, Albania, Wallachia, Moldavia, Slovakia, Ruthenia, Bukovina, Bohemia, Moravia, Transylvania, etc, etc. The people living in that area would consider this plan a god-send, but the imperialistic dictators in the Kremlin would consider it a calamity for them, but would not dare oppose this openly.

3. The Soviet constitution guarantees liberty of conscience, but only Jews are still persecuted, because of their religion. Furthermore, people persecuted for religious reasons in the past in every country on earth, have been free to leave. This is not the case with the imperialists in the Kremlin. They will permit no one to leave. We should protest vigorously the cold programs of today, in the same manner that presidents Arthur, Cleveland, Harrison, McKinley, Theodore Roosevelt, Taft, and Wilson protested the hot programs of the Czars.

Some of our problems in combating the immoral imperialists in the Kremlin has been apathy, and lack of knowledge of what they are doing around the world. They are exponents of the "wedge-technique," and the "divide-and-rule" system, which they call "the-balance-of-power," or "support-of-the-weaker" of two antagonists. Many of these antagonistic situations have been their own creation. They want two of Germany, China, Viet Nam and Korea. They want disputes and friction to continue in North and South America, Africa, Asia, the Middle East, the Caribbean, and Oceania.

To overcome the enemies of peace and freedom a contemporary Moses would give us these ten commandments.

1. Give strength to America by accepting your responsibilities and privileges, whether it be jury duty, military duty, or voting.
2. Be healthy and alert. Overcome the "wedge-technique."
3. Be strong for education.
4. Support freedom from corruption.
5. Support freedom from crime.
6. Support freedom from want.
7. Support freedom of communication.
8. Support freedom of conscience. Remember that if there is no religious freedom for one, there is no religious liberty for all. Overcome prejudice no matter how difficult.
9. Support absolute justice for all internally (in the U.S.A.).
10. Support absolute justice for all externally (in our dealings with other countries).

Respice—look back in history, and learn from it.

Aspice—behold the historic facts unfolding in the space and nuclear age.

Prospice—look forward, remembering that the heresies of yesterday are the facts today, and that some of them will be the sophistries of tomorrow, and the superstitions of the day thereafter.

Will the immoral imperialists in the Kremlin be Hitler's heirs?

Will they be permitted to continue in their immoral, sinful, criminal, and illegal behavior?

The quickest way to prevent them from accomplishing their despicable aims is to carry out the program outlined above. If we are alert and determined, all that is necessary is that we will it. If the world is to have Peace and Freedom, we must stop them on their evil path.

NATIONAL CEMETERY SHORTAGE

Mr. BREWSTER. Mr. President, the decreasing availability of burial sites for our Nation's veterans has long been a matter of concern to me. We have only enough space to bury one-fortieth of our veterans who are living today, and it appears that we have no plans nor any disposition to acquire more space. I strongly decry this policy which would deny those who serve our country the right to be buried in a national cemetery.

In the past, I have written to both the President of the United States and the Secretary of the Army, asking for a review of national cemetery policy with an eye to expanding existing facilities and reactivating closed cemeteries.

I ask unanimous consent to have printed in the RECORD an article written by John E. Davis, the national commander of the American Legion, which appeared recently in Parade magazine, in order that Senators may have an opportunity to profit from his suggestions.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOR THE DEAD

(By John E. Davis, National Commander, the American Legion)

More than a century ago, at the close of the Civil War, the American people made what they believed to be an eternal pledge to the men and women of their armed forces: Rich or poor, famed or unheralded, you have earned the right to be buried in a national cemetery, where your memory and your service will be forever enshrined.

Today, the pledge has been broken by the Department of Defense, the powers in the Pentagon have quietly decreed in typical governmentese that the burial right of our veterans and servicemen must be "phased out through a nonexpansion policy" because there is no more room in the rich earth of America for the men and women who have served her so well.

In a series of communications to the

American Legion over the past year, the Defense Department has stated that our military cemeteries are rapidly overcrowding and that it has no intention of expanding the area made available.

As things stand, more than 40 million Americans are eligible for burial in fewer than 1 million grave sites. And the situation is getting worse, because, since the beginning of World War II, the number of eligible veterans has been increasing at a rate of almost 1 million a year.

The "no room for veterans" policy was announced by Army Secretary Stanley R. Resor more than a year ago. And as national commander of the American Legion I have received many hundreds of angry letters on the subject from aging veterans who had expected that Arlington or another military cemetery would be their last resting place.

These are no longer young men—almost 2 million of U.S. veterans are over 70. They are men who fought in World War I and the Spanish-American War—and there are even three hardy survivors of the Indian wars. How can we explain or justify to such men—who served in their youth—that their service has now been downgraded, that they are no longer fit to be buried beside their comrades?

That the right of burial in a national cemetery for both servicemen and veterans has been clearly established by law is without question. And the refusal of our government to honor this right, this sacred pledge of our forebears, is a rank and undeserved injustice to all who bear arms for this country today and to every veteran who has borne them in the past.

THE LAND IS THERE

We are told that there is no more room for our veterans, no more hallowed ground in which to bury our honored dead. But the truth is that there are millions and millions of acres of available land, owned by the government and scattered throughout the 50 states, which apparently has not even been considered by the Department of Defense.

When we have arrived at the point where our existing cemeteries can no longer be enlarged, why should we not set aside some of these lands as appropriate sites for veterans' cemeteries? They could be located fairly close to our major population centers, where friends and relatives could conveniently visit them. I believe the upkeep could be kept to a minimum by enlisting the aid of local veterans' groups.

My second proposal is that responsibility for our national cemeteries—now scattered among the Defense and Interior Departments, the Veterans Administration, and the American Battle Monuments Commission—be combined under the single authority of the Veterans Administration. Traditionally, the Veterans Administration has been more sympathetic to, and more understanding of, the needs of our former servicemen and women. Most important, the Veterans Administration can and will give full time and attention to this deeply human problem.

Surely, on this, the 191st anniversary of our Declaration of Independence, it is not too much to ask that Americans who have served their country be served upon their return, that they be granted their final rest in hallowed ground.

BYU DANCE GROUP HAS BEEN ACCLAIMED WORLDWIDE

Mr. BENNETT. Mr. President, the Brigham Young University's Folk Dancing and Singing Group, from Provo, Utah, has been widely acclaimed during their numerous tours abroad. Their performance has delighted audiences the world over.

They make a very interesting contrast to the pop, op, and hippie groups that are so much on American television and in the American press.

It has been my great privilege to see their show on many occasions. A few years ago the BYU singers and dancers appeared here in Washington, where they were enthusiastically received.

The Ambassador to Portugal, W. Tapley Bennett, Jr., has written me a letter telling of the overwhelming response they received when they appeared recently in Portugal and Brazil. I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EMBASSY OF THE UNITED STATES OF AMERICA,
Lisbon, June 28, 1967.

Hon. WALLACE F. BENNETT,
U.S. Senate.

DEAR SENATOR BENNETT: I want to write to tell you what a great success the Folk Dancing and Singing Group from Brigham Young University has been here in Portugal. The recent visit was a repeat of their visit to Portugal last year.

The primary purpose of their visit was to appear at a National Agricultural Fair at Santarem, about an hour and a half drive up the Tagus River from Lisbon. They also gave performances in other nearby communities and in an International Folk Festival here in Lisbon, and appeared on Portuguese television.

Several Portuguese groups took part in some or all of these affairs and there were groups from several European countries including Belgium, Bulgaria, France, Ireland, Italy and Spain. True to communist practice, the Bulgarians sent a highly skilled, professional group; other national groups were well coordinated and of long experience. But our young people from Brigham Young University were unqestionably the big hit. They were the ones the people wanted to see, and they were universally welcomed and applauded. People of all walks of life have commented to me about "the young Americans" on the television program, and I think it fair to say that this has caused more comment at different levels of the population than any other event in my year here—at least more people have spoken to me about it.

On my first meeting with the group at the Agricultural Fair I was so impressed with the clean, outgoing qualities of all these pretty girls and fine looking young men that I went back the second day at their request and had the pleasure of marching with them in the international parade which wound through the streets of the medieval town. In the evening performance, which went on until two in the morning, when I went forward to the platform at the urging of the Festival Director and the young Brigham Young University student who performs the Indian dance to receive an Indian feather, there was very warm applause from an audience of about three thousand people to show their appreciation of the American presence.

When the group came down to Lisbon I had the opportunity of having them all to the Residence for a late afternoon gathering. After being away from home for awhile they all seemed to enjoy the hamburgers which they had been missing in the local diet. For our part, it gave us an opportunity to invite some Portuguese university students; the resulting songfest was a treat for the whole neighborhood.

I just thought you might be interested in an account of the fine impression made in this country by some of these young people from your State. It was one of the most impressive groups I have seen in a long time, and I don't think we need to worry about the broad appeal of our country for people abroad when we have outstanding representatives like the Brigham Young University group traveling and making friends.

I hope you and Mrs. Bennett will be coming to see us again here in Lisbon.

With warm personal regards,

Yours very sincerely,
W. TAPLEY BENNETT, Jr.,
Ambassador.

THE STALLED WAR IN VIETNAM

Mr. GRUENING. Mr. President, the leading article in the current issue of U.S. News & World Report, owned and edited by the well-known nationally syndicated columnist David Lawrence, who has strongly supported the administration's policy in Southeast Asia, is entitled "Stalled War: Now What?" It points out that Secretary of Defense Robert McNamara "will have to report back to President Johnson after his ninth visit to this war area that the military situation is not really encouraging."

The article goes on to say that—

> The U.S. military here is offering the same prescription as before: more combat troops.

The article quotes a ranking U.S. officer:

> Strategically, the enemy has regained the initiative from us.

Under the subheading "Heavy Casualties," the article points out, in the words of one officer:

> The casualty picture is changing for the worst. We're now losing more than one marine killed or wounded for every enemy killed, at least known killed.

The article continues:

> A "war of attrition," say U.S. officers, is just what the Reds want. They are willing, these sources believe, to lose heavily as long as U.S. losses are high also.

For more than 3 years I have, on the floor of the Senate, repeatedly pointed to the folly of our military engagement in Southeast Asia.

Two years ago the Mansfield report, issued jointly by our distinguished majority leader and concurred in by four of our able colleagues, EDMUND MUSKIE, DANIEL INOUYE, GEORGE AIKEN, and CALEB BOGGS, indicated that we were engaged in an open-end war and the more that we escalated the more our adversaries would also escalate. This has happened and will continue to happen. This is the price we are paying for the folly of engaging in a land war on the continent of Asia which our ablest military leaders—Douglas MacArthur, Matthew Ridgway, and others—repeatedly warned us not to do, and which, indeed, President Johnson in the 1964 campaign clearly indicated he did not propose to do. Yet we are doing it.

Every time our military leaders urge the "one more step" which is designed to bring our opponents to their knees and secure victory, we get deeper and deeper into the Asian quagmire.

An entirely new policy is needed. We should make a far greater effort to get out on the best terms possible. Nothing can be gained and much will be lost by prolonging and increasing the slaughter of our own fine boys, whose deaths now have passed 11,000, with over

60,000 wounded—some of them most horribly crippled for life—and the steady and increasing drain on our other resources. There is nothing that we can really win by this course. How long will it take to have these truths appreciated by those who make policy?

I ask unanimous consent that the article entitled "Stalled War: Now What?" from U.S. News & World Report, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the U.S. News & World Report, July 17, 1967]

STALLED WAR: NOW WHAT?

SAIGON.—Robert McNamara, the Defense Secretary, will have to report back to President Johnson after his ninth visit to this war area that the military situation is not really encouraging.

Gen. William C. Westmoreland assured Mr. McNamara on July 7 that the war "is not a stalemate"—but the physical evidence argued against him.

The initiative now is more on the Communist side. The U.S. effort has become largely a "holding action."

The U.S. military here is offering the same prescription as before: more combat troops. Already U.S. forces total 466,000. Military commanders say they need 100,000 additional men as soon as possible—another 200,000, up to about 750,000 before real results can be shown.

REDS' NEW POWER

One discouraging report from U.S. commanders on the scene: During the past few months, the North Vietnamese and the Viet Cong have not only been able to absorb the impact of the massive U.S. build-up in 1966, but have increased their manpower and firepower capabilities.

Communist weapons are getting more and more sophisticated. Latest in the arsenal: armor-piercing antitank guns. Expected next: antiaircraft cannon.

Hanoi, judging from intelligence reports, has established an effective replacement system. Thus, the "war of attrition" involving heavy casualties on both sides is having little effect on Communist manpower and initiative.

Says a senior U.S. officer: "The situation is not as bad as in 1964–65 when we were moving from an advisory role to an active military role with troops in Vietnam. But the situation is by no means as favorable today as it was in 1966."

From a ranking officer, this comment: "Strategically, the enemy has regained the initiative from us."

Result, say the experts, is that the U.S., while holding its own in some key areas, is unable to get up the momentum it had last year.

"In simple terms," one source said, "it is a stalemate."

BRIEFING FOR M'NAMARA

This kind of evaluation, it was understood, was what Mr. McNamara was getting in the closed-door briefings in Saigon by General Westmoreland and members of his staff and from officers in the field. Mr. McNamara arrived with a team of Pentagon experts on July 7. He had said prior to arrival that the U.S. manpower situation was not the sole item on his agenda, and that the military situation was not as bad as depicted.

Facts available on the scene here put the picture in new focus.

For example: The U.S. has not been able to mount a major offensive operation since "Junction City" last February. At least one big operation planned for the spring was postponed because there were not enough troops available.

Instead, General Westmoreland has had to redeploy his manpower to be ready to react to Communist attacks. The enemy, officers emphasize, is choosing the time and place of battle.

Stressed is this fact: U.S. troops have badly hurt several large North Vietnamese and Viet Cong units. Yet, to date, no single large enemy formation has been destroyed. Crippled units have been rebuilt, put back into action.

ACTION ALONG DMZ

The hot spot right now again is along the Demilitarized Zone dividing South and North Vietnam. Heavy fighting raged there in late April and May, part of what American commanders believed was a Communist spring offensive.

That offensive was blunted. U.S. marines and South Vietnamese conducted a sweep through the southern part of the DMZ in an effort to clean out enemy fortifications. It had little success.

On July 2, up to 3,000 troops of Hanoi's 324B Division began another push across the Demilitarized Zone supported by one of the heaviest artillery barrages they had ever fired. After 24 hours of bloody fighting the marines pulled back. Then U.S. artillery, tanks, planes and warships loosed a massive barrage and broke the back of the offensive.

HEAVY CASUALTIES

The marines lost about 100 killed, more than 200 wounded. Said one officer: "The casualty picture is changing for the worse. We're now losing more than one marine killed or wounded for every enemy killed, at least known killed."

A "war of attrition," say U.S. officers, is just what the Reds want. They are willing, these sources believe, to lose heavily as long as U.S. losses are high also.

The North Vietnamese, for instance, now are emphasizing the infiltration of replacement troops rather than units. And in the DMZ area, says one source, Hanoi is able to rotate regiments in and out of battle regularly to reorganize, rearm and rest.

U.S. intelligence estimates put the North Vietnamese infantry strength at about 55,000 in the South. Hanoi has been able to maintain this level despite interdiction of infiltration routes.

According to knowledgeable sources, Hanoi has moved about two thirds of its 16 divisions south of the port of Vinh in the southern panhandle.

"They are taking a tremendous gamble," said one experienced military observer. "They apparently think that the threat of Chinese intervention and the American political situation will prevent the U.S. from exploiting the situation."

Actually, says this source, "North Vietnam is ripe for an Inchon-type landing." It was at Inchon in Korea that Gen. Douglas MacArthur landed troops behind enemy lines, changing the pattern of the war.

A U.S. invasion of North Vietnam would be one solution to the problem of infiltration. Since such a major escalation is unlikely, officers here say U.S. troop levels must keep rising to match the enemy's capabilities.

What makes the U.S. posture at the DMZ so shaky is Hanoi's ability to replenish ammunition and supplies there. It is much easier than waging war in the central highlands, for example.

Furthermore, presence of surface-to-air missile (SAM) installations in and just north of the DMZ rules out the use of giant B–52 bombers. And fighter-bombers have been unable to wipe out the anti-aircraft weapons set up in the zone or eliminate the artillery the Communists have placed there.

These were problems posed to Mr. McNamara during his visit to Vietnam.

THIN AGAINST A THREAT

The threat of a Communist offensive in the central highlands also was raised. That area now is drenched by monsoon weather, and bombing is less effective.

U.S. troop strength there is not sufficient for General Westmoreland's needs. If an enemy offensive is launched there, it would become necessary to prune the three-brigade "Task Force Oregon" in troublesome Quang Ngai Province on the coast to beef up forces in the highlands.

Or General Westmoreland would have to strip forces further in Third Corps around Saigon, the capital. These forces already are too thin for comfort.

Dispersal of troops, it is stressed by experts, is just what the Reds want.

"We frequently are in the position," says a senior officer, "of sending one or two companies out to look for an enemy regiment. If you find the enemy you are bound to take losses, no matter how badly you hurt the other side. This suits the Communists just fine. They don't have a problem at home of explaining casualties or calling up their manpower reservoir."

WHAT HOPE OF HELP?

One aim of Mr. McNamara's visit, it was understood, was to obtain a new evaluation of the chances of the South Vietnamese Army's taking a more active part in combat.

U.S. staff officers would like to see the South Vietnamese elite battalions, airborne and marines, for example, put into combat more often. These units usually spend more time guarding Saigon against coups than they do in the field.

The Regular Army is committed to providing security for the pacification program. It is not expected to be of much help in alleviating troop shortages.

Whether General Westmoreland gets part or all of what he wants depends on the impact an on-the-spot assessment has on Mr. McNamara, and on Mr. McNamara's report to President Johnson.

Judging from what experts say here, the situation is not likely to improve without more American troops.

THE INCREASING RATE OF CRIME

Mr. BYRD of West Virginia. Mr. President, I have spoken out many times on the increasing crime rate, both in this city and in the Nation as a whole. There is no question in my mind that this trend is in some measure due to the increasingly liberal attitude taken by the Supreme Court, making it more and more difficult for our police to carry out their already dangerous tasks.

In this regard, I invite the Senate's attention to an editorial entitled "Coddling Criminals Helps Keep Violence Increasing," published on July 8 in the Huntington, W. Va., Advertiser.

The editorial writer states:

> The restrictions imposed upon law enforcement officers by the courts and by executives of their agencies are preventing the arrest and conviction of criminals.
>
> Possibly even more important, they are overwhelming police and other officers with frustration and preventing arrest of those who are making a career of violence.
>
> The people will never gain the protection they should have until they demand through insistent protest, and through the ballot, protection of the police in the discharge of their duty and prompt prosecution and punishment of those who live by violence.

I believe this editorial should be read by every Senator and every judge, for it makes the point that cannot be stressed too often: We are not going to have a safer society by releasing known criminals from jails or by making it harder and harder to put these murderers, rapists, and robbers behind bars in the first place.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record as follows:

Coddling Criminals Helps Keep Violence Increasing

Efforts of some members of the American Bar Association to restrict the publication of crime news are similar to the action of the U.S. Supreme Court in granting new protections to criminals.

For some reason that no one has yet explained, both developments have taken place at a time when the spiraling national crime rate has reached the highest level in history.

Neither grew out of any evidence that a great many people were being convicted of crimes of which they were not guilty.

On the other hand, a series of Supreme Court decisions granting new constitutional rights to prisoners has unquestionably resulted in the release of those obviously guilty of rape, murder and other serious crimes.

In spite of this, ultraliberal jurists, attorneys and others have maintained that the unprecedented decisions of the court have not contributed to an increase in crime.

Since scores of prisoners, some of them of the most vicious character, will be set free under the decisions, this is like arguing that crime will not increase in proportion to the number of criminals running at large.

If this were true, then the states and the federal government should release all their prisoners and save themselves the cost of maintaining penal institutions.

But there is no reliable evidence that this is true in the nation as a whole. On the contrary, although major crimes have been reported to have declined 15 per cent here during the 1966–67 fiscal year, the Federal Bureau of Investigation announced last month an increase of 20 per cent during the first quarter of this year in the country.

This was the heaviest increase for any quarter since the FBI began publishing crime statistics in 1958.

Statistics show that rapes, assaults, murders and robberies increased from 224,130 in 1958 to 313,740 in 1964.

There is no record to show how many crimes have been committed by those released through the leniency of courts, but the FBI has repeatedly reported that many violations are traced to criminals who have been granted paroles or probation.

In at least one case of record, Andrew Mallory of Washington, who was freed of a rape conviction by the Supreme Court merely because he had been held for seven and a half hours between his arrest and his arraignment, went to Pennsylvania and committed another similar crime.

In view of the increasing violence, it is impossible to see on what basis the Supreme Court makes the conviction of criminals more difficult.

It is equally difficult to see why at this time some members of the American Bar Association have become so concerned over the publication of crime news.

There has been much discussion of the case of Dr. Sam Sheppard, Cleveland osteopath, who had been convicted of murdering his wife.

His appeal went to the Supreme Court, and Justice Tom Clark wrote the opinion holding that "massive, persuasive and prejudicial publicity" deprived the defendant of a "fair trial consistent with the due process clause of the Fourteenth Amendment."

In another trial Dr. Sheppard was acquitted.

From all the evidence, the newspapers of Cleveland did step far beyond the bounds of propriety in handling the case before and during the first trial.

The natural presumption would be that this might have influenced the jurors against the defendant.

On the other hand, there is no conclusive evidence that the first jury erred and the second one righted the wrong. The first could have been right and the second one, which returned a verdict of not guilty, could have been wrong.

Important factors that might have influenced the second jury to an erroneous judgment have been largely ignored. One of these factors was the amount of publicity given to efforts of the defense to gain a new trial.

This publicity went on for a long time. It could have created sympathy for the prisoner, with the strong feeling that he had been done an injustice.

Another important factor that could have influenced the second jury to a not guilty verdict was the psychological influence of time in softening the public toward anyone charged with crime.

But possibly most important of all was the influence that the Supreme Court's decision granting a new trial could have had on the jury that voted acquittal.

This is in no sense a challenge of the justice of Dr. Sheppard's release. It is a challenge of those who seem to be concerned only with the rights of prisoners at a time when good citizens throughout the land are paying for judicial leniency with their lives and billions of dollars of property every year.

The restrictions imposed upon law enforcement officers by the courts and by executives of their agencies are preventing the arrest and conviction of criminals.

Possibly even more important, they are overwhelming police and other officers with frustration and preventing arrest of those who are making a career of violence.

Even the series of reports by the President's Crime Commission seemed to indicate more concern for protecting prisoners' rights than for protecting the public from rape, robbery, mayhem and murder.

The people will never gain the protection they should have until they demand through insistent protest and through the ballot protection of the police in the discharge of their duty and prompt prosecution and punishment of those who live by violence.

The weeping sentimentalists on the bench and off have for too long kept the cart before the horse while criminals prospered and the public suffered.

THE WORLD'S EXORBITANT MILITARY EXPENDITURE

Mr. HARTKE. Mr. President, the amount of money being expended by the nations of the world for military hardware has reached the astounding astronomical total of $200 billion annually.

Columnist Inez Robb recently pointed to that sum and properly commented on this investment in war potential in contrast to the needs of a world where, as she puts it, "millions live a marginal existence on intimate terms with hunger, debasing poverty, disease, illiteracy, and despair."

We can talk as we will about the comparative ease with which our own economy absorbs the cost of Vietnam and of our own vast military budget. But when these and the comparable expenditures of other nations are put in the context of what the same sums could do if applied constructively to the world's problems, it gives us pause—particularly when, if Miss Robb is correct, our own share is half that of the total.

It is a terrible indictment that a writer of Miss Robb's stature can conclude as she does that:

> Materiel is obviously more important than man. So we and other nations go on buying more and more matches in a tinder world. As we ignite those matches in Vietnam, in the Middle East, in the Congo, wherever new conflagrations appear, we seem to become increasingly insensitive to the human values and human suffering involved.

Mr. President, I ask unanimous consent that Miss Robb's column, which appeared in the Washington Daily News of June 20, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record as follows:

Playing With Matches

Once more the world has probably avoided blowing itself to bits. But, no doubt, it will have ample opportunities to succeed in the future, since it is playing with matches to the tune of approximately $200 billion annually.

That incredible sum—two hundred billions of dollars—is what the nations of the world now spend every 12 months on military hardware. The sum is even more massive and maniacal when it is written as $200,000,000,000.

That colossal figure represents the investment in war potential by both the have and the have-not nations in a world where millions live a marginal existence on intimate terms with hunger, debasing poverty, disease, illiteracy and despair.

If in only one calendar year that sum could be invested in aiding the earth's wretched, it might herald the transformation of this planet into a place fit to receive Martians or Venusians, or whoever is in those UFO's.

And if, by some phenomenon, that sum could be plowed annually into the betterment of humanity over a 10-year period, we might achieve a miracle that would lead to salvation for both man and his world.

But that is more than wishful thinking; it is fantasy. No one in power and his right mind is going to subvert a red cent of that sum from armaments, least of all the U.S. We annually ante up a third to a half of that tremendous sum for war and war materiel.

For the coming fiscal year the House has approved a record "peace time" defense appropriations bill of $70.3 billion. Of that sum, $20.3 billion is said to be earmarked for the undeclared war in Vietnam.

However, that is only part of the story. The House Appropriations Committee warns that "the tempo and cost of the war in southeast Asia are on the upward trend" and that "the cost of wars can never be projected precisely."

Thus, $70.3 billion may not pay the whole military bill during the next 12 months. So the committee has warned that the pitcher may have to return to the well.

Nor does that warning put "finis" to the story. The $70.3 billion is in addition to an estimated $43.7 billion now available to the military establishment in funds previously appropriated by Congress.

That makes a tidy total of $114 billion as a possible outlay for military expenditures in the new fiscal year beginning next month.

And the end is not yet. Hidden billions, tucked away in the budget, pay for the annual operations of such hush-hush groups as the CIA. Authorities in these matters estimate that the CIA operations cost a minimum of $10 billion a year.

So, on any abacus, the all-over figure totes up to $124 billion. Or, for the coming year, well over 50 per cent of the $200 billion that the world will spend this year on preparations for war.

The U.S. is very, very rich—the richest nation in history. But can even the U.S. indefinitely support the constant escalation of war funds? Especially at the expense of man himself?

How can any congressman, voting such huge military expenditures, cry "economy" when—by comparison—piddling sums are asked for public education, for the eradication of poverty, for the elimination of disease, for unpolluted air and water, for better housing and for reconstruction of rotting cities?

Materiel is obviously more important than man. So we and other nations go on buying more and more matches in a tinder world.

THE OUTCOME OF THE RECENT WAR IN THE MIDDLE EAST

Mr. GRUENING. Mr. President, amid the vast reportage and editorial comment on the historic developments in the Middle East, a column written by Kenneth Crawford, a veteran able journalist, in the July 17 issue of Newsweek gives about as good a condensed summary as may be found anywhere. I have only a couple of comments to amplify Crawford's summary.

He states:

> The United States' devotion to Israel is more sentiment than practicality. Its long-range interest is, of course, in peace and stability for the Middle East.

It would be my view that while the attitude of the United States toward Israel has not been consistent or uniformly favorable—since in our foreign aid program we have given vast sums to the sworn enemies of Israel, such as Dictator Nasser's Egypt—a folly which some of us in the Congress finally ended—without attempting to demonstrate that "long-range interest in peace" which Mr. Crawford indicates to be U.S. policy, to wit John Foster Dulles' hostile position both to Israel and toward our then traditional allies, Britain and France, when he took the side of Egypt and Soviet Russia in Nasser's seizure of the Suez Canal in 1956—our Nation's attitude should be unqualifiedly favorable to Israel for the following reasons:

Israel is an oasis of democracy in a Middle East desert of backwardness and dictatorship. Even more than that, of the nearly 70 countries that have been born in the wake of the anticolonial revolt all over the globe since World War II Israel is the outstanding example of liberty and democracy. Its people enjoy government by consent of the governed, freedom of speech and press. In short, Israel is the counterpart in its ideology and actions of what the United States professes to be our own ideal and course of conduct.

Since the United States professes that it is interested in maintaining the basic freedoms throughout the world and is likewise engaged—most unwisely, in this instance, in my view—in what is allegedly an effort to promote democracy in Southeast Asia, where it has never existed and where the representatives of that hope scarcely live up to the billing, it would seem almost inevitable that we should support Israel as a shining example of democracy for the whole world. So our support should not be based, as Mr. Crawford suggests, on mere sentiment.

We might add that in addition to these qualifications Israel is one of the few countries that publicly acknowledges its debt to Uncle Sam, makes no secret—as do practically all other countries—of the benefits of the foreign aid which we have given it, and is also helping backward nations by sending its technicians to aid some of them.

Finally, one cannot but agree with Kenneth Crawford's concluding sentence; namely, that the outcome of the brief war in the Middle East and Israel's brilliant victory—certainly the most brilliant in modern times and perhaps in all history—could have been worse—much worse.

One may shudder to think what would have happened if the Arabs had won and had succeeded in their 19-year-old unremitting threats to exterminate the Israelis. Actually, secret captured orders reveal that they were determined to massacre every man, woman, and child. That would, in the circumstances, have presented the United States with a real problem, which fortunately the Israelis' courage, intelligence, and superiority in all the qualities that count, spared the free world.

A strengthened Israel, secure against the unceasing threat of aggression and sporadic raids by the surrounding Arab nations, with a population 50 times as great and an area a thousand times as large, is essential for the peace of mankind and the perpetuation of the decency and enlightenment which that little nation embodies. All free men have a stake in its maintenance and not least the Nation which represents the largest democracy on this planet, our own.

I ask unanimous consent that Kenneth Crawford's article entitled "Middle East Outcome" be printed at the conclusion of my remarks, and that it be followed by my comments, entitled "Jordan Had Ordered Its Troops To Kill All the Inhabitants of Captured Israel Villages."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MIDDLE EAST OUTCOME

(By Kenneth Crawford)

Debate on the Middle East crisis in the United Nations General Assembly was not an edifying spectacle. It must have been disillusioning to hopeful idealists, if there are any left, who still think of the U.N. as the world's last best hope for peace. Facts were twisted; logic was distorted; tortured semantics were confusing. Yet, after much nonsensical talk, the Assembly did the only sensible thing in the circumstances: it did practically nothing. So, in the end, reason somehow prevailed.

The facts were clear enough to defy obfuscation, try as the would-be obfuscators did. The Israelis were quite clearly the aggressors in the sense that they assumed the offensive. But the Arabs were obviously the aggressors in a more fundamental sense. They had insisted that a state of war between Egypt and Israel never ceased to exist after the British-French-Israeli attack on the Suez in 1956. They had closed the Strait of Tiran to embargo shipping by that route to an enemy. They had announced it as their firm purpose to drive Israelis into the sea and to destroy the Jewish state.

FORMIDABLE BLOC

How could the Arabs contend that the Israelis should be punished for a war already started and for striking first in defense of their existence? The Arabs could, and did, by ignoring inconvenient facts and by enlisting the support of nations willing to do the same thing. The Soviet Union, which had invested heavily in arms for the Arabs in the hope of banishing Western influence from the eastern end of the Mediterranean, was more than willing for reasons easily understood. Gaullism, always eager to get even with the U.S. for rescuing France from Hitler and from economic collapse after Hitler, joined up, too. Together they assembled a formidable bloc.

Had the U.S. been actuated by cynical short-range self-interest, it would have joined the Arab bloc itself. It has extensive oil involvements in the Arab countries and it has fostered them with food and other help for the Arabs. It has no comparable stake in Israel. Neither has it any treaty obligation to defend Israel, only statements of policy underwriting the territorial integrity of all the nations of the area and open passage to the Gulf of Aqaba. Its devotion to Israel is more sentiment than practicality. Its long-range interest is, of course, in peace and stability for the Middle East.

In the showdown, neither the Soviet-supported resolution demanding that the Israelis surrender unconditionally the Arab territories they seized during the six-day war nor the U.S.-supported resolution tying withdrawal to recognition by the Arab states of Israel's right to live won the required two-thirds majority.

THE 10TH POINT

This left Israel in possession of the Sinai; the eastern bank of the Suez; the Gaza Strip; Jordanian territory on the Israeli side of the River Jordan, including all of Jerusalem, and Syrian hills overlooking Israel. There is no reason to doubt Israel's capacity to hold these acquisitions. Possession being nine points of the law, time in the normal course will take care of the tenth point if the Israelis want it to.

Meanwhile, the conquered territories can be held hostage to peace negotiations. In their present irrational mood, the Arabs won't talk. But they may come to it eventually even if the Russians go through with their threat to rearm Nasser and his allies. Egypt's economic plight is already desperate and will get worse. Syria and Jordan are in similar straits. The squeeze may produce upheavals of leadership in any or all of these countries. A period of explosive instability is inevitable. Having established themselves as the Arabs' best friend, the Russians will have an advantage in maneuvers to exploit this situation. But the West also has friends—silent now but perhaps not always—in the area. It also has a better reputation for generosity and helpfulness than the Soviets and more advantageous markets for Arab oil.

The U.S.-Soviet confrontation induced by the crisis was inconclusive. Eyeball to eyeball, neither blinked but both averted their gaze. There seems to be tacit agreement that neither will permit itself to be drawn into a Middle East shooting war but otherwise to disagree. Party leader Brezhnev has defended his country's refusal to intervene by force and promised only further "political struggle." Secretary Rusk has denied that the U.S. has any idea of imposing a peace settlement on the nations of the Middle East. And that is where matters now stand. This outcome could have been worse—much worse.

JORDAN HAD ORDERED ITS TROOPS TO KILL ALL THE INHABITANTS OF CAPTURED ISRAEL VILLAGES

Mr. GRUENING. Mr. President, a few weeks ago, King Hussein of Jordan, spoke before the United Nations, where he warned the General Assembly that if Israel were allowed to keep "even 1 square foot" of the land it had taken, the United Nations would never again be able to make a cease-fire stick anywhere. His speech followed the usual pattern of what has become the Arab party line: injured innocence, claims of Israel aggression, charges of Western imperialism. This was followed up by a visit to President Johnson to ask for additional economic and military assistance which coincided with reports from Amman that the Jordanians were disillusioned with Nasser and were seeking new policies to take into account the realities of the Israel military victory.

On June 27, 1967, I pointed out that this kind of hypocrisy could not be accepted. I stated:

> Before the outbreak of this 4-day war the Israeli Government sent messages to the king urging him not to attack and saying that if he did not there would be no counterattack or action by the Israeli troops across the Jordanian border. King Hussein not only rejected this peace offer but rushed to embrace Nasser, joined him in his attack, started the bombing of Israel and brought upon himself the inevitable reprisal.
>
> He has no case whatever in the record of history or in the court of public opinion. He is and should be thoroughly discredited for his double-dealing, for his aggression, and for the folly deliberately embarked on, which not only cost many lives of Jordanians but quite a few Israelis who did everything in their power to obviate action on the Israel-Jordan front. Hussein has no legitimate claim of the kind that he makes. He alone is responsible for the loss of previously Jordanian territory.

This morning we see another example of his hypocrisy. Under the caption "Three Arab Leaders Meet in Cairo," the New York Times carries a front-page picture of King Hussein at the Cairo airport, being warmly embraced by the architect of Arab aggression, Gamal Abdel Nasser.

When the Israel forces swept through Jordan's west bank, they captured numerous top secret documents in the files of Jordanian military headquarters which proved that Hussein had planned a systematic aggression against Israel. These consisted of special orders issued to military units in the west bank for Operation "RA'AD" which involved orders to raid and destroy Israel settlements and to kill their inhabitants. These orders were found in the headquarters of all the Jordanian brigades positioned on the west bank. The orders were issued by the senior Jordanian headquarters of the west bank and provided that they would be issued to the battalions to carry out at such time as the west front headquarters decided to put into action the operations. As stated in the orders every raid was allocated to a force of infantry battalion strength with supporting artillery and engineers. All the raids were planned on the same system in all the brigades; that is, for one company to break into the Israel settlement, destroy it and kill all the inhabitants, another company to provide support, and a third company to block off any Israel forces coming to the relief of the settlements.

I ask unanimous consent for the inclusion in the Congressional Record of a translation I have obtained of the top secret order found in the files of the Imam Aly Ben Abi Taleb Brigade, stationed near Ramallah. The target specified in this order is the Israeli colony of Motza in the Jerusalem Hills. The date of this order is June 7, 1966. A second order was found at the brigade headquarters which is dated April 1967 which is identical to the first except that it provides for an attack on the Sha'alabim Settlement in the Latrun bulge.

The orders state unequivocally that the intent of the planned military operation is to kill civilians and to destroy the civilian settlements. It states that:

> The aim of H.Q. West Front is to raid Motza Colony, to destroy it and to kill all persons in it.
>
> The Brigade Reserve Battalion will raid the Colony Motza, will destroy it and kill all its inhabitants upon receiving the code "HADHAD" from Brigade H.Q.

In light of these documents it is impossible to escape the conclusion that Jordan plotted aggression against Israel and was a willing partner in the Arab policy to destroy Israel. This must be taken into account when the Foreign Assistance Act is considered by the Senate in the near future in relation to the amounts which the President will undoubtedly request for continued economic and military assistance to Jordan.

There being no objection, the top secret order was ordered to be printed in the Record, as follows:

[Top secret]

(Copy No. 4, H.Q. Imam Aly Ben Abi Taleb Brigade (Operations). Registration No.: A'1/1/1. Date: 7th June 1966.)

Special Operational Order "Operation (RA'AD)."

Ref. Maps: Jerusalem, Ramallah, Salfit, Ag'ur, Lud, Yafo—Tel-Aviv, 1:50000.

To: Commander Reserve Battalion 27th Brigade.

1. SITUATION

A. *Enemy:*

(1) The enemy forces in MOTZA Colony (16471342). The inhabitants number about 800 persons, engage in agriculture and have guard details in the colony.

(2) The colony mans five night guard-positions around it.

(3) The colony is surrounded by slit-trenches which are manned when necessary.

(4) The colony has barbed-wire fences.

(5) The houses of the colony are built of concrete, and some have red-tile roofs.

(6) The forces of the colony need 5–7 minutes to man their positions from the moment of surprise.

(7) Enemy camps close to the colony which can take part in the campaign and advance reinforcements:—

(a) *CASTEL Camp* (163133) one Infantry Co. with support detachments. The defence position of this unit is on the hill (16371337).

(b) *SHNELLER Camp* (170132) 6th Brigade Reconnaissance Co.

(c) *ABU GOSH Camp* (16301349) Border Police Co.

(8) Air superiority to enemy.

B. *Own Forces:*

(1) The intention of H.Q. Western Front is to carry out a raid on MOTZA Colony, to destroy it and to kill all its inhabitants.

(2) This task was allocated to the Brigadier of the IMAM ALY BEN ABI TALEB Brigade who will further it to the Brigade Reserve Battalion.

C. *Attached and Detached:* (When giving Reserve Battalion the Order to proceed).

Under Command, the forces in position at *SHEIH' ABD EL AZIZ* Area and the *RADAR* from the Battalion responsible for the Left wing of the Brigade.

Direct support, 2nd Field Battery 1st Field Arty. Regt. 1 platoon Field Engineers. 1 section casualty collecting.

2. THE TASK

The Brigade Reserve Battalion will raid MOTZA Colony, will destroy it and will kill all persons in it upon receiving the code-word *"HADHAD"* from Brigade H.Q.

3. METHOD

A. *General.*

(1) Night raid in one phase by Infantry Co. plus platoon plus Engineer platoon for the breaching and destroying, one Infantry Co. less one platoon plus battalion support weapons as firm base, one infantry Co. plus elements of pioneers and field engineers for blocking off reinforcements.

(2) The whole battalion will march from the place of disembarkment from the vehicles, to the dispersal area.

B. *One Company plus one platoon*—for breaching and destroying.

(1) *The task:* The destruction of the colony and killing all its inhabitants.

(2) *Attached:* A.A.O. (Advanced Artillery Observer) One platoon field engineers.

(3) *Reorganization:*

(a) On finishing the mission it will retire to the assembly point allocated to it and from there will march to point 16441366, South-West of BEIT SORIK Village.

(b) Axis of retreat, East of SHEIH ABD EL AZIZ and from there by track leading to BEIT SORIK and up to the deployment area (16401370).

(c) The Company will travel with the Battalion in vehicles from ELG'IB BIDU cross-roads to BIR A'WAR-BIDU crossroads and from there to its base in the BETUNYA Hills.

C. *One Company less a platoon plus Battalion Support Weapons.*—Firm Base.

(1) *The Task:*

(a) Supporting the breaching force and harassing the target with heavy fire when the raiding party is discovered and after it finishes the destruction.

(b) Supporting the Assault Force in its retreat until it is beyond the range of the enemy's fire.

(c) The Company will move from the dispersal point to the place of the base—see Draught A', at 16441353.

(d) The Company will retire after all the other forces complete their retreat. The C.O. of the Force will make sure that all the forces of the mission have retired.

(2) *Attached:* A.A.O. M.F.S. (Mobile Fire Spatter).

(3) *Reorganization:*

(a) The Company will retire in full at the end of the operation when ordered by the Battalion Commander and will move by the track from Sheih Abd El Aziz to Beit Sorik, from there to the assembly point and from there by vehicles.

(b) The Company will travel in vehicles with the Battalion to the Battalion's base at Bitunya by way of El Gib—Beit Awar Crossroads—Bitunya.

D. *Company plus pioneer platoon*—Blocking-off reinforcements will establish two Road Blocks:

(1) *Right position:* at (16371342) on the main road leading to Abu Gosh Camp.

(2) *Left position:* (16631342) On the slope of the Tel situated on the East side of the Motza Colony and overlooking the Jerusalem-Kolorya Road.

(3) *The task:*

(a) To prevent the arrival of any reinforcements or forwarding succour which the enemy might send by their routes.

(b) To engage the enemy in combat if he comes to the colony's aid.

(c) Cut-off the road leading to the Colony.

if the conditions require it, and that before the passage of the enemy.

(d) Every force will move from the dispersal point to its position as seen on draught "A" which is attached.

(4) *Reorganization:*

(a) *The right position:* When the task is accomplished and when it receives the code word for the order to retire, will move by the route west of Sheih Abd El Aziz up to Beit Sorik Village and will then proceed to the assembly area, embarkation point with the rest of the battalion.

(b) *The Left position:* When the task is accomplished and when it receives the code word for the order to retire, will move by the route leading in the direction of Sheih Abd El Aziz from the East up to Hirbet Loza, Beit Sorik, assembly area and embarkation point.

E. *Mortar Platoon:*

(1) Will take up position at 16471356 North-West of Sheih Abd El Aziz.

(2) *The task:* According to annexed plan of fire (A).

(3) *Reorganization:* When the task is accomplished will retire from its position by way of Sheih Abd El Aziz Village to Beit Sorik—assembly area—and will move with the Battalion to the embarkation point.

F. *Pioneer platoon:* Will detach a reinforced section to the Blocking-off forces.

(1) *The task:* Will lay anti-vehicle and anti-personnel mines on the road leading to Motza Colony when ordered by the C.O. Blocking-off force.

(2) *Reorganization:* The section will retire with the Blocking-off force to the assembly area and to the embarkation point.

G. *Artillery:*

(1) *Task:* According to annexed plan of fire (A).

(2) A.A.O.s will be attached to the firm base and to the Blocking-off force.

H. *Engineer platoon:*

(1) *Task:*

(a) Breaching the wire fences on an average of one breach per platoon.

(b) Will completely destroy the colony with explosives, after the breaching through force finishes mopping-up the Houses.

(c) The platoon will attach elements to the Blocking-off force.

(2) *Reorganization:* The platoon will retire with the breaching force to the embarkation area and from there will travel in vehicles with the Battalion to Bitunya.

I. *Co-ordination:*

(1) "H" hour will be decided upon in due time by the Battalion Commander

(2) Disembarkation and embarkation points.

(3) Deployment area.

(4) Dispersal point.

(5) Route of advance.

(6) Dispersal of forces, breaching, firm base, cutting-off.

(7) Starting line.

(8) The target.

(9) Embarkation area.

(10) Rate of advance 100 yards every three minutes.

(See draught "A")

4. ADMINISTRATION

(A) *Transport:* Combat echelon vehicles will remain in assembly area North of BEIT SORIK (164137).

(B) *Food:* Supper will be served in the assembly area, and no rations will be carried.

(C) *Ammunition:* Ammunition and explosives as will be decided for this Operation.

(D) *Medical:* The casualties will be evacuated to the Battalion Advanced Dressing station by stretcher Bearers which are in the village (BEIT SORIK).

(E) *Clothing:* Full battle dress. Light clothing is recommended.

5. COMMUNICATION AND CONTROL

(A) *Brigade H.Q.:* At its present place.

(B) *Battalion H.Q.:* In all the phases of operation behind the Assault force.

(C) *Communications:*

(1) No change in wireless or telephone nets.

(2) Wireless silence will be observed up to discovery of the attack, when the artillery and mortar shelling will begin.

(D) *Codes: Word, Meaning,* and *Ordered by:*

"Hadhad," Reserve Battalion starts Operation, Brigadier.

"MA'AN", Destruction of target, Battalion C.O.

"SALMAN", Leaving Assembly area, Battalion C.O.

"MOHAMED", Leaving Embarkation area, Battalion C.O.

"ARBED", Battalion back to reserve positions, Battalion C.O.

Zaim—Brigadier Imam Ali Ben Abi Taleb Brig. (Ahmed Shehada El Huarta).

Information:

Distribution List: Annexed.

"A" Annex—Plan of fire.

Annexes:

"A'" draught: disembarking area, assembly, division of forces, dispersal point, starting line, target.

PENSION PROTECTION PLAN IS NEEDED

Mr. HARTKE. Mr. President, on April 26 I introduced a slightly revised version of the Pension Protection Act, on which 1 day of hearings was held last year. The bill, S. 1635 (S. 1575 in the 89th Congress), is designed to deal with the problems which arise when private pension plans are discontinued due to discontinuance of the business through failure, merger, or similar causes. The result of such loss of expected retirement income, through no fault of their own, has often left workers with 20, 30, or more years of employment without the resources on which they had counted.

I have previously documented the need, and I shall from time to time bring before the Senate other instances to illustrate the necessity for action on this bill. The following cases illustrate the circumstances in which the need is clearly demonstrable.

In 1961, the E. W. Bliss Co., of Cleveland, Ohio, ceased operations. Employed at that time by the company were 32 workers. The company was organized under the United Automobile Workers, and there was a pension plan in effect. Yet, of the 32 workers, only two collected any pension at all, and they were already retired. Typical of those who received no future benefits, but who were fortunately young enough to find new jobs, were George Kuzel and Tony Tomatz, with 16 and 12 years of service respectively. In their new employment there is no private pension fund available.

This is one instance. There are many more, some of which I have received specific information as to their cases. I shall call them to attention in the future, and continue to hope that we may have more hearings and serious consideration for S. 1635.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

TRUTH-IN-LENDING ACT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order No. 378, S. 5, the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 5) to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is open to amendment.

Mr. PROXMIRE. Mr. President, after 7 years of consideration, the Committee on Banking and Currency has recommended a truth-in-lending bill to the Senate. If any one person is responsible for the idea of truth in lending, it is our great former colleague, Senator Paul H. Douglas of Illinois. Paul Douglas introduced this issue in 1960 and kept it alive for 6 long years while support for the measure gradually developed.

I believe the committee has recommended a bill which retains the essential objectives for which Senator Douglas fought so long and hard. It requires creditors to disclose to consumers the full cost of credit. This would be expressed in terms of dollars and cents and, for most forms of credit, as an annual percentage rate.

The committee has also recommended a number of changes in the original bill, which I introduced last January 11, which I believe will go a long way toward making it more workable to the credit industry. In developing these changes, I believe the ranking Republican member of the committee, Senator BENNETT, deserves a considerable amount of credit. It is true that from the outset, all members of the committee agreed upon the central objective of truth in lending. No one seriously contested the fact that the consumer is entitled to as much information as possible regarding consumer credit. No one has argued that the facts should not be disclosed to the consumer.

The chief arguments within the committee dealt not with the objective of the legislation but with its workability. I believe we have recommended a bill today which will prove to be both fair to the consumer and workable to the credit industry. Certainly, the committee has learned much from Massachusetts, where truth in lending has been in effect over the last 6 months.

In addition, the Department of Defense has required for the last year that creditors make full disclosure when extending credit to servicemen.

The credit industry was also helpful in suggesting technical changes which will improve the workability of the bill from the standpoint of the average creditor.

Finally, the leadership of the Senator from Alabama [Mr. SPARKMAN] was most influential in developing a bill which every member of the committee could support. There is no Senator who is more expert in this entire area than the distinguished Senator from Alabama, who is not only extraordinarily competent in the field of banking and currency, credit, and who is recognized as the congressional expert on housing, but a man also who has a wonderful knack for persuading people to iron out their differences and work out constructive compromises and effective legislation.

I believe this bill will represent a significant advance for the American consumer. It will provide the average person with the information he needs to use credit and to shop wisely for credit. It will end the present system of confusing credit practices and credit terminology which requires a trained mathematician to understand. It will disclose the cost of credit in clear and simple terms to the average consumer so that he can understand fully the extent of the credit and how it compares to rates being charged by other lenders. I believe this bill will save the American consumer millions of dollars a year in credit charges and will prevent millions of families from being saddled down with excessive debt.

WHAT THE BILL DOES

Mr. President, this is a most simple piece of legislation. It is a disclosure bill and not a regulation bill. It does not regulate the credit industry. It does not prescribe detailed credit practices. It does not dictate the terms of credit contract. It does not set ceilings on credit. It merely requires the full facts to be disclosed to the consumer.

The bill would permit the consumer to be the judge and let the effective forces of informed competition work their way out in the marketplace.

The facts to be disclosed are basically twofold. First of all creditors would disclose the cost of credit in dollars and cents. For example, it would require a creditor to indicate that a loan of $300 payable in 18 monthly installments of $22 each month involves a credit charge of $96.

Second, the bill would require that in most forms of credit the creditor would disclose the annual percentage rate. This is the universal common denominator by which the cost of money is measured. It permits a consumer to readily compare the cost of credit among different lenders regardless of the length of the contract or the amount of the downpayment. In effect, the annual percentage rate is a price tag for the use of money. Just as the grocer quotes the price of milk by the quart or one-half gallon, or the price of meat by the pound, so the creditor would quote the cost of money in terms of an annual rate.

When all creditors quote the cost of credit in the terms of an annual rate which is computed in the same fashion the consumer can quickly determine which form of credit is the best buy.

In computing the annual rate, creditors would be required to include all costs incident to the credit transaction regardless of whether it was termed to be interest, loan fees, credit investigations, or the like. This will end a present confusing practice of quoting deceivingly low rates while actually charging much higher rates by tacking on additional fees.

Under the legislation recommended by the committee, all lenders would compute their credit charges and rates in the same way. In this way the consumer would be receiving comparable information on which he can make wise and proper decisions. It will be a significant measure for increasing the effectiveness of the consumer's credit dollar.

NEED FOR LEGISLATION

Mr. President, over 6,000 pages of testimony have been taken before the Banking and Currency Committee over the period of time that this bill has been in committee, which is more than 7 years, and they have amply demonstrated the need for this important legislation. Today the average consumer is faced with a bewildering variety of credit rates and terms. Even the Chairman of the Federal Reserve Board, William McChesney Martin—and I think all of us would recognize that he is the national expert on credit—admitted he had trouble understanding rates charged on consumer credit. If the top financial expert in the country has difficulty, it is no wonder the average consumer is completely at a loss when confronted with a typical credit transaction.

What is so confusing about consumer credit? In large measure it is the variety and inconsistency in the way the cost of credit is revealed.

For example, some creditors quote only a monthly rate, tending to minimize the cost of credit. How many customers realize, for example, that a small loan at the rate of 3 percent per month amounts to an annual rate of 36 percent.

Other creditors employ an add-on or discount rate which measures the credit on the original balance rather than the declining balance. Of course, it is only the declining balance that is being loaned throughout the period. This has the effect of understanding the true annual rate by approximately 50 percent. For example, if a consumer borrows $100 and repays it in 12 equal monthly installments, and if the finance charge is $6, some creditors will represent this to be 6 percent. However, the true annual rate is nearly 12 percent since the consumer has gradually been repaying the full debt and has not had the full use of the $100 for a full year. In fact, on the average he has had only $50 or close to it.

Other creditors employ a system of additional fees and charges designed to increase the effective rate. For example, it is possible to increase the rate from 12 percent to 18 percent by adding additional charges for credit investigation, loan processing, or other similar charges. This is somewhat analogous to a grocer advertising the cost of a loaf of bread for 3 cents while in the fine print indicating the wrapper will cost 2 cents, distribution 5 cents, processing 7 cents, and handling charges 4 cents.

Other creditors will merely disclose the amount of the weekly or monthly payments without indicating the total finance charge or any rate whatsoever.

A creditor might indicate, for example, $2 down and $2 a week for a hi-fi set. Unless the consumer gets out pencil and paper and figures it out for himself, he has absolutely no idea of the cost of the credit either in dollars or as an annual rate.

As a result of these confusing practices, some segments of the credit industry have been able to charge truly exorbitant rates with relative impunity. Recent cases from the files of the Cook County Bankruptcy Court indicated, for example, that finance charges ran as high as 283.9 percent for used cars, 235 percent for TV and hi-fi sets, 199.6 for clothing, and 105.2 percent for furniture. Numerous cases filed with the committee indicate that this is by no means a unique or rare occurrence.

I recall a hearing we had a couple of years ago in New York where case after case was documented by witnesses who came in and testified. We computed the amount they were paying and the rates in virtually all cases exceeded 100 percent and often exceeded 200 percent.

Frequently, these high rates are levied upon the low-income groups who can least afford to pay the exorbitant sums. I hasten to add that these high rates are not a respecter of high income or education. College graduates, college students, professors, and others are as frequently the victims of this kind of overcharge and these very high rates as people who are in the low-income brackets. However, in some cases people with higher education can afford it better than those people who are tragically exploited in the very low income area.

But it is not the low-income groups who are victimized by the hidden cost of credit. The well educated and wealthy are also taken in. For example, one of the most popular education loans sponsored by consumer finance companies involve rates of interest as high as 54 percent. This is for higher education. In fact, most people seriously underestimate the true cost of their credit. A recent survey asked a sample of 800 families to estimate the rate they were paying on their debts. The average estimate was 8 percent. The actual rate turned out to be three times higher, or 23 percent. I believe this indicates that most people truly do not know the cost of credit and the need for disclosure legislation is abundantly evident. In many cases it would be 6, 7, 8, or 9 percent because in these cases there is a free ride involved for everyone who purchases on revolving credit under almost any of the plans which we had an opportunity to review.

SIZE OF CONSUMER CREDIT

The growth of consumer credit since 1945 has been at a rate of 4½ times greater than the growth rate of our economy as a whole. At the end of 1945 consumer credit amounted to $5.6 billion, whereas in March of 1967 the total amount had climbed to $92.5 billion. Thus, the size of total consumer debt is nearly 17 times as great as it was in 1945.

Of this $92.5 billion, $73.6 billion is represented by installment credit. The largest single element consists of over $30 billion in automobile paper, which accounts for over 30 percent of consumer credit.

Another rapidly growing form of credit consists of open-end or revolving credit. Approximately $3.5 billion in revolving credit was outstanding in March of 1967. The great bulk of this is represented by department store revolving credit charge accounts, although recently a number of commercial banks have moved into the revolving credit field.

Currently, American families are paying approximately $12.5 billion a year in interest and service charges for consumer credit. That is about as great as the Federal Government pays itself for interest on the national debt.

From these figures it can be seen that the potential savings which can arise from more effective price competition in the consumer credit industry are truly enormous. If, as a result of full disclosure, price competition in the consumer credit field were to reduce the rate consumers pay by 1 percentage point, the American consumer would save over $1 billion a year. Thus, the potential for increased consumer purchasing power is truly substantial. Consumers would have more to spend on goods and merchandise and, far from having a harmful effect on the economy, the bill should be helpful to business.

PROVISIONS OF THE BILL

Mr. President, I ask unanimous consent to have printed in the RECORD at the end of my remarks a complete section by section analysis of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. Mr. President, I should now like to outline briefly the most important elements of the bill:

Section 3 of the bill provides for definitions. The definition of credit would apply to all forms of consumer credit including loans, retail installment contracts, retail revolving charge accounts, second mortgages, and other forms of credit. The bill would cover credit extended to consumers but would not cover credit extended to organizations or credit extended primarily for business or commercial purposes. In addition to consumer credit, the bill would also cover agricultural credit when the credit was extended to a person as opposed to a corporation or other organization.

By limiting the bill to the field of consumer credit, the committee believes it is providing disclosure requirements in the area where it is most essential. Most businesses or corporations are in a good position to judge the relative worth of alternative credit plans and by and large do not require the special disclosure protections provided by the bill.

Section 4 contains the principal elements of the bill and sets forth the various disclosure requirements on consumer credit transactions. The disclosure would have to be made before the credit is extended. In most cases it would amount to providing the required information on the installment contract or other evidence of indebtedness which the consumer would sign in order to complete the transaction. A creditor could also furnish the information on a separate document, providing the information was given before the consumer actually agreed to the credit transaction.

All installment creditors would be required to disclose the total cost of the credit in terms of dollars and cents and in terms of an annual percentage rate. In addition, all other charges incident to the transaction would be required to be set forth, such as taxes, official fees, or insurance.

The annual percentage rate would be determined on the declining balance of the obligation. For example, assume a person borrowed $100 with a finance charge of $6, and repaid the total indebtedness of $106 in 12 equal monthly installments. Since the debt would have been gradually repaid over a 12-month period, the consumer would actually have had the use, on the average, of approximately one-half of the original amount of credit. Therefore, the annual percentage rate would be measured not against the original amount of credit but against the amount of credit actually in use over the period. The example given would come to approximately 11 percent per year. The bill provides the rate be computed in accordance with the actuarial method, or such other comparable methods as the administering agency may prescribe.

Under section 5, the administering agency, which is the Federal Reserve Board, would be given the authority to provide for rate tables, charts, or other methods to assist creditors in compliance with this provision. Many creditors already use rate charts in the ordinary course of business in order to compute the amount of the finance charge and the size of the periodic payments for a given credit transaction. In such cases, the additional requirements to disclose the annual percentage rate can be complied with by merely adding one additional column to the rate charts now in use.

Under section 5, the Federal Reserve Board would also be given the authority to prescribe a built-in tolerance for such rate charts. The bill would provide for tolerances of about 1 percentage point if the cost of credit was at the rate of 12 percent a year. Correspondingly greater and lesser tolerances would be provided if the rate were higher or lower. This provision should simplify compliance with the bill and avoid the necessity of using cumbersome and extensive rate charts.

Section 6 of the bill clarifies the relationship between Federal law and State law. The committee has made a considerable effort to indicate its intent is not to preempt the entire field of consumer credit, but rather to encourage as much State legislation in this area as is possible so that the Federal law will no longer be necessary.

Section 6(a) would establish the basic congressional policy that the bill does not preempt State consumer credit legislation unless the State provision was inconsistent with the Federal law, and then only to the extent of the inconsistency. Language has also been included to make it clear that the annual percentage rate required to be disclosed under section 4 is not an interest rate within the meaning of the various State usury laws. The definition of finance charge includes all costs incident to credit including interest and other charges incident to the extension of credit.

In many States the legal definition of interest may be substantially less extensive than the definition of finance charge under section 3 of the bill. The committee, therefore, wishes to make it abundantly clear that the annual percentage rate is not equivalent to the legal definition of an interest rate, but is instead a composite rate which includes all charges incident to credit including interest.

The committee also wishes to make it clear that nothing in the act shall be construed to alter the judicial interpretation of the time-price doctrine upon which most consumer retail credit is based. Once again, the disclosure of the annual percentage rate on retail credit transactions should not be construed to be the disclosure of a rate of interest.

Section 6(b) of the act would give the Federal Reserve Board the authority to exempt creditors from complying with all or parts of the bill if substantially similar disclosure provisions were contained in State law. The committee is hopeful that with the passage of a Federal truth in lending law the States will be prompted to pass substantially similar legislation so that after a period of years the need for any Federal legislation will have been reduced to a minimum. Several States have already enacted somewhat comparable truth in lending laws. In addition, the National Conference of Commissioners on Uniform State Laws has been working quite diligently on a proposed consumer credit code to recommend to the various State legislatures beginning in 1969. The committee applauds and endorses the worthwhile efforts of the National Conference of Commissioners on Uniform State Laws and urges that the States act favorably in adopting a uniform consumer credit code. Although this bill would be limited to the disclosure aspects of consumer credit, the proposed consumer credit code goes considerably beyond disclosure and, in fact, proposes a variety of beneficial changes in the entire consumer credit area. The committee is hopeful that these worthwhile efforts will not be hampered by the passage of the Federal truth in lending law. The committee is also hopeful that the provision under section 6(b), whereby creditors will be exempt from compliance with the Federal law if their State enacts substantially similar legislation, will serve as an incentive to the States to act favorably upon the proposed consumer credit code. In this respect the committee believes the Federal truth in lending law and the proposed consumer credit code are supplementary rather than competing alternatives.

The enforcement of the bill would be

accomplished largely through the institution of civil actions authorized under section 7 of the bill. Any creditor who fails to disclose the required information would be subject to a civil action with a penalty of twice the finance charge. However, the minimum penalty would be $100 and the maximum penalty would be $1,000. The committee has not recommended investigative or enforcement machinery at the Federal level, largely on the assumption that the civil penalty section will secure substantial compliance with the act. If, in the course of the administration of the act, it becomes evident that additional steps need to be taken to bring about enforcement, the committee will consider additional legislation. In the meantime, the Federal Reserve Board would be required to report to the Congress annually as to the extent to which the disclosure provisions are being complied with.

Although the provision for civil penalties under section 7(a) would authorize a penalty of twice the finance charge, a successful civil action against the creditor would not relieve the consumer from complying with the terms of the contract as required by State law. In other words, if a creditor failed to disclose the annual percentage rate on a loan where the finance charge was $400, the creditor would be liable to an $800 penalty. However, the consumer would still be required to repay the indebtedness including the $400 finance charge, in accordance with the original agreement and applicable State law.

The committee provided in the section on civil penalties that a creditor could defend against a civil action by proving that the failure to comply was the result of a bona fide error. However, the burden of proof would be on the creditor to prove that the error was in fact unintentional. Section 7(a) on civil penalties also provides that a creditor would be liable for reasonable attorney fees and court costs in the event the suit were decided in favor of the plaintiff.

Section 8 of the bill deals with several exceptions to the provisions which the committee has recommended:

First, the bill excludes credit transactions for business or commercial purposes or credit to organizations.

Second, stockbroker margin loans to investors would be exempt from the disclosure requirements of the bill. The committee has been informed by the Securities and Exchange Commission that the Commission has adequate regulatory authority under the Securities Exchange Act of 1934 to require adequate disclosure of the cost of such credit. The committee has also been informed in a letter from the SEC that "the Commission is prepared to adopt its own rules to whatever extent may be necessary."

In recommending an exemption for stockbroker margin loans in the bill, the committee intends for the SEC to require substantially similar disclosure by regulation as soon as it is possible to issue such regulations.

Third, the bill would exempt credit transactions when the amount to be financed exceeds $25,000. In such cases the committee felt the transaction would be considerably above the average consumer credit transaction and that the protection afforded by the disclosure requirements would no longer be necessary. The $25,000 cutoff also provides an objective test between consumer credit and business credit which can be used to facilitate compliance with the act.

Fourth, the bill would exempt real estate first mortgage credit. The committee felt that adequate disclosure was already being made in this area of credit, however, second or third mortgages would still be subject to the disclosure provisions of the bill. Most of the abuses encountered by the committee with respect to real estate transactions were in the second mortgage area rather than in first mortgages.

The committee also intends that the disclosure provisions would not apply to life insurance policy loans which are merely component features of an overall contractual arrangement.

REVOLVING CREDIT

The most widely discussed subject under consideration by the committee was revolving credit. I believe it is safe to say that no one on the committee is entirely happy with the compromise upon which we eventually agreed. From my own standpoint, I think that the revolving credit provisions could be strengthened. Nonetheless, I think we have recommended a reasonable compromise, which I am hopeful will prove to be workable.

The original version of S. 5, which I introduced on January 11, would have required all revolving credit plans to disclose, among other things, the annual percentage rate. This disclosure would have been made when the account was opened and on each periodic monthly statement. The annual percentage rate would have been determined by multiplying the monthly rate by 12. For example, if the monthly rate were 1½ percent, a creditor would have cited the annual rate to be 18 percent. This provision of the bill drew the most criticism from retailers. The industry argued that if the actual credit in use is measured from the time of each transaction to the time of each payment, the rate would vary considerably from 18 percent, and in most cases would be substantially less than 18 percent.

To my way of thinking, this argument missed the essential point of disclosure. From the standpoint of the consumer, it is not really relevant to measure the rate from the time of the purchase but rather from the time the credit charge actually begins. The customer does not really have to make up his mind to use revolving credit when he buys the goods from the store. He generally has, as I say, a "free ride" from 30 to 60 days before the credit charge will begin. From the consumers' standpoint, the relevant decision point is just before the credit charge is to begin. At this time he must make up his mind as to whether he wants to incur the service charge, or borrow from another lender to pay off the store. If the credit is measured from this point, it would work out to be exactly 18 percent, or 12 times the monthly rate, and such a rate would be the more meaningful rate to the consumer.

Nevertheless, there were serious and, I should say, very competent and sincere objections in the committee to this line of reasoning. Highly competent Members of the Senate serve on this committee and they felt strongly that it would be a miscarriage of justice if this were imposed on the industry because it would not be accurate and often flagrantly inaccurate. While I disagree with that new point, it is a sincere and competently held viewpoint. Although we could not come to a unanimous conclusion on this point, the committee was convinced that if revolving credit were to be exempt from disclosing an annual rate, safeguards should be included to insure that existing forms of installment credit would not be induced to convert to revolving credit in order to escape an annual rate disclosure. The committee also felt that in cases where revolving credit was commonly used to finance large purchases, this form of credit should not be given a competitive advantage over creditors who finance similar items on an installment contract basis. For example, some department stores have an extended payment revolving credit plan which they commonly use to finance large ticket items such as furniture, TV sets, and larger appliances.

It would be unfair to permit these stores to quote a monthly rate of 1½ percent while the small independent furniture store down the street, who financed his sales through installment contracts, would be required to disclose 18 percent. In such a case, the cost of credit would be identical. However, the credit offered by the furniture dealer would sound much higher.

For these reasons, the committee adopted a compromise which would exempt ordinary revolving credit plans from disclosing the annual rate but which would require installment-type revolving credit plans to disclose the annual rate. The installment-type revolving plan would be defined on the basis of whether the creditor maintained a security interest title or whether the terms of the payment were extended. An extended payment plan would be defined as one in which less than 60 percent of the obligation was payable in 1 year. This would cover credit transactions which could be paid out over a period of 19 months or longer.

I believe that this committee compromise will provide some deterrent to a creditor switching from installment credit to revolving credit in order to escape annual rate disclosure. It does, however, still permit the sale of many large ticket items under ordinary revolving credit plans which would not disclose the annual percentage rate.

Despite these imperfections, I believe that the bill recommended by the committee is the best possible bill we could report. It will provide the American consumer with substantially more information on all forms of consumer credit. Even on revolving credit which would not disclose the annual percentage rate, substantially more information would be included. For example, many department stores do not indicate on their monthly statement that a service charge of 1½ percent will be levied if the bill is not paid in 30 days. Under the bill, this information would have to be disclosed. Department stores would also have to disclose their system by which the service charge is determined. Some stores give credit for partial payments during the month while others do not. At the present time the consumer has no way of knowing the actual method followed by the store. Under the bill, department stores would be required to disclose their method of billing.

For all other forms of credit, including small loans, bank installment loans, installment contracts, and second mortgages, the consumer would be provided with a complete disclosure of credit in terms of dollars and annual rates.

I believe this bill will help the American consumer, but it will also help business. Although the Massachusetts truth-in-lending law was originally opposed by the business community, testimony before our committee has revealed that it has been not only accepted by the industry but is enthusiastically supported by industry. Massachusetts automobile dealers, for example, believe the disclosure provisions will protect the average businessman from unethical competition based upon deceptive credit practices. I believe that this bill will also restore confidence in the consumer credit industry and take the mystery out of credit. Just as the Securities Act of 1933 led to a strengthened securities industry, so the Truth-in-Lending Act of 1967 will lead to a strengthened consumer credit industry.

Part of our free enterprise system is to disclose the facts to the consumer. When the consumers have the facts they can best make up their minds on whether to buy or not. This is the heart of our free enterprise system. It insures that in the final analysis business is responsive to the needs of the consumer. Thus, disclosure is in the mainstream of our economic system. I recommend this bill to every Senator as a reasonable bill, a sound bill, a bill which protects both business and consumers, and a bill which is in accord with our free enterprise system. I recommend its adoption to the Senate, and I am hopeful that every Member of the Senate can support this measure. Every member of the committee did, and a bill was reported from the full committee without objection. The victory for truth in lending is not only a victory for the consumer, it will also be a tribute to our great former colleague, Paul H. Douglas, who was and is the principal architect of this important measure. I know of no more fitting tribute we can pay to a Member of the Senate whose absence today I am sure will be sorely missed by all.

Mr. President, I yield the floor.

Exhibit 1

Section-by-Section Summary and Comparison With Original S. 5 as Introduced on January 11

SECTION 2. DECLARATION OF PURPOSE

Declares that the enhancement of economic stabilization and the strengthening of competition are the primary objectives to be achieved through greater awareness of credit costs. The term "consumer credit" was substituted for "credit" and "consumer" was substituted for "user" of credit to make the intent clear that the bill applies to consumer credit and not all forms of credit.

SECTION 3. DEFINITIONS

Section 3(a)—Definition of "Board".—Refers to the Board of Governors of the Federal Reserve System. No change from original S. 5.

Section 3(b)—Definition of "credit".—Credit is defined as "the right granted by a creditor to defer payment of debt or to incur debt and defer its payment." This definition was taken from the proposed Consumer Credit Code sponsored by the National Conference of Commissioners on Uniform State Laws. The original S. 5 language was deleted because it was somewhat cumbersome and sweeping and referred to various types of lease situations which might not be true extensions of credit. This original S. 5 language was based on the Federal Reserve's old regulation W, which was designed for a different purpose.

The definition also makes clear that consumer credit means debt contracted by persons for personal, family, household, or agricultural purposes. The original S. 5 would have applied only to debt contracted by persons and not by "businesses as such." It thus was not clear whether this definition applied to agricultural credit.

The definition also makes it clear that credit means those bailment lease situations described further in section 3(c).

Section 3(c)—Definition of "consumer credit sale".—This is a new definition made necessary by the revised structure of section 4 which treats lender credit and retail credit separately. The new definition defines credit sales whose disclosure provisions come under section 4(b) as opposed to direct loans which come under section 4(c). The definition makes it clear that the act covers only those creditors who regularly extend credit in accordance with Senator McIntyre's comments during the hearings.

The definition of credit sale is also limited only to those leases which are, in essence, disguised sale arrangements. The definition has been so limited because there is no way to disclose a finance charge or rate in connection with a conventional lease as Governor Robertson pointed out on page 8 of his testimony. The language covering disguised leases is nearly identical to the language used in the Uniform Conditional Sales Act and in many State retail installment sales acts to distinguish between "true" leases and other leases.

Section 3(d)—Definition of "finance charge."—Defines a finance charge as all charges imposed by a creditor and payable by an obligor as an incident to the extension of credit. This definition has been expanded from the original S. 5 to make its meaning clearer.

The original bill was ambiguous on the treatment of official fees, taxes, and property and casualty insurance. The bill reported by the committee makes it clear these charges would not be considered part of the finance charge to be calculated in the annual rate. In addition, the definition lists those typical real estate closing costs which would be excluded. These changes meet a number of criticisms raised during the hearing and should simplify compliance with the bill.

The original bill was silent on whether credit life insurance should be counted in the finance charge or not. The bill reported by the committee would exclude such insurance from the definition of the finance charge and would not require premiums for such insurance to be included in the computation of the annual percentage rate.

Section 3(e)—Definition of "creditor."—Essentially the same language is used, but Senator McIntyre's suggestion is reemphasized by restricting the definition only to those who regularly engage in credit transactions. Thus a small retailer who extended credit and charged for it in an isolated instance to accommodate a particular customer would not be covered.

Section 3(f)(1)—Definition of "annual percentage rate."—This definition has been rewritten to achieve greater clarity. The old definition described what was essentially the actuarial method for determining an annual rate, but it did not use the term actuarial method. Many had difficulty in determining the intent. The new definition rather than describing the actuarial method, merely indicates it is the method to be followed. This is a well recognized term in the mathematics of finance and has also a long judicial history under the U.S. rule (*Story* v. *Livingston* (38 U.S. 359) 1839).

There are at least seven methods for computing the "simple" annual rate on the declining balance and though they all produce nearly similar results, the actuarial method is considered to be the most accurate. This method assumes that a uniform periodic rate is applied to a schedule of installment payments such that the principal is reduced to zero upon completion of the payments. The actuarial rate is such periodic rate multiplied by the number of periods in a year.

The definition also permits a creditor to simplify the computation by ignoring slight irregularities in the payment schedule, such as a deferred first payment, or one odd-sized payment. This will greatly simplify compliance while maintaining reasonable accuracy.

Section 3(f)(2)—"Other methods".—The Board is also given the power to prescribe other methods for determining the annual percentage rate. For example, the constant-ratio method, which is in the Massachusetts law, could be used for highly irregular contracts. It is possible to develop formulas or other shortcut procedures based on the constant-ratio method which would be much simpler than the actuarial method.

Section 3(f)(3)—"Annual rate on open-end credit".—The annual percentage rate on open-end or revolving credit is defined as the periodic rate times the number of periods in a year. This is exactly equivalent to the actuarial rate.

Section 3(f)(4)—"Bracket rates".—The definition makes it clear that creditors who determine their finance charges on the basis of a bracketed amount of credit can compute the annual percentage rate on the basis of the midpoint of the bracket. For example, assume a mail-order house charges a flat $20 for purchases ranging between $140 and $150. Under the new language, a creditor could compute the rate of $145 and disclose it for all transactions within the bracket, whether they were $140.01 or $149.99.

Section 3(g)—Definition of "open-end credit".—This definition of open-end credit is identical to the original S. 5 and is similar to the language used in many State retail installment sales acts. The essential characteristics of open-end credit are that credit transactions are entered into from time to time, payments are made from time to time, and finance charges are computed on the unpaid balances from time to time. The definition is intended to include all plans permitting credit transactions from time to time, such as charge accounts and credit card accounts, even though the creditor does not normally compute a finance charge on the outstanding unpaid balance.

Section 3(h)—Definition of "installment open-end credit".—This is a new definition made necessary by the committee's treatment of disclosing an annual rate on open-end credit plans under section 4(d).

Open-end or revolving credit plans would be exempt from the annual rate requirement except for "installment open-end credit plans." Such plans are ordinarily used to finance large purchases and are distinguished from ordinary revolving credit by the extended length of time permitted for repayment and the maintenance of a security interest in the merchandise. Such plans would be covered if 60 percent or less of any amount of credit was payable in 1 year, or if the seller maintained a security interest, or if accelerated payments are applied to future payments.

Section 3(i)—Definition of "first mortgage credit".—This is also a new definition made necessary by the committee's recommendation that first mortgage credit be exempted from the bill. Such exemption is included under section 8. The committee felt that consumers were already receiving adequate information. In this area, second or higher mortgages would be covered under the bill.

Section 3(j)—Definition of "organization".—Defines an organization as a corporation, government or governmental subdivision or agency, business or other trust, estate, partnership, or association. Credit to such entities would be excluded from the provisions of the bill.

SECTION 4. DISCLOSURE OF FINANCE CHARGES

Section 4(a)—Requirement to disclose.—This is a prefatory section setting forth the basic requirement to disclose. It is similar to the original S. 5, except that it is made clear that disclosure need only be made to persons "upon whom a finance charge is or may be imposed." Thus, the disclosure requirement would not apply to transactions which are not commonly thought of as credit transactions, including trade credit, open account credit, 30-, 60-, or 90-day credit, etc., for which a charge is not made.

Section 4(b)—Disclosure on retail credit.—The original S. 5 covered retail and lender credit under subsection 4(a). The committee bill splits retail and lender credit into two subsections—4(b) and 4(c). The reason for this change is to emphasize the fact that Congress recognizes the difference between these two forms of credit and does not deny the validity of the time-price doctrine upon which most retail credit is legally justified. This should prevent the act from being used as ammunition in any litigation challenging the time-price doctrine. Many retailers had expressed concern over this possibility.

Section 4(b)(1)–4(b)(3)—Disclosure of cash price and trade-in allowances.—These subsections are similar to the original S. 5 and are also common to most retail installment sales acts.

Section 4(b)(4)—Disclosure of other charges.—The new version clarifies S. 5 by restricting disclosure to those charges "which are included in the amount of the credit extended." The original S. 5 was ambiguous on this point and could have been interpreted as requiring charges not included in the credit to be listed in the total amount to be financed, which is a logical contradiction.

Section 4(b)(5)—Disclosure of amount to be financed.—This is the total amount of credit, after adding in all other charges other than finance charges. The language is similar to the original S. 5.

Section 4(b)(6)—Disclosure of finance charge.—This section sets forth the requirement to disclose the finance charge in dollars and cents. The committee bill adds a new reference to labeling the finance charge as a "time-price differential" to reinforce the distinction between lender credit and retail credit.

Section 4(b)(7)—Disclosure of annual percentage rate.—The committee bill exempts retail creditors from disclosing an annual percentage rate if the finance charge is less than $10. The original S. 5 did not provide for such an exemption. The purpose of this amendment by the committee was to simplify compliance, particularly for small retail businesses. Many retailers impose a fixed minimum charge on installment contracts, regardless of the amount of credit. It will be easier to develop rate tables if these transactions are exempted.

Section 4(b)(8)—Disclosure of repayment schedule.—The original S. 5 required disclosure of the "time and amount of payments." The committee bill requires the "number, amount, and due dates or periods." This makes it clear that a creditor can disclose "36 monthly payments of $20 due on the first of each month beginning in July" without actually listing the date of each individual payment.

Section 4(b)(9)—Disclosure of late payment penalties.—This language is similar to the original S. 5 except that the requirement to indicate the terms applicable in the event of advanced payment has been deleted. Most creditors will rebate an unearned finance charge if the debt is paid early in accordance with the "rule of 78's." This is a complicated formula which would require at least a three-paragraph explanation to be intelligible to the average consumer.

Section 4(b)—Time of disclosure.—The original of S. 5 required disclosure "prior to the consummation of the transaction." The committee bill substitutes "before the credit is extended" with a stipulation that the disclosure can be made on the contract or other document to be signed by the consumer. This obviates the need for a separate piece of paper showing the disclosure items.

Section 4(b)—Disclosure for mail or telephone sales.—This permits mail-order houses to comply with the act by disclosing prior to the first payment providing the general terms of financing are set forth in the catalog. A similar provision is contained in the Massachusetts law. No such provision was in the original S. 5.

Section 4(c)—Disclosure on lender credit.—This is a new subsection written to distinguish between lender and retail credit. It is a residual category encompassing all credit other than retail credit or open-end credit which are defined elsewhere in section 3. Hence, no definition of loan is provided as it would fall within the general definition of credit. Financial institutions such as banks, credit unions, savings banks, savings and loan associations, industrial banks, and consumer finance companies would fall under this subsection. Similar changes, described under section 4(b) for retail credit, have also been incorporated in the lender section.

Section 4(d)(1)—Disclosure of open-end credit.—This section applies to open-end credit plans.

Section 4(d)(2)—Disclosure when the account is opened.—This section outlines the disclosures to be made when the account is opened.

Section 4(d)(2)(A)—Disclosure of conditions of plan.—This section requires the disclosure of the basic conditions of the plan. It clarifies the original S. 5 by requiring the disclosure of the time period, if any, for avoiding finance charges. For most department store revolving accounts, this will be the time from the date of the purchase to the end of the billing period plus an additional 30 days.

Section 4(d)(2)(B)—Disclosure of billing system.—This is a new requirement not in the original S. 5 and is in accordance with Mr. Batten's recommendations when he testified for J. C. Penney's. As Mr. Batten pointed out, there is a substantial difference in dollar cost between the opening-balance method and the adjusted-balance method. This paragraph would require the disclosure of whatever method was followed.

The opening-balance method charges on the opening balance unless paid in full within 30 days. Some stores count returns as payments, while others do not. The adjusted-balance method charges on the basis of the opening balance less any payments and returns during the month. Some stores use the adjusted-balance method but do not count returns. About 60 percent of department stores use the opening balance method and about 40 percent use the adjusted-balance method.

Section 4(d)(2)(C)—Disclosure method of determining the finance charge.—This paragraph requires disclosure of the complete method for determining the finance charge including the imposition of any fixed or minimum fees. Many department stores have minimum fees while bank check credit plans often have a 25-cents-per-check charge. By requiring separate disclosure of these charges. the new version also recognizes such charges cannot be included in the rate.

The section also requires disclosure of the periodic rate. In addition, installment open-end credit plans, as defined by section 3(h), would disclose the annual percentage rate which would be 12 times the monthly rate.

This provision reflects a major recommendation of the committee to exempt open-end credit plans from the annual rate, but to include installment open-end credit plans.

Such plans are ordinarily used to finance large purchases and are distinguished from ordinary revolving credit by the extended length of time permitted for repayment and the maintenance of a security interest in the merchandise. Such plans would be covered if less than 60 percent of any amount of credit was payable in 1 year, or if the seller maintained a security interest, or if accelerated payments are applied to future payments.

The purpose of this distinction is to eliminate any incentive to convert closed-end installment credit to revolving credit merely to escape annual rate disclosure. The amendment also provides greater comparability between installment open-end credit plans and installment closed-end credit plans. Smaller merchants who extend credit through installment contracts can compete on a comparable basis with the larger stores who use extended payment revolving credit.

Section 4(d)(2)(D)—Disclosure of method of determining other charges.—This is also a new provision. It has been included in the event the Board determines the 25-cents-a-check charge on bank check credit plans or similar charges are not finance charges. In any event, they would be required to be disclosed.

Section 4(d)(3)—Disclosure on periodic statements.—This subsection outlines the disclosure which must be made on the periodic statements. It differs from the original S. 5 by explicitly not requiring a statement if there is no balance in the account.

Section 4(d)(3)(A)—Disclosure of opening balance.—Requires disclosure of the opening balance and is similar to the original S. 5.

Section 4(d)(3)(B)—Disclosure of transactions during period.—Requires a statement of credit transactions during the period and is similar to the original S. 5.

Section 4(d)(3)(C)—Disclosure of payments during period.—Requires disclosure of payments or returns during the period and is similar to the original S. 5.

Section 4(d)(3)(D)—Disclosure of the amount of finance charge.—This requires a statement of the finance charge similar to the original S. 5; however, it also requires that this charge be broken down to specify how much is due to a percentage rate and how much is due to a fixed or minimum fee. For example, the monthly charge on a revolving check credit plan would have to show how much was due to the 25-cents-per-check charge and how much due to the 1-percent monthly rate. This will insure direct comparability between the finance charge and the rate.

Section 4(d)(3)(E)—Disclosure of the balance on which the finance charge was computed.—This paragraph is similar to the original S. 5 but it adds the requirement to state the method for determining the balance. For example, stores which use the adjusted balance method might have a statement along the following lines: "You will be charged

1½ percent of your opening balance less any payments and returns during the month." Stores which use the opening balance method might indicate: "You will be charged 1½ percent of your opening balance unless paid in full within the month."

Section 4(d) (3) (F)—Disclosure of the rate of finance charge.—The committee's recommendation to partially exempt open-end credit from the annual rate is also implemented under this section. All open-end credit plans would disclose a periodic (monthly) rate on the periodic statements. In addition, installment open-end credit plans would disclose an annual rate for the reasons outlined under section 4(d) (2) (C). The original S. 5 would have required all open-end credit plans to disclose an annual rate.

Section 4(d) (3) (G)—Disclosure of closing balance.—Requires disclosure of closing balance and is similar to the original S. 5.

Section 4(d) (3) (H)—Disclosure of the time for avoiding a finance charge.—This is a new provision. The creditor would indicate for example: "If you pay your bill within 30 days you will not be charged." It reinforces the idea of a "free ride" period for which there is no charge. This is also in line with Governor Robertson's testimony.

Section 4(e)—Acknowledgement of disclosure.—This is a new provision designed to facilitate the free flow of credit paper. It provides a bank or finance company with assurance that the original dealer has made the required disclosure and that the bank or finance company will not be liable for any failure, on the dealer's part, to make disclosure.

Section 4(f)—Method of disclosure.—This section contains four new provisions designed to facilitate compliance.

In order to reduce needless paperwork, disclosure need only be made to one obligor. For example, if two people (e.g. a husband and wife) are the obligors, only one copy of the contract with the required disclosure information would need to be furnished. A similar provision is contained in the Massachusetts General Laws (ch. 140A, sec. 4).

In order to afford greater flexibility, the required information need not be furnished in the order outlined in the act. This provision is common in retail installment acts.

In order to facilitate compliance, language different from that contained in the act can be used if it conveys substantially the same meaning. This provision will ease the compliance with both State and Federal law in a single disclosure statement.

In order to provide greater clarity, additional explanations of disclosed information is expressly permitted.

Section 4(g)—Compliance with comparable State laws is compliance with Federal law.—This is a new provision. It is intended to avoid duplication of Federal and State requirements, to leave State requirements untouched as much as possible, and to permit a creditor to avoid double paperwork. If he complies with the applicable State disclosure law, he need supply only the additional information required by the Federal act to comply with such Federal act. It also makes it clear the Congress does not intend to preempt consistent State laws but merely to build upon them.

Section 4(h)—Adjustments after the contract do not violate the disclosure made.—This is similar to the original S. 5; however, the original version only applied to adjustments through "mutual consent of the parties." The present version adds: "or as permitted by law, or as the result of any act or occurrence subsequent to the delivery of the required disclosures." A repossession permitted by State law but not mutually agreed to by both parties would affect the rate. The new language makes it clear that such a change would not violate the act.

Section 4(i)—Optional form of rate statement.—The subcommittee amended the bill to permit a rate statement either in percentage terms or as dollars per hundred per year. In all cases, however, the rate would be on the declining balance of credit. For example, if the effective annual rate, as measured by the actuarial method was 12 percent, the creditor could either disclose 12 percent per year or $12 per hundred per year. This option will terminate on January 1, 1972. After that date, all creditors would use the percentage form of expressing the rate.

The purpose of this change was to minimize any possible conflict with State usury laws in those States where the percentage form of rate expression might cause a legal problem for some creditors. However, all creditors will be required to use the percentage form after January 1, 1972, since by that time, any such problems with the usury laws will have had ample time to be corrected.

SECTION 5. REGULATIONS

Section 5(a) (1)—Prescribing methods for determining the annual rate.—This expands upon the original S. 5 by specifically authorizing the use of rules, charts, tables, or other devices. Such express authority was recommended by the Commerce Department.

Section 5(a) (2)—Methods of disclosing.—This section gives the Board authority to prescribe methods to insure the required information is disclosed clearly and conspicuously. Similar provisions were included in the original S. 5.

Section 5(a) (3)—Tolerances.—This section gives the Board authority to prescribe reasonable tolerances. A similar provision was in the original S. 5.

Section 5(b)—Prescribing tolerances.—This is a considerable expansion of the original S. 5 which merely provided the Board authority to establish "reasonable" tolerances. Governor Robertson, in his testimony, requested a quantitative definition of "reasonable."

Section 5(b) (1)—Tolerance on single rate situations.—This paragraph covers simple situations where a creditor uses a single add-on, discount, or periodic rate to determine the finance charge. For example, a bank which uses a 6-percent, add-on rate would know immediately that the actuarial equivalent was 10.90 percent on a 12-month contract. A credit union would instantly know that 1 percent per month was 12 percent a year. In such cases a tolerance to the nearest quarter of 1 percent is prescribed.

Section 5(b) (2)—Tolerance for tables.—This paragraph covers more complex situations where the creditor determines the finance charge in a more complicated manner such as a combination of monthly rates (e.g. 3 percent on the first $300; 2 percent on the next $200; and 1½ percent on the excess); or perhaps he determines the charge by an add-on rate of 10 percent plus a fixed charge of $10. In such cases the answer would be provided by a rate table. The bill authorizes a tolerance of 8 percent to be built into the table. This does not refer to 8 percentage points, but to 8 percent of the rate. For example, if the actual rate were 12 percent, the tolerance would be 0.96 percent (8 percent times 12 percent) or almost 1 percentage point. Thus, the tolerance would vary depending upon the size of the rate. For credit at 6 percent, the tolerance would be roughly one-half of a percentage point. At 12 percent it would be 1 percentage point. At 24 percent it would be 2 percentage points and so on. A provision is added to penalize any creditor who willfully uses these tolerances so as to always understate the rate. The purpose of the tolerance is to simplify the construction of tables so that they do not have to be overly detailed. With such tolerances, the disclosed rate should, on the average, be slightly over the actual rate half the time and slightly under the actual rate half the time.

Section 5(b) (3)—Tolerance for other situations.—This paragraph authorizes the Board to prescribe other reasonable tolerances for creditors who do not wish to use tables in computing the rate.

Section 5(b) (4)—Tolerance for irregular payment situations.—This paragraph would permit the Board to prescribe even greater tolerances for irregular payment situations. It is expected, for example, that the Board will permit creditors to disregard a certain number of skip payments in computing the rate. In such a case, the rate computed as though the contract were a level payment contract might vary 2 or 3 percentage points from the actual rate. These irregular situations would be in excess of the slight irregularities already recognized under section 3(f) (1), for which authority is provided to disregard.

Section 5(c)—Authority to prescribe adjustments and exceptions.—This section gives the Board authority to prescribe adjustments and exceptions for any classes of transactions in order to prevent circumvention and facilitate compliance. This is similar to the original S. 5 except that the phrase "to facilitate compliance by creditors with this Act or any regulations issued hereunder" has been added as an additional authority for prescribing such adjustments or exceptions. Also "the Board may consider, among other things, whether substantial compliance with the disclosure requirements of this Act is being achieved under any Act of Congress or any State law or regulations under either" the words "among other things"" were added at Governor Robertson's suggestion to make it clear these are not the only things the Board will consider. The phase "or any State law or regulations under either" has also been added.

Section 5(d)—Consultation with other agencies.—This section indicates the Board may consult with any agency, which in the Board's judgment exercises regulatory functions with respect to any class of transactions. The original S. 5 required such consultation of all agencies which exercise such regulatory functions. Thus, the present language leaves it up to the Board as to who should be consulted. This is designed to overcome Governor Robertson's concern that the Board's regulations might be challenged because it hadn't consulted a particular agency.

Section 5(e)—Advisory committee.—This section requires the Board to establish an industry advisory committee. This differs from the original S. 5 in that the limitation of nine members has been removed and the per diem allowance is increased from $25 to $100 per day. The latter change is in line with Governor Robertson's observation that few members would be available at the lower figure. However, the section was not deleted as Governor Robertson recommended, again largely to emphasize the high importance Congress attaches to consultation with industry. The limitation of nine has been removed to overcome the objection that this might deny adequate representation to some specialized segment of the industry.

SECTION 6. EFFECT ON STATE LAWS

Section 6(a)—Relationship of Federal law to State law.—This section sets forth the basic policy that the Federal statute does not preempt State legislation.

The original version of S. 5 said the act did not annul State law unless the State law was "directly inconsistent." The committee bill drops the word "directly" and adds the further stipulation that inconsistent State laws are annulled "only to the extent of the inconsistency." The word "directly" was dropped because there is no apparent difference between inconsistent or directly inconsistent. The added phrase makes clear that S. 5 does not preempt an entire body of State law should an inconsistency arise in one case.

A new sentence was added at the end of the section 6(a) to make the intent of Congress clear that it does not regard the annual percentage rate as an interest rate within the meaning of the usury statutes or the judicial interpretations of the time price doctrine. This language should make it difficult for anyone to cite S. 5 as evidence in any legal proceeding challenging a credit transaction under the usury statutes or challenging the interpretation of the time price doctrine. The language was supplied by the General Counsel of the Department of Commerce who recommended such a provision in the Department's report on the bill.

Section 6(b)—Exemption when State laws are similar.—This section permits the Board to exempt creditors from the Federal law if State law requires similar disclosures.

This section is similar to the original S. 5 except that the Board can exempt creditors covered by a State law which is "substantially similar" to the Federal law. The original version of S. 5 only authorized exemptions if the State law required the "same information." Also the provision was reworded to make it clear the Board is only responsible for reviewing the law and not the effectiveness of the administration of the law. These changes are in line with Governor Robertson's suggestions.

A new provision was also added requiring the Board to make a determination that the State law has adequate provisions for enforcement.

SECTION 7. CIVIL AND CRIMINAL PENALTIES

Section 7(a)—Civil penalties.—This section sets forth civil penalties of double the finance charge with a minimum of $100 and a maximum of $1,000. This section was amended by the committee to permit a creditor to defend against a civil action by proving the failure to disclose was an unintentional error. However, the burden of proof would be on the creditor, and he would have to establish, by a preponderance of evidence, that such error was unintentional. The amendment also permits a creditor to escape liability for an error if the creditor discovers it first and makes whatever adjustments are necessary to insure that the consumer will not pay a finance charge in excess of the amount or percentage rate actually disclosed. The committee also reduced the maximum penalty from $2,000 to $1,000.

Section 7(b)—Criminal penalties.—Criminal penalties of $5,000 or 1 year imprisonment or both are specified. These are identical to the original S. 5. However, the words "willfully and knowingly" were added as a condition for giving false or inaccurate information. Also, the section now makes it clear that the Attorney General will enforce the criminal penalties section. This is in keeping with Governor Robertson's testimony that the Board did not have any trained investigators or law enforcement officials.

Section 7(c)—Exemption for governments.—This section exempts the Federal Government and State and local governments from civil and criminal liabilities. Similar provisions were contained in the original S. 5.

Section 7(d)—Exemption for overstatement.—Creditors would be relieved of any civil or criminal penalty by overstating the annual percentage rate. The original bill provided for such an exemption from civil penalties only if the overstatement was due to an "erroneous computation." There was some doubt about the meaning of this phrase. The original bill also had no such exemption under the criminal penalties section.

SECTION 8. EXCEPTIONS

Section 8(1)—Business credit.—The section contains an exemption from the act of credit for "business or commercial purposes" or to governments. The original S. 5 would have exempted credit to "business firms as such." This left an element of doubt with respect to credit granted to farmers, proprietorships, or self-employed professionals. This doubt is now clarified by the definition of credit under section 3(b) as credit for person other than an organization and "primarily for personal, family, household, or agricultural purposes." Credit for business or commercial purposes is exempted.

Section 8(2)—Stockbroker margin loans.—This section continues the original S. 5 exemption for margin loans made by stockbrokers. SEC already has the power to require such disclosure under the 1933 Securities Act.

Section 8(3)—Credit in excess of $25,000.—This is a new provision included on the recommendation of Governor Robertson. The exemption would not apply to real estate credit transactions. The purpose is to provide an objective test between consumer credit and business credit so as not to require the creditor to inquire continuously as to the purpose of the credit. If a credit transaction is under $25,000 and the creditor is uncertain if it is a business or consumer transaction, he will tend to assume it to be a consumer transaction to avoid violation. If it is over $25,000 he can safely assume it to be a business transaction without worrying about violation.

Section 8(4)—First mortgages.—The committee amended the original S. 5 by exempting first mortgage credit. The committee felt that consumers were already receiving adequate information in this area.

SECTION 9. REPORTS

Section 9—Reports.—This is a new section added by the committee requiring annual reports from the Federal Reserve Board and the Attorney General on the administration of their functions. In addition, the Board would estimate the extent to which compliance was being achieved.

SECTION 10. EFFECTIVE DATE

Section 10—Effective date.—The original S. 5 would have been effective upon 6 months of enactment.

The effective date of the bill was postponed by the committee to July 1, 1969. The purpose of the change is to permit the States to amend their usury statutes in those cases where the disclosure of an annual percentage rate might possibly cause a legal problem. In addition, the later date permits the States to pass similar disclosure legislation, thereby securing an exemption from the Federal law.

Mr. BENNETT. Mr. President, as the ranking Republican member of the Committee on Banking and Currency, I am happy to join the Senator from Wisconsin [Mr. PROXMIRE], who has been managing the bill in the subcommittee and the full committee, in urging its passage by the Senate. No Member of the Senate will find greater satisfaction in the passage of the bill now before us than I will, because for me it could, hopefully, mark the end of more than 6 long years spent in search of a workable pattern of consumer credit cost disclosure.

From the beginning of the consideration of the problem by the Committee on Banking and Currency back in 1961, I have hoped for a solution that would be as fair as possible, both to the borrower or buyer and to the lender or seller. I agree with the Senator from Wisconsin that the bill is not perfect; but, in my opinion, it more nearly meets the needs both of borrowers and lenders than any other proposal that we have been able to devise. For this reason, I hope the Senate will pass the bill.

On July 17, 1961, the very first day of hearings on the first consumer credit disclosure bill, I said—and I quote from the record of those hearings:

> I feel that there should be full disclosure of the dollar costs and under some circumstances, where it is appropriate, a percentage, whether it is stated by the month or by the year, but I do not approve of trying to force all statements of the cost of credit into the straitjacket of a simple annual rate. I think that as the testimony develops before the committee we will discover that there are some types of consumer credit that cannot be forced into that straitjacket.

One of the first problems that came to my attention during those first hearings involved the application of a minimum dollar charge, which while reasonable in terms of dollars, became ridiculous when translated into an annual rate.

To illustrate the problem, let me tell the story of a man who went into a gas station one morning. His car battery was dead. He was the driver in a carpool that week. He could not wait. He had no money in his pocket, so he could not make a downpayment.

The service station operator said, "The battery costs $20. I will make a credit charge of $2. You pay me $5 every payday until you pay off the amount."

Those figures are small enough so that everybody can understand them. When I tried to figure out the annual rate of interest on that simple transaction, I became involved in a process that eventually ended in some of the largest universities in the west. Every man who figured that annual rate reached a different answer. All I could finally determine was that the annual rate was somewhere between 115 and 130 percent.

The rate statement on such purchases may appear unreasonably high yet when one talks about paying $2 for the privilege of having credit, under those circumstances, it does not seem to be too bad.

Fortunately, the bill takes care of such a case, because it exempts all installment transactions in which the charge for credit is no more than $10. In practice, this provision would exempt purchases which could be as high as $110, if paid off in 1 year, even at an annual rate of 18 percent, and the value of the purchase could go higher at lower percentage rates or a more rapid payoff. The committee agreed that this exemption was necessary to protect the poor because rather than to state an extremely high rate like that in the battery case, sellers would simply dry up the credit on small loans or purchases.

I soon discovered the annual rate requirement had a natural relationship to installment contracts, which required payments of equal size spaced into equal time periods, but would not fit situations in which there were variations of either amount or time, and most particularly would not fit the so-called revolving charge accounts, whose balances could vary both up and down between payment periods.

This problem of stating costs in advance on revolving charge or open credit in advance has been the most difficult one we faced. In the first place, it is impossible to calculate the total dollar costs of revolving credit in advance, as could be done for normal installment accounts, because no one knows in advance how the customer is going to use the revolving charge, because the carrying charge is bound to be different every month; in order to be accurate, it has to be calculated after the month's record has been made; and the charge can be as low as zero. The cost of credit on such accounts is further complicated by the so-called free time which applies to every purchase, and can range between a minimum of 31 and a maximum of 59 days. In contrast, there is no free time allowed in a typical installment contract; and as though this were not enough to make the accurate prestatement with annual rate, there is still a third major factor that would have this same effect. In some revolving charge systems, the monthly charge is applied to the balance at the beginning of the period, while other sellers first subtract all credits from the beginning balance, including payments on account or returns or other allowances. Thus, depending on the system used, different dollar charges inevitably would be developed from accounts that were actually identical.

In the original bill which would have required a statement of revolving account charges as a simple annual return, it was proposed that this would be arrived at simply by multiplying the monthly return by 12. This was a very serious oversimplification, and this process always produced an overstatement of the rate which in some cases could have been as high as 40 percent. The existence and amount of the overstatement could always be demonstrated by calculating the actual finance charge developed by the account after the transactions had occurred, but it could never be calculated in advance. Thus, instead of producing trust, this oversimplification would always have given the buyer a false picture; and since it was always an overstatement, it would have been competitively damaging to the seller.

It was this head-on collision over the method of stating the cost of revolving credit which derailed the three earlier bills, and it was only this year, after the committee sought to make a workable adjustment for practical factors which I have described, that this bill could win the unanimous support of the committee.

In brief, these are the adjustments we have made:

First, the requirement that revolving dollars must be stated in advance has been dropped because, as I have said, the figure could not be calculated.

Second. The complication caused by "free time" and the unpredictable pattern of charges and credits both in time and in amount have been bypassed by eliminating the requirement for stating an annual rate and permitting the statement of the monthly charge while at the same time requiring a showing of the basis on which the charge is calculated.

Third. Because the annual rate on revolving or open-end credit can only be figured after the transactions have occurred, and because the committee feels that customers using this type of credit are entitled to know approximately what the credit costs—and the sellers should be permitted to give this information to the customers—the bill permits, but does not require, a seller using the revolving charge system to print on his statement a figure representing the average annual effective rate based on all the transactions of the previous year. This is the average rate and, of course, does not match the experience of any single customer; but it is a pretty good measure.

Those selling on the typical installment plan are required by this bill to state an annual rate in advance, and those selling on revolving credit are not. The committee realized that there might be an attempt on the part of some to label their installment credit with the name of revolving credit in the hope of avoiding the bill's requirement. So it closed this door by setting up three conditions which are typical of installment credit, but not of revolving, and requiring that an annual rate be stated when any one of these three conditions was present. The Senator from Wisconsin [Mr. PROXMIRE] has explained them in greater detail. I shall just mention them in passing:

First. The retention of a security interest.

Second. The provision which permitted the payment in 1 year of less than 60 percent of the amount due.

Third. Provisions which permitted the buyer to skip the payment of some monthly installments by prepaying them in advance.

The fact the committee has approved this bill with a method of disclosure for open-end or revolving credit which is different from that of installment-type credit, does not, in my opinion, deprive the consumer of true information about the cost of credit or put him at the mercy of unscrupulous sellers or lenders. The often-heard charge that business as a whole in serving consumers, deliberately attempts to mislead, misinform, and give false information to customers is, of course, simply not a fact.

There will always be some who build their hope for business on the false assumption that they can fool their customers. But everyone who has had any experience in business knows that a business can grow only if its customers keep coming back. These customers are not as stupid as some of their would-be, self-appointed guardians would like to have us believe, and if they are not satisfied with either the merchandise, the credit terms or any other service, they can find plenty of other places for their patronage.

Nor do the terms of the present bill prevent a meaningful comparison of credit costs. Credit cost comparisons are necessarily and naturally made between credit sources of the same type, and existing practices which have developed over the years have already established more or less identical disclosure methods for competitors in the same field. A man searching for mortgage credit finds all mortgage lenders quoting costs in the same way, and this is largely true of other groups, retail establishments or small loan offices. Conversely, a man who has to decide between buying an automobile or a home makes that decision for many other reasons of convenience and necessity which are far more important than the different methods of stating credit in the two fields.

No one expects to pay as low a rate on a small short-term purchase as he does on a big long-term purchase. Many retail sales are so small that the granting of credit at a rate which is no higher, for instance, than that offered on a mortgage actually results in a loss to the seller compared with the profit he could have made had he sold for cash. In fact, every impartial study of the cost of retail credit of which I know has shown that large retailers are not meeting their costs of extending credit with the charges they now make.

They absorb this loss because their competitors offer credit, and because they are convinced that by making credit available they can increase their business.

Mr. HOLLAND. Mr. President, will the Senator yield at some convenient time? I have some questions I should like to ask him.

Mr. BENNETT. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. I thank the distinguished Senator for yielding.

Mr. President, of course I presume all Senators received, as I did, many complaints as to the original bill that was pending in the Senate for several sessions prior to this one. I have had very few complaints on the pending bill. I am sure the committee must have made many changes that are helpful, and that have tended to clear up the difficulties in the old bill.

I have received only one recent complaint, and it is that about which I wish to question the distinguished Senator. It has come from small merchants who do business by way of installment sales, and then have to be financed by selling that paper to small finance companies—local finance companies, I think I should say, though they are not large concerns—and from some of the small finance companies.

They say the pending bill would make it increasingly difficult for small merchants who do that type of business, and small finance companies which finance that type of business, to stay in operation, because of the fact that the large concerns which have their own finance companies are able to distribute their profits between the selling operation and the financing operation in a way which will be hurtful to the small merchant and the small finance company.

I confess that I am not fully conversant with the problem. I am sure that the Senator from Utah must have heard similar complaints, and I should like to have any comment that he cares to make on the problem. I address the same question to the distinguished Senator from Wisconsin, because, as I have already stated, the number of complaints I have received, and the nature of those complaints, with reference to this amended, changed, or rewritten bill, whatever it is, have been so small as compared with those I received during earlier sessions that I am satisfied the bill is much nearer approval, in general, than was the case heretofore.

If the Senator from Utah cares to comment on that situation, I shall appreciate it.

Mr. BENNETT. Mr. President, I would like to make this comment: It seems to me that the problem the Senator from Florida has described existed before any truth-in-lending bill was considered. It will exist no matter what bill we pass. It grows out of the fact, which is axiomatic in our free enterprise system, that people with large distributive capacity can offer services at lower prices. The people to whom the Senator refers have been competing with that ability all along.

The pending bill will require them, if they are selling on the installment plan—and I assume they are—to translate their rates to an annual rate. It will also require the big man to translate his rate to an annual rate.

In order to help the little man, there has been written into the bill a system or an opportunity for tolerances, so that the little man—or the big one—can use a rate chart, which can be purchased cheaply and easily, to save him from the cost of having to figure the rate and the dollar cost of every single transaction. To that extent, we have been able to lighten his burden.

But, as I say, the problem of competing with the larger organizations existed before the pending legislation came out, and I do not think this bill affects it.

Several Senators addressed the Chair.

Mr. BENNETT. I yield first to the Senator from Alabama.

Mr. SPARKMAN. Mr. President, I merely wanted to add that there is another provision in the bill which is helpful to the small businessman, and that is the $10 exemption.

Mr. BENNETT. Yes. I covered that before the Senator came in.

Mr. SPARKMAN. I was hoping the Senator would cover it in connection with the question raised by the Senator from Florida.

Mr. BENNETT. I thank the Senator. I shall do so.

The bill provides an exemption for every sale on credit where the total credit charge is less than $10—which translates into a sale as high as $110, to be paid for over a year. So the little man has that protection at the low end of his business.

Mr. HOLLAND. Mr. President, I thank the Senator for his statement. In order that there may be no question as to whether we are talking about the same situation, the complaints I have received—and they have been few—have come from small independent dealers, not small in the sense that they are irresponsible people at all, but they are independent dealers like furniture dealers, hardware dealers, dealers in electrical equipment, or the like, who sell on installments, and then finance themselves by the sale of the installment paper to local finance companies.

When I say local finance companies, I am distinguishing them from the finance companies which, for instance, go along with Sears, Roebuck, or Montgomery-Ward, General Motors, or with any of the other large groups of stores or large merchants which have their own financing organizations.

I want to be very sure that I understand what this situation is, because I think the tendency in the Nation right now is too much in line with making it harder and harder for smaller business people, whether they be the merchants or the finance people, to stay in business, as compared with the very large operators.

I will appreciate anything further that the Senator has to say on this subject.

Mr. BENNETT. Perhaps the Senator from Wisconsin would like to comment on this matter.

Mr. PROXMIRE. Mr. President, I think the Senator from Utah has answered the question very well by saying that this was a problem before the pending bill and that this bill does not really affect the basic problem.

Furthermore, a similar truth-in-lending law has been in effect in Massachusetts for some months. We have had an opportunity to determine whether or not it would adversely affect small business. The testimony did not indicate that small business was inhibited in the sale of paper or in any other way by that law which is a more extensive law than the pending bill.

I think that that practical experience of several months at a time when the law would have run into its initial and main difficulties does suggest that the bill will not visit undue difficulties on small businessmen.

Mr. HOLLAND. Mr. President, if the Senator will yield for a specific question, is it the opinion of the distinguished Senator that there is nothing in the bill that will make it more difficult than it already is for small independent businesses or small financing companies to survive and profit and prosper?

Mr. PROXMIRE. There is nothing in the bill which would make it more difficult for them to survive and profit and prosper.

It is true that all businesses will have to compute the annual rate. As the Senator from Utah has pointed out, they will have tables that will make it easier for them to do it.

This is perhaps more of a burden on a small businessman than on a large established firm in some ways, but the best judgment of the committee and the unanimous judgment of the subcommittee was that this should not be a significant burden in any way.

They can survive and profit and prosper.

Mr. HOLLAND. Is it true that this particular point, the application of the law to small businesses and small financing companies, was of concern to the committee?

Mr. PROXMIRE. Yes. It gave us the deepest concern.

The Senator from Alabama is the Senate's outstanding man in the small business field. For years he has been chairman of the Select Committee on Small Business. I have been chairman of the Subcommittee on Small Business of the Committee on Banking and Currency. We have both been deeply concerned, and other Senators have been very concerned, that we do all we could to protect and safeguard small business.

That is the reason that the $10 provision was written in. We scrutinized every part of the bill, explicitly with reference to the particular point which the Senator from Florida is so right in raising.

If the bill were badly drafted and written, it could make it difficult for small business. But we are convinced that the pending bill will not make it difficult for small business.

Mr. HOLLAND. Was it considered by the committee as to whether a limit of more than $10 might be more helpful to the small business people and small finance companies?

Mr. PROXMIRE. Yes. There was some consideration given to that, although, frankly, the bill originally had no provision for any exemption of this kind. The Massachusetts law has no exemption. The Washington State law has no exemption. The Nova Scotia law has no such exemption.

There was some suggestion by consumer groups that we were going too far and that we should limit it to $5.

We think we went as far as we could without weakening the bill seriously.

Mr. HOLLAND. Mr. President, I thank all three of my distinguished friends, who are all known to be friends of small business and to be anxious about the problems of small business and the continued existence and prosperity of the small businessmen.

Their answers have gone far to clear up the question for me. I thank them all.

Mr. BENNETT. Mr. President, I thank the Senator.

Banks providing loans to individuals often vary in rate charge on the basis of the borrower's credit rating, which in turn measures the degree of risk involved. Small loan companies provide funds at high rates because those with whom they deal generally have very poor credit rating and are under the necessity of making many small payments in order to repay the loan, which in turn forces up the cost of handling the account.

I have gone through this method of presenting the different types of credit to remind the Senate that credit is a variable commodity and that there are many factors involved other than the actual interest charged for the use of the money. I have done this to make the point that an attempt to force the statement of the cost of all forms of credit into a single pattern would, in my opinion, have produced more distortions than it would have eliminated.

In short, Mr. President, I felt that this bill has had to be rescued from the straitjacket of mathematical rigidity and made practical by recognition of the need for mathematical tolerances. The original bill did not provide for any meaningful tolerances in the statement of rate, and this would have meant that each of the many billion daily consumer credit transactions would have had to be computed separately, and such computations are not only unfeasible but an attempt to go through with them in order to comply with the bill would have greatly increased the cost of credit service in my opinion, which, of course, would have had to be passed on to the consumer.

Another important change made in

this bill, then, has been this recognition of the necessity for tolerances. The pending bill will permit a variation of 8 percent from the true mathematical rate, both under and over that figure.

Let me make it clear what this variance means. In referring to a rate of 10 percent, I am not saying that it can vary from 18 percent up, to 2 percent down. However, I am saying that it can vary eight-tenths of 10 percent. So, it can vary down to 9.2 percent.

There is no limit on the variation that can occur above the actual mathematical figure since obviously this rate figured on that basis would be detrimental to the seller, not to the buyer. Because we have written the tolerance into the bill, it is going to be possible for the sellers to use periodical rate tables prepared and published in advance, and the seller can refer to these quickly and get a figure which he can use safely within the tolerances of the bill.

I used to say of the original bill that if it were enacted it could neither be complied with nor enforced.

Such a charge cannot be made against this bill. It is not perfect, but I think it meets the practical criterion of the greatest good for the greatest number of both consumers and creditors. I am sure it can be put into force without creating a major wrench in the economy or requiring any severe readjustment of bookkeeping systems, monthly statement forms, or payment patterns. In fact, one of its greatest virtues is that it can become virtually self-enforcing, and this is backed further by a provision in the bill.

One of my objections to the original bill grew out of the fact that I felt the whole problem belonged at the State level. I am now supporting a bill at the Federal level.

One of the main features of the bill is that it contains the provisions that I am about to read. It begins by saying:

> The Board—

And that word refers to the Federal Reserve Board which, under the bill, will have the responsibility of writing the regulations under which this would operate.

The provision in the bill reads:

> The Board shall by regulation exempt from the requirements of this act any class of credit transactions which it determines are subject to any state law or regulation which requires disclosures substantially similar to those required by Section 4 and contains adequate provisions for endorcement.

The bill, in other words, provides that if the States enact legislation which accomplishes substantially the same purpose, and which satisfies the Board as to its efficacy, the Board can then withdraw from enforcement of this act in that State and the State authorities can take up the enforcement of their local laws in place of the act.

We have had a group known as the National Commissioners on Uniform State Laws, appointed by State Governors. That group has been working for a number of years on this and other consumer problems.

We expect that shortly they will present us and the United States with proposed uniform State legislation. By acting now, we will be laying down some guidelines for men who are working on the proposed uniform State laws. So they can have hope that when their uniform laws have in fact been adopted, their State enforcement agencies can take over the job of enforcing legislation of this type, and that is where I believe it belongs. So I am delighted that this provision is in the bill.

This provision not only eliminates any need for a new, vast Federal establishment to police the law, but it also preserves in a unique and practical way my original position that this law should be administered at the State level rather than at the Federal level.

Finally, as is to be expected under the circumstances, this bill represents great accommodations between once antagonistic ideas. Its passage will not be a victory for anyone but a gain for everyone. It does provide meaningful and practical patterns for effective consumer credit cost disclosure, which after all should be our ultimate objective.

Therefore, as I said at the beginning of my remarks, Mr. President, I am very happy that after 6½ years of opposition to bills earlier introduced, I can join the Senator from Wisconsin and stand before my colleagues, earnestly urging the support of the committee and the passage of the bill.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. JAVITS. First, I should like to say to the Senator from Utah, as a former member of the Committee on Banking and Currency, that I believe it is a great tribute to him that he is able to stand before the Senate and agree to the bill; because to me the most eloquent words in the English language that reflect the greatest character on those who utter them are "I am persuaded." I know that the Senator has had much to do with developing a bill which he could support and, without him, it could never have happened.

Although many of us felt that Paul Douglas could have done it if he had only moved an inch or two, the fact that it has been done must still be remembered as a very important tribute to his service in the Senate. Senator PROXMIRE picked up the torch for Senator Douglas, but we should not forget Senator Douglas' great role in authoring this idea.

I had a similar experience with Senator Lehman, of New York, who was a devotee of developing power at Niagara. But he never would move an inch, either, and hence it never got done until Senator Ives and I did what Senator PROXMIRE and Senator BENNETT have done in this matter.

So we should remember those who were the progenitors, like Senator Douglas, but we should also pay great tribute to the Senator from Utah and the Senator from Wisconsin, who worked this matter out.

If I may have the attention of the chairman of the committee and the ranking minority member, the New York banks have presented two questions to me which I should like to present to both Senators, so that at least the RECORD might indicate that the questions were asked and answered; because I intend to support the bill, and I realize the interdependent character of the compromise which is involved.

The first question is this: Whether or not it would be desirable to ask the Federal Reserve Board to have the right to determine, based upon experience with the bill in the 3 years from 1969 to 1972, whether or not it should thereafter require disclosure on the dollar-per-hundred or on the percentage basis or whether to continue the alternate form even for a 3-year period beyond that, again giving the Federal Reserve Board that discretion. Was that question considered by the committee, and what do the Senator from Utah and the Senator from Wisconsin think about it?

Mr. PROXMIRE. The effective dollar-per-hundred basis would be the same thing. In other words, if it were $18 per hundred, it would be a true 18 percent. It would not be a discount or an add-on or anything of that nature.

This question was considered, because, frankly, there was a strong feeling on the part of competent people in the banking industry that if you did not have a dollar-per-hundred option, you might have a misapplication of the State usury laws. We do everything we can in the bill to provide that the finance charge is not interest, but it could be misjudged in court. Therefore, we provided that there would be a limit on the dollar-per-hundred option until 1972, feeling that between now and then it would be possible for State legislatures to change their usury laws or, as a matter of fact, if it was embedded in their constitution, to change the usury laws by having two successive sessions of the legislatures change them.

If we find that we should continue this option beyond 1972, it seems to me that Congress has ample time to do so. But the feeling of the committee is that we should make a strong attempt to get this on a comparable basis, on a percentage basis, and not on a dollar-per-hundred basis, eventually, and 1972 would be going quite a distance into the future.

Mr. JAVITS. And the committee did not believe that discretion should be given to the Federal Reserve Board to handle it, but, rather, the committee believes that Congress itself should handle it?

Mr. PROXMIRE. That is correct. The Federal Reserve Board, which was very helpful on this bill, and was forceful and unanimous in approving the bill and saying they wanted it, indicated to us in general that they wanted as definitive a bill as possible, and at no time indicated they wanted discretion in this particular area.

Mr. JAVITS. Is it fair to say that, as a part of the legislative history, the banks can say that there is an open mind in Congress, and that the reason the 1972 date is set—and that it might even be extended—is to see whether pragmatically this can be worked out, so that by 1972 legal inhibitions and policy inhibitions are gone, and if they are not, at least consideration can be given to continuing this practice?

Mr. PROXMIRE. Yes. But there is one delicate and difficult caveat here.

The purpose of the date was to persuade legislatures to modify their usury laws sensibly and appropriately. Obviously, if we have an open end situation or if it is clear that Congress is going to continue to extend this indefinitely, there would not be the same kind of pressure to clarify the usury statutes.

Mr. JAVITS. May I say that with the law on the books and the need for another law to undo it, I do not believe that anybody can have any illusions about the fact that it is an open-end situation. I believe it is important for those who feel strongly about the subject that inherent in passing the statute, Congress was conscious of the fact that 1972 might be an unfair limitation and that it might very well have to be extended.

Mr. PROXMIRE. That is correct.

Mr. BENNETT. I should like to comment on that aspect: 1972 is 5 years away, and this time gives ample opportunity for us to measure the speed with which the States correct the usury problem, and the committee can act again in time.

We have a very real example. We have had an experience in the State of Nebraska which shows what happens when a judge decides that a bill throws all credit transactions outside or within the usury statute, and invalidates them all. So we are very much aware of the problem.

Mr. President, I have a statement on the possible effect of the bill on usury statutes or vice versa. I ask unanimous consent that the statement be printed in the RECORD.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Without objection, it is so ordered.

The statement ordered to be printed in the RECORD is as follows:

All but four States have usury statutes limiting the maximum rate of interest that may be charged. The following is a compilation of State usury laws and the maximum usury rates in each State:

Usury rate: 6% per year. Number of States: 10 (Delaware, Maryland, New Jersey, New York, North Carolina, Pennsylvania, Tennessee, Vermont, Virginia, West Virginia).

Usury rate: 7% per year. Number of States: 6 (Illinois, Iowa, Kentucky, Michigan, North Dakota, South Carolina).

Usury rate: 8% per year. Number of States: 12 (Alabama, Alaska, Arizona, Georgia, Idaho, Indiana, Louisiana, Minnesota, Mississippi, Missouri, Ohio, South Dakota).

Usury rate: 9% per year. Number of States: 1 (Nebraska).

Usury rate: 10% per year. Number of States: 10 (Arkansas, California, Florida, Kansas, Montana, Oklahoma, Oregon, Texas, Utah, Wyoming).

Usury rate: 12% per year. Number of States: 6 (Connecticut, Hawaii, Nevada, New Mexico, Washington, Wisconsin).

No usury law: Number of States: 4 (Colorado, Maine, Massachusetts, New Hampshire).

Usury rate: 21% per year. Number of States: 1 (Rhode Island).

In addition, the District of Columbia has a usury rate of 8% per year.

It has been common to differentiate between finance charge and interest rate. Consumer credit for small purchases cannot be granted at rates even approaching the rates provided in usury statutes of most States. Therefore, if the original bill had been accepted, nearly all consumer credit would have been made illegal, and such action would have disrupted the entire economy of the country.

Let me cite the problem that occurred in the State of Nebraska as illustrative of the importance of the differentiation of interest rate and finance charge.

Nebraska statutes regulating installment credit are classified under "Interest" in the codification of the State's laws. The Nebraska Supreme Court had affirmed the time-price doctrine in 1933 and later years. It held that a bona fide time-price sales agreement was not tainted with usury even though the time-price exceeded the cash price by a rate higher than the 9 per cent interest rate of the State usury statute. In decisions in 1956, however, the Court held that contracts to finance purchases were evasions of the usury statute when the buyer was not quoted a cash price and a time price, and given the opportunity to choose between them.

The uncertainties created by the court decisions prompted the Nebraska Legislature to write a new Installment Sales Act in 1959. It required statement of the cash price, the time price, and the differential. The legislation placed ceilings on the amount of finance charge that could be levied on retail credit sales at various rates.

The 1959 Sales Act was held unconstitutional in 1963. The Legislature in its regular session that year modified the Act and the court held that Act unconstitutional. In a special session, the Legislature passed several Acts modifying the Loan Act and the Sales Act. The two rate Acts were held unconstitutional in 1963 and 1964.

The decision that the 1959 Sales Act was unconstitutional found that contracts made under the Act were methods of financing the unpaid balance of the cash purchase price of goods, and therefore were not time-price differentials but were loans.

The Supreme Court of Nebraska concluded that the time-price differential allowed by the Act was for forbearance of money, thus was an interest charge. This made all of the contracts that had been made at rates in excess of the general usury statute of the State illegal, and an illegal contract is unenforceable. The confusion that resulted had a very disrupting effect in Nebraska, and only when a new installment sales law became effective in 1965 did the confusion cease and business continued to operate in a normal fashion.

The original disclosure bill, by declaring all finance costs as interest, would have brought about a similar result in other States throughout the country. I could not see how such a result would add to stabilization of the economy as the bill claimed or how it would be in the interest of consumers to make it impossible for legitimate lenders and merchants to provide them with credit legally. This is one of the bases on which I had to oppose the original legislation.

The bill as now drafted makes as specific as possible the distinction between interest and finance charge. It has been the attempt of the Committee to avoid any possible disruption of credit granting that could occur as the result of considering the rate required to be disclosed as an interest rate. There is an attempt to preserve present relationships with regard to the time-price doctrine.

There is still the possibility that the rate disclosed will be considered an interest rate by consumers, and that as a result, they will feel that the rate is in excess of that permitted by State law and that harassment of businesses will occur. We have tried to minimize this possibility through language in the bill, and hope that the period until July 1, of 1969, before the bill becomes effective, will provide time for States to reconsider their usury statutes.

Mr. JAVITS. I thank my colleagues.

May I ask one other question of the chairman and the ranking minority member of the committee.

There is also a feeling in the New York banking community—not universal, but I believe it deserves a reply on the record—that it would be more fair and less discriminatory, and that greater comparability would be introduced into the revolving credit proposition, if the 60 percent test—that is, 60 percent repayment within 12 months—were to be amended to require annual disclosure only if less than 45 percent of the unpaid balance, on an experience basis, were paid off within a 12 month period.

Mr. PROXMIRE. The committee did consider this aspect explicitly. As a matter of fact, this 45 percent amendment was offered in the full committee, and then it was offered on the 50 percent basis. So the committee went into this feature in some detail.

When one considers what we do with a 60 percent limitation, it means 60 percent should be paid off within 1 year. This means, on the average, as our staff people compute it, that the balance would be paid off within 19 months.

This is an extended period. The purpose of the limitation was to prevent installment credit, such as credit for automobiles and big appliances, from moving into revolving credit.

When we get to 45 percent, and where we have more than a 2-year period, it would open the door so wide that whereas now there are 3 percent or 4 percent excluded from the annual requirement, it is conceivable that there would be a larger element and greater injustice.

Mr. JAVITS. In any case, the committee was decidedly against it and the compromise is based on that.

Mr. PROXMIRE. The Senator is correct.

Mr. JAVITS. I thank the Senator.

Mr. BENNETT. Mr. President, if there are no further questions I would be happy to yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

SENATOR PROXMIRE'S LEADERSHIP ON TRUTH IN LENDING

Mr. SPARKMAN. Mr. President, the truth-in-lending bill has been before the Senate Banking and Currency Committee for 7 years. On June 27, the committee met and for the first time recommended by a unanimous vote that the bill be reported to the Senate.

Much of the credit for this action must go to the skillful leadership of the Senator from Wisconsin [Mr. PROXMIRE], who was the principal sponsor of this bill. Senator PROXMIRE indicated a willingness to work with members of the credit industry to be sure that the bill would be workable to the industry while still providing the essential disclosure information to the consumer.

I believe Senator PROXMIRE has performed an outstanding task in piloting this long-delayed measure through the Committee on Banking and Currency. Although there are still elements of the bill which concern me, I believe the committee has by and large adopted a sound bill which will prove workable to the credit industry.

Mr. President, on June 30, the Wall Street Journal published an article regarding Senator PROXMIRE's activities on behalf of truth in lending and his activities as chairman of the Joint Economic Committee. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATE MAVERICK: WISCONSIN'S PROXMIRE IS ADDING SUBSTANCE TO SHOWMANSHIP

(By Norman C. Miller)

WASHINGTON.—For more than nine years William Proxmire has played a maverick's role in the Senate, and the fact that his fiery fights for hopeless causes frequently infuriated other Senators hasn't seemed to bother him.

Indeed, the Wisconsin Democrat has specialized in stinging assaults on Senatorial sacred cows—zestfully attacking other lawmakers' pet public works projects, for example. Colleagues' scorn for such tactics was apparently of small importance, as long as the folks back home got the message that "Battling Bill" was tilting with the Washington establishment in the La Follette tradition Wisconsin voters admire.

Good politics, perhaps, but Sen. Proxmire paid a price for his forays. Many Senators marked him down as a mere showman, too erratic to be trusted with serious business.

But now slight, baldish Bill Proxmire is surprising his Senate critics. The seniority system put the 51-year-old Senator in a leader's role on two important committees this year, and he has already come up with significant achievements.

As the new chairman of a key Senate Banking subcommittee, Mr. Proxmire picked up the long-languishing "truth-in-lending" bill and skillfully fashioned a compromise that was approved decisively this week by the Banking Committee, which for a half-dozen years had killed all such previous measures. Insiders think that breakthrough gives truth-in-lending a momentum that will sooner or later carry it all the way through Congress. Thus, Sen. Proxmire will probably become author of a landmark law requiring lenders and retailers to give customers more accurate information on the cost of credit.

Enactment of a truth-in-lending bill would be especially satisfying to Mr. Proxmire because the fight for that legislation was long led by the man he regards as his political mentor, former Sen. Paul Douglas of Illinois. Mr. Proxmire, whose five-year-old son is named Douglas as a tribute, says Mr. Douglas is the real hero of the truth-in-lending case. Ironically, many Senators feel Mr. Douglas' inflexibility was the bill's major obstacle in previous years; Mr. Proxmire's willingness to negotiate is deemed the major reason it finally got off the ground.

The Joint Economic Committee doesn't afford Sen. Proxmire a chance to initiate legislation, but since becoming chairman he has worked to expand the panel's influence on policymaking. After wangling White House agreement to making public a mid-year budget review, the Proxmire panel this week has followed up its traditonal early-year economic study with hearings aimed at compelling an Administration reassessment of controversial taxing and spending plans.

Sen. Proxmire's activist leadership has won bipartisan plaudits from joint committee members. Republican Rep. Thomas Curtis of Missouri calls his performance "excellent." Sen. Stuart Symington (D., Mo.) terms it "superb."

A GIMMICK?

Another Senator, impressed by the maneuvering that got the truth-in-lending bill moving, believes that a taste of legislative success may quiet Sen. Proxmire's appetite for gadfly causes. "I think the maverick role was a gimmick Bill used to establish his identity in the Senate," he says. "He's done that, and maybe now he's ready to be more constructive."

A safer bet might be simply that Sen. Proxmire will continue to do the unexpected, deciding for himself when it suits his purposes to follow the accommodating course most Senators consider "constructive" and when it does not. For Mr. Proxmire is a loner by nature, driven by ambition to keep making his mark as an individual, and not even his oldest political associates claim to understand all the reasons for his electric behavior.

The son of an Illinois doctor, Mr. Proxmire was educated at an Eastern prep school, Yale and the Harvard Business School. He seemed to be embracing the conventions of his Republican upbringing when he joined J. P. Morgan & Co. on Wall Street and worked as a GOP volunteer in Wendell Willkie's unsuccessful 1940 Presidential campaign.

The war put him into the Army counter-intelligence corps, and when he was mustered out in 1946, Wall Street had lost its allure. He went back to Harvard and, while obtaining a master's degree in public administration, decided the Democratic Party was for him because "it got things done." He also became determined to run for high office.

Lacking close ties to any community, Mr. Proxmire decided to pick an entirely new base where a newcomer could establish himself quickly in politics. He decided in 1948 that an ambitious young Democrat could move fast in Wisconsin, where the party was scratching for candidates to take on the long-dominant Republicans.

Having married a Rockefeller heiress, Mr. Proxmire could make his plans without worrying about money. He landed a reporter's job on the Madison Capital Times and quickly entered Wisconsin political circles.

Typically, he didn't wait to be invited to run for office. In 1950 the newcomer challenged a veteran assemblyman in the Democratic primary, and voters in the state capital got their first look at the day-and-night door-to-door handshaking style that was to become a Proxmire campaign trademark. He upset his well-known opponent in the primary and won an assembly seat.

Mr. Proxmire had no intention of remaining a faceless member of the tiny Democratic minority in the state house. He grabbed at the chance to run for governor in 1952 when the party was casting around for someone to take on a task considered hopeless. He lost badly, but the nomination gave him his first statewide exposure, and when the election was over he kept right on running, with his eye on the next gubernatorial race two years later. Touring the state in a battered old car, he shook hands everywhere, and organized rallies to denounce the policies of President Eisenhower's Agriculture Secretary, Ezra Taft Benson.

By 1954 Mr. Proxmire was the best known Democrat in the state, and easily turned back the challenge of an old-line party leader to win the gubernatorial nomination again. This time he came close to defeating his Republican opponent, running much better than expected. By 1956, Mr. Proxmire fully expected to win.

But he lost—badly—and seemed washed up in politics at the age of 41. A three-time loser, Mr. Proxmire had also handicapped himself politically by a divorce and remarriage. As he returned to his printing business in Waterloo, Wis., it looked as if his dream of political fame had become a nightmare.

Then, in 1957, Wisconsin Sen. Joseph McCarthy died. A special election was called and, while regular Democratic leaders feuded over the choice of a candidate, Mr. Proxmire jumped unasked into the race and won the primary. Then, confounding the experts who had written him off, he swept the election.

It was the first major victory by a Wisconsin Democrat in 25 years. Party leaders buried their reservations and hailed Bill Proxmire as a hero. Moreover, a hero's welcome awaited him in Washington, for his victory retained Democratic control of the narrowly divided Senate. Majority Leader Lyndon Johnson, whose job was preserved by the victory, gave the new Senator choice assignments that would help him build a record for the regular 1958 election.

CONVENTIONAL LIBERAL—AT FIRST

Mr. Proxmire came to the Senate as a conventional liberal and immediately supported the social legislation his wing of the party was then battling to enact. Wisconsin Republicans zeroed in, totting the high cost of the measures he proposed and dubbing him "Billion-Dollar Bill." But he handily won election to a full term, leading the state's Democratic ticket to a major breakthrough.

By then Mr. Proxmire had as much security as a Wisconsin Democrat can expect, and his party colleagues anticipated that he would continue to act like an orthodox liberal. So scarcely anyone was prepared in 1959 for Sen. Proxmire's sudden denunciation of what he called Lyndon Johnson's "one-man rule" in the Senate. His slashing anti-Johnson speeches seemed foolhardy even to Democrats who shared his views.

Yet, Sen. Proxmire was not committing political suicide. He sensed that his headline-grabbing fight was well received by Wisconsin's maverick-minded voters. He had made a deliberate decision to build a record as an independent fighter, disdaining the unwritten strictures of the Senate club, and not incidentally making some spectacular publicity splashes. When John Kennedy moved into the White House, Sen. Proxmire frequently quarreled with the Administration over matters big and small despite his early record as a Kennedy supporter.

The Johnson feud has cooled, though some bitterness remains on both sides. Mr. Proxmire supports the President on such controversial topics as the Vietnam War; he recently helped engineer an endorsement of the President's war policies by a Wisconsin Democratic convention. And Mr. Johnson made truth-in-lending one of his major domestic proposals this year after Sen. Proxmire served notice he would push the legislation.

"I also thought Johnson would be fine in the Executive Branch," says Mr. Proxmire. "I just didn't like the way he ran the Senate, bossing people around like it was an Executive agency."

Mr. Proxmire's continuing campaign against wasteful Government spending began soon after his 1958 election. Such talk by a politician isn't unusual, of course, but Sen. Proxmire follows up with ballyhooed attacks on specific projects in sacred pork barrel appropriations bills, and this has made him a pariah to some influential lawmakers. More than once, some dismayed Wisconsin politicians relate, money sought for Federal facilities in the Badger State has been dropped from appropriations bills in retaliation for the losing battles Mr. Proxmire has staged against projects in other states.

Such tactics, however, have allowed Mr. Proxmire to continue supporting liberal social legislation while shoring up his position with economy-minded voters at home. "He has carved out an almost unique constituency," marvels another Wisconsin politician.

A THOUSAND HANDSHAKES AN HOUR

Probably Mr. Proxmire's greatest political strength lies in his never-ending campaigning. Even in non-election years he is back in the state about every other weekend. He says he can shake hands with a thousand voters an hour during his forays into Milwaukee shopping districts. Nor does he neglect the small towns; one politician recalls the Senator's sleeping in a barbershop when stranded overnight in a remote hamlet.

An almost fanatical physical fitness regimen helps keep Sen. Proxmire in shape for his grinding. A nonsmoker and near-teetotaler, he does 300 pushups and other exercises first thing in the morning. Then he jogs the five miles to Capitol Hill. In the evening he jogs back and roughhouses with young Douglas before sitting down to his first full meal of the day.

Admirers cite all this supercharged political and physical activity as evidence of the Senator's determination to be his own man. Detractors say he overdoes everything, failing to recognize that it's possible to accomplish things without punishing yourself. (At a party at Sen. Gaylord Nelson's home in Madison the host was being ribbed by a guest because he didn't make a fetish of fitness as his Wisconsin colleague did; thereupon, Mr. Nelson flopped to the floor and performed a series of one-arm pushups, and a chagrined Mr. Proxmire had to admit he couldn't duplicate the feat.)

More seriously, Sen. Proxmire's style of politics came close to backfiring during the 1964 election. A national magazine dubbed him one of the "five least effective Senators," and his Republican opponent aggressively exploited this charge. Mr. Proxmire ran behind Lyndon Johnson in Wisconsin, and some think he would have lost the election had it not been for the President's pulling power.

Writing a truth-in-lending law and acquiring prestige for knowledgeable direction of the Joint Economic Committee would be perfect antidotes to charges that Sen. Proxmire is ineffective, of course. Whatever turn the unpredictable Senator may take next, one thing is certain: He will be heard from.

Mr. SPARKMAN. Mr. President, I said that much of the credit was due to the Senator from Wisconsin [Mr. PROXMIRE] and it is. Equal credit must go to the Senator from Utah [Mr. BENNETT], the ranking minority member who worked so faithfully and so consistently in order to work out a good bill. The Senator from Utah was skillful in his advocacy and in his presentation.

Both the Senator from Utah [Mr. BENNETT] and the Senator from Wisconsin [Mr. PROXMIRE] realized in the beginning that if we were to get a bill which we could hope would pass the Senate and the House of Representatives it had to be based on compromise. I think all of us realize that legislation, at its best, is always a compromise, and so it is with this bill.

I believe that no other bill has been better presented than this bill from the standpoint of hearings. We heard much testimony. I know that the subcommittee took into account all of the testimony, the various views that we presented, and we worked out the best compromise that we could.

Mr. President, this bill does not suit me 100 percent. I doubt that it suits a single member of the committee 100 percent. However, I believe that everyone will join me in saying that it represents just about the best balance that we could develop. As I have said to others, it is a finely balanced bill, satisfying the overwhelming majority of all of those involved, but probably not completly satisfying anyone.

I opposed the so-called truth-in-lending bill during the 88th Congress when it came to a vote in the full committee of the Committee on Banking and Currency because I did not believe it was workable in the way in which it was presented. I voted for this bill this year, and in fact, not one member of the full committee opposed the bill because we felt we had developed a workable bill.

I believe that one of the best statements on the bill is contained in the individual views of the Senator from Utah [Mr. BENNETT]. If I may have the permission of the Senator from Utah, I ask unanimous consent to have the individual views as presented by him and contained in the report of the committee printed in the RECORD.

Mr. BENNETT. I am very honored to have them included in the RECORD.

There being no objection, the individual views were ordered to be printed in the RECORD, as follows:

INDIVIDUAL VIEWS BY MR. BENNETT

I have given my support to this measure providing standards of disclosure for consumer credit because it is the best solution that we have been able to work out over the past 7 years.

This bill bears little resemblance to that introduced at the beginning of this session and even less resemblance to the original bill of several years ago. We have come a long way in making the bill more workable while preserving the major goal of comparability as much as possible.

I feel that the consumer credit industry, bankers, retailers, and other lenders deserve a great deal of the credit for making a workable bill possible. I believe that I am safe in saying that none of them are completely satisfied with this bill, but they have given of their time; and their suggestions based on actual practical operating experience have been invaluable to the committee.

From the very beginning, I have subscribed to the principle of full and meaningful disclosure of credit costs. I don't believe that any responsible person could favor misrepresentation or willful withholding of information which could be reasonably disclosed and which would make it possible for consumers to compare alternative sources of goods and services. This is the basis on which our market system is built and has become so successful. On the other hand, one must avoid setting up rigid requirements which cannot be complied with easily by credit grantors or the result is an increase in costs which ultimately are passed on to the consumer.

Because there are many sources of credit both from lenders and sellers and credit is granted for a variety of purposes and under varied circumstances, it is completely natural that programs for granting credit developed along different lines and that credit costs were expressed in different ways. The objective of the original "truth-in-lending" proposal was to replace the many different methods of credit cost disclosure with a uniform statement as a simple annual rate.

A careful consideration of credit plans available led to the conclusion that all cannot be forced into one pattern of a simple annual rate statement in advance of the transaction without serious inaccuracies and inequities. Attempts to bring about such a statement resulted in the 7-year stalemate during which this proposal has been pending.

The bill reported by the committee has broken the stalemate with a compromise on this basic conflict. The compromise is not completely satisfactory or equitable. It requires some changes in every present credit pattern with more serious problems for some creditors than for others. Any compromise is somewhat arbitrary and this one is no exception. It has been built, however, on all of the information that was available to the committee, and while I would have preferred a solution that would have been less restrictive, less arbitrary, and less disruptive to credit practices, this is an approach to a most difficult problem.

The bill also provides that in addition to the required disclosure information, other information may be disclosed to the consumer as long as it is accurate. To me, this is a major provision. It is important, because credit plans differ in so many respects that one set of required items cannot completely show the differences which may be very important if a consumer is truly interested in making a rational decision.

I have been very concerned over the past 7 years that Federal legislation would, by moving into a field heretofore reserved to the States, preempt State laws and thus cause State legislative and administrative bodies to give up one more of their responsibilities to a central government. I do not feel that this is desirable and therefore would have preferred a uniform solution on the State level. The drafting work that has been and is being done by the National Conference of Commissioners on Uniform State Laws continues to represent the best overall solution to proper handling of consumer credit transactions. We have attempted in this proposed Federal bill to provide guidelines which the States may follow and continue to maintain jurisdiction over consumer credit transactions. I am not completely convinced that we have solved the jurisdictional problem, but it is my firm hope that the States will continue in their efforts to improve their consumer credit legislation and thus make this Federal bill both unnecessary and inoperative.

Mr. SPARKMAN. Mr. President, the matters pertaining to the bill, I believe, have been fully covered. There are several matters I wish to mention. First of all, the bill would not go into effect until July 1, 1969. As has been pointed out in previous discussion, the National Conference of Commissioners on Uniform State Laws, which is made up of representatives of the different States of the Union, has been working long and hard attempting to get a uniform consumer credit code to be placed before the State legislatures. I feel and I believe that many members of the committee feel that they are getting very near to an agreement on such a uniform code, and that it may be presented to the various State legislatures before this bill actually becomes effective, and that it may become a uniform law by action of all of the States of the Union. Personally, I hope that will be done.

Mr. President, I wish to mention another matter. I do not know that it disturbs anyone but it was brought out in the report. We have some provisions in the bill to try to make this law fit in with existing State laws and even fit in with State laws pertaining to usury. One important part is that we provide if there is any inconsistency between this law and the State law, it does not invalidate the entire State law. We do not impose this law on the State in its entirety, but only in that instance where there is an inconsistency, and we provide for a certain amount of tolerance between the Federal and State law.

As explained in the colloquy on the floor of the Senate, initiated by the senior Senator from Florida [Mr. HOLLAND], we have tried to take care of small business and the different viewpoints as between disclosing dollars and cents and annual percentage rates; and we tried to take care of differing views of revolving credit. I believe we have worked out the best bill that can be worked out and, as I have said, a finely balanced bill.

Mr. President, I hope the bill will be accepted without amendment because I believe it is just that finely balanced.

Mr. President, again I want to pay my respects and tribute to the able leadership given in connection with this legislation by the distinguished Senator from Wisconsin [Mr. PROXMIRE] and the distinguished Senator from Utah [Mr. BENNETT].

A year ago I believe that no one would have been willing to predict there would ever come before the Senate a truth-in-lending bill by unanimous vote. However, that is the situation today, and I hope that the Senate will confirm the action of the full Committee on Banking and Currency.

Mr. McINTYRE. Mr. President, it is with a mixed feeling of relief and unhappiness that I wish to make a few comments on the bill now before the Senate, the truth-in-lending bill.

I say relief because this particular piece of legislation has taken up a great deal of my time and attention since I first arrived in the Senate. In practically every year since I was first elected to the Senate, the Banking and Currency Committee has agonized over the basic decisions which had to be made before this bill could be reported to the floor. Those of us who have tried to make this a workable piece of legislation have been subjected to criticism from all sides.

It is a real relief to be done with truth in lending for the time being.

I would like to point out that the full credit for making it possible for the Banking and Currency Committee to report this bill out after 7 long years goes to the bill's principal sponsor and manager, the distinguished Senator from Wisconsin. His complete grasp of all of the details of our consumer credit economy, his parliamentary skill, and his ability to negotiate, have uniquely made it possible for the Senate to be considering truth in lending today. Building upon the ideas of our former colleague, Senator Paul Douglas, Senator PROXMIRE has done what many of us had considered almost impossible. He deserves the full gratitude, not only of the consumer public, but also of the various segments of the lending industries. The Banking and Currency Committee is in his debt.

At the same time, I must admit to a feeling of unhappiness with the pending legislation. It is not all that I had hoped it could be. It is still subject to many of the objections which I have had to this type of legislation for several years.

Before the Senate votes on truth in lending, I would like to take a few minutes to set out, for the record, precisely those points of the present bill which I find myself in disagreement with. I would then like to cover a few of the improvements in the present bill which made it possible for me to vote to report it out of committee. Even as I say these words, I still have not decided whether I shall vote for passage of this bill.

The major objection which I have to truth in lending, and this objection goes right to the heart of any form of truth-in-lending legislation, is the probable adverse effect which it will have on very small, poorly capitalized, businesses in competition with larger businesses.

Truth in lending was designed to improve competition among all classes of lenders. Everybody is in favor of improving competition, of course. But it seems to me that any improvement in competition, and I refer specifically to competition in vendor credit, will place the national chain stores, the great mail order houses, and the large metropolitan retailers, in a substantially advantageous position over the small neighborhood or country store, with its limited access to credit facilities and its inabilty to use automated data processing techniques for its accounts receivable.

Perhaps, from the viewpoint of the consumer, such competition will continue to be desirable. But, Mr. President, we are legislating for an entire Nation, not just a nation of consumers, but a nation of shopkeepers, of small businessmen, of corner groceries and small automobile dealers. And I believe that the present bill may tend to injure these men and women.

Another objection which I have to this bill, as well as to its predecessors, goes to the appropriateness of congressional action in what has traditionally been an area subject to State regulation. Practically every State in the Union already has consumer credit legislation on the books, but in one fell swoop the Congress is preparing to enter, and practically preempt the field.

I must point out that my colleagues on the Banking and Currency Committee are aware that the primary responsibility for the administration of consumer credit legislation should lie with the States. Section 6 of the bill before us provides for those circumstances under which State law and State administration will preempt the operation of the Federal law.

I might point out that my preference for State, as opposed to Federal legislation in this area is not based upon any reliance on the old cliche of "States rights." Rather, it is based upon two practical results of the historic regulation of consumer credit by the States themselves. First, the States have already created and funded the administrative machinery needed to enforce and administer consumer credit laws. The Federal Government has no such administrative machinery, and its creation would add to the taxpayers expenses only to duplicate existing State machinery.

In addition, consumer credit legislation is intertwined with a whole network of related State legislation. The pending bill deals only with disclosure, and, although we have tried our best to foresee any conflicts with other State laws, we do not know how well we have succeeded. What, for example, will be the effect of this bill on existing State usury laws? We hope that disclosure under this bill will have no relevance to State usury laws, but only a State legislature, and not the Congress, is competent to dovetail the two different kinds of regulation.

Yet another objection with the present bill goes to the basic compromise which made it possible for the bill to be reported out of committee, the language in section 3(h) designed to separate the sheep from the goats, or rather, to separate those creditors who must disclose in annual terms from those disclosing in monthly terms. This is a crucial difference, for almost every witness before the committee indicated that creditors disclosing in monthly terms will be given a competitive advantage over the others.

If the Congress is to permit any creditors to disclose in monthly terms, and I believe certain creditors should be so authorized, then obviously some line, some distinction between creditors will have to be drawn. In the process of drawing such a line, some people are going to be hurt. This result is inescapable. Since the definitions in section 3(h) are, in the last analysis, somewhat arbitrary, we could expect to see that, say, two similar department stores on the same block operating in essentially the same way may receive very different treatment under that section. If we have to generalize about the distinctions under 3(h), however, I think that it is unfortunate that those merchants generally able to qualify for monthly disclosure will be the large, well financed, enterprises who will be directly competing, in some product lines, with the small, poorly financed, local small business such as furniture stores, auto accessory dealers, and others who will be required to disclose in annual terms. I think that this is a truly unfortunate consequence of the present bill.

Finally, I am not entirely happy with the penalty section of the bill, section 7. Unfortunately, it will still be possible for a merchant who makes a wholly unintentional, bona fide error, to be subject to a penalty. But I must say that this section has been vastly improved over its original language.

It is only fair, after mentioning all of the reasons for my unhappiness with this bill, to point out a few of the reasons why I did vote to report it out of subcommittee and out of the full committee.

As I mentioned before, the Senator from Wisconsin has displayed great understanding of the problems which this bill will cause the credit industry. He has been willing to negotiate on the details of the bill's administration, while of course, maintaining the basic principle of full and comparable disclosure of the cost of borrowing money. Under his leadership, the Subcommittee on Financial Institutions was able to reach agreement on a bill which, while still deficient in some respects, represents the very best possible compromise which I believe the Senate can accept.

The major attraction of the present version of this bill is its recognition of the difficulty of requiring annual rate disclosure across the board for all classes of creditors. The revolving credit provisions of this bill represent a major victory for the honest, responsible retailers of our Nation, and for those of us who believe that periodic disclosure of revolving credit is the most meaningful type of disclosure and the most useful to consumers. In more personal terms, the committee's decision on revolving credit is a tribute to the clear logic of the Senator from Maine [Mr. MUSKIE] who was able to convince all of us of the difficulties and the pitfalls of attempting to impose an annual rate disclosure requirement on revolving credit.

The change from a "simple annual rate" to an "annual percentage rate," while not very significant in terms of the numbers involved, is a vast improvement in terms of simplicity of administration.

The provisions for complete exemption of certain types of transaction remove a wholly unnecessary burden on large segments of the lending industry.

The complete bill, as it now stands, does, in my opinion, give the consumers of this Nation a meaningful way of comparing the entire cost of credit. It deserves the full support of consumers.

Mr. President, I have indicated that I am still uncertain about the way that I will vote on final passage of this bill. I am not at all uncertain about the way that I will vote on any substantive amendments which may be presented. I believe that this bill, as it now stands, represents the best possible compromise of which the Senate is capable. I intend to oppose any and all substantive amendments to this bill, because of my own experience that amendments to this type of legislation should be considered only in situations where we are able to check out all of the effects of proposed changes to this highly technical legislation. This subject of truth in lending is much more complex than it appears at first glance, and I hope that my colleagues will accept or reject the entire bill which has been reported out, without trying to change it here on the floor.

Mr. MONDALE. Mr. President, I wonder if I could address a few questions to the distinguished senior Senator from Wisconsin and chief author of the truth-in-lending bill.

Mr. PROXMIRE. I am happy to yield.

Mr. MONDALE. I would like to ask a few questions to straighten out my understanding of the proposal that is before us.

As I understand it, most department stores with revolving credit plans charge 1.5 percent a month.

Mr. PROXMIRE. Most do. This is not universal. As the Senator knows, in the hearings the representative of one department store testified that, instead of charging 1.5 percent a month, it was 1.5 percent for a 35-day period. But 1.5 percent a month is the usual charge.

Mr. MONDALE. At any rate, under this bill the stores would not have to translate the monthly rate of 1.5 percent into an annual rate of 18 percent unless the plan met certain conditions?

Mr. PROXMIRE. Unless the plan met certain conditions; that is correct. The conditions, we feel, would prevent the kind of situation which might have developed without these conditions.

I might point out that 4 or 5 years ago the subcommittee reported a bill to the full committee which simply exempted all revolving credit from disclosing an annual rate. That bill was killed in full committee. So this bill is much more careful than the one reported out of subcommittee before.

Mr. MONDALE. The original measure which the Senator from Wisconsin introduced included all revolving accounts in disclosing an annual interest rate.

Mr. PROXMIRE. Yes.

Mr. MONDALE. Why should not a housewife know that her revolving credit is costing her 18 percent a year?

Mr. PROXMIRE. That is a good question. It is a question we asked again and again in the committee. I share the view of the Senator from Minnesota that a housewife should know. There were others in the committee who had a different point of view. Say that the housewife buys something on the 10th of the month and buys it on credit. In effect, at that time the store owner is giving her a loan, but she does not pay a service charge between the 10th of that month and the time the bill is sent, and, indeed from the time of the bill for another 30 days. So, in effect, she gets a free ride for that period of time. At the end of that time, if she has not paid it yet, she pays 1½ percent, for each subsequent month. Calculating the interest from the 10th of the month, when she made the purchase, it would be between 6 and 9 percent. It would be far below 18 percent.

I share the view of the Senator from Minnesota, but a majority of the committee disagreed with that view. Their view was that under the circumstances the 18 percent would be a distortion and would be inaccurate. Our view was that it could be made perfectly clear to the housewife that the 18 percent only ran when the credit charge was assessed. Only at the point did the 1½ percent become effective. Only at that point did the 18 percent become effective.

Mr. MONDALE. So, under your original bill, the consumer would be advised of the interest-free period under the revolving credit, but would be given the annual interest rate that would be applied by the store in developing its own credit charge against that revolving account?

Mr. PROXMIRE. Yes. A good case could be made that this would be unfair to the store, and some of the committee members made that case with persuasiveness—indeed, they had a majority of the committee with them, and if they made it on the floor they might convince a majority of the Senate—that it was not requiring truth in lending to say it was 18 percent when the free period during which the loan was outstanding was ignored, a free period that, with the average department store sometimes results in a charge of 8 or 9 percent—and not 18 percent.

So I think working out this compromise does not do a great deal of violence in this particular area, although I agree with the Senator from Minnesota. It would be far better to tell the housewife she is getting a free ride and at the end of the free ride she could take money out of a savings account, if she had one, or sell bonds, and use that money, instead of paying 1½ percent a month, up to 18 percent a year, to assess against a charge account.

Mr. MONDALE. What is the size of revolving credit today in terms of billions of dollars?

Mr. PROXMIRE. The sum of revolving credit, based on the best estimates we have been able to get, is $3.5 billion. This is only 3 percent of consumer credit, plus second mortgages, which we have included. This would include only $3 out of every $100 of consumer credit. So it does not represent a figure like 40 or 50 percent, but only 3 percent of consumer credit.

Mr. MONDALE. Of that $3.5 billion, how much of that credit would be exempt from disclosure of an annual rate?

Mr. PROXMIRE. That is a good question. In answering the previous question, I might have indicated that a larger amount would be exempted than actually would be. When I say 3 percent, I am referring to revolving credit amounting to about 3 percent, but of the revolving credit most, not all, probably about 80 or 90 percent, would be excluded because of our definition.

Mr. MONDALE. So that of that credit extended, the revolving credit extension makes up about 3 percent of the credit extended, and of that amount between 80 and 90 percent would be exempted?

Mr. PROXMIRE. We did exclude first mortgages, but they are excluded because they always specify the annual rate. Therefore, if we take only consumer credit, I think it would be less than 3 percent, but in the 3-percent area.

Mr. MONDALE. How significant is this exemption in terms of future trends in the industry?

Mr. PROXMIRE. I would hope this exemption would not become very significant. Some say as much as 50 percent of consumer credit will go into revolving credit, but I think that overlooks the provisions that have gone into the act. I hope it would not be much bigger than present, but I think we should recognize that it might get larger.

Mr. MONDALE. Would it not be wiser to change the law now and eliminate this exemption, or does the Senator think it would be wiser to wait?

Mr. PROXMIRE. I should like to change the law. We tried to do that in committee, but we did not have the votes either in the subcommittee or in the full committee. We worked out what I think is a reasonable compromise.

First, only 3 percent is being excluded from annual rate disclosure, but 97 percent is covered. Second, we have written into the law safeguards to guard against the possibility that we have opened up a large loophole. Third, if this practice does widen greatly, we can take a look at it in the future, and consider additional legislation.

So I think this was a reasonable compromise when we did not have the votes.

Mr. MONDALE. The last point, I think, is particularly impressive.

Would it not be possible to make large sales on revolving credit without disclosing the annual rate; and if so, would not that destroy true comparability?

Mr. PROXMIRE. There are two reasons why we should not have to worry about that. First, the bill requires that the creditor must not require a security interest. This means that title to the automobile or title to the refrigerator or other product must be in the hands of the buyer to get the exclusion. The creditor cannot hold on to it until he is paid off. This, all by itself, is a real protection, because, after all, few people will sell an automobile, a refrigerator, or anything else that is very large, to any consumer who walks into his store, give him title, and then hope he will pay. So this is some protection.

There is another important provision—there are three, but I shall discuss only two, because only two are of significance. The first is the security interest, that I have just discussed. The second is that if 60 percent of the amount or more is paid in less than 1 year, then there can be exclusion from annual rate disclosure. But if less than 60 percent is paid over a period of a year, then the exclusion is lost, and it is necessary to specify the annual rate. In effect, this means that if an item is to be paid for over a period of more than 19 months—and if an automobile is paid for the way Americans buy them now, 19 months is a pretty short period; and even for the purchase of appliances it is a relatively short period—the seller would not fail to disclose his annual rate.

I might also add that our discussion so far implies that revolving credit is exempt over the whole period. If I have given that impression, it is wrong. It is still necessary with respect to revolving credit, to specify the monthly rate. As I said in my initial statement, some department stores will not do this now, but they are all going to have to do it if the bill becomes law, and they will also have to state the dollars-and-cents service charge. So the consumer will be given this information, but not the annual percentage rate, for most revolving credit.

Mr. MONDALE. The Senator mentioned cars, but what about the case of large appliences? Would it not be possible to sell furniture or color TV sets on revolving credit, over 18 months, without a security interest, and thus escape disclosing an annual rate? Should not the consumer know the annual rate of credit when he makes a $500 purchase?

Mr. PROXMIRE. I think the provision for the security interest takes care of that pretty well. I would hope so. The seller definitely should have to specify the annual rate.

Mr. MONDALE. I commend the distinguished Senator from Wisconsin for what I regard to be a remarkable legislative accomplishment. I know that everyone here respects the magnificent leadership which Senator Douglas provided on this truth-in-lending issue over the years. I must say that the Senator from Wisconsin learned well, and has become not only a great spokesman for truth in lending, but one of the leading spokesmen for the consumer protection movement in this country.

Without his understanding and his sophisticated grasp of the practical business problems which must be dealt with in working toward this objective; without his sensitive and thoughtful handling of the measure in the committee and here on the Senate floor, we would not have come to this day, where it now appears that truth in lending, which has long been sought as a key objective of the consumer protection movement, is at last within grasp. I think the citizens of Wisconsin are rightfully proud of the Senator, and the entire Nation is in his debt.

Mr. PROXMIRE. Mr. President, I thank the Senator from Minnesota. I say to him that there is no one whom I would rather have commend me in those terms, because the Senator from Minnesota has long been identified—when he was attorney general of the State of Minnesota and when he was on the President's Committee on Consumer Interests, and certainly ever since then—as a great champion of the consumer, and one who early recognized the great importance of protecting the consumer in our laws, and the administration of law.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MUSKIE. I should like to take just a moment to add my statement of gratitude to the Senator from Wisconsin. He and I have been members of the committee from the moment that Senator Douglas first introduced a truth-in-lending bill several years ago. Together, we have struggled with this problem, with somewhat different points of view from time to time.

I share the view the distinguished chairman of the full committee [Mr. SPARKMAN] expressed a few minutes ago when he said that a year ago it seemed very doubtful that this bill could have progressed to the point where it appears to be at this moment. I think it is a remarkable thing that it is on the verge of passage with scarcely a dissenting voice. I believe that the change in its prospects is largely attributable to the efforts of the distinguished Senator from Wisconsin. He and I have had differences of opinion about some aspects of the bill. I am glad to see a truth-in-lending bill finally reaching the enactment stage in the Senate. I am glad to see that it has been modified in ways which, to me, are more realistic than some forms of the bill in past years may have been. But I simply cannot resist taking the opportunity to say for the RECORD, that in my judgment, the distinguished Senator from Wisconsin, building upon the great contribution of Senator Douglas, is largely responsible for bringing this bill to this point in the legislative process. I think he has reason to be proud of his work, as I am proud to have worked under him, differing as we have from time to time.

Mr. PROXMIRE. Mr. President, I say to the Senator from Maine that I have referred several times to the ability and vigor of members of the committee who disagreed with us on some of the elements of the compromise we worked out. As I think all members of the committee know, I was referring particularly to the Senator from Maine. I think he did a most workmanlike and constructive job in developing a compromise that he was able to accept and we were able to accept, and which won the unanimous support of the committee. Believe me, this was not the idea, the brainchild, or the work of the Senator from Wisconsin. It was the idea and the work of the Senator from Utah [Mr. BENNETT] and the Senator from Maine, who hammered away, not only in working out a compromise, but in establishing a record in the questioning of witnesses during the hearings—a record that stood up very well, and was so persuasive that, although we had a lot of force on our side—everybody is for the consumer, of course—I think the Senator from Maine deserves much credit for working out a practicable and workable bill.

Mr. MUSKIE. Mr President, the bill in its present form is a compromise. I am sure there are aspects of it, as revealed in the colloquy between the Senator from Wisconsin and the Senator from Minnesota, which they would like to see changed. There are things in it that I would like to see changed. But after 6 or 7 years of labor on this bill, I think, in all its aspects, it represents a compromise which the Senate should consider in its totality. Although I would like to see some changes made in it, which I think would improve it, I support it in its present form, because I believe it reaches the best consensus which could be developed after long, hard, and careful work by Senators over a period of several years.

Again I congratulate the Senator from Wisconsin.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I join in complimenting the Senator from Wisconsin and the Senator from Utah for having worked out a compromise which appears to be acceptable to most Senators.

However, on examining the bill one or two questions came to my mind.

The basic purpose of the bill, as we all understand it, is to insure to the borrower that he will be told the truth by the lender as to the rate of interest he will have to pay over the term of the borrowing. That is the basic objective of the bill, as we all admit.

However, I am somewhat puzzled or at a loss to understand why the Johnson administration, which claims to be so strong for this bill and its principle, exempted itself from the provisions of the bill.

I refer particularly to the FHA, which finances mortgages for home buyers. I have raised this point many times heretofore. They tell the home buyer that under the existing setup he will pay 6 percent interest on his mortgage when in reality, he is paying much more when the loading charges and discounts are considered.

We all know that if the home buyer is buying a home for $10,000 he must give an $11,000 mortgage in order to get the $10,000 home paid for. Under the point system he actually gets only about 90 percent of the face value of the home. In other words, he has to discount his mortgage.

The net effect mathematically is that, instead of paying 6 percent for his mortgage over the 20- or 30-year period, or whatever the term of the mortgage might be, he is in reality paying 7 percent to 7.5 percent and in some instances even a higher percentage.

Would it not be wise to include that type of mortgage in the provisions of the pending bill so that in any case where the mortgage is guaranteed by the Federal Government it would have to tell the borrower the exact rate of interest as it would be amortized over the life of the mortgage? If the Government really favors truth in lending why does it not set the example?

Mr. PROXMIRE. The Senator from Delaware makes a very good point. The bill as originally drafted included all mortgages. There were no exclusions. It included first, second, and third mortgages, or any other mortgages. However, the feeling on the part of the mortgage bankers and institutions was that they state an annual rate and that the annual rate is well known and well accepted. There is no variation from this practice in mortgages. When somebody goes to buy a house and takes a mortgage, he has the annual rate stated to him.

Because of this fact and because of the dollar financing charge—in many cases will exceed the cost of the home—and because of the fact that the average person only continues to pay for a home for 9 or 10 years and then moves into another home, the finance charge would tend to be deceptive and give him a false picture of how much he would pay. In doing this, it would tend to discourage him from buying.

It was felt that it was unnecessary to include first mortgages under the provision of the pending bill.

We do, however, include second mortgages.

I know what the Senator from Delaware is getting at, because he was most courteous. He did talk to me and to other members of the committee about what he has in mind.

We recognize that there is a real abuse of people, as the Senator implies, when they get a FHA or VA mortgage, or even a conventional mortgage. They are permitted to borrow on a point system which distorts the actual rate they pay.

The point system is most confusing and deceptive. People get a false notion of the rate. Many of them undoubtedly feel that they are paying less.

The committee recognized this. The Senator from Alabama [Mr. SPARKMAN] has been particularly active in trying to develop some way of coping with this matter and eliminating the point system because it is subject to abuse. However, our feeling is that if we did provide for ending the exemption for first mortgages on VA and FHA mortgages, we would be discriminating against those mortgages and forcing the people into the conventional mortgage area and we would thus open up a most serious problem that we are now exploring in the committee. We have not completed our hearings. We have not had any opportunity to discuss the matter in executive session.

We would be legislating on the floor in a way that might create very serious problems, and then we would be in a most unfortunate difficulty.

We would hope, therefore, that the Senator from Delaware—who has the sympathy, I am sure, of virtually every member of the committee on both sides of the aisle—would not press an amendment to include any first mortgages, because if we were to agree to such an amendment, as I say, this whole carefully worked out and, as the Senator from Alabama has put it, finely balanced bill, would encounter most serious difficulty that we think would be unfortunate.

Mr. WILLIAMS of Delaware. I appreciate the position of the committee, and as the Senator mentioned, I have discussed this with them before. However, over the months I have been very much disturbed over this situation, and particularly over the complete lack of cooperation we get from the executive branch downtown in our effort to correct this inequity to the home buyer.

It could be corrected by an Executive order if they wished to do so. They may have to take the fictitious ceilings off interest that can be paid on the mortgages. The present so-called ceiling on interest is a farce. It seems to me that an administration which has been speaking so eloquently about the necessity of truth in lending—and I support that provision and I am going to support the bill—would be willing to set an example by telling these home buyers the truth as to what interest rates they are paying. The administration is not telling them the truth today, as the Senator from Wisconsin knows.

They are telling the home buyers: "Under the FHA we are guaranteeing that it will charge only 6 percent interest." In reality, every home buyer in America today is paying 7 percent to 8 percent interest on every FHA-guaranteed mortgage.

Let us have some truth in Government for a change.

The home buyer with a mortgage term of 30 or 40 years cannot refinance the mortgage at a later date should a lower rate of interest prevail. He is locked in under the point system at these 7 or 8 percent interest rates for 30 years.

What is the committee doing at the present time to deal with this problem? Is the committee trying to work out a solution with the administration? Will the administration face up to a problem, as they should have been doing years ago? Is the Congress or the committee working on a more complete answer that will correct the problem? If not, I am inclined to press for a vote here today—even though this may not be the most appropriate bill to amend.

Mr. PROXMIRE. I think there is every chance that the committee will do so. We are having intensive hearings in that area.

We have called in responsible people from both the administration and the industry to testify. There is the deepest concern.

There is not a single member of the committee, Republican or Democrat, who does not agree wholeheartedly that the point system has been abused, and that it is a deceptive practice and that we should end the practice as soon as we can.

We are working very hard on the problem.

The Senator from Delaware is making a most useful contribution to alerting the Senate and the country to the issue by making this a part of the legislative history of the pending bill.

Mr. WILLIAMS of Delaware. As I pointed out, one of the most vicious effects of the point system is that if the credit risk defaults within 1 or 2 years the lender makes more money than he would on a good credit risk.

Mr. PROXMIRE. The Senator is exactly correct. They have an interest in defaulting.

Mr. WILLIAMS of Delaware. They do have an interest in defaulting in that the more defaults, the more money the lender makes. I have called the attention of the Senate to the situation of certain home buyers who, through unfortunate circumstances—perhaps sickness, have defaulted for 3 months, and under the provisions of the law the lender can then turn that loan over to the Government and demand full payment. Therefore he was glad to see the mortgage in default. The lender cashed in on the points discounted at once.

I have cited cases to the administration in which the lenders have refused to allow the home buyer, after he had defaulted a couple of months, any chance to make his back payments and even an advance payment. The opportunity to pay was denied because the lender wanted the mortgage to be defaulted. If the mortgage were defaulted he could cash in the face value of the mortgage.

Many of the institutions will admit that they make more money on the bad credit risks than they do on the good credit risks. They can go to bed at night and almost pray that the borrowers will default on their mortgages so that they can demand payment and make a lot of money on the Government.

This is an absurd practice which the Johnson administration set up and fostered. Yes, the administration encourages the practice whereby a lender can make more money on a bad credit risk than on a good credit risk.

It is pure hypocrisy for an administration which has made such stirring political stump speeches for truth in lending. However, the administration has exempted itself from the provisions of this bill. It gives lipservice to truth in lending, but it will not tell the American people the truth about its own operations.

Mr. PROXMIRE. Mr. President, I say to the Senator from Delaware, in fairness to the administration, that the administration approved the bill as originally drafted which required all mortgages to specify the annual rate and full finance cost. We sent a copy to the appropriate administrative agencies. They were for it enthusiastically. As far as they were concerned, they would have been happy to have first mortgages included. They have made no objection to that.

It was the decision of the committee to include this exemption provision, Democrats and Republicans alike, because this particular disclosure bill was primarily in the consumer area and not in other areas. We felt that this particular disclosure bill should exempt first mortgages on the ground that the annual rate is stated.

Mr. WILLIAMS of Delaware. Do I correctly understand that the administration would like to have this amendment included in the bill? If so, we can soon settle this question.

Mr. PROXMIRE. The administration has no knowledge of this particular amendment, but the administration did take the position that the bill in its original form was fine with them. They made no effort, to my knowledge, to have first mortgages excluded.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. BENNETT. If my memory is correct, the Federal Reserve Board recommended that first mortgages be eliminated.

Mr. PROXMIRE. I believe that is correct. The Federal Reserve Board is independent, is a creature of Congress and not of the executive branch.

Mr. BENNETT. That is correct. And it has to administer the bill.

Mr. PROXMIRE. The Senator is correct.

Mr. BENNETT. Mr. President, will the Senator yield to me?

Mr. WILLIAMS of Delaware. I yield.

Mr. BENNETT. Part of the problem in which the point system is involved grows out of the States' usury laws, because in some States with usury laws the limit is so low that nobody could borrow mortgage money during tight-money periods if it were not for the point system.

So this is another problem we must work out before we can hope to completely eliminate the need for some kind of device. To me, this indicates the inherent weakness of putting a lid or a ceiling on anything when the actual operation of the normal economic forces can go through that lid. I believe it is smarter to remove the lid than to try to use things like the point system to seem to be living under the limitation, when, as a matter of fact, you cannot live under the limitation.

Mr. WILLIAMS of Delaware. The Senator is correct.

No doubt, some State laws need to be corrected. But primarily the problem which I am discussing is a Federal problem, and it is brought about because the Federal Government insists on maintaining an artificial ceiling on the interest that will be allowed on home mortgages. As I pointed out the other day, it is still operating under the illusion that it can finance the national debt for about 4¼ percent on long-term bonds. It does not sell any long-term bonds; and if it does sell a 4¼-percent long-term Government bond today it could be bought at around 90 percent of par. In other words, with the discount they yield a little more than 5 percent interest over the life of the bond.

I realize the situation in which the committee finds itself, and I will not press this matter at this time. I withhold the amendment at this time, however, only with the assurance given that the committee is planning to act soon to correct the abuse.

I most strongly urge that the committee take some steps to correct the vicious practice of the point system on home mortgages. This practice of discounts or points is undermining the building industry and the home buyers of America. The first step to correct this situation would be for the Federal Government to recognize that it cannot finance a first mortgage on a home today on 5¾ or 6 percent. As the Senator from Utah said, take the ceiling off and put the mortgage at par; or as the administration would say, just start telling the truth. If a home buyer must pay 6½ or 7 percent to get a mortgage today, let us recognize that fact and get the full value of the mortgage. Then if 5 years from now interest rates have dropped 2 or 3 percent, as they do in normal cycles, they can refinance their mortgages at a lower rate of interest and cash in on the lower rate in the last 20 years of the mortgage period, just as business does.

Under the present system of forcing them to take eight or 10 points off the mortgage, the home buyer is automatically locked in for the full 30 to 40 years of his mortgage at the higher interest rates.

Mr. PROXMIRE. The Senator from Utah and the Senator from Delaware have put their fingers on the crux of this matter—I did not discuss it at all—the question of the ceilings. The ceilings are a mistake, are wrong, and should be repealed. This is a disclosure bill. However, I have great sympathy for the argument that the Senator has made this afternoon; and I favor—and I believe many members of the committee would favor—eliminating these ceilings.

Mr. WILLIAMS of Delaware. Mr. President, with the assurance of the manager of the bill and of the Senator from Utah and other members of the committee that they will take action to correct this abuse I will not press this matter at this time, because I realize that this is not the most appropriate bill in which to deal with this problem. However, I believe they are related questions, and, I hope that Congress, working with the administration, can correct this problem at an early date. I believe the time is long overdue when we should begin to act.

Surely this administration, which has said so much about truth in lending, would want to be put in a position where it is telling the American people the truth when they borrow money to finance their homes through the Federal Government. Right now it is not telling them the truth.

Mr. PERCY. Mr. President, I believe that the Senate today will give overwhelming support to a dream come true of the former distinguished senior Senator from Illinois, Paul Douglas, who is the father of the truth-in-lending bill.

I have been a member of the Committee on Banking and Currency for the past 6 months, and I have witnessed the committee make this bill a reality under the able chairmanship of the Senator from Alabama [Mr. SPARKMAN], and the able leadership of the Senator from Wisconsin [Mr. PROXMIRE], along with the able leadership of my distinguished colleague, the Senator from Utah [Mr. BENNETT], who has provided a great deal of assistance in finding a practical and reasonable basis for proceeding.

The bill before the Senate today is not a perfect bill but on balance, it provides the proper emphasis that should be placed on a piece of legislation of this type, on supporting and protecting the consumer, because ours is a consumer economy. The committee has worked diligently to shape a truth-in-lending bill which would help consumers become more informed in their choice of credit plans.

I supported the bill in committee, and I intend to support passage of the bill in the Senate today.

However, this bill is a compromise in many respects, and it will not fulfill every expectation of former Senator Douglas. It also provides a basis for some criticism by those who still believe that the compromise has not fully taken into account their position and the problems that they face as distributors of merchandise in the marketplace.

Although the committee attempted to make the bill equitable to all sellers who are covered, some retailers find themselves at a competitive disadvantage under the committee's compromise bill.

Basically, the bill defines two separate types of credit: revolving credit, commonly used by department stores; and installment credit, typically used for the so-called big ticket purchases. Under the committee bill, sellers who use revolving credit are required to state their finance charge as a monthly percentage rate, while sellers who use installment credit are required to state their finance charge as an annual percentage rate.

The discrimination in the bill that is most apparent, however, is not that between revolving credit and installment credit. The most apparent discrimination is the discrimination within revolving credit, and I call attention to it here in the hope that some solution will ultimately be worked out, as the bill proceeds through the legislative process.

It was pointed out at the hearings that the bill defines two different types of revolving credit—revolving credit plans in which the title to the merchandise passes to the buyer at the time of the purchase, and revolving credit plans in which the seller retains title to the merchandise until the customer has made the final payment for it. The seller using a revolving plan without title retention will be permitted to disclose a monthly percentage rate, while in an identical transaction under the same repayment terms, the seller using a revolving plan with title retention will have to disclose an annual percentage rate.

This is an area in which the customer will have great difficulty trying to compare credit charges. On one side of the street, for example, a department store could state that the finance charge on a

$300 sofa would be 1½ percent per month, while across the street a furniture store selling the same $300 sofa on the same repayment terms with the identical finance charge would have to tell the customer the finance charge would be 18 percent a year.

The two disclosure requirements result from the fact that in one case the seller retains title to the merchandise until it is paid for and in the other case he does not. This kind of discrimination is to be regretted, despite the fact that the committee worked diligently to find a way to work out the most equitable answer to a truth-in-lending bill that is aimed at giving consumers the kind of protection that experience has found is required in our present economy. However, as I have said, despite the difficulties that I see in the bill, I certainly do recognize that in the spirit of compromise we have seen the best of leadership exercised in putting together this bill, and I do support the work of the committee and I shall support the bill today.

Mr. DODD. Mr. President, finally, after at least 7 years of frustration and disappointment, we in the Senate will have the opportunity to vote on truth-in-lending legislation.

The bill we are debating today falls far short of perfection.

Indeed, it is a compromise which does not completely satisfy those of us who have wanted lending disclosure standards for these many years.

And it does not really satisfy the opponents of truth in lending. They have fought fiercely against this legislation through many sessions of Congress and even today only support, and not too enthusiastically at that, a modest step toward the full disclosure that is needed to provide full protection to the average consumer.

American families pay about $12.5 billion a year in interest and service charges on their consumer credit arrangements.

Surely they have a right to know in reasonably clear and simple language and figures, exactly how much in the way of interest and service charges they pay on any loan or charge agreement.

Exactly how interest is computed, what it is as an actual percentage or as a statement in terms of dollars and cents, what the service charges are—all this information vital to the consumer, should be easily available to him so that he may make a rational decision.

At the present time, there is a baffling array of financing plans, a variety which varies from State to State, from lending institution to lending institution, and from store to store.

Without making a truly herculean effort, the average person cannot shop around and compare financing arrangements to see which is best suited to his pocketbook and his particular needs.

People in general are not familiar with the details of credit charges.

The survey discussed in the committee report on S. 5 illustrates this point. The individuals contacted thought they were paying about 8 percent on their consumer debts but were actually paying 24 percent.

And it is small wonder they are confused and uninformed and in some cases misinformed, what with "monthly rates," "add on rates," additional fees, service charges, and situations where no disclosure of rates is made at all.

It is easy enough to say, and this has been a basic argument of truth-in-lending opponents, that a person who is interested enough, someone who really wants to know, can always obtain the true and actual charges on a loan or a charge arrangement.

This is true only in a very limited sense in that someone with the time, the inclination and enough technical knowledge about consumer financing techniques can inform himself properly.

But in general, it is not true. Most people are not able to manage all of these requirements. As a result, they are at the mercy of the unscrupulous lenders and even of the honest and reputable people who work in the area of consumer finance.

To help people inform themselves, and to enable people to make a more intelligent and realistic choice among lenders, we ask only in this bill that some uniformity and coherence be put into credit information to consumers.

There is no provision in this bill which could in any way be construed as an effort to regulate interest rates or to intrude in the State's jurisdiction over this area.

We seek only to assure the performance of an elementary service, that of the accurate disclosure of charges by those who deal in the lending of money for consumer purchases.

Surely this is a reasonable step for the Senate to undertake, and I am confident that S. 5 will be approved by an overwhelming majority later this afternoon.

Regrettably, some urgent business, requiring that I leave shortly, has come up and I will have to miss the final vote. One vote, one way or another, will not matter on this issue, at this time, but I did want to say a few words because of the great interest I have had in this legislation, as a cosponsor and supporter, ever since I entered the Senate.

Were there any chance that the vote would be close, I certainly would make a point of waiting. But happily, after all these years, there does not seem to be any problem.

Mr. BREWSTER. Mr. President, I should like to associate myself with the remarks of my friend and colleague, the distinguished senior Senator from Wisconsin [Mr. PROXMIRE].

Last December, he wrote me that many people think this is the year for enactment of a truth-in-credit bill. I certainly hope this prediction proves accurate in the Senate today, for the legislation that our great former colleague, Senator Douglas, and Senator PROXMIRE, and others have worked on since the beginning of this decade is long overdue.

Along with 21 other Senators, I am a cosponsor of S. 5. I believe firmly that the passage of the bill will substantially aid the American consumer without doing the least harm to any reputable credit institution.

S. 5 is not a very complicated measure. It would not set maximum rates for credit. It would not govern terms as to downpayments and maturities. Indeed, the only aspect of consumer credit it would regulate is disclosures made before the transaction is consummated. It simply requires credit disclosures which are practicable to make.

A buyer is entitled to information on credit costs before he makes a decision on where to purchase credit. Fully disclosed cost data and the truthfully given price of credit will give American consumers the information they need to make intelligent buying decisions. Consumers need a basis for comparing credit arrangements, and such comparisons can be made when charges are stated in terms of annual percentage rate, a figure which includes all credit costs—examination fees, insurance charges, and any other fees.

Each of us knows that installment credit has helped to raise the standard of living of the majority of Americans to a level once enjoyed only by the few. Consumer credit is essential to the growth of our economy. In the true public interest, this bill will not stifle growth, but will continue and expand it in the best traditions of our democracy—a sharing of understanding between the consumer and business community.

As the Christian Science Monitor stated some months ago:

> We firmly believe that business and industry will benefit in the end from such measures. There has never been a time when an increase in public confidence in the honesty of business did not pay, and pay handsomely. In a country such as America, where there is a vast buying public, straightforward measures of dealing between buyer and seller reap a rich reward.

The bill we are considering covers all types of consumer credit, including home mortgages, consumer loans, installment purchases, and "revolving" credit. It is a thorough, comprehensive piece of legislation that does enormous credit to its principal sponsor. If it passes, we will have taken a giant step in the protection of the American consumer. Senator PROXMIRE deserves the thanks of all of us interested in consumer protection for his initiative and leadership.

Mr. President, there is a related matter I should like to mention briefly. I have just learned that the distinguished senior Senator from Washington [Mr. MAGNUSON], who is chairman of the Commerce Committee and of its Consumer Subcommittee, intends to introduce a bill that will complement the truth-in-lending bill and round out the credit disclosure picture.

This proposal is a Fair Credit Advertising Act that will require a full disclosure of credit information in all credit advertising in or affecting interstate commerce. In the words of Senator MAGNUSON:

> It will enable the consumer to begin his credit shopping when he picks up his paper rather than when he arrives at the store and prepares to sign a contract.

I feel honored to have been asked to cosponsor this measure, and will certainly do so when it is introduced. I believe it goes hand in hand with truth-in-lending legislation, and deserves the support of all those interested in consumer protection.

Mr. YARBOROUGH. Mr. President, the truth-in-lending bill now before us represents a long overdue recognition by the Federal Government that it must act to insure fairness and openness in the fast-growing credit industry so vital to our economy. The complexity of the numerous credit rate schedules and financing plans forms an almost prohibitive obstacle to consumers who wish to buy on credit or borrow money intelligently. With credit buying occupying an increasingly important position in the life of American citizens and an increasingly large portion of the gross national product, we need fair standards to guide both consumers and creditors in their transactions.

S. 5, by requiring in all credit transactions the disclosure of interest rates as annual percentages of the capital, would bring clarity to the present confusion.

At the present time a credit customer might be paying a specified amount of interest per month, varying with the length of repayment period, in addition to numerous other credit charges, without realizing how high a percentage of the principal he was paying for interest. An add-on rate further confuses the unknowing customer by understating by one-half the simple interest rate. A variation in the method of stating the amount of interest can easily enhance or detract from the attractiveness of a credit plan to an average consumer unschooled in higher economics. Under the provisions of the truth-in-lending bill, instead of being faced with a combination of monthly interest rates on the total principal graduated rates of various parts of the loan, add-on rates, and unexpected service charges, the consumers in most credit dealings would be given a percent-per-year figure computed in the approved actuarial method. Using these simple figures, the consumer could then compare the interest rates of various companies and rationally chose the one with which he would do business. Credit companies would also benefit from the clarification and openness of rate disclosures by having ready access to the rates of competitors in a common form and could then adjust their rates in the resulting competitive credit market.

The lack of uniformity in State lending laws and the resulting confusion and inconvenience to potential customers must and will be adequately remedied by this bill. It is only the few unscrupulous credit companies, whose rates are intentionally ambiguous, not the majority of the credit industry, who gain from the present bewilderment of their consumers as to the amount of interest they must pay.

This bill has finally been reported from the Committee on Banking and Currency after 7 long years. It is a tribute to Senator Paul Douglas that the Senate is taking this historic action today. Senator Douglas was the father of this legislation and fought a courageous battle on its behalf. Although the bill differs in some respects from the original Douglas bill, credit is due the distinguished Senator from Wisconsin [Mr. PROXMIRE] for his successful efforts on behalf of S. 5 in this first session of the 90th Congress.

Senators Douglas and PROXMIRE, two great progressive Senators from the Midwest join the ranks of Norris and La Follette and the other Midwestern Senators in this great tradition, with their successful fight to gain for the consumers of America full and fair disclosure of the interest charges they pay for consumer credit. Although there are areas where the bill might have been stronger, this is an important day for the American consumer.

Mr. YOUNG of Ohio. Mr. President, today is a milestone for the consumers of America. After 8 years, the truth-in-lending bill is finally before the Senate for debate and vote. This legislative proposal represents a significant advance in furthering the interests of all Americans.

The enactment of this legislative proposal will be a great victory in the battle to protect millions of Americans from unscrupulous lenders and creditors. No longer will housewives and family breadwinners be at the mercy of financial wizards who have spent long years in devising means of confusing them. With the enactment of this bill the cost of credit will be disclosed fully, simply, and clearly. Borrowers and purchasers will be informed in terms of both actual annual interest rates and in dollars and cents of how much they are paying for a loan or for credit.

This bill will strengthen the efficiency of our credit markets without restraining them. It will permit the cost of credit to be freely determined by informed borrowers and responsible lenders. It will in no way affect businessmen or lenders who are presently being entirely fair and candid with the public.

The distinguished senior Senator from Wisconsin [Mr. PROXMIRE] has performed outstanding leadership in steering this bill through the Senate Committee on Banking and Currency to the Senate floor. He deserves the appreciation of all Americans for his hard work and perseverance.

Mr. President, the enactment of the truth-in-lending bill will also be a tribute to another great American and one of the great Senators of all time, former Senator Paul Douglas, of Illinois. Eight years ago the first truth-in-lending bill was introduced in the Senate by Senator Douglas, who introduced it in every succeeding Congress up to the 90th Congress. It is largely through his efforts that the Senate is considering this bill today. It is another of his many contributions for the welfare of all Americans.

Mr. President, I am hopeful that this beneficent proposal will be passed by the Senate without delay. It is high time for it to be enacted into law and American families given the break they deserve.

Mr. COOPER. Mr. President, the Senate is considering today S. 5, which was reported unanimously by the Banking and Currency Committee on June 29. It is important to note that proposals dealing with the disclosure of the cost of credit have been considered by the committee since 1960 and in the course of that 7-year history S. 5 is the first bill to be reported favorably by the committee.

The bill would require lenders and retail creditors to disclose the full cost of credit extended to consumers. The bill also includes agricultural credit when extended to individuals. I note from the committee's report:

> The basic purpose of the truth in lending bill is to provide a full disclosure of credit charges to the American consumer. The bill does not in any way regulate the credit industry nor does it prescribe ceilings on credit charges. Instead, it requires that full disclosure of credit charges be made so that the consumer can decide for himself whether the charge is reasonable.
>
> By providing full and comparable disclosure of information, the bill will permit consumers to compare the cost of credit among different creditors and to shop effectively for the best credit buy. The committee also believes the bill will promote the wiser use of consumer credit by consumers when they know the full cost of credit.

In the past I have been opposed to bills introduced in the 87th, 88th, and 89th Congresses which have dealt with this problem because I felt that they unduly prescribed Federal controls on business and lending institutions and would have resulted in an increase in the cost of credit to the borrower. The committee considered these proposals in extensive hearings during this period and refused to recommend these bills as presented.

I am happy to note that the bill before us today, S. 5, was unanimously reported by the committee and includes a series of committee amendments which make the bill practicable and workable from the point of view of the credit industry and very helpful to consumers by providing them with knowledge of the full cost of the credit arrangements available to them and thus making it possible for them to shop efficiently and to select the credit arrangements best suited to their needs.

I support the bill.

In conclusion, Mr. President, I believe it both appropriate and fitting at this time to take the opportunity to commend the members of the commitee for their tireless efforts, hard work, and careful consideration over the years of this important and difficult subject and which have produced the bill before us today.

Mr. MOSS. Mr. President, S. 5 is one of the most important consumer credit bills ever to come before the U.S. Senate. I am proud of the fact that I was one of its sponsors in 1960 when it was first introduced by the distinguished Senator from Illinois, Paul H. Douglas, and that I have been a consistent supporter ever since. I point out that I am no "deathbed convert" to this bill, now that it appears to be on the verge of passage.

Upholding the principles of truth in lending has not always been easy. When the provisions of the first measure became known, I was almost deafened by the hue and cry which came from finance companies, from retailers who sold any kind of a product on time, and from banks. My mail was filled with anguished appeals from owners of clothing stores and from automobile dealers and others saying that the bill was not needed in Utah, that it was not workable or practical, and that if it was passed it would most certainly put them out of business.

These letters were analyzed with great care. It was clear that the measure was not needed in Utah as much as in many other States, because our State credit laws are among the best in the country. Under State laws, consumers must be fully informed on the extra cost of credit in dollars, but they are not given this figure in terms of the annual percentage rate of the finance charge. It was obvious that it would be more revealing and more fair if the costs were made clear in both ways. So I stood my ground.

I do not know how we can properly pay tribute here today to Senator Douglas for standing his ground. The pressure on him was many times greater than that felt by any individual Member of the Senate, but he insisted that ways must be found to prevent unscrupulous lenders from hiding the price of credit and the total costs of credit, and he continued hearings to study, refine, and perfect his bill. The measure before us today is quiet testimony of his courage and strong will, and of the continuing efforts of the present sponsor, the able senior Senator from Wisconsin [Mr. PROXMIRE], who picked up where Senator Douglas left off and brought the bill to the Senate floor, for the first time since it was introduced. The consumers of America owe both Senator Douglas and Senator PROXMIRE a debt of gratitude.

The need for the truth-in-lending bill is far more irresistible now than it was 7 years ago when the bill was first proposed. Living on credit has become even more deeply an American way of life. Since 1960 total consumer credit—exclusive of mortgage debt—has risen by 69 percent. At the end of 1966, it had reached an alltime high of $94.7 billion, or almost $500 for every man, woman, and child in the country.

According to the survey research center of the University of Michigan, 49 percent—almost half of all American families—are making installment payments. Half of these families owe $780 or more.

It is only right and fair that these millions of American families who buy on credit should have fully disclosed to them the cost of their credit charges, not only so that they will know how much they are paying, but so they can compare the cost of credit among different creditors and can shop effectively for the best credit buy.

It should be made very clear, however, that the truth-in-lending bill before us here today is aimed only at the unscrupulous lender. Its passage would protect not only the consumer who is uneducated in credit, but the ethical businessman who faces unfair competition on the part of those who engage in deceiving or fooling or cheating the public. It is a bill which would greatly strengthen the free competitive system.

The best analogy I can make as to what the truth-in-lending bill would do is to discuss it in terms of buying a package of meat at the meat counter in a chainstore. The meat package bears a label telling the shopper what kind of meat it is, how much it costs per pound, how many pounds and ounces there are, and the total price. Some of the packages go even further and advise on how to cook the meat.

But the Truth-in-Lending Act will not require the lender to tell the consumer how to use the credit from any particular source. It would require only that the consumer be told the price, the annual rate for the use of the creditor's money, how long the credit will be available, and what the total charge will be.

That sort of statement can be made by a bank or a finance company without any difficulties in computation. But there may be other difficulties. It may be a little hard for a creditor to give this statement to his customer, if he has been telling the customer that the rate is 1½ percent and it turns out to be 18 percent per annum on the outstanding credit balance. It may be difficult if he has to tell the customer that the $44 per month payments, which have been the sole information in his advertising, are going to run on for 3 years, that they will result in charges for credit of several hundred dollars and that the annual rate of charge—which is interest to the debtor—is 21 percent.

The truth may be hard to tell for lenders who have always dodged the problem of disclosing full details about prices and cost of credit. It will be hard, not because of any mathematical problem, but because past deceptions have left consumers unprepared for the truth.

Some of the people who have come to Congress to testify against truth in lending have shown no interest in discussing the bill on its merits, but have attempted to sidetrack it by persuading Congress that there are insurmountable mathematical problems in finding the annual rate of charge for credit. This is not true. The only mathematical problems are for the consumer.

The consumer faces about the same problems he would be up against if he went to the meat counter and found a package of meat labeled only with the cost—only with what he had to pay for it to get it out of the door—wrapped in paper so he could not see it, and there were no scales in the store to weigh it. The buyer would have a hard time under these circumstances figuring out whether the meat was a good buy or not.

Yet some credit retailers and lenders often give the consumer a deal like this, and assure him this is standard practice of the trade, and the buyer must just accept the deal. The buyer has neither the facts nor the yardstick for comparing one deal with another. Oftentimes his borrowing adds 10 or 15 or 20 or even 30 percent or more to the cost of major purchases. In fact, over a consumer's lifetime, use of high-cost credit cuts down by a substantial amount the things he can buy and pay for.

The Truth-in-Lending Act is, however, really a minimal sort of act. It does not tell any borrower when he can or cannot borrow, it does not tell finance companies, banks, or retailers, what rates they can or must charge. It leaves the people free to find the most efficient and accommodating lenders. It leaves lenders free to advertise their rates, and to comment on rates offered by other lenders.

The act would give the household which is considering borrowing or buying on credit the same advantage it had in going to the meat counter; the prices and total charges are there to see, and the family can buy or go somewhere else or save its money.

Mr. President, as a matter of fair play to the consumer, the cost of credit should be disclosed fully, simply, and clearly. I ask that the bill before the Senate, S. 5, be passed.

Mr. GRUENING. Mr. President, the proposed Truth-in-Lending Act, S. 5, which we are considering today presents a challenge to the States. Hopefully they will be vigilant and make certain that truth in lending is real—not fiction.

The bill reported by the Committee on Banking and Currency is not as definitive as I had hoped it would be considering the size of national consumer credit, whose total amount had climbed to $92.5 billion in March 1967 as against $5.6 billion at the end of 1945. As the committee report states:

> Currently, American families are paying approximately $12.5 billion a year in interest and service charges for consumer credit.

The amount, notes the report, is about as great as the Federal Government pays itself for interest on the national debt. Obviously we are not legislating pennies.

As reported, S. 5 will give us a starting point from which to work. It would make possible the exemption from compliance with the Federal law creditors in States which enact "substantially similar legislation." The committee hopes this will provide the incentive necessary to the States to "act favorably upon the proposed consumer credit code" because "in this respect the committee believes the Federal truth-in-lending law and the proposed consumer credit code are supplementary rather than competing alternatives."

Obviously it is desirable to have the individual States protect the interest of their consumers. The committee report says the committee is "hopeful that with the passage of a Federal truth-in-lending law the States will be prompted to pass substantially similar legislation so that after a period of years the need for any Federal legislation will have been reduced to a minimum." But such responsibility is enormous, and the incentive may have to be enlarged if the State governments are to know what consumers seek.

The bill, as reported, contains potential loopholes which will have to be watched. For example, should a consumer have to pay a finance charge which was not properly disclosed as required by law? I predict that this section of the bill will cause future headaches. I hope the people will let their elected representatives know when these headaches occur.

Section 8 of S. 5 lists exceptions to the provisions which the committee recommended. One such exemption applies to credit transactions exceeding $25,000. The committee felt that the amount is "considerably above" the average consumer credit transaction and "that the protection afforded by the disclosure requirements would no longer be necessary." The unanswered question here, of course, is "What is the extent of increasing consumer income and purchasing power?"

The bill exempts real estate first mortgage credit because the committee felt that adequate disclosure was already being made in this area of credit. Second or third mortgages will still be subject to the disclosure provisions of S. 5. One may be concerned with what appears to be a blanket observation. While the committee may assume complete consumer knowledge so far as first mortgage credit is concerned, it is by no means certain that all persons have a complete knowledge of the intricacies of finance. This section may have to be strengthened.

Revolving credit charges have caused many headaches, and yet the committee did not require all revolving credit plans to disclose the annual percentage rate at the time the account was opened and on the periodic monthly statements.

We pass no perfect legislation. That we today are considering truth-in-lending legislation is a tribute to our former colleague Paul Douglas and to the Senator from Wisconsin [Mr. PROXMIRE], who also saw the desirability in enacting truth-in-lending legislation. Experience should demonstrate to what extent S. 5 protects the consumer.

As a cosponsor of S. 5 as originally introduced, I am pleased that after 7 years of hearings and consideration the Senate has had the opportunity to vote on this legislation.

Buy now, pay later is a phrase fraught with joy and all too often subsequent unhappiness. Young married couples, their parents and grandparents, all citizens, deserve to know the truth. It may, in the classic phrase, "make them free" from unbearable debt. Let us trust we have started down that road.

Mr. President, I ask unanimous consent that the full text of my April 21, 1967, statement before the Banking and Currency Committee appear at the conclusion of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF ERNEST GRUENING, U.S. SENATOR FROM THE STATE OF ALASKA, AT THE SENATE BANKING AND CURRENCY TRUTH IN LENDING HEARING, APRIL 21, 1967

Mr. Chairman: "Buy now and pay later" has become a part of our way of life. I believe it will continue to be. So, as we seek to stabilize our economy, let us recognize the facts and make certain that any evils in installment buying are corrected.

"Buy now and pay later" living particularly involves younger Americans. Young couples, aglow in their new-found wedded bliss, happy, hopeful, optimistic, no longer wait to buy homes, washing machines, dishwashers, and television sets. Nor need they. These are desirable accoutrements in the 20th century.

However, in a "Buy now and pay later" world all is not paradise. A young couple inundated by credit payments may suddenly be overwhelmed and their marriage may flounder or, worse, be washed away on a tidal wave of unpaid balances.

I venture to suggest that the continued failure of the Congress to enact the truth in lending act proposed in S. 5 could break up many young marriages. Certainly, gentlemen, we do not wish to be branded as homewreckers.

We do need to correct unnecessary consumer abuses which exist in the field of consumer credit.

Installment buying has become the merchandising of indebtedness. Yet, it need not be so.

President Kennedy supported truth in lending; President Johnson supports truth in lending.

The pioneering work in this field by former Senator Paul Douglas taught many of us the importance and value of persistence in just causes.

Members of this committee know better than most that the general purpose of S. 5, "To let consumers know both in dollars and in terms of annual interest rate the cost of credit and comparable interest rates," is practical and possible.

The 90th Congress can brighten its image immeasurably in the eyes of the American consumer by enacting the truth-in-lending bill.

S. 5 proposes long overdue needed reform. I have letters in my files dating back to 1960 from residents of Alaska in support of truth in lending. In one, the Reverend Richard T. Stussi, of Juneau wrote:

"It seems to me that a law is needed to enable borrowers to compare costs between competing sellers and lenders. Installment buying has become a regular part of consumer purchases and there is a need for honest labeling in this area. There is too much room for excessive charges and outright gouging under the general term 'carrying charges.' "

The Reverend Stussi wrote that letter in 1960.

Not much has happened in this field since he expressed his opinion, and it is difficult to understand why truth in lending is not a public law.

I have always supported the proposed legislation. Its purpose is modest. It merely requires a statement of facts so the installment buyer can know what he is up against.

Mr. Chairman, in closing I would like to place in the hearing record on S. 5 some case studies in credit prepared at my request by the Legislative Reference Service of the Library of Congress. One demonstrates conclusively that the purchase of a $21,000 home with a minimum down payment and without allowance for closing costs will cost the buyer a total of $23,993 in interest.

The other examples show what can be purchased with larger down payments or with refinancing with a second mortgage.

I also asked Mr. John C. Jackson, the Library specialist in fiscal and financial economics, to explore credit rates in furnishing a house, buying an automobile, paying for medical care, and in refinancing, and he has supplied several illuminating examples.

I should also like to place in the hearing record an article entitled "Financial Ten Commandments for Young Married Couples," by Dr. Milton Huber, associate professor at the University of Wisconsin's Center for Consumer Affairs in Milwaukee, Wis. You may know Dr. Huber. Mr. Chairman I might point out that the commandments apply equally to older citizens as well as to the young.

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., April 18, 1967.

To: The Honorable Ernest Gruening.
From: Economic Division.
Subject: The lure of "easy" credit as a road to financial disaster: an illustrative case.

A couple with $14,000 gross income—$8,000 received by husband; $6,000 by wife.

1. (*a*) Buy a house with minimum downpayment and without preparation for closing costs:

$21,000 house, 10 percent down, 30 years at 6¼ percent, $1000 closing costs:

Monthly principal and interest	$116.37
Total payments on mortgage	41,893.00
Interest cost	23,993.00
House cost:	
Down	2,100.00
Closing	1,000.00
Payments	41,893.00
Total	44,993.00

(*b*) Alternative:

Buy house 2 years later with no closing costs, 50 percent down, 20 years @ 6 percent:

Monthly principal and interest	$75.22
Total payments on mortgage	18,052.80
Interest cost	7,553.00
House cost:	
Down	10,500.00
Payments	18,053.00
Total	28,553.00

2. (*a*) Borrow half of the down payment in the family, borrowing closing costs same way, refinance with second mortgage at 18 percent on first $1,000, 12 percent on second $1,000:

5 years:	
Payment per month (about)	$48
Total cost	2,858
Interest (over 5 years)	858

(*b*) Alternative: No second mortgage.

3. (*a*) Furnish house immediately:

After downpayment, if any	$1,800
Furniture and TV bought at several stores, carrying charges $10 per $100 of original balance, 3 years monthly payments	65
Interest cost	540
Total cost	2,340

(Simple annual rate 18 percent.)

(*b*) Alternative:

	$1,800
Buy at least half for cash, few pieces at a time. Finance remainder at a credit union, 12 percent per annum, 2 year term:	
Monthly cost over 3 years:	
$25 cash plus $28 on borrowed money	53
Interest cost	112
Total cost	1,912

4. (*a*) Buy an automobile on minimum terms:

Auto $2,200, $200 down, 30 months, $12 per $100 original balance per year:

Financed	$2,000.00
Monthly payments	86.67
Total payments	2,600.00
Interest cost, 30 months	600.00
Cost of auto:	
Down	200.00
Interest	600.00
Principal	2,000.00
Total	2,800.00

(Simple annual rate 21 percent.)

(*b*) Alternative:

Postpone purchase 1 year or more to accumulate 40 percent down, and purchase smaller new car—$1,800 less, $720 down. Finance $1,080 at bank, $5 per $100 per year, 2 years:

Monthly payments	$49
Total payments	1,188
Interest cost, 24 months	108

Cost of auto:	
Down	720
Interest	108
Principal	1,080
Total	1,908

(Simple annual rate 9.3 percent.)

(5). (*a*) Charge current purchases and pay out on revolving credit, maintaining $500 balance:

Monthly payments	$50.00
Charge for credit	7.50
Total	57.50
Payments in year	600.00
Charge for credit, 1 year	90.00
Total	690.00

Interest cost on revolving account $90 (simple annual rate 18 percent).

(*b*) Alternative: Reduce amount of purchases and pay cash and obtain cash discount prices.

6. (*a*) Neglect to carry health insurance:

Cost of child—doctor and hospital	$650
(*b*) Hospitalization insurance (2 years)	480
And physician's fee	240
Total	720

7. (*a*) Borrow from several finance companies to meet medical expenses, and to consolidate debts, $1,500 in 5 loans at 3½ percent per month.

36 months with refinancing:

Monthly payments of principal	$41.66
Interest diminishes monthly, averages	27.00
Average payment	68.96
First month's payment	91.16
If paid to maturity, interest cost at 3½ percent per month (3 years)	971.00

(Simple annual rate 42 percent.)

(*b*) Alternatives:

Borrow from bank at 7 percent discount per year for 2 years:

Note	$1,744
Interest (2 years)	244
Monthly payment, level payment each month	72.67

(Simple annual rate 14.9 percent.)

8. Consolidate debts at debt pooler or Budget Adviser. Add at least 12½ percent to amount of debt; increase payments on debts accordingly.

Add costs 1–7 are for various periods of time, and total would not be appropriate.

JOHN C. JACKSON,
Specialist in Fiscal and Financial Economics.

[An article from Everybody's Money, 1967 spring issue]

Financial 10 Commandments for Young Married Couples

(By Dr. Milton Huber)

Early marriages are on the increase again as young couples grasp for a moment of bliss now in the midst of a world of uncertainty.

More young people and more early marriages spell more broken marriages. Among teenage couples, for example, half of the marriages end in divorce or separation. High on the list of explanations for the failure of these young marriages is the immature use of money.

Young married couples, and those soon to be, might avoid the financial pitfalls of marriage by profiting from the experience of one hundred married couples whose homes were so threatened by the misuse of money early in their marriages that they had to seek professional counsel. In the words of a historian, the fool learns from personal experience; the wise man learns from the experience of others. The troubled couples with severe money problems were interviewed in Detroit. Among the questions directed to them were some inquiring into how they had gotten into trouble.

More impressive than any statistical summation of their answers is this sampling of their comments:

"You have a job and you buy. Then no job for a while and creditors get on you 'cause you want to keep the things you bought."

"It's so easy to borrow money, which is a great inducement to debt. Stay away from small loan companies. The way they appeal to families—just keep sending you letters encouraging you to borrow."

"We would have done all right if he hadn't lost his job for a spell."

"I should have confided in my wife more."

"Don't have kids right away."

"Plan on the unexpected. We didn't plan on sickness or a short week."

"I always thought we would pay but something happened."

"We didn't have emergency money and had to borrow. Set savings aside for emergencies."

Out of the hundreds of hours spent in interviewing these over-indebted couples, this Financial "Ten Commandments" for Young Married Couples evolved. The ten points summarize their advice to others on how to avoid the money problems that almost wrecked their marriages. Post them on the kitchen bulletin board next to the weekly shopping list for periodic consultation:

I

You shall have no more children than your income will permit to maintain the standard of living you desire for them. Do not forget that the older children become, the more expensive they are to raise. Financial planning and family planning must complement one another.

II

You shall not make the mistake of starting your marriage by purchasing all the modern conveniences and comforts that your parents have taken a lifetime to afford and accumulate. Ignore this commandment and you shall be bowed down with debts when the first child comes and the income from the wife's job is no more. Build your budget basically around the income of the husband.

III

You shall not take for granted that your mate has the same ideas about spending money that you have. Many good family names are taken in vain by creditors because couples have not worked out a spending plan together and assigned the responsibilities for shopping, purchasing, and meeting one's obligations to one or the other.

IV

Remember to save for the day the unexpected happens. Plan for the medical emergency, the short week, or the breakdown of the car. Set aside in savings, from the top of the paycheck, the equivalent of income from six months of your labor to care for emergencies.

V

Honor your credit rating. Pay your debts on time so that instalment credit at reasonable rates will always be available when you need it. Beware of merchants who advertise "easy credit" but specialize in harsh and expensive repayment contracts.

VI

You shall not kill your chances of enjoying the good life by buying impulsively. Especially beware of door-to-door salesmen and the lure of "something for nothing," however disguised. Do your shopping in showrooms, not your living room. Compare merchandise and prices as carefully for large appliances and furniture as you do for food and clothing. Not to do so is to be penny wise and dollar foolish.

VII

You shall not commit yourself to any installment contract without reading it completely. Be sure that all blanks have been filled in and that all verbal agreements have been put in writing.

VIII

You should not cheat yourself by securing new loans at high interest to pay off old due bills, charging little or no interest. This is an expensive way of buying time, not a way of paying bills. The continued consolidation of your debts can lead to the gradual disintegration of your marriage.

VIX

You shall not bear the responsibility of purchasing a car or major appliance on the instalment plan without inquiring into the true annual rate of interest, dollar charges, and other special fees. Interest rates vary considerably. Shop for your credit as well as your merchandise.

X

You shall not covet a house of your own if you move frequently. Financing, selling, and closing costs increase the cost of home ownership prohibitively for families which move every few years. Neither shall you compare the costs of renting versus buying without including all of the costs of home ownership besides monthly mortgage payments: depreciation, taxes, hazard insurance, mortgage life insurance, closing costs, upkeep and repair, and income from interest lost on savings used as a down payment on a house.

Honor these commandments and your marriage can be harmonious, even prosperous, whatever your income.

The author is an associate professor at the University of Wisconsin's Center for Consumer Affairs in Milwaukee, Wisconsin. His Financial "Ten Commandments" emerged from a study in depth of over-indebted families. Dr. Huber was formerly director of public relations for the Michigan Credit Union League. He received his Ph.D. degree in social ethics from Boston University.

Mr. SPONG. Mr. President, today the Senate is considering the Truth-in-Lending Act of 1967. The history of this legislation is long and fraught with controversy. For over 7 years various versions of this bill have been before the Banking and Currency Committee. It is a tribute to the hard work, persistence, and sagacity of the distinguished senior Senator from Wisconsin [Mr. PROXMIRE] that truth in lending is now before the Senate. As chairman of the Financial Institutions Subcommittee of the Banking and Currency Committee, Senator PROXMIRE this year offered a new approach to the major area of contention, revolving credit and guided the bill through various changes to a unanimous endorsement by the subcommittee.

The distinguished chairman of the committee [Mr. SPARKMAN] also has played an important part in the development of the final version of this legislation and in its being reported by the full committee. As a junior member of the Senate Committee on Banking and Currency I have been deeply impressed by the wise and firm leadership of the chairman, and his part in the development and passage of this legislation has been vital.

The Truth-in-Lending Act of 1967 provides for the full disclosure of the costs of consumer credit. It is only a disclosure bill and in no way regulates or limits charges for credit. The bill provides that the cost of consumer credit, except for certain classes of revolving credit, be expressed in dollars and cents and as an annual percentage rate.

The Truth-in-Lending Act of 1967 is a compromise. It is not a perfect bill, but I believe that it is a workable bill. By providing for disclosure of the cost of credit it will provide consumers a yardstick by which they can compare the full cost of the various types of consumer credit. With this knowledge the consumer can shop for the best buy in credit and protect himself from paying excessive charges for credit. It will also benefit the honest and fair lender in his competition with those who use deceptive practices to charge excessively for credit.

The bill is drafted to encourage State action in enacting legislation in this field, and I am hopeful that the States will take advantage of these provisions.

Consumer debt has grown dramatically in the last two and a half decades and it promises to grow even larger in the future. I believe that requiring the disclosure of the cost of consumer credit will benefit the borrower, the honest lender, and the economy as a whole.

For these reasons I supported the Truth-in-Lending Act of 1967 in the Banking and Currency Committee and I intend to continue that support when we vote on this legislation today.

TRUTH IN LENDING—A TRIUMPH FOR THE AMERICAN PEOPLE

Mr. MORSE. Mr. President, the day the truth-in-lending bill becomes the law of the land will be a banner date for consumers across this country and in my State of Oregon.

Many people have contributed to this legislation since it was first introduced in the Senate on January 7, 1960. It was the great Senator from Illinois—Mr. Douglas—who brought this matter to the attention of the public and pioneered its consideration here in the Senate. I am proud to say that I was one of the original cosponsors of S. 2755 of the 86th Congress, and have worked consistently for the passage of that bill and its successors.

In my judgment the Banking and Currency Committee should be commended for its exacting consideration of this measure, and for its fairness to all of the interests which are involved.

This legislation, S. 5 of this 90th Congress, is a victory for the consumer. It provides for all lending institutions—the banks, small loan companies, credit unions, retail stores, savings and loan associations, and all other creditors—to disclose their interest rates on most credit sales fully and in a uniform way. The rates of interest must be stated as a percentage of simple interest, on a yearly basis, on the declining balance of the loan. Charges, fees, and insurance must be included in the interest rate calculation. A buyer will thus be able to compare the cost of credit among different lenders the way he or she shops for other items which he or she buys, and can know the full cost of the merchandise. In this way families can manage their credit intelligently, in the best way for their individual households.

As the citizens of Oregon know, personal bankruptcies are at an alltime high. This has been a special problem in our part of the country. It seems to me that the additional information resulting from truth in lending should thus have beneficial effects to both buyers and to the businesses which must be their creditors.

It has been my feeling that making such legislation is among the highest functions of the Congress. The credit industry is a technical field. Practices have grown up in various segments, the vast majority of which are entirely legitimate and adapted to the particular commercial conditions. However, the variety of ways in which they are presented to a buyer gave a picture of confusion to the average person searching for credit.

And, it is the average consumer who is most in need of credit. Between 1945 and 1967, consumer credit grew from $5½ billion to $92½ billion, or 17 fold. American families are paying $12.5 billion a year in interest and service charges for this credit, which is almost as much as the Federal Government itself pays on the national debt. However, a recent survey of 800 families found that the average estimate of finance charges on debts by the public was 8.3 percent, while the actual interest rate paid was 24 percent, or nearly three times higher.

The development of our credit system has thus enabled American industry and business to increase their sales at a rate 4½ times greater than the growth of our economy as a whole. It has also enabled young families to furnish their homes, acquire cars for transportation to their jobs, and purchase the thousands and one necessities and conveniences of life. These purchases generally come during the time of life when they are most needed and can be enjoyed for a longer number of years. Our credit system is one of the foundations of not only the overall economy, but each one of our home economies.

At the same time, a truth-in-lending bill was required to protect, and did in large measure protect, the credit industry and the 5 million small and large American businesses which live by extending credit. In revolving credit, which is now at the level of $3.5 billion, and growing rapidly, there is an exemption for all accounts which make more than 60 percent of the balance payable in 1 year. Therefore, the ordinary short term retail credit accounts are largely outside the scope of the act. Other exemptions are the whole first mortgage area, business and commercial credit, and securities loans.

Only the Congress is in a position to resolve the many complex interests in this field, and this has been done by the Senate Committee on Banking and Currency in this workmanlike and balanced legislation. I shall be pleased to vote in favor of its enactment.

Mr. PROXMIRE. Mr. President, I send to the desk a technical amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 26, line 4, strike out the word "may" and insert "shall."
>
> On page 26, line 5, insert after the second occurrence of the word "any" the words "Federal or."

Mr. PROXMIRE. Mr. President, this is a technical amendment to correct a typographical mistake in the bill, and it has been cleared by both sides.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. PROXMIRE].

The amendment was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized and directed in the engrossment of the bill to make all necessary technical and clerical changes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I request the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. LONG], the Senator from Montana [Mr. METCALF], and the Senator from Georgia [Mr. RUSSELL] are necessarily absent.

I also announce that the Senator from Ohio [Mr. LAUSCHE] is absent because of the death of his brother William.

I further announce that the Senator from North Dakota [Mr. BURDICK] and the Senator from Tennessee [Mr. GORE] are absent on official business.

I further announce that, if present and

voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Tennessee [Mr. GORE], the Senator from Ohio [Mr. LAUSCHE], the Senator from Louisiana [Mr. LONG], the Senator from Montana [Mr. METCALF], and the Senator from Georgia [Mr. RUSSELL] would each vote "yea."

The result was announced—yeas 92, nays 0, as follows:

[No. 180 Leg.]

YEAS—92

Aiken
Allott
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—8

Anderson
Burdick
Dodd
Gore
Lausche
Long, La.
Metcalf
Russell

So the bill (S. 5) was passed.

Mr. PROXMIRE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ALLOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PROXMIRE. Mr. President, I have one further brief statement.

The passage of this bill by unanimous vote of the Senate was, I believe, in very large part due to the work of two remarkably able staff members—one, Ken McLean, as able, conscientious, and effective a staff member as the Senate has; he did a consistently brilliant, and I mean brilliant job. The other, John Evans, who did a splendid job working for the minority.

Mr. MANSFIELD. Mr. President, efforts to enact a credit disclosure measure have persisted now for nearly 7 years. Long pursued by Senator Paul Douglas, the passage of the Truth in Lending Act of 1967 today is certainly marked with the indelible stamp of his tireless devotion, his abiding interest.

Taking up the quest for Senator Douglas in this Congress was the distinguished senior Senator from Wisconsin [Mr. PROXMIRE]. I join the distinguished chairman of the Committee on Banking and Currency [Mr. SPARKMAN] in his praise of Senator PROXMIRE earlier today. Without a doubt, the outstanding talent and dedicated service of Senator PROXMIRE assured the passage of the measure. Both in committee, and on the floor today, he displayed the keen advocacy and sound judgment that made unanimous Senate approval a certainty. The Senate and the people of the Nation are forever in his debt.

The senior Senator from Utah [Mr. BENNETT], the able ranking minority member of the committee, similarly is to be commended for urging his strong support for this measure. As on all legislative proposals that have gained his endorsement, he displayed his astute and highly effective talents. The Senate is grateful for his wisdom, his articulate advocacy, and his deep appreciation of the issues involved.

The distinguished chairman of the committee, the Senator from Alabama [Mr. SPARKMAN] played a vital role in the passage of this measure. Noteworthy was his clear and able direction of the committee's action and his forthright support given so ably during the discussion today.

The junior Senator from Illinois [Mr. PERCY], the senior Senator from New York [Mr. JAVITS] and the Senator from Minnesota [Mr. MONDALE] are to be thanked for offering their strong and sincere views and likewise for contributing so ably to the discussion. Their wise and profound judgment was most appreciated, as was the clear and thoughtful assessment of the proposal offered by the Senators from Maine [Mr. MUSKIE], New Hampshire [Mr. MCINTYRE], and Florida [Mr. HOLLAND].

Many other Senators joined to assure unanimous approval and the Senate may indeed be proud of the lively and provocative views expressed. Each of us may look with pride upon this achievement. It marks a large step in the direction of what I believe will be of vital importance to the consumers of the Nation, while preserving every interest of those institutions affected by this credit disclosure proposal.

Again, our thanks to Senator Douglas and to Senator PROXMIRE. This success will be a lasting monument to their efforts.

RETIREMENT OF BERNARD BOUTIN FROM SMALL BUSINESS ADMINISTRATION

Mr. MONDALE. Mr. President, I ask unanimous consent that there be printed in the RECORD an article which appeared in this morning's Washington Post by Drew Pearson concerning the magnificent public service career of Mr. Bernard Boutin, who has resigned as Administrator of the Small Business Administration.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 11, 1967]

HERO WITHOUT HEADLINES

(By Drew Pearson and Jack Anderson)

This column, which has fingered the inefficient and spotlighted the unethical, today pays tribute to an unheralded bureaucrat now retiring from Government. He is Bernard Boutin, head of the Small Business Administration, who has operated without headlines, without scandal, and with a healthy record of promoting cooperation between business and Government.

There was a time when business and the Government considered themselves enemies. But under President Johnson big corporations are cooperating in job training programs while small-town banks are helping the Small Business Administration with loans.

What happens is that when local banks cannot make a loan they cooperate with the Small Business Administration either in taking part of the loan or getting the SBA to take it all. Administrator Boutin has also retained retired bankers on a per diem allowance to handle this cooperation. When a retired banker approaches a local bank not as a bureaucrat but as a businessman he gets better cooperation.

In addition, Boutin has drafted more than 2000 retired businessmen to work with the recipients of small loans to advise on their accounting systems, their production methods and their general techniques. These retired businessmen have a lot of know-how and Boutin has been using it.

Boutin finds that President Johnson takes a great personal interest in small business. Despite the press of the Vietnam war and other major problems, the President confers with Boutin every two weeks on small business progress.

Boutin is now leaving the government for private business. The reason: He has 10 children to support.

Note: Boutin first trained as mayor of Laconia, N.H., a city which has sent such other former mayors to Washington as former Rep. Oliva Huot and Sen. Tom McIntyre.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 60. An act for the relief of Dr. Oton Socarraz;

S. 67. An act for the relief of Dr. Juan Ramon Diaz Zayas Bazan;

S. 118. An act for the relief of Dr. Amparo Castro;

S. 132. An act for the relief of Dr. Alberto Fernandez-Bravo y Amat;

S. 164. An act for the relief of Dr. Cesar A. Mena;

S. 168. An act for the relief of Maria Jordan Ferrando;

S. 327. An act for the relief of Dr. Carlos Victor De La Concepcion Garcia;

S. 371. An act for the relief of Mrs. Mary T. Brooks;

S. 462. An act for the relief of Dr. Jesus L. Lastra;

S. 464. An act for the relief of Dr. Guillermo N. Hernandez, Jr.;

S. 465. An act for the relief of Dr. Mario Guillermo Martinez;

S. 499. An act for the relief of Dr. Manuel A. Zuniga;

S. 652. An act for the relief of certain employees of the Puget Sound Naval Shipyard;

S. 819. An act for the relief of Charles H. Thurston;

S. 853. An act to extend the life of the Commission on Political Activity of Government Personnel;

S. 904. An act for the relief of Doreen Delmege Willis;

S. 996. An act for the relief of Dr. Esther Yolanda Lauzardo;

S. 1045. An act for the relief of Alton R. Conner; and

S. 1278. An act for the relief of Dr. Floriberto S. Puente.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 2762) for the relief of CWO Bernhard Vollmer, U.S. Navy (retired).

FEDERAL EMPLOYEES' LIFE INSURANCE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 351, S. 271.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 271) to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with an amendment, to strike out all after the enacting clause and insert:

That section 8704(a) of title 5, United States Code, is amended to read as follows:

"(a) An employee eligible for insurance is entitled to be insured for an amount of group life insurance plus an equal amount of group accidental death and dismemberment insurance in accordance with the following schedule:

"If annual pay is—		The amount of group life insurance is—	The amount of group accidental death and dismemberment insurance is—
Greater than—	But not greater than—		
0	$8,000	$10,000	$10,000
$8,000	9,000	11,000	11,000
9,000	10,000	12,000	12,000
10,000	11,000	13,000	13,000
11,000	12,000	14,000	14,000
12,000	13,000	15,000	15,000
13,000	14,000	16,000	16,000
14,000	15,000	17,000	17,000
15,000	16,000	18,000	18,000
16,000	17,000	19,000	19,000
17,000	18,000	20,000	20,000
18,000	19,000	21,000	21,000
19,000	20,000	22,000	22,000
20,000	21,000	23,000	23,000
21,000	22,000	24,000	24,000
22,000	23,000	25,000	25,000
23,000	24,000	26,000	26,000
24,000	25,000	27,000	27,000
25,000	26,000	28,000	28,000
26,000	27,000	29,000	29,000
27,000		30,000	30,000"

SEC. 2. Section 8707 of title 5, United States Code, is amended to read as follows:

"§ 8707. Employee deductions; withholding

"During each period in which an employee is insured under a policy of insurance purchased by the Civil Service Commission under section 8709 of this title, there shall be withheld from the pay of the employee an amount equal to 60 percent of the level cost, as determined by the Commission, of the insurance."

SEC. 3. Section 8708(a) of title 5, United States Code, is amended to read as follows:

"(a) For each period in which an employee is insured under a policy of insurance purchased by the Civil Service Commission under section 8709 of this title, an amount equal to 40 percent of the level cost, as determined by the Commission, of the insurance shall be contributed from the appropriation or fund which is used to pay him."

SEC. 4. The amendments made by this Act shall take effect on the first day of the first pay period which begins on or after the sixtieth day following the date of enactment and shall have no effect in the case of an officer or employee who died, was finally separated, or retired prior to the date of enactment. In the case of an officer or employee who dies or retires during the period beginning on the date of enactment of this Act and prior to the effective date of the amendments made by this Act, the amount of insurance shall be determined as if such amendments were in effect during such period.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. CARLSON. Mr. President, I believe that the distinguished chairman of the committee, the Senator from Oklahoma [Mr. MONRONEY] may wish to make a statement before the Senate votes on passage of the bill. If not, I should like to make a brief statement in behalf of the minority.

Mr. MONRONEY. Mr. President, I thank the Senator from Kansas.

This is a bill carefully considered and recommended by the Committee on Post Office and Civil Service, to improve what seemed to us to be the lack of adequate life and accident insurance coverage for Federal employees. We felt that the life insurance available to the rank and file of Government employees not only costs them a larger percentage than is normally the case in the employer and employee relationship, but also that, while it offered a fairly reasonable amount of coverage during the working years, the coverage decreased, after retirement, to a very low point. We believe that the pending bill is necessary to improve that situation.

The Subcommittee on Health Benefits and Life Insurance, headed by the distinguished Senator from Maryland [Mr. BREWSTER], heard testimony from some 28 witnesses who testified in behalf of the legislation. The committee itself held several sessions in an effort to bring out a bill that we felt would be satisfactory.

As was brought out in these sessions, the present law, which provides the Federal employee insurance only in the amount of his salary, graduated up to the next highest $1,000, is inadequate. In other words, an employee who makes $7,500 a year is entitled to only $8,000 worth of insurance.

The pending bill, as recommended by the committee, provides that every Federal employee may have a minimum of $10,000 insurance. In addition, because this bill provides for a minimum of $10,000, that amount, reduced at the rate of 2 percent per month after retirement, will be reduced to no less than $2,500.

Employees who earn more than $8,000 a year will have an additional $2,000 insurance. So, the employee earning $10,000 will have $12,000 insurance. This is a major, and at the same time, a reasonable and prudent modification to help recruit and retain good people for management positions.

This bill provides permanent machinery for paying the actuarial cost of insurance purchased under the program so that no deficit will develop similar to the retirement fund, or requiring a sudden increase in the annual premium.

Another very important part of the bill is that the old ratio, at which the employee pays $66\frac{2}{3}$ percent of the cost of the bill and the Federal Government pays $33\frac{1}{3}$ percent, should be modified and modernized. Therefore the bill as reported provides that the employee pay only 60 percent of the cost of policy, and the Federal Government 40 percent.

This, I think, will be of great help to the employee. The top limit, graduated by the amount of the salary that is earned by the Government employee, has been increased to a maximum of $30,000 a year, commensurate with Level II of the Executive Salary Schedule.

The pending measure, I believe, will be a great deal less in cost than the bill proposed by the Post Office and Civil Service Committee last year. The cost of the bill of last year—which, as Senators know, was vetoed—would have been $196.3 million annually, of which the Government would have paid $91 million.

The present bill, S. 271, has been changed to reduce the annual cost by more than $90 million below the cost of H.R. 6926, and thus save the Federal Government and the employees alike a considerable amount of money.

We feel that the measure as now proposed meets the objections which previously resulted in the presidential veto, and also will help particularly those employees of the Federal Government who, at a young age, while drawing a small salary will be provided with a $10,000 insurance policy, which will protect them as long as they are employed by the Federal Government, at a cost that is very little above that which they are now paying for a considerable lesser amount of insurance. Because of their relative youth, and because of the generally large families that they have, we feel that this $10,000 minimum for all Federal employees is entirely just, and should be adopted as the minimum amount.

I believe that under this bill, the total cost is properly shared. The Government, of the total cost of the bill, will be paying $54.9 million, and the employees will be paying $51.2 million; so they break almost even, on the cost sharing, as to the actual dollars involved.

Mr. President, the committee report on this measure was unanimous; I am sure that the distinguished ranking minority member [Mr. CARLSON], whose help and leadership has contributed in such an important way to the enactment of the bill, will be glad to have the minimum protection raised, and to get the bill speeded along toward final enactment, so that employees will have good insurance protection, and an adequate reserve for old age, in addition to the retirement fund.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CARLSON. Mr. President, I wish to address myself to the group life insurance bill, S. 271, reported by the Senate Post Office and Civil Service Committee. This bill would amend Public Law 83–598, the group life insurance law.

I commend our chairman, the distinguished Senator from Oklahoma [Mr. MONRONEY] and the members of the committee not only for holding the hearings but also for presenting the pending bill to the Senate for action and consideration today.

The bill does not go as far as I would like to see it go. It does not go as far as the bill which was passed last year by the Senate and the House and was vetoed by the President.

It was my privilege, in the 83d Congress to sponsor the group life insurance bill which became Public Law 83–598. This was a history-making law, authorizing the Civil Service Commission to make available group life insurance for civilian employees of Federal Government. There was apprehension on the part of many relative to this legislation, but through cooperative study by industry, Government, and employee groups, a conclusion was reached and a law was passed that has been a boon to the employees and of value to all segments of our economy.

Now, this was a good law, but it was not perfect. Perfect laws are not written. We must continue to look forward to improvements in statute laws.

Personally, I believe the life insurance law should be amended to provide the employee the opportunity to carry more insurance if that is his wish, and that the face of the policy should reduce to no lower than 50 percent of the policy upon retirement. This should include retired Federal employees.

Some policies under current law would pay the survivor of the employee no more than $1,200. This is entirely unjustified.

Mr. President, under the current law the employee pays approximately two-thirds of the cost of the insurance and the Government pays approximately one-third of the cost. Therefore, some of the retired employees whose insurance is still in force are not getting enough for their money. I firmly believe the ratio of cost should be on no less than a 50–50 basis. This would be more nearly in line with this type of insurance carried by private industry.

Mr. President, also under the current law the face of the policy upon retirement or age 65 whichever occurs later, reduces at the rate of 2 percent per month until the policy is one-fourth of the policy at the time of retirement, or age 65.

Mr. President, this reduction is too drastic. For many years I have recommended that the reduction should be 1 percent per month and that the policy would reduce to no lower than 50 percent of its value at the time of retirement, or age 65.

It is true, the bill as reported by the committee permits the employee to purchase an additional $2,000 of insurance, but the $2,000 additional insurance, like the original policy also reduces at the rate of 2 percent per month until it has reduced to one-fourth of the policy at retirement, or age 65, whichever comes later.

Mr. President, I shall not object to, or oppose S. 271 because I believe it has merit. I only wish the Senate bill had included, at a little more cost, features which would have made Public Law 83–598 a much better law.

Mr. MONRONEY. Mr. President, I ask unanimous consent that excerpts from the committee report accompanying the bill (No. 364) may be printed at this point in the RECORD to explain more fully the details of the bill.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

PURPOSE AND JUSTIFICATION

S. 271 incorporates changes in the Federal employees' group life insurance program. It provides a new insurance program for all employees under the law to give insurance in an amount equal to the employees' basic annual salary (rounded off to the next higher $1,000), plus $2,000, but not less than a $10,000 policy. A maximum of $30,000 is established. The cost-sharing ratio is changed from 66.6 percent for the employees and 33.3 percent for the agency to 60 percent and 40 percent, respectively.

During the 89th Congress, the Senate Subcommittee on Health Benefits and Life Insurance developed legislation to provide substantial improvement in the life insurance program. Evidence presented to the committee indicated that private enterprise insurance programs had progressed far beyond the Federal program, which has been largely unchanged since its enactment in 1954.

H.R. 6926, the bill which passed Congress in 1966, was vetoed by President Johnson. That legislation provided each employee with a policy of 1⅓ times his annual salary, plus an additional $2,000 of insurance not affected by the reduction after retirement.

In his message of disapproval, the President cited the inflationary dangers present in the economy at that time and the high cost to both the employees and the Government of H.R. 6926. The total cost of that bill would have been $196.3 million annually, of which the Government paid $91 million.

To meet these objections, S. 271 has been amended to reduce the annual cost by more than $90 million below the cost of H.R. 6926 and at the same time offer Federal employees an attractive and progressive insurance plan.

INSURANCE PROTECTION

The present program provides insurance approximately equal to annual basic salary (rounded off to the next higher $1,000) up to a maximum of $20,000 plus an equal amount of accidental death and dismemberment insurance. The employee pays 25 cents biweekly for each $1,000 life insurance ($6.50 per $1,000 per year), or two-thirds of the cost.

At retirement or attaining age 65, whichever occurs later, the employee ceases to pay a premium but continues to be insured. Beginning at the end of the first full month after he ceases to pay, the value of the insurance (not including accidental death insurance, which expires) begins to decline at the rate of 2 percent each month until 25 percent of the face value remains. This point is reached 38 months after he ceases to pay. An employee retiring at age 65 with $10,000 insurance will have a death benefit of $2,500 payable at age 68 and thereafter.

S. 271 changes the program to provide more insurance during an employee's service, more payable as a death benefit after retirement, and increases the Government's contribution from one-third to 40 percent of the cost of the program.

An employee earning $9,500 today has an insurance policy of $10,000. Under S. 271, he will have a policy of $12,000. After retirement, the policy would decline at the present 2 percent rate each month until 25 percent of the $12,000 remains ($3,000), 20 percent more insurance than under present law.

LEVEL COST OF THE INSURANCE PROGRAM

Under existing law, the Civil Service Commission is authorized to establish the contribution of the employees and the agencies at a rate not to exceed 25 cents biweekly for $1,000 insurance for the employees and one-half that amount for agencies.

When the program was established in 1954, that amount was believed adequate to pay the level cost of the insurance provided. Several minor liberalizations have increased the cost and the gradual escalation of Federal salaries has increased the amounts of insurance carried into retirement even though employees have paid for lesser amounts of insurance during most of their working years. The result is that the actual present cost is 45.5 cents per $1,000 and the premium paid is only 37.5 cents. Existing reserves are adequate to pay the premium for the immediate future, but as time passes, the cost will increase to the point that a very substantial increase will be necessary to pay the annual premium.

To avoid this problem, the committee has included provisions to require that the rate of contribution be established by the Commission and revised from time to time to meet the actual level cost of the insurance program. The 25 cents biweekly limitation is repealed and the Commission will make adjustments in the rate whenever necessary.

The establishment of a $10,000 minimum policy will reduce the unit cost of insurance to 41.2 cents per $1,000. The reason for the decline is the large amount of insurance applicable to employees in lower salary rates, most of whom are young and in good health. This reduction, combined with an increase in the Government's share of the cost, means that employees will for the present continue to pay only 25 cents per $1,000 insurance.

COST SHARING

The committee recommends that the ratio of cost be changed from its present 2 to 1 to 3 to 2, the employees continuing to pay a major portion of the cost. Similar insurance programs in private industry are often paid for in full by the employer or at least on a 50–50 basis.

PUBLIC HEARINGS

Public hearings were held on S. 271 before the Subcommittee on Health Benefits and Life Insurance on February 7 and 8, 1967. Testimony was presented by 28 witnesses and organizations.

Testimony from several organizations recommended including previously retired employees in the bill, particularly by extending to them the opportunity to purchase $2,000 unreducing insurance.

The committee has given this proposal very thoughtful consideration. It is mindful of the needs of our many faithful retired employees and their families and has done much to insure their economic comfort. Enactment of a $2,000 policy for this very deserving group would affect more than 400,000 people and would cost the Government about $800 million.

The economic realities of the present time prevented the committee from including such a proposal in the bill.

COST

The Civil Service Commission estimates the annual cost of this bill to be $106.1 million. The employees will pay $51.2 million and the Government will pay $54.9 million.

1. Changing the cost-sharing ratio for the

present program from 2 to 1 to 3 to 2 will cost the Government $12.5 million and reduce the employee's share by $12.5 million.

2. Providing permanent level cost financing will cost the Government $16 million and the employees $24.1 million.

3. Increasing the amount of insurance and establishing a minimum of $10,000 will cost the Government $26.4 million and the employees $39.6 million.

SECTIONAL ANALYSIS

Section 1 establishes a new life insurance table which will provide insurance equal to annual salary, rounded to the next higher $1,000, plus $2,000; a minimum of $10,000 and a maximum amount of $30,000.

Section 2 provides for the establishment of a premium contribution rate at an amount equal to the level cost of the insurance program. This authority is mandatory, not discretionary. Section 2 also lowers the employees' share of the premium cost from 66.6 percent to 60 percent.

Section 3 increases the Government's share from 33.3 to 40 percent.

Section 4 provides effective dates for the bill. The provisions are not retroactive, and will not affect any employee who resigned, retired, or died prior to the date of enactment of the legislation.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

So the bill (S. 271) was passed.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR KENNEDY OF NEW YORK TOMORROW MORNING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from New York [Mr. KENNEDY] be recognized on tomorrow morning for a period of not to exceed 1 hour immediately after the prayer and the reading of the Journal, and that immediately following the end of the speech of the Senator from New York, there be a period for the transaction of routine morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate tomorrow through the morning hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM TOMORROW TO THURSDAY AT 11 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business on tomorrow, it stand in adjournment until 11 o'clock Thursday morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR MUNDT ON THURSDAY MORNING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished senior Senator from South Dakota [Mr. MUNDT] be recognized for a period not to exceed 1 hour immediately after the prayer and the reading of the Journal on Thursday morning, and that immediately following the speech of the Senator from South Dakota, there be a period for the transaction of routine morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION ON THURSDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate on Thursday through the morning hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS TO THE ATOMIC ENERGY COMMISSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 379, H.R. 10918. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 10918) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

THE DEVELOPMENT OF A NATIONAL OIL SHALE POLICY

Mr. HART. Mr. President, turmoil in the Middle East again dramatizes the importance of oil to the industrialized nations of the world. And it should make more compelling the desirability of swift development of the oil—and aluminum and sodium—locked in the shale reserves of Colorado, Wyoming, and Utah.

The shale land in these three States is estimated to contain almost 70 times the Nation's proved reserves of crude petroleum. During 8 days of hearings held by the Senate Antitrust and Monopoly Subcommittee, estimates of the number of barrels which could be extracted from the shale ran from 360 billion to 2 trillion. That is a wide spread, but when you consider that this country uses only about 3½ billion barrels yearly, no matter what estimate you accept, it adds up to a lot of oil in those shale deposits. In addition, substantial amounts of sodium and aluminum are present.

Approximately 11 million acres of this land—or 80 percent—are owned by the Government and 350,000 acres by private owners. Of the 350,000 acres, about 205,000 acres are owned by major oil companies. The Government land has been encumbered by the filing of almost 2,500 claims by private parties covering close to 4,000,000 acres. These claims are being contested by the Interior Department.

To put these sums in perspective consider that a 500-acre plot of land—with 25-barrel-per-ton shale—would contain approximately 1,800,000,000 barrels of oil.

The question is: How best can we develop the resource?

I am convinced that the way to obtain early development is to insure maximum competition—not monopolization.

The danger of stagnation which monopoly would bring was recognized back in 1920 by the framers of the Mineral Leasing Act. They wrote into the law the requirement that in any leasing arrangement provision should be made for the prevention of monopoly.

On May 7 the Secretary of the Interior issued regulations establishing a Government oil shale leasing policy. As I see it, this program would have some very unhappy results—monopolization by the major integrated American oil companies of the resources locked in these shale deposits, higher consumer prices in the long run for petroleum products, lackadaisical development of the resource.

There are three prerequisites for private development of the resource: land, technology, and economic incentive.

With 350,000 acres of this land now held by private owners, the Government proposes to make an additional 30,000 acres available under the new regulations. One can ask why any Government land is necessary in view of the vast acreage in private hands. The Government acreage to be made available is so small one wonders if it would have significant impact on development of the resource.

It is indeed doubtful if Government land is necessary to development of this resource. But assuming a case can be made for leasing, it can be made only if the additional land goes into hands not now holding acreage, and not then if those new hands have economic interests which obviously work against development of the resource.

Any discussion of acres is meaningless unless related to the barrels of oil contained in the acres. Combinations of figures can be put together and result in wide differences in the total oil said to be in the deposit. Adopt a median figure—assuming that 30,000 acres contain 25-barrel-per-ton shale, which would be neither the smallest nor largest amount in the area—then the oil involved would be 1,800,000,000 barrels per year for the next 50 years—almost two-thirds of our yearly consumption for half a century. Small wonder that those companies with substantial investment in other oil reserves would serve their own economic interests by keeping shale oil development to a minimum, or by keeping the production under their own control. Additionally, some of these oil companies have what appears to be a greater interest and investment in developing other sources of energy such as coal and uranium.

During our hearings witnesses advised us that technology is presently available through mining methods to market this resource at prices competitive with conventional crude.

Much of the initial mining and "retort" technology was developed by the Government at the Rifle Plant in Colorado following World War II. At the point that a major breakthrough seemed imminent, its funds were cut off, and after 10 years of extensive work and $15 million of tax expenditures, the plant was forced to close down. Subsequently, the plant was reopened under the auspices of the Colorado School of Mines Foundation and by agreement is being operated by six of the major integrated oil companies.

Since the oil companies have taken over Rifle, it is difficult to discover what, if any, progress is being made.

In any case, Government research conducted during the period the plant was open did contribute to the basic retort technology.

Beginning in 1957, Tosco, an independent corporation, began acquiring land and experimenting with a pilot plant operation for retorting oil shale. In 1964 Tosco joined with Cleveland Cliff Iron Co. and Standard Oil of Ohio to establish the operability and economics of the system developed by Tosco. As a result of this work Tosco has commissioned a contractor to build a commercial plant and expects to have production of 58,000 barrels daily by 1970.

Its vice president testified that Tosco technology is available to anyone upon payment of a reasonable royalty.

This indicates there is sufficient technology now available to begin construction of production facilities, if the present owners of the 350,000 acres now in private hands want production.

In fact, Orlo Childs, director of the University of Colorado School of Mines Foundation program, has pointed out that, insofar as the retort mining process is concerned, the kind of research needed now grows out of the actual production of the material. He described it as an "ongoing situation."

Future technology will center on the "in situ" process that depends on underground explosions which shatter the shale formations under high heat conditions, causing the oil to collect in pools which are then pumped out. This technology is in its infancy and is being developed by an AEC-private industry consortium which is only now getting underway. At the present rate of activity, it may well be years before this technology is perfected.

Economic incentive would seem to favor development by other than the big oil companies. Most of the majors—oil crisis notwithstanding—have huge investments in traditional crude sources. It would appear not to be in their best economic interests to see shale reserves developed rapidly.

Consider the experience of Union Oil Company. Union Oil does not have vast crude reserves, but it does own substantial shale oil lands—50,000 acres. It had spent $15 million for research and development looking toward oil from shale, in order to improve its crude position. But when it appeared that Union was on the threshold of development of shale oil, the Gulf Oil Co. purchased $120 million of Union's convertible debentures and placed the vice chairman of the Mellon Bank on Union's board of directors. Mellon interests control Gulf. Thereafter Gulf began supplying Union with one-fourth of its requirements for purchased crude with Gulf's Kuwait oil. Union's research and development ceased after this arrangement—to the apparent benefit of both Gulf and Union. This example explains why it seems to me that international oil companies with huge reserves of cheap foreign crude do not want rapid development of shale oil.

Yet the Secretary's program would have the practical effect of freezing out potential competitors and guaranteeing that only the major oil companies could participate.

Why would the program have this effect? Because it ties leasing of the land to long-term research programs. The Secretary would lease land to private industry in return for research and development work by the lessees. Apparently, the Secretary initially would determine which research programs were acceptable. After the research period—not to exceed 10 years—the Secretary would determine how much additional land to allow the successful researcher for commercial development—not to exceed 5,120 acres.

Those not successful in their research or who did not participate would get no land. Royalties would be determined on the basis of net income obtained from sale of the mineral extracted.

To one concerned with speedy development, the flaws seem apparent.

First, the use of land subsidies to encourage research would discourage all but the largest integrated oil companies from competition for the leases. The economic strength of these companies makes it possible for them to pay for land leases which may produce nothing for a number of years and to engage in research programs without any hope for short-range returns—but which could lead to great profits in the long run.

Second, it would keep enterprising companies willing to proceed with present technology from actually beginning production of the resources. Companies which need to begin early production to support financially their activity simply cannot afford a lengthy research and development program. Only a company with substantial profits from other activities could do so.

Third, it would keep some of the best sources of research and development—the smaller research oriented corporations which specialize in research, not production—from becoming involved. Research specialists—from whom some of our most dramatic technological advances come—for all practical purposes would be frozen out of the program.

Fourth, the program—favoring as it does the large integrated oil company—would discourage total development of all the resources involved, particularly aluminum and sodium. Given the present state of technology, limited as it is to oil recovery processes, there would be no incentive for other than oil companies to participate in the program and their expertise is in drilling—not mining.

Fifth, it requires the most pervasive kind of continuous Government regulation with subjective decisions to be made on a regular basis. This could be a stifling barrier to rapid development, and an open invitation to charges of "giveaway" no matter how proper the decisions.

Sixth, the system of royalties, based on net income, means that no royalties need be paid until net income reaches a certain point. Economic incentive to intensive development, therefore, would not be present for an integrated company with other sources of net income. An integrated oil company whose best interest might be served by sitting on the land, rather than developing it, and by keeping others from getting leases, would find this provision tailor made to its interests.

In addition, a word of caution is necessary with respect to the "blocking up" part of the Secretary's plan which would trade Government oil shale land for private oil shale land. I am told that such a trade is without precedent with respect to minerals because value cannot be determined adequately. Even in timber land exchanges, where the resource exchanged can be seen and tabulated, there is continual disagreement between the Government and industry as to the value of the respective pieces of land. How much more tenuous would be the determination with respect to the value of oil shale.

One aspect of the program should be applauded vigorously. It provides that the Government will acquire title to all inventions made in the course of the research under the lease, and the further requirement for licensing of other patents necessary to development of the resource. Protection is accorded the research-developer in event of exceptional circumstances and a reasonable royalty is provided for patents owned by the research-developer.

Making all technology available to the public at the earliest moment is vital to rapid and competitive development of the resource.

Having raised these criticisms, let me suggest alternatives for the early development of the resources—not just the oil, but the aluminum and sodium:

First, public land—perhaps 30,000 acres is a good start—should be thrown open to leasing on a bid basis. It should not be tied in to research and development. It is conceivable that smaller companies and consortiums could raise sufficient capital to erect production facilities which promise an early return on investment, but could not raise the money for extensive research for a period of 10 years, following which additional capital would be required to begin production. It may be that some are willing to begin production now, it may be that others would prefer to wait until better technology is available, but this is a decision that should be made by the marketplace, not the Government.

Second, the leasing agreement should provide for deferred high rentals which would be offset by royalty payments. The fee could be deferred for the time necessary to build a facility and begin production. After such period, the high rental would act as an economic deterrent to any delay in beginning production. This plan would favor the most rapid development and would discourage those who desire only to alienate the land. Thus, there could be reliance on market mechanisms rather than extensive Government regulation to protect the public interest.

Under such a plan the land is most likely to be leased by nonpetroleum companies which do not presently have land but which do have experience in mining technique. This should inject greater competition into the petroleum industry.

Third, the land should be leased on the basis of the minerals in the ground—not acreage alone. Thus, in the case of oil, the acreage should be sufficient to support a 50,000-barrel-a-day refinery for a period of 25 years. In some cases 250 acres would be enough to do this job.

Fourth, wherever possible, the land to be made available should be kept intact and contiguous. This responds to the concern of conservationists who fear despoiling this beautiful country. Also, this would allow coordinated development of water and transportation availability which is necessary before the minerals can be marketed.

The Government also should embark on an intensive research program to develop both the in situ process and technology to extract the sodium and aluminum from the ground. This should be done both by the Government itself and through research and development contracts with the best technical groups in the country. Such a program also would benefit those already holding acreage by making available to them freely the best techniques and methods available.

It seems to me that such a program would encourage competitive development of the resources at the earliest possible time, a result highly desirable for both the national and private interests.

Such a program also would remove the uncertainty which many private landholders claim has inhibited private development.

Other alternatives were suggested at the hearings, including a TVA or Comsat type corporation to proceed with total development of the resource. A public corporation, of course, could work in cooperation with the private corporations already holding land, could assist in meeting some of the practical problems of transportation, water rights, and regional development, as well as serving as a yardstick against which private companies could gage their activity and be gaged.

There is general agreement that prompt development of these resources is desirable. I hope some of the suggestions I am making may assist in this effort.

It is my intention to formally advise the Secretary of the Interior of my reaction to the record made at the antitrust hearings and to forward to him those specific suggestions.

Mr. ALLOTT. Mr. President, the distinguished senior Senator from Michigan has just made a statement relative to oil shale, which of course involves basically three States, at the moment—the States of Colorado, Wyoming, and Utah.

The greatest development in oil shale itself, of course, is occurring within the State of Colorado.

At the moment, the Senator from Michigan and I are both due at the same committee meeting, so I do not intend to comment at great length upon his statement, but I do feel that some comment should be made with respect to it at this time.

First, I should like to say to my colleague, the Senator from Michigan, that he deserves a great deal of credit for the way he has approached the oil shale matter. This actually is one of the most complicated areas and fields in which I have ever had any experience or had to do any work. The further you get into it, the more complicated and complex it becomes.

In approaching this matter, I know that the Senator from Michigan was under—or an attempt was made to put him under—the influence of certain people who have some rather peculiar ideas and who, in my opinion, are peculiarly unqualified to discuss this matter, since they know little or nothing about it. So in having these hearings and coming forward with this forthright statement, I believe the distinguished Senator from Michigan has been objective and intelligent—although I do not quite agree with all of his conclusions—and I congratulate him on it. I should like to comment upon a few portions of his statement.

On page 2 of his statement he says, in effect, that the Secretary's regulation would result in monopolization by major integrated American oil companies. Actually, the regulations as presently written are an impediment to development, contrary to what some people think, since they do not provide any economic incentive or advantage to a firm engaged in research and development. The Secretary's regulations would put all patents in the public domain; and without some sort of advantage over potential competitors, there of course, is no incentive for research and development, because a company is not going to invest millions of dollars in research and development and then give what it discovers from that research and development to another company.

On page 3, the Senator from Michigan says:

> During our hearings witnesses advised us that technology is presently available through mining methods to market this resource at prices competitive with conventional crude.

I presume he was talking about the so-called Tosco process, which is supposed to have a working plant of 50,000 barrels per day in operation by 1970. I believe that earlier they expected to have commercial production by this year, but it will be at some later time. Of course, the Tosco operation is a very closely held operation so far as the results of their research are concerned, and I am not privy to any of the knowledge that has come from that particular research project.

However, I believe one thing could be done to encourage earlier production of shale oil, and I think I mentioned it in my statement before the Senator's committee, and that is that if we really want to develop an economically strong and viable oil shale industry in this country, we should do something about the depletion allowance on oil shale.

As the depletion laws now apply to oil shale, they apply to the shale as it comes out of the ground. This is a 15-percent depletion allowance. But as applied to the oil shale as it comes out of the ground, the depletion allowance is meaningless, because the shale essentially has no value as it comes out of the ground.

If a bill which is now pending before the Senate were given consideration by the Committee on Finance so that the point of application of the depletion allowance could be applied after the first retorting or processing, then I believe the statement made by the Senator from Michigan might well come into realization, and we would then be much closer to a technically and economically feasible oil shale industry.

On page 4, the Senator says "it is difficult to discover what, if any, progress is being made" at the Rifle Plant. I believe a few words of explanation are in order.

At the Rifle Plant a consortium financed a research project which is conducted under the Colorado School of Mines Research Foundation. As I recall, the negotiations with the Department of Interior leading up to this research contract consumed a year to 18 months and perhaps longer. This contract had several unusual features. One of them was that any company or any individual who wished to share in that research project could do so by putting up a pro rata share of the cost of research, and by putting up a pro rata share of the cost of research could then become a full partner in all of the results and benefits which might come from that research.

I do not know of another contract with the Federal Government which has provided such complete protection to the Federal Government and at the same time given every person in the United States, whether it is an individual, a company, a partnership, or whatever, an opportunity to come in and share completely.

Under that contract the raw data is constantly being submitted to the Department of the Interior, and the Department of the Interior has observers on the site. The raw data may be published by the Government 3 years after the termination of each stage of the research and development program. For example, with respect to stage one, completed in May of 1966, the data would be available for a publication in May of 1969, which is about 22 months from now. Obviously, the progress is not going to be visible to the casual observer, since under the agreement this data is to be kept on a confidential basis during the 3-year waiting period.

The third interesting feature of this contract is that all processes developed by private money at this plant become available to the public upon the payment of a reasonable license fee.

On page 8 of the statement by the distinguished Senator from Michigan [Mr. HART], he refers to the "blocking up" program and says that it probably is not workable because the value cannot be determined adequately. Actually, the values of the land and shale can better be determined here than anywhere else. The Senator from Michigan makes estimates on the number of barrels in place, covering an area of nearly 5 million acres. It would seem logical that the value of parcels containing, for instance, 160 or 100 acres could rather easily be ascertained by comparison.

In addition, the Secretary indicated at the hearings before the subcommittee, that in exchanges permission would be grantd by both parties for coring, which would give excellent data upon which to estimate the value. With further respect to the "blocking up" plan of the Secretary's, the regulations under which the Secretary would authorize an exchange would not only make the values equal, but would cause the landowner to encumber, not only the land received, but also all other land he may own in the area, to certain conditions as prescribed by the Secretary with respect to development, conservation, and prevention of waste.

All of us are interested in all three of these aspects. However, these provisions are probably so restrictive that few, if any, exchanges will be consummated under them. It is true that in exchanges under forest lands these matters go into long negotiations. I see no reason to believe that if exchanges are made with respect to oil shale lands that would not involve the same long negotiations. Nevertheless, I think the actual value and total volume of oil in oil shale can probably be more accurately determined than it can be in the case of liquid petroleum or gas.

The Senator proposed on page 8 of his statement that leasing should be thrown open on a bid basis. I think this is a rather interesting proposal and wish to applaud him on his constructive thinking in this regard. The Government has done very well with respect to its outer Continental Shelf leasing program. As a matter of fact, on the June 13, 1967 sale, the Government received $512 million as bonus alone. In addition to that there will, of course, be royalties and rentals as we go down through the years, and as production proceeds.

Finally, on page 10, the Senator from Michigan suggested that a public corporation might work in cooperation with private corporations. However, in light of the point I made above with respect to revenues received from the Outer Continental Shelf, under a competitive bid program with reasonable rentals and royalties, the Government has fared quite well on its mineral interests and I see no reason for the Government to engage in a development program when at present, they have no particular expertise and the net benefits to the Government may be diminished over what they would be under a private development program.

Mr. President, it has been my privilege to watch the oil shale development program in Colorado for a number of years. I have been able to watch the development of Union Oil Shale Development, and I have followed the research program at Anvil Points under the Government and now under the consortium of six companies.

I feel that the economic impetus of private profit is going to bring more returns in research and development than all of the Government research that will ever be performed there or any other place that oil shale may be found.

With respect to the rifle plant, the Government originally wanted on a royalty-free basis all the background patents of the participating companies and, in addition, title to all inventions that would have been developed from the research. The contract, however, calls for a license to anyone on a reasonable royalty basis only on inventions developed at the plant, and, of course, the Government gets a free license.

There is one thing that many of our friends do not stop to consider, and this is not true with respect to the Senator from Michigan, because he did consider it, and his statement shows it. This is a very expensive proposition. This is not the sort of thing that the average individual on the street can get into. First of all, there is the great expense attendant on exploration. These shale deposits have been identified. It is pretty well known where they are. They may vary in depth from 25 feet to 30 feet so that it takes a great deal of coring and drilling to actually determine what is there. However, it can be determined, but it involves large amounts of money, and it is going to involve large amounts of money for anyone to develop and produce oil from oil shale. I have had numerous figures given to me by many people, and there was much testimony on this matter in hearings before the distinguished Senator from Michigan. It is estimated that on an average it will take an investment of around $125 million to build a plant that will produce 50,000 barrels of oil a day.

It is very obvious that the senior Senator from Colorado is not going to be engaged in this kind of project and the average man on the street cannot. It is one that has to be in a place where large amounts of money can be accumulated, and large investments and much risk are going to be involved, because until a commercial sized plant has actually operated we do not know whether we are going to have a viable and economically sound industry or not.

Again, I wish to compliment my friend, the Senator from Michigan, on some rather creative thinking. I believe he has been objective and I thought it was probably wise to call attention to a few of these matters in this statement.

(At this point Mr. TYDINGS assumed the chair.)

Mr. HART. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am happy to yield to the Senator from Michigan.

Mr. HART. The Senator from Colorado is very kind in his comments, and I am grateful for them. It is not news to Senators, or to others interested in the subject of oil shale, that there is no one in this country, and not just in public office, who has followed more carefully and understands more fully the enormity of the resource, of the vastness, of the potential and the complexity of this specific problem and its development than the Senator from Colorado [Mr. ALLOTT]. His testimony before the subcommittee reflected this in fullest measure.

I am grateful that he found time—as we were both under pressure of a committee meeting at this moment—to join me in the Chamber. I am also grateful that he reacted as he did. I know that we are not in agreement on all aspects of this issue but to have him indicate, as he does, that there may be some value in the report which I have just made, is comforting indeed.

Mr. ALLOTT. I thank the Senator.

UPHOLDING THE RIGHT TO FREEDOM

Mr. ALLOTT. Mr. President, reports reach us daily of the protesters on our college campuses. Yet national surveys adequately support the contention that it is only a small minority which is leading the protests. Few, however, speak for the majority of our college students. Thus, I was more than pleased to read this article written by Miss Barbara Zarlengo, a sophomore at the University of Colorado, in the June 3, 1967, edition of the Denver Post.

I ask unanimous consent to have it printed in the RECORD and I commend it to my fellow Senators for its perception and thoughtfulness.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VOICE OF YOUTH: THE ROAD TO COMMITMENT

(By Barbara Zarlengo)

Shut yourself off from this world of reality for a moment and picture, if you will, a group of men clustered about an obsolete table suspended in the midst of eternity.

Resting on this table is a seemingly insignificant piece of parchment, drawing the undivided attention of those about. You can almost see the anxiety radiating from the tense gathering as a figure emerges and picks up the parchment.

The figure seems to square his shoulders and take on a new significance, a resplendent symbol of individuality. The silence is broken by a proud, ringing voice . . . "When in the course of human events it becomes necessary . . ." And thus a people destined to greatness unite under an eternal bond, the bond of freedom.

Elsewhere in the corridors of time we visualize another picture. In this scene, there is no group of men, no table, no parchment. Only a bleak segment of earth lies shrouded in a grey, foreboding veil. We see two obscure objects piercing the veil. One is shell-like and hard; the other, long and deadly: a rifle and a helmet, ludicrous symbols of a clash of being, the worst of its nature.

We hear from the nakedness of the forsaken land the voices of thousands who fought and died for what they believed. They cry out in the agony of a hell on earth. But their cries are not in vain. That supreme principle for which they sacrificed their existence reigns despite a master effort toward subversion.

Perhaps you are asking yourself the question, "Why—why so much for one privilege?"

We have had bestowed upon us a unique prerogative. Each of us in our meager existence may choose a course to follow. The road only leads in two directions, and once we have seriously begun to follow our choice there is no return. We have been tested and tempted, weak and strong, but we have survived. And in this survival alone we strengthen our grasp on our freedom.

We are once again being challenged as we have never been challenged before. Our opponents are far more wary and lethal. They are determined and in their determination will stop at nothing. Are we prepared to face such adversaries?

I look about and see two extreme factions vying for space on the road that leads away from adversity. There are those who are so involved in themselves they fail to perceive the violent conflict raging about them. And there are those who, perceiving the antagonism, withdraw into a shell in hope they will be spared the burden of making a decision.

I trust there is another faction—a majority which does realize its responsibility and which takes the road to commitment. Let us as young people unite with members of this faction in preserving a mutual advantage. Let us form a bond with them in molding an invincible foundation for liberty.

Let us incorporate ourselves into a vital, single-purposed body to uphold our sovereign right: the right to freedom.

THE EMILY GRIFFITH OPPORTUNITY SCHOOL IN DENVER, COLO.

Mr. ALLOTT. Mr. President, recently the Christian Science Monitor published an article concerning Denver's Emily Griffith Opportunity School. This article, entitled "Opportunity Keeps on Knocking," tells the story of this remarkable public high school whose students range in age from 16 to 95 and whose curriculum is practically unlimited. Its goal is simply to help the underprivileged get an education.

The story of this unique school began in 1907 when Miss Emily Griffith, a Denver public school teacher, tried through private initiative and imagination to break the cycle of poverty through education.

Today, 50 years after its founding, this unique educational experiment continues to flourish and provide for the needs and aspirations of those who want to help themselves through continued education. In this day and age, when it is so popular to seek only Federal assistance or programs it is refreshing to see the rewards of the dedication and imagination of the private citizen who saw a vision and helped us move toward it.

I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OPPORTUNITY KEEPS ON KNOCKING

(NOTE.—Denver has an unusual public high school. Its students range in age from 16 to 95. Its curriculum is practically unlimited. Its aim: to help the underprivileged to get an education.)

(By Cynthia Parsons)

DENVER.—Bill Thompson is a dishwasher at an all-night diner. He's on from 10 p.m. to 6 a.m. He sleeps in the morning, but at 1 p.m. he's at the Emily Griffith Opportunity School in downtown Denver studying to be a jet aircraft repairman. He has put in 1,000 hours of training, with 800 more to go.

Helen Lowe works for a large Denver firm. She is a secretary, but she has never been trained in taking dictation from a machine. Every morning she spends an hour at the Opportunity School in a course in dictation. When she has completed the course she will be upgraded on the company pay scale.

Mrs. Mary Kimball has two children in school and a four-year-old at home. Once a week she watches a TV program which is teaching her how to sew. The TV teacher also instructs sewing classes at the Opportunity School, and Mrs. Kimball is on the waiting list for one of the advanced sewing classes.

LANGUAGE LEARNED

Juan Ramero arrived in Denver on a Saturday. On Monday his cousin had him registered in an English class. Juan quickly learned enough English to enroll in the Opportunity School's high-school program and he is following an individualized course through English, math, and social studies. His math teacher has assured Juan that he can take a basic electronic course next year in the evenings and continue his job as a polisher in a car-wash establishment.

In 1916, the year that the Denver Opportunity School opened its doors, 2,398 Juans, Marys, Helens, and Bills came to take advantage of its unique personalized educational service.

Last year, more than 32,000 young and older adults took at least one course at this public school.

The youngest students at the Opportunity School are 16. These pupils are enrolled in other Denver public high schools and take only one special course at the Opportunity School. The next youngest pupils are over 21 and quite possibly are school dropouts who want either to finish high school or take a course, such as shoe repair, which will give them an immediate, marketable skill.

The oldest student at this year-round 8 a.m.-to-10 p.m. school is 95. He is enrolled in a daytime oil-painting class and was at work on a flower still life the day I kibitzed over his shoulder.

The City of Denver operates 130 schools with an annual budget of $78 million. The Opportunity School spends $2 million of that each year. Enrollees who live and work outside the school district must pay a modest tuition, but for all Denver residents the courses are free.

SPECIAL COURSES SLATED

The Opportunity School will set up any course any time if there is sufficient interest and need. A rubber company, for example, which was opening a subsidiary company in Belgium, asked for and got a crash program in technical French. A group of men from several large advertising firms offered to conduct clinics for small-business operators. The clinics were set up at convenient locations around Denver and proved a tremendous boon to the small-business men who must handle their own advertising.

Another short clinic was held for store detectives.

A certain type of skilled machinist was needed for one large Denver company. The business took $85,000 worth of machinery over to the school, freed a foreman to teach a course, took the machinery back to the plant, and hired the students from the course who began production work on the same equipment on which they had trained.

The Opportunity School also tries to get ahead of job needs by feeling the business pulse of the community. For example, the school had trained TV repairmen before the first set was sold in Denver. The school also introduced jet-engine repair, and graduated certified repairmen before there was a jet at Stapleton Airport.

In the context of the nation's growth, Denver is still an American melting pot. Hundreds of immigrants first learn English and apply for citizenship in this mile-high city.

The school's citizenship teacher, Miss Esther Heller, is herself an immigrant from Poland who first learned English as a foreign language at the Opportunity School. Then she took the course in citizenship, following this by taking enough basic education courses to get a high-school diploma. She is now a college graduate, and a teacher at the university level as well as at the Opportunity School.

WAITING LIST GROWS

Along with several others, the citizenship class has a waiting list. On March 20, the waiting list for the more popular courses stood at 3,732.

At the same time, there are always some vacancies in classes because each student in each class moves along at his own pace. As soon as a student completes a course, the first one on the waiting list is notified. He may enter the class immediately—there is no waiting period.

Students enrolled in barbering or cosmetology normally put in an eight-hour day five days a week until they have studied the required hours and are ready to pass the state examinations. The many students who cannot come for more than one hour a day are also accommodated. This has been the school's policy since its beginning.

That beginning goes back to 1907, when Miss Emily Griffith, a Denver public-school teacher, visited the homes of her children to find out why their homework wasn't done and why their clothes were tattered and torn. She found that their fathers were often out of work, unskilled, and uneducated. She also discovered that mothers were inept at budgeting what little money they had and didn't recognize the potential of good schooling.

To break the cycle of poverty, sickness, and deprivation, Miss Griffith reasoned, a school was needed. Such a school should allow adults to do high-school work, should teach trade skills such as carpentry, sewing, auto mechanics, and welding.

Miss Griffith also determined that such a school need require no previous educational background, should be open and free to residents of Denver, should have teachers willing to double as counselors, should give no grades, and require no homework.

For 50 years the Emily Griffith Opportunity School in downtown Denver has pursued its original policy. The school also has reached outside its own buildings and conducts classes over TV and in more than 100 locations around the city.

COMPUTER USED

Most of the courses taught at the Opportunity School are devised right there. The teachers write their own curriculums, set up their own workbooks, and the school shop prints out the desired number of copies.

The Opportunity Schools owns its own IBM 1440 computer. The computer teacher heard that a 1440 had been damaged in a recent flood and asked for the machine. He got it for what it cost to transport it to the school, taught computer repair and maintenance to a class while cleaning it, and now is able to use the computer in several special computer-technology classes.

Sewing is the most popular activity at the school. For a few of the women it is a hobby. But for most it is a way of making a living or of augmenting the family income.

The Opportunity School offers training to apprentices in such trades as barbering, boilermaking, carpentry, electrical construction, printing, plumbing, and sign painting. In some instances Opportunity School teachers go to the industrial plants to give instruction. In others, the students come to the school.

Women and girls living at homes and hospitals in the area are also included in the Opportunity School program. Teachers come to them with courses in bookkeeping, business education, business English.

This year, employees of the Colorado State Highway Department can take a course in letter writing. This work is given to those who already have typing skills, but who have not had a recent course in business writing.

Students interested in becoming salesmen, merchandisers, or sales managers take one of the more than 50 courses in distributive education. Art is taught for those who want to work on layout and designs of ads and sales displays. A career training course includes instruction in retail buying, advertising, credit, insurance, real estate, traffic, transportation as it effects business sales, small-business management, and other related topics.

EXPERIENCE OBTAINED

Denver's high-school seniors who elect distributive education spend the mornings in class and the afternoons on the job—to the tune of 15 hours a week.

The arts-and-crafts division is always full to overflowing. There are courses in basic drawing, ceramics, enamel on metal, jewelry-making, lapidary, silversmithing, sculpturing, woodworking, and painting. For many of the pupils in these courses the school is their social center.

A wishing well is kept at the front office for those who say, "I wish you taught XXX." If it's not taught, then the wish is put in the well which is frequently emptied. A sufficient number of Denver citizens all desiring the same program will have their wish granted.

The Opportunity School is just that—an opportunity. For those who are just lonely it is a place of companionship. For those who are illiterates it is a way out of darkness. For those beset by poverty it is the road to a job, dignity, and personal success.

COLORADO CITY—A BEAUTIFUL NEW CITY

Mr. ALLOTT. Mr. President, a beautiful new city is being built in Colorado with such overall appeal that it could be a model for America's cities of tomorrow. It is interesting to note that it is being done without any subsidies from Federal or State Governments. I am speaking of Colorado City which is 25 miles south of Pueblo.

While traffic congestion, air and water pollution, asphalt jungles, mass confusion and community decay are being attacked by America, from city hall to the White House, this entirely new city is being developed with bold, invigorating new concepts for family living and happiness. Colorado City, 25 miles south of Pueblo, is such a place.

This is a different kind of town. It is not like most American cities where the founders started the town on the banks of a stream, with no thought of how big the community would become. The kind of city where the old downtown streets and facilities eventually became inadequate. In other metropolitan areas, the problems multiplied as the suburbs sprawled. The city core decayed and there were too few places preserved for people to relax, to play, to regenerate themselves.

This is not true in Colorado City. Where you might expect to find Main Street there is a golf course, a large lake and several smaller ones. Greenhorn Creek, which comes tumbling out of the mountains only a few miles away, runs through the heart of family play areas.

Preplanning is a guarantee against sprawl. This city is created so it cannot grow beyond approximately 10,000 homes on 7,500 acres. The streets, parks, school sites, commercial areas, church locations and playgrounds are planned for the approximate 35,000 persons who will live there when growth is complete. Planning incorporates safeguards against decay, slums, and the economic cancers.

There is an industrial park where an electronics and precision parts manufacturing plant is setting the pace for smoke-free, light industry. Hard-to-find skilled machinists, toolmakers, and other craftsmen are moving to Colorado City because of the open countryside, sunshine, clean air, mountains and recreation.

In addition to all its built-in recreation, Colorado City is only 10 minutes from the San Isabel National Forest, and only 20 to 30 minutes by automobile from the heart of mountain hunting, fishing, and four-seasons recreation. And it is convenient to Pueblo, Colorado Springs, and the Denver metropolitan area via Interstate 25.

This community is unique and self-preserving because every property owner considers recreation the same as a utility. It is a service to the property, just like electricity, telephones, gas, and water—only recreation is cheaper than even water. Each property owner agrees to pay $10 a year for 10 years. For that low cost the entire family enjoys all the existing, and additional assured facilities, including baseball, basketball, swimming, boating, camping, driving range, golf, fishing, fencing, horseways, quoits, shuffleboard, skating, softball, rodeo, volleyball, bicycling, children's playgrounds, hiking trails, and picnic areas.

The Colorado City Metropolitan Recreation District has issued $250,000 worth of bonds to build these facilities. The Colorado City Development Co. gave the golf course and all other recreation areas to the district and is underwriting the operation until the plan becomes self-sustaining. A full-time recreation director has been employed.

Colorado City's schoolgrounds are surrounded by play areas that have no fences, so the openness has many around-the-clock uses.

Colorado City could become the American model for cities with the full, happy way of life, because it is demonstrating that not only the children, but the entire family can have this dimension of living for only pennies a day. All of this, Mr. President, at a cost that can be managed by the average family and without the benefit of Federal funds.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 4 o'clock and 25 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, July 12, 1967, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate July 11, 1967:

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Marjorie N. Haislip, Brownsboro, Ala., in place of R. C. Wall, deceased.

Hugh M. Bates, Clanton, Ala., in place of R. R. Sutley, retired.

Oliver G. Bruner, Fort Deposit, Ala., in place of L. S. Bruner, retired.

James A. Mills, Jr., Pine Apple, Ala., in place of M. S. Ward, deceased.

ARKANSAS

Morris G. Harrison, Forrest City, Ark., in place of F. C. Seaton, retired.

CALIFORNIA

Ronald G. Telford, Burney, Calif., in place of A. E. Rider, retired.

Noelle M. Changala, El Toro, Calif., in place of W. A. Burrows, deceased.

John W. Blum, Jr., Maywood, Calif., in place of E. C. Allsop, transferred.

James W. Segale, Moccasin, Calif., in place of W. H. Segale, retired.

FLORIDA

James W. Anderson, Hialeah, Fla., in place of Fred Ewing, retired.

GEORGIA

John F. Atkinson, Jr., Juliette, Ga., in place of Harold Williams, Sr., retired.

ILLINOIS

Harold S. Gilvin, Cambridge, Ill., in place of W. H. Powers, retired.

Paul R. Hughes, Earlville,, Ill., in place of P. C. Zimmerman, retired.

Jackie L. Moore, Gilson, Ill., in place of M. L. Snell, retired.

Robert J. LaPointe, Westmont, Ill., in place of E. J. Stromberg, transferred.

INDIANA

James E. Jones, Bargersville, Ind., in place of R. O. Utterback, retired.

Loyd C. Browning, Madison, Ind., in place of L. D. Spann, retired.

Loran B. McMaster, Jr., Romney, Ind., in place of G. G. Barker, retired.

Max M. Dyer, Rossville, Ind., in place of A. L. Metzger, retired.

KENTUCKY

Lorene J. Elkins, Magnolia, Ky., in place of F. J. Salt, retired.

Charles H. Walker, Rumsey, Ky., in place of T. W. Stokes, retired.

MAINE

Ruby F. Small, South Thomaston, Maine, in place of David Pollock, retired.

MARYLAND

Arthur G. Virts, Jr., Boyds, Md., in place of E. G. Austin, retired.

L. Everett Marvel, Easton, Md., in place of J. F. Wallace, Jr., retired.

Dorothy C. Bowie, Faulkner, Md., in place of A. M. Swann, deceased.

MASSACHUSETTS

Lester A. Magnant, Webster, Mass., in place of W. H. Evans, retired.

MICHIGAN

Howard E. Gladman, Leland, Mich., in place of W. J. Johnson, retired.

MINNESOTA

Elfred M. Williams, Staples, Minn., in place of Evelyn McGivern, retired.

Laddie D. Forst, Jr., Strathcona, Minn., in place of A. G. Hoverson, deceased.

Sylvester G. Vogel, Victoria, Minn., in place of V. C. Heutmaker, retired.

MISSOURI

Denton C. Kelp, Holt, Mo., in place of L. W. Bartee, retired.

NEBRASKA

Duane L. Whitaker, Minatare, Nebr., in place of L. A. Breeden, deceased.

Richard D. Daniels, Scottsbluff, Nebr., in place of H. M. Runyon, retired.

NEW JERSEY

Joseph F. Grastara, Oradell, N.J., in place of T. D. Menchion, retired.

Sarah S. Goldberg, Roosevelt, N.J., in place of B. W. Blutstein, retired.

NEW YORK

Daniel J. Healy, Bay Shore, N.Y., in place of J. J. Bohuslaw, deceased.

Francis W. Whitmore, East Setauket, N.Y., in place of F. R. Danowski, retired.

NORTH CAROLINA

Dorothy A. Blanchard, Hobbsville, N.C., in place of S. R. Hobbs, retired.

Foster G. Rodgers, Stantonsburg, N.C., in place of B. B. Shingleton, retired.

Leslie B. White, Woodland, N.C., in place of H. R. Sams, retired.

NORTH DAKOTA

Blaine G. Meier, Riverdale, N. Dak., in place of O. E. Ditch, resigned.

OHIO

Harold G. Rearick, Gibsonburg, Ohio, in place of C. E. Felker, retired.

Samuel J. Mitchell, Philo, Ohio, in place of C. E. Morris, retired.

George P. Fillman, Port Washington, Ohio, in place of J. H. Welsch, retired.

OKLAHOMA

William S. Conaway, Valliant, Okla., in place of P. A. McDonald, resigned.

PENNSYLVANIA

Herbert W. Miller, Biglerville, Pa., in place of E. E. Carey, deceased.

Arthur D. Cummings, Callery, Pa., in place of H. K. Schmid, retired.

Mildred A. Cleary, Koppel, Pa., in place of C. A. Perriello, resigned.

Katherine A. Pirih, Langeloth, Pa., in place of E. M. Finney, retired.

SOUTH CAROLINA

Luther E. Watkins, Chappels, S.C., in place of L. N. Werts, retired.

James C. Parris, Gaffney, S.C., in place of J. C. Fowler, retired.

TENNESSEE

Howard I. Harris, Dukedom, Tenn., in place of J. F. Darnell, deceased.

TEXAS

Robert L. Mosty, Center Point, Tex., in place of L. M. Garrett, retired.

Harry D. Anderson, McCamey, Tex., in place of R. A. Johnson, retired.

VERMONT

John H. Harris, Proctorsville, Vt., in place of J. T. Pickett, retired.

VIRGINIA

Marion A. Waldron, Chesterfield, Va., in place of T. T. Cogbill, retired.

Garry G. Martin, Ripplemead, Va., in place of W. A. Guthrie, retired.

Charlotte H. Webb, Weems, Va., in place of I. E. Daniel, retired.

WEST VIRGINIA

Nettie B. Spessard, Glen Jean, W. Va., in place of G. W. Spessard, deceased.

Francis A. Atkins, Sutton, W. Va., in place of R. L. Pullen, transferred.

WISCONSIN

Audrey E. Winsauer, Boulder Junction, Wis., in place of R. B. Cary, retired.

Robert M. Hulverson, Durand, Wis., in place of L. J. Peterson, transferred.

In the Air Force

The following officers for appointment as Reserve commissioned officers in the U.S. Air Force to the grade indicated, under the provisions of Sections 8218, 8351, 8363, and 8392, title 10 of the United States Code:

To be major generals

Benjamin J. Webster, FR974, lieutenant general, Regular Air Force, retired.

Conrad F. Necrason, FR1246, major general, Regular Air Force, retired.

To be brigadier general

Reginald M. Cram, FR5812, colonel, Regular Air Force, retired.

In the Navy and Marine Corps

Jack A. Burgess, Jr. (Naval Reserve Officers' Training Corps candidate) to be a permanent ensign in the Line or Staff Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named graduates from Navy enlisted scientific education program to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Jerry D. Ramsey
Keith R. Wire

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Frederic S. Bryant
Marion S. Fields, Jr.
George J. Hansen
Gary R. Schwensow
Kent L. Taylor

The following-named enlisted personnel to be ensigns in the Medical Service Corps of the Navy, for temporary service, subject to the qualifications therefor as provided by law:

Bruce R. Panas
Robert B. Taylor
William D. Lekvold
Francis W. Ohnemus
Howard T. Sixsmith, Jr.
Maurice T. Meaney
Gary T. Davis
James C. New
Fenton C. Miller, Jr.
Dennis M. Thomas
Edward M. Knodle
Robert S. Bolshazy
Robert D. Norvell
Marvin E. Prigmore
Wendell L. Chappell
Leslie T. Foskey
Eldor R. Olen
William M. McClannahan, Jr.
Kenneth E. Moyer
Todd R. Stemple
Paul T. Bruder
Gary H. Stovall
Robert L. Mooers
James H. Harrell
Rex H. Ishmael
Charles E. Montgomery
Thomas J. Chegash
Leonard R. Mock
Kenneth W. Shaffer
Virtus P. Haws, Jr.

The following-named enlisted personnel selected as alternates to be ensigns in the Medical Service Corps of the Navy, for temporary service, subject to the qualifications therefor as provided by law:

Paul E. Campbell
Charles D. Bransford
Nathan M. Sessions
Monte J. Kern
Robert L. Wooldridge
Jack W. Bartlett
James R. Cannon
James H. Pelphrey
James D. Solmen
Harold E. Pulvermacher
Louis E. McKinzie
Hector Cornejo
Paul J. Reed
George R. Lanerie
William F. Stratton
James E. Snyder
Robert H. Rayno
Derrel L. Waldroupe
Ted A. Braitsch
Clemeth W. Finley
James E. McCarty, Jr.
Daniel E. White
Loren M. Coleman
Stuart A. Hess
George S. Windham
Walter E. Roberson
Wayne H. Berry
James M. Blackford
Donald R. Chandler
Harold Yates, Jr.
Earl C. Wigle
Owen L. Edgerton
John B. Tyndall
Richard W. Ebersole
Robert L. Russnogle
Carl A. Armstrong, Jr.
Cloyd J. Parker
Philip E. Dould
Robert L. Springfield
Marshall S. Duny
Robert P. Legg
John G. Aulls
Charles A. Kelley
Elvin D. Rush
Richard C. Marks
David W. Brown
Arthur P. McKinney
Frederick J. Merkel
William R. Aliff
Paul F. Truran, Jr.
Jerauld H. Smith
William S. Bentley
Marcel D. Iczkowski
David L. Wenrick
Albert F. Shannon
Elbert C. Hayes
Eugene C. Hanson

The following-named officers of the Navy are nominated for permanent promotion to the grade as indicated below:

LIEUTENANT, LINE

William E. Jackson

LIEUTENANTS, MEDICAL CORPS

Thomas H. Byrnes, Jr.
Harvey J. Demaagd
William B. Echols
Crayton A. Fargason
Thaddeus E. Kelly
Malcolm M. Murdoch
Russell W. Pratt
James L. Steffens
Francis D. Wilken

LIEUTENANTS, CHAPLAIN CORPS

James E. Ammons, Jr.
John F. Walker.

LIEUTENANTS, DENTAL CORPS

Milton R. Felger
James R. Holtan
Charles H. Julienne
Jerry Rosenfeld

Michael D. Maley, U.S. Navy, for transfer to and appointment in the Supply Corps of the Navy in the permanent grade of lieutenant (junior grade) and in the temporary grade of lieutenant.

Preston H. Fitzgerald, U.S. Navy, for transfer to and appointment in the Supply Corps of the Navy in the permanent grade of ensign.

The following-named (Army Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

George M. Wisham, Jr.

In the Marine Corps

The following named (staff noncommissioned officer) for temporary appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Lookenbill, Lawrence C.

The following named (meritorious noncommissioned officers) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Hammel, David W.
Smee, Ronald F.
Schopfel, William H.

EXTENSIONS OF REMARKS

Election Spending

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 11, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the Record, I include a recent public service television and radio newscast, "The Kee Report." The subject discussed is election spending, as follows:

This is Jim Kee, bringing you the Kee Report.

This week I would like to talk to you about one of the most perplexing problems of democratic government. This problem is the use of money, and sometimes the excessive use of money, in political campaigns.

Campaigning for political office has been costly since the early days of this Republic. But in recent times the cost of electioneering, especially where the presidency is at stake, has inflated to an alarming degree. Billboards and newspaper advertising and campaign buttons are more expensive than they used to be. But the major inflation has been caused by the advent of television and the candidate who tried to run a national campaign without television would be lost before he started.

Last year, Congress enacted the first major overhaul of Federal election laws in 25 years. A law was passed authorizing the use of tax money to finance presidential elections. The plan worked like this: as a taxpayer, you could instruct the Treasury Department to donate one dollar of your tax money to your favorite political party, either Democratic or Republican. It was estimated that in this way as much as $30 million could be raised for each of the two major political parties.

This year Congress had second thoughts and this plan of campaign financing was suspended until special guidelines are worked out to govern its operation. There is no doubt that the plan needs additional safeguards. It is also true that a major overhaul of existing statutes is badly needed.

The reason is that the spiraling cost of present-day campaigning has resulted in two potential dangers to the democratic process. The first danger is that only the candidate with the most wealthy backers may hope to win. The second danger is that if campaign costs keep on skyrocketing, a man of modest means will find himself unable to run for the White House. Although the next presidential election is more than a year away, the electioneering process is already in full swing.

There are many sincere citizens who oppose the idea of Federal financing for presidential campaigns because they fear it will encourage excessive spending by the major political parties. There is that danger but reasonable guidelines should keep spending within reasonable bounds.

The real need for change is found in the fact that existing Federal statutes are outdated and wholly unsuited to present day needs.

The so-called Hatch Act, which fixed a limit of $3 million for each campaign committee, was enacted before World War II. The purpose was to limit each party to $3 million. But each party could now legitimately spend that much in one month.

In the past, both major parties have set up independent committees to get around the law. In this way, they could exceed the $3 million limitation. But while the practice was legal, it was a subterfuge to get around the law—and the American people do not like subterfuge in the election of a President.

Federal financing of presidential elections may not be the ideal solution. But it is certainly an improvement on what we have today.

Thank you for listening.

Reaching the Unreached

EXTENSION OF REMARKS

OF

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 11, 1967

Mr. HAMMERSCHMIDT. Mr. Speaker, under leave to extend my remarks in the Record, I include the following, which was my Capitol report to my constituents on April 27:

I recently had a chance to examine an experimental workshop on wheels which came to Washington from Arkansas. I met and talked with leaders of the Arkansas Special Youth Project—who conceived the idea of the Mobile Unit as part of their cooperative venture to assist "disadvantaged" youngsters.

I am impressed with the possibilities of this program—which is known as "Reaching The Unreached."

The Agriculture Extension Services of the State and Federal Governments have worked together for almost three years—exploring ways to increase the informal education opportunities of young people who, for one reason or another, might not otherwise have a chance.

Through 4–H leaders, several experimental programs have been carried out.

The "workshop on wheels" is an old surplus bus, purchased from the State Department of Education. It was painted—fixed up inside. There are two work areas. For the boys, work benches, electric saws, drills, and various hand tools; for the girls a 4-burner gas range, double sink, three sewing machines, and table space.

The bus followed a schedule of visiting various communities. Up to 12 youngsters at a time were able to acquire new skills, and increase their chances for the future.

In another instance, a youth camp was established in a county where youngsters between 9 and 15 years old went to camp for up to five days. This was a new social and cultural experience for 42 children. They were from families of less than $2,000 a year annual income.

In another county, the Extension Service set up workshops which provided training in handicrafts, woodworking, knitting, etc. for almost 250 youngsters.

Yet another program utilized the skills of Home Demonstration Agents in training 87 girls in home management. This was real, honest-to-goodness education in how to wash dishes, polish silver, make beds, care for furniture, clean windows and woodwork, operate dishwashers and food disposers, clean trashcans, care for foods, clean ranges and refrigerators, care for floors, launder and iron clothing, and take care of the bathroom. Many of the girls had never seen any of the modern gadgetry which is supposed to make housekeeping chores easier.

I like this program because it does not involve vast sums of money. It operates with the advice and leadership of both volunteers and men and women who all their lives long have worked in behalf of rural America as government employees. They know the problems and the reasonable solutions. They are accepting the "challenge of tomorrow."

To Protect Our Older Citizens Against Unnecessary Hardship

EXTENSION OF REMARKS

OF

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 11, 1967

Mr. BROWN of Michigan. Mr. Speaker, it has been said that the true measure of a society is how well it treats its elderly citizens.

Our society has made a commitment to enrich and improve the lives of all senior citizens. I believe my distinguished colleagues in Congress are aware of this national responsibility to what sometimes appears to be America's forgotten generation.

Congress endorsed this goal when it passed medicare, the Older Americans Act, and other old-age assistance programs.

These needed measures have moved us closer to realizing the goals which we have set as objectives for our older Americans—an adequate income, a decent home, and a meaningful retirement. But the administration of many of these programs is not all that we would like it to be.

Social security, for instance, is the major source of income for about half of its beneficiaries over 65. Yet, too often, bureaucratic redtape and clerical errors have caused long delays for those who depend on social security checks.

For many of these people, the subsistence line is indeed a thin one. A delay of a month or even a few days means tightening the belt, doing without, and sometimes acute distress.

Therefore, I am introducing legislation today which would end unnecessary delays in social security payments to our needy senior citizens.

This legislation, similar to that introduced recently by U.S. Senators Robert Griffin and Hugh Scott, would authorize local social security offices to make immediate payments for up to 60 days when presented with clear evidence of a valid claim.

Such a proposal would authorize a supervisor, to be designated in each local office, to order normal payment when he determines there is clear evidence of a proper claim. Persons would have a valid claim if their checks were more than 30 days late and new claimants could file for immediate payments after waiting 90 days.

Last month, I urged the Social Security Administration to investigate slow payments of medicare claims and to recommend ways of improving the service of the private health groups which service the medicare program.

The introduction of this proposal today is a further attempt to offer an effective and practical way of protecting our older citizens against unnecessary hardship.

The Voting Age Should Not Be Lowered

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 11, 1967

Mr. CELLER. Mr. Speaker, there is an attempt on the part of some delegates to the New York State Constitutional Convention to revise the voting age downward to that of 18. For reasons I have stated in the article which follows and which appeared in the American Legion magazine, and for additional reasons which appeared in the New York Times' excellent editorial, I strongly urge against the adoption of this proposal. As a further note of interest, it is significant that a poll taken by the American Legion magazine, a large majority voted against lowering the voting age.

> I am opposed to lowering the voting age to 18.
>
> When we consider how easily the adolescent is inflamed, how passionately he attaches himself to "causes," how imperative it is for him at that age to see in patterns of black or white without shadings lest he falter in his commitments, we can readily understand why the demagogue, and the dictator, and the hypnotic orator have been able, historically, to capture the youth of the land. Witness the regimes of Hitler and Mussolini. There are sound psychological reasons why the age of 21 has been considered the beginning of maturity.
>
> There have been a number of non sequiturs used in argument in favor of imposing a national qualification of 18-year-old eligibility to vote. Among them will be found, "If he is old enough to fight, he is old enough to vote." Another is "If he is old enough to marry, he is old enough to vote."
>
> The qualities which make for a good soldier hardly make for a good vote. Thus, "instant obedience," "to act quickly upon a command," "not to stop to question why," "quick reflexes," "physical fitness" are indispensable qualifications for good soldiering. And scrutiny, critical appraisal, a point of view and philosophy are essential in effective voting. So, to say that if he is old enough to fight he is old enough to vote is hardly following the principles of logic.
>
> In some states, the age of consent in entering into marriage is as low as 16. If he is old enough to marry at 16, does it necessarily follow that he is old enough to vote? Many a lad or lass of 15 or 16 has earned enough money to pay taxes. Does it then follow that if he is old enough to pay taxes, he is old enough to vote?
>
> There are some states which through referendum have asked their citizens to vote on the question of granting suffrage to 18-year-olds. Most of them have rejected this proposal, as have many of the state legislatures. At present only two states, Georgia and Kentucky, have a voting age of 18; one state, Alaska, has set its voting age at 19, and one state, Hawaii, at 20.
>
> It is equally interesting to note that nearly all representative democracies have a minimum age requirement for voting of at least 21 years. This is no accident, for the cumulative experience of representative government—based on the concept of consent by the governed—has proven the need for political and social maturity, and a greater emotional stability than is possessed by the 18-year-old.
>
> Unless I am given sounder arguments than I have heretofore been given, I see no reason for imposing a uniform voting age on all of the states.

The New York Times' editorial is as follows:

> The Right Voting Age
>
> It now appears probable that the Constitutional Convention will propose to lower the voting age to eighteen from 21, where it has been ever since the state's first Constitution was adopted in 1777. If this change were effected, the voting rolls would be enlarged by nearly a million inexperienced and immature voters—which is one reason why some politicians who are particularly popular with youth are in favor of it.
>
> The argument is frequently advanced that since young men are drafted into the military service at eighteen they are entitled to vote at that age so that they may participate in making the policies for which they may have to fight. But the qualities that make a good soldier—courage and physical hardihood—are quite different from the experience and good judgment that make a good voter.
>
> A young man or woman becomes liable to criminal prosecution as an adult instead of a juvenile offender at the age of sixteen, but not many people would argue from that that the voting age should be lowered accordingly. There is, in fact, no clear-cut age at which a youth becomes an adult in the eyes of the law. A woman can marry without the consent of her parents at eighteen, but a man must wait until he is 21. In most cases a contract entered into by an individual before he is 21 cannot be enforced if he disavows it.
>
> What is really important is the age at which the voter is likely to make a valuable contribution to the solution of public questions. It cannot be denied that some boys and girls of eighteen are sufficiently mature and well informed to do so, but many more are not.
>
> Only four of the fifty states in the Union—Georgia, Kentucky, Alaska and Hawaii—permit voting before 21. In recent years Missouri, Oklahoma, North Dakota, South Dakota, Idaho and Michigan have all rejected proposals to lower their requirements. Most of the Western European democracies make 21 the legal voting age. The balance of collective experience is heavily in favor of retaining the present 21.

A Unique Community Experience

EXTENSION OF REMARKS

OF

HON. ROGER H. ZION

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 11, 1967

Mr. ZION. Mr. Speaker, the southern Indiana community of Princeton is currently enjoying a status probably unique for the State and rare in this Nation.

It is debt free.

At the city council meeting held on June 19, Princeton's dynamic young mayor, Bill McConnell, announced that "as of July 1, this city will be debt free."

July 1 marked the date of final payment on the community's swimming pool bonds. With the receipt of funds by the bonding company, Princeton moved into a rather exclusive circle. The city's former indebtedness, besides the swimming pool bonds, was limited to $10,000 in school aid bonds. These were recently assumed by the North Gibson School Corp.

Related Mayor McConnell to the council, "I know of few, if any Hoosier communities which can state that they are debt free." McConnell announced that the city now has $180,000 in bonding power with which it may build for the future.

Mr. Speaker, I am certainly proud of Princeton and its city government and proud that this aggressive community is in my district. Under the leadership of their resourceful mayor, Princeton is making its mark on the economy of southern Indiana. Its hard-working citizens can commemorate July 1 as their own independence day. Today, I am pleased to ask this Congress to note Princeton's accomplishment.

The 60th Anniversary of American-Hungarian Federation

EXTENSION OF REMARKS

OF

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 11, 1967

Mr. SCOTT. Mr. President, the American-Hungarian Federation this year is celebrating its 60th anniversary. This is a national organization representing American-Hungarian churches, fraternal organizations, societies, clubs, and associations. It was chartered 60 years ago by a group of clergymen and civic leaders of that nationality in Cleveland, Ohio.

Historically, the federation has been the bulwark of Hungarian culture in our Nation. It is also a catalyst to Hungarian immigrants who want to become an active part of the American way of life by serving American ideals and maintaining American values.

Today the federation continues its good work under the leadership of President Albert A. Kiok, a municipal judge from Pittsburgh, Pa.

A major aim of the federation is to direct attention to the problems of Hungary and other Danubian countries under Soviet rule. This is done largely through their foreign relations committee, presided over by Dr. Emery G. Szekely of Temple University, in Philadelphia.

Through the efforts of the federation, Americans of Hungarian origin are cognizant of the responsibilities of U.S. citizenship and they willingly and eagerly accept their responsibilities. Yet, they maintain a kinship with their native country and exercise an active concern with its problems.

The United States benefits through the cultural and intellectual endeavors of Hungarian-Americans. The American-Hungarian Federation has played a large part in furthering those endeavors.

Need for Apprentice Training Programs

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 11, 1967

Mr. ST. ONGE. Mr. Speaker, on June 29 I had the privilege of addressing the graduating class of Electric Boat Division of General Dynamics Corp.'s Apprentice School, located at Groton, Conn., in my congressional district. I was particularly pleased to make this address in view of the fact that the apprentice training program is making an important contribution toward filling the growing shortage of skilled workers in industry.

It is estimated that in the next 10 years our country will have to provide over 4 million new craftsmen. The problem is further complicated by the fact that the supply of skilled labor in recent years has become relatively small, while the demand for such labor has become relatively large. In the years ahead there will be substantially larger increases in the earnings of skilled workers and work will be much more plentiful.

An apprenticeship training program is an expensive and complex administrative problem for any firm. Training must be provided, classrooms set up, instructors chosen and trained, and the whole program must be carefully supervised. Unfortunately, there are not enough firms who are willing to invest in apprenticeship training. However, the effectiveness of such a program may be judged from the fact that since 1948 Electric Boat has trained 1,207 apprentices, of whom 933 are still working there.

The needs of American industry require dozens of other firms to follow Electric Boat's example. Therefore, Mr. Speaker, under unanimous consent I insert my remarks in the RECORD with the hope that this will encourage other companies to establish similar programs.

The address follows:

SKILLED LABOR IN THE ECONOMY OF AMERICA

(Address by Congressman WILLIAM L. ST. ONGE, apprentice graduation, Electric Boat, June 29, 1967)

Mr. Wilkens, Mr. Holschuh, Dr. Mali, officials of Electric Boat, relatives, and members of the 1966 and 1967 graduating classes, ladies and gentlemen:

As one who is not entirely unfamiliar with graduations, I note here today many things this graduation has in common with others I have attended in the past. Here, as elsewhere, the focus of attention and of envy are you, the graduates. This is *your* day. Here, too, one finds hosts of parents, relatives, friends, and well-wishers. There are, I see, a few more wives and children of graduates here than one would find at other graduations.

First, let me note something about the training program which our guests may not know, although the graduates themselves do. This is a double graduating class of apprentices, with 186 who completed their training in 1966, and an additional 62 who completed their training this year.

I believe that a few interesting facts will serve to illustrate the importance of this program. Since Electric Boat reactivated its apprenticeship training program in 1948, a total of 1,207 apprentices have received their graduation certificates. Of these, no less than 933 still work here at Electric Boat. This is more than three-fourths of the total number and is in itself the best evidence of the success of the program. Of these, 154 have been promoted to supervisory positions and not less than 442 to technicians' jobs of many kinds. This is an unparalleled record of accomplishment both in training and in retaining apprentices.

It is this prospect of achievement and promotion which sets graduates of an apprenticeship program such as this one apart from other graduates. Today you should not feel that this is the "commencement" of your working career, but rather that it constitutes a further, perhaps major, step forward along a road on which you, long ago, set your goal. Yesterday you were still apprentices, today you are journeymen. Some time ago you had decided upon a career as a pipefitter, machinist, welder, shipfitter, painter, carpenter or any other of the nineteen trades represented here today among you graduates. That marked your entrance into the "world of work." You have been working in that world for several years already, and here at Electric Boat where you gained considerable knowledge and experience.

For these reasons, I must speak to you today about the prospects opening to you now. At the same time, I am well aware that you have already developed an immediate interest in your trade and have acquired practical knowledge of its place in human affairs. I have chosen to try and place this interest and this knowledge of yours in a somewhat larger context. You are, as of today, skilled craftsmen. Let me talk for a few moments about you and about your fellow-craftsmen.

Taking skilled workers together, as a group, there are well over nine million of you in this country of ours. You earn—and this is a pretty general figure—about $7,000 to $8,000 a year on the average. You can translate that to $150 or $160 a week, on the average, if you wish. You should remember that, like any average, this in itself may be meaningless. The really significant thing about this figure is that *only* professionals, managers, and certain sales personnel, as occupational groups, earned more. Consequently, I would say that you have chosen wisely, with respect to your earnings prospects, in entering this field of employment.

On the other hand, skilled workers, as a group, have relatively not fared as well financially in recent years as the groups in our work force with lesser skills. Most of you who have followed labor matters in the newspapers or in your union periodical know that a major issue in the recent railroad shopcrafts dispute was the problem of skilled-unskilled wage differentials. This is also a major problem in the automobile industry, and elsewhere.

The years during and since World War II have been, for the most part, years of relatively full employment. Organized labor, addressing itself to the problems of working people in this period, found that the wage structure during the ten years of depression after 1929 had seriously broken down among the unskilled and semiskilled workers. Among such workers, wages as low as 50 or 75 cents an hour were still not unknown in those years. Wages of the skilled, however, had held up relatively well.

Thus, the union approach to wage adjustments, begun during the war years and continued after the war, was to put the greatest emphasis upon improving the earnings of the unskilled to a living wage. The method adopted was to seek wage increases per hour, in union agreements and through legislation, such as the Fair Labor Standards Act.

Over the years this procedure resulted in the now well-known phenomenon of a compression of the wage structure. The difference between skilled and unskilled remained the same in amount, but was compressed in proportion to the ability and training of the skilled worker. Instead of skilled work being worth over three times as much as unskilled, it became worth only about two-thirds more.

You know the problem, I am sure, from your own experience. How many times have you thought, during the years of your apprenticeship, that you were perhaps foolish not to take a regular job and forget the training? You can probably recall friends who dropped out for this very reason.

Due to this and other causes, to which I shall turn in a moment, the supply of skilled labor in recent years has become relatively small, while the demand for such labor has become relatively large. From this fact two conclusions emerge, both of which you will appreciate:

First, the push is now on to restore a part of this differential, by granting substantially larger increases in earnings to skilled workers than to unskilled and by shifting wage adjustment from a cents-per-hour basis to a percentage basis.

You can see this new approach in the current wage demands in the railroad shopcraft negotiations, where a 7 *percent* overall increase was coupled with a demand for an additional fifteen to twenty-five cents per hour for skilled workers, to help narrow the differential. Thus the wages in your crafts are going to become relatively much more attractive in the next few years.

Second, work is going to be generally much more plentiful. And this brings me to the other reasons I mentioned a moment ago about the supply of skilled labor being smaller than the demand.

In addition to the fact that job training has been relatively less attractive to the *worker* in recent years, it has been also relatively unattractive to *employers*. Few firms have as good a record in the promotion and carrying out of apprenticeship training programs as your firm, Electric Boat, has earned.

An apprenticeship training program is an expensive and a complex administrative problem for any firm. Not only must training be provided, classrooms set up, instructors chosen and themselves trained, but such a program must be carefully supervised. A coordinated effort, which extends to Hartford and to Washington, is involved. Not only are Electric Boat and the Metal Trades Council involved, but also the Connecticut State Department of Education and the Connecticut State Department of Labor and the U.S. Department of Labor.

You may have heard some talk about the role of the craft unions in holding down apprenticeship opportunities. I would not stand here and tell you this has never happened. But I can tell you that the Federal Bureau of Apprenticeship and Training has reported that in practically all trades, and in most areas of the United States, the number of apprentices allowed under the union rules has in recent years *consistently* exceeded the number employers were willing to train. There was always need for apprentices and no vacancies.

The problem is that there are simply not enough firms like General Dynamics, with foresight, who are willing to invest in apprenticeship training. We need dozens of more firms to follow the example of Electric

Boat. Unfortunately, very few have made any comparable effort.

The result is that, while the number of apprentices being trained to fill job vacancies was decreasing, the number of new jobs was increasing. Add to this a fact which is often overlooked, namely, that in most trades we must train a larger number of young workers than are now being trained just to replace the older workers as they retire from the work force. This leaves no journeymen to fill the new jobs.

Let me cite just a few more figures. The United States Bureau of Labor Statistics, in a recent study of the future need for skilled workers, found that the 9.2 million skilled craftsmen in 1965 would have to be increased to about 11.4 million by 1975. This is a hefty twenty-five percent increase of what looks like over two million new jobs in the next ten years.

Actually, that is hardly the half of it. These are only the *new* jobs, the additional jobs. During that same ten years, an additional 1.8 million jobs will open up because of deaths and retirement on the part of present jobholders. The need for new *skilled workers* in the next ten years will therefore be for over four million apprentices and journeymen, rather than two million.

Let me emphasize again, these are overall figures. But broken down, they are even more impressive. Take machinists. There are 325,000 machinists today. By 1975 we shall need another 105,000 including replacements.

Take plumbers and pipefitters, 150,000 will be needed. Painters, 130,000. Carpenters, 245,000. Electricians, 135,000. Tool and die makers, 45,000. But enough of the statistics. The point I am trying to make is that there are likely to be more vacancies for skilled jobs than men to fill them.

I only wish that I could address myself to every graduating class with the same confidence that I feel today, and tell them that their future was as bright and their positions as assured. You have indeed chosen wisely.

Your graduation certificate is not merely a license to go out and find a job, if and where you can, but it is a guarantee of an even better job at higher pay. It is lasting proof, not only of what you have learned, but that you have successfully served on the job with your fellow-craftsmen, and have years of experience already behind you. It is a letter of recommendation, a citation of achievement, as well as a diploma.

Again, my congratulations and my best wishes to all of you, to your employer, Electric Boat, and to your relatives and friends who are with us here today. It has been, indeed, a happy occasion. I appreciate having the opportunity to share it with you and to wish you much success in the years ahead.

Commencement Address by Senator Robert F. Kennedy

EXTENSION OF REMARKS

OF

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 11, 1967

Mr. O'NEILL of Massachusetts. Mr. Speaker, it is with considerable pride and pleasure that I submit for publication in the CONGRESSIONAL RECORD an outstanding address by the junior Senator from the State of New York, the Honorable ROBERT F. KENNEDY. Following is the commencement address delivered on June 1, 1967, at the third commencement of the School of the Holy Child, Potomac, Md.:

ADDRESS BY SENATOR ROBERT F. KENNEDY

I am very pleased to be here at your graduation ceremony.

Daniel Webster once said of his college, Dartmouth, that "It is a small school, yet there are those who love it".

This is a small school too; yet not only are there also many who love it; but I for one am sure that as its graduates increase in number and you come to full participation in society—as students and teachers, as workers and writers, eventually as wives and mothers—that by your conduct and your contributions, by the credit you will reflect on this school, that you will bring many others to love it as well.

From time almost beyond memory, it has been customary for graduating seniors to hear a lecture from someone whose own graduation took place long before.

Well here I am and I qualify for that description.

These lectures, although they take place on the occasion of your graduation, are called "commencement"—beginning.

And a beginning is what this is.

This is a beginning of greater independence from home and parents and the groups of your friends—and therefore the beginning of the loneliness of independent choice.

This is a beginning of participation in the affairs of your country—for young people can and do have an influence on this nation long before they reach the legal voting age of 21.

This is a beginning of contribution—the time when you begin the long process of "paying your dues"—giving of yourself to others, as others, your parents and teachers and all those who have worked and sacrificed to build this nation and our entire civilization, have given to you.

This then is commencement—the beginning of your adult life; you have new freedom and new responsibility.

What kind of world is it, that you are now joining? And what are the responsibilities you are being asked to assume?

Above all, this is a world of change—swirling, constant change.

This is more clear perhaps to your elders than to you; for we have in our lifetimes, passed already through two major wars, and now into a third; from passive acceptance of segregation, through a civil rights movement, into a new crisis of conflict between the races; from a bitter peace after World War Two, through a massive confrontation with the Soviet Union, into a tentative period of easing tensions—and now again into a time of uncertainty, and the rise of the Empire of China.

But even for you, the children of this time of change, there is much ahead that will be challenging—and dangerous—and hardest of all to understand.

For the world in which you take your place is a world in revolution, a world aflame with the desires and hatreds, the passions and dreams, of multitudes which will double in size just within our lifetimes.

Around the world—from the Straits of Magellan to the Straits of Malacca, from the Nile Delta to the Amazon Basin, in Jaipur and Johannesburg—we can hear the voice of the dispossessed, the insulted and injured of the globe.

For uncounted centuries, they have lived with hardship, with hunger and disease and fear.

For the last four centuries, they have lived under the political, economic, and military domination of the West—of Europe and in more recent years, of the United States.

We have shown them that a better life is possible; but we have not done enough to make it a reality.

We live in a country where people diet—but most of the world starves.

We buy 8 million new cars a year—while most of the world goes without shoes.

You are the healthiest generation of Americans in history, and you can expect to live far longer than the biblical threescore and ten—but half of the people buried in Latin American are under the age of four.

We and the other developed nations spend over $100 billion a year on armaments—while the poor countries cannot obtain the $10 billion they need to help two billion people begin to develop their economies.

And therefore this revolution is directed against *us*—against the powerful and the rich and the mighty, against the established order of which we are the principal part.

Yet it is a revolution carried out in the name of ideals we also share—social reform and political freedom, internal justice and international independence.

We can recognize the rightness of these ideals—for they were the ideals of our own revolution.

We can recognize their power—for they have sustained us throughout our history.

But in most of the world today, these are subversive ideals, subversive of the established order of power and privilege.

Political freedom is subversive in Russia, where writers go to prison for a metaphor.

Social reform is subversive in northeast Brazil, where a great Archbishop is called a communist, and his students thrown in jail, because he wants land for the peasants—peasants who now work 12 hours a day for less than 2 dollars a week.

Internal justice is subversive in South Africa, where a Nobel Peace Prize winner is imprisoned because he is black—and a Nobel Prize-winning writer, who is white, is restricted because he wishes justice for his black compatriot.

Thus our choice, in your lifetimes, will be whether to support the status quo, or the forces of change; whether to sit content in our storehouses, or share our wealth with our fellow human beings around the world; and; in the last analysis, whether to recognize the rights of others to the ideals for which we have fought so long—even when they can be achieved only in opposition to the status quo in which we ourselves are so comfortable.

As this is true for our nation in the world, so it is true for us as the fortunate within our own nation.

Here in the United States, I have seen children starving.

Here in the United States, here in the city of Washington, I have seen children living in rat-infested tenements, going to overcrowded and inadequate schools, without books to study or fathers to lean on, without a chance and without hope itself.

These people, too, demand change.

These people, too, demand hope for their children.

These people, too, demand to know why we spend less on programs to help people out of poverty—about $2 billion—than we spend to take care of our dogs, on which we spend $3 billion.

These people, too, demand a revolution, as profound as the revolution which gave our nation birth.

They ask: which side are we on?

Which side are *you* on?

If you were four years older, if you had graduated four years ago, the answers to our problems would have seemed simpler than they are today.

Your older brothers and sisters joined the Peace Corps and the Civil Rights movement, they worked in Appalachia and Harlem, Mississippi and Mauretania, with a firm belief in their power and ability to shape a world to the standard of their ideals.

But now our colleges, and many of our best young people seem to have turned from engagement to disengagement; from politics to passivity; from national purpose to personal satisfaction; from hope to nihilism;

and all too often, from confrontation with the suffering of their fellows—toward forgetfulness in the self-absorption of drugs.

What has disillusioned so many of them, will face you as well.

They are perplexed and troubled by the war in Vietnam—and it will perplex and trouble you as well.

They are disappointed with the slow pace of progress in civil rights, and with the new bitterness and potential violence which frustration has brought in the Negro—and you will be disappointed and frightened as well.

All the hypocrisies, all the everyday violations of the ideals we have tried to teach you, may repel and disappoint and anger you as well.

But whatever your disillusionment, whatever your disappointment, you cannot lose heart; for too much depends on you.

As President Kennedy said, "Our problems are man made—therefore they can be solved by man."

But they cannot be solved, the cruelties and obstacles of this world will not yield, to obsolete dogmas and outworn slogans, to those who have failed in the past.

I believe that injustice and want and human degradation can be lessened, that a better world can be built, that we can meet our challenges at home and abroad; but to do so we must rely on our young people, and especially on that privileged minority who are the educated young people of America.

This is the time, and yours is the generation, that cannot only remedy the mistakes of the past—but can transcend them.

"There is," said an Italian philosopher, "nothing more difficult to take in hand, more perilous to conduct, or more uncertain in its success than to take the lead in the introduction of a new order of things."

Yet this is the measure of the task of your generation and the road is strewn with many dangers.

First, is the danger of futility; the belief there is nothing one man or one woman can do against the enormous array of the world's ills—against misery and ignorance, injustice and violence.

Yet many of the world's great movements, of thought and action, have flowed from the work of a single man.

A young Italian explorer discovered the new world, a young general extended an empire from Macedonia to the borders of the earth and a young woman reclaimed the territory of France.

And it was the 32 year old Thomas Jefferson who proclaimed that all men are created equal.

"Give me a place to stand," said Archimedes, "and I will move the world."

These men moved the world, and so can we all.

Few will have the greatness to bend history itself; but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation.

Thousands of Peace Corps volunteers are making a difference in isolated villages and city slums in dozens of countries.

Thousands of unknown men and women in Europe resisted the occupation of the Nazis and many died, but all added to the ultimate strength and freedom of their countries.

It is from numberless diverse acts of courage and belief that human history is shaped.

Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current which can sweep down the mightiest walls of oppression and resistance.

The second danger is that of expediency; of those who say that hopes and beliefs must bend before immediate necessities.

Of course, if we would act effectively we must deal with the world as it is.

We must get things done.

But if there was one thing President Kennedy stood for that touched the most profound feelings of young people across the world, it was the belief that idealism, high aspirations and deep convictions are not incompatible with the most practical and efficient of programs—that there is no basic inconsistency between ideals and realistic possibilities—no separation between the deepest desires of heart and mind and the rational application of human effort to human problems.

It is not realistic or hard-headed to solve problems and take action unguided by ultimate moral aims and values.

It is thoughtless folly.

For it ignores the realities of human faith and passion and belief; forces ultimately more powerful than all the calculation of economists or generals.

Of course to adhere to standards, to idealism, to vision in the face of immediate dangers takes courage and self-confidence.

But we also know that only those who dare to fail greatly, can ever achieve greatly.

A third danger is timidity.

Few men are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society.

Moral courage is a rarer commodity than bravery in battle or great intelligence.

Yet it is the one essential, vital quality for those who seek to change a world which yields most painfully to change.

Aristotle tells us that "At the Olympic games it is not the finest and the strongest men who are crowned, but they who enter the lists . . . So too in the life of the honorable and the good it is they who act rightly who win the prize."

I believe that in this generation those with the courage to enter the moral conflict will find themselves with companions in every corner of the world.

For the fortunate among us, the fourth danger is comfort; the temptation to follow the easy and familiar paths of personal ambition and financial success so grandly spread before those who have the privilege of education.

But that is not the road history has marked out for us.

There is a Chinese curse which says "May he live in interesting times."

Like it or not we live in interesting times.

They are times of danger and uncertainty; but they are also more open to the creative energy of men than any other time in history.

And everyone here will ultimately be judged—will ultimately judge himself—on the effort he has contributed to building a new world society and the extent to which his ideals and goals have shaped that effort.

In your hands, not with Presidents or leaders, is the future of your world and the fulfillment of the best qualities of your own spirit.

NBS Sponsors Symposium on Computer-Aided Typesetting

EXTENSION OF REMARKS

OF

HON. OMAR BURLESON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 11, 1967

Mr. BURLESON. Mr. Speaker, almost 600 people from 25 States and two foreign countries, interested in the field of computer-aided typesetting, converged on the new installation of the National Bureau of Standards in Gaithersburg, Md., on June 15 to take part in the 2-day "Symposium on Electronic Composition in Printing." The symposium was sponsored by the NBS Center for Computer Sciences and Technology to permit a state-of-the-art review of a rapidly advancing field of computer application which has great potentialities for increased efficiency and savings in the Federal Government.

The state of the art of photocomposition was well covered by representatives from the major manufacturers of photocomposing machinery. Participating companies included: Mergenthaler Linotype Co., Bell Telephone Laboratories, Photon, Inc., A. B. Dick Co., Fairchild Graphic Equipment, RCA, Stromberg-Carlson, and IBM. The policy of the Government concerning the new technology was made clear by James L. Harrison, Public Printer of the United States, and by John F. Haley, Staff Director of the Joint Congressional Committee on Printing.

As vice chairman of that committee, I am particularly proud of the role it has performed in initiating this significantly historical graphic arts achievement.

Our policy determination to give a mandate to the Public Printer to engage in a research and development program was the foundation on which today's structure has been built.

Designed to create a method whereby the ever-increasing waste that was resulting from computer printout composition would be reduced or eliminated, the decision was based on our review of a Joint Committee on Printing staff analysis which clearly identified a loss of legibility, great increase in bulk, and excessive increases in printing and binding costs.

From that rather quiet beginning, only about 6 years ago, we have successfully passed a number of important milestones, another one of which was the NBS Symposium, at which several papers were presented by representatives from research and printing and publishing organizations including Documentation, Inc.; Photo Data, Inc.; and American Chemical Society, Washington, D.C., chapter; and by Battelle Memorial Institute of Columbus, Ohio, and ROCAPPI, Inc., of Swarthmore, Pa.

Papers describing specific applications of the computer in typesetting were presented by representatives from the Air Force; the Government Printing Office; the Department of Health, Education, and Welfare; National Library of Medicine; U.S. Patent Office; Defense Supply Agency; and the National Bureau of Standards.

Session chairmen included Lowell P. Hattery of American University, Paul A. Ziemer of the Department of Commerce, Glenn E. Roudabush of the University of Pittsburgh, and Samuel N. Alexander and Mary E. Stevens of NBS. The symposium committee consisted of Richard W. H. Lee, Roy W. Worral, and W. R. Tilley of NBS.

The proceedings will be published in

the near future and will be available from the Superintendent of Documents, U.S. Government Printing Office.

Following the formal registration session, the program proceeded, as follows:

SESSION I. STATE OF THE ART

Overview, by Lowell P. Hattery, American University.

The Linotron System, by Donald H. Rollert, Mergenthaler Linotype Co.

Computer Image Drawing from Digital Data, by M. V. Mathews, Bell Telephone Laboratories.

High Speed 901 Zip, by Anthony G. Bernardo, Photon, Inc.

The Videograph Text Editor, by Glendon T. Gerlach, A. B. Dick Co.

The PhotoTextSetters, by A. J. Smith, Fairchild Graphic Equipment.

A Videocomp Systems Approach, by Aaron H. Coleman, RCA.

Micromation—Its Impact on the Photocomposing Industry, by J. J. Kalagher, Stromberg-Carlson.

IBM's Position in Electronic Composition and Text Editing, by Hans E. Weiss, IBM.

SESSION II. GOVERNMENT POLICY

An introduction, by Paul A. Ziemer, U.S. Department of Commerce.

Transition on the Tiber—A New Look at the G.P.O., by Hon. James L. Harrison, Public Printer of the United States.

Present and Projected Policies of the J.C.P., by John F. Haley, Staff Director, Congressional Joint Committee on Printing.

SESSION III. NON-GOVERNMENT APPLICATIONS AND RESEARCH

Introductory Remarks, by Glenn E. Roudabush, University of Pittsburgh.

Chemical Information—A Computer in Photocomposition, by Bernard G. Lazorchak, American Chemical Society.

The Import of Computerized Typesetting on Commercial Printing, by William C. Lamparter, Battelle Memorial Institute.

Computerized Typesetting Projections, by Kenneth B. Ludwig, Photo Data, Inc.

Classification in Computerized Text Processing, by Raymond P. Wishner, Documentation, Inc.

System 70, by John W. Seybold, ROCAPPI, Inc.

SESSION IV. GOVERNMENT APPLICATIONS

A Brief Overview, by Samuel N. Alexander, National Bureau of Standards.

Electronic Composition Within the Department of Health, Education, and Welfare, by E. Ray Lannon, Assistant Commissioner for Administration, Food and Drug Administration, HEW.

Electronic Composing System Applications, by John J. Boyle, Special Assistant to the Production Manager, U.S. Government Printing Office.

Use of GRACE at N.L.M., by Ronald E. Bogart, National Library of Medicine.

Computer Typesetting Program at NBS, by William R. Bozman, National Bureau of Standards.

Typewriter-to-Computer Roster Publication and Maintenance, by Arthur North, U.S. Patent Office (Now with Documentation, Inc.).

Implications of Electronic Composition System at DSA Publications, by William J. Beran, Defense Supply Agency.

Conversion to Linotron, by Victor G. Kehler, Department of the Air Force.

In conclusion I would like to cite the bill sponsored by my colleague, Congressman BROOKS, of Texas, which has become Public Law 89-306, under which the NBS Center for Computer Sciences and Technology has the responsibility for advising Federal agencies on the selection and use of computer-based systems to improve the cost effectiveness of their programs. In line with this responsibility, the Center is sponsoring the Symposium on Electronic Composition in Printing to permit a state-of-the-art review of a rapidly advancing field of computer application which has great potentialities for increased efficiency and savings in the Federal Government.

It is Time To Act on the President's Plan To Reorganize the District of Columbia Government

EXTENSION OF REMARKS

OF

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 11, 1967

Mr. REUSS. Mr. Speaker, for years the Congress and the executive branch and the American people have agreed publicly and privately that the District of Columbia must have a new form of government to face the modern problems which confront it.

For years Washington, D.C., has been treated like an orphan of the U.S. Government.

The time has come for us to see that Washingtonians have the tools with which they themselves can lift their city to the level of efficiency and dignity befitting a Nation's Capital.

President Johnson has worked hard to bring Washington into the mainstream of American governmental life.

He has asked Congress to allow a transformation and modernization of Washington's present Commission government into a strong executive-council form which can act and administer needed programs in education, health, crime prevention, housing, job and economic development.

He has asked for funds to move those programs forward.

Just the other day the President appealed on television to the Congress to permit "the people of the District to take their proper place in a progressive America."

We must do something for Washington now.

We ought to heed the words expressed in editorial opinion by two of Washington's most prominent radio and television stations—WMAL, the Evening Star station, and WTOP, the Washington Post station. They said: "The District needs the President's reorganization plan right now."

The District does need the President's reorganization plan right now.

It has needed it for many years. And it is the responsibility of the Congress to reject the disapproval resolution which has been introduced in this House and which would deny Washington the efficient and effective local government it needs.

Washington needs much more than a new form of local government. But this plan is the first step.

The text of the television remarks on the District reorganization plan made by President Johnson, and the texts of two editorials from stations WMAL and WTOP supporting the President's recommendations follow:

TELEVISION REMARKS OF THE PRESIDENT CONCERNING GOVERNMENTAL REVISIONS FOR THE DISTRICT OF COLUMBIA, JULY 10, 1967

The government of our nation's capital must be reorganized. It is high time to move it out of horse-and-buggy days and into the Twentieth Century.

Washington is America's fastest growing metropolitan area. Yet its people are burdened and its progress imperiled by the drag of antiquated government. Today our capital stumbles along, hobbled by wasteful and inefficient practices installed as *a temporary solution* 93 years ago—just after the Civil War.

This is shameful. It must stop. The people of the District must be allowed to take their proper place in a progressive America. The reorganization plan I sent to Congress offers that bright promise.

Divided authority will give way to a single, strong executive.

Tangled and confused lines of responsibility will be straightened and cleared.

With stronger leadership and broader representation, crime can be controlled, the streets can be safer, the people can have better housing, and better health.

I urge the Congress to support and approve this sensible and timely plan. I ask the people of the District to waken to their grave responsibilities—and the great opportunity now before them.

Here in our hands is the long-awaited chance to replace a jerry-built government of the 1870's with a new government for the new problems of the 1970's.

Time and opportunity will not wait. We dare not lose the chance they give us now.

WMAL EDITORIAL ON THE DISTRICT REORGANIZATION PLAN

Strip away all the camouflage and you find that President Johnson's plan for reorganizing the District Government should go into effect. Opposition in Congress seems based on political expediency or personal pique.

The House of Representatives should not disapprove the reorganization plan. The resolutions of disapproval introduced by Congressmen John McMillan and Joel Broyhill should be resoundingly defeated.

Before the resolutions of disapproval are voted on, we urge Congressmen to take a look at the pitiful state of the present, lame-duck District Government. If any government ever needed reorganization—this is it.

If there are flaws in the President's plan, the House District Committee will have plenty of time in the future to make corrections.

The District needs the President's reorganization plan right now.

WTOP EDITORIAL ON THE DISTRICT OF COLUMBIA REORGANIZATION

No local subject is more important to the District of Columbia than the fate of the President's reorganization proposal.

This plan, which would create a single commissioner and an appointed nine-member City Council, is the best way in sight to improve the caliber of D.C. government.

The plan is not perfect; the President is limited in what he can do to reform the District Building bureaucracy; without genuine self-government, municipal progress in Washington will continue to be limited.

But reorganization is a step forward and we are watching anxiously as congressional debate continues. The situation at this July 4th holiday break seems to be this:

Shortly after July 10th, the House Government Operations Committee probably will vote to reject a disapproval motion on the reorganization plan, a motion filed by Representatives John McMillan and Joel Broyhill. This committee action would improve chances that the House itself will not reject reorganization.

Meantime, the House District Committee is continuing its deliberate deliberations on a reorganization plan of its own. If it wants to make a constructive contribution, the District Committee ought to concentrate on legislation to improve reorganization, not attempt any spoiling action against the President's basic plan.

The administration, for its part, is beginning the practice of those persuasive arts designed to convince Congress that the President is in dead earnest. One action the White House ought to take is to announce formally that the nine-member City Council would include at least three registered Republicans. This, we think, would help encourage GOP support on Capitol Hill.

Such support will be needed because the issue is touch and go. Sometime late next month or early in August it will be decided whether District of Columbia government is to be improved, or whether this city will continue to limp along under a municipal system which would be tolerated nowhere else in the United States.

Amend the Surplus Property Act

EXTENSION OF REMARKS

OF

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 11, 1967

Mr. BROWN of Michigan. Mr. Speaker, today I have introduced legislation to amend the Surplus Property Act of 1944 to authorize certain surplus property of the United States to be donated for park and recreation purposes.

The Surplus Property Act authorizes conveyance to any State, political subdivision, or municipality, all of the right, title, and interest of the United States in and to any surplus land which in the determination of the Secretary of the Interior is suitable and desirable for use as a public park, public recreational area, or historic monument for the benefit of the public. Under provision of the act, conveyance for park or recreational purposes must be made at a price equal to 50 percent of the fair value of the property conveyed, based on the highest and best use of the property at the time it is offered for disposal. Conveyance of property for historic monument purposes under the act is made without monetary consideration.

Mr. Speaker, although our Nation is blessed with a great wealth of natural resources, the development of recreational facilities has not kept pace with the population explosion and economic growth. Preservation and development of our recreational, scenic, and historic sites is of the utmost importance to our well-being and that of future generations. Likewise, provision of open space in or nearby our densely populated urban areas is essential if they are to be satisfying and rewarding places in which to live.

In my own State of Michigan, for example, over 88 percent of the population resides in the southern one-third of the State. Yet, the vast majority of publicly owned land lies in the upper portion of the State. This situation makes it imperative that we undertake immediate programs for the preservation of open park and recreational space in urban and suburban areas.

The major problem facing Michigan and other States is that the prices for these lands are escalating at an ever-increasing rate. It has reached the point where State and local governments are finding it difficult to compete with individuals and developers for prime recreational lands even at the 50-percent discount price allowed under the Surplus Property Act.

In this connection, a recently completed Michigan outdoor recreation plan projects a 10-year expenditure of $150 million which will be needed for State parklands and development. Unfortunately, present funding sources will not be adequate to finance more than one-third of these anticipated needs during this 10-year period. Major new sources for obtaining and developing these lands must be found if we are to be successful in meeting this recreational challenge.

The Federal Government is committed to various programs to assist local public bodies in the acquisition of land to be used for park and recreation. Why, then, not donate surplus lands which would be suitable for this use?

While States are required to purchase lands from the U.S. Government for this purpose, they are, on the other hand, asked to give their State-owned lands to the Federal Government free of charge. My own State of Michigan has done this willingly in the past. Fifty percent or more of Isle Royale was State-owned and given to the Government at no cost. Michigan also donated some 5,000 acres of land lying within the Pictured Rocks National Lakeshore area and it is anticipated the State will donate over 8,400 acres of land to the Department of the Interior for the establishment of the Sleeping Bear National Lakeshore. Michigan is glad to give these lands in order to aid in the establishment of these outstanding National parks and recreation areas. However, it would seem only fair that surplus Federal lands suitable for park and recreational purposes be turned over to the States at no cost.

A review of the comprehensive statewide outdoor recreation plans submitted by the States for the years 1968 through 1977 to the Bureau of Outdoor Recreation reveals an estimated capital cost of $7.1 billion needed for acquisition and development projects. Of this total, approximately $2.8 billion would be for State projects and $4.3 billion for projects financed in part by local governments but sponsored by the States. These figures may be conservative when one considers the growing demand for State and local public recreation facilities in or adjacent to urban centers where costs are greatest. Furthermore, those figures do not include any estimates for eight of the States and three territories.

It is obvious that State and local governments will not meet needs of this magnitude over the next 10 years without Federal assistance. My amendment to the Surplus Property Act is a concrete proposal to give them some assistance.

It is important, Mr. Speaker, to emphasize that local levels of government could not indiscriminately claim surplus property for parks or recreation, for my amendment to the act states that the Secretary of the Interior must make a determination of whether or not the property in question is suitable, desirable, and needed for use as a public park or public recreational area.

Bilingual Educational Opportunities for America's 3 Million Non-English-Speaking Schoolchildren

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 11, 1967

Mr. ROYBAL. Mr. Speaker, I had the honor of testifying at the recent Los Angeles hearings of the U.S. Senate Subcommittee on Bilingual Education—in support of Federal legislation to provide new bilingual educational opportunities to offer America's more than 3 million non-English-speaking elementary and secondary schoolchildren a better chance to achieve their full educational aspirations.

As the author of H.R. 8000, the Bilingual Educational Opportunity Act, and because of the urgent importance of the legislation to this vital segment of the Nation's school-age population, I would like to insert in the CONGRESSIONAL RECORD the text of my statement to the Senate subcommittee:

STATEMENT OF HON. EDWARD R. ROYBAL, REPRESENTATIVE, 30TH CONGRESSIONAL DISTRICT, CALIFORNIA, IN SUPPORT OF FEDERAL LEGISLATION TO PROVIDE BILINGUAL EDUCATION PROGRAMS BEFORE THE SPECIAL SUBCOMMITTEE ON BILINGUAL EDUCATION OF THE U.S. SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, IN LOS ANGELES, CALIF., JUNE 24, 1967

Mr. Chairman, and Members of the Subcommittee: I am happy to be able to discuss with you today the important subject of bilingual education for America's non-English-speaking schoolchildren, and to outline for you some of the reasons why I have supported the effort to achieve this goal by joining in introducing my own companion legislation in Congress: H.R. 8000, the Bilingual Educational Opportunity Act.

First of all, I want to express my personal appreciation to the Members of the Special Subcommittee, for your initiative and outstanding leadership in the effort to promote the cause of bilingual education. In particular, I want to commend you for scheduling these Los Angeles hearings to offer interested California citizens an opportunity to make a meaningful contribution to the legislative process.

Secondly, I want to make it clear that I am in favor of the very best possible bilingual education bill we can pass this year in Congress.

By this I mean that, while my own bill,

H.R. 8000, would, in my opinion, serve as an excellent beginning for a long-overdue program of assistance to local school districts to promote bilingual education, I also believe that each of the bills introduced in the House and Senate has merit, and though differing in various particulars, could become the basis of a valuable start in the right direction.

In addition, many worthwhile suggestions for substantive changes and technical improvements will undoubtedly result from this Committee's extensive hearings, and will also develop in the course of further Congressional consideration of the bilingual education proposals.

Therefore, I think it is important that all of us who are convinced of the need for bilingual education should work together to assure passage—this year—of the best bill obtainable, given all the legislative and parliamentary circumstances, plus the practical consideration of the very limited time remaining in the present session of Congress.

If we are able to secure favorable action by Congress this year on a sound beginning in bilingual education, we can then focus our future energies on improving, perfecting, and refining these programs, as we gain greater experience and increased knowledge in this relatively new field of academic endeavor.

With that thought in mind, Mr. Chairman, and with your permission, rather than concentrate on the technical aspects of the legislation, I would like to emphasize the urgent need for national programs of this type, especially here in California, and in America's other Southwestern States—and to discuss with you briefly the general provisions of my bill, H.R. 8000, the Bilingual Educational Opportunity Act.

I would hope that through your help, and the help of all the other Members of the House and Senate who have introduced bilingual education bills this year, we in Congress will be able to enact legislation during the present session that will make a significant start toward establishing a system of bilingual education programs for America's more than 3 million non-English-speaking elementary and secondary school children—to offer them for the first time a real chance to achieve their full educational potential.

I have been encouraged and deeply gratified by the overwhelmingly favorable response this proposal has received, not only from Members of Congress on both sides of the political aisle, but also from the members of the teaching profession on the local, state, and national levels, and, particularly, from community leaders and organizations from the non-English-speaking ethnic and nationality groups who have a vital interest in this subject.

Briefly, my bill, H.R. 8000, is designed to assist local school districts in setting up new and imaginative systems of bilingual education, individually tailored to meet the specialized needs of Spanish-speaking grade and high school students living mainly in the Southwestern States, New York and Florida; French-speaking youngsters in Louisiana and along the Canadian border; children of Oriental ancestry chiefly located on the West Coast and in Hawaii; students of American Indian descent; as well as other school-age children of non-English-speaking background residing in widely scattered sections of the country.

Since the majority of non-English-speaking young people in the United States have learned Spanish at home as a result of a long heritage of Spanish culture in the Southwest, or because their families came from Mexico, Puerto Rico, Cuba, or other Latin countries, the primary beneficiaries of any nationwide bilingual education program would undoubtedly be Spanish-speaking children.

However, under H.R. 8000, the benefits of bilingual education would also be shared by American youngsters from a wide variety of other family linguistic and cultural backgrounds: French, Oriental, American Indian, Eskimo, Portuguese, Greek, Italian, Polish, Hungarian, and many more.

In fact, I would anticipate that the number of children from many of these linguistic groups will increase substantially in the next few years as a result of the recent liberalization of the Immigration Act—so that special language programs may be necessary to meet this situation alone.

Few, indeed, would dispute the fact that there is an urgent need to find constructive solutions to the unique bilingual/bicultural education problems faced by the hundreds of thousands of American school children who are members of our many non-English-speaking ethnic and nationality groups.

The situation is just beginning to receive the long-overdue national recognition it deserves as one of the most critical education problems in the United States—calling for immediate, aggressive, remedial action to help overcome the serious learning difficulties experienced by this important segment of the Nation's school-aged population.

However, Mr. Chairman, I regret to say that, so far, little or no progress has been made toward finding adequate answers to the highly complex problems involved.

And today, job opportunities, income levels, economic advancement, in fact, all the aspects of personal and family well-being, are closely linked to educational achievement and the ability to communicate effectively with one another.

Those of our citizens who are severely handicapped because of language barriers in our modern, predominantly English-speaking society suffer a continuing denial of the opportunity to participate and share fully in the rich abundance of 20th Century America.

What we need, and what my bill, H.R. 8000, represents, is an effort to develop the kind of local-state-federal cooperative approach I believe is necessary to meet the special educational needs of the large number of students in the United States to whom English is a second language.

The compelling urgency for greater attention to this area is graphically demonstrated by the fact that the median of years of school completed for Spanish-speaking in the Southwest is 7.1 years, whereas for the Anglo child in the Southwest, it is 12.1 years, and for the non-white child it is 9.0 years of school completed.

This tragic record of educational disparity and underachievement in the Southwest, has been called "the greatest single failure of our system to provide equality of educational opportunity in this region."

Moreover, this failure continues on into the vital field of higher education.

For example, according to the population ratio right here in the State of California, some 20,000 students from the Spanish-speaking community should be enrolled on the twenty-seven campuses of our fine University and State College systems.

However, fewer than 2,000 are actually enrolled!

As a modest beginning to help remedy this appalling situation, my bill would provide $7 million the first year, with larger amounts earmarked for succeeding years, to enable local school districts to initiate comprehensive bilingual systems of teaching non-English-speaking students.

H.R. 8000 authorizes federal financial assistance to local education agencies to conduct a variety of programs such as:

original research and demonstration pilot projects in the field of bilingual education;

intensive pre-school Headstart-type programs specifically designed to orient and prepare non-English-speaking children for smoother transition to, and more rapid advancement in, the elementary school environment;

activities to emphasize the mutually reinforcing learning-aid benefits of the ability to speak a language other than English, and the ability to speak English;

regular, on-going school-system-wide bilingual education programs;

the teaching of both English and the language spoken in the home so as to enable non-English-speaking students to become truly bilingual and bicultural;

programs designed to impart to non-English-speaking students a knowledge of and pride in their ancestral language and cultural heritage;

programs to attract and retain as teachers promising individuals of non-English-speaking ethnic or nationality background;

community efforts to establish closer cooperation between the school and the home; and

other related activities which promote the purposes and objectives of bilingual education.

In addition, my bill would provide a 9-man "Advisory Committee On Increasing Educational Opportunity For Bilingual Children" within the Federal Office of Education, with the U.S. Commissioner of Education serving as Chairman.

Of the eight regular members of the Advisory Committee, four are required to be educators with experience in dealing with the educational problems of children who speak English as a second language.

Moreover, at least four of the Committee members must be of non-English-speaking ethnic or nationality background!

This arrangement would assure that the Advisory Committee would always have the benefit of the views of persons with an academic background in bilingual education, as well as of those with personal experience with the problems of bilingual children.

Persons with these kinds of experience and background would be especially valuable when advising the Commissioner on establishing general program policy, drafting criteria and regulations for approval of projects, and in advising on approval or rejection of applications.

Another significant provision of H.R. 8000 is that, in order for a grant application to be approved, provision must be made for the participation of children who may be enrolled in nonprofit private schools in the area to be served, whose educational needs are of the type which this legislation is intended to meet.

In California, and the other Southwestern States, this requirement is an important one because it will assure that the full benefits of bilingual education will be available to all our children, regardless of whether they attend public schools or not.

My bill also provides additional authorization to set up special centers for training teachers of bilingual children, and for supporting special summer and regular session institutes for such teachers.

Finally, the measure makes research in the field of bilingual education eligible for funding under the provisions of the Cooperative Research Act.

Mr. Chairman, I do not want to suggest that my bill is a perfect piece of legislation, nor that it cannot be improved upon.

In fact, I am confident that you and your fellow Committee Members will, as a result of these hearings, be in an excellent position to make both technical and substantive improvements in the language of the differing proposals that have been submitted for consideration. And, in future years, with the practical experience we will have gained in conducting bilingual education programs in all parts of the country, we will be able to amend the statute as this experience indicates.

I understand that suggestions have already come from various sources to revise the bill for such purposes as to add further emphasis to the teacher and teacher-aide training aspects of the program, to stress adult education especially for parents of non-English-speaking children, to provide a more flexible criteria or formula for distributing funds for bilingual education and to review the extent of involvement in and contribution toward the overall program by state education authorities.

I trust the Committee will consider these and other ideas as it continues its analysis of the problem, and attempts to devise the best legislative approach to its solution.

In this connection, and as additional evidence of the urgent need for supporting the principle of bilingual education for America's non-English-speaking school children, I would like to draw the Committee's attention to a recent survey on the teaching of Spanish to Spanish-speaking students, entitled "The Invisible Minority", in which the National Education Association found that this group of bilingual and bicultural young people represented what it called "the most acute educational problem in the Southwest."

The N.E.A. study continued: "Many of these young people experience academic failure in school. At best, they have limited success. A large percentage become school dropouts. And little headway is being made against the problem.

"Spanish-speaking children start school with a decided handicap (the almost exclusive use of Spanish), fall behind their classmates in the first grade, and each passing year finds them farther behind.

"They are conditioned to failure in the early years of their schooling, and each additional year only serves to reinforce their feelings of failure and frustration."

The Spanish-speaking student "knows some English but has used it infrequently. The language of his home, his childhood, his first years, is Spanish. His environment, his experiences, his very personality have been shaped by it.

"But he soon discovers that English is the only language acceptable in schools."

In addition to the language barrier, the survey found that children of Spanish-speaking background "encounter a strange and different set of cultural patterns, an accelerated tempo of living, and, more often than not, teachers who, though sympathetic and sincere, have little understanding of the Spanish-speaking people, their customs, beliefs, and sensitivities."

The National Education Association report concluded: "The need is for action—now!

"To meet the problem fully, however, further legislation and substantially increased appropriations are needed. A more intensive effort to recruit additional teachers from among the Spanish-speaking is another imperative. Additional research, especially of a demonstration nature, is yet another. An extended series of needs could be listed. But the urgent need is for action and innovation in local school districts almost everywhere."

Mr. Chairman, I believe the bilingual education proposals you are now considering represent the kind of immediate legislative action recommended by the N.E.A. to help overcome the serious linguistic handicaps suffered by America's 3 million non-English-speaking elementary and secondary schoolchildren.

Also on a positive note, Mr. Chairman, I am convinced that we should begin to think of bilingualism in this country, not so much as a problem, but as a great opportunity and a potential national asset of tremendous value—if we will but develop it as such.

Up to now in our schools, millions of young people who speak a language other than English have been cheated or damaged or both by ill-informed educational policies which have made of their bilingualism an ugly disadvantage in their lives.

It is certainly absurd that our national educational policy has directed the expenditure of an estimated billion dollars a year to teach foreign languages—in our schools, colleges, universities, and government agencies—and yet virtually none of this effort has gone to maintain and develop the already existing cmpetence of American children who speak these same languages as a result of their family background.

For instance, with some 4 million native speakers of French or Spanish in our country, these are the two languages most widely taught, and yet, they are also the ones for which we recognize the greatest unfulfilled need.

It is absolutely incongruous to me that we should continue to largely waste the native-speaking talents and abilities of our own citizens, when there is such an urgent need for those very talents right here in the United States.

But, Mr. Chairman, I believe that your Committee is providing the kind of forward-looking, progressive leadership we need to end, once and for all, this tragic waste, and to begin to utilize the extensive linguistic abilities of our own people.

With endorsements of bilingual education from the Association of Mexican-American Educators, the Affiliated Teacher Organizations of Los Angeles, the Los Angeles City Council, the Los Angeles County Board of Supervisors, and the recent "Neuvas Vistas" Conference sponsored by the California State Department of Education—plus enactment by the California Legislature this Spring of a bill (proposed by the California Teachers Association) to permit school districts to establish bilingual instruction programs when deemed educationally advantageous to their pupils—I believe your Committee should have a friendly reception here on the West Coast, and you can feel assured of the enthusiastic support of all those who are interested in improving the educational opportunities of America's non-English-speaking students.

And, with the wholehearted backing of the National Education Association, the unmistakable evidence of fast-growing nationwide support on the local and State level for this long-needed legislation, and the active contribution of Members of both House and Senate, I am greatly encouraged that our joint efforts will be successful this year.

If such a bright prospect is realized, much of the credit will belong to the pioneering leadership provided by this Committee.

Thank you again for coming to California, and for offering our citizens an opportunity to express their thoughts on this vital subject.

SENATE

WEDNESDAY, JULY 12, 1967

The Senate met at 11 o'clock a.m., and was called to order by Hon. ROBERT C. BYRD, a Senator from the State of West Virginia.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, whose most searching words are heard in the silences of the soul, give, we beseech Thee, to Thy servants who here wrestle with the Nation's problems, quiet hearts and open minds welcoming all truth from whatever direction it may come.

May the fret and fever of their own spirits not add to the confusion of a bewildered age instead of helping and healing.

Lift our eyes, we pray Thee, above the foggy valley of narrow loyalties and partisan interests to vaster vistas where small things are seen as small and great things as great. Remove far from us even unrecognized bigotries and prejudices based on misunderstanding.

In the crises of our times join us with those who across the waste and wilderness of human hate and need, preparing the way of the Lord, throw up a highway for our God. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 12, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ROBERT C. BYRD, a Senator from the State of West Virginia, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. BYRD of West Virginia thereupon took the chair as Acting President pro tempore.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting the nomination of David Statler Black, of Washington, to be Under Secretary of the Interior, was communicated to the Senate by Mr. Geisler, one of his secretaries, which nominating message was referred to the Committee on Interior and Insular Affairs.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, July 11, 1967, was dispensed with.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Military Construction of the Committee on the Armed Services.

The Subcommittee on Government Research of the Committee on Government Operations.

The Special Subcommittee on the Arts and Humanities of the Committee on Labor and Public Welfare.

The Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare.

On request of Mr. BYRD of West Virginia, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Employment,

Manpower, and Poverty of the Committee on Labor and Public Welfare.

The Subcommittee on Juvenile Delinquency of the Committee on the Judiciary.

The Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary.

The Subcommittee on Criminal Laws and Procedures of the Committee on the Judiciary.

RECOGNITION OF SENATOR KENNEDY OF NEW YORK

The PRESIDING OFFICER. (Mr. Bartlett in the chair). Under the order of yesterday, the Chair recognizes the Senator from New York [Mr. Kennedy].

INDUSTRIAL INVESTMENT IN URBAN POVERTY AREAS

Mr. KENNEDY of New York. Mr. President, I rise for the purpose of introducing, with the junior Senator from Kansas [Mr. Pearson], a bill for private investment in urban poverty areas. The aim of this bill is to create a new partnership against poverty; to bring the resources and talent of American private enterprise to bear on the most serious domestic challenge before us: the concentrated deprivation, frustration, and decay which tear at the very fabric of life in every major city in the Nation.

The specific purpose of the bill is to stimulate investment—the creation of new jobs and income—in poverty areas. The entire program is to be carried out, not by Government agencies, but by private enterprise. The Federal Government provides only a system of tax incentives, carefully designed to enable private enterprise to make its investments and carry out its operations in the urban poverty areas.

Thus the bill seeks to remedy the greatest failure in our existing poverty efforts: the failure to involve and rely on the private enterprise system which is the basic strength of the Nation. By failing to involve the private sector, we have not only ignored the potential contribution of millions of talented and energetic Americans in tens of thousands of productive enterprises. More dangerously, we have created for the poor a separate economy, almost a separate nation: a second-rate system of welfare handouts, a screen of Government agencies keeping the poor apart from the rest of us. That system—ineffective, inefficient, and degrading—must be changed. This bill would work toward the needed change.

In brief summary, the program will work as follows: An enterprise wishing to avail itself of the bill's provisions will select a site in a poverty area, in cooperation with the city and Federal Government, and the local community affected. The company will agree to create at least 50 new jobs; to fill at least two-thirds of all jobs at this location with residents of the poverty area—or other unemployed persons—and to maintain its investment for at least 10 years. In return, it will receive tax credits against its investment in plant and machinery; accelerated depreciation schedules for that investment; extra deductions for wages paid to previously unemployed persons; liberal carryforward and carryback allowances; and assistance in training the new workers.

After extensive consultation with representatives of business, labor, government, the academic community, and the urban poor themselves, our expectation is that these incentives will give our private enterprise system—the most ingenious and productive the world has ever known—the help it needs to effectively attack the difficult and resistant problems of urban unemployment.

Because it operates through the existing private enterprise system, the bill does not require the creation of new Government departments or agencies. It creates no new systems of welfare handouts. It requires no great new outflows of Government spending. Rather, by generating new investment and creating new jobs, it will increase productivity in the Nation as a whole—putting idle hands to work, turning welfare recipients into taxpayers, and decreasing present financial burdens on State and local governments. And greater productivity will result, in our judgment, in increased overall Federal revenues, even after allowing for the tax relief afforded to businesses which make the desired investment.

I. THE NEED FOR JOBS

This Nation faces many problems. Some are outside our borders, in Vietnam, in the Middle East, in Latin America, and Africa. Some are almost beyond our comprehension: the awful potential of the nuclear weapon, the technical complexities of air and water pollution, the meaning of learning in an age of computers. But of all our problems, none is more immediate—none is more pressing—none is more omnipresent—than the crisis of unemployment in every major city in the Nation.

Trenton, N.J., and Tacoma, Wash.; Lansing, Mich., and Louisville, Ky.; New Haven, Conn., and New Orleans, La.; Mobile, Ala., and Milwaukee, Wis.; East Harlem and East St. Louis, south Los Angeles and north Philadelphia—in all these, and in dozens more, are spreading pockets of poverty and frustration, anger, and despair. These cities are the vital nerve centers of our economy and national life, the capitals of every section and region of the country. Yet every one, at its core, has dangerous symptoms of decay. The poverty pockets may be virtually cities in themselves, areas of as much as 350,000 people. And throughout these areas: welfare and dependency are becoming pervasive, with the bill just for aid to dependent children rising to over $500 million yearly in our five largest cities, $20 million a month in New York City alone. Over 40 percent of housing is substandard, unhealthy, and dilapidated. Education is failing their children, with high school dropout rates which often reach nearly 70 percent. Health is poor and care is inadequate. From one-third to one-half of the families live in poverty. These things we know; and we know of all the consequences: of the broken families and stunted lives, of the crime and violence, most tragically of the children dulled by despair—without prospects, without hope, without the full birthright of American citizenship.

But the measure of the most serious problem of urban poverty—the crisis of unemployment—is that we do not even know how bad it is.

We do know that unemployment in the poverty districts is at least three times the national rate. Negroes in Hough, Mexican Americans in east Los Angeles, Appalachian whites in Chicago,, Puerto Ricans in East Harlem, Indians on reservations—in every section, among Americans of every race and background, are groups of people who have lived through the forties and fifties, even through the booming sixties, with an unemployment rate worse than the rest of the Nation knew even in the great depression of the thirties. Yet even this does not measure the full extent of the problem.

Let us look for a moment at what basic Government statistics tell us about this poverty. Let us look at a typical ghetto in one of our larger cities. It will be a hypothetical area, representing the average slum surveyed this winter by the Department of Labor in its special study of unemployment in the ghetto; but let us bear in mind that conditions among Puerto Ricans and Mexican-Americans are even worse than those in this "typical" area. This area, let us assume, contains 230,000 people—larger than Hough or North St. Louis, much smaller than Harlem or Watts or Bedford-Stuyvesant or Southside Chicago. Of this number, according to Census estimates, 56,000 will be adult men, aged 20–64; but neither the Census Bureau nor the Labor Department can find from one-fifth to one-third of these men because they have no fixed address, no job; they drift about the city, separated from their families, as if they were of no greater concern to their fellow citizens than so many sparrows or spent matches. Indeed, a recent study indicates that the last census may have "lost" a full 10 percent of all Negroes. Some are "found" in later life, when they may settle down. Some reappear in our statistics only at death. Others remind us of their presence when we read of rising crime rates. Some, undoubtedly, participate in the riots which flash over our television screens and newspaper front pages. We are all aware of them then.

A total, then, of 56,000 adult men—of whom from 11,000 to 19,000 are in the lost battalions; an average of 15,000 missing and idle men. Of the average 41,000 whom the Labor Department can find, over 11 percent are not in the labor force; they do not work, they have stopped looking for work; there is no work for them. Thus another 4,500 of the men in this area are out of the labor force—which then numbers 36,500. Of these 36,500, 10 percent—3,600—are officially counted by the Labor Department as unemployed. For every person so unemployed now, of course, two more will be out of work during the year; but we will count only the 3,600 unemployed now—which means that 32,900 adult men are at work. Of these, says the Department, 2,300 are only working part-time, though they want and need full-time work; thus

30,600 work full-time. Of these, again according to the special Labor Department survey, at least 6,100 make less than $60 a week—below the poverty line, of course, but also below what a family with four children receives on welfare in many cities.

Thus of the 56,000 adult men in this typical area—by official Government statistics—only 24,500, just 43.7 percent, have full-time employment which pays more than $60 a week. Only 30,600, barely a majority, have full-time work at any rate of pay. Less than three out of five have any work at all. This judgment has been confirmed by every board and commission, expert and amateur, official and layman, which has examined the problem. The McCone Commission looked at Los Angeles—and said that the most serious problem in Watts is unemployment. The Wall Street Journal looked at Oakland and said that the core of Oakland's plight is unemployment. Kenneth Clark's pioneering Haryou study looked at Harlem—and said that Harlem's key problem is unemployment.

This should not be strange to us.

In an age of increasing complaints about the welfare state, it is well to remember that less than 25 percent of those living in poverty receive public assistance. We earn our livings, support our families, purchase the comforts and ease of life with work. To be without it is to be less than a man—less than a citizen—hardly, in a real sense, to be a father or brother or son, to have any identity at all. To be without function, without use to our fellow citizens, is to be in truth the "invisible man" of whom Ralph Ellison wrote so eloquently—the man who John Adams said a century and a half ago, suffers the greatest possible humiliation—"he is simply not seen."

The crisis in unemployment, therefore, is significant far beyond its economic effects—devastating as those are. For it is both measure and cause of the extent to which the poor man lives apart—the extent to which he is alienated from the general community. More than segregation in housing and schools, more than differences in attitudes or life style, it is unemployment which marks the urban poor off and apart from the rest of America. Unemployment is having nothing to do—which means having nothing to do with the rest of us.

Indeed, the effects go deeper—into the very heart of life, into the structure of the family and the souls of men. As Richard Cloward has said:

> Men for whom there are no jobs will nevertheless mate like other men, but they are not so likely to marry. Our society has preferred to deal with the resulting female-headed families not by putting the men to work but by placing the unwed mothers and children on public welfare—substituting check-writing machines for male wage-earners. By this means we have robbed men of manhood, women of husbands, and children of fathers. To create a stable monogamous family, we need to provide men with the opportunity to be men, and that involves enabling them to perform occupationally.

But this is what we have not done. This simple task—affording men the opportunity to contribute to themselves, to support their families, to contribute to their community—this is the task we have failed to accomplish. Most of all we have failed for the young men of the poverty ghetto, who struggle with unemployment rates of forty and fifty percent and more. In the city of Buffalo last month, there were serious riots—as there had been before in 21 cities in a dozen States. And what was the revolutionary cause, what were the incendiary slogans these young men shouted? They did not ask for welfare. They did not want gifts. They were not concerned with the mayor, or the police, or the schools. "Jobs," they said. "Give us work." They asked only for the chance to contribute to this Nation, to do their part as others do. That is the least chance we can afford to our fellow Americans.

II. THE NEED FOR PRIVATE ENTERPRISE PARTICIPATION

In the last 7 years, we have tried to solve this terrible problem. Almost every Congress has enacted another bill designed to put people to work: the Area Redevelopment Act, the Manpower Development and Training Act, the Investment Credit Act, the Economic Development Act, and the landmark Elementary and Secondary Education Act, to provide the educational base which is often so sadly neglected. But as President Johnson reminded us in his great Howard University address of 1966, the test is results: whether we in fact achieve true equality of opportunity for all our people. And by that test, our past measures, necessary and effective as they have often been, have not been adequate to the urban crisis. For the fact is that despite all our efforts, despite the uninterrupted rise in prosperity experienced by the rest of the Nation these past 7 years, the 1967 manpower report states flatly that:

> Economic and social conditions are getting worse, not better, in slum areas.

Between April 1960 and November 1966, the proportion of adult men in the work force in these areas dropped from 74 to 65 percent. From 1960 to 1965, while family income nationwide was increasing by 14 percent, family income in Watts—and probably in other comparable areas—dropped by 8 percent. From June of 1965 to June of 1966, according to the Department of Labor, 950,000 new jobs were created for young men. But only 33,000, about 3.7 percent, went to the youth of the poverty ghetto.

Many analysts have tried to explain why our present efforts have failed to provide adequate employment for the poverty areas. The Subcommittee on Executive Reorganization heard dozens of witnesses with varying answers; and certainly all agreed that there is no single cause—that improved programs for education, for political organization, for training, for housing, all must play their part.

But if there is one single shortcoming, one thing we have done hardly at all, it is to enlist the energies and resources and talents of private enterprise in this most urgent national effort. Our training programs, our educational programs, our poverty programs, our housing programs—all these have been Government financed, and most have been Government run. They have been designed in Washington. Their funds have been voted by appropriation. Their implementation has been through Government agencies existing or newly created. I have supported these efforts, and called for their expansion. I have believed, and continue to believe, that while improvement in their organization and function is needed, they are often worth while and necessary, and deserve far greater support than they now receive. But their strongest advocate must admit that they are not enough.

To rely exclusively, even primarily, on Government efforts is not only to ignore the shaping traditions of American life and politics. To ignore the potential contribution of private enterprise is to fight the war on poverty with a single platoon, while great armies are left to stand aside. For private enterprise is not just another part of America; in a significant sense, private enterprise is the very sinew and strength of America. Our productive assets, our machines and money and plants are owned by private enterprise. The entire intricate chain of the economy—the means by which we join with our fellows to produce goods and roads, to bring food to our tables and clothes to our backs—all this is organized by private enterprise. Private enterprise has built our cities, and industries; it has created jobs for over 60 million Americans now at work. But it has not rebuilt the centers of poverty, nor put their people to work. And in my judgment, the lack of private enterprise participation is the principal cause for our failure to solve the problem of employment in urban poverty areas.

It is not for want of a sense of responsibility, nor out of willful ignorance, that private enterprise has not played its full role. The Subcommittee on Executive Reorganization heard from many businessmen aware of the challenge and eager to meet it. Corporations such as Smith Kline & French in Philadelphia, U.S. Gypsum in New York, and U.S. Plywood in Cleveland, have begun their own experiments in the Nation's war on poverty. The National Association of Manufacturers is carrying out an interesting and seemingly successful job-training program. It has been my own privilege over the last year to work with a group of unusually concerned and energetic businessmen, together with the local community, in a major effort to develop the Bedford-Stuyvesant area of Brookyn. I know at first hand the ability and spirit of these men, and of their wish to engage the resources of their corporations for the benefit of the other Americans.

And in recent months, I have talked with other businessmen and academicians, labor leaders, and city planners. Almost unanimously, they have agreed on two related propositions. First, private enterprise must invest its resources in poverty areas. Second, it must receive assistance from Government to do so. As David Rockefeller told us in his testimony before the Executive Reorganization Subcommittee, Government must encourage investment in poverty areas just as it tries to encourage it in developing countries. And Prof. Herbert Gans sumed up the necessary steps we must take when he testified that—

> Since incorporating the poor into the affluent society is a new venture, the Federal government must take the initiative and provide that mixture of risk-reducing incentives . . . needed to get the incorporation of the poor underway.

Private corporations, after all, are responsible to their stockholders. Large-scale investment in poverty areas will certainly be more costly and difficult than investment elsewhere; that, after all, is why investment has not taken place in these areas in the past. Land, transportation, insurance against fire and vandalism, training of workers, extra supervision—all these are so costly in poverty areas as to make investment there, under present conditions, uneconomical. If private enterprise is to play its full part in poverty areas, therefore, it must have the support of Government to help make up for the increased costs.

III. PRIVATE ENTERPRISE PARTICIPATION: THE MECHANICS

In what way should private enterprise now be encouraged to join the fight against unemployment? For us, the answer is simple and direct: it should create new jobs, and hire and train unemployed and poor people to fill them. The actual creation of new jobs is the single greatest lack in present programs. And the lack of job opportunities handicaps all other efforts. Education programs are hurt when students see their fathers and older brothers idle; if no jobs are waiting, they ask, why bother with education? The same lack of jobs has caused high dropout rates from job-training programs. Housing programs suffer when unemployment causes overcrowding. The need is for jobs and income, now. And the creation of new jobs, new productive enterprise, is the task that private business can and must undertake.

The next question is where these jobs should be created. Our answer is that to have a maximum impact on the problems of the urban poor, the new enterprises must be established, the new jobs must be created, in the urban poverty areas. There are four principal reasons for so limiting the choice of sites.

First, we know that at the present time, large numbers of the urban poor cannot be induced to take jobs away from the areas in which they live. Secretary of Labor Willard Wirtz told the Executive Reorganization Subcommittee that "most of the unemployed in the slums" are so "conditioned by a century of insecurity" that even distances of "more than six or eight blocks away from where they live" create a severe problem; and most new job openings are, of course, much more than a few blocks outside poverty areas.

Second, even if we could induce the urban poor to commute to jobs far outside their areas, most cities lack the mass transportation facilities to take them to and from their place of work at a price they can afford to pay. The Department of Labor has found that "present transportation systems are both inadequate and too expensive to bring the slum residents to these jobs." Nor is inexpensive housing available, or likely soon to be available, near the new job openings that do exist.

Third, the location of new industrial facilities in urban poverty areas will have an important "multiplier" effect on the creation of jobs. New auxiliary businesses will be spunoff in the same area to service the needs of the primary facility. New retail and service facilities—restaurants and food stores, barbershops, dry cleaners, and clothing stores—will be required to satisfy the demands of the workers at the primary establishment. Depending upon the area, I have received estimates that for every three jobs created in a primary facility, from two to three additional jobs may be created in secondary and service facilities nearby. Each of these derivative jobs and entrepreneurial opportunities will be open to poverty area residents, without further Government action.

Fourth, location of investment and jobs within poverty areas is important for its own sake. Partly, it is important to end these areas' isolation—to bring not just individual residents, but the entire community, back into contact with the mainstream of American life. For another part, it is important that children and young people see change and development take place through the work of their own fathers and brothers—providing concrete hope through living example. And for another part, it is vital that poverty areas, like other communities, be able to develop a sense of joint community achievement and purpose.

This is not to say that this Nation need not strive for an open society, in which the residents of poverty areas, and in particular residents of the Negro ghetto, who have achieved financial and social security, have complete freedom to choose where they will live and work. That is birthright for all of us; and it must be achieved. But I believe that it is far more important that the vast majority of our urban poor be enabled to achieve basic financial stability and a sense of dignity and security where they live now. That is the indispensable first step toward the full freedom of citizenship.

IV. INCENTIVES

To encourage the creation of new enterprise, the investment of capital in urban poverty areas, we require an adequate system of incentives. To devise such a system, I have talked with economists, tax experts, city planners, and business leaders alike. Their expert knowledge and the previous experiences of our Government, and the government of the Commonwealth of Puerto Rico in attempting to induce industrial investment in specified geographical areas, lead to the conclusion that the most simple, efficient, and effective vehicle for encouraging such investment is the enactment of a system of tax incentives.

The concept of government incentives to induce desired investments by private industry is neither new nor radical. Rather it is a concept honored by practice since the founding of the Republic. From 1792 until well into the 1830's, the bulk of Federal expenditure was devoted to creating and inducing internal improvements, particularly the roads and canals which opened up new territory for settlement. Throughout the 19th century, Government induced the building of railroads, including the great transcontinental roads, by offering liberal grants of land on either side of the right-of-way; the railroads sold this land to help repay their investment. In this century, similar practices have extended into every corner of our economy. To increase exports, we created an Export-Import Bank, which guarantees and insures foreign sales on credit. To induce the maintenance of a strong merchant marine, we subsidize the building and purchasing of ships. To assist in the task of international development, we guarantee American private investment in foreign nations.

Even more than with such direct inducements we have used the tax laws as a means of persuading private citizens and enterprises to invest in desired ways, at desired times, and in desired locations. To encourage long-term investment, we tax capital gains at half the normal rate. To encourage charitable contributions, we allow them to be deducted from current income. To encourage oil and mineral production, we offer depletion allowances. To encourage the building of grain-storage facilities and defense plants, we have offered faster-than-normal depreciation rates. To encourage investment in capital goods as opposed to inventory or consumption, we have allowed tax credits for such investment; suspended that credit when we wished to slow investment down; and, just recently reinstated it is order to speed investment up again.

The principle that the tax code may be used to induce certain investment applies to questions of investment location as well as to the fact of investment. This has been recognized by both President Kennedy and President Johnson. Each has supported tax credits, as high as 30 percent, to induce American private enterprise to invest in underdeveloped countries. In the Foreign Investment Credit Act introduced by Congressman BOGG, and in the pending treaties with Thailand and Israel, the concept of tax incentives for qualifying businesses has been stressed as the key to helping less-developed nations reach economic stability.

That such tax incentives can prove effective in attracting investment capital is demonstrated by Puerto Rico's Operation Bootstrap. There, a system of tax exemptions, carefully protected by our own Internal Revenue Code, has helped just since 1948 to set up over 1,100 plants and factories. Manufacturing income has increased by more than 600 percent; per capital income has risen 300 percent; the number of workers engaged in manufacturing has almost tripled. The economy of this little island has grown at at an annual rate of over 9 percent—a rate which far surpasses the economic growth of the United States as a whole.

Of course, exceptional tax incentives should not be lightly given. Any exception and departure from a uniform tax base should be required to meet two tests.

First, as President Kennedy said in submitting the original investment credit bill, we must ask if the provision will "promote desirable social or economic objectives of overriding importance." Second, if certain preferential tax treatment is to be given to certain members of a class, then we must be sure that these benefits are not creating a special, privileged group, but are only compensating for additional risks and burdens. As Prof. Robert Hellawell, of Columbia Law School, has succinctly noted:

> Whether a tax provision violates tax equity depends largely on whether it seems fair. It is fair if it justifiably compensates an individual for taking a lower than normal return, a greater than normal risk, or perhaps a greater than normal expenditure of executive time and energy.

In my judgment, tax incentives for investment in ghetto areas meet both of these criteria. Certainly they will promote a "desirable objective" of "overriding importance"—the employment and self-sufficiency of American citizens, and the improvement of conditions in our most important cities. Moreover, they are fair. They insure nothing more than a reasonable return to those who will face the higher costs and the labor problems involved in establishing facilities within ghetto areas; they do no more than compensate business for the costs and uncertainties of remedial training, difficult transportation, possible vandalism or fire damage, and extra executive time and effort.

V. THE BILL

The bill that the Senator from Kansas and I are now introducing builds upon all of these past experiments. Its objective is to foster a partnership between private industry, the Federal Government, and our major cities in coping with the unemployment which scars and cripples the urban poverty area. To accomplish this objective, the bill provides:

First. The various incentives will apply not to relocating businesses, but only to companies which will construct new facilities, or expand existing ones, in urban poverty areas. In short, it will create new jobs. The qualifying areas are those that are presently shown on maps of standard metropolitan statistical areas of over 250,000 people, prepared for the Office of Economic Opportunity by the Bureau of the Census. These 193 areas in 37 States will be supplemented by permitting the Secretary of Housing and Urban Development, in cooperation with the Secretary of Labor and the Secretary of Commerce, to add specific poverty areas in which industrial facilities are needed in any place classified as urban by the Bureau of Census.

Although this classification will reach the great majority of poor people, and encompass concentrated corners of poverty in all States, it will admittedly not touch every part of America that needs assistance. For it will not help reduce the hunger and despair of America's rural poor—in Appalachia, the Mississippi Delta, or the harsh lands of the Southwest. Many of these areas, of course, are already eligible for assistance under the Economic Development Act. Moreover, incentives to encourage location in urban poverty areas might be largely vitiated if they were to be applied to all areas of the country. And these areas are not presently handicapped by many of the cost factors—such as high-priced land and congested transportation—which afflict urban poverty areas, and which it is the aim of this bill to compensate for.

Still, one exception to the urban limitation is provided in this bill: the reservations on which tens of thousands of American Indians sit in idleness and disease and hunger, their lives even more desperate than those of the urban Negro or Puerto Rican or Mexican American. The problems of American Indians do not perhaps strike us with the same urgency, the same sense of imminent danger, as do the problems of the central city. But so terrible is their condition—so badly have we failed in our responsibility to them—that it would be grossly unfair to encourage investment in any part of America without doing at least as much for investment and job creation on Indian reservations.

Second. Those cities, encompassing urban poverty areas, which decide to participate in the program—and it shall be a matter of individual choice for each city—shall serve the same function that the Economic Development Administration does in Puerto Rico: to be not merely a passive recipient of Federal programs, but an active participant in them. Thus, under the bill, each city, and not the Federal Government, will determine the speed and intensity of new industrial investment within its poverty areas.

Third. The business which has received approval from the municipality and has agreed to a site for its facility shall accept certain conditions incorporated in a certificate issued by the Secretary of Housing and Urban Development, in cooperation with the Secretary of Labor and the Secretary of Commerce. The corporation shall agree to meet certain building standards, keep records concerning its employees and its expenses, and pay wages comparable to those paid by its competitors in the same locale. Most importantly the business shall agree that at least two-thirds of all of its workers in the certified facility shall be either residents of the poverty area, or low-income unemployed individuals. The bill also provides, as a safeguard against insubstantial or fly-by-night operators, that the facility must employ a minimum total of 50 workers—reduced to 25 in cities of under 50,000 persons and on Indian reservations. But if a lower minimum is found to be an adequate safeguard, I would favor that lower requirement, in order to attract the participation of as wide a segment of American business as possible.

Fourth. The only qualifying businesses shall be those which will hire a significant number of unskilled or semiskilled workers and which do not directly compete with local entrepreneurs. The bill therefore covers manufacturers, producers, and distributors, but does not apply to any retailers. Thus it offers inducements to electronics manufacturers who sell in the general economy—but not to television retailers who might compete with existing stores in the poverty area. It offers assistance to a drug wholesaler serving an entire metropolitan area—but not to a drugstore which competes for the scarce dollars of the local poor. Its provisions also cover construction firms that will locate in urban poverty areas, hire local workers, and engage in construction within those areas.

Fifth. The working force hired by the qualifying employer will be trained under the auspices of the Department of Labor. Such training will differ from the usual present pattern, since it will not involve groups of men being prepared for certain trades, with placement to follow in the uncertain future; rather it will be aimed at giving specific individuals the skills to fill specific positions. The actual training will be done either by local agencies, or by the employer himself, who will receive funds to cover his costs from the Department of Labor. To meet training costs and allowances, a $20 million appropriation will be needed for next year. In the years thereafter, Congress shall appropriate such amounts as may be necessary.

Sixth. Any qualifying business shall receive the following tax incentives during the 10 years immediately following the time that it begins operations:

A 10-percent credit on machinery and equipment, in lieu of the normal maximum 7-percent credit.

A 7-percent credit on expenditures for constructing an industrial facility or for leasing space for a qualifying business.

A credit carryback of 3 taxable years and a carryover of 10 taxable years.

A useful life, for purposes of depreciation, of 66⅔ percent of the normal useful life applicable to real and personal property.

A net operating loss carryover of 10 taxable years.

A special deduction of an additional 25 percent of the salaries paid to all workers hired to meet the requirements of this act.

Three characteristics of these incentives are worthy of particular attention.

First, they are carefully directed at the particular problem of investment in poverty areas. The existing tax credit for machinery is extended to facility construction, to allow for the fact that most enterprises will have to build new facilities, rather than simply expand existing facilities. The carryover and carryback provisions are lengthened to 10 years, to allow for the likelihood that development of profits will take longer than usual. The special deduction for wages and salaries will encourage intensive use of labor, thus putting relatively more men to work, as opposed to machinery, in relation to a given volume of production.

Second, these provisions are drafted so as to introduce a minimum of new complexity into the Internal Revenue Code. All except the special deduction for wages and salaries are directly modeled on existing code sections. They will therefore be simple to understand and use, for businessmen and tax officials alike.

Third, they will be effective. Investment credits and accelerated depreciation, and the other elements of this system, have proven their ability to stimulate new investment both in Europe and in the United States. George Terborgh of the Machinery and Allied Products Institute has estimated that the existing tax credit, together with a 15-percent reduction in useful life for depreciation purposes, afford about a 20-percent increase in the normal rate of return. The extended tax credit in this bill, together with the 33-percent reduction in useful life, would double that increase if available outside poverty areas; in the conditions under which they will actually be available, for investment in poverty areas, these incentives should produce a return at least equivalent to that under the most favorable conditions outside these areas.

Seventh. If the qualified business fails to hold its real or personal property for stipulated periods of 10 and 4 years respectively then all credits allowed for expenditures on this property shall be recovered by the Treasury. If the qualified business' certificate is terminated by the Secretary of Housing and Urban Development, then an amount equal to the credits taken during the last 3 years, and to all special salary deductions, shall also be recoverable. These particular proposals are not the only possible mechanisms for safeguarding the public interest. If these sanctions are too strict or too lenient, and if others are found to be more consistent with the purposes of this act, I shall be glad to support the relevant changes.

Eighth. No certificate shall be issued without prior consultation, including a public hearing, with the residents of the poverty area affected.

Ninth. No certificates shall be issued by the Secretary of the Treasury after this act has been in existence for 10 years unless the Congress decides to extend the applicability of its provisions.

VI. COSTS AND BENEFITS

Any proposal for tax credits and deductions should be carefully considered with respect to its costs. Will there be a revenue loss? Or will costs be more than made up by the benefits?

I believe that this bill will in fact pay for itself; that it will not result in a net revenue loss. Rather, if successful, it will bring substantial benefits to the Treasury, to State and local governments, to the economy in general—and to tens of thousands of individual Americans.

It is of course impossible to estimate with any precision the extent to which businessmen and firms will take advantage of these incentives; that will be the product of thousands of individual business decisions. But what can be clearly demonstrated, I believe, is that to whatever extent the bill is used, the result will be a net benefit to the Treasury, and to the Nation. To make this demonstration, we can analyze a hypothetical case of a single business firm under the bill; but recognizing that these calculations are themselves only rough approximations, we will err on the side of conservatism.

Assume, then, a firm which invests $1 million in a poverty-area enterprise, split equally between plant and equipment. The tax credit allowed against the plant will be 7 percent, or $35,000. Against the equipment, under law now in effect, an average credit of about 5 percent would be allowed. Under this bill, a 10 percent credit would be allowed—an increase of 5 percent, or $25,000. The total tax credit would be $85,000; the credit attributable to this bill, $60,000.

Assume further that this investment creates 50 new jobs. This is, in fact, a very conservative assumption, since the Department of Commerce informs me that the average production job now requires about $11,000 in capital investment; we are allowing, for this hypothetical analysis, a very expensive $20,000 investment to create each new job. At any rate, 50 new jobs, at a conservative $5,000 per job annual wage, would represent a total annual payroll of $250,000. Against this payroll, the employer would take the bill's additional 25-percent deduction on wages paid to poverty area residents. Thus, even if all the new jobs were filled by such residents, his maximum savings, at current corporate tax rates, would be about $31,000.

On the other hand, the Federal Government would collect on this payroll a minimum of $30,000 in individual income taxes. Its revenues would be further increased by taxes on the profits of the firms which built the plant and machinery, and sold it to the hypothetical businessman; assuming their profit at 10 percent before taxes, this extra investment would bring the Treasury an additional $50,000. Now let us recall that for every three jobs created directly by this bill, it is estimated that from two to three additional jobs will be created indirectly; and let us assume conservatively that in this case, only one job will be created indirectly for every two jobs created directly. This would mean another 25 new jobs without Government assistance. Assuming that these would be lower paying jobs—say, only $4,000 a year each—they would produce an additional payroll of $100,000; of which the Federal Government would receive a minimum of $10,000 in income taxes.

Finally, assume that in the absence of these new jobs for 75 men, the families of only 10 would receive Federal aid-to-dependent-children payments. In most urban areas, these 10 families would cost the Federal Government at least $25,000 a year; in cities like New York, the cost would be much greater. Adding the welfare saving to the increased tax collections, we find that the Federal Government has gained a total of $115,000 in the first year alone—more than matching the $91,000 of tax savings received by the businessman.

Of course, this calculation is far from exact, and it is not comprehensive. It does not allow for the effect of accelerated depreciation. It does not allow for the continuing cost of the excess wage deductions in future years. But it also does not allow for the additional taxes the Federal Treasury will collect as a result of the purchases of the newly hired workers. It does not allow for the tax collections which will accompany the business profits on the secondary jobs created, or on the general attendant increase in economic activity. It does not count increased tax collections at the State and local level, nor for the increased tax base which may alleviate property tax burdens in the municipalities. It does not allow for income taxes collected in future years, which will rise as the workers' incomes rise. And the hypothetical case makes no allowance for taxes on any profit which the business may make. All these will add to, not detract from, Government revenues.

It may be asked, are these calculations dependent on the assumption that the investment receiving tax credits would not have taken place except for the incentives? Thus after the enactment of the 1962 tax credit, it was estimated that most of the investment receiving its benefits would have taken place in any case; and the benefits of the 1962 credit were assertedly diluted. Even allowing for this dilution, Secretary of the Treasury Dillon estimated that the 1962 credit repaid half its value to the Treasury just in the first year of its operation. But the tax incentives of this bill are far more narrowly drawn than were those of 1962; and its benefits will be far less subject to dilution.

First, the incentives of the 1962 bill were available throughout the economy; by definition, they were available for the incremental addition of even one new machine in an existing plant. This bill, by contrast, will be available only for the establishment of entire new plants in poverty areas. Second, the benefits of the 1962 bill were available irrespective of the effects of investment on employment; that is, an enterprise was eligible for the 1962 benefits if it substituted a new machine for an old one, even though both machines were run by the same worker. This bill, by contrast, requires that new jobs be created to man the new equipment. Third, the 1962 credit applied only to machinery; thus it encouraged the installation of new machinery in existing plants. This bill, by contrast, extends the credit to new plants as well as equipment; thus it encourages the creation of whole new facilities. Finally, this bill—unlike the 1962 credit—is specifically directed toward the creation of new jobs for previously unemployed residents of poverty areas. Thus it strikes directly—as the earlier bill did not—at the area which most severely burdens present welfare and social service budgets. Now let us remember again that the 1962 act, notwithstanding its more general applicability, still returned half its benefits to the Treasury in its first year. I think there is no question that this more precisely focused bill will, within a very short time, repay more than its full value to the Government.

My example is, of course, only a simplified illustration of how it is that the Investment Credit Act of 1962, and the tax cut of 1964, brought us out of recession into the longest period of uninterrupted economic expansion in our history. It is included here only to show that the provisions of this bill follow those earlier precedents; and that just as we all benefitted from attacking recession in the economy as a whole, so will we benefit from attacking it in the pockets of depression that remain.

Moreover, the jobs and income generated by this bill have a double benefit: they will go to areas and people who now represent the most serious drain on our budgets for welfare and extra municipal services—police, fire, health, and other social services. The public welfare budget in the State of New York, for example, is now $1 billion, of which the Federal, State, and local governments each bear roughly one-third. Substituting self-sustaining jobs for welfare handouts is, in my view, desirable and necessary for its own sake; dependency is basically incompatible with American democracy. At the same time, the substantial benefits to local governments, most of which now labor under severe financial burdens, cannot be ignored.

Here we should set to rest a misconception that has gained unfortunate currency of late. A recent analysis of Federal welfare programs showed that of 7.3 million people receiving federally supported welfare assistance, only 50,000 could work. The analysis was intended to show only that the welfare rolls are not filled with deliberate idlers. But many have taken it as "proof" that job programs cannot reduce the welfare budgets. And nothing could be further from the truth.

Of the 7.3 million welfare recipients, 850,000 were female heads of families, and 2.6 million were minor children from these same female-headed families. Thus over 50 percent of the Federal welfare rolls are made up of families whose husbands and fathers have left the house. But every study of poverty and its pathology shows that the vast majority of those husbands and fathers are absent precisely because they are unemployed, and unable to support their families. Leaving the house—to allow their families to qualify for welfare—is the only way these men can insure that their families will have food to eat and a roof over their heads. Thus it is the welfare system itself, in combination with the lack of decent job opportunities, which produces the welfare families who are asserted to be permanent dependents of the Government. But providing real job opportunities—for the absent fathers and husbands, and for the fathers and husbands of the future—will enable many of these families to reunite, and others to remain together. It is my firm conviction therefore, that this bill will help to reduce welfare and dependency—and their costs both financial and personal.

VII. CONCLUSION

This bill will not solve the problems of poverty. But it will help. It will not educate children—but it will give their fathers jobs, and their families income, and thus help create a family atmosphere in which education can more easily take place. The bill will not cure disease—but it will help provide the incomes to buy better food, and decent living conditions, and to pay for decent medical care. It will not comfort the old, or banish discrimination, or create by itself a sense of community in the city. But it will engage the energies and resources of a nation, as they have not been engaged before, in a new partnership against poverty; a partnership of government and its people, business and labor and the poor themselves.

This new partnership will not come of itself; nor will it come just from the enactment of this bill. It will come about only over many years and thousands of efforts, in every community in the Nation; I believe, in efforts like those now underway in Bedford-Stuyvesant in New York. But no real partnership is possible without the active participation of American business enterprise. This the bill will help to provide—and thus to hasten the day described by the poet:

> In the vacant places
> We will build with new bricks
> There are hands and machines
> And clay for new brick
> And lime for new mortar
> Where the bricks are fallen
> We will build with new stone
> Where the beams are rotten
> We will build with new timbers
> Where the word is unspoken
> We will build with new speech
> There is work together
> A Church for all
> And a job for each
> Every man to his work.

Mr. PEARSON. Mr. President, will the Senator from New York yield?

Mr. KENNEDY of New York. I am happy to yield to the Senator from Kansas.

Mr. PEARSON. Mr. President, I am pleased to join my distinguished colleague, the junior Senator from New York [Mr. KENNEDY] in presenting what I feel is a soundly conceived assault on one of our most pressing economic and social problems—the problem of creating new jobs in our poverty-stricken urban slums and ghettos. The legislation we introduce today, encouraged by several cosponsors, is designed to meet this problem by encouraging industrial development in these pockets of despair where the war on poverty will be ultimately won or lost.

The challenges confronting our cities are many and severe. They are faced with rising crime rates, chronic unemployment, festering slums, social disintegration, explosive racial unrest, congested streets, polluted air and contaminated water. This "crisis of the cities," as it is popularly called, has reached such alarming proportions, not because of lack of concern, but lack of insight, and we have discovered that merely spending more public money will not bring the metropolitan millennium.

Mr. President, no one doubts that increased Federal appropriations will be needed in the future, but I would submit that new ideas and creative approaches are needed—even more. And in this respect it is particularly vital that the vast resources of private enterprise must be mobilized to spearhead an attack on the very core of urban poverty—unemployment.

Nothing less than an industrial rebirth of our metropolitan ghettos is required. For it is only through increased employment and higher earnings that the pernicious curse of poverty and degradation can be effectively removed from our city slum dwellers.

Today, despite an overall jobless rate of approximately 4 percent, as indicated in the morning papers, the specter of unemployment still haunts hundreds of thousands of our urban citizens. In November 1966, for example, the rate of unemployment in certain slum sections of New York, Boston, Philadelphia, Phoenix, St. Louis, San Antonio, and San Francisco was 10 percent, or nearly three times the national average.

This problem is likely to grow still worse unless a forthright attempt is made to halt the flow of jobs and skilled entrepreneurs from the central city to the outlying suburbs. Such a task is not impossible, for vast reservoirs of manpower are available for urban industrial development. If the proper stimulus were applied, the creative energy locked within the ghettos that today finds its only outlet in protest, could be productively released.

Mr. President, I believe the proposal introduced today under the leadership of the Senator from New York, will provide that stimulus.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. PEARSON. I am pleased to yield to the Senator from Connecticut.

Mr. RIBICOFF. I have the highest commendation for the Senator from New York [Mr. KENNEDY] and the Senator from Kansas [Mr. PEARSON] for introducing this legislation. There is no question in my mind that the two distinguished Senators have introduced a most important piece of legislation, and I am very pleased to cosponsor it.

The legislation reflects Senator KENNEDY's great understanding and activity in this area. He was a deeply involved and conscientious member of the Subcommittee on Executive Reorganization during the recent hearings on the Federal role in urban affairs. But his concern extends far beyond the hearing room. He has visited many of our cities and spoken with the unemployed. He has spoken with businessmen about the great need to provide jobs and opportunity in our cities, both large and small, and they have responded.

And, of course, the distinguished Senator from Kansas, though not a member of the subcommittee, has also shown a great and active interest in this field.

I believe these hearings struck at the basic problem of what ails our cities: the need for added jobs.

If we had a set of priorities of where this country should expend its resources if there were a shortage of funds, without question I would choose jobs. Jobs bring self-respect. Jobs bring participation. Jobs bring fulfillment. Jobs must be a substitute for welfare payments. And jobs, more than anything else, in my opinion, would stop the rioting and demonstrations that we see in the big cities of America. When we consider that about 25 percent of the Negro youths in our cities are unemployed, we can readily understand why we have such turmoil in our cities.

Witness after witness before our subcommittee pointed out that it is difficult—if not impossible—for people who have no property and have no stake in the system we have in this country to maintain respect for property and respect for law and order. Yet throughout the testimony of our subcommittee hearings, extending for some 4,000 pages and involving some 100 witnesses, there was the feeling that these people in the cities want to share in America. Their hopes and objectives were the same hopes and objectives, basically, as those of the middle and upper classes.

That is why I have the highest commendation for the Senator from New York and the Senator from Kansas in taking the initiative in introducing legislation of this sort.

This bill seeks to rebuild lives. It recognizes that the unemployed and underemployed want a job—not a handout. They want to stand on their own feet. But job opportunities are scarce. One out of three residents in the slums has a serious employment problem: He has no job, he is underpaid, or he works only part time.

Our first task must be to expand private employment opportunities in our cities. American business will locate and relocate in the cities and other urban areas. But it must receive the proper incentives—the proper assurances—and the clear understanding that government—be it Federal, State, or local—is willing to do its share and fulfill its commitment.

Their bill points out paths Government can take to stimulate private sector activity in the creation of new jobs. It has important provisions for manpower training, for safeguarding investments, for moving and relocation. The legislation is a welcome addition to our growing arsenal of measures to improve life in our urban areas and is worthy of our most serious attention and discussion.

Their conduct and action in introducing this legislation has additional significance. I have said many times before, and I say it again: The time has come for the legislative branch to exercise initiative in legislation. I think for too long this body and the other legislative body have waited for legislative initiative to come from the other end of Pennsylvania Avenue. Basically, Congress has the obligation to formulate and pass legislation.

I do not think it is the duty of Congress to merely stand by and sit by until the executive branch sends up its legislative program to be acted on by the Congress of the United States. To me, it is of great significance that the Senator from New York [Mr. KENNEDY], the Senator from Kansas [Mr. PEARSON], the Senator from Illinois [Mr. PERCY], the senior Senator from New York [Mr. JAVITS], and I have been moving in the field of urban problems.

My prediction is that the actions of the Senator from New York, the Senator from Kansas, and other Senators who have been making these proposals and acting as a burr under the saddle, are really causing the entire executive branch to sit up and take notice of the problems. My prediction is that the executive branch will have a major legislative program involving the cities of America—including both jobs and housing—next year. My prediction is that in 1968 both the Democratic Party and the Republican Party will have as major planks in their platforms a basic program to help solve the crises in the cities of America. My prediction is that one of the major issues in the 1968 campaign between the Democratic and Republican candidates for the Presidency of the United States will be addressed toward how we will solve the crises in the cities of America.

Mr. President, the two most important problems in urban America are bringing jobs to the unemployed and encouraging the private sector of our economy to participate in rebuilding our cities.

Not only has the distinguished Senator from New York [Mr. KENNEDY] presented a comprehensive, thoughtful, and forceful statement on these topics, but he has drafted an important piece of legislation. So I am very pleased by the action taken by the Senator from New York and the Senator from Kansas in bringing this piece of legislation to the floor. I commend both of them, and I am delighted and pleased to be a cosponsor of this legislation.

Mr. PEARSON. May I say to the distinguished Senator from Connecticut that his words are most encouraging, for I know of no one who has taken a stronger leadership position in this particular field, or who has greater interest or greater knowledge. I believe that the subcommittee hearings of which he was chairman made perhaps one of the most definitive, thorough, and sensible records concerning the problems with which we seek to deal today. For that reason, I am particularly grateful for his comments.

Mr. KENNEDY of New York. I join with the Senator from Kansas in thanking the Senator from Connecticut for his kind remarks. He has introduced some legislation which goes a long way toward pioneering in the effort that needs to be made in our urban centers. I am therefore delighted that he has become a cosponsor of the bill that Senator PEARSON and I have introduced. His coming to the floor of the Senate today and commending this bill means a great deal to me as well as to the Senator from Kansas.

Mr. RIBICOFF. May I say that I understand the distinguished Senators are introducing another piece of legislation tomorrow. Today's bill deals specifically with jobs; the other one, which concerns housing, is also important, and I plan to cosponsor that legislation as well.

Mr. PEARSON. I thank the Senator.

Mr. President, as the Senator from New York indicated, this bill utilizes a system of tax credits, increased deductions for wages paid, and rapid depreciation to encourage the necessary industrial investments. These benefits would be available to business locating in urban poverty areas presently defined by the Office of Economic Opportunity and in those areas to be designated later by the Secretary of Housing and Urban Development. Provisions are also made for Indian reservations to be designated by the Secretary of the Interior.

Furthermore, by requiring that a substantial part of any plant work force be composed of ghetto residents, this measure would insure that the unemployed slumdwellers, not commuting suburban workers, would benefit from this federally stimulated investment.

Any resident who might be displaced because of plant construction would be granted a relocation allowance more generous than those currently available under present urban renewal programs. In addition, if no public or local low-income housing were available, elderly, handicapped, and low-income families would be given rental assistance for up to 24 months.

Mr. President, the incentives for investment provided in this legislation have the advantage of encouraging private industry and metropolitan governments to cooperate in assaulting the deep evil of urban poverty. The Federal Government thus provides a catalyst, not control, and it provides this catalyst at relatively little expense. As my distinguished colleague has observed, the credits, accelerated depreciation, and deductions contained in this legislation will be compensated for by reduced welfare payments, new taxes on higher earnings, and increased industrial productivity.

This approach represents a new attack on an old problem. It creates no Federal bureaucracy. Hopefully, it simply creates jobs. Mr. President, jobs are the most fundamental and urgent need of our ghetto residents. It is true they are also plagued with inadequate housing, inferior education, and substandard health facilities. These evils must indeed be treated. But their solution depends on an adequate level of income. And it is only through jobs, not welfare payments, that this income can be provided and maintained economically.

Mr. President, it is the proper responsibility of the Federal Government to foster local initiatives and to encourage private enterprise to create new jobs and to train the workers needed to fill them. The Federal Government should assume such an immense and complex task itself only in the last extremity. Federal training and employment programs are necessary, of course, but in general their costs are often too high. They often overlap and create independent facilities at great expense, instead of using the more comprehensive and readily available services of private industry.

If chronic unemployment is to be effectively reduced in the years to come, these services must be brought more fully into play. As a matter of fact, the great majority of work training and retraining done in the United States today is already being performed by private industry. This sector of our national economy is now investing approximately $4.5 billion annually in various forms of employee training.

Thus, if many new jobs are to be created and thousands of workers trained to fill them, private industry must bear the main responsibility. But, because of the high economic cost involved in locating in what is now a depressed area, industry must be given an incentive; it must be given help if it is to succeed. I believe this legislation would provide that incentive and give that help.

Mr. President, the myriad problems of the cities are perplexing, disquieting and often discouraging. Yet, occasionally, breakthroughs are made. Myths are exposed and old fears laid to rest. The fact is jobs can be provided for our ghetto residents. Slumdwellers can become self-supporting, self-respecting individuals and business can prosper once again in the now depressed sections of our cities. The vicious cycle of poverty and unemployment can be broken. And, I firmly believe the legislation we introduce today will provide the stimulus necessary to break that dismal chain.

The greatest of all books says, "the night cometh, when no man can work." In our urban slums, the night comes too soon and too often. By using a creative Federal stimulus we can provide private enterprise with the tools it needs to finish the job and hold back the night of unemployment. If such a step is not taken shortly, the crisis in our cities will continue to worsen, the economy will not achieve its full potential, and hundreds of thousands of Americans will continue to be denied that most fundamental of all rights—the right to earn a living.

Mr. KENNEDY of New York. I thank the Senator from Kansas, and commend his statement. Earlier this year, the Senator from Kansas gave, in my judgment, one of the best speeches yet made on the problems of urban living and the problems of the ghetto. He spoke on the expansion needed in the economy of the ghetto, and on the need for relating the urban area to the rural area. So I am happy that we are joined together in introducing this bill. I hope the bill will be successful, and will be passed by the Senate and the House of Representatives in due course.

As both of us have pointed out, it will not cost the Treasury of the United States money. It will bring back a return, if it is a successful and effective bill, and I believe it is a great opportunity to make a major breakthrough in the ghetto, such as has not taken place despite all the programs we have tried to carry on over the past 30 years. It is desperately needed. It has an effect, not just on those who live in the ghetto, but also on those who live in other areas because, as we all recognize, the urban slum is a cancer affecting all of urban America.

So again I congratulate the Senator from Kansas for trying to take what both of us believe is a major step toward the ultimate solution of this problem.

Mr. PEARSON. I thank the Senator from New York. I thought it might be a good time now to ask the Senator whether, in relation to certain parts of the bill—and I have reference to the investment tax credit of 7 percent, or 10 percent—it is the view of the Senator from New York, who did massive research on this subject, that no one is wedded to those particular figures, but after hearings they can be adjusted to achieve the end that is sought.

Mr. KENNEDY of New York. That is correct.

Mr. PEARSON. Also, in relation to the great number of workers, those are figures upon which we have come to an agreement to furnish a reasonable bill; and all of these things are subject to modification through wisdom gained from experience and further hearings.

Mr. KENNEDY of New York. Yes, absolutely.

Mr. President, I ask unanimous consent that the bill and a summary of the bill be printed in the RECORD, and that the bill be referred to the appropriate committee.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, in accordance with the request of the Senator from New York, the bill and the summary will be printed in the RECORD.

The bill (S. 2088) to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas, introduced by Mr. KENNEDY of New York and Mr. PEARSON (for themselves and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2088

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Urban Employment Opportunities Development Act of 1967".

PURPOSE AND POLICY

SEC. 2. It is the purpose of this Act to reduce poverty in the nation's cities, and the social, physical, and psychological ills associated therewith, by creating incentives for private industry to provide additional employment opportunities to the residents of urban poverty areas, but nothing in this Act shall be construed to authorize the granting of any incentives to any industrial or commercial enterprise relocating from one area to another. Such incentives may, however, be granted to an industrial or commercial enterprise for expansion through the establishment of a new industrial or commercial facility of such enterprise in an urban poverty area, if (1) the establishment of such industrial or commercial facility will not result in an increase in unemployment in the area of original location (or in any other area where such enterprise conducts business operations), or (2) such industrial or commercial facility is not being established with any intention of closing down the operations of such enterprise in the area of its original location or in any other area where it conducts such operations.

DEFINITIONS

SEC. 3. As used in this Act—

(1) The term "Secretary" (for purposes of title I) means the Secretary of Housing and Urban Development.

(2) The term "urban poverty area" means an area, within a standard metropolitan statistical area containing a population of at least 250,000 persons, which the Bureau of the Census has determined, at the request of, and under procedures approved by, the Office of Economic Opportunity, to be a poverty area, subject to such modifications, additions, or exceptions as the Secretary may determine to be appropriate for the purposes of this Act. The term "urban poverty area" also means an area, within any place designated as urban by the Bureau of the Census, which meets the definition of a poverty area already utilized for standard metropolitan statistical areas of 250,000 persons or more and which the Secretary, after consultation with the Secretary of Labor and the Secretary of Commerce determines should be subject to the provisions of this Act and any Indian reservation which the Secretary of the Interior determines should be subject to the provisions of this Act.

(3) The term "person" means an individual, a trust, estate, partnership, association, company or corporation.

(4) The term "industrial or commercial enterprise" means any of the following types of business engaged in, by any person, through an industrial or commercial facility—

(A) the manufacture, production, processing, or assembling of personal property—

(i) for sale to customers in the ordinary course of business excluding any part of the activities of such business consisting of retail sales and leases; or

(ii) for use in such person's business,

(B) the distribution of personal property as principal or agent, including, but not limited to, the sale, leasing, storage, handling, and transportation thereof but excluding any part of the activities of such business consisting of retail sales and leases, or

(C) the construction of any building in an urban poverty area as contractor for, or for sale to, any customer, but only in the case of a person engaged in the business of constructing such buildings as a contractor for, or for sale to, customers.

The term "industrial or commercial enterprise" shall not include the activities of selling, leasing, or renting out of real property including the selling or leasing or renting out of a factory, workshop, office, warehouse, sales outlet, apartment house, hotel, motel, or other residence, or the lending of money or extending of credit.

(5) The term "industrial or commercial facility" means a fixed place of business, in which an industrial or commercial enterprise is wholly or partly carried on, including but not limited to—

(A) a place of management or office,

(B) a factory, plant, or other workshop,

(C) a warehouse or sales outlet,

(D) a center for the transportation, shipping, or handling of property,

(E) a place of management for and any urban poverty area building or construction site.

The term "industrial or commercial facility" shall not include any store, or other premises, or portion of premises used as a retail facility.

(6) The term "qualified jobs" means new employment positions which did not exist prior to the time of requesting certification from the Secretary, either at the industrial or commercial facility or in any other part of an enterprise operated by the person receiving a certificate of eligibility. The term shall not be limited to the 50 jobs which constitute the minimum requirement under this Act but shall encompass all new or additional jobs at the certified industrial or commercial facility or in furnishing the services specified by this Act to such facility.

(7) The term "retail sale or lease" means a sale or lease made to a party whose payments therefore do not constitute the expenses or costs of a business.

(8) The term "retail facility" means a store, premises, or portion of premises in which a substantial percentage of the sales or leases are retail sales or leases.

(9) The term "city" means any municipality, county, parish, or other political subdivision of a State having general governmental powers.

(10) The term "low income person" means a person whose adjusted gross income (as defined in Section 62 of the Internal Revenue Code) in a particular period is less than the minimum amount reasonably necessary, in the area in which he resides, to adequately support himself or his family. The Secretary shall have the power, after consultation with the Secretary of the Department of Labor, to issue from time to time, bulletins specifying such minimum amounts for particular urban areas throughout the country.

TITLE I—ELIGIBILITY FOR ASSISTANCE

CERTIFICATION OF ELIGIBILITY

SEC. 101. (a) The Secretary after consultation with the Secretary of Labor and the Secretary of Commerce shall issue a certificate of eligibility for benefits under this Act to any person, who is engaged in, or desires to engage in, an industrial or commercial enterprise, through a specified industrial or commercial facility located, or to be located, in an urban poverty area, if—

(1) the governing body of the city in which such urban poverty area is primarily situated has given written notice to the Secretary that it wishes to participate in the program provided for in this Act to encourage the creation of new employment opportunities in such area;

(2) such governing body, or an agency or instrumentality of such city designated by such body, after public hearings at which residents of the urban poverty area in which the facility is to be located have had the opportunity to testify, has approved such enterprise as a participant in such program, and so certifies to the Secretary;

(3) the person to whom the certificate for such enterprise is to be issued agrees, in such form and manner as the Secretary may prescribe—

(A) in the case of an enterprise not then having an industrial or commercial facility located in an urban poverty area, to establish, within such period of time as the approving agency under paragraph (2) may require, such industrial or commercial facility (conforming to standards prescribed by the Secretary under subsection (d) of this section) at a site specified or agreed to, by such agency within such an area, or in the case of an enterprise having an industrial or commercial facility located in an urban poverty area, to conform it to standards prescribed by the Secretary under subsection (d) of this section;

(B) to provide, in connection with its operations at such industrial or commercial facility located, or to be located, in an urban poverty area, qualified jobs for at least 50 full-time employees, or in any case where such industrial or commercial facility is to operate in an urban poverty area in an urban area of under 50,000 persons or on an Indian reservation, qualified jobs for at least 25 full-time employees, of which not fewer than two-thirds of all persons holding any such qualified jobs are persons who were prior to such employment low-income individuals who (i) have resided in such area for six months or more, or (ii) were unemployed;

(C) to pay wages to persons employed in connection with the operations at any such facility at rates not less than the minimum wages determined by the Secretary of Labor under section I(b) of the Act of June 30, 1936 (popularly known as the Walsh-Healey Act), as amended (41 U.S.C. 35(b)), to be the prevailing minimum wages for persons employed in similar work in the city or locality in which any such facility is located; and

(D) to maintain records listing the names and residences of all full-time employees at the industrial or commercial facility for which the certificate is being issued, the date on which they were hired, their employment and economic situation at the time of hiring, and any other information required by the Secretary, and in the case of an industrial or commercial facility, which is to be part of an industrial or commercial enterprise also conducted by such person at other locations, or which is to be conducted by a person also engaged in other enterprises, to maintain records showing the portion of such person's taxable income or net operating losses allocable to the industrial or commercial facility for which the certificate is being issued, as if it were conducted by a separate entity, pursuant to regulations promulgated by the Secretary of the Treasury or his delegate under section 482 of the Internal Revenue Code, modified as may be necessary to fulfill the purposes of this Act.

(4) the Secretary determines that the local agency which gave approval under paragraph (2), or such other agency or instrumentality as the governing body of the city may designate, will carry out an adequate relocation program, in accordance with section 103, for any persons, business concerns, and nonprofit organizations displaced as the result of the location of an industrial or commercial facility in an urban poverty area by a person receiving a certificate of eligibility pursuant to this section;

(5) the Secretary determines that the expected benefits to employment and to other aspects of the economic and social welfare of such urban poverty area warrant the granting of the income tax incentives under Title III of this Act as to the capital investment in such industrial or commercial facility; and

(6) the Secretary determines that the issuance of such certificate is in accordance with the policy set forth in section 2 respecting the relocation of industry.

(b) The Secretary shall issue a separate certificate of eligibility with regard to each industrial or commercial facility which meets the requirements of subsection (a) regardless of whether such facility is operated by any person as part of a single industrial or commercial enterprise.

(c) The Secretary shall issue a certificate of eligibility for benefits under this Act to any person who is a successor in interest to any person operating an industrial or commercial enterprise which has established an industrial or commercial facility in an urban poverty area and with respect to which facility a certificate of eligibility was issued under subsection (a), if—

(1) such person has been approved by the appropriate agency under paragraph (2) of subsection (a), and has been so certified by such agency to the Secretary;

(2) such person agrees to continue to use the facility as an industrial or commercial facility, and to conform to the requirements of subparagraphs (B) and (C) of subsection (a)(3); and

(3) the issuance of such certificate is in accordance, as determined by the Secretary, with the policy set forth in section 2 respecting the relocation of industry.

(d) The Secretary shall terminate a certificate of eligibility issued to any person under this section to operate an industrial or commercial facility whenever he determines, after an appropriate hearing, that the person to whom such certificate was issued has failed, after due notice and a reasonable opportunity to correct the failure at such facility has been given, to carry out its agreement under subsection (a) (3) or (b) (2). In making a determination under this subsection, the Secretary shall be guided by, but not be limited to, the following criteria:

(1) a reduction in the number of qualified jobs provided by any such enterprise below the minimums specified in subsection (a) (3) (B) shall not be grounds for termination of a certificate of eligibility issued to such enterprise, if the Secretary determines that (i) such reduction results from business or economic factors beyond the control of such enterprise, and (ii) not less than two-thirds of all the persons employed full-time in such jobs by such enterprise to meet the requirements of subsection (a) (3) (B) of this section continue to meet those requirements.

(2) a change in the residence of any person employed by such enterprise, after his employment has commenced, shall not affect his status for purposes of applying subsection (a) (3) (B) of this section.

(e) Any industrial or commercial facility for which a certificate of eligibility is issued under this section shall conform to such standards of design and construction as the Secretary shall by regulation require. Such regulations shall give due effect to any action taken by the locality in which such facility is, or will be located, to ensure that it is so designed and constructed as to provide a decent, safe, and sanitary place of employment in an aesthetically pleasing structure.

(f) The Secretary shall keep interested and participating Federal, State, and local agencies fully apprised of any action taken by him under this section.

(g) No certificate of eligibility shall be issued under this section to any person, unless application therefor is received by the Secretary prior to the expiration of ten years after the date of enactment of this Act.

REPORTS

SEC. 102. (a) The Secretary may by regulation require any person to whom a certificate of eligibility is issued under section 101 to file such reports from time to time as he may deem necessary in order to carry out his functions under this chapter.

(b) Whoever, in any report required to be filed under this section knowingly makes a false statement of a material fact, shall be fined not more than $——— or imprisoned for not more than —— years, or both.

RELOCATION ASSISTANCE

SEC. 103. (a) In determining whether, for the purposes of section 101(a)(4), an adequate relocation program exists in any city to assist in the relocation of persons, business concerns, and nonprofit organizations displaced as the result of the location of an industrial or service facility in an urban poverty area by a business enterprise receiving a certificate of eligibility under this title, the Secretary shall be guided by the following criteria:

(1) Any persons so displaced shall be assured under the program of obtaining decent, safe, and sanitary housing at rentals which they can afford at locations which are reasonably accessible to their places of employment.

(2) (A) There will be paid to any person or family so displaced—

(i) a moving expense allowance, determined according to a schedule approved by the Secretary, not to exceed $200;

(ii) a dislocation allowance equal to the amount under (i) or $100, whichever is the lesser;

(iii) an additional payment of $300, if such person or family purchases a dwelling for the purpose of residence within one year from the date of actual displacement, and the dwelling so purchased is situated upon real estate in which such person or family acquires a fee title or a life estate, or which is held under a ninety-nine year lease or other type of long-term lease equivalent to fee ownership.

(B) In addition to the amounts payable under subparagraph (A), there will be paid to any family, any individual (not a member of a family) who is sixty-two years of age or over, or any individual (not a member of a family) who is handicapped within the meaning of section 202 of the Housing Act of 1959, monthly payments over a period not to exceed twenty-four months in an amount not to exceed $500 in the first twelve months and $500 in the second twelve months to assist such family or individual to secure a decent, safe, and sanitary dwelling. Subject to the limitation imposed by the preceding sentence, the additional payments shall be an amount which, when added to 20 per centum of the annual income of such family or individual at the time of displacement, equals the average annual rental required for such a decent, safe, and sanitary dwelling of modest standards adequate in size to accommodate such family or individual in areas not generally less desirable in regard to public utilities and public and commercial facilities: *Provided*, That such payments shall be made only to a family or individual who is unable to secure a dwelling unit in a low-rent housing project assisted under the United States Housing Act of 1937, or under a State or local program having the same general purposes as the Federal program under such Act, or a dwelling unit assisted under section 101 of the Housing and Urban Development Act of 1965.

(3) There will be paid to any business concern or nonprofit organization so displaced—

(A) its reasonable and necessary moving expenses and any actual direct losses of property (except goodwill or profit) for which reimbursement or compensation is not otherwise made; and

(B) an additional $2500 in the case of a private business concern with average annual net earnings of less than $10,000 per year, if such concern is not part of a larger enterprise having establishments other than the one with respect to which the displacement occurred.

(b) The Secretary is authorized to enter into contracts to make, and to make, grants to any city carrying out an approved relocation program under this section, or to any agency or instrumentality of such city designated by the governing body thereof, to defray that part of the cost of carrying out such program which is required under paragraphs (2) and (3) of subsection (a).

(c) There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this section. Any sums so appropriated shall remain available until expended.

BUREAU OF CENSUS DESIGNATION

Sec. 104. The Bureau of the Census shall prepare maps of poverty areas within any urban area or any category of urban area specified by the Secretary.

TITLE II—TAX INCENTIVES

INCOME TAX CREDIT FOR INVESTMENT IN DEPRECIABLE PROPERTY IN URBAN POVERTY AREAS

Sec. 201. (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 40 as 41, and by inserting after section 39 the following new section:

"Sec. 40. Investment in Certain Depreciable Property in Urban Poverty Areas.

"(a) General Rule.—There shall be allowed, as a credit against the tax imposed by this chapter, the amount determined under subpart C of this part.

"(b) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section and subpart C."

(b) Part IV of subchapter A of chapter 1 of such Code (relating to credits against tax) is amended by adding at the end thereof the following new subpart:

"Subpart C—Rules for Computing Credit for Investment in Certain Depreciable Property in Urban Poverty Areas

"Sec. 51. Amount of Credit.
"Sec. 52. Certain Dispositions, etc. of section 40 property.
"Sec. 53. Definitions; special rules.

"Sec. 51. Amount of Credit.

"(a) Determination of Amount.—

"(1) General rule.—The amount of the credit allowed by section 40 for the taxable year shall be equal to—

"(A) 7 percent of the qualified expenditures (as defined in section 53(b)) made during the taxable year in regard to section 40 real property (as defined in section 53 (a)(3)), and

"(B) 10 percent of the qualified expenditures (as defined in section 53(b)) made during the taxable year in regard to section 40 personal property (as defined in section 53(a)(4)).

"(2) Limitation.—Notwithstanding paragraph (1), the credit allowed by section 40 for the taxable year shall not exceed the taxpayer's liability for tax for such year.

"(3) Liability for tax.—For purposes of this section, the liability for tax for the taxable year shall be the tax imposed by this chapter for such year, reduced by the sum of the credits allowable under—

"(A) section 33 (relating to foreign tax credit),

"(B) section 35 (relating to partially tax-exempt interest),

"(C) section 37 (relating to retirement income), and

"(D) section 38 (relating to investment in certain depreciable property).

For purposes of this paragraph, any tax imposed for the taxable year by section 531 (relating to accumulated earnings tax), section 541 (relating to personal holding company tax), or section 1378 (relating to tax on certain capital gains of subchapter S corporations), and any additional tax imposed for the taxable year by section 1351 (d)(1) (relating to recoveries of foreign expropriation losses), shall not be considered tax imposed by this chapter for such year.

"(b) Carryback and Carryover of Unused Credits.—

"(1) Allowance of Credit.—If the amount of the credit determined under subsection (a)(1) for any taxable year exceeds the taxpayer's liability for tax for such taxable year (hereafter in this subsection referred to as the 'unused credit year'), such excess shall be—

"(A) a section 40 credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(B) a section 40 credit carryover to each of the 10 taxable years following the unused year,

and shall be added to the amount allowable as a credit by section 40 for such years, except that such excess may be a carryback only to a taxable year ending after the date of the enactment of the Urban Employment Opportunities Development Act of 1967. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 13 taxable years to which (by reason of subparagraphs (A) and (B)) such credit may be carried and then to each of the other 12 taxable years to the extent that, because of the limitation contained in paragraph (2), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(2) Limitation.—The amount of the unused credit which may be added under paragraph (1) for any preceding or succeeding taxable year shall not exceed the amount by which the taxpayer's liability for tax for such taxable year exceeds the sum of—

"(A) the credit allowable under subsection (a)(1) for such taxable year, and

"(B) the amounts which, by reason of this subsection, are added to the amount allowable for such taxable year and attributable to taxable years preceding the unused credit year.

"Sec. 52. Certain Dispositions, Etc. of Section 40 Property.

"(a) General Rule.—Under regulations prescribed by the Secretary or his delegate—

"(1) Early dispositions.—If section 40 property (as defined in section 53(a)(2)) is disposed of, or otherwise ceases to qualify as section 40 property with respect to the taxpayer, the tax under this chapter for the taxable year in which the disposition occurs shall be increased by an amount equal to the credits allowed under section 40 for prior taxable years for qualified expenditures (as defined in section 53(b)) which were made—

"(A) in the case of section 40 real property (as defined in section 53(a)(3)) within 10 years before the date of the disposition, or

"(B) in the case of section 40 personal property (as defined in section 53(a)(4)) within four years before the date of the disposition.

This paragraph shall not apply to any qualified expenditures with respect to which there has been an increase of tax under paragraph (2).

"(2) Termination of certificate.—If the section 40 certificate (as defined in section 53(a)(1)) is terminated under section 101 (c) of the Urban Employment Opportunities Development Act of 1967, with respect to a section 40 facility (as defined in section 53(a)(5)) of the taxpayer;

"(A) the taxpayer's tax under this chapter for the taxable year in which the termination occurs shall be increased by an amount equal to the credits allowed under section 40 for prior taxable years for qualified expenditures which were made in accordance with section 53(b)(3) within three years before the date of the termination with respect to all section 40 property used at, or in connection with, such facility, and

"(B) the taxpayer's gross income for the taxable year in which the termination occurs shall be increased by an amount equal to the deductions allowed to the taxpayer under section 183 in such taxable year and the two preceding taxable years with respect to employees employed at, or in connection with, such facility.

"(3) Carrybacks and carryovers adjusted.—In the case of any disposition described in paragraph (1) or any termination described in paragraph (2), the carrybacks and carryovers under section 51(b) shall be adjusted.

"(b) Section Not To Apply in Certain Cases.—Subsection (a) shall not apply to—

"(1) a disposition by reason of death,

"(2) a disposition to which section 381(a) applies,

"(3) a disposition necessitated by the cessation of the operation of a section 40 facility where the Secretary of Housing and Urban Development certifies that such cessation results from economic factors beyond the control of the section 40 business (as defined in section 53(a)(6)), or

"(4) a disposition on account of the destruction or damage of section 40 property by fire, storm, shipwreck, or other casualty, or by reason of its theft.

For purposes of subsection (a), property shall not be treated as ceasing to be section 40 property with respect to the taxpayer by reason of a mere change in the form of conducting the section 40 business so long as the property is retained in such business as section 40 property and the taxpayer retains a substantial interest in such business.

"Sec. 53. Definitions; Special Rules.

"(a) Section 40 Certificate, Etc.—For purposes of this chapter—

"(1) Section 40 certificate.—The term 'section 40 certificate' means a certificate of eligibility issued by the Secretary of Housing and Urban Development under section 101(a) or section 101(b) of the Urban Employment Opportunities Development Act of 1967.

"(2) Section 40 property.—The term 'section 40 property' means property which, in regard to a taxpayer conducting a section 40 business—

"(A) is of a character which is subject to the allowance for depreciation provided in section 167 and which is not property of a kind which would properly be includible in the inventory of the taxpayer if on hand at the close of the taxable year or which is not property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business,

"(B) will be used by such taxpayer (i) as a section 40 facility, (ii) as an integral part of, or in the operation of, any such facility, (iii) in furnishing transportation, communications, electrical energy, gas, water, or sewerage disposal primarily to any such facility, and

"(C) has at the time it is first used by such taxpayer after such taxpayer has been issued a section 40 certificate in regard to the section 40 facility at, or in connection with which, such property is used, a useful life of at least (i) 4 years in the case of section 40 personal property, (ii) 10 years in the case of section 40 real property.

Property shall not be treated as section 40 property if, after its acquisition by the taxpayer, it is used by a person who used such property before such acquisition (or by a person who bears a relationship described in section 179(d)(2) (A) or (B) to a person who used such property before such acquisition).

"(3) Section 40 real property.—The term 'section 40 real property' means section 40 property which is section 1250 property (within the meaning of section 1250(c)).

"(4) Section 40 personal property.—The term 'section 40 personal property' means section 40 property which is section 1245 property (within the meaning of section 1245(b)).

"(5) Section 40 facility.—The term 'section 40 facility' means an industrial or commercial facility (as defined in section 3(5) of the Urban Employment Opportunities Development Act of 1967) which is specified by the Secretary of Housing and Urban Development in a section 40 certificate.

"(6) Section 40 business.—The term 'section 40 business' means an industrial or commercial enterprise (as defined in section 3(4) of the Urban Employment Opportunities Development Act of 1967) with respect to which a section 40 certificate has been issued which has not been terminated under section 101(c) of such Act.

"(b) Qualified Expenditures.—

"(1) In general.—The term 'qualified expenditures' means, with respect to each taxable year, expenditures by the taxpayer—

"(A) properly chargeable to capital account,

"(B) paid or accrued for—

(i) the manufacture, production, construction, or erection of section 40 property,

(ii) the acquisition of section 40 property by a purchase (as defined in section 179(d)(2) and subsection (d) of this section), or

(iii) the reconstruction, permanent improvement, or betterment of section 40 property, and

"(C) made during the 10-year period beginning with the date on which a section 40 certificate is first issued to any person with respect to the section 40 facility as, or in connection with which, such property is used.

"(2) Limitation.—Expenditures in regard to section 40 real property shall be treated as qualified expenditures only if the construction, erection, acquisition, reconstruction, permanent improvement, or betterment for which such expenditures are made, conforms to the standards prescribed under section 101(d) of the Urban Employment Opportunities Development Act of 1967.

"(3) Year of qualified expenditures.—All qualified expenditures shall be deemed made in the taxable year in which—

"(A) in the case of qualified expenditures for the manufacture, production, construction, erection, or acquisition by purchase of section 40 property, the year in which the section 40 property is placed in service, and

"(B) in the case of qualified expenditures for the reconstruction, permanent improvement, or betterment of section 40 property, the year in which the section 40 property as reconstructed, improved or bettered as a result of the qualified expenditure is placed in service.

For purposes of this paragraph, any manufactured, produced, constructed, erected, or acquired section 40 property, or any reconstructed, improved, or bettered section 40 property, shall be deemed placed in service in the taxable year in which such manufactured, produced, constructed, erected, or acquired section 40 property, or such section 40 property as reconstructed, improved, or bettered, first becomes subject to depreciation by a taxpayer computing depreciation on a daily basis.

"(4) Replacement property.—If section 40 property is manufactured, produced, constructed, erected, reconstructed, or acquired to replace property which was destroyed or damaged by fire, storm, shipwreck, or other casualty, or was stolen, the qualified expenditures with respect to such section 40 property which would (but for this paragraph) be taken into account for purposes of section 51(a) shall be reduced by an amount equal to the amount received by the taxpayer as compensation, by insurance or otherwise, for the property so destroyed, damaged, or stolen, or to the adjusted basis of such property, whichever is the lesser.

"(c) Certain Leased Property.—A person (other than a person referred to in subsection (g)) who is a lessor of property, which in the hands of the lessee constitutes section 40 property, may (at such time, in such manner, and subject to such conditions as are provided by regulations prescribed by the Secretary or his delegate) elect with respect to any section 40 property, as to which no prior credit under section 40 has previously been taken, to treat the lessee as having purchased such property for an amount equal to—

"(1) except as provided in paragraph (2), the fair market value of such property, or

"(2) if such property is leased by a corporation which is a member of an affiliated group (within the meaning of section 46(a)(5)) to another corporation which is a member of the same affiliated group, the basis of such property to the lessor.

If a lessor makes the election provided by this subsection with respect to any property, the lessee shall be treated for all purposes of this subpart as having acquired such property. For purposes of subsection (a)(1)(C), the useful life of the property to the lessee shall be deemed to be the useful life over which the lessee is permitted to depreciate or amortize the property.

"(d) Subchapter S Corporation—In the case of an electing small business corporation (as defined in section 1371)—

"(1) the qualified expenditures for each taxable year shall be apportioned pro rata among the persons who are shareholders of such corporation on the last day of such taxable year, and

"(2) any person to whom any expenditures have been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expenditures, and such expenditures shall not (by reason of such apportionment) lose their character as qualified expenditures.

"(e) Estates and Trusts.—In the case of an estate or trust—

"(1) the qualified expenditures for any taxable year shall be apportioned between the estate or trust and the beneficiaries on the basis of the income of the estate or trust allocable to each, and

"(2) any beneficiary to whom any expenditures have been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expenditures, and such expenditures shall not (by reason of such apportionment) lose their character as qualified expenditures.

"(f) Cross Reference.—For application of this subpart to certain acquiring corporations see section 381(c)(24)."

(c) Section 48(a) of such Code (relating to definition of section 38 property) is amended by adding at the end thereof the following new paragraph:

"(7) Section 40 property.—Any property which is section 40 property (as defined in section 53(a)(2)) shall not be treated as section 38 property to the extent that expenditures for the manufacture, production, construction, erection, reconstruction, permanent improvement, betterment, or acquisition of such property constitute qualified expenditures (as defined in section 53(b))."

(d) Section 381(c) of such Code (relating to carryovers in certain corporate acquisitions) is amended by adding at the end thereof the following new paragraph:

"(24) Credit under section 40 for investment in certain depreciable property in urban poverty areas.—The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 40, and under such regulations as may be prescribed by the Secretary or his delegate) the items required to be taken into account for purposes of section 40 in respect to the distributor or transferor corporation."

(e)(1) The table of subparts for part IV of subchapter A of chapter 1 of such Code is amended by adding at the end thereof the following new item:

"Subpart C. Rules for computing credit for investment in certain depreciable property in urban poverty areas."

(2) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 40. Investment in certain depreciable property in urban poverty areas.

"Sec. 41. Overpayments of tax."

DEPRECIATION DEDUCTION

Sec. 202. Section 167 of the Internal Revenue Code of 1954 (relating to depreciation) is amended by redesignating subsection (j) as (k) and by inserting after subsection (i) the following new subsection:

"(j) Section 40 Property.—

"(1) Useful life.—At the election of the taxpayer—

"(A) the useful life of any property which is section 40 property (as defined in section 53(a)(2)) shall, for purposes of this section, be 66⅔ percent of the useful life of such property determined without regard to this paragraph; and

"(B) the guideline class lives prescribed by the Secretary or his delegate which are applicable to any property which is section 40 property shall, for purposes of this section be 66⅔ percent of the guideline class lives applicable to such property determined without regard to this paragraph. An election under this paragraph shall be made at such time and in such manner as the Secretary or his delegate prescribes by regulations.

"(2) Nearest full year.—If the useful life or guideline class life of any property as determined under subsection (i) includes a fraction of a year, such useful life shall be deemed the nearest full year.

"(3) Reserve ratio tests.—In justifying class lives used for purposes of the deduction allowed by this section under the reserve ratio tests prescribed by the Secretary or his delegate, a taxpayer who makes an election under paragraph (1)(B) shall, for all purposes, be deemed to have utilized class lives equal to 150 percent of those applicable determined without regard to this subsection.

"(4) Salvage value.—In determining the salvage value of section 40 property, subject to an election under paragraph (1)(A) and (B), the useful life of the property shall be deemed that life which would be applicable without regard to paragraph (1)(A) and (B).

"(5) Exception.—No election may be made under paragraph (1) with respect to any section 40 property which is placed in service after the expiration of the 10-year period beginning on the date on which a section 40 certificate (as defined in section 53(a)(1)) is first issued to any person for the section 40 facility (as defined in section 53(a)(5)) at, or in connection with which, such section 40 property is used."

NET OPERATING LOSS CARRYOVERS

Sec. 203. Section 172 of the Internal Revenue Code of 1954 (relating to net operating loss deduction) is amended—

(1) by striking out "(C) and (D)" in subsection (b)(1) and inserting in lieu thereof "(C), (D), and (E)";

(2) by adding at the end of subsection (b)(1) the following new subparagraph:

"(E) The portion of a net operating loss for any taxable year to which (under subsection (l)) this subparagraph applies which is allocable to the operation of a section 40 business (as defined in section 53(a)(6)) through a section 40 facility (as defined in section 53(a)(5)) shall be a net operating loss carryover to each of the 10 taxable years following the taxable year of such loss. The determination as to the portion of a taxpayer's net operating loss allocable to the operation of an industrial or commercial facility by a section 40 business shall be made in accordance with regulations promulgated by the Secretary or his delegate under section 101(a)(3)(D) of the Urban Employment Opportunities Development Act of 1967."

(3) by redesignating subsection (l) as (m), and by inserting after subsection (k) the following new subsection:

"(l) CARRYOVER OF NET OPERATING LOSSES OF CERTIFIED BUSINESSES.—Subsection (b)(1)(E) shall apply, with respect to the operation of such section 40 facility, only to a net operating loss for (A) the taxable year in which the operation of such facility is begun by any section 40 business under a section 40 certificate (as defined in section 53 (a)(1)), or (B) any of the 9 succeeding taxable years.

SPECIAL DEDUCTION FOR SALARIES AND COMPENSATION PAID

SEC. 204. (a) Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to itemized deductions for individuals and corporations) is amended by adding at the end the following new section:

"Sec. 183. Special Deduction for Certain Businesses Operating in Urban poverty areas.

"(a) GENERAL RULE.—In the case of any person engaged in a section 40 business (as defined in section 53(a)(6)), there shall be allowed as a deduction for the taxable year (in addition to any deduction under section 162) an amount equal to 25 percent of the compensation paid or incurred in money during the taxable year to employees who—

"(1) are in qualified jobs (as defined in section 3(6) of the Urban Employment Opportunities Development Act of 1967), and

"(2) at the time they became so employed were low-income individuals who (A) had resided for 6 months or more in the urban poverty area in which such facility is located, or (B) were unemployed, and

"(3) during the period for which the compensation is paid or incurred, perform substantially all of their duties as employees:

"(A) at a section 40 facility (as defined in section 53(a)(5)) through which such section 40 business is conducted, or

"(B) by furnishing transportation, communications, electrical energy, gas, water, or sewerage disposal primarily to such facility.

"(b) LIMITATIONS.—Subsection (a) shall apply, with respect to employees at any section 40 facility, only to compensation paid or incurred in money during a 10-year period beginning with the date on which a section 40 certificate (as defined in section 53(a)(1)) is first granted to any person with respect to such section 40 facility.

(b) The table of sections for part VI of subchapter B of chapter 1 of such Code is amended by adding at the end thereof the following new item:

"Sec. 183. Special deduction for certain businesses operating in urban poverty areas."

EFFECTIVE DATE

SEC. 205. The amendments made by this title shall apply to taxable years ending after the date of the enactment of this Act.

TITLE III—TRAINING ASSISTANCE FOR INDUSTRIES LOCATING IN URBAN POVERTY AREAS

SEC. 301. Title II of the Manpower Development and Training Act of 1962 is amended by adding at the end thereof the following new part:

"PART D—TRAINING ASSISTANCE FOR INDUSTRIES LOCATING IN URBAN POVERTY AREAS

"General responsibility

"SEC. 251. The Secretaries of Labor and of Health, Education, and Welfare are authorized to provide, in accordance with their respective responsibilities under parts A and B of this title, a supplementary program of training and training allowances, in consultation with the Secretary of Housing and Urban Development, for low-income individuals who reside in an urban poverty area or who are unemployed and who are to be employed by a person operating an industrial or commercial enterprise certified under section 101 of the Urban Employment Opportunities Development Act of 1967. Such program shall be carried out by the Secretaries of Labor and of Health, Education, and Welfare in accordance with the provisions otherwise applicable to programs under this Act and with their respective functions under those provisions, except that—

"(1) the Secretary of Labor, in consultation with the Secretary of Housing and Urban Development, shall determine the occupational training or retraining needs of such individuals to be employed by any such enterprise;

"(2) all individuals to be employed in an urban poverty area by any such enterprise may be selected for training and shall be eligible for training allowances under this part: *Provided*, That the amount and duration of training allowances under this section shall in no event exceed the amount and duration of training allowances provided under section 203(a) of this Act;

"(3) the Secretary of Health, Education, and Welfare may, in appropriate cases, after consultation with the Secretary of Labor, arrange for training to be conducted by any such enterprise for individuals to be employed by it in any such area;

"(4) the Secretaries of Labor and of Health, Education, and Welfare shall, each with respect to his functions under this section, prescribe jointly with the Secretary of Housing and Urban Development such rules and regulations as may be necessary to carry out the purposes of this part; and

"(5) no funds available under this part shall be apportioned to any State pursuant to section 301 of this Act, nor shall any matching funds be required."

"Priority

"SEC. 252. The Secretary of Labor shall, to the extent practicable, give priority to the referral of individuals for training authorized by this part."

APPROPRIATIONS AUTHORIZED

SEC. 302. Section 304 of the Manpower Development and Training Act of 1962 is amended by striking out "(d)" and inserting in lieu thereof "(e)" and by inserting immediately after subsection (c) thereof the following new subsection:

"(d) For the purpose of carrying out part D of title II there are hereby authorized to be appropriated not in excess of $20,000,000 for the fiscal year ending June 30, 1968, and for each fiscal year thereafter such amounts as may be necessary."

EFFECTIVE DATE

SEC. 303. The amendments made by this title shall take effect on July 1, 1967.

SECTION-BY-SECTION SUMMARY OF URBAN EMPLOYMENT OPPORTUNITIES DEVELOPMENT ACT OF 1967

Section 1—Short Title

This Act shall be cited as the "Urban Employment Opportunities Development Act of 1967".

Section 2—Purpose

The purpose of this Act is to provide tax and other incentives for private industry to create new employment opportunities for residents of urban poverty areas. Incentives shall be granted to persons conducting or proposing to conduct an industrial or commercial enterprise through a new, or expanded, facility in an urban poverty area. But such incentives shall not be granted where, (1) the establishment of such a facility in the poverty area will cause increased unemployment in some other area where the business conducts operations, or (2) the facility is being established to replace a facility of the industrial or commercial enterprise located in some other area.

Title I of the Act defines the type of businesses which qualify for tax and other incentives and establishes certification procedures. Title II amends the Internal Revenue Code to provide the relevant tax incentives. Title III amends the Manpower and Development Training Act of 1962 to ensure adequate training for those low-income persons who will be hired by certified businesses.

Section 3—Definitions

This section defines the various terms used primarily in Titles I and III of the Act. An "urban poverty area" is defined as an area, within a standard metropolitan statistical area of at least 250,000 persons (for a further explanation of this definition, see Appendix I) which the Census Bureau has determined to be a poverty area at the request of the Office of Economic Opportunity, subject to additions and deletions regarded as appropriate by the Secretary of Housing and Urban Development after consultation with the Secretary of Labor and the Secretary of Commerce.

It also includes areas of comparable poverty to be designated by the Bureau of the Census in any other urban place—as defined by the Bureau of the Census—at the direction of the Secretary of Housing and Urban Development. Finally, it includes specific Indian reservations designated by the Secretary of the Interior.

The definition of "industrial or commercial enterprise" includes (a) a business which manufactures, produces, processes, or assembles personal property, or (b) a business which sells or leases or stores, handles or transports personal property for other businesses or (c) a business which constructs buildings for sale, or as a contractor, in an urban poverty area. The definition excludes retail businesses and businesses which engage in the sale, leasing, or renting out of real property, the lending of money, or the extending of credit.

The definition of "industrial or commercial facility" means a fixed place of business—such as a factory, a warehouse, an office, or a place of management and any number of urban poverty area construction sites—in which an industrial or commercial enterprise is carried on. It does not include a "retail facility" which in turn is defined as a store or premises or portion of premises where a substantial percentage of the goods are sold to the general public and not to other businesses for use in their operations.

The term "qualified jobs" is defined as the employment positions which did not exist prior to the time that the enterprise requested certification from the Secretary of Housing and Urban Development and which were then created either at the certified facility or for furnishing certain services primarily to such facility.

The term "low-income person" is defined as an individual earning less than the amount needed to support himself and his family adequately. The Secretary of Housing and Urban Development, shall, after consultation with the Secretary of the Department of Labor, designate the qualifying earnings levels for various urban areas.

TITLE I—ELIGIBILITY FOR ASSISTANCE

Section 101—Certification of eligibility

The Secretary of Housing and Urban Development after consultation with the Secretary of Labor and the Secretary of Commerce shall issue a certificate of eligibility for benefits under this Act to any person engaged in, or who proposes to engage in, an industrial or commercial enterprise in an urban poverty area when six conditions have been met.

First, the city in which such urban poverty area is located must give written notice to the Secretary that it wishes to participate in the program provided for in this Act.

Second, the city must approve the industrial or commercial applicant as a participant in the program and certify this fact to the

Secretary. Such certification shall only be granted after public hearings at which residents of the urban poverty area have an opportunity to testify.

Third, the person engaged in the enterprise must agree, in a manner prescribed by the Secretary, (A) to locate a facility within the urban poverty area on a site, and within a period of time, specified by the city; (B) to provide at least fifty qualified jobs (reduced to twenty-five for cities of under 50,000 persons and Indian reservations) of which at least two-thirds are to go to low-income individuals who have resided in the poverty area for at least six months or to other unemployed low-income individuals. (Whether the enterprise creates 50 or 100 or 1,000 jobs, two-thirds of them must go to such qualified low-income individuals.); (C) to pay wages that meet the prevailing minimum rates for persons employed in similar work in the city or locality, as determined by the Secretary of Labor; and (D) to maintain records concerning all full-time employees regarding their residences and hiring dates, their employment and economic status at the time of hiring, and any other information required by the Secretary of Housing and Urban Development, and to keep records showing what income or losses can be allocated to this facility rather than to other facilities comprising the same business or run by the same person but not having a preferred status.

Fourth, the Secretary must determine that the city will carry out an adequate program for relocating individuals, families, businesses, and nonprofit organizations displaced by industrial or commercial facilities induced to come into the area under this Act.

Fifth, the Secretary must determine that the person obtaining the certificate is establishing a reasonable ratio of capital investment to jobs created.

Sixth, the Secretary must determine that the person obtaining the certificate is not violating the relocation policies set forth in Section 2 of this Act, and causing unemployment in another area to create jobs in an urban poverty area.

For any person who wishes to operate more than one industrial or commercial facility in one or more urban poverty areas, the Secretary is instructed to ensure that each such facility conforms to the requirements of this Act and to issue a separate certificate covering each of these facilities.

The Secretary shall issue a certificate of eligibility under this Act for a successor in interest to any person operating a certified industrial or commercial facility if three requirements are met: (1) the successor has been approved and certified by the appropriate city agency; (2) such person agrees to continue the industrial or commercial facility and to conform to the conditions set forth in the original certificate; and (3) the issuance of such certificate is in accordance with the industrial relocation policies set forth in Section 2 of this Act.

The Secretary shall terminate a certificate of eligibility whenever he determines, after a hearing, that an enterprise has failed, after due notice and a reasonable opportunity, to continue meeting the conditions set forth in the original certificate. In making such a determination, the Secretary shall be guided by the following considerations. A reduction in the number of new or additional employment opportunities below the minimum specified in the Act shall not serve as grounds for ending eligibility under this Act if the Secretary determines that business or economic factors beyond the enterprise's control necessitated such a reduction, and finds that not less than two-thirds of the full-time workers employed at qualified jobs continue to meet the low-income or low-income and residency requirements specified in this Act. At the same time, a change in residence of any employee meeting the requirements at the time of hiring, shall not serve as grounds for termination of the enterprise's certificate of eligibility.

This section also provides that any industrial or commercial buildings for which a certificate of eligibility is issued shall conform to such standards of design and construction as the Secretary may require to insure safe, sanitary, and aesthetically pleasing places of employment.

Finally, the section provides that a person shall not be issued a certificate of eligibility unless his application is received by the Secretary before ten years have passed from the date on which this Act goes into effect.

Section 102—Reports

The Secretary may require any recipients of certificates of eligibility to file such reports as he may deem necessary to carry out his functions under this Act. Whoever makes an intentionally false statement of a material fact in any such report shall be subject to criminal penalties.

Section 103—Relocation assistance

An adequate relocation program for those persons, businesses and nonprofit associations dislocated under this Act must meet the following criteria. First, the Secretary shall determine that any persons being displaced are assured of decent, safe, and sanitary housing at reasonable rentals and reasonably near their places of work. Second, such individuals or families shall receive up to $200 in moving expenses and up to $100 as a dislocation allowance. If the person or family buys a dwelling place, than an additional payment of $300 shall be made. Third, any low-income family or elderly or handicapped person shall receive monthly payments for up to 24 months, not to exceed $500 in each of the two years, to assist them in obtaining decent dwelling units. The payments shall equal the difference between 20 percent of income and the rental required for a decent housing unit in an area not less desirable than the one being vacated. Such payments shall not, however, be made to an individual or family which secures a dwelling unit in a specified low rent Federal, State, or local housing project. Fourth, a displaced business concern or nonprofit association shall secure its reasonable and necessary moving expenses and payments for direct property losses (not including good-will or profits) not otherwise compensated for through the purchases of the enterprise's facility. An additional $2,500 shall be paid to a private business having average annual net earnings of less than $10,000 a year, if such concern is not part of a larger business enterprise having other establishments than the one being displaced.

The Secretary of Housing and Urban Development is authorized to make all necessary grants to cities participating in this program to defray the costs of providing relocation payments to families, businesses, and nonprofit associations displaced because of the establishment of a certified industrial or commercial facility. The necessary funds to carry out this relocation program are authorized to be appropriated.

Section 104—Bureau of Census designation

The Bureau of the Census shall prepare additional maps—as directed by the Secretary of Housing and Urban Development—of poverty areas in urban places to supplement those maps already prepared for poverty areas in standard metropolitan statistical areas of over 250,000 in population.

TITLE II—TAX INCENTIVES

Section 201

Chapter I of the Internal Revenue Code is amended to include a new series of provisions providing for a tax credit for certain qualifying businesses.

a. Section 40—Investment in certain depreciable property in urban poverty areas

Any person engaged in an industrial or commercial enterprise, obtaining certification under this Act, who establishes or conforms a certified facility in an urban poverty area to standards set by the Secretary of Housing and Urban Development shall be entitled to certain specified tax credits. (In general, the tax credit provisions of this Act conform to those found in the existing Investment Tax Credit Act.)

b. Section 51—Amount of credit

The credit shall be 7% of the qualified expenditures for real property and 10% of the qualified expenditures for personal property. (In regard to personal property, this credit supersedes the existing provisions under the Investment Tax Credit Act.) The credits for any taxable year, shall not exceed the taxpayer's tax liability for that year.

If any permissible credits under this section are not used, they may be carried back for 3 taxable years and forward for 10 taxable years. The carryback or carry forward must be to the earliest possible year first. A carryback cannot, however, be made to a taxable year ending before the date on which this Act is enacted. (The reason for allowing a longer carryback and carryover period is to lend assistance to any businessman who encounters a few years of economic hardship because of urban poverty area problems.)

In each carryback or carryover year, all available credits cannot exceed the taxpayer's tax liability.

Section 52—Certain dispositions, etc., of section 40 property

A person who has received certification and has established an industrial or commercial facility in an urban poverty area cannot dispose of real property and personal property for which credits have been taken under this Act for 10 and 4 years respectively without a loss of benefits. If such an early disposition is made, all credits taken for this property during those stipulated years shall be recoverable by the Federal government.

If a person's certificate is terminated by the Secretary of Housing and Urban Development, then the credits that he has taken during the 3 prior taxable years shall be recoverable by the Federal government. In addition, the special deduction for wages under section 183, during the taxable year of termination and the two preceding taxable years, is recovered.

In the case of a termination or an impermissible disposition which leads to a recovery, all carrybacks and carryovers shall be accordingly adjusted.

Certain involuntary dispositions shall not be considered as violative of these provisions. Thus transfers because of death or because the business changes its form or dispositions because of an unforeseen casualty or because the facility must cease operations due to uncontrollable economic factors shall not necessitate a penalty.

Section 53—Definitions; special rules

This section defines various terms for purposes of the Internal Revenue Code.

"Section 40 certificate" is defined as a certificate of eligibility issued by the Secretary of Housing and Urban Development under this Act to a qualifying business.

"Section 40 property" is that type of property which qualifies under this Act for tax credits and rapid depreciation. It is defined as depreciable property which is not part of inventory or held for sale to customers in the ordinary course of trade or business and which, at the time it is first used by a taxpayer who has been issued a certificate of eligibility, has—in the case of personal property—a useful life of at least 4 years, and—in the case of real property—a useful life of at least 10 years. Moreover, the property must either be used as the facility, or as an integral part of it or in its operations, or in furnishing such services as transportation, communications, electrical energy, gas, water, or sewerage disposal primarily to the facility. It cannot, however, be property which is used after acquisition by a taxpayer or a related party who also used it before such acquisition.

"Section 40 real property" is section 40 property defined by reference to section 1250(c) and "section 40 personal property" is section 40 property defined by reference to section 1245(b).

A "section 40 facility" means an industrial or commercial facility which has been specified in a certificate issued by the Secretary of Housing and Urban Development.

A "section 40 business" is defined as an industrial or commercial enterprise that has been issued a certificate of eligibility to operate a facility in an urban poverty area.

The term "qualified expenditure" is defined as an expenditure made during the 10 year certification period that is chargeable to capital account and is paid or accrued for the manufacture, production, construction, erection, acquisition, reconstruction, permanent improvement, or betterment of section 40 property.

If the expenditure is made on real property, then the property—whether it be constructed or reconstructed, erected or permanently improved, acquired or bettered—must be made to conform to the standards set under this Act by the Secretary of Housing and Urban Development.

A qualified expenditure shall be deemed made only in the taxable year in which the manufactured, produced, constructed, erected or acquired section 40 property or the section 40 property as reconstructed, improved, or bettered is placed in service. Property shall be considered placed in service when it first becomes subject to daily depreciation. A qualified expenditure made to obtain property as a replacement for property lost or destroyed due to a casualty shall be reduced by a sum equal to the amount received by the taxpayer through insurance or otherwise as compensation for the lost or destroyed property.

Section 53 also establishes certain rules for dealing with the credits established by this Act. In subsection (d), it provides that a lessor may pass the credit for section 40 property on to his lessee. The amount on which the credit is to be figured shall be either the fair market value of the property or, in the case of a transaction between corporations which are members of an affiliated group, the basis of such property to the lessor. If the lessor makes this election, the lessee shall be treated as having acquired such property and the property shall have a useful life equal to the life over which the lessee may depreciate or amortize it.

In subsections (e) and (f), the credits provided for in this Act are dealt with as they relate to Subchapter S corporations and estates and trusts. For any Subchapter S corporation, all qualified expenditures are apportioned pro rata to its shareholders and each shareholder is then treated as the taxpayer with respect to such expenditures. Qualified expenditures made by an estate or trust are allocated between the estate or trust and the beneficiaries on the basis of the income normally allocable to each. Any beneficiary is treated as the taxpayer with respect to all such apportioned expenditures.

The remainder of section 53 deals with cross references and conforming amendments to ensure that these new provisions will be consistent with all other sections of the Internal Revenue Code. Thus it is provided that if property is subject to credits under this Act, it cannot also be treated as section 38 property for purposes of obtaining an ordinary investment credit applicable to property held by other non-qualifying businesses.

Section 202—Depreciation deduction

Section 167 of the Internal Revenue Code is amended to provide that at the election of the taxpayer, the useful life of any section 40 property and the guideline class lives of any section 40 property shall be reduced to 66⅔ percent of the useful life or guidelines class lives normally applicable to such property.

In justifying class lives for section 40 property the taxpayer who makes an election under this section shall be deemed—for purpose of meeting any reserve ratio test—to have utilized class lives equal to 150 percent of those normally applicable to such property.

In determining the salvage value of all section 40 property for which an election has been made, the useful life of the property shall be deemed that life applicable to such property in the absence of this section.

Elections under this section can only be made for property placed in service during the 10 year certification period provided for in this Act.

Section 203—Net operation loss carryovers

Section 172 of the Internal Revenue Code is amended to provide a 10 year carryover period—as compared to the present 5 year period—for all losses allocable to the operation of an industrial or commercial facility by a certified section 40 business and sustained during the 10 year certification period. All determinations concerning the allocation of losses shall be made pursuant to regulations issued by the Secretary of the Treasury under section 482 of the Internal Revenue Code and modified as may be necessary to conform to the purposes of this Act.

Section 204—Special deductions for salaries and compensation paid

Chapter 1 of the Internal Revenue Code is amended to provide an additional deduction for certain qualifying businesses.

Section 183—Special deduction for certain businesses operating in urban poverty areas

A person operating a certified section 40 business shall be permitted an additional deduction equal to 25 percent of the compensation paid or incurred in money to the low-income, unemployed, or low-income, poverty area, workers whom he is required to hire under this Act. Such workers must be located at the facility or must be involved in furnishing transportation, communications, electrical energy, gas, water, or sewerage disposal primarily to such facility. This special deduction shall be in effect during the 10-year certification period.

Section 205—Effective date

The amendments added to the Internal Revenue Code by this Act shall apply to taxable years ending after the date that this Act is enacted.

TITLE III—TRAINING ASSISTANCE FOR INDUSTRIES LOCATING IN URBAN POVERTY AREAS

Section 301

Title II of the Manpower Development and Training Act of 1962 is amended by adding the following new part, Part D, "Training Assistance For Industries Locating in Urban Poverty Areas."

Section 251—General responsibility

The Secretaries of Labor and of Health, Education and Welfare, in consultation with the Secretary of Housing and Urban Development, are authorized to provide a supplementary program of training and training allowances for those individuals to be employed by certified businesses under this Act.

The Secretaries shall carry out the program by determining the occupational needs of those who are to be employed by any certified business and then provide them with training and training allowances. The allowances shall not exceed those normally provided under other Manpower Development and Training programs either in amount or duration. The training itself can be carried out by the certified business if the Secretaries of Health, Education and Welfare and of Labor decide that this is appropriate.

Section 252—Priority

To the extent practicable, the Secretary of Labor shall give priority to the training of individuals needed for certified businesses under this Act.

Section 302—Appropriations authorized

Section 304 of the Manpower Development and Training Act of 1962 is amended to authorize an appropriation not in excess of $20,000,000 for the fiscal year ending June 30, 1968 and such amounts as may be necessary for each fiscal year thereafter.

Section 303—Effective date

The amendments made by this title shall take effect July 1, 1967.

APPENDIX I

OEO MAPS ON POVERTY AREAS

OEO maps show some 4,000 "poor tracts" in Standard Metropolitan Statistical Areas of 250,000 people or more

Five characteristics of a "poor tract"

1. Percent of families with cash incomes under $3,000 for 1959
2. Percent of children under 18 yrs old not living with both parents.
3. Percent of males 25 yrs old or over with less than 8 yrs of school completed
4. Percent of unskilled males aged 14 or over in the employed civilian labor forces
5. Percent of all housing units lacking some or all plumbing facilities or dilapidated.

Then to get Poverty Area, OEO combined poor tracts.

Definition of poverty area:

1. Any area having five or more contiguous "poor tracts" regardless of the number of families contained.
2. Any group of 1 to 4 contiguous "poor tracts" containing an aggregate of 4,000 or more families.
3. Any area of 1 or 2 contiguous tracts not ranked in the lowest quartile but completely surrounded by such "poor tracts." In some cases, areas of 3 or 4 contiguous tracts not themselves "poor" were surrounded by "poor tracts" and were included in the neighborhood after analysis of their individual characteristics. Areas of 5 or more contiguous tracts not ranked in the lowest quartile but surrounded by "poor tracts" were excluded when designating "poor tracts."

Mr. KENNEDY of New York. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Without objection, it is so ordered.

Mr. PERCY. Mr. President, I commend the junior Senator from New York [Mr. KENNEDY] and the junior Senator from Kansas [Mr. PEARSON] for their initiative in introducing a bill providing for industrial investment in urban poverty areas.

We all know that a great social revolution is occurring in this country today because the American dream is simply not available to a great many people. That dream is not available to them in many instances, simply because of race, color, or creed. However, many times the important factors are lack of skill and education, in someone's inability to hold a job.

We have tried to approach this problem in many ways, and yet we have not marshalled to any great degree the resources of the economic power that exists in the private enterprise sector of our economy.

We have tried a multitude of government programs. Many of them have been extremely helpful, but the combined total of them has not come close even to solving the problem.

Within a radius of 5 miles from the downtown section of Chicago today there are probably as many as a quarter of a million adults who can neither read nor write. How can we tell these people to get off the public aid rolls and get on the private payrolls when they can neither read a want ad nor fill out application blanks?

I think such an approach is unrealistic, and we cannot expect the industrial concerns in Chicago or other urban areas to make up for the lack of information, education, skill, or ability of these people.

Incentives must be provided so that we can diversify and use as training grounds for these people the hundreds and thousands of industrial companies in existence today rather than constantly think in terms of setting up Government camps in order to carry out the necessary training programs. In order to do this, we must provide tax incentives.

Although I have not yet had a copy of the bill made available to me for study, after having talked with both the junior Senator from New York and the junior Senator from Kansas, I am impressed with the approach that they are taking. And I intend to give the matter serious study to determine if I can cosponsor and support the proposed legislation.

We must find a way in which private enterprise and the great power of the labor unions and industrial organizations can be used in a humanitarian sense to provide job opportunities for people and thus lead not only to better education, housing, and communities, but also to more customers and taxpayers rather than constantly increasing the public welfare rolls because of lack of opportunity.

I think that in this way the American dream can be more meaningful for the hundreds of thousands of people who do not now have work.

I commend Senator Kennedy of New York and Senator Pearson, of Kansas, for their initiative.

Mr. PEARSON. Mr. President, I thank the Senator from Illinois for his comments concerning the bill just introduced. I assure the Senator that we all recognize the great contributions he has made in this field.

In the colloquy that was had with reference to the proposed bill, the Senator from Connecticut [Mr. Ribicoff] made special mention of the great leadership role and the great contributions the Senator from Illinois has made in this particular field.

So I am very grateful for the Senator's comments. I hope he will look over the measure, and it would be most encouraging if he could join in the cosponsorship of it.

LIMITATION OF STATEMENTS DURING THE TRANSACTIONS OF ROUTINE MORNING BUSINESS

On request of Mr. Proxmire, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

ENROLLED BILL SIGNED

The ACTING PRESIDENT pro tempore announced that on today, July 12, 1967, the Vice President signed the enrolled bill (H.R. 2762) for the relief of CWO Bernhard Vollmer, U.S. Navy (retired), which had previously been signed by the Speaker of the House of Representatives.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MAGNUSON (by request):

S. 2086. A bill to amend the law relating to the citizenship of crew members of vessels of the United States in order to remove certain authority to replace United States citizens as such members with persons who are not citizens; and

S. 2087. A bill to revise the law relating to the issuance of provisional certificates of registry to vessels abroad; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under separate headings.)

By Mr. KENNEDY of New York (for himself, Mr. Pearson, Mr. Bayh, Mr. Brewster, Mr. Clark, Mr. Hart, Mr. Inouye, Mr. Javits, Mr. Kuchel, Mr. Magnuson, Mr. Mondale, Mr. Moss, Mr. Nelson, Mr. Pell, Mr. Prouty, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Tydings, Mr. Yarborough, Mr. Young of North Dakota, and Mr. Case):

S. 2088. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas; to the Committee on Finance.

(See the remarks of Mr. Kennedy of New York when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE:

S. 2089. A bill to amend the Federal Property and Administrative Services Act of 1949 and title 10, United States Code, to remove the limitation on architectural or engineering fees; to the Committee on Government Operations.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 2090. A bill to amend the Communications Act of 1934 with respect to the provision of broadcasting facilities to candidates for public office; to the Committee on Commerce.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. PEARSON:

S. 2091. A bill for the relief of Dr. Eduardo Campuzano; to the Committee on the Judiciary.

(See the remarks of Mr. Pearson when he introduced the above bill, which appear under a separate heading.)

By Mr. McCARTHY:

S. 2092. A bill to amend the Highway Safety Act of 1966; to the Committee on Public Works.

By Mr. RIBICOFF:

S. 2093. A bill to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes by increasing the amount of the payments which may be made by the Veterans' Administration for the care of certain veterans in State veterans homes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE:

S. 2094. A bill to amend the National Capital Transportation Act of 1965 authorizing the prosecution of a transit development program for the National Capital region and to further the objectives of the Act of July 14, 1960; to the Committee on the District of Columbia.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under a separate heading.)

By Mr. JORDAN of North Carolina:

S. 2095. A bill for the relief of Ting Wan Cheung, Lam Choi, Fong Tsui, To Pan Wong, and Ling Fu Ying; to the Committee on the Judiciary.

By Mr. PROXMIRE:

S. 2096. A bill conferring jurisdiction upon the U.S. District Court for the Western District of Wisconsin to hear, determine, and render judgment upon the claim of Emma Zimmerli; to the Committee on the Judiciary.

RESOLUTION

STUDY OF THE EXCESS LAND PROVISIONS OF THE FEDERAL RECLAMATION LAWS

Mr. TOWER submitted a resolution (S. Res. 144) authorizing a study of the excess land provisions of the Federal reclamation laws, which was referred to the Committee on Interior and Insular Affairs.

(See the above resolution printed in full when submitted by Mr. Tower, which appears under a separate heading.)

CITIZENSHIP OF CREWMEMBERS OF U.S. VESSELS

Mr. MAGNUSON. Mr. President, I introduce by request of the National Maritime Union, for appropriate reference, a bill to amend section 672(a) of title 46, United States Code, so as to require that 100 percent of licensed officers and 75 percent of unlicensed crewmembers on U.S.-registered vessels be citizens of the United States.

Present law requires that all licensed officers and pilots of U.S.-registered vessels be citizens. However, only 75 percent of the unlicensed crew must be citizens when the vessel departs a U.S. port unless the Commandant of the Coast Guard ascertains that they are not available. Further, the way the law now reads, the only time a U.S. vessel is required to have 75 percent citizen unlicensed seamen is when the vessel departs a port in the States.

The law additionally provides an overall escape clause to the effect that if a vessel on a foreign voyage is deprived of any member of the crew, the vacancy may be filled by an alien.

The security of U.S.-flag vessels, particularly during time of war or national emergency, is jeopardized by the employment on board of noncitizens that are picked up anywhere in the world without security checks.

The present law endangers the security of the vessel as well as maximum security ports associated with our security and defense efforts by allowing the employment of large numbers of aliens on U.S.-flag vessels. The primary reason for employing aliens is because they can be hired at a lower wage.

This legislation would require that 100 percent of the licensed officers and 75 percent of the unlicensed seamen on board U.S.-registered vessels be U.S. citizens at all times.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 2086) to amend the law relating to the citizenship of crewmembers of vessels of the United States in order to remove certain authority to replace U.S. citizens as such members with persons who are not citizens, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

PROVISIONAL CERTIFICATES OF REGISTRY TO VESSELS ABROAD

Mr. MAGNUSON. Mr. President, I introduced by request of the National Maritime Union, for appropriate reference, a bill to amend section 12 of title 46, United States Code, relating to the granting of provisional certificates of registry to vessels abroad.

The purpose of 46 United States Code, section 12, is to permit the temporary registration under U.S. flag of a vessel purchased overseas to facilitate its return to the States.

The 6-month period presently allowed was enacted in 1915 and was then necessary to allow sufficient time for the vessels to return to the United States. This time period is no longer necessary because of the increased speed of vessels in the past 50 years. The situation that is now developing is that some operators are using the loose wording in the law to flout its intent.

This proposed change would prevent the recurrence of the *Good Eddie* and *Good Willie* situation by reducing the time period for provisional registry from 6 months to 2 months. These two ships, which are some 20 years old, were registered under the Nationalist Chinese flag until it was realized that by having a U.S. provisional certificate of registry, they could employ a predominately foreign crew and carry Government cargo at U.S.-flag rates.

The only requirement that the owners had to comply with prior to getting a certificate was the citizenship requirement, which they did by setting up a U.S. corporation.

The requirements relating to crew, inspection and measurement do not in the present law apply until the vessel arrives in the States which further encourages lack of adherence to the intent of the law. This bill would provide that the citizen crew requirement apply from the date of the certificate.

The condition of the vessels *Good Eddie* and *Good Willie* at the time that the certificates of provisional registry were issued is unbelievable. It is reported that there were no messing facilities, no sanitary facilities, and no bunks and some of the plates were loose. The condition of these vessels should have alerted those in the Government responsible for issuing the provisional certificates to the unlikelihood of the vessels ever returning to the United States—the supposed primary reason for the provisional granting of registry under U.S. flag.

And, of course, the owners of these two vessels have already transferred them to another foreign registry which is further indication that there never was a bona fide intent to bring the vessels back to full U.S. registry.

This bill would tighten up the law to prevent this type of embarrassment to the United States again, but would not interfere with the legitimate transfer of a foreign vessel to U.S. registry.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 2087) to revise the law relating to the issuance of provisional certificates of registry to vessels abroad, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

ARCHITECT-ENGINEER SERVICES FEE LIMITATION COSTS GOVERNMENT MILLIONS

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Property and Administrative Services Act of 1949 and title 10, United States Code, to remove the 6-percent fee limitation that costs the Federal Government unnecessary millions of dollars in obtaining architectural and engineering services at reasonable costs.

The Federal Property and Administrative Services Act sets a 6-percent ceiling on fees for architectural or engineering services rendered in connection with construction of public works or utility projects.

Repeal of the fee limitations was recommended to the Congress by the Comptroller General of the United States in a report dated April 20, 1967. The present 6-percent fee limitations, the Comptroller General said in his report, are impractical and unsound because they are governed by estimated construction costs which do not necessarily relate to the value of the architectural or engineering services rendered.

The Comptroller General also observed in his report that: First, these estimated construction costs of contemplated public works and utilities may not be known to the construction agency at the time the fee limitation must be applied; second, some architectural or engineering contracts do not involve programed construction projects but are for continuing services; third, the fee limitation may be avoided to some extent by the in-house capabilities of some public construction agencies to perform services that generally have been contracted to private architectural or engineering firms; and fourth, fees payable to architects or engineers measured by percentages of estimated construction costs vary greatly and thereby rendering impracticable the establishment of a percentage at an appropriate level to effectively limit the fee for the majority of architect-engineer contracts.

Mr. President, these are serious deficiencies and I completely agree with the Comptroller General's conclusion that they justify repeal of the fee limitations. They compound the problems the Government faces in obtaining architectural or engineering services at reasonable costs. My bill would save the Government money by, in effect, replacing the present rigid system of cost-plus contracts with a more flexible system permitting competitive or negotiated bidding.

The competitive negotiation requirements of the truth in negotiations law—Public Law 87-653—if vigorously enforced, will, in my opinion, insure procurement of architectural and engineering services at reasonable fees.

I ask unanimous consent that the text of the bill be printed at this point in the Record.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2089) to amend the Federal Property and Administrative Services Act of 1949 and title 10, United States Code, to remove the limitation on architectural or engineering fees, introduced by Mr. Proxmire, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (b) of section 304 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, is further amended by striking out "and that a fee inclusive of the contractor's costs and not in excess of 6 per centum of the estimated cost, exclusive of fees, as determined by the agency head at the time of entering into the contract, of the project to which such fee is applicable is authorized in contracts for architectural or engineering services relating to any public works or utility project."

(b) title 10, United States Code, is hereby amended—

(1) by striking out the second sentence of subsection (d) of section 2306;

(2) by repealing subsection (b) of section 4540 and redesignating subsection (c) of that section as subsection (b);

(3) by repealing subsection (b) of section 7212;

(4) by repealing subsection (b) of section 9540 and redesignating subsection (c) of that section as subsection (b).

AMENDMENT OF COMMUNICATIONS ACT OF 1934 RELATING TO BROADCASTING FACILITIES TO CANDIDATES FOR PUBLIC OFFICE

Mr. SCOTT. Mr. President, I introduce for appropriate reference a bill to amend the equal-time provisions of the Communications Act of 1934.

Campaign financing has always been a lively topic in the Congress. However, in recent years, the campaign financing issue has become a critical one. The impact of television on political campaigning for major offices has been tremendous both in terms of campaign costs and the candidates' exposure. This exposure has contributed greatly to the quality of both the candidates and the electorate. However, it has seriously drained campaign finances.

Total campaign expenditures for presidential and congressional campaigns in 1964 were reported at $47.8 million or double the reported expenses in 1952. Estimates of nationwide campaign spending in 1964, including primaries and intrastate outlays, are $200 million. The FCC reported that expenditures for radio and television time alone totaled $34.6 million in the 1964 campaign. At least half of this was spent at the national level.

With the increasingly important role that television plays in political campaigning, particularly in elections for major offices, it becomes more and more necessary that we insure the best utilization of the broadcast media consistent with fair and free campaign practices.

The present provisions of section 315 of the Communications Act restrict the maximum use of the broadcast media and make present usage ruinously expensive for many candidates. Section 315 presently requires that a broadcaster who makes free time available to one candidate must provide equal free time to all other candidates, regardless of their number, or the size of their respective following in the electorate. The resulting loss of broadcast revenue to the broadcasters limits the free time they are willing to make available to major candidates.

In addition, high station charges for radio and TV coverage further inhibits an adequate exposure of the candidates. Broadcasters are presently permitted to charge candidates for public office the same rates which it charges a commercial advertiser. No consideration is taken of the distinctly different nature of a candidate for public office and a commercial advertiser insofar as the public interest is concerned.

In 1960, the provisions of section 315 were suspended for the presidential campaign. This suspension resulted in the Kennedy-Nixon debates and demonstrated the advantages that may accrue in the absence of the equal-time requirement. It was estimated that some $4.5 million of free broadcast time was provided the major presidential candidates including some $2 million for the debates alone.

The equal-time provision of section 315 is intended to assure a fair exposure of all candidates and a balanced presentation of the campaign issues to the public. As it presently stands, it does not accomplish this aim. In many cases, it inhibits rather than promotes a balanced and fair presentation of the candidates and the issues.

The bill I am introducing today would replace the equal-time provision of section 315 with an equitable-time concept with respect to free broadcast time for candidates for President, Vice President, Congress, and Governor. Because of the difficulties and complexities involved in fairly and adequately administering a flexible and truly equitable allocation of free time, my bill defines equitable time in terms of specific time allocations for minor candidates which would be fair under most circumstances.

With respect to major candidates, that is, those whose party received 10 percent or more of the total vote in the preceding election, the bill provides that they would be entitled to equal time. This insures that the most representative and serious candidates, who are of most interest to the community, are given an equal opportunity to present themselves and their views.

With respect to minor candidates, those whose party received less than 10 percent of the vote in a previous election or those who are wholly new candidates for office, the bill provides that they would be entitled to time commensurate with the community's interest in them as evidenced by the vote in the preceding election. A minor candidate would be assured of at least 5 percent of the time afforded to a major candidate. A minor candidate whose party was on the ballot in the preceding election could receive a higher percentage if his party polled in that election more than 5 percent of the vote cast for the major candidate who received the smallest number of votes. My bill, therefore, gives every candidate his fair share of the pie while at the same time protecting the public interest and that of the broadcasters.

My bill by not altogether repealing section 315 prevents the broadcasters from favoring some candidates over others in doling out free time. It also provides a safeguard for minor candidates and new candidates by giving them a proportionate amount of free time. Most importantly, it enables the broadcasters to provide ample free time for the major candidates without having to provide prohibitive amounts of total free time.

My bill also limits the charges to all candidates to two-thirds those applicable to normal advertisers. This would assure a more adequate exposure of the candidates with less emphasis on the financial resources of each candidate. This provision neither requires broadcasters to provide any specific amount of paid or free time nor imposes any unreasonable burden on the broadcasting industry.

I believe that my bill would enable the broadcasters to more readily meet their responsibilities as licensees of the public in providing a fair and balanced exposure of political candidates.

The topic will be under consideration in hearings scheduled to begin July 18 in the Communications Subcommittee of the Senate Commerce Committee. I ask the Senate to consider carefully my bill as one alternative among others to the present section 315.

Mr. President, I ask unanimous consent that the text of my bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2090) to amend the Communications Act of 1934 with respect to the provision of broadcasting facilities to candidates for public office, introduced by Mr. Scott, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 2090

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 315 of the Communications Act of 1934 is amended—

(1) in the first sentence of subsection (a) by inserting after "to use a broadcasting station" the following: "in return for a payment of any kind"; and

(2) by redesignating subsection (c) as subsection (d) and inserting before such subsection the following new subsection:

"(c)(1) For the purposes of this subsection the term—

"(A) 'major candidate' means any person who is a legally qualifed and nominated candidate for the office of President or Vice, President of the United States, Senator, Representative, Delegate, or Resident Commissioner in Congress, or Governor of a State or Commonwealth of the United States, and who is the nominee of a political party whose candidate for such office in the preceding election was supported by not less than 10 per centum of the total votes cast for such office; and

"(B) 'minor candidate' means any other person who is a legally qualified and nominated candidate for any such office.

"(2) If any licensee shall permit any major candidate for any such office to use a broadcasting station without charge, it shall afford—

"(A) equal opportunity in the use of such station to all other major candidates for such office; and

"(B) equal opportunity to use time of equal value on such station without charge to each minor candidate for such office, except that—

"(i) the amount of time to each such minor candidate shall be such per centum, not less than 5, of the time afforded to such major candidate as the number of votes cast for the candidate of the political party of such minor candidate in the preceding election for such office bears to the number of votes cast for the major candidate for such office in such election who received the smallest number of votes of any major candidate in such election;

"(ii) the amount of time to each such minor candidate whose political party was not represented in the preceding election for such office or who is an independent shall be 5 per centum of the time afforded to such major candidate; and

"(iii) the total time to all minor candidates for such office shall not exceed 100 per centum of the time afforded such major candidate and if a reduction in time is necessary because of this clause the time for all such minor candidates for such office shall be reduced proportionately.

"(3) If any licensee shall permit any major candidate for any office to use a broadcasting station for any period of time in return for a payment of any kind, the charges for such time shall not exceed two-thirds of the charges made for comparable use of such station for other purposes, and the charge made for such use to any minor candidate for such office shall not exceed those made to such major candidate, as required by subsection (a) of this section."

DR. EDUARDO CAMPUZANO

Mr. PEARSON. Mr. President, I introduce today, for appropriate reference, a private bill in behalf of Dr. Eduardo P. Campuzano, a distinguished resident in pathology at St. Francis Hospital in Wichita, Kans.

My bill today requests that Congress approve September 11, 1960, as the date on which Dr. Campuzano should be considered as lawfully and legally admitted to this country for the purposes of permanent residence.

This request for aid in Dr. Campuzano's behalf is not a new situation, Mr. President. In the case of Cuban doctors, we have had several similar situations where the doctors cannot practice medicine in the State of Kansas unless they are legal citizens of the United States. Many of the doctors who have come to Kansas to practice medicine are not aware of this requirement when they enter residency. These doctors later find themselves with another 5-year waiting period before they can petition for citizenship, thus delaying their entry into the medical field.

During the past 7 years, Dr. Campuzano has established an outstanding record as a physician, both in Cuba and in this country. From 1934 through 1960, he practiced medicine in Matanzas, Cuba. He entered the United States September 11, 1960, and for 2 years was a staff physician for the Southeast Kansas Tuberculosis Hospital at Chanute, Kans. Since December 22, 1962, he has been a resident in pathology at St. Francis Hospital in Wichita.

Dr. Campuzano was issued a permanent residency card in March 1966; however, with the 5-year waiting period he could not petition for citizenship until March 1971. Under the terms of Public Law 89-732 his date of permanent residency would revert to May 2, 1964. Again, it would be 1969 before he could legitimately apply for recognition as a medical doctor under the terms of Kansas law.

With the critical nationwide shortage of competent physicians, Mr. President, I am asking today that this bill be given every consideration by the Senate after it has been duly considered by the proper committee.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2091) for the relief of Dr. Eduardo Campuzano, introduced by Mr. PEARSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

CARE AND TREATMENT OF CERTAIN VETERANS

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, a bill to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes by increasing the amount of the payments which may be made by the Veterans' Administration for the care of certain veterans in State veterans' homes.

Under Federal law, the Veterans' Administration provides a partial reimbursement to the States to cover a portion of their cost for operating facility for the benefit of American veterans. The reimbursement of the Veterans' Administration to the States is limited to 50 percent of the operating costs, but in no event may exceed $2.50 per patient per day.

Many years ago this amount may have been sufficient to assist the States in caring for the veterans of our armed services. However, this is no longer the case. Medical and operating costs, as we all know have risen considerably. Today, in these veterans facilities, costs are up to and over $6 per patient per day and still are rising. Instead of a 50-percent factor toward reimbursement as contemplated in the original law, we find that the ratio is now 42 percent Federal and 58 percent State.

Furthermore, the Veterans' Administration reimburses the States to handle patients assigned to convalescent homes. The Veterans' Administration reimburses these operations at a 50-percent operating cost, but not to exceed $3.50 per operating day. This too has fallen far below the actual operating costs.

Thus, the Federal law is far behind in recognizing that the cost of veterans' care has increased sharply. With increasing numbers of Korean and Vietnam veterans seeking admission, some relief should be afforded the State in the way of a more equitable distribution of costs. My bill will increase the per diem payment to the States to $3.50 for domiciliary care, $5 for nursing home care and $10 for hospital care. Only by such recognition of our changing world can we be fair to the States and to our returning veterans.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2093) to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes by increasing the amount of the payments which may be made by the Veterans' Administration for the care of certain veterans in State veterans' homes, introduced by Mr. RIBICOFF, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

INTRODUCTION OF BILL TO REVISE DISTRICT OF COLUMBIA SUBWAY SYSTEM

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to change the alinement of the authorized District of Columbia subway system to provide rapid transit subway service to the burgeoning complex of Federal installations along Independence Avenue south of the Mall in Southwest Washington.

As I have repeatedly emphasized over many years, and as the Senate is well aware, fast, modern, exclusive right-of-way public mass transportation is vitally needed in Washington today, is absolutely essential for the future orderly growth and development of the National Capital region and the preservation of the beauty and dignity of the Nation's Capital.

Thanks to the action already taken by the Congress under the National Capital Transportation Act of 1965, the National Capital Transportation Agency is now well along with the architectural and engineering work needed so that construction may begin.

But as the Agency's work has gone ahead, so have changes in the city, one of the most notable of which is that occurring at the foot of Capitol Hill in Southwest Washington. New buildings are mushrooming to house defense agencies, the new Departments of Housing and Urban Development and Transportation. Added to the agencies already south of the Mall, this means there will be 85,000 workers moving to and from jobs in that area by 1971—only 4 years away. Earlier planning estimates placed 46,000 jobs in the same area by 1980.

In the face of such radical change, the Agency is requesting prompt authorization to include an Independence Avenue line in the presently authorized basic subway system. Details on the proposed change are included in a letter forwarding the bill to the Senate and a statement from Walter J. McCarter, the NCTA Administrator.

According to the Agency, the proposed changes will add an estimated $41.5 million to the cost of the subway system, but their studies indicate that the increased ridership and revenues resulting from the change will be sufficient to finance the added cost over a period of years, and no further authorization of Federal funds is being requested.

Mr. President, my long concern over the deteriorating effects of traffic congestion that is fast approaching traffic strangulation in Washington is a matter of record. Southwest Washington will be a motorist's nightmare unless steps are taken now to bring it within the service area of the new subway system, as proposed in this bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2094) to amend the National Capital Transportation Act of 1965 authorizing the prosecution of a transit development program for the National Capital region and to further the objectives of the act of July 14, 1960, introduced by Mr. BIBLE, was received, read twice by its title, and referred to the Committee on the District of Columbia.

STUDY OF THE EXCESS LAND PROVISIONS OF THE FEDERAL RECLAMATION LAWS

Mr. TOWER. Mr. President, too often we are the authors of our own problems. It has been realized for sometime that, as a general rule, economies are to be gained from large-scale operations in most manufacturing and commercial enterprises. We have become increasingly aware of the trend to large-scale operations in agriculture, due in part to increased mechanization. At times, however, we have pursued policies contrary to this realization—policies which inhibit the very natural tendency by planters to take advantage of the benefits of enlarged operations.

Because of the benevolent feeling which we have for the ideal ethic of the small farmer, because of our concern for his future, we have initiated programs which attempt to limit the size of agricultural operations.

Accordingly, I submit a resolution which would provide for a study of the excess land provisions of the Federal reclamation laws with a view to determining whether the 160-acre limitation for use of Bureau of Reclamation water is still feasible in view of modern needs.

The Texas Water Development Board has communicated to me its concern that plans now being developed for the movement of substantial quantities of water within Texas for irrigation purposes would be frustrated by this existing provision.

Specifically, it has stated that Federal participation in certain major projects now being considered in Texas would simply not be feasible if each irrigator is restricted to 160 acres or 320 acres for a man and his wife.

In addition to introduction of the legislation at this point, I ask that the text of a resolution adopted by the Texas Water Development Board pertaining to this matter be printed in the RECORD at this point.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD; and, without objection, the resolution of the Texas Water Development Board will be printed in the RECORD.

The resolution (S. Res. 144) was referred to the Committee on Interior and Insular Affairs, as follows:

S. RES. 144

Resolved, That the Committee on Interior and Insular Affairs or any duly authorized subcommittee thereof, is authorized under section 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a thorough study of the excess land provisions of the Federal reclamation laws with a view to determining whether the one hundred and sixty acre limitation contained therein is outmoded and impractical in view of the expansion of farm operations which modern economy now requires.

SEC. 2. The Committee shall report to the Senate at the earliest practicable date the results of its study, together with its recommendations for any necessary legislation.

The resolution of the Texas Water Development Board, presented by Mr. TOWER, is as follows:

RESOLUTION RELATING TO THE 160-ACRE LIMITATION UNDER FEDERAL RECLAMATION LAWS

Whereas, the high standard of American living has been established in large part through mass production and assembly-line techniques in agriculture as well as industry; and

Whereas, it has become virtually an economic impossibility for small farms to successfully compete with large and mechanized competitors; and

Whereas, labor shortages and efforts to reduce costs require the utilization of expensive machinery which is only economical and practical when capital costs can be spread over larger acreages; and

Whereas, the 160-acre limitation in the federal reclamation laws is outmoded and impractical in view of the expansion of farm operation which modern economy now requires;

Now, therefore, be it resolved by the Texas Water Development Board that the Board respectfully petitions the President and the Congress of the United States to remove from the federal reclamation laws the 160-acre limitation or to provide for the reasonable adjustment of the existing acre limitation commensurate with modern agricultural pursuits; and

Be it further resolved that the Executive Director is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from Texas in the Congress of the United States.

CERTIFICATION

THE STATE OF TEXAS,
COUNTY OF TRAVIS.

I, Joe G. Moore, Jr., Executive Director of the Texas Water Development Board, hereby certify that the foregoing is a true and correct copy of Resolution as same was adopted by the Texas Water Development Board at its meeting on May 18, 1967.

Witness my hand and the seal of the Board on this the 23rd day of May, 1967.

JOE G. MOORE, Jr.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL

AMENDMENT NO. 225

Mr. WILLIAMS of Delaware submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 10509), an act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes, the following amendment, namely: On page 39, between lines 3 and 4, insert the following:

"SEC. 508. Notwithstanding any other provision of law, after January 1, 1968, no producer shall be eligible for price-support loans or payments under any program or programs administered by the Department of Agriculture in any amount in excess of $10,000 for any one year. The foregoing limitation shall include the fair dollar value (as determined by the Secretary of Agriculture) of any payment-in-kind made to a producer."

Mr. WILLIAMS of Delaware also submitted an amendment (No. 225), intended to be proposed by them, jointly, to House bill 10509, making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

AMENDMENT NO. 226

Mr. PROXMIRE submitted an amendment, intended to be proposed by him, to House bill 10509, supra, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Illinois [Mr. PERCY], I ask unanimous consent that, at its next printing, the names of the Senator from New Mexico [Mr. ANDERSON] and the Senator from Ohio [Mr. LAUSCHE] be added as cosponsors of the bill (S. 1592) to charter a National Home Ownership Foundation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut [Mr. RIBICOFF], I ask unanimous consent that, at the next printing of the bill (S. 1150) the Social Work Manpower Training Act, the name of the Senator from Maryland [Mr. TYDINGS] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 12, 1967, he presented to the President of the United States the following enrolled bills:

S. 60. An act for the relief of Dr. Oton Socarraz;

S. 67. An act for the relief of Dr. Juan Ramon Diaz Zayas Bazan;

S. 118. An act for the relief of Dr. Amparo Castro;

S. 132. An act for the relief of Dr. Alberto Fernandez-Bravo y Amat;

S. 164. An act for the relief of Dr. Cesar A. Mena;

S. 168. An act for the relief of Maria Jordan Ferrando;

S. 327. An act for the relief of Dr. Carlos Victor De La Concepcion Garcia;

S. 371. An act for the relief of Mrs. Mary T. Brooks;

S. 462. An act for the relief of Dr. Jesus L. Lastra;

S. 464. An act for the relief of Dr. Guillermo N. Hernandez, Jr.;

S. 465. An act for the relief of Dr. Mario Guillermo Martinez;

S. 499. An act for the relief of Dr. Manuel A. Zuniga;

S. 652. An act for the relief of certain employees of the Puget Sound Naval Shipyard;

S. 819. An act for the relief of Charles H. Thurston;

S. 853. An act to extend the life of the Commission on Political Activity of Government Personnel;

S. 904. An act for the relief of Doreen Delmege Willis;

S. 996. An act for the relief of Dr. Esther Yolanda Lauzardo;

S. 1045. An act for the relief of Alton R. Connor; and

S. 1278. An act for the relief of Dr. Floriberto S. Puente.

COMMUNICATION WORKERS URGING SENATE RATIFICATION OF HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, organized labor in the United States has worked long, hard and effectively for Senate ratification of the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery.

Among the unions which have already gone on record and forcefully brought the case for ratification to both the Senate and the American people are:

American Federation of State, County and Municipal Employees, AFL–CIO; American Federation of Teachers, AFL–CIO; Brotherhood of Sleepingcar Porters, AFL–CIO; Industrial Union Department, AFL–CIO; International Ladies Garment Workers Union, AFL–CIO.

International Union of Electrical Workers, AFL–CIO; Retail, Wholesale and Department Store Union, AFL–CIO; Textile Workers Union of America, AFL–CIO; United Automobile Workers of America, AFL–CIO.

As an unequivocal advocate of Senate ratification of the Human Rights Conventions, I congratulate the leaders and members of these unions for their invaluable support.

Last month at their national convention in Kansas City, the Communication Workers of America, AFL–CIO, adopted a strong resolution expressing the organization's support for Senate ratification of the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

I commend the Communication Workers for their stand on this vital issue. Their support is most welcome.

I ask unanimous consent that the Communications Workers' resolution, "The United Nations—Peace in Our Time," be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

[Resolution 29A-67-9]

THE UNITED NATIONS—PEACE IN OUR TIME

History records many attempts to provide world peace through organization, for example, The Holy Alliance, The Hague Peace Conferences of 1899 and 1907, The League of Nations, and finally the United Nations. Until the advent of the United Nations, the attempts to govern nationalism through collective security saw little if any successes.

The Constitution of the United Nations is based on the ideals that the world powers, acting in unison, can deal with any threat to world peace, that their combined wisdom and strength are sufficient to meet these threats without resorting to war, and that no such threat would emanate from the world powers.

We all recognize that the test of time has shown that these ideals are exceedingly difficult to achieve, or to maintain, once achieved. But difficulty in achievement shouldn't deter or detract us from the attempt to achieve "peace in our time," for the stakes today are not the destruction of a nation state, but the destruction of mankind.

The Communications Workers of America reaffirms its conviction that the United Nations is mankind's best hope for survival. Peace is indeed a fragile reed, and it is our position that we, as a nation, must go to great lengths to preserve and promote world peace.

In its twenty-two years of existence, not one without some pressing international emergency, the United Nations has continued to prove its worth in promoting international understanding and in preserving world peace. It has done this despite limited power to enforce its decision, or to finance and maintain any peace keeping operation.

We commend the President of the United States, the Premier of Canada and Secretary General U Thant for their support of the United Nations and for their continued effort to resolve the conflict in Viet Nam and to bring about an enduring peace. Therefore, be it

Resolved: That the 1967 Convention of the Communications Workers of America reaffirms its faith in the United Nations as a force for peace and international justice. We urge the United States Senate to consider favorably the three Conventions (Treaties) on slavery, forced labor and the political rights of women as requested by President Kennedy in 1963. The Slavery Convention has been ratified by 68 governments, the Forced Labor Convention by 75, the Convention of the Political Rights of Women by 51, and the Genocide Convention by 69 nations. It is now time that our own government shows its good faith and acts to ratify these treaties.

Further, we particularly urge the 90th Congress to act favorably upon the Peace Keeping Resolution, House Concurrent Resolution #130, introduced in the current Congress with sixty Congressional sponsors.

UNJUSTIFIED PUBLIC EXPENDITURES

Mr. LAUSCHE. Mr. President, I ask unanimous consent that there be printed in the RECORD the text of a letter which I received from a citizen of Cincinnati, Ohio, complaining about unjustified public expenditures.

I am not identifying the name of the writer because he has not authorized me to do so. His letter, however, is replete with expressions which I believe to be sound reactions that ought to be expressed by every taxpayer about what I label to be a wild purpose on the part of our Government to continue unjustified spending of taxpayers' money regardless of the hugeness of the burden that eventually the taxpayer will have to bear.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HON. FRANK LAUSCHE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I have enclosed a clipping from the June 17 issue of Business Week (page 84) which greatly distresses me. To spend $750,000 to determine whether drunks would rather drink than talk seems to me to be a pure waste of hard earned money.

Last year my Federal income tax was about $1750. Thus this silly project is wasting the entire tax on myself and 99 others just like me. I don't mind so much paying the huge (for my salary) tax if it will be used for a worthwhile purpose, but this study of drinking (or talking) drunks makes me sick.

Seven hundred and fifty thousand dollars—what would that buy to defend or grace this Nation—or to relieve suffering?

Something is wrong with the values of the people in high government positions if they waste our treasure with such tripe.

Sincerely,

——— ———.

[From Business Week, June 17, 1967]

ALCOHOLICS GET A CHANCE TO MAKE A CHOICE: A SLUG OF BOURBON—OR QUIET CONVERSATION

Does liquor really top the list of values for the alcoholic? Or does even the most confirmed alcoholic have a deeper need for social contacts with other people? Dr. Peter E. Nathan and Dr. A. Michael Rossi, psychiatrists at Boston City Hospital, *have just received a $750,000 federal grant to probe these questions.*

"One of the most puzzling aspects of alcoholism is that the alcoholic tends to be a person who needs the company of others much more than most people," Nathan says. "Yet, his drinking drives people away."

Starting in mid-August, four volunteers who are confirmed alcoholics will report to a special ward at the hospital to begin a 70-day research regimen. For the first 40 days they will be intensely studied in isolation rooms via TV and electronic consoles.

By pushing various buttons on the consoles in specified sequences, the alcoholics will be able to build up points that will enable them to choose between:

A 1½-oz. slug of 90-proof bourbon, dispensed from a spigot on the console. There will be no limit; Nathan figures some of his subjects may down a quart a day.

A 15-minute period for socializing with the doctors, nurses, or other patients via the closed-circuit communications system. The subjects will also be able to elect a similar time period in the ward's lounge.

After 40 days at the console, the alcoholics will undergo 30 days of drying out and psychiatric counseling and make way for another group of volunteers.

MICRONESIA DAY

Mr. FONG. Mr. President, today, July 12, is being observed as Micronesia Day and a national holiday throughout the Trust Territory of the Pacific Islands.

The 12th day of July each year has been designated Micronesia Day by act of the Congress of Micronesia in 1965. It marks the historic day of the inception of the Congress of Micronesia—the first territorial legislature of the former Japanese mandated islands in the Western Pacific.

Micronesia is a unique political entity. It is the only United Nations trusteeship area under U.S. administration. By agreement with the U.N. Security Council in 1947, the United States is pledged to foster the development of the islands toward self-government or independence. This the American administration has sought to promote through the establishment, first of municipal governments, then of district legislative bodies, and finally, of a territorial legislature, the Congress of Micronesia. At the same time, the administration has encouraged Micronesian participation in the executive and judicial branches of government.

In the 20 years since the United States assumed trusteeship responsibilities for Micronesia, the establishment of the Congress of Micronesia stands as the most significant forward step taken toward the political development of the trust territory.

The Congress of Micronesia is a bicameral legislature, consisting of the senate and the house of representatives. The senate is composed of 12 members, two elected at large from each of the 6 districts for a 4-year term. The house of representatives has 21 members elected for 2-year terms from single-member election districts of approximately equal population.

Members of the congress are chosen in biennial elections by secret ballot of residents of the territory who are citizens of the trust territory and 18 years of age or over.

The congress meets in regular session for 30 days each year starting the second Monday of July.

The first regular session of the congress convened on July 12, 1965. For 2 weeks prior to its opening, the congressmen-elect participated in a presession conference, with the assistance and consultation of a group of specialists from Hawaii. They discussed congressional organization matters, staffing patterns, and standing rules procedures.

During the first session of the Congress, 45 bills, 15 resolutions, and 43 joint resolutions were introduced in the House; 32 bills, 40 resolutions, and 21 joint resolutions were introduced in the Senate. Fifteen bills and 20 joint resolutions were passed by the Congress and submitted to the High Commissioner. Thirteen bills were signed into law.

The second regular session of the Congress convened July 11, 1966 for 30 days. This was followed by a short special session to reconsider certain appropriation bills, a proposed election law, and to review the trust territory budget prior to its submission to Washington.

Of the 149 bills introduced during the Congress, 29 passed both Houses and 27 were signed into law. Among the most important was the Merit System Act, covering terms, conditions, and benefits of employment of Micronesian employees with the trust territory executive branch.

To gain practical experience as legislators, 18 Members of the Congress traveled to Honolulu at the invitation of the Hawaii Legislature to observe its regular session for 4 weeks this spring. The program was sponsored by the East-West Center and the territory government, which previously also arranged for other training programs in Saipan and in Honolulu.

In observing Micronesia Day today, the 93,000 inhabitants of the trust territory are commemorating the founding of the Congress of Micronesia as a new political institution through which their democratic will may be worked. They are celebrating a most important start on the road to self-government.

I extend my sincere greetings and congratulations on this occasion to all Micronesian citizens and noncitizens alike in the territory. I compliment them for the steady and encouraging progress they have made in Micronesia's political development, as reflected particularly in the work of their Congress. Their elected leaders have demonstrated a responsible attitude and conducted their legislative duties in a commendable manner.

As High Commissioner William R. Norwood stated in his report before the U.N. Trusteeship Council in New York last month:

> In the relatively short time they have been encouraged to do so, the Micronesians have demonstrated an ability to understand and use the democratic political process. With perception and quality standards, they have selected some of the ablest individuals in the territory to represent them in the district legislatures and in the Congress of Micronesia. This not only reflects favorably on the growing maturity and reliability of the Micronesian voter, but it also credits the prior administration with solid achievement in the area of political development.

The third regular session of the Congress of Micronesia convened in Saipan 2 days ago, July 10. I wish all the members continued success in carrying forward the splendid start they have already achieved. Their success will contribute substantially toward reaching the day of decision when they will choose for themselves the future political status they prefer.

DEATH OF DR. HOWARD FOSTER LOWRY, PRESIDENT, COLLEGE OF WOOSTER, OHIO

Mr. LAUSCHE. Mr. President, I was grieved to learn that Ohio has lost a widely known educator through the death of Dr. Howard Foster Lowry, president of the College of Wooster, Ohio. He was a lay Presbyterian leader and student of English literature. He died unexpectedly on Tuesday of last week while visiting in Oakland, Calif. He headed the College of Wooster for 23 years.

Dr. Lowry, who was born at Portsmouth, Ohio, on July 26, 1901, was devoted to liberal arts education. He also was devoted to the College of Wooster, from which he was graduated magna cum laude in 1923 and where he first taught as an instructor after graduation. He received his doctorate from Yale University in 1931. In 1934, he was named head of the English Department at Wooster. In 1942, he went to Princeton to teach English literature and in August 1944, he returned to become Wooster's seventh president.

President Lowry once said that the price of a good education was loneliness; he said the price was worth it. Another time he characterized a liberal arts graduate as "a potentially educated man, who knows that that's the fun of it."

In October 1964, the college celebrated his 20th anniversary as president with a daylong program, which finished with an address by Dr. Harold W. Dodds, president emeritus of Princeton. Dr. Dodds talked about Dr. Lowry's dedication to liberal arts education.

> To a greater extent than the average college president—

Said Dr. Dodds—

> he has refused to be satisfied with arranging food, lodging, and reasonable entertainment for the inmates of an educational custodial institution.

He said that President Lowry "has been good for Wooster and good for the country." He meant that the president's efforts in behalf of faith and the private college should not be forgotten. Dr. Lowry was not a cloistered academic man, but a man of world experience. He stressed repeatedly the importance of church connections with Wooster, which was founded by the Presbyterian Synod of Ohio. He had appeared in pulpits of several churches in Cleveland and around the country as a lay preacher.

Dr. Lowry served on the Board of Foreign Missions of the Presbyterian Church of the U.S.A., now known as the United Presbyterian Church in the U.S.A., and was on the board of the church publication, Presbyterian Life.

In his career as an educator, he served on the executive committee of the American Council on Education, was a trustee of the Carnegie Foundation for the Advancement of Teaching, and a trustee of the Danforth Foundation. He was general editor and educational manager of the Oxford University Press—American branch—from 1936 to 1941.

As a student of English literature, Dr. Lowry specialized in a study of Matthew Arnold, the British poet, essayist and critic. Arnold was the subject of 10 books by Dr. Lowry. He wrote other books, including a religious book, "The Mind's Adventure".

In his presidency at Wooster, the school has grown from 1,000 to 1,500, the faculty from 100 to 135, and an ambitious building program has been started. A 10-year centennial drive for $20 million was surpassed last year.

Dr. Lowry lived alone in Wooster since the death of his mother, Mrs. Lewis Lowry, in 1960.

FINANCIAL SUPPORT BY DEPARTMENT OF DEFENSE TO RESEARCH PROJECTS

Mr. FULBRIGHT. Mr. President, for a number of years the Department of Defense has given financial support to research projects which one would not normally associate with the needs and requirements of the U.S. military. Contributing to research in both the social and physical sciences, the amounts have reached a significant level; a level which has had an impact on the academic world and the process of foreign policy decisionmaking in Washington and abroad. In the summer of 1965, the details of Project Camelot became known, and the outcry over the procedures and goals of that project, which intended to study various aspects of insurgency in Latin America, led to its cancellation. I voiced my deep concern over this project on the floor of the Senate on August 25, 1965, and I must say that after looking over the statistics of military-sponsored research at the present time, I continue to have grave reservations regarding the merits of such undertakings.

I am not saying that the research as such is not beneficial. What I do not understand is the reason behind the military sponsorship of such projects. In an article published in the New York Times of May 22, 1967, a disclosure was made of the debate in the Japanese Parliament over U.S. Army funds being used for biological research in several Japanese universities. While I was assured by Secretary of Defense Robert S. McNamara in a letter of June 9, 1967, that all this research had the approval of the Government in Tokyo, the information he provided me indicates that the research could easily have been sponsored by another agency of the U.S. Government; for example, the Public Health Service. I am sure that there is no intention on the part of our military authorities to arouse the suspicion of foreign officials, but I cannot understand why our Government takes the risk of bruising our relations with other countries by having the Department of Defense undertake such research.

At this time the Department spends over $15 million sponsoring research projects abroad—$3 million of which is in the social sciences. The Department spends over $27 million on projects oriented toward foreign policy problems, over $2 million of which is spent on problems relating to the conflict in Southeast Asia. I might point out that many of the projects are under the jurisdiction of the same organization which so tactlessly planned Project Camelot; the only difference is the name has been changed.

Mr. President, the distinguished Senator from Oklahoma [Mr. HARRIS] is chairman of the Subcommittee on Government Research of the Government Operations Committee. He is now in the process of holding hearings on proposed legislation, S. 836, a bill to create a National Foundation for the Social Sciences, to alleviate some of the difficulties encountered in carrying out Government-sponsored research. I know his committee will review most carefully the difficulties encountered by those projects associated in one way or another with the Department of Defense.

The Defense Department has been involved in these research efforts partly because other Government agencies do not have the funds with which to carry out such investigations. There is no doubt that the Department of State, for example, would have legitimate interests in sponsoring projects dealing with foreign policy matters. However, funds allocated to its Office of Intelligence and

Research for this purpose barely cover the planning costs of some of the more ambitious military-sponsored research projects. Congress is, of course, partly to blame for the fact that a disproportionate amount of funds are allocated to the Defense Department for nonmilitary matters. Military appropriations are always most generous, while other agencies are scrutinized with a fine-tooth comb.

There is a Research Review Division in the Department of State which is responsible for approving or rejecting Foreign Area Research projects of all Government departments. However, its responsibilities are usually limited to social science research projects; those now being carried out in Japan under the auspices of the Department of Defense did not come under the jurisdiction of this office. I would hope that regulations could be revised so that all Government-sponsored research projects carried out abroad could be reviewed by responsible officials in the Department of State.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article from the New York Times of May 22, 1967, regarding research projects carried out by Japanese universities for the U.S. Army; a letter from me to the Secretary of Defense dated May 25, 1967, concerning this matter; and his response of June 9, 1967.

In addition, I ask unanimous consent to have printed in the RECORD, Department of Defense statistics on amounts spent on research abroad, funds appropriated for projects oriented toward foreign policy problems, and sums spent on social science research in Vietnam and Thailand. In response to a letter of June 7, 1967, Secretary McNamara provided me with classified information on specific social science research projects in Vietnam and Thailand. This restriction is indeed unfortunate, for it prohibits a proper public review of this most important matter.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the New York Times, May 22, 1967]

JAPAN SETS STUDY OF U.S. ARMY'S AID—SUBSIDIES FOR RESEARCH STIR CRITICISM IN PARLIAMENT

(By Robert Trumbull)

TOKYO, May 21.—Financial aid for scientific research projects given by the United States Army to Japanese universities and other institutions has come under fire in Parliament.

Education Minister Toshihiro Kennoki told the upper house Budget Committee yesterday that the subsidies were "not always" intended for military purposes. He said that the average grant was on the order of $11,000.

Nevertheless, Mr. Kennoki added, the practice is "questionable" and will be investigated.

Foreign Minister Takeo Miki told the committee that "if the receiving of such subsidies from the United States Army is deemed harmful to the national interest, the Government will intervene." However, he declared that there was no intention at this stage to forbid the acceptance of such grants by Japanese institutions.

TWENTY-EIGHT RECIPIENTS LISTED

According to figures compiled by the Ministry of Education, the United States Army has given a total of $1,075,000 to 28 Japanese universities and other institutions for specific research projects since 1959.

The projects were described as "nearly all" in the fields of bacteriology, pathology, and physiology." The largest single contribution, according to the list submitted to the budget committee by the ministry, was $138,351 to Keio University in Tokyo for research of an unspecified nature.

"The grants are part of a standard program of the United States Army all over the world, which has no other purpose than to aid scientific research," a spokesman for the American military command in Japan said today.

Socialist members of the upper chamber—the House of Councilors—who brought the program under public scrutiny had alleged that Japanese recipients of the aid were "indirectly cooperating with the United States Army's research on bacteriological warfare."

Premier Eisaku Sato issued instructions at a Cabinet meeting that heads of government departments concerned should "examine" the program.

Among recipients mentioned in the Education Ministry list were such institutions as the National Aerospace Laboratory, the National Cancer Center Research Institute, the Osaka City Institute of Hygiene, the Tokyo Dental College and a number of well-known government and private universities.

MAY 25, 1967.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I enclose a news report from the May 23 edition of *The New York Times* concerning certain research projects carried out by Japanese universities for the United States Army. The article quotes a spokesman for the American military command in Japan as saying: "The grants are part of a standard program of the United States Army all over the world, which has no other purpose than to aid scientific research."

I would appreciate it if you would provide me with information concerning the purposes of this program, the number of countries where the Department of Defense is financing such research, the dollar value of this program, by service, in the current fiscal year and proposed for fiscal year 1968, and how this research is coordinated with research projects of a similar nature carried out in American colleges and universities. Any other information that you care to submit in justification for the program would be welcomed.

Sincerely yours,
J. W. FULBRIGHT, *Chairman.*

THE SECRETARY OF DEFENSE,
Washington, June 9, 1967,

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to your request for information on our foreign research activities contained in your letter of 25 May 1967.

First I should like to point out that overseas research projects do not constitute, individually or collectively, a program aimed at supporting foreign research institutions. They follow the attached policy directive "Administration and Support of Basic Research by the DoD," dated October 26, 1961. In Japan, because of the gold flow problem, each individual project today must meet special criteria as outlined in the attachment. Because these foreign projects are supported within normal research programs, and not as separate international programs, they are reviewed along with all other proposed research projects of similar nature.

The value of current sponsored research by defense agencies in foreign countries amounts to $15,801,000. A copy of country-by-country breakdown is enclosed in answer to your request. This tabulation includes all currently active research projects regardless of the fiscal year of obligations. An additional tabulation of obligations for foreign research for fiscal years 1966 through 1968 is attached.

A special report on current Army-sponsored research contracts and grants in Japan is attached. As may be seen from examining these projects, the emphasis in this effort in Japan is toward supporting active research on diseases which are common in the Far East while uncommon in the United States. These diseases affect the welfare of U.S. military personnel who are stationed in the Orient. We have kept the government of Japan informed of the status of all Japan-based defense sponsored research. We have no reason to believe that they will lose sympathy with our objectives because of the recently reported incident in the Japanese Parliament.

I trust that the above information will be useful to you and the Committee. If additional or more detailed information is required, Dr. John S. Foster, Jr., Director of Defense Research and Engineering can be contacted directly.

Sincerely,
ROBERT S. MCNAMARA.

Enclosures: (1) DoD Directive 3210.1; (2) Policy Criteria for Selection of R&D Projects by Foreign Performers; (3) Defense Research Performed in Foreign Countries (Contracts and Grants); (4) Obligations for Foreign Research, DoD, FY 1966–1968; (5) Special Report—U.S. Army Sponsored Research in Japan, 6/5/67.

[Department of Defense Directive,
No. 3210.1, October 26, 1961]

Subject: Administration and Support of Basic Research by the DoD.

References:

(a) Executive Order 10521, as amended, "Administration of Scientific Research by Agencies of the Federal Government".

(b) DoD Directive 3210.2, "Policy on Basic Research Grants and Title to Equipment Purchased Under Grants".

(c) Section XV, Armed Services Procurement Regulation.

(d) DoD Directive 3210.1, "Policy on Basic Research," November 12, 1957 (hereby cancelled).

I. PURPOSE

This Directive states the policy of the Department of Defense on the administration and support of basic research.

II. CANCELLATION

Reference (d) is hereby superseded and cancelled.

III. DEFINITION OF BASIC RESEARCH

Basic research is that type of research which is directed toward increase of knowledge in science. It is research where the primary aim of the investigator is a fuller understanding of the subject under study.

IV. BACKGROUND

A. Reference (a) provides broad guidelines for administration of basic scientific research by Federal agencies. These guidelines state that while the National Science Foundation shall be increasingly responsible for providing Federal support for general purpose basic research, the conduct and support by other Federal agencies of basic research in areas which are closely related to their missions is recognized as important and desirable and shall continue.

B. The Director of Defense Research and Engineering is responsible to the Secretary of Defense for the review and direction of the basic research program of the military departments and other agencies of the Department of Defense authorized to conduct or support basic research, and shall ensure that this program is executed according to the provisions of Reference (a). This review will be of maximum effectiveness if all elements of the Department adhere to the same fundamental principles in their conduct and support of basic research.

V. PRINCIPLES

A. Basic research is essential to the development of military power.

B. Continuity is essential to successful basic research. Therefore, long-term planning and funding of basic research will be employed to the maximum possible extent.

C. Basic research may be conducted by competent scientists in universities and nonprofit institutions, industry, military laboratories, or elsewhere.

D. Sustained support of basic research will result in increased effectiveness and economies in military programs.

E. Free and effective communication among scientists is important to basic research.

VI. POLICY

A. It is the policy of the Department of Defense:

1. to conduct and support a broad and continuing basic research program to provide fundamental knowledge, with emphasis on that related to the needs of the Department of Defense; and

2. to assure full utilization of our scientific resources and to extend those resources in those areas of science relevant to the mission of the Department of Defense; and

3. to maintain, through such a program, effective communication among the scientists of the Department of Defense and the scientists of the universities and industry; and

4. to coordinate this program of basic research with the National Science Foundation; and

5. to encourage the support of basic research by other government and private agencies.

VII. IMPLEMENTATION

A. It is the responsibility of the Director of Defense Research and Engineering to produce, on a continuing basis, a sound basic research program through the coordination and integration of the elements of the program among the military departments and other agencies of the Department of Defense authorized to conduct or support basic research.

B. The Department of Defense provides support of basic research by

1. *Support of in-house laboratories.* Basic research in laboratories of the Department of Defense or in laboratories of other government agencies, best qualified for such work in particular areas, should be encouraged.

2. *Grants to and contracts with educational and non-profit institutions.* In situations appropriate for grants under the provisions of Reference (b), the grant instrument is the preferred method of supporting basic research by educational and other non-profit institutions.

3. *Contract with industry.* Contracts specifically for basic research may be made with industrial contractors (including small businesses) which have a recognized special competence in a given area. In the administration of the provisions of Reference (c) which relate to the allowability of a contractor's independent research costs under certain Department of Defense contracts, favorable consideration should be given to independent basic research.

C. The military departments and other agencies of the Department of Defense authorized to conduct or support basic research will provide the Director of Defense Research and Engineering with such information as he may require in order to carry out his responsibilities under this Directive, including annual reports through established administrative and fiscal channels of the following, by contract or grant and dollar value:

1. Basic research performed in government laboratories

2. Basic research grants to educational and non-profit institutions

3. Basic research contracts to educational and non-profit institutions

4. Basic research contracts to industrial contractors, including small business

5. Independent basic research recognized as an allowable cost in an advance agreement under the provisions of Reference (c). Such costs shall be reported via the Assistant Secretary of Defense (Installations and Logistics).

D. Within 90 days of the effective date of this directive, two copies of implementing instructions issued by the military departments will be forwarded to the Director of Defense Research and Engineering.

VIII. EFFECTIVE DATE

This directive is effective immediately.

ROBERT S. MCNAMARA,
Secretary of Defense.

POLICY CRITERIA FOR SELECTION OF RESEARCH AND DEVELOPMENT PROJECTS BY FOREIGN PERFORMERS

Research and exploratory development by foreign performers may be supported by DoD components only when it has been determined that it is clearly significant in meeting defense needs of the United States and cannot be deferred for later action, and providing that at least one of the following special conditions is inherent in the proposed work:

(a) the research or development involves flora, fauna, or geographical or environmental conditions not found and not feasible to duplicate or simulate within the United States or its territories.

(b) the work relates to diseases, epidemiological situations or availability of clinical material which are not present within the United States.

(c) the work is related to high priority military requirements in which it has been determined that sufficient trained U.S. manpower is not available and that supplementation is required.

(d) the work involves use of a unique or unusual facility not available in the United States and which should not be duplicated in the United States for practical reasons.

(e) the work fulfills a need for confirmation or replication of U.S. investigations in an environment outside of the United States.

(f) the work involves an outstanding, unique scientist whose qualifications and interest in a problem cannot be matched by any of his peers in the United States. In this context "outstanding" should be rigorously interpreted and an examination should be made of the reasons why support cannot be obtained from the government of the country in which he is a resident.

(g) the work involves unique, original, or proprietary ideas, the disclosure of which to U.S. scientists would result in either a violation of the proprietary rights of the investigator or his organization or in a conflict with generally accepted U.S. rules and codes of ethics, practices, courtesy, or precedence.

Defense research performed in foreign countries

[Contracts and grants]

Country	Funds	Number units
Argentina	$177,000	14
Australia	454,000	19
Austria	372,000	30
Barbados	22,000	1
Belgium	364,000	21
Bermuda	5,000	2
Bolivia	177,000	2
Brazil	277,000	19
Chile	191,000	13
Canada	2,685,000	91
Colombia	13,000	2
Congo	26,000	1
Denmark	120,000	12
Ecuador	21,000	1
Ireland	158,000	18
Ethiopia	10,000	1
Finland	13,000	1
France	830,000	29
Ghana	4,000	1
Greece	18,000	4
Guatemala	50,000	1
Germany	1,148,000	68
India	15,000	1
Israel	1,154,000	58
Italy	872,000	72
Lebanon	4,000	1
Japan	436,000	57
Kenya	11,000	1
Malaya	136,000	1
Mexico	13,000	3
Holland	252,000	15
Norway	459,000	19
New Zealand	66,000	5
Peru	339,000	15
Philippines	40,000	3
Puerto Rico	553,000	8
Canal Zone	49,000	1
Spain	88,000	8
Sweden	672,000	40
Switzerland	158,000	14
Thailand	98,000	6
Taiwan	42,000	5
Union of South Africa	187,000	3
Uganda	[1]	1
United Kingdom	2,800,000	199
Uruguay	88,000	8
Venezuela	134,000	8
Total	15,801,000	903

[1] No funding information available.

Obligations for foreign research, Department of Defense, fiscal years 1966–68

[In thousands of dollars]

Agency	Fiscal year 1966	Fiscal year 1967	Fiscal year 1968
Army	2,939	2,450	2,454
Navy	1,239	1,895	[1] 7,323
Air Force	5,534	4,934	[1] 5,914
ARPA	1,374	853	860
DASA	250	17	--------
Department of Defense	11,336	10,149	16,551

[1] These include $7,600,000 of excess foreign currency authorization (Public Law 480) included in fiscal year 1968 budget request.

SPECIAL REPORT: U.S. ARMY SPONSORED RESEARCH IN JAPAN

(Prepared for the chairman, U.S. Senate Committee on Foreign Relations, June 5, 1967)

The U.S. Army conducts a program which supports research by outstanding Japanese scientists who have unique capabilities in ideas, facilities or access to material which is not obtainable in the U.S. The program in Japan is complementary to the research program being conducted in-house and supported extramurally by the U.S. Army in American institutions. The Japanese Government is aware of the intent and the magnitude of the program. Individual scientists submit unsolicited proposals for research, with the approval of their universities or institutions. The proposals are evaluated by technically competent scientists in the U.S. as to the uniqueness, scientific merit, outstanding capability of the investigator and interest to the Army research program. The institution and the U.S. share the cost of the research and pool resources to assist the scientist in achieving a high level of excellence in his own project. Oftentimes, the grantee institution provides the major portion of the total cost.

It should be noted that the research is the investigator's own project and not a project proposed by the Army. The Army *does not in any way propose, specify or direct the project.* From conception to completion, the research project is the sole responsibility of the principal investigator. All grantees in Japan do publish extensively in the open scientific and professional journals. To insure that the full scientific data is made freely available because few journals will accept reports, grantees submit an annual report of the results of their work. The distribution of these reports is unlimited. The only other reporting requirement is the submission of a fiscal report, purely for administrative purposes, to insure the funds were used for the research. There are no further obligations on the part of the grantees.

The support to research in Japan has been confined almost entirely to basic medical research. The research projects cover a wide area and are as diverse as the interests of Japanese medical scientists. They range from fundamental studies of sensory neurophysiology to studies related to the diagnosis and treatment of diseases endemic to Japan, such as Japanese B. encephalities, clonorchis sinensis infections (kankyuchu sho) and schistosomiasis. Although the research is of interest to the U.S. Army, it is related to the health problems of the Japanese people.

A complete listing of these current research topics is attached.

Current life sciences contracts and grants in Japan, June 1, 1967

[Institution, title, and funding]

Kyushu University, "Structure & Function of Photoreceptor & Chemoreceptor"	$2,000
Institute of Microbiology & Chemistry, "On Drug-Resistance of Shigellae & Staphylococci"	10,339
Kitasato Institute, "Immunity in Local Antibody & its Nature"	6,050
Kyoto University, "Interrelation Between Virus & Host at Molecular Level"	5,507
Kanazawa University, "Neuronal Regulation of Feeding"	9,243
Nara Medical College, "Electron Microscope Study on Infectious & Serum Hepatitis"	1,463
Nara Medical College, "Japanese B Encephalitis Virus w/Elec Microscope"	2,945
Yodogawa Christian Hospital, "Asthma and Air Pollution (Osaka)"	10,170
Nagasaki University, "Dehydrogenation Complexes in Mammals"	7,982
Kitasato University, "Antiviral Activity of Guanylhydra-zones"	3,520
Chiba University, "Chemotherapy & Serodiagnosis for Clonorchis Sinesis Infection"	3,000
Hiroshima University, "Vagal Responses to Brain Stimulation"	1,139
Keio University, "Effects of Air Pollution (Japan)"	15,250
Sasaki Institute, "Chromosomal Changes Associated with Altered Biological Characters in Homologous Transplants"	4,550
Kyoto Prefectural University of Medicine, "Erythrocyte Destruction Due to Strenuous Muscular Exercise"	4,515
Keio University, "Encephalitozoon Infection in Man"	4,728
Hokkaido University, "Physiological Activity of the Brown Adipose Tissue"	6,014
Kumamoto University, "Endogenous Mechanism of Vascular Responses in Inflammation"	4,480
Yokohama City University, "Antibodies of Japanese Encephalitis WEE & Vaccinia"	2,576
Kumamoto University, "Biologic Reactions of Cellular Antibodies & their Properties"	7,250
Kobe University, "Mammalian Brain Function in Vitro"	23,823
Yokohama City University, "Skin Test for Filariasis"	6,026
Kyushu University, "Biophysical Studies of the Intestinal Smooth Muscle"	9,820
Osaka City University, "Purification of Protective Antigen of Gram-negative Bacteria"	6,464
Yamashina Institute for Ornithology & Zoology, "Migratory Animal Pathological Survey (Japan)"	5,600
Tokyo University, "Effect of Air Polluting Chemical Gases Upon Immunologic Processes in Animals"	5,712
Kyoto University, "Biophysical and Biochemical Studies on Microsomes of Nervous Tissues"	3,120

Department of Defense statistics on foreign area research

1. Funds appropriated for research abroad.

(*Millions*)

Research in foreign countries: [1]	
Fiscal year 1967	$38.7
Fiscal year 1968	[2] 45.1
Social science research in foreign countries:	
Fiscal year 1967	2.750
Fiscal year 1968	3.048

[1] Of these amounts, $10.149 M (FY 67) and $16.551 M (FY 68) are research known to be performed in foreign laboratories. The balance consists of an *estimate* of funds going to U.S. performers for support of research conducted abroad. The records do not show in detail what fraction of these funds are expended overseas. Therefore, this estimate probably errors on the high side.

[2] Includes $7.6 M excess foreign currency authorization (PL 480) included in FY 68 Budget Request.

2. Funds appropriated for projects oriented towards foreign policy problems.

(*Millions*)

Totals:	
Fiscal year 1967	$27.734
Fiscal year 1968	27.674

3. Sums spent on social science research for Thailand and Vietnam for the 1967 and 1968 fiscal years.

(*Millions*)

Vietnam:	
Fiscal year 1967	$2.628
Fiscal year 1968	1.936
Thailand:	
Fiscal year 1967	.186
Fiscal year 1968	.872

COOPERATION BETWEEN PUBLIC AND PRIVATE POWER COMPANIES

Mr. MUSKIE. Mr. President, I invite the attention of Senators to an article entitled "The Gaslight Industry," written by Mr. Wallace I. Roberts, and published in the June 26 edition of the Nation.

I have long maintained that New England must speak and act as a region. With this in mind, I have advocated cooperation between public and private power companies which would provide the necessary stimulation of competition to increase the supply of lower cost power for New England. Nowhere is this need for cooperation more evident than in the present situation which exists between the private power companies themselves and between the private and public power utilities. Mr. Roberts' article is most perceptive and presents a keen insight into the need for a realistic and comprehensive long-range private and public power program for New England.

I ask unanimous consent that Mr. Roberts' article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW ENGLAND POWER: THE GASLIGHT INDUSTRY

(By Wallace I. Roberts)

Since the gaslight era, power in New England has been controlled by the private companies, but recent developments initiated by public-power advocates suggest that the Yankee capitalists, who have administered the industry with an amazing lack of their traditional ingenuity, may be forced to change their ways. Except for a transmission system half owned by Vermont and providing about a quarter of the state's electric needs, there are no large publicly owned generating or transmission systems in the six states, so they have escaped until now the passionate, flag-waving defenses of free enterprise that have previously been exhibited in private vs. public power battles in nearly every other section of the country. The controversy in New England has taken the form of a series of complicated legal and financial maneuvers, a somewhat misleading public relations and advertising campaign, and intensive political lobbying. It has all been most decorous, but with the April announcement by the Justice Department that it is making preliminary investigations of possible antitrust violations by the private New England utilities, and with the threat of similar action by the Federal Power Commission, things may become less restrained.

Beginning two years ago with a request for money to finance engineering studies for a federal hydroelectric project on the St. John River near the town of Dickey in northern Maine, the conflict has grown and developed on several additional fronts. It promises not to be over for some time, given the determination and recent successes of the public-power groups and the distaste for change exhibited by most private company officials.

If there is no agreement about what kind of power projects to build, there is absolute agreement as to why they are necessary—New England's electric rates are the highest of any region in the country. There are many ways to compare the cost of electricity, and by any of them the New England states, except Vermont with its public power, are at the top of the list. Federal Power Commission figures for 1963 show that the average price per kilowatt-hour sold by the private utilities in New England was 2.48c compared to 1.77c for the private utilities of the country, a difference of 40 per cent. Similar comparison reveals that fewer kilowatt-hours per customer are sold in New England. Higher prices inhibit sales, and lower sales force the prices even higher because a smaller total revenue must be spread over the fixed charges.

Private company executives acknowledge the region's high rates, but their reply has become as automatic as an echo: "Yes, but our fuel and labor costs and taxes are so high." There is some substance to that explanation, though Joseph C. Swidler, former FPC chairman, said several years ago that if New England utilities had to pay only average fuel costs, the region's electric bills would be lowered by less than 5 percent.

An equally substantive explanation, however, is the fact that administrative expenses range, depending on how they are measured, from 33 to 100 per cent above the national average, and, according to William D. Shipman, professor of economics at Bowdoin College, account for one-quarter to one-half of the difference between the average price for electricity in New England and in the rest of the country. Local taxes, which are one-third higher for New England utilities, are the only significant inequity that is apparently beyond much control.

The most important factor in rate reductions is increased per capita use. Because New England is an "old" region in demographic terms, neither its industry nor its population, and hence its per capita use of electricity, has kept pace with the rest of the country. A slow growth rate in per capita use is almost a built-in barrier to lowering prices, but reductions can be encouraged by cutting costs through efficiencies.

Compounding the high fuel costs, the coal or oil is burned in plants that for the most part are little old teakettles, barely able to get up enough steam to whistle, when compared to the giant and efficient boiler-turbine-generator combinations that have been available for years. The region does have one show piece, the Brayton Point, Mass., plant of the New England Power Co. It opened in 1964 and was rated by the FPC as the most efficient in the country, but for thirteen years before that New England had no entry on the commission's list of the top ten most efficient plants.

Mechanical inefficiency cannot be blamed on the region's age or geographical deficiencies; it is the result of administrative decisions. Two generations ago, Samuel Insull, the man who did for electricity what Henry Ford did for the automobile, showed the power industry that it was much more efficient to use large generating plants serving as many people as possible. No one believed him at first, and it might appear that many private company executives in New England still don't. On average, the public utilities companies of the country serve three times as many people as do the companies of New England, and there are more than one and a half times as many people for every generating plant. This means for New England more executives, more plants and lines to maintain, more secretaries, more maintenance workers, more pensions and insurance, and higher labor costs per customer. New Englanders are paying to perpetuate a quaint private industry organization that is not nearly as charming as a covered bridge and much more expensive.

Attempts at consolidation have been made, but the pace is slow. In some places in New England, covered bridges have rotted away before the public realized what was happening. It is unlikely, however, that any private utility in the region will collapse, for they are protected by the state regulatory agencies and an apathetic public. Almost all of the region's utilities make the maximum profit allowed by law, and a few are considerably above the prescribed limit. Blackstone Valley Electric Co. of Rhode Island earned in 1965 a return of 9.34 per cent, almost twice the limit.

Only Vermont's Public Service Board seems to take seriously its obligation to set reasonable rates. New Hampshire and Connecticut appear indifferent at best, and the regulatory agencies in Maine, Massachusetts and Rhode Island have exhibited what can only be called an affection for the private companies. The Maine and Massachusetts agencies have been hostile, almost insulting, to recent appearances by public-power groups.

Part of this situation results from the fact that none of the agencies has money or staff to do an adequate job. Most are so short of skilled help that they are forced to accept company operating statistics as a basis for determining rates. Unless the public demands it, the regulatory agencies are not likely to hire qualified accountants or engineers, and the prevailing public attitude is that the cost of electricity has formed a triumvirate with death and taxes. The result is that the regulatory agencies are permitting monopolies to earn good profits with equipment and organizational structures that would drive them to the wall if they were faced with even moderately aggressive competition. Allowing each utility exclusive control of its sales territory prevents wasteful duplication of plants and lines, but it also creates an attitude of *status quo* complacency. Creative regulatory policies could impose penalties for continued use of outmoded steam plants, instead of allowing them to be included in the rate base.

However, conventional steam plants have had their day in New England. After 1969, the region's power industry will most likely build only lower-cost nuclear plants. It already has an experimental nuclear plant, Yankee, at Rowe, Mass., and five others are either under construction or committed. These five are part of what the private companies have dubbed their "Big 11 Power Loop"; the other six installations consist of five conventional steam plants and a pumped storage plant. All eleven are scheduled to be finished by the end of 1972 and will be connected by 900 miles of 345-kilovolt transmission lines. The cost of the project is about $900 million, and the plants will provide about 6.3 million kilowatts of power.

The name "Big 11 Power Loop"—but not the plants or transmission lines—is a gimmick, pure and simple. No engineering plan or study supports the location, type or design of the plants on a system-wide basis. It all started with a full-page newspaper advertisement announcing the "Loop" and implying that the whole thing was thought out well in advance. The campaign, carried on with television commercials costing about $200,000 a year, was devised by the private companies' trade organization, the Electric Coordinating Council of New England (ECCNE), in response to the threat of the federal government's Dickey-Lincoln School hydroelectric project.

As one company official put it: "We felt the public should know about our plans because Dickey was getting a lot of publicity, but the important thing is that the eleven plants were planned long before Dickey came up. We did not just decide to build the plants after Dickey's first appropriation, as some of our opponents have said."

That first appropriation for the government project in 1965 was for $800,000; last year it received $1,100,000. This year, President Johnson asked for $1,600,000 to finish engineering studies and begin construction. The 794,000-kilowatt project is to cost an estimated $212 million and, if all goes well in Congress, will be finished in April, 1975.

The dam at Dickey is the practical reality left over from the dream of harnessing the tides in Passamaquoddy Bay at the eastern tip of Maine. [See "Reviving Passamaquoddy" by William S. Ellis, *The Nation*, July 13, 1964.] It was the request for its first appropriation that started the political and verbal six guns blazing. The members of the ECCNE opened an intensive lobbying campaign and sent their forces to Washington equipped with large packets of propaganda purporting to show that Dickey was objectionable on just about any conceivable ground. They had some effect, especially on the New England delegation of twenty-four Representatives, twenty of whom voted against Dickey on one roll call. Congressional resistance to a large public-works project for the home region is unusual, and the New England vote raised speculation as to whether the area's Congressmen felt more obligated to the private utilities or to their constituents.

Dickey is not enormous; by 1980 it will provide only 1 per cent of the area's electrical requirements. But it will probably bring with it a Northeast Power Commission to market the power. It is expected that the cheaper power of Dickey, combined with the prodding effect of the power administration on state regulatory agencies, will be to force lower electrical rates. The members of the ECCNE fear, with justification, that Dickey will oblige them to cut administrative and generating expenses and become more efficient. The private companies put it a little differently, however, saying that Dickey will force them to lose money by trying to meet its prices. The federal government's experience, on the contrary, has been that its low-cost power stimulates consumption and increases revenues for surrounding private companies.

The ECCNE has introduced masses of statistics at Congressional hearings to prove that Dickey will not break even. Public-power advocates pointed out that the same kind of argument has been used against every federal power project in recent years. In an attempt to reconcile contradictory figures supplied by the ECCNE and the Corps of Engineers, the House Appropriations Committee assigned its staff to investigate the situation. Its report, made public June 5, offers no specific recommendations, but concludes that the project will produce power at a cost lower than any comparable alternative proposed by the ECCNE. The report also contained several biting observations on the long-range planning by New England's private utilities and noted that the companies "have not produced any document supporting central planning with the exception of the newspaper advertisement," and that "the most current transmission study by the ECCNE was completed in 1963" and includes plans for none of the Big 11 projects.

The fight over Dickey is overshadowing several other power conflicts that may have even greater effect on New England. One is a plan to import 1.25 million kilowatts, almost twice as much as Dickey would generate, from a giant hydroelectric project at Churchill (formerly Hamilton) Falls in Labrador.

This scheme was seen as a real threat by the private companies when it received the backing of Gov. Philip H. Hoff of Vermont, a bright young Democrat in the land of Republicans. In January, 1966, he introduced a bill in the Republican-controlled legislature which would have created a quasi-public, nonprofit corporation to import the Canadian power and resell most of it to municipal and cooperative utilities in Massachusetts and Connecticut.

The bill was sidetracked to the legislative council which reported it unfavorably, thus killing the bill but not the idea. Even before the report was issued, a group of the state's municipal and cooperative managers got together and formed their own company to do just what the one outlined in Governor Hoff's bill would have done. Currently, that company is negotiating with both Canadian suppliers and prospective buyers in Massachusetts and Connecticut.

One group of prospective customers, the Municipal Electric Association of Massachusetts (MEAM), is also waging the private vs. public battle on several other fronts and with some success. Two years ago the MEAM was dormant; its thirty-nine members serving 239,000 customers were at the mercy of the private companies from which they were forced to buy power at rates imposed by the sellers.

Then Shrewsbury, Mass., won an FPC decision, later upheld by the U.S. Court of Appeals, forcing the New England Power Co., the area's largest wholesaler, to sell the town power at a wholesale rate, not at retail as before. Other towns followed up the victory and negotiated from NEPCO lower prices that saved $2 million. Since then the association has raised its dues, hired a first-class Washington lawyer and consultant engineers, and filed legal objections to every move made by the ECCNE.

The MEAM had tried earlier to join the ECCNE, but the private companies are apparently unwilling to let the municipals have a say in the development of the region's power industry. The application was never actually refused; the council simply voted not to change a rule it made in 1964 prohibiting municipals from joining. Reversing a cliche, the MEAM declared: "If you can't join 'em, lick 'em." It has appeared before state utility regulatory agencies in Maine, Massachusetts and Vermont, and before the FPC and Securities and Exchange Commission, challenging some of the engineering aspects of the Big 11 plants and transmission system, and hinting that it may raise anti-trust objections to the fact that the ECCNE has "blacked out" the municipals from direct participation in the Big 11 nuclear plants.

Besides trying to join the ECCNE, the MEAM has tried to buy its way into two of the Big 11 nuclear plants, Maine Yankee and Vermont Yankee. These plants are being built by various combinations of the members of the ECCNE (a good but almost singular example of regionalization of the industry) and have about a dozen owner-utilities each. The MEAM wanted a piece of each of these plants because the electricity they generate will be sold directly only to owners, in proportion to the amount of stock owned.

The MEAM has not yet had a clear-cut victory on this issue, but it has been partly successful and indications are that it will have to be reckoned with. The Vermont Public Service Board has declared that municipals should be given a chance to purchase stock in Vermont Yankee, and because of the MEAM objections, the FPC has received a staff recommendation that it institute antitrust proceedings against the ECCNE if it does not permit the MEAM to participate in future planning. The Justice Department apparently has been made aware of the FPC's staff report. On April 21, Donald F. Turner, assistant attorney general in charge of the antitrust division, in reply to a request from Sen. Lee Metcalf (D., Mont.), announced that the department has been conducting "exploratory studies" of the power industry's possible exclusion of municipals and cooperatives from participation in new generation and transmission systems planned by the private companies. Mr. Turner did not mention New England specifically, but Senator Metcalf, who has recently pained the industry's leaders with his book, *Overcharge*, had referred to the situation in New England in his request for antitrust action.

The answer to New England's power problems is not simply a matter of choice between private and public power; government bureaucracy can be just as inefficient as private management. What is needed above all, whether it is private or public, is a regional power company, or at most two or three. If it must be private, a corresponding and effective regional regulatory agency and competing public projects must also be established.

The area is too small, its population too dense, its problems too common to deal with electricity on a state-by-state basis, or to allow it to remain exclusively a private business. The private companies claim that they are moving toward regionalization. They said that a decade and a half ago, and there has been little change. The private company executives are wrestling with their own egos; what president, even of a small, local power company, wants to become the district manager of a six-state monolith? In this sense, as in several others, it can be said that the private companies are not acting in the public interest because they are bound to laissez-faire capitalism, and that was proved obsolete before Edison set up his Pearl Street station.

REHABILITATION PROGRAMS

Mr. LONG of Missouri. Mr. President, as chairman of the Subcommittee on National Penitentiaries, I have been deeply interested in all rehabilitation programs. In the last Congress, I introduced in the Senate the legislation which authorized the Federal work-release program.

On Monday, June 19, the Washington Evening Star published an article about a very encouraging 14-month experimental rehabilitation program being conducted at the Lorton Youth Center. The program, known as Challenge, is an education and job-training project run by the National Committee for Children and Youth. Five VISTA volunteers are helping to conduct the program.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Challenge at Lorton: Inmates Forgo Parole for Training

(By Donald Fitzhugh)

A man serving time at a correctional institution who waives his parole date so he can stay on the inside and finish barber training must want a job pretty badly.

Two men at the Lorton Youth Center who did just that recently are among 153 inmates who have been part of an experimental education and job training project run by the National Committee for Children and Youth at the center.

The District Department of Corrections, which runs the Youth Center, has been impressed enough with the experiment to offer all the instructors jobs when the program ends in August. And the work of five VISTA volunteers in the experiment is being evaluated to see how this, too, will fit into the department's regular program.

Ray Nelson, the department's associate director for planning, thinks the 14-month experiment called "Challenge," has achieved several of its goals:

It has shown the value of vocational training—not just for teaching a skill—but as a medium to reach the inmate and teach him self-esteem, Nelson said.

And the program demonstrated that VISTA (Volunteers in Service to America) has something to offer in a correctional institution.

The men in the training also think the project, especially VISTA, is a good thing. William Phifer, 22, trained as a barber, says a VISTA worker still comes by to see him, several months after his release.

The "Challenge" staff signed up 219 of the 300 men at the center and let them choose one of seven training areas. The men were then enrolled in classes as their parole or release date approached.

CHOICE IMPORTANT

Being able to pick their training is important to the men, explained Reginald Baker, 22, who was a member of the painting class. "I wanted it. I can kick nobody but me if I fail."

Few have failed. The staff has found work for 34 of the 36 men who have been released since their training ended. Three of the 36 have been convicted of crimes since then, all within two weeks of their release.

The "Challenge" project was started after the end of a Manpower Development and Training Act job program, which was criticized by an evaluation team from Catholic University and not refunded after an 18-month demonstration period ended last June. The evaluation suggested more community support for the men and fewer departmental restrictions during experimentation.

"Challenge" has received outstanding support from business, according to Leon Leiberg, project director. The Northern Virginia Steel Co. donated two arc welding machines in trade for first pick of the "graduates," he said.

On the other hand, Nelson thinks the department may substitute data processing for painting because there was some difficulty getting the men into the union and having them work on government contracts with prison records.

Nelson feels that VISTA's work with the men and their families has been valuable. "They have been able to establish very significant relationships with the inmates," he said.

The VISTA workers tutored the men individually at night, visited their families and ran a varied program outside of class, including group discussions, films and classes in Negro history.

They even organized an art show of welded sculpture, 15 pieces of which sold for $457—which went to the men—during a week-long showing in the lobby of the Office of Economic Opportunity.

Essentially, the project raised the morale of the men at the Youth Center, according to Dr. Reuben Horlick, center director, who said: "There has been a change in the men—they are self-assured and they have some staying power."

The Corrections Department now plans to ask Congress for permission to juggle its budget to take over when the experimental program ends in August.

RESTORATION OF FORT GORGES, CASCO BAY, MAINE

Mr. MUSKIE. Mr. President, I invite the attention of Senators to an article published in the Portland, Maine, Evening Express of June 29, 1967.

I believe it appropriate at this time, when there is growing criticism of the antipoverty program, that Senators be made aware of the constructive work being performed by the Portland Neighborhood Youth Corps. Under a planned program for the restoration of historic Fort Gorges in Casco Bay, a 15-boy crew is learning the value of work experience while contributing to the rehabilitation of one of Maine's few Civil War garrisons. I congratulate the leaders of this program for their vigor and initiative in conducting a project designed to benefit both disadvantaged youths and the community.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Fort Gorges Facelifting Is Resumed

(By Harrison Brown)

Fort Gorges lies dreaming under the gentle summer sun.

In fact it has lain that way for more than a century of summers, because the picturesque prominence in the middle of Portland's harbor has never fired a shot in anger, seldom shot at all and indeed has never been fully garrisoned.

But things are picking up. For the second summer, a 15-boy crew of the Neighborhood Youth Corps is tidying up the place with the eventual aim of making the city-owned former bastion a park which should be a tourist attraction of the first magnitude.

Construction of Fort Gorges was started in 1857 when Jefferson Davis, who was to become the first and only president of the Confederated States of America, was the U.S. Secretary of War.

Halfway through the massive job the Civil War broke out and during the years when Yankee boys were bleeding and dying at Antietam and Gettysburg a big crew of stay-at-homes labored on the fort at war-inflated wages.

Eighteen sixty-five, the year of victory, came, and the fort was finally finished at the then-astronomical cost of $890,000 to begin its career of more than a century of disuse.

In rehabilitating the fort to make it safe and accessible to visitors, the Neighborhood Youth Corps had to have water transportation from and to the mainland.

Now the corps has it and more is on the way. In May of last year three husky Liberty boats, on loan from the Navy, arrived in South Portland from Boston on the broad deck of the Coast Guard buoy tender Cowslip.

The three boats needed plenty of fixing. Under the direction of Capt. Donald A. Crandall of Peaks Island, the boys went to work.

They have already put one boat, the Opportunity, into mint condition and she is now the steady ferry. The boys have wooded down a second boat ready for recaulking and when she is finished they'll start on the third.

The boats are 36 feet long, 10 feet in beam and weigh 11,500 pounds apiece. Although badly dried out from 11 years of storage under cover, they are stoutly built with yellow pine planking, oak frames and decks and all bronze-fastened.

The worst problem in rehabilitation was removal of old paint which had built up to an eighth of an inch in thickness. With economical diesel power they will do nine knots and carry 40 persons apiece.

Thomas L. Curtis, retired Marine Corps captain, coordinator in charge of the fort rehabilitation, said that the first step after the cleanup work is the construction of a dock. At present a motorboat can land at the fort only when the tide is about two-thirds full. At other times visitors must go ashore from larger craft in rowboats.

Curtis pointed out the vast potentialities of the fort as a picnic and scenic spot. He also pointed out the vast amount of work needed to make the place safe and attractive. The fort last had a caretaker in 1912 and, in the 55 years since, vandals have done their worst. Interior woodwork of the garrison portion has been ripped out and destroyed and obscenities adorn the walls in large lettering.

But vandals have not been able to do much to the masonry. The exterior walls facing seaward are solid granite four feet thick and the garrison portion has walls of 30-inch granite faced inside with brick and plaster. In fact not even professional wreckers have been able to make much headway. Many years ago an outfit moved in to salvage some of the granite but the project was given up as a hopeless job after a few tons were removed.

Nature threatens to do a job at which vandals and salvagers have failed. Although the roof above the double tier of gun ports is covered with 12 feet of gravel, the rains and snows of more than a century has seeped through and leached the lime from the masonry to form stalactites in the groined brick ceilings. And the process has continued for so long that stalagmites are beginning to grow upward from the stone floors, as in a natural eons-old cave.

The boys on the job are paid $1.40 an hour for a four-day week. On Fridays, the fifth day, they must attend counselling sessions to remain in good standing as Neighborhood Youth Corps members. Ages run from 16 to 21 and many of the youngsters are still in school. Several have shown aptitude at skilled tasks, such as repairing and operating boats. Gary Soule, who graduated this year from Portland High School and is headed for Northeastern Business College in September, is crew supervisor.

Boys will be boys and will often goof off, Curtis admits, but disciplinary problems are few and the youngsters like their work.

LIMITATION OF USE OF ELECTRONIC AND MECHANICAL EAVESDROPPING DEVICES

Mr. LONG of Missouri. Mr. President, the New York Times recently published the new regulations issued by Attorney General Ramsey Clark placing severe limitations on the use by Federal agents of electronic and mechanical eavesdropping devices. The regulations as a practical matter prohibit the use of all such devices except with the permission of one party to the conversation, and even in this situation the written permission of the Attorney General is to be obtained. An agency head in an emergency can authorize such use, but the Attorney General must be notified within 24 hours and the emergency explained.

National security situations are exempt from the new regulations, but Federal agencies handling national security matters are to consult with the Attorney General concerning the use of electronic devices.

This action of the Attorney General extending and implementing an earlier Presidential directive is most commendable. Following close on the heels of the Berger case, in which the Supreme Court strictly limited State use of such devices, these regulations hold out a promise of renewed privacy.

It is refreshing to see a law enforcement officer strive to strengthen constitutional protection rather than search for means to avoid them. For 37 years, Attorneys General have followed the most strained construction of the Federal wiretap statute so as to permit certain law-enforcement wiretapping. Attorney General Clark, on the other hand, refuses to close his eyes to the words of the statute and admits that it prohibits law-enforcement tapping.

But more than this, the new regulations for the first time sweep aside the fog of confusion that has surrounded law-enforcement use of all electronic devices and establishes clear-cut prohibitions and guidelines. The regulations recognize fully the right of privacy and its importance to the American people. The Attorney General deserves the praise of every citizen for strengthening freedom.

Mr. President, these regulations make it abundantly clear that the investigation by the Subcommittee on Administrative Practice and Procedure is beginning to bear real fruit. During the past 2 years, as we have sought to end unconstitutional and illegal use of snooping devices, we have witnessed a number of small forward steps—new mail-cover regulations, new law prohibiting the opening of first-class mail, the President's 1965 directive, and others.

But now we have our first major victory. Experience has shown us, however, that this may be a paper victory only, unless close supervision follows. Agencies and agents, among whom wiretapping and eavesdropping have become a way of life, will not change their ways easily. The Subcommittee on Administrative Practice and Procedure will do all it can to see that all Federal agencies comply.

With this victory won and with the significant assist of the Berger case, it is time to consolidate gains and push on to strengthen privacy against private snooping.

Pending before the subcommittee at this time is S. 928, which would use the full powers of the Federal Government to curb the manufacture, sale, and use of such gadgets for private use. The following proposition would seem to go, almost without saying: If, as a necessary step to protect our dwindling right to privacy, electronic eavesdropping is to be severely restricted for law enforcement, even more stringent restrictions should be placed on all private electronic eavesdropping. This is what S. 928 is designed to do.

We have discussed informally with the Department of Justice certain amendments to S. 928 which were proposed as a result of our lengthy hearings on this bill. The Subcommittee on Administrative Practice and Procedure will meet on July 18, 1967, to discuss the bill and the proposed amendments. It is hoped that at that time we will be able to make a final recommendation to the Committee on the Judiciary for prompt action on a bill.

If anyone doubts the need for legislation in the private sector, there is a wide assortment of articles and materials which document the terrifying situation which now exists. Recently, the Wall Street Journal published one such article written by Stanley Penn.

Mr. President, I ask unanimous consent that the article be printed in the RECORD. I ask unanimous consent also that the text of the new regulations as carried by the New York Times, and a related article written by Fred Graham, the Times' able legal analyst, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

THE BUG BUSINESS: GROWING PRIVATE USE OF EAVESDROPPING GEAR BRINGS SPURT IN SALES—ELECTRONIC DEVICES BECOME SMALLER, MORE VERSATILE—CRITICISM HAS LITTLE EFFECT—DEBUGGING ALSO IS BOOMING

(By Stanley Penn)

Dad, do you worry that your son takes drugs?

A tiny eavesdropping device, advertised by a Manhattan retailer, may help you discover the awful truth. Conceal the $59.95 radio transmitter in the base of the home telephone. Then tune an ordinary FM radio receiver in another room and listen unobserved to your son's phone calls.

Mom, do you suspect Dad of infidelity?

The "bumper beeper," a small, powerful transmitter priced at $280 by a Miami, Fla., manufacturer, will help you trail hubby to his trysting place. Hide the bug inside the bumper of his car. Held in place by a magnet, the transmitter will send signals to a tailing car, pinpointing the distance and direction of your errant mate.

Bugging is big business, and it's getting bigger, manufacturers and retailers claim. Once, law enforcement officers were the chief users of hidden microphones and telephone taps; today, a majority of the devices are said to be in private hands. Electronic snoops are popular for bedroom bugging in divorce cases and for industrial espionage. And a small Texas maker of bugs confides that employers find the devices handy in spying on workers "to see if they are loyal and honest."

RESTRICTING EAVESDROPPING

At both the Federal and state levels there's a growing effort to restrict eavesdropping. Just last month, for example, the U.S. Supreme Court ruled it was unconstitutional for New York State to allow court-approved eavesdropping by police. At the same time the court strongly indicated that it found the whole practice of electronic snooping distasteful.

These moves are slowing the bug boom—but not by much. A few suppliers see an easing in the rate of sales growth because of unfavorable publicity and consumers' fears of possible law violations. But many other manufacturers are capitalizing on the publicity: They're building de-bugging devices to detect the same snooping equipment they produce.

It isn't possible to tell how fast the spy industry is growing, since many eavesdropping devices such as wireless mikes are also used for legitimate purposes by entertainers, lecturers and the like. But one New York supplier, Security Electronics, says sales of transmitting and anti-bugging devices so far this year are about double those of a year ago. The firm has customers ranging "from foreign governments to individuals with marital problems," an official says.

Stimulating the public's taste for espionage is a dazzling array of buys. Tiny mikes can be concealed in neckties, fountain pens and button holes, linked by thin wires to small transmitters or tape recorders hidden in a suit pocket. Transmitters can also be stashed in wristwatches, table lamps and in holes bored in picture frames.

ASHTRAYS AND CIGARETTE LIGHTERS

In Dallas, Security Communications builds miniature transmitters into ashtrays, cigarette lighters and pencil boxes. "Our skilled workmen have installed numerous units that cannot be detected by normal examination," Security proudly advertises.

One of the tiniest bugs in commercial use is the "Jr. 101," made by Continental Telephone Supply Co., New York, a leading supplier of listening equipment. Smaller than a dime, the "Jr. 101" measures ⅜ of an inch by ⅜ of an inch, and is ⅛ of an inch thick. The gadget will pick up a voice up to 75 feet away and rebroadcast it to a radio receiver 200 to 300 feet away. Continental claims. Its price: $350.

Emanuel Mittleman, who operates from a small workshop in lower Manhattan, is considered by many to be the Henry Ford of bugging equipment makers. Though he scorns advertising, his clients keep increasing. "If you've got a good product, people will find out about it," he observes.

The "harmonic bug," priced at $400, is the most celebrated Mittleman creation. It works like this: A transmitter is wired to the victim's telephone. Then the eavesdropper dials that phone—from anywhere in the nation—and blows a note from a small, 50-cent harmonica. The harmonica tone activates the hidden transmitter without ringing the victim's phone. Acting as a listening device, the bugged phone transmits everything that's said in the room over phone lines to the eavesdropper.

LISTENING THROUGH WALLS

Most bug merchants tell customers that the burden is on them to ensure that they don't violate eavesdropping laws. The laws, though, are quite murky. Acquiring information through a trespass of a hidden mike is generally considered a crime, but there are ways to avoid this problem. Continental Telephone Supply, for example, sells a stethoscope mike, equipped with a powerful amplifier, for listening through walls.

Only a handful of states have laws against the actual act of eavesdropping, and there aren't any Federal statutes against it. There are, of course, regulations against telephone tapping. However, they probably wouldn't apply to phone-implanted transmitters like Mr. Mittleman's "harmonica bug" since these gadgets monitor conversations in a room, not on a phone line.

Governmental agencies are getting tougher, though. In December, District Attorney Frank Hogan of New York announced that a 27-month investigation into eavesdropping and wiretapping had resulted in indictments against 28 persons charged with invasion of privacy. One private detective was accused of tapping the phones of Donald Kendall, president of PepsiCo Inc.

Both Democrats and Republicans have offered bills in Congress to restrict eavesdropping. And President Johnson seeks to curtail the manufacture of electronic bugs and to make it illegal to buy them in interstate trade or to advertise them as snooping devices. A bill sponsored by Sen. Edward Long (D., Mo.), head of a subcommittee that has been investigating snooping by Federal agencies, incorporates many of the President's proposals.

Heavy advertising in mail order catalogs, newspapers and magazines has helped spur sales of eavesdropping equipment. For example, Signature, the Diners' Club magazine, with a circulation of 820,000, has two full pages of bugging and de-bugging ads aimed at businessmen in its June issue.

Robert M. Brown, author of The Electronic Invasion, credits James Bond movies and spy shows on television with prompting the public to buy bugging devices. "Tracking a person halfway around the world or listening in on conversations a million miles away are made to seem so simple that anyone can do it," he says. Mr. Brown's 184-page paperback, which shows enthusiasts how bugs work and how to build and use them, has sold over 22,000 copies since its publication in early May.

Some of the newer bugs are proving to be a boon to private eyes, observes Mr. Brown, a licensed investigator. He points to voice-actuated transmitters and recorders that turn themselves on at the sound of conversation and shut off when the talk ceases. These gadgets do away with the need for "stake-outs"—men who spend hours in hotel rooms, ready to start recorders when hidden mikes pick up voices.

RESHAPING THE PROFESSION

"To say this has reshaped the scope of professional eavesdropping would be the understatement of the century," says Mr. Brown. Instead of paying $40 to $100 a day to detectives for stake-outs, he adds, customers can now get a full week of recorded conversations for less than $200. One result: More business for private eyes as costs drop, Mr. Brown insists.

Increasingly, makers and retailers of eavesdropping devices stress that their products have constructive uses. In ads, they point out that homeowners can cut down on burglaries by using surveillance equipment and that businessmen can stave off nosy competitors by employing anti-bugs to detect bugs.

Thus, Continental Telephone Supply claims that with its "intruder detector" you can hear what's happening in home or office "without the burglar knowing it." Continental also provides three-man teams to "electronically sweep" offices, seeking out phone taps or hidden mikes.

One of many manufacturers that works both sides of the street is a Miami firm, which asks that its name not be published. This outfit's line ranges from the "Tiny Tim," a transmitter described as "ideal for behind drapes and over cornices," to the "hound dog," a detection device for sniffing signals of concealed transmitters—like the "Tiny Tim," for instance.

A BRISK BUSINESS IN SCRAMBLERS

Some large electronics concerns, too, are entering the de-bugging field. One is Hewlett-Packard Co., Palo Alto, Calif., which says it's doing a brisk business in scramblers. A scrambler is a battery powered device that fits against a telephone's mouthpiece and receiver, electronically scrambling the words into an unintelligible garble. An identical unit at the other end unscrambles the conversation. The factory-coded devices sell for $550 a pair.

A New York law enforcement officer claims that an ordinary FM radio is as good a debugging device as any. "Just turn on light music or something, and the radio signals will jam any concealed FM mike in the room."

But Harvey C. Smith, manager of Market research for Vulcan Materials Co., Birmingham, Ala., is more cautious. He recently told a meeting of the National Industrial Conference Board that executives should completely avoid mentioning confidential data in public places.

"If you must talk confidentially," he said, "talk in noisy subways or in a rattling commuter train. If you're in a hotel room, talk in the bathroom with a noisy shower turned on, or turn on the radio or TV loud. And if the TV set doesn't work, get suspicious; it may not work because it has a built-in mike attached to the antenna, terminating in a tape recorder in another room."

[From the New York Times, July 7, 1967]

THE TEXT OF A MEMORANDUM BY ATTORNEY GENERAL RAMSEY CLARK ON NEW REGULATIONS LIMITING WIRETAPPING AND ELECTRONIC EAVESDROPPING BY FEDERAL AGENTS

It is essential that all agencies having any responsibility for law enforcement take steps to make certain that electronic and related devices designed to intercept, overhear or record private verbal communications be subject to tight administrative control to assure that they will not be used in a manner which is illegal and that even legal use of such devices will be strictly controlled. In order further to assist you to achieve these ends, the following rules have been formulated.

I. PROHIBITION AGAINST USE OF MECHANICAL OR ELECTRICAL DEVICES TO INTERCEPT, OVERHEAR OR RECORD CONVERSATIONS

A. Prohibition against interception of telephone conversations

1. Section 605 of the Communications Act (Title 47, U.S.C. Section 605) prohibits the interception and divulgence or use of telephone communications and is applicable to Federal law enforcement agents.

2. Interception by Federal personnel of telephone conversations, by any mechanical or electronic device, unless with the consent of one of the parties to the conversation, is prohibited by Presidential directive, and this prohibition applies whether or not the information which may be acquired through interception is intended to be used in any way or to be subsequently divulged outside the agency involved. Any question as to whether the use of a particular device can be said to involve a prohibited interception of a telephone conversation should be referred to the Department of Justice.

3. To further assure protection of the privacy of telephone conversations, each agency shall adopt rules governing the interception by its personnel of telephone conversations under circumstances where a party to the conversation has consented. Such rules shall, where appropriate, provide for the advance approval by the agency head of such interception.

B. Prohibition against overhearing of nontelephone conversations

Legal principles applicable to the overhearing and recording of nontelephone conversations are discussed in paragraphs 1–3 below. The principles are consistent with the recent decision of the Supreme Court in Berger v. New York, 35 Law Week 4649, decided June 12, 1967.

1. Eavesdropping in any form which is accomplished by means of a trespass into a constitutionally protected area is a violation of the Fourth Amendment. The penetration by inches into a party wall by the spike of a microphone has been held to involve a trespass. Silverman v. United States, 365 U.S. 505 (1961). And, although the question has not been squarely decided, there is support for the view that any electronic eavesdropping on conversations in constitutionally protected areas is a violation of the Fourth Amendment even if such surveillance is accomplished without physical trespass or entry.

Homes, private offices, hotel rooms and automobiles are clear examples of constitutionally protected areas, but other locations may also be held within the scope of constitutional protection depending upon the particular circumstances.

2. Even where no invasion of a constitutionally protected area has occurred, surreptitious electronic surveillance involving an intrusion into a privileged relationship, such as that of attorney-client, may violate rights entitled to protection under constitutional provisions other than the Fourth Amendment, including the First, Fifth and Sixth Amendments.

3. Under presently controlling court decisions, however, certain uses of electronic de-

vices are legal. See, for example, the decisions in Lopez v. United States, 373 U.S. 427 (1963) and in Osborn v. United States, 385 U.S. 323 (1966), where the use of recording devices was held to be legitimate if the consent of a party to the conversation had been obtained. Moreover, the use of mechanical or electronic equipment to record statements intended to be disseminated to the public generally, public speeches for example, is clearly not illegal and is not subject to the rules formulated in this memorandum.

4. In the light of the immediately foregoing discussion in paragraphs 1–3, any use of mechanical or electronic devices by Federal personnel to overhear or record nontelephone conversations involving a violation of the constitution or a statute is prohibited.

5. In order further to assure protection of the right to privacy, to resolve questions which may arise under paragraph 4 and strictly to limit legal electronic surveillance, agencies shall, except as provided in Paragraph II. 2, below, obtain advance written approval from the Attorney General for any use of mechanical or electronic devices to overhear or record nontelephone conversations without the consent of all of the parties to such conversations.

II. CONTROLS OVER THE USE OF MECHANICAL OR ELECTRONIC EQUIPMENT

1. A request for advance approval from the Attorney General pursuant to Paragraph I. B. 5. hereof for the use of mechanical or electronic devices to overhear or record nontelephone conversations shall be made to the Attorney General in writing by the head of the requesting investigative agency and shall contain the following information: (a) the reason for such proposed use; (b) the type of equipment to be used; (c) the name of the person involved; (d) the proposed location of the equipment; (e) the duration of proposed use; and (f) the manner or method of installation.

2. If, in the judgment of the head of the investigative agency involved, the emergency needs of an investigation preclude obtaining such advance approval from the Attorney General, he may, without having obtained such approval, authorize the use of mechanical or electronic devices to overhear or record nontelephone conversations without the consent of all of the parties thereto. In any such circumstances, however, the head of the investigative agency shall, within 24 hours after authorizing such use, provide the Attorney General in writing with the information referred to in Paragraph II. 1, above, and with an explanation of the circumstances upon which he based the judgment that the emergency needs of the investigation precluded him from obtaining such written advance authority.

3. In connection with the use of mechanical or electronic devices authorized above, the responsible agent shall, where technically feasible, record the conversations overheard by means of a tape or similar permanent record. The responsible agent shall preserve the tape or other permanent record of the conversations.

He shall also submit to the investigative agency a written report setting forth the actual use or uses made of each mechanical or electronic device in connection with the authorization. Such report, the tapes or other permanent records of conversations, and any logs, transcripts, summaries or memoranda and similar material which may have been prepared shall be treated as agency records, but shall be specially classified, filed and safeguarded and shall not, nor shall information contained in such material, be made available to agency personnel or others except when essential to Government operations. A record shall be made and retained concerning each person to whom such information or material has been made available.

4. The head of each investigative agency should be responsible for limiting the procurement of devices primarily designed to be used surreptitiously to overhear or record conversations to the minimum necessary to use consistent with the rules formulated herein. To the extent possible, all mechanical or electronic devices used in intercepting, overhearing or recording conversations shall be stored in a limited number of locations to insure effective administrative control.

5. The agency shall maintain an inventory of all such equipment at the place where it is stored, including a record of the date that the equipment was assigned to an agent and the date the equipment was returned. Copies of these records should also be maintained at agency headquarters, together with the written report of the responsible agent referred to in Paragraph II. 3 hereof. All agency records should be maintained for a period of six years.

6. The head of each investigative agency shall submit to the Attorney General on July 1 of each year a report of all uses of mechanical or electronic equipment by such agency during the previous year in accordance with the rules formulated in this memorandum, containing with respect to each use the information required by Paragraph II. 1, above, and a brief description of the results obtained. The report shall also include a complete inventory of the devices referred to in Paragraph II. 4, above, in the possession of the agency.

7. The functions to be exercised by the head of an investigative agency in accordance with this memorandum may be delegated by him to another officer of his agency.

III. NATIONAL SECURITY

The foregoing rules have been formulated with respect to all agency investigations other than investigations directly related to the protection of the national security. Special problems arising with respect to the use of devices of the type referred to herein in national security investigations shall continue to be taken up directly with the Attorney General in the light of existing stringent restrictions.

[From the New York Times, July 7, 1967]

A Sweeping Ban on Wiretapping Set for U.S. Aids—Attorney General's Rules Also Bars Most Bugging Except in Security Cases—Officials Are Critical—Federal Agents Decry Curb on Use of Devices Placed Without Actual Trespass

(By Fred P. Graham)

WASHINGTON, July 6.—Attorney General Ramsey Clark has issued sweeping new regulations forbidding all wiretapping and virtually all eavesdropping by Federal agents except in national security cases.

The new regulations go beyond limitations placed on eavesdropping by President Johnson in 1965 in several respects, the most important of which is a ban on devices that can pick up conversations within a closed room without a physical trespass.

This action has generated widespread controversy among Federal agents and prosecutors, since conversations overheard by such devices are deemed constitutionally obtained and admissible in evidence under present Supreme Court decisions.

RELIANCE ON DEVICES

Federal anticrime agents have relied increasingly on these devices in the last five years, since most other forms of eavesdropping have been declared unconstitutional by the courts, and several major organized-crime convictions have been obtained through their use.

The regulations issued today are the product of a two-year study by the Justice Department, ordered by President Johnson when he cracked down on Federal snooping in a memorandum to all agencies on June 30, 1965.

Mr. Clark's new rules were issued on June 16 but have not been made public. However, copies have begun to circulate on Capitol Hill and in the executive branch, where they have been criticized by some officials who insist that some police eavesdropping must be permitted if organized crime is to be controlled.

The rules, which apply to all agencies of the Federal Government but not to cases involving the national security, provide as follows:

Wiretapping—the interception of telephone conversations without the consent of either party—is absolutely forbidden. Although formerly the Justice Department said that the Federal law that outlaws wiretapping is not violated if the information is not divulged outside the Government, the new rules forbid wiretapping regardless of divulgence.

Bugging—the planting of hidden microphones by means of trespass—is also forbidden. Bugging is illegal under the laws of seven states but not under Federal statutes.

The use of other devices is forbidden if they pick up conversations, even without a trespass, in "constitutionally protected areas." Under present court decisions these are homes, private offices, hotel rooms and automobiles, but the memorandum points out that other areas may also be protected if under the circumstances they appear to be private places.

Electronic intrusions into constitutionally privileged relationships, such as attorney-client talks, are forbidden, whether or not the conversations take place in constitutionally protected places.

The use of electronic gear to monitor a conversation in which one party knows of the surveillance—such as a transmitter or recorder hidden on an agent's clothing—is permitted, but only with the written permission of the Attorney General. In emergencies, agency chiefs can authorize use of such devices without prior permission, but the Attorney General must be told of the incident within 24 hours.

GEAR MUST BE LOCKED UP

The new regulations also require agency heads to keep electronic eavesdropping gear locked up and requires that detailed records be kept of any use of it.

President Johnson cracked down on Federal eavesdropping in the wake of a series of disclosures—many by a Senate investigating subcommittee headed by Senator Edward V. Long, Democrat of Missouri—that various forms of electronic snooping were being carried out by Federal agents often without the knowledge of their superiors.

The President's memorandum prohibited wiretapping in all but national security cases, but appeared to allow room for some other types of electronic surveillance. Mr. Johnson said merely that such eavesdropping should be "fully in accord with the law and with a decent regard for the rights of others."

However, the impression spread throughout the Government that President Johnson had ruled out all bugging that involved a physical trespass.

DEVICES ALLOWED

His memorandum did not appear to rule out the use of "detectaphones" (electronic stethoscopes that will pick up conversations within a closed room when pressed against the outside wall), "sill mikes" (tubular microphones that can be placed on the floor near a closed door and will overhear conversations inside the room), and parabolic microphones designed to pick up conversations across open distances.

Goldman v. United States, a 1942 Supreme Court decision, held that such devices do not violate the Fourth Amendment—and consequently that conversations picked up by them are admissible in evidence—because they do not involve a physical trespass.

However, many legal scholars have argued that the Supreme Court's emphasis on the element of trespass in eavesdropping cases is artificial, and have predicted that the Court eventually will prohibit all intrusions into private places, whether by trespass or not.

The Supreme Court has agreed to reconsider its Goldman decision in a case to be heard next fall. Mr. Clark, apparently expecting that the Court will charnge its mind, banned eavesdropping in areas protected by the Fourth Amendment, whether or not a trespass is involved.

On this point, the regulations say:

"Although the question has not been squarely decided, there is support for the view that any electronic eavesdropping on conversations in constitutionally protected areas is a violation of the Fourth Amendment even if such surveillance is accomplished without physical trespass or entry."

THE PROBLEMS OF CITIES

Mr. BROOKE. Mr. President, in view of the fact that the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency will begin hearings next week on several housing bills, it seems appropriate for me to place in the RECORD at this time a penetrating and provocative article about the problems of our cities and possible solutions to those problems, written by one of the ablest reporters of the Christian Science Monitor, George Favre.

Mr. Favre covered the Boston "city hall beat" and urban affairs generally for the Monitor during the time that I was attorney general of the Commonwealth of Massachusetts. He has an extraordinarily deep insight into the problems of urban America. Those who read his almost daily articles in the Christian Science Monitor while he was stationed in Boston were well informed not only about day-to-day developments but, even more important, about the long-range problems of the city and the new ideas and concepts which could be brought to bear on these problems.

In his dispatch from Philadelphia of May 11, Mr. Favre explores in some depth the partnership which in some municipalities has been welded between government and private industry. He makes particular mention of the constructive proposals which the distinguished Senator from Illinois has made and which will be considered by the committee and Congress in the coming months.

The Philadelphia situation which Mr. Favre describes could as well have been written about Boston or any American city.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SLUM RENEWAL MEANS PEOPLE, TOO

(By George H. Favre)

PHILADELPHIA.—On Lambert Street in North Philadelphia a young cherry tree blooms outside a pair of neat, white-painted, brick-row houses.

They are in startling contrast to the rest of the scene. For up and down both sides of Lambert Street, except for a few other newly decorated homes, are the unmistakable signs of a slum.

A pile of garbage is heaped in the street. An upturned ironing board, a discarded easy chair, and several barrels overflowing with rubbish litter the sidewalk. Most of the houses are dilapidated, their doors and window-sills peeling off cracked paint, their old brick sagging and badly in need of painting.

Aside from the paint and the cherry tree, these houses stand out from their neighbors for a more significant reason. They are, or soon will be, owned by their occupants.

Philadelphia's poor, mostly Negroes, are not homeowners by tradition. They are habitual renters.

Month after month they pay out $50 or $60 for badly maintained, dirty, ill-equipped quarters. Now, here on Lambert Street, a few fortunate ones will move into totally renovated houses. They, too, will pay around $50 a month. But that $50 will be paying off a low-interest mortgage that after 25 or 30 years will make the house theirs.

DRINKING STOPPED

The second part of this "renewal" story is human renewal.

One example: A man who rents a dilapidated house will soon move into a six-room house across the street. This man stopped drinking at the same time he put in his application for the new house he hopes to own, because he wants to put as much equity money as possible into the first house he has ever owned.

Slum renewal and human renewal are the twin goals of an organization known as the Interfaith Interracial Council of Clergy (IICC). It is made up of 400 churches—most of them Negro Baptist storefront congregations. They were brought together by the Rev. William L. Bentley, pastor of Emmanuel Institutional Baptist Church, after the riots of 1964.

Out of that organization whose initial goal as the Rev. Mr. Bentley describes it was to get ministers concerned "not only with the word, but with how people live," has grown an effective housing and human-renewal program.

The program is masterminded by a white minister, the Rev. Raymond Anderson of St. Paul's Lutheran Church.

The Rev. Mr. Anderson, whose smile and easy affability cloak a sure executive capacity, emphasizes human renewal.

"We started out with a building operation to give these people hope," he says. "But our hope is the rehabilitation of people."

KEEN AWARENESS REQUIRED

Such dedication has put this minister at the head of an operation that requires a keen awareness of the uses of power as well as of moral suasion. The IICC's housing committee, which he heads, controls the general housing policies as well as the finances of the operation.

Together with Samuel Alper, who is executive director of the IICC by title and a builder by trade, the two have completed 10 units, are working on 3 now, and contracting for 8 more. At the same time they are negotiating to buy a bloc of 105 more houses.

In 1967 they expect to finish 200 houses. Federal officials, who are backing the effort with funds through the Federal Housing Administration and the Federal National Mortgage Association (Fannie Mae), want them to set a pace of 200 a year.

In addition, the group wants to experiment with the proposal of housing consultant Charles Abrams to partially renovate houses to the point where they are in "move-in" condition. Then they would be sold to new owners for around $4,000 or $4,500 each, and the new occupants would put on "the frills," such as paint and wallpaper.

With a Federal Housing Administration-guaranteed loans bearing 3 percent interest, new owners could put down as little as $100 and pay off the balance at $50 or so a month for 25 years.

But, as the Rev. Mr. Anderson insists, the lure of owning one's own renovated home at the same price as renting one in deplorable condition is just a carrot.

GOAL KEPT IN VIEW

The IICC's goal is human rehabilitation. It is worked into the IICC program in many ways and at many levels. For one thing, the rebuilding program offers training in construction skills and jobs to the people who will eventually occupy the houses. Many of these men now are jobless.

Human renewal comes in other forms. Because many of the poor who have been raised in slum conditions now do know how to care for property, each new owner must take a course in simple home maintenance. They must also learn to save, and credit unions are being set up by the churches. These can be used both to save money, or to borrow at token interest rates of around 1 percent.

A prospective owner must have a job and must have held it for at least two months. The IICC helps find jobs for these people.

"Only the churches are geared to do this kind of intensive personal guidance into home ownership," the Rev. Mr. Anderson says.

Marital status is another sticking point. Title companies will not insure a mortgage for an owner whose marital status is not clear. In one case, a couple who have lived together for 17 years and raised a family were not married. Their situation is being specially handled by having the woman take title in trust for her grandchildren. Meanwhile, they plan to become legally married.

"It all takes time and money," says the Rev. Mr. Anderson.

Human renewal ties in most obviously with urban renewal in the matter of keeping a rebuilt area from sliding back into a slum condition. This is done through follow-up counseling both with individual families and on a block basis in neighborhoods.

ASSOCIATION FORMED

Lambert Street residents have formed an association. They have a regular cleanup party every other week, and a painting committee. So far the results have been spotty. On the morning this reporter visited the location rubbish, garbage, and castoff furniture littered the street. But Mr. Albert and the Rev. Mr. Anderson have learned the virtue of patience.

Integration is another area where the Rev. Mr. Anderson sees a coincidence in human and urban rehabilitation. "We haven't much chance of integrating the hard-core Negro ghettos like Lambert Street," he admits. But he sees an opportunity for stopping the spread of ghettos by tackling mixed neighborhoods now in decline.

In the Strawberry Mansion area, just north of the Lambert Street ghetto, the IICC has bought a large nine-apartment house. It is just one block from a pleasant parkway and in a district that once was fashionable. Moving with extreme caution, the IICC is hoping to make over the apartment house into nine "posh" apartments.

In this way they hope to attract middle-income whites. This will bring new affluence into the neighborhood and hopefully act as a catalyst for other single-family and apartment-house owners to follow suit.

The question that arises from the IICC's experiment is whether its program is applicable to other cities. Mr. Abrams says it emphatically is. "Not in New York," he says, "because development here is vertical—apartment houses. And not in Chicago. But the same situation of one-family dwellings in large slum areas is true in many, perhaps most, American cities. Here home ownership is feasible for the poor."

PHENOMENON EXPLAINED

Mr. Abrams explains the phenomenon of cheap prices for single-dwelling slum homes in terms of "a simple law of economics." This law holds that a building's value is determined by capitalization of its net income. Slum homes are occupied by low-income minority groups who cannot pay more than $50 or $60 a month rent.

Under these circumstances, says Mr. Abrams, the market value, regardless of replacement value, is governed by that rent and the small profit it brings to the owner.

In Philadelphia, the IICC has taken advantage of this fact in acquiring its buildings. In some instances, like latter-day Robin Hoods with turned back collars, they have used the not-so-gentle forces of moral suasion and public censure to force landlords into selling for as low as $1,000. In some instances city agencies, with more funds, had been paying from two to four times as much for identical houses.

The IICC is satisfied that its work is a success. It is spreading out into the Ludlow section and even across the river into Camden, N.J.

The IICC effort is one of the programs on which Sen. Charles H. Percy (R) of Illinois, based his bill to set up a national private foundation to bring home ownership to the poor. If Senator Percy's bill goes through, it would be of decided help to the program here.

The Percy bill is opposed by United States Secretary of Housing and Urban Development Robert C. Weaver, who favors rentals for the poor.

Which view will prevail depends on Congress. But Mr. Abrams, who wants many options available to the poor, argues that the Philadelphia experiment is showing that a federal program—though not necessarily Senator Percy's—would widen the chances for poor city dwellers to find decent housing.

SOVIET REARMAMENT OF ARAB STATES

Mr. McINTYRE. Mr. President, the most recent intelligence reports indicate the Russians are in the midst of a crash rearmament program for the Arab States. Already, it is reported more than half the materiel destroyed by Israel has been replaced. By sea and by air, a billion dollars' worth of high-quality equipment and ammunition has been transported to Egypt, Jordan, and Syria. Despite public expressions of concern by our Government, despite behind the scene diplomatic remonstrances, the Soviets show no sign of diminishing their effort. If the present pace of Arab rearmament continues, within a very short time Israel will again be confronted by hostile nations, not only well armed but dedicated to her destruction. Again, the fuse leading to another Arab-Israel explosion has been ignited.

This is the unpleasant fact. It is time we faced up to it. For too long, we have tried to placate the Arabs while at once supporting Israel. We have tried to sustain our image as a beneficent, neutral interpreter in the midst of a dialog where naked power is the only language understood. This has been a policy distinguished by its futility.

It is time for us to admit this to ourselves. It is time for us to make a clear-cut decision regarding our policy in the Middle East. It is time for us to make it explicitly clear to both the Arabs and the Russians that the United States will not sit idly by and watch the intimidation and, eventually, the elimination of the Israeli nation.

There is nothing subtle about the Russian motive in the Middle East. There must be nothing subtle about our response to it. There is every possibility this would lead to another critical confrontation between the two great world powers. But there have been similar confrontations in the past—in Berlin and in Cuba. It was not without risk that our Government met them with forthright action. Once again, our national resolve and our national courage are being put to the test.

Mr. President, we must not allow them to be found wanting.

POLITICAL REFUGEES

Mr. FONG. Mr. President, according to an article appearing in the Washington Post on June 10, 1967, the U.S. Government is opposed to accepting political refugees from Communist China who attempt to enter this country by way of Hong Kong.

When I subsequently checked with both the Washington office of the Immigration and Naturalization Service and the Department of State Visa Office, I learned that the basis of this exclusion was not a specific statutory bar, but rather the administrative interpretation of section 203(a)(7) of the Immigration and Nationality Act.

According to that provision, certain refugees—a maximum of 10,200—may be admitted to the United States each year on a conditional basis if they fulfill the following requirements:

First. If they are fleeing "any Communist or Communist-dominated country" or the Middle East because of persecution or fear of persecution on account of race, religion, or political opinion; are unable to return to that country for those reasons; and are not nationals of the countries in which their application for entry is being made; or

Second. If they are uprooted by "catastrophic natural calamity"—as defined by the President—and are unable to return to their homes.

As this provision of law is administered, political refugees from Communist nations must enter, conditionally, from one of only seven countries—Austria, Belgium, France, West Germany, Greece, Italy, and Lebanon. None of these nations, it should be noted, is in the Asia and Pacific areas; and all but Lebanon are in Europe.

It is clear, then, that any political refugee in flight from a Communist country who tries to enter the United States by way of any Asia or Pacific area will be barred from admission to this country—unless he somehow reaches one of these seven countries.

Mr. President, this interpretation, to me, is a clear violation of the spirit of the Immigration Reform Act, which the Congress passed in 1965, and which the administration so strongly supported for the very reason that it would eliminate racial discrimination from our basic immigration law.

What we have eliminated by law in 1965 is being restored by administrative decree.

This is most unfortunate and smacks of racism. I deplore it in the strongest terms.

I have therefore this day urgently requested the Secretary of State to add the British Crown Colony of Hong Kong on the Chinese mainland, and another country in Southeast Asia—perhaps Thailand, or Singapore—to the list of areas through which political refugees from Communist countries may be granted entry into the United States.

By doing this, we would be putting into practical effect one of the primary purposes of the Immigration Reform Act of 1965. And it would also be a humanitarian gesture of great import in a world torn by strife.

Mr. President, I ask that the full text of my letter to Secretary Rusk be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

July 12, 1967.

Hon. Dean Rusk,
Secretary of State,
Department of State,
Washington, D.C.

Dear Mr. Secretary: It is my understanding that political refugees from Communist China escaping into Hong Kong may not enter the United States conditionally, as provided under Section 203(a)(7) of the Immigration and Nationality Act, because as that provision is administered, political refugees from Communist nations must enter on a conditional basis from one of only seven countries—Austria, Belgium, France, West Germany, Greece, Italy and Lebanon. None of these nations, it should be noted, is in the Asia and Pacific areas, and all but Lebanon are in Europe.

This to me is a clear violation of the spirit of the Immigration Reform Act which the Congress passed in 1965, and which the Administration so strongly supported because it would eliminate racial discrimination from our basic immigration law. What we have eliminated by law is being restored by Administration decree. This is most unfortunate and smacks of racism.

I therefore urgently request that Hong Kong and another country in Southeast Asia—perhaps Thailand or Singapore—be added to the list of areas through which political refugees from Communist countries may be granted entry into the United States.

With aloha.

Sincerely yours,

Hiram L. Fong.

PROGRESS OF DEMOCRACY IN SOUTH VIETNAM

Mr. McGEE. Mr. President, with the vital presidential elections in South Vietnam less than 2 months away, Washington Evening Star correspondent Richard Critchfield has given us an informative and, in many ways, hopeful picture of the progress of democracy in that land, despite the war that rages there. In village and hamlet elections of recent dates, Critchfield points out in a dispatch from Saigon, published in the Star on Monday, July 10, the poll has been encouragingly high—remarkably high, in fact. It is a good sign.

I ask unanimous consent that correspondent Critchfield's dispatch be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Massive Vote Hoped for in Vietnam

(By Richard Critchfield)

Saigon.—With less than two months before the presidential elections, Saigonese are neck-deep in bargaining, secret deals and intrigue.

The entire dramatis personae of the past 13 years, when stars rose and fell so quickly, seems to be coming out of the wings and back on the political stage again.

Everybody who has ever been anybody in

South Vietnam seems to be contesting the elections for president and the senate scheduled for Sept. 3.

But who will vote?

So far the ordinary Vietnamese peasant and worker, with a marked lack of excitement, has refused to be roused. This is understandable.

No government in Saigon has yet succeeded in refuting the Viet Cong propaganda line it represents only an unattractive residual feudal group propped up by the Americans.

BROAD-BASED PYRAMID

The U.S. answer to this argument has been to try and erect a broad-based pyramid of democracy at break-neck speed through elections of village councils and hamlet chiefs, each Sunday, up and down the country since April.

In the successful September 1966 election for the Constituent Assembly, 82 percent of 5.2 million registered voters representing 10 million of some 15 million South Vietnamese went to the polls.

An estimated 52 percent of those casting ballots were officially classified as urban voters.

Since then 3.3 million peasants have participated in village elections over 11 weeks ending in mid-June. The hope is presidential election's voter registration will go as high as 5.9 million. This would blanket about 12 million of the total 15 million population.

REMARKABLY HIGH

In the first phase of the village and hamlet elections, which ended June 11, the poll was remarkably high. (The elections are continuing but only as each village and hamlet is declared secure enough.)

As of now, 78 percent of 3.3 million registered voters in village elections and 79 percent of 2.9 million registered voters in hamlet elections were officially reported to have cast ballots.

Most observers agreed the voter's motive ranged from the complete apathy of the man who thought it prudent to get his identity card stamped to those who were aware of and enthusiastic over what they were doing.

Anyone who watched last year's elections came away with the impression Vietnamese like to "di bau," or go voting. Polling places have a festive holiday atmosphere and most voters wear their best clothes and come in family groups.

TERRORIST ATTACKS

The other side of the coin was the toll from Viet Cong terrorist attacks. In the village contests there were 555 incidents of candidates murdered, kidnaped or voters intimidated or attacked on election day.

In the hamlet elections, which were limited to more secure areas, this fell to only 35 incidents, and included what Vietnamese officials described as Viet Cong "intimidation visits."

But despite assassination threats, 24,277 candidates competed for 13,944 council seats, a 1.4 to 1 ratio and there were 2.3 candidates for each hamlet chief's job.

One of the miracles of the Vietnam war is that every time a hamlet or village chief is assassinated, there always seems to be another peasant ready to step up and take his place.

The over-all picture seems reasonably clear. The peasants, caught in the middle of all the fighting the last 22 years, may feel little allegiance to Saigon (a recent poll indicated less than 25 percent have ever heard of Premier Nguyen Cao Ky), but they do not want to be ruled by the Viet Cong either.

Polling has now been carried out smoothly in 44 percent of South Vietnam's 2,535 villages and 33 percent of its hamlets, of which there are between 11,000 and 14,000. (A "village" in Vietnam is essentially an administrative unit of about 5 to 6 hamlets. The hamlet is a collection of houses and about 1,000 people.)

This should not imply the Viet Cong control the other 66 percent. U.S. authorities estimate at the moment only 315 villages and around 4,000 hamlets are not controlled by the Saigon government at all in the sense it cannot administratively reach them.

Under this new attempt to move into institutions, which will reflect the will of the people at the bottom of society, elected peasant officeholders receive the equivalent of $40 a month as opposed to $16 in the past.

Of the new hamlet chiefs, 14 are women; 2,263 are peasants; 1,760 are former chiefs or village officials; 284 are small traders and 247 are former civil servants.

The elections also furnished some degree of proof a Viet Cong can drop his arms and peacefully win an election. Four defectors were elected to village councils and three as hamlet chiefs, including one who rallied to the government side only four months ago.

FOOD IRRADIATION

Mr. CURTIS. Mr. President, the Atomic Energy Commission authorization bill for fiscal year 1968 provides $1.4 million for work by the Commission on the development methods of preserving food by ionizing radiation. This program is being carried out in the United States as a coordinated program between the AEC and the Army. The AEC has been concentrating on low dose pasteurization techniques for the preservation of food, while the Army has been concentrating on sterilization doses for the same purpose. Results of the program, thus far, have indicated a great deal of promise for this technique.

The Food and Drug Administration has already approved potatoes, bacon, and flour preserved by ionizing radiation for unlimited human consumption. A number of other food products are now before the FDA for approval.

In May of this year the White House issued a report prepared by the President's Science Advisory Committee entitled "The World Food Problem." This report concludes its section on food irradiation with the following sentence:

> These and other problems indicate that radiation is not likely to have a significant application for food preservation in the foreseeable future.

This statement is contained in the section entitled "Marketing, Processing, and Distribution of Food." The basis of the statement is not given. This assertion is in direct contradiction to the information the Joint Committee has been given on the use of radiation to preserve foods. The Joint Committee has asked the Director of the Office of Science and Technology to explain the basis for this pronouncement.

The statement in the President's Science Advisory Committee report is very important for a number of reasons. If it is based on sound technological knowledge, this knowledge should be made available as soon as possible since, in addition to affecting the work being supported in the bill before us today, it affects the work of over 54 nations interested in developing this process to alleviate the nutritional problems of the world's growing population. A number of countries have already approved the use of food preserved by radiation for human consumption. These countries include Canada and the Soviet Union in addition to the United States.

Thus it is very important that the basis of this statement be made known. If there is no basis for the statement, a correction should be published without delay.

Another aspect of this matter which gives me concern is the apparent lack of coordination among Government agencies on critical matters such as those which may affect the world food supply. Reviewing the Marketing, Processing, and Distribution of Food Products Subcommittee membership, under whose direction the statement on radiation preservation was prepared, I note no representation from either the AEC or the Army under whose direction the major effort on this method of preservation is being carried out. It appears that the primary sources of information, therefore, were not utilized in the evaluation of the radiation technique for the preservation of foods. This apparent lack of coordination among organizations in the executive branch of the Government is very disturbing since it results in inefficiencies in Government and much unnecessary confusion. The Joint Committee has asked the Director of the Office of Science and Technology specifically to provide information on what inputs were obtained from the Army and the AEC in preparation of the report on world food problems. I am sure that the Joint Committee, in keeping with its policy, will publish whatever information we can obtain on this matter.

THE THAI CORN PROJECT

Mr. McGOVERN. Mr. President, I am greatly pleased that through the fine efforts of Charles Cogliandro, president, Calabrian, Inc., New York; U.S. Ambassador to Thailand Graham Martin; the Agency for International Development; and the Government in Thailand, steps are being taken to initiate a corn-growing project in Thailand which includes private enterprise, the Thai farmers, and strong backing by the Thai and U.S. AID mission.

A pattern is being developed in the project which can help stem the crisis in food production in a vitally important part of the world. The project will be a demonstration of what private industry can do, using its best resources and technical know-how, in advancing the war on hunger.

We must continue to seek out ways—both private and governmental—to increase our dollar investments in the agricultural economy of the less developed nations to assist them in producing food instead of exclusively relying on our exports. The Calabrian arrangement brings private capital into the war on hunger, as must be done increasingly.

Another facet of the Calabrian-Thailand corn project which I shall watch with great interest is the use of American farmers to assist Thai farmers in all phases of production from plowing to transporting the crop to market. The county agent system of giving assistance and guidance has been an important force in helping the U.S. farmer during the past 50 years, and I am hopeful that

Thailand's agricultural economy will benefit from this advisory innovation being introduced by Calabrian, Inc.

I ask unanimous consent that the text of a New York Times article, April 21, 1967; an article from the Bangkok World, June 25; and an editorial from the Bangkok Post of June 26 be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 21, 1967]

Private Aid to Thais Guaranteed by United States

(By Felix Belair Jr.)

WASHINGTON, April 20—The United States began blazing a new trail today to induce private capital to help increase agricultural production in developing countries.

In a radical departure from its usual government-to-government loans and technical assistance grants, the Agency for International Development issued an "extended risk" guarantee of a $3-million bank loan by the Chemical Bank New York Trust Company to modernize agriculture in Thailand.

The bank loan goes to the Thailand subsidiary of Calabrian Company of New York. The effect of the arrangement is that the New York trading concern is guaranteed against loss if the Thailand subsidiary defaults. The same guarantee applies to Chemical Bank New York Trust Company.

Herbert Salzman, assistant administrator of AID, who is in charge of its new private resources division said:

"This project is a good example of what private initiative and resources—United States and local—can do to increase world food production and reduce the world food crisis. It is also a practical demonstration of government-business cooperation in the war on hunger.

"We have been a catalyst in helping to get this project started by making our extended risk guarantee available."

Under an extended risk guarantee, the United States investor is protected against loss from expropriation, war or revolution, and currency inconvertibility. He is also protected against normal business risk, although not against fraud.

Calabrian Company and its Thailand subsidiary have already invested about $600,000 in surveys, research and demonstration projects among Thai corn farmers in the last two years.

The purpose of the new loan is to triple Thailand's corn and other feedgrain production thereby expanding its livestock industry and raising its foreign exchange earnings through the commercial exports of corn.

CORN SOLD CHEAPLY

Thailand has been producing between 800,000 and 1-million tons of corn annually—most of it for export. But because the corn has never been graded according to commercial standards, it has always sold as "fair to average" and at bargain prices on the world market.

The Calabrian program will provide, among other things, for a grading of the corn crop.

The Thailand effort is unusual in several respects. For one thing, it marks the first attempt by aid and private industry officials here and abroad to use an investment guarantee to organize many small farmers—some 7,000 in Thailand—into an efficient economic unit that can supply food on a sustained basis.

Calabrian Company is supplying its own staff of 25 United States farm experts to train Thai nationals in all phases of the industry—from cultivation and harvesting to the formation of rural credit institutions, and marketing and storage.

[From the Bangkok World, June 25, 1967]

Thai Corn To Be Graded To Boost Price and Reputation

(By Michael Burns)

Calabrian (Thailand) Co. Ltd., American-operated import-export firm, is making plans to introduce grading for Thai corn which should raise its reputation and price in the world market.

The ratings, based primarily on shelling and drying processes, would correspond roughly to U.S. Grades 1.2 and 3. Far East Superintendence Co. and OMIC of Japan will certify grading standards to ensure uniformity.

The difference between Grade 2, at which 80 per cent of Thailand's corn has been sold to Japan, and top grade will be determined by world demand and acceptance of quality Thai corn, Calabrian Managing Director Irving Sverdlik said.

"With just a little effort the grade of Thai corn could be excellent," he said, and with a certified standard it would command higher prices in foreign markets outside Japan, principally in Europe.

That difference could amount to a considerable sum, since this year's estimated production of 1.3 million tons (should this unseasonable dry spell be broken) could double within the next three years, Mr. Sverdlik said. Thailand is now the world's third largest exporter of corn, ranking behind the U.S. and Argentina.

To gain its share of this booming market, Calabrian plans to spend $4–5 million this year constructing nine 1,000-ton capacity elevators and a giant 65,000-ton structure at Tha Rua, plus expanding its agricultural research, crop loans and procurement programs. A large marine elevator at Sriracha is also planned for construction in the next two years to supplement present ship loading facilities at Klong Toey.

Calabrian recently received a three million dollar loan guarantee from the U.S. government to help finance this program and Mr. Sverdlik indicated the firm will be spending several times that in the next few years to expand and intensify operations. Calabrian modestly expects to buy about 100–200,000 tons of corn when this year's crop is harvested in late July and August, and erection of elevator facilities will begin within the next two weeks.

Proper drying and shelling will upgrade corn, Mr. Sverdlik noted, while better storage facilities will reduce heat and weevil damage and maintain uniform quality. So while Calabrian will build (and has built) a number of small flat storage bins for temporary storage, modern vertical elevators are the key to the company's improvement program.

Calabrian expects to help the farmer cash in on the boom, "to change the subsistence cycle, to give the farmer a little economic impetus," he said.

In May, Calabrian signed an agreement to provide corn crop loans at one per cent a month through the Bank for Agricultural Cooperatives to farmers in Saraburi, Prae, Chiengrai, Petchaboon and Sukhothai provinces. The 20 million baht program will expand as other Bank branches are set up and may be opened to other crops in the future.

These low-interest loans will enable farmers to break away from traditional reliance on middle-man merchant have been important to the farmer, feeding his family until the harvest, collecting the crop in barely-accessible fields and paying him a small amount of cash, Mr. Sverdlik noted.

But with a little help, the corn farmer can be stimulated to improve his crop, to make more self-reliant. Through individual farm visits, work with Thai government experimental stations and 11 Calabrian test plots in the Central-North corn belt, Calabrian's team of 10 Americans and Thais are providing technical assistance in almost every phases from plowing to transporting the crop to market.

But Mr. Sverdlik warned against introducing revolutionary concepts too rapidly. Calabrian is providing some fertilizer to farmers along with careful instruction. While fertilizer can boost crop yields, it can also ruin crops or have no effect, he pointed out; it is only one of many production factors and must be used knowledgeably.

Similarly, the hybrid varieties planted in test plots are unsuitable now because they are too new and because they do not generate seed for the next year, forcing farmers to buy seed every year. And tractor plowing of test plots may not be practical for existing, smaller, scattered cornfields of Thai farmers.

* * * of Finance and Administration, also cited the danger of marginal farmers over-extending themselves financially to purchase land and supplies in impetuous attempts to cash in on a "wonder crop."

"We want to prevent any cultural and social problems arising from the transition in corn production," Mr. Sverdlik emphasized.

Now a profitable supplement to rice crops, corn may prove an economic support for the lagging rubber industry in the South. Calabrian and the government have made investigations in that section but the results are inconclusive.

Calabrian, a 20-year-old New York firm, has been in Thailand since 1962 when it contracted to conduct a series * * * throughout the country.

The next year the firm made a feasibility study for a sugar refinery. Calabrian found the refinery an unwarranted expense but convinced Thailand to apply for a U.S. sugar quota. Thailand got a 15,000 to 20,000 ton sugar quota and Calabrian got the exclusive contracts for the commodity's exports to the U.S. and Vietnam. The firm also deals in rice and millet.

While commodity export rights are essential, so is the goodwill of the individual farmer, Mr. Sverdlik noted. No matter what the financial investment and organization, it is always the man who raises the crop who eventually determines a commodity firm's success or failure.

[From the Bangkok Post, June 26, 1967]

Aid for Farmers

The report last week that agreement had been reached between a bank and a commercial firm to help the country's farmers in increasing production is a welcome and commendable move towards strengthening the basic structure of the economy of the nation. The parties involved in the agreement are the Bank of Agriculture and Agricultural Cooperatives and the Calabrian (Thailand) Co., Ltd. The agreement provides for the Bank to provide credits to be loaned to the farmers and the company to extend the credits and also provide the farmers with modern farm equipment and agriculture experts. The company will also provide farmers with seed, fertilizer, insecticides, herbicides and also transport for the farm produce to reach the markets. The whole program is to be known as the "Corn Loan and Farmer Assistance and Marketing Program."

Though the program will be limited in the first instance to producers of corn in the provinces of Chiengral, Petehaboon, Phare, Saraburi and Sukhothai it is envisaged that the program will extend before long to other provinces and also cover other farm products than corn. It is also expected the initial loan capital of 20 million baht may be increased to meet the expanded program. The program as announced is certain to assist the corn producers of the areas mentioned considerably and will be a step forward in boosting the overall corn production of the country in view of the growing demand for products like maize from foreign markets.

Any move towards aiding the farmers in increasing production by offering them more inducements towards better effort is a step in the right direction. Agriculture is the basic industry of the country and will remain so for long. And the farmers who sweat it out in the fields are the backbone of agriculture. Theirs is a life of constant toil and labour with rewards not often commensurating their efforts. As in almost any other Asian country the Thai farmer is more often than not in debt and unable to improve his farm and his modes of cultivation because of financial difficulties. The Thai farmer is behind none in his willingness and ability to improve farm methods and increase output if he is given the assistance he needs in this respect.

It is this assistance that the Bank Company agreement provides for the farmers of the corn belt of the country. It is the kind of assistance which needs to be extended all over the country to cover all forms of agriculture towards giving a boost to the overall farm output of the country. Agricultural indebtedness has been the bane of Asian agriculture for long and so long as that is not solved the question of modernising agriculture through the introduction of modern techniques will not make headway in any appreciable measure. This is a very essential step to be taken in Thailand as the demand for Thailand's agricultural products are continually increasing and that means the possibility of increasing the foreign exchange earnings of the country. Only with a healthy and ever expanding agricultural basis will the economy of the country be broadbased and strengthened in the true sense of the term.

RETURN OF SENATOR JORDAN OF NORTH CAROLINA TO SENATE DUTIES

Mr. BYRD of West Virginia. Mr. President, it is pleasing to note the return, to his Senate duties, of our amiable and distinguished colleague, the junior Senator from North Carolina [Mr. JORDAN]. We have missed Senator JORDAN, but we all know that there come times when circumstances beyond our immediate control intervene to interrupt our work here, and this has been the case with our beloved chairman of the Senate Committee on Rules and Administration. However, we can also be thankful that man's achievements in the field of medicine, working together with nature's healing arts, help us to overcome the ills that beset the human flesh, and we are then able to return to our posts of duty. Thus it has been with Senator JORDAN who looks hale and hearty and ready to help us tackle the heavy legislative burden that lies before us during the summer months, and we will all be grateful for his helping hand.

As one who cherishes the friendship of this congenial southern gentleman, I am glad to see EVERETT JORDAN back on the Senate floor.

THE NUCLEAR GIANT

Mr. CHURCH. Mr. President, at 8 o'clock this morning, July 12, 1967, there were 199,076,492 persons alive in the United States of America, and as the census clock in the Department of Commerce continues to gather speed with every day, our national population will reach 200,000,000 early this fall.

The phenomenal growth rate of this country goes on, and with it the urgent need to provide new services and facilities for our growing millions. The demands upon our natural resources increase with every hour.

I take great satisfaction, Mr. President, in citing another phenomenal growth pattern—one which will provide one of the most basic needs for our future millions—and a growth to which we in Idaho are proud to have contributed.

I speak of the remarkable and dramatic speed that has characterized the development of nuclear electrical power generation in the United States in 5 short years.

Perhaps the most graphic representation of this growth comes from two of the top officials of the Atomic Energy Commission, who, in recent speeches at opposite ends of the country, frankly admitted they had grossly underestimated the rapid progress of nuclear power development.

Speaking in Boca Raton, Fla., on March 22, 1967, Mr. Ernest B. Tremmel, Director of the Division of Industrial Participation of the AEC, stated that 1962 estimates for nuclear power production by the year 1980 were set at 40,000,000 kilowatts of power. By 1964, the estimate had risen from 60,000,000 to 90,000,000 kilowatts, and last year had again been revised to 80,000,000 to 100,000,000 kilowatts by 1980.

On May 12, 1967—just 2 months after Mr. Tremmel spoke—Dr. Glenn T. Seaborg, Chairman of the Commission, told a San Francisco audience that the estimate, based upon orders for new power reactors, had risen to above 100,000,000 kilowatts.

On May 31, 1967—less than 3 weeks after Dr. Seaborg's address—the AEC announced a further revision placing the total nuclear power output for 1980 at between 120,000,000 and 170,000,000 kilowatts, with a likely prediction of a median 150,000,000 kilowatts of power.

Mr. President, the total electrical generating capacity of this country today—including nuclear powerplants, fossil fuel plants, and hydroelectrical generators—is just slightly more than 250,000,000 kilowatts. Our national electrical requirements are doubling every 10 years, and by 1980 will reach about 520,000,000 kilowatts. By that time, nuclear power production will provide more than one-third of our national needs, perhaps even more.

The significance of this rise is manifold, for not only will nuclear power continue to increase, but our costs will continue to drop. It comes at a time when our fossil fuels will be reaching serious depletion levels. It comes at a time when air pollution from fossil fuel power generation threatens to choke our Nation.

I cite these facts, Mr. President, because the power reactors of tomorrow—as well as those now in operation today—were developed and tested at the national reactor testing station in my own State of Idaho. We are proud of the part we are playing in bringing both literal and figurative light to the world. The national reactor testing station has become an integral part of nuclear technological history. More importantly, its role in future nuclear reactor development and safety will grow with each new challenge of the nuclear industry.

This challenge, Mr. President, is best stated in the addresses of Dr. Seaborg and Mr. Tremmel, referred to earlier in my remarks. Accordingly, I ask unanimous consent that they now be printed in the RECORD:

There being no objection, the speeches were ordered to be printed in the RECORD, as follows:

CHALLENGES IN THE ELECTRIC POWER FIELD

(Remarks by Ernest B. Tremmel, Director, Division of Industrial Participation, U.S. Atomic Energy Commission, before the Southeastern Electric Exchange, Boca Raton, Fla., March 22, 1967)

INTRODUCTION

Last October, I had the opportunity to participate in the Engineering and Operation Section Conference of your Exchange in Atlanta, Georgia. At that time, I presented a paper on "The Surge to Nuclear Power" and, because of a busy schedule, had to immediately return to Washington without having an opportunity to exchange views with your members.

As I mentioned at the Atlanta Conference, visits to your utilities have given me the opportunity to become personally acquainted with many of your executives. I have been impressed by the dedication of your companies to supplying your customers with the most economical and best service possible and your objectiveness in evaluating the various sources of energy including any new technology available. I also know that your Exchange group is one of the most active in the United States and is held in high regard by the utility industry all over the country. It is therefore a real pleasure to have the opportunity to participate in this 34th annual conference of your Exchange.

In March of 1963, Mr. Ramey, one of our Commissioners, participated in your annual conference and discussed the atomic energy program and trends in development of nuclear power.[1] In reviewing the paper he presented, it is interesting to note the rapid changes that have taken place and how appropriate some of his comments at that time turned out to be. He referred at that time to a report to the President on the role of nuclear power in our economy, which the AEC had just completed in the Fall of 1962. The Commission has now prepared a 1967 Supplement[2] to this report which was just made public this month. I am sure you would find this report very interesting.

In my talk last October, I pointed out the trend to nuclear power that was taking place in the Southeast and I am happy to report today that this trend is also continuing. In fact, only several weeks ago, Bill Clapp's Florida Power Corporation joined the nuclear fraternity by ordering a large nuclear steam supply system from Babcock & Wilcox, and I like to believe I may have played a small part in their decision by bringing to their attention the progress being made in applying nuclear energy to central station plants. I know that the management of the Florida Power Corporation is excited with the challenge nuclear energy will bring to their system, and perhaps Disneyworld appropriately will be fueled by power generated from a nuclear plant. Other utilities in the South are presently obtaining proposals on nuclear plants so you can see that your members are rapidly moving into the nuclear age.

Since Mr. Ramey reviewed the background in his speech in 1963, of the Commission's civilian nuclear power program, and my talk in Atlanta last fall[3] discussed and factors

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[1] See Remarks by James T. Ramey, Commissioner, U.S. Atomic Energy Commission, at Annual Conference of the Southeastern Electric Exchange, Boca Raton, Florida, March 17, 1963 (AEC Public Release S–10–63).

[2] See AEC Press Release K–50, dated March 2, 1967, giving an Introduction and Summary of the AEC's 1967 Supplement to the 1962 Report to the President on Civilian Nuclear Power.

[3] See Remarks entitled "The Surge to Nuclear Power" at Atlanta, Georgia, Before the Southeastern Electric Exchange, October 13, 1966.

that caused the rapid growth in the rate of nuclear power plant announcements which began in 1965, I will not repeat these areas in my talk today. What I would like to do at this conference is briefly review the various segments of the nuclear industry that are involved in central station power plants and bring to your attention some of the problems and challenges in each of these segments. A number of charts are attached which provide additional information in regard to these segments.

DEMAND FOR POWER

Nuclear power

Most of us now take for granted the Commission's important early efforts directed toward the development of an economic nuclear power industry, which was planned to encourage private industry to take the lead in applying reactors for the production of electric power.

In 1963, less than ten years after the inception of the Power Demonstration Reactor Program, these efforts really reached fruition with the award of contracts for four nuclear-powered generating units with a total electrical capacity of nearly two million kilowatts. One of these awards, that of the Jersey Central Power and Light Company, was particularly significant in that the choice was made solely on the basis of anticipated economics in direct competition with fossil fuel.

One factor which was brought out clearly by the Oyster Creek Plant was that the larger the generating installation, the more favorable the economics of nuclear power. The unit capital cost of several power plants versus size (shown on one of the attached charts) readily illustrates the reason for this. Two of the small early prototypes, Big Rock Point and Humboldt Bay, had unit costs in the $400–$500 per kilowatt range. The larger, Dresden I and Yankee plants, had costs of $250 per kilowatt, over twice that of coal-fired plants and three times that of gas-fired plants. Since a nuclear plant has a great deal of heavy equipment and heavy concrete structure involved in its construction, the total cost of the plant is less sensitive to size than a fossil-fired plant and additional capacity can be provided at a small additional cost.[4] Therefore, when the 500 MWe Oyster Creek and Nine Mile Point plants were committed, the cost came down by a factor of two and recently announced plants have approached the cost of coal-fired plants. Detailed costs are shown on some of the attached charts.

In the past two years reactor suppliers have achieved further economies in production and operating costs of nuclear plants, and the past year saw the award of contracts for 21 nuclear generating units with a total capacity of more than 16 million kilowatts. One of the most significant of these was the choice of nuclear power by the Tennessee Valley Authority for a plant in the southeastern United States near major coal fields. Last year, for the first time, more nuclear power than fossil-powered generating capacity was announced by electric utilities in this country, far exceeding the estimates of the most optimistic forecasters.

In our 1962 Report to the President, estimates of nuclear power growth were projected as 40,000 megawatts of installed capacity by 1980. Since the '62 Report, we have revised our estimates several times. In 1964, we increased our estimates to a range of 60,000 to 90,000 megawatts by 1980. In 1966, our estimate was again revised to a range of 80,000 to 110,000 kilowatts of installed generating capacity by 1980. The 1967 Supplement to the Report to the President indicates that 25 to 30 per cent of the generating capacity in 1980 will be nuclear and that updated forecasts to 1980 and beyond are again being developed. I am certain that at the time of Mr. Ramey's speech in 1963, the most optimistic forecasters would not have dared predict the surge in nuclear power plant orders that occurred in 1966 and seems to be continuing in 1967.

At the beginning of this year I was planning on forecasting in my talk today that 1967 could not possibly approach 1966 in total kilowatts ordered and especially in nuclear announcements. This was based on reports of increasing costs for nuclear plants because some of the reactor suppliers had reached their plant capacity for early delivery, and also because of the long term delivery being quoted on nuclear turbine-generators. Already this year, however, orders [5] have been placed for nine new nuclear generating units with a total capacity of more than six million kilowatts, so I am not even going to be so bold as to try and predict what will happen. One of the factors that has worked in favor of nuclear plants is the attention being given to air pollution. Nuclear power plants offer advantages over fossil-fueled plants by being able to control waste, and it is hard to predict what effect this will have on the use of nuclear powerplants in the future.[6] Air pollution was the subject of a national conference in Washington, D.C., on December 13, 1966, at which Dr. Seaborg discussed the advantage of nuclear power in this area.

Electric power growth

This tremendous increase in nuclear orders also reflects the phenomenal growth in the demand for electric power which I understand has about doubled in the past ten years in this country. Of course, this demand results to a considerable extent from the dramatic growth that is occurring in our population. The current population in the United States is approaching 200 million and it is conservatively estimated that by the end of the century, that is another 33 years, we will have over 350 million people in the United States. This increase in population, together with the increasing energy requirements per capita, naturally is being reflected in our total energy requirements in the United States which is increasing at a rate of about 3¼% per year and our demand for electricity is nearly doubling every 10 years. It is my understanding that the current annual electric generating capacity in the U.S. is around 250 million kilowatts. By 1980, it is expected to be 520 million kilowatts and it is expected to exceed one and one-half billion kilowatts by the year 2000. Our 1967 Supplement to our Report to the President has not changed our estimate that about half of this capacity will be nuclear in the year 2000. Reviewing the statistics of total generating units ordered over the last five years demonstrates rather dramatically the growth in demand for electric power that is taking place: 1962—8,300 Mw; 1963—19,000 Mw; 1964—22,100 Mw; 1965—26,700 Mw; and 1966—45,500 Mw.

Nuclear power apparently reached a point of economic competitiveness at a most propitious time. The cost of generating electricity from fossil fuels has been declining in recent years, due to the fine record of our fossil fuel suppliers (the coal, oil, and gas industries) and you utility representatives in achieving greater economics. Reductions in transportation costs and the savings inherent in the mine-mouth location of very large generating plants have been some of the factors responsible for significant savings. In my position in the AEC over the last five years, I have had occasion to become acquainted with the coal industry through the National Coal Association and the National Coal Policy Conference, and also with the oil and gas industries. Let me assure you I never cease to be impressed with their truly aggressive and competitive spirit. In fact, a few years ago some of us wondered how nuclear power could ever compete with the moving competitive target presented by fossil fuel.

Incidentally, total estimated consumption of bituminous coal and lignite in the U.S. had an increase of 5.9 per cent in 1966 and electric utility use increased 8.8 per cent in 1966 from the 1965 level. The outlook for the fossil fuel suppliers shows a market in 1980 of about double today's demands.

The trend toward lower fossil fuel costs, however, appears now to have been slowed so that in my opinion we can be grateful, historically speaking, that nuclear energy arrived on the scene when it did. With the rapid expansion in electric power use and the possible levelling off in the cost of fossil fuels, competitive nuclear power is providing an abundant new energy source for electric generation and at the same time giving the utility industry a new technology to help continue to bring down the cost of electricity in this country.

THE CIVILIAN NUCLEAR POWER INDUSTRY TODAY

In carrying out its responsibility to foster a private nuclear industry, the Commission has followed a firm policy of withdrawing from areas as private capabilities are developed and the competence and reasonableness of the private sources are demonstrated. We have, therefore, for a number of years been proceeding on a course intended to permit the nuclear power industry to flourish with minimum government involvement. The net effect of this AEC policy, coupled with the initiative of private industry, has been that all the materials, equipment and services needed to support nuclear power plants are now available on the private, commercial market—and largely on a competitive basis—with only one important exception, the enriching of uranium in the U–235 isotope.

I would like to briefly review the various segments of the nuclear industry that are involved in supplying central station nuclear plants and point out the problems and challenges in which utility management will have a particular interest. Of course, the first segment involves the mining and milling industry, which supplies the basic fuel for nuclear plants.

The uranium mining industry

The known world reserves of uranium are vast and new reserves will surely be discovered.[7] In our 1967 Supplement to the Report to the President on Civilian Power, it is estimated that with reactors of current technology, the known and estimated domestic resources of uranium at less than $10.00 per pound of U_3O_8 are adequate to meet the requirements of the projected growth of nuclear electric plant capacity in the U. S. for about the next 25 years. Should a requirement develop for thorium, at least 100,000 tons is available at about $10.00 a pound for thorium oxide. We do not see, however, any near term large requirement for thorium.[8]

Currently, the U. S. mining and milling industry has an annual capacity of about 16,000 tons U_3O_8 which can be expanded to meet larger demand. One of the areas the Commission has worried about is a possible gap around 1970 in the market for uranium that would occur when the Government contracts expire and this industry has to look entirely to a commercial market for its sales. The Commission some time ago adopted a stretch-out program which extended the Commission's procurement program for uranium concentrate from 1967 through 1970 in order to provide a market until the utility market developed.

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[4] The average size of the nuclear generating units ordered in 1966 was approximately 790 MWe.

[5] Through 3/10/67.

[6] See AEC Public Release S–49–66.

[7] See Remarks by Robert D. Nininger, Assistant Director, Division of Raw Materials, USAEC, Before the 35th Annual Convention of Prospectors and Developers Association, Toronto, Canada, March 7, 1967 (AEC Public Release IN–765).

[8] Refer to speech by Commissioner James T. Ramey, USAEC, at the National Western Mining Conference, Denver, Colorado, February 5, 1965 (AEC Public Release IN–561).

The Commission and the Joint Committee on Atomic Energy also established a policy which prohibits enrichment of foreign ore for use in domestic nuclear power plants until the domestic uranium mining industry viability is reasonably assured. This policy is to be studied from time to time and when the uranium industry is assured of a reasonable market, foreign ore would be permitted to be used. With the recent surge to nuclear power and the resulting demand for uranium, this prohibition may be lifted sooner than could have been originally anticipated. The Commission is presently studying this problem, and you may wish to get a copy of Mr. Faulkner's statement that he filed with the Joint Committee at the FY 1968 Authorization Hearings earlier this month. (Mr. Faulkner is Director of our Division of Raw Materials.)

Exploration for uranium both in the U.S. and Canada is proceeding now at a faster rate than anticipated and if shortages of uranium should temporarily occur, additional uranium should eventually be available from foreign producers and also some AEC stockpiles could be released.

The AEC has publicly committed itself to continue an $8.00 price on uranium through mid-1973 (as the incremental uranium concentrate cost of the enriched uranium we will sell) which provides assurance of a minimum price at least through that date. I understand that some reactor manufacturers are now quoting prices on nuclear power plants based on purchasing enriched uranium from the AEC. An $8.00 price as the cost of ore in the AEC's enriched uranium price should be equivalent to approximately $7.60–$7.70 as ore purchased in the market place due to the added cost of paying interest while the ore is being converted to UF_6 and enriched.

In summary, this segment of the industry is entirely in the commercial sector of economy and seems well on its way to finding an adequate commercial market as the government market phases out. As I stated earlier, some utilities and reactor manufacturers feel the time has come to start thinking of removing the restrictions on foreign ore entering this country for domestic use. This is an area which you utilities will certainly want to follow and make your views and opinions known to the Government from time to time. You, of course, will want to keep informed on the progress of exploration efforts by the mining industry in developing additional supplies of uranium.

Conversion of U_3O_8 to UF_6

This step in the nuclear fuel cycle has been accomplished in the past in government-owned plants and in a privately-owned plant at Metropolis, Illinois. These plants are now in stand-by; however, the Allied Chemical Company, owner and operator of the private plant, expects to again be converting U_3O_8 to UF_6 in 1968. Indications are that other companies will enter this field as soon as the market develops and provide adequate competition. Present estimates of the market for conversion service are as follows: 1968 (first year Allied will be in operation)—3,000 to 4,000 tons U_3O_8; 1969—6,000; 1970—10,000; 1971—15,000; 1972—17,000; and 1973—20,000 tons U_3O_8. The present capacity of the Allied plant at Metropolis, Illinois, is approximately 6,000 tons per year and thus you can see additional capacity will be needed for 1970 and beyond. We know that other companies are considering entering this field but have been waiting for the market to develop. This is again an area that you will want to follow as the industry develops.

Enriching uranium

Uranium enriching is now the only important step in the fuel cycle for which private nuclear power is dependent upon the Government and we have reached the point where the future possibility of private industry becoming involved in this function is now coming under serious study. The Commission announced on March 9, 1967, that it has agreed to cooperate with the Atomic Industrial Forum in its study of the feasibility and desirability of transferring to private industry one or more of the Commission's gaseous diffusion plants.[9]

The AEC has agreed to cooperate by providing to a limited number of security-cleared Forum representatives certain classified information pertinent to the study. The Forum report on its study, however, will be unclassified and available to the public.

In the study, which is estimated to require six to nine months, the Forum plans to answer two main questions, primarily from the viewpoint of the private nuclear industry: is it feasible and desirable for the AEC to lease or sell some or all of its gaseous diffusion plants to industry, and if so, when and how can this transfer best be accomplished? The Commission is conducting its own internal study of the feasibility and desirability of the transfer. The Commission study will also be concerned with national security aspects and will be classified.

Pending completion of the Forum study, the AEC does not intend to consider requests from other groups to undertake similar studies.

You utilities will certainly want to follow the Forum study and make your own views known.

Power reactors

A very competitive industry exists today in the sale of nuclear power plants. In 1966, Babcock & Wilcox and Combustion Engineering received orders for nuclear plants in addition to General Electric and Westinghouse, thereby having the opportunity to become established competitors, and this trend is continuing so far in 1967.

General Atomic continues to be a competitor in the reactor field and its position depends to a considerable extent on the success of the gas-cooled reactor concept. Atomics International has declared its intention of being a competitor in the liquid metal cooled breeder reactor field. There are, therefore, six potential suppliers of nuclear steam supply systems. A number of suppliers in addition to the reactor manufacturers have also emerged in the fuel cycle area, such as, United Nuclear, Nuclear Fuel Services, Kerr-McGee, NUMEC, Allied Chemical, and National Lead. These companies supply items in the fuel cycle such as uranium oxide or pellets, metallic fuel elements for test reactors and plutonium fuel in various forms.

We like to believe that the utility industry and the AEC have done a pretty good job in attempting to establish a diversified and competitive nuclear industry. In fact, perhaps in the past we have encouraged too many to get in. There is no question but that the competition between General Electric and Westinghouse has done much to reduce costs to levels competitive with conventional fuels. We have been pleased, however, that in the past year two other suppliers have received orders for water reactors.

The problem of the fuel cycle suppliers has attracted attention lately in that, to the extent the reactor suppliers furnish initial cores and make their own oxide, pellets, zirconium tubing, and fuel elements, no market will exist for the independent fuel suppliers. The award of a replacement core for the Dresden I reactor by the Commonwealth Edison Company to United Nuclear was an important development and may be an indication of a trend to eventually purchase replacement cores from other than reactor manufacturers. For some time I have been of the opinion that the independent fuel suppliers will have to eventually be in a position to bid on complete replacement cores with appropriate guarantees if they are to remain in the nuclear industry. This is an area in which the purchasing policies followed by your utilities will have a direct influence. More details on competition are shown on some of the attached charts.

As a part of its responsibility under the Atomic Energy Act to "strengthen free competition in private enterprise," the AEC has arranged with the Department of Justice to jointly study competition in the nuclear industry. The study will analyze the economic structure of the industry and the conduct and performance of those supplying reactors, reactor components, nuclear fuel, or other products or services associated with the design, construction and operation of nuclear electric plants.

Converters and fast reactors

The four objectives of the Commission's Nuclear Power Program which were listed in our 1962 Report to the President are shown on an attached chart. These objectives were not changed in our 1967 Supplement. We believe that with the fine cooperation we have had from the country's nuclear industry and electric utilities, we have successfully carried out our commitments to the first two objectives, leading to the demonstration of economic nuclear power and helping to establish a self-sufficient nuclear industry.

Today's light water reactors use only a very small fraction of the energy contained in their uranium fuel. Accordingly, with the acceptance of today's light water reactors, we have shifted our efforts more and more to the third specific objective stated in our 1962 Report, the development of reactors which will be best suited to stretch out the low cost reserves of nuclear fuel and eventually to make use of the high cost nuclear fuel through more efficient utilization. These types are known as advanced converters and breeders.[10]

The Commission effort to develop advanced converters, until March 9, 1967, had been concentrated on three approaches: the high temperature gas-cooled concept, the seed-blanket light water breeder concept, and the heavy water moderated reactor with emphasis on the organic-cooled version. Each of these concepts has promise of higher conversion ratios of Uranium–238 to Plutonium–239 and the other abundant nuclear source, Thorium–232, to fissionable fuel. Just as fossil fuel has been a moving target for the light water reactors, so now light water reactors as well as fossil fuel will be a moving target for the advanced reactors.

The 1967 Supplement to the Report to the President pointed out that studies were underway which were expected to lead to a further narrowing of focus on these advanced reactors. As a result of these studies the Commission on March 9, 1967, announced their decision to close out the Heavy Water Organic Cooled Reactor concept.[11] Work will continue, however, on a heavy water reactor base research and development program which will take advantage of the heavy and light water reactor experience in this country, and the HWR experience in Canada and Europe.

In the last several years more and more attention has been focused on the high gain breeder reactor. When developed commercially, high gain breeders will increase fuel use to over 50% of the uranium or thorium reserves. Their application will be relatively insensitive to ore prices, and will thus make large deposits of high cost ores economically usable. They will also produce excess fissile material in a timely manner to fuel new reactors.

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[9] See AEC Public Release K–62, dated March 10, 1967.

[10] See paper presented by E. B. Tremmel at National Coal Association Annual Convention on June 14, 1965.

[11] AEC Public Release IN–769, dated March 9, 1967.

Intensive development of the high gain breeder over the long term is now being undertaken with emphasis being placed in particular on the development of the liquid metal-cooled fast breeder using sodium as the coolant. Effort is also being continued on the steam-cooled and gas-cooled alternates on a lower priority, and studies are presently being carried out to determine the emphasis to be placed on these systems. Work is also being carried out on the molten salt thermal breeder concept which uses the thorium fuel cycle.

I am proud that the utility industry again is demonstrating its farsightedness by showing its awareness of the importance of developing breeder reactors. A group of 17 investor-owned utilities, working jointly with the AEC, General Electric, and a West German nonprofit organization partly sponsored by Euratom, are building the Southwest Experimental Fast Oxide Reactor, near Fayetteville, Arkansas. Some of your companies are among the 17 sponsors. More recently, General Electric has entered into a two-year design study of an approximately 300,000 kilowatt electrical capacity sodium-cooled breeder reactor power plant with a group of investor-owned utilities, including Duke Power from your region and the SEFOR group. It is my understanding that General Dynamics, Atomics International, and Westinghouse are also actively contacting utilities in regard to entering into an arrangement similar to G.E.'s. Babcock and Wilcox and Combustion Engineering are also interested in this field. In a country with a utility system as varied and strong as ours, and with the rapidly increasing demand for power, I will be disappointed if two or three other groups do not embark on similar design studies with other reactor manufacturers before the year has ended, leading eventually *to the construction of a number of breeder* demonstration reactors on utility systems just as occurred in the light water program.

Reprocessing

Both the technology and the industrial interest in this segment of industry are sufficiently advanced to indicate that commercial competition should be available. Nuclear Fuel Services, Inc., began operation of its West Valley, New York, reprocessing plant on April 20, 1966, and at the end of 1966 had processed about 120 metric tons of spent fuel. The General Electric Company filed an application on November 22, 1966, for a construction permit to build a chemical-reprocessing plant for operation in 1970 at Morris, Illinois. The Allied Chemical Company continues to indicate that they intend to build a plant in the early 1970's. The problem that exists at the present time is that there will be insufficient fuel available for reprocessing to supply a full load for the NFS plant until around 1971–1972. After 1972, the market increases quite sharply and additional plants should be required.

It is interesting to note that utilities are not only receiving quotations from both NFS and G.E. but from foreign interests as well. Recently UKAEA representatives have been calling on some of you in an effort to obtain your reprocessing business, so apparently at the present time utilities can obtain quotations from at least three sources. In addition, the Eurochemic facility at Mol, Belgium, is actively competing in the foreign market in an effort to obtain loads for their plant. This keen competition is occurring at this early date even though a sizeable market is still about five years away. Incidentally, the market for reprocessing has been a receding one partly due to the longer life being obtained from the fuel elements in the early reactors.

The AEC's present reprocessing policy for receiving and reprocessing non-production fuels, in cases where it is determined that chemical processing services are not available from private facilities at reasonable terms and conditions, terminates on June 30, 1967. The AEC's processing charge under the present policy would be based upon the costs associated with the processing of certain types of irradiated materials in an assumed chemical processing plant (conceptual plant) which was designed back in 1957 specifically for this purpose. This paper plant is described in AEC report WASH–743, "Summary Report—AEC Reference Fuel Processing Plant."

The Commission has recently reviewed the need for the AEC to continue the existing policy beyond June 30, and is tentatively planning on extending this policy with some minor changes through December 31, 1970. The Commission has invited the Atomic Industrial Forum to give their comments on the extension of our policy. If any of you have any comments or suggestions in regard to the proposed policy extension, I suggest you make your views known to the AIF.

Fuel reprocessing will be the subject of a two-day meeting, May 11 and 12, sponsored by the Southern Interstate Nuclear Board in cooperation with the AEC. It promises to be an excellent meeting, and I would urge all of you with an interest in nuclear power to attend.[12]

THE CHALLENGE OF THE FUTURE

Early in this conference, Mr. Clapp outlined the problems and opportunities in the electric industry. Mr. Cook outlined the rapid growth in uses for electric power, in his talk so appropriately titled "The All-Electric Way—Wave of the Future." The advances already made in harnessing nuclear energy, the breeder reactor advances we see around the corner and the continued efforts by fossil fuel suppliers to improve their products, should usher in an era of abundant energy supplies—with plenty of energy for all purposes and at even lower costs than today's. I mentioned earlier the much more rapid rise *in the use of electricity than in the use of* total energy in all forms. This, of course, is directly due to the impressive record of your industry in bringing the cost of your products down while the general price index has been increasing.

Nuclear power may be responsible more directly for certain other opportunities in the future. Because of size and generating costs, the larger the nuclear plant the greater the savings to the consumer. This is largely responsible for the clear advantages nuclear power brings to dual-purpose, water desalting and electric power plants, which has resulted in the rather unique project in California where two investor-owned utilities are cooperating with a public power system and a state agency in a proposed dual-purpose plant to be built on an artificial island off the California coast.

Looking even further into the future we may see vast industrial complexes built around large nuclear power plants in the multi-million kilowatt range. These would produce electricity and process heat so cheaply that they could be used to separate and recycle enormous quantities of waste of all kinds and convert raw materials into feed materials for manufacturing plants in the same complex. Such a nuclear complex would be quite clean and compact, and underground arteries, conveyor belts and pipelines might replace the maze of roads and rails usually associated with such operations.

Today I have concentrated mainly on discussing nuclear power through nuclear fission but there is another long-range development that could further challenge your industry, that is, controlled thermonuclear fusion. The development of controlled fusion would provide mankind with a virtually limitless supply of energy, as it would mean we could use as a fuel the heavy hydrogen found in common seawater. Controlled fusion presents many difficult problems which may take decades to solve. However, those involved in this difficult work feel that these problems can eventually be solved and it is our policy to support and further their efforts.

Marshall McLuhan has spoken of learning how to control the thermostat of the environment in order to shape the new world to come.[13] It occurs to me that nowhere in our society have we as much experience with and understanding of "thermostats" and "environments" as we have in our energy suppliers and in our electric utility industry.

CONCLUSION

Today I have discussed the development of light water reactors and also the challenge that is facing all of us in developing breeder reactors. If one can believe the potential economics of a breeder reactor, the challenge to develop them will be even greater than the light water reactors. This brings me to the concluding message I would like to leave with the members of this conference. As I see your industry, for the last several decades your main emphasis has been on improving the technology of fossil fuel plants in order to achieve additional economies and on improving technologies such as in the use of high voltage lines. The trend throughout your industries toward extensive interconnections has also been a challenge in human relations. Nuclear energy as a power source has brought to your industries an entirely new technology and is offering all of your management a real challenge in adopting and becoming familiar with this technology.

Of prime importance in my opinion is that you understand what you are getting into. *The need for knowledgeable top management* and for trained nuclear engineers is self-evident and is a challenge to your entire industry. Your utilities must have staffs who will see to it that your nuclear power plants are built right and that they operate right. This means you have to have good engineers who understand the design and have the ability and experience to handle operational and maintenance problems. This in turn requires management philosophy from the top down which understands and respects the need for good engineers and the importance of safety without being awed by it.

Some utilities have been fortunate in that they have gained this understanding through participation in reactor prototype development type projects. For example, it is interesting to note that of the owners of the Carolinas-Virginia tube reactor plant at Parr, South Carolina, the Carolina Power & Light Company, Duke Power Company, South Carolina Electric and Gas Company, and the Virginia Electric and Power Company have placed orders for large nuclear power plants. Other utilities have learned through participating in various studies of possible nuclear power plants. Those less fortunate are making or must make a determined effort to build up their staffs and participate in various training and educational programs.

Fortunately with the challenging new technologies facing the utility industry, in my opinion, incentives exist which should enable your industry to attract some of the best talent to your companies.

I hope that in my talk today I have not only outlined for you some of the areas in connection with the present nuclear industry that you should follow, but I also hope that you will share my enthusiasm for the challenges that face your industry. These challenges appear to me to be greater than ever before in your history; however, I am confident that your industry will rise to meet them.

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[12] Information on this meeting may be obtained from Robert H. Gifford, Executive Director, Southern Interstate Nuclear Board, 800 Peachtree St., N.E., Atlanta, Georgia 30308.

[13] See *Newsweek* for March 6, 1967.

A New Look at Nuclear Power

(Remarks by Dr. Glenn T. Seaborg, Chairman, U.S. Atomic Energy Commission, to the Commonwealth Club of California, San Francisco, Calif., May 12, 1967)

I am honored by this third invitation to speak to the Commonwealth Club of California, an organization that has been addressed by so many distinguished speakers. When I last had the pleasure of speaking to you, in June 1965, my topic—"The International Atom: Peril or Promise?"—was broad and had a few harsh overtones. Today I would like to both narrow my subject matter and place my emphasis on a most promising aspect of the atom. I believe it is fairly easy to do both since so much has happened in the field of nuclear power in the United States during the past two years that is encouraging and merits discussion.

Why is this an appropriate time for a new look at nuclear power in the U.S.? Primarily because the electric utilities in this country are accepting the large nuclear power reactor as a reliable and an economically competitive means to generate electricity and are putting a good deal of their money where their conviction is.

I was not sure that this situation would ever arise when I spoke to the Commonwealth Club ten years ago. This is what I stated on August 9, 1957: "It is too soon to say—coming back to the question of cost—whether nuclear energy will be able to compete with other forms of energy such as coal. In order to be competitive in this country, on the average, the overall cost will have to be on the order of 6 to 7 mills per kilowatt-hour. That's usually the unit of energy that is used to describe this. Now, there have been some estimates by competent engineers that this will be possible. But on the other hand a number of equally competent engineers have expressed grave doubts. However, the present cost of electrical energy is greater in some areas, and in some places in the world the cost is much greater than in the United States, so that nuclear energy will in any event be competitive in such situations beginning almost immediately. It should be emphasized that nuclear energy will be important regardless of the eventual outcome of the cost situation because of its concentrated form, and hence of its possibility of doing things that no other form of energy can do at any price, and hence you can't put a cost value in dollars and cents on it."

That is what I said ten years ago. Today I am happy to say that those "equally competent" but more conservative engineers were wrong. The cost of electricity from the large water cooled nuclear power plants being constructed today is projected to be on the order of 4 to 5 mills per kilowatt hour. In addition to the economic factors promoting nuclear power is the fact that the general public is now accepting nuclear power as a safe, clean source of the electricity which every year in growing amounts becomes more essential to our way of life.

The growth of nuclear power within the past two years has been nothing short of remarkable. To explain why, let me go back a little farther in our nuclear history. As you may recall, by the end of 1962 private industry and the electric utilities working closely with the AEC had placed in operation around the country several relatively small light water reactors to demonstrate the reliability of nuclear power to generate electricity. But as reliable as these reactors proved to be they were not economically competitive with conventional power plants, and therefore utilities were in no hurry to contract for nuclear plants on their own. A turning point began, however, late in 1963 with the announcement by the Jersey Central Power and Light Company that it had contracted for a 515,000 kilowatt nuclear plant at Oyster Creek which, according to the company's economic evaluation, would be competitive with a fossil fuel plant. This was the first case where a utility had selected a nuclear power plant on purely economic grounds, without Government assistance, in direct competition with a fossil fuel plant.

But perhaps more important from the standpoint of the nuclear industry, it was the beginning of the realization that the key to the economic success of nuclear plants was their size. Units ranging from 500,000 up to and exceeding 1,000,000 kilowatts could compete with fossil fuel plants, and in some cases would later compete successfully even in areas where these fuels were naturally abundant. Although other nuclear plants were announced in 1963 it took about a year for nuclear power to start growing significantly, and that it is now doing in an almost snowballing fashion.

In 1965 orders for ten nuclear plants with a combined capacity of more than 5,000,000 kilowatts were announced. In 1966 orders for another 29 nuclear plants with a combined capacity of more than 23,000,000 kilowatts were announced. As of May 1 of this year—although we expected orders to taper off—we have already had 14 new nuclear plant announcements for a total of more than 11,000,000 kilowatts. I should add that these new orders include second and third orders of nuclear plants by the same utilities. And in some cases nuclear plants are being planned essentially in the heart of coal-producing areas.

As of May 1, the U.S. had 14 nuclear power plants in operation, 16 under construction, and plans had been announced for the construction of 43 additional nuclear power plants. The total capacity of these 73 plants will be about 44,000,000 kilowatts. And this is enough electricity to take care of all the electric power needs of more than 30 million people.

What is perhaps even more indicative of the sudden success of nuclear power is the fact that the 29 nuclear power plants announced last year represented 55 per cent of the steam-electric generating capacity announced by the utility industry in 1966.

At this point let me inject the thought that while economics played a major role in the surge of nuclear power, another advantage of nuclear power has recently been getting its fair share of attention, and rightfully so. There has been a growing awareness that nuclear plants are clean sources of power which do not contribute to the current burden of air pollution.

All this has given some trouble to those of us whose business involves projecting the growth of nuclear power. We have had to continue updating our projections. For example, when I spoke to this organization in 1965 I was enthused about the fact that we were predicting about 6,000,000 kilowatts of nuclear power in operation by 1970. Today, only two years later, we are confident that we will reach 10,000,000 kilowatts by 1970. I also stated two years ago that we might have 70,000,000 kilowatts of nuclear power installed by 1980. Today the AEC is predicting more than 100,000,000 kilowatts by that date. And some analysts are already calling our current forecast far too conservative.

This remarkable growth of nuclear power has not been the result of an interest in the atom alone. Our use of all energy sources is growing, and particularly our demand for electricity which has for some time been doubling every decade. Many of us feel that the growing economic competitiveness of nuclear power is only a first step in a process which will see the atom dramatically affecting our ability to produce electric power at an increasingly lower cost. As the cost of nuclear power comes down through the introduction of more efficient and larger nuclear systems, so will the competitive cost of other power resources be reduced. The results of these reductions could mean substantial savings to the consumer. It has been projected that sometime within the coming decades, on a saving of as little as 1 mill per kilowatt hour, the power-consuming public in the U.S. could begin to profit by savings of more than a billion dollars a year!

This type of reward and perhaps even far greater benefits could be possible through the use of large breeder reactors. The breeder reactor creates new fissionable material for refueling itself and other reactors while producing power. The extensive use of large breeder reactor systems (and we are at work today developing these) could offer electric power cheap enough to revolutionize much of our industry from both a technological and economical standpoint. One can see very low-cost nuclear electricity and process heat radically affecting the way we obtain our water, grow our food, control and recycle our waste, process our raw materials and produce our new products.

During the past year or so I have, on several occasions, projected some thoughts on a highly automated, nuclear-powered industrial complex that would desalt seawater, process natural resources, recycle old materials, and turn out new products while also supplying electricity to distant cities and transportation systems. Such complexes, many parts of which might even be underground, may someday allow us to live in a junkless, unpolluted world where our cities and our countryside can be relatively independent of our heavy industry. Admittedly, all this is is not just around the corner, but based on developments taking place today and the type of environmental thinking engaged in by many of our leading scientists, engineers and social planners, the potential is there. And the current acceptance of nuclear power today is an important step toward this kind of goal.

Now, having established the present status and future promise of nuclear energy in the U.S. in general, let me address myself specifically to its impact upon this great State of California. California has been accustomed to being first among the states in many things—or, if not first in each and every category, at least having the near-term potential of being first. California is the state which has had, in the last five years, a net increase of 300,000 people per year. It is a state in which the population has grown from 7,000,000 in 1940 to 20,000,000 today—a figure which makes it the most populous state in the Union. Its Gross State Product has risen from approximately $7.2 billion in 1940 until today it has reached more than $85 billion, while its Gross Personal Income rose from a 1940 level of about $6 billion to the point today where it exceeds $65 billion. California's dynamism has almost reached the category of a household word throughout the nation. Even the world-be detractors of the state stand a bit in awe at times of its past accomplishments and future potential.

If I were to stop here, I might well qualify as a member in good standing of the Chamber of Commerce. Unfortunately, there is a darkening cloud which looms over all this, one which is of concern to me as a Californian and to other Californians. This great social, cultural, industrial complex that has blossomed here on the West Coast is in the real sense of the word a "High Energy Society." I have used that term over the past several years to describe a truly modern technological culture whose measure of advancement can almost be equated to its consumption of energy and particularly energy in its most useable form, electricity—electricity to power industry, electricity to help produce and process a plentiful harvest, electricity to air-condition the home.

Up until the past few years, California has been blessed with nearby resources of hydro power, supplemented by efficient electricity generating steam plants. Unfortunately, with the advent of the air pollution problem, it has been necessary to place certain restrictions on the fuels that electricity generating steam plants could burn—restrictions which generally require cleaner burning, higher cost fuel. Coincidentally with this, most of the potential hydro electric sources have now been tapped.

Today, the State of California and its citizens are faced with momentous questions. There are demands for increased energy now, and even greater demands can be foreseen tomorrow. Some of these may spring from essentially new developments. For example, it has recently been estimated by the Federal Power Commission that by 1985 electric automobiles in the U.S. might require approximately 50 billion kilowatt hours of electricity annually. Since California has more than ten per cent of all the automobiles registered in the U.S.—and its share seems to be increasing every year—at least another five billion kilowatt hours of electricity could be added to this State's annual demand for electricity by that time, if these non-polluting cars are in common use by then. And the current interest in them seems to make at least a good portion of that a good possibility.

If California were to proceed along the path that it has in the past, relying on the traditional sources of electric energy, there is no doubt that the cost of energy would increase substantially in the coming years. This is directly related to the fact that the new increments of electric energy required would have to be supplied by electricity generating steam plants fueled with cleaner burning, higher cost fuel.

If there were no alternative source of electric energy available to California, I could predict some rather dire economic consequences for its future. For after all, California is not the only high energy sector in our country. The East Coast, the Midwest, and the South are all burgeoning and growing. California may be a step ahead in the race at this point, but the race is not over. If California had to make do with significantly higher cost electric energy than other areas of our great Nation, California might well find itself falling behind in the race while other high energy sectors of our Nation forge ahead to build the scientific and technological societies of the 70's and the 80's.

Now, of course, there is an alternative. As a Californian, I would not have painted this black a picture if there were not a way out. As Chairman of the U.S. Atomic Energy Commission, I am happy to suggest as an alternative the use of nuclear power. As I indicated earlier in my remarks, nuclear power is here today—it is a real honest-to-goodness alternative. Utility officials say it can produce electric energy competitively, not only as compared to conventional fuel here, but competitively with other areas of the country. This latter point arises from the fact that the cost of producing nuclear energy is largely independent of geography. No massive quantities of fossil fuels need to be transported daily, weekly, or monthly to the generating plants. Instead, every year or two only small amounts of new nuclear fuel need to be brought in and the safely packaged waste products taken out for reprocessing and disposal elsewhere.

A further benefit of nuclear power, and one that I touched on before, is that it does not contribute to the air pollution problem. Nuclear plants do not create combustion products. Nuclear energy is a clean source of power and, in fact, it is possible to construct nuclear power plants without tall stacks or chimneys. Such a power plant is being built in New York State today.

With all of this going for it, the obvious question is why isn't the California countryside sprinkled with nuclear generation stations? One answer to this is that there have been problems in bringing nuclear power here which are specific to this area of the country. And I will discuss these in a moment.

Logically, California should be among the foremost users of nuclear power. California was an early leader in the nuclear age, with the pioneering work of Professor E. O. Lawrence at the Radiation Laboratory of the University of California, a laboratory with which I was fortunate enough to be associated for some years.

Nuclear power also had an early beginning here with the Sodium Reactor Experiment generating facility outside of Los Angeles and the Vallecitos boiling water reactor outside of San Francisco. While both of these experimental units have now ceased operation, they were followed by the Humboldt Bay nuclear power plant of Pacific Gas and Electric Company, which is operating successfully and reliably today. This nuclear power plant near Eureka was one of this country's first ventures in the use of the power of the nucleus to provide electric power for our homes. Its initial operation in February 1963 followed closely the startup of the pioneer Yankee and Indian Point reactors on the East Coast and the Dresden Nuclear Power Station in the Midwest near Chicago.

Since then a number of problems have clearly slowed the pace of development of nuclear power in California. Resolution of these problems will require patience and understanding. Their solution will require not only the best efforts of the AEC but also of the people of California, their State and local governments, their utilities and industries, and their citizen organizations.

As you are all well aware, the safety of nuclear power reactors is a major responsibility of the Atomic Energy Commission. Our emphasis has been and will continue to be based on a conservative approach to this important regulatory responsibility, with the public's well-being considered first and foremost. In our view, reactor location, or siting, is one of the most important considerations related to public safety during this present period when operating experience with nuclear power reactors is being accumulated.

Thus, we consider it to be vitally important that locations be selected for large power reactors based on a careful, thorough, and objective evaluation of all the environmental factors which can potentially affect reactor safety. Of crucial and unique importance to the siting of power reactors in California are the geological and seismological conditions of this part of the country.

The immediate question which then comes to mind is, are there any sites in California seismically adequate for the construction of nuclear power reactors? And, if so, how can they be identified? The answer to the first question is a resounding yes. In a state approximately 800 miles long and 300 miles wide, there are areas which are not beset by major active faults and other significant seismic features. In answer to the second question, the AEC and its earth science consultants stand ready to assist prospective applicants in the site selection process when the relative geological and seismological considerations of alternate sites are being considered.

In addition, the AEC and the U.S. Geological Survey have embarked on a related program to gather together all pertinent information on the history of faulting along several of the major California fault systems. This information, even though as yet incomplete, can now be used by Survey personnel in providing their consultative advice to the AEC on potential seismic effects at alternate sites which a prospective applicant may have under consideration. Of course, when this work is completed, it will be published and publicly available to all.

Finally, the AEC is supporting a large research and development program whose purpose is to develop reactor design features which can reliably compensate for some of the geological and seismological conditions such as those found here in California. This program is being coordinated by our Oak Ridge National Laboratory and will develop conceptual designs of reactor plants which would accommodate moderately severe seismic effects, including permanent ground displacement.

Assuming that it is possible to site reactors here in California which will meet the high safety standards set by the AEC, there would still remain some real issues to be resolved. As a Californian myself, I am aware of the great heritage of natural beauty which we enjoy in this State. We have been blessed with an environment that is the envy of the other states. When we look about us and see the effects of air pollution and the damage ofttimes wreaked by man upon nature, there are many of us who would wish to put a stop to it all. Of course, the extreme is not the answer to this situation. We cannot, nor do most of us want to, return to a primitive state in order to retain our planet in a totally unspoiled and unsullied form. The needs of man and society both for creature comforts and basic necessities require that we make use of our natural resources.

But I sincerely believe, as I know many others do, that it is possible for civilized man to coexist with nature. It is not an "either or" situation. A rational man can both enjoy and use his environment. There is a constructive approach—an approach of reason which must be applied to the future growth of the State and to nuclear power plants in it. For if this State is to continue to grow and prosper and flourish, new nuclear electric generating facilities will have to be constructed. By their very nature, these new facilities will require cooling water, and the general trend is to place them along the coast or near large rivers, both of which are scenic and recreational areas. If we proceeded to build plants randomly along our coast and waterways with no regard for conservation and scenic beauty, I would be as much concerned as any other Californian. But, again, constructive reasonableness would seem to say that carefully selected sites can be found along our coasts and waterways for the generating plants needed to meet the future high energy requirements of the California area, that it will be possible for natural beauty and nuclear plants to coexist. In this regard, I am greatly encouraged by the constructive reasonableness shown by the members of the Sierra Club in their recent decision concerning the Diablo Canyon site for a nuclear plant.

A few people may still feel we can always revert to more traditional lines and build only fossil fuel generating plants. But complete reliance on such plants may not be much of an alternative in the future, when limited fossil fuels grow more costly and air pollution restrictions grow more stringent. And, if one pauses to reflect for a moment, in addition to its other advantages, a nuclear power plant may be more aesthetic than a fossil fuel plant. There need be no coal pile or large fuel storage area at the plant site, nor continuous rail traffic to and from the site. Nuclear power plants—without tall stacks—can offer relatively attractive buildings designed to blend into the surroundings. They can be the type of facilities that lend themselves to coexistence with nature.

An example, which may be a bit embarrassing to us Californians, but nonetheless a good example of what can be done in the way of coexisting with nature, is the Turkey Point Nuclear Plant in Florida. Florida Power and Light Company is working with the Tropical Audubon Society, the Boy Scouts, the Girl Scouts and other citizen groups to use the area surrounding and adjacent to the plant as a wildlife preserve and recreation area. On the 1700-acre site surrounding the power complex, which will include two large nuclear plants, there has already been created a 1500-acre wildlife sanctuary, the Boy Scout and Girl Scout Camps (discreetly separated), two nature trails, a new beach and picnic area, and four miles of canals which will be available for canoeing and boating. The wildlife preserve, by the way, is the home of more than 100 kinds of birds, raccoons, foxes, otters,

A New Look at Nuclear Power

(Remarks by Dr. Glenn T. Seaborg, Chairman, U.S. Atomic Energy Commission, to the Commonwealth Club of California, San Francisco, Calif., May 12, 1967)

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The growth of nuclear power within the past two years has been nothing short of remarkable. To explain why, let me go back a little farther in our nuclear history. As you may recall, by the end of 1962 private industry and the electric utilities working closely with the AEC had placed in operation around the country several relatively small light water reactors to demonstrate the reliability of nuclear power to generate electricity. But as reliable as these reactors proved to be they were not economically competitive with conventional power plants, and therefore utilities were in no hurry to contract for nuclear plants on their own. A turning point began, however, late in 1963 with the announcement by the Jersey Central Power and Light Company that it had contracted for a 515,000 kilowatt nuclear plant at Oyster Creek which, according to the company's economic evaluation, would be competitive with a fossil fuel plant. This was the first case where a utility had selected a nuclear power plant on purely economic grounds, without Government assistance, in direct competition with a fossil fuel plant.

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What is perhaps even more indicative of the sudden success of nuclear power is the fact that the 29 nuclear power plants announced last year represented 55 per cent of the steam-electric generating capacity announced by the utility industry in 1966.

At this point let me inject the thought that while economics played a major role in the surge of nuclear power, another advantage of nuclear power has recently been getting its fair share of attention, and rightfully so. There has been a growing awareness that nuclear plants are clean sources of power which do not contribute to the current burden of air pollution.

All this has given some trouble to those of us whose business involves projecting the growth of nuclear power. We have had to continue updating our projections. For example, when I spoke to this organization in 1965 I was enthused about the fact that we were predicting about 6,000,000 kilowatts of nuclear power in operation by 1970. Today, only two years later, we are confident that we will reach 10,000,000 kilowatts by 1970. I also stated two years ago that we might have 70,000,000 kilowatts of nuclear power installed by 1980. Today the AEC is predicting more than 100,000,000 kilowatts by that date. And some analysts are already calling our current forecast far too conservative.

This remarkable growth of nuclear power has not been the result of an interest in the atom alone. Our use of all energy sources is growing, and particularly our demand for electricity which has for some time been doubling every decade. Many of us feel that the growing economic competitiveness of nuclear power is only a first step in a process which will see the atom dramatically affecting our ability to produce electric power at an increasingly lower cost. As the cost of nuclear power comes down through the introduction of more efficient and larger nuclear systems, so will the competitive cost of other power resources be reduced. The results of these reductions could mean substantial savings to the consumer. It has been projected that sometime within the coming decades, on a saving of as little as 1 mill per kilowatt hour, the power-consuming public in the U.S. could begin to profit by savings of more than a billion dollars a year!

This type of reward and perhaps even far greater benefits could be possible through the use of large breeder reactors. The breeder reactor creates new fissionable material for refueling itself and other reactors while producing power. The extensive use of large breeder reactor systems (and we are at work today developing these) could offer electric power cheap enough to revolutionize much of our industry from both a technological and economical standpoint. One can see very low-cost nuclear electricity and process heat radically affecting the way we obtain our water, grow our food, control and recycle our waste, process our raw materials and produce our new products.

During the past year or so I have, on several occasions, projected some thoughts on a highly automated, nuclear-powered industrial complex that would desalt seawater, process natural resources, recycle old materials, and turn out new products while also supplying electricity to distant cities and transportation systems. Such complexes, many parts of which might even be underground, may someday allow us to live in a junkless, unpolluted world where our cities and our countryside can be relatively independent of our heavy industry. Admittedly, all this is is not just around the corner, but based on developments taking place today and the type of environmental thinking engaged in by many of our leading scientists, engineers and social planners, the potential is there. And the current acceptance of nuclear power today is an important step toward this kind of goal.

Now, having established the present status and future promise of nuclear energy in the U.S. in general, let me address myself specifically to its impact upon this great State of California. California has been accustomed to being first among the states in many things—or, if not first in each and every category, at least having the near-term potential of being first. California is the state which has had, in the last five years, a net increase of 300,000 people per year. It is a state in which the population has grown from 7,000,000 in 1940 to 20,000,000 today—a figure which makes it the most populous state in the Union. Its Gross State Product has risen from approximately $7.2 billion in 1940 until today it has reached more than $85 billion, while its Gross Personal Income rose from a 1940 level of about $6 billion to the point today where it exceeds $65 billion. California's dynamism has almost reached the category of a household word throughout the nation. Even the world-be detractors of the state stand a bit in awe at times of its past accomplishments and future potential.

If I were to stop here, I might well qualify as a member in good standing of the Chamber of Commerce. Unfortunately, there is a darkening cloud which looms over all this, one which is of concern to me as a Californian and to other Californians. This great social, cultural, industrial complex that has blossomed here on the West Coast is in the real sense of the word a "High Energy Society." I have used that term over the past several years to describe a truly modern technological culture whose measure of advancement can almost be equated to its consumption of energy and particularly energy in its most useable form, electricity—electricity to power industry, electricity to help produce and process a plentiful harvest, electricity to air-condition the home.

Up until the past few years, California has been blessed with nearby resources of hydro power, supplemented by efficient electricity generating steam plants. Unfortunately, with the advent of the air pollution problem, it has been necessary to place certain restrictions on the fuels that electricity generating steam plants could burn—restrictions which generally require cleaner burning, higher cost fuel. Coincidentally with this, most of the potential hydro electric sources have now been tapped.

Today, the State of California and its citizens are faced with momentous questions. There are demands for increased energy now, and even greater demands can be foreseen tomorrow. Some of these may spring from essentially new developments. For example, it has recently been estimated by the Federal Power Commission that by 1985 electric automobiles in the U.S. might require approximately 50 billion kilowatt hours of electricity annually. Since California has more than ten per cent of all the automobiles registered in the U.S.—and its share seems to be increasing every year—at least another five billion kilowatt hours of electricity could be added to this State's annual demand for electricity by that time, if these non-polluting cars are in common use by then. And the current interest in them seems to make at least a good portion of that a good possibility.

If California were to proceed along the path that it has in the past, relying on the traditional sources of electric energy, there is no doubt that the cost of energy would increase substantially in the coming years. This is directly related to the fact that the new increments of electric energy required would have to be supplied by electricity generating steam plants fueled with cleaner burning, higher cost fuel.

If there were no alternative source of electric energy available to California, I could predict some rather dire economic consequences for its future. For after all, California is not the only high energy sector in our country. The East Coast, the Midwest, and the South are all burgeoning and growing. California may be a step ahead in the race at this point, but the race is not over. If California had to make do with significantly higher cost electric energy than other areas of our great Nation, California might well find itself falling behind in the race while other high energy sectors of our Nation forge ahead to build the scientific and technological societies of the 70's and the 80's.

Now, of course, there is an alternative. As a Californian, I would not have painted this black a picture if there were not a way out. As Chairman of the U.S. Atomic Energy Commission, I am happy to suggest as an alternative the use of nuclear power. As I indicated earlier in my remarks, nuclear power is here today—it is a real honest-to-goodness alternative. Utility officials say it can produce electric energy competitively, not only as compared to conventional fuel here, but competitively with other areas of the country. This latter point arises from the fact that the cost of producing nuclear energy is largely independent of geography. No massive quantities of fossil fuels need to be transported daily, weekly, or monthly to the generating plants. Instead, every year or two only small amounts of new nuclear fuel need to be brought in and the safely packaged waste products taken out for reprocessing and disposal elsewhere.

A further benefit of nuclear power, and one that I touched on before, is that it does not contribute to the air pollution problem. Nuclear plants do not create combustion products. Nuclear energy is a clean source of power and, in fact, it is possible to construct nuclear power plants without tall stacks or chimneys. Such a power plant is being built in New York State today.

With all of this going for it, the obvious question is why isn't the California countryside sprinkled with nuclear generation stations? One answer to this is that there have been problems in bringing nuclear power here which are specific to this area of the country. And I will discuss these in a moment.

Logically, California should be among the foremost users of nuclear power. California was an early leader in the nuclear age, with the pioneering work of Professor E. O. Lawrence at the Radiation Laboratory of the University of California, a laboratory with which I was fortunate enough to be associated for some years.

Nuclear power also had an early beginning here with the Sodium Reactor Experiment generating facility outside of Los Angeles and the Vallecitos boiling water reactor outside of San Francisco. While both of these experimental units have now ceased operation, they were followed by the Humboldt Bay nuclear power plant of Pacific Gas and Electric Company, which is operating successfully and reliably today. This nuclear power plant near Eureka was one of this country's first ventures in the use of the power of the nucleus to provide electric power for our homes. Its initial operation in February 1963 followed closely the startup of the pioneer Yankee and Indian Point reactors on the East Coast and the Dresden Nuclear Power Station in the Midwest near Chicago.

Since then a number of problems have clearly slowed the pace of development of nuclear power in California. Resolution of these problems will require patience and understanding. Their solution will require not only the best efforts of the AEC but also of the people of California, their State and local governments, their utilities and industries, and their citizen organizations.

As you are all well aware, the safety of nuclear power reactors is a major responsibility of the Atomic Energy Commission. Our emphasis has been and will continue to be based on a conservative approach to this important regulatory responsibility, with the public's well-being considered first and foremost. In our view, reactor location, or siting, is one of the most important considerations related to public safety during this present period when operating experience with nuclear power reactors is being accumulated.

Thus, we consider it to be vitally important that locations be selected for large power reactors based on a careful, thorough, and objective evaluation of all the environmental factors which can potentially affect reactor safety. Of crucial and unique importance to the siting of power reactors in California are the geological and seismological conditions of this part of the country.

The immediate question which then comes to mind is, are there any sites in California seismically adequate for the construction of nuclear power reactors? And, if so, how can they be identified? The answer to the first question is a resounding yes. In a state approximately 800 miles long and 300 miles wide, there are areas which are not beset by major active faults and other significant seismic features. In answer to the second question, the AEC and its earth science consultants stand ready to assist prospective applicants in the site selection process when the relative geological and seismological considerations of alternate sites are being considered.

In addition, the AEC and the U.S. Geological Survey have embarked on a related program to gather together all pertinent information on the history of faulting along several of the major California fault systems. This information, even though as yet incomplete, can now be used by Survey personnel in providing their consultative advice to the AEC on potential seismic effects at alternate sites which a prospective applicant may have under consideration. Of course, when this work is completed, it will be published and publicly available to all.

Finally, the AEC is supporting a large research and development program whose purpose is to develop reactor design features which can reliably compensate for some of the geological and seismological conditions such as those found here in California. This program is being coordinated by our Oak Ridge National Laboratory and will develop conceptual designs of reactor plants which would accommodate moderately severe seismic effects, including permanent ground displacement.

Assuming that it is possible to site reactors here in California which will meet the high safety standards set by the AEC, there would still remain some real issues to be resolved. As a Californian myself, I am aware of the great heritage of natural beauty which we enjoy in this State. We have been blessed with an environment that is the envy of the other states. When we look about us and see the effects of air pollution and the damage ofttimes wreaked by man upon nature, there are many of us who would wish to put a stop to it all. Of course, the extreme is not the answer to this situation. We cannot, nor do most of us want to, return to a primitive state in order to retain our planet in a totally unspoiled and unsullied form. The needs of man and society both for creature comforts and basic necessities require that we make use of our natural resources.

But I sincerely believe, as I know many others do, that it is possible for civilized man to coexist with nature. It is not an "either or" situation. A rational man can both enjoy and use his environment. There is a constructive approach—an approach of reason which must be applied to the future growth of the State and to nuclear power plants in it. For if this State is to continue to grow and prosper and flourish, new nuclear electric generating facilities will have to be constructed. By their very nature, these new facilities will require cooling water, and the general trend is to place them along the coast or near large rivers, both of which are scenic and recreational areas. If we proceeded to build plants randomly along our coast and waterways with no regard for conservation and scenic beauty, I would be as much concerned as any other Californian. But, again, constructive reasonableness would seem to say that carefully selected sites can be found along our coasts and waterways for the generating plants needed to meet the future high energy requirements of the California area, that it will be possible for natural beauty and nuclear plants to coexist. In this regard, I am greatly encouraged by the constructive reasonableness shown by the members of the Sierra Club in their recent decision concerning the Diablo Canyon site for a nuclear plant.

A few people may still feel we can always revert to more traditional lines and build only fossil fuel generating plants. But complete reliance on such plants may not be much of an alternative in the future, when limited fossil fuels grow more costly and air pollution restrictions grow more stringent. And, if one pauses to reflect for a moment, in addition to its other advantages, a nuclear power plant may be more aesthetic than a fossil fuel plant. There need be no coal pile or large fuel storage area at the plant site, nor continuous rail traffic to and from the site. Nuclear power plants—without tall stacks—can offer relatively attractive buildings designed to blend into the surroundings. They can be the type of facilities that lend themselves to coexistence with nature.

An example, which may be a bit embarrassing to us Californians, but nonetheless a good example of what can be done in the way of coexisting with nature, is the Turkey Point Nuclear Plant in Florida. Florida Power and Light Company is working with the Tropical Audubon Society, the Boy Scouts, the Girl Scouts and other citizen groups to use the area surrounding and adjacent to the plant as a wildlife preserve and recreation area. On the 1700-acre site surrounding the power complex, which will include two large nuclear plants, there has already been created a 1500-acre wildlife sanctuary, the Boy Scout and Girl Scout Camps (discreetly separated), two nature trails, a new beach and picnic area, and four miles of canals which will be available for canoeing and boating. The wildlife preserve, by the way, is the home of more than 100 kinds of birds, raccoons, foxes, otters, bobcats, panthers and alligators. Orchids and native ferns abound in the area. And all this variety of life will continue to thrive there while the nuclear plants quietly go about their necessary job of generating electricity for the growing communities of Southern Florida.

But enough about Florida! Being an old Californian and imbued with California's capabilities, I am certain that this State will be more than a match for any other. I feel confident that California and its people will continue to progress and prosper in the High Energy Society which lies ahead of us in the decades to come. I am also certain that it will be possible for the people of this State to enjoy the benefits of an increasingly scientific and technological society while still protecting and enjoying their natural heritage.

One benefit of nuclear power that I think California will be the first to enjoy is that of large scale nuclear desalting. The dual-purpose nuclear electric and desalting plant currently being planned for the Los Angeles area by the Metropolitan Water District, the City of Los Angeles, the Southern California Edison Company and the San Diego Gas and Electric Company, the AEC, and the Office of Saline Water of the Department of the Interior will be the world's largest nuclear desalting plant. It will generate 1,800,000 kilowatts of electricity and desalt 150 million gallons of water per day. (I often point out that this is enough water to supply the needs of a city the size of San Francisco, but then some wag usually asks, "How come you're building it in Los Angeles!")

As Chairman of the AEC, one of the most interesting phenomena I have observed in recent years and often commented on is our growing awareness that modern science and technology must serve and not dominate man. In a democratic society this can happen only when all men try to understand something of the forces of science and technology, their environment, and their common goals. With some understanding of these, some patience, and some imaginative leadership, plans can be laid, rational decisions made, and real progress can take place.

Nuclear energy today is a force that lends itself to such progress. And the fullest use of its enormous potential will not depend solely on the work of a few scientists, or the AEC, or the power industry, or the electric utilities. It may depend to a great extent on the understanding and cooperation of the power-consuming public. I hope you will help us in our efforts to use this great new source of power widely and wisely so that the promise which it is beginning to fulfill today can be more fully realized in that rapidly approaching tomorrow.

FORDHAM UNIVERSITY—URBAN UNIVERSITY

Mr. JAVITS. Mr. President, as one who has long been interested in the concept of the urban university—a university which makes use of the great and varied resources of the city and enriches the city in return—I am glad to call to the Senate's attention an article in the Saturday Review describing the exciting initiatives and innovations of one of New York's finest universities.

Fordham University, which was founded more than a century ago in the Bronx, is at present nearing completion of a $25 million, in-town campus adjacent to the site of the Lincoln Center for the Performing Arts. Under the leadership of its president, Father Leo McLaughlin, S.J., the university has continued to expand its program and enlarge its facilities, and has reached out to become deeply involved in the life of the New York community. Fordham is a Catholic institution, but recent initiatives to become one of the Nation's great centers of learning, has made it a Catholic university of which we can all be very proud. Mr. President, I ask unanimous consent to insert in the RECORD a recent article in the Saturday Review of June 17, 1967, entitled "Fordham University: Renaissance in the Bronx."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Saturday Review, June 17, 1967]

FORDHAM UNIVERSITY: RENAISSANCE IN THE BRONX

(By James Cass)

American Catholic colleges and universities have traditionally provided higher education for the faithful in an alien and often unfriendly culture. To protect their students from the seduction of secularism, they closed their doors to the outside world and became bastions of orthodoxy where too often spiritual dedication was prized above academic competence. In recent years, however, all this has been changing. Although the "siege mentality" sometimes remains, American Catholicism generally is no longer on the defensive. Widespread acceptance of the values of our pluralistic society, a growing awareness that Catholics are seriously under-represented among the nation's scientific and technological elite, the emergence of Catholic leaders in many other areas of American life, the movement for reform in all of higher education, and the profound ecumenical impact of Vatican II have all played a part in revolutionizing the environment in which Catholic higher education functions. As a result, a growing number of institutions are evolving a new vision of their role in the society of which they are a part.

Among the Catholic universities that are, for the first time, determined to move into the first rank, Fordham University, located in the upper reaches of New York City's Bronx, is undergoing the most rapid change. The university's president, the Reverend Leo McLaughlin, S.J., has declared that Fordham "will pay any price, break any mold in order to achieve her function as a university." When he took office, in the fall of 1965, Father McLaughlin took over an institution that was already changing. A new $25,000,000 in-town campus is being built at the southern edge of New York's glamorous Lincoln Center, new home of the Metropolitan Opera and the New York Philharmonic. A coordinate women's college, first of its kind for any Catholic university, opened its doors just three years ago last fall. Protestant clergymen and a Jewish rabbi have been added to the philosophy and theology faculties. Plans are under way to upgrade the graduate school. Regulations governing student conduct are being relaxed, and an active recruiting program is bringing more non-Catholic students to the campus. Most important of all, Fordham's relationship to the Greater New York community is changing dramatically.

But Fordham, like its sister institutions (St. Louis University and Notre Dame, for example) faces a difficult problem as it moves up the rocky path of self-renewal. It must prove that the critics are wrong when they contend that the phrase "Catholic university" is a contradiction in terms. The hard fact is that today no Catholic university stands among the leading institutions of higher learning in the nation, and every Protestant church-related university that enjoys first-rank status long ago severed all but the most tenuous ties with its founding church.

Today, Fordham's 11,000 graduate and undergraduate students are scattered in a variety of schools and colleges from lower Manhattan to Westchester County. The School of Education, which has trained teachers mainly for local parochial schools, is located on lower Broadway, just north of City Hall, along with the undergraduate School of Business Administration, a haven for the city's vocationally oriented youth. The School of Social Service, devoted primarily to supplying workers for Catholic Charities, is located on East 39th Street in Midtown. The Rose Hill campus houses Fordham College (the liberal arts college for men) and Thomas More (the three-year-old coordinate college for women), both institutions of superior quality, an Uptown branch of the School of Business, a School of General Studies, a College of Pharmacy, and an undistinguished Graduate School of Arts and Sciences. A College of Philosophy and Letters, for training Jesuit teachers, is located in Shrub Oak, New York, 35 miles north of Manhattan.

Manifestly, Fordham lacks many of the flashier accoutrements of a prestigious university. It does not have a nuclear accelerator, a collection of Nobel Laureates, nationally famous faculty commuting to Washtington to advise on public policy, or research projects that attract world-wide attention. Some of these will come. But meanwhile it does have a traditional commitment to undergraduate teaching, two strong liberal arts colleges on which to build, courageous and imaginative leadership, and a free-wheeling willingness to innovate that makes students complain that if they miss the evening newspapers they don't know what happened on campus during the day.

Yet the rolling lawns and spring-flowering trees of the Rose Hill campus give little overt evidence of radical change. The mood of the campus is one of decorum and restraint. Button-down collars, ties, and jackets are the mode for men, and coeds are scarcely distinguishable from their contemporaries in Midtown business offices. Youthful couples are seemingly careful to avoid any public display of affection, and even the endless softball games, played on the parade ground in the center of the campus, have a curiously sedate quality. Life at Fordham can be fun—even naturally boisterous on occasion—but the pervading impression is one of earnestness, a quality that seems to reflect the university's past more directly than it does the passionate, messy exuberance of many contemporary campuses.

Fordham today is an institution of many contradictions. It is very much a university in transition from a past that is not quite gone to a future that has not yet arrived.

The 5,200 undergraduates are bright—average college board scores for the liberal arts students are in the low 600s and in the high 500s for the professional colleges. Seventy percent of the men and 60 per cent of the women go on to full-time graduate or professional study; nearly 40 per cent of these receive scholarships or fellowships from the better schools—substantial numbers from the nation's top universities. Yet Fordham lacks that elusive quality, "prestige." Only 10 or 11 per cent of students are alumni children, despite some preference given them by the admissions office. ("When a Fordham graduate makes it big, he sends his son to Amherst or Stanford.") And it is only beginning to develop the intellectual freedom and excitement that are the hallmarks of the top-flight secular college.

Founded in 1841 as St. John's College, a Roman Catholic institution for men, and placed under the direction of the Society of Jesus five years later, Fordham has traditionally educated the sons of immigrant Irish and Italian families. As a commuter college, it provided higher education for the sons of the parish faithful that was safe both from the enticements of the sinful city and the even more fearful seductions of religious heterodoxy. It was an institution under seige that protected the virtue of youth by closing its doors to the non-Catholic world.

Over the years the university has grown in size and diversity, but it has changed its essential nature only slightly. To be sure, compulsory daily mass and annual retreat are gone, and application blanks haven't demanded the prospective freshman's race and religion for nearly ten years. The proportion of laymen on the faculty has been rising as the student body grew faster than the supply of Jesuit teachers, and a Faculty Senate was established in the spring of 1965. But until very recently the university bore the parochial stamp of earlier years.

More than three-fourths of undergraduates are still commuters and, typically, they still come from lower-middle-class Irish, Italian, and Polish families in which they are the first college-going generation. An estimated 75 to 80 per cent attended Catholic secondary schools. They reflect the conservatism of their parish origins where faith is prized over thought, but are finding a new brand of intellectual freedom on campus that they never experienced before. ("Most students and parents still expect this to be the safe old Catholic Fordham of the 1950's," according to one commuting student.) The Conservative Club and ROTC are still the "big things" on campus, but this past year a left-wing Students for a Democratic Society (SDS) group was formed, and on April 15 nearly 200 students and faculty marched from Central Park to the U.N. in the Spring Mobilization to End the War in Vietnam. Two years ago at the gala spring ROTC Review, a lone student picketed for peace. Last year there were sixty pickets protesting the review as a symbol of militarism—and an equal number of counterpickets protesting the protestors. But last month more than 200 peace advocates marched in a drenching rain outside the fieldhouse to which the review had been removed.

It is probably significant, given the contradictions that abound at Fordham today, that the two most popular political figures on campus are New York's Senator Robert F. Kennedy, a Democrat, and William F. Buckley, Jr., Conservative candidate for Mayor in 1966. ("It's the sense of personal involvement they give that's more important than their ideas," a student said.) Fordham students can't afford the luxury of total commitment to ideas, or to causes, or to knowledge for its own sake that many of their wealthier contemporaries at more prestigious colleges display. Education for them is the doorway to upward mobility; they do not have wealthy families to present them with an assured future—they have to make it for themselves. Several hundred students do work with FUSE (Fordham University Social Effort) to help deprived children in many parts of the city and in Appalachia and the Deep South. Some discover the pure joy of learning for its own sake, and others devote themselves to the cause of peace. But for most, the college years are expected to pay off in very practical terms. Therefore, the typical student's commitment is academic rather than intellectual, and his primary concern with Vietnam or the draft is whether his education will be interrupted.

Among the girls at Thomas More College, mini-skirts, textured stockings, and long, lank hair are rarities. Like their male colleagues, the girls typically represent the first college generation in their families, and the freedom of new experience and exposure to new ideas has enormously widened the normal generational gap. ("I can't talk to my mother about anything that's important to me any more.") "It is significant," says Thomas More's attractive Dean Patricia R. Plante, "that our students come from Brooklyn and the Bronx rather than from Westchester. They don't have understanding mothers who have been through it all themselves and are just waiting patiently for them to grow up, like the girls at Sarah Lawrence or the Seven Sisters. So they don't have to do something spectacular in order to revolt." Fordham girls, she notes, are much more in the position of the Negro scholarship student at a Midwestern college whose counselor suggested that he spend his junior year abroad. "Man," he replied, "I'm already abroad."

The faculty of the liberal arts colleges (Fordham College and Thomas More) bring impressive credentials to their task. A very high proportion, both lay and clerical, hold the doctorate, and many of the degrees were earned at leading universities in the United States and Europe. Orthodoxy is no longer a substitute for scholarship. "Since the younger generation of Jesuits became more professional in their scholarship," a lay department head said, "we operate on the same wave-length." Salary schedules have been rising in an attempt to attract and hold effective teachers, and in the fall of 1968 are expected to rival the best in the country with an average full compensation of $22,500 for full professors.

Faculty and students agree that they enjoy complete freedom in teaching and learning. "I never knew any place as free as this," one young Thomas More girl said. "I can't imagine anything freer." There is general agreement, too, that students accept less and question more than they used to (though some faculty members say that much of the time they have to prod students to challenge them), and that a clerical collar is no longer the inhibiting symbol of authority it once was. But comparisons with other campuses are difficult—few students or faculty have had any experience with undergraduate teaching or learning at first-rate, non-Catholic schools.

Students, as elsewhere, complain of dull classes and not being pushed to capacity. But a "Course Evaluation Report," published by the Student Government, hands out more bouquets than barbs, and lacks the lethal sting that marks similar ventures at Berkeley and some of the Ivy Colleges. Students also complain that the lay teachers, who are largely Catholic and now make up more than 70 per cent of the faculty, have taken over the conservative, priestly function. "It's the young Jesuits that are the radicals," they say, "they're the real swingers." And it was a "swinging Jesuit" who laughingly admitted, "Sure, our theme song these days is 'Should Aud Aquinas Be Forgot?' "

"The changes are fantastic," the visitor is constantly assured, "and we're only beginning." The facts seem to bear out the assertion. Next fall Marshall McLuhan, provocative interpreter of the role of media in contemporary society, will join Fordham's faculty. He will occupy the Albert Schweitzer Chair in Humanities, one of ten distinguished professorships created by the New York legislature in 1964 to attract world-famous scholars to colleges and universities in the state, each funded at $100,000 annually for staff and research facilities. Professor McLuhan's presence at Fordham promises to make it an "instant center" for scholars of many disciplines interested in research and teaching on the influence of media on human perception and cultural change.

An Experimental College will be launched next month with thirty students in an apartment house just off the Rose Hill campus. Planned to explore new and better paths to learning the college will offer a completely unstructured three-year, year-round course of study designed cooperatively by students and faculty, leading to the B.A. degree. An additional thirty students will be admitted each year until the total enrollment of ninety is reached. Directed by the Cambridge-educated poet, critic, and author, Elizabeth Sewell, the college will seek new answers to the ancient question of how students can learn best, and the expectation is that new approaches discovered will lead to modification of the educational program of other colleges in the university. The only requirement for graduation from the college is the study of Urdu.

A new 3-3 program, inaugurated last fall with Fordham Preparatory School, is designed to offer students an opportunity to complete the four years of high school and four years of college in a total of six years. An attempt to coordinate high school and college studies more effectively—in the light of the growing number of years that students must devote to graduate study—the program allows the highly motivated average college-bound student to pursue his education more efficiently.

Even more dramatic and far-reaching in its effects on the future of the university, however, is the new Lincoln Center campus which will pull together the university's scattered in-town schools and add a new undergraduate liberal arts college designed specifically to serve the inner-city student. The School of Law already occupies its own new building on the north side of the campus, and will be joined in the fall of 1968 by the School of Education, the graduate School of Social Service, the School of Business Administration (which will change from an undergraduate to a graduate school), and the new Liberal Arts College.

But it is the vision of the new role of the university that will find expression on the Lincoln Center campus that gives meaning to the changes that are taking place. Turning its back on the intellectual and spiritual isolation that has characterized its history, the university today is determined to sink its roots deeply into the contemporary community and serve that community by grappling directly with the multiple problems of our urban society.

The School of Education, under direction of its new dean, Dr. Harry Rivlin, a Jew and former dean of teacher education at City University of New York, will initiate next fall a completely new teacher education program geared specifically to preparing teachers for urban schools. Operating in close cooperation with schools in the city, the program will offer prospective teachers on-the-job training very early in their careers. Students will learn that education is a social as well as an intellectual process and, in cooperation with the school of Social Service, will learn to work with the wide variety of individuals and subcultures that are found in urban schools.

In similar fashion, the School of Social Service, under the direction of its new dean, James R. Dumpson, former welfare commissioner of New York City, a Negro, will fashion its new program to train more effective workers for the many local, state, and national programs operating in our cities. And Fordham Law School, in conjunction with the New York Legal Aid Society, this past spring initiated a program to train law students to work with the poor.

The Liberal Arts College at Lincoln Center will focus its interest on the city student, and "will exercise a special predilection for the talented poor." Many resources in the schools and the community will be used to identify prospective students and they will be chosen through ordinary college entrance selection procedures, with the addition of a nonverbal test to identify intelligence, as well as a special verbal test. When a talented student displays serious verbal disabilities, an attempt will be made to increase his verbal capacity through remedial work.

Freedom for student and teacher will fall somewhere between the traditionally structured pattern of the Rose Hill liberal arts colleges and the totally unstructured Experimental College. There will be no "required" curriculum, in the usual sense, but there will be a core of study around which the student will be "expected" to build his course, and his faculty advisor will "urge" him in this direction. Advisor and student will, however, enjoy great freedom in working out a reasonable course of study.

A special feature of the Liberal Arts College will be its attempt to use "every resource and cultural advantage of the city to strengthen its educational effort." The practicing artist, for instance, will be asked to help the beginning art student, and "the complexity of urban life will be studied first hand" by students of sociology and social welfare. The program will not, however, be tailored to provide preprofessional training or to prepare students specifically for graduate school.

The university's ambitious plans for Lincoln Center, if they all come to fruition, promise radical changes in the nature of the institution. Obviously, some proposed programs run counter to strong trends in higher education today; others are exploring completely new approaches to education. All, in one way or another, are planned to serve the "new immigrant" of the inner city (the Negro and Puerto Rican) in the same way that Fordham has served the Irish and Italians in the past.

Prime instigator of Fordham's revolution is the university's fifty-four-year-old precedent-setting president and rector, Father Leo McLaughlin. A vigorous, intense, and imaginative man who laughs easily, he lacks the smooth public manner of many college presidents, but radiates a sense of restrained personal warmth. A native New Yorker, he studied at a number of institutions in the United States, and received his bachelor of arts degree from Georgetown University before earning his Docteur ès-Lettres at the University of Paris in 1950. Returning to the United States, he came to Fordham for the first time and became dean of Fordham College in 1953, where he remained until 1959. After leaving to become dean, and later president of St. Peter's College in Jersey City, he returned as Fordham's president in the fall of 1965.

Shortly after taking over his new responsibilities he gave notice that new horizons were beckoning the university. Three dozen Jesuits, many of them oldtimers, were assigned to positions elsewhere, and the rule governing retirement at age sixty-five was strictly enforced—in contrast to past practice. Younger men—at least younger in spirit—were sought out, both in and out of the university, and were moved into positions of authority. Today, none of the six vice presidents, three of whom are laymen, has yet occupied his position for a full two years.

Personnel changes, however, were only the beginning. "For many years we shut out the world," one top administrator says, "and that made for inbreeding. Now our doors are wide open and we're reaching out to bring in new blood, new ideas, and new ways of looking at education. Father McLaughlin is always trying something different. I don't always agree with the things he does, but it's great to go to him with an idea. He listens and then says, 'I don't know whether it will work—but why don't you try it?' "

But an institution that is on the move must also tap new sources of support. In the past Fordham's in-town schools and colleges have usually turned a modest profit, but operating at the new Lincoln Center campus will be more expensive. A commuter institution with only a limited number of wealthy alumni, Fordham has begun to receive some substantial support from New York's business and financial community. But much more is needed if the vision of a new Fordham is to become a reality. "If we're good enough we'll get it," Father McLaughlin says. "We have to operate on faith, so we can afford to be irrational—but we can't afford to be foolish!"

A number of leading Catholic colleges and universities have, in the past few months, moved to divest themselves of ecclesiastical control. Webster College in St. Louis recently renounced its ties to the Sisters of Loretto and became completely secular in ownership and control. St. Louis University and Notre Dame turned over ownership of their institutions to mixed boards of trustees in which laymen were in the majority. In each case, however, the president will continue to be a member of the founding religious order, and control over changes in the charter or bylaws of the institution also remains in the hands of the religious.

Fordham has moved somewhat more slowly in the same direction, but appears ready eventually to go rather further in placing the future of the institution in the hands of a lay-dominated board. (Father McLaughlin has said repeatedly that he may well be the last Jesuit president of Fordham, and adds that, given the uncertain financial future of private universities, Fordham may cease to be a Jesuit institution in the next fifteen or twenty years.)

Owned and governed by a nine-member Board of Jesuit Trustees, of which the president of the university is chairman, Fordham also has a thirty-two-member Advisory Board of Lay Trustees. Although legal responsibility for the university remains with the Jesuit Trustees, since last September the university has been governed by the combined boards, under the lay chairman, and all decisions have been made by majority vote. Meanwhile, the effort continues to work out the legal and financial problems of turning ownership and control of the university over to the combined lay-Jesuit board. (Among the many issues that must be taken into account is the value of "contributed services" by Jesuit teachers which totals $400,000 to $500,000 annually.)

While Fordham is reaching out for greater freedom, it is unlikely that it will, in the foreseeable future, follow the precedent of Protestant universities that have moved far from their religious origins. These institutions reflected the gradual secularization of a dominant culture of which they were very much a part. An institution that has devoted itself for more than a century and a quarter to defending the faith in an often inhospitable culture is not likely to find it easy to shed its "siege mentality." Fordham fully expects the "Jesuit presence" to endure on campus. Yet once the doors are opened to the secular world, and to members of other faiths, an irreversible process is set in motion, and the end cannot be clearly seen. The university's leaders, nevertheless, contemplate the prospect with admirable calm.

This past year, for the first time, courses on religions other than Catholicism were offered undergraduates. A Methodist clergyman, the Reverend Robert C. Neville, has been teaching in the Department of Philosophy since 1965. Rabbi Irwin M. Blank has spent the past year on campus as visiting lecturer in Judaism, and a Lutheran clergyman, the Reverend Robert L. Wilken, will join Fordham's faculty in the fall, as a professor of patristic theology. A cooperative program with Union Theological Seminary, for the exchange of faculty and graduate students, was initiated in February of 1966.

Meanwhile, a growing number of undergraduates, especially residential students, are testing the bounds of freedom by declaring that they are no longer "practicing Catholics." (A commuting student says, "You know, when you get up on Sunday morning and your mother tells you to go to mass, you do it whether it means anything or not.") The response of faculty and administration is that faith that hasn't been tested by knowledge and personal experience is not worthy of the name. "Deliver us," said one top administrator shortly, "from a *lumpen Katholik!*" Yet the hope is that after most students have traversed the first stage of doubt, and then progressed to active anticlericalism, they will "put the pieces back together" for themselves and arrive at a sound and enduring faith.

It is clear that profound changes are taking place at Fordham. There is little doubt that as the university looks outward rather than inward it will perform vital services for the Greater New York community, and possibly for the nation. Whether it, or any American Catholic institution, can become a great university is less clear. The basic issue is freedom to follow truth wherever it may lead. The restricting hand of the Church has placed severe limits on Catholic scholars in the past—even the recent past—as they sought to explore crucial areas of faith and doctrine. Yet it is true that a new spirit exists today. The Reverend Timothy S. Healy, Fordham's Oxford-educated executive vice president, says, "It's hard for most people to realize what a difference Vatican II made—how many doors it opened." And it is possible that Fordham has been more profoundly affected than any other institution by the winds of change that are sweeping the Catholic world. Yet the rhetoric of academic freedom rings differently in Catholic and non-Catholic ears.

Father Healy, discussing Catholic higher education in an address before the National Catholic Education Association this past spring, asserted "We are free. . . . In many ways our freedom can be measured precisely by our religious commitment. First of all, it frees us from noncommitment, which has erected itself into an orthodoxy in academic America that would have warmed the hearts of our inquisitorial ancestors. . . . Having even a pretense of theology, we are saved from absolute physics, absolute art, absolute biology, absolute sociology—even from absolute athletics."

But such a statement, for all its satisfying reassurance to the committed, seems to the non-Catholic to avoid the issue. Certainly, a theology of science can be as restrictive as a theology of religion—even though its revelation may be derived by the scientific method. Authoritarian teaching and uncritical learning may occur in any institution—and they are bad wherever they are found. The problem is more subtle.

As individuals, we all live by faith, whether secular or religious, and our view of reality is colored by the nature of our commitments. Freedom is also qualified in some degree for every institution by its constituency—whether it is a state university answerable to the legislature; an independent institution that must answer to its board of trustees; or a church-related university that is committed to a particular faith. But on every Catholic campus there are two lines of authority—the academic and the religious. Even when the university frees itself from legal control by the Society of Jesus, the Catholic presence and spiritual commitment it represents will remain. Major Catholic universities have developed in Europe in the secure environment afforded by predominantly Catholic cultures. It remains to be seen whether it is also possible for faith to allow scholarship the requisite freedom in a pluralistic society.

If it is possible, the odds are good that it will happen at Fordham.

TEXAS STATE CONVENTION OF AMERICAN GI FORUM ENDORSES BILINGUAL AMERICAN EDUCATION BILL

Mr. YARBOROUGH. Mr. President, the Texas State Convention of the American GI Forum has endorsed S. 428, the bilingual American education bill. The GI Forum, founded by the dynamic Dr. Hector Garcia, of Corpus Christi, Tex., is an outstanding organization which time and time again has shown that it stands for and is willing to fight for freedom, justice, and equality for all citizens.

S. 428 would authorize financial assistance to schools for setting up new and imaginative educational programs to meet the special educational needs of students from Spanish-speaking backgrounds. It also provides funds for teacher training.

Strong support has been voiced for the

legislation in hearings held in Washington, D.C., Texas, and California.

I ask unanimous consent that the text of the American GI Forum resolution be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution by American GI Forum

Whereas, there is now pending in the U.S. Senate, Senate Bill 428, sponsored by Senator Ralph Yarborough of Texas and co-authorized by Senator Robert Kennedy of New York, Senator Montoya of New Mexico, Senator Tower of Texas, Senator Kuchel and Senator Murphy of California and Senator Fanning of Arizona.

Whereas, Senate Bill 428 will provide federal funds to implement bilingual education in Spanish and English at the elementary level to all school districts who adopt the program.

Whereas, the opinions of educators that have studied this program are that having bilingual teachers in the first grades of elementary school and using Spanish as a tool in the classroom to teach English has been a resounding success in pilot projects that have been established in Laredo and San Antonio, Texas.

Whereas, bilingual teaching in the first few grades tends to build confidence in the Mexican-American child that is not found in a pure English teaching environment.

Therefore, be it resolved that the Texas State Convention of the American G.I. Forum go on record as endorsing Senate Bill 428 and urge every school district in Texas with bilingual children to implement the program as soon as the federal funds are available for this purpose.

That copies of this Resolution be sent to the President of the United States, every Congressman and to the two Senators from Texas.

POSITIVE THINKING ON THE BALANCE-OF-PAYMENTS DEFICITS

Mr. HARTKE. Mr. President, the Honorable Joseph W. Barr, Under Secretary of the Treasury, addressed the Japanese Economic Mission on June 30, 1967. Secretary Barr's remarks represent the kind of positive thinking needed in meeting and solving persistent and difficult problems of this nature.

The old approach which is still being used today, concentrates too much on the short term benefits that accure to a basically unsound movement into partial economic isolation. The development needs of the world are too great for the United States to continue to inhibit the outflow of vitally needed capital. Yet, as Secretary Barr points out, we must have the cooperation of those countries that continually run a payments surplus. If the world desires American capital, there must be a recognition of the responsibilities of all nations concerned that international monetary reform is a prerequisite to the successful continuation of both our commitment to the developing nations and our resolve to maintain the dollar as the de facto currency of international exchange.

Mr. President, I ask unanimous consent that the text of Secretary Barr's address be inserted at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

International Cooperation for Economic Growth and Mutual Security

(Remarks of the Honorable Joseph W. Barr, Under Secretary of the Treasury)

I am indeed happy to be here before this distinguished group and to have the opportunity to participate in a venture designed to improve mutual understanding between Japan and the United States and to expand the flow of trade between our two countries.

It is a particular pleasure for me today to welcome this mission and its Chairman, Mr. Kazutaka Kikawada to the United States.

My pleasure in greeting you is reinforced by memories of the most cordial reception given me by your countrymen in the course of my travels to Japan, most recently last summer when I had the privilege of participating in the U.S. Delegation at the U.S.-Japan Committee on Trade and Economic Affairs in Kyoto. I hope that your visit to my home state of Indiana was as useful and enjoyable as have been my visits to Japan.

I understand that you have had a busy schedule in the Midwest and this week in Washington. I gather that there have been many opportunities to discuss trade and investment flows between our countries and that you have been briefed on the economic outlook in the United States.

I would like, therefore, to turn briefly this afternoon to a different subject. It is one with which I have been concerned frequently during my tenure here at Treasury—that of finding solutions to the U.S. balance of payments problem consistent with a continuation of world-wide economic growth and prosperity.

The broad outline of our problem is familiar. In sixteen of the past seventeen years—with the sole exception of 1957, when under the influence of the Suez crisis our balance of payments showed a small surplus—the U.S. has experienced payments deficit, on a liquidity basis, has persisted despite swings in our current account position from a deficit of $2.3 billion in 1959 to a surplus of $5.7 billion in 1964. As a result of the series of deficits, our gold stock has dropped, to $13.2 billion at the end of last year.

Let me assure you—in case there is any doubt—that we fully recognize our payments problem, and that it is a difficult one.

I want to make it crystal clear that we regard it as a problem that must be solved in a long-term, fundamental sense.

Considerable constraints on our freedom of action throughout the world—which no one in this country wants—would follow if we had to conclude that our present approach to the problem could not yield equilibrium when we no longer have the extraordinary foreign exchange costs of the Vietnam conflict. It is important, not only to us but the rest of the world, that the solution to our payments problem be found, for the long term, in a combination of sound economic conditions in this Nation and in collaboration with us by other countries.

The rest of the world has a large stake in the United States' ability to avoid constraints affecting our contributions to mutual security and development aid, as well as continuation of our liberal trade and payments policies.

I need only mention two of the principal, short-term measures—the Interest Equalization Tax and the Voluntary Federal Reserve Program to restrain capital outflows from banks and other financial institutions—to illustrate that the method by which we solve our problem is important to you.

You will recall the difficulties presented by the imposition of the IET which culminated in our granting an exemption from the tax for $100 million per year of Japanese Government or Government-guaranteed debt in the U.S. At the same time, I am sure you realize these restraints have played a vital role in a period in which Vietnam costs have had a major adverse effect on our payments position.

The United States has sought to avoid solutions to our balance of payments problem which would impede progress toward an open, competitive, and fruitful world economy.

We recognize the U.S. should continue to meet its fair share of international commitments on behalf of mutual security in the Free World and economic development in the poorer nations of the Free World. In addition, the United States should export private capital.

To deprive a world that needs capital of access to the most efficient capital market in the world would, over the long run, constitute an act of economic perversity.

Our long-range program to improve our position in a manner consistent with these considerations is a varied one.

A major emphasis of our program is to improve our trading position. We hope to achieve a trade surplus $3 to $4 billion higher than the $3.7 billion of last year. We have had a trade surplus of this magnitude before, in 1964. Such an increase is neither unreasonable nor would it create havoc in an expanding international trading world in which the exports of all countries currently exceed $200 billion. Among the measures we have taken to encourage our exports are to simplify procedures and expand facilities for export financing by the Eximbank; expand efforts to work with private firms to find new markets; enlarge commercial staffs in our embassies abroad.

Aside from the export field, we have taken other actions to improve our position fundamentally. I will mention only a few here.

We are requiring all Government agencies to conduct their programs abroad to minimize their foreign exchange costs. We are searching for ways to increase foreign tourist travel in the U.S. We are seeking to make foreign investment in this country more attractive.

We have gotten legislation, based on pioneer work in this field by Secretary of the Treasury Fowler, designed to make foreign investments in this country more attractive. And, we are constantly pressing European countries to improve their capital markets, in order for them to assume a more equitable part of the responsibility for providing international finance.

These measures, while helpful, cannot do the entire job alone. If our deficit is to decline, surpluses of other countries must fall. Therefore, surplus countries must also assume a measure of responsibility if a better payments equilibrium is to be achieved within a cooperative framework.

Much of this cooperation necessarily must be on the part of the persistent surplus countries of Western Europe. But all nations are concerned, particularly those whose role in international trade and finance is important in their economic life. Japan is clearly such a nation.

Let me discuss briefly the balance of payments relationships between the United States and Japan. Data show a consistently large surplus in favor of Japan over a number of years. Japan has benefited in particular from large net military expenditures by the United States in Japan, which totaled $450 million in 1966 and are expected to be even greater in the current year. May I emphasize that this is a matter of vital concern to us.

The trade balance between our two countries which had traditionally been favorable to the United States, turned heavily in favor of Japan during the past two years. Large capital flows from the United States to Japan in the early 1960's, however, were also reversed in 1965 and 1966. When all items are totaled, our balance of payments deficit with Japan has averaged half a billion dollars annually in the 1960's.

What can Japan do to help insure a solution to the U.S. balance of payments problem that is beneficial to Japan as well as to the U.S. and the rest of the world?

Japan has cooperated in many ways. This has been demonstrated, in the monetary field, by Japan's reserve policies and its position in the international liquidity negotiations.

In the same spirit, Japan might consider other actions. Your trip here, for example, might have given you some ideas on how you could expand your imports from the United States.

I know you have made an effort to expand your trade with Europe. Despite the obstacles that have been placed in your way, I wonder if more could not be done.

In the financial area, you have traditionally looked to the United States as a source of funds. In recent years, you have turned to some extent to European capital markets for financing, but has, perhaps, the time come to more fully utilize the possibilities there?

Could Japan, perhaps, consider further investments in the U.S.? We have noted with interest the many plans for expanded Japanese investments in Canada. We would welcome more direct investment by your companies in the United States. Is this not also the time to strengthen the close links between the financial markets of our two countries by increasing your portfolio investments in this country? You may be aware that the recent enactment of the Foreign Investors Tax Act increases the attractiveness of such investment, as I mentioned earlier.

Now let me turn your attention to the need for more equitable burden-sharing among the developed countries in meeting the capital requirements of the less developed world.

I will not dwell on the basic problem we face today. President George Woods of the World Bank put it succinctly last September when he said:

"At this moment of increased potential, it is a matter of high irony that development, instead of proceeding at the faster pace of which it undoubtedly is capable, is threatened by a serious loss of momentum. The effort is faced by a crucial finance gap—the difference between the capital available and the capacity of the developing countries to use increasing amounts of capital effectively and productively."

To close this gap is the challenge to the developed countries—a challenge which Japan has increasingly demonstrated it is willing to meet. We welcome such statements as that of Prime Minister Sato in addressing a session of the Diet on March 14, this year:

"As an Asian nation and as one of the leading advanced industrial nations, our country is conscious of its responsibilities and will extend further cooperation to many developing countries."

We also note the record shows you are steadily increasing your economic aid program from year to year and that the recently announced figure for aid to developing countries in 1966—$538 million—was nearly 11 percent more than in the previous year. This figure included private disbursements as well as official aid, it is true, and given the debt burdens of many developing countries, the terms of some of the loans were relatively hard. Nonetheless, your effort has been a commendable one.

Speaking frankly, however, we believe your remarkable achievements during recent years in economic growth will permit you to do even more in the future to assist the developing world.

I cannot fail to recognize the leading role Japan is progressively playing in promoting regional economic development, as demonstrated most recently at the Ministerial Conference on Southeast Asian Development held in Manila last April. But perhaps the best evidence of Asian initiative in the economic field, including a crucial role by Japan, is the Asian Development Bank. I have a very personal interest in the Bank, having been one of the signers of the Bank's charter at the Manila meeting in December 1965. Japan has not only provided $200 million of the Bank's capital (as has the United States), but as you know, has also furnished the Bank an able and conscientious president in the person of Mr. Takeshi Watanabe.

These new initiatives in Asia have the warm support of the American people. As President Johnson put it last year on his trip to Asia and the Pacific:

"We shall also be the friends and partners of those in Asia who want to, and who are willing now to work together to fashion their own destiny. From you must come initiative and leadership. From us will come cooperation."

Our role as a non-Asian country is to assist, to help, to encourage, to support. We intend to continue such support.

As Secretary Fowler pointed out in his speech at the inaugural meeting of the Asian Development Bank in Tokyo last November, our support must be consistent with our responsibility and obligation to achieve and maintain a reasonable equilibrium in our own balance of payments. This is essential to help preserve the continued sound working of the international financial system, of which a dollar "as good as gold" is a crucial element.

In the final analysis, regional development has promise and viability only in the context of an orderly, smoothly-functioning monetary system. It should be possible for us to devise imaginative methods to achieve the dual objective of increased aid and protection of balance of payments.

In conclusion, let me say that we all know that the United States could, if necessary, solve its balance of payments alone, but it could do so only at great cost to the economies, the aspirations, and the safety of all the nations of the Free World. However, we believe that we should and that we shall, with the cooperation of Japan and other nations who recognize their stake in the continued viability of the world's economy, find a solution to this problem in a combination of measures consistent with the responsible role of the United States in international economic and financial matters.

CELEBRATION OF 100 YEARS OF SWEDISH DESCENDANTS' ENRICHMENT OF THE CULTURE OF TEXAS

Mr. YARBOROUGH. Mr. President, while we were in recess, on June 25, Texans of Swedish descent celebrated their 100th anniversary with an all-day festival at Municipal Auditorium in Austin, Tex. Since 1637, when the first Swedish people came to the United States, they have done their part to make our country a better place to live.

A courageous sailor named S. M. Swenson was shipwrecked near Galveston in 1837, and came ashore to settle in what was then the free Republic of Texas—the first Swedish immigrant in that new nation. Since that time the Swedish representation in Texas has grown to number in the thousands and they have worked hard and contributed much to the success of the State.

These Swedish descendants are full-blooded, first-rate Texans and Americans today in every sense of the word. They fill important roles in the social, political, and religious structure of our State. Most are Lutherans and Methodists, but Swedish Americans have integrated into virtually all of the other denominations. They have a strong family tradition which is both old fashioned and fine. Originally farmers and ranchers, these Texans of Swedish descent now are represented in most of the professions and in business.

In 1911 Swedish Methodists founded Texas Wesleyan College in Fort Worth, Tex. People of Swedish descent also publish their own newspaper in Swedish and English, the Texas Posten, Austin, Tex.

Texans of Swedish descent fought valiantly in both World War I and World War II. They have succeeded in becoming Americans of the highest caliber while retaining the best traditions that they brought with them from Sweden. I salute these outstanding Texans.

WATER RESOURCES LEGISLATION

Mr. HARTKE. Mr. President, out of the din of dire predictions, charges of Federal tyranny and industrial chicanery, and cries of "Wolf, wolf," that so often seem to attend our efforts to pass constructive legislation in the field of water resources, it is refreshing to hear a clear statement of objectives and a calm and constructive approach to the really serious water problems that face every section of the country.

I refer to the speech of the junior Senator from Utah, Senator Moss, before the Washington Chapter of the Public Relations Society of America on June 20, 1967, a copy of which was sent to me by a member of the society.

In recent years, we have come to respect the words of the junior Senator from Utah on the subject of water resources. While he comes from a State which is in a water-short area of the continent, he does not speak with a sectional bias, nor is he interested only in the water problems of his own part of the country. He sees the water problem in a national perspective and recognizes the importance of conservation in Appalachia, pollution control in New England, and restoration of the health of the Great Lakes, as much as he values water for irrigation and industry in Utah.

Furthermore, he approaches American industry, as it is represented by the public relations people in Washington, on the basis that these people are just as interested as he is in preserving America's natural beauty and resources. He takes the position that the public relations people have to be the conscience of American industry and he assumes as much as he requests their cooperation in getting full industrial participation in the long-range effort to restore and preserve the life support capability of America's water resources.

Senator Moss this month published a book entitled "The Water Crisis," which has a foreword by our recent colleague, the esteemed former senior Senator from Illinois, Paul H. Douglas. It deals with every aspect of our national water problem. It is more than a cry of alarm. The junior Senator from Utah offers solutions that make sense and offers people an opportunity to do more than just wring their hands. Since Senator Moss' talk to the Washington public relations people provides a good insight into the book, I ask unanimous consent that a copy of his speech before the Public Relations Society be reprinted in the CONGRESSIONAL RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Remarks of Senator Frank E. Moss, Democrat, of Utah, Before the Washington Chapter of the Public Relations Society of America, June 20, 1967

It would be hard to think of a more appealing audience for me to address these days than the Washington chapter of the Public Relations Society of America.

For one thing, from the standpoint of a politician, you are the people most skilled in the art of communication with the public, which is the life blood of politics.

For another, I have just published a book on a subject of significance to the business community and you have direct access to the Nation's business leaders.

More importantly, as modern public relations men, you are, as a group, the real conscience of American business and my subject today is one which commands your interest.

The only improvement I can think of would be to hold this meeting in Utah. As a matter of fact, that's a good idea. Utah is a wonderful place to meet. As United States Senator from the State of Utah, I extend to you a very warm invitation to visit our State. Utah would be a fine place to talk about water because it is the site of major water developments. One of these include, Lake Powell—the 186 mile long "Jewel of the Colorado"—which is the subject of the feature article coming in the July issue of National Geographic.

Also, Utah is a State where water is valued for its true worth. Water, like other commodities, changes in value as it becomes scarcer. This fact brings to mind the story of a famous Senator, whom some of you may remember, whose well advertised appreciation of good bourbon was quite in keeping with his oratorical attainments. His critics said there was a connection. At any rate, in prohibition years, between his family and his doctor, he found it increasingly difficult to maintain the standard to which he had become accustomed. After one long dry spell, a faithful retainer brought him a bottle of his very favorite, handing it over with profuse apologies about the cost.

The old man held it up to the light admiringly and said, "tut, tut, my boy, think nothing of it. Suppose they had charged you what it's really worth?"

There's a lesson in the jest. Does anybody know what water is really worth?

I can tell you this. The price is going up. For the next generation of Americans, water may be the Nation's most critical problem.

The root cause of the problem is quite simple. The total amount of water available to us is fixed by nature. The number of persons to use it and the demands they make on it are not.

Our expanding industrial society is putting such pressure on water that the resource itself is deteriorating. It is in question whether or not we will reverse the trend, restore our waters, and provide the additional amounts we need for use. This is the "water crisis," which is the title of my book, scheduled for publication in July.

I have tried to treat the subject constructively. I wished to do more than sound the alarm. I believe the water problem can be solved. This is not the first time America has faced resource destruction. During our westward expansion, other generations raided the forests and the wildlife.

This generation is raiding the rivers and lakes. It is easy to see why. The demand for water is truly prodigious—and increasing. Every year, we must find larger amounts to supply the kitchens and bathrooms of sprawling cities and suburbs; to water parks, and irrigate crops in the drier States; to supply industry. Whole regions compete for riverflows today with all the jealousy with which early settlers in the west fought for water holes.

You have heard it said that we have plenty of water if only we take care of it. That could be true. With three percent of the fresh water available on the globe's land surface. America is better off than many nations. But a more accurate way of stating the case for the United States is this: we have enough water only if it is properly managed. Today it is not being properly managed.

We can't go on like this.

Some parts of the United States have already run out of water, that is, the number of persons occupying a given basin has grown to the point that they either must bring water in from other basins or mine ground resources. This is going on in the southwest today. In other parts of the country, the cost of living, or the cost of doing business—they can't be separated—is going up because the quality of the water is going down due to pollution. Elsewhere, even normal cyclical variations in precipitation cause serious trouble. In still other areas, actual resource destruction is undermining water supply. Take Rock Creek. The lower third of its watershed, except for Rock Creek Park, has long been fully developed. Before World War II, the middle third was rich farming country. But by now, the woods and pastures have been replaced with massive housing developments, and urban sprawl is pushing into the watershed's upper third.

In fifty years, the stream's drainage area has been cut in half. Chevy Chase, Woodmont, Forest Glen, Kensington, Garrett Park—each has dried up tributaries of Rock Creek. Now the rain scoots off the land, filling the stream with yellow mud.

An analysis of the Nation's 22 water resource regions shows that most have major problems, for many, the problems are critical. Surely we are capable of something better than this. Just plain pride, if it weren't also our lives, should make us want to do better. We can, and the way is clear. That is what I have tried to show in my book.

Doing better means the kind of a program on which public relations people and politicians can join hands. Let me elaborate on this point. You know better than anyone else that, in our kind of society, you have to organize and drum up support for any policy position you want to make stick. Well, in the water field, we have lots of separate policies and as many organizations trying to further their separate goals. We have a lobby for ducks, a lobby for fish, a lobby for power, a lobby for navigation, a lobby for pollution abatement, a lobby for irrigation, a lobby for flood control, a lobby for nearly everything you can think of—save one. There is no lobby for John Q. Public, for the Nation as a whole and its greatness and beauty. We have several lobbies for leaving things as nature left them, but if we are going to keep on increasing the number of people, we surely have to give nature a helping hand in trying to provide water resources for them.

The crying need today is for support for a water policy that will serve the national interest. And those whose job it is to keep the public informed bear a heavy responsibility for the adoption and implementation of such a policy.

We have made a start toward recovery of some of the lost ground. Sensing the peril that faces us, I believe our people are prepared for the long haul job.

As a matter of fact, a water resource restoration movement is underway. The stage was set by the Senate Select Committee on National Water Resources which studied water supply and demand and issued its report in 1961. With the cooperation and support of President Johnson, the 88th and 89th Congresses enacted more constructive water resources legislation than any of their predecessors. Much groundwork, of course, had been laid by President Kennedy and the 87th Congress. And we cannot afford to let the pace slacken.

There are two areas of activity which call for the professional competence of this group. These are areas where there is a need for greater initiative and leadership in the business community, as well as need for understanding by the public. One is the area of broad national water policy, which I have mentioned briefly. The other is the obvious one of pollution control.

In a sense, the pollution control program is a tremendous business opportunity. As great as any in our history. We think of the railroad building era in the West as the great economic expansion of the last third of the last century. Our current effort to restore our environment, both air and water, demands a tremendous program of research, construction, and equipment manufacture.

There is a dual opportunity for American business. You know, we tend to forget the extent to which our whole business structure depends upon the theory that the corporation is a person before the law. The corporate form was one key to the realization of the vast developmental opportunity in the last century. Now, something new has been added. The responsibilities, as well as the opportunities of the citizen are increasingly recognized as devolving upon the corporation.

This is the solid foundation of today's industrial public relations. The needs of the American people in the national water pollution crisis offer a rare public relations opportunity. At the start-up of the pollution control program, the response of some spokesmen for 8 businesses sounded as though water were the business of some other citizens, or perhaps of the corporate citizen of the last century.

But the signs of change are in the air. There is growing recognition of a simple proposition stated by the New York Times in December of 1965—there is no inherent right to pollute water. We started doing that in the early days of our industrial development, and business was no more to blame than the rest of us. It was inexpensive—and mostly harmless—to let our rivers carry away the wastes of factories, refineries, slaughterhouses and homes. But there are too many of us to do that any more.

Changing such a convenient and ingrained habit doesn't come easy. It costs money. Somebody is going to have to pay. The cost is bound to go into the cost of doing business, and may come out in the price of the product. I believe American consumers are ready to pay the price, especially if the story is put to them right. This, too, is a public relations challenge.

Looking again at national policy, the aerospace people have taught us to use the term "system approach" for solving big problems, all right, we need a system approach to the national water problem. To get it we will have to make use of the famous slogan—think. We must think ahead, think "organization," and think big.

Thinking ahead means long-range planning. In 1965, New Yorkers had to restrict the serving of water in restaurants while southern Californians could water lawns, wash cars, and fill their swimming pools. California's secret was planning. Even under eastern drought conditions, twice as much rain fell on New York as on Los Angeles.

We can understand the size of the Los Angeles water problem if we realize that ten million people live on a near desert within the metropolitan water district of southern California. Most of their water is brought two hundred and forty miles across mountain ranges and desert. It is then distributed through four hundred and fifty miles of lines to one hundred and nineteen cities and many large unincorporated areas. California is one state that realizes how long it takes to plan and build water projects. A 1966 pamphlet issued by "Californians for Water Action" emphasized—"there is a gap of twenty-five years from planning table to the water tap." The "California water plan,"—now being built—involves the most massive transfer of water yet attempted on this continent, and will satisfy expected southern California water demand through 1990. But we need a California water plan for the whole United States and for every river basin in it.

Thinking "organization" means taking a hard look at the existing governmental structures through which we Americans manage our water resources.

In 1965, Newsweek magazine charged that the big obstacle to restoring the Hudson Valley was bureaucracy. Newsweek said that "more than fifteen Federal agencies from the Coast Guard to the Department of Commerce tangle with the New York State Departments of Conservation, Health and Public Works, as well as, commissions for fish and game, parks, water resources and motor boats, to name a few. And few of these are under any obligation to consult with each other or a higher authority."

Congress has recognized such fragmentation in the Federal Government. Under the provisions of the Water Resources Planning Act of 1965, the Water Resources Council was formed to coordinate the water policies and projects of more than a score of Government agencies among which have been scattered responsibility and money for water resources work.

The Council has a very highgrade staff of specialists. They are professionally competent and skilled in the art of government. But they are not the responsible political policymakers.

The members of the council are the Secretaries of: the Army; Agriculture; Health, Education, and Welfare; Interior; and the chairman of the Federal Power Commission. The job of planning and managing our water resources has become too big to be handled by a committee. And whatever we call it, this council functions as a committee to reconcile bureaucratic differences. To give the needed direction to Federal efforts, I have proposed a full-fledged Department of Natural Resources.

Thinking big means giving careful consideration to such proposals as the NAWAPA scheme. (NAWAPA is an acronym for North American Water and Power Alliance.) Recognizing that northern Canada and Alaska have enormous quantities of fresh, clean water that flow unused into the Arctic seas, the engineers of the Ralph M. Parsons Company proposed a one hundred billion dollar project of continental water resource development. It would recapture from 15 to 20 percent of the excess runoff of the far north and redistribute it to Canada's prairie provinces, the U.S. West and Midwest, and possibly, Mexico. The 500 mile long trench in the Canadian Rockies would be used as a great reservoir from which water would be distributed south to many States and east to the Great Lakes and beyond.

Three years ago, I was chairman of a subcommittee of the Senate Public Works Committee, which took a look at the NAWAPA proposal. We made a comparison with the inventory of all Federal projects foreseeable for the next twenty years. It appeared to us that for twenty-five percent more money NAWAPA could deliver twice as much water and was subject to expansion.

Of course, the Canadians have something to say about this—and they have said plenty. In between the pros and cons, however, there is a great body of Canadians who feel that if appraisals of their resources and projections of their needs show a marketable surplus, they could do worse than sell it to the United States. After all, water can be produced as a sustained yield crop. It is not subject to depletion as are the uranium and natural gas that the Canadians are very happy to sell to us.

One of the great values of massive proposals like Nawapa is that they focus attention on other aspects of national policy.

Nawapa's $100 billion price tag makes people stop and think. It compels us to intensify watershed conservation, and to clean up the rivers through which this water would be distributed.

Except for the need to study new water for the Great Lakes, the U.S. is no more ready to enter into a water transfer compact than are the Canadians. We have barely begun to study the possibilities of full development of our own water resources.

I have mentioned cost previously.

A tragic irony of the recent water for peace conference in Washington was noted both by President Johnson in his opening statement and Secretary Rusk in his closing one—we could do a lot more both in the developed and the developing nations if it were not for the financial drain of Vietnam.

There are those who worry about the economic impact of a sudden reduction of military spending. I tell you we should welcome the event for more reasons than the obvious one. We need the money—not just for development but for actual natural resource preservation.

A nation that aspires to put a man on the moon should be able to solve its life-dependent problem of water resource management. A nation that spends ten percent of its gross national product on defense can certainly put whatever it takes into preserving something to defend. I have heard it suggested that we start investing in resource conservation at least one-twentieth of what we spend on defense. This would be a kind of depreciation allowance, five percent for restoration and maintenance. We can surely afford it.

Man's inability to manage water resources caused ancient civilizations to crumble. We need not suffer their fate. We are not less dependent upon water than was man a thousand years ago; but we have far more scientific knowledge and technical capability to control our environment. We need not run out of water if we can solve the political problems that stand in the way of an adequate national water management program. As I have said, solving these problems is a challenge for both statemanship and public relations.

To bring some order into the national water picture, the administration has asked for a national water commission. It would be composed of prominent persons outside of government. It would have five years to study and prepare recommendations.

Such an investigation could be of great value in settling long range policy questions. It could help put in proper perspective various courses of action: conservation, pollution control, additional re-use of water, desalting, weather modification, inter-basin transfer systems, and improved water use practices in agriculture, industry and the home. All these are things that must be done to assure water for tomorrow. A commission could take a national view—in contrast to Congress, whose Members represent regional interests.

But the formation of a commission must not be used as an excuse to "wait and see." America has run out of time in which to repair her water resources.

We must push ahead with water supply development. We must improve State, regional and federal water management methods. We must press the national clean water effort to the full extent of the law.

The future of every American depends on water, regardless of his income, profession or station in life. This is one battle we have to win.

BIG THICKET NATIONAL PARK BILL SUPPORTED BY TEXAS TOURIST COUNCIL

Mr. YARBOROUGH. Mr. President, since introducing my bill (S. 4) calling for the establishment of a Big Thicket National Park in southeast Texas, I have been greatly impressed by the enthusiastic endorsement of the proposal by many individuals and groups, including the Texas House of Representatives and the National Parks Advisory Board.

The Texas Tourist Council is the latest among many who have resolved to support this effort "to preserve our rapidly diminishing enclaves of nature's unspoiled beauty" by creating a Big Thicket National Park. By resolution of May 31, 1967, the council affirmed its keen interest in the establishment of the park. I ask unanimous consent that the Texas Tourist Council's resolution be inserted at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, the Texas Tourist Council is a private enterprise association interested in the many scenic beauties and variety offered visitors in Texas—The Land of Contrast; and

Whereas, Out-of-state visitors to Texas have doubled in the past six years and with the decreasing length of the work week and with higher disposable incomes, more time is being used for recreational activity and travel; and

Whereas, The Council is cognizant of the need to preserve our rapidly diminishing enclaves of nature's unspoiled beauty and leave them for the enjoyment of future generations; now, therefore be it

Resolved, That the Texas Tourist Council send to all Congressional Representatives from Texas this Resolution to express our keen interest in the creation of Big Thicket National Park and encourage them to pursue the establishment of this national recreational area for the use of all citizens of the world.

ROBERT W. KNEEBONE,
President.

Dated this 31st day of May 1967, Austin, Texas.

ACT OF HEROISM OVER GULF OF TONKIN

Mr. LAUSCHE. Mr. President, it is an honor for me to invite the attention of the Senate to an act of heroism that took place recently in the sky over the Gulf of Tonkin, Vietnam.

An Air Force KC-135 Stratotanker has been credited with saving six Navy carrier-based aircraft in an air refueling mission. The commander of the KC-135 is Maj. John H. Casteel of Akron, Ohio. The major's parents, Mr. and Mrs. Harold J. Casteel, reside at 397 Stetler Avenue, Akron. He joined the Air Force in 1954 and was commissioned in 1956.

He is assigned to the 902d Air Refueling Squadron at Clinton-Sherman AFB, Okla., where he resides with his wife Colleen and their three children, John Scott, 10; Holly Wynn, 8; and Diane K., 4.

I ask unanimous consent that the contents of the release of the Department of Defense detailing the action involved be printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

USAF TANKER ENGAGES IN TRI-LEVEL REFUELING WITH NAVY CARRIER AIRCRAFT

An Air Force KC-135 Stratotanker has been credited with saving six Navy carrier-based aircraft in an air refueling mission over the Gulf of Tonkin.

The Strategic Air Command tanker, operating from a 3rd Air Division location in the Western Pacific, was on a routine mission involving air refueling of two Air Force F-104 Starfighters over the Gulf of Tonkin when the crew, commanded by Major John H. Casteel, was advised to contact a Navy ship regarding a possible emergency air refueling.

The Navy ship verified the emergency and vectored the tanker North to intercept two Navy A-3 Skywarrior tankers from the carrier USS Hancock, supporting strike and rescue operations in North Vietnam. The Air Force tanker headed for the rendezvous with the two F-104s providing fighter cover and receiving periodic refuelings enroute.

When rendezvous was completed, one of the A-3 tankers had only three minutes of usable fuel remaining. In addition he had 4,000 pounds of fuel which could be transferred to another aircraft, but which he could not use himself.

The Air Force tanker transferred a token amount of fuel to the first A-3 to prevent flame-out. This A-3 then moved into observation position permitting the second A-3 to refuel. During this refueling another rendezvous was called for a new emergency refueling, this one involving two Navy F-8 Crusaders from the carrier USS Bon Homme Richard.

The most critical of the F-8s had only 300 pounds of fuel remaining and could not wait for the Navy tanker then being refueled to break away. The F-8 slipped in behind the A-3 and hooked onto the Navy tanker. There were then three planes flying hooked up in line.

At the same time, the other A-3 shared a portion of his meager onload with the second F-8. He later took on additional fuel from the KC-135.

In the midst of this fuel transition, the Navy ship called in another emergency involving two F-4 Phantoms and vectored the entire cell toward that rendezvous.

The KC-135, now low on fuel, could not reach its initial destination so it headed toward an alternate Air Force Base in South Vietnam, still accompanied by the two cover F-104s. A final refueling to the F-104s was made before landing.

All nine Air Force and Navy aircraft involved—the Air Force KC-135, and two F-104s and the two Navy A-3s, two F-8s and two F-4s—landed safely.

Major Casteel's KC-135 is assigned to the 902nd Air Refueling Squadron of the 70th Bomb Wing, Clinton-Sherman AFB, Oklahoma, and was on temporary duty with the 3rd Air Division's 4258th Strategic Wing in the Western Pacific.

Major Casteel, 32, is from Akron, Ohio. Other crewmembers, all from Clinton-Sherman AFB, were: Captain Richard L. Trail, 30, of McCook, Nebraska, Pilot; Captain Dean L. Hoar, 29, of Idana, Kansas, Navigator; and Master Sergeant Nathan C. Campbell, 34, of Pine Bluff, Arkansas, Boom Operator.

Commenting afterward on the mission, Major Casteel said, "We could see Haiphong Harbor. I was concerned with the low altitude at which the mission was performed—necessary due to Navy aircraft having insufficient fuel to climb to a higher altitude, but my crew did a fantastic job."

As a result of this demonstration of superior flying skill and heroism, Major Casteel, Captain Trail, Captain Hoar, and Sergeant Campbell each will be awarded the Distinguished Flying Cross.

THE NATION'S HOUSING PROBLEMS

Mr. MURPHY. Mr. President, we who are deeply concerned with the housing problems facing the Nation and acutely aware of the deficiencies and inadequacies in our present housing programs are hopeful that the Senate this year will hold hearings on S. 1592, which was introduced by the distinguished Senator from Illinois [Mr. Percy], and cosponsored by every Republican Member of the Senate.

One of the exciting concepts embodied in the Percy proposal is the self-help idea. California has had some experience with this concept. The results have been encouraging. Under the self-help program in California, workers using "sweat equity" or equity raised through their own labor as a substitute for ready cash which they lack, are becoming homeowners and for the first time are experiencing the pride and the dignity in homeownership. Its success is readily apparent in the faces of these new owners.

Recently the Oakland Tribune published an outstanding editorial praising the Percy housing plan. As the article states:

> The Percy plan instead of perpetuating dependency offers the disadvantaged an opportunity to become independent homeowners.

Mr. President, I am confident this proposal of Senator Percy's has broad support across the country and provides us with a new approach which, if enacted, will be a great stimulus to making decent housing available to all of our citizens, particularly the disadvantaged.

I ask unanimous consent that the Oakland Tribune article of April 27 be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Percy's Housing Plan

One of the fatal defects in the Johnson Administration's efforts to meet the housing needs of the poor has been the essentially negative approach of many of these programs.

The major incentive offered to the poor who occupy public housing projects is to stay poor—because when the family income reaches a certain level, they must move. The same negative incentive is present in the controversial "rent supplement" program, the direct subsidy paid for low-income families to help meet part of their rent in privately-owned housing. Rent supplements go only to families whose income stays below a certain level.

Instead of encouraging the poor to move up the economic ladder, the subsidy approach actually encourages the status quo. By earning more, a poor family jeopardizes either its eligibility for public housing or its government-paid rent subsidy.

An equally negative byproduct is the fact that these programs offer no incentive to the poor to maintain their homes. They don't own them and under the public housing and rent supplement approach, they never will.

As an alternative, Sen. Charles Percy, R-Ill., has proposed a plan to help rehabilitate urban slums by promoting home ownership among the poor.

The program, known as the National Home Ownership Foundation Act, would establish a foundation with the authority to sell $2 billion worth of bonds to help arrange home purchases by the poor.

The Foundation would issue loans to local non-profit housing associations which would rehabilitate slum housing and sell it to low-income families. The mortgages would be held by the Foundation to help repay the loans on rehabilitated housing.

To help launch this self-supporting program, Congress would appropriate $60 million over the next three years to help poor urban and rural home-buyers pay interest on their mortgages.

The plan is co-sponsored by all 36 Senate Republicans, including California's George Murphy and Thomas Kuchel. Senate Democratic Leader Mike Mansfield predicts it will get substantial Democratic backing.

We hope Congress gives the program prompt consideration. The basic self-help feature of the Percy plan is one that should be part of every federal program aimed at rehabilitating the nation's cities. Instead of perpetuating dependency, it offers the disadvantaged an opportunity to become independent home-owners.

If urban rehabilitation is to work, the poor must have a stake in improving both their housing and their economic status. Government must stop encouraging the poor to depend upon special subsidies that, however nobly intended, have the effect of perpetuating poverty.

THE LESSON OF SUEZ IN PANAMA

Mr. LAUSCHE. Mr. President, the Cleveland Plain Dealer of June 27, 1967, published an editorial entitled "Lesson of Suez in Panama."

The views expressed in this editorial are sound and worthy of sympathetic consideration. The editorial points out the absolute need of establishing by law an assurance that the Panama Canal will always be kept open for the passage of all innocent vessels carrying cargoes in the world markets. The editorial points out that as far as the Panama Canal is concerned, assurances should be made that it will never deny the use of its facilities to vessels carrying cargoes in world trade on a similar unjustified basis as was experienced by innocent ships in their purpose to use the Suez Canal and the Tiran Straits.

The editorial states:

> The United States has to make certain that freedom of transit between the Atlantic and the Pacific exists for everybody.

It further points out the absolute need of assuring, through the proposed new treaties to be executed between the United States and Panama, that our Government shall have the ultimate right through the treaty provisions to keep open the canal for usage by all innocent vessels of all the nations of the world.

My own view is that the Suez Canal and the Panama Canal ought to be placed under international control, making all of the nations of the world answerable for the free use of the facilities of these artificial bodies of water that connect the oceans of the world. However, if that is not to be achieved, then it is imperative that the United States make certain that what happened in the Suez Canal through the shortsightedness of Nasser shall not happen in the Panama Canal.

Mr. President. I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Lesson of Suez in Panama

In order to get the Republic of Panama's negotiators to okay future construction of a new sea-level canal between the Atlantic and Pacific across the Panamanian isthmus, the United States had to make tremendous political concessions.

It had been determined by President Johnson and Panama's President Marcos A.

Robles in 1965 that a new treaty would be drafted to replace the one of 1903 that gives the United States sovereignty over the Panama Canal and Canal Zone, 10 miles wide. Announcement that the pacts have been negotiated—although the texts still are secret—has led to some heated opposition in Congress, where the Senate must ratify any treaty.

One of the three proposed treaties, it is made known, "concerns" U.S. military bases in Panama for defense of the canal.

This is actually the key point. National interest must not be forsaken. Politics may change but geography does not. The war-breeding lessons of Egypt's Nasser, the Suez Canal and the Gulf of Aqaba are fresh before the world.

The United States has to make certain that freedom of transit between the Atlantic and the Pacific exists for everybody. What happens under these proposed treaties if a Nasser becomes president of Panama? Where does our national interest stand then?

Already there is talk, since the Arab-Israeli hostilities ended, that both the Suez Canal and the Panama Canal should be internationalized.

Study of new canal routes, either in Panama, in Colombia or on the Nicaragua-Costa Rica border was agreed to only after the Canal Zone riots of January 1964 that left 21 Panamanians and four U.S. soldiers dead. For a time Panama broke relations with the United States, restoring them only after being assured the 1903 treaty would be replaced.

It is obvious that a new water-level canal will have to be built someplace, eliminating the present lock system that is vulnerable to attack and sabotage. The oil supertankers and largest aircraft carriers already are too big for either the Panama or Suez Canal.

Benefits of a new canal in the end may outweigh seeming disadvantages in yielding so much to Panama, provided that the United States maintains the absolute right to protect its own lifeline.

HEALTH LESSONS TO BE LEARNED FROM DEXTER MANOR PROJECT

Mr. **SMATHERS**. Mr. President, on June 22 and 23, the Subcommittee on Health of the Elderly, of the Special Committee on Aging, began an inquiry into costs and delivery of health services to older Americans. As chairman of that subcommittee, I am pleased to report that expert witnesses gave testimony that will serve the subcommittee well as it continues hearings on a subject of vital importance, not only to the old but to others who will benefit from improvements in the organization of medical services.

The mood at the hearing clearly was one of innovation and fresh thinking—very similar, in fact, to the overall mood that could be felt the following week at the National Conference on Medical Costs.

It is clear, I think, that the implementation of medicare and medicaid programs have already unleashed a strong desire to make quality medicine more readily available to all Americans, while at the same time preserving the best features of the present system.

A perceptive report on one experiment in providing such services to one group of older Americans was given on July 3 in an Associated Press column written by Mr. Martin Segal, of New York City. Mr. Segal, an articulate and farsighted authority on older Americans, gives a vivid description of a project that, with necessary adaptations, might well be useful in other communities. I can assure you that the subcommittee will look further into the project as its inquiry continues.

Mr. President, the article is timely and informative. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SECURITY FOR YOU: HEALTH SERVICE HELPS ELDERLY

(By Martin E. Segal)

Medicare, medicaid, preventicare, higher Social Security benefits, special services for the elderly—all have one underlying purpose: to allow older persons to live adequate, independent lives. But sometimes a little understanding, a little forethought, can do as much as all the major program. Like the people who planned and worked to put a health unit into Dexter Manor.

Dexter Manor is a public housing project for the elderly in the downtown area of Providence, R.I. The 11-story building has 200 apartments for residents 62 years old and over with incomes up to $3,000 a year for a single person, $3,600 a year for couples. There were 283 residents with an average of 72 when the health unit began operating.

The Dexter Manor health unit isn't a big, expensive operation. It consists only of a nurse, a clerk, and a part-time social worker. They operate out of a clinic provided by the Providence Housing Authority on the first floor of the building, directly across from the community room that is used by all the residents for social activities.

TYPICAL CASES

But as a result of this small health unit, a considerable number of Dexter Manor's residents have been enabled to live independent lives at home rather than spend months or years in hospitals and nursing homes. And isn't that what programs are supposed to do?

For example:

Mrs. W., 79 years old, lived alone in an efficiency apartment. She called the nurse one morning to say she had fallen the night before and injured her right shoulder. The nurse sent Mrs. W. to the hospital. X-rays showed that Mrs. W.'s shoulder was fractured. She was admitted to the hospital for treatment. When Mrs. W. was ready to be discharged from the hospital, she had limited use of her arm. Mrs. W.'s doctor recommended that she go to a nursing home. Mrs. W. and the Dexter Manor Health unit staff feared that if she went to a nursing home, she might remain there.

The nurse and social worker met with the house manager, Mrs. W.'s niece, her minister, and representatives of several social agencies.

Mrs. W. was sent home. And a homemaker was assigned to prepare her main meal and do light housekeeping. The nurse took over the task of continuing treatment and physical therapy.

Take another case: One morning, Mrs. M. came to the nurse's office to report that her husband had an extremely painful back. The nurse investigated and sent Mr. M. to his personal physician. The doctor found Mr. M. had a large abscess. He operated, then called the nurse to find out whether she could give continuing care or whether Mr. M. should be sent to the hospital.

The nurse assured the doctor that she would care for Mr. M.

The result: Mr. M. spent the next few weeks at home rather than in a hospital; a hospital bed was available for a sicker patient; and the M.'s budget was kept intact.

SIMILAR PROGRAMS

Very few housing projects have such closely associated health services. And even this program didn't start without some opposition and doubts.

Skepticism was voiced by some professionals because they feared that the presence of a nurse (without charge to the patient) would encourage elderly tenants to dwell on their health problems and imagine some they didn't have. Some people worried that tenants who were too ill to live independently and who really needed institutional care would remain in the project. The Dexter Manor experiment proved all these fears to be groundless. The natural thing, the sensible thing, would be to follow up on successful experiments by establishing similar, permanent services in other places.

INDIANA'S NEW TRAFFIC CODE

Mr. **BAYH**. Mr. President, as highway use continues to rise in ever increasing amounts, it becomes more and more important that State and local regulations be developed which will adequately meet the complex demands of highway safety. I am pleased to report that Indiana has recently taken significant steps toward this goal.

During the 1967 session the Indiana General Assembly, in a bipartisan effort, adopted a series of traffic safety measures which expanded and improved the State's highway regulation laws. These acts were based upon considerable research and many conferences and seminars, and they cover such varied issues as vehicle inspection, motorcycle safety, driver education and licensing, traffic courts, and police training.

Mr. President, the major aspects of this legislation were well summarized in an article written by Floyd Kline, Sr., and Dave Allen, and published in the July 1967, issue of Traffic Safety. Because the experience of one State in revising its basic traffic code is of national significance, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Traffic Safety, July 1967]

INDIANA LEGISLATURE PASSES TRAFFIC BILLS

(By Floyd A. Kline, Sr., and Dave Allen)

(NOTE.—Floyd A. Kline, Sr., is director of the Indiana Office of Traffic Safety. Dave Allen is assistant to Gov. Roger D. Branigin of Indiana.)

The 1967 session of the Indiana General Assembly, with the backing of Gov. Roger D. Branigin, enacted several important traffic safety measures. It is to the credit of the governor, state senators and representatives that legislation dealing with the far-flung aspects of traffic safety was handled in a bipartisan manner. This assembly must stand as a benchmark to those who worked for many years to develop and perfect a comprehensive taffic safety program.

Governor Branigin in both his state of the state and budget messages to the Indiana General Assembly commented on traffic safety programing. On January 10, 1967, in his State of the State speech, the governor said:

"The year's (1966) record is proof that the state has not yet faced up to the adoption of sanctions necessary to curb highway slaughter. We must strike at once with compulsory vehicle inspection, more severe restrictions on drivers with physical and visual defects, better driver training and laws closing in on the drunk, the speeder and the irresponsible."

In his January 25 budget message, Governor Branigin recommended that the general assembly appropriate matching funds, in accordance with the National Highway Safety

Act of 1966, to develop traffic safety programs for the state and its political subdivisions.

Many state and local agencies, coordinated by the Indiana Office of Traffic Safety, worked diligently with interim legislative committees to compile the background information vital to the preparation of the bills passed in the 1967 session. The period between the adjournment of the 1965 session and the convening of the 1967 session was a busy one for agencies with traffic safety responsibilities.

It is a tribute to these people that even prior to the December, 1966, and February, 1967, draft standard announcements by the Highway Safety Bureau, Indiana either had in operation or in preparation necessary legislation which exceeded any minimum requirements that can be extracted from these draft standards.

In brief, the standards and Indiana's legislation in these areas include:

Periodic Motor Vehicle Inspection. A special committee created by the legislative advisory commission made a comprehensive study of the various vehicle inspection programs now in operation in other states. The bill passed by the Assembly was the result, with slight modifications, of this careful study. It will be operational in 1969.

Motorcycle Safety. Indiana hosted a multistate conference on motorcycle safety in December, 1966. The legislation enacted by the 1967 Indiana General Assembly is based upon the recommendations of this conference. The motorcycle code provides for the licensing of cycle operators, protective headgear, eye and face protection requirements, rules of the road for operation of the cycles, as well as the transportation of passengers by cycle operators. This Act is possibly the most comprehensive legislation dealing with motorcycles available today.

Driver Education. Long a leader in driver education programs, Indiana was again recognized by the Insurance Institute for Highway Safety as a top ranking state in this critical area. The proposed draft standard reflects Indiana's current driver education program in its scope and priority.

The regulation of commercial driver training schools was provided for by the 1967 Assembly. The bureau of motor vehicles will continue to emphasize the importance of properly trained drivers. It will require commercial driver training schools to maintain sufficient classroom and behind-the-wheel instruction in order to retain certification.

Traffic Codes and Laws. A two-year study made by Indiana officials in cooperation with the National Committee on Uniform Traffic Laws and Ordinances was completed in September, 1966. The recommendations are still under review in many instances. However, several of the proposals were introduced into the 1967 General Assembly. The first systematic revision in speed limit laws and the operation requirements for vehicles on Indiana highways was enacted. Not surprisingly, the report showed that Indiana's existing laws in most of the areas were in substantial conformity with the provisions of the Uniform Vehicle Code.

Driving Licensing. Through improved techniques available in data processing, programing and equipment, the law enforcement agencies, the bureau of motor vehicles, and the courts are better able to isolate information on individual drivers. This progress allows the appropriate agency to locate and remove the errant driver from the highways faster.

Additional refinements in the licensing control process were added by the 1967 General Assembly. The commissioner of motor vehicles was given an important advisory group when a medical advisory commission of driver licensure was created. This group of medical specialists will be able to review recurrent medical problems associated with the impaired operation of motor vehicles and to make recommendations as to the capability of specific individuals to effectively operate a motor vehicle.

The recently revised point system has enabled the state to ferret out persons who consistently commit the most life endangering traffic offenses and to have them removed from the highways before they either become or cause others to become grim statistics in the traffic fatality count.

In order to strengthen interstate cooperation in the field of driver licensing in this mobile society, Indiana has passed legislation that allows the state to become a member of the Driver Licensing Compact. This will assist in preventing a driver whose license has been suspended in one jurisdiction from fraudulently obtaining an operator's license in another jurisdiction.

Traffic Courts. The Indiana Office of Traffic Safety, Indiana Trial and Municipal Judges Association, Indiana State Bar Association, and the American Bar Association have cooperated in sponsoring traffic court conferences. These events have fostered a better understanding between the licensing and enforcement groups and the judges.

The initial step in basic changes in the state judicial system was taken by the 1967 Assembly when a constitutional amendment on judicial reform was passed. This action was but the first step, and the 1969 Assembly will have to also consider the proposal before it comes before the voters for approval or rejection.

Several procedural statutes were enacted to aid in dealing with traffic law violators when brought before the courts.

Mandatory Police Training. In an effort to further upgrade law enforcement in Indiana, the assembly established a 14-member law enforcement board with power to set minimum standards for police training in all areas of law enforcement up to the state level. Provisions are included for a law enforcement academy, a building fund and a law enforcement training fund.

Alcohol in Relation to Highway Safety. The department of toxicology of the Indiana University School of Medicine was authorized by the 1967 assembly to undertake a study of the effects of alcohol, drugs, and carbon monoxide in fatal accidents. This is the initial step in a program to obtain clinically sound data on the much-discussed problem of how often these substances appear in fatal accidents.

Perhaps the results of this study, coupled with other data, will provide more updated and medically accurate information It should also be noted that since July of 1965, the Indiana State Police have been conducting in-depth investigations into all fatal accidents that department investigates. The results of this study will also provide useful information for future traffic safety programing.

Local-State-Federal Cooperation. Three major pieces of legislation that directly affect inter-governmental cooperation in traffic safety work were passed. The Office of Traffic Safety Act of 1953 was amended to provide for a single Traffic Safety, Advisory Committee instead of the three overlapping groups formerly established. This committee will provide a sounding board for careful review of existing state programs as well as for consideration of new safety programs.

Enabling legislation was passed to provide that Indiana could participate in the programs of the 1966 Highway Safety Act. This legislation designates the governor as the official responsible for the comprehensive traffic safety programing for Indiana and authorizes him to delegate various operational aspects of the program to appropriate state and local officials and agencies.

The creation of a city-county traffic safety programs advisory board will enable Indiana to implement the provisions of the federal legislation in a manner that allows for careful local review and program development.

Indiana's comprehensive traffic safety program has been the result of a unified effort. Governor Branigin, the Indiana General Assembly, the Governor's Traffic Study Commission, the Governor's Traffic Safety Advisory Committee, and the Office of Traffic Safety spent months researching and studying Indiana's traffic safety problems and possible solutions to these problems. Public interest in and support for the legislative program were gained through the activity of the Indiana Traffic Safety Council and many civic, church, fraternal, and women's organizations that are working toward making Indiana a safer, better state.

THE METROPOLITAN EXPEDITER

Mr. PELL. Mr. President, when Congress approved and the administration put into effect the Demonstration Cities and Metropolitan Development Act last year, four target areas were selected by the Housing and Urban Development Administration to have the services of a metropolitan expediter. This very ambitious program was initiated in order to make it possible for the decaying cores of our cities to have the professional services, on a local level, of top-level HUD employees who would aid the communities in the preparation of the applications for Federal programs and help in the expediting of these applications. All of us are aware that Federal programs have grown far more sophisticated in the past few years, so that even the very large communities do not always have the expertise available to them to resolve their local problems and to obtain the necessary Federal funds to do so.

The Providence, R.I., area was most fortunate in having the services this year of an excellent metropolitan expediter, Mr. Sirrouko Howard. In the few short months that Mr. Howard has served in that capacity, he has made a very favorable impression on the city officials in his area of responsibility. Therefore, I would hope that this program could get an opportunity to get off the ground for we all know that those communities that frequently need the most help have the least professional staffiing to assist them. We, who are responsible for the creation of new Federal programs, also have a responsibility to the communities which apply for them. Frequently, applications for Federal funds from Rhode Island communities come into my office, and they are bigger than a metropolitan telephone book in size and more complex than a doctoral thesis. We are all well aware of the growing bureaucracy of this Republic of ours and the many frustrations that the local community leaders have in attempting to cope with the ever-growing redtape and paperwork imposed upon them by the Federal Government.

It is my understanding that there are those who believe that the local metropolitan expediters are merely duplicating the work which is already done at the regional level. This is not the case. The facts are entirely to the contrary; and to illustrate this, I ask unanimous consent to have printed in the Record several communications I have received, and also an editorial entitled "Bring Back the Expediter," published in the Providence Journal of Wednesday, July 5, 1967. The editorial comments on the importance of maintaining the metropolitan expediter program. I do hope the administration and Congress will make every effort to continue to fund this most important and worthwhile program.

There being no objection, the items were ordered to be printed in the Record, as follows:

Cumberland, R.I.,
Office of the Town Administrator,
Cumberland, R.I., June 20, 1967.

Senator Claiborne Pell,
Federal Building,
Providence, R.I.

Dear Sir: It is with considerable alarm that I am informed of the possibility of losing Mr. Sirrouko Howard, Metropolitan Expeditor, Department of Housing and Urban Renewal, because of the lack of funds to finance his office and staff.

Mr. Howard has been in the State of Rhode Island only a short time and his assistance to the Town of Cumberland has been most beneficial. He has furnished the Town with information which previously had been very difficult to obtain. He has guided the officials on present projects as well as anticipated projects. He is a dedicated public servant and his loss would be felt, I know, in the Town of Cumberland, and I am sure, throughout the State of Rhode Island.

The writer would, therefore, solicit your cooperation to find a way to keep the Metropolitan Expeditor's office in operation and, particularly, the services of Mr. Sirrouko Howard.

Thanking you for your assistance to the Town of Cumberland in the past and with kind personal regards, I remain,

Respectfully yours,
Edward J. Hayden, P.E.,
Town Administrator.

City of Providence,
Providence, R.I., May 23, 1967.

Hon. Claiborne Pell,
Old Senate Office Building,
Washington, D.C.

Dear Senator Pell: The House of Representatives recently approved the annual appropriation bill for the Department of Housing and Urban Development and included a provision barring the use of any funds for the Department's metropolitan expediter. Since April 30th, Mr. Sirrouko Howard has been serving in that capacity here in Providence. He has been of great assistance to me personally and to my administration. I feel that this action of the House is not in the best interest of the City and that the reesablishment of this position can be an important part of our effort to change the quality of urban living.

I would appreciate any effort which you may be able to make to see that this important position is restored to the budget of the Department of Housing and Urban Development.

Very truly yours,
Joseph A. Doorley, Jr.,
Mayor of Providence.

Town of South Kingston, R.I.,
Wakefield, R.I., June 15, 1967.

Hon. Claiborne Pell,
Old Senate Office Building,
Washington, D.C.

Dear Senator Pell: At a meeting of the Rhode Island Municipal Chief Executives Association held in Providence, R.I. on June 14, 1967, it was

Unanimously voted: that this Rhode Island Municipal Chief Executives Association go on record as endorsing the concept of a Metropolitan Expediter and that Senators Pastore and Pell and Congressmen St Germain and Tiernan be so notified.

Yours very truly,
Foster R. Sheldon,
Secretary, Rhode Island Municipal Chief Executives Association.

Town of North Providence,
Office of Town Clerk,
Centredale, R.I., June 28, 1967.

Senator Claiborne Pell,
Old Senate Office Building,
Washington, D.C.

Dear Senator Pell: The North Providence Town Council, at its meeting on June 5, 1967, declared its appreciation for the services, availability and cooperation of Mr. Sirrouko Howard, Metropolitan Expeditor, Housing and Urban Development Agency.

As you know, the Town of North Providence is desperately attempting to obtain Federal assistance for the rehabilitation of its sanitary sewer system, parts of which are in a collapsed and disintegrated condition.

The taxpayers of the Town of North Providence have already approved a $500,000.00 bond issue, in an attempt to initiate immediate action on this inherently hazardous public health situation.

Unfortunately, the total cost of this work has been estimated at approximately $1,700,000. Hence, our acute need for Federal assistance.

Mr. Howard, as the local Metropolitan Expeditor, has been of invaluable assistance in suggesting potential courses of action, as far as Federal agencies are concerned, and has eliminated much of the confusion usually involved in these situations.

The North Providence Town Council respectfully solicits your support of the continuance of this HUD program of Metropolitan Expeditors, which is currently endangered by lack of Federal funding.

Thank you for your interest and cooperation.

Sincerely yours,
The North Providence Town Council,
Joseph T. Morrissey, *President.*

[From the Providence Journal, July 5, 1967]

Bring Back the Expediter

Sen. Walter F. Mondale, Democrat of Minnesota, has launched a major effort in Congress to revive the controversial "metropolitan expediter" program. His cause is one the mayors of the nation's big cities support; it is a cause that congressmen and senators with political bases in big cities ought to rally to strongly.

The metropolitan expediter program has been shadowed by recent House action through refusal to appropriate funds for it for the coming fiscal year. Worse, the House also killed an experimental program, supported by funds from the Department of Housing and Urban Development, in four cities, including Providence which found the program most useful.

The expediter's job was to advise mayors on urban needs, to help to select federal programs best suited to meeting those needs, and to try to reduce the time lag between applications for help and approval by the appropriate agencies. In Providence, the program proved itself quickly; the program well met a basic need. HUD now proposes to maintain its service here but under a new name. The gesture is helpful, but the basic issue is unresolved.

House action was taken, so the story went, because of a fear among some congressmen that the program represented a "threat to local autonomy." The fear was groundless; expediters could only advise. It is fatuous to think that a single federal expediter could have become a czar of urban development in Providence, for instance.

The real reason for House action very probably was the fear that the expediter would take over the jobs now performed in many cases by congressmen who carry the ball in Washington on programs in which mayors back home are interested. If a mayor could turn to an expediter for direct liaison with Washington, a valuable political tool would be taken from the congressman.

A mayor would owe an expediter only a debt of personal gratitude for any help the expediter gave in handling urban development problems. But when a mayor gets help in such areas through his congressman in Washington, there is a political debt involved which any congressman would be only too glad to ask payment on at election time.

Senator Mondale hit hard on the usefulness of the program. "One of the major criticisms of the present federal programs in the urban field," he said, "is that the time period before approval is too long and that the city must wait until one review after another is completed. This program is designed to expedite the applications and meet this criticism."

Senator Mondale called for restoration of the program, describing it as "small in cost" but "most important" in long-range potential. The senator can use all the support available, and it is to be hoped that Senators Pell and Pastore and Congressman Tiernan and St Germain will do what they can to help for the sake of all the communities here interested in federal aid and grant programs.

THE RESERVE AND NATIONAL GUARD—TRIBUTE TO SENATOR RUSSELL

Mr. SYMINGTON. Mr. President, I would present to the Senate the great service rendered by the distinguished Senator from Georgia [Mr. Russell] in connection with the latest revision in the reorganization plan for the Army Reserve and National Guard.

As we all know, because of his long experience, his position as chairman of both the Committee on Armed Services and the Subcommittee on Defense Appropriations, Senator Russell occupies the leading role in the Senate on defense matters; and the part he has played in recent days on the realinement matter is merely another indication of the distinguished service he continually renders.

As every Senator knows, for many months the Army Reserve has been a matter of controversy.

First, the so-called merger plan for the Army Reserve and Guard was proposed, but not accepted by Congress.

Some weeks ago the Army provided another proposal for realining the Army Reserve and Guard aimed at reducing the serious imbalance in the present structure. In many ways this plan is to be commended. One aspect, however, which has caused concern is the fact that the plan would have removed all combat elements from the Army Reserve and placed them in the National Guard.

During the hearings before the Committee on Armed Services on the realinement matter, Senator Russell expressed the hope that the realinement plan could be reexamined with a view to retaining at least some combat elements in the Army Reserve; and as a result of his leadership, together with the cooperation of the Army, the realinement proposal has been revised in such a manner that three combat brigades will remain in the Army Reserve, together with a number of other separate combat units.

The National Guard will retain the eight divisions and 18 brigades as proposed. Certain other combat units proposed for the Guard, however, will be placed in the Reserve; and other noncombat units scheduled for the Reserve will be programed for the Guard.

I ask unanimous consent to have printed at this point in the RECORD the text of a letter to Chairman RUSSELL from the Army dated July 12 setting forth the changes.

The matter was presented to the Senate Appropriations Subcommittee this morning; and Secretary of the Army Resor, General Johnson, Chief of Staff, and General Rich, Chief of the Army Reserve, also should be commended for their cooperation in this revision.

Mr. President, I congratulate Chairman RUSSELL for his leadership in this matter, because the new plan will result in a better Reserve and a stronger national defense.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE ARMY,
Washington, July 12, 1967.

Hon. RICHARD B. RUSSELL,
Chairman, Committee on Armed Services, U.S. Senate.

DEAR MR. CHAIRMAN: At the hearings June 27th on the Army Plan for reorganization of its reserve components, you asked that consideration be given to retaining some combat and combat support elements in the United States Army Reserve (USAR). Other members of the Congress have made similar suggestions. Additionally, the House of Representatives in passing the Department of Defense Appropriation Bill for FY 1968 and H.R. 2 has called for a minimum strength of 260,000 in the USAR rather than the 240,000 contemplated in the Army Plan.

It is in the light of the foregoing that the Chief of Staff and I have subjected the Army Plan to further analysis. While we continue to believe that it is the best plan to meet Department of the Army objectives, altering it so that combat and combat support units would remain in the USAR is feasible. This alteration could be accomplished by adopting a reorganization which we have characterized as the Three Brigade Plan, so called because the USAR would have three brigades rather than none as in the Army Plan.

Under the Three Brigade Plan the USAR paid drill strength is increased from 240,000 to 260,000 and the paid drill strength of the National Guard would be 400,000. The total structure provided in the Army Plan is retained. The number of combat maneuver battalions is the same as in the force structure recommended by the Joint Chiefs of Staff. The proportion of combat, combat support and service support within each component would be approximately the same as exists today.

The major unit changes from the Army Plan in the Three Brigade Plan are:

(a) Retain in the USAR structure the following units which the Army Plan would have included in the National Guard: 3 brigade bases (each consisting of a brigade headquarters company, a support battalion, an aviation company, an armored cavalry troop, an engineer company and 105mm field artillery battalion), 10 infantry battalions, 15 separate artillery battalions, 16 combat engineer battalions.

(b) Retain or form in the National Guard structure the following units which the Army Plan would have included in the USAR: 2 military police brigades, 1 Transportation Corps brigade, 1 support brigade, 6 engineer construction battalions, 3 signal battalions, 13 hospitals, 52 composite service companies, 21 truck companies, 8 ordnance companies.

The Three Brigade Plan accommodates the major objections which have been raised to our original proposal. It provides the USAR with approximately 41,000 paid drill strength in combat and combat support units and a total paid drill strength of 260,000. The National Guard would have 8 divisions and 18 brigades. We have eliminated all cases of activating in one component a unit comparable to one inactivated in the other component. This maximizes the use of existing assets in both components. It minimizes organizational turbulence. At the same time, our basic reorganization objectives are met.

Sincerely,

STANLEY R. RESOR,
Secretary of the Army.

MISPERCEPTION OF AGGRESSION IN VIETNAM

Mr. FULBRIGHT. Mr. President, one of the more perceptive observers of the war in Vietnam is Ralph K. White, professor of psychology at George Washington University. Last year he wrote a detailed and documented review in the Journal of Social Issues entitled "Misperception and the Vietnam War." Now, in the latest issue of the Journal of International Affairs he has written a condensed version of this thesis entitled "Misperception of Aggression in Vietnam." His comments on the different frames of reference by which each side sees the war shed light on the reason why this tragic conflict has become, for all intents and purposes, a military stalemate. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MISPERCEPTION OF AGGRESSION IN VIETNAM

(By Ralph K. White)

In the Vietnam war each side declares that it has to fight because of obvious, self-evident "aggression" by the other side. On each side there are images of a Hitler-like enemy, brutally, calculatingly bent on conquest. On each side there is a feeling that it would be weak and cowardly to let the enemy's aggression be rewarded by success; each side feels: "If we are men we cannot let this aggression go unpunished."

The thesis of this article is that both are wrong. There has been no aggression on either side—at least not in the sense of a cold-blooded, Hitler-like act of conquest. The analogies of Hitler's march into Prague, Stalin's takeover of Eastern Europe, and the North Korean attack on South Korea are false analogies. There is a better analogy in the outbreak of World War I, when, as historical scholarship has shown, both sides stumbled and staggered into the war in a spirit of self-defense (or defense of national pride against "intolerable humiliation") rather than in a spirit of deliberate conquest. (See Robert North's article in this issue.) In Vietnam each side, though by no means free from moral guilt, is far from being as diabolical as its enemies picture it, since both believe that whatever crimes they may commit are justified by the magnitude of the emergency. Each knows that it has not "willed" this war. On each side ordinary human beings have become gradually entangled, hating the war and all the suffering associated with it, honestly believing that their manhood requires them to resist the "aggression" of the enemy. But the enemy's "aggression," in the sense in which it has been assumed to exist, has not existed.[1]

For reasons that will be discussed, it follows that the only honorable peace would be a compromise peace in which each side could feel it had held out against the aggressor's onslaught and had managed to preserve at least the bare essentials of what it was fighting to defend.

CAN THEY BELIEVE IT WHEN THEY CALL US "AGGRESSORS"?

President Johnson has said, "The first reality is that North Vietnam has attacked the independent nation of South Vietnam. Its object is total conquest. . . . Let no one think for a moment that retreat from Vietnam would bring an end to the conflict. The battle would be renewed in one country and then another. The central lesson of our time is that the appetite of aggression is never satisfied."[2] Secretary McNamara has said, "The prime aggressor is North Vietnam."[3] Secretary Rusk has repeatedly declared that the whole purpose of our intervention would disappear the moment the North Vietnamese decided to "let their neighbors alone."

The great majority of the American people do not seriously doubt these statements; even among those who doubt the wisdom of our attempting to resist aggression in Southeast Asia there are many who do not doubt that Communist aggression has occurred. Those who do feel that it is our responsibility to resist the aggression that they regard as self-evident are likely to have ready answers to what they suppose to be the arguments against this belief. They may ask: "Can you deny that North Vietnam has sent troops and weapons to the South? Can you deny that the Viet Cong cadres are Communists, controlled by other Communists in Hanoi and perhaps in Peking? Can you deny that war by assassination in the villages is aggression, in principle, as much as is war by invasion of troops across a border?" And when they find that their opponents, while making certain qualifications (e.g., with regard to the completeness of the control of the Viet Cong by Hanoi), do not try to deny the essential truth of any of these things, they are likely to feel that their case is well established and that Communist aggression is indeed self-evident.

A visitor from Mars would be struck by the close parallel between all of this and the attitudes that are continually expressed on the other side. According to Ho Chi Minh, "It is crystal clear that the United States is the aggressor who is trampling under foot the Vietnamese soil."[4] According to Chou En-lai, "America is rapidly escalating the war in an attempt to subdue the Vietnamese people by armed force."[5] And according to Leonid Brezhnev, "Normalization of our relations [with the U.S.] is incompatible with the armed aggression of American imperialism against a fraternal Socialist country—Vietnam."[6] To the extent that they mean what they say, aggression by us seems as obvious to them as aggression by them seems to us.

That, then, is the essential question: to what extent do they mean what they say?

To most Americans, probably, the charge that *we* are aggressors seems like outrageous nonsense, so transparently false that honest men all over the world must put it down immediately as a propaganda trick by the Communists to cover up their own aggression. The thief is crying "Stop thief!" and must be doing it simply to distract attention from his own crime.

It is precisely here, though, that the perceptions of most Americans are, in my judgment, basically mistaken. The charge that we have been aggressors—inadvertent aggressors, without for a moment intending to be—is not outrageous nonsense. It is no more false than our charge that the Communists have been aggressors. Both charges are psychologically false, since neither side has committed conscious, deliberate, Hitler-like aggression. But both charges are in a less essential sense true, since both sides, in the belief that they have been defending themselves, have engaged in certain actions which the other side, seeing them within a radically different frame of reference, could easily perceive as aggressive.

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[1] A much more detailed and documented presentation of this thesis is contained in Ralph K. White, "Misperception and the Vietnam War," *Journal of Social Issues*, Vol. XXII, No. 3 (1966), pp. 1–167.

[2] Johns Hopkins speech, Apr. 7, 1965.

[3] Speech before the National Security Industrial Assn., Mar. 26, 1964.

[4] Interview with Felix Greene, quoted in *The Washington Post*, Dec. 14, 1965, pp. A 1, A 16.

[5] Speech in Peking, reported in *The New York Times*, May 1, 1966, p. 4.

[6] Speech to the Central Committee of the CPSU, reported in *The Washington Post*, Sept. 30, 1965, A 16.

That this is true on the American side needs no demonstration. Certain actions of the Communists, notably the campaign of assassination in the villages and the sending of troops from the North to the South, have seemed to most Americans, interpreting them within an American frame of reference, to be flagrantly, self-evidently aggressive. What most Americans have almost wholly failed to realize is that we too have done things which, when perceived within the Communists' radically different frame of reference, have probably seemed to them to be just as flagrantly and self-evidently aggressive. This failure to see how our own actions are perceived by the Communists is the essence of our misperception.

Most of the rest of this article will be devoted to an exploration of the reasons for believing that the Communists do see our behavior as aggressive. The argument is twofold. (1) There are at least eight important kernels of truth in the Communist case against us—eight types of evidence that, when strongly focused upon by a Communist mind and interpreted within a Communist frame of reference, could seem to substantiate his charge of American aggression. (2) There is ample reason to believe that the lenses through which the Communists see reality have a high enough degree of refraction to do the rest of the job. They are quite capable of focusing strongly on these kernels of truth, interpreting them solely within a Communist frame of reference, failing to realize that we see them within a quite different frame of reference, ignoring or misinterpreting all the kernels of truth on our side, and therefore coming up with a black-and-white picture in which their role is wholly defensive and ours is aggressive. The chief reason to think they are capable of this much distortion lies in the fact that most American minds—presumably less dogmatic, more evidence-oriented—have been capable of a similar degree of distortion in the opposite direction. The very fact that so many Americans have denied, misinterpreted, soft-pedaled or simply ignored these eight important kernels of truth on the Communist side is sufficient evidence that the capacity to misperceive in this way is not inherently Communist. It is human. In other situations the Communists have, on the whole, shown much more of it than we have, but in the case of Vietnam the amount of distortion that apparently exists in Communist minds, i.e., the amount of it that they would need in order to believe most of what they say, is no greater than the amount in the minds of most Americans.

What is needed, then, is a careful examination of the "eight kernels of truth." We can hardly understand either the sincerity of Communist thinking or the distortions and blind spots in our own until we focus steadily on the facts that to them seem decisively important.

THREE REASONS WHY THEY THINK SOUTH VIETNAM "BELONGS" TO THEM

The usage of the term "aggression" in the Communists' discourse suggests that in their mind, as in ours, it is applied when either or both of two conditions exist: (1) when they believe, rightly or wrongly, that country A is using force to take land that "belongs" to country B; and (2) when they believe, rightly or wrongly, that most of the people on that land want to be part of country B. The "eight kernels of truth" mentioned above include three types of evidence that, in my judgment, actually do tend to support their claim that South Vietnam "belongs" to them (reasons other than the belief that the people are on their side) and five types of evidence supporting their claim that most of the people are on their side.

Perhaps it should be repeated: this is not an argument that South Vietnam *does* "belong" to them, or that most of the people *are* on their side. It seems to me that the first of these propositions, when closely analyzed, is largely meaningless, and that the second, though very meaningful, cannot be clearly answered on an empirical basis and is probably somewhat less than half true, since most people in South Vietnam probably do not want to be ruled either by Hanoi or by Saigon. This is simply an argument that the facts are complex and ambiguous enough to disprove completely our prevailing American assumption that there has been deliberate, unequivocal Communist aggression, and to make it highly probable that the Communists *think* South Vietnam belongs to them and the people are on their side.[7]

What does "belonging" mean, psychologically? On what grounds does any group come to feel that a certain piece of land obviously "belongs" to it and not to someone else? Though at first glance the concept seems simple, on closer examination it turns out to be extraordinarily complex and elusive. Such an examination is needed, too, in view of the fact that an endless amount of bad blood and of violent conflict has been generated at the places in the world where two or more groups have had conflicting assumptions about what belongs to whom: the Thirteen Colonies, the Confederate States, Cuba, Bosnia-Herzegovina, Alsace-Lorraine, Austria, the Sudetenland, the Polish Corridor, Danzig, the Baltic states, Taiwan, Quemoy, Tibet, the Sino-Indian border, Indochina, Algeria, Kashmir, Cyprus, Israel. When the territorial self-image of one country overlaps with the territorial self-image of another, trouble seems to be almost inevitable, and such overlapping is hard to avoid because nations differ in their criteria of what constitutes ownership or "belonging." Sometimes, as in our American feeling about the Revolutionary War and the Southern feeling about the Civil War, the criterion is a belief about what most of the people in the area want. Sometimes, as in the British feeling about our Revolutionary War and the Northern feeling about the Civil War, it is a compound of habit, respect for tradition and legality, national pride, beliefs (which may be very deeply held) about what is best for all concerned, including minority groups such as the slaves in the American South or the Catholics in South Vietnam, and perhaps anxiety about what may happen elsewhere if violent attacks on the legally established order are allowed to succeed. There is always a tendency to accept whatever definition of "belonging" makes a given piece of land clearly belong to one's own nation or to an ally.

If we ask ourselves why most Americans assume that South Vietnam belongs to the Saigon Government and does not belong to the Viet Cong or to the Communist Government in the North, perhaps the best single answer would be that since 1954 we have regarded this as an established, accepted fact. Since 1954 we have had a mental image of Vietnam as having been divided, as Korea was, between a Communist North and a southern portion that was still part of the free world—perhaps precariously so, but for that reason all the more in need of being shored up and defended. Probably in the minds of most well-informed Americans there has been no belief that most of the people in South Vietnam want the kind of government they have had in Saigon. On that score there have been embarrassing doubts. But the doubts have usually been fairly well resolved in various ways, e.g., by the belief that most of the people in South Vietnam belong to a large, politically apathetic middle group that only wants peace and would gladly go along with whichever side seems likely to be the winner—from which many infer that there is no popular will which needs to be considered, and that we are therefore free to decide the matter on other grounds. Or the doubts may be resolved by the belief that in the long run a government sponsored by us would permit a genuine development of democracy and national independence, whereas no Communist government would do so; or by the belief that permitting a Communist use of force to succeed in South Vietnam would encourage the "wars of liberation" favored by Communist China and therefore endanger both peace and freedom throughout the world. But all of these points also encounter controversy, and when tired of such controversy many Americans, including Dean Rusk, fall back on the solid, simple, and (they feel) unanswerable proposition that there are Communist soldiers fighting on land that does not "belong" to them. "We will stay until they decide to let their neighbors alone." And the seeming obviousness of this "belonging," since it cannot be based on assumptions about what the people want, is probably based primarily on the fact that for at least twelve years there has been, on our maps and in our minds, a division between the Communist North and the non-Communist South. We see this as the established, accepted, natural order of things.

In doing so we ignore three facts that in Communist minds are much more important than the division of the country that occurred in 1954.

1. *The division of the country has its only legal basis in the Geneva Conference of 1954, and at that conference it was explicitly agreed that it would last only two years.* The Communist-led Viet Minh stopped fighting on the basis of what seemed to be a firm agreement that there would be an all-Vietnamese vote in 1956 (which they fully expected to win) that would unify the country, establishing both unity and full independence without further bloodshed. According to the respected French historian Philippe Devillers, "The demarcation line was to be purely provisional; the principle of Vietnamese unity was not questioned, and the idea of partition was officially rejected with indignation by both sides. When military forces were regrouped and administrative divisions laid down, national unity would be restored by free general elections."[8]

Informed Americans are now embarrassingly aware (though a great many reasonably well-informed Americans were not clearly aware of it until perhaps two or three years ago) that in 1956 Diem, apparently with American backing, refused to permit the elections that had been provided for by the Geneva Agreement. To be sure, neither he nor we had signed those agreements, and there were other persuasive reasons for not permitting the elections at that time or at any time since then. But that is not the present point at issue; the point is that, having in effect rejected the Geneva Agreement by not carrying out one of its key provisions, Diem and the United States deprived themselves of any right to invoke the Geneva Agreement as a legal or moral sanction for the division of the country. With Diem's decision not to press for a plebiscite under international supervision even in "his own" southern part of the country, he forfeited—at least in Communist eyes—not only all claim to the kind of legitimacy that genuine popular endorsement would have provided, but also all claim to invoke the Geneva Conference's endorsement of the 17th Parallel as a basis for his own rule in the South. In effect he proclaimed *de facto* control—"possession is nine-tenths of the law"—as his sole basis of legitimacy.

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[7] For a more balanced picture of the evidence on both sides, see White, *op. cit.*, especially pp. 19–44, 46–50, 89–90, and 106–16.

[8] Philippe Devillers, "The Struggle for Unification of Vietnam," *China Quarterly*, No. 9 (1962), pp. 2–23.

In the same year—and this is a fact that very few Americans know, though it is of great importance to the villagers in South Vietnam who became members of the Viet Cong—Diem abolished the fine old semi-democratic Vietnamese system of electing village councils and mayors, which had survived even during the period of French rule. Both of these actions by Diem must have seemed to the Communists to be flagrantly anti-democratic, anti-Vietnamese, and a violation of the agreement on the basis of which they had laid down their arms. It was only *after* both had occurred, in 1957, that the Viet Cong began their campaign of assassination of government-appointed officials in the villages. From their standpoint, the decisive acts of armed aggression against them occurred in 1956, and anything they have done since then has only been defensive.

2. *In the years between 1950 and 1954, when the United States was supplying money and arms on a large scale to the French, the French were fighting against a clear majority of the Vietnamese people.*

The years before 1954 represent another major blind spot in the thinking of most Americans, though they are properly ever present in the thinking of the Vietnamese Communists. For them those years were as terrible and as heroic as the years of World War II were for the Communists in the Soviet Union.

Few Americans realize that in 1945 and 1946, when the postwar world was settling down to its present division between East and West, Vietnam was not so divided. Instead, it was enjoying the first flush of what seemed to be independence from the rule of France, under Ho Chi Minh's leadership. Since he was a Communist, this meant that the boundary between the two worlds was at that time the boundary of Vietnam itself. Vietnam as a whole had in a sense "gone Communist" when it accepted Ho's leadership. It was, then, the West that stepped over the boundary and used force on the far side of it. France began then, and continued until 1954—with massive American financial help after 1950—to try to reimpose her rule. Although there was talk of a new autonomous role for the three states of Indochina within the French Union, the anti-French majority of the Vietnamese could be forgiven for regarding this war as naked aggression on the part of France, aided greatly by the United States. The term "imperialist," which sounds so strange in American ears when applied to ourselves, does not sound so strange in the ears of Vietnamese who regarded French rule as imperialist and had much reason to associate alien intruding Frenchmen with alien intruding Americans. As for the word "aggressor," it is difficult to escape the conclusion that, by any definition of the term, we were committing aggression in Vietnam from 1950 to 1954. We were financing the use of force on land that did not "belong" to us—or to the French—by any criterion that we would now accept, and we were doing it against what now clearly seems to have been a majority of the people.

On this last point we have the testimony of many people, including President Eisenhower. As he put it in a much-quoted passage, "I have never talked or corresponded with a person knowledgeable in Indochinese affairs who did not agree that had elections been held as of the time of the fighting, possibly 80 percent of the populace would have voted for the Communist Ho Chi Minh as their leader rather than Chief of State Bao Dai."[9]

Since President Eisenhower's statement has often been misinterpreted it should be noted that he did not say that Ho Chi Minh would probably have won by 80 percent in the elections that Diem refused to hold in 1956. He said "possibly;" he carefully said "had elections been held as of the time of the fighting," i.e., in 1954 or earlier, not in 1956, when Diem's prospect of victory would have been much brighter, and he specified as Ho's hypothetical opponent Bao Dai, who was generally regarded as a weak French stooge, rather than Diem, who at that time was regarded even by many of his enemies as an honest man and a staunch anti-French patriot. But on the point that is now at issue—whether the help we gave to the French was in effect a use of force against a majority of the Vietnamese people—President Eisenhower's statement would seem to be decisive.

Why did we do it? Our reasons were understandable if not valid. In 1950 the Communists had just won in China; they were starting the Korean war, and it looked as if desperate measures were necessary in order to keep all of East and Southeast Asia from succumbing to the Communist juggernaut. Perhaps President Truman was honest enough to say to himself that even aggression against the Vietnamese was justified by the magnitude of the emergency. If present-day Americans are able to be equally honest and to remember clearly the situation as it was then, it will help them to understand how present-day Vietnamese Communists could really regard us as aggressors.

3. *The Communist-led majority of the Vietnamese people had actually won their war for independence in 1954.*

Though they were supported to some extent by arms from China, the arms their enemies gained from the United States and from France were far more formidable. Consequently, one of the clearest indications that a large majority of the Vietnamese people did support Ho lies in the fact that his ragged, relatively poorly armed troops did finally win. The battle of Dienbienphu was decisive, and it was generally agreed at the time that if the Viet Minh had wanted to fight a few months more they could have had the whole country.

This is an important part of the psychological background of the Geneva Agreements, and of everything that has happened since. In this respect the situation was very different from the situation in Korea in 1945, when the boundary at the 38th Parallel was first established, or in Korea in 1953, when a military stalemate finally led to a new and roughly similar truce line. In 1953 there was a military stalemate in Korea and the Communists had no basis at all for setting their hearts on unifying the country on their terms. In Vietnam they did. The Vietnamese Communists and the many non-Communists who fought with them had every reason to feel that the prize for which they had struggled and sacrificed through nine heartbreaking years of war was finally theirs: a unified, independent country. Then, by what must have seemed to them a form of chicanery, with the face of America appearing where the face of France had been, and with both Diem and John Foster Dulles blandly claiming that they were not bound by the decisions made at Geneva, a full half of the prize they felt they had fairly won was snatched from them.

Apart from any question of what the people want, then, the Vietnamese Communists have three additional reasons for feeling that South Vietnam "belongs" to them and not to the government established and maintained by us in Saigon: the artificial division of the country at the 17th Parallel was legally and morally invalid after 1956; their war for independence was supported by a large majority of the people; they won that war.

FIVE REASONS WHY THEY THINK THE PEOPLE OF SOUTH VIETNAM ARE ON THEIR SIDE

Since Communists have repeatedly said that any people has a right to fight a "war of liberation" against colonial overlords, no matter how much the rule of the overlords may be sanctioned by tradition and legality, it is clear that their decisive criterion of "aggression" (if they are consistent with their official statements) must be whether "the people" oppose it or not. The following five types of evidence, of which they are probably much more aware than the average American, are therefore relevant to the question of their sincerity on this point.

1. *There are many reasons to think that Vietnamese nationalism is now mobilized, and has been mobilized for some twenty years, much more in favor of Ho Chi Minh than in favor of the French-backed or American-backed government in Saigon.*

In Vietnam, perhaps more than in any other developing country, the Communists have apparently succeeded in fusing Communism with nationalism, and especially with the cause of national unity. The long and finally victorious struggle against the French was conducted primarily under Communist leadership by peasants who regarded their leaders more as patriots than as Communists.[10] President Eisenhower's statement, quoted above, is very relevant here.[11]

It should be noted too that the more and more conspicuous role of America on the Saigon Government side since 1960 has been such as to mobilize the xenophobic nationalism of the Vietnamese in a new way. Since 1960 American aid to Saigon has become far greater and more obvious, while Chinese aid to the Communists has been on a much smaller scale. There are many big-nosed white faces now on the Government side of the war, while those on the Viet Cong side are authentically Vietnamese, even though now a considerable and very potent fraction of them have come down from the North. The Viet Cong guerrillas have been helped by their own countrymen, while the Government has incurred what is probably a much greater stigma by accepting massive help from white foreigners who cannot even speak Vietnamese.

2. *The peasants want land, and many of them have had land taken away from them by the Government.*

Although there is a village-centered peasant nationalism, it may well be that another motive—hunger—is even more basic in the typical peasant's make-up. He wants to safeguard the bowl of rice that represents his next meal and the rice field that represents next years' meals for himself, his wife, and his children. From the standpoint of many peasants in the southern part of South Vietnam, especially the Mekong Delta, their rice and their rice fields have been under attack not only by the crop-destroying chemicals that have been dropped (in some areas) by Government planes, but also by the absentee landlords who have in many instances demanded between thirty and fifty percent of the crop. This fact of absentee landlordism in the South is little known in the United States. It has been estimated that in South Vietnam proper (Cochin China, roughly the southern one-third of the country) only two per cent of the people owned forty-five per cent of the land before 1945.[12] Land reform since then has not greatly changed the situation. Some has occurred under Diem and his successors, but it was preceded by a drastic reclaiming of land that the Viet Minh, when it was in control of large areas in South Vietnam had given to the peasants outright. Land reform by the present government has been a pale imitation of land reform under the Communist-led Viet Minh.

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[9] Dwight D. Eisenhower, *Mandate for Change* (Garden City, N.Y.: Doubleday and Co., Inc., 1963), p. 372.

[10] Bernard Fall, *The Two Vietnams* (New York: Frederick A. Praeger, 1964), pp. 104–29; Ellen Hammer, *The Struggle for Indo-China* (Stanford: Stanford University Press, 1964): Jean Lacouture, *Vietnam Between Two Truces* (New York: Random House, 1966), pp. 5 and 32.

[11] On the importance and nature of Vietnamese nationalism, see George A. Carver, Jr., "The Real Revolution in South Viet Nam," *Foreign Affairs*, Vol. XLIII, No. 3 (1965) especially pp. 399 and 403.

[12] Fall, *op. cit.*, pp. 308–11.

3. *Probably much more physical suffering has been imposed on the peasants by the Government and its American allies than by the Viet Cong.*

On this point Americans have had misperceptions of two quite different kinds. On the one hand there is the misperception of those Americans who, shocked by occasional television pictures of weeping mothers, roughly handled prisoners, and deliberately burned villages, have failed to realize that the atrocities of the Viet Cong, less accessible to Western photographers and less vividly depicted, are just as real. Public disembowelment of "enemies of the people" and of their wives and children is only one of the revolting procedures employed by them, and it has seldom found its way to our American newspaper pages or television screens. On the other hand, there is the misperception of those Americans who, focusing primarily on the widely discussed Viet Cong assassinations of teachers, health workers, and Government-appointed village officials, have often remained ignorant of the highly probable fact that, because of the nature of guerrilla and counter-guerrilla war, the sheer volume of suffering inflicted by the Government has been considerably greater than that inflicted by the Viet Cong.

There are two reasons for this. The more familiar one is that the present process of using American firepower and mobility to break the back of the Viet Cong has meant—despite genuine efforts to minimize it—a large amount of killing, maiming, and sometimes napalming of villagers who, whether "innocent" from our point of view or not, certainly regard themselves as innocent.[13] In a culture that values family loyalty as much as the Vienamese culture does, this deeply affects not only those who have suffered from it themselves but also those who have seen a parent or other relative suffer or die.

The less familiar reason for it is that, in the conduct of counter-guerrilla operations, it is urgently necessary to obtain intelligence about the identity of the guerrilla fighters and where they are hiding. South Vietnamese soldiers have interpreted this as justifying a large-scale use of torture to obtain information not only from captured Viet Cong prisoners themselves but also from wives and relatives of men suspected of being in the Viet Cong. There is the water torture, the electric-current torture, the wire-cage torture—all widely used—and there are other kinds even less well-known in the United States (perhaps chiefly because of unofficial self-censorship by most of our information gatherers in Saigon) but well documented by observers such as Bernard Fall, Malcolm Browne, and Robin Moore.[14]

The ignorance and apathy of the great majority of the American public with regard to this ugliest aspect of the war represent in themselves a puzzling and very disturbing psychological phenomenon. Bernard Fall in 1965 spoke about "the universally callous attitude taken by almost everybody toward the crass and constant violations of the rules of war that have been taken place. . . . To me the moral problem which arises in Vietnam is that of torture and needless brutality to combatants and civilians alike."[15] But the fact of widely used torture has not been cited here as an accusation against the United States. As we have seen, some of the Viet Cong atrocities have been at least as bad. The direct participants in the torture have as a rule been South Vietnamese, not Americans, and during the past year (partly as a result of the article by Bernard Fall quoted above) the American military authorities have provided American troops with clear instructions not only as to the applicability of the 1949 Convention on the humane treatment of prisoners but also as to the long-run counterproductive character of the torturing of prisoners and their relatives. The fact is cited here because it provides such an emotionally compelling kernel of truth in the Communist case against the Saigon Government, as well as for the Communist thesis that the common people *must* hate that government. Simply by focusing on this and ignoring similar atrocities on the Communist side a Communist could arrive at that conclusion.

4. *There has been a great deal of inefficiency and corruption on the part of the local officials appointed by the Saigon Government.*

The tradition of exploitation and cheating of the peasants by Government-appointed officials is perhaps no worse than in a number of other Asian countries, including pre-Communist China; but it is very bad,[16] and it does contrast with the Viet Cong's tradition of comparative honesty and concern with the welfare of the rank-and-file peasants.[17] Inefficiency is also clearly very common, in contrast with the quite extraordinary efficiency (in some ways) of the Viet Cong; and in many relatively inaccessible villages the choice is not between the Viet Cong type of village government and that of the Saigon officials, but between Viet Cong government and virtually no government at all. In these villages the Viet Cong cadres fill a political vacuum and provide an alternative to anarchy. To be sure, they themselves have helped to produce the anarchy by assassinating Government-appointed village leaders. But their tactics have not been the only cause of anarchy, and they themselves are probably more aware, indeed inordinately aware, of their own comparative honesty and efficiency, which "must" bring the peasants over to their side.

None of this, it may be noted, is incompatible with the fact, now well documented, that in the years since 1963 the Viet Cong's high-handed methods of taxation and recruitment among the peasants have become more and more burdensome. The comparative honesty and efficiency of Viet Cong functionaries are linked with an essentially authoritarian attitude and a willingness to subordinate peasant welfare to the progress of the war. But *in their minds* the peasant's resentment of such tactics is probably underestimated, while his appreciation of their more positive contributions is probably overestimated.

5. *The Viet Cong has a record of remarkable military success against enormous obstacles, and it seems unlikely that such success could have been achieved without widespread popular support.*

Americans sometimes forget or underestimate the great advantage that the anti-Communist forces have enjoyed from the standpoint of weapons, especially since America began in 1950 to give large-scale material help to the French. The total amount of such help has clearly been much greater than the material help the Viet Cong has received from the North. Moreover, few Americans realize that the rebellion did not begin in the part of South Vietnam near Laos and the Ho Chi Minh Trail, where an appreciable amount of help from the North might have been possible. It began primarily in the far South, in the Mekong Delta, where it was necessary to use mainly homemade or captured weapons. The rebels therefore had to make up organizations, dedication, and extent of popular support for the Government's great advantage in material equipment.[18] Still another fact frequently forgotten in America (or never learned) is that the rebellion began to a significantly extent in 1957,[19] at least three years before its surprising success—with little outside help—led the Communist authorities in the North to give it a significant amount of material help.

It is true that one major compensating advantage possessed by the Viet Cong has been the tactical advantage of concealment and surprise that has led to the conventional estimate that counter-guerrilla forces must have a ten-to-one numerical superiority over guerrilla forces in order to defeat them. But what is sometimes forgotten is that the guerrillas' tactical advantage exists to this high degree only when they have the active support of most of the people (which they could hardly get by intimidation alone) in helping them to conceal themselves, in helping to supply them with the intelligence they need in order to have the full advantage of surprise, and in denying to the counter-guerrilla forces the same kind of intelligence.

Here too there are important counterarguments on the anti-Communist side. In particular the use of intimidation by the Viet Cong to clinch their hold on the peasants must account for much of the peasant cooperation that has occurred. But here again it is important to note that the Communists themselves are probably overinclined to discount or ignore those counterarguments. The military successes of the Viet Cong against far better armed opponents have been remarkable enough to enable Communists to say to themselves: "The people *must* be on our side."

There are at least five reasons, then, to think that the Communists believe most of the people are on their side: nationalistic resentment of intrusion by white Americans, land hunger, resentment of torture and other physicial suffering caused by the Government, the corruption of officials, and the military success of the Viet Cong against great material odds.

Together with the three additional reasons reviewed earlier for thinking they feel that South Vietnam is part of "their" country, these five seem quite adequate to make it probable that doctrinaire Communists, already predisposed against the United States, do believe it when they call us "aggressors." However mistaken this proposition may be (and I happen to think it is largely mistaken, on the basis of evidence that has hardly been touched upon here), the Communists probably *believe* it is true.[20]

A SENSIBLE AND HONORABLE COMPROMISE

The preceding discussion is a diagnosis of the problem, not a prescription for its solution. In the light of this diagnosis, though, my own feeling is that the most sensible and honorable policy for the United States is to seek a compromise peace. It is the only kind of peace that would allow *both* sides to feel that they had preserved from the aggressor's grasp the bare essentials of what they were fighting to defend.

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[13] Major-General Edward G. Lansdale, "Viet Nam: Do We Understand Revolution?" *Foreign Affairs*, Vol. XLIII, No. 1 (1964), p. 81.

[14] Bernard Fall, "Vietnam Blitz: A Report on the Impersonal War," *The New Republic*, Oct. 9, 1965, pp. 18–21; Malcolm W. Browne, *The New Face of War* (New York: Bobbs-Merrill, 1965), pp. 114–18; Robin Moore, *The Green Berets* (New York: Avon Books, 1965), pp. 46–50.

[15] Fall, *ibid.*, pp. 19–20.

[16] M. Mok, "In They Go—To the Reality of This War," *Life*, Nov. 26, 1965, p. 71.

[17] Malcolm Browne, *op. cit.*, pp. 121–28; Viet Cong Soldiers' Diaries, quoted in *The Vietnam Reader*, ed. by M. G. Raskin and Bernard Fall (New York: Random House, 1965), p. 227.

[18] Fall, *The Two Vietnams*, p. 317; Lacouture, *op. cit.*, pp. 21–23.

[19] Carver, *op. cit.*, p. 406.

[20] Douglas Pike, *Viet Cong* (Cambridge, Mass.: M.I.T. Press, 1966), p. 378. Although Pike is very skeptical of the proposition that most of the people support the Viet Cong, he speaks of the party's "mystic belief in the power *and loyalty* of the people." Italics added.

It could take various forms. One is a coalition government, with efforts by other countries to keep the coalition from being dominated by the organized, dedicated Communist minority within it. Such a coalition could be the outcome of negotiations, if genuine negotiations become possible, or it might conceivably be set up by our side unilaterally, with a real effort to give the Viet Cong and all other elements of the population power commensurate with their actual strength. Or it could take the form of a partition of the South along lines reflecting the balance of military power at the time the partition occurs. This too could be done with negotiations if possible but without negotiations if necessary—unilaterally, by a decision to concentrate our military strength on consolidating non-Communist control of large contiguous areas (not small "enclaves") while withdrawing from overexposed, hard-to-hold areas elsewhere. Free migration into and out of each area might follow, as it did in the partition that followed the 1954 agreement.

As to the relative merits of different types of compromise peace there are complex pro's and con's, and this is not the place to discuss them. What is argued here is that a search for *some* feasible form of compromise peace is the only sensible and honorable policy for the United States.

When each side believes the other to be the aggressor, both are sure to regard any compromise as unsatisfactory, since each will see a compromise as granting to the aggressor some part of his ill-gotten gains. Each wants to ensure that the aggressor is not rewarded by any expansion whatsoever. In this case, for instance, we Americans and our Vietnamese allies would hate to accept a compromise that we defined as granting to the Communists any expansion of power, either by gaining some land south of the 17th Parallel or by gaining some power in a coalition government. The Communists would similarly regard with dismay a compromise peace that left the American "aggressors" still firmly ensconced on Vietnamese soil and still (as they would see it) ruling a large part of the country through their lackeys in Saigon. To them it would seem like a bitter and futile end to their twenty years of struggle to drive the alien white intruders into the sea.

As long as both sides rigidly adhere to this principle, a compromise is clearly impossible. However, *if* there is no clear break in the present military stalemate and the bloody, inhuman war continues with no end in sight, each side may lower its sights and begin to consider seriously whether some form of compromise would necessarily be cowardly and dishonorable. Probably both sides would even then be grimly determined never to surrender. "Surrender is unthinkable." But each side might become aware that it had a hierarchy of preferences. Three choices might emerge instead of only two: surrender (unthinkable), a compromise peace, and unending war, instead of surrender (unthinkable) and victory. Among these three choices a compromise peace might then seem the least intolerable.

What are the bare essentials of what each side is fighting to defend? Are they incompatible? Or would it be possible for both sides simultaneously to preserve what they care about most?

On our side, it seems to me, there are two things that a large majority of the American people regard as essential: to avoid a significant "domino" process in other parts of the world, and to preserve a tolerable life for our anti-Communist friends in Vietnam. The first of these is believed to be a matter of defending both freedom and peace: the freedom of other countries that are vulnerable to the Chinese strategy of takeover by "wars of liberation," and the peace that would be endangered elsewhere if a Communist victory in Vietnam led Communists everywhere to be more aggressive. The second is more a matter of honor and commitment. We feel that our words and actions have established a commitment to our anti-Communist allies, and that if we abandoned them to the untender mercies of the Viet Cong we would be doing a shameful thing. The validity of these two points will not be debated here; it is necessary only to recognize that most of the Americans who would be involved in the decision do care about both of them, and care deeply.

On the Communist side there are as yet no verbal indications of a hierarchy of preferences. On the surface there is only a fervent, monolithic insistence that the American aggressors must be wholly eliminated from the scene; and since we feel that any complete withdrawal by us would both accentuate the domino process and leave our anti-Communist friends helpless in the face of the organized, dedicated, vengeful Viet Cong, there is little chance of a compromise on this basis. It seems likely, though, that beneath the surface they do have a hierarchy of preferences. Perhaps, if convinced that the alternative is not victory but unending war, they would prefer peace with undisturbed control of some large fraction (say a half) of the population of South Vietnam. This would mean that they could stay alive, go back to the increasingly urgent business of cultivating their rice paddies, and preserve the way of life in which they have invested so much effort and sacrifice. The Communists in the North would be spared further bombing and the danger of a wider war, and although they would have failed in their great objective of unifying the country under their own control, they could salvage some pride in the thought that they had held their own against a much more powerful aggressor.

On each side, then, a compromise peace might be interpreted as salvaging the bare essentials of what that side was fighting to defend. It therefore seems psychologically feasible if we pursue it intelligently and persistently.

It also seems more honorable than any other alternative. By keeping the American flag flying in South Vietnam and stubbornly refusing to retreat from our present power position we would be balancing the power of Communist China on its periphery and fulfilling our obligation to the small non-Communist countries that are threatened by Communist takeover. We would also be fulfilling our obligation to preserve the life and livelihood of our non-Communist friends in Vietnam itself. But if we attempted by force of arms to conquer the parts of South Vietnam in which most of the people regard us as alien aggressors—and the evidence suggests that a very large proportion of the people in certain areas see us in that light—we would be in conflict with the principle of self-determination. It is not in the American tradition to impose abject surrender on brave men who believe, rightly or wrongly, that they are defending their homeland against aggression by us.

RALPH NADER WARNS OF RADIATION AND OTHER MANMADE ENVIRONMENTAL HAZARDS

Mr. BARTLETT. Mr. President, Ralph Nader today addressed the House and Senate interns on a problem of great and growing urgency: the threat to man and his progeny posed by manmade environmental hazards. It is a speech which deserves wide circulation and demands close and thoughtful attention. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

MANMADE ENVIRONMENTAL HAZARDS: STYLES OF VIOLENCE AND MODES OF DOUBT

(Remarks by Ralph Nader before the House and Senate interns, U.S. Congress, July 12, 1967, under the auspices of the Capitol Hill Young Democratic Club)

Over a hundred years ago, Walt Whitman wrote that "if anything is sacred, the human body is sacred". What Whitman meant was that man has certain bodily rights, a level of physiological integrity, which a civilized society should strive to maintain inviolate. One of the characteristics which any society must have in order to bring reality closer to this credo is the ability to maintain an up to date perception of violence. Primitive forms of domestic violence—often labeled as street crime—have been perceived as phenomenon to be brought within the constraints and sanctions of law. People properly get upset about this kind of violence. The perpetrators and the victims are visible, the primary motivation is the use of force, its exercise and its impact are close in time and space.

Looked at quantitatively, the threat to our physical security represented by street crime is insignificant as compared with environmental hazards brought about by indiscriminate design and use of products and processes. Five times more Americans are killed on the highways than are murdered every year. Over four million people are injured annually, 150,000 of them totally and permanently crippled. At least, these casualties can be counted. But the more insidious assaults on the human biosphere, stemming from environmental contamination, are not yet quantifiable but nonetheless very real. Cancer and respiratory diseases are common "causes of death," but they should be viewed only as terminal designations. The evidence is mounting relentlessly that what are known, in the mechanical language of technicians, as the "second order effects" of technology are contributing to such mortality and morbidity. This caveat, from a recent HEW report, is concisely expressive of the situation:

"We know something of air pollution, but we know little about the hazard potential of 500,000 to 600,000 synthetic chemicals and other compounds on the market today. We know something of water quality, but little of the effects of trace metals. Can we cope with solid waste? What is the future problem of nuclear waste? Danger to environmental quality affects all Americans where they live, work, and play. It can materially damage thier children and generations yet unborn.

"(Man) cannot keep adding more wastes in the air. He cannot turn more rivers and streams into open sewers, and lakes into cesspools. He cannot befoul the land with the discards of abundance. In short he cannot engage in biological and chemical warfare against himself and his environment. Health and well-being—and those of future generations—are at stake.

"Health experts have repeatedly pointed out that grave, delayed physical manifestations can result from repeated exposure to concentrations of environmental pollutants so small that they do not make one ill enough to send him to the doctor. Environmental pollutants can have cumulative effects, especially because they accumulate in certain tissues and organs. These effects can take delayed forms such as cancers, emphysema, and reduced life span, and they can even extend to following generations."

The problem of graphically perceiving these kinds of violence is importantly one of dealing with a mass phenomenon: that is, our ability to adjust psychologically to a deteriorating environment while physiologically we cannot. For example, our cities are smothered with polluted air and we adjust but our lungs do not. The forces that stand in the way of restoring the quality of our environment have led us to trade at best an immediate benefit for a deferred tort. If for no other reason than an aesthetic one, we should have rejected this ugliness around us. When a people can be deprived of such fundamental aesthetic gratifications, they have been deprived of a most basic sensitivity with which they are endowed.

How can sensitivity be recovered, endowed with normative strength and knowledgeable content? Answering this question is obviously a large order, but I should like to make a few suggestions and then follow with some specifics.

First, it is important to realize that the exponential growth of technology in the postwar period has contributed something qualitatively new. There has emerged a growing capability to program technological innovation given an adequate provision of men, resources, and organization. Technical solutions can be developed as a fairly predictable result of conscious policymaking. "Inventing the technological future" is no longer a utopian or fictional phrase.

Second, by far the most unyielding obstacles to a safer environment are the old greeds and frailties in modern garb. The struggle to defend, maintain and amplify economic power and bureaucratic position goes on, as it has throughout history, and nourishes the truncated vision and institutional stasis that are our collective bane. Sometimes, as in the case of the safety of cars, drugs, meat, the role of particular corporations looms largest. Othertimes, there is a convergence of callousness, as in the tragic case of mining companies, Government agencies and industry-indentured unions who permitted unknowing miners to be exposed to deadly radon gas and the fate of premature death by cancer.

Third, a key procedural improvement would be a shift in the burden of proof of safety levels from the users and consumers of a product and process to the manufacturers and distributors of them. The outcry of industry and Hill and Knowlton to the contrary, this country is in its infancy as far as rigorous pre-marketing safety testing of products and processes and full disclosure of relevant information are concerned. The corporate system of pratial and partisan control of information crucial to evaluation of products and risk identification cannot be reconciled with democratic control of matters that touch us all.

The recent General Electric color television case is illustrative of the deficiencies in business and government that prevent prompt foreseeing and forestalling of hazards. On May 18, 1967, General Electric released an ambiguous and misleading statement that some 90,000 color TV sets produced between June 1966 and February 1967 "may emit soft X-radiation in excess of desirable levels". The company announced a program to modify these sets which were already in their purchasers' homes. On the same day, the national center for radiological health of the Department of Health, Education and Welfare, issued a statement which could be dubbed as an adjunct P.R. assurance for G.E. The "no need to worry" tone of the G.E. statement was recounted along with the declaration that studies made by the NCRH of several television sets (but not, as it turned out, G.E.'s offending ones) during the past six months did not give rise to concern. NCRH's director, James G. Terrill, Jr., concluded the statement by saying that he had no evidence to suggest that any television sets have "excessively exposed viewers of television sets".

Such a whitewash did not satisfy Representatives John Moss and Paul Rogers. Under their prodding a different story began to emerge. Mr. Terrill began to show concern. By June 7, out came the admission that the X-ray leakage beam gave off levels ranging up to 8,000 MR/hour at a distance of 7 inches from the defective tube, compared with the limits of .5 MR/hour recommended by the national council for radiation protection and measurement. That same day, Mr. Terrill sent a private memorandum to the center's regional representatives to advise any worried inquirers to turn off their set and not use it until it is checked and modified. This advise was not contained in the press release to the public on May 18, or in any other subsequent statement by the center.

NCRH's first specific knowledge of the G.E. problem was said to be on April 10, indicating that the center was in no rush to protect the exposed people. In fact, it did not even inform the upper echelons of its own department. General Electric, on the other hand, discovered the excessive radiation leakage last fall. (Sources in the television components industry were aghast that such a defect could pass quality control from the outset.) The company did not want to make public its tragic failing until its hand was forced months later by the reluctant center, under decisive prodding by several New York State agencies and finally the New York Times. It turned out that 154,208 sets were produced with this excess X-radiation leakage. While G.E. was pondering its corporate image month after month, adults, children and infants (whose parents often put them near the TV set so they can watch both) were absorbing these deadly emissions and many of them still are until a G.E. repairman comes to fix them. The defective television sets, incidentally, had received the stamp of approval from the underwriters laboratory. And the electronic industries association had up to May continually ridiculed any suggestion that television sets may have an excessive radiation problem. The entire episode, and its continuing existence, does little to inspire confidence in one of the largest corporations in the world or in a government organization called the national center for radiological health.

A far more widespread radiation hazard from diagnostic and therapeutic radiation is most persuasive to the point that the absence of public safeguards in the midst of alarming knowledge is endemic and not episodic.

The following facts are drawn from studies by Dr. Karl Morgan, Director of Health Physics at the Oak Ridge National Laboratory:

Medical exposure accounts for about 90% of all exposure of the U.S. population from manmade sources of ionizing radiation.

The average dose to the gonads in the U.S. today from medical radiation is as much as 100 times the average dose from radioactive fallout.

Diagnostic radiation (medical and dental X-rays) doses in the U.S. are much higher than those obtaining in other modern, industrialized societies. The average dose in the U.S. is 10 times higher than that of the United Kingdom, 4 times than that of Japan, and 15 times higher than that of Norway.

There were about 140 million diagnostic X-rays performed in 1964. Dr. Morgan comments that "no matter how great the medical benefits derived from X rays, this is no justification of the fact that because of the use of poor techniques with obsolete and improperly operated equipment, many X ray exposures are ten or more times that needed for the best diagnostic results." He adds that not only could there be better X ray information with one tenth the dosage, but also such improvement could "prevent hundreds and perhaps thousands of children being born each year with mental and physical handicaps of varying degrees, the vast majority of which go undetected."

Deficient X-ray machines and poorly trained operators are so prevalent throughout the states that a serious federal appraisal of the adequacy of state regulation is in order.

New York City probably has the most active inspection program in the country. In 1961, over 3,600 X ray units in New York City were inspected and 92% were found defective. Many states either have no inspection or inspect machines infrequently. In 1965, the states reported that of a total number of 113,806 medical X ray units in use, only 25,174 were inspected. Nearly half of these were found defective and corrections were reported in only 7,713. California has not even finished its first round of inspections yet. Connecticut has only two inspectors for the entire state, one more than Indiana has for its people. The value of this inspection is lessened by the low standards of machine performance established and the obsolescence of machines. Shortages of competent personnel can be gauged by the fact that in 1965 there were only 143 full time men working in X ray survey and control programs in the entire nation.

Situations are reported which sound bizarre but are actually not that uncommon. Professor Hanson Blatz, director of the New York City Office of Radiation Control cites X ray machines with inadequate lead shielding spraying daily doses on unknowing workers in other rooms of the building. Patients sitting in dental chairs are known to be exposed to radiation from eyeball to abdomen.

Operators of X ray machines are poorly trained in the majority of cases. Unfortunately, this lack of training includes members of the dental and medical professions. Most physicians receive very little training in radiology in medical school. At Yale Medical School, an institution with above average standards, students take one short course in radiology which deals solely with the reading of X rays. The students themselves admit that they feel inadequately prepared to deal with problems of radiation safety. With the recent exceptions of New York and Puerto Rico, *no* State requires the licensing of X ray machine operators pursuant to a proficiency examination.

Dr. Granville Larimore of the New York State Department of Health described the situation in his State: "We knew that a large number of these other people taking X rays were not really X ray technicians. They were nurses, secretaries, receptionists, medical assistants, and others working in the offices of private physicians. . . , For the most part their 'training' was limited to a few hours of instruction by a representative of the equipment manufacturers." "Unskilled operators", says Larimore, "often can expose the gonads of patients to as much as 100 to 200 times the amount of radiation necessary from a purely medical point of view."

Numerous authorities in radiation control agree that current levels of diagnostic and therapeutic radiation could be drastically reduced by newer equipment, simple retrofitting of older equipment, and competent operators, without impairing the medical and dental professions' exercise of judgment. More readable X rays could be obtained with far lower radiation doses. Against the background of radiation studies, efforts to reduce doses are urgent, the more that is known about radiation impact on humans, the greater is the intolerance of any acceptable level of exposure. Any radiation exposure may cause some damage to the human body, either somatic or genetic. Exposure must be kept as low as possible.

What is being done about this situation at the Federal level? Why has the Federal Radiation Council remained aloof from the greatest emitting source of man made radiation in this country? What is the U.S. Public Health Service doing? What is the function of the quasi-official National Council on Radiation Protection and Measurement? Why have the American Medical Association, the

American Dental Association, the American Hospital Association, and the professional radiological organizations displayed so little concern with this problem? Why have the manufacturers of X ray equipment not been more aggressive advocates for selling safety? Just what are the inhibitions afflicting all these groups?

The most effective way to publicly air these questions and inform the public about the hazards in a sober manner is the congressional hearing. Fortunately, the years of waiting are at an end. There is a strong likelihood that both the House and Senate will open hearings on the subject shortly. Senator E. L. Bartlett (D. Alaska) has just called for hearings on a radiation safety bill which he and several other Senators have introduced. There will the usual confrontation between the establishment and its challengers, the usual agony in getting information the public has a right to have, and the struggle of professions and groups to save face, and to remain free of any public restraints. The economic pressures and the State vs. Federal tensions will surface. Out of it all, hopefully, will come a resolution of conflicts and a strong Federal radiation safety policy. But the law, once passed, tends toward atrophy or contamination in its administration and enforcement under the constant hammering of special interests and their Washington law firms. So initial efforts must have follow-through, and for that to prevail, some portion of the citizenry must find continuing commitment.

ATTACK ON FARM BUREAU REGRETTABLE

Mr. HANSEN. Mr. President, in view of recent statements made during hearings by the House Subcommittee on Rural Development, on the floor of the House of Representatives and in subsequent news stories, I wish to speak in defense of the goals and activities of the Farm Bureau.

Having operated a cattle ranch in Wyoming most of my life, I am reasonably familiar with some of the problems and needs of agricultural people and the role the Farm Bureau has played in working to solve these problems and fulfill these needs.

As a Farm Bureau member, I have had occasion to observe at first hand the unique policymaking process through which the organization's members define their problems and collectively outline courses of action to solve them.

Certainly no one but the farmer or rancher himself is more acutely aware of the need for a better standard of rural living. It was a desire to improve their economic status which prompted Farm Bureau members across the Nation to promote the establishment of their own insurance companies—companies which they would own and control, and which would fill an obvious need for adequate insurance coverage for the least cost. I see nothing wrong with this. The companies were founded and have operated openly and lawfully, and they contribute millions of dollars annually to the tax structures of various counties, States, and the Nation.

As a rancher in Wyoming, later as Governor of that State, and now as a Senator, I have worked with many Farm Bureau members to help improve the general condition of the agricultural industry so that it might best contribute its rightful share to the overall welfare of the Nation.

I have not agreed with every position taken by Farm Bureau members, just as I do not always agree with decisions made by the majority of the Members of this body; but on the whole, I have found the policies and activities of Farm Bureau to reflect reason, honesty, and integrity.

Certainly the very fact that Farm Bureau membership increases each year is a means by which to gage whether or not the activities of the leadership represent the thinking of the majority of members—for membership is entirely a voluntary matter, and those disagreeing with the actions or philosophy of the organization are absolutely free not to join, or to withdraw their support.

In short, Mr. President, I feel that anyone who is familiar with the many activities and fine accomplishments of this group could not help but admire the manner in which it works to better the lot of the farmer and rancher and society as a whole.

Farm Bureau policy is built from the ground up. It does not filter from the top down. It begins at the local community level and is developed by examination, discussion, and debate at the district, State, and eventually the National level.

Farm Bureau has nothing to fear from any investigation that is concerned with facts and truth.

THE PALESTINIAN REFUGEE PROBLEM

Mr. GORE. Mr. President, whoever tries to understand the Palestinian refugee problem reaches for the true nature of tragedy. For 20 years a just resolution of this problem has defied the best efforts of the United Nations as well as the individual efforts of many nations, including the United States.

Indeed, we have only to consider what has been the result of these 20 years of concern: during the Arab-Israel conflict which followed the partition of the Palestine Mandate in 1948, an estimated 750,000 Arabs fled from their homes in Palestine and took refuge in Jordan, Syria, Lebanon, and a small enclave of 140 square miles of barrenness known as the Gaza strip.

Today, after 20 years of dedicated effort by the United Nations Relief and Works Agency—UNRWA—and the investment of over $400 million by the United States alone, the central facts are these: the original 750,000 Arab refugees now number 1.3 million, with over 720,000 in Jordan and almost 400,000 in Gaza; in addition, 40,000 new refugee children are born each year; over one-half the total number of refugees are under the age of 20; the refugee birth rate is one of the highest, if not the very highest, in the world today; one quarter of a million Arab children are now awaiting a place on the relief rolls.

These statistics are sobering and shocking, but the condition of these people is even more disturbing. The refugees themselves remain barely preserved from starvation by the United Nations. UNRWA, the United Nations relief organization, is only able to provide each refugee with $14 worth of food per year, approximately 4 cents a day. From my own observation—both in 1959 and now again from a visit from which I returned yesterday—these tragic people are hungry, miserable, embittered and impoverished, burdened with unwanted and uncared for children, numb and generally impassive, yet vulnerable to fanatical hate stimulated by those who hope for a triumphal return to a Palestine cleansed of Jews. Desperation has bred disillusion; misery has spawned hatred; and years of idleness and want have withered pride in labor. These are the ingredients of a vast human tragedy which, if understood, would shock the conscience of mankind. This, Mr. President, is a veritable seedbed for political violence, hate, and another war.

The refugee problem does not lie simply in the field of economics, even though the hard core of refugees is composed of unskilled farmers and laborers—indigestible commodities to countries such as Jordan, Egypt, and Syria, already saturated with unskilled and unlearned peasants. The problem is much deeper and in many respects has symbolized the basic Arab-Israel dispute.

Until the events of the past few weeks, the Israeli position on the repatriation of the refugees was readily definable. Israel's answer was the insistence that the refugee problem could only be dealt with as part of a peace treaty between the Arabs and Israel. This is now, in my view, neither appropriate nor enough.

As we are all aware, for the Arabs to subscribe publicly to a formal agreement with Israel has been impossible.

I am convinced by my experience and talks on this trip that the Arabs are as of now emotionally and politically incapable of a formalized peace agreement with Israel. Moreover, Israel has been reluctant to alter the demographic pattern of the country or to introduce a potential security threat by absorbing even a modest number of the refugees. For instance, in 1949 Israel first offered and then withdrew an offer to repatriate 100,000 refugees because it came to be regarded as a threat to permanence of the Jewish homeland, so long sought by a suffering and persecuted people.

To many Arab political leaders, the perpetuation of the misery of the refugees was a powerful propaganda pawn in a game directed at the extermination of Israel. To the more moderate leaders, the option of repatriation and return or compensation for property was an important article of faith. Perhaps more important, the rights and the plight of the refugees symbolized a surging quest throughout the Arab world for not only justice for the refugees but for dignity and respect for the Arab.

Both positions were appealing—strong moral arguments were mustered for both. But whatever chance existed for sensible discussion and possible resolution of the refugee problem was destroyed by strident voices of hate and fear. Given this impasse, it is no wonder that peace in the Middle East has been shattered every 10 years by brutal and senseless wars.

And now there is a new and still larger refugee problem. As a result of Israel's stunning military victories, the nature of the Palestine refugee problem has been profoundly altered. In the aftermath of this war, Israel has suddenly found itself, virtually overnight, in the position of having "repatriated," so to speak, more than a half a million refugees. For a country that once withdrew an offer to repatriate 100,000 refugees the sudden responsibility of acquiring five times that many must come as a shock. Its effect, however handled, will be profound. Many may consider the presence of over a half million refugees within the area occupied by Israel as a danger to Israel. In one sense, this is probably true. But in my view, these unfortunate victims of conflict are both a responsibility and an opportunity for Israel. If Israel meets this challenge in a magnanimous way, as I believe she can, then gates to the Middle East, previously closed to her, may become open. And Israel's future is in the Middle East, with which she is now face to face as never before.

Mr. President, because the recent war has created such an entirely new situation for the Arab refugees and because it appears such a key to possible equations of peaceful coexistence in this troubled part of the world, I revisited the Middle East to see and learn and report. Once before, in 1959, I inquired into the administration of the refugee problem. After a careful look at the UNRWA problem, I then reported to the Senate that there were serious problems in the UNRWA program in Jordan because of the fraudulent and corrupt use of ration cards. This situation was particularly appalling because many refugees, primarily children who needed and deserved assistance, were denied help because of flagrant profiteering on the part of puny relief racketeering. Despite assurances from both Jordanian and American officials that an effective reform would take place, little rectification of the relief rolls has been accomplished.

I mention this problem of rectification of the refugee relief rolls because the same problem is still before us, and now that there are so many new or displaced refugees it is imperative that the available supplies be given only to those whose needs and eligibility have been properly certified.

I visited Beirut, Lebanon, where I spoke at length with Lawrence Michelmore, the Commissioner-General of the United Nations Relief and Works Agency, and with prominent and official Lebanese. After leaving Beirut, I was fortunate enough to be the first Member of Congress to enter Jordan after the war. While in Jordan, I spoke with the Prime Minister and other high officials and visited several of the temporary camps where an estimated 180,000 to 200,000 new refugees are kept in camps that defy description in misery and human degradation. Men, women and children are huddled on the hot and burning sand with but few meager possessions or clothing, many being without even a small tent or cooking utensils. There are no sanitation facilities and little water.

In Israel, I spoke with Israel leaders such as Abba Eban, the Foreign Minister, and Ted Kollek, the mayor of Jerusalem, and others. I also visited the now virtually empty Jericho refugee camp on the west bank of the Jordan and later inspected the vast refugee area in Gaza, a vast concentration camp on the sand, if you will.

I returned from my conversations with Arab and Israeli leaders and from my visits to refugee camps with one dominant impression, it was that a willingness on the part of Israel to deal with the refugee problem in a magnanimous and humane way could be a small—but enormously critical—step toward peace in the Middle East. I believe that this is true regardless of the political future of the newly occupied areas. Indeed, I am convinced that the refugee problem and a political settlement in the Middle East are so tightly entwined that a political settlement is impossible without progress on the refugee problem.

I think this connection between the refugee problem and a political settlement is realized in Tel Aviv, however dimly at this moment, and perhaps also in the Arab countries. Let there be no mistake, Israel has taken on an enormous responsibilty in assuming over 500,000 refugees—that is a number which represents roughly 20 percent of Israel's entire population. In the United States, a comparable action would be for the U.S. Government to suddenly acquire 40,000,000 basically untrained, unlettered, and fearful new citizens. Thus, for better or worse, Israel will never quite be the same if it assumes responsibility for these refugees.

Over the next few months, Israel faces a number of important decisions that could affect the whole future of the Middle East. I refer to the immediate problem of handling the some 180,000 refugees from the west bank of Jordan who fled into east Jordan during fighting, and to the other thousands in the valley and in Gaza who did not flee. The whole world is now watching how Israel will handle this first test of its declared policy to approach the refugee problem in a humane and magnanimous fashion. Thus far, despite Israel's assurances that it would allow refugees to return to their homes over the Jordan River between July 10 and August 10, both the planning and execution of this commitment have been unfortunately inadequate. After talking to Arab and Israel officials last week, I came to the conclusion that planning was insufficient and that something needed to be done if the refugees were to return in an expeditious fashion. On the basis of my own observations, I therefore urged Jordanian and Israel officials to facilitate the return of these refugees to their former camps on the west bank. UNRWA officials have also urged such a return. Also, on July 8, I sent a cable to President Johnson and to the Secretary of State Dean Rusk, which I will read to the Senate at this time:

> Mr. President, have made inquiry into new refugee problem cause by Mid-East War. Visited Beirut to confer with Commissioner-General of UNRWA, Jordan and Israel. In Jordan I spoke with Prime Minister and visited temporary camps where some estimated 180,000 new or displaced refugees from Jordan West Bank are in condition of human suffering that defies description.
>
> Upon my own I have urged Jordanian officials to insist that these refugees return to their former camps on the West Bank. Jordanian officials agree. UNRWA officials have urged such return. Israel has announced permission for their return beginning July 10. Unfortunately conditions for return not yet adequately clarified. Israel high officials inform that conditions have been detailed to Red Cross but just two days before stated time Jordanian Government has, to my knowledge, not been informed through any authorized channel of the conditions of such transfer.
>
> Today I have visited the Jericho refugee complex in the West Jordan area. Camps are virtually empty, with only 3,000 to 4,000 of original 75,000 refugees remaining. Camps are in condition, far far superior to present plight. Sanitation facilities intact. Humane considerations require return to these and other camps.
>
> In my unofficial talks with Israeli officials I have stressed and will continue to stress:
>
> (1) Whole world will be watching anxiously for good faith performance pledge to allow innocent refugees to return in an orderly, humane manner.
>
> (2) Assurances appear necessary that refugees will be permitted to receive remittances or other funds sent by relatives working in other Arab countries and that said relatives, with proper identification and control, will be able to visit families.
>
> I have communicated these personal convictions to both Israeli and Jordanian officials.
>
> Please be assured I have emphasized I speak only as an individual Senator with a deep interest in this human problem. Ambassador Barbour has also emphasized the importance of the foregoing points in numerous conversations and has extended to me the most hospitable cooperation.
>
> Perhaps compassionate treatment of these victims of conflict could smooth the path to conditions of peaceful co-existence in this distraught area.

Reports since then have unfortunately indicated that my misgivings about the state of planning for the return of the refugees were justified. On Monday, July 10, the first day of the return period, the Associated Press reported that hundreds of refugees came to the Allenby Bridge in hopes of returning to the west bank of the Jordan. According to this report, they were turned away. They were turned away, as I understand it, not because of Israel's intention to keep them out, but because arrangements through the International Red Cross and by the two countries concerned had not been completed. I regret this delay and the very obvious human suffering it has caused. At the same time, I have every confidence, on the basis of my discussions with Israel leaders, that the situation will be remedied and that most of the refugees who wish to return will be permitted so to do.

Mr. President, I cannot over emphasize the importance of what happens over the next few weeks and months in Israel's dealings with the Arab refugees. If Israel should live up to its promise to repatriate the Arab refugees by investing in the economics, in the agriculture and the industry of the refugee areas, and in the rehabilitation of the people into productive enterprise, the cause of peace in the Middle East will be greatly advanced, or so it seems to me. I believe the world is of one mind with regard to humane treatment of the refugees. This consensus for compassion just might be the easiest, if not the only path, to de facto, though undeclared, formulas for peaceful relations in the Middle East. If Israel should be able, not only to care for these innocent victims of the conflict in the Middle East, but actually to improve their lot, then I think that there is real hope of a gradual development of working agreements between some of the Arab states and Israel. Perhaps a permanent structure for peace in the Middle East will not come until there has been a series of de facto working agreements between Arab and Jew. In any event, I think an overall political settlement is impossible until these smaller steps have been taken.

I urge that all parties concerned look at the refugee problem in these terms. For my own part, I will support an increase in the U.S. contribution to UNRWA relief activities if Israel and the Arab countries show good will in the treatment of the refugees.

As I said, the next few months will be critical to the future of the Middle East.

FOOD FROM THE SEA—PART II

Mr. BARTLETT. Mr. President, the mineral and biological resources of the sea are exceedingly great and the use made of them by the nations of the world, while important, does not approach full use. Use of the full potential of the sea for the benefit of mankind is a goal which will be attained, if at all, many years in the future. Before that happy day arrives, there are many questions that must be answered. Some are biological, some are explorator in the sense that inventories must be made as an essential first step, and some are legal.

The harvest of oceanic resources within the territorial limits of any country that borders the sea will be controlled by that country. I think it is safe to assume that the long-term welfare of such a country will assure proper management of its coastal resources. Proper management of the resources of the high seas, however, is something else. It has been truly said that everybody's responsibility is nobody's responsibility. Nowhere is this more obvious—and more pregnant with danger for the resources—than in the area of management of the resources of the high seas.

At a meeting of the FAO Committee on Fisheries held early this year in Rome, Italy, Dr. Wilbert M. Chapman presented a paper entitled "The State of Ocean Use Management." In it he discussed at some length some of the problems of management of the high seas resources. Dr. Chapman's paper was interesting to me, and it was most illuminating in that it brought into focus some of the problems we will face in the future.

I believe that this paper should be read by everyone who shares my concern for our country's future use of the ocean's resources. Therefore, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

THE STATE OF OCEAN USE MANAGEMENT

(By Dr. Wilbert McLeod Chapman, for presentation to the second session of the FAO Committee on Fisheries, Rome, April 24, 1967)

INTRODUCTION

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen, it is a great honor to be asked to address this assembly. From what I say later on you will see the importance which I attach to the deliberations of the Committee on Fisheries.

I have had the pleasure of meeting on international fishery affairs with nearly all of you on other occasions over the past thirty-odd years either in these halls, or at other meetings elsewhere in the world. Often this has been as a member of a delegation of the United States, and sometimes as an individual acting in the role of an independent expert. It is necessary to state quite flatly at the beginning of this address that I am here today as a very independent expert. I have no idea that what I have to say will be in agreement with policies of the United States Government or that of any other entity with which I am associated professionally.

Mr. Jackson has asked me to speak today on the state of ocean use management in the world, the possible impact on this of the several forces clustering around the United Nations resolution of 8 December, 1966, on "Resources of the Sea," the moving events and the forces at work on these matters internally in the United States, and elsewhere in the world, and related matters.

This is, to coin a phrase, a wriggling mass of very lively worms, and upon closer inspection each worm is found to have a head on both ends full of sharp teeth ready to snap off prodding fingers. It is therefore with some trepidation that I began my prodding, and take care to absolve the United States Government or anyone else, from blame for what I will say. After careful examination and long study I do not know what United States policy, if any, is on very many of these things anyway.

SOME OCEAN USE INTERESTS IN THE UNITED STATES

It is useful at first to enumerate some of the several forces at work in this field of international relations, particularly in the United States, so far as they can be separated from each other and dealt with independently. Among these are:

1. The nuclear powered submarine

The chief thing about the nuclear powered submarine is that once it goes below the surface of the ocean and is lost track of there is no existing technology by which it can be found again until it wants to be found. Loaded with its armament of nuclear tipped Intercontinental Ballistic Missiles it is capable of doing great damage even to the innermost reaches of the largest land masses.

I will say no more on this sensitive subject save to say that the problem navies have in detecting and catching submarines is not conceptually dissimilar from that which fishermen have in detecting and catching fish. Both wish to lower their cost per ton of catching, and both require about the same sort of information and understanding of the ocean environment with which to do so. The navies have greater funds and research capabilities at their service than do the fishery people, or anyone else dealing with the ocean, and a major factor in the present stir over the use of the ocean derives from spin-offs of new knowledge of the ocean derived from this source of research support which are now reaching the civilian economy.

2. The weather

A wag said a generation or two ago, that everybody talks about the weather, but nobody does anything about it. This is no longer the case. The state of the weather has become so important in the total operation of our present complex societies that it requires to be capable of prediction beyond the current theoretical limits, and modified beneficially when and where possible. It is now apparent that the atmosphere in which the weather occurs forms with the ocean one integrated heat engine in which most of the energy although ultimately deriving from the sun, comes into the atmosphere as effective force indirectly from the ocean.

Having understood this fact it then becomes necessary to learn how the ocean reservoired energy enters the atmosphere and affects its movements before the weather can be predicted with much better precision, or anything much can be done about it. But it is just exactly that 71% of the earth's surface covered by salt water where there are the least weather stations and observation points. The enormous expanses of the South Pacific are the largest reservoir of solar energy on this planet. The effects of its energy fluxes on planetary weather are bound to be considerable, but we know the least about this piece of water that we do of any ocean, and very little, indeed, about the energy fluxes within its complex structure, or between it and the atmosphere. Nor do we have observation stations in it yet to find out.

The same is largely true of the South Atlantic, the southern Indian Ocean, and the boundaryless seas of Antarctica. The southern hemisphere is the water hemisphere where the most of the energy to drive the atmosphere is received and reservoired, but the observation points to keep track of the energy fluxes that drive the air and make the weather are mostly on land in the land hemisphere of the North. So are the meteorologists.

It is obvious that the meteorologists must get to sea, they must go south, and they must establish observation points in the ocean. This is a matter of such moment that our government has been restructured, by a combination of sea and air activities within the Department of Commerce into the Environmental Science Services Administration, in order to deal with this problem more effectively. This is not the end yet of restructuring the United States Government to achieve this objective, and similar activities are being undertaken in other governments. This is having an impact on the World Meteorological Organization, and through this on the problems with which we are dealing today.

In essence it is no longer possible for oceanographers and meteorologists to keep, or be kept, separately in their respective ivory towers. It turns out that they are studying different aspects of the same thing, the ocean-atmosphere heat engine, and neither can understand its part until they work together. It also turns out that their customers who pay the bills want them both to come down out of their ivory towers and begin producing useful results.

As an underlining of the last comment, the United States Navy has felt that its need for advanced atmospheric and oceanic weather predictive capabilities was so urgent that it could not await these adjustments in the civilian sector. Accordingly, it has established its own analytical and predictive service respecting ocean air and weather on a world wide basis. From this the fisheries are beginning to obtain assistance of substantial economic importance not only in the United States, but elsewhere as well.

3. The exploration of space

The amount of money devoted to the exploration of space by the United States is so vast that the bookkeeping system devised to manage it, as carefully as that is structured, does not have a screen fine enough to detect the tiny amount of money spent on ocean fishery research by the United States Government.

This enormous scientific and technological effort is beginning to have spin-offs that are in the process of changing the whole attitude in the United States toward the ocean and its use. The whirling satellites, and the computer systems that track, support and instruct them, have turned back upon the earth with their sensory apparati and are in the process of illustrating that this is the cheapest way to find out what is going on in the ocean, the atmosphere, and on land, if not the only effective way. As Wernher von Braun has pointed out, the fuel cost of launching a satellite is pretty expensive, but by the time it is in orbit a year the mileage it gets per gallon would put a Volkswagen to shame.

The TIROS satellites pour in weather information from the whole atmosphere more rapidly than it yet can be assimilated and used. The Advanced Technology Satellite I is poised motionless above the Pacific sending back most instructive pictures, as one of its several missions, covering half the earth at whatever time interval is wanted and it is only the first of a family of similar work horse satellites. The navigational satellites permit precision of positioning at sea that is breath taking, and approximately instantaneously. The Comsat satellites will permit the projection of charts or information in any form from any place on earth to any other place (for instance at sea) instantaneously. Satellites to interrogate automatically unmanned observational buoys moored or drifting in the sea will be aloft before the buoy systems are at sea, and the latter are in the process of going to sea. Satellite cameras with special film and multispectral capabilities are in development or in use that can penetrate the cloud cover, detect individual whales, or patches of plankton, or schools of fish, or changes in the surface temperature of the ocean, or "fronts" in the ocean, or many other useful things beyond mention. Computer systems to assimilate, store, manipulate and put into useful form these enormous masses of data in real time are under development which will have 500–700 times the speed of existing computer systems.

The collaboration between space scientists, navy scientists, weather scientists, fishery scientists, and oceanographers which will be required to make efficient use of these magnificent new capabilities is struggling along in its initial stages, but it has begun. In my view this development from space exploration looking backward at this planet will revolutionize our concepts of the use of the sea within ten years, and probably before then. I do not know what the new concepts will be or what form of management will be required to use this new knowledge and understanding most effectively.

4. Petroleum

While oil was recovered from offshore pools as early as 1894 in California this was from slant drilling rigs ashore or on wooden wharves, and the first practical extraction from platforms over the water was in Venezuela in the 1930's. This practice spread to the Gulf of Mexico off Texas and Louisiana in that decade and during the 1940's. The first seismic exploration out of sight of land took place in 1944, and the first well was drilled out of sight of land in 1946. To date the oil industry has invested about $10 billion in offshore activity throughout the world and about 11% of all the oil and 6% of all the natural gas produced in the world at present comes from offshore deposits. It is estimated that within 20 years as much as a quarter of the oil and gas used will come from these sources, and perhaps as much as 40%. Estimates have been made that the offshore American deposits alone amount to 2,000 billion barrels. In these deposits is the energy to change the world politically, socially, economically and diplomatically. It inevitably will.

It is characteristic of large oil company psychology and business practices that they need the ownership or exclusive usage rights of deposits before they will make the very large capital investments that they must to bring the resources to use. They do not really care what governmental entity owns or has sovereignty over the deposits so long as they can obtain a piece of paper that they can show to their bankers indicating that they have exclusive usage rights to specific deposits for a specified length of time.

When the oil rigs began moving out to sea in the 1930's it was not clear that any government had exclusive jurisdiction over any oil deposit more than 3 miles from dry land, and within that limit in the United States it was not clear whether the Federal or State Governments had title. This was one of the two originating forces of the two Truman Proclamations of September, 1945, which so agitated the Law of the Sea, and international activities related thereto, from that date through the second conference on the Law of the Sea in 1960, (and still is doing so).

The 1958 Convention on the Continental Shelf settled the exclusive jurisdiction of the coastal nation over the resources of the continental shelf out to a water depth of 200 meters with pretty fair clarity and this (with legislation in appropriate municipal law fields) settled the petroleum jurisdiction problem for the stage of then existing technology.

But the Convention further gave to the coastal nation exclusive jurisdiction to the resources of the seabed adjacent thereto to a distance where the depth of the superjacent water admitted of the use of the resource. Technology has moved on. Drilling can now be done in any depth of water if one wished to spend the necessary money. One oil company has experimentally drilled in 1,000 feet of water off the California coast and has applied for a lease to work deposits lying at greater depth than 200 meters. The petroleum people are again getting nervous as to what government has jurisdiction over the oil deposits out where their advancing technology is leading them. It is no longer certain that there is not a great deal of oil under quite deep water. If there is, technology can get it out as soon as the price is right. The technology must have a piece of paper showing exclusive usage rights or the bankers will not provide the capital to make it work. Thus this enormous force is again at work on international law.

5. Manganese nodules, etc.

Ocean exploration of the past ten years has turned up all sorts of mineral deposits lying on the sea bed. Since the coming into force of the Convention on the Continental Shelf these resources of the continental shelf are no trouble from a juridicial standpoint, other than the loose juridicial outer boundary of the continental shelf noted above. Fortunately the continental slope does not seem to be crowded with surface mineral deposits as it may be with petroleum.

But the deep sea bed has many things upon it, including deposits of what are called managenese nodules, in such vast quantities as to be beyond my comprehension. These manganese nodules are actually ores which also contain iron, nickle, cobalt, vanadium and other things. Not only are these deposits so vast as to be beyond the needs of present total world industry, but there is the suspicion among scientists that they may be growing more rapidly than world industry is using some of the more valuable components.

These vast ore deposits are only barely beyond present economic reach. There seems *to be fair agreement that existing technology* could get them out if the price were right, that the price is likely to be right within 20 years, possibly within ten, and even might be within five. Very large mining concerns are seriously inquiring into the subject.

Who has jurisdiction over the resources? The mining companies have somewhat the same psychology of only working owned resources that the oil companies have. Their interest is sharpened by the fact that the first development step any of them takes to practically harvest these nodules will require the employment of between $50 million and $100 million.

The new knowledge about these deep-sea deposits had a major input to the passage of the U.N. Resolution on the Resources of the Sea.

6. The welfare of the United Nations

While the whole United Nations structure is a source of controversy in the United States electorate, as it is in that of some other countries, there is a large, vocal, and politically adept segment which, for a variety of reasons, wants the whole United Nations structure not only strengthened by more funds, but by having independent sources of financing. One way that this could be done would be to turn over exclusive jurisdiction to the United Nations of the mineral resources under the high seas, which would at least include the nodules on the deep-sea floor. It could then license their extraction and derive revenue from so doing. This would not yield much revenue now, but in twenty years time it might well pay the full costs of the United Nations at a higher level of activity than now obtains, and in fifty years the revenues might be handsome indeed.

If one is to credit the speech of Senator Frank Church, who was a member of the United States delegation to the last General Assembly of the United Nations, made before the United States Senate after the deed, a principle impellant for the resolution on the "Resources of the Sea" was to begin the action which would result in the United Nations becoming adequately and independently financed by giving it exclusive jurisdiction over the mineral resources under the high seas.

7. Net economic yield, or rent, from the harvest of the living resources of the sea

About fifteen years ago academic economists discovered that fisheries lying in the high seas were common property resources, that they were open to all comers on an equal footing, and that fishermen tended to enter any fishery until the total value of the harvest was equal to the cost of taking it, and the average return was equal to the average cost. Thus there was no net economic yield (rent, or excess value of harvest over the cost of catching it) from a fishery naturally stabilized in this fashion. It was also demonstrated that the point of net economic yield is always at a lower level of effort and catch than that corresponding to the maximum sustainable physical yield from the fishery. The fishery scientists had discovered this twenty years previously and also found that they could do nothing about it because of the general pig-headedness of man organized into societies.

The concept of maximum net economic yield, and of maximum sustainable physical yield from common property fishery resources are mutually exclusive and thus cannot both be accomplished. The economists believe that the net economic yield should be maximized; the nations so far are only able to agree that the physical yield should be maximized.

The economist's advocacy has been generalized *to the following logic:*

(a) entry into any fishery should be limited when this is required to maximize the net economic yield from it.

(b) since limitation of entry cannot be arranged unless the resource (or access to it) is owned by some entity (or under its exclusive *jurisdiction), the living resources of* the high seas should be put under the exclusive jurisdiction of a single managing agency as such treatment is desired.

(c) because of the excessive mobility of many such resources, and other practical problems, the single managing agency should be the United Nations, and to it should be given exclusive jurisdiction over each such resource to be managed in this manner. And,

(d) the revenue received by the United Nations from the operation of the world fisheries in this manner would be divided out or used in some manner agreed upon in the United Nations.

This argument had considerable impact on the action leading up to the passage by the General Assembly of the resolution on the "Resources of the Sea".

8. Division of the common wealth of the sea

If there were no minerals under the sea, and if there were no economists in any society, there would still be an argument about the division of the wealth of the sea upon which the nations have never agreed, and that is the jurisdiction over fisheries lying in the high seas.

There are two main reasons for wanting jurisdiction over fisheries in the high seas, or anywhere else. The first is to prevent them from being overfished, and the second is to gain special economic or social benefit from acquiring preferential access to the resource.

The nations reached agreement in the 1958 "Convention on Fishing and the Conservation of the Living Resources of the Sea" that they all had a duty to conserve the sea fisheries and they agreed to a definition of what conservation was.

They also agreed on a quite good mechanism for solving disputes arising from conservation practices or the need therefore, and the details which they had agreed to respecting this. One important group of voting nations did not agree to the compulsory nature of the arbitral procedure that the others agreed to but agreed with the other principles involved in the Convention. Thus an agreed mechanism is available among the nations for attending to disputes arising out of the need to conserve high seas fisheries resources and everybody is in accord that they will so conserve. That Convention does not touch upon the subject of dividing up the benefits of the conservation—the fish among the nations. In matter of fact the 1958 Conference on the Law of the Sea was unable to agree on any formula covering jurisdiction by the coastal nation over fisheries lying in the adjacent high seas, and the 1960 Conference, called to deal only with that problem and the related problem of the breadth of the territorial sea, also ended in no agreement.

Three main ways have been suggested to deal with this problem:

1. Divide up the ocean for purposes of fishery jurisdiction into national sectors. This is generally referred to as the 200 mile system, or the epicontinental sea system, or the continental shelf system, but its principles would never be satisfied without giving exclusive jurisdiction to the coastal state to fisheries lying off its coast up to the boundary of the opposite nation's zone of exclusive jurisdiction.

2. Give exclusive jurisdiction over the high seas fisheries to the United Nations as the proper representative of the community of nations now having ownership of the resources, in accordance with existing international law. Or,

3. Settle disputes arising from this question by agreement among the affected nations in accordance with any of the normal methods for the peaceful settlement of disputes among nations provided in the Charter of the United Nations or by normal diplomatic procedures, and under the agreed injunction contained in article 2 of the "*Convention on the High Seas" which reads:* "These freedoms, and others which are recognized by the general principles of international law, shall be exercised by all States with reasonable regard to the interests of other States in their exercise of the freedom of the high seas".

Weak fishing nations generally tend to favor the first alternative listed above in order to protect their fishing industry from competition on the high seas from the fishermen of stronger fishing nations. The United States is a weak fishing nation. The fishermen of many nations are fishing increasingly off its coasts on the same grounds with its fishermen. The United States does not choose to take the steps other nations take to strengthen their fisheries. Accordingly the internal political thrust to declare broad zones of exclusive fishery jurisdiction off the coast of the United States grows steadily stronger. The effect was noted by the last Congress adopting a 12 mile fisheries zone for the United States. The same sort of forces are at work in many member countries. This was a major force in the adoption of the Resolution on the "Resources of the Sea".

Strong fishing countries, and long-range fishermen, generally oppose this first alternative. While no nation yet officially espouses the second alternative, so far as I know, there is a growing conviction among the long range fishermen that the second alternative is better for them than the first, if it comes to a show down, and they might be better off in the long run to join in with the oil people, the mineral people, the people who want a strong independent United Nations, and the economists who want to maximize the net economic yield from the world fisheries and turn the total job of management and jurisdiction over the high seas fisheries to the United Nations.

The third alternative is simply not working very well. Nations do not wish to take cases to the International Court of Justice, or to arbitration, unless they have a better chance to win there than by what they are doing. It takes two sides in agreement to do either. Nations do not like to put their fishermen under international regulation unless all fishermen in the fishery are to be treated equally by the regulation. Nations do not like to put their fishermen under regulation even to provide the conservation they have agreed to provide unless the scientific needs for the regulations are established, and they do not like to put up the money required to do the research needed to either determine the need for regulation or the form it should take.

The means for governance and rational management of the world fisheries are simply not growing as rapidly as the problems arising from increasing total fishing effort are accumulating, and this was a major force behind the passage of the resolution on "Resources of the Sea".

9. Protein malnutrition

Two thirds of the people of the world live in nations where protein malnutrition is endemic. This is generally recognized as the major public health problem in the world, and as lying at the root of slowness in social and economic development in a good many parts of the world.

Ocean research, over the past ten years in particular, has demonstrated the existence of very large under utilized resources in the sea off many of the countries whose people suffer from protein malnutrition. These nations want that fish for their people. Ocean research has also demonstrated that the ocean is naturally producing more animal protein per year than several times the present world population could consume, and that the protein malnutrition problem arises from socio-economic, and not supply, problems.

This was a very strong force involved in the adoption of the resolution on the "Resources of the Sea". A little research will *reveal that the whole group of resource survey* resolutions adopted by the General Assembly, of which this is one, stems from work by the ECOSOC sponsored Advisory Committee on the Application of Science and Technology to Development, which arose from the United Nations Conference on the Application of Science and Technology to Development, which very nearly did not get adjourned because of the demands by the developing nations for a more equitable division of world resources between the halves and the have-nots.

10. Protection of foreign exchange balances

While the peoples of the developing nations *need* more animal protein the peoples of the industrialized nations *want* more, and they have the disposable income with which to pay for it. Without exception, as the level of economy in a nation has gone up the demand for animal protein has also, and this is reflected in greater demand for fish either as fish meal with which to increase live stock production or as direct human food. This, again, has led to many nations strongly supporting their long range fishing fleets either through subsidies or otherwise. This trend is, if anything, increasing. The nations who subsidize their fleets do so to protect their foreign exchange balances either by producing fish within their own currency regime or by creating exportable commodities that will earn foreign exchange.

This is a very powerful force in all of these matters dealing with the use of the sea. In the United States it has also been powerful but in a reverse way from in most countries. The use of fish in the United States has also inclined steadily upward but there has been no effective subsidy of the fisheries and little protection in the United States market against imports. The result has been steadily increased imports which now exceed domestic production. The connected result is weak domestic fisheries which lead to pressure for protection against foreign fishermen and extension of fishery jurisdiction to the adjacent high seas.

A curious factor is that the United States Government, which worries out loud a great deal about its negative foreign exchange balance, has never considered this seriously against the cost of its fish imports. Last year its foreign exchange deficit was about $1.4 billion and its fish bill was about $600 million.

11. The exuberance of man

Make no mistake about it Americans, as well as some others, are determined to learn how to live, play, and work on the bottom of the sea. The scientific part of this problem is already solved down to depths as great as the depths over the continental shelf, or a little greater, and even the main technological problems are pretty well in hand. Costeau's experiments go on and so do those of the United States Navy in their Sea Labs. Great Resources are now being devoted to the latter.

This is initiated in the United States because of naval problems, such as submarine rescue work and recovering things from the bottom, etc., but the drive is much greater than this. The beneficial spinoffs of such work to the civilian economy in oil drilling, mining, and a variety of such things is so imminent and great that this work would likely go forward now without very strong Navy support. Perhaps, however, the greatest force in this push is just the curiosity, exuberance and drive of man to conquer another environment and prove to himself he can live there. The other adventures of this sort on this planet are pretty well used up.

Another aspect of this same thing is the growing number of submersibles with increasing depth range. Most of these are being built by, and are owned by, private companies, although most still have some sort of public support. The families of *submersibles built, being built, and planned, contain* examples that will work at all depths of the ocean.

The technology of building submersibles is growing so rapidly in the United States that there is good reason to expect submersibles, capable of going rather deep, to be within the price range of private persons for recreation or business in the reasonably near future. Recreation in and on the sea in the United States is growing so rapidly that others from outside can hardly realize the thrust of it on ocean affairs. Boating and fishing of all sorts increase steadily, and scuba diving is practiced by literally thousands. Diving saucers, and do it yourself submersibles, seem next on the list. It is still hard for me to imagine man living under the sea by choice for extended periods of time, but I no longer disbelieve it will come about.

This general exuberance about the sea among the general populace is one of the very strongest factors driving the United

States toward the more effective use of the ocean.

12. The Organization of International Ocean Science Affairs

It is not breaking a confidence to say that the American ocean research community is, and has been, dissatisfied with the organization of international ocean science affairs. The experience gained during the International Geophysical Year convinced its leaders of the necessity for better means of collaborations with their colleagues in other countries, not least with their Russian colleagues.

In 1957 this group of leaders were organized into the Committee on Oceanography of the U.S. National Academy of Sciences (NASCO) and part of them became members of the Scientific Committee on Ocean Research (SCOR) of the International Council of Scientific Unions (ICSU). The first report of NASCO in 1959 was received with great acclaim in the United States Congress and elsewhere and many of its recommendations came to fruition rather rapidly. There was a tremendous surge forward in ocean research support on the federal level. One measure of this is money. In Fiscal Year 1958 the Federal Budget for oceanography was $21 million and in Fiscal Year 1967 it was $221 million, an increase by a factor of ten in 9 years. The budget request for the same sort of work in Fiscal Year 1968 is $277.5 million. But in the meantime other things have been added and the budget request for the whole Federal marine science program for Fiscal Year 1968 is $462.3 million.

One 1959 NASCO recommendation that failed was the request to establish a World Oceanographic Organization within the United Nations family to house the international aspects of ocean science affairs. The Department of State refused at the time to adopt this as a part of United States policy and the oceanographers were told to find a place for their worthy objective, international oceanography, in an existing specialized agency. The Fisheries Division of FAO was weak in environmental science and they were fearful of being dominated there by Departments or Ministries of Agriculture. The World Meteorological Organization was dominated then by governmental weather bureaus, meteorologists had not become so imbued yet with ocean enthusiasm, and the oceanographers were afraid of being dominated by weather bureau types. They ended up in a semi-autonomous Intergovernmental Oceanographic Commission in UNESCO.

This has not worked to their full satisfaction. UNESCO they found to be pretty well run as to policy by Ministries of Education; IOC did not grow as actively as desired. WMO became increasingly involved with the ocean, especially with the large new program involving "World Weather Watch". FAO reorganized its fishery work, elevated it to Departmental status, funded it better, formed first the Advisory Committee on Marine Resources Research and then the Committee on Fisheries, and generally became more effective in the ocean resource field. The Special Fund of the United Nations came into being and increasingly began funding a great deal of ocean resources research. All of these programs went to FAO and not UNESCO because the member nations were interested in fish production and not very much in science. Even the training program in UNESCO-IOC became rather heavily slanted to the fishery side because that was what the member countries in the developing world wanted.

IOC and Department of Oceanography in UNESCO worked very hard and very well. It simply did not grow as rapidly as did the international aspects of ocean research and use. The funding for ocean research in the United States increased by a factor of ten and increased rather sharply in several other countries as well. The very nature of ocean science activities changed during a period of five years from a status well described by the term oceanography to a status better described by the term Marine Science Affairs, which included ocean engineering, ocean technology, and the conglomeration of fishery, mining, petroleum, weather, space, recreation, and other applications spoken of above. In essence the thrust was to much greater scientific effort in, under and over the ocean accompanied by an even greater effort to apply the advances made in knowledge and understanding to the more effective use of the sea.

The full upshot of all this can be expressed better in NASCO's own words from its recent comprehensive report of last month:

"Oceanography 1966—Achievements and Opportunities", NAS/NRC, Publication 1492, 1967, pp. 183.

"Some major problems in the international organization of marine science, however, are still unsolved. Several intergovernmental organizations are concerned with various aspects of oceanography that are within and outside of the United Nations system. Coordination among these organizations remains largely unsuccessful. Since each organization communicates with a different national body, collaboration among academic scientists, fishery investigators, and other government scientists is difficult to arrange.

"Although the major marine programs within the United Nations are in UNESCO and FAO, in neither organization is oceanography an important part of the over-all effort and their governing bodies and top management have little interest in the marine field.

"Several other international agencies are involved with various aspects of oceanography. For example, ocean research related to weather and climate is of interest to the World Meteorological Organization, activities related to pollution by radio active materials are the responsibility of the International Atomic Energy Agency, pollution by some industrial wastes and problems related to marine transportation are under the purview of the Intergovernmental Maritime Consultative Organization, and the support of preinvestment marine resources survey and research is a function of the Special Fund of the United Nations.

"There is no adequate means for liaison among these numerous international entities. The nearest approximation is provided by a subcommittee on oceanography of the Advisory Committee on Coordination of the United Nations Economic and Social Council.

"Fisheries organizations

"In addition to the specialized international agencies there are more than a dozen intergovernmental fisheries organizations. Varying in function, organization and status, such organizations have been set up from time to time when two or more nations had a marine problem for whose solution no other suitable international or intergovernmental body existed—etc., etc."

The upshot of all of this was NASCO's Recommendation (p. 16):

"A world oceanographic organization should be established within the United Nations to provide a single home for the various marine scientific and technological activities now lodged in several branches of the United Nations and its specialized agencies".

THE EFFECTS

In the above words I have set out what appears to me to be the twelve most important factors influencing actions and policies within the United States respecting the present state of ocean use management. I have not attempted to give pro- and con-arguments for the views expressed. All of them had an input into the actions that led to the United States delegation sponsoring the resolution on the "Resources of the Sea." Each of them is quite strong. What relative weight any one, or several, had on that action I do not know.

There is one other general factor at large in the United States that may have been more important than any or all of these in that action, and was certainly very important in an indirect manner. That is simply the new awareness of the ocean and its possible uses among the general public of the United States, and a vast, rather inchoate, enthusiasm for it.

Every large industrial corporation in the United States with any pride, or get-up-and-go at all, has got an Ocean Division, Department or Committee. Small companies by the dozens are specializing in ocean activities and doing well. In my home town of San Diego, California, not the largest in the world, there are 64 business firms engaged in ocean business aside from the Scripps Institution of Oceanography and the Institute of Marine Resources of the University of California, two large laboratories of the U.S. Bureau of Commercial Fisheries, the headquarters of the Inter-American Tropical Tuna Commission, and what all else I do not know, all enthusiastically being pushed by an energetic ocean Committee of the local Chamber of Commerce.

In the State of California Government there is a Governor's Advisory Commission on Ocean Resources and there are similar bodies active in Hawaii, Washington, Florida, Maryland, and Massachusetts that I know of (and probably more).

On the national level the Congress last year adopted the Sea Grant College Bill, and a bill establishing the National Council on Marine Resources and Engineering Development and a Presidential Commission on the same. At the same time a Panel on Oceanography of the President's Science Advisory Committee published a major planning study entitled: "Effective Use of the Sea," under the White House seal.

The National Council on Marine Resources and Engineering, vigorously chaired by the Vice President of the United States and participated in actively as members by the Secretary of State, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Chairman of the Atomic Energy Commission, and the Director of the National Science Foundation, have met frequently, pushed their work seriously, and the President has just sent his first report on Marine Resources and Engineering Development to the Congress (Marine Science Affairs—A Year of Transition, the White House, 157 pp.), thus making the third major ocean science activity and planning report issued in less than a year in the United States. The National Council was instrumental in the United States supporting the U.N. resolution on the "Resources of the Sea."

Quite aside from these business activities, and activities on the local, state and national governmental levels, three large and active national professional and trade associations have been formed—The Marine Technological Society, The National Oceanographic Association and the American Society for Oceanography. There are at least two new Law of the Sea Institutes. There is seldom a week goes by without a learned symposium or professional meeting of some sort some place in the country on some aspect of ocean activities. Cities and Chambers of Commerce around the rim of the country are vieing for new ocean business and the title of "Capital of Oceanography," and it is a comotose university that does not have one extension series of lectures on the ocean, at least, during the year.

THE U.N. RESOLUTION ON THE RESOURCES OF THE SEA

As an individual, although I am active in several of the dozen fields touched upon above, I think it was a serious error to have passed a resolution such as that of the U.N. on the Resources of the Sea at this time. I think it would have been wiser to have deferred five years, or perhaps ten, the active debates on the management of ocean affairs that will now arise among the nations. I have several reasons for this, mostly associated with the fishery field in which I am best acquainted. Among these are:

1. EAO Fisheries Department

The Department of Fisheries marks a major reorganization and strengthening of international fisheries affairs in FAO. The Director General and the Council of FAO have acted in good faith, and with energy and despatch, in carrying out this reorganization and strengthening.

The new Department is less than two years old. I doubt very much if such a sharp organizational change can be evaluated in any field in much less than five years at a minimum. I do not know how a person could recommend very prudently how these new changes should be changed again until some further experience is had with the ones we have.

2. The special fund

There has been a vast expansion in Predevelopment Fishery surveys in the developing world sponsored by the Special Fund of the United Nations, and executed by FAO. The rapid surge in this work on a world-wide basis has not only severely taxed FAO but also the whole world pool of trained persons capable of carrying out these tasks. Such a rapid expansion of affairs cannot be handled with ease by any form of organization. To accommodate it with any degree of success at all has put severe strains on the headquarters staff and regular program of work at FAO Department of Fisheries. It is the headquarters staff and regular program of work which form the core of FAO capabilities in this field, and when they are overtaxed the field programs cannot prosper. Only time can provide the adjustments between headquarters and field programs that will permit the latter to be carried out with maximum effectiveness.

3. The expanding world fisheries

The ocean fisheries have expanded with frightening rapidity in the past twenty years. They are still expanding and will continue to do so as the demand for animal protein continues to grow. This has created all manners of dislocations and strains in the world. The leading fish producing nation of the world was not even considered to be a substantial fishing nation twenty years ago. The nation which is expanding its long-range fisheries in the high seas most vigorously and effectively on a world-wide basis was not a very effective long-range fishery twenty years ago, and is not a member of FAO today. Several of the smaller developing countries are expanding their sea fisheries rapidly in the absence of adequate research, management and other elements of governmental and business infrastructure required to make that growth stable and secure. The political interactions among nations arising from these rapid sea fishery expansions are delicate, numerous and often intractable.

I, for one, do not know any simple solution to these problems and would much prefer more time for them to mature and sort themselves out in order to see whether solutions to them can be found in an atmosphere of calm deliberation that will not create larger problems than they sought to relieve.

4. Population dynamics research

Ocean fishing power on a world-wide basis is growing at a much more rapid rate than the means of measuring its effect on the fish stocks it is being applied against. Dr. Lucas laid out plainly in his address to COFI last year the research steps that need to be taken before conservation problems can be detected, understood, and measures devised to prevent overfishing. Quite large fisheries have developed in the past few years where the most elementary research of this sort has scarcely begun. This whole field of marine science is being swamped by the developing fishing power. The nations devote their ocean research funds to the development of fisheries but they are laggardly in providing research funds for the detailed biological and dynamics research which alone can give guidance in the solution of the problems which expanding fishing effort create.

The nations must learn that overfishing can happen rapidly and can be economically disastrous to their developing fisheries. This takes time. When that lesson is learned then the scientists need to be trained, diverted and funded to do the required research. This takes a great deal more time.

5. The Committee on Fisheries

At the close of the last decade it was quite apparent to the professionals in the fishery field around the world that the international problems which were going to arise in this decade from the rapid expansion of the sea fisheries were going to be enormous. An international mechanism of some better nature than then existed required to be developed to deal with those problems in a realistic manner if chaos was not to be experienced in the sea fisheries during the decade of the 1970's.

It was all well and good for the international agency having the responsibility in the United Nations family to reorganize, restructure and strengthen its means for carrying out this responsibility. This FAO did through the creation of the Department of Fisheries, and we would be in serious straits indeed had that not been done.

It was all well and good for the Director General to provide himself with competent, independent, outside professional advice. This was done by the appointment of the Advisory Committee on Marine Resources Research. There seems to be general agreement that the advice received from this body, and the use which the Director General has made of it, has been a most useful ingredient in this whole matter. At least I believe this to be true.

The crux of the matter, however, has been what reaction the member nations would make to the mounting problems. No group of persons could estimate or effect this as well as the senior fishing officials in the member countries. They had the administrative experience of dealing with such problems. They had the knowledge of the forces within the country of each with which it was necessary to deal. They had the means to mold national actions toward necessary international cooperation in this field if anyone did. They had within their staffs the research people and programs needed to define and deal with the problems, to the extent that those people and programs existed.

In essence, if the senior fishery officials of 30 member countries could not by joint activity devise means by which international fishery problems could be brought within manageable proportions then probably no other person or group of persons could. Certainly neither the Director-General of FAO or his staff, no matter what their excellence or devotion, could handle these problems without the coordinated advice and assistance of the senior fishery officials of the member countries.

I felt the formation of the Committee on Fisheries, so composed, a major step forward in strengthening the international apparatus for dealing with international fishery problems. I still think so. I have participated in the first meeting of COFI and in the first meetings of its two subsidiary bodies. I think nobody who has done so could help but be impressed by the effective manner in which COFI has grasped its work and begun to deal with the enormous problems within its purview.

But COFI is just one year old. Under the very best of conditions it cannot be expected to advance its work to the levels of effectiveness needed in so short a time. Five years would be a short interval to allow for this, and ten years would be more reasonable. International affairs do not move rapidly, and when they are pushed too fast the result is about the same as from trying to push a loose-laid rope.

For these, and other, reasons I would have been much happier if another five years, at least, could have been given us fishery people to get our feet under ourselves a little better in the international field before these active debates among the nations on the management of ocean affairs were initiated. That is not the case, the fat is in the fire, and we must deal now with the consequences.

CONCLUSION

In these pages I have sought to enumerate some of the forces affecting thinking about the more effective use of the sea in the United States, some of the effects of this on public action, and some of the reasons why I would have preferred that the U.N. Resolution on the "Resources of the Sea," and the public activities it will generate, had been delayed for five years, or perhaps ten.

How it is in other countries I do not know, but it is of importance to note that in the United States the voice of fishery experience in these marine use affairs has grown so dim as to become, at times, hardly audible. The other users of the sea, and those who anticipate using the sea, have become so energetic, numerous and vocal that the fishery voice is just drowned out and submerged. Professional fishery opinion and experience, for instance, had substantially no effect on the events leading up to the United States Government pushing for the passage of the U.N. Resolution on the "Resources of the Sea," and was scarcely informed until after the event.

The Panel on Oceanography of the President's Science Advisory Committee which last year produced the key report "Effective Use of the Sea" had nobody experienced in food fisheries on it, and few oceanographers. The National Council on Marine Resources and Engineering Development is composed of the Vice-President and Cabinet level officers, none of whom have fishery affairs high in their experience, and their staff does not yet have a professional fishery man on it. This body is the most important group now dealing with these matters in the United States, and its report of last month on "Marine Science Affairs—A Year of Transition" is a powerful guiding force in United States activity in this field.

It may well be that this is the shape of things to come, that the other users of the sea will over shadow the fishery users of the sea, and that the voice of fishery people in councils dealing with the rational use of the ocean on the international level will shrink relative to the whole of the others. If this is to be the case I think the consequences to the world will be substantial and not entirely wholesome. My reason for this belief is simply that the major source of disputes among the nations over the use of the sea has been, is, and will be over fishery issues, and I doubt that these can be resolved without the inputs of fishery people.

I have not painted a very happy picture of the State of Ocean Use Management in the world, because it does not look to be in very good shape to me. I have not put forward any world-shaking ideas that might mend the situation, because I do not have any.

It seems to me that the course we fishery people have embarked upon, a reorganized, revitalized and strengthened Department of Fisheries in FAO, backed up by independent outside expert advice in ACMRR, and supported by the senior fishery officials in the member countries as gathered into the Committee on Fisheries, is the only prudent course for us to follow in the near future, and until somebody can demonstrate a better course.

In this coming period of international activity on the rational use of the ocean the Committee on Fisheries has a key role to perform, and much will depend on how that role is executed. A betting man could wager without much risk that we are heading for a period of considerable anarchy and chaos on the ocean, that much of this will arise from fishery disputes, and that the voice of fishery people in settling those disputes will be hard to hear. It is only in unity that there is any strength at all. In the near future it appears obvious that we fishery people must depend very much upon the Department of Fisheries and the Committee on Fisheries of FAO to look after the interest of us all.

TRIBUTE TO DR. CARL HANSEN

Mr. MORSE. Mr. President, at the end of this month, the very distinguished superintendent of schools, Dr. Carl Hansen, will retire from the District of Columbia public school system. Dr. Hansen's departure from the District of Columbia public school system is a great loss to the community, a great loss to the school system, and to all schoolchildren of all races.

As chairman of the Education Subcommittee of the District of Columbia Committee and the Education Subcommittee of the Labor and Public Welfare Committee, I have worked very closely with Dr. Hansen and the school administration over a period of many years. I know of few educators in America who have cared more, tried harder, and done more to improve the quality of education than Superintendent Hansen. Dr. Hansen's work in the field of education in the District of Columbia is a great monument to his ability, his foresight, and his wisdom. This superintendent of schools will long be remembered for his insistence on quality public education for all children, often under very adverse handicaps and circumstances.

I know of no man who has achieved more for the District of Columbia public school system in a shorter period of time than Dr. Hansen. From personal experience, I know how effective Dr. Hansen has been in seeking improvements in the school system, for I have worked shoulder to shoulder with him and his administration on numerous school problems and educational programs for a good many years.

Dr. Hansen is entitled to the praise of all citizens of the District of Columbia. We should ask ourselves: What kind of school system did Dr. Hansen inherit and what are the accomplishments of his administration? We should also ask: What is right about the District of Columbia public school system?

One of the first tasks undertaken by Dr. Hansen after becoming superintendent of schools was to integrate the school system. He was plagued with the problem of integrating into one system "separate but not so equal" schools under the old system. He has faced the serious challenge of bringing these not so equal schools up to the same standards as the previously all-white schools without causing damage to the previously favored schools. This was a major undertaking, but this did not diminish his determination to bring into being a truly model public school system for the Nation. His public career has been devoted to improving the learning conditions for all school-age youngsters.

We should remember that the pupil-teacher ratio in the elementary schools has decreased from 36 pupils in 1956 to 30 in 1966. In 1961 there were 19 librarians in the entire public school system. Under Dr. Hansen's leadership, there are now approximately 88. In 1961 there were 60 school counselors in the entire public school system. That number has been increased to 245 in 1966.

There were 228 special schoolteachers in 1955, with that number being increased in 1966 to 880. The public school system maintained a speech correction staff of nine people in 1950 and by 1965 that number was increased to 99. In 1953 the public school system did not maintain any classes for severely mentally retarded children. Today, under Dr. Hansen's leadership, 286 mentally retarded children are attending classes. There were no elementary schoolchildren enrolled in foreign language classes taught by language specialists 9 years ago. Last year there were 8,775 pupils enrolled in these classes under the tutelage of 40 teachers.

The Senate will recall that in 1958 no public funds were allocated for free lunches for hungry schoolchildren. Today, free lunches, and to a lesser degree free breakfasts, are supplied daily to more than 12,000 elementary schoolchildren. Free milk is provided all elementary schoolchildren twice daily.

In 1965 the District of Columbia public school system maintained a summer school program for approximately 22,000 students. That program in 1966 accommodated approximately 40,000 students. Under the leadership of Dr. Hansen, pregnant school-age girls are given the opportunity to attend special school facilities in order that they may continue their education. Special school programs have been organized for school dropouts. This program has an enrollment of close to 765 students.

More than 300 teacher aides are presently employed so that teachers may concentrate on instruction rather than paperwork and other chores. Dr. Hansen proved himself over a period of a good many years as a strong friend of the schoolteachers in the public school system. He worked relentlessly to better their retirement and obtain for them more decent salaries.

One of the greatest accomplishments of Dr. Hansen is one of which few people in this city are aware. This Superintendent of Schools played a very significant and successful role in helping to obtain for all children of all races a university and vocational institute. The role Dr. Hansen played was a quiet but very effective one. The District of Columbia Committee with good reason relied heavily upon his advice.

Dr. Hansen has worked relentlessly to obtain additional and improved school facilities in the underprivileged areas of the city. Practically all school construction has taken place in the less affluent areas of the city.

Dr. Hansen has never deviated from the fact that disadvantaged children, if given the proper care and attention, can be educationally rehabilitated. But as an educator he realizes that it takes time, that much more specialized instruction and smaller classrooms must be maintained in order to achieve that objective. For that reason he has worked extremely hard to obtain more appropriations from the Congress in order to make it possible to decrease the size of the classes and increase the quality of instruction and physical facilities.

As Dr. Hansen leaves the public school system, I want him to know that he has thousands and thousands of friends in the District of Columbia who admire him for the very fine work he has done. As a member of the District of Columbia Committee, I publicly thank him for the complete cooperation he has given to me as chairman of the subcommittee having jurisdiction over the schools during his tenure of office.

SENATOR DIRKSEN TO PLANT MARIGOLDS IN HARRISON-WILLIAMS COURTYARD

Mr. WILLIAMS of New Jersey. Mr. President, I wish to announce that our beloved minority leader, Senator EVERETT M. DIRKSEN, has graciously consented to plant marigolds in the courtyard of the Old Senate Office Building tomorrow at 12:30 p.m. As we all know, the subject of marigolds is very close to this great Illinoisan's horticulturist heart. On behalf of the chairman of the Committee on Rules and Administration, Senator EVERETT JORDAN, and myself, I wish to issue an invitation to all Senators and their staffs to attend this ceremony.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 4538. An act for the relief of Dr. John E. Yannakakis;

H.R. 5996. An act for the relief of Dr. Bernardino D. Marcelo; and

H.R. 9080. An act for the relief of Federico de la Cruz-Munoz.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 4538. An act for the relief of Dr. John E. Yannakakis;

H.R. 5996. An act for the relief of Dr. Bernardino D. Marcelo; and

H.R. 9080. An act for the relief of Federico de la Cruz-Munoz.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

AUTHORIZATION OF APPROPRIATIONS TO THE ATOMIC ENERGY COMMISSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 379, H.R. 10918.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10918) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. What is the pending business?

The PRESIDING OFFICER. The pending business is H.R. 10918, to authorize appropriations to the Atomic Energy Commission.

Mr. PASTORE. I thank the Chair.

Mr. President, H.R. 10918 would authorize appropriations to the Atomic Energy Commission for fiscal year 1968. The total authorization which this bill would provide amounts to $2,633,876,000 for both operating expenses and plant and capital equipment for the current fiscal year, including increases in prior years' authorizations.

This amount is about $4 million less than the AEC requested. However, the fiscal year 1968 authorization recommended by our committee is about $374 million more than last year's amount. About $200 million of this increase is due to new requirements for the weapons program. The overall reactor development program would increase by $53.4 million, a large amount of which is due to expanded work on breeder reactors. There are large increases in prior year project authorizations—a net of $81.5 million—primarily associated with a fast flux test facility needed for the breeder reactor program, and a meson physics facility. In addition, the balance of unobligated funds from prior years—used to reduce the authorization request—is substantially less this year than last.

I should like to emphasize that the task of the Joint Committee in passing upon this $2.6 billion authorization request is a complex one. The AEC's program covers a very broad spectrum. It includes defense activities vital to our national security; development of advanced reactors for applications on earth and in outer space; research into the most fundamental secrets of nature; and application of atomic energy in a wide variety of peaceful uses. As in the past, our committee was called upon to make decisions this year that will have a crucial effect on the future of national programs of highest priority.

One might expect—under the circumstances I have described, and considering we are dealing with a huge request encompassing a multitude of subheadings—there would be considerable disagreement within the committee concerning its recommendations. However, I am glad to report that with the one exception to which I shall return later this is a unanimous report by all 18 members of our committee, from both sides of the aisle and both branches of Congress. As I have said in the past, the Joint Committee's ability to achieve a consensus on these controversial subjects is a tribute to our legislative system.

Mr. President, I will now summarize the major provisions of H.R. 10918. Of course, if any Member has questions concerning this bill, I shall attempt to answer them.

Section 101(a) of H.R. 10918 would authorize appropriations of $2,164,843,000 for the AEC operating expenses. On page 3 of the committee's report there is a breakdown of this recommended authorization by the AEC's major programs and subprograms. A more detailed discussion of each committee action will be found in the section of the report entitled "Committee Comments," beginning at page 8. Section 101(b) of the bill would authorize total appropriations of $338,233,000 for plant and capital equipment, broken down into various projects and categories. Some of the more significant features of the fiscal year 1968 authorization are as follows.

The AEC requested $700,500,000 for operating expenses for the nuclear weapons program. This is a large sum, about one-third of the AEC's total operating budget. However, on the basis of information obtained in executive hearings, the committee has concluded that a more intensive development and testing program than would be possible with the amount of money requested by the AEC is required if development of new weapons systems and their entry into production are to occur at a pace consistent with the national security. Therefore, the committee has recommended a $15,000,000 increase in the weapons program.

It should also be noted that this bill would authorize $180,250,000 in plant and capital equipment for the weapons program in fiscal year 1968. Included in this request is $100,500,000 for the construction of new weapons production capabilities at six locations: Oak Ridge, Tenn.; Rocky Flats, Colo.; Burlington, Iowa; Amarillo, Tex.; Tampa, Fla.; and Savannah River, S.C. The major portion of these new weapons production capabilities relate to warhead production for Poseidon and other new nuclear weapons systems.

The reactor development program is one of the Commission's most important efforts. The committee has recommended a total operating authorization of $484,290,000 for this program—a net reduction of $1.75 million from the AEC's request.

Spending for the high-gain fast-breeder reactor program would rise steeply. The program level would go from approximately $51 million in fiscal 1967 to about $71 million in fiscal 1968. As most of you know, the breeder reactor is the one which holds the promise of providing this Nation and the world with a virtually limitless supply of energy. If our long term energy needs are to be solved, it is absolutely essential that high-gain breeder reactors be developed.

Included in this year's budget is the balance in funding of $80 million for construction of a fast flux test facility at Richland, Wash. This facility, for which $7.5 million in architect-engineering funds was previously authorized, will provide vital test facilities for the sodium cooled fast-breeder program. Test results from this facility are not expected until about 1975. We feel that it is important, therefore, to authorize this project this year.

Orders for construction of the commercially available light water reactors continue to be placed at a brisk pace by the Nation's utilities. Again in calendar year 1966, major commitments were made to nuclear-powered electrical generating capacity. During that year approximately 16.5 million kilowatts of nuclear-fueled electrical generating capacity were ordered. By comparison, about 25 percent of that amount, or 4.7 million kilowatts, of nuclear-fueled generating capacity were ordered in the preceding year—a year when more nuclear capacity was contracted for than in all the years prior thereto. This trend has not abated in the first 6 months of 1967.

This startling growth of the nuclear power industry is indeed encouraging to those of us who long have worked for the development of an additional energy source for this Nation. However, such rapid change carries with it a number of problems. Thus, the committee has reemphasized to designers, manufacturers, and utilities that they should pay unparalleled attention to the details of design, construction, and operation to assure that performance and safety requirements are met. The heavy demands that are being, and increasingly will be, put upon all of our sources of energy make it essential that powerplants using the newest of these energy sources become available without significant delays. Our report urges the AEC to exercise leadership in the nuclear power field and to work closely with the utilities and the Federal Power Commission so as to help assure that adequate attention is paid to these important matters.

Calendar year 1966 also saw a number of significant developments with respect to the Government's research and development endeavors in the civilian power program. With the Joint Committee's encouragement, the AEC further concentrated Government development efforts on fewer power reactor concepts. A number of concepts were dropped, including the experimental beryllium oxide reactor—EBOR—and the heavy water organic cooled reactor—HWOCR—concepts. The HWOCR concept was dropped after the joint committee recommended, and the AEC performed, an intensive review of the program to determine whether the technical and economic factors involved, when viewed in relation to the potential of competing systems, justified the expenditure of the resources needed to carry out this program. The effect of the decision was to save $15 million in fiscal year 1968 alone. The sodium reactor experiment—SRE—was also terminated because of its limited potential value in the advanced sodium cooled reactor field. Further concentration of effort on the more promising reactor concepts is planned.

Although not requiring additional authorization this year, two Government-industry cooperative power projects in the reactor development program—the Fort St. Vrain reactor in Colorado and the Metropolitan Water District nuclear power-desalting project in southern California—are at important stages. The next, or construction, phase of the Fort St. Vrain reactor is dependent upon continued successful operation of the smaller Peach Bottom reactor, which began a 9-month operating run on June 3, 1967. Thus the upcoming period is of critical importance in determining the future of this joint AEC, Public Service Co. of Colorado, and General Dynamics Corp. project.

The parties involved in the Metropolitan Water District nuclear power-desalting project are continuing to make progress in furthering this exceedingly complex arrangement. The committee reviewed developments in this connection with the AEC during the recent authorization hearings. The committee understands that a construction permit application may be filed by the participating electrical utilities with the Commission's regulatory staff by the fall of this year. However, the committee noted its concern that the schedule for this project may slip substantially.

In the physical research program, the committee has recommended authorization of funding of an additional $50.3 million for the meson physics facility at the Los Alamos Scientific Laboratory in New Mexico. It is estimated that the total cost of this project will be approximately $55 million. Already $4.7 million has been authorized for this project, primarily for architect-engineering work. There is also proposed to be located at the Los Alamos Scientific Laboratory a project which would house and power the proposed Scyllac controlled fusion experimental device. This bill includes an $8.5 million construction authorization for this project—the first new construction project requested by the Commission for controlled fusion research in the past 5 years.

I will now review very briefly the remaining sections of H.R. 10918.

Section 102 of the bill would impose certain cost limitations on the initiation of construction projects, similar in most respects to limitations contained in other AEC authorization acts.

Section 103 of the bill would authorize the AEC to perform design work, subject to the availability of appropriation on construction projects which have been submitted to Congress for authorization. This special authority would allow the AEC to undertake preliminary design work on projects which are of such urgency that construction must be initiated promptly after appropriations for the projects have been approved.

Section 104 of the bill would allow the AEC to transfer funds between the operating expenses and the plant and capital equipment accounts to the extent permitted by an appropriations act.

Section 105 of the bill would amend the AEC authorization act for fiscal year 1958—Public Law 85–162—by extending for an additional year, until June 30, 1968, the date for approving proposals under the third round of the AEC's cooperative power reactor demonstration program.

Section 106 of the bill would amend previous AEC authorization acts to increase two project authorizations as discussed above, and change the location of another project previously authorized.

Section 107 of the bill would rescind authorization for two projects which are no longer considered necessary, except for funds heretofore obligated.

Mr. President, no item here is in controversy, as far as I know. I am happy to say that the ranking Republican member of our Joint Committee is present on the floor of the Senate. If there are any questions with respect to the bill I would be happy to answer them.

These are the highlights of H.R. 10918. Mr. President, I wish to repeat that this bill was reported out by the Joint Committee on Atomic Energy without any dissent except with respect to one construction item—providing funds for certain work on a proposed 200 Bev accelerator. I, myself, strongly support that bill—except for the authorization of funds for this accelerator. My associates on the Joint Committee know my feelings on this subject and I informed them of my intention to move to strike this item from the bill on the floor.

Mr. President, unless there are comments I shall begin explaining my position.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. LAUSCHE. I would like to ask a question for general information. Am I correct in my understanding that the authorization that would be approved if the present recommended version is accepted would be $3,280,000 over the amount of the Atomic Energy Commission authorization request? I am looking at page 3 of the report.

Mr. PASTORE. The authorization is broken down into two parts. We have what is known as "operating expenses" and "plant and capital equipment." If the Senator will turn to the next page he will see the figure is $4,381,000 less.

Mr. LAUSCHE. Yes. How does that compare with what we authorized last year?

Mr. PASTORE. It is $374 million more than last year's amount. About $200 million of this figure is an increase due to new requirements for the weapons system, and as to the remainder, the overall reactor development program would increase by $53.4 million, and there are increases in prior authorizations to the tune of $81.5 million.

Mr. LAUSCHE. However, the figure is about $375 million more than was granted last year.

Mr. PASTORE. The Senator is correct.

Mr. LAUSCHE. I thank the Senator.

Mr. PASTORE. Most of that increase is for weaponry. I hope that is clear.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. HOLLAND. Has the statement of the Senator covered the matter of comparison of this bill with the budget request behind this authorization?

Mr. PASTORE. Yes; I stated that. This amount is $4 million less than the Atomic Energy Commission requested.

Mr. HOLLAND. I thank the Senator for that information.

There is one other question by way of information for the Senator from Florida, and the Senator from Rhode Island may have covered that heretofore.

What was the division in the Joint Committee on the item which the Senator says he will move to strike from the bill?

Mr. PASTORE. The House Members were unanimous in authorizing the 200 Bev accelerator. Those on the Senate side who were for the authorization were: Senator HICKENLOOPER, with whom I talked. He was not at the meeting at the time. He could not attend because of other official business. I talked to him and he was for it. Senator BENNETT was for it. Senator CURTIS did not say one way or another, but I think he was inclined to support it. Senator ANDERSON I believe took no position. Senator GORE was for it. Against it were: Senators PASTORE, JACKSON, and AIKEN, as indicated by the separate report.

Mr. HOLLAND. The members of the committee from the Senate who opposed this item are all joining in this minority committee report; is that correct?

Mr. PASTORE. No. The minority committee report is joined in by three, as against the others. This is a very unique situation. I will get into that matter if the Senator from Florida will bear with me.

The Senator from Rhode Island believes that this is one area in which we could have waited and effected a cut, realizing the situation we have in Vietnam, the tax situation confronting us, the fact that this Bev has nothing to do with national defense or national security, the fact that in time it will cost us more than $400 million to build and perhaps $60 million or more a year to operate. It is nothing more or less than an educational gadget for the physicists of this country who are interested in high-energy physics. I am going to go into that in some detail. Apart from the question of open housing, apart from the question of equal opportunity of employment, apart from the question which has been raised by the attorney general of Michigan that too much water cannot be taken out of Lake Michigan, apart from all these questions, there has been so much talk on the floor about cutting here and cutting there to avoid a tax increase. The President within a matter of days will send up a program—and I am speculating, I do not know for sure—but in all probability we cannot go on forever with a deficit of $20 billion. The President will try to make up some of that by asking for a tax program. The minute that "bomb" falls on the floor of this Chamber, we will see the whole Senate rise up, with Members saying "Let us take out the antipoverty program. Let us take it off the backs of the poor. Let us do away with the Great Society. But let us build a 200 Bev accelerator in Illinois." That is something which will eventuate only 6 or 7 years from today and will cost the taxpayers of this country $400 million to build, and then $60 million or more to operate per year.

Mr. HOLLAND. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. The Senator from Rhode Island has probably not understood my question, because he did not answer it. The question was whether the representation of all the Members of the Senate on the Joint Committee who disapproved this particular item, about which the Senator from Florida knows very little, and certainly has not heard of many of the things which the Senator from Rhode Island has mentioned, and is not interested now in going into the matters which he is sure will be debated; but my question simply is whether all Members of the Senate on the Joint Committee who disapproved of this item are signers of the minority report.

Mr. PASTORE. Yes, that is right—three of us. I believe I gave the names—Senators PASTORE, JACKSON, and AIKEN.

Mr. HOLLAND. I thank the Senator. That was all I asked.

Mr. PASTORE. Mr. President, if there are no further questions on the territory which I have covered, with the exception of the 200 Bev accelerator, which is going to be a sister to the one we have already at Stanford University which was built to the tune of $114 million and is only being utilized to 50 percent of its capacity, I send an amendment to the desk to delete the 200 Bev accelerator.

Mr. HICKENLOOPER. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am happy to yield to the Senator from Iowa.

Mr. HICKENLOOPER. So far as I know, Mr. President, there is no disagreement on the part of the committee about all the details of the proposals in the bill with the exception of the question of the present location of the 200 Bev accelerator. I think that all committee members have agreed on the amounts and the proposed disposition of the money.

In passing, I call the attention of the Senate to the fact that I really wanted to make that statement for the RECORD now so that we can probably narrow down the discussion to the one item in question.

Mr. PASTORE. That is correct.

Mr. HICKENLOOPER. So far as the Stanford University accelerator is concerned, it is one of the greatest research tools which has ever been developed. True, it is operating only at 50 percent of its capacity at this time, but the committee has recommended—on page 35 of the report:

> The committee recommends that $1.5 million of the additional $3 million needed to optimize SLAC's operation be added by Congress. As for the remaining $1.5 million, the committee believes that inasmuch as the advantages of fuller operation of SLAC would contribute to the entire high energy physics subprogram (and possibly to other parts of the physical research program as well), efforts should be made by the Commission to provide these funds from within the physical research program.

The purpose of that, Mr. President, is at least to get the operation of this vast Stanford accelerator up to about 80 or 85 percent of its total capacity. We are trying to get there, but lack of money is the reason we have not done so.

The 200 Bev accelerator is a fantastically advanced research tool. I do not mean to intrude on the time of the Senator from Rhode Island to make the presentation of his amendment, but I do want to call that to the attention of the Senate in order to narrow down the issue and get to the point at least to see what the committee will be discussing.

I have no question about other items in the authorization bill. I do not think the Senator from Rhode Island has, either. But, we do disagree on this one item.

I shall oppose his amendment to strike the item and will give my reasons therefor later.

I thank the Senator from Rhode Island very much for yielding to me at this time.

Mr. PASTORE. I fully understand the position of my dear friend and colleague on this issue.

Mr. President, for myself, the Senator from New York [Mr. JAVITS], the Senator from Massachusetts [Mr. BROOKE], and the Senator from Michigan [Mr. HART], I move to strike lines 9 and 10 on page 3—Project 68-4-f, 200 Bev accelerator, Du Page and Kane Counties near Chicago, Ill., $7,333,000.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, to strike out lines 9 and 10, as follows:

> Project 68-4-f, 200 Bev accelerator, Du Page and Kane Counties near Chicago, Illinois, $7,333,000.

Mr. DIRKSEN. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am very happy to yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum, and it will be live.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 181 Leg.]

Allott
Bartlett
Bayh
Bible
Boggs
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cotton
Dirksen
Dominick
Fannin
Gruening
Hart
Hartke
Hatfield
Hickenlooper
Hill
Holland
Jordan, N.C.
Kuchel
Lausche
Magnuson
Mansfield
McGee
McGovern
Monroney
Montoya
Morse
Moss
Murphy
Nelson
Pastore
Percy
Ribicoff
Russell
Symington
Talmadge
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from North Dakota [Mr. BURDICK] and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Mississippi [Mr. EASTLAND], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Louisiana [Mr. LONG], and the Senator from Montana [Mr. METCALF] are necessarily absent.

I further announce that the Senator from Alabama [Mr. SPARKMAN] is absent because of a death in the family.

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER] is necessarily absent.

The Senator from South Carolina [Mr. THURMOND] is absent because of the death of a friend.

The PRESIDING OFFICER. A quorum is not present.

Mr. BYRD of West Virginia. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Aiken
Bennett
Brewster
Brooke
Byrd, Va.
Cooper
Curtis
Dodd
Ellender
Ervin
Fong
Fulbright
Gore
Griffin
Hansen
Harris
Hayden
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
McCarthy
McClellan
McIntyre
Miller
Mondale
Morton
Mundt
Muskie
Pearson
Pell
Prouty
Proxmire
Randolph
Scott
Smathers
Smith
Spong
Stennis
Tower
Williams, N.J.

The PRESIDING OFFICER. A quorum is present. The question is on agreeing to the amendment of the senior Senator from Rhode Island.

Mr. DIRKSEN. Mr. President, I thought that perhaps the distinguished Senator from Rhode Island would undertake an affirmative statement on this matter before we undertake to make a response.

I think I ought to say to all Senators that I shall feel obliged to keep a live quorum here because this is a tremendously important issue. It affects not merely the Midwestern part of the country, but also the remainder of the country.

There are 20 States that have open occupancy laws. There are 30 States that have no such laws.

If Congress in its wisdom undertakes at any time to draw that line, then I want to say to the occupant of the chair that line is going to be firmly drawn, and it is going to be equally firmly held.

With respect to any authorization or appropriation bill, an effort will be made to strike every authorization and every appropriation for projects in any State in which this difference between open and nonopen occupancy exists.

The idea of ever putting this country on that kind of discriminatory basis means the ruination of the country, and it will mean the ruination of the esprit de corps in the U.S. Senate and the House of Representatives.

This provision does not affect only a

community that is approximately 30 or 40 miles west of the city of Chicago. This provision affects all 50 States of the Union, and likewise the District of Columbia and our territories. We are going to see if that is going to be the case, that whatever is sauce for the goose is going to be sauce for the gander.

I am only occupying time until the distinguished senior Senator from Rhode Island gets here. However, I point out that the House of Representatives had this bill before it and they approved the Weston site and they approved this initial authorization for an appropriation.

At the appropriate time I shall state from a letter by the distinguished Chairman of the Atomic Energy Commission what his views are with respect to proceeding with this project.

At this point, I will momentarily yield the floor so that the distinguished senior Senator from Rhode Island can make his statement.

Mr. PASTORE. Mr. President, I hope that the Senator from Illinois will forgive me. The only reason why I was absent from the Chamber while you were speaking is that I was talking to some constituents, just as the Senator from Illinois is speaking to his constituents now.

Mr. President, the idea of the availability of housing leading to the equal opportunity of employment is not something that was initiated by the senior Senator from Rhode Island. I did not start this. This was predicated by the Atomic Energy Commission. And I applaud the fact that they did it.

The trouble with the Atomic Energy Commission is that when the issue got to be a hot potato, they dropped it. And it bounded and bounded and bounded. And where do you think it landed? Right in the lap of the senior Senator from Rhode Island. I have been struggling with it ever since.

I have been approached by sincere and troubled residents of that vicinity.

I have never said, and I do not pretend to say, that this authorization should be used as a vehicle to bring about an open housing law in Illinois. I have never said that, and I do not pretend to say that here. However, what I have said is that we are planning to invest $400 million of the money of all the taxpayers of the United States of America, of every religion, every race, and every color.

There is no urgency in this project.

This is not an emergency measure. This is not for national defense. This is not for security. This is a gadget, an exploratory gadget, to be used by the physicists who are working in high energy physics, so that they can promote their research.

Now I think when we begin to take $400 million that belongs to all the taxpayers of this country to build a project that has only an educational value—and that is all this has—we ought to make sure that every American of any religion or color can live within the vicinity of that project so that, being close enough to it, he can avail himself of the equal opportunity of employment in that project. That is all this amounts to.

Time has a healing, helping way.

We have been dealing with this matter so long that some fine things have taken place. When the pending bill was passed in the House of Representatives on June 29, not one single community with the exception of Weston had passed an open housing ordinance. And Weston disappears once we build this project.

Since the pending bill was passed in the House of Representatives, on June 29, the town of Wheaton has passed an open housing ordinance, I applaud that. It is marvelous.

Only yesterday, Joliet passed an ordinance.

We are getting closer to Weston.

So, I must say to my good friend, the senior Senator from Illinois, that we should give this good feeling a chance and postpone this project for another year.

I am not for changing the site from Weston. I have said that in the hearings. All one has to do is to read these green-colored books of the hearings. I want the project to be in Weston. I do not want to look for an alternative site, but I am saying now: "You have raised this issue, Mr. Atomic Energy Commission. You stick by your guns, and don't retreat."

When it looked as though they were going to lose the project, they all compromised and retreated. They are all satisfied now that everything will be all right in the future.

We talk so much about the heat of a "hot summer." Let me say to the Senate that unless we begin to do the decent thing for the decent Negro who wants a chance to live and a chance to work, how is he ever going to convince the impatient and violent ones that good reform comes from promise when not backed by real performance?

The Senator from Illinois has made the argument here time and time again that he is going to begin to strike this out and he is going to begin to change that. Well, that is his prerogative. But, Mr. President, just because I cannot save all the souls of the world, do I stop my efforts in at least trying to save one? Is that irreligious? Is that sacrilegious? Is that un-American?

Now, let me tell you something about this project. They are asking here for $7,333,000, and they are trying to minimize the scope saying the amount is meager, relatively speaking. Well, under the bill, they have a right to use part of this money for construction. This money is tied in with the Weston site. Next year they are going to come in, because, after all, if you do not bring about the architectural design and the engineering that this $7,333,000 will bring, and you do not appropriate the money to build the project, you are only sending this money down the dirty drain and to the open sewer. The $7,333,000 is tied in with $400 million which the AEC will be requesting next year. Once you have your nose in that tent or you have your foot in the door, you have to begin to weigh whether or not you will lose the $7,333,000.

Mr. President, let me bring out another point. This project came to our attention about 4 or 5 years ago. They wanted to build a 200 bevatron of high intensity which would cost $375 million. So last year they went to the Budget Bureau. The Budget Bureau said, "This is too much money. We have to compromise this." That was the first compromise. They cut it down to a lower intensity and eliminated important equipment. It is not what the Atomic Energy Commission wanted in the first place. They cut it down to a lower intensity, and the lower intensity would cost $240 million. But now they are going to do it in two stages. Anything to get it going. That is the gimmick here.

So when it came before our committee, we said, "Wait a minute. We thought you wanted a $375 million machine. Now you are compromising on a lower intensity machine costing $240 million. We are going to investigate this."

So we held special hearings, and the committee suggested that we build a big machine. But the Atomic Energy Commission has not yet given its approbation.

My question is, Until that is decided, what is the harm in waiting another year? In that 1 year, we will find out more about our commitment in Vietnam.

I have heard the Senator from Illinois, time and time again, rub the back of this administration on its antipoverty program, which has to do with people. They want to cut down the antipoverty program, which affects people, but they want to build this machine. This they say, is important. The neighborhood youth program can wait. The retraining program? Let it wait. But build this machine, they insist, build this machine. Oh, yes, and if they win this point, what a record they will make, as I said before. What a ringing of jingle bells, jingle bells, for next Christmas. I say this with a smile on my lips: in all good humor—and in all honor—for, seriously, I do not know of anybody who would look better as Santa Claus than my dear friend from Illinois.

I have struggled with this matter. It has been dropped in my lap. These are the people who are intensely interested. Do you think I am making this up? When the Commission got rid of it and dropped it in my lap, these are the people they got interested·

The Spanish-American Center of Aurora. That is a beautiful word, "Aurora." It means "daylight." The Aurora Fair Housing Commission. They are in Illinois. Citizens United for Equality; the First Methodist Church, Naperville; North Suburban Organization for Fair Housing, Evanston; the NAACP; the National Committee Against Discrimination in Housing; First United Presbyterian Church, Elgin, Ill.; the Summit Conference on Open Occupancy.

I am sorry that the senior Senator from Illinois has left the Chamber.

Clergymen's Association of Greater Elgin, Commission on Religion and Race, Elgin Deanery Council of Catholic Women, Elgin Federation of Churches, Elgin Housing Group, Family Service Association, Fox Valley Chapter of the National Association of Social Workers, Fremont Activities Association, Health and Welfare Council, Latin American Community Organization, National Association for the Advancement of Colored People, Parents League for Future Citizens, Kane County Council for Economic Opportunity, the United Organizations for Community Action, the Fact Committee, Evanston; National Council of Jewish Women, National Catholic Conference for Interracial Justice.

These are the organizations. I did not invent them. They are against the establishment of the bevatron there, unless they have assurance that within the vicinity of this project there will be an opportunity for housing which will lead to an opportunity for jobs.

Am I being academic? Let me read to the Senate a letter with reference to the Argonne Laboratory which is in that vicinity, in Du Page County. I should like to read the letter. I am sorry that the senior Senator from Illinois [Mr. DIRKSEN] is not in the Chamber to hear it:

> On Tuesday, June 27, 1967, I was privileged to be with a group of NAACP representatives to enjoy your counsel relative to the Weston Atomic Energy site at Weston, Illinois. During the course of our verbal exchange I indicated to you that a survey was made by the NAACP during the month of January 1967 concerning the disparity that exists in housing at or near the Argonne Installation for minority group people. I stated to you at that time that our survey reflected the following information.

Now I come to the crux of the letter. This is the meat in the nut:

> We determined that there were 259 minority group people working at the Argonne Installation on that day, and of the 259, 225 were Negroes. Of the 225, 223 found it necessary to commute approximately 70 miles per day round trip between the Argonne Installation and the City of Chicago, as well as the City of Gary, Indiana.

In other words, "Go back to your ghettos. Go back to your ghettos."

Is that not a deplorable situation? Here at a Federal installation, where the Government has spent millions of dollars, 259 persons of minority groups are working; 225 of them are Negroes. Of the 225, 223 have to travel 70 miles a day to go to work. What will that result in?

We talk about cooling off a hot summer. This is a way to make it hotter, not to cool it off. These people know. They live in that locality.

Senators may ask me, "What good will waiting do?" This is what waiting will do.

The waiting will bring other communities like Wheaton and Joliet to face up to fairness, and that is what we need. I do not want to change the site. I have nothing against the Senators from Illinois. I do not raise this question although I think the question is important.

I shall read what Dr. Seaborg said in April of 1967:

> Frankly, at the moment the Atomic Energy Commission has little to offer. The commitment sought from communities in the western area has failed to materialize.

I do not pretend to be the conscience of the Senate. I do not pretend to be the conscience of the Congress. I do not pretend to be the conscience of the country. I have enough to do to mind my own conscience. However, in good conscience, Mr. President, once this issue has been raised by a Federal agency—in my mind—to back off is unpardonable.

If the majority of the Senate wishes to vote for the authorization it is their privilege. As far as I am concerned, I have made my case. My points are well founded. First, the availability of housing was a criterion from the very beginning. In later press releases equal housing was spelled out as being the primary concern in the selection of the site.

Second, there is the important question raised by the Senator from Michigan as to whether or not we have determined scientifically what this will have to do with the water in Lake Michigan.

Third, we have to decide whether it is going to be the $375 million job or whether it has to be the $240 million job.

Lastly, and quite important, Mr. President, is the fact that here we are faced with a deficit. We were notified only a short time ago by Henry Fowler that the deficit this year is going to be between $20 billion and $22 billion. When the deficit was considered to be $13.1 billion, the President suggested the 6-percent surtax which would give us $5 billion in return.

Now, the amount is going to be $20 billion. I can hear the voices in this Chamber, the harangue: "Cut the budget, cut the budget." There is no better place to start than here. What a glorious time the Senator from Rhode Island is going to have in months to come. What a glorious time the Senator from Rhode Island is going to have with all those who will vote "nay" on this when they stand up and say, "Do away with an increase in taxes; cut your budget; cut your budget." What a show that is going to be.

Mr. President, little I say here may convince anyone. I suppose minds are pretty well made up. I am stating my position. I must say in all fairness that the vast majority of the Joint Committee voted against it. The House of Representatives by a vote of 104 to 7 authorized this item, and I shall make a comment on that. There are 435 Members of the House of Representatives, and 104 and 7 comes to 111. That number is not even one-half of the quorum, and this is a $375 million job.

ORDER FOR YEAS AND NAYS

Mr. President, I ask for the yeas and nays on this amendment.

The yeas and nays were ordered.

(At this point, Mr. RIBICOFF assumed the chair.)

Mr. PASTORE. Mr. President, I close by saying I have done the best I can. I have done it in good conscience. This is no reflection on the sincerity or good conscience of anybody else. I realize we have a problem here. I realize we have sinned in the past and possibly we will sin in the future, but I am trying to avoid adding one more sin to that roster.

Mr. DIRKSEN. Mr. President, being not quite sinless, I suggest the absence of a quorum, and it will be live.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. JAVITS. Mr. President, I wish to speak on this matter at the convenience of the Senator from Illinois.

Mr. DIRKSEN. Whenever the Senator wishes.

Mr. JAVITS. If it is convenient, I could address the Senate now.

Mr. DIRKSEN. Mr. President, I withdraw my request.

Mr. JAVITS. Mr. President, I thank the senior Senator from Illinois.

I believe it is just as well to have the affirmative case laid before the Senate at the earliest time. I am a cosponsor of the amendment of the Senator from Rhode Island and I have some background I would like to lay before the Senate. I hope the Senate will indulge me. I shall be very brief.

Mr. President, I support the amendment, and I supported all the points made by the Senator from Rhode Island. However, the point to which I shall speak deals with the question of equal housing opportunity.

I believe that the distinguished Senator from Rhode Island [Mr. PASTORE] has rendered, as usual, a distinct service in undertaking this matter and in presenting the amendment which he has. He is the chairman of the committee and a Senator of great prestige. I know his conscience on this matter as reflected in his speech today. Whatever may be the outcome, I want him to know that his efforts are appreciated. This was a difficult matter and the Senator undertook it. It is characteristic of him.

Mr. President, I was engaged in a poverty hearing and I was unable to be in the Chamber to hear all of the speech of the Senator from Rhode Island. I do know the character and quality of the speech and I heard enough of it to know that it was completely consistent with the extraordinarily high quality of debate in which the Senator engages.

This is a matter of volition. We can or we cannot authorize the amount in the bill. I am also a member of the Committee on Appropriations and I feel in good conscience it should not be done for the following reason. I understand clearly that the Atomic Energy Commission made its choice and that the committee sustained that choice. However, I do not believe that we need to allow the Legislature of the State of Illinois to act in a way which it knew would jeopardize this program on the floor of the Senate because apparently its deep feeling about open housing was superior to its concern for the presence of a great Federal installation in that State.

The distinguished and extremely able Senators from Illinois, led by my minority leader, naturally are trying to do their best with that situation, but if I were in their shoes I would have been full of consternation when the Senate of Illinois turned down an open-housing statute in Illinois, the home of Abraham Lincoln, and one of the great and forward-looking States of the United States.

It seems to me that if the legislature of a State which is getting this big installation for which everyone competed, including my State, does not think enough of the installation and would be unwilling to pass an open-housing law in order to satisfy the elementary policy of the United States in getting it, then we should wait a while until they change their minds. That is all it comes down to. My State and other States sought to have this installation and they failed. That is the end of that. It is finished, so far as I am concerned. So far as my State is concerned, the verdict is in. But I do not believe that we should compound that verdict and the disappointment of other States by yielding on the matter of other major considerations. This is also the view of the Senator from Rhode Island, the chairman of the Joint Atomic

Energy Committee itself—perhaps we should wait a while and give the Legislature of Illinois a chance to change its mind about this very important matter before we jump into it and act now.

I do not believe that we should give the Legislature of the State of Illinois a premium for failing to do what it should have done concerning open-housing legislation. That, I think, is the basic argument in regard to this matter.

Now, they certainly had notice because the papers in Illinois—and I have copies of them—were full of the fact that the legislature was jeopardizing the presence of the installation in their State by this very action. They were told that in explicit terms by Dr. Seaborg, head of the Atomic Energy Commission, himself. He said, in just so many words, in April of this year, that there was grave danger they would lose the installation if the legislature did not pass an open-housing law.

No one is trying to intimidate the Legislature of Illinois. Illinois is a great, sovereign, and important State. It can do anything it likes about open-housing legislation. But we do not have to give them a premium on this highly sought-for contract when they do turn it down.

Mr. President, that, it seems to me, is the nub of the argument.

The Senator from Rhode Island [Mr. PASTORE] has made this eloquently clear. One thing I want to add is that we should not give any premium for action which is contrary to the policy of the U.S. Government. Illinois is perfectly free to turn down this installation. In effect, it has turned it down by failing to pass open-housing legislation. Therefore, there is no reason why we should, here in Congress, give them a premium for something which they have failed to do which they should have done.

What I said about Dr. Seaborg's representation on this subject, is contained in a story in the Chicago American of April 14, 1967, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Chicago's American, Apr. 14, 1967]

OPEN HOUSING DISPUTE: AEC NOT BLUFFING IN THREAT ON WESTON A-SITE—ARRINGTON

(By Robert Gruenberg)

State Sen. W. Russell Arrington (R-Evanston) said he is convinced Atomic Energy Commission officials are "not bluffing" over a threatened loss of the atomic accelerator in west suburban Weston.

In Washington, U.S. Rep. Melvin Price (D-Ill.) said he had "no doubts" that the House would authorize funds for the project, but said it was possible an attempt would be made to remove specific mention of a Weston site.

"I will fight to have the site identified," he promised.

Arrington said he will confer over the weekend with Illinois legislative leaders over the Weston situation, which he said "is serious."

As Arrington holds his meetings, State Rep. Lewis V. Morgan, Jr. (R-Wheaton) will be "mulling over" whether to ask Democrats to join him in sponsoring a fair housing measure.

Morgan, who will introduce his measure Monday, claims the support of 18 GOP colleagues for his bill to bar racial discrimination in housing by real estate agencies and nonresident homeowners.

The threat to the Weston site came Wednesday when AEC Chairman Glenn T. Seaborg and three fellow commissioners told Gov. Otto Kerner in Springfield that Illinois could lose the $375,000,000 project because of racial problems.

Arrington said he has been looking during the entire session for some break in the controversy, and voiced hope Thursday that AEC and Congress might settle for open occupancy ordinances by villages in the Weston area.

"Nobody is saying that a statewide law must be imposed," he said.

This drew a caustic retort from Sen. John Pastore (D-R.I.), chairman of the Joint Committee on Atomic Energy, which is slated to vote on $10,000,000 in planning funds early in May.

"Up to this point," said the peppery Pastore, "it is my impression we have gotten nothing but double-talk.

"I will not be a party to any authorization (of funds) unless we have an out-and-out assurance that is reliable that every American will receive equal treatment as to employment and housing."

Morgan's neighbor, State Rep. James (Pete) Philip (R-Elmhurst), is unconvinced that the accelerator is necessary for Du Page County.

"Do we really want Weston out there?" Philip, a bread salesman, asked a reporter rhetorically. "What will it do for Du Page County? What has Argonne National Laboratory done for Du Page County?"

Rep. Price said authorization funds can be voted out of committee in May and passed in the House.

Price said it is possible the House committee would cut the authorization for funds from $10,000,000 to $7,500,000.

Price's doubts about the fate of the funds on the Senate floor found confirmation in statements by Sen. Philip Hart (D-Mich.) and Sen. Peter Dominick (R-Colo.).

"Mr. Seaborg is absolutely right," said Hart, an old-line liberal.

"Clearly, if it is a fact that minority groups are not able to find decent shelter on equal terms (at Weston), this country has no business locating the installation in that place."

Dominick, a conservative opposed to civil rights measures, said he believes the AEC should have given greater weight to Illinois' lack of an open housing law. Colorado, he said, has had such a statute since 1897.

Mr. JAVITS. Mr. President, as to the situation factually and on the ground, the most eloquent answer to that is the fact that even Du Page County, in which this installation will be located, through its board of supervisors, has not adopted any open-housing regulations for the county itself. It is said that they did that because they resented pressure. Well, there is no pressure. It seems to me that if there is something that one certainly wants, and one of the conditions of meeting it is to have open housing, and he rejects that open housing, he cannot expect to get a dividend for it, too.

Therefore, I do not see that there is any pressure involved. The fact is, they have not acted.

We put some questions to the Atomic Energy Commission on this subject and the best they could give us in the way of answers is, and I now quote from the Du Page Board of Realtors and the Aurora Board of Realtors, that they would make every effort to find adequate living quarters for permanent employees of the Atomic Energy Commission if the Weston area were chosen.

Mr. President, I respectfully submit that that certainly is not enough to get this dearly sought-for multimillion-dollar contract for which the whole country was bidding. Illinois is the only State among the last six contestants, including my own, which did not have an open-housing law.

Now its legislature has riveted that in by refusing to pass open-housing legislation.

As to the conditions on the ground, a letter was sent to the Senator from Rhode Island [Mr. PASTORE], and to me—he probably referred to it in his speech—from the Hinsdale Area Human Relations Council, dealing with the situation in that particular area, which is very close to the site in which people would naturally be expected to live.

They said:

> Some day fair housing may become a real issue but, as pointed out in our enclosed letter, the issue in Hinsdale today is the more basic one of whether we shall stop the present practice of excluding Negroes from our village.

Mr. President, it seems to me that that is the most eloquent evidence on the subject that there is discrimination in housing.

I close as I began by saying that we should not give a dividend or a premium to the Legislature of the State of Illinois for failing to act on this matter as it should, if it really wants this installation. I know that their Senators want it. But, apparently, the Legislature of the State of Illinois does not.

I do not believe that the Senate of the United States should give it to them so long as they have in this way defied one of the basic conditions of the grant.

I hope that the amendment of the Senator from Rhode Island will be supported.

Mr. DOMINICK. Mr. President, I presented my views on this subject on the floor of the Senate, July 10.

Today I received a wire from Roy Wilkins, and a detailed letter from the Coordinating Council of Community Organizations, supporting the position of the Senator from Rhode Island [Mr. PASTORE].

I ask unanimous consent that the telegram and the letter may be printed in the RECORD.

There being no objection, the telegram and letter were ordered to be printed in the RECORD, as follows:

JULY 11, 1967.

HON. PETER H. DOMINICK,
Washington, D.C.:

The leadership conference on civil rights urges you to vote against authorization for the 200 Bev Accelerator in Weston, Illinois. Of the six States considered as sites for the accelerator, Illinois is the only one with no guarantee in law against racial discrimination in the sale or rental of homes. Thus we face an intolerable situation in which hundreds of millions of dollars made available by taxes upon all the citizens of the Nation will be used to encourage discrimination and to provide jobs for white workers only since only they will have unrestricted access to housing near this facility. The contract for this installation should go to a State that at the very least has a fair housing statute.

ROY WILKINS, *Chairman.*

COORDINATING COUNCIL
OF COMMUNITY ORGANIZATIONS,
July 10, 1967.

Hon. PETER H. DOMINICK,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR DOMINICK: We are writing to you on behalf of the combined human rights forces of the Chicago metropolitan community with regard to the proposed Atomic Energy Commission facility at Weston, Illinois. In the next day or two you will be asked to approve this project and to make an initial appropriation of some $7,300,000 toward its construction.

We appeal to you most earnestly to join Senator John O. Pastore in opposition to this proposal. We ask you to delete the Weston project from the appropriation bill.

Our reasons for this appeal are as follows:

1. We believe that the proposed Weston project is a national test case for the integrity of Title VI of the 1964 Civil Rights Act. As you know, Title VI says,

"No person in the United States shall, on grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

At the very least, Title VI is a guarantee that there will be equal job opportunity at federal projects and federally assisted programs.

2. Equal job opportunity, however, cannot be created in a vacuum. It may depend on certain other conditions and surely it is the obligation of the federal government to understand this and to strive for those conditions which make it possible for us to keep faith with the commitment of Title VI.

3. In the Weston case, job opportunity is intrinsically and directly dependent on the housing situation. There are practically no Negroes in the Weston area. Weston is in the middle of DuPage county, an all-white suburban county. As of April 1966, the total population of DuPage county is just under 300,000 persons (298,132). Of this number it is estimated that *just 540* are Negroes. Between 1960 and 1966 the white population grew by 80,000 but the non-white population grew hardly at all—by only 129. Yet DuPage county is just 30 miles west of Chicago, the home of nearly 1,000,000 Negro citizens. Clearly equal job opportunitiy at the Weston project will be meaningless unless Negro scientists, technicians, and other personnel will be able to move into the area to live within reasonable distance of their jobs.

4. The Atomic Energy Commission, itself, is quite aware of the relationship between housing and jobs in the Weston area. In an unprecedented action, the Commissioners personally visited the state, conferred with the governor and with legislative leaders of both parties to explain that housing discrimination in Illinois cast a cloud of doubt about Illinois' eligibility for the proposed nuclear accelerator facility at Weston. They discreetly appealed to Illinois political leaders to remove this doubt by passing appropriate remedial legislation, i.e. a fair housing law.

5. Unfortunately, their appeal fell on deaf ears. The Illinois Senate has thus far killed 8 fair housing bills including a very minimum proposal from Senate majority leader, Senator W. Russell Arrington. (Under Senator Arrington's proposal, owner occupied dwellings of 10 units or less would have been exempted, which meant that less than 50% of Illinois' housing would have been covered, and less than 10% of the housing in DuPage county, site of the proposed Weston project, would have been covered. Even this bill, however, was defeated.)

6. We do *not* say as Representative Holifield of California has charged that *all* states without fair housing legislation are ineligible for federal projects because of Title VI. We do say that in this case and in similar cases where job opportunity is so totally dependent on housing opportunity, Title VI stands against the project being located in Illinois as long as Illinois refuses reasonable cooperation in the creation of those conditions which are absolutely necessary for compliance with the federal law.

7. The general housing market in Du Page county is closed to Negro families despite the admirable efforts of some private citizens, human relations groups and the recent ordinance of the city of Wheaton. The enclosed memorandum describes some actual, current cases of discrimination in the area. Perhaps, the most *compelling* evidence, however, is the experience of Negro employees of another Atomic Energy Commission installation, the Argonne National Laboratory, also located in Du Page county just 10 miles from the proposed Weston site.

8. According to the Director of Personnel at Argonne, as of 1965, the laboratory employed 238 non-white employees and 3,880 white employees. Of the 238 non-white employees *only one* lived in Du Page county. In contrast 1848 or 47% of the white employees live in Du Page county. 92% of the non-white employees had to commute to their jobs from Cook county and 97% of the non-white employees had to travel over 15 miles to reach their jobs while only 20% of the white employees travelled this distance.

9. The national trend of industry migrating to the suburbs has a built-in effect of promoting racial discrimination in employment because of the tradition of racial exclusiveness in housing. Surely it is not unreasonable to ask the federal government in its installations to oppose this trend. Du Page county is a case in point. Between 1950 and 1965, 56,000 new jobs were created in the county, almost 100% for whites only because of the housing patterns. It will be the same story with the jobs created by the Weston project if the federal government refuses to set reasonable standards for compliance with Title VI.

10. Finally, we think that you should vote against the Weston appropriation because if it is approved under the present circumstances—after the Atomic Energy Commission has, itself, raised the issue of housing and after the Commission's appeal for cooperation has been denied—a serious, perhaps fatal blow will have been done to Title VI.

The 1964 Civil Rights Act should be preserved and respected as the finest legacy of the late President John F. Kennedy to his country. If the Weston project goes through, it will be seen by black Americans as just another broken promise by white America. These broken promises are a principal cause of the growing spirit of alienation. They plant the seeds of racial chaos.

We are not anti-Weston in any punitive sense. We are not interested in seeking "revenge" for the failures of our state legislature. We too love this State. We too want to see it prosper and grow. We believe, however, that short-run local interest is not always in the national interest. We believe that what is good for America is also good for Illinois, and that it would be better for our country if the Weston project were located in a state which is willing to do its part to assure that Negro Americans will genuinely be able to share in the benefits of this great enterprise.

Sincerely,

ALBERT A. RABY,
Convenor, Coordinating Council of Community Organizations.
DR. MARTIN LUTHER KING, Jr.,
President, Southern Christian Leadership Conference.
Co-Chairmen, Chicago Freedom Movement.

SOME CURRENT CASE HISTORIES OF DISCRIMINATION IN DU PAGE COUNTY, JULY 1967

A. Mr. A. H., a Negro executive with the Boy Scouts of America, although courteously treated, was unable to find housing in DuPage County. He returned to Teaneck, New Jersey, within the last two months.

B. Within the last 3 months, Mr. L. W., attempted to buy a home in Butterfield, Illinois, just south of Lombard. Such a furore followed that the house was removed from the market. Mr. W., then looked at a house in Wheaton which was bought by a white neighbor *after* Mr. W., looked at it. He finally bought a home in an unincorporated area outside of Wheaton and Glen Ellyn. When a neighbor of the W. Family threatened violence, the Glen Ellyn Conference refused to intercede, saying that the area was outside its jurisdiction. Mr. W. is a Negro.

C. Mr. W. J. P., visited a realtor in Glen Ellyn who showed little interest in him. The realtor did not even ask how much Mr. P., could pay down, what type of home he owned. Mr. P., a Negro, ultimately bought from a concerned private home seller and not through a realtor.

D. Mr. A. J., of Bell Laboratories, Holmdel, New Jersey, tried to buy in Glen Ellyn and in DuPage County generally. Mr. J., a Negro, was unable to buy a home in locations where his means allowed. This happened last year. Mr. J., subsequently refused to move to the new plant, which is five miles from Weston, Ill.

E. Mr. R. N., a pilot for American Airlines, looked in the Glen Ellyn area for a home a little more than a year ago in anticipation of a transfer to the Chicago area (He would be flying from O'Hare International Airport). Unable to buy a home where his means would have permitted, Mr. N., returned to Newark, New Jersey.

F. Mrs. D. S., moved to Glencoe, Illinois, after being unable to find a home in Glen Ellyn. She was told that a home she was interested in was not yet available for showing when, in fact, the realtor was attempting to sell it to a white family.

Mr. HART. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield to the Senator from Michigan.

Mr. HART. Mr. President, as a cosponsor of the amendment offered by the Senator from Rhode Island, I express the hope that the Senate will, indeed, recognize this opportunity as one which is rather unusual.

When we are confronted with proposals to correct inequalities which have been the result of geography and history, we are told that so many things have been built up around them that we cannot unscramble them, that it is too bad, time will adjust it, but we cannot do anything very forthright.

Mr. President, here is a situation where there is nothing but broad acreage and a proposal to put in a massive installation which will soon create a large population. Now is the time to make up our minds whether we are going to buy a ghetto or not.

We do have the opportunity this time, without upsetting or unscrambling anything, to practice what we preach around here.

I do hope that the Senator from Rhode Island's magnificent leadership will be supported.

Now, Mr. President, I have joined the able Senator from Rhode Island [Mr. PASTORE], cosponsor of the amendment to delete funds at this time for the Weston project. He has just outlined in a moving speech why we should delete.

The report of the joint committee makes clear that many factors were considered by the Atomic Energy Commission before it finally settled on the site for ten 200 Bev accelerator at Weston, Ill. Yet the distinguished chairman of the joint committee, the senior Senator from Rhode Island, JOHN PASTORE, has recommended that the project should not be authorized at this time. He is joined by the able Senators from Washing [Mr. JACKSON] and Vermont [Mr. AIKEN]. In his dissent, the chairman makes four points:

First, he questions whether this is the equipment the AEC really wants.

Second, he believes there is no compelling need for an immediate start, in view of the urgent demands on our resources for other programs.

Third, he points to the questions raised by the attorney general of the State of Michigan, Frank Kelley, regarding the water supply available at the proposed site.

Fourth, and finally, he identifies as a fundamental question of public policy the fact that Illinois does not prohibit discrimination in housing.

I speak to the last two issues. As Senator PASTORE stated, I did raise the water supply question. I did this through a statement made March 29, 1967, Michigan's attorney general, Frank J. Kelley, who questioned the sufficiency of the water supply, not only for the proposed facility but for the newly attracted population as well. Attorney General Kelley pointed out that 7 years ago, in 1960, the State of Illinois contended, in the proceedings heard by the special master regarding the diversion of water from Lake Michigan, that the water resources of Du Page County were not adequate to meet the water requirements of the area at that time.

To this the Atomic Energy Commission has answered that, on the basis of information provided primarily by the State of Illinois, adequate water is available to the proposed new facility. And the State of Illinois has stated that there are three sources of water potentially available for the operation of the facility, all unrelated to drainage from Lake Michigan.

In both instances, however, reference is made solely to water usage by the facility. Nothing is said about the need for water for the thousands of new households in the area, plus the addition of commercial and industrial establishments that go along with our urban life. So one wonders whether we have received a complete answer, or whether at some future date the total demand for water would outstrip the supply.

The second point I make is the absence of any action on the part of the State of Illinois to insure that housing in the area of the site would be open to all races. Positive action was certainly a part of the AEC's consideration in selecting Weston. When the Commission announced its decision December 16, 1966, it said on this score:

> During the selection process, the AEC informed the Weston (and the other) site proposers of the thinking of the U.S. Commission on Civil Rights on civil rights criteria, and indicated that the AEC planned to seek from the selected site appropriate commitments in areas of employment, housing, education and community facilities and services as were suggested by the Commission on Civil Rights.
>
> The Atomic Energy Commission noted differing views with respect to non-discrimination in housing and in certain areas more distant from the site with respect to integration in public schools, but will expect that with the leadership of the state and local governments and with the cooperation and support of citizens and community organizations in the Chicago area, a broad satisfactory record of non-discrimination and equal opportunity will be achieved.

This is what the Commission expected, Mr. President. But what has actually taken place? Chairman Seaborg, in a statement 4 months later, deplored the failure to move on the matter of fair housing. He said:

> With the exception of the Village of Weston, no community in the site area has enacted an effective housing ordinance. None has even provided the AEC with commitment letters on non-discrimination in housing.

What are the possibilities for a change in attitude in the local communities? Surely the pressure to change—to take a positive step in the direction of open housing, has been great these past few months. The answer may well be indicated in the action taken some months ago by the organized real estate industry of Du Page County, which initiated the successful effort to enjoin the enforcement of Governor Kerner's executive order on housing.

At the State level, just last month the Illinois Senate buried in committee the one successful effort made by the House to meet this responsibility.

So here, Mr. President, is where we stand: The AEC has emphatically stated the importance of nondiscrimination in housing, in contemplation of attracting personnel of all races to operate this facility. But the answer of the local communities and the State of Illinois is one of utter disregard.

Senator PASTORE has summed it up well:

> For our government to foster basic research facilities in areas where freedom to live is still an unsolved problem is not the American way to start a new center of excellence in research.

Let us consider, for a moment, what conditions in the Weston area appear to be at this moment, in the absence of a State fair housing law.

One Chicago newspaper reported the words of a Negro leader who is a member of a local human relations commission in the Weston area. He summed up the housing situation shortly after the Commission announced its selection of the Weston site this way:

> Unless realtors have changed their minds within the last few weeks, racial discrimination in housing exists throughout the entire area.
>
> Negro groups have conducted tests in almost all of the cities and villages around Weston, and, save for a few instances, real estate dealers have flatly refused to show Negroes homes.

Since that time, multiple listing services in Wheaton and Glen Ellyn have agreed to show their listings. Weston itself, a village of 400, has passed an open housing ordinance which is limited to a ban on discriminatory practices by real estate brokers and salesmen. Eighteen Negro families have moved into 12 apartment buildings and two houses in Wheaton and one Negro family is living in Glen Ellyn.

However, in 1966, the organized real esate industry of Du Page County, where the Federal investment will be made, initiated the successful effort to enjoin enforcement of the Illinois Governor's executive order on housing. The State legislature defeated all efforts to pass an open housing law.

In that county, population has grown from 154,000 in 1950; to 313,000 in 1960, and 389,000 in 1964. Between 1962 and 1965 there was an increase of 50 percent in the number of nongovernmental jobs in the county. But there are less than 2,000 nonwhite residents in the county, less than one-half of 1 percent of the total population. There are no Negroes in Weston.

And there is now one AEC installation in the Chicago metropolitan area, the Argonne National Laboratory. The Chicago branch of the National Association for the Advancement of Colored People has indicated that Negro personnel cannot now find housing in the vicinity of that Federal facility and must commute from Chicago. The commuting distance to Weston—if facilities and schedules and fares permit—would be 35 miles.

That is the record to be weighed against the general assurances which have been offered to the AEC.

The AEC accelerator will cost an estimated $400 million to build, $60 million annually to operate, and will directly employ 2,000 men and women and an estimated 6,000 others in resulting job growth in the area.

Will the Senate accept the Weston, Ill., site for that investment of Federal dollars and resources on the basis of present general assurances of equal opportunity in jobs and housing for all citizens as against the record of actual past and present restrictions, which created a virtually all-white area? If it does, it will, I am convinced, write another chapter in official Federal policy of discrimination and segregation of housing, contravene the 1964 act, and above all lose a valuable opportunity to be of pioneering and creative assistance.

I believe that planning authorization should be withheld until specific steps are taken and mechanisms created to make equal access for jobs and housing available. This enormous investment is to be paid for by the tax dollars of all Americans, Negro and white. I believe we have a responsibility to locate it where housing opportunity is available equally to all Americans who would seek employment. So often a pattern based on earlier practices, discriminatory practices, has created an omelet of problems which we are told makes it impossible to unscramble. But here we start fresh, from scratch. We can insure nondiscrimination in this new area where in a few years a large population will be centered.

Mr. President, I should acknowledge that Ann Arbor, Mich., was a leading contender for the accelerator site and therefore my words here might be dismissed as those of a politician protecting a parochial interest.

But the facts are, nevertheless, clear. Fair housing guarantees were one of the basic criteria that the AEC demanded of the chosen region. And these guarantees have not been forthcoming.

The question, as I see it, is this: Should massive amounts of taxpayers' money be spent to create a new ghetto at a time when it is national policy to eliminate ghettos?

Not in my opinion, Mr. President. I am hopeful the Senate will delay authorization of this project until we are all assured this will not happen.

Actually, spokesmen for some of the scientific community in Michigan have asked that I not delay the authorization for Weston. They regret that Ann Arbor was not selected but are pleased that it is proposed to place the facility in the Midwest. I understand the interest of scientists to move promptly to learn all that can be known about the atomic package. But I believe the claim for equal employment opportunity is strong; the claim that the Senate must not establish this enormous new facility until we are certain we have done all possible to protect the legitimate interests of all our citizens.

I ask unanimous consent that the concerned and thoughtful article by Roy Wilkins, of the NAACP, which appeared in the Detroit News of July 1, 1967, and the Detroit News editorial of June 27, 1967, as well as a letter addressed to me from the Coordinating Council of Community Organizations, be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ILLINOIS CRITICIZED AS ATOM PLANT SITE

Negro citizens who have managed to preserve a faith in the easing of racial difficulties through steady, orderly procedure got another kick in the teeth a few days ago.

The Illinois state senate has killed a fair housing bill. The arresting aspect of this act lies in the fact that housing for minorities was a factor in the selection of Weston, Ill., as the site for the $375-million atom smasher by the Atomic Energy Commission.

Weston, a town of a few hundred residents, has no Negroes in or near the place. DuPage County, in which Weston is located, has a population of approximately 300,000, of which only 600 are Negroes. Since the county is very near Chicago and Weston is only 35 miles from the metropolis, it is easy to believe that DuPage County has had a policy of deliberately discouraging Negroes from settling there.

In fact, the record shows that DuPage County politicians and leaders have opposed adamantly the enactment of any fair housing legislation by the state legislature. They were unbending when the Weston plant was being discussed. They wanted no concessions on minority housing.

Five other states, California, New York, Michigan, Wisconsin and Colorado, had sites competing with Illinois. All of Illinois' rivals had laws on housing and employment even though California was involved in litigation. Despite this, and despite lily-white Weston and almost lily-white DuPage County, the Illinois town was the winner, principally upon the assurance from Illinoisans that a fair housing law would be enacted.

Now the Illinois legislature has reneged. The state has the $375-million atom plant and the $60-million a year in maintenance money. It has 2,000 technical employes and many workers in other categories, all making up a fat payroll for Illinois. For white Illinois, that is.

Just in case Negro citizens get any ideas, a spokesman for the suburb of Cicero has already laid down talk of "bloodshed." Weston has adopted a town fair housing ordinance but a town official said that it would not require anyone to sell or rent to "anyone he did not choose to deal with." Negroes are still out in the cold on housing.

Why is this important? Why the blood pressures? Well, the United States, where Negroes have lived for 348 years, where they pay taxes and where their men have fought and died in defense of their country in every war from 1776 to Vietnam, is going to use tax money to create an employment bonanza in the middle of an Illinois prairie and that bonanza will be for white, not black, Americans.

This use of the money of all the people to build a facility where nonwhite workers will have to face insults and bricks and mobs in order to occupy a home is a monumental sin in the world of 1967. Since about eight years of construction are required, a procedure is being adopted that will give life to the jim crow policy of 1975!

In a letter to a New York newspaper a woman points out that one Negro is in the President's Cabinet and one has been nominated to the Supreme Court. She asks, plaintively, "What more do they want?"

Well, madam, they are grateful to the President for the Cabinet member and (if confirmed) for the Supreme Court associate justice. However, two men, estimable as they are, cannot substitute for opportunity and justice and dignity for the entire Negro population, or even for Negro Illinoisans.

The Atomic Energy Commission and its controlling Joint Congressional Committee should cancel out Weston, Ill., and build the plant elsewhere.

A HARD LOOK AT WESTON NEEDED

Though we'd love to see the federal government's new $375 million atom smasher built in Michigan, we would call it undignified and unworthy for Michigan or any other state to make cynical hay over Illinois' troubles in landing it.

But that should not preclude the federal government from taking a hard, searching second look at its tentative choice of an Illinois site.

Weston, Illinois was the Atomic Energy Commission's choice for the giant, prestigious economic plum. Weston presumably met the AEC's technical criteria as, presumably, did the other five finalist communities, including Ann Arbor.

But Illinois is under fire for lack of any semblance of a fair housing law. Strenuous attempts to enact one failed this month, and civil rights leaders are leading a drive to keep the atom smasher out of that state.

Equality of employment opportunity is by now a foregone conclusion in any major undertaking by the federal government. But what is its practical value, ask civil rights spokesmen, if Negroes cannot live within 50 or 60 miles of the jobs they are offered?

There are other technically adequate sites where qualified Negroes need not be subjected to this disability, they say; build the atom smasher at one of these.

They are right.

No state can yet claim that its problems of race and housing are wholly solved; it ill behooves any state, then, to play the vulture to Illinois' troubles.

But some states have done better at providing fair housing opportunity than others. The Weston site is apparently not the only place in the nation where the AEC facility can do its job properly and efficiently. The federal government can and should put it where equality of opportunity is a practical fact, not an empty theory.

COORDINATING COUNCIL
OF COMMUNITY ORGANIZATIONS,
July 10, 1967.

Hon. PHILIP A. HART,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: We are writing to you on behalf of the combined human rights forces of the Chicago metropolitan community with regard to the proposed Atomic Energy Commission facility at Weston, Illinois. In the next day or two you will be asked to approve this project and to make an initial appropriation of some $7,300,000 toward its construction.

We appeal to you most earnestly to join Senator John O. Pastore in opposition to this proposal. We ask you to delete the Weston project from the appropriation bill.

Our reasons for this appeal are as follows:

1. We believe that the proposed Weston project is a national test case for the integrity of Title VI of the 1964 Civil Rights Act. As you know, Title VI says,

"No person in the United States shall, on grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

At the very least, Title VI is a guarantee that there will be equal job opportunity at federal projects and federally assisted programs.

2. Equal job opportunity, however, cannot be created in a vacuum. It may depend on certain other conditions and surely it is the obligation of the federal government to understand this and to strive for those conditions which make it possible for us to keep faith with the commitment of Title VI.

3. In the Weston case, job opportunity is intrinsically and directly dependent on the housing situation. There are practically no Negroes in the Weston area. Weston is in the middle of Du Page county, an all-white suburban county. As of April 1966, the total population of Du Page county is just under 300,000 persons (298,132). Of this number it is estimated that just 540 are Negroes. Between 1960 and 1966 the white population grew by 80,000 but the non-white population grew hardly at all—by only 129. Yet Du Page county is just 30 miles west of Chicago, the home of nearly 1,000,000 Negro citizens. Clearly equal job opportunity at the Weston project will be meaningless unless Negro scientists, technicians, and other personnel will be able to move into the area to live within reasonable distance of their jobs.

4. The Atomic Energy Commission, itself, is quite aware of the relationship between housing and jobs in the Weston area. In an unprecedented action, the Commissioners personally visited the state, conferred with the governor and with legislative leaders of both parties to explain that housing discrimination in Illinois cast a cloud of doubt about Illinois' eligibility for the proposed nuclear accelerator facility at Weston. They discreetly appealed to Illinois political leaders to remove this doubt by passing appropriate remedial legislation, i.e. a fair housing law.

5. Unfortunately, their appeal fell on deaf ears. The Illinois Senate has thus far killed 8 fair housing bills including a very minimum proposal from Senate majority leader, Senator W. Russell Arrington. (Under Senator Arrington's proposal, owner occupied dwellings of 10 units or less would have been exempted, which meant that less than 50% of Illinois' housing would have been covered, and less than 10% of the housing in Du Page county, site of the proposed Weston project, would have been covered. Even this bill, however, was defeated.)

6. We do *not* say as Representative Holifield of California has charged that *all* states without fair housing legislation are ineligible for federal projects because of Title VI. We do say that in this case and in similar cases where job opportunity is so totally dependent on housing opportunity, Title VI stands against the project being located in Illinois as long as Illinois refuses reasonable cooperation in the creation of those conditions which are absolutely necessary for compliance with the federal law.

7. The general housing market in Du Page county is closed to Negro families despite the admirable efforts of some private cit-

izens, human relations groups and the recent ordinance of the city of Wheaton. The enclosed memorandum describes some actual, current cases of discrimination in the area. Perhaps, the most compelling evidence, however, is the experience of Negro employees of another Atomic Energy Commission installation, the Argonne National Laboratory, also located in Du Page county just 10 miles from the proposed Weston site.

8. According to the Director of Personnel at Argonne, as of 1965, the laboratory employed 238 non-white employees and 3,880 white employees. Of the 238 non-white employees only one lived in Du Page county. In contrast 1848 or 47% of the white employees live in Du Page county, 92% of the non-white employees had to commute to their jobs from Cook county and 97% of the non-white employees had to travel over 15 miles to reach their jobs while only 20% of the white employees travelled this distance.

9. The national trend of industry migrating to the suburbs has a built-in effect of promoting racial discrimination in employment because of the tradition of racial exclusiveness in housing. Surely it is not unreasonable to ask the federal government in its installations to oppose this trend. Du Page county is a case in point. Between 1950 and 1965, 56,000 new jobs were created in the county, almost 100% for whites only because of the housing patterns. It will be the same story with the jobs created by the Weston project if the federal government refuses to set reasonable standards for compliance with Title VI.

10. Finally, we think that you should vote against the Weston appropriation because if it is approved under the present circumstances—after the Atomic Energy Commission has, itself, raised the issue of housing and after the Commission's appeal for cooperation has been denied—a serious, perhaps fatal blow will have been done to Title VI.

The 1964 Civil Rights Act should be preserved and respected as the finest legacy of the late President John F. Kennedy to his country. If the Weston project goes through, it will be seen by black Americans as just another broken promise by white America. These broken promises are a principal cause of the growing spirit of alienation. They plant the seeds of racial chaos.

We are not anti-Weston in any punitive sense. We are not interested in seeking "revenge" for the failures of our state legislature. We too love this State. We too want to see it prosper and grow. We believe, however, that short-run local interest is not always in the the national interest. We believe that what is good for America is also good for Illinois, and that it would be better for our country if the Weston project were located in a state which is willing to do its part to assure that Negro Americans will genuinely be able to share in the benefits of this great enterprise.

Sincerely,
Albert A. Raby,
Convenor, Coordinating Council of Community Organizations.
Dr. Martin Luther King, Jr.,
President, Southern Christian Leadership Conference, Co-Chairman, Chicago Freedom Movement.

Some Current Case Historians of Discrimination in Du Page County, July, 1967

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Mr. MAGNUSON. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. On what?

Mr. MAGNUSON. I want the floor.

Mr. DIRKSEN. On what side is the Senator?

Mr. MAGNUSON. I am on Senator Pastore's side.

Mr. DIRKSEN. Is the Senator in our corner, or is he not?

Mr. MAGNUSON. I am with Senator Pastore.

Mr. DIRKSEN. Oh. Then, Mr. President, I renew my request for a quorum—I make the point that I observe the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 182 Leg.]

Aiken
Allott
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smathers
Smith
Spong
Stennis
Symington
Talmadge
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

The Senator from Illinois is recognized.

Mr. MORTON. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. DIRKSEN. Mr. President, I am ready to proceed.

I thought I would be so spent, after the emotional appeal of my distinguished friend from Rhode Island, that I was not quite sure I could stand in shoe leather and do justice to the problem which confronts us.

One would think, from hearing the distinguished Senator from Rhode Island talk, that he is the only crusader in the Senate; that, like Atlas, he bears the whole weight of the world, including all its sins.

Well, I am sorry, Mr. President, if my sins have been cast upon his shoulders. I have tried always, of course, to bear them as bravely and as sacrificially as I know how.

But that is neither here nor there. I should start, perhaps, with the fact that once upon a time I was on the Senator's committee. In fact, I was on his committee for a period of 7 months. Even at that time, we were talking about accelerators and goodness knows what all; but I never heard anybody talk about the availability of housing at that time. Before that, they went out and built the Argonne laboratory west of Chicago, and not a voice was raised about the availability of housing or open occupancy. It is rather strange that suddenly this becomes such an emotional issue that, unless it is rightly solved, it may visit condign punishment upon the 50 States of the Union, and perhaps the District of Columbia, and perforce Puerto Rico and the Virgin Islands. Who shall say?

But let us start where we ought to start. The Atomic Energy Commission proposed this matter; so let us get a few things squared. Senators have been reading from letters here, from the Chairman of the Commission, that go back to April and perhaps March. Let us see what Mr. Seaborg says in a letter that is only 19 days old, dated June 23, 1967. His letter was not addressed to me, but it was sent to me. It was addressed to Roy Wilkins, the executive director of the NAACP. If anyone wants to know, Roy Wilkins comes from Chicago; and if you want to know whether or not I feel kindly toward him, I got his older brother appointed as an international secretary of labor a good many years ago. At one time he had his eye upon a Federal judgeship out in Illinois, and unfortunately I only had one and I could not deliver to everybody. My distinguished friend from Rhode Island understands the verities of that situation pretty well, I am sure.

But what does Mr. Seaborg say? Let us see:

> It is the Commission's view that proceeding at Weston as planned is a course of affirmative action that can and will advance the cause of and benefit Negroes and other minority group people, regardless of whether the Commission will have the immediate support of open housing laws, ordinances, or regulations.

Now, that was 20 days ago; and I cannot believe that Glenn Seaborg, great professor, great scientist, great technician that he is, changes his mind quite that often.

Of course, I have seen minds change, Mr. President, like the fellow in a revolving door. He had himself a good package on, and he could not get out of the door. He kept going around and around. Every time he attempted to get out on the street side, some girl in a yellow dress was poured out the door. When he got inside the building, somebody in a pink dress came out.

After he saw about 18 or 20 different colored dresses, he said, "By golly, it certainly surprises me how she changes her dress so fast."

Well, they do change their minds in Government. But I cannot believe that such a substantial scientist would change his mind quite that way.

They conclude that they have got to go ahead with it, that it is necessary in the scheme of things for the prestige of this country, and for its scientific advancement. So the search begins for a site.

I remember once when the Department of Agriculture looked for a site, and there were 1,100 comers; and did Henry Wallace have a time of it. But finally they did select a site, and, John, they selected Peoria, believe it or not, for which I was quite happy.

But the Commission got this scientific advisory committee to coast around the country, and they looked at everything and at everybody, to find out where they ought to land. In fact, they just combed the Nation. Then they made a selection; and what was the basis for that selection?

Well, one thing was transportation.

We think we have about the best transportation out there of any place in the country. O'Hare is rated as the most efficient metropolitan airfield in the country today. Chicago is the railroad center. We have enough concrete laid down all over the place to do justice to two States the size of California and, goodness knows, there is concrete to spare there.

We have universities that are close by.

We have the University of Illinois, with its huge new plant in Chicago. We have the University of Chicago. We have Northwestern University, attended by people from all over the Nation, the Illinois Institute of Technology, the University of Wisconsin, the University of Michigan, the University of Iowa, Bradley University at Peoria, and four State universities in addition to the University of Illinois.

We have laboratories galore. So, you find me any location in the country from the standpoint of physical location and resources to match this site.

It was not surprising to me that they made the announcement that they were going to bed down at Weston with this project that will cost a great deal of money. Who would not be entranced with that amount of money?

We have no air facilities of great dimension. However, we do have Chanute field and Scott field. They are smaller when measured by the standards of Maxwell field in California, but this is one location at which we could meet the demands and needs of this scientific group.

No question was ever raised about it until finally the civil rights groups began to write the Atomic Energy Commission, and the Joint Committee.

It was some time thereafter that Dr. Seaborg and other members of the Commission journeyed out to see the Governor and talk about the matter.

My friend, the senior Senator from New York [Mr. Javits], says it is strange that the Legislature of the State of Illinoise did not rise like a bass to the fly and suddenly divest itself of all sin and just rise to this mandate for housing. Well, that is no little legislature.

The population of the State of Illinois is over 10 million. You can sink quite a lot of States there and lose them. You can lose some of them in one county. However, we have over 10 million people and 57,000 square miles of territory. Every part of it is represented in that legislature, and you do not go in there and just push them around.

They are elected under State law, and if they did not have some independence about them, I would not be proud of them.

I was willing to act as a good Samaritan and as a charitable mediary in this business. I called up the speaker of the legislature, and I had two Illinois Representatives sitting there, thank goodness.

The newspapers got the story wrong. The Chicago Tribune was the only one that published the correct story.

I did not try to browbeat or push the speaker around. He is an old friend.

I said: "You are having trouble there."

He said: "Yes. I have been trying to do something about it."

I have been in Washington for 34 years and I have not seen the day when I have to pressure the legislature as to what they are going to do. If they do not know their business, they have no business being in Springfield, Ill., in the State capital.

In fact, the legislatures have been a great training school for people who ultimately come here. I missed, of course, the grassroots training of a State legislature. However, I do not for one moment demean the fact that it is a great training ground.

They are doing their own thinking. And what happens?

The general assembly in our legislature passed a general occupancy bill. What was the vote? It was 106 to 44. They were not slow on the uptake.

When the matter got to the senate, it was a different matter. Maybe there, as here, senators feel that probably there is greater prestige, knowledge, and wisdom in the senate than at the other end of the capitol.

I used to quip with some of my friends and say: "You know, the House is the lower house and this is the upper House." They did not like it.

That term comes from the days when the House met in the lower chamber and the Senate met in the upper chamber.

Some historian can remind me whether it was in Philadelphia or New York.

Mr. SCOTT. It was in Philadelphia.

Mr. DIRKSEN. Good enough. Be sure that the Record is correct so that the historians do not get me by the hair.

They were not neglectful. They went into it.

I began to explore the matter a little bit to see what could be done under the law if there was a disposition to do it.

To show you how our friend, the senior Senator from New York [Mr. Javits] got off base—brilliant lawyer that he is—he said: "Kane or Du Page County have done nothing about it."

We went to the attorney general. The attorney general said that the counties have no authority under the law.

That drops his argument like a leaden doughnut. And I told him not to make that mistake again, because there was no validity to it whatsoever.

We began to encourage the people in the cities. What do you think happened? The day before yesterday either the third or fourth largest city in the State, Joliet, with a population of 74,000 people, passed an open occupancy ordinance. And some time ago the city of Wheaton, with a population of 26,000 people—a highly educated, sophisticated, and cultured area—passed an open occupancy ordinance.

So, when they say that Weston may disappear under tons of concrete, it can. But Wheaton is not going to disappear and Joliet is not going to disappear.

It is 6 miles from Wheaton to where they will build this great big project, and it is 5 miles from Joliet.

There is a great emotional outpouring from my friends about having to drive a long distance from Argonne Laboratory. The same group that came to see you came to see me. I listened patiently in my office. There they were, colored and noncolored.

I said: "Tell me about it."

They said: "Why, people will have to drive 30 or 40 miles."

I said: "What are you squawking about? I have a man out in Virginia helping with my flowers and vegetable garden who drives 100 miles every day, from away beyond Leesburg, to get to work."

I will show you crowds. You ought to come out and see Route 7 when I come through in the morning. They are stacked up bumper to bumper, and they come from 50 miles away to get to work. They do not drive 30 or 40 miles. They drive 100 miles.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. PASTORE. Is the person who drives 100 miles to plant flowers a Negro or a white person?

Mr. DIRKSEN. They are all kinds.

Mr. PASTORE. Well, is he Negro or white who has to drive the 100 miles?

Mr. DIRKSEN. He is Negro.

Mr. PASTORE. That may be so.

Mr. DIRKSEN. How are you going to argue about it?

Mr. PASTORE. What the Senator from Rhode Island is actually saying is that in that part of the country, 225 Negroes are working at Argonne Laboratory in DuPage County, and 223 of those Negroes have to travel 70 miles a day, and the whites do not have to do so. That is what we are talking about.

Mr. DIRKSEN. Some people have to drive about 100 miles a day.

Mr. PASTORE. We are talking about equality.

Mr. DIRKSEN. You do not have to drive that many miles to drive all the way across the State of Rhode Island twice. There you have a population of 1 million. You can sink it in one-fourth of the city of Chicago and never know that it existed.

Geographical restraints amaze me. When one lives where you have big vistas, like our distinguished friend, the Senator from Wyoming, he thinks nothing of these great distances.

I remember one time down in Texas, I went to a Legion convention. They said, "Come with us. We're going to Mexico to see a bullfight."

I said, "Where is it?"

"Somewhere down there."

I asked, "How far is it?"

They said, "200 miles."

I said, "Do you guys drive 200 miles to go to a bullfight?"

"Why, we drive 200 miles to go to a dance."

So it depends on where you live, whether your cabin, as Shakespeare said, is cribbed and confined, or whether you live in the great open spaces, where you can appreciate vistas. We appreciate vistas out there.

We have Joliet. We have a great segment of Negro people, fine people, and it is only 20 miles from the Weston site.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. DIRKSEN. I yield.

Mr. PASTORE. We have had this project under consideration for 5 years.

Mr. DIRKSEN. I know.

Mr. PASTORE. And nothing ever happened; no equal housing had ever taken place. But since this thing started, since we showed a determination to do something about it, then open housing began to happen? I applaud Wheaton for doing it. Wheaton did it on July 3, and Joliet did it only yesterday.

I am saying to the Senator that I am not trying to move this project from Weston. All I am saying, for the reasons I have spelled out, is, give this a chance and you will do equity to Weston and open housing.

The argument that the whites will have to travel only 5 or 10 miles a day to go to work but that Negroes will have to go back to the ghetto in Chicago—and all because somebody wants to go 200 miles to a dance in Texas—does not convince me at all. This is no dance proposition. This is quite serious, especially if the color of one's face is black.

Mr. DIRKSEN. Mr. President, that is about the airiest nonsense and persiflage, with all apologies to my friend, the Senator from Rhode Island, that I have heard on this floor in a long time.

They keep talking about ghettos. Well, talk about New York and the cosponsor of the bill, the Senator from New York [Mr. JAVITS].

Mr. PASTORE. But this project is not going to New York.

Mr. DIRKSEN. I know. The Senator from Rhode Island is talking about ghettos. Harlem is a ghetto.

Mr. PASTORE. But we are not putting this project in New York.

Mr. DIRKSEN. They put this tag of "ghetto" so easily upon areas if the housing is not quite up to standard. We have more Negroes in Chicago alone than the entire population in the State of Rhode Island.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. PASTORE. What does that prove? If that is not pure and simple nonsense, what is? What does that prove—the fact that Rhode Island is small and can be buried in Illinois? What does the fact that Chicago has more Negroes than the entire population of Rhode Island prove, when we are talking about human dignity? We are not talking about the quantity of any race—but about the quality of their lives—quality and equity.

Mr. DIRKSEN. They are herded in a couple of blocks in Providence, and the Senator talks about a ghetto. We have them scattered all about the State—north, south, east, and west—and we look after them pretty well. I would be the last man to stand on the floor and defend some of the housing we have there. On the other hand, I will defend a great deal of it. All you have to do is drive down Michigan Avenue, State Street, Clark Street, to the end of town, and see what we have offered them. There is no community in the land, I presume, that does not have some substandard housing. But we have a big problem, and we deal with it rather competently and rather efficiently. That is the point I make.

But they want it done overnight. Push your legislature. Blackmail them. Make them do it.

In the 7 months I was on the Joint Committee on Atomic Energy, I never heard a voice raised about available housing.

Here sits my friend and colleague from Illinois, MEL PRICE. MEL, you are here as long as I am.

He has been here a long time, and he has been on that Joint Committee a long time. He lives down at the other end of the State, and he is on the Joint Committee. He can testify to the things I have been saying here.

MEL, I am sorry I am not with you. I might have given you a vote. I had to give it up because somebody else wanted it. But I am charitably inclined, and I suppose disposable and dispensable.

So these arguments just do not stand up.

My friend the Senator from Rhode Island did not demean me. He is too gracious to demean anybody. But he made the economy argument, and he talked about me taking out after the so-called poverty program. Did I take out after it? I not only took out after it, but I also did a pirouette on this floor that even got into Time magazine.

The idea of taking girls around—teenagers—and showing them huge 20-ton trucks, to find out whether they wanted to be truckdrivers. That is the kind of stuff we dealt with in the poverty program, and it had to be brought out into the open, to show how shameless it really was.

Yes, I made fun of it. Ridicule is sometimes the only weapon you have when other things fail, and so you have to ridicule them.

But he puts that on my shoulder and says that is the economy tag. Strange thing, we have not heard anything about economy in this program for a long, long time. It comes out now because here is a little nucleus. I do not know why, but that is the way it is.

Maybe it is just a question of whose ox is being gored.

My friend from New York [Mr. JAVITS] said that Illinois, in effect, turned this project down. Illinois did not do anything of the kind. Show me any affirmative action, show me a word, where Illinois turned it down. Merely because Illinois was not going to be pushed overnight into a forced action certainly does not indicate a turndown. It was not a turndown by me.

But I have some respect for our legislature. I wonder whether the legislature of the State of my distinguished friend from New York gets pushed around like some Federal agency, when there is an agency of that kind. Does that happen in the great Empire State? If it does, I will get up and jump off of the top of the Empire State Building.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DIRKSEN. Yes, I yield.

Mr. JAVITS. I am sure that none of us would want the Senator to jump off the Empire State Building.

New York does have such a statute. Being a lawyer, and a very good lawyer, the Senator from Illinois used the words "in effect." That, in effect, showed us that they were not going to do anything they did not feel like doing to get this installation. They had been warned by Dr. Seaborg that they were likely to lose it. If they were willing to take that chance, why should we bail them out?

I know that the senior Senator from Illinois and his colleague [Mr. PERCY] are eloquent. We would like to oblige them. But I think this is a rather big "oblige." That is the reason why I supported, and do support, the proposal of the Senator from Rhode Island [Mr. PASTORE].

Mr. DIRKSEN. As one lawyer to another, the words "in effect" are fine print. I caution the Senator against the fine print. But we do not want to be obliged.

The Commission took all this time, and they cast New York into outer darkness, as they did Colorado and other States. They finally said, "We will put the installation at Weston, Ill."

I am not a scientist, goodness knows. I took some chemistry, physics, and a few other subjects in high school, once upon a time. But I know that the Commission could not accidentally have come to that conclusion. They said, "This is the place, from the standpoint of every facility, and here it should be built."

What more is there to say, except one thing? Thirty States have no open occupancy laws. Some States do. If Senators are going to make the argument that this work should not be done and that the Pastore amendment ought to be adopted because Illinois has no open occupancy law, then look out for what will happen, because I have got to live, and I am going to keep a list handy. Just wait until some of the authorization and appropriation bills come around, and we will spend a lot more time in acting on them if they relate to States that do not have open occupancy laws. If that is to be the requirement, if that is to be the standard, then let us know it now.

The amendment ought to be defeated by an overwhelming vote of the Senate, rather than to establish an evil precedent today by adopting the amendment.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HOLLAND. In the event such a precedent as this were set, how would it operate in future instances, such as, for instance, in choosing the location of a great center such as the Kennedy Space Center, at Cape Kennedy?

Mr. DIRKSEN. Canaveral; exactly.

Mr. HOLLAND. How would it operate with respect to the location of the Manned Space Center at Houston, Tex.?

Mr. DIRKSEN. You put your finger on it precisely. They have one going in New Mexico right now. There is no open occupany law, but somehow or other no voice was raised, shouting and singing, "jingle bells, jingle bells." The Senator from Rhode Island must have known that I was making a Christmas record yesterday when he mentioned jingle bells.

(At this point, Mr. MONDALE assumed the chair.)

Mr. HOLLAND. How would this operate with respect to the operation of the great Huntsville complex for the space activities in Alabama?

Mr. DIRKSEN. We will come down and try to get it away from you.

Mr. HOLLAND. I had not expected that sort of ungenerous response from the Senator. I think he was joking.

Mr. DIRKSEN. It would not have been put there in the first place if this had been the rule.

Mr. HOLLAND. How would this operate against the Tennessee Valley Authority or Oak Ridge in the area where they are located?

Mr. DIRKSEN. It would be particularly true with respect to Florence, Ala., and Knoxville, Tenn., and other areas where there is a big demand for housing close to the installation.

Mr. HOLLAND. How would it operate with respect to the establishment of the great Langley Space Center in Virginia?

Mr. DIRKSEN. It would have the same effect.

Mr. HOLLAND. This kind of precedent, if once adopted, would be a great expansion of title VI of the Civil Rights Act so as to operate against future Federal investments of great size in any State unless that State bowed to the will of that group which wants open housing established throughout the Nation but has not passed a Federal law on that subject.

Mr. DIRKSEN. The Senator stated it better than I could, with the exception that now it would be done on a national basis.

Mr. HOLLAND. I have one more question. There are a large number of space establishments, shipyard establishments, and similar Federal establishments in California which, as I recall, failed to adopt an open housing provision on a statewide referendum by a heavy vote. How would this kind of precedent operate against such establishments being set up in California in the future until and unless an open housing law is voted there?

Mr. DIRKSEN. That was a complicated situation there because it had been submitted to the voters. I believe they called it proposition 14 on the California ballot. The matter got to the Supreme Court, and then it went back to the California supreme court. Whether or not it has finally been resolved I cannot quite tell the Senator, but it is the same problem over and over.

Mr. HOLLAND. There is no question about the fact that although the referendum was knocked out by the Supreme Court the Legislature of California has not passed an open housing act; has it?

Mr. DIRKSEN. No.

Mr. HOLLAND. Would not this kind of precedent, as established in this case, be equally applicable to the establishment in many of the 50 States of the Union which did not happen to have an open housing act in needed, advantageously located, and well-chosen spots for Federal establishments for great Federal objectives?

Mr. DIRKSEN. The Senator has stated the case and I have tried to state the case.

I honestly hope that the Senate will not make this unprecedented blunder, because they will regret this a long time and perhaps discover, as the Book does not say: Sufficient unto the day is "not" the evil thereof; because there will be greater evils to follow.

Mr. President, I shall not belabor the matter. I think the case is one sided and the Pastore amendment should be roundly defeated. I prefer now to yield the floor unless Senators wish to speak on this subject.

Mr. PASTORE. Mr. President, I wish to make an observation or two before the distinguished Senator from Illinois leaves.

The distinguished Senator from Illinois took occasion to say that the question of open housing did not enter this situation until such time as these groups moved in. Nothing could be further from the facts.

The fact of the matter is that when the original criteria went out the AEC said specifically that they were concerned with adequate housing for 2,000 employees. Then, in January 1967 it was not the Senator from Rhode Island but it was the Chairman of the Atomic Energy Commission who issued the following statement. He said:

> The Commission considered the 200-Bev accelerator site selection question at 18 meetings. Primary concerns of the Commission were electric power supply and civil rights and now discrimination.

This is nothing I invented. Here is a governmental agency that is proposing to build a purely educational device. It has nothing at all to do with the military. It has nothing at all to do with the national security. The argument is being made here that this would set a precedent. They dwell in the past. We went without a civil rights law for 100 years, but in 1964 we passed the civil rights law. We are dealing with it today.

I repeat again that this idea that it is perfectly all right for a Negro to travel 60 miles a day but it is not all right for a white man to travel 60 miles a day, that the white man can live close to his job while the Negro has to live in a ghetto, removed by 35 miles, does not strike the Senator from Rhode Island as being dignified argument.

Perhaps we are setting a precedent and the precedent will be that any time a governmental agency brings up the question of open housing, or fair housing, or a fair opportunity for a job, that they make that a predicate. We have a perfect right to defend that predicate. If that is wrong and the Senate wants to take an opposite view it is its privilege to do so. As far as I am concerned, I do not care if I am alone. If this is roundly defeated, I still stand firm. I have stood on the floor of the Senate and I managed title VI. I have not been in the habit of marching up the hill and the next day marching down the hill. I have the courage to be consistent.

Yes, maybe our forces are too little or too late, but the question here is: Do we come with humanity uppermost in our minds?

It is foolish reasoning and nonsensical to argue that it is all right for a Negro to travel 70 miles if he wants a job, and that he should be happy to get it.

I say yes, it will be a long, hot summer. Keep doing this to American society and you will never cool off summer. Unless you say to the able, ambitious law-abiding Negro, "We will give you a decent chance, not by promise but by performance," how can he place any restraint upon the violent ones?

Already our society has been cursed—and I use that word advisedly—with violence and vandalism. I say, the only cure is to begin to do the things we preach about but never seem to get around to doing.

Let me read this letter, Mr. President. It comes from——

Mr. DIRKSEN. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. Does the Senator mind if I read the letter first, and then I will yield to him?

Mr. DIRKSEN. Of course.

Mr. PASTORE. This letter comes to me from Marvin L. Montgomery. I am going to read it in toto, because it points up a disgraceful situation.

It reads as follows:

CHICAGO, ILL.,
May 13, 1967.

DEAR SENATOR PASTORE: One year ago I was assigned by the Veterans' Administration to Hines, Illinois, a western suburb of Chicago, to supervise construction of a new 24-million dollar general medical and surgical hospital in Hines within an existing VA complex.

I am a Negro and a graduate architectural engineer.

Because of my experiences here in Illinois, I have read with growing concern of the atomic reactor which is proposed to be built in Weston, a western suburb of Chicago. My concern is for the hundreds of professional and non-professional men and women of my race as well as other minorities, who, as I was, will be asked to work on the Federal project in Weston, Illinois.

Prior to my reassignment to Hines, because of my concern about the housing situation in Illinois, I was assured by Veterans' Administration, Central Office supervisors that housing was plentiful and that I would have no problem in Illinois.

> When I arrived April 19, 1966, I did find plenty of housing advertised in newspapers and eagerly began to call upon realtors and owners listing apartments and houses for rent.
>
> How can I describe the feelings we experienced as one realtor or owner after another told us "This is only for whites," or "We are not ready to integrate," or "This apartment has just been rented" (later found to be untrue). Others said, "I'll check and call back," or "Our rental office is closed, we can't help you today." We were ushered out of realtors' offices hastily lest white passers-by would think they were doing business with us. During May, June and July, 1966, we visited thirty-two realtors and owners in west suburban communities near Weston, Illinois.
>
> Almost invariably we were told to "Look in Maywood," the location of a large "Negro Ghetto."
>
> What hurts most of all was that my wife, daughter and I were not treated as human beings, American citizens, but as *things* to be placed where white persons chose to place us. It did not matter that we were college graduates, ambitious, conscientious . . .; all that mattered was the *color* of our skin. We could have nothing to say about where we could live or where our daughter could attend school.
>
> As a result of our frustrating and dehumanizing experiences, my desire to protest and publicize the treatment accorded minorities led me to pitch a tent containing my family in front of the Oak Park office of one of Illinois' largest real estate firms, Baird and Warner, Inc. This event was well covered by newspapers and television evoking the usual responses of concern and indignation. However, in spite of the efforts of many concerned individuals, the barriers remained, and we reluctantly moved to the only place that was open to us, the "Negro Ghetto" in Maywood, Illinois.
>
> During the spring of 1967, we tried again to find housing outside the ghetto, unsuccessfully. My inability to obtain adequate housing has led me to change to another job much sooner than I had planned. I am now employed with the Department of Housing and Urban Development and have moved to one of the very few integrated housing areas of Chicago.
>
> I am writing specifically to register my strong feeling that the United States Congress would be very unwise and unjustified if funds are appropriated for the atomic reactor at Weston, Illinois, unless Open Occupancy legislation is enacted by the Illinois Legislature. It is unthinkable that the leaders of our nation would pour billions of dollars into a project in Illinois when American citizens asked to work on this project are denied any choice of where they may live.
>
> In spite of the assurances of community leaders in and around Weston that housing will not be a problem for minority groups, *this problem will not be solved without passage of a strong, enforceable, state or federal open occupancy law.* I have heard these same assurances of community leaders and have found them to be hollow. I believe that any appropriation should be held up until Illinois passes a meaningful open housing law, or that the atomic reactor should be built in one of the other states suggested, states which have legal means to deal with discrimination in housing.
>
> I feel so strongly about this that I am willing to appear before any member or committee in Springfield or in Washington. Because of our nation's devotion to the freedom of all men everywhere, and because of its leadership of free nations in the world, it is imperative now that our actions truly follow our words.
>
> In summary, I wish to do all within my power to assure that no other Negro employee or citizen of the United States is subjected to the degrading treatment which my family and I received when we were assigned to live in Illinois.
>
> Sincerely yours,
>
> Marvin L. Montgomery.

I want to ask my distinguished colleague from Illinois that if he were chairman of that committee and letters of this kind came in, and all these organizations wrote to him, what part would he take in this? Would he sweep it under the rug, or tell these people to go to the devil. Would he tell these people, "Look, you do not count. You are black. You are not white." I am sure he would not.

That is what is involved here. It is a question of morality. I would not say that the Senator from Illinois is insincere. He has his own point of view, and he has made it abundantly clear time after time after time. But this is a time to be serious as well as sincere. This idea of making a joke of the whole situation, of how long it takes to travel through Rhode Island, or how large Rhode Island happens to be, and all that sort of nonsense, really has no place in this debate.

Mr. President, so far as I am concerned, I do not care if I stand alone. I am going to vote my conscience this afternoon. I never said for one moment that I wanted to integrate the whole State of Illinois. Read the Record. I said time after time after time that the bill should not be used as a blackjack to integrate the State of Illinois, I said that I was compelled and obliged, because of the action of the Atomic Energy Commission, to make sure that every American, regardless of the color of his skin, could go to that site where we would be pouring in $400 million of the taxpayers' money and be assured that he would not be turned away, as Mr. Montgomery was, because he was dark, when he sought to live close to his place of employment.

There has been reference here to Philadelphia and our beginning as a nation.

Referring to the Declaration of Independence, where is the equality of creation? Where is the inalienable right of life, liberty, and the pursuit of happiness?

What does life mean, if it does not mean a job—the means of making a living?

What does liberty mean if we cannot express ourselves?

What does the pursuit of happiness mean unless we can find a home for our family?

Mr. President, that is the human question here this afternoon.

I do not care how other Senators vote. I do not care if I stand alone. So far as I am concerned, in my heart, I feel good—I feel very good. I feel just as good as when we passed title VI.

If Senators want to defeat the amendment, they can go ahead and do it. The opposition to my amendment may have the votes this afternoon. But let me say this to the Senate: When in days to come we pick up the newspaper and read about violent demonstrations and the violence on the streets, ask ourselves this question: What did I do to avoid it? What did I do for the decent Negro who wants a chance? What did I do for him to pass on as a good example? What will be his response—if we do not discharge our responsibility?

These are some of the questions involved in this issue this afternoon.

The Senate can do what it pleases. The House has already had its pleasure. If the Senate wants to act the same way, it can go ahead and do it. But, as far as I am concerned, I felt compelled to speak on behalf of these fine groups, and the people who live close to the problem. They tell me that they are being discriminated against.

I do not care if Illinois passes open housing or not. That is its business. But any time anyone asks me to stand up and spend $1 which belongs to all the people, to all the taxpayers of this country, they cannot tell me that I am going to leave it to a handful of people to decide who can live in the favored place and who cannot.

Go ahead and defeat the amendment, if you will, but I will cast my vote for it.

Mr. DIRKSEN. Mr. President, of course, I cannot help it if the distinguished Senator from Rhode Island must persist in the error of his ways. It is too bad. I would not say, however, that he has the only conscience in the Senate.

Mr. PASTORE. I did not say so. I said the opposite.

Mr. DIRKSEN. I would not say that he has the only throbbing heart in the Senate for humanity.

Why, Mr. President, I remind my friend, when he talks about the Civil Rights Act of 1964, where does he think the act of 1957 was written, and 1959, and 1961, and 1963, if it was not in my office, just 15 steps from here—with the present Vice President sitting there, the present President of the United States coming to that office, and the Attorney General, now the Assistant Secretary of State, also sitting with us, not just day after day, but week after week after week, where those bills were written?

Thus, if he wants to believe he has the only conscience in the Senate, just go and look at the Record and see where the senior Senator from Illinois was when we were writing that legislation and trying to perfect it and make it pragmatic and worthwhile. And we did, I believe.

Now, be careful about one letter and about all the tears that are in it, because I will tell Senators the other side of the story. An agricultural laboratory, the Northern Regional Research Laboratory, was established in Peoria. A few years ago they decided to send a very distinguished Negro organic chemist there. Well, of course, the housing in Peoria for Negroes is not anything to be proud of, and he made some complaint of it. I went to the president of the chamber of commerce, and then to the president of the largest savings and loan association in that town. They said, "All right, we will go out in the most favorable area in town. We will buy the equivalent of at least two, and possibly four, city blocks," and they optioned the property and then said to him, "Look, we are going to build you a brand new, stylish house." He said, "I won't take it. You are trying to isolate me. You are trying to set me off to one side." Look at the support that community poured out for him, and then he said, "Oh, no, you are trying to segregate me."

So look out for these individual cases. Let my friend drive up and down south Chicago and west Chicago and see what we do about housing there. Then he will get something besides this kind of picture, which has been painted in such broad strokes on the Senate floor that not even an artist would recognize it.

No, it is not quite that way. So let us vote this down. We can show the country that we have hearts and consciences. We have done it before, because we put legislation on the books for the first time in 80 years. Look at the long lag before it was done. Could it have been done without the sympathy of the House and the Senate? No.

We have made progress, lots of it. We are making progress in Illinois. Communities are falling into line. One branch of the legislature did it. This move started only a couple of months before the adjournment time. Yet some think it must be done overnight, like a cyclone and a fire bell in the night. Well, people are still people, and it does not work out that way.

So do not be misled by that kind of letter. I get these letters, too, and I know what to do about them, particularly if the address is in the letter, because I know my State pretty well, and I know the city of Chicago, and I can pretty well tell what it is.

It is in the nature of people to complain. I remember what "Black Jack" Pershing, our commander in World War I, said: "I would not give you a nickle for a soldier who did not bitch." That was his language. That is quite true of soldiers.

I am glad when they protest and express their dissent, because that is one of the motive powers of the people.

Mr. President, I have belabored the issue. I shall yield the floor with the plea to Members of the Senate that they vote this amendment down by an overwhelming majority and show that there is still some reality and appreciation of reality in what we do.

Mr. PERCY. Mr. President, I feel there would be nothing to add to the arguments of my distinguished senior colleague from Illinois. He has answered many of the points raised by the Senator from Rhode Island.

I should like, however, to refer to the four points made by the Senator from Rhode Island as the concluding argument for his amendment and against the approval of this site.

Because of my high regard for him and for his obvious dedication to our national interest and the interests that are served in this project; and because of the implication that this project will further discrimination rather than remove a blight upon American life, I would like to take up these four points and try to answer each of them in as rational and logical a way as I can. I would hope that with these arguments I could even persuade the distinguished Senator from Rhode Island to vote against his own amendment.

One of the four arguments he made is that we should have economy in Government and that, after all, this project is not needed. He described it as a toy.

Second, he argues that there is some indecision about the size of the unit, and that we should wait a year, because a year's delay would not cause any harm.

Third, that scientific determination leaves us in doubt as to whether there is an adequate water supply for the project.

Fourth—I shall consider it last, although it is the most important and overriding argument—the point of discrimination in housing. I shall leave that last, because I do feel as deeply and as strongly about the issue of discrimination in housing in 1967 in Illinois and in every other State of the Union as my distinguished colleague from Illinois does.

From the standpoint of the first argument, whether or not this project is needed, I simply refer to the report which was made in May 1963, by the Panel of High Energy Accelerator Physicists of the Atomic Energy Commission and the President's Science Advisory Committee, recommending in 1963 that the Federal Government construct a 200 Bev accelerator immediately. Ever since that decision was made by that distinguished panel, every delay we have had has set the national interest back.

A second policy report was made indicating the need for national action in the field of high energy in January 1965. The official position was taken by that panel on that date, and President Lyndon B. Johnson endorsed that report.

I would also like to read this paragraph from a letter from Norman F. Ramsay, Higgins professor of physics at Harvard and president of Universities Research Association, written to Senator EDWARD BROOKE, who is a supporter of this amendment.

> Since the scientists in this field are so clearly aware of the need for speed, a major delay will involve a great loss of momentum and enthusiasm and will probably lead to the disbanding of the present organization which is already at work in Illinois. To start all over again in a year or two from now will be much more difficult and may never again be as effective. It would be a tragedy for this great and promising cooperative scientific enterprise to be severely weakened by a delay when the delay will not necessarily lead to open housing legislation in Illinois and when the presence of the Laboratory will provide an increasingly strong force favoring such legislation and similar action favorable to minority groups.

This comes from the president of Universities Research Association.

I should also like to refer to a report of the National Academy of Scientists' Site Evaluation Committee, a group of distinguished scientists at work for many, many months in making a determination as to where this accelerator should be located, and read as follows:

> The quest for basic knowledge of elementary particles is a commitment shared by the United States with other nations that are capable of building accelerators of greater and greater energy. The largest particle accelerators now operating (at energies of about 30 Bev) are at Brookhaven National Laboratory on Long Island and at CERN (European Organization for Nuclear Research), Geneva, Switzerland. The Soviet Union is constructing a 70 Bev proton accelerator. The thirteen European countries cooperating in CERN recently agreed to take a major step to higher energies through construction of storage rings that would, in effect, greatly multiply the energy available from their present 28 Bev accelerator for certain experiments. CERN has also made initial plans for a new accelerator in the 300 Bev range and its proposal is now before the member countries.
>
> The United States can continue to remain in the forefront of explorations in high energy physics by bringing the proposed 200 Bev accelerator into operation at an early date. As Congressional reports have pointed out, the task will be long and exacting. Site selection alone has required extensive consideration during the past year, and that stage is not yet concluded by this report. However, additional parameter studies and development of components for the accelerator can start at once. After the AEC has decided upon the final site and has received authorization to proceed, about two years will be required for detailed design work and four to five years more for construction. Testing, alignment, and exploratory experimental work will take another year. Even should work commence immediately, full operation could not be expected until the early 1970's.
>
> It is highly desirable to proceed promptly with the authorization and construction of the proposed national laboratory. It is essential to insure that the laboratory attract a caliber of scientists and engineers most likely to construct a truly exceptional laboratory and to advance knowledge of the fundamental nature of matter. In order to retain and recruit the high quality staff that is potentially available, progress must be continuous and visible. Experiments in this field must be brilliantly conceived and executed, without undue delays and interruptions, by men expert in the procedures of high energy physics. In order to bring this about the laboratory must be readily accessible to the best men in the field from all parts of the country.

After a great deal of deliberation, the Atomic Energy Commission selected Dr. Robert Wilson, one of the most distinguished physicists in the world today, to administer this project.

Based on the fact that a decision had been made by the Atomic Energy Commission, and based on the unanimous report of the site selection committee, and with indications that it would be supported by the Senate and the House of Representatives, Dr. Wilson began to assemble a group of technicians, scientists, and engineers in Chicago, in rented quarters near Argonne. Those men have given up their university appointments, have given up their jobs, have moved to Illinois, and are now in the process of doing preliminary work, acting on good faith that the many reports that have been made over a period of time will be acted upon favorably by Congress.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. PERCY. I shall certainly yield to the Senator from Rhode Island.

Mr. PASTORE. Does the Senator feel that this is good procedure? Without casting any reflection upon Dr. Wilson, for whom I have the highest degree of esteem and respect, does the Senator think it is right to set up an organization even before Congress authorizes a program?

The idea that an organization has been set up, and that, therefore, we must authorize the project, does not strike me as good procedure. They had no business to set up an organization before Congress acted upon it. Now we are told, "You are going to break up the organization unless you pass this $400 million project." That I cannot understand.

The Senator said he was going to answer me rationally, point for point. I think that is a specious argument.

Mr. PERCY. I was answering the Senator's point as to the fact that, in his judgment, a delay of 1 year would not matter, and that we could put this project off; and his point that it is just a toy, anyway, in the opinion of the scientific community.

I say that in the opinion of the scientific community this is considered nothing other than a basic tool, required to carry us forward in the areas of knowledge that are essential in this atomic age, if we are to continue to explore and delve deeper into the nature of the atomic particle.

Mr. PASTORE. Did the Senator from Rhode Island use the word "toy"?

Mr. PERCY. Yes.

Mr. PASTORE. I did? I believe I used the word "gadget." The word "toy" is being used by the Senator from Illinois. I never used it; I beg the Senator's pardon.

Mr. PERCY. In my further comments, I shall be happy to omit the term "toy" or "gadget." I shall simply address myself to the fact that the Senator has taken the position that this device is not needed now, and that it is not urgent that we have it. I would only point out that the Atomic Energy Commission would not proceed with its planning studies now, and continue to gather scientists and technicians, unless they felt there was an urgent need for it.

The Senator from Washington knows that with as complex an organization as Boeing builds, a scentific and engineering community cannot be put together overnight. These men have contracts. They are dedicated to the universities in which they work. Based on a decision made by a commission of the U.S. Government, they have gone ahead, in good faith, under instructions from the AEC. They have made arrangements to go to Chicago; they have formed the nucleus of a scientific community, because of the urgency the scientific world feels for this project to move ahead, and to move ahead now.

If the distinguished Senator would like to have further evidence that the whole business community and a distinguished publication feel the urgency of this project, I refer to an article entitled "Europe's Giant Atom Smasher," in the July 8 issue of Business Week:

> The most powerful atom smasher of them all—one that will generate 300-billion electron volts (bev)—is in the early stages of construction near Geneva for the 13-nation European Organization for Nuclear Research, known as CERN. . . .
>
> Right now the most powerful atom smasher in full operation is the 33-bev accelerator at Long Island's Brookhaven National Laboratory. But the Russians will top this in the fall when their accelerator at Serpukhov, near Moscow, gets up to its full 70-bev power. By 1974, the Atomic Energy Commission should be on top again, with a 200-bev accelerator at Weston, Ill.
>
> But three years after that, CERN—which already has a 28-bev atom smasher in operation—hopes to move into the international lead with its 300-bev project. The organization believes that its member governments will agree to the $400-million cost, steep as it is in comparison with CERN's total 1967 budget of $58-million. Reason: The project is favored by France, West Germany, and Britain, which contribute between them 65% of the total CERN budget; physicists from other member countries are pressing their governments to go along.

Mr. PASTORE. Will the Senator yield on that point?

Mr. PERCY. I yield to the Senator from Rhode Island.

Mr. PASTORE. We had the staff check that. That article in Business Week is in error, the picture is wrong, there is no authorization for it, and it has not even been started.

Mr. PERCY. I just had the article handed to me an hour ago.

Mr. PASTORE. It had better be checked, because I have it on what I consider reliable authority that that article is absolutely in error where it states a 300 Bev accelerator is under construction by CERN. The photograph that accompanied the article and purports to show construction of the 300 Bev is not that at all. The picture showing excavation is for the addition of storage rings for the existing 28 Bev CERN accelerator.

Mr. PERCY. I turn, then, to the testimony before the Senator's own Joint Committee on Atomic Energy, in which the witnesses discussed the need for not only proceeding with the 200 Bev accelerator, but have already started planning to see whether or not that accelerator can be moved up to the 300 Bev accelerator level they feel will be required. In other words, since this project has been conceived, a study project was undertaken by the Commission to determine whether or not they could accede to the Director of the Budget's request that they reduce the size of the accelerator. That was turned down by the Commission, and it was turned down by the joint congressional committee. Rather than reduce the size of it, in accordance with a request from the Budget Director, they saw the need to increase its size, because, as time goes on, this accelerator will become increasingly obsolete as others press forward. If the Soviet Union, with only a part of the gross national product that we have, and other European countries can see the urgent need to move forward in this field, how can we sit here and say that one single criterion should delay this project, the need for which has been seen for the last 4 or 5 years, and is fully recognized by every top grade physicist and scientist in the United States of America, as well as in the world?

The question has been raised by the Senator as to whether or not there is adequate water supply. This question has been gone over time and time again. I would merely turn to a report made by Albert J. Meserow, chairman of the Great Lakes Commission of Illinois, in which he says:

> There is no basis for the argument made with respect to the availability of water at the Weston site. In the first place, there was a full investigation made by the Atomic Energy Commission as to the availability of adequate water at the Weston site, and they found that there is sufficient ground water in the area to provide all of the necessary water for the atomic plant at Weston.

We have one of the greatest reservoirs of water available to us in that area; there is no question about that. I shall not belabor the point, but I ask unanimous consent to have printed in the RECORD at this point a full and complete report that will refute every basis for that type of argument, that there is inadequate water in the Weston area.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT ON WATER AT WESTON SITE

(By Albert J. Meserow, chairman of Great Lakes Commission of Illinois, former assistant attorney general of Illinois (handled the Lake Michigan Diversion case in the U.S. Supreme Court))

There is no basis for the argument made with respect to the availability of water at the Weston site. In the first place, there was a full investigation made by the Atomic Energy Commission as to the availability of adequate water at the Weston site and they found that there is sufficient ground water in the area to provide all of the necessary water for the atomic plant at Weston.

Secondly, Congressman Rogers should not be concerned with the availability of water at Weston because it does not affect his area whatsoever. Third, it appears from his statement that he is acting as the "Charlie McCarthy" for the States of Michigan and New York, who is traditionally opposed to Illinois with respect to diversions out of Lake Michigan. Attorney General Frank Kelley of Michigan wrote the Congressional Commission opposing the Weston site on the ground that it may require Illinois to withdraw water from Lake Michigan for the Weston site. There is no basis for this assumption because Weston is too far from Lake Michigan and the withdrawal of water from Lake Michigan for Weston would be impracticable and nonfeasible and further it would be unnecessary because there is sufficient ground water and streams in DuPage County to adequately supply Weston. Furthermore, Congressman Rogers should know that the State of Illinois is bound by the U.S. Supreme Court decree in the Lake Michigan Diversion case to limit the withdrawal from Lake Michigan for *all* purposes to 3,200 cubic feet per second. Because of this limitation in the decree it cannot withdraw any more water from Lake Michigan for Weston or for any other purpose in Illinois over and above the 3,200 cubic feet per second. The important thing to emphasize is that there is sufficient and adequate ground and stream waters in the Weston area for the atomic plant otherwise the Atomic Energy Commission would never have selected this site.

Mr. PERCY. I then come to the last point, the question of housing. I say to the distinguished Senator that I have listened with a great deal of interest to his comments on that point.

I have been an advocate for a number of years of open occupancy legislation at the municipal level. I have fought for it at the State level, in the midst of a political campaign where I was told that I would be crucified if I went down and testified for it; but I did, and I did so because it was right to do so. I advocated it at the Federal level, supported the House-passed bill last year, and regretted that the Senate did not pass that measure.

But I think it is grossly unfair to imply that Illinois, alone among all the 50 States, or among the six States considered for this facility, is in a position of not offering adequate opportunity for housing. I simply say there is discrimination everywhere in this country.

The American dream is not available to many Americans, millions of them, because of race, color, and creed. And until such time as we remove every last vestige that we can of discrimination simply because of race, color, or creed, we will not have fulfilled the expectations and hopes that we have and that we should have for our country.

I turn now to a point-by-point argument as to whether this point should be the controlling point and should delay this project for a year or more, whatever time may be required.

Twenty States presently have open occupancy statutes. Thirty States have none.

If I am to take the critics at their word, then I must assume that AEC will spend no more money in any of the 30 States that do not have an open housing statute. Indeed, if this principle were followed out logically and consistently, 30 States of our Union would be ineligible for any kind of Federal facilities.

For example, what would happen to a bill such as H.R. 8363 that was passed by the House of Representatives for the improvement of the Nation's waterways?

That bill proposes that about $95 million will be spent in States which do not have such legislation.

If Congress is to deny a 200 Bev accelerator to Illinois, may it spend $372 million of Federal money in other States which do not have open occupancy laws? Indeed, the pending bill contains an appropriation for the construction of a facility by the AEC in the State of New Mexico. New Mexico does not have open housing.

If we insist on clinging to the false criterion of the presence of a State open housing law, let us at least apply that general rule across the board. Let us realize that if we deny the accelerator to Illinois on that basis, 29 other States in the future will be prohibited from receiving appropriations for public works, for NASA, and for the military.

Finally, those who subscribe to this point of view are saying that our Government regrets having built Cape Kennedy in Florida, the Redstone Arsenal in Alabama, the Strategic Air Command Headquarters in Nebraska, the Tennessee Valley Authority dams in Tennessee, Alabama, and Kentucky, the AEC facility at Alamogordo, and the Pentagon in Virginia, and that the Government will never again let a TFX contract to a company in Texas.

It has been asserted that matters of civil rights and nondiscrimination—and specifically open housing legislation—was a "primary criterion" or a "condition precedent" to the approval of a particular site.

It is important to recognize that neither the original site selection criteria submitted to the Joint Committee in April 1965 by the Commission, nor the National Academy of Sciences Report to the Commission recommending consideration of six sites for the accelerator in March 1966 specifically mention the criteria of civil rights or nondiscrimination, much less the matter of open housing legislation.

It is correct that, beginning in April 1966, the AEC did announce that certain commitments of employment opportunity would be expected from the successful site. However, the Commission never took the position that the matter of equal opportunity or any of those aspects would be given primary consideration over all other factors in choosing an accelerator site.

On the contrary, the Commission's decision was announced to be based upon a "balancing of all factors involved."

Even more important, the AEC never singled out the existence of open housing legislation as a condition precedent to the selection of a site, nor did it give disproportionate weight to the factor of housing in evaluating the climate of equal opportunity.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. PASTORE. Mr. President, I emphasize that this is nothing that was invented by the senior Senator from Rhode Island.

This is a criteria requisite instituted by the AEC.

To say that this was never made a primary prerequisite is incorrect. I am reading from page 400 of the hearings, from a release of the Commission in January 1967.

These are the words of the Commission:

> July-December, 1966. The Commission considered the 200 Bev accelerator site selection question at 18 meetings. Primary concerns of the Commission were electric power supply, civil rights, and nondiscrimination.

Those were the words used by them. They did this.

We must realize that this is an educational project and nothing more. This has nothing to do with national defense. There is no emergency involved here.

All we are trying to do is to afford equal opportunity to people for jobs, and that depends entirely on whether they can live in the vicinity of the project.

I realize that in the past maybe we have been rather neglectful. However, only the other day, Secretary McNamara set upon certain apartment projects because they were not accommodating Negro boys in uniform. Those boys are fighting in the fields in Vietnam. When they come back home and try to get a job at this accelerator, we do not want to have them told that they would have to commute back and forth from the Negro ghettos in Chicago. That is not the American way of doing things.

If it had not been for the impetus given to the whole matter by those who believe in the prerequisite set by the Atomic Energy Commission, we would not have seen the towns of Wheaton and Joliet pass their ordinances. I applaud them for their action. Give a little more time and other towns will satisfy the remonstrances of these people.

These people are sincere. They are people of Illinois. They tell me: "This is awful. This is terrible. We will be denied our equal rights."

Let us give them equity and justice.

That is all this amounts to. That is the position taken by the Senator from Rhode Island.

I repeat what I said this morning, that I do not pretend to be the conscience of the Senate. I said that, and the Senator from Illinois was here when I said it. I do not pretend to be the conscience of the Congress.

All I am talking about is my own conscience, and that gives me enough responsibility.

I know that the Senator from Illinois is sincere, and I hope that he feels that I am sincere in my stand.

This is no laughing matter. This is deadly serious. It has to do with the basic constitutional rights of people.

I did not start this. When we seek to give out a Federal contract, we cannot do it unless the contracting party can guarantee the opportunity of equal employment for all Americans.

Times have changed.

We did not have that provision 50 years ago or 10 or 15 years ago. We legislated that recently. This is a new day.

Our cities never knew the frenzy of racial demonstrations. They know them now.

A "hot summer" used to mean just that. Now—it means hate, fear, violence, vandalism.

Let us take out the heat and the hate.

Let us get beyond promises and get to performances.

Let us give a little encouragement to the decent people so that they can say to the other people: "Quiet down. Be a little more patient. Don't be so emotional. A better day is coming."

That seems so sensible.

However, every time we get a chance to do something, we muff it.

Mr. PERCY. Mr. President, I ask the distinguished Senator from Rhode Island whether he feels that with respect to the other five States cited by the committee there is in any of them, California, New York, Colorado, Michigan, or Wisconsin, an absence of discrimination?

Mr. PASTORE. I am perfectly willing to admit to my good friend, the junior Senator from Illinois, that it exists in Rhode Island. We are not the paragon of virtue. No State is.

The mere fact that an evil situation exists in other States does not warrant us in approving an authorization of $400 million for the building of this project. It is an educational project. We do not want to discriminate against people.

I know that there have been sins in the past. However, this is my present task. I happen to be chairman this year of the Joint Committee on Atomic Energy.

I repeat that the AEC, when this issue became a hot potato, dropped it, and they dropped it in whose lap? They dropped it in the lap of the senior Senator from Rhode Island. And I have been struggling with it ever since.

Mr. PERCY. It would be my sincere hope that a year or 2 years from now my distinguished colleague, the senior Senator from Rhode Island, will come to me and say: "You were right. Progress has been made in Illinois despite the fact that we awarded it. Now that we have it underway, I find that it is important. I am glad that we went ahead with it."

It would be my fond hope that I may have that expectation realized.

Mr. PASTORE. That would be my fond hope, also. I cannot promise the Senator to vote for him, but I will write him a nice letter.

Mr. PERCY. Because I was somewhat concerned as to how Illinois stacked up against other States, I looked up in the Congressional Data Book of the Census Bureau the percentages of nonwhites living in the congressional districts where the final six prospective sites were located.

Weston, Ill., has 2.8 percent. That is in the congressional district in which Weston, Ill., is located. Brookhaven, N.Y., has 4.8 percent; Denver, Colo., 6.1 percent; Madison, Wis., four-tenths of 1 percent; Sacramento, Calif., 3.9 percent; Ann Arbor, Mich., 41.5 percent.

Now, if we are to base our judgment on this one criterion, then the situation is clear: The project ought to stay in the Middle West, and it ought to go to Ann Arbor, Mich.

The Commission had the responsibility and clearly cited that this was to be a factor, but the matter had to be balanced out with other factors.

When I look at these figures, I see there is discrimination in every community, and Illinois is worse than some and better than others.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. NELSON. I do not believe I can accept the idea that the number of minority people living in a particular community demonstrates whether or not the community has prejudice. The fact is that the State of Wisconsin has an open housing law. Most of the Negroes live in Milwaukee. The open housing law applies to Milwaukee. The city of Madison, which is near where the site would have been if the Commission had selected Wisconsin, also has an open housing law.

I just wanted to cite that for the RECORD.

Mr. PERCY. We have had reference on many occasions in this body to the attitude of various civil rights groups, and a long list of distinguished citizens from Illinois has been read off.

I can assure the Senator from Rhode Island that I have met with representatives of virtually every one of those groups. I have talked with them and I have found a great deal of understanding on their part. Many of them were not aware of the remarkable progress the State of Illinois has been making in recent years.

After all, the city of Chicago, not under the threat of getting or not getting an atomic energy facility, passed an open occupancy ordinance years ago, and it was sustained by the Supreme Court of Illinois just last year. We did not have to do anything under threat of not receiving a facility.

Mr. GORE. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. GORE. I appreciate the eloquence of the able Senator in describing the accomplishments of the State of Illinois. That, however, is not the question posed here.

The issue brought before the Senate by the pending amendment is whether Congress shall undertake to deny the location of a project, the authorization of a project, which has been declared as essential to the progress of this country and to the maintenance of this country's lead in the field of physics, to a particular State because it has not enacted a law which Congress itself has refused to enact.

If this criterion should be applied to other projects in the bill, then a multimillion dollar project to build weapons at Oak Ridge, Tenn., would be stricken out. Why? Because Tennessee has not enacted a law which the Senator from Rhode Island would undertake to require of Illinois before this project could be located there.

I see the senior Senator from Kentucky in the Chamber. No money, by this yardstick, could go to the atomic energy plant at Paducah, because neither has Kentucky enacted such a law.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. COOPER. I have listened to the distinguished Senator from Rhode Island, and I must say that he speaks from a deep sense of justice. But I do wonder what his views would be about the extension of the principle which he has so eloquently supported, which has now been opened up by the argument of the Senator from Tennessee.

Would the Senator from Rhode Island extend the principle—noble as it is, and one which should be adopted for the entire country—to the location of any Federal facility or the enlargement of any Federal facility in a State which has not enacted an open housing law? That seems to me to be the issue which the Senator from Tennessee has opened up and which we must decided.

I do not say this in derogation of the position of the Senator from Rhode Island; but it would seem to be rather hypocritical for me, for example, to vote for his amendment and then later to vote for the location or the enlargement of any facility in the 30 States which do not have an open housing law.

What is the distinction? That is what I should like to know.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. PASTORE. I realize that we are getting into a very fine line of demarcation.

We have passed a higher education law, and we have passed the spirit of title VI of our civil rights law. We do not give out money for educational purposes if there is segregation, and I do not believe anyone challenges that. This is because we feel that when you are dealing with the whole complex of the student society of this Nation, you have to treat them all equally and give them all a fair opportunity.

In this particular case, I do not know why, but the AEC took it upon itself to make a criterion. They did it. They raised this question. Any time they went to Denver, they asked the question: "How about the availability of housing for all Americans in this locality?"

The Senator from Tennessee [Mr. GORE] has talked about our using this instrumentality to bring about the enactment of an open housing law in Illinois. The Senator from New York [Mr. JAVITS] made that argument. But I have never made that argument. I have never said that during the course of the hearings.

I have said that in view of the fact that the AEC did raise this question, in view of the fact that they did institute this as a prerequisite—because they did excite a lot of people who know discrimination, a lot of people who have been stung, even at the Argonne installation, people who were forced to travel a distance of 70 miles to and from work every day only because of the color of their skin. I believe the Commission had a perfect right to get into these questions. And because we undertook this responsibility, we have made some improvement. The town of Wheaton has instituted an open occupancy law, and the town of Joliet did so only yesterday.

I am not here to fix any precedents. In view of the fact that we have made that an issue, my argument is that this project is not essential and is ill advised at the present. The people who want the 200 Bev are talking about the 800 Bev. If you leave it up to them, it will be 2,000 Bev. This may be very desirable. But we have not decided exactly how large it should be. The Budget Bureau talked the AEC out of doing it in one step. They suggested a two-phase accelerator. They said, "OK, do part of it now and later on do the rest of it."

The cost is $240 million now, and the Lord only knows how much it will cost later on. The Joint Committee felt that it should be the big job on the first step, and that has not been determined. In the use of this money, we do not know whether they will get into the $240 million job or into the $375 million job or even a more expensive job. That is an issue. It should be resolved.

The Senator from Michigan raised the subject of Lake Michigan. I know that a report was made, but the argument made in refutation of the report is that when you begin to build the complex around the accelerator, there will not be enough water.

The next point I make—and I believe it is a good point—is the fact that this project is not for a military purpose. This has nothing at all to do with military security. It has nothing at all to do with the security of the Nation.

We can afford to wait a little longer, and perhaps we can straighten out our difficulty. Otherwise, this will be a sore spot for a long time to come.

Since the House passed the bill, two communities have come along with open housing. I am hopeful that if we wait another year, several more communities will come along.

I am not trying to blackjack anybody into anything. I did not raise this question. This was raised by the Commission.

To return to the question raised by the Senator, I would say that any time any agency of the Government for reasons better known to them, because of problems of the past, insists on the availability of housing and homes for all Americans who might be engaged at that project, I shall defend that insistence to the end.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. COOPER. Mr. President, I know that the Senator from Rhode Island is a believer in and speaks from his heart on open housing. He takes his position in good conscience and from his heart. It is a position which I hope eventually will bear fruit.

However, I believe it still leaves an unanswered question. Having taken this position upon the particular facility, then what would one do, when next day or the next week another question may arise about another facility in the same or another State. Since I think it would be logical and right that if one took the position of voting against this facility, he should vote against any other facility or its enlargement. Otherwise, I would consider myself to be in a hypocritical position.

Mr. PASTORE. When the Senator speaks about the Federal Government passing a law, we get into a different question. It is a question that States would not encounter. That can be argued until the cows come home. There is a slight difference.

I am not trying to blackjack anybody but this has become a difficult issue. People have overwhelmed me with their concern and insisted on hearings being held. It has become a cause celebre and has been very vexing and disturbing to me. I am trying to do the best I can to convince Senators that if they will postpone this matter for 1 year no one will be hurt and maybe we can ameliorate the entire situation.

Mr. GORE. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. GORE. Mr. President, I hesitate to get into this colloquy but this is an unusual proposition before the Senate. I am grateful that this matter is receiving serious attention. The matter proposed by this amendment is quite unusual.

The distinguished Senator from Rhode Island said he did not raise the question; that the Atomic Energy Commission raised it. By what authority did the Atomic Energy Commission raise this question?

The law does not require this as a criteria for projects of the U.S. Government. The Atomic Energy Commission did do as the senior Senator from Rhode Island said, but did they do so by requirement of law or by authorization of law? No, arbitrarily.

Now that an agency of the Federal Government has arbitrarily, without a requirement of law, without authorization of the Congress, fixed one item as a matter of consideration, then, ex post facto, without further argument the Congress should refuse to authorize such a project even though Congress declined to enact such a law, if the requirement would arbitrarily apply.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. PASTORE. Mr. President, here again the presentation made to the committee and to the Atomic Energy Commission is that the project would have a tremendous effect on the international scientific society of the world; that we expect many people from all over the world to come here. That is one of the glamorous things about this project; that is one of the spectacular things about this project: To invite scientists from all over the world, white, black, or yellow, to come and work at this project.

Would it not be a sad day, after we authorize $400 million, trying to promote international good will, to have someone with black or yellow skin come here, someone who is a great scientist as well, only to be told by some innkeeper, "I am sorry. We have no room for you here tonight." That is why they set the criterion of the availability of housing. Then, when it got to be a hot potato they dropped it in my lap.

Mr. PERCY. Mr. President, I did not intend my remarks to be so long, but I am continually stimulated by the senior Senator from Rhode Island. I wish to address myself to the two questions which have been raised immediately preceding: the question of what has been termed, time and time again in this issue, as Federal blackmail, and the issue of urgency and whether this project really is needed at this time.

The Senator characterized this $400 million device as an educational instrument. I would like to indicate that the profound nature of what we are talking about in this instrument was revealed in one sentence in testimony before the Senator's Committee on Atomic Energy by Mr. Glenn Seaborg, the Chairman of the Atomic Energy Commission, when he said, in summarizing this device:

> The aim is to correlate all the information sufficiently to try to bring it together in a coherent manner that will lead to better understanding of the nucleus of the atom and therefore of the atom itself and therefore of molecules and everything that makes up the universe.

Mr. President, if we say we have learned enough about the universe and the particles that make it up, we had better stop progress in this area. We are withdrawing from the atomic age. We are deciding not to live in the 20th century, and we are saying the resources of this country are so inadequate we might as well become a second-rate power.

If we postpone this accelerator for any lengthy period of time for reasons that are not germane to the scientific progress that can and should be made, we would be forfeiting to the Societ Union and to the 13 countries of Europe the leadership in nuclear physics and elementary particle physics that we have built up so painstakingly in this country since January 1939, when the discovery of the fissioning of a uranium nucleus was announced at an American Physics Society meeting here in Washington by the great Italian-American scientist, Enrico Fermi.

I have been a trustee of the University of Chicago for 17 years and a trustee of Cal Tech for a number of years. I do not understand the first thing about physics. However, I understand the concern and I understand when they feel good faith has been breached. I have talked constantly for 2 years with Dr. Robert Bacher, of Cal Tech, a former member of the Atomic Energy Commission and member of the Site Selection Committee.

He has told me time and time again, in Washington and in Pasadena, of his grave concern for the scientific progress that will not be made in this country if we continue to procrastinate and delay for any reason—open housing, or whatever. Today my office has been on the telephone with him twice. He is deeply concerned about the proceedings that are now going on in this Chamber, as is every top-grade scientist in this country.

Einstein and Fermi came to this country because they could pursue this science in freedom. We have, by supporting science in this country, made it possible for scientists and engineers to pursue research and development for human advancement, and for the security of the free world with great success. If we fail now to go forward with the construction of the 200 Bev accelerator, we will be failing the promise that the great pioneers like Einstein and Fermi had set for us in their exploration of the frontiers of nuclear science.

I know for a certainty that the small nucleus of scientists working now would be so disheartened we would probably lose most of them if we abandoned or delayed this project.

May I now return to the concluding comments on the question of Federal blackmail and using the open occupancy issue as a legitimate issue for delaying the project?

Mr. ERVIN. Mr. President, will the Senator from Illinois yield for one question on that point?

Mr. PERCY. I am happy to yield to the Senator from North Carolina.

Mr. ERVIN. Does not the Senator recall that when Chief Justice Salmon P. Chase wrote his celebrated opinion in Texas against White he said this:

> The Constitution, in all its provisions, looks to an indestructible union composed of indestructible states.

Does the Senator recall that, or will he accept my assurance that those are the exact words of Chief Justice Chase in that case?

Mr. PERCY. I accept that.

Mr. ERVIN. Can the Senator imagine any more certain way to destroy an indestructible union composed of indestructible States than for Congress to tell the States of this Union, "If you do not pass the kind of laws relating to local matters Congress desires you to pass, then you will not be able to participate to the full extent in American life, and you will not be permitted to receive Federal installations."

Would that not be destroying the States of this Union for Congress to undertake to coerce the States into passing laws which Congress might think a State should pass and which a State refuses to pass?

Mr. PERCY. I thank the distinguished Senator.

FEDERAL BLACKMAIL

Mr. President, there is no denying—and I would not deny it for a moment—that there is racial discrimination in Du Page County, just as there is racial discrimination in every county in the United States today. It is also obvious that although we have our problems in Illinois, those States which have open-housing laws have not solved their problems. New York still has Harlem. California still has Watts.

I am concerned that using Weston as a lever to obtain open-housing legislation may very well further delay our reaching that goal. While the legislation is not much to ask, representing as it does social justice, the high penalty the State would pay for not acting immediately seems inequitable to me.

Mr. President, I can say with some degree of certainty that in the Legislature of Illinois there has been a deep resentment at the implication that in Washington we are going to tell a State how to legislate. I would say, in the judgment of some people, that the statements made in Washington have delayed progress in the legislative area in Illinois.

Illinois and every other State has paid, and will continue to pay, the price of discrimination in housing. Our State administration realizes that. The Illinois business community is also becoming more and more aware of it. Thus, I believe that we will, some day, have fair housing legislation at the State level—as I hope we will at the Federal level—because it is right, not because of pressure from the Federal Government.

PROGRESS MADE AND BEING MADE

Mr. President, we have our problems, but we are working to correct them; and we were working even before the impetus of Weston and the accelerator. Moreover, we must remember that it will take 7 years for this facility to become operational, and it will function for many years thereafter. During this time, there can and will be, I am convinced, concrete steps taken to further improve the climate of equal opportunity in Illinois, just as some of the steps have already been taken.

For example, I can report today that in the two communities near the site, Weston and Glen Ellyn, there have been over 500 homes available since the first of the year on a nondiscriminatory basis, through a voluntary plan involving the local real estate board.

For the benefit of my good friend and colleague from Rhode Island, let me repeat that statement:

There have been available, in Weston and in Glen Ellyn, over 500 homes since the first of the year on a nondiscriminatory basis, through a voluntary plan involving the local real estate board.

Weston itself, a village of 350 people, already has a fair housing ordinance.

West Chicago, the nearest city to Weston with a substantial minority of Latin American descent, has open housing, though no open housing law.

Wheaton and Glen Ellyn are two larger towns nearby. They, together with the small town of Winfield, have started the central Du Page program for better living, a voluntary open housing plan. Presently, almost two-thirds of the new listings are offered on a nondiscriminatory basis.

In recent months, the plan has spread to the neighboring towns of Lombard, Villa Park, and Elmhurst, where over 15 percent of the listings are nondiscriminatory.

Perhaps most significantly, 1 week ago, Wheaton, the seat of Du Page County, and one of the largest communities in the area, adopted an open housing ordinance banning discrimination in the sale or rental of homes. The new ordinance, which calls for the Wheaton Human Relations Commission to investigate all complaints of discrimination, and calls for fines of $100 to $500 for violators, has been commended by the NAACP.

Referring to the NAACP, I should like to indicate that in a resolution adopted on June 6, 1966, by the National Board of the NAACP, a resolution germane to this argument, they expressed the opinion that there was comparable discrimination at all six sites and found no reason to assume any position for or against any of the sites.

The resolutions is as follows:

> Whereas the U.S. Atomic Energy Commission has decided to construct the world's largest atom smasher at an initial cost of $375 million and
>
> Whereas the question of site selection has been reduced to six communities located in New York, Michigan, Illinois, Wisconsin, Colorado and California, and
>
> Whereas a part of the criteria for final selection of a site is the question of race relations in each of the respective communities, and
>
> Whereas we recognize that racial discrimination exists in each of the six communities now under consideration, we also believe that the degree of difference, if any, between such discrimination in one as opposed to the other is not great enough to justify the NAACP in taking sides in the matter; now therefore, be it
>
> Resolved That the NAACP expresses no preference with respect to the question of selection of a site for the atom smasher planned by the Atomic Energy Commission.

Mr. President, I should like to point out that Joliet, a city of 75,000, within 20 commuting miles of Weston, has just passed on open housing ordinance, which is one of the best ones I have seen.

The question is not whether we have adequate housing in the area near Weston. The only question raised as an objection to the site is that we do not have a State open housing law.

To my distinguished colleague from Rhode Island I can only pledge to him that I shall, without cessation, work to achieve open occupancy legislation in every community, in every area of the State that I serve. I have made my position perfectly clear to the Legislature of Illinois. I have also made it clear to every citizen in our State.

In the absence of any such legislation, we will press forward with all the diligence we can to see that villages and cities in this entire community adopt ordinances that will have the same effect as the State ordinance or law. Certainly I have offered on a number of occasions to Dr. Wilson, my services on a committee—a blue ribbon committee, if we might call it that—to insure that the leadership of our community—political, business, labor, and civil rights groups—is marshaled behind this, because the law can never be depicted as solving all our problems. A law, even if passed, is only the visible part of an iceberg. The discrimination—the plight of the people who cannot have equality of opportunity, of jobs, of housing, or of education—lies just beneath the surface. We can pass all the laws in the world but when people get together to work and to remove these areas of discrimination, perhaps even more progress could be made than if laws are passed.

I can certify to my distinguished colleague from Rhode Island that the citizens of Illinois are aroused. Television, radio, newspapers, have all had a good neighbor campaign on equality of housing running for several months. It is one of the best I have seen anywhere in the country.

By some means or other, we are going to insure that when the site is located in Weston and the accelerator is constructed there, the problems of discrimination will in no sense hold back the progress that can and should be made in the national interest by adopting this very modest, initial appropriation included in the bill now being presented by the distinguished Senator from Rhode Island.

Mr. President, I yield the floor.

Mr. MAGNUSON. Mr. President, I shall ask unanimous consent to place in the RECORD at a later point an analysis of costs as between the various locations, not only by the Atomic Energy Commission itself, but by two independent surveys.

I do not want to discuss the matter of Weston and its problems, and in my remarks I shall not do so. Nor do I want to take anything away from Illinois as to its selection for the location of this accelerator, but I have been involved in this matter for some time, not as a member of the Joint Committee on Atomic Energy, but otherwise, and I want to be consistent in what I have said previously and what I shall say now. This has nothing to do with the selection of the site or the other matters discussed today.

I think the scientific advisory committee of the National Academy of Scientists made its first mistake when it eliminated five or six sites in the United States, sites which involved the investments of hundreds of millions of dollars, many of them having very cheap hydropower and an abundance of water, with no question of having it available involved, and threw them out. I am speaking of atomic energy sites in the United States, of which the TVA would be one. One would be in Hanford. One is in Idaho. There is one other place. The committee narrowed the selection down to the other sites.

As I understood the criteria by the Atomic Energy Commission at that time, the first was low-cost power, because that is going to be a big item in the operation; abundance of water, with no question about the water supply; and some other criteria regarding housing, transportation, and so forth. But the priorities involved were, first, electricity and water—an uninterruptible supply of electricity, one with no possibility of blackout or loss of power or inadequacy of power. But the selection was made, and it was probably justified in the report.

I think the committee was ill advised to start out by eliminating the other places which had all the criteria, at least the ones that were given as priorities back in 1964. I guess that is water over the dam. I still want to place in the RECORD an analysis of the cost figures, not the cost figures of building the accelerator, but the operation costs. I have looked through the record and cannot find any comparison of the costs made by the commission. Annual estimates of costs at the six proposed sites are given, but I cannot find any comparison of the operation costs. Many engineers and scientists involved in this field have said the costs would be much less at other places. I shall place that analysis in the RECORD. It was made, as I understood it, as late as last fall. Savings of $12 million or $13 million in one item a year were cited. For a 10-year period of operation, that would represent a saving of $130 million on one item. There is no reference to that in the record.

I think I know how these six sites were selected. I know the Academy people quite well. I know the people on the so-called selection committee. They finally ended up by throwing off the effects of the costs. I think the construction costs are pretty accurate and would apply perhaps to wherever the accelerator was constructed. The committee ascertained the personal desires of the people who might be involved as to the location. That should be a criterion, too. But we are dealing with a cost figure of an annual operation that will be just as important as the initial construction cost.

I shall place in the RECORD some of the communications I had on the accelerator standards. I think I recall the the facts pretty well. The witnesses testified before the Joint Committee on Atomic Energy as to the annual operating costs of a similar type of accelerator—the Stanford accelerator. After they got going, it was found they were almost 100 percent, 180 degrees, wrong. In the selection they made, they said there would be plenty of electric power available. Then they had trouble in putting up high tension wires. Also because they were wrong on their estimated operating costs they are only going to operate it 50 percent of the time.

That was last year. It has nothing to do with the issue now before us, but I want the record to be clear that one of the criteria was that these projects should not be placed where there was any possibility of earthquakes. One of the six sites selected was in the San Leandro Fault, where earthquakes occur all the time. As I understand, if the accelerator gets off an inch or two, it has to be started all over again.

While I am not complaining about what is happening now, I want the record to be clear that this was the most ill-advised group for making selections that I have ever encountered—and I have had to deal with scientists quite frequently in the years I have been a Senator.

Another matter which has been discussed today, as suggested by the Senator from Rhode Island, is that it is pretty difficult to ascertain just how much it will cost to operate an accelerator. I will tell Senators that the cost will be much more than has been estimated. I complain that no real comparisons have been made. I cannot find adequate comparisons in the testimony. I hope that wherever the accelerator is located, the Commission will not run into the problem of a lack of power or water and will then look back and say, "There were other places, where we had hundreds of millions of dollars invested, with all of the priorities set up in the beginning, that we could have used, but we went somewhere else."

I merely wanted to make this statement so that the record would be clear. I think the Atomic Energy Commission knows my views. They have known them for a long time. I have had many arguments with them.

I hope this project will work out all right. I hope the costs will not end by being twice as much as was estimated. True comparisons were not made. I am not talking about construction costs. I am talking about the actual operating costs. The Commission's guess on the annual operating costs on similar projects have been so far off that I wonder how far off they will be on this project.

Mr. President, I ask unanimous consent to have placed in the RECORD an independent survey in order to keep the record straight, on the engineering estimates. I understand the matter before us is an authorization for an appropriation for engineering and architectural design.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EVALUATION OF SEVERAL PROPOSED SITES FOR THE NEW 200-BEV ACCELERATOR LABORATORY

(Presented to Tri-City Nuclear Industrial Council, Inc., Pasco, Wash.)

1. INTRODUCTION

The design and consequent cost of the proposed 200 Bev Accelerator Laboratory are influenced to a large degree by site conditions.

As examples, two designs for two separate sites, prepared by Lawrence Radiation Laboratory in sufficient detail to provide cost estimates, differed because they were founded on different types of soils. One site, underlain by deep layers of soils and subject to large settlements, had the accelerator ring supported on piles and located below the ground. The other site, underlain by rock, had the accelerator located above ground, with earth shielding mounded above. The cost estimated for the two sites were substantially different.

This report presents differential cost comparisons of several proposed sites by estimating selected significant items. The sites considered in this study are those for which proposals have been made available to Burns and Roe, namely, Hanford, Oak Ridge, Ohio, Indiana and California. The items selected are those for which comparative data are available in the several proposals reviewed herein. The differential costs are not total differential costs. Any comparison of total costs would require preliminary designs and estimates. Such an effort would be beyond the scope of the current study. The costs presented herein indicate substantial savings for the Hanford site and reflect the advantages of Hanford over the other sites studied.

2. SUMMARY OF COST COMPARISONS

2.1 Capital costs, construction

[In thousands of dollars]

Item	Site			California		Indiana
	Hanford	Oak Ridge	Ohio	Site A	Site B	
a. Earth work and earth shielding	2,340	8,950	6,090	7,260	7,400	3,030
b. Piles				3,700		3,700
c. Pile construction system				6,360		6,360
Subtotal	2,340	8,950	6,090	17,320	7,400	13,090
AE (12.5 percent)	292	1,120	762	2,170	926	1,630
Contingency (15 percent)	395	1,510	1,028	2,920	1,250	2,210
Subtotal	3,027	11,580	7,880	22,410	9,576	16,930

Note.—For discussion of the above cost items, see sec. 4.

Capital costs, equipment

[In thousands of dollars]

Item	Site			California		Indiana
	Hanford	Oak Ridge	Ohio	Site A	Site B	
Motor-generator sets		4,200	4,200	4,200	4,200	4,200
Subtotal		4,200	4,200	4,200	4,200	4,200
Engineering, design, inspection, and administration (25 percent)		1,040	1,040	1,040	1,040	1,040
Total		5,240	5,240	5,240	5,240	5,240
Contingency (25 percent)		1,310	1,310	1,310	1,310	1,310
Subtotal		6,550	6,550	6,550	6,550	6,550
Total	3,027	18,130	14,430	28,960	16,126	23,480

Note.—For discussion of above cost item, see sec. 5.

2.2 Operating costs, annual

[In thousands of dollars]

Item	Hanford	Oak Ridge	Ohio		California	Indiana
			Source A	Source B		
Power	1,944	4,300	3,080	3,414	3,888	3,383
Water	242	473	([1])	([1])	([1])	([1])

[1] Not available.

2.3 Operating costs, capitalized

[In thousands of dollars]

Item	Hanford	Oak Ridge	Ohio		California	Indiana
			Source A	Source B		
Power	29,912	66,153	47,380	52,524	59,200	52,046
Water	3,730	7,280	(1)	(1)	(1)	(1)

(1) Not available.

Note.—For discussion of power and water costs see secs. 5 and 6, respectively.

3. GEOLOGIC CONDITIONS AND FOUNDATIONS

A comparison of the excellence of foundation soils for the proposed 200 Bev accelerator tunnel between the Dense Pleistocene gravels of Hanford with the various rock strata available at the Ravenna and Oak Ridge sites, and with the glacial tills at the Indiana site, involves numerous considerations. These include foundation support ground water conditions, ease and cost of construction, and long period risks such as earthquake probability. These various considerations will be discussed separately below.

a. Foundation support

The foundations for the accelerator tunnel must have an extraordinary stability, particularly against any long period movements. At first glance this fact would tend to indicate that the extra rigidity of a rock foundation would be a real advantage. This, however, is not necessarily so. Once a certain degree of rigidity is available more is not all that much better. Once adequate soil rigidity has been demonstrated, uniformity of support over the full extent of the structure is a more important consideration than an excess of rigidity.

In the case of the Pleistocene gravels at Hanford, the long history of construction of facilities, many of them unusually heavy, at this site have amply demonstrated the rigidity of the soils. Actually, once the tunnel is emplaced and backfilled, the tunnel will weigh something less than the soil it replaces, so that no great soil rigidity will be required. Our own investigations at Hanford reveal that over at least some parts of the Hanford Reservation the gravels are persistent and unusually uniform in character for considerable distances.

The Mercer Shales of north eastern Ohio and the tilted shales and limestones in the Oak Ridge area could be expected to be far more variable. The Mercer, for example, could be expected to range from shale to coal to underclay along any random horizontal plane. This complete range of changes could occur in the distance of a quarter mile or so. The character of the rock along a horizontal plane in the basin and range province could be expected to change every 100 to 200 feet.

Such variations in rock type will not necessarily lead to poor foundation action, although some reservations in this respect are reasonable for the Ohio site. At the very least, however, they will complicate design.

The soils at the Indiana site consist of a prism of mixed glacial deposits ranging from 150 to 200 feet in thickness. These deposits were overriden by the glacial ice and are highly compact and the clay portions, at least, are preconsolidated.

At least two till bodies are represented, with associated weathered zones and lenses of outwash gravels. A persistant basal gravel overlies the bedrock, a dense black shale of Devonian Age. Ground water occurs in the weathered zones, the outwash gravels, and in the more permeable portions of the till bodies. The greater portion of the dense tills however are watertight.

The potential of a high and fluctuation ground water level discussed below will prevent the use of a soil supported accelerator tunnel at the Indiana site. Any location of a soil supported unit below elevation 810 will involve problems of waterproofing and the hazard of misalignments caused by differential flotation. The soils above 810 are not shown to be suitable for the direct support of a critical tilt facility such as the proposed accelerator. The most practical way of supporting the critical portions of the facility at this site will be on piles. Friction piles driven below elevation 750 should perform very well. An alternate is high capacity caissons drilled into the rock at an elevation about 680.

b. Ground water

Ground water at Hanford is at the base of the Pleistocene gravels, some 70 to 150 feet below the surface. The water table at Hanford is probably as closely monitored as that of any area of equal size in the world. The depth of the water table is in most places great enough to permit the accelerator to be placed sufficiently deep below the surface to eliminate the need for a shielding fill without encroaching upon the zone of saturation. The elimination of the shielding fill removes the problem of considering settlement under the loads imposed by the fill. Rather, a condition of negative passive increment occurs.

At the Ohio site, on the other hand, seepage water will occur at the contact of the glacial deposits and the underlying bedrock, especially where the Homewood Sandstone is absent. This will present a dewatering problem and some softening of the shale bedrock. This latter condition will require hand trimming, sealing, and placing a levelling course below the foundation. If it is desired to place the accelerator deep enough to eliminate the need for shielding fill, extensive rock excavation and additional unwatering will be required as well as the sealing and levelling described above.

At the proposed Oak Ridge site the conditions are far from favorable. The proposed location of the accelerator ring has a relief within itself of some 60 feet. Ground water will be essentially at the surface in the low part of the site. A small stream will have to be unwatered. Rock excavation will be required for surface placement and will increase grossly with any attempts to bury the facility.

Any tendency for a rise of ground water above the base of the facility will create the twin problems of waterproofing (or draining) the tunnel and stability under flotation. Neither of these problems will occur at Hanford.

Ground water at the Indiana site now has a static elevation near elevation 770. The low pool level of the proposed reservoir at the West edge of the site will be at elevation 790, high pool 811. The static level of the ground water will certainly raise to elevation 790. The rise above that level will depend on the operation of the reservoir.

This proposed reservoir construction will further limit the area of the site available for major construction to the northern two miles where the ground elevations extend above elevation 820.

c. Ease and cost of construction

The costs of construction of the subsurface portions of the facility cannot be readily compared for the various sites. The differences in site conditions would probably lead to quite different arrangements at each site. For example, at the Hanford site the most favorable design appears to be a completely buried accelerator tunnel with the top some 36 feet below grade. (The maximum thickness of the shielding fill.) The top of the backfill would be flush with natural ground. On a sloping site the orientation of the tunnel would be adjusted to plan the sections with low shielding requirements under the lower portion of the site.

This would place the entire tunnel at a depth at which the pressure increments would be negative and any settlement would be recompression, which occurs almost immediately upon the placing of the load. No unbalanced loads due to shielding fill would be involved.

At Hanford this construction can be accomplished without rock excavation or dewatering. The tunnel floor would be placed as a continuous mat, jointed as necessary for thermal stresses, which will be minimal once construction is completed. The tunnel walls and roof will complete a rigid box structure capable of distributing the loads of the magnet banks without local distortion.

At the Indiana site that portion of the site suitable for use is rising to the North and West at a slope of about 17 feet to the mile. Initial grading will be moderate, however a full shielding fill will be required.

d. Seismic hazards

Seismic activity could conceivably cause two types of failure in a facility of this nature. One, the structural failure of the tunnel itself, the other a misalignment within the structure which would require a readjustment of the magnet banks. The first type of failure can be made highly unlikely by proper design. The likelihood of the second type is a function of foundation soil rigidity and uniformity.

It is probable that any major seismic event would create some problem of magnet alignment on any of the foundation soils available at the sites reviewed. Any comparison of such risk must involve the statistical chance of a major event. This is low at all four sites.

4. CONSTRUCTION COST COMPARISONS

a. Earthwork and earth shielding

At the proposed Hanford site, the main accelerator ring is founded sufficiently below ground to permit an average of 30 feet of earth shielding above the ring, with the top of the earth sielding level with the original ground surface. At the high end of the site this will provide the maximum required cover. No dewatering or drainage system is required because of the excellent drainage of the gravel soil and the location of the ground water level below the accelerator ring. Ease of excavation and backfill without need for haulage permit lower costs at Hanford.

At the proposed Ravenna and Oak Ridge sites, the accelerator ring is founded on rock and the bottom of the ring is located 15 feet below the ground level. Shielding is mounded an average of 30 feet above the top of the ring. Costs include rock preparation, dewatering and drainage systems and earth fill for shielding. Oak Ridge costs also include rock excavation for the levelling of the construction areas.

See Section 2.1 for tabulation of the differential construction cost comparisons for earthwork and earth shielding.

b. Piles

The Hanford site is composed of sands and gravels of adequate strength to support the accelerator structures without special treatment.

The Ravenna, Oak Ridge and California "B" sites are underlain by rocks of various types which will require dental treatment of unknown but presumably low degree to support the accelerator structures. The Oak

Ridge site may require extensive treatment of the cavernous limestones which are present over a portion of the proposed site.

Piles will be required only at the Indiana and California "A" site among the several sites reviewed. Due to the high degree of accuracy required in the alignment of the accelerator equipment, the piling design is also very elaborate and costly.

Other sites wherein the soil bearing capacity is inadequate would require similar elaborate piling installations at a relative penalty in cost as compared to Hanford.

See Section 2.1 for the tabulation of the cost of piling.

c. Pile construction system

The requirement for high accuracy for alignment of the accelerator equipment imposes additional penalties by way of elaborate construction details necessary to segregate the pile supported elements from other elements subject to differential movement. As indicated previously, such a system is required only at Indiana and California Site "A" among the sites reviewed.

The additional penalties herein referred to would apply in equal measure to other sites where piling installation is required.

See Section 2.1 for the tabulation of the cost of construction of items related to the piling.

d. Future storage rings

All differential construction costs presented in this report are for the accelerator ring and initial support facilities only. These differential costs will be approximately doubled if the future storage ring construction is taken into consideration. In the case of Oak Ridge, these costs would be more than doubled because of the high rock ridges in the proposed location of the storage rings.

5. POWER COSTS AND POWER AVAILABILITY

A comparison of the average expected yearly electrical energy costs on the several proposed sites are given below. The energy costs also include the kilowatt demand charges.

Operating costs, annual

[In thousands of dollars]

Year	Hanford	Ohio		Indiana	Oak Ridge	California
		Source A	Source B			
1967	3.8	5.9	6.6	6.5	24.9	7.5
1968	5.0	7.9	8.8	8.7	30.1	10.0
1969	11.3	17.8	19.8	19.6	51.9	22.5
1970	23.8	37.6	41.7	41.3	104.1	47.5
1971	45.0	71.3	79.0	78.3	169.5	90.0
1972	250.0	396.0	439.0	435.0	947.0	500.0
1973	575.0	910.8	1,009.7	1,000.5	1,802.0	1,150.0
1975	1,107.5	1,881.0	2,085.5	2,066.3	2,746.0	2,375.0
1978	1,944.3	3,079.7	3,414.1	3,383.0	4,300.0	3,888.5

The above yearly cost for 1978 reflects the following capitalized expenditure based on the fixed charge rate of 6.5%.

Operating costs, capitalized

[In thousands]

Hanford	$29,912
Ohio:	
Source A	47,380
Source B	52,524
Indiana	52,046
Oak Ridge	66,153
California	59,200

Based on the above information over $1,000,000 can be saved yearly in electric power cost if the Hanford site is used over the Ohio site. Larger savings of nearly $2,000,000 can be realized yearly when the Hanford site is compared to Oak Ridge, California or Indiana sites.

The largest power pool of the sites studied is at Hanford consisting of about 14,062 megawatts of hydroelectric generating capacity or 24,088 megawatts of capacity when under construction hydro plants are included.

Electric power at Hanford would be delivered to the new accelerator over the Hanford 230 kv power loop. This loop now is fed from a single substation (Midway) but will be connected to a second isolated source in the near future. Therefore, in addition to the advantages of being connected to a large power pool the new accelerator could obtain its power from a loop system. The loop system has the advantage of a continuous power supply even though a transmission line feeding the project is removed from service.

The criteria for the accelerator calls for an incoming supply or primary transmission of 230 kv. Hanford is the only site that can supply 230 kv. The other sites proposed either 138 or 161 kv.

No new generator capacity will be required at Hanford. Electric power for construction and the accelerator is now available at Hanford and requires only the installation of a suitable transmission line. In some cases on the other sites, additional generating capacity must be made available.

If the accelerator is installed at Hanford it would be in the center of a web of high capacity transmission lines which can provide a stored energy source to supply the pulsed power to the accelerator without the use of costly stored energy motor generator sets. We have been informed that BPA could possibly supply the pulse power requirements if the pulse duration was other than 3 seconds, the natural resonance frequency of the BPA power network.

As an alternative to supplying the pulse power directly from the BPA system without interposing stored energy motor generator sets, two 100,000 kva hydro-electric generators could be installed at one of the nearby dams. These generators would be specially designed to carry the pulse power. It would be advantageous to design the units for a frequency higher than 60 cycles to reduce ac to dc conversion costs. However, it would appear that 60 cycle generators would be finally chosen so that during accelerator shut down periods, the generators could feed into the BPA system. The AEC would have complete field control of the generators to suit their pulse requirements. The costs of the hydro-electric generator would be borne by the agency owning the hydro-electric generating plants.

In either case of furnishing power directly from the BPA system or from an isolated generator, a capital cost saving of approximately $6,550,000 could be realized in the omission of stored energy motor generator sets.

6. WATER COSTS

Water costs are based on the use of a filtered flow of 30,000 gpm as a once-through system capable of dissipating 200 mw. Unit costs for water are those given below. Costs are for operating expenses including chemicals, labor, electric power, maintenance, engineering and associated non-capitalized investment for continuity. Capital requirement or interest are not included.

Unit operating costs for water

[Cents per 1,000 gallons]

Hanford:	
Pumping from river	0.285
Filtration	1.25
Total	1.535
Oak Ridge: Total charge	3.0

The above unit costs extended through a year's use yield the following annual operating costs for water:

Annual operating costs for water

Hanford	$242,000
Oak Ridge	473,000

The above annual costs are converted to capitalized costs, based on a fixed annual charge of 6.5% as follows:

Capitalized costs for water

Hanford	$3,730,000
Oak Ridge	7,280,000

Hanford has available pumping and filtration equipment to handle the above quantities of water, thus minimizing the capital expenditure required to provide the filtered flow. Oak Ridge has similar equipment available. Pending more detailed design and estimates, no differential capital costs are shown for water equipment or piping. At other sites where such equipment is not available, additional capital expenditures would be required.

Mr. HICKENLOOPER. Mr. President, as a member of the committee and a supporter of the committee report, I want to canvas the situation. I may assure the Senator from Washington that if he is concerned about the comparisons of cost, we have a volume on it. Over 200 prospective locations were studied. Then 85 proposals were sent to the National Academy of Sciences for detailed evaluation where the number was reduced to six. It is all in the authorization hearing volume before you. It is all marked, if the Senator would like to look at my copy of the volume.

Mr. MAGNUSON. They had no comparison of the costs of operations compared with sites that were eliminated.

Mr. HICKENLOOPER. Yes, the costs of operations are listed in here.

Mr. MAGNUSON. The costs of the other five?

Mr. HICKENLOOPER. Including these other five that are no longer in the running. The estimates are all here, Mr. President. It reminds me of a couple of lawyers trying a damage suit. You can go out and get a specialist, a doctor, an expert witness, to come in and testify on your side any time you want to, so long as you pay him, and he will testify that you have a bad back or a broken vertebra, and the expert on the other side will say you do not have it. It is quite a game.

We can get private estimators to come in and estimate when our own side does not win on a thing of this kind. But as far as I am concerned, the State of Iowa was in the running, too. We thought we had an excellent location. We had air transportation, we had water transportation, we had railway transportation north, south, east, and west, and everywhere else. Minnesota was in, Michigan was in—all the rest of the States were in this competition.

Mr. President, I believe the chairman of the Joint Committee has already described H.R. 10918 in general terms. I support this legislation, and believe it represents a prudent authorization for essential national defense and civilian atomic energy programs.

Concerning the AEC's nuclear weapons program, the Joint Committee very carefully considered the AEC's budget and has recommended a relatively small increase in the total request. I might add that there are some of the committee who believe that this increase should be even more. In any event, we have acted because of our concern that the AEC, in order to carry out its essential weapons development and production program might be forced to use for this purpose a significant portion of the funds which would otherwise go to maintaining technological progress. Obviously if such progress is not maintained the future may witness not only a narrowing of the quantitative edge in nuclear weaponry that we presently possess, but a lessening of our qualitative margin as well. I might add, incidentally, that last year the Joint Committee recommended, and Congress approved, an addition of $10 million to the Commission's authorization request for its fiscal year 1967 weapons testing program. Despite this increase the AEC subsequently found it necessary to ask the Congress for added moneys for the testing program. As a result, an additional $20 million was appropriated to the Commission for its weapons program.

Turning to another aspect of the AEC's budget—the Plowshare program—I would like to call attention to some significant portions of our committee's report. While approving the full amount requested for operating expenses in fiscal 1968, we noted our deep concern that planned Plowshare excavation experiments have not been conducted.

Two experiments planned in this connection were not carried out in fiscal 1966. Again, in fiscal 1967—despite the expenditure of nearly $6 million for excavation experiments—no cratering experiments were executed. Approximately $2,000,000 has been totally wasted in getting ready for the Cabriolet cratering event. A hole for this event was dug, the device was emplaced and on February 10, 1967, the event was postponed "in order"—in the words of the executive branch—"to avoid any possibility of complicating the current discussions concerning a Nonproliferation Treaty." Shortly thereafter the President informed the 18-Nation Disarmament Conference considering the Nonproliferation Treaty in Geneva that—

> The United States is prepared to make available nuclear explosive services for peaceful purposes on a nondiscriminatory basis under appropriate international safeguards. We are prepared to join other nuclear states in a commitment to do this.

Quite apart from the apparent inconsistency of these actions—offering to other nations something which is not now available while at the same time and in the context of the same nonproliferation treaty negotiations postponing the effort to develop the promised technology—the committee is disturbed by the overly strict interpretation which the executive branch continues to place upon the Limited Nuclear Test Ban Treaty. Despite assurances given to the Senate in 1963, prior to ratification of the treaty, that plowshare cratering experiments could be performed notwithstanding existence of the treaty, no such experiments have been conducted since early 1965 although several were planned. It is abundantly clear to the Joint Committee that if we do not actively pursue the development of this technology, we will not be able to make it available to anyone—even ourselves. The Soviet Union, meanwhile has conducted a vigorous underground nuclear testing program, and it is believed that some of these tests have been for the purpose of developing nuclear explosives and techniques for civilian application. Several underground events detonated by the Soviets have produced radioactivity that was detected in the atmosphere beyond the territorial limits of the Soviet Union. The committee indicated last year that detection by sensitive instruments of a few radioactive atoms which have vented from an underground explosion does not, in our opinion, constitute a violation of the Limited Nuclear Test Ban Treaty.

Since the date of the President's announcement a number of nonnuclear nations have indicated interest in being able to use the nuclear explosive services which the President has said the United States would be prepared to make available for peaceful purposes. In view of this interest it would seem that a concerted effort on our part to develop the underlying technology would be in direct furtherance of our announced goals relative to the nonproliferation treaty.

I wish now to address myself once again to that portion of H.R. 10918 dealing with the 200 Bev accelerator. This project has probably aroused more interest than any other in the AEC budget. This is due to the widespread publicity surrounding selection of a site for the facility, and more recently the opposition to locating the plant in an area without an open housing statute on the books.

Concerning the selection of this site, I believe that the choice was made after full consideration of the advantages and disadvantages of all the locations that were proposed. As I said before, I was very disappointed that a site which had been offered for this facility in the State of Iowa was not selected by the National Academy of Sciences Committee as one of the six sites recommended to the AEC for final consideration. Nevertheless, I believe that the midwestern region of our country generally will benefit by placing the accelerator in the Illinois site. Of course, one of the major attractions of this site is its easy accessibility to users throughout our country and, indeed, the world.

In my opinion, the issue of open housing legislation—as it applied to selection of a site for the 200 Bev accelerator—has been blown up out of all proportions. Congress is being urged to disapprove this facility simply because the State of Illinois has not decided to pass open housing legislation. If we were to accede to this request, we would be setting a precedent that would be most dangerous and inappropriate.

My own State of Iowa has enacted an open housing statute. I am not, therefore, making my argument for parochial reasons. However, it is significant to me that—notwithstanding the size of the AEC's budget and the many important construction projects it contains—not one voice has been raised to our committee protesting the location of a facility in a State without open housing legislation, except for the 200 Bev accelerator. I can assure you that not all the States in which the AEC will be constructing projects authorized this year currently have open housing legislation on the books. Therefore, why should we single out the State of Illinois for discriminatory treatment? I say we cannot do this, whatever may be our personal predilections about the desirability of that State passing open housing legislation, particularly since the U.S. Congress has not seen fit to pass such a law.

I do not want my words to be misinterpreted to mean that I am not concerned with the climate of equal opportunity surrounding Federal installations. As a matter of fact, in considering the six sites recommended by the National Academy of Sciences, the AEC did announce that certain commitments on equal opportunity would be expected from the successful site. After the Illinois site was picked, the AEC proceeded to obtain these commitments, which covered a broad range of factors—such as employment, housing, education, municipal and community facilities, and police-community relations.

I believe the AEC was adopting the right approach in reviewing all of these factors, rather than focusing all its attention on just one item—the existence or nonexistence of an open housing statute. This was the approach recommended by a variety of Federal agencies which the AEC contacted on this matter. What is more important, however, is the fact that the AEC never took the position that the issue of equal opportunity or any of its aspects would be given primary consideration over all other matters in selecting the accelerator's site. Certainly the Commission never said that open housing legislation was a condition precedent to selecting a site. The Commission, and properly so, considered a whole host of factors in reaching its decision.

Finally, I think every Senator should remember that this facility is not going to be built in a day. It will take 7 years for the 200 Bev to become operational and it will function for many, many years after that. Much can happen during that time. Just a few days ago the city of Wheaton, Ill., the county seat of Du Page County—where the accelerator would be located—passed an open housing ordinance. Wheaton is a city of approximately 27,000 people and it is located about 6 miles from the 200 Bev site. Yesterday, I understand, Joliet passed an open housing ordinance. Enactment of these ordinances will insure that there will be a large housing market legally available on an open housing basis for employees of this installation. It has been estimated that there are between 800 and 1,600 sales of homes annually in the Wheaton area. I have not learned how many homes might be involved in Joliet. Of course, other local communities may well follow the lead of these two communities.

Mr. President, when this bill was considered in the other body, every member of the Joint Committee on the House side supported the committee's recommendation to authorize $7,333,000 for the 200 Bev accelerator at the Illinois site. When a motion was made to delete this project, only seven Members of the other body voted "aye," against 104 "noes." I believe the House was correct in defeating this motion; to have approved it would have set a precedent that would haunt Congress every time a project is to be authorized, regardless of its purpose. I urge the Senate to approve H.R. 10918 without amendment.

Mr. President, I would like to add a point to my remarks relating to the 200 Bev accelerator. Within a radius of approximately 250 miles from the location of this accelerator, which was considered to be the best location in the United States for it, nearly 50 percent of the Ph. D.'s are produced in the United States each year. They go elsewhere simply because the east coast and the west coast have succeeded, by some legerdemain, in capturing these rather important installations—and sometimes, I may say, not to the advantage of the scientific programs. But for some reason or other they have succeeded in claiming those installations for their areas.

This installation is not located in my State, and I am sorry it is not. We have, in my State, two great scientific schools that have turned out numerous graduates with physics and scientific degrees. They are recognized all over the world.

But after about 3 years of careful analyses of all of these locations, the Atomic Energy Commission sifted the possible locations to six. While I have not always agreed with the Commission on every particular—I have had my disagreements with them—I think they are honest; in fact, I know they are intellectually honest, in their own minds, and they have a high degree of competence. After getting the best advice they could possibly get in this country, and probably abroad, from foreign technicians, the time came for sifting down. Finally, they sifted down to six States, and they chose the six, much to the discomfort of some of us who would have liked to see our own States included among those six. Then they sifted the six down, and picked this area in Illinois.

I do not think that any tool is more essential for the advancement of science and the projection of man's knowledge into the unknown than this accelerator. This is to be the biggest, most powerful accelerator in the world. It will unlock secrets we do not even suspect now—at least those of us who are laymen.

I have been a member of the Atomic Energy Committee for about 21 years. I have rather grown up with this problem—not of the accelerator program alone, but I have grown up with the issue from the time it was only, so to speak, a gleam in its father's eye. I have seen the accelerators built. I have seen some of the results that they have not only anticipated, but have proved, and I know some of the things that they feel certain they can prove and establish, so far as future progress is concerned, with the tremendous accelerator that is proposed to be located in Illinois.

To the Senator from Rhode Island, I am sorry to say I believe this is the first and only disagreement we have ever had on the question of an atomic energy program, after it has come out of the committee. We have had, perhaps, some little disagreements in the committee; but when it came to final voting, we have always, some way, ended up on the same side. We have ironed our differences out and come to an agreement, and on the final votes, have always agreed.

So I am sorry we have to disagree on this. I know the Senator feels very deeply about the problem, and I can see that from his standpoint it is probably a social concern which touches him deeply. We all know how deeply he feels about the matter.

My own State has an open housing law, so it is not a question that we are not in sympathy, or beyond the pale, on open housing. So far as the State of Illinois is concerned, while that State does not have an open housing law passed by the legislature, there is open housing, I am convinced, in abundance in the area involved, and readily accessible from the site where the project will be built. I am quite convinced that, as they start the structure, additional open housing areas will be established and extended, and probably will extend throughout the State of Illinois. But within the immediate area involved, there is open housing available now.

I am frank to say that so far as I am concerned, I believe in open housing. I would support open housing. We have it in our State. But whenever the Federal Government comes into my State and holds a club over my head, if I were a member of the legislature, my tendency would be to say, "Take your proposition and go some place else, if you are going to blackmail me into this with some kind of an official club." I do not think that is the way to do business.

This project is located in perhaps not the greatest, but one of the greatest, concentrations of scientific talent and ability that we have assembled in this country. It has been determined to be the best location in the United States for this great essential tool for unlocking further secrets in the future. That is exactly why I can support it with vigor. It will be accessible to our scientists from all over the country, and especially those from areas immediately surrounding the State of Illinois.

Yes, Illinois has had a lot. They have had the Argonne Laboratory, and many other things. We would have liked to have had them in Iowa, because we do not get anything in the State of Iowa. The Federal Government has passed us up quite consistently. Every time we want anything, we just do not get it, that is all. But we do want it to be located with some proximity to where our people can use it, and we in the Middle West want to be of assistance to the great scientific community of the world, that can make use of this facility for peaceful purposes.

I do not feel, myself, because we did not get it in the State of Iowa, like the boy who left the baseball field with his ball and glove and said, "If you don't play according to my rules, I will take my ball and glove and go home, and take my bat along with me."

I want to see this great science advance, and I want to see it advanced by the location of this great accelerator at the place that competent people have said is the best location of all, though I perhaps would be glad to see it located in some other place—Iowa—if I had my choice in the matter.

I emphasize again what has been emphasized two or three times before. With regard to the claim that this has only educational value, there is a great deal to be said for the argument that it has only educational value. But, what is everything in this program except education? What has developed from the entire atomic energy program except education, using the tools that are at hand, and learning more and more about the laws of nature and about science.

That is exactly what this accelerator will contribute to in the future.

This is speculating a great deal into the future. I cannot look too far into the future and I do not know that anybody can. However, I think it is entirely possible that the whole destiny of this country, so far as the western civilization is concerned, may well depend on what we learn.

That is in the not too distant future. It will depend on what we learn from the research work of this 200 Bev accelerator. And we had better well be getting at it and learning what secrets can be unlocked by this accelerator.

Its objective is to learn more about the basic facts concerning the forces of the universe.

The early accelerators—our so-called atom smashers—such as the cyclotron at Berkeley in the thirties and forties contributed a great deal. We cannot overestimate what they did for us in our attainment of leadership in the nuclear age.

The country's first plutonium came from an accelerator. Without the ability to study the properties of this fissionable material, the development of our first nuclear weapon, which used plutonium as the key ingredient, might well not have occurred or may have been seriously delayed.

It was the accelerator, the atom smasher, that pointed the path to this development. And this 200 Bev accelerator is tremendously great in its ability to unlock the secrets of nature than anything we have now or anything that we will have in the world for a long period of time. It may be the one key that opens the door to continued superiority of the United States in this field.

We had better be getting on about our business. Open housing will take care of itself in this area of Illinois. It already has started to take care of itself without a State law. Ample open housing exists in that area. And, believe me, when they start building, open housing will take care of itself.

Downtown Chicago is only 30 miles from this place. Joliet is 20 miles. Wheaton is 6 miles. Glen Ellyn has de facto open housing right now.

I am told that several of these towns, possibly Aurora, which cannot be more than 8 or 9 miles from this place has de facto open housing. Several of these large towns will without doubt pass their own opening housing laws in the immediate future.

There will be plenty of open housing there. However, the point is that we will be getting on with this work. We will be starting work leading to the construction of a plant with very little time to waste in this race for continued scientific superiority.

I have a letter here addressed to the senior Senator from Rhode Island as chairman of the Joint Committee on Atomic Energy. It is signed by Robert Rathbun Wilson, Director of the 200 Bev project. I would like to have this letter printed in the RECORD.

Mr. PASTORE. The Senator has my permission. It is a very fine letter.

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter addressed to the senior Senator from Rhode Island [Mr. PASTORE], as chairman of the Joint Commission on Atomic Energy. The letter is signed by Dr. Robert Rathbun Wilson, who is director of the National Accelerator Laboratory in charge of the 200 Bev accelerator. I also ask unanimous consent to have printed at this point in the RECORD the enclosure that was sent with this letter, a telegram that Dr. Wilson sent to 16 key members of the Illinois Legislature. It concerns open housing. Dr. Wilson states that he favors open housing and will work toward its attainment but nevertheless believes that this project should be established and started at once as part of our scientific program.

There being no objection, the letter and telegram were ordered to be printed in the RECORD, as follows:

NATIONAL ACCELERATOR LABORATORY,
Oakbrook, Ill., July 6, 1967.

Hon. JOHN O. PASTORE,
Chairman, Joint Commission on Atomic Energy, The Congress of the United States, Washington, D.C.

DEAR SENATOR PASTORE: I am writing this letter as the Director of the National Accelerator Laboratory at which we hope to build the 200 BeV accelerator. That the State of Illinois has not this year adopted open housing is a deep disappointment to me and to my colleagues who have come to Illinois to help build the machine. We believe that such legislation is essential to diminish the injustices to Negroes and to help overcome one of their severe problems. For the National Accelerator to achieve its full potential there must be an environment in which all races are treated fairly and in which all people can work and live with dignity. Thus I was delighted to learn that the nearby city of Wheaton has passed local legislation in this regard. We are encouraged to be hopeful that other local communities will take similar positive actions.

Those of us who have become members of the Laboratory have taken a strong stand for open housing by such actions as sending telegrams and letters to key state legislators and to political leaders urging the need for prompt action on such legislation. A copy of one of our telegrams is enclosed. If the Laboratory is allowed to continue its existence, we intend to increase our advocacy of open housing and of similar legislation that is needed in Illinois as it is in many other states. As you are probably aware, remarkable progress has been made in the Hyde Park area near the University of Chicago in solving problems of achieving a truly integrated neighborhood. We expect to draw on the same people and on their experience in solving our problems near Weston.

It will be my firm policy at the National Accelerator Laboratory to adopt procedures which will, insofar as possible, ensure integration within the Laboratory and which will encourage the adoption of nondiscriminatory practices in the communities immediately surrounding the new Laboratory. For example, in aiding employees in their search for housing, the Laboratory will provide a listing of available rentals and purchases. This list will include only such units as have been established to be available on a nondiscriminatory basis.

Scientists as individuals and as a group tend to be strong proponents of Civil Rights Legislation. We who came to Illinois on June 15 to begin to design and, hopefully, eventually to build the accelerator believe that indeed it is urgent that the machine be built. Our actions in resigning our positions at Universities and Laboratories, and in moving our families to this area, are indicative of the strength of our interest and of our willingness to get on with this job. We do feel that a delay of even one year would be of tragic significance for the project. We have come here in spite of the recent uncertainty injected by the open housing question in order to save even a few months—months that are especially valuable for us to be able to come to you with adequate plans for full authorization of construction in FY 69. We are also trying desperately at this time to reduce the time of construction from seven to five years. The very fact that the project has already been subject to unfortunate delay makes prompt action especially urgent. We also believe that maintaining the project will aid rather than penalize the cause of Civil Rights in Illinois.

I am greatly impressed by the way in which scientists from all regions of our country have been willing to come to Illinois to help us with the work of establishing a single great accelerator. This is in spite of the implication that a sacrifice must be made in many cases of their own plans for additional regional instruments. They have been working very hard and with full enthusiasm on the new plans for the Illinois site. We are making progress and I am now confident that we will be successful in devising a plan for an excellent facility. The recommendations of the Joint Committee that we study the possibilities of constructing the accelerator with the option of later increasing the energy to 300 BeV or higher is proving to be particularly fruitful. We are also calculating costs for various intensities in order to provide the basis for a sound decision between various alternatives.

I most sincerely hope, despite this disappointment in the action on open housing, that enough progress will have been made so that you will be able to lend your support to the National Accelerator Laboratory's program through which all of us can continue to contribute to this field of intellectual activity—and activity which eventually will take its place as an important part of the American cultural heritage.

Respectfully yours,
ROBERT RATHBUN WILSON,
Director.

TELEGRAMS SENT TO 16 KEY MEMBERS OF THE ILLINOIS LEGISLATURE

In our positions as directorate of the new National Accelerator Laboratory at Weston we are deeply concerned that those in the State Senate who oppose open occupancy legislation may not fully understand the impact of their actions on this important National venture and on the State of Illinois.

This State, through its own far-sighted and aggressive self-advocacy, has been selected to be trustee of one of the world's most exciting scientific projects. We believe that Illinois fought for this new Laboratory not for the fifty million dollars that may be its annual operating budget. Rather we believe that the agents of the State foresaw the potential of this basic research activity to attract some of the nation's outstanding scientists.

The presence of men of this calibre can greatly enhance the intellectual climate of the region and can stimulate increased technological activity. However such men tend to have strong feelings about the environment in which they live. Already we are facing serious recruitment problems resulting from the antagonism that has been displayed toward open housing legislation and from the uncertainty and unpleasantness generated by the conspicuously negative manner in which the State Senate has treated this important problem.

We believe that the full success of this project will be jeopardized if we are unable to recruit the very best people. We further believe that the State's goals in its battle for this laboratory are being seriously compromised by recent Senate actions. Finally we believe that even worse than not winning the contest for the site for this Laboratory would be the stigma of winning the site but causing the project to fail or to fall short of its goals. Surely such a failure would seriously handicap any future attempt of the State to win other projects of this kind.

NATIONAL ACCELERATOR
LABORATORY,
ROBERT RATHBUN WILSON,
Laboratory Director.
EDWIN L. GOLDWASSER,
Deputy Director.

Mr. HICKENLOOPER. Mr. President, from the standpoint of costs, among other things that were taken into account were labor costs, power costs, and water problems. The overall reasons for the selection of Weston were operating costs, construction costs, and the proximity to the fine universities of the Midwest. All of those matters have been taken into account, evaluated, and thrown into the hopper by a very high level group, the National Academy of Sciences. Out of that hopper has come this evaluation which takes into account all facets of this situation and comes up with this answer.

Mr. President, I point out that of the 18 members of the Joint Committee on Atomic Energy, only three members are opposed to the report of the Joint Committee. And those three members have signed the separate views of the report.

It is interesting to note that all three members come from the eastern seaboard which was very hopeful of getting this plant located on the eastern seaboard.

Mr. PASTORE. Senator JACKSON is from the west coast.

Mr. HICKENLOOPER. The west coast. The Senator is right. The Senator is one-third right, and I am two-thirds right.

But it is interesting to note that the objections came from certain areas that have been hopeful that they would get this project. I do not blame them. I do not criticize them at all. But I do not believe that the desire for a geographical location alone should override the considered judgment of the scientific fraternity of this country, engaged in the atomic energy program.

Mr. PASTORE. Will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. PASTORE. The Senator from Rhode Island has never taken that position. I have always taken the position that the Weston site should not be changed, but that these irritating issues should be settled. That is why I asked for the delay. I find no fault with the geographical location. I said that the selection of the site was an administrative function to be performed by the executive department, and I would not infringe or impinge upon it.

As far as the Senator from Rhode Island is concerned, this is not a vendetta; this is not a question of sour grapes. Naturally, there is a little disappointment with some because the project did not go to Brookhaven. I understand all the reasons for it, and I am not seeking to change the Weston site. It is only a question of changing conditions that are complex, irritating, and disturbing to many people.

Mr. HICKENLOOPER. I will say this for the Senator from Rhode Island—I think perhaps he has taken that position. I certainly will take his word for that. But if he has taken that position, it would be characteristic of his fairness of attitude with respect to the location of atomic facilities in areas which will best serve the atomic program. He has always taken that position, and I am not at all surprised that he takes that position with regard to the location of this project.

I will have to retreat, then, from my other statement, that this becomes a social argument in connection with certain requirements as prerequisites or interpreted as prerequisites.

I believe the question of water and its availability has been amply covered, the question of power has been amply covered, and the other factors that go into the selection here have been amply covered.

I have a great many notes, Mr. President, but I shall not burden the Senate any longer. I hope that, in the interest of the speedy advancement of this science, and in the hope for continued superiority of the United States in its reaching for the great, new, and unknown laws of nature, we will get on with this matter as quickly as we can, and that we will appropriate this money.

I have no doubt that open housing will take care of itself and that the United States, if it is given the chance, will take care of itself in the atomic energy program and in its future.

(At this point Mr. SPONG assumed the chair.)

Mr. BROOKE. Mr. President, I rise to speak in support of the amendment offered by the distinguished senior Senator from Rhode Island.

Executive Order 11063 and title VI of the 1964 Civil Rights Act require that Federal agencies plan and execute all programs in a manner offering maximum opportunity to all citizens. As the President repeatedly has noted, the relationship of housing to job opportunities is clear, direct, and crucial.

The Federal Government should not condone racial discrimination by rewarding it with Federal grants. The State of Illinois should not benefit from a multimillion-dollar atomic power installation when it is unwilling to open community housing to Negro citizens who will live and work there.

The exercise of the economic power of the Federal Government is a perfectly proper way to demonstrate our true commitment to progress in guaranteeing equal rights and opportunities. The Federal Government should put its money where the principles and guarantees of the Constitution and laws are respected.

Mr. President, I am a great believer in the value of our federal system. The States should take the lead in assuring that their citizens receive the full measure of their constitutional benefits. And those States which have done so are to be commended.

But delay by a State, or complete refusal to act at all, should not compel the Federal Government to continue to abstain. When a State chooses not to insure that its citizens will receive the benefits guaranteed them by the U.S. Constitution, this is the time at which it is most imperative for the Government of the United States to act.

I am aware of the fact that Weston, the community which has been recommended as the site for the facility in question, has adopted its own open-housing ordinance. I applaud this, and I regret whatever economic or other damage may be visited upon Weston because of the refusal of the remainder of the State of Illinois to follow its example. However, we must deal with this problem in practical terms. A project of this nature will bring millions of dollars to the Illinois economy. It will bring a multitude of new Federal employees to dwell within the State. Comparatively few will reside in Weston. Weston will reap a relatively small profit from this project. People will seek to live in many communities which do not guarantee equality in housing opportunities. Many cities and towns which do not promise open housing will reap the benefits of such a decision. The sound ordinances of Weston will be of no effect in neighboring communities which have failed to adopt such ordinances. This is a subject which can only be handled by the passage of State legislation and by the strong enforcement of such laws. Illinois has not only failed to act in the past but has yet to take even the first steps in this direction. It has in fact, only last month, served notice of its continued refusal to do so by defeat of a proposed fair-housing law.

The State of Illinois had in fact been warned that its refusal to act to implement the constitutional guarantees of equality for all of its citizens could result in the loss of this very project. On April 12 of this year, Chairman Seaborg of the Atomic Energy Commission appeared in the State of Illinois at the invitation of Governor Kerner and made the following comment:

> There is no question in our minds but that the issue of housing discrimination will be debated when the Atomic Energy Commission authorization bill goes to the floor of Congress within the next few weeks. Those offering and defending authorization of the project *will need all of the evidence of positive action to eliminate discrimination in housing they can obtain*. Frankly, at the moment, the AEC has little to offer. The commitments sought from communities in the Weston area have failed to materialize . . . You may also ask if it is actually feasible to move the site from the state of Illinois. Political issues aside, it certainly is feasible to move the site.

Thus, the Atomic Energy Commission is clearly on record to the effect that the failure to make progress toward the goal of fair housing for all citizens could well result in the loss of this project. Despite this warning, Illinois still refused to act.

Mr. President, it has been suggested that passage of this amendment will lock Congress into a policy of eternally rejecting the claims of States which have yet to adopt open-housing legislation. This is simply not true. Each award of a project should be examined on its merits. The national interest in placing a particular facility in a particular State should be considered. The progress made by a State in combating discrimination should be one of the factors weighed in the balance. In the case of Weston, I believe that the failure on the part of the State of Illinois to act upon the opportunity to adopt fair-housing legislation outweighs the positive reasons for creation of the facility in this area.

Mr. President, much has been made of a resolution adopted by the board of directors of the NAACP approximately 1 year ago, in which the directors declared that they had no preference among the six communities which were receiving final consideration for the award of the proton accelerator project. This resolution was based upon a recognition that racial discrimination existed in each of the communities involved and that a choice among them was little more than a "choice of poverty." Far more recently, on June 16, 1967, Mr. Roy Wilkins, executive director of the NAACP, wrote to Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, as follows:

> Since Illinois Senate today voted to kill fair-housing bill, NAACP calls upon Atomic Energy Commission to revoke award of atomic installation to Weston, Illinois on ground the state has no guarantee in law against racial discrimination in the sale or rental of homes. . . .

It is obvious that the year-old resolution of the NAACP has been superseded in light of the recent refusal of the Illinois Legislature to adopt fair-housing legislation, and that the NAACP is now strongly on record in opposition to location of the facility in question in Weston, Ill.

Mr. President, we have a chance to make a fresh start. In answer to the distinguished senior Senator from Tennessee, we are not trying to uproot a facility which has been operating. We are not casting reflections upon previous decisions. This is an opportunity to assure that a new project will be constructed in accordance with the philosophy of the Civil Rights Act of 1964, not in opposition to that philosophy.

I am well aware that there are a large number of projects already located in States which have yet to adopt even the most rudimentary kind of fair-housing legislation. A few which are frequently mentioned are Cape Kennedy in Florida, the Redstone Arsenal in Alabama, and the TVA projects in Tennessee, Alabama, and Kentucky. Even the Pentagon in Virginia falls into this category.

This is an unfortunate situation, but adoption of the philosophy upon which this amendment is based will in no way interfere with the continued operation of these facilities. I must add at this point that these projects which are so frequently mentioned were all constructed long before the statement in the 1964 Civil Rights Act that the Federal Government would no longer tolerate discrimination in projects for which it was responsible. We are not attempting to correct past mistakes. We are attempting to insure that these mistakes will not be repeated in the future.

Mr. President, it is past time that the Federal Government took the initiative in the struggle to achieve equal rights for all Americans. Today we have a golden opportunity not to talk about implementing our commitment to equal opportunity for all Americans, but to act. It is an opportunity for the Senate to let business, industry, and the country know that fair housing is a sina qua non for all future projects of the Federal Government.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. BROOKE. I yield to the distinguished Senator from Illinois.

Mr. PERCY. Mr. President, I wish to commend the Senator from Massachusetts for his forthright statement on the position he takes. I share with him many of the expressions he has made. I would like to comment on one point.

The Illinois State Legislature has been maligned in this Chamber today and has been pointed out as having failed of its duty. I think it would be unfortunate if I did not make it perfectly clear that not only has the Illinois State Legislature, both in the house and in the senate, worked in a number of committees to present bills on the floor, but also the House, under the Republican leadership, overwhelmingly supported an open occupancy bill and reported it. The Senate did consider on the floor, at least, open occupancy legislation, but it was regrettably voted down.

When we in this body voted down and did not make possible the passage of the bill that was voted out of the House of Representatives, and when we in 1967 have not brought forth from committee, in either the House of Representatives or the Senate, an open occupancy bill or civil rights bill to redress many wrongs that are apparent in our country today through discrimination, and senseless discrimination, we should point to the fact that the Illinois State Legislature is composed of human beings, as is any other legislature.

This matter has been presented and debated in the Illinois Legislature and the leadership, at least, has voted for legislation to take care of the situation locally; they would like to do it on a State level rather than a Federal level. We have made great progress at the community level, which is the level closest to the State.

Mr. BROOKE. All that the Senator has said is true. The Senator from Massachusetts is well aware of the fact that the Illinois House did report open housing legislation and that it was defeated by the senate in that State. However, the fact remains that this is a new project. We are not now dealing with projects which were granted by the Federal Government prior to the 1964 civil rights legislation and prior to the policy which was adopted by the Federal Government, that there be open housing where Federal projects are concerned.

Illinois was well aware of this fact. The State government knew at the time it defeated open housing legislation that Illinois was being considered for this particular project. It further knew of the 1964 Civil Rights Act and the subsequent policy of the Federal Government. In the face of this knowledge, the Senate of the State of Illinois defeated open housing legislation. It would seem that they were saying, in effect, "We do not care if we do not get this particular project. It is more important to us that we do not have open housing in the State of Illinois." This, of course, does not apply to the house, but it does apply to the senate, and as a result it applies to the legislature because legislation was not passed in June of this year.

Therefore, they are, in effect, asking the Federal Government to turn its back on a change in American society which has been coming for a long time, to turn its back on the 1964 Civil Rights Act and all that it has signified, and to reward the State of Illinois for doing the same.

We are not only talking about the towns of Weston and Wheaton, for these are relatively small towns. We know they will not accommodate all of the people who will have to go to live in Illinois in order to participate in this project.

Negroes living in ghettos in Chicago, if they are able to obtain jobs in this project, will have to travel the long road to get them. Travel is expensive, and the expense and inconvenience will deprive many of them of the opportunity to get these jobs. The vicious cycle is repeated over and over again.

To argue that it might affect the TVA, or projects in Florida, or other States, where installations were developed before 1964 is an unfortunate and specious argument, because we are talking about new projects and a new policy that should be in effect in this country.

I am very hopeful that the amendment will be adopted. We have an opportunity, and we should avail ourselves of it, to insure that Federal money shall not be spent on projects which will not give to all Americans an equal opportunity for the jobs created, and the equal opportunity to live in housing in the vicinity of those jobs.

I am certainly sympathetic to the other issues which have been raised by the distinguished Senator from Illinois, because I know how he feels about civil rights legislation. I know how much this project means to the State of Illinois. But I think the principle here is such an important one that we certainly should, at this time, take the opportunity and see that Federal money, from this day forward, does not go into areas where there are no open housing laws already on the books.

Mr. PERCY. Mr. President, will the Senator from Massachusetts yield?

Mr. BROOKE. I am happy to yield to the Senator from Illinois.

Mr. PERCY. Does the Senator, then, intend to introduce today an amendment to the bill to take out the authorizations upon which we are to vote today for Project 68-4-g, laboratory energy storage facility, Los Alamos Scientific Laboratory, New Mexico, for $8,500,000; and for the Los Alamos Scientific Laboratory, New Mexico and Nevada Test Site, Nevada, for $2 million? Should we then go through and take out Project 68-1-b, Replacement Storage Tanks, Richland, Wash., for $2,500,000, if we are to carry out the principle of the distinguished Senator from Massachusetts who said, "from this day forward," that we should approve no projects that do not have open occupancy legislation?

Mr. BROOKE. All of the projects to which the distinguished Senator has referred are in existence at the present time. I am talking about new projects which are to be started, such as the one in Weston, Ill. As the Senator from Massachusetts interprets the legislation—and I may be corrected by the distinguished chairman—it is my understanding that these other projects are, or have been, in existence for a period of time. If I am in error, I should like to be corrected.

Mr. PERCY. I have just been advised by my technical assistant that these projects were not in existence, that they do not differ in degree, then, from the project in Weston. If the principle the Senator from Massachusetts has enunciated is to be carried out, then he should be introducing amendments at this time for those projects.

Mr. BROOKE. The Senator from Illinois mentioned Project 68-1-b, replacement waste storage tanks, Richland, Wash., $2,500,000. Certainly the replacement of waste storage tanks must be for a project already in existence.

Mr. PASTORE. Mr. President, will the Senator from Massachusetts yield at that point?

Mr. BROOKE. I yield.

Mr. PASTORE. The establishment is there. This may be somewhat of an enlargement to accommodate what is already there. But insofar as employment is concerned, the people are already living there. It may be a good or a bad situation. I do not know. However, I think the Senator from Massachusetts made a very cogent distinction. The project at Weston will be brand new. Therefore, we should be putting our best foot forward. Let us put it on firm ground and do what needs to be done to carry out the philosophy of the civil rights law of 1964 when it was adopted.

Mr. BROOKE. I thought I made it quite clear that I am not suggesting that the Government not appropriate any more money, say, to Cape Kennedy in Florida, or that the Government not appropriate more money for the TVA project in Tennessee. I made that clear. I am not suggesting that at all. I am merely distinguishing the two, in saying that this will be a new project in Weston, one which has never been started, one on which many States in this country placed bids. I am saying that the awarding of this project should not be made to any section of the country, to any city or any town, where there are no open housing provisions.

Mr. PERCY. I think that one of the factors we seem to be missing is the principal argument of the Atomic Energy Commission, the Site Selection Committee, and certainly the Joint Committee on Atomic Energy, in its overwhelming vote, to support this project, the point that they have continuously made, that the project is in the national interest and that we should select the site where the project can be best carried out.

One of the controlling reasons, one of the concluding arguments, and certainly the most important argument for placing it at Weston, is that it is readily accessible to Argonne National Laboratories which has been long established, and that it will be a complete intermixture of these communities as to technical knowledge, libraries, computer facilities, and access from one facility to the other. That certainly was one of the major factors which led us to the conclusion that Weston was unique in its qualifications to carry forward this project, and that since it was in the national interest, that the project should be located there.

Of course Illinois wants the project. Of course we, along with every other State in the Union, sought the project. But, actually, the project sought the location. We did not invent the idea of an accelerator. That thought came from the scientific community. The Atomic Energy Commission announced that it was about to find a site and they wanted to find the best site possible. There is no question, and no argument has been made that could diminish the fact that the combined resources of the communities in Illinois, in the Chicago area, offer the best resources for this project to be carried forward in the national interest. I therefore believe that the pending amendment should be defeated.

However, at the same time, I say that with the defeat of this amendment and approval of the project for Weston, we will not cease our efforts to move forward in offering opportunities for equality of opportunity in housing throughout the State of Illinois.

Mr. BROOKE. Does the Senator intend to convey the impression that Weston, Ill., is the only site which can adequately do the job?

Mr. PERCY. Not at all. I simply say that the evidence is overwhelming that it is the best site. It is exactly what the Commission set out to establish when it began to investigate sites. Why should we take a second best site, if Weston is the best site for one of the most important instruments ever to be developed and built in this world?

Mr. BROOKE. I am sure that the Senator is well aware that there was a site committee and that the committee made an exhaustive study—I think the study lasted some 9 months—and that there were several classifications. Finally, the number of sites was narrowed down to six. At the time the committee made its final report on these six sites, of which Weston was one, the committee was also well aware of the policy of the Federal Government as expressed in the 1964 Civil Rights Act, and well aware of the policy of the Atomic Energy Commission respecting open housing.

Now, it would appear that when the committee made its report, open housing legislation was then pending before the Illinois Legislature. The committee had reason to believe that this legislation would be adopted by the State of Illinois but, in fact, the legislation was defeated.

Does the Senator from Illinois have any evidence, any statements, any documents, which would indicate that since the defeat of open housing legislation by the Illinois Legislature the committee has still held out that Weston is the one and only unique location which it must have for this particular project?

Mr. PERCY. I have talked to the Atomic Energy Commission and I have talked over a period of several years to members of the Site Selection Committee. When they reached their final, unanimous report, there was no indication of any kind that, in their judgment, this was not the best site. Now it is true that, on balance, the Commission, members of the Site Selection Committee, and members of the congressional committee, and so forth, would have preferred that Illinois have an open occupancy law. But, I think they very wisely——

Mr. BROOKE. Will the Senator from Illinois yield?

Mr. PERCY. I should like to finish this comment first.

Mr. BROOKE. Certainly.

Mr. PERCY. I think they very wisely did not feel that the existence of the law would insure or guarantee equality of housing or lack of discrimination because, better than anyone, the Senator from Massachusetts knows that in those States where there are laws now—in 20 States—there still exists discrimination, and there still exists inequality of housing. There is not a single site of the other sites within the area where one could not find discrimination in every town, in every village, in every community surrounding any one of those other sites.

In fact, in the State of New York open occupancy legislation has been in effect for years. Yet when African delegations came here to represent their countries in New York, there was such widespread discrimination that it was necessary for Ambassador Stevenson to set up a special committee, with representatives of the Governor, the mayor, and the United Nations, to work not just within the framework of the law—because the law was not working—but to work, just as we are working in Illinois, whether we have a law or not, to remove every vestige of discrimination. But there is discrimination, as the Senator well knows in many of these communities. For that reason, the commission very wisely said that one of the factors was that they would have liked to have had a law. It would have made it easier. It certainly would have made it easier for the Senators from Illinois. There is discrimination every place, but there is no more discrimination in Illinois without a law than in other places with a law.

Mr. BROOKE. Is the Senator suggesting that because there is discrimination in the 20 States that have open housing laws on their books, that this is a reason for not enacting open housing legislation?

Mr. PERCY. Not at all. I would hope to see it in every one of the 50 States. I would like to see it in every local community, because ordinances would be far more effective and far more easily implemented than legislation that comes from a higher order of government, further removed from the people of that community. But I say that, notwithstanding the fact that there are States with open housing legislation, there is not an iota of evidence to prove those laws have removed discrimination. In fact, an Illinois commission appointed by a Democratic Governor studied discrimination throughout the country and came to the conclusion that the existence of such a law did not of itself in any way remove discrimination or other inequalities. It will help, but it is only one of the many steps that must be taken, and it is going to be one of the steps we will take; but, in the absence of it, the State of Illinois is taking many, many other steps.

Mr. BROOKE. Mr. President, one final question. The Senator from Illinois mentioned that the Atomic Energy Commission had stated a preference that there be open housing legislation in Illinois. Does the Senator mean that the Atomic Energy Commission did not intend that it be mandatory that there be open housing legislation in Illinois in order for this project to be granted?

Mr. PERCY. To the best of my understanding, the Commission never took that position. In a visit to Illinois, the Chairman of the Commission indicated a hope that there would be such legislation, but it was never a condition precedent to the granting favorably of one location over another. At no time did the Commission ask for legislation.

Mr. BROOKE. Insofar as the Atomic Energy Commission was concerned, was it not its policy that there be open housing legislation in the State of Illinois as a condition precedent to the granting of this project?

Mr. PERCY. I do not believe so at all.

Mr. BROOKE. Would the distinguished Senator from Rhode Island state at this time just what the policy of the Atomic Energy Commission was insofar as open housing legislation in the State of Illinois was concerned?

Mr. PASTORE. In the original criteria, while they did not use the words "civil rights," they did say "adequate housing" for the 2,000 employees that might be there. Then, later on, the AEC specifically made civil rights an issue in their visits to the sites under consideration starting in April 1966. They also reiterated it again in 1967 in press releases.

One of the primary considerations was electric power. Another was civil rights and nondiscrimination. They clearly made it a prerequisite in that respect. In visiting Denver, Colo., that is one of the questions the Commission asked. As a matter of fact, I understand that is the question they asked in every one of the six sites. So I say again the Atomic Energy Commission raised the issue.

Mr. BROOKE. And they raised the question on every site?

Mr. PASTORE. On every site they raised the question of housing.

Mr. BROOKE. They were trying to assure themselves, then, that every one of these sites would offer open housing, adequate housing, and no discrimination in housing or discrimination in job opportunities?

Mr. PASTORE. That is right, but they did not talk about a law. But it is a remarkable thing that the one State they chose was the only one of the six States that did not have an open housing law.

Mr. BROOKE. The Senator from Illinois has suggested that because an ordinance has been passed in Weston, this would assure adequate housing or open housing as far as this project is concerned. Does the Senator have any information as to what enforcement powers are involved under the ordinance of Weston?

Mr. PASTORE. As a matter of fact, Weston disappears once this accelerator is constructed. So there we have a moot question. But as I indicated today——

Mr. BROOKE. So the ordinance, if the Senator will yield, is of no real value?

Mr. PASTORE. Not insofar as Weston is concerned. But we must go a step further.

On June 29, the House passed the AEC authorization bill. On July 3, Weston passed what I and many other people consider to be a reasonably good open housing law. Only yesterday, Joliet did a similar thing.

The position I took—which is somewhat contrary to the position being taken by the Senator from Massachusetts—was that, while I did not go so far as to insist upon a State statute, I did insist that the vicinity around the project should be of such a character that no one would have any trouble at all in finding housing because of religion, race, or color.

Mr. BROOKE. How would the ordinances pased by Wheaton and Joliet be enforced?

Mr. PASTORE. Like any other ordinance would be enforced. I have the ordinances here. I have not studied them in detail, but I understand from the Joint Committee staff, who have read the Wheaton ordinance, that it is satisfactory. I do not know about Joliet. Since it was pased only yesterday we have not had time to study it.

I have a communication from Governor Kerner, who, incidentally, has been very cooperative. At this time, I ask unanimous consent that the ordinance passed by the city of Joliet, Ill., and the ordinance passed by the town of Wheaton, Ill., be printed in the Record.

There being no objection, the ordinances were ordered to be printed in the Record, as follows:

ORDINANCE OF THE CITY OF JOLIET, ILL.

An ordinance prohibiting certain practices in discrimination in housing accommodations because of race, creed, color, national origin or ancestry by real estate brokers

Be ordained by the City Council of the City of Joliet, Illinois:

Section 1: The Code of the City of Joliet is hereby amended by adding hereto the following Ordinance.

Section 2: Discrimination of Policy: It is hereby declared the policy of the City of Joliet in the exercise of police powers for the protection of the public health, public morals, and its power to license and regulate real estate brokers for the maintenance of business and good government, and for the promotion of the City trade, claims, and manufacturing to insure equal opportunity to all persons to live in decent housing facilities regardless of race, creed, color, national origin, or ancestry, and to prohibit discrimination in housing by licensed or unlicensed brokers, real estate salesmen, and agents.

Section 3: Definitions: As used in this Ordinance, unless a different meaning appears in the context, the following terms shall have the meaning ascribed in this section:

A. The term "unfair housing practice" including any difference in treatment in the sale, lease, rental, or financing of housing accommodations because of race, color, creed, national origin or ancestry.

B. The term "housing accommodation" includes any building, structure or portion thereof which is used or occupied or is maintained, alleged, or designed to be used or occupied as a house, residence, or sleeping place of one or more human beings.

C. The term "real estate brokers" means any person required to be licensed under State law or any other person carrying on the business or actions normally done by a broker, salesman, or other employee.

Section 4: Prohibited Act: It shall be an unfair housing practice and unlawful for any real estate broker with regard to any real estate within the corporate boundaries of the City of Joliet:

A. To make any distinction, discrimination or restriction against any person in price, terms, conditions or privileges of any kind relating to the sale, rental, lease or occupancy of any real estate used for residential purposes in the City of Joliet or in the furnishings of any facilities or services in connection therewith predicated by the race, color, creed, national origin or ancestry of the prospective buyer or tenant thereof.

B. To publish, circulate, issue, or display or cause to be published, circulated, or displayed any communications, notice, advertisement, sign or other writing of any kind relating to the sale, rental, or leasing of any residential real property within the City of Joliet which will indicate or express any restriction or discrimination in the sale, rental or leasing of such residential real estate predicated by the race, creed, color, religion, national origin or ancestry of any prospective buyer, leasee, or renter of such property.

C. To refuse to sell, lease, or rent any real estate for residential purposes within the City of Joliet because of the race, creed, religion, national origin or ancestry of the proposed buyer or renter.

D. To discriminate or participate in the discrimination in connection with the borrowing or lending of money, guaranteeing loans, accepting mortgages, or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair, or maintenance of any residential housing unit or housing accommodation in the City of Joliet because of race, color, creed, religion, national origin, or ancestry.

E. To cheat, exploit, or overcharge any person for residential housing accommodations in the City of Joliet because of race, color, creed, religion, national origin or ancestry.

F. To solicit orally or in writing for sale, lease, leasing for sale or lease residential real estate within the City of Joliet on the ground of loss of value due to the present or prospective entry of any neighborhood of any person or persons of any particular race, color, creed, religion, national origin, or ancestry.

G. To distribute or cause to be distributed written material or statements designed to induce any owner of residential real estate in the city of Joliet to sell or lease his property because of any present or prospective change in the race, creed, color, religion, national origin, or ancestry of persons in the neighborhood.

H. To refuse examination of any listing of residential real estate within the City of Joliet to any person because of race, color, creed, religion, national origin or ancestry.

Section 5: Duties of the Commission on Human Relations. It shall be the duties of the Commission on Human Relations to:

A. Initiate, receive, and investigate complaints charging unlawful housing practices.

B. Seek conciliation of such complaints, hold hearings, make findings of fact, issue orders, and publish its findings of facts and orders in accordance of the provision of this Ordinance.

C. Render from time to time but not less than once a year a written report of its activities and recommendations with respect to fair housing practices to the Mayor and City Councils.

D. Adopt such rules and regulations as may be necessary to carry out the purposes and provisions of the Ordinance.

Section 6. Procedures: Any person aggrieved in any manner by the violation of the provision of this Ordinance shall file a written complaint setting forth his grievance with the Commission on Human Relations. Said complainant shall state the name and address of the complainant and of the person against whom the complainant is brought, and shall also state the alleged facts surrounding the alleged violation of this Ordinance. After the filing of any complaint, the Commission shall make a prompt investigation therewith, and if the Commission shall determine after such investigation that proper cause exists for crediting the allegations of the complainant, it shall immediately endeavor to eliminate the unlawful discriminatory practices complained of by conference, conciliation, and presentation. In case of failure to eliminate such practices or in advance thereof, if in the judgment of the Commission, circumstances so warrant, it shall cause to be issued and served in the name of the Commission a written notice together with copies of such complaint to all parties of a full hearing of the complaint at a time and place to be stated in such notice. The real estate broker charged with having engaged in or engaging in the unfair housing practices shall have the right to answer the complaint, to appear at the hearing in person, to be represented by council, and to submit testimony. The complainant shall be allowed to present testimony in person and be represented by council.

Such hearings shall be conducted by the Commission. The Commission shall not be bound by the strict rules of evidence prevailing in courts of law and equity. The Commission shall have full power to subpoena witnesses and pertinent documents, which power may be enforced by the Commission by proper petition to the Circuit Court of the 12th Judicial Circuit. The Commission shall have power to administer oaths and to take sworn testimony. In the conclusion of the hearings, the Commission shall render a written report and recommendations which shall be served by mail to the parties. No report shall be delayed more than 60 days after the date of the issuance of notice for the commencement of the first hearing.

Section 7. Penalties

A. Any complainant or respondent shall apply for and obtain judicial review of any order of the Commission issued pursuant to Section 6 of this Ordinance including the refusal to issue an order in accordance with the provision of "administrative review act" approved May 8, 1945, and all amendments and modifications thereof; and in the event the order is affirmed, the Commission may obtain an order of the court for its enforcement in the same proceeding.

B. Whenever the Commission shall be of the opinion that any person has violated or is about to violate an order of the Commission issued pursuant to Section 6 of this Ordinance, the Commission shall commence an action in the name of the people of the City of Joliet in the Circuit Court of the 12th Judicial Circuit by petition alleging the violation, attaching a copy of the order of the Commission and praying for appropriate relief. The Court which shall have jurisdiction of the proceeding and shall have power to grant such temporary relief or restraining order, permanent restraining order, and such other relief as may be deemed just and proper. The provision of the Civil Practice Act including the provision for appeal and/or existing and future amendments of said act and modifications thereof and the rules now or hereafter adopted pursuant to said act shall apply to all proceedings hereunder except if otherwise provided in this Ordinance.

The proceedings provided in Section 6 shall be commenced in the Circuit Court in and for the county wherein the unfair housing practice, which is the subject of the Commission's said order, was granted.

C. The Commission shall be empowered at the conclusion of such proceedings and as part of its report to recommend to the Mayor of the City of Joliet the suspension or revocation of the broker's license of any broker licensed by the City of Joliet who shall have been a respondent to any proceeding thus filed and found guilty of violation of any applicable provision of this Ordinance. Any broker whose license has been suspended or revoked by the Mayor, or any complainant aggrieved by the decision of the Mayor shall have full right to appeal from such order of suspension or revocation in accordance with procedures specified in the Administrative Review Act of Illinois. The order of the Mayor shall be final and transmitted to the Commission as part of its record, and it shall serve a copy thereof on the Respondent and any appeal may be taken thereafter.

D. In addition thereto, the Mayor may direct the corporation council to file with the Department of Registration and Education with the State of Illinois a complaint against any real estate broker found guilty of violating any provision of this Ordinance, seeking suspension or revocation of the license issued to such broker by the State of Illinois.

Section 8. Severability: If any section of this subdivision, paragraph, sentence, or clause of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not effect any remaining portion, section, or part thereof.

Section 9. All Ordinances or parts of ordinances conflicting herewith are hereby repealed.

Section 10. This Ordinance shall take effect upon its passage, approval, recording, and publication according to law.

ORDINANCE NO. E–914, WHEATON, ILL.

An ordinance to license and regulate real estate brokers and prohibit unfair real estate practices

Be it ordained by the City Council of the City of Wheaton, Illinois:

Section 1. The Code of the City of Wheaton, Illinois (1955) is hereby amended by adding the following chapter thereto:

"CHAPTER 35—DISCRIMINATION IN REAL ESTATE TRANSACTIONS

"Section 1. Declaration of policy

"It is hereby declared by the City Council of the City of Wheaton to be in the best interest of the health, safety and welfare of the people of the City of Wheaton to license and regulate real estate brokers and to assure equal opportunity to all persons who engage in real estate transactions regardless of race, color, religion, ancestry or national origin and to that end to prohibit discrimination in real estate transactions.

"Section 2. Definitions

"As used in this Ordinance, unless the context otherwise requires:

"(a) The term *real estate broker* means any natural person, partnership, association or corporation, or agent thereof, who for a fee or other valuable consideration sells, purchases, exchanges, rents (or offers or negotiates to do any of the foregoing) real property of another, or holds himself out as engaged in the business of doing any of the foregoing, or manages and collects rental from the real property of another.

"(b) The term *real estate* includes any building, structure or portion thereof in the City of Wheaton which is used or occupied, or is maintained, arranged or designed to be used or occupied as a home, residence, sleeping place of one or more persons, place of business or office, but such term shall not include rooms for rental to one or two persons in a single-family dwelling, the remainder of which is occupied by (1) the owner or members of his immediate family, or (2) a lessee of the entire dwelling or members of his immediate family.

"Section 3. Licenses

"It shall be unlawful for any person to act as a real estate broker in this City without obtaining a license to do so. A license may be issued to an association, co-partnership or corporation only if all members and officers of such association, co-partnership or corporation who actively participate in the brokerage business of such association, co-partnership or corporation are duly licensed as real estate brokers.

"Application for a license and a renewal of license shall be filed with the Clerk upon forms supplied by the Clerk and containing: the name, residence address, business address, date of birth, length of experience in dealing in real estate, the date and number of applicant's current certificate of registration from the State, and such other pertinent information as the Council shall require to carry out the intent and purpose of this Ordinance, and if the applicant is not registered with the State, the application shall be accompanied with a statement by the applicant, under oath, that the applicant is not required to be registered by the State.

"All applications for licenses or renewals thereof shall be referred to the Council. If the Council finds that the applicant has complied with all of the provisions of this Ordinance, it shall approve the application and a license or renewal thereof shall be issued to the applicant. A license or the renewal thereof may be refused or an existing license suspended or revoked by the Council for any violation of this Ordinance or for any causes set forth in Ill. Rev. Stat. Ch. 114 1/2 Sec. 8 as the same now is or may hereafter be amended.

"In the event any license or renewal of license is refused and a hearing has not already been granted, the applicant may, by filing a request with the Clerk within twenty (20) days of the date of such refusal, have the matter of such refusal heard by the Council, or some board or commission designated for such purpose by the Council. If such hearing is before the Council it shall make its determination by adopting an appropriate resolution. If such hearing is before a board or commission designated by the Council, such board or commission shall hear the testimony of sworn witnesses and such other evidence as may be produced and shall prepare findings of fact which shall be submitted to the Council along with a recommendation. The Council shall make its determination by adopting an appropriate resolution.

"Licenses issued hereunder shall be for the period February 1, through January 31, and shall be renewable annually during the month of January. The annual fee for any license or renewal of license shall be for $25.00 and shall accompany the application for issuance or renewal of license.

"It shall be unlawful for any real estate broker or real estate salesman to negotiate the sale, purchase or exchange of any real property either by proposal to purchase, offer, option, agreement for deed, or any other agreement without reciting in such document a statement as to the zoning classification of the property involved in such transaction under the Wheaton Zoning Ordinance as the same is set forth in the then current Zoning Map published by the City.

"Section 4. Prohibited acts

"No owner of real estate, lessee, sublessee, real estate broker or salesman, lender, financial institution, advertiser, or agent of any of the foregoing, shall discriminate against any other person because of the religion, race, color or national origin of such other person or because of the religion, race, color, or national origin of the friends or associates of such other person, in regard to the sale or rental of, or dealings concerning real estate. Any such discrimination shall be considered an unfair real estate practice. Without limiting the foregoing, it shall also be an unfair real estate practice and unlawful for any real estate broker or other person to:

"(a) Publish, circulate, issue or display, or cause to be published, circulated, issued or displayed, any communication, notice, advertisement, sign, or other writing of any kind relating to the sale, rental or leasing of any real estate which will indicate or express any such discrimination.

"(b) Exploit or overcharge any person for real estate because of race, color, religion or national origin.

"(c) Solicit for sale, lease, or listing for sale or lease, of any real estate on the ground of loss of value due to the present or prospective entry into any neighborhood of any person or persons of any particular race, color, religion or national origin.

"(d) Make, distribute or cause to be made or distributed any written material or statements designed to induce any owner of real estate to sell or lease his property because of any present or prospective change in the race, color, religion, or national origin of persons in the neighborhood.

"(e) Refuse to sell, lease or rent, any real estate because of the race, color, religion or national origin of the proposed buyer or tenant.

"(f) Refuse examination of copies of any listing of real estate to any person because of race, color, religion or national origin.

"(g) Enter into a listing agreement which prohibits the sale or rental of real estate to any person because of race, color, creed, religion or national origin.

"(h) Act or undertake to act with respect to any real estate, the disposition of which is prohibited to any person because of race, color, religion or national origin.

"Section 5. Limitations

"Nothing in this ordinance shall require an owner to offer property to the public at large before selling or renting it, nor shall this ordinance be deemed to prohibit owners from giving preference to prospective tenants or buyers for any reason other than religion, race, color or national origin.

"Nothing in this ordinance shall require an owner to offer property for sale or lease to any person if the owner has any reason to believe that such person is not negotiating for the purchase or lease of such property in good faith.

"Section 6. Duties of Human Relations Commission

"It shall be the duty of the Wheaton Human Relations Commission (a) receive and investigate complaints charging unfair real estate practices; and (b) seek conciliation of such complaints, seek compliance by violators, hold hearings, make findings of fact, issue recommendations and publish its findings of fact and recommendations in accordance with the provisions of this Ordinance.

"Section 7. Procedures of Human Relations Commission

"Any person aggrieved in any manner by an unfair real estate practice may file a written complaint setting forth his grievance with the commission. Said complaint must be filed within 30 days of the commission of the alleged unfair real estate practice and shall state the name and address of the complainant and of the person or persons against whom the complaint is brought and shall also state the alleged facts surrounding the alleged unfair real estate practice.

"After the filing of any complaint, the Chairman of the Commission shall designate three of the members to make a prompt investigation in connection therewith; and if such members determine after such investigation, that probable cause exists for crediting the alleged unfair real estate practice, they shall immediately endeavor to eliminate the alleged practice by conference, conciliation and persuasion. In case of failure to eliminate such practice or in advance thereof, if in their judgment circumstances so warrant, they shall send a copy of such complaint, or a description of the alleged practice in the event no complaint has been filed, to all parties, and at the same time notify them, of a full hearing of the alleged practice, at a time and place to be specified in such notice. Any real estate broker or other person charged with the unfair real estate practice shall have the right to file an answer, and he and complainant may appear at the hearing in person or be represented by counsel, and submit testimony.

"Such hearing shall be conducted by the Commission. The Commission shall not be bound by the strict rules of evidence. The Commission shall have power to administer oaths and to take sworn testimony. At the conclusion of the hearings, the Commission shall render a written report and recommendations which shall be served by mail upon the parties. No report shall be delayed more than sixty days after the date of the issuance of notice for commencement of the first hearing.

"Section 8. Sanctions for violations

"At the conclusion of the hearing provided for in section 7 the Commission may, as part of its report, recommend to the City Council:

"(a) the suspension or revocation of the license of any real estate broker found to have committed an unfair real estate practice; (b) the filing of a complaint with the Department of Registration and Education of the State of Illinois, against any real estate broker found to have committed an unfair real estate practice, seeking suspension or revocation of the license issued to such broker by the State of Illinois; and (c) the filing of proceedings against any person found to have committed an unfair real estate practice.

"Section 9. Penalty

"Any person committing an unfair real estate practice shall, upon conviction thereof, be subject to a fine of not less than One Hundred Dollars ($100.00) or more than Five Hundred Dollars ($500.00).

"Section 10. Severability

"If any subdivision, paragraph, sentence or clause of this Ordinance is for any reason held invalid or unconstitutional, such decision shall not affect any remaining portion, section or part thereof."

Section 2. The City Clerk shall cause this Ordinance to be published in pamphlet form.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication pursuant to law.

KARL F. HEIMKE,
Mayor.

Attest.

HELEN B. PERUSSE,
City Clerk.

Mr. PASTORE. Insofar as enforcement is concerned, in the case of Joliet, I understand that the brokers could lose their licenses for violation of the ordinance.

Mr. BROOKE. The brokers?

Mr. PASTORE. That is under the Joliet ordinance. In the other case, in the case of the Wheaton, I think it is a little more severe. In that case, I understand that not only brokers are prohibited from discriminatory procedures, but also the owner himself.

I must reiterate, in any event, that those who have studied the ordinance thought it was a step forward, and rather satisfactory.

Mr. BROOKE. What would be the distance from this project to Chicago?

Mr. PASTORE. I would say about 30 miles or so. I have never measured the distance. Perhaps others would know better than I.

Mr. DIRKSEN. From Wheaton, which is a town of 26,000, it is 6 miles.

Mr. PASTORE. He did not say that. He said from Chicago.

Mr. DIRKSEN. Please let me finish.

From Joliet, a town of about 60,000, it is 20 miles, and from Chicago, about 30 miles.

With respect to enforcement, I do not know whether the Senator has ever served on a city council, but in Illinois we always use the corporation council to take care of enforcement of any ordinance. It is enforced according to its terms.

Mr. PASTORE. Section 9 of the Wheaton ordinance reads:

> Any person committing an unfair real estate practice shall, upon conviction thereof, be sentenced to a fine of not less than $100 nor more than $500.

Mr. DIRKSEN. That is the thing to be enforced. But your corporation council enforces it.

Mr. BROOKE. That is the enforcement procedure for a city or a town.

Mr. DIRKSEN. That is right.

Mr. BROOKE. There would be a distance of 30 miles to Chicago from this area where the project would be located, or a round trip of 60 miles a day. Of course, if anyone wanted to live in Chicago and work at the project, he could make this round trip, but it would be quite expensive.

Mr. DIRKSEN. I can show the Senator thousands upon thousands of people who live where I live, 30 miles from Washington, who fairly congest the highways in the Washington area in order to get to work.

Mr. BROOKE. But they are not denied the right to live in an area closer to their job, are they?

Mr. DIRKSEN. They can live wherever they like.

Mr. BROOKE. That is exactly the point I am trying to make. They can live wherever they like; and if they voluntarily choose to go 30 miles to work, that is perfectly all right.

But the policy of the AEC and of the Federal Government, under the 1964 Civil Rights Act, as I interpret it, was that all employees should have the opportunity to live wherever they like, under the Constitution and laws of this country.

Mr. DIRKSEN. Thirty miles away is an opportunity in this country, as we see it.

Mr. BROOKE. Not if you wanted to live next door to the plant where you work.

Mr. DIRKSEN. How many people live next door to the plant where they work today?

Mr. BROOKE. The point is that a person should be able to do so if he desires to do so.

Mr. DIRKSEN. That is exactly what we are trying to do in this whole area.

Mr. BROOKE. That is what I am trying to accomplish. That is why, Mr. President, I ask that the amendment be adopted.

Mr. BENNETT. Mr. President, I support enactment of H.R. 10918. I believe the committee has performed a creditable job in analyzing the AEC's entire budget, recommending reductions where appropriate and providing policy guidance to the executive branch in a number of important areas.

One of the AEC's most significant programs pertains to the procurement of uranium concentrates. This program has resulted in the creation of a large domestic uranium mining and milling industry which has produced and delivered material vital to our national defense, and the foundation of our burgeoning nuclear power program. My own State of Utah has made important contributions to the national effort to obtain an adequate uranium supply, and we shall continue to do so. That huge new reserves of uranium must be discovered and developed is obvious from the AEC's latest forecasts of installed nuclear capacity by 1980—120,000 to 170,000 megawatts.

We on the committee regard the primary responsibility for satisfying commercial uranium demands as lying with private industry. However, the Government also has certain responsibilities in this area. For example, the AEC should remain in a position to evaluate and publicize the extent of our total uranium supplies, which involves compiling data from private industry. This type of information is intimately related to the pace and scope of our country's program for developing the more advanced reactors.

It is also desirable for the AEC to continue its current program to investigate means of enlarging our uranium resources, although at a somewhat reduced level than the AEC had proposed.

Turning to a related matter, the Joint Committee's Subcommittee on Research, Development, and Radiation held 7 days of hearings in May and June on the subject of radiation exposure of uranium miners. During that time the subcommittee explored this problem in great depth. The record of these hearings undoubtedly constitutes the most comprehensive review ever undertaken of this complex matter, and I commend it to the attention of everyone interested in the facts.

Unfortunately, many of the statements appearing in the press and elsewhere have been based upon serious misunderstanding of the situation as it exists today. There is a deplorable tendency in some quarters to associate the deaths which have occurred among uranium miners, and which are expected to occur over the next decade or so, with conditions currently existing in the uranium mines.

It is unquestionably true that these conditions have very markedly improved in recent years, as more became known about potential hazards from exposure in underground mines. We on the committee believe that more can and should be done in the future. That is the reason why we called these hearings.

With respect to the current budget request, it is the committee's view that the Commission should be permitted to use raw materials program operating and capital equipment funds to undertake necessary programs during fiscal year 1968 related to the radiation exposure of uranium miners. During the Joint Committee's May 23, 1967, hearings on this subject the AEC outlined proposed programs which would involve several agencies in addition to the Commission. Although the scope of work to be carried out has been identified only in general terms, the committee believes the AEC should not be delayed because specific plans were not included in the fiscal year 1968 budget submission.

The AEC also estimated that about $350,000 would be spent in fiscal year 1968 under the Commission's biology and medicine program pertaining to this subject. Our committee's report noted concern that techniques and instruments for measuring radiation exposure of uranium miners, and concentrations of radioactivity in the air of mines, have not been further developed. We recommended that the Commission increase its efforts in these fields, and in the development of effective respirators for use by uranium miners.

In summary, I believe H.R. 10918 is a well-conceived piece of legislation, and I urge its approval today.

SUPPORT FOR BREEDER REACTORS

Mr. HICKENLOOPER. Mr. President, at the request of the junior Senator from Tennessee [Mr. BAKER], who is necessarily absent today, I have been asked to make the following statement, which he has prepared:

STATEMENT BY SENATOR BAKER, READ BY SENATOR HICKENLOOPER

Mr. BAKER. Mr. President, I am in full support of the AEC authorization bill which, among other things, provides $484,290,000 for the development of various reactor systems. Included in this amount is $71,350,000 for the development of a group of reactors known as breeders. These reactors are being designed to accomplish the rather novel effect of producing in the long run more fuel than they consume in order to generate useful energy. This point was dramatically illustrated by Dr. Glenn T. Seaborg, Chairman of the U.S. Atomic Energy Commission, when he pointed out that the net fuel cost for the breeder reactors of the future will be "zero."

I ask unanimous consent to have printed in the RECORD the table entitled "Near Breeder and Breeder Reactors—Projected Capital and Operating Costs," which Dr. Seaborg presented at the 1966 Annual Lecture of British Nuclear Energy Society in London, England, on October 24, 1966, and also Dr. Seaborg's speech of December 13, 1966, at the National Conference on Air Pollution in which he describes the potential for nuclear power.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

Near breeder and breeder reactors projected capital and operating costs

[1,000 megawatts electrical stations]

	Near breeders	Breeders	
		Low gain	High gain
Projected capital cost, dollars per kilowatt:			
Plant	120	125	145
Fuel inventory	30–10	45	25
Heavy water inventory	0–20		
Total	150	170	170
Projected operating cost, mills per kilowatt hour:			
Fuel (reflecting credit for bred fissionable material)	0.7	0.5	0
Operation and maintenance	.3–.4	.3	.3
Total	1.0–1.1	.8	.3

Note.—Fuel costs based on $8 per lb. U_3O_8, PU at $10 per fissile gram near breeder reactors include HTGR/DRAGON HWBLW/SGHWR/HWOCR.

NUCLEAR POWER—POLICY AND PROSPECTS

(Remarks by Dr. Glenn T. Seaborg, Chairman, U.S. Atomic Energy Commission, at the National Conference on Air Pollution, Washington, D.C., December 13, 1966)

I am pleased to be sharing this platform with my good friends Stew Udall, Lee White and Phil Sporn in presenting a review of our energy resources and some current thinking on the conversion of these resources to useful forms of heat and electric power.

In today's technologically oriented civilization we have become very conscious of our energy needs and resources. And this energy-consciousness, this awareness that the wise management of expendable energy is a major factor in our current and future development, comes to us none too soon. A few statistics and projections point this out quite dramatically. Our current population in the United States is approaching 200,000,000. It is conservatively estimated that by the end of the century—only 33 years away—we will have over 350,000,000 people in the U.S. While this is not quite a doubling of our population, a projection of our energy needs during the same period indicates we may expect a more than three-fold increase in energy consumption.

Statistics and forecasts in energy resources and consumption become all the more important and impressive when we realize (as many of the general public do not) that, unlike water, minerals and other natural materials which can be recycled and reused over and over again, energy resources are not reusable. Once energy is expended it is lost to us forever. And since we are building a world in which our individual and collective well-being will depend largely on energy, we must plan and work toward making the most appropriate use of all our energy resources.

Let me move on now to the specific form of energy on which I would like to concentrate today—electricity, particularly electricity generated by nuclear power. While our total energy requirement in the United States is increasing at a rate of about 3¼ per cent a year, our demand for electricity is nearly doubling every ten years. The current annual electric generating capacity in the U.S. is about 250,000,000 kilowatts. By 1980 it is expected to be 520,000,000 kilowatts, and it should exceed 1,600,000,000 kilowatts by the year 2000.

With all this as background I think we can be grateful that, historically speaking, nuclear energy arrived on the scene when it did. The nucleus of the atom offers great promise as a major source of electric power and that promise is rapidly being filled today. Before discussing the growth of nuclear power, and the policy associated with its growth, let me point out some of the features which make that growth desirable.

With reference to the primary focus of this conference—air pollution—nuclear power plants offer decided advantages over fossil fueled plants. The main advantage stems from their control of waste. In a nuclear reactor the split atoms, or "fission products" as they are called, remain within the fuel cladding until such time as the reactor is refueled. Then the used fuel elements are removed, stored under water for a cooling off period, after which they are safely shipped to a reprocessing plant where unused fuel and valuable radioisotopes are extracted for future use. The remaining waste products are then safely disposed of in storage tanks at underground burial sites. The extremely minute amount of radioactivity produced auxiliary to the operations can be held and released in such tiny amounts, and under such favorable atmospheric conditions, that it poses no health hazard whatsoever. Or it can be packaged for safe disposal in other ways. In fact, a nuclear plant can be built without any stack at all, and such a plant is under construction today in the Rochester, N.Y., area.

In contrast to this, the stacks of fossil fueled plants must release to the atmosphere effluents which contain amounts of CO_2 (carbon dioxide), which cannot be reduced, and SO_2 (sulphur dioxide), for which no effective removal system has yet been developed.

In addition to the direct reduction of the rate of air pollution by the use of nuclear plants, if nuclear generated electricity could be used as the basis for a predominantly electric-powered transportation system—that is, electric rapid transit conveyances and battery-powered automobiles—a substantial reduction in air pollution could be effected.

Nuclear power is relatively independent of geography because of the extreme compactness and long life of nuclear fuels, and therefore nuclear plants can be operated far from their sources of raw fuel material—uranium and thorium ores—without significant economic penalty.

Finally, nuclear energy lends itself well to use in large nuclear power stations generating large blocks of very economical power. The current realization of this economic factor is the primary cause for the growth of nuclear power today and will influence the major role it will play in the future.

What have been the developments in the history and policy of nuclear power which have led to its current status? What is that current status? And where does nuclear power go from here? Let me try to answer these questions briefly.

I doubt if it is necessary to dwell much on the origins or the heritage of nuclear power before this audience. The arrival of basic nuclear power technology in man's fund of knowledge was accelerated considerably by the pressures of war, by efforts carried out under a cloak of secrecy. The first public exposures to the massive release of nuclear power were strictly in terms of its awesome destructive forces. This history naturally has left lasting impressions—and many erroneous impressions unfortunately detrimental to many of the peaceful applications of nuclear energy. But the latter are impressions which education and time will erode.

While the assets in the development and production capability of the wartime Manhattan Engineer District were transferred to the civilian Atomic Energy Commission in 1946, the principal occupation of the Commission for a number of years continued to be related to military defense purposes. Of course, the dream of peaceful uses of nuclear energy flourished with the first realization of the technical feasibility of the nuclear fission chain reaction as early as 1942. While some civilian nuclear energy development projects, such as the Experimental Breeder Reactor and the Aqueous Homogeneous Reactor Experiment, were initiated prior to the passage of the Atomic Energy Act of 1954, it was not until that legislation permitted broader declassification and broader participation by industry that serious efforts really led to major expansion. Since that time the transition from government monopoly to industrial cooperation and completely privately owned plants has proceeded quickly and, in my opinion, very successfully.

The initial thrust of civilian nuclear power has been in the development of plants using light water cooled reactors. An important contributor to the development of these reactors has been the AEC's naval reactor program. The pioneering of light water reactors—today the mainstay of the nuclear industry—was performed in the development of the nuclear powered submarine. A further key development was the construction of the first large nuclear electric power plant, using a pressurized-water reactor, which began operating in 1957 at Shippingport, Pa.

Within more recent years a broad range of technologies for civilian nuclear power production has been developed. Projects have included the design, construction, and operation of experimental and prototype reactors. The operating experience of prototype reactors on utility systems has been important to our overall nuclear power development. Likewise the maximum assumption of financial responsibility by industry has been, and continues to be, a valid element of providing incentives for the efficiencies and cost reductions essential to the achievement of economically competitive nuclear power. Through this process the industry has now reached a point where large capacity nuclear power plants employing proven light water reactors are being built, and it appears they will prove to be economically attractive in comparison with fossil fueled plants in many sections of the country, including some areas where inexpensive fossil fuels are readily available.

As civilian nuclear power grows it, quite naturally, will be assuming greater responsibilities in fulfilling our overall energy requirements. And, as this happens, private industry's role in nuclear power will grow at an increasing rate. The Commission has been proceeding for a number of years on a course intended to permit the nuclear power industry to flourish with minimum government involvement.

One recent step taken in minimizing governmental involvement with private industry was the passage and implementation of legislation regarding private ownership of special nuclear materials. This legislation now permits, and by the early 1970's will require, private companies to own the nuclear fuel in their power stations. Previously it was required that this material be owned by the government and leased for commercial use. Another important phase of industry's participation in nuclear power was initiated this year—the operation of the first privately-owned nuclear fuel reprocessing plant. As things stand now, the sole remaining operating function for which private nuclear power is dependent upon the government is the enrichment of uranium conducted in our government-owned gaseous diffusion plants. And we have reached the point where the future possibility of private industry's becoming involved in this function is now coming under serious study.

Nuclear power is beginning to pay some returns for the investment of approximately 1½ billion dollars of tax money which has been spent on its development. Based on projected nuclear power growth rates and reductions in cost of power production, the returns will show the investment well justified. However, nuclear power also has certain additional developments which must be pursued if it is to play a major role in supplying our country's and the world's future expanding power requirements.

What are some of the current developments in nuclear power? In what direction is the AEC moving to try to assure that nuclear power fulfills its promises of abundant and economic power?

To answer these questions it might be appropriate to look back for a moment to the Statement of Objectives in the AEC's 1962 Report to the President. Although we have advanced technically since that time, those objectives remain valid and are still serving as a guide for our civilian nuclear power program. The report stated that our overall objective was "to foster and support the growing use of nuclear energy" and to guide it in such directions "as to make possible the exploitation of the vast energy resources latent in the fertile materials, uranium–238 and thorium." Specifically, it called for the following:

1. The demonstration of economic nuclear power by assuring the construction of plants incorporating the presently most competitive reactor types;

2. The early establishment of a self-sufficient and growing nuclear power industry that will assume an increasing share of the development costs;

3. The development of improved converter and, later, breeder reactors to convert the fertile isotopes to fissionable ones, thus making available the full potential of the nuclear fuels; and

4. The maintenance of U.S. technological leadership in the world by means of a vigorous domestic nuclear power program and appropriate cooperation with, and assistance to, our friends abroad.

We believe that, with the excellent cooperation we have had from the country's nuclear industries and electric utilities, we have successfully carried out our commitments to the first two objectives—leading to the demonstration of economically competitive nuclear power and helping to establish a self-sufficient nuclear power industry.

Our country now has in operation and committed for operation the light water reactors which should help demonstrate that nuclear power can safely, efficiently and economically generate civilian electric power.

It is appropriate that the government now concentrate on the next objective. Consequently, there is a shifting of interest and efforts toward developing reactors which will be best suited to "stretch out" the low cost reserves of nuclear fuel, and eventually to utilize the high cost nuclear fuel, through a more efficient utilization of fuel. Of course, no new system—no matter what its importance to the overall fuel economy—will be widely adopted if in itself it is not economic. Cost, therefore, remains an important factor in our reactor development thinking.

With all this in mind, our major efforts now are being directed toward the third specific objective stated in our 1962 report—the development of reactor types known as "advanced converters" and "breeders."

To understand what these reactors can mean in terms of the future development of nuclear energy it is necessary to know some basic facts of nuclear technology. I believe I can convey them to you quickly and painlessly.

When today's light water reactors, fueled with uranium, are operated at their economic optimum, they use only a very small fraction of the latent fission energy contained in their uranium. That is the case because they are using essentially the fissionable isotope uranium–235, of which there is only a very small fraction in their uranium fuel. Should we continue to use only these types of reactors, it would not be long (in view of projected power demands) before even the large supply of economic nuclear fuel resources known in the world today would be exhausted. However, it is possible to convert uranium–238 and the other abundant nuclear source, thorium–232 (both of which we refer to as "fertile" materials), to fissionable fuels. This important conversion can be accomplished by transmuting, within reactors, uranium–238 to plutonium–239, and thorium–232 to uranium–233. Plutonium–239 and uranium–233 *are* fissionable and can be used as reactor fuel. The net effect is to "burn" indirectly the non-fissionable, very abundant, fertile uranium–238 and thorium–232. Most reactors accomplish this extremely productive transmutation to varying degrees and do so during the course of producing power but water cooled reactors do so only to a small extent. (Incidentally, of the new fuel produced some is "burned" in place and some is later extracted and reprocessed for future use.) Those improved converter reactor systems which produce almost as much new fuel as they consume we refer to as "advanced converters" or "near breeders."

It is also possible to develop—and work has already begun on them—reactors that through the conversion process produce *more* fissionable material than they consume while generating electricity. Here again the net effect is to "burn" indirectly, but in this case almost completely, the non-fissionable uranium–238 and thorium–232. These reactors are called "breeders." The significance of the breeder reactor to the future of nuclear power lies in the fact that it is the key to unlocking the tremendous energy stores in the non-fissionable but extremely abundant isotopes uranium–238 and thorium–232. By allowing us to make the most efficient use of our nuclear resources this new technology gives us promise of a vast supply of economic power.

The known worldwide reserves of uranium and thorium are vast, and new reserves of these ores will no doubt be discovered. But it is only through breeder reactors that a large fraction of the energy in these natural resources can be utilized and that an adequate source of energy can be assured for centuries to come.

On a worldwide basis, a few statistics

clearly indicate why this is so. If we make conservative assumptions regarding these resources—for example, assuming that we utilize only the current types of light water reactors, provide for a 30-year fuel supply and limit ourselves to natural uranium resources costing less than $15 per pound—the reserves, both known and estimated, would be sufficient for about 500,000 megawatts of worldwide nuclear power. This is a nuclear electric capacity that will be reached by about 1985. Using natural uranium resources costing less than $30 per pound, the reserves are sufficient for about 1,000,000 megawatts of nuclear electric power, which will be reached by about 1990. However, if high gain breeder reactors are available by this point in time—and I think they will be—then the amount of uranium available at $30 per pound or less is sufficient to operate more than 50,000,000 megawatts of nuclear power for the 30-year lifetime of the reactors. Most importantly, the use of high gain breeder reactors will permit economic utilization of uranium costing far more than $30 per pound, which is available in vast quantities, and this will provide a virtually unlimited source of energy. And the use of thorium with efficient breeder reactors gives rise to a potential source of nuclear fuel sufficient to accommodate an additional nuclear electric capacity comparable to that which will utilize uranium.

Developing new breeder reactors, however, is not a simple matter. There are many scientific and technological hurdles which must be crossed. There are important decisions to be made concerning which reactor types deserve emphasis in our development programs. And there are economic considerations to be taken into account which have international as well as national ramifications. Nevertheless, we have under way a program which we believe will lead to the development of a nuclear power economy based on near breeder and breeder power reactors within the next few decades. Among the reactor types under development are the High Temperature Gas Cooled Reactor, the Heavy Water Moderated Organic Cooled Reactor, the Molten Salt Reactor, and the Light Water Breeder (Seed and Blanket Reactor). The Fast Breeder Reactor is, of course, of major importance, and we have under way a major program to develop this reactor concept.

In the past two years, sales of nuclear power plants have shown remarkable growth. Sales of nuclear plants, which amounted to a combined generating capacity of 2,000,000 kilowatts in 1963–64, rose to over 5,000,000 kilowatts in 1965, and to date in 1966 nuclear plant sales are approaching 20,000,000 kilowatts.

Today, as a result of the current light water reactors being sold, competitive nuclear power is bringing down the cost of electricity in this country. The development of large nuclear reactors and new associated technologies is also making feasible the construction of the large dual-purpose nuclear plant for producing electricity and desalting seawater. Such a plant, the first of its type, is currently being planned to serve the Los Angeles area. As I indicated before, the savings being passed on to the consumer by competitive nuclear power are paying him back for his investment as a taxpayer in developing nuclear technology. This process should continue as new and more economic nuclear plants are built. In the future the procedure may go one step further in bringing us benefits not even hoped for when nuclear power was first introduced. I refer here to the possibility that a very economic and efficient breeder reactor economy could bring the cost of electricity down to a level where abundant, very cheap power would have a major influence on our entire economy.

It is conceivable that the future will see vast, automated industrial complexes built around large nuclear power plants. These nuclear plants, in the multi-million kilowatt range, would be producing electricity and process heat so cheaply that they could be used to separate and recycle enormous quantities of waste of all kinds, reprocessing it together with new raw materials into feed materials to be fed to manufacturing plants in the same complex. They could desalt seawater and recycle sewage to give us fresh water for drinking and for agriculture. They could extract minerals from the same seawater. They could supply the electricity to produce steel by hydrogen reduction, make large quantities of nitrogen and phosphate for much needed fertilizer, and provide the heat, electricity and radiation to process new ceramics, metals, polymers and many new substances. Furthermore, such a nuclear-powered industrial complex would be quiet, clean and compact. Underground arteries, conveyor belts and pipelines might replace the maze of roads and rails usually associated with such operations. Few if any chimneys would rise from this complex in which all potential pollutants would be carefully controlled.

Creating such a nuclear industrial complex is not in our current plans or policy; nevertheless, it can be among our goals for the future.

I have concentrated today mainly on a discussion of nuclear power through nuclear fission. There are two other sources of energy on which I would like to touch briefly. They are sources which are directly related. I am speaking of solar energy and controlled thermonuclear fusion. The fusion of nuclei of hydrogen, of course, produces the energy of the sum which supports all life on earth so that, in a sense, this source of energy is not new to us.

Many advances are being made today in the direct harnessing of solar energy and this form of energy has proved useful in our space program. It is conceivable that increased use will be made of this abundant and low-cost energy source with the development of even more efficient and less expensive solar cells. While solar energy will never be a source of large blocks of power because of the low intensity of sunlight here on earth, it may prove useful in many areas where the energy demands are moderate.

The development of controlled fusion would provide mankind with a virtually limitless supply of energy, as it would mean we could use as a fuel the heavy hydrogen found in common seawater. It has been estimated that the energy from the heavy hydrogen nuclei in the oceans is equivalent to the energy of 500 Pacific Oceans filled with high-grade fuel oil. Such a potential fuel resource cannot be ignored.

The Atomic Energy Commission, in its controlled fusion research program, is attempting to determine whether it is possible to release this energy steadily and under controlled conditions in a new kind of reactor. Our fusion research is concentrated in four AEC laboratories—those at Princeton University in New Jersey; at the Oak Ridge National Laboratory in Tennessee; at the Los Alamos Scientific Laboratory, in New Mexico; and at the Lawrence Radiation Laboratory at Berkeley and Livermore, California. Two private laboratories are also doing extensive work in this field.

Controlled fusion presents many difficult problems which may take decades to solve. However, those involved in this difficult work feel that these problems can eventually be solved and it is our policy to support and further their efforts.

My remarks today would be incomplete if I did not recognize one potential advance in conversion technology which now appears feasible, that is, Magnetohydrodynamic (MHD) conversion. The MHD generator makes use of high-velocity electrically conducting gases to produce electric power directly—without the need of a turbogenerator. If the full promises of this new approach are realized, it can mean increased conversion efficiencies, which will have a significant effect upon our energy requirements. If we are more efficient in conversion, then we will need just that much less heat energy from whatever sources we are dependent upon. The combined use of the heat of nuclear fission and MHD conversion might produce spectacular results some day.

I have spoken only briefly today of our newest energy sources. I hope I have conveyed to you some of their progress and promise as well as some of our general policy in working with them. The job of providing our technological world with ample energy in the decades and centuries to come will be a major responsibility entrusted to those in the fields of energy resources and power technology. We must all work together with foresight and wisdom to make certain that we fulfill this obligation and thereby help man achieve new levels of human progress.

AUTHORIZATION OF FAST FLUX TEST FACILITY

Mr. JACKSON. Mr. President, the AEC authorization bill for fiscal year 1968 contains a very important item for the fast breeder reactor program. The fast breeder program has as its goal the development of power reactors which will make more nuclear fuel than they use. This is theoretically possible. Our objective is to develop practical reactors of this type—reactors which will be economical and still breed at sufficiently high rates to refuel themselves and other reactors which we will need to meet our increasing demands for energy. If we are successful, we will have developed a limitless source of energy. The importance of this objective to an industrial society such as ours is obvious.

One area which has been holding up progress in the breeder reactor program is the lack of facilities to test fuel elements and other components in the environment of fast neutron flux and high temperature liquid metal. These are the conditions under which the various parts of a breeder reactor system must operate. It is very difficult to simulate the temperature and radiation conditions required for performing tests of breeder reactor components. The facilities required are very complex and, therefore, expensive. They also take a long time to build. Realizing these facts and the importance of having such a facility, the joint committee has been calling for the building of such a facility for a number of years. Finally last year the AEC proposed an authorization of $7,500,000 for the start of the design of such a facility. This bill contains the remainder of the authorization for this facility which is called the fast flux test facility or FFTF.

The bill before us adds $80,000,000 to the authorization, giving a total of $87,500,000 for the vitally needed FFTF. The facility will probably take about 5 years to build. Since this is such an important facility, it is unfortunate we did not start its design and construction sooner as called for by the Joint Committee. The late start makes it all the more important that the project be carried out as efficiently and expeditiously as possible.

I am most pleased to note that the AEC has seen fit to give the responsibility for the management of this important project to the Pacific Northwest Laboratory at Richland, Wash. The

AEC on January 23, 1967, also announced the selection of Richland, Wash., as the site of the last flux test facility. As the AEC stated in announcing the selection, the location of the FFTF at Richland will enhance the ability of the Pacific Northwest Laboratory to manage the development, design, construction, and test operation of the facility. The assignment of this responsibility to the Pacific Northwest Laboratory indicates the outstanding competence of the scientists and engineers at this facility.

Since the AEC's January 23 announcement contains a number of important points concerning the vital functions which the FFTF perform, I ask unanimous consent to include it at this point in my remarks.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

AEC TO LOCATE FAST FLUX TEST FACILITY AT RICHLAND, WASH.

The Atomic Energy Commission has selected Richland, Washington, as the site for the Fast Flux Test Facility (FFTF). The FFTF will be the AEC's major fuels and materials test irradiation facility in the Liquid Metal Fast Breeder Reactor (LMFBR) program, and will contribute as well to other fast flux test programs.

The AEC already has an FFTF project management organization at its Pacific Northwest Laboratory at Richland, operated by the Battelle Memorial Institute. Conceptual design and development efforts for the facility have been proceeding under the direction of this organization.

The location of the test facility at Richland will enhance the ability of the laboratory to manage the development, design, construction and test operation. The laboratory has been using the talents and resources of other AEC laboratories and industry in a concerted effort to develop the best design concept for the facility.

Development of economic fast breeder reactor fuel elements is an integral part of the AEC's high priority objective of demonstrating the capability for economic operation of commercial large size breeder power plants. Such plants will assure the economic use of the nation's nuclear resources for power production. To accomplish this objective, facilities will be needed for irradiation testing under realistic fast reactor operating conditions.

The test facility will provide an adequately controlled and instrumented environment in a fast neutron flux for testing instrumented fuel specimens, fuel rods, fuel subassemblies, fuel claddings and structural materials; and for testing fuel up to and including failure in a dynamic (flowing) sodium coolant.

To carry out this program, the Commission is considering a reactor of about 400 thermal megawatts, with a very high intensity of neutrons (neutron flux of about 10^{16} per square centimeter per second) containing instrumented closed and open loops, and facilities for rapid insertion and removal of test specimens. Facilities for interim fuel examination, including disassembly, reassembly of specimens and reinstrumentation, capsules and rods, will also be provided.

The FFTF is estimated to cost $87,500,000, of which $7,500,000 has been authorized by the Congress for the fiscal year 1967.

Concurrent with the FFTF effort, an intensive program is under way to upgrade and improve the capability of the Experimental Breeder Reactor No. 2 (EBR-2) at the AEC's National Reactor Testing Station in Idaho, the only U.S. fast flux irradiation facility now available.

The LMFBR program will utilize EBR-2 and other fast reactor facilities, including the Zero Power Plutonium Reactor being built in Idaho, as well as other facilities such as those at the AEC's Argonne (Illinois) National Laboratory, and the Southwest Experimental Fast Oxide Reactor under construction in Arkansas. Most other reactors now operate with thermal (slow) neutrons rather than with fast neutrons. Thermal reactor environments cannot be reliably substituted for prototype fast reactor environments because of differences in conditions imposed on the test specimens. However, the thermal reactor test facilities at Idaho are being used to the maximum extent to supplement the use of the EBR-2.

Argonne, which is conducting LMFBR research and development with facilities at Illinois and at Idaho Falls, Idaho, and the Los Alamos (New Mexico) Scientific Laboratory are currently assisting in conceptual design and development activities for the FFTF. In addition, the LMFBR program office at Argonne is assisting AEC in the development of overall and detailed plans for, and coordination of, the total LMFBR effort.

Major industrial firms participating directly in the FFTF program include Atomics International, Canoga Park, California; Atomic Power Development Associates, Detroit; General Electric Co., San Jose, California; Idaho Nuclear Corporation, Idaho Falls, Idaho; and Westinghouse Electric Corporation, Pittsburgh.

The continued use of industrial contractors to perform for AEC facilities the functions similar to those that will be required for future LMFBR power reactors will strengthen the base of national industrial reactor capability. Continued maximum use of these contractors plus other laboratories and industrial organizations will be required throughout the project. These capabilities are being identified and organized to work directly under the FFTF project management organization at Pacific Northwest Laboratory.

THE NAVAL NUCLEAR PROPULSION PROGRAM

Mr. JACKSON. Mr. President, the Atomic Energy Commission authorization request submitted to the Congress for fiscal 1968 contained a request for $106,700,000 for research and development on advanced nuclear propulsion plants for submarine and surface warships of the Navy. The Joint Committee has recommended authorization of the full amount requested, which is about 10 percent more than was authorized last year. I heartily endorse the committee's action in this regard.

The naval nuclear propulsion program, under the able direction of Adm. H. G. Rickover, has been one of this Nation's most successful research and development efforts. It is exceedingly fortunate that we have been so successful in a program on which one of our first lines of defense is now based. I refer, of course, to the missile-launching Polaris submarine fleet. Two aspects of the Polaris submarine—the nuclear propulsion plant and the intercontinental ballistic missile which can be fired underwater—are as complex as any development program we have ever undertaken. Nothing speaks more fully for the degree of success we have attained than the unprecedented degree of reliability of this weapon system.

No history of the naval nuclear propulsion program can be compiled without recognizing the leadership which the Congress has provided. The record will show that the Congress played a critical role in getting the Navy to use nuclear propulsion in submarines; and I am happy to report, Congress' efforts to get nuclear propulsion in aircraft carriers is finally bearing fruit. More than 10 years elapsed between the time the *Enterprise*, our first nuclear-propelled aircraft carrier, was authorized, and the time when the Department of Defense finally requested authorization for the construction of a second nuclear carrier.

The Department of Defense request this year for the advanced funding of a third nuclear carrier would seem to indicate that the Defense Department has finally recognized—at least insofar as aircraft carriers are concerned—the superiority of this incomparable energy source. With respect to the last bastion of the Defense Department opposition to nuclear power—regarding first line warships which escort our carriers—Congress again this year did what it has been forced to do in the past; namely, to eliminate some conventionally fueled warships from the Department of Defense budget and to substitute nuclear-powered ships therefor.

The fully documented record developed by the Congress, including the Joint Committee on Atomic Energy and the House and Senate Armed Services and Appropriations Committees, clearly shows that nuclear propulsion is a must for any firstline warship. I am certain that this fact will eventually be appreciated by all of our leaders in the Department of Defense, and that then all of our warships will be fitted with nuclear propulsion. Great effort has been expended to overcome the inertia which has prevented this inevitable step.

There should be no letting up on the part of Congress now, however. We should be satisfied with nothing less than the most modern of equipment and ships for the men of the U.S. Navy. Therefore, I urge my colleagues to support the authorization of $106,700,000 contained in this bill for the development of even more advanced nuclear propulsion plants for submarines and surface warships.

SOUTHERN INTERSTATE NUCLEAR BOARD SUPPORT OF ATOMIC ENERGY PROGRAM

Mr. RUSSELL. Mr. President, the Southern Interstate Nuclear Board in its annual meeting in April of this year adopted a resolution commending the Joint Committee on Atomic Energy, the Congress of the United States, and the Atomic Energy Commission for their support of and leadership in developing the breeder reactor. The breeder reactor is a nuclear reactor which, if successful, would, while it is generating power, be making enough nuclear fuel to refuel itself and, in addition, enough fuel to fuel new reactors which will be required to meet our growing needs for electricity.

This resolution was passed at the sixth annual meeting of the Southern Interstate Nuclear Board which was held in Wheeling, W. Va. The resolution recognizes the need for developing reactors which have the goal of making as much nuclear fuel as they use. Such reactors, which are commonly referred to as breeder reactors, would provide what for all practical purposes will be an infinite supply of energy.

As you know, Mr. President, the Southern Interstate Nuclear Board is the agency created to act for the Southern Nuclear Interstate Compact in dealing with the Federal Government and with the member States, either individually or collectively, on nuclear and space matters. The compact membership is comprised of the 17 States in the Southern Governors' Conference and was set up in 1962 under Public Law 85-563.

Mr. President, I ask unanimous consent that a copy of this resolution be included in the RECORD, since the AEC authorization bill now before us gives special emphasis to the next phase of the civilian nuclear power program, the development of breeder reactors.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE SOUTHERN INTERSTATE NUCLEAR BOARD

Whereas, breeder reactors produce more fissionable material than they consume and thus promise a highly improved source of energy for generations to come;

Whereas, while we are now experiencing the economic success of light water reactors, the Southern Interstate Nuclear Board recognizes that the long-term application of nuclear power for the generation of electricity will require the development of economic self-sustaining breeder reactors;

Whereas, current commercial types of nuclear reactors are capable of utilizing only about 1.5% of the fission energy contained in uranium and this fraction can be vastly increased, when breeder reactors are developed;

Whereas, such a potential improvement in efficiency and cost constitutes a strong incentive for research and development; and

Whereas, there are many scientific and technological problems which must be solved before the breeder reactor becomes a commercial reality;

Now, therefore, be it resolved that the Southern Interstate Nuclear Board assembled at Wheeling, West Virginia, for its Sixth Annual Meeting on April 27–28, 1967 commends the Joint Committee on Atomic Energy, the Congress of the United States and the Atomic Energy Commission for its support of and leadership in developing the breeder reactor program;

Be it further resolved that the Southern Interstate Nuclear Board urges Congress to continue to support this program in fiscal 1968 and subsequent years in the near term future;

And, be it further resolved that this resolution be transmitted to the Joint Committee on Atomic Energy, the Speaker of the House of Representatives, and the President of the Senate and to the Atomic Energy Commissioners.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment of the Senator from Rhode Island. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. **PROUTY** (after having voted in the affirmative) On this vote I have a pair with the junior Senator from Tennessee [Mr. BAKER]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. **BYRD** of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Maryland [Mr. BREWSTER], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Ohio [Mr. LAUSCHE], the Senator from Louisiana [Mr. LONG], the Senator from Montana [Mr. METCALF], and the Senator from Maine [Mr. MUSKIE] are necessarily absent.

I also announce that the Senator from Alabama [Mr. SPARKMAN] is absent because of a death in the family.

I further announce that the Senator from North Dakota [Mr. BURDICK] and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from Connecticut would vote "yea" and the Senator from South Carolina would vote "nay."

I further announce that, if present and voting, the Senator from Ohio [Mr. LAUSCHE], and the Senator from Louisiana [Mr. LONG] would each vote "nay."

Mr. **KUCHEL**. I announce that the Senator from Tennessee [Mr. BAKER] is necessarily absent, and his pair has been previously announced.

The Senator from South Carolina [Mr. THURMOND] is absent because of the death of a friend.

The Senator from Colorado [Mr. ALLOTT], is detained on official business.

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from South Carolina [Mr. THURMOND]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from South Carolina would vote "nay."

The result was announced—yeas 37, nays 47, as follows:

[No. 183 Leg.]

YEAS—37

Aiken
Bayh
Brooke
Cannon
Case
Church
Clark
Dominick
Fong
Gruening
Harris
Hart
Hartke
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Magnuson
McCarthy
McGee
McGovern
Mondale
Monroney
Montoya
Morse
Moss
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Symington
Williams, N.J.
Young, Ohio

NAYS—47

Bartlett
Bennett
Bible
Boggs
Byrd, Va.
Byrd, W. Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Ellender
Ervin
Fannin
Fulbright
Gore
Griffin
Hansen
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Kuchel
Mansfield
McClellan
McIntyre
Miller
Morton
Mundt
Murphy
Pearson
Percy
Russell
Scott
Smathers
Smith
Spong
Stennis
Talmadge
Tower
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—16

Allott
Anderson
Baker
Brewster
Burdick
Dodd
Eastland
Hollings
Lausche
Long, La.
Metcalf
Muskie
Prouty
Sparkman
Thurmond
Tydings

So Mr. PASTORE's amendment was rejected.

Mr. **DIRKSEN**. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. **MUNDT**. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. **PASTORE**. Mr. President, I ask for the third reading of the bill.

The **VICE PRESIDENT**. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill was read the third time.

The **VICE PRESIDENT**. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 10918) was passed.

Mr. **PASTORE**. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. **MANSFIELD**. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that S. 1963 be indefinitely postponed.

The **VICE PRESIDENT**. Without objection, it is so ordered.

Mr. **MANSFIELD**. Mr. President, the chairmanship of the Joint Committee on Atomic Energy this year has again been assigned to the senior Senator from Rhode Island [Mr. PASTORE]. No individual could perform the task with more devotion, greater wisdom, or deeper understanding of the many intricate issues involved in this Nation's atomic energy program. So again Senator PASTORE has exhibited his immense ability as chairman of this vitally important committee. Again he has proven himself as an outstanding leader of our vast atomic energy program.

His flawless handling of the AEC authorization measure just adopted by the Senate showed once more his keen appreciation of the program, his broad knowledge of its application. Its passage was marked with the same articulate advocacy, the same clear and convincing arguments that have characterized all of his countless achievements. The success of the measure may be attributed in large measure to his long and hard efforts, bringing to the Chamber the best measure possible and assuring its swift acceptance. The Senate is deeply grateful.

The ranking minority Senate member of the committee, the distinguished senior Senator from Iowa [Mr. HICKENLOOPER], similarly is to be commended. He supported this measure with such strong advocacy—so characteristic—that overwhelming Senate approval was assured. The Senate always welcomes the clear, thoughtful appraisals of Senator HICKENLOOPER, and appreciates his splendid cooperative efforts on all legislative proposals which obtain his backing.

A most provocative issue was raised regarding that part of the authorization which provides for the establishment of the 200-Bevatron accelerator at Weston, Ill. All Senators joining the discussion are to be commended for the sincerity of the views expressed, regardless of the varying positions taken.

So the Senate appreciated the strong, clear, and provocative views of the able and articulate minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN]. His wisdom and clarity of thought add a great deal to any discussion; today's was no exception. We are most grateful.

We are grateful also to the other Senators who joined the discussion. The senior Senator from New York [Mr. JAVITS], the senior Senator from Washington [Mr. MAGNUSON], the junior Senator from Illinois [Mr. PERCY], all are to be praised for offering their thoughtful and sharp analysis. The junior Senator from Colorado [Mr. DOMINICK], the junior Senator from Massachusetts [Mr. BROOKE], the Senators from Tennessee [Mr. GORE] and Kentucky [Mr. COOPER] also deserve high praise.

To the Senate as a whole go the thanks of the leadership for acting on this measure with dispatch, with efficiency, and with consideration for the views of each Senator. All of us may be proud of another fine achievement.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 650. An act for the relief of T. Sgt. Anthony J. Corso, U.S. Air Force (retired);

S. 906. An act for the relief of Luis Tapia Davila;

S. 985. An act for the relief of Warren F. Coleman, Jr.; and

S. 1320. An act to provide for the acquisition of career status by certain temporary employees of the Federal Government, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1537. An act for the relief of Thomas M. Scanlon;

H.R. 1564. An act for the relief of Antonina Rondinelli Asci;

H.R. 1653. An act for the relief of Omer Penner;

H.R. 1820. An act for the relief of Mrs. Demetria Messana Barone;

H.R. 1894. An act for the relief of Our Lady of Pillar Catholic Church in Santa Ana, Calif.;

H.R. 5967. An act for the relief of Albert P. Morell;

H.R. 6324. An act for the relief of John A. Danisch;

H.R. 6452. An act for the relief of John E. Coplin;

H.R. 6663. An act for the relief of Jesse W. Stutts, Jr.;

H.R. 6862. An act for the relief of Slator C. Blackiston, Jr.;

H.R. 7811. An act for the relief of Richard Alan White;

H.R. 8485. An act for the relief of Eddie Garman;

H.R. 10414. An act for the relief of Victor L. Ashley;

H.R. 10482. An act to amend section 2733 of title 10, United States Code, to authorize the application of local law in determining the effect of claimant's contributory negligence, and to clarify the procedure for appeal from certain claims determinations;

H.R. 10805. An act to extend the life of the Civil Rights Commission; and

H.R. 11089. An act to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 1537. An act for the relief of Thomas M. Scanlon;

H.R. 1564. An act for the relief of Antonina Rondinelli Asci;

H.R. 1653. An act for the relief of Omer Penner;

H.R. 1820. An act for the relief of Mrs. Demetria Messana Barone;

H.R. 1894. An act for the relief of Our Lady of Pillar Catholic Church in Santa Ana, Calif.;

H.R. 5967. An act for the relief of Albert P. Morell;

H.R. 6324. An act for the relief of John A. Danisch;

H.R. 6452. An act for the relief of John E. Coplin;

H.R. 6663. An act for the relief of Jesse W. Stutts, Jr.;

H.R. 6862. An act for the relief of Slator C. Blackiston, Jr.;

H.R. 7811. An act for the relief of Richard Alan White;

H.R. 8485. An act for the relief of Eddie Garman;

H.R. 10414. An act for the relief of Victor L. Ashley;

H.R. 10482. An act to amend section 2733 of title 10, United States Code, to authorize the application of local law in determining the effect of claimant's contributory negligence, and to clarify the procedure for appeal from certain claims determinations; and

H.R. 10805. An act to extend the life of the Civil Rights Commission.

FEDERAL EMPLOYEES' LIFE INSURANCE

Mr. MANSFIELD. Mr. President, on yesterday, the Senate passed S. 271, the companion bill of H.R. 11089, which passed the House yesterday. H.R. 11089 is presently at the desk, and I ask unanimous consent for its immediate consideration, and that the text of S. 271 be substituted therefor.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Chair lays before the Senate a message from the House, and directs the clerk to read it by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 11089) to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund, which was read twice by its title.

The VICE PRESIDENT. Without objection, the Senate will proceed to the consideration of H.R. 11089.

Mr. MANSFIELD. I move to strike out all after the enacting clause of H.R. 11089, and insert in lieu thereof the text of S. 271 as passed by the Senate yesterday.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The VICE PRESIDENT. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the passage of S. 271 be reconsidered and that the bill be indefinitely postponed.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 60. An act for the relief of Dr. Oton Socarraz;

S. 67. An act for the relief of Dr. Juan Ramon Diaz Zayas Bazan;

S. 118. An act for the relief of Dr. Amparo Castro;

S. 132. An act for the relief of Dr. Alberto Fernandez-Bravo y Amat;

S. 164. An act for the relief of Dr. Cesar A. Mena;

S. 168. An act for the relief of Maria Jordan Fernando;

S. 327. An act for the relief of Dr. Carlos Victor De La Concepcion Garcia;

S. 371. An act for the relief of Mrs. Mary T. Brooks;

S. 462. An act for the relief of Dr. Jesus L. Lastra;

S. 464. An act for the relief of Dr. Guillermo N. Hernandez, Jr.;

S. 465. An act for the relief of Dr. Mario Guillermo Martinez;

S. 499. An act for the relief of Dr. Manuel A. Zuniga;

S. 652. An act for the relief of certain employees of the Puget Sound Naval Shipyard;

S. 819. An act for the relief of Charles H. Thurston;

S. 853. An act to extend the life of the Commission of Political Activity of Government Personnel;

S. 904. An act for the relief of Doreen Delmege Willis;

S. 996. An act for the relief of Dr. Esther Yolanda Luazardo;

S. 1045. An act for the relief of Alton R. Conner; and

S. 1278. An act for the relief of Dr. Floriberto S. Puente.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senate, following the disposition of the agricultural appropriation bill, it is anticipated that on tomorrow or Friday we will take up the Great Salt Lake National Monument bill, the Vienna Convention, and possibly—though I cannot be sure—start on the Virgin Islands bill.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar 380, H.R. 10509. Before it is laid before the Senate, may I say to the Senate that it is the intention tonight for the opening statement to be made by the distinguished chairman of the committee, the Senator from Florida [Mr. HOLLAND], and the ranking minority member, the Senator from Nebraska [Mr. HRUSKA], and that is all that will be done on the bill tonight.

The VICE PRESIDENT. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 10509) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW—ORDER FOR RECOGNITION OF SENATOR JAVITS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock a.m. tomorrow, instead of 11 o'clock a.m.; that the period between 10 a.m. and 11 a.m. be under the control of the distinguished senior Senator from New York [Mr. JAVITS].

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

AGRICULTURAL APPROPRIATIONS AND RELATED AGENCIES APPROPRIATION BILL, 1968

The Senate resumed the consideration of the bill (H.R. 10509) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

Mr. HOLLAND. Mr. President, I understand that there will be at least two amendments to the agricultural appropriations bill. The motion I am about to make is not intended to cut them off nor to cut off any other amendments that anybody wishes to offer. But in such a complicated measure as this, I believe it will be better practice if we adopt the committee amendments en bloc without prejudice, so that the bill as amended be considered as original text, and that no points of order shall be considered as having been waived by this action. I make that unanimous-consent request at this time.

The PRESIDING OFFICER (Mr. SPONG in the chair). Is there objection to the request of the Senator from Florida? The Chair hears none, and it is so ordered.

The amendments, agreed to en bloc, are as follows:

On page 3, line 15, after "$100", to strike out "$135,587,500" and insert "$143,354,800"; in line 19, after the word "which", to strike out "$2,800,000" and insert "$5,941,800"; in line 25, after "(21 U.S.C. 113a)", to insert a colon and "*Provided further*, That none of the funds appropriated in this Act shall be used to formulate a budget estimate for fiscal 1969 of more than $15,000,000 for research to be financed by transfer from funds available under section 32 of the Act of August 24, 1935, and pursuant to Public Law 88–25;"; on page 4, line 12, after "(21 U.S.C. 114b–c)", to strike out "$84,028,000" and insert "$90,835,400"; in line 20, after the word "further", to insert a colon and "That not to exceed $1,150,000 shall remain available until expended for construction of facilities without regard to limitations contained herein:".

On page 6, line 5, after the word "expended", to strike out "$7,500,000" and insert "$15,400,000".

On page 6, line 21, after the word "including", to strike out "$54,465,000" and insert "$56,039,000"; on page 7, line 5, after "(7 U.S.C. 450b)", to insert "of which $1,000,000 shall be for the special cotton research program and $400,000 for soybean research"; in line 7, after the amendment just above stated, to strike out "$2,500,000" and insert "$4,000,000"; in line 11, after the word "and", to strike out "$353,000" and insert "$380,000"; and, in line 17, after the word "all", to strike out "$63,113,000" and insert "$66,214,000".

On page 8, line 2, after the word "Act", to strike out "$80,347,500" and insert "$82,347,500"; and, in line 5, after the word "all", to strike out "$81,917,500" and insert "$83,917,500".

On page 9, line 7, after "(7 U.S.C. 1621–1627)", to strike out "$1,204,000" and insert "$1,404,000".

On page 9, line 20, after the word "aircraft", to strike out "$113,053,000" and insert "$113,995,000".

On page 11, line 1, after the word "expended", to strike out "$6,377,000" and insert "$6,000,000"; and, in line 8, after "5 U.S.C. 3109", to insert a colon and "*Provided further*, That no funds appropriated in this Act shall be available to plan or formulate a watershed planning program in fiscal 1968 in excess of eighty new planning starts."

On page 12, line 4, after "5 U.S.C. 3109", to strike out "*Provided further*, That not to exceed $5,000,000, together with the unobligated balance of funds previously appropriated for loans and related expense, shall be available for such purposes" and insert "*Provided further*, That $5,000,000 of the funds in the direct loan account of the Farmers Home Administration shall be available until expended for loans: *Provided further*, That no funds appropriated in this Act shall be available to plan or formulate a watershed protection program in fiscal 1968 in excess of eighty new construction starts."

On page 13, line 1, after the word "purposes", to strike out "*Provided*, That not to exceed $200,000, together with the unobligated balance of funds previously appropriated for loans and related expense, shall be available for such purposes" and insert "*Provided*, That $1,000,000 of funds in the direct loan account of the Farmers Home Administration shall be available until expended for loans."

On page 13, line 13, after "(16 U.S.C. 590p)", to strike out "$16,336,000" and insert "$18,504,300".

On page 13, line 21, after "(16 U.S.C. 590 a–f)", to strike out "$6,000,000" and insert "$7,629,000"; in line 23, after the word "That", to strike out "not to exceed $1,000,000 of such amount" and insert "$1,500,000 of the funds available in the direct loan account of the Farmers Home Administration"; on page 14, at the beginning of line 1, to strike out "and related expenses"; and, in line 2, after the word "amended", to insert "to remain available until expended".

On page 14, line 25, after the word "products", to strike out "$12,421,000" and insert "$13,021,000".

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On page 16, at the beginning of line 19, to strike out "$89,010,000" and insert "$89,522,000".

On page 17, line 5, after "(7 U.S.C. 1623 (b))", to strike out "$1,750,000" and insert "$1,900,000".

On page 17, line 10, after "$104,000,000", to strike out the comma and "to be transferred from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c)".

On page 17, line 17, after "(80 Stat. 885–890)", to strike out "$198,735,000" and insert "$190,825,000, of which not less than $14,325,000 shall be used for the purposes of section 6 of the National School Lunch Act"; in line 20, after the word "including", to strike out "$5,000,000" and insert "$8,000,000"; in line 21, after the word "schools", to strike out "$2,000,000" and insert "$5,000,000"; in line 22, after the word "program", to strike out "$750,000" and insert "$3,000,000"; and, in line 23, after the word "program", to insert a semicolon and "and $1,250,000 for State Administrative expenses:".

On page 18, after line 7, to insert:

FOOD STAMP PROGRAM

For necessary expenses of the food stamp program pursuant to the Food Stamp Act of 1964, as amended, $172,500,000, and in addition $22,500,000 appropriated under this head in Public Law 89–556, approved September 7, 1966, shall be merged with this appropriation.

On page 19, line 13, after "(7 U.S.C. 1766)", to strike out "$21,441,500" and insert "$22,612,000".

On page 20, line 20, after the word "Corporation", to strike out "$137,935,400" and insert "$144,285,400"; and, at the beginning of line 22, to strike out "$64,728,600" and insert "$58,608,600".

On page 21, at the beginning of line 18, to strike out "$80,000,000" and insert "$81,500,000".

On page 24, line 24, after the word "Corporation", to strike out "$80,000,000" and insert "$84,500,000"; and, in the same line, after the amendment just above stated, to insert a colon and "*Provided*, That agreements entered into during the fiscal year 1968 shall not require payments during the calendar year 1968 exceeding $52,200,000.".

On page 26, line 15, after "5 U.S.C. 3109", to strike out "$11,693,000" and insert "$11,993,000".

On page 26, line 20, after "(58 Stat. 742)", to strike out "$2,569,300" and insert "$2,789,000".

On page 26, line 25, after the word "service", to strike out "$4,325,000" and insert "$4,525,000".

On page 28, line 4, after the word "Library", to strike out "$2,458,500" and insert "$2,758,500".

On page 28, line 14, after the word "Agriculture", to strike out "$2,667,000" and insert "$2,707,000".

On page 28, line 22, after the word "exceed", to strike out "$5,000" and insert "$10,000"; and, in line 23, after "5 U.S.C. 3109", to strike out "$4,457,000" and insert "$4,487,000".

On page 29, at the beginning of line 18, to strike out "$314,000,000" and insert "$324,000,000"; in the same line, after the amendment just above stated, to strike out "of which $50,000,000 shall be placed in reserve to be borrowed under the same terms and conditions to the extent that such amount is required during the current fiscal year under the then existing conditions for the expeditious and orderly development of the rural electrification program;"; at the beginning of line 24, to strike out "$120,600,000" and insert "$135,000,000"; and, in the same

Ill. All Senators joining the discussion are to be commended for the sincerity of the views expressed, regardless of the varying positions taken.

So the Senate appreciated the strong, clear, and provocative views of the able and articulate minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN]. His wisdom and clarity of thought add a great deal to any discussion; today's was no exception. We are most grateful.

We are grateful also to the other Senators who joined the discussion. The senior Senator from New York [Mr. JAVITS], the senior Senator from Washington [Mr. MAGNUSON], the junior Senator from Illinois [Mr. PERCY], all are to be praised for offering their thoughtful and sharp analysis. The junior Senator from Colorado [Mr. DOMINICK], the junior Senator from Massachusetts [Mr. BROOKE], the Senators from Tennessee [Mr. GORE] and Kentucky [Mr. COOPER] also deserve high praise.

To the Senate as a whole go the thanks of the leadership for acting on this measure with dispatch, with efficiency, and with consideration for the views of each Senator. All of us may be proud of another fine achievement.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 650. An act for the relief of T. Sgt. Anthony J. Corso, U.S. Air Force (retired);

S. 906. An act for the relief of Luis Tapia Davila;

S. 985. An act for the relief of Warren F. Coleman, Jr.; and

S. 1320. An act to provide for the acquisition of career status by certain temporary employees of the Federal Government, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1537. An act for the relief of Thomas M. Scanlon;

H.R. 1564. An act for the relief of Antonina Rondinelli Asci;

H.R. 1653. An act for the relief of Omer Penner;

H.R. 1820. An act for the relief of Mrs. Demetria Messana Barone;

H.R. 1894. An act for the relief of Our Lady of Pillar Catholic Church in Santa Ana, Calif.;

H.R. 5967. An act for the relief of Albert P. Morell;

H.R. 6324. An act for the relief of John A. Danisch;

H.R. 6452. An act for the relief of John E. Coplin;

H.R. 6663. An act for the relief of Jesse W. Stutts, Jr.;

H.R. 6862. An act for the relief of Slator C. Blackiston, Jr.;

H.R. 7811. An act for the relief of Richard Alan White;

H.R. 8485. An act for the relief of Eddie Garman;

H.R. 10414. An act for the relief of Victor L. Ashley;

H.R. 10482. An act to amend section 2733 of title 10, United States Code, to authorize the application of local law in determining the effect of claimant's contributory negligence, and to clarify the procedure for appeal from certain claims determinations;

H.R. 10805. An act to extend the life of the Civil Rights Commission; and

H.R. 11089. An act to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 1537. An act for the relief of Thomas M. Scanlon;

H.R. 1564. An act for the relief of Antonina Rondinelli Asci;

H.R. 1653. An act for the relief of Omer Penner;

H.R. 1820. An act for the relief of Mrs. Demetria Messana Barone;

H.R. 1894. An act for the relief of Our Lady of Pillar Catholic Church in Santa Ana, Calif.;

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H.R. 10482. An act to amend section 2733 of title 10, United States Code, to authorize the application of local law in determining the effect of claimant's contributory negligence, and to clarify the procedure for appeal from certain claims determinations; and

H.R. 10805. An act to extend the life of the Civil Rights Commission.

FEDERAL EMPLOYEES' LIFE INSURANCE

Mr. MANSFIELD. Mr. President, on yesterday, the Senate passed S. 271, the companion bill of H.R. 11089, which passed the House yesterday. H.R. 11089 is presently at the desk, and I ask unanimous consent for its immediate consideration, and that the text of S. 271 be substituted therefor.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Chair lays before the Senate a message from the House, and directs the clerk to read it by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 11089) to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund, which was read twice by its title.

The VICE PRESIDENT. Without objection, the Senate will proceed to the consideration of H.R. 11089.

Mr. MANSFIELD. I move to strike out all after the enacting clause of H.R. 11089, and insert in lieu thereof the text of S. 271 as passed by the Senate yesterday.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The VICE PRESIDENT. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the passage of S. 271 be reconsidered and that the bill be indefinitely postponed.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 60. An act for the relief of Dr. Oton Socarraz;

S. 67. An act for the relief of Dr. Juan Ramon Diaz Zayas Bazan;

S. 118. An act for the relief of Dr. Amparo Castro;

S. 132. An act for the relief of Dr. Alberto Fernandez-Bravo y Amat;

S. 164. An act for the relief of Dr. Cesar A. Mena;

S. 168. An act for the relief of Maria Jordan Fernando;

S. 327. An act for the relief of Dr. Carlos Victor De La Concepcion Garcia;

S. 371. An act for the relief of Mrs. Mary T. Brooks;

S. 462. An act for the relief of Dr. Jesus L. Lastra;

S. 464. An act for the relief of Dr. Guillermo N. Hernandez, Jr.;

S. 465. An act for the relief of Dr. Mario Guillermo Martinez;

S. 499. An act for the relief of Dr. Manuel A. Zuniga;

S. 652. An act for the relief of certain employees of the Puget Sound Naval Shipyard;

S. 819. An act for the relief of Charles H. Thurston;

S. 853. An act to extend the life of the Commission of Political Activity of Government Personnel;

S. 904. An act for the relief of Doreen Delmege Willis;

S. 996. An act for the relief of Dr. Esther Yolanda Luazardo;

S. 1045. An act for the relief of Alton R. Conner; and

S. 1278. An act for the relief of Dr. Floriberto S. Puente.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senate, following the disposition of the agricultural appropriation bill, it is anticipated that on tomorrow or Friday we will take up the Great Salt Lake National Monument bill, the Vienna Convention, and possibly—though I cannot be sure—start on the Virgin Islands bill.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar 380, H.R. 10509. Before it is laid before the Senate, may I say to the Senate that it is the intention tonight for the opening statement to be made by the distinguished chairman of the committee, the Senator from Florida [Mr. Holland], and the ranking minority member, the Senator from Nebraska [Mr. Hruska], and that is all that will be done on the bill tonight.

The VICE PRESIDENT. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (H.R. 10509) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW—ORDER FOR RECOGNITION OF SENATOR JAVITS

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The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

AGRICULTURAL APPROPRIATIONS AND RELATED AGENCIES APPROPRIATION BILL, 1968

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Mr. HOLLAND. Mr. President, I understand that there will be at least two amendments to the agricultural appropriations bill. The motion I am about to make is not intended to cut them off nor to cut off any other amendments that anybody wishes to offer. But in such a complicated measure as this, I believe it will be better practice if we adopt the committee amendments en bloc without prejudice, so that the bill as amended be considered as original text, and that no points of order shall be considered as having been waived by this action. I make that unanimous-consent request at this time.

The PRESIDING OFFICER (Mr. Spong in the chair). Is there objection to the request of the Senator from Florida? The Chair hears none, and it is so ordered.

The amendments, agreed to en bloc, are as follows:

On page 3, line 15, after "$100", to strike out "$135,587,500" and insert "$143,354,800"; in line 19, after the word "which", to strike out "$2,800,000" and insert "$5,941,800"; in line 25, after "(21 U.S.C. 113a)", to insert a colon and "*Provided further,* That none of the funds appropriated in this Act shall be used to formulate a budget estimate for fiscal 1969 of more than $15,000,000 for research to be financed by transfer from funds available under section 32 of the Act of August 24, 1935, and pursuant to Public Law 88–25;"; on page 4, line 12, after "(21 U.S.C. 114b–c)", to strike out "$84,028,000" and insert "$90,835,400"; in line 20, after the word "further", to insert a colon and "That not to exceed $1,150,000 shall remain available until expended for construction of facilities without regard to limitations contained herein:".

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On page 28, line 22, after the word "exceed", to strike out "$5,000" and insert "$10,000"; and, in line 23, after "5 U.S.C. 3109", to strike out "$4,457,000" and insert "$4,487,000".

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On page 31, at the beginning of line 1, to strike out "$800,000,000" and insert "$700,000,000".

On page 31, line 18, after the word "loans", where it appears the second time, to strike out "$300,000,000" and insert "$325,000,000".

On page 32, line 4, after "(7 U.S.C. 1926)", to strike out "$30,000,000" and insert "$40,000,000".

On page 32, line 10, after "(7 U.S.C. 1010, 1011 (e))", to strike out "$1,200,000" and insert "$2,000,000".

On page 32, at the beginning of line 16, to strike out "$3,000,000" and insert "$4,000,000".

On page 32, line 25, after "(40 U.S.C. 440–444)", to strike out "$54,988,000" and insert "$56,988,000".

On page 34, line 5, after the word "expenses", to strike out "$8,883,000" and insert "$11,533,000".

On page 34, line 8, after the word "exceed", to strike out "$4,100,000" and insert "$1,600,000".

On page 34, line 15, after "(15 U.S.C. 713a–11, 713a–12)", to strike out "$1,400,000,000" and insert "$2,984,856,389"; and, in line 23, after the word "regime", to strike out the colon and "*Provided further,* That $275,000 of this amount shall be transferred to and merged with the appropriation "Agricultural Research Service, salaries and expenses, research" for research on short staple cotton and mechanical classing methods for cotton".

On page 36, at the beginning of line 9, to strike out "surplus"; and, in line 14, after the word "Act", to strike out "$300,000,000" and insert "$370,000,000".

On page 36, after line 15, to insert:

BARTERED MATERIALS FOR SUPPLEMENTAL STOCKPILE

For the expenses during fiscal year 1968 and unrecovered prior years' costs related to strategic and other materials acquired as a result of barter or exchange of agricultural commodities or products and transferred to the supplemental stockpile pursuant to the Act of May 28, 1956, as amended (7 U.S.C. 1856), $24,000,000, to remain available until expended.

On page 37, line 19, after the word "and", to strike out "thirty-seven (537)" and insert "sixty (560)".

Mr. HOLLAND. Mr. President, my understanding is that the majority leader wishes me to simply complete my statement—that is, so that it will be in the RECORD—but that there will be no votes. We have already adopted all committee amendments, so that the original text presented by those committee amendments is subject to amendment.

My understanding is that the distinguished Senator from Delaware [Mr. WILLIAMS] has an amendment and that the distinguished Senator from Wisconsin [Mr. PROXMIRE] has an amendment. There may be other amendments of which I have no knowledge. I am not trying to shut out any amendments, but I would like to continue my original statement, except for yielding. If the distinguished ranking minority member of the committee thinks that something needs to be said to bolster some part of the statement as we go along, I will be glad to yield to him. Then we will have my statement, to be followed by his statement in the RECORD, for the examination of all Senators, before we take up the bill again at 11 o'clock tomorrow morning, as I understand.

Mr. MANSFIELD. The Senator is correct.

AUTHORIZATION FOR COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, if the Senator from Florida will yield, I ask unanimous consent that all committees may meet until the conclusion of the morning hour tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. That is, until 11 o'clock?

Mr. MANSFIELD. No. We will have speeches from 10 to 12, and then there will be the morning hour.

Mr. HOLLAND. If the distinguished majority leader will give me some indication as to when, under his plan, we will be back on this bill, I shall appreciate it, because I am sure I will have requests from Senators who wish to be heard. When does the majority leader believe that we will get back on the bill tomorrow?

Mr. MANSFIELD. I would guess somewhere between 12:15 and 12:30.

If the Senator will yield further, I ask unanimous consent that there be 1 hour on the amendment to be offered by the distinguished Senator from Wisconsin [Mr. PROXMIRE], the time to be equally divided between the Senator from Wisconsin and the distinguished chairman of the committee, the Senator from Florida; that on the amendment to be offered by the distinguished Senator from Delaware [Mr. WILLIAMS] there be a 2-hour limitation, the time to be equally divided between the sponsor of the amendment and the manager of the bill; and that on all other amendments there be a time limitation of 1 hour, the time to be equally divided between the manager of the bill and the sponsor of the bill, and 1 hour on the bill.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLAND. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The unanimous-consent request, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective on Thursday, July 13, during the further consideration of the bill (H.R. 10509), making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes, debate on any amendment except an amendment to be offered by the Senator from Wisconsin [Mr. PROXMIRE] which shall be limited to 1 hour to be equally divided and controlled by the Senator from Wisconsin and the Senator from Florida [Mr. HOLLAND], and an amendment to be offered by the Senator from Delaware [Mr. WILLIAMS] to be limited to 2 hours, to be equally divided and controlled by the Senator from Delaware and the Senator from Florida, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. HOLLAND. Mr. President, we now have under consideration H.R. 10509, the Department of Agriculture and related agencies appropriation bill for 1968. The amount of the bill, as recommended by the committee, is $6,782,529,789, an increase of $2,011,948,839 over the House bill. The bill is $1,761,432,389 over the budget estimates and $240,041,661 under the appropriations for fiscal 1967.

The principal increase over the budget estimates and the House bill is due to one item—the reimbursement appropriation for the Commodity Credit Corporation for net realized losses incurred in fiscal 1966. The committee has recommended for this item an appropriation of $2,984,856,389 to reimburse the Commodity Credit Corporation for the full amount of net realized losses incurred in fiscal 1966, in the conduct of mandatory price support, export, supply, crop diversion, and other authorized farm programs covered by existing legislation. The budget request was in the amount of $1,400,000,000 which was $1,584,856,389 below the actual realized losses for fiscal 1966. The House-passed bill included only the amount of the budget estimate. I will deal with this item in some detail later in my statement.

However, I did want it understood in the beginning that the principal item of apparent increase is due to the fact that the Senate committee insists upon standing by the requirement of the law, and the committee recommendations which have been adopted by the Senate for some years. The committee is continuing to recommend full restoration of the deficit for the preceding year as shown by the Commodity Credit Corporation in its annual report.

I emphasize that in no sense am I blaming the Commodity Credit Corporation because its report simply reflects the outcome of administering activities imposed upon it by law; those which have been passed by Congress and are on the statute books. I am calling attention to the fact that the committee report recommends that the Senate now follow the policy it has been following for some 4 or 5 years and that we restore the full amount of the deficit this year as we have in previous years. Before recurring to this matter I wish to discuss briefly some items of general interest.

RESEARCH AND EXTENSION ACTIVITIES

The bill, as reported by the committee, recommends a total of $249,500,200 for the research and regulatory activities administered by the Agricultural Research Service. This is a net increase of $36,426,800 over 1967, and represents an increase of $11,355,200 over the budget request and $22,474,200 over the House bill.

The largest increase over the House is for the overseas agricultural research program financed by foreign currencies generated under title I of Public Law 480. The committee recommends the amount requested in the budget for this purpose of $15,400,000, an increase of $7,900,000 over the House bill.

Mr. President, I want it understood that our committee feels the best possible use that can be made of the soft currencies which are accruing to agriculture's use under Public Law 480 is for research in the countries affected on problems which are also of great interest to us. We feel it is useless and wasteful to let a large amount of these soft currencies continue to accumulate without being put to good use.

The committee has recommended the full amount of the budget increase over 1967 to staff and equip new research laboratories and research centers. The increase over 1967 is $5,130,500, of which $3,235,600 is for equipment. The House had provided $4 million of the increase requested.

There were several other items of increase in the budget request for strengthening research. These items totaled $5,786,600 and the committee has recommended $4,948,600, an increase of $1,190,000 over the House and $838,000 under the estimate.

The full details concerning every research project and facility appear in detail in the committee report beginning on page 4.

The committee has endorsed the action taken in the other body to provide $3 million over the estimates to meet urgent research needs over the amounts requested in the budget. The committee accepted the full list of projects shown on pages 20 and 21 of the House committee report.

The committee has recommended a total increase of $4,230,000 by adding $1,230,000 over the House bill for these several projects. The complete listing appears on pages 13 to 17 of the committee report.

The committee also acted on a number of additional projects not covered in the House report. The detailed listing appears on pages 19 to 21 of the report. A total increase of $2,979,800 over the House bill and the budget has been recommended for these several items. Of this amount $2,184,800 is recommended to complete the construction of previously authorized research facilities on the scale planned to conduct the enlarged research program when funds were originally appropriated.

In summary, the committee recommendations for research reflect a net increase of $6,371,800 over the budget estimate, $7,767,300 over the House bill and $7,357,300 over funds available for 1967.

SOIL AND WATER RESEARCH

For a number of years the committee has generally adhered to acceleration of soil and water research in accordance with the priority listing furnished to the committee by the Department several years ago, pursuant to Senate Document 59. In the pending bill the committee has recommended that planning funds for two additional stations be provided. These are priority Nos. 26 and 27, as shown in the complete listing printed in the committee hearings on pages 227 to 237. Those listings reflect the priority fixed by Senate Document No. 59.

The facilities and amounts referred to are $45,000 recommended for planning an addition to the facility at Orono, Maine, estimated to cost $450,000 and $50,000 for planning an addition to the facility at Riverside, Calif., estimated to cost $500,000.

Each year the committee has been petitioned by Members of the Senate and by others to add funds for these various facilities. In the absence of the budget estimates from the Department to proceed with this program in a more concerted fashion, the committee has seen fit to add one or two projects each year or so. I want to express my appreciation to the Members who are interested in these projects in their patience in the procedure which the committee has been forced to follow in the absence of a budget request to proceed in an orderly fashion on this very important type of research activity.

I might add there were three Senators in particular who had very meritorious projects which we would like to have granted and which are ready for advanced planning or construction, but they did not come within the top priorities we are following. We will have to reach them at a later date. The Senators affected were gracious enough to understand the situation and approve it.

PAYMENTS TO STATES FOR COOPERATIVE RESEARCH AND EXTENSION

The committee has included the full budget estimate of funds requested for payments to States for cooperative research under the Hatch Act formula, and for the cooperative extension work under the Smith-Lever formula.

The committee has recommended $56,039,000 for payments to States under the Hatch Act, an increase of $1,101,000 over the estimate for pay adjustment and $4,926,000 over 1967.

An appropriation of $83,917,500 is recommended for payments to States for cooperative extension work under the Smith-Lever formula. This is an increase of $2,000,000 over the House for pay comparability adjustment and the estimate and an increase of $5,265,000 over 1967.

I am pleased to note that the 1968 budget request did not repeat the efforts of a year ago to reduce the amounts available for these important cooperative programs so vital to the welfare of our Nation. For several years the committee has been obliged to provide an increment of increase over the budget and over the amount provided in the other body to be directed toward pay comparability adjustments for the Federal share of compensation received by workers paid in the past from Hatch funds and Smith-Lever funds.

The committee believes that Federal budgetary officials should recognize this to be a Federal responsibility and include in the budget estimate an increment for pay comparability adjustments for these two programs in the year following the enactment of pay increases for Federal workers.

CONSUMER AND WELFARE PROGRAMS

I will now deal briefly with one segment of the bill which deals almost entirely with consumer protective and welfare programs administered by the Consumer and Marketing Service. These programs include the meat and poultry inspection, the special milk program, school lunch program, and the food stamp program. The committee has recommended the full budget estimate for the consumer protective programs in the amount of $89,522,000, an increase of $512,000 over the House and $3,450,000 over 1967. The principal increase is for accelerated work in connection with meat and poultry inspection which is required by the increased size of both the meat and poultry industries.

SCHOOL LUNCH PROGRAM

In dealing with the school lunch program the committee has recommended a total of $235,825,000 for 1968 and this total does include $45,000,000 by transfer from section 32 funds for the purchase of foods pursuant to section 6 of the School Lunch Act, as amended. The Congress in recent years has authorized modifications and additions to school lunch and feeding programs. For the regular school lunch program the committee has recommended a total available of $218,575,000 for 1968. This includes an increase of $9,705,000 over 1967 for cash payments to States under the regular formula and reinstates $12,440,000 denied in the House bill for commodity procurement for fruits and vegetables. The increase of $9,705,000 over 1967 continues an average Federal contribution of 5 cents per lunch to meet the estimated increase in lunches estimated to be served next year. The country is fortunate in the fact that the number of schoolchildren increases each year and we have to take that into account in this important program.

The House bill provided $187,000,000, which would have raised the Federal contribution to an estimated 5½ cents per lunch. While the committee was sympathetic to this objective, it felt also it owed some responsibility to finance the new school programs which had been authorized in recent years as described in detail in the Committee Report No. 395 on pages 38 and 39.

It should be noted that the recommended total for these new programs is $17,250,000, as compared to $7,750,000 included in the House approved bill. This represents an increase of $9,500,000 over the House bill, but is still $7,550,000 under the budget estimate for these new special assistance feeding programs designed to provide a breakfast and other feeding assistance to children not now reached in the regular school lunch program.

The committee handling of the school lunch programs is designed to maintain the regular program and make a modest start on the new special assistance feeding programs, which are designed to take care of the needs of children who do not get adequate food at home.

SPECIAL MILK PROGRAM

The committee has recommended the full budget estimate of $104,000,000 for the payments under the special milk program which is the amount carried in the House bill. The committee has funded this amount by direct appropriations from the general revenue fund rather than to derive the $104,000,000 from section 32 permanent authorization. Authorization for the special milk program specifies that appropriations be from the general revenue fund. The committee action is taken for the purpose of curbing what it considers to be a misuse of section 32 funds which are designed primarily for surplus removal, and with special application to perishable commodities which are not price supported.

FOR THE FOOD STAMP PROGRAM

In this same connection, namely the misuse of section 32 funds—and I call particular attention to this—the budget request proposed that $195,000,000 be made available for fiscal 1968, all of which was to be derived from section 32. This program is clearly classified in the authorizing legislation as a welfare program and should be financed by regular and direct appropriation from the general revenue fund, rather than as proposed in the budget from section 32.

As the bill came from the other body, no funds were included for the food stamp program. The House recommendation of $175,000,000 to be derived from section 32 permanent authorization plus $20,000,000 reappropriation was stricken on a point of order.

The action recommended by the committee provides $172,500,000 by direct appropriation and $22,500,000 by reappropriation, thus providing the budget estimate of $195,000,000.

The two recommendations of the committee for the special milk program and for the food stamp program provide appropriated funds in lieu of transfers from section 32 funds, and although they increase the bill by $276,500,000 over the estimate, this does not change at all the rate of spending proposed in the budget estimates.

In other words, the budget proposes that these important needs be met out of the special agricultural fund so that they will not be reflected in the budget. The committee feels that the special agricultural fund should be used as provided by the law creating it, and that the general revenue fund should meet these very important needs as required by legislation passed to authorize those programs.

COMMODITY CREDIT CORPORATION REIMBURSEMENT APPROPRIATIONS

As I stated earlier, the principal increase over the estimates recommended by the committee results from the recommendation to appropriate the full amount of realized losses for the Commodity Credit Corporation for fiscal 1966. Thus, the committee has recommended a reimbursement appropriation of $2,984,856,389, an increase of $1,584,856,389 over the $1,400,000,000 requested in the budget estimate and approved by the House.

Senators will recall the efforts I have made since becoming chairman of the subcommittee to bring up to date the reimbursement appropriations for the Commodity Credit Corporation as intended by law going back to Public Law 312, approved March 20, 1954. This act, which increased the borrowing authority of the Corporation, also embodied the so-called Williams amendment requiring that the impaired capital structure of the Corporation be restored in the future by appropriations rather than through cancellation of notes. This act was subsequently amended by Public Law 87-155, approved April 17, 1961, which simply provided for reimbursement of net realized losses with appropriated funds rather than through cancellation of notes. It was an updating of Public Law 312.

After the handling of the supplemental appropriation in fiscal 1965, I insisted that every effort be made to restore the capital structure of the Corporation on a regular basis, as intended by the Williams amendment incorporated in Public Law 312, as amended by Public Law 87-155.

Thus, in reporting the appropriations bill for fiscal 1966 on my motion in the committee, the full amount of the loss for fiscal 1965 totaling $3,226,800,000 was included in the bill. This represented an increase of $926,800,000 over the budget estimate. While the bill was in conference, a supplemental estimate was received from the President in the amount of $500 million and the conference committee then agreed to the revised estimate and appropriated $2,800 million in fiscal 1966 for the losses of fiscal 1965.

Mr. President, later, I will show what has happened each year following since that time. We have made a little progress each year. We have put the Corporation on a sound and current fiscal basis, provided the appropriation this year can be passed covering the nonreimbursed loss for 1966, with the exception of an unreimbursed item of $1,057 million for the year 1961. We have not reimbursed the CCC for that loss as yet. It is the opinion of the vast majority of our committee that it is only fair to the public that this item be shown in full each year. There is no blame to affix to the Commodity Credit Corporation for having this large deficit. It is simply carrying out the laws which we have passed. Without restoration of the borrowing power of the Commodity Credit Corporation each year, we do not have the full borrowing power available; we do not have a clear statement of what the deficit has been and what was the full amount of business transacted for the year before; and we do not follow existing law. Our committee has felt that it is fair to all concerned, especially to the farming community, that existing law be fully carried out in this regard.

The conference report No. 1186, dated October 20, 1965, accompanying H.R. 8370, the Agricultural Appropriation Act for 1966, on page 11, states as follows:

> The conferees are of the opinion that future budget estimates for reimbursement appropriations for net realized losses of the Commodity Credit Corporation should include the full amount of the realized losses for any fiscal year as reflected in the accounts and shown in the report of the financial condition of such corporation as of the close of business of such fiscal year.

At that point, I thought that there was general agreement in Congress and, hopefully, with the executive branch, that future budget estimates for this important item would be submitted in the full amount as intended by law and as promptly after the end of the fiscal year in which such losses were realized as is possible under our Federal budgeting and appropriating process. A year ago I was pleased to note that the budget estimate for fiscal 1967 requesting the large sum of $3,555,855,000 included the full amount of the realized loss for fiscal 1965 in the amount of $3,048,020,744 plus the balance of the 1964 loss in the amount of $507,834,256. Thus, upon the processing of the appropriations bill a year ago, the arrears in the losses of the corporation were all cleaned up except for the balance of $1,057,000,000 of unreimbursed loss incurred during fiscal 1961. I was pleased to note this improved situation a year ago when I presented the committee's recommendation to the Senate as floor manager of the agricultural appropriation bill for fiscal 1967.

I must say, that the Department of Agriculture has sought to carry out its agreement with us by recommending that the full amount of the deficit for 1966 be included in the budget for fiscal year 1968. The responsibility for the reduction to $1.4 billion for this item, as shown in the budget, is in no sense chargeable to the Department of Agriculture but reflects instead what I think is a mistaken effort on the part of the Budget Bureau to make the budget look smaller than it is. As a matter of fact, the restorations of this loss for 1966 will not mean the expenditure of a single nickel because the money has already been spent in 1966. It is simply a restoration as required by law of the full amount of the deficit shown for the last completed year.

When the Secretary of Agriculture appeared before the committee at the beginning of the hearings, I examined him very closely on this and pointed out to him that I was disappointed to find that the appropriations request of the Department had been cut by approximately $2 billion in the budget submitted to Congress, but the spending budget of the Department was moving slightly upward so the public could gain a false impression of the fiscal picture in the Department of Agriculture. During this hearing, I elicited from the Secretary of Agriculture, Mr. Freeman, the fact that as head of that executive department he had requested the Bureau of the Budget for authority to include in the budget estimate for 1968 the full amount of the 1966 loss to which I have referred earlier, as well as the balance of the 1961 loss of $1,057,000,000. It is evident, therefore, that the committee has received cooperation from the Secretary of Agriculture and officials of that Department in its efforts to bring the reimbursement appropriation for the Commodity Credit Corporation to a current basis as intended by law.

Now, Mr. President, there are other things which we will be able to say tomorrow, but I want to yield now to my distinguished friend the ranking minority member of the subcommittee, who, I must say for the Record, has been of enormous help on this bill, not only in attending the hearings, which have been long and exhaustive and are reflected by the very comprehensive hearings, which are on the desk of every Senator, but also in the preliminaries to the markup in subcommittee, in the markup in subcommittee, and in the markup in full committee he has been highly cooperative. I want that statement to appear in the Record, and also this statement: Since I have served on this subcommittee, there has never been any partisanship or politics in this particular subcommittee. I think there are just as many friends of agriculture on one side of the aisle in this committee as there are on the other side, and we have all worked together to see that the Department of Agriculture was properly funded.

There are many, many items in this lengthy bill. The printed report is some 67 pages, which I commend to the examination of every Senator as to any item which may be of special interest to him. The hearings are over 2,000 pages in length.

I just want it to appear in the Record that both the chairman of the subcommittee and the ranking minority member of the subcommittee, and other members of the subcommittee and full committee, will be glad to be interrogated as to any item in the bill, because there are matters in this bill affecting every State in the Union and affecting not only agriculture but many foreign activities, such as those covered by Public Law 480, and many social and welfare activities such as those I mentioned earlier in my statement.

The bill is a very complex one. It is easily understandable that many Members of the Senate will want to have explanations of certain portions of the bill, and we stand ready and willing to provide them.

I am glad to relinquish the floor now to the distinguished ranking minority member of the subcommittee.

Mr. HRUSKA. I thank the Senator from Florida.

Mr. President, the Senator from Nebraska has been a member of the Appropriations Committee and its Agriculture and Related Agencies Subcommittee for approximately 9 years. I thought, through those years, I had achieved some familiarity with the scope, complexity and extent of a bill covering such a large part of our total appropriations. But then, early this year, for the first time I became ranking minority member on my side of the aisle of this subcommittee. I tried to attend as many meetings as I could and I attended most of them, I believe. This experience impressed me even more as to the nature and coverage of the bill and its tremendous importance to the continued well-being of the United States.

I was also impressed, all over again, with the capability and the competence and the unfailing courtesy of the present chairman of the subcommittee. I know, from firsthand observation, of his dedication and complete fairness in serving the best interests of the Nation's farmers. Many times there are conflicting claims as to priorities among different geographical areas or as among groups that have to do with one crop or another or one activity or another in this great field. Certainly the devotion of the Senator from Florida to this difficult task of conducting such a comprehensive review and examination of the administration's budget requests is a tremendous contribution to congressional responsibility. I want to pay him a tribute which I truly and sincerely feel.

The members of the subcommittee are tremendous people to work with—all of them—but I want to especially comment on another member, the senior Senator from North Dakota [Mr. Young], who for years was ranking minority member of the subcommittee. He stepped down earlier this year to assume the heavy responsibilities as ranking minority member on the Defense Appropriations Subcommittee.

The bill now under consideration represents the product of this painstaking review and it represents also the best judgment of the chairman and other members of the Appropriations Committee.

The amount of the bill is $6,782,000,000, in round numbers. This is an increase of a little over $2 billion over the House-passed bill, and is $1,761,000,000 over the budget requests, but it is also $240 million under the appropriations for fiscal 1967.

Mr. President, I indicated a moment ago that the action taken by the Senate committee was responsible and that it represented our best judgment. Notwithstanding the fact that the budget from this body will be a little over $2 billion more than what the House had approved, we are not budget busters. We have acted responsibily in the face of mounting expenditures brought about for a number of reasons.

The principal item in the Senate increase is $1,584,000,000, to reimburse the Commodity Credit Corporation fully for its net realized losses, or the cost of the Nation's farm programs, for fiscal year 1966.

The actual losses were $2,984,000,000. The budget request was $1,400,000,000 to apply on those 1966 losses. The other body allowed that amount. The committee saw fit to add enough to the $1,400,000,000 to make up the entire amount of the net realized losses. The actual losses were $2,984,000,000.

It should be pointed out that whether we allow the $1.4 billion or $2.984 billion or nothing at all, it would not affect the expenditures which have already been incurred in this item. This is a bookkeeping transfer from one account to another for which we ask the addition of $1,585,000,000.

Not only does this item not represent any actual expenditure—I refer to the addition—but, more importantly, it is in accordance with the clear provisions of Public Law 87–155.

Mr. President, I ask unanimous consent that the text of that law be set forth in the Record at this point for the use of our colleagues.

There being no objection, Public Law 87–155 was ordered to be printed in the Record, as follows:

PUBLIC LAW 87–155

An act to authorize annual appropriation to reimburse Commodity Credit Corporation for net realized losses sustained during any fiscal year in lieu of annual appropriations to restore capital impairment based on annual Treasury appraisals, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1 and 2 of the Act of March 8, 1938, as amended (15 U.S.C. 713a–1, 2), are hereby repealed.

Sec. 2. There is hereby authorized to be appropriated annually for each fiscal year, commencing with the fiscal year ending June 30, 1961, out of any money in the Treasury not otherwise appropriated, an amount sufficient to reimburse Commodity Credit Corporation for its net realized loss incurred during such fiscal year, as reflected in its accounts and shown in its report of its financial condition as of the close of such fiscal year. Reimbursement of net realized loss shall be with appropriated funds, as provided herein, rather than through the cancellation of notes.

Sec. 3. In the event the accounts of the Commodity Credit Corporation reflect a net realized gain for any such fiscal year, the amount of such net realized gain shall be deposited in the Treasury by the Commodity Credit Corporation and shall be credited to miscellaneous receipts.

Approved August 17, 1961.

Mr. HRUSKA. Mr. President, when we debate the bill further tomorrow, we expect that an amendment will be presented, and it will be debated.

It is in compliance with the law, but also in keeping with one of the steps the Senate took when it passed yesterday, by a vote of 92 to 0, a truth-in-lending bill. It seems to us that we could call this a truth-in-budgeting bill, by which we could face the people of America and say, "This is bad news, in a way, financially, but it is news to which you are entitled, and it follows from a law which was passed in 1961," to which I referred a while ago.

The chairman of the subcommittee, and I discussed thoroughly the philosophy of the so-called Williams amendment. We went into the matter in depth, from a historical point of view as well as from the standpoint of proper budgeting and appropriations procedures. We came to the conclusion he has stated. He had formed that conclusion in his mind, and had acted upon it for the last 5 or 6 years, as a member of the subcommittee. My recollection is that I have joined him in every one of those conclusions in previous years. I certainly want to support his position in that regard now.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HRUSKA. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. The Senator from Nebraska has, indeed, not only joined the Senator from Florida, but joined the full membership of the Appropriations Committee in previous years, as he has this year, in insisting, first, that the law be obeyed; second, that fair and decent budgeting be followed; third, that the public be apprised of the actual amount of the deficit, because that is information to which it is entitled; and fourth, that the capital structure of the Commodity Credit Corporation be restored, so that it will be strong again, with full borrowing power.

It receives its funds from the Treasury by borrowing; and without restoration, it does not have the same borrowing power. The Senator from Florida has been through three experiences in the past in which we have had to increase the total borrowing power of the Commodity Credit Corporation, due largely to poor bookkeeping and poor budgeting procedure prior to that time. We are endeavoring to keep the corporation in good financial shape and on a current basis.

Before I take my seat, I express my very deep gratitude for the kind remarks the Senator has made about me.

Mr. HRUSKA. I ask the Senator from Florida for verification of this fact: When the $2,985 million is provided—if it is provided, as I hope it will be—will the slate then be clean, with the exception of the year 1961, when there were net realized losses of $1,057 million?

Mr. HOLLAND. The Senator is correct, except in one small particular. There were more net realized losses than that amount in fiscal 1961, but the excess over $1,057 million was restored.

Mr. HRUSKA. Oh, yes.

Mr. HOLLAND. And the balance, or the deficit which was not restored, was $1,057 million.

Mr. HRUSKA. There was a partial restoration.

Mr. HOLLAND. If we pass this bill as reported, the capital structure of the Commodity Credit Corporation, which under existing law is $14,500 million, will be fully restored, except for the $1,057 million not yet restored out of the 1961 budget. The Senator is correct.

I also want to call attention, for the record, so as to advise other Senators to the fact that the complete accounting covering the operations of the Commodity Credit Corporation for 1966, and showing the source of the deficits which we are trying to restore in full, will appear on pages 676 and 677 of the printed hearing record of our committee, so that any Senator who is interested may advise himself there as to the source of the deficit.

Mr. HRUSKA. That will be a valuable reference. I thank the Senator for providing it.

The second increase of size made by the committee has to do with the use of the so-called section 32 funds. The chairman has already referred to the matter briefly, but for the sake of emphasis, I wish to repeat the salient facts on it.

For two programs, the special milk and food stamp programs, we have recommended that the full amount of the budget request—$104 million for the milk and $195 million for the food stamps—be provided by regular and direct appropriations, except that in the case of food stamps, $22,500,000 is provided for by a reappropriation of previously appropriated funds which were not expended by the Department.

In all, these increases added to the bill $276,500,000 over the estimate, but this does not change the rate of spending proposed in the budget by 1 cent.

The committee action merely indicated that we do not condone the misuse of section 32 funds for activities which Congress did not authorize. Resort was had, of course, to general funds for that purpose, as should properly be done.

Mr. President, a substantial amount of time is always taken in our subcommittee on agricultural research. All of us are convinced that it is essential this vital research program have continuity and that we follow it up with diligence. We know future prospects are for a world that will be short of food. All of us are also aware that agricultural research does not lend itself and is not susceptible to being a crash program. We cannot wait until the evil day arrives. Mother Nature does not work like that. We might be able to institute a crash program to make missiles, projectiles, or computers; but Mother Nature has a very unrelenting timetable. So, therefore, we have spent considerable time to see that there is a proper allocation of the funds within an acceptable total for these research projects.

Wisely, years ago—and the present chairman of the subcommittee was a part of it—there was established a sort of priority in many of these areas. Such as soil and water research which we felt was a good priority. That was under the chairmanship, I believe, of the senior Senator from Georgia [Mr. RUSSELL]. We have adhered to that schedule, and it has been well that we have had that schedule to follow. It sometimes requires the fortitude of a Horatio at the Bridge for the chairman to stand guard and see that it is held inviolate, but I must say that while he is firm, he is always courteous and fair. I do believe that policy has paid tremendous dividends toward an intelligent and logical pursual of this agricultural research program, which is many faceted and complicated.

In further pursuit of this objective of truth in budgeting, Mr. President, I should like to comment on a subject which for years has been very close to the heart and the declarations of our esteemed fellow Senator, the senior Senator from North Dakota [Mr. YOUNG]. Each year, he forcefully points out that the farmer gets the dickens, sometimes from the press, sometimes from others, for having the benefit of these tremendous agricultural appropriations. But the facts are, and it should be widely circulated, that there are many parts of this appropriation which go to programs other than for the farmer.

The subcommittee staff has prepared an analysis of the expenditures which are charged to the Department of Agriculture, but which clearly provide benefits to commerce, to businessmen, and to the general public. They total a tremendous sum.

There are other programs which are predominately for the stabilization of farm income, but which also benefit other purposes. The breakdown, which I believe the highly competent clerk of the subcommittee, Mr. Raymond Schafer, prepared—and I must say it is very well done—does enable an analysis of the budget with the idea of ascertaining just how many of these billions go to the farmers and how many of these billions go to other parts of the population and other Government activities

I ask unanimous consent that this tabulation be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HRUSKA. Mr. President, there is one other item in which a reduction was made by the committee. That has to do with the authority extended to the Department for the sale of participation certificates.

The budget had provided for $800 million as a top authorization. The other body approved that sum.

I tried to get it reduced to $600 million, but was not successful. However, we did reduce the amount in committee to $700 million.

My interest in this matter stems from the fact that when the enabling legislation, Public Law 89–429, was passed in May of 1966, it was amended at my insistence to require each department to come to the Appropriations Committees at least every 2 years to seek authorization to participate in the program.

The first time this authority was utilized was for fiscal year 1967. This is the second time that the Department of Agriculture has come to us saying: "We want authority under this act to sell up to $800 million worth of these certificates."

Of course, any such authorization shall remain available only for the fiscal year for which it is granted and for the succeeding fiscal year.

There has been the necessity to come back to the Appropriations Committee.

I did not vote for that act in the first place. I do not think it is a proper act, but it is a part of our statute law. It does seem to me that if it were a part of our statute law it should be brought as clearly within our appropriation procedures as possible so that Congress would be authorizing the sale of these certificates.

I am pleased to report that that procedure is being followed, and while I would have been more pleased if they had lowered the amount still further, I am grateful that, although it was not a half a loaf, at least a slice of that bread came my way.

Thus, the Senate Committee has authorized a $700 million authorization for these participation sales. This is $100 million less than the action of the other body and the budget estimate, but $100 million more than was available and subscribed in fiscal year 1967.

I again express my congratulations to the chairman of the committee for another job well done, and I hope as we proceed to the consideration and approval of the bill that we will listen well to his wise counsel because every one of the decisions made in the final text of the pending bill is the result of his close examination, careful discussion, and sober judgment.

I yield the floor.

Exhibit 1

Budget expenditures for programs in Department of Agriculture but which clearly provide benefits to consumers, businessmen, and the general public

[In millions of dollars]

	1966	1967 estimated	1968 estimated
Programs having foreign relations and defense aspects:			
Sales of agricultural commodities for foreign currencies (title I, Public Law 480)	1,138	984	906
Sales of agricultural commodities for dollars on credit term (title I, Public Law 480)	233	315	399
Commodities and other costs in connection with donations abroad (title II, Public Law 480)	413	410	494
Transfer of bartered materials to supplemental stockpile	26	33	27
Donations of dairy products to armed services and others	9		
Total	1,819	1,742	1,826
Food distribution programs (domestic):			
Commodities distributed to the needy and others	233	328	365
Food stamp program	69	138	193
School lunch program	197	213	243
Special milk program	97	104	104
Total	596	783	905
REA and FHA repayable loans:			
REA loans	361	440	508
Proposed legislation for credit of receipts to programs and for supplemental financing		−193	−201
FHA loans	125	−66	−6
Sale of participation certificates in FHA direct loans		−548	−651
Salaries and expenses for above programs	60	65	77
Total	546	−302	−285
Long-range programs for the improvement of agricultural and natural resources:			
Forestry	351	401	338
Agricultural and forestry research	221	253	274
Plant and animal disease and pest control	73	80	85
Soil and water resource protection and development:			
Agricultural conservation program	252	279	275
All other	224	277	279
Cooperative agricultural extension work	90	93	97
Inspection of commodities and other marketing services	79	91	84
Other	93	101	108
Total	1,383	1,575	1,585
Total	4,344	3,798	4,031
Other Programs Which Are Predominantly for Stabilization of Farm Income, but Which Also Benefit Others			
CCC price-support and related programs:			
CCC loan, purchase, export, and related programs	−1,157	−1,660	−705
Storage, handling, and transportation expenses	398	213	114
Interest expense (net)	278	336	309
Acreage diversion payments:			
Feed grains	842	564	245
Wheat	38	27	
Cotton	116	283	303
Price-support payments:			
Feed grains	431	915	310
Cotton	57	494	613
Wheat certificate program	−160	274	312
CCC price-support and related programs—Continued			
Cotton equalization payments	332	25	
National Wool Act program	36	37	42
Total	1,211	1,508	1,543
Cropland adjustment program (adjustment payments)		49	82
Conservation reserve program	151	141	125
Sugar Act program	88	88	90
Salaries and expenses for above programs	155	167	176
Total	1,605	1,953	2,016
Grand total	5,949	5,751	6,047

Mr. HOLLAND. Mr. President, I again thank my distinguished friend, the Senator from Nebraska. No one could have been more helpful or cooperative, and certainly no one could have been more complimentary than he has just been.

He and I do not always agree on this question of the sale of participation certificates.

I voted for that bill. I felt it would be similar to the marshaling of assets by a private business when it got in rough going if the Government were to sell some of its good paper, but always under the direction and control of Congress. We are certainly exercising that direction and control and, as my distinguished friend has said, we are now dealing with the law and not with the question of whether the law should have been passed.

We were very glad to arrive at an agreeable sum of $700 million which fixed the amount of sale of participation certificates which the Department of Agriculture could make in this fiscal year 1968.

I think there is no argument of any sort about it.

Mr. President, I think the record will reflect at least many of the items in the bill that our colleagues will be interested in.

I yield the floor.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand adjourned until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 55 minutes p.m.) the Senate adjourned until tomorrow, Thursday July 13, 1967, at 10 a.m.

NOMINATION

Executive nomination received by the Senate July 12, 1967:

Interior

David Statler Black, of Washington, to be Under Secretary of the Interior, vice Charles F. Luce.

HOUSE OF REPRESENTATIVES

Wednesday, July 12, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Behold, the Lord our God has shown us His glory and His greatness, and we have heard His voice out of the midst of the fire; we have seen this day that God does talk with man and that He lives.—Deuteronomy 5: 24.

O God, our Father, we thank Thee for the gift of a new day fresh from Thy hand. Help us to use these hours to live cleanly, to labor industriously, to love wisely, and to keep our spirits elevated to high levels of thought. May we have the strength to overcome our difficulties and the courage to carry our responsibilities with honor and with uplifted hearts.

Sustain us in every effort to make a better world and to bring good will to all the children of men. In the midst of this day's work assure us of Thy presence and let the light of Thy wisdom fall upon our pathway. In Jesus' name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 5. An act to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit.

AMERICAN FARM BUREAU FEDERATION

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, today, July 12, is going to go down in the annals of congressional history, for today for the first time the House Committee on Agriculture passed a resolution disassociating itself from my remarks about the American Farm Bureau Federation.

Mr. Speaker, you have been here many years, and you know what an unprecedented action this is. Now, my charges that I have made will be fully aired. I do not want to take the time now to discuss them, but I will in a special order when this session is over. I would point out at this time that this resolution was passed, and the majority of the members of that committee are members of the American Farm Bureau Federation, so the question which must be raised is: Is this a committee of the House, or is this a committee of the American Farm Bureau Federation?

Mr. Speaker, I will continue to speak on this.

THE RIGHT OF FREE SPEECH IN THE CONGRESS

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the action taken by the Committee on Agriculture is without any precedent during the time I have served in the House. I think, indeed, that it is a dangerous precedent when a Member of the House of Representatives cannot question the activities or the standing of a powerful Washington lobby without running the risk of having the committee on which he serves adopt a resolution disassociating themselves from his statements and characterizing what he said as a "personal attack." This constitutes an inhibition upon the right of free inquiry by Members of the Congress about which we should all be concerned.

For this reason, Mr. Speaker, I want to express my surprise that the Committee on Agriculture should feel called upon to take such action. If any Member disagrees with the remarks of the gentleman from New York, regarding the Farm Bureau, he has this forum in which to state his disagreement. But the adoption of a resolution by the Committee on Agriculture, it seems to me, is a very poor precedent.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE REPORT ON DEPARTMENT OF TRANSPORTATION APPROPRIATION BILL, 1968

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Thursday, July 13, to file a report on the Department of Transportation appropriation bill for the fiscal year 1968.

Mr. MINSHALL reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. KIRWAN]?

There was no objection.

CLIFFORD L. ALEXANDER, JR.: A MERITED APPOINTMENT

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, President Johnson has named an outstanding young Negro American to be Chairman of the Equal Employment Opportunity Commission—Clifford Alexander, Jr.

Those of us who have observed Mr. Alexander's performance as a White House aide during the past 4 years, know him to be a capable, dedicated and effective public servant—wise beyond his years.

I first met him in Brooklyn some years ago. I quickly learned to respect his ability and wide knowledge. He has a natural knack of genuine cooperation with his fellow man.

Mr. Alexander has served with great distinction as Deputy Special Counsel to the President. There is every reason to believe that he will be equally as effective as head of the Equal Employment Opportunity Commission.

Mr. Alexander knows well that equal employment opportunity is a key factor in the Negro's quest for true equal rights in the United States. His dedication to this cause is beyond question. His tact, good sense, and experience will help him to fulfill the objective of this vital Commission.

I wish Mr. Alexander well. He is assuming a difficult post, one that will demand the best of his talents and abilities. He will be in the vortex of the struggle for civil rights—and will be expected to act firmly, but fairly, to all concerned.

I commend President Johnson for the wisdom of this appointment. Mr. Alexander has well earned the President's confidence and respect. His appointment is a hopeful sign that the Equal Employment Opportunity Commission will have a key role to play in the progress we seek for all Americans.

Mr. MURPHY of New York. Mr. Speaker, President Johnson has once again shown his deep interest in equal rights for all Americans by nominating as the new Chairman of the Equal Employment Opportunity Commission, his own Deputy Special Counsel, Clifford L. Alexander, Jr., of New York.

Those who know Mr. Alexander personally, recognize that he is not only a highly able qualified young man who has already served his country in a number of distinguished positions, but that he is also a warm and considerate human being.

Cliff Alexander is one of those new breed of young men who entered public service with a selfless devotion to improve the quality of our national life and strengthen the institutions of democratic life.

The President made a fine choice when he brought Mr. Alexander to the White House staff some 3 or more years ago.

He has now made another excellent choice in naming him as the new Chairman of the Equal Employment Opportunity Commission.

This nomination is not only a gain for equal opportunity and civil rights. It is a gain for government as a whole.

We welcome Clifford Alexander to his new responsibilities, and we wish him well in the future.

And we compliment the President on the quality of his appointments.

GENERAL LEAVE

Mr. MULTER. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks on the subject matter of the appointment of Mr. Alexander as Chairman of the Equal Employment Opportunity Commission.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

KREMLIN'S DETERMINATION TO BECOME DOMINANT POWER IN THE MIDDLE EAST

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, the relentless efforts of the Soviet Union to rebuild the bellicose spirit and warmaking potential of the Arab States testifies to the Kremlin's unabated determination to become the dominant power in the Middle East.

At this very minute, Arab leaders, acting under Soviet advice, may be conspiring in Cairo to resume the war in the Middle East, while Soviet warships lie at anchor in Arab ports as testimony to Russian-Arab solidarity. Meanwhile, throughout the Arab world new armies and new air forces are being trained with modern Soviet equipment.

Mr. Speaker, I fear that our Government has not made its own policies in the Middle East as clear as they might be. I am apprehensive that an Arab miscalculation might once again bring tragedy down on their heads, but with much more grievous consequences for the entire world. If such a tragedy ensues from the current Russian-Arab machinations, it will be the Soviet government that is to blame.

I believe, Mr. Speaker, that our President must speak out publicly in unmistakable terms, even though he may have done so privately, that this country will not tolerate a resumption of Arab aggression in the Middle East. I believe that our Government must warn the Soviet Union in the most solemn fashion that it will hold the Russian policy responsible if there is a renewal of hostilities. I believe that President Johnson should convey to Premier Kosygin his intention to thwart any effort by the Soviet Union to take over the Middle East, either directly or through Arab puppets.

The Kremlin is mortgaging Arab lives and fortunes to its own nefarious policy designs. We must make it clear that we will not consent to Israel's defeat to satisfy Russian ambitions. The situation is now growing as dangerous as it was last May. Before it is too late, the President must caution the Russians not to lose their heads. The Soviets are playing a most dangerous game and the President must inform them that they cannot win.

EXTENSION OF THE U.S. CIVIL RIGHTS COMMISSION

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for

1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GUDE. Mr. Speaker, yesterday, I was unavoidably detained in my office with constituents during the vote on H.R. 10805, the bill to extend the life of the U.S. Civil Rights Commission until 1973. This independent, bipartisan Commission has made many, very valuable contributions to furthering the cause of racial understanding and, therefore, I am strongly in favor of its continuation.

CONCENTRATION OF OUR NAVAL STRENGTH IN ONE PLACE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I was astonished to see in the July 4 issue of the San Diego Union of San Diego, Calif., a picture of six U.S. aircraft carriers in the harbor and shipyards at Long Beach. One nuclear weapon or device of even small dimensions, delivered by air or submarine to this one harbor, would break the back of the carrier force of the U.S. Navy.

There were six carriers in the same harbor early in 1956. At that time I spoke in opposition to the concentration of carriers in this fashion. The then chairman of the House Armed Services Committee, Mr. Vinson, also spoke in opposition to this kind of concentration of our naval strength. Although the Navy never would admit it was wrong in concentrating these fighting ships in one place, I thought we had some private assurance that this would not occur again.

Mr. Speaker, I hope that the Navy will disperse these carriers immediately and that such a concentration will never again be permitted for this is an open invitation to another Pearl Harbor.

ARAB-ISRAEL SITUATION

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DICKINSON. Mr. Speaker, recently, I had the pleasure of having Mrs. Sidney C. Shinbaum, president, Council of Jewish Women of Montgomery, Ala., and vice president, National Women's League of America, call on me to express her concern over the Arab-Israel situation in the Middle East. Accompanying her were Mrs. Sol Hertzog, regional president of Hadassah and Mrs. Abe Walter, past regional president of Hadassah, both of Memphis, Tenn.

In our discussion, I asked Mrs. Shinbaum what she wanted me, as a Member of Congress, to do since Congress itself would have little, if anything, to do with the terms of any armistice or treaty between Israel and the Arab nations, nor would Congress have much, if anything, to do with the United Nations role in premises, and based on prior experiences, it is not likely that the State Department will consult with the Congress as to the role the United States should play in bringing about a permanent solution to the problems confronting Israel, Egypt, and the other Arab States.

I was given a list of five points that Mrs. Shinbaum feels should be the basis of any truce or permanent armistice. These five points are:

First. The recognition by the Arab nations, once and for all time, of the existence of the State of Israel and its right to be a free and sovereign nation.

Second. The recognition by all parties that the Straits of Tiran and the Gulf of Aqaba constitute an international waterway.

Third. That the Suez Canal be open to Israel vessels.

Fourth. That the Arab nations accord to American Jewish business firms and Americans of Jewish descent the same rights and privileges accorded to other Americans.

Fifth. That Israel and her warring neighbors settle the details of peace in face-to-face confrontation.

I agree that these points are sensible and sound and should certainly be the basis of any settlement. To this I think it should be added that the entire city of Jerusalem be treated as a single unit with ready access by all people at all times and that it should never again be divided by any boundaries, real or imaginary. I, for one, feel that the actions Israel took were justified and necessary for its preservation. As a matter of fact, if it had been left up to some of our fuzzy thinkers in the State Department and the United Nations, Israel would have continued talking until Nasser and the other Arab nations were in a position to strike the final blow which might have led to Nasser's promised annihilation of Israel as a people and a state.

The courageous people of Israel should know and, indeed, all people should know, that neither the State Department nor the United Nations reflects the unanimous opinions of the non-Jewish people—either within or outside of Congress.

SUPPORT FOR ACTION OF THE PRESIDENT IN SENDING CARGO TRANSPORT AIRCRAFT TO THE CONGO

Mr. FRASER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRASER. Mr. Speaker, I strongly support the action of President Johnson in sending the three cargo transport airplanes to the Congo.

What apparently happened in the Congo was that white mercenary members of the Congolese Army mutinied, resulting in racial tensions which threatened not only to jeopardize the security and safety of the people in the Congo but also threatened to exacerbate race relations in that part of Africa.

By responding to the request of the Central Government of the Congo in a very limited way, I believe the President has helped to moderate and to calm the situation, has maintained the excellent relationship which we have with the Central Congolese Government, and has helped to maintain a strong and durable relationship with the rest of Africa.

I know some Members fear this limited assistance to the Central Congolese Government may possibly be the beginning of another major involvement of the United States in a war similar to Vietnam. I believe a close examination of the realities of that situation would suggest that there is no such risk.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

NATIONAL WATER COMMISSION

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 678 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 678

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from California [Mr. Sisk] is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. Latta], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 678 provides an open rule with 1 hour of general debate for consideration of S. 20 to provide for a comprehensive review of national water resource problems and programs, and for other purposes.

An ample supply of good quality water is essential to the continuation of growth and prosperity in the United States. The ever-growing water needs of our increasing population and our expanding industry and agriculture must be met. Greater attention must be given to conservation and more efficient use. Our overall national water supply is not distributed in a way to meet our most urgent requirements. In order to provide better distribution and meet the needs where they develop, we must give consideration to interbasin transfers and to the movement of water over long distances as well as to technological advances such as desalting, weather modification, and reuse of waste water. In all areas of our Nation, even in areas with adequate quantities of water, there are serious problems because of floods and pollution. Thus, as the water requirements of this Nation continue to increase rapidly and greater and greater demands are placed upon the available supply, water resource management problems are becoming more complex and a comprehensive review of national water resource problems and programs has become a matter of urgent need.

S. 20 would establish a seven-member National Water Commission to review national water resource problems and programs. The life of the Commission is limited to 5 years and the amount authorized to be appropriated is limited to $5 million.

Mr. Speaker, I urge the adoption of House Resolution 678 in order that S. 20 may be considered.

Mr. LATTA. Mr. Speaker, I agree with the statement just made by my colleague, the gentleman from California [Mr. SISK]. I hasten to point out that this bill provides for an authorization of some $5 million—$5 million—for 5 years to be put at the disposal of these seven members of this Water Commission. This is almost $1 million a member to be spent over a 5-year period. This is quite costly in view of the fact that we are trying to cut down on Government expenditures. If we are ever going to cut down, I think we had better start now. I hope when the committee gets to considering this legislation, it will give a little thought to the taxpayers and this requested $5 million to be spent in 5 years by the seven members of this Commission.

I also wish to point out, Mr. Speaker, that these seven members will be appointed without the confirmation of the Senate. I am glad to see that they will all come from outside the Federal Government. I hope the President sees fit to appoint qualified individuals to this Commission if it is created and will not load it with political has-beens.

Mr. Speaker, I have no further requests for time and reserve the balance of my time.

MR. DEWITT WALLACE WRITES READER'S DIGEST ARTICLE

Mr. SISK. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, I want to take this opportunity to call to the attention of the Members that Mr. DeWitt Wallace, the pipsqueak of Pleasantville, has once again attacked the integrity and good faith of the Congress of the United States, every Member of this House, the President of the United States, and the entire executive arm of the Government.

In the June issue of his personal propaganda sheet, the Reader's Digest, appears an article entitled "MIKE KIRWAN's Big Ditch." Not content with his advertised circulation of 28 million copies, distributed worldwide in 14 languages, this publisher offers reprints at his usual price of 10 for 50 cents. Mr. Wallace must be the world's most brazen propagandist in asking deluded readers to buy and pay for his lies. I regret to say that some of them must fall for it, because I have received reprints of this article from three of my 500,000 constituents, and I have no doubt that it has been sent to other Members.

Mr. Speaker, I am reminded, in thinking of this publication and of its publisher, of a statement by a great Californian many years ago, a great California Republican Senator by the name of Hiram Johnson, who finally broke the stranglehold of the railroad monopolies on the great State of California. In his fight with a California newspaper and the publisher of that newspaper at that time one will recall reading during the course of the fight that went on, he stated that the publisher of that newspaper reminded him of "a dead mackerel lying on a beach in the moonlight that both stinks and shines, and shines and stinks."

And, Mr. Speaker, insofar as I am concerned Mr. Wallace and his Reader's Digest fall well within that category.

The principal attack in this article is, as the title indicates, directed against our colleague, MIKE KIRWAN of Ohio, but we Members are accused of closing our eyes, indulging in "political back scratching and log rolling, and pork barrel politics," as a regular part of the discharge of our congressional duties. We are accused of supporting "an indefensible boondoggle" and the "most brazen pork barrel project ever foisted on American taxpayers," in trade or exchange for public works projects in our own districts, and so far as we Democrats are concerned, in order to obtain political campaign contributions from the Democratic Congressional Campaign Committee. We are pictured as supine, begging, gutless, robbers of the taxpayers, being led around by the nose.

I do not know how you feel about these charges mouthed in this article and in other articles through the years by the robber baron of Pleasantville, charging waste, extravagance, stupidity, and political connivance by the Congress and the National Government, but I resent it, and am perfectly willing to have these remarks reprinted for the convenience of Mr. Wallace and distributed free of charge.

I think it is particularly ill becoming for this self-proclaimed guardian of political morals to attack the integrity of others, in view of the fact that his representatives are currently buttonholing the Members and working frantically in the lobbies and your offices, to try to retain for him the mail subsidies and special privileges, and tens of millions of dollars in taxpayers money, which is the sole source of the tremendous wealth with which he has constructed a worldwide web, while he sits in the center, as some spider, clutching his money bags and ascribing the world's ills and the world's problems to our stupidity and avarice.

The Baron of Pleasantville publishes his Reader's Digest in English and in 13 other languages, and boasts of its international editions. He not only therefore, is portraying the Members of this House as grasping, unprincipled, morons to the American people, but is projecting throughout the world an image of the American Government and its officials, which seems almost deliberately calculated to enhance the image of America as the "Ugly American," and to lend force and effect to the Communist line that Americans and their Government are bloated, unscrupulous capitalists with a corrupt Government. It is, in my opinion, a shame and disgrace that this man has been permitted by our society to subvert a potentially valuable and useful publication into an instrument for the sole propagation of his own, peculiar political philosophy.

I am sure the Members will recall that in its beginning, some 46 years ago, this publication purported to gather together and digest leading articles on a variety of subjects of public interest and to make this great body of American opinion and public information available in a convenient and readable form. In this spirit, and because of its obvious advantages, the Reader's Digest almost immediately gained public acceptance and became a supplementary textbook and authority in our schools and colleges, as well as in our homes. But not content with this acceptance, Wallace almost immediately departed from the format and plan of publication outlined, obviously because he could not find in the body of responsible American publications articles which were slanted to his own narrow political views. However, he found a way around this difficulty, which he succeeded for years in hiding from his readers. Mr. Wallace started commissioning articles of his own choosing and slanted to his views. He then secured their publication in other magazines, from which he lifted them for republication in the Reader's Digest. Even this obvious device to maintain apparent respectability apparently did not satisfy Mr. Wallace's desire to use for his own ends the tremendous political power generated through wide readership of his publication, for we now find he has abandoned the pretense of republication of articles of significance, and in the June issue I am discussing, nine articles are the product of his own staff, with no pretense that other publications would use them.

Meanwhile, what has Mr. Wallace received from the American taxpayer and what is he currently seeking to continue? There has come into my hands the results of a current study by the Post Office Department of the costs of handling second-class mail, including newspapers and periodicals. Apparently because of the very large volume and mail circulation of the Reader's Digest, this magazine was particularly studied. The revenue to the Post Office Department averages approximately 2.5 cents per magazine. In 1966, the costs of mail delivery averaged 7.3 cents per magazine, which means that the taxpayers are footing the bill to the extent of 4.8 cents for each mail subscription handled. As approximately 12 million copies of Reader's Digest are distributed by mail each month, the net annual cost to the taxpayers is approximately $9 million per year, flowing as a subsidy into the already bulging pockets of Mr. Wallace. It is my information that this net sum exceeds the entire profit realized from the operation of the magazine, and as a consequence, all of the realized profits actually represent a tax subsidy, and each subscriber of the Reader's Digest who receives his copy by mail, should be informed that in addition to his subscription price, the taxpayers of the United States have paid approximately 5 cents to bring the Reader's Digest to him, and that this amount has been paid directly to Mr. Wallace.

When this country was founded, upon the recommendation of Benjamin Franklin, its first Postmaster General, the Founding Fathers wisely fixed the cost of mailing books, publications, newspapers, and educational material at the lowest possible rate. Our country had a scattered population, with poor means of communication, and this was a wise and farsighted policy to insure the dissemination of knowledge and the education of the people, which is the very foundation of the democratic system, but I think Benjamin Franklin, a reputable and responsible publisher, would turn in his grave today if he knew that his wise policy had been subverted for the propagation of unadulterated propaganda at the expense of taxpayers.

MIKE KIRWAN needs no defense. He has demonstrated through the years he has sat in this House with an ability to take care of himself and to serve his constituents beyond that enjoyed by most of us. I have no doubt that Mr. Wallace's unprincipled attack upon Congressman KIRWAN will consolidate and enhance his reputation and ability to get things done, both in this House and in his home district. I should imagine that MIKE KIRWAN is proud of both the political authority ascribed to him in this article, and the fact, considering the source, that he has been selected for attention by the Reader's Digest.

I do know this. MIKE KIRWAN is a man and a public servant of broad vision and discernment. In every State in the Union, you can see the earth and steel and concrete results of that vision. To my own knowledge, the gross national product of the United States, which has phenomenally increased during MIKE KIRWAN's tenure in office, the income of our people throughout the country, reflecting in tremendous increases in treasury revenues, and the prosperity of our entire country can be ascribed in no small part to the public works projects he has sponsored and approved as chairman of the Public Works Subcommittee of the Committee on Appropriations. I know this, and there can be no doubt of it in the minds of any Californian, that the development of our great Central Valley would have been impossible without MIKE KIRWAN's understanding and appreciation of its importance, and his broad vision.

It seems to me that the very title of this article is reminiscent of the cries of those of small vision, who called the Panama Canal an unneeded "Big Ditch," and who wrung their hands over the disruption of commerce and the loss of established transportation which would result from its construction. I am reminded also of the continuing outcries of all of those of small vision and short sight, who characterize as waste, extravagance, boondoggle, and pork barrel any major project for the benefit of the people of America.

I call to your attention that there is not a single fact or established criticism in the article of the project which it discusses. The article, understandably, quotes the anguished comments of those representing other areas, or industries, which fancy their stranglehold on commerce in the area would be endangered *by the Lake Erie-Ohio River Canal.* The article states it would hurt the railroads, and undoubtedly it would provide competition, which our prior experience has established is healthy for our economy. Understandably, it is questioned by the representatives of other States, who fear diversion from established transportation routes. The article questions recreational values of the project, notwithstanding the fact that generally speaking, realized recreational and public use are running as high as 10 times as great as those originally estimated by the Corps of Engineers.

I think the Members of this House will grant that it has been our experience that the Corps of Engineers of the U.S. Army are a hardheaded group, who call the shots as they see them, and who are exceedingly difficult to influence, but the pipsqueak of Pleasantville infers that the finding of economic feasibility and the favorable cost-benefit ratio established by the Corps of Engineers for this project are the product of some sort of political skullduggery and deliberate falsehood. I think this article defeats Mr. Wallace's purposes, when it reveals that "the idea of an inland waterway linking Lake Erie and the Ohio River dates back to George Washington's day," and further, that it was revived early in this century by industrialists seeking low-rate barge transportation. Of course, Mr. Wallace adds, "at taxpayers' expense." Thus, we have a project in the great industrial heartland of America, which has been a dream of farsighted citizens for two centuries, and for which we now for the first time, have the technical knowledge and the resources to realize, and which the Corps of Engineers of the U.S. Army, after years of study, has given a go-ahead on the grounds of technical feasibility and economic justification. We have a project which it has been officially determined will pay its own way and return to the Treasury all of the funds expended, except those nonreimbursable funds allocated under public policy to the broad public interest in flood control and recreation. Against it we have possible competitive interests and the objection of Mr. Wallace, of Pleasantville, N.Y., whose ideas of waste and extravagance and misuse of taxpayers' funds are peculiar, to say the least. It has been the experience of nearly every Member of this House that MIKE KIRWAN's brand of extravagance pays off. He is a big builder, but this is a big country with big demands for the future, and I for one am willing and anxious to give another of MIKE KIRWAN's projects, this time for the benefit of the people of the district he represents, an opportunity to pay off, as ours have.

Mr. EVINS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Speaker, I thank my friend for yielding to me and I want to commend the gentleman from California [Mr. SISK] for bringing this matter to the attention of the House. I would also like to associate myself with the remarks of the gentleman. I have read the article in the Reader's Digest to *which the gentleman referred, and it is* full of inaccuracies. It is not objective. It is very biased, and slanted, and I personally prefer to listen to the reports of the Corps of Engineers rather than prejudicial views of the Reader's Digest in matters of conservation and water resource development.

I also want to say that Congressman KIRWAN is one of the greatest men in this House who, as chairman of the Committee on Public Works Appropriations, has done a great work in conservation and public works development in the national interest.

I serve with Chairman KIRWAN on the Public Works Committee—I know of his great dedication and concern for the national interest. Only yesterday Chairman KIRWAN at a meeting of our committee urged members to continue to fight for the development of the Nation's resources.

He stressed the fact that our Nation is assisting Europe and Japan in strengthening their steel industries—and that further development of our national internal waterway system will strengthen our domestic steel industry.

I have never known a man who contributed more to the growth and development of conservation and resource development than Chairman KIRWAN.

The Reader's Digest is known nationally for its slanted and distorted stories, its lack of sound reporting, its failure to provide the full facts with balanced articles by giving both the positive and negative features of the matter under discussion.

It is significant in this instance that its position parallels that of the railroad interests which have always opposed construction of waterways which make possible more efficient transportation and cheaper shipping rates for business and industry.

The facts are that the U.S. Corps of

Engineers has consistently reported that construction of this vital and essential Ohio-Lake Erie Canal project would be a useful and helpful waterway as a part of our internal transportation system in the heartland of America as our population in terms of people and vehicles continues to expand.

The facts are that Corps of Engineers projects have saved many lives and have prevented more than $14 billion in flood damages. These projects have also been a major factor in much of the Nation's economic development and in the expansion of its waterways transportation system.

My distinguished colleague, the gentleman from Ohio [Mr. KIRWAN] has served ably and well as chairman of the Subcommittee on Public Works Appropriations and has been a leader in this great development of our Nation.

The Nation owes him a great debt of gratitude for his magnificent leadership for growth and progress.

Mr. SISK. I thank the gentleman for his comments.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Speaker, I would state that I have not read the article the gentleman referred to because the Reader's Digest gives me indigestion.

Mr. SISK. I appreciate the comments of my friend from New Jersey, and I too would not have read the article myself had it not been called to my attention, because I no longer permit the Reader's Digest to come into my office.

Mr. McFALL. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from California.

Mr. McFALL. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I wish to associate myself with the remarks of my colleague from California in calling to the attention of Members of the House this latest attack upon the Congress by the Reader's Digest.

Under the present management, the Digest has been turned into an instrument to further the distorted viewpoints of the radical right.

Until a few years ago, the Digest enjoyed a reputation for presenting interesting, educational, and entertaining articles. It maintained a rather decent approach and, as a result, attained a certain reputation for credibility. This has changed, to such a degree, unfortunately, that many readers have become properly distrustful of the contents of the Digest.

Almost every month now we can expect a specially written article, filled with half-truths or untruths which are critical of the Congress or the administration. It is done as a matter of policy and becomes a transparent attempt to promote a rightwing philosophy held by Mr. DeWitt Wallace, whom my colleague has described adequately.

An example which comes to mind is a Digest presentation, prepared by one of Mr. Wallace's hatchetmen, concerning the antipoverty program in Laredo, Tex. This article was written for the purpose of discrediting Congress and was untrue in every material detail.

Once again, by design, an attempt has been made to discredit the Congress by a vicious and completely biased article which appeared in the June issue of the Digest. Although our esteemed colleague from Ohio, Congressman MICHAEL KIRWAN, is the alleged target of the slanted efforts of the writer, the integrity of our entire body is the real target.

As has been pointed out, MIKE KIRWAN needs no defense, for he has gained the respect and admiration of the entire Congress for his dedication and determination to help our Nation develop its natural resources. I was nevertheless glad to note that he has set the record straight concerning the Lake Erie-Ohio River Waterway project in the RECORD for May 25.

Mr. KIRWAN's statement clearly shows that the vehicle seized by the Digest for its latest ranting reflects primarily the economic self-interest of the railroad industry.

The complete picture has been set out before, and was readily available to the Digest. In fact, the writer assigned to prepare the article called upon knowledgeable staff members of the House Appropriations Committee and was furnished information concerning this project which had been developed at hearings.

As the saying goes, however, he did not "want to be bothered with the facts."

There is nothing wrong with presenting economic self-interest on any subject, of course. Responsible journalists, however, attempt to examine both sides of the coin—which was not done in this case.

When an obvious effort is made to describe the Digest's view as the only acceptable truth while carefully ignoring any opposing viewpoints, as the Pleasantville propagandist has done in this instance, it amounts to journalistic malfeasance and must be labeled as such.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I wish to associate myself with the remarks of the gentleman, and I want particularly to say that in my judgment no person ever came to this House who was more thoroughly dedicated to the building of America than MIKE KIRWAN, and the services of no person in or out of Government or within the Government in any department has done more toward the building of America than the services of MIKE KIRWAN.

Mr. SISK. I thank my colleague.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. BOLAND. Mr. Speaker, I want to associate myself with the remarks of the gentleman from California with reference to the chairman of the Subcommittee on Public Works of the Committee on Appropriations, the distinguished member from Ohio [Mr. KIRWAN].

This is not the first time that the Reader's Digest has been inaccurate in some of its articles on Federal agencies. I recall one that was made some time ago concerning the Department of Housing and Urban Development, specifically in relation to the urban renewal program. That statement had as numerous inaccuracies as there are grains of sand in the Sahara.

The gentleman from California has called attention to one of the statements in the Digest indicating that the gentleman from Ohio has used his committee as a political pork barrel. That assertion could not be further from the truth.

I am sure that the Members who sit on that committee from the opposite side of the aisle will agree that no one is more fair in considering projects all over America without regard to political considerations, than the gentleman from Ohio [Mr. KIRWAN] has been.

I am sure that the public works appropriation bill, which will be brought to the floor of this House in the near future from the Subcommittee on Public Works, will clearly indicate that this is so. The gentleman from Ohio does not look at the political implications at all. All he looks at are the facts determining the feasibility of the project and its relation to the impact on the Nation.

Mr. Speaker, I am glad that the gentleman from California has taken this opportunity to set straight some of the inaccuracies of the article.

Mr. SISK. I thank my colleague and agree with every word that he has said. The gentleman from Massachusetts has described much more eloquently than I could have the great service rendered by our colleague, the gentleman from Ohio [Mr. KIRWAN].

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. WAGGONNER. Mr. Speaker, I thank the gentleman from California for yielding and I want to express my appreciation to him for having focused our attention here in the House of Representatives today on this very unfair and inaccurate article by the Reader's Digest which is unduly and unnecessarily critical of our colleague, the gentleman from Ohio.

Mr. Speaker, the same Corps of Engineers that conducts feasibility surveys and studies for all our other public works projects conducted a study in this instance and I am told that Congress in 1935 authorized this project as a result of a feasibility study of the Corps of Engineers. The Corps of Engineers recommended it and said the benefits would exceed the cost. I would only say that the Congress has been negligent for quite a number of years in not having acted to do something about this authorization before now.

Mr. Speaker, I accept in good faith the feasibility surveys and studies of the Corps of Engineers. I admire and respect the corps. They have done such studies in my congressional district and I suppose they have done such studies in every congressional district in the United States. I feel I have had fair treatment. I do not think anybody is entitled to say that a Member of Congress who has treated so fairly all the other congressional districts in this country has abused his chairmanship of this all-important committee. I admire and respect Mike Kirwan.

Mr. Speaker, again I say I appreciate the gentleman bringing this to the attention of the House.

Mr. SISK. I thank my colleague, the gentleman from Louisiana.

Mr. HAGAN. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. HAGAN. Mr. Speaker, I also would like to associate myself with the remarks made by the gentleman from California.

I want to say if the people of America could have received the kind treatment I received, which has meant so much to the people of my congressional district when I was a freshman Congressman back in 1961, at the hands of one of the great men of this House of Representatives, the gentleman from Ohio, Mike Kirwan, and if they could have witnessed firsthand during the past 7 years, the services, the real services, that this man has rendered to America and to the people of all the districts in this Nation, they would have done, as I did some time ago, quit looking at the Reader's Digest.

Mr. SISK. I thank my colleague very much.

Mr. MORRIS of New Mexico. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. MORRIS of New Mexico. Mr. Speaker, I want to join my distinguished colleague, the gentleman from California.

Mr. Speaker, I have had the honor and privilege of serving as a member of the Subcommittee on Public Works of the Committee on Appropriations for the last year and I have served under several chairmen in the 9 years that I have been a Member of the Congress, but I have never served under any man who is more fair and who gives more consideration not only to the witnesses but to the Members of the Congress, a man who has a more sincere and stronger feeling for our country, than the gentleman from Ohio.

I think the snide and unfair remarks that have been made about the projects that he has handled are very unfair and are uncalled for.

Mr. SISK. I thank my colleague, the gentleman from New Mexico very much.

Mr. Speaker, I yield myself 2 additional minutes. I yield to my colleague, the gentleman from California [Mr. Johnson].

Mr. JOHNSON of California. Mr. Speaker, I take this time to join my colleague from California in this matter. The reference to pork barrel operations of the Public Works Subcommittee of the Committee on Appropriations is certainly untrue and unfair. One has only to look to the record to see the facts. I point to my own State and the work accomplished there through the Bureau of Reclamation and the Corps of Engineers in northern California. Since my coming to Congress 9 years ago, our friend Mike Kirwan, a Congressman from Ohio, has given every bit of consideration he possibly could to the needs of the Nation, and especially to the needs of California.

In the Central Valley project and in the work of the Corps of Engineers in northern California we have projects that will speak for themselves. They are certainly not pork barrel operations. They are something that was badly needed. Mr. Kirwan gave them his full and just consideration, and those projects are now under construction or serving the Nation.

Mr. SISK. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. Edmondson].

Mr. EDMONDSON. I thank the gentleman for yielding. I commend him for taking the lead on the floor today to supply, I think, a much needed rebuttal to some of the misleading information, some of the downright inexcusable misinformation that appeared in the Reader's Digest article concerning our beloved colleague, Mike Kirwan. I think there is in this body a universal feeling shared on both sides of the aisle that this able Representative of the State of Ohio is performing outstanding service to the entire Nation in the responsible post he holds on the Appropriations Committee, and that he has made a great contribution to the growth and development of the entire Nation in that post.

Mr. SISK. I thank my colleague from California and the gentleman from Oklahoma.

Mr. VAN DEERLIN. Mr. Speaker, our colleague, Bernie Sisk, is to be commended for taking this time today to discuss the highly unfair criticism directed lately at the proposed Lake Erie-Ohio River Canal.

This project needs no defense from me. Nor does that great American, the gentleman from Ohio [Mr. Kirwan].

I happened to visit Mike Kirwan's district a few months ago, so I know a little bit about how the people there feel about Mike, and what they think of the canal.

Mike is tops in their book, and always has been. They have been reelecting him for the last 30 years, a fact that attests to the kind of support Mike enjoys in Ohio's 19th Congressional District.

Mr. Kirwan's constituents also know what the canal is going to do for the economy of their area. It will provide a vital new transportation artery to the steel mills of the Mahoning Valley. And the benefits will extend far beyond the boundaries of Ohio. As has already been pointed out, the proposed canal, along with the Tennessee-Tombigbee Waterway in Alabama and Mississippi, would save hundreds of miles in the water journey from Lake Erie to Mobile, Ala.

Opponents of the canal might also recall that it has been endorsed by the Army Corps of Engineers and the Mississippi Valley Association. The Engineers, in fact, first urged construction of the canal nearly 150 years ago, and it was one of the first projects adopted by the Mississippi Valley Association back in 1920.

I was most impressed by the arguments recently offered on behalf of the canal by Everett T. Winter, former executive director of the prestigious association.

Mr. Winter pointed out that the canal would be part of a long planned national transportation system, of great importance to such farflung cities as Cincinnati, St. Louis, Pittsburgh, Memphis, and New Orleans. He continued:

> Had it not been for the misguided opposition (mostly the railroads) this project would have long since been built and paid for at a cost much lower than the present price tag. We, the taxpayers, were entitled to this project years ago and at a much lower cost.

Mr. Winter also expressed the hope that Congress will always be fortunate enough to have Members with wisdom and broad vision like Mike Kirwan. I heartily concur.

Mr. O'HARA of Illinois. Mr. Speaker, today when the distinguished gentleman from Ohio [Mr. Kirwan] is the recipient of so many compliments from his admiring friends, it is fitting to note the appraisement of him by a most noted American jurist. No less an eminent American than the Chief Justice of the Supreme Court of the United States, Mr. Justice Warren, who as Governor of California had a rich background of experience and knowledge upon which to base his evaluations, has said that Theodore Roosevelt and Mike Kirwan were the two outstanding conservationists in the history of our country, and to them future generations forever would be indebted.

Mr. COHELAN. Mr. Speaker, I wish to associate myself with the remarks of my colleague from California calling to the attention of the House the unfair, biased attack on the gentleman from Ohio in the June issue of the Reader's Digest.

It appalled me also to read such a distorted story and to realize that millions could be misled because of the prejudiced viewpoint of one editor.

My respect for the efforts of Mike Kirwan in encouraging the best possible development of our Nation's resources is great. I have watched him work for projects far from his home district but which in the final tally would be of immense benefit to our country.

The Ohio-Lake Erie Canal has received the same rigorous examination as any project in, for example, my home State of California. It has been recommended by the Corps of Engineers, whose work I regard very highly, and valid studies have shown it will pay its own way.

The facts in this case deserve a far more truthful treatment than that given to it by an editor who tries to smear any honest attempt of our Government to better conditions at home. I am glad this matter has been brought up, and I hope that followers of the Reader's Digest will heed the remarks made here.

GENERAL LEAVE TO EXTEND

Mr. SISK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. Chamberlain] and ask unanimous consent that he may be permitted to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

FREE WORLD SHIPS ARRIVING IN NORTH VIETNAM DURING THE FIRST 6 MONTHS OF 1967

Mr. CHAMBERLAIN. Mr. Speaker, according to information I have received recently from the Department of Defense, the number of free world ships arriving in North Vietnam during the first 6 months of 1967 is almost double the volume of traffic that occurred during the last 6 months of 1966.

During the past months, 11 more non-Communist ships—nine British, one Italian, and one Cypriot—carried goods to North Vietnam.

This June traffic brings the total for the first 6 months of this year to 39 ship arrivals, as compared to the 20 vessels that arrived during the last 6 months of 1966. These 39 ships represent a total cargo capability of 258,000 tons, more than 78,000 tons of which is attributable to the June trade.

In addition, and for at least the fourth month this year, strategic goods have been delivered in June by free world ships.

Now if there is anyone in this Chamber who is not stunned and outraged at this situation—if there is anyone who thinks this trade does not amount to much—let me tell you further that during June the free world ship arrivals in North Vietnam were in excess of the Soviet ship arrivals for the same month period.

What does it take, Mr. Speaker, before the administration will decide to take effective action to eliminate this aid and comfort to the enemy?

It is particularly disturbing to note the presence of an Italian-flag vessel back in business engaging in this trade after Congress last year, over the opposition of the administration, clearly prohibited any U.S. military or economic aid to countries which permit vessels under their registry to carry any kind of goods, from any source, to North Vietnam. I have written to the Secretary of State asking what steps will be taken to implement this legislation with respect to the Italian Government.

With speculation now rampant about sending more troops to Vietnam—by the hundreds of thousands—has the time not arrived when greater efforts should be made to deny the enemy the wherewithal to carry on the war? Is this not a fair question? If there are those who accept the explanation that the British ships involved in this traffic are long-term charters to the Communists and therefore nothing can be done about it, I would ask if anyone believes that the British Government would be helpless to control the activities of these same vessels if they were being used to support the Government of Rhodesia?

Mr. Speaker, it is clear that North Vietnam needs all the supplies it can get, for without logistical support it cannot prolong the war in the South. Particularly in view of the heavy casualties our fighting men have suffered along the DMZ in our efforts to plug the infiltration routes, it is appalling to know that free world ship arrivals have almost doubled during the past 6 months and that greater efforts have not been made to prevent the sinews of war from reaching the shores of North Vietnam in vessels flying the flags of our so-called friends.

NATIONAL WATER COMMISSION

Mr. SISK. Mr. Speaker, I urge the adoption of the resolution, and move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. JOHNSON of California. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes.

CALL OF THE HOUSE

Mr. DERWINSKI. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 164]

Ashley
Baring
Berry
Bolton
Burton, Utah
Bush
Clawson, Del
Collier
Conyers
Dent
Diggs
Dingell
Dorn
Feighan
Fisher
Ford, Gerald R.
Fulton, Tenn.
Gardner
Giaimo
Grover
Hansen, Wash.
Harsha
Hébert
Herlong
Holifield
Hungate
King, Calif.
Kyl
Leggett
McClure
McDade
Machen
Martin
Meeds
Monagan
Moore
Moorhead
Morris, N. Mex.
Moss
O'Konski
O'Neal, Ga.
Pike
Purcell
Rivers
Rostenkowski
Roush
St Germain
St. Onge
Scheuer
Shipley
Smith, N.Y.
Springer
Stuckey
Tuck
Tunney
Udall
Vigorito
Watson
Willis

The SPEAKER. On this rollcall, 374 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

NATIONAL WATER COMMISSION

The SPEAKER. The question is on the motion offered by the gentleman from California [Mr. JOHNSON].

Mr. GROSS. Mr. Speaker, I desire to make a point of order against consideration of the bill.

The SPEAKER. The gentleman will state his point of order.

Mr. GROSS. Mr. Speaker, I call the attention of the Chair to Public Law 801, 84th Congress. Without reading the enacting clause, I will go directly to section 11 of Public Law 801, which provides as follows:

> SEC. 11. (a) Each report, recommendation, or other communication, of an official nature, of any department, agency, or independent establishment of the executive branch of the Federal Government (including any corporation wholly owned by the United States) which—
>
> (1) relates to pending or proposed legislation which, if enacted, will entail an estimated annual expenditure of appropriated funds in excess of $1,000,000,
>
> (2) is submitted or transmitted to the Congress or any committee thereof in compliance with law or on the initiative of the appropriate authority of the executive branch, and
>
> (3) officially proposes or recommends the creation or expansion, either by action of the Congress or by administrative action, of any function, activity, or authority of any such department, agency, independent establishment, or corporation, to be in addition to those functions, activities, and authorities thereof existing at the time such report, recommendation, or communication is submitted or transmitted to the Congress or any committee thereof,
>
> shall—

I emphasize the word "shall," which is mandatory—

> contain a statement, with respect to such department, agency, independent establishment, or corporation, for each of the first five fiscal years during which each such additional or expanded function, activity, or authority so proposed or recommended is to be in effect, disclosing the following information:
>
> (A) the estimated maximum additional—
>
> (i) man-years of civilian employment, by general categories of positions,
>
> (ii) expenditures for personal services, and
>
> (iii) expenditures for all purposes other than personal services,

Mr. Speaker, I shall not read the remainder of the public law unless the Chair desires to hear it. I do call the attention of the Chair to the fact that the executive communication, to be found on page 7 of the report, clearly demonstrates that the requirements of Public Law 801 have not been met in the legislation proposing creation of this new Commission or with respect to the proposed expenditure of $5 million under the bill.

Mr. Speaker, I ask that the point of order be sustained.

The SPEAKER. Does the gentleman from California desire to be heard?

Mr. JOHNSON of California. No, Mr. Speaker. I will stand on the ruling of the Chair.

The SPEAKER. Will the gentleman from Iowa send the act to which he refers to the desk?

Mr. ASPINALL. Mr. Speaker, I would like to be heard on the point of order made by the gentleman from Iowa.

The point of order, if it is a point of order at all, should have come at the time the Executive communication was received. It should not be made against the report which is now before the Congress. The bill which we are considering is a bill from the other body, received by this body in due course, and referred to the committee which has jurisdiction over these matters, and it was properly before the committee. It is now here in conformity with the rules of the House.

Mr. GROSS. Mr. Speaker, may I be heard further on the point of order?

The SPEAKER. The Chair will hear the gentleman.

Mr. GROSS. Mr. Speaker, it seems to me that the issue is plain. Nothing accompanying this bill, as required by Public Law 801, shows the man-years of civilian employment that will be entailed, the expenditures for personal services, and the expenditures for all other purposes other than personal services.

That is the issue in the point of order. No report accompanying the bill conforms to the requirement of Public Law 801.

Mr. Speaker, I do not know how, as suggested by the gentleman from Colorado, a point of order could be made against a committee.

The SPEAKER. The Chair is prepared to rule.

The law referred to by the gentleman from Iowa places the obligation upon the executive departments or agencies or independent offices to prepare their recommendations with respect to the information contained in the law referred to. However, this does not change any rule of the House of Representatives, and this matter is before the House in accordance with the Rules of the House of Representatives.

Therefore, the Chair overrules the point of order.

The question is on the motion offered by the gentleman from California [Mr. JOHNSON].

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 20, with Mr. CHARLES H. WILSON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. JOHNSON] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. SAYLOR] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, I yield such time as he may consume to the chairman of the full committee, the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, as the gentleman from Iowa [Mr. GROSS] has so aptly stated and brought before the committee, this legislation comes to the Congress of the United States as an Executive request, as an Executive recommendation, three different times from the President of the United States.

I should like to advise my colleagues that there was little opposition to the legislation in the committee. The opposition was not to the purposes of the bill, but rather it was to the manner that was to be followed in the selection of members of the Commission.

The Commission is to be composed of seven members, at a cost of $5 million over a 5-year period.

We did receive from the Department of the Interior, from the Bureau of the Budget, a statement as to the amount of money that would be necessary, and we placed it in our report, and it will be found in the hearings.

I am of the opinion that we cannot judge the cost of this proposed program by the means that our good friend and colleague, the gentleman from Ohio [Mr. LATTA] attempted to judge it, at $1 million approximately per member of the Commission.

That is not what is involved here. The Commission members are limited in the amount of money they can receive for their work. All of them are expected to be specialists in water matters. All of them will be under the responsibility, of course, of the Commission working with the President of the United States. They are required to make reports not only to the President but to the Congress of their findings and of their recommendations. There will be no policy whatsoever established by this Commission. This Commission can truly be said to be a successor—and I hope a fitting successor—to the work of the Kerr Water Research Committee. This was the committee headed by the late Senator Kerr of Oklahoma when he was a Member of the other body. They issued a report on water resources, and there needs to be an updating of and furthering that very valuable report from the other body.

The President in his first message—and I refer to the report—made the following statement:

> In no area of resource management are the problems more complex—or more important—than those involving our Nation's water supplies. The water shortage in the Northeastern United States is a dramatic reminder that we must take every possible step to improve the management of our precious water resources.

Now, in line with that, may I suggest to my colleagues that the sponsors of this legislation come from the West, the Middle West, the East, and the Far East. If you will look at the report, on page 3, you will find out who the sponsors are. They are sponsors regardless of partisan membership.

The President's second message said, and I quote:

> Many regions of the country are facing increasingly critical problems of adequate supply and efficient use of water. I urge prompt enactment of legislation to establish a National Water Commission to assess our major water problems and develop guidelines for the most effective use of available water resources.

During the process of the debate there will be one or two Members who will refer to the amounts of water available for our present usage and who will refer to what we must do if we are to take care of the growth of this Nation.

In his third message the President stated, and again I quote:

> I am renewing my recommendation for the enactment of legislation to establish a National Water Commission. Working with the Water Resources Council and with Federal, State, and private agencies, the Commission will examine our major water problems and develop recommendations, guidelines, and long-range plans for the most effective use of available water resources.

I doubt if it is necessary for any Member of this body to state to his colleagues the need for continuing studies of our water resources supplies. This is the closest problem to us outside of that of the air itself which we breathe. All of us are aware of the difficulties involved here. All of us know where there are shortages, and some of us think we know where there are some surpluses, but nature takes care of this in her own way. Where there are shortages today there may be surpluses tomorrow, and where there are surpluses today there may be shortages tomorrow. All we wish to do and what we desire to do with this legislation is to learn sufficiently about this great natural resource as it affects our own Nation and its people so we can use the water that is available in the most efficient and effective way.

The mission of this Commission is first, to make "such projections of water requirements as may be necessary to identify alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances including, but not limited to, desalting, weather modification, and waste water purification and reuse";

Second, to "consider economic and social consequences of water resources development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people"; and

Third, to "advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council."

Mr. Chairman, this Commission is to work in close association with the other existing water resource programs and water resource agencies of the United States.

The amount of money involved is a mere pittance compared to some of the amounts of money that we are spending on many matters that are much further away from us than the specific question of available potable water.

Mr. EDMONDSON. Mr. Chairman, will the gentleman now yield to me?

Mr. ASPINALL. I yield to my good friend and colleague, the distinguished gentleman from Oklahoma [Mr. EDMONDSON], who has some questions about the legislation and who has expressed those questions during the consideration of the legislation.

Mr. EDMONDSON. Mr. Chairman, I thank my distinguished chairman of the Committee on Interior and Insular Affairs for yielding to me at this point.

Mr. Chairman, I wish to begin by stating that I have the very highest esteem and regard for the chairman of the Committee on Interior and Insular Affairs and for the committee itself, as well as for the motivation of all who have sponsored this legislation.

The chairman of the committee will recall that during the consideration of this legislation in the committee I offered amendments which were intended and designed to provide for congressional participation in the work of the Commission and I also expressed concern that the Commission might operate as a convenient excuse or reason for delaying action by the Congress upon needed legislation and needed projects in the water field.

Now, I know that the committee report includes some language on this second point.

However, I would like to hear the chairman of the committee comment upon this specific point in particular and upon the feeling of the committee with reference to the possibility that the existence of this Commission and the fact that it is studying particular water problems or, in the words of the bill, "a particular water resource which might be referred to it by the President and the Water Resources Council," might serve to delay needed projects.

Mr. Chairman, in my opinion this might be the hook upon which hats can be hung to say that we are not going to go ahead with any legislation in this field at the present time or during this year.

Mr. ASPINALL. I shall be glad to answer the interrogation of my good friend, the gentleman from Oklahoma [Mr. EDMONDSON], because the gentleman has brought up a point which is very important, especially since we do have a Legislative Layman's Commission at the present time study others of our natural resources. During the study of the Public Land Law Review Commission, we have made reference to the fact that we do not desire any major legislative changes in our current existing policies concerning public lands.

In furtherance of my reply to my colleague from Oklahoma, Mr. Chairman, I refer to the statement as contained in the report on page 7, the first full paragraph, which states as follows:

> While the objective of this review of national water resource problems and programs is to improve water management and provide for maximum and best use of our water resources in the future and to assist in the formulation of consistent and effective national policy, it is not intended that the planning of urgently needed water resources development projects, or recommendations of the Executive agencies concerning such projects, be delayed while the work of the Commission is underway. Neither is it intended that the Commission take a position on specific project proposals.

And, Mr. Chairman, may I advise my colleagues that this refers not only to reclamation projects, but this refers to the public works projects of the Army Corps of Engineers, this refers to the water resources projects of the Department of Agriculture and this also refers to any programs or projects having to do with antipollution or pollution clearance programs.

May I further to my colleague, the gentleman from Oklahoma [Mr. EDMONDSON], that so long as I am chairman of the Committee on Interior and Insular Affairs—and I believe I can speak also for the ranking minority member of the committee, the gentleman from Pennsylvania [Mr. SAYLOR]—we shall see to it that the power of this Commission is not used in the manner in which the gentleman from Oklahoma has suggested it might be used.

However, we are going to see to it that our water resource development programs continue just as they have in the past and we will make them just as orderly as possible until existing policies may be changed by regular legislative procedure.

Mr. EDMONDSON. Mr. Chairman, I appreciate that assurance from the chairman, and I am quite sure it does represent the majority feelings of the committee; in fact, the feelings on both sides of the committee with reference to the manner in which this Commission might operate.

Does the chairman have any difficulty at all reconciling that position, however, including the statement in the report that it is not intended that the Commission take a position on specific project proposals, with the language that appears on line 22 on page 3 of the bill in which it says that the Commission shall advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council?

Mr. ASPINALL. I personally do not have, because I believe there is a difference in the question of specific water resource matters and water resource projects. I think this language is supposed to refer to the study of desalination, the study of weather modification, the study of water augmentation, the study of interbasin transfers, and the study of channelization, and not only this, but also the wise use of water because, as the gentleman knows, we are a spendthrift nation as far as the use of water is concerned. I believe this is what this particular language refers to, rather than to specific projects which will be before the Congress of the United States.

Mr. EDMONDSON. Mr. Chairman, I thank the gentleman very much.

Mr. ASPINALL. Mr. Chairman, the inclusion of Members of Congress on the National Water Commission would not be consistent with the objective sought by the enactment of this legislation.

The National Water Commission is intended to be a highly specialized and technical nongovernment group appointed for the specific purpose of conducting an independent and objective review and study of this Nation's water problems and programs. The members of the Commission should be selected on the basis of their knowledge and experience in the water resources field, keeping in mind that the membership should include experts in all segments of water resources development. In addition, they must be able to devote a great deal of time to the work of the Commission. Not only would Members of Congress not have the time for this assignment but their inclusion would defeat the objections of having a completely nongovernment group.

We are hopeful that this legislation will result in recommendations for improving water management and formulating existing Federal national policies. If so, the Congress will have an opportunity to consider and act on these recommendations. I believe that a Presidential Commission, as presently proposed in this legislation, without congressional Members is the appropriate group to carry out this specific assignment.

Mr. EDMONDSON. Mr. Chairman, I intend to vote against this bill, although I appreciate fully the worthy motivation of the Committee on Interior and Insular Affairs in reporting it favorably, and of the President in recommending the measure initially.

It was suggested in committee that this measure is a logical follow-up of the Senate Select Committee headed by the late Senator Robert S. Kerr, which made such a great contribution on water problems and policies some years ago.

It should not be forgotten that the Kerr committee was a congressional committee, addressing itself with great competence and outstanding leadership to questions of water problems and policy and programs of our Government in this most important field.

I believe the National Water Commission provided for in this bill is basically intended to perform a legislative, rather than an executive, function of government.

I am concerned that the bill makes no provisions whatsoever for congressional participation in the work of the Commission. I am also concerned that the commission will provide a convenient excuse for delaying action on actual projects and legislation to meet critical, existing water needs of the Nation.

For these reasons, Mr. Chairman, I shall vote against S. 20.

Mr. ULLMAN. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Oregon.

Mr. ULLMAN. Mr. Chairman, I am in full support of the proposal now under consideration to establish a National Water Commission. I want to express my personal appreciation to the distinguished chairman of the Interior and Insular Affairs Committee for the many dramatic contributions he has made to the proper development and utilization of the Nation's natural resources. He is to be particularly commended for the many months and years of work that have resulted in such milestone legislation in the field of water resource development as the Water Resources Planning Act of 1965 and the legislation we are considering here today, the National Water Commission Act. The gentleman from Colorado has energetically and consistently demonstrated his support for constructive solutions to the water problems of the Nation.

I want to commend the gentleman from California, the new chairman of the Irrigation and Reclamation Subcommittee, for his action in bringing this legislation up for consideration at this time. He has long demonstrated his support for effective and equitable solutions to the pressing problems of resource conservation and development. Through the efforts of these two able chairmen and their colleagues on the Interior Committee, we now have the opportunity to set in motion a comprehensive program to assure that our great heritage of abundant water resources will be wisely husbanded for future generations. I also want to commend my colleagues from the Pacific Northwest for the cooperative effort in support of this legislation.

The enactment of legislation to create

a National Water Commission will be an important step in resolving the crucial problems of water supply and utilization that presently face this Nation and which will certainly grow more serious as consumption requirements expand. To fail to face up to the realities of this problem would be to invite a disaster of catastrophic proportions. As the chairman pointed out in his remarks, it is essential that we accurately assess future water requirements because areas that are now considered to have a surplus of water may in the future be areas of major shortage. Serious water shortages already exist in some regions. Many of the arid and semiarid regions of our country are denied the benefits of economic growth because of inadequate development of existing resources and a lack of planning to meet growing national needs. Our national growth requires a level of water resource planning that will realize this great potential. A National Water Commission—independent of sectional interests and prejudices—is needed to prepare a comprehensive program for efficient and effective use of our water supply.

As a sponsor of legislation to establish a National Water Commission, I have consistently maintained that such legislation must be considered on its own merits, without being tied to a particular river development proposal and without establishing priority treatment for particular sections of the country. Such limitations would, in my judgment, prejudice the outcome of the Commission's findings. I am pleased that the House today will have an opportunity to vote on S. 20 which embodies the elements of independence that I consider essential to the success of the Commission. I strongly urge passage of the bill.

One of the first tasks of the Commission will be that of inventorying the existing water resources of each river basin. In its subsequent review of anticipated and projected requirements for water utilization in each river basin, I fully expect that the Commission will give proper consideration to shifting population patterns that result from the availability of such resources. Also, the Commission should fully utilize the information compiled by the several river basin commissions created pursuant to the Water Resources Planning Act of 1965. Such a commission has recently been established for the Columbia Basin, and its studies are expected to be a major contribution to the future development of the region. It would be expected that in the Columbia Basin, as in other regions, the National Water Commission will incorporate and build on the recommendations of the basin commissions.

In analyzing the various alternatives for meeting future water requirements and in enhancing existing supplies in already water-short areas, I have recommended that the National Water Commission place proper emphasis on the growing potential of saline water conversion. In my opinion, the dramatic breakthroughs that can be expected in this technology in the very near future will provide the means of solving some of the most critical shortages now anticipated. In addition, work that is now being done in the science of weather modification and in waste water purification hold the promise of relieving future shortages in some areas. The Commission is also authorized to consider interbasin transfers as possible solutions to the problems of areas appropriate for such treatment. In this context, I hope the Commission would consider such prospects as collection of fresh water from coastal streams and subsequent transfer to areas of need through undersea conduits. The economies that might be realized through imaginative new techniques might well increase the feasibility of such exchanges.

As my colleagues well know, there has long been some concern that our Federal programs of river planning and development should be streamlined to facilitate congressional authorization procedures and to prevent possible delays in funding and construction of feasible and necessary projects. I hope the Commission will come up with recommendations for congressional and administrative actions to eliminate all possibility of duplication and waste in our water resource programs and to establish uniform and equitable standards for allocating project benefits and costs.

In another area of considerable interest and concern to those of us engaged in furthering the development of western resources, I believe it is imperative that the Commission recognize and maintain the validity of existing water rights as allocated by the several States. Any disruption of existing rights and uses would create economic chaos in vast areas so keenly dependent upon such uses for economic survival and future growth. The Commission is directed by this legislation to consider the economic and social impact of various water development programs, and I am hopeful that it will give this phase of its work the emphasis it deserves.

Through implementing the directions spelled out in S. 21 and by maintaining conscious concern with problems such as those I have just mentioned, the National Water Commission can minimize the possibility of local and regional controversies that might inhibit the maximum use of our river resources. It will have within its means the solution to many of the problems that threaten maximum economic growth and opportunity. The results, we hope, will bring about a stronger and a better America.

Again, Mr. Chairman, I want to commend the gentleman from Colorado for the consideration and support he has given to this legislation.

Mr. SAYLOR. Mr. Chairman, I yield to the gentleman from Oregon [Mr. WYATT] at this time, as much time as he may consume.

Mr. WYATT. Mr. Chairman, the last 2 years have seen this country come of age waterwise. We have finally come to realize that if we are to avert a serious water crisis in this country, we must act now to undertake the necessary planning to avert it.

It has been estimated that there is available in the world today from stream flow and ground water 560 billion gallons of water a day. We now use about 350 billion gallons per day. With the huge population increase predicted in the world, it is predicted that within 15 years we will be using more than the existing daily supply of water in the world. Estimates run as high as 1 trillion gallons of water use by the year 2000. Reducing these figures to more meaningful local statistics, we find that in 1900 we used an average of 40 billion gallons of water per day in the United States. By 1975, our consumption of water will be 10 times that figure. This gives some conception of the magnitude of the problem.

It is, therefore, essential that the total water problems of the United States be thoroughly studied. If we were to attempt a piecemeal study of the problems of one section or another, we are apt to create more problems than we are seeking to remedy.

Many pressing problems must be studied. The identification of the water problems—the water-short areas—is only the beginning. The alternatives yet available to us must be given close scrutiny. The conservation and more efficient use of water is perhaps the largest single potential for stretching out our available water supplies. Water reuse, increased usability by reduction of pollution, the study of the highest economic use of water, interbasin transfer economics, desalination, and weather modification all offer challenges to us and hopes for the future. There is still time, but these subjects must be studied in depth, by a Commission that can bring together into focus all of the work previously done on them. The creation of this Commission is a must, and a hopeful sign for the future in the vital water field.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. WYATT. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I too want to join my neighbor to the north in complimenting the gentleman in the well for his fine statement.

Mr. DELLENBACK. Mr. Chairman, will the gentleman yield?

Mr. WYATT. I yield to the gentleman.

Mr. DELLENBACK. I want to commend my colleague from the State of Oregon for his thoughtful and able presentation of the reasons why this legislation is desirable.

Those of us from the Pacific Northwest know of the vital importance of water to our entire area.

I join with my colleague in the sentiments he has so ably expressed on this particular measure. I feel it is imperative that the studies which are a portion of the steps contemplated by this measure be undertaken at the earliest possible opportunity and I join with my colleague in urging support of this measure today.

Mr. WYATT. I thank my colleague, the gentleman from Oregon.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. REINECKE].

Mr. REINECKE. Mr. Chairman, the bill that we are speaking on today is something that has been of concern to water engineers for many, many years.

Basically, a part of the problem is that the classical approach to water resources development has been to find new sources and new canyons in which to build dams from which to run pipelines and new pumping plants.

I think we have just about dried up the sources like this just about the same as we have dried up the sources of a great deal of taxation in this country.

Now we are looking for new resources, namely, conservation and a higher degree of utilization of water in this country.

I am firmly convinced that a geat deal of headway can be made if we would simply quit wasting water that we have in the pipelines now.

The simple fact of metering domestic outlets has proven to be a very dramatic method of conserving water.

Many, many things can be done and what we are trying to do here today is to put together a commission that will look at the water development problem on a systems basis approach.

In other words, let us analyze the problem and let us see what the total resources are—not just the natural stream flow of waters but the resources of water whether it is through desalting, reutilization or whether it is antipollution measures which might make water more available. While we are spending $5 million, if properly spent, we will be paid back through the services rendered by this Commission which will result in a savings of billions of dollars in new development programs.

It is a proven fact that in many States, over 90 percent of the total water is used in agricultural irrigation. The reason we are building vast new supplies is because of urban population increases, not agricultural uses.

From a previous study of the history of work that has been done in conservation of agricultural water uses, we could easily triple the water supply available for the increase in population, while reducing farm costs at the same time.

If this conservation can be applied to the burgeoning population, many of the water development programs could be delayed or eliminated.

I am simply saying, let us define the problem before we determine a vague political answer that may not solve the problem at all.

An analytical systems approach considering all resources is the only satisfactory, sensible approach to solving complex water problems.

I urge all colleagues to support the bill.

Mr. JOHNSON of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington [Mr. FOLEY].

Mr. FOLEY. Mr. Chairman, I shall not speak long. I wish to state my very strong support for the legislation before the Committee today. I believe that the establishment of a National Water Commission will be considered one of the most significant items of legislation which the Committee on Interior and Insular Affairs will report in this Congress. It is my hope that the step that we take today will result in major benefits in the United States in the field of water development, and water quality, and will influence the policy of the Congress in the coming years.

The Commission charge is to provide an objective, nongovernmental assessment of our water needs and resources, and to report to the President and to the Congress on its findings.

I think the legislation has wisely made the Commission a nongovernmental body, so that its persuasiveness and its influence cannot be impeached on the basis of any governmental agency approach or prejudice.

I am sure that the President, in carrying out the mandate of the Congress, will appoint people of outstanding stature to the Commission.

I wish to add a word of recognition and appreciation to the distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL]. Again he has shown his statesmanship in the field of water resources and development; in my judgment this bill represents a major proof of that commitment.

I hope the bill will be adopted overwhelmingly by the Committee and the House.

Mr. Chairman, I yield back the remainder of my time.

Mr. SAYLOR. Mr. Chairman, I yield to the gentleman from California [Mr. HOSMER] 5 minutes.

Mr. HOSMER. Mr. Chairman, at least once annually we unburden ourselves of another piece of legislation to look into water problems once again, and thereby more or less put ourselves in the category of Tom Thumb, who put his thumb into his mouth and pulled out a plum. We have at least a dozen of these various types of water commissions and agencies floating around now on what water is left, and I suppose many think it is a good idea. At least it focuses some kind of scatter-gun attention to our water problems—and that is spelled with an "s" on it because we do not have one water problem; we have an accumulation of many, many water problems of various and diverse types in separate areas of the country. I would hope the Commission would focus on them in some reasonable order of priority. If it does so, it will take up first the Colorado River's water bankruptcy.

Some area can assist in solving the water problems of adjacent neighbors where we have areas of excess water supply bordering areas deficit in water.

I would hope that this particular Commission might be the last of these various structures that have been set up as expensive special-duty operations. For example, this one can hold hearings; it can acquire, furnish, and equip such office space as is necessary; it can employ personnel and hire consultants at a rate not to exceed $100 per day; it can purchase, hire, operate, and maintain passenger motor vehicles, and all that sort of thing.

Setting up a commission maybe 10 or 20 or 30 years ago was the only way to get a job like this done. We did not then have in existence institutions like Stanford Research Institute, the Batelle Institute, the Rand Corporation, or the Hudson Institute, and a host of others, panting to get contracts to do work like this at a fraction of the cost for which we can set up a commission to do it. However, everybody is bent on having this Commission, is bent on reswearing their allegiance to solving water problems, so I guess we are going to have to pass this bill.

But in closing, let me caution that the water problems are many water problems, and that it is time that Congress, when it tackles such problems as these, should look to the matter of contract research rather than the establishment and proliferation of independent study agencies such as this.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding.

In those bygone days to which the gentleman referred, we did not have three million Government employees. One would think already in this Government, in the proliferation of organizations dealing with the subject of water, there would be enough people already aboard the Federal payroll to take care of situations that are contemplated under this bill.

Mr. HOSMER. Mr. Chairman, I believe the gentleman's observation is correct. The Interior Department and its various bureaus, with particular reference to the Bureau of Reclamation, the Corps of Army Engineers, and the Department of Health, Education, and Welfare—which has gotten into the water purity and water supply and augmentation and other types of problems in this business—could do something.

The White House has discovered water recently in the form of a weapon for peace. It got approximately a half million dollars out of Congress to put on a big Water for Peace Conference in Washington, earlier this year. I recall the gentleman from Iowa was not too happy about parting with those funds, although I suppose the party they had and the discussions in the papers probably spread the word—if needed—that we do have water problems around the world.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I had almost forgotten the approximately half-million dollars which evidently were dissipated not too long ago on that International Water Conference. I think we heard less about that than any other conference I can think of in Washington. What tangible benefit came from that expenditure? Does the gentleman have any idea?

Mr. HOSMER. I recall the gentleman did not use the word "dissipate" earlier in connection with the money. He used the word "consume" in the form of representation activities. As a matter of fact, the Congress did cut down considerably on that amount of money, and I take it there were some benefits from the conference but cannot certify their nature or extent.

Mr. SAYLOR. Mr. Chairman, I yield

such time as she may consume to the gentlewoman from Washington [Mrs. May].

Mrs. MAY. Mr. Chairman, I wish to add my congratulations to the members of the Committee on Interior and Insular Affairs and to the able committee chairman, the gentleman from Colorado [Mr. Aspinall], and the able chairman of the Irrigation Subcommittee, the gentleman from California [Mr. Johnson]. The committee in reporting S. 20, as amended, to the House of Representatives for approval today, has taken what I consider to be the most long-range and objective action possible to help assure that our Nation will have the benefit of good planning and wisdom in the future use, preservation, and enhancement of our water resources.

Creation of the National Water Commission is, in my judgment, the most significant step taken by the Committee on Interior and Insular Affairs in this session of the Congress on behalf of the future well-being of our Nation and its citizens. I am proud to have been a cosponsor of this landmark legislation.

The National Water Commission will review comprehensively the national water resource problems and programs. It will review present and anticipated national water resource problems and identify alternative ways of meeting our water requirements.

Mr. Chairman, these are not only commendable objectives, they are necessary. Increasingly, almost every region of the Nation is facing water problems, many of them serious. Taken together, these problems are national in scope. The Commission will be charged with the responsibility of reviewing possible solutions with full attention to the entire range of alternatives and their ultimate consequences.

As is suggested in the legislation, the Commission will give comprehensive consideration to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, inter-basin transfers, and technological advances such as desalting, weather modification, and waste water purification and reuse. The Commission will also consider economic and social consequences of water resource development, including its impact on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people. All of these are worthwhile objectives.

As a Member of Congress from the Pacific Northwest, where water has been the key factor in our development of the past, our sustenance of the present, and our promise of the future, I give this legislation my wholehearted and enthusiastic support.

Mr. HOSMER. Mr. Chairman, will the gentlewoman yield?

Mrs. MAY. I am glad to yield to the gentleman from California.

Mr. HOSMER. As I understand the water problem of the Pacific Northwest, it is basically an excess thereof, at least in the sense that should not about 90 million to 100 million acre-feet of water waste annually from the Columbia River into the ocean, if it were withheld, it would drown most of the people in the Northwest.

In addition, since I mentioned the plight of the drought area, I hope that somehow the gentlewoman may persuade her colleagues, her neighbors in the State, to consider the possibility of rerouting some of that water to the Pacific Southwest.

I might say in that connection, the best I could calculate that could happen would be for the State of Washington and the State of Oregon, and their neighbors in water plentiful areas, to decide what ransom they want to hold that water for. Once that is determined, perhaps we can make a deal.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. SAYLOR. Mr. Chairman, I yield the gentlewoman from Washington 1 additional minute.

Mrs. MAY. I say to the gentleman that of course one of the reasons we wish to adopt the National Water Commission bill is to study the problems the gentleman has brought out in his remarks.

I point out to the gentleman that he uses the word "waste" very loosely. There are different definitions of this. I do not believe we can use the term "waste water" on behalf of an area which is so very dependent on its water for present and future development.

All of us are in agreement, however, that we hope the results of the study made by the National Water Commission will make it possible to come up with equitable, sound and objective solutions, with which both the Pacific Northwest and Pacific Southwest can live, without irreparable harm to either area.

Mr. HOSMER. Perhaps, in lieu of the word "waste," I should have used the expression, "dilution of the Pacific Ocean's salt water."

Mrs. MAY. Perhaps the Commission will come up with a solution as to how to get at the water at the entry to the Pacific Ocean.

Mr. SAYLOR. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. Rhodes].

Mr. RHODES of Arizona. Mr. Chairman, I rise in support of this legislation. I believe it is a constructive piece of legislation. I congratulate the Interior and Insular Affairs Committee and its chairman for bringing it to the floor.

The whole country is interested in water. We are interested in doing something about pollution of water. We are interested in providing more water. We are interested in causing it to rain where we want it to rain instead of somewhere else.

We have problems in the East so far as water supplies are concerned. We have problems in the South. We have always had them in the West.

It seems to me this particular legislation is very important. It is important to my particular part of the country and to the part of the country represented by the distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. Aspinall].

It would certainly be my hope that this Commission, when it begins its deliberations and plans its work, would give very high priority to the augmentation of the water supply of the Colorado River Basin. This basin runs through the most arid portion of the United States, the great Southwest. In studying relative needs I am satisfied that the Commission will come to the inevitable conclusion that this area needs water more than any other.

I would like to address a question to my good friend, the gentleman from Colorado, the chairman of the committee. Would this legislation set up machinery for studying the augmentation of the supply of the Colorado River Basin?

Mr. ASPINALL. Mr. Chairman, if my colleague will yield, the legislation does provide authority to study the augmentation of any water-short area of the Nation, whether it be the Colorado River itself or whether it might be over on the other side of the Continental Divide or anywhere else. If I did not use the word "augmentation" at the time I was speaking and answering the questions of the gentleman from Oklahoma [Mr. Edmondson], I should have included it along with channelization, dualization, transmountain diversion and such matters that have to do with the wise use of water.

Mr. RHODES of Arizona. I am sure the gentleman from Colorado shares my hope that one of the first orders of business of this Commission will be to study the augmentation of the water supply of the Colorado River.

Mr. ASPINALL. I assure the gentleman from Arizona that I do.

Mr. JOHNSON of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. JOHNSON of California. Mr. Chairman, the distinguished chairman of the Interior and Insular Affairs Committee has discussed the need for this legislation and indicated what we hope will be accomplished by the establishment of a National Water Commission to review water resource problems and programs. I shall discuss the provisions of S. 20 in a little more detail.

The composition of the Commission is covered in section 2 of the legislation.

The Commission will be composed of seven members appointed by the President from outside the Federal Government.

The statement of the President at the time he recommended this legislation and testimony given by Federal officials during the hearings make it clear that the President intends to appoint outstanding and experienced persons as members of the Commission.

In the President's words:

> This Commission will be composed of the very best minds in the country.

The Chairman of the Commission will be designated by the President from among its members.

Each member of the Commission will receive $100 per day plus travel expenses for those days actually spent on Commission business.

The Commission will have an Executive Director who will be appointed by the Chairman with the approval of the Commission.

The duties of the Commission are set out in section 3 of S. 20.

Among its specific duties the Commission will make projections of water requirements in various areas of the Nation and identify alternative ways of meeting these requirements.

It will have to give consideration to conservation and more efficient use of existing supplies and to increase usability of our available supplies by reduction of pollution.

It must also give consideration to such controversial problems as the highest economic use of water and to interbasin transfers.

As a further means of helping to meet the Nation's ever-expanding water needs, the Commission must give consideration to technological advances in the water field such as desalting, weather modification, and waste water purification and reuse.

The Commission also must consider the economic and social consequences of water development including the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values.

In addition to the specific duties set out in the legislation, the Commission must advise the President and the Water Resources Council on any specific matters they may refer to it.

Section 4 of the legislation deals with the powers of the Commission.

The Commission is authorized to hire a staff and consultants, acquire office space and motor vehicles, and use the U.S. mails in the same manner as other Federal agencies.

It is authorized to contract for studies and surveys with public and private organizations and to transfer funds to Federal agencies and to river basin commissions to carry out any aspects of its work.

The Commission may hold hearings and receive evidence as it may deem appropriate in carrying out its responsibilities.

Pursuant to the provisions of section 5, the Chairman of the Commission will exercise the executive and administrative powers of the Commission and delegate such authority as he considers appropriate to the Executive Director or to other personnel of the Commission.

The relationship between the Commission and other Federal agencies is covered in section 6.

As Chairman ASPINALL has already pointed out, the Commission must work closely with the Water Resources Council and the river basin commissions established pursuant to the Water Resources Planning Act and with other Federal agencies and States.

The Commission will not compete with Federal water resource agencies.

Instead, it will rely upon existing Federal agencies for information and assistance in carrying out its responsibilities.

The Commission is authorized to utilize the services of Federal water resource agencies, and the agencies, in turn, are authorized to furnish to the Commission any information that may be necessary or helpful to it and to detail to temporary duty with the Commission on a reimbursable basis such personnel as the Commission may need in connection with its work.

The General Services Administration will provide the financial and administrative services which the Commission may require.

This administrative support will be accomplished by a transfer of funds.

Section 7 of the legislation authorizes the appropriation of $5 million to carry out the purposes of this legislation.

The committee adopted several amendments to the bill as it passed the other body.

We deleted the requirement for Senate confirmation of Commission members and added language prohibiting the appointment of retired Federal officers and employees.

These changes carry out the committee's view that the Commission should be a highly technical, non-Federal group with broad experience in the water field.

The committee also adopted an amendment requiring the Commission's reports to be submitted to the Congress at the same time they are submitted to the President in order that the Congress and its committees may be kept up-to-date on the Commission's work and activities.

The one other significant amendment of the committee limits the amount authorized to be appropriated for the Commission's work to $3 million over the 5-year period.

This estimate of fund needs was furnished the committee by the Bureau of the Budget.

Mr. Chairman, I believe the committee's amendments strengthen and improve the legislation and I urge that S.20, as amended, be approved.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the distinguished gentleman from Texas.

Mr. MAHON. Mr. Chairman, I wish to commend the Committee on Interior and Insular Affairs, the chairman of the committee, the gentleman from Colorado, and the gentleman from California upon trying to do something to further the interests of this country with respect to water. The needs are great and the problem is nationwide in scope.

Mr. Chairman, as a Representative in Congress of a portion of the High Plains of Texas, and a portion of the Rolling Plains, an area where we have very important water problems confronting us, I cannot let this opportunity pass without expressing an interest in this study and expressing the hope that the Commission appointed as a result of the adoption of this legislation will go into this entire problem in depth and undertake to come forth with information and recommendations which will be acceptable to the Congress of the United States and the country as a whole in meeting some of the great requirements of the Nation in the field of water resources.

Of course, my main interest is in my own area, but as a citizen and as a Member of Congress I feel that it is up to the Congress and the executive branch to do everything we can to meet the water requirements of the Nation. We are confronted with a definite threat to the growth and development of many areas of our country.

Mr. Chairman, I thank the gentleman for yielding.

I would also like to ask the gentleman if the committee was unanimous in its support of the pending legislation?

Mr. JOHNSON of California. Yes, I do believe we were in unanimous support when the bill finally came from the full committee.

Mr. MAHON. And the committee is not, in sponsoring this legislation, endorsing or refusing to endorse any special project. This is to be an overall study which, as I understand from page 7 of the report, is not intended to represent a congressional commitment on any specific plan.

Mr. JOHNSON of California. The gentleman is correct. The understanding of the committee on the legislation is that it calls for an overall study by a very independent commission appointed by the President.

Mr. MAHON. I thank the gentleman for yielding.

Mr. JOHNSON of California. I thank the gentleman from Texas for his concern in this legislation, and I thoroughly agree with him that it is very badly needed.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I have only asked the gentleman to yield because of the point raised by the distinguished chairman of the Committee on Appropriations, and a matter I am likewise interested in, being a member of the Committee on Public Works, and that is what power, if any, is given to this National Planning Commission?

I too recognize the needed water study and programing on a nationwide basis, but what I am concerned in is the manner in which the commission might use its power over sub-paragraph 3 of section 3 on line 22 at page 3 of the bill, which says:

> Advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council.

As I understand the answer the gentleman in the well gave to the chairman of the Committee on Appropriations, it is not the intention, nor does this legislation give this commission the power to review specific authorized projects or projects that are under consideration for authorization to be sent to the appropriate committees of the Congress such as the Committee on Public Works and the Committee on Interior and Insular Affairs.

Mr. JOHNSON of California. The gentleman is absolutely correct. The chairman of the committee made that quite clear when he was in the well of the House during his colloquy with Congressman EDMONDSON of Oklahoma.

Mr. CRAMER. If the gentleman will

yield further, for one additional question on the same point, do I understand, then, that the concept of this National Water Resources Planning Commission is that they are to study nationwide water problems and submit recommendations to the Congress, and perhaps interim reports as provided on page 4, recommendations which Congress then shall act upon or not act upon as it sees fit, and that the parties designated to the commission will not have the power to review existing projects already authorized or those being considered for authorization?

Mr. JOHNSON of California. That is correct, as I understand it. The legislation calls for the commission, when they make their interim reports or their final report to the President, at the same time to make them also to the Congress so that the Congress will be fully advised as to what the commission has recommended in its interim reports to the President or in its final report.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the chairman of the committee.

Mr. ASPINALL. Mr. Chairman, I want it definitely understood that this commission will not recommend to the Congress. The commission will recommend to the President in its interim and final reports. The only recommendations that will come to the Congress will be those the executive department itself, through the President, makes.

On the other hand, if the Members of Congress wish to take the report and draft their own legislation in order to implement any recommendations of the commission, then that is their authority, of course, and their responsibility.

Mr. CRAMER. Mr. Chairman, will the gentleman yield further?

Mr. JOHNSON of California. I yield to the gentleman.

Mr. CRAMER. I just want to make sure that the record is clear that this is a nationwide water resources commission study and that it will not be another layer on top of other existing agencies that we have to approve either presently authorized or in process of being considered, that is the specific projects, but rather nationwide and that Congress, based upon what the President recommends, will later have the opportunity to make the final decision as to what the policy should be.

Mr. JOHNSON of California. I fully agree with the gentleman and am glad that he supports the legislation.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Would the gentleman tell me what the responsibility of the water resources council is?

Mr. JOHNSON of California. The water resources council has a great responsibility. I see the chairman of the full committee on the floor who handled that legislation and I will refer your question to the gentleman, and I yield to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, this operation is in the executive departments where all of the water resources activities are to be coordinated. The heads of Federal water resource agencies—which have control over the water resources development problems and programs—are brought together for coordination.

Mr. WAGGONNER. Does the gentleman see any overlapping responsibility of the present water resources council and the national water commission which this legislation creates?

Mr. ASPINALL. Mr. Chairman, will the gentleman from California yield?

Mr. JOHNSON of California. I yield to the gentleman.

Mr. ASPINALL. I was much concerned about this. The gentleman will find the colloquy that was had between the Secretary of Interior and his staff and myself on pages 264, 265, and part of page 266. May I add also that the gentleman from Pennsylvania [Mr. SAYLOR] was also concerned. We look at this operation as an operation by the executive department itself. Representatives of the Federal departments concerned said that they would coordinate and cooperate with the existing agencies having charge of water resource activities. If there is any duplication, then I will be much disappointed. There is a possibility that it could work out that way, but we are doing our best so that it will not. This is the executive department's approach to the water resources problem of the Nation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAYLOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. GROSS. Mr. Chairman, will the gentleman yield for one question with reference to the colloquy that has just taken place?

Mr. SAYLOR. I would ask the gentleman from Iowa to withhold his question until I complete my statement because it follows very closely the questions that have been raised by our colleague, the gentleman from Louisiana.

Mr. Chairman, I rise in support of this bill for a comprehensive review of the national water resources problems programs and for other purposes.

My support of this legislation is not without some misgivings. However, I support this legislation with the hope that if it is enacted, it will bring about a comprehensive review of the problems, programs, and management of the Nation's waterway resources.

The bill proposes the establishment of a seven-man Commission appointed by the President to conduct a comprehensive review of this Nation's water policy in the light of broad national interest and its interrelated problems.

I think it is important to note at this point that we have placed a limitation upon whom the President can appoint. It is not to be anybody who is connected with any of the existing agencies at the present time and nobody who is retired from the Corps of Engineers or the Bureau of Reclamation can be appointed as a member of this Commission.

We want this Commission to take a brand new look and I hope to bring some order out of chaos because that is what exists with regard to the water problems of this country at the present time.

Ever since 1904, when President Theodore Roosevelt appointed the first commission to investigate water, there has been confusion confounded with regard to the various agencies of the Federal Government. As each agency becomes more deeply entrenched, both in civil service and in its friends on Capitol Hill and in the jurisdiction of the various committees of Congress, it becomes increasingly difficult to attack these problems on a national basis. Each agency, commission, department, and committee would rather approach every problem on a local and colloquial approach so that they might solve the little problems, but never bring themselves to realize the magnitude of the national water problem, and how their petty local approach might hinder and in fact, hurt our national water problem.

I say this because some time ago I investigated and determined that there were at that time temporary commissions of about 38 in number which were having primary responsibility in the field of water resources. There are a number of other agencies which are involved in water, and as near as I am able to determine, there are probably 50 different branches of the Federal Government involved in water and water investigation.

Mr. Chairman, at this point I would like to insert the list of agencies having to do with water:

[From the Library of Congress Legislative Reference Service, Washington, D.C.]

FEDERAL WATER RESOURCES AGENCIES AND COMMISSIONS

(By Theodore M. Schad, Senior Specialist in Engineering and Public Works and Elizabeth Boswell, Analyst in Conservation and Public Works)

INTRODUCTION

This report is prepared to provide a compilation and a brief description of the purposes and functions of all existing Federal agencies having responsibilities pertaining to water resources and temporary commissions and committees that have made studies of water resources. The report is divided into two parts.

The first part deals with the permanent Federal agencies having responsibilities in the field of water resources. These responsibilities are divided among 27 agencies in eight Cabinet departments, and eight independent agencies. In addition, three agencies operating within the Executive Office of the President exercise responsibilities in the water resources field, for a grand total of 38 agencies which have a specific responsibility on some aspect of Federal water resources activities. A number of other agencies, such as the General Accounting Office, which has the responsibility for auditing the operations of Federal water resources agencies, and therefore has a considerable group of experts having knowledge of Federal water resources activities, and the Department of Justice, responsible for legal work in connection with such activities, have not been included in the compilation, because their responsibilities are dependent on primary activity of other agencies. Likewise, agencies such as the military departments and the agencies of the General Services Administration, which engage in water resources activities such as water supply, pollution control, power generation solely for their own installations, are omitted.

The second part of this report gives a brief rundown and description of the more important temporary committees and commissions which have reviewed various aspects of water resources policy during the 20th century. A great many other committees and commissions have undoubtedly made reports which touch on this field, but only those most generally recognized as having had some impact on the field of water resources are included in the compilation.

The Congress itself, with its many committees having responsibilities for and making studies of various water resources activities, is not included except that several of the temporary committees which had a specific mission to make recommendations involving water resources policy are included in Part II.

PART I. PERMANENT FEDERAL AGENCIES

The Executive Branch of the Government of the United States is organized into 11 departments and a number of independent agencies. The eight departments having responsibilities in one or more areas of water resources activity are Agriculture, Commerce, Defense, Health, Education, and Welfare, Housing and Urban Development, Interior, State, and Treasury. A description of the water-related activities of these departments is included hereinafter.

The three departments not included are Justice, Labor, and Post Office. The Department of Justice has the role of representing the United States in any lawsuits involving water resources matters such as, for example, the *Arizona* v. *California* suit, and other legal matters involved with water resources. The Department of Labor is involved with setting wage rates for contractors on Federal water resource projects and is also interested in water resources from the viewpoint of their effect on economic activity and the creation of jobs. Thus, in the final analysis, only the Post Office Department, among the 11 Cabinet level departments, can be considered to lack responsibilities in the field of water resources.

Activities of agencies of the Executive Office of the President and of eight independent agencies in the water resources field are discussed immediately following the Cabinet departments.

Department of Agriculture

The Department of Agriculture was created by act of Congress approved May 15, 1862 (12 Stat. 387; 5 U.S.C. 511, 514, 516). The major functions of the Department of Agriculture that involve water resources are aid to farmers in planning and installing erosion control and other soil and water conservation measures; water supply and sewerage facilities on farms and in rural communities; flood prevention and control works; and management of that part of the Nation's watersheds that are included in the national forests. Operating responsibilities in these fields are divided among the Agricultural Stabilization and Conservation Service, the Farmer's Home Administration, the Forest Service, and the Soil Conservation Service. Responsibilities of these agencies are described below. In addition, the Department has agencies such as Agricultural Research Service, Economic Research Service, and the Cooperative State Research Service that are engaged in, or provide funds for, research in matters relating to water resources, and the Rural Electrification Administration that has an interest in the development of hydroelectric power to supply its cooperatives. For the purposes of this report, these are not considered as having primary responsibilities in the field of water resources, although they could be listed.

Agricultural Stabilization and Conservation Service

The Agricultural Stabilization and Conservation Service was established June 5, 1961, by the Secretary of Agriculture to replace previous agencies which had similar functions.

The principal water-related activities of the ASCS are financial and technical assistance to individual farmers for installing needed soil, water, woodland, and wildlife conserving practices, through the Agricultural Conservation Program; and disaster relief, through direct assistance to farmers and ranchers whose supplies have been destroyed or whose farmlands have been seriously damaged by widespread flood or drought.

The Agricultural Conservation Program was authorized by the Soil Conservation and Domestic Allotment Act of 1936. Through it, the Government shares costs to farmers and ranchers in establishing permanent protective cover, conservation and disposal of water, temporary protection of soil from wind and water erosion, and emergency conservation measures in designated disaster areas to control damage from floods, hurricanes, and other natural disasters.

Farmers Home Administration

Farmers Home Administration operates under three principal statutes: Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1921), as amended by the Act of October 7, 1965 (79 Stat. 931); title V of the Housing Act of 1949 (42 U.S.C. 1471); and part A, title III of the Economic Opportunity Act of 1964 (42 U.S.C. 2851).

This agency provides credit, technical, and management assistance to rural groups for developing community water supply and sewerage systems, and to local organizations to help finance the non-Federal costs of watershed projects. Authority for the latter loans is contained in the Watershed Protection and Flood Prevention Act of 1954 (16 U.S.C. 1006a).

Forest Service

The act of February 1, 1905, transferred the national forest reserves from the Department of Interior to Agriculture, and the agency which supervises them was officially named by the Agricultural Appropriation Act of 1906 (33 Stat. 861).

In its duties of promoting conservation and best use of the Nation's forest lands, the Service manages watersheds for the regulation of streamflow, reduction of flood danger and soil erosion; and for the protection of sources of water for power, irrigation, navigation, and municipal and industrial supply. Water-based recreation is provided at lakes and reservoirs within the National Forests.

Soil Conservation Service

The Soil Conservation Service was established under authority of the Soil Conservation Act of 1935 (49 Stat. 163; 16 U.S.C. 590a–f). It is responsible for carrying on a national soil and water conservation program in cooperation with landowners and operators and other Federal, State, and local agencies, as well as other specific water resources activities authorized by specific acts of Congress.

The water conservation aspects of the program consist of technical help to locally organized and operated soil conservation districts and to local sponsors of watershed protection projects. SCS has the responsibility for the watershed activities and river basin surveys and investigations of the Department, as well as the Great Plains soil and water conservation programs. Under the Watershed Protection and Flood Prevention Act of 1954 (68 Stat. 666; 16 U.S.C. 1001–1007), local sponsors are given technical and financial help for structural measures for flood prevention, fish and wildlife development, recreation, and agricultural and municipal water supply in watersheds up to 250,000 acres in size. Under an earlier program authorized by the Flood Control Act of 1944, SCS plans and installs flood prevention measures and practices in 11 major watersheds comprising approximately 30 million acres. River basin surveys are undertaken at the request of cooperating State or Federal agencies to serve as the base for coordinated resource development of river basin areas.

SCS also has leadership within the Department of Agriculture for establishing public recreation areas in connection with watershed projects, and makes snow surveys for forecasting water supply in the Western States to provide advice to irrigation farmers and other water users.

Department of Commerce

The Department of Commerce has only one agency having primary responsibilities in the field of water resources. This is the Environmental Science Services Administration. The St. Lawrence Seaway Development Corporation is under the supervision of the Secretary of Commerce, but it is an independent agency. In addition, Commerce has agencies such as Business and Defense Services Administration which provide assistance to industry, including the water and sewerage industries; the Bureau of Public Roads, which has substantial responsibilities to provide technical assistance to States in connection with the drainage facilities of the national highway program; and the Bureau of Standards, which does research in hydraulics. These agencies are not listed herein as water resources agencies, although it must be recognized that the highway drainage program under supervision of the Bureau of Public Roads is one of the largest governmental programs concerned with water control.

Commerce has the unique distinction of having reduced the number of agencies involved in water resources within the last ten years through the combination of the Weather Bureau and the Coast and Geodetic Survey into Environmental Science Services Administration. Discussion of the program of this agency follows.

Environmental Science Services Administration

On July 13, 1965, the merger of the Weather Bureau and the Coast and Geodetic Survey into Environmental Science Services Administration, referred to as ESSA, became effective. In October, the Central Radio Propagation Laboratory became the third element of the new agency.

ESSA's water resource related activities include worldwide weather forecasts, solutions to air and water pollution problems, warnings of floods, storms, and other hazards of nature, research on weather modification and storm re-routing, and hydrometeorological studies for the other Federal water resources agencies.

Department of Defense

The Department of Defense, through the civil functions of the Corps of Engineers, has the oldest and largest of the Federal water resources programs. This goes back to the year 1824, when, the engineers of the United States Army being the only body of engineers within the Federal establishment, they were given responsibility for work on rivers and harbors for navigation. Over the years, responsibilities in the fields of flood control, hydroelectric power, municipal and industrial water supply, recreation, and planning for all functions of water resources development were added by statute. The program has grown substantially in recent years to a level of over $1¼ billion annually. The program is administratively directed by the Secretary of the Army who reports to the President on this program, through the Bureau of the Budget, without involving the Secretary of Defense.

Corps of Engineers: Civil Functions

The civil works function of the Corps of Engineers cover a broad water resource development program including the investigation, design, construction, and operation and maintenance of works for navigation, beach erosion control, flood control, hydroelectric power generation, water supply, water quality control, recreation, fish and wildlife preservation, hurricane protection, and related uses of water resources. The major functions are usually considered as being navigation, flood control, multiple purpose projects including power, and beach erosion control. The work is under the direction of the Chief of Engineers, and is carried out through 10 division offices, and 44 district offices scattered over the 50 States, most of which have parallel functions in the field of military construction. Special boards dealing with rivers and harbors and coastal engineering have been created within the Corps of Engineers to give technical advice, and make recommendations with respect to projects.

Department of Health, Education and Welfare

The Department of Health, Education and Welfare was created by Reorganization Plan No. 1 of 1953. Under provisions of the act approved April 1, 1953 (67 Stat. 18; 5 U.S.C. 623), the Plan became effective on April 11, 1953. Water resources activities of the Department are handled by the Public Health Service.

Public Health Service

Most of the water pollution control activities, which were the principal water resources functions of the Public Health Service, were transferred to the Federal Water Pollution Control Administration in December 1965. The new agency in turn was transferred to the Department of the Interior on May 10, 1966, under Reorganization Plan No. 2 of 1966.

The Public Health Service retains responsibilities given it under Section 301 of the Public Health Service Act (42 U.S.C. 241) in connection with public health aspects of water pollution. These responsibilities include research, investigations, experiments, demonstrations, and studies of water purification, sewage treatment, and pollution of lakes and streams as they affect public health, with particular programs involving radiological health, solid waste disposal, and interstate quarantine.

The Public Health Service also advises other Federal agencies with respect to the health aspects of inclusion of storage for streamflow regulation for water quality control in Federal reservoirs. The Public Health Service is responsible for setting standards for the quality of water utilized in interstate commerce.

Department of Housing and Urban Development

The Department of Housing and Urban Development was created by the act approved August 10, 1965 (79 Stat. 451). The Department is involved in problems relating to the Nation's cities and urban areas and thus is involved in urban water resources problems in the fields of water supply, sewerage, and storm drainage. These functions were carried on primarily by the Community Facilities Administration, which was created as a part of the Housing and Home Finance Agency by authority of the Administrator's Organizational Order 1, dated December 23, 1954. The functions appear to have been divided among two new agencies, under the Assistant Secretary for Metropolitan Development, which are discussed below.

Land and Facilities Development Administration

This agency makes grants to local public bodies and agencies to finance specific projects for basic public water facilities, including works for the storage, treatment, purification and distribution of water; and for basic public sewer facilities, other than treatment plants, in accordance with the provisions of Section 702 of the Housing and Urban Development Act of 1965 (79 Stat. 451). Under Section 1107, loans to private nonprofit corporations to finance such facilities are authorized where there is no existing public body able to construct them.

Office of Planning Standards and Coordination

This agency administers a program of interest-free advances to State and local public agencies for planning public works, including water and sewer facilities, under the provisions of section 702(e) of the Housing Act of 1954 (40 U.S.C. 462).

Department of the Interior

The Department of the Interior, created in 1849, has the widest range of responsibilities in the field of water resources, going from major construction programs for the reclamation of arid lands and multiple purpose river basin development in the West, to a massive program of grants for water pollution abatement all over the Nation, and research into the frontiers of human knowledge in the field of water. The Department's responsibilities are carried on through the activities of 15 separate agencies which will be discussed hereinafter. Supervision over the far-flung activities of these agencies is divided among five assistant secretaries, embracing the fields of Water and Power Development, Fish and Wildlife and Parks, Public Land Management, Mineral Resources, and, most recently, Water Quality. Staff assistance and advice in the field of water is provided by offices of the Department, such as the Resources Program Staff and the Office of the Science Adviser. The Departmental offices are not considered water resources agencies for the purposes of this report.

Office of Water Resources Research

The Office of Water Resources Research administers the program of water resources research and training authorized by the act of July 17, 1964 (78 Stat. 329; 42 U.S.C. 1961). The program promotes and supports research in water and water related resources and activities through water resources research institutes in each of the 50 States and Puerto Rico. The Institutes are connected either with land grant colleges or an equivalent institution, and in general have a mission in water resources similar to that of the agricultural experiment stations in agriculture. Title II of the Act, which was modified and expanded by the Act of April 19, 1966 (80 Stat. 129) provides for grants and contracts for water resources research at other institutions.

Office of Saline Water

The Office of Saline Water was established to carry out the research program authorized by the Act of July 3, 1952, as amended and extended by the Acts of June 29, 1955, September 2, 1958, September 22, 1961, and August 11, 1965, seeking practical and economic means of transforming sea, or other saline, brackish, or minerally charged waters into water suitable for agriculture, industry, and people. The work is carried on primarily through grants and contracts with educational institutions, scientific organizations, industrial or engineering firms, individuals, and other agencies of government, for research and work on technical aspects.

The Saline Water Demonstration Act of September 2, 1958 (72 Stat. 1706; 42 U.S.C. 1958a–g) expanded the program by authorizing five demonstration plants, each using a different desalting method. Under the 1961 Act, the Secretary may ask the Congress to authorize construction of additional demonstration plants whenever he judges a new concept or method justifies it. He is also authorized to work with foreign governments, looking to the advancement of the art of desalting.

United States Fish and Wildlife Service

Created by the Fish and Wildlife Act of 1956 (70 Stat. 1119; 16 U.S.C. 742b), this bureau is responsible for overall policies affecting fish and wildlife. Action programs for fish and wildlife conservation are carried on by two subsidiary agencies, the Bureau of Commercial Fisheries and the Bureau of Sport Fisheries and Wildlife.

Bureau of Commercial Fisheries

This Bureau concerns itself with marine and inland fisheries; biological research on species, the size of fish resources, their decline or increase, and the development and conservation of commercial fishery resources. Since the habitat of fish is water, this bureau is concerned with water quality and water adequacy. It coordinates its activities with State agencies in interstate waters and with Federal agencies on water projects of Federal agencies, and with non-Federal agencies operating under Federal licenses, to insure economic management and conservation of the fishery resources of all the coasts of the United States as well as the Great Lakes and other inland waters.

Bureau of Sport Fisheries and Wildlife

This Bureau works to insure the survival and growth of the Nation's wild birds, mammals, and sport fish for their recreational and economic value. Wetlands, sanctuaries near water, and such other provisions tie the work of this Bureau to water resources activities. In the river planning programs, the Bureau examines the effects on fish and wildlife that could result from Federal water use projects, and from projects of public and private groups operating under Federal license. The Fish and Wildlife Coordination Act, the Federal Power Act, and the Watershed Protection and Flood Prevention Act authorize the Bureau to be in on the planning.

Bureau of Indian Affairs

This agency is responsible for irrigation, drainage, and other water resources activities in connection with Indian Reservations. It plans, constructs, operates, and maintains water resource projects, and provides technical assistance to the Indians, toward the end of making them economically self-sufficient.

Some of its major work, such as the Navajo Indian Irrigation Project, is performed by the Bureau of Reclamation.

Geological Survey

The Geological Survey was established by the act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and its functions were expanded by subsequent authorizations. The early work of the Survey involving water resources included classifying lands available for irrigation, identifying hydroelectric power sites, stream gaging and determining the water supply of the United States, making topographic maps, and doing chemical and physical research involving water.

The Survey determines the source, quantity, quality, distribution, movement, and availability of both surface and ground waters. It investigates floods and droughts, their magnitude, frequency, and relation to climatic and physiographic factors. It studies and reports on such matters as water requirements for industrial, domestic, and agricultural purposes, the physical and chemical quality of water resources, and the relation of water quality and suspended sediment load to various aspects of water resources development. It makes special hydrologic studies of the interrelationships between climate, typography, vegetation, soils, and water supply. It gives scientific and technical assistance in hydrologic fields to other Federal agencies. It coordinates the national water data acquisition work of Federal agencies. The Survey furnishes engineering supervision for certain Federal power permits and licenses.

Bureau of Land Management

The Bureau of Land Management was created on July 16, 1946, through the consolidation of the General Land Office (1812) and the Grazing Service (1934) in accordance with the provisions of sections 402 and 403 of the President's Reorganization Plan of 1946 (5 U.S.C. 133y-16). Its primary function is to administer resources involved in about 800 million acres of Federal lands, of which it has exclusive jurisdiction over 477 million acres. The primary aspects of the Bureau's activities which touch on water are in connection with fish and wildlife conservation, use of public lands for hydroelectric power purposes, outdoor recreation, watershed protection and management, and wilderness protection.

The watershed management program is involved with the conservation, development, and use of water in preserving and protecting soil and water resources. It combines land treatment with regulation of surface water runoff to control erosion and to stabilize soil.

The recreation and wildlife responsibilities include maintenance of recreation facilities, water runoff to control erosion and to stabilize soil.

Hydroelectric power responsibilities are exercised through the Federal Power Commission under the Federal Power Act.

National Park Service

The National Park Service was established by the act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1). There have been subsequent acts, executive orders, and proclamations that have added to the National Park System and therefore have expanded the work of the National Park Service.

The Service has the primary duty of preserving the scenery and natural and historic objects and wildlife of national parks, monuments, and similar reservations. In providing areas for public enjoyment and to protect the resources of areas under its jurisdiction, the National Park Service is concerned with preventing stream pollution and other manmade detractions from the beauty of these areas.

Bureau of Outdoor Recreation

The Bureau was created to promote coordination and development of programs for outdoor recreation (Act of May 28, 1963, 16 U.S.C. 4601). The Bureau reports to the Assistant Secretary—Public Land Management and does the work prescribed in the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 4601-4). The latter Act provides for a program of financial assistance grants to States for planning, acquiring, and developing outdoor recreation facilities. Water-based recreational sites are an important part of this program.

Bureau of Reclamation

The Reclamation Act of 1902 (32 Stat. 388; 43 U.S.C. 371 et seq.) authorized the Secretary of the Interior to locate, construct, operate, and maintain works for the storage, diversion, and development of waters for the reclamation of arid and semiarid lands in the Western States. In June 1923, the Secretary created the position of Commissioner of Reclamation and established the Bureau of Reclamation to carry out his functions under this Act.

The water resource related functions of the Bureau, carried on with other Interior Department bureaus and other Federal agencies, States, and local groups, include transforming arid an semiarid lands into productive farms through irrigation; providing supplemental water for lands already irrigated; developing and administering repayment arrangements with water users; transmitting and selling or exchanging electric power generated at Bureau projects and certain other reservoir projects not under the Bureau's control; reducing flood runoff; producing maximum economical production of hydroelectric power and energy consistent with established priorities governing the impoundment and release of water for other purposes; regulating rivers; improving navigation; providing water for municipal, domestic, and industrial use on a repayment basis; conserving fish and wildlife; abating sedimentation, salination, and pollution of streams and other water courses; and providing new or improved recreational facilities.

Bonneville Power Administration

Bonneville Power Administration was created pursuant to the act of August 20, 1937 (50 Stat. 731, as amended; 16 U.S.C. 832 et seq.) to market power produced at Federal hydroelectric powerplants in the Pacific Northwest. Its regionwide interconnecting transmission system is being extended as far as southern California by means of the high-voltage Pacific Northwest-Southwest intertie. The generating projects themselves are constructed and operated either by the Corps of Engineers of the Bureau of Reclamation, but BPA operates the dispatching center which divides the load among the several plants, thus having a direct role in the operation of the system.

Southwestern Power Administration

The Southwestern Power Administration was created by the Secretary of the Interior in 1943, to carry out the Secretary's responsibility for the sale and disposition of electric energy generated at hydroelectric powerplants operated by the Federal government in the southwestern States of Arkansas, Missouri, Oklahoma, and Texas. These functions are assigned to the Secretary by the Flood Control Act of 1944 (58 Stat. 890; 16 U.S.C. 825s).

Because of its involvement with hydroelectric power, SWPA participates with other Federal and non-Federal agencies in the comprehensive planning of water resources developments in the southwest; and in scheduling of operation of the plants from which it markets power.

Southeastern Power Administration

The Southeastern Power Administration was created by the Secretary of the Interior in 1950 to handle transmission and disposition of electric power from Federal hydroelectric powerplants in the southeastern States, under the same provisions of the 1944 Flood Control Act which apply to Southwestern Power Administration. SEPA's operations are confined to the States of West Virginia, Virginia, North and South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, and Kentucky. Its water resources activities involve planning for comprehensive development of water resources and operation of Federal hydroplants.

Federal Water Pollution Control Administration

This agency was created by the Water Quality Act of 1965 (Public Law 89-234) approved October 2, 1965, to administer the Federal Water Pollution Control Act (33 U.S.C. 466), formerly handled by the Public Health Service. The agency was transferred to the Department of the Interior by Reorganization Plan No. 2 of 1966, effective May 10, 1966.

Under the Federal Water Pollution Control Act the Federal government makes grants to State and interstate agencies to help meet costs of establishing and maintaining measures for the prevention and control of water pollution; to public agencies and institutions and also to private agencies, institutions, and individuals on the basis of specific applications for research and training, investigations, and demonstrations in the field of water pollution control; to States or municipalities for development of projects to demonstrate new or improved methods of controlling the pollution from storm sewers or combined storm and sanitary sewers; and to States or municipalities of up to 30 percent of the cost of constructing sewage treatment plants, with a limitation of $1,200,000 for any one municipality, or $4,800,000 for projects serving four or more municipalities.

The Act also provides for enforcement measures to reduce pollution of interstate or navigable waters, including establishment of quality standards, conferences, and recommendations to State water pollution control agencies for remedial action to reduce or prevent pollution of interstate or navigable waters. Where action does not follow, the Secretary may request the United States Attorney General to institute lawsuits.

The Act also establishes a Water Pollution Control Advisory Board, with members appointed by the President from outside the Federal government.

Department of State

The Department of State becomes involved in water resources because of the boundary waters of the United States. As a result of the treaty of 1909 with Great Britain, and various treaties with Mexico dating back to 1889, the International Joint Commission and the International Boundary and Water Commission, respectively, have been created to deal with water resource problems on our northern and southern boundaries.

International Boundary and Water Commission—United States and Mexico

The United States section of the International Boundary and Water Commission is the Federal agency created to carry out the responsibilities of the United States under the treaties of March 1, 1889, and subsequent treaties of 1905, 1933, and 1944. The United States Section also operates under certain congressional acts of 1935, 1936, and 1950.

Principal water related activities of the Commission deal with construction, operation and maintenance of the diversion dams, storage reservoirs, hydroelectric plants, and flood control works along the Rio Grande where it forms the boundary between the United States and Mexico, and flood control works along the lower Colorado River in the vicinity of the international boundary. Among other major projects, the International Boundary and Water Commission operates and maintains the Falcon and Amistad dams, reservoirs and power plants, the Lower Rio Grande Flood Control Project, and the Rio Grande Rectification and Canalization Project in the vicinity of El Paso, Texas. Other responsibilities relating to water are involved wherever other streams cross the boundary between the United States and Mexico, and at certain border communities. In such cases, the Commission may become involved in a wider range of activities relating to water, including pollution abatement and water supply.

International Joint Commission—United States and Canada

The International Joint Commission was organized in 1911, pursuant to the treaty of January 11, 1909, between the United States and Great Britain. The purpose of the Commission is to prevent disputes regarding the use of boundary waters, and settle questions that arise between the United States and Canada involving rights, obligations, or interests of either, in waters along the boundary. The Commission has jurisdiction over all cases involving use, obstruction or diversion of boundary waters between the United States and Canada and also waters flowing from boundary waters and waters at a lower level than the boundary in rivers flowing across the boundary. Approval of the Commission is required for the construction and maintenance of any works that change the natural level of boundary waters.

The International Joint Commission is not an action agency, but operates through making reports and recommendations to the two governments dealing with such international water resource problems as the Niagara Falls beautification, Passamaquoddy tidal power project, pollution of the Great Lakes, and control of water levels of the Great Lakes.

Treasury Department

The Treasury Department becomes involved in water resources through its supervision of the United States Coast Guard.

United States Coast Guard

The United States Coast Guard is a semimilitary agency which becomes involved in water resources development through its responsibility for provision of aids to navigation in inland and coastal waterways. Thus, all reports of the Corps of Engineers recommending improvement of navigation facilities are required to include a section dealing with aids to navigation based on studies by the Coast Guard, and the Coast Guard generally constructs, operates, and maintains such aids to navigation.

Executive Office of the President

Several agencies of the Executive Office of the President become involved in water resources through carrying out the President's responsibilities for supervision and control of all Federal activities in this field. The three agencies which appear to have primary responsibilities in water resources are the Bureau of the Budget, the Office of Science and Technology, and the Office of Emergency Planning. The water functions of these agencies are described hereinafter. In addition, such agencies as the Council of Economic Advisors and the White House office become involved in matters relating to water, but are not considered as water resources agencies for the purpose of this report.

Bureau of the Budget

In addition to the budgetary and legislative responsibilities which have been assigned to the Bureau of the Budget, this agency has been charged under Executive Order 9384 with reviewing all projects proposing construction, operation, or maintenance of water resources facilities. Under this order, the comments of the Bureau of the Budget are required to be obtained prior to the transmittal to Congress of any report proposing Federal participation in such activities. The project review function is handled in the Resources and Civil Works Division of the Bureau of the Budget.

Office of Science and Technology

This agency serves as staff for the President's Science Advisor, the President's Science Advisory Committee and the Federal Council for Sciences and Technology. The latter organization was established by Executive Order 10807, dated March 13, 1959, to promote closer cooperation among Federal agencies in matters relating to science and technology. It consists of representatives of the Federal departments and agencies concerned with these fields, and has assumed responsibility in the field of water resources through the establishment of inter-agency committees such as the Committee on Water Resources Research, and the Committee on Atmospheric Sciences. In providing a chairman and staff for such committees, the Office of Science and Technology is considered to be a water resources agency for the purpose of this report.

Office of Emergency Planning

This office is charged with the responsibility of planning for the overall management of resources, including water, in periods of emergency, and, also, with laws relating to Federal assistance in natural disasters, including flood emergencies. The agency works to coordinate the activities of other agencies which carry out the actual field work. In the case of flood emergencies, this is handled primarily by the Corps of Engineers.

Independent agencies

Appalachian Regional Commission

Established by Appalachian Regional Development Act of 1966 (79 Stat. 5; 40 U.S.C. App. 1) to develop plans for and coordinate comprehensive programs for regional economic development authorized by the act.

Among the development programs authorized are those for erosion control measures, reclamation of land and water damaged by strip mining, operation of a comprehensive water resources survey, construction of sewage treatment facilities. The comprehensive water resources survey is being accomplished through the Corps of Engineers.

Atomic Energy Commission

The AEC was established by the Atomic Energy Act of 1946 (60 Stat. 755) as amended by the Atomic Energy Act of 1954, as amended (68 Stat. 919; 42 U.S.C. 2011 et seq.).

The principal purpose of the Atomic Energy Commission is to provide under national policy for the development, use, and control of atomic energy. Its primary responsibilities involving water relate to the control of radioactive emissions in such a way as to prevent danger to public health, and, in recent years, investigations and research looking to construction of combined desalting and power generation plants.

Delaware River Basin Commission

Created by a Federal-Interstate Compact among the U.S. Government and the States of Pennsylvania, New Jersey, New York, and Delaware, consented to by Act of September 27, 1961 (75 Stat. 688), the Delaware River Basin Commission is a Federal-State agency, chaired by the Secretary of the Interior.

Commission is responsible for development and approval of a comprehensive plan and for programming, scheduling, and controlling projects and activities, within the Delaware River Basin, which will provide effective flood damage reduction; conservation and development of ground and surface water supplies for municipal, industrial, and agricultural uses; development of recreational facilities in relation to reservoirs, lakes, and streams; propagation of fish and game; promotion of related forestry, soil conservation, and watershed projects; protection and aid to fisheries dependent upon water resources; development of hydroelectric power potentialities; improved navigation; control of movement of salt water; abatement and control of stream pollution; and regulation of stream flows to attain these goals.

Federal Power Commission

An independent agency created by the Federal Water Power Act of June 10, 1920 (41 Stat. 1063; 16 U.S.C. 791–823) to investigate water and power development of the rivers of the United States and to issue licenses for non-Federal development thereof. Additional responsibilities have been assigned under other legislation and by Executive Order.

The FPC regulates the issuance of licenses for construction and operation of non-Federal hydroelectric power projects on public lands or on navigable waters of the United States. The Commission studies plans for proposed dams to be constructed by the Department of the Army, the Department of the Interior, or other Federal agencies, and makes recommendations concerning the installation of facilities for the development of hydroelectric power. It determines and assesses headwater benefit charges against the owner of any non-Federal water power project directly benefited by upstream improvements constructed by the United States, its licensees or permittees.

National Science Foundation

Created by the National Science Foundation Act of 1950 (64 Stat. 149; 42 U.S.C. 1861–1879), the fundamental purpose of the NSF is to strengthen basic research and education in the sciences in the United States. Among the Foundation's activities involving water are the program of research and development in weather modification, grants and contracts to universities and other nonprofit organizations to support the construction of laboratories or specialized facilities in water science, and grants for research into water related sciences. It supports the National Center for Atmospheric Research, and provides fellowships and traineeships to graduate students in engineering, including sanitary and hydrologic engineering.

Saint Lawrence Seaway Development Corporation

The Seaway Corporation is an independent agency under supervision of the Department of Commerce. It is authorized to construct, maintain, and operate in U.S. territory deep water navigation works in the International Rapids section as well as necessary dredging in the Thousand Islands section of the Saint Lawrence River.

It was established by the Act of May 13, 1954 (68 Stat. 92; 33 U.S.C. 981) and works in close coordination with the St. Lawrence Seaway Authority of Canada in maintaining and operating the St. Lawrence Seaway. Its activities are coordinated with the Hydro-electric Power Commission of Ontario, and the Power Authority of the State of New York, which have constructed and operate power facilities in connection with development of the St. Lawrence.

Tennessee Valley Authority

The TVA is a corporation created by the Act of May 18, 1933 (48 Stat. 58; 16 U.S.C. 831–831dd). The statute provides for the development of the Tennessee River and its tributaries for navigation, flood control, and the generation and disposition of hydroelectric power.

Water Resources Council

Title I of the Water Resources Planning Act of 1965 (Public Law 89–80 July 22, 1965) established the Water Resources Council as a cabinet-level agency, composed of the Secretaries of Agriculture, Army, Health, Education, and Welfare, and Interior and the chairman of the Federal Power Commission. The Council has primary responsibilities for continuing studies and periodic assessments of the adequacy of water supplies in the United States, for maintaining a continuing study of the relation of regional or river basin plans to the requirements of larger regions of the Nation, for appraising adequacy of Federal programs, and for making recommendations to the President with respect to Federal policies and programs.

The Council is to establish principles, standards, and procedures for Federal participation in the preparation of comprehensive regional or river basin plans, and for the formulation and evaluation of Federal water and related land resource projects.

PART II. TEMPORARY COMMITTEES AND COMMISSIONS

Federal involvement in the field of water resources has been a subject of controversy for more than a hundred and fifty years, and for at least that long has been the object of study by numerous special commissions and committees created for that sole purpose. Numerous other commissions and committees created for the purpose of fostering efficiency in government have seized on water resources as a fruitful field for improvement of governmental policies and procedures. This section lists and describes briefly 25 of the more important of these groups, starting with those created during the conservation movement which flowered during the first decade of the twentieth century.

Coverage is limited to bodies created by Presidential or congressional action to function during a limited period of time. Thus, standing committees of Congress, and coordinating committees such as the Federal Interagency Committee on Water Resources, and the continuing field Inter-Agency River Basin Committees are omitted, even though many of these groups have made important studies in the field of water resources.

More complete information on the committees and commissions through 1959 is contained in Committee Print No. 2, Senate Select Committee on National Water Resources, October 1959, which summarizes the circumstances surrounding the various bodies and their recommendations in a 46-page document.

Inland Waterways Commission

This Commission was appointed by President Theodore Roosevelt on March 14, 1907, to look into and prepare a report on a comprehensive plan for the improvement and control of the river systems of the United States. The Committee, which consisted of two members of the House of Representatives, two Senators, and five experts from agencies of the Federal government involved with water resources, made reports on subjects including navigable waters and canals of the United States, commerce among the States, industrial water supplies, hydro-electric power, relation of water conservation to flood prevention and navigation, the general relation between forests and streams, and other subjects involved with comprehensive water resource development.

These reports and the recommendations of the Committee were issued on February 3, 1908, and published as Senate Document 325, 60th Congress, 1st Session.

National Conservation Commission

The National Conservation Commission consisted of four groups of 12 experts each in the fields of water, forests, lands, and minerals, appointed by President Roosevelt to make an inventory of the natural resources of the United States in cooperation with the Executive departments of the government, State officers, and national organizations. The Commission operated under authority of Executive Order No. 809, dated June 8, 1908, and its nine-man executive committee was under the chairmanship of Gifford Pinchot, who was then Secretary of the Interior.

The three-volume report of the National Conservation Commission was completed on January 22, 1909, and printed as Senate Document 676, 60th Congress, 2d Session. It advocated a vigorous policy of conservation and gave added recognition to the interrelationship of the various uses of water.

National Waterways Commission

The National Waterways Commission was established by the River and Harbor Act of March 3, 1909 (25 Stat. 815). It consisted of five Senators and seven members of the House of Representatives, and was assigned the duty of investigating questions pertaining to water transportation and the improvement of waterways, and making recommendations to Congress thereon.

The preliminary report of the Commission was submitted in January 1910, and the final report in 1912. The two reports were published as Senate Document 469, 62nd Congress, 2d Session. The recommendations covered numerous specific navigation proposals as well as general recommendations dealing with control of public terminals, the practicability of flood control reservoirs, the influence of forests upon navigability of streams, and the need for legislation for the development and control of water power.

Waterways Commission

The Rivers and Harbors Act of August 8, 1917 (40 Stat. 250), created a Waterways Commission to consist of seven members to be appointed by the President of the United States, at least one of which was to be chosen from the Engineer Corps of the Army, one to be an expert hydraulic engineer from civil life, and the remaining five to be either from civil life or the public service.

The purpose of the Commission was to bring into coordination and cooperation the engineering, scientific, and constructive services, bureaus, boards, and commissions of the several governmental departments of the United States, and commissions created by Congress that related to study, development or control of waterways and water resources, and subjects related thereto.

Senator Newlands, principal proponent of the Waterways Commission, died shortly after the legislation to create it was enacted, and the members of the Commission were never appointed by the President. The language creating the Commission was expressly repealed in the Federal Water Power Act of 1920.

Joint Committee on Reorganization of the Executive Departments

This Committee was created under a joint resolution adopted December 17, 1920 (S.J. Res. 191, 66th Congress), and amended by a joint resolution approved May 5, 1921 (S.J. Res. 282, 67th Congress). The Committee consisted of two Senators and two members of the House of Representatives and one representative of the President.

The Joint Committee considered recommendations made by President Harding, and made recommendations for reorganization of the Government, including reorganization of the Executive departments dealing with water resources. The recommendations are printed as House Document 356, 68th Congress, 1st Session.

President's Committee on Water Flow

President Franklin D. Roosevelt's Committee on Water Flow consisted of the Secretaries of the Interior, War, Agriculture, and Labor, who were requested by the President to report on a comprehensive plan for the improvement and development of the rivers of the United States, with a view to giving Congress information to provide guidance for legislation which would provide for the maximum amount of flood control, navigation, irrigation, and development of hydro-electric power. The report was to be made in response to resolutions adopted February 2, 1934, by the Senate and the House of Representatives (Senate Resolution 164 and House Resolution 248, 73d Congress, 2d Session).

The report of this Committee was made on June 4, 1934, and issued as House Document 395, 73d Congress, 2d Session. The Committee selected 10 drainage basins for projects for further development of comprehensive plans, and recommended that it be allowed to continue to function in order to develop more specific plans.

Mississippi Valley Committee of the Public Works Administration

This Committee was created to make a plan for the use and control of water within the Mississippi River drainage basin. The Committee consisted of two members from the Corps of Engineers, including the Chief of Engineers, and seven experts in various fields of resource conservation.

The Committee made its report on October 1, 1934, with specific recommendations on the various river basins in the Mississippi Valley, and called for consideration of the interrelated interests of the entire Mississippi River system.

National Resources Board—Water Planning Committee

The National Resources Board was created on June 30, 1934, by Executive Order No. 6777. It consisted of five of the Cabinet Secretaries, the Federal Emergency Relief Administrator, and three other members from outside the Government. The Water Planning Committee consisted of eight experts in this field, with the assistance of an executive engineer and a secretary.

The National Resources Board's report dealing with water resources was submitted to the President on December 1, 1934, and proposed the establishment of a permanent water planning section to assemble basic data, to proceed rapidly with constructive programs for water resource development, making full use of existing public agencies, and to investigate water pollution in all its phases.

National Resources Committee—Water Resources Committee

The National Resources Committee was organized in June 1935, under Executive Order 7065, which reconstituted the National Resources Board. The Water Resources Committee consisted of 12 water experts, including the heads of various Federal agencies involved with water resources.

The Water Resources Committee made reports on drainage basin development in 1936 and 1937. The recommendations and a summary of the 1936 drainage basin report were included in House Document 140, 75th Congress, 1st session, issued February 3, 1937.

The Water Resources Committee made 10 other reports before it was succeeded by the National Resources Planning Board.

Select Committee To Investigate the Executive Agencies of the Government

Senate Resolution 217 of the 74th Congress, adopted on February 24, 1936, created a Senate Select Committee to investigate the Executive agencies of the Government. Membership of the Committee consisted of five Senators under the chairmanship of Senator Byrd of Virginia.

The Select Committee ordered studies undertaken by the Brookings Institution, looking to the reorganization of the Executive agencies of the Government in a more functional manner. Chapter 6 of the report dealt with Government activities in the field of public works and water resources, and proposed some major changes, including the establishment of a Department of Transportation, and the removal of the water resources functions of the Corps of Engineers from the War Department.

The report of the Brookings Institution was issued as Senate Report No. 1275 of the 75th Congress.

President's Committee on Administrative Management

This Committee was created by the President, and it made a report to him on January 8, 1937, which was printed as Senate Document No. 8, 75th Congress, 1st Session. The three-member committee, appointed by the President, with Louis Brownlow as Chairman, made recommendations for sweeping reorganization of the Government, to include 12 major executive departments, including one for conservation and one for public works. This would have involved major reorganization of the water resources activities of the Federal Government.

National Resources Planning Board

This agency was created by Reorganization Plan No. 1, effective July 1, 1939, under a resolution of approval dated June 7, 1939, to plan for the development and utilization of the natural resources of the Nation. The Board made numerous reports on various phases of water resources, continuing the work started by the National Resources Board and National Resources Committee in this field. It was abolished by the Act approved June 26, 1943, effective August 31, 1943.

Commission on Reorganization of the Executive Branch of the Government (First Hoover Commission)

The First Hoover Commission was created by the Act of July 7, 1947, to make recommendations to Congress looking to the promotion of economy, efficiency, and improvement of service in the transaction of the public business in the Executive Branch of the Government. The Hoover Commission had task forces on natural resources, water resource projects, and public works, each of which made reports involving water resources.

Numerous recommendations involving water resources activities of the Federal Government were included in the final recommendations of the Commission on the Department of the Interior, published as House Document 122, 81st Congress, 1st Session, March 17, 1949.

President's Water Resources Policy Commission

President Truman created a Water Resources Policy Commission on January 3, 1950, under the terms of Executive Order 10,095. The Commission consisted of seven members from private life, under the chairmanship of Morris L. Cooke, a consulting engineer.

The report of the Cooke Commission, issued in December 1950, contained more than a hundred recommendations for the improvement of national water resources policies. Two additional volumes issued by the Commission covered plans for development of water resources of ten rivers and a review of water resources law.

President's Materials Policy Commission

President Truman created a Materials Policy Commission, chaired by William S. Paley, on January 22, 1951, to study the broader and longer range aspects of the Nation's materials problems.

The five-member Commission submitted a report on June 2, 1952, which included consideration of water resources as a material needed for industry.

Arkansas-White and Red Basins Inter-Agency Committee

This Committee was created by President Truman to make the study of the water resources of these river basins authorized by the Flood Control Act of 1950. The Committee included members from the Federal departments involved in water resources, and representatives of the States of the basin, under chairmanship of the Department of the Army.

The Committee's report, published as Senate Document No. 13, of the 85th Congress, 1st Session, January 30, 1957, laid out a framework plan for development of the water resources of the basin. Following completion of this report, the Committee was disbanded, but another committee having the same name was subsequently established.

New England-New York Interagency Committee

This Committee likewise was created by President Truman to conduct a study authorized in the Flood Control Act of 1950. Its membership was similar to that of the Arkansas White-Red Basins Committee.

The report of the Committee was published as Senate Document No. 14, 85th Congress, 1st Session, January 30, 1967, following which the Committee was disbanded.

Subcommittee To Study Civil Works, House of Representatives, 82d Congress

This Subcommittee, usually referred to as the Jones Committee after its chairman, Congressman Robert E. Jones of Alabama, was created by resolution adopted by the House Committee on Public Works on August 20, 1951, to study policies, practices, and procedures, in connection with the water resources program of the Corps of Engineers.

The Subcommittee's reports were dated December 5, 1952, and were published as Committee Prints, numbered 21 through 24, of the House Committee on Public Works, 82nd Congress, 2nd Session. The reports contained numerous recommendations for modification of water resources policy.

Missouri Basin Survey Commission

This Commission was created under the terms of Executive Order 10318 on January 3, 1952. It was composed of 11 members appointed by the President, including three Senators and three members of the House of Representatives.

The report of the Commission, entitled "Missouri, Land and Water," was published in January 1953, and included numerous recommendations for improvement of water resources activities in the Missouri Basin as well as for general improvement of water resources policies all over the country.

Commission on Intergovernmental Relations

This Commission, sometimes known as the Kestnbaum Commission, was created by Act of July 10, 1953, to review the relationships between Federal, State, and local levels of government in the United States.

The Commission's report was submitted to Congress in June 1955, including a section on natural resources and conservation which made numerous recommendations for the improvement of policies for dealing with water resources.

Commission on Organization of the Executive Branch of the Government (second Hoover Commission)

The second Hoover Commission was created by Act dated July 10, 1953, with a membership of 12, including two Senators and two members of the House of Representatives. The Commission appointed a task force on water resources and power which made an exhaustive study of water problems and submitted its own three-volume report containing numerous recommendations for changes in water resources policy.

The recommendations of the second Hoover Commission's own report on Water Resources and Power differed from those of the Task Force report in numerous respects. It was published as House Document 208, 84th Congress, 1st Session, June 30, 1955.

Presidential Advisory Committee on Water Resources Policy

President Eisenhower established his own committee on Water Resources Policy by letter dated May 26, 1954. The Committee, sometimes referred to as PACKRAT, consisted of the Secretaries of Agriculture, Defense, and Interior, under the chairmanship of the latter, and with participation from time to time of other government officials.

The Committee's report, transmitted to Congress on January 17, 1956, and published as House Document 315, 84th Congress, contained eight major recommendations for revision of water resources policy.

Texas Basin Study Commission

The United States Study Commission—Texas was created by Public Law 85–843, approved August 28, 1958, to prepare a plan for development of land and water resources in the Neches, Trinity, Brazos, Colorado, Guadalupe, San Antonio, Neuces, and San Jacinto Rivers in Texas. Membership on the Commission consisted of a chairman and representatives, appointed by the President, from each of the river basins and of each of the major Federal agencies involved in water resources development.

The Commission's plan was completed March 31, 1962. The report, in 4 volumes, was published as House Document 494, 87th Congress, 2d Session.

Southeast Basins Study Commission

The United States Study Commission—Southeast River Basin was created by Public Law 85–850, approved August 28, 1958, to prepare a plan for the development of the land and water resources of the southeastern river basins from the Perdido to the Savannah Rivers, inclusive. Membership on the Commission included a chairman from the region, and representatives appointed by the resident from the four States involved and the six major Federal agencies involved in water resources activities in the area.

The Commission's 12-volume report was completed on June 19, 1963, and transmitted to the President. It was published as Senate Document 51, 88th Congress, 1st Session, and contains the plan formulated by the Study Commission.

Senate Select Committee on National Water Resources

This Committee, chaired by the late Senator Robert S. Kerr, was created by Senate Resolution 48 of the 85th Congress, adopted April 20, 1959, to make studies of the extent to which water resources activities are related to the national interest, and of the extent and character of such activities required to provide for future needs of population, agriculture, and industry, as well as to provide for recreational and fish and wildlife values. Seventeen Senators were on the Committee.

The Committee held hearings all over the country and commissioned 32 studies of all aspects of water resources activities, most of which were made by the Federal agencies involved in water resources. On the basis of the information thus assembled, the Select Committee made a report and recommendations for improvements of national water resources policies that would enable the job to be done. The Committee's report is published as Senate Report 29, 87th Congress, 1st Session, January 30, 1961.

Mr. Chairman, something must be done to cut down this overlapping and duplication of programs involving our Nation's water suppliers.

It is for this reason and with the optimism of hope that I support this legislation. I have the feeling that if it does its job, if it is created objectively by the President with men who are eminently qualified and gets into business promptly and acts within the time specified, it will cease to exist within 5 years, having made its recommendations to the President. If it carries out its mandate, order will be brought out of the chaos that exists in the field of water resources.

It is for this reason that I support this legislation, and if the Commission will consider the economic and social consequences of water resource development on regional and economic growth, the institutional arrangements and esthetic values affecting the quality of life in America, then it will have done a good job.

A statement of the Honorable Maurice G. Goddard, secretary of forests and waters of the Commonwealth of Pennsylvania, on the flow of tax dollars for water, illustrating some of the economic and sociological problems interrelated with the water resources development policies of these United States, follows:

THE EAST SPEAKS

(Statement of the Honorable Maurice G. Goddard, Secretary of Forests and Waters, Commonwealth of Pennsylvania, at the American Society of Civil Engineers Denver Water Resources Engineering Conference, Denver, Colo., May 16–20, 1966)

The Eastern water administrator of the past decade can well sympathize with the plight of the high school basketball coach when the opposing team effectively freezes the ball in the closing moments of the championship game, and his team is only a few points behind.

He knows that no amount of complaining to the referee will force the other team to release the ball, and consequently, the only action he can take, however ineffective it might be, is to jump up and down on the bench, rage at both his own team and the opposition, and pray.

That is exactly my position on this panel today.

I am jumping up and down on the bench, raging at both my own team and the opposition, and brother, am I ever praying that we will get our hands on the ball in time to give my team a fighting chance.

The ball I am talking about is, of course, that slice of the tax dollar that the Federal Government spends each year to develop this country's water and related land resources.

For many, many years, we Easterners have contributed the major portion of it, and, in proportion to the size of our contribution, we have received very little in return.

If you doubt this, take a look sometime at a map showing the major dams and reservoirs in the United States, and you will understand what I mean. Eliminate the TVA reservoirs, and see what's left for the rest of the East—virtually nothing!

Seven years ago, Walter B. Langbein of the U.S. Geological Survey[1] pointed out that reservoir storage was greatest in the sparsely populated Colorado River Basin and lowest in the populous Ohio River Basin.

He also noted that only 1% of the total flow of the Ohio River, excluding the Tennessee and Cumberland Rivers, was regulated. With the completion of the Glen Canyon Reservoir, about 58% of the Colorado's flow was regulated. These figures, incidentally, do not include regulation by flood-control reservoirs.

In his conclusions, Mr. Langbein stated that "There is a limit to the amount of storage that can be useful. The Colorado River Basin is an example of a river basin where storage development may be approaching, if not exceeding, the useful limit. The prospect of a shift in emphasis toward water supply for towns and factories sharpens the need for added development of storage in the populated regions of the country."

To which, I say "Amen!"

Now, let's carry our comparison a little further—the State of Colorado has a land area of approximately 104,000 square miles, over twice that of the Commonwealth of Pennsylvania, and a population of about 1,750,000. Allegheny County in Western Pennsylvania has a land area of 730 square miles and almost the same population.

The State of Montana has a land area of over 147,000 square miles, more than three times that of Pennsylvania, and a population of about 700,000. Little Delaware County in Eastern Pennsylvania has a land area of 185 square miles, with a population of almost 600,000.

Just think of it—two little Pennsylvania counties virtually matching two largest Western states in population on .4 to 1% of the land area.

Per capita income in Allegheny County is roughly equal to per capita income in Colorado, and they have almost the same population. Montana has about 100,000 more people than Delaware County but per capita income in Delaware County is approximately $900 higher.

What does this mean in terms of the tax dollar? Simply this—the citizens of two of Pennsylvania's sixty-seven counties are contributing just about the same amount as the citizens of Colorado and Montana with little or no return insofar as Federal expenditures for water development are concerned.

The people of Pennsylvania contributed some 7.6 billion dollars in taxes to the Federal treasury last year. Add the contributions of the rest of the populous Eastern states; take another look at the map to refresh your memories as to where the major water development projects are located; and you will begin to understand what I am driving at—the money is being spent where the people aren't and with too little benefit to those who contributed the major portion!

We, in the East, understand how this came about, and we are not against *necessary* water development in the Western states. Note that I emphasized the word "necessary", for what you consider necessary and what we consider necessary are apparently two quite different things as you will see shortly.

For many years in the past, we did not question what was going on—we knew that the Western states were not blessed with our abundant rainfall, and consequently, must develop storage capacity and distribution systems to make the most of what they had.

When, in the past few decades, we did begin to analyze our own water situation and discovered that, faced with massive pollution problems and inadequate storage, we would be in dire trouble within the next twenty years, we naturally began to pay greater attention to what was being done with the Federal water development dollar in the West.

The more we looked, the more we began to wonder, and the more we began to wonder, the more we became amazed at what we saw!

I don't say your whole Western water development program is a "boondoggle." Some of your huge projects are undoubtedly necessary to harness available supplies and are being put to good use. On the other hand, part of your program is wasteful, because some of your stored water could be put to better and more economical use.

You have chosen to base most of your economy on irrigation—90% of the water you use is irrigation water. The Great Western Dream appears to be a dream of making the deserts and arid areas bloom by bringing water to them regardless of cost.

Now this dream of creating an Agricultural Paradise by reclaiming the large areas of wasteland and bringing them into production would be a fine thing, if you could do it economically.

In some instances you succeeded, particularly with crops that could not be grown elsewhere. In other instances, you went overboard and developed irrigation water at any price, without regard as to whether irrigation was the most economical use, or whether the type of crops grown required amounts of water beyond your capacity to provide.

It is a matter of record that, in some areas, you "mined" your underground supplies—fighting a losing battle with nature and gambling with a limited resource that might have sustained other, less consumptive, uses for years.

A pamphlet published by the Central Arizona Projects Association notes that "To eliminate the current overdraft upon irreplaceable ground water, and provide for increased municipal and industrial needs by the year 2000, Arizona needs an additional 3,000,000 acre-feet annually. Even with this quantity, no agricultural expansion would be possible."[2]

By promoting your dream of an Agricultural Paradise, you succeeded in having the Federal Government subsidize a shift of agriculture from the humid East, which could sustain it, to the arid West, away from the population centers.

There was an interesting article in the January 1966, Reader's Digest entitled "*What Water Shortage?*" The author noted that U.S. Government water is often given to the Western farmer at one-tenth its actual cost, and stated that if they had to pay the actual cost there would be less cry for more water and less irrigation farming.[3]

It is also a matter of record that Western irrigation and reclamation projects have a notoriously poor record both on repayment and with regard to cost versus benefits actually realized. For example, Hirschleifer and others[4] noted that the total subsidy to irrigation in the Columbia River Basin Project had been calculated to be 94% of the cost of irrigation, but that the calculations did not take into consideration the fact that in recent years about 80% of the wheat grown in the basin had been purchased by the United States Department of Agriculture under the farm price-support program.

They further noted that E. F. Renshaw, in studying the benefits and costs of 43 then-existing Federal irrigation projects, found that "only about one-fourth of the projects now appear to be justified on the basis of realized benefits in fact exceeding costs."

Renshaw used assumptions favorable to the estimation of benefits and his survey did not include some five projects which had been entirely abandoned and written off.[5]

Allen V. Kneese states that "Research done by Nathaniel Wollman and others from New Mexico demonstrated several years ago that reallocation of water from agricultural to industrial, municipal, and recreational uses is capable of greatly expanding the development potential of water-short regions. This possibility emphasizes the great importance that efficient mechanisms for the transfer of water from lower to higher value uses may have in these areas. Not only is it important that water be smoothly transferred to support industrial and urban growth in these areas if they are to continue to grow, but as water supplies become more stringent it also becomes highly significant that water used in agriculture is applied to the most productive lands and crops by the most efficient managers."[6]

Abandoned Eastern farm acreage falls, of course, into all categories, ranging from excellent farm land to farms where the land has been just plain "worn out" through poor farming practices.

Even much of the poorest of this land could, however, be rehabilitated and brought back into production through good soil conservation practices and good land management at much less expenditure than irrigating Western land.

Congressman JOHN P. SAYLOR in a study entitled *How Can America Best Provide Food and Fiber for Its Future Population* notes that "The U.S. Department of Agriculture states that there are an estimated 60,000,000 acres of new land in humid areas suitable for first class crop production, once it has been properly drained and cleared. The estimated cost of bringing this new land into production under this method is $350 to $400 million. The drainage and clearing classification of providing new crop land represents about 17% of the present crop acreage. These comparisons show that the cost of reclaiming desert or arid lands in the West is the more expensive method of increasing food and fiber production. Conservatively, it is 10 to 20 times greater than the cost of new development in humid areas. Furthermore, the maximum amount of land (6,000,000 acres) that possibly could be reclaimed in the West by 1975 would add less than 2% to the present total crop land."[7]

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[1] Walter B. Langbein, "Water Yield and Reservoir Storage in the United States," *Geological Survey Circular 409*, U.S. Department of the Interior, Washington, D.C., 1959, pp. 4–5.

[2] Central Arizona Project Association, *Saving Water in Arizona: A Report on Water Conservation Practices and Programs in Arizona* (Phoenix, Arizona, January, 1966).

[3] Wolfgang Langewiesche, "What Water Shortage?", *Reader's Digest* (January, 1966), p. 208.

[4] Jack Hirschleifer, James C. DeHaven, and Jerome W. Milliman, *Water Supply: Economics, Technology, and Policy* (Chicago, Illinois: The University of Chicago Press, 1960), p. 228, quoting Donald S. Green "Federal Irrigation Subsidy" (unpublished University of Chicago Agricultural Economics Research Paper No. 5601), January 11, 1956, p. 7.

[5] *Ibid.*, quoting Edward F. Renshal, *Toward Responsible Government* (Chicago, Idwia Press, 1957), p. 5.

[6] Allen V. Kneese, "Economic and Related Problems in Contemporary Water Resources Management", Reprint No. 55, Resources for the Future, Inc., Washington, D.C. (November, 1965), pp. 4–5.

The "Soil Bank" in March, 1965, contained over fourteen and a quarter million acres nationwide. Over 107,000 acres of this was Pennsylvania land.

It seems just plain ridiculous to us to keep placing Eastern farm land in the "Soil Bank," while continuing to bring additional marginal Western lands into production through subsidized water development.

Instead, why not bring this Eastern land, where the people are, and where rainfall is plentiful, back into production?

By shifting a good part of our agriculture back East and rehabilitating farming in the Eastern areas, we would be conserving much-needed water and would be stopping the heavy drainage on the taxpayers by trying to bring more and more marginal Western lands into production at a high water cost—water that could be used to your advantage for other, more essential uses.

A. H. Carhart, in his book, *Water—Or Your Life*, asks the following questions with regard to the Central Arizona Project: "Is it reasonable to expend what this project would cost to rescue 150,000 acres while 500,000 acres in other parts of the country are being retired from tillage each year, but might be maintained through good soil conservation projects? Where's the better place to put our dollar?"[8]

Exactly how much per acre it is costing the U.S. taxpayer to put Western lands into production depends, of course, on the particular project and on how you figure it, but all of the figures I have found are very high and cover a wide range.

Of one thing I am certain, you could put a lot of abandoned Eastern farm acreage back in production for the cost of furnishing water to one Western acre.

In 1955, the Hoover Commission task force stated that "Overestimation of irrigation benefits has reached a point where the Bureau of Reclamation has claimed justification for the expenditure of $1,000 to $2,000 an acre for the development of irrigated land which, on the basis of information available to the task force, would not be worth more than $200 an acre under present prices of mature reclamation projects."[9]

Southeastern Pennsylvania has some of the best farmland in the United States—land that ranges from around $500 to $1,000 per acre. Even with this high land cost, I venture to say that our Pennsylvania Dutch farmers are producing their crops at a lower overall cost than is being done in the Western areas. Since these men do not go for mechanized farming, it is apparent that their answer is simply good land and an abundant rainfall.

I know, of course, the arguments which may be presented against such a move back to the East—that there is stronger competition for land use in the East, that surpluses are diminishing, that Eastern farming is generally on smaller land units, and that, as a result, agriculture would be hard-pressed to provide the food and fiber necessary for our growing population.

On the other hand, the fact that agriculture over the years has become more and more efficient and, with this higher efficiency has come better management and higher yields per acre, seems to negate much of the validity of these arguments.

It appears to us, then, that the Nation would be better served if good Eastern lands were brought back into production and farmed intensively and efficiently, and that this is the logical place to spend our dollar.

A move in this direction would tend to diversify agriculture, putting a share of it closer to the major markets with resulting savings in transportation and marketing costs.

It also appears to us that, when you combine your Western water law, based on the prior appropriation principle, with the fact that about 90% of your water is tied up by a single use, you have a large, furry bear by the tail.

While we recognize that our Eastern riparian rights doctrine also has some obvious faults, we believe that giving prior right to agricultural interests for irrigation tends to set up a monopoly, stifling other types of development in an area. It certainly is not conducive to the progressive, dynamic growth of an area.

When, and if, you decide to change your position or let go, we hope you don't get too badly chawed in the process.

Now, let's turn back to Arizona's problem and take a good look at the Central Arizona Project.

I am not arguing that Arizona does not need more water, but I do question the means and effects of providing it.

In the first place, the Bridge Canyon and Marble Canyon Projects have not been proposed principally as water storage facilities, but rather, are justified on the basis of electric power generation—power that could be provided by steam-electric plants in much less time than it will take you to build the dams. If, on the other hand, peaking power is really needed, then it should be included on a limited scale as a secondary, rather than the prime, benefit.

Why does the Government construct huge power projects that could be just as easily constructed by private companies?

Cheaper power is the usual answer!

No one denies that public power rates are lower than those of the private industry, even though the latter has brought down its rates sharply over the years.

Public power rates should be lower—after all, they are subsidized rates supported by your taxes and mine.

But the unfortunate thing is that relatively few electric customers are served by the Government-financed agencies, and those that are get their electricity at lower cost at the expense of all American taxpayers.

In our opinion, the power picture really gets wild when you justify projects on the basis of producing the power needed to pump and transport the water to questionable irrigation projects.

Carhart points out that if the whole cost of the two-phase Central Arizona Project were to be assessed against roughly 150,000 acres which would be kept in cultivation—rescuing the irrigators who knew that they were overusing the local water available—and the final, total outlay ran to $1.5 billion, the capital cost to rescue those lands would come to $10,000 per acre.

He also noted that, while there was a difference of opinion as to whether or not the water delivered would pay for operating costs, the irrigators would pay no part of the capital cost. With approximately half of the lands involved in the hands of 420 land owners, the benefit or "gift" to this goup would come to over a half million dollars each.

He had some interesting figures, too, regarding the repayment of the interest that would have to be paid on this huge investment, indicating that the total interest payable would come to over $2,000,000,000 and that Pennsylvania might expect to pay approximately $150,000,000 of it; New Jersey over $68,000,000; Illinois $157,500,000 and New York $304,500,000.[10]

Frankly, this looks to us like just another attempt to hornswoggle the taxpayer—a gentleman who, by the way, is largely of the genus homo Easterner—by juggling the benefits to construct at any cost.

Look, too, at the Colorado-Big Thompson Project. Its original estimated cost was about $44,000,000, and the final estimated cost was in the neighborhood of $144,500,000. It now appears that the actual final cost will be over $200,000,000.[11]

We recognize that part of this increase may be accounted for by rising costs of labor and materials, but we do not think that the reclamation practice of adding extra features and modifications after a project has been authorized is a good one, particularly when the final cost is escalated all out of proportion to what the Congress and the public were originally told to expect.

What price urgently-needed recreational, fish and wildlife, and natural beauty benefits?

You Westerners may feel that you have a surfeit of these, but have you taken this Nation's overall recreational needs and population projections into consideration?

How much can we afford to sacrifice?

In my estimation, very little, if any. Future generations will need every bit of open space and every recreational area we can provide for their leisure time, well-being, and enjoyment.

We are desperately trying to do just that in the East—we already have the population pressures and know that our people want and need expanded outdoor recreational opportunities and facilities.

We ask, too, just how much valuable timberland have your massive projects in the Northwest taken out of production. While the East is trying to restore its forests for posterity, you are squandering your heritage—taking large segments of good forest land out of production to make way for irrigation and power projects.

Up to this point, I have been raging at you, the opposition. Now let's take a look at my own team and its trials and tribulations.

We, too, as I mentioned earlier, have a couple of bears by the tail—our lack of adequate storage and our massive pollution problems. In the latter case, we are literally up to our ears in many areas in an odious mess of our own brewing.

With our whole economy geared to an abundant supply of raw water and practically unlimited use, our cub grew into a grizzly before we realized what had happened.

Many of our Eastern states, my own State included, have been working for the past twenty years or so to correct the situation and to rehabilitate our streams so that they can once again serve our heavy and ever-increasing concentration of population and industry.

In some areas, we have been keeping about even with the problem and have even made a little headway. In others, things have gone from bad to worse.

Faced, as we are, with mushrooming population and the industry and services needed to support this growth, we can no longer afford to use piecemeal approaches in meeting the problem, or with just staying abreast of it—drastic, widespread action must be taken, and taken soon!

When I said earlier that we would be in dire trouble within the next twenty years, I was not exaggerating. Indeed, many of us believe that we are already close to the breaking-point and that only a concentrated effort at all levels of government and by industry can bail us out.

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[7] John P. Saylor, *How Can America Best Provide Food and Fiber for Its Future Population*, privately printed and undated, p. 6.

[8] Arthur H. Carhart, *Water—Or Your Life* (Philadelphia and New York: J. B. Lippincott Co., 1951), p. 215.

[9] Hirschleifer and others, *op. cit.*, p. 229, quoting from Task Force on Water Resources and Power for the Commission on the Organization of the Executive Branch of the Government ("Hoover Commission"), *Report on Water Resources and Power* (Washington, D.C., 1955), I, pp. 18–19.

[10] Carhart, *op. cit.*, pp. 213–214.

[11] *Ibid.*, p. 218.

We have been nickel and diming it so far, but it now appears certain that it is going to take the expenditure of billions of Federal, State, and local dollars over the next number of years to get the job done.

Pennsylvania, with some of the best "Clean Streams" laws in the country, has expended many millions of dollars over the past twenty years and is making a little progress—just staying ahead of the compounding problems. New York, just last year, passed a 1.0 billion dollar bond issue for aid to communities for treatment plants and interceptor sewers. That expenditure will bring them about even with the problem, and a number of other states, my own included, are currently considering similar actions.

At the Senate Hearings on the Water Quality Act just one year ago, Governor Hulett C. Smith of West Virginia said that West Virginia cities could use a Federal contribution of 80%, and then added that his State and New York, between them, could use the Federal grants provided for the entire Nation.

This, then, is the magnitude of our pollution problem and the dollars we will require to correct it.

We need, too, much additional storage in the East to help solve our water quality problems and to conserve and better manage our water resources for present and future generations.

With good storage sites now so scarce in the East that we consider them to be a resource in their own right, we have turned to multiple-purpose development of those remaining.

We are in the process of initiating good comprehensive river basin planning, development, and management in our major river basins to provide the good water necessary to meet the needs of the future's teeming millions. This must be done, and, if we don't do it soon, the economy of the East could well stagnate and with it, the economy of the Nation.

Just remember, if we fail—you fail, too!

The Eastern water administrator knows only pure frustration when he goes before the Congressional committees to press for the authorization and funding of necessary water projects—many of them have taken over thirty years to even get underway. He is handed the crumbs and the cake goes West!

This has been a source of amazement to me, because our Eastern dams fall, for the most part, into the category of small dams. Size-wise and cost-wise, you can drown quite a few of them in one of your Western projects. Benefit-wise, however, in proportion to their size and cost, they far outshine your Western giants simply because they are located near the population centers where the needs are greatest and more pressing.

At this point, I do want to emphasize one fact that is becoming more and more apparent to water administrators all over the country. Water rates, in both the East and West, are much too low, and revised rate structures are urgently needed Nationwide.

Unless and until, people become educated and are willing to pay a reasonable price for water, panels such as this will continue to argue, and sections of the country will be vying with one another.

With National goals with regard to development unclear at present, we firmly believe that the older civilization of the East must be protected, and that it is sheer folly to keep pouring billions of dollars into questionable Western development and grandiose Western schemes.

Population pressures may make even development of marginal Western projects necessary some day, but we must emphasize that the East has immediate problems that must be rectified before the bottom drops out of the National economy.

In short, you have long-range planning time—we don't!

What I am really saying is that the Nation's largest segment of population and industry, needs help and needs it fast. The minority has cornered the market long enough.

The East must meet its massive water quality problems; increase its storage; revitalize its agriculture; and develop as much nearby outdoor recreation for its millions as possible before available space is swallowed up by urbanization.

The time has come, gentlemen, when we must insist, yes, demand, that you give us back the ball, and with it, a fighting chance.

We have subsidized your dream long enough—far too many Western projects have been constructed with Eastern dollars, and we now need and want our rightful share.

Mr. Chairman, the task proposed in this legislation for a National Water Commission is a most difficult one. The contributions of such a commission will directly affect the economic and social progress of our Nation for years to come. If they do their job properly, this will be a day long to be remembered. If they fail to do the job which we are asking them to do, it will be just another wasted effort.

Now I yield to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding. I wish to say that optimism is coming with a higher price tag all the time. This bit of optimism has carried a $5 million price tag.

Mr. SAYLOR. I might say to my colleague that if this Commission does its job, it can eliminate five times that amount every year in view of the duplication that has already taken place in the Federal Government.

Mr. GROSS. I hope the gentleman's optimism is justified, but in the light of what has been happening in the Federal Government, I seriously question it.

What is there, in the absence of this Commission, that the Water Resources Council cannot do?

Mr. SAYLOR. Let me read you, sir, what the Water Resources Council is. The Water Resources Council was created by Congress in the act of 1965, which is Public Law 89-80, passed July 22, 1965.

This Council is composed of Cabinet-level agencies, of the Secretaries of Agriculture, Army, Health, Housing and Urban Development, Interior, and the Chairman of the Federal Power Commission.

One of the limitations that is placed upon that Water Resources Council is that the only place they get any information is from one of the already entrenched agencies, so all the Water Resources Council is doing is reviewing what one of their own agencies has already told them. They do not go out and get a picture of the entire water needs of the Nation. That is what we are asking this Commission to do and why I support this legislation. This will be a new, fresh look, with recommendations to the President, which will include, I hope, the elimination of duplication in the Federal Government.

Mr. PRICE of Texas. Will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Texas [Mr. PRICE].

Mr. PRICE of Texas. Mr. Chairman, I would like to commend the distinguished minority leader of the committee, Mr. SAYLOR, the subcommittee chairman and the committee chairman for their work on this legislation.

Representing the Panhandle of Texas, we are not unaware of the need for water. My district has an average annual rainfall of 19 inches. Many States are not faced with the problems that we are soon going to be faced with in regard to water. In many areas of the Southwest, it is said that by 1985, their economies, will peak out and their need for water is going to be great.

I am happy to see the gentlemen on this commitee bring before the House this legislation so we can get some planning. It has been very difficult in State compacts, and so forth, to get responsible planning done for water resources. I am glad to see that there is finally something being done so we can bring this about. I hope the Commission does function the way the committee hopes it will.

I thank the gentleman for yielding.

Mr. RUMSFELD. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Illinois.

Mr. RUMSFELD. Mr. Chairman, I have been particularly interested in the gentleman's statement with respect to his evaluation of the failures that exist in this area and the defects in Government, both in the executive and legislative branches, and the problems of entrenched interests.

Is it fair and accurate to say that the very fact that this piece of legislation is on the floor today is an indication that the sorting function, say, within the Bureau of the Budget and the Executive is not working efficiently? If I understood the gentleman correctly, he said there was duplications and waste. I ask the gentleman why? Can it be said that the very fact we are dealing with this legislation is an indication that the executive branch is not dealing effectively with these problems? I raise the question of the Bureau of the Budget, because that is one division that has overall supervision.

Further, is it not true that the committees of the House and the committees of the Senate have a similar responsibility in this area to see that there is not duplication, to see that order is brought out of disorder as the problems of this country evolve? I believe this is a very fundamental question. We happen now to be talking about water, but we could have a commission for any number of subjects and in fact do, where, as our country changes, we find we are not dealing with these problems in a thoughtful and effective way.

Mr. SAYLOR. This is correct. I can say that neither the Bureau of the Budget nor the various agencies of the Government nor the Congress itself has prevented waste and duplication. This is one of the reasons that our committee required the stipulation in this legislation that the members of this Commission should not be connected with Government and to have people from outside Government, who have an interest in water, take a look at this from a national basis.

One of the best examples of the duplication and failures of the commissions to make a good report was in the last report that was done by our colleagues on the other side of the Capitol, they appointed members all of whom came from States which have water problems, and the only thing they tried to solve was their own problem, and they did not worry about the problems of anybody else.

This is what I hope will be done away with when we get this legislation passed.

Mr. WOLFF. Mr. Chairman, foresight is one of the key words to effective government management and this bill which we are now considering has above all this virtue to commend it.

Instead of waiting until the problem reaches the critical stage the President has wisely called for a study of our national water resources which will allow us to forestall an acute water shortage that will overtake our Nation in the next few decades if we continue blindly on our present course.

The establishment of a National Water Commission gives us time to review the entire range of water resource problems now while we can still plan alternative ways of meeting the needs and build sensibly a national system.

The measure is not only unquestionably necessary, it is imminently timely and I urge my colleagues to vote S. 20 into law now before a national water crisis is upon us.

Mr. ROSENTHAL. Mr. Chairman, we learned long ago the sad lesson that our vast expanses of forest lands, once thought endless, were not inexhaustible. It has taken us far too long to realize that our reserves of water are likewise not unlimited. Such miscalculations about the extent of our water supply were forgivable in 1800, perhaps even in 1900. But by 1967, they became inexcusable.

Well before this time, we were headed for a serious water problem. Today we are up to our necks in it. We are confronted today by a fait accompli of pollution, wastage, and shortages throughout the United States. New Yorkers once were proud of the Hudson River. Today such pride is difficult to sustain.

The drought that recently beset the Northeast and other areas—and even now, we cannot say with certainty that it is over—did not represent a new problem. It merely reasserted the reality that Nature may be capricious in the allocation of her bounties.

The task, then, devolves not upon Nature, but upon ourselves. It is essential for us to secure the purposeful and frugal utilization of our water, and to seek the reclamation of the prodigious quantities that have become sullied through our negligence and lack of both understanding and commitment.

No one will deny that the task is beyond the ability to be assumed by localities. We have been told by Charles Schultze, the Director of the Bureau of the Budget, that "no region is immune" to water resource problems. "Their dimensions," he said, "are truly national in scope." I would add that they demand action that is national in scope.

Much could and should have been done long ago. Unfortunately, we cannot enact retroactive measures. We must begin with the present and do as much as we can, as rapidly as we can. Should the day arrive on which we lack sufficient stores of water to meet the needs of our people, I need not describe the consequences. And it is evident that any failure on our part to act decisively will inevitably lead to such disaster.

Accordingly, during the first session of the 89th Congress, I introduced H.R. 10245 that would have created a Federal Water Commission, an independent regulatory agency with full enforcement powers. It was a proposal consistent with my belief that the strength of corrective measures must be commensurate with the severity of the problem.

In fact I am not certain that the problem of water conservation will yield to a profusion of analyses and recommendations. I am therefore somewhat disappointed by the bill we have before us, all the more so because I am convinced that the administration sincerely desires to take effective action in this area. I must say that I had hoped for a more potent measure.

Nonetheless, S. 20 is a good bill as far as it goes. It clearly acknowledges the priority required by water conservation. It promises to centralize all information, if not all activities, relevant to the preservation of our water resources. It seeks to utilize, in the words of the President, "the very best minds in the country," individuals who will dedicate a considerable proportion of their time and expertise to this endeavor. In short, it is a step, if only a small one, in the right direction.

I wish, then, to express my support for this legislation, with the firm belief that my colleagues will not be satisfied with terminating their efforts here. If the National Water Commission will open the floodgates of effective congressional action and provide the impetus for a series of tangible accomplishments, it will have made a distinguished contribution to the national welfare.

Mr. RYAN. Mr. Chairman, once again the House is asked to consider legislation concerning water and its uses. Past events are eloquent testimony that the allocation, use and pollution of this precious resource transcends a regional approach.

Historically the West has been more aware, than the East, of the need to conserve water and to develop more adequate methods of water utilization. One need only recall, however, the recent water crisis in New York City and the subsequent dispute between that city and Philadelphia over the allocation of the waters of the Delaware River, as evidence that the East, as well, faces a crisis, a crisis which concerns not only the allocation of existing water, but what has become a national disgrace—pollution.

These recent crises are not passing phenomena. Daily the national demand for water grows as population and industry expand. The time has long passed when self-interested local or regional authorities lacking national breadth of vision are able to handle what has been, for at least a decade, a national problem.

I support S. 20, as amended, creating a National Water Commission. But, the bill does not meet the grave crisis at hand. In effect it authorizes continued studies. I agree that increased knowledge concerning effective utilization is, and will continue to be, needed. In my opinion, however, studies such as those conducted by the Senate Select Committee on National Water Resources—1959–61—and evidence produced by Congressman Jim Wright in his book "The Coming Water Famine," warrant legislation giving a national agency authority to take positive action for water utilization.

I introduced legislation to create a Federal Water Commission in the 89th Congress—H.R. 10244. I reintroduced it as H.R. 1252 in this Congress. This bill, entitled the Federal Water Commission Act, is based primarily upon the model water use act adopted in 1958 by the National Conference of Commissioners on Uniform State Laws. It would cover all water use, including pollution, affecting any internal or coastal water in the United States. Use, including pollution, of such waters would be governed by uniform Federal standards aimed at insuring that they are employed only for beneficial uses. A five-member Federal Water Commission, modeled after the Federal Power Commission, would administer and enforce the law.

The key provision of the bill authorizes the Commission to require and issue permits for all uses of water resources covered by the bill. The Federal permit procedure specifically protects existing uses as long as they remain beneficial and serve the public interest.

H.R. 1252 provides procedural safeguards, including the unqualified right of appeal, regarding the licensing procedure. Moreover, the bill empowers the Commission to suspend the application of Federal licensing procedures if it finds, after a hearing, that regional, State, or local regulations will adequately effectuate the purposes of the act.

The Federal Water Commission would be empowered to deal with water shortages as well as water emergencies. In the former situation, the Commission could require proration and emergency appropriation of private water supplies. More urgent measures, such as water rationing and emergency appropriation of private water supplies, could be effectuated, if necessary, to protect public health and safety.

The Commission would develop a long-range plan of allocation which would anticipate shortages and thereby eliminate potential crises.

The bill would permit the study and planning of interbasin water transfers under the Water Resources Planning Act of 1965. Moreover, the Water Resource Council, established by the 1965 act, would function as an advisory committee to the proposed Federal Water Commission.

In short, my bill (H.R. 1252) would establish a Federal Water Commission as a water policy review board, dealing primarily with the laws and regulations of other governmental agencies and political subdivisions.

Mr. Chairman, as far as the bill before us today, S. 20, is concerned, other than requiring that no member of the Commission shall be an officer or employee of the United States, it duplicates, to a great extent, the information-gathering authority of the Federal Water Resource Council established in 1965.

Information is necessary, but positive action is imperative if we are to survive the impending crisis. The present bill is a philosophical step in the right direction. It recognizes that water is a national resource, a national problem—one that necessitates study from a national vantage point.

It is a step beyond the philosophy embodied in section 3(d) of the Federal Water Resources Planning Act of 1965 which prohibits any entity established under the act to "study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission." In light of the national situation, this prohibition is an unnecessarily narrow and restrictive approach. I hope, indeed it is imperative, that the National Water Commission, proposed by this bill, study, plan and make any necessary recommendations regarding interbasin water transfers.

Support as I do this bill, it is not enough.

The fact of the matter is that we must have an integrated national policy for water conservation, water development, and water pollution control. We have accepted the principle of Federal coordination in developing a national power grid. It is only logical that similar coordination regarding water be adopted. This requires more than additional studies; it requires legislation giving authority to a Federal Water Commission to allocate our national water resources and to develop a national water policy.

Mrs. HECKLER of Massachusetts. Mr. Chairman, I wish to add my support for the passage of S. 20, which would establish a National Water Commission for advising the President and Congress on the entire range of water resource problems.

I am sure that each of my colleagues is fully aware of the various water problems in his district. In my own district, the Taunton, Charles, and Ten Mile Rivers are polluted because of inadequate sewage treatment plants. This immediate problem must be solved in the near future. Certainly we should also consider our long-term needs for adequate and clean water. In our concern for the problems of today we cannot lose sight of tomorrow's needs for developing and maintaining water resources in the 10th Congressional District of Massachusetts and throughout the country.

The provisions in S. 20 provide for the collection, review, and analysis of water resource information that now lay scattered at different levels of government in every part of the United States. With better coordination of our knowledge of the present problem, we will be better able to insure the future productive utilization of a most precious natural resource.

The passage of this bill is a necessary step toward the achievement of this goal.

Mrs. DWYER. Mr. Chairman, the need to assure our people, our industry, and our agriculture in this growing country of an adequate supply of clean water is a public problem of unsurpassed dimensions and importance. Though the problem differs in character and size from region to region, it is national in scope and our present legal and administrative system for dealing with this problem has not kept pace either with the need for water or with the technological resources to provide it.

With the gap between supply and demand becoming increasingly narrow, we can no longer afford to delay in taking a comprehensive look at our needs and in weighing the steps that will be necessary to supply those needs well into the future. The establishment of a National Water Commission will, therefore, be a major contribution to this objective, providing both the comprehensiveness of the survey and the expertness of the judgments that must be made.

I strongly support the pending bill to create this Commission.

It is worth noting in this perspective, Mr. Chairman, that other major water resource studies are presently underway, for it will be important that all are thoroughly coordinated. One of the most important, as I mentioned here earlier this week, is the Northeastern U.S. Water Supply Study being conducted by the North Atlantic Division of the Corps of Engineers.

The preliminary report of the activities and accomplishments of the NEWS Study, which I placed in the RECORD at that time, has aroused considerable response, and as an illustration of the great interest in water supply problems and progress which the lengthy northeast drought has aroused, I include as part of my remarks editorials which appeared in the Paterson, N.J., News of July 6 and the Newark, N.J., Star-Ledger of July 8:

[From the Paterson (N.J.) News, July 6, 1967]

WATER FOR THE FUTURE

Mrs. Florence P. Dwyer, energetic Republican congresswoman from Union County's 12th district, has pored over the problems of North Jersey's future water supply and has come up with some interesting observations.

Basing her findings on reports by Army engineers on urgent water needs in the next 10–15 years, Mrs. Dwyer has confirmed a condition long known to the engineers and to New Jersey water and conservation leaders, i.e.: that sorely needed is a gigantic reservoir for water storage for the area in the event of emergency.

Mrs. Dwyer will find that without new and exhaustive surveys, there are in the records numerous substantial proofs of the desirability of such a reservoir, dating back 20 or 25 years. Army engineers, long since passed into retirement, concurred with valiant citizens' flood control groups from Passaic and adjoining counties that unless such a storage area were provided, North Jersey some day would be faced with critical shortages. The drought conditions of the past few years sustained the judgment.

When the plan was first advanced years ago, there was available in the Caldwell area acres upon acres of fallow land which could have been acquired at minimal costs. Not only would the reservoir then have supplied water reserves but it would have ended the intermittent flood dangers which beset the area.

Now these lands have been built upon—thousands of new homes, new industries, new mercantile establishments.

New surveys would have to be made to determine available sites.

Mrs. Dwyer says that depending on the availability of site locations, the engineers consider such a reservoir might also be used to provide storage releases for the New York City water supply system. "It also could provide assistance in repressing the salt front in the Delaware River," she says.

State Conservation Commissioner Robert Roe has made detailed studies of the water situation in North Jersey and the likelihood is he will come up with a program. It will not be too soon, if not too late.

[From the Newark (N.J.) Star Ledger, July 8, 1967]

WATER PLANNING

It is encouraging to note that the breaking of the persistent drought that afflicted New Jersey, New York and other Northeastern States by the beneficence of heavy rains has not produced an atmosphere of official and public complacency. This would be illusory and shortsighted.

The emergency measures taken by Newark and the state on this side of the Hudson and New York on the other must be viewed strictly for what they were and are . . . a transitional phase to ease the oppressive rigors of the five-year drought.

Newark now has under consideration an ambitious plan to tap the Delaware River, a costly project launched with the proposed purchase of a railroad right-of-way to be used for the alignment of the connecting pipeline. This would not only provide for the city's long-term requirements but would enable it to sell supplies to other North Jersey communities.

But the Army Corps of Engineers has come up with preliminary proposals that would provide far more substantial relief on a more desirable regional basis, covering three states . . . New Jersey, New York and Connecticut. These are forward-looking plans of the magnitude that must be undertaken to make any future expansion of water resources compatible with the rapidly rising demands of the burgeoning population and industrial development in the three-state region.

The most gratifying feature among the proposals outlined in a preliminary status report on possible solutions for regional water demands is that the plans would serve two states. A proposed storage reservoir would primarily relieve North Jersey, but this could be modified by location to serve New York City and even South Jersey, now fed by the Delaware River.

Even more expansive and ingenious are two other plans submitted by the Army Engineers. One would create a fresh water reservoir in the Hudson River by building a tidal dam north of New York City; the other would dam both sides of Long Island Sound and divert the Hudson River into the Sound.

These are the mammoth-sized projections that would be required to fill increasing water demands on a regional basis during the next 15 years. It is the kind of thinking, planning and vision that must be utilized in a collaborative, concerted approach by federal and state governments to deal with the crippling effects of the drought.

Mr. HORTON. Mr. Chairman, I rise in support of S. 20 and to urge my colleagues join me in supporting this bill. While serving as ranking minority member of the Subcommittee on Natural Resources and Power of the Government Operations Committee, I have learned of the scarcity of meaningful information about the nature and extent of the impending water supply crisis which America faces.

We all recognize that assuring this Nation an adequate supply of pure water in the years ahead is one of the greatest challenges confronting us today. However, before we can undertake an efficient and effective program of water resource management, we must dramatically increase our knowledge of both the problems confronting us and possible solutions to them.

For instance, at the present time we lack the technology to either economically desalinate sea water or retard evaporation for reservoirs. Yet, almost certainly, these techniques of expanding our water supply will soon become essential if we are to develop adequate water resources in the future. Further, it is probable that even water management techniques such as these will soon become commonplace. Many of us will live to see weather modification and interbasin water transfers become a reality.

Therefore it is of prime importance that a group be established to coordinate and stimulate the development of the technology requisite to effective water resource management. The Commission which this bill will establish is ideally suited to the task at hand. This blue ribbon panel is charged with the responsibility of inventorying the water resources of our entire Nation and projecting the Nation's future water needs. It is the Commission's further task to suggest ways in which the vast untapped water resources of some areas of our Nation can be used to relieve the chronic and serious water shortages that exist in other areas.

The Commission's assignment is as broad and complex as is the water supply crisis confronting our country. Among other things, it is to consider matters of water pollution, water conservation and how our available water resources might best be allocated among the various sections of our country and among competing uses within each section of the country.

I believe that this sort of far-ranging inquiry is long overdue and merits our full support at this time.

The CHAIRMAN. All time has expired.

The Clerk will read.

Mr. ASPINALL. Mr. Chairman, I ask unanimous consent that the bill be considered as having been read, printed in the RECORD, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

Mr. GROSS. Mr. Chairman, reserving the right to object, I suggest we proceed for a short time. Then the gentleman can renew his request.

Mr. ASPINALL. Mr. Chairman, if the gentleman will tell me when, I will pay attention.

Mr. Chairman, I withdraw my request.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

S. 20

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Water Commission Act".

THE NATIONAL WATER COMMISSION

SEC. 2. (a) There is established the National Water Commission (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of seven members, who shall be appointed by the President, by and with the advice and consent of the Senate. Members shall serve at the pleasure of the President. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States.

(c) The President shall designate a Chairman of the Commission (hereinafter referred to as the "Chairman") from among its members.

(d) Members of the Commission may each be compensated at the rate of $100 for each day such member is engaged in the actual performance of duties vested in the Commission. Each member shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b 2) for persons in the Government service employed intermittently.

(e) The Commission shall have an Executive Director, who shall be appointed by the Chairman with the approval of the President and shall be compensated at the rate provided by law for level IV of the Federal Executive Salary Schedule. The Executive Director shall have such duties and responsibilities as the Chairman may assign.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 1, line 8, through page 2, line 4, strike out all of subsection 2(b) and insert in lieu thereof the following:

"(b) The Commission shall be composed of seven members who shall be appointed by the President and serve at his pleasure. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, or shall be a retired officer or employee of the United States who is currently drawing or is entitled to draw currently an annuity or retired pay."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 2, line 13, strike out "by law (5 U.S.C. 73b–2)" and insert "by 5 U.S.C., sec. 5703".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 2, line 17, strike out "President" and insert "Commission".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 2, lines 18 and 19, strike out "Federal Executive Salary Schedule." and insert "Executive Schedule (5 U.S.C., sec. 5315).".

The committee amendment was agreed to.

Mr. DELLENBACK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in view of the remarks which were made earlier in general debate by my good friend the gentleman from California [Mr. HOSMER] alluding to an excess of water in the Pacific Northwest, I feel compelled to make a few remarks in reply.

We of the Northwest frequently hear references to an alleged excess of water in our area. Whether or not we have an excess of this priceless resource is very much of an open question. It is imperative that this question be studied, and studied thoroughly, before there be any conclusion reached in this regard. Certainly this study must be concluded before there be any serious consideration whatsoever given to the possibility of diverting any of our water to any other area of this Nation.

We do know that as of right now we have extensive problems of water conservation and utilization—a great need for a series of public works projects so that waters which are with us in ample supply during some seasons can be held and utilized when badly needed during other seasons.

My State of Oregon has undertaken a study of our water needs, both present and future. I urge other States to make the same sort of independent study of their own needs.

This Nation does have water problems. Each area has its own problems. This bill offers no panacea, but it does offer the promise of an effective tool in our search for a clear definition and evaluation of the problems and in our search for sound and well thought out answers to these problems. As always, a great deal is going to depend on the individuals chosen by the President to carry out the duties given by this bill to the National Water Commission.

We feel confident that the President will, as has been indicated in the committee report, appoint to this Commission people of undoubted ability and without bias or prejudice.

We need the tool that is made available by this particular bill. I urge my colleagues to join in supporting S. 20.

Mr. PETTIS. Mr. Chairman, will the gentleman yield?

Mr. DELLENBACK. I am glad to yield to the gentleman.

Mr. PETTIS. Mr. Chairman, I would just like to make the observation that a great many strides have been made in recent years in the utilization of water and its reutilization. For example, in my own district the steel industry, which used to use as much as 15,000 gallons of water per ton of steel, now have gotten it down to about 1,100 gallons of water per ton. I think a lot of the water now being used and then wasted or which flows on into the sea could be transferred to other places after its original utilization in some of these areas which my colleague has spoken of. I have high hopes for this commission and certainly support its goals and objectives and I urge support of the House for the bill.

Mr. DELLENBACK. Mr. Chairman, I am delighted to hear the remarks of the able gentleman from California.

I think there is no question but that part of the water studies that must be made in the years ahead should deal not only with present needs and future needs and present supplies, but also with optimum utilization so that every drop of water available in this Nation may be used and reused just as effectively and efficiently as possible.

Mr. ASPINALL. Mr. Chairman, I renew my unanimous-consent request that the bill be considered as having been read in full, printed at this point in the RECORD, and open to amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The remainder of the bill is as follows:

DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall (1) review present and anticipated national water resource problems, making such projections of water requirements as may be necessary and identifying alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances including, but not limited to, desalting, weather modification, and waste water purification and reuse; (2) consider economic and social consequences of water resource development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people; and (3) advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council.

(b) The Commission shall consult with the Water Resources Council regarding its studies and shall furnish its proposed reports and recommendations to the Council for review and comment. The Commission shall submit to the President such interim and final reports as it deems appropriate, and the Council shall submit to the President its views on the Commission's reports. The President shall transmit the Commission's final report to the Congress together with such comments and recommendations for legislation as he deems appropriate.

(c) The Commission shall terminate not later than five years from the effective date of this Act.

POWERS OF THE COMMISSION

SEC. 4. (a) The Commission may (1) hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) without regard to the civil service laws and regulations and without regard to the Classification Act of 1949 as amended, employ and fix the compensation of such personnel as may be necessary to carry out the functions of the Commission: *Provided*, That of such personnel no more than five persons may receive compensation equivalent to the compensation established for grade 18 under the Classification Act of 1949 as amended, (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a) at rates not to exceed $100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; (7) enter into contracts or agreements for studies and surveys with public and private organizations and transfer funds to Federal agencies and river basin commissions created pursuant to title II of the Water Resources Planning Act to carry out such aspects of the Commission's functions as the Commission determines can best be carried out in that manner; and (8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this title.

(b) Any member of the Commission is authorized to administer oaths when it is determined by a majority of the Commission that testimony shall be taken or evidence received under oath.

POWERS AND DUTIES OF THE CHAIRMAN

SEC. 5. (a) Subject to general policies adopted by the Commission, the Chairman shall be the chief executive of the Commission and shall exercise its executive and administrative powers as set forth in section 4(a)(2) through section 4(a)(8).

(b) The Chairman may make such provision as he shall deem appropriate authorizing the performance of any of his executive and administrative functions by the Executive Director or other personnel of the Commission.

OTHER FEDERAL AGENCIES

SEC. 6. (a) The Commission may, to the extent practicable, utilize the services of the Federal water resource agencies.

(b) Upon request of the Commission, the head of any Federal department or agency or river basin commission created pursuant to title II of the Water Resources Planning Act is authorized (1) to furnish to the Commission, to the extent permitted by law and within the limits of available funds, including funds transferred for that purpose pursuant to section 4(a)(7) of this Act, such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with this Commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(c) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services: *Provided*, That the regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further*, That the Commission shall not be required to prescribe such regulations.

APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this Act.

The CHAIRMAN. The Clerk will report the other committee amendments:

The Clerk read as follows:

On page 3, lines 18 to 21 inclusive, strike out "The Commission shall submit to the President such interim and final reports as it deems appropriate, and the Council shall submit to the President its views on the Commission's reports." and insert: "The Commission shall submit simultaneously to the President and to the United States Congress such interim and final reports as it deems appropriate, and the Council shall submit simultaneously to the President and to the United States Congress its views on the Commission's reports."

On page 4, line 12, strike out "the Classification Act of 1949 as amended," and insert "5 U.S.C., ch. 51,".

On page 4, lines 17 and 18, strike out "grade 18 under the Classification Act of 1949 as amended;" and insert "grade GS-18 of the General Schedule contained in 5 U.S.C., sec. 5332(a);".

On page 4, lines 18 and 19, strike out "section 15 of the Act of August 2, 1946 (5 U.S.C. 55a)" and insert "5 U.S.C., sec. 3109".

On page 6, line 24, strike out "(5 U.S.C. 46e)" and insert "5 U.S.C., sec. 5514)".

On page 7, line 8, strike out "such sums as are required" and insert "not to exceed $5 million".

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. HENDERSON

Mr. HENDERSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HENDERSON: On page 3, line 2, after the word "rate" strike all through line 3 and insert in lieu thereof: "determined by the U.S. Civil Service Commissioners."

Mr. HENDERSON. Mr. Chairman, the purpose of this amendment is to provide the authority and responsibility in the U.S. Civil Service Commission to determine the grade level, rather than, as the bill does, to provide for the grade level of IV for the executive director of the commission that would be created by this legislation.

I have no objection to the level at the level IV being established by the Civil Service Commission under its general authority and, perhaps, it should be.

But I would point out to the members of the Committee that there is only the difference of the sum of $27,000 a year compensation for level IV and of $26,000 a year compensation paid for level III. In my opinion that is a very fine line of distinction which should be made by those who have the technique and authority as does the Civil Service Commission.

Mr. Chairman, I am very appreciative of the response that I have had from the chairman of the Committee on Interior and Insular Affairs and its staff with reference to this proposal.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield to me for just one moment?

Mr. HENDERSON. I yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Chairman, as far as those on this side of the aisle are concerned, we will go along with the amendment which has been offered by the gentleman from North Carolina.

It so happens that our committee was not advised of any position that the Civil Service Commission took with reference to this legislation. I understand that the gentleman's committee was so advised.

If we find that we have any difficulty in conference with reference to this particular matter, I can assure the gentleman from North Carolina that his contribution shall be given every consideration and he shall be made aware of such difficulties.

Mr. HENDERSON. I thank the distinguished gentleman from Colorado, the chairman of the committee, and I appreciate the gentleman's consideration.

I would point out however, that I was advised by the Chairman of the Civil Service Commission that they had not been consulted with reference to whether the position should be level IV or not, a situation for which the chairman of the Committee on Interior and Insular Affairs is no more responsible than I am.

Mr. ASPINALL. Mr. Chairman, presumably, the representative speaking for the executive department, including the Bureau of the Budget, who spoke in support of this legislation, did not consider the position of the Civil Service Commission. This perhaps was a shortcoming of our committee's consideration also.

Mr. HENDERSON. I agree that the Bureau of the Budget is the agency to which we look to monitor the differences between the Civil Service Commission and other executive departments and it certainly failed to perform its duty in this case.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. HENDERSON. I am glad to yield to the gentleman from Pennsylvania, the ranking minority member of the committee.

Mr. SAYLOR. For those of us on this side of the aisle, we have no objection to this amendment, provided it is understood by the Civil Service Commission that they are not to have anything to do with the appointment of the Executive Director.

Mr. Chairman, one of the most important parts of this legislation, if it is going to be effective at all, is that the Commission itself is selected upon the basis of being composed of competent individuals and that it shall select a competent individual to be the Executive Director.

I certainly hope that such Executive Director will be someone who is not at the present time in the Federal Government. We want people on the outside to take a look at what is happening to the agencies involved in this field in the Federal Government.

Mr. HENDERSON. The purpose—and the only legal effect of the amendment—is to provide that the Commission establish the rate or grade.

Mr. DULSKI. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Chairman, I rise in support of the amendment offered by my colleague, the gentleman from North Carolina, Hon. DAVID HENDERSON.

All Mr. HENDERSON's amendment does is to have the officials in the Federal Government who are charged with job analysis, namely the U.S. Civil Service Commissioners, determine the proper pay level for the position of Executive Director of the National Water Commission.

I have learned informally that the officials in the Civil Service Commission have not as yet been given an opportunity to review the proposed position of Executive Director. We should approve the amendment offered by my friend from North Carolina, and by so doing keep the control of positions, pay levels and related civil service issues within the existing legal framework.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. HENDERSON].

The amendment was agreed to.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, we have heard a good deal about the complexion of this seven-member Commission to be appointed by the President. Beyond the prohibition that members can hold no other position as an officer or employee of the United States, or be a retired officer or employee of the United States who is currently drawing or is entitled to draw currently an annuity or retired pay, there is no other standard to be applied. All, or any number of these Commission members could be brokendown political hacks. They do not have to have any particular qualifications, because that is not spelled out in the law. I would say further that all of them could be from Texas.

Mr. ASPINALL. Mr. Chairman, will my friend, the gentleman from Iowa [Mr. GROSS], yield to me for a little bit more than just a pleasantry?

Mr. GROSS. Yes, I yield to the gentleman from Colorado.

Mr. ASPINALL. I think the gentleman from Iowa, perhaps, has stated a possibility that here is one of the most important activities insofar as people are concerned in which to serve their Government and insofar as the executive department is concerned.

And if those kind of people should be appointed then I believe that is all that is necessary to make a farce out of the whole thing. I do not believe the President of the United States will do that, whether he happens to be a Republican or a Democrat.

Mr. GROSS. I will say to the gentleman that I have been here long enough to have seen on both sides of the political fence some strange appointments, and so has the gentleman from Colorado.

Mr. ASPINALL. I do not have to get away from the Hill to second the motion, so far as the Hill appointments are concerned.

Mr. GROSS. I would point out to the gentleman that some of the appointments to the U.S. Supreme Court are just example, and I refer to both political parties mind you. I would like to see in some of these bills something spelled out by way of qualifications, if quality is what you intend to get with this new Commission. And for the life of me I cannot get an answer to the question of what the existing Water Resources Council cannot do in the absence of this Commission. Furthermore, I would like to know how much money is today being spent on the Water Resources Council. I thought when that bill went through here a year or so ago that we had reached utopia insofar as commissions and councils were concerned in the matter of water and water resources in this country. Evidently I was mistaken for here you are with another commission today at a cost of $5 million to the taxpayers at a time when Congress has just upped the debt ceiling to $365 billion. Apparently $5 million does not mean a cockeyed thing around here any more. So just appoint another well paid commission and staff because there is a failure somewhere down the line. Never abolish any other council or resource study commission.

I guess I ought to be surprised and pleased that the administration did not ask for more millions to put brick and mortar in the bill so they could build some laboratories or buildings to go along with this new Commission.

When are we going to stop adding commissions to this Government? I said a while ago that employment in the Federal Government has gone up to approximately 3 million, and continues to go up every hour of every day. May a kind providence have mercy on those who will have to pay these bills.

AMENDMENT OFFERED BY MR. HENDERSON

Mr. HENDERSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HENDERSON: On page 5, line 4, strike all after the word "commission" to the semicolon in line 8.

Mr. HENDERSON. Mr. Chairman, it will take only a minute to explain what this amendment does.

The bill if not amended reads:

Provided, That of such personnel no more than five persons may receive compensation equivalent to the compensation established for grade GS-18 of the General Schedule contained in 5 U.S.C., sec. 5332(a).

This is what we refer to as supergrades, Mr. Chairman. This amendment would take the proviso out of the bill. It would mean the Commission would then go to the Civil Service Commission to establish both the number and the qualifications of those who would be appointed to these supergrade positions as employees of the Commission. It would be possible, admittedly, for them to convince the Civil Service Commission of their need of more than five, and get more than five. My objective primarily here is to again bring before the House and the executive agencies the system that we are using for the allocation of supergrade positions, grades GS-16, GS-17, and GS-18. We authorize the Civil Service Commission to allocate these positions. The agency goes to the Commission and justify first the need for the position and the qualifications of those they would appoint to these positions.

Mr. Chairman, I would also like to add that the Subcommittee on Manpower, which I have been chairing, is presently holding hearings on the needs for supergrade positions. We are bringing in witnesses from the various executive agencies with respect to their requirements for supergrade positions and, just as we did last year, we will again review the needs of the executive department.

I assure the House that there should be no reason that this Commission should not be fully staffed.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HENDERSON. I am delighted to yield to the distinguished gentleman from Iowa.

Mr. GROSS. Do I understand that the gentleman's amendment would effectively strike out the five supergrades provided on page 5 of the bill?

Mr. HENDERSON. That is the only thing it does do. Inasmuch as I had an earlier conversation with the gentleman with regard to the language that does exempt these appointments from the regular civil service laws and regulations, let me say I was very much impressed in my conference with the chairman of the committee, that this being a 5-year Commission, it has unusual and unique problems. I understand the difficulty of getting personnel to go to work for that period of time. But I do feel very strongly that we should not exempt those in the supergrade brackets and I am very hopeful that the members of the committee will not oppose the amendment, if they do not feel they can accept it.

Mr. GROSS. I thought it was understood by all the committees of the Congress that there has now been established a pool of supergrades under the jurisdiction of the Civil Service Commission and that the committees were expected in the enactment of legislation, if they made provision for additional employees, to go to that pool. I find nothing at all modest about the House Committee on Interior and Insular Affairs this afternoon when I pick up the bill and read this language, "without regard to civil service laws and regulations"—and without regard to 5 U.S.C. 51, all of which means an attempt to sidestep the Civil Service Commission and out of hand provide this new Commission with a bunch of highly paid employees.

I commend the gentleman for his amendment.

Mr. HENDERSON. Let me say that I am sure this language was sent up by the Bureau of the Budget and was recommended by them. I think the gentleman will join me and other members of the Manpower Subcommittee, in seeing that the Bureau of the Budget and the executive takes notice of the fact that Congress has established a way for them to get supergrades. We have been good in granting their request. Certainly the House last year had to carry the burden of the legislative battle up here. I know that the gentleman from Iowa was eminently involved in that. If they do not stop sending legislation up here creating supergrade positions, I think they are going to have a hard time getting their supergrade positions through the regular method before our subcommittee.

Mr. GROSS. I will say to the gentleman, this was the control we tried to provide for in Public Law 801 which was the basis for my point of order, and which was overruled. I suppose that unless the Committee on Rules now waives points of order on all bills that committees can be protected by decisions from the Chair. I am sure the executive branch of Government was spared considerable embarrassment when the point of order was not sustained.

Mr. DULSKI. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Chairman, I rise in support of the amendment offered by my colleague, Hon. David N. Henderson, of North Carolina. This amendment by the chairman of our Subcommittee on Manpower and Civil Service, is most timely and quite important. It is timely in the sense that currently his subcommittee is holding public hearings relative to the need for additional supergrades in the Federal Government. In fact, he has recently introduced a bill, H.R. 10376, to provide for over 200 additional supergrades.

Under the rules of the Senate and the House of Representatives and the Legislative Reorganization Act of 1946, the Committees on Post Office and Civil Service of the Senate and the House are vested with exclusive legislative jurisdiction, and charged with the duty of exercising legislative oversight and supervision with respect to all matters within the purview of the Classification Act of 1949. This statement is to be found in Public Law 87-367.

Whenever departments, agencies, or commissions require top level jobs; namely, GS-16, GS-17, and GS-18, it is the well-established procedure in the executive branch for such managing officials to go to the Civil Service Commission for review of the position as to the proper pay level.

It is quite important that the House adopt Mr. Henderson's amendment. If we are to continue to maintain principles of the merit system we must require the commissions, agencies, and departments to abide by the rules and regulations of the civil service processes. Mr. Henderson's amendment merely places the classification of jobs in accord with the well founded civil service laws and regulations.

I urge the House to support Mr. Henderson's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. Henderson].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Charles H. Wilson, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes, pursuant to House Resolution 678, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 369, nays 19, not voting 44, as follows:

[Roll No. 165]

YEAS—369

Abbitt
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Aspinall
Ayres
Barrett
Bates
Battin
Belcher
Bell
Bennett
Betts
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Colmer
Conable
Conte
Conyers
Corbett
Corman
Cowger
Cramer
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Donohue
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Findley
Fino
Fisher
Flood
Foley
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Gurney
Hagan
Haley
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Horton
Howard
Hull
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyros
Laird
Landrum
Langen
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McCulloch
McDonald, Mich.
McEwen
McFall
McMillan
MacGregor
Machen
Madden
Mahon

Mailliard
Marsh
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meskill
Miller, Calif.
Mills
Minish
Mink
Minshall
Mize
Montgomery
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Rumsfeld
Ruppe
Ryan
Sandman
Satterfield
Saylor
Schadeberg
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shriver
Sikes
Sisk
Slack
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Wampler
Watkins
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Miss.
Williams, Pa.
Willis
Wilson, Bob
Wilson,
Charles H.
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—19

Abernethy
Bow
Davis, Wis.
Edmondson
Flynt
Gross
Hall
Hosmer
Jones, Mo.
Latta
Long, La.
Michel
Miller, Ohio
Passman
Scherle
Skubitz
Smith, Calif.
Waggonner
Winn

NOT VOTING—44

Ashmore
Baring
Berry
Bolton
Burton, Utah
Bush
Clawson, Del
Collier
Dent
Diggs
Dingell
Dorn
Feighan
Ford, Gerald R.
Hanna
Hansen, Wash.
Hébert
Herlong
Holland
Hungate
King, Calif.
Kyl
McClure
McDade
Macdonald,
Mass.
Martin
Meeds
Monagan
Moore
Moorhead
Moss
Nichols
O'Konski
O'Neal, Ga.
Purcell
Rivers
Roush
St Germain
St. Onge
Shipley
Smith, N.Y.
Tuck
Tunney
Watson

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mrs. Bolton.
Mr. Feighan with Mr. Gerald R. Ford.
Mr. Monagan with Mr. Moore.
Mr. Hungate with Mr. Martin.
Mr. Dent with Mr. Smith of New York.
Mr. Shipley with Mr. McClory.
Mr. St Germain with Mr. Kyl.
Mr. Moss with Mr. Del Clawson.
Mr. O'Neal of Georgia with Mr. Berry.
Mr. Roush with Mr. Bush.
Mr. Dingell with Mr. O'Konski.
Mr. Diggs with Mr. Tunney.
Mr. King of California with Mr. McDade.
Mr. Macdonald of Massachusetts with Mr. Collier.
Mr. Rivers with Mr. Watson.
Mr. Moorhead with Mr. Burton of Utah.
Mr. Baring with Mr. Ashmore.
Mr. Dorn with Mr. Hanna.
Mr. Holland with Mr. Herlong.
Mr. Nichols with Mr. Tuck.
Mr. Purcell with Mr. Meeds.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. PEPPER. Mr. Speaker, yesterday I was necessarily absent from the House. Had I been present on rollcall No. 163, on the bill to extend the Civil Rights Commission, I would have voted "yea."

PROHIBITION ON USE OF FINANCIAL INSTITUTIONS AS LOTTERY AGENCIES

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 671 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 671

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10595) to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from Tennessee [Mr. Anderson] for 1 hour.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. Latta] and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 671 provides an open rule with 2 hours of general debate for consideration of H.R. 10595 to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities.

The Federal Government has long exercised a degree of control of State-chartered banks through the FDIC, which rules on branching and merger applications of State banks that are not members of the Federal Reserve System. Only last year, Congress passed legislation to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations.

H.R. 10595 prohibits federally chartered or insured banks and savings and loan associations from selling or otherwise dealing in lottery tickets, from advertising lotteries, and from announcing lottery winners or keeping records of participants and winners as such. The bill also prohibits these institutions from permitting the use of premises under their control for any of these purposes.

There is no interference whatever with customary banking services. Banks may continue to perform any other services which they are now authorized to perform, without being obliged to inquire into the nature of the customer's business any more than under existing law. The bill merely provides that the covered institutions cannot directly participate in the gambling activities specified in the bill, or permit these specified activities to be carred out on premises under their control.

Mr. Speaker, I urge the adoption of House Resolution 671 in order that H.R. 10595 may be considered.

Mr. LATTA. Mr. Speaker, as stated by the gentleman from Tennessee [Mr. Anderson], House Resolution 671 provides for 2 hours of debate, at the conclusion of which the bill shall be read under the 5-minute rule and open for amendment at any point.

The purpose of the bill is to prohibit federally chartered or insured banks and savings and loan associations from selling or dealing in lottery tickets or otherwise becoming involved in the operation of a lottery. The bill also prohibits such institutions from permitting the use of any premises under their control for such purposes. There is no interference with normal banking services or operations.

The proposed New York State lottery has created this situation, as financial institutions were to be agents for the selling of tickets, keeping records, et cetera. The committee believes that this is an improper activity for financial institutions.

There are a number of supplemental and dissenting views filed. Seven members support the purpose of the bill but believe that it should not become effective until April 1, 1968, thus giving the New York Legislature time to make other arrangements for the conduct of the lottery.

Eight members have filed dissenting views supporting the lottery concept and the part to be played by financial institutions. They point out that the money is earmarked for education. They question the right of the Federal Government to so regulate State-chartered agencies whose only Federal connection is to members of FDIC. They note that none of the Federal supervisory agencies support the bill, all keeping their hands off or reacting negatively.

The gentleman from New York [Mr. Fino] has also filed separate views strongly attacking the right of Washington to regulate, in a nonbanking manner, State banks and savings and loan associations. He points out that the Department of the Interior runs an oil and gas lease lottery which violates U.S. postal laws, not even in question in the New York case. He notes that Cardinal Cushing has supported the legislation and that more legal gambling for good purposes will further reduce the areas available for illegal gambling.

The gentleman from New York [Mr. HALPERN] has also filed additional dissenting views. He also stresses the Federal invasion into the area of State-chartered financial institutions. He also notes that the legislature on two occasions, the Governor, and finally a public referendum have all endorsed the concept.

Mr. Speaker, I have no requests for time, and yield back the balance of my time.

Mr. ANDERSON of Tennessee. Mr. Speaker, I have no further requests for time.

I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10595) to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 10595, with Mr. CHARLES H. WILSON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. PATMAN] will be recognized for 1 hour, and the gentleman from New Jersey [Mr. WIDNALL] will be recognized for 1 hour. The Chair recognizes the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, the legislation before the House, H.R. 10595, simply carries out longstanding laws and public policy that the Federal Government shall in no way participate in or condone gambling.

H.R. 10595 would prohibit all federally insured financial institutions from participating in gambling activities. That, in very basic language, is what this bill seeks to accomplish. Is it asking too much that Congress go on record against having the name of the U.S. Government used as a come-on for gambling activities?

If any State wishes to legalize gambling, I fully agree that the Federal Government has no right to interfere. On the other hand, the State has no right to name the Federal Government as a partner in the scheme and use the Government's name or its facilities as devices to hustle customers. H.R. 10595 would simply make it clear that the U.S. Government has not turned its back on nearly 100 years of legislation and public policy.

The immediate purpose of this bill is to prohibit the participation in lottery activities of banks and other lending institutions that are backed by Federal insurance—banks and other lending institutions, in short, which people point to and say proudly, "That organization is insured by the good word and the good character of the Federal Government."

Speaking more broadly, the purpose of the bill is to reaffirm the traditional policy of Congress and of all branches of the Federal Government to shun gimmickry, deception, gambling, huckstering, and all fast-buck activities; and instead to meet Federal obligations and Federal responsibilities on a high plane of ethics. Between the lines of the legalisms written into this bill, you may read—and I hope Members of Congress and all other citizens will read—this statement: "The Federal Government of the United States is too proud to work as a shill for gamblers."

This bill will reaffirm the policy of the Federal Government as it has stood, unchallenged, since September 18, 1890, when, on the plea of President Benjamin Harrison to protect "the people of all the States" from being "debauched and defrauded" by the infamous Louisiana lottery, Congress outlawed all lottery materials from the U.S. mails.

The statutory freedom from lottery corruption that has been enjoyed by the U.S. mails for nearly 77 years should now be extended to that portion of the banking industry which does business under the imprimatur of Federal insurance, and it is the purpose of this bill to extend that protection.

This legislation was brought about in response to the dangers arising from a new lottery voted into existence by the State of New York. A major outlet for the sale of lottery tickets under the New York plan will be banks. Other outlets will include hotels, motels, and State government offices. The official excuse for creating the lottery is to raise money to support the public schools of New York State. New York officials insist that the bank sales are absolutely necessary if the lottery is to succeed.

NEW YORK LOTTERY NOT IN PEOPLE'S INTEREST

I intend to show that the lottery is being set up not on behalf of the schoolchildren of New York but on behalf of banks that prefer to profiteer rather than to retain their good name. I intend to show that this is simply another Rockefeller scheme to dodge a fair and equitable tax program. I intend to show that the chances are very good of the lottery deteriorating into a racket, and that when this happens the reputation of bankers everywhere will be blackened—unless we stop this movement now.

Above everything, I hope through the presentation of this legislation to persuade Congress that it is absolutely necessary for us to set up safeguards to stop the spread of gambling through the banking community, and that we must do it now.

It is time that we taught Governor Rockefeller that if he cannot raise funds by taxation or by other logical and ethical means, that is his problem; it is not the concern of the organizations covered by this legislation.

If Mr. Rockefeller wishes to support his State government by trickery, slickery, shell games, gambling, and fast buckism, that is a matter that rests between him and the voters of New York. But when he attempts to slip these ingredients into the Federal banking system, then it is time for Members of Congress to teach him a basic lesson in the proper and time-honored separation of State and Federal Governments.

I was amazed, and I am sure that others on the House Banking Committee were also amazed, at the blatant way in which New York State officials admitted that their lottery scheme is a thing of bad reputation and needs to hide behind the respectability of Federal banks. I want to quote one exchange that occurred at our hearings.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. No, I cannot yield.

Congressman FINO asked Mr. Murphy, New York Commissioner of Taxation:

> Commissioner Murphy, is it not a fact that one of the main reasons why the legislature authorized the use of banks in the sale of lottery tickets was because it would give the sale of lottery tickets a great degree of respectability and dignity?

And without batting an eye or apologizing, Mr. Murphy responded, "That is one of the reasons."

In other words, the Rockefeller administration wants its gambling kingpins to be permitted to hide behind the relatively clean skirts of the banking community. Mr. Rockefeller wants to borrow a respectability and dignity for his program that it does not have and cannot have unless the U.S. Congress, by default, permits him to have his way with the banks.

And then Mr. Murphy went on to say:

> Another reason was that the use of the banking system would assure propriety in distribution of these tickets.

In other words, Rockefeller is fairly sure that if anyone but bankers distribute these lottery tickets it will quickly degenerate into crookedness. And if it does, where does that leave the banks? It leaves them potentially facing a partnership with a network of crooks, because Rockefeller claims that about half the tickets will be sold by non-banking outlets. If half the outlets are suspected of crookedness, what will that do to the banking system in New York, since it will be so closely allied to the suspect outlets?

It is not fair for Rockefeller to put the banks in this position and it is certainly not right for us to permit him to put the banks in such an embarrassing relationship to potential crooks.

Judging from the slowness by which some banks are going into the program, they are worried about this also. Many banks apparently agree with Arthur T. Roth, chairman of the Franklin National Bank, a bank with $2 billion in assets and 66 branches throughout New York City and Long Island whose board of directors voted to stay clear of the Rockefeller lottery scheme. Announcing the Franklin National Bank decision, Mr. Roth said:

> It is the inescapable responsibility of a bank to always be both a symbol and example of stability and security in the community. A lottery undermines that basic responsibility. Newspapers, radio, television, and direct mail media are prohibited from accepting advertisements promoting the lottery. If media cannot legally advertise the lottery, banks should not sell lottery tickets.

The Franklin National Bank decided to put dignity and propriety above profits. Many other banks in New York have made the same choice.

The Federal Home Loan Bank Board has likewise informed its members that—

> The sale of lottery tickets by Federal savings and loan associations would be inconsistent with their objectives as thrift institutions.

Unfortunately, needing guidance from the Federal level and failing to get it, many important banks in New York State have allowed the prospect of easy profits to blind them to dangers involved in the Rockefeller scheme. They have gone along with the program. In fact, some of them are fighting for the chance to get a monopoly on the profiteering.

Participating banks will certainly profit from the lottery. And this undoubtedly explains why the Chase Manhattan Bank, headed by David Rockefeller—brother of the New York Governor—has sought to obtain an exclusive franchise for operating the Rockefeller lottery racket.

We will not know the potential of profit until the lottery has been in operation for awhile, but it is a certainty that participating banks stand to earn many millions of dollars from the lottery.

Although the banks must periodically surrender the funds they are holding for the State, they will also be renewing these funds from other lottery sales. Mr. Murphy, the New York Commissioner of Taxation, has estimated that the banks handling lottery tickets would have the use of $30 million at all times. And, of course, as you know, they will be able, under current banking rules, to make paper loans of seven or eight times the amount that they actually have on deposit. Thus, the lottery money will be worth about one-quarter billion dollars in lending assets to the banks. On this they will draw 7 or 8 percent interest.

Now, let us assume that the banks put this paper multiple of their lottery income out on 10-year loans at 7 or 8 percent interest. This means that their income from 1 year's juggling of the lottery income will eventually come to nearly $170 million.

Thus, while the schoolchildren are supposedly benefiting by about $190 million—that is what Rockefeller estimates they will get, but there is no way of being sure that they will get it—favored banks would be knocking down nearly an equal amount from long-term loans made from the lottery money that passed through their hands.

It is easy to see why banker David Rockefeller wants an exclusive on this program. It is also easy to see why Brother Nelson is pushing the lottery racket like he is.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. No, I will not yield.

NEW YORK BANKS WILL PROFIT FROM LOTTERY

And, of course, the profit I have already mentioned as a potential for the banks does not include the $4.5 million earmarked by the lottery commission to pay the banks each year for handling the money. This latter payment is ironic, when you think of it. The State will pay the banks $4.5 million for taking in money. Do you pay the banks for using your money? No, you expect the bank to pay you. But when New York puts its lottery money in banks, it does not charge them interest—it pays them. That is a new concept of banking, and I am not surprised that Governor Rockefeller would be the first to think it makes sense. The Rockefeller family has always operated on the assumption that the rich should get richer and the poor should be fleeced.

The greatest understatement made in our committee hearings was by Tax Commissioner Murphy, when he said:

> I think the regional banks would be interested perhaps in what their earnings might be from the balances.

I would agree with him that the banks might be interested in earning nearly $170,000,000 from the money that passes through their hands each year. Not even the Rockefeller's Chase Manhattan Bank scorns that kind of profit.

And I must say that the biggest joke made in our committee's hearings was also made by this same Tax Commissioner Murphy when he later claimed that the banks would participate only as a "public service."

If it is only a public service, why then did he admit that the exclusion of the national banks from the lottery racket—if the State banks are left in—would, in his words, put the national banks at a "serious competitive disadvantage"?

It would be nice for a change if Governor Rockefeller and Banker Rockefeller and all the others mixed up in his mess, which they are attempting to gloss over with a Federal sheen, would, just for a change, be honest about their objectives and admit that what they say is for the benefit of schoolchildren is immediately for the benefit of participating bankers and eventually for the benefit of the kind of racketeers who inevitably get involved in any gambling activities that are conducted in New York State.

It is hard to believe that Governor Rockefeller is serious when he tried to convince the public that his real purpose in pushing the lottery is for the welfare of New York schools. At most, the lottery will contribute less than one-tenth the amount New York will budget for its schools. There is good reason to doubt that the schools will benefit even this much. The New Hampshire lottery has supplied less than 4 percent of the school budget in that State.

In any event, if Governor Rockefeller feels that gambling is necessary to support the school system of his State, why does he not select a more efficient form of gambling? A lottery is very likely the most expensive kind of gambling to administer. Most available estimates put the cost of administering a lottery at 20 percent of the take. Thus, Governor Rockefeller's estimate of 15 percent as the likely amount to be spent for administrative costs is unrealistic, and he knows it.

One of the main reasons Governor Rockefeller likes a lottery over other forms of gambling is the very fact that so much money can be spent to administer it. Money spent to run the lottery strengthens his political machine. Already many more State jobs have been hatched for his cronies. State gambling means patronage, and Rockefeller can make use of that—even though it will scarcely benefit the people of New York, in general. As Chicago Crime Commissioner Virgil W. Peterson once noted:

> The opportunities for building up a powerful political machine controlled by the lottery are unlimited.

If the people of New York want to permit Governor Rockefeller to expand his political machine at their expense, that is their business. But it is our business when he attempts to make the national banking system work for his political machine.

New York's argument for making the banks a partner to the underworld gets no support from New Hampshire, the only other State to have legitimatized lotteries. Joseph A. Millimet, counsel for the New Hampshire Sweepstakes Commission, told the House Committee on Banking and Currency:

> Prior to the passage of the New York lottery law, banks were not authorized to sell sweepstakes tickets in New Hampshire and we are perfectly willing to surrender that privilege if the Congress believes that such sales are inconsistent with the proper function of banks.

The Rockefeller administration complains that if banks are forbidden to take part in gambling, it will seriously handicap this maneuver to raise money. New Hampshire had lodged no such complaints. From the outset New Hampshire sold its lottery tickets through a very logical channel—its liquor stores. If a State feels compelled to participate in gambling, its logical outlets would seem to be its liquor stores and its racetracks—not its banks.

New York has thousands of liquor stores licensed by the State, but it does not allow these liquor stores to sell lottery tickets. New York has several racetracks, but it has forbidden these tracks to sell lottery tickets. Instead of using these logical outlets, New York has chosen the banks. And now we are told that if the banks do not take part, the program will be ruined. That is not a very convincing argument.

In any event, propriety aside, New Hampshire has officially taken the position that gambling operations can be carried out without the participation of banks. New Hampshire is now selling tickets through its banks, but it took this step only after New York had done so, as a defensive gesture. This is the way the gambling virus penetrates new areas. It breeds upon itself and spreads without control.

Mr. WYMAN. Mr. Chairman, once again I renew my request, and ask, will the gentleman yield for a question?

Mr. PATMAN. I will not yield.

If we are going to keep our national banking program free of gambling and underworld influences, the time to stop it is now. We must hear our warning in these words from Mr. Millimet of New Hampshire:

> When New York entered the field, we were spurred by the fact that their competition promised to be a severe problem to us, and we amended our statute to authorize the sale of tickets through banks. I am authorized to say . . . that as far as the State of New Hampshire is concerned, we are perfectly willing to abandon that right. We do not consider that the use of banks is essential to our program.

This is a decent man warning us that banks are not necessary to the machinery of gambling, but that if New York is permitted to use them for that purpose, then all States should be permitted to use them for any competing purpose to raise money.

This is a logic that we must face. If we permit New York and New Hampshire to use the banks as gambling devices, then we cannot deny the banking system as a gambling outlet for any State. If we do not act now to correct the situation in New York and New Hampshire, we can say goodby to the integrity of the banking system everywhere.

I hope that nothing I say will suggest that I am not in favor of Governor Rockefeller's putting all the money he can get into the schools of New York and into the education of that State's residents. I am very much in favor of it. as columnist Elmer Roessner wrote recently:

> Perhaps if enough money is spent for education, the citizens of New York State may some day become smart enough not to make sucker bets.

I would like to see the citizens of New York and of every other State educated to such a high degree that the rich, not just the poor, will be taxed, and the needy will not be tricked out of their last dollars with dreams of quick riches.

I hope New York can raise all the money it needs to get the very best school system. But there is certainly no tradition of legalized gambling in this country that calls on Congress to distort Federal policy and degrade the dignity of the Federal Government merely to satisfy the fiscal cowardice of a machine politician who is afraid to tax those who can afford to pay more taxes within his own State.

After rot, corruption, and infamous abuse closed down the Louisiana lottery in the 1890's, no State again had the temerity to try this risky route of collecting funds until New Hampshire did so in 1963. Now New York has joined the movement. If this means that lotteries are becoming more popular with the States as a method of raising money—I do not believe this is true, but if it is true—then it only adds more earnestness to the need for Congress to act immediately to prevent gambling from obtaining the slightest hold on the Federal Government.

I realize that there is some legalized gambling in the several States. But I think we should keep in mind the history behind this. Most of the States which now draw revenue from parimutuel betting have had this form of legalized gambling only since the 1930's, only since the great depression, when they sought this income only as a desperate last resort during a period when many State governments were literally on the verge of bankruptcy.

It is significant that the Federal Government passed through this period without shifting in the slightest from its firm refusal to participate in gambling of any type. We came through the depression with dignity, not hobbling along on the cheap crutch of a national lottery. I will also point out what is obvious, that no comparable situation of fiscal desperation exists today in New York or in any other State in the Union.

These are relatively prosperous times. There is ample money to be tapped for government expenses, and no patriotic citizen will want to refuse his fair share of that support.

During Governor Rockefeller's 6 years, New York government expenditures increased by 50 percent. If the Federal Government increased its expenditures by 50 percent every 6 years, I am sure we would hear about it from Mr. Rockefeller. His spending spree, however, has not been accompanied by a responsible search for income. Governor Rockefeller and his administration have approached the problem of new taxes in the most craven attitude. A new sales tax was brought in on August 1, 1965. This, of course, is the most regressive tax that can be resorted to. It hits the little people the hardest. It is a bullying tax—unless balanced with taxes on industry and on big business and on other big money sources. Rockefeller, significantly, has not added new taxes on his rich friends.

He has taken more taxes from the wage earner, from the lunchpailer. But he has not disturbed the peace of mind, or the peace of pocket, of his cronies in the swank social clubs of New York. This, of course, is typical of the Rockefeller type of humanitarianism. If I may be permitted a slight paraphrase of the Bible, it is easier for a camel to pass through the eye of a needle than for a Rockefeller to consider taxing himself and his financial peers.

And now he is taking further money from the poor by way of this lottery. It is essentially another tax, and it hits the poor hardest because they are the most willing to gamble to escape from their drab lives.

Governor Rockefeller has pretended that he has nowhere else to go for his school funds but to the gamblers, to the shadowy underworld of New York—a dark world of vast dimensions, which has—I judge from FBI statistics—grown larger every year that he has been in office.

But it is not true that New York has nowhere else to go for its school tax funds, and some New York officials, if pressed, will admit that there are plenty of tax dollars to be had without turning to the lottery. In his appearance before the House Banking Committee, Tax Commissioner Murphy denied unequivocally that New York has run out of legitimate sources of funds for education. Mr. Murphy should know if this lottery is a matter of desperation for his State government; he admits that it is not.

New York will not collapse if the Federal Government refuses to let banks become a part of the gambling empire that has existed in New York for many years. New York's government will not collapse if the Congress refuses to permit the ethics of the underworld to penetrate Federal monetary affairs. New York's government will not collapse if the Congress refuses to embrace the philosophy of something for nothing.

OTHER NEW YORK TAX SOURCES ARE AVAILABLE

In fact, New York will be rolling in tax money if Governor Rockefeller ever decides to tax some of the wealthy sources available to him. The most obvious one, it seems to me, are those giant tax-exempt foundations that bear his family's name or that are controlled by the Rockefellers. Twelve of these foundations have assets valued at one and one-half billion dollars. If these foundations carried a fair share of the tax burden, the State of New York would collect as much money each year as it will receive under the most optimistic circumstances from the lottery.

But of course, there are numerous other multimillion-dollar foundations available for a just and reasonable tax, if Governor Rockefeller would only consent to push through such a levy. Several billion dollars in now tax-free funds—the Ford, the Carnegie, the Duke Foundations, to name only a few—are just awaiting this sensible action on his part. I include at the end of my remarks a few of the Rockefeller-controlled foundations and the funds that are now available for taxation in each. Thousands of foundations are available for taxing in New York.

I am not so foolish as to suppose Governor Rockefeller will take such action, of course. The history of his family is one of tax dodging, not tax paying.

THE ROCKEFELLER FOUNDATION—A SOURCE OF TAXES

The Rockefeller Foundation was chartered in the State of New York in 1913 because it could not obtain a satisfactory Federal charter from the Congress, including exemption from State taxes. The record shows this.

Today, the Rockefeller Foundations that we have knowledge of have accumulated riches totaling $1.5 billion, and they are, of course, exempt from Federal and State taxes. As an illustration of the tremendous growth, the Rockefeller Foundation, for example, had assets of $35.9 million at the end of 1913. By December 31, 1966, 53 years later, its assets had pyramided to $735 million.

Now, instead of taxing the vast wealth accumulated by the Rockefellers, the Governor of New York expects the Congress to go along with this gambling scheme by which he can avoid any risk of having his family's holdings submitted to a fair and equitable tax.

I should think, from all their pretensions, that the Rockefeller Foundations would be glad to be taxed for the benefit of the schoolchildren of New York. The foundations pretend to a great interest in the education of the youth of this Nation. A close inspection of the Rockefeller Foundation's records, however, shows quite the opposite. The records of the foundation show that its officers are much more interested in sending their money out of the country than they are in helping schools in this Nation. Last year the foundation sent 75 percent more money out of the country than it spent here; $17.8 million was spent for the benefit of foreign institutions or persons. Individuals and institutions in this country received only $10.9 million.

To give you a better idea of the strange benevolence of the Rockefellers, let me point out that the Rockefeller Foundation spent half as much just running its New York office—$5.4 million—as it spent throughout the entire Nation. It spent more just running its New York offices—in salaries and the like—than it spent on "benevolencies" in New York State and California combined. The Rockefeller Foundation spent $1,693,762 in India, but not a penny in Arkansas. It spent half a million dollars in Uganda, but not a cent in Idaho. It spent more than $1 million in Nigeria, but it could bring itself to spend only $1,000 in Kentucky.

It spent nearly $2 million in Colombia, but it spent nothing at all in South Carolina, or Wyoming, or Maine, or Delaware.

More than $5 million went into the upkeep of its posh offices in New York, but only $2,374 of its money went into West Virginia.

This is the way the Rockefeller Foundation treats the Nation that set it up in a privileged, tax-exempt status. It talks a great deal about helping American education, but I have just read you some of the figures from its 1966 record.

The lottery "for schoolchildren" is a fitting part of the hypocrisy that has marked the establishment of the Rockefeller Foundations.

John D. Rockefeller, Sr., after a career of exploitation, economic brutality, and shady manipulations, established his foundations ostensibly for the "wellbeing of mankind throughout the world"—that is the phrase he used—but in actuality he established his foundations to dodge taxes and to burden future generations with his oppressive business code.

The American people of his day saw through this hypocrisy. When Rockefeller proposed his foundations, the response from the public was very bitter. Senator Work of California caught the prevailing mood when he said:

> We do not want our children to be taught the ways nor the methods of John D. Rockefeller or his kind, nor to touch, handle, or profit by gold that should blister the fingers of the man who has accumulated it by extortion, oppression and crime and is now attempting to rid himself of it by giving it away, nor to become the receivers of stolen goods in the name and under the guise of charity.

Perhaps some will think that John D. Rockefeller, Sr.'s contemporaries should have been more forgiving, when, after a lifetime of economic evil, the old multimillionaire pretended to "get right" with his fellow countrymen and his own conscience by establishing the several foundations in his name.

But subsequent events have proved their suspicions correct. Subsequent events have shown that the old rascal, under the cloak and disguise of charity, was primarily interested in using his foundations to duck taxes and antitrust laws.

Today the Rockefeller Foundations are operating in the very fashion that the trustbusters of Theodore Roosevelt's day meant to forbid.

Rockefeller-controlled foundations own significant amounts of not only the family-dominated Standard Oil Co., of New Jersey, but also of Mobil Oil Corp., Continental Oil, Ohio Oil, Standard Oil Co. of Indiana, and Union Tank Car Co. Their corner on the market is secure. Through the supposedly benevolent foundations, the Rockefellers are today still violating the spirit if not the letter of the Federal antitrust statutes.

Now the grandsons of John D. Rockefeller, Sr., the sons of John D. Rockefeller, Jr., are indeed carrying on in the family tradition. In the name of good works, in the name of generosity and benevolence, they have set about methodically to confuse the public.

For years we have heard the whines of Winthrop Rockefeller, the cuff-links cowboy, who deplored what he considered to be the stupidities of Arkansans in not electing him their Governor. He swore a mighty oath that if they would only entrust the State to him, he would bring enlightenment and purity to Arkansas. He promised to chase all the gamblers out of Arkansas, for one thing; and he berated those Democratic Governors who had failed to do so.

Well, the people of Arkansas finally decided to take him at his word, and they elected him Governor last year. He has been Governor now just a little over half a year, and already he is going back on his promises.

Now he is saying publicly that he does not think he will get around to the job of chasing the gamblers out of Arkansas. Now he is saying he considers a little thing like gambling—which, by the way, is a multimillion dollar enterprise in that State, although illegal—yes, he says he considers a little thing like gambling to be the concern of the town constables, not the Governor and State police.

In other words, he misled the people of Arkansas. I do not say he was bought off by the gamblers. I am just saying he is proving to be naturally on the side of the gamblers in Arkansas.

Thus, we have cause to be suspicious when Gov. Nelson Rockefeller tells us that his lottery is supposed to put the hoodlums out of business and to bring in money for the sake of the little schoolchildren.

Well, I do not think Congress or the Nation or even the people of New York State will fall for that sanctimonious nonsense.

THE GAMBLERS TAKE OVER

Every time the gamblers want to do their mischief, they think up the most beautiful excuses. The infamous Louisiana lottery was sold to the public with the argument that it would benefit the New Orleans hospital. As it turned out, the racketeers took in $30,000,000 a year from this lottery—but only $40,000 went to the hospital. There have been similar frauds under the guise of sweet charity. And it may be significant that every recent effort to get gambling legalized in New York has been for the noblest purposes. In 1934 they said lotteries would bring in money for relief. In 1938 they tried to set up municipal lotteries for city hospitals. In 1946 the excuse was to raise policemen's pay. In 1951 it was for hospital and medical needs. And again in 1952 the argument was that lotteries and bingo should be legalized to help hospitals and churches. One would get the impression from all this that nobody has a softer heart than a racketeer.

But it just is not true, and everything always goes sour when the racketeers get their chance to push into legalized gambling.

You may remember that in 1958 the New York State constitution was amended to permit State-operated bingo games "for religious and charitable purposes." The bingo games were supposedly policed by a State lottery control commission. You may also remember the disgraceful farce that this "religious and charitable" gambling became.

In fact, New York-style bingo became a national scandal. It turned out that the power behind the legalization of New York bingo was William P. Buckner, an ex-convict, a swindler, a racketeer with close ties to gambling casinos in Havana, Cuba. Buckner used the State of New York for his own black purposes. Who is using New York's lottery today for similar purposes? As yet we do not know.

An investigating commission, looking into the bingo racket in 1961, reported:

> Every regulatory provision in the law has been violated. Revenues which should have gone to charitable purposes were misappropriated in substantial amounts . . . Otherwise decent citizens were duped or persuaded to commit fraudulent acts and shameful infraction of the law. Public officials who were charged with the direct responsibility for supervision of this legalized gaming were corrupted . . .

This was a report of what had happened in New York State less than two years after "religious and charitable" bingo was first legalized.

The next year, in 1962, Thomas B. Gilchrist, a well-known attorney, was commissioned by Governor Rockefeller to look further into the scandal. Gilchrist reported back:

> Evils have permeated all phases of control and conduct of bingo at all levels . . . The professional promoters who operated before the laws were passed, and who were all well known to law enforcement officials, all continued their operations after legislation . . .

> **Human frailties being what they are, it is difficult to predict whether this area of legalized gambling will ever be successfully administered and enforced.**

This is the Governor's own expert warning him that it is probably impossible to run honest bingo on a large scale, although bingo is child's play to administer compared to a statewide lottery. Yet only 5 years after being told that legal, State-operated bingo leads only to rot and corruption, Governor Rockefeller—the same Governor Rockefeller who heard the previous pessimistic report from his own investigator—is running a statewide lottery and expecting the Federal banks to give it the sheen of respectability.

If bingo is corrupt in New York, you may be sure that lottery will also be corrupt. And when corruption comes to the lottery—if it is not already corrupt—it will damage the reputation of the participating banks. The only way to be sure that the banks escape this damage is to keep them out of the lottery. Chicago Crime Commissioner Peterson touched the heart of the matter when he wrote:

> It is impossible to devise a legalization scheme that will be free from the influence of criminals and racketeers.

New York Tax Commissioner Murphy has testified that he would not be in favor of permitting lottery tickets to be sold through schools and colleges. He does not think that young people should be that close to the gambling activities. Just how effective does he think this scrupulosity of his will be? Does he really think that youngsters will not be taking part in the lottery? The second ticket drawn in the New Hampshire lottery was held by an 8-year-old boy. It will happen in New York, too.

The New York underworld will get its hands in this lottery. Lotteries invite underworld participation. They offer the kind of opportunities that crooks cannot resist. As the Supreme Court noted in 1950:

> Experience has shown that the common forms of gambling are comparatively innocuous when placed in contrast with the widespread pestilence of lotteries. The former are confined to a few persons and places but the latter infests the whole community; it enters every dwelling; it reaches every class; it preys upon the hard earnings of the poor, and it plunders the ignorant and simple.

The cheapest hoodlums prey upon the poor and the deprived; that is why the cheapest hoodlums love to infest lotteries. Under New York law, people on welfare are permitted to participate in legal lotteries. When the scandal breaks—as it inevitably will—do we want it said that the national banking system teamed up with cheap hoodlums to rob people on welfare? We have a chance now to guarantee that such a thing cannot be said. We simply pass a law prohibiting banks from engaging in lottery activities.

Governor Rockefeller and his supporters argue that gambling is a natural and universal instinct, that it cannot be controlled by laws, and therefore the best thing that can be done is to legalize it and collect from gambling profits. This is what you could call a "lyin' down legalism."

The lawyer for the New Hampshire gambling program told the House Banking Committee, and I quote his very words:

> In my opinion it is impossible to prevent gambling and that is why I think that this lottery program is a proper moral program as well as a proper fiscal program.

New Hampshire is the other State that has surrendered to the lottery interests.

Mr. WYMAN. Mr. Chairman, will the gentleman be willing to yield to me now? I again request that he yield for a question.

Mr. PATMAN. I will not yield.

The statement he made is a rather common excuse for surrendering to the baser elements in a community and in a State. It is the old argument for permitting redlight districts to flourish. It is the argument now being used by Gov. Nelson Rockefeller to rationalize the creation and expansion of legal lottery in New York. It is the voice of surrender to the underworld. He is asking the people of New York, and the supporters of his position in Washington are asking Congress, to go along with the rotten philosophy, "if you can't lick the crooks, join 'em."

As a former prosecuting attorney who cleaned up the city of Texarkana when it had prostitutes and gamblers to spare, I can assure you that the way to defeat crooks is not to join them but to fight them relentlessly, to fight them without mercy or quarter.

There are many good attorneys and former law officers, even a few former FBI agents, in this House who also can attest to the fact that the man who keeps a stiff back and a stiff moral code can defeat the forces of evil.

You will hear it argued by Governor Rockefeller and his supporters that if people have a legal place to gamble, they will not trade with illegal gamblers, and in that way the illegal gamblers will be chased out of business. This is a lazy, hypocritical argument.

Fortunately for the Nation, FBI Director J. Edgar Hoover does not agree with Governor Rockefeller's attitude of joining the crooks and profiting from gambling. Mr. Hoover is not a defeatist, like Mr. Rockefeller is.

Mr. Hoover believes that laws and decency can be upheld. He believes that gambling can be controlled—although I doubt that he has any great hopes of seeing gambling controlled by the weak-kneed New York administration of Governor Rockefeller.

I would like to quote a couple of remarks by Mr. Hoover on this point. Appearing before the Senate Special Committee to Investigate Organized Crime in Interstate Commerce, Mr. Hoover said:

> The gambling problem must be viewed as a phase of the entire crime picture. Organized gambling is a vicious evil. It corrupts our youth and blights the lives of our adults. It becomes the springboard for other crimes; embezzlement, robbery, and even murder. But, like any other type of crime, *it can be controlled. If the laws against gambling presently on the state and local statute books were earnestly and vigorously enforced, organized gambling could be eliminated within 48 hours in any community in the land.*

Mr. Hoover does not believe—as Mr. Rockefeller apparently believes—that the way to defeat gambling is to invite it into the banks and into the hotels and into city hall. Mr. Hoover feels the way to control and defeat the blight of gambling is to enforce the law. It is that simple. I am sorry this rather obvious solution never occurred to Mr. Rockefeller. I am sorry that he thinks the way to average out the problem is not to raise up the morals of the community but to drag down the reputation of the banks. That is a very odd solution.

In the same hearings I have just mentioned, the question was also put to Mr. Hoover:

> Do you believe that . . . if gambling were legalized, honest men would return to it and drive the gangsters out of it?

And Mr. Hoover replied:

> No; I do not. I do not think legalized gambling will solve the present situation you are faced with . . .

I am inclined to take Mr. Hoover's word as an expert. If he says that legalizing gambling does not help correct the underworld gambling problem, I believe him.

And since I believe Mr. Hoover, I must at the same time conclude that Governor Rockefeller of New York does not know what he is talking about when he says that bringing gambling activities into the banks will make these activities "respectable."

This is not the first time Governor Rockefeller has been discovered talking through his silk hat, and it will doubtless not be the last time. Of course, if the people of New York want to believe him, that is their business; but I would hope that the people of the other 49 States would prefer to follow Mr. Hoover's advice on how to achieve political decency rather than Mr. Nelson Rockefeller's advice on how to achieve both political and fiscal pollution.

If the people of New York want to permit Governor Rockefeller to go into partnership with the gambling underworld, that perhaps is also their business. But I would hope that the Congress of the United States would not be so tolerant as to permit him to force a partnership between the New York underworld and the national banking community.

Mr. Rockefeller's story that the legalization of gambling will cut into illegal gambling activities has been further refuted by the diligence of New York newspaper reporters. In fact, they have discovered that the State-sanctioned lottery is encouraging illegal gambling. Jack Roth, a reporter for the New York Times, wrote on June 22, 1967, that operators of the illegal policy racket are jubilant over the establishment of the State lottery because it makes them look like honest men.

> We welcome the lottery—

A policy gambling operator told Roth—

> Numbers players haven't quit us because they now realize that our odds are better. We pay off immediately, and furthermore, no winner has to worry about paying income taxes.

Compared to the numbers business, the lottery looks like the biggest racket of all. The payoff on most numbers is 600 to 1. But in the so-called legal racket concocted by Governor Rockefeller, the gambler is fighting odds of 4,166 to 1. The legal racket is nearly seven times harder to beat than the illegal racket. And if the gambler who buys one of Mr. Rockefeller's tickets is hoping for one of the really big prizes, the odds against him become 1,000,000 to 1. And if the gambler hopes to win the once-a-year pot of $250,000, he knows—if he knows anything about gambling—that his chances are one in 360 million.

That is Mr. Rockefeller's idea of an honest gambling house—offering odds of 360 million to 1 against the player.

No wonder illegal gambling in New York is not only holding its own but increasing since the advent of Mr. Rockefeller's cozy scheme to "help the schoolchildren." No wonder the New York District Attorney's Office reports no change in its pace of arrests for gambling. The numbers racket continues to perk right along with the new legal racket.

There is one other highly important purpose behind H.R. 10595 which I want to linger on for a moment.

One of the crucial issues of our time is the proper separation of State powers and Federal powers; this is an issue that has haunted our Nation from its beginning, and it will be with us always, but this is one of those periods when it is an especially pressing problem.

It is not a problem which Members of Congress back away from; they face up to it because it is an important part of their job.

With the staggering growth of the Federal Government in recent years, some of us have become fearful that the rights and powers of State governments are endangered. This is a proper concern. But it should not cause us to forget the possibility of State encroachment on the rights and powers of the Federal Government. It was, in fact, this danger which Hamilton wrote about in Federalist Paper No. 31. In his opinion:

> There is greater probability of encroachments by the members (states) upon the federal head than by the federal head upon the members.

Times change, and I believe that the greatest threat of encroachment today—Hamilton's fears notwithstanding—is from the Federal Government. Yet I must admit that Hamilton's warning sounds solid when we consider that the situation which this bill seeks to remedy is nothing short of a dangerous encroachment by the State of New York upon the rights and powers of the Federal Government.

It is an encroachment which, if we permit it to exist, will corrupt and ultimately destroy the standards and character of the Federal banking system, turning it into a tool of any State administration that wants to make use of it for even the most questionable activities.

No Member of this House is a stronger defender of State's rights than I am. But on this occasion I say that we must recognize and defend Federal rights and the integrity of the Federal Government. In another Federalist Paper, Hamilton—who, you will recall, was the father of our banking system—expressed the confidence that an "improper or wicked project will be less apt to pervade the whole body of the Union than a particular member of it."

It is our duty to give substance to Hamilton's confidence by rejecting the improper and wicked project launched by the Rockefeller machine through our banking system.

In summary, then, let me say that I feel the establishment of a legal lottery in New York under the guise of "helping schoolchildren" is a fraud.

I feel that the pretension of the banks being necessary for the lottery's success is a misrepresentation, and that the real reason the banks are being used is to give a cloak of respectability to an evil effort.

I feel that if the banks are not rescued from this situation, their reputation will ultimately be destroyed in scandal.

I feel that if the banks are misused in New York, they will be open for misuse anywhere.

I feel that the banking system is one of the cornerstones of this great Government and must be protected from unscrupulous persons.

I feel that H.R. 10595 will give that protection, and I ask your support of it.

I am not worried about the outcome of this debate. When the core of our Government is under attack, Congress comes through.

This is not a nation that believes the decencies of life should hang on chance. Americans do not chart their future by chance, but by faith and hard work. Americans do not pretend to a false and frivolous sophistication. We are a people who believe that material blessings properly follow the man who engages in creative labor and thrift, not the man who fritters away his time in gambling parlors and who risks his family's grocery money on a game of chance. America's moral code opposes the misleading concept of "something for nothing." We believe in "something for something."

There is gambling in this country, to be sure, and some of it is done legally; but that does not mean gambling is woven into the fabric of our national being. The pride of America grows out of its citizens who homestead a piece of land and spend a lifetime turning it into a productive farm; the pride of this country is in the parents who sacrifice and save to send their children to college; it is in the worker who invests a part of each paycheck in a great corporation or in this great Government's bonds.

This is a Nation still that prides itself in what one of my opponents in this debate has disdainfully termed "hillbilly morality." If thrift and the concept of something-for-something is hillbilly morality, I think he will find that mystic hills cover even such flat States as Kansas and Nebraska.

In that sense we are a nation and a Congress of hillbillies, but we have serious business nevertheless, and none of it is more serious than the business before us today—to prevent the moral compromises of one State administration from compromising the national way of life and the Federal policy that has sensibly prevailed for generations.

Rockefeller-controlled foundations

	Value of assets as of earliest date available		Value of assets as of last date available, using market value of securities wherever available	
	Amount	Date	Amount	Date
American International Association for Economic and Social Development, New York	$20,000	July 3, 1946	$413,865	Dec. 31, 1966
China Medical Board of New York	21,258,515	Dec. 31, 1928	59,700,000	June 30, 1966
Colonial Williamsburg, Williamsburg, Va	248,766	Dec. 31, 1929	131,700,000	Dec. 31, 1966
Agricultural Development Council, Inc. (formerly Council on Economic and Cultural Affairs), New York	58,160	Oct. 31, 1954	6,300,000	Do.
Esso Education Foundation, New York	1,452,146	Dec. 31, 1955	5,700,000	Do.
Government Affairs Foundation, Albany, New York	131,851	Dec. 31, 1953	29,820	Do.
Rockefeller Brothers Fund, New York	164,635	Dec. 31, 1941	189,200,000	Do.
Rockefeller Foundation, New York	35,965,384	Dec. 31, 1913	735,000,000	Do.
Rockefeller Institute, New York	8,686,345	June 30, 1911	245,200,000	June 30, 1966
Sealantic Fund, Inc., New York	3,787	Dec. 31, 1939	9,000,000	Dec. 31, 1966
Sleepy Hollow Restorations, Inc., Irvington, N.Y	1,962,977	Nov. 30, 1951	21,000,000	Do.
Standard Oil (Indiana) Foundation, Inc., Chicago	0	May 21, 1952	44,900,000	Do.
Total	69,952,566		1,448,143,685	

Rockefeller Foundation: 1966 grants paid for the benefit of foreign institutions or persons

Donee	*Amount*
International cooperative programs of the Rockefeller Foundation	$3,334,497
Organization of American States	60,916
United Nations	29,577
Argentina	118,563
Australia	40,734
Belgium	17,812
Bolivia	5,827
Brazil	508,110
Canada	34,019
Ceylon	60
Chile	730,246

Rockefeller Foundation: 1966 grants paid for the benefit of foreign institutions or persons—Continued

Donee	*Amount*
Colombia	$1,902,170
Congo	32,624
Costa Rica	45,452
Denmark	3,021
Ecuador	91,895
El Salvador	85
Ethiopia	55,529
Finland	3,812
France	24,845
Germany	2,794
Ghana	6,252
Guatemala	54,542
Guyana	3,927
Honduras	49,134

Rockefeller Foundation: 1966 grants paid for the benefit of foreign institutions or persons—Continued

Donee	*Amount*
Hong Kong	$15,000
India	1,693,762
Indonesia	6,574
Iran	6,178
Israel	33,062
Italy	37,393
Jamaica	43,260
Japan	60,840
Kenya	448,721
Korea	42
Lebanon	6,642
Liberia	30,948
Malawi	2,510
Malaysia	16,998
Mexico	2,413,744
National Republic of China, Taiwan	126,127
Netherlands	1,060
New Zealand	996
Nicaragua	9,170
Nigeria	1,038,658
Pakistan	9,090
Panama	560
Peru	266,461
Philippines	1,601,667
Poland	891
Rhodesia	26,397
St. Lucia	463,828
Senegal	479
Sierra Leone	2,613
Singapore	4,126
South Africa	4,027
Sudan	229,649
Sweden	5,250
Switzerland	92,154
Tanzania	193,756
Thailand	723,564
Trinidad	171,996
Turkey	148,396
Uganda	502,787
United Arab Republic	17,482
United Kingdom	207,734
Uruguay	10,588
Venezuela	3,402
Vietnam	5,655
Total foreign grants	17,840,680

Rockefeller Foundation: 1966 grants paid for the benefit of domestic institutions or persons

Donee	*Amount*
Alabama	$103,000
Alaska	12,364
Arizona	79,639
Arkansas	0
California	1,587,162
Colorado	44,316
Connecticut	642,746
Delaware	0
District of Columbia	175,687
Florida	61,857
Georgia	340,257
Hawaii	135,100
Idaho	0
Illinois	338,204
Indiana	84,914
Iowa	83,546
Kansas	17,582
Kentucky	1,000
Louisiana	121,897
Maine	0
Maryland	80,880
Massachusetts	1,334,221
Michigan	106,628
Minnesota	175,390
Mississippi	35,500
Missouri	32,643
Montana	0
Nebraska	140,475
Nevada	0
New Hampshire	76,269
New Jersey	646,607
New Mexico	30,050
New York	2,131,952
North Carolina	200,370
North Dakota	8,000
Ohio	$280,582
Oklahoma	16,500
Oregon	167,773
Pennsylvania	611,782
Rhode Island	161,810
South Carolina	0
South Dakota	9,000
Tennessee	276,557
Texas	85,972
Utah	118,806
Vermont	7,200
Virginia	19,000
Washington	77,600
West Virginia	2,374
Wisconsin	124,230
Wyoming	0
United States: general	168,307
Total domestic grants	10,955,749

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may require.

The CHAIRMAN. The gentleman from New Jersey is recognized.

Mr. WIDNALL. Mr. Chairman, I regret very much that we have not had a discussion of H.R. 10595. I fully support the bill, as I do not believe, in good propriety, the savings institutions and the financial institutions of this country can be engaged in selling or otherwise dealing in lottery tickets. But I want it firmly understood by the Members of this House that I completely disassociate myself from the remarks made by the chairman of this committee in making his presentation before the House.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from New York.

Mr. REID of New York. I thank the gentleman for yielding. I strongly concur in what he has just said with regard to his disassociation from the remarks of the chairman. I believe it is an incredible personal attack on the Governor, on his family, and on the foundation. I have never heard the integrity of the Governor of the State of New York questioned directly or indirectly. To do so today, in my judgment, demeans this House.

There is ample opportunity in the debate on this bill, I believe, Mr. Chairman, to discuss the merits of the legislation, or the lack of them, as the case may be, and the impact with regard to the State of New York. But to question the integrity of the Governor, to talk of a "Rockefeller lottery racket," "monopoly on profiteering," and a series of other phrases, including "voice of surrender to the underworld," and other such comments I think is a serious disservice to the State, to the Governor, and to what we are trying to do.

Lastly, let me just say clearly and affirmatively on the record that the Governor of the State of New York has said that the purpose of the lottery, very simply, is to provide funds for the State's school districts, and they are depending on the lottery for funds to meet budgets for the coming year. In the November election last year, the people of the State of New York voted in support of the lottery by a plurality of 900,000 votes. Furthermore, the Governor has pointed out that "participation in the lottery by banking institutions is entirely legal under all existing State and Federal laws."

I thank the gentleman for yielding, and I deplore in the strongest terms this broadside personal attack, which in my judgment does an ill service to this House and demeans this body.

Mr. WYMAN. Mr. Chairman, will the gentleman yield to me?

Mr. WIDNALL. I yield to the gentleman from New Hampshire.

Mr. WYMAN. I would like to asociate myself with the remarks which the gentleman from New York has just made and also the gentleman from New Jersey. The personal attacks on the distinguished Governor of New York were unwarranted, unjustifiable, and in some respects outright misrepresentation.

As the gentleman knows, in New Hampshire we have a Sweepstakes that raises money that helps education. We have a former FBI agent as executive director, a man of unimpeachable integrity and outstanding competency.

We use the banks as depositories, but we do not use them as sales agencies for tickets. They do assist administratively, particularly computerwise. There is no "ethics of the underworld" involved in any way in our sweepstakes, nor is or has there been any surrender to the underworld.

The suggestion made by the gentleman from Texas that the sale of lottery tickets to the people of this country is in some way an attempt to debauch and to defraud the people of this country is so much hogwash. It is a calculated risk and a measured chance of return for each ticket buyer. An essential requirement of operating the governments of this country, both Federal and State, is to raise enough money to pay their way. If we are going to collect taxes, we might as well find a way to collect them with a smile. When anyone comes here with stories like those we have heard today about the Government backing down on the enforcement of laws and crookedness and corruption in raising money by State lotteries, they are simply blind to the facts of life in 1967 and misstating the record.

I suggest to the gentleman from New Jersey that it is time to debate this bill and stop these personal vendettas.

Mr. WIDNALL. Mr. Chairman, H.R. 10595 is a bill which would prohibit federally chartered or insured banks and savings and loan associations from selling or otherwise dealing in lottery tickets.

The specific provisions of the bill are—and I cite the first part of the bill—with respect to a national bank:

> "SEC. 5136A. (a) A national bank may not—
>
> "(1) deal in lottery tickets;
>
> "(2) deal in bets used as a means or substitute for participation in a lottery;
>
> "(3) announce, advertise, or publicize the existence of any lottery;
>
> "(4) announce, advertise, publicize, or keep any record of the existence or identity of any participant or winner, as such, in a lottery.

This same provision applies to State member banks under the Federal Reserve Act and to State nonmember insured banks under the Federal Deposit Insurance Act and to the savings and loan associations of this country which come under title IV of the National Housing Act.

Mr. Chairman, this legislation is completely consistent with the laws and policies of the United States dealing with lotteries and other gambling activities. As indicated in the committee report accompanying the bill, for nearly 100 years the mailing of lottery tickets or lottery information or advertising has been forbidden, even if mailed intrastate. Similarly, the broadcasting of lottery information on radio and television is likewise prohibited. Newspapers, although not federally licensed or supervised, are prohibited from mailing publications containing lottery information or lists of lottery winners.

H.R. 10595, therefore, simply carries out in a consistent fashion public policy and conforms to the intent of Congress in discouraging this type of activity.

The major argument in opposition to the bill was that by prohibiting federally insured or chartered financial institutions from participating in the New York State lottery we would be unduly interfering with an activity whereby the State of New York hoped to raise substantial funds for educational purposes. It was argued that not only was the New York State lottery overwhelmingly supported by both houses of the New York State Legislature and the Governor, but also that the people of New York, by a substantial margin, voted in favor of the lottery in a recent statewide referendum.

As a supporter of the bill I concede this argument and sympathize with the budgetary hardship that might result from a sudden prohibition against federally insured and chartered financial institutions participating in the lottery. Nevertheless, I do not think the New York State Legislature used good judgment in specifically authorizing the participation of federally chartered and insured financial institutions in the face of a clear and consistent congressional policy against such activities.

Secondly, opponents of the bill argued that State-chartered banks should definitely be exempt from the provisions of this bill. They argue that Federal insurance of accounts and/or membership in the Federal Reserve System is not sufficient justification for inclusion in the bill of State-chartered banks; that this constituted a further erosion of the dual banking system. This argument carried considerable weight in my thinking, but because the associations representing State-chartered banks raised absolutely no objection to the bill I was forced to conclude that they had no overriding objections.

Mr. Chairman, perhaps the best argument in support of this bill was offered by the officers of the Franklin National Bank of New York, after the bank declined to sell tickets for the New York State lottery. In refusing to participate, the officers said:

> Lotteries undermine the inescapable responsibility of a bank always to be both a symbol and an example of stability and security in the community.

I think the Franklin National Bank best summed up the arguments in support of the legislation in that they based their opposition to participation in the lottery neither on moral or legal grounds, but rather on just plain old ordinary commonsense.

The initial experience with the lottery as reported by the New York Times this week has been very poor. Receipts have been less than 25 percent of initial projections. Apparently the urge to gamble by the typical New Yorker was vastly overestimated.

Unless this legislation is enacted we can expect to see thousands of New York State banks having windows selling lottery tickets within a few feet of windows soliciting and encouraging savings accounts. The contrast is too ridiculous to contemplate, and I am frankly disappointed that the overwhelming majority of New York State banks, both Federal and State chartered, did not make their sentiments more clearly known to the New York State Legislature prior to enactment of the State lottery bill.

Mr. Chairman, I am reminded of the lyrics of Frank Loesser's old song from the broadway musical "Guys and Dolls" entitled "The Oldest Established Permanent Floating Crap Game in New York." The song started out with the words "Where's the action? Where's the game?" Let us see to it that the action and the games are not conducted in our federally chartered or insured financial institutions.

Mr. Chairman, I think this bill deserves the overwhelming support of the House.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to a sponsor of the bill, the gentleman from New York [Mr. Murphy].

Mr. MURPHY of New York. Mr. Chairman, I rise today in support of H.R. 10595.

This is a revised version of a bill I cosponsored with the chairman of the House Committee on Banking and Currency [Mr. Patman].

This bill would not challenge the right of the people of New York State, or of any other State, to have a lottery. In New York that right was clearly expressed when the voters approved the lottery referendum by a plurality of 900,000 votes. This bill does, however, prohibit the use of thrift institutions and their bonded employees in gambling operations. There was nothing said in the referendum about the use of thrift institutions in the New York State lottery.

It has been argued that banks lend stability and security to the lottery. Undoubtedly they do. Banks would also lend stability and security to bookie operations, slot machines, and prostitution. The argument of stability and security is irrelevant to this bill.

What is relevant, however, is the fact that there is nothing more contrary to the principles of banking than a gambling operation. Financial institutions should have been the last choice as ticket agents for the lottery. There is nothing quite as absurd as putting a window for saving next to a window for gambling.

Many banks in New York have recognized the absurdity of this proposition and have chosen not to participate in the lottery. In addition, a recent legal opinion written by Kenneth E. Scott, General Counsel of the Federal Home Loan Bank Board, has indicated that Federal savings and loan associations may not participate in gambling operations.

Unfortunately, the position of the various financial agencies is not consistent. Comptroller of the Currency William B. Camp has informed me that his agency would not prohibit financial institutions from selling lottery tickets. It seems to me this is an inconsistent position for our administrator of national banks to assume.

This bill would fill the present policy vacuum by setting down a clearly defined and consistent policy regarding the participation by financial institutions in gambling activities. I am surprised that such a policy does not already exist and I am concerned that the existing agencies charged with protecting the public interest have not produced such a policy.

Although many banks apparently are not responsible enough to stay out of the lottery, their customers seem to know that gambling and saving are separate matters. A recent survey by New York State officials showed that ticket sales in participating banks had fallen 20 percent. Maybe there is truth to the old saying that "the customer is always right."

One obvious result of the lag in ticket sales has been desperate promotional schemes by the State tax department. Just recently the State ran newspaper ads to try and boost ticket sales. Since this was an unplanned advertising campaign, it was undoubtedly paid for out of what we know are poverty funds. The original advertising campaign was to be limited to billboards and transit-car cards. It has not yet been explained whether the billboards are part of the highway beautification program.

The fact that sales are down is just one more reason for the Governor to find new outlets for ticket sales. A recent article in the New York Times indicated that the numbers racket was not affected by the lottery. Apparently when people gamble, they want better odds than a return of 30 cents on the dollar. Maybe the best way to pay for education is directly; there is no painless panacea for financing public education. The House of Representatives recently passed a $3.5 billion Elementary and Secondary Education Act, an excellent example of meeting the obligation of public education.

The real injustice of the lottery, however, is the fact that it is regressive. Early reports showed that a large volume of ticket sales are occurring in the lower income areas; social security and poverty funds are being used to finance the lottery. But then regressive taxation seems to be a way of life in New York State. New York property taxes are already twice as much as in most of the country. New York City's rate is the highest among the Nation's 10 largest cities. In addition, high property taxes hamper job and income creation, and at a time when industry is leaving the State at an alarming rate, a lottery is hardly a good way to give confidence in the State's financial affairs.

The problem, of course, is not limited to the State of New York. We must ask whether the introduction of gambling in New York's thrift institutions, which handle one-fourth of our Nation's bank deposits, is not a gilded invitation to other States. We must beware of Federal agencies and the Congress allowing the precedent of condoning the use of thrift institutions as agents in gambling operations.

I do not think there is any Member of Congress who would concede that Federal laws to charter, license, and insure America's banks imply any authority whatsoever for thrift institutions to engage in gambling activities.

Therefore, I urge my colleagues to support this bill. I am reassured by the support the bill had in committee hearings by Members of Congress and the community at large. This legislation is necessary and should be enacted with all deliberate speed.

Mr. ROBISON. Mr. Chairman, will the gentleman yield?

Mr. MURPHY of New York. I am happy to yield to my colleague from New York.

Mr. ROBISON. I should like to say to my colleague, I appreciate his objective discussion of the merits of the proposal here, of which I understand he is a cosponsor.

I wonder if the gentleman would have agreed with the chairman of the full committee in his describing of the New York State lottery, which I personally voted against in the referendum, as being a "Rockefeller scheme" or whatever words the gentleman used? Does the gentleman feel that is what we have involved in New York?

Mr. MURPHY of New York. I think what we have involved—and, incidentally, I voted the same way that my colleague from New York did on the lottery personally—and, of course, as we all know, the lottery did pass—as I pointed out early in my statement, there was no mention of financial institutions in the proposition at the ballot box.

Mr. ROBISON. That is correct.

Mr. MURPHY of New York. But I would say in response to the gentleman's question that the Governor proposed his budget to the State assembly and the Senate and virtually gave them a prescription as to what they had to pass and did not have to pass.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PATMAN. Mr. Chairman, my time is allotted, but I will give the gentleman 1 additional minute.

Mr. MURPHY of New York. I think the State legislature was faced with a prescription from the Governor on its fiscal matters. They had to pass the Rockefeller program.

Mr. ROBISON. The gentleman is talking about this year. Is it not true, as my recollection tells me, that at the time of the referendum the Governor indicated he would not be personally in favor of the lottery as a device for raising money for education or other State purposes?

Mr. MURPHY of New York. If he was not personally in favor, I do not know why he proposed it to the legislature.

Mr. ROBISON. At the time when the lottery proposal was made and after the referendum and the people endorsed the referendum, of course, there was not much more that the Governor could do about it. He was obligated then to put the program into effect in the best way that he could.

Also is it not a fact that the State legislature was divided, one-half controlled by the Republican Party and the other half by the Democratic Party?

Mr. MURPHY of New York. Yes; but both houses did pass the legislation which put thrift institutions into the lottery business.

Mr. ROBISON. All I can say is that the chairman's approach and arguments were so persuasive as to lead me to feel I will now have to vote against his bill.

Mr. WIDNALL. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, it is with great regret—very great regret—to hear our beloved chairman, Mr. PATMAN, suggest that the New York State lottery is nothing more than Nelson Rockefeller's way of evading taxes. Frankly, I was tempted to ignore this statement, just as I would have ignored the temper tantrum of my little granddaughter, but on second thought, I have decided to address myself to Mr. PATMAN's very unfortunate tactics.

First of all, Chairman PATMAN's assertion that Governor Rockefeller was a prime moving force behind the New York State lottery is ridiculous—and I wish I knew a stronger word here than ridiculous. Nelson Rockefeller has never been an ardent exponent of the lottery idea—as a matter of fact, he has opposed the lottery concept, and his opposition never faltered until the people of New York had spoken. The lottery bill was passed in 1965 by a Democratic legislature and in 1966 by a divided legislature. As everyone here knows, I am a longtime advocate of lotteries, and I have tried to get Governor Rockefeller to see things my way many times, so you can take my word for the Governor's feelings. But there is one thing about Nelson Rockefeller—he is for the people, and when the people of New York spoke in a referendum, Nelson Rockefeller listened. Unlike the chairman of the House Banking Committee, Governor Rockefeller does not see fit to disregard the collective opinion of the people of the State of New York.

But Chairman PATMAN does not stop after suggesting that Governor Rockefeller is behind the lottery. He goes on to suggest that Governor Rockefeller is using the lottery to avoid taxing some presently tax-exempt New York charitable foundations. This is one of the most reprehensible statements I have ever come across in my eight terms in Congress.

I would hardly think that Mr. PATMAN would want to talk about foundations, but OK, let us talk about foundations. What about the Johnson City Foundation down in Texas? What about the L.B.J. Profitsharing Co.? What about the Brazos-Tenth Corp.? What about all the trust funds for the assorted Birds and Baines'? What does Chairman PATMAN think that they exist for—administrative flexibility? I have read a lot of Chairman PATMAN's studies on bank control. He runs investigation after investigation of bank stock ownership, but I have never seen him investigate the concentration of bank ownership that exists in Austin, Tex. I have never seen one word about any Johnson-controlled bank in one of Mr. PATMAN's studies about bank ownership. There is a very good chance that the Johnson interests in Texas banks are tantamount to a violation of the antitrust laws—and perhaps the President ought to be registered as a bank holding company. He controls shares—nobody knows how many—in every bank in Austin, including the one that just named Pat Nugent a director.

If Mr. PATMAN wants to talk about tax gimmicks, let us talk about the oil depletion allowance; if Mr. PATMAN wants to talk about Federal lotteries, let us talk about the Federal oil and gas lease lottery which is presently operated in violation of Federal law. If Mr. PATMAN wants to talk about financial gimmickry, let us talk about the Participation Sales Act of 1966—also known as the High Interest Rate Act of 1966—when Chairman PATMAN sold out the farmers of Texarkana to pay off the fat-cats of Wall Street. Maybe you will remember that Chairman PATMAN whipped the Participation Sales Act through the House Banking Committee with 1 day of hearings and only 1 day after it was introduced. If Mr. PATMAN wants to talk about personalities, let us talk about Texas personalities, and if Mr. PATMAN wants to talk about gimmicks, then I am going to talk about his gimmicks.

Let me say quite frankly that I have had it up to my eyes with this quack bill. It is not legislation, it is a personal vendetta against banks, the New York lottery, and Nelson Rockefeller. It is not a fitting piece of subject matter to waste the time of this great legislative body. It is the combined bylaws and charter of PATMAN's "Hillbilly Morality Club, Inc.," way down yonder where the stills make more noise than a boilerroom and the bluenoses stagger to the polls to vote for prohibition.

I urge the House to recognize this legislation as Mr. PATMAN's personal crank bill and oppose it as such.

Mr. Chairman, I rise in opposition to this bill.

I have never before, in my 15 years in this House, seen legislation proposed to deliberately interfere with a perfectly legitimate State revenue-raising device, more particularly one designed to raise funds for education. This bill will do exactly that—it will interfere with New York State's right to raise revenue for the education of our children.

I have never before, during my tenure in this House, seen legislation proposed to deliberately curtail and destroy a State's plan to aid education, all because the chairman of a House committee had certain moral scruples about gambling. Make no mistake, this bill will do exactly that—it will destroy our State lottery plan for education.

The issue before this House should not be whether a State lottery or legalized gambling within a State is morally right or wrong.

The issue before this House should not be whether the State of New York was right or wrong in providing a legal lottery as a means of raising funds for the education of its children.

The question—the only question—before this House is whether this Congress has a right to cripple and destroy the New York lottery under the guise of regulating banks.

I am shocked to think that this House would judge such legislation worthy of consideration.

I find it incredible that this House is actually contemplating passage of this type of legislation.

Just what are we doing here? Under the guise of regulating banks, this bill tramples on our system of Federal-State relations by depriving the State of its right to implement any legal and proper revenue plan it might choose.

By enacting this bill, we would be setting a bad precedent with respect to Federal regulation of State-chartered banks. As you know, it has long been the practice and tradition of our dual banking system that the Federal Government does not interfere with State regulation of State-chartered banks.

Under this practice, and with the permission of current Federal law, New York State has authorized its banks to sell lottery tickets. However, by the terms of H.R. 10595, the Federal Government is proposing to overrule and abrogate this long-established principle by invading the regulatory authority of State banking departments.

I respectfully submit that this bill is not only unjust and unfair, but dangerous. It is dangerous because of the inroads it makes on our federal system and on our dual banking system.

My views on this matter are shared by virtually every responsible official of the State of New York.

Governor Rockefeller, in his letter to me of June 23, wrote:

> Inasmuch as participation in the lottery by banking institutions is entirely legal under all existing State and Federal laws, and in furtherance of the expressed will of the people, H.R. 10595 seems to me to be an undesirable intrusion by the federal government in an area which has traditionally been the province of the State. I feel that this, alone, is reason to oppose this bill.

Our State superintendent of banks, in a June 20 telegram to me, said:

> Prohibitory federal legislation would be an unprecedented interference in the carefully considered fiscal policy of an individual state which has been overwhelmingly approved by its people and their elected representatives.

I also have telegrams in opposition to this bill from the Democratic leaders of the New York State Assembly who cannot understand how the Congress could contemplate such unjustifiable inroads on States rights.

I would like to warn both my conservative and liberal friends in this House that this is a radical bill. If the Federal Government can prohibit banks from selling lottery tickets or otherwise participating in a revenue-raising device authorized by two separate legislatures and a popular referendum, then the Federal Government can make other inroads in the federal system in the name of morality, as conceived of by Washington.

Should we permit and allow this to happen, then perhaps banks can be prohibited from taking State tax deposits where the Federal Government deems the tax unfair or unjust.

Should we permit and allow this to happen, then perhaps banks can be prohibited from accepting deposits from southern school districts which have not implemented the radical wishes of Commissioner Harold Howe—the do-gooder from the U.S. Department of Education.

Should we permit and allow this to happen, then perhaps banks can be struck from the list of public depositories unless they agree to change their hiring practices to suit the whims of some Federal planners.

I might point out, at this point, that the New York law does not compel banks to sell lottery tickets. Most of the banks in New York have voluntarily agreed to participate and cooperate in the lottery ticket sales program because they favor the furtherance of New York State's educational program.

The New York Times put its finger right on the point when it said editorially:

> The main reason for making use of banks for selling lottery tickets is their experience—and equipment—in handling money and their multiplicity of outlets. They can do the job effectively and economically. The banks have an obligation to their communities. They can help it by making their offices available to raise money for education through a lottery.

The Comptroller of the Currency, in finding nothing wrong with our State lottery, said:

> Since the bank will not share in the proceeds of the lottery, the relationship is similar to the many others in which a bank acts as trustee, agent or creditor of various businesses and public bodies.

The Federal Deposit Insurance Corporation, in pointing out that there is nothing in the law which prohibits banks from selling lottery tickets, said:

> It is our view that, generally, the structure and scope of state banking activity should be a matter for state determination. Existing federal statutes recognize this concept, and recent Supreme Court decisions fortify it.

I might also add that this bill also carries another menace to New York banks—the menace of federally assisted competition from foreign bank branches. I say this because although the New York State statute enables foreign bank branches to sell lottery tickets, the Patman bill, while prohibiting National and State banks from selling such tickets, does not extend to foreign bank branches. Thus, we can expect foreign bank branches in New York City to take over lottery ticket sales where New York banks are forced to leave off. For example, I am sure that the Israel and Italian bank branches will be glad to sell lottery tickets, and I am sure that people who go to these banks to buy lottery tickets will also transact some of their other banking business there. In short, the Patman bill discriminates in favor of foreign bank branches and against New York banks. If anything, this bill will stimulate foreign bank branch growth in New York. I am surprised to see Chairman PATMAN hand in glove with the international bankers.

I think it is a mistake—a serious mistake—to drag Federal bank legislation into the gray area of legislated morality. There is no question of New York banks underwriting of lottery tickets—they are simply acting as ticket agents, just as they act as stock transfer agents, and we all know that common stocks are a bit of a gamble.

The Patman bill has no relevance to sound banking practices, and I think everyone here knows that. It is a deliberate attempt to legislate morality—which would be a mistake even if it did not twist and warp our federal structure and the dual-banking system.

I am sure there are some Members here who plan to vote for this bill because they conceive of it as a chance to vote against the New York State lottery. That would be a mistake, because the Patman bill warps the Federal and dual-banking system structures to get at the New York State lottery. Is that what you want?

Let me also suggest that while you approve of today's moral judgment, tomorrow's may displease you, but the precedent of interference will still stand.

If I may briefly argue on behalf of the New York lottery—recognizing as I do that Mr. PATMAN's ultimate objective is to cripple it—let me say that 88 foreign countries have lotteries, including England, Holland, Ireland, Germany, France, Italy, Sweden, Norway, Australia, and New Zealand. No one should think that only banana republics have lotteries. Just recently, Boston's Cardinal Cushing wondered why we in the United States do not have a national lottery in view of the success of the British and French lotteries.

Perhaps the idea of the Government being involved in gambling offends some of the Members of this House. It certainly seems to offend our beloved chairman, the gentleman from Texas who authored this unfortunate bill. Perhaps the gentleman is not familiar with the oil and gas lease lottery run by the Department of the Interior? It is a clear and open lottery which is presently using the U.S. mails in violation of Federal law. If the Patman bill passes, then I intend to continue Mr. PATMAN's fight by demanding that the Attorney General prosecute the Secretary of the Interior for violation of the United States Code.

Then there are those who say that the lottery takes from the poor, undermining the antipoverty program. This is not the place for me to make one of my speeches on how the antipoverty program is a joke, so I will just note that fact in passing. I would also like to cite a Wall Street Journal article of June 6 describing how Federal antipoverty program grants for self-help housing in the South are supporting gambling; it seems that some of the self-help houses are used for weekend rooster fights.

After all is said and done, the Patman bill is not even a good bill from a technical standpoint. On the contrary—it is a legislative Pandora's box. It can no more be patched up here on the floor than the Egyptian Army could be patched up while retreating through Sinai.

Let me give you an example. Under this bill the banks are prohibited from allowing any persons in any bank-controlled premises from doing anything to publicize the existence of the lottery. The Federal bank supervisory agencies are mandated to enforce this provision. Presumably Mr. PATMAN put this section in on purpose, but I can just imagine the Comptroller of the Currency's secret police patrolling the upper floors of the New York City bank skyscrapers to make certain that no young secretaries on the coffee-cart lines breathe a word about the lottery. I wonder if banks will be obligated to bug their washrooms? What will the penalty be if a bank executive tells his secretary that he won a lottery prize?

I am not sure, but it seems to me that Mr. PATMAN's definition of a lottery could include a State election where three candidates file for a salaried job in an election contest by paying a fee to a Secretary of State. I hate to think that Mr. PATMAN's bill would prevent discussion of elections in bank buildings.

In thinking about the Patman bill, I cannot help but be reminded of the Volstead Act, the ill-fated Prohibition Act. When you try to legislate morality, you run into trouble.

If anyone doubts that legislating morality is what Chairman PATMAN has in mind, let me quote Mr. PATMAN. Some weeks ago when I called his bill the product of "hillbilly morality" our beloved chairman said there was talk of forming a "Patman Hillbilly Morality Club." May I suggest that any Member of this House who wants to join the "Patman Club" will have a chance when the Clerk calls the roll on this bill. But I am sure that the Members of this House instead realize that this bill is a dangerous bill and will vote against it.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. FINO. I yield to the gentleman from Missouri.

Mr. HALL. I am impressed with the gentleman's statement, but I am distressed about his use of the word "hillbilly" on page 39 of the committee report. I question very much whether good usage of the term "hillbilly" connotes the same type of morality and forthrightness that he means to question. There are many hillbillies that are very proud, and we would rather not be associated with questionable lineage and heritage. It is ofttimes a preserved Elizabethian ballad or expression in prose of the finest language. All Ozark "hillbillies" are honest.

My real question is, Does the gentleman know that on the ever-increasing list of bank failures that have been forthcoming in the last few months the last one is from Sacul, Tex.—and that is "Lucas" spelled backward—and that Texas now leads in new banks that have been organized which have resulted in failures? I thought the gentleman would be interested in this little bit of information.

Mr. FINO. And in a State where they do not have a State lottery.

Mr. HALL. I am glad to have the gentleman point that out.

Finally, I want to ask, in all seriousness, if the bill would preclude deposits from church bingo games in States where such games are legal or where it is legal by county option; or, whether it would preclude the deposit of moneys from a parimutuel horserace, where that is legal?

Mr. FINO. In the original bill there was no question that bingo funds could not be deposited in the banks. As far as this amended version of the bill is concerned, I do not know whether all the technical objections were fully removed to permit bingo deposits in banks.

Mr. HALL. I thank the gentleman for yielding. He has not relieved my doubt, but I wish he would watch his language and usage about us "hillbillies."

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. MULTER] a member of the committee.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from New Jersey.

Mr. JOELSON. I have often heard that House debate never changes an opinion, but this is one occasion on which debate has influenced me. Initially Mr. PATMAN's intemperate speech in behalf of the bill convinced me to vote against it, but Mr. FINO's even wilder and more reckless speech against it has convinced me to vote in its favor.

Mr. MULTER. Mr. Chairman, this is another occasion when I wish we had a procedure by which we could do as is often done in courts—to move to strike from the record irrelevant and immaterial statements that are made during the course of debate. I would put in that category today most of the remarks by my able and distinguished chairman, the gentleman from Texas [Mr. PATMAN] and side-by-side in the same motion I would put most of the remarks of our distinguished colleague from New York [Mr. FINO]. It is unfortunate that, instead of talking about the bill and what the bill would accomplish and the merits or lack of merit of the bill, they have gone off into these vast areas of things that are so immaterial, even though they may stir some emotions.

I wish to join with those of our colleagues who have taken the floor here today in indicating our respect for Governors Rockefeller—and when I say "Governors Rockefeller," I mean the two Governors, one in Arkansas and the other in New York.

Nelson Rockefeller, Winthrop Rockefeller, and David Rockefeller are good Americans of the finest character. Their excellent reputation, like that of President Johnson, should not be attacked here or elsewhere.

While I have differed many, many times politically with the Rockefellers—and I am sure we will continue to do so—I join with those who say that these are respectable men, deserving our respect. Nothing they have said or done in or out of public life has any bearing on the bill before us.

Nor should foundations be dragged into this through the back door.

We are dealing here with a very simple proposition and that is this: Should banking institutions, savings and loan associations and credit unions and savings banks and commercial banks, be permitted to be agents for the sale of lottery tickets?

I am one of those many New York citizens who voted for the constitutional amendment permitting lotteries to be conducted for government purposes in the State of New York.

I nevertheless support this bill which would prevent banks and banking institutions from acting as agents for the sale of lottery tickets.

The New York statute not only sought to permit State banking institutions to be such agents, but it even specifically referred to national banking associations and Federal savings and loan associations. The fact of the matter is—and I have the statutes at the committee table for those who would like to look at them—the specific powers of financial institutions such as banks and savings and loan associations are specifically enumerated in those laws. Selling lottery tickets is not one of those powers. The Home Loan Bank Board has very properly ruled that no Federal savings and loan association may engage in the activities of acting as an agent for a lottery even though it be a Government lottery. The law similarly applies to national banks, and it also applies to banks that are insured federally, that is the law despite the fact that the Comptroller of the Currency has indicated he sees nothing wrong legally with national banks engaging as agents for lotteries.

I say the issue before us is simply this: Shall banks, which have been given monopolies by State governments and by our National Government—monopolies to engage in the banking business, and neither you nor I nor anyone else can engage in the banking business unless we are chartered as banks—be permitted to do this? By the same token, I say all banks should be restricted to doing banking business. I do not think they should engage in department store business, I do not think they should engage in selling automobiles, I do not think they should be running a travel agency business, I do not believe they should be running an insurance company business, and I do not think they should be acting as agents in lotteries.

There are bills pending, which I am pleased to say have been referred to the subcommittee which I chair, on which we will shortly hold hearings on these matters of nonbanking business activities in which banks are seeking to engage, and in which they have no right to engage. I say, when we enact this statute which is before us now, it will be the first step to say to banks that they must stick to the banking business and stay out of other businesses which should be conducted by others.

The New York State law permits banking institutions to act as lottery agents. It also provides in so many words for others than banks to be licensed by the department to carry on this lottery agency business.

In order that we not interfere with the operation of the lotteries as they are now being carried on in the State of New York, I will offer an amendment to change the effective date of this bill until April 1, 1968, so the State legislature, which will not meet until January 1968, will have an ample opportunity to appropriate the funds to the State agencies and to such other agencies as they may designate to sell these lottery tickets as agents for the State of New York.

In the meantime some of the banks—not all of them—are engaging in this business. I say since the State of New York has not appropriated any money for any other means of transacting of this business, let them carry on until April 1, 1968. In the meantime the State legislature can act and authorize others to carry on this business and also appropriate money for the State agencies to carry on this business, if they so desire to have them do it.

I will offer one other series of amendments which will clarify the prohibition in the bill, so that we will not prohibit the banks from renting any space other than banking premises to anyone who may want to use that space, such as the State of New York or any town, village, city, or county to rent the space for these purposes from banking institutions.

With the language of the bill as it is now, I believe we unintentionally go a little too far. The report indicates we intend to prohibit banks and banking premises from being used for these purposes, but I believe the language goes a little too far. My amendments will restrict the banks from engaging in the lottery business or using the banking premises for lottery purposes, but will not otherwise interfere with banking operations.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I regret that our able and distinguished chairman has seen fit to embark on a personal attack on the respected and outstanding Governor of New York—a man whose character and integrity is beyond reproach—who together with his family have become internationally identified for their good works, for good causes everywhere.

The Rockefeller name is synonymous in advancing better health, education, housing, and virtually every form of social progress in this country and throughout the world.

It is deplorable; it is unkind, unfair, and completely uncalled for to use this forum to apply one's personal philosophy and observations on certain aspects of our social and economic life toward a public attack on New York's great Governor and his fine family. It is shocking, sad, and particularly ironic that these vicious mouthings of a chairman of one of this House's most important committees should have been directed to this family who have been the greatest examples of dedicated humanitarian, philanthropic, and public service in the history of our country—a family who has devoted so much of their lives, their resources, their energies, and recognized abilities to public service and doing good in this world.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. HALPERN. I am happy to yield to my distinguished colleague from New York.

Mr. PIRNIE. Mr. Chairman, I should like to compliment the gentleman in the well for this very excellent statement. I am sure the integrity of our great Governor is not challenged in the minds of the Members of the House, as it was in the remarks made earlier this afternoon. To the extent that we can correct this injustice, I am sure we all join in this expression of confidence in his integrity and his dedication to the public good.

I thank the gentleman for yielding.

Mr. HALPERN. I thank the gentleman.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. HALPERN. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Unfortunately, for good cause, I was not present on the floor of the House at the time some very critical, abusive, and uncalled for remarks were made concerning Gov. Nelson Rockefeller and the Rockefeller family. The statement released to the press by the gentleman from Texas was a low and vicious political attack.

I can only say that I personally know Gov. Nelson Rockefeller, his brother, Gov. Winthrop Rockefeller, his brother David Rockefeller, and Lawrence Rockefeller. All these men that I know personally in that fine family are men of the highest integrity, men who are dedicated and who have been dedicated for years to nothing but good causes in the public interest.

This does not mean that I have agreed in every instance in the past—nor will I in the future agree—with every political decision or other decision made by them individually or collectively. But there is not a scintilla of evidence anywhere that they are anything but the finest family with the highest motives.

Mr. HALPERN. Mr. Chairman, I welcome the comments of our distinguished minority leader.

Mr. Chairman, let us get to the issue at hand—the merits or lack of them in the legislation before us—to which, I do not think the chairman's remarks were properly directed.

Mr. Chairman, the legislation before us for debate, H.R. 10595, to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities, is purported to serve the valuable functions of safeguarding the soundness of our banking system and upholding the standards of our public morality. I fear that not only has this bill nothing to contribute toward attainment of these goals but, further, that it contains significant pitfalls in the form of unwarranted Federal intrusion into State affairs and interference with the high priority objective of improvement of our educational system.

The charge that bank participation in State lotteries will endanger the financial integrity of these institutions and diminish their ability to perform their traditional banking functions has been conclusively countered by representatives of the banking supervisory agencies; their views may be summarized in the statement of the Comptroller of the Currency that "we perceive no undue risks to the soundness of the agent bank," and in the opinion of the Chairman of the Federal Deposit Insurance Corporation that the issues raised by bank participation in State lotteries "are essentially of a social character, rather than ones directly affecting the financial conditions of banks."

The social question refers to the morality of providing support for a gambling operation by means of any institution with connections to the Federal Government, however marginal these ties. Bypassing, for the moment, the basic issue of the validity of Federal action in the particular area under discussion, let us consider merely the "morality" involved. How can a State lottery, the proceeds of which are directed toward improving the State's education program, in any way be compared to gambling operations conducted for private, and often illicit, gain? The people and the Legislature of New York State voted overwhelmingly to support a new revenue program for their State, not to give unlimited license to private gambling activities. These same citizens would therefore regard the action of banks as agents of the State lottery as one contribution of the financial sector to the furtherance of undisputed educational objectives, not as a sign of the decaying moral standards in the banking community.

Even as we recognize the weakness of the few arguments that can be marshaled in favor of this bill, we must further question whether Federal interference in this area can be justified at all, in any but the most extenuating circumstances. In inaugurating its lottery, and using the banks as sales agents, New York State was manifesting its right to exercise its taxing power; it was acting in compliance with all existing Federal and State laws; there are no valid grounds for Federal abrogation of New York State's legitimate powers.

As a defense of what is obviously unwarranted Federal intervention into State affairs, note was made of the connection between the banks and the Federal Government, the banks being either nationally chartered, or State chartered but members of the Federal Reserve System, or nonmember State banks insured by the Federal Deposit Insurance Corporation. However, the attempt to regulate the activities of the State-chartered banks by Federal action is an infringement of our traditional dual banking system, an expansion of Federal control into the province of State banking supervision.

Thus, on the basis of the most unfounded fears of the potential consequences of bank participation in State lotteries, we are asked to support illegitimate Federal intervention into affairs properly left to the States, and to violate our traditional and firmly established dual banking system. There are, moreover, further consequences of this legislation to be considered.

The banks were chosen as sales agents for its lottery by the officials of New York State on the reasoning that these institutions would be the most numerous and convenient, most easily regulated and most prestigious and dignified of all possible ticket outlets. To deprive the lottery of this alternative would be to cripple in large part of functioning of the entire operation To accomplish this objective would be ultimately to destroy any chance of success that the lottery has. Mr. Speaker, I, for one, would not be particularly proud to proclaim that, on the basis of groundless fears and misplaced—if well intended—morality, I have contributed to the undermining of the educational system of our Nation.

Upon examining the shaky foundations on which any arguments supporting this bill must rest, and upon recognizing the significant and destructive repercussions that would ensue, I cannot but strongly oppose the passage of this legislation.

Mr. PATMAN. Mr. Chairman I yield 5 minutes to the gentleman from New York [Mr. BINGHAM].

Mr. BINGHAM. Mr. Chairman, I would like to express my appreciation to the distinguished chairman of this committee for yielding me this time since I rise in opposition to the bill.

I find myself in a somewhat curious position this afternoon since many of the people with whom I usually agree on issues are strongly in favor of this bill. Many of those with whom I find myself usually in disagreement take the contrary view. My position essentially on this legislation is that it is a matter that was carefully considered in New York State by the legislature and by the people there. These arrangements were made on a bipartisan basis, and I see no sufficient reason why the Federal Government should attempt to interfere with it. I do not question the power of the Congress to legislate in this matter, but I simply see no sufficient reason for interfering with what New York State has done.

Let me remind the Committee of a little bit of the history of this lottery. The original idea was adopted by two successive legislatures in New York State and then was voted by a 3-to-2 margin, almost by 900,000-vote margin, by the people of the State in November of last year.

Mr. Chairman, in this year the legislature considered how to carry out the lottery and the mandate of the people, which is for the purpose of education, and carefully considered the matter. Articles appeared on the front page of the New York Times in January of this year upon three occasions, indicating that the thinking was to use banks as a means or important part of the process. No contrary view was heard from the Congress nor from the committee, nor insofar as I know from the chairman of the Committee on Banking and Currency, the gentleman from Texas [Mr. PATMAN].

Therefore, Mr. Chairman, the Legislature of the State of New York went ahead with its position and adopted, by a very carefully thought out bill, a bill which appears in the hearings—if the members of the Committee of the Whole House on the State of the Union wish to examine it—and that bill was adopted by an overwhelming vote of 54 to 4 in the State senate and by a vote of 125 to 20 in the State assembly.

Mr. Chairman, both of these actions being adopted upon a bipartisan basis.

Under that legislation the operation of the lottery began on June 1, and the indications are that under that bill the banks today provide for two-thirds of the outlets that are being used. Sales have proven to be disappointing. But, this is not relevant to the merits of this legislation. Naturally, the banks perform other functions than just as ticketsellers. They also service other outlets that are authorized to sell lottery tickets. And, some regional banks are used for the purpose of administering the program, without charge to the State's taxpayers.

Mr. Chairman, there are millions of dollars at stake involved in this program. The estimate was that $200 million would be provided, net, for educational purposes in New York State. The present indications are that the amount will fall below that, but it will certainly be substantial. This is, as I have stressed, a bipartisan measure. Not only is Governor Rockefeller opposed to the legislation now pending before you, but Speaker Anthony J. Travia of the State assembly has vigorously opposed it. He said that the adoption of this legislation would create a chaotic condition in New York's efforts to raise money for education through this method.

There is no claim, Mr. Chairman—there is no claim—that the depositors in the banks involved will be in any way endangered by this association with the New York lottery program. The supervisory agencies, none of them have registered their support of this bill. They do not regard it as relevant to their purposes and to their function as bank supervisory agencies.

Again, Mr. Chairman, I want to emphasize the fact that I do not question the power of the Federal Government to act in this field. But it simply seems to me there is insufficient justification for interfering with a very carefully considered decision, one which was reached on a bipartisan basis in the State of New York.

Mr. Chairman, at the proper time I shall ask unanimous consent to insert copies of communications which I have received from the commissioner of taxation and finance of New York State, in opposition to this legislation, a copy of a letter which I have received from the superintendent of banks in New York State in opposition to this legislation, and also from the Governor of the great State of New York.

Mr. Chairman, one final point.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PATMAN. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. BINGHAM. Mr. Chairman, I thank the gentleman from Texas [Mr. PATMAN], chairman of the Committee on Banking and Currency, for yielding to me this additional time.

Mr. Chairman, this legislation in its present form will affect practically all the banks in the State of New York. Out of 2,998 banks in the State of New York, 2,970 of them, all but 28, are covered by the provisions of this bill as it now stands. It proposes to cover State-chartered banks as well as national banks.

Mr. Chairman, I understand that an amendment will be proposed to eliminate the State-chartered banks. I also proposed such an amendment in the subcommittee and I shall support it on the floor.

Also, Mr. Chairman, I shall support the amendment which will be offered by my colleague, the gentleman from New York [Mr. MULTER], which, if adopted, would extend the effective date of the act so as to give the New York State Legislature an opportunity at its next session to make other arrangements in case this legislation is adopted.

Mr. Chairman, I hope, however, that the legislation will be defeated.

The matter previously referred to follows:

STATE OF NEW YORK,
DEPARTMENT OF TAXATION AND FINANCE,
Albany, N.Y., June 12, 1967.

Hon. JONATHAN BINGHAM,
Cannon House Office Building,
Washington, D.C.

DEAR JACK: On November 8, 1966, the voters of New York State, by a substantial plurality, approved an amendment to the State Constitution which authorized that a lottery be established to aid education. The New York State Legislature enacted legislation implementing the lottery on April 1, 1967, and Governor Rockefeller approved it on April 18, 1967.

Our lottery law provides that banks, hotels, motels, and telegraph corporations, as well as certain local political subdivisions and agencies and instrumentalities of the State, may be licensed as ticket sales agents. Over two-thirds of the outlets presently licensed are banks, and they are accounting for a preponderant volume of our ticket sales.

Banks perform two other services to the State of New York, in addition to acting as ticket vendors. Banks service non-bank outlets by supplying them with tickets and receiving sold tickets. Nine centrally located regional banks function as agents and depositories for the State in controlling the distribution and accounting for all tickets sold in the regions.

As you know, on May 11, 1967, Mr. Patman, Chairman of the House Committee on Banking and Currency, introduced H.R. 9892 which would prohibit participation in lottery functions by banks which are subject to the supervision of the Comptroller of the Currency or other Federal agencies, or by banks which have their accounts insured by the Federal Deposit Insurance Corporation. This bill was reported by the Committee on June 7, 1967.

Passage of the Patman bill would force a complete restructuring of the New York State lottery. Not only would it deprive the State of the active assistance of its principal financial institutions in this program to aid education, but it would eliminate from participation organizations which have unique features of safety and accountability. Our lottery operating costs would be substantially increased if the State were forced to assume the responsibilities now undertaken by banks.

Our State budget has been finalized in reliance upon the lottery as a significant source of income. Perhaps, even more importantly, New York City and our school districts are depending on the lottery for funds to meet their school budgets for the coming year. If the Patman bill were enacted, these budget needs could not be met.

Participation in our lottery by financial institutions is entirely legal under all existing State and Federal laws, and is in furtherance of the expressed will of the people. It seems to me that H.R. 9892 represents an undesirable intrusion by the Federal government in an area which has traditionally been the province of the states. I feel that this, alone, is reason enough to oppose this bill.

I am enclosing materials which may be helpful in expressing our position. They include a copy of the statement which I presented before the Committee on Banking and Currency on June 2, 1967; a detailed county by county breakdown of the lottery vote; and copies of telegrams which the Honorable Anthony J. Travia, Speaker of the New York State Assembly, and the Honorable Moses M. Weinstein, Majority Leader, sent to Mr. Patman.

I appreciate your help in this matter.

Sincerely,

Joseph H. Murphy,
Commissioner.

State of New York,
Executive Chamber,
Albany, N.Y., June 23, 1967.

Hon. Jonathan B. Bingham,
Cannon House Office Building,
Washington, D.C.

Dear Jack: The purpose of this letter is to urge you to oppose H.R. 10595 which would prohibit participation by banks in the New York State lottery.

As you know, in the general election of November 8, 1966, voters of New York State, by nearly 900,000 plurality, approved an amendment to the State Constitution which authorized that a lottery be established to aid education. On April 1, 1967, the New York State Legislature enacted legislation implementing the lottery and I approved it on April 18, 1967.

New York's lottery law provides that banks, hotels, motels, and telegraph corporations, as well as certain local political subdivisions and agencies and instrumentalities of the State, may be licensed as ticket sales agents.

Over two-thirds of the outlets presently licensed are banks, and they are accounting for a preponderant volume of the ticket sales.

In addition to acting as ticket vendors, banks service non-bank outlets by supplying them with tickets and receiving sold tickets. Furthermore, nine centrally located regional banks function as agents and depositories for the State in controlling the distribution and accounting for all tickets sold in their regions.

On May 11, 1967, Mr. Patman, Chairman of the House Committee on Banking and Currency, introduced H.R. 9892, which would prohibit any participation in lottery functions by banks which are subject to the supervision of the Comptroller of the Currency or other Federal agencies, or by any banks which are members of the Federal Reserve System or have their accounts insured by the Federal Deposit Insurance Corporation. On June 7, 1967, the Committee approved a revised version of the bill, H.R. 10595.

Passage of the Patman bill would force a complete restructuring of the New York State lottery. Not only would it deprive the State of the assistance of its principal financial institutions in this program to aid education, but it would eliminate from participation organizations which have unique advantages of safety and accountability. Furthermore, it would greatly increase our lottery operating costs were the State forced to assume the responsibilities now undertaken by banks.

The State budget has been finalized in reliance upon the New York State lottery as a significant source of income. Perhaps, even more importantly, the City of New York and the State's school districts are depending on the lottery for funds to meet school budgets for the coming year. Under the proposed bill, these budgeted needs could not be met, and the educational services dependent on these funds could no longer be provided.

Furthermore, inasmuch as participation in the lottery by banking institutions is entirely legal under all existing State and Federal laws, and in furtherance of the expressed will of the people, H.R. 10595 seems to me to be an undesirable intrusion by the Federal government in an area which has traditionally been the province of the State. I feel that this, alone, is reason enough to oppose this bill.

Enclosed is a copy of a statement which Joseph H. Murphy, Commissioner of Taxation and Finance of New York State, presented to the House Committee on Banking and Currency detailing New York's position, and copies of telegrams which the Honorable Anthony J. Travia, Speaker of the New York State Assembly, and the Honorable Moses M. Weinstein, Majority Leader, sent to Mr. Patman.

Sincerely,

Nelson A. Rockefeller.

Brooklyn, N.Y.,
June 21, 1967.

Hon. Jonathan B. Bingham,
House of Representatives,
Washington, D.C.:

In connection with H.R. 9892, which would prohibit federally-insured financial institutions from participating in a lottery, I respectfully request that this telegram be included in your committee's record.

As superintendent of banks of the State of New York, I concur fully in the State's position expressed at your public hearings by the Honorable Joseph H. Murphy, New York State commissioner of taxation and finance.

The safeguards surrounding bank participation in the New York lottery make it clear that the lottery will not impair the safety or soundness of participating banks or associations. Under these circumstances, prohibitory Federal legislation would be an unprecedented interference in the carefully considered fiscal policy of an individual State which has been overwhelmingly approved by its people and their elected representatives. Such legislation would serve no purpose related to bank supervision or regulation and would prevent New York State in the collection of essential revenues needed for education.

Sincerely,

Frank Wille,
Superintendent of Banks.

Albany, N.Y.,
June 16, 1967.

Hon. Wright Patman,
Chairman, Committee on Banking and Currency, House of Representatives, Washington, D.C.:

I wish to supplement my testimony of June 2, 1967, before the House Committee on Banking and Currency concerning HR 9892. Please consider this document as an appendix to my statement of that date.

The number, nature and type of banks in New York State are as follows: national banks, 197 with 939 branches, total 1136, insured by the Federal Deposit Insurance Corporation 1136, uninsured none; State banks not nationally chartered, 128 with 964 branches, total 1092, insured by the Federal Deposit Insurance Insurance Corporation 1081, uninsured 11; mutual savings banks, 126 with 225 branches, total 351, insured by Federal Deposit Insurance Corporation 351, uninsured, none; Federal Savings and Loan Associations 86 with 101 branches, total 187, insured 187, uninsured, none; State Chartered Savings and Loan Associations 131 with 99 branches total 230, insured 215, uninsured 15; private banks 2; total of all banks 2998, insured 2970, uninsured 28.

Passage of HR 9892 would prohibit all banks insured by the Federal Deposit Insurance Corporation and all savings and loan associations insured by the Federal Savings and Loan Insurance Corporation from participating in the New York State lottery, and would prevent a total of 2970 banks and savings and loan associations out of a total of 2998 banks and savings and loan associations or over 99 percent of them from acting as lottery sales agents for the State of New York. Since the type of outlets which may be licensed are severely restricted by the New York State Lottery Law, financial institutions account for over two-thirds of such outlets presently licensed and a preponderant share of our ticket sales. The passage of HR 9892 would negate cooperation of financial institutions in this aid to education program.

Participation in our lottery by financial institutions is legal under existing State and Federal laws and is in furtherance of the expressed will of the people of this State. It seems to me that the proposed bill represents undesirable intrusion by the Federal Government in an area which has traditionally been the province of the States.

Furthermore, passage of this bill would substantially disrupt State revenue for education, and would compel the State to look to other sources of tax revenue not now available.

New York State Department
Taxation and Finance,
Joseph H. Murphy,
Commissioner, Taxation and Finance.

Mr. WIDNALL. Mr. Chairman, at this time I yield 5 minutes to the gentleman from New Hampshire Mr. [Wyman].

Mr. WYMAN. Mr. Chairman, the discussion here has tended to run off a little bit to political acrimony, but the people in New Hampshire are interested in this bill and I would think all Representatives from all States would be concerned here, because if this bill passes in its present form a State-operated lottery or sweepstakes, or whatever you want to call it, or a federally operated lottery or sweepstakes will be essentially out the window.

Congress, if it passes this bill, is setting the tone on this subject nationwide. It is a hostile tone. It ought not to apply to State-operated lotteries. I believe that it is helpful at this point in the Record to tell the Members a little bit about what our experience in New Hampshire has been.

We have used the banks, not to sell the tickets, but we sell the tickets, as has been mentioned by the chairman, in the liquor stores, at tracks and at certain other outlets such as toll gates. Each night the liquor store managers deposit the tickets in the night depository box in a bank. The bank accounts for the sweepstake tickets, they store the tickets and issue a deposit slip. Once a month the commission picks up the tickets and transports them to a central bank where all, of course, are verified, and the numbers go into a computer, and they are accounted for.

There is more to it than that, but important here is that what we are doing is not only administering our sweepstakes or State lottery honestly and capably with a former FBI man at the head of it, but by the use of the banks there is extended a measure of trust and public confidence. At the same time we are not interfering with any bank function and, to suggest, as has been suggested, that by having banks have something to do administratively with a State lottery, people are going to think the banks are crooked is not so when it applies to a State-operated lottery.

This bill will damage the people in New York State and in New Hampshire. At the proper time in the course of these proceedings I intend to offer an amendment to provide that nothing in this bill shall apply to a State or federally operated lottery. Private lotteries are something else, and to its application to such lotteries I have no objection.

I believe when one gets to the point of suggesting that by running a lottery to raise money for education, to help pay the tremendous cost of education, that one is debauching and defrauding the people, that it is engaging in a sanctimonious hypocrisy.

I cannot believe that in the United States of America today a State-operated lottery is beyond the moral pulse of this Nation. It may well be that before we get through with the deficit we are encountering in the operation of the National Government that we may have to turn to some means like this, in some manner properly operated, in order to raise revenues to pay for all the costs of Government and services we know are mounting astronomically each day. Somehow we must find the revenues—and taxes paid with a smile are not a bad idea.

Mr. Chairman, this is not a matter of crooks. This is not a matter of rotten operations. This is not a matter of evil perpetrated upon and penetrating our society at all. This is a proposition in which we want outlets that will help conduct the kind of an operation that everybody should be proud of. A State-operated lottery voted for by the people of a State should not be penalized as this bill proposes to do.

Banks are in business now of providing all kinds of services. Banks today are in the credit card business. They loan money. The people in these States have voted for a State lottery, and they have authorized them. Now, if the people of these States have authorized these things, is it a good idea to have such legislation as this take away from the people a mechanism for increasing public confidence in the integrity of the entire program that produces a lot of revenue to run the schools of the country and the several States?

Mr. Chairman, I believe it is very important that this legislation should be amended so that it will not apply to a State-operated or managed lottery. It specifically should not apply to a federally operated system if we should decide we should become involved in that kind of a situation in the future.

All of the States should be against this bill. Each State should have an option here. I agree with the remarks of the gentleman from New York when he suggests that this bill was not offered entirely in good faith. I think it is very clear from the remarks of the chairman of the committee that have been made on the floor today that the motivations in this bill are apparently more than casually political.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman.

Mr. BINGHAM. I wonder if the gentleman would clarify which gentleman from New York he is referring to because I made no such suggestion in my remarks.

Mr. WYMAN. I was referring to the gentleman from New York [Mr. FINO].

Mr. BINGHAM. I thank the gentleman.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. WYLIE].

Mr. WYLIE. Mr. Chairman, I rise in support of this bill, H.R. 10595.

I will confine my remarks to the bill and the consideration thereof.

I too introduced a bill similar to this and I feel very strongly about it.

When this bill was first heard by the Committee on Banking and Currency, I could hardly believe my ears.

I could not believe that pressure was being brought to bear on the banks in New York to put in a window for the sale of lottery tickets. But that is what is being done. This is encouraging gambling in its most sinister form, in my opinion. Banks have always been regarded as institutions of dignity, solidarity, and trust in the community—a place where a person could put his money for safekeeping. Now, the State of New York is suggesting that, when a person comes in to make a savings deposit or cash his wage check, he be encouraged by an attendant at the next window to buy a lottery ticket—to gamble.

We are involved in the worst crime wave in the history of our country—much of which stems from gambling operations, we are told by the President's Commission on Crime. Yet, we would be a party not only to condoning legalizing gambling but putting the stamp of approval of the Federal Government on it if we permit the practice of allowing banks to sell lottery tickets.

In early colonial times, lotteries were used to raise money for a variety of laudable purposes. By the early part of the 19th century scandals and corruption in the administration of lotteries had become so widespread that State and Federal legislation was enacted which, in effect, abolished lotteries.

England had a similar experience. The problems and abuses of a national lottery became so great that Parliament abolished the national lottery.

The Library of Congress, through the Legislative Reference Service, published a report on March 13, 1965, in which it cited the infamous Louisiana lottery as an example of the evils of this form of raising revenue for otherwise laudable purposes. The Louisiana lottery was abolished through action by the State and Federal Government. Historically, Government lotteries have created many more problems than they have solved and I hope that we never come to the point where we have a Federal lottery in this country.

I do not feel that Congress should by any slight suggestion endorse a lottery as a means of raising public money especially through the use of federally insured banks. Congress has enacted laws to prohibit the use of the mails for the sale of lottery tickets. Lottery tickets cannot be transmitted across State lines for sale because of Federal legislation. Radio and television cannot be used to broadcast information about lotteries. All of these demonstrate a clear public purpose and intent to discourage this form of gambling. Congress has shown a clear pattern of disapproval of lotteries.

I do not think we want to say today that we think this form of gambling is approved; that we feel it is at least, proper enough that federally insured financial institutions should make it a part of customary banking services.

I urge the Members to support this bill.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I yield to the gentleman.

Mr. WYMAN. As the gentleman, of course, knows I am with the gentleman on the crime task force. I would like to ask the gentleman this question. Is the gentleman suggesting that the conduct of a State-operated sweepstakes or a State-operated lottery in any way, shape or manner contributes to the crime wave in this country?

Mr. WYLIE. I am not stating that it has necessarily but I am stating that persons become knowledgeable in this form of gambling and it may lead to other forms of gambling activity. Furthermore, it has been shown that the persons who are now buying lottery tickets come from the low income areas in New York and they buy lottery tickets because they think they are going to strike it rich—and that is gambling in its most sinister form, and, I feel, contributes to criminal activity in the form of nonsupport of family, larceny, et cetera. Historically, participation in this type of lottery has contributed to criminal activity.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I yield to the gentleman from New York.

Mr. FINO. Did I understand the gentleman to say that the banks were compelled to sell lottery tickets?

Mr. WYLIE. We heard before the Committee on Banking and Currency that pressure was being applied.

Mr. FINO. I want the RECORD to show that there is absolutely no compulsion. Some of the banks, including the Franklin National Bank, have refused to sell tickets. Those banks that want to sell tickets may sell them. It is permissive.

Let me also say that you could walk into a bank and not realize or know that they are selling lottery tickets. They do not advertise the sale. You could walk into a bank, make a deposit, and walk out not realizing that you could have bought a lottery ticket there.

Mr. WYLIE. The administration may not be twisting arms or putting thumbscrews on officials of the banks to put in windows for the sale of lottery tickets, but we are informed that pressure is being brought to bear. Basically, I just do not feel this kind of activity by a bank should be allowed to continue.

Mr. WIDNALL. Mr. Chairman, I yield to the gentleman from New York [Mr. Conable], such time as he may require.

Mr. CONABLE. Mr. Chairman, I support this legislation, although I confess my support has been somewhat tested by the intemperate and ill-advised remarks made by the chairman at the outset of the debate. I do not believe that Governor Rockefeller is an issue on this question or should be. His record and his integrity speak for themselves.

In the past I have opposed the New York State lottery as a device for financing education, and in the referendum approving the lottery the people of my congressional district opposed it by a margin of better than 2 to 1. The preliminary results of sales of lottery tickets through the New York State banks anticipate a substantial failure of the economic goals of the program. Arguments can be made either way in the philosophical question of the desirability of using thrift institutions as lottery ticket outlets. Arguments can be made either way about the legitimacy of federal intrusions in the State's prerogatives with respect to such a money-raising device, although no one seems to question the right of the Federal Government to exclude such traffic in the mails.

I question whether the lottery can succeed under any circumstances, as I have always thought it a device supported primarily by those who saw an opportunity to shift a part of their tax burden to somebody else. Such people do not buy many lottery tickets themselves. New York must live with its decision to conduct a lottery, but we are here legislating in a way which will affect the country at large, and I believe, inhibit the spread of a shabby and retrogressive device for financing public expenditures. I feel that the attitudes of my constituents and the responsibility I have to the Nation as a whole outbalance the embarrassment this bill will cause the State of New York. There is consideration being given to a delay in the effective date of this legislation until next year in order to give the State legislature an opportunity to make adjustments in the New York State program which would be required by the prohibitions of this bill. I would agree to an amendment for this purpose. I intend to support this legislation.

Mr. WIDNALL. Mr. Chairman, I yield 1 minute to the gentleman from Utah [Mr. Lloyd].

Mr. LLOYD. Mr. Chairman, first, may I say this has been a most unusual and surprising afternoon's discussion of this significant legislation, involving as it does the proposed intervention by the Congress of the United States into the public policy of a State, and perhaps other States to follow after, which public policy was established in that State after the most careful and fully considered analysis of the issues by the duly elected legislature.

I listened carefully to the chairman of the Banking and Currency Committee of which I am a member and to whom the chairman has always been most courteous and considerate, but with whom I must here disagree.

As I listened, my amazement and consternation grew as it became apparent that the chairman in addition to discussing the merits of the legislation, was going far beyond the merits and conducting a personal attack against the Governor of New York, which attack, as I view this matter, had no relation to whether or not this Congress should inject itself into this issue. Indeed it seems to be established beyond contradiction that the lottery adopted in New York State was adopted by a vote of the people of that State and was not a recommendation of the Governor.

I am pleased to note that the gentleman from New York [Mr. Robison] has stated on this floor that while he was at first undecided as to his final vote on the issue, the personal and inaccurate attack by the chairman upon the Governor has given him an important motivation to vote against the bill.

I wish therefore to associate myself with the remarks of the ranking minority member of the committee, the gentleman from New Jersey [Mr. Widnall], except that I do not support this bill, and with the remarks made this day by the gentleman from New York [Mr. Reid], after he had requested without success that the chairman yield to him, during his speech, for a question.

Mr. Chairman, I oppose this legislation. It seems to me that the issue before us is not the merits or the demerits of a lottery. That is an issue which has been resolved by the citizens of New York and it has become the public policy of the State of New York, and perhaps will become public policy in other States in the future. Our responsibility here is to determine whether we want to intervene in the determination of that public policy and the means by which this public policy is carried out. It has been stated that both Houses of the New York Legislature, a bipartisan legislature, passed this legislation authorizing banks to be transfer agents for lottery tickets, and that that legislation was passed overwhelmingly. There has been no evidence that I can discover that enabling banks to deal in the transfer of lottery tickets would in any way endanger the savings and deposits of the people, and that really—that is, the protection of those savings and deposits—is the reason back of the Federal Government's and the State Government's chartering of banks in the first place.

Under the present circumstances I do not believe it is the proper responsibility of the Congress of the United States to interfere with and override the public policy established by the State of New York or any other State in a matter involving such a vital local need.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. LLOYD. I yield to the gentleman from New Hampshire.

Mr. WYMAN. In the light of what the gentleman has just said, would not the gentleman agree that the States and the Federal Government ought to cooperate to keep racketeering and corruption out of the lotteries, and that one of the best ways to do so is to assign to the banks administrative roles of the character that has been discussed today?

Mr. LLOYD. I recognize merit in what the gentleman has said. However, for my own part, I see no relation to the mingling of vice, evil, or goodness in this question. The States have authorized the banks—I am sure it is true in New York as in other States—to accept public funds. Public funds are very important to banks. Banks accept public funds, pay interest on them in most cases, reinvest the funds, and realize a profit. And now that they are called upon to render the State government a service, I believe they should resolve their problem at the State level. If they cannot resolve it there, they should cooperate.

So far as the evil of a lottery is concerned or any similar question involving the character of those who deal in lotteries, I am not qualified to comment on that, although I certainly do agree that the gentleman has made a valid comment.

Mr. WIDNALL. Mr. Chairman, I have no further requests for time.

Mr. PATMAN. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, it has been mentioned here that the bank employees are needed to sell these tickets, that otherwise the lottery will probably be a failure. There are 89,000 employees of the banks in New York that are expected to be engaged in this business.

The law that was passed by the State of New York is in the hearings conducted by your committee. Therein can be found in the act passed by the Legislature of the State of New York which states that in addition to the banks and their employees specified to sell lottery tickets, the Governor may license agencies and municipalities and counties and cities and towns and villages to also sell these tickets. There are 810,000 of these employees. So certainly the Governor is not without power to find plenty of others to sell the lottery tickets. He does not need the banks. There are 10 times as many employees in the States and political subdivisions than the banks, so they could be utilized.

Furthermore, it is not necessary to appropriate money for them, because the money for expenses is taken out of the sales of the tickets, so it can be done tomorrow or any time if the Governor of the State of New York desires to do it.

It has been mentioned that some countries of the world have lotteries. Yes, that is particularly true in South America. It is true in the poorest countries on earth. The poorest countries on earth have lotteries. Lotteries keep the people poor. It should be an argument against this bill.

It has been said that Governor Rockefeller did not initially approve of the lottery bill. He certainly did not make any crusade against it, and the newspaper publicity shows that it was presented as a package, a Rockefeller package, and it was passed that way. If he had been against it, if he felt strongly against it, he could have vetoed it. He did not. He permitted it to become law. Therefore, since he did not crusade against it, it was passed.

May I also invite attention to the number of votes by which it was passed? There were 8 million qualified voters in the State of New York on the day on which this was submitted. Eight million could have voted. Eight million did not vote, but 6 million did. And of the 6 million voting, only 40 percent voted for this lottery. Of the eligible voters in the State, only 30 percent voted for the lottery. It does not mean that the lottery received the majority of all the votes that were cast. It did not carry by the enormous majority as some here have indicated.

Certainly there is no real demand for this lottery or the ticket sales would be better. In today's afternoon paper I have here, the New York Post, it says the lottery sales are way off. On the next page it says that the percentage of sales is 75 percent below what is necessary to make it a success. The people of New York are not clamoring for it, as many people would have us believe.

So I respectfully suggest, Mr. Chairman, that for these and all the other reasons mentioned today, this bill should be passed.

Mr. TENZER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from New York [Mr. TENZER].

Mr. TENZER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TENZER. Mr. Chairman, I rise in opposition to H.R. 10595 which would prohibit certain banks and savings and loan associations from participating in "gambling activities."

This bill is intended to deal with a specific situation—the recently approved New York State operated lottery. The New York lottery was approved by an overwhelming majority of the voters of the State, by two successive State legislatures and signed by the Governor. Proceeds from the sale of lottery tickets will be used for educational purposes. This is an important consideration when one takes into account the fact that 43 school district budgets were defeated in Nassau County alone because of the already high rates of local taxes.

I took no position on the merits of the lottery plan at the time of the referendum in New York State and I do not believe the social wisdom of the lottery should be an issue in the House today. The legislature and the people of the State of New York have expressed their will. The sole question before us today is whether the Congress should impede the procedures approved by a State for operating a lottery within the State.

There is little doubt that passage of this legislation would seriously curtail the operation of the lottery. There is also no doubt as to why the financial institutions were chosen by New York State to provide the safest and most reliable vehicle for the sale and distribution of lottery tickets.

The protection of depositors and the solvency of the financial institutions must be the primary consideration of the Congress and neither is jeopardized by the New York State lottery plan. This position is upheld by Federal agencies, including the Federal Reserve System officials and the Comptroller of the Currency.

The debate on the bill has taken a political slant which is most unfortunate. The personal attack on the distinguished Governor of the State, an individual of the highest integrity, is most regrettable. I associate myself with the tributes paid to the Governor and his family for their dedication and devotion to the public and community service.

The issue then is a social rather than a financial one and there does not appear to be any justification for overriding the decision of the legislature, the voters, and the Governor of New York State.

I shall support the amendment to be offered, which will have the purpose of postponing the effective date of this proposed legislation, however I shall vote against H.R. 10595, whether amended or not, and I urge my colleagues to vote against the bill.

Mr. PATMAN. Mr. Chairman, I ask that the Clerk read.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. (a) Chapter 1 of title LXII of the Revised Statutes is amended by inserting, immediately after section 5136, the following new section:

"SEC. 5136A. (a) A national bank may not—

"(1) deal in lottery tickets;

"(2) deal in bets;

"(3) announce, advertise, or publicize the existence of any lottery;

"(4) announce, advertise, publicize, or keep any record of the existence or identity of any participant or winner, as such, in a lottery.

"(b) A national bank may not permit any part of any premises under its ownership or control to be used by any person for any purpose forbidden to the bank under this section except—

"(1) where the person has a legally enforceable right to do so under the terms of a lease or other contract entered into before the date of enactment of this section, or before the date of the acquisition of the premises by the bank, whichever is later;

"(2) where the bank has acquired the premises in settlement of a preexisting debt or in connection with foreclosure proceedings, and has held the premises for less than five years; or

"(3) where the bank holds the premises in a fiduciary capacity.

"(c) As used in this section—

"(1) The term 'deal in' includes making, taking, buying, selling, redeeming, collecting, paying on account of, keeping any books or records with respect to, or otherwise handling in any way.

"(2) The term 'lottery' includes any arrangement whereby three or more persons (the 'participants') advance money or credit to another in exchange for the possibility or expectation that one or more but not all of the participants (the 'winners') will receive by reason of their advances more than the amounts they have advanced, the identity of the winners being determined by any means which includes—

"(A) a random selection;

"(B) a game, race, or contest;

"(C) any record or tabulation of the result of one or more events in which any participant has no interest except for its bearing upon the possibility that he may become a winner; or.

"(D) any combination of any two or more of the foregoing.

"(3) The term 'lottery ticket' includes any right, privilege, or possibility (and any ticket, receipt, record, or other evidence of any such right, privilege, or possibility) of becoming a winner in a lottery.

"(d) The Comptroller of the Currency shall issue such regulations as may be necessary to the strict enforcement of this section and the prevention of evasions thereof."

(b) The table of sections at the beginning of that chapter is amended by inserting

"5136A. Participation in lotteries prohibited."

immediately above

"5137. Power to hold real property."

Mr. PATMAN (interrupting the reading). Mr. Chairman, I ask unanimous consent that this section of the bill be considered as read, printed in the RECORD at this point, and open to amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CHARLES H. WILSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10595) to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities, had come to no resolution thereon.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members speaking on the bill H.R. 10595 today may have the privilege of revising and extending their remarks and including therein extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

REORGANIZATION OF ARMY RESERVE COMPONENTS

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to

the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, a new plan for reorganization of Army Reserve components has been projected by Secretary of the Army Stanley Resor. It is a balanced plan which provides for the retention of combat units in the U.S. Army Reserve and of support units in the Army National Guard. Drill paid strength figures would be a minimum of 260,000 for the Reserves and 400,000 for the National Guard. This is substantially in line with the recommendations of Reserve commanders in and out of the Pentagon, and of congressional committees which deal with military subjects.

I support the plan and I commend Secretary Resor, Army Chief of Staff General Johnson, General Rich, General Sutton, General Wilson, and General Stone of the Reserve staff organizations in the Pentagon for its development. I feel that it will provide a satisfactory and workable solution to the problem of Reserve components reorganization which has created difficulties over a period of several years. It should be possible for all elements to put a shoulder to the wheel and work for effective Reserve components under the Resor plan.

I attach hereto a letter outlining the details of the plan:

DEPARTMENT OF THE ARMY,
Washington, D.C., July 12, 1967.

Hon. ROBERT L. F. SIKES,
Chairman, Subcommittee on Military Construction, House Appropriations Committee, Washington, D.C.

DEAR CONGRESSMAN SIKES: At the hearings June 27th on the Army Plan for reorganization of its reserve components, Senator Russell asked that consideration be given to retaining some combat and combat support elements in the United States Army Reserve (USAR). Other members of the Congress have made similar suggestions. Additionally, the House of Representatives in passing the Department of Defense Appropriation Bill for FY 1968 and H.R. 2 has called for a minimum strength of 260,000 in the USAR rather than the 240,000 contemplated in the Army Plan.

It is in the light of the foregoing that the Chief of Staff and I have subjected the Army Plan to further analysis. While we continue to believe that it is the best plan to meet Department of the Army objectives, altering it so that combat and combat support units would remain in the USAR is feasible. This alteration could be accomplished by adopting a reorganization which we have characterized as the Three Brigade Plan, so called because the USAR would have three brigades rather than none as in the Army Plan.

Under the Three Brigade Plan the USAR paid drill strength is increased from 240,000 to 260,000 and the paid drill strength of the National Guard would be 400,000. The total structure provided in the Army Plan is retained. The number of combat maneuver battalions is the same as in the force structure recommended by the Joint Chiefs of Staff. The proportion of combat, combat support and service support within each component would be approximately the same as exists today.

The major unit changes from the Army Plan in the Three Brigade Plan are:

a. Retain in the USAR structure the following units which the Army Plan would have included in the National Guard: 3 brigade bases (each consisting of a brigade headquarters company, a support battalion, an aviation company, an armored cavalry troop, an engineer company and 105mm field artillery battalion), 10 infantry battalions, 15 separate artillery battalions, 16 combat engineer battalions.

b. Retain or form in the National Guard structure the following units which the Army Plan would have included in the USAR: 2 military police brigades, 1 Transportation Corps brigade, 1 support brigade, 6 engineer construction battalions, 3 signal battalions, 13 hospitals, 52 composite service companies, 21 truck companies, 8 ordnance companies.

The Three Brigade Plan accommodates the major objections which have been raised to our original proposal. It provides the USAR with approximately 41,000 paid drill strength in combat and combat support units and a total paid drill strength of 260,000. The National Guard would have 8 divisions and 18 brigades. We have eliminated all cases of activating in one component a unit comparable to one inactivated in the other component. This maximizes the use of existing assets in both components. It minimizes organizational turbulence. At the same time, our basic reorganization objectives are met.

Sincerely,

STANLEY R. RESOR,
Secretary of the Army.

BROADCAST JOURNALISM AT ITS BEST

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, one of the most common criticisms leveled at broadcast journalism is its failure to provide in-depth news coverage and analysis. Typically, television news is superficial and lacks an interpretive dimension. Moreover, TV news staffs have been unable or unwilling to do original investigative reporting.

I am pleased to say that the Columbia Broadcasting System, with its excellent four-part investigation of the Warren report, has proved that electronic journalism can handle even the most complex public issues with sensitivity and distinction. In my opinion, CBS' analysis of the Warren report represents a standard of journalism which other networks will now have to emulate.

CBS' subject—the raging controversy over the assassination of President Kennedy—was an incredibly difficult one. Recent public opinion polls show that many Americans do not accept the official version of the assassination. CBS' decision to open this can of worms in itself took a great deal of courage.

After watching the CBS special, I feel it went a long way toward unscrambling the babel of conflicting theories about who killed our President and how. Its net effect, I think, was to strengthen the findings of the Warren Commission. In addition, the CBS staff found that the critics of the Warren report often employ the very same tactics they accuse the Commission of using. For example, the critics select only those facts that buttress their arguments and deliberately overlook information inconsistent with their pet theories.

As CBS noted, since the accused, Lee Harvey Oswald, is dead we can never be completely certain about the assassination. However, the bulk of evidence, albeit circumstantial in nature, supports the Warren Commission finding that Oswald was in fact the assassin, and the sole assassin.

I know that my colleagues and my fellow Americans join me in saluting CBS News for this thorough inquiry. These programs were at once a valuable public service and a lasting contribution to American journalism.

Mr. Speaker, I include a New York Times column on this subject, written by television critic Jack Gould, in the RECORD at this point:

TV: USEFUL VIEW OF WARREN REPORT—C.B.S. PROGRAMS ARE ANTIDOTE FOR CRITICS—TIME AND MONEY GO INTO A PUBLIC SERVICE

(By Jack Gould)

The Columbia Broadcasting System's four-part analysis of the Warren report on the assassination of President Kennedy has been a thoroughly valuable social service. Taking up a controversy befogged by much confusing detail, the program has not only reminded the lay viewer of what actually was in the Warren report, something that badly needed doing, but also, through its own initiative and resourcefulness, C.B.S. independently established that the document's central conclusions remain far more impressive than the bulk of criticisms of the Warren commission's findings.

Richard S. Salant, president of C.B.S. News, is to be commended for recognizing that the controversy over the assassination called for the unusual step of investigating the soundness of the original investigation. In the unpredictable shifts of public opinion there had indeed arisen a situation where the assassination buffs and the full-time strident critics were penetrating the national consciousness to a point where the negative versions of events at Dallas were enjoying more extensive circulation than the initial report.

The C.B.S. news inquiry, which ran from Sunday evening through last night, admittedly did not produce any earthshaking revelations. What the network program did show was that in certain particulars the Warren report may have understated its deductions, and that the evidence involving Lee Harvey Oswald as the lone assassin was possibly stronger, not weaker, than was originally believed.

From the tone and the attitude of the program, Leslie Midgley, the executive producer, had another objective in mind. It was to invoke the resources of an impartial news organization, virtually the only instrument capable of doing the job, to restore a sense of much-needed balance to the controversy over the assassination, to make clear that the criticism of the Warren report by such persons as Mark Lane, author of "Rush to Judgment," should not be left to stand by itself. Since the Warren commission as a body could not be expected to respond to every passing challenge, there had been created an unhealthy void, where increasingly only one side of history was being relentlessly ventilated. C.B.S. wisely appreciated that the nation needed the application of a sense of perspective.

No amount of printed material nor visual reportage can be expected to result in a consensus on the Kennedy assassination. Indeed, the critics may have won a new lease on further controversy, trying to pick holes in the C.B.S. effort.

Given the dimensions and difficulties of the assignment, C.B.S. achieved a remarkable degree of clarity in setting forth why it believed the essence of the Warren report was correct or at least reasonable. Its costly reconstruction of the setting of the assassination, and its pursuit of scientific detail, were in refreshing contrast to television's previous flood of oral harangues that defied ready digestion by the layman. Four consecutive hours of documentation of detail may have been a little long, but cumulatively there is no gainsaying that the total effort was illuminating in its dedication to as much precision as possible.

Walter Cronkite was at his best in reading the complicated narrative of the inquiry and invoking the right touch of inflection where C.B.S. News elected to stay clear of flat declarations, and indicated that it rested upon the apparent reasonableness of circumstantial conclusions.

A still developing aspect of the Kennedy assassination is the series of extraordinary bizarre goings-on in New Orleans, where District Attorney Jim Garrison is conducting his own investigation. Neither C.B.S. nor for that matter the National Broadcasting Company, which appears to have jumped into the story in anticipation of the rival four-part series, has succeeded as yet in unraveling those proceedings. Competitive rating considerations invite a measure of reportorial haste, but such is the cast of characters in the Louisiana episode that a viewer is bound to wonder about the credibility of claims and counter-claims. That Mr. Garrison should complain about the role of the news media is anything but persuasive; on the screen, at least, he has not appeared adverse to milking publicity out of his legal sortie.

The C.B.S. inquiry, extending over nine months and obviously involving the employment of a large staff, almost certainly is going to lead to a rise in investigative TV reporting. The trend could be beneficial, because one of the blights of electronic journalism has been the overly tardy photographic reprises of material appearing weeks or months earlier in other media. Original reporting, confined not merely to a sensational crime but to all other areas of national interests, is what TV needs to capture the sense of journalistic excitement that in recent years has been largely lost in hasty exercises in blandness.

LOCKHEED'S EXHIBIT AT THE PARIS AIRSHOW

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, in reflecting on the fine representation of America's aerospace industry at the Paris airshow, credit should be given to the Commerce Department for its role in helping the various aerospace companies present their products most effectively. As a matter of fact, the Departments of Commerce, State, and Defense did an admirable job of achieving a coordinated display of the products of American industry. This year, even more than in years past, the American exhibits won the plaudits of the public and the press, and gained favorable recognition for our country in this area so vitally important to our prestige.

Since my return from the air show, I have discussed the exhibits of various American companies, and I would like to make some additional comments at this time. The Lockheed Aircraft Corp., headquartered in Burbank, Calif., but with divisions and plants in many States, was represented by no less than seven different types of aircraft, as well as interesting indoor displays on a wide variety of technologies. Capturing much attention was the remarkable flight demonstration of Lockheed's rigid rotor helicopter, which for the first time outside the United States was flown through a unique series of aerobatics—something conventional helicopters cannot do.

Tanker versions of Lockheed's C–130 Hercules performed midair refueling of two Sikorsky helicopters to make possible the first nonstop helicopter flight across the Altantic to Le Bourget.

But perhaps the event that most epitomized the world's air progress over the past 40 years was the accomplishment of a Military Airlift Command Lockheed C–141 Starlifter, which in its huge cargo compartment transported at nearly 600 miles per hour a replica of Lindbergh's original "Spirit of St. Louis" to France for display at the U.S. pavilion.

Mr. Speaker, I believe that the Government agencies involved and the representatives of industry are to be commended for their part in telling America's aerospace story abroad in these times so critical to our national image.

PRESIDENT JOHNSON VISITS A GREAT PHILADELPHIA PROJECT

Mr. NIX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NIX. Mr. Speaker, the headlines this summer tell of violence in the streets. But there are other stories, too—stories that are crowded off the front pages because they are less dramatic, although often far more significant.

Such is the story of what the people of North Philadelphia are accomplishing through the Opportunities Industrialization Center, founded by the Reverend Leon H. Sullivan, which is providing needed job training and educational programs for thousands of eager participants.

This story has finally received the attention it deserves because of a visit recently by the President of the United States.

The President came to see for himself the wonderful achievements of OIC—a program begun largely through the help furnished by his administration. I am certain that he was not disappointed by what he saw. For he saw men and women strengthened with renewed confidence in the future, and determined to improve their lives through hard work.

He saw people preparing for responsible jobs and responsible citizenship in our democratic society. And he saw a shining symbol of what the war on poverty can achieve among those who need help most.

It was highly appropriate that President Johnson chose the OIC in North Philadelphia as the place to sign the Teacher Corps bill into law.

As the Philadelphia Inquirer noted:

> In word and deed, Mr. Johnson was creating a memorable occasion to honor the Opportunities Industrialization Center and, equally important, to encourage men and women across the country to adopt for themselves the OIC spirit of self-help and self-improvement.

The President's visit to Philadelphia was a great day, not only for the community, but as a symbolic visit, for the Nation as a whole.

I insert into the RECORD the editorial from the Philadelphia Inquirer, entitled "The President's Surprise Visit."

THE PRESIDENT'S SURPRISE VISIT

President Johnson's surprise visit to Philadelphia Thursday morning was a richly deserved tribute to the Opportunities Industrialization Center, to its founder and chairman, the Rev. Leon H. Sullivan, and to all who have made this job-training organization a model for nationwide anti-poverty programs.

The President came here to see for himself—at two job-training centers in North Philadelphia—the wonderful achievements of the OIC that he and the entire country have heard so much about. He selected one of the OIC installations as the site for bill-signing ceremonies to extend the life of the Teacher Corps.

In word and deed, Mr. Johnson was creating a memorable occasion to honor the Opportunities Industrialization Center and, equally important, to encourage men and women across the Nation to adopt for themselves the OIC spirit of self-help and self-improvement.

Mr. Sullivan's remarkable accomplishments—in raising the poor and disheartened to positions of responsibility as productive wage-earners and operators of independent business enterprise—are a familiar story to Philadelphians. President Johnson, in going out of his way to give formal recognition to OIC's program, is aiming the war on poverty in a desirable direction.

There is no more effective way to aid the jobless than to qualify them for available job openings. This is the kind of fight against poverty that goes beyond the theoretical and into the practical. Jobs are the key to the war on poverty but, as Mr. Sullivan has had the wisdom to see, the jobs are useless unless the jobless can be qualified to fill them.

Startled Philadelphians walking and driving on Broad street and other thoroughfares of the city early Thursday had to look twice to believe their eyes when the President of the United States suddenly appeared in their midst. Aided by the excellent security work of Philadelphia police, provided on exceptionally short notice, Mr. Johnson and his party journeyed through business and residential areas to his hastily arranged destinations with no perceptible confusion. The element of surprise is a favorite device of the President and he must have enjoyed this one as much as his amazed audiences were delighted in welcoming him.

There is something touchingly symbolic in all this. Surprise often has been the first reaction of enrollees at the Opportunities Industrialization Center—surprise at their own undeveloped skills and talents they did not know they had. Perhaps the President's visit to the OIC here will serve to inspire unemployed everywhere to find new hope and new opportunity.

BELATED LID ON DR. KING

Mr. ICHORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to

the request of the gentleman from Missouri?

There was no objection.

Mr. ICHORD. Mr. Speaker, several years ago, when the doctrine of civil disobedience was explained to me by a pseudo-intellectual, I stated that the doctrine should more appropriately be termed civil anarchy.

Today it is demonstrably clear that this spurious doctrine has implanted seeds of anarchy and chaos in every major city in the United States, from New York, N.Y., and Washington, D.C., to Los Angeles, Calif., the results of which have reached serious proportions. America today stands at the crossroads: It can follow the path of civil disobedience, or it can follow the path of civil responsibility. The former leads to violence, anarchy, and freedom's defeat. The latter leads to order, justice, and the preservation of individual freedom. We live under the greatest system of government ever devised by the human mind. Granted, it is imperfect as all governments are, but it cannot be nourished and further improved in a climate where every man himself will judge whether or not he is to obey the law. Its flaws cannot be corrected in an atmosphere where the very basis of the system, respect for the laws, is being challenged at every turn. Damaging the foundation of the home leads to the decay of the entire structure—it is high time that our leaders and responsible citizens in all walks of life speak out in opposition to the doctrine of civil disobedience. This is a matter on which I have spoken out publicly many times in the past and I believe that the following editorial from a recent issue of the St. Louis Globe-Democrat published by Richard H. Amberg, very superbly points out the dangers and grave consequences of civil disobedience which has been injected into the civil rights movement, as well as the need for governmental action.

Belated Lid on Dr. King

In upholding the contempt of court conviction of Dr. Martin Luther King, Jr. and seven other civil rights leaders for defying a court injunction against parading and picketing, the United States Supreme Court has reaffirmed that this is still a nation of law.

Rev. King has tried to put himself above the law on not one but many occasions and espoused the doctrine that only "just laws" must be obeyed. Or what he thinks are just laws.

Though he disavows it, the incontrovertible evidence is that the disrespect for laws Dr. King preaches has often been a contributing factor to riots and violence that follow.

The Supreme Court ruled on a case involving an attempt by Mr. King and seven other Negro ministers to hold marches in Birmingham, Ala., on Good Friday and Easter Sunday in 1963 in defiance of a court injunction whose purpose was to preserve law and order in a racially tense situation and avoid the danger of violence, bloodshed and property damage.

The decision is welcome evidence that the Supreme Court's honeymoon with demonstrators and rightists who break the law is over.

On the same day the high court upheld Dr. King's conviction, headlines told of rampaging riots in Tampa, Fla., and more uprisings in Cincinnati, the Watts section of Los Angeles and in Montgomery, Ala.

Regrettably the Supreme Court cannot by itself undo the damage done by the preachings of Dr. King and by still more rabid rights leaders such as Stokely Carmichael of the Student Non-Violent Co-ordinating Committee.

The holocaust of Watts was the signal that the criminal element had hopped aboard the civil rights movement to use it as an excuse for rampant looting and burning.

The damage to the rights cause was immense. Each new riot further damages the rights movement which Dr. King once led so effectively.

But instead of trying to calm the racial waters, Dr. King and Carmichael have roiled them. Rev. King has given lip-service to nonviolence but almost always nullifies this effort by alluding to violence that may follow if demands of Negroes are not immediately met.

Carmichael, with whom Rev. King has appeared more often of late, has abandoned even the pretense of non-violence. In Prattville, Ala., where Carmichael was arrested recently, he reportedly threatened to kill a police officer and vowed he would "tear up this town." After his arrest, his supporters began shooting at police officers. Some 200 National Guardsmen had to be called out to quell the ensuing riot.

It has been evident for some time now that a federal statue is needed to outlaw interstate travel for the purpose of inciting riots and disorders.

Those who have led the civil rights movement to its present chaotic state, have busied themselves by making inflammatory speeches in Negro areas all across the country.

The seeds of discord these men sow have brought a harvest of destruction and despair. Negroes whom they once purported to help achieve full rights, now bear the brunt of these senseless orgies of burning, shooting and looting.

The Supreme Court has pointed the way. It is up to the Federal Government to follow through with effective laws and actions to quell this national outbreak of guerrilla-type attacks by those using "black power" and the civil rights movement as a shield for anarchy and mayhem.

THE REPUBLIC OF SOUTH AFRICA FRIENDLY TO UNITED STATES

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, with this country's foreign policy sometimes seeming to be directed toward alienating every friend and ally this country possesses, it is gratifying to find a nation that remains loyal to our announced ideals of freedom and fair play no matter how much abuse we pile upon them. I am speaking of the Republic of South Africa, the horror of the United Nations, and the liberals.

South Africa has proved herself to be a valuable ally in the wake of the Middle East war by her cooperation in allowing American and British shipping to visit her ports while the Suez Canal remains closed. She has had ample reason to deny us the priviledge of doing so, but she obviously is more inclined to uphold the cause of freedom and to rise above simple pettiness than many people in Washington. Compare her actions with a nation like India, who returns friendship with a slap in the face and childish sulking because we refused to stab ourselves in the back.

South Africa's valuable support has, of course, been almost totally ignored by the supposedly "unbiased" American press. One of the few voices of maturity is heard in the July 6, 1967, newsletter of Mr. Thurman Sensing, executive vice president of the Southern States Industrial Council. Everyone should read it to be reassured that we really do have some friends in the world today.

Control of the Cape

(By Thurman Sensing)

A beneficial by-product of the closing of the Suez Canal is a renewed awareness of the importance of the sea route around the Cape of Good Hope and of the Republic of South Africa which serves as the sentinel of the West at the southern tip of the continent.

Less than a year ago, the U.N. glass palace on New York's East River rang with the angry words of Afro-Asian delegates demanding a crackdown against South Africa and its friendly neighbor to the north, the new independent nation of Rhodesia. The Johnson administration, to the distress of Americans concerned with the strategic interests of the U.S., added its weight to pressures applied against the two progressive African states which are under European leadership.

Today, that same Afro-Asian majority in the United Nations is too busy railing at Israel to devote any attention to South Africa and Rhodesia. And both the United States and England are deeply concerned about the continuing flow of Middle East oil, in which South Africa plays an important role which should not be forgotten a year or two hence.

No sooner had the Suez Canal been closed than oil tankers and merchantmen loading in the Middle East were diverted around the Cape of Good Hope. Immediately, 20 British tankers were scheduled to put into Cape Town, South Africa, for refueling and replenishing. This initial group of ships, however, was only the beginning of a vast movement of merchant vessels around the Cape, with hundreds scheduled to drop anchor in the South African ports of Durban, East London, Port Elizabeth, and Cape Town. Approximately 1,500 ships regularly use the Suez route, and now will be using the Cape Town route. Many of these ships will need fuel, stores and repairs at South African ports.

There is a lesson here that the Western maritime nations should never forget: namely that South Africa's harbors are vital to the free world in peace and war. Imagine the results if South Africa's ports were closed to Western tankers and freighters! Many of the tankers employed in the Suez route are not equipped for the long voyage to England and Europe, without stopping en route.

And what would happen to those ships which, though capable of an uninterrupted journey, suffered mechanical breakdown? South Africa has the only major drydock on the African continent—a drydock large enough to accommodate an American cruiser or light aircraft carrier. Obviously, closure of South Africa's ports would be a disaster for the West.

The liberals in power in Washington and London should have thought of this several years ago when they began their campaign of abuse against a loyal wartime ally. These liberals have attempted to promote revolutionary regimes throughout Southern Africa, thereby ignoring the strategic interests of the U.S. and England. If a Castro or Lumumba were in power in Pretoria, one can be sure that South Africa's ports would be closed in sympathy with the revolutionary Arab nations. Indeed, suppose the South Africans, outraged at the abuse directed at them, had a neutralist government on the lines of the DeGaulle government in France. Even a mild policy of non-cooperation could have disastrous effects on the Western powers.

Without ready access to Middle East oil and without continuance of its other vast sea traffic, England would have an overnight fiscal crisis. Its solvency would disappear, and the United States suddenly would be confronted with a gigantic and enormously expensive financial rescue operation.

These realities concerning South Africa—and they apply generally to the strategically important inland country of Rhodesia (which is a barrier to revolutionary advance in South-Central Africa), show up the folly of policies adopted in the past by the Johnson administration in the U.S. and Wilson government in England. One is reminded of the incredibly foolish and offensive decision by the White House not to allow crewmen of the aircraft carrier Franklin D. Roosevelt, returning from the Vietnam war, to enjoy liberty in Cape Town.

Clearly, it is time that the Johnson administration make a public statement, repudiating the anti-South African policy which endangers the vital interests of the United States and other friendly maritime nations. Control of the Cape must remain in the hands of a stable, European-type government which will stand by the West in a time of crisis.

VIETNAM—ANOTHER CROSSROADS

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, the United States is at another crossroads in Vietnam, being forced to choose between pouring more troops into the bottomless pit of antiguerrilla warfare, or running the risk of a slow military victory being rendered meaningless by the growing loss of public morale, both at home and in the war zone. I would like to insert in the Record an article out of the June 30, 1967, Freedom Press, comparing the endless Vietnam conflict and the lightning-swift Middle East war. The comparisons are not very pretty in what they indicate about our almost unbelievable conduct of this war.

Israeli War Victory Indicates No Need for Long Viet Fight

(By A. Vincent Wilson)

The forthright, short and successful campaign of the armed forces of Israel should open the eyes of millions of Americans who for years have been fed the nonsense of the need for limited war, and of the grievous dangers inherent in our gaining a prompt and conclusive victory in Vietnam—dangers from Communist China and the Soviet Union.

Every military man worth his salt—regardless of nationality—knows that the tactics displayed by Israel were but a classic example of the application of the principles of war enunciated 150 years ago by Von Clausewitz and practiced by every successful great commander down through the pages of history.

A quick offensive by well-trained, well-equipped and well-led forces can result in resounding victory long before logistical complications can intrude to slow the pace, and thus give an enemy the time to prepare for and to withstand such an assault.

ERRORS CITED

Conversely, our conduct of war in Vietnam would seem to be a clearcut example of a confounding of all the errors possible in the waging of armed conflict: indecision at almost every level, fear of world opinion, the haunting danger of escalation, tactics and strategy dictated in preponderant measure by civilians grossly inexperienced in actual war, and all this under the over-all shadow of political considerations.

A war that could decisively be won in a matter of months is allowed to drag on for years with its ever-mounting toll of casualties and the expenditure of billions of taxpayers' money.

All the drivel emanating from most of our news media on the threat of the entrance into the conflict by Communist China coupled with a like fear of retaliation by the Soviet Union, does a grave disservice to our courageous fighting men and to the very cause of freedom itself.

POLITICAL CHAOS

Communist China is in the throes of economic and political chaos, unable to feed many of its millions, let alone engage in modern war with its industrial and transportation demands.

With our aerial bombardment capabilities, and with Free China's fine military establishment at the ready on a flank, any intrusion of Communist China into the Vietnam conflict would promptly invite destruction of her Communist government, and thus the end of its control over the China mainland.

As to the Soviet Union, she, too—characteristic of countries under the Communist heel—is unable to feed her great population without help from the West, nor able to survive economically without technical and industrial assistance from the same source. The very last thing any of its leaders want is a major war with the United States.

Every American should ask how much longer are we to be frightened by loud-mouthed braggarts such as the late leader Khrushchev, Kosygin, Brezhnev, Castro, Mao Tse-tung and others of their ilk, not one of whom has any assurance of the loyalty of their enslaved subjects in the event of war with a major power?

HOW MUCH LONGER?

How much longer must the American people tolerate the pattern of war in Vietnam being vested in the hands of a few inept civilians who might appropriately be termed "computerized robots" in view of their profound faith in arithmetic instead of courage and common sense.

Let us pray that the example of the short and victorious war by Israel will open the eyes of our Chief Executive to the immediate need for entrusting the conduct of war to our qualified military leaders, and thus gain an early and decisive victory in Vietnam—and in every other instance of Communist aggression against free men.

We need not bother to bury communism. In company with our allies, simply erase it from the face of the globe—while the power to do so still is in our hands.

IMMEDIATE ELIMINATION OF SILVER FROM THE MINTING OF THE HALF DOLLAR

Mr. CONTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, I am today introducing a bill cosponsored by the gentleman from Wisconsin, Representative Reuss, a ranking member of the House Banking and Currency Committee, which provides for the immediate elimination of silver from the minting of our half dollar. I have spoken out on this question on many occasions hoping that appropriate action would be taken to preserve our rapidly diminishing reserves of this precious metal. However, the necessary administrative steps have not been taken despite the fact that the silver shortage situation has reached critical proportions.

Treasury sales of silver to the public during the last 2 months have averaged between 33 and 34 million ounces of silver per month. This is more than twice as much as the equivalent sales for May and June of 1966 and almost three times the average monthly figure for the year of 1966. These exceedingly large and increasing demands on the Treasury's silver, one of the largest known reserves of silver in the world, indicate the extent of the gap between production and public consumption of silver in this country and the rapidity with which our Nation's reserves are being used up to fill that gap.

Silver is used in this country by industry and ultimately the general public for many important, necessary and utilitarian purposes.

These usages are ever-growing and play an important role in our Nation and in our society.

The silver half dollar, on the other hand, serves no utilitarian function whatsoever.

The primary purpose of a coinage system and therefore, of course, of a silver half dollar is to provide a circulating medium of exchange. It is as clear as it can possibly be that the silver half dollar is not fulfilling this function.

You will not find these coins at banks, at stores, at businesses, or in the hands of individuals except those who hoard or save them. They are just not being used as coins.

When we consider the important demands on silver in our country and the useful purposes to which it is put, and when we consider how quickly our supplies of this commodity are diminishing, it becomes blatantly obvious that we cannot continue using silver in the wasteful production of unused half dollars.

HUD ACCEDES TO CRAMER DEMAND TO FOLLOW HOUSE ACTION STOPPING FEDERAL DICTATION OF METRO GOVERNMENT UNDER SECTION 204 MODEL CITIES ACT

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, on May 17 this House adopted an amendment that I offered to the independent offices and Department of HUD appropriation bill for 1968. That amendment provided that section 204 of the Model Cities Act shall not be implemented; that no funds shall be spent for that purpose in fiscal year 1968.

Subsequently I was advised that, despite the action of the House, HUD was going to go ahead and implement section 204 anyway.

I am glad to report to the House, in view of the House action on May 17, together with the colloquy that took place on the floor of the House between myself and members of the Appropriations Committee on June 26 on the resolution for continuing appropriations, that the Department has advised me in writing that they have agreed that this section, pursuant to House action, will not be implemented, and that the July 1 date, on which metropolitan planning was to be required and the planning agencies designated and brought into existence, which would have forced metro government on local governments by the national HUD agency, in my opinion, will not be adhered to. Pursuant to this letter, section 204 will not be put into effect. The penalty would have been the unwise penalty of withholding of 100 percent Federal funds in many grant-in-aid programs.

I am glad to make a part of the Record on this matter my letter to Secretary Weaver, on June 28, and his reply to me, on July 10, advising me that the House action will be upheld by his Department until final action by Congress.

June 28, 1967.

Hon. Robert C. Weaver,
Secretary, Department of Housing and Urban Development, Washington, D.C.

My Dear Mr. Secretary: On Wednesday, May 17, 1967, the House adopted my amendment to the Independent Offices and Department of Housing and Urban Development Appropriations Bill, 1968, to prohibit the use of any funds therein for the administration of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966.

In my opinion, this action clearly reflects the intent of the House that section 204 of the 1966 Act should not be implemented in its present form.

It is my understanding that the HUD Appropriation Bill will not be marked up by the appropriate subcommittee of the Senate Committee on Appropriations until after the July Fourth recess. Consequently, we can expect it to be some time before the Senate acts on that appropriation bill and the conference committee resolves any disagreements between the House and Senate with respect to section 204.

Section 204 requires that all applications after June 30, 1967, for many types of Federal loan and grant programs, be reviewed by an areawide agency designated to perform metropolitan or regional planning in each standard metropolitan statistical area. Inasmuch as the Congress will not have finally acted upon the HUD Appropriation Bill by July 1, 1967, it would be highly inappropriate, in light of the House action on the bill, for the Department to commence carrying out of the provisions of section 204 on July 1.

During the House debate on the Continuing Appropriations Resolution, H.J. Res. 652, on June 26, 1967, it was again made abundantly clear by the Floor managers of the resolution that the Department should not proceed beyond July 1 to obligate funds to implement section 204 until a conference agreement has been reached upon the HUD Appropriation Bill.

I trust that your Department will be guided by the clearly expressed intent of the House in regard to this matter, and that all activities for implementation of section 204 will cease on June 30, 1967.

Sincerely,

William C. Cramer,
Member of Congress.

The Secretary of Housing and Urban Development,
Washington, D.C., July 10, 1967.

Hon. William C. Cramer,
House of Representatives,
Washington, D.C.

Dear Mr. Cramer: Thank you for your letter of June 28, 1967, regarding the administration of Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 by this Department after July 1, 1967. Please be advised that in accordance with the intent of the House action on May 17 and the House debate on the continuing appropriation resolution, H.J. Res. 652 on June 26, 1967, this Department suspended on July 1 its administration of the provisions of Section 204 until the matter is resolved between the House and the Senate.

Of course, with respect to those grant-in-aid programs administered directly by this Department, we will continue to be bound by the terms of Section 204 as well as other statutory planning requirements.

Sincerely yours,

Robert C. Weaver.

PUBLICATION OF POSTAL LIFE

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, during the last 3 months, Postmaster General O'Brien and his subordinates have been extremely active on Capitol Hill applying pressure for a huge postal rate increase and for substantial increases in their budget expenditures, supposedly to halt the deterioration of postal service. Postmaster General O'Brien and his associates painted a picture of their Department as having inadequate facilities to cope with the growing volume of mail which, it is claimed, is flooding the antiquated facilities.

Yet, the "straw that broke the camel's back" may well be the move by the Postmaster General to flood the mails with an unsolicited magazine, Postal Life, which will be mailed bimonthly to the Department's 605,000 career employees.

The fact that escapes Mr. O'Brien is that Postal Life is a resurrection of the Eisenhower administration's Postal Service News which the first Postmaster General of the Kennedy-Johnson administration denounced, destroyed, and discontinued.

Six years ago, Mr. O'Brien's Democrat predecessor twice removed, J. Edward Day, in a belt-tightening move, announced the discontinuance of Postal Service News in the seventh issue of its seventh volume.

> This is essentially an economy move—

Mr. Day's announcement proclaimed—

> one of the steps which can be taken to reduce costs which contribute to the large postal deficit, without impairing mail service.

Mr. Day further stated that—

> Official communication with the thousands of postal employees throughout the country can be more efficiently handled through the weekly Postal Bulletin and other documents issued by the Department.

The other documents referred to include the Postal Manual, the regional letter, and regional manual. The Postal Bulletin and Postal Manual are still published. The regional letter and regional manual have been combined in regional instructions.

In his Post Office Department Annual Report of 1961, Mr. Day was even more emphatic. Under the heading of "Frills Eliminated," he said:

> Other economies included elimination of an expensive motion picture film program costing $150,000 a year, and halting publication of the Postal Service News, which duplicated information in employee publications and met with little acceptance by employees. This saved $160,000 annually.

Mr. Speaker, we now have Great Society O'Brien erasing the economies achieved by New Frontiersman Day. What a spectacle of Democratic procedure.

I have written to Bureau of the Budget Director, Charles L. Schultze, asking pertinent questions pertaining to the approval for this costly public relations publication and include this letter as a continuation of my remarks.

July 11, 1967.

Mr. Charles L. Schultze,
Director, Bureau of the Budget,
Washington, D.C.

Dear Mr. Schultze: The Post Office Department has just announced the publication and distribution plans for a magazine to be called Postal Life, which the Department plans to publish on a bi-monthly basis and distribute to its 605,000 career employees. The first edition states that the use of funds for printing this publication was approved by the Director of the Bureau of the Budget on March 17, 1967.

May I remind you that a similar publication, Postal Service News, was discontinued by Postmaster General J. Edward Day, who in the 1961 Post Office Department Annual Report explained his actions as follows:

"Other economies included elimination of an expensive motion picture film program costing $150,000 a year, and halting publication of the Postal Service News, which duplicated information in employee publications and met with little acceptance by employees. This saved $160,000 annually."

In his order concerning the Postal Service News, Mr. Day stated:

"This is essentially an economy move, one of the steps which can be taken to reduce costs which contribute to the large postal deficit, without impairing mail service."

In lieu of the history of this unsolicited Post Office Department house organ I would appreciate your immediate response to the following relative questions:

1. By what authority was this in-house publication financed?

2. How much of the taxpayer's dollar is devoted to this public relations publication?

3. Why is it necessary when it was so resoundingly denounced by the same administration six years ago?

4. If Postal Service News was a "frill" to Postmaster General Day at a cost of $160,000 annually, what is the printing cost of Postal Life under Postmaster General O'Brien?

5. Would the budget request for the Post Office Department include specific funds for this publication or were the funds obtained

from some other departmental expense account?

In view of the fact that there is pending before the Congress a demand from the Postmaster General for a huge increase in postal rates and an urgent request for additional expenditures to improve postal service, I would appreciate being advised of the budget evaluations by which your office approved this extravagant addition to postal department operating costs.

Sincerely yours,
EDWARD J. DERWINSKI,
Member of Congress.

It is my hope that the Postmaster General will use self-discipline to control his apparent desire to publish a self-serving departmental propaganda publication, and instead think of the overburden to the taxpayer, the citizens suffering from deteriorating postal service, and his own overworked employees upon whom he will be inflicting annually 3,700,000 pieces of unsolicited material.

FELONY ARRESTS WITHOUT WARRANTS IN THE DISTRICT OF COLUMBIA

Mr. POFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, inherent in the debate on H.R. 10783 passed by the House on June 26, 1967, was the question of the power of police officers in the District of Columbia to make felony arrests on probable cause. I have made a brief study of the law on the question. Generally speaking:

> The usual rule is that a police officer may arrest without a warrant one believed by the officer upon reasonable cause to have been guilty of a felony.

This quotation from *Carroll* v. *U.S.*, 267 U.S. 132, 156, sets out the broad general rule for arrests. This is so well settled as to require no further discussion.

With respect to the rule in the District of Columbia, note the case of *Carroll* v. *Parry*, 48 app. D.C. 453, 459, where the court said:

> At common law, a constable could arrest without warrant one whom he had reason to suspect had committed a felony, and we are aware of no statute in modification of that rule in this jurisdiction.

The Court of Appeals for the District of Columbia sitting en banc in the case of *Ford* v. *U.S.*, 352 F. 2d 927 (1965), cited the Carroll case for this circuit and stated that reading the Carroll case in conjunction with the District of Columbia code, 4 District of Columbia Code, section 136, which states in part: "The members of the Board of Commissioners and of the police force, shall possess in every part of the District all of the common law powers of constables," leads to the conclusion that there is clear authority for the police to arrest in felony cases on the basis of probable cause and without a warrant. In the Ford case, *supra*, the court held:

> We find no case holding that a warrantless arrest in a public place for a felony, supported by probable cause, offends the standard of validity prescribed by the Fourth Amendment (citing cases).

Also interesting to note is the following section of the District of Columbia Code, 23 Code, section 306, as follows:

> (a) Arrests without a warrant, and searches of the person and seizures pursuant thereto, may be made for any violation of any section listed in subsection (B), by police officers *as in the case of a felony*, upon probable cause that the person arrested is violating the section involved at the time of arrest. (Emphasis supplied.)

Subsection (b) goes on to list certain particular misdemeanor crimes. The reference in the above quoted section to the procedure in the case of a felony would seem to indicate that the power of arrest may be exercised on probable cause alone and without a warrant. This section of the code is a special exception for probable cause arrests for certain misdemeanors and for that reason was required to authorize an extension of the common law probable cause arrest power to less than felony crimes. Also note 4 District of Columbia Code, section 141, as follows:

> The major and superintendent of police and the lieutenants of police, having just cause to suspect that any felony has been, or is being, or is about to be, committed within any building, or on board of any ship, boat, or vessel within the said district, may enter upon the same at all hours of day or night, to take all necessary measures for the effectual prevention or detection of all felonies, and may take then and there into custody all persons suspected of being concerned in such felonies, and also may take charge of all property which he or they shall have then and there just cause to suspect has been stolen.

It is well settled that the standard for entry into premises that are not public places by the police for search or arrest purposes is higher than that of mere probable cause for felony arrests in public places. For that reason it is necessary to extend necessary authorization to the police by statute for such entries absent exigent circumstances as required by judicial interpretation of the fourth amendment. In the case of section 431, the statutory authority makes a distinction between private dwellings and other buildings. It does not provide authority to enter, arrest and seize property with respect to dwellings. It seems obvious from the foregoing statute that if a policeman can enter a building of a nonpublic nature to make an arrest on probable cause for a felony, then he certainly has the "lesser included authority" to make similar arrests in the lower standard situation of public places.

Although I have been unable to find a specific and clear statutory authority simply authorizing probable cause arrests without warrant in felony cases in the District of Columbia, I think from the foregoing analysis a clear authorization for such arrests does exist.

MRS. JOHNSON'S TEXAS TOUR

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, last week the Nation's First Lady, Mrs. Lyndon Johnson, again dramatized the importance of beautification in our land by making a grassroots tour of historical landmarks and restoration projects in the central Texas counties of my congressional district.

I was privileged and honored to accompany the First Lady on this 1-day visitation through the historically rich villages and towns of this area.

Mrs. Johnson made a 225-mile trip, focusing the attention of our people on several local projects designed by local citizens to combine historic restoration and beautification.

Traveling from Austin, the First Lady started her tour in Lockhart, a small town of about 6,500 in Caldwell County, which is presently turning its town square into its original appearance.

Local citizens, including Mayor J. T. Dickins, County Judge Bill Wilson, and County Chairman Sam Glosserman, raised more than $6,000 last year to light the white limestone Victorian-style courthouse, which has served as a focal point in the community's efforts to keep the original character of its turn-of-the-century buildings and still be modern. This lovely old courthouse—perhaps the type in many of your districts—was, in the words of one planning expert, "so ugly it was beautiful."

At midmorning, Mrs. Johnson traveled to the little Czech-American community of Praha—named after the capital of Czechoslovakia by early Texas colonists—to visit the historic St. Mary's Catholic Church, which was built in the 1890's.

There, she viewed the quaint, beautiful church with its pastor, the Reverend Marcus Anthony Valenta, listened to a six-piece Czech band and was greeted by children garbed in Czech costumes.

In the nearby picturesque cemetery, the First Lady and Father Valenta laid a wreath on a special plot set aside for war veterans—one of the few dedicated plots for veterans in private cemeteries throughout this land. Father Valenta has the distinction of having served as an Army chaplain longer in a combat zone than any chaplain in the history of our country.

Before leaving this tiny community, Mrs. Johnson called St. Mary's "a jewel of a church" and "one of the roots of strength of our country."

By noon, her entourage had arrived in La Grange, where she rode to Monument Hill State Park and saw the tomb and monument, high on the bluffs over the Colorado River, where there are buried the men of Capt. Nicholas Dawson's 54-member La Grange company, which was massacred in the battle of Salado as they moved to fight a Mexican force that captured San Antonio in 1842. Also buried there are members of the Meir Expedition, killed on the orders of the Mexican President Santa Ana in the "Black Bean" drawing incident.

The First Lady's view there combined

the brave past—a monument to men who died to preserve Texas independence—and much current development, including an amphitheater now under construction, which will be used for outdoor dramatic productions.

She also visited the stone remains of the long-abandoned Kreische brewery—the first built in our State and the home of Dawson band survivor N. W. Faison, which has been restored by the La Grange Garden Club, Inc., and is maintained as a museum. Later, she planted a pine sapling on the Fayette County courthouse lawn at La Grange. She was presented a lovely painting of that square by the Honorable Milton Von Mindon and County Judge Ike Petras.

At Winedale Mrs. Johnson was welcomed by Miss Ima Hogg, daughter of a former, much-beloved Texas Governor Jim Hogg and spent nearly an hour touring the majestic Stagecoach Inn and its complex of other buildings, which have been restored by Miss Hogg and donated to the University of Texas.

The Inn, a stopping place for travelers 130 years ago, is surrounded by other restored buildings, including Hazel's Lone Oak, donated by Mrs. Hamel G. Ledbetter, of Houston, a kitchen house, whose logs were donated by Mrs. Charles L. Bybee, of Houston, a "four-square barn" and a "theater barn" in which university students will stage productions.

Miss Hogg and Mrs. Bybee, who have contributed much time and resources in the restoration field, took the Inn tour with Mrs. Johnson, and at one point the three dropped coins into a wishing well on the Inn grounds.

Later, at Round Top—a proud little town of 124 years—Mrs. Johnson visited several other buildings being restored by Mrs. Bybee and Miss Hogg. Mrs. Bybee is restoring 10 buildings there.

The First Lady also visited Round Top's 101-year-old Bethlehem Lutheran Church, which has a famous handmade cedar pipe organ, one of the few such organs in the world.

The tour—a dramatic example of how Texans are interested in preserving fine, old structures and maintaining the beauty and serenity of the countryside—ended at Round Top.

The First Lady repeatedly told the townfolk during the trip that she was proud of what they and other Texans were doing to preserve and restore their historical landmarks and beautify their towns.

These towns should certainly be complimented and recognized for their interest and initiative.

Likewise, our First Lady is to be commended for using the great prestige of her position to impress upon us the significance of beautification in our country. Mrs. Johnson is indeed the great First Lady of our land and of the world. She gives unselfishly of her time to worthy projects that help build America.

INTER-AMERICAN BAR ASSOCIATION MOURNS DEATH OF DISTINGUISHED MEMBERS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, supplementing the resolutions of the meeting of the Inter-American Bar Association published elsewhere in this edition of the CONGRESSIONAL RECORD, by unanimous consent I am extending my remarks to include the following additional awards and resolutions:

Book Award

Whereas, 1. The Book Award Committee, appointed by the late Secretary General, William Roy Vallance, and composed of Dr. Guillermo Belt, Dr. Manuel Canyes and Hon. Lewis C. Coffin, Chairman, has unanimously recommended that Dr. Carlos Alberto Dunshee de Abranches, of Rio de Janeiro, Brazil, be the recipient of the Book Award;

2. Dr. Abranches is the author of three recent works, namely:

(a) Proscricao das armas nucleares. Rio de Janeiro, Livraria Freitas Bastos, 1964, 188 p.

(b) Protecao internacional dos direitos humanos. Rio de Janeiro, Livraria Freitas Bastos, 1964. 159 p.

(c) Espaco exterior e responsabilidade internacional. Rio de Janeiro, Livraria Freitas Bastos.

Dealing with modern concepts of international relations such as the banning of nuclear weapons on an international scale, universal protection of human rights, and the responsibility of nations with respect to matters of outer space;

3. The contributions of Dr. Abranches reveal scholarly research as well as evidence of practical knowledge gained from active participation on international committees in his field of interest;

4. Dr. Abranches has knit together, in a very readable fashion, the background, the progress and the facts, and points out the need for controls and restrictions but emphasizes that they must not hamper progress, or unduly interfere with the sovereign rights of the individual nations;

DECLARES

That Dr. Carlos Alberto Dunshee de Abranches is hereby awarded the Book Award of the Association at this XV Conference.

Memorials

A. William Roy Vallance (United States).

Whereas the sudden and untimely death of William Roy Vallance occurred on February 15, 1967; and

Whereas Mr. Vallance has served faithfully and continuously as Secretary General since this Association was organized and chartered in Washington, D.C. in 1940 and has been one of its most able, loyal and dedicated members throughout the years;

Whereas Mr. Vallance had been an Assistant to the Legal Adviser, United States Department of State, where he served for approximately forty years until his retirement in 1957;

Whereas Mr. Vallance's ability, as well as his knowledge of Latin America, and his deep and abiding interest in all matters concerning the American nations had been recognized by awarding him the Gold Medal of this Association at its XIV Conference in 1965 and by naming him an Honorary Member of various Latin American Bar Associations, including those of Argentina, Bolivia, Colombia, Mexico, Peru and Panama; and

Whereas this Conference was given his name in recognition of his many selfless contributions to the ideals and objectives of the Inter-American Bar Association and to the principles of international law;

Whereas the death of Mr. Vallance has been a severe loss to this Association, to his friends, his community, and his country, as well as to all the American countries which he loved and served so well;

RESOLVES

To express its sorrow at the passing of William Roy Vallance, and hereby pays tribute to his memory by standing for a moment of silence, and directs that this Resolution be spread upon the records of the Association, and a copy thereof be sent to his family, to the United States Department of State, to the American Bar Association and other appropriate associations with which he was associated.

B. Edmundo de Miranda Jordao (Brazil).

Whereas Dr. Edmundo de Miranda Jordao of Rio de Janeiro, Brazil, died on April 11, 1967, during this Conference; and

Whereas Dr. Jordao, a distinguished Brazilian jurist, legal author and lawyer, and former President of the Instituto dos Advogados Brasileiros, had long served the Association having been its President during the II Conference at Rio de Janeiro, in 1943, and Honorary President of the Association; and

Whereas the Association desires to express its gratitude and sincere appreciation for the outstanding contributions made by Dr. Jordao in organizing the II Conference;

RESOLVES

To express its deep sorrow and sense of loss in the passing of Dr. Edmundo de Miranda Jordao by observing a moment of silence, and directing that this resolution be spread upon the records of the Association and a copy thereof be sent to his family, to the Instituto dos Advogados Brasileiros, and other appropriate organizations of which he was a member.

C. Enrique Sayagues Laso (Uruguay).

Whereas Dr. Enrique Sayagues Laso, prominent lawyer of Uruguay, has died since the last Conference of this Association; and

Whereas Dr. Sayagues Laso had long served the Association as a member of the Council, member of the Executive Committee, and Chairman of the Organizing Committee for the VII Conference held in Montevideo, Uruguay, in 1951; and

Whereas the untimely death of Dr. Sayagues Laso has been a severe loss to his friends, his country and to this Association;

RESOLVES

To express its sorrow at the passing of Dr. Enrique Sayagues Laso and directs that this resolution be spread upon the records of the Association, and a copy thereof be sent to his family, to the Colegio de Abogados del Uruguay, and other appropriate associations with which he was associated.

D. William A. Hyman (United States).

Whereas Mr. William A. Hyman, of New York, died on July 9, 1966, and

Whereas Mr. Hyman, distinguished author, lecturer, champion of human rights, and lawyer, had served the Association as Chairman of its Committee XVI on Interplanetary Space Law, and was the author of the Magna Carta of Space, adopted by the Association at its XII Conference in Bogota, Colombia, 1961;

RESOLVES

To express its sorrow at the passing of William A. Hyman and directs that this resolution be spread upon the records of the Association and a copy thereof be sent to his family, to the New York State Bar Association, and other appropriate associations with which he was associated.

E. Whereas since the close of our XIV Conference until the commencement of the present Conference in San Jose, Costa Rica, the Association has lost through death the following members:

Francisco Abreu Castillo, San Juan, Puerto Rico.

Richard A. Brown, Gettysburg, Pa.
Victor A. Capps, San Francisco, California.
Oscar Cox, Washington, D.C.
William A. Cushman, Washington, D.C.
Angel Dias Garcia, San Juan, Puerto Rico.
Roberto F. Finke, Chicago, Ill.
Roberto Goldschmidt, Caracas, Venezuela.
Andrew G. Haley, Washington, D.C.
Palmer Hutcheson, Houston, Texas.
Francisco Junyent, Córdoba, Argentina.
Charles E. Lane, Cheyenne, Wyoming.
Gentry Lee, Bartlesville, Okla.
James F. Murray, Jr., New York, N.Y.
Louis Mark Scher, Washington, D.C.
Frank G. Sterrite, New York, N.Y.

Whereas the passing of these distinguished and respected members is recognized as a great loss to the Association, as well as to the communities in which they lived,

RESOLVES

To express its deep sorrow at the death of these valued members and hereby pays tribute to their memory, and directs that this resolution be spread upon the records of this Association and a copy thereof be sent to the families of the deceased and to appropriate organizations with which they were associated.

HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT ON THE ANTIRIOT LEGISLATION—H.R. 421

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, the House Republican Policy Committee urges the prompt enactment of H.R. 421. This Republican sponsored legislation—the Cramer bill—would impose criminal penalties upon persons traveling in or using the facilities of interstate commerce with the intent to incite a riot.

Last year in response to a growing public demand for assistance in maintaining law and order in the streets and urban centers of our land, Republican antiriot legislation was adopted in the House of Representatives, as an amendment to the proposed Civil Rights Act of 1966, by a vote of 389 to 25. That legislation was permitted to die in the Senate. Now, as a result of continuing pressure and leadership by Republican Members, this vital legislation is being brought to the House floor as an independent measure.

The proposed legislation represents the legitimate exercise of Federal criminal power under authority based on the commerce clause of the Constitution. Historically, certain types of conduct have been prohibited by Federal statute when the facilities of interstate commerce are used. For example, there is the Mann Act, the prohibition against the interstate transportation of strikebreakers, the Federal kidnaping statute and the Anti-Racketeering Act.

H.R. 421 is not intended to and does not limit the right of dissent and peaceful demonstration. Legitimate activities by those who travel in interstate commerce to participate in public gatherings or other lawful demonstrations are not affected. However, those persons who use facilities in interstate commerce, or who travel from one State to another or from a foreign country to a State, in order to incite or attempt to incite riots, violence, looting, vandalism, arson, bombing, and physical assaults would be subject to prosecution.

This bill would supplement, not supersede, local law enforcement. Certainly the most effective means of riot control rests with the State and local police. However, by assuring Federal jurisdiction over "out-of-State" inciters, State and local authorities will be substantially assisted in keeping the peace and protecting the public safety.

H.R. 421 would provide a new and effective law-enforcement weapon in riot situations like those that have occurred in Cleveland, Cincinnati, Dayton, Boston, Buffalo, and Waterloo. Many of the summertime riots have been traced to troublemakers who travel about this Nation inciting riots. It is imperative that we rid interstate commerce of these agitators and riot-mongers. The law-abiding citizens in the area where the riots occur may suffer grievous personal injury and untold property damage unless this additional protection is afforded them.

VIETNAM PEACE PROPOSAL

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. GARDNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GARDNER. Mr. Speaker, every action which we take in Congress today is overshadowed by the imminent danger in world affairs. The single most important issue facing this Nation today is the grave possibility of a world war and world destruction.

As an elected Federal official, I have become increasingly concerned over the position of the United States in world affairs. Daily I receive letters and telephone calls from mothers whose sons are in Vietnam, or are about to leave for Vietnam. Nearly every visitor to my office wants to discuss our present situation in Vietnam. My recent questionnaire to the Fourth District of North Carolina received a return of over 30 percent and showed that 87 percent of my constituents are frustrated and want to bring the war to a quick and successful conclusion. Only slightly over 6 percent want us to continue our present policy, and only slightly over 6 percent want us to withdraw all U.S. combat troops.

President Johnson has repeatedly claimed that he is carrying out the commitments of three Presidents to Vietnam. He traces our military effort in South Vietnam to President Eisenhower. I would like to closely examine these accusations.

The involvement of the United States in Vietnam, after World War II, began with the decision of the Truman administration to provide economic and military aid in May 1950.

A fragile peace was brought to Vietnam by the Geneva Agreements of 1954, partitioning Vietnam into a Communist north and non-Communist south. Contrary to most expectation, South Vietnam survived. Indeed, with generous aid from the United States, it achieved what the late President John F. Kennedy called a near miracle between 1954 and 1960. Secretary McNamara spoke of the history of South Vietnam in this period as a success story.

When President Eisenhower left office, there was no crisis in South Vietnam. There were problems, arising particularly from a renewal of sporadic guerrilla activity by the Vietcong. The dimensions of the problems then compared with the present situation can be gaged from these facts:

First, in 1960, there were 5,000 to 6,000 Vietcong regulars in South Vietnam; today 282,000 enemy troops are there.

Second, in 1960, there were fewer than 700 American military personnel stationed in South Vietnam to train South Vietnamese; today 465,000 American troops are there to fight.

Third, in 1960, no Americans had been killed in combat; as of June 9, 1967, 13,750 have been killed and 69,870 have been wounded and 182 have been taken prisoner.

Fourth, in 1960 more than 80 percent of the land area of South Vietnam was under the control of the South Vietnamese Government; today it is about 30 percent or less.

Fifth, in 1960, the cost of aiding South Vietnam to the United States was $250 million—72 percent of it economic aid; as of the spring of 1967, it was more than $20 billion on an annual basis, of which less than 3 percent was economic aid.

Sixth, in 1960, 2,000 South Vietnamese civilians were killed or kidnapped by the Vietcong; in 1965, 14,673 were the victims of a similar fate; and in 1966 this figure was not available.

Seventh, in 1960, the physical volume of exports from South Vietnam—a good barometer of economic activity—had dropped to 46 percent of the 1960 level of exports.

President Eisenhower sent American military personnel to Vietnam solely as advisers. During the Kennedy administration, American airmen began to participate in combat. In 1965, American ground forces began to fight. This commitment of American troops to combat was the decision of President Johnson, Mr. Speaker. Under the Johnson administration, American forces have begun to assume the major part of the burden of fighting in Vietnam. These are the true facts about the Johnson war in Vietnam.

Obviously, this great country is now involved in a major war which, in reality, has never been officially declared a war. We are suffering from a credibility gap by the Johnson administration that has caused not only confusion and a lack of confidence here in America, but throughout the world. The policy of this administration has been uncertain and subject to abrupt change. The objective of the United States in Vietnam has become clouded. The 1964 campaign oratory of President Johnson, promising that American boys would not be sent to do a job that Asian boys should do, the demands of certain leaders to withdraw immediately and for our men to refuse to serve their country, and the acceptance of a non-win policy in our war effort, has led the enemy to believe that it can achieve victory.

Miscalculation was encouraged by President Johnson's campaign oratory of 1964. In order to make his opponent appear reckless and trigger happy, the President in several statements set limits to American participation in the Vietnamese conflict which were to be exceeded after the election.

For example, on August 12, 1964, the President said:

> Some others are eager to enlarge the conflict. They call upon us to supply American boys to do the job that Asian boys should do.

Again, on August 29, the President declared:

> I have had advice to load our planes with bombs and to drop them on certain areas that I think would enlarge the war, and result in our committing a good many American boys to fighting a war that I think ought to be fought by the boys of Asia to help protect their own land. And for that reason, I haven't chosen to enlarge the war.

On September 25, the President said:

> There are those that say you ought to go north and drop bombs, to try to wipe out the supply lines, and they think that would escalate the war. We don't want our American boys to do the fighting for Asian boys. We don't want to get involved in a nation with 700 million people and get tied down in a land war in Asia.

On September 28, the President said:

> Some of our people—Mr. Nixon, Mr. Rockefeller, Mr. Scranton, and Mr. Goldwater—have all, at some time or other, suggested the possible wisdom of going north in Vietnam. . . . We are not going north and we are not going south; we are going to continue to try to get them to save their own freedom with their own men, with our leadership, and our officer direction, and such equipment as we can furnish them.

On October 21, the President said:

> We are not about to send American boys 9 or 10,000 miles away from home to do what Asian boys ought to be doing for themselves.

The world cries out today for leadership by the United States. But our policy is to react to crisis after crisis instead of acting to prevent a crisis. I have searched my conscience for a solution to the problem. I have found myself sharing the frustrations of all Americans over the policies our country has been pursuing. Now we must stop merely criticizing the present administration; we must offer definite proposals for a solution in Vietnam, Mr. Speaker.

The present military policies of the Johnson administration are simply not working. The current policy has cost this Nation the lives of 13,750 young men and 69,870 casualties. The sad part is that under present conditions, there is no end in sight, and these figures will continue to rise at an alarming rate with each passing month. A 5-year war in Vietnam would, at present rate, involve the frightful cost of 125,000 American casualties and unimaginable billions of dollars. What do our leaders say about this prospect? Secretary McNamara has said that we can possibly expect the war to last for 20 years. President Johnson said, in his state of the Union message, that the end of the war is not in sight and that we cannot expect an end to the war this year or next year.

The seriousness of this situation cannot be overstated. As a Member of Congress, I feel it is my solemn duty to speak out today in protest of a continuation of the methods that we are using in the conduct of the war in Vietnam. I feel that we have an obligation today to defend freedom. This position is not one of choice, but of necessity, if there is to be freedom in other areas of the world. Communism has as its goal world domination, and communism is in complete disagreement with the basic foundations of freedom-loving people. Therefore, as the leading world power, and as the one who offers the best hope for freedom and a stable democratic government, it is our duty to defend freedom throughout the world. The question is no longer should we be in Vietnam. We are there. Now we have but three alternatives: First, to withdraw our troops immediately and desert South Vietnam; second, to continue our present "no-win" policy; or, third, to make our position clear and if the enemy will not accept peace, then to take any action necessary to bring the war to a quick and successful conclusion.

Speaking before this illustrious group, I would like to ask a question of our President: Now that we are fighting in Vietnam, is it not our responsibility to back our men with a policy of winning?

Since it is imperative that we have a clear-cut policy in Vietnam, my recommendations are as follows:

First, send a communication to Ho Chi Minh stating that Secretary of State Dean Rusk will be at a specified place on a specified date and time, and that we invite the corresponding Vietnamese official to meet and negotiate a peaceful settlement.

This must be a positive and specific offer, rather than the vague present policy of meeting any place, at any time, and with anyone. This course will prove the true intent of the Vietnamese. The big difference between this proposal and present course is that a definite U.S. offer to North Vietnam will have been made, and then it must be either accepted or rejected.

Second, stop the bombing of North Vietnam for a 2-week period prior to the specified date for the meeting. A communication to Ho Chi Minh must state that this 2-week pause is to prove the good faith of the United States. In order for this pause to last for 2 weeks, the North Vietnamese must show their good intent by ceasing to send men and materials to the South. Adequate safeguards must be implemented to insure that the North Vietnamese do not take advantage of the lull in bombing.

Third, a reasonable time limit must be placed on the duration of the negotiations. As long as North Vietnam sincerely participates in the negotiations and does not use the cessation to increase her position, the lull in bombing will continue in effect.

Fourth, make absolutely clear to North Vietnam, the Soviet Union, the Red Chinese, the United Nations, and the entire world, that if the North Vietnamese fail to accept this peace gesture by the United States, that the North Vietnamese will face the full might of the greatest military nation in the world.

Fifth, the world should be clearly told that should the North Vietnamese prove that their intent is aggression by ignoring this concrete peace offer, that they will be treated as an aggressor and the following steps will be taken:

(a) All foreign aid to any country, either directly or indirectly aiding the enemy, North Vietnam, will cease.

(b) All foreign trade with any country aiding North Vietnam shall cease for the duration of the war.

(c) A blockade shall be placed on the Port of Haiphong and stop the shipment of materials to North Vietnam. All countries should clearly understand that no shipment will be permitted to reach North Vietnam, and any country refusing to accept this policy can expect the consequences. This action is the same as President Kennedy employed in Cuba in 1962.

(d) Close the Ho Chi Minh trail and completely halt the flow of materials to the Vietcong.

(e) Use all necessary sea and air power to blockade the enemy movement.

(f) Employ precision bombing, with adequate bomb loads, of important industrial and military targets in North Vietnam, including all military airfields and missile sites.

(g) Remove the handicap of the privileged sanctuary, by allowing the South Vietnamese to pursue their enemies, thus attacking the enemy on its territory and on our terms.

Mr. Speaker, in conclusion let me reiterate that we cannot afford to let the conflict in Vietnam to continue for years with our present no-win policy. I ask my colleagues to join with me in calling on the President to take definite action to bring this war to a quick and honorable conclusion.

ON LOSING OUR BIRTHRIGHT

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, some extremely thought-provoking reflections on the 191st birthday of this Nation were recently offered by Dean Clarence E. Manion on the "Manion Forum" weekly broadcast on July 2. Commenting on the original purposes of the Declaration of Independence in contrast to our present-day policies of collaboration with totalitarianism, Dean Manion observed:

> Looking at the Declaration you will observe first of all that it did not invite the British Government to a "dialogue", nor did

it appeal to the leaders of world opinion "to sit down and reason together" with the members of the Continental Congress for a negotiated settlement of the controversy it described. On the contrary, in a relatively short sequence of simple declarative sentences, the document told the world a few things about liberty, law and government that the people of the world, and especially the present population of the United States, would have done well to remember.

In this age of materialism and lack of religious faith, it behooves us to—as Dean Manion says:

> Note, therefore, that first of all, and foremost, our Declaration of Independence was an act of religious faith, and of a faith so firmly held by the members of the Continental Congress that they called it "self-evident truth."

How far we have regressed from the original motivations and intentions of our forefathers is poignantly brought out by Dean Manion in a depressing though realistic fashion:

> The simple truth that made us free in 1776 is now a fugitive. God, the author of our liberty, is said to be dead. American Government, created as a servant, is now the benevolent master from whom all blessings flow.

In order to help bring us back to the basic values which made this Nation unique, I request that the above-mentioned broadcast be inserted in the RECORD at this point:

STAND UP AND BE COUNTED: 1967 IS THE YEAR TO ADD YOUR JOHN HANCOCK TO THE DECLARATION OF 1776

(By Dean Clarence E. Manion)

How old is the country we now know as the United States of America? It is quite true, of course, that on July 4, 1776, a new nation conceived in liberty was brought forth upon this continent and given a birth certificate called the American Declaration of Independence.

The document proclaimed—and the success of our Revolutionary War validated the proclamation—that certain British colonies on this continent were then and thereafter "Free and Independent States." In their first Constitution, called *The Articles of Confederation,* these free and independent states were designated: "The United States of America."

It is generally assumed, therefore, that the country now known to us and to the world by that name is observing its 191st birthday this week. Unfortunately this is a false assumption.

Our present day United States is neither the legal nor the logical development of what was so bravely brought forth upon this continent 191 years ago. What we now call the United States of America is traveling under an assumed name. The only connection between this Nation now and the great 1776 birth certificate is a purely sentimental attachment that serves merely to garnish the public speeches of hypocritical politicians.

Today a copy of our Declaration of Independence is hard to find, and rarely read when and after it is discovered. That, too, is unfortunate, because every carefully considered sentence of this document is richly rewarding.

Looking at the Declaration you will observe first of all that it did not invite the British Government to a "dialogue," nor did it appeal to the leaders of world opinion "to sit down and reason together" with the members of the Continental Congress for a negotiated settlement of the controversy it described. On the contrary, in a relatively short sequence of simple declarative sentences, the document told the world a few things about liberty, law and government that the people of the world, and especially the present population of the United States, would have done well to remember.

There will never be a more appropriate time for us to recall these important declarations than now. So for the refreshment of our mind and spirit, let us ponder some of them. The place to begin is the beginning:

"When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation."

There, in a single sentence, the world is put on notice that it is about to be told of what has turned out to be the most momentous event in modern history. But before the fact, came the theory upon which the fact was based, and will you note, please, that this "theory" is not just "suggested," nor is it "respectfully submitted," merely.

On the contrary, it is firmly *declared* in the following words:

"We hold these truths to be self-evident, that all men are created (created) equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these (God-given) rights, governments are instituted among men, deriving their *just* powers from the consent of the governed; that whenever any form of government *becomes destructive of these ends,* it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness."

There, in two sentences, you have the complete orientation of each person to his God, to his civil government and to his fellow man. For sheer sweep of majestic profundity, there is nothing comparable to the above quotation outside of Holy Writ.

Its concise, dynamic deposit of eternal truth has sat at the center of all real learning since the beginning of time, radiating light in all directions for the proper explanation and development of human civilization. Here with the very first breath of our new national life, we are told that "all men are created." There is always God, in other words; Almighty God, upon whose Providential dispensation all nature in general, human nature in particular, and last but not least, the new Government of the United States must forever depend.

Note, therefore, that first of all, and foremost, our Declaration of Independence was an act of religious faith, and of a faith so firmly held by the members of the Continental Congress that they called it "self-evident truth."

PERSONAL INCENTIVES PROMOTE PROGRESS

Says the Declaration: We are "created equal"—equal in the sight of our Creator that is—and for that reason, and for that reason *alone* we are made equal before the law of the land. The Declaration frankly acknowledged that beyond this precise point, that is, equality before God and the Law—we are each and all *unequal* in every way, as anyone may see who looks right or left at crowds of people anywhere.

Your own personal, individuating trademark is the fingerprint which distinguishes you from every person who now lives or who has ever lived on the face of the earth. In all of your mental and physical attributes, God has made you different from everybody else.

Why did God go to the trouble to do this? For the reason that if the people He created had been always able and anxious only to do the very same thing at the very same time, the human race would have starved to death thousands of years ago. The basic predicate of all civilized progress and development *is this* essential difference in and between individual people; differences in ambition, aptitude, energy and ability.

God-given liberty implements these differences with personal incentives and with these incentives to acquire property that each knows he can keep, free people constantly move the world more prosperously and more happily forward.

It was therefore logical that the next sentence of the Declaration of Independence proclaimed that civil government has one overriding purpose, namely, to protect each person's God-given life and liberty while he makes his particular contribution to the general welfare by using and developing his personal talents to provide for his own.

Here is the basic 1776 principle that paid such lush dividends of happiness and progress to the American people for 150 years. In the Declaration, this principle boils down to *a demand for the freedom and independence of the individual man.*

The Signers of the Great Document were convinced that if the normal human being is free, independent and conscious of his Divine origin, with its consequent burden of personal responsibilities, he will then use his freedom to increase and multiply material things which will flow to him, and through him, to his society as a matter of course.

Thus, in the Declaration, governmental protection for morally responsible personal liberty was accepted as the best insurance for the common good. For the frustration of tyrants and tyrannies it made civil government into man's servant for the protection of God's gifts.

Years later, when the great principle had been put firmly into successful practice, Thomas Jefferson, the author of the Declaration, paraphrased it this way:

"This is the sum of good government: A wise and frugal government which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement and (which) shall not take from the mouth of labor the bread that it has earned." (Jefferson's Writings, Vol. III, Page 320)

Quite obviously Jefferson had never heard of the withholding tax on salaries and wages.

Lift your eyes from the Declaration now and see what has happened to the "wise and frugal" government that Jefferson first envisioned and later administered. It is now faced with a 200 billion dollar budget for the next fiscal year, a 25 billion dollar deficit and a new high Federal Government debt limit of $365 billion.

COMPLAINTS OF 1776 ARE HEARD ANEW

Look also at the "Free and Independent States" that freed themselves in the Revolution from the centralized despotism of Great Britain. How much of this "freedom and independence" remains to these states today? Look at the Declaration again and note the complaints that these revolutionary American states made against the British tyranny in 1776. Here are some of them:

It "has erected a multitude of new offices and sent (here) swarms of officers to harass our people and eat out their substance."

It "has combined with others to subject us to a jurisdiction foreign to our Constitution and unacknowledged by our laws; giving (its) assent to their acts of pretended legislation."

Any resemblance to the United Nations and/or the Warren Supreme Court is, of course, purely coincidental.

It "has suspended our own legislatures and (declared itself) invested with power to legislate for us in all cases whatsoever."

To update this one quickly, take a look at the one-man, one-vote decisions of the Warren Court:

> It "has taken away our charters (constitutions) abolishing our most valuable laws . . . excited domestic insurrections amongst us . . . and altered fundamentally the forms of our government."

There is much more, of course, and to the same effect.

If the "Free and Independent States" that were established in 1776, and that have been dissolved into cowardly administrative subdivisions of the Federal Government during the past 30 years, could now be reincarnated with their pristine revolutionary courage, the complaints that they once made against the British tyrant would have to be extended, multiplied and reinforced against the current violations of their constitutional sovereignty by all branches of the Federal Government.

The facts justifying a new Declaration of Independence by the once free and independent states are all present now—but the old faith that changed them in 1776 has now gone into hiding. Facts without faith can neither declare nor accomplish constructive revolutions, and without the firm and fearless faith that the great Declaration proclaimed at its very outset, the *facts* concerning British Tyranny, which it subsequently specified, would never have been "submitted to a candid world."

The big disarming fact today is our appalling bankruptcy of belief. The iron discipline of the Sacred Decalogue has given way to the flabby morality of the modern "dialogue." Too many of our strongest business and political leaders have foundered themselves on the profits, prestige and power now being pumped out of the big trough in Washington.

The golden stream of this tax propelled sedative flows constantly through the academic community, the communications media and the pragmatic machinery of both political parties, paralyzing the indignation of the American people and buying the silent acquiescence of those who should be leading the resistance.

The simple truth that made us free in 1776 is now a fugitive. God, the author of our liberty, is said to be dead. American Government, created as a servant, is now the benevolent master from whom all blessings flow.

But in your heart you know this is wrong, and so do I, and so do the American soldiers fighting in Viet Nam against a satanic tyranny ten thousand times more pervasive and perfidious than the one described in the Declaration of Independence.

We do not need a new Declaration. The one we have is your indefeasible heritage. Don't let them throw it away.

Get it, read it, and sign it yourself. Get your neighbors to do the same. Before it is too late, let us make this into a great national roll call for faith and freedom.

Let us start with the President of the United States and go down through rank and file. Who dares to deny these self-evident truths today? Let him stand up, be counted and identified.

Now is the time to redeem the truth and divide the people on the issue of freedom or slavery for ourselves and for our posterity.

THE AIRPORT CRISIS IN AMERICA TODAY

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. DON H. CLAUSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, I want to direct the attention of my colleagues to a speech by Mr. J. B. Hartranft, Jr., president of the Aircraft Owners & Pilots Association, before the annual conference of the American Association of Airport Executives at Louisville, Ky., May 23, 1967. The subject matter of this speech is timely and of vital imporance.

Mr. Hartranft succintly states the very serious airport crisis this Nation is facing today, and provides a number of examples where communities are being restricted in economic growth because of the lack of adequate aviation access to that community.

Many of us in the Congress are concerned about economic growth in this country. A number of programs have been advanced to accelerate economic growth. However, in my judgment, too little attention has been given to the importance of land, sea, and air transport capabilities, and the Congress, in cooperation with State and local governments, must act immediately to do something about it.

Quite frankly, I believe a nationwide program for airport construction is an absolute essential. The economic growth potential of America's towns and communities will never be realized until such time as we provide an adequate airport for each municipality.

I believe Mr. Hartranft's address is one of the finest evaluations and presentations of the overall airport problem made to date. Therefore, I take this opportunity to bring it to the attention of my colleagues in Congress in the hope that you will read its contents and join many of us who are attempting to focus attention on this vital transportation improvement requirement.

As president of the Congressional Flying Club, I can report to the House that the members of our club have done a great deal of research on the matter, and find ourselves in agreemnt with the airport crisis problem as enunciated by Mr. Hartranft. In looking for ways and means to finance construction of an adequate airport system in this country, I believe the executive branch and the Congress must recognize and establish a high priority for the advancement of an airport and aviation development program. It is long overdue.

I believe that any amount invested will pay many dividends and returns through economic growth alone. In other words, it would be a self-advancing program, because the inevitable economic growth and the resultant taxes paid on this growth will more than offset the amount of dollars required in original expenditures. Let us invest in America for a change.

One of the financing possibilities which might be recommended would be for the Federal Government to develop a capital outlay revolving fund which could be loaned to the States to help promote the earliest possible construction. The States, in turn, could then develop their own method or means of repayment.

The general aviation type of airport is desperately needed in communities of this country. With additional airport and aviation access, industries will be inclined to consider these areas for industrial development. The industry-airpark-complex concept is catching on rapidly, and we must give it every opportunity to succeed. All that is really required is an adequate program of finance.

We have built a great road and highway system in this country, and are planning to expand it even more. One of the possibilities for consideration might be to parallel the successful method of financing used to advance our surface transportation programs. As a member of the Roads Subcommittee, I have long felt the need to coordinate airport construction with highway construction. With increased land values and the limited right-of-way potentials, it seems reasonable to me that we do everything possible to coordinate and balance our various transportation systems.

Up to this point, the general aviation type airport has never been given adequate consideration by the Congress. The dollar requirement for building an adequate general aviation airport system would be in the range of $2 to $3 billion.

And at this time, I want to place particular emphasis on the major airport crisis that exists in the so-called urban communities of the Nation. Available lands for general aviation airports and the aviation easement requirements attendant thereto are disappearing or are difficult to acquire. Aviation experts will agree with me that this is a genuinely crucial area which needs immediate action.

From time to time, I will try to bring to the attention of my colleagues the various methods of financing that some of us familiar with aviation might think appropriate. Meanwhile, I am hopeful the Congress will direct their immediate attention to this problem, and help in finding proper solutions. As I said before, this requires our placing the general aviation airport problem at the top of the priority list.

I insert the full text of Mr. Hartranft's speech, "AOPA Looks at Airports," in the RECORD, as follows:

> Now more than at any other period I can recollect, we are facing monumental problems concerning airports to serve the fast growing, but widely different, aviation requirements of both general and airline aviation.
>
> I shall develop with you the proposition that the real "airport crisis" is substantially man made; that we are far "off course" in our basic comprehension and, therefore, in overall airport planning; that the financial sources available for airport development have been abused to a point approaching national disgrace and, finally, I would propose a remedial program for orderly return to the original planning and intent of the Congress in 1958 (and earlier) to create a national plan for the development of public airports in the United States.
>
> Will you listen to me with an open ear and think along with me with an open mind? If, at the end, I have either won your confidence or even stirred your ire, it will have been a worthwhile exercise, in my opin-

ion; at the very least an escape from boredom!

This AAAE convention is composed of experts who know well the dramatic general aviation growth factor during the past two or three years and the predictions of the future, so that one need not dwell upon these preliminaries. Suffice to say that general aviation is now a vast 3¾ billion dollar industrial complex, consisting of 1½ billion in manufacturing and sales and the balance in operations and service.

To understand the impact of 3¾ billion, consider that the ratio of a billion dollars to a million dollars is the same as a $10 bill to a penny! The tripod upon which general aviation rests includes three legs: aircraft, airmen and airports, a mini-look at these three shows:

Aircraft: The active general aviation fleet is now slightly over 100,000. It is FAA-predicted to be 160,000; (AOPA-predicted at 185,000) in 1975. Present production of 16,000 general aviation aircraft per year is 34.4% over 1965.

Pilots: At the bottom, there have been 20% increases in student starts for several years; and at the top, huge increases in instrument-rated pilots—general aviation now constitutes 1.2 million hours, or over 30%, of the IFR load. The prediction is that we may constitute 70% of the total by 1980.

Airports: There are 18,000 incorporated communities served by a total of 9,666 airports: 5,996 privately owned (frequently with uncertain futures because of real estate valuation problems) 3,570 owned by cities or other government bodies. 27.6% of airports are paved; 72.4% unpaved; 29.2% are lighted; 70.8% are not. Airlines regularly use about 500 airports, about 300 of which have towers.

The irreducible facts are that commercial airlines are today serving fewer communities than they were five years ago and 96% of *all* airline passengers boarded at fewer than 100 airports while 22% of all airline flights were between only ten cities. Consider, also, that general aviation last year flew 16.7 million hours "in the system" while air carriers flew about 4 million hours.

Are these facts important to airport planning? I say they are vital. Does this overwhelming evidence justify today's airport funding priorities? I say no!

Does the growth trending of general aviation verify the original thinking of Congress in setting up a balanced national airport plan? Why certainly!

Recall please, the wording in the Federal Airport Act which says that (sec. 3) "To provide a system of public airports * * * not limited to any classes or categories of public airports" and that the Administrator shall in establishing a nationwide system of airports, "take into account the needs of both air commerce and private flying."

How did we get into this distortion of Congress' interest? How did the program swing so far from the original intent?

I think it is a combination of reasons; some innocent and unfortunate and some perhaps diabolically schemed by selfish interest commercial groups through their well-financed and politically potent lobby activities reaching high into the machinery of Government—certainly far beyond the reach of dedicated personnel who have looked at the situation with clear eyes and good planning acumen. But those recommendations have often not been permitted to even reach the decision-making executives.

It seems, as with so many other "aid" programs, that it takes a tremendous "stink" to finally bring about reform and those dedicated to real values, in policy and performance, pray in such circumstances, that the ventilation and correction will come early enough to forestall complete collapse and loss of congressional confidence, and that restoration will be possible.

In my opinion, here we walk so close to the brink of such a debacle that there is more than a slight aroma. The wise will take heed and take action.

A simple but devastating ignorance and lack of education concerning the real role of an airport to its community exists. While we look aghast at the Government planners and others who take the view that an airport must be self-paying and paid for by the people who touch their wheels on the airport, we must remember that we share in this deficiency; the deficiency of airport education and, as a result of this, we are now all hard pressed to bring order out of chaos.

There remains a need for setting up a clearing house to marshal facts concerning the economic impact upon a community of the average airport installation. We all know of individual cases of this kind and at random, I will cite one or two which would be pacesetters, as follows:

A head count survey by airport authorities at the Fort Lauderdale (Florida) International Airport in 1964 indicated that 572,464 pilots and passengers arrived during that period in general aviation aircraft, airlines brought 183,367. Of this total, nearly 150,000 arrived at Fort Lauderdale airport from areas outside of the U.S.A. The average cash expenditure per person, each day in Fort Lauderdale, amounted to 14 U.S. dollars and resulted in an annual income to the municipality of $9,500,000. Some persons, of course, stayed in Fort Lauderdale for more than one day, while others departed after short duration fueling stops or the use of airport restaurant facilities.

The Minneapolis-St. Paul (Minnesota) Metropolitan Airports Commission, in a recent survey to determine the impact of general aviation on the economy, found that these operations bring an annual business volume of $233,000,000 a year which they would not otherwise acquire. By 1975, the input will be $386,000,000 per year. 100 companies in the area now have professionally flown company owned aircraft. Of the 1,200 persons flown into visit Minnesota Mining and Manufacturing Co. each year, 95% state they had never previously been in the Twin City area. In a subsequent evaluation of the six-airport survey, it was determined that each $1,000 of public monies invested in general aviation produced in excess of 2 million dollars per year gross business.

Islip, New York—since 1959 nine firms employing more than 3,500 persons have located adjacent to the city's airport; an additional 1,200 persons are employed by industry directly upon the airport. All of this converted to community benefits equals 19 million dollars personal income and 12 million dollars retail sales—and $135,000 increased community tax income.

(And the government "user charge" boys want only those touching wheels on airports to pay the total bill?!)

Rough River State Park, Kentucky—Park airport built in 1962 (a 2,500-foot single strip) brought $193,000,000 out of State tourist business to State of Kentucky.

Are general aviation airports important to the economy of the communities? Of course they are, but have we marshaled the facts? In 1964, 51 airport industrial parks housed 334 separate industrial plants. The figures have increased appreciably since then.

The Missouri Division of Commerce and Industrial Development determined that 84½% of the 500 largest corporations of America required an airport within 20 miles of their plant location; 39½% said "adjacent or near."

Alva, Oklahoma—An airstrip installed became the foundation for several businesses and the largest payroll in the county.

South Plainfield, New Jersey—In a survey regarding retention and/or improvement of Hadley Field, 30% of companies (employing 86% of all industrial workers in the county) planned to move if the airport was not retained; 62.6% commented on the advantage of a good facility as far as *customers and suppliers* were concerned (24% of whom owned aircraft and another 15% indicated plane purchase planning).

Oneonta, New York—In a three year period, Oneonta lost two firms wanting to locate. The first employed 200 persons. The company had a policy of flying customers to the plant site for inspection tours. The other nationally known firm cancelled plant construction plans when no airport was available.

Owensboro, Kentucky—An electrical plant moved from Owensboro to a city in Indiana because of lack of airport facilities; after establishment of an airport at Owensboro, the company returned.

Wiscasset, Maine—The Satellite Corporation established a plant in Wiscasset, Maine on the assurance that an airport would be built.

And so it goes, large city and small. Have you, as an airport manager made a study in depth to really know the dollar economic value to your entire community of your airport? And if so, can't you actively endorse the claim that the user charge concept now being advanced in Washington is utter nonsense? Can you not whole-heartedly endorse a return to the proposition of airport aid based exclusively on a national airport plan? Can you not see that the present chaos comes from trying to blueprint *facilities* without knowing the system? We must *first* blueprint the system, as indeed was intended before the raiding parties bastardized the plan and its benefits.

Perhaps you argue that this really hasn't happend. Well, look at the record. Facts don't lie. The first N.A.P. in 1947 listed 4,431 airports; 2,550 of which were proposed new ones. The fact is that development of air carrier airports is given preference to general aviation airports. Airports serving "air commerce" are "interpreted" by the FAA administrator to mean airports serving air carriers.

Fact: In the 20 years of the Federal airport aid program, 6,199 "projects" went into only 2,006 airports for a total grant expenditure of 890.1 million dollars.

Fact: Out of those 2,006 airports 716 or 35.7% took 744 million dollars or 86.3% of the money, an average of $1,039,000 per airport to serve air carriers primarily and general aviation secondarily.

Fact: Even worse, 607 million dollars or 70.4% of that money went into only 240 trunk airline airports or an average of $2,530,000 per airport. That money was spent to meet airline needs—not general aviation ones.

Fact: General aviation got the short end. 118 million dollars, or 13.7%, of the money was distributed among the 1,290, or 64.3%, of the airports that got into the program at all. This averages out to $91,473 per airport.

In short, the FAA has spent 90% of the money originally envisioned and given aid to only 45% of the airports originally scheduled. It has given a lot of projects, costing a lot of money, to a few airports and neglected the development of a "national system of airports," which requires something more than a few big terminal airports at major metropolitan hubs.

Up to this point we have discussed only the departure from orderly fund dispersal according to a well balanced plan. Now we appoach the real clinker. I think the time has come when we must all be realists on airport requirements. This comes out in "spades plus" if we assume that any part of the current thinking about user charges would actually find its way into legality. For instance, why should general aviation, which may have 70% of the traffic into a given airport be required to pay any part of the cost of extending runways which accommodate three or four flights a day of an air carrier which insists on using DC–9 equipment?

The Air Transport Association spokesmen have already stated that they intend that no part of airline user charges, which they pass on to their customers anyhow, shall be paid to any airport which they do not use. This, I think, is clear on the face of it. I would prefer to think the position taken by a number of the carriers in the New York area to the issue of joint solutions is more commendable. That position, the position of the metropolitan airline committee, is that air carriers are not going to solve any of their hub airport problems until they have solved the problem of general aviation IFR acceptance rates and VFR traffic into those same areas.

On general aviation's part must be the reality that we have a need for a great many airports in places not now being served and we have a need for improvements of other sites which will bring them up to an all-weather capacity. For some years I have advocated that we settle down to the proposition of a "minimax airport." In other words, that we determine what the minimum requirement is that we really need and the maximum that we feel should come from public fund support. This would probably mean, for instance, an airport site with one runway, not to exceed 3,500 feet with 1,000 foot over-runs (corrected to altitude), a field that has lighting, an appropriate taxiway and parking apron. To this add only one other feature, a feature necessary for an all-weather operation: A navigational aid and/or landing aid. I use "and/or" because certainly the proper location of omni stations in our en route structure can often be sited in such manner as to also serve as a primary landing aid for the airport. ILS probably comes later when there is a traffic justification, or in some few circumstances where terrain or other considerations can properly support such a feature.

This is the full extent to which I believe Federal funds should be granted, the rest is up to the community. The convenience of the passengers, the fueling operation, the terminal, the parking facilities for cars and all of those other operations which have potential income producing characteristics should be the total obligation of the community.

We must question expenditures which are unnecessary or wasteful. We must question the need for extending runways for types of aircraft at low traffic points which may place undue financial burdens upon the pool of moneys available for airport improvement. Someone must ask the question whether the community service, even at the airline level, will not be better served by the use of smaller equipment on more frequent schedules which have a need for less concrete.

The day is past when we can continue to put fortunes in concrete and place the community in the position of having to go further and further into debt without any economic merit in the expenditures. Things are not in balance; we are too frequently not getting the most for the dollar spent. If we have limited dollars, let's put them where they will do the most good. Gross waste is evil in any climate but doubly damned in a tight money market.

I opine that the airline interests and political expediency have played too predominant a role in the expenditures of available funds. There is no logical sense to the pattern of spending.

Let me illustrate what I mean generally and then specifically. We have just determined that in recent years roughly 80 percent of the FAAP fund expenditures have been dictated by the airline requests. I say airline requests because it is abundanly clear that local authorities, including airport managers, have rarely been parties to the decisions and even less often the affected taxpayer.

Let's get real specific. Let me illustrate. At Cape Girardeau, Missouri, a runway expansion was accomplished at a cost of 2½ million dollars, of which the Federal Government, through FAAP funds, provided $1,242,059 last year. Prior to this time, Cape Girardeau had airline service. This runway expansion was made presumably to accommodate "jet service" contemplated by Ozark Airlines.

The total passengers carried out of Cape Girardeau for the twelve months ending June 1966 was 5,447 passengers. The ridiculousness of this situation is apparent by the application of simple arithmetic. If the cost of this runway extension were amortized over ten years it would amount to $250,000 per year which divided by 5,000 passengers would come to $50 per passenger enplaned. Mind you, this just covers capital expenditures. If one considers that operational expenses—that expense covering maintenance, salaries, airport manager, etc.—at 10% of the capital expenditure it would be another layer on top of the $50 per passenger. The point is that the average value of airline tickets sold out of Cape Girardeau ran between $12 and $14. The point is, also, that there was no general aviation requirement for this bizarre expenditure.

I want to belabor this example even further. The Federal money spent in just lengthening this runway for supposed "jet service" for Ozark costs more than the total building costs for the whole airport at Grand Canyon, Arizona. To put it another way, this Federal expenditure would have built about eight or ten complete airports for general aviation, consisting of a 3,300-foot long, 75-foot wide runway, including the cost of the land, clear zone—the whole ball of wax. Such airports would accommodate all types general aviation through the light twins. In other words, it would accommodate 98% of all operating aircraft.

And that isn't the end. I am informed currently, there is no "jet service" scheduled or contemplated for Cape Girardeau. As a matter of fact, this whole zany matter probably came about as a result of Ozark's endeavoring to compete with Delta Airlines in service between Memphis and St. Louis which would be approved only with an intermediate stop—that was where Cape Girardeau came in. In short, I opine that taxpayers and the city fathers at Cape Girardeau were brainwashed and bamboozled. Why the FAA, after long delay, finally approved this is a good question which I can conceive being answered only in the language of political rationale. It certainly couldn't be more contrary to the spirit, the intent and purpose of the Congress in setting up the Federal aid to airports program.

Sadly, there are probably at least 50 other examples of this kind which could be cited.

I say again that the FAA airport program for the last year and a half has gone berserk. There is no sense to the pattern. Scandal is probably too strong a word to use, but disgraceful is too weak. One thing is for certain: it's going to be a big blaze when the fat hits the fire.

Would you hear another example? Let's consider Crossville, Tennessee. The citizens of this area had airline service at nearby Rockwood, Tennessee. The clarion call again came to lengthen and strengthen runways for Southern Airways turbo prop service. CAB granted Southern Airways a temporary certificate for three years, cost to the city—$457,000; this in the face of a traffic volume which showed something in the order of five passengers a day according to the June 1966 (last published figures). Would anyone care to justify this one?

DC–3 service from 4,000-foot runways, which has been the backbone of local service carriers, is now giving way to the passion for "jet service" via Convair turbo prop, Friendship F–27's and like class aircraft requiring 5,500 to 6,000 foot runways, well and good perhaps until one considers the distance being served along routes such as these are usually under 100 mile segments; also, communities on these routes board very few passengers, something in the order of 1, 2 or 3 at each point, obviously these communities can be best served with smaller "air taxi" type equipment on more frequent schedules.

It takes no Houdini to figure that increase in aircraft seat capacity to the order of 100 seats along such sparsely utilized routes will ultimately lead to fewer schedules a day which has been the undeniable pattern emerging from this false quest for "jet service" on route structures which cannot possibly ever "prove out" economically. Indeed, this has been the great strength of the growing air taxi operations which utilize equipments in the 150–200 mile range and gives better frequency of service.

Columbia, Missouri, is yet another example, in a nutshell, it is another situation of extending runways for DC–9 type aircraft on short haul runs. In this instance it figures out to an increase of $21.25 per ticket for the next ten years, when the average basic price of a ticket for enplane passenger is $14.20. Again, this is only considering amortization of capital expenditures, operating and maintenance costs all on top of that. Is this not sheer madness?

It would be more economical to fly every passenger for free for the next ten years by air taxi, using smaller DC–3 replacement equipment, such as the modern 250 m.p.h. 17-place Beech Airliner which has a break-even load factor of between 2 and 3 seats; 3 seats are on the profit side. The twin Otter and new Piper 18-place plane are other possibilities.

Similar stories could be told about Jackson, Mississippi, or Green Bay, Wisconsin, or Oshkosh, Wisconsin, where two million dollars is scheduled to lengthen runways for north central DC–9 service, whose route structure includes stops spaced at under one hundred miles apart.

This kind of hanky-panky with airport funds is why we have an airport crisis. It is a wild blue yonder brand of thinking.

Too often the building of an airport assumes airline service which never materializes. Vast sums are spent to airline specifications involving funds which should go for general purpose airports. 370 of the 580 airline-served cities are served exclusively by 13 local service carriers, since World War II trunks have been replaced by locals at 115 airports.

From 1950 to 1962, 189 cities lost scheduled airline service. This now hopefully will be picked up by air taxi. About 60-plus cities receive scheduled service exclusively by air taxi operators.

And what is the Government assistance on this? A heavy hand by FAA and CAB on regulations. And what else has happened? The Government has exempted the fuel tax on airline jet fuel and proposes to double the tax on general aviation fuel. How can we equate this inept, uneconomical and highly discriminatory trend?

I would like to see some good research into this picture. It would provide an endless hey-day for serious-minded researchers from the Wall Street Journal or equivalent business oriented researchers.

If the economics of our airport planning won't stand up in the money market something is wrong. Let's arbitrarily say that 25 airports have a lack of financing capacity. Should we penalize our ability to develop the whole airport system for these 25 airports? I say no, many communities need this FAAP fund assistance. It is wrong to allow a few airports to generate policy and, I might add that I do not believe that a Government loan program will solve inherently bad economic thinking.

We must remember that one-half of all airline passengers originate at 10 airports and many, if not most, of these airports have problems, but many of the other 3,000 public-owned airports have problems which should not be ignored or short changed.

Appleton, Wisconsin is an example of more enlightened thinking. Air Wisconsin—an air taxi operation—which serves a stop given up by a "main-line" carrier, within the first six months was handling more passengers than North Central ever carried in their total history.

Sheboygan and Manitowoc, served by Commuter Airlines, are given a better frequency of service, the communities, including the taxpayers, are delighted with the service of De Havilland Doves.

This kind of operation would probably be preferable in the cape and island area of New England where the prospect of Northeast DC–9 service serving such points as Hyannis, Martha's Vineyard and Nantucket, (all three stops totaling 35 miles!) is presenting tremendous community and taxpayer problems and promises to make further unwarranted raids upon FAAP funds.

These points would be better served by more frequent service in less sophisticated equipment.

Indeed, Executive Airlines, Cape and Island and other "third level" operations have filled every gap vacated by Northeast Airlines' shrunken schedules—now made more impractical by proposed introduction of DC–9 equipment.

I believe the CAB thinking is faulty and that the FAA planning is likewise obscure in all of the many cases of this kind. This is supported ultimately by airlines, and again I say that *this* is what is bringing about the real airport crisis. Airports are not being looked upon as a part of the total system. Airlines have developed the habit of taking cities for granted. The airport manager, the governing board and the affected taxpayer are more often than not left out. True and fair considerations of the values of the airport's importance to the economic welfare of the community in terms of proper and practical mating of airplanes, passenger volumes and runway requirements must be predicated upon honest revaluation and education.

Local service carriers had an average load factor of 43% in 1964. It was 45% in 1966, mostly with DC–3 equipment. North Central Airline, one of the larger local service carriers, in only one segment of one route, carried *more* than 20 people. The average was 10 or 12 people. On many routes it was 5, 6 or 7. Pray tell, where does the 100 passenger "jet" airplane fit into the picture? This is what I mean by education.

Again, referring to Columbia, Missouri, with a $14.20 average ticket, we can add 5% Federal tax and $8 CAB subsidy per ticket plus the four million dollars of money for runway expansion or $21.25 per ticket for ten years. Thus on a cost per passenger basis the ticket price would be increased from $14.20 to $44.16! And what do you think the reaction of the good people of this community would be if exposed to the true arithmetic? Even the new teenagers math procedures can't reconcile this kind of dollar sleight-of-hand.

This is what I mean by honest revaluation. We are too frequently tooling up with cannon to shoot chipmunks.

I suspect that a lot of the antagonism attributed to noise may well be rooted in a growing taxpayer resentment of the financial burden being placed on his small community by runway extension demands, which he senses—but cannot prove—to be totally wasteful. Haven't we all attended enough public hearings to feel that we are headed for a major taxpayers' rebellion once the average municipal authority and its constituency become aware of the shameful realities. Isn't it possible that this is an ingredient in the several recent failures in attempted airport bond issues?

In addition to the solutions already threaded in my remarks the real anchor is in setting up realistic priorities for FAAP funds and discarding the present "deviation table" which escalates our growing problems and leads to serious economic and ethical questions.

Now here is the recommended priority:

A. Initial purchase of land and initial development to provide a new public airport to complete the national airport plan.

B. Provision of improvements to meet minimum standards for elementary (i.e., parking, lighting, etc.) airport facilities.

C. Provision or improvement of airports to relieve congestion at major airports in metropolitan areas.

D. Provision for category I capability at airports without any instrument capability.

E. Improvements to provide additional runway and ramp capacity at existing airports.

F. Provision of category II capability.

G. Improvements to existing facilities by enlarging, strengthening or marking runways, taxiways and ramps.

H. Provision of category III capability.

I have pointed out some dissident views but I would wish to mention some important areas of common agreement.

We all can agree that the act of 1946 is no longer adequate; that its assistance has usually been too little or too late; that its 20-year history is one of great inconsistency, a veritable political roller coaster with never more than 75 million dollars appropriated in any given year (and no funds at all in 1958).

Last year's appropriation of 71 million dollars is equivalent of 50 miles of Federal highways. This year's FAAP appropriation may be even less. However, there is an "in-house" bona fide request level of almost five times this amount.

Lastly, and the main thrust of my argument, the original purpose of developing a comprehensive system of planning for airports has given way to patchwork priorities, often flagrantly unsupportable, as we have seen from previously quoted examples.

Because there is no master planning of the entire aviation system, all kinds of insufficiencies and inadequacies have popped up and will continue to do so and it will be impossible for any individual airport to gauge its future.

Many have opined that had aviation been represented by a Department of Transportation, the level of funding for this year's Federal airport aid might have been higher. Well, I don't think so. But I hope that I am wrong. The only evidence of activity thus far seems to be the promotion of a Federal airport loan assistance program.

I am not convinced that this approach will bear the fruit that its advocates envision and I think there is great danger that it may eventually serve to derogate the expansion—or even continuance—of the Federal aid to airport program—an eventuality of tremendous concern to general aviation.

The trend of big airport financing, away from general obligation funding and toward revenue bonds, has obvious ominous shadows when viewed in concert with user charge potentials.

If we *are* to go the route of a Federal loan program then from our vantage point, I believe the DOT must be urged to institute a Federal loan program for private general aviation airports and to State and local governments which work to develop general aviation airports.

This, because the ability to float bond issues which pledge future airport revenues to their retirement, is almost exclusively limited to a few of the Nation's major airports (many of which have now reached the top of their statutory or other debt limitations) and that general obligation bond issues are rarely possible at small and non-hub airports, although often possible at large and medium hub airports where they are given sufficient community interest and support.

So we have diagnosed the ills and problems of today's airport-oriented national aviation situation and, also, recited areas of common agreement.

That's AOPA's evidence—as much as time permits—as "AOPA looks at airports."

Gentlemen, stop, look and listen. Let's put our house in order, for otherwise we are on the road to ruin, a road which is going to dry up the source of airport financing so needed but which must be planned on an economically sound, fair and equitable basis if it is to survive and flourish.

It is both a privilege and honor to appear before this dynamic AA of AE convention. I thank you sincerely.

MILITARY ASSISTANCE TO THE CONGO

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Alaska [Mr. POLLOCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POLLOCK. Mr. Speaker, I am today introducing a resolution deploring the recent action of the administration in sending military assistance to the Congo to suppress an internal rebellion. Revolution and turmoil occur frequently in all parts of the world and this is most regrettable. However, in most cases, such events are internal and do not involve outside aggression from any source. Where such aggression does occur, and especially where it is Communist inspired and supported, the vital interests of the United States are inevitably involved.

Such is the case in Southeast Asia. Such is not the case in the Congo. There is no proof of any kind that the current troubles in that nation are anything but a non-Communist squabble between Congolese factions. In such a squabble I cannot see how our interests can be affected. Since this is the case, no military or other assistance should be extended to any side.

There has been much discussion during the past 3 years about the extent of American involvement in foreign disputes. I believe this Nation has a multitude of responsibilities throughout the world especially in regard to Communist aggression. These responsibilities do not, however, extend to every domestic dispute in every foreign country regardless of motive or cause. Unless it can be shown that our vital interests are involved, American hands should be kept off. No such showing has been made for intervention in the Congo.

It has been common during the reign of the present administration to ignore Congress in the matter of foreign policy. Congress is simply not consulted about actions before they are taken. The representatives of the people are only told what has happened after the event. I deplore this constant erosion of congressional responsibility in the field of foreign affairs, this attempt at administration dictatorship. This resolution, therefore, expresses the sense of the

House that congressional approval should be obtained before such commitments are made.

In view of the fast-moving nature of this type of event, I hope that the House will quickly consider this resolution.

H. RES. 738

Resolved, That the House of Representatives deplores the recent intervention of the United States in the internal affairs of the Congo by the dispatch of three military transport aircraft and crews; that it is the sense of the House of Representatives that the President should not make such commitments without first obtaining congressional approval; and that such intervention should not occur unless the vital interests of the United States are clearly involved.

FARM BUREAU CONTROVERSY

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MORTON. Mr. Speaker, a controversy has boiled up as the result of hearings by one of the subcommittees of this body which saddens me. It involves that fine organization known to millions of Americans as the Farm Bureau.

I would like to state for the RECORD that I hold this organization in the highest regard and have worked on a State level with Farm Bureau members ever since I have been associated with Maryland agriculture.

In the 12 counties of the great bay country, which I am honored to represent in this House, there are 3,890 members of the Maryland Farm Bureau as of this week. These are 3,890 of the finest and most hard-working people you could find anywhere in the world. Daily, through their toil, they help make that modern miracle which is American agriculture.

These people have banded together in Farm Bureau just as many other Americans over the years have banded together in associations, unions, and professional societies. They have banded together to promote their common interest of American farming and to express their views on matters which affect them as farmers, as citizens, and as Americans.

I can think of no other organization of people in action today which can cite a prouder record of mutual achievement and common effort than the Farm Bureau. It is such organizations and such people that have made this country great.

As the years have gone by, Farm Bureau has grown in its efforts to assist its members throughout the country.

Today, there are those who question the size of Farm Bureau enterprises and involvement. To them I would say they should realize that agriculture is still the largest single business we have in this country in the private sector.

It is also the hardest.

Little wonder then that agricultural service organizations such as Farm Bureau have grown.

In conclusion, I urge my colleagues to consider for a moment what the work of Farm Bureau has meant to the welfare of American agriculture and American farmers. For this work, Farm Bureau deserves a resounding vote of thanks.

CONGO EPISODE SHOWS NEED TO CLARIFY CONGRESSIONAL AUTHORITY

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the recent Congo episode demonstrates clearly the need for action to clarify congressional authority.

There are three instances where the President, as Commander in Chief, is not required to seek prior congressional approval before sending American military personnel to foreign soil. It is his constitutional right and duty to act with dispatch to: First, repel attack; second, protect the lives and property of U.S. citizens; and third, fulfill American treaty obligations.

However, when he goes beyond these three and intervenes in the internal political affairs of another country, under the Constitution, the President must seek specific prior approval from the Congress. This resolution is aimed only at the specific political intervention in the Congo and, if enacted, would indicate the disapproval of the Congress of the failure of the President to secure congressional approval before making this policy decision.

The first "whereas" clause cites the appropriate portions of the Constitution under which the President should have acted and under which the Congress should now act in the form of this resolution. Attached to my remarks is an extract from the Constitution.

The second "whereas" clause defines the strictly limited authority which the President has to commit military personnel without securing congressional approval; that is, "in self-defense or in defense of other American citizens."

The third "whereas" clause acknowledges the inherent right of the President and military forces to respond when attacked. Such a response should be purely defensive and approval must be secured from the Congress before any offensive action is undertaken.

The operative part of the resolution deals with the present commitment in the Congo, with any future commitment there, and again contains a clause acknowledging the right of self-defense and the defense of other American citizens.

The first clause expresses the desire on the part of the Congress that no additional military personnel or materiel be sent into the Congo until the President has received the approval of the Congress of such action.

The second clause permits the personnel presently in the Congo to act only in certain limited instances.

Of the more than 125 instances in the past when the President has committed American troops without prior congressional approval, virtually all have been within one of the categories I mentioned earlier; namely, to repel attack, protect lives and property of American citizens, and fulfill treaty obligations. Most have been to protect the lives and property of American citizens. So long as these are not used as an excuse for further political intervention, it is clearly within the constitutional power of the President so to act and, in fact, it is his duty. But this authority permits only a limited response to a specific situation, and it terminates when the need for such protection terminates. Beyond this, any intervention by American forces becomes political in nature, and must be preceded by congressional approval.

The final clause recognizes the inherent right to respond to any direct attack upon our forces or American citizens in the Congo, so long as the response is defensive and aimed at only repelling the attack.

This resolution does not unduly tie the hands of the President, nor does it prevent him from responding to emergency situations. It is limited only to this specific situation, that of our intervention in the Congo. It will have no force in any other emergency situation and its primary precedential value will be in causing the President to comply with constitutional procedure the next time a similar situation arises. It permits the military personnel "to respond in whatever strength and by whatever means required" to repel any attack upon them, but at the same time establishes the proper roles of the legislative and executive in this aspect of foreign affairs.

The power provisions of the Constitution which contribute most directly to the foreign relations power are the following:

LEGISLATIVE POWERS

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to . . . provide for the common defense and general welfare of the United States (Article I, Sec. 8, cl. 1);

To borrow money on the credit of the United States; . . . To declare war . . . (cl. 2);

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years (cl. 12);

To provide and maintain a navy (cl. 13);

To make rules for the government and regulation of the land and naval forces (cl. 14);

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or office thereof (cl. 18);

EXECUTIVE POWERS

The executive power shall be vested in a President of the United States of America (Article II, Sec. 1, cl. 1);

The President shall be commander in chief of the army and navy of the United States, and of the militia of the several States, when

> called into the actual service of the United States . . . (Sec. 2, cl. 1);
>
> He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors . . . (Sec. 2, cl. 2);
>
> He shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed . . . (Sec. 3, cl. 1).

It should be noted that the operation of most of these powers is not confined to time of war.

Here is the text of the resolution I have today introduced:

H. CON. RES. 410

Whereas the Constitution of the United States commits the conduct of foreign relations jointly to the legislative and executive branches of Government by article I, section 8, and article II, sections 1, 2, and 3; and

Whereas under traditional interpretation of the Constitution of the United States the political intervention by United States military personnel in a role which is other than strictly in self-defense or in defense of other American citizens requires the explicit approval of the Congress; and

Whereas under the Constitution of the United States and under international law it is the inherent right of the President, as Commander in Chief, and of all military personnel to act in their own self-defense when attacked: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (the Senate concurring), That it is the sense of the United States Congress that no additional military personnel or materiel, combatant or otherwise, shall be committed by the United States to the Republic of the Congo without prior approval by the Congress of the United States.

Nor shall the noncombatant personnel presently committed, nor their accompanying military materiel, be used either alone or in conjunction with other forces for any purpose other than one which is confined, limited and purely in defense of American citizens or property in the Congo until such time as the Executive obtains the approval of the United States Congress.

Nothing in this resolution shall be construed in any way to limit the inherent right of the Commander in Chief and United States military forces to respond in whatever strength and by whatever means required to an aggressive attack directly upon them or upon American citizens, but such response shall be limited in scope and duration to whatever is required to repel the attack.

MUDDLED THINKING ON THE MIDDLE EAST

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, the time has come for some explanations by the executive department of some muddled thinking on the Middle East.

Today's news features reports of Jordanian King Hussein following his meeting with President Johnson here, back in the warm embrace of Egypt's Nasser in Cairo. At the same time, we learn that Egypt has welcomed a Soviet naval task force, including missile cruisers, to Port Said and Alexandria. We hear the Soviet naval commander admit that his ships are maintaining surveillance over the U.S. 6th Fleet units. The Soviet admiral also openly proclaims that he is prepared to use force in concert with the Arabs.

Against this background, at the time of the Arab summit conference in Cairo and the presence there of King Hussein, I am asking the administration for an explanation of what happened to the F–104 jet fighters, M–48 tanks of the Patton type, and other classified equipment that our taxpayers provided to Jordan. Fortunately, only a few of the F–104's, a mach 2 fighter, were delivered to Jordan before the war broke out on June 5. Otherwise, the Soviet Air Force technicians would have more F–104's with which to experiment.

We can only hope, Mr. Speaker, that the Israelis accounted for enough of the F–104's, M–48's, and other strategic equipment—including classified signal gear, that the Russians will have less to experiment with in their military laboratories. Since we are using these very same weapons in Vietnam, the Russians would be in a position to advise North Vietnam and the Vietcong on the best techniques to use against our arms and the brave American boys who are using them in Vietnam. The Russians could study our equipment and send the Vietnamese Communists the proper weapons and technical data to destroy such U.S. weapons and to kill our soldiers.

I wish to inform the House that I am writing the Secretary of Defense to ask how many F–104's, M–48's, and so forth, we delivered to Jordan. I am asking who paid for them. I am asking for the number and types of U.S. Army technical and training manuals delivered. We can now assume that such material, through the unified Arab command, is now available to Russia.

The administration should be held fully accountable for the policies that provided Jordan with the artillery and mortars that the Jordanians fired into Jerusalem. Some of the sacred places and at least two Israel hospitals were damaged by U.S. artillery and mortar shells. I am convinced that most of these arms were given to the Jordanians gratis under a presumption that such guns would fire only in the direction of Communists.

There are even more serious questions that I am asking the administration to answer.

The official records disclose that even after the Syrian Government denounced the United States as an aggressor in Vietnam, welcomed a Vietcong delegation to Damascus, permitted Communist China to provide weapons and guidance to Syrian-based terrorists who raided Israel, and proclaimed Syria a spearhead of the struggle against so-called American imperialism, the administration permitted American funds to be used to train Syrian military officers.

I also want to know how much was spent by the administration of the United States to train Syrian pro-Communist officers, some of whom received prior training and orientation in the Soviet Union? I want to know how many were invited to U.S. military establishments. I want to know how much they learned about equipment, training methods, and so forth.

If the administration does not know what I am speaking about, let the officials refer to discretionary expenditures under the U.S. military assistance program. They will have to concede that Syrians and other pro-Communist Arabs were guests of our military establishment at a time when the movements of our military attachés in those same Arab countries, especially Syria, were seriously restricted.

Even if the administration reports that in a recent fiscal year only 10 or 8 or 6 Syrian officers were trained by the United States, I submit that only one would have been one too many.

The answer the State Department has been giving on such training of officers from leftist countries has been that it helps maintain American influence. This is absurd.

The Syrians are so militantly pro-Communist that they waver between the Peking and Moscow philosophies.

Mr. Speaker, I believe that the records will show that many thousands of dollars of nonreimbursible military assistance, in the form of training, has been extended to Syrians who were trained by the Soviet Union, use Soviet weapons, and are devoted to destroying American rights and influence in the Middle East and Mediterranean. Syrian Government authorities have bragged that they would destroy the U.S. 6th Fleet and feed the American sailors "to the fish." They allow Soviet submarines and surveillance trawlers to use their seaports. Many Red army officers are in Syria as technicians and advisers.

I think it is inexcusable that the administration permitted training of Syrians after their pro-Communist and anti-American policies were so obvious. All the perfumes of Arabia will not sweeten the stench of a decision to train foreign officers of a pro-Communist nation who, we have every reason to believe, pass along every vestige of intelligence gathered in U.S. training bases to Moscow, Peking, and Hanoi.

Indeed, some of the Arabs from the so-called Palestine Liberation Army, a paramilitary formation based in Syria, have been to Peking as guests of Mao Tse-tung. Ahmed Shukairy, head of this terrorist group, has boasted that they would send volunteers to North Vietnam and learn how to turn the Middle East into "another Vietnam." China has sent them the same types of mines and machineguns used against our forces in Vietnam.

Mr. Speaker, I do not feel that the Congress should appropriate a single cent to subsidize the training or equipping with American weapons of Arabs who lend themselves to the Soviet plot to dominate the Middle East and Mediterranean.

We might as well give technical information, military training, and weapons directly to the Vietcong if we are going to provide such benefits to their allies.

In view of the situation I have described, responsible Members will certainly agree that the practices that undermine our national security in this area must be stopped.

Accordingly, I propose that the foreign aid bill coming before the House soon contain a mandatory provision withholding all forms of military assistance from nations that collaborate with the Soviet Union, threaten the United States, and cooperate with the Vietcong. Because of the poor judgment of our leading policymakers in recent years, I feel that the wording of such an amendment must be mandatory. It cannot be left to the discretion of an executive department that has demonstrated such indiscretions in the past.

NEEDED AMENDMENT TO ANTIRIOT BILL

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, the antiriot bill, H.R. 421, is scheduled for consideration in the House tomorrow. I support this bill as a means of curbing the activities of the semiprofessional agitators who make it their business to organize and instigate riots and civil disturbances throughout the country, wherever, and whenever they are able to do so.

I intend tomorrow to offer an amendment which will specifically apply to law enforcement officers and firemen engaged in the performance of their duties in connection with such riots with which the legislation is concerned.

The need for this provision has been proven in many, or most, of the more violent incidents of recent months. Fire trucks have been blocked deliberately so that fires are left to blaze freely. Policemen have been obstructed in many different ways.

In my opinion it is necessary that we add this provision to the antiriot bill in order that it may be effective in protecting the forces of law and order in American communities against individuals who are dedicated to organized violence. A copy of my amendment follows:

PROPOSED AMENDMENT BY REPRESENTATIVE JACK EDWARDS TO H.R. 421

After the comma on line 23 on page 3 add the word "or" and then add the following new subsection:

> "(c) obstructs, impedes, or interferes with any member of a fire department (including a volunteer fire department) or law enforcement officer of any State, any political subdivision of a State, or the District of Columbia, engaged in the performance of his official duties incident to and during the commission of any such riot,"

WAR ON WASTE

The SPEAKER. Under a previous order of the House, the gentleman from Kentucky [Mr. SNYDER], is recognized for 20 minutes.

Mr. SNYDER. Mr. Speaker, today I have introduced legislation (H.R. 11385) which is to be known as the "war on waste." The administration in its bid to buy votes has literally declared war on everything—except the waste which its many "wars" have brought about. Great Society programs have declared war on each and every American problem; but the only war being waged successfully is a war on progress, as spending and giveaway programs stifle initiative and perpetuate inflation. Congressional responsibility must now be directed toward seeking relief for the taxpayer; relief from the irresponsible spending and redtape that encumbers all of Government and continues to bleed the taxpayer until his confidence in his country and in those who represent him is gravely weakened. The time has come when Congress must wage war on waste.

Tomorrow the Republicans will be taking a special order to point up the need for such a program against waste. Today I am here to urge, as I am certain they will do tomorrow, that we cease discussion and act. I have proposed that we establish a 10-member commission to be known as the Commission for the Elimination of Duplication and Waste. The duties and responsibilities of this Commission shall be as follows:

First, recommending methods and procedures for reducing expenditures to the lowest amount consistent with the efficient performance of essential services, activities, and functions;

Second, eliminating duplication and overlapping of services, activities, and functions;

Third, consolidating services, activities, and functions of similar nature;

Fourth, abolishing services, activities, and functions not necessary to the efficient conduct of Government;

Fifth, defining responsibilities of officials;

Sixth, eliminating nonessential services, functions and activities which are competitive with private enterprise; and

Seventh, relocating agencies now responsible directly to the President in departments or other agencies if the result can be shown to increase efficiency.

Members of the Commission are to include six chosen from private life, two by the President and two each by the President of the Senate and the Speaker of the House of Representatives. The other four members shall consist of two Senators and two Representatives, one each from the two parties. The congressional Members of this Commission shall be chosen from those who have been outspoken in their criticism of waste and duplication in Government, thereby insuring a complete and thorough investigation of Government operations.

Congress must recognize the need and assume the leadership for more responsible financial policies at every level of the Federal Government. For this reason, I have called for the Commission's study of the legislative as well as the executive branch of Government. Committee reports will be made directly to Congress as specified in the bill; however, so that appropriation reductions might be made without the need for legislation, the Commission will also report directly to the chairmen of the Appropriations Committees of both the House and Senate.

Like the war on poverty, many of the Great Society programs began as relatively attractive ideals. To say that all of us wish to encourage the American dream is by now a hackneyed cliché. But the time has come when we must face the realization that in seeking to further that dream, we may instead have undermined those invaluable American qualities—individual initiative and our faith in representative government.

The people of my home State must live with the burdens of a local property tax, a State sales tax, a State income tax, local occupational taxes and last but not least, Federal income taxes. Now arms are about to be twisted and threats leveled, so that the administration can force upon us still higher Federal income taxes. To see the waste and duplication involving tax money one only needs to refer to the catalog of public assistance programs. The catalog is a book the size of the Washington telephone directory outlining 459 separate programs. This catalog is merely an index of the programs—most of which are duplicates of other programs. Grants in aid are available for the same type program from several Federal sources. In many instances local authorities are confused as to which program to apply for, and apply for several, for the same project.

When I left Kentucky to come to the 90th Congress, I pledged to my people that I was coming here for them; and when I go home again I am going back with the consolation that I did not deceive them and with the firm conviction that I did everything in my power to end the ludicrous fiasco that this administration is waging at their expense.

Our people are fed up with the spending practice of this administration and the billions of dollars that are being wasted. If you and I refuse to face that fact, the people may well find representatives who will. Let us, then, declare war on one of the people's greatest enemies—Waste.

The question ultimately is, Whom do we represent? Ourselves? The President? A political party? Or do we represent the people? Do we have the courage to admit that we have allowed spending to get out of hand, that we have avoided the task of organizing Government so it can work effectively at minimum cost? Are we willing to let it go on and on and on until the American people turn in disgust not just from a single politician, but from the whole improvident structure the Federal Government has become.

No one has ever maintained that war is popular or amusing or entertaining. But there are instances in which necessity predominates; that necessity is now. On behalf of the people of Kentucky's Fourth District and, I believe, the people all across this country, I am asking you to join in waging war on waste.

Mr. Speaker, I am joined in this original bill by the gentleman from Ohio [Mr. ASHBROOK], the gentleman from Kentucky [Mr. CARTER], the gentleman from Tennessee [Mr. DUNCAN], the gentleman from Ohio [Mr. Lukens], the gentleman from Mississippi [Mr. Montgomery], the gentleman from Tennessee [Mr. Quillen], the gentleman from Virginia [Mr. Wampler], the gentleman from Mississippi [Mr. Williams], the gentleman from California [Mr. Clausen], the gentleman from Kansas [Mr. Mize], the gentleman from Texas [Mr. Price], the gentleman from Nebraska [Mr. Denney], the gentleman from South Carolina [Mr. Watson], the gentleman from Alabama [Mr. Edwards], the gentleman from California [Mr. Pettis], the gentleman from Pennsylvania [Mr. Corbett], the gentleman from Illinois [Mr. Collier], the gentleman from Missouri [Mr. Hall], the gentleman from Ohio [Mr. Clancy], the gentleman from Indiana [Mr. Bray], the gentleman from Georgia [Mr. Blackburn], the gentleman from New Jersey [Mr. Hunt], the gentleman from Illinois [Mr. Anderson], and the gentleman from New Jersey [Mr. Cahill].

THE ANTIRIOT BILL: AN EXERCISE IN FUTILITY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Holland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HOLLAND. Mr. Speaker, in today's Washington Post, the distinguished observer, Mr. Marquis Childs, has succinctly and accurately summed up the futility and irrelevance of the so-called antiriot bill which will be before the House tomorrow. He points out that this bill will not even begin to touch the causes of the riots which it purports to help combat.

I insert that column to be printed at this point in the Record:

On Major Causes of Rights Turmoil

(By Marquis Childs)

Nothing could be more flattering to the chief advocate of black power than that within the confines of the little band of men who run the House, the antiriot bill is known as the Stokely Carmichael bill. This is a measure both of its futility and of the fierce passions boiling up out of the riots rocking city after city, North and South.

With only three dissenters the House Judiciary Committee has given its blessings to the Carmichael bill and it is expected to go whooping through the House. Put the troublemakers, the Carmichaels, the apostles of revolutionary black power in jail and you will end the riots. That is the hopeful conviction not only of the backers of the measure but of many impassioned citizens deeply disturbed by violence and pillage.

The antiriot proposal, which was rushed through the House last year as an amendment by Rep. William C. Cramer of Florida to a civil rights act that failed of final passage provides a fine of $10,000 and five years in jail for anyone who travels from state to state, or uses the mails to "incite a riot." The language is so broad, covering those who "organize, promote, encourage or carry on a riot" or "commit any act of violence in furtherance of a riot" that the dissenters believe it is unconstitutional.

IF they are right, the sequence—granted the Senate goes along and the measure become law—will be as follows. Carmichael and his lieutenants will be arrested, convicted and sentenced. Their appeal will go to the Supreme Court which will throw the law out, the result being added odium for the Court on the right and triumph for Carmichael & Co.

In short, while it may be a temporary escape valve the net will be futility. This is predictable in the preliminary report of a study directed by Dr. Joseph Spiegel at Brandeis University on the sources of violence as sampled in six Northern cities, three that have had riots and three that have not.

The report, based on careful polling techniques, shows that riots grow out of deep, long-harbored discontents within the ghetto. There is an interaction of two factors, the "grievance level" and the inflammatory nature of the incident precipitating the initial outbreak. Where the "grievance level" is high over lack of jobs, miserable housing, or the conviction of police brutality, a small incident will trigger a riot.

While Carmichael may have helped to touch off the flare-up in Atlanta, Spiegel believes that outsiders have little or nothing to do with the riots in Northern cities.

On "outsiders" as a cause of riots Negroes and whites differ more sharply than on any of the factors contributing to the violence of this long, hot summer. A large percentage of whites see as the only factor "outsiders coming into a city and stirring up trouble."

The vast majority of Negroes reject this as a major cause. In one city—the six metropolitan areas are not singled out by name in the study—56 per cent of whites gave "outsiders" as the cause and only seven per cent of Negroes.

The frightening irony emerging from this survey is that among both whites and Negroes a rather high proportion subscribes to the "squeaky wheel" principle. That is, improvements would not have taken place without riots. And this attitude is even applied to civil rights legislation which would not have been enacted without uprisings, or so a sizable percentage of those polled believe.

The figures adding up to inequities within the ghetto—poverty, joblessness, overcrowding—are an old story. Nowhere has it been expressed so eloquently as by President Johnson in his speech two years ago at Howard University in Washington. The civil rights acts, the President said, were only the smallest start at correcting a century of injustice that had forced the Negro to live in a separate nation isolated and deprived.

That was perhaps the peak of rising expectation, the high tide of hope. The swiftly mounting cost of the Vietnam war and a grumbling resistance to further change have forced cuts in the programs meant to break down the barriers of that other and separate nation. The sense of failed promises is one of the deep discontents in the ghettos.

The antiriot bill was once twinned with a measure to give protection to civil rights workers. They have been separated and it is a reflection of the current mood that the latter may die while the Stokely Carmichael bill passes with little challenge.

PRICE STABILITY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, one of the most gratifying and commendable achievements of this Nation is its record of price stability.

The simple fact is that consumer prices in the last 10 years—1956–66—have risen far less in the United States than in any other major industrial nation in the free world.

This development was reported in an article on the "Depreciation of Money" in the monthly economic letter published last week by the First National City Bank, New York. The article was particularly interesting to me in light of some reports I have seen about a decline in the dollar's buying power.

Let me read what the article said on this point:

> With a rate of shrinkage of 1.8 per cent per annum, the U.S. dollar suffered the lowest average rate of depreciation of any currency of the major industrial nations over the ten-year span.

According to the table shown in this article, our nearest rivals of the major industrial countries were Canada and Australia with an annual currency depreciation of 2 percent, followed by 2.2 percent for Belgium, 2.3 percent for West Germany, 2.4 percent for Switzerland, 2.8 percent for Austria, 2.9 percent for the United Kingdom, 3.2 percent for Italy, 3.8 percent for Sweden, 4 percent for Japan, 4.7 percent for France, and 6.9 percent for Spain. Furthermore, for the 10-year period, the median rate of depreciation of money in the 45 countries surveyed by First National City Bank was 3.4 percent a year, almost twice as much as in the United States.

Equally interesting is what the article points out about last year alone. As we all know, 1966 was a year of strong inflationary pressure. The article shows that despite the inflationary pressures, the United States had greater price stability in 1966 than most other industrial nations.

It is clear from all of this that our record of preserving the purchasing power of the dollar is an impressive one indeed. This is a record worthy of praise. It has made the dollar the strongest currency in the world.

A large measure of the credit must go to the Johnson administration, which has presided over one of the healthiest and most prosperous economic periods in the Nation's history.

The Johnson administration's job of fostering price stability is matched by other economic achievements. For example, between the fourth quarter of 1963 and the first quarter of 1967: The unemployment rate has dropped from 5.6 to 3.8 percent; the gross national product, corrected for price changes, is up close to $100 billion or 17 percent; profits after taxes have risen by about 31 percent; total wages and salaries have grown by about 29 percent; industrial production has risen by some 24 percent.

Mr. Speaker, I believe my colleagues will be interested in reading the article I referred to earlier. I ask permission that it be inserted into the Record at this point.

Depreciation of Money

In the accompanying table we again present our annual survey of comparative rates of shrinkage in the value of money. As in the past, declines in the domestic purchasing power of the various national currencies are calculated from official cost-of-living or consumer price indexes. Although the figures are affected in some instances by limited coverage or uneven quality of official price indexes, they provide a general guide to what happened to the value of money in 1966 and for the 1956–66 period as a whole.

The value of money declined faster last year than in the decade as a whole in 29 of the 45 countries surveyed. For the 1956–66 period, the median rate of depreciation of money in the 45 countries was 3.4 per cent a year—a rate that means a loss almost one third of the purchasing power of a currency in ten years.

With a rate of shrinkage of 1.8 per cent per annum, the U.S. dollar suffered the lowest average rate of depreciation of any currency of the major industrial nations over the ten-year span. In 1966, however, the dollar lost 2.8 per cent of its buying power as consumer prices registered their largest increase since 1958, largely as a result of higher prices for foods and services.

Rates of depreciation in other industrial nations in 1966 ranged from 2.1 per cent to 6.9 per cent. In many European countries, upward price pressures early in 1966 moderated toward the end of the year as severe monetary restraint cut into aggregate demand. In France and Italy, although economic policy continued on an expansionary course throughout all of 1966, there was less inflation last year than on average over the period 1956–1966.

For the world as a whole, some of the most serious losses of purchasing power occurred in countries suffering from severe shortages of food supplies, especially cereal grains. The most pronounced acceleration of inflation occurred in war-torn Vietnam where a "rice panic" continued to undermine attempts to put a damper on the inflationary spiral.

Among the South American countries, whose currencies have registered the most serious losses of purchasing power over the decade, Brazil, Argentina and Chile again suffered significant shrinkages in money values in 1966, although programs to combat inflationary pressures began to take hold in Brazil and Chile. The severe inflationary problems of South American countries have held down their growth rates by limiting capital accumulations through saving and thus diminishing the volume of domestic resources for investment. Recognizing the advantages of stable money, Argentina recently implemented a series of measures aimed at slowing the rate of inflation in order to lay a firmer basis for sound economic growth.

	Indexes of value of money			Annual rates of depreciation (percent)	
	1956	1961	1966	1956–66 [1]	1965–66
Guatemala	100	102	100	0	0.7
Venezuela	100	93	90	1.1	.1
Honduras	100	98	86	1.5	1.6
United States	100	91	84	1.8	2.8
Luxembourg	100	94	83	1.9	2.5
Canada	100	91	82	2.0	3.6
Australia	100	90	82	2.0	2.7
Greece	100	91	81	2.1	4.8
Thailand	100	88	80	2.2	3.7
Belgium	100	93	80	2.2	3.9
South Africa	100	91	80	2.2	3.6
Germany (Federal Republic)	100	92	79	2.3	3.4
Portugal	100	92	78	2.4	4.9
Switzerland	100	94	78	2.4	4.6
New Zealand	100	88	77	2.6	2.4
Ecuador	100	94	76	2.6	5.2
Austria	100	90	75	2.8	2.1
United Arab Republic (Egypt)	100	95	75	2.9	8.2
United Kingdom	100	89	74	2.9	3.8
Italy	100	92	72	3.2	2.3
Ireland	100	89	72	3.2	2.9
Norway	100	88	72	3.3	3.3
Netherlands	100	88	71	3.4	5.6
Pakistan	100	84	70	3.5	6.7
Iran	100	75	70	3.5	−.4
Philippines	100	92	70	3.6	6.0
Denmark	100	93	69	3.6	6.9
Mexico	100	78	69	3.7	4.0
Sweden	100	85	68	3.8	6.3
Japan	100	88	66	4.0	4.0
France	100	74	62	4.7	2.6
Finland	100	79	60	4.9	3.8
China (Taiwan)	100	62	58	5.2	2.2
Israel	100	82	58	5.4	7.2
India	100	83	57	5.5	9.7
Spain	100	73	49	6.9	6.0
Vietnam	100	99	46	7.4	38.6
Turkey	100	58	45	7.7	7.8
Peru	100	66	41	8.5	8.4
Korea	100	70	33	10.5	10.6
Colombia	100	63	32	10.8	16.4
Bolivia	100	31	25	13.0	5.7
Chile	100	38	10	20.6	18.6
Argentina	100	20	6	24.5	24.2
Brazil	100	29	2	31.0	31.8

[1] Compounded annually.

Note.—Depreciation computed from unrounded data. Value of money is measured by reciprocals of official cost-of-living or consumer price indexes.

DISTRICT OF COLUMBIA GOVERNMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. GIAIMO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GIAIMO. Mr. Speaker, this month marks the 93d year of the absence of self-government in the District of Columbia; the anniversary of a mockery of many fundamental ideals this country has stood for and advocated. At the doorsteps of this Chamber live more than three-quarters of a million Americans with no voice in or control over their local government. How can we allow this to continue?

Earlier this year, President Johnson submitted to this body a plan for the reorganization of the government of the District of Columbia. I commend the President for his initiative in proposing this reorganization, and I shall support his efforts. However, this plan does not alter the basic situation whereby the citizens of the District are deprived of a voice in their government. To correct this injustice, Mr. Speaker, I am introducing today legislation which will assure a city government selected by and responsible to the citizens of the District and a measure proposing a constitutional amendment that will grant representation in the Congress for the District of Columbia.

Briefly, the government which would be created under this charter is a mayor-council system identical to that which was proposed last Congress in the so-called Multer substitute plan. The District government would consist of an elected mayor and a 19-member council; 14 members would be elected from various wards, and five would be selected in at-large elections. The present Board of Commissioners would be abolished and their functions transferred to the District Council. Authority over the school system would be retained by the Board of Education; however, provisions are made for the election of all board members. Pending ratification of the constitutional amendment, which I have proposed granting representation in the Congress for the District, I have provided for an elected nonvoting delegate from the District of Columbia in the House of Representatives. Acceptance of this charter is not only contingent upon congressional action, but also upon the expression of support for it through a public referendum to be conducted after the enactment of this legislation.

Regarding the constitutional question steming from article I, section 8, of the Constitution, "The Congress shall have power, to exercise exclusive legislation in all cases whatsoever over such District, as may . . . become the seat of the Government of the United States," I call attention to the opinion of the Supreme Court in the 1953 case of the *District of Columbia* v. *John R. Thompson Co.*, 346 U.S. 100,109 (1953):

> It would seem then that on the analogy of the delegation of powers of self-government and home rule both to municipalities and to territories there is no constitutional barrier to the delegation by Congress to the District of Columbia of full legislative power, subject of course to the constitutional limitations to which all law making is subservient and subject also to the power of Congress at any time to revise, alter, or revoke the authority granted.

The legislation which I have introduced complies with the dictum of the Court. Section 324(a)(2)(b) states:

> All acts of the Council and the qualified voters of the District of Columbia shall at all times be subject to repeal or modification by the Congress of the United States, and nothing herein shall be construed to deprive

Congress of the power of legislation over said District in as ample manner as if this Act had not been enacted.

In addition, this legislation retains the present means of computing the annual Federal payment to the District and the Congress right to an annual examination of the financial obligations of the District.

As we enter this 94th year in which the Congress is required to act as the city council of the District of Columbia, I ask my colleagues to look back in history and consider the origins of this wholly inefficient, wasteful state of affairs. The factors which led to the loss of self-government include political instability in the District, the rapid population growth of the city, and financial difficulties plaguing the city which were the consequence of the tumultuous times following the Civil War. Clearly, these factors typify an era in our Nation's development which has since been buried in history books. Today the government of the District of Columbia stands as a questionable monument to the Reconstruction Era. Let us put an end to it.

Mr. Speaker, since coming to Congress in 1959, I have supported and fought for every effort to expand the voice of the citizens of the District of Columbia in their government. I am proud to have been among the originators of the 1959 discharge petition in an ill-fated attempt to bring legislation proposing home rule to the House floor. In 1962, I again joined in an attempt to discharge home rule legislation. As a signer of the 1965 discharge petition, I was deeply disappointed by the inability of the Congress to take some steps toward home rule at a time when, I believe, a majority of its Members favored such progress.

We are a new Congress. We have the opportunity and the responsibility to act now. I can see no sound reason for failing to restore self-government to the inhabitants of the District. I can see no good reason to continue to deny to American citizens living in the District the rights and privileges of American citizens in the States. Let us put an end to this inferior status of the inhabitants of the District of Columbia.

THE LATE HAL LEYSHON

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Kirwan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. KIRWAN. Mr. Speaker, a friend of mine died this week in New York. He was a Democrat and he served his party not just for partisan purpose but because he believed that joining a political party and participating in its activities was a part of being a good citizen.

Hal Leyshon was a good citizen and he served his country in war and in peace. His first career as a journalist brought the newspaper he edited a Pulitzer Prize. In his second career in public relations he never lost sight of his early training as a journalist—to provide the people with the truth, with the information they needed to keep our democratic society healthy.

In an era where selected truths and persuasive appeals to the emotions are stocks in trade of too many practitioners of public relations, the reliance on truth and the solid integrity of Hal Leyshon are worthy of notice.

For this reason I ask that the following account of the career of Hay Leyshon, as carried in the New York Times of July 10, be made a part of this Record.

HAL LEYSHON, 66, A PUBLICITY MAN—ACCOUNTS INCLUDED FLORIDA, TRUMAN, AND PETRILLO

Hal I. Leyshon, a public-relations consultant who helped develop the images of Florida as a resort, President Harry S. Truman as a choice for election in 1948 and James Caesar Petrillo as "Friendly Jimmy" rather than as the "Czar of Music," died of a heart attack yesterday in Doctors Hospital. He was 66 years old and lived at 45 East 85th Street.

Hal Leyshon & Associates, the public-relations and legislative consultant firm he founded here in 1941, has for the last six years represented the Virgin Islands.

Mr. Leyshon, as editor of The Miami (Fla.) Daily News, directed that newspaper's Pulitzer Prize-winning exposé of venal Miami politics in 1938.

Mr. Leyshon entered public relations on two fronts when the United States declared war in 1941. He established his firm in Rockefeller Center and operated it, in absentia, while serving as a public information officer overseas and in Washington for the Army Air Forces.

He joined the service as a captain and later, as a major, was assigned to Supreme Headquarters shortly before the Normandy invasion. He was released as a lieutenant colonel and resumed active direction of his organization here after V-E Day.

LED VARIETY OF AD CAMPAIGNS

Mr. Leyshon conducted for the Air Power League the national campaign that preceded Congressional adoption of equal status among the services for the Air Force.

He was a consultant to the Democratic National Committee in the 1948 campaign in which President Truman defeated Gov. Thomas E. Dewey. At that time the Leyshon concern was also in the early stages of its long promotional program in behalf of tourism for the State of Florida.

Also in 1948, Mr. Leyshon became public-relations consultant to the American Federation of Musicians and its president, Mr. Petrillo, whose belligerent attitude had made him unpopular with the press and public.

In 1948, the musicians' union gave 15,000 free performances ranging from symphonies to jazz duets, and Mr. Petrillo became music chairman of President Truman's inaugural.

Concerning his efforts in behalf of the union and its boss, Mr. Leyshon said:

"If you can make a man and his works available to the press of this country on a factual and timely basis, he is certain to get an even break. If newspapermen get the brushoff, they're going to give the brushoff."

BEGAN IN JOURNALISM

Mr. Leyshon was born in Mountain Ash, Ky., and attended Maryville (Tenn.) College.

During the Florida boom of the early nineteen-twenties he became Sunday editor of The Miami News and in 1925 directed publication of what was said to be the world's largest single issue: 604 pages.

Mr. Leyshon was successively the paper's news editor, managing editor and, from 1935 to 1941, editor. In 1938 he directed publication of the series of news stories, covering political malfeasance in Miami, that won for The News a Pulitzer Prize the following year.

During his years in Miami, Mr. Leyshon covered the development of Florida as a burgeoning resort area in many stories published by The New York Times.

Mr. Leyshon and John M. Redding were authors of "Skyways to Berlin," a book of Air Force exploits published in 1943. In 1950, he and Jack Kofoed wrote "Front Page Deadline," the story of a Pulitzer Prize-winning newspaper crusade in the South.

In recent years, Mr. Leyshon's firm continued its work for the Democratic National Committee and was a consultant to the American Red Cross, Trans World Airlines and other clients.

Mr. Leyshon was a member of the Overseas Press Club, the Miami Club, National Press Club and the Welsh Society of St. David's.

Surviving are his widow, the former Marion Pollard, and a son, Hal Richards Leyshon.

A funeral service will be held at 1 P.M. Wednesday at Frank E. Campbell's, Madison Avenue at 81st Street.

SENATOR DANIEL K. INOUYE'S "JOURNEY TO WASHINGTON"

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. Matsunaga] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, the Senate on Monday welcomed back its distinguished and esteemed colleague from Hawaii, Senator Daniel K. Inouye, following his successful recovery from major surgery.

I know that Members of the House, too, will be happy to know that their former colleague has bounced back from his bout in the hospital with that same indomitable courage and gentle demeanor which are the hallmarks of his remarkable life.

Dan's unfortunate illness fell a few days before the date set to launch the publication of his new autobiography, "Journey to Washington." I have read this engrossing and inspiring autobiography with keen appreciation, and I wholeheartedly recommend it to my colleagues in the House.

In a book review for the Washington Evening Star, Cecil Holland, the noted Capitol Hill correspondent, commented that—

> If Daniel K. Inouye were not to be seen on the Senate floor, occasionally at the leadership seat opening the day's session, it could be imagined that "Journey to Washington" was so improbable as to be fictional. But Inouye is there, a slight figure of quiet dignity, and one of the assistant Democratic leaders, and we have this fabulous story of how it all came about. It is a story, in many respects, unequaled in the Nation's history.

Coming also from the State of Hawaii, and being of the same immigrant heritage as Senator Inouye, I regard his book as having particular significance for me. The Senator's vivid portrayal of the Nisei who were determined to be given the chance on the field of battle in World War II to prove their loyalty to the land of their birth is stirring, indeed.

It was with this spirit that the men of the 442d Regimental Combat Team, and the 100th Infantry Battalion, of which

I was a member, fought and died in World War II and carved for themselves an indelible niche in mordern world history.

Both President Johnson and Vice President HUMPHREY extended warm praise to Senator INOUYE in their forewords to his book. Senate Majority Leader MIKE MANSFIELD, of Montana, also wrote that—

> The story of Daniel Ken Inouye, American, is, in truth, an enduring chapter in the story of America.

Tribute also goes to Senator INOUYE's family, his wife, Maggie, and his young son, Daniel Ken Inouye, Jr., to whom the book is dedicated, who inspired him to set down the story of his life at midstream. His story, which in many respects is the story of Hawaii, gives others the opportunity to know of those qualities which have brought this son of Hawaii to the forefront of leadership in the U.S. Congress.

I should like to submit for inclusion in the CONGRESSIONAL RECORD the book review by Cecil Holland as it appeared in the June 19, 1967, issue of the Evening Star:

THE FABULOUS INOUYE STORY

(By Cecil Holland)

("Journey to Washington." By Sen. Daniel K. Inouye, with Lawrence Elliott. Prentice-Hall, $5.95.)

If Daniel K. Inouye were not to be seen on the Senate floor, occasionally at the leadership seat opening the day's session, it could be imagined that "Journey to Washington" was so improbable as to be fictional. But Inouye is there, a slight figure of quiet dignity, and one of the assistant Democratic leaders, and we have this fabulous story of how it all came about. It is a story, in many respects, unequalled in the Nation's history.

At the age of 42, completing his first term in the Senate after service in the House, Inouye already has attained a high mark in the political world. If indications mean anything, even greater success politically is in his future. But it would be missing the major point of this excellent autobiography if one dwelled on the political achievements alone. For the Japanese-American Senator these achievements, remarkable as they are, are merely the culminating expression of a book with a much deeper meaning.

Inouye's story begins in the Japanese village of Yokoyama where his ancestors lived and toiled for generations. A fire in the thatched house of his great grandfather, Wasaboro Inouye, in the distant years, was the first step in the chain of events leading to Inouye's place in the Senate. The fire spread to other houses and destroyed them. Under the code in which the village operated the blame for the fire was placed on Inouye and he was assessed what was to the Inouye family the staggering sum of $400 to pay for the damage.

To help earn the money to meet the assessment, Inouye's grandfather, Asakichi, the eldest son, had to leave and go to Hawaii to work in the sugarcane fields. He hoped in time to return to his native village but in life he never did. It took 25 years to pay off the obligation and that is why Daniel K. Inouye grew up in Hawaii, one of thousands of Japanese-Americans.

His life was little different from the other Nisei boys. He was subjected to the same segregation, lived in the humblest of circumstances, attended McKinley High in Honolulu, or Tokyo High as it was called for obvious reasons, and, one gathers, thoroughly enjoyed his youthful days. Inouye's account of his earlier years is marked with gladsomeness and a moving tribute to his mother Kame and the influence she exerted over his life.

Inouye was 17 years old when the Japanese bombs fell on Pearl Harbor. Out of the turmoil of that day and succeeding days came the tragedy of this Government's treatment of the Japanese-Americans and at last, on President Roosevelt's orders the opportunity to serve their country. Immediately 10,000 Nisei young men volunteered for military service, 80 percent of all those eligible. One of these was Inouye.

The story of the famed "Go for Broke" 442nd Regimental Combat Team has been told before. But here one gets a first-hand account for Inouye was one of those who contributed mightily to its lustre. He won a battlefield commission as a lieutenant, was recommended for the Congressional Medal of Honor and received the Distinguished Service Cross. An empty right sleeve is mute evidence of his devotion and heroism.

Before the war Inouye intended to become a doctor. With the loss of his arm he turned to law and then to politics—and the road that led to the United States Senate. Not the least dramatic part of this story is by any means the battle he recounts against Hawaii's solidly entrenched political establishment.

The esteem in which Inouye is held is reflected in forewords by President Johnson, whom Inouye supported for the presidential nomination in 1960; by Vice President Hubert H. Humphrey, and by Senator Majority Leader Mike Mansfield of Montana. The President describes him as "one of America's great egalitarians, the Vice President calls it "an American story," and, for Mansfield, the "story of Daniel Ken Inouye, American, is, in truth, an enduring chapter in the story of America."

NATIONAL FLOOD INSURANCE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, as a native of a city that sustained $22 million in losses due to one devastating flood, I am very cognizant of the importance of flood insurance coverage when a flood races through an area leaving economic ruin and personal tragedy in its wake.

Therefore, it was with great delight that I joined Chairman PATMAN and other members of the Banking and Currency Committee in cosponsoring legislation to establish a program for national flood insurance.

Now I would like to call upon the support of all my colleagues that this legislation, which would provide the necessary margin of Federal insurance available through private insurance companies at rates which homeowners can afford, may become a reality.

In spite of the widespread destruction from flooding along our coasts and river valleys every year, it is not now possible for homeowners to protect themselves through insurance. The need for this protection is urgent in view of the fact that a family's home is usually the largest investment it makes and the damage of flooding can cause a severe financial loss which may take years to overcome. At present, these disasters are dealt with on a piecemeal basis through private charity and limited government aids. We need to be able to give the homeowner firm assurance that a flood catastrophe would not wipe out our years of saving and investment and the family's financial security. That is what this bill is intended to do.

Under this legislation, private insurance companies could pool their resources to provide the insurance protection, and the Secretary of Housing and Urban Development would be authorized to make contributions as necessary to cover extreme losses and bring the insurance premium paid by the homeowner down to a reasonable level.

Initially, the bill would provide coverage up to $15,000 for homes only but with provision for later expansion to cover commercial property.

Flood damage not only exacts a heavy cost in property and human misery, but inevitably results in direct Federal cost, even under our patchwork of existing aids. Many of these aids will continue to be needed but I am hopeful that the new program provided for in this bill will in the long run result in lower overall costs to the Government while at the same time provide more aid to the homeowner.

PAUL DOUGLAS: MAN AHEAD OF HIS TIME

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, throughout the history of mankind there has always been a special place accorded to those few gifted individuals who by thought and deed were ahead of the times in serving their fellow men. Certainly Paul Douglas is such a person and is so recognized even during his own lifetime. Indeed, this a rare honor not often realized. The former Senator from my home State of Illinois has always been, and remains to this day, a shining inspiration to hundreds of millions of people upon this small globe of ours and particularly to the Representative in Congress from the Seventh District of Illinois.

This great reformer, scholar, and humanitarian was the subject of a fascinating feature article appearing in the June 13, 1967, issue of Look magazine written by Charles Mangel, senior editor. I commend this article to my colleagues of both our great political parties in both Houses of Congress. This article is aptly entitled "Paul Douglas: Man Ahead of His Time," and recounts the many legislative landmarks originated and sponsored in the Congress by Paul Douglas.

Some of his progressive, reform ideas have yet to be enacted, particularly the plugging of numerous tax loopholes. But this is just a matter of time, and although Congress may deem it necessary to raise taxes across the board in 1967 without reforming the Internal Revenue Code, let every Member bear in mind Paul Douglas' revelation that plugging tax loopholes alone would allow everybody's tax rate to be cut in half, yet raise the same amount of revenue. One day we will heed these words.

My own position is made quite clear, I think, in a statement appearing on page 16527 of the CONGRESSIONAL RECORD of June 20, 1967. Therein, the suggestion is made that the projected 1968 Federal budget deficit of some 20 billions of dollars could be avoided by plugging loopholes which permit legalized cheating on both personal and corporate income taxes. By doing what is only right, Congress could avoid not only a monumental deficit, but inflation, tight money high interest rates, and growing debt burden as well.

The Look magazine article is not long, and I, therefore, insert it at this point in the RECORD:

PAUL DOUGLAS: MAN AHEAD OF HIS TIME

(By Charles Mangel)

His face could have been an Indian chieftain's. The nose is grandly hooked. The forehead and cheekbones are high and prominent. His hair, now gray-white, is a high and narrow thatch. His socks droop, occasionally below the anklebone. His shoes, rarely on, are scuffed. His shirttail is never in. His hats have no front or back. Shapeless and crushed, each sits atop his head much as an untidy bird's nest adorns a mountain crag. He is tall, and heavy, and when he stands, he lurches slightly off-center, more a lean to his right than a stoop.

He is as implausible in character as in appearance. Although few would go with him, he rose on the floor of the United States Senate to announce his finances because "people have a right to know where my money comes from." Left arm made useless by World War II machine-gun and mortar wounds, he refuses a large disability pension because, he says, he is able to work. He took up causes when the country was ducking them (were *you* doing anything about civil rights in 1949 or Medicare in 1950?) and fought many through to eventual victory. He challenged pork-barrel legislation in his home state and campaigned for open housing in areas where people were winging rocks at Negroes. He drafted the Senate's first penalty-laden Code of Ethics, has demanded its adoption since he helped investigate the Reconstruction Finance Corporation scandal in 1950–1951. He says Congress will some day be forced to adopt a code.

Paul H. Douglas of Illinois, beaten for reelection last fall by age, the white backlash and Republican Charles H. Percy, may be judged in time one of the most gifted men in the history of the Senate.

In his 18 Washington years, Douglas demonstrated an ability to find and voice national issues before other men were aware of them—or ready for them. He introduced civil-rights legislation in 1949, his first year in Washington, was one of the leaders in the campaign for passage of the 1957 Civil Rights Act, the first approved in 82 years, and introduced strengthening proposals every session afterward. His ideas during this period became the quarry from which the comprehensive 1964 act and the 1965 changes were mined. Clarence Mitchell, NAACP boss in Washington, told me bluntly: "Without Paul Douglas, we would have no civil-rights legislation as we know it today. He was the leader of the Senate team from 1949 into the early '60's."

Douglas first proposed federally supported health insurance for catastrophic illness in 1950 and followed with a broader Medicare proposal in 1960. The National Council of Senior Citizens, following Medicare's passage in 1965, recognized him and Clinton Anderson as the two senators who did most to make the program possible.

Douglas was an author of the amendment to the Social Security Act that established disability insurance for men younger than 65. (In 1935, he had been summoned from the University of Chicago to help write the nation's original Social Security law.)

He was the Senate floor manager for the first Federal slum-clearance and urban-renewal program, which became law in 1949. He later became a principal sponsor of most of the important housing legislation of the last decade.

He originated the "pockets of poverty" thesis in the Senate, sponsored the area-redevelopment program, first national effort at aiding depressed communities, and its successor, the 1965 Economic Development Act.

Following a Senate inquiry into fraud in union and company pension-fund management that led two men to prison, Douglas drafted the first Federal legislation, in 1958, requiring disclosure of the handling of the billions in these funds.

In 1959, Douglas and the Joint Economic Committee that he chaired began a nine-month examination of the national economy—growth, employment and price stabilization. (The economy at that point was stagnant. During the 1953–60 period, the U.S. had suffered three recessions, the rate of real economic growth was running below that of virtually every major country in the world, and unemployment was rising—it reached seven percent of the work force by early 1961, highest since the Depression. Overall prices were climbing at an average 2.6 percent annually.) This kind of detailed analysis by a team of trained economists had never been undertaken before. Recommendations stemming from the study played a major role in the adoption of policies that, before escalation began in Vietnam, fostered the longest and strongest peacetime expansion in the country's history.

A voting independent who sought issues, not party positions, Douglas was willing to take on the "impossible" battles years away from winning (something you don't do when you want to pile up a legislative record) and not worry about the disinclination of his peers to join him. Yet Vice-President Humphrey could later say, ". . . No member of the Senate . . . has his name stamped on more major issues . . . and major legislation than Paul Douglas."

Intellectual, self-effacing, highly emotional (at times, perhaps uncontrollably so), Douglas was both teacher and catalyst. He saw no reason why he should not rise frequently, alone if need be, to tell the Senate what he thought it should do. This was scarcely a posture to gain popularity, either in the Democratic party or the Senate. But it was very much in keeping with the man, who came to Washington, at 56, with a national reputation as an economist and as a war hero.

The current honesty mess splattering both houses of Congress is a case in point. Slack standards permitted the misconduct of Baker, Dodd and Powell. The situation could be drastically different if our representatives had the deep-down guts to enact two basic reforms.

Douglas sketched the simple solutions when I visited him in Washington and New York: 1) tax-paid national election campaigns; 2) annual, audited disclosure by members of Congress (and high appointed officials) of their capital holdings, their income and its sources.

"The hesitation of congressional leaders to carry out any strong clean-up policy naturally leads the public to believe that the revealed sins of the few are the predominant practices of the many," he said. (A recent Gallup poll reported that six of 10 Americans asked believe misuse of funds by congressmen is "fairly common.")

Douglas, tired at 75, but with spirit still blazing, wasted no time in pinpointing for me the central problem—campaign funds. "These costs are no longer under control. It was estimated that Mr. [Nelson] Rockefeller's last campaign cost $5,000,000. That's an extraordinary amount of money for an ordinary man to raise. A candidate must be wealthy or look for wealthy benefactors. Few large benefactors give without expectation of a later harvest."

The harvest comes in many forms: special laws that punch loopholes in the tax structure, Government contracts, subsidies, quotas for special industry groups. "The public is paying for the elections *right now* by having to absorb these extra costs," Douglas says. Plugging of tax loopholes alone, he would argue in the perennial fight he led for tax reform, *would allow the tax rate to be cut in half, yet raise the same amount of revenue.* ("Last year," he said in one floor debate, "a charwoman earning $55 a week paid more in income taxes than an oil company whose income was $26 million.")

Douglas knows that legislators live the year round "in a very real world where very real economic pressures operate." Expensive campaigns "place tremendous strain on a man who does not have much money." Political expenses continue between elections: trips home, beyond the allowance for that item; maintenance, sometimes, of two homes; purchase of tapes for radio and TV reports; political contributions; entertainment of constituents. These expenses cost Douglas $12,382 in 1966. And out of a congressional salary of $30,000, he ended up with a net of less than $7,000 to cover all living costs.

(Douglas, who began to disclose his annual income and its sources when he first held political office as a reform Chicago alderman in 1939, says that if he had not been able to earn extra income—$8,285 last year from lectures, book royalties and articles—he could not have remained in the Senate.)

All this time, influence money is available. "Congressmen have more opportunities for temptations thrown their way in a year than the average person does in a lifetime," Douglas told me. Shortly after he was elected in 1948, he began to receive valuable gifts, many from strangers. He sent them back and established a policy of accepting nothing worth more than $2.50. "It's a silly place to draw the line, but it must be put somewhere, and I don't think a senator can be bought for less than $2.50."

"It would be far cheaper," Douglas wrote in his book, *Ethics in Government,* "if the government met the costs of the campaigns, since then the elected officials and parties would not be under obligation to the big contributors. [They] would be able to act and to legislate far more freely in the public interest. . . . The vast majority of politicans, like most men, desire in their hearts to be good public servants and they fall short of this ideal, largely to the degree to which they have been trapped by the terrific pressures of political life."

Annual disclosure by members of Congress and appointed officials above a certain salary, he believes, is essential both for public reassurance and as a "disinfectant."

"Publicity is a powerful deterrent from improper conduct. Most men [who go wrong do so] because they think they can commit shady acts in private, which will not be found out."

Douglas is convinced the level of honesty in both houses of Congress is good, "a good deal higher than the general level in our society," and steadily rising. "There is much less chicanery than people think."

He finds it difficult to condemn his former colleagues. "I would try to have the public realize its lack of appreciation of the difficulties politicians face. While I think I have kept myself clean—God knows I've tried—I am struck with the enormous continuing pressures to which politicians are subjected—pressures far greater than those which people in private life are subjected to. A meaningful honesty code and bill will have to be passed sooner or later. Congress increasingly will see that it is the only way out of the financial pressures growing around it—and the public will demand it."

Reforms, Douglas knows well, come slowly. In a 1964 report to his constituents, he drew two major points: "1) long periods of public education are needed before these issues are accepted; 2) I see my own role . . . primarily as one of introducing and trying to develop these much-needed but controversial issues so that they eventually gain success."

One example illustrates. Douglas came to the Senate knowing how much the nation had to do in civil rights and tore into the issue in his maiden speech two months after. He tried repeatedly but failed to get an effective measure on to the floor. In 1956, after seven years, the House at last passed a bill, and Douglas pleaded with the Senate to take it up. It was July, and hot, and the senators wanted to get on to the national conventions. Douglas insisted, and finally, in a vote on whether or not to allow the bill to be discussed, he was humiliated, 76–6. It was the "worst moment" of a Senate career. He turned and walked out of the chamber. At the door, he met Muriel Humphrey. Her husband, a good friend and supporter of many Douglas causes, had voted against him. Douglas bent and kissed Mrs. Humphrey. Then he continued to his office and wept for two hours. Yet the next year, a bill was passed, and better ones followed.

The causes Douglas undertook he fought for with a depth of commitment that all but his severest foes admitted and respected. (One of his bitterest opponents, the late Sen. Robert S. Kerr, turned to him in exasperation after a Douglas-Kerr floor fight and asked, in effect, whether Douglas considered himself to be Jesus Christ.) Sitting in his drab New York City hotel room, I asked Douglas what had guided him in the Senate. He wiggled his toes (the shoes were off again) and answered without hesitation: "I wanted to represent the general public interest. It is frequently not represented. The power Establishment in the Senate is on the whole biased against the public interest. The small taxpayers—people of low income, of minority groups—are individually weak. The special interests, producing interests, are . . . organized. In the struggle between concentrated private interest and diffused general interest, the private interests have all the resources and drive they need to win."

This clearly underscored Douglas's concern. His nonstop battle to cut budget waste was an attempt not only to save money but to get some of it used for what he called "human needs," such as more aid to education. In budget paring, he far outdid his conservative colleagues. ("A liberal," he declared, "does not have to be a wastrel.")

Douglas failed, by self-admission, in one area and succeeded spectacularly in another. The first, pork barrel, utterly threw him. "I just had to give up. I couldn't take it any longer. For about ten years, I hit my head against a . . . wall. The people want it; they expect it; heaven help the legislator who does not deliver."

But for two-thirds of his Washington years, Douglas lectured the pork barrelers, including his own constituents and senators who called for cuts in spending everywhere but home. "As groups win their battle for special expenditures," he said in one of the 13 books he has written, "they lose the more important war for general economy. . . . They are like drunkards who shout for temperance in the intervals between cocktails."

Somewhat of a ham, Douglas once took a magnifying glass and atlas on the Senate floor to try to find some of the geographic hideaways designated for pork-barrel cash. Or he would stand, as he did one year, and calmly announce, "There is a provision for $50,400 to aid small boats and construct a landing for a ferry in Illinois. But, gentlemen, the ferry stopped running in 1945."

Another time, with the budget $5 billion in the red, Douglas charged that of the $1.8 billion proposed for rivers, harbors and flood-control projects, $830 million was waste.

Item: $918,000 to dredge, and $18,000 a year to maintain, a Georgia-Florida river. Beneficiaries: A paper mill that would save $135,000 in annual freight charges; a second mill that would save $14,000.

A Senator once rose to petition for aid to crabs. Several inlets in his state, he submitted, should be dredged so "the motorboats wouldn't roil the crabs." A weary Douglas piped up: "Must we extend welfare-state benefits to crustacean life?"

The successes came after hopeless years of whacking at defense profligacy. "The military authorities," he held, "are probably the greatest wasters of manpower and materials in the country." He charged, ten years in a row, that a minimum of $2 billion to $3 billion annually could be saved by the armed services through unification of supply systems, a jump in competitively bid contracts from an appallingly low 11.9 percent, and on and on. He was ignored.

Douglas's 1960 assault caused an uproar. Arms loaded, he marched into the Senate one June afternoon and held up a lamp socket the Navy had purchased for $21.10. He had bought the identical socket in a store for 25 cents. The Air Force had purchased an operator's headset for $10.67. Douglas had had the same item made in a neighborhood electronics store for $1.50. The list ran through eight more items. As proof, Douglas had copies of the actual invoices used.

The Defense Department denied everything. One item, it claimed, had been bought as an "experimental or specialized design." Douglas dug into his briefcase and flourished a copy of the patent for the device, dated 12 years earlier. Douglas "urge[d] the Congress and the Budget Bureau and the President . . . to knock some heads together." The heads went unknocked.

The situation reversed when Robert S. McNamara moved into the Pentagon. McNamara picked up suggestions made by a Douglas subcommittee and blended them with his own streamlining efforts. Savings in the Defense Department in fiscal 1965: $4.8 billion. Said McNamara, in making that announcement: "The Department of Defense cost-reduction program . . . owes much of its inspiration to . . . Senator Douglas. . . ."

It may take generations to total the billions saved for the United States by the actions of Douglas, acting alone or as group leader. His fight against the grab of a national resource, offshore oil, by the states may yield the biggest payoff. In 1953, four states attempted to get ownership of *all* offshore oil and gas rights (they already had part of these rights). Congress was asked to overturn Supreme Court decisions giving ownership to the Federal Government. Douglas, in alliance with Lister Hill of Alabama, held off the states' righters on the Senate floor for 30 days. He presented a detailed 52-page argument, jammed with charts, to illustrate "a give-away beyond belief."

"Most of the sponsors of this bill," he said, "are the very ones who say they are gravely concerned about the size and burden of the public debt, yet this bill would alienate assets which may ultimately be equal in value to that debt and could be used to reduce it. We are concerned with the 2½ million illiterates in this country and the low level of education given to others, yet this bill would throw away a large future income which could be used to wipe out illiteracy and help ensure to all an acceptable minimum of education."

After 30 days, the bill's sponsors abruptly threw in the sponge. A compromise gave the states title only up to three miles out (Texas picked up seven more miles). Because they thought all the underwater oil was close to shore, the bill's backers advertised the compromise, which passed, as a victory. They were wrong. Most of the oil located so far lies beyond the state limits. The Federal Treasury has already taken in $1 billion in royalties. Experts think the total may hit $40 billion. In addition, the nation has title to the increasingly valuable gas and mineral rights for the same areas.

Some of Douglas's battles will have to be won by others. Among them: His nine-year fight, strongly opposed by lending interests, for a truth-in-lending bill that would require those who routinely offer credit to reveal the real annual interest rate and the total cost of interest and fees.

Yet he is not keeping himself out of the legislative world. He was the leadoff witness twice at recent Senate hearings, besides maintaining a pace that perhaps has intensified since he left the Old Senate Office Building. He divides his time between the chairmanship of the National Commission on Urban Problems, teaching and lecturing at the New School for Social Research in New York City and anchoring a television interview program.

Douglas traveled a solitary path in the Senate, and it was inevitable. "Beneath the surface of a senator's life is a deep loneliness," he says, [because] when the chips are down . . . a man should vote his profound individual convictions . . . regardless of who is with him or against him. I never tried to make a fetish of being independent for its own sake. But if you do what you think is right, no one, no criticism can injure you." One of Douglas' oldest Senate enemies laughs at this. He told me, "I never saw an issue that could not stand compromise." Douglas might smile at the comment and recall lost battles that turned into wars won because he anchored a belief long enough for others to join him.

"In every generation," a New York *Times* editorial said of Douglas, "there are a few men who by force of mind and character become moral exemplars to their contemporaries, the standard by which other men in public life measure their conduct." Every man is more than the sum of his visible work. The quality of Douglas cannot be measured by the legislation he conceived or helped push through or the money he helped to save or redirect to better purpose. He was always a curious blend: a Phi Beta Kappa who played varsity football at Bowdoin, a rigidly moral man who turned down the chairmanship of the Dodd investigating committee ("I'm not virtuous enough to judge any man"), an economist who could stand before a hippy group of college students and say: ". . . what is needed most in the world is love. . . . Truth has at once a compulsive and healing power; we should not be afraid of truth for . . . it is the rock upon which we can base our . . . lives. . . . Human courage in defense of an ideal is an ultimate virtue. . . ."

Some years back, Douglas wrote this about character: "It is not hard in solitude to wish all mankind well, but the test is whether we do in fact visit the sick, feed the hungry, clothe the naked and protect the weak. . . .

There are many who profess their devotion to the common good, but the test is whether they are willing . . . to ring the doorbells of an indifferent citizenry and to brave the opposition . . . of entrenched greed."

The Senate will miss Douglas.

POVERTY PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HOWARD. Mr. Speaker, the outstanding efforts of our distinguished colleague, the gentleman from New Jersey's 15th District, Mr. ED PATTEN, on behalf of programs to help the poor and disadvantaged are well known. The gentleman recently addressed this body to stress his opposition to those who would emasculate and undermine the Nation's war on poverty. His timely remarks received excellent coverage back in New Jersey, where thousands of dedicated citizens are engaged in increasingly successful efforts to curb the ravages of poverty, and where the importance of maintaining a coordinated national program is well understood.

In this regard, Mr. Speaker, I place at this point in the RECORD articles appearing in the Plainfield Courier-News and the New Brunswick Daily Home News on June 15, reporting on the gentleman's fine statement. The articles follow:

[From the Plainfield (N.J.) Courier-News, June 15, 1967]

ANTIPOVERTY BILL BACKED

NEW BRUNSWICK.—Rep. Edward J. Patten, D-N.J., said yesterday that some Republican members of the House Education and Labor Committee should not be permitted to succeed in what Patten described as their "crusade against the poor."

Speaking on the House floor in Washington, the congressman said the anti-poverty bill now being considered by the committee must be passed. "We must keep faith with those who look to us for help," he stated.

Patten, who represents most of Middlesex County, said, "The GOP committee members have launched one of their periodic moves against the poor, this time disguising it under the euphemistic name of the 'opportunity crusade.' It is their latest effort to wreck the nation's anti-poverty program.

"We cannot permit them to wreck the efforts of John F. Kennedy and Lyndon B. Johnson to vanquish poverty, misery and ignorance from America."

One of the activities under attack, said Patten, is the Job Corps. "This is one of the most successful" of the anti-poverty programs, he noted. A Job Corps center is located in Edison.

Recent statistics, Patten said, show that more than 70 per cent of the 130,000 enrollees in Job Corps centers since 1964 have been placed in good paying jobs, or have returned to school, or have entered the military.

Patten said the Job Corps is turning out 5,000 graduates a month.

[From the New Brunswick (N.J.) Daily Home News, June 15, 1967]

PATTEN CRITICIZES GOP BID TO BLOCK ANTIPOVERTY BILL

WASHINGTON.—"We cannot permit some of the Republican members of the Education and Labor Committee to succeed in their crusade against the poor," Rep. Edward J. Patten, D-N.J., said yesterday afternoon.

Speaking on the House floor, Patten said the anti-poverty bill being considered by the Education and Labor Committee "must be passed," adding that "We must keep faith with those who look to us for help."

The congressman charged that some GOP committee members "have launched one of their periodic moves against the poor, this time disguising it under the euphemistic name of the 'opportunity crusade.' "

HITS GOP EFFORT

Patten, who represents the 15th District, said, "It is their latest effort to wreck the nation's anti-poverty program. We cannot permit them to wreck the efforts of John F. Kennedy and Lyndon B. Johnson to vanquish poverty, misery, and ignorance from America."

Pointing out that one of the activities under attack by some Republicans is the Job Corps. Patten called it "one of the most successful" of the anti-poverty programs.

The Job Corps, Patten said, is trying to achieve "something very specific" by operating some 118 centers across the nation.

—First, he said, it is trying to take the deprived young men and women out of their negative city environment and put them into a new and better one.

—Second, it is trying to cultivate a desire to learn and advance, away from the distractions and interruptions of the ghetto.

—Third, it is trying to give the youth a new lease on life, new skills, new reading and writing abilities, new interests in occupations or subjects beyond his usual acquaintance.

"This takes money, time and energy," Patten said. "There are discipline problems. The Job Corps centers are not finishing schools for debutantes. They are centers which take the hopeless and hapless unemployed school dropout and try to bring him into the main flow of American life."

Criticism has been heard about the Job Corps, he observed, but he urged critics to look at the facts.

Recent statistics, Patten disclosed, show that more than 70 per cent of the 130,000 enrollees in Job Corps centers since 1964 have been placed in good paying jobs, have returned to school or have entered the military.

RECORD OF SUCCESS

"This is an excellent success record," he remarked. "In fact, I think it's fabulous, considering the problems which have had to be faced."

Patten noted that today the Job Corps is turning out 5,000 graduates a month. The learning rate of enrollees has tripled. They have gained knowledge in skills, vocations, language and mathematics. They have gained self-confidence, he declared.

Costs for Job Corps trainees have dropped, he claimed and for the first time, this nation has begun paying attention to the more than one-half million people aged 16 to 21 who are out of school, out of work, unskilled and without motivation, or perhaps, hope.

"The Job Corps is a major effort to salvage these young Americans," Patten said.

PRESIDENT JOHNSON AND THE CONGRESS GIVE NEW FORCE TO AMERICA'S EDUCATIONAL REVOLUTION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, we celebrate with the President the winning of another small but important victory in the battle to give new force to America's educational revolution.

The National Teachers Corps has been extended by the Congress for the foreseeable future.

This is no personal victory. It is, rather, a victory for millions of young children who look to government to help them in their careers and futures.

It is a victory for the Congress and President Johnson who never gave up hope that his imaginative and socially valuable program would go on.

And it is of course a victory for the hundreds of Teachers Corps volunteers who have already given a full measure of devotion, experience, and commitment to the program.

The teacher is the vital center of all education. Without his knowledge, his wisdom, his idealism, no amount of material aid can raise the attainment level of America's schoolchildren.

The Teachers Corps is yet one more sign that the people of America support the educational revolution initiated in the past 6 years.

I commend the Office of Education. I commend the President. I commend the Congress. And, most of all, I commend those selfless people all over the Nation who would not rest until the Teachers Corps received new life.

NATIONAL COUNCIL OF CHURCHES ATTACKS SOUTH AFRICA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RARICK. Mr. Speaker, a propaganda front which hides behind the dignity of church in its name, but parrots a line similar to the Communist Daily Worker, just cannot seem to adjust itself into reality with the midstream of free, progressive people in the world.

The council's July 4 memo mailed to my desk would clearly indicate contempt and distrust of all South Africans because of the color of their skin—be it white or black.

Controlled by a few ultraextremists at the decision level, the NCC condemns the United States, the U.N., the League of Nations and all peaceful people who do not jump into a war to revolutionize society as these few dream the world should be run and operated.

Their lack of understanding for law and order is summed up in their terming the loss of their lawsuit in the International Court as a "fiasco." Seemingly they are against any progress and human relations unless it adheres to their leadership of a controlled world society.

Yet, in all their magnanimous talk of freeing men and countries, not one word is mentioned as to freeing clergymen imprisoned at this very hour behind the Iron Curtain in Communist countries. Is not the persecution of Christians by the atheistic, godless Communists also apartheid? One may wonder if the council's objective is mere freedom or if in the ultimate solution overthrow of peaceful and workable governments controlled by Christian leaders who may disagree with their solutions.

So that they may be called to a genuine challenge to help clergymen, and aid in liberating freemen enslaved spiritually and morally, I place Rev. Richard Wurmbrand's article from the June 23 the Christian and Christianity Today describing apartheid against churches in Communist countries and "The Truth About Wurmbrand" as well as the memo from the July 1 National Council of Churches at this point in my remarks.

Communist Evidence of an Underground Church

The most convincing evidence for the existence of an underground Christian Church in Russia is to be found in the pages of Russian provincial newspapers. Reports are there given of court cases in which Christians are tried for propagating their faith.

These cases are not reported in the two main national papers, *Pravda* and *Isvestia*, which are easily obtainable in Britain, but the local issues, such as *Pravda Ukrainy*, feature the cases under four-column headings. These reports reveal the Communist attitude of mind towards religion, and what they mean by the expression "freedom of religion". To the Communist way of thinking there is freedom of religion in Russia, but by this they mean that anyone who wants to be a Christian may be one, but Christians must not teach their faith to others—not even to their own children.

Pastor Richard Wurmbrand has made arrangements to receive copies of the provincial newspapers, and has now a file of cuttings each of which is a revelation of Christian suffering of a most cruel kind, and for doing the very things—such as teaching in a Sunday School—which are taken for granted in Britain.

WHAT THEY DESERVED

Here are some extracts from the papers in Pastor Wurmbrand's files:

Pravda Ukrainy, July 12, 1966: Under the heading "They have received what they deserved" is a report of three people being sentenced to five years' imprisonment on charges of running a secret Sunday School and youth meetings and of having a secret printing press.

These are quite common charges in Russia. Others that are frequently used against Christians are of giving out copies of the magazine *Herald of Salvation;* listening to Gospel broadcasts from the West; giving information on conditions in Russia to Western leaders, and even charges of ritual murder—rumours have been circulated that Christians sacrifice young children as part of their faith. All of the charges refer to the Christians as Baptists, but this term is used to cover all Protestant denominations.

Melskaia Russia, November 22, 1966: A report of two people charged with running religious schools for children under the age of seven years.

Sovetski Russia, December 27, 1966: Tells of a trial in Cebaksarah of a group of believers charged with running a school to teach children religion.

In the village of Elan an old woman applied to have the roof of her house repaired. She was told that this would not be done unless she first left the church. If she refused to leave the church then the church could repair her roof for her.

A report in a local issue of *Pravda*, dated December 8, 1966, told of an underground church operating in Tiraspol in Rumania. Pastor Wurmbrand added that the leaders of this church, as well as much of the underground church, were Hebrew Christians. It is understandable that he should regard this factor as of special significance in these days when Christians are watching developments in Israel so closely, as signs of the nearness of the Lord's return.

Ucitelskaia Gazeta, August 23, 1966: Here is an account of six Baptists being sentenced, but the report goes on to ask what people think these Baptists are like? The writer says that they are not old people who have failed to free themselves from the past. In the court were young girls. The accused had baptised 40 young people, and these included students and others who had been members of Communist Youth. The charge was that the defendants took children to burials to explain to them that they should not worry about what was transitory. They had also told the children to read the Bible, and to attend an illegal Sunday School, and had given out an illegal magazine.

Pravda Ukraina, August 4, 1966: Reporting a trial in Kiev in which the defendants were charged with demanding changes in the Soviet laws so as to give them freedom to propagate religion. They were sentenced to three years and 2½ years in prison. The report states: "In our country no one is charged for his religious convictions. The charges are for infringing the Soviet laws". A report from Malava, Rumania, on August 30, 1966, is headed "Where Bells Rang", and tells of 20 churches being turned into clubs, dance halls and museums.

In September, 1966, young people were heard singing in a train to a well known Soviet tune. On investigation it was found that they were singing religious words, calling on people to consecrate their youth to God. When tried in Court, young people burst out singing the same song.

A report issued on May 1, 1966, told of a secret meeting being held by Christians in a village. The report said that the meeting was held under the pretext of it being a birthday party—but that people were celebrating 20 birthdays a year this way.

A report on August 5, 1966, tells of children refusing to wear the red tie of Communism. When questioned in school they gave the correct answers, but prefixed them with the words, "Lenin says", or "Marx says". One girl was quoted as saying: "Here it is bad. In heaven it is good. There we will live eternally". Another child said: "I believe everything that is written in the Bible. There everything is true".

Ucitelskaia Gazeta tells of Hmara of Kulunda being charged with operating an illegal printing press. After some time in prison his body was returned to relatives.

Pastor Wurmbrand adds from his own information that the body of Hmara, father of four children, showed burn marks on his hands and feet, and his stomach was split open.

An issue of *Pravda* for January 15, 1966, tells of efforts made to make Christians reveal the names of their leaders. When questioned they always answered that God was their leader and Christ their master. *Science and Religion* for September, 1966, published in Moscow, accused Christians of distributing Gospels inside the covers of magazines, and of hiding Bibles inside the covers of Tolstoy's novels.

One report refers to a Mrs. Makrinkova, being charged with poisoning the minds of her six children with Christian education. The children were ordered to be put into an atheistic school, the mother was ordered to pay for their tuition but would never be allowed to see them again.

Another article tells of 82 Christians being put into an asylum because they showed signs of insanity by praying to God. Twenty four of them died within a few days because "of prolonged prayer".

Finally, Pastor Wurmbrand gives the last names of four people imprisoned last month—Batanta, Ghellegeam, Alexandri and Gabrielesen—the last three of whom are pastors.

The Truth About Richard Wurmbrand

(By Dave Foster)

(Note.—The name of Richard Wurmbrand is well known to Christians throughout Britain and the West. Bursting like a fireball across the cool complacency of some, he came last year from long imprisonment in a Rumanian prison to speak at Keswick, Filey and in other meetings around the country concerning the cause of Christ and the persecution of the Church in Communist lands.

(So amazing were his claims, and so far removed from anything known to British Christians, it is inevitable that some doubt is raised about them. Others question his integrity. According to one spokesman, my own series in The Christian, written after a trip into four countries of Eastern Europe, did not help because "the countries where persecution is the greatest were not included".

(For these reasons, and because Pastor Wurmbrand has not been faced directly with some of the questions being asked about him, we felt it only fair to allow him to speak for himself. Here, he does so as we place before him questions I heard raised on a recent trip to Britain:)

Q. Pastor Wurmbrand, your personal testimony of ill-treatment at the hands of Communist captors is well known to Christians in this country, but some feel you are overemphasizing a point. Why do you feel compelled to keep talking about it?

Pastor Wurmbrand. I do not consider that my testimony of ill-treatment at the hands of Communist captors is well known to Christians in this country. There are many who still have not heard it. I cannot be silent until all have heard and respond. I have discovered that there are comparatively few churches praying regularly for persecuted Christians in Communist countries. I feel compelled to keep talking about it for the same reason that people continue to speak about the apartheid problem in South Africa. It still exists.

Two-thirds of the Communist camp is found in Red China. Never in the history of Communism have such terrible things happened as happen now under Mao Tse-Tung. The Soviet press is full of reports of the arrests of thousands of Christians. I have written this in my book. *Today's Martyr Church, Tortured for Christ* (to be published in September, and obtainable from *European Christian Mission*). A recent report tells of "overflowing prisons" in Rumania. This is why I keep talking!

Q. Questions have been raised concerning the validity of your claims. Some even suggest that your imprisonment was for currency offences or something other than religious reasons. What is the truth of the matter?

Pastor Wurmbrand. Questions have been raised about the virginity of Mary, about the claims of Jesus to be the Son of God, about the official Church and many other things. Why should not questions be raised about me? I must say that I find it difficult to understand that all such questions have been discussed behind my back. No one has challenged me personally. However, I find it improper to defend myself. There are enough Christians in the West who know all the circumstances of my case, and have testified to this. I will perhaps just say that never has a Communist government arrested a Christian acknowledging their action to be because of his faith. They always have different pretexts. The most common are spying, counter-revolutionary work and treason. Currency offences are also common. Such cases were made against Cardinal Mindszenthy and the Hungarian Lutheran Bishop Lajos Ordass, and many others.

Q. Your references to an "underground Church" are questioned by those who doubt its existence. First, what evidence do you have that such a Church still exists? Secondly, how does an "underground Christian" effectively witness for Christ yet still remain in the "underground" category? Thirdly. could not such Christians exercise a wider influence for Christ working more or less openly within the limitations imposed?

Pastor Wurmbrand. The best proof of the existence of the underground Church can be found in the Soviet newspapers. For example, in the May issue of Nauka i Religia, which appears in Moscow, there is an article entitled, "The Underground". In this the writer describes a Christian Academy hidden beneath the ground in the forests of Northern Siberia. Other papers report on the arrests of Christians because of secret meetings, secret Sunday Schools and secret printing presses. If this is not evidence of an underground Church, I do not know what to say.

The underground Church works as all underground organisations. They print and organise secretly, but try to witness openly in a careful and discreet manner. Surely it is inevitable that when churches are closed, Christians will meet elsewhere. In Moscow, a city with seven million inhabitants, only one Protestant Church is permitted!

Q. You were imprisoned during the Stalin era. Conditions in Eastern Europe have changed considerably since then. Do you not feel, as some claim, that your story could give rise to the false impression that present-day Christians under Communism who do not suffer such extreme persecution are all collaborators?

Pastor Wurmbrand. The Stalin era has been surpassed in cruelty by the Mao Tse-Tung era. Brezhnev in Russia does what Stalin never did in legalising the taking away of children from their parents. I have reports of such sentences. I have tried to be careful in my meetings and other contacts to state that the situation in some satellite countries has improved. However, even in these countries there is much by way of restriction and discrimination. Basically Communism is the same, although its tactics and methods vary. Keeping this in mind, I trust that it is clear that I do not hold the view that those who do not suffer extreme persecution are collaborators with the State. There are many real Christians and faithful pastors who have never been in prison.

Q. If other Christians remained in gaol when you were released, does not your outspokenness jeopardise their chances of ultimate release and even survival in their present captivity? In other words, will not the Communist authorities take the attitude that if those released are likely to follow in your footsteps it would be wiser to keep them imprisoned?

Pastor Wurmbrand. Crocodiles eat men because this is their nature, and not because a professior of zoology speaks about it! Communists have imprisoned, tortured and killed Christians since I was eight years old. If we take example from the Jews we can see that Soviet Jewry lives today only because of the protests of other Jews. Only the wide publishing of the facts can help those in prison now.

It is interesting to note that the only ones who have reacted against my revealing the horrors of Communist action are found in Western churches. The Communists have not openly reacted, nor have they denied my assertions. A professional prostitute does not object to being so called. A Rumanian Roman Catholic priest was recently released from prison, and was told, "You can say whatever you like; they will not believe you." Unfortunately, they are right! At least, where most of the Church leaders in the West are concerned.

My responsibility is towards the underground Church of which I am a member. This church has commissioned me to speak in her name.

Q. What do you see as the main emphasis of your future ministry in the West?

Pastor Wurmbrand. I have not decided to remain in the West. As long as I will be asked by my church to remain, I will fulfill the tasks which she gives me. These are, for the time being, to speak out about the persecution of Christians there, and to give them practical help. Personally, my desire is to be back in my fatherland at any risk.

[Memo from the Washington office, National Council of Churches, July 1, 1967]

OPPRESSION IN SOUTH AFRICA

(By Kenneth N. Carstens)

The Republic of South Africa, being the most powerful and industrialized country in sub-Saharan Africa, is probably mainly responsible for the perpetuation of white supremacy in the surrounding countries of southern Africa. It is hard to imagine the Portuguese being able to maintain their colonial rule over Angola and Mozambique if there were democracy in South Africa; they are having enough trouble fighting the liberation movements as it is. Democracy in South Africa would certainly end her illegal rule over the international territory of South West Africa. And the rebel regime in Rhodesia could certainly not have survived U.N. sanctions for so long without South African support.

South Africa sets the tone and calls the tune from Port Elizabeth to the Congo River. The fact that she is the hard core of a system of racist repression imposed by less than five million whites on some 30 million non-whites is a matter of indifference—if not pride—to South Africa. She remains impervious to the threats and pleas of the rest of the world. And she thrives on the hypocrisy of the Western powers whose condemnations amuse her because their dollars strengthen her tyranny.

ANY HOPE FOR CHANGE?

What are the prospects of change in South Africa? Over the past decade, optimists have anxiously looked for possibilities of a change of course. One such possibility was the progress of independence in the rest of Africa. The hope was that the whites would see the folly of continuing to suppress the legitimate aspirations of the African majority while the tide of African nationalism to the north was growing stronger and drawing nearer. Or, if this folly did persist, it was hoped that the advancing borders of independent Africa would provide bases from which liberation movements could operate—an African "domino theory."

Those hopes prove to be totally unrealistic. Those who held them gravely underestimated not only the military, political and economic power of the whites, but also the strength and tenacity of the whites' determination to maintain their privileges and supremacy. As African independence advanced, the racists merely increased their military preparedness, tightened their internal security, and devised ways to exploit the new situation. Thus, even when African independence passed the outposts of white supremacy into the heart of "the white man's land," the new states (Malawi, Botswana and Lesotho) were neither resisted nor feared. They were simply subsumed under South Africa's power and became her vassals. By such actions as signing trade agreements and exchanging diplomatic visits with South Africa, these countries find themselves serving at least two valuable functions. They strengthen the expanding apartheid economy, and they provide the highly exploited illusion that apartheid is acceptable to "sensible" Africans.

In short, these weak, new African states have simply been fitted into the Bantustan aspect of apartheid. The racists have turned to their own advantage the process which it had been hoped would change or weaken apartheid.

AFTERMATHS OF SHARPEVILLE

A second possibility of change was seen in the effects of the Sharpeville massacre in 1960. The killing and wounding of hundreds of peacefully demonstrating men, women and children at Sharpeville shocked the world into remembering what apartheid was and where it was leading. The most important immediate result was that overseas investors fell into panic and South Africa experienced the worst financial crisis in 30 years. For the first time since coming to power in 1948, the apartheid government seemed in danger of falling.

American and European banks and corporations, however, stepped in with loans. The South African economy rode out the storm and hopes for a change of government were again dashed. Perhaps these overseas business interests had hoped that the regime would have been shocked into sanity and would begin to steer a new course. But, as anyone who knew South Africa could have predicted, the hoped-for "new course" merely veered further to the right. The remnants of civil liberty and political rights have been so drastically eroded by the post-Sharpeville spate of legislation that the International Commission of Jurists stated (after studying the "No Trial" Act of 1963) that "liberty is dead" in South Africa (although only non-whites and dissident whites really know it). The Commission reported: "South Africa, in its laws and procedures, is copying the worst features of Stalinism," and added that no dictatorship of the left or the right had gone further in restricting civil liberties.

The main features of post-Sharpeville South Africa are common knowledge. But they are also depraved and so skillfully disguised and rationalized that we have to be constantly reminded of them. They are the features of a "democracy" in which the overwhelming majority is now deprived of any vote or voice whatsoever in the national government. Because of their skin color, that majority are denied freehold title to land; are kept in poverty by "job reservation" and laws against collective bargaining and strikes; are deprived of freedom of speech, movement and assembly; are subject to a disrupting, demoralizing and immoral system of government-controlled migratory labor; have to endure (with a few lucky exceptions) a form of racial indoctrination ("Bantu education") as a substitute for education; are subject to arbitrary removal (without appeal) from any urban employment and residence; and are by law reduced to what a government spokesman has termed "units of labor" without even the right to live with spouse and family in an urban area.

Anyone, white or non-white, who protests these conditions, is liable to imprisonment, torture and solitary confinement without trial.

The changes that have taken place since 1960 are not the kind that reasonable people had hoped to see.

SOUTH WEST AFRICA

A third possibility was seen in South West Africa—a large area adjoining South Africa which the latter has controlled since World War I. In 1920 the territory was promised the protection of an international territory under a League of Nations mandate. But, because South Africa was the mandatory and the League was weak, the protection of the mandate remained on paper. And when the League was dissolved and the United Nations, with the authority of the International Court of Justice, tried to restrain the racial tyranny that was being imposed on South West Africa, South Africa openly defied the international community. A further appeal to the International Court ended in fiasco last year.

Hopes again rose last October when the UN Assembly formally terminated the long-dishonored mandate and resolved to place South West Africa under the direct administration of the UN in order to prepare the territory for independence. South Africa again promised defiance, but it was reasonably hoped that she would be forced to comply this time, since both major powers (the United States and the Soviet Union) had at last supported a substantive UN action on the prolonged dispute.

But at the fifth special session of the UN Assembly this year, which was called to implement the South West Africa resolution, both major powers reneged their October commitment with an astonishing display of hypocrisy and irresponsibility. Since the UN is powerless on contentious issues without at least United States support, this pulled the rug from under the UN and has left South Africa triumphant yet again in her defiance of law and justice.

In addition to the obvious duty of the international community to honor its solemnly undertaken obligations to the subjugated people of South West Africa and to uphold the rule of law, the South West Africa problem has other significant implications. Among these are the following. Responsible action could demonstrate that law and justice are not dead letters in international politics, and that power and "justice" for whites only are not the sole preoccupations of the major powers. It could show the apartheid regime, for the first time in its history, that apartheid is not invincible. And, because South West Africa is a potentially viable state with adequate natural resources, it could place on South Africa's borders a genuine non-racial democracy which need not become a vassal of apartheid regime.

APARTHEID AND ECONOMIC GROWTH

Limitations of space require that only brief mention be made of one final hope for change which has since withered with the rest. The hope was based on the ingenious theory that a booming economy can in and of itself destroy the racial caste system of apartheid. The corollary of this theory is that the western world should increase investment in and trade with South Africa. Investors can thus "help the Africans" while making fat profits.

Evidence would seem to suggest that this theory has some basis in fact in Communist countries, where economic growth has coincided with an amelioration of the more abrasive aspects of the police state. But in South Africa economic growth has not merely coincided with, but has in fact *caused*, tighter and more abrasive forms of repression.

Prosperity has had this effect because one of the reasons for apartheid is the competition of non-whites for the jobs of white workers. Therefore, as job opportunities increase, so do the restrictions of job reservation increase. An artificial labor shortage ensues, and is met, not by training Africans for higher categories of labor, but by frantic efforts to bring in white immigrants. Nowhere is the power of the apartheid ideology more clearly demonstrated than in this incredible labor policy.

Moreover, despite government efforts to prevent it, some marginal economic benefits have filtered down to non-whites. This encourages them to aspire to the benefits of full citizenship which they see the white minority enjoying. "Bantu education" is one means by which the regime hopes to kill these aspirations. Meanwhile, it is content to rely upon a network of repression that makes it a crime even to talk about civil liberty. And the regime has proved that that is an effective means of perpetuating the status quo.

Thus, economic prosperity, far from weakening apartheid, merely serves to strengthen it, to create more and worse restrictions and to provide the government with more efficient and brutal means of enforcing them.

This steady withering of hope in tragic Southern Africa is rightly becoming a matter of urgent concern to American churches—especially because both the United States government and the business and banking community seem to be consolidating the elements of tragedy.

DOWN IN FOREST GLEN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. TIERNAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. TIERNAN. Mr. Speaker, a few weeks ago, while on a plane back to my district, it was my privilege to sit next to two young servicemen, one who was from Springfield, Mass., and the other from Narragansett, R.I., which is in my district. Both men were en route to their respective homes after having recuperated from injuries suffered while in the service of their country. The young man from Springfield had lost a heel and the young serviceman from Narragansett, Mr. Zene Colt, had lost part of his leg.

In conversation with young Zene Colt I inquired as to whether or not his injuries were a result of his service to his country. He replied that the injuries were service connected, but they were not suffered in combat. It was at this point that he related to me that he had been assigned to Forest Glen, Md., which is a recuperative center for service amputees.

Young Colt told me that most of the men at the Forest Glen Center had suffered their injuries and loss of limbs due to combat duty, most recently at Vietnam, and that he felt quite self-conscious because his injury did not arise out of combat duty. He told me of a certain pride the men have at Forest Glen in that they gave something of themselves in the service of their country.

It was a stirring experience for me to listen to young Zene Colt tell of his reaction to Forest Glen. He related to me that he had lost his leg as a result of a trailer cutting loose from a car and crossing the highway, colliding with the motor scooter he was operating. It was indeed encouraging to know that Mr. Colt will be able to return to the University of Virginia this fall and continue with his education.

While at Forest Glen, Zene Colt wrote an article for the Potomac Magazine section of the Washington Post which appeared in the May 21 edition. The article tells of the life and experiences of the men and the care they get at Forest Glen. It is my earnest hope that my colleagues take time out to read this article. For my part, I am very proud of these young men who, after serving at great sacrifice to their country, were able to return once more to civilian life and begin anew a life that undoubtedly will be profoundly influenced by their past experience in service to their Nation. I am also sure that the parents of these young men are rightfully quite proud of their courageous sons.

Mr. Speaker, I include the article by young Zene Colt from the Potomac Magazine as part of my remarks today:

DOWN IN FOREST GLEN

(By Zene Colt)

"At Ease!" yelled the First Sergeant and the dull roar was gradually reduced to silence. Standing out in front of the group, he did not look at all impressive. He was in his late forties, but appeared older. The regulation GI glasses could not conceal the circles beneath his eyes.

At once he spotted something which apparently displeased him. "All right over there," he yelled, "are you any better than the rest of us or what?" Several men looked up, but it was obvious whom the sergeant was addressing. After a minute of continued silence, he made his point clear. "Get the hell out of here, soldier, and don't come back until you've got the right uniform!" As everyone watched, the man who was not properly attired got up and slowly left the room. "I'll see you in my office after breakfast," the sergeant added.

From all indications, it was going to be a typical Army reveille formation held at 6:30 a.m., an equally typical ungodly hour of the morning. It had all the makings: a veteran non-com running the show, enlisted personnel milling around, and bitter complaints being thrown from every direction. Soon there would be a roll call, followed by a few announcements. Then the formation would be over and another day would begin for the men. It could have been a "line outfit" in Vietnam or an artillery unit in Germany. That was hardly the case.

This formation however was about as far away from the battle line as one can possibly get. The men were dressed in blue instead of the usual olive drab. They were not assembled outside a barracks, but in a ballroom reminiscent of the old Metropolitan Opera House in New York. In fact, you really couldn't even call it a formation. Indeed, it was more like an informal mandatory gathering so the men would not forget they were still working for Uncle Sam.

There was a distinct note of displeasure in the air. The man who had been dismissed was wearing pajamas and not the heavy, convalescent outfits required. It was most likely his first day at Forest Glen, the world's most unlikely U.S. Army Post and certainly one of the more unusual institutions anywhere.

After a brief tour of Army Hospitals in Oklahoma and Texas, which I would like to erase from my mind, I was transferred to Walter Reed in January of this year. It wasn't that I requested to be sent to Walter Reed. One day after a few weeks at Brooke General Hospital in San Antonio, Texas, I ran into a Colonel-type doctor who was apparently in charge.

"What's your name, son?" he asked in a deep voice. After identifying myself and informing him I was from New England, he told me I had no business being in Texas and that my bed was certainly needed by the local veterans from Vietnam. Not having an overwhelming love for the Southwest and not wishing to deprive any locals of a bed, I said I would gladly consent to be transferred East. Thus, my fate had been settled in five minutes and I was on my way to Washington.

I reported to Walter Reed one evening in early January and was admitted to Ward 35, a ward made up almost exclusively of veterans from Vietnam. It was again evident that my bed was needed by more deserving patients when my newly assigned doctor asked me the next day if I would like to go on a 30-day convalescent leave. Most of the patients on Ward 35 were amputees like myself and there wasn't an empty bed in the place. The doctor advised me that upon my return I would probably be sent to a place called Forest Glen. He said it was a few miles away and served patients who did not need intensive care.

At this point I had the distinct feeling that everyone was involved in a massive plot to get rid of me and I was sure that as soon as I arrived at Forest Glen, I would surely be sent elsewhere. What about this place Forest Glen anyway? I began having immediate visions of drab, Army barracks with rows and rows of double-bunk beds and one lonely latrine at the end of the hall. After all, I thought, if patients not requiring intensive care were sent there, it must not be too much like a hospital. I did not wish to go there. Somewhat disillusioned, I went home for thirty days and tried not to think about what would await me on my return.

The day finally arrived, however, and I boarded the bus in front of Walter Reed in an ostensibly non-enthusiastic manner. Directly I was chastized by the bus driver for smoking and was told never to do it again. Sheepishly, I replaced my cigarette in the pack and resigned myself to sightseeing on upper 16th street. After fifteen minutes, the bus crossed the District line into Maryland and I could see my taxi fare back into Washington increasing with every second.

I saw the person sitting beside me was a "Forest Glen Regular" and I began interrogating him about my new home.

"Say, friend," I asked "just what kind of a place is this Forest Glen anyway?"

"It's not so bad," he replied, "but it's really weird. Just wait till you get a load of all the crazy statues and stuff they have out there. It's enough to drive you out of your mind!"

Justifiably encouraged, I decided to give up my interrogation and go back to sightseeing. Several more minutes elapsed and all of a sudden I started to see what my bus companion was talking about. Weird indeed, I thought as we passed two lions made of solid concrete. Extremely weird I thought again as I spotted four great rising pillars supporting the entrance to one of the buildings—Southern plantation style.

My first few days at Forest Glen were spent wandering around in utter amazement at the place. It wasn't civilian and it certainly didn't seem like the Army, although it had to be. I shared a room with two Army sergeants first class, and although I was a lowly corporal, it didn't seem to make much difference. From the beginning we treated each other like human beings and rank vanished into thin air. We were all on a "first name basis," which made it a lot easier to get along and understand each other's individual situations.

Both my roommates were amputees, one having lost his foot in Vietnam and the other having lost his entire leg as a result of cancer. Needless to say the room was "crutch city" and there was plenty of hopping around when it came time to mop the floor and straighten up the room for weekly inspections, which everyone had to put up with in spite of his condition. Surprisingly enough, our room never failed inspection, nor did it receive any compliments.

A day at Forest Glen begins rudely. At approximately 6:15 a.m. a loud voice broadcasts over a central intercom system informing you there will be a mandatory formation for all patients in fifteen minutes. The voice is loud enough so that it is nearly impossible for anyone to sleep through it. Also, it *continues* to remind you of the formation so that if you for some reason did not understand the first time, it *will* register by about the tenth.

For me, this announcement was unnecessary. My roommates had informed me amputees need not attend this formation. It did suceed in waking me up at 6:15 when I otherwise might have slept until a later hour. But since breakfast was served from 6:30 to 7:30, I usually managed to drag myself out of bed.

The Mess Hall, I discovered, served as the main center for making acquaintances. If you were an orthopedic patient and on crutches, you didn't go through the "chow-line" with everyone else. You were served at a table by attendants.

This service, however, was informal to say the least. One of the attendants, known as General, was especially good natured.

"Morning General," I sometimes chimed as I made my way to the orthopedic section of the dining room. "And just how do you feel on this fine Forest Glen morning? Do you think you could arrange for me to be transferred to the Virgin Island?"

"Certainly Sir, I'll see to that straight away," General replied. "This morning we are featuring Eggs Benedict with a side order of caviar or chipped beef. Which one will it be, Sir?"

I grimly replied that chipped beef would be suitable knowing well that I would never see the day when the Army offered Eggs Benedict. It was a nice thought though. I often wondered how General was able to do his job without completely flying off the handle. With a couple dozen patients screaming different orders at him at the same time it must have been hard. But the general always smiled and the patients always got what they asked for.

Table conversation among patients was notoriously dull. I was able to stay out of it by bringing something to read. A usual topic of conversation was how long it takes for things to happen at Forest Glen. Many patients were awaiting medical discharges—a long and tedious process.

"Hey, Mac, when you gettin' out of this place?" one would ask.

"I don't know, when you gettin' out?" the other would reply. "If something don't happen pretty soon, I'm sure as hell going to write my Congressman."

"Yeah, I'll write mine too."

And so it went. If you don't like something in the Army you write your Congressman and let him fight it out with some general who is forced to go all the way down the line to a sergeant to see what the whole thing is about.

In Basic Training some guy wrote his Congressman and complained that he wasn't getting enough sleep. After that, the whole battalion went to bed at 9 p.m. like it or not. The complainer became amazingly unpopular.

As far as I was concerned there were five highlights in a day at Forest Glen—three meals and two mail calls. Whatever I did with the rest of my time was optional. I sometimes had to travel over to the main hospital for an appointment, but they were infrequent and usually lasted no more than fifteen minutes. Some of the patients I knew like to spend the entire day at the main hospital for reasons which I could never figure out. Maybe they wanted a change of scenery or perhaps they thought the food was better over there. I really couldn't see any difference.

I repeatedly found myself seeking refuge in the library during the mornings and afternoons. Quiet and fairly well stocked, it was a pleasant change from the constant bustle of the rest of the place. In the library, you lost all sense of time and became engrossed in what you were reading. This is possibly because you knew there was nothing else to do. It was at this time that I began to take an interest in reading the history of Forest Glen.

Forest Glen is not particularly easy to find, and it wasn't meant to be. The people who originally built it in 1890 had in mind an exclusive resort for those wishing to escape the heat of downtown Washington during the summer months.

It wasn't that the city didn't get hot during the summer, but "Ye Forest Inne," as it was called in those days, failed to turn a profit and closed within four years. For the next half century, Forest Glen played host to young women in the form of National Park Seminary and later, National Park College. The school changed ownership several times and in spite of the lavish furnishings added to the original Forest Inn, the college sold out to the Army in 1942.

This sale may have been a disturbing fact to alumnae of National Park College, but patients, beginning with those returning from World War II, were enthusiastic. The Army's investment again proved wise during the Korean Conflict; and now, Vietnam veterans and others such as myself come to Forest Glen, taking the strain off the overcrowded wards of Water Reed proper.

For all the facilities it offers, Forest Glen, in the opinion of many, is distinctly displeasing to look at. It is a conglomeration of different types of architecture which one visitor recently described as "early nothing to late Halloween."

The description may not be far from wrong. At Forest Glen you will find a Japanese pagoda, a Spanish mission, a Swiss chalet and a medieval castle with, that's right, a drawbridge. It was Post Theater No. 2 that resembled the front of an old, Southern plantation. First-run films are shown there five times a week for an amazingly meager price of admission. Thirty-five cents.

Other oddities you will find at Forest Glen include bronze castings of sphinxes, lions and barking dogs which decorate bridges that span numerous gulleys. Cast iron figures attired in iron robes hold street lights. Concrete statues, usually of young girls, support some of the porch roofs. Former sorority houses are now officers' quarters.

With no discredit to the above, the pride and joy of Forest Glen has to be its three-tiered ballrom with stained-glass windows and a 70-foot ceiling. Once used for the most formal occasions at National Park College, the ballroom is now the scene of "pop-corn parties" put on by the Red Cross. The ballroom, affectionately known as the patients' lounge, also contains television, pool and ping-pong tables, and plenty of comfortable easy-chairs. The highly polished, stained wood floor in the center of the room has a sign which warns patients to "Please Keep Off."

There are those times, however, when the sign is removed and the patient's lounge becomes the center of festivity—as much as it ever will. Dances are held frequently during the evenings and entertainment ranges from a ladies' barbershop quartet to the never-ending beat of a "hard rock" band. Since many of the patients at Forest Glen are amputees, sit down entertainment is stressed over dancing.

The Army "blurb" about Forest Glen, put out in 1963, says "Forest Glen retains the charm of the old with the serviceability of the new." Indeed, a great amount of research is conducted in or around the Forest Glen area. The Army Bio-mechanical Research Laboratory, established in 1963, is the site of advanced study in prosthetics (artificial limbs). There is also a speech and audiology center, a medical specialist advanced course, a historical unit and the Military Entomology Information Service.

As the weeks went by time began to really drag and I began to notice more people and associated them with certain characteristics. I noticed amputees in particular. Not because they stood out for any reason, but because I could identify with the sense of loss some of them apparently had. Ninety per cent of the amputees at Forest Glen, I learned, were from the Vietnam war; and from what I could gather, many were ostentatiously proud to have served there in spite of their present condition.

There were little indications. The Vietnam veterans always wore their olive drab field jackets over the required blue hospital uniform. The field jacket was better than the name tag of cloth that was sewed above the left pocket. A quick glance at the jacket could tell you the rank of the owner, whether he had been to Vietnam, and what unit he served with. Since injured soldiers from the war are automatically given a promotion of at least one grade upon their return to the States, it was understandable the men would delight in showing off their new ranks.

It seemed evident to me that none of the veteran amputees that I met at Forest Glen felt sorry for himself to any noticeable extent. I suppose they were out to show the world that they were every bit as good as before, and they were doing it with success. A couple of the men who had lost legs drove standard shift cars with hand controls rigged up so they could use the clutch. Others were satisfied to drive cars with automatic transmissions. In no way did their conditions prevent them from having a good time on off-duty hours. Some went to the Non-Commissioned Officers Club to drink a few beers during the evening while others went out on dates or to one of the two post movies Walter Reed offers.

One sergeant however, whom I'll call Dave, became unusually bitter about his situation.

"Say, Dave" I said once, "what do you plan to do with yourself when you get out of this place?"

"Nothing," he answered in a monotone.

"Nothing!" I exclaimed. "And just how do you think you can get away with doing nothing for the rest of your life. The only way you can do nothing is if you live in the soldiers' home or something."

"It'll be easy," Dave said. "With the disability I'll be getting from the Veterans' Administration and the Social Security I can draw if I don't work, I can make almost five hundred dollars a month, tax free. Why should I do anything when I can make that kind of money doing nothing?"

"But don't you think you'll get tired of just sitting around after a while?" I asked.

"I doubt it, but if I do, I might consider going to work."

Dave's attitude was not the standard one at Forest Glen. Most of the men had jobs already lined up and waiting for them upon their return home. Others planned to go back to school and send Uncle Sam the bill.

During my stay at Forest Glen I only knew of one other amputee besides myself who was not injured in Vietnam. I think most of the people I met naturally assumed I was from Vietnam and I became quite tired of telling them that I was a veteran of the nation's highways, and not Vietnam. Also, they didn't seem impressed when I quoted statistics which revealed more people by far are killed on the highways than in the war. Each man from Vietnam seemed to enjoy telling about the particular incident in which he was injured, and none was resentful if asked to explain how he was injured. It was an underlying sense of pride—almost as if the men were begging to be asked about their combat experiences.

Sometimes it was a little overdone. On Tuesday nights, every television in the place without exception was tuned into "Combat." The show was watched with reverence. I couldn't blame them for watching it, but everybody knew who was going to win every week, and after a while it became a bore.

MIDDLE EAST

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. VIGORITO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. VIGORITO. Mr. Speaker, in the past several weeks many people have said many things about the recent conflict in the Middle East. I would like to enter into the RECORD my brief feelings on the entire development.

It is clear that the blockade of the Gulf of Aqaba by President Nasser and the stationing of Arab troops along its border forced Israel to take the action it did in self-defense of its frontiers. It is also obvious that the Israel Army and Air Force richly deserve the impressive victory they have won.

What is less clear is the future action which must be taken to bring the Middle East to peaceful existence once and for all. Now that the conflict is over, the Arab nations must recognize that Israel, like any other nation, has its right to exist and the right to demand guarantees of territorial integrity. Israel is an independent state and should be able to enjoy the recognition due such a state. For this reason, its borders should be secured so that never again will it have to mass troops to defend its frontiers.

Freedom of passage in the Suez Canal and the Gulf of Aqaba should be guaranteed not only to Israel but to all nations of the world, and the final settlement of its boundaries should include the recognition by the Arab countries of these borders.

Finally, Israel has undergone, despite its military victory, a serious economic dislocation. I hope it will be the policy of this Government to extend to the country all possible economic assistance.

PRESIDENT JOHNSON PROVIDES NEW LIFE FOR THE TEACHERS CORPS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, in a recent ceremony in Philadelphia, President Johnson signed into law a bill that extended the life of the Teachers Corps. He declared:

> This idea was so sound that it withstood the fiercest buffeting and the strongest challenge.

He is right. The idea of the Teachers Corps is based on a notion as old as American itself; namely, that knowledge is the key to progress and greater human understanding. And the Teachers Corps is a new and exciting program that will help to improve the standards of classroom learning in hundreds of American communities.

The teacher has always been the indispensable link in the chain of acquiring a good education. This link is being strengthened by the 1,200 Teachers Corps members—and hundreds of others who will be enrolling in the program in the years ahead—who are providing, in the President's words, "a basic building block for our schools and for our Nation."

President Johnson should be deservedly proud of the Teachers Corps and its accomplishments.

As one who has supported this program from its inception, I share the pride of the President and my fellow citizens in a program that is helping to light the lamp knowledge for thousands of schoolchildren.

VAN DEERLIN OFFERS TRASH CONTROL BILL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, I am today introducing legislation to substantially expand the Federal program for assisting cities and States in the disposal of solid wastes. My bill is modeled on a measure introduced in the other body by Senator EDMUND S. MUSKIE.

The problem of solid wastes—those items which have lost their usefulness or appeal but not their physical bulk—is assuming enormous dimensions in this country. We are generating about 400,000 tons of trash a day, or roughly 4 pounds for every man, woman, and child in the Nation.

Unless we find some practical means of disposing of this refuse, our urban areas could turn into massive junk yards, choked with unwanted consumer goods, industrial wastes, and wornout buildings.

My bill would authorize a Federal expenditure of $810.8 million over the next 5 years for the planning and construction of large-scale disposal projects. This large sum should be measured against the $2.5 billion we would otherwise have to spend during the next decade just for the disposal facilities needed to keep pace with the expected annual increase in the sheer volume of our trash.

The U.S. aid would be offered only for projects which met the highest standards of engineering, health protection, and pollution control.

Throwing away the 800 million pounds of solid wastes that Americans generate each day without polluting the air, the water, and the land on which our health and lives depend is an extremely complex challenge, one for which we still do not have all the answers. Our legislation should help provide at least some of the solutions.

I might add that this bill has been endorsed by the city of San Diego, which I have the honor to represent. The San Diego Utilities Department, recognizing the urgency of the problem, is already engaged in research to determine whether useful byproducts can be created from the controlled burning of municipal refuse.

ADDRESS TO INDIANA HOSPITAL ASSOCIATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HAMILTON. Mr. Speaker, recently I addressed a conference of Indiana hospital trustees and administrators sponsored by the Indiana Hospital Association.

This group has provided many excellent examples for the rest of the Nation through many and varied efforts to improve the quality, efficiency and economy of medical care in Indiana.

The national need for these improvements was the topic of my remarks to this group. I include these remarks in full in the RECORD:

We are concerned today with the progress of a health care system in America which is gargantuan, complicated and expensive.

At its best this system is spectacular.

At its best it can apply the research that produced the Salk and Sabine vaccines to eliminate the terror of polio.

At its best it can mobilize to cope with disasters like your almost miraculous achievements during the night of the coliseum explosion.

This health care system has prolonged life by 20 years within the last 60 years. Today it is making an unprecedented assault on health problems — vaccines, antibiotics, modern drugs, life saving devices like plastic heart valves prolong life and prevent its erosion.

Not all of my remarks on health care system today will be complimentary. But whatever I say is said in the full recognition that this system at its best is the finest in the world, and that you who participate in it have an impressive record to stand on.

STRESSES IN THE SYSTEM

All of us would agree, I think, that our health care system shows disturbing signs of stress and strain.

So long as the United States stands 10th in preventing infant deaths, 14th in deaths from diabetes, 13th in deaths from heart disease, 5th in overall deaths, and 8th in prolonging life,

So long as chronic disease is a way of life for millions and whole segments of the population do not receive medical attention with any degree of thoroughness,

So long as 100,000 people die of uremic poisoning, partially because treatment is too expensive,

So long as 50% of all children under 15 have not visited a dentist,

So long as measles kill 500 children each year and cervical cancer kills 8,000 women, your work and mine is undone.

1. Costs

The expense of health care represents a very grave stress in the system.

The study by Dorothy Rice for the Department of Health, Education and Welfare entitled "Estimating The Cost of Illness," calculated that health care and the lack of it, cost the nation $93½ billion in 1963.

This includes $34.3 billion for the direct costs of the system (hospitals, physicians, drugs and insurance) and $59.2 billion in such indirect costs as the loss of productivity during illness and the premature deaths.

We could reasonably expect this estimate to be substantially higher now.

Last year Titles 18 and 19 began eliminating the economic barriers to help care for two very large groups of the population—the elderly and the poor. This adds to the costs of our health care system too.

I know you are very much aware that the daily charges in hospitals rose 16½% last year on a national average. This was the single most inflationary component of the consumer price index. Physicians fees rose, again on the national average, 7.8%. This was the greatest annual increase since 1927.

In 1950 the average cost per day in the hospital was $14.40. In 1965 it had tripled, more than $45.

These statistics do not measure all the costs of the system. Few families in the great American middle class have any effective defense for the costs of a major illness. These families cannot meet the economic demands of a child with leukemia, a father with a disabling heart disease, a mother whose life depends on the availability of an artificial kidney.

The costs of the system often forces these families to dispose of their assets, to liquidate their insurance and retirement programs and even to take their children out of school.

2. Resources

Another source of great stress and strain in the health care system is the shortage of resources. This is a very frustrating problem. We have found it is really much easier to find the money for new hospitals than it is to find the people from janitors to administrators to staff them.

Many of you are aware of that from your personal experience.

In Washington we are told in hard statistics that within the next decade, the nation will need a million new health workers. To meet the requirements for new doctors, we must build between 14 and 25 new medical schools at a cost as great as $6.1 billion. Even now, of course, we import from abroad about 20% of our physicians. You know the figures in the other professions. We need 80,000 more nurses, 40,000 more practical nurses, 50,000 more aides in general hospitals, 30,000 more aides in psychiatric hospitals.

We also face, according to government estimate, a $10 billion problem in modernizing our facilities: hospitals, extended care institutions, nursing homes, clinics.

You know these and other stresses in the health care system better than I do. To me they are statistics; to you they are the hard and uncompromising realities of your jobs, demanding every ounce of your energy and resourcefulness to cope with them.

Let me now turn to some of the remedies in various stages of consideration in Washington as well as in the country.

REMEDIES

1. Environment

First we must give far more attention to our environment.

We may debate the precise contributions which air and/or water pollution make to your patient loads. But we know that the contributions are substantial. We know, for example, that severe air pollution increases recovery time and mortality rates for patients with lung and chest diseases. The control of air and water pollution is thus important to your efforts to administer the health care system.

I'd urge you to support the proposed legislation which would require children's clothing to be treated with fire-resistant chemicals. Many of you have seen children who have been horribly burned. You know that the treatment costs thousands and thousands of dollars and is often not totally successful.

A pediatrician, testifying in behalf of amendments to toughen the flammable fabrics act, recently told Congress, "Physicians save precious few lives. We are more in the health maintenance business. You Senators are in a position to save far more lives than physicians."

Another physician testified that in terms of making a significant impact on public health, he would have little hesitation in choosing a ban on the sale of cigarettes in preference to doubling the number of physicians in California tomorrow, if those were the only choices.

It seems to me that you in the health care system should have an active concern with highway and industrial safety. Not long ago I asked an orthopedic surgeon what his major concern was. He said it was highway safety because so many of his patients were victims of traffic accidents.

You have probably read recently that hundreds of lung cancer cases have been projected among uranium miners in western states. This happened because radiation levels were set at low and unsafe levels. We are also acquainted with the high health risks to coal miners.

The point is that we must look far beyond hospitals in our efforts to control the demands placed upon hospitals. We must do this to lower the costs of the system of health care and to make it more efficient and more effective.

Man is becoming increasingly the major cause of his own illness and death. Diet, stress, smoking, accidents, suicides, water and air pollution, congested cities, pesticides, food additives are all man-made hazards of undetermined severity. We are only beginning to engage the question of how to establish a measure of control over these distasteful fruits of our civilization.

2. Detection and prevention

We must next give far more attention to the option of prevention and early detection.

There are 8,000 deaths each year from cervical cancer. Virtually all of these are unnecessary. They could have been prevented had our system made pap and similar tests universally available to all women.

To do this would be expensive, both in money and in personnel. But I suggest it would be far less expensive than the economic and social costs of the 8,000 wives and mothers who die each year from a preventable condition.

The public health service estimates that through increased use of devices like safety belts and shoulder harnesses, we would save $1,200 for every $1 spent.

We are aware, but we do not often talk about it, that there is a national epidemic of venereal disease. This, I'm afraid, is a children's disease in our society. It is most prevalent among teen-agers. This too, could be prevented if we applied the public health and epidemic control measures which we have already developed.

The very simple and economical tests for PKU are not given universally.

There are elementary school districts in Indianapolis where immunization levels are so low that epidemics of smallpox and polio could occur. Should these occur it would be a tragedy and scandal.

We have failed to use the early detection methods available for glaucoma and tuberculosis.

Surely it is not too much to hope that there will be an explosion of rationality in matters of public health and prevention and we will move vigorously in this segment of health care.

We must work as hard to keep people out

of hospitals as we do once they are there to restore them to health.

Even these measures, of course, will not give the hospitals, or you, full relief from your problems.

3. Alternatives to hospital care

A third step we must take in our health care system is to encourage alternatives to hospital care and to expand and stretch our concept of what a hospital is in the direction of a hospital as a medical center.

Hospitals will have to become far more comprehensive institutions if they are to cope with the demands for health care which they face. Many of you have already begun the very difficult and complicated reorganizations you will all have to make. Much of the care give in hospitals could be given less expensively at lower cost alternatives which are now unavailable in many communities.

Your annual statistics already prove that your emergency and out-patient departments will have to become fully integrated parts of the hospital system. They can no longer be administrative orphans.

There is no reason that hospitals be confined to a single geographic site. Some hospitals should consider developing satellites which could provide emergency and outpatient services in areas not served by other hospitals.

Hospitals must develop long term convalescent care and even home care services.

In Indianapolis you can take a measure of pride in the pioneering program to organize one of the first effective home care agencies in the nation.

This demonstrates what I am suggesting. The purpose of hospitals cannot simply be the care of the acutely ill. It must be broad enough to include care of the not so very ill, the chronically ill and the recently ill.

To help in the development of this more comprehensive concept of hospitals, private and public health insurance plans should be broadened to include more alternative types of medical care.

4. Economics of health care

Fourth, some fundamental changes must be examined in the economics of health care.

There are two means of moderating increases in medical costs. One, increasing the supply of resources, both the facilities and manpower. Two, increasing the efficiency with which medical resources are used.

As hospital administrators you surely have a major responsibility in the efficient use of health resources. I know you wage a relentless war to keep costs down. I know you have problems. The patients cared for per employee is falling and wages, 62% of the average hospital budget, have been rising.

Your battle to keep costs down is deeply appreciated by all who must pay for medical treatment.

You have already shown much leadership in this area. The officials from HEW who have briefed me on problems of health care tell me that Medicare began with fewer problems in Indiana than in most of the other states.

A primary reason was your careful preparation. Indiana hospital administrators and trustees had already accepted the wisdom of utilization review and cost accounting. You had also made extensive preparations with the government agencies and insurance carriers involved.

The Indiana Hospital Association and the Indianapolis Hospital Development Association have set many examples for the rest of the nation in the effectiveness of their planning efforts.

Health has become an exceeding complicated business. It is no longer a matter of one ill, one pill, and one bill.

You learned, before the Congress ever discovered, the need for this. Hospitals cannot be planned and administered in isolation from medical schools, nursing schools, insurance carriers and government agencies.

Through the Community Health Planning and Public Services Act of 1966 we are urging states to follow courses much like you have. We are urging others to follow area wide comprehensive planning approaches to prevent duplication and random development of very expensive facilities and services.

Even with good planning and efficient services, the cost of medical care to the patient is cause for very grave concern. It is a major, if not the major, stress on our health care system today.

Hard thought must be given to ways to give economic protection for the middle class.

As you know, the President has proposed that Medicare be expanded to provide hospital and medical insurance coverage for 1.5 million persons under the age of 65 who are disabled.

There is widespread agreement that the disabled need much improved health insurance protection. It is also true that our experience with Medicare is limited and our understanding of probable costs and effectiveness is equally limited.

I think most of my colleagues in the Congress share my conviction that the entire question of the financing of the Medicare program must be given the most careful scrutiny, not just in terms of proposed new costs to the Medicare and Social Security programs, but in terms of the financing of current programs.

It is obviously difficult to oppose the Medicare provision and to be put in a position of being against the disabled. But the issue of economy is also important. The key seems to rest with how well the Social Security Administration can defend the current financing of Medicare and how authoritatively and precisely they can spell out the projected costs of expanding the program to cover the 1½ million eligible disabled.

One thing appears certain, either the expansion will be approved or it won't be. No compromise solution seems possible in this particular proposal.

The initial verdict on Medicare is clear. Considering the scope of it and its departure from the traditions of the health care system, the program has been overwhelmingly successful.

As you are only too well aware there are problems to be worked out. The most important legislative problem involves a question of adequate reimbursement formulas for hospitals admitting Medicare patients.

It was the intent of Congress that Medicare should not become a subsidy to support hospital programs and operations unrelated to the care of elderly patients. We might have been too conservative in setting formulas to prevent this. We did not intend that Medicare patients subsidize other patients. (Neither, however, did we intend that other patients subsidize Medicare patients.)

I have talked with a number of my colleagues on the Ways and Means Committee and I think you can be assured that every effort is being made to establish fair and reasonable reimbursement formulae. I want to assure you that my colleagues in the Congress want to work with you in making Medicare a more effective mechanism to provide care for our elderly people.

I would be hopeful too that in the future when we examine Medicare we will be able to find practical ways to increase incentives for hospitals to operate efficiently.

There are other areas of Congressional concern over costs in the health care system. Perhaps the most controversial right now, is the drug industry and the debates on fair prices, profits, generic and trade names. I hope you are examining your own policies concerning drugs to assure that they do indeed serve the public interest. If they do not then you'll be contributing substantially to the pressures for regulation and control of drug industry.

5. Additional resources

Fifth, our health care system requires massive additional resources.

The federal government now supports from ⅔ to ¾ of all medical research in the nation. But the unfinished agenda is full. We search in vain, thus far, for ways to prevent and treat cancer. Many types of mental illness, retardation and arthritis are still largely beyond our control. Research programs must continue and greater efforts must be made to make the results of medical research quickly available to the people. Too long a time lag exists before what is learned is put to use. There is no acceptable reason why an operation to avert many strokes, developed in 1953, should be recommended by doctors only within the last two years.

The supply and utilization of health manpower must be increased. Functions performed by doctors must be examined to see if less highly trained persons could do them. The programs enacted by the Congress to increase health manpower are helping considerably.

In 1967 the federal government will train 234,000 health workers. An increase of 100,000 over 1966.

This, however, is a response to the crisis of the health manpower shortage. More comprehensive manpower programs are being studied by the President's National Advisory Commission on Health Manpower. This Commission is headed by an Indiana industrialist, J. Irwin Miller of Columbus. I think we can expect some good, hard proposals from the panel.

We are continuing our support of the Hill-Burton program and as you know the President will appoint another Advisory Panel to recommend the most effective direction this program can take.

Present facilities must be modernized and new ones built. In 20 years Hill-Burton has helped finance 8,000 projects, providing 350,000 hospital beds. There is hardly a nonprofit hospital, public or private, in the United States that has not been at least partly built or modernized by Hill-Burton money.

This work must go on at the same, if not an accelerated pace. Facilities must also be utilized more efficiently. The health care system emphasizes hospital care, the most costly option. Patients are sometimes admitted for tests and treatments which could be administered in physician's offices, clinics or out patient departments. This is done on occasion for the convenience of the doctor or so that the patient will qualify for insurance coverage.

I am pleased that the Indiana Blue Cross-Blue Shield Plans have begun covering the costs of diagnosis and treatment outside the hospital. This is one thrust in what will have to become a major effort to ease the pressures on hospitals.

Many hospitals are developing beautifully equipped, excellently staffed, intensive coronary care units. The out-patient clinics where heart disease might be detected before its victims need intensive care are hidden away in basements.

Adequate utilization of facilities to detect and diagnose is essential.

Many patients are admitted for extensive and expensive treatment of conditions which might have been prevented, but were not, or which might have been diagnosed in time for less intensive care, but were not.

Patients who are admitted with advanced cervical cancers, with venereal disease and its complications, with glaucoma and tuberculosis, with complications of diabetes or measles, all are evidence of failure in our system of health care.

One of the remarkable features of our system is that it is capable of heroic efforts to save a life at the brink of death. It just isn't often enough interested in that life until it has come to the brink.

6. Education

Finally, much more discussion among the individuals, groups and agencies concerned with our health care system is needed.

Too few of our friends in the medical profession (indeed too few of all of us) recognize the magnitude of the stresses and strains on our health care system. You as hospital administrators have a special task here. Physicians are reasonable and thinking people and they can be counted on to act with judgment and vigor. As administrators you have to sit down with your medical staffs, put the facts on the table, to solicit their thoughtful consideration and cooperation in the solution of these enormous problems.

I find that most people, and certainly most Congressmen, are very pragmatic. When the citizens worry about a problem, they expect a solution. They don't much care whether the solution comes from the Republicans or the Democrats, the liberals or the conservatives, private enterprise or public enterprise. Some of my colleagues are dedicated to the defense of absolutely private enterprise in medicine. Others will spend their careers trying to socialize medicine down to the last mid-wife in the Appalachian hollow. But the rest of us, and most people just want solutions that work. I count myself one of the pragmatists.

There is no denying the fact that the Federal government is deeply involved in finding a solution to these problems. In 1967, the Federal government will invest more than $440 million in construction of health facilities, $620 million for health manpower education and training, $1.3 billion in bio-medical research and $7.8 billion to provide medical care.

Ralph McGill of the Atlanta Constitution recently wrote,

"The truth is daily before us. Without Federal aid there is not a single community whose problems of health, education and public services would not be more critical than they are today."

Even the great voluntary hospitals are very much involved in government. They seek Federal grants for construction, accept federal contracts for research, supply records, statistics and other data to public health agencies. They admit welfare patients for treatment. They accept Medicare patients. They cooperate with state colleges and universities. They benefit daily from medical research and they frequently claim a tax exemption.

Those of us who deal in health care are faced with some very practical problems. Who is to finance the great cost of medical research? Who is to provide the vast immunization program?

Who is to aid in financing hospitals, nursing homes and mental health institutions? Who is to build medical schools? Who is to help supply the crushing need for health manpower?

It would be nice to answer in every instance that all of this can be done by private enterprise or philanthropy—that is fantasy.

Many persons in the health professions see ominous portent for private enterprise in all of this federal interest and activity in health.

May I assure you that I don't, nor do most of my colleagues, want to take over the health care system of the United States. We have enough problems trying to be a city council for the District of Columbia, to mention only one of thousands. We are as terrified as you are about any notion that Congress should sit as a Board of Trustees for every hospital in the nation.

But if you are really worried about the federal interest, the solution is for you to act with greater aggressiveness and initiative in proposing solutions for the health care problems which concern us all. If the federal government does take control of the health care system (and I neither want it to nor do I expect it to) it will be because you and thousands like you who work in the vineyards of medical care have defaulted and this would be a very great tragedy.

We all share the same purpose—the development of a health care system serving all of our citizens with excellence, efficiency, economy. The overriding interest of all of us is the vitality and vigor of American health. There are some on the scene today who are gloomy, angry, pessimistic. I am not. I happen to believe that American medicine's finest hour is not behind us but ahead.

JOINT COMMITTEE TO INVESTIGATE CRIME

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, today I join with my colleague, the Honorable CLAUDE PEPPER, and others in cosponsorship of a joint resolution to create a Joint Committee To Investigate Crime throughout the United States.

The FBI statistics, the Uniform Crime Reports for 1965, indicate that, in the 5-year period 1960 to 1965, the crime rate increased approximately six times faster than the rate of population growth. During this period serious crime increased 46 percent, while the population increased only 8 percent. Last year more than 2,780,000 crimes of serious proportion were reported, with a murder being committed every hour, an aggravated assault every 2½ minutes, and a burglary every minute.

The FBI's recent study on crime has revealed that out of 6,907 offenders released from prison between January and June 1963 that within 2 years, between June 1963 and June 1965, 48 percent of these offenders were arrested for new crimes.

Crime is one of the most pressing domestic problems facing our Nation today, and the time has come when we can delay no longer in exerting every effort to solve this problem.

H.J. RES. ——

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby created a Joint Committee To Investigate Crime, to be composed of seven Members of the House of Representatives to be appointed by the Speaker of the House of Representatives, and seven Members of the Senate to be appointed by the President pro tempore of the Senate. In each instance not more than four members shall be members of the same political party.

(b) Vacancies in the membership of the joint committee shall not affect power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection.

(c) The joint committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress.

SEC. 2. (a) The joint committee shall make continuing investigations and studies of all aspects of crime in the United States, including (1) its elements, causes, and extent; (2) the preparation, collection, and dissemination of statistics thereon, and the availability of reciprocity of information among law enforcement agencies, Federal, State, and local, including exchange of information with foreign nations; (3) the adequacy of law enforcement and the administration of justice, including constitutional issues pertaining thereto; (4) the effect of crime and disturbances in the metropolitan urban areas; (5) the effect, directly or indirectly, of crime on the commerce of the Nation; (6) the treatment and rehabilitation of persons convicted of crimes; (7) measures for the reduction, control, or prevention of crime; (8) measures for the improvement of (a) detection of crime, (b) law enforcement, including increased cooperation among the agencies thereof, (c) the administration of justice; and (9) measures and programs for increased respect for the law.

(b) The joint committee shall report to the Senate and the House of Representatives, from time to time, the results of its investigations and studies, together with such recommendations as it may deem desirable. Any department, official, or agency engaged in functions relative to investigations or studies undertaken by the joint committee shall, at the request of the joint committee consult with the joint committee from time to time with respect to such functions or activities.

SEC. 3. (a) In carrying out its duties, the joint committee or any duly authorized subcommittee thereof is authorized to hold such hearings and investigations, to sit and act at such places and times within the United States, including any Commonwealth or possession thereof, whether the House or the Senate is in session, has recessed, or has adjourned, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems necessary. The joint committee may make such rules respecting its organization and procedures as it deems necessary. No recommendation may be reported from the joint committee unless a majority of the committee is present. Subpenas may be issued over the signature of the chairman of the joint committee or by any member designated by him or by the joint committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the joint committee or any member thereof may administer oaths to witnesses.

(b) The joint committee may appoint and fix the compensation of such clerks, experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable; and, with the prior consent of the heads of departments or agencies concerned and the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Federal Government, as it deems advisable. The joint committee is authorized to reimburse the members of its staff for travel, subsistence, and the other necessary expenses incurred by them in the performance of the duties vested in the joint committee other than expenses in connection with meetings of the joint committee held in the District of Columbia during such times as the Congress is in session.

SEC. 4. The expenses of the joint committee shall be paid one-half from the contingent fund of the House of Representatives and one-half from the contingent fund of the Senate, upon vouchers signed by the chairman or the vice chairman of the joint committee.

UNIFORM MONDAY HOLIDAY BILL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, since the date of introduction of my uniform Monday holiday bill to provide for Monday observance of four holidays, Washington's Birthday, Memorial Day, Fourth of July, and Veterans Day, I have received numerous letters protesting the passage of this bill on the basis that a 3-day holiday would increase highway accidents.

I must admit this would appear to be a seemingly validated query; however, Mr. Speaker, I would like to bring to the attention of my colleagues at this point a report which has been received from the National Association of Travel Organizations. This organization gives an effective answer to those who insist that 3-day holidays increase highway accidents. They report that National Safety Council results show that 1-day, midweek holidays are the most potent producers of accidents, with an average danger rating of 1.83, as compared with 1.18 for 3-day holiday weekends and 1.16 for 4-day holiday weekends. Such holidays benefit the general public by providing a better opportunity for rest and relaxation which would ultimately lead to safer driving on our highways during the return trip home. There is too much temptation to stretch a 1-day holiday into two and running the risk of unsafe driving habits.

It is my hope the above information will attempt to clarify my position with regard to those allegations of hazardous driving during 3-day weekends.

We are all cognizant of the uniform Monday holiday bill and the tremendous amount of favorable public interest which has arisen since its introduction. Therefore, if there is any piece of legislation which the people want to see enacted in this Congress, I believe it is this 3-day holiday bill.

SEQUOIA NATIONAL PARK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BURTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BURTON of California. Mr. Speaker, my constituents have a strong interest in conservation. The people of crowded San Francisco fan out across the State and the Nation in search of satisfying places for outdoor recreation, and particularly for places of natural wonder such as are preserved in our national park system. It is for this reason that I have sponsored legislation to establish a Redwood National Park. It is for the same reason that I have introduced a bill to increase the size of Sequoia National Park in the Sierra Nevada.

This bill will fill out the boundaries of the park by including an area omitted many years ago, which is now threatened with overdevelopment. This omitted area is the Mineral King area, which sticks like a thumb into the south side of the park. This 13,000-acre unit was left out of the park originally because of a mining development, which is now defunct. Currently, the Disney Enterprises propose to build a mammoth alpine Disneyland in the area, which would be inappropriate for the parklike character of the area. This massive winter sports development, in the headwater basin of the East Fork of the Kaweah River, would crush the fragile ecology of the basin. The natural integrity of both the basin and Sequoia National Park will be best preserved by adding Mineral King to the park.

Now I believe that saving the coastal redwoods and Mineral King are both important, but I could never foresee that they would be linked together. There is no logical connection between them in terms of land use planning or public policy. Nevertheless they have just been linked together in a letter from the Bureau of the Budget to the chairman of the House Interior Committee. In a letter signed by Deputy Director Phillip S. Hughes, dated June 22, 1967, the Bureau reveals the results of negotiations between the executive branch of the Federal Government and Gov. Ronald Reagan of the State of California regarding concessions the Federal Government is willing to make to secure the Governor's support of the administration's proposal for a Redwood National Park.

Mr. Speaker, it is not clear at all to me why the executive branch feels it so important to have the support of California's current Governor. At some future time, it may be necessary to ask California to cede one or more State parks for inclusion in a Redwood National Park, but when that time arrives it is to California's Legislature, in which I served, that we must look, and not its Governor. It is even less clear to me why the Federal Government should be willing to barter away so much of its important holdings in California to satisfy the political philosophy of a Governor who believes that California has more parkland than it needs and who demands a "pound of flesh" from the Federal Government before he is even willing to allow a new national park into the State.

To meet the Governor's demands, the Bureau of the Budget proposes that the Federal Government five away two perfectly good national monuments, Muir Woods and Devils Postpile, and 300,000 acres of public domain lands, plus assorted Federal defense holdings. And then for added measure, the Bureau promises to pressure the National Park Service into compromising the integrity of Sequoia National Park by accommodating the opening wedge for massive development of Mineral King.

Quite rightly the Secretary of the Interior, who is mindful of his obligation to keep parks forever free of impairment, has resisted pressures to grant a right-of-way through Sequoia National Park for a major access road to serve the Mineral King Disneyland. To be true to the Organic Park Act of 1916, the Secretary must not allow national parks to be infringed upon by developments designed to serve commercial purposes outside of the parks. Heavy-duty highways and freeways, with great scars from cuts and fills, are an infringement upon national park values. To accommodate the 2½ million visitors which Disney interests look forward to, ultimately a four-lane road would be necessary. Once the Disney people get started, it should be clear that they will not rest until they secure a highway that will build patronage up to the maximum number the whole development plan is geared to.

Nevertheless, the Bureau of the Budget letter urges the Secretary to provide a road to let Disney get started. It expresses the pious hope that visitation can be limited to what a two-lane road will handle. But it immediately recognizes that this is unlikely, with Disney willing to pour $35 million into the development. So then, it is stated that alternatively added visitation will have to come on a route which does not pass through the park, or, if it does, it will have to come via some means of mechanical access which does not involve a road.

Now these alternatives are totally unrealistic. All of the economic surveys which have been done there show it is not economically feasible to have two methods of access. Once a major new road exists, it simply will not be economically feasible to install a cog-assisted railroad, monorail, or tramway. To pay off such alternative means of access, concentrated patronage, not divided patronage, would be needed. Similarly, it is not economically feasible to finance two major roads from different directions into Mineral King. Moreover, the only route, which is not through the park, is from the south over high Farewell Gap. A road over this gap would be too high to be kept open in the winter, when the skiing traffic would want to use it. Moreover, such a road would violate the proposed Little Kern Wilderness.

What we see here, in effect, is a desperate effort to pay the high political price needed to get along with California's new Governor, regardless of the consequences. In the case of the Mineral King, which I have been following closely, I know the price is too high. I suspect the price is also too high with many other concessions now being offered the Governor. I urge all Members of Congress to take a close look at this unwieldy package of Federal offerings. Basic questions of precedent and public policy are at stake, as well as the ability to drive a good bargain. A Redwood National Park is a good enough bargain for the American people to be carried on its own merits. It should not be necessary to barter away Muir Woods National Monument, Devils Postpile National Monument, and the integrity of Sequoia National Park to get it.

PHILADELPHIA TO USE LOW-SULFUR FUEL OIL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Green] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GREEN of Pennsylvania. Mr. Speaker, I want to call attention to the intelligent treatment one of the gravest problems of our time is receiving in my city. Air pollution might well be termed the vane of life in metropolitan areas. It is certainly receiving nationwide attention. And yet, to date, very little specific action has been taken anywhere in the country. Today, the mayor of Philadelphia, James H. J. Tate, announced a program in pollution control that I hope becomes the model for city, county, and State governments around the country.

The city of Philadelphia is switching to low-sulfur oil as fuel for four major municipal installations, taking the lead through the country in this air pollution control measure.

The installations concerned are Philadelphia International Airport, Philadelphia General Hospital, city hall-city hall annex, and the complex of the house of correction, detention center, and Riverview—Philadelphia's home for the aged—located on State Road in northeast Philadelphia.

A $580,000 1-year contract for more than 9,100,000 gallons of No. 6 maximum 1-percent sulfur oil has been awarded to the Hess Oil Co., of Perth Amboy, N.J. Delivery of the oil, which will begin shortly, will be made from Pennsauken, N.J.

> Although specification of No. 6 grade oil with 1 percent or less sulfur content will cost approximately $102,000 more a year—

Mayor Tate stated—

> The decision to change from regular No. 6 (which has a sulfur content of 1.8 percent and up) was made because the Administration feels a strong responsibility to provide firm leadership in the reduction of air pollution.

Philadelphia is the first municipality in the country to specify low-sulfur oil on bid and to award such a contract, even though it is not yet required by local, State, or Federal law.

> The City's Procurement Department, under the direction of Commissioner Otto R. Winter, began studying the feasibility of changing to low-sulfur oil early this year, in consultation with the Air Pollution Control Section of the Department of Public Health.

The mayor added—

> The recent resolution of the Air Pollution Control Board requesting that the City Administration "take the necessary steps to reduce substantially the (sulfur dioxide) pollutants now being emitted from City-owned facilities" came simultaneously with the awarding of this pace-setting contract.

No. 6 fuel oil is primarily used in heavy industrial applications, producing the best and most economical results in such installations. The posted barrel price of regular No. 6 is $2.43 per barrel; that of No. 6 maximum 1-percent sulfur $3.10 per barrel. The higher price reflects the additional refining steps necessary to reduce the sulfur content.

SCHOOL SAFETY PATROL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Rooney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, I am pleased to join my colleagues in giving special recognition to the more than 900,000 safety patrol members serving in 40,000 schools in 15,000 communities in all 50 States.

During the more than 40 years since the school safety program was established over 16 million Americans have served with the safety patrol.

Since 1922, the traffic death rate of school-age children has dropped nearly one-half, while the death rate of all other groups has doubled. This certainly attests to the fine work done by the safety patrol teams.

Commendations are also in order to the American Automobile Association, to the local school boards, to police departments and to all the civic associations which have joined in the sponsorships of safety patrols.

Certainly the establishment of a permanent National School Safety Patrol Week in the second week of May would be small reward to those millions who served with the safety patrol, but we can do no less.

Therefore, Mr. Speaker, I am pleased to be a cosponsor of the resolution which would officially designate this week of each year as National School Safety Patrol Week.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Watson (at the request of Mr. Arends), for today, on account of official business.

Mr. Denney (at the request of Mr. Gerald R. Ford), for July 17, 1967, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Resnick, for 60 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Nix, for 1 hour, tomorrow.

Mr. Brown of Ohio (at the request of Mr. Price of Texas), for 30 minutes, on July 17; and to revise and extend his remarks and include extraneous matter.

Mr. Brown of Michigan (at the request of Mr. Price of Texas), for 20 minutes, on July 13; and to revise and extend his remarks and include extraneous matter.

Mr. Morse of Massachusetts (at the request of Mr. Price of Texas), for 60 minutes, on July 17; and to revise and extend his remarks and include extraneous matter.

Mr. Gubser (at the request of Mr. Price of Texas), for 30 minutes, on July 13; and to revise and extend his remarks and include extraneous matter.

Mr. Flood (at the request of Mr. Albert), for 60 minutes, on July 19; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Saylor and to include extraneous matter in remarks made in Committee of the Whole on the bill S. 20.

(The following Member (at the request of Mr. Price of Texas) and to include extraneous matter:)

Mr. Denney.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Ottinger.

Mr. Garmatz.

Mr. Burke of Massachusetts.

Mr. Kee.

Mr. Rarick.

Mr. Madden.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 5. An act to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 60. An act for the relief of Dr. Oton Socarraz;

S. 67. An act for the relief of Dr. Juan Ramon Diaz Zayas Bazan;

S. 118. An act for the relief of Dr. Amparo Castro;

S. 132. An act for the relief of Dr. Alberto Fernandez-Bravo y Amat;

S. 164. An act for the relief of Dr. Cesar A. Mena;

S. 168. An act for the relief of Maria Jordan Ferrando;

S. 327. An act for the relief of Dr. Carlos Victor De La Concepicon Garcia;

S. 371. An act for the relief of Mrs. Mary T. Brooks;

S. 462. An act for the relief of Dr. Jesus L. Lastra;

S. 464. An act for the relief of Dr. Guillermo N. Hernandez, Jr.;

S. 465. An act for the relief of Dr. Mario Guillermo Martinez;

S. 499. An act for the relief of Dr. Manuel A. Zuniga;

S. 652. An act for the relief of certain employees of the Puget Sound Naval Shipyard;

S. 819. An act for the relief of Charles H. Thurston;

S. 853. An act to extend the life of the Commission on Political Activity of Government Personnel;

S. 904. An act for the relief of Doreen Delmege Willis;

S. 996. An act for the relief of Dr. Esther Yolanda Lauzardo;

S. 1045. An act for the relief of Alton R. Conner; and

S. 1278. An act for the relief of Dr. Floriberto S. Puente.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 2762. An act for the relief of CWO Bernhard Vollmer, U.S. Navy (retired).

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p.m.), the House adjourned until tomorrow, Thursday, July 13, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

897. A letter from the Comptroller General of the United States, transmitting a report of release of excess military assistance program property to recipient countries, Department of Defense, Department of State; to the Committee on Government Operations.

898. A letter from the Secretary of State, transmitting the 15th report on the extent and disposition of U.S. contributions to international organizations, pursuant to the provisions of Public Law 81-806 (H. Doc. No. 140); to the Committee on Foreign Affairs and ordered to be printed.

899. A letter from the Comptroller General of the United States, transmitting a report of examination of financial statements of Federal home loan banks supervised by the Federal Home Loan Bank Board for the year ended December 31, 1966 (H. Doc. No. 141); to the Committee on Government Operations and ordered to be printed.

900. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 7, 1966, submitting a report, together with accompanying papers and illustrations, on an interim report on Nishnabotna River, vicinity of Exira, Iowa, requested by a resolution of the Committee on Flood Control, House of Representatives, adopted June 21, 1944 (H. Doc. No. 142); to the Committee on Public Works and ordered to be printed with illustrations.

901. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 30, 1967, submitting a report, together with accompanying papers and illustrations. On an interim report on Tallahala Reservoir, Pascagoula River, Miss., requested by two resolutions of the Committee on Public Works, U.S. Senate, both adopted March 14, 1961, and two resolutions of the Committee on Public Works, House of Representatives, adopted June 7 and August 15, 1961 (H. Doc. No. 143); to the Committee on Public Works and ordered to be printed with illustrations.

902. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for July 1966–May 1967, pursuant to the provisions of section 10(d) of the Small Business Act; to the Committee on Banking and Currency.

903. A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting the 23d semiannual report of the Commission for the period ending December 31, 1965, pursuant to the provisions of section 9 of the War Claims Act of 1948, as amended, and section 3(c) of the International Claims Settlement Act of 1949, as amended; to the Committee on Foreign Affairs.

904. A letter from the Administrator, National Capital Transportation Agency, transmitting a draft of proposed legislation to amend the National Capital Transportation Act of 1965; to the Committee on the District of Columbia.

905. A letter from the Comptroller General of the United States, transmitting a report of review of withheld reimbursements of rights-of-way costs of the Federal-aid highway system, District of Columbia government; to the Committee on Government Operations.

906. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize rehabilitation of navigation structures and appurtenant works of the St. Lawrence Seaway project to be carried out by the St. Lawrence Seaway Development Corporation and financed from appropriations; to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of North Carolina:

H.R. 11384. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. SNYDER (for himself, Mr. ASHBROOK, Mr. CARTER, Mr. DUNCAN, Mr. LUKENS, Mr. MONTGOMERY, Mr. QUILLEN, Mr. WAMPLER, Mr. WILLIAMS of Mississippi, Mr. DON H. CLAUSEN, Mr. BRAY, Mr. MIZE, Mr. PRICE of Texas, Mr. DENNEY, Mr. WATSON, Mr. EDWARDS of Alabama, Mr. PETTIS, Mr. CORBETT, Mr. COLLIER, Mr. HALL, Mr. CLANCY, Mr. BLACKBURN, Mr. HUNT, Mr. ANDERSON of Illinois, and Mr. CAHILL):

H.R. 11385. A bill for the establishment of a commission to study and appraise the organization and operation of the executive and legislative branches of the Government; to the Committee on Government Operations.

By Mr. CONTE (for himself and Mr. REUSS):

H.R. 11386. A bill to prohibit the further use of silver for coinage; to the Committee on Banking and Currency.

By Mr. ESHLEMAN:

H.R. 11387. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer supporting a child who is disabled; to the Committee on Ways and Means.

By Mr. GIAIMO:

H.R. 11388. A bill to provide for the District of Columbia an elected mayor, city council, board of education, and nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. HICKS:

H.R. 11389. A bill to amend title 28 of the United States Code to provide for declaratory judgments with respect to the exemption from Federal income taxes of certain organizations; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 11390. A bill for the establishment of a commission to study and appraise the organization and operation of the executive and legislative branches of the Government; to the Committee on Government Operations.

By Mr. LANGEN:

H.R. 11391. A bill to amend the tariff schedules of the United States with respect to the rate of duty on honey and honey products and to impose limitations on honey and honey products; to the Committee on Ways and Means.

By Mr. MORRIS:

H.R. 11392. A bill to amend the war orphans' educational assistance program of title 38, United States Code, to extend to wives of veterans who are permanently and totally disabled as a result of a service-connected disability and to widows of veterans who died of a service-connected disability the same educational benefits which are provided for war orphans; to the Committee on Veterans' Affairs.

By Mr. PETTIS:

H.R. 11393. A bill for the establishment of a commission to study and appraise the organization and operation of the executive and legislative branches of the Government; to the Committee on Government Operations.

By Mr. WATTS:

H.R. 11394. A bill to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes; to the Committee on Ways and Means.

By Mr. WHITENER:

H.R. 11395. A bill to amend the National Capital Transportation Act of 1965 authorizing the prosecution of a transit development program for the National Capital region and to further the objectives of the act of July 14, 1960; to the Committee on the District of Columbia.

By Mr. ADAMS:

H.R. 11396. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. ANDREWS of North Dakota:

H.R. 11397. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. CONTE:

H.R. 11398. A bill to amend the Military Selective Service Act of 1967; to the Committee on Armed Services.

By Mr. HELSTOSKI:

H.R. 11399. A bill to amend the joint resolution of October 23, 1965, relating to National Parkinson Week; to the Committee on the Judiciary.

By Mr. HULL:

H.R. 11400. A bill to authorize the Secretary of Agriculture to cooperate with the States in providing for the prevention and suppression of structural and wild fires in rural areas; to the Committee on Agriculture.

By Mr. KORNEGAY:

H.R. 11401. A bill to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products; to the Committee on Interstate and Foreign Commerce.

By Mr. NEDZI:

H.R. 11402. A bill to amend the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad; to the Committee on House Administration.

By Mr. POLLOCK:

H.R. 11403. A bill for the establishment of a commission to study and appraise the organization and operation of the executive and legislative branches of the Government; to the Committee on Government Operations.

By Mr. THOMPSON of New Jersey:

H.R. 11404. A bill to amend the Federal Power Act to facilitate the provision of reliable, abundant, and economical electric power supply, by strengthening existing mechanisms for coordination of electric utility systems and encouraging the installation and use of the products of advancing technology with due regard for the proper conservation of scenic and other natural resources; to the Committee on Interstate and Foreign Commerce.

By Mr. VAN DEERLIN:

H.R. 11405. A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITTEN:

H.R. 11406. A bill to amend section 202 of the Agricultural Act of 1956; to the Committee on Agriculture.

By Mr. LAIRD:

H.R. 11407. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to authorize the Secretary of Agriculture to finance and participate with State and local interests in the financing of recreational enterprises and industrial establishments needed for the economic development of rural areas, and for other purposes; to the Committee on Agriculture.

By Mr. MACHEN:

H.R. 11408. A bill to amend section 5517 of title 5, United States Code, to authorize certain agreements relating to withholding of State income taxes; to the Committee on Ways and Means.

By Mr. MESKILL:

H.R. 11409. A bill to provide for the award of the Korean Service Medal to certain persons who served on active duty in the Armed Forces outside the United States during the Korean conflict and to certain persons who served on active duty near the 38th parallel in Korea since the termination of the Korean conflict; to the Committee on Armed Services.

By Mr. ABBITT:

H.R. 11410. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of flue-cured tobacco allotments and acreage-poundage quotas; to the Committee on Agriculture.

By Mr. ANDERSON of Tennessee:

H.J. Res. 701. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. DONOHUE:

H.J. Res. 702. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. ESHLEMAN:

H.J. Res. 703. Joint resolution proposing an amendment to the Constitution of the United States providing for representation in the Congress for the District constituting the seat of government of the United States; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.J. Res. 704. Joint resolution to amend the Constitution to provide for representation of the District of Columbia in the Congress; to the Committee on the Judiciary.

By Mr. HICKS:

H.J. Res. 705. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. HULL:

H.J. Res. 706. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. WHITTEN:

H.J. Res. 707. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. ADAMS:

H.J. Res. 708. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. FINDLEY:

H. Con. Res. 410. Concurrent resolution concerning military forces in the Congo; to the Committee on Foreign Affairs.

By Mr. WHALLEY:

H. Con. Res. 411. Concurrent resolution expressing the sense of the Congress in re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. MURPHY of New York:

H. Res. 735. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. GARDNER:

H. Res. 736. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. LONG of Maryland:

H. Res. 737. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. POLLOCK:

H. Res. 738. Resolution deploring dispatch of American troops to the Congo; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONYERS:

H.R. 11411. A bill for the relief of Mrs. Amal George Smith Mansoor; to the Committee on the Judiciary.

By Mr. DAVIS of Wisconsin:

H.R. 11412. A bill for the relief of Lucille P. Steele; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 11413. A bill for the relief of Salvatore Castelli, to the Committee on the Judiciary.

H.R. 11414. A bill for the relief of Graziano Guglisi; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 11415. A bill for the relief of Angelita Tan Lim; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 11416. A bill for the relief of Doroteo Digol Maligmat and his wife, Concepcion Jabunan Maligmat, and their children, Doroteo Abella Maligmat, Jr., Antonio Abella Maligmat, Alberto Abella Maligmat, Eduardo Abella Maligmat, Virginia Abella Maligmat, and Zanaida Abella Maligmat; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 11417. A bill for the relief of Margarito Aranda; to the Committee on the Judiciary.

By Mr. NEDZI:

H.R. 11418. A bill for the relief of Viorel Vasile Trif; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 11419. A bill for the relief of Elisa Loaiza; to the Committee on the Judiciary.

H.R. 11420. A bill for the relief of Hong Quing Lee (also known as Ngun Cheong Wong); to the Committee on the Judiciary.

H.R. 11421. A bill for the relief of Susan Helario; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 11422. A bill for the relief of Harry Woo, Margaret Woo, and Paul Woo (alias Woo Yee Chien, Woo Cheong Yow Dai, and Woo Diu Kuo); to the Committee on the Judiciary

By Mr. BRASCO:

H.R. 11423. A bill for the relief of Lourdes P. Laranang; to the Commitee on the Judiciary.

EXTENSIONS OF REMARKS

Benefits for Vietnam Veterans

EXTENSION OF REMARKS
OF

HON. JAMES KEE

OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 12, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the Record, I include last week's public service television and radio newscast, "The Kee Report." The subject discussed benefits for Vietnam veterans:

BENEFITS FOR VIETNAM VETERANS

This is Jim Kee, bringing you the Kee Report.

The Congress is now completing action on a bill known as the Readjustment Assistance Act for veterans of the Vietnam era. The basic purpose of this legislation is to ensure that the men fighting in Vietnam receive comparable benefits to those who served in either World War or in the Korean Conflict.

Most Members of Congress believe that this legislation is long overdue and I believe the American people will agree. Certainly, the bitter struggle now going on in the tropical heat of Indo China has developed into a major war. The servicemen who survive this conflict, or who are injured there in line of duty, are surely deserving of equal treatment with those veterans who served their country in prior wars.

Under the Act, the period of eligibility will extend from the Bay of Tonkin incident in 1964 until the crisis is declared ended—either by the President or the Congress. Thus, the period of eligibility has already lasted nearly three years.

The additional benefits conferred upon Vietnam veterans may be divided into four major classes as follows:

1. Disability compensation at full wartime rates for all veterans.
2. Disability pensions for veterans and death pensions for widows and children.
3. Special medical care including medicines and drugs for severely disabled veterans on the pension rolls and
4. Financial aid in the purchase of specially equipped motor cars for those who need such vehicles.

In general, compensation for peacetime service averages about 80% of wartime rates. This means that servicemen who suffer disabilities in Vietnam will receive a substantial increase in their monthly payments. The provision authorizing the donation of drugs and medicines to severely disabled veterans on the pension rolls will give help to those who need it most. But this provision also points up the wonderful advances made by the medical profession in the treatment of patients suffering from deep-seated physical or mental illness. Many cases which were listed as incurable in former times now respond to advanced methods of therapy which are administered under the supervision of the Veterans Administration.

The new legislation also provides for the payment of $1,600 to help in the purchase of an automobile for those combat veterans who suffered the loss of one or both hands or one or both feet. This provision has been on the statute books for other veterans for some time. The motor industry builds special type vehicles for those badly crippled veterans who otherwise would be unable to drive at all.

There is one other development of importance to those interested in the field of veterans legislation. In a message to Congress in January, President Johnson proposed a thorough study of the entire program of assistance to veterans to bring it up to date. This proposal was based on the sound principle that even the best of programs need revision in the light of changing times. A special Advisory Committee is now in the field studying what needs to be done. When this Committee makes its report, Congress will be better equipped to modernize the whole program of veterans assistance.

Thank you for listening.

Cause and Effect: Civil Rights Commission

EXTENSION OF REMARKS

OF

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 1967

Mr. RARICK. Mr. Speaker, by now, one might feel that the American people had seen enough of riots, looting, and revolution in our cities and towns against America. But they still cannot separate the cause from the effect.

Yesterday, by a large vote, the House passed H.R. 10805 appropriating $13 million and extending the life of the Civil Rights Commission for 5 more years.

Possibly some of the Members who voted "yea" felt their action justified to help overcome the freedom menaces that walk our streets by night.

If so, they are like the woman who fears snakes and takes one to bed with her to cure her ailment.

The record of the Commission shows that it has acomplished nothing to control emotions and unrest. Its works are inflammatory and anti-American. Its credo is basic socialism and its activity has been to encourage the downtrodden and poor to raise up in revolt.

Perhaps its leading service has been to provide a vehicle for transmission of the revolutionary movement's propaganda—under the pretentious name and seal of a U.S. Government agency.

I fear that the underlying cause of many of this country's riots can—in substantial part—be laid at the doorstep of the Commission. So the people's representatives have again, using taxpayers' money, subsidized violence and un-American activities to solve the problem the creature has aided in creating.

War on Waste

EXTENSION OF REMARKS

OF

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 1967

Mr. DENNEY. Mr. Speaker, today, with pleasure, I join with Congressman Snyder and a number of my colleagues in cosponsoring H.R. 11385. This bill will establish a bipartisan commission to study and make positive recommendations to promote efficiency and economy in the executive and legislative branches of the Federal Government. Mr. Speaker, this is not, nor should it be, a partisan matter. All of us here are, and should be, interested on both sides of the aisle in making the operation of the governmental process as efficient as possible.

My concern in this area was demonstrated on January 11, 1967, when I introduced H.R. 1982. However, H.R. 11385, although similar to H.R. 1982, has one additional advantage. My original bill covered only the executive branch, whereas this bill calls for a penetrating study of both the legislative and executive branches. By the enclosure of ourselves in this effort, we show the executive branch that we are willing to put our own house in order as well as theirs. Since many of the problems of function overlapping, responsibility, and so forth, are coexistent in each branch, the establishment of this commission will provide a sensible approach toward a solution to these problems.

However, there are several features contained in my original bill, H.R. 1982, which I believe should be considered. That bill makes provision for incorporation of two members of the Federal judiciary on the commission. It seems to me that their expertise and experience would be a welcome addition to such a commission. Second, a broad subpena power is vital to enable such a commission to function properly. Reticence and even recalcitrance in the furnishing of necessary information by the executive branch has been experienced by every Congress. Therefore, it is necessary that adequate provision be made to insure compliance with requests for information. For that reason, I would prefer section 9(b) of H.R. 1982 over section 10(a) of this bill. The general subpena power of Congress has proved unworkable in the past and section 9(b) of H.R. 1982 would remedy this deficiency. It would be my hope that both H.R. 1982 and H.R. 11385 could be taken up by the appropriate committee at the same time so the more desirable features of each could be considered.

Mr. Speaker, the need for such legislation is obvious. There are more than 260 Federal programs bearing on poverty problems that are administered by 16 separate departments and agencies. In the area of community water supply and sewers alone, there are five Federal agencies involved in administering various programs. Since 1960, the number of Federal employees has increased by 18 percent and the Federal payroll by almost 50 percent. Needless duplication and lack of clear-cut lines of responsibility are, in a large measure, responsible for the increased demands on tax dollars. Obviously, for every dollar of overhead eliminated, one dollar less is needed to be raised in taxes. As the need for additional revenues increase, so increases the responsibility to make the tax dollar go as far as possible.

Presidential Citations for Three Members of the Coast Guard

EXTENSION OF REMARKS

OF

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 1967

Mr. GARMATZ. Mr. Speaker, last week it was my privilege to visit the Coast Guard headquarters of the 7th Coast Guard District in Miami, Fla., and also the Coast Guard Air Station at St. Petersburg, Fla.

I was tremendously impressed with the efficiency of the operations there and want to commend Rear Adm. Paul G. Prins, the commander of Seventh District, for his effective leadership and accomplishments there. Persons and ships using the waters off the Florida coast are, I am confident, cognizant of the value of this installation in their midst, and travel the waters of the area with much more confidence, because of its presence.

During my visit, a special ceremony was held to present Presidential citations to three members of the Coast Guard for extraordinary valor while participating in a sea rescue of four adults and two children, from a sinking vessel about 120 miles from St. Petersburg. One of them was awarded the Distinguished Flying Cross and two of them the Air Medal, and they also received the commendation of the Commandant of the Coast Guard, Adm. W. J. Smith.

Knowing that all Member of Congress share my pride in their heroic efforts, I am inserting in the Record, the citation and commendations referred to above.

May 18, 1967.

Lt. Robert B. Workman,
USCG, Seventh Coast Guard District,
Miami, Fla.

Dear Mr. Workman: It is noted with pride that the Secretary of Transportation has awarded you the Distinguished Flying Cross. You were cited for extraordinary achievement in aerial flight on the night of 27 January 1967 as aircraft commander of a Coast Guard helicopter, engaged in the perilous rescue of four adults and two children from the sinking vessel *Cecil Anne*, located 120 miles northwest of St. Petersburg, Florida.

I take this opportunity to express my personal congratulations on this well-deserved recognition of your meritorious service. The credit you have brought upon the

Coast Guard by your devotion to duty and adherence to the traditions of the Service is deeply appreciated.

Sincerely yours,

W. J. SMITH,
Admiral, U.S. Coast Guard.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., May 8, 1967.

The President of the United States takes pleasure in presenting the Distinguished Flying Cross to Lieutenant Robert Bruce Workman, United States Coast Guard, for service as set forth in the following Citation:

"For extraordinary achievement while participating in aerial flight on the night of January 27, 1967 as aircraft commander of a Coast Guard helicopter, engaged in the perilous rescue of four adults and two children from the vessel *Cecil Anne*, which was sinking 120 miles northwest of St. Petersburg, Florida. Lieutenant Workman proceeded without fixed wing escort and made a night instrument 'Beep to a Hover' maneuver while hampered by darkness and obstructions from a 24-foot antenna and a 12-foot jack staff. Despite the vessel yawing as much as 60° and her stern submerged, he skillfully maneuvered the helicopter crosswind to hoist the six persons, one with a broken leg, from the bow of the boat. Due to the total weight on board, the last hoist required 100% power plus forward motion to remain airborne. Lieutenant Workman displayed expert airmanship and dauntless valor throughout this perilous rescue mission. His skill, courage, sound judgment and unwavering devotion to duty reflect the highest credit upon himself and the United States Coast Guard."

For the President:

ALAN S. BOYD.

MAY 18, 1967.

Lt. NORMAN H. HUFF, USCG,
Seventh Coast Guard District,
Miami, Fla.

DEAR MR. HUFF: It is noted with pride that the Secretary of Transportation has awarded you the Air Medal. You were cited for meritorious achievement in aerial flight on the night of 27 January 1967 as copilot of a Coast Guard helicopter, engaged in the perilous rescue of four adults and two children from the sinking vessel *Cecil Anne*, located 120 miles northwest of St. Petersburg, Florida.

I take this opportunity to express my personal congratulations on this well-deserved recognition of your meritorious service. The credit you have brought upon the Coast Guard by your devotion to duty and adherence to the traditions of the Service is deeply appreciated.

Sincerely yours,

W. J. SMITH,
Admiral, U.S. Coast Guard.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., May 8, 1967.

The President of the United States takes pleasure in presenting the Air Medal to Lieutenant Norman Henry Huff, United States Coast Guard, for service as set forth in the following Citation:

"For meritorious achievement in aerial flight on the night of January 27, 1967 as copilot of a Coast Guard helicopter, engaged in the perilous rescue of four adults and two children from the sinking vessel CECIL ANNE, located 120 miles northwest of St. Petersburg, Florida. Lieutenant Huff assisted the pilot by monitoring the flight instruments on this hazardous flight during darkness, with poor visibility and 30-knot winds and in making a night instrument "Beep to a Hover" maneuver over the stern of the boat, obstructed by a 24-foot antenna and a 12-foot jack staff. With the vessel yawing as much as 60° and her stern submerged, the helicopter was positioned crosswind to permit hoist of the six persons, one with a broken leg, from the bow of the boat. Due to the total weight on board, the last hoist required 100% power and forward motion to remain airborne. Lieutenant Huff displayed expert airmanship throughout this perilous rescue mission. His initiative, skill, sound judgment and unwavering devotion to duty were in keeping with the highest traditions of the United States Coast Guard."

For the President:

ALAN S. BOYD.

MAY 18, 1967.

Aviation Structural Mechanic First Class
JOHN L. CHASSEREAU,
USCG, Seventh Coast Guard District, Miami, Fla.

DEAR PETTY OFFICER CHASSEREAU: It is noted with pride that the Secretary of Transportation has awarded you the Air Medal. You were cited for meritorious achievement in aerial flight on the night of 27 January 1967 as aircrewman and hoist operator of a Coast Guard helicopter, engaged in the perilous rescue of four adults and two children from the sinking vessel CECIL ANNE, located 120 miles northwest of St. Petersburg, Florida.

I take this opportunity to express my personal congratulations on this well-deserved recognition of your meritorious service. The credit you have brought upon the Coast Guard by your devotion to duty and adherence to the traditions of the Service is deeply appreciated.

Sincerely yours,

W. J. SMITH,
Admiral, U.S. Coast Guard.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., May 8, 1967.

The President of the United States takes pleasure in presenting the Air Medal to John Lee Chassereau, Aviation Structural Mechanic First Class, United States Coast Guard, for service as set forth in the following citation:

"For meritorious achievement in aerial flight on the night of January 27, 1967 as aircrewman and hoist operator of a Coast Guard helicopter, engaged in the perilous rescue of four adults and two children from the sinking vessel *Cecil Anne*, located 120 miles northwest of St. Petersburg, Florida. When advised of the emergency, Petty Officer Chassereau manned the aircraft and persevered in his duties on this hazardous flight during darkness, without fixed wing escort, with poor visibility and 30-knot winds. Upon his arrival, he skillfully aided the pilot in making a night instrument "Beep to a Hover" maneuver over the stern of the boat which was obstructed by a 24-foot antenna and a 12-foot jack staff. Despite the vessel yawing as much as 60° with her stern submerged and as the helicopter was positioned crosswind Petty Officer Chassereau carefully controlled the rescue basket while hoisting the six persons, one with a broken leg, from the bow of the boat. Due to the total weight on board, the last hoist required 100% power and forward motion to remain airborne. Petty Officer Chassereau displayed expert airmanship throughout this perilous rescue mission. His initiative, skill, sound judgment and unwavering devotion to duty were in keeping with the highest traditions of the United States Coast Guard."

For the President,

ALAN S. BOYD.

The Air Medal was presented to Lt. Norman H. Huff and AM1 John L. Chassereau by Rear Adm. Paul G. Prins.

It was my privilege and pleasure to present the Distinguished Flying Cross to Lt. Robert B. Workman, Jr., on behalf of the President.

During this ceremony, a letter of appreciation was awarded to Lt. Comdr. Duane P. Gatto, commanding officer of the cutter *Ariadne*, and his crew for outstanding performance during 1966, as follows:

DEPARTMENT OF TRANSPORTATION,
U.S. COAST GUARD,
Washington, D.C., June 16, 1967.

From: Commandant.
To: Commanding Officer, USCGC *Ariadne* (WMEC 101).
Via: Commander, Seventh Coast Guard District (d).
Subj.: Letter of Appreciation.

1. I note with pride and am pleased to commend you and your crew on board the USCGC *Ariadne* (WMEC 101) for the outstanding achievement of steaming 32,753 miles during fiscal year 1966. This performance, which was exceeded only by one tender on oceanographic duties and one of the high endurance cutters, was attained despite the obsolescence of the plant and equipment, cramped quarters and long family separations.

2. I congratulate all hands on their pride in the Coast Guard, the USCGC *Ariadne* and themselves which made this outstanding accomplishment possible. The collective efforts, initiative, diligence and conscientious attitude of personnel on board during this period are appreciated.

3. It is requested that all personnel concerned be apprised of the contents of this letter and a copy placed in each individual's service record.

W. J. SMITH.

A letter of appreciation was also awarded to Dr. (Lt.) Henry E. McCullough, for his numerous medical assists in search and rescue helicopter medical evacuations and his efforts to improve medical care of coastguardsmen in the area, which I am inserting:

23 MAY 1967

From: Commander, Seventh Coast Guard District.
To: Lt. Henry E. McCullough 25556, USPHS.
Via: Commanding Officer, CG Air Station, St. Petersburg, Florida.
Subj.: Letter of Appreciation.

1. The District Commander notes with pleasure the outstanding services you have performed since reporting to Coast Guard Air Station, St. Petersburg, Florida.

2. Since you reported to Air Station St. Petersburg in July 1966, you have greatly improved the medical facilities of that unit and the services to Coast Guard personnel and their dependents. You have made yourself available at all times and have unselfishly given much of your own time.

3. I note particularly that you have participated in many SAR cases. Recently you served as crewman of the helicopter utilized in the medical evacuation of a Chinese Seaman from the M/S *Baron Holberg*, 130 miles off shore from St. Petersburg. The helicopter utilized was stripped in view of the long distance flight and you were the only crewman assigned. As the SAR aircrewman you guided the helicopter for the hoist and accomplished the hoist yourself. You then treated the patient while enroute to St. Petersburg.

4. Your outstanding performance and devotion to duty are hereby most heartily commended.

5. A copy of this letter of appreciation will be forwarded to the Commandant for inclusion in your official record at Headquarters.

P. G. PRINS.

The members of the Coast Guard are a valuable branch of our Armed Services in peacetime activities, as well as in war, and are proving themselves in local areas and in as distant areas as Vietnam, and we can well be proud of them.

Neighborhood Youth Corps a Success in East Chicago, Ind.

EXTENSION OF REMARKS

OF

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 1967

Mr. MADDEN. Mr. Speaker, we hear of a great deal of agitation from certain sources that some of our productive programs enacted during the last Congress should be curtailed on account of international expenditures. I firmly believe that the curtailing of the great programs which benefit so many millions of people over the Nation through education, apprentice training, and so forth, would be false economy.

By reason of the various projects enacted by the Congress during the last dozen years and especially during the 89th Congress, millions will become taxpayers instead of taxeaters on relief rolls.

About a year ago, Dr. John B. Nicosia, mayor of East Chicago, Ind., and James Porter, project director, with the aid of a representative from the U.S. Department of Labor, inaugurated the Neighborhood Youth Corps project in the city of East Chicago, Ind. It is a pleasure to be able to report on the success of this program.

Although originally funded for 100 slots, the out-of-school project has helped more than twice that number of young men and women take their place in the world of work. The statistics of success illustrate the excellence of this endeavor. Approximately 220 young people are now or have been enrolled since last fall, and the NYC job counselors have already been able to place 60 enrolleees in private industry jobs. Twenty-five more have been encouraged to go back to school as full-time students. Four have gone into the Job Corps for further training, while 11 have enrolled in training programs run by private industry or MDTA. Eight have joined the armed services. Only 10 have left because they could not adjust to daily work.

The East Chicago project has also helped to place directly into private industry over 125 young men and women who wanted to enroll in NYC, but were ineligible. While NYC's placement role is directed primarily toward enrollees, it was able to help these additional young people because of its close relationship with local employers.

To help prepare these out-of-school youths for the competitive job world, the project directors require all enrollees to take remedial education. They have set up a program with the city school system in which the NYC uses the school facilities and supports counselors and other professionals, while the school system pays the teachers with funds from title I of the Elementary and Secondary Education Act. Each youth receives 4 hours of classes a week, studying basic English and mathematics along with other subjects directly related to his job.

In tribute to these young people, participating in the Neighborhood Youth Corps, Mayor Nicosia of East Chicago and chairman of the East Chicago's poverty committee recently wrote a column in their monthly newsletter. Citing the contributions made to his city by the NYC, he said:

> One of the greatest pleasures I have had in my career in public life has been to help begin our local NYC program.
>
> The benefits to East Chicago, the state and the nation are many and diverse. Initially the program puts dollars into the pockets of youth from families living at or below the poverty level, but this isn't the most significant aspect. For the heart of the program helps nurture abilities and skills of our young citizens to take their rightful place in this great society.
>
> It has been brought to my attention that the young citizens involved in this program have made very substantial contributions to the local agencies to which they have been assigned. They have performed admirably as water filter aides and in a host of other positions. Knowing full well that we have a fiscal responsibility to all taxpayers, I would like to reflect upon a dollars and cents approach to our program. It is economically sensible to have our youngsters, who have minimal job skills, as employees in NYC programs at taxpayers expense; creating opportunities anew for the re-education and retraining of successive waves of young adults. We indicate with pride the additional benefits of the program because since its inception in June 1965, so many young adults have moved from the NYC program to full-time employment in the private economy. They are taxpayers (in some instances removed from the welfare rolls) and now contributing members of society). From this point of view our NYC program has to be considered a dollars and cents success.

I would like to join with Mayor Nicosia in praise of the East Chicago NYC for its successful project; and encourage the Department of Labor's Bureau of Work Programs in its efforts to help our young people compete in this rapidly changing world. Because of this project and others like it, thousands of young men and women throughout this Nation will lead useful and productive lives, helping to build a better America.

CYO Supports the War on Poverty

EXTENSION OF REMARKS

OF

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 1967

Mr. OTTINGER. Mr. Speaker, on the weekend of June 16–18, the young adult section of the National Catholic Youth Organization held its annual meeting here in Washington. During this conference, the board of directors unanimously passed the following resolution:

> We, the Board of Directors of the Young Adult Section of the National Catholic Youth Organization, acting in the spirit of the Papal Encyclical, "Progress of People," do hereby endorse the War on Poverty Program and urge all of our affiliated dioceses to support this program on a local level wherever possible.

Adoption of the resolution was jointly moved by Ray Hayser and Paul Jordan, outgoing and incoming presidents, respectively, of the archdiocese of Newark, and seconded by Ed Kemple, of the archdiocese of New York, the national civic action and awareness chairman for the young adult section. Frank Clager, from the diocese of Columbus, is the national president of the young adult section, which represents approximately 1 million Catholics between the ages of 19 and 30.

Efforts are underway to implement the resolution through education of the affiliated dioceses to the possibilities for participation in the various programs currently in operation.

I think these young men and women should be commended for their interest and concern over one of the major social problems the Nation faces today.

Tribute to the SBA

EXTENSION OF REMARKS

OF

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 1967

Mr. BURKE of Massachusetts. Mr. Speaker, I think it is indeed interesting to note that by the time our Nation's independence had been won, we had recorded what was probably the first small business loan by the Federal Government. The loan was granted to that noted horseman, Paul Revere, who obtained a $10,000 loan from the U.S. Government to build a mill that would supply copper sheathing for American ships.

Mr. Revere, also a noted Boston silversmith, sought the aid of his Government in helping him to supply a growing demand and thereby make a contribution to the economic growth of the colony of Massachusetts and the newly formed Union of States.

Paul Revere was exemplary of a new breed of American businessmen. This new breed of American was always ready for new ideas, for innovation, for a never-ending effort to learn more, to do more, to dream more. The striving epitomized the growing Nation. It still does today.

Much of the progress in the newly founded Nation came about because the Founding Fathers, and the people who followed their sage, if often stern leadership, were never content merely to maintain the status quo, to play it safe, to rest on their laurels.

It is that same drive and determination on the part of today's small businessmen, just as it was in the time of Paul Revere, which has helped to make our Nation's economy strong and prosperous.

Mr. Speaker, it is wise, I think, that our Government continues to realize the important role which our nearly 5 million small businessmen play in the Nation's growth and prosperity.

As many of my colleagues are aware, the Government continues to aid the small businessman with financial assistance and sound management advice through the Small Business Administration.

To encourage the growth of new small business, the Small Business Administration has in the past 3 years granted 830 loans, totaling over $131 million, to local development companies. These loans have resulted in the creation of 28,800 new jobs, and added nearly $1.2 billion to our economy. During the last 3 years there has been a net increase of 200,000 in the number of small business establishments in our Nation.

SBA has the responsibility of assisting small firms. It not only provides financing when they are unable to obtain loans from other sources, but it also helps them sell their products or services to the Federal Government.

Mr. Speaker, I should like to call my colleague's attention to the assistance SBA provided to Milton Machine Corp., of East Weymouth, in the 11th Congressional District of Massachusetts, which I have had the honor to represent since 1958.

I am especially pleased to take note of this firm because of the important work it is doing in the manufacture of components for missiles for our Armed Forces. The great bulk of sales volume of the firm represents high-priority classified work for the Government. Two Government inspectors are assigned to duty at the plant. The labor force consists of highly skilled machinists with a few apprentices drawn from a local technical school.

The work which Milton Machine Corp. is doing is vital to our national defense and to the strength of our Armed Forces in the field.

The firm was established in 1958 by two brothers, Richard and John Travers. Both of these men are dedicated to the principles of sound business practices and they closely oversee the work which goes on in their plant to insure the highest quality workmanship possible.

In 1965, the Milton Machine Corp. needed a $75,000 loan for expansion of the plant. The Boston regional SBA office approved this loan in participation with the Quincy Trust Co. Mr. Chester Weeden, president of Quincy Trust Co., signed for his bank to participate on a 10-percent basis.

This loan has helped Milton Machine Corp. to expand its facilities and hire additional employees so necessary to growth of the firm. The management of this small firm is appreciative of the aid given by SBA and realizes the importance of the loan to the company's growth.

To show the dramatic economic progress which this firm has made since the loan of $75,000 in 1965, I would like to note that in 1964, prior to the loan, the company's sales were about $150,000 and in 1966, after the loan, the firm's sales increased to an alltime high of $700,000.

These figures tell the story. The SBA loan has meant much to this small firm and I think that a recent letter from Mr. Frank Caliri, executive vice president of the firm, to the SBA office in Boston explains the situation much better than I can.

Mr. Speaker, I should like to insert Mr. Caliri's letter at this point in the RECORD:

MILTON MACHINE CORP.,
East Weymouth, Mass., April 27, 1967.

MR. LAWRENCE GRADY,
Small Business Administration, John F. Kennedy Federal Building, Government Center, Boston, Mass.

DEAR LARRY: I am sure that you will be pleased to learn that we recently received a contract from Redstone for the Rocket Motors that became such a controversial matter over the past several months. They increased the quantity by approximately 50%, to $95,000, which makes the effort you and I put into it quite worthwhile.

I want to thank you sincerely for all the time and guidance you afforded me, without which I doubt that I could have successfully pursued this effort.

As you know, we recently moved into larger quarters in Weymouth, Massachusetts. We naturally are very pleased that business conditions permitted us to make this move.

We have a great deal to be thankful for when we consider the fact that sales have jumped from approximately $150,000 in 1964, when I started with the company, to $700,000 in 1966 and which we expect to exceed by about 25% this year.

It seems like only yesterday when I came into your office looking for some financial assistance, which you arranged for us and without which we more than likely could not have processed our first significant prime contract with the Government.

Our current backlog is in excess of ½ million and I am presently negotiating a contract with N.O.P., Louisville, for more than $250,000 which should be resolved within two weeks. You may remember when I first talked to you in early 1964, that the company's backlog was $5,000 and they were planning to close up.

The company's future now, thanks to several of the Small Business Administration group and especially to you, seems quite secure.

I wish I could say more than "Thanks", and I hope to see you at our new plant soon.

Very truly yours,

FRANK A. CALIRI,
General Sales Manager.

Mr. Speaker, the Johnson administration deserves much credit for successes such as that experienced by Milton Machine Corp. The President is a strong supporter of the Small Business Administration as part of his program of promoting "creative federalism."

By working together, business and Government gain great advantages. In his state of the Union message, President Johnson said:

> Federal energy is essential but it is not enough. Only a total working partnership among Federal, State, and local governments can succeed.

The President includes in this "working partnership," the Nation's businessmen. He has said that the Nation faces "a tremendous job of reorganization of systematic management, calling upon all of our public and private resources at all levels of our national life."

It is President Johnson's type of "working partnership" which has resulted in 3,311 SBA loans amounting to $159,525,000 being approved in the State of Massachusetts since SBA's inception in 1953.

President Johnson has stated:

> The closer we can work together, the sooner, the better, and the more economically we can get the job done.

By giving Milton Machine Corp. assistance at a critical time in its development, SBA started this firm on its way to becoming a large, successful enterprise accomplishing vital projects for the Defense Department.

Under Administrator Bernard L. Boutin, the Small Business Administration has adhered to its mission of keeping the "seedbed of the American economy" vigorously growing and seeing to it that small firms have a chance to grow and prosper.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 13, 1967

The House met at 12 o'clock noon.

Rev. Father Thomas F. McNeill, St. Margaret's Roman Catholic Church, Syracuse, N.Y., offered the following prayer:

Almighty Eternal Father, in harmony with the spirit of our Founding Fathers and our predecessors in this honorable institution—the House of Representatives—who began each task with a public common prayer beseeching divine guidance and wisdom, we humbly approach You today with our petition.

Ours is a tremendous responsibility with far-reaching influence upon the lives and fortunes of all our countrymen. We also serve as a beacon light for the whole world.

Grant that our acts will be tended toward the common good and devoid of self-interest and demagoguery. May the supernatural aid in response to our prayer produce the same sublime results as it has in the past.

Sustain and comfort our President under his heavy burden of office. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 10918. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The message also announced that the Senate had passed with amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11089. An act to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund.

APPOINTMENT OF CONFEREES ON H.R. 10368, LEGISLATIVE BRANCH APPROPRIATION BILL, 1968

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 10368) making appropriations for the legislative branch for the fiscal year ending June 30, 1968, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? The Chair hears none, and appoints the following conferees: Messrs. ANDREWS of Alabama, STEED, KIRWAN, YATES, CASEY, MAHON, LANGEN, REIFEL, ANDREWS of North Dakota, WYMAN, and BOW.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will not receive unanimous-consent requests at this time, except for Members making a unanimous-consent request for committees to sit during general debate today.

PERMISSION FOR THE SUBCOMMITTEE ON MERCHANT MARINE OF THE COMMITTEE ON MERCHANT MARINE AND FISHERIES TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Merchant Marine of the Committee on Merchant Marine and Fisheries may sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, am I correct in assuming that the minority has approved this request?

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, I will advise the gentleman from Iowa that I am advised that the gentleman from Illinois [Mr. SPRINGER] is aware of this request and that it deals with the Public TV act.

I will further state to the gentleman from Iowa that I do not make requests such as this unless the minority has notice thereof.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE LATE HONORABLE J. ARTHUR YOUNGER

The SPEAKER. The gentleman from California [Mr. LIPSCOMB] is recognized.

Mr. LIPSCOMB. Mr. Speaker, I rise today to pay honor to the memory of our departed colleague, Congressman J. ARTHUR YOUNGER, of California, who passed away June 20, 1967.

ART YOUNGER was a man so brimming with vitality and life that it is difficult to believe that he is no longer serving here in our midst in the House. Certainly, though he will live in our memories for a long time to come.

ART was a man of many virtues and accomplishments. He represented the 11th District of California with much distinction for 14 and a half years. When he was elected to Congress in 1952 he had already achieved a successful business career spanning many years.

He was graduated from the University of Washington in 1915. After serving 2 years as graduate manager of athletics at the university he was called into service in World War I with the National Guard. He served overseas and was discharged a captain in 1919. ART then began a successful and distinguished career in the financial and mortgage-loan field.

Following his service as vice president, director, and manager of the mortgage-loan department of the Seattle Title Trust Co., from 1920 to 1930, he was president of the Seattle Mortgage Loan Co. for a 4-year period. From 1934 to 1937 he was regional appraiser of the Home Owners Loan Corp., assistant appraiser-adviser of the Home Loan Bank Board, and chief of the Savings and Loan Division of the Federal Home Loan Bank Board, Washington, D.C. ART moved to San Mateo, Calif., in 1937 and since that year has been associated with the Citizens Federal Savings & Loan Association of San Francisco. He was a member of the Congregational Church and various clubs and organizations.

ART was a fine legislator. He was very knowledgeable and contributed importantly to the work of the House Interstate and Foreign Commerce Committee of which he was a ranking member.

He was a firm believer in our form of government and in the free enterprise system, yielding to no one in his resolve to protect and promote freedom in America.

As a stanch Republican, ART was extremely proud of the principles of his party in which he believed and outspoken in their behalf.

His deep Christian faith served him and his nation well throughout his lifetime and through the hour of his passing. Everyone here who saw how he faced the illness which was to claim his life knows what a courageous man he was.

It was my privilege to come to Congress just a year after ART YOUNGER was elected. Knowing and working with him will be remembered as one of the fine experiences of serving in the House of Representatives. He was always very helpful to me personally, always generous with his advice and counsel. ART was a treasured friend and I feel a deep sense of personal loss at his passing.

California and the Nation have lost a dedicated public servant.

I want to mention today something that occurred the day ART passed away which gives a good insight into the respect held for Congressman YOUNGER. On that day a number of people working in and around the Capitol went out of their way to express how they felt about him. Subway car operators, for instance, told me that ART was always smiling and friendly and, as they put it, "always had a good word" for them. They asked that his acts of kindness be remembered to the House and I am honored to do so. A number of Capitol policemen also made similar comments to me about ART. Their words came from the heart and I mention them today because they provide such eloquent testimony as to the type of man Congressman YOUNGER was.

He and his wife Norma were an ideal couple who shared their lives together in a way that was a wonderful example to all.

To Norma and the family I extend my sincerest sympathy at their time of sorrow. I know however that they can take comfort in the knowledge that the virtues ART stood for and his achievements stand as a shining monument in his memory.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Speaker, I join my friends and colleagues in paying tribute to the life and service of J. ARTHUR YOUNGER, whose sudden and sad death some weeks ago deprived this House of one of its most respected and able Members. At the same time, the personal loss to many of us is beyond the power of words to describe.

Mr. Speaker, a few days before ART YOUNGER's death, my daughter stopped off in Washington and visited my office in the Rayburn Building which she had never seen before. As she looked around she paused before a large photograph taken on the occasion of the joint session when President Eisenhower made his first state of the Union address. This was in 1953 when ART and I were both first elected to Congress.

"Why, Dad," she said examining this picture, "there you are—as always—sitting beside Mr. YOUNGER."

Mr. Speaker, it does not seem possible that ART YOUNGER and I will not be sitting together in the House Chamber again as we sat together then and so often have sat together during the intervening years.

Nor does it seem possible that we will not be having breakfast each Wednesday in the House restaurant with a few cronies to discuss pending legislation.

ART's and my ties go back many long years and long before we both were elected to the 83d Congress.

He was born in Albany, Oreg., but

moved into what is now my congressional district in 1904 to Kirkland near Seattle, Wash., where he attended public school and graduated from the University of Washington in 1915. After graduation he served as graduate manager of athletics of the university for 2 years. After service in World War I, he entered business and was prominent in the Seattle business community when in 1937 he moved to San Mateo, Calif.

I did not know him intimately then, but his university friends and business acquaintances of those days are my friends now. They are the civic leaders of Seattle today and every time I return to my district, I have invariably been asked about him and to convey warm greetings. So, as I say, owing to this common background and community of interests, it was natural that ART YOUNGER's and my friendship should develop after we came to Washington, D.C.

Mr. Speaker, no one that I have known, during the ensuing years, has been closer and I may add that there has been no man for whom I have had higher regard. No one I have ever known was any finer. No one was more forthright and honest. He had strong views and expressed them freely. His integrity was beyond question. After more than 14 years of close association I can say this without any reservation whatsoever.

Since the sudden shock of picking up the morning paper last month and learning that ART had been taken, I have recalled over and over again the pleasant memories of these past years. For instance, the Youngers first took an apartment at the old Wardman Park Hotel where my wife and I also lived when we first came to Washington. Not only did our wives become intimate friends, but every morning and night, ART and I shared a taxi to and from the Capitol. Our two families often ended up having dinner together. ART's office was just around the corner from mine in the Cannon Office Building. We were on the same committee, the Interstate and Foreign Commerce Committee, and at noon we almost always went over to the House together and then on to lunch in the House restaurant.

You get to know a man when you see him that way, day in, day out, week in, week out, year in, year out, and even more when on weekends you play golf together. All these wonderful years on weekends ART and I have played golf when the weather permitted, and often when the weather did not permit because ART never allowed freezing weather or rain or even snow to interfere with his getting his exercise.

I once said to him: "Like Winston Churchill and his painting, you will spend the first million years after you die, playing golf." He allowed as he would, and maybe more so.

Mr. Speaker, you get to know a man playing golf with him year in and year out. And there never was a man of finer character than the gentleman from California.

One year the Youngers and my wife and I, after the fall election, came back from the west coast together on a freighter via the Panama Canal. You get to know a man on shipboard at sea. And again, I say, there never was a man of finer character. And so, it has been, Mr. Speaker, a privilege to have known ART YOUNGER. As his friends know, he was a person of firm opinion and absolute integrity. He never in any way, shape, or form compromised with his convictions and what he believed to be right. His high moral code never allowed him to indulge in anything that was not wholesome and morally right, and yet he was a warm human being and friend so that those of us who were his friends felt a deep love and affection for him way beyond the ordinary.

Today, Mr. Speaker, I am not going to recall all that transpired during the years of our common service to this body, nor tax in that way emotions which run so deep. Instead those recollections and fond memories will serve in the future as an example and inspiration to all of us who knew him here.

Often I have sought to convey to the people of my congressional district—and others too—that the great majority of Members of this House are honest, hardworking, and sincerely dedicated to our country. At times there are occasions which cause the public to question this. But mostly the people choose their Representatives wisely.

However, of all the Members of Congress I have served with, no one typifies to me what are the most desirable personal qualities in a Member than the qualities of ART YOUNGER. His contribution far exceeded the evaluation of his voting record of which I strongly approved. Mr. Speaker, his service was far beyond that; it was equally or more for his frankness and absence of any selfish motive. It was what was back of each vote and why he voted the way he did that made his service outstanding.

As long as I serve in this House, and indeed, for as long as I live—as with others—there will be an empty place by my side. But I hasten to say how thankful I am for the beautiful friendship that came my way and in memory will remain with me.

It almost seems selfish, Mr. Speaker, to dwell on one's own sorrow, when one considers the burden of grief of ART's beloved wife, Norma Younger.

Therefore, let me simply conclude with much unsaid, by extending for my wife and myself our deepest sympathy to Norma Younger with whom we share a deep sense of personal loss. May she be comforted, as all of us should be comforted, by the knowledge of the great public service ART rendered, and of his exemplary life. In tribute to this good friend, and in lasting sorrow, most inadequately I have expressed my admiration, love, and esteem. Yes, Mr. Speaker, in memory and in spirit and in devotion J. ARTHUR YOUNGER will still sit with me in this hallowed Chamber in the days to come.

Mr. LIPSCOMB. I yield to the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the gentleman from California yielding at this time.

Perhaps the greatest tribute that can be paid to any man is to say that he had many, many friends and enjoyed the deepest respect and affection of his colleagues. This is the tribute we offer today in memory of our beloved colleague ART YOUNGER. ART exemplified and typified that kind of man.

Friends are made, not born. So we ask ourselves why ART made—and kept—so many friends? One reason is perfectly obvious: His absolute and unquestioned integrity. He never talked one way to one friend and another way to another. When he agreed with you, he told you so, and when he disagreed he also told you, but always with a smile.

We all know men of great personal integrity who are not greatly loved. Perhaps the smile makes the difference in its own way. As the well worn saying goes, "Laugh and the world laughs with you, weep and you weep alone." ART YOUNGER had laugh wrinkles around his eyes for good reason. And once he made a friend he never lost him.

There is more to life than making friends, but not much more that we leave behind us. Others will remember ART's great success in business and in government, his love of beauty, his loyalty to principle, and his tremendous courage during his last months with us. But what I choose to remember today and forever is that we have all lost a dear friend. We shall remember this fine, outstanding man most vividly in the many days, the many months, and the many years to come.

Mrs. Ford and I always will cherish our close friendship with ART YOUNGER and his wonderful wife, Norma. No finer couple ever served the people of any State. If, as Shakespeare said, we are wealthy in our friends, then we may console Norma as we console ourselves—ART's life bountifully enriched us—every one of us.

Mr. LIPSCOMB. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I thank the gentleman for yielding.

I consider it a privilege to join the distinguished gentleman from California and the distinguished minority leader in this tribute to a friend and colleague who earned the tributes he has received here today.

Each and every day of the 15 years he served as a Member of the House, ART YOUNGER devoted himself wholeheartedly and unstintingly to serving his district and his country. He was probably classified as a conservative in his political thinking, but conservatism as he practiced it often took on a newer style. ART YOUNGER represented a district and a State which felt the impact of urban growth not gradually but in an almost overwhelming tide. ART knew that the old ways of coping with urban problems would not serve modern day needs. He was one of the early advocates of a plan to bring urban problems of housing, transportation, and communications under one roof. His advocacy undoubtedly drew attention and support to the new solutions and programs which serve our urban areas today.

ART YOUNGER was a solid man, a solid

legislator, one of the serious, constructive, hard-working men whose contributions over a lifetime represent a great legacy of public service. Art was an effective Congressman; he was a successful businessman. He was a pillar of strength in his community. He was a great American conscientiously serving well and fully and in accordance with the judgments of his own high personal standards. His colleagues loved and admired him. No lines of party existed where friendship and respect for Art Younger were concerned.

Our colleague was a fine gentleman. He was my good friend. I shall miss him greatly and remember him well. Mrs. Albert and I extend to Mrs. Younger, and the children and grandchildren, our deepest sympathy in their bereavement.

Mr. LIPSCOMB. I thank the gentleman.

I yield now to the gentleman from California [Mr. Sisk].

Mr. SISK. Mr. Speaker, I thank my colleague for yielding.

I wish to join with my colleagues from California, as well as the majority leader and the minority leader and others, in paying tribute to a truly great American and a great Californian.

I well remember January 1955, when I arrived here as a freshman, Art Younger was one of the first members of the California delegation that I had an opportunity to meet and to visit with.

Art in his relations with the Members of the House and his many friends never played politics. His advice and counsel and assistance to me, particularly during those early years in the fifties, were invaluable and were helpful and were a type of service that certainly I shall never forget.

I well remember Art's discussions with reference to some of our philosophic differences, and on many instances we did not vote together, and yet I respected Art and the positions that he took, because he took them with all dedication and in all good faith. As has already been expressed, he did not hesitate to disagree if he felt that way.

He and Norma were among the best friends that Reta and I have had in Washington, and so it is with a deep feeling of loss when we realize he will no longer be with us, but he does leave a multitude of friends, and certainly his memory will remain with us. I can only wish well for Norma.

I thank the gentleman for yielding.

Mr. LIPSCOMB. I yield to the distinguished Speaker of the House.

Mr. McCORMACK. Mr. Speaker, the Members of the House of Representatives have lost a real friend and valued colleague in the passing on of Hon. J. Arthur Younger.

Mr. Younger, at the time of his death, was serving his 15th year in the House of Representatives, the first session of his eighth term.

Among his colleagues and coworkers on legislation, Mr. Younger was deeply respected. His friendly manner and cooperative spirit went along with an unquestioned integrity and a stalwart courage.

He brought to his legislative duties the knowledge acquired through broad experience in savings and loan associations and in the Federal Home Loan Bank Board.

He was a dedicated legislator, fully appreciative of both the human and material values.

Those of us who have served in the House with Mr. Younger mourn his loss, and will long miss his sound judgment and outstanding ability, as well as his friendly companionship.

He was deeply interested in the best interests of the people of his district. However, the intensity of our late colleague's attachment to the interests of his district could not lessen his broader concerns.

The Honorable Wayne L. Morse, Senator from Oregon, has spoken eloquently of the contributions made by Representative Younger in legislative matters affecting the Pacific coast.

As an Army officer, serving overseas in World War I, and thereafter as a life member of the American Legion, and past commander of the Seattle Post of the American Legion, he had shown on every occasion his love of country. As a legislator, he made it plain by his voice and his vote that national interests came first, before local needs or partisan preferences.

He had one of the finest personalities I have ever met. He was a man of deep convictions, a man whose dedicated mind in the performance of his duties was an inspiration for all others to follow.

We shall miss him very much. I express my own deep personal regret at the loss of a good friend and a valued colleague in the tasks of legislation, and I extend my heartfelt sympathy to Mrs. Younger and her loved ones.

Mr. LIPSCOMB. I yield to the distinguished majority whip.

Mr. BOGGS. Mr. Speaker, I thank the gentleman for yielding.

There is little I can add to the beautiful tribute paid by the gentleman from California, by the distinguished Speaker, by the majority leader, and by the minority leader, except to say that Art Younger was in every sense of the word a dedicated Member of this body.

Art Younger served this House and this Nation as a Representative for a decade and a half, quietly, but effectively in the best tradition of the House of Representatives. His long and distinguished service on the Interstate and Foreign Commerce Committee, where he rose to the second ranking position on the Republican side, enabled him to contribute his talents to the shaping of countless pieces of major legislation. He leaves a record which few men can match and he leaves behind him a host of saddened friends.

In the job I have, I necessarily know the Members who are on the floor on both sides of the aisle. I know the Members who are here when the roll is called, and some who are not quite so diligent.

I must say that there was never a time when Art Younger was not here doing his job. As a matter of fact, on a very close rollcall, shortly before his passing, I looked down and, much to my surprise, I saw him here. I knew that he knew his days were very limited and that he had few left on this earth. Yet the smile which was characteristic of him, so well described by the minority leader, was still on his face—not only a smile of friendship denoted to all of us, but also a smile of great courage and dedication.

We indeed shall miss him on both sides of the aisle. I join in extending sympathy to his fine wife and family.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from New York [Mr. Fino].

Mr. FINO. Mr. Speaker, I would like to join my colleagues, more particularly those who are members of the "83d Club," in expressing deep sorrow on the passing of our late colleague, Arthur Younger.

Arthur Younger and I came to this House together back in 1953; and I find it hard to believe that he is no longer with us.

Like so many other Members of this House, I will miss his intelligence, assistance, and friendship. Men like J. Arthur Younger are hard to find.

Mrs. Fino joins me in expressing our deepest condolences to Mrs. Younger, and the Younger family.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from California [Mr. Smith].

Mr. SMITH of California. Mr. Speaker, I rise on this sad occasion to join my colleagues in the House of Representatives in paying tribute to my dear friend and late colleague, the Honorable J. Arthur Younger. With his passing, the 11th District of the State of California, the State of California, and the United States of America have suffered a great loss, and I feel a deep sense of personal loss.

Arthur Younger was one of the finest gentlemen I have ever had the privilege of knowing. He was a dedicated statesman, who through actions and words proved that he believed wholeheartedly in the great principles upon which our Nation was founded. He demonstrated, in everything he did, his ideals of liberty, respect for truth, and love of justice.

Art lived a good, full life as a Mason, Shriner, successful businessman, and dedicated statesman. He enjoyed living and spent many happy hours on the golf course where he demonstrated his good sportsmanship. When I first came to Congress, he helped me greatly by taking me under his wing and even calling me "Son." I, subsequently, endearingly called him "Pop."

Mrs. Smith joins me in expressing our deepest sympathies to his dear wife, Norma. We hope she will find comfort in knowing that her beloved husband has left behind him an example of American statesmanship at its best. Art will never be forgotten as his principles of courage, foresight, selflessness and sustained dedication to the preservation of freedom and liberty will live forever.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from California [Mr. Teague].

Mr. TEAGUE of California. Mr. Speaker, Art Younger was a gentleman, a splendid American, and a dedicated and effective public servant in the finest sense of those words.

He was never too busy to help his fellow men and his colleagues in every possible way at his command.

When I first came to Congress 12½ years ago, ART had preceded me here by 2 years. He could not possibly have been more helpful and kindly in assisting me to adjust to my new life.

It is hard to realize that "Uncle ARTHUR," as I called him—although he was only a few years older than I—has gone to his so well-deserved great reward. I am positive that he is sitting on a cloud up above us watching with approval the flourishing flowers he loved so much, and the good shots of his golf companions, none of whom could approach and putt as he could. If there is a pitch and putt course in Heaven, I have no doubt that ART is already established as the eternal champion.

He also must be participating in absentia, with his friends in the Thursday Morning Prayer Group and guiding all of us in our committee and House deliberations.

We all miss ART very much indeed and express our most sincere sympathy to Norma and the other members of his family.

Mr. LIPSCOMB. Mr. Speaker, I yield to the distinguished chairman of the Committee on Armed Services [Mr. RIVERS].

Mr. RIVERS. Mr. Speaker, I thank the gentleman from California for yielding to me.

I would like to associate myself with those encomiums to our late friend. I do not pretend to be qualified to embellish such a magnificent record as this man left with us, but his memory and his contributions will remain with us for as long as we shall live. I shall remember ART YOUNGER for his love of country, his love of his God, and for his living a way of life by which so many of us profited through our association with him.

As a regular member of the weekly prayer group, ART was always the first to be present and to participate in these deliberations. He loved to take the prayer group over to Annapolis each year to meet with our naval midshipmen. This was one of his projects.

Mr. Speaker, I recall one of the last conversations that I had with ART in which he expressed his concern for the existence of little Rhodesia. He took the position which so many of us would like to have the nerve to take in defending this country, a courageous little country.

Mr. Speaker, I had a lot of conversations with ART. At the proper time I too will take my place in that tradition for freedom.

Mr. Speaker, ART YOUNGER has left an example of dedication and courage by which all of us can profit.

But like all of us, Mr. Speaker, he was too busy to realize that—

Such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep
Turns home again.

The time for ART YOUNGER came unsuspecting and unknowingly and it came to one of the greatest Members who will ever serve in this body.

Mr. Speaker, I thank the gentleman from California for yielding.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from Maryland [Mr. FRIEDEL].

Mr. FRIEDEL. Mr. Speaker, I wish to associate myself with the eloquent remarks made by the Members of the House in tribute to our late colleague, J. ARTHUR YOUNGER. He was a most distinguished legislator who represented San Mateo County, Calif., with great ability, dedication, and integrity.

Our late colleague and I were first elected to the House of Representatives at the same time and, with the convening of the 83d Congress, it was my pleasure and privilege to have formed a lasting friendship with him. Atlhough sitting on different sides of the aisle in this historic Chamber, I respected his opinions and the contributions he made in debate and in framing legislation.

It was, however, after our late colleague was appointed to the House Interstate and Foreign Commerce Committee, it being one of the committees on which I have the privilege to serve, that I was even better able to appreciate his talents and work. Because of his extensive experience in the banking industry, he was able to give us the benefit of his special knowledge and skill which proved of inestimable value to the committee. He was devoted to our country's best interests and the welfare of his district, State, and Nation always had his priority consideration.

As a warm human being interested in his fellow man, as a devout churchman, and as a civic and patriotic citizen, he justly earned our esteem. His passing leaves a void and his absence from this Hall of Representatives causes us much sadness. It will, indeed, be very difficult for his congressional district to replace him with another man of equal stature.

I join my colleagues in expressing to his family our most heartfelt sympathy in their bereavement.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Speaker, it is not easy for those of us who were close to our late colleague the Honorable J. ARTHUR YOUNGER to admit in these words of eulogy that "Uncle ART" is no longer with us. It is particularly difficult for me.

"Uncle ART" and I were elected to Congress in the same year to represent adjoining districts. Though we belonged to different generations we developed a closeness and a spirit of cooperation as we approached the mutual problems of our contiguous districts. Through the years I developed a strong respect for his ability, integrity, and his capacity for hard and productive work. His passing is a great personal loss to me.

But life is a double entry system. For every loss there is a gain.

Though ART YOUNGER has died, the spiritual legacy he has left with us and with all Americans will never cease to live.

The words of the Litany of Commemoration which passed between one of the clergymen presiding at his memorial service and the people in attendance describe this legacy with much greater eloquence than I can summon.

The minister and the congregation jointly gave thanks to almighty God with these words:

> For all who have sought to bless men by their service and life, and to lighten the dark places of the earth. For all who have done justly, loved mercy, and walked humbly with thee. . . . We give thanks especially for Arthur Younger, whom we have known and loved, whose patience, steadfast hope and helpfulness have cheered and comforted our lives and has been a source of strength and inspiration to us all.

Then ARTHUR YOUNGER's friends prayed that "his love of truth and goodness should be kept alive in our hearts; his sense of honesty and fair play; his dedication to the high ideals of integrity and honor." They asked to remember "the courage in the face of adversity; the deep joy which knew no despair and the triumph which acknowledged no defeat, which belonged to him."

These latter words describe what perhaps was ART YOUNGER's most distinguishing character trait. Knowing he was doomed with leukemia "Uncle ART" died as he lived. He was busy to the last doing a magnificent job for his district, his State, and his country. Just 3 weeks before he passed away I was privileged to play golf with him and receive inspiration from his courage. Knowing he was approaching the end of a noble life, he was still a great competitor—a true sportsman and gentleman who gave no quarter—expected none in return—and tried his best to win honestly and fairly.

I feel that somehow such a man just does not die. His courage, his love of country, his devotion to freedom, his energy and his zeal will continue to inspire each of us who will carry on in his absence.

Our lives were made richer by his presence and that richness will remain with us. To his wonderful wife Norma and all his family I extend sympathy in their great loss. Their loss is greater than ours but here again life's double entry system will work. They will receive an even greater legacy of inspiration which our "Uncle ART" reserved especially for them. I hope and pray that their memories will sustain them in the difficult days ahead.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman.

Mr. HARSHA. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise to join my colleagues in paying my respects to our dear friend and colleague, ART YOUNGER.

Mr. Speaker, among ART YOUNGER's legion of friends he was deeply revered. He contributed much to the welfare of this Nation, and was one of its most able and diligent legislators; a fine gentleman, and one with the highest principles, I feel that I am a better man for having had the privilege of associating with him for these last 7 years. He was always willing to give his good counsel and assistance to those who sought it. I considered him a dear friend, and I deeply regret his passing. While he is gone from our midst his principles and ideals will continue to live on.

Mr. Speaker, I join my colleagues in extending my deepest sympathies and heartfelt sorrow to his wife, we shall surely miss him.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield.

Mr. LIPSCOMB. I yield to the gentleman.

Mr. MONTGOMERY. Mr. Speaker, I thank the gentleman for yielding to me.

I knew ART YOUNGER for only 4 months, but I cherish those 4 months that I knew him.

Mr. Speaker, I met ART YOUNGER by attending the weekly congressional prayer breakfasts, which he never missed.

When I saw the flag flying over the Capitol at half-mast in honor of ART YOUNGER I reminded myself that I was fortunate to have known this man, even if only for this short length of time.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman.

Mr. HOSMER. Mr. Speaker, one of the fine privileges of my service in the Congress was to begin it with ARTHUR YOUNGER in the 83d Congress, and to continue it with him for over 15 years. The association with ARTHUR YOUNGER during each of these years was one of ever-increasing admiration for the man and his capabilities, his statesmanship, his extraordinary example, his unswerving integrity, his sense of mission, and his splendid record of accomplishment.

These were years also of ever-increasing appreciation of the value of ARTHUR YOUNGER's friendship and the pleasure of his companionship.

Mr. Speaker, it is with a deep sense of loss of these and his other fine qualities that we all speak and pay tribute to him today. His loving wife, Norma, must know that the burden of her sorrow is lightened because it is shared by so very many.

This House, as it always has, will carry on its work despite ARTHUR YOUNGER's passing. It will do so, however, without the fine contributions he unfailingly made to its legislation, but compensated by the enrichment he has contributed to the lives and capabilities of all of us who survive him.

Mrs. Hosmer joins me in expressing our condolences to his widow and his family. We also know that those he represented in his 11th Congressional District, his State of California and, indeed, his country, have lost by his passing. But more importantly, we know that they gained much because he lived.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from California [Mr. CHARLES H. WILSON].

Mr. CHARLES H. WILSON. Mr. Speaker, I join with all Americans who mourn the loss of one of our colleagues, J. ARTHUR YOUNGER, whose death several days ago came as a great shock and even greater disappointment to all those who ever had an opportunity to work with this individual. "Individual" is a very good term for ART YOUNGER, for he exemplified individual dignity and honor, and treated every individual he met with this same dignity and honor.

I was one of those fortunate enough to know Congressman YOUNGER, through our joint work with the California State Society. Here he brought his great warmth and kindness, and he will always be remembered for the great care he gave to every detail as a member of the California State Society board and as the only individual ever to be president of this society for two terms. No one will be able to fill the void left in our society by the death of Mr. YOUNGER, from his great organizational skill displayed on the board to his careful selection of California flowers for all of the State society functions.

But Californians are not the only ones indebted to Mr. YOUNGER. His long and continuous support for the establishment of a "Department of Urbiculture" was a most important cornerstone in the foundation of the Department of Housing and Urban Development. His many years of service to this country date from his service during World War I, and California has had the honor of claiming J. ARTHUR YOUNGER as one of its citizens for the past 30 years, half of this time as a Member of Congress.

I feel very thankful that J. ARTHUR YOUNGER has been allowed to represent California for the past 15 years; I feel even more thankful that I have been permitted to know him; and I deeply grieve the loss of our esteemed colleague. His real humanity as well as his great service to his State and his country are not replaceable.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from California [Mr. BOB WILSON].

Mr. BOB WILSON. Mr. Speaker, I join my colleagues today in paying tribute to the late Representative ARTHUR YOUNGER.

We are all saddened by his passing which takes from our ranks a man who always will be remembered for his kindness, strong convictions, and unswerving devotion to his country.

Personally, I felt a close bond to ART YOUNGER and cherished the friendship we enjoyed since coming to Congress together.

One of the memorials to ART YOUNGER stands today in the newly created Department of Housing and Urban Development, an agency he first proposed shortly after he came to Congress. He always believed that the city dweller should have the same Cabinet-level representation that the American farmer has had for many years through the Department of Agriculture. He coined the word "urbiculture" to indicate the interests of urban residents. This is not to say that he was not interested in agriculture, for ART YOUNGER was one of the most active boosters for California flowers. He was proud of his county, which is one of the leading shippers of flowers in the Nation, and frequently arranged to have thousands of beautiful blooms flown here each year so they could be enjoyed by his colleagues and other Californians.

He and his wife, Norma, were obviously one of the happiest couples in Congress, and while I know there is great sorrow in ART's passing, I know also that her heart must be filled with pride in realizing the great respect and admiration all of us held for her husband. My wife, Jean, joins me in expressing deep personal condolences to the Younger family.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from Illinois, the distinguished ranking minority member of the Committee on Interstate and Foreign Commerce [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, it is with a great deal of sadness that I take the floor at this time to speak of our friend, ARTHUR YOUNGER.

ARTHUR faced the news of his serious illness the way he approached everything in life—with courage. When he admitted to himself that it was more than just the pressures and strains of the session that was taking a greater toll of his strength, he told his doctors he wanted the unvarnished truth, and with the facts before him he arranged his life in his usual straightforward way. He knew he could not continue at his usual vigorous pace, but he continued to fulfill his responsibilities to his constituents and to his office within the limits of his strength.

My association with ARTHUR has been a long and close one. We worked together on our committee, and although we may have disagreed on details we were in accord on principles, and his support and good counsel could always be depended on.

Conscientious in large and small matters alike, you could depend upon ARTHUR to be the first member to arrive at committee hearings, the one to attend every session, and the one to examine and pursue the legislation with utmost diligence. No one had ever to wonder where ARTHUR YOUNGER stood once he made up his mind on an issue. He was open and friendly in his dealings with every man but unshakable in his dedication to principle and his duty as he saw it. He was, in short, a great credit to his constituency and to the Congress as well.

His friends will mourn him. His admirers, and that includes everyone who came in contact with him, will miss him.

Mr. LIPSCOMB. Mr. Speaker, I yield to the distinguished minority whip, the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, I am deeply grieved with the passing of my friend and colleague, ART YOUNGER.

He was one of our ablest Members and one of my best of friends. He will be greatly missed, more than we presently realize.

On an occasion such as this we now wish, in our grief, what we now say about our beloved colleague we had said to him when he sat here with us. Flowers for the living should be our principle of life.

I cannot but believe, however, that ART YOUNGER knew in his heart, without our specific words, that all of us who serve with him held him in the highest regard and the deepest affection. That he served here for 14 years bespeaks the regard and affection with which he was held by the people he represented. No district could have a more dedicated spokesman than

Art Younger of the 11th District of California. Through the privilege of speaking in his district last fall, it was then learned of the great love and respect his people had for him.

Some say he was a conservative. Perhaps his guiding principle was: Be not the first by whom the new is tried, nor the last to set the old aside. But that does not necessarily apply to Art Younger.

He was a man who adhered closely to proven principles. But he was a man of vision. During his first term in Congress—14 years ago—he proposed that a department of Government at Cabinet level be established to deal with urban affairs. We now have such a department.

Over the years Art made a substantial contribution to the work of the Congress, particularly in connection with the many major problems coming before the Committee on Interstate and Foreign Commerce. He was our second ranking Republican on that committee. His work on that committee and here on the floor of the House stands as a monument to him.

Mr. Speaker, all of us deeply feel this loss, and I join with my colleagues in expressing my sincerest sympathy to his good wife.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from California [Mr. Mailliard].

Mr. MAILLIARD. Mr. Speaker, today we pause to pay homage to our late colleague and a distinguished member of the California delegation, the Honorable J. Arthur Younger.

Born and raised on the Pacific coast, Congressman Younger settled in San Mateo County, Calif., where he became a prominent business and civic leader.

At a time when most men would be contemplating retirement, Arthur Younger chose to enter into politics and devoted the last 14½ years of his life to public service. He and I came to Congress together, and our districts were adjoining. He applied himself as unstintingly to his final chosen career as he had in the past in business and civic activities, earning the respect, affection, and esteem of both colleagues and constituents.

Arthur Younger possessed a unique quality. He never seemed to grow old. He was always active in thought, never chargeable with fogyism. He seemed content, yet ever dissatisfied; settled, yet ever unsettled. He always seemed to enjoy the best of what is, and still be the first to find the best of what should be. Although one might disagree with his views, and many, including myself, occasionally did so, no one could fail to respect him as a man and for the tenacity with which he fought for his beliefs.

The House will sorely miss Art Younger and the contributions he made to its deliberations. It will not, however, soon forget him. He leaves behind a legacy of dedicated service and cheerful friendliness which will endure long after his untimely death.

To his wonderful wife Norma and other members of the family, my wife joins me in extending our most heartfelt sympathy. I hope the knowledge that we all share a part of their loss may serve to lighten the burden just a little bit.

Mr. LIPSCOMB. I yield to the gentleman from Arkansas.

Mr. GATHINGS. Mr. Speaker, the passing of J. Arthur Younger, of California, was a shock to me since I had understood from a recent news article that he had been working part time in his office. There are few Members that I have had as close an association as I have had with Art Younger. This has extended over a period of several years. I am the beneficiary of having had the privilege of working with him at the Thursday morning House prayer breakfasts. If he were in the city of Washington on Thursday he was in attendance there. The meetings were scheduled for 8 a.m. He came early along with Jimmy Utt and Sam Davenport. The three of them generally had finished with their breakfast before the meeting time of 8 a.m. arrived. Whatever assignment was given Art Younger he did it with enthusiasm and zeal. I will miss his ready, winsome smile, and his friendly greeting. He loved people. He was happy when in their midst. He had all of the attributes which meant for success in the public service; attentiveness to duty, loyalty to his constituents, and devotion to his country.

I join with other of my colleagues in expressing sympathy to the members of his family.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from California [Mr. Bell].

Mr. BELL. Mr. Speaker, I join with my colleagues in expressing deep sorrow at the death of one of the most dedicated and able Members of Congress, J. Arthur Younger.

Art was a man whose career exemplified devotion to duty, love of country, and dedication to public service.

His selfless efforts on behalf of his constituency and our State of California will long be remembered.

His truly outstanding achievements on behalf of the Nation he loved so well will stand as his greatest memorial.

I feel honored indeed to have been his friend and to have worked with him.

Mr. Speaker, he was a distinguished public servant who performed with exceptional personal integrity, and honesty. My wife Sally joins me and all who were privileged to know Art and mourn his passing and our hearts go out to his devoted wife Norma.

This Legislative Chamber will deeply miss his presence, and the Nation, a champion of justice.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from Texas [Mr. Pickle].

Mr. PICKLE. Mr. Speaker, it is a fitting tribute to our late colleague from California, the Honorable Arthur Younger, that he was described as being best known for his "devotion to duty and loyalty to country."

Having known Mr. Younger for many years, and having served with him in the House and on the Committee on Interstate and Foreign Commerce, I had a very close association with him. I knew him as a man of modesty, certainly a man of humility; a man of great ability.

I would only echo part of what Dr. W. Paul Ludwig stated in his eulogy for the late Mr. Younger:

Governments are made by people and great governments are made by great people like Arthur Younger.

I sincerely believe that we can all benefit from our relationship with our late colleague. For, in Mr. Younger there were the qualities that make some men stand just a little bit taller than others. In his actions there was never any question of fairness or equality because his life as a statesman was guided by the same principles as his life as a citizen and family man—those principles of honesty, integrity, and a love for his Nation and for his God.

His attitude and spirit was always refreshing because he was constantly seeking to do more than was required; he was always willing to go that extra mile.

Again, quoting Dr. Ludwig:

> Indeed, he appeared always to be seeking new ways to declare his love for the Nation, as if just to be an American made one a debtor to a degree that could never be adequately paid.

Mr. Speaker, from personal observation, I would say that one of the greatest attributes of this granitelike person, was his firm conviction that the best government was the least government; that the best government was the one nearest to the people. Art Younger was a strong individualist. He was a steadfast conservative. He was as consistent as the elements themselves. The members of his committee always knew exactly how Art Younger thought, what he stood for, and that no amount of arguing would change his position 1 inch if he thought contrary to his personal philosophy. Whether you agreed with him or not, you could always depend on him. You knew exactly where he stood. And if he gave you his word, you could put it in the bank.

In his work for his Nation, the best was not good enough. His personal interests often suffered due to his devotion to his country's welfare. Those of us who are fortunate to have worked with Mr. Younger know of his keen desire for progress and advancement.

Mr. Younger's great faith in Christ and in the church might well serve as a reminder to each of us, too. From his devoted role as a Christian, he found strength and love, a love for his fellow man which you could sense upon just speaking with him. It would do well if we all might remember our late colleague's attitudes toward mankind.

And Mr. Younger serves us still. Although his physical presence has passed on, we cherish the memory of this esteemed gentleman. And, we can strive a little extra to do the right thing, no matter what the occasion, just as our late friend would no doubt do.

Let us learn from the memory of our colleague the high ideals he held for his country. Let us learn a little better what humility and integrity is. Let us grasp a better meaning for fellowship of our fellow man, surely as our fine friend would have.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from California [Mr. Utt].

Mr. UTT. Mr. Speaker, I thank the gentleman for yielding. It is difficult, if not impossible, to add much to what has been said. I simply want to say that Art Younger was not only my good friend, but he was my counselor and constant adviser.

He was a man of great dedication and great devotion and great courage. I believe certainly one of the great privileges I have had since I have been here was to have the friendship and advice of this great man from California.

He possessed all of the attributes that were required in Holy Writ:

> What doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?

Our deepest sympathy to Norma, a wonderful wife, a great helpmate, and to the whole of the Younger family. I pray that God's blessing may be upon them as the days and years go by.

Mr. LEGGETT. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from California [Mr. Leggett].

Mr. LEGGETT. I thank the gentleman for yielding.

Mr. Speaker, I join the other Members of this body in mourning the loss of our colleague, J. Arthur Younger.

Particularly I want to join the very appropriate and well chosen remarks of our colleague from Gilroy, the gentleman from California [Mr. Gubser].

Mr. Younger was devoted to his country, to the Congress, and to his constituency, and he served them all in a distinguished and statesmanlike manner.

He was a gentlemanly and kindly individual. I remember his gracious acceptance of those of us who joined the California congressional delegation after him. He of course had the position of chairman of the Republican delegation from California.

I remember Art as having a very fine sense of humor. It was his habit to insert the columns of another Art, Arthur Hoppe, the California satirist and commentator, in the Congressional Record. I do not know whether Art always shared the political philosophy of the other Art, but both enjoyed a joke, and Art Younger always wanted to share those jokes with his colleagues in the House.

His career was one of service. He continued to serve gallantly until the end of his life.

I wish to extend my deepest sympathy to his bereaved family and particularly to his wife, Norma, who assisted him so well.

Mr. KLEPPE. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from North Dakota.

Mr. KLEPPE. I thank the gentleman from California for yielding to me.

Mr. Speaker, being a freshman Member of Congress, it was my personal privilege to only serve a very few months with our departed colleague, the gentleman from California [Mr. Younger]. During that short period of time, he spent a great many days in the hospital and at home convalescing. However, in my very brief contacts with him, he came through as a very warm and human person, well aware of the frailities of man but, as I knew him, he possessed a very strong personal desire to be helpful and useful to his fellow man. What more is there to ask out of a man than that he be considerate of his fellow man. I think Mr. Younger filled that bill very well.

I join with all of my colleagues today in paying special tribute to his memory as an American, as a Member of Congress and as a personal friend. His reward will be rich indeed because he planned it that way, and our life here will be better because he was among us for many wonderful years.

I appreciate the gentleman's yielding.

Mr. TALCOTT. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from California [Mr. Talcott].

Mr. TALCOTT. Mr. Speaker, every one of us was saddened by the sudden and early death of our friend and esteemed colleague, J. Arthur Younger, of California.

Art was wonderfully versatile. He was a successful businessman who devoted his normal retirement years to the service of others. In the Congress, the counsel of his wide experience and sound judgment was sought by veteran and new Members of the Congress alike. He enjoyed a zest for life and sports, a keen sense of humor and a close rapport with youth.

He was unusually endowed with many physical and mental talents, but he conscientiously developed many special attributes of integrity, fidelity, courage, and conviction which have been equaled by few men.

Art's tremendous courage and extraordinary faith are splendid examples for each of us and all who knew him. He fought hard to live, as he fought zealously for many principles.

His constituents, whom he served well, and his nation, which he loved dearly, will miss him. As one who was privileged to know him only a short while, I shall always cherish his friendship, respect his integrity, and admire his example. My memory of him shall be one of my prized possessions—something not lost by death.

Mrs. Talcott and I extend our condolences to Norma, his wife, and to his family.

Some Members were unable to hear the fitting eulogy of his pastor, Dr. W. Paul Ludwig, of the Chevy Chase Presbyterian Church. Washington, D.C. Therefore, I include the eulogy offered at his memorial service.

In Gratitude for J. Arthur Younger

(By Dr. W. Paul Ludwig)

When our fathers brought forth on this continent a new nation, they established it not alone upon verbalized political doctrine. While it is true that no country on earth or in any age has produced such stirring documents of national faith as have we, these alone have not made us great.

"O God, beneath Thy guiding hand
Our exiled fathers crossed the sea;
"And when they trod the wintry strand,
With prayer and psalm they worshiped Thee.

Thou heardest, well pleased, the song, the prayer:
Thy blessing came; and still its power
Shall onward, through all ages, bear
The memory of that holy hour.

Laws, freedom, truth, and faith in God
Came with those exiles o'er the waves;
And, where their pilgrim feet have trod,
The God they trusted guards their graves.

And here Thy name, O God of love,
Their children's children shall adore,
Till these eternal hills remove,
And spring adorns the earth no more."

—Leonard Bacon.

To a unique degree, unmatched in history, our affirmations have sprung from experience, not mere hope and they were cast into form by spiritual pragmatists not by academic technicians.

It will be instantly recognized in this distinguished company, that what I say about the spiritual stature of our nation's founders has been seen and known among us in these latter years. Governments are made by people and great governments are made by great people like Arthur Younger.

My gratitude will never cease that my 14 years in Washington have coincided with those of this eminent statesman. It has been no less than exciting to witness the life of a man who made his office of state a sanctuary for all that has been sacred in the noblest traditions of our nation and of our faith.

So long as Arthur Younger's personality pervaded the halls of Congress, there was never any question about the supremacy of integrity, industry and fair play.

He was so unequivocally devoted to his country's welfare, that his personal interests were habitually submerged. Indeed, he appeared always to be seeking new ways to declare his love for the nation, as if just to be an American made one a debtor to a degree that could never be adequately paid.

Often it is said that a pastor has no pastor to supply his own spiritual needs. This is not literally true. For me, at least, Congressman Younger fulfilled that role. As a totally committed churchman and sensitive Christian, he conveyed his love and encouragement to those who give their lives to the church. The faithfulness and spiritual grace which he and Mrs. Younger have shown here in this house of worship through the years leaves a vision of dedication which we shall long cherish.

It is not timely here to recount his skills as a legislator, as a pioneer and as a prophet. These, his constituents and his colleagues know full well. His record is distinguished and his service is a proud chapter in the annals of Congress.

But those who knew him best, his family, his staff, his friends, some of us who worshipped with him—will remember and thank God that in him preachments and practice were one thing, promises and fulfillment, creed and life—all one! This was a man!—a man of God—a man for America!

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to extend my remarks and include a eulogy.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from California [Mr. Van Deerlin].

Mr. VAN DEERLIN. Mr. Speaker, it is always a sad task to join in marking the departure of a colleague. But it is especially so, for me, in the case of Art Younger, a fellow Californian and esteemed colleague on the Interstate and Foreign Commerce Committee.

Having served more than 5 years with Mr. Younger on the committee and two of its subcommittees, I observed from close range his devotion to duty. He was often the first member to be in his place, ready to start proceedings. His record of faithful attendance in committee sessions must have been one of the best in the entire House.

I never knew Mr. YOUNGER to indulge in obstructionism for partisan or other reasons, or take advantage of committee witnesses with whose testimony he might disagree. He was always considerate of the feelings of colleagues and staff.

I shall always remember his special kindness to me as a fellow Californian, and as a colleague with far less seniority than he.

Mr. YOUNGER's distinguished career is well known to us all. His special interest in urban affairs 14 years ago led him to introduce legislation to establish a Cabinet-level Department of Urbiculture, which would have concerned itself with urban problems.

Mr. YOUNGER was ahead of his time. His bill did not succeed, but it is now generally regarded as the forerunner of the much later legislation which resulted in the creation of the Department of Housing and Urban Development.

It was this type of foresight which made Mr. YOUNGER such a valuable Member of the House.

I join our colleagues on both sides of the aisle in expressing deepest condolences to his widow, Norma.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Speaker, it is with a heavy heart that I stand today with my colleagues to pay a final tribute of respect to the memory of the honorable J. ARTHUR YOUNGER, late a Representative to Congress from California's 11th Congressional District.

When ART YOUNGER passed away the Nation lost one of its distinguished statesmen, the State of California and its 11th Congressional District lost an able and effective Representative, Norma Younger lost a devoted husband, and I lost one of my best friends.

ART and I came to Congress the same year—in January of 1953. A friendship was immediately formed between us which, through close association in this Chamber and outside, warmed and ripened as the years passed. The news that he had developed leukemia came as a profound shock because it came without warning. One day ART appeared to be in robust health; the next day it was obvious that he did not have many days to live. But one who was not aware of the fact would never have suspected it from ART's demeanor. He was a man of great courage and strong faith. He displayed these attributes when other men would have given up in despair.

Throughout an intimate association that extended nearly 15 years, I never saw ART YOUNGER do or say a mean thing. He was uniformly courteous, gentle, considerate, and kind in dealings with his colleagues. He was utterly without guile. In my book he was truly a great American who selflessly devoted his time and energy in promoting the best interests of our country, and in serving his State and district. He has left his own memorial in the hearts of us who are left behind and it will be more lasting than brass.

I was privileged to attend memorial services for ART in the church which he regularly attended when in Washington, and I heard his minister deliver one of the most eloquent and moving tributes that I ever heard. As I listened to the words of this gifted minister, who knew ART YOUNGER as a devout Christian who lived his religion during the week as he proclaimed it on Sunday, I thought that the words of Angelo Petri well described the feeling I had for my departed friend:

> In one sense there is no death. The life of a soul lasts beyond his departure. You will always feel that life touching yours, that voice speaking to you, that spirit looking out to other eyes, talking to you in the familiar things he touched, worked with, and loved as familiar friends. He lives on in your life and in the lives of others who knew him.

So on this sad occasion I leave to others to speak of this man's distinguished public career. Adequate reference has already been made today to that career. I also leave to others to speak of the great loss which his State and district have suffered in his passing. This subject has also been handled adequately. I prefer to record my own sense of deep personal loss over the going away of a true friend who will be sorely missed by me as the days and years go passing by.

Annie Elliott joins me in extending to ART's grieving Norma, who was his devoted wife and constant companion for many years, our profound sympathy over her loss. It is our hope that she will find some measure of consolation in the knowledge that ART has left behind him a host of friends who mourn with her over his passing.

(Mr. JONAS asked and was given permission to revise and extend his remarks.)

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Speaker, it is a sad privilege that we have here today of joining in these expressions of esteem for our dear departed friend, ART YOUNGER. No one could have sat here and listened to what has been said without better understanding why ARTHUR YOUNGER was so highly regarded. Previous speakers have made mention of his characteristics of friendliness, of love of God, home, and country, of consistency, of fairness, and of a desire to do those things which were for the welfare of his constituency and his Nation. Certainly that paints a composite picture of a great man and a most valuable Member of this House.

Mrs. Adair joins me in expressing to Norma and his family our very deep condolences and our sympathy.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Speaker, I am honored to participate in the eulogies we offer for our late colleague, the Honorable J. ARTHUR YOUNGER. It was my privilege to serve with ART on the Interstate and Foreign Commerce Committee where I soon found his counsel to be of great assistance in understanding the complicated matters with which we deal in that committee. He was, moreover, a friendly guy with a twinkle in his eye. His personal warmth and good humor added pleasure to all our associations in the years we served together in the House.

The regular weekly Younger breakfasts, which our late colleague organized, gave many of us added inspiration and determination to better serve our country in a manner reflecting credit on the great Christian heritage. We shall sorely miss ART's hand in this and and in all the other ways he served the people of the United States.

May ART's family and loved ones find solace in the distinguished service he rendered to his Nation, and derive comfort from his many achievements on behalf of good government.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, having listened to the wonderful tributes paid to the life and work of our late friend, ARTHUR YOUNGER, I realize there is very little I could add or very few words I might say that have not been said before. I would like to say that coming from a different section I reflect what I think is the sentiment of all of the Members of the House; namely, that all sections appreciated ARTHUR YOUNGER as a real American, and a fine Member of Congress. He was a man who kept his head at a time when many might not be keeping theirs. Never have I seen him, in the many years I knew him—and I knew him well—when he was not a true friend to his beliefs, to the welfare of the general public. Never have I seen him discourteous in debate nor have I ever seen him espouse an unworthy cause. Never have I seen him on the floor that he did not know his subject. In addition to the wonderful contributions he made here in the Congress and to the well-being of the United States, I have the privilege, as does my wife, of knowing his fine wife, Norma. We extend to her and others of his family our deepest sympathy, and to the country we say that we have truly lost a friend, a worthy Representative of a fine State of a type of which we have far too few, has passed on. The benefits of his work and the example of his life will live on.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, while I had been privileged to serve in the Congress with ART YOUNGER only since January of 1965, it is a privilege I found purely enjoyable and extremely reassuring. I had heard fine things of ART YOUNGER from my predecessor before I ever came here. When I had the opportunity of personal acquaintance with him, I was not disappointed.

ART was the kind of man to whom a younger Member of Congress could turn for honest and straightforward advice whether it was about legislation or political decisions or personal considerations. He saw things clearly and assessed them with succinct simplicity.

Service with him was reassuring because it gave the feeling that a maximum of experience and sober judgment was being made on behalf of the people of the 11th District of California. That they should send a person of ART YOUNGER's integrity to represent them in the Federal Government was more a compliment to his constituents than it was to him.

The ready smile and always cheerful personality made it easier to seek his advice. He enjoyed life because he enjoyed people. This may explain why his 74 years left him the countenance and bearing of a much younger man.

The myelogenous leukemia which took ART YOUNGER from us prematurely and suddenly is a form of the disease which can sometimes be controlled by medical science. In its acute form its ravages are tragically swift, as they were in ART's case.

Much is still not understood about this form of a dread disease to which I have recently lost a close personal friend in my home community as well as my friend and colleague from California. The acute childhood form of the disease, acute leukemia, has also struck in my family as it has in the families of other Members of Congress. It is to be hoped that the Congress will continue its present interest in tracking down the cause and cure of such diseases. To do so is a worthy contribution to the future. It is the kind of sensible, conservative program for progress which ART YOUNGER felt was a desirable function of the Federal Government.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentlewoman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Speaker, it is with a heart filled with sadness that I join with others to pay a sincere tribute to our beloved colleague and friend, the Honorable J. ARTHUR YOUNGER, of California.

I admired ART YOUNGER immensely and valued his friendship highly. When I first came to Congress ART and Norma Younger were among the first of new friends I made, because we had mutual acquaintances in the State of Washington where they had once lived.

And, I was only one of a host of friends because ART had a special attribute of good humor and a warm, kindly demeanor that made him an unusually likeable man. He was a conscientious, faithful representative of his people in California and a man who had a courageous dedication to the principles he believed in and fought for. But, his friendly personality always assured that even those who may have disagreed with some of his convictions always respected him deeply and liked him very much as a person.

The State of California and the people of his congressional district will miss his fine representation, his colleagues in the House will miss his keen sense of humor, his understanding, his wisdom, his devotion to duty and to Christian principles.

To Norma, his wonderful wife, and all those of his family, I extend my deepest sympathy.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from California [Mr. PETTIS].

Mr. PETTIS. Mr. Speaker, the loss of our friend and colleague, Representative ARTHUR YOUNGER, directs to our minds' focus qualities of character and spirit rarely combined in so congenial a manner. A man of competence with an unfailing sense of duty, he was also a man of uncommon sensitivity in perceiving the feelings and needs of his fellow men.

A freshman in this House, Mr. Speaker, needs a friend and counselor. ARTHUR YOUNGER was an "older brother" to me and was, in spite of heavy burdens of office and increasing physical weakness, always available with the kind of guidance and encouragement that left me a wiser and a better man.

His wife, Norma, has been "big sister" to my wife, Shirley, here in Washington. Impressions of our deceased colleague as seen through his companion, Norma, support and amplify what I have already suggested—that ARTHUR YOUNGER was an able and outstanding statesman and a kind and considerate Christian friend who found deep pleasure and satisfaction in living the goodness and kindness of God.

His death, Mr. Speaker, leaves us and his constituents with a deep sense of personal loss, but with spiritual goals and insights that should make us better public servants and truer men and women.

I join my colleagues in extending sincerest condolences to his companion and dear ones.

Mr. LIPSCOMB. Mr. Speaker, I now yield to the distinguished gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Speaker, I am glad to join my colleagues on both sides of the aisle who are, today, pausing to do a deserved honor to one of our former colleagues, the Honorable ARTHUR YOUNGER of California. It is fitting and proper that we should do this for this man with the example of his life, for his contributions to his community and State before he became a Member of Congress, were unique and impressive. Others have or will speak of them, but there is also another area of his public service that should be noted. That is the independent sector of our society. Like many in public life, he was a "joiner," but he was different because when he joined an organization, he joined to make a contribution to the objective of the organization he became a part of. In this area he did so much to build a monument of himself in the hearts and minds of the fellow members of the organizations in which he was active.

After he became a Member of Congress, he had to forego activity in some of these organizations, but when he came here he found other organizations and became active as was his custom at home. Others have spoken of this eloquently and brilliantly. I might add, at this point, however, that his involvement in extracurricular activities demonstrated his faith in the American ideal of helping others to help themselves and thereby to strengthen and improve the moral base on which we build a better country.

I must add my commendation, too, along with my colleagues, to his tremendous capacity to work as a representative of the people. With the thorough understanding of American basic freedoms and philosophies and his faith in the opportunities it gave, he sought to legislate and influence legislation so that Government could become more effective for the people it served without wasting their energy, time, and money.

I can testify, in addition, to the fact that his personality prevailed in the Halls of Congress. My colleagues agree that with him there was never any question about the supremacy of integrity, industry, and fairplay.

No one could or would ever deny that he was devoted to his country's welfare, that his personal interests were always secondary.

Searching always for new ways to declare his love for the Nation he served seemed paramount and he was always appreciated by those who knew him so well. Others have testified to his skills as a legislator. His colleagues from California can testify on his service to his constituents. All can agree that his record was a distinguished one and his service a proud chapter in the annals of Congress.

In the words of a poet, Edwin Markham, in tribute to another great American, Abraham Lincoln:

> Here was a man to hold against the world—
> a man to match the mountains and the sea.

In closing, Mr. Speaker, may I extend my sympathy and the sympathy of Mrs. Schwengel to his family, especially his wife Norma; to all of his other friends and to his staff, all of whom will miss him, but whose lives are richer because of their opportunity to work with him and to know of the fine service—firsthand—and contributions he made to his fellow man.

Mr. DELLENBACK. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Oregon.

Mr. DELLENBACK. Mr. Speaker, I thank my friend, the gentleman from California, for yielding.

Mr. Speaker, I have listened with interest and understanding as the Members of the House who served through the years with ART YOUNGER have commented on his substantive contributions to the legislative process in the Congress. The complete bipartisanship and broad geographical representation involved in this tribute are most impressive.

I am certain that I speak for many of my freshman colleagues when I express the strong feeling that even those of us who measure our time of real friendship with ART YOUNGER in months instead of years also feel a real sense of loss at his passing away.

His kindness, his sincerity, his warmth, his consideration for others, his obvious sense of responsibility, his courage, his smile—all were clear evidences of the rare quality of this fine person, and of the depth of the Christian faith which he not only professed, but truly practiced to the very limit of his ability.

The world never has in it at one time enough people of the rare character of this man, ART YOUNGER, that we can accept his leaving us without a deep sense of regret—not really for him, but for ourselves. Our particular sympathy goes forth to his family. May the comfort and blessing of the Lord be with them.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. Mr. Speaker, I do not believe anything can be added to what has already been said, but I I would feel amiss if I did not express my appreciation of, and high esteem for our former colleague, ARTHUR YOUNGER. The association that I had with him over the years impressed me not only with his dedication and his sincerity, but the fact that he was indeed a Christian gentleman, and I can pay no higher tribute to any man. I know that Mrs. Jones joins me in extending our sympathies to his widow, and to other members of his family, who can be assured that their loss is shared by ART's many friends whose lives have been enriched by their association with him.

Mr. GURNEY. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Florida.

Mr. GURNEY. Mr. Speaker, our colleagues here today have paid great and high tribute in their eulogies to ART YOUNGER, and little more can be said here that can enhance his honesty, his integrity, his high courage, his high principles and his devotion to his profession as a Congressman, and his sterling, unsurpassed qualities as an American.

As for me, Mr. Speaker, I will remember him best and always as a friend, and wise counselor. I have never known a person I liked better or a person for whom I had more respect.

I remember well when I learned of his passing that my first remarks to my wife, Mrs. Gurney, who also knew him and his wife, Norma, very well, were these: "Oh, how greatly we will all miss him."

And the House of Representatives will not be the same without ART YOUNGER. This House and those who knew him have indeed suffered a great and irreplaceable loss, and so has this Nation.

My deepest sympathy and that of Mrs. Gurney go to Norma Younger, and all of ART's family.

Mr. BROYHILL of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman.

Mr. BROYHILL of North Carolina. Mr. Speaker, the untimely passing of our esteemed colleague, Congressman J. ARTHUR YOUNGER, leaves many of us here with a great sense of personal loss. For more than 4 years I had the privilege to work closely with this man whose judgment and integrity I came to respect very deeply. In age and appearance he was very much like my own father, and as a result I was drawn closely to him. When I first came to Congress ART YOUNGER was a senior member of the House Committee on Interstate and Foreign Commerce. It was my good fortune to serve with him as a member of the Subcommittee on Communications and Power. His interest and personal kindnesses to me during my early years here are among my strongest recollections of this fine man who has been an example of a dedicated public servant to us all. His generosity in sharing with me and others his wealth of knowledge is only one demonstration of this kindly man's outlook and capacity for assistance for others.

Mr. Speaker, not only was Congressman YOUNGER a dedicated legislator, but he was a valued friend as well. My deepest sympathy goes out to his wife and family during this sorrow-filled time. Legislator, friend, and esteemed colleague, Congressman YOUNGER will be sorely missed by the House of Representatives. The world is a poorer place for his passing.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Speaker, I was deeply saddened when I heard of the death of a close friend and colleague, ART YOUNGER.

Even before I came to Washington I had heard what a fine man ART YOUNGER was from my father, who served with him in the Congress. When I succeeded my father in the Congress, I found that my father's praise of ART YOUNGER was indeed merited.

I have had the pleasure of working with ART YOUNGER on the House Interstate and Foreign Commerce Committee and found that experience both rewarding and instructive.

As a skilled legislator, ART YOUNGER provided vital guidance in matters concerning urban affairs and particularly health legislation. His efforts on the health profession bill last year will allow many young men and women to earn a medical education that otherwise might have been denied them.

His dedication to his work was well known. You could count on ART YOUNGER to carry his share of the work. The gentleman from California never compromised with his responsibility as a Member of Congress.

My wife, Becky, and I offer our deepest sympathy to his wife, Norma, in this sad hour.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from California [Mr. REINECKE].

Mr. REINECKE. Mr. Speaker, I join today with my colleagues in mourning the passing of a great leader, a valuable public servant, and a close friend, ARTHUR YOUNGER.

ARTHUR YOUNGER has served our home State of California untiringly while representing the citizens of San Mateo County for the past 14 years. He moved to California after being raised and educated in the State of Washington. He established himself in a distinguished banking career. After moving to California, ART YOUNGER so contributed to the community in which he lived, and gained the respect of his neighbors that he was elected to represent them in the House of Representatives in 1952.

For 14 years he represented his constituents with ability, integrity, and distinction. His colleagues from both sides of the aisle looked to him for advice and assistance. He was considered by all of us who knew him to be a man of sound and honest judgments.

ARTHUR YOUNGER, dedicated to serving the American people, was also a dedicated man of faith, living from day to day the convictions and commitments of his Christian faith. Those who met with him in the House prayer breakfast group became especially aware of the high caliber of his character and his deep spiritual concern for the problems facing the American people today.

Because of his failing health, ART YOUNGER was planning to retire from public office at the end of this term of office. He gave the last full measure in the service of his country.

ARTHUR YOUNGER will continue to be an inspiration and an example to all of us. He will be missed and long remembered with admiration by his many friends. I join today with his colleagues in the U.S. House of Representatives in extending sincere sympathy and condolences to his wife, Norma, and the Younger family who shall miss him most of all.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. HUNT].

Mr. HUNT. Mr. Speaker, when I first came to the House of Representatives in January, I sat in a seat not too far from where I am now standing, alongside of a gentleman who casually asked me my name and then extended to me the right hand of fellowship. That man was our departed colleague, Mr. YOUNGER. He took me to my first lunch in the congressional dining room and later we came back to the floor of the House and sat in adjoining seats.

I shall never forget the words of wisdom he gave me that day. He said, "Mr. HUNT, you will have many moments in this House when you will be perplexed and you will wish to know, and wish to have guidance on how you should vote. I want to tell you that emblazoned over the Speaker's rostrum there are inscribed the truest words ever spoken, 'In God We Trust' and when the moment arises, place your trust in your God, as I have all these years."

I shall never forget those words.

Later, it was my privilege to attend the congressional prayer breakfast with Mr. YOUNGER. I respected him for what he really was—a Christian gentleman—and I think as we go down in history and remember Mr. YOUNGER we shall always know him and respect him for that—truly the epitome of Christianity—truly a believer in good government—and truly a fine gentleman possessed of the finest character and of the utmost of integrity.

Mr. Speaker, I join my colleagues today in expressing our sympathy to his wife, Norma, and to the other members of his family.

Mr. LIPSCOMB. I yield to the gentleman from California [Mr. McFALL].

Mr. McFALL. Mr. Speaker, it is with deep regret that I join my colleagues in expressing my sincerest condolence to Mrs. Younger and the family of our late friend and colleague, ARTHUR YOUNGER. ART was one of the most delightful men I have ever had the privilege of knowing. We agreed on those fundamental ideas on which all Americans agree. Because we were of different parties, we disagreed on what are really the minor things on which Democrats and Republicans differ.

ART YOUNGER was a great Representative of the State of California. All of us are proud of his contribution to his district, our State, and our Nation. We shall miss him, not only as a fellow worker, but as a friend who, with his smile, wit and friendly manner, he made our every day brighter.

My family joins me in expressing our sympathy to his family. His family has lost him, but they retain memories of a wise and wonderful man.

Mr. LIPSCOMB. I yield to the gentleman from South Dakota [Mr. REIFEL].

Mr. REIFEL. Mr. Speaker, I thank the gentleman from California for yielding. I share the deep sorrow of my colleagues and wish to associate myself with their meaningful tributes to J. ARTHUR YOUNGER.

Those who have preceded me have, more eloquently than I am able, already mentioned his effective capabilities as a legislator, his great loyalty as an American citizen, his true warmness as a friend.

When I first came to Congress 6 years ago, ART YOUNGER had a group which would meet on Wednesday mornings for breakfast. He invited me to join that group. About the same time I also participated in the House prayer breakfast group, which he attended regularly when he was in the city. As a result of these two breakfasts, which I attended almost every week while the Congress was in session, I came to know him as well as anyone in this body. We came to be warm, close, personal friends. We even had a little sign language which indicated when we greeted each other that we understood each other. I will miss him on these two occasions each week as well as here on the House floor, but my memories of our associations will enrich my own life as the days go by.

Mrs. Reifel and I were equally fond of his dear wife, Norma. We extend to her our heartfelt sympathy and pray that ART's stature as a man and a friend to the many who knew him in the Congress and elsewhere will sustain her in the days ahead, and from it will reap consolation that will continue to give her the strength to meet the demands that will come upon her. To the other members of his family we extend our sincere condolences.

Mr. LIPSCOMB. I yield to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I join with my colleagues in expressing deep regret at the loss of our friend, the Honorable J. ARTHUR YOUNGER. No Member of the House was more dedicated to those he represented and to the best interests of this entire Nation. His death is a real loss to the district he represented so well, to the State of California, and to the country as a whole.

I will always treasure the opportunity to have known him and to have had his friendship.

To Mrs. Younger and the members of his family, Mrs. Gross and I extend our sincere sympathy.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Missouri.

Mr. HALL. I regret to rise in order to associate myself in memorial tribute to the late Honorable J. ARTHUR YOUNGER. To me he possessed many outstanding virtues. The ones I shall try to remember most were his overt pleasantness, his innate tolerance, his inherent and native sweetness, and yet his firm conviction as a representative Republican. Like many others who have spoken before, and with whom I would like to associate myself, I knew him closer in the prayer group than elsewhere.

I particularly would like to recall his leadership in that group's trips to Annapolis so that we might meet with our respective cadets and attend their chapel services, annually on a Sunday.

Mrs. Hall and I met and visited with ART and Mrs. Younger during his last days at Walter Reed Hospital. He had the wisdom and the depth of personality to make me walk away from there feeling tall in his conviction, perception, and knowledge of what was ahead of him.

We certainly extend our love, appreciation, and regret to his family in this time of separation.

I thank the gentleman for yielding.

Mr. LIPSCOMB. I yield to the gentleman from Michigan [Mr. HARVEY].

Mr. HARVEY. I thank the gentleman for yielding.

Mr. Speaker, it is difficult, if not impossible, to place into words the deep, personal feeling that one holds inside for a departed friend. In recent years, many of us have taken part in eulogies for former colleagues. Today, Mr. Speaker, I am both saddened and yet privileged to add my words in paying tribute to the late J. ARTHUR YOUNGER.

Only 2 weeks before his passing, I spent a most enjoyable golf outing with ART and two of our colleagues. I shall always remember and treasure those relaxing moments which I have thought of many times in recent days. Still fresh in my mind was ART's comment, "I just hate the thought of ever giving up this game." That day he also revealed that he was using his special putter—a gold one which was a gift from his wife.

I have thought, too, of his golf game. He was an accomplished golfer. Not a really long driver, but he put his shots straight and true down the fairway. You did not see ART's ball in the rough very often.

In a way, this typified his service in this great body—true and accurate.

From our service together on the House Committee on Interstate and Foreign Commerce, I was quick to learn his obvious wisdom, his sound and solid approach to many complicated legislative matters. I learned from him.

This House, California's 11th Congressional District, and our Nation have lost not only a fine public servant, but a truly great individual. Our country is a bit better because ART YOUNGER passed this way.

Mr. LIPSCOMB. I yield to the gentleman from California [Mr. WIGGINS].

Mr. WIGGINS. Mr. Speaker, I thank the gentleman from California [Mr. LIPSCOMB] for yielding.

I, too, join with my colleagues in expressing tribute to our dear friend, J. ARTHUR YOUNGER, and in conveying my deepest sympathy to his wife.

Others have said, quite properly, that this Congress has suffered a grievous loss. But I feel that loss, perhaps, more personally than others.

Our colleague was a warm and affectionate friend to us all. To me, however, he was, and will always be, "Uncle ART." I could feel no greater sense of personal loss had he been a member of my immediate family.

I know of his dedication to this country and of his quiet but effective pursuit of liberty for all of the people in it. His only enemy was unreasoning bureaucracy. So often, he spoke out in this Chamber against "big government" and for the simple virtue of "commonsense" in meeting the issues before us.

But that voice is now still. We are all the losers. In a large sense, however, we all are better men and women for having known and been associated with our late, beloved colleague, J. ARTHUR YOUNGER, of California.

Mr. DICKINSON. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Alabama.

Mr. DICKINSON. Mr. Speaker, there is little I can add to what has been said here in tribute to our good friend ART YOUNGER. I agree with all that has been said.

As has been described, he was a dedicated public servant, a genuine statesman, a fearless fighter for the principles in which he believed, one of unimpeachable integrity, and to this I would add that he was, indeed, a sweet and gentle man.

He was a good friend of mine and of us all. His passing was a loss to us all, as well as a personal loss to me. He will be sorely missed. As a matter of fact, I can think of no Member in this House who had more friends and was more universally liked and respected nor whose death will be more widely felt.

I thank the gentleman from California for yielding.

Mr. LIPSCOMB. Mr. Speaker, I yield to the gentleman from Ohio [Mr. DEVINE].

Mr. DEVINE. Mr. Speaker, with the passing of our beloved colleague, J. ARTHUR YOUNGER, the Congress of the United States and the Nation lost a truly great American.

The dedication of ART YOUNGER was surpassed by no other Member of the Congress and he had the respect of all Members of this body notwithstanding political affiliations.

I was personally enriched by having the opportunity to associate with ART YOUNGER and serve with him for the better part of 9 years on the Committee on Interstate and Foreign Commerce. Sitting beside him was a wonderful experience and having his counsel and guidance and the benefit of his vast wisdom and experience.

ART YOUNGER was a man of courage and conviction. He did not hesitate to take a firm position when he knew he was right, yet he maintained an open mind in weighing all legislative matters.

The Congress will sorely miss this great departed colleague who served his country so well.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, I would like to join the gentleman from California in paying tribute to our departed colleague, ARTHUR YOUNGER. ART YOUNGER was a great American and a true friend of all of us here in the Congress, but he was more than that: He was a friend of every citizen of America. He proved this time and time again through his outstanding work in the field of health legislation during the eight terms that he served in the House of Representatives.

Not only was he a strong supporter of better health for all Americans but his work with the Public Health Service, medical schools, and the National Institutes of Health will long be felt in our Nation. He was a cosponsor of the legislation providing for the Health Professions Act, which passed the 89th Congress.

He was the cosponsor of other very important pieces of legislation which will have a long and far-reaching effect upon the health of every citizen in America for years to come.

Those of us who have watched closely the development of the National Institutes of Health know of ART YOUNGER's long interest in these National Institutes of Health—the work of the National Cancer Institute and the National Heart Institute. The results of the research effort carried on by the National Institutes of Health will be felt by many of us for years to come.

I had an opportunity to talk with ARTHUR YOUNGER about the development and planning of future health services throughout the Nation, shortly after he was taken ill. He was a man who had an awareness of the problems this country faces in this area.

He knew firsthand the many conflicts that we presently have within governmental agencies in the field of health.

There could be no greater tribute to ARTHUR YOUNGER than that this Congress do some good hard work in coordinating these many governmental health efforts.

The many health activities of the Social Security Administration, Public Health Service, and OEO were areas he was looking in this session. This Congress would pay a great tribute to ART YOUNGER by pursuing the kind of questioning that he was carrying out in this field of duplicating health activities in this session of Congress.

We have lost a great American, but more importantly we have lost a true friend in ART YOUNGER, a thoughtful, kind, and gentle man, who will be long remembered by all of us as we express today our sincere feelings and regrets to his lovely wife Norma and to all those people of his congressional district who made it possible for us to know this man, ARTHUR YOUNGER.

Mr. MATHIAS of California. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from California [Mr. MATHIAS].

Mr. MATHIAS of California. Mr. Speaker, I join my colleagues in mourning the death of my good friend, a truly great man, ARTHUR YOUNGER.

As a new Member, I did not have the opportunity to work with ARTHUR YOUNGER to the extent my colleagues did, but in the 6 months I have been here, I have come to know the great ability, integrity, and character of this fine man. The people of his district, in northern California, respected him as a statesman who in his years of service and leadership had been a spokesman for sound, responsible government.

On a few occasions, I sought the counsel and assistance of Congressman YOUNGER. He always offered a willing hand, and it was a privilege to have been associated with him.

A recent newspaper account of Mr. YOUNGER's passing stated, "On Capitol Hill, Mr. YOUNGER was a friendly and well-liked Congressman." This expression of sentiment, simple as it may be, describes a man who meant a great deal to many. What a fine way for us to remember him.

Little I could say would add anything to the record of J. ARTHUR YOUNGER. I, personally, will treasure the memory of his friendship.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, I join the distinguished gentleman from California [Mr. LIPSCOMB] and all the other distinguished Members of this House in this tribute to ARTHUR YOUNGER.

I was particularly interested in the remarks made by the very able gentleman from Wisconsin [Mr. LAIRD]. No one in this House speaks with greater authority on the matter of public health than does he. When he points to ARTHUR YOUNGER as one of the leaders in this field, he certainly knows whereof he speaks.

I came to the Congress at the same time as ARTHUR YOUNGER. From that time we have been friends and our association pleasant and rewarding.

He represented his district and the San Francisco area very ably. As a member of the Subcommittee on Public Works of the Appropriations Committee, I recall the times ARTHUR YOUNGER appeared before our committee in the interest of projects which would build San Francisco, would build California, and build the Nation itself. He was a devoted and dedicated public official.

I take this opportunity to join with all Members in this fine tribute to him, and to express my sympathy to his devoted wife in her great loss.

Mr. SIKES. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Speaker, I share the deep regret of my colleagues in the death of our distinguished colleague, ARTHUR YOUNGER. He was one of those solid, sound and able Americans who is so essential to the proper growth and progress of our country. He was the type who help to keep the Congress or any other body on a sensible footing.

He was one of the most likable and one of the most highly appreciated of all the Members of the House. ARTHUR YOUNGER's contributions were many. His thinking was basic and fundamentally American. He served with distinction in the Congress, and it is a better organization because he served here. I was proud and privileged to be able to share his friendship.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Alabama.

Mr. BUCHANAN. Mr. Speaker, those of us who knew and loved ARTHUR YOUNGER know too that he personified those qualities of character which have made this country a great Republic. We shall miss him. We are deeply grateful to have known him. We will do well to follow his most worthy example.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Kansas.

Mr. DOLE. Mr. Speaker, I thank the gentleman for yielding.

I wish to join in the tribute being paid to our late good friend, ARTHUR YOUNGER.

He was a great American, a great Californian, a great legislator and, very proudly, a great Republican.

Above all, for some of the newer Members, we knew him best as a man with a warm and friendly smile, with a keen wit and with time to give counsel and advice to newer Members of Congress.

I join with all the members of the Kansas delegation in expressing our sympathy and paying tribute to our friend at this time.

Mr. WHALLEY. Mr. Speaker, I want to join my colleagues in paying tribute to the late J. ARTHUR YOUNGER. The loss we sustain in the passing of this distinguished gentleman is greatly emphasized by the respect and admiration he has received from the Members of this House of Representatives.

It has been my privilege to have known him since I first came to Congress in 1961. He was a good legislator with many friends and had an excellent, marvelous personality.

In life, he was recognized as an outstanding leader, serving the people of California commendably. In death, he will be remembered with the greatest respect of many people as a man of principle and a most competent statesman.

We will all miss him very much.

Mr. BATES. Mr. Speaker, a distinguished American has been taken from our midst. He was a man of valiant spirit who fought for those principles in which he believed. He would never compromise these principles, and yet, he was sufficiently flexible to recognize there were other points of views and these he respected even though he could not embrace them.

He was a kind and gentle man who was full of life and left behind him a monument of good deeds which any man would be proud to call his own.

Both of us had our offices located on the second floor of the Rayburn Building and this afforded me the opportunity to accompany him almost daily on the way to this Chamber. It did not take long to appreciate the depth of his thinking and his heartfelt consideration for his fellow man.

In many respects, he was ahead of his time. The plight of the American cities and a proper regard for their problems were voiced by ARTHUR YOUNGER long before most of us evaluated their serious impact on society. A Department of Urban Affairs was his suggestion and in the promotion of such a Department he gave a full measure of his talents to thoughts only now developing, and taking form in the minds of others.

We have lost an exceptional legislator. I, and scores of others on this floor, have lost a dear friend.

With these thoughts goes my sympathy to his family. He was as proud of them as they have every right to be proud of him.

Mr. ULLMAN. Mr. Speaker, I wish to join my colleagues in paying tribute to the memory of J. ARTHUR YOUNGER, and Mrs. Ullman and I want to extend our heartfelt sympathy to Mrs. Younger in this very trying hour.

ARTHUR YOUNGER was a man dedicated to public service, and his long years of service on the Interstate and Foreign Commerce Committee were marked with distinction. He was a warm, friendly, and sympathetic human being, and it was my privilege to have him as a colleague.

He will be missed by all who knew him.

Mr. EDWARDS of California. Mr. Speaker, I join my colleagues today in paying tribute to the memory of the late Representative from California, ART YOUNGER. Those of us from his home State know what a great loss the people he served so long and so well will suffer. He had the support of Republicans and Democrats alike who, recognizing his honesty, his talent, and his determination, chose him to represent them in Congress eight times. He worked actively in the Interstate and Foreign Commerce Committee, displaying a particular interest in communications. He was instrumental in the development of the communication satellite program, an effort which enables the peoples of the world to better understand each other.

The people of San Mateo County have lost a distinguished representative, a man who earned the respect and trust of those he represented. As we, his colleagues in the House of Representatives, mourn his passing, we should take a moment to reflect on the characteristics that made ART YOUNGER a valued servant of his constituency, a forthright colleague and a good citizen.

Mr. O'HARA of Illinois. Mr. Speaker, in eight Congresses I was privileged to serve with ARTHUR YOUNGER, who was elected to the 83d Congress to which I also had been elected after my defeat 2 years earlier. In those earlier years we met frequently and his friendship I prized.

There was a great warmth about ARTHUR YOUNGER, and a genuineness in his liking of people that was marked. It is not an exaggeration to say that every Member of the House on both sides of the aisle was his friend. I was deeply saddened by the news of his passing. To the members of his family I extend my sympathy.

Mr. BROYHILL of Virginia. Mr. Speaker, in many respects the public career of our friend and colleague, ARTHUR YOUNGER, represented the best in what we call good Americanism. He was not extreme in his personal life nor in public service, in any respect. He simply did his job, ably, patriotically and continuously, as a good citizen.

Although mild in manner and appearance, he could, when principle was involved, display a hard core of determination. This served him well not only in his distinguished military career in the service of his country, but in his almost 16 years of service on behalf of the people of the 11th District of California.

His life spanned the 19th and 20th centuries. It was a good life, and we share today in his memory pride in that life, which was so typical of the kind of American who dedicates it to service for his country.

In the face of much trouble and despair about our Nation today, ARTHUR YOUNGER never lost faith. Nor will we, so long as we are free to revere and honor the life of great public servants and fine Americans such as our departed colleague, the friend and companion of so many of us, ART YOUNGER.

Mr. LANGEN. Mr. Speaker, as another of our colleagues lies at rest from his labors, I join with others in paying a final tribute to the gentleman from California.

While this moment is filled with both sadness and remorse, there are also rewards for which each of us as Members of this House and citizens throughout the Nation can be lastingly grateful. The 11th Congressional District, the State of California, and the Nation are richer indeed in the strength of the fundamental principles of an envied governmental structure, that ARTHUR YOUNGER championed at all times without fear or hesitation. His effective efforts that have accrued benefits to each of us today will also serve as a monument to him in benefits to future generations.

Like others who were present to greet me as a freshman Member of this body, ARTHUR YOUNGER extended the hand of friendship and helped to bolster the needed confidence that could have faltered without such a warm and understanding welcome to these Halls.

ARTHUR YOUNGER was a native of the west coast he loved and served, born during the colorful era preceding this century. His school years were spent there, and after his graduation from the University of Washington, his early business career was interrupted, like many others, by his country's call to arms during World War I. He served with honor on foreign soil, and returned to resume a career in finance. This experience culminated in an assignment on the Federal Home Loan Bank Board, and served him and this House well as he fulfilled the duties placed in his hands by his California constituency in the 83d Congress, and in each succeeding Congress.

Serving on the Interstate and Foreign Commerce Committee for most of this period, he has devoted much time, energy, and capability to legislation dealing with the important matters of trade and the interchange between the United States and other nations, as well as among the 50 States that form our Union. His position on this important arm of our committee system charged him with a responsibility that he was always eager and prepared to assume.

ARTHUR YOUNGER took his work seriously, performed with dignity, at the same time in full enjoyment of his role as a public servant.

Mr. Speaker, I shall miss ARTHUR YOUNGER as a colleague and as a friend, and I extend to his wife and family the only comfort that words and phrases can supply—nevertheless, with deep and sincere feeling, and the knowledge that the life of this man whom we honor today was one worthy of much more than it is within our power to proclaim.

Mr. BETTS. Mr. Speaker, ARTHUR YOUNGER was a friend and colleague whom I deeply admired and respected. It was always a pleasure to be with him and engage in conversation because he was well versed in all subjects and had an easy and charming way of discussing them.

He was also an able legislator who conscientiously devoted more than his share of time to the study of legislation. The welfare of his constituents was of prime concern to him. His efforts were dedicated to their well-being.

But ART YOUNGER was first and foremost a great American. He believed in his country and its strength for the good of all Americans. His basic philosophy was to keep his country strong and great.

I personally will miss him very much and Mrs. Betts and I extend our sympathy to Mrs. Younger and his family at this time.

Mr. GOODLING. Mr. Speaker, this House is deeply saddened by the news that our good friend and colleague, the Honorable J. ARTHUR YOUNGER, has been taken from our midst.

It was my privilege to know ART YOUNGER as a friend and a capable legislator, and I always valued both his fellowship and his counsel.

He was a big man, mentally, physically, and spiritually, all of which came in company with a big smile and a winning way. He was dedicated to his responsibilities as a legislator, and he reflected great credit on both his constituents and his country.

Because J. ARTHUR YOUNGER gave so very much of himself to all of us, he will be greatly missed. We can console ourselves, however, in recognizing that we once had the benefit of his presence.

I join with the rest of my colleagues in expressing condolences to Mrs. Younger and family and to close friends.

Mr. JOHNSON of California. Mr. Speaker, it is with a great deal of sadness that I join my colleagues in paying tribute to our departed colleague J. ARTHUR YOUNGER.

Representative YOUNGER, although 74 years of age, was one of the youngest

Members of Congress in both heart and spirit. He was a great humanitarian, active in all community work when he had an opportunity. He loved people and this love for his fellow man was reflected in much of the legislation he introduced.

My first acquaintance with this fine statesman was in 1959 when I joined the California State Society of which he was president. Throughout our association in the years that followed we were very good friends and I held him in high admiration.

Representative Younger's colleagues, his constituents whom he served so well, his family and friends, will greatly miss this fine man.

Mrs. Johnson joins me in extending deepest sympathy to his beloved wife, Norma, and members of his family.

Mr. KEITH. Mr. Speaker, it was with sorrow that we learned of the death of our colleague, J. Arthur Younger. It is always difficult to realize that we are, indeed, mortal—destined to live on this earth for a limited time. Arthur Younger lived his three score and 10 years fully—he accomplished more in his one lifetime than many men could in two. His service in the First World War, his association with the American Legion, the Rotary Club, and the Masons, and above all his long service to his country as a Congressman, will keep his name alive forever. We grieve for his widow; we grieve for his constituents; we grieve for all of those who were touched by his fine and inspiring life.

Mr. RUMSFELD. Mr. Speaker, it was with deep sorrow and a great sense of loss that I heard of the passing of my friend and colleague, the Honorable J. Arthur Younger. The Nation has lost a dedicated public servant who brought credit and distinction to the House of Representatives throughout his years of service.

As a member of the House Committee on Interstate and Foreign Commerce and ranking Republican member of the Subcommittee on *Communications* and Power, he will be long remembered for his untiring efforts and interest in the work of his committee. It will also be recalled that he foresaw that the rapidly changing American scene would create *problems for our cities—and that long* before the Congress thought seriously of establishing a Department of Housing and Urban Development, this American of vision proposed the creation of a Cabinet-level department to handle the problems of our cities. His consistent reelection to Congress since 1952, when he was first chosen by the voters of the 11th District of California to represent them in the House of Representatives, bears testimony to his ability and diligence.

A man of integrity and conviction, who *served his country in war and in peace* with devotion and faithfulness, he was totally committed to the principles on which our Nation was founded. He was a loyal Republican, loved and respected by the people of his district and by all who knew him. He will be sorely missed, but *will be remembered with fondness*, respect, and admiration.

I extend my deepest sympathy to his family.

Mr. DEL CLAWSON. Mr. Speaker, in the afterglow that becomes the memory of Arthur Younger emerges the image of a man accepting the obligation and responsibility of public service during the years when most of us look forward to retirement and a more relaxed form of life. The image enlarges as we more closely examine his unswerving devotion and dedication to principles of high ethical and moral standards.

Arthur Younger was a man among men, a courageous and formidable opponent in debate, a friendly and understanding colleague in disagreement, a valuable ally when teamed together. His spirit and influence distill among the Members of this House and the constituency in California that he served and will continue to be felt long after many of us have joined him in that eternal home prepared for the faithful.

It was not my good fortune to know "Uncle Arthur," as some of us affectionately called him, until my election to Congress a few years ago; however, in this brief span of time we enjoyed what I considered a close and personal friendship. He was a helpful and discerning counselor for a junior Congressman and his intellectual power and capacity to form reasoned judgments was sincerely appreciated. A depth of spiritual conviction added to his stature as a statesman and became a symbol of strength to all of us who, through some mysterious quality of character developed by our friend, thought ourselves to be someone special in his circle of associates.

His example in personal living might well be emulated by each of us. In my opinion and judgment Arthur Younger enjoys with Nathaniel of old the Lord's encomium a man "in whom is no guile."

Infrequently during the course of a lifetime deep affection and love are unspoken but experienced among men who share common convictions and ideals. Such relationships were cultivated and nurtured by our beloved colleague. He mastered and followed the "human touch" as expressed by Spencer Michael Free:

> "Tis the human touch in this world that counts,
> The touch of your hand and mine,
> Which means far more to the fainting heart
> *Than shelter and bread and wine;*
> For shelter is gone when the night is o'er,
> And bread lasts only a day,
> But the touch of the hand, the sound of the voice
> Sing on in the soul alway.

Arthur Younger leaves with us his exemplary use of the "human touch."

Mr. McCLORY. Mr. Speaker, I am pleased to participate in this final tribute to our departed colleague, Congressman J. Arthur Younger, of California's 11th District.

Certainly each time that the Speaker or other Members of the House addressed Congressman Younger as "the gentleman from California," the description went far beyond the formalities dictated by House rules and practices. Congressman Younger was a gentleman in manner and appearance, retaining throughout his years the stature and appearance of a young man, and maintaining always the courage, outlook, and determination that are characteristic of youth.

Beyond these observations, I had occasion to appreciate the spiritual mindedness of the man. Art Younger's devout and undivided Christian faith and his unqualified recognition of the supremacy of spiritual power were both heartening and inspiring to those of us who had the privilege of serving with him in the Congress.

Congressman Younger's steadfast support of the interests of his constituents in one of the outstanding congressional districts of the Nation, his devotion to the Congress as an institution, equal if not superior to the other branches of our Government, and his underlying faith in and allegiance to his country, are among the living epitaphs which his other colleagues and I in the Congress recall at this somber hour.

I am proud to have had the privilege of knowing Art Younger and of serving with him. Now that he has passed from mortal life, it is fitting and proper that we pause to honor him and his work. I join with the others who express sorrow at his passing, and extend to Mrs. Younger and members of his family my deep sympathy.

Mr. HALPERN. Mr. Speaker, the Nation lost an outstanding public servant when our beloved colleague, Art Younger, passed on to his eternal rest on June 20, 1967.

He had that rare quality of warmth, understanding, and congeniality that endeared him to all who had the opportunity to know him. I have always felt it a unique privilege to have associated with Art as a colleague in this great body. I learned a lot from him and feel that my own work and my everyday life have been greatly enhanced by his sagacity, wisdom, and idealism.

I shall long cherish Art Younger's memory, and I wish to extend to his fine family my warmest sympathy and condolences.

Mr. ROYBAL. Mr. Speaker, the death of our friend and colleague for many years, J. Arthur Younger, is a great loss to the House of Representatives and to all of us who were associated with him.

Since his election to the 83d Congress, J. Arthur Younger, served his congressional district with dedication and *dis*tinction. He was a friendly, likable man who exhibited judgment and integrity in carrying out the duties and obligation of his office to the fullest. Here was a man thoroughly devoted to his community and his country, an example to all those who *knew him.*

On numerous occasions I had the pleasure of working closely with the Representative from San Mateo and was impressed with his devotion to duty, his friendliness, and integrity.

Congressman Younger served the 11th Congressional District and his Nation well and honorably. He will be greatly missed by all of us who were fortunate to know and serve with him in the Congress of the United States.

To his wife, Norma, and to the other *members of his family, Mrs. Roybal and* I extend our heartfelt sympathy.

Mr. BROTZMAN. Mr. Speaker, we all were very saddened to hear of the passing of our distinguished colleague from

California, J. ARTHUR YOUNGER. He was a man of great vision and great wisdom. His wise and prudent counsel will be missed in this Chamber.

I was privileged to serve with Congressman YOUNGER on the Interstate and Foreign Commerce Committee. He was the second ranking Republican on the committee, and was the ranking minority member of the Communications and Power Subcommittee on which I serve.

ART YOUNGER was keenly interested in his work and service in the Congress. From my own experience in the 88th Congress when I first came to Washington, I can say that ART YOUNGER was especially mindful of his duty toward freshmen Congressmen.

He was like a father to us—guiding us in our first uncertain steps in the great legislative halls of this Nation. He was free with his advice when we sought it. He gave us the benefit of his long years of experience and hard work when we needed it. He will be missed by us all.

ART YOUNGER loved people and he loved his own California and this country. He believed in the American system of free enterprise. He believed in the dignity of man, and he bent his efforts to adapting the machinery of government to the rapidly changing social scene. Early in his career he envisioned a Cabinet-level Department of Urbiculture—a word which he coined. The present Department of Housing and Urban Development can be said to be an outgrowth of ART YOUNGER's early devotion to the problems of urban living.

Mrs. Brotzman joins me in extending our deepest sympathies to his charming wife, Norma, and to his children and grandchildren.

Mr. KUYKENDALL. Mr. Speaker, in the death of ART YOUNGER the House lost a highly esteemed colleague, and I lost a close and personal friend.

It was my privilege to be associated with this fine man as a member of the House Prayer Breakfast group as well as on the Committee on Interstate and Foreign Commerce. His quiet strength, the steady course he held, his wisdom and his experience meant much to me, a freshman Congressman. I am confident that during his many years of service in the House he guided and inspired many Members to a more dedicated life of public service.

The people of his district in California were well served through his many years in Congress. They will miss him as the Nation will miss him, but because he lived and served, his State and the Nation is better for it. Probably no better epitaph could be written for ART YOUNGER than the words imprinted on the State Capitol of his beloved California, "Give me men to match my mountains." ART was truly a man to match mountains.

I join with my colleagues in extending sympathy to his family.

Mr. RHODES of Arizona. Mr. Speaker, the House of Representatives and the United States suffered a great loss with the recent passing of our esteemed colleague, Hon. J. ARTHUR YOUNGER.

We who have had the privilege of working with ART in the Congress came to know him as a warmhearted and loyal friend, an astute legislator who deservedly earned the respect of his colleagues on both sides of the aisle, and a statesman who devoted 14 years of his life to the betterment of his fellow Americans. The laws which he helped to enact during that period will serve as a lasting memorial to J. ARTHUR YOUNGER and his love for his country.

ART YOUNGER was a true Christian gentleman in every sense of the word. His rectitude of character and the way he unswervingly championed the causes he believed to be right are an inspiration to all of his colleagues. He will be missed not only by his constituents but by the Members of this legislative body.

Mrs. Rhodes joins me in deepest sympathy for his wife and his family in their bereavement.

Mr. FOUNTAIN. Mr. Speaker, I, too, was shocked and saddened at the passing of our very able, highly respected and beloved colleague, ARTHUR YOUNGER of California.

I was blessed with the opportunity to know ART YOUNGER during his entire career in Congress, for we were both elected to the 83d Congress and have been fortunate enough to be returned in succeeding years. He was a friendly and congenial man who always had a smile for everyone. Our wives have also had many occasions to be associated with each other. Mrs. Fountain joins me in extending our deepest sympathy and understanding to Mrs. Younger and other loved ones.

I came to know ART YOUNGER closely in two fields outside the legislative area. He was a person who felt a healthy body was a prime requisite for good public service. Thus, for years, he exercised regularly, and we occasionally enjoyed competitive sports together with other Members in the House gymnasium. It is doubly tragic that the particular affliction that attacked him was so insidious in its effect on an active, healthy person.

The other side of ART YOUNGER that not everyone knew about was his concern for religious and moral precepts. He was a leading spirit in the House prayer group which meets every Thursday morning and became a devoted and tireless participant. In these sessions, his honesty with himself and with others stood out. It was easy to see that he was a man of positive views and rewarding to see also his tolerance for all shades of opinion.

His constituents could well be proud of his sincerity, his dedication, his warmness and sense of humanity. They and this House will be the poorer for his passing. But we are all richer for having known him.

Mr. MACDONALD of Massachusetts. Mr. Speaker, it is with a great sense of loss that I rise today to add my voice to those paying tribute to our departed colleague, the gentleman from California, J. ARTHUR YOUNGER.

Because of our assignment to the same committee, I have had a chance to know Mr. YOUNGER very well. And, while I did not always agree with his point of view, over the years I developed a sincere respect and admiration for the way in which he formulated and presented his ideas. They were always well constructed, carefully considered ideas and were of benefit to us in our deliberation in committee. I personally shall certainly miss his wise counsel.

Congressman YOUNGER led a varied and useful life before coming to Congress and his wealth of experience, I am sure, was of great use not only to the Congress but to those whom he represented here.

California, this Nation, the Committee on Interstate and Foreign Commerce, and this Congress have lost a valued Member of Congress and an honorable gentleman with the passing of J. ARTHUR YOUNGER.

My heartfelt sympathy and condolences go to his family.

Mr. CRAMER. Mr. Speaker, it is with great sorrow that I join by fellow Members in paying tribute to the memory of our late friend and colleague, J. ARTHUR YOUNGER. I wish also at this time to express my condolences to his wife and family.

ART YOUNGER was a man who was highly regarded by his constituents—as evidenced by his eight consecutive terms in the Congress—and by his colleagues. He represented ably and conscientiously his district, his State of California, and his Nation. His knowledge and ability as well as his deep understanding of the pressing problems facing America and his searching quest for solutions to them, will be sadly missed by the Congress and the Nation in the days ahead.

J. ARTHUR YOUNGER will be missed, but his contributions to his country, State, and district will be long remembered.

Mr. BELCHER. Mr. Speaker, when I think of ART YOUNGER and the years we have shared work and joy, victories and defeats, I have a very warm feeling of a never-ending friendship. ART was one of my closest personal friends here in the Congress, but more than that, he was one of those I admired and respected most.

Whether we were working together on some legislative matter in the Congress, or playing together on the golf course, we seemed aware of the good gains of true friendship and teamwork.

ART was one of the most outstanding men I have ever had the privilege of knowing. We served together in Congress for some 14 years.

I send to Norma, his wife, my warmest condolences at this time. May God bless her and keep her.

Mr. BROOKS. Mr. Speaker, our late distinguished colleague J. ARTHUR YOUNGER will be long remembered by us who had the honor of serving with him in this body. Members on both sides of the aisle respected and admired the gentleman from California.

He was a gentleman in every sense of the word. On social occasions, in heated debate, or in the role of advocate for his district, he never lost the dignity which we all admired.

He was dedicated to serving his constituents and his country and that he did in an outstanding manner. We, his colleagues, share the sorrow of his family and his friends at his passing. We also know their pride in his many achievements and the knowledge that he truly left his mark on this great country he loved so dearly.

Mr. BURKE of Florida. Mr. Speaker, I should like on this occasion to say a few words in behalf of the late Honorable J. ARTHUR YOUNGER, of the California 11th District, a man of remarkable attainments in many fields.

In Congress ARTHUR YOUNGER was known as a practical businessman with a burning interest in civic affairs. And as a member of the political community he employed his practicality, in conjunction with his interests, distinctly to the benefit of Congress and to the Nation at large.

As second-ranking minority member on the House Interstate and Foreign Commerce Committee, he had a reputation as an expert in the fields of domestic and international trade and commercial law. In most matters of a political nature he was unquestionably conservative, to the obvious satisfaction of his constituents. On the other hand, he was by no means the enemy of progress. Shortly following the beginning of his first term in Congress, he introduced a bill for the establishment of a Cabinet-level Department of Urbiculture to be devoted to the problems and welfare of citydwellers. The bill was defeated, but it is generally held to be the nucleus of what would become the Department of Housing and Urban Development, now established on the Cabinet level.

ARTHUR YOUNGER was a leader in the field of individual enterprise, and a man who knew what was needed for the community, and to what extent it was needed, and when it was needed. He was, indeed, a major figure on the congressional scene and will, indeed, be sorely missed.

Mr. REUSS. Mr. Speaker, I join in expressing sorrow over the loss of our colleague, Representative J. ARTHUR YOUNGER. Representative YOUNGER was an able and dedicated legislator who faithfully represented the 11th District of California and the principles for which he stood. He held, and lived up to, a high standard of service to the public.

Coming to Congress in 1952 after a distinguished career as a savings and loan association executive, Representative YOUNGER devoted his talents and keen intellect to the affairs of the Government Operations Committee and, later, the Interstate and Foreign Commerce Committee. He deserves the Nation's thanks for his early advocacy of a Cabinet-level department to "make our American cities better, cleaner, happier places to live in."

I extend my sincere condolences to Mrs. Younger.

Mr. FLYNT. Mr. Speaker, it is most appropriate that the gentleman from California [Mr. LIPSCOMB] has set aside this time for a memorial service and eulogies to our distinguished friend and colleague, the Honorable J. ARTHUR YOUNGER, late a Representative from the State of California. It is especially significant that this service be conducted at the beginning of this day's session.

ARTHUR YOUNGER and I came to the House of Representatives during the 83d Congress. Our association and lasting friendship began when we first met. That friendship grew stronger with the passage of time. I considered him one of my dearest personal friends and one whose friendship I treasured. We who were closely associated with him have lost a personal friend.

The district and the State represented by him has lost an able, effective, and dedicated public official and public servant. The House of Representatives and the Nation at large have lost an outstanding Member of Congress—one whose interests extended far beyond the boundaries of the district and State he represented.

As the second-ranking minority member of the House Committee on Interstate and Foreign Commerce, he was recognized as a hard-working and capable legislator and committee member. During the years that I was privileged to serve on this committee with him, I regarded him as a committee member as well as a Member of Congress who carefully and diligently applied himself to legislative matters under consideration by that committee. He always carried his part of the load. He was a thorough interrogator of witnesses without preempting the time of other and more junior members. He was considerate and thoughtful of both his colleagues on the committee and witnesses before that committee and elicited important testimony on many pieces of major legislation during periods of close examination.

As a committee spokesman and as an advocate of legislation of great interest to his district and State, he was an effective debater and floor manager of legislation on the floor of the House, and statements which he made in general debate, in prepared statements, and in response to questions from other Members, were accurate, forthright and deliberate. His word was his bond and never on any occasion did he mislead or attempt to mislead the House or any of his colleagues.

ARTHUR YOUNGER enjoyed the admiration, respect, trust, and confidence of the people of his district and his colleagues in the House of Representatives. As one of the senior members of the California delegation, which seniority he acquired by election and reelection for eight consecutive terms, he was an influential Member of the House of Representatives.

In addition to our official association in the House of Representatives, I was privileged to be closely associated with him during periods of recess and relaxation. During each such period, he demonstrated the finest qualities of friendly association, sportsmanship and congeniality.

He was an active worker in, and a faithful communicant of, the Chevy Chase Presbyterian Church which he adopted as his own when he and Mrs. Younger first came to Washington. They were both interested and active in the work of this church, and their contributions of time, abilities and material goods, were each a source of influence for good in the church of their choice.

The lives of everyone who came in contact with him were both brightened and strengthened by the influence of his character, personality, and his friendly spirit. I consider it a great privilege to have been included within his circle of friends and associates. I shall miss him very much.

Mrs. Flynt joins me in extending our condolences and heartfelt sympathy to Mrs. Younger and their children.

Mr. WHITENER. Mr. Speaker, the House of Representatives has lost one of its most able and attractive Members in the passing of the Honorable J. ARTHUR YOUNGER. His loss will be felt by each of us who had the privilege of knowing him during our years of service here in Washington.

ART YOUNGER was a splendid gentleman. His wholesome attitude toward life was a joy to behold. The warmth of his personality was felt by all with whom he had contact.

The 11th Congressional District of California has sustained a great loss in his death. The entire Nation shares that loss because people everywhere in our land have benefited by the service which he has rendered.

Those who feel his loss most keenly are the members of his immediate family. To them I express my sincere sentiments of sympathy and assure them that many of us share their feelings of grief on this sad occasion.

Mr. ROUDEBUSH. Mr. Speaker, 7 years ago I came to Congress for the first time and, like most rookies, I needed help. Several Congressmen took me by the hand and showed me the ropes.

One of these was J. ARTHUR YOUNGER. Congressman YOUNGER helped me in the early days of my tenure here even more than he realized.

If I did not understand something, I asked ART.

If I wanted help in some areas—I asked ART.

It seemed like I spent most of my first few months here asking ART YOUNGER questions.

ART was more than just another Congressman.

He was more than just a great American.

ART was the type of man that we wanted our children to model themselves after.

Many of my colleagues today have praised ART for his work here in representing the voters of the 11th District of California.

ART did more than that. ART represented every citizen in the United States. Long after the eulogies are finished, long after others represent the 11th District of California and long after many of us leave here—ART YOUNGER will still be remembered.

We will remember the enthusiastic red-faced native of Oregon standing up and telling us about the Panama Canal.

For ART was indeed one of the most informed persons in this country regarding the canal.

We will remember ART for his conservative philosophies that he believed so deeply.

We will remember ART for his love for the San Francisco area and how he continued to work for the progress of the San Francisco International Airport.

And we will remember ART just before he died. We will remember that he was losing his battle with the toughest foe he had fought.

He missed work. He had announced that he would not seek reelection. Most of us knew that the time was near, but we would not admit it.

Then a few weeks ago here in the House we were called upon to vote on a very important measure. We were asked to make another increase in the debt limit.

And who was here that day? After weeks of being absent and after weeks of fighting a battle that he knew he was going to lose—ART YOUNGER walked into the House of Representatives and cast his vote like he knew his constituents in California would want him to.

A few days later ART died.

ART YOUNGER is dead—but many of us are far better people because of him.

ART YOUNGER is dead—but the country is far better off because of his life.

ART YOUNGER is dead—but the memory of ART YOUNGER will haunt these Halls for years to come and many of his ideas will come out of the mouths of many of us who loved and admired him so much.

Mr. HARRISON. Mr. Speaker, the recent death of our colleague, ARTHUR YOUNGER, is a great loss not only to his family but also to those of us here in Congress who have served with him and who knew him so well and treasured his friendship. ARTHUR YOUNGER was a great American and a dedicated public servant. He represented the 11th Congressional District of California ably and well during eight terms. His election for that period of time is indicative of the respect and admiration his constituents held for him. We here in the House of Representatives will miss him greatly but we will always treasure the memory of his smile, his willingness to cooperate and his helpfulness when we requested help from him. To Norma, his wife, and to the other members of his family, my wife and I extend our deepest sympathy.

Mr. TAFT. Mr. Speaker, in 1964, I traveled to San Mateo, Calif., at the request of my friend and colleague, the late ART YOUNGER. We toured ART's district and I had the pleasant opportunity to spend a few quiet moments with one of our most dedicated and respected colleagues. I will long cherish those moments in San Mateo, and the friendship that grew out of our days here in the House.

ART YOUNGER was devoted to serving his constituents. He knew and understood their problems and worked to make this a better world for all. He will be missed not only in San Mateo, Calif., but everywhere he visited.

I join with all my colleagues in expressing my deep sorrow and the sorrow of the Nation at the loss of the Honorable J. ARTHUR YOUNGER.

Mr. CORMAN. Mr. Speaker, I wish to join with my colleagues in paying respect to the memory of Congressman J. ARTHUR YOUNGER, of California's 11th District. As a member of the California delegation, I shared with him many of the problems and many of the joys of our State. His years in the Congress were characterized by distinctive service and sincere dedication to the public interest.

Congressman YOUNGER will be sorely missed by his constituents, whom he so ably served in the Congress for so many years. We in the House who have known and respected him as a friend and colleague will also miss him.

My deep sympathy is extended to Congressman YOUNGER's family in their great loss.

Mr. KUPFERMAN. Mr. Speaker, having newly arrived in the 2d session of the 89th Congress, I did not have the opportunity of knowing ART YOUNGER for very long before his passing. Nonetheless, in the short period of our acquaintance I found him friendly and understanding. We had some interesting discussions concerning mutual problems of California and New York.

I join with my colleagues in expression of sadness at his passing and in sincere condolences to his family.

Mr. BLANTON. Mr. Speaker, I was deeply saddened over the death of my esteemed colleague and friend, the Honorable J. ARTHUR YOUNGER. During the few months that I had been acquainted with and worked with this gentleman, I had come to recognize and respect his sound judgment, expert guidance, and sincere friendship.

While serving on the Interstate and Foreign Commerce Committee, I, as a freshman Congressman, quickly became attentive to Congressman YOUNGER's timely advice and wisdom. His presence on this committee lent much respect to our decisions and actions—this presence will be sorely missed by all Members.

I extend my deepest sympathies to Congressman YOUNGER's family; California has lost an honorable Representative, Congress has lost a fine Member, and the Nation has lost a great man—his contributions to our country will not be forgotten.

Mr. FASCELL. Mr. Speaker, I am certain this entire House of Representatives shares the sorrow felt at the loss of one of our most beloved colleagues: Congressman J. ARTHUR YOUNGER. We were reluctantly beginning to accept the fact that he would not be among our number next session, for, typical of his honest approach to all matters, he had not deluded anyone, including himself, into believing that his illness was a transitory affliction; and, indeed, when it regrettably became apparent that no remission in his condition was to be expected, he announced that he would not seek reelection in 1968.

Congressman YOUNGER would have had no reason to fear criticism if he had chosen to turn much of his attention from his congressional duties to his personal problems during this last term of office. His illness would have been reason enough; and since he would not be a candidate next election, there was no political incentive to exert himself. Yet, as throughout his life, Congressman YOUNGER felt a personal obligation to represent his constituents to the full degree of his ability; and to this effect, even though he recently had been hospitalized for intensive treatment of his advancing illness, he returned to his congressional duties, resuming his ever-full schedule, until he returned to the hospital just 5 days before his death.

Congressman YOUNGER shared many forward-looking views with those of us under the other political banner. We differed not so much in our philosophies of what should be done, but rather in how it should be done, and which political philosophy offered the most expedient route to our basically common goals. Whatever Representative YOUNGER's views were, he expressed them frankly, and directly, and always with respect for those who differed with him. He never resorted to theatricality to make a point, and was always the epitome of good taste in any floor debate. Congressman YOUNGER's decorum and distinguished manner did credit not only to him, but to this entire congressional body as well.

ARTHUR YOUNGER seemed motivated by one driving force: to do all he could to improve the lives of the people among whom he lived. Wherever he resided, first in Seattle, Wash., where he lived and worked for a time after graduating from the University of Washington, and later in both the bay area of San Francisco and Washington, D.C., he was active in civic and community organizations, including the Rotary Club, the Newcomen Society, the Congregational Church, Islam Temple of the Shriners, and the American Legion, of which he was a lifetime member and past commander of the Seattle post. With public service his foremost interest, he was elected in 1952 to represent his people in the National Congress, in which office his constituents continued him until death predated his own decision to end that career rather than risk the possibility of being unable to fulfill the duties of another term.

Such was the inclination of a truly conscientious man—a man so conscientious that even terminal illness could not keep him from answering the demands of the present term. In those last few weeks of his life, as throughout his entire 14-year congressional career, Congressman YOUNGER gave his constituents, and his colleagues, complete dedication to his responsibilities.

Mr. HANSEN of Idaho. Mr. Speaker, it is with deep sorrow that I join my colleagues today in paying tribute to our late colleague, J. ARTHUR YOUNGER.

Our beloved Nation has lost a faithful and dedicated servant in his passing. But, though the man himself is gone, much of him remains with us in the work he has done; in the example he has set; and the good he has accomplished.

ARTY YOUNGER was a very busy man—busy with the problems of his California constituency and with the problems besetting our country. However, busy as he was, he was never too busy to give his excellent advice and counsel to a new Congressman. I know that I have profited greatly by his friendship and counsel during the two and a half years when it was my privilege to know this fine gentleman.

We shall, of course, carry on. But it will not seem the same with the gentleman from California missing from the House Chamber.

Mr. MURPHY of New York. Mr. Speaker, I wish to pay tribute today to our late colleague, J. ARTHUR YOUNGER. His constituents, whom he served well, and his Nation, which he loved dearly, will miss him.

It was my privilege to serve with him on the House Interstate and Foreign Commerce Committee. Although we were on opposite sides of some issues before the committee, agreement on philosophy was hardly a prerequisite for friendship with ART YOUNGER. His integrity and sincerity were without question, and his knowledge of legislation was unexcelled by any member of the committee.

He was an articulate and dedicated spokesman for his point of view, and he presented his case forcefully and with conviction. His loss will be felt by us all.

I also extend my deepest sympathy to his family, whose loss we all share.

Mr. BENNETT. Mr. Speaker, this Congress and this country lost an able statesman in the passing of our beloved colleague ARTHUR YOUNGER. A man of humility, of strength, and of dedication to the public good, he has left a memorial to him in good legislation and in the outpouring of love shown to his memory here today and in the great State he represented. We are the losers in his passing and we are the beneficiaries of his good works, not only here in Congress but throughout the entire country.

Mr. BURKE of Massachusetts. Mr. Speaker, it is my sad privilege to join my colleagues today in paying tribute to J. ARTHUR YOUNGER, whose death on June 20 left a gap in our body that will not easily be filled.

When I came to Congress in 1958 Mr. YOUNGER had already set an example of the dedication and service with which a Member of the House should represent the people of his area.

J. ARTHUR YOUNGER responded completely to his duties as a member of the House Committee on Interstate and Foreign Commerce. He was the second ranking Republican on the full committee and ranking on its Subcommittee on Communications and Federal Power.

For 15 years Mr. YOUNGER concerned himself vitally with the problems of urban dwellers and lived to see the realization of his idea for a Cabinet position to serve these needs: the Department of Housing and Urban Development.

Though we were from opposite sides of the country and though we often differed on political questions, I came to admire and respect him for his courage and the strength of his convictions.

The passing of J. ARTHUR YOUNGER at his post has deeply touched all of us and we in the House feel that we have lost a good friend and distinguished colleague.

I would like to take this opportunity also to extend my most sincere and deepest sympathy to Mrs. Norma Younger, whose personal privation is the greatest of all.

Mr. HERLONG. Mr. Speaker, may I join with my colleagues in expressing my sadness over the passing of our beloved colleague, ART YOUNGER.

There are so many characteristics and traits that a man may have that are hard to put into appropriate words, but ART YOUNGER, among his many wonderful traits, was to me a sweet man—always pleasant, always thoughtful, always helpful, yet not seeking the limelight, he made a host of friends here on both sides of the aisle. He was an intelligent, industrious and dedicated Member of Congress, the type we can ill afford to lose. To say that he is going to be missed is an understatement.

My wife and I extend to his beloved wife, Norma, our deepest sympathy in this great loss which we share with her.

Mr. COLMER. Mr. Speaker, there has been so much said here today honoring our departed colleague, ART YOUNGER, that there really is nothing much that could be said without it being repetitious. I have listened with interest and approbation of the many eulogies that have been made. I would like to associate myself with and endorse these splendid tributes to this splendid character.

ART YOUNGER had many splendid virtues and qualities. Paramount among these was the warmth of his personality. He possessed the quality of warmth and friendship that drew people to him. He was a kindly person. In the political arena, and particularly here in this House, men are sometimes prone to make disparaging remarks about others who differ with them philosophically. This was not a part of our friend. He enjoyed the respect, confidence and friendship of Members not only on both sides of the aisle, but from every section of our great common country.

ART YOUNGER was a statesman. He possessed political courage. He was devoted to his State of California but above all he was devoted to this Republic which he so ably defended and attempted to perpetuate in this Congress.

My sympathy goes out to his widow and other members of his family. My memory of this warm friend I retain and cherish.

Mr. HATHAWAY. Mr. Speaker, I join with others of my colleagues to pay tribute to our late colleague, J. ARTHUR YOUNGER, of California. During his 15 years as a Member of this body, ARTHUR YOUNGER distinguished himself as an able, conscientious, and hard-working legislator and earned the respect of all who knew him.

His passing was a great loss to the people of California and to all Americans who prize good representation in Congress. He will long be missed by those of us who had the privilege to serve with him and to be inspired by his example.

I join with all those who grieve that we have been deprived of the warmth, wisdom, and companionship of ARTHUR YOUNGER, and extend my sympathy to his family and friends.

Mr. HALLECK. Mr. Speaker, many fine tributes have been heard here today on behalf of our late colleague, the Honorable J. ARTHUR YOUNGER, all of them richly deserved.

He came to this body as a freshman when it was my privilege to serve as majority leader.

His experience in private life was reflected in the contributions he made to the great Committee on Interstate and Foreign Commerce. The fact that he was consistently reelected to the Congress indicates the diligence with which he pursued the best interests of the people of the 11th District of California. But beyond that, I knew J. ARTHUR YOUNGER as a Member who always had in mind the broader aspects of the national interests.

For that, as well as for his friendly, helpful manner, we shall all miss him very much.

Mr. DON H. CLAUSEN. Mr. Speaker, the passing of J. ARTHUR YOUNGER leaves everyone who knew him with a profound sense of sorrow and loss. To me, this loss is irreplaceable because of the extremely close friendship and working relationship that existed between us.

Ever since my arrival in the Congress, ARTHUR YOUNGER has been like a father to me. As a matter of fact, he often refered to me, in a very cordial, paternal manner, as son, This I accepted proudly, because his constant willingness to be of assistance, his very wise judgment, advice, and counsel were of exceptional help to me in evaluating the legislation under consideration by the Congress.

Every Wednesday and Thursday morning, we had breakfast meetings together. The congressional prayer breakfasts were always the more inspirational because of ARTHUR's presence. This kindly man was a genuine and practicing Christian.

His annually arranged visits to the Academy were always a highlight—bringing together the Members and their families with our appointed midshipmen.

It is difficult to realize, after serving with ARTHUR for all these years, that I will no longer be stopping in the halls to talk with him or to ask a word of advice. ART YOUNGER gave 15 years of his life to serve as one of this body's most effective and devoted Members. Since 1937, he has offered all his talents and energies to the growth and progress of the State of California and the San Francisco Bay area. As a business and civic leader, he never hesitated to call forth the full extent of his manifold skills and energies in serving California and the Nation.

As we all know, ARTHUR was serving his eighth term in Congress. In the midst of our sadness, each one of us can at least be grateful that we had the opportunity to know ART YOUNGER so well and for so long. All Americans can be equally grateful that this individual, who had so much to offer, had the good fortune to live such a long and active life in service to his country. I know how great his loss will be to the State of California and to the residents of his beloved San Mateo County. We can never forget his unflagging dedication to his country.

In addition to his great work on the Interstate and Foreign Commerce Committee, ART YOUNGER had an exceptional interest in horticulture and conservation programs. Each year, working with his San Mateo florist friends, he would provide the California Society with beautiful floral pieces that made a great hit with lady recipients. Jointly, we were working toward advancing Luther Burbank's Shasta daisy as our national flower. Many of the schoolchildren of his district were helping him. I will continue to press for this program.

He had a deep and abiding interest in the proposed Redwood National Park. In referring to the redwoods, their splendor and grandeur tends to remind me of the stature of this great and genial

Congressman. We always said, Art Younger looks like a Congressman should—tall physically, straight mentally, dedication and sincerity personified.

The tall trees of California stand as natural monuments to the grandeur of the individuals who brought this Nation to its present stature in the world. The name of J. Arthur Younger will now forever stand with the highest among them as a symbol of the finest principles upon which America was built. Art has left us, but his memory will always be present with us.

Mr. LUKENS. Mr. Speaker, although many of the new Congressmen did not have the opportunity of knowing the late Representative Arthur Younger well, I had the rare and distinct privilege of working on the House Rules Committee for 3 years prior to my running for my own seat. During this time Art Younger was not just a name but a real and meaningful personality around this body. Mr. Younger was not a particularly close friend of mine but certainly any young American in search of a person whom he could admire, respect, and attempt to emulate, would have found the finest example in Art Younger.

Art was constantly seeking out opportunities to be helpful. He was at once cheerful and friendly and made a lasting impression on those with whom he had occasion to come in contact only infrequently. I was one of those fortunate people. It was and is my pleasure to have counted Art Younger among my associates and friends, and I sincerely believe that this body will feel no loss greater than that of his most untimely departure. I extend my deep and sincere regrets to his family and friends from his home State.

Mr. MAHON. Mr. Speaker, it was my privilege to serve with our late departed colleague, the distinguished gentleman from California, J. Arthur Younger, throughout his entire service of some 14 years here in the House.

I cannot add greatly to what the distinguished gentleman from California, Mr. Lipscomb, and others have told here this afternoon about the life and accomplishments of Art Younger, but I want to join in the many tributes which have been given about his life, his character, and his work. Art Younger was a great American. He served his country in the cause of freedom. He served his State and his country as he thought their best interests required. His life paralleled great growth of the country, including his beloved West, and dramatic changes in world conditions and relations. He had an important part in national developments while he served here.

Mrs. Mahon and I join with his many friends and colleagues in paying tribute to the memory of our late departed colleague. We especially extend our heartfelt sympathies to his lovely wife, Norma, and to others of his family.

Mr. STUBBLEFIELD. Mr. Speaker, along with my colleagues, I was deeply saddened by the passing of J. Arthur Younger and extend sincerest sympathy to the members of his family.

Arthur Younger was a dedicated and conscientious legislator whose background and outstanding ability made him an asset and a credit to the Congress. He enjoyed the friendship and respect of his colleagues and the contributions he made during his tenure of service will stand as a memorial to him.

We shall miss Arthur Younger and the people of his district and State will also miss him.

Mr. WYMAN. Mr. Speaker, I rise to join my colleagues in expressing my deep sorrow at the recent passing of our good friend J. Arthur Younger.

The people of the 11th District of California have been fortunate indeed to have had the able representation of Art Younger for more than 14 years. The Congress has been equally fortunate to have had him as a Member. He was competent, capable, efficient, and effective. Beyond this he was a friend to all.

His presence here will be sorely missed, but his memory will long be with us. To his family and to his many friends, both here and in California, go my heartfelt sympathy.

Mr. ROONEY of New York. Mr. Speaker, the people of the State of California and this body have lost a devoted servant in the passing of Representative J. Arthur Younger. I was saddened to learn of his passing, for, although we differed substantially on things political, I always found him to be a warm, genuinely nice colleague. He was a man devoted to his country and to the job of serving those who sent him to the House of Representatives for 14 years. I join with my colleagues in expressing deepest sympathy to his family and friends.

Mrs. BOLTON. Mr. Speaker, I want to join my colleagues in paying tribute to the late J. Arthur Younger, of California. He was a man of deep principles and firm convictions. His courage when faced with adversity will have a lasting effect on all of us.

Art Younger served his district, State, and Nation with dedication. He will be sorely missed and long remembered by his dear friends, colleagues, and family.

Remembering our colleague, I think of this reunion with our Creator in these words of John Clare's poem "I am":

I long for scenes where man has never trod;
  A place where woman never smiled or wept;
There to abide with my Creator, God;
  And sleep as I in childhood sweetly slept;
Untroubling and untroubled where I lie;
The grass below—above, the vaulted sky.

To Art Younger's family, I offer my deepest sympathy and condolences.

Mr. MINSHALL. Mr. Speaker, the death of our colleague, J. Arthur Younger, came as a profound shock to those of us who knew him not only as a distinguished and respected colleague but as a good friend.

The illness which had prompted his announcement that he would retire at the end of this Congress did not deter him from his conscientious and inspired service to his Nation and his district. Nor did it appear to cast a shadow upon his cheerful and always cheering demeanor.

Arthur Younger's courage and fortitude were well known to all of us who had the privilege of serving with him over the years. His convictions and his principles were unassailable. His last moments were spent attempting to gather up the physical strength to leave his sick bed to come to the House to cast his vote on an important piece of legislation.

Over the years the two of us exchanged newsletters, the source of much good-natured badinage on both sides. Art Younger's sense of humor was tremendous, often ironic but never unkind. The man's goodness shone in his words and in his deeds.

I attended the services held in his memory at the Chevy Chase Presbyterian Church which he and Mrs. Younger attended so faithfully.

The words of his pastor, Dr. W. Paul Ludwig, were so appropriate and moving that I would like to repeat them here, in part:

> So long as Arthur Younger's personality pervaded the halls of Congress, there was never any question about the supremacy of integrity, industry and fair play.
>
> He was so unequivocally devoted to his country's welfare, that his personal interests were habitually submerged. Indeed, he appeared always to be seeking new ways to declare his love for the Nation, as if to be an American made one a debtor to a degree that could never be adequately paid.
>
> Often it is said a pastor has no pastor to supply his own spiritual needs. This is not literally true. For me, at least, Congressman Younger fulfilled that role. As a totally committed churchman and sensitive Christian, he conveyed his love and encouragement to those who give their lives to the church. The faithfulness and spiritual grace which he and Mrs. Younger have shown here in the house of worship through the years leaves a vision of dedication which we shall long cherish.
>
> It is not timely here to recount his skills as a legislator, as a pioneer and as a prophet. These, his constituents and his colleagues know full well. His record is distinguished and his service is a proud chapter in the annals of Congress.
>
> But those who knew him best—his family, his staff, his friends, some of us who worshipped with him—will remember and thank God that in him preachments and practices were one thing, promises and fulfillment, creed and life—all one. This was a man—a man of God—a man for America.

Mr. KING of New York. Mr. Speaker, every Member of the House who knew J. Arthur Younger learned of his passing with deep regret. Personally, I was honored to become a member of his Wednesday Breakfast Club which we affectionately referred to as the Younger Breakfast Club. His wise and sage advice pervaded every conversation and was always present when most needed. To be known as his friend was a great honor in itself. The dedication and sense of duty of Arthur Younger and men like him have kept this country great. We need more men of his high caliber to continue his great work for his great country.

All of us in the House of Representatives, as well as his district and the country at large, have sustained a great loss in the passing of Arthur Younger.

Mrs. King joins me in extending our deepest sympathy to his wife and family upon their loss.

Mr. MORSE of Massachusetts. Mr.

Speaker, it is with sadness that I join with my colleagues in paying tribute here today to the late ARTHUR YOUNGER, of California. My friendship with ARTHUR YOUNGER predated my service here in Congress. During my 2 years as Deputy Administrator for Veterans Affairs during the Eisenhower administration, it was my pleasure to get to know him well.

While we often differed on matters here on the floor, it was the strength of our friendship that those differences never marred the esteem and affection that characterized our relationship.

I join with my colleagues in expressing my sincere sympathy to Mr. YOUNGER's family.

Mr. PHILBIN. Mr. Speaker, I was saddened and deeply grieved to learn of the recent passing of a dear, esteemed friend, our very able and distinguished colleague, Congressman J. ARTHUR YOUNGER.

I have known Congressman YOUNGER since he came to the House and was always impressed by his friendliness, his understanding nature, his capability, his fine spirit of Americanism, and his sincere dedication to his work. He was an outstanding Member of this body.

His sudden tragic demise has removed from the House an esteemed friend, a diligent, dedicated public servant, and a great American.

Congressman YOUNGER will be greatly missed in the House, where he was so highly regarded by his colleagues on both sides of the aisle.

His district, the House, and the Nation have lost a fine leader and a devoted, able, and public-spirited Congressman. He will be long remembered here for his sterling personal qualities and his splendid contribution to the country.

I extend most heartfelt sympathy to his bereaved family for the truly irreparable loss they have sustained, and prayerfully hope that the good Lord will bring them reconciliation in their bereavement.

May he find rest and peace in his heavenly reward.

Mrs. KELLY. Mr. Speaker, it is with deep regret and great sadness that I join my colleagues in paying tribute to the passing of a respected Member and dear friend, the Honorable J. ARTHUR YOUNGER.

I consider it a distinction to have served in the U.S. House of Representatives with a man as dedicated to public service. My life is better for having known him as a colleague and as a friend. His passing on is a loss to all who knew him.

I extend my sympathy to his family who have suffered the real loss of his love and devotion.

Mr. QUILLEN. Mr. Speaker, it is with deepest sorrow that we gather here today in tribute to our outstanding colleague, a great American and a proud Member of Congress, J. ARTHUR YOUNGER, of the 11th District of California.

Congressman YOUNGER served our Nation and his constituency for 15 years, and we are all indebted to him for his contributions above and beyond the call of duty. His years on the Interstate and Foreign Commerce Committee, during which he rose to the position of second ranking minority member, were highlighted by his constructive and farsighted approaches to these complex matters.

Mr. YOUNGER's counsel will be sorely missed by all of us who have been privileged to work with him over the years, and he will be missed by our party of which he was a stalwart member in his State and highly dedicated proponent on the national scene.

Mr. Speaker, Mrs. Quillen joins me in extending our sincere sympathy to Mrs. Younger.

Mr. CLEVELAND. Mr. Speaker, the death of our late distinguished colleague, J. ARTHUR YOUNGER, was a particularly deep blow to the House of Representatives. I wish to join my colleagues in paying deep tribute to the memory of a most valuable Representative.

Few men better understood or appreciated the awesome role and responsibilities of the House of Representatives than did J. ARTHUR YOUNGER. During his many years of distinguished service he became thoroughly familiar with the countless and complex workings of this body without for a moment losing sight of our highest duties to the Nation.

Mr. Speaker, many of us, including myself, will remember J. ARTHUR YOUNGER as a most knowledgeable veteran Representative who was always more than happy to share his knowledge with his younger, less-experienced colleagues. Every Member of this body who knew him would readily admit that he is a better Representative for that experience.

The House of Representatives is a great body because men like J. ARTHUR YOUNGER have cherished its purposes and principles and have felt it their duty to pass them on to the newer Members. While I extend my sincerest sympathy to his family and friends, I can only hope that his memory will serve as an example of the integrity and dedication which are so essential to the House of Representatives.

Mr. FUQUA. Mr. Speaker, the passing of the Honorable J. ARTHUR YOUNGER came as a great personal shock. All Members of the House, no matter what their party affiliation or political philosophy, respected and liked Mr. YOUNGER.

In the little over 4 years that I was privileged to know him, I learned to respect his fairness and particularly did I find him to be a genuinely fine man.

From the date that Mr. YOUNGER entered the Congress in 1953, he went about his work with dedication. He was a man of strong principle and character.

The passing of such men as J. ARTHUR YOUNGER leaves a void in the Congress. But his example should be a beacon and guide for the rest of us to follow.

In every task that he set for himself, J. ARTHUR YOUNGER was outstanding. His memory lives on in the hearts of his friends who respected him for his integrity, admired him for his ability, and cherished his friendship.

This was truly a man.

Mr. DERWINSKI. Mr. Speaker, I join with my colleagues in paying tribute to our departed colleague, J. ARTHUR YOUNGER.

ART YOUNGER was an extremely effective legislator as indicated by his production within committee and the strength he provided on the floor of the House. He was truly dedicated to his responsibilities and made a lasting contribution to the progress of our Nation and the effectiveness of the legislative branch of our Government. This Nation and his district have lost a great public servant.

Mrs. Derwinski joins with me in extending our sympathy to Mrs. Younger.

Mr. O'NEILL of Massachusetts. Mr. Speaker, death has a hundred hands and a thousand ways, so T. S. Eliot reminds us, and so we are again reminded by the passing of our lamented colleague, J. ARTHUR YOUNGER. A sense of loss, a personal feeling of emptiness, pervades this Chamber today, and I wish to join in extending my deepest sympathy to the family of a colleague and a friend.

A life of public service asks much of a man, and often the reward seems slight, the accomplishment negligible in proportion to the time taken and the effort expended. J. ARTHUR YOUNGER was not a man to be deterred by the harsh and arduous duties demanded of a public servant.

The problems engendered by the rapid growth of America's cities and her transportation network commanded his attention and his energy. His proposals for new departments dedicated to the conduct of complex urban affairs have now come to fruition within the President's Cabinet.

J. ARTHUR YOUNGER is dead, but the legacy of his life offers us the example of a public servant who was outstanding in his devotion to his family, his State, and his country. He shouldered responsibility of a weight few men could bear from day to day.

Those of us who knew him as a colleague and admired him as a friend look to his life and not his death to remind ourselves of man's limitless potential for personal achievement.

Mr. WIDNALL. Mr. Speaker, it is with great and deep personal sorrow that I join with my fellow Members of the House in tribute to our friend and colleague, J. ARTHUR YOUNGER. His very untimely passing is a great loss to his family, his host of friends, and to the Nation.

ARTHUR YOUNGER was one of the most highly respected Members of the House. Throughout his term of dedicated and inspired service, dating back to 1953, he contributed dignity and wisdom to the House of Representatives. His particular expertise and interest in the affairs of the Panama Canal Zone won him the highest regard of his colleagues. As one who has great interest in urban problems, I am particularly appreciative of his leadership in pointing out the needs of the Nation in this area through his continued efforts for establishment of a Department of Urbiculture.

J. ARTHUR YOUNGER will not be forgotten as a man or as a public servant. I sincerely hope that his fine example will serve to inspire all of us to attain the ideals which he demonstrated so well in belief and action.

I extend to Congressman YOUNGER's family, and most especially to his wife, Norma, my deep sympathy.

Mr. MATSUNAGA. Mr. Speaker, I, too, rise to eulogize the late Representative J. ARTHUR YOUNGER, one of the most respected men to serve the State of California and this Nation.

J. ARTHUR YOUNGER served in this House for many long and memorable years. His tenure as a Member of this body was marked by a conscientious devotion to duty, utmost integrity of character, and compassion for his fellow men. He left his mark by his forthright speech and rigorous deeds, and by his service, no less distinguished, on the Interstate and Foreign Commerce Committee.

He also served this Nation well in his earlier years, when he went overseas to fight under our flag during the First World War. Returning to this country and to civilian life, he embarked upon a successful career in banking and finance and, in the process, he prepared himself well for the notable role he was to play in Congress.

The great sorrow expressed here today at ART YOUNGER's passing is testimony to the love and respect in which he was held by his colleagues. His State and this Nation have suffered a great loss.

I extend to Mrs. Younger and to the other members of the Younger family my deepest sympathy in this their period of sadness.

Mr. COHELAN. Mr. Speaker, it was my privilege to know ARTHUR YOUNGER long before I came to Congress. I admired him as a dedicated churchman, a practicing Christian whose faith and courage in adversity and particularly in his last illness, were an inspiration to his friends and his family.

A wise and friendly man, ART was loved and respected by his colleagues on both sides of the aisle. As the dean of the California Republican delegation, he was a great favorite with the members of my staff, who shared many happy occasions with him at California gatherings. He will be missed here in Congress and in the State of California, which he loved so much and served so well.

Mrs. Cohelan and members of my family and of my congressional staff join me in expressing to Mrs. Younger our most heartfelt sympathy in her bereavement.

Mr. HORTON. Mr. Speaker, the loss of ARTHUR YOUNGER from this House leaves a void that will be truly difficult to fill. The many worthwhile functions in which he actively participated, and the full schedule he conscientiously maintained, would indeed do credit to any man. Perhaps that is why the advance of his fatal illness was imperceptible to many of us. Congressman YOUNGER was so concerned with improving the lives of others that he gave his congressional work and civic activities priority over his own personal needs. Even during the terminal stages of his illness, he was back in the House until his readmission to Walter Reed Army Hospital, only 5 days before his death.

Until the very last, few of us realized how ill he was, for Representative YOUNGER was not a man to complain or to draw attention to himself. He was one of those rare individuals who selected the best attitudes and ideas from each stage of life and combined them into a unified philosophy characterized by the active optimism and progressive attitudes of youth but tempered with the wisdom and experienced judgment of maturity.

Politically and economically, ARTHUR YOUNGER was classified as a conservative, one who believed that the conservative doctrine outlined the most logical and certain way to maximum progress. He was a forward-thinking man, who, as a prudent banker and ever cautious with the funds entrusted to him nonetheless encouraged investing in the future. He was an innovator, rather than a speculator. He believed that free enterprise was the primary reason why our country progressed in such a short time from humble beginnings to the greatest power in the world, and that free enterprise is likewise indispensable in the struggle to attain full employment. He further warned that war was neither a legitimate nor an effective means to bolster a recessive economy, that the only permanent insurance of continuing prosperity in our country was popular allegiance to enlightened free enterprise.

Many of his concepts where ahead of his time. Shortly after his initial election to Congress—in 1952—he introduced a bill to set up a Cabinet-level Department of Urbiculture. In justifying the feasibility of such a Department, Congressman YOUNGER stated:

> The rapidly changing social scene makes this department necessary, and what, if anything, is done about it will probably depend on how much backbone urban people show in demanding more voice and more help in their solution.

The bill, although defeated, was considered the parent thinking from which the Department of Housing and Urban Development was born.

An article in a California newspaper back in 1952 described him as "distinguished, friendly, calm, even under pressure, amiable but firm in his convictions." His 14 years in Congress further tested and attested to those qualities. Even in the midst of heated, controversial issues, Congressman YOUNGER consistently kept his head, his temper, his convictions, his dignity, and the respect of his colleagues. We shall all keep him in our memory as an example of decorum, sincerity, and a conscientious desire to discharge the duties of congressional office in a manner that reflected a distinguished image of the House of Representatives, to which he was, to use terms appropriate to his background, a stable, reliable, ever-growing asset.

Mr. CEDERBERG. Mr. Speaker, it is always a sad occasion when we come to the time on the House Calendar that we pause to pay tribute to one of our departed Members. Words come hard at a time like this and there is little that words can accomplish in filling the vacuum in his household when one of our colleagues is removed by his Maker.

I join my colleagues today in paying tribute to the late J. ARTHUR YOUNGER who was taken from us on June 20 while a patient at Walter Reed Hospital. He joined our ranks in the House in 1953 and served alongside us continuously until his death.

The 11th District of California was very ably represented in Washington by Congressman YOUNGER. His obituary reveals what all of us who served with him had long since come to know—that he was a conscientious and dedicated public servant. Even before he joined our ranks his abilities were utilized profitably by agencies of the executive branch of the Federal Government as he served in his home State of California.

He brought to these Halls a wealth of knowledge and experience in government-citizen relationships. He was an asset not only to his State, but also to the Congress.

As others of my colleagues have said, ARTHUR YOUNGER will be missed in Congress.

Mrs. Younger and other members of his family have my deepest sympathy.

Mr. HALEY. Mr. Speaker, it is always sad to say farewell to a friend, to stand here in the Halls of the House of Representatives and pay final tribute to a colleague who has been taken from us.

I feel a deep personal sorrow in the passing of J. ARTHUR YOUNGER, of California. We came to the Congress together—while our States are at the opposite ends of this great Nation. We shared similar problems in many areas. I came to know ARTHUR YOUNGER well, to admire and respect him deeply. He was a warm, wise man.

He was a good man—in the finest sense of the word. His advice and counsel were highly valued by his colleagues on both sides of the aisle.

One of the measures of a man is the respect in which he is held by those who are his juniors. In each Congress as the new Members arrived I observed that ARTHUR YOUNGER was one of the first from whom they sought advice. It was a part of his nature to counsel—and his advice was sound and constructive. He was fair and he was impartial. He was a source of strength. He was interested in the problems of all.

I shall deeply miss his wisdom and the warmth of his personality. I have lost a personal friend.

All of us who served with ARTHUR YOUNGER mourn his passing. The State of California has lost one of her finest sons and most effective representatives. The Congress has lost one of its ablest and most distinguished legislators.

To Mrs. Younger and their children, Mrs. Haley and I extend our deepest sympathy.

Mr. FEIGHAN. Mr. Speaker, it was my privilege to know our departed colleague, Hon. J. ARTHUR YOUNGER, from the time he first came to Congress in 1953. He had served his country in time of war and he zealously served his adopted State of California in Congress for more than 13 years. He was a gentleman of integrity, dignity, and dedication to his people and to his country. Our Nation has been the beneficiary of his loyal service, and his death has saddened all of us here where he was held in high esteem. I am happy to have had his friendship and extend my sympathy to his widow.

Mr. ROBISON. Mr. Speaker, it is always difficult to say farewell to a colleague who has departed from us—and from this world. But I find it especially difficult in the case of our beloved friend, "Art" Younger.

Not only was Art—and I must still call him that for his very nature made it almost impossible to address him in more formal terms—one of the most capable and dedicated Members of this body, which he loved so well, but he was, truth to tell, a comfort just to have around. His cheery smile, his innate optimism, and his radiant personality brightened many a day for all of us.

He will be missed for these qualities—but he will also be missed for reasons of perhaps greater importance, foremost among which would be that Art Younger was one of those Americans, of which we have far too few, whose every thought, word, and action was marked by a stalwart sense of integrity. Whatever he believed in, he believed in deeply, and on these matters there was no room for compromise. When he spoke to us we knew his words came from his heart—and his was a good heart, a great heart. His service to his constituents—and to his Nation—can be measured in years and in substantial accomplishments; but the true measurement of his service would, for this basic reason, produce a truly enviable score, and it thus becomes one to which we all should aspire.

The French dramatist, Molière, wrote:

> If everyone were clothed with integrity, if every heart were just, frank, kindly, the other virtues would be well-nigh useless, since their chief purpose is to make us bear with patience the injustice of our fellows.

Mr. Speaker, this body was enriched through the years of J. Arthur Younger's service in it because he was one among us who was "clothed with integrity," and whose heart was a "just, frank, and kindly" one. Our loss, therefore, is a very real one, and one we can ill afford.

But, Mr. Speaker, we can be sustained by the continuing memory of our departed colleague—and constantly encouraged by the thought of his shining example.

Mr. Speaker, Mrs. Robison joins me in expressing our deepest sympathy to Mrs. Younger and the other members of his family.

Mr. HULL. Mr. Speaker, the death of Representative J. Arthur Younger, of California, is a great loss to his friends, to California, and to the Nation. But his achievements will endure in the years ahead as a monument to his patriotism, his devotion to duty, and to his integrity.

His passing is a great loss to this body, and especially is it felt by the people of the 11th District of California whom he represented so long and so well in the House of Representatives.

Those who knew and worked with him respected him for his wisdom and dedication to America's most noble principles. The Nation and State which Art Younger served have lost a sincere and dedicated public servant, and his presence and his service will be sorely missed.

Mr. QUIE. Mr. Speaker, the recent passing of J. Arthur Younger leaves everyone who knew him with a deep and personal sense of loss. To know Art was to respect him and admire his many admirable qualities. Art was a big man in every sense. He was big physically; had a big, warm smile that seemed to take in the whole world. Art was big in the sense that he never denigrated the accomplishments of others. In a word, Art was what we would all like to be in Congress.

J. Arthur Younger faithfully served the 11th District of California for nearly 15 years. He served all of America as well. As second-ranking minority member of the House Interstate and Foreign Commerce Committee, he came to be recognized as an expert in the fields of domestic and international trade and commercial law.

Art was a conservative in the best sense of the word. He knew that government cannot do everything for the individual. Art realized that most of our problems can be solved through individual initiative.

Yet, he was a most progressive Member of Congress. Art was the "father" of the Department of Housing and Urban Development. Shortly after being elected to the House, J. Arthur Younger introduced a bill for the establishment of a Cabinet-level Department of Urbiculture to be devoted to the problems of welfare of city dwellers. He was ahead of his time and the bill was defeated. But it was the inspiration for the eventual creation of the new Department of Housing and Urban Development.

Art was an exceptionally hard worker. He was nearly always the first to arrive at any meeting of a committee or subcommittee. Art did his homework and was one of the best informed members of the House Committee on Interstate and Foreign Commerce. He always carried more than his share of the load. His questioning during hearings was to the point. His invariable courtesy to witnesses made the work easier and more significant.

It was my great privilege to serve with Art on the Republican Task Force on Education. Members of the task force constantly turned to him for advice and guidance in this extremely vital area. His long experience and deep understanding of the importance of education to the life of the Nation, contributed materially to the success of the task force.

It was my privilege to be associated with Art at the weekly prayer breakfasts in the House. If any Member of the House deserved the encomium "Christian gentleman," it was J. Arthur Younger. His sincere Christian beliefs illuminated every facet of his life.

I was struck by what my colleague, Mr. Hunt, said of his first meeting with Art. Our late colleague from California told Mr. Hunt that there would be many moments when he would be perplexed and would wish guidance on a vote. Art told Mr. Hunt:

> I want to tell you that emblazoned over the Speaker's rostrum there are inscribed the truest words ever spoken, "In God We Trust" and when the moment arises, place your trust in your God as I have all these years.

Art lived and functioned by placing his trust in God.

Mr. Speaker, I join my colleagues in expressing sympathy to his wife, Norma, and to the other members of his family.

Mr. WAMPLER. Mr. Speaker, it is with heavy heart that I rise to pay tribute to our departed colleague, the Honorable Arthur Younger, of California.

I came to know Art Younger during the first days of the 83d Congress when we were both freshmen Members of the House of Representatives. Although there was a disparity in our ages, I came to know and to respect him as a fine Christian gentleman.

After an absence of 12 years, Art Younger was one of the first to greet me when I returned as a Member of the 90th Congress. He welcomed me back to the Halls of Congress and in typical fashion, offered me friendly assistance in reestablishing here in Washington.

I remember well our conversation in which we reminisced about our previous congressional service together. He also told me of the trip he and Mrs. Younger enjoyed to Africa after the adjournment of the 89th Congress. It is obvious that he and Mrs. Younger enjoyed traveling, and had traveled extensively in our country and abroad.

Mr. Speaker, the 11th District of California has lost a true representative of the people, and the entire Nation has lost a prudent and dedicated public servant.

As the poet Tennyson said, "The finger of God touched him and he slept." I am sure that those of us who were privileged to know Art Younger are richer and blessed by that experience.

I wish to extend to Mrs. Younger and the family my deepest sympathy.

Mrs. REID of Illinois. Mr. Speaker, I share the deep sorrow which all Members of this House feel at this time in the loss of our colleague and good friend, J. Arthur Younger.

Truly a distinguished American has gone from our midst; and though his chair is vacant, he still will live on in the memory of all who had the honor to call him their friend. Many of you in this Chamber have had the privilege of working with him for many more years than I, but those of us who were newcomers to the Congress will never forget the hospitality of his welcome, the wisdom of his counsel, and his unswerving dedication to the preservation of the principles and ideals on which this Nation was founded and which we know must be perpetuated for the future.

All of us have admired his quiet competence, and the great legacy of public service he leaves behind is a living inspiration for us in the days ahead. The people of his district and State have lost a faithful and devoted servant, and I join with them in extending heartfelt sympathy to Mrs. Younger and all members of the family.

Mr. KORNEGAY. Mr. Speaker, I share in the sadness felt by the membership of the House in the passing of our colleague, Congressman J. Arthur Younger. It was my privilege to serve with him on the

House Committee on Interstate and Foreign Commerce, and to share membership on the same Subcommittee on Communications and Power of the committee. We also shared an interest and enthusiasm for the House weekly prayer breakfasts, where he was a faithful attendant and an inspirational and dedicated participant.

ART YOUNGER was one of the most gentle, most respected, and most effective individuals I have ever had the privilege of knowing, and he rendered significant service to his committee, to the Congress, to his district, and to any group in whose activities he took part. I deeply appreciate his friendly consideration of me, as a younger Member of Congress and of the committee on which we served, and I will always hold his memory in great respect and affection. My sincere condolences go out to his wife in these sad and trying days of her bereavement.

GENERAL LEAVE

Mr. LIPSCOMB. Mr. Speaker, I ask unanimous consent that all Members who wish to do so may have 5 legislative days to revise and extend their remarks on the life, character, and service of the Honorable J. ARTHUR YOUNGER.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 11089, IMPROVEMENT IN BENEFITS AND FINANCIAL STRUCTURE OF FEDERAL EMPLOYEES' INSURANCE PROGRAM

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11089) to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey? The Chair hears none, and appoints the following conferees: Messrs. DULSKI, HENDERSON, DANIELS, CORBETT, and BROYHILL of North Carolina.

CRITICISMS OF AMERICAN FARM BUREAU FEDERATION

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, following the statement issued yesterday by the House Committee on Agriculture relating to my criticisms of the American Farm Bureau Federation, I prepared a lengthy statement which I intended to deliver personally on the floor as a special order. Unfortunately, an unexpected early adjournment prevented me from delivering this speech. Because today is Thursday and I recognize that many of my colleagues who have expressed a desire to participate in my special order must return to their districts for weekend engagements, I have decided not to make my statement today.

Instead, on July 18, following all legislative business and other special orders heretofore entered into, I will address the House for 1 hour. At that time I will comment fully upon the action of the Committee on Agriculture. At the same time, I will supplement my earlier statements about Farm Bureau activities with new evidence which conclusively proves that the Farm Bureau, among other things, is essentially a profit-motivated tax-dodging business organization.

Further, I will prove to everybody's satisfaction the American Farm Bureau Federation masterminded, engineered, and was responsible for the execution of the statement and resolution introduced by the five members of the Subcommittee on Rural Development of the House Committee on Agriculture.

INTRODUCTION OF LEGISLATION TO PROVIDE A NEW AND DIFFERENT APPROACH TO THE PROBLEM OF CURTAILING THE MAILING OF OBSCENE LITERATURE

Mr. GUBSER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There is no objection.

Mr. GUBSER. Mr. Speaker, I am today introducing legislation which I believe represents a new and different approach to the problem of curtailing the mailing of obscene literature.

My bill would impose a $1,000 Federal licensing fee upon any person or organization who buys, sells, rents, exchanges, or otherwise trades in mailing lists. The licensee would assume the responsibility of informing the Post Office Department of any person to whom he has sold a mailing list and who he has reasonable cause to believe will use the list to offer obscene literature for sale through the mails. The Postmaster General would have the right to revoke the license of any person who fails to report such an effort to use postal facilities to sell obscene literature. "Obscene," for purposes of definition, shall be in accordance with tests laid down by the U.S. Supreme Court in cases such as Roth against the United States.

Many years ago as a member of the House Post Office and Civil Service Committee, I served on the Pornography Subcommittee. Trying to find ways and means of regulating these clever purveyors of filth was a most frustrating experience. Court decisions, the Constitution, and slippery business tactics make it almost impossible for the Post Office Department to prevent dealers in smut from sending unwanted pornographic material to our most impressionable group of Americans—our teenagers. Obviously a new and completely different approach is required. This is why I have hit upon the idea of regulating the dealer in mailing lists, who is a very necessary link in the smut peddler's operation. Perhaps by regulating him we can find some constitutional means of getting at the despicable persons who profit from filth.

NEED FOR OPEN RULE ON POSTAL RATE BILL

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia.

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, there is a strong rumor that the Committee on Post Office and Civil Service will bring the postal rate bill to the floor of the House under a closed rule.

Mr. Speaker, there is absolutely no excuse where there has to be a closed rule to consider a bill to raise postal rates. The only reason a closed rule is wanted is to protect the third-class mailers against those of us who want to raise the rates on junk mail. I believe it would be an outrage on the American people if a closed rule is granted on a bill like the postal rate bill.

Mr. DULSKI. Mr. Speaker, will the gentleman yield?

Mr. HECHLER of West Virginia. I yield to the gentleman from New York, the distinguished chairman of the House Post Office and Civil Service Committee.

Mr. DULSKI. Mr. Speaker, I do not know where the gentleman received the rumor that there will be a closed rule. I am sure the rule that will be proposed will be an open rule, because the last time the Committee on Post Office and Civil Service has been defeated was on a closed rule. I am sure the gentleman from West Virginia will have ample time to discuss the third-class mail.

Mr. HECHLER of West Virginia. Mr. Speaker, I appreciate very much the remarks of the gentleman from New York. I am very pleased that the chairman of the House Post Office and Civil Service Committee has given a clear-cut assurance to the House that the postal rates bill will be handled under an open rule.

CALL OF THE HOUSE

Mr. McFALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. CHARLES H. WILSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 166]

Ayres
Baring
Barrett
Berry
Bolton
Brotzman

Burton, Utah
Button
Clawson, Del
Collier
Diggs
Feighan
Hansen, Wash.
Hawkins
Hungate
Irwin
King, Calif.
McClure
Martin
Monagan
Moore
Moorhead
Moss
O'Konski
O'Neal, Ga.
Pool
Purcell
Reuss
Roush
St Germain
St. Onge
Shipley
Smith, N.Y.
Tuck
Tunney
Whitener
Willis

The **SPEAKER** pro tempore (Mr. BOLAND). On this rollcall 396 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROHIBITION OF USE OF FINANCIAL INSTITUTIONS AS LOTTERY AGENCIES

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 10595) to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 10595, with Mr. CHARLES H. WILSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday it had agreed that the first section of the bill would be considered as read and open for amendment at any point.

The Clerk will report the committee amendments to the first section of the bill.

COMMITTEE AMENDMENTS

The Clerk read as follows:

On page 1, line 8, immediately after "deal in bets", insert: "used as a means or substitute for participation in a lottery".

On page 2, line 23, after "collecting" strike "paying on account of".

On page 3, immediately after the semicolon at the end of line 12, insert "or".

On page 3, line 16, strike "; or" and insert a period.

On page 3, lines 17 and 18, strike "(D) any combination of any two or more of the foregoing."

The committee amendments were agreed to.

AMENDMENTS OFFERED BY MR. MULTER

Mr. MULTER. Mr. Chairman, I offer an amendment; and, Mr. Chairman, in reporting that amendment, may I say that the same amendment is offered at page 4, at page 7, and at page 9, and I ask unanimous consent that they be reported and considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Iowa will state his parliamentary inquiry.

Mr. GROSS. Mr. Chairman, is it proper to offer an amendment to a provision of the bill that has not been read?

The CHAIRMAN. Only by unanimous consent.

Mr. GROSS. It can be done by unanimous consent?

The CHAIRMAN. Yes; only by unanimous consent.

Mr. HALL. Mr. Chairman, may we have the amendment read?

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: On page 2, strike lines 6 through 20 and insert:

"(b) A national bank may not permit—

"(1) the use of any part of any of its banking offices by any person for any purpose forbidden to the bank under subsection (a), or

"(2) direct access by the public from any of its banking offices to any premises used by any person for any purpose forbidden to the bank under subsection (a)."

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. MULTER]?

There was no objection.

The CHAIRMAN. The Clerk will report the remaining amendments to be considered en bloc.

The Clerk read as follows:

Amendments offered by Mr. MULTER: On page 4, strike line 18 and all that follows through page 5, line 9, and insert:

"(b) A State member bank may not permit—

"(1) the use of any part of any of its banking offices by any person for any purpose forbidden to the bank under subsection (a), or

"(2) direct access by the public from any of its banking offices to any premises used by any person for any purpose forbidden to the bank under subsection (a)."

On page 7, strike lines 4 through 18 and insert:

"(b) A State non-member insured bank may not permit—

"(1) the use of any part of any of its banking offices by any person for any purpose forbidden to the bank under subsection (a), or

"(2) direct access by the public from any of its banking offices to any premises used by any person for any purpose forbidden to the bank under subsection (a)."

On page 9, strike lines 8 through 20 and insert:

"(b) An insured institution may not permit—

"(1) the use of any part of any of its own offices by any person for any purpose forbidden to the institution under subsection (a), or

"(2) direct access by the public from any of its own offices to any premises used by any person for any purpose forbidden to the institution under subsection (a)."

Mr. GROSS (interrupting the reading of the amendments). Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Mr. Chairman, will the amendments all be the same, then, to the other provisions of the bill, as the provision which has just been read?

The CHAIRMAN. That is what the gentleman from New York [Mr. MULTER] has said.

Mr. GROSS. Mr. Chairman, I ask unanimous consent that further reading of the amendments, if they are the same amendments, be dispensed with, and that they be printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. MULTER] is recognized for 5 minutes in support of his amendments.

Mr. MULTER. Mr. Chairman, when the bill was reported it was intended that we restrict banks and banking institutions, those that are national institutions and those that are insured by the Federal Government, from participating in these lotteries as an agent. The language that is now in the bill would prohibit these banking institutions from using any of their property; that is, their real property, for these purposes. Many of these institutions own office buildings in which their banking premises are located. While it is the intent to prohibit the banking premises to be used for those lottery activities, it was not intended that we prohibit the bank from leasing or renting any of its other property to a State, county, town, village, or municipality or any other agency that legally could operate or act as an agent for these lotteries. Therefore the amendment is offered in each of the four places where these restrictions are contained within the bill.

If the amendment is adopted we will simply restrict the banks and the financial institutions from acting on their own premises as agents. The bill then will not in any way restrict them from engaging in all of their other banking activities. Nor will it interfere with the operation of any real estate or real property owned and held by the banking institution. That is the simple and full intent and purport of their amendments, and I urge their adoption.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman.

Mr. FINO. So that we might have a clarification of the gentleman's amendments, is it the intent of the gentleman from New York to be sure that if a building is owned by a bank which occupies the ground floor, say, the street floor, for the purpose of banking, and it rents the second floor to the New York State Tax Department, that the State tax department could sell these lottery tickets in the same building that is owned and occupied by the banking institution on the ground floor?

Mr. MULTER. The gentleman's statement is absolutely and completely correct.

That is the sole purpose and intent of the amendment whether it is a State agency or any other government agency, or anyone legally licensed to carry on these lotteries, who rents space in the building of a banking institution, they can lawfully use those premises for those purposes.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman.

Mr. CELLER. Mr. Chairman, I support this bill.

I do not think banking facilities should be used for any lottery.

Also I take this opportunity to criticize the gentleman from Texas, the chairman of the Banking and Currency Committee, for his intemperate remarks about our

Governor of New York State, Nelson Rockefeller. His strictures upon the Governor were most unfair and untoward. The attack upon the Governor was in the nature of character assassination.

I challenge any charge that militates against the integrity of the Governor.

The gentleman from Texas might well reconsider his diatribe against the Governor and recant.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendments.

Mr. Chairman, I must oppose this amendment because it would create a gigantic loophole that would completely nullify the desired intentions of this legislation. Congress year after year must devote a great deal of its time and energy toward closing loopholes in existing law. In light of this, it does not make sense for this body to approve an amendment which would create a loophole through which all State-chartered banks could escape coverage of the law.

It must also be pointed out that there was ample opportunity in committee to offer such an amendment. However, no amendment was offered, nor was one of this subject matter even discussed.

The bill in its present form would prohibit banks from renting property which would be used for gambling activities. National banks are not included in this provision, since by law they are prohibited from owning real estate other than their banking premises. However, many States allow State-chartered banks to own and rent additional property. If the prohibition against State banks renting property to gamblers is enacted, it would mean that State banks could form separate corporations to sell lottery tickets and then rent bank-owned property to that corporation to carry on the gambling activity. This would clearly violate the spirit of this legislation. There are numerous other ways in which State-chartered banks could avoid the effects of this legislation if this amendment is adopted. It is therefore imperative that the amendment be defeated so that the full and equitable effects of the legislation can extend to all financial institutions.

Mr. FINO. Mr. Chairman, I move to strike out the last word and rise in support of the amendment offered by the gentleman from New York [Mr. Multer].

Mr. Chairman, I just want to say to the chairman of the Committee on Banking and Currency that what I have said here on the floor of the House is absolutely the truth—that the gentleman from Texas [Mr. Patman] is out to cripple and destroy the New York State lottery—and his insistence on doing that, and his opposition to the amendment offered by the gentleman from New York, is a clear indication of his intent to do exactly what I have said all along.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. FINO. I yield to the gentleman.

Mr. MULTER. Mr. Chairman, I would like to indicate that although this amendment was not offered in the executive session of the committee when the bill was marked up, I did on June 20, notify all members of the Committee on Banking and Currency of the intention to offer this amendment. So far as I know all of the members of the committee with the exception of the chairman are in favor of this amendment. So while it was not considered in executive session, every member of the full Committee on Banking and Currency has had ample opportunity to review and examine this amendment.

Mr. FINO. Mr. Chairman, I join my colleague, the gentleman from New York, in urging the adoption of the amendment.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. FINO. I yield to the gentleman.

Mr. BROCK. Mr. Chairman, although I am personally opposed to national banks in engaging in lotteries, I do feel that this amendment is a salutory amendment, improving what is a very difficult bill at best.

There is no positive justification for excluding banks that may own property in another section of town from leasing that property to the State of New York, or any other State government which happens to need that property. There is no relevance between legitimately leased property and the operation of the bank itself.

Mr. Chairman, I personally think this amendment should be supported.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. FINO. I yield to the gentleman, the ranking minority member of the Committee on Banking and Currency.

Mr. WIDNALL. Mr. Chairman, I rise in support of this amendment. I believe it is something that is needed in order to improve this legislation.

Very frankly, as I said the first day when we debated this bill, I support the legislation.

I do not feel that it is right and proper to have the banks and other financial institutions engaging in the sale of lottery tickets. But I do not think that our legislation, in an effort to do that, should go so far as to stop the normal operation of the financial institutions. The purpose of this bill is very definitely to keep these financial institutions from selling lottery tickets. I do not believe it should go further. I urge the adoption of the amendment.

Mr. DERWINSKI. Mr. Chairman, I rise in support of the amendment. It was my privilege during my first two terms in the House to serve on the Banking and Currency Committee, and it was my opinion as a member of the committee, and it has been my opinion since, that the gentleman from Texas [Mr. Patman] is one of the unrecognized geniuses of this country, and also one of the unrecognized geniuses of this Congress.

But, frankly, this bill disturbs me because it is drawn and supported with less than a touch of genius. Quite frankly, aside from the civil war between Texas and New York, and any political or personal comments that were made yesterday and are still being carried on today, as I see the situation, it boils down to the fact that the State of New York is now the possessor of a State lottery. If I recall, they are following the lead of a little State called New Hampshire.

I would suspect that the trend will move across the country. Someday we may even have a lottery in the State of Texas. With their oil wells they may not need it. But theoretically this is a feasibility. I can see the day when my State of Illinois might require a lottery because of the usurpation by the Federal Government of the taxes that should be flowing to a State. But if and when Illinois has a State lottery, I would feel much safer if the funds were flowing in and through the banks which have good internal control procedures, which have fine auditing systems, and which are now automated to the hilt. Therefore, I would think that the bill represents a backward step. It is anti-States rights. I would say it is certain, with the problems we have in the Congress, there are far more important items we could be debating than dabbling with a bill of this nature.

In fact, at the risk of being misunderstood, I would say that a bill like this signifies the "silly season" that we occasionally have in Washington. Because of the heat of the legislation and because of the heat of the Washington atmosphere we are faced with legislation like this.

However, I am here to support the amendment of the gentleman from New York. This amendment takes a bad bill and makes it slightly acceptable. I would suggest to the Members that they, therefore, support the Multer amendment, and when they have the opportunity to do so, to destroy this bill in either the motion to recommit or in an outright defeat of the bill.

Mr. WYLIE. Mr. Chairman, I rise in support of the amendment.

Yesterday I had the privilege of speaking in support of House bill 10595. From discussions with Members this morning, the future of this bill has been impaired by what I regard as irrelevant and immaterial remarks made in this House yesterday concerning the integrity of the Governor of New York, his family, and their philanthropic foundations. I wish to impress upon all Members of this House that I strongly support this legislation on its merits and only on its merits.

I also urge my colleagues to consider the fact that the merits of this legislation apply not only to New York and to New Hampshire, as the gentleman from Illinois [Mr. Derwinski] has just suggested, but also to the other 48 States and their trusted financial institutions.

In considering the merits of this legislation, I submit to the Members of this House that this bill is supported not only on its merits but also by historical precedent as well as rational reasoning. The historical precedent is: First, the idea is over 200 years old and has not had a success to its credit; second, Federal laws prohibit the mailing of lottery tickets or lottery information and advertising is forbidden even if mailed intrastate.

Similarly, the broadcasting of lottery information on radio and television is likewise prohibited. Newspapers, although not federally licensed or supervised, are prohibited from mailing publications containing lottery information and lists of lottery winners.

The Supreme Court recently upheld

the validity of these laws in the Fabrizio case, decided on February 12, 1966. Third, the Federal Trade Commission has told us that merchandising by lottery is illegal under the FTC Act, which again has been upheld by the courts.

Rationally there are two issues:

First. Should the lottery be dignified by permitting the symbols of security and stability in the community, the banks, to make it possible for a person to wager at the same time he saves? Does this not demean the stature of these institutions when a person, who comes into the institution with his paycheck for the purpose of providing for the security of his family, by saving, is openly tempted to risk just a small part of that pay instead of saving it?

Thus far, this debate has been confined to New York and New Hampshire. There are 48 other States which will be affected by our action on this bill.

I, therefore, urge that all Members of this House objectively review the merits of this important legislation in terms of its effects on the 50 States rather than only two, and that we do not allow Federal financial institutions to become involved in lotteries.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, the gentleman will admit, will he not, that this bill was thoroughly discussed before our committee, and we had numerous rollcalls, and on the motion to adopt the bill as it is, the rollcall vote showed 19 to 11. That is correct; is it not?

Mr. WYLIE. That is correct.

Mr. PATMAN. That is on the bill as it is. Therefore, the committee is behind the bill without the amendment. Is that the gentleman's construction?

Mr. WYLIE. That is my construction of the committee action; yes, sir.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. Yes; I yield to the gentleman from New Hampshire.

Mr. WYMAN. Mr. Chairman, is not one of the best helps, with the conduct of the State lottery, to operate the State lottery through the banking institutions, if we want public confidence in an honest lottery?

Mr. WYLIE. Mr. Chairman, I must say that I disagree with the gentleman from New Hampshire. I just happen to be unalterably opposed to lotteries, in any form. I just do not like to have the State or Federal Government involved in them, but most especially right now I do not want the Federal financial institutions involved in the actions of States in promoting State lotteries.

Mr. WYMAN. If the gentleman will yield further, Mr. Chairman, if we want to keep the racketeers out of this kind of operation and if the people in the State choose to have the operation of a lottery to raise revenue for their State, then is it not sound to have an administrative role by banks in connection with the lottery?

Mr. WYLIE. Mr. Chairman, as the gentleman from New Hampshire must know, as I have stated, the Legislative Reference Service reported in a survey released on March 13, 1965, that State lotteries have never succeeded. Historically, lotteries beget more trouble and beget more crime. The Louisiana lottery was an example of that. In England the lottery was abolished by Parliament because persons by becoming acclimated to gambling in the form of a lottery were led to other areas of crime.

This is an additional reason why I am opposed to the lottery.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

(By unanimous consent, Mr. WYLIE was allowed to proceed for 1 additional minute.)

Mr. MURPHY of New York. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I yield to the gentleman from New York.

Mr. MURPHY of New York. Mr. Chairman, I concur in the gentleman's statement and point out to the House that in the New York State bill, the telegraph companies were also authorized to sell lottery tickets. However, the president of Western Union Telegraph Co. made the statement that he was withdrawing his company from participation in the lottery for two reasons.

The first was the sale of tickets by his company was not going to be compensatory, because 5 cents of the dollar ticket was the amount allocated to pay for the participation of his company in this.

The second item he brought out, and he made it very clear to the public, was that he felt if the type people who wanted to participate in the lotteries would be coming into the Western Union Telegraph offices, the offices would probably be subjected to holdups by that type of individual, and that is the other one of the reasons why he withdrew the telegraph company from participating in the New York lottery.

Mr. WYLIE. I thank the gentleman.

Mr. BINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as one who is opposed to the bill, perhaps I should be opposed to the amendments also, because I believe if the amendments should be defeated the chances for defeating the bill would be improved. However, I do not take that position.

Since there is certainly a possibility that the bill will be adopted, I believe it would be a better bill and would be more in line with what the committee intended if these amendments are adopted. In other words, what my colleague from New York has proposed is to eliminate coverage of stores, offices or other real properties owned by a bank, so that lottery operations could be conducted in such nonbanking premises.

I urge the adoption of the amendments.

The CHAIRMAN. The question is on the amendments offered by the gentleman from New York [Mr. MULTER].

The question was taken; and on a division (demanded by Mr. PATMAN) there were—ayes 42, noes 7.

So the amendments were agreed to.

Mr. PATMAN. Mr. Chairman, if there are no further amendments to this section of the bill, I ask that the Clerk read.

The CHAIRMAN. Are there further amendments to section 1? If not, the Clerk will read.

The Clerk read as follows:

SEC. 2. The Federal Reserve Act is amended by inserting immediately after section 9 the following new section:

"SECTION 9A. PARTICIPATION IN LOTTERIES PROHIBITED

"(a) A State member bank may not—

"(1) deal in lottery tickets;

"(2) deal in bets;

"(3) announce, advertise, or publicize the existence of any lottery;

"(4) announce, advertise, publicize, or keep any record of the existence or identity of any participant or winner, as such, in a lottery.

"(b) A State member bank may not permit any part of any premises under its ownership or control to be used by any person for any purpose forbidden to the bank under this section except—

"(1) where the person has a legally enforceable right to do so under the terms of a lease or other contract entered into before the date of enactment of this section, or before the date of the acquisition of the premises by the bank, whichever is later;

"(2) where the bank has acquired the premises in settlement of a preexisting debt or in connection with foreclosure proceedings, and has held the premises for less than five years; or

"(3) where the bank holds the premises in a fiduciary capacity.

"(c) As used in this section—

"(1) The term 'deal in' includes making, taking, buying, selling, redeeming, collecting, paying on account of, keeping any books or records with respect to, or otherwise handling in any way.

"(2) The term 'lottery' includes any arrangement whereby three or more persons (the 'participants') advance money or credit to another in exchange for the possibility or expectation that one or more but not all of the participants (the 'winners') will receive by reason of their advances more than the amounts they have advanced, the identity of the winners being determined by any means which includes—

"(A) a random selection;

"(B) a game, race, or contest;

"(C) any record or tabulation of the result of one or more events in which any participant has no interest except for its bearing upon the possibility that he may become a winner; or.

"(D) any combination of any two or more of the foregoing.

"(3) The term 'lottery ticket' includes any right, privilege, or possibility (and any ticket, receipt, record, or other evidence of any such right, privilege, or possibility) of becoming a winner in a lottery.

"(d) The Board of Governors of the Federal Reserve System shall issue such regulations as may be necessary to the strict enforcement of this section and the prevention of evasions thereof."

Mr. PATMAN (interrupting the reading). Mr. Chairman, I ask unanimous consent that section 2 be considered as having been read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendments to section 2.

The Clerk read as follows:

On page 4, line 11, immediately after "deal in bets" insert "used as a means or substitute for participation in a lottery"

On page 5, line 12, strike out "paying on account of,"

On page 5, line 24, immediately after the semicolon at the end of line 24, insert "or"

On page 6, line 4, after "winner" strike out "; or" and insert a period.

On page 6, on lines 5 and 6, strike out "(D) any combination of any two or more of the foregoing."

The committee amendments were agreed to.

The CHAIRMAN. If there are no other amendments to be offered, the Clerk will read the next section.

The Clerk read as follows:

SEC. 3. The Federal Deposit Insurance Act is amended by redesignating sections 20 and 21 as 21 and 22, respectively, and by inserting immediately after section 19 the following new section:

"SEC. 20. (a) A State nonmember insured bank may not—

"(1) deal in lottery tickets;

"(2) deal in bets;

"(3) announce, advertise, or publicize the existence of any lottery;

"(4) announce, advertise, publicize, or keep any record of the existence or identity of any participant or winner, as such, in a lottery.

"(b) A State nonmember insured bank may not permit any part of any premises under its ownership or control to be used by any person for any purpose forbidden to the bank under this section except—

"(1) where the person has a legally enforceable right to do so under the terms of a lease or other contract entered into before the date of enactment of this section, or before the date of the acquisition of the premises by the bank, whichever is later;

"(2) where the bank has acquired the premises in settlement of a preexisting debt or in connection with foreclosure proceeding, and has held the premises for less than five years; or

"(3) where the bank holds the premises in a fiduciary capacity.

"(c) As used in this section—

"(1) The term 'deal in' includes making, taking, buying, selling, redeeming, collecting, paying on account of, keeping any books or records with respect to, or otherwise handling in any way.

"(2) The term 'lottery' includes any arrangement whereby three or more persons (the 'participants') advance money or credit to another in exchange for the possibility or expectation that one or more but not all of the participants (the 'winners') will receive by reason of their advances more than the amounts they have advanced, the identity of the winners being determined by any means which includes—

"(A) a random selection;

"(B) a game, race, or contest;

"(C) any record or tabulation of the result of one or more events in which any participant has no interest except for its bearing upon the possibility that he may become a winner; or.

"(D) any combination of any two or more of the foregoing.

"(3) The term 'lottery ticket' includes any right, privilege, or possibility (and any ticket, receipt, record, or other evidence of any such right, privilege, or possibility) of becoming a winner in a lottery.

"(d) The Board of Directors shall prescribe such regulations as may be necessary to the strict enforcement of this section and the prevention of evasions thereof."

Mr. FINO (interrupting the reading). Mr. Chairman, I ask unanimous consent that section 3 be considered as read, printed in the RECORD, and open to amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendments to section 3.

The Clerk read as follows:

On page 6, line 22, immediately after "deal in bets", insert: "used as a means or substitute for participation in a lottery"

On page 7, line 21, strike out "paying on account of,"

On page 8, line 8, immediately after the semicolon at the end of line 8, insert "or"

On page 8, line 12, strike "; or" and insert a period.

On page 8, lines 13 and 14, strike:

"(D) any combination of any two or more of the foregoing."

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. FINO

Mr. FINO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINO: On page 6, strike line 15 and all that follows through page 8, line 21.

On page 8, line 22, redesignate section 4 as section 3.

On page 10, line 25, redesignate section 5 as section 4.

On page 11, lines 6 and 7, strike "section 20 of the Federal Deposit Insurance Act,".

On page 11, line 12, redesignate section 6 as section 5.

Mr. FINO. Mr. Chairman, this is a very important amendment. In essence, my amendment would eliminate the section of the Patman bill that applies to banks which are State chartered, nonmembers of the Federal Reserve System but which are subject to Federal regulation only because of their Federal Deposit Insurance coverage.

Frankly, I do not see what justification there can be for extending the Patman bill's coverage to these types of banks. Traditionally, Federal regulation of insured banks has been tied to protection of depositors. Further intervention in the affairs of mere insured banks which have no other Federal connection is a gross violation of the spirit, if not the law, of the dual banking system.

Who here really believes that the Patman bill truly relates to sound banking practices? There is no question of banks participating in the lottery—no banks are risking any of their funds. They are simply serving as ticket agencies and nothing else. To draw an analogy, banks may not underwrite stocks and bonds, but they may serve as stock transfer agents. The assets of banks are no more threatened by bank participation in sale of lottery tickets for a fee than they are by bank transfers of stock for a fee.

The Federal Deposit Insurance Corporation does not feel that the dual banking system should be warped by regulating lottery ticket sales by insured banks. Let me quote their statement:

> It is our view that, generally, the structure and scope of state banking activity should be a matter for state determination. Existing statutes recognize this concept and recent Supreme Court decisions fortify it.

The New York State Banking Department also opposes this extension of Federal regulation. So does the Comptroller of the Currency; that is the U.S. Comptroller of the Currency. They feel that sale or nonsale of lottery tickets has no relevance to the safety of deposits and that there is no justification whatsoever for Federal legislation.

I suggest that if the Federal Government can regulate sale of lottery tickets by State-chartered banks merely because those banks happen to have Federal deposit insurance, then the dual banking system in this country is gravely jeopardized, and any kind of Federal regulation can be imposed on State-chartered banks even if their only link to Federal regulatory power is their Federal deposit insurance. Is that what this House wants to do? Is that the kind of precedent we in this Congress want to set here today? If not, then I urge you to support my amendment to exclude from coverage of this bill those banks whose only Federal connection is Federal deposit insurance. It would make a bad bill a little better.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. FINO. I am very happy to yield to the gentleman from New York.

Mr. PIRNIE. Mr. Chairman, I thank the gentleman from New York for yielding to me at this time, and I wish to rise in support of the amendment which the gentleman has offered to the bill and the principle it represents. However, I would like to direct my remarks to the debate of yesterday and to the bill itself.

Mr. Chairman, for over 8 years I have been privileged to be a Member of this distinguished legislative body. During this period, there has been much spirited debate on a wide range of issues, some having lasting implications, other of importance only for the moment.

A variety of tactics have been used by my colleagues during floor consideration of a measure. For the most part, factual, straight-from-the-shoulder presentations, directly related to the matter under discussion, have been effectively employed to convince others of the relative merits of a position.

Unfortunately, such was not the case yesterday during debate on the issue before us. I cannot, in good conscience, permit to go unchallenged the intemperate statements that were made by the chairman of the Committee on Banking and Currency relative to one of our Nation's most capable and dedicated public servants, the distinguished Governor of the State of New York, Nelson A. Rockefeller and the Rockefeller family.

Mr. Chairman, I will not attempt to list the outstanding accomplishments of Nelson A. Rockefeller, a man who has served his Nation well for more than 40 years, because to do so would require more time than is available and would not be germane to the issue we are debating. However, before making specific reference to the Governor's position on the New York State lottery, and I do this only because the gentleman from Texas the chairman of the Banking and Currency Committee somehow feels that this is essential to House consideration of this measure, I would like to call to the attention of my colleagues an article entitled "Nelson Rockefeller: A Record To Fit the Times" appearing in the June issue of Fortune magazine. I think this would be enlightening reading for the few who may not be aware of the many contributions to our great Nation made by one who has dedicated virtually all of his adult life to serving his fellow man.

At this juncture, I wish to stress one very significant point that anyone interested in seeking the facts could easily have discovered. Governor Rockefeller was opposed to and campaigned against the New York State lottery in 1966. However, when the voters of the State he was elected to governor overwhelmingly approved a lottery in a statewide referendum, the Governor and State legislative leaders faced the duty to implement it. The lottery, like it or not, was a voter-approved fact of life. They then made a determination, after careful study and consideration, that the financial institutions, with their unimpeachable credential, would provide one of the safest and most efficient outlets for the sale and distribution of tickets. This approach was endorsed by the New York Legislature and the implementation of the people's will began.

This bill represents an unwarranted intrusion into the affairs which have long been considered within the responsibility of the individual States. There is obviously no need for this legislation. Every Federal agency asked to comment on the bill reaffirmed this position. I agree.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Chairman, reserving the right to object, would the gentleman defer and make that request at the expiration of his first 5 minutes?

Mr. PATMAN. Mr. Chairman, if the gentleman from Missouri will yield, certainly.

Mr. HALL. Mr. Chairman, I withdraw my reservation of objection.

Mr. PATMAN. Mr. Chairman, I must wholeheartedly oppose this amendment. It should be made clear at the outset that this amendment, if adopted, would substantially scuttle the bill. A vote for this amendment is a vote against the bill.

I must say that the State banks had an opportunity to be heard before the Committee on Banking and Currency. They were invited to attend and to testify. Likewise, the American Bankers Association was invited, and the New York Banking Commission, which covers these State banks was invited, and neither one of them wanted to be heard. Therefore, Mr. Chairman, the banks did not oppose this bill, as indicated.

If you let the State banks out from under the coverage of this bill, it will place the small banks at a disadvantage, at least to the extent of New York State. And, it is not the intention of the Congress, I know, to discriminate against the small banks and allow the big banks to have every advantage.

Mr. Chairman, it has been contended that the Federal Government does not have the right to regulate State banks. This would be true, and I believe in the dual banking system and I respect the rights of the States with reference to their operations of the State banks. But whenever the State banks ask to be included in the Federal system and make application and make a request and become a part of it under the Federal Deposit Insurance Corporation, then they come into a different category. They have no right to ask for things any more then than they had to ask for things if they were just State banks.

Mr. Chairman, the purpose of this bill is to keep any instrumentality of the Government from being a party to any gambling device or lottery. That is the object and purpose of it.

And they are obviously a part of an instrumentality of the Federal Government. Therefore, if we are going to have a bill it should include the State banks. Of greater importance, however, it must be pointed out that adoption of this amendment would work a great hardship on these smaller banks. The small banks in New York do not want to sell lottery tickets. However, they are forced to sell these tickets in order to compete with the larger banks for customers. By prohibiting all banks from selling lottery tickets we are actually helping small banks compete against the larger banks. However, if we allow small banks to sell lottery tickets, while restricting others, we are only lending a helping hand to the larger banks in their efforts to wipe out small bank competitors.

Mr. Chairman, New York State law is not the same as New Hampshire State law. The New Hampshire State law has a system whereby they only operate lotteries during the tourist season when people come there for recreation and pleasure. They have their lotteries only during that time. The testimony before our committee disclosed that three-fourths of the tickets sold in the State of New Hampshire were sold to outsiders who just happened to be there.

This reminded me of when we were trying to organize a tourism commission in Texas. One speaker got up and said, "Now, it is awfully hard, of course, to pick cotton. It is done during a bad time of the year when it is awfully hot and you have to fight the insects and the pests, and it takes bending and stooping and hard labor, and it is the hardest kind of work, but when you do pick a bale of cotton and gin it, you are not only helping your own economy; you are helping the economy of the whole State, and helping the economy of our Nation. And may I remind you, however, that a tourism commission is a wonderful thing because it will attract tourists, and when you get the tourists here every tourist we attract is worth two bales of cotton, and he is a lot easier to pick."

So New Hampshire has a situation entirely different. They just are picking the tourists, and the tourists are the ones who are buying three-fourths of the tickets, so it is an entirely different proposition there.

The basic argument here is: Shall the Federal Government be a party to the New York lottery law? Now, we are not trying to stop New York State. I believe in States rights. Each State has a right to pass on the question of gambling within its borders, but it certainly does not have the right, and should not have the presumption to make the Federal Government come in and be a party to it. That is what they are attempting to do here.

We are not trying to stop the lottery law within the State of New York, but we are saying they cannot use agencies and instrumentalities of the Federal Government in order to carry out their lottery activities. That is all we are saying. This is not a violation of States rights.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Chairman, I will not ask for additional time. I ask that the amendment be defeated.

Mr. MULTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am constrained to oppose this amendment. I am sure the gentleman from New York [Mr. FINO] offers it in good faith, but actually what it does is to take some State banks out and leaves others in.

For instance, in section 2, all State banks who are members of the Federal Reserve System are prohibited from engaging in this activity. The amendment does not go to that section. It goes only to section 3, and section 3 deals with the nonmember State banks—that is State banks that are not members of the Federal Reserve System—but which are insured. It is only because they are insured that we here in Congress have jurisdiction over those banks, and this bill should cover those banks as well as other State banks. I believe it would be quite wrong to leave some State banks free to engage in this business, and to prohibit the other State banks from doing it.

My position on this bill is that no banking institution, State or Federal, should be permitted to engage in this business. I concede, however, that we cannot touch a State institution that is not federally insured or is not a member of the Federal Reserve System. We get jurisdiction over them because they are members of the Federal Reserve System, or are federally insured. If it is bad to allow any kind of bank, a national bank or otherwise, to engage as an agent in the selling of lottery tickets, then we should keep them all out to the fullest extent the Congress can do so.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman.

Mr. FINO. Would the gentleman suggest a substitute amendment to provide the inclusion of section 2?

Mr. MULTER. No, I would oppose it if you included section 2. But we have now passed section 2, and the gentleman did not offer his amendment to section 2. So State member banks are now excluded.

What you would do by this amendment is to say some State banks may engage in this business and others may not. I say that no banks, State or Federal, insured or not insured, should be permitted to participate. In the case of noninsured banks that are not members of the Federal Reserve System, we in the Congress have no jurisdiction.

This amendment deals only with insured State banks—we covered the national banks and we covered the State banks who are members of the Federal Reserve System.

I say that by defeating your amendment, the bill would also prohibit State-insured banks, not members of the system, from participating in these lotteries. I urge that the amendment be defeated.

Mr. FINO. Let me ask the gentleman who comes from the State of New York and who is fully familiar with State-chartered banks—is it not a fact that the State-chartered banks of New York are chartered by the State of New York, and they are supervised by the State of New York, and they are examined by the State of New York, and that the only connection that the State-chartered bank has with the Federal Government or even with the Congress is the insurance of its depositors, which is only a protection, not as to the soundness of the bank, but protection for the depositors of the State-chartered bank.

Mr. MULTER. Let us be practical about it.

When the FDIC insures the deposits or when the FSLIC insures deposits, in both instances their regulations and their procedures are practically the same, and apply equally to all. The regulations promulgated by the Comptroller of the Currency as to national banks are not any different from those promulgated by the Federal Reserve System as to banks that are members of the system.

So to all intents and purposes, the regulations of those State banks, if they are insured and the national banks, are subject to the same rules and regulations even though there may be some differences as to the investment power of State institutions in accordance with the State law.

We are dealing now not with investments—not with what kind of account one may have—but what the bank can do, and this in my opinion is the same thing as saying that they may or may not engage in the department store business. We do not let them do anything except banking. The sale of lottery tickets is not a banking function. That is why I say we should have the same rule apply to all these banks to the fullest extent where we in the Congress can reach them.

Mr. FINO. Would the gentleman say that the sale of U.S. savings bonds is a function of the bank—for which they do not get any compensation?

Mr. MULTER. We can argue all day about this compensation they do or do not get in connection with that, so let us leave that out of the discussion.

I say that the sale of savings bonds of the Government as they are authorized, and specifically authorized to do by statute, is a proper banking function and a proper thrift function of a bank, but the sale of lottery tickets has nothing to do with that function. If a relief recipient walked into a welfare department and picked up a relief check, he can take it to the bank to cash that check. But the situation should not be such that he can take the cash at one window and go to the next window and buy lottery tickets with it.

Mr. BINGHAM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think it would be useful if we knew just what we were talking about so far as the coverage of this amendment is concerned.

I proposed a similar amendment when this bill was before the Committee on Banking and Currency and it does seem to me that logically there is a distinction between this category of banks and other types of banks covered by the bill.

This category of banks are connected with the Federal Government only to the extent that their deposits are insured with the FDIC and there is no claim that those deposits are endangered by lottery operations.

There is a distinction, it seems to me, between this type of banks and those State banks, members of the Federal Reserve System, which are covered under section 2.

So I think the gentleman from New York is logical in proposing the elimination of this category of banks, because it is the category furthest removed from the Federal Government.

However, I do not think this would be a very significant omission.

The distinguished chairman stated that a vote for this amendment would be a vote against the bill; I do not understand that at all because we are talking here about a very small proportion of the banks in New York State and these would be generally the smaller banks.

I would like to refer my colleagues to the CONGRESSIONAL RECORD of yesterday at page 18596. At the bottom of the page appears a copy of a telegram that was sent by the New York State Department on Taxation and Finance to the chairman of the committee, with a copy to me. In that telegram he gave the numbers of the various categories of banks. In fact, the telegram does not indicate how many of the State banks are members of the Federal Reserve System, but I understand that of the 128 State banks with 964 branches, only 47 banks are not members of the Federal Reserve System, and those are mostly small banks.

So that would be one category that would be eliminated by this amendment. The other category would be the 126 mutual savings banks with 225 branches. So it is only a small proportion of the total number of banks that would be excluded by this amendment.

I do think there is logic to the amendment. As I said before, I am opposed to the bill as a whole, but I think the amendment would certainly make the bill less objectionable, and I support the amendment.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I am glad to yield to my colleague from New York.

Mr. FINO. I wish to thank the gentleman from New York for supporting my amendment. I wish to bring to the attention of the House, although the gentleman has already mentioned it, the fact that this is the amendment that was offered by the gentleman from New York [Mr. BINGHAM] in committee. The only reason it did not prevail is that the vote on the amendment was a tie vote, a 15 to 15 tie vote.

Mr. BINGHAM. I thank the gentleman. That is correct. The amendment failed in committee on a tie vote.

Mr. MURPHY of New York. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I am glad to yield to the gentleman from New York.

Mr. MURPHY of New York. I would like to point out to the gentleman from New York that in my testimony before the committee I pointed out that the sale of lottery tickets was noncompensatory, that the bank gets 5 cents a ticket, and if they have to put a clerk at the window and pay him $15 a day, they have to sell 300 lottery tickets merely to break even. If they do not sell 300 lottery tickets per day, then we have the savings accounts subsidizing the lottery. I do not think a thrift institution wants to have people's savings accounts, particularly in those banks that are federally insured, subsidizing a lottery.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. If I may just comment on what my colleague from New York [Mr. MURPHY] has said, I think it is true that the banks are not making money on the sale of the lottery tickets. I understand this matter is under review. It may be that the compensation will be increased. The intention is that the banks should be compensated for the work that they do.

I might also state that there are banks, as was pointed out yesterday, that have declined to take part in the program and they are suffering no ill consequences. So there is no compulsion on a bank to undertake this. They do it if they wish to. Some banks have indicated an interest, others have not. My information is that the community of banks in New York takes no position on the bill one way or the other.

I am now glad to yield to the gentleman from New York.

Mr. FINO. I might say to the gentleman from New York [Mr. MURPHY], since he showed concern, and almost shed tears for the banks for not being compensated for the work that they are doing, that at the present time the banks throughout the country are selling U.S. savings bonds for no compensation whatsoever. In New York City one bank in particular has assigned 10 clerks for the purpose of handling U.S. savings bonds sales without compensation.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I yield to the gentleman from Texas.

Mr. PATMAN. I hope the gentleman does not overlook the fact that the banks are pretty well subsidized for that purpose and many others, because the Government keeps on deposit with the banks from $3 to $6 billion at all times for which they pay no interest whatsoever.

Mr. BROCK. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Tennessee is recognized for 5 minutes.

Mr. BROCK. Mr. Chairman, I was

is essential to House consideration of this measure, I would like to call to the attention of my colleagues an article entitled "Nelson Rockefeller: A Record To Fit the Times" appearing in the June issue of Fortune magazine. I think this would be enlightening reading for the few who may not be aware of the many contributions to our great Nation made by one who has dedicated virtually all of his adult life to serving his fellow man.

At this juncture, I wish to stress one very significant point that anyone interested in seeking the facts could easily have discovered. Governor Rockefeller was opposed to and campaigned against the New York State lottery in 1966. However, when the voters of the State he was elected to governor overwhelmingly approved a lottery in a statewide referendum, the Governor and State legislative leaders faced the duty to implement it. The lottery, like it or not, was a voter-approved fact of life. They then made a determination, after careful study and consideration, that the financial institutions, with their unimpeachable credential, would provide one of the safest and most efficient outlets for the sale and distribution of tickets. This approach was endorsed by the New York Legislature and the implementation of the people's will began.

This bill represents an unwarranted intrusion into the affairs which have long been considered within the responsibility of the individual States. There is obviously no need for this legislation. Every Federal agency asked to comment on the bill reaffirmed this position. I agree.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Chairman, reserving the right to object, would the gentleman defer and make that request at the expiration of his first 5 minutes?

Mr. PATMAN. Mr. Chairman, if the gentleman from Missouri will yield, certainly.

Mr. HALL. Mr. Chairman, I withdraw my reservation of objection.

Mr. PATMAN. Mr. Chairman, I must wholeheartedly oppose this amendment. It should be made clear at the outset that this amendment, if adopted, would substantially scuttle the bill. A vote for this amendment is a vote against the bill.

I must say that the State banks had an opportunity to be heard before the Committee on Banking and Currency. They were invited to attend and to testify. Likewise, the American Bankers Association was invited, and the New York Banking Commission, which covers these State banks was invited, and neither one of them wanted to be heard. Therefore, Mr. Chairman, the banks did not oppose this bill, as indicated.

If you let the State banks out from under the coverage of this bill, it will place the small banks at a disadvantage, at least to the extent of New York State. And, it is not the intention of the Congress, I know, to discriminate against the small banks and allow the big banks to have every advantage.

Mr. Chairman, it has been contended that the Federal Government does not have the right to regulate State banks. This would be true, and I believe in the dual banking system and I respect the rights of the States with reference to their operations of the State banks. But whenever the State banks ask to be included in the Federal system and make application and make a request and become a part of it under the Federal Deposit Insurance Corporation, then they come into a different category. They have no right to ask for things any more then than they had to ask for things if they were just State banks.

Mr. Chairman, the purpose of this bill is to keep any instrumentality of the Government from being a party to any gambling device or lottery. That is the object and purpose of it.

And they are obviously a part of an instrumentality of the Federal Government. Therefore, if we are going to have a bill it should include the State banks. Of greater importance, however, it must be pointed out that adoption of this amendment would work a great hardship on these smaller banks. The small banks in New York do not want to sell lottery tickets. However, they are forced to sell these tickets in order to compete with the larger banks for customers. By prohibiting all banks from selling lottery tickets we are actually helping small banks compete against the larger banks. However, if we allow small banks to sell lottery tickets, while restricting others, we are only lending a helping hand to the larger banks in their efforts to wipe out small bank competitors.

Mr. Chairman, New York State law is not the same as New Hampshire State law. The New Hampshire State law has a system whereby they only operate lotteries during the tourist season when people come there for recreation and pleasure. They have their lotteries only during that time. The testimony before our committee disclosed that three-fourths of the tickets sold in the State of New Hampshire were sold to outsiders who just happened to be there.

This reminded me of when we were trying to organize a tourism commission in Texas. One speaker got up and said, "Now, it is awfully hard, of course, to pick cotton. It is done during a bad time of the year when it is awfully hot and you have to fight the insects and the pests, and it takes bending and stooping and hard labor, and it is the hardest kind of work, but when you do pick a bale of cotton and gin it, you are not only helping your own economy; you are helping the economy of the whole State, and helping the economy of our Nation. And may I remind you, however, that a tourism commission is a wonderful thing because it will attract tourists, and when you get the tourists here every tourist we attract is worth two bales of cotton, and he is a lot easier to pick."

So New Hampshire has a situation entirely different. They just are picking the tourists, and the tourists are the ones who are buying three-fourths of the tickets, so it is an entirely different proposition there.

The basic argument here is: Shall the Federal Government be a party to the New York lottery law? Now, we are not trying to stop New York State. I believe in States rights. Each State has a right to pass on the question of gambling within its borders, but it certainly does not have the right, and should not have the presumption to make the Federal Government come in and be a party to it. That is what they are attempting to do here.

We are not trying to stop the lottery law within the State of New York, but we are saying they cannot use agencies and instrumentalities of the Federal Government in order to carry out their lottery activities. That is all we are saying. This is not a violation of States rights.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Chairman, I will not ask for additional time. I ask that the amendment be defeated.

Mr. MULTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am constrained to oppose this amendment. I am sure the gentleman from New York [Mr. FINO] offers it in good faith, but actually what it does is to take some State banks out and leaves others in.

For instance, in section 2, all State banks who are members of the Federal Reserve System are prohibited from engaging in this activity. The amendment does not go to that section. It goes only to section 3, and section 3 deals with the nonmember State banks—that is State banks that are not members of the Federal Reserve System—but which are insured. It is only because they are insured that we here in Congress have jurisdiction over those banks, and this bill should cover those banks as well as other State banks. I believe it would be quite wrong to leave some State banks free to engage in this business, and to prohibit the other State banks from doing it.

My position on this bill is that no banking institution, State or Federal, should be permitted to engage in this business. I concede, however, that we cannot touch a State institution that is not federally insured or is not a member of the Federal Reserve System. We get jurisdiction over them because they are members of the Federal Reserve System, or are federally insured. If it is bad to allow any kind of bank, a national bank or otherwise, to engage as an agent in the selling of lottery tickets, then we should keep them all out to the fullest extent the Congress can do so.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman.

Mr. FINO. Would the gentleman suggest a substitute amendment to provide the inclusion of section 2?

Mr. MULTER. No, I would oppose it if you included section 2. But we have now passed section 2, and the gentleman did not offer his amendment to section 2. So State member banks are now excluded.

What you would do by this amendment is to say some State banks may engage in this business and others may not. I say that no banks, State or Federal, insured or not insured, should be permitted to participate. In the case of noninsured banks that are not members of the Federal Reserve System, we in the Congress have no jurisdiction.

This amendment deals only with insured State banks—we covered the national banks and we covered the State banks who are members of the Federal Reserve System.

I say that by defeating your amendment, the bill would also prohibit State-insured banks, not members of the system, from participating in these lotteries. I urge that the amendment be defeated.

Mr. FINO. Let me ask the gentleman who comes from the State of New York and who is fully familiar with State-chartered banks—is it not a fact that the State-chartered banks of New York are chartered by the State of New York, and they are supervised by the State of New York, and they are examined by the State of New York, and that the only connection that the State-chartered bank has with the Federal Government or even with the Congress is the insurance of its depositors, which is only a protection, not as to the soundness of the bank, but protection for the depositors of the State-chartered bank.

Mr. MULTER. Let us be practical about it.

When the FDIC insures the deposits or when the FSLIC insures deposits, in both instances their regulations and their procedures are practically the same, and apply equally to all. The regulations promulgated by the Comptroller of the Currency as to national banks are not any different from those promulgated by the Federal Reserve System as to banks that are members of the system.

So to all intents and purposes, the regulations of those State banks, if they are insured and the national banks, are subject to the same rules and regulations even though there may be some differences as to the investment power of State institutions in accordance with the State law.

We are dealing now not with investments—not with what kind of account one may have—but what the bank can do, and this in my opinion is the same thing as saying that they may or may not engage in the department store business. We do not let them do anything except banking. The sale of lottery tickets is not a banking function. That is why I say we should have the same rule apply to all these banks to the fullest extent where we in the Congress can reach them.

Mr. FINO. Would the gentleman say that the sale of U.S. savings bonds is a function of the bank—for which they do not get any compensation?

Mr. MULTER. We can argue all day about this compensation they do or do not get in connection with that, so let us leave that out of the discussion.

I say that the sale of savings bonds of the Government as they are authorized, and specifically authorized to do by statute, is a proper banking function and a proper thrift function of a bank, but the sale of lottery tickets has nothing to do with that function. If a relief recipient walked into a welfare department and picked up a relief check, he can take it to the bank to cash that check. But the situation should not be such that he can take the cash at one window and go to the next window and buy lottery tickets with it.

Mr. BINGHAM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think it would be useful if we knew just what we were talking about so far as the coverage of this amendment is concerned.

I proposed a similar amendment when this bill was before the Committee on Banking and Currency and it does seem to me that logically there is a distinction between this category of banks and other types of banks covered by the bill.

This category of banks are connected with the Federal Government only to the extent that their deposits are insured with the FDIC and there is no claim that those deposits are endangered by lottery operations.

There is a distinction, it seems to me, between this type of banks and those State banks, members of the Federal Reserve System, which are covered under section 2.

So I think the gentleman from New York is logical in proposing the elimination of this category of banks, because it is the category furthest removed from the Federal Government.

However, I do not think this would be a very significant omission.

The distinguished chairman stated that a vote for this amendment would be a vote against the bill; I do not understand that at all because we are talking here about a very small proportion of the banks in New York State and these would be generally the smaller banks.

I would like to refer my colleagues to the Congressional Record of yesterday at page 18596. At the bottom of the page appears a copy of a telegram that was sent by the New York State Department on Taxation and Finance to the chairman of the committee, with a copy to me. In that telegram he gave the numbers of the various categories of banks. In fact, the telegram does not indicate how many of the State banks are members of the Federal Reserve System, but I understand that of the 128 State banks with 964 branches, only 47 banks are not members of the Federal Reserve System, and those are mostly small banks.

So that would be one category that would be eliminated by this amendment. The other category would be the 126 mutual savings banks with 225 branches. So it is only a small proportion of the total number of banks that would be excluded by this amendment.

I do think there is logic to the amendment. As I said before, I am opposed to the bill as a whole, but I think the amendment would certainly make the bill less objectionable, and I support the amendment.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I am glad to yield to my colleague from New York.

Mr. FINO. I wish to thank the gentleman from New York for supporting my amendment. I wish to bring to the attention of the House, although the gentleman has already mentioned it, the fact that this is the amendment that was offered by the gentleman from New York [Mr. Bingham] in committee. The only reason it did not prevail is that the vote on the amendment was a tie vote, a 15 to 15 tie vote.

Mr. BINGHAM. I thank the gentleman. That is correct. The amendment failed in committee on a tie vote.

Mr. MURPHY of New York. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I am glad to yield to the gentleman from New York.

Mr. MURPHY of New York. I would like to point out to the gentleman from New York that in my testimony before the committee I pointed out that the sale of lottery tickets was noncompensatory, that the bank gets 5 cents a ticket, and if they have to put a clerk at the window and pay him $15 a day, they have to sell 300 lottery tickets merely to break even. If they do not sell 300 lottery tickets per day, then we have the savings accounts subsidizing the lottery. I do not think a thrift institution wants to have people's savings accounts, particularly in those banks that are federally insured, subsidizing a lottery.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. If I may just comment on what my colleague from New York [Mr. Murphy] has said, I think it is true that the banks are not making money on the sale of the lottery tickets. I understand this matter is under review. It may be that the compensation will be increased. The intention is that the banks should be compensated for the work that they do.

I might also state that there are banks, as was pointed out yesterday, that have declined to take part in the program and they are suffering no ill consequences. So there is no compulsion on a bank to undertake this. They do it if they wish to. Some banks have indicated an interest, others have not. My information is that the community of banks in New York takes no position on the bill one way or the other.

I am now glad to yield to the gentleman from New York.

Mr. FINO. I might say to the gentleman from New York [Mr. Murphy], since he showed concern, and almost shed tears for the banks for not being compensated for the work that they are doing, that at the present time the banks throughout the country are selling U.S. savings bonds for no compensation whatsoever. In New York City one bank in particular has assigned 10 clerks for the purpose of handling U.S. savings bonds sales without compensation.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I yield to the gentleman from Texas.

Mr. PATMAN. I hope the gentleman does not overlook the fact that the banks are pretty well subsidized for that purpose and many others, because the Government keeps on deposit with the banks from $3 to $6 billion at all times for which they pay no interest whatsoever.

Mr. BROCK. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Tennessee is recognized for 5 minutes.

Mr. BROCK. Mr. Chairman, I was

somewhat disappointed that an amendment was not offered to section 2 also. I understood that it would be. But I do feel very strongly that this amendment should be supported. I do not know how much concern there is left in the Congress for the dual banking system. But this happens to be a pretty tangible evidence of whether or not we think it should be maintained. We have no mandate, no authority and, in my opinion, no responsibility to direct the activities of nonmember State banks. I cannot imagine how this logic could get into a bill in the first place. I do not see that we have any authority in the Congress to regulate the activities of State nonmember banks.

To me the amendment is nothing more and nothing less than a recognition of our legislative responsibility. We should exercise control, where we have it, over national banks. We should not tamper with the State banking system, as does section 3. I hope the amendment will be adopted.

Mr. WYMAN. Mr. Chairman, I rise in support of the amendment.

I take this time to ask a question of the gentleman from New York [Mr. MULTER] who spoke, as I understand it, in opposition to the amendment. I ask the gentleman from New York [Mr. MULTER] if he contends that the charter of a local bank in respect to what is ultra vires, what is beyond its powers or within its powers, ought to be set by the Federal Government, by the Congress?

Mr. MULTER. Mr. Chairman, if the gentleman will yield for the purpose of answering his question, the answer is "No." I think they are two separate and distinct things. What is ultra vires to the bank we are not concerned with here, because the State of New York has given, under its State legislation, these additional powers to the State institutions. Even though they gave it to Federal institutions, I do not think it can possibly apply to them. The Congress cannot change the State charter laws.

The question of ultra vires is not concerned here. The question we are concerned with here and now is whether banks or financial institutions should be permitted to participate in lotteries, and to that extent we here in this Congress can make public policy which is in accordance with the public policy already law—in accordance with the Federal statutes. As I have said, I believe—and I make it clear again—we cannot reach the State banks through this Congress unless there is some Federal involvement. The reason we can reach them in this section 3 is because they have Federal insurance. Take away their Federal insurance, and we have no jurisdiction whatsoever.

Mr. WYMAN. If a State has given to the banks in that State the power to do this, does the gentleman think, because they have some Federal insurance, that is for us sufficient nexus to give us power to say this shall not be done by these banks as a matter of policy?

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from New York.

Mr. MULTER. Mr. Chairman, I say emphatically yes, and we have done this time and again—as in the FDIC Act and in the Federal Reserve Act—in saying what State banks, once they become federally involved can and cannot do.

Mr. WYMAN. I understand we have done it. My question is, should we do it here? If a State has a State-operated lottery and runs it the right way, and wants to use State banks, what is wrong?

Mr. MULTER. Nothing. But once they come into the Federal system by way of Federal insurance, I say we in Congress may and should say what they may and may not do. If they do not have insurance, practically today they cannot exist.

We cannot take part of the Federal supervision and ignore the part we do not like. When we ask for a Federal benefit, as a condition of taking that, we must take with it all the obligations that are at the same time imposed.

Mr. WYMAN. Certainly, and there are so many obligations in so many respects, that, as the gentleman from Tennessee has said, if there is to be any difference between the dual system banks, is this not an occasion in which the opinion of the gentleman from Tennessee [Mr. BROCK] should prevail and we should keep our noses out?

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, the only connection the Federal Government has with the State-chartered bank is the insurance, which has nothing to do with the operation of the bank. It is only a protection for the depositors of the bank, and it has nothing to do with the operation of the bank.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, the gentleman is right only halfway. We do insure these banks federally, and as a result and because of that we have a right—and we have done it time and again in the initial act and in any number of amendments—to say to the banks that are insured that, because they have taken this insurance, they must submit to Federal regulation.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, I am certain it was not intended to have the interference go as far as it does in this bill.

Mr. WYLIE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this bill does not abolish the lottery in New York, which might go to the question of States rights, as I see it. I feel this type of gambling is so insidious that it might very well be a matter of national concern per se.

All this bill would do, as far as the State banks are concerned, would be to say that a State bank which is a member of the FDIC cannot sell lottery tickets.

There has been much debate and discussion pro and con on this question but the Federal Deposit Insurance Corporation has long exercised a wide degree of control over State banks, including the power to grant branches, to approve mergers, and even to remove officers in some instances.

Membership in the FDIC by State banks is purely voluntary so far as the Federal Government is concerned, although some States, such as Ohio, require the State banks to become members of the FDIC before granting charters. Thus it is the States which require the State banks to tie themselves to the Federal Government in this regard.

Therefore, I do not see how H.R. 10595 can be construed as interfering with States rights. These controls are placed on the banks by the Federal Deposit Insurance Corporation to safeguard the depositors.

I believe this bill would be an additional safeguard so far as the depositors are concerned, and I urge defeat of the amendment.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I yield to the gentleman from Tennessee.

Mr. BROCK. I do not believe the gentleman and I are in disagreement in many areas, but in this respect I do not understand the gentleman's logic.

This bill in no way affects the depositors of a bank. All of the FDIC regulations in the past have dealt with liquidity and not with the day to day operations of the banks not related to liquidity. The fact that a bank sells lottery tickets has no relationship to the depositors in the bank or the liquidity of the bank or its security.

To me this is an unwarranted extension of the authority of the FDIC, and that is why I believe the amendment should be adopted.

Mr. WYLIE. I respectfully disagree with the gentleman from Tennessee. As he has stated, we do not often disagree. This time we do.

I believe this amendment and the bill does indeed go to the rights of the depositors, or maybe to the protection of the depositors. I believe it is outside the normal banking operations to sell lottery tickets, and that the FDIC, which insures normal banking operations, would in fact have the right to be involved. The Federal Government should be involved, if it is the insurer.

This might well jeopardize the rights and protection of the depositors, if banks are allowed to become involved in a practice foreign to normal banking services.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, I demand tellers.

Tellers were refused.

The question was taken; and on a division (demanded by Mr. FINO) there were—ayes 29, noes 31.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 4. Title IV of the National Housing Act is amended by adding the following new section at the end:

"SEC. 410. (a) An insured institution may not—

"(1) deal in lottery tickets;

"(2) deal in bets used as a means or substitute for participation in a lottery;

"(3) announce, advertise, or publicize the existence of any lottery;

"(4) announce, advertise, publicize, or keep any record of the existence or identity of any participant or winner, as such, in a lottery.

"(b) An insured institution may not permit any part of any premises under its ownership or control to be used by any person for any purpose forbidden to the institution under this section except—

"(1) where the person has a legally enforceable right to do so under the terms of a lease or other contract entered into before the date of enactment of this section, or before the date of the acquisition of the premises by the institution, whichever is later; or

"(2) where the institution has acquired the premises in settlement of a preexisting debt or in connection with foreclosure proceedings, and has held the premises for less than five years.

"(c) As used in this section—

"(1) The term 'deal in' includes making, taking, buying selling, redeeming, collecting, paying on account of, keeping any books or records with respect to, or otherwise handling in any way.

"(2) The term 'lottery' includes any arrangement whereby three or more persons (the 'participants') advance money or credit to another in exchange for the possibility or expectation that one or more but not all of the participants (the 'winners') will receive by reason of their advances more than the amounts they have advanced, the identity of the winners being determined by any means which includes—

"(A) a random selection;

"(B) a game, race, or contest;

"(C) any record or tabulation of the result of one or more events in which any participant has no interest except for its bearing upon the possibility that he may become a winner; or.

"(D) any combination of any two or more of the foregoing.

"(3) The term 'lottery ticket' includes any right, privilege, or possibility (and any ticket, receipt, record, or other evidence of any such right, privilege, or possibility) of becoming a winner in a lottery.

"(d) The Federal Home Loan Bank Board shall prescribe such regulations as may be necessary to the strict enforcement of this section and the prevention of evasions thereof."

SEC. 5. (a) Chapter 61 of title 18 of the United States Code is amended by adding the following new section at the end:

"§ 1306. Participation by financial institutions

"Whoever knowingly violates section 5136A of the Revised Statutes of the United States, section 9A of the Federal Reserve Act, section 20 of the Federal Deposit Insurance Act, or section 410 of the National Housing Act shall be fined not more than $1,000 or imprisoned not more than one year, or both."

(b) The table of sections at the beginning of that chapter is amended by adding the following at the end:

"1306. Participation by financial institutions."

SEC. 6. The amendments made by this Act shall take effect on the first day of the second calendar month which begins after the date of enactment of this Act.

Mr. PATMAN (interrupting the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as having been read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The clerk will report the committee amendments to the remainder of the bill.

The Clerk read as follows:

On page 9, line 1, after "deal in bets" insert "used as a means or substitute for participation in a lottery"

On page 9, line 22, strike out "paying on account of"

On page 10, line 10, immediately after the semicolon at the end of line 10, insert "or"

On page 10, line 14, strike "; or" and insert a period.

On page 10, lines 15 and 16, strike "(D) any combination of any two or more of the foregoing."

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. MULTER

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: On page 11, strike lines 12 through 14 and insert:

"SEC. 6. The amendments made by this Act shall take effect on April 1, 1968."

Mr. MULTER. Mr. Chairman, I firmly believe that banks should never have been permitted to get into this business in the first instance, and I believe with the enactment of this bill they will be asked to get out of it. At the same time I am a practical realist. Some of them are in this business in the State of New York. The State of New York has relied on some of these banks to sell these lottery tickets. Since the New York State Legislature will not meet again until January 1968, I think we should afford the State of New York an ample opportunity to revise its State law so as to make up for the slack that will necessarily follow when all of the banks in the State of New York will be eliminated from this business.

Under the existing statute there is provision made for other licensees to engage in the sale of lottery tickets. At the same time, however, the State of New York has not appropriated any money with which to operate this lottery if they were to do other than use the proceeds of the lottery for the sale of the tickets. Presently banks are selling the tickets and in selling the tickets they take what little compensation they get by deducting 5 percent of the gross returns as their compensation. There is nothing in the law at the present time in the State of New York which permits them to use other funds to operate this lottery. It will be necessary for them to license others and possibly to set up State, county, town, village, or city agencies with which to carry on this lottery. While I am in favor of the lottery in accordance with the State constitution and the State law, I still, as I say, am firmly of the opinion that the banks should not participate in this activity. Therefore, I offer this amendment so as to extend the effective date of this bill to April 1, 1968, to give the State legislature an ample opportunity to do what is necessary successfully to conduct this lottery.

Mr. PIKE. Mr. Chairman, will the gentleman yield for a question?

Mr. MULTER. Surely.

Mr. PIKE. In view of the smashing success which this New York State lottery has been thus far, is there any particular significance to the choice of April Fools' Day as the date on which the bill becomes effective under your amendment?

Mr. MULTER. I am sure the gentleman's question indicates the answer to it. It might be related to April Fools' Day in that it has not been a smashing success. But whether it has been a smashing success or only a slight success, it is the will of the people of the State of New York. They desire to attempt to raise funds and are raising funds for educational purposes by means of this lottery. I am willing to go along with that but at the same time, I want to keep the financial institutions out of this business.

Mr. Chairman, I urge adoption of the amendment.

Mr. HORTON. Mr. Chairman, I rise in support of H.R. 10595 and the amendment to it offered by the distinguished gentleman from New York [Mr. MULTER] which would delay its effective date until April of 1968. I am casting my vote in favor of this bill only after very thoughtful evaluation of the many countervailing factors which are relevant to it and I would like to share the reasons for my vote on this bill with other Members of the House.

As the Representative of the 36th Congressional District of New York I am vitally interested in this bill since it directly affects the implementation of the lottery which was recently approved by the voters of New York in a referendum.

It is my belief that the raising of State revenue is a matter of peculiarly local concern and that the Federal Government should not normally infringe upon the traditional prerogatives of the States in this area. However, New York has involved federally chartered and insured banks in the administration of its lottery. I therefore feel that the Congress must examine the issues presented by this participation and determine whether or not such participation is consistent with the intended functions of these federally supervised and insured institutions.

After careful consideration, I have concluded that if we fail to adopt this legislation we may encourage banks throughout the Nation to participate in lotteries and other gambling activities. I do not feel this is an appropriate function for financial institutions, the traditional bastions of thrift and frugality.

I personally oppose the use of lotteries to raise funds for public expenditures by any level of government. Such expenditures should be financed through taxes which are levied by a legislative body that is directly responsible to the electorate. The electorate is entitled to a full explanation of how much money is required to support the activities of its government. Financial needs should be clearly explained to the people and they should fully comprehend the cost of each program the government undertakes.

Mr. Chairman, in a letter which I received—as I am sure other members of the New York delegation received—from the Governor of the State, the Governor in his letter stated in part, as follows:

> Passage of the Patman bill would force a complete restructuring of the New York State

> lottery. Not only would it deprive the State of the assistance of its principal financial institutions in this program to aid education, but it would eliminate from participation organizations which have unique advantages of safety and accountability. Furthermore, it would greatly increase our lottery operating costs were the State forced to assume the responsibilities now undertaken by banks.

Mr. Chairman, I do want to commend the Governor of the State of New York and the Legislature of the State of New York for adopting this attitude of utilization of the banks for the purpose of safety and accountability. However, I do not feel banks should be in business of selling lottery tickets. Because of the problem with which the State of New York is confronted, and especially in light of the express wishes of the people of New York and the legislature to have this lottery, I must do all in my power to prevent an unnecessary disruption of the administration of the lottery which is now functioning in New York State.

Therefore, Mr. Chairman, I support the Multer amendment which, if adopted, would delay the effective date of the legislation until April of next year. This would afford the State of New York and other States which find themselves in similar situations, an opportunity to revamp the administration of their lotteries in an orderly manner in order to comply with this bill.

Mr. WIDNALL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, at the time that this legislation was considered in the committee, I believe both the gentleman from New York [Mr. Fino] and the gentleman from New York [Mr. Bingham] *were urging that the effective date* of enactment of the act be postponed.

Upon further consideration, it is my own personal position, realizing now that the New York State Legislature will not go back into session until January, that the State of New York should be given the opportunity to obtain other outlets for these tickets.

Mr. Chairman, it is my opinion that in all fairness to the State of New York, that has a legally passed lottery, it should have until April 1, 1968, to bring about a change in the method of the disposition of these tickets.

Therefore, Mr. Chairman, I urge the adoption of the Multer amendment.

Mr. BINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment. I would just like to say that this is the proposed amendment I said in a letter to my colleagues I planned to propose. For the privilege of introducing the amendment, I was glad to defer to my senior colleague from New York [Mr. Multer].

This amendment, which I proposed in the committee, failed there on a tie vote. As a matter of fact, it would have prevailed in the committee if my colleague, the gentleman from New York [Mr. Multer], had been there, because he was recorded in opposition to the amendment, having been voted by proxy.

I believe it is only a matter of justice to the people of New York State to give them this extra time, if this bill should pass, to make the necessary arrangements. The arrangements could not be made administratively There simply are not enough outlets, other outlets provided in the original legislation, to permit the lottery to be operated effectively. There would be no outlets in the neighborhoods.

In spite of the facetious remarks made by my friend from Suffolk County, the gentleman from New York [Mr. Pike], the amounts involved are not small amounts.

As I said yesterday, the original plan was that the lottery would provide a net of $200 million for the State. Now the sales are way below what was anticipated, but even if they continue to run at only 25 percent of expectations, they would produce $50 million for education in the State of New York. It would be a great shame if that program were to be seriously interfered with in the coming year.

I would like to refer also to a matter I mentioned briefly yesterday: the idea of having banks involved in the lottery program received considerable publicity in January of this year, long before the legislature acted. On January 6, on the front page of the second section of the New York Times, was a story reading "Chase Bank Seeks Lottery Agencies." And on January 19, on the front page, was a story headlined "Albany Favors $2 Tickets Sold by Banks in Lottery."

The legislature went ahead in good faith on a bipartisan basis and adopted the plan, and it went into effect on June 1st. The bill before us was introduced only in the middle of May. It seems to me that in all fairness, even if this is a *good bill—which I do not believe it is—* but even if it is a good bill, New York State should be given a reasonable opportunity at the next session of its legislature to make alternative arrangements.

Mr. Chairman, I strongly support the amendment.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I yield to the gentleman from New York.

Mr. MULTER. Mr. Chairman, what the gentleman said about the use of my proxy in executive session is quite correct, and it is entirely my fault, because my proxy was not stated in the correct way that I would have liked to have had the proxy worded. As it was, I had been called out to attend another executive session at the time that this came up, and left my proxy behind and, as I say, it was not correctly worded. If I had been present I would have voted the other way.

I would also like to make it clear, Mr. Chairman, that the person with whom I left my proxy did not violate my instructions. It was simply that my instructions were not precise, and it is my fault and not his.

Mr. HALPERN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment. This amendment conforms with the views I expressed in the committee report. It improves the bill insofar as it at least allows for proper time for the State of New York to conform with the legislation. But in supporting the amendment I want to make it clear that I still believe this is a bad bill, and that I trust the bill itself will be defeated.

Mr. FARBSTEIN. Mr. Chairman, I move to strike the requisite number of words, and I rise in favor of the amendment.

Mr. Chairman, whether I favor or oppose a lottery is academic insofar as the State from which I come is concerned. Obviously this bill will principally affect New York. The fact remains that the people of the State of New York chose by vote to have a lottery. In view of this fact, I must oppose all attempts to stifle or circumscribe New York's activities in this connection.

It seems to me by denying banks the right to act as agents for the sale of lottery tickets, it will drive the agency which has the task of operating the lottery to areas that may well deprive the lottery of respectability or necessary safeguards that it now has. It may well be driven to areas that will subject the agents to the congregation of undesirable characters with the attendant undesirable results.

In view of this possibility I must oppose this bill, although I support the amendment to give the State of New York the opportunity to make other arrangements that would be necessary should the bill pass.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. I yield to the gentleman.

Mr. MULTER. I am sure that the gentleman does not intend to imply that *State agencies authorized to carry on* this lottery in New York—that is, the State itself or the counties, towns, villages, and cities—are corrupting or would corrupt this lottery? I trust the gentleman will correct his remarks accordingly.

Mr. FARBSTEIN. I did not think that there was any suggestion in my remarks that an agency might in any way corrupt it. The point is that they may be driven into areas where they may be compelled to rent stores or other kinds of establishments that do not have the respectability or the safeguards that banks have and as a result of renting stores or other places of that nature so that these lottery tickets can be sold, they may be subjected to the gathering of undesirable characters or other neighborhood conditions that may well bring the entire lottery scheme to disgrace. So certainly I do not think the suggestion I made earlier leaves the idea that the agency in any way is corrupting it—whatever may happen insofar as the undesirable results will be because they are deprived of the right to permit the sale of these lottery tickets in areas that have the respectability and have the safeguards and where there is accountability. However, as I said, I favor the amendment.

Mr. WYLIE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not want the slightest doubt left that I am opposed to the continuance of this practice. I rise in opposition to the amendment because I want the practice discontinued—and the sooner it is discontinued the better.

Mr. PATMAN. Mr. Chairman, if no other Member desires recognition to speak on this, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 5 minutes, and I would like to have the 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Chairman, reserving the right to object, it seems to me that the request is in the nature of the gentleman from Texas reserving the time for himself.

The CHAIRMAN. The Chair is under the impression that debate had just about been concluded on the pending amendment.

Mr. PATMAN. I have not used any time in speaking on this amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Chairman, I object to the unanimous-consent request made by the gentleman. I do not know whether other Members want a minute of the time or not.

The CHAIRMAN. Objection is heard.

Mr. PATMAN. If any other Member desires recognition on this, I ask that he be recognized now. I would like to close debate on the amendment.

The CHAIRMAN. Does the gentleman from Texas seek recognition?

Mr. PATMAN. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman is *recognized.*

Mr. PATMAN. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, the amendment adds nothing to the legislation, since the effective date of the legislation would in no way work a hardship on those institutions which would be covered by the bill.

It has been suggested that the adoption of this amendment will give the New York State Legislature an opportunity to meet and to provide for new ticket *sales outlets.*

The law that was passed in the State of New York for the purpose intended was a good law and they provided for every contingency in this bill.

In the law which was enacted, it says: Lottery sale agents may be certain ones—that have been indicated *here*—and in addition to that they may license agencies and instrumentalities of the State and counties, cities, towns and villages as agents to sell lottery tickets.

For your information, may I suggest that the number of people who could be licensed under this law passed by the New York State Legislature—and that is the ones I have named—aggregate 810,000 employees. Certainly, they do not need more.

The bank employees aggregate only *89,000. So they can license 10 times that* number right now.

In answer to the argument that they need time to appropriate money, I would like to point out that, according to newspaper accounts, it was never intended that there would ever be any out-of-pocket expense to the State of New York *in the sale of these lottery tickets.* The lottery tickets were to be sold on a basis whereby the proceeds from the sales would pay for it. Therefore, you do not need any legislature to meet. You do not need any appropriation. The sales of the tickets will provide the money to pay for the operation.

I respectfully suggest that since no useful purpose would be served by the adoption of this amendment, I feel that Members should vote against the amendment because it would merely delay the going into execution of a law that is considered bad because it permits a State to use gambling methods to support education for its children. For some reason it does not have a good ring to me that we would make the education of the children of this country dependent upon the roll of the dice or a gambling transaction in order to determine whether the children will be able to go to school next session. That does not have a very fine or good implication to me.

Therefore, we should not encourage New York State, because New York State is the richest State in the Nation, and if we allow them to do it, that will be encouragement to the other 48 States to to adopt the New York-Las Vegas method of getting educational funds for the education of children. Really, I do not think this bill should be postponed. I rise in opposition to the amendment and hope that the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentle*man from New York [Mr. MULTER].*

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WYMAN

Mr. WYMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WYMAN: On page 11, after line 14, insert a new section to read:
>
> "SEC. 7. Nothing in this Act shall apply to a State or federally operated lottery."

The CHAIRMAN. The gentleman from New Hampshire is recognized for 5 *minutes.*

Mr. WYMAN. Mr. Chairman, I hope I shall not have to take the 5 minutes. This amendment is a very simple one. It would merely provide that this bill, which may have a valid purpose as applied to lotteries in general, will not apply to a State-operated lottery, and it also provides that if there should be a federally operated lottery at some future time, it will not apply to that, either.

I merely wish to make a couple of observations in relation to some of what I call hogwash that has been expressed on the floor of the House in this debate. We are running a State lottery in New Hampshire, and it is an honest lottery. We are raising money to send youngsters to school and to build better schools and to help with the tax load. We do not like *the idea of the Federal Government* saying that anything it has something to do with, is not to be used in our State-operated lottery. The money that comes to New Hampshire and New York from the Federal Government is taken first from their residents by taxes. Other States may want to have a lottery some day and I suggest to their representatives in this body that they ought to vote for this amendment. If you want to keep the banks out of the lottery business, out of the administrative assistance to lotteries, then go ahead and do it as far as privately operated lotteries may be concerned, but do not deny to the States the needed assistance of banks in State-operated lotteries.

To suggest that a State-operated lottery in some respects corrupts or encourages crime or contributes to amorality in this country, is simply to misrepresent. It harms no banks to assist in the conduct of a State-operated lottery.

The amendment that I have proposed would merely add a final section to the bill, a section 7, which states:

> Nothing in this act shall apply to a State or a federally operated lottery.

The amendment establishes a valid exemption.

There has been a great deal of talk here on the part of some Members that if the banks have something to do with the lottery, it is not a desirable role for a trusted institution. If you are going to have a lottery at all, if the people of a State—and there are 50 States in this great Union—decide they want to raise money by way of taxes in a way that lets people pay taxes with a smile, then there is nothing better nor more in the public interest than having the banks have at least an administrative role in connection with the operation.

I might say that if the bank is to operate a window at which lottery tickets *are sold alongside a window at which* deposits are made, there might then be a question for local determination as to whether this is advisable. We have not seen fit to do this in New Hampshire. But I do not think it is in order nor advisable for the Federal Government to come into *the picture and tell the States that such* a determination is going to be made in Washington. Certainly it is not something the Representatives of the States in Congress ought to vote to do.

If we are going to have the kind of bill that validly regulates private lotteries, go ahead and vote for this bill, but only after this amendment that says if a State has a State-operated lottery the bill will not apply.

I hope the Members will support this amendment.

Mr. MULTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is one of those very simple amendments which only strikes out the enacting clause. It is that simple. All we are concerned with in this bill is to make the determination whether or not financial institutions should engage in lotteries as agents or otherwise. We are not concerned now with any Federal lottery. The gentleman's amendment says this shall not apply to Federal lotteries. If and when this Congress gets around to enacting a Federal lottery law, that law will supplant this law or any other lottery law which is on the books. Maybe the sooner we get to that Federal lottery, the better. But in the meantime we are concerned with whether Federal financial institutions, whether in New York or New Hampshire, shall be concerned with a State-operated lottery, regardless of how the funds are to be used.

We, by this bill, say Federal financial institutions shall have no place in this business at all. There are plenty of other agencies that can be licensed to carry on this business. The States and cities, the municipalities, the towns and villages and the counties all can set up their own special places and sell these tickets. Under the New York State law—and I think under the New Hampshire law—the taxing authority has the right to license those of good character and who can otherwise comply with the requirements, such as giving bonds, et cetera. They have enough employees to do the full job so they do not need these banking institutions.

All this amendment does, as I say, is strike the enacting clause. The only thing we are concerned with now is Government-operated lotteries. We have enough laws on the books, statewide and federally, to cover lotteries that are not authorized by law. We are concerned only with those legalized lotteries. We say as to any lottery, legalized or otherwise, financial institutions should not be connected with them.

Mr. WYMAN. The bill does not say that we are concerned only with the State-operated lotteries. It talks about it in such a way as to apply to any lottery.

Mr. MULTER. I do not think this is intended to cover illegal lotteries, and I do not think that can be read into the law, because if they are not permitted by law, they are expressly prohibited by law.

We are concerned with those lotteries in New York or New Hampshire, or any others that may follow their lead, where lotteries are legalized.

Mr. WYMAN. If the gentleman will yield, the question of whether a lottery is illegal or is legal, as far as State law, is for the State legislatures to determine. While there are Federal statutes which limit lotteries and other so-called gambling operations, does not the gentleman suggest, or is it not possible, there are many avenues that would be covered by this if the State-operated lotteries are excluded?

Mr. MULTER. I cannot read that into this bill. I see only a prohibition against using financial institutions in connection with the operation of a lottery.

Mr. WYMAN. Any State lottery?

Mr. MULTER. Any kind of lottery, State or municipal or Federal.

Mr. WYMAN. But the amendment before the House would exclude only the State operated.

Mr. MULTER. Does the gentleman's amendment not include a federally operated lottery?

Mr. WYMAN. If there is one.

Mr. MULTER. At that time when we have one, that law will necessarily override and change any law we enact now. Let us not try to befog the issue. We are concerned only as of today with the lotteries which have been authorized by the laws of the States of New Hampshire and New York.

If next week or next year any other State should enact a lottery law, it would have to do it subject to this law, to the extent that the Federal Government can reach them.

Mr. WYMAN. Mr. Chairman, will the gentleman yield for another question?

Mr. MULTER. I yield.

Mr. WYMAN. That is precisely the point of the amendment. There are 48 other States whose legislatures may take action in this direction. I suggest if they do their Representatives in this House should not handicap them, and ought to support this amendment today.

Mr. MULTER. On the contrary, I say that if we in this Congress today lay down the public policy that financial institutions should stay out of these lotteries, to the extent that the Federal Government has a right to control them, this should apply to every State, and the State legislatures of the other 48 States should take that into account when they enact gambling or lottery laws.

We provide here that financial institutions will be barred from participation.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

I congratulate the gentleman from New York [Mr. MULTER] for his fine statement.

The purpose of this amendment, of course, is to kill the bill on its merits. If anyone is against it, he should vote for that directly and not indirectly; he should not vote for it on an amendment that would kill it without saying so.

I say to the gentleman from New Hampshire that the evidence before our committee disclosed that in the administration of the New Hampshire Lottery Act only 4 percent of the educational funds were derived from the lottery, which was considered pretty small by the witnesses themselves.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield briefly to the gentleman from New Hampshire.

Mr. WYMAN. The question of whether it is to be 4 percent or 7 percent, or the rate to be charged, or the return on the lottery, is for New Hampshire to decide, is it not?

Mr. PATMAN. That is correct. I want the State of New Hampshire to consider its own lottery law, but I do not want the State to use a Federal instrumentality to violate the traditions of this Government for 100 years against gambling and lotteries.

I do not believe the State of New Hampshire should be so presumptuous as to ask us to use a Federal instrumentality. I say, in fairness to the State of New Hampshire, it has not. The State does not use banks to sell lottery tickets, and has not used banks. The people in charge of the lottery in New Hampshire say that they have no desire to use banks, so it is not comparable to the State of New York in that respect.

Mr. WYMAN. We are not using the banks for that purpose, as the gentleman knows. We deposit the money and the tickets.

Mr. PATMAN. There is nothing against depositing the money, regardless of from where it may come.

If a lottery is so good and pure and such a fine thing, in order to raise funds for education, why not have children selling the tickets? Why not have churches selling the tickets?

Mr. WYMAN. Why not? They sell bingo cards by law.

Mr. PATMAN. We asked the witnesses, and they said of course they did not want to do that because they felt that children should not be engaged in anything which could be construed as gambling. This, of course, according to all definitions, is a gambling transaction.

So it is not so pure and simple as some people indicate it is.

I suggest, Mr. Chairman, we should vote directly on the bill, and this amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire [Mr. WYMAN].

The question was taken; and on a division (demanded by Mr. WYMAN) there were—ayes 18, noes 29.

So the amendment was rejected.

Mr. FINO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, at the appropriate time I will offer a motion to recommit this bill.

I think that history proves that Congress should not pass legislation of this sort. If we want proof that attempts to legislate morality cause more trouble than they prevent, we have only to look at the Volstead Act and the miscarriage of prohibition.

I hope that everyone here knows that the Patman bill, which is now being considered by this House, is nothing more than a dodge to accomplish two objectives. The first objective would be to cripple and destroy the New York State lottery, which is a proper legal function of the State of New York. The second is to cast doubt on the integrity of our banking system. Both of these objectives reflect the personal sentiments of the distinguished chairman of the Banking and Currency Committee much more than they reflect the best interests of the Nation.

I would like to briefly reiterate some points which I made earlier today and in general debate yesterday. In the guise of regulating American banks, this legislation strikes at a legal State revenue device approved by two separate New York State Legislatures and endorsed overwhelmingly by the people of New York State in a recent referendum.

How can anyone who believes in States rights support such a measure as this? Perhaps tomorrow we will see banks told to refuse the deposits of any school districts not in compliance with the unfortunate philosophy of Judge Skelly Wright. What I am saying is this: The American banking system should not be made a vehicle for interference with legitimate proper legal activities of the State.

Furthermore, a desire to legislate morality should not be allowed to warp the dual banking system by subjecting State-chartered banks to a variety of Federal legislation which has nothing to do with safeguarding bank deposits or preventing unsound banking practices. Does anyone really believe that selling lottery tickets can affect a bank's soundness or deposits? In New York, banks are to simply serve as lottery ticket agents for a fee just as they serve as stock transfer agents for a fee, but they can no more underwrite the lottery than they can underwrite securities. The only connection that sale of lottery tickets has with the safety of bank deposits is the unfair connection which the proponents of this bill are trying to make in order to slander the American banking system and cripple and destroy the New York State lottery.

Lastly, this is a bad bill. It is poorly drawn. For example, it does not prohibit foreign bank branches in New York from selling lottery tickets, so that it will give these branches a competitive edge over national and State banks in New York. Secondly, it is too broad. It prohibits a bank from allowing anyone on bank premises to even mention the existence of a lottery. I can just see the Comptroller of the Currency's special deputies prowling the upper floors of New York's bank skyscrapers to see that no secretaries on the coffee lines mention the dirty word "lottery."

Like all misguided attempts to legislate morality, the Patman bill is a social and legislative Pandora's box. It represents the same morality as we have seen in certain States, where the bluenoses and bootleggers team up to keep liquor sales illegal, and as for its legal scope, it may have some very unfortunate—and very absurd—results.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. FINO. I am very happy to yield to the gentleman from California.

Mr. CORMAN. I thank the gentleman for yielding.

I know some States do sell alcohol themselves rather than permitting the private sale of it. For instance, the State of Virginia. I wonder how the gentleman feels about our selling alcohol through banks that are federally insured.

Mr. FINO. If the gentleman from California would ask an intelligent question, I would be very happy to answer an intelligent question.

Mr. MULTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I hope not to take the entire 5 minutes.

However, Mr. Chairman, I just want to dispel, if I can, from the outset some of the ghosts that have been brought upon the scene today.

Mr. Chairman, my distinguished colleague, the gentleman from New York [Mr. FINO], sees a lot of things in this bill that are just not there.

There is not any doubt that there may be some Members of Congress and some members of the committee that are unalterably opposed to lotteries, no matter when or where or by whom they are conducted and therefore want this bill enacted. But I daresay that the vast majority—the overwhelming majority—of the members of the Committee on Banking and Currency support this bill and of those Members of the House who will support it or are supporting this bill, see only one issue. Regardless of how they feel about lotteries—whether they want them or do not want them, they do feel that banking institutions have no place in the lottery or gambling business.

Mr. Chairman, under the amendment which I have offered, if adopted, it would mean that the banks may not use the banking premises for the sale of lottery tickets. If they own any other property, they can rent it to the State, to the city, to the town or the village, or to any other licensee, for the purpose of selling these tickets.

Mr. Chairman, talking about the sale of these tickets is not a question involved here. There is nothing contained in this bill nor in the amendments which I have offered which precludes anyone from talking about lotteries on the bank premises. This is an absurd, imaginary suggestion that just does not exist. There is nothing contained in this bill which, if adopted, would prevent anyone from talking about lotteries wherever they may wish to do so.

Mr. Chairman, the only thing which is contained in this bill that we do by enacting it is to stop the sale of lottery tickets on financial institution premises. That includes banks, savings and loan associations, and other financial institutions, because we do not want these tickets sold in these institutions which I have just mentioned.

Mr. Chairman, there is no reason why we should encourage the recipients of relief to take their relief checks to the bank, cash their checks at one window and go to another window and take all of that money and spend it for lottery tickets.

This represents the same reasoning that caused some of the New York State legislators, when the question was raised as to permitting the licensing of liquor stores to sell lottery tickets, to vote against permitting liquor stores to sell these lottery tickets. There were practically no votes in support of it.

Mr. Chairman, if it is bad to license a liquor store to sell these tickets, it is much worse for a bank to sell them.

Mr. Chairman, the gentleman from New York [Mr. FINO] was asked a very pertinent question just a few moments ago. The question was whether or not the States should engage in the sale of liquor in package stores.

Mr. Chairman, that is precisely the same situation which exists in this instance that causes those States to say that you cannot buy liquor freely; you can buy it only from a State owned and controlled store. By this bill, we say that banks and other financial institutions should not engage in this business.

Mr. Chairman, I do hope that the motion to recommit will be defeated and that the bill will be enacted with the amendments which I have offered, amendments which will give the State of New York and any other State sufficient time in which to adjust their State licensees so that they can lawfully meet all of the provisions which their State constitutions and State laws permit.

Mr. Chairman, under the bill as now perfected, no one can be hurt under the provisions thereof and we will get the banks out of this business. They should not have been in it in the first place. However, we are not hampering the State banks by saying get out of this business at once—although there are some Members who would like to have seen it cut off yesterday. We did not do it as of yesterday and we do not do it as of tomorrow—but let us do it as of April 1, 1968.

Mr. PATMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the bill as it is, so far as I am personally concerned, is acceptable, and if the Committee is willing to go along, why, we will just accept it like it is.

Of course, I realize Mr. FINO has a motion to recommit, and that is what I wish to speak about. It is surprising to me that the Congress of the United States—and I am not criticizing any Member, I never do, I never have in my life, and I am not criticizing the Congress as a body—but it is surprising to me that we would take up a lot of time advocating gambling transactions for education, of all things. In other words to have the education of our children depend upon the roll of the dice or a game of chance, lottery, gambling, it is real surprising, but that is our privilege. We do things like that some time.

But I do not think we should do it in this case or in any other case. You know gambling is always associated with other evils. Gambling is not just one evil. There are other evils that associate themselves with gambling. I can best illustrate that by one time in a mining and oil section of our country, in a boom town they had a huge boarding house, a two-story boarding house, and there was a crime committed there, and they had a grand jury investigation, and the grand jurors learned that the piano player had played the piano downstairs 4 years before he knew what was going on upstairs.

So, along with the gambling and hoodlums, we have everything that gets associated together in an evil way. We have to take into consideration that is the reason the American people are opposed to gambling—for education or for any other purpose.

I do not think the Congress should go on record as giving any encouragement in the direction of the 48 other States of adopting gambling for the purpose of raising revenue. We do not want that.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Not at this time.

Mr. Chairman, we do not want our country to depend upon gambling. We want our country to depend on honest, legitimate business, and we want to do it in an honest and legitimate way. So this is going in the opposite direction, this is going in the direction of corruption and something bad, and something that is evil, and something that is not good, or in the way of truth in any way, shape, or fashion.

Mr. FINO is very honest, he has been for gambling transactions and for lotteries to pay off a part of our national debt, and he has induced, at least, he is a very persuasive person, different Members of the Congress, and they and other people are beginning to say "Let us stay with Mr. FINO and pay off our national debt with a lottery." Pay off our national debt—you know we cannot do that. We cannot have our country depend upon gambling transactions for support of education or anything else.

If the Members were to recommit this bill, which of course I certainly hope they will not consider doing, where would we get our witnesses? We have offered to hear anybody who wanted to be heard, but the bankers do not want to be heard, neither the national banks or the State banks, nor the New York Banking Commission, they refused, they just respectfully declined. Nobody wants to be heard on this, and they have not been heard, so we could have a complete record so we could not report upon it.

So let us settle the issue definitely, once and for all by voting against endorsing gambling as a means of raising money for education.

Mr. Chairman, I hope the Members vote down the motion to recommit.

Mr. STRATTON. Mr. Chairman, I intend to vote against this bill. I do so not because I am in favor of the New York State lottery. In fact I am opposed to the lottery and I voted against it in the State referendum last year. So did a substantial majority of the people in my district.

But I do believe that this legislation represents an unwise and very dangerous interference by the Federal Government in the affairs of the sovereign State of New York. In fact this bill, if allowed to become law, could set a very dangerous, far-reaching trend which would be, in my judgment, of dubious constitutionality and could affect every State. If the Federal Government can tell the sovereign State of New York that it cannot conduct a lottery for educational purposes, which the people of the State of New York have already determined in a proper and legal referendum last fall should be conducted, and if the Federal Government can override a State's own decision in that case merely by virtue of the fact that every bank in the country has its deposits insured by the Federal Deposit Insurance Corporation, then we are going down a long and dangerous road for every State. Before long we will be told that because nearly every home and apartment in the United States is financed, directly or indirectly, under the auspices of the Federal Government—either through the FHA or the VA—then the Federal Government has the right to tell any family anywhere in America that they cannot play a friendly game of monopoly or parchesi on a Saturday evening in the kitchen. This is a bad precedent to start, and I believe we ought to be aware of what we are doing with this seemingly simple little anti-New York bill.

As I say, Mr. Chairman, I have no brief for the lottery in New York State. It is already in deep trouble, in fact, and I think it may soon die a quiet natural death of its own. But I do think that we ought to allow the future of the New York lottery to be determined in New York State by the people of New York State. I do not think we here in Washington have any business in trying to strangle it prematurely in its own crib. Therefore, I shall vote against the legislation and for the motion to recommit.

In this connection Mr. Chairman, I include an editorial on this issue from the Oneonta Daily Star, Oneonta, N.Y., in my district for July 8, 1967; also an editorial from the New Rochelle Standard Star of June 29, 1967; and finally an article from the Canandaigua Messenger of Canandaigua, N.Y., of July 9, 1967, referring to remarks on this issue by New York's outstanding comptroller, Hon. Arthur Levitt.

The articles follow:

UNCLE SAM STICKS HIS FINGERS IN LOTTERY PIE

We agree whole-heartedly with Congressman Stratton that the "lottery is a lousy way to raise money."

But a majority of New Yorkers disagreed with that stand when they entered the polls last November. They voted for a lottery and the majority's wish should be carried out as effectively as possible.

Now the federal government is attempting to interfere with the operation of the lottery. A House committee wants to ban the sale of lottery tickets through banks belonging to the Federal Deposit Insurance Corporation (FDIC). This means almost every bank in the state.

The banks in New York are the integral part of the sale of lottery tickets. The machinery is already set up. And it's much better to have well-respected banks selling lottery tickets than corner bookies.

Unfortunately the lottery must be a success in New York because already funds from tickets yet unsold are earmarked for educational projects.

The federal government should keep hands off this issue.

[From the New Rochelle Standard Star, June 29, 1967]

UNCLE MAY STOP OUR ALLOWANCE?

Touche! Rep. Samuel Stratton, wielding a most apt analogy, hit the mark dead-center Tuesday when he told Congress why it should not butt into the business affairs of the State of New York.

In discussing a House bill which would ban the sale of state lottery tickets in banks affiliated with the Federal Deposit Insurance Corp., the Amsterdam (N.Y.) Democrat said he had grave doubts as to whether the federal government should interfere with a lottery which has been approved by the voters of a state.

"If the government," Mr. Stratton said archly, "can tell an individual state whether it can or can't run a lottery, then the next thing you know it will make use of the fact that most homes and apartments are also financed with mortgages from the Federal Housing Administration to tell people they can't play a friendly game of Parchesi around the kitchen table."

Righto, Mr. Stratton, but just you wait until some of your prissy, holier-than-thous House conferees who favor the bill discover that New York State is using tax proceeds from racetrack betting to help finance state programs! They may want us to close all our race tracks or lose all our federal highway construction funds.

LEVITT STILL SAYS LOTTERY IS "WRONG"

NEW YORK.—State Comptroller Arthur Levitt says he still feels the state lottery is "morally wrong."

He says he has the impression that "the bulk of the sales in the early days of the lottery was concentrated in the poorer neighborhoods."

Levitt says the lottery, in which $1 ticket sales started in June, "is, in effect, a tax." The bulk of the receipts will go for education.

Levitt, a Brooklyn Democrat, discussed the lottery and other issues Sunday on the WNBC–TV "Man in Office," program and in talking with newsmen later.

He said in answer to a question that he opposes the proposal by Rep. Wright Patman, D-Tex., that banks be forbidden to sell lottery tickets.

Levitt said he could not support Patman's bill because "we do have this mandate" in the form of voter approval of the state lottery.

Mr. WYDLER. Mr. Chairman, the statements made by the chairman of the House Banking and Currency Committee were unworthy to be presented on the floor of the House of Representatives. The personal attacks on the fine Governor of New York State and his family indicate nothing more to me than a personal bias which may undermine the entire legislation that we are now considering. Under the circumstances, I cannot support the bill, and the chairman's remarks are to my mind a disgrace to the CONGRESSIONAL RECORD and to the Congress.

Mr. HAMMERSCHMIDT. Mr. Chairman, I regret that I was temporarily away from the floor yesterday when comments about Gov. Winthrop Rockefeller's attitude toward gambling were made. I feel certain that the comments of the gentleman from Texas [Mr. PATMAN] were due partly to the fact he had not taken time to review the facts. For the gentleman and the members of the committee, I would like to discuss the record of the Rockefeller I know best, Gov. Winthrop Rockefeller, of Arkansas.

In 1964, the general ballot in Arkansas contained a provision which would have legalized gambling. The people, by a vote of better than 2 to 1, defeated this proposal.

The 1967 general assembly passed a bill authorizing gambling. Governor Rockefeller sent a message to the assembly requesting the bill be recalled and reconsidered. The general assembly refused to heed his request. Thereupon, Gov. Winthrop Rockefeller took direct and positive action to veto the bill.

Over the past 97 years, gambling has sporadically existed in Garland County. Since assuming the role of Governor, Winthrop Rockefeller has moved to enforce the State law which prohibits gambling. The Governor has worked closely with the local authorities in combating the problem. He has also used the State police in continuous raids on those institutions which continued to violate the law.

At the present time the State police are under a continuing order to stop all gambling. Their actions have been successful. Currently there is no organized gambling being conducted in Arkansas. From time to time isolated cases of gambling do appear and these are combated by the State police and local authorities.

The circuit judge in Garland County, the Honorable Hank Britt, has recently charged a grand jury to investigate all gambling activity in the county. A report is forthcoming.

I think it is easy to see that in the short period of 6 months Gov. Winthrop Rockefeller has all but eliminated a situation which had existed in a continuous fashion for 97 years. He has taken a responsible approach which is proving successful.

While I plan to vote for the bill proposed by the gentleman from Texas [Mr. PATMAN] because I believe banks should not sell lottery tickets, I think that it is most unfortunate that he has seen fit to use personalities in light of his obvious lack of information about our Governor's position in Arkansas.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. CHARLES H. WILSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10595) to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities, pursuant to House Resolution 671, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. FINO. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FINO. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. FINO moves to recommit the bill, H.R. 10595, to the Committee on Banking and Currency.

Mr. PATMAN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. FINO), there were—ayes 40, noes 52.

Mr. FINO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 135, nays 257, answered "present" 2, not voting 38, as follows:

[Roll No. 167]

YEAS—135

Abbitt
Adair
Arends
Ashbrook
Ashley
Battin
Bell
Betts
Biester
Bingham
Blackburn
Boland
Bolling
Bow
Brasco
Brock
Brown, Mich.
Brown, Ohio
Burke, Fla.
Burleson
Byrnes, Wis.
Cahill
Carter
Cederberg
Clancy
Clausen, Don H.
Conyers
Corbett
Cowger
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
Denney
Derwinski
Dole
Duncan
Eckhardt
Eshleman
Farbstein
Fino
Frelinghuysen
Fulton, Pa.
Giaimo
Gilbert
Goodling
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Halpern
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Hechler, W. Va.
Hosmer
Irwin
Johnson, Pa.
Jones, Mo.
King, N.Y.
Kupferman
Kuykendall
Kyl
Lipscomb
Lloyd
Long, Md.
Lukens
McClory
McCulloch
McDonald, Mich.
McEwen
Mailliard
Mathias, Md.
May
Michel
Minshall
Morse, Mass.
Mosher
Myers
O'Hara, Mich.
Pettis
Pike
Pirnie
Poff
Pollock
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Robison
Rosenthal
Roth
Roudebush
Rumsfeld
Ryan
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Smith, Calif.
Stanton
Steiger, Ariz.
Stephens
Stratton
Taft
Talcott
Teague, Calif.
Tenzer
Utt
Wampler
Watkins
Whalley
Whitten
Wiggins
Williams, Miss.
Williams, Pa.
Wilson, Bob
Wright
Wyatt
Wydler
Wyman
Zion

NAYS—257

Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Ashmore
Aspinall
Bates
Belcher
Bennett
Bevill
Blanton
Blatnik
Boggs
Brademas
Bray
Brinkley
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burton, Calif.
Bush
Byrne, Pa.
Cabell
Carey
Casey
Celler
Chamberlain
Clark
Cohelan
Colmer
Conable
Conte
Corman
Cramer
Culver
Daddario
Daniels
Dawson
de la Garza
Delaney
Dellenback
Dent
Devine
Dickinson
Dingell
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Dwyer
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Gibbons
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Hagan
Hamilton
Hanley
Hansen, Wash.
Hardy
Harvey
Hathaway
Hawkins
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Howard
Hull
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
Kirwan
Kleppe
Kluczynski
Kornegay
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Long, La.
McCarthy
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Marsh
Mathias, Calif.
Matsunaga
Mayne
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Montgomery
Morgan
Morton
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Poage
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Quie
Quillen
Rarick
Rees
Resnick
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roybal
Ruppe
Scott
Selden
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Steed
Steiger, Wis.
Stubblefield
Stuckey
Sullivan
Taylor
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Watson
Watts
Whalen
White
Widnall
Wilson, Charles H.
Winn
Wolff
Wylie
Yates
Young
Zablocki
Zwach

ANSWERED "PRESENT"—2

Ayres
Pelly

NOT VOTING—38

Baring
Barrett
Berry
Bolton
Brotzman
Burton, Utah
Button
Clawson, Del
Cleveland
Collier
Diggs
Hanna
Hays
Hungate
King, Calif.
McClure
McDade
Martin
Mize
Monagan
Moore
Moorhead
Morris, N. Mex.
Moss
O'Konski
O'Neal, Ga.
Purcell
Reuss
Roush
St Germain
St. Onge
Shipley
Smith, N.Y.
Tuck
Tunney
Waggonner
Whitener
Willis

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Morris of New Mexico for, with Mr. Waggonner against.

Mr. Baring for, with Mr. Monagan against.

Mr. Button for, with Mrs. Bolton against.

Until further notice:

Mr. King of California with Mr. Berry.

Mr. Hays with Mr. Moore.

Mr. St Germain with Mr. Smith of New York.

Mr. Shipley with Mr. Cleveland.

Mr. St. Onge with Mr. Mize.

Mr. Moss with Mr. Del Clawson.

Mr. Barrett with Mr. Burton of Utah.

Mr. Hungate with Mr. McDade.

Mr. Willis with Mr. O'Konski.

Mr. Whitener with Mr. McClory.

Mr. Moorhead with Mr. Collier.

Mr. Roush with Mr. Brotzman.

Mr. Hanna with Mr. Martin.

Mr. O'Neal of Georgia with Mr. Purcell.

Mr. Diggs with Mr. Tunney.

Mr. Reuss with Mr. Tuck.

Mr. SCHEUER changed his vote from "nay" to "yea."

Mr. PELLY changed his vote from "yea" to "present."

Mr. CONTE changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

Mr. FINO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 271, nays 111, answered "present" 1, not voting 49, as follows:

[Roll No. 168]

YEAS—271

Abernethy
Adair
Adams
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashmore
Ayres
Bates
Belcher
Bell
Bennett
Betts
Bevill
Blanton
Blatnik
Boggs
Boland
Brademas
Bray
Brinkley
Brock
Brooks
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burton, Calif.
Bush
Byrne, Pa.
Cabell
Casey
Celler
Chamberlain
Clark
Cohelan
Colmer
Conable
Conte
Cowger
Cramer
Culver
Curtis
Daddario
Daniels
Dawson
de la Garza
Dellenback
Dent
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Dwyer
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Findley
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Gathings
Gettys
Gibbons
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Hagan
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harvey
Hathaway
Hawkins
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Horton
Howard
Hull
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kirwan
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Long, La.
McCarthy
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Marsh
Mathias, Calif.
Mathias, Md.
Matsunaga
Mayne
Meeds
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Montgomery
Morgan
Morse, Mass.
Morton
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
Olsen
Ottinger
Passman
Patman
Pepper
Perkins
Pettis
Philbin
Pickle
Poage
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Quie
Randall
Rarick
Rees
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Rodino
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roudebush
Rumsfeld
Ruppe
Schadeberg
Schwengel
Scott
Selden
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Steed
Steiger, Wis.
Stubblefield
Stuckey
Sullivan
Taylor
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Waldie
Walker
Watson
Watts
Whalen
White
Whitten
Widnall
Williams, Miss.
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wyatt
Wylie
Yates
Young
Zablocki
Zion
Zwach

NAYS—111

Abbitt
Addabbo
Ashbrook
Ashley
Aspinall
Bingham
Blackburn
Bolling
Bow
Brasco
Brown, Calif.
Brown, Mich.
Burke, Fla.
Burleson
Byrnes, Wis.
Cahill
Carey
Carter
Cederberg
Clancy
Clausen, Don H.
Conyers
Corbett
Cunningham
Davis, Ga.
Davis, Wis.
Delaney
Denney
Derwinski
Devine
Dickinson
Duncan
Eckhardt
Eshleman
Farbstein
Feighan
Fino
Giaimo
Gilbert
Goodling
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Halpern
Harrison
Harsha
Hechler, W. Va.
Hosmer
Irwin
Jones, Mo.
Kelly
King, N.Y.
Kupferman
Lipscomb
Lloyd
Long, Md.
Lukens
McClory
McCulloch
McDonald, Mich.
McEwen
Mailliard
May
Michel
Minshall
Mosher
Myers
O'Hara, Mich.
O'Neill, Mass.
Patten
Pike
Pirnie
Railsback
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Robison
Rogers, Colo.
Rosenthal
Roybal
Ryan
Sandman
Satterfield
Saylor
Scherle
Scheuer
Schneebeli
Schweiker
Smith, Calif.
Stanton
Steiger, Ariz.
Stephens
Stratton
Taft
Talcott
Teague, Calif.
Teague, Tex.
Tenzer
Wampler
Watkins
Whalley
Wiggins
Williams, Pa.
Wright
Wydler
Wyman

ANSWERED "PRESENT"—1

Pelly

NOT VOTING—49

Baring
Barrett
Battin
Berry
Biester
Bolton
Brotzman
Burton, Utah
Button
Clawson, Del
Cleveland
Collier
Corman
Diggs
Edwards, Ala.
Fallon
Fulton, Pa.
Garmatz
Hays
Holland
Hungate
Joelson
King, Calif.
McClure
McDade
Martin
Meskill
Mize
Monagan
Moore
Moorhead
Morris, N. Mex.
Moss
O'Konski
O'Neal, Ga.
Purcell
Quillen
Reuss
Roush
St Germain
St. Onge
Shipley
Smith, N.Y.
Tuck
Tunney
Vigorito
Waggonner
Whitener
Willis

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Waggonner for, with Mr. Morris of New Mexico against.

Mr. Monagan for, with Mr. Baring against.

Mr. Edwards of Alabama for, with Mr. Button against.

Until further notice:

Mr. King of California with Mr. Mize.
Mr. Moss with Mr. Moore.
Mr. Barrett with Mr. Biester.
Mr. Willis with Mrs. Bolton.
Mr. Shipley with Mr. Brotzman.
Mr. Hays with Mr. Burton of Utah.
Mr. Garmatz with Mr. Del Clawson.
Mr. Fallon with Mr. Fulton of Pennsylvania.
Mr. Moorhead with Mr. Martin.
Mr. Whitener with Mr. McClory.
Mr. Hungate with Mr. Battin.
Mr. St. Onge with Mr. McDade.
Mr. St Germain with Mr. Cleveland.
Mr. Reuss with Mr. Smith of New York.
Mr. O'Neal of Georgia with Mr. Berry.
Mr. Joelson with Mr. O'Konski.
Mr. Holland with Mr. Diggs.
Mr. Tunney with Mr. Quillen.
Mr. Roush with Mr. Collier.
Mr. Corman with Mr. Purcell.
Mr. Edwards of Louisiana with Mr. Tuck.

Mr. STUCKEY, Mr. LAIRD, Mr. ANDERSON of Illinois, Mr. UTT, and Mr. PETTIS changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill H.R. 10595, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

AUTHORITY FOR SPEAKER TO DECLARE A RECESS TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to declare a recess at any time today, subject to the call of the Chair.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, might I ask what would be the purpose in recessing today?

Mr. ALBERT. In reply to the gentleman's inquiry I would say that the conferees on the railway labor dispute are still in session, and it is thought we should wait until they terminate their business before we adjourn today.

Mr. GROSS. Mr. Speaker, I thank the gentleman for his reply, and I withdraw my reservation of objection.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

UNICEF DAY

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, Halloween is the holiday most dedicated to children in this country. Because of this, it seems to me most fitting that this ancient festival be devoted to the children of the world in another way. I am pleased to sponsor legislation to authorize and request the President to annually designate October 31 as National UNICEF Day.

This year **UNICEF**, the United Nations Childrens Emergency Relief Fund, celebrates its 20th anniversary. In these years, it has given assistance to the poor and unfortunate children of 130 countries. In 1963, **UNICEF** programs directly aided 55 million mothers and children. One of the most basic of bonds between men, shared by every culture on this earth, is the love of children. Because the task of **UNICEF** is to better the lives of children, UNICEF is uniquely capable of helping to strengthen international understanding.

But a more important reason for the existence of this organization is simply and earnestly for the sake of those of whom President Johnson spoke 3 years ago:

> Three out of four of all the world's children today still live in the shadow of poverty, hunger, and disease.

Perhaps the greatest of UNICEF's many accolades over the years was the 1965 award of the Nobel Peace Prize, which honors the individual or institution "who has worked most or best for brotherhood amongst the nations."

It has become a Halloween practice for many children of America to trick-or-treat not for the traditional sweets, but for contributions to UNICEF. This altruistic gesture has become a popular and successful campaign. In 1965, the children of my State of Oregon raised $25,967 for the United Nations Children's Fund.

President Kennedy, speaking of this trick-or-treat program, said:

> At a time when UNICEF's endeavors encompass more than 500 programs for children and mothers in 116 countries, much remains to be done. I urge all Americans to respond once again in the spirit of charity and good will to UNICEF's appeal this fall.

This Halloween campaign is the form in which UNICEF is best known in this country. But to many children and mothers around the world, UNICEF is the difference between hope and despair.

UNICEF aid in the six fields of health services, family and child welfare, disease control, nutrition, education, and vocational guidance help to make life more promising for the three-quarters of the world's 1 billion children who live in economically underdeveloped countries.

The Trick-or-Treat program has also drawn comment from Mr. Quinn Tamm, executive director of the International Association of Chiefs of Police. In part, Mr. Tamm said:

> The police chiefs of the nation are glad to add their voices to the approval which the UNICEF Trick-or-Treat program has received, since it not only fulfills the American philosophy of good will to our fellow man, but also because it serves to instill in our youngsters proper attitudes, thereby making Halloween a safer time for them and their communities.

An important factor in the function of UNICEF is that no country is given aid unless it is requested. To procure this help for a project that will benefit its children, a government must also make substantial expenditures, including locally available supplies, buildings, labor and personnel. In recent years the aided countries have provided an average of at least 2½ times as much as they receive.

Mr. Speaker, I believe that the worth of UNICEF has been well established. I also believe that proclaiming October 31 as National UNICEF Day would be a suitable way to recognize both the contributions our children are making to this organization, and the contributions UNICEF is making to the health and well-being of children and mothers all over the world.

Therefore, I sincerely urge favorable committee and House action on this legislation.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader, the gentleman from Oklahoma, the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of my friend, the distinguished minority leader, the program for next week is as follows:

Monday is Consent Calendar day, but there are no bills on the Consent Calendar, and we have no suspensions. I would advise the House that should an emergency arise the Speaker would exercise his power to recognize Members to suspend the rules and pass any necessary legislation.

Tuesday is Private Calendar day and the Department of Transportation appropriation bill for fiscal year 1968 will be considered.

For Wednesday and the balance of the week:

H.R. 421, prohibition of riots or other civil disturbances—open rule, 2 hours' debate.

H.R. 8630, to extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States—subject to a rule being granted.

H.R. 11000, Rat Extermination Act of 1967—subject to a rule being granted.

H.R. 8547, Inter-American Development Bank Act Amendments of 1967—subject to a rule being granted.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

Mr. GERALD R. FORD. Is it my understanding as to the program for Wednesday and the balance of the week that those bills will be called up in the order in which they are listed.

Mr. ALBERT. That is the intention.

Mr. Speaker, I wish to advise Members that we will not make the request with reference to whether we will go over to Monday until later in the day.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. GROSS. Mr. Speaker, I would like to ask the gentleman from Oklahoma if the House may have the assurance that there will be no other business transacted following the recess period, other than business dealing with the matter to come from the conferees of the Committee on Interstate and Foreign Commerce.

Mr. ALBERT. The gentleman can have that assurance. There will be no other legislative business.

Mr. GROSS. Does the gentleman have any idea how long it will take next week to exterminate the rats?

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. ARENDS. I would like to ask the gentleman from Oklahoma if the conference is concluded and a determination is made tonight by the conferees of the Senate and the House is it possible that the conference report could come up tomorrow after action by the other body?

Mr. ALBERT. It is possible.

DISPENSING WITH BUSINESS IN ORDER UNDER CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE PRESIDENT COMES TO PHILADELPHIA—A DAY OF WARMTH AND AFFECTION

Mr. BYRNE of Pennsylvania. I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, a visit by the President of the United States is always a memorable event. And President Johnson's visit to Philadelphia on June 29 was a very special and very significant moment for our community.

President Johnson came to Philadelphia to visit the scene of one of his administration's greatest accomplishments—the antipoverty program.

He came as the President who has done more to help our Nation's poor than any other President in American history. And he came here as a leader determined to correct the inequities that have perpetuated poverty in our land for far too long.

The President's trip here was not announced until the last minute, but the word got around swiftly. And large crowds of proud and happy and enthusiastic people turned out to greet him in North Philadelphia.

These are the people who know best the value of the antipoverty program. And they have a great deal to be proud and happy about.

As we all know, the President spoke at Philadelphia's Opportunities Industrialization Center, founded by that outstanding community leader, the Reverend Leon Sullivan.

Those of us who accompanied the President shared Reverend Sullivan's

Mr. **FINO**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 271, nays 111, answered "present" 1, not voting 49, as follows:

[Roll No. 168]

YEAS—271

Abernethy
Adair
Adams
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashmore
Ayres
Bates
Belcher
Bell
Bennett
Betts
Bevill
Blanton
Blatnik
Boggs
Boland
Brademas
Bray
Brinkley
Brock
Brooks
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burton, Calif.
Bush
Byrne, Pa.
Cabell
Casey
Celler
Chamberlain
Clark
Cohelan
Colmer
Conable
Conte
Cowger
Cramer
Culver
Curtis
Daddario
Daniels
Dawson
de la Garza
Dellenback
Dent
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Dwyer
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Findley
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Gathings
Gettys
Gibbons
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Hagan
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harvey
Hathaway
Hawkins
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Horton
Howard
Hull
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kirwan
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Long, La.
McCarthy
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Marsh
Mathias, Calif.
Mathias, Md.
Matsunaga
Mayne
Meeds
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Montgomery
Morgan
Morse, Mass.
Morton
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
Olsen
Ottinger
Passman
Patman
Pepper
Perkins
Pettis
Philbin
Pickle
Poage
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Quie
Randall
Rarick
Rees
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Rodino
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roudebush
Rumsfeld
Ruppe
Schadeberg
Schwengel
Scott
Selden
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Steed
Steiger, Wis.
Stubblefield
Stuckey
Sullivan
Taylor
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Waldie
Walker
Watson
Watts
Whalen
White
Whitten
Widnall
Williams, Miss.
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wyatt
Wylie
Yates
Young
Zablocki
Zion
Zwach

NAYS—111

Abbitt
Addabbo
Ashbrook
Ashley
Aspinall
Bingham
Blackburn
Bolling
Bow
Brasco
Brown, Calif.
Brown, Mich.
Burke, Fla.
Burleson
Byrnes, Wis.
Cahill
Carey
Carter
Cederberg
Clancy
Clausen, Don H.
Conyers
Corbett
Cunningham
Davis, Ga.
Davis, Wis.
Delaney
Denney
Derwinski
Devine
Dickinson
Duncan
Eckhardt
Eshleman
Farbstein
Feighan
Fino
Giaimo
Gilbert
Goodling
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Halpern
Harrison
Harsha
Hechler, W. Va.
Hosmer
Irwin
Jones, Mo.
Kelly
King, N.Y.
Kupferman
Lipscomb
Lloyd
Long, Md.
Lukens
McClory
McCulloch
McDonald, Mich.
McEwen
Mailliard
May
Michel
Minshall
Mosher
Myers
O'Hara, Mich.
O'Neill, Mass.
Patten
Pike
Pirnie
Railsback
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Robison
Rogers, Colo.
Rosenthal
Roybal
Ryan
Sandman
Satterfield
Saylor
Scherle
Scheuer
Schneebeli
Schweiker
Smith, Calif.
Stanton
Steiger, Ariz.
Stephens
Stratton
Taft
Talcott
Teague, Calif.
Teague, Tex.
Tenzer
Wampler
Watkins
Whalley
Wiggins
Williams, Pa.
Wright
Wydler
Wyman

ANSWERED "PRESENT"—1

Pelly

NOT VOTING—49

Baring
Barrett
Battin
Berry
Biester
Bolton
Brotzman
Burton, Utah
Button
Clawson, Del
Cleveland
Collier
Corman
Diggs
Edwards, Ala.
Fallon
Fulton, Pa.
Garmatz
Hays
Holland
Hungate
Joelson
King, Calif.
McClure
McDade
Martin
Meskill
Mize
Monagan
Moore
Moorhead
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Purcell
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St. Onge
Shipley
Smith, N.Y.
Tuck
Tunney
Vigorito
Waggonner
Whitener
Willis

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Waggonner for, with Mr. Morris of New Mexico against.

Mr. Monagan for, with Mr. Baring against.

Mr. Edwards of Alabama for, with Mr. Button against.

Until further notice:

Mr. King of California with Mr. Mize.
Mr. Moss with Mr. Moore.
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Mr. Roush with Mr. Collier.
Mr. Corman with Mr. Purcell.
Mr. Edwards of Louisiana with Mr. Tuck.

Mr. **STUCKEY**, Mr. **LAIRD**, Mr. **ANDERSON** of Illinois, Mr. **UTT**, and Mr. **PETTIS** changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. **PATMAN**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill H.R. 10595, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

AUTHORITY FOR SPEAKER TO DECLARE A RECESS TODAY

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to declare a recess at any time today, subject to the call of the Chair.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

Mr. **GROSS**. Mr. Speaker, reserving the right to object, might I ask what would be the purpose in recessing today?

Mr. **ALBERT**. In reply to the gentleman's inquiry I would say that the conferees on the railway labor dispute are still in session, and it is thought we should wait until they terminate their business before we adjourn today.

Mr. **GROSS**. Mr. Speaker, I thank the gentleman for his reply, and I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

UNICEF DAY

Mrs. **GREEN** of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentlewoman from Oregon?

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Mrs. **GREEN** of Oregon. Mr. Speaker, Halloween is the holiday most dedicated to children in this country. Because of this, it seems to me most fitting that this ancient festival be devoted to the children of the world in another way. I am pleased to sponsor legislation to authorize and request the President to annually designate October 31 as National UNICEF Day.

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> Three out of four of all the world's children today still live in the shadow of poverty, hunger, and disease.

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Therefore, I sincerely urge favorable committee and House action on this legislation.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader, the gentleman from Oklahoma, the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

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Mr. ALBERT. It is possible.

DISPENSING WITH BUSINESS IN ORDER UNDER CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE PRESIDENT COMES TO PHILADELPHIA—A DAY OF WARMTH AND AFFECTION

Mr. BYRNE of Pennsylvania. I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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Mr. BYRNE of Pennsylvania. Mr. Speaker, a visit by the President of the United States is always a memorable event. And President Johnson's visit to Philadelphia on June 29 was a very special and very significant moment for our community.

President Johnson came to Philadelphia to visit the scene of one of his administration's greatest accomplishments—the antipoverty program.

He came as the President who has done more to help our Nation's poor than any other President in American history. And he came here as a leader determined to correct the inequities that have perpetuated poverty in our land for far too long.

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These are the people who know best the value of the antipoverty program. And they have a great deal to be proud and happy about.

As we all know, the President spoke at Philadelphia's Opportunities Industrialization Center, founded by that outstanding community leader, the Reverend Leon Sullivan.

Those of us who accompanied the President shared Reverend Sullivan's glowing pride in the accomplishments of his center.

OIC is really five centers whose purpose is to encourage self-help and self-motivation by training in various job skills—ranging from cooking to factory and office work to data processing. As Reverend Sullivan said:

> I am proud of what the community has done to make this possible, and I am proud of the men and women in the street who stood by me when some people said it couldn't be done.

We can all be proud of Reverend Sullivan and the important work he is accomplishing. For as President Johnson noted in his remarks at the OIC:

> The Federal government did not build this center. Neither business, nor labor, nor philanthropy, nor city officials built it. All of us are helping now, and I am proud of the part we are playing. But the spirit built this center—the spirit that wants to say "yes" to life, that wants to affirm the dignity of every man, whatever his origins, whatever his race or religion.

I accompanied the President on his tour of the center. I saw what he saw: People proud and determined to better themselves, and thankful for the opportunity to do so. As the President said:

> It is a place where people find the power that was always in them—but that has been obscured by self-doubt and trapped by the conviction of failure.

It is a place, I can tell you, where people's lives are being transformed, where dignity is replacing doubt, where hope is replacing defeatism. And it is an inspiring sight.

I watched with the President as Judge Higginbotham and Reverend Ritter presented awards to outstanding members of the center. And I watched as the President signed into law a 3-year extension of the important Teachers Corps program that will help to provide better education for thousands of youngsters across the country.

What is the lasting impression of the President's visit here?

I think it was the people—hundreds of them, pressing against the police barricades to reach out and shake hands with their President.

It was a sea of people—laughing and cheering and calling out to President Johnson.

There was no angry faces in the crowd. The haters and the doubters stayed home. These were people who knew that somebody cared about them and was determined to help.

And as the President slowly worked his way through the crowd, shaking as many hands as he could, I could not help but recall the words of Reverend Sullivan.

Pointing to the President, Reverend Sullivan told the tranees at the center:

> He's the one that made it all possible—he and the Lord.

The people of North Philadelphia were saying the same thing—in the warmth of their smiles and their outstretched hands.

Yes, the President came to North Philadelphia. And when he left, he took a large measure of its affection and respect that hopefully will sustain him in the difficult days ahead.

The remarks of President Johnson, made on this occasion, follow:

REMARKS OF THE PRESIDENT AT THE OPPORTUNITIES INDUSTRIALIZATION CENTER IN PHILADELPHIA, JUNE 29, 1967

What I have seen this morning has moved me more than I can say. If I had to sum up my feelings in a single phrase, it would be: "I think we are going to make it."

What I have seen is not just an institution—not just a training program. I have seen men and women whose self-respect is beginning to burn inside them like a flame—like a furnace that will fire them all their lives.

I had heard about this Center for many months. Friends and associates of mine came here to see it, and returned to tell me the good news, of how a movement born of protest has taken the next logical step, to preparation.

They told me how men, stirred to righteous anger by the conditions of poverty that surrounded them on every side, had first fought to break down the doors of discrimination; then found that those they fought for were not prepared to seize the opportunities that opened before them; and so had begun to build—simply, using whatever tools they owned, or could borrow, or obtain by gift—a place where men and women could find themselves.

That is what this Center is all about. It is a place where people find the power that was always in them—but that had been obscured by self-doubt and trapped by the conviction of failure.

Now I have seen this place for myself. I've seen the old jail where it started, the jail that Reverend Sullivan wanted because, as he said: "It is the most dank, most dismal place in town, a symbol of tragedy. If I could transform that building, I could transform men."

I've seen some of those who are just beginning the transformation of their lives, learning the basic skills of reading and writing. I've seen those who are about to become metal workers, beauticians, draftsmen, computer operators, welders, textile workers, and refrigeration specialists. And now I see those who are already on their way—providing better lives for their families, contributing to their country's economy, and—above all—holding their heads high in the deep pride of real accomplishment.

The federal government did not build this Center. Neither business, nor labor, nor philanthropy, nor city officials built it. All of us are helping now, and I am proud of the part we are playing. But the spirit built this Center—the spirit that wants to say "yes" to life, that wants to affirm the dignity of every man, whatever his origins, whatever his race or religion.

That same spirit has given power and direction to all we have tried to do in our years of national leadership. It created Head Start. It inspired the manpower training program. It lies behind the Job Corps, and the Neighborhood Youth Corps. It passed the broadest civil rights acts, and the first Medicare act in our history. It built an education program that is bringing new life to schools in the neighborhoods of the poor. It wrote the bill I will sign this morning—extending the Teacher Corps program, that will bring the best instruction America can produce to the children who need it most—the children of poverty. It is only a small program now; but with the help of the spirit, it will grow.

All we have done will count for little—unless you help. If you help, there is nothing we cannot do—together.

The problems of poverty, the consequences of discrimination, the ignorance and helplessness that are passed on, generation to generation, are almost too great for us to comprehend or master. Almost too great—for they were all created by the failures of men. There is nothing pre-ordained about them.

Being created by men, they can be overcome by men—by the restless spirit that speaks to all of us in the darkest hours, saying, "Have faith in yourself. Prepare yourself for the work you must do."

You have heard that spirit. You have the faith in yourselves. You have prepared yourselves. And you have inspired me to feel, as I said at the beginning, that we—all two hundred million of us—are going to make it.

FORTHCOMING ELECTIONS IN SOUTH VIETNAM

Mr. DOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOW. Mr. Speaker, I take particular note of the very statesmanlike proposal of my distinguished colleague, Congressman LESTER WOLFF, of New York, represented in his concurrent resolution—House Concurrent Resolution 382—submitted on June 22.

Congressman WOLFF perceives very rightly that the forthcoming elections in South Vietnam on September 3 are of the highest importance to that country and to our country and to all in the world who are concerned with the outcome of affairs in South Vietnam. Accordingly, he recommends in his concurrent resolution that nine Members of Congress be appointed—six from this body and three from the other body—to observe the election in the fall of 1967.

Mr. Speaker, I have recently returned from a tour of South Vietnam where I spent 8 days interviewing many classes of people and leaders at all levels, both South Vietnamese and Americans. Since the campaign for election of President and members of the upper legislative body is to commence officially on August 3, and since there are a number of preliminary steps scheduled before that date, the conduct of the campaign throughout its full period is just as important to a meaningful outcome as the activities on election day.

Accordingly, I presume to expand Congressman WOLFF's proposal in sufficient degree to provide observance by his proposed congressional committee throughout the election period. I have introduced today a concurrent resolution setting the period of observation from August 1 to September 3, 1967, inclusive. Thus, my resolution would cover observance of the election campaign as well as the election itself.

As a matter of fact, there is some thinking that would suppress association of Americans with the Vietnamese election itself so as to assure a pure and uninfluenced election outcome. While I believe this may be the thinking of extreme caution and that the situation does not call for it, nevertheless I draw on my experiences in South Vietnam to say that the conduct of the election campaign from early August on to the election date itself, is critical in the highest possible degree.

It is common knowledge and the subject of daily press reports, that candidates, and others in South Vietnam are charging indiscretions to election candidates already. It is apparent from accounts of trips made by declared candidates that their trips could be serving the purpose of advancing their personal interests long before the election campaign commences on August 3, the day that has been authorized.

I do feel that a persistent and unremitting attention to all phases of electioneering in the campaign period will be little enough either to assure a fair election or to learn of the possible misdoings.

It is hardly practical for nine Members of Congress to spend the entire period of August 1 through September 3, inclusive, away from their desks in Washington. For this reason, my resolution amends that of Congressman WOLFF's to the extent of providing for the appointment of three aides to be permanently in South Vietnam during the indicated period. Two of these could be paid for out of the contingent fund of this body, and one out of the like fund of the other body.

In addition, my resolution stipulates that at least two of the nine members of the committee shall be present in South Vietnam at all times during the period from August 1 to September 3, 1967. Thus five competent persons representing the Congress of the United States would be there throughout the critical time. It is to be hoped that their presence will not only afford the people of South Vietnam but also the people of the United States and all men generally concerned, with a fair appraisal of this election campaign and election which has such critical significance. Moreover, the presence of the group should be a contribution to performance of high order by the candidates and all those responsible for the campaign and election.

It was my observation that a sizable body of opinion amongst South Vietnamese places a major share of responsibility for all activities of their Government on the shoulders of the United States. While I do not care to comment on the accuracy of this view, I am certain that our responsibility there goes to a point of observing the election campaign. It would be proper and fitting to have observers responsible through the legislative arm of our Government to the American people. American people are ones who sacrifice more and more each day for the cause which the forthcoming election is intended to advance.

Mr. Speaker, I most strongly urge that the committee assigned by you review this resolution and swiftly report it to the floor of this body for the earliest possible action.

THE PHONY WAR ON CRIME

Mr. CEDERBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CEDERBERG. Mr. Speaker, Nero has met his match. He got into the history books by fiddling while Rome burned.

His paragon companion in modern history is the Johnson administration, what the Washington Evening Star has appropriately called the "phony war on crime."

The Johnson administration has talked loud and eloquently about the urgency of curbing crime while it makes the path easier for the criminal. Merchants continue to be shot down in cold blood for a small amount of money taken from the cash till, rapists continue to roam the dark streets, yokers and muggers nightly roam the streets of our Nation's Capital.

What does the Johnson administration do besides talk and issue verbose reports? The action of the Attorney General on wiretaps is the latest.

I agree with the Washington Evening Star, which declares it is time to call a spade a spade and this newspaper does exactly that in the editorial which states:

> There comes a time when a spade should be called a spade, and there also comes a time when a phony war should be called a phony war. That time has been reached in Lyndon Johnson's much-touted and loudly-heralded "war on crime."
>
> The sweeping—and they are sweeping—regulations just put out by Attorney General Ramsey Clark restricting the use of wiretaps and electronic listening devices are the last straw. The attorney general surely would not have sounded this call for retreat without the approval of the President. So one is driven to the conclusion that the war on crime is a phony war, and that all of the President's high-flown speeches, not to mention the attorney general's rhetorical contributions, have been nothing more than wordy exercises designed to conceal the fact that this administration's heart is not in its so-called war.
>
> The attorney general's new regulations go well beyond the restrictions on wiretaps and bugging imposed two years ago by the President. They forbid law-enforcement practices which the Supreme Court has not yet outlawed. A suspicious soul might think that they are an invitation to the court to go farther than it has up to this time—and this may not be lost upon the "liberal" judicial majority.
>
> Ramsey Clark obviously has a thing about wiretaps and bugging. He thinks they are a waste of manpower. He has testified that they are "abhorrent" devices. He says that all of his experience shows that electronic surveillance (he has had very little experience in criminal law enforcement) is not necessary for the public safety, is not a desirable or effective investigative technique, and that these abhorrent devices should be used only in the national security field. He has never explained why wiretapes and bugs are essential in national security cases but useless against organized crime. Of course he cannot come up with any rational explanation.
>
> Let's turn to another witness. Frank S. Hogan, New York County district attorney, has been in the front line of the war on crime for 27 years. He told the President's Crime Commission: Electronic surveillance is the single most valuable weapon in law enforcement's fight against organized crime. . . . It has permitted us to undertake major investigations of organized crime. Without it, and I confine myself to top figures in the underworld, my own office could not have convicted Charles "Lucky" Luciano, Jimmy Hines, Louis "Lepke" Buchalter, Jacob "Gurrah" Shapiro, Joseph "Socks" Lanza, George Scalise, Frank Erickson, John "Dio" Dioguardi, and Frank Carbo.
>
> Well, there it is. Take your choice. Frank S. Hogan, who has sent scores of vicious hoodlums to jail, is quite willing to use the "abhorrent" eavesdropping weapon in his war on crime. He thinks it is an essential weapon. Ramsey Clark and Lyndon Johnson are not willing. They would prefer to conduct their war with speeches at twenty paces. And, in consequence, this war is one which organized crime will surely win and which the American people, the ultimate victims, will surely lose.

L. B. J. FOREIGN POLICY: LEAP BEFORE YOU LOOK

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama.

There was no objection.

Mr. DICKINSON. Mr. Speaker, I rise today to deplore President Johnson's untimely and irresponsible decision to send three transport planes and 150 Americans to the Congo to help the terrorist Mobutu government quell what is obviously an internal disturbance, as reported by the press.

I am utterly appalled that the President would take such mindless action—action he took without so much as consulting the leaders of Congress on a matter of vital importance during this critical period in international affairs. To evacuate or protect American citizens caught in the middle of a revolution is one thing, but to send American equipment and American citizens to assist a blood-stained government in putting down an internal disturbance is quite another thing.

In typical State Departmentese, an administration spokesman qualified the blunder by making the following ambiguous statement:

> The United States has consistently supported the territorial integrity and unity of the Congo.

Since when has the Congo been unified, and since when has the Congo's integrity been threatened from outside aggression?

The fighting that has been going on in the Congo in recent days is clearly and obviously a matter of internal affairs. It has nothing to do with the security of the United States or the question of Communist aggression. The planes and 150 Americans were not dispatched to the Congo for the traditional reasons for American intervention, that is, to airlift or protect American citizens in grave danger. There has been no indication that any Americans were in danger, and in fact, the planes and American men were dispatched to the Congo by President Johnson at the request of President Joseph Mobutu, whose regime has ruled by fear and bloodshed for 7 years.

Mr. Speaker, what are we now, world policemen? Where is the United Nations?

Here we are supporting the Mobutu government with planes and men while the United States is waging an increasingly costly war in Southeast Asia. The President talks about cutting domestic spending to help finance the Vietnam war and yet he thoughtlessly goes charging into the Congo. Let me raise this one question: What would happen if one or more of these planes were shot down or if American lives were lost in this exercise? Would he send more planes and more American personnel? Would we escalate or tuck tail and run?

The Mobutu government, Mr. Speaker, as you may recall, condemned to death by hanging former Congo Prime Minister Kimba and four other Cabinet members in 1966. The trial lasted a total of 30 minutes, and it was conducted without any judicial procedure or defense counsel. The five men were publicly hanged the next day with hoods over their heads, it was reported in the press, because their eyes had been brutally gouged out the night before.

The Mobutu government made no attempt to disassociate itself from a bloody incident. As a matter of fact, according to press reports, Mobutu simply made a carnival out of the whole business by issuing invitations to the hanging and providing entertainment for the guests.

The United States would be much better off if the Johnson administration practiced a good deal more thinkmanship and a good deal less brinkmanship.

RESIGNATION OF SECRETARY FREEMAN CALLED FOR

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHERLE. Mr. Speaker, I rise today to call for the immediate resignation of Mr. Orville Freeman as Secretary of Agriculture. I do so because Mr. Freeman has lost faith with the American farmer and because he has consistently failed to carry his weight with regard to this administration's decisions affecting the farm people.

Freeman's recent actions before two separate congressional committees of agriculture can best be served by his immediate resignation. It is quite apparent that the tension, frustrations, failures, temper flareups, and inability to understand the farm problems have caused Freeman to lose his effectiveness.

His continued presence as a member of President Johnson's Cabinet will seriously jeopardize the effectiveness of the Department of Agriculture in meeting its responsibility to the American farmer. If Freeman is sincere in helping the farmers of America, rather than the administration, then he should resign his position and allow agriculture to prosper and find its rightful place in our society.

My colleagues, Mr. Freeman claims to have done a good job for America's agriculture. He razzle-dazzles a few figures about net farm income increases since he took over and expects us to be happy. Well—we are not.

How can we be happy when we labor long and hard in an honorable vocation but are not able to share in this Nation's general level of prosperity or when we see parity percentages at depression levels.

How can we be happy when our chief spokesman advocates offshore purchases for Vietnam, or the curtailment of pork and dairy product purchases by the Department of Defense. On top of this he had the nerve to misrepresent his involvement in these decisions. My colleagues, I am sure you have all heard of the "Dear Bob" letter.

How can we be happy when huge quantities of grain are dumped on the domestic market in order to break or depress grain, cattle, hog, mutton, lamb, and poultry market prices.

How can we be happy when the Secretary refuses to use his power and influence to secure a reduction in meat imports.

How can we be happy with a Secretary of Agriculture who has permitted crushing levels of dairy imports to flood the American markets, without an effort to obtain reciprocal trade concessions, and who fails to act to stem this tide because it might jeopardize the Kennedy round negotiations—all while thousands of dairy farmers are being driven from their farms.

How can we be happy when the Secretary of Agriculture has permitted or encouraged the development of a farm program geared at the elimination of the family farm, under a definition which includes 43.8 percent of the farmers in my State of Iowa—that is 67,596 farms in the Nation's No. 1 agricultural State.

How can we be happy with a Secretary of Agriculture who, in 1966, expressed pleasure that farm prices had dropped, and who has consistently failed to counter the widespread impression that farmers are causing increased consumer prices.

How can we be happy with a Secretary of Agriculture who stands 100 percent behind the domestic spending schemes of this administration which are sending the costs of farm production to recordbreaking heights, while net farm income in 1967 is predicted by the Department's economic research service to drop 5 percent.

No, my colleagues, we farmers are not happy.

Just what has this man done—well I will tell you. He has asked that farmworkers be unionized and that the portion of the war on poverty devoted to rural areas be increased. Does he think he has done his job as Secretary of Agriculture if he can get the OEO to bolster his farm income statistics.

My colleagues, this man of "Slip, Slide and Duck" fame, who has also become known by such other descriptive labels as "Alibi Orville" has completely lost his effectiveness as a member of the Cabinet. He needs to be replaced—I declare a vacancy in the chair which is supposed to represent the interests of agriculture and ask the President of the United States to fill that vacancy.

SECRETARY OF THE DEPARTMENT OF AGRICULTURE ORVILLE FREEMAN

Mr. POAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE, Mr. Speaker, it has just been suggested that the Secretary of Agriculture should resign.

It seems to me that those who make such a suggestion should come up with some suggestion as to just how this would improve anything. Certainly, farm prices are not nearly as high as they should be. They are not as high as I want them, they are not as high as Mr. Freeman wants, but they are higher than some of his critics want—I am not referring to any Member of this House.

You may disagree with the Secretary of Agriculture, and I have often disagreed with him. In fact, I find myself in disagreement with him on a number of matters right now. I do not expect to agree completely with any Secretary of Agriculture, but every Secretary of Agriculture is faced with many most difficult problems.

Mr. Speaker, any of us who has given any consideration whatsoever to the situation, knows that it is most difficult to serve as Secretary of Agriculture and to achieve many of the results that anyone wants. The Secretary cannot fix prices and I do not want him to have that power.

I do not believe anyone can say with any degree of fairness that the present Secretary has not been diligent and has not acted intelligently and has not been forthright and has not been on the job working for the farmers of the United States. He has given me the impression of far deeper interest in the farm problem than have many of our colleagues.

Now, Mr. Speaker, it is easy enough to criticize, it is easy enough to say that the Secretary has not made a success of the projects which he has undertaken but, perhaps, he would make a much greater success if he had the cooperation of some of those who are now criticizing. There are altogether Members who feel that their only responsibility is to criticize. I feel that criticism of any public servant is always in order if it is of a nature to improve the situation. I do not think it is either helpful or responsible to criticize just to criticize.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I am sorry. I have only 1 minute and cannot yield to the gentleman.

Yet, there is no suggestion, Mr. Speaker, as an alternative. I listened to the gentleman from Iowa [Mr. SCHERLE], and I heard no suggestion as to what we should do. No suggestion as to what we want in a Secretary, or what kind of a Secretary we should have, nor who the gentleman from Iowa wants in place of the present Secretary. If you have a better man to offer, bring him forward, but until you can suggest some improvement, it would seem to me unwise to kick out a man of far more than ordinary ability.

Mr. Speaker, it seems to me to be most unfounded and inopportune advice. The gentleman simply says, "Resign and get out," without offering anything any better. I do not believe any of the Secretary's critics can offer anyone who can do a better job. Orville Freeman is not a perfect Secretary. Few of us are perfect Congressmen, but Mr. Freeman is the best Secretary we have had since most of our Members came to this House, and he is the best who has been suggested, so let us help him be the kind of Secretary we want.

SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I would like to say to my good friend the gentleman from Texas [Mr. POAGE] that I do have a suggestion, and that is that he should be made Secretary of Agriculture. That would be an improvement.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman.

Mr. POAGE. Mr. Speaker, I would say in reply that with friends of that kind I do not need enemies.

Mr. ARENDS. Mr. Speaker, I would merely say, in addition to what I have already noted, and call the attention of the House and of the chairman of the House Committee on Agriculture, that, regardless of what is presently going on in the Department of Agriculture, something is wrong. I so well remember that in 1951 farmers at country elevators were selling corn for around $1.70 a bushel. Today, 16 years later, farmers at the country elevators are selling corn for $1.22 a bushel. This means farmers, with very substantial increases in farm operation costs, plus inflation pressures all over the place, are in a terrific price squeeze. I repeat: something is wrong and everyone interested in farming and the production of feed grains needs help and the Secretary of Agriculture ought to do something about it.

SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, I have just heard the suggestion by the gentleman from Iowa that the Secretary of Agriculture should resign. Then the gentleman from Texas suggested that he was not in complete agreement with that recommendation. I must say that I am not in complete agreement with it either in that I think the gentleman from Iowa who made the original suggestion did not go far enough. I would think the real need is for a complete new administration.

SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, I have heard the suggestion made that the Secretary of Agriculture should retire or resign. I do not believe he should. But I have also heard as a possible substitute the name of Mr. POAGE offered, and I would like to place in nomination for the office of the Secretary of Agriculture the name of JOSEPH Y. RESNICK of the State of New York.

SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, I also have a candidate to place in nomination for the office of Secretary of Agriculture. It is Grandma Moses. Grandma, or almost anybody else, could do the job much better than it is being done right now down in the Department of Agriculture. In a more serious vein, I do believe this administration has bungled our agricultural economy and that it is past time to replace the present Secretary of Agriculture with a competent substitute. I have no serious candidate for the post.

THE ELECTORAL COLLEGE SYSTEM

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, the Honorable Lee A. Donaldson, majority leader of the Pennsylvania State House of Representatives, and a number of his Republican colleagues are sponsoring a resolution requesting Congress to propose a constitutional amendment which would end the electoral college system of electing the President and Vice President.

I strongly endorse their efforts in the Pennsylvania State House of Representatives to replace the electoral college system with a direct popular vote for the Nation's two highest offices.

Representative Donaldson and the other Pennsylvania legislators who have joined with him have my strong support for their concerted effort to bring about abolishment of the electoral college system.

The present electoral college system is riddled with defects. Its winner-take-all feature, under which the candidate who receives a majority of the popular vote gets all of the State's electoral votes, effectively suppresses all minority votes. It is in direct conflict with the principle of one man, one vote.

Under the present system it is possible for a man to be elected President even though his major opponent has received more popular votes. This has happened three times.

The direct popular vote system for which Representative Donaldson and the other Pennsylvania legislators are working seems to be the best possible solution. It is the plan put forward by the American Bar Association's Commission on Electoral College Reform.

The proposed constitutional amendment would provide for the election of the President and Vice President by direct, nationwide popular vote. A candidate would be required to receive at least 40 percent of the popular vote in order to be elected.

In the event no candidate received 40 percent of the nationwide popular vote, a runoff election would be held between the top two candidates.

I congratulate Representative Donaldson and the Republican legislators who have joined with him in this effort. I stand ready to support their efforts in the House.

DEESCALATION IN VIETNAM

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, on Monday, July 10, I proposed, on behalf of seven of my Republican colleagues, Mr. DELLENBACK, Mr. ESCH, Mr. HORTON, Mr. MATHIAS of Maryland, Mr. MOSHER, Mr. SCHWEIKER, and Mr. STAFFORD, a plan for the gradual deescalation of the war in Vietnam.

We have been greatly heartened by the amount of comment the proposal has stimulated, both in the leading news media of the country, and in the letters we have received, not only from our own constituents but from thoughtful citizens throughout the Nation.

Editorial comment has been particularly favorable. I was especially pleased with the thoughtful editorial "Worthy of Study" which appeared in the newspaper of my home city, Lowell, Mass. The Lowell Sun said that the plan "is worthy of deep study by the President and all other officials interested in putting an end to this costly war."

The Baltimore Sun, endorsing our effort to encourage dialogue on possibilities for peace, wrote:

> It is heartening to know that some men in places of responsibility have refused to

stop thinking about the possibility, bare possibility though it may seem, to an honorable end to the fighting.

The Washington Post, the Detroit Free Press, the Ann Arbor News, and the Harrisburg, Pa., Patriot have also commended the proposal. I include all six editorials in the Record at this point:

[From the Lowell (Mass.) Sun, July 11, 1967]

Worthy of Study

The proposal made by Rep. F. Bradford Morse (R-Lowell) and seven of his Republican colleagues in Congress, for a new approach to a diplomatic initiative to bring an end to the conflict in Vietnam, is worthy of deep study by the President and all other officials interested in putting an end to this costly war.

Admittedly, it does not have all of the answers and, in view of the attitude of the Viet Reds, it might never get off the ground, but it should be studied and considered as a possibility.

It is a middle-of-the-road plan, neither Hawk-ish nor Dove-ish, and it stresses the fact that so long as this conflict is "a limited war" neither side can hope to win by military force.

The main theme of the proposal is that it would permit de-escalation of the conflict without any "loss of face" to either side; and it is this theme that leaves much open to doubt.

It is open to doubt not because of North Vietnam, but because North Vietnam is dominated by Communist Russia, which appears most ready and willing to provide the Viet Reds with all the materiel of war it needs to keep a half-million American troops tied up in a jungle conflict in Southeast Asia and to sap the financial reserves of the United States to the tune of millions of dollars daily plus a heavy battle toll.

That Russia would throw any of its troops into this war appears most unlikely, and the same is true of Red China, for those two Communist nations are involved in an ideological struggle that could become a major conflict overnight.

The whole theory of world domination by the Communists is to wear down the opposition through these brush-fire wars while keeping their own forces intact to serve as a lever against total war and its devastation that could leave little in the world worth saving.

North Vietnam today is just a pawn being dominated by Red Russia. If it were on its own, the war would end tomorow, for an unsupported Viet Red Power could not stand up under the punishment it is being given.

If Hanoi would recognize the fact that it is being used as a pawn by the Communist overlords, it would be different.

As it stands today, any negotiations, however secret their planning might be, would be subject to Soviet domination and, as may be seen through Russia's attitude at the U.N. on the Mid-East crisis, the Communists are not eager to take any of the pressure off the free world.

Despite these handicaps, the proposal should be seriously considered for, as the proponents say in closing their statement:

"There is no panacea for Vietnam. The proposal offered here is not put forth as one. Without doubt it can be improved upon. But the best chance for peace lies not in giant power or in giant concessions. It lies in small steps, taken quietly—steps that make the position of each side credible to the other. This is now the task of responsible diplomacy in Vietnam."

[From the Baltimore Sun, July 11, 1967]

Thinking on Vietnam

The picture in Vietnam has improved in the past two years from desperate to dismal—dismal in the sense that no end is in sight, that we are told yet once again of military improvement and social and economic lag, that the state of South Vietnamese politics is one of minor chaos, that the costs go up and up and that the casualty lists grow heavier. Is there no way out, short of unthinkable surrender?

A group of eight Republican members of the House of Representatives, with F. Bradford Morse of Massachusetts as spokesman and Charles McC. Mathias, Jr. of Maryland as one of his associates, does not know a sure way out: but these congressmen still decline to throw up their hands. In a time when a prevalent tendency is pretty much to do just that, their statement of yesterday is worth thinking about. Their argument is that Vietnam "is still a limited war in every sense of the term and that there is an immense difference between the diplomacy of a limited war and the diplomacy of total war." What they propose is an American initiative in "staged deescalation," in line with the criteria of a policy, which as they state it:

Must not risk expansion of limited war to total war; must not risk significant erosion of the current military advantage of the United States; must induce (by careful degrees) a growing atmosphere of mutual confidence; must permit each side the opportunity to claim initiative; must not require either side to "lose face" and must be susceptible to verification and implementation through the private channels of diplomacy.

"Hawks" won't approve of that, nor will "doves," but to the many worried and concerned Americans who come between those too-easy extremes it is heartening to know that some men in places of responsibility have refused to stop thinking about the possibility, bare possibility though it may seem, of an honorable end to the fighting.

[From the Washington Post, July 11, 1967]

Vietnam Measurement

Proposals of Representative Bradford Morse of Massachusetts and seven Republican colleagues for a scaled de-escalation of the war in Vietnam are themselves less impressive than the thoughtful review of the situation out of which this suggestion emerged.

The Congressmen have proposed a quiet staged reduction of bombing that would cut it back from one parallel to another if initial steps produce reciprocal de-escalation. It is a kind of pause that has much to recommend it over a cessation of bombing and over a diminution of a limited period. It is to be feared that no ingenious gimmickry will achieve the purpose in mind, but the Congressmen must be given credit for taking a fresh look at the problem and for producing an imaginative alternative to the present course.

It is this sort of imagination and ingenuity that ought to mark the review of Vietnam policy that will commence when Secretary McNamara returns. Those most committed to the fulfillment of American obligations in Southeast Asia will not be content, this time, with a mere repetition of previous optimistic cliches about the progress of the war. If the criterion of progress is a rise in the kill rate inflicted on the enemy, it is correct to say that there is progress. But, in a larger sense, there is no progress unless events move toward the day when South Vietnam can defend its own sovereignty and integrity. And no one can say, at this juncture, that the tactics of the past have much advanced that day and hour, however gratifying it is to know that the possibility of a purely military defeat has been diminished.

Alternately, the country is told that the key to progress is pacification in the South and the destruction of main force units in the North. And there have been successive assurances by the military that the chief requirement for progress in both of these areas is more men. As each successive increase has been achieved without decisive consequences, public confidence that the only thing required is more men has diminished. The country will not be content with the time-honored medical cliche that the operation is a success but the patient fails to rally. The country, like the patient's relatives, is less interested in the technical triumphs of military surgery than in the progress of the patient. This is the real standard of measurement that must be put on Vietnam operations.

Perhaps the President is the only one in a position to employ such a standard—to see Vietnam in its totality, militarily, diplomatically and politically. It is to be hoped that he will sternly apply that measurement. If, on applying it, there is need for more troops and more money, the country will support this hard decision, but only if it is convinced that there is also being made available more imagination, more ingenuity and more invention.

[From The Detroit (Mich.) Free Press, July 11, 1967]

A Dialog May Begin

The significance of the "staged de-escalation" plan put forth by eight House Republicans is not in the plan itself, but that they came up with a plan at all.

Instead of an immediate halt to the bombing of North Vietnam, or an all-out war, they called for de-escalation by degrees—literally. They proposed a 60-day moratorium on bombing north of the 21st Parallel, which would include Hanoi but not Haiphong. If, during the 60 days, Hanoi also made some de-escalation move, the congressmen propose to take another step, to the 20th Parallel, which would include Haiphong. Then, in three more stages, to the DMZ.

The Republicans, including Rep. Marvin Esch of Ann Arbor, make a good case for their plan—from the American point of view. They argue that small steps are more credible than giant ones, and that their proposal is at least flexible, which the administration's plan isn't.

The fallacy in their argument is that there is no comparable way for the North Vietnamese to de-escalate. As Ho Chi Minh has pointed out, Hanoi isn't bombing the United States. His only move would be to reduce ground infiltration, which he could not do so long as the United States continues to send in more men and supplies.

This, it seems to us, dooms the plan before it could begin. But of more importance is the fact that House Republicans, following the lead of Senate Republicans, have begun a debate with the administration.

This would seem to overthrow the Vandenberg adage that partisanship stops at the water's edge, but Mr. Esch pointed out that it was already obsolete.

"The Vandenberg concept . . . has been used by the administration to justify unilateral action without adequate involvement, reporting and consent of Congress," he said. "The late senator from Michigan did not conceive of such a process."

Neither party is united on the Vietnam war or its prosecution. The Senate GOP white paper was quickly denounced by Sen. Everett Dirksen and Rep. Gerald Ford. But at least some Republicans spoke out.

Before them, criticism of the Johnson policies was left almost entirely to such Democratic senators as William Fulbright, Wayne Morse, Ernest Gruening and Mike Mansfield. Since they could get nowhere within their own party, no dialog ever developed. The only effective congressional criticism, or even questioning for that matter, came from Sen. Fulbright's hearings of the Foreign Relations Committee.

Now, hopefully, that has changed. When even a handful of House Republicans joins the staff of the Senate Republican Policy Committee, a time for questioning and of reappraisal is near. Let it be sooner rather than later.

[From the Ann Arbor (Mich.) News, July 11, 1967]

GOP GROUP AT LEAST SPEAKING OUT ON WAR

The "peace plan" sponsored by a group of Republican congressmen including Rep. Marvin L. Esch of Ann Arbor is neither dissent in the Fulbright-Morse sense nor radical departure from what ostensibly are Johnson Administration objectives in Vietnam. Those objectives were enunciated by Secretary of State Dean Rusk a few days ago, and it's fairly certain that most, if not all, the members of Esch's group would support those objectives.

Of course they were stated in general terms. Everyone is for elected, representative government in South Vietnam. The terrorism should be stopped and the South Vietnamese should have every opportunity to work out their own future.

The plan set forth by the Republican moderates is critical of the "stand-pat" policy of the Administration. It is equally critical of the ultras—the hawks at one end of the spectrum and those who would stop all bombing at the other.

Under the concept of "staged deescalation," the first step would be up to the United States. The success of the entire plan hinges on this first step and the reaction of the Hanoi government. Since step No. 1 involves a cessation of all bombing in North Vietnam north of the 20th parallel for 60 days and since the U.S. made a similar conciliatory gesture once before without managing to scale down the war, step No. 1 doesn't appear likely to win favor from the White House.

Whatever its flaws (and the Republican moderates' plan is as much prey to the caprices and stubbornness of Hanoi's leaders as all the plans which have gone before) it is good to find the Republicans in Congress finding their tongues on Vietnam. Long silent on the matter (and by their silence consenting to Administration policy) or at best criticizing the President for such sins as "credibility gaps," the Republicans have provided their votes when they should have raised their voices.

The moderates' plan is timely, if nothing else. Secretary McNamara has been asking questions of Gen. Westmoreland and South Vietnamese officials. As things look now, the war is for the Americans to win, but victory is for the South Vietnamese to savor. The war should be for the South Vietnamese to win and McNamara was in Saigon to find whether they were carrying their share of the load.

The strength of the Republican plan lies in whether it will attract sufficient support from both sides of the aisle. If its sponsors win over a large number of congressmen and senators from both parties, the White House in turn would feel the pressure to draft more imaginative measures to scale down the war.

Congressman Esch and his colleagues must be commended for offering a proposal which bears the stamp of Republican origin and creativity. The plan may go nowhere, but it will have seen the light of day and that is promise enough that the idea impasse in Washington (as it pertains to scaling down a war which grows in intensity with each passing year) is being assailed by some hitherto unheard-from sources.

[From the Harrisburg (Pa.) Patriot, July 11, 1967]

ALTERNATIVES—THEY MUST BE FOUND IN VIETNAM

Alternatives to further escalation of the war in Vietnam, even at this late date, still exist. It is still not too late for the United States to adopt a course less costly in American lives and resources and less risky of wider consequences.

That there are other ways out of the present bloody status quo than once again raising the stakes to higher and more deadly levels has been emphasized, on the one hand, by a group of eight Republican congressmen and, on another, by John Kenneth Galbraith, chairman of Americans for Democratic Action.

The GOP group, which includes Rep. Richard S. Schweiker of Pennsylvania, proposes a suspension of all bombing of North Vietnam as a first step in a "staged de-escalation" dependent on matching gestures by Communist forces. Mr. Galbraith proposes a suspension of the bombing and adoption of a "defensive" posture by our military similar to "enclave" proposals made in an earlier stage of the war.

The Republicans, headed by Rep. F. Bradford Morse of Massachusetts, are not as innovative or sweeping in their alternative proposals as Mr. Galbraith. This may be merely in deference to the political realities of their own position; after all, the Republican Party has, if anything, been more hawkish than the Administration. In any case, the GOP group's demand for reciprocal actions by the North Vietnamese may be too similar to Administration proposals which have already proved to be unpalatable to Hanoi.

Mr. Galbraith, meanwhile, pegs his views to a broad plea that Americans at all levels reject our own official propaganda and begin to recognize certain truths about Vietnam. One such truth, he says, is that the rest of the world does not share our official belief that any form of government, even a military dictatorship, is preferable to communism—especially a communism that would apparently be as fiercely nationalistic and independent as Yugoslavia's.

Neither the House Republicans' proposal nor Mr. Galbraith's may be a workable alternative to whatever plans the Administration has in mind. But both are certainly more attractive than the prospect of sending still another 100,000 or 200,000 American boys—to use a phrase once spoken by President Johnson—to do what Asian boys ought to be doing for themselves.

RIOTS MUST BE STOPPED

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. NELSEN. Mr. Speaker, unprincipled agitators, taking advantage of unfortunate slum conditions, have brought death, destruction, and bitterness to innocent Americans of all races.

Congress therefore must take the strongest possible steps to prevent the further pillage of the Nation's cities, and to smother the spread of racial intolerance which is an evil end product of rioting.

For such reasons, I strongly support the antiriot legislation scheduled in the House today.

It is a documented fact that certain agitators are traveling about the Nation stirring up riots. The additional views of House Report No. 472 which accompanies H.R. 421 to the floor states:

> Many of these summertime race riots have been traced back to roving troublemakers who purposely travel about this Nation to incite riots.

To ignore this threat to organized society is to invite its destruction.

The antiriot bill coming before the House provides criminal punishment for those who travel interstate or use interstate facilities, including the mail, to incite, organize or promote a riot. Individuals found guilty of causing riots or other violent civil disturbances could be punished with a fine up to $10,000 or a 5-year jail sentence.

Mr. Speaker, we all realize this legislation is no panacea in halting the riots which have swept the country the last few years. But if this bill can save one human life, spare one small shop from flames, deter one Molotov cocktail, then it will have served a worthwhile purpose.

I do not believe the antiriot bill meaningfully infringes on the basic rights of free speech and peaceful assembly, as some have charged. There is no license to loot. Commonsense tells us no one has a basic right to cause the death of other human beings, or to destroy their property. It is a well-established principle of U.S. law that individual freedom does not include the right to murder, maim or destroy another citizen's livelihood, nor to willfully ignite inflammatory situations which result in such catastrophes.

This legislation is not designed in any way to limit legitimate, peaceful meetings of protest or public assemblies petitioning for a redress of grievances. It is designed to deal firmly with lawless crackpots who think they have an unlimited right to carpetbag around the country, bringing fire and death to city after city.

It is crystal clear the riots are tragically destroying the racial progress won by decent, law-abiding citizens, both colored and white, over many years. It is our hope the proposed legislation will assist in preventing further riots following its expected passage by Congress.

MILITARY RETIREMENT EQUALIZATION

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GURNEY. Mr. Speaker, I am today introducing legislation which would fulfill a promise we made to military retirees—a promise we subsequently broke.

Those in the military who retired prior to June 1, 1958, were entitled, under the terms of their retirement, to 2½ percent of the current monthly base pay for each year of service up to 30. Their pay, then, would increase as active duty pay increased, thus keeping them up with the economy and cost of living.

On June 1, 1958, a law became effective which stated that those who retired before that date were not entitled to any increase based upon the new rates in active pay.

Military pay has always been comparatively low in contrast to civilian wage rates. This was largely due to the liberal retirement system and many men accepted the low pay rate in exchange for the benefits of the retirement program. They had every reason to believe that the Government would keep its bargain.

But the Government did not, and the military retiree found himself in the same state as many others on public retirement—having to wait for the infrequent cost of living increases which lag far behind the actual rise in living costs.

No provision was made to keep faith with those who had entered and remained in the service under the old system. The following table illustrates clearly the grave discrepancies between current retirement rates for men of equal rank and years of service:

	Date retired—					Overall differential	
	Before June 1, 1958	After June 1, 1958	After Apr. 1, 1963	After Sept. 1, 1964	After Sept. 1, 1965	Amount	Percent
Colonel	$771.26	$809.82	$849.56	$870.78	$884.03	$112.77	14.6
Lieutenant colonel	606.83	637.16	692.96	710.34	721.13	114.30	18.8
Major	516.61	517.96	579.42	593.83	603.00	86.39	16.7
CWO W-4	465.89	489.18	536.36	549.67	558.00	92.11	19.7
E-9	(1)	361.75	438.48	449.37	477.68	115.93	[2] 32.0
E-8	(1)	312.42	391.50	401.21	426.60	114.18	[2] 36.5
E-7	292.29	287.76	352.35	361.28	384.06	96.30	33.5

[1] E-8 and E-9 grades not established until June 1, 1958.

[2] Based on pay scales of 1958 Pay Act.

Retired military people are in a different situation from retired civilians. The civilian has no further obligation to his former employer, whereas military personnel are subject to recall to active duty. In addition, the military man has limitations placed on his employment and activities.

The salaries received by retired servicemen are not solely for past services but are a means of assuring their availability and preparedness for future demands which their Government may need to make upon them.

Thus, these older members of the military community were placed in the utterly inequitable position of having drawn a comparatively small pay while in service, in anticipation of a generous retirement or retainer pay system, only to see that generous system scrapped for a cost-of-living system of pay adjustments about the time they entered upon retired status. Under this system, their retired pay is forever based upon inadequate active duty pay rates previously in effect.

But of all the losses which have been suffered by military personnel, the most damaging has been the failure of the Government to honor its obligation based on the tradition of 100 years of usage, to compute the retirement or retainer pay of the retired personnel of the Armed Forces on the basis of the current base pay of the active duty personnel.

Military personnel retire from active service at earlier ages than most civilians. The result, of course, is that active duty, with its higher pay and cash allowances, must be terminated for many persons with growing families at a time when a reduction of income hurts the most.

Then, too, since pay scales at all levels in the American economy are escalating rapidly, providing a higher standard of living, and since the military retiree usually terminates his active career at an early age and becomes dependent for pay increases based solely upon raises in the cost of living, he faces his later years with the certainty that his income, as compared to the national average, will become smaller and smaller.

Mr. Speaker, I am hopeful that the Armed Services Committee will act as quickly as possible to restore the military retiree to the pay status he was assured when he entered the service of his Nation.

PERSONAL STATEMENT

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the quorum call on Tuesday—House Roll No. 162—has me recorded as present. I was not. I regret to inform you that I was absent because I was attending my mother's funeral in New London, N.H.

On the one record vote taken that day, on the passage of H.R. 10805, to extend the Civil Rights Commission for 5 years, I would have voted "yea" had I been able to be present. This is the same way I voted on a similar bill in 1963, then to extend the life of the Civil Rights Commission for 1 year. In 1964, I voted for passage of the Civil Rights Act of that year, which included extension of the Civil Rights Commission for 4 years, to January 31, 1968. My vote this year would have been consistent with votes of these past years.

Because of the same unfortunate situation, I must return to my home in New London, N.H., early this afternoon. Because there is some uncertainty in today's schedule, I will state my position or positions on legislation we consider and vote on today next week.

THE CHANGING STRATEGIC MILITARY BALANCE: UNITED STATES VERSUS U.S.S.R.

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the defense of this Nation and, indeed, of the free world is always a pertinent topic. And it is with this in mind that I call to the attention of Members of this body a report just issued by the Armed Services Committee, "The Changing Strategic Military Balance: United States versus U.S.S.R." This study was done for the committee at the request of the chairman, and with the assistance of the Library of Congress, by the National Strategy Committee of the American Security Council. Copies have been printed by the American Security Council and it is also available as a committee report.

Basically, it is a rational, well documented, unemotional discussion of the United States and the U.S.S.R. in terms of strategic objectives, strategic military balance, and weaponry. What it says is that the Soviet Union is succeeding in an all-out push to gain military superiority over the United States and that if we want to counter their drive and eliminate the threats of both nuclear blackmail and literally overwhelming superiority, we better start soon. The report places major emphasis on arguments for and against development of an anti-ballistic missile system and finally states the warning that—

> By placing our sole reliance for deterrence on ICBM's, Polaris and Poseidon missiles, and the remaining manned bomber force, the United States places itself in the dangerous position of having only one option left if it is faced with a Soviet ultimatum to surrender. It must either fire its offensive nuclear weapons or give up its sovereignty.
>
> An ABM would at least strengthen the hand of the President if he is confronted with such a fateful decision, and it might stay the hand of an enemy at a critical moment in history.

Since the United States has repeatedly pledged use of nuclear weapons only on a "second strike" basis, this leaves a rather short list of options.

Granted, the report is limited in that it studies only nonclassified sources of information, but these appear to be sufficient, the persons involved are of the highest caliber and only in this way could the findings and arguments be made public without risking national security.

Although the report deserves close study as a whole, I would like to place in the RECORD three newspaper articles which report the study and reaction to it. The first is from the Baltimore Sun:

UNITED STATES CALLED SLIPPING FROM A-BOMB LEAD—RETIRED MILITARY LEADERS BASE CHARGE ON MEGATON COMPARISON; PENTAGON DISPUTES IT

(By Charles W. Corddry)

WASHINGTON, July 11.—Seventeen authorities on defense, most of them retired officers who formerly held high commands, declared today that the Soviet Union appears to be succeeding in its effort to gain "strategic military superiority" over America.

The United States, these critics contended in a 100-page booklet, "is cooperating in this effort by slowing down its side of the arms race."

MEASURE OF FIREPOWER

Their contention as to eventual Russian strategic superiority was based chiefly on a comparison of the nuclear "megatonnage" which they claim each country has now and will have in the future. Megatonnage is a measure of the yield of nuclear weapons, one megaton being the equivalent in explosive power of 1,000,000 in tons of TNT.

"After all, weapons-yield as expressed in megatonnage is the measure of firepower in the nuclear age," said the booklet, *The Changing Strategic Military Balance—U.S.A. vs. U.S.S.R.*"

The study, immediately challenged in a Pentagon rebuttal statement, was prepared at the request of the House Armed Services Committee by an American Security Council committee headed by Gen. Bernard A. Schriever.

The General, who retired last year, headed the intercontinental ballistic missile development program in the 1950's and was commander of the Air Force Systems Command for seven years prior to leaving the service.

The American Security Council, headquartered in Chicago, describes itself as a "nonprofit association engaged in national security research and education."

In forecasting a gloomy future, with Russia paramount in megatonnage that its missiles and bombers could deliver against the United States, the study relied on large quantities of non-secret, previously published information from specialized and general circulation publications.

The conclusions this reached as to megatonnage in both the American and Soviet arsenals were mystifying to defense authorities here because they were vastly at odds with the Government's best assessments.

The Schriever report said the United States in 1962 had a "total megatonnage delivery capability" ranging from a low estimate of 25,000 to a high estimate of 50,000 megatons. This was compared with low and high estimates for Russia of 6,000 and 12,000 megatons.

CROSSOVER PERIOD

A "crossover" period has arrived, the study said, finding the United States in 1967 with a low estimate of 8,000 and a high of 20,000 megatons compared with low-high estimates for Russia of 16,000 and 37,000 megatons.

For 1971, it was forecast that America's capability will drop to a low-high range of 6,000 to 15,000 megatons while Russia's may be 30,000 to 50,000 megatons.

"For 1971, it appears that a massive megatonnage gap will have developed," the report said. Its projection indicated "The United States and the U.S.S.R. will have reversed their roles in a ten-year period."

PENTAGON COMMENT

It was this collection of estimates—from published sources rather, apparently, than from the critics' knowledge of secret material—that mystified defense authorities here. Without revealing the secret statistics on American and estimated Soviet nuclear stockpiles, experts said the private study's estimates for both countries were greatly higher than the facts warrant.

One explanation may be that, in computing the megatonnage of missile warheads like those on the Minuteman, the writers of the report used published estimates, which are often inflated. One estimate, for example, shows the Minuteman as having a one megaton warhead. In fact, its warhead does not approach that power.

NO QUARREL ON POINT

There was no quarrel, however, among informed sources willing to discuss the report, with its conclusion that a "crossover" point may be at hand. The United States has based its strategy for nuclear war on the conviction that many small nuclear warheads can do more damage to enemy military and population targets than a much smaller number of warheads in the ten-megaton class.

A single missile, for example, might carry either a ten-megaton warhead or more than a dozen relatively small nuclear devices. The Pentagon is convinced that the surest force for penetrating enemy anti-missile defenses and destroying targets is the missile with the large number of warheads.

DETERRENT FORCE

In its statement on the Schriever report, the Defense Department said it does not base weapons decisions on numbers or megatonnage ratios but on the type of force that "will deter a nuclear attack on this country by being unquestionably able to destroy the attacker in a retaliatory strike."

The United States has and will continue to have "more than enough" weapons to convince any enemy that an attack would be "suicidal," the Pentagon said.

Representative Rivers, (D., S.C.), House Armed Services Committee chairman, said in transmitting the Schriever report to committee members that his panel took no position on its accuracy. He said, however, that the report "deserves careful analysis."

Participants with Schriever included Dr. Edward Teller, the nuclear physicist, Gen. Curtis E. Lemay, former Air Force chief of staff, Army Gen. Paul D. Adams, former commander of the United States Strike Command, Vice Adm. W. A. Schoech, former chief of naval material, Adm. Robert L. Dennison, former Atlantic Fleet commander, and Gen. Thomas S. Power, former commander of the Strategic Air Command.

Here also is the news article from the New York Times:

STUDY SAYS SOVIET CUTS MISSILE GAP—AT PRESENT RATE, RUSSIANS WILL HAVE BIG LEAD BY 1971, HOUSE PANEL TOLD

(By Neil Sheehan)

WASHINGON, July 11.—A study sponsored by the House Armed Services Committee has concluded that the Soviet Union will achieve a marked nuclear superiority over the United States by 1971 unless steps are taken this year to improve American strategic nuclear capabilities.

The 103-page study, released by the committee today, was conducted by the American Security Council, a private research organization, at the request of the committee chairman, Representative L. Mendel Rivers, Democrat of South Carolina.

The council has among its members a number of retired senior military officers, including Generals Curtis E. Lemay and Thomas A. Power, former Chiefs of Staff of the Air Force, and Dr. Edward Teller, the principal developer of the hydrogen bomb.

SCHRIEVER LED PANEL

Gen. Bernard A. Schriever, retired chief of the Air Force Systems Command, headed a special subcommittee of the council that supervised the study.

The study argued that if the Soviet Union continued with its current strategic nuclear development, and the United States did not alter its own strategic planning, "a massive megatonnage gap will have developed" by 1971.

By that time, the study asserted, the Soviet Union will have a nuclear delivery capability of at least 30,000 megatons, and possibly 50,000 megatons, while the United States delivery capability in 1971 will range from 6,000 to 15,000 magatons. A megaton is the equivalent of a million tons of TNT.

Delivery capability refers to the amount of megatonnage the available bombers and missiles are able to hurl against an enemy nation.

"The preponderance of the evidence points to the conclusion that the Soviet Union is succeeding in its massive drive toward strategic military superiority and that the United States is cooperating in this effort by slowing down its side of the arms race," the study asserted.

In a statement, the Defense Department did not directly contradict the study's findings, but argued that deliverable megatonnage was not an accurate indicator of "true military capability."

"It is most important to be clear that numbers of weapons and size of warheads alone are a very incomplete indicator of military strength," the Pentagon statement said.

TRUE CAPABILITY DEFINED

"True military capability results from numbers of weapons that are accurate and reliable, that can survive an enemy attack and that can penetrate enemy defenses," it said.

"The United States has and will continue to have more than enough of such weapons to convince any enemy that an attack on this country would be suicidal."

The statement emphasized that American nuclear strategy consisted of attempting to deter nuclear war by maintaining sufficient capability to inflict prohibitive damage on an enemy in a retaliatory strike, despite whatever damage an enemy managed to cause in the United States by a first, offensive nuclear attack.

"The present American strategic forces are capable of doing this," the statement argued. "The improvements we are planning will insure that we retain this capability indefinitely."

MULTIPLE WARHEAD STRESSED

In Congressional testimony in January, Secretary of Defense Robert S. McNamara contended that the United States had a three-to-one superiority over the Soviet Union in intercontinental ballastic missiles and submarine-launched Polaris types and a four-to-one lead in intercontinental bombers.

Since then, Defense Department officials have declined to give such ratios but have argued that the United States has a superiority over the Soviet Union of five or six to one in the number of warheads American strategic weapons could launch.

The study argued, however, that the Soviet Union had already gained at least parity with the United States in "deliverable" nuclear capability and that it might even have surpassed the United States.

Mr. Rivers was on the way to South Carolina today and was unavailable for comment. In his letter of transmittal to the other committee members he took no position on the views expressed.

He and a majority of other committee members are known, however, to favor strongly an immediate deployment of a United States antiballistic missile defense system. The Joint Chiefs of Staff also want to begin immediate deployment of a so-called thin missile defense costing from $3-billion to $5-billion.

The Sovet Union has already deployed such a system to some extent, but the Johnson Administration has declined to begin deployment pending the outcome of negotiations with Moscow aiming to placing a moratorium on missile defenses.

The study was based entirely on unclassified, published material on American and Soviet nuclear capabilities. Committee sources said the council paid the costs of the study, but Mr. Rivers obtained use of the research facilities of the Library of Congress.

In addition, here is the news story from the New York Daily News:

CLAIM SOVIETS AHEAD OF UNITED STATES IN ARMS RACE

(By Jerry Greene)

WASHINGTON, July 11.—A special study for the House Armed Services Committee held today that Russia has gained superiority in "deliverable strategic weapons," and indicated that the United States is losing the arms race by default.

The military analysis, hotly denied by the Pentagon, was signed by retired Air Force

Gen. Bernard A. Schriever and 17 other experts, members of the National Strategy Committee of the American Security Council.

In an accompanying letter with the report, Chairman Mendel Rivers (D-S.C.) said his Armed Services Committee "does not take any position as to the accuracy of the statements," but he believed the document "deserves careful analysis."

The report said Russia has been steadily building an accumulation of big nuclear weapons while the U.S., not matching the Soviets in warhead size, has been cutting back on delivery systems by eliminating old planes of the Strategic Air Command.

SOVIETS ARE SUCCEEDING

After summarizing weapons development of the last 10 years, the report said: "The preponderance of evidence points to the conclusion that the Soviet Union is succeeding in its massive drive toward strategic military superiority and that the U.S. is cooperating in this effort by slowing down its side of the arms race."

The Defense Department, obviously expecting a summons before the House committee to testify on the strategic position, issued a terse note in rebuttal. The Pentagon said the number and size of nuclear weapons was a poor indicator of total strength.

As these articles indicate the report and the Department of Defense are greatly at odds, as evidenced by comparison of Defense statements with a conclusion of the report which states:

> The United States does not appear to have a superior position in deliverable strategic weapons. There is still time to regain superiority but time is on the side of the one which uses it. Because of long lead times for weapons development and production, however, the decision to do so must be made in the year 1967.

THE TRUE LEGACY OF THE BOLSHEVIK REVOLUTION

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, this year marks the 50th anniversary of the Soviet October revolution, and in order to fully appraise its effects upon mankind during the last 50 years I have introduced today House Resolution 741, a resolution creating a House select committee to conduct a comprehensive study of this subject. This study would consider the global historical significance of the Bolshevik Revolution; the achievements of international communism in the field of spiritual and intellectual freedom, the so-called cultural revolution; achievements in economic progress, the so-called economic revolution; and progress in political freedom, the so-called political revolution.

At first glance, the need for Congress to undertake such a project might not be too apparent. But if one has been reading Soviet documents he is aware that for the U.S.S.R. this is a banner year in which monumental efforts will be made to sell to the world the benefits of the Soviet system.

On June 25 of this year the Central Committee of the Soviet Union issued a 25,000-word document commemorating the "50th anniversary of the Great October Socialist Revolution." One excerpt from the document reads:

> The strength of communism is inexhaustible, on its side is the truth of life. Only communism can solve the fundamental problems of social development, deliver mankind from oppression and exploitation, from hunger and poverty, from militarism and war, and establish on our planet democracy, peace and friendship between peoples, a life that is in keeping with the dignity of man.

If one is tempted to write this and other statements off as blatant propaganda, it might be prudent to consider the following observation of Wladyslaw Tykocinski, a Communist in the Polish Ministry of Foreign Affairs for more than 20 years until he defected to the West in 1965. He was referring to the respectability given to Stalin before his downgrading in 1956:

> How did it happen that this bloody megalomaniac who violated every principle of liberal humanitarianism was idolized by so many people throughout the world? Men do not normally revere cruel despots. How did Stalin pull it off? It is not so hard to understand in those countries where he could directly control the communications media, but his skill in influencing opinion in foreign lands was amazing. His development of this art of political warfare was one of his greatest achievements. This is the art of the big lie, the clever use of semantics and slogans, and the manipulation of witting and unwitting tools. His successors have learned to master the techniques he developed—and even Hitler and Goebbels were his pupils.

It is apparent that the Soviet current quest for respectability is having its effect in some quarters. One American newspaper editorial, commenting on the aforementioned June 25 statement of the CPSU, stated:

> True, this 25,000-word summation of party-line thinking is amply larded with hackneyed propaganda about such things as the "doom" of capitalism, America's "criminal aggression," and the "justice" of Communist-led "wars of national liberation" like the one in Vietnam. But nowhere in the long discourse is there any appeal to the workers of the world to unite, take up arms and overthrow their bourgeois governments and societies.

The device of this editorial writer is apparent. He simply refuses to give credence to those passages of the statement which refute his preconceived ideas. In the face of over 11,000 American dead in Vietnam, he shrugs off the reference to wars of national liberation as "hackneyed old propaganda." In the face of the wealth of Soviet armaments in North Vietnam, the editorial writer presumably chooses to also class as "propaganda" this excerpt from the June 25 CPSU statement:

> The Soviet people decisively support the Vietnamese people in their heroic fight against the criminal aggression of U.S. imperialism.

Instead of grasping at straws, it is evident that we should look at the Soviet record of the past 50 years in order to ascertain what the next 50 hold in store for our Nation. The last paragraph of the CPSU document reads:

> Future years will bring new victories to the teaching of Marx, Engels and Lenin, to the cause of communism.

Will these future victories include the United States?

Do the past victories include the aggression in Budapest, Hungary, in 1956? The Berlin Wall? The enslavement of Cuba? The martyrdom of the captive peoples in Europe, in China?

Are these the true legacies of the October Revolution during the past 50 years?

It goes without saying that a review of recent history is urgently needed if we are to provide a future in freedom for our children and grandchildren. We might well take an example from the Institute for the Study of U.S.S.R., a responsible organization in Munich, Germany, which last October held an international conference on "The October Revolution: Promise and Realization." Its findings proved that in every sphere of Communist theory and practice, but one, the October Revolution has been a failure. In the area of Soviet foreign policy alone, the leaders of the October Revolution had guessed right about the weaknesses in the foreign policies of non-Communist countries, and have been successful in fooling the rest of the world as to their intentions and objectives. They had won in many cases by default. The democracies contributed to their foreign policy successes.

When we consider that this Nation lost 33,000 American soldiers in battle deaths alone in the Korean war while the Soviets supplied armaments to the Chinese and North Koreans. And when we reflect that just a few years later we are again losing American lives in a war supported and supplied by the U.S.S.R., it is urgent that we ask ourselves where will this all end. How many wars will there be in the next 50 years and how many more American boys will be sacrificed?

The answer lies in part in an honest analysis of the theory and practice of Marxism-Leninism, its true legacy during the last 50 years, and its future designs on mankind in the years to come.

The people of the United States, as the final custodians of all governmental policies and actions, hold within their power the fate of this Nation and its maintenance as a free and sovereign Union. But to carry out their duties responsibly they require full and complete information to direct the course of government. To help supply this information the Congress has a prime responsibility. One student of government, former President Woodrow Wilson, in his book, "Congressional Government," states:

> It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents. . . . The informing function of Congress should be preferred even to its legislative function.

Perhaps not all will agree that the informing function of Congress is to be preferred to its legislative function, but I think it is generally accepted that the informing function is properly within its mandate. When one considers that Congress is currently seeking to protect the

American public with truth-in-lending legislation and fair packaging laws, is it remiss to ask that truth and fair packaging be applied to information regarding the very future of the entire Nation?

In this year of the 50th anniversary of the October Revolution the American public will be subjected to much misinformation on the Soviet benefits of the past 50 years. The House of Representatives can supply guidelines for American citizens evaluating the past 50 years and to responsibly plan for the future. This is the purpose of House Resolution 741, to review past congressional findings on the Soviet record and to make public expert testimony on present and future Soviet designs in the area of the peace of mankind.

ELECTRIC AVAILABILITY

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SAYLOR. Mr. Speaker, on June 28 I addressed the House to recommend that Government, industry, and the general public be prepared to accept scheduled brief periods during which electric service will be temporarily curtailed to prevent major breakdowns. I am at this time pleased to quote the following United Press International report of July 6 from Harrisburg, Pa.:

> State Property and Supplies Secretary Perrin C. Hamilton said today he has ordered a study to determine how state facilities can conserve electricity to help avoid a power blackout.
>
> Hamilton said he has directed his department's Bureau of Grounds and Buildings to devise the power reduction plan.
>
> He said the Commonwealth agreed to assist in implementing such a program along with other major power users after meeting earlier this week with electric company officials and Public Utility Commission Chairman George I. Bloom.

Mr. Speaker, the Federal Government and other eastern States, in particular, should follow Pennsylvania's lead in setting a program that may preclude recurrence of the power failures to which this part of the country has already been exposed. Utility service areas, once independent islands, are now largely a part of vast regional networks, and we have learned that a defective mechanism in Canada can stop the family dishwasher in Hoboken.

Because of the many U.S. Government buildings and other installations located in every State, officials should proceed without delay on a plan to cut down on power use whenever and wherever electric companies determine necessary to obviate sudden drains that result in overtaxing of generating capacity. Such planning will at least reduce the incidence of situations that can result in interruption of defense production activity and irritating inconvenience to homeowners and all electric power consumers.

To allay fears of the consequences of short periods of power curtailment, I am today writing to the Secretary of Agriculture to request that responsible authorities in his Department make available whatever information it may have on the length of time that home freezers and refrigerators, as well as commercial refrigeration facilities, may be subjected to power cutoffs without imperiling food quality.

As was demonstrated when a heavy vehicle was deliberately rammed into a transmission tower last month, sabotage is a very real threat to power supply. Fortunately the lines which were brought down under the impact of the collapsed tower were not yet in service, but the incident has set back the schedule of getting needed additional power supply onto the lines for east coast consumption. As a result, we can anticipate times during the summer months that conservation of electricity will have to be practiced diligently by short cutoffs in selected areas rather than chance too heavy a strain on generating facilities. The Pennsylvania arrangement is a step in behalf of the entire region.

A BILL AUTHORIZING THE SEVERAL STATES TO ENTER INTO AGREEMENTS TO PROVIDE FOR UNIFORM DIVORCE LAWS

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, throughout the world the problems of the maintenance of family stability and personal happiness are of paramount importance. In this country our legislative bodies are continuously trying to achieve methods by which these interests can be effectively protected and fostered. But the difficulties involved are great, and the results have been far from satisfying.

The area presenting the maximum difficulty is the question of the termination of a marriage by divorce, annulment, or other judicial decree. It is here that the goals of maintaining stability in a family relationship and insuring a maximum degree of personal happiness to all parties come into conflict, and the resolution of the problem often results in confusion and injustice.

Statistics reveal that in 1963—the last year for which complete figures are available—approximately 430,000 divorces and annulments were granted in the United States—more than 25 percent of the number of marriages contracted that year,[1] California, with 56,000 and Texas with 39,000 were the two leading States in total number of divorces and annulments, while Nevada with 24.9 divorces per 1,000 population had by far the highest rate of divorce. Vermont granted the fewest divorces in 1963—501, and my own State of New York had the lowest divorce rate of 0.4 per 1,000 population.[2] Provisional estimates reveal that the total number of divorces and annulments rose to about 500,000 in 1966.[3] Moreover, these figures do not include Mexican and other foreign divorces obtained by U.S. citizens. It is clear, therefore, that the problems of divorce law involve a substantial portion of the population.

What portion of our citizenry do these figures represent? The formerly married are young; close to 75 percent are under the age of 40.[4] Yet, despite this youth, over 583,000 children are directly affected each year by judicial termination of marriages.[5] Moreover, contrary to the impression given by the publicity attendant to divorces among well-known public figures, the divorced population is very poor. Over 95 percent have an annual income below $7,000, whereas only 65 percent of the entire population earns less than $7,000 per year.[6]

A great deal of confusion surrounds the status of these people. Much of this is a product of our federal system which reserves to the several States the power to legislate regarding the formation, incidences, and termination of the marital relationships.[7] We are presented with 50 different sets of substantive and procedural laws which dictate when, how, where, and why U.S. citizens can terminate a marriage.

In the United States today there are 38 different grounds for the termination of a marriage by judicial decree. Only three of these will form the basis for marital dissolution in every one of our 50 States—adultery, bigamy, and a marriage within certain degrees of consanguinity—even here prohibited marriages vary among the several States. Thirteen grounds for dissolution of a marriage are accepted in over half the States. They are: impotence, desertion, duress in inducement to marry, fraud in marriage, insanity at time of marriage, underage marriage, conviction and imprisonment for a serious felony, mental or physical cruelty, drunkenness or narcotics addiction, insanity after marriage, pregnancy by another at time of marriage, nonsupport or neglect, and lengthy separation.[8]

Yet the mere fact of substantial diversity in the grounds for marital termination would not alone create the complex legal and social problems present in the family law area. The difficulties intensify as a result of the common practice of seeking out the jurisdiction with the most liberal rules and having one of the parties migrate there temporarily for the sole purpose of obtaining a divorce.[9] The differing effects various jurisdictions give to the decrees of their sister States and foreign countries, and the resulting uncertainty as to the validity of future marriages by those divorced creates an extremely tenuous situation.

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[1] Vital Statistics of the United States 1963, Vol. III, U.S. Department of Health, Education, and Welfare, Washington, 1967. See also Cantor, Donald J., "The Right of Divorce," *The Atlantic*, Nov. 1966, p. 67; "The Sorry State of Divorce Law," *Time Magazine*, 2/11/66, p. 26; and Shaffer, Helen B., "Divorce Law Reform," Legislative Reference Service, 11/29/63, p. 865.

[2] Id. Table 2-2.

[3] Monthly Vital Statistics Report of U.S. Department of Health, Education, and Welfare, Vol. 15, No. 12, 2/28/67.

[4] Vital Statistics, 1963, *supra*, Table 2–12.

[5] Ibid, Table 2–7.

[6] Statistics provided by the Department of Commerce.

[7] See *Williams* v. *North Carolina*, 317 U.S. 287, 298–299; also see concurring opinion of Frankfurter, J. at p. 304.

[8] Mayer, Michael F., *Divorce & Annulment in the 50 States*, (Arco, New York, 1967).

These factors have resulted in "a class of cases in which the gyrations of the State courts, under the latitude permitted them by the Supreme Court, has produced only injustice and confusion recurrently confounded." [10]

What is needed is a uniform system of divorce laws to give certainty to the legal effect of marriages and finality to their termination. In light of the provisions of our Constitution there appears to be no authority for Congress to legislate a national divorce law as many have proposed.

Attempts, however, have been made in the past to procure Federal legislation on divorce. Since 1917, 32 resolutions have been introduced in Congress to amend the Constitution by giving Congress the power to legislate regarding marriage and divorce.[11] However, none have received favorable consideration from either House.

Additionally, in response to dictum contained in the Supreme Court case of Williams against North Carolina,[12] indicating that Congress could, under the full-faith-and-credit clause of the Constitution, article IV, section 1, prescribe the extra-territorial effect of divorce decrees, Senator McCarran introduced bills in the 80th, 81st, 82d, and 83d Congresses to implement that provision of the Constitution. The McCarran bill passed the Senate in the 82d and 83d Congresses, but was not acted upon in the House.[13]

In light of the lack of success these methods have evidenced in achieving national uniformity in the family law area, I have, Mr. Speaker, in accordance with article I, section 10, clause 3 of the Constitution, introduced a bill which would give the consent of Congress to each of the several States to enter into an interstate compact regarding divorce. This compact would provide for uniform grounds for divorce, uniform jurisdictional requirements for granting divorce, and uniform laws for the recognition of divorce decrees of other jurisdictions.

By enacting this statute the Congress will go on record as favoring a frontal approach to the problems of divorce law. The bill, in line with our Federal system, would give impetus to the States to cooperate to iron out the problems involved, and reach a solution whereby the interests of the Nation as a whole as well as the desires of the individual States will be adequately protected.

In view of the importance of the societal goals involved in this area of law, I urge my colleagues to consider carefully the legislation I have today introduced.

A copy of the bill follows:

H.R. 11453

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to each of the several States to enter into any agreement or compact, not in conflict with any law of the United States, with any other State or States for the purpose of (1) developing, establishing, and enforcing uniform divorce laws, including but not limited to, uniform jurisdictional requirements, uniform grounds for divorce, and uniform recognition of divorce decrees of other jurisdictions, and (2) establishing such agencies, joint or otherwise, as such States deem necessary for making effective such agreements and compacts.

OPPORTUNITY CRUSADE ACT OF 1967

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Taft] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TAFT. Mr. Speaker, I have today introduced a bill, Opportunity Crusade Act of 1967, which represents the Republican answer to the problem-filled war on poverty.

No one has ever opposed the poverty war, but we can and should do our best to streamline, tc eliminate duplication of effort, to improve the program. The Opportunity Crusade Act of 1967 would eliminate the Office of Economic Opportunity and transfer its functions to existing Federal agencies.

When the war on poverty was first offered, it appeared to be a hastily conceived, poorly outlined program. The major objection was to the creation of the shop down the street, the Office of Economic Opportunity, to handle programs that could have been run through existing offices. This has proved to be one of the major shortcomings of the war on poverty. It makes no sense to duplicate the programs, operations, functions of already existing governmental departments.

In addition to eliminating OEO, the bill would create a high level, 3-man Council of Economic Opportunity Advisers to the President. The Council would develop new data and perform continuing evaluation and research studies, charting our Nation's course in a crusade for opportunity that will eliminate poverty.

The opportunity crusade provides a realistic, coordinated approach to the problems of poverty. The bill contains specific guidelines that will eliminate waste and inefficiency we have known in the war on poverty. The opportunity crusade emphasizes jobs and progress instead of handouts, doles, initiative destroying giveaways.

The opportunity crusade provides much needed new direction.

The opportunity crusade is a program that would aid the poor themselves with little or no emphasis on high salaried administrative positions.

Much of the credit for development of the Opportunity Crusade Act of 1967 belongs to the Honorable Charles E. Goodell, and the Honorable Albert H. Quie. They have combined to produce an effective, well-written bill that strikes at the heart of the problem. Congress should give the Goodell-Quie opportunity crusade careful consideration. It will become obvious that it is the most constructive solution to the problems of poverty.

A HAMMER AND SICKLE ON GRAND COULEE DAM?

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. May] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. MAY. Mr. Speaker, in recent weeks many of my colleagues have been receiving letters of protest from their constituents who are concerned that it may be possible for the Soviet Union to bid on the heavy electrical equipment to be installed in the third powerplant at Grand Coulee Dam in my State of Washington. I have made two brief speeches in this Chamber on this subject in recent weeks. However, in view of numerous calls to my office for information, I feel it is advisable to present this situation in some detail.

The situation, Mr. Speaker, is this—

At the suggestion of the Bureau of Reclamation, the Department of the Interior last year doubled the proposed size of the turbines and generators to be installed as the third powerplant. This will be the world's largest powerplant of its kind, surpassing anything heretofore built anywhere. This powerplant will supply electrical energy throughout the Western United States, and it is possible some day that this energy will be interconnected with power grids serving the entire Nation. The project is vital to our Nation's security and well-being.

This proposal, to double the size of the originally proposed electrical equipment, was described to the Congress by the Secretary of the Interior as an opportunity for American industry to surpass the Soviet Union, because at the present time, only the Soviet Union has produced the largest equipment of this nature, to date. Secretary Udall indicated that this project, which is larger than even the Soviet Union has produced, would be good for both American business and American labor.

Then, last March, following congressional authorization, an official of the Soviet Embassy in Washington, D.C., made an oral inquiry to the Department of the Interior. This official wanted to know about the bidding procedure to be used for the six turbines and generators to be manufactured and installed at the dam.

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[9] "Divorces in the Liberal Jurisdictions," Federal Legal Publications, Inc., 1955 edited by David von G. Albrecht.

[10] Mayers, Lewis, "Ex Parte Divorce: A Proposed Federal Remedy," *54 Columbia Law Review 69* (January, 1954).

[11] See for example the reference in *Time Magazine*, March 3, 1923, regarding former Senator Capper's (Kansas) proposed constitutional amendment.

[12] Williams, *supra*, at p. 360.

[13] See 94 Cong. Rec. 56; 95 Cong. Rec. 38; 96 Cong. Rec. 3810; 97 Cong. Rec. 744, 1295, 4560, 6338, 7773, 7882; 99 Cong. Rec. 153, 2139, 2434, 4575, 4716.

As soon as I learned of this, I wrote a strongly worded letter to President Johnson, with copies to Secretary Udall and Secretary of State Rusk, to urge rejection of any thought of worldwide open bidding. I do not want a hammer and sickle attached to this project in my State. I pointed out that the Soviet Union, if it were a successful bidder, would have every political gain while the United States would have everything to lose. The gains could be so great as to entice the Soviet Union into submitting a ridiculously low bid at considerable monetary loss to them in order to secure such advantage. My letter was referred to the State Department for reply.

The response from the State Department was about what you might expect. It said that at present the Interior Department has the bidding procedure under consideration. If worldwide open bidding is finally decided upon, the Soviet Union, if it felt it could meet the terms and specifications, would be free to submit such bids as it desired. Then the letter from the State Department stated that there is no reason to assume, however, in the event the Soviet Union is eligible to bid, that its bid would be successful.

As I have already pointed out, and was pointed out in my letter to the President, the exact opposite is the case. We have every reason to assume that if the Soviets want to bid on this project they can be successful by submitting such low bids that their winning of the contract would be guaranteed.

True to his word to the Congress, Secretary of the Interior Udall, in taking the bidding procedure under consideration, wanted to invite only American firms to bid. But others in the administration had other ideas. The Department of State was joined by the Bureau of the Budget in favoring worldwide open bidding. This would mean that the Russians could submit bids if they so desired.

In a sort of reluctant compromise, Secretary Udall subsequently approved a recommendation that the bids on the first three generator-turbine sets should be offered to American industry, and bids on the second three sets be offered worldwide. The recommendation of the Secretary of the Interior made an excellent case for domestic procurement on the entire project, citing national security reasons and legal findings for domestic procurement, but went along without legal or other justification for worldwide bidding on the second three sets of turbines and generators.

At this point, according to my information, an incredible thing happened. It would appear that Secretary Udall's recommendation did not reach the President. According to my information, a substitute memorandum was prepared for the President's consideration. In this letter memorandum the President is urged to reject Secretary Udall's recommendation. Instead, the President is urged to approve across-the-board worldwide open bidding for the entire project.

This letter document is in itself an amazing document. Not once does it even hint at the interest of the Soviet Union in the project. Instead, it mentions Japanese interest. And to me, just as startling is the case it attempts to make for worldwide bidding. It says that, if foreign competition is allowed, American industry could be expected to submit substantially lower bids than they would otherwise. Then, paradoxically, this kind of fuzzy thinking is compounded by the contention, in the memorandum, that past experience shows that American firms for the most part win such contracts. The memorandum, in other words, indicts American industry for high bids and then urges the President to invite foreign bids because American firms usually bid low, anyway.

The memorandum, which is only three-and-a-half double-spaced pages long, pooh-poohs the detrimental result of foreign awards on this Nation's critical balance-of-payments problem by indicating that if foreign countries do win the contract awards, it would add less than 10 percent to the current level of nonmilitary procurement of foreign products for use in the United States. To me, Mr. Speaker, this less-than-10-percent figure is significant.

Mr. Speaker, rather than describe the documents so far discussed any further, I believe they can best describe themselves, and I therefore ask consent to have them appear in the RECORD at the conclusion of my remarks. I believe my colleagues will agree with me, after reading these documents, that the memorandum finally submitted for presidential consideration is biased and unrealistic to the extreme. It is not only biased and unrealistic, but the information in it is far more limited than that which should be submitted for consideration by the President. The information omitted by the document is just as damaging to the interests of the American people as is the one-sided argument that is there.

Mr. Speaker, I do not believe it should be necessary for me to remind my colleagues that the Soviet Union continues to prolong the cold war by supporting and supplying arms to our Communist enemies. I do not have to remind anyone here that it is Soviet-produced planes, rockets, and other weapons of war that are killing our servicemen in Vietnam.

Mr. Speaker, in my recent speeches in this Chamber, I have urged the President to reject his advisers' views and to make sure that the Soviet Union does not have an opportunity to supply any of the equipment for the world's largest hydro powerplant. This is a project that should be built by American industry and Amercan labor. I again urge the President, today, to reserve this entire project for the United States of America. He has available to him every moral and legal justification for doing so.

If, however, the President should accept the recommendation of his advisers, Mr. Speaker, I wish to notify my colleagues that I shall ask this body to take appropriate action to overrule such a decision. I trust I will have the overwhelming support of my colleagues in such action if it becomes necessary.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 13, 1967.

The PRESIDENT,
The White House.

MY DEAR MR. PRESIDENT: As the Representative in Congress of the Fourth Congressional District of the State of Washington, I wish to advise you of my very deep concern over the possibility that the Soviet Union may submit a bid to provide turbines and generators for the world's largest power plant at Grand Coulee Dam.

I do not believe it would be in the best interest of the United States for the Soviet Union to furnish this generating equipment or even bid on it.

It seems to me, Mr. President, that the Soviet Union, if it were a successful bidder, would have every political gain while the United States would have everything to lose. The gains to the Soviet Union in political prestige over the United States could be so great as to entice the Soviet Union into submitting a ridiculously low bid at sizable monetary loss to them in order to secure such advantage.

If, in order to prevent the Soviet Union from seizing upon this opportunity, it is necessary to decide no foreign bids will be accepted, then such a decision should be in the affirmative. Indeed, much is to be gained by acceptance of domestic bids on this project. The performance of the contract in the United States would not only increase job opportunities in the United States, but should materially increase our nation's technical capability and experience in the field of hydro-electric technology.

A number of residents of my District have written to me to express alarm at the interest of the Soviet Union in this project and I must state that I share this alarm.

I ask you to make certain that the Soviet Union's interest in this project is rejected by the United States.

Respectfully yours,
CATHERINE MAY,
Member of Congress.

DEPARTMENT OF STATE,
Washington, D.C., April 25, 1967.

Hon. CATHERINE MAY,
House of Representatives,
Washington, D.C.

DEAR MRS. MAY: The President has asked me to reply to your letter of April 13, 1967, in which you expressed opposition to permitting the Soviet Union to submit a bid to provide turbines and generators for the powerplant at Grand Coulee Dam.

As you know, the Bureau of Reclamation of the Department of the Interior has announced plans to construct a third powerplant at the dam. It is to have a capacity of 3.6 million kilowatts provided by six 600,000 kilowatt generating units. Last month an official of the Soviet Embassy in Washington made an oral inquiry to the Department of the Interior about the bidding procedure to be used for the six turbines and generators.

At present, the Interior Department has the bidding procedure under consideration. If world-wide open bidding is finally decided upon, the Soviet Union, if it felt it could meet the terms and specifications, would be free to submit such bids as it desired. There is no reason to assume, however, in the event the Soviet Union is eligible to bid, that its bid would be successful or even that it would be in a position to meet all of the terms of the invitation.

We appreciate your views, and those of your constituents, particularly since the Grand Coulee Dam is in your Congressional

District. They will be given careful consideration in reaching a decision on this matter.

If I may be of any further assistance, please do not hesitate to call upon me.

Sincerely yours,

WILLIAM B. MACOMBER, JR.,
Assistant Secretary for Congressional Relations.

DEPARTMENT OF THE INTERIOR POSITION FAVORING PURCHASE OF AMERICAN-MADE TURBINES AND GENERATORS FOR THIRD POWERHOUSE, GRAND COULEE DAM

The Department of the Interior must promptly decide how it will purchase the first six turbines and generators for the presently authorized 3,600-Mw Third Powerhouse at Grand Coulee Dam. The energization schedule requires the installation of a turbine and generator set every six months beginning September 1973 to meet forecast power requirements and utilize Canadian Treaty storage as it becomes available. It is imperative that the schedule be met for the first three units to utilize Canadian storage.

Originally conceived as 300-Mw units, these turbines and generators are now planned as 600-Mw units. The Department doubled their size at the suggestion of the Bureau of Reclamation and with the assurance of American manufacturers that they could manufacture and would warrant performance. These unprecedented large units in the Third Powerplant would be more economical than 300-Mw units. The 600-Mw generating units with 912,000 h.p. would be the largest turbines and hydroelectric generators in the world, and the completed Third Powerhouse with 7200 Mw of installed capacity would be the largest powerhouse in the world.

The Department believes that if it accords American bidders only the usual 6–12% differential as specified by Executive Order 10582 implementing the Buy American Act, the low bidder will be a foreign company or government. Recent experience of the Bureau of Reclamation using the 6 and 12% differential reveals that the last five turbine awards went to foreign bidders and the generator awards were mixed.

For many reasons, including those hereinafter listed, the Department is convinced that it would be in the best interest of the United States to acquire domestically the first three turbine and generator sets:

1. In the interest of national defense the Third Powerhouse must provide reliable electric service, and reliability demands the ready availability from domestic sources of adequate servicing know-how. With three domestic units, this would be assured.

2. It would be in the national interest that the United States have a developed capability to manufacture units of this size for this and future projects, domestically and abroad, and in this way to restore its world leadership position.

3. The schedules for manufacture and installation of the first three units are tight, and in the event of international complications there can be more assurance of meeting these schedules with domestic manufacturers.

4. Domestic procurement of three units would greatly relieve the balance of payments problem. The procurement of the first three units on a restricted domestic basis is consonant with a recent amendment to the Federal Procurement Regulations (FPR 1–6.800 et seq.) which recognizes the balance of payments problem in favoring procurement of domestic materials and supplies for use abroad.

There are two procedures under which domestic procurement can be assured. Section 5 of Executive Order No. 10582 recognizes that in certain instances domestic set asides in procurement are justified and the test provided therein is that ". . . purchase of materials of domestic origin is not inconsistent with the public interest." This Department considers for the reasons presented above, that the purchase of the initial three units from domestic manufacturers not only is consistent with the public interest, but also is essential to protection of the public interest. The second procedure would utilize the national defense authority of the Act of August 28, 1958 (50 U.S.C. 1431) and Executive Order 10789 issued pursuant thereto. Thus determination to classify procurement of the initial three units (1,800 Mw) as an element of national defense significance would be in keeping with emergency preparedness functions of this Department under Executive Order 10997 of February 16, 1962, and the Defense Electric Power Administration (DEPA) to carry on industrial mobilization planning and preparedness programs with respect to the production and use of electric power.

The absolute necessity to obtain the initial three turbines and generators in a timely manner to meet power production schedules requires the use of the set aside procedure. In addition, policy considerations also dictate this course. The second three sets would be acquired on the world market.

* * * * *

That, accordingly, the provisions of Executive Order 10582 do not apply, including Section 2(a) thereof which establishes standards for determining what materials or end products shall be considered of foreign origin.

That, in lieu of the standards set forth in said Section 2(a), in the procurement of the first three turbine-generator sets, end products shall be considered to be of foreign origin within the purview of 41 USC 10a, if the cost of the foreign components used in such end products constitutes ——— (5%–25%) or more of the cost of all the components used in such end products.

AUTHORIZATION

The Commissioner of Reclamation is hereby authorized and directed to proceed in accordance with the foregoing Findings and Determination.

——— ———,
Secretary of the Interior.

Dated:

MEMORANDUM FOR THE PRESIDENT

Subject: Procurement of Turbines and Generators for Grand Coulee.

Secretary Udall is ready to involve bids for the design and manufacture of the world's largest turbines and generators for installation at Grand Coulee Dam. Contracts will be let for the first three sets of 60 megawatt units to go into operation in 1973. The cost is expected to be about $15 million for the three generators and $15 million for the three turbines.

Because of the unprecedented size of the units and the relatively large amounts of the contracts involved, Secretary Udall wants to make sure the equipment is designed and manufactured in the United States. He proposes to keep foreign firms out of the bidding. This would probably raise the cost of the project significantly (perhaps as much as $10 million).

There is a significant chance that U.S. firms would win on both the turbine and generator contracts in open competition with foreign firms.

General Electric and Westinghouse have won three out of five awards for generators made by Interior in the past four years. These firms and Allis Chalmers won all five of the awards for generators made by the Corps of Engineers during the period the Corps was operating with the same Buy American practices as Interior.

American firms lost out in the bidding of the last five turbine contracts awarded by Interior during 1962–63. But all seven turbine awards made by the Corps of Engineers during this period—operating under the same Buy American practices—were won by U.S. firms—Allis Chalmers, Newport News and Baldwin Lima-Hamilton.

U.S. firms enjoy tariff protection of 15 percent on this equipment, plus the standard Buy American preference of 6 or 12 percent on top of that. Thus, U.S. firms can win the awards if they are no more than one-fifth higher than the cost of foreign products. On-site construction, installation and transportation costs of this massive equipment will be relatively large, reducing even further the advantage foreign firms have because of lower labor costs. In the Grand Coulee competition the prestige of American firms will be on the line.

If no foreign bidding were allowed, as Udall suggests, we can expect the U.S. firms to bid substantially higher than they would in the face of foreign competition, raising the cost of the project. With foreign bidding, the U.S. firms may still win the award, but at substantially lower cost to the government. Without foreign bidding, we could be paying as much as $10 million more for what otherwise would be a $30 million project.

Secretary Udall agrees that the presence of foreign bidding would serve to keep the price of domestic bids down. However, he believes that if foreign competition were permitted, U.S. firms might not even bid at all. From his point of view, avoiding the risk of foreign procurement is worth the added cost. He feels that

We would be better assured of prompt installation and future servicing.

The capability of U.S. firms to produce these size units would have some future value.

We possibly would make some savings in the balance of payments.

I do not find these arguments persuasive.

Foreign procurement has presented no special problems in the past with respect to prompt installation or servicing. While the scale of the proposed units is large, there is no reason to believe that foreign firms would have any more problems on this account than domestic firms. Secretary McNamara sees no national security problem involved.

There is no foreseeable demand for similar units anywhere else in the U.S. or abroad. The proposal to manufacture the units in the U.S. should be evaluated on its own merits.

If part or all the awards went to lower cost foreign firms, it would not represent a significant balance of payments cost—less than $4 million per year. It would add less than 10 percent to the current level of nonmilitary procurement of foreign products for use in the U.S.

Department of State has pointed out that Secretary Udall's proposal would draw sharp criticism from our principal trading partners at a time when we are making every effort to get them to open up their markets to U.S. goods. It would invite retaliatory action, possibly leading to a significant loss in U.S. export sales to foreign governments. On the other hand, maintaining our standard open procurement practice will be used to bargain for improved access to Japanese and other foreign government markets. Commerce supports Secretary Udall's proposal; Treasury has no objection.

We have managed to withstand considerable pressure in the past to eliminate foreign bidding on heavy electrical equipment for TVA, Bonneville and other Interior projects. Expenditures for such purchases amount to $40 million in FY 1967, with new contracts expected of $50 million next year. By eliminating foreign bidding on the Grand Coulee turbines and generators, we will be under considerably greater pressure to adopt the same high cost restrictive practice for the balance of Interior's and all TVA's procurement. Restricting these purchases to domestic firms would probably cost us at least $15 million in FY 1968.

In view of the sizable budgetary costs involved, the undesirable precedent restricted bidding would set in this case, the departure it would represent from our general liberal trade policy, and the limited benefits of the proposal, I recommend Interior purchase the turbines and generators on a world-wide competitive basis.

Approve world-wide bidding ———.

Approve Interior proposal ———.

NATIONAL WATER COMMISSION

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schwengel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, although I will vote today for S. 20, a bill to establish a National Water Commission, I rise to point to what I consider to be several inadequacies in the legislation.

I fully support the objectives of the bill, but I am disappointed that the measure does not contain language which makes clear the need to study the watershed problems in rural America. The language in the bill is broad, in fact, too broad. It is my opinion that the bill should specifically direct the Commission to study the impact of watershed development on our water resources.

There is no doubt that we must do a better job of preserving our natural resource of water. A nationwide study is needed, but I am concerned that all facets be adequately considered. One great area where work can and must be done is in the watershed area. Here both water and soil can be preserved. A study, I believe, would show that more work should be done at a faster pace on the program to complete the watersheds in our country. I have proposed a program to complete the watersheds in this country by 1976. This program would do a better job of preserving our water and our soil.

It is also my feeling that the Congress should have a hand in selecting the members of the National Water Commission. It is surprising to me that legislation for this Commission was requested when so many other Presidential Commissions have been created without congressional approval. In the past these Commissions have to a great extent represented only the views of the executive branch of Government. This is my fear with the Commission we are creating today. The President is authorized to appoint all of the members of the Commission.

It is my feeling that we in the Congress could place more confidence in the finding of the Commission if it had members who were appointed by the Congress.

DEFENSE SPENDING INDICATORS

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, it is encouraging to note the publicity being given to an important new statistical compilation, the monthly "Selected Defense Department Indicators." A column by Robert A. Wright in the June 26, 1967, New York Times entitled " 'Score Card' Set on War Spending" highlights the importance of this long overdue statistical series. The development of these figures comes only after repeated requests from the Joint Economic Committee. The series provides in one place figures on the pace and fluctuations of Defense Department spending activity. With this information, the Congress can foresee potential economic danger—like inflation or a recession—from sudden changes in defense spending, and take timely and appropriate action to avoid the danger. Informed debate on the proper level of appropriations or the debt ceiling has been facilitated by the development of this new statistical series. I trust that it will be a permanent addition to the Nation's invaluable body of economic indicators. By unanimous consent, I include this article in the Record at this point:

"Score Card" Set on War Spending—Defense Department Plans To Publish Data Monthly as Urged by Congress

(By Robert A. Wright)

The Defense Department will begin publishing Friday what will amount to a monthly economic score card for the Vietnam war.

Entitled "Selected Defense Department Indicators," the new monthly report represents fruition of a long campaign by Senator William Proxmire, Democrat of Wisconsin and chairman of the Joint Economic Committee, and Representative Thomas B. Curtis, Republican of Missouri, its ranking minority member.

In announcing the publication, Senator Proxmire said: "It should fill a significant gap in Government reporting of its activities that was revealed during recent hearings of the Joint Economic Committee on the economic effects of the Vietnam war.

"It will be of tremendous help in attempting to gauge the course of defense expenditures over the next year."

In fiscal 1967, which ends Friday, the Vietnam war costs of $20-billion are about double what the Administration contended they would be, despite Congressional estimates that were much closer to the mark. The House Appropriations Committee and the Senate Preparedness Committee now estimate that the fiscal 1968 budget, at $22-billion, is $6-billion below the mark.

DISAGREEMENT ON "GOOF"

Last year's miscalculation caused Congress to commit a "monumental goof" when it did not reduce spending or raise taxes, Senator Proxmire has charged. Budget Director Charles L. Schultze contended in rebuttal that expenditures in 1966 were close to estimates until the third quarter of the year.

In a preliminary version of the new publication, Senator Proxmire and Representative Curtis attempt to show the usefulness of having the report issued monthly.

They say the figures show that the first signs that defense spending would appreciably outrun budget estimates began to show up in the March–June quarter of last year, when gross defense obligations rose to $21.6 billion from $15.1 billion in the preceding quarter. This was a level, the legislators declare, that "clearly indicated" that the Vietnam build-up "was continuing at a rapid pace and would have a serious impact on the American economy during the early part of the year."

Senator Proxmire noted that much of the data in the new report was already available from the Defense Department in one form or another but that the new monthly for the first time would bring such data together in a single package for the convenient use of a wide audience—Congress, the public, economists and business analysts.

LOOKING FOR SIGNALS

He added: "Had the Congress had such a compilation of data before it, when these danger signals first appeared in 1966, more effective action might have been taken to head off developing inflationary pressures and to avoid the subsequent excessive reliance on restrictive monetary policy.

"Such a report would also have been of value later in 1966 when many businessmen and private analysts were preparing their economic forecasts and plans for 1967. At a time when they were uncertain about the future trend of defense spending, the third-quarter defense obligation figure of $19.2 billion, if promptly and widely available, would have clearly confirmed the continued expansion of military demand."

Senator Proxmire said that, although the new publication went a long way toward satisfying the needs the committee's hearings had disclosed, he expected other Government agencies to seek further improvements in reporting.

THE NATIONAL HOMEOWNERSHIP FOUNDATION

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, it is most gratifying to observe the increased attention and support being given to the National Homeownership Foundation Plan.

On April 20, I was pleased to introduced H.R. 8846,a bill to establish the National Homeownership Foundation Plan. At that time I stated that it "is a challenging new approach toward alleviating poverty in our cities." Its three pillars of emphasizing individual development, maximizing utilization of private resources, and minimizing the role of government tower above the morass of confusion and inefficiency which characterizes the present poverty and public housing programs. Also, the complete unity of the Republican Senators in support of the Senate bill, S. 1592, represents a most significant and highly encouraging political development.

The following editorial of June 8, from the St. Louis Globe-Democrat, illuminates some of the high points of the housing plan. The bill, if enacted, would assist low-income families to become owners of decent housing. Homeownership fosters self-respect. Homeowners notably take a more active and constructive part in their community. Indeed, no single thing raises the standard of living of a family more than homeownership. It is in error to equate homeownership with public housing or State tenant arrangements designed to improve the housing of the low-income families as the Johnson administration has sought to do in order to belittle and defeat this program. The basic concept of homeownership has obviously been lost sight of by the administration in its shortsighted, negative approach.

Briefly, the bill would provide for the establishment of a nonprofit foundation which would raise private funds through issuance of Government debentures. The funds will be made available for low-interest mortgages to assist low-income families in acquiring equity in their homes. The foundation would operate at very low Government expense and control. The Globe-Democrat editorial follows:

PERCY'S SUPERIOR HOUSING PLAN

In the eyes of the Johnson Administration all benevolence flows unquestionably from Washington.

States and lesser stations of government may be accorded minor supporting roles, but care always is taken to insure their subordinate rank.

As for the "private sector" it conjures up visions of greed and privilege to the new breed of Johnsoncrats who prefer to dwell upon acts of charity in the "public sector."

When President Johnson last January urged the Pupublican opposition to come up with reasonable alternatives to Great Society programs, little did he think that someone would.

To add to the consternation, the new choice being offered gives the primary role to the "private sector" and only a bit part to Washington.

This is the National Home Ownership Foundation plan originated and sponsored by freshman Illinois Senator Charles Percy. It is revolutionary in its concept in that it would provide the means for millions of low-income Americans to purchase their own homes instead of being herded into stultifying, crime-ridden public housing projects.

In essence the Percy home-owning plan calls for creation of the Foundation which would raise up to $2 billion private capital by selling guaranteed debentures. These funds then would be loaned to non-profit associations which would build or restore homes that could be sold at not more than $12,500 on long-term loans at 3 per cent.

The only cost to taxpayers would be the 3 per cent interest subsidy, a fiscal drop in the bucket compared to the billions now poured into the discredited public housing program.

The simplicity and the organization of the proposal is wondrous to behold alongside the indescribably snarled federal red tape and bureaucratic tangle enveloping various urban renewal plans such as model cities, rent subsidy, et cetera, offered by the Department of Housing and Urban Development.

In spite of its obvious merit, the Percy housing plan is being given the back of the hand by the President and his supporters in Congress who fear it may obviate the necessity of burdening taxpayers with more billions to carry on dismally outdated and self-defeating public housing programs.

Senator Percy's proposal undoubtedly is being opposed because it would, as a natural result of transferring housing responsibilities to private enterprise, greatly lessen the work load and authority of the Department of Housing and Urban Development.

As is always the case when a bureau is threatened with a loss of money and jobs, its first loyalty is to itself and to perpetuation of the myth that it and it alone can serve the public weal.

But the Ninetieth Congress thinks for itself. Having discovered a thinker in its midst, it could—and should—go on to approve the Percy home-ownership plan, the first major piece of legislation on housing originated by Congress in years.

A BILL TO PROVIDE A GRANT-IN-AID PROGRAM TO ASSIST THE STATES IN FURNISHING AID AND SERVICES TO FOSTER CARE CHILDREN

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, I would like, at this time, to express my support for a proposal to remove an inequity in our social security laws by providing a grant-in-aid program to assist the States in furnishing aid and services with respect to children under foster care. Our Federal social security laws have developed in such a way that the basic necessities of one of the neediest segments in our population, foster children, are not being adequately fulfilled.

Some assistance is provided to a small number of foster children under the aid to families with dependent children program pursuant to title IV of the Social Security Act. This program, however, was never intended to reach the majority of foster children, and is instead designed to assist only those children previously under the AFDC program for whom a court has determined that continued living with the child's nearest relatives would be detrimental. As a result, under this program only about 6,000 of the approximately 300,000 foster children are assisted. These children receive about $45 a month in Federal funds, according to HEW figures of April 1967. This represents 55 percent of the total payment per recipient: 31.8 percent of the payment is paid by State funds, 12.7 percent by local funds, as of June 30, 1966.

Some assistance is also provided under the general child welfare provisions of title V of the Social Security Act. This provision is designed to assist in all areas of child welfare. According to HEW figures of March 31, 1966, approximately 44 percent of these funds serve foster children—the remaining 98 percent. These children receive only $19 a month in Federal funds. This represents 1.9 percent of the total payment per recipient: 52.7 percent is paid by State funds, 45.4 percent by local funds, as of June 30, 1966.

Clearly this $19 as compared with $45 under AFDC is an inequity for 98 percent of the foster children in the United States. In recent years the number of children in foster care has been increasing slowly, but steadily. The States are faced with the need of increased foster care payments which have led in some instances, to inadequate care in the institutions, including understaffing and poor facilities. Furthermore, often a child must be placed in an institution rather than a foster family home due to inadequate compensation to the families. Studies indicate that many couples who are well qualified for foster care work would like to have a foster child. Financially, however, they are unable to provide for another member in the family. There seems to be a widespread consensus among authorities in the field that foster family care is preferable to institutional care.

At the present time, States receive more Federal funds under title IV than under title V. Thus, a municipal court is prone, due to fiscal incentives, to keep a child in a home which is detrimental to him in order to keep him under title IV—AFDC. For example, if a third illegitimate child is born to a woman, the courts might let this child stay in its home, in a detrimental environment, in order to make it eligible for AFDC funds—and the State eligible for Federal funds under title IV, which are greater than the funds provided under title V if the child were to be placed in a foster home. The guiding principle here must be the best interest of the child, not the fiscal security of State and local governments. By alleviating the disparity between title IV and title V, the courts will no longer be operating under economic incentive biases, but considering first and foremost the child's best interest.

The bill I am introducing today is similar to that introduced by my colleague on the Ways and Means Committee, the gentleman from California, Representative CECIL KING, H.R. 3969, introduced January 26, 1967. This bill would amend title V to alleviate the disparity between title IV and title V of the Social Security Act. Although foster care is included in the definition of child-welfare services under that title, Federal funds are not earmarked specifically for foster care purposes. This bill is designed to bolster State and local foster care programs by providing that each State may receive a Federal grant on a 50-percent matching basis, for each child living under foster care, in foster family home, or child care institution up to $45 a month. In addition, each State would receive a nonmatching Federal grant of $20 per month for each child receiving care in a public or private nonprofit child-care institution. The Federal Government would also assist by underwriting partially the cost of special services needed by children in foster care, the cost of training personnel, and partially the cost of administration of the program.

In order to assure that such assistance is providently directed, the States would be called upon to seek approval by the Secretary of the Department of Health, Education, and Welfare of their foster care programs. Funds are provided on a matching basis, and general requirements of fair distribution and application throughout the State to all citizens are set down. In addition, States would be required to take appropriate steps to assure that Federal funds will not replace State and local funds now used to finance foster care services.

Mr. Speaker, it is most essential that whatever welfare programs we develop in the future be flexible and directed to need. One must stress this requirement of need. In essence, this proposal will in thousands of cases make the difference in providing proper and wholesome foster family homes, where such are not now available, due to the financial inability of many couples qualified and desiring to care for a foster child. Because of low foster payments they are now unable to do so.

Second, it will increase the financial assistance to our foster care institutions, thereby improving their ability to provide an environment offering the foster children a better opportunity of making the difficult adjustment to the circumstances with which they are confronted.

Last, it will provide aid for professional services, and for the training of appropriate personnel necessary to deal with the problem of our foster care programs.

It is important to point out that we are all in full agreement that, if possible, a child should be in his natural home—and every effort should be made to keep him there if such is in his best interest. I cannot overemphasize the child's best interest. These welfare programs must not only be directed at need, but also at the child's best interest. The fact remains that there are thousands of cases where it is either impossible or highly undesirable for a child to remain in his natural home and there is no alternative other than a foster home. This alternative should have no fiscal disadvantages which might encourage State and local governments to act not in the child's best interest, but to their own advantage. To the extent that need exists, and is met through less Federal participation in matching funds to the State and local governments and private charitable groups, the Federal Government places a temptation on these groups to utilize programs which may not be as beneficial to the child.

Clearly there is a need to amend the present statute and ample precedent for the amendment. Proposals in favor of this have received strong support from the National Association of Counties, and for mothers who appreciate the plight of the foster children. I urge the Members to carefully consider their problems, and to pass the proposed bill.

"HATS OFF AND CONGRATULATIONS" TO ALLSTATE INSURANCE CO.

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. SNYDER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SNYDER. Mr. Speaker, I rise today to say "hats off and congratulations" to a major automobile liability carrier, Allstate Insurance Co., for their new noncancellation policies. If this company will select their new insureds on the basis of driving records without reference to items or issues unrelated to these records, then I would suggest that this would be the apparent solution to problems of auto liability underwriting to which I and my colleagues, the gentleman from New Jersey, BILL CAHILL, and the gentleman from Pennsylvania, BILL GREEN, have addressed ourselves to in the House on several occasions.

Allstate's approach to the problem of arbitrary cancellation of liability policies for various invalid reasons is a 5-year noncancellation guarantee. After the policy has been in force for 60 days it is renewal-guaranteed for 5 years, starting with the effective date of the policy. During this period the only valid reasons for cancellation are nonpayment of premiums when due, suspension of drivers license, or conviction of driving without having a drivers license. The policyholder renews each year with the policy forms and rates then in effect. This means the policyholder may cancel his insurance, but Allstate is bound for the 5-year period even if the motorist should have a number of claims during the guarantee period.

Although this is by no means the ultimate answer, since it only involves one company and still does not resolve the problem of blacklisting practices; it is certainly a big step in the right direction. If the Nation's other insurance companies follow Allstate's lead and institute similar programs, the need for Federal intervention will be greatly reduced and possibly completely negated.

At a time when the Federal Government is invading every aspect of American life, there is an urgent need for private enterprise to assume much of the initiative in seeking solutions for America's problems. It is my firm hope that Allstate's action is an indication that the insurance industry recognizes the problems they face, and are prepared to seek their own solutions.

TO AMEND THE CIVIL SERVICE RETIREMENT ACT

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. BROCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROCK. Mr. Speaker, the legislation which I am introducing today to amend the Civil Service Retirement Act will correct a longstanding grievance and make for a more fair and effective civil service retirement system.

By allowing Government employees to count one-half the amount of their accrued sick leave at retirement, redeemable either in pay or as time added to length of service, this legislation will create a stronger incentive for improved attendance records, and reward those who do not use or abuse their sick leave privileges.

As it now stands, the exact opposite is the case. Government employees are laboring under a reverse incentive which encourages them to take all or most of their sick leave, whether they are sick or not, before the leave evaporates at the end of each work year.

As a result, diligent employees, who are doubtless in the overwhelming majority, are penalized. The obvious adverse effect which this has on employee morale and employee ethics makes passage of this bill all the more important.

I urge the Members of the House to give their favorable attention to this bill, and to pass it at the earliest opportunity. In so doing they will be acting to adjust a longstanding flaw in the Civil Service Retirement Act, and at the same time bolstering the morale of civil service and postal employees.

LEGISLATION TO HELP ALLEVIATE PROBLEM ALONG SHORE OF LAKE MICHIGAN

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. STEIGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, I am introducing legislation today to help to alleviate the very serious problem confronting areas along the shore of Lake Michigan.

For several years Lake Michigan beaches have been polluted from dead fish—alewives. Although this situation has been occurring annually along these beaches, this year's die-offs have been much greater. The problem is seriously affecting the usability of miles of shoreline along Lake Michigan. Something has to be done if we are to maintain the use of these beaches.

The legislation I have introduced today will authorize $5 million for use by the Secretary of Interior in studying the alewife situation, formulating an effective solution and carrying out the recommendations. I think the legislation is drastically needed and urge my colleagues to give some study and thought to this important problem.

I am including as part of my remarks, for the information of my colleagues, a copy of a letter to me from James M. Quigley, Commissioner of the Federal Water Pollution Control Administration. Mr. Quigley writes on the alewife problem and the possible solution.

In addition, I have available in my office, for those who desire more information, a study entitled "Lake Michigan Alewife Situation—1966," prepared by the Department of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
FEDERAL WATER POLLUTION CONTROL ADMINISTRATION,
Washington, D.C., July 10, 1967.

Hon. WILLIAM A. STEIGER,
House of Representatives,
Washington, D.C.

DEAR MR. STEIGER: Thank you for bringing to our attention your concern about the pollution of Lake Michigan beaches from dead fish (alewives). Unfortunately, this problem has been occurring annually along these beaches, although this year's seasonal die-offs have been much greater than in previous years.

Because of our concern for this problem, the following actions are being taken:

1. Our Great Lakes Regional Office in Chi-

cago and the Bureau of Commercial Fisheries are intensifying their research efforts to come up with a solution to combat this problem, and

2. Our Regional Director in Chicago, Mr. H. W. Poston, is in the process of setting up a meeting in Chicago—sometime within the next four to six weeks—to discuss various aspects of the situation and to exchange information and ideas on what long-range plans might be instituted to prevent future occurrences. Present at this meeting will be city and local officials and representatives of the Bureau of Commercial Fisheries.

At the present time, there are no Federal funds available to help local communities clean up the lakeshore. The only source of possible funds that I am aware of would be from the Office of Emergency Planning. However, for a community to be eligible for these funds the President would have to declare that a national emergency exists.

Legislation has been introduced that has as its objective a coordinated Federal-State attack on this problem. H.R. 4793 was introduced on February 2 by Mr. Zablocki and H.R. 11271 was introduced on June 29 by Mr. Schadeberg. A copy of Mr. Zablocki's bill is enclosed.

Also enclosed is a report issued by the Bureau of Commercial Fisheries that I trust you will find useful and informative. I hope this information will be sufficient for your needs. Should you require further assistance, please let us know.

Sincerely yours,

James M. Quigley,
Commissioner.

BUSINESS GROUPS MOVE FOR MODERNIZATION OF STATE GOVERNMENT

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. Dwyer] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. DWYER. Mr. Speaker, in 1959 Congress enacted a statute creating the Advisory Commission on Intergovernmental Relations, a national bipartisan body charged with studying Federal-State-local relations and making recommendations designed to strengthen the American federal system of government. The Commission comprises representatives from the Congress, the executive branch, State and local government, and the general public. Current members on the Commission from State and local government and the general public include Governors Rockefeller and Dempsey; Speaker Unruh of the California General Assembly; Alexander Heard, chancellor of Vanderbilt University; Mrs. Gladys Spellman, commissioner of Prince Georges County, Md.; professor Dorothy Cline, of the University of New Mexico; Mayor Neal S. Blaisdell, Honolulu; and a number of others of similar stature. It has been my pleasure to represent this body on the Commission along with the gentleman from North Carolina [Mr. Fountain] and the gentleman from Oregon [Mr. Ullman].

Since its inception the Commission continually has urged the strengthening and modernization of State and local government in order that unnecessary centralization of governmental powers in Washington might be avoided as all levels of government endeavor to cope with a multitude of problems in the decades ahead.

Mr. Speaker, it is very encouraging to report that the American business community is throwing its weight behind State and local government modernization. During the past 2 weeks, two extremely significant developments have occurred. The Chamber of Commerce of the United States has adopted a brief, hard-hitting, policy statement on the need for improving State government which I include at this point in the Record:

Modernizing State Government

(Approved by National Chamber Board of Directors, June 30, 1967)

The role of state government in the American federal system has been declining over the past several years. This is a disturbing trend for the federal system and for the health and future of political and social institutions and the free market economy. The revitalization of state government necessary to avoid further centralization of governmental authority calls for:

A. Strengthening of state legislatures by:

1. The easing of constitutional restrictions on length and frequency of legislative sessions so that each legislature may schedule its sessions as necessary and appropriate to meet its responsibilities.

2. The adequate provision of research and staff facilities to assist legislators with a wide range of technical, specialized problems.

3. The provision of adequate physical facilities and communication systems at the state capitol for the more efficient operation of the legislature, including more adequate facilities for public hearings and public information.

4. The provision of appropriate offices and secretarial help to enable legislators to conduct legislative affairs in a business-like atmosphere.

5. The provision of compensation for legislators in keeping with the demands and importance of the position and in accord with compensation for time invested in comparable work.

6. The adoption of modern organizational and procedural concepts, including an effective and efficient committee structure, and year-round staffing of at least some of the major committees.

B. Strengthening the governor by:

1. Permitting the governor to serve for two consecutive four-year terms.

2. Reducing the number of state elected executive officers.

3. Providing for an executive budget.

4. Providing for executive reorganization authority subject to legislative review and possible veto.

Also, Mr. Speaker, the Committee for Economic Development, a blue-ribbon body of over 100 business leaders has issued a report on the needed overhauling of State government. A story from the New York Times of July 11, summarized the contents of the CED report and I include it at the close of my remarks. *I should like to clarify one aspect of the* Times story. The CED report is not an echo of recommendations of the Advisory Commission. Both bodies have expressed repeated concern about the decline in stature and strength of State government over recent years. The CED report makes a number of specific recommendations to reverse that trend. The Advisory Commission will consider some of the same kinds of recommendations at its July 21 meeting.

The New York Times article follows:

[From the New York Times, July 1, 1967]

Business Body Asks Legislatures and Governors To Streamline "Inadequate" Governments

(By Robert B. Semple, Jr.)

Washington, July 10.—The Committee for Economic Development added its voice today to the continuing demands for the renovation of state governments.

Echoing a recent report by the Advisory Commission in Inter-Governmental Relations, the business group declared:

"Seldom have the states of the Union faced such urgent demands for solution of difficult problems, or had such challenging opportunities for constructive action. Yet their governments for the most part are inadequate."

The report, entitled "Modernizing State Government," focused on what it said were three major obstacles preventing states from dealing competently with "urgent problems emerging in congested and deteriorating central cities, in impoverished and depopulated rural areas, and in suburbs frustrated by failures to meet rising expectations."

One major deterrent to effective action, the report said, is the existence in most states of "unresponsive and ineffective legislatures" that are "hemmed in by severe constitutional barriers."

TIME LIMITATIONS CITED

For example, the report said, 29 legislatures still meet in regular session only once every two years; time limits of 40 to 195 days are imposed on the length of sessions in 33 states; only 19 states have legislatures with fewer than 100 members, and most of the rest are "unwieldy."

The power of state governments is further restricted, the report said, by constitutional limitations on legislative authority, notably in taxation and appropriations.

The committee recommended that part-time legislatures become full-time and suggested a dramatic increase in salaries in an effort to improve the performance of the legislators themselves.

Pointing out that annual salaries are $5,000 or less in 35 states, and under $2,000 in 18 of these, the group recommended a minimum salary of $15,000 in smaller states and $25,000 in larger states.

The second major obstacle to effective action, the report said, is the lack of "executive authority" of the Governors.

The report said that with few exceptions—New York is one—most Governors are hampered by limitations on tenure, inadequate veto power, small staffs, and the lack of any authority to streamline government through executive order, as the President can do.

DILUTION OF POWER CITED

The Governor is further constrained, the report said, by the fact that executive authority that should rightfully be his is distributed among separate state agencies and independent boards.

In North Carolina, for example, executive authority is divided among the Governor, eight popularly elected department heads, and some 160 boards, commissions, councils, committees and other bodies.

The committee recommended that state constitutions be revised to give Governors four-year terms, freedom to seek reelection without restriction as to number of terms, and stronger reorganization authority.

Governors should also be paid more, the report said, pointing out that salaries of the 10 lowest paid Governors range from $10,000 a year in Arkansas to $19,800 in Georgia and that eight others receive *$20,000 annually.*

The third obstacle to effective state action the committee said, is geography. Unless the states adopt regional compacts or other forms of interstate cooperation, the report said, the many problems that lie "beyond the reach" of any single state, such as urbanization and pollution, will remain unsolved.

CONGRESS MUST HAVE THE ABILITY TO INDEPENDENTLY CHECK THE VALIDITY OF PROGRAMS AND THE ABILITY OF THE ADMINISTRATORS

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. STEIGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. STEIGER of Arizona. Mr. Speaker, the Federal bureaucracy has become a fourth arm of Government; it is not subject to the checks and balances of the elective process, the veto, or ready judicial appellate review.

We must recognize that a voracious master—and "monster" might not be too strong a term to use—has been created. He must be restored to his intended role of technician. The job must be undertaken now because it is the most formidable project facing Congress.

Congress must establish a mechanism by which its oversight function, so sadly neglected now, can be maintained and developed. Only then will we be able to obtain objective information upon which to establish criteria for evaluation regarding the effectiveness of programs and their administration.

All of us have fumed over certain of the programs and grants that have been brought to our attention. The inanity of their titles and apparent purposes dramatically show that more knowledge is necessary so that we might more readily judge programs before the fact.

The number of programs and the different departments in which these programs are administered in the area of water facilities is well known to Members of Congress. Even for Washington-based individuals it is difficult to wend one's way through this maze.

Because of the difficulty in obtaining unbiased information concerning needs, some programs that have proven most beneficial are badly underfunded. The Department of Housing and Urban Development's water and sewage program has a $2 billion backlog of applications. It is estimated that present requests on hand will take 11 years to fill.

The Department of Commerce's Economic Development Administration in fiscal year 1967 had application requests for $470 million, but only $170 million was appropriated. At least 350 projects meeting the requirements established by law and administratively within the Department had to be rejected. The Housing and Urban Development Department's public facility loan fund has a backlog which at present would take 10 years to eliminate.

Yet, the Office of Economic Opportunity programs often need major advertising campaigns to obtain the necessary number of individuals' participation. All too well are we aware of the subsequent costs. The Job Corps is a perfect example.

With better information Congress could establish the priorities for funding allocations in a more enlightened fashion. The administration has refused to date to adequately do such. The $425 million spent by the executive branch for public relations functions presently cloud and make objectivity difficult if not impossible in determination of actual demand and need.

There is a gross oversupply of the work force in the Federal area; too many individuals are producing too little of benefit.

Of course, the administrators are most adept at discovering justifications for additional employees, as the constantly expanding payroll indicates. The freeze on hiring recently did absolutely nothing apparent to hold stable or decrease the total number of employees—as Congress noted, the total number increased.

The classic example of this is the Agriculture Department. Several years ago in an attempt to stem the process by which there were a constantly increasing number of employees in the Department but fewer and fewer farmers in the Nation, an amendment was proposed that would limit the number of bureaucrats to the number of active farmers. The legislation was defeated.

These examples clearly show the need for the establishment of a commission to propose procedures by which executive branch procedures and programs might be streamlined. The need is dire and immediate. Without such suggestions being implemented, Congress will soon find it impossible to adequately represent the people. And without such thoroughgoing knowledge of how the laws are administratively applied, we will be unable to exercise any of our oversight function.

Congress must have the ability to independently check the validity of programs and the ability of the administrators. Only then will bureaucracy be relegated to its proper role.

ANTIRIOT LEGISLATION NEEDED

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HARSHA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HARSHA. Mr. Speaker, I regret that the antiriot legislation, H.R. 421, was taken off the docket today.

There is a great need for this legislation, *and an effort must be made by the* Congress of the United States to stop the rabble rousing, hate mongering, and preachings of such as Stokely Carmichael and others who are making a practice of running over this Nation, stirring up riots and hate among the *races of this Nation, all of which result* in violent breaches of the peace, destruction of personal property, and infringement upon the civil rights of all law-abiding citizens.

In my judgment, H.R. 421 would have been a step in the direction of bringing such activities to a halt.

I introduce an identical bill to H.R. 421, which is H.R. 10882, and as a cosponsor of this antiriot legislation, I earnestly hope the leaders of this House will again schedule this bill and that the Members will approve it.

This bill is aimed at those who travel from State to State or who use the mail or other facilities of interstate commerce with intent to incite street violence and rioting, and who thereby not only threaten the domestic peace and tranquillity but transgress upon the rights of law-abiding citizens.

The intent of the legislation is to supplement, not take the place of local law enforcement.

Generally, the most immediate and effective means of riot control, riot prevention, and the punishment of rioters rest with State and local police and officials. This proposed law will substantially assist State and local authorities in keeping the peace and protecting the public safety. With its stiff penalties of $10,000 fine and up to 5 years imprisonment, it could well have the effect of preventing riots and destruction of property to the extent they are caused by outsiders.

Again, Mr. Speaker, I urge the Members to act favorably upon this legislation.

A REPORT ON URBAN RENEWAL IN THE SIXTIES AND ITS IMPACT ON THE POOR

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the urban renewal program continues as a major part of the Federal effort to assist our cities in the process of rejuvenation and improvement. The demonstration cities program, or model cities as it is now called by HUD, itself will depend in large measure on the use of the urban renewal concept, and urban renewal funds. There has been much constructive criticism of the urban renewal program in the past, and it is of importance to the Congress and to those involved in or interested in the conduct of the program to keep informed on the trends and changes, or lack of change, in the program in the decade of the sixties.

For the first 4 months of this year, I *had the pleasure of having on my staff,* as an American Political Science Association congressional fellow, Dr. Clarence Stone, of the Emory University Political Science Department. I asked Dr. Stone to concentrate on an objective evaluation of urban renewal as that program *now stands, using whatever* materials, articles, and statistics that he could locate. After a very thorough effort, which included considerable correspondence with the Department of Housing and Urban Development, and the utilization of data from that Department, Dr. Stone prepared a paper entitled "Urban Renewal in the Sixties and Its Impact on the Poor."

He finds, among other points, that there has been an actual decline in the use of urban renewal acreage for residential purposes in the last 2 years for which data was readily available, 1963 through 1965. The trend in residential development toward low and moderate income housing, including public housing, are more encouraging in the past 2 years, but unfortunately are still far from adequate for purposes of displacees from project areas. Nor do Dr. Stone's findings on rehabilitation and relocation add up to any dramatic change away from past criticisms, but rather a more gradual modifying of intent and operation.

He also raises questions concerning the proper balance between commercial and residential renewal, and concludes that considerably more can be done in establishing clear priorities. In the latter respect, the Congress has as much responsibility if not more than the executive branch.

I consider the report by Dr. Stone to be a very useful and important addition to the review of the urban renewal program. It has the added virtue of being both scholarly and readable. I feel very fortunate in having had an academician of the caliber of Dr. Stone on my staff even for an all too brief period of time. The report follows:

Urban Renewal in the Sixties and Its Impact on the Poor

(By Dr. Clarence Stone, Department of Political Science, Emory University)

Few programs have generated more controversy than urban renewal. It has been attacked for a variety of reasons, but lately the most trenchant criticisms have concerned the impact of urban renewal on the poor. Defenders of the program have responded by freely admitting that mistakes were made in the past, but they insist that urban renewal has now been put on a sound basis. The program is alleged to have been redirected in the sixties, with an emphasis on rehabilitation and with a shift away from luxury apartments to low and moderate income housing.

Certainly urban renewal has undergone changes, and new housing programs to encourage conservation of existing housing and to assist the less affluent have been enacted. Still, serious doubts about the program remain. An impressive array of scholars in the urban affairs field have continued to be concerned over urban renewal in the sixties, that is, they are still concerned after and despite the alleged redirection.[1]

Moreover, while Housing and Urban Development Secretary Weaver dismisses the charge of "Negro removal" as oversimplified and outdated, others are increasingly worried by this very point. Just last year the NAACP Legal Defense Fund began a campaign against urban renewal projects adversely affecting Negro housing.[2] And a recent publication of the Southern Christian Leadership Conference contained this report on urban renewal:

"In Chicago we are taking direct action against an attempt to wipe out Negro homes to replace them with commercial operations. Instead of genuine community renewal, this type of Government 'renewal' project frequently means the transfer of displaced ghetto families into already overcrowded slums. In Chicago's Englewood area, 600 basically sound, Negro-owned homes have been threatened with destruction, to make way for a shopping mall and parking lots! The Freedom Movement has protested the project by encouraging customers to stop buying in the business district."

It seems that the charge of "Negro removal" cannot be discounted as something in the past of urban renewal.[3]

New housing and urban renewal tools will make little difference if the local authorities actually planning and executing projects retain their old ideas and attitudes. Despite cabinet-level talk of new directions in urban renewal, we are short of substantial evidence on these directions. We need to look anew at what kind of redevelopment is taking place and how housing supply is affected by urban renewal.

REDEVELOPMENT TRENDS

In the fifties the failure of urban renewal planners and administrators to emphasize residential redevelopment was attributed to the lack of suitable housing programs. Despite the enactment of several new housing programs in the sixties residential redevelopment continues to decline. Table I shows that the proportion of urban renewal projects being redeveloped for residential purposes is decreasing. Up until the end of 1963, less than half of the projects, 45.5%, were to have a predominantly residential reuse. Even though the 221(d)3 program and other new housing programs were in force, only a little more than a third of the subsequent projects, 36.3%, are devoted mainly to residential redevelopment.

Since most urban renewal areas have mixed uses, it might be objected that predominant project reuse figures are inadequate. However, Table II indicates that the proportion of land acreage designated for residential redevelopment has declined by 4.5% as measured by a before and after comparison of urban renewal at the end of 1963. Since residential acreage includes related public and semi-public uses, the decline in land used for actual dwelling units may be even greater than these percentages indicate. If, as seems likely, more and more land is needed for and earmarked for schools and recreation areas, "residential redevelopment acreage" conceals some of the decline in dwelling space.

Redevelopment patterns have not been unaffected by recent housing legislation. Growing public concern and the availability of new programs, especially 221(d)3, combined to bring about a trend away from luxury apartments. Yet, as Table III suggests, low and moderate income housing still accounts for only a relatively modest share of the new residences being built in urban renewal areas. In the two years from mid-1964 to mid-1966, a period in which there was a full opportunity to utilize the 221(d)3 program, low and moderate income housing accounted for over half of the new dwelling units built. Prior to that less than one-third of the new housing in project areas was low-moderate income. But no continuing upward trend appears to be in the offing. Among the units being planned and those under construction, low and moderate income programs account for considerably less than half.

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[1] Recent writings reflecting a particular concern over the impact of urban renewal on the poor include: Charles Abrams, *The City Is the Frontier* (1965); Joan Colebrook, "People of the Slums," *New Republic* (June 15, 1963), pp. 18–20, and (June 29, 1963), pp. 15–18; Colebrook, "A Reporter at Large; The Renewal," *New Yorker* (Jan. 1, 1966), pp. 35–45 (Miss Colebrook has been a social worker involved in relocation); Herbert Gans, "The Failure of Urban Renewal—a Critique and Some Proposals," *Commentary* (July, 1965); Nathan Glazer, "The Renewal of Cities," *Scientific American* (Sept., 1965), pp. 195–202, 204; Scott Greer, *Urban Renewal and American Cities* (1965); William Grigsby, "Housing and Slum Clearance," *Annals* (March, 1964), 107–118; Chester Hartmann, "The Housing of Relocated Families," reprinted in *The Federal Role in Urban Affairs,* Hearings before the Subcommittee on Executive Reorganization of the Senate Government Operations Committee (1966), pp. 111–140; Hartman, "Omissions in Evaluating Relocation Effectiveness," *Journal of Housing* (Feb., 1966), pp. 88–89. James Q. Wilson, *Urban Renewal: The Record and the Controversy* (1965); Eleanor Wolf and Charles Lebeaux, *Studies in Change and Renewal in an Urban Community* (1965), esp. Vol. II, pp. 69–81.

[2] The first LDF case involved a project area in Pulaski, Tenn., that was to be converted from residential to commercial-Industrial use. The area contained 46 Negro families, most of whom owned their own homes. Rooming houses, multi-family dwellings and the like were totally absent. A city planner from the University of Pennsylvania found the area to be well suited for residential purposes: it was served by municipal water, sanitary sewers, and other utilities. Streets were paved and free of through traffic. Schools and shopping centers were nearby. At least half of the structures were found to be in good or rehabilitable condition. It was observed further: "there are many mature shade trees within the project area. The houses and grounds are generally well maintained." According to the University of Pennsylvania, planner, environmental deficiencies were not sufficient to qualify the project area as blighted, deteriorating, or a slum area. Indeed a group of adjacent white-occupied houses contained some dwelling units in a more deteriorated condition than many of the project area homes. Residents played no part in planning the project; no members of the city's Citizens' Advisory Committee lived in the urban renewal area; and no member was considered a representative of the residents. Relocation housing was deemed woefully inadequate, consisting in part of public housing for which there were competing demands and for which not all displacees were eligible and in part of vacant lots.

[3] In addition to the Legal Defense Fund, SCLC and numerous local civil rights organizations, official concern has been registered over the impact of urban renewal on minority groups. The 1963 Report of the U.S. Commission on Civil Rights and subsequent special reports by the Connecticut, Iowa, and New Jersey Advisory Committees to the Civil Rights Commission have noted problems in site selection, relocation and adequate minority group representation on advisory committees. It is also noteworthy that one of the few attempts to sample opinion among renewal displacees found that more than half ascribed a racial motive to urban renewal. Typical comments included: "They want the colored people out . . . they don't care about the colored folks."

"Just pushing colored out so the white people can move down there."

"I think they mostly getting rid of the colored people there so they can build up those big buildings for rich folks."

TABLE I.—*Decline in residential redevelopment by project reuse character*

	Cumulative to Dec. 31, 1963	Net of Dec. 31, 1965, over Dec. 31, 1963
Total number of projects	855	278
Number of projects with predominant or exclusive residential reuse	389	104
Proportion of projects with predominant or exclusive residential reuse (percent)	45.5	36.3

TABLE II.—*Decline in residential redevelopment by acreage*

	Cumulative to Dec. 31, 1963	Net of Dec. 31, 1965, over Dec. 31, 1963
Net acreage cleared (excludes land to be reused as public right-of-way)	27,957.6	10,759.7
Acreage for residential redevelopment [1]	13,970.8	4,891.1
Residential redevelopment acreage as proportion of net acreage (percent)	49.9	45.4

[1] Residential acreage includes related public and semipublic uses such as schools and recreational facilities.

TABLE III.—*Trends in residential redevelopment*

	Completed as of June 30, 1964	Completed June 30, 1964, to June 30, 1966	Started but not completed as of June 30, 1966	Planned and financing known, but not started, June 30, 1966
Total dwelling units	67,777	28,014	25,038	35,197
Public housing units	5,231	3,236	2,686	2,662
Proportions of all units (percent)	8.5	11.6	10.7	7.6
221(d) units [1]	4,512	6,620	2,858	10,641
Proportion of all units (percent)	7.3	23.6	11.4	30.2
State and local moderate-income units	10,426	4,727	4,689	237
Proportion of all units (percent)	17.0	16.9	18.7	0.7
Elderly housing (202)		588	290	796
Proportion of all units (percent)		2.1	1.2	2.3
All low- and moderate-income units	20,169	15,171	10,523	14,338
Proportion of all units (percent)	32.8	54.2	42.0	40.7

[1] Includes all of the 221 programs—(d) 2, 3, and 4.

HOUSING SUPPLY

The shortage of residences for low and modern income families is widely acknowledged. One estimate is that a quarter of the nation's population is in housing either substandard or overcrowded. Yet urban renewal has reduced rather than expanded our housing supply. As Professor Scott Greer has put it so pungently: "At a cost of more than three billion dollars the Urban Renewal Agency . . . has succeeded in materially reducing the supply of low cost housing in American cities." While much of the housing cleared was substandard, nearly one-fifth was standard even by the LPA's own criteria.

More than three times as many housing units have been demolished as have been built. Partly this is a result of the time lag between demolition and replacement, but even in completed projects housing cleared is substantially greater than housing built—102,000 units demolished and only 72,000 replacement units built. In his book *Dilemmas of Urban America* (1965), Secretary Weaver himself has remarked that, "urban renewal has torn down ten times more low-income and moderate-income housing units than it has helped to produce."

Even with the recent changes in the program, housing, including low cost housing, is still being torn down at a greater rate than it is being built. The continuing impact or urban renewal can be appreciated by comparing the number and type of dwelling units being built with the number and income level of families (data are not collected on single persons) being displaced. To make such a comparison, while focusing attention on the program in its current phase, it is necessary to use aggregate national figures. Table IV contains the latest available figures on displacement and on new units.

In the most nearly comparable two year period the number of families scheduled for clearance was almost three times as great as the number of new dwelling units built. More importantly, for it is here that the relocation problem is most serious, low-income family displacement greatly exceeded the number of low and moderate income dwelling units constructed. New housing of this type was only three-fifths the known number of displaced low-income families. For low cost units to have matched the number of displaced low-income families, construction would have to have been more than fifty per cent higher. Or, with the same amount of construction, ninety per cent of the units would have to have been low and moderate income.

The excess of cleared housing over new housing has been defended on the ground that only in this way can residential density be reduced. But housing density cannot possibly be reduced by decreasing the housing supply and contracting the area devoted to residential uses. To be sure, people can be moved from more densely to less densely populated areas, but this can be done without clearance and without the intense problems that accompany clearance. At any rate there is no evidence that relocation has shifted people from crowded to less crowded residences, and a few studies suggest just the opposite.

TABLE IV.—*The Recent Impact of Urban Renewal on Housing Supply*

Number of families* scheduled for displacement renewal projects, December 31, 1963 to December 31, 1965	77,142
Number of dwelling units built in urban renewal projects, June 30, 1964 to June 30, 1966	28,014
Dwelling units built as proportion of families displaced (percent)	36.3
Reported number of low income families** displaced by urban renewal projects, December 31, 1963 to December 31, 1965	25,303
Number of low and moderate income dwelling units built, June 30, 1964 to June 30, 1966	15,171
Low and moderate income dwelling units built as proportion of low-income families displaced (percent)	60

*Single person households are not reported.

**Eligible for public housing.

While cities undertaking urban renewal may have housing vacancies, few of the vacancies match the needs of displaced families.[4] Well over half the families in housing cleared or scheduled for clearance have incomes low enough to make them eligible for public housing. (But only about one out of seven families have been relocated in public housing.) Similarly over half are non-white. Indeed Professor Scott Greer observed that Negro residences are condemned at such a rate that, though the intention may not be so, "the effects are the same as they would be if dehousing Negroes were the goal." Few new dwelling units are designed for or open to low-income Negroes. Areas with older units often are not suitable either. Dr. Weaver described the problem this way:

"While the structures in such areas of the old city may be imposing in size and appearance, frequently they are architecturally obsolete. This . . . may occasion new property uses—rooming houses, conversions to apartments of varying degrees of adequacy, or other forms of multifamily occupancy. Seldom are they suited for small families and their utilization by low-income households usually involves undesirable economic and social consequences."

Moreover, Dr. Weaver has specifically said that the filtering down process, that is, the shift of housing from higher to lower income occupancy, is faulty. The process is partially inoperative because of racial restrictions on the housing market. And, even when operative, economic pressures may result in overcrowding or other occupancy patterns that hasten deterioration and blight. (See also statements in 17th annual report of HHFA (1963), p. 38.)

There is, then, little reason to believe that clearing residential areas will reduce housing density. Quite the contrary, there is every reason to believe that residential density will increase as the housing supply is reduced. Moreover, city officials appear not to be concerned with lessening residential density. Professor Charles Abrams has noted that most city officials "would like to see fine buildings cover their slum sites. They would like them tenanted by good taxpayers (mostly white and high income) on as little land coverage as possible—but with as much brick as possible to yield the maximum tax revenues." Scott Greer quotes one LPA official in an interview on the redevelopment use of an urban renewal area: "It'll have to be higher density—the land is too valuable." Another official added, "High density residential is the best use." It seems that those in charge of administering urban renewal projects are often uninterested in reducing residential density.

REHABILITATION AND RELOCATION

A new emphasis on rehabilitation and improvements in relocation procedures allegedly has made urban renewal less burdensome to the poor. Undoubtedly the argument has some substance, but problems are still apparent. The rehabilitation effort is still a modest one, and relocation is still fraught with difficulties.

Between June 30, 1963, and June 30, 1966, the number of dwellings rehabilitated doubled. Yet, the total number of units involved in rehabilitation is still small. Since the beginning of the urban renewal program only 60,319 dwelling units have been rehabilitated. Another 26,396 were in process as of June 30, 1966. While almost 100,000 additional units are scheduled for rehabilitation, action continues to be slow. And even if planned rehabilitation were to be completed immediately, such an effort would cover only a small proportion of the deteriorating housing units.[5] Moreover, notwithstanding the recent emphasis on rehabilitation, the number of units cleared each year is still three times greater than the number rehabilitated. According to HUD estimates, displacement will continue at a high level over the next several years.

Though relocation procedures have been improved, the continuing high level of displacement remains as a sensitive and difficult matter. Professor Scott Greer's field interviews are revealing on this matter. Greer quotes one LPA official, "It's in relocation I think we've failed most miserably." In another city an LPA official remarked, "Relocation is the biggest mess in *urban renewal*, not just here . . ." In this city twenty per cent of those relocated went into public housing, most of the others into substandard housing. In another project relocation was described to Professor Greer as "a matter of waiting while they [the residents] scattered." One of the complaints aired recently before the Iowa State Advisory Committee on Civil Rights was that non-whites were allowed to move prematurely from renewal areas because of fear and misinformation, and then were not considered the responsibility of renewal officials. More than a third, 250 of 708, of the families in one Des Moines project moved out before official actions were taken on their dwellings. Most are thought to have gone into substandard housing. The result, the Director admitted, was a paradox: "the city still has a relocation problem, but at the same time, virtually all the families the city was legally responsible for have been moved into standard housing." The New York City Department of Relocation reported that nearly half the slum dwellers of the Upper West Side project area left before the city started relocation activities.

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[4] The problem is given tacit recognition by Federal officials. See *The 17th Annual Report*, HHFA (1963).

[5] See the table in *The Federal Role in Urban Affairs*, p. 79.

The Department of Housing and Urban Development has taken much comfort from a survey of relocation by the Census Bureau, which shows a high proportion of families in standard housing. However, Chester Hartman of the Joint Center for Urban Studies of MIT and Harvard University has shown that this study can be interpreted in a less optimistic fashion than HUD has done. The survey was not of all displacees, but only of those placed on LPA "workloads." Thus families like the 250 in Des Moines and the Upper West Side residents in New York were not included. Besides that, interviews could not be obtained with nearly one-quarter of the families—in many instances because the address supplied by the LPA was faulty.

Whatever the merits of the Census Bureau survey, the fact remains that problems keep arising. When non-governmental groups look into relocation, their findings diverge sharply from LPA reports. Apparently more than unhappy coincidence is involved. Professor Scott Greer's field interviews included these remarks by one local official:

"My old buddy in the regional office used to come to me and say, 'What's the housing situation here'? I'd say, 'Look, here's our relocation plan.' He'd grin and say, 'Yeah, but tell me, what's the housing situation'?

Greer cites one LPA service that succeeded in putting only 13 percent of its families in standard housing. In Detroit housing improved, but only three percent of the displacees moved into housing suggested by the city. A year ago in Cleveland the Civil Rights Commission found that there was a serious shortage of relocation facilities, especially for Negroes. Available housing was either too small or too expensive for nearly half the displaced families. Columbia sociologist, Herbert Gans, wrote recently that his own academic institution had "just persuaded New York City to approve a plan for the removal of many Negro and Puerto Rican residents—without adequate provision for their relocation." These seems to be more than isolated instances. The New Jersey Advisory Committee on Civil Rights felt it necessary to make this statement:

"Both Federal and State officials should enforce more strictly the requirements that sound housing in the same general cost range and in the same community be made available to current residents of an area about to be 'renewed,' before any demolition and displacement begin. Current regulations may be adequate but they are not strictly enforced."

The Iowa State Advisory Committee also recommended,

"That in determining availability of housing in a relocation area, local governments evaluate the situation realistically and accurately according to Federal law which specifies that such housing must actually be available for sale or rent to the minority groups displaced by an urban renewal program."

If nothing more were involved than scattered instances of development authorities being neglectful, perhaps there would be no cause for grave concern. Relocation, however, suffers from a dilemma of fundamental importance. Clearance should take place only if other housing is available that is decent, safe, and sanitary, that can be afforded by the displacees without overcrowding, that is in reasonably convenient locations, and that is not restricted on racial or ethnic grounds. But if such housing existed there would be little need for government sponsored renewal. Professor Charles Abrams described the situation in this manner:

"An assertion that slum families earning $200 to $250 a month can be found decent housing fulfilling the law's specifications and within their means runs counter to every previous finding of Congress and to the known facts of slum life in the nation's central cities. It implies that for the poor there is no housing problem and that the solution for their housing problem is to put them out."

Secretary Weaver has stated that the vacancy rate in most cities is high enough to ease the relocation situation. The problem is not that simple, however. Cleveland, for example, supposedly had an adequate vacancy rate. But the U.S. Civil Rights Commission staff found that vacancies were concentrated in small, high-rent units available usually only to whites, whereas relocation needs were for large, Negro families with low incomes. In Pulaski, Tennessee, the NAACP Legal Defense Fund found that relocation facilities consisted of vacant lots upon which houses could be built and public housing units for which there were competing demands. During an interview on the problem of displaced families, the Des Moines Urban Renewal Director said:

"The families involved have low incomes, are large, are from minority groups, and often are aged. The real estate people haven't got a dozen vacancies they will rent to large families. They don't have them now and they haven't had them for five years. They just don't want to rent to large families or to colored people."

In community after community the story is the same. Housing vacancies do not match relocation needs in size, cost and availability to minority groups. And the problem is not lessening. Each year a majority of displacees continues to be low income, and a highly disproportionate number come from minority groups. As one example, testimony before the U.S. Civil Rights Commission indicated that urban renewal in Newark during the decade of the sixties will displace between 105,000 and 120,000 persons. This is about a quarter of the city's population. About three-fourths of those to be displaced are Negro. In fact, a little more than half of the city's non-white population was scheduled for relocation.[6]

Even if the difficulties of resettling families in standard housing could be overcome, relocation would remain as a problem. Professor Charles Abrams has argued: "Statistics showing improved housing for the evicted, even if true, are not the whole truth." Secretary Weaver, who believes that effective procedures have been established, admits that "even with humane and effective relocation, enforced dislocation involves economic and psychological hardship."

By all accounts relocation results in higher housing costs. The Census Bureau survey found for families renting before and after relocation that the median proportion of income going for rent rose from 25% to 28%. The proportion of families paying a quarter or more of their income for rent (25% is the generally recommended maximum) increased from fifty to fifty-seven percent. There was also a sizeable change in the percentage paying less than one-fifth of their income, a drop from 33 percent to 24 percent.

Relocation in Detroit (see the Wolf and Lebeaux study) increased the housing expenses of the typical household from $56 to $65 per month. Post-relocation housing averaged 30 percent of income. A survey of another older neighborhood, not yet marked for renewal but selected as typical of those that have been cleared, revealed low housing costs, especially for the half of the households that were home-owning. The researchers concluded that "for most of the homeowners and the people living with them any move is likely to cause much increased housing costs and probably decreased living space."

Another study, one of elderly persons and households relocated, also found sizeable increases in housing costs. Median rent for both single persons and households went up $7 per month. More importantly, the rent-income ratio jumped from 27% to 37% for households of two or more persons and from 26% to 36% for single persons.

TABLE V.—*Changes in rent after relocation for the elderly* [1]

[Proportion in percent]

Type of change	Proportion of 2 or more person households	Proportion of single persons
Increase of $15 or more	31.8	31.7
Increase of $5 to $14	24.6	21.7
Approximately the same	16.2	30.0
Decrease of $5 to $14	16.2	11.7
Decrease of $15 or more	11.2	5.0
Median rent before moving	$48	$37
Median rent after moving	$55	$44
Rent-income ratio before moving	27.0	26.0
Rent-income ratio after moving	37.0	36.0

[1] Derived from figures in "The Elderly in Older Urban Areas," by John L. Niebanck and John B. Pope (Institute for Environmental Studies, University of Pennsylvania, 1965.)

The authors of this study did find an increase in the proportion of people living in standard housing after relocation, but this involved less living space after the move than before. Other difficulties were also encountered. In Philadelphia, a third of the families experienced a reduction in income after the move. Virtually none had incomes that rose. More than 40% of the elderly families in Boston lost income after relocation; the others remained at the same level. The move away from neighborhood stores with their low overheads meant a rise in the cost of living for many families. The loss of short-term credit, free home delivery, and low cost transit rides added to financial difficulties. Similar findings are reported in the Detroit study.

In the light of the predominance of low incomes among urban renewal families, it seems all too likely that higher rents have lessened spending for such items as food and clothing. Gains in the state of dwelling-unit repair or in the quality of bathroom facilities may be offset by other changes. The authors of the study of elderly relocation maintain that improved housing was achieved at a cost that "has been paid directly both in less space and in higher rents, and indirectly in higher living expenses in addition to rent and loss of income." They concluded:

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[6] The Executive Director of the Newark Housing Authority, Louis Danzig, had this to say of urban renewal displacees: "The most serious hardships in relocation are usually experienced by the middle-income family whose income is too high for eligibility to public housing but not high enough for new private construction. For such families, enormously complicating the problem of relocation, there has been an inadequate supply of middle-income housing to rent at $25 to $30 a room per month. . . . The lack of middle-income housing adversely affects both white and nonwhite families, but the impact on nonwhites is much greater because access to good private housing for them is severely restricted."

"An examination of the available data shows that the price of acquiring standard quality in the dwelling unit may well be too great for the already over-burdened elderly to be forced to bear."

Economic hardships are not the only difficulties encountered. Dislocation has considerable psychological impact, especially among the poor. Interviews with persons displaced by the West End project in Boston led to the conclusion that much more was involved than a temporary readjustment. The author concluded: "Grieving for a lost home is evidently a widespread and serious social phenomenon following in the wake of urban dislocation."

More recent studies in D.C. and Detroit found that the sense of community has been greatly weakened and that readjustment was not coming easily. A quarter of the families interviewed in D.C. had not made any new friends since leaving the project area. In both D.C. and Detroit relocated families considered their new housing better than the old, but still preferred the old neighborhood. The urban renewal area was regarded as more convenient and, above all, more neighborly.

Feelings of hopelessness and powerlessness are prevalent among urban renewal displacees. Despair is not unusual. The above-mentioned study of the elderly, for example, reached this conclusion:

"Budget adjustments are difficult. Friends are lost and virtually impossible to replace. Unfamiliar surroundings breed withdrawal and its concomitant, loneliness and depression."

A BALANCED PROGRAM?

Nonresidential renewal is defended officially as essential to the combatting of central city decay. Commercial and industrial areas, so the argument runs, must be revitalized to preserve and enhance the city's tax base. Moreover, the opportunity to acquire new or rehabilitated housing is said to depend on expanding employment opportunities through the city's commercial and industrial enterprises. Nonresidential renewal is thus viewed as occupying an important place in a balanced urban renewal program.

In some respects the argument is a persuasive one. Housing conditions are related to the broader economic situation. A sound tax base and new job opportunities are worthy and needed objectives. Also our tradition of decentralization is involved. Local officials have favored increasing the nonresidential exception.[7] The difficulty with the argument is that it has not been fully tested.

Clearly urban renewal can enlarge municipal tax bases. On those projects for which land disposition was completed as of June 30, 1966, the tax levy was estimated to be four times greater after renewal than it was before. Argument, then, is less over whether or not city revenues can be increased than over whether or not urban renewal is suitable for this purpose. On the improvement of city tax bases by urban renewal, Professor James Wilson argued before the Housing Subcommittee:

"There are, I submit, more efficient ways of achieving that objective. A renewal project takes many years to complete, imposes serious costs on those affected, and takes land off the tax rolls while clearance and redevelopment are underway. Urban renewal is a useful tool, but not the best tool for this particular purpose."

Economic gains have been realized at a social cost. Replacing low tax structures with high tax structures is essentially a process of replacing low cost dwelling units with construction of no benefit to slum dwellers—luxury apartments and office buildings. If low and moderate income housing becomes a major reuse of renewal land, tax gains will be lessened as they are likely to be in the projects now underway. Moreover, it is important to keep in mind that urban renewal decreases total taxable area, and this tendency is becoming more pronounced. From the end of 1963 to the end of 1965, the proportion of net acreage for public and semi-public reuse went up from twelve to nineteen percent. This increased redevelopment by non-taxable institutions combined with a shift in residential redevelopment from high-rise luxury apartments to low and moderate income housing makes it difficult to see how city tax bases can continue to be enlarged.

If the interrelations between redevelopment trends and local tax rolls have been insufficiently explored, the effect of urban renewal on employment, has been almost completely neglected. Notwithstanding the many years that nonresidential renewal has been defended as a provider of job opportunities, no figures have been presented. While the presumption is made that nonresidential redevelopment creates jobs for central city dwellers, the few known facts suggest just the opposite. First of all, businesses displaced by urban renewal fail at a high rate. A survey by the Urban Renewal Administration of 50 LPA's revealed that more than a third of the displaced businesses (35.3%) discontinued. Studies of Providence, R.I. and Washington, D.C. found that about 40 percent of the businesses dislocated by urban renewal failed to re-establish themselves. In Detroit researchers found only half the urban renewal displaced businesses successfully relocated. The others were evenly divided between those known to have failed and those classified as "probable losses." It is no comfort that most of these businesses were small and marginal for they are often an important source of income and services to city dwellers, particularly in minority group areas. In Detroit, for example, half the displaced businesses were Negro owned, and 57 percent of these failed to re-establish. Many of the businesses that continue do so in the suburbs, and thus are lost to the central city.

It might be argued that, if new businesses are established, discontinuing businesses are of no importance to the employment situation. But the argument applies only if the new establishments offer employment to central city residents. Such does not seem to be the case. From all indications central business district redevelopment results in the displacement of warehousing, manufacturing and distribution firms for cultural facilities and office buildings.[8] Since the former employ a large number of inner city residents and the latter employ a large number of suburban dwellers, it seems likely that nonresidential renewal is contributing to employment problems—and probably to transportation problems as well. Perhaps this is an unduly pessimistic conclusion, but there is no concrete evidence to the contrary.

Defense of the considerable amount of nonresidential renewal now taking place ultimately comes down to "the cities want it." When the request was made to increase the nonresidential exception to 35 percent, Secretary Weaver observed, "The 30 percent limitation is now being fully utilized and the known demand for nonresidential projects exceeds the limitation." But the mere presence of a demand is insufficient ground for meeting that demand. A number of questions have been raised concerning the soundness of this demand and the breadth of community support for nonresidential renewal.

After his interviews with local and regional officials, Professor Greer indicated that commercial renewal was often based more upon hopes than demand studies. He stated:

"Decisions on projects are usually based on shaky empirical findings, sometimes on mere beliefs. . . . Marketability studies are rarely adequate to the load they must carry, for they ignore the competition of sites scattered throughout the metropolitan area, are carried out long before the land can be offered for sale, and hardly ever incorporate the final aims of urban renewal as variables."

Secretary Weaver has also observed that central business district renewal is based on something other than a balanced and objective consideration of community needs. Nonresidential redevelopment, he said, is supported partly because of "practical operational considerations."

"The downtown redevelopment is dramatic; it is often more quickly put into execution than a predominantly residential re-use; it usually provides high tax returns to the city; it reduces controversies over the income groups to be served by residential re-use; it is instrumental in attracting support from the business and financial power structure."

Another urban affairs expert to express concern is Charles Abrams. Project sites, Abrams contends, are selected on the basis of the interests of commercial redevelopers, not the combatting of slums. He asks rhetorically, "Should the condemnation power be used to assemble only the better sites while the slum sites are left to fester?" "Social objectives and the real needs of communities," he notes, "are too often pushed into the background."

Urban renewal does not completely ignore urban problems, but it is becoming increasingly apparent that the most urgent needs, the needs of the ghetto dwellers and the urban poor generally, are neglected. As Professor Greer observed, the problems attacked through urban renewal "are significantly, *problems of the respectable* people, the urban middle class. They are not the problem of the slum dwellers. They are sometimes the problems seen by those who have a stake in the central business district." All too indicative was the LPA official who explained how support for urban renewal was maintained in his community: "We left the residential areas alone, and where we did relocate—near the south end of town—the people are *groups that don't matter*." (My emphasis.)

Workable program requirements including citizen participation and minority group representation are not real safeguards. Professor Greer's investigation led him to conclude that evasion of requirements "is commonplace." One local official remarked concerning the Workable Program progress report:

"It's admirable in principle, but the way they carry it out it's just a lot of hypocrisy. I call it a Hypocritical Report of Progress."

Requirements are sometimes met in a purely formal fashion. Neighborhood groups are often frustrated in their efforts to shape renewal by being confronted with unamendable plans. Advisory committees on too many occasions are only showpieces. One ex-member of such a committee explained:

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[7] The nonresidential exception is virtually meaningless. In the first place it applies only to projects that are predominantly nonresidential *both* before and after redevelopment. There is, thus, no protection against conversion from residential to commercial or other nonresidential use. In the second place Section 112 projects, areas involving educational institutions or hospitals, are not included in the 35 percent nonresidential exception, but come under a separate exemption provision. ARA designated redevelopment areas also have a separate exemption provision and are not included in the 35 percent nonresidential exception.

[8] See Basil G. Zimmer, *Rebuilding Cities* (1964), pp. 154–161; and David Carlson, "Downtown's Dramatic Comeback," *Architectural Forum* (Feb., 1964), pp. 98–103. Industrial redevelopment accounted for 22 percent of the urban renewal land use at the end of 1963, but dropped to less than 16 percent for the two year period ending Dec. 31, 1965.

"When I was appointed to the Citizen's Advisory Committee for Urban Renewal I didn't know what we were supposed to do. Then I found out that 90 percent of the decisions were already made anyway and we met once a month to learn what other decisions they'd been making in the agency. Then it dawned on me that we were appointed to fulfill a legal requirement and that's all."

Another close observer of urban renewal at the local scene, political scientist Harold Kaplan, has noted the tendency to insulate decision making from neighborhood groups. Kaplan observed that "the cues of redevelopers and federal officials, rather than those of local interests, necessary govern NHA's clearance decisions." (*Urban Renewal Politics: Slum Clearance in Newark,* 1963). The predominant influence in Newark of those with technical and commercial perspectives understandable caused concern, especially among minority groups. Some twelve years after that city's first slum clearance project, the Urban League felt it necessary in testimony before the U.S. Civil Rights Commission to recommend, "That the city of Newark establish by ordinance a city housing advisory committee responsible for assuring full citizens' participation in the urban renewal programs entered into by the city."

On close examination the demand for nonresidential renewal appears to derive less from community wants and needs than, to put it crudely, the professional ambitions of redevelopment officials. Professor Greer observed a widespread preoccupation with "the propaganda of the deed." That is to say, local authorities appeared less concerned with Workable Program requirements and community involvement than "getting on with the job, of 'getting something off the drawing boards.'" By Secretary Weaver's own admission, demand for nonresidential renewal stems partly from a desire for a project that "is often more quickly put into execution than a comparable predominantly residential reuse." Quick and easy execution is not the same as a balanced program.

CONCLUSION: THE NEED FOR CLEAR PRIORITIES

While not all of the studies and information cited above (including some obtained as HUD's latest available information) are as current as I would like, the focus is clearly on urban renewal in the sixties. Moreover, the instances where projections are available indicate that present tendencies are stable. Although urban renewal has changed from its early days, certain problems are still with us. Low and moderate income housing occupies a more important place in residential redevelopment, but attention to residential redevelopment continues to decline. While rehabilitation has become a visible effort, it remains a small effort—clearance continues to be much more extensive than rehabilitation. The amount of area available for housing is being reduced without any guarantee that other benefits are accruing. Social scientists and others greatly concerned with urban affairs are unconvinced that urban renewal in the sixties is any more beneficial to the poor than it was in the fifties. As seen by sociologist Scott Greer:

"The older goal of increasing low-cost housing, of eliminating and preventing slums, is mixed with the newer goal of revitalizing the central city; to both has been added the more recent goal of creating the planned American city through the community renewal program. But as these goals are translated into actions of municipal bodies, based on local interests, they seem to be moving rapidly toward a program concerned only with revitalizing the central business district."

The official position of HUD is that urban renewal needs flexibility and balance. The growing judgment among social scientists is that urban renewal needs to offer clear priorities. The official position of HUD is that urban renewal cannot solve all of the housing problems of the poor. The growing sentiment among social scientists is that urban renewal cannot solve all of the economic problems of the city and therefore should not be used for such an effort. The housing problems of the less affluent should have priority; other programs can be used to cope with inadequate tax bases and employment needs. The official position of HUD is that there is now a greater emphasis on residential renewal. The latest available figures indicate that residential renewal is declining. Job opportunities also may be declining, since industrial redevelopment has decreased. And possibly even municipal tax bases are declining with the growth of redevelopment by non-taxable institutions.

During the hearings on the Federal Role in Urban Affairs when questioned about the small amount of low and moderate income housing being built, Secretary Weaver explained that the cause was "not a dearth of Federal funds, primarily." He stated, "It is a problem of finding sites." Why, then, should large tracts of land continue to be converted from residential to nonresidential uses?

The President himself has asked that urban renewal "be more and more concentrated on the development of residential areas." But if urban renewal in the sixties is to be viewed more favorably than urban renewal in the fifties, it will in fact as well as in rhetoric have to be oriented toward housing, with an emphasis on the needs of lower income families. To do so would involve less clearance and more conservation, and it would involve considerable caution in approving nonresidential projects. In short, it would involve a more fundamental redirection of urban renewal than has taken place thus far. As expressed by my fellow political scientist, James Wilson, this "means that the central city may have to abandon the goal of recolonizing itself with a tax-paying, culture-loving, free-spending middle class. . . ."

Priorities can and should be written into the legislation. Secretary Weaver tacitly admitted the need for such priorities when he observed: "Until there is some basic consensus about the basic objectives and possible achievements of urban renewal, it will continue to be surrounded by confusion." Local officials are interested in urban renewal for a variety of reasons and motives. They need not be catered to indiscriminately in the name of "flexibility" and certainly not in the name of some unexamined "balance."

RECOMMENDATIONS

While residential renewal and conservation alone will not solve the housing problems of the poor, displacement and relocation even if somewhat "humane and effective" will only aggravate these and other problems. Large scale displacement and constant shrinkage in land available for low and moderate income housing can only lead to bitterness and to disillusionment with government programs.

Residential renewal and conservation can be emphasized by taking these steps:

1. Reverse the nonresidential exception, which is virtually meaningless in its present form. Require that at least 65 percent of the funds go to projects that are predominantly residential. Define "predominantly residential" as a project in which more than 50 percent of the net acreage would go for residential purposes after redevelopment.

2. Increase the current minimum for predominantly rehabilitation projects from 10 percent to a significant and appreciable proportion such as 33.3 percent.

3. Provide differing financial incentives for residential and nonresidential renewal, defining residential as above—more than 50 percent of the net acreage for residential purposes after redevelopment.

4. Provide that land be converted from residential to nonresidential use only under carefully studied and controlled circumstances. Conversion should be permitted only with the condition that the low and moderate income housing stock outside the renewal area be increased by a number at least equal to the number of families of low and moderate income to be displaced. This additional housing must be available before displacement begins, and must meet relocation needs as to size of dwelling unit, cost and availability regardless of race, religion or national origin. Under no circumstance is this requirement to be met by low and moderate income housing formerly used for other purposes diverted for relocation purposes. The housing is thus to be a net addition to the community's supply of low and moderate income housing.

5. Have HUD examine nonresidential projects to make sure that employment opportunities of residents in the vicinity of the project will not be adversely affected and that the municipal tax base will not be seriously weakened.

6. Have HUD undertake a study of low and moderate income housing sites. Are they being seriously depleted by urban renewal, the highway program, and other acquisitions for public purposes? Is homeownership being adversely affected by the acquisition of inner city land and older housing? Are there alternative sites as convenient as inner city sites?

THE ANTIRIOT BILL

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. PETTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PETTIS. Mr. Speaker, it is with a feeling of great urgency that I join my colleagues in calling for legislation that will in some way curtail plans and activities of those who believe that the economic and social problems in our cities can be solved by inciting violence, destruction, and insurrection.

The complex and perplexing conditions that provide fertile ground for inciters of rebellion and rioting deserve our most earnest and creative attention. We have the responsibility to plan and move constructively to remedy and then prevent conditions that lead to racial hatred, economic irresponsibility, and social despair—but all that has been done toward solving these problems and all that will be done to prevent their growth will come to naught, Mr. Speaker, if we allow our Nation to be subjected to a wave of revolt, destruction, and anarchy. A handful of professional rabble-rousers and racists defiantly go from city to city for the express purpose of creating unrest and destruction. Little that they say is designed to improve or strengthen the position of their hearers. With unbelieving ears, Sir, I have listened to their speeches and heard the almost hysterical response of people who need guidance and inspiration rather than hate-filled emotionalism.

This antiriot bill—H.R. 421—in no way impinges on the vital role of local law enforcement agencies. Their efforts would be supplemented by Federal peacekeeping authorities. Nor would the restrictions penalize legitimate dissenters or demonstrators. We are not against peaceful public gatherings or lawful demonstrations. We are against studied, prejudice-inspired efforts to destroy the peace and progress of our great Nation.

I urge early enactment of this bill. Further indecision can lead only to disruption of our cities, to illegal action by otherwise law-abiding citizens, and to untold personal injury and loss by victims of rioting.

ALEWIFE CONTROL

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, news articles, public statements, and, particularly, mail coming into my office, indicate growing and concerted support for action to control the alewife problem on the shores of Lake Michigan.

Legislation which I have introduced, H.R. 11271, calls for a joint Federal-State program to combat this offensive marine pest.

One fine example of the awareness of our citizens of this problem comes from the Egg Harbor Yacht Club of Egg Harbor, Wis. With the permission of this body, I insert at this point in the RECORD a copy of the yacht club's resolution calling for immediate intensive research into the alewife problem on the Great Lakes:

RESOLUTION OF EGG HARBOR YACHT CLUB,
EGG HARBOR, WIS.

The Egg Harbor Yacht Club, at its annual meeting of members July 1, 1967, resolved unanimously to petition the Federal and State Governments to initiate immediate intensive research into the alewife problem on the Great Lakes.

The annual die-off of this species of fish is adding dramatically to the pollution problem in Green Bay and Lake Michigan waters. Yet the specific problem appears ideally suited to a search for means of reducing the population of these fish in the Great Lakes.

The Egg Harbor Yacht Club wishes to go on the record as vigorously supporting the crash research program currently being advocated by others concerned over the preservation of the utilitarian and esthetic values of these waters.

JOHN G. MURPHY,
Commodore.
MRS. RUTH MCCOY,
Secretary.

STRENGTHENING NASA SAFETY PROCEDURES

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOSMER. Mr. Speaker, to say that human life is far too precious to risk foolishly would seem to be repeating a self-evident truth. Yet precisely because it is so obvious, this fact can sometimes be taken for granted. That this situation can occur has been firmly impressed upon the public mind by the gentleman from Illinois, Congressman DONALD RUMSFELD, who authored an amendment to the 1968 authorization bill for the National Aeronautics and Space Administration. After thoroughly studying the tragic Apollo fire of January 1967, Mr. RUMSFELD found that a serious "safety hazard evaluation gap" existed in the U.S. space program. He therefore proposed, and the House of Representatives accepted, an independent safety review board for NASA.

It was in order to avoid this potential gap that an independent safety review board was made an integral part of the Atomic Energy Act of 1954. Section 29 established the Advisory Committee on Reactor Safeguards—ACRS—as a "safety review system which is independent of direct program interest." The success with which this committee has been utilized has convinced us that such a group is vital to any project in which human life is even conceivably threatened.

It is with the example of the ACRS before us that I strongly support Congressman RUMSFELD'S proposal for a similar independent safety review board for the National Aeronautics and Space Administration. This proposal is embodied in the House-passed NASA authorization bill for fiscal year 1968. I sincerely hope that the House-Senate conference will retain this provision when the conferees meet to consider the authorization bill.

NASA, of course, already tests the components and systems as they are delivered by the contractors. Similar testing is done within AEC. As Martin B. Biles, Director, Division of Operational Safety, AEC, has pointed out:

> The AEC reactor program is carried out by contractors . . . [so] that AEC can act as an independent auditor of its contractors' operations.

Yet Congress, in 1954, realizing that the pressures of program deadlines and goals could occasionally become so great that they take precedence over safety considerations, provided for an independent safety review board for AEC. Dr. Biles has observed:

> The ACRS is at liberty to investigate areas of safety significance at will.

This increased independence is especially important "as the hazard becomes more significant." What can be a more significant hazard than sending men into outer space in launch vehicles which can turn into engines of death at the slightest malfunctioning?

A safety review system which is independent of direct program interest has proven that it can provide safety and yet allow the project it is overseeing to continue functioning successfully. The risks in space are as great as those involved with atomic energy. There should be no delay in establishing a safety panel for NASA. Congressman RUMSFELD and the House have provided an opportunity for the Senate. We strongly urge that body to take advantage of this opportunity offered to it.

PHONY WAR ON CRIME

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VANDER JAGT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. VANDER JAGT. Mr. Speaker, as of June 30, 1967, the President's Commission on Law Enforcement and Administration of Justice was phrased out of existence. During its 2-year, $2-million life it conducted an in-depth examination of all aspects of crime in our society; past, present, and future. It is now our job to put into action the findings of this multivolumed, blue-ribbon Commission. The problem of balancing the basic constitutional rights of individuals, and those of the general public today and in the future in regard to wiretapping and the use of electronic devices is a subject of great importance.

We have all been witness to the Supreme Court's decision of P. V. Berger, and more recently the latest pronouncement of U.S. Attorney General Clark, which seemingly provides the administration's voice.

The President has described organized crime's structure as a "corporation of corruption." Congress must take the ball back, perform its convictions and enact a wiretapping and eavesdropping law that will give both law enforcement agencies—with proper judicial safeguards—and more importantly the general public a weapon against this guerrilla war against society. The consensus of law enforcement officers as found by the Commission and in testimony before the Government Operations Committee Subcommittee on Legal and Monitory Affairs, is summarized by the quote of a well-known crime warrior's testimony before the Commission, and which appeared in an editorial of the Washington Star on July 12, 1967. It is time we stop talking and start doing something about this escalating war.

The editorial from the July 12 Washington Star follows:

PHONY WAR ON CRIME

There comes a time when a spade should be called a spade, and there also comes a time when a phony war should be called a phony war. That time has been reached in Lyndon Johnson's much-touted and loudly-heralded "war on crime."

The sweeping—and they are sweeping—regulations just put out by Attorney General Ramsey Clark restricting the use of wiretaps and electronic listening devices are the last straw. The attorney general surely would not have sounded this call for retreat without the approval of the President. So one is driven to the conclusion that the war on crime is a phony war, and that all of the President's high-flown speeches, not to mention the attorney general's rhetorical contributions, have been nothing more than wordy exercises designed to conceal the fact that this administration's heart is not in its so-called war.

The attorney general's new regulations go well beyond the restrictions on wiretaps and bugging imposed two years ago by the President. They forbid law-enforcement practices which the Supreme Court has not yet outlawed. A suspicious soul might think that they are an invitation to the court to go farther than it has up to this time—and this may not be lost upon the "liberal" judicial majority.

Ramsey Clark obviously has a thing about wiretaps and bugging. He thinks they are a waste of manpower. He has testified that they are "abhorrent" devices. He says that all of his experience shows that electronic surveillance (he has had very little experience in criminal law enforcement) is not necessary for the public safety, is not a desirable or effective investigative technique, and that these abhorrent devices should be used only in the national security field. He has never explained why wiretaps and bugs are essential in national security cases but useless against organized crime. Of course he cannot come up with any rational explanation.

Let's turn to another witness. Frank S. Hogan, New York County district attorney, has been in the front line of the war on crime for 27 years. He told the President's Crime Commission: Electronic surveillance is the single most valuable weapon in law enforcement's fight against organized crime. It has permitted us to undertake major investigations of organized crime. Without it, and I confine myself to top figures in the underworld, my own office could not have convicted Charles "Lucky" Luciano, Jimmy Hines, Louis "Lepke" Buchalter, Jacob "Gurrah" Shapiro, Joseph "Socks" Lanza, George Scalise, Frank Erickson, John "Dio" Dioguardi, and Frank Carbo.

Well, there it is. Take your choice. Frank S. Hogan, who has sent scores of vicious hoodlums to jail, is quite willing to use the "abhorrent" eavesdropping weapon in his war on crime. He thinks it is an essential weapon. Ramsey Clark and Lyndon Johnson are not willing. They would prefer to conduct their war with speeches at twenty paces. And, in consequence, this war is one which organized crime will surely win and which the American people, the ultimate victims, will surely lose.

CONGRESSMAN HORTON INTRODUCES BILL TO STIMULATE CONSTRUCTION OF WATER AND AIR POLLUTION ABATEMENT FACILITIES BY INDUSTRIES

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HORTON. Mr. Speaker, water and air pollution are currently issues of paramount national concern. Although many studies have been undertaken and many ways of solving the problem of industrial pollution have been suggested, little concrete action has been taken to stimulate the construction of the much needed pollution abatement facilities. Therefore, I am today introducing an amendment to the Internal Revenue Code which will do much to prompt our industries to voluntarily assume their share of the burden of purifying this Nation's air and water.

My bill provides businessmen with two tax incentives which will have the effect of reducing the cost to industry of installing pollution abatement equipment. The Horton bill provides two forms of tax relief. First, it would permit any industry an investment tax credit equal to 20 percent of the cost of all land, buildings, and equipment which it devotes to water and air purification processes. Second, it would permit industry to depreciate its pollution treatment facilities over a 5-year period rather than the normal depreciation period.

To date industry has been understandably hesitant to expend large sums of money on sophisticated and expensive pollution abatement equipment when the state of the art is changing so rapidly; the money spent does not generate any income. It is my belief that this bill, by lowering the cost of pollution abatement, will speed the installation of the necessary equipment throughout the Nation.

I urge my colleagues to lend their vigorous support to this measure. During my service on the Natural Resources and Power Subcommittee of the Government Operations Committee, I have repeatedly seen dramatic evidence of the magnitude of the pollution problem caused by industrial wastes. My experience has convinced me that it is imperative that we immediately enlist the full cooperation and resources of private industry in the war on air and water pollution.

THE 20TH ANNIVERSARY OF THE FIRST HOOVER COMMISSION

The SPEAKER. Under previous order of the House, the gentleman from Maryland [Mr. MATHIAS] is recognized for 60 minutes.

Mr. MATHIAS of Maryland. Mr. Speaker, 20 years ago last week, on July 7, 1947, President Truman signed Public Law 80-162, which established the Commission on the Organization of the Executive Branch, better known as the first Hoover Commission. This body was created at a time of rapid change, when the Federal Government had become unwieldy, inefficient, and obviously unable to respond to new conditions and new responsibilities. Formed to conduct a systematic, objective review of Federal operations, the first Hoover Commission ultimately made more than 100 major recommendations which, when implemented, shaped the Federal establishment into a far more effective instrument for public service at midcentury. The second Hoover Commission, which finished its work in 1955, made similarly extensive contributions.

This year we are in the midst of another period of transition, both in the scope and direction of public policy and in concepts of public administration. As in 1947, a number of limited reorganizations and reforms have been attempted, but problems of fragmentation, duplication, lack of coordination, wasted effort, and sheer bigness have proved stubborn and persistent.

In reporting the Lodge-Brown bill—which became Public Law 80-162—20 years ago, the Senate Committee on Expenditures in the Executive Departments wrote:

> The time is ripe for a general overhauling, for going through the Government with a fine-tooth comb and for casting some light into all the many dark places.

I am convinced the time is ripe again. Our population has grown to nearly 200 million, and not only do we have far more citizens to serve, but the citizens of 1967 expect more and better services. The whole equation of Government has become more complex, and problems have been compounded accordingly. This difference in the volume and variety of demands challenges us not only to modernize and update what was considered efficient 20 years ago, but also to initiate and install the new efficiencies required by the new and expanded areas of Government activity which were unknown in 1947.

This afternoon, to mark the 20th anniversary of the first Hoover Commission, a number of my colleagues are joining me in discussing some of the current problems of Government organization which deserve close scrutiny. Many of those participating are cosponsors of legislation similar or identical to my bill, H.R. 69, to establish a new, Hoover-type Commission to help the executive branch meet its great responsibilities in this decade and the next.

H.R. 69 would establish a 14-member Commission on the Organization of the Executive Branch of the Government, including two Senators, two Representatives, two Governors, two executive branch representatives, and six citizens. This panel, with full authority to hire an expert staff, hold hearings and obtain information from all executive offices, would be empowered to conduct a 2-year review of all executive branch operations, and recommend reforms.

Like the two previous Commissions, its emphasis would be on defining the functions of officials, and the functions and services of departments and agencies, reducing expenditures, eliminating duplication, consolidating similar activities, and abolishing unnecessary ones. In addition, it would be directed to inquire into two additional areas of special importance right now; expediting coordination in program areas such as urban affairs, natural resources, and transportation; and increasing and improving intergovernmental liaison and communications, including the sharing of information.

Over 40 Members have now introduced this legislation in the House this year. In the other body, a similar measure—S. 47—has been initiated by Senator JAMES B. PEARSON and cosponsored by more than 40 Senators of both parties.

Strangely, although such bills have been before the Congress for about 2 years, and although the White House has professed great interest in streamlining Federal operations, the Bureau of the Budget has somehow never found time to submit any report—positive or negative—on this legislation.

I trust that our comments today will reemphasize the urgent need for starting the massive task of systematic reform, and will spur the administration to join in support of an objective, comprehensive review by such a blue ribbon commission.

Mr. Speaker, my colleagues this afternoon will be examining in detail some of the specific fields in which reorganization and reform are especially necessary. I would like to outline a number of the types of problems which confuse local and State officials, consume the taxpayers' dollars, complicate the efforts of Federal civil servants, and dilute the effectiveness of many valuable programs.

SIZE OF THE GOVERNMENT

Over the last 20 years, the Federal administrative budget has grown from $33,791,000 in fiscal 1948 to $135,033,000 in fiscal 1968. The nondefense budget in that period has increased from $22 billion to $59.5 billion, an increase of 170 percent. We now have over 220 major Federal grant-in-aid programs and innumerable minor ones, contained in more than 400 separate authorizations, and administered by at least 21 Federal agencies with more than 150 major bureaus and offices in Washington and over 400 regional and area offices in the field. According to Secretary Gardner, HEW alone participates in 175 to 180 grant-in-aid programs costing about $8 billion annually.

A special analysis submitted with the administration's fiscal 1967 budget noted:

> Eight different Cabinet departments and more than twelve agencies conduct or support health programs.
>
> Ten Cabinet departments and more than 15 other agencies support or conduct educational training and related programs as an integral part of their agency's mission.
>
> Eleven executive departments and independent agencies either support or are engaged in the conduct of research and development to a substantial degree.
>
> Major credit programs are administered by eight Cabinet departments and four other agencies.

In addition, there are about 57 vocational education programs, more than 280 poverty-related programs administered by 16 departments and agencies, and 33 agencies involved in 296 consumer protection activities.

The cost of governing is rising rapidly. According to the Archivist, paperwork alone costs about 7 percent of the Federal administrative budget, a total of $9.5 billion this year. A year ago, the average cost of a letter in the executive branch was $2.44, while the page of a directive averaged $300.

According to an Associated Press survey released in March, publicity efforts by the Federal Government involve at least 6,858 employees and cost $98.4 million. The military public relations investment alone totaled about 3,000 employees and a budget of at least $32.3 million, not counting the great amounts—perhaps as much as $200 million—invested in public relations through contracts to defense industries.

And the Government is still expanding. According to BOB Director Charles L. Schultze, the 89th Congress authorized 21 new health programs, 17 new educational programs, 15 new economic development programs, 12 new programs to meet the problems of cities, four new programs for manpower training, and 17 new resource development programs.

GSA Administrator Lawson Knott, the Government's landlord, testified this spring:

> During the past 8 years we have had to accommodate 6,000 additional employees in the Washington area every year . . . That is the equivalent of about a 900,000- or 1-million-square-foot building every year.

EXAMPLE OF DUPLICATION: WATER RESOURCES MANAGEMENT

In approving S. 20, to establish a National Water Commission, the House yesterday took a step, which I hope will be a long and significant step, toward resolving one of the most serious problems of disorganization in the Government.

A year ago the distinguished gentleman from Pennsylvania [Mr. SAYLOR], who has worked closely with water resources problems for many years, estimated that "considerably more than 50 agencies" are involved in water resources activities. He noted that in 1955 the Second Hoover Commission had identified 25 agencies whose principal responsiblities related to water and power, and that 11 years later, using the same criteria, the total had grown to 38. The result of this scattering was duplication of effort on the one hand, and on the other hand, had geographical fragmentation of policies.

As the gentleman from Pennsylvania concluded:

> We have already reached, if not passed, the stage of "confusion compounded."

And while the nationwide analysis authorized yesterday should help, this is clearly one area in which comprehensive reorganization seems desirable.

THE CATALOG EXPLOSION

Obviously the proliferation of programs and offices gives local and State officials, educators, community service groups, research organizations, and others a great range of opportunities to find help. It also creates countless chances for confusion, indecision and delay.

The first task for anyone seeking to use a Federal program is finding out what is available and where. Until recently, far too little information was available. Now the pendulum has swung, and there is far too much.

The Office of Economic Opportunity, for example, has just issued a new edition of its "Catalog of Federal Assistance Programs," a heavy document familiar to all Members. The June 1967 volume, which attempts to provide one compilation of basic program information, has 459 pages of program descriptions, compared to 270 pages in the December 1965 edition. Yet this book, while quite comprehensive in breadth, does little more than summarize each program briefly and tell officials where to go for details.

In addition, every Cabinet department and agency seems to have prepared its own folders, pamphlets, leaflets, and brochures, usually in at least two colors. The Office of Education, for example, has issued an 86-page Fact Book. I understand that agencies have been urged to exercise restraint, yet only last week the President's Committee on Consumer Interests released a pocket-sized, 140-page booklet containing "information on services to consumers provided by 40 Federal agencies and divisions."

The staggering fact is that not even all of these publications seem adequate. Many states, including Maryland, have been compelled to put together their own summaries of available grants-in-aid. Other organizations, such as the Center for Urban Studies, the National League of Cities, and the Xerox Corp., have issued their own catalogs for urban officials, educators, and business groups.

I was not at all surprised by Gov. Nelson A. Rockefeller's testimony last winter that New York's Advisory Commission on Intergovernmental Relations has prepared a catalog of catalogs of Federal aid—and the resulting bibliography is more than 16 single-spaced pages long.

INFORMATION CENTERS

Since 1963 a number of Republicans have advocated establishing an Office of Community Development in the executive office of the President to provide one-stop information services, in depth, to State and local officials. Now two such operations are in existence. The OEO Information Center, in addition to preparing overall catalogs, is collecting information of particular interest to antipoverty workers. A year ago HUD opened a community development information center downtown, and has recently extended this service to HUD regional offices. According to the Department, during its first year the Washington office received 18,958 phone inquiries, 14,361 visitors, and distributed about 28,000 pieces of literature.

While such services should prove to be very helpful, they have not so far discouraged individual agencies from printing their own brochures, nor have they eliminated complaints by State and local officials. It seems that, in addition to the steps already taken, far more fundamental reforms will be required, on a Government-wide basis, to rationalize the flow of program information and curb catalog proliferation.

FORMS, DIRECTIVES, REGULATIONS, AND REPORTS

The flood of material which rolls out from Washington to would-be aid recipients is now exceeded only by the volume of paper which applicants must send back. From many conversations with frustrated local officials, educators and others, I have concluded that applying for Federal funds can be done expeditiously only by a genius with infinite patience, a large staff and a speed-reading degree. As the administrator of a relatively small Maryland college wrote me recently:

> Most of the Federal programs for which we are eligible have been tremendously helpful, but their values have been considerably blunted by the reams of directive materials that must first be read and the great quantity of reports usually required in making application, to say nothing of the reports required at the completion of the project.

Investigations have convinced me that the required forms themselves are but the visible tip of the iceberg which grant applicants must face. For example, applicants for land and water conservation fund grants for recreational projects must submit one two-page form for land acquisition grants, and a similar two-page form for development funds. Each of these forms must be accompanied by three attachments, including project justifications, economic data, and charts or maps.

These requirements may seem relatively simple and rational. In probing further, however, I have discovered that the Bureau of Outdoor Recreation offers applicants a nine-page guide to filling out the two-page form, and that this guide in turn is based on the "Outdoor Recreation Grants-in-Aid Manual," a document which, when published last September, was 250 pages long—and since then had been modified by nine amendments totaling 88 pages.

An interested parks official can obtain this manual for $4, which entitles him to the basic volume and, according to the order form, "to approximately 24 amendatory releases totaling about 200 printed pages." A note on the order form advises:

> It is estimated that this quantity of printing will occur during the next two years. However, this entitlement relates to the quantity of printing, and not to a fixed period of time. If the subscriber is mailed more pages than the number estimated, the subscription will run out before the end of the two-year period.

At the present rate of amendments, averaging 9.8 pages per month since last September, a "2-year subscription" would expire after about 20 months. Regardless of the importance of parks and recreation, many officials must wonder whether a two-page application is really worth not the $4, but the reading time.

REGIONAL OFFICES

The challenge of applying for Federal funds is vastly complicated by the problems of finding out not only which agency to consult, but also where the proper offices of that agency might be. When all decisionmaking was centralized in Washington, applicants could at least plan on several days of rushing around the Nation's Capital. Now many departments and agencies, including HEW and OEO, have decentralized their authority to regional offices. This step theoretically improves liaison, but in practice simply increases travel time, because the various regional offices serving any single State are often miles apart.

The situation faced by Maryland officials is typical. The regional offices consulted most frequently by jurisdictions in my State are scattered along a wide path from Philadelphia—HUD, Interior, IRS, SBA—to Charlottesville—HEW, Federal Water Pollution Control Administration—with intervening stops at Huntington, EDA; Chambersburg, Labor; College Park, Agriculture; Baltimore, Corps of Engineers, VA, Commerce; Washington, OEO, GSA; and Arlington, Bureau of Public Roads.

Obviously rearrangement of regions, and physical merger of as many regional offices as possible, are urgently important tasks which present coordinating efforts have not been able to complete.

PLANNING

The 1960's may go down in histories of public administration as the "decade of plans." Sensible, structured planning is a valuable and indeed an essential tool of responsive government, basic as a means of relating present expenditures to future needs, coordinating the activities of many agencies and many neighboring or overlapping jurisdictions, and generally making public investments more rational and productive.

It is, however, possible to make too many plans, to structure plans too narrowly, or to produce attractive documents which bear little or no relation to what happens. Clearly at least the first of these problems—a multiplicity of plans—is with us now, and the Federal Government must bear major responsibility.

According to a list prepared by the Bureau of the Budget, as of November 1966 there were at least 93 programs, administered by 38 bureaus and offices in 13 departments and agencies, which required plans or evidence of planning of one kind or another. Of these 93 programs, 67 required State plans, and 14 required project plans; 18 required conformance with an areawide comprehensive plan, and 12 required conformance with an areawide functional plan.

In some cases a single plan, such as the workable program for community development required for urban renewal grants, meets the demands of several related programs. In other cases, programs which appear to the casual observer to be related have very different plan requirements, usually because they are administered by different agencies. For example, grants for comprehensive water resources planning, administered by the Water Resources Council, require a State plan, but only project plans are required for the small watershed programs of the Soil Conservation Service and the irrigation grants and loan programs of the Bureau of Reclamation.

Much of the responsibility for the volume and diversity of such required plans must rest with Congress. The responsibility is shared, however, by the executive branch, both because many such prerequisites were initially proposed by executive officers, and because far greater efforts to coordinate substantive planning requirements could be made through administrative action.

EFFORTS OF THE BUDGET BUREAU

In outlining these persistent difficulties, I do not mean to suggest that absolutely nothing is being done within the executive branch to reduce the confusion, cut redtape, and improve coordination. Certainly many Cabinet officers are doing what they can within their own domains. Certainly, too, the Bureau of the Budget is aware of such problems and is exerting great energy to develop solutions in a number of important areas. For example, efforts are now being made to bring the geographical boundaries of special planning and development districts into greater conformity with established State and local jurisdictional lines. Budget Bureau Director Schultze has testified to the Bureau's increasing emphasis on field surveys and on attempts to solicit suggestions from State and local agencies in many areas.

Mr. Speaker, I do not wish in any way to question the good faith of or belittle the efforts of Director Schultze, the Cabinet, or any of the 2.8 million dedicated and hardworking public servants in the executive branch. I am convinced, however, that the problems cannot be solved simply by efforts from within. For one thing, there is a very human and understandable limit to the extent to which any administrator will voluntarily surrender jurisdiction or curtail his own authority for the good of the whole. For another, there is a demonstrable limit to the extent to which the Bureau of the Budget is able to impose conformity and consistency while remaining, as Director Schultze recently commented, an "umpire" and not a "czar."

COORDINATING GROUPS

Indeed, at present it seems that, rather than having too few efforts to coordinate, the executive branch has far too many. The extremely useful hearings last winter by the Subcommittee on Intergovernmental Relations of the Senate Government Operations Committee revealed the existence of hundreds of interagency coordinating councils, committees, task forces, and agreements of varying size, membership, importance, and effectiveness.

The Bureau of the Budget last November submitted to the Muskie subcommittee a list of some two dozen major interagency mechanisms created by statute, executive order, or memorandum. These ranged from the Water Resources Council, the Federal Executive Boards, and the Economic Opportunity Council to the Federal Interagency Committee on Education, the Interdepartmental Committee on Children and Youth, the President's Committee on Rural Poverty, and the Federal Council for Science and Technology.

At the same time, several Cabinet members reported as follows:

First. The Secretary of HUD is involved in a total of 41 interagency agreements, understandings and accords, and is represented on 31 formal or informal interagency committees, task forces, or groups. These include the President's Committee on Equal Opportunity in Housing, the Committee on Demonstration Cities Coordination, the Task Force on Rat Control, and the Joint Committee on Rural Sanitation.

Second. The Secretary of HEW is the chairman of six interagency groups, sits on 22 others, and designates a representative to an additional six. To augment these 34 groups, othe Office of Education is involved in 33 such activities, the Vocational Rehabilitation Administration in 26, and the Welfare Administration in 15, for an overall departmental total of 108. These include the President's Council on Aging, the Lewis and Clark Trail Commission, the Interagency Committee on International Athletics, the National Commission on Architectural Barriers to the Rehabilitation of the Handicapped, and the Interdepartmental Coordinating Committee on School-Age Pregnancies.

Third. The Office of Economic Opportunity is involved in 49 such coordinating efforts, and the Department of Commerce in 24.

Fourth. By far the most staggering list was submitted by the Department of

Agriculture, which in July 1965 compiled a tabulation of no fewer than 320 interdepartmental projects, understandings and committees with USDA participation. Among these were eight committees established by law, Executive order or Presidential direction and chaired by the Department, such as the Commodity Exchange Commission and the Interagency Staff Committee on Agricultural Surplus Disposal. There were also 44 lesser committees headed by USDA, such as the Condor Advisory Committee, the Forest Service Log Grade Committee, the Interdepartmental Grazing Fee Committee, the Toxic Micro-organisms Panel of the Joint United States-Japanese Cooperation on Development of Natural Resources, and the work group on flow frequency analysis. Finally, there was a list of no fewer than 268 groups chaired by other agencies on which USDA was represented. These ranged from the Interdepartmental Committee on Seasonal Adjustment, the Interdepartmental Radio Advisory Committee and the National Facilitation Committee to the New Mexico Fire Defense Committee R-3, the Southeast Alaska Federal Safety Council, the Federal Advisory Committee on Water Data, the Current Population Survey Policy Committee and the working group to study resource availability subsequent to nuclear attack.

Mr. Speaker, to me these lengthy lists suggest three lines of inquiry. First, it would be most helpful to know exactly how many such committees, councils, groups and panels exist in the entire Federal establishment, what their nominal membership is and who actually contributes to their work, how often they meet, and what their output is. I suspect that we would find either that too many civil servants spend too much of their time going to meetings—a suspicion held in many quarters now—or else that many of these bodies are actually either inactive, or sustained by the efforts of relatively few staff members.

Second, the very range of these panels dramatizes again the need to reorganize our way of handling various types of interagency communication and cooperation. In many areas, there is a real need for overall liaison among departments to establish either common operating principles and practices or coherent policies. In many other cases, however, it appears that the need for interagency groups could be reduced by a shifting of functions, rearranging responsibilities, and placing some sensible restrictions on the tendency of bureaus to become involved in projects only marginally related to their own major assignments and objectives.

Third, it would be helpful simply to find out how many of these bodies could be formally dissolved without any substantial ill effects. As we have seen in recent years, the establishment of a paper committee can be cited as an indication of initiative, while in fact it may turn out to be a convenient substitute for action. Although the authority of the President and the heads of departments and agencies to establish committees is and should continue to be practically absolute, an occasional pruning of the entire area could be constructive.

ADVISORY GROUPS

"Brain trusters," "kitchen cabinets," and "in-and-outers," have been a feature of our Government for many administrations. Now, however, the practice of enlisting outside talent is being quickly expanded. One method, of course, is through informal consultations and the creation of anonymous task forces responsive to the Office of the President. Another method, which merits close and continuing scrutiny, is the hiring of consultants or making of research contracts at rates which often far exceed the salaries allowed regular employees. Although no systematic studies of the use of consultants have been made recently, except in connection with the Office of Economic Opportunity, I suspect that considerable money could be saved if many of the jobs now contracted out were done in-house, or if people now hired on a per diem basis could be placed on the regular payrolls.

A third means of tapping outside talent is through the creation of advisory councils. In many areas, such councils do help to bring new ideas and fresh perspectives to public policy. In many other areas, however, it appears that such panels are set up wholly or partially for other reasons: to give an added stamp of authority to recommendations, to help outside professionals feel they have a share in program operation, or to give recognition, through membership on an advisory panel, to outstanding citizens in certain fields.

The number of advisory committees, councils and groups has grown rapidly in the past few years. The Office of Education "Fact Book," for example, lists 18 advisory panels which are involved in the administration of 29 separate educational programs. These include such bodies as the National Advisory Council on the Education of Disadvantaged Children, the Research Advisory Council, the Advisory Council on Insured Loans to Students, the Advisory Committee on New Educational Media, and the Advisory Committee on Administrative Costs for the National Defense Student Loan Program.

Six programs involve more than one group. Vocational education and research and training projects, for example, involve both the Advisory Committee on Vocational Education and the Advisory Council on Vocational Education. It is no wonder that the Office of Education recently was recruiting new employees to coordinate the work of its advisory groups.

The expansion of advisory panels is even more pronounced in scientific and research fields. According to recent testimony by Dr. Donald F. Hornig, Director of the Office of Science and Technology, the President's Science Advisory Committee has established a 15-member panel on World Food Supply. This panel in turn has created 14 subpanels, with a total of 137 members, on subjects ranging from the intensification of plant production to projected trends of trade in agricultural products.

Dr. Leland J. Haworth, Director of the National Science Foundation, reported in March that NSF has established "30 or 40 panels in the research area—including the whole Foundation—we have 600 or 700 paid consultants and more than a thousand who serve without compensation," including both research and education panels. A list of NSF consultants appointed for advisory panels, divisional committees and the National Science Board as on June 30, 1966, included 566 names.

It would be foolish to criticize the practice of employing advisers without inquiring closely into the functions, cost, and degree of activity of each individual panel. Such a study does, however, seem to be very desirable.

INFORMATION MANAGEMENT

Probably the greatest challenge to public administration today is managing the immense volume and variety of information which our vast research and development efforts now produce. For example, federally sponsored R. & D. generates about 100,000 published technical reports each year. The volume of unpublished documents is far greater. Two years ago, it was estimated that original items and distributed copies of State Department communications totaled 64 million.

Physically handling all of this information is difficult enough, and taxes the ingenuity of our best librarians and archivists. Arranging the raw materials for efficient use is a tremendously difficult task, but one which is essential to modern government.

A number of ambitious projects are currently underway in the executive branch to collect, organize, and disseminate information about research, publications, and statistics of particular interest to different groups. The medlars system of the National Library of Medicine, for example, has received worldwide acclaim. The National Institute of Mental Health has established a National Clearinghouse for Mental Health Information. HUD recently announced the opening of a clearinghouse service to disseminate results of HUD research, study, and demonstration projects on urban affairs. The Clearinghouse for Federal Scientific and Technical Information, operated by the National Bureau of Standards, is an immense and swiftly expanding service. Similarly, the OEO Information Center is growing as a source of summaries of Federal programs, data on Federal expenditures, and anti-poverty information of many types.

The problem now is to coordinate all of these efforts, both within the Federal Establishment and in conjunction with projects elsewhere in the country, to develop common reporting to reduce duplication of effort and filing systems, and to insure that material will be available not only to professionals in a single field but also to interested individuals working in related areas.

In a recent statement, Mr. Willard Fazar of BOB's Office of Management and Organization outlined the various "information communities" which have taken shape in fields such as science and technology, biomedicine, economics, antipoverty, national defense, and foreign affairs and law. Seeing the systems approach as the best guide for the future, Mr. Fazar concludes:

> We must move in the direction of pooling separate efforts and systems to satisfy the common needs of different information communities. But here we are faced with new problems that require early, collaborative action among units of government, if we are to make the information-management progress demanded for the future.

The National Bureau of Standards and the Bureau of the Budget are currently engaged in intensive efforts to resolve the technical problems which must be overcome before compatible information systems can be developed. The problems are tremendous and it seems to me that the Bureau of the Budget, in this area as in many others, needs and should welcome all of the expert assistance which can be made available.

TELEPHONE BILLS

Mr. Speaker, a number of my colleagues this afternoon will summarize other particular areas in which reforms appear essential. In some of these areas, such as foreign affairs policy formulation and the vast and intricate processes of Government procurement, only comprehensive action will suffice. In other problem areas, such as administrative delays and confusion, reforms should be directed at small points and very minor bottlenecks.

The following colloquy this spring between the gentleman from Pennsylvania [Mr. Flood] and Mr. James F. Kelly, Comptroller of Health, Education, and Welfare, is typical:

> GSA Telephone Bill
>
> Mr. Flood. When did you pay your telephone bill last in HEW?
>
> Mr. Kelly. I think quite recently.
>
> Mr. Flood. My spies tell me you have not and GSA says you have not since a year ago last January. If it is true, it is quite a commentary on your handling of bills.
>
> Mr. Kelly. We have paid it quite recently, but there was a very complex problem involved, and let me tell you what it was.
>
> What happened is the General Services Administration has modified the system of handling telephones in a way which is far cheaper to the Federal Government. They have in effect rented the lines all over the country on which we make all of our telephone calls. But there is a problem. They send us a huge bill and we have a hundred appropriations but have not the slightest idea of how much of the phone bill belongs to each of these appropriations. The reason the system saves so much money is that it makes it unnecessary to keep any records. As a result, we and every other Government agency are faced with a severe problem of finding some reasonable method of allocating costs in accord with the usage. We are running sample on it. But we do not have any feeling of confidence that what we are now reporting to you as our costs for long-distance telephone calls on each appropriation reflects the actual use of telephones. It is really just a continuation of an historical figure. As the programs have changed emphasis and so forth, we do not know how to reflect this change. This distribution problem caused the bills to get so far behind.
>
> Secretary Gardner. You mean all of the money they save by not keeping records you will use up doing the sampling study.
>
> Mr. Flood. This type of "saving" is not unusual.

LIAISON WITH THE STATES

The intricate confusion of so many present Federal administrative practices has produced understandable bewilderment, frustration, and skepticism among many State and local officials. Recently the administration has announced a number of efforts to improve liaison with the States. For example, the Director of the Office of Emergency Planning has been designated as the President's "Ambassador to the Governors." The State Department has appointed a special representative to inform the States of relevant foreign policy developments. Most recently, the White House approved a plan under which each Cabinet member—in addition to his other responsibilities as the head of a department and a member of many coordinating bodies—would have personal responsibility for maintaining contact with the Governors of four or five States. The final assignments have not been announced, but I would assume that each Secretary would be assigned to States whose major interests were related to those of his Department.

Mr. Speaker, I trust that these efforts will succeed in helping Governors gain more coherent information about Federal programs and national problems, and will also help the highest levels of the Federal pyramid gain an increased awareness of the difficulties which the other partners in our federal system encounter every day in trying to utilize Federal assistance. While better liaison is always desirable, our ultimate goal should be not to improve methods of explaining and working out problems, but rather to remove the causes of complaint.

Mr. Speaker, some of the problems discussed today are new, produced by changes in the methods and objectives of Government. Other difficulties are perennial, and have been aggravated by the rapid expansion of the Federal establishment, during the past few years. Old or new, these defects of management combine to create serious threats to the effectiveness of nearly every department, bureau, agency, and office in the executive branch.

In a recent study of the Bureau of the Budget, the Committee for Economic Development concluded:

> We believe that structural reorganization of the executive establishment is a pressing need. Granted that many considerations bear upon determination of ideal organizational arrangements, especially for an establishment with the range and scope of the Federal Government, we are convinced that better grouping of related activities is possible, and desirable.

My colleagues and I are convinced that the creation of a new Commission on the Organization of the Executive Branch would be an extremely constructive and progressive step. Such a panel, we believe, is the best body to conduct a truly comprehensive and objective review, and to develop sound, practical recommendations for reforms. As we have seen with the first and second Hoover Commissions, the work of a broadly based panel, composed of prominent citizens, able to employ the Nation's best talent in many fields, and buttressed by Congressional and public support, can achieve both the great changes and the small adjustments essential to better government.

On this 20th anniversary of the creation of the First Hoover Commission, I would like to pay tribute to the fine example set for us by the late President Hoover; by the late Clarence J. Brown, the "father of the Hoover Commissions"; and by all of the eminent individuals who served on or assisted the previous Commissions. I trust that this anniversary will bring a new commitment to the massive task of continuing reform. For, as it was the assignment and achievement of the first Hoover Commission to reshape the Government to meet postwar demands, so it is now our task to modernize the Government again, to put to work throughout the Federal Establishment the most modern technological aid and the new and highly promising tools of systems management, and to make the executive branch a more responsive and effective instrument for conducting the Nation's business.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS of Maryland. I yield to our distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I wholeheartedly endorse the effort of my distinguished colleague, the gentleman from Maryland [Mr. Mathias], to arouse this Congress to action on the long-overdue review and reform of the executive branch of the Government. I joined with him and other Republican Members in sponsoring such legislation 2 years ago, and again at the outset of the 90th Congress. I believe that the machinery of Government, like any other machinery upon which our safety depends, requires continuous upkeep and at regular intervals a thorough inspection and overhaul. Experience has shown that the best way to go about this is to set up an independent commission, sufficiently detached from partisan considerations yet sufficiently experienced in practical governmental problems, such as the first and second Hoover Commissions of the postwar period.

I do not think this should be a partisan political endeavor. Nor do I think it should be pigeonholed and postponed forever simply because any objective inquiry into the operations of the executive branch—whenever it may be undertaken—is bound to turn up instances of inefficiency and mismanagement which may have partisan political repercussions.

This did not deter President Truman, in 1947, nor President Eisenhower, in 1953, from enlisting the great talents of former President Herbert Hoover and two Commissions of distinguished Americans whose monumental works helped ease America's entry into this complex era of world leadership and responsibility.

If I might be allowed one moment of partisan pride, I would recall that the First and Second Hoover Commissions were established by the Republican 80th Congress and the Republican 83d Congress, respectively. And I assure my friends on the other side of the aisle that if the Democratic 90th Congress shirks its plain and present duty to start putting the Federal Government's house in order, as the Democratic 89th Congress did, a Republican 91st Congress will make this reorganization effort one of its first legislative priorities in 1969.

But I would really rather see reason prevail. To wait will mean at least 2 more years' delay, and already a dozen years have slipped past since there has been any long, hard look at the overall structure of executive branch departments, agencies and administrative operations. Such a study cannot be undertaken overnight, and we now have an opportunity to get it started.

Some Members will point to with pride, while others will view with alarm, the vast wilderness of new legislation and the wild proliferation of new programs and administrative agencies created by the last Congress under the banner of the Great Society. Whatever one's opinion, however, these new executive branch functions do exist, and affect the existence of millions of Americans today. They deserve, as well from the proponents as from the opponents of each particular program, the very most efficient and economical administration their Government can provide.

If there are any valid reasons why we should not seriously attack this problem of bureaucratic sprawl and do it now, I have not heard them. For our part, the Republican minority has made its position and the logic of it abundantly clear. On January 17, 1966, at the start of the second session of the 89th Congress, I said in our Republican appraisal of the state of the Union:

> There are now 42 separate Federal agencies involved in education programs alone. There are at least 252 welfare programs today, including 52 separate Federal economic aid programs, 57 job training programs and 65 Federal programs to improve health. In the ten years since the second Hoover Commission made its report, during five Democratic-controlled Congresses, employees on the Federal payroll have increased by 175,000 and Federal expenditures have increased by $57 billion.
>
> The Executive branch has become a bureaucratic jungle. The time has come to explore its wild growth and cut it back.

A week later the House Republican policy committee went on record with a strong endorsement of the Hoover-type commission approach to the problem. More than a score of us introduced legislation similar to Mr. MATHIAS' current bill, H.R. 69. But we were outnumbered more than two to one, and nothing happened.

On January 19, 1967, in our second Republican state of the Union review, I reminded citizens who had just voted a clear mandate for economy and efficiency that—

> The need for streamlining the national government has become even more urgent since we recommended a new Hoover-type Commission a year ago.

Again the House Republican policy committee threw its support behind the reorganization effort. On February 23, 1967, it called for an in-depth commission study "now, without further delay."

Unfortunately, delay seems to be the regular order when such constructive proposals come before this Congress. Perhaps this will change some as Members return from communing with their constituents over the Fourth of July holiday. Whether or not the American people want more or less Federal Government, I am absolutely convinced they all want better government. And I hope they will let their Congressmen know, as they have me, that they will support a solid, sensible step such as H.R. 69 to improve it.

Mr. MATHIAS of Maryland. I thank the gentleman from Michigan.

At this time I am pleased to yield to the distinguished gentleman from Kansas [Mr. WINN].

Mr. WINN. Mr. Speaker, from its very moment of inception, this Nation has had the most progressive and forward-looking system of government in recorded history. As changes have been introduced into our society, our Government has changed to absorb the impact of those changes.

Since World War II, our rate of growth has shot up spectacularly. In each and every area of our national existence, our achievements have been impressive.

We are beginning to realize, however, that as richly endowed as this country may be, its resources are not unlimited. The problems of preserving our heritage, while administering to the needs of a growing, ever more complex population, become more critical every day.

The pressures are building on the leadership of the Nation to look for ways to cut down on administrative waste and mismanagement in the federal system. If the need for serious change to modernize the system is not soon recognized, political repercussions are bound to be felt not only in the White House, but in Congress as well.

In our Federal programs for urban renewal, transportation improvement, and pollution control, to name just a few, we are still operating on the old project-by-project basis. Problems are subdivided into somewhat manageable units, but rarely are those units coordinated into a comprehensive pattern. It is rarer still for one program to be related to another, particularly in a case where agency jurisdictional lines do not overlap.

For example: One agency is building roads to bring more cars into the city, while another agency is developing mass transit systems to keep them out.

Another instance of the lack of Federal coordination is exhibited when we spend about $1 billion a year on aviation, most of which is devoted to moving passengers from one airport to another as efficiently and as safely as possible. But, we continue to devote little attention to getting these passengers to and from airports—the one segment of airline travel which is taking up a greater and greater percentage of total trip time.

In the health field, Government spends over a billion dollars on medical research to improve the health of the Nation. However, only one-tenth of 1 percent of the total is being devoted to improving the efficiency of delivery of medical services to the population, such as ambulance service and the development of regional hospitals with advanced medical services.

In addition, we find that the public sector problems—transportation, housing, water management, education, and the like—are already the subjects of fragmented, yet highly interconnected, private activity.

Now, we throw into this potpourri of public problems, the systems approach, which, though not new, has been developed to a higher degree of competency in the last several years.

The systems approach involves a continuous cycle of defining objectives, designing alternative systems to achieve these objectives, and evaluating these alternatives in terms of their effectiveness and cost. Then continuing on to question the objectives and the assumptions underlying the analysis, open new alternatives, and establish new objectives.

This is generally the definition formulated by the former Comptroller of the Department of Defense, Charles J. Hitch. It is Mr. Hitch, who, to a great degree, we owe the planning-programing-budgeting system which has considerable budgetary success in the Department of Defense and which the President has ordered into effect in all Government agencies.

The use of the systems approach basically implies a sequence of activities such as the following:

First. Definition and detailed description of the boundaries of the system.

Second. Functional description of the system in terms of the component subsystems and their operational interactions.

Third. Determination of objectives and criteria of optional system performance.

Fourth. Examination of reasonable alternative configurations of system elements that approximate optimal system performance and the determination of the consequences of each configuration in terms of feasibility, acceptability, and cost effectiveness.

Fifth. Finally, objective presentation of these alternatives and the supporting evidence to the responsible decisionmakers so that they may make appropriate decisions with respect to selecting one of the alternatives for design and implementation, keeping in mind, of course, that a legitimate outcome may be to make no changes.

Although this process is straightforward in concept, it can be exceedingly complex and difficult in application. Thus, the great socioeconomic problems of our time are so complex and massive in scope that their analysis requires more than a single analyst. They require an integrated approach by a team of analysts.

In this respect, a nominal interdisciplinary approach is inadequate. The individual scientists, engineers, and technicians must become members of an integrated team, interacting in a common environment on a day-to-day basis with a common problem-oriented focus. The development of this capability is a hard won, time-consuming and costly process, but successful results more than offset the time and cost involved.

There are many instances where the systems approach to public problem solving has been successful. I think it would be appropriate if we examined some of these at this time.

The first example can be found in the work which TRW, Inc., of Cleveland, Ohio, has been doing in the health field. Several months ago, TRW completed a hospital systems study for the Department of Defense—in which they were teamed with Beckman Instrument and the architectural-engineering firm of Daniel, Mann, Johnson, Mendenhall. The purpose of the study was to examine the application of advanced engineering techniques to the operation of existing military medical facilities. The studies clearly demonstrated that significant operating cost reductions could be realized through the employment of the systems approach in the initial design of a medical facility.

In addition, TRW assisted in the development of a $100 million medical center in Alberta, Canada, as well as the northern New England regional medical program in the United States.

Second, the Space-General Corp. undertook a systems analysis and cost-effectiveness study of the California system of criminal justice. This study represented the initial attempt to apply the technique of systems engineering to the problems of crime and delinquency.

The study resulted in a program directed toward an improved system of criminal justice in California. The major elements of this proposed program are:

The development of an information system linking together various agencies of criminal justice and being capable of evaluating program and system effectiveness through collection, storage, and processing of appropriate data.

A systematic study of persons involved in criminal activity and identification of crime susceptible groups.

Carefully selected prevention programs directed toward the susceptible offender groups.

Technical assistance in the apprehension and processing of offenders.

Development of more effective methods in the management and treatment of offenders with attendant studies of subsequent behavior and costs.

The development and training of manpower to carry out the program.

The development of public support and understanding through information and community education programs.

A comprehensive master plan which projects over a 5-year period the scheduling and cost of the program.

Third, there are a large number of companies—among them General Electric, Westinghouse, Sunset Petroleum, and various aluminum companies—which have begun to identify themselves as being in the "city business," rather than in the materials or product business. This has led them to engage in the acquisition of large tracts of land, in the planning of the use of this land, and in the design for neighborhoods, communities, and cities, instead of individual buildings or component parts.

These companies see the cities not only as opportunities for the sale of traditional products, like appliances, but as an opportunity to contribute to society. It has been estimated that approximately 70 such new cities are in various stages of development and construction in the United States. This marks the first time in our country that one set of planners or designers have addressed themselves to the problem of designing a city as a system.

Finally, a considerable amount of systems work has been done by U.S. corporations overseas. Litton Industries, for example, prepared a program for the Greek Government to develop Crete and the western Peloponnesus by using the systems approach. The plan is for Litton to provide the management capability for a 10-year project with twin goals—transforming both regions into tourist attractions and stimulating industrialization.

I am confident that, as a Hoover-type commission studies executive branch organization and programs, they will have many opportunities to compare current unsuccessful Federal programs to similar programs undertaken by private enterprise using the systems approach.

By enacting legislation to assemble a Hoover-type commission we will be giving authority to an independent arm of the Government to conduct the sort of introspective examination of our governmental system needed to cause the kinds of vast changes capable of coping with the problems I have outlined.

As I see it, the problem of the Commission, in terms of the systems approach, will be twofold.

First, there is the two-pronged question of how, in a management sense, we can improve the things we are already doing and whether or not we are doing all that needs to be done.

This problem deals basically with the overlapping of programs and the lack of coordination between similar programs. Coordination, where it does exist, is more of a tug of war between agencies trying to justify their existence than it is a cooperative effort for the public good. Too many programs are unsuccessful for there not to be, at least, some common management flaws.

We must use the most modern management techniques to run the Nation's biggest business—its Government. Efforts have been made to introduce the systems approach into the Department of Defense, and, as I stated previously, a directive has been issued ordering all Government agencies to use the planning-programing-budgeting system. But this is only a beginning and the current administration is encountering difficulties with the several agencies that were reported to be dragging their feet.

The second portion of the problem is the determination of the role of private enterprise in the solution of public problems.

The Federal Government attracts many able people who are capable of operating in a relatively advanced managerial environment. But, the Government in Washington, being far from the grassroots, is seriously limited in its sensitivity to local issues and data. The addition of private industry to the search for solutions would offer a reservoir of data that has hitherto been untapped.

From the point of view of business, it is conceivable that the potentially enlarging "public market" will mean more than Government contracts and loans. Some private firms, in the future, might even want to operate such a traditionally public service as the mail delivery. Economist John Kenneth Galbraith even foresees the day when business in this Nation will be leaning more and more toward the Communications Satellite Corp. type of corporate establishment.

These developments are far in the future. They all involve an element of risk and pose great challenges to our intellect and ability to organize. But this is much more true of government than of business because of the Federal Government's deficiencies, in its capacity to effectively deal with complex modern problems.

Private industry can do a great deal to help solve some of our major domestic problems. The flexibility, drive, and management competency of the better managed firms can make more significant contributions than any of us can imagine.

Mr. MATHIAS of Maryland. Mr. Speaker, I thank the distinguished gentleman from Kansas for his comments and his contribution.

I am glad to yield at this time to the distinguished gentleman from Michigan [Mr. BROWN].

Mr. BROWN of Michigan. Mr. Speaker, almost 20 years ago, the Hoover Commission reported that—

> The time has come when the budgetary and accounting systems of the Federal Government must be modernized. Unless this is done, the Congress, the executive branch, and the public will be unable intelligently to judge the wisdom of the proposed expenditure and the effectiveness of past expenditures.

Although it can be said that the Hoover Commission directed its attention primarily to the mechanics of the budgetary and accounting systems of our Federal Government, the statement is prophetic of today's conditions. If there is one need, one shortcoming, one inadequacy that stands out above all others in the legislative process it is a need for congressional review and analysis of the relative value and effectiveness of programs. This need for an objective, scientific review of Federal expenditures and activities becomes greater and more obvious every day, yet public evaluation and accountability remains minimal.

Today this need, this shortcoming, this inadequacy, is receiving serious attention from responsible, experienced, and knowledgeable people in and out of Government. Such concern attests to the urgency of the problem. In answer to H.R. 69, our distinguished colleague, the gentleman from Arkansas [Mr. MILLS], the chairman of the Ways and Means Committee, has introduced legislation which would establish a commission for the purpose of assisting the Congress in determining the relative priorities of programs within the total budget structure. The creation of this commission on an ad hoc basis may well be used to supplement a more far-reaching and permanent system whereby economy, efficiency, and effectiveness can be promoted. Certainly, such a commission now could bring to the Congress the diversity of views which is necessary if the legislative branch is to have a full understanding of the Federal Government's participation and involvement in the many facets of our sociological and economic existence.

But the Congress needs more. The Congress needs an adequate, permanent, professional agency to assist it in the determination of the wisdom and desirability of a program and the amount of the cost it justifies. An agency even remotely beholden to another branch is insufficient. It must be a direct arm of the Congress.

The ultimate test of the advisability of Government expenditure must be a determination as to whether the benefits to be derived and the objectives to be served justify their cost, and whether the burdens they may impose on the taxpayer and the economy are disproportionate to the goals to be achieved. For an effective and consistent policy, these appraisals and evaluations of expenditures and activities against their cost must be made in a regular, objective, scientific, and empirical way, rather than in a haphazard, hit-and-miss, now-and-then, or even subjective manner.

For Congress to fail to create and to adequately provide for this oversight function would amount to a failure on the part of Congress to recognize the irresponsibility of uneconomical, inefficient, and ineffective governmental activities. It would further be a failure of the Congress to recognize the fact that old solutions and old methods do not necessarily, and probably cannot, solve today's complex problems of housing, poverty, crime, transportation, and pollution, to mention only a few.

Mr. Speaker, permit me to cite two examples out of many from my district which clearly indicate the need for improved economy and efficiency and the need for analyses and evaluations to determine the effectiveness of programs and activities.

I recently received a letter from a professor of education at a college in my district with reference to the disbursement of research funds by the Office of Education. He remarked that he wanted "to make some comments about the appropriations that have been earmarked for educational research in the past and the extraordinary ineffectiveness of the ways in which they have been distributed by the Office of Education." The professor goes on to say that—

> Despite the very large increases in appropriations over the last decade, there has been virtually no increase in the volume of published educational research. The money has been distributed, often in very large quantities, but so much of it has been frittered away on projects that are virtually worthless that little of substance has emerged.

He concludes that—

> There is an urgent need for well-planned educational research.

Another example of inefficiency, redtape, and unnecessary duplication was pointed out to me by an engineering firm in my district which has extensive contact with the Federal Government. The firm wrote:

> The Farmers Home Administration under the Department of Agriculture is loaded with people (who) don't know what else to do but to make work for additional people. Their program of grants for water and sewer utilities in the small communities is so bogged down in fantastic paper work, that it is almost impossible to understand what objective there could possibly be under the Department of Agriculture to get water and sewers in these communities.

In contrast, this firm pointed out that—

> The Department of Housing and Urban Development has been working with these kinds of grants and the paper work and complexity is nowhere near as complicated nor as ridiculous as that of the Farmers Home Administration.

Mr. Speaker, these examples underscore the pervasive problem that the present postauthorization review of Federal programs and activities is inadequate and unsatisfactory. This is due in part to the expanding scope and nature of governmental activities and the need for the establishment of priorities, and in part on the recognition that economy, efficiency, and effectiveness can and must be improved. Review should be much more than a matter of mere fiscal accounting and auditing, as those terms are commonly understood, and probably even more importantly this review, analysis, and evaluation must be made by the Congress separately and distinctly from any review which is made by the executive branch or the administrator of the program.

For the Congress to perform its functions properly, and to make the Government more accountable to the people, it needs to appraise the total performance and effectiveness of a program or activity. Normal accounting methods, on whatever basis, are not able to provide the Congress and the public with the kind of critique of Government operations so vitally needed. Concern with economy and efficiency in isolation is not enough. We must also be concerned with substantive effectiveness and performance.

The Congress does not distill policy once and for all. Policy objectives are being continually revised in the light of experience and changing circumstances. The decision whether to expand or contract, to continue or discontinue, to support or challenge a program or activity should clearly depend primarily on its present effectiveness and relative priority as scientifically and objectively established, along with projections for the future based on the same criteria.

Therefore, Mr. Speaker, I have today introduced legislation calling for the establishment of an Office of Program Analysis and Evaluation. This Office would be under the direction of a legislative auditor, appointed for a 15-year term by the Congress. This Office would be similar in structure to the General Accounting Office but would be more clearly an arm of the Congress. The Office would in no way affect the vital functions of the GAO. To the extent possible, performance audits, analyses, and evaluations would be performed by independent contracting consultants, using the increasingly credible tools of social science and data processing.

The purpose of such analyses and evaluations would be to determine the effectiveness of Federal programs and activities from four different aspects:

First, in terms of present and projected costs;

Second, in terms of meeting the intent of Congress;

Third, in comparison with other programs and activities with similar objectives and whether they should be merged, modified, or discontinued;

Fourth, in terms of the relative budget priority which should be assigned to such program or activity, and the relative impact of an increase or reduction of funds for the program.

Analyses and evaluations would be made by the Office at the request of either House of Congress, by any of their standing committees, or by a new joint committee created to oversee the work of the legislative auditor. Such reports would have no binding effect and would be only an additional, albeit important and new source of information on which Members of Congress can act.

Mr. Speaker, I believe the need is clear. Our problems are unprecedented. Let us rise to the challenge. I strongly urge prompt House action and hearings on this legislation and urge my colleagues to give it their careful consideration. I shall welcome the support of all who wish to join me in this effort.

Mr. GUDE. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS of Maryland. I am glad to yield to my colleague from Maryland.

Mr. GUDE. Mr. Speaker, I am glad to commend my colleague from just west of me in the State of Maryland who, as usual, is representing his constituents and I believe doing a service to all of the American people by focusing attention on the greatest problem we have in government, that is, coming to grips with the intricacies of government. With the extending and daily growth and proliferation of domestic agencies at all levels of government and the growing intricacy and complexity of our Military Establishment, I think the necessity for this legislation is becoming more critical with each passing month.

I certainly join my colleague from Maryland in the hope that there will be a speedy enactment of this legislation.

Mr. Speaker, I would like to further state that it is commonsense and good business for any organization to reevaluate its operations periodically, and the Federal Government, which continues to grow, seemingly without bounds, is no exception. Significantly, the last comprehensive study and major overhaul of the executive branch took place over a decade ago, when Congress approved for the second time and the President again appointed a distinguished Commission on Executive Reorganization.

The success and impact of the Hoover Commission's recommendations are well known, and there is no doubt in my mind that a similar investigation of our present complex executive machinery could yield the same good results. In other words, the establishment of a Hoover-type commission is again in order—in fact, it is long overdue.

Everyone is familiar with Government waste and inefficiency due to inadequate channels of communications within and between Government agencies, duplication of functions, a lack of clearly defined areas of jurisdiction, and antiquated management techniques. But there is still another matter I would like to point out that is as important as those just mentioned.

There is an urgent need to establish more direct lines of communications between our many Government agencies and those private citizens requiring assistance from these agencies. Today, the individual who requires immediate action on a personal problem, and who must deal with the executive branch of the Government to solve this difficulty, is faced with an enormous and almost overwhelming bureaucracy.

And, Mr. Speaker, this lack of effective, direct communications between the Government and its citizenry is daily apparent to every Congressman and Senator whose offices must act constantly as an intermediary for the individual who cannot gain the proper attention of the particular Government agency with which he must deal. And by having to act as a go-between, we merely add one more step to an already overly complicated process.

Government must never grow so big that it loses sight of the individual. At one time or another every citizen has an occasion to contact a Government agency with a personal inquiry—an inquiry relevant to his family's welfare and happiness. At such a time, it is vital that we do not have a Government so computerized that it is impossible to deal with a citizen on a personal basis. In other words, Mr. Speaker, any efforts made to streamline the executive branch of the Government must be done so to increase, not decrease, personal contact with the citizens it is meant to serve.

Mr. MATHIAS of Maryland. I thank the gentleman for his encouragement and his support and for his own fine example.

Mr. Speaker, I yield back the balance of my time.

Mr. CRAMER. Mr. Speaker, as the author of H.R. 418, providing for the establishment of the Commission on the Organization of the Executive Branch of the Government, I am happy to join my colleagues today in urging the enactment of this legislation and in stressing the need for expeditious action in this matter.

Certainly the Federal Government should represent the zenith of efficiency in the performance of its duties and functions. The taxpayers who finance the Federal Government, and whose lives are in some way or another affected every day by the Federal Government, have the right to expect the very best. To the contrary, however, as any individual, group or representative, who has had occasion to deal with the Federal Government knows, the executive branch presents endless examples of overlapping jurisdiction, duplicated responsibilities, noncoordinated activities, and uncooperative efforts.

The purpose of legislation such as my bill, H.R. 418, is to establish a commission to review the vast structure of the executive branch, probing into its areas of jurisdiction and responsibility, in order to define, streamline, consolidate, and coordinate those areas into an efficient, effective organization.

As the ranking minority member of the House Public Works Committee, I am particularly aware of a number of programs falling within the committee's jurisdiction which are obvious examples of the need for a searching and thorough review of the organizational problems of the executive branch, looking toward the recommendation of proper and corrective reform measures. The following résumé of certain programs within the jurisdiction of the Public Works Committee which highlight and support the need for a Commission on the Organization of the Executive Branch of the Government is submitted for my colleagues' information and in support of the establishment of this commission.

HOUSE COMMITTEE ON PUBLIC WORKS

The House Committee on Public Works has legislative jurisdiction over the following programs:

The Federal-aid highway programs, including investigations thereof;

Rivers and harbors and flood control works of improvement;

Federal public buildings and grounds;

Small watershed development and flood prevention program;

Federal water pollution control legislation;

Public works for the benefit of navigation, including bridges and dams;

Certain economic development programs; and

Oil pollution.

PROGRAMS ENCOMPASSED

Included within this jurisdiction are programs authorized by such Acts as the following:

Federal-Aid Highways Acts;

Highway Safety Act of 1966;

Highway Beautification Act of 1965;

Omnibus Rivers and Harbors and Flood Control Acts;

Public Buildings Act of 1959;

Small Watershed Protection and Flood Prevention Act;

Federal Water Pollution Control Act;

Water quality Act of 1965;

Clean Water Restoration Act of 1966;

Public Works and Economic Development Act of 1965;

Appalachian Regional Development Act of 1965;

Disaster Relief Act of 1966;

Additional Monetary Authorizations for Certain River Basin Plans Acts; and

Various measures for the District of Columbia, such as, Third Library of Congress Building; Official Residence for the Vice President of the United States; National Visitors' Center; Heliport; and Joseph H. Hirshhorn Museum and Sculpture Garden.

While a certain amount of objective review of Federal executive operations can be accomplished during the normal course of hearings by the Committees of Congress on various programs within each Committee's respective jurisdiction, a new Hoover-type Commission to conduct a review of the operations of the Federal executive, with a view toward assessment of the problems of duplication, lack of coordination, red tape, and sheer bigness, and to recommend reforms of government operations, is obviously needed.

There are a number of items which relate to public works programs which emphasize this point.

Section 204. Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 requires that all applications after June 30, 1967, for many types of Federal loan and grant programs, be reviewed by an area-wide agency designated to perform metropolitan or regional planning in each standard metropolitan statistical area. Included within the types of activities encompassed by the Act's requirements are Federal loans or grants to assist in carrying out *open-space land projects* or for the planning or construction of *hospitals, airports, libraries, water supply and distribution facilities, sewerage facilities and waste treatment works, highways, transportation facilities,* and *water development and land conservation projects.* Thus, any of these types of projects must be reviewed by such an areawide or regional planning agency within a standard metropolitan statistical area.

On May 17, 1967, the House, by an overwhelming vote, adopted my amendment to the Independent Offices and Department of Housing and Urban Development Appropriations Bill, 1968, to prohibit the use of any funds therein for the administration of section 204 of the 1966 Act. Despite this clear reflection of the intent of Congress that section 204 be continued no further by the Department of Housing and Urban Development, that Department proceeded to carry out its aspects of the implementation of section 204, including the designation of areawide or regional planning agencies and the geographical areas over which such agencies would have respective jurisdictions. I have been advised by high officials within that Department that, in their view, my prohibition in the HUD Appropriations Bill would be applicable only to programs within that particular Department, not to any programs within other departments of the Federal Government.

The section 204 controversy reflects a number of things about which we are discussing here today. It reflects the growing proliferation of review of projects and programs within the Federal Government, a proliferation that has already begun to tie up many projects and programs with needless red tape. It reflects the callous disregard of clear Congressional intent by those who administer programs within the Federal Government. It reflects the growth of control by the Federal Government over planning by the municipalities, counties, and States. It reflects the seizure by the Federal Government of prerogatives with respect to local planning and development which have rested throughout our Nation's history with State and local governments, and it reflects an attempt by the Federal Government to control all aspects of such planning and development.

H.R. 25. H.R. 25, a bill to authorize the Secretary of the Interior, supposedly in cooperation with the States, to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty, and for other purposes, has been the subject of heated debate.

At a time when the Federal Government should be considering means to simplify procedures within it, H.R. 25 would establish a procedure whereby dual permits—one from the Secretary of the Army and one from the Secretary of the Interior—would be required to dredge, fill, and so forth within estuarine areas. Presently, a permit is required only from the Secretary of the Army, but H.R. 25 would complicate even further the Federal procedures on this matter by requiring permits from two Secretaries on the Federal level.

H.R. 25, as introduced, would also be a great encroachment on the rights of the States and municipalities with respect to planning the use of estuarine areas and with respect to the subsequent development thereof.

Water Pollution. A classic example of why the Nation needs another Hoover-type Commission is the operations of the Federal Water Pollution Control Administration during its first year within the Department of the Interior. The administration of the Federal Water Pollution Control Act has been a matter of controversy practically since its enactment in 1956. After years within the Public Health Service, the Congress in 1965 elevated the administration of the Federal water pollution control program to an agency status, creating the Federal Water Pollution Control Administration within the Department of Health, Education, and Welfare. Then in the Spring of 1966, without even consulting the Congressional leaders responsible for handling water pollution control legislation, the President sent to the Congress a plan, which subsequently became Reorganization Plan No. 2 of 1966, to transfer that new agency to the Department of the Interior.

This shakeup of the Federal program, without advance warning to Congress, resulted in the loss of nearly 60 percent of the personnel in this highly technical and complex field. It was a great loss to the Federal effort to control the pollution of our Nation's waters. Furthermore, the administration of the sewage treatment plants construction program was set back by administrative turmoil.

The House Committee on Public Works held two days of hearings this year on the progress of the Federal effort in this area. What the Committee heard was most discouraging. As I said on the Floor on June 16th, the Federal Water Pollution Control Administration should be given an award as the worst administered Federal agency for fiscal year 1967. Because of constant shake-ups of the administration of the program, because of the duplication of effort with other agencies, because of the lack of coordination of their programs with other Federal agencies in this field, because of the red tape involved in getting a project approved by this agency, the Federal effort to control water pollution has greatly suffered.

Federal-Aid Highways. This Administration has taken it upon itself to downgrade the U.S. Bureau of Public Roads, the bureau responsible for the administration of the public roads. Through the creation of a Federal Highway Administration within the Department of Transportation, the Bureau has been downgraded to a mere operational unit, devoid of any word whatsoever in policy formulation. It is discouraging that the bureau responsible for carrying out a program cannot have a word in the formulation of policy with respect to that program.

Congress has expressed itself in very clear terms that the roads program must be given high priority within the transportation programs of the Federal Government. Yet the Administration continues to push the road program further into the background, often relying upon costly and often ineffective other means of transportation as alternatives to roads. Furthermore, the road program is being subjected to more and more reviews by non-roads entities. Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 includes highways as one of the programs encompassed within the review authority of areawide or regional planning agencies within standard metropolitan statistical areas. The Secretary of Agriculture now has to clear a road project to make sure that no erosion results from the construction thereof, as an example of the strings that are being attached to the road program.

Mr. WYDLER. Mr. Speaker, since I believe I was the first Member of Congress to issue a call for a new Hoover Commission, I am, of course, delighted by the proceedings on the floor of the House today. That so many of my colleagues should have joined in asking for the formation of a new Hoover-type commission is to me a recognition of the importance of such a commission in streamlining and making more efficient our Federal Government.

During my first campaign for U.S. Congress in the fall of 1962, one of the main planks in my platform was for the creation of a new Hoover Commission by the Congress of the United States. After my election and in accordance with my pledge to the people of the Fourth Congressional District of New York, on the very first day of the 88th Congress, immediately after I was sworn in as a new Member of Congress, I placed in the hopper a bill (H.R. 965) creating and setting up a new Hoover Commission. That was on January 9, 1963.

Since that day to this I have been working among my colleagues in both the House and Senate to stimulate interest in this new proposal for a Hoover Commission. My efforts have met with increasing success to the point where it is now inevitable that such a commission will be formed in the near future. The only thing that now keeps it from becoming a reality is the resistance and reluctance of the administration to back it.

I confidently predict that if this proposal were to clear the Government Operations Committee and come to the floor of the House, it would pass both bodies of Congress unanimously. Why we are not proceeding forward in this matter is more than I can understand. I have only this week written to the chairman of the Government Operations Committee asking him to schedule hearings on such a proposal at the earliest possible date.

Although I have no pride of authorship which would obstruct any reasonable proposal to establish such a new commission, I still believe my original idea to have the new commission under the joint heads of former Presidents Truman and Eisenhower to be a substantially sound and good one.

I would like at this point to spread in the RECORD the text of the original bill, put in the hopper by me on the 9th of January 1963. I urge that this bill or one similar to it be enacted by the Congress at the earliest date. It would be a just and fitting tribute to the memory of the late, great President of the United States: Herbert Hoover.

H.R. 965

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

SECTION 1. It is hereby declared to be the policy of Congress to promote economy, efficiency, and improved service in the transaction of the public business in the departments, bureaus, agencies, boards, commissions, offices, independent establishments, and instrumentalities of the executive branch of the Government by—

(1) recommending methods and procedures for reducing expenditures to the lowest amount consistent with the efficient performance of essential services, activities, and functions;

(2) eliminating duplication and overlapping of services, activities, and functions;

(3) consolidating services, activities, and functions of a similar nature;

(4) abolishing services, activities, and functions not necessary to the efficient conduct of government;

(5) defining responsibilities of officials;

(6) eliminating nonessential services, functions, and activites which are competitive with private enterprise; and

(7) relocating agencies now responsible directly to the President in departments or other agencies if it can be shown to be more efficient as a result.

ESTABLISHMENT OF THE COMMISSION ON THE REORGANIZATION AND OPERATION OF THE EXECUTIVE BRANCH

SEC. 2. (a) For the purpose of carrying out the policy set forth in section 1 of this Act, there is hereby established a commission to be known as the Commission on the Reorganization and Operation of the Executive Branch (in this Act referred to as the "Commission").

(b) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of section 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) NUMBER AND APPOINTMENT.—The Commission shall be composed of ten members as follows:

(1) Two appointed by the President of the United States from private life;

(2) Four appointed by the President of the Senate, two from the Senate and two from private life; and

(3) Four appointed by the Speaker of the House of Representatives, two from the House of Representatives and two from private life.

(b) POLITICAL AFFILIATION.—Members of the Commission appointed from private life shall represent equally the Democratic and Republican Parties. With respect to members of the Commission appointed from the House of Representatives and the Senate there shall be a Representative and a Senator from the Democratic Party and one each from the Republican Party.

(c) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

ORGANIZATION OF THE COMMISSION

SEC. 4. The President may appoint the last two former Presidents of the United States as co-Chairmen. If no such appointment is made, the Commission shall elect a Chairman and a Vice Chairman from among its members.

QUORUM

SEC. 5. Six members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 6. (a) MEMBERS OF CONGRESS.—Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) MEMBERS FROM THE EXECUTIVE BRANCH.—The members of the Commission who are in the executive branch of the Government shall serve without compensation in addition to that received for their services in the executive branch, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) Members From Private Life.—The members from private life shall each receive $50 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

STAFF OF THE COMMISSION

Sec. 7. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(b) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810), but at rates not to exceed $50 per diem for individuals.

EXPENSES OF THE COMMISSION

Sec. 8. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.

DUTIES OF THE COMMISSION

Sec. 9. (a) Investigation.—The Commission shall study and investigate the present organization and methods of operation of all departments, bureaus, agencies, boards, commissions, offices, independent establishments, and instrumentalities of the Government except the judiciary and the Congress of the United States to determine what changes therein are necessary in their opinion to accomplish the purposes set forth in section 1 of this Act.

(b) Report.—The Commission shall submit an interim report to the Congress ninety days after the first day of the first calendar month which begins after the date of enactment of this Act and an interim report ten days after the end of each succeeding ninety-day period on its activities and recommendations for such ninety-day period. The Commission shall make its final report of findings and recommendations to the Congress not later than two years after the date of enactment of this Act, at which date the Commission shall cease to exist. The final report of the Commission may propose such constitutional amendments, legislative enactments and administrative actions as in its judgment are necessary to carry out its recommendations.

POWERS OF THE COMMISSION

Sec. 10. (a) Hearings and Sessions.—The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (U.S.C., title 2, secs. 192–194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(b) Obtaining Official Data.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

Mr. MESKILL. Mr. Speaker, I commend the gentleman from Maryland [Mr. Mathias] for his leadership in efforts to establish a Commission on the Organization of the Executive Branch of the Government. I wholeheartedly endorse his bill, H.R. 69, which seeks to accomplish this purpose.

Although I have been a Member of Congress for only a little more than 6 months, the need for a thorough review of the executive branch has become very apparent to me. Frequently my work on behalf of constituents leads me into dealings with several different agencies each having some jurisdiction over the matter at hand. Often these jurisdictions overlap. The road to a solution is often lengthy, tortuous, and sometimes circular.

As an example, I find that in dealing with transportation matters—especially as they have involved the fate of the New York, New Haven & Hartford Railroad, which is so vital to my State—there is no single agency or department which can set transportation policy for the Federal Government. In addition to the Department of Transportation, the Interstate Commerce Commission is concerned. In the case of the New Haven situation, the Justice Department is involved and lately, the Post Office Department has become mixed in. Other areas of transportation find the addition of the Federal Aviation Agency, the Civil Aeronautics Board, and the Maritime Commission. This is not the limit of jurisdiction over transportation. The Department of Defense and the Treasury Department have functions in this field. There are probably others whose interests are involved from time to time. The diversity of policymaking authorities in this field results in the failure to develop any coordinated, comprehensive, or consistent Federal policy toward transportation.

This is but one broad field where such a situation exists. Other examples are innumerable. Air and water pollution, for instance; the administration of educational programs, for instance. I have had experience with the Department of Housing and Urban Development relative to the open-space program which it administers but found that the Bureau of Outdoor Recreation, in the Department of the Interior, has a major interest in open-space development.

I am not saying that such divisions of authority are necessarily bad. Executive operations should be subjected to a comprehensive review to help insure efficiency of operations and eliminate waste.

In the past few years, the Federal Government has expanded its role into many new fields. There is abundant evidence of growing pains. It is time to take a professional look. New agencies have sprung into being and the Federal payroll is nearing the 3 million mark. Some agencies are reportedly undermanned and can barely keep up with the work demanded of them, while in others, employees are hard put to find enough to do.

Federal paperwork cost something like $8 billion last year. Complaints from State and local officials about Federal delays and inefficiencies are on the rise. It is past time for Congress to insist that the finest tools of modern management be applied to achieving the most efficient possible management of the Federal Government.

Similar work was undertaken with great success by the Hoover Commissions of 1947–49 and 1953–55. The proposal being made here today would establish a similar Commission made up of two Senators, two Representatives, two Governors, two members appointed from the executive branch, and six members named from private life. It would have funds to hire a staff and be authorized to hold public hearings. All relevant documents and information from all Federal departments and agencies would be available for the Commission's use. It would be required to submit periodic, interim reports and a final report with recommendations within 2 years.

I urge that this measure be approved at the earliest possible moment. Each day it is delayed adds to the urgency for it.

Mr. KEITH. Mr. Speaker, since the second Hoover Commission presented its final report with recommendations for streamlining and reorganizing the executive branch of the Federal Government, there has been a vast proliferation of departments, commissions, bureaus, boards, offices, and other executive agencies. In addition to the 12 Cabinet departments, there are at least 53 so-called independent agencies in the executive branch. In the last decade at least 44 new agencies, temporary or permanent, have been established, at the same time that almost as many were being transferred or abolished.

One problem of executive organization with which I have long been concerned is the subordinate position of the Maritime Administration. This agency, which is responsible for the maintenance and growth of our American merchant marine as a fourth arm of the national defense, has been buried for 16 years under layers of bureaucracy in the Commerce Department. It is now proposed by the administration to relegate Maritime to a new position of obscurity in the Department of Transportation. I strongly believe that the Maritime Administration must be reestablished as an independent agency of the Government so that it can formulate its own policies and be treated as an equal with other important agencies.

In numerous policy areas program responsibility is hopelessly scattered. According to an analysis submitted in support of the President's 1967 budget, 10 Cabinet departments and at least 15 other agencies support or conduct education, training, and related programs as an integral part of their mission. In the growing field of consumer protection, there were, at last count, 33 Federal agencies engaged in almost 300 consumer protection activities.

The soaring Federal budget and increases in Federal civilian employment which have accompanied the multiplication of executive branch activities in the past decade are eloquent testimony to the increased complexity of Congress' task to oversee the executive branch. All of us have experienced the frustration of trying to unearth the progress of a grant application for our district, or determine just what procedure should be directed to whom in order to start the wheels moving for a program in which we are interested. The existence of congressional liaison offices, whose sole purpose is to facilitate our wanderings through the maze of "downtown" cannot substitute for efficient and well-organized management.

The Commission on the Organization of the Executive Branch of the Government would have two primary responsibilities and objectives. The first, of course, would be to make studies and submit recommendations to Congress concerning the abolition of services, activities, and functions unnecessary or detrimental to the efficient conduct of the Government. The second goal of the Commission would be to increase the responsiveness of the executive branch to the needs of individuals and communities at the local level.

We are all too familiar with the Congressman's function as a kind of ombudsman to act as intermediary between the great bureaucracies and their sometimes helpless and often innocent victims. Increased efficiency in the executive branch will result in not only decreased expenditures for nonessentials but also increased responsiveness to those dealing with the administrative branch of Government.

Mr. RUMSFELD. Mr. Speaker, I am pleased to join the gentleman from Maryland [Mr. MATHIAS] and others of my Republican colleagues in sponsoring a bill to establish a Commission on the Organization of the Executive Branch of the Government. I am particularly pleased to note this evidence of increasing support for this proposal, which is one in which I have long been interested and which I introduced in the 89th Congress. The purpose of such a commission is to report to the Congress recommendations for organizational changes and reforms, much the same as did the first and second Hoover Commissions which contributed markedly to the elimination of waste and duplication in the many agencies and departments of the executive branch of the Federal Government.

Since the last study, which was concluded 12 years ago, the Federal Establishment has expanded and diversified with many heretofore untried programs having an enormous impact on the citizens of our country and on the national economy. Many of these programs, and the agencies which control and guide them, have had little or no review from either the Congress or the public, and, indeed, in some instances have had too little internal oversight and check from the executive departments presumably governing them.

Congressional review has often been piecemeal and after the fact. For example, the recent congressional hearing concerning the tragic Apollo spacecraft fire unearthed a shocking amount of information about NASA's operations which should have been reported to Congress long ago. Until now, NASA has exercised too much discretion in determining what it should and what it should not tell Congress. Legislation has been proposed to correct this, and, hopefully, the provisions in the House version of the NASA authorization bill, now in House-Senate conference, will be accepted and thereby require NASA to keep Congress "fully and currently informed" and to create an independent safety advisory panel.

I am convinced such language is needed with respect to NASA. I am equally convinced that, if the operations of the executive branch are studied and reviewed for organizational deficiencies and economy of operation, there would be far less need to wage battles on the floor on a piecemeal, hit-or-miss basis.

Mr. REID of New York. Mr. Speaker, it has been some 10 years since the last overall review of the executive branch by the Congress and 20 years last week, since the enactment of legislation establishing the first Hoover Commission.

As a member of the Government Operations Committee and as a former staff member of the first Hoover Commission, I am particularly aware of great changes in the size, emphasis, and complexity of Government since the second Hoover Commission that point to the need for another study of the operations of the executive branch.

To this end, I have joined with my distinguished colleague from Maryland [Mr. MATHIAS] for two consecutive Congresses in introducing a bill to set up a commission on the reorganization of the executive branch. Regrettably, there has been no action to date on moving this legislation through committee. I would particularly commend the gentleman from Maryland for his persistence and initiative today.

Although congressional scrutiny of the executive branch is continual, there is a definite need for a comprehensive study with a broad congressional mandate and widespread public support. This need is underscored by developments at home and abroad.

The number of new Federal programs established within the last 10 years is unprecedented since the days of the New Deal. Many of them require new or improved administrative machinery and the creation of new bureaus and offices whose duties and responsibilities are not always explicitly defined and distinguished from those of other units of Government.

The increasing need for action on problems of air and water pollution, traffic safety and congestion, aid for disadvantaged and consumer interests—to mention only a few—requires a fresh look at the machinery of Government that can best deal with these matters.

Further, the serious need to cut nonessential Government spending, coupled with the proliferation of Government activities, indicates a clear need to take a hard look at the whole structure of sound executive administration. A thorough study of the Executive budget process, for example, might result in a clearer understanding of what is essential as opposed to what is merely desirable, and might lead to a system of priorities among proposed programs.

On the foreign scene, our worldwide responsibilities and commitments have considerably enlarged since the last Hoover Commission. In my judgment, as a former ambassador, it is a matter of some importance to see whether our existing structure of government can deal effectively with our opportunities and responsibilities.

In our nuclear age it is essential that we have new and more effective machinery to identify and get ahead of emerging problems before they become crises with limited and narrowing options, leading toward potential confrontation. Today, the Cabinet is overbalanced in favor of domestic departments, and it is a real question as to whether the Executive is so structured as to give effect to our responsibility as leader of the free world.

The bill we have introduced proposes to study those areas where reform is indicated. It is patterned after the legislation establishing the first and second Hoover Commissions but its powers and duties, as well as the membership of the Commission, are broadened to meet the needs of the present age. This is a thoughtful and necessary piece of legislation and far-reaching in the beneficial changes it portends for the administrative arm of our Government.

Mr. KUPFERMAN. Mr. Speaker, I am pleased to support H.R. 69 introduced by the distinguished gentleman from Maryland [Mr. MATHIAS]. It is most appropriate on this, the 20th anniversary of the signing of the law which established the first Hoover Commission, that we discuss the problems of duplication, lack of coordination, and redtape characteristic of the executive branch of the Federal Government.

In this technical age we can no longer be receptive to the traditional Government approach to solution of questions. The practice of dividing a complex problem into manageable parts and treating each of them separately, makes a comprehensive solution impossible. Simply appropriating money and shifting responsibilities to postpone decision will not withstand the pressure of the problems currently facing our Nation.

The executive's handling of the national budget reflects the virtual impossibility of a comprehensive solution when dealt with by current procedures.

In the years 1964, 1965, 1966, and 1967, the Johnson administration has spent a total of $40½ billion more than the Government has taken in. It has been estimated that by the end of fiscal year 1968, the 5-year deficit may exceed $58 billion, but nobody really yet knows.

The approach of breaking down the budget into the usual 13 appropriation bills makes it very difficult to conceive of the whole budget when looking at only one of its parts. These separate bills find their way through the appropriation process at various speeds, with some being considered several months apart from the others. During this process, the executive branch frequently comes to Congress requesting supplemental appropriations for programs enacted earlier in the session. In the 90th Congress alone these supplemental requests have totaled approximately $14 billion. The need for these supplemental appropriations indicates that a realistic estimate of our Nation's fiscal expenditures does not exist. This failure on the part of the executive branch hampers Congress' determination of how much money it is actually to appropriate for the fiscal year, the result of which has been the increase of our national debt ceiling on 11 separate occasions during the Kennedy and Johnson administrations.

The executive, finding itself in the red once too often, has resorted to several "budget gimmickry" devices. The Participation Sales Act, passed in 1965 by a Democratic-controlled Congress, is a perfect example. This act authorized the Federal National Mortgage Association to sell "participation certificates" in Government financial assets. However, the proceeds from these sales are not counted as Government receipts, but as a reduction of expenditures. This means that each time the Government goes further in debt, expenditures are reduced on paper by a corresponding amount of these participation certificates sold. This, of course, just distorts further the actual expenditures incurred.

The unrealistic fiscal approach to the national debt problem is just another example of the pressing need for an objective review of the Federal executive in this inflationary period of our Nation's economic history.

An August 25, along with several of my Republican colleagues, I introduced H.R. 17332—see the CONGRESSIONAL RECORD, volume 112, part 2, pages 20714–20719, reintroduced as H.R. 121 on January 10, 1967—which provides for the establishment of a National Commission of Public Management. The purpose of the bill is to establish a Commission which could examine the techniques developed by the defense and aerospace industries for complex problem solving, and recommend how best they might be applied to critical domestic problems. The Commission could bring to bear on the management of public business the very best minds in industry, government, labor, and education. Through implementation of this legislation the Federal Government would best be able to reap the advantages of the "systems approach" developed and proven successful by many of our Nation's leading industries.

The systems approach is especially applicable to problems consisting of many variables, for example the national budget. It relies on the capacity of new technology to assemble, measure, and use all the information that relates to a given program; thus supplying direction for a practical solution. The executive branch with its many agencies lacks this coordinated control. All too often one arm doesn't know what the other is holding.

This type of situation must be remedied. Our Government can no longer attempt to solve today's problems with yesterday's techniques.

I hope this body gives careful consideration to the recommendations and suggestions that my colleagues and I have made today.

Mr. DON H. CLAUSEN. Mr. Speaker, the statements being made on the floor today are most revealing, and speak strongly in favor of the new Hoover-type Commission proposed by the gentleman from Maryland [Mr. MATHIAS]. As early as 1963, I stated on the floor of the House:

> An overwhelming demand exists for a check on wasteful Federal spending, our balance-of-payments deficit, the increase in the national debt, and the ever-increasing expansion of Federal programs.

That statement is even more applicable today.

I could list many cases in which residents of my congressional district have had to pay the price of Federal bureaucracy. In handling these, I have found three general types of cases in which poor administration has led to waste and inefficient allocation of human and financial resources. The first is duplication of effort by several Federal agencies. The second is the ineptitude that stems from not having streamlined administrative procedures. The third is the inconvenience cause of the lack of communication between Federal offices. In the interests of time, I will limit myself to one illustration of each of these.

The Eel River basin has suffered through continual, nearly annual flood damage, while several competing Federal agencies have made studies on the river's need for flood control and its vast potential for water resource developments and conservation. Not until September of last year, was an agreement finally adopted which set forth each agency's responsibilities in developing the river's potential. Even that agreement is costing several years of planning because of the need to coordinate the many existing study efforts. With the competing demands being made on the dollar today, surely we cannot afford such overlapping spending and unnecessary bureaucracy.

The urgent need for streamlining of administrative procedures in executive departments and agencies was demonstrated to me when the city of Napa recently applied to the Department of Housing and Urban Development for the development of recently acquired open space land. The city was offered a contract for the development by an unusually low bidder, who set a deadline for acceptance. The low bid promised large savings to both the city and HUD, if acted upon promptly. However, constant reorganization and reshuffling within the Department delayed the city's application while the contractor postponed his deadline three times over. I was finally forced to make a direct call to Secretary Weaver, who told me that I would be contacted immediately. Thirty minutes later, I was called and told that the city could accept the contract with the assurance that a matching Federal grant would come through within 30 days. Without explanation, the grant was delayed for 3 months, while the city of Napa had to "borrow" from itself against its other planned projects, in order to pay for the contract it had accepted. The city was thus forced to pay for the redtape of this executive operation.

A third case involved the Internal Revenue Service. A lien was wrongfully filed against a corporation in my congressional district, with no explanation given. The corporation followed up the error, and IRS replied by forwarding a release of lien to the corporation which could be recorded for a $2 fee. Neither an explanation nor an apology was offered; IRS had no record of the lien and did not know why it had been filed. At that point, the corporation contacted me and later received an apology from IRS and had the release recorded by them. I went on to demand an explanation for the whole affair, and was told that the mistake was "due to a delay in communication between the San Francisco and Santa Rosa offices" of IRS. The final result was considerable embarrassment to all parties concerned.

These are only three examples of the many similar cases in which residents of my congressional district are constantly tangled. The proposal of the distinguished gentleman from Maryland is an important first step toward the elimination of such wasteful Federal programs, and is deserving of our strongest possible support.

Mr. BETTS. Mr. Speaker, during this week, the 20th anniversary of the signing of the law establishing the first Hoover Commission, I join with my Republican colleagues in encouraging the organization of a new Hoover Commission to evaluate the operation of the Federal Government.

The original Commission's work on reorganization of the executive branch during 1947–49 and 1953–55 received much acclaim for the reforms proposed. The results realized by adhering to the recommendations set forth have been a more efficient governmental organization and the savings of millions of dollars. Unfortunately, however, 12 years have passed since the last Commission met and the need for another objective, bipartisan look at the Federal Government is readily apparent.

In 1955, the national budget totaled $64 billion contrasted to anticipated expenditures of $126 billion in 1967, and $135 billion in 1968. Thus, in 12 short years the size of the budget has increased nearly 100 percent, or as much as in the first 179 years of our Republic. It is even more appalling to realize that it costs $4,281 to run the Federal Government every second of every day in the year.

The shape and size of the bureaucracy that expends this money also attest to the need for reorganization and streamlining. There has been a proliferation of new executive agencies to administer the expanding sphere of Government programs. Today there are some 170 separate programs through which the Federal Government assists States and localities financially. These programs require 20 different agencies with over 400 regional and 150 Washington offices to administer.

Another indicator of the extensive nature of Federal grants-in-aid is the number of pages required to enumerate and briefly describe the grants currently available. Grants administered by the Department of Health, Education, and Welfare are described in a 527 page publication while the "Catalog of Federal Programs for Individual and Community Development" published by the Office of Economic Opportunity consumes 701 pages. The comprehensive "Encyclopedia of U.S. Government Programs" mounts to a volume of 1,010 pages and 8,000 Government-aid items.

The personnel required to man this growing bureaucracy has increased at an even more startling rate. It is estimated that the Government will have half a million more employees on the Federal payroll in fiscal 1968 than in 1955. In one 7-month period alone, October 1966 through April 1967, Federal civilian employment rose 125,949 to a total of 2,889,673. The result of this enormous growth in agencies, programs, and personnel has not been better service to the taxpayer, but only increased complexity and bureaucratic bungling. It is for these reasons that I join in the campaign for a new Hoover-type Commission, a campaign to curb the waste of taxpayers' money and provide the people with a more efficient and effective Government.

While the bigness of Government is a major problem leading to inefficiency, there are numerous less obvious, administrative deficiencies that contribute to uneconomic operation and deserve our attention. I urge careful scrutiny of the maladministration which resulted in the loss of some $300 million in 1966 according to the General Accounting Office. Some of this waste is attributable to the practice of continually funding agencies operating with inadequate accounting systems, some of which have never been approved in 14 years. The fact is that of 149 systems subject to GAO approval, only 46 measure up to the basic requirements of law and sound accounting principles as of June 30, 1967.

Similarly, millions of dollars are wasted annually by individuals who fail to carry out the responsibilities entrusted to them. They violate the law, ignore sound management practices, and fail to exercise plain commonsense. Such incidences are recurring and apparently will continue unabated until Congress takes corrective measures.

A third area of maladministration, that of irregular contracting procedures, has been highlighted in a series of articles appearing in the Cleveland Plain Dealer and reprinted in the CONGRESSIONAL RECORD of April 20, 1967, by Senator STEPHEN YOUNG. In regard to the Truth in Negotiating Act adopted in 1962, the Department of Defense is to be furnished with current, complete, and accurate information on company cost estimates. The Plain Dealer cited a GAO study of 242 defense contract negotiations of which only 20 had sufficient documentation of contractor estimates. Senator WILLIAM PROXMIRE, chairman of the investigating subcommittee, reacted by saying the Pentagon "has been acting as though the law is something they can take or leave." Comptroller General Staats has also cited the Defense Department for its serious lack of compliance which the GAO appraises to have cost the Government at the rate of $13 million a year.

Auditing and accounting system inadequacies, management deficiencies, and contracting procedure irregularities are rampant in our Government as a perusal of the Comptroller General's annual reports will document. It is disturbing that even though the GAO informs the Bureau of the Budget and the agency involved of such inadequacies, they continue to recur year after year. I am alarmed at this lack of prompt and conscientious attention given GAO reports by the executive agencies. I urge an increasing congressional sensitivity to the duty of seeing that GAO recommendations are implemented and suggest we consider means of strengthening the role of the GAO.

Not only must Congress concern itself with the implementation of specific, administrative reforms in particular agencies, but it must also be aware of erosion of its role in the authorization, appropriation, and surveillance of executive branch operations.

The highly respected Tax Foundation, Inc., in its June 1967 Monthly Tax Features, explains that—

> There are areas of Federal expenditures which are not readily susceptible to annual congressional control through the legislative or appropriation process—or which, at best, are subject to very limited control.

After extensive analysis of the $135 billion fiscal 1968 budget, the foundation concluded that only 40 percent or $55.6 billion is "relatively controllable."

The full text of the article which is included at the end of this statement attests to the need for Congress to better oversee the spending practices of the entire executive branch and exert responsible leadership.

In conclusion, let me reiterate that I support economy and efficiency in Government—first, when programs are authorized and then in scrutinizing the appropriating of funds provided to operate departments and agencies. The unbridled growth of programs and funds to finance them has not occurred with a minimum of duplication, waste, and inefficiency. Therefore, I urge that Congress take a more active posture to improve the organizational structure of Government by the establishment of a new Hoover Commission. Congress must also direct its attention to the administrative deficiencies which exert an uneconomic strain on the budget and the pockets of every taxpayer. Thus, while we are working for the establishment of a new Hoover Commission, we must not neglect to actively combat specific problems of administrative inefficiency. At best a new Hoover Commission could not begin operation for at least a year, but we can attack waste and inefficiency at each day's session of the House.

[From the Tax Foundation's Monthly Tax Features, June 1967]

ONLY 40 PERCENT OF 1968 SPENDING CONTROLLABLE BY CONGRESS

As much as $55.6 billion, roughly 40 percent, of the spending proposed in fiscal 1968 (beginning next month) through the Federal government's administrative budget says Tax Foundation, Inc., can be classified as "relatively controllable," or, subject to possible cuts by either Congress or the President. The private research organization's conclusion follows an extensive analysis of the $135 billion budget. The Foundation concludes that $79.4 billion of the total is "relatively uncontrollable."

The Foundation says that even some defense spending, other than the $22 billion earmarked for the Vietnam war, may be "controllable" to some degree.

Apart from defense, the Foundation estimates $33.4 billion of "controllable" items, including $2.3 billion for health programs; $2.7 billion for aid to education; $5.3 billion for space; $4 billion for agriculture programs, and $3.2 billion for economic assistance and anti-poverty programs.

The Foundation emphasizes in its analysis that claims about controllability or uncontrollability of Federal budget spending vary with the assumptions upon which they are based.

"There are areas of Federal expenditures," concedes the analysis, "which are not readily susceptible to annual Congressional control through the legislative or appropriation process—or which, at best, are subject to very limited control."

The research organization points out that while the $39.3 billion of spending from "prior years appropriations and other authorizations" does not carry a breakdown by agency or function, it is the largest of the "relatively uncontrollable" items.

A comparison of the "relatively uncontrollable" areas for fiscal 1968, 1966 and 1964, follows:

[In billions]

	1968	1966	1964
1. Spending from obligational authority, prior years	$39.3	$27.6	$31.9
2. Contributions to trust funds, etc	9.5	7.6	6.9
3. Spending under permanent and indefinite authorizations	14.7	12.5	11.3
4. Spending to liquidate contract authorizations	8.6	6.3	.7
5. Spending under open end programs	6.4	4.8	4.4
6. Spending for Government enterprises (net)	.8	2.5	4.5
Administrative budget totals	135.0	107.0	97.7
Relatively uncontrollable totals	79.4	61.3	59.7

Category No. 1, says the Foundation, relates to authorizations given by Congress, maybe years ago, to spend certain amounts in the upcoming fiscal year.

Of the $14.7 billion in Category No. 3, about $1.1 billion will go to pay debt interest.

In Category No. 5, notes the Foundation, comes $4.2 billion for public assistance programs, while in Category No. 6, spending will be for government purchases of mortgages and guarantees and other lending-type programs. There may be, says the Foundation, some "overlap" of the amount in Category No. 1 in the totals of Categories 2–6.

Mr. REINECKE. Mr. Speaker, the inefficiency of the Federal bureaucracy is legendary. It is material for everything from doctoral dissertations to comedians' jokes. Our Founding Fathers had no idea that the simple outline of government which they created in the Constitution would serve as the skeleton for a fat, sloppy, overlapping, clumsy giant like the Federal bureaucracy.

Some may argue that increases in the size and cost of the Federal Government are due to the increase in the Nation's population, and an increase in the services which the people demand from their National Government. In the past 7 years we have had an 8.4 percent increase in population. But, during the same period the cost of the Federal bureaucracy has increased by 38.4 percent.

The farm population has decreased by 20 percent, yet the costs of operating the agriculture bureaucracy is up 22 percent. There is now about one employee in the Bureau of Indian Affairs for every 25 Indians on Federal installations and reservations. The Indian population on reservations has been decreasing; the employees of the Indian Affairs Bureau have increased.

We have been told that the war in Vietnam is causing an increase in Government expenditures; and that this is the reason for the President's proposed tax-surcharge increase. Yet the facts of the matter show that Defense expenditures have increased in the past 7 years at a lower rate than seven of the other Federal departments.

Defense went up 34 percent.

But, Commerce went up 70 percent.

Interior went up 91 percent.

Justice went up 58 percent.

The Post Office has a 43-percent increase in its annual deficit.

The State Department costs went up 64 percent.

Treasury went up 41 percent.

And Health, Education, and Welfare went up a whopping 200 percent.

Nondefense spending has increased more than defense spending in actual dollars and as a proportion of total expenditures. And the administration is trying to fool the people of this country into thinking that they must pay higher taxes to support the war in Vietnam. The money is going to go to fatten the Federal bureaucracy. It is little wonder that there is a "credibility gap" in this administration.

There is serious overlapping in operations by the multiple Government agencies. I found recently, that 18 different Federal agencies are engaged in various types of oceanographic research. Our colleague, Representative John Saylor of Pennsylvania informed the House last August 25, of the fact that 38 agencies of the Federal Government are operating in the field of water resources. In 1955, the second Hoover Commission discovered that there were 25 agencies involved in water programs. We apparently did not learn anything from that Hoover report. Instead the Government flagrantly ignored the good advice calling for efficiency.

Mr. Speaker, I have joined with several of my colleagues in the House in introducing legislation to establish a Commission on the Organization of the Executive Branch of the Government. The Commission would function as has the previous two Hoover Commissions of 1947 and 1953. It is about time that this Government went on another diet to cut out some of the fat in the bureaucracy.

Since the last Hoover Commission report there have been many advances in management technology. Computers, systems approach to national problems, microfilm recordkeeping, better personnel selection have all contributed to savings in the operation of large private industries. There is no reason that these new discoveries cannot be applied to making Government more efficient.

We all know, however, that the real barriers to efficiency in Government are not technological, they are political. And that is where this body can take action. We can take action by passing this legislation forming a new Hoover Commission. We can take action by exposing Government boondoggling, and inefficiency, and overlapping wherever we discover it. We can take action by streamlining the operation of the Congress itself.

It will be very difficult to explain to the American people any proposed increase in taxes, without a corresponding effort to cut Government costs. Mr. Speaker, let us do the courageous thing and pass this legislation, and trim the fat in the Federal bureaucracy.

Mr. TAFT. Mr. Speaker, while there are many issues before the 90th Congress, few are as important or as timely as the question of reform and organization of the executive branch of the Government.

The Federal Government has grown into a giant of over 2.8 million employees. Federal paperwork last year cost more than $8 billion. While redtape and duplication have been eliminated by some departments and individual agencies, there is a desperate need to coordinate such reform and to make it the rule rather than the exception.

In his state of the Union message, the President promised "top priority" to review and refinement of operations in the executive branch. I question whether much "review and refinement" has begun.

It is time for us to take action, to assume the initiative, and to push for long overdue reforms not only in the executive branch but in the judicial as well as the legislative. Let us not delude ourselves into believing that Congress can forgo reform.

Mr. Speaker, H.R. 69, which would establish a new, Hoover-type Commission on the Organization of the Executive Branch of the Government is a step in the proper direction. The Commission would be empowered to conduct a comprehensive, objective assessment of all Federal administrative operations and to recommend overall reforms. Developed by the gentleman from Maryland, Representative Mathias, the measure represents an excellent approach to the problem. I urge the Committee on Government Operations to take positive action on this bill that I have also introduced today.

Mr. CURTIS. Mr. Speaker, I am happy to join today with Congressman Charles McC. Mathias, Jr., of Maryland, and many of my other colleagues in support of H.R. 69, which would establish a new Hoover-type Commission of 14 members—State officials, Members of Congress, and private individuals—to study and appraise the organization and operation of the executive branch of the Federal Government.

The Federal Government today is big government—it is complex government and, therefore, requires great powers of coordination and competence to perform the tasks which it undertakes. Often, an entity such as the executive branch is plagued with problems of administrative inefficiency and waste, and far too often, these problems are allowed to persist due either to negligence or to the extreme difficulty of carefully watching over every detail of every agency and project. A commission such as the one we are proposing today might help to overcome some of these difficulties.

There is another reason why such a commission is necessary. Inherent in the words "big government" is the fact that government is becoming increasingly involved in areas other than lawmaking, law adjudication, and law enforcement. In fact, the governments of the United States—Federal, State, and local—have expanded their interests and influence to such an extent that today there is a greatly increased degree of government intervention in the marketplace. Although at times Government involvement in business may be necessary, bigness simply for the sake of bigness is wasteful and inefficient, when private enterprise, one of the institutions upon which this Nation was built, can perform the same services more efficiently and at lower costs.

The purpose of our efforts today, therefore, is to propose the authorization of a nonpartisan, broadly representative commission with the sole purpose of studying these problems and recommending solutions. It is my belief that this would be an excellent beginning, and I would even like to see it eventually expanded into a study of all government intervention into the marketplace, as well as all government administrative inefficiency, in order that all of the areas in which problems now exist could be carefully examined.

Mr. Martin Gainsbrugh, senior vice president and economist for the National Industrial Conference Board, recently testified before the Joint Economic Committee's Subcommittee on Economy in Government, of which I have the privilege of being the ranking Republican member. In his testimony, Mr. Gainsbrugh quoted facts and figures which outline the unmistakable trend upward of Government involvement in the marketplace. He pointed, for instance, to the fact that whereas two generations ago the Government was employing—either directly or indirectly—five out of very 100 working citizens, the figure had jumped to 26 out of 100 by 1965. Social welfare expenditures by all forms of government have risen from 2.4 percent of the gross national product near the close of the 19th century to 4.2 percent in the late twenties and at the end of the Second World War, and finally to 12 percent in the last fiscal year. Also, the Government's share of the total domestic tangible wealth has doubled since 1900, from 7 to 14 percent.

Even more important than these facts,

though, is Mr. Gainsbrugh's assertion that—

> The need now is for up-to-date, comprehensive research and interpretation of this development by what I propose, a Presidential Commission. This would assess not only the magnitude of today's governmental business operations, but would also explore the following questions:
>
> 1. Is Government business activity increasing or diminishing and in what areas are the trends apparent?
>
> 2. What was the original purpose for entering into an area previously reserved for private business? Is that purpose now still controlling? This is perhaps the Commission's most important function. In instance after instance, the original purpose has been subordinated, and a new purpose has been taken over, without necessarily having congressional approval.
>
> 3. What is the deeper, longrun significance of the growing entrance of Government into sectors of business previously reserved for the private economy?
>
> 4. How should public policy be defined with respect to justifiable governmental business enterprises that are engaged directly in competition with the private sector?
>
> 5. What steps are required to see that such a policy is respected, after it is enunciated by the various agencies, including the Bureau of the Budget?

I am in complete agreement with Mr. Gainsbrugh and sincerely hope that the Commission which we are discussing today will eventually broaden its goals to include those which Mr. Gainsbrugh has suggested.

Moving toward more specific examples of areas, just in the executive branch, where evidence has shown that necessary tasks have been delayed, poorly performed, or altogether ignored, I turn to the testimony of the Honorable Elmer B. Staats, Comptroller General of the United States, who also appeared before the Subcommittee on Economy in Government in May, 1967. In his testimony, Mr. Staats discussed the work of the General Accounting Office in its study of Federal procurement, stating the following:

> The total impact of the Government's vast operations on the Nation's economy is significant. In calendar year 1966, the Federal Government procured $77 billion worth of goods and services. This amounts to 10.4% of the gross national product, which was $739.5 billion in calendar 1966. Federal procurement for defense purposes represented 8.1%, while nondefense purchases of goods and services equaled 2.3% of the GNP.

Clearly, then, the Defense Department has been dealing extensively in the procurement of goods and services, and for this reason, the General Accounting Office has performed the function of evaluating the manner in which the Defense Department and other Government agencies have carried out their authorized programs.

Unfortunately, the GAO's findings were not encouraging. Instead, they led Senator WILLIAM PROXMIRE, chairman of the Subcommittee on Economy in Government, to believe that the overall inventory management in the Defense Department "seems incredibly sloppy, a clear dereliction of duty in the management of inventory, a cost to the taxpayers of hundreds of millions of dollars, and maybe even billions and billions of dollars."

Mr. Staats reported that the GAO had made several important observations. The major topic which he discussed was the responsiveness of the military supply systems in meeting operational needs. The main problems, as he outlined them, are as follows:

First. Inventory controls have proven to be inadequate. That is, great gaps have appeared between the records that have been kept and the real holdings by the Defense Department. As one example, at one location with an average inventory of $442 million, approximately 61 percent of the records for the 239,000 items physically inventoried during fiscal years 1965 and 1966 contained significant errors requiring gross inventory adjustments totaling $33 million.

Second. Often, Government-owned property has been left idle but has not been reported as unused by the agency controlling it.

Third. Government-owned property has not been inventoried frequently or efficiently enough.

Fourth. A national supply system is needed, for in the transfer of stock, a great deal of stock has not been reported and, therefore, the records that have been kept have been inaccurate.

Fifth. Several instances have been noted, both in the activities of the Defense Department and on the civilian side, in which competition could have been but was not used to an advantage in the procurement of goods and services. This is true in the case of the aeronautical spare parts procured by the Defense Department as well as in the case of formal advertising in the procurement of common use items and services by the General Services Administration.

Nor can the example of the Naval Academy Dairy Farm be ignored. As Representative MATHIAS pointed out in the subcommittee's hearings, the Dairy Farm was established "in 1911 at a time when there was not an adequate supply of healthy milk, of clean, sanitary milk in the vicinity of Annapolis. There was no way that they could commercially acquire the volume of milk that they needed for the midshipmen."

Today, though, the commercial production of milk is quite sufficient so that the Naval Academy Dairy has become unnecessary and, in fact, harmful to the commercial farmers' interests. Here, then, is a case in which the Government should stop an operation which was previously but is no longer required; yet the Farm is still in operation—the Government allows this unneeded and wasteful project to continue.

One further problem which the GAO has encountered in regard to competition especially upsets me. I refer to the definition of "competition" which the Department of Defense has employed. Mr. Staats reported that the GAO survey showed: that of about $2 billion worth of aeronautical spare parts bought in fiscal year 1966 by four major purchasing centers, about $425 million or 21.5 percent was reported to have been purchased competitively. A large percentage of the actions which were classified and reported to higher management levels within the Department of Defense as competitive procurements, in our opinion, were in fact made without competition.

The primary cause for misclassifying procurements as having been awarded on the basis of price competition appears to stem from the criteria in the Armed Services Procurement Regulation. The regulation permits a contract award to be classified as competitively priced, even when only one response is received, as long as two or more proposals were solicited and the accepted proposal meets certain other evaluation tests.

In addition, the armed services procurement regulation permits purchases of $2,500 and under to be reported as competitive even though many are not. The four locations we visited reported in the fiscal year 1966 a total of about $80 million in procurement actions of $2,500 and under as being awarded on the basis of price competition. Of the total amount, however, an estimated $55 million, or 69 percent, represented noncompetitive procurements.

It is most alarming to me that competition is clearly being avoided by devious uses of what are usually called "legal loopholes." I would hope that the executive branch of the Federal Government would be able to operate effectively without resorting to such methods.

Sixth. Finally, Mr. Staats recommended some form of interagency coordination to improve the administration of common activities in order that action might be taken to eliminate some of the differences in analysis and appraisal methods among the various agencies that deal with similar subjects. An example of the need for such coordination may be found in the significant differences in the appraisal practices followed by the Forest Service, Department of Agriculture, and the Bureaus of Indian Affairs and Land Management, Department of the Interior, to arrive at minimum selling prices for standing timber. Differences have continued to exist despite a statement of congressional intent in 1965 and a Bureau of the Budget request as far back as 1959 for consistency in such practices.

Another major area of inefficiency in the Department of Defense which needs exploring by this Commission is the area of military manpower utilization. Just as we presently lack meaningful coordination of civilian and military needs and capabilities in the area of procurement of material, we have found that duplication of training facilities, the utilization of military personnel in essentially civilian jobs, the failure to properly develop military career programs to produce the kind of skilled military specialists which our modern Army needs, and the detrimental effects of conscription on our civilian economy have produced an uneconomic and inefficient military force.

The military presently maintains service schools and training facilities which duplicate the efforts of civilian agencies and private job-training organizations. Yet, it is a well-known fact that modern warfare, conducted by the technologically advanced societies, requires the utilization of skills which have a high ratio of comparability to skills in use in the civilian society. Certain studies I have seen put this ratio somewhere between 70 and 80 percent. I have estimated that the ratio is approximately 90 percent. Thus, it is apparent that we should be utilizing civilian-trained skills in military positions and vice versa, in order to prevent duplication of facilities and unnecessary training costs.

We must also be concerned with coordinating the needs of both the civilian and military sectors so that a war, with its sudden expansion of military effort, does not cripple the civilian society. Modern war is total war, and we must view the problem of military manpower procurement and utilization in terms of the total cost to society, including costs incurred by the civilian sector in maintaining the present system of manpower utilization. Merely focusing on traditional "military" outlays is misleading. The total cost of military manpower procurement includes the effects of conscription on the civilian economy.

To cite just one example, at Lambert Airport serving Metropolitan St. Louis, in my district, many of the key employees operating in the airport belong to Reserve units. In the event of an emergency Reserve callup, this airport would lose many of its skilled personnel, which would render it ineffective to the military or to the civilian population. We must, therefore, correlate civilian and military activities across the board to meet any sizable military endeavor with efficiency and the least amount of strain on the civilian sector. While the present selective service laws call for special deferments to protect skills "necessary to the maintenance of the national health, safety or interest," we do not know today what these vital activities and skills are.

Also, one of the major arguments used by those who defend our present system of manpower procurement is that it would cost too much to move toward an all-volunteer force. Yet we have not evaluated our present system in terms of cost effectiveness. Present figures indicate that only about 8 percent of inductees reenlist; this means that about 92 percent of the specialized skills which took 2 years and many thousands of dollars to train are lost in the case of the inductees. A thorough appraisal of the economics of our present system of manpower recruitment and training must necessarily include an examination of ways to prevent this "skill drain," a consideration of the economical effects of improving incentives needed to raise enlistment rates for already enlisted personnel, and an examination of ways to improve our Reserve Forces so that these skills will be readily available in times of need. Considerable savings could be achieved through coordination of civilian and military manpower procurement methods; enough, I would argue, to justify moving toward an all-volunteer, professional Army.

The bill which we are concerned with today would provide possible solutions to some of the problems which exist. It would bring together Senators, Congressmen, State Governors, and private citizens in a combined effort to save the taxpayers money and to use the funds that are needed by the Federal Government in a more efficient manner. I strongly urge the passage of this bill so that the Commission's study can begin as soon as possible, and I would again like to stress my belief that the Commission should also investigate the question of Government involvement in business so that private enterprise will not be unnecessarily pushed out of business by the Federal, State and local governments of this Nation.

Mr. McCLORY. Mr. Speaker, as a sponsor of the legislation introduced by the gentleman from Maryland, I reaffirm my wholehearted support for the establishment of a new Hoover-type Commission To Study and Appraise the Organization and Operation of the Executive Branch.

There can be no question of the need for a thorough reevaluation of the structure and operational effectiveness of the various departments and agencies of the Federal Government. Since the last Hoover Commission study, 1953–55, the executive branch has experienced a period of unprecedented change. Marked particularly by the implementation of far-reaching social and economic, as well as scientific and cultural programs, this change has necessitated the establishment of two new executive departments, Housing and Urban Development and Transportation. In addition, numerous executive and independent agencies have been created—NASA, AID, the Peace Corps, OEO, and the Civil Rights Commission, to name but a few.

This explosive increase in recent years in the activities and programs of Government is perhaps most dramatically reflected in the fact that current administrative budget expenditures—estimated at $135 billion for fiscal year 1967—are more than twice the 1955 expenditure of $64 billion. No doubt the departments and agencies of the executive branch have sought—by new and increasing commitments—to keep pace with administrative problems. Certainly, the $1.2 billion—fiscal year 1967 estimate—for automatic data processing equipment and services for the executive branch is evidence of a growing concern for efficiency. Nevertheless, reforms within individual departments and agencies are all too often sporadic and inconclusive, with little overall coordination. Duplication, inefficiency and waste remain.

For example, in a recent Government publication, I note that programs listed as "Vocation and job training" are to be found in the Departments of Agriculture; Health, Education, and Welfare; Interior; and Labor, as well as the Office of Economic Opportunity and even the General Services Administration. While I would not want to suggest that this distribution of vocation and job-training programs is entirely unjustified, it would seem to indicate the existence of some overlapping functions, if not unwarranted duplication.

Perhaps the most unfortunate aspect of today's "big government" is its effect on the citizens it attempts to serve. The Members of this House know that constituent complaints about lost social security checks, delayed applications, mishandled requests, and sluggish project funding are not uncommon to congressional offices.

More money or personnel for the departments and agencies is not the answer—proof of "Parkinson's law" is nowhere more apparent than in the executive branch. We know, also, that even stringent exercise of congressional oversight is not enough to insure sound management in the executive branches. By nature, congressional oversight of executive functions is a fragmented process—fragmented by the committee system and fragmented by the division between the House and Senate.

What is needed is a comprehensive, objective and independent examination of the executive branch by private citizens and government officials skilled in modern management approaches to the organization and operation of government. Such a study is provided by the legislation discussed today to which I am pleased to lend my sponsorship and full support.

Mr. Speaker, I have no doubt that a Hoover-type Commission, as called for by this legislation, will be of immeasurable benefit to the executive branch and—ultimately—to the citizens whose tax dollars must support our Government. I urge my colleagues, particularly those who serve on the Government Operations Committee, to give this legislation their urgent consideration.

REORGANIZATION COMMISSION TASKS IN FOREIGN POLICY

Mr. MORSE of Massachusetts. Mr. Speaker, I am delighted with the initiative that the gentleman from Maryland [Mr. MATHIAS] has shown both in sponsoring legislation to create a new Commission on the Organization of the Executive Branch and in taking this special order today. He is pointing the way toward solutions of the problems we see reflected every day in the mail we receive from our constituents and communities. These problems reflect adversely on the organizational ability of the executive branch to implement the programs enacted by the Congress.

Because I know that many of my fellow cosponsors of the gentleman's bill will be addressing themselves to the problems of lack of coordination, poor management, and waste in many of our domestic programs, I would like to address myself briefly to some of the organizational problems in the conduct of our Nation's foreign policy.

Not since the outstanding work of Senator JACKSON's Subcommittee on National Security Machinery has the Congress, or any other public body for that matter, taken a systematic look at the capacity of the United States to conduct foreign policy. Since that time we have seen that change is overdue in many areas; and we have seen our international commitments multiply. A recent report on the Foreign Service, for example, compiled by a Yale University professor, noted severe morale problems in the Foreign Service due in part to the rigidity of the promotional system. Are we losing some of our most promising young officers? Are fresh ideas being ignored by senior officers fearful of controversy? Is there a better system of recruitment, training, and management of our Foreign Service? These are appropriate questions for a new Commission.

In our consideration of the foreign assistance program in the House Foreign Affairs Committee we have found numerous examples of delays in programing rather small amounts, complaints about the redtape surrounding aid applications that overburdens many small organizations that have much to contribute to the development process. Need there be so many steps between application and allocation? Must the accounting procedures applied to relatively small projects be as strict as those applied to large program loans? Are all of our AID personnel engaged in development, or are they pushing papers? These, too, are appropriate questions for the Commission.

Finally, are we meeting our responsibility to have a clear and unified foreign policy when decisions made in one Cabinet-level Department seem to contradict the alleged goals of another? We have recently seen a tragic example of this lack of top-level coordination. After the President declared that our foreign assistance priority must be in the war against hunger, after AID reorganized itself to implement that priority, the Secretary of Agriculture announced that U.S. farmers would be required to produce 13 percent less of that vital foodstuff, wheat. This decision will increase the budgetary requirement for diversion payments; it will decrease the total world food supply. It will make it difficult for the United States to convince other developed countries that we are serious enough about our effort to prevent famine to warrant their own contribution; it will appear to the developing world that we are reneging on our pledge to help feed its hungry people before the battle was even begun.

We could find other instances of uninspired management and burdensome bureaucracy. My purpose here today is not to assign blame, but to stimulate a review of our organizational capacity to deal with the world. Ideally this review should come, on a continuing basis from the executive branch itself. It is clear that we can have little confidence that it will be forthcoming. I was disturbed earlier this year that the Department of State has abolished its Center for International Systems Research. This Center was developing some very exciting proposals for the conduct of foreign policy in the years to come. In particular, it was exploring the possibility of using the management technique of systems analysis, so successful in defense and space, in the conduct of foreign policy.

On May 2 I expressed my concern about the abolition of the Center in a letter to Under Secretary of State, Nicholas Katzenbach. I said in part:

> It . . . seems to me quite important to seek understanding of the Department's organizational problems and new ways of ordering the complex data that must inform our judgments about the future of world society. In particular, I think it important that departmental personnel be exposed to these new analytical techniques. The old ways of looking at the world are becoming rapidly obsolete. In systems techniques, we have a new approach . . . that is well worth exploring to the fullest.

I have not yet had a substantive response to my letter.

Since the job is not being done within, we must turn it over to the type of commission which has proven so helpful in the past. The foreign policy agenda for a new commission is twofold: to assess the utilization and effect of earlier reorganization recommendations by the Hoover Commissions and the Jackson subcommittee, and to explore new techniques of data analysis and personnel and financial management that will enable us to play a fully effective and efficient role as the preeminent power in the world today—and tomorrow.

Mr. STEIGER of Wisconsin. Mr. Speaker, we have heard for some time of the ever-increasing bureaucracy of the Federal Government. Since taking office in January, I have become ever more conscious of the problem of overlapping organization and duplication of effort, particularly in a couple of areas.

The problem of a fantastic array of research being conducted by the Federal Government has only recently come to the attention of the Members of this body. No one quarrels with the need for good research on the problems we face but, at what expense and to what end?

We have a 701-page book which purports to be a "catalog of Federal assistance programs" compiled by the Office of Economic Opportunity and it, too, does not catalog all of the aid which is available. To a Member of Congress with a staff to work on the problems it is confusing. To the average citizen it is impossible.

Of critical concern to the people of the sixth district of Wisconsin is the problem of the pollution of our lakes and streams. There are, however, five agencies involved with pollution and waste treatment. A city or village that wants to apply for Federal funds involving construction of such facilities can go to any one of these agencies and then spend months and thousands of dollars attempting to cut the redtape and get action. At times it takes longer to have an application acted upon than it does to construct the facilities.

What we need, what we so desperately need, is a reevaluation and study of the present Federal Establishment. We are faced with a dual problem—that of attempting to find the most effective ways of managing the Federal Government while at the same time finding the best ways of meeting the needs of our society.

The legislation I have joined my colleagues in sponsoring (H.R. 2840) will establish a Hoover-type Commission aimed at reducing the duplication and overlapping that presently exist and thus revitalize the programs of our great Nation.

Mr. Speaker, we have not had a thorough study of our Federal Government and its functions and structure since the last Hoover Commission in 1953–55. That Commission and especially the Hoover Commission of 1947–49 accomplished a great deal.

It seems to me that a Hoover-type Commission to conduct a thorough, impartial review of Federal operations and recommend comprehnsive reforms makes a great deal of sense. For that reason, I join in supporting this important legislation inaugurated by my distinguished colleague from the Sixth District of Maryland, the Honorable CHARLES McC. MATHIAS.

Mr. ESHLEMAN. Mr. Speaker, there is no doubt but that the Hoover Commission investigations of 1947–49 and 1953–55 had a beneficial effect upon the operations of the Federal Government. That is one reason it is difficult to understand why we have now gone approximately 12 years without another such review of Federal administration.

In the intervening years, a tremendous number of new programs and agencies have been set up. Far too many of their functions are overlapping. Vast new reams of redtape have developed. The need to root out the resulting waste and inefficiency is beyond question.

The burden of this is carried not alone by the taxpayer. The Congress is finding it more and more difficult to oversee Federal activities. There is a need to define legislative and executive prerogatives more clearly, to enforce more strongly the accountability of the executive branch to the Congress and to halt unnecessary and unwise assumptions of power by the executive branch.

In addition, State and local agencies are constantly entangled in the chaos of programs that are supposed to help them. Assistance to these agencies all too often arrives late or in inappropriate form. There is no less a hardship on individual citizens trying to deal with Federal departments. Simplification and streamlining of Government operations would alleviate such problems.

I am convinced that a thorough, impartial investigation and review of the type conducted by the Hoover Commissions of the past is needed again at this time. Recommendations by the body of experts envisioned in this bill would go a long way toward achieving the improved efficiency and coordination we all desire. In my view, this legislation is among the most urgent matters facing the 90th Congress.

Mr. BROTZMAN. Mr. Speaker, last Thursday, July 7, marked the 20th anniversary of the creation of the first Hoover Commission. That Hoover Commission and the second Hoover Commission, created in 1953, did a great deal to streamline the executive branch of the Government. But, today the need for yet another such Commission is painfully apparent.

Realizing the need for further reorganization and efficiency in the executive branch, particularly in the area of Federal social programs, I introduced a bill in the House early in this session to create a Commission to be headed by former Presidents Eisenhower and Truman. I stated at that time that while most of the attention of this Commission would be directed to recently spawned and sometimes ill-conceived programs of the war on poverty, its scope would include all of the Federal programs concerned with social problems. My bill was particularly concerned with the war on poverty because of the ramshackle manner in which program upon program was herded through the 89th Congress with little regard for sensible and sound administrative coordination. Indeed, Members on both sides of the aisle have pointed to the need for Congress to assess and reevaluate recently created programs. I believe such a Commission would be of incalculable assistance in such an assessment.

The need for a new Hoover-type Commission—whether it looks at Government operations across-the-board or only the social programs—can be illustrated by a few disturbing statistics. Between 1960 and 1966, the number of Federal employees increased by 18 percent and the Federal payroll jumped nearly 50 percent. A large part of this staggering increase can be attributed to the fact that there are 150 Washington bureaus and 400 regional offices which distribute money to State and local governments.

In December 1965 President Johnson ordered a 1 percent cut in the number of Federal employees to be achieved June 30, 1966—a cut of about 25,000. It sounded good, but when the deadline arrived, the number of Federal employees had increased by 192,000.

At last count, there were more than 260 Federal programs related to poverty and those 260 programs were being administered by 16 separate departments and agencies. No less than five Federal agencies administer programs for community water supplies, sewers and sewage treatment facilities. Is it any wonder that States and municipalities are unable to even make themselves aware of the existing programs, much less do the things necessary to take advantage of them?

There have been many comments in recent months about the difficult choice between guns and butter facing the United States in light of the full scale ground war we are fighting in South Vietnam. The Vietnamese war is all the more reason to take a new look at the structure and organization of the executive department. Improved executive efficiency could greatly lighten the number of instances in which butter must be sacrificed for guns.

Mr. Speaker, I urge speedy and favorable action on legislation to establish a new Hoover-type Commission. Enactment of such a measure and the subsequent creation of a commission would surely save a great deal of the taxpayers' money and may well hold the key to the success or failure of a number of Federal assistance programs.

Mr. PELLY. Mr. Speaker, I firmly associate myself with the remarks of my colleague from Maryland [Mr. MATHIAS] in support of an objective review of Federal executive operations. I think it is unfortunate indeed that there has been no action by the House on legislation to establish a new Hoover-type commission to conduct a review and recommend to Congress such reforms of Government operations as may increase efficiency and economy.

In April this year, a Republican Task Force on Federal Fiscal and Monetary Policies called for new fiscal policies. This committee, which included former President Eisenhower and many other distinguished Republicans, urged that the Congress create, at regular intervals, an independent, bipartisan, adequately staffed Hoover Commission-type organization, composed of Members of Congress and the public, to review the budget, Government programs and Government organization.

The creation of such an organization to review and evaluate Government programs and spending, as this committee pointed out, would strengthen the hands of Congress and the public in pressing for efficiency and economy.

The experience of the earlier Hoover Commission indicates the potential of improving Government management and organization.

Also, I think the need and timeliness of such action by Congress is pointed up in a recent guest editorial by former Budget Director Maurice H. Stans, who predicts Government spending will more than double during the decade of the 1960's, regardless of Vietnam, with little likelihood of a balanced budget at any time in the foreseeable future. Mr. Stans says there is a strong possibility that Government spending will double again in the 1970's unless a major change takes place.

Mr. Stans suggests as one antidote to Government explosive spending, a concerted effort to bring under control the proliferation and splintering of Federal programs by consolidating, by forebearing, by transferring to private sources or to lower levels of government, by helping the States to do more on their own. In fact, he calls for a new Hoover Commission.

Mr. Speaker, only some $55 billion, roughly 40 percent of the expenditures proposed in fiscal 1968 through the Federal Government's administrative budget, according to the Tax Foundation, Inc., can be called relatively controllable or subject to possible cuts by either the Congress or the President.

In other words, this private research organization concludes that $79 billion of the total is "relatively uncontrollable."

Surely these figures point up the need for reorganization, simplification, and reevaluation of our departments and agencies so as to create greater efficiency at less cost.

Lest I be misunderstood, this entire question of a needed study of Government operations is not purely a matter of savings. Equally important is the aspect of better serving the needs of the Nation. Take, for example, the problem of a merchant marine. The United States must establish an adequate merchant marine for peace and war. As it is, there is no Government agency free to propose such a program to the Congress. Under a recommendation of a Hoover-type Commission, Congress, for example, might act to provide an independent agency, as its own creature, to advise Congress. Thereby, a positive result might follow, although not necessarily a savings of money.

On the other hand, duplication might well be avoided under other reorganization. I have in mind that some 40 or more different agencies of our Government concern themselves with educational grants, scholarships and educational assistance of one kind or another. I would think that channeling these billions of dollars through perhaps one or a few agencies might save the taxpayers money and reduce administration costs.

Mr. Speaker, I have great respect for the House Committee on Appropriations, and their problem is a difficult one. As it is, however, the amounts they recommend to the House often far exceed the needs of the executive departments and their agencies. It seems to me a simplification of the structure of Government could help this committee.

Let me take a case in point. According to the National Aeronautics and Space Administration witnesses, their fiscal 1967 funds were cut to the bone. The Bureau of the Budget cut them and the Congress cut them. Yet, this agency was able to find the $75 million to cover the loss caused by the flash fire in the Apollo capsule at Cape Kennedy earlier this year without coming to Congress for the money. There was a lot of fat hidden away in their budget, as so it is with other departments.

I think a Hoover-type Commission study could point up procedures and new organizations to help control expenditures. It could make suggestions that would help the President, and, likewise, the Congress.

So, Mr. Speaker, with enthusiasm, I join my colleagues in support of badly needed legislation looking toward Government reorganization and control and the elimination of duplication and waste.

A Hoover-type Commission is necessary to increase efficiency and to bring about economy by clearing the muddy waters of Federal spending and bureaucratic administration.

Mr. TALCOTT. Mr. Speaker, this past week the administration presented, in graphic splendor, a most impressive argument to support our contention that there is immediate need for a responsible assessment of the problems of duplication, lack of coordination, redtape and bureaucracy in the Federal Establishment.

I refer to the 2¾-pound, 1½-inch-thick, 701-page catalog of Federal domestic assistance programs recently published by the Office of Economic Opportunity.

This enormous compendium describes 459 Federal assistance programs. Included among these are 152 listings under the heading "Grants"; 105 listings under the heading "Education"; 80 listing under the heading "Research"; 32 listings under the heading "Planning"—to mention only a few.

It is interesting to note, however, that there are only six listings under the heading "Crime."

Every Cabinet-level department, with the exception of the Department of State is involved. The comprehensive Department of State foreign assistance programs are not included.

In addition to Cabinet-level departments, many other agencies of the Federal Government have their fingers in the pie.

Mr. Speaker, failure to establish a

commission to review Federal executive operations must not be part of the record of the 90th Congress.

We cannot in good faith ask the American taxpayer to accept a tax increase when it is all too apparent that their present tax dollars are being squandered.

We must keep faith with the taxpayers as well as the tax users who send us to represent them in this great body.

Mr. Speaker, I urge the enactment of legislation to reestablish a Hoover-type Commission to conduct a review and recommend reforms in Government operations.

Mr. HOSMER. Mr. Speaker, the Government has grown in size and complexity since the last Hoover Commission report in 1955. Therefore, a new study and recommendations are needed to eliminate inefficiency, waste and duplication in Federal activities.

In the 89th Congress and again at the beginning of this session I introduced a bill, H.R. 79, to create a new "Hoover Commission"—the Commission on the Organization of the Executive Branch of the Government.

The proposed Commission would be composed of 14 members, including two Members of the House of Representatives, two Senators, two State Governors, two members from the executive branch, and six members from outside Government.

I regard as particularly important the participation by the Governors because many of today's Federal programs are carried on through state agencies. Also, more and more problems, once common only to certain States or regions, are becoming national in character. In addition, various legislative proposals for tax sharing by the States are being set forth.

The Commission on the Organization of the Executive Branch of the Government would be charged with, first, defining responsibilities of officials, and functions. services and activities of departments, bureaus, agencies, boards, commissions, offices, independent establishments and instrumentalities of the executive branch; second, recommending methods and procedures for reducing expenditures to the lowest amount consistent with the efficient performance of essential services, activities, and functions; third, eliminating duplication and overlapping of services, functions, and activities; fourth, consolidating services, activities, and functions of a similar nature; fifth, abolishing services, activities and functions not necessary to the efficient conduct of Government; sixth, recommending means, including the reallocation of functions, services and activities, to expedite coordination of programs and policies in areas such as, but not limited to, urban affairs, natural resources, and transportation; and seventh, recommending means to increase and improve liaison and communication, including the sharing of information, within the executive branch, between the executive and legislative branches of the Federal Government, and between the Federal Government and appropriate State and local governments and public entities.

I join with my colleagues who have introduced similar legislation in pointing out the need for such a Commission and in urging the Committee on Government Operations to give early consideration to these bills.

Mr. HALPERN. Mr. Speaker, this month marks the 20th anniversary of the creation of the first Hoover Commission for the comprehensive review of the organization of the executive branch of the Federal Government. On this occasion it is fitting to call attention to the urgency of legislation which would create a Commission for the Organization of the Executive Branch of the Government, modeled after the two Hoover Commissions. I am privileged to have joined with the distinguished gentleman from Maryland [Mr. MATHIAS] and others in cosponsoring this bill, my measure being H.R. 73.

It is clear that the need to review the bureaucratic machinery of our Government exists now, in 1967. The two previous Hoover Commissions, directed by Congress to examine executive operations, dramatically demonstrated in terms of Government economy and efficiency the contribution which can be made in reforming and improving public administration.

However, no examination of this kind has been undertaken since the findings of the second Hoover Commission were submitted in 1955—12 years ago. Since that time the size and scope of the executive branch has increased substantially. Since that time two new Cabinet-level departments, the Department of Housing and Urban Development and the Department of Transportation, have been established. Newly enacted social welfare legislation and our stepped-up defense activities have necessitated a more elaborate administrative system.

If waste, duplication, and bureaucratic conflicts are to be overcome, Government operations need constant scrutiny. Procedures must be revised regularly to incorporate the most progressive methods and technology, and to insure the coordination of new Government organs with those already existing. Structures of the administrative management of Government should be adjusted periodically to reflect the changing emphasis of public policy and the changing relationship among programs and personnel.

That is why I have repeatedly introduced legislation to achieve these imperatives. My bill, H.R. 73, which is identical with H.R. 69, would authorize the appointment of a special body that would undertake a 2-year study and and recommend reforms based on its examinations and evaluations. The Commission would have 14 members—two Senators, two Congressmen, two State Governors, two members from the executive branch, and six members appointed from private life. I regard as especially essential and timely the participation by the Governors, since many of today's Federal programs are administered through State agencies, because more and more problems are becoming national in character rather than involving only certain States or certain regions, and also for the reason that there are being voiced various legislative proposals for tax sharing by the States.

This measure identifies specific areas of study to which the Commission's activities are directed, including: The location of waste, duplication, and inefficiency that weaken the quality of public service; the cause of jurisdictional conflicts, inconsistencies, and bureaucratic confusion; the coordination of program and policies in urban affairs, natural resources and transportation; the problems of intragovernmental communication; the improvement of liaison between the Federal Government and State and local governments; and the redefinition of responsibilities in the bureaucracy.

Today, Congress faces difficulty in assessing administration activities. As the executive branch has grown more and more in size, complexity, and momentum, it has become increasingly more difficult, yet obviously more essential, for the 535 Congressmen and Senators, their staffs, and committees to oversee the work of an ever-growing number of civil servants.

In the past the Hoover Commissions generated great public and private support. The authority and prestige of their members and task forces contributed much to the modernization and reform of the Federal Government.

We must manifest our unceasing concern for efficient, effective government by the establishment of the Commission proposed in H.R. 73 and identical bills introduced by several of our colleagues. The able and distinguished gentleman from Maryland [Mr. MATHIAS], is to be heartily commended for his outstanding leadership in the effort to win this long-overdue, vitally needed objective.

Mr. BUSH. Mr. Speaker, in supporting this legislation I would like to concentrate on an area in which I have a strong belief that action must be taken.

I refer to the matter of Government regulation of business, and the chaotic, disorganized fashion in which it is carried out. Now, more than ever, we have a need to corrcet three major lapses in our laws relating to this field:

First. We need to examine and hopefully eliminate outmoded regulatory requirements and procedures;

Second. We need to redraw the terms and rulings of our regulatory guidelines so as to strike out any vague or confusing language, the better for business to know where it stands and what exactly it can or cannot do;

Third. And we need to create a new administrative procedure act to set out once and for all the process by which regulation is to be designed and then carried out.

H.R. 69 will not, of course, do all these things, nor does it pertain strictly to the matter of Government regulation of business. But in its establishment of a new temporary Hoover-style Commission to look into the performance of government we have the opportunity to find out precisely what actions we need to take to correct the three lapses I mentioned. The recommendations made by the Commission will be material for future legislation by the Congress, as well as the source of renewed public awareness in correcting the abuses suffered unnecessarily by business when it must operate under the terms of archaic regulation.

Mr. Speaker, there is already on the books legislation for a permanent Hoover Commission. This is the so-called administrative conference, created by law in 1964 after two previous temporary commissions like the one we are proposing today recommended the setting up of an agency on a full-time basis. The administrative conference, if allowed to function, would serve many of the tasks of investigating charges of unjust regulation and studying methods of improving governmental performance.

Unfortunately, the President has not acted to take the first, vital step; that of naming the chairman of the conference. The President, in fact, has not named a single member of the conference or taken any steps to get it going. I fully support the ultimate establishment of the administrative conference, and I feel that nothing could hasten that time more than the successful performance of the temporary commission we sponsor today. It is my hope that the body which H.R. 69 sets up will, by its fruitful functioning, spark the creation of long-languishing administrative conference—or even meld into becoming the heart of the conference itself.

If that becomes the case we can then expect action, not only in the area of improving the quality and method of Government regulation of business, but also that of all Government operations. For this reason, I wholeheartedly support H.R. 69.

Mr. BIESTER. Mr. Speaker, it has been 20 years since the first Hoover Commission dealt with the problems of organization and coordination in Government. Then, in 1947, the administrative Federal budget was $38.9 billion. Only once since then has a commission dealt with the enormous problems. Since 1955, there has not been an overall study of the expanding agencies and departments of the Federal Government.

As new responsibilities have been delegated to the executive branch, new agencies and departments have been created. Now there are some 60 agencies dealing with education alone. As a result, we have a menagerie of bureaucratic institutions that require expensive financing and often result in little more than a mass of wastepaper. Since 1964 alone, the Federal payroll has increased by nearly $3 billion.

A real need exists to increase the efficiency and effectiveness of the administration of our programs. We need an overall review rather than a piecemeal review in each department. The proposed Commission will provide the necessary review by examining the organization and functioning of the executive branch and by making appropriate recommendations to Congress.

Mr. ESCH. Mr. Speaker, the executive branch of the Federal Government serves to execute the laws written by the Congress and according to the Constitution "form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity." As our Union grows in population and wealth, each of these national goals becomes more difficult to achieve; and it is essential that our formal structure adapts to the growing demands placed upon it.

A concentrated and partially successful effort to streamline the administrative-executive branch of the Federal Government has been made in the past, in the form of the first Hoover Commission created in 1947 and the second Hoover Commission of 1953.

Since that time, however, the number of Federal programs and Federal agencies have increased manifold. It is crucial to the success of these vast projects that the administrative and executive agencies maximize their progress toward our common national goals. To this end, this Congress must continually study, evaluate, and reform the organization, efficiency, propriety, and cost of activities carried on by the executive branch.

Since taking office in January of this year I have repeatedly encountered examples of the lack of efficiency in Federal agencies. I have experienced first hand sometimes unbelievably poor performances brought on by overlapping functions between agencies, increasing redtape, and the lack of communication between and within agencies. I am sure I am not alone in these experiences and I am certain that the entire membership recognizes the urgent need to establish the Commission on the Organization of the Executive Branch of the Government, a third Hoover Commission.

Mr. Speaker, I would like to bring to your attention a case in point dealing with a Michigan community which was severely damaged by a tornado in the spring of 1965 and whose local school was entirely destroyed. The area clearly qualified for Federal assistance and the approval of a Federal grant was rapidly forwarded to the local government. However, it was 2 years before all of the assistance funds were received. At least 4 months of this delay was directly due to conflicting redtape demands from many different agencies. After I had communicated many times with the recipient of the grant and with many different Federal officials, one frustrated Federal administrator appropriately coined the expression of "administrative vacillation" in his humble explanation.

From this example and several others, I am easily able to see how the most worthwhile Federal programs and the will of Congress could fail in their essential purposes.

Let me suggest to my colleagues here and the maze of Federal administrators throughout the country that we could learn a real lesson from the progressive and forward looking reorganization which has been going on in many of the States. In Michigan, as a result of our new constitution, the whole executive branch of government has been revamped along more efficient and accountable lines. Modern management techniques, including data processing and expenditure management, have been employed to the extent that millions have been saved and the people are receiving greatly improved services since the program was first implemented in 1963. Michigan is not alone in this dramatic achievement and I only hope the Federal Government can follow its lead and that of other advanced States.

Certainly one of the problems encountered in the effort to promote efficiency in most areas of government is the lack of a profit motive—something which forces continuing improvements in the private sector of our economy. This is not an insurmountable problem and actually its solution must come from Congress. We have the responsibility to substitute for the profit motive constant watchdog efforts and an immediate attempt to utilize and apply the organizational expertise developed by the private sector.

Mr. Speaker, in my opinion the establishment of a Commission on the Organization of the Executive Branch is an essential breakthrough if we are ever to face up to our responsibility imposed by our national goals. I heartily endorse this proposal and encourage its early enactment.

Mr. BELL. Mr. Speaker, on the occasion of the 20th anniversary of the establishment of the Hoover Commission, my distinguished colleague from Maryland has appropriately called the attention of this House to the continuing expansion of our Government's executive branch.

Pointers to the need for review abound throughout the Federal structure but perhaps few are as enlightening as some brought out during the Education and Labor Committee's hearings on amendments to the Economic Opportunity Act.

Questions can be raised, for example, in the area of vocational training—an area whose importance I am sure we all realize. But do we realize that in this one area there are 10 separate programs, operating in three separate agencies, under 19 separate legislative provisions? We would seem justified in wondering if there is unnecessary duplication of the administrative functions involved.

It would seem, too, that the war on poverty is somewhat lacking in certain basic principles of business management. Six hundred and ninety-six million dollars has been invested in the Job Corps, yet there have been only 15,000 graduates. And only 15 percent of these are using skills received from the Corps.

Mr. Speaker, it is the nature of Government bodies, as it is the nature of each of us as human beings, to have somewhat clouded judgment in evaluating our own programs. Objectivity may be subordinated to a certain amount of possessiveness over one's own domain.

It would, therefore, be unfair of us to place all of the blame for Government inefficiency with the departments and agencies themselves. But I believe we would all welcome a little fresh air, a spring cleaning, an objective overall view of just what our Government is all about.

H.R. 69 would give us this opportunity. I would hope that we will not have to wait indefinitely for the chance even to consider it on this floor.

Mr. MORTON. Mr. Speaker, the very

fact that this legislation to establish a Commission on the Organization of the Executive Branch of the Government is being considered indicates well enough that the executive branch—the division of its responsibilities and the organization of its people in the performance of its multitude of tasks—needs review, reevaluation and, in fact, recasting in many areas.

Management is an art, not a science. Management is the vehicle in which rides the progress of all corporate effort. Management is the establishment of priorities. Management is the network of communications which transfer thoughts into dynamic productivity.

Good management in government is as essential to the growth of this Nation as is good management essential to success in the private sector. The bigger the organization—regardless of its nature, be its function directed toward earning a return on investment, or performing a service with the people's money—the better the management must be in that organization to ensure its effectiveness.

The fact that we are having to create commissions—yes, such as the Commission we are creating here—to devise means of shoring up the productivity within the agencies and departments of the executive branch is indicative that in many areas these departments are lacking the dynamics essential to top performance. The fact that we are continually operating this Government at expenditure levels well beyond tax receipts year in and year out, both in peacetime and in wartime, also indicates that as a Nation we do not have a firm grip on the management of our Government.

As well as the carrying out of the day-to-day administration of normal Government services, the responsibility of the executive branch must be in the area of priority determination—military versus nonmilitary spending, public works versus welfare, and all of the other balances that must be achieved between the specific interests within our civilization.

It is the responsibility of the Congress to demand from the executive efficient management and first-class service across the board. Our difficulty is in our oversight of this management. Other than the General Accounting Office, the opportunities the authorizing committees and committees on appropriations have through the hearing process, we know very little as to the quality of management existent throughout the executive branch.

If this Commission, through its reports to Congress, can give us the value of qualitative analysis of management in our Government, this legislation will have proven to be a wise investment.

It is the responsibility of the Congress to exercise the oversight required to guarantee the American people that the money they have invested in their Government has not only wisely been applied to the problems of the day, but, most important of all in the concept of our free society, that this money has been spent according to the wishes of the people, expressed by their representatives in the Congress.

I, for one, would feel more comfortable and more secure in my confidence in the management of the executive branch of our Government knowing that a blue-ribbon Commission of dynamic and highly qualified people were supplementing our efforts in the broad area of our responsibility for congressional oversight.

In the fast-changing levels of technology and in the fast-moving state of the art, the important review and reevaluation conceived through the establishment of this Commission is timely and appropriate, if not overdue.

Mr. LAIRD. Mr. Speaker, July 7 marked the 20th anniversary of the enactment of the legislation which established the first Hoover Commission. The fine record of that Commission is well known to us all. The dramatic growth in the Federal bureaucracy with the attendant redtape, lack of coordination, and inefficiency which prompted the Congress to create the first Hoover Commission is with us again today.

All Members of this Chamber have encountered innumerable instances of redtape, administrative disorder, and sheer waste that cry out for reform. As an example of the confusing administrative situation in which we find ourselves, I call to your attention the fact that, according to the June 1, 1967, "Catalog of Federal Assistance Programs," prepared by the Office of Economic Opportunity, there are currently 74 different Federal vocational, job-training, and retraining programs which are scattered through 13 different Federal departments, agencies, and commissions. Similar examples of administrative arrangements which hamper the proper and efficient functioning of our Government exist in other program areas.

The dramatic increases in the number of persons on the U.S. Government payroll clearly show why a new Hoover Commission is required. According to the Bureau of the Census, between October 1965 and October 1966, 273,000 employees were added to the Government rolls—an increase of 10.5 percent. In the field of education alone there was an employment increase of 28 percent. These increases occurred in just 1 year. Figures such as these indicate why it is imperative that there be a thorough, comprehensive, and nonpartisan study of how administrative waste and inefficiency can be eliminated. Government must be made a servant of our people and not a burden to them.

I think this is also the appropriate time to call to the attention of the House the statement issued by the Republican Coordinating Committee on which I have the honor to serve. That committee on December 12, 1966, made the following declaration concerning the need for a new Hoover Commission:

REPUBLICAN DECLARATION ON ECONOMY AND EFFICIENCY IN GOVERNMENT, DECEMBER 12, 1966

The Federal Government has become a bureaucratic jungle, rampant with overlapping, duplication and waste. A major, carefully planned, effort to review Executive Branch programs and their administration is urgently needed. Such a study must be followed up by an active program to press for meaningful reorganization and reform.

Specifically, the Republican Party cites the following evidence of growing bureaucracy and waste:

1. *The Number of Agencies Reporting to the President.* Approximately 60 agencies report directly to the President, in addition to the 12 cabinet level departments (including the new Department of Transportation), or a total of over 70—a number far exceeding any reasonable span of executive control.

2. *Major Educational Programs.* Twenty-five departments and agencies are officially listed as conducting major education programs; the total number of separate programs is estimated in the neighborhood of 200.

3. *Vocational Education Programs.* Fifty-seven are listed in the Office of Economic Opportunity's "Catalog of Federal Programs for Individual and Community Improvement."

4. *Poverty Programs.* Also listed in this Catalog of Federal Programs are some 262 programs bearing on the poverty problem. These are administered by 16 departments and agencies.

5. *Federal Employment—Overall.* The burgeoning number of civilian employees of the Federal Government—and the payroll—The number of employees has increased by 18 percent and the payroll almost 50 percent since 1960.

Federal civilian employment

[Dollar amounts in billions]

Year	Total civilian employment	Payroll
1960	2,386,345	$12.637
1961	2,372,445	13.648
1962	2,443,808	14.296
1963	2,493,374	15.347
1964	2,488,365	16.205
1965	2,479,489	17.239
1966	2,818,015	18.706

The number of employees has increased by 18 percent and the payroll almost 50 percent since 1960.

In December 1965 President Johnson ordered a 1 percent cut (25,000 employees) to be achieved by June 30, 1966. As of June 30, the number of employees had risen by 192,000, instead of being reduced by 25,000.

6. *Civilian vs. Military Employment.* Broken down (as of September 1, 1966) by civilian agencies as opposed to Defense Department (civilian employees only) the number of employees and payroll have been growing as follows:

[Dollar amounts in billions]

Year	Civilian agency employees	Payroll	Defense Department (civilian employees)	Payroll
1960	1,331,605	$6.877	1,054,740	$5.760
1961	1,335,089	7,622	1,037,356	6.026
1962	1,385,132	7.978	1,058,676	6.318
1963	1,429,654	8.743	1,063,720	6.603
1964	1,445,813	9,387	1,042,552	6.818
1965	1,445,007	10.137	1,024,482	7.102
1966	1,647,574	10.974	1,170,441	7.732

Civilian agency employment has increased roughly 25% while payroll went up 60% in the past six years. In the same period, Defense Department employment increased 11% and payroll by 37%. Clearly, employment and payroll attributable to "Great Society" spending programs have been increasing twice as fast as defense personnel and payroll.

7. *The Post Office.* A special problem is presented by the Post Office Department. Its approximately 700,000 employees as of October 1966, up almost 100,000 over the last 18 months, make it one of the largest enterprises, public or private, in the Nation. It handles about 72 billion pieces of mail per

year. Its receipts are estimated at $5.080 billion for fiscal 1967 as against expenditures of $5.834 billion—leaving a deficit of $755 million. Continued mismanagement of the postal service makes an Administration request for some form of rate increase in 1967 appear likely. Meanwhile, as the Nation faces Christmas 1966, the postal service is about to present the American people with a monumental mail mess.

8. *Civil Service Retirement Deficit.* The Civil Service Retirement Fund is currently running a deficit in excess of 41 billion dollars. Such fiscal irresponsibility and such an unjust menace to the retirement benefits of devoted civil servants must not be permitted to continue.

In 1947, the Republican 80th Congress established the First Hoover Commission. In 1953, the Republican 83rd Congress established the Second. Since the Second Hoover Commission completed its endeavors in 1955, there has been no overall study to bring the wildly proliferating Federal Government under reasonable administrative control. The heavy burden on today's individual taxpayer—along with the possibility that the Administration will propose a tax increase in 1967—urgently warrants the establishment of such a commission.

On January 17, 1966, in their Republican State of the Union Address, Senator Dirksen and Representative Ford called for establishment of a new independent bipartisan Commission, patterned after the two Hoover Commissions, to recommend substantial reforms in the Executive Branch of the Government. The Republican Coordinating Committee on March 28 again urged the Congress to create such a Commission.

The Republican Party therefore recommends that:

Number One. The Republican leadership in the Congress should introduce forthwith legislation to create an independent, bipartisan, adequately staffed, "Hoover Commission" type of organization, composed of Members of the Congress and the public, to review the Federal Government's programs and organization—and eradicate waste.

Number Two. In the meantime, Congressional Committees of appropriate jurisdiction, the General Accounting Office and the Bureau of the Budget should take prompt steps to search out and remedy every case of waste and extravagance that can be uncovered and eradicated under existing legal authority.

Number Three. Stringent efforts should be made to curtail the Federal payroll by holding new hiring to an absolute minimum and by nonreplacement of retiring and departing employees where such action does *not* seriously interfere with essential work such as prosecuting the War in Vietnam.

Number Four. An *immediate* study of the Post Office Department should be initiated by the best professional managerial experts available to halt the apparent rapid deterioration of postal services and to raise postal performance to the high level the American people are entitled to expect.

Mrs. DWYER. Mr. Speaker, the meaning of government reorganization could hardly be stated more concisely and pointedly than in the following words:

> The highest aims and ideals of democracy can be thwarted through excessive administrative costs and through waste, disunity, irresponsibility, and other byproducts of inefficient government.

The words were those of the Hoover Commission on the Organization of the Executive Branch, but more significantly those same words were quoted approvingly by the President in his March 17 message to Congress on the quality of American government.

Another administration spokesman, the Director of the Bureau of the Budget, has stated the problem in more contemporary terms. Testifying before the Senate Subcommittee on Intergovernmental Relations, Director Schultze said this on November 21, 1966:

> We have tried to do a great deal in a short time, and the Federal system has been hard put to digest so much so quickly. The inevitable gap between the creation of new programs and the re-tooling of the administrative process has resulted in the array of unfinished business that constitutes the agenda for these hearings.

Mr. Schultze added this evaluation:

> This complexity and fragmentation of Federal grant programs in and of itself creates major problems of administration and information flow, for both the Federal and local governments, and inhibits the development of a unified approach to the solution of community problems.

On November 18, 1966, before the same subcommittee, the Secretary of Health, Education, and Welfare, John W. Gardner, confirmed the urgent need for reorganization of governmental activities. He said:

> In almost every domestic program we are encountering crises of organization. Coordination among Federal agencies leaves much to be desired. Communication between the various levels of government—Federal, State, and local—is casual and ineffective. State and local government is in most areas seriously inadequate.
>
> We will never get more than a fraction of the full yield from the taxpayer's dollar until local, State and Federal Governments, and the American people generally, decide that action is needed.

To the Secretary's next words, Mr. Speaker, we can all give enthusiastic assent: "The time has come to correct these deficiencies."

In a report to the people I represent shortly after the President issued his message on the quality of American government—a message I found to be unfortunately inadequate to the need—I defined the problem this way:

> Of the multitude of domestic problems facing the President and the Congress this year, none is more demanding of attention than whether the Federal Government is organized and administered in the most efficient and effective way. It touches you directly as citizen and taxpayer: how wisely your money is spent, how responsive your government is to your needs and wishes, how responsible it is in respecting your rights and interests, how sensitive it is in preserving the delicate balance of powers between Federal, State and local governments—all of which depend on the consistency of the Government's policies, the coordination of its programs, the competence of its operations, the efficiency of its machinery.

The need for a thorough-going, top-to-botton reorganization of the executive branch of the Federal Government is indisputable. As ranking minority member of the Government Operations Committee—the committee charged with responsibility for overseeing the economy and efficiency of Government activities—as ranking minority member of its Subcommittee on Intergovernmental Relations, and as one of three members representing the House on the Advisory Commission on Intergovernmental Relations, I have had innumerable opportunities to appreciate the high price we are paying for the waste and duplication, the inefficiency and failures of coordination, the frustration of lost time and poor communication which characterize so much of Federal operations. To a great extent, the burden of this inefficiency falls on the ill-prepared shoulders of State and local governments which have become increasingly involved with the Federal Government in what are supposed to be cooperative efforts to solve public problems. Too often, however, cooperation is sacrificed on the altars of complex organization and conflicting requirements. In its most recent annual report, the Advisory Commission, which includes Cabinet officers, Senators, Congressmen, Governors, State legislators, mayors, county officials, and private citizens—as representative a cross-section of Government leaders as exists—pointed to "the increasing unmanageability of Federal grant programs" as the principal problem of the day.

The need for reform is widely recognized and understood, Mr. Speaker. During the 89th and 90th Congresses, dozens of our colleagues have introduced legislation to establish a Commission on the Organization of the Executive Branch of the Government, bipartisan in membership, and capable of recommending the kind of comprehensive and rational restructuring of the Federal establishment which today's problems require. This year, at last count, approximately 50 such bills had been introduced in the House, including H.R. 526 which I introduced on the first day of the present session. And it is, of course, the purpose of today's round-robin of speeches, in which I am delighted to join with so many of our colleagues, to bring renewed and reinforced attention to the necessity of getting on with the job of reorganization.

Why, one might ask, in view of the widespread recognition of the need for a complete—as distinct from a piecemeal—overhaul of the Federal Government's organization, has the administration refused to acknowledge the need? It would be futile to speculate, for to the best of my knowledge administration officials, from the President on down, have simply refused to discuss the issue. Though these officials are frank to concede that the Federal bureaucracy is all but unmanageable today, they insist on pursuing limited, ad hoc, one-shot efforts at reorganization—efforts which cannot, by their very nature, deal with the problem in the broad scope in which it exists.

This narrowly circumscribed approach, too, is subject to a further disability. Almost invariably, whether the reorganization plan involves a new department or merely a reshuffling of agency functions, the product is the result of internal pressures and politics rather than an objective and governmentwide view of what is needed. Consequently, despite the limited progress such plans may, at best, represent, they are as likely as not to introduce new elements of confusion and complexity into the overall structure of administration, creating new barriers to simplification and coordination.

The size of the problem, Mr. Speaker, demands an effort at reorganization which will match the need. Consider, for a moment, what has happened to the Nation and its Federal Government since the last Hoover Commission reported its recommendations in 1955. The Nation has added 35 million people to its population. The gross national product, in constant dollars, has increased by more than $200 billion to an estimated $657.2 billion in the first quarter of this year. Federal spending has more than doubled, from $67.3 billion in fiscal 1955 to an estimated $142.7 billion in fiscal 1967 and, of course, to a much higher figure in the current fiscal year. And more than 500,000 civilian employees have been added to Federal payrolls in this period.

This tremendous growth has not only been matched but compounded in the size and complexity of Federal Government programs and activities. Whereas in 1955, there were 85 Federal grant-in-aid programs, the total has now reached 387, and this figure excludes many programs and functions which do not qualify under standard grant-in-aid definitions. For instance, the new June 1967 edition of the Office of Economic Opportunity's "Catalog of Federal Assistance Programs" lists no less than 459 such programs.

According to one count, referred to in the Advisory Commission's annual report, these programs are being administered by 21 departments and agencies and 150 Federal bureaus and divisions, involving all 50 States and a sizable proportion of the 92,000 units of local government. They include, for example, 57 programs in the field of vocational and job training, 35 in housing, 20 in transportation, 27 in utilities and services, 62 in community facilities, 32 in land use, 28 in recreation and cultural facilities, and almost 100 in education. To further complicate matters, these programs are often administered by different bureaus and agencies and therefore must be coordinated not only with each other but across jurisdictional lines within the Federal Government and between Federal, State, and local units of government.

Two recent developments will serve to illustrate the extent of the problem. First, between January 1 and April 21 of this year, according to the Joint Committee on Reduction of Nonessential Federal Expenditures, 24 new Federal advisory groups, study committees and special commissions were formed, all of them designed to improve in some way the operations of the Federal Government, but each of them functioning in arbitrarily limited areas. Second, this morning's Wall Street Journal reports growing concern that "Federal job-training endeavors are bogged down in a morass of unmanageable administrative machinery." The Journal report, an excellent example of in-depth study of problems of Government organization, deserves to be printed in full and I include it at the close of my remarks.

It should be obvious, Mr. Speaker—to repeat myself—that a piecemeal approach to governmental organization cannot hope to cope with a problem of this magnitude. I do not pretend that there are any simple answers or neat administrative devices which can reduce this complexity to an easy simplicity. Our country is too big, our public needs too many, and our society too interrelated to expect that the management of the public business can be other than involved. Nevertheless, unless we make a fresh start at reorganization, the proliferation of problems and programs threatens to overwhelm us.

The Hoover Commission reports of 1949 and 1955, and the actions taken to implement their recommendations, demonstrate conclusively the value of the comprehensive approach to reorganization which we propose. A 1963 summary of the results of the two Commissions, published by our Government Operations Committee, shows that the first Commission made 273 reorganization proposals, of which 196 were adopted, while the second Commisison proposed 314 such plans with 200 of them approved. Had all their recommendations been put into effect, Commision officials estimated that savings would total approximately $15 billion a year—a very rough figure, admittedly. But the significance of these statistics, I believe, rests in the fact that a much smaller and simpler Federal Government than we have today required such a substantial reorganization effort, and possessed a potential for such huge economies.

More important than the numbers of reorganization plans and the dollars of savings, however, was the added efficiency and responsibility and accountability which the Commission proposals accomplished. It is impossible to state in quantitative terms the qualitative improvement which these vast reorganization efforts achieved. But there can be no doubt that the two Hoover Commissions made the Federal bureaucracy more manageable, brought it closer to the people, and made democracy and representative government function more effectively.

And never before, Mr. Speaker, have these objectives been more paramount.

The Wall Street Journal article follows:

MANPOWER MORASS: DRASTIC CHANGES ARE NEEDED IN MUDDLED FEDERAL PROGRAMS

(By Jonathan Spivak)

WASHINGTON.—When the nation's first major manpower-training program was enacted in 1962, Uncle Sam's targets were modest: To solve shortages of skilled labor, and to retrain workers temporarily idled by automation.

But now the social sweep of the Great Society has set far more formidable goals—rehabilitating slum dwellers and other "hard-core" poor who have never held a job or are condemned by lack of education to meaningless, marginal employment.

Whatever improvements occur in the economy, Johnson Administration manpower planners calculate at least two million citizens will need such special Federal help, and many other experts estimate the figure is far higher. In some urban slums, Labor Department surveys show unemployment as high as 47%.

Thus, mounting Federal manpower outlays, now totaling $2 billion a year (a five-fold increase since 1962), are becoming the heavy artillery of President Johnson's antipoverty war.

Yet there is creeping concern in Washington and the big cities that Federal job-training endeavors are bogged down in a morass of unmanageable administrative machinery, miss their targets, overlap and duplicate their efforts, provide insufficient education and other personal aid essential to the poor's long-term progress, and—even if effective—fail to lead to permanent employment.

The great growth alone of new manpower programs administered by the antipoverty agency, Labor Department and Health, Education and Welfare Department would provide problems. In the current fiscal year, these efforts will aid about one million persons; the total was zero five years ago. Three new training endeavors are now getting under way, and Federal officials are making major remedial changes in older ones.

For example, more basic education and other services are being offered youngsters who enroll in the Labor Department's Neighborhood Youth Corps, mainly a make-work program to keep youth off the streets and put money in their pockets. The corps is also attempting to find for its members jobs with a future in private industry, rather than rely on low-level public employment such as school cleanup details. More welfare recipients, minority group members and other hard-core unemployed are gradually being enrolled in adult Manpower Development and Training Act courses. It is hoped these groups will constitute two-thirds of the total, enrollment of 280,000 trainees this year. More affluent high school graduates, requiring only brief skill training for successful job placement, made up the MDTA majority in the past.

CALLING IN THE CONSULTANTS

HEW is moving ahead this year with a Congressionally ordered study of all manpower training programs, designed to detect administrative weaknesses and recommend remedies. Field work will be performed by a respected private management consultant firm, Greenleigh Associates. The Labor Department is instituting a Government-wide manpower-planning system known as CAMPS, which will at least begin to bring closer coordination among the nine agencies and 21 programs involved.

Whatever such steps are taken, stubborn problems will persist. In the end, Washington argues, community-by-community efforts will be required to end waste and duplication, and new Federal incentives will be needed to intensify private industry's participation in training the poor.

Meantime, however, "If you wanted to get all the Federal people into a room who carry manpower money into a community, you'd need to hire a hall," protests one disgruntled Federal manager. "It's chaos," laments another.

Congressmen, in their pride of political authorship, frequently specify different eligibility requirements, training objectives and the like for manpower programs. Washington agencies are fiercely competitive. The Labor Department demands dominant jurisdiction because it's the nation's basic manpower agency, already operating many of the programs and possessing much of the expertise. The Welfare Administration insists on training its own impoverished clients, arguing it has special knowledge of the needs of relief recipients. The Office of Economic Opportunity wants to mesh manpower programs with its health, education and other uplift efforts, to enhance their effectiveness. The Office of Education jealously guards the public schools' jurisdiction over classroom job training; the Vocational Rehabilitation Administration supports its own sheltered workshops for the handicapped.

The outcome can be unnecessary duplication. In Cleveland, a system of Welfare Administration day care centers for the children of working relief recipients is being paralleled by Labor Department centers that are part of a new slum employment program. In eastern Kentucky, separate OEO and Welfare manpower efforts serve the same clients. Sometimes the poor are primed with basic knowledge by the Office of Education and then funds are not available for their more advanced vocational training by Labor. Six months of meetings preceded the transfer of certain aspects of Welfare job training to Labor. High level in-fighting between OEO and Labor delayed by two months the start of several other manpower endeavors.

No swift solution is in sight to such bureaucratic bottlenecks. Some experts advocate wholesale consolidation in the Labor Department. But Congress would never consent (key committees would lose jurisdiction) and local-level problems would remain. Sometimes city and county manpower men don't even know each other until Federal folk on field trips introduce them. Separate local agencies may seek the same recruits for their training programs or pester the same employers for placement.

CAMPS will help by establishing overall national manpower goals for all agencies and assuring an exhaustive exchange of information through Federal, state and local committees. Red tape will gradually be reduced. The Labor Department's new Bureau of Work Programs is pioneering; a single local application form serves for an assortment of activities.

MORE REFORM NEEDED

Yet the nation's biggest and most important manpower agency, the U.S. Employment Service, is often more interested in filling employers' job orders than solving the problems of the poor. Despite vigorous efforts by Labor Secretary Wirtz and others, the USES is still deeply in need of reform, critics contend.

Some steps have been taken, but the difficulty is that the 2,000 USES offices, though Federally financed, are controlled by the states and resistant to change. Employer pressures often predominate; pay scales are not always adequate to attract first-rate personnel; politically appointed state directors may not be sympathetic with the Great Society.

Some Washington officials despair of remolding the service into an effective antipoverty agency. But others say competition from local Community Action Agencies, which have attracted youthful, aggressive poverty fighters, will force the USES to change. "The CAAs have come in with a different breed of guys. They have scared the old-line established agencies," one official comments.

It's increasingly evident that only an immense effort will persuade the hard-core poor to participate in training. Many have been so alienated by school, welfare, police and other public officials that they won't wander into a neighborhood manpower office, even in the heart of the slums. Welfare recipients, the poorest of the poor, make up only 12% of manpower course trainees, and the percentage was even slimmer in the past.

Also, manpower administrators often prefer to concentrate on the most promising candidates—a process known as "creaming"—to make certain their programs avoid dropout problems and achieve high job-placement records. Shiny statistics persuade politicians to appropriate the necessary money.

Handling the hard core furnishes little hope of such success. Dropout rates may run over 50%, lengthy remedial education is often essential, and even then employers may balk at hiring graduates because of police records, emotional instability or other difficulties. Experts argue the only answer is to invest more money and run greater chance of failure by deliberately focusing on the tough training risks.

Manpower courses developed for literate high school graduates must be modified for the needs of the uneducated and unemployed. Lengthy classroom sessions are usually unsatisfactory because the poor have already failed in school and have no patience for the academic. Training tied to tangible work experience is more successful. One approach is to give the unemployed, particularly youths, a brief indoctrination in proper work habits and then place them in low-level jobs in private industry. But the hard-core poor may need prolonged preparation to become productive workers, and many companies are unwilling to run the risk.

COSTS, AND SOME WORRIES

Thus, a fundamental issue arises: How to furnish Federal financial incentives to induce private industry to train the poor. "There's general agreement this the next major direction we'll probably have to move in to get the job done," declares one Federal official. Two high-level Washington task forces—one announced, one still secret—are seeking to chart public policy in this difficult area. Besides the expense, the major fears are that some companies would derive unfair competitive advantage or would profiteer on the poor.

Some experts advocate reliance on corporate tax credits, but safeguards would have to be arranged. Local public agencies might certify those "disadvantaged" workers for whom credits could be claimed. Defense and other Federal contracts could be used as a financial lever to force more private training of the poor; now the Government wields only moral suasion.

A more limited approach would be to underwrite a portion of the wage costs in Federally sponsored on-the-job training, which now benefits more than 100,000 workers. Payments to employers average $25 a week per person and cover only the employer's extra costs of providing training. Thus, companies usually prefer to use this training to upgrade the skills of their own employes or to hire only the most promising prospects. Some specialists think a payment of $40 or $50 a week would be sufficient subsidy to encourage employers to take on the neediest of the unemployed. It's agreed that on-the-job training provides the poor the most promising pathway to employment.

But even if all these obstacles are overcome, the employment problems of any of the hard core will probably remain.

"We are going to find out a lot of the poor are not trainable. Even the best programs have success rates no better than 50%," warns one manpower man. Federal officials have already created several hundred thousand low-level jobs in the public sector. Some experts advocate a substantial step-up, to aid all the unemployed who can't compete in a free enterprise society. But the cost would be considerable, several billion dollars a year, and many a Congressman might balk at the concept that Uncle Sam assure every citizen a job.

Thus, before the Government's mushrooming manpower programs can claim more than limited, local success with the poor, drastic national departures in policy and practice will be essential.

Mr. ADAIR. Mr. Speaker, I rise to speak in support of H.R. 69 and similar bills which have been introduced by my Republican colleagues. It is high time that the House of Representatives takes steps to establish a new Hoover-type Commission and make recommendations for overhauling the gigantic Federal bureaucracy which is dominating the Nation.

Without any apparent rhyme or reason, in recent years, the executive branch of the Federal Government has created too many boards, bureaus, and commissions in an effort to take care of the public's business. As a consequence, the Nation is topheavy with Federal agencies with overlapping power and duplication. There is so much confusion, redtape, and lack of direction as to what the Federal Government should do and not do for the people, that it has become imperative for Congress to step in and put some commonsense in governmental operations.

It was 20 years ago that Congress approved the first Hoover Commission. Unfortunately, many of the reforms that were proposed and enacted into law are not now enforced or functioning. Instead of eliminating excesses in the Government, the Federal bureaucracy has grown and become more intricate. We must put a stop to all of this. Rather than bigness, overlapping, and duplication, we must simplify. This can be done if we pass the proper legislation and create a new Hoover Commission with authority to weed out unnecessary boards and bureaus and restore the proper guidelines for the three branches of constitutional government. The executive has usurped too much authority and, in many instances, Congress has stood idly by and let the executive and judicial branches take over some of its prerogatives.

I think the public, too, is sufficiently aroused to the threat to their freedoms because of the size of the Federal bureaucracy to add the weight of their opinion to our decision. I urge my colleagues to review the important work which was accomplished by the first Hoover Commission. When this is done, I am confident we will obtain the necessary votes to create a new Commission. This will answer the crying need for action.

GENERAL LEAVE TO EXTEND

Mr. MATHIAS of Maryland. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this subject, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

UNITED STATES SHOULD WITHDRAW TARIFF CONCESSION TO POLAND

Mr. PRICE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FINDLEY. Mr. Speaker, as a member of the House Foreign Affairs Committee, who has been critical of U.S. trade relations with Poland, I am gratified to learn that the U.S. exporter has withdrawn his application for a license to ship the Worden gravity meter to Poland. The device is useful in missile guidance equipment.

I have been concerned over the shipment of sophisticated gear to nations which supply the enemy in Vietnam.

The export license application should have been rejected without consideration in view of the recent disclosure by the Polish leader, Zenon Kliszko, that Poland is shipping weapons to Vietnam.

It is high time that our Government withdraw most-favored-nation treatment from Poland, the only country so favored which is known to supply military hardware to the enemy.

Recently, I have urged President Johnson to withdraw Poland's most-favored-nation status under our tariff laws because of a disclosure that Poland is shipping arms to North Vietnam. I should like to include the text of the letter to the President:

DEAR MR. PRESIDENT: I urge that you withdraw "Most Favored Nation" status to Poland under United States Tariff laws because that country is delivering military hardware—including arms—to North Vietnam. As you may have been informed, the shipments were confirmed by Zenon Kliszko, a member of the Politburo of the Polish Communist Party and widely regarded as second only to Mr. Gomulka in party control. Poland is the only nation supplying arms to the North Vietnamese which has the advantage of "Most Favored Nation" treatment.

The tariff concession of "Most Favored Nation" treatment has been the most significant factor in Poland's favorable balance of trade with the United States. In 1959 for example, the last year before MFN was restored, Poland's exports to the United States amounted to $31.8 million and her imports from us were almost $75 million, an unfavorable dollar deficit to Poland of $43 million. However, in 1966 Poland's exports to the United States were $82.9 million and its imports only $53.0 million resulting in a favorable balance to Poland of $29.9 million.

Poland's favorable balance of trade with the United States, a direct result of its status as a "Most Favored Nation" is a major factor in building up its dollar and gold reserves and depleting our own. Indeed as a result of "Most Favored Nation" treatment Poland's exports to the U.S. have increased almost three-fold.

I find it difficult to comprehend a policy that extends an unusually attractive economic concession to Poland at the same time that country increases economic, military and political support for the North Vietnamese and the National Liberation Front.

If Poland is permitted to continue to enjoy MFN status with impunity, other nations may decide they too can initiate arms shipments and other forms of assistance to our enemy without fear of economic reprisal on our part.

"Most Favored Nation" status was extended to Poland in 1960 by President Eisenhower as a reward for the internal liberalization within the country and with the hope it would give Poland some economic basis for greater independence from the Soviet Union.

However, a realistic appraisal of the internal situation in Poland today reveals a retrogression of basic human freedoms, and greater restrictions on the two elements in Polish society, the intellectuals and the Catholic Church, which exercise some restraining influence on the aggressive hardliners within the government.

For our policy vis-a-vis Poland to ignore these adverse developments serves to retard—not promote—Polish liberalism, independence and neutrality.

United States influence in Poland should not be measured in terms of our personnel, English language schools, attractively designed magazines or economic concessions, but rather in terms of progress in increasing the natural desire of the Polish people for greater independence in foreign and domestic policy.

You have requested the Congress to enact the "East-West Trade Bill" which would authorize the Executive, in its discretion, to extend "Most Favored Nation" treatment to certain Eastern European countries when such a move would be in "our national interest". In that respect I agree with Mr. Zbigneiew Brenzinski, formerly director of the Research Institute on Communist Affairs at Columbia University and now a member of the State Department Policy Planning Council who wrote in 1965 that "whenever a country increases the scope of its external independence from Soviet control, it should be rewarded . . . whenever an opposite trend develops, the U.S. should be prepared to discontinue its assistance, withdraw special privileges such as the *most favored nation clause* (*a matter of vital importance to East Europeans*) and should not hesitate to indicate the political motivations involved." I strongly urge you to consider this advice of one of the top policy planners in the State Department.

If this policy is not followed, by withdrawing "Most Favored Nation" status from Poland, the already-substantial opposition to:

Giving the Executive discretion in regard to trade concession in the proposed legislation will undoubtedly increase.

On the other hand, withdrawal from Poland of this trade advantage, would be beneficial notice to the Congress, as well as to the rest of the world, that the Executive will use trade concession as an effective tool of policy—to reward those who cooperate and to withdraw our concession from those who do not.

Economic concessions certainly have not been used to the maximum. In fact, I cannot recall one single instance in which the Executive has withdrawn, or threatened to withdraw, an economic concession from an East European country regardless of the circumstances. Quite the contrary, there have been several unilateral economic concessions granted to Communist countries when their local political conditions did not justify this action. An example was the Executive's authorization of credit guarantees last October to Hungary and Czechoslovakia.

This experience has led Congress to exercise its own influence by limiting presidential discretion, as it did last year in shelving the East-West trade bill and by enacting my amendment to the Agricultural Appropriation act, and a similar amendment to the Food-for-Peace Act.

I sincerely feel the action against Poland would be in the national interest, and at the same time would serve to reassure those members of Congress who now are reluctant to provide Presidential discretion.

I bring this to your attention, because I am convinced that the manner in which our Government responds to the disclosure of Polish aid to our enemy may have far-reaching impact on Congressional attitudes. This impact may be felt on the Export-Import Bank authorization and other measures, as well as the East-West Trade bill which is now before the Ways and Means committee.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

FINDINGS, REPORT, AND RECOMMENDATIONS OF THE SELECT COMMITTEE EXCLUDING AND REFUSING THE OATH OF OFFICE TO MEMBER-ELECT POWELL IN THE 90TH CONGRESS ABUNDANTLY MIRROR "HOW MUCH EASIER IT IS TO BE CRITICAL THAN TO BE CORRECT"

The SPEAKER. Under previous order of the House the gentleman from Pennsylvania [Mr. NIX] is recognized for 60 minutes.

Mr. NIX. Mr. Speaker, the findings, report, and recommendations of the select committee, which acted pursuant to H.R. 1, as well as the House vote of March 1, 1967, excluding and refusing the oath of office to Member-elect POWELL in the 90th Congress, all abundantly mirror "how much easier it is to be critical than to be correct." It can truly be said that the findings, report, and recommendations, along with the House vote, were distinguished for one quality—disregard of the principle of simple justice. I suppose this was so chiefly because the majority had but one idea on this subject, and that idea was completely wrong. Significantly, in presenting its report to the House, the select committee prefaced as follows, "after intense and prolonged deliberation." I think that their prestatement should have been, "after intense and prolonged deliberation, which sparingly included the concept of justice—because a true balance is extremely difficult while the ghost of 22 years of the Powell amendments flitter around us; while the fury of denunciation from the press, the constituencies and many Members of the House assault the ear; while a vociferous, vengeful, holier-than-thou minority of the public demands total destruction, the sacred right of impartial judgment is indeed remote."

Such a presentation from the select committee would, at least, have admitted the human weakness that its final action made so glaringly evident to the world.

Mr. Speaker, because I am burdened with the firm conviction that the consideration of the Powell case by the select committee, as well as the final vote of the House, was dominated by an obsession of total guilt and motivated by an unreasoning compulsion calling for cruel, humiliating, and degrading punishment with but one result—requiem for ADAM POWELL, I categorically reject the findings, report, and recommendations of the select committee, as well as the final vote of the House. In this connection, let it be said that justice will prevail in the end as it always does, and in that hour of reckoning those who, with or without reservation, supported these two inconsiderate, intemperate, and unjust judgments, will not escape the onus of their actions.

Mr. Speaker, having spoken bluntly and critically of the position taken by some fellow Members of the House, I accept the responsibility and the accompanying challenge imposed upon me by those words.

First, we eliminate, as did the select committee and the House, the first paragraph, to wit: Mr. POWELL is over 25 years of age; has been a citizen of the United States of America for over 7 years, and on November 8, 1966, was an inhabitant of New York State.

As we begin consideration of the charges involving Mr. POWELL in the New York courts the following must be noted:

There is no doubt but that the recited facts of the cases, the remarks of the judges before, during, and after appeal exercised a corrosive influence on the minds of the members of the select committee and later the House.

In pursuance of this thought, let us together refer to and consider briefly the reaction of the select committee to the factual matter considered by the committee on page 10, second part of first paragraph:

> The records of both cases show that the Courts of New York have been *very indulgent* in granting Mr. Powell adjournments and opportunities to avoid the consequences *of his acts*. It also shows there were numerous instances when Mr. Powell did not honor subpoenas and court orders to appear and submit to the jurisdiction of the Courts. On at least two occasions, Mr. Powell's failure to appear violated written stipulations which he had signed agreeing to appear on set dates. On some of these occasions, Mr. Powell based his refusals to appear on the ground that he has Congressional immunity as he was in the sessions of Congress. In many instances, various Judges granted adjournment after adjournment to accommodate him, only to have Mr. Powell subsequently fail to appear on the reset dates. In two instances, the records of Congress show that the House of Representatives was not in session on the dates he dishonored a Court order, i.e. November 24, 1965, and December 9, 1966.

Mr. Speaker, a casual study of the above statement even by one whose association with the law only amounted to a passing flirtation should have raised the following danger signals in the minds of the members of the select committee and later in the minds of the Members of the House, to wit: Neither the words spoken by any of these judges nor the judgments those words enunciate are final. Had the select committee and later the House heeded this elementary precaution, this fundamental legal concept, the findings, report, and recommendations of the select committee and later the vote of the House would surely have escaped the dominating influence of the malignancy encouched in the verbiage of the New York court judges.

Mr. Speaker, to make unmistakable the corroding influence of the New York Powell cases on the findings, and so forth, of the select committee and later on the vote of the House in the Powell case—and I remind all who care to listen, the House had less to consider than appeared before the select committee.

I continue my quotations, page 10, second paragraph, bottom of page of select committee report:

> On November 4, 1966, New York Supreme Court Justice Matthew Levy expressed the difficult task Mr. Powell's behavior posed for the Courts of New York. It *is*, however, not an easy task to arrive at a conclusion as to the punishment for criminal contempt of Court to be meted out to a *Minister*, a *Congressman*, a leader of men, a man indeed of many natural gifts, and he should be a man in relationship to the law that one should look up to to respect. All of you may rest assured that what I have determined upon is a conclusion that has not been lightly reached.
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> I am regretful that the defendant, either himself or through counsel, is unwilling to express any views in that regard, because that expression might be helpful to me, but silence at this time, self imposed by the defendant once again, his non-participation may be and must be ignored, since I shall make my decision presently.
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> Now, as to punishment, I have culled from the record of the massive files in this matter, the official comments made by several of my colleagues here and in the Appellate Division on the conduct of this defendant. I think it is of moment to note them on the record one by one.
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> In May of 1964, the Court said: "The conduct of the defendant in this matter, in my judgment, has been so flagrantly contemptuous of the authority and dignity of this Court as to promote the tragic disrespect for the judicial process as a whole. No man should be allowed to continue in this fashion, and it is time for defendant to answer for it."
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> In December, 1965, the Court said: "I'm a little bit shocked by this situation. I know there were many editorials published in the newspapers about Mr. Powell's monstrous behavior, and this is another example. Frankly, as I said before, if I had occasion to pass upon this, I think a sentence in jail would do more good than the fine, and under the circumstances, I have in mind something which may possibly deter him from such behavior in the future. It seems to me that the blatant cynicism on the part of Mr. Powell, his disregard for the Law, for the Ministry and for justice and decency, as far as I can see, is monstrous, defiant of everything that is decent in the community, sets a very bad example for the youth of this City and this Country. The blatant, cynical disregard for the Law on the part of a U.S. Congressman is detrimental to the Law, the Ministry and to Democracy.
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> This man is supposed to be a Member of the Congress, which makes Laws, yet he seems to show rank and monstrous defiance to the Law. I don't understand it at all.

Mr. Speaker, if to quote further is to burden the patience of the House, then in the interest of justice I must do just that in the hope that reason may again assume command.

The select committee turned next to the following—page 11, select committee report:

> The Appellate Division, in June of 1966, in sustaining a judgment, for the fraudulent transfer of real estate in Puerto Rico said, "that transfer, deliberately made by defendant Adam Powell, a Member of Congress, to defeat enforcement of a judgment obtained two weeks earlier, fully justifies substantial punitive damages against."

Further quoting page 11, select committee report:

> Another colleague, at Special Term, said in August, 1966, "Considering the disdainful and demeaning and despising attitude of this judgment debtor toward the authority and dignity of the Court, as reflected by these voluminous files of this Court, which include several *Civil Adjudications of Contempt*, on a proper and satisfactory jurisdictional basis, there is no doubt nor would there be any hesitancy to adjudge the alleged misconduct Criminal."
>
> Also at Special Term, in September of 1966 the Court said: "I conclude that this misconduct as demonstrated, in charity to the defendant, may best be characterized as the antics of a mischievous delinquent." "Because stigmatization and anathematization does not suffice, in my judgment, it is essential to satisfy the rights and the interests of the public in an appreciation of a fair and equal administration of justice."

Top, page 12, select committee report:

> In October, 1966, the Court said: "The hearing was unique in that it evoked the corporeal presence of the judgment debtor for the first time in the course of the protracted proceedings in both this action and the companion libel litigation. This marked departure from his hitherto elusiveness was not, unfortunately accompanied by a similar departure from his policy of ignoring, evading or abusing legal procedures in a campaign of relentless defiance, designed to frustrate and impede the Judgment Creditor in the lawful collection of her judgment. It was merely another ploy in the seemingly endless series, maneuvers, and dilatory tactics by which the judgment debtor manifests his distaste and disrespect for our judicial processes."
>
> In October, 1966, another Justice of this Court said:
>
> "The Judgment debtor has again demonstrated his disdain for the processes of the Court by his failure to comply with the provisions of the Order of October 3, 1966. American justice is dependent on the equal application of the law and its observance by persons in every echelon of our society. The redress of a wrong involves a deliberate pursuit of one's rights. Justice proceeds slowly but surely and will not be denied."
>
> In its most recent decision, the Appellate Division rendered an opinion on October 25, 1966, in which the Court said:
>
> "As the long and ugly record in this matter shows, this failure to obey is consistent with the debtor's cynical refusal to honor his own promises, together with a total disregard of any and all process that has been served upon him. And the Court referred to the defendant's conduct as a sorry spectacle to be terminated by definite action. Now Gentlemen, I have iterated what seemed to many to be the sad result, and, certainly seems so to me, of a broken phonograph record of plea to and condemnation of the defendant. The proof is overwhelming that the defendant has flamboyantly flaunted his wilful flaunting of the lawful mandates of the Court to such an extent, indeed, that I was compelled to add to that record, in my recent opinion in this matter, the comment of the attendant deleterious and corroding impact upon the judicial system as a whole and its serious consequential effect upon the general maintenance of law and order in our community. What the defendant presumes to do with impunity cannot go unpunished. Else the average person may rightly assume that he may do the same, and feel that when not permitted by the Courts thus to act, there is discrimination against the less powerful person, who rely, and justly rely, upon the Courts for the due and impartial administration of Justice."

Mr. Speaker, the Powell case in the courts of New York, with all its ramifications, provided the press a series of Roman holidays, furnished the inspiration for adverse remarks from countless platforms, provoked critical comments from Members of this House, offered salve to the troubled consciences of sinners *sitting sedately* in the pews of countless churches, and during all of this time, as well as now, this case has not reached final judgment in the courts of New York. Perhaps, there is some excuse for condemnation by the uninformed, for the premature and intemperate *conclusions of the naive, but I* hold that neither the select committee, nor the House had any right whatsoever, either legal or moral, to permit pending and undecided cases in the courts of New York to be made the focal point in this charge against ADAM CLAYTON POWELL.

In doing so, fundamental and established principles of our law were brushed aside.

In doing so, the select committee and later the House brazenly arrogated unto themselves the rights and prerogatives of the appellate courts of a sovereign State.

In doing so they embarked on a course of sheer sophistry.

In doing so they enunciated and applied for us the new legal doctrine of guilt and execution before final judgment by a court of competent jurisdiction, and to add the final ironic touch to this charade, the select committee embraced not only the descriptive term "contumacious," but adopted the thinking of the New York judges and their findings, as evidenced by the following committee declaration—bottom of page 12, select committee report:

> For a member of this House to behave in such a fashion as to cause the courts to describe his course of conduct as "flagrantly contemptuous" as promoting "the tragic disrespect for the judicial process as a whole," as displaying "blatant cynical disregard for the law on the part of a United States Congressman (which) is detrimental to the *Law*, the Ministry and to Democracy" and as a very bad example for the youth of this City and Country," clearly brings disrespect on the House of Representatives.

Mr. Speaker, is it possible for anyone—enemy, impartial observer, biased onlooker, or prejudiced participant—to deny the simple fact that the New York cases did in truth constitute the body and soul of the case against ADAM CLAYTON POWELL?

Mr. Speaker, is there anyone possessed of even a passing interest in justice who will not agree that he would today, tomorrow, and forever, fight even to the last writ of error to preserve his legal right to be judged innocent until found guilty by a court of competent jurisdiction?

Mr. Speaker, just as the answer to these three basic inquiries is inescapable, so is the conclusion that ADAM CLAYTON POWELL should not bear the burden of disgraceful rejection by the Congress of the United States based even in part on so-called evidence not admissible in any legally constituted court of justice.

Mr. Speaker, is there any rule or practice of the U.S. House of Representatives ancient or modern, written, or imbedded in custom, that directly or indirectly confers upon this Congress the legal authority to take unto itself in the absence of proper legislation the legal prerogatives of the duly constituted courts of a sovereign State?

Mr. Speaker, I will not pursue this point further for the obvious reason that my contention has been completely proved.

Mr. Speaker, the second specification of charge considered and acted upon by the select committee and later by the House of Representatives in the Powell case is the following:

> Alleged misuse of Government funds by Mr. Powell in his capacity as Chairman of the House Education and Labor Committee, during 87th through 89th Congresses. Particular attention was given to evidence of widespread use of Committee funds to pay for personal travel by Mr. Powell and others. (Page 13, Hays Committee report.)

Proceedings before the Hays subcommittee under the above heading the select committee gave in its own words attention to "The pertinent conclusions of the subcommittee—Hays—which were as follows"—pages 6 and 7, Hays report.

Mr. Speaker, I herewith set forth the subject matter referred to:

> 1. Testimony indicates that Representative Powell used an assumed name on many airplane flights purchased with Committee credit cards *thus deceiving* the approving authority as to the number of trips made by him as an individual.
>
> 2. Testimony indicates that Corrine A. Huff, a staff employee of the Committee on Education and Labor, prior to June 30, 1966 (on July 1, 1966, Miss Huff was transferred to Representative Powell's clerk-hire payroll) made many trips under an assumed name on many airlines flights purchased with committee credit cards, *thus deceiving the approving authority as to the number of trips made by her as an individual.*
>
> 3. Representative Powell placed on the staff of the Committee on Education and Labor one *Sylvia J. Givens*, who had been hired for the express purpose of doing domestic work for Representative Powell when he traveled, as well as for performing clerical work in his Committee offices.
>
> 4. After the initiation of this investigation, Representative Powell paid to Eastern Airlines the cost of travel of himself, Miss Huff, Miss Givens, and Mr. and Mrs. Stone, which had been purchased with Committee airline credit cards for transportation to Miami enroute to Bimini, British West Indies, *except that Representative Powell did not pay the cost of a return trip for Sylvia J. Givens from Miami to Washington, which travel has been charged to and paid for from the contingent funds allocated to the Committee on Education and Labor.*
>
> 5. The deceptive practice of using the names of staff employees on airline tickets which were not used by the named employees *appears to be a scheme devised to conceal the actual travel of Representative Powell, Miss Huff, and others, in some instances at least, so as to prevent questions being raised by the Committee on House Administration* as to the official character of the travel performed.
>
> 6. Representative *Powell favored* at least one *member of his staff with personal vacation trips, the transportation of which was procured* through the use of airline credit cards of the Committee and the cost of said transportation for vacations purposes was charged to and paid for from the contingent funds allocated to the Committee on Education and Labor.
>
> 7. Persons having no official connection with the Congress have been provided with transportation by Representative Powell and the travel purchased by air travel credit cards of the Committee on Education and Labor. Said transportation costs have been charged to and paid for from the contingent funds allocated to the Committee on Education and Labor.
>
> 8. The failure of a number of staff employees of the Committee on Education and Labor to *submit vouchers for transportation expenses or subsistence on many trips performed by them, allegedly upon official business, raised a serious question before this special Sub-committee as to whether such travel was actualy on official business or was purely personal reasons. The absence of expense vouchers is highly unusual in view of the general practice of government employees,* including employees of the Congress, to claim travel expenses, including transportation and subsistence when traveling in an official capacity.
>
> 9. *All vouchers for payment* of travel costs of the *Committee on Education and Labor* bore the *signature "Adam C. Powell,"* certifying said vouchers to the Committee on House Administration for payment from the contingent fund.

Mr. Speaker, at this point in its consideration of the Hays subcommittee report, the select committee had this to say:

> While it is beyond the scope of this report to review in detail the evidence developed by the Hays Subcommittee, this Committee deems it pertinent to summarize portions of that evidence which relate specifically to conduct by Member-elect Powell. (Page 14, Select Committee report.)
>
> 1. The record before the subcommittee disclosed several instances in which Mr. Powell, as chairman of the House Education and Labor Committee, authorized or directed the expenditure of committee funds for private and nonofficial purposes. On or about August 1, 1966, Mr. Powell and Miss Corrine Huff each interviewed Sylvia J. Givens with regard to employment by the committee. They specifically advised Miss Givens that part of her duties would be to work as a domestic for Mr. Powell. Mr. Powell authorized the hiring of Miss Givens by the committee as an assistant clerk, and a few days thereafter requested that she prepare to travel to the Bahamas with him on Sunday, August 7. Miss Givens accompanied Mr. Powell and Miss Huff to Mr. Powell's house in Bimini where for almost 2 weeks she served as a domestic performing cooking and cleaning chores after which she returned to Washington. Miss Givens remained on the committee payroll until September 6, when she was discharged. She received from the committee her full monthly gross salary of $350.74 for August and was paid nothing by Mr. Powell for her services in Bimini.
>
> On Sunday, March 28, 1965, Mr. Powell directed Louise M. Dargans, then chief clerk of the committee, to purchase on her committee air travel card four airline tickets, from Washington to New York City, in the names of committee staff members but for the use of other persons having no apparent connection with the committee or its official business. The persons who were to use the tickets were Adam C. Powell III, Mr. Powell's 20-year-old son, Pearl Swangin, and Jack Duncan, both personal friends of Mr. Powell, and Lillian Upshur, an employee in Mr. Powell's congressional office. These individuals were present with Mr. Powell on the day in question at a social gathering in Washington. Miss Dargans, acting on Mr. Powell's express instructions, accompanied Mr. Powell III, Miss Swangin, Mr. Duncan, and Miss Upshur to the airport where she discovered that tickets for the Eastern Air Lines shuttle flight could only be purchased in flight. She thereupon gave her committee air travel card to Miss Upshur and later so reported to Mr. Powell. The committee subsequently received and paid for four shuttle tickets to New York purchased on March 28, 1965, and signed for in the names of committee staff members. Each of these committee staff members has denied making the flight (Hays subcommittee hearings, pp. 71–75, 97–99, 138, 166, 218, 223).
>
> During 1965 and 1966, Mrs. Emma Swann, a receptionist on the staff of the committee, whose duties did not require official travel, was given by Mr. Powell, or at his direction, on at least three separate occasions, round trip tickets to Miami paid for by the committee. These trips were in the nature of vacation trips during which, according to Mrs. Swann's testimony, she shopped and went sightseeing in Miami. Mr. Powell not only

arranged for Mrs. Swann's airline tickets but also authorized her to be absent from her official duties for several days in connection with each trip (Hays subcommittee hearings, pp. 278–283, 287).

2. On two occasions during 1966, Mr. Powell made refunds to the committee for airline tickets previously purchased on committee air travel cards under circumstances indicating that his purpose may have been to conceal his use of committee funds for personal travel.

One such refund was made on or about October 28, 1966, several weeks after the Hays subcommittee investigation had begun and covered travel performed the preceding August, for which the committee had received a bill as early as September 21, 1966. The travel in question was performed by Mr. Powell, Miss Huff, C. Sumner Stone, special assistant to the chairman, Mrs. Stone, and Sylvia J. Givens between Washington, New York City, and Miami. The flights were part of a vacation trip to Bimini for Mr. Powell, Miss Huff, and Mr. and Mrs. Stone. With regard to Miss Givens, the refund covered only part of her travel. No refund was made with respect to her return flight from Miami to Washington which was purchased on Mr. Powell's committee air travel card. (Hays subcommittee hearings, pp. 6–9, 13, 22–23, 85–89, 101, 107–109, 123–131, 139; Report, p. 6.)

A second refund covered airline tickets for Mr. Powell and Miss Huff between Washington and Oklahoma City purchased in July 1966, on a committee air travel card. Subsequently, Mr. Powell gave Miss Dargans, the committee's chief clerk, his check and that of Miss Huff, each in the amount of $197.15 as reimbursement for the cost of these tickets.

Although Mr. Powell's and Miss Huff's checks were both dated July 29, 1966, bank markings on at least one of the checks indicate it was not negotiated until about Nov. 9, 1966, over a month after the Hays subcommittee investigation had begun. (Hays subcommittee hearings, pp. 23–24, 87, 90, 109.)

3. The record before the Hays subcommittee disclosed repeated instances of airline travel by Mr. Powell and Miss Huff paid for by the Committee on Education and Labor but as to which (a) no subsistence was claimed and (b) the travel was under the assumed names of committee staff personnel. The clear inference to be drawn from these facts—later confirmed by evidence adduced before this Committee—is that much, if not all, of the travel in question, although paid for by the committee, was personal in nature.

C. Sumner Stone, special assistant to Mr. Powell as chairman of the Education and Labor Committee during most of the 89th Congress, testified that from time to time Mr. Powell directed him to purchase airline tickets with his committee air travel card in his own name and in the names of Cleomine Lewis, Odell Clark, Emma Swann, and John Warren—all committee staff members. Stone stated that in most instances the tickets were not utilized by the persons named but rather by Mr. Powell and Miss Huff. He testified (Hays subcommittee hearings, p. 120):

"Q. What names would the chairman order you to put in from time to time?

"A. My name, Lewis, Clark, Swann, Warren. Those are the only ones.

"Q. Would he order you specifically to put those names in when he asked to pick up tickets for him?

"A. Yes, sir.

"Q. Did the persons or the parties whose names appeared on the ticket perform the travel?

"A. Not very frequently; no, they didn't.

"Q. Who would be actually performing the travel on those tickets?

"A. The Chairman.

"Q. Who else with the chairman?

"A. Miss Huff.

"Q. Who else?

"A. That is all."

Stone also testified that Miss Huff customarily traveled under the names of Swann and Lewis (p. 122):

"Q. Didn't Miss Huff travel under the name of Swann?

"A. Yes, sir.

"Q. How often would she travel under the name of Swann?

"A. I don't know. I don't know how many times.

"Q. It was customary for her to travel under an assumed name; is that correct?

"A. That is right.

"Q. Who would decide what name she was going to travel under on a particular trip?

"A. The chairman.

"Q. Did she also travel under the name of Lewis?

"A. Yes, sir."

In early 1966, Mr. Powell directed Stone to purchase 20 or more airline tickets at one time in the names of Swann, Clark, Lewis, and Stone. A variety of points of origination and destination were involved including Washington-Miami and New York City-Miami. Stone delivered the tickets to Mr. Powell, but he did not know whether or how Mr. Powell used them. (Hays subcommittee hearings, pp. 121–122, 144.)

(b) Additional evidence adduced before this Committee.

This Committee's investigation of air travel expenditures by the House Education and Labor Committee has expanded upon the record made before the Hays subcommittee in two principal respects. First, the examination includes not only the 89th Congress, but also the 87th and 88th Congresses—i.e., the entire period during which Mr. Powell was chairman of the committee. Second, by analysis of immigration records and records of certain air taxi operators, this Committee has been able to establish that many airline flights to and from Miami by Mr. Powell, Miss Huff, and staff members, which in fact destined for, or originated at, Bimini in the Bahamas and, therefore, did not, in all likelihood, involve official committee business. It may be noted that this Committee's efforts to ascertain the complete facts regarding the travel in question were hampered by the refusal of Mr. Powell to answer questions on the subject, by Miss Huff's refusal to respond to a subpena served upon her, and by the Committee's inability to find and serve a subpena upon Mrs. Swann.

With regard to the 87th and 88th Congresses, the Committee's investigation was hampered by the fact that the airlines do not retain flight tickets for more than 2 years after their use. Nonetheless, the Committee found that, during those Congresses, the Education and Labor Committee was charged $8,055.57 for 105 airline tickets for which no related claim for subsistence of other expenses was made. The significance of a failure to claim subsistence in connection with official travel was explained by Robert D. Gray, the Committee's chief auditor (on loan from GAO):

"Mr. GRAY. The travel regulations of the House provide for any member or employee of the committee who is traveling on official business to make claim for reimbursement for subsistence and other expenses related to that travel and it has been my experience that it would be highly unusual for an employee traveling on official business not to claim reimbursement of his subsistence and taxi and other expenses that were related to that travel.

"Mr. PATTERSON. You mean that if travel is chargeable, per diem is also chargeable?

"Mr. GRAY. That is right, sir."

With regard to the 89th Congress the Committee discovered a total of 346 airline trips for which the Committee on Education and Labor paid $12,576.82 and concerning which no claims for subsistence were made. Of these, 82 trips amounting to $6,490.63 were made to or from Miami. In view of the unusual volume of Miami travel the Committee made a detailed analysis of flights to and from Miami. Although this analysis was necessarily incomplete, it showed (a) that a substantial number of these flights were destined for or originated at Bimini; (b) that on a substantial number of the flights Mr. Powell or other committee staff members traveled under assumed names; and (c) that in several instances tickets paid for by the Education and Labor Committee clearly were used by a person not on the committee's staff and having no apparent connection with its official business.

By way of illustration, the analysis of Miami travel shows that on March 11, 1966, persons traveling on tickets in the names of Emma Swann, Cleomine Lewis, and Odell Clark, all committee staff members, arrived in Miami at 12:45 p.m. At 2:45 p.m. on the same day Mr. Powell, Miss Huff, Francis C. Swann (not on the committee's staff), and Robert J. Reed (not on the committee's staff) departed for Bimini. On March 19 these four persons returned to Miami and on the same day two persons departed from Miami using tickets in the names of Clark and Lewis. Similarly, on January 23, 1966, persons traveling in the names of Odell Clark, Carol T. Aldrich, Adam C. Powell, Cleomine Lewis, and Emma Swann arrived in Miami at 7:49 p.m. and at 9:00 a.m. the next morning, Mr. Powell, Miss Huff, Miss Aldrich, Adam C. Powell III (not on the committee's staff), and Francis Swann (not on the committee's staff) departed for Bimini.

The Hays subcommittee found that Mr. Powell, as chairman of the Committee on Education and Labor, certified for payment from the contingent fund of the House, vouchers covering payment of travel for members of the staff of the Committee on Education and Labor. Clearly, portions of such travel were not official.

In addition, the Select Committee ascertained from the Department of State that, as chairman of the Committee on Education and Labor, Mr. Powell received from the State Depart. in 1961, 1962, 1963 and 1964 reports as to the amount of expenditures of foreign exchange currency in U.S. funds he made while abroad during these years, as well as similar expenditures made by Miss Corrine Huff and Miss Tamara Wall in 1962. Subsequently, as chairman of the Committee on Education and Labor, Mr. Powell filed with the Committee on House Administration reports listing substantially lower sums for these expenditures which were then published in the Congressional Record. The amounts received and the amounts reported are as follows:

	Amounts received by Adam Powell	Amounts reported by Adam Powell
1961	$5,777.21	$3,283.37
1962	4,300.04	1,544.00
1963	1,080.60	721.21
1964	2,457.59	1,353.71
	Amounts received by Tamara Wall	
1962	$3,526.30	1,653.00
	Amounts received by Corrine Huff	
1962	$2,958.38	1,741.50

> Such acts by Mr. Powell as chairman of a committee are in violation of rule IX of the Rules of the House, in that they effect the rights of the House collectively, its safety, dignity, and the integrity of its proceedings.

Mr. Speaker, the first charge arising out of the findings of the Hays committee, pages 6 through 7 inclusive, concern itself with the following to wit: that Mr. POWELL "used an assumed name on many airplane flights purchased with committee credit cards, thus deceiving the approving authority as to the number of trips made by him as an individual."

Mr. Speaker, here, as before, the charge does not bespeak a surge toward impartiality, rather its base is naked bias. I assert this fact for these reasons: Mr. POWELL used no assumed name—one who does, whether he succeeds or not, seeks to hide his identity. Mr. POWELL's identity was known to all airline officials and to their employees. Mr. POWELL sought to deceive no approving authority as to the number of trips made by him for the very simple reason that the question of who traveled under any specific airplane ticket has never been a matter of inquiry or regulation in the House of Representatives.

Mr. Speaker, I am unable to escape the conviction that the select committee, the Hays committee and the House of Representatives found a scapegoat—to relieve themselves from the critical judgment of America for sloppy rules and financial procedures—the fall guy—ADAM CLAYTON POWELL.

Mr. Speaker, I now turn to the second charge garnered from the web of suppositions constructed by the Hays committee. The charge here concerns itself with Miss Corrine Huff, one of Mr. POWELL's employees. Here the substance is the same; the answer the same; the comment the same, with one exception, Miss Huff is beautiful, and on some occasions the news media and others seemed to envy the proximity enjoyed by Mr. POWELL.

Mr. Speaker, the third charge concerns itself with the following: That Mr. POWELL "placed on the staff of the Committee of Education and Labor one Sylvia J. Givens, who had been hired for the express purpose of doing domestic work for Representative POWELL when he traveled, as well as for performing clerical work in his committee offices."

Mr. Speaker, I must call attention to a singular circumstance, that I think, among similar variations from reality, robbed ADAM POWELL of the same impartial judgment to which he was entitled—I refer to the following: Sylvia J. Givens, who had been hired for the express purpose of doing domestic work for Representative POWELL when he traveled.

Mr. Speaker, I have deleted the remainder of the statement, which deals with clerical work by Miss Givens, for the obvious reason that no significance was meant to be given this reference.

Mr. Speaker, I ask the Members of this House this question: Is it not true that from the beginning of this Nation, employees of Members of this House drove their carriages, taught their children, kept their private books, made their drinks, brewed their coffee, pressed their garments, and kept their wardrobes while attending their duties as official employees?

Mr. Speaker, I ask this generation of Members of the House of Representatives: Is it not true that congressional employees, both in committees and workers in offices, meet many of the Members at the station—drive them to their offices, perform countless afterhour chores; drive the Members to night engagements, and perform many duties not listed as official employment?

Mr. Speaker, I also ask in this connection—this question: Is it violative of any rule of the House of Representatives to order and accept the services above mentioned? If not, why is it so offensive to the dignity of the House of Representatives to ask an employee to make a few beds, instead of serving a few drinks, or to cook a few meals, instead of acting as chauffeur for a Member?

Here again, the important shadow of difference seems to be found in the individual who requested the services.

Mr. Speaker, the fourth charge arising from the Hays committee report has no significance, except possibly to show Mr. POWELL's willingness to cooperate by paying for airplane trips by Huff, Givens, and the Stones, even though his legal liability was very doubtful.

Mr. Speaker, charges fifth and sixth, arising from the Hays committee report are best repetitive of charges 1, 2, and 3, and even if the full value of proof is given these charges, they could and would not under any conceivable situation form the basis of either censure or exclusion of a Member of the House of Representatives.

The same conclusion may well be reached, after consideration of charge 7, with the further suggestion that the contingent fund should be reimbursed.

Mr. Speaker, the eighth charge from the Hays committee report should not, in any circumstances, have been even considered either by the select committee and later the House of Representatives in the Powell case. The charge is in substance nothing more than unwarranted assumptions.

Mr. Speaker, an analysis of the select committee's further summary of the Hays committee report—page 14, select committee report—will serve no useful purpose, because nothing constructive can be adduced therefrom. Hence, I shall confine myself to the following pertinent references, all of which will reemphasize the commanding role given the New York court cases by the select committee, and later, the House of Representatives in reaching their judgments:

First. Adverse, vitriolic, and denunciatory newspaper reporting on the subject of ADAM CLAYTON POWELL and his alledged contempt of the New York courts aided in the brainwashing effort.

Second. Unjudicious and slanted statements picturing Mr. POWELL as the sole iconoclast in an otherwise stable Congress, by radio and television commentators across the Nation, helped to solidify the posture of contemptuous conduct.

Third. Speakers from many platforms, sermons by ministers in various churches, citizens in countless towns seeking political leverage, writers in national magazines, all joined the damaging cacophony which succeeded in corroding the concept of justice in many minds.

Fourth. The select committee on page 6, last paragraph of its report, states the following:

> Again the Committee states that this is an *inquiry* and not an adversary proceeding.

This observation was indeed proper and would have held the promise of a valid judgment had they not permitted themselves to become completely hypnotized and indoctrinated by the comments, discussions, and rulings of a score or more judges of the New York courts—page 8 to bottom of page 12 of select committee report. Evidence of the above fact follows:

> CONCLUSION OF SELECT COMMITTEE
>
> For a Member of the House to behave in such fashion as to cause the courts to describe his course of conduct as "flagrantly contemptuous" as promoting "the tragic disrespect for the judicial process as a whole" as displaying "blatant cynical disregard for the law on the part of a United States Congressman (which) is detrimental to the law, the Ministry and to democracy" and, as "a very bad example for the youth of this city and this country," *clearly brings great disrespect* of the House of Representatives.

Fifth. On page 1 of the subcommittee report, first paragraph, the following statement is found:

> During the 89th Congress open and widespread criticism developed with respect to the conduct of Representative Adam Clayton Powell of New York. This criticism emanated both from within the House of Representatives and the public, and related primarily to Representative Powell's *contumacious conduct* toward the Courts of the State of New York.

Here and now it must be noted that the remainder of the paragraph is at variance with the known facts—there was no widespread criticism of the manner in which Mr. POWELL conducted or managed his congressional office, or of his deportment as chairman of the Committee on Education and Labor, on the contrary, Mr. POWELL was praised by no less a personage than the President of the United States for the excellency of his services as chairman of the Committee on Education and Labor.

Let it be here understood that the catalyst in the matter of Mr. POWELL's alleged official misconduct, in the management of his congressional office, and his office as chairman of the Committee on Education and Labor, as well as the misuse of funds, and the employment of his wife while she lived in San Juan, P.R., was a group of Representatives who serve on the Committee on Education and Labor—not from criticism from within the House of Representatives and the public.

Now let us return to that portion of the paragraph which relates to Mr. POWELL and the courts of the State of New York; here we again find the preoccupation of the select committee with the courts, description of Mr. POWELL's contact with the courts as—contumacious conduct.

Here again it must be pointed out that this phase of the case undoubtedly formed the paramount issue in the Powell case.

Here again it must be pointed out that this series of events should not in any circumstances have been considered in the case for the obvious reason that the cases were pending and unresolved.

Sixth. The Representative from California who objected to the administration of the oath to Representative-elect POWELL, and requested that he step aside while the oath was being administered to the other Members-elect was according to the select committee report—page 4, ninth line from top of page—"is known to have been concerned by the fact that Mr. POWELL had been adjudged in both civil and criminal contempt by the New York courts."

Seventh. The Representative from Arizona who offered House Resolution 1, 90th Congress, on page 4, select committee report, second paragraph, is quoted as follows:

> I share the concern about the accumulation of evidence which strongly suggests to me the probability that one of our colleagues has flouted the laws of the State of New York; that he is charged with criminal contempt, and that there is a warrant for his arrest in that State so that he cannot go into that Congressional district. I recognize this.

Eighth. The Representative from Michigan who offered House Resolution 1, expressed like views in reference to Mr. POWELL and the courts of New York—CONGRESSIONAL RECORD, January 10, 1967.

Ninth. After the representation of the amendment as a substitute for House Resolution 278 by the gentleman from Missouri—CONGRESSIONAL RECORD, page 5020, March 1, 1967—(A) the gentleman from Georgia—CONGRESSIONAL RECORD, March 1, 1967, top of page 5026—by his reference expresses his deep concern about Mr. POWELL's supposed illegal conduct in the New York courts. (B) The gentleman from California for a second time expatiates on the same oft used theme, the conduct of Mr. POWELL with the New York courts.

(C) The gentleman from Virginia—CONGRESSIONAL RECORD, March 1, 1967, page 5027—takes up the refrain at the beginning of the third paragraph of his statement—POWELL's conduct in the New York courts.

(D) The gentleman from Alabama—CONGRESSIONAL RECORD, March 1, 1967, page 5027—by mentioning again the above repeated court matter, reemphasizes its importance in the verdict reached.

(E) The gentleman from Wisconsin—CONGRESSIONAL RECORD, March 1, 1967, page 5029—pertinent remark is found on page 5030, fourth paragraph:

> I will vote to deny him a seat in this House because at present he is a fugitive from justice and, until he is willing to face up to the charges, or at least the Courts have made a ruling in this matter, I cannot in conscience feel I would be serving the best interests of the people of my district who are forced to abide by the laws he would help to frame but from which he claims immunity.

Here I must point out that the distinguished gentleman, like so many others without realization, has by his decision usurped the jurisdiction of the New York courts, condemned Mr. POWELL before final judgment and, moreover, he has enunciated a principle of law adverse to the vital legal rights of the very people he seeks to protect.

Mr. Speaker, there can be no doubt that the gravamen of the complaint against the Representative-elect ADAM POWELL was his involvement with the courts of the State of New York, in fact, the irritant and the motivation for some sort of action against Mr. POWELL cannot, in reason, be attributed to any other specification of charge. Further, it is palpably evident that the consideration of the New York cases, even as a part of the judgment made by the select committee and later by the House, robbed ADAM POWELL of that measure of justice which is the basic right of every citizen of our country.

Mr. Speaker, I will flatly assert that there is not one Member of the House of Representatives who will disagree with the simple fact that the final House vote was based on evidence of even less probative value than that considered by the select committee.

I, therefore, remind my colleagues that the shouting and the tumult have subsided; the unfortunate trauma induced by intemperate and, more often than not, suggestive reporting of Mr. POWELL's activities has lost its distortions. The American people have had time to think, to soberly evaluate, to permit reason to assume the throne, and, I am sure that out of this moment of balanced judgment, the people of this country will say to their Congress that the Powell case must be reconsidered, that Member-elect POWELL did not receive the fair and impartial trial guaranteed to every American citizen, that the Congress of the United States is honorbound to admit its error, and to correct its wrong.

TRIBUTE TO A CAPPELLA CHOIR

The SPEAKER. Under previous order of the House the gentleman from Michigan [Mr. BROWN] is recognized for 20 minutes.

Mr. BROWN of Michigan. Mr. Speaker, today here in the House of Representatives I would like to pay special tribute to a group of fine young Americans, the A Cappella Choir of Central High School in Battle Creek, Mich., and their director, Afred G. Richards.

Of all the high school choirs in the United States, this choir was the only one designated to represent the United States of America at the International Choir Festival at The Hague, Netherlands, this summer.

Pitted against 69 other choirs from 12 countries, the a cappella singers from Battle Creek not only won the highest point total ever awarded at the festival but by their conduct won the hearts and respect of the festival audiences at the Hague. The Battle Creek singers scored 406 points out of a possible 420. Never before had a choir scored more than 400 points. In addition, the choir received four standing ovations at the final concert and was the toast of the Dutch critics.

It was a long, hard road to The Hague and a less determined group of youngsters, sponsors, and parents never would have made it. There was no money set aside to send the choir to Europe. However, in a short period of time, the citizens of the Battle Creek area, in a gesture of love and appreciation, accumulated well over $50,000 from individual donations to send the choir abroad.

Mr. Speaker, I am truly proud of these 100 singing ambassadors of good will and the entire community of Battle Creek.

Their accomplishment is evidence of the kind of youth America produces.

Their accomplishment is another testimonial to the basic spirit of community pride which motivates every good American.

Their accomplishment should be an inspiration to all those who believe the way to achieve world peace is through the exchange of people, rather than governments.

Congratulations to all who made this feat possible.

DREW PEARSON AND THE DRAFT LAW REVISIONS

The SPEAKER. Under previous order of the House the gentleman from California [Mr. GUBSER] is recognized for 30 minutes.

Mr. GUBSER. Mr. Speaker, recently, a syndicated column written by Drew Pearson and Jack Anderson, which appeared in newspapers across the country, erred in describing the recent changes made by Congress to the Draft Act.

This article appeared in many newspapers, including the July 1, 1967, issue of the Washington Post, and the July 2, 1967, issue of the San Jose Mercury-News.

Unfortunately, most readers do not have ready access to "all the facts" relating to complex issues, such as the draft. Readers are therefore understandably confused when a syndicated columnist like Mr. Pearson says that the Congress has "left the law more discriminatory than it had been," while at the same time Secretary of Defense McNamara issues a public statement saying:

> The draft law passed by Congress is a major improvement over the present law.

What then is the true story?

It is not my intention to become vindictive in reviewing the unfortunate allegations contained in Mr. Pearson's article. The draft law is far too important a subject to lend itself to such a petty and picayune purpose. However, the article requires a factual reply since it ridicules the congressional legislative process and damages public confidence in the fairness of the draft law. I do not challenge Mr. Pearson's purpose, but I do respectfully disagree with his "facts" and his conclusions.

In order to place Mr. Pearson's allegations in proper context, I will address each of them separately.

Mr. Pearson's first allegation relates to the question of college student deferments and is as follows:

ALLEGATION

> 1. Short of all-out war, undergraduates will be deferred. Those who can't raise the money for full-time schooling, who enroll in work-study programs or take on-the-job training, will be eligible for the draft. With more young men available than the armed forces need, the poor and unlucky will have to do the fighting.

RESPONSE

Let me point out first that the Presidential Commission—which Mr. Pearson charges we disregarded—was split on the question of student deferments and the President, in his message to Congress on the draft, did not make any recommendation on student deferments but asked Congress to fully debate the question.

We did.

And we came to the same conclusion as a "substantial minority" of the President's Commission: college deferments are in the national interest, but students should be exposed to the draft, following completion of their undergraduate studies, to the same degree as their contemporaries who did not go to college.

Mr. George Reedy, former White House press secretary, speaking for the "substantial minority" of the President's Commission, put it this way:

> It seemed to us that there is no real inequity between exposing a man to the draft at age 19, and exposing him at age 24, providing that the exposure is certain, and that every man at one time or another—every man that is qualified—will have to go through whatever impartial selection system is selected.

Mr. Speaker, this is precisely what will occur under the changes to the draft law. Every young man who obtains a college deferment will, on completion of deferment, be put in the induction pool on a par with those who do not go to college.

Mr. Pearson's implication that students will escape military service is simply incorrect.

The second allegation made by Mr. Pearson reads as follows:

ALLEGATION

> 2. The interpretation and implementation of the draft law will be left to the whim of the local boards, which will be given no uniform national guidelines. All-white boards will continue to draft Negroes in the South and Mexican-Americans in the Southwest.

RESPONSE

It is interesting to note that Mr. Pearson in his first allegation bitterly criticizes the Congress for establishing uniform national guidelines in the statute for student deferments, yet in his second allegation criticizes the Congress for not providing uniform national guidelines for deferments. The contradiction is self-evident. The Congress has established uniform guidelines in an area which lends itself to such criteria. It does, on the other hand, wisely refrain from writing rigid criteria into law in respect to most other major areas of deferment. For example, other than student deferments, the major categories for a deferred status are those relating to hardship and those relating to occupations.

Establishing rigid and precise statutory criteria for the granting of hardship deferments simply cannot be done. The wide spectrum of human problems that inevitably confront literally millions of registrants would make any effort to establish such guidelines by statute a ridiculous and tragic farce. It is for this reason that despite protestations to the contrary, local boards must continue to have discretionary authority to recognize unique circumstances which require hardship deferments, both in the interest of human compassion and in the national interest.

The Congress has included in the law a provision requiring the National Security Council to make recommendations to the President in respect to those areas of training and employment which justify a deferred status in the national interest. The President then, with the abundance of discretionary authority provided him in the law, can lay down implementing regulations and uniform criteria to be observed by local boards. The revised language in the law states:

> To the extent that such action is determined by the President to be consistent with the national interest, recommend that such criteria be administered uniformly throughout the United States whenever practicable.

Mr. Speaker, I submit that if uniform national guidelines are not provided local draft boards by the President whenever practicable, it will not be because of any failure of Congress to provide this authority, but will be because of the President's inability or reluctance to take such action.

The racial composition of local draft boards received considerable attention during committee hearings. Obviously, to the degree that it is practical, these local draft boards should, in my opinion, reflect all the various ethnic, sociologic, and economic and related considerations of the community. However, no one, including Solomon in all his wisdom, could possibly designate a panel of three men or women to compose a local draft board who would be completely representative of the composition of any community in our country. For this reason, stipulating a requirement of this kind into the law was simply out of the question.

Again, let me remind you that local draft board members are appointed by the President of the United States and they serve at his pleasure and convenience. Therefore, the President has the fullest possible authority to insure to the maximum degree practicable, that local draft boards are indeed representative of their community.

The third allegation made by Mr. Pearson relates to conscientious objectors. The allegation reads as follows:

ALLEGATION

> 3. Conscientious objectors can no longer claim deferment unless they belong to an established religious group. This overrules a 1965 Supreme Court decision and likely will result in a proliferation of court cases.

RESPONSE

Perhaps Mr. Pearson is reading another law, but nowhere in the change to this provision of the draft law is the requirement to belong to an established religious group. Actually, the language is essentially unchanged and retains the original concept of the Congress in drafting this provision of law and recognizes a claim for conscientious objection based upon "religious training and belief."

The fourth criticism of Mr. Pearson reads as follows:

ALLEGATION

> 4. The Justice Department and the courts will be required to give first priority to draft dodgers ahead of all other criminal cases.

RESPONSE

The Congress has in numerous instances incorporated into the statutes a requirement for expeditious action on alleged violations of a specific law. There is, therefore, ample precedent when, in the judgment of the Congress, speedy and expeditious enforcement of the law is deemed of such importance to the national interest that alleged violations of its provisions must be given top priority. Despite Mr. Pearson's apparent view to the contrary, I can think of no law of more direct importance to our national survival than the Draft Act. Therefore, its expeditious enforcement is certainly more than justified.

It is impossible for me as a Member of Congress to justify the drafting of young men into the Armed Forces for military service in Vietnam when at the same time celebrated "draft dodgers" are able to publicly flaunt their contempt of the draft law with apparent impunity.

In his fifth allegation, Mr. Pearson says:

ALLEGATION

> 5. Doctors no longer will be excused from the draft to serve in the Peace Corps, Antipoverty Program, Food and Drug Administration or Agriculture Department. Peace Corps Director Jack Vaughn has warned this will "deal the whole Peace Corps program a fundamental blow."

RESPONSE

The Congress, in enacting the Peace Corps law specifically prohibited exemptions from military service by virtue of service in the Peace Corps. Yet, the executive branch had pointedly and deliberately ignored this congressional mandate and effectively provided a draft exemption for medical personnel attached to the Peace Corps. Moreover, the executive branch had further abused the authority to conscript medical manpower by using these individuals in other public agencies with no direct military requirement. If this practice were ignored and condoned by the Congress it would be completely logical for the executive branch to meet many other agency requirements through this same devious use of the draft law. The action taken by the Congress simply reminds the executive branch that the draft law is to be used only to satisfy military manpower requirements and not Federal staff personnel requirements. Apparently Mr. Pearson believes we should use the draft to staff our Government agencies.

The sixth allegation made by Mr. Pearson is also inaccurate. It states:

ALLEGATION

> 6. Young men can no longer appeal their draft classifications until they have accepted or rejected induction. This means they must go into the service or violate the law before the courts can give them a hearing.

RESPONSE

This allegation implies that in some manner the Congress has eliminated a procedural right heretofore available to registrants who question the classification action of the local board. This is not true. The action taken by the committee and approved by the Congress simply reiterates and makes abundantly clear that a registrant cannot litigate his draft classification in the courts until he has exhausted all of the administrative remedies available to him in the law. The Assistant Attorney General of the United States, in testifying before the Committee on Armed Services, completely concurred in this view.

Finally, and perhaps the saddest note of all, is the manner in which Mr. Pearson summarizes his criticism of the changes in the draft law by concluding that these changes are "bound to cause bitterness, particularly among the Negroes who cannot afford higher education and must submit to the will of white boards."

As I have outlined in considerable detail, none of the changes made in the draft law can possibly have this result. It is therefore unfortunate that Mr. Pearson's article encourages the mistaken view that our society is systematically and deliberately ignoring the rights of a part of its citizenry. To paraphrase Mr. Pearson's own words, this does "make splendid propaganda for the Communists."

Any attempt to imply that racial discrimination has entered into draft board decisions is thoroughly exploded by the statement of the Marshall Commission appointed by the President. This Commission said:

> The Negro does not serve in the Armed Forces out of proportion to his representation in the population as a whole.

In conclusion, Mr. Speaker, let me say that the draft bill which was recently enacted into law was the product of long, serious, and deliberate study by the Marshall Commission, the distinguished committee headed by Gen. Mark Clark, and all members of the Armed Services Committee. There was no railroading of ideas and no one person dominated the deliberations or exerted undue pressure. The bill was a committee product and, though it will not please everyone, it was the fairest answer to a difficult question that fair-minded men could supply.

Mr. Pearson once identified me in his column as a Democrat from North Carolina. Though this error had no long-range adverse effect upon anyone, it does show that columnists on occasion can be wrong and the facts clearly show that Mr. Pearson's recent analysis of the new draft law is another mistake on his part.

U.S. AID SHOULD BE USED TO ADVANCE PRESS FREEDOM WORLDWIDE

The SPEAKER. Under previous order of the House the gentleman from Illinois [Mr. FINDLEY] is recognized for 30 minutes.

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter and tables.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, one of the most significant documents ever to come to my attention is the report on the status of worldwide press freedom just published by the Freedom of Information Center, a division of the University of Missouri School of Journalism.

Prepared by Ralph L. Lowenstein, it rates press freedom in 94 countries. The ratings were based on questionnaires completed by 430 selected newsmen, broadcasters, and journalism educators throughout the world.

As a newspaperman who has watched with keen interest other studies of press freedom in recent years, I consider this one to be the most comprehensive, objective, and useful ever published. I congratulate this eminent journalism school for this service and look forward to the annual reports which I trust will follow.

As Mr. Lowenstein freely acknowledges the rating technique is not perfect, but after studying carefully the method used I believe it to be the best yet devised and one which produces useful information. As the author admits, the report will wound some national pride. That, however, is a small price to pay for this valuable information. Besides, pride—even in a nation—can sometimes be false and wisely brought to test.

The report is of special interest to the Congress, because of the importance of press freedom to our national welfare.

In our system, press freedom is widely acknowledged to be basic to all the freedoms we prize so highly. It is both the avenue and the bulwark of freedom of speech and assembly. Without press freedom, the other freedoms—including freedom of worship and freedom from arbitrary arrest—would at best be tenuous, subject to the whims of those in authority. Hitler was able to destroy liberty in Germany and engulf all of Europe in cruel tyranny only by first eliminating freedom of press.

The best safeguard to the liberty of people anywhere is an independent, diverse, and unfettered press.

For that reason, the people of the United States have a vital stake in press freedom both at home and abroad.

At home, it keeps constant vigil on our basic freedoms, constitutional processes, and the integrity of those in public office.

Abroad, it protects our national interest in much the same way. Where the press in foreign lands is free, tyranny has tough going. There, too, the press keeps constant vigil on basic freedoms, constitutional processes, and the integrity of those in public office. To the extent that the press is under Government control, or otherwise compromised, free institutions are in jeopardy. And wherever free institutions are endangered, our national interest is adversely affected—just as the interest of the local people is thereby adversely affected.

Using the press-freedom ratings supplied by the University of Missouri School of Journalism, I have indexed 72 countries of the world which last year received aid in one form or another from the United States, together with 15 which received aid in previous years; credit extended or guaranteed by our Government is excluded.

The result is, for the most part, a melancholy testimony to the indifference of our Government to the status of press freedom abroad.

If our outpouring of dollars over the years has been used effectively as an incentive to the establishment of press freedom in foreign countries, the results defy detection.

Quite the contrary is obvious: our dollars, in recent years especially, have been passed out indiscriminately year after year, without serious effort to advance our national interest by strengthening press freedom in the recipient countries.

Poland rates at the bottom, its press controlled to a high degree. And yet our Government, concerned about the monetary difficulties facing the Polish Government, recently relieved Poland of the need to pay in dollars a $17 million debt which came due this year. Here would have been an opportunity for our Government to demand relaxation of press controls in exchange for the monetary deal. No such effort was made.

President Johnson last October authorized long-term Export-Import Bank guarantees to Bulgaria, Czechoslovakia, Rumania, Poland, and the Soviet Union—and now wants "most favored nation" treatment extended to each of them—Poland already has this status. All of these countries are classified by the University of Missouri as having the highest degree of press regimentation.

Would it not make sense for our Government to hold off any such economic concessions until the local governments grant some measure of press freedom to their own people?

Through the years our Government has heaped aid totaling $286 million upon Ethiopia, and yet—after all this bounty from the U.S. Treasury—Ethiopia rates with the very worst in regard to press controls. Some place along the line we surely could have used aid money as bait to get the Lion of Judah—and the leaders of other governments—to loosen up press controls.

It is praiseworthy that all but two of our NATO allies are classified in the two highest press freedom categories. The two exceptions are Portugal and Greece. Portugal has the worst situation among the NATO nations, and although last year it got only $2.5 million in Public Law 480 assistance, there have been many occasions over the years when effective encouragement could have been applied to Dr. Salazar in behalf of press freedom. In all, Portugal has received over $433 million in aid through the years.

Greece was rated in the "free" category but with many controls—and it is significant that this rating occurred before the military takeover. One wonders whether constitutional processes might still be operative in Greece if our Government had used aid money over the years as a lever to encourage press freedom. It is noteworthy that Turkey, Greece's neighbor, and far more exposed than Greece to the Soviet Union, is a full notch above Greece in regard to press freedom.

Last year, our Government aided heavily several other countries where either a high or medium degree of control exists over the local press. Among them: Afghanistan, $39 million; Iran, $56 million; Jordan, $53 million; Spain, $44 million; Tunisia, $20 million; Egypt—United Arab Republic—$43 million; Algeria, $7.9 million.

In my view, it is high time for the U.S. Government to use all of its foreign policy tools—foreign aid, Public Law 480, military assistance, and credits—to advance press freedom worldwide.

I am offering amendments to the foreign aid bill to that end, and will do so as the opportunity arises in connection with other programs.

Here is a table showing how the nations which have received U.S. aid rate in regard to press freedom:

PRESS FREEDOM IN AID COUNTRIES

Analysis of U.S. foreign aid and the status of freedom of the press—Distribution of nations into classifications of press freedom according to the 1966 University of Missouri School of Journalism survey

FREE—HIGH DEGREE

Country	Total aid in 1966	Details of 1966 aid			Total aid, 1946-66 (inclusive)
		Economic and technical assistance	Public Law 480, titles I, II, III	Military assistance	
Australia	$17,400,000			$17,400,000	$133,900,000.
Belgium-Luxembourg	$1,700,000			$1,700,000	$1,847,600,000.
Canada	No activity subsequent to fiscal year 1961.				$30,600,000.
Costa Rica	$3,700,000	$2,700,000	$900,000	$100,000	$114,900,000.
Denmark	$20,100,000			$20,100,000	$900,500,000.
Finland					$57,300,000.
Guatemala	$5,000,000	$2,900,000	$900,000	$1,200,000	$191,200,000.
Netherlands	$100,000			$100,000	$2,268,200,000.
Norway	$42,800,000			$42,800,000	$1,186,000,000,
Peru	$49,500,000	$31,500,000	$8,200,000	$9,800,000	$424,700,000.
Philippines	$39,200,000	$7,300,000	$5,800,000	$26,100,000	$1,746,300,000.
Sweden	No activity subsequent to fiscal year 1955.				$109,000,000.
Uruguay	$9,200,000	$6,200,000	$500,000	$2,500,000	$109,700,000.
Venezuela	$17,700,000	$5,000,000	$3,900,000	$8,800,000	$272,900,000.
FREE—MODERATE CONTROLS					
Austria				Classified	$469,000,000.
Bolivia	$38,100,000	$30,100,000	$5,600,000	$2,400,000	$429,600,000.
Colombia	$100,900,000	$80,600,000	$12,000,000	$8,300,000	$615,600,000.
Cyprus	$300,000	$200,000	$100,000		$19,300,000.
Ecuador	$26,400,000	$20,700,000	$1,800,000	$3,900,000	$232,900,000.
El Salvador	$7,500,000	$4,200,000	$2.600,000	$700,000	$95,400,000.
France	$800,000			$800,000	$8,177,200,000.
West Germany, including Berlin	None			—$100,000	$5,124,500,000.
Honduras	$14,600,000	$12,900,000	$1,000,000	$700,000	$85,300,000.
Ireland	No activity subsequent to fiscal year 1955.				$146,500,000.
Israel	$30,400,000	$9,500,000	$18,500,000	$2,400,000	$878,200,000.
Italy	$8,000,000		$4,700,000	$3,300,000	$5,597,500,000.
Jamaica	$3 600,000	$1,900,000	$1,700,000	Under $50,000	$36,300,000.
Japan	$1,200,000			$1,200,000	$3,464,200,000.
Malaysia	$6,400,000	$5,200,000	$1,000,000	$200,000	$47,500,000.
New Zealand					$9,000,000.
Panama	$13,700,000	$12,800,000	$500,000	$400,000	$143,200,000.
Turkey	$257,500,000	$136,400,000	$20,700,000	$100,400,000	$4,965,200,000.
United Kingdom				—$100,000	$8,706,600,000.
FREE—MANY CONTROLS					
Argentina	$5,100,000	—$1,300,000		$6,400,000	$295,200,000.
Brazil	$321,000,000	$247,900,000	$50,500,000	$22,600,000	$1,936,800,000.
Ceylon	$12,700,000	$7,500,000	$5,200,000		$101,500,000.
Chile	$116,100,000	$89,800,000	$17,800,000	$8,500,000	$841,600,000.
Republic of China (Taiwan)	$76,900,000	—$2,400,000	$2,800,000	$76,500,000	$4,755,900,000.
Dominican Republic	$101,600,000	$94,700,000	$5,200,000	$1,700,000	$267,300,000.
Greece	$63,800,000	—$18,400,000	$3,500,000	$78,700,000	$3,671,800,000.
India	$913,100,000	$317,700,000	$595,400,000	Classified	$6,367,500,000.
Kenya	$10,600,000	$4,600,000	$6,000,000		$42,200,000.
Lebanon	*—$400, 000	—$500, 000		$100, 000	$85, 500, 000.
Malawi	$3, 600, 000	$3, 600, 000	Under $50, 000		$11, 800, 000.
Mexico	$500, 000	$200, 000	$100, 000	$200, 000	$293, 900, 000.
Morocco	$36, 500, 000	$4, 300, 000	$29, 100, 000	$3, 100, 000	$555, 200, 000.
Rhodesia	Under $50, 000	Under $50, 000			$7, 000, 000.
South Africa	No activity subsequent to fiscal year 1960.				$1, 300, 000.
Tanzania	$6, 300, 000	$3, 200, 000	$3, 100, 000		$50, 000, 000.
Thailand	$86, 100, 000	$35, 200, 000	$200, 000	$40, 700, 000	$1, 039, 700, 000.
Uganda	$3, 800, 000	$2, 800, 000	$1, 000, 000		$21, 000, 000.
Zambia	$1, 000, 000	$1, 000, 000			$31, 200, 000.

* A minus figure indicates deobligations in excess of new obligations.

PRESS FREEDOM IN AID COUNTRIES—Continued

Analysis of U.S. foreign aid and the status of freedom of the press—Distribution of nations into classifications of press freedom according to the 1966 University of Missouri School of Journalism survey—Continued

TRANSITIONAL

Country	Total aid in 1966	Details of 1966 aid			Total aid, 1946–66 (inclusive)
		Economic and technical assistance	Public Law 480, titles I, II, III	Military assistance	
Burma	$400, 000	$200, 000	$200, 000		$100, 600, 000.
Congo	$40, 300, 000	$19, 400, 000	$17, 300, 000	$3, 600, 000	$353, 000, 000.
Ghana	$9, 200, 000	$2, 200, 000	$7, 000, 000		$109, 600, 000.
Indonesia	—$3, 900, 000	—$1, 600, 000	$2, 500, 000	—$4, 800, 000	$653, 100, 000.
South Korea	$401, 600, 000	$144, 400, 000	$104, 100, 000	$153, 100, 000	$6, 676, 700, 000.
Laos	$54, 800, 000	$54, 400, 000	$400, 000	Classified	$473, 400, 000.
Nigeria	$29, 600, 000	$28, 700, 000	$600, 000	$300, 000	$183, 600, 000.
Pakistan	$136, 800, 000	$114, 500, 000	$22, 300, 000	Classified	$3, 031, 500, 000.
South Vietnam	$921, 300, 000	$584, 400, 000	$123, 500, 000	$213, 400, 000	$4, 590, 100, 000.
Yugoslavia	$4, 600, 000	—$200, 000	$4, 500, 000	$300, 000	$2, 449, 400, 000.
CONTROLLED—LOW DEGREE					
Afghanistan	$39,300,000	$11,200,000	$27,900,000	$200,000	$307,100,000.
Cambodia	—$2, 000, 000	—$2, 000, 000	Less than $50,000	Less than $50,000	$341,100,000.
Iran	$56,400,000	$9,500,000	$2,200,000	$44,700,000	$1,629,800,000.
Iraq	$300,000	Less than $50,000	$100,000	$200,000	$75,600,000.
Jordan	$53,100,000	$42,300,000	$2,000,000	$8,800,000	$571,200,000.
Nepal	$11,700,000	$3,100,000	$8,600,000	Classified	$97,800,000.
Portugal	$2,500,000		$3,000,000	—$500,000	$433,200,000.
Spain	$44,500,000	—$400,000	$7,100,000	$37,800,000	$1,617,100,000.
Tunisia	$20,500,000	$18,600,000	$1,700,000	$200,000	$483,100,000.
CONTROLLED—MEDIUM DEGREE					
Cameroon	$2,100,000	$2,100,000	Less than $50,000		$27,200,000.
Haiti	$3,100,000	$2,400,000	$700,000		$80,800,000.
Hungary	No activity subsequent to fiscal year 1957.				$31,500,000.
Senegal	$2,900,000	$1,400,000	$1,400,000	$100,000	$21,100,000.
Syria	$300,000	—$100,000	$400,000	Less than $50,000	$72,900,000.
United Arab Republic	$43,200,000	$900,000	$42,300,000		$1,069,800,000.
CONTROLLED—HIGH DEGREE					
Albania	No activity subsequent to fiscal year 1947.				$20,400,000.
Algeria	$7,900,000	Less than $50,000	$7,900,000		$165,900,000.
Chad	$1,200,000	$1,100,000	$100,000		$5,500,000.
Cuba	No activity subsequent to fiscal year 1961.				$14,600,000.
Czechoslovakia	No activity subsequent to fiscal year 1955.				$193,000,000.
Ethiopia	$59,400,000	$39,100,000	$9,600,000	$10,700,000	$286,800,000.
East Germany	No activity subsequent to fiscal year 1955.				$800,000.
Poland	$6,300,000		$6,300,000		$514,500,000.
U.S.S.R	None subsequent to fiscal year 1947.				$186,400,000 (econ.).
Upper Volta	$1,300,000	$600,000	$700, 000	Less than $50,000	$6,800,000.

Here are excerpts from the University of Missouri report:

"Press freedom" is a term open to a wide variety of definitions. Each country, according to its needs and traditions, has a different idea of what press freedom should include. The Western concept of press freedom has been best stated by Wilbur Schramm (East-West Press Center, Honolulu):

In general, countries in the Western democratic tradition believe that there should be a minimum of control on the press, and that such control as there is should rest with ownership, which we hope will be enlightened, and with the courts, which we hope will limit their attention to such offenses as libel, obscenity, and sedition presenting a clear and present danger.

Though sometimes overlooked by political scientists, the press plays perhaps the most important role in the modern political system. It can be an avenue for freedom, or a tool for suppression. Russell H. Fitzgibbon, who has measured democratization in the 20 republics of Latin America every five years since 1945, found a stronger relationship between "free and competitive elections" and "freedom of the press" than between "free and competitive elections" and any of the remaining 13 political, social and economic criteria in his survey. The correlation was an unusually high .79. Other political scientists have made similar findings, though these have largely gone unreported except in the learned journals.

Press freedom, then, is of vital importance to society and should not be the concern alone of those who have a financial stake in the press. Axel Springer, West German publisher, put it succinctly when he said:

"A society of free men comes into being on the basis of free elections and the free expression of opinion. We recognize a tyranny not only by the fact that its subjects are denied free elections, but also by the fact that they are denied a free press."

Although the press in the newly-developing nations is burdened with the additional task of mobilizing the people toward national development goals, its political role should be much the same as the press in the West. Lucian W. Pye has written:

"Even in the most weak and unstable country the mass media must still retain to some degree one of their most basic functions: that of serving as an inspector general to the entire political system so as to provide the necessary public criticism to ensure some degree of political integrity among the power holders."

The Freedom of Information Center, then, believes that the press is not only an index, but perhaps a predictor, of political change in the nations of the world. It has undertaken this annual worldwide survey in the hope that it can record the yearly course of a nation's press freedom, and that this course will indicate whether a nation is heading toward freedom or toward control.

The Center started with this definition of a "free" and "controlled" press:

A completely free press is one in which newspapers, periodicals, news agencies, books, radio and television have absolute independence and critical ability, except for minimal libel and obscenity laws. The press has no concentrated ownership, marginal economic units or organized self-regulation.

A completely controlled press is one with no independence or critical ability. Under it, newspapers, periodicals, books, news agencies, radio and television are completely controlled directly or indirectly by government, self-regulatory bodies or concentrated ownership.

(The defense for this definition and an explanation for the choice of the 23 measurement factors listed below are included in "PICA: Measuring World Press Freedom," *Freedom of Information Center Publication No. 166,* August, 1966.)

The following factors were selected for measuring press freedom on the basis of their overall inclusiveness and comparability:

1. Legal controls on the press, not includ-

ing libel and obscenity laws (but including laws involving official censorship, contempt, forced corrections and retractions, suspensions, privacy, security, incitement to riot, etc.).

2. Extra-legal controls (threats, violence, imprisonment, confiscation, etc.).

3. Libel laws.

4. Organized self-regulation (press councils, courts of honor).

5. News and editorial personnel (all media) subject to government licensing, certification and appointment.

6. Favoritism in release of government news.

7. Media allowed to utilize services of foreign news agencies.

8. Government control over domestic news agencies.

9. Print media subject to government licensing.

10. Government control of circulation and distribution, not including postal service.

11. Degree of press criticism of local and regional governments and officials within country.

12. Degree of press criticism of national government and national officials within country.

13. Government or "government party" ownership of media (including radio, television and domestic news agencies).

14. Publications of opposition political parties banned.

15. Broadcasting and press units owned by networks and chains (concentrated ownership).

16. Government control of newsprint.

17. Government control of foreign exchange and/or purchase of equipment.

18. Government subsidies and/or bribes to press and newsmen.

19. Government loans to media.

20. Media dependency on government advertising.

21. Tax rate on press (either higher or lower) as compared to other businesses.

22. Pressure from labor unions (to influence editorial policy, to suspend publication).

23. Number of marginal (economically insecure) press units.

In the questionnaire sent to "judges" throughout the world, each factor was followed by a five-point verbal scale, usually ranging from "none" to "all" or from "none" to "complete." There was also provision for each judge to score each factor "don't know" or "not applicable." Factors 3 and 4 and Factors 14 through 23 were eliminated for any country in which most or all of the media were state owned. These factors simply did not appear to be applicable to the press in such countries. In the scoring, all 23 factors were given equal weight.

Several of the underlying characteristics of the Press Independence and Critical Ability (PICA) Survey must be understood at this point. They are:

1. PICA made no attempt to measure "responsibility" of the press. The word "responsibility" is so subjective as to defy definition or measurement. In fact, a press system that could score at the very top of the PICA scale would probably be a completely "irresponsible" press and would exist in a country that few individuals would care to live in. PICA was attempting to measure nations on a scale ranging from "absolute" freedom to "absolute" control, though it expected no country to reach either extreme.

2. PICA made no attempt to measure "stability." The stability of a country will become apparent as the yearly measurements progress. The position of the United States, for example, is likely to change only a fraction each year. But some of the more mercurial Latin American countries could be high on the scale one year and low on the scale the next. PICA was designed to be a sensitive measuring device, and it was believed that criteria involving stability would have dulled this sensitivity.

3. Primary emphasis in the PICA Survey was on government control of the press, although several other important factors were considered. A number of factors measured areas of "potential" control as well as areas of actual control. Some of these were self-regulation, licensing, control of newsprint and control of foreign exchange. They were included because experience has shown that even if these are not actually imposed upon the press at a given time, they are constant reminders to the press that the legal means exist to bridle it if such should become necessary.

There were other criteria not used because they were considered less meaningful in practice, too difficult to assess or not pertinent enough to press freedom *within* a country by natives of that country. Some of these were: constitutional guarantees of press freedom, access to government records, treatment of foreign correspondents, the flow of foreign publications into a country, the ability to criticize foreign governments, advertising influence as a press control and foreign ownership of press units.

Finally, there were three highly unusual and perhaps unique characteristics of the judging in the PICA Survey. They were:

1. PICA attempted to use both native and non-native judges to rate a particular country. The average of the native scores was to be counted equally with the average of the non-native scores in arriving at the final PICA Index for the country. But the non-natives (most of whom were American foreign correspondents) were to provide the standard. If the native judges differed with the non-natives by more than 6 per cent of the total points possible on the scale, the native scores were to be discarded and only the non-natives used. This meant that in no case could natives shift their country by more than 3 percentage points on the scale.

2. PICA essentially used a different set of judges for each country. No persons in the world is intimately familiar with the press systems of the more than 100 independent nations of the world. A pilot study conducted by the Freedom of Information Center showed that (1) political scientists who were specialists on a particular country were unable to fill out the PICA questionnaire for that country, and (2) even newsmen and journalism educators, with few exceptions, did not have a complete familiarity with the press systems of more than several nations. The Center therefore turned to individual sets of judges. For the most part, these included native newsmen in the country and foreign correspondents now living in the country. The judges also included newsmen and journalism educators who had previously lived in the country and who had retained an interest in it, or who had frequently visited the country. In a few cases, notably Communist China and Albania, the Center turned to outside "watchers" of the country. The overwhelming majority of the non-native judges was composed of Americans with news experience in the United States. It was believed that they would be judging each country by the American standard of press freedom.

3. PICA is what has been referred to as a "consensus index" rather than a poll based on a "sample." PICA made no attempt to properly sample either the native or non-native newsmen in a given country. The Center hoped to receive a minimum of four questionnaires (two native and two non-native) from each country. To attain this goal, the Center carefully selected its judges. They were reliable and experienced men and women, representing quality newspapers, periodicals, broadcast units, news agencies and universities throughout the world. To assure that the final score for a country was a "consensus," the Center exerted a high degree of control during the mechanics of the scoring. If an individual judge's score differed by more than 6 percentage points from the highest or lowest score of all the other judges, his score was discarded. All this imposed a high attrition rate (24 per cent) on the total number of questionnaires returned, but the result was an excellent consensus of qualified judges.

THE QUESTIONNAIRES AND THE JUDGES

Exactly 1,003 questionnaires were mailed out between September, 1966, and March, 1967. Each judge was asked to score the nation on the basis of conditions in 1966 only. A total of 571 questionnaires, or 56.9 per cent, were returned. About 44 per cent of them came from native judges in 85 different countries. The remaining 56 per cent came from non-native judges.

About 6 per cent of the questionnaires were immediately voided because of irregularities or obvious misinformation. Another 10 per cent were voided during the scoring process because they were not within the consensus of the majority of judges for a given country. And still another 8 per cent, all representing native scores, were voided in the final tally—when averaged with other native judges' scores, they differed by more than the allowable from the assessment of non-native judges.

Some 87 per cent of the judges answered a questionnaire for only one country, 8.4 per cent answered questionnaires for two countries and 4.6 per cent answered questionnaires for more than two countries.

The judges participating in the 1966 PICA Survey had an average of 18 years' news experience. All of the non-native judges had an average of 3.4 years' residence in the country being judged.

The Freedom of Information Center had hoped to measure the press freedom of every independent nation in the world with population of more than one million. (The single exception to this was Cyprus, which was included even though its population is less than a million.) It was decided at the beginning, however, to eliminate from the rating any nation for which the Center received less than two non-native questionnaires. This practice was followed, except in the cases of 11 countries where the single usable score of a non-native judge was in excellent consensus with the native judges. In three other countries—Ceylon, Indonesia and Uganda—the score of the single non-native judge was in poor agreement with the average score of the native judges, but a compromise was reached because of the high degree of consensus among the three or more native judges themselves.

Following this procedure, the Center was able to assign a PICA score to 94 of the 115 independent nations. The maximum score a country could receive was plus-4 and the lowest score a minus-4. Since this was a "consensus index," however, and could give no exact definition between countries, the Center chose to let the score determine which of seven broad classifications of press freedom the country would fall into.

The 94 countries rated by the PICA Survey represent more than 97 per cent of the world's population. The 21 countries not ranked represent only 2.6 per cent of the world's population. Thirteen of these unrated countries were in Africa, four in the Middle East, two in Asia and two in the Western Hemisphere. All but the two in the Western Hemisphere have non-complex press systems and would have been simple to score and classify. But in many of them there are few native newsmen and no foreign correspondents.

FINDINGS FOR THE WORLD IN GENERAL

Of the 115 independent nations considered, 55 have "free" press systems. This represents some 1.5 billion people. A total of 29 countries have "controlled" press systems, representing 1.3 billion people—this is largely due to the Soviet Union's 230 million people and Communist China's 760 million people falling into this category. Ten countries, representing about 434 million people, are in the "transitional" zone.

In short, 45.2 per cent of the earth's population is free, 39.2 per cent is not free and 13 per cent is somewhere in between, at least on the basis of their press systems. As noted above, 2.6 per cent of the population lives in countries not classified by PICA in 1966.

A look at the distribution of countries, by regions, into the seven classifications shows the Western Hemisphere to have the highest degree of press freedom of all five regions. More than 96 per cent of the population of the Western Hemisphere lives under free press conditions.

Europe is greatly polarized, with 13 of its 25 nations falling into the top two levels and 7 in the bottom level. But because of the size of Russia, 55.3 per cent of the population of Europe lives under controlled press conditions and only 41.8 per cent is subject to a free press.

In the Middle East, not one country could be ranked in the top level of press freedom; almost 56 per cent of the population is exposed to a controlled press.

In Africa, the melancholy fact is that no country in that vast continent falls into either one of the top two levels of press freedom. Although almost half of the 28 nations in Africa (the North African countries were classified with the Middle East) were unranked in the survey, they represent only 17.7 per cent of Africa's population, and there is little doubt that almost all of them would fall into either the "transitional" or "controlled" areas. Only 26.5 per cent of Africa's population has a free press system, and fully 37 per cent is in the transitional area, hanging somewhere between freedom and control.

Asia has more countries in the "traditional" area than does any other section of the world, but this represents only 18.4 per cent of Asia's population. India, with a population of more than 471 million, falls into the free area, somewhat offsetting the weight of Communist China at the bottom of the scale.

Only one country outside of Asia and Africa falls into the "transitional" area—Yugoslavia. This indicates that Yugoslavia, like the "emerging" Africa and Asian nations in the same zone, is in a state of political flux, in the process of moving toward either more freedom or more control.

The select 16 nations in the highest category of press freedom were all within a few percentage points of each other. The PICA scores for these nations ranged from 2.53 to 3.06, with even the highest scoring nations (Norway, Switzerland and The Netherlands) almost one full point below the maximum plus-4 of "absolute freedom." Several communist countries (North Korea and Albania) were about one-half point from the other end of the continuum, indicating that a very high degree of control is more attainable than a very high degree of freedom.

There were several surprising aspects to the top category. One was that Guatemala and Venezuela were able to climb these heights. Guatemala, especially, has been on and off the Inter-American Press Association's blacklist during recent years, and is currently beset by active left-wing guerrillas in the hills. Even so, the score supports written reports that there has been a high degree of press freedom in Guatemala since the inauguration of civilian President Julio Cesar Mendez Montenegro on July 1, 1966.

Another surprising aspect was that Japan, England and New Zealand did not make the top category. Japan received a minus score only on the factor of concentrated ownership, but received consistently mediocre scores on many other factors. England received high scores on a number of factors, but negative scores on almost an equal number, notably libel laws, organized self-regulation, concentrated ownership, government control of foreign exchange and number of marginal press units. New Zealand received especially poor scores on libel laws, local and regional criticism, and national criticism.

Western Hemisphere

That Canada, the United States, Costa Rica and Uruguay finished in the top level of press freedom is no surprise. They are generally considered to have the freest press systems in the hemisphere. But Peru also received consistently high scores from both native and non-native judges. The judges for Venezuela indicated that there was a particularly high degree of criticism of the national government and officials in the press of that country.

The low scores registered by Brazil and Argentina reflect the increasing pressures on the press in those two countries, although the new Brazilian press law had not yet gone into effect when Brazil was measured by PICA. Chile, which is frequently rated as one of the freer press systems in the hemisphere, received a number of negative scores from both sets of judges. These included legal controls, libel laws, favoritism in release of news, government and government party ownership of media, control of foreign exchange and discriminatory tax rate.

Mexico rated particularly low in degree of national criticism, concentrated ownership, government control of newsprint, government subsidies and bribes to newsmen, and government loans to media.

Cuba, in the bottom level, and Haiti, in the next to bottom, were not unexpected rankings.

Europe

The disappointing score of England has already been noted. West Germany came close to reaching the top level of press freedom. The only slightly negative scores which that country received were in the areas of criticism of local and regional officials—although her scores for national criticism were not high, either—and concentrated ownership. But the scores on many factors were not consistently high. The native judges rated West Germany slightly higher than the non-native judges.

Greece ranked lower than any other "free" country in Europe. Although this rating was for the year 1966, it is significant that Greece became the victim of a military coup on April 1, 1967.

Yugoslavia scored higher than two non-communist countries, Portugal and Spain. The judges' rating for Spain indicates that Franco's much-vaunted new press law gave little improvement to press conditions there. Spain's score was only slightly higher than that of Portugal.

Hungary's ranking in the sixth level, instead of the seventh, indicates that some liberalization is in progress there.

Middle East

The atmosphere of mutual suspicion and threat of war and subversion permeates the fabric of politics in the Middle East, and this is undoubtedly reflected in the press. No country ranks in the top category, even though at least two such countries, Lebanon and Israel, have the potentiality to do so in the light of their democratic traditions.

Jordan's score reflects conditions in 1966. Within the last few months, the government there has imposed tighter controls over the press. Algeria's low score reflects almost total government ownership of all media.

Africa

Many of the African countries in the "free" zone of the PICA scale are there in spite of heavy controls on the press—notably Rhodesia and South Africa. In some of the other countries, press freedom is still tenuous, and the scores registered by the countries were not strong, even for this level.

There is little doubt that the three countries in the "transitional" level are indeed in the proces of movement. Ghana, since the overthrow of Nkrumah, seems to be heading upward toward the "free" area, and Nigeria and the Congo downward. The Congo's score was within a fraction of the "controlled" zone.

It is interesting to note that only six other countries—all communist—posted lower scores than Ethiopia.

Asia

Although India's overall rating is in the third level of press freedom, she received consistently high scores from the 10 native and non-native judges on the factors of local, regional and national criticism. This would indicate that the press is overcoming a number of economic controls and disadvantages to pursue its role of vigorous criticism.

Nationalist China barely finished within the "free" area (she was expected to finish lower). The judges indicated that press restrictions, while present, were not as severe as usually believed and that press criticism on the local and regional level is not as subdued as it is on the national level.

The countries in the "transitional" zone will be interesting to watch within the next few years. Indonesia probably is moving toward more freedom since the ouster of Sukarno. Native judges scored South Vietnam considerably lower than the American correspondents who participated in the survey; therefore, this ranking for South Vietnam reflects the assessment of non-native judges only.

The United States

Table IV (not reproduced here) is typical of the 94 tables the Freedom of Information Center prepared on the basis of scores returned in the PICA Survey. This one, for the United States, shows that the average score of the native judges is remarkably close to the average score of the non-native judges. It is easy to spot the few areas of disagreement. For example, the non-native judges gave the U.S. a perfect score on "extra-legal controls," but the Americans did not, while the non-natives saw more organized self-regulation than did the Americans. They also differed on government subsidies and bribes to newsmen.

But there is surprising agreement on virtually all other factors. The only negative scores the United States received from either set of judges were in the areas of concentrated ownership and number of marginal press units. Both sets of judges also scored the United States low in restrictive libel laws, favoritism in release of government news, and degree of local and regional criticism.

Although space does not permit the Center to print any of the other 93 tables here, the Center is making them available to the public. A table may be ordered for any country ranked in the 1966 PICA Survey. Each table contains the native and non-native scores for each of the 23 factors.

GENERAL CONCLUSIONS FROM 1966 SURVEY

On the basis of returns in the 1966 survey, the Center has drawn the following conclusions:

1. A plurality of the world's nations and the world's population lives under conditions of press freedom.

2. Press "control" is not always an obvious phenomenon. Government can use quiet and subtle methods to control the press, while the press may often remain vigorous and resilient in the face of the obvious incidents involving threats and violence.

3. Party ownership of the press, such as in the Scandinavian countries, becomes a "control" factor in society taken as a whole

only when the party owning the newspaper is in power. Otherwise, such party-owned press units apparently can and do offer the public a variety of opinion and vigorous criticism of government.

4. Broadcasting "controls" should be included in any press freedom survey. But the means of control and the amount of control *must be defined and measured better than* was done in the PICA Survey of 1966.

5. Press freedom can be measured, and probably with a good degree of accuracy. The 23 factors currently used in the PICA Survey, however, cannot measure properly the degree of press freedom in the communist countries. The Center hopes to devise a *new scale in 1967 to show comparability* between the communist nations, with more definition than can be given with the present system.

6. The PICA Index is probably a good political indicator. Like any tool of this nature, however, it must be considered in the light of other conditions. India's press, for example, rates considerably higher in degree of criticism than its overall score indicates. South Africa and Rhodesia, as another example, display characteristics of press freedom, but huge segments of the population are denied the opportunity for democratic participation.

7. The standards for judging press freedom are very similar in most countries of the world. In 77 countries, both native and non-native judges returned PICA questionnaires. In 57 per cent of these countries, the scores of the native judges were in substantial agreement with the scores of non-native judges.

Results of the 1966 survey also posed questions and problems that still await answers. At least three of these are the relative weight of the criteria used, the correlation of the two critical ability factors with the other 21, and the relationship between concentrated ownership and critical ability.

The PICA Survey has many shortcomings. The Center hopes, with the help of newsmen and journalism educators, to refine it in succeeding years.

Although national pride is bound to be wounded by some of the findings of the 1966 survey, the Center hopes that PICA has in some measure served the cause of worldwide press freedom.

DISTRIBUTION OF 115 INDEPENDENT NATIONS INTO 7 CLASSIFICATIONS OF PRESS FREEDOM ACCORDING TO PICA SURVEY, 1966

Free—High degree (2.51 to 4.00): Australia*, Belgium*, Canada*, Costa Rica, Denmark*, Finland*, Guatemala*, The Netherlands*, Norway*, Peru*, Philippines*, Sweden*, Switzerland*, United States*, Uruguay, Venezuela.*

Free—Moderate controls (1.51 to 2.50); Austria*, Bolivia*, Colombia*, Cyprus*, Ecuador, El Salvador*, France*, West Germany*, Honduras, Ireland (Eire)*, Israel*, Italy*, Jamaica, Japan*, Malaysia*, New Zealand*, Panama*, Singapore*, Turkey, United Kingdom*.

Free—Many controls (0.51 to 1.50): Argentina, Brazil*, Ceylon, Chile*, China (Taiwan)*, Dominican Rep., Greece*, India*, Kenya, Lebanon, Malawi, Mexico*, Morocco, Rhodesia*, South Africa*, Tanzania, Thailand, Uganda, Zambia.

Transitional (−0.50 to 0.50): Burma*, *Congo (Kin.), Ghana*, Indonesia, South* Korea, Laos, Nigeria, Pakistan*, South Vietnam, Yugoslavia.

Controlled—Low degree (−0.51 to −1.50): Afghanistan, Cambodia, Iran, Iraq, Jordan, Nepal*, Portugal, Spain, Tunisia*.

Controlled—Medium degree (−1.51 to −2.50): Cameroon, Haiti, Hungary, Senegal, *Syria*, U.A.R.*

Controlled—High degree (−2.51 to −4.00): *Albania, Algeria, Bulgaria, Chad, China* (Mainland), Cuba, Czechoslovakia, Ethiopia, East Germany, North Korea, Poland, Rumania, U.S.S.R., Upper Volta.

Unranked (Insufficient Information: Burundi Cen. Afr. Rep. Dahomey, Guinea, Ivory Coast, Liberia, Libya, Malagasy Rep., Mali, Mongolia, Nicaragua, Niger, Paraguay, Rwanda, Saudi Arabia, Sierra Leone, Somalia, Sudan, Togo, North Vietnam, Yemen.

Source of usable questionnaires in PICA survey, 1966

	Number usable questionnaires returned	Natives percent residence in own country	Natives percent residence outside own country	Nonnatives percent residence in country judging	Nonnatives percent former resident of country	Nonnatives percent only visited country	Nonnatives percent never visited country
Western Hemisphere	126	44.4	5.6	21.4	1.0	16.7	1.6
Europe	147	19.7	15.6	30.6	15.6	11.6	6.8
Middle East	70	25.7	12.9	14.3	24.3	11.4	11.4
Africa	73	41.1	2.7	13.7	12.3	28.8	1.4
Asia	121	35.5	14.0	19.0	10.7	10.7	9.9
World	537	32.8	10.8	21.4	14.0	14.9	6.1

Mr. Speaker, here is an editorial published recently by the Chicago Daily News, commenting favorably on the University of Missouri survey:

KEEPING TABS ON FREEDOM

The Freedom of Information Center at the University of Missouri has started to keep a fever chart on the freedom of the world's press. Here is the first report on the patient: 45.2 per cent of the Earth's population has a free press, 39.2 per cent does not, and the remainder must be ranked somewhere in between.

Fifty-five of the world's nations, with a population of 1.5 billion, have a press that can be considered free. Newspapers in the United States are said to enjoy a "high degree" of freedom, those in France to be free with "moderate controls," and Mexico's free with "many controls."

Twenty-nine countries with 1.3 billion people are said to have a "controlled press." These include the Soviet Union and Communist China.

The Center has another category for the press in 10 countries like Yugoslavia and South Vietnam—"transitional." That's to say, changing, but no one can be sure which direction change is taking.

Of all geographic regions, the Western Hemisphere scored highest, though new and unhappy trends were noted in Brazil and Argentina. The most oppressive region of the world for newspapers is the Middle East, with the exception of Israel and Lebanon.

We're glad to have somebody like the center keeping up with the condition of the world's press. A free press is an important and often decisive sign of a nation's total freedom. Russell H. Fitzgibbon, who has been surveying the 20 republics of Latin America every five years since 1945, says he finds free elections linked more often with freedom of the press than with any of the other 13 political, social and economic freedoms he measures in his surveys.

We hope the center will be able to report a freer press in the world next year. A trend in the other direction would portend a fearful future for "civilization."

ANTIRIOT BILL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BINGHAM. Mr. Speaker, in last Thursday's New York Times, Mr. Tom Wicker discussed in a perceptive way the so-called antiriot bill which will be coming before the House later this week. His article gives a useful perspective on the whole problem of riots and points out the virtual irrelevance of this proposed legislation.

I commend the article to my colleagues and other readers of the RECORD:

IN THE NATION: THE DEADLIEST POLLUTION

(By Tom Wicker)

WASHINGTON, July 12.—The other day in Cincinnati the Rev. Fred Shuttlesworth—once a lieutenant of Martin Luther King in the nonviolent upheavals in the South—told Gene Roberts of this newspaper that the basic reason Negroes rioted was that "they say, 'we've already tried nonviolence and we're still where we are.' "

Even Senator Edward Brooke of Massachusetts, always a moderate, warned at the N.A.A.C.P. convention in Boston this week that the failure of public officials to respond adequately to the needs of Negroes was "an invitation to violence." And Roy Wilkins, who has risked his leadership to stand for reason and understanding, told the N.A.A.C.P. that Congress's refusal to pass open housing and other needed legislation was "creating the atmosphere" for violence.

IS GRATITUDE DUE?

This will outrage those whites who believe that the civil rights legislation of recent years ought to have "satisfied" the Negroes and that "these people" are only proving themselves beastly ingrates by rioting in the streets. The fact is, however, that all that legislation has yet to produce real gains for ghetto Negroes in employment, housing or education; and while Southern Negroes finally have the right to vote and eat grits in the local cafe, and a small percentage of them can even send their children to adequate schools, why should they be grateful for that? What gratitude is due a thief who steals your money, keeps it for a few generations, then grudgingly gives a little of it back under court order?

LONG COLD WINTER

During this season's rioting in Buffalo, Mayor Frank Sedita pleaded for "just a few days" to find jobs for unemployed Negroes. He was willing enough to find jobs to *end* violence in the long, hot summer; but why had jobs not been found to *prevent* violence in what Martin Luther King calls "the long cold winter"?

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* Represents agreement between native and non-native scores; these scores were within 6 per cent of each other and were averaged to give country this placement on scale. Countries without asterisks represent, except in very few instances, assessments of non-native judges only; this indicates that native and non-native scores, differed by more than 6 per cent, or no native scores were received.

In an even more myopic answer—or non-answer—to the ghetto, the House may bravely pass this week an "anti-riot" bill that would make it possible to jail and fine anybody who crosses a state line "with intent to incite street violence and rioting."

This political popgun is aimed squarely at Stokely Carmichael, described by its sponsor, Cramer of Florida, as a giant of a fellow whose itinerant rabble-rousing has left in its wake "thousands of Negroes whose blood is simmering and waiting for a chance to riot."

Even assuming that Carmichael and other supermen actually caused the trouble in Los Angeles, Cleveland, New York, Chicago, Rochester, Buffalo, Tampa, Lincoln, and points west; even assuming that local authorities could not, in that case, deal with them in the manner of Atlanta, which put Carmichael in jail; even assuming the constitutionality of the bill's language and intent; even assuming all these dubious propositions, the truth of this bill still is to be found in the words of Representative Celler of New York, who at least tried to block it.

Nevertheless, he confessed to the Committee on Rules, "I don't want to be in a position of opposing this bill."

That is what Shuttlesworth and Brooke and Wilkins, none of whom ever threw a Molotov cocktail or stoned a loanshark's office, were talking about. A Congress representing a dominantly white society, that will not pass even a diluted open-housing law or provide increased protection for civil rights workers, but which does not "want to be in a position of opposing" a demagogic antiriot bill, is unlikely to persuade unemployed, slum-dwelling, poorly educated, often ill-fed and ill-clad Negroes that they can get relief from the law before they can get it in the streets.

SQUEAKY WHEELS

Shuttlesworth told Roberts about a new park being built in the riot area of Cincinnati. "A lot of people think they got that because of rioting, and I think they are right," he said. "Nonviolence didn't get it."

And the final tragedy is that while violence produces jobs in Buffalo and a park in Cincinnati, it also produces untold hatred and suffering and bitterness. Thus white myopia and black despair work together to pollute a nation's soul.

PROGRESS IN PANAMA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I am concerned over recent statements in this House and in the press to the effect that current negotiations toward a new Panama Canal Treaty are undermining the national security of the United States. In my view, such statements are ill advised.

Conditions in the Western Hemisphere have changed radically since the might and majesty of the United States forced tiny Panama to agree in 1903 to a treaty clause giving the United States perpetual sovereignty over the Canal Zone. We need no further evidence of that change than the outbreak of violence in 1964. Those terrible events were clearly an expression of years of frustration over a symbol of U.S. colonialism and the conduct of affluent Americans living in the midst of the Canal Zone's poverty.

It is gratifying that editorial comment in leading U.S. newspapers has been generally in favor of the outcome of two and a half years of negotiations over the new treaty. In the hope that my colleagues will take the time to consider all the pertinent facts involved, I am presenting for inclusion in the Record editorials from the Christian Science Monitor, the Washington Daily News, Newsday, and the Evening Star of Washington:

[From the Christian Science Monitor, June 30, 1967]

Peaceful Progress on One Canal

Canals and straits have been shown this month to be particularly dangerous areas. And with the Suez Canal and the Strait of Tiran likely to remain critical international flash-points for some time. Americans should welcome word that new agreements promise better relations where the Panama Canal is concerned.

Both the American and the Panamanian Governments deserve high marks for the outcome of the two-and-a-half-year-long negotiations. Washington recognized that a changed world demanded changed international agreements and acted accordingly and in time. Panama recognized that any successful operation of the canal still required partnership with the United States.

Under the treaties the United States will give up its 64-year-old sovereignty over the 10-mile-wide Canal Zone, although the original treaty conceded such power forever. Thus a continual and worsening affront to Panamanian patriotism, foreign control of Panamanian soil, will be removed. Panama will also effectively share in the running of the canal and will receive a greater return from its operation.

These agreements are in line with the spirit of the times. They will, we are convinced, make for better over-all relations between the United States and all of Latin America. They are a practical demonstration counteracting widespread and deeply held Latin-American beliefs in "Yankee imperialism."

Nor do we see any reason why this new arrangement should in any wise hinder the canal's operating efficiency. There has never been any serious Panamanian demand that the United States get out entirely. Panama has right along recognized that it required outside help in running the great and technically complex waterway. Thus we trust that shortsighted and, in some cases, jingoistic demands that the United States Senate refuse to ratify these agreements will not be heeded.

These agreements are based on the recognition of national sovereignty. As such they are a big and constructive step forward.

[From the Washington Daily News, July 3, 1967]

New Deal in Panama

Those anti-American riots in Panama in January 1964 were ugly affairs. Four Americans and 21 Panamanians killed, cars overturned, buildings burned, a big shouting match at the United Nations and a sudden wave of anti-Yankee feeling elsewhere in Latin America—an unfortunate episode on all sides.

It was ignited by a flag-raising incident, a dispute among American and Panamanian high school students over whether the two flags should fly side by side in the Canal Zone. But it had a basis in the frustration and hostility aroused by the fact that the treaty of 1903 had been outmoded by the passage of time, but remained in legal effect.

That treaty was an unequal treaty, concluded between giant America throwing its weight around to get a quick sea route between our Atlantic and Pacific coasts and tiny Panama, newly assisted into independence from Colombia by us, so we could get the canal.

What has galled latter-day Panamanians most is the treaty clause giving the United States "perpetual" sovereignty over the Canal Zone, a 10-mile-wide strip thru their country. That, plus the paltry cut of canal revenues given Panama, and the way Panama was not dealt into the operation of the canal.

To President Johnson's credit, he saw after the 1964 riots the need for an updating of the whole arrangement. Now after taking their time, American and Panamanian negotiators have come up with a solution. They have sketched the broad outlines but not filled in the details, so it is too early for final opinion. On the surface it looks promising.

The 1903 treaty would be nullified; Panama's sovereignty over the Canal Zone would be recognized. A joint U.S.-Panamanian commission would run the canal, in place of the present U.S. company; Panama would get a much bigger share of the profits than the $1.9 million per year it gets now. The U.S. would keep its military bases for protection of the canal and for our wider inter-American defense needs. And we would get the right to dig a new sea-level canal elsewhere in Panama under similar arrangements.

All this, including the orderly economic, political and social integration of the Canal Zone into Panama, would be accomplished over a decade or so.

The opposition to this modernization of the antiquated U.S.-Panama relationship started even before the details are announced. There has been talk in Congress about exposing "the jugular vein of hemispheric defense," running the risk of expropriation, and fears of forcing the "Zonians" (American residents of the Canal Zone) into degrading or dangerous integration with Panamanians.

We doubt our Government is rushing headlong (after two and a half years of negotiations) into any such traps. On the contrary, the package would give us the advantages of easing some leftover colonial injustice, and improve the American prestige in doing so. It would strengthen responsible, progressive political forces in Panama against the onslaughts of the rabble-rousing leftists who've been waving the ultra-nationalist, anti-American bloody shirt.

All around, it looks like a good move.

[From Newsday, June 28, 1967]

New Panama Treaties

The status of the Panama Canal and Panama Canal Zone, over which the U.S. has since 1903 been guaranteed sole authority, is now to be altered under a new series of treaties. American sovereignty has produced so much friction that President Johnson wisely and patiently worked out a series of agreements with the Republic of Panama that are expected to provide shared control of the Canal Zone and perhaps of the canal itself. In return, the U.S. is to have the right to construct a new sea-level canal within Panama. A new canal in that region will be needed almost immediately. By 1971 the present canal is expected to reach capacity. We signed the original canal treaties in an imperialist age; we are now in a new era of partnership. The treaties should be promptly approved.

[From the Washington (D.C.) Evening Star, July 7, 1967]

New Deal for Panama

Negotiators for the United States and Panama have demonstrated commendable statesmanship as well as enlightened self-interest in agreeing to terms that will end the existence of the Panama Canal as a colonial enclave and give the United States an open-ended option to build a new sea-level canal across the isthmus.

No matter what die-hard critics of any concessions to Panama may say on Capitol Hill, the 10-mile-wide Canal Zone is a political anachronism, a symbol of colonialism. It is as irritating to Panamanians as the situation would be for Americans if a foreign power controlled the Soo Canal or the Inland Waterway.

Terms of the three treaties to which the negotiators agreed will be announced by Presidents Johnson and Robles in two or three weeks. However, it is certain that a basic element of the deal was return of sovereignty over the Canal Zone to Panama and a substantial increase in the $1.9 million annuity the United States now pays under the 1903 treaty.

We really are giving up very little in handing Panama the trappings of sovereignty. Such emotional concesions as the issuance of postage stamps, court jurisdiction and display of the Panamanian flag will go a long way toward easing the tensions that erupted in a three-day battle and severance of relations between the two nations in 1964. So long as the treaty for the existing canal does not do violence to the United States' policy of imposing reasonable tolls, we can live with it.

There will be dual control of the lock canal for the rest of its existence, which is a guarantee against local irresponsibility that might arise under another Panamanian government. In addition, the continued presence of our military bases in Panama is assured in the second of the three treaties. This is probably as important for the defense of all Latin America as it is for the protection of the canal itself.

The third treaty gives us the right but does not impose the obligation, to construct the projected sea-level canal in Panamanian territory. There is strong reason to believe that this canal too, will be under dual or international administration for many years before reverting to Panamanian control.

Panama's ruling coalition government badly needed agreement soon on the three treaties, since a volatile election campaign is now under way. It is to be expected that Robles will seek and obtain early ratification of the treaties by the Assembly, presenting the terms as a great victory for the isthmian republic. Johnson may have more trouble getting ratification through the Senate, and it is fortunate that most of the opposition here is in the House.

It was in the interest of Washington to eliminate conditions conducive to another outbreak of violence like the horrifying events of 1964 and to rid itself of the colonialist label. So there is victory for both nations in the agreement finally hammered out.

POLITICOS WOULD LIKE TO FORGET QUOTES MADE PRECEDING WAR

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, one of the rarest commodities in international relations is humor, and when war flares up—as recently in the Middle East—it is even harder to find anything light in the situation. But occasionally the things people say will turn out to be funny, or foolish, while the situation itself is grim.

Last week the Vivian, La., Caddo Citizen published a collection of quotes on the Mideast situation by involved world leaders. They paint an ironic picture of both the lies and hypocrisy of international bickering and the levels of foolishness to which supposedly mature men can descend when they get caught in the currents of opposing forces. The collection follows:

[From the Vivian Caddo Citizen, Vivian, La., July 6, 1967]

POLITICOS WOULD LIKE TO FORGET QUOTES MADE PRECEDING WAR

Politicians who become imbued with their power and who expand their views to the press and which are recorded to posterity, sometimes wish that they had "stayed in bed" and not faced the aftermath of too much bragging and too little thinking.

Some quotations people who made them would like to forget:

"I challenge all Israeli generals to come and push us out of Sinai. If General Rabin wants to try, he's welcome any time he comes. I am waiting . . .

(President Gamal Abdel Nasser of Egypt, June 2, 1967)

"We are fighting for survival against enemy aggression. We seek no territorial gains from this war."

(Israeli Premier Levi Eshkol, June 5, 1967)

"Our forces are ready. We shall sweep Israel into the sea in four days."

(Syrian President, Nureddin Attassi, June 5, 1967)

"A nation's borders are not determined on heaven but on earth. They are the product of logical historical processes, translating a nation's legitimate rights of self-defense into tangible geopolitical realities."

(Soviet Ambassador Dimitri Chuvakhin, addressing a meeting of the Israeli-Soviet Friendship League on May 9, 1967, explaining why Russia annexed large German territories after World War II, expelled their German population and settled them with Russians)

"Some of my best friends are Jews."

(Soviet Premier Alexei Kosygin, March 8, 1967)

"The Soviet Union is Israel's best and most trusted friend."

(Israeli Communist leader Shmuel Mikunis, Feb. 3, 1967)

"Having suffered so much in recent war, after being persecuted for many centuries, the Jewish people are certainly entitled to a state of their own. The Union of Soviet Socialist Republics supports the establishment of a Jewish state in Palestine."

(Soviet Foreign Minister Andrei Gromyko, May 15, 1947)

"Israel is a servant of American imperialism. Israeli leaders are lackeys of Wall Street capitalists. Israeli troops behave like Nazis in the occupied territories. The Soviet Union will not tolerate aggression and war crimes. Israel will bring great disaster upon itself."

(Soviet Foreign Minister Andrei Gromyko, June 15, 1967)

"The Arabs are the world's most ferocious fighters. We have warned the Jews to abandon Palestine and go back to Europe. Nothing can save Israel now."

(Egyptian Defense Minister Shamas Badran, June 4, 1967)

"We do not believe that force is the answer to Middle East problems. We are trying to solve the dispute by diplomatic means."

(Israeli Foreign Minister Abba Eban, June 4, 1967)

"We are liberating Palestine now! Rejoice, my glorious people, for the hour of revenge has arrived. Palestine will be Arab again!"

(King Hussein of Jordan, June 5, 1967)

"This is the day we have been waiting for. Onward, glorious soldiers of the United Arab Republic! We shall meet in Tel Aviv in three hours."

(Gen. Kamal Mortagi, Egyptian commander-in-chief, June 5, 1967)

"No enemy force in the world can penetrate your impregnable defences."

(Gen. Victor Shanin, chief of Soviet military mission in Syria, May 7, 1967)

"The Soviet Union has provided constructive, peaceful development aid to the Arab peoples, while the imperialists are arming their truculent vassal of Israel with military equipment in excess of what it requires for legitimate self-defense."

(Soviet Communist leader Leonid Brezhnev, April 11, 1967)

"France will never desert Israel."

(French President Charles de Gaulle, June 11, 1964).

PRINTING FIT NEWS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, occasionally a resident of Manhattan Island manages to escape from that dreary land and wander across the Brooklyn Bridge to fair Brooklyn. When this rarity does take place strange and wonderful things happen. The wanderer discovers for instance that the world is not bound on the south by Battery Park and that there is indeed more than one tree in Brooklyn. He also discovers a vibrant, wonderful city populated by millions of the world's greatest people. And he finds that these people are as varied as the city itself. This week, Mr. Speaker, such an event took place. A reporter from a New York paper called the Times made it to Brooklyn—and back presumably—singlehandedly. Not only did this reporter make it to Brooklyn but wonder of wonders she apparently spent most of her time in the 14th Congressional District thereof. It gives me pleasure to welcome people from the Times to my congressional district just as it gives me pleasure to read of industrious and successful businessmen working to serve people of the 14th Congressional District as well as the rest of the city of New York. Mr. Speaker, under the permission unanimously granted to me heretofore, I include a story from the July 12, 1967, issue of the New York Times:

[From the New York Times, July 12, 1967]

PRINTING FIT NEWS

(By Nan Ickeringill)

Whether one's daily bread is Arabic hibbis, Jewish rye, Danish pumpernickel or American white, chances are that it is being baked somewhere in Brooklyn.

From Red Hook to Greenpoint, ovens pour out loaves that are flat or fat, long or short, light or dark. Some are handmade, but many more are manipulated by cold steel.

At the Damascus Bakery, 195 Atlantic Avenue (between Court and Clinton Streets), an automatic tunnel oven installed a year ago turns out hibbis, the flat bread of the Middle East, at the rate of 1,000 an hour. Recently, however, the Syrian bakery's oven was idle for a few hours. It was a Jewish holiday and demand was slow.

"About 25 per cent of our customers are Jewish," explained Anthony Mafoud, one of the owners. "They call it pita. This bread's used throughout the Middle East and it's been in existence over 3,000 years, it has no dough, only crust."

A LIGHT BREAD

He tore one of the round, flat loaves apart to prove it, and added: "It's very light on the stomach. Not like Italian bread. Ever drink water after Italian bread?" He pretended to stagger.

"Arabs very seldom use a fork or knife," said Mr. Mafoud. "They eat with the hands, taking a small piece of bread and . . ." He made a shoveling motion.

Asked how the bread happened to come out flat, he answered simply: "We flatten it." He pointed to a machine labeled Acme Pizza Roller and added, with a laugh: "There's no such thing as machinery made for Syrian bread."

The bakery makes the bread in two sizes and sells it for $1.20 and 60 cents a dozen. The small size is useful for sandwiches—almost anything but soup may be stuffed into its hollow.

"Once you try this you never go back to any other bread," Mr. Mafoud said. "It's very good toasted—not in the toaster," he cautioned. "In the oven or the broiler."

NATIONALITY IS IRRELEVANT

The Levy Baking Company, 115 Thames Street in Greenpoint, has no immediate plans to use an Arab in its advertising, which proclaims "You don't have to be Jewish to love Levy's Jewish rye." But the company estimates that more gentiles than Jews eat its bread.

"There isn't a nationality that doesn't use it," commented Samuel C. Rubin, president of Levy's. "Primarily for sandwiches, but some people even prefer rye bread toast. There's no accounting for taste!"

Demand for the bread has become so widespread that the company recently started freezing it and shipping it as far as Houston.

Mr. Rubin thinks that the future of bread is in supermarket freezers because frozen bread reaches the consumer in better condition than fresh. In the hope of increasing consumption ("Bread consumption can go only one way—upward—because it's now down to such a small percentage of food intake"), he is looking into a rumor from Scandinavia that eating more bread may help avoid heart attacks.

In addition to Jewish rye with or without caraway seeds, Levy's makes white bread, Jewish pumpernickel, Westchester rye (extra sour), and, at night, small quantities of rolls and French bread that require hand shaping. The daytime operation at Levy's is almost totally automated.

Bread baking is pretty automatic at Larsen's, too, although Charles E. Larsen, one of the owners of the bakery at 732 Henry Street in Red Hook, remembers the days when bakers looked more like coal miners.

"If anyone had seen the men, I don't think they would have bought the bread," Mr. Larsen said with a slow smile. "There were bonfires on each side of the door of the oven and the smoke gave flavor to the crust."

"But those things are all outmoded," he continued. "Now we make it in a modern oven and use steam instead of the bonfire. But it isn't the same."

One of the specialties of Larsen's is Norwegian grisle—a sour rye bread not too much different from Jewish rye except that its top is traditionally slashed in four places and washed with sugar and water to give it a shine. It has a fine flavor but demand for the bread is dwindling and, as Mr. Larsen put it: "When demand vanishes, it will, too."

Danish pumpernickel is produced in large quantities at Larsen's. It is baked in a pan with high sides and a cover to prevent crust from forming.

Rye bread is made from fermented rye flour and wheat flour, the heaviness depending on the quantity of fermented rye used. Pumpernickel uses a coarser rye (proportions again varying according to the heaviness desired) plus carmel coloring.

Larsen's, whose biggest production is now in cakes and pastries, also makes sweeter breads such as Swedish limpa, Christmas breads such as julekake and stollen, and Irish soda bread, colored green for St. Patrick's Day.

V. S. (JIM) HUDSON

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FLOOD. Mr. Speaker, on Friday, July 7, Jim Hudson, the Deputy Assistant Secretary for Administration in the U.S. Department of Labor, died at the age of 58, of a heart attack. His death is a real loss not only to the people of the Department of Labor, his friends on congressional Appropriations Committees but it is a great loss to me personally.

Mr. Hudson was born in Gloucester, Va. Following his marriage to the former Mildred Hunt, they moved to the Baltimore, Md., area. He was a graduate of Baltimore City College and Maryland School of Accountancy.

During the 1930's he participated in development and direction of budget and fiscal programs of the greatly expanded—by Wagner-Peyser Act of 1933—U.S. Employment Service, and the National Reemployment Service.

During the early 1940's Jim Hudson participated in the development and direction of budget, fiscal, and management programs in the newly established Wage and Hour Division—Fair Labor Standards Act of 1938.

Mr. Hudson joined the Office of the Secretary of Labor in September 1942 where he participated in establishing departmental budget, fiscal, and management leadership and control which resulted in the establishment of the Office of the Chief Clerk and Budget Officer and later the Office of the Administrative Assistant Secretary.

During World War II, Mr. Hudson negotiated with the War Labor Board, Wage Stabilization Board, and Office of Price Administration relative to operations performed by the Department of Labor for these agencies using Wage and Hour inspection force, staff of the Bureau of Labor Statistics and others. These negotiations covered scope of program, procedural arrangements, costs, et cetera.

During World War II he also participated in developing the emergency maternity and infant care program administered by the Children's Bureau then in the Labor Department. Many unique problems in this program required coordination with the Armed Forces.

In 1959 Mr. Hudson developed basic organizational structure and budget to carry out the provisions of the Welfare and Pension Plans Disclosure Act of 1958 and in 1960 developed similar procedures for the Bureau of Labor Management Reports to carry out provisions of the Labor Management Reporting and Disclosure Act of 1959.

I know Jim Hudson's death will be a loss to the Department of Labor and a loss to Leo R. Werts, for whom he was an immediate assistant, but most of all I know it will be a loss to his wife and children.

Mr. Speaker, as part of my remarks today I would like to include some additional biographical material on the late Jim Hudson, which follows:

Virginius S. Hudson, Deputy Assistant Secretary for Administration

V. S. Hudson was appointed in 1952 as Deputy Assistant Secretary for Administration in the Department of Labor.

He shares with the Assistant Secretary for Administration responsibility for determining management, program and budgetary objectives and policies for the Department of Labor. He also represents the Secretary of Labor and Assistant Secretary for Administration on high-level interdepartmental boards and committees.

In 1960, Mr. Hudson developed the basic organizational structure and budget to establish the Bureau of Labor-Management Reports to carry out provisions of the Labor-Management Reporting and Disclosure Act of 1959. He also planned the structure and budget which implemented the Welfare and Pension Plans Disclosure Act of 1958.

Mr. Hudson had logged 20 years of service with the Department before assuming his present post.

He was a Budget Examiner in the Office of the Secretary of Labor for 10 years and served in 1941–42 as Assistant Business Manager for the Wage and Hour and Public Contracts Divisions.

While working with Wage and Hour, Mr. Hudson helped develop and direct the budget, fiscal, and management programs of the newly established Division. During World War II, he negotiated with the War Labor Board, Wage Stabilization Board, and Office of Price Administration in regard to operations performed by the Department of Labor for these agencies—all of which used Wage and Hour inspection forces. He also helped develop the Emergency Maternity and Infant Care Program administered by the Children's Bureau, which was then part of the Labor Department, during the war.

In the 1930's Mr. Hudson helped plan and direct the budget and fiscal program of the United States Employment Service and the National Reemployment Service.

The Federal agency has cited Mr. Hudson for valuable service on numerous occasions. He received two meritorious service awards, one in 1943 and one in January of 1954, and was honored in 1962 with the Secretary's Superior Performance Award.

Hudson is a graduate of Baltimore City College and Maryland School of Accountancy. He and his wife, the former Mildred Hunt, make their home in Baltimore. They have two children, John and Virginia, both of whom are married.

THE COALITION MUST REMAIN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Gallagher] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection

to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, during the past months, President Johnson has been subjected to a great deal of criticism springing from our Nation's involvement in Vietnam. However, it seems that while focusing on the single issue of the war, many of the critics have failed to recognize or comment upon the very real and tangible gains which the President has produced in both foreign and domestic policy.

I recently noticed a very excellent article by Mr. Gus Tyler, the assistant president of the International Ladies' Garment Workers' Union. Mr. Tyler comments on several issues which have either been overlooked or ignored during the debate on Vietnam. He calls to our attention the many achievements of the current administration—achievements which have been won during a long and arduous struggle in Vietnam.

Mr. Speaker, I think it would be beneficial for all Members of this body as well as for all Americans to consider Mr. Tyler's comments. Therefore, I would like to insert Mr. Tyler's article in the RECORD at this point:

THE COALITION MUST REMAIN

(NOTE.—In an original article for this issue, the author believes that Vietnam, important as it may be, cannot be allowed to disrupt the great coalition that helped bring about progress in civil rights and in domestic affairs. The priority must be given to maintaining the cohesion between labor, liberals and civil rights groups.)

To build a liberal coalition that operates meaningfully in the mainstream of American politics has been and should continue to be the prime purpose of Americans for Democratic Action. To do so, ADA must view the passing political parade with a wide lens, aware of the concerns and commitments of the many diverse elements that make up this coalition: labor, civil rights, civil liberties, civic reform, educational, housing, urban development, and party groups. Each of these groups has its special as well as general interests; each group has its own priority of concerns. Hence, as a sophisticated center of a broad liberal-labor alliance, ADA dare not become a mono-minded sect, seeking to make of one issue (such as Vietnam) the shibboleth for admission to the progressive congregation. ADA must continue its traditional role of building a multi-planked platform as a basis for a multi-interest movement.

When ADA was founded twenty years ago, it was confronted with a situation not unlike that of today. Many liberals were disenchanted with Truman as many are today with Johnson. There was then a "government-in-exile" of former Roosevelt men who were no longer in high Washington posts as today there are ex-Kennedy people. Communists and fellow-travelers were getting ready to launch a third-party ticket, appealing to progressives, just as today there are anti-Vietnam and "black power" elements getting ready to launch a third-ticket in 1968. On the right, were the Dixiecrats playing the same role that Governor Wallace prepares to play today. In desperation, ADA moved to dump Truman and draft Eisenhower, a move not unlike that of some present liberals who would dump Johnson and discover some other likely Republican candidates whose virtues have hitherto been unrevealed.

When the chips were down, however, ADA fought the Progressive Party, opposed Dewey, emphasized the positive in the Fair Deal, and helped to elect Harry S. Truman and a more liberal Congress.

The situation in 1968 differs from that in 1948 because of the intense emotionality arising from Vietnam, although Truman's negative stance on Israel in 1948 was an almost equally emotional trauma for many liberals. Because of the Asian involvement, some liberals are inclined to measure Johnson (and other candidates) by one criterion; namely, Vietnam.

This narrow negativism would be suicidal for ADA, destructive for liberalism and damaging for the future of America. ADA would become a one-issue outfit instead of a multi-based movement; it would become a peace sect instead of a political coalition. Liberalism in America, already badly splintered, would be further atomized. An Administration that has given the nation the finest domestic program and, perhaps, the finest international policy of any in our lifetime could be defeated. In its place—with the aid of the black and white racists—could come a conservative President with a more conservative Congress to undo both at home and abroad all that generations of American liberals have sought and fought to accomplish in the last half century.

Although Vietnam rates top and almost exclusive priority among some, there are tens of millions of people in the United States who judge the present Administration by a variety of other measures that have changed or promise to change their lives in a tangibly positive way. And these millions are the mass base of liberal opinion and votes in America. To millions of these, the new minimum wage law will represent a 30% increase in pay; to others, this law will mean a federal minimum for the first time in the nation's history. To the legion of retirees, this Administration has meant higher payments, coverage for the disabled, medicare, medicaid and, through HR 5710, promise of even more. To hordes of youngsters, this Administration has meant more and better elementary and secondary education; grants, loans, scholarships. To urban America, this Administration has meant significant initiatives toward mass transportation, model cities, cleaner air and water. To Appalachia, this Administration has meant a new breath of life. In the area of civil rights—as Galbraith pointed out at the ADA convention—"the reaction these measures are encountering is the best proof that they have bite." But why continue the itemization: any liberal who could not multiply this list just has not been with it in the last four years.

To millions of people, these measures are as important as bread and butter, health or death, schooling or illiteracy, opportunity or dead-end. Surely it cannot be that ADA—even if many of its activists have moved into the more affluent and advantaged sector of our society—has forgotten the sting of poverty and discrimination so soon and the meaning of a job, a wage, a hospital bed, a college diploma, or a chance to use a public commode to those who were so long denied. For ADA to make a political policy declaration that speaks of Johnson's minuses and remains silent on his pluses is to create a credibility gap about our political arithmetic.

Nor are the Johnson pluses limited to the domestic area. Galbraith, in his inaugural address, had some sobering sentences on the Administration's foreign policy. "In these last years," said Galbraith, "the Administration has moved to break with the stereotypes of an outworn foreign policy. President Johnson and the more liberal of his advisors have moved courageously to eliminate the notion of a permanent division of Europe. They have ditched the kind of stereotyped military planning that produced the MLF—not all products of Harvard evolve liberal applause or even make sense. The President has improved the language of our discussion with the Soviet Union—a matter on which he has gone far beyond his predecessors. He seems now to be moving the hard-nosed men out of Latin American affairs. . . . I have watched the policy toward the South Asian subcontinent with nearly complete approval."

HOW MINUS IS VIETNAM?

Against all these pluses (domestic and foreign) there stands the one great minus: Vietnam. But just how great a minus is it?

Simultaneously, the Administration must pursue the difficult policy of making certain that the Vietnamese brush-fire does not become the great conflagration.

The case for peace at any price or at a great price is a strong one. In liberal circles the arguments are well known: we have no legal or moral right to be risking the lives of American boys or besmirching the good name of America to kill poor Vietnamese (many of theirs and some of ours) in a civil war between Asian peasants and an Asian Hitler. To this over-simplified version are added many modifications on strategy and tactics for early peace. And so long as the case is limited to Vietnam, the argument is almost overwhelming for whatever happens to that benighted nation per se seems hardly worth the costs and risks we run.

But there is another way of looking at it. In the days since the Cuban missile crisis the danger of a world war has not been in a clash between U.S. and U.S.S.R. The great threat has been the "new religion" of Chinese communism; a nation composed of one-fifth the earth's population in political control of Asia leading the colored races of the world against the monsters of U.S. imperialism and Soviet revisionism. To counter this threat, the U.S. opted for containment. Whatever the great minuses of our Vietnamese involvement—and they are great and many—there are pluses. Laos, Cambodia, North Korea and Outer Mongolia have broken from the Chinese orbit. So has the massive Japanese Communist Party. Indonesia has been removed from Chinese domination and the war against Malaysia has been halted. Burma and Thailand can breathe a bit more easily. And Red China is internally in trouble.

While all this might have happened anyhow, even if there were no American presence to act as the shield, the burden of proof rests with those who believe that the "new religion" would have spent itself and perished some place in Vietnam leaving undisturbed the delicate international balance on which the peace of the world has rested since Stalin.

In any event, there is enough of a case on either side to deter one liberal from defrocking another for disagreement over Vietnam. Paul Douglas can disagree with George McGovern over Vietnam without either questioning the integrity or the insights of the other. Liberalism ought to be that ecumenical.

In some recent attempts to make Vietnam the test issue the argument has been advanced that the war makes impossible a proper domestic program. The war against the Viet Cong draws off funds from the war against poverty. To this economic argument has been added the charge that Vietnam has slowed down the progress of the American Negro.

This argument has validity in the sense that the conservative coalition in Congress has used the costs of war as a reason to chop down needed domestic appropriations. And it is undoubtedly true that Administration proposals are likely to be trimmed to the prevailing winds on the Hill.

But it is not true that the war in Vietnam has so drained our economy as to leave us without the strength to go ahead with the war against poverty. The war has tightened the labor market and has thereby created the pressures for mounting real wages. The minimum wage has gone from \$1.25 an hour to \$1.40 in 1967 and \$1.60 in 1968—the single greatest victory in the war against poverty. The GNP has swollen to provide an expanded tax base for governmental programs. Unemployment is at its lowest point in decades.

It is regrettable that some of our greatest opportunities for jobs and better pay should come in war time—World War I, World War II, Korea and now Vietnam. And it would be monstrous to advocate war as a way to war on poverty, to make mass murder a means for mass uplift. But the bitter facts, the ironic logic, and the sad experience all agree that a war does not depress the economy or the people dependent on it.

Again, Galbraith to the witness stand. "Let us, for God's sake," he said to the ADA convention, "defeat the most bizarre of all economic doctrines, now having such an enormous vogue, which is that since Americans are now enjoying unprecedented incomes, and are getting them partly because of the war in Vietnam, we must, because of the war in Vietnam, avoid taxes on this more ample income and cut back in spending for the poor."

To argue that Vietnam makes economically impossible the war against poverty is to give credence and currency to precisely that "most bizarre of all economic doctrines" so roundly ridiculed by the chairman of ADA. What is more, by taking this "bizarre" position we would be lining up with the Congressional conservatives against every significant liberal lobby in the country. The AFL–CIO, for instance, has been demanding expanded social programs and denouncing as preposterous the conservative claim that the nation can not afford them today because of Vietnam. Citizen groups concerned with education, health, crime control, drug addiction, juvenile delinquency, housing, mass transport, community action programs, job training, area development, and civil rights have repeatedly proven that the GNP and profits (from $27 billion to $48 billion in six years) have been expanding rapidly enough to allow social programs as well as (perhaps even because of) the Vietnamese war. Shall ADA alone line up on the conservative side of this argument?

WAR ENHANCES NEGRO RIGHTS

Nor is it true that this war (or any war) tends to restrict Negro rights. Quite the reverse is true. In World War II there was an extension of both rights and real opportunities for Negroes, due in no small degree to the war itself. The same is true today—regrettable as it is that it should take a war to make the nation aware of the positive role the Negro can play in our economy and in our national purposes. Even service in the armed forces has not limited but has actually expanded Negro opportunity. The Negro reenlistment rate runs above 40%, while the white rate is about 18%. Contrasted with the economic insecurity, the discrimination and slow upward mobility in the civilian society, the armed forces represent a relatively open society for the American Negro.

I am timorous about making these points because they are so easily twisted into meaning that we should favor war as a way of elevating the forgotten men of our society: the poor and the minorities. I feel obligated to make the point, however—though fully aware of the dangers of distortion—because it has now become a shibboleth among some liberals to say that the war is a depressant on the disadvantaged, garroting social programs and stifling civil rights. Although this is popular gliberalism the facts run to the contrary.

Opposition to involvement in Vietnam must stand on its own feet. To fault the Administration because one believes that we have no right or reason to be in Asia is permissible. To make a sweeping rejection of the Administration on the grounds that in Vietnam we are losing not only our boys and our good name but also our social programs and our hopes for Negro progress is impermissible.

Against this background, ADA political policy should make an honest, rounded judgment of the Administration in preparation for present action and future endorsement.

A movement such as ADA can not continue as a meaningful force without such a steady view. In the absence of such balance, our good ship would veer madly with each political wind. We have sailed such stormy seas before.

The DEM (Draft Eisenhower Movement) was one such kooky tack. Since I was part of that momentary madness, I should like not to repeat the caper. When Stevenson ran for President, there were the unco good who held back because Adlai had put Sparkman on the ticket. When JFK ran for President, there was a near majority on the National Board who would not endorse him because Kennedy had not spoken out strongly enough and early enough against Senator Joseph McCarthy. When RFK ran for Senator in New York, a horde of articulate liberals assailed his candidacy and voted for Keating because "Bobby" was too arrogant, too ruthless, and—above all—too likely to try to crowd out Hubert Humphrey in 1968 or 1972. As one who lived through all these adventures, I am pleased to be counted among those in ADA who, after the Eisenhower error, stood firm for Stevenson and both Kennedys against the too-too-utter purists. History has validated holding to the steady course against sectarian blasts.

POLITICAL PERFECTIONISM ANATHEMA

Whatever the roots of political perfectionism—often smacking more of self-righteousness than social responsibility—the end result is sterile sectarianism and programmatic catastrophe. It is a sure way to use the best to kill the better and get the worse—sometimes, the worst.

To argue against political perfectionism in a congregation of dedicated liberal citizens is always difficult. After all, we are in ADA because we do want the best. Yet to insist on all or nothing is not the act of a political man but of a petulant child.

I am repeatedly impressed by the large number of ADAers who understand the central importance of a liberal coalition in America and I am repeatedly distressed by the number of such liberals who insist that the coalition be created in their own image. Reinhold Niebuhr once described this kind of behavior as the "inevitable dishonesty" of the moral man who insists upon making of his passing passion the only eternal universal truth. To Niebuhr this was one of the most corrosive ingredients of "original sin." From a purely pragmatic political view, it is an acid that must dissolve the fabric of any coalition.

All of the above does not mean that ADA should, in 1967, endorse Johnson or anyone else for President. We do not know who the candidates will be, what new issues will evolve, what personalities and programs will emerge. Simple strategy suggests that ADA stay independent and uncommitted as long as possible—criticizing what it wants to criticize and praising what it should praise.

To play an independent role in the nominations and elections of 1968, ADA should keep open a wide range of options. It is not possible, however, for ADA to pursue such a free course, if the organization strait-jackets itself now by limiting its future options to the outcome of one issue; namely, Vietnam. So long as many measures are used, with Vietnam one of them, ADA can pick and choose among candidates for President, Vice-President or Congress, selecting those who come closest to our standards. But if ADA starts now to use only one measure, then we are strait-jacketed, without freedom to back liberals who may not share the majority view of ADA on Vietnam. We then end up in some *cul-de-sac,* joining a peace sect, backing a conservative isolationist or doing nothing. A one-issue ADA is on a one-way street to a dead end.

It is for all these reasons that ADA ought to pursue a political policy that a) is multi-issued; b) seeks to strengthen the liberal-labor coalition; c) keeps open maximum options for 1968.

OUR CITIZENS OF ITALIAN DESCENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BARRETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BARRETT. Mr. Speaker, America has been called the melting pot of civilization, and for a good reason—we are a nation of immigrants from every corner of the globe. The American landscape is a vast mosaic composed of many cultures and heritages, each contributing, individually and collectively, to our greatness. While all of us can look with pride on our heritage and its contribution to America's greatness, we can and must realistically face the fact that in each group there are and have been those who detract from the goodness and greatness of contribution to the American way of life. To cite a trite phrase—there is always at least one bad apple in every barrel.

It is unfortunate, therefore, that one might make a hurried and superficial reading of the report of the Commission on Law Enforcement and Administration of Justice and might gain the impression that lawlessness in this country is controlled by Americans of Italian descent. Those who have the report and have taken the time to read it thoroughly do an injustice to Americans of Italian descent and to the Commission by misleading others—for whatever reason they may have—into believing that the report attributes the Italian Americans as the perpetrators of the bulk of crime in this country.

Nothing could be further from the truth.

As a representative of many thousands of American citizens of Italian descent resident in the First Congressional District of Pennsylvania, which I have the honor to represent, I feel I must speak out and set the record straight.

The truth is that the great mass of Americans of Italian descent, and there are over 25 million in the United States, constitutes one of the most wholesome segments of American life; a people who are peaceful, God fearing, law abiding, and useful citizens making a valued contribution to the greatness of America in every field of endeavor, in direct contrast to the small group whose misdeeds and lawlessness have been spread across our land.

All too often it is the bad apples that make the news—whose names are well known by the general public—rather than the names of the great, the industrious, the sincere, and the humble. I have lived all my life in an area having a large Italian-American population. I have personal knowledge of their integrity, their industriousness and their devotion to this land of ours and its principles; their strong family ties; their moral standards; their devotion to liberty, freedom and justice; and their religious devotion.

Since the discovery of this continent by the Genoese navigator, Christopher Columbus, those of Italian descent have contributed to the development and enrichment of our great country. Our history and the American heritage is full of their contributions; they are an integral part of our culture. They came as explorers and settlers, to help conquer the wilderness; they joined in our initial fight for freedom, liberty, and justice. William Paca was a signer of the Declaration of Independence; Francisco Chino laid the foundation for the great cattle industry in the Southwest. Enrico Tonti founded the first trading post in Chicago and was one of the founders of the colony of Louisiana; his brother, Alfonso Tonti, helped Cadillac found the city of Detroit; and, Dr. Filippo Mazzei, physician and counselor to President Thomas Jefferson, incorporated the philosophy of Mazzei in the Declaration of Independence with the immortal words "that all men are created free and equal."

The simple fact is that Italian immigrants and their children have made their mark in every possible occupation, in the most artistic and highest paid, as well as in the hardest and the humblest.

In the field of education we find such great names as Angelo Patri, a leading child psychologist and writer on education and problems of childhood; Roy J. Deferrari, formerly secretary-general and dean of the Graduate School of Arts and Sciences of the Catholic University of America and an author and editor of numerous works in classics, medieval studies, and education; Edward J. Mortola, president of Pace College, New York City, and a leader in community planning, human relations, education, and administration; Dr. Maro Pei, renowned philologist and authority on the English language; John T. Rettaliata, president of the Illinois Institute of Technology; and Peter Sammartino, president of Fairleigh Dickinson University and member of the President's Commission on Higher Education.

In the field of labor there are such outstanding leaders as Luigi Antonini, first vice president of the ILGWU; August Bellanca, vice president of the Amalgamated Clothing Workers of America; and E. Howard Molisani, labor leader and lawyer and vice president of the ILGWU.

In the fields of business and commerce Italians have contributed to the enrichment of America. Men like John F. Cuneo, president of the Cuneo Press, said to be the largest printing establishment in the world; the Di Giorgios, fruit kings of America; Amadeo Peter Giannini, founder of the Bank of Italy and organizer of probably the greatest banking institution in the world, the Bank of America and affiliated organizations.

In politics and government these people have contributed immeasurably to the making of our laws and to our Government: Senator JOHN O. PASTORE; Anthony J. Celebrezze, former mayor of Cleveland and Secretary of HEW; Thomas D'Alesandro, Jr., former mayor of Baltimore and Member of Congress and presently a member of the Renegotiation Board; Foster Furcolo, former Governor of Massachusetts; Vincent R. Impellitteri, former mayor of New York, justice of the New York State Supreme Court; Michael Angelo Musmanno, justice, Supreme Court of Pennsylvania, who presided at the International Military Trials of War Crimes in Nuremberg after World War II; Ferdinand Pecora, justice, Supreme Court of New York; Albert D. Rossellini, Governor of the State of Washington; John Anthony Volpe, Governor of the State of Massachusetts; Fiorello La Guardia, member of Congress, longtime mayor of New York, and Director-General of the United Nations Relief and Rehabilitation Administration, and a great many other distinguished jurists and legislators, among whom I count many of my colleagues in the Congress.

In the field of science, this Nation can be not only proud but also grateful to Enrico Fermi, an American by choice. His accomplishments in the field of science earned him the Nobel Prize and the Hughes Medal of the Royal Society. A member of the General Advisory Committee of Scientists for the AEC, he was one of the five top scientists given the Medal of Merit in 1946, the highest award that this Government can make to civilians.

The field in which those of Italian background have always played a predominant role is that of music and entertainment. Not only have they excelled in providing operas for our enjoyment, but the first conductor of the Metropolitan Opera House, which opened in 1883, was Cleofanti Companini, who was succeeded by Luigi Mancinelli in 1895. Among the many fine artists who have graced the stage of that opera house, Italy gave us Enrico Caruso, the world-famous tenor and star of the Metropolitan, and Giovanni Martinelli, another fine tenor and longtime star of the Metropolitan. Norman Dello Joio, an American-born composer and commentator for Metropolitan Opera broadcasts was the winner of the Pulitzer Prize for Music for 1957. The renowned composer, Gian Carlo Menotti, was winner of the Pulitzer Prize for Music in 1950 and 1955. More recently, singers like Perry Como, Mario Lanza, Anna Moffo, Frank Sinatra; band leaders like Guy Lombardo; entertainers and stage personalities like Anne Bancroft, winner of the 1963 Academy Award as best actress of the year; Jimmy Durante, one of America's best known and best loved entertainers; Jerry Colonna, Dean Martin, and Lou Costello have given us many hours of pleasure and enjoyment.

Their influence in art work, paintings, sculptures, and the frescoes, as well as in architecture, is seen everywhere. One only need wander through the Capitol to see the numerous works illustrative of Italian culture which are now a part of America.

I could go on and on naming other fields, pointing out individual achievements by these Americans, who are of foreign ancestry, as we all are. But, I prefer to conclude with this group's magnificent contribution to the defense of our country in all the wars it has fought to preserve its birthright. History records, with valor and distinction, their participation in these efforts from the pre-Revolutionary wars up to this very day. Francis Spinola was a Congressional Medal of Honor winner during the Civil War and promoted to the rank of brigadier general by President Lincoln for gallantry in action. An estimated 850,000 men and women of Italian descent served in our Armed Forces during World War II. Twenty of the 500 Medal of Honor winners were of this group. They have time and time again shown their devotion, love and loyalty for this country.

America has been fortunate that they came. They enrich the lives in every community in which they live. I salute these fine Americans of Italian origin for their many contributions to our country and its people. We are proud of them.

POST OFFICE DEPARTMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. UDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. UDALL. Mr. Speaker, last year the Post Office spent a billion dollars more than the revenue it earned.

The future looks even worse, for two reasons.

First, we face real future problems unless the Post Office begins to spend perhaps $1 billion per year to modernize and expand its facilities.

Second, we need a substantial pay raise for our postal employees.

An increase in postal rates as proposed by the administration seems to be the logical answer. The idea of a raise in rates in itself has provoked but little controversy. The controversy comes when we try to decide exactly which rates to raise. Every user thinks we need more money, but few want to pay the bill.

The answer which immediately comes to mind is to make all users of the mail pay their own way—determine postage charges by cost, and subsidize no one.

I wish the solution to this problem were that simple. Unfortunately, it is not.

The problem of postage rates is a very complex one. Any solution will involve large and fundamental questions of social policy affecting every class of mail. Especially difficult problems arise with regard to our newspapers and magazines. It is a part of this problem to which I want to give particular emphasis today, to help clarify the problems involved.

My able colleague from California [Mr. CHARLES WILSON], in an interesting and hard-hitting speech June 8, has pointed out that it is a strange twist indeed for Reader's Digest, that ever-watchful guardian of free enterprise, to lobby for postal subsidies for magazines. My colleague suggests instead that Reader's Digest be made to pay its own way in full.

My colleague correctly points out that Reader's Digest is a rich and popular magazine, earning millions of dollars per year. He has said that Reader's Digest needs no Government subsidy. I must agree. It does not need a subsidy.

But we must remember that under time-honored policies, any rate applied to Reader's Digest must also be applied to other magazines—all smaller, all less wealthy, many barely getting by, some facing bankruptcy.

There are thousands of small magazines published in this country. Some are technical, some are occupational, some are political, some are cultural, and some are literary. I have never heard of most of them. These publications have a small circulation, a small amount of advertising, and small profits. Some have no profits at all. A large rate increase might wipe many of them out.

These small publications perform a service for this country. They enable a tremendous flood of information to become disseminated throughout the country, wherever it is needed or wanted. It is a service that no other medium can effectively perform in the same thorough way. It is just not practical, for example, to transmit highly specialized and timely information to thousands of people over radio, telephone, or television.

Highly technical information may be disseminated throughout an industry by a trade journal. News of an important discovery might be spread among scientists by one of these journals. Hobbyists or sportsmen might be notified of upcoming competitive meets by one of these publications. Poetry, good literature, and political columns are available in others.

All these publications, big and small, can be mailed at second-class postage rates. It is a difficult thing to draw an arbitrary line on magazine postage rates. It is difficult to say that magazines over a certain size should pay a high postage rate, and those just under that size should pay a lower rate. It is difficult to say that "good" or "useful" magazines should pay less than magazines we do not like. This whole matter of discrimination seems to me that it would be a questionable and arbitrary answer to the problem. We do, of course, have separate rates for nonprofit, charitable, or classroom publications. These we have seen fit to subsidize in the past. I think this can be justified, and I feel that it is a good social policy for our country. These magazines, however, can easily be separated from commercial publications, and I believe it is fair for them to pay lower postage rates in view of the service they are performing. But I question whether it is wise to distinguish one commercial magazine from another when we set our postal rates.

The historic arguments in favor of partially subsidizing postage for second-class mail—newspapers and magazines—are persuasive.

The free exchange of information is important in this country. It is one of the things that has made this country as strong as it is. I feel that it is in the public interest to keep an informed citizenry, particularly if our system of democracy is to work effectively. Small public opinion and literary magazines and newspapers of all sizes often perform this educational service. The dissemination of technical and scientific information benefits us all, and brings about progress in all our industries. I believe it is a good policy for our country to encourage this exchange of information and to facilitate the articulation of opposing viewpoints.

As an example of the contribution that the small, quality magazine can make to our culture, we might examine the Atlantic Monthly. We were privileged to have before the Subcommittee on Postal Rates the publisher of the Atlantic, that esteemed pillar of American culture long edited by Edward Weeks, who has contributed so much to American journalism.

The Atlantic is probably better known than many of the smaller cultural magazines of the country. To illustrate the contributions it has made to the cultural development of the country, I would like to cite a list of memorable articles which have appeared in the Atlantic over the past 100 years. You will recognize them, and the fact that they appeared first in magazine form is important. In 1857 Oliver Wendell Holmes wrote the article "The Autocrat at the Breakfast Table." "Paul Revere's Ride," by Henry Wadsworth Longfellow appeared in 1861, and Julia Ward Howe published "The Battle Hymn of the Republic" the following year. The memorable "The Man Without a Country," by Edward Everett Hale, appeared in 1872, and Mark Twain wrote "Life on the Mississippi" in 1875. Theodore Roosevelt discussed Mahan's "Influence of Seapower on History" in 1890, and another prominent reformer of the 1890's, Jacob Riis, wrote "The Making of an American" in 1899. One of the last articles by Woodrow Wilson, "The Road Away From Revolution," appeared in 1923, and another great Democrat, Alfred E. Smith, wrote "Catholic and Patriot" in 1927, the year before he was to be defeated for the Presidency. That great "old man of the sea," Ernest Hemingway, published "Fifty Grand" in 1927, and James Hilton published "Goodby Mr. Chips" in 1934—all in the Atlantic. This is an example of what one magazine has done. Harpers, under its brilliant new editor, Willie Morris, fills a similar important role, and has an almost equally impressive history.

There are others, some of which are familiar and some of which are not. The Saturday Review, under Norman Cousins, has done remarkable things recently on the events behind the Iron Curtain. Others come immediately to mind such as the Reporter, Commentary, and Commonweal.

Others, such as those the New York Times Book Review has called "the littles," are scarcely recognized outside academic circles. "The littles" are those sectional magazines primarily on the east and west coast published and edited by five or so people. There are 200 to 300 in the United States, and the New York Times calls them the "elan vital" of modern literature. The oldest little magazine is Poetry, a Magazine of Verse. Others which serve a vital function in educational and cultural circles are Kayak, in San Francisco; the Eventorium News, in New York; the Fly's Eye, Coyote's Journal, Experiment, and others of equally strange and unknown names. The New York Times article says that these little magazines are often confused with the relatively more ponderous literary journals but even those are extremely small in circulation in comparison to what we usually think of as "the magazine industry" in the United States. These "ponderous literary journals" are the Kenyon Review, Yale Review, Carlton Miscellany, and Partisan Review. Many of these are financed by universities or foundations while others are published by individuals.

On the political front, magazines of the Nation range across the entire political spectrum. The New Republic, under its first editor Walter Lippmann, wrote of the Theodore Roosevelt-Woodrow Wilson era and has continued to bring us intuitive, progressive writing of the best quality. And, who of any political party cannot enjoy the barbed wit of that gadfly of New York politics, William Buckley, in the National Review. In between we have all varieties of shades of political philosophy and thought across the spectrum of national politics. We often object to material with which we do not agree in a magazine but the editorial vitality and independence of that industry is the most important function it performs in American society today.

Recently, the New York Times reported the demise of two magazines in Germany. The headline read "Two Magazines That Mocked the Pompous in Germany Close." Many of us sometimes think that "the pompous" are mocked by American magazines, but would it not be a loss to us all if this freedom of expression was denied? And, the breadth and depth of magazines across our political-cultural life gives an opportunity for all views to be expressed—liberal, conservative, or middle of the road.

Many of the magazines which testified before the Subcommittee on Postal Rates have been small magazines which have been characterized as "mom and pop" operations. One most interesting one, Swimming World, on Olympic swimming events, is published by a man and his wife in California. Swimming World is a publication with only 13,000 paid subscribers in 50 States, but mailed to 76 foreign countries. This publication has been required to sort its mail by ZIP code just as the mass circulation magazines have been required to do, but the cost burden has been proportionately higher for these little magazines. One interesting thing that came out in his testimony is the fact that his competition is primarily from abroad in nations where sports magazines are subsidized by the government. Olympic swimming is a big sport in this country, and yet our only magazine dealing with this subject is published by one man and his wife in

Los Angeles who are solely dependent upon the mails for circulation and must make a profit.

Publishers of children's magazines also appeared to testify before our subcommittee, including Highlights for Children, and the Golden Magazine of Girls and Boys. Others, such as the Youth's Companion and Young American, are no longer in business. The publisher of Highlights for Children said:

> I believe that it is fair to say that only because there is a United States postal system, and only because there is a postal policy which dictates a favorable second class rate and a reasonable third class rate in its rate structure, do we have a children's magazine industry in America today.

There are other magazines for the teachers of our youth, such as Scholastic Teacher. Others serve specialized markets such as Antiques magazine for the antique buff, the Modern Hospital for hospital administrators, Fleet Owner for those who are in the trucking business, and Model Airplane News for the boy who is building his first model plane.

There are specialized magazines that affect only a limited number of people such as Diesel and Gas Turbine Progress for the technical minded and Sport Fishing for those who prefer to spend their time on the oceans or lakes. But, they all serve a limited audience dependent upon these special-interest publications for the information about their vocation or avocation. The magazine industry has a phrase which it uses sometimes, "mass versus class," indicating the difference in the large circulation and the small circulation publications. Many "mass" magazines have a lot of class, but the smaller magazines must be exclusively "class" because the number of people who are interested in any given subject is quite limited.

These magazines which I have been talking about today are the ones with which our subcommittee are most concerned. These small publishers are the ones which for the most part have very narrow profit margins, although some large publishers, such as the Curtis Publishing Co., also have had difficult times in the immediate past. These are the magazines with which the Members of Congress should be concerned especially when they are legislating on postal rates in the weeks to come. These are the magazines which do not carry a heavy percentage of advertising, thus not paying much postage. Yet, if they were required to pay much more postage, a number of them would be likely to go out of business in the same way as the two magazines I recently described to you from Germany.

The magazine industry is doing better financially than it has in the past, but it is not uniformly successful, and many of their smaller publishers are in financial difficulty. Increasing the burden of postal rates for magazines to the extent proposed will add to that difficulty and possibly be the "straw that broke the camel's back" for many select quality magazines. Ironically, it will affect the "girlie" magazines not in the least, for they are almost exclusively distributed by private carriers and not in the mails.

It is interesting that most of the controversy on postal rates centers on second and third-class rates, whereas the vast bulk of the money comes from increases in first class rates. For example, the one cent increase on first class rates would add $515 million to the Federal Treasury in the first full effective year of the increase. The proposed increase for second class in the first year would add only a little over $28 million. Thus, decreasing the proposed increase for magazines would reduce total revenues from the bill in only a comparatively minuscule manner, yet it would profoundly affect the economic health of many of the smaller magazines in the country.

The rate problem is further complicated by the fact that no one really knows what it costs to deliver second-class mail. We must remember that a large part of the cost of mail service is fixed cost, or overhead.

This overhead includes buildings, machines, trucks, lighting, heating, and the other things that cannot be directly attributed to a certain class of mail. These costs must be allocated to the different classes of mail somewhat arbitrarily. It becomes a matter of judgment, and this is where the difference of opinion lies. Should the Post Office allocate more overhead to first class, since it receives priority service? Or should costs be allocated strictly according to the volume of mail in each class? Because it is a matter of judgment, and not a matter of precise calculation, we cannot tell exactly what it costs to deliver each separate class of mail.

The Post Office has said that regular second class mail now pays about 30 percent of its costs. This, of course, is based on the cost accounting system of the Post Office. A different method of cost accounting might give an entirely different picture. One cannot truthfully say that regular second-class mail pays its way entirely, or even that the proposed new rates would have this effect. It is obviously subsidized, to a greater or lesser extent, depending on how we allocate the overhead costs.

I think we all can agree that many of these publications perform a highly valuable service in our society. Few of us would like to see these valuable publications go out of business. A great number of these small quality magazines are barely making enough money to operate on now. A large increase in second-class postage would surely bankrupt some of them.

But the problem is even more complicated yet, if we wish to have these magazines survive and continue their valuable services. Quality and specialty magazines face a little-known problem that the mass appeal magazines do not have. That problem is one of contacting their limited number of potential subscribers. A magazine for electrical engineers, for example, finds few subscribers among the general public. And yet it is a very valuable and vital magazine for engineers, engineering progress, and ultimately for all of us. This problem of limited appeal makes it difficult for these magazines to reach potential subscribers. Door-to-door solicitors and mass advertising appeals are impractical because of the huge expense involved for the small number of potential subscribers. The only feasible answer that these magazines have found is selective mail solicitation at low third-class rates.

Let us again use the Atlantic as a convenient example to illustrate the problem. Last year the Atlantic spent about $44,000 on first-class postage. The 20-percent increase proposed under the original bill would increase the operating costs of the magazine by $8,800. It spent about $125,000 on second-class postage. The proposed 21-percent increase would add $26,250 to the magazine's costs. The magazine spent $165,000 on bulk third-class mail, soliciting new subscriptions. The proposed 32-percent increase would raise costs by $52,800. This is a total increase in postage costs of about $87,850.

Last year was an exceptionally good year for the Atlantic. Its profits were higher than the average for the past 5 years. How much was this good profit? It was $46,194 before taxes. With a postage cost increase of $87,850, things would not look bright for the Atlantic.

The Atlantic, like many specialty magazines, must invest heavily each year in third-class mail solicitations for subscriptions. It must keep its subscription volume high in order to keep its advertisers. The only way this can be done is to mail out solicitations to likely prospects, such as college professors, Phi Beta Kappa members, professionals, and so on. This selective mailing explains the heavy third-class mail expense. It is the only way the magazine can stay alive.

It is not often recognized that magazines depend so heavily on all three classes of mail to stay in business. The proposed increases in first- and third-class mail alone would deal the magazines a hard blow. A hefty increase in second-class rates in addition to this is almost certain to drive a number of them to bankruptcy.

It is doubtful if the Atlantic can pass this extra cost—a cost that will probably be twice as large as its profits from the previous year—on to its customers. Some magazines will be able to do this. Many others will not. My fear is not that the publishers of these magazines will suffer. My fear is that our country will suffer by losing a valuable part of its communication system.

Magazines, of course, are just part of the postal problem. We will need a system of rates that will be fair and equitable for all classes of mail.

First class, certainly, should pay its own way. Most of us agree on that. In fact, Postmaster O'Brien has suggested that first class pay all its own expenses, plus 40 percent more. First-class mail receives priority treatment over all other classes. It is sorted first, it is transported first, and it is delivered first. It is private, and it is safe. Because it is so privileged, the Post Office says, it should have to pay a little more. Traditionally this has been the national policy as prescribed by the Congress.

Third-class mail consists mainly of advertising, newsletters, circulars, greeting cards, and so on. It is bulk-rate mail, often called "junk mail." It seems fair that it should pay its own way. The problem, of course, is determining just what its "own way" is. The Post Office has said that third class pays about 60 percent of its costs now. The bulk mailers can present a good case to show that they pay more than that. I would hesitate to bankrupt hundreds of mailing firms and throw thousands of people out of work without knowing exactly where I stood. It would be grossly unfair to force many of these mailers out of business on the basis of incorrect figures. On the other hand, they should not receive a "free ride." The problem is to determine by an independent study what it costs to deliver bulk mail, and then set the rates accordingly.

The postal problem does not lend itself to easy answers. A rule that each class of mail should pay its own way is an easy policy to adopt. But fixing specific rates for that purpose is not so simple. And "junking" an historic policy of reasonable subsidies to some classes of mail should not be lightly undertaken.

One possible answer might be to raise the price of an ordinary first-class stamp to 7 cents. This, according to Post Office figures, would raise income from first-class mail to 140 percent of its costs, as Postmaster O'Brien has suggested. Even at 7 cents, the stamp would be a bargain. Compare it to a cup of coffee, a newspaper, or a telephone call.

Those who suggest a 7-cent-first-class stamp say that it has several advantages, if it is coupled with moderate increases in the other classes of mail.

First, it would allow us to solve the problem of the magazines and newspapers. We could eliminate our postal deficit and at the same time encourage the exchange of information in magazines and newspapers.

Second, we could afford to continue our lenient postage rates for churches, charities, and other nonprofit organizations.

Third, we could afford to modernize our postal system and give postal employees the pay raises they deserve.

The 7-cent stamp is certainly not the only solution to this complex problem. I am not even sure that it is the best. But it does appear to have enough merit to be worthy of consideration.

ISRAEL WILL CLING TO JERUSALEM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, the world's eyes are focused on the Middle East and headlines proclaim that 12 Soviet Russian battleships are in Egypt. It is also well known that the Communists are rearming the Arab countries for the purpose of again helping them try to destroy the State of Israel.

In the light of these developments, I invite the attention of my colleagues in the Congress to a very interesting article which appeared in the Baltimore News-American on June 23, 1967, regarding the ancient city of Jerusalem. It was written by one of the South's truly great and learned clergymen, Dr. Samuel Rosenblatt, rabbi of the large Beth Tfiloh congregation, whose newly erected house of worship graces the Greater Baltimore area. Dr. Rosenblatt is not only a highly respected and esteemed spiritual leader, but also a gifted writer and lecturer, having been on the faculty of the renowned Johns Hopkins University since 1930. Dr. Rosenblatt speaks with authority about Israel and her problems. Therefore, under unanimous consent I include Dr. Rosenblatt's article entitled "Israel Will Cling to Jerusalem," at this point in the Record, believing it to be of broad general interest to my colleagues and to the Nation. It is as follows:

Israel Will Cling to Jerusalem

(By Rabbi Samuel Rosenblatt)

One of the results of Israel's recent military victory over the Arabs is that for the first time in 1,897 years the whole of Jerusalem is again in Jewish hands. How long Israel will be allowed to keep it may to a great extent depend on the outcome of the current debate in the United Nations General Assembly. That Jews will never relinquish their claim to it is beyond doubt.

More than 25 centuries ago, after they had for the first time lost the city that had been the site of the Temple of Solomon, the Judean captives of Babylonian exile took a solemn oath never "to forget Jerusalem." To this day their descendants have remained true to the pledge. The devout among them still pray three times daily for the rebuilding of Jerusalem and the return of the Divine Presence to Zion. They never get up from a meal without invoking the mercy of their God upon the former "dwelling-place of His glory" and "His people."

Jerusalem is sacred to Christians as the scene of the ministry of their Saviour and because His grave is believed to be located within its precincts. It is revered by Moslems on account of the Mosque of Omar, the "Dome of the Rock," built 13 centuries ago on the exact spot where once stood the Temple of Solomon. But it never held in either Christianity or Islam the place of supreme importance it had in Judaism. The founders of Christianity exchanged the heavenly Jerusalem for its earthy counterpart. As for Moslems, the Black Stone of Mecca is of higher rank than the "Uttermost Mosque," which, according to the Koran, had been visited by the prophet Mohammed in a dream of the night. For Jews, on the other hand, no spot on earth is holier than "The City of Peace," especially the portion of it which is on Mount Moriah.

During the close to 19 centuries since it had been wrested from Jewry by the Romans, Jerusalem changed hands several times. Conquered by Chosroes II of Persia from the Byzantines in the year 614 of the common era, it was recaptured 15 years later by the East Roman emperor Heraclius only to fall in 637 into the hands of the Mohammedan Arabs under the leadership of the Caliph Omar. In 1099 the Crusaders led by Godfrey of Bouillon took it from the Saracens. They held on to it until 1187, when Saladin the Great, a Mohammedan Kurd, put an end to their rule. For more than two and a half centuries Jerusalem was a part of the domain of the Mamelukes of Egypt. In 1517 Selim, the Sultan of the Ottoman Turks, conquered it and it remained under Turkish suzerainty until 1917, when it was captured by Lord Allenby.

When the British relinquished their mandate over Palestine on May 14, 1948, after three turbulent decades of caretaking, and Israel forthwith declared its independence, fighting broke out over Jerusalem between the new nation's defense forces and the British-trained Arab Legion of Jordan. Since neither Jews nor Arabs agreed to its internationalization, Jerusalem became a divided city. The old walled portion, with its many shrines, was annexed by the kingdom of Jordan, while most of the newer section outside of the 16th Century walls became a part of Israel.

According to the terms of the truce that ended the bitter contest, Jews were supposed to have access to the Wailing Wall, the only relic of the courtyard of the Temple of Jerusalem reconstructed by Herod the Great 2,000 years ago. This stipulation was never carried out. Nor were the Israelis ever able to make use of either the Hadassah Hospital or the buildings of the Hebrew University, located in the so-called no-man's land of Mount Scopus. Nor did the Jordan government ever grant permission to an international committee to verify whether the ancient Jewish cemetery on the Mount of Olives had been vandalized.

In the recent blitzkrieg, Jordanian soldiers used the shrines in the Jordan-held portion of the Holy City as shelters to shoot from. Because the Israelis were anxious at all costs to avoid damaging these holy places, they did not return fire. That is why the casualties in Jewish Jerusalem were so heavy. When the Jordanians were finally compelled to abandon the part of the Holy City they had occupied for 19 years, the Mosque of Omar and the Church of the Holy Sepulchre and other such Mohammedan and Christian sanctuaries were found intact. However, of the 26 Jewish houses of worship that had existed within the city walls prior to the establishment of the State of Israel, not one remains.

Does it require a Solomon to decide in whose custody Jerusalem would be safest?

LONG ISLAND AIRPORT LIMOUSINE SERVICE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Brasco] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BRASCO. Mr. Speaker, one of the major problems that has accompanied the phenomenal growth of suburban communities has been the hardships involved in auto travel on clogged highways. Nowhere is this more evident than on Long Island, which has witnessed enormous residential and commercial development over the past two decades.

The traffic problem in Nassau and Suffolk Counties has been a source of particular consternation to business executives and other travelers who regularly use LaGuardia Airport and Kennedy Airport.

In order to meet their travel needs, Long Island Airport Limousine Service was chartered by New York State 5 years ago. The service has been invaluable in saving travelers considerable time in going to and from the airports, and, equally important, is keeping literally thousands of cars air travelers would otherwise be using off the highways.

Long Island Airport Limousine Service was established by Walter Stuart, a Long Island resident, who several years ago had the foresight to recognize that both Nassau and Suffolk Counties, with their burgeoning populations, would require a regularly scheduled limousine service to eliminate the problems involving in taking cars, trains, and/or buses to reach the airports on time.

Mr. Stuart's vision has been vindicated, as evidenced by the tremendous public acceptance of this rapid and efficient transportation service, the first and only one of its kind on Long Island.

The service recently was granted approval by the New York State Public Service Commission to extend routes from the airports to two communities in Suffolk County, and Long Island Airport Limousine Service is now accessible from virtually any point on Long Island.

The scope of Long Island Airport Limousine Service's activities is reflected by the fact that 10,000 Long Island residents use the service each month. Long Island Airport Limousine Service is used extensively by businessmen whose needs require that they have a reliable, scheduled mode of transportation to and from the airports. Families too are using the service in increasing numbers, because they have realized that Long Island Airport Limousine Service is able to provide door-to-door limousine service whenever necessary.

Long Island Airport Limousine Service, which now makes 29 regularly scheduled stops in Nassau and Suffolk has indeed been a welcome addition to transportation services on Long Island.

AMERICAN FARM BUREAU

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Brasco] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BRASCO. Mr. Speaker, yesterday, the House Committee on Agriculture took what I believe to be unprecedented action by indicating, through the passage of a resolution, that it does in no manner endorse, condone, or support any personal attack launched by the chairman of the Subcommittee on Rural Development upon any person or agency.

It is quite apparent that this resolution concerns itself with the controversy developed as a result of allegations made by Mr. Resnick, chairman of the Subcommittee on Rural Development, against the American Farm Bureau.

On this resolution, I merely voted "present." I did not vote for the resolution, because I believe that Mr. Resnick, as well as any other Member of Congress, has a right to his views, notwithstanding that these views are in the minority. This resolution, I believe, infringes upon this right, by pitting those with minority views against the majority of the committee who can, through the use of a thickly disguised resolution, invoke on the bearer of minority views what is in effect a reprimand.

I did not vote against it, because I believe that this, too, was not a proper course of action to take.

Mr. Resnick has made certain statements concerning, among other things, the tax structure of the American Farm Bureau. This is a complicated tax problem, and one which I believe is outside the jurisdiction and competency of the Agriculture Committee to decide. I would have hoped that the Agriculture Committee, instead of acting upon the resolution passed this morning, would have recommended that this matter be immediately referred to the appropriate committee in the House of Representatives or appropriate Government agency to expeditiously determine the truth or falsity of Mr. Resnick's charges.

I believe this action would be commensurate with the protection afforded to all under our Constitution—namely:

That accusations, in and of themselves, are empty unless substantiated by evidence;

That an accused is innocent until proven guilty; and

That an accused be confronted with any evidence compiled against him and that he receive a full, complete, and constitutionally protected hearing upon all evidence introduced.

Only in this way can the rights of all parties concerned be protected and the American public be fully apprised of the true facts surrounding this controversy.

WHAT IS AGGRESSION?

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Helstoski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, the Middle East crisis was brought into sharp focus to all the Nations of the world. Short as the fighting was, it brought into emergency session the Security Council of the United Nations as well as an emergency meeting of the United Nations itself.

That matter created so much concern that the top-level leaders of many nations made personal appearances at the United Nations meeting and took an active part in the debates and deliberations.

One of these national leaders was Premier Aleksei Kosygin of the U.S.S.R. who condemned Israel for starting this conflict and stressed the point that Israel was continuing the aggression by the occupation of Syrian and Jordanian territory.

This action was condemned by the Soviets and Premier Kosygin stated:

> The Israelis should withdraw their troops, unconditionally, without guarantees against a new attack.

I say, Mr. Speaker, if the Russians demand this, they should set an example.

The Soviet Union should grant freedom to the Baltic States, to the people of Poland, of East Germany, Hungary, and Czechoslovakia, as well as Bulgaria and Rumania.

Mr. Speaker, I believe that if demands are made there be no comparable guilt as in the case of the U.S.S.R.

It is my contention that the Soviet Premier would do well to look at his own country's record of illegal occupation of foreign territories before accusing Israel of imperialistic aggression.

Mr. Speaker, as part of my remarks I wish to include an open letter which is directed to Premier Kosygin and which appeared in the New York Times of June 22, on the subject of the Russian annexation of the Baltic States.

The article appears below:

THE BALTIC QUESTION: OPEN LETTER TO PREMIER KOSYGIN

On June 19, 1967, the Soviet Premier, Aleksei Kosygin, in addressing the United Nations General Assembly, accused Israel of continuing aggression by occupying the territories of the United Arab Republic, Syria and Jordan.

Mr. Kosygin defined continuing aggression as attempts "to interfere in the internal affairs of independent countries and peoples, to impose on them, from the outside, political concepts and views alien to them on the social order."

The Soviet Premier is adept at defining continuous aggression, for his state has a long record of conspiracy against the sovereignty and territorial integrity of independent nations. While vituperating against the State of Israel, Mr. Kosygin would do well to consider his own government's continuing aggression. The most conspicuous victims of joint Soviet-Russian and Nazi German aggression are the Baltic States of Lithuania, Latvia and Estonia.

The annexation of the Baltic States by the Soviet Union was pre-determined by the Ribbentrop-Molotov Pact of August 23, 1939. The agreement stated: "In the event of territorial and political rearrangement in the areas belonging to the Baltic States (Estonia, Latvia, Lithuania and Finland), the northern boundary of Lithuania shall represent the boundary of the spheres of influence of Germany and the U.S.S.R."

While the attention of the world was focused on the Blitzkrieg in the West, the Soviet Union imposed its "sphere of influence." On June 15, 1940, troops and tanks of the Red Army poured into the Baltic States. Moscow hastily set up puppet governments. A single list of representatives, hand-picked by Moscow, was proposed to the "liberated" countries. To insure the election of the Communist candidates, tens of thousands of people were arrested on the eve of the elections as a threat to those who might protest by refusal to vote. The decisions of the "elected representatives" to "request" incorporation of the three Baltic States into the Union of Soviet Socialist Republics were prepared in Moscow and carried out by the occupying Red Army.

In their zeal to impose their alien system on the Baltic States, the Soviets deported or liquidated 700,000 men, women and children from Lithuania alone, between June, 1941 and March, 1951. Notwithstanding this inhuman oppression, the peoples of the Baltic Nations persevere in their aspirations towards personal freedom and national independence.

While addressing the General Assembly, Mr. Kosygin unequivocally stated, "In the course of its 50 year history, the Soviet Union has regarded all peoples, large or small, with respect; every people enjoys the right to establish an independent national state of its own. This constitutes one of the fundamental principles of the policy of the Soviet Union. While upholding the rights of peoples to self-determination, the Soviet Union just as resolutely condemns the attempts by any state to conduct an aggressive policy toward other countries—a policy of conquest of foreign lands and the subjugation of the peoples living there."

In view of the above facts, we request the Premier to clarify the following questions:

Why has the Soviet Union continued to violate the sovereignty of Lithuania, Latvia and Estonia?

When will the Soviet Union apply the principles of the United Nations Charter to the Baltic States?

When will the Soviet military and administrative apparatus be withdrawn from the territory of the Baltics?

When will the Soviet Union desist from its policy of Russification and Sovietization of the Baltic peoples?

When will the Baltic victims of mass deportation be allowed to return to their homelands?

When will the Soviet Union cease interfering in the political, social, and religious life of the Baltic States?

Mr. Premier, the Baltic Republics have a right to preserve their own languages, religious freedoms, traditions and political aspirations. Will you enact measures to correct the gross injustices imposed by Stalin on the Baltic Nations and restore independence—or are your noble words addressed to the General Assembly mere hypocrisy?

Committee To Restore Lithuania's Independence: Executive Coordinators—Algirdas Budreckis, Romas Kezys, Anthony B. Mazeika, Joseph Miklovas, Anthony V. Snieckus.

MIKE KIRWAN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. PERKINS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PERKINS. Mr. Speaker, I ask leave to make an insertion in the body of the RECORD in order to voice my esteem for our beloved colleague, the gentleman from Ohio [Mr. KIRWAN].

Mr. Speaker, I do not intend to waste words defending MIKE KIRWAN. This modest man, who is content with a line and a half of biographical material in the Congressional Directory, has made a record during three decades in this House which provides all the defense he will ever need.

There is not a citizen of this Nation whose economic lot has not been improved because MIKE KIRWAN has been a vigorous Member of this body. His service as chairman of the Subcommittee on Public Works of the House Committee on Appropriations constitute a whole series of monuments to his efforts on behalf of the development of this Nation's natural resources.

There is not a Kentuckian who is not now enjoying benefits from MIKE KIRWAN's work in providing money for dams, for flood protection, and for other great public works.

From Kentucky Lake and Barkley Lake in western Kentucky to the Fishtrap Reservoir on the Virginia border, the people of Kentucky have many reasons to be glad MIKE KIRWAN is interested not only in the welfare of his Youngstown district, not only in his own State of Ohio, but also in the improvement of the economic lot of all the people of the United States.

Those who live along the Ohio River, the Green River, the Kentucky River, the Big Sandy River—and, yes, Beaver Creek—owe a debt of gratitude to MIKE KIRWAN.

Millions of Americans, including Kentuckians by the thousands, have been saved from flood ravage by MIKE KIRWAN.

In concentrating upon MIKE KIRWAN's great work on behalf of public improvements, we sometimes forget the contribution he has made to the operation of the two-party system under which our country has attained political strength and governmental stability. As chairman of the Democratic congressional committee, MIKE KIRWAN has shown a fierce, loyal but highly intelligent partisanship which is admired alike by Democrats and Republicans.

OEO PROGRAM IN OKLAHOMA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I had the good fortune today of hearing Mrs. Fred Harris, wife of the junior Senator from my State, make an excellent statement on the OEO program in Oklahoma. I include it with my remarks for the edification of my colleagues.

The statement follows:

STATEMENT OF MRS. FRED R. HARRIS BEFORE THE EDUCATION AND LABOR COMMITTEE

Mr. Chairman and members of the committee, I am honored by your invitation to appear here today, and I am grateful for this opportunity to express my individual and enthusiastic support for the programs sponsored by the Office of Economic Opportunity, my strong conviction that O.E.O. must be continued as a separate agency of the government and my endorsement of the provisions and the increased funds contained in the authorization bill pending before you, H.R. 8311.

While the amount of money involved in this bill is less than half the amount recommended for the Space Program and is less than 2 per cent of the total federal budget, it may well be the most important bill the Congress will consider during this session.

President Johnson's War on Poverty offers to the poor the chance to win the struggle to overcome feelings of lack of self confidence and the hopelessness of poverty. It offers no guaranteed answers, but the means by which a person can seek his own answers. It provides no required goals, but it exposes people to new possibilities.

So many good, decent Americans speak of the need for self reliance when they criticize O.E.O. and what it does. We must help them see that this is, truly, the "self reliance program." We must help them see that self-reliance must be made meaningful for a middle-aged Indian man I know who lives in a beautiful rural county of Oklahoma where 46 per cent of all the adults in the county have less than an eighth-grade education and where the land has been mined and farmed to exhaustion. Talk to this man who, though he speaks in broken English and has only a third-grade education, but who has obviously much above average intelligence, and you realize that here is a fellow human being who has been wasted for forty-five years, and that with all our wealth and know-how we have allowed the world to pass him by. You stand talking with him beside a polluted well from which his and three other families draw by hand their daily water supply and you don't know whether to laugh or cry when this man, who has never had a steady job and wouldn't have the new skills required in this automated age if one were offered, says, "All I want is steady work so I can send my kids to college." With this bill, under the rural poverty program of O.E.O., we will give him the chance to put his self reliance to work.

As Dr. Billy Graham said at a Congressional luncheon here in the Capitol last month:

"One of the things that impressed me with what the Office of Economic Opportunity is doing is that their programs are not give-away programs. I thought they were until I began to look into them and study them. What they are doing is helping people help themselves. They're giving people an opportunity."

THE IMPORTANCE OF THIS PROGRAM TO THE POOR

I am unable to think of the War on Poverty in the abstract. I think of it in terms of particular component programs, and then I think of those programs in terms of people I know.

The Community Action Program, for example, makes me think of the Upward Bound Program, sponsored by the local Community Action group in Altus, Oklahoma, which then reminds me of some young people I talked with, who had caught a glimpse of a whole new world of opportunity when they were exposed briefly to campus life at Southwestern State College. I think of their neat appearance and their hopeful eyes and their change of attitude toward themselves and other people.

When I think of the Work and Training Program and the Neighborhood Youth Corps, I think of a beautiful young Indian high-school girl in McLoud, Oklahoma, who had been a severe disciplinary problem, but who has, now, for the first time, begun to see what she was meant to be and can become.

When I think of the Legal Services Program, I think of a lady in Oklahoma City, who for the first time now sees the law and those who administer it as possible friends, rather than enemies.

When I think of the Head Start Program, I think of "Project Magic," an activity in my hometown of Lawton, Oklahoma, and I see children with a sparkle in their eyes for the first time in their lives because they were brought together with older people, under the Foster Grandparent Program, people who formerly had felt useless and unwanted. I think of a particular pair, a child starved for love, who for the first time now is beginning to talk, and an older person, who now has someone to whom to give his love.

When I think of the Adult Training Program, I think of an 80-year-old Negro woman in Lawton, who is learning to read and write. She said, "It seems like I had just been waiting to die; there was nothing for me to do. Now, for the first time, I feel like a real human being."

When I think of the Training Program, I think of the Indian boy in Anadarko, a high-school dropout, working as a welder, his first job, and planning now to finish school and go to college.

When I think of the Migrant Worker Program, I think of a Mexican-American child in southwestern Oklahoma, who had spent most of her days in school in tears because of her difficulty in English, but who now thinks of herself as a real American.

When I think of Vista, I think of Idabel, Oklahoma, and a large Head Start Program which was started by a Vista volunteer with one box of Crayolas and one child. Or, I think of a child crying in the hill country of eastern Oklahoma, getting his first innoculation for typhoid, diptheria, smallpox and whooping cough, because a Vista worker cared enough to help bring our health programs to the people.

All of us, whether we are social workers or public officials or lawyers or doctors or just citizens, tend to think of "cases" and "constituents" and "clients" and "patients" and "the poor." This bill deals with people, but people who are still individuals, individuals who want a chance. When we think in terms of the individuals who are involved in this program, this Bill must surely pass by an overwhelming margin.

THE IMPORTANCE OF THIS PROGRAM TO AMERICAN INDIANS

American Indians, with a different heritage which should be a source of pride and motivation, are, first and foremost, American citizens. They have the same problems and the same goals we all have. But more of them are poor, and, when they are poor, they face special problems because of their different background.

Indians are the only minority group which has its own government bureau and health service, but, as the Senate Interior Committee last year said, the American Indian still ranks below everybody else in health, in housing, in jobs, in education and in almost any other indication of the quality of his life. We have been too paternalistic. We have been doing things *to* Indians and *for* Indians, rather than *with* Indians. Now, the Bureau of Indian Affairs has begun a new orientation, and O.E.O. has placed great stress on self-help programs involving Indians.

As you know, I am President of Oklahomans for Indian Opportunity, a charitable and educational non-profit corporation. Our Board of Directors is composed of 41 Oklahomans, mostly Indians, from every section of our state. While in Oklahoma we do not have the additional problem of physical isolation on reservations, we do have one-fourth of all of the Indians in the United States, some 68 Indian tribes, and depressing national statistics concerning American Indians are duplicated in our state.

Oklahomans for Indian Opportunity began its existence when a group of interested Indians and non-Indians got together to sponsor a statewide Indian Opportunity Conference in 1965. We planned for around 200, and had more than 500 persons in attendance. There was tremendous desire for self improvement, and so we banded together in an organization which seeks to help draw Oklahoma Indians more fully into our state's economy and culture. We are now ending our first year as a sub-contractor under the Multi-purpose Training Center at the University of Oklahoma, funded by O.E.O., to help Oklahoma Indians acquire the self confidence, motivation and skills to become active, productive members of the total community in our state.

We don't want to force the American Indian to become "a middle class white man," but he must have the opportunity to make a real choice of what he wants to do with his life. All do not have that opportunity now, because of inadequate preparation for the transition and partly because of the attitudes of non-Indians. Both of these must change, and this is the goal of Oklahomans for Indian Opportunity.

We sponsor leadership training for community involvement and community development, a work study program for young people, youth programs to involve young Indians in total public school activities, and an Indian Achievement Week to foster the powerfully motivating force of pride of heritage. We spin off Indian leaders into local community projects which we help stimulate, including housing, education and health. Since, as is true of the nation as a whole, one-half of all Oklahoma Indians live in urban areas, we provide referral centers in each of our two large cities, Tulsa and Oklahoma City, to bring together the rurally-oriented Oklahoma Indian with state, federal, local and private efforts intended to help him find employment, housing, training and so forth.

All of this is a big and difficult job. It is not made any easier by the fact that, like so many other activities which got started around the country through the sponsorship of O.E.O., nobody is altogether certain of how to accomplish the goal of human resource development. But we are trying, and we are mostly succeeding. Our funding as a subcontractor under O.E.O. is $242,000 this year, and, Mr. Chairman, I offer for the record a written report on our first year's activities.

What we are doing in Oklahoma for Indian Opportunity has had impact throughout the United States, because of a national magazine article on our activities, and, because of O.E.O. and the new spirit within the Bureau of Indian Affairs, Indians everywhere in the United States are experiencing the beginning of a new day.

THE IMPORTANCE OF THIS PROGRAM TO THE AFFLUENT

This is a changed world. It is different from what it was yesterday. Tomorrow will be different from today. If we don't, continually and everyday, think anew about how to live with these changing conditions in a changing world, we will become stagnated as individuals, and so will our nation.

This is an urbanized country. Most of our people now live in urban areas without the security of knowing their neighbors, or knowing where they fit into things or knowing what is expected of them—things which they had when they lived in rural areas and small towns. Technology and the explosion of knowledge virtually overwhelm us and makes some of us feel small and worthless as individuals. And, then, there are more of us, and we crowd each other. All of us who are different are no longer isolated, and no one is isolated or insulated from us.

And something is happening to our children. They become physical adults at 12, not at 17 as they did 100 years ago, and they know more in grade school—and must know more—than we did in high school. And there is a wider and wider period between the time they become adults at an earlier age and the time when they can, with skills and education, become participating members of society.

Although all of us have more bills than we can pay, and are busy about our daily chores of making a living, deep down all of us, every now and then, take stock and ask, "Am I really doing anything worthwhile with my life?" The man who works in a factory at a highly skilled, highly paid job, has no finished product he can call his own or take pride in. The medical specialist deals with "cases," with little human involvement. The teacher in an over-crowded classroom knows she reaches less than all her class. The housewife drives her car, and pays the bills, and does the shopping, and drives her car some more. Every segment of our society needs wider avenues, broader opportunities for meaningful service to others. We are no longer satisfied with dropping our money in the poor box, or making baskets for the poor at Christmastime, or giving our "fair share" to the United Fund. It isn't personal enough, although these things are laudable.

This need for meaningful service is especially acute in the ever-growing number of older people, retiring at earlier and earlier ages. It is especially crucial, also, for the ever-growing number of young people, who must wait longer and longer to have any part in making the decisions which affect their lives.

So, at least as important as what it means for the poor, the programs sponsored by O. E. O. serve a basic and vital national need in providing avenues for volunteer service—and we have barely scratched the surface. This country, this government, and each of us are going to have to think of new ways to involve people in meaningful service, to use these wasted human resources, that we have not yet even dreamed of.

And every agency and department of this government is going to have to continually change its outlook and its activities to meet changing needs and conditions. While there is a spirit of innovation and creativity sweeping through every agency of our government, there is no question in my mind that it would not be moving nearly as fast as it is—or as it must—except for the challenge and competition of the single government agency which speaks for the poor, offers opportunity for service, and deals primarily in innovation.

O. E. O. must be kept as a separate entity for this reason, if for no other. I am particularly glad that the largest increases in funds provided for in this Bill are in broad, general areas which encourage and give incentive to innovation, creativity and originality of thinking, of approach and of action to the complex problems which our country faces.

The Upward Bound and Neighborhood Youth Corps examples and the eighty-year-old Negro woman learning to read and write, I spoke of earlier, also make me think of the renewed pride in their profession gained by the educators involved, and the widened vision they have about what they can do for people who formerly were lost, and the new perspective they have received about the problems and worth of the disadvantaged.

The Anadarko boy working as a welder makes me think of his employer, who, now, is not just making a living, but is giving a helping hand to someone else.

The Oklahoma City lady, getting a new view of law and legal machinery, reminds me of the brilliant young lawyer who has turned from building his own practice to running the Legal Services Program and the 75 law students who recently volunteered to help without pay.

When I think of the Headstart or Health or other programs started by Vista volunteers, I think also about the blonde Vista volunteer, working in a Vinita mental hospital, her face made more beautiful by the shine of inner satisfaction, and of her determination to prepare herself even better through more education.

When I think of the Work Orientation Program, sponsored by Oklahomans for Indian Opportunity, I remember the Director trying to reach and get some response from—trying to communicate with—a group of withdrawn Indian dropouts in Shawnee, Oklahoma, and I could almost see him, the staff member, grow before my eyes, challenged as never before in his life.

When I think of the Migrant Worker Program in Southwestern Oklahoma, I think of the church women and ministers now living their religion on a daily basis.

As Bill Suttle, President of the United States Jaycees, whose regional office is in Tulsa, said recently:

> "Experience gained by the current programs could go far toward greater involvement on the part of millions of concerned American volunteers."

We cannot meet the problems this country faces in health, mental health, in education or in most other areas except by the tremendously increased effort of non-professional volunteers. O.E.O. is pointing the way.

From all over America, people have written me asking, "What can I do?" That is a terribly difficult question to answer, and we must make it easier. But, one way, I always say, is to support the programs of O.E.O. and their funding. Another is to become personally involved in them. I have done my best to become involved. And, now, I am very happy to have this opportunity to speak out in support of this legislation. I am honored you asked me. I congratulate you on what you have done in establishing O.E.O., and I feel certain that you will continue it and permit its impact to grow. This will be a better country, and each of us will be better citizens, because you do.

CRIME AND SCIENCE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RODINO. Mr. Speaker, the House Judiciary Committee, of which I am a member, has been working diligently over the past few months on anticrime legislation, and I would like to insert in the RECORD a most informative and objective article on crime and science, printed in the July 11, 1967, edition of the Newark Evening News:

CRIME AND SCIENCE

Supreme Court decisions imposing rigorous restrictions on the admissibility of criminal confessions brought vehement protest from law enforcement officials. They complained they had been "handcuffed." Experience, however, is tempering some of their apprehensions.

A survey last year by the district attorney of Los Angeles County showed that confessions were needed for successful prosecution in fewer than 10 per cent of 4,000 cases. In Detroit the chief of detectives reached a similar conclusion after studying his file of murder cases.

The Supreme Court insists that suspects in custody must be told they have a right to remain silent and must, if indigent, be offered free legal advice before being questioned by the police. The Los Angeles and Detroit surveys disclosed that a large number of suspects confessed, nevertheless, some even after their lawyers told them to remain silent.

Further testimony now comes from the Georgetown University Institute of Criminal Law. Its study shows that fewer than 10 per cent of all suspects in Washington accept the offer of free legal assistance.

That the consequences of the new court rules are somewhat less alarming than anticipated is reassuring only up to a point. The 10 per cent of the cases that can't be closed without confessions adds up to a lot of crime, including such offenses as homicide, robbery and burglary.

Combatting this 10 per cent requires modernization of detection methods. But a study made under the sponsorship of the Department of Justice shows the police in most of the nation lack essential scientific and technical aids.

There are no crime laboratories in 17 states or in three-fourths of the cities with populations exceeding 100,000. Moreover, there is a shortage of qualified personnel for scientific analysis of crime. Progress in obtaining both the facilities and the trained manpower is disturbingly slow.

ANTIRIOT BILL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. ABBITT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ABBITT. Mr. Speaker, we have pending in the House the so-called antiriot bill which is of vital importance to the maintainance of law and order in America. Time is running out and I urge its early consideration. Riots, fighting in the streets, takeover of entire sections of some of our cities by hoodlums who are looting, commiting arson, burglary, and larceny and the like are rampant in many sections of our Nation today. There is apparently a mad rush to excuse this lawlessness by people in high places. Actually this disregard for law and order has been brought about, in my opinion, by the action of many of our leaders in high political positions. Originally an open invitation was extended by those in high places in the executive branch of the Government to the sit-ins and all those with any grievance to disregard local laws and to forcibly insist on their demands.

We have seen a coddling of the lawbreakers by certain elements of the Federal judiciary. These rioters were nurtured, encouraged, and protected by both the executive and judicial branches of our National Government. The police and local officials have been hamstrung, shackled and almost blackjacked into yielding to the pressures of these agitators and the most lawless elements of our country. Something positive must be done to stop the rioting.

We have seen agitators going from place to place throughout the countryside stirring up and fomenting trouble among certain elements of the populace. Law and order must be maintained. A lot is heard about civil rights but no mention whatever is made of the rights of Mr. Average Citizen to live in peace and quiet and to enjoy the fruits of his labor; to have his property protected; to have the streets of our cities made safe to travel upon. Many of our judges have become so soft on criminals and the criminals have been so pampered and protected that they have no regard whatever for the law or for our peace officers.

Law enforcement officers have been handcuffed, abused and receive so little protection from the courts that many of them are actually afraid to make an arrest because if they arrest anyone who is pretending to protest and demonstrate for his civil rights the officer stands in grave jeopardy of his job, is brought before boards, questioned severely and frequently abused in the press simply because the officer tried to do his duty and protect law-abiding citizens.

We must go back to the maxim of equal justice to all and give protection to all of our people and not just to the criminals who have no regard for the rights of others but because of the attitude of people in high places, because of the protection and encouragement they have received from these same people and elements of the judiciary, they feel that they have a right to run wild, destroy property, take whatever they desire without paying for it.

We hear the slogan often that this will be a long, hot summer. I say let us make it a long, hot summer for these lawbreakers, these rioters. Let us put them in jail, prosecute them, put them behind bars, make them go to work on work details and, for a change, respect the rights of our law-abiding citizens. Many of these agitators have no visible means of support. They apparently have no regard for the principles upon which this country was founded. They castigate and throw off on everything we have here. I would suggest if they have such contempt for our way of life and for the ideals and principles of our Nation that they should go elsewhere and peddle their wares and not browbeat and intimidate the loyal Americans who love our way of life, who respect it and who are endeavoring to make our country a better place in which to live.

I hereby charge that most of this was brought about by many of our officials who have encouraged this lawlessness, nurtured it, pampered it and abused those who would try to bring about law and order. The time has come when we must face up to the situation. We must demand and see that there is a cessation of such unlawful activity. We must protect the rights and privileges of all of our people and not just minority pressure groups for political expediency.

There has been such a breakdown in prosecution, conviction and punishment of criminals that we no longer have adequate respect for law and order. Actual encouragement of lawlessness by certain supposedly responsible Government officials plus the coddling of the lawless element, the shackling of the police and the freeing of known criminals by the judiciary have caused many elements in our society to feel that they have a free hand to do whatever they choose without regard or respect for property rights or personal rights of others.

What it all boils down to is widespread disrespect of law and order, fertilized by irresponsible agitators, condoned by responsible officials and put into practice by have-nots who believe that they may take what they want and do whatever they desire without fear of punishment because of the attitude of many members of the judiciary who have released known and admitted criminals and chastised the officers for attempting to perform their duties.

The coddling of prisoners by the courts and the severe criticism of law enforcement officials who attempt to apprehend rioters and other lawbreakers if less than kid-glove treatment is used have gone a long way toward creating such disrespect of law and order that something drastic must be done if we are to restore any semblance of peace and good order in America. One sure way to restore order is to demonstrate to the criminals that the guilty will be speedily and vigorously prosecuted and severely punished.

HIGHWAY SAFETY STANDARDS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. CLARK] may extend his remarks at this point in the

RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CLARK. Mr. Speaker, one of the outstanding accomplishments of the last Congress was the Highway Safety Act of 1966. This act committed the Federal Government to lead a comprehensive, cooperative, nationwide program to improve highway safety and to reduce the awful price we pay in death, suffering and monetary damages for traffic accidents.

Less than 10 months after the passage of this legislation we have come to a major milestone in its implementation. I refer to the recent promulgation of performance standards for State and community safety programs by Secretary of Transportation Alan Boyd.

These standards are addressed to the problem areas and deficiencies noted by the Public Works Committee in its deliberations last year. They are based on the best information presently available. They have received the scrutiny of State and local officials, whose suggestions have helped shape them. They have been reviewed, with comment, by the National Highway Safety Advisory Committee.

In their final form they represent the best attainable consensus of concerned and practical men for a program of action to improve highway safety. They set forth realistic minimum goals that all States can reach.

While this initial accomplishment certainly merits praise, it also turns our eyes to the hard road that lies ahead.

First, it is apparent that at present, compliance with the standards will vary considerably from one locality to another. It will be the responsibility of State and local officials to bring their safety programs up to the standards. In this task they are deserving of wholehearted support, both from the Federal Government and from the public. We should not minimize the practical difficulties that will be faced by the States and local communities. At the same time, however, we must look for significant and steady progress if the Highway Safety Act is to achieve the results Congress intended.

Second, it is apparent that substantial additional funds will be needed to finance the programs required by the standards. The Congress will consider the funding problem next year, after receiving the detailed cost estimate required by the act.

Third, and finally, it is apparent that the standards can be improved and made more effective only when personal judgments are based on sound, specific information. For this reason Congress provided for a Federal highway safety research program to be conducted by the new National Highway Safety Bureau. It is encouraging to note that many of the initial research contracts let by the Bureau are intended to develop the information needed to improve the State and community safety program and increase their payoff. This effort can only enhance the total effectiveness of the program.

President Johnson said in calling for establishment of the new Department of Transportation that a comprehensive safety program keyed to the total transportation system was needed. Under the President's leadership, the Department of Transportation was established. It is fitting that one of the Department's first actions—the highway and vehicle safety standards—should in the President's own words, "put safety first" among our transportation priorities, an approach with which I agree wholeheartedly.

SMALL BUSINESS ADMINISTRATION HAS ASSISTED IN HAWAII

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, since I was first elected to the Congress in 1962, the Small Business Administration has assisted more than 200 small business firms in the State of Hawaii. Approximately $6 million has been loaned on a long-term basis.

SBA has also assisted 13 small firms, which were forced to relocate because of federally financed projects, with $627,000 in loans. This agency has provided local development companies with $1.5 million. Many of these loans have assisted in the construction of factory buildings, motels, hotels, and restaurants to increase and improve the accommodations for Hawaii's vital tourist industries.

Mr. Speaker, it cannot be denied that one of President Johnson's greatest accomplishments to date has been the establishment of an effective cooperative relationship between the business sector of our country and the Federal Government.

Certainly, this close relationship between business and Government, referred to today as "creative federalism," is resulting in benefits not only to the businessmen of this country but to all Americans, as well. Nowhere, I believe, is this fact more clearly evident than in the small business sector of our economy. It is indeed an important factor in promoting continued prosperity in Hawaii.

It is not unusual today that small businessmen should feel that they have a strong ally in the Federal Government. The President has shown a keen interest in the welfare of the small business community and their problems. He has asked the Administrator of SBA, Bernard L. Boutin, to make small business one of the greatest growth areas in the Nation.

Hawaii's SBA activity is more than citing a few statistics. I should like to relate, for the benefit of my colleagues, in human, personal terms, a story which has been brought to my attention indicating how SBA's assistance has affected the fortunes of one Hawaiian enterprise.

This success story concerns one of Hawaii's older fruit processing companies, the Hawaiian Fruit Preserving Co., Ltd., which was originally started by Mr. Ryoichi Tateishi in a small, lush, green valley some distance from the main highway on my own home island of Kauai. He was mainly engaged in the business of processing guavas for jellies and jams.

In 1956, Mr. Tateishi's sons bought the firm and practically started from scratch. They began to seek new ways of improving the fruit processing operation within the plant and to seek new markets for their products.

By 1965, they were able to improve substantially the financial structure of the business. Business was good but competition was stronger than ever and in order to maintain a competitive position in the market the Tateishi brothers needed additional funds to expand and relocate the fruit processing plant and to improve the efficiency of the plant operation.

The Honolulu regional SBA office assisted the Hawaiian Fruit Preserving Co., Ltd. by approving a $40,000 loan for this purpose with the Bank of Hawaii participating 10 percent and the State of Hawaii capital loan program participating 22½ percent of the loan amount.

During the succeeding 2 years, Hawaiian Fruit Preserving Co., Ltd., operated at modest profits. But the heavy competition from others in the State of Hawaii still hampered the growth potential of this business due to the fact that many small fruit processors were marketing their products almost exclusively in Honolulu. The company's new plant therefore had been operating well under full capacity. Mr. Hiroshi Tateishi, president of the firm, felt that he should find new markets for his products on the U.S. mainland but did not know where to start.

The company asked for assistance from the Small Business Administration's Honolulu office which assigned this problem to a SCORE volunteer, Mr. H. F. Birnbaum.

SCORE is the abbreviated name for the Service Corps of Retired Executives, a volunteer organization started by the SBA. SCORE has more than 3,000 active members, all former executives who are now retired from full-time work but are still interested in providing experienced counsel to small businessmen in meeting marketing and management problems.

Mr. Birnbaum, a respected resident of the island of Kauai, moved to Hawaii in 1958 after his retirement from a very successful law practice in Los Angeles, Calif. In addition to his legal knowledge, he also possesses a great deal of practical business experience.

Mr. Birnbaum felt that Mr. Tateishi could easily market his jams and jellies on the mainland either through food brokers specializing in gourmet foods or directly to high-quality foodstores.

Mr. Birnbaum visited several potential sales sources on the mainland and informed Mr. Tateishi of worthwhile, interested potential buyers.

Thanks to Mr. Birnbaum's direct assistance through the SCORE program, Mr. Tateishi has been able to substantially increase his sales volume and therefore operate at a greater capacity and increase the firm's growth.

Mr. Speaker, I believe this case exemplifies the work that the Small Business Administration is doing every day to help small firms obtain necessary financing and expand growth potential.

The Tateishi brothers are aware of the important role which the SBA has played in helping them financially so that they could expand their firm and they are appreciative of this aid.

They are also appreciative of the expert marketing advice given them by SCORE representative H. F. Birnbaum.

Mr. Speaker, I am sure I speak not only for myself but for thousands of small businessmen throughout the Nation, in expressing my appreciation for the outstanding job the Johnson administration is doing in keeping small businesses alive and viable through the many aid programs of the SBA.

THE SECRETARY OF AGRICULTURE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RESNICK. Mr. Speaker, while I am very flattered by the suggestion of my friend and distinguished colleague, Mr. Joelson of New Jersey, that I be nominated to be Secretary of Agriculture, I must respectfully decline. For I agree with my distinguished chairman of the House Committee on Agriculture that Secretary Freeman is doing an outstanding job in what is probably the most thankless and difficult Cabinet post.

Yesterday, the entire Nation witnessed the angry debate between Secretary Freeman and the senior member of the other body from New York. I would point out to my colleague from the other body that the last time I looked, Orville Freeman was Secretary of Agriculture of the United States, not the Governor of Mississippi. If the antipoverty subcommittee of the other body really wants to find out the cause of widespread starvation and disease in Mississippi, I suggest they invite or subpoena the man who is most responsible for it, the man who is Governor of Mississippi, Paul Johnson.

Eighteen months ago after a visit to Mississippi, I pointed out to the Members of this distinguished body, and it is in the Record, that not only were the State and local officials of Mississippi not cooperating with the USDA in getting food to their starving Negroes, but that they were doing everything in their power to block this assistance from reaching those poor unfortunate Americans who had the misfortune to be living in Mississippi. There is no question in my mind that the State of Mississippi is engaged in a deliberate conspiracy to starve their Negroes out of the State, now that they are no longer needed in the cottonfields, and in addition have the right to vote.

I debated this issue with the entire Mississippi delegation. They questioned my motives, my judgment and my experience. But in the end the story was the same, not one member of the Mississippi congressional delegation was to lift one finger to assist the hungry and starving of their State.

I know for a fact that Secretary Freeman and his Department have done everything in their power to get food to the starving men, women, and children not only in Mississippi, but also in the other Southern States where the same dreadful conditions exist, such as Alabama and South Carolina. Each time he has attempted to help he has been blocked by the chairman of the Appropriations Subcommittee on Agriculture, our distinguished colleague, the gentleman from Mississippi.

It appears to me that Mr. Javits' attack was as misguided as it was unwarranted for the real culprit in this affair is the Governor of Mississippi, not the Secretary of Agriculture of the United States. I am afraid that Mr. Javits feels that as New York State's Republican Member of the other body, he could not appear to be any less antiadministration than his Democratic colleague in the other body.

I know of no man in the country more dedicated and devoted to helping the poor and underprivileged than Secretary Freeman. His record of assisting our Negro minority in this country is unparalleled. He transformed virtual singlehanded a previously lily-white Department of Agriculture into an integrated one. He knows better than most that the Department still has a long road to travel in this direction, but, considering that the House Committee on Agriculture and the Agriculture Subcommittee of the House Appropriations Committee is dominated by southern members who are just as dedicated to blocking integration, it is a major miracle that he has accomplished as much as he has.

During their debate Secretary Freeman and Mr. Javits touched on food for the poor in New York State. I would like to point out that while New York State by and large has a very fine welfare program, our participation in food stamp and surplus commodity programs leaves a great deal to be desired. To the best of my knowledge, I do not recall that either of our Senators or our Governors made any attempt to get these programs going in New York State. Of the five counties that I represent, two are economically deprived and one is on the borderline. None of these counties has a food stamp program. I think the Secretary was quite right in suggesting that Senator Javits look at the situation in New York State before telling Secretary Freeman what to do in Mississippi.

I would suggest that all of those well-meaning Members of both bodies who wish to see these terrible conditions in many of our States ameliorated try to distinguish their friends from their enemies if they wish to help.

HOUSTON'S GREAT HUMANITARIAN, GEORGE R. BROWN, LAUDED

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Casey] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CASEY. Mr. Speaker, among our greatest assets in Houston, we number first the distinguished men who have given so freely of their time and talent to make our community a better place in which to live.

One such man, who many of my colleagues know personally, is George R. Brown, founder and chairman of the board of Brown & Root, Inc.

His career is legendary. As a builder, he has left his mark across the world wherever fast, efficient engineering and construction work is needed. His genius for organization and construction was tapped by our Government during World War II, Korea, and now again in our heavy involvement in Vietnam and in our space program. But through the long years of accomplishment in the highly competitive engineering and construction field, George Brown never lost contact with the needs of our community, and with his alma mater, Rice University.

As chairman of the board of trustees since 1950 and a board member since 1943, George Brown helped guide the university's growth to its high place in the ranks of our educational institutions. He and members of his family, through the Brown Foundation, have made numerous generous contributions to Rice University through the years.

A few weeks ago, George Brown relinquished chairmanship of the board of trustees of this great institution to H. Malcolm Lovett, son of the institution's first founder. All Houston salutes this distinguished American, who has given so much to our community and who has insured the destiny of greatness for Rice University.

It is with pleasure that I bring to the attention of my colleagues the editorials from the Houston Post and Houston Chronicle, lauding the many accomplishments of our distinguished fellow citizen:

[From the Houston Post]

Brown Gift To Honor Teachers

George R. Brown, who relinquished on June 1 the chairmanship of the board of trustees of Rice University to H. Malcolm Lovett, son of the institution's first president, has demonstrated in a concrete way over a period of 24 years not only his great devotion to his alma mater but his desire that it be one of the world's truly great centers of learning.

In addition to many personal services, for which he was awarded the gold medal of the Rice Alumni Association last November, he and members of his family have made a number of very generous gifts to the university through the Brown Foundation.

These have included funds for two residential colleges, the Albert Thomas chair for political science, which was the first endowed chair in political science at Rice; and the Edgar Odell Lovett chair in mathematics.

To these gifts now has been added one of $500,000 to permit the establishment of a program to encourage excellence in undergraduate teaching at the university. The first awards under this program were revealed at the annual commencement ceremonies, with the top prize this year going to Dr. Ronald L. Sass, a 35-year-old professor of chemistry and the master of Hanszen College.

American universities, in their efforts to achieve excellence and render the services demanded of them, have placed great emphasis in recent years on their graduate and research programs, and there has been an abundance of money to finance these activities from foundation and governmental sources.

The importance of undergraduate teaching in any university's overall program must not be overlooked, and in the case of Rice University, the Brown gift gives needed and appropriate recognition to this all-important function.

Outstanding teachers often do not gain recognition beyond their own campuses. Yet the undergraduate teacher, as the donor observed, has "the most significant and lasting impact on the lives of his students."

In making the seven annual awards at Rice, former students will be polled in the evaluation of each professor's effectiveness.

The latest Brown gift is a splendid one that will bring enduring benefits far into the future to the university, its students and higher education generally. These benefits also will be shared by the community.

[From the Houston Chronicle, June 4, 1967]

The Guard Changes at Rice

A period of long and dedicated service to Rice University came to a partial end this week with the retirement of George R. Brown as chairman of the board of trustees of the school. Friends of the university can rest assured that the post will be filled by a qualified successor—H. Malcolm Lovett, son of Rice's first president.

Brown provided the leadership which helped Rice develop into one of the leading universities in the nation. He has been a trustee since 1943 and was elected chairman in 1950. It was he who was the principal promoter of the residential college system which was begun in 1957. Since then he has contributed money for two of the colleges in addition to endowing the Edgar Odell Lovett chair in mathematics.

The retiring chairman's best-known accomplishment is Rice Stadium. As founder and chairman of the board of Brown & Root, Inc., internationally known building contractors, he arranged for his firm to build the stadium at cost.

Brown, who will remain on the board as vice-chairman, also led the effort to integrate the university, begun in 1964. This met with a mixed reaction. The will of William Marsh Rice, which established Rice, provided for the institution to provide free education for white boys. Today Rice serve all races and women as well. It also now charges tuition to some students.

Lovett, son of Edgar Odell, graduated from Rice in 1921 and has practiced law in Houston since 1924 with the firm of Baker, Botts, Shepherd & Coates, of which he is now a senior partner.

Alumni, faculty, students, friends of Rice and all Houstonians can be assured the future of Rice is in good hands.

SAN DIEGO HONORS VIETNAM VETERANS WITH MASSIVE LUAU

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Van Deerlin] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, San Diego, Calif., threw a party last Sunday for 2,000 servicemen, many of them Vietnam casualties.

The party, a luau, was a memorable occasion. It featured the finest foods, prepared by a team of master chefs, and many star quality entertainers. Everybody who took part donated his time, talent, or product. The consensus was that the affair was a tremendous success with the sailors and marines who attended.

Much of the credit must go to Pete Vermeulen, the San Diego businessman who first suggested the party and was its guiding spirit, and to Frank Rhoades, who enlisted community support in his column in the San Diego Union and personally recruited much of the talent.

But mostly the "lulu of a luau," as Mr. Rhoades termed it, was the result of a spontaneous outpouring of affection by the people of San Diego. They literally adopted the party as a vehicle for showing how they feel about our servicemen and the sacrifices they are making.

A few days before the party, Mr. Vermeulen told Mr. Rhoades the response to his idea had been so overwhelming that he was "scared." What began as a fairly modest proposal for entertaining 200 wounded veterans had ballooned into a massive undertaking involving thousands of persons.

When the word got out that the luau was in the works, Mr. Vermeulen's switchboard was jammed wtih offers of help—as many as 400 in a single day.

At least 50 individuals, for example, offered sites ranging from private clubs to country estates for the gathering. Dozens of businessmen, including some of Mr. Vermeulen's rival meat wholesalers, volunteered their products and services. There was even a telegram from Vice President Humphrey praising Mr. Vermeulen and his cohorts for embarking on this project.

Twelve beer distributors offered enough beer for 7,000 persons, but the generous proposals had to be turned down because most of the guests were minors.

The disabled servicemen came from the two major Navy hospitals in the San Diego area, Balboa, and Camp Pendleton.

Navy Nurse Ens. Carol Carr summed up the effects of the outing on her patients with this comment:

> It's a welcome relief from all those anti-Vietnam demonstrations. It's really good for the boys to do something different. It takes them away from just staring at the walls and thinking of their dead and injured buddies. They sure needed this.

I think we should all ponder Nurse Carr's words about the boys who are lying in military hospitals "just staring at the walls and thinking of their dead and injured buddies."

I might also respectfully suggest that some of our colleagues representing districts with military hospitals consider the example set by the fine people of San Diego, with a view to duplicating this event in their communities.

I personally am very proud of my city for showing just what a community can do to make life a little brighter for the courageous young men who have paid such a high price in the service of their country.

I would like to insert at this point in the Record a page 1 article from the San Diego Union for July 10 which describes the luau:

Feast for 2,000 Servicemen at Mission Bay Luau

It was a lulu of a luau yesterday at the Vacation Village golf course where 2,000 servicemen relaxed, ate a massive banquet and watched continuous entertainment, as guests of a group of San Diego businessmen.

The luau, organized by Pete Vermeulen of the Bridgford Meat Co., was a huge success with the sailors and Marines who flocked to the Mission Bay Park outing.

Sailors and Marines arriving from the Naval Hospital, Camp Pendleton and Navy installations, were greeted by pretty girls, long tables laden with succulent food, and bright sunshine.

Several San Diego-area businessmen donated everything for distribution to the servicemen.

The entertainment, which would have made Ed Sullivan jealous, was provided on a small outdoor stage.

BERMAN IS HIGHLIGHT

What started out as a brief "spot" by comedian Shelley Berman turned into a highlight of the luau as the nightclub star told the audience about his experiences in the Navy during World War II.

Then, Berman drew cheers and laughter from the audience as he exchanged quips with a lady in a straw hat who was heckling him.

The Let's Go San Diego singers ended the show with their rousing renditions of "Up With People" and "Freedom Isn't Free."

Marine Sgt. Jim Wilder and his wife, Beverly, were enthusiastic about the luau.

"It's a great idea and it sure helps to make us feel more at home after we get back," Wilder said.

COMBAT VETERAN

Wilder, of 4368 Clairemont Mesa Blvd., is an outpatient at Naval Hospital. He was wounded during a battle near Chu Lai, South Vietnam.

A group of nurses from the hospital agreed that the luau was one of the best things that could have been done for the boys who were wounded in Vietnam.

Navy Nurse Ens. Carol Carr said, "It's a welcome relief from all those anti-Vietnam demonstrations. It's really good for the boys to do something different.

"It takes them away from just staring at the walls and thinking of their dead and injured buddies. They sure needed this," she said.

Marine Pfc. Edward Rothery, 19, of Portland, Ore., who will be graduated from basic training Wednesday, said the luau was "just great" as a coming out party for him and his buddies.

The food, which was distributed in huge pans on four tables, was prepared by members of the Chefs de Cuisine of San Diego. The chefs spent hours preparing a magnificent roast pig, a pineapple salad, and the accompaniments.

Most of the guests sat on the grass and sang, clapped and laughed with the jazz, rock 'n' roll and comedy acts.

RECESS

The SPEAKER. The Chair declares the House in recess, subject to the call of the Chair, and the bells will be rung 10 minutes before the House reconvenes.

Accordingly (at 5 o'clock and 52 minutes p.m.) the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 7 o'clock and 51 minutes p.m.

ADJOURNMENT OVER UNTIL MONDAY, JULY 17, 1967

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today that it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. HALL. Mr. Speaker, reserving the right to object, would the distinguished majority leader inform the Members and the House about the plans and whether the program as previously announced is firm for Monday next?

Mr. ALBERT. The program is firm. Of course, one of the reservations we had was that conference reports could be brought up at any time. And we did announce previously that the Speaker would have authority to recognize Members of suspension of the rules. We did make that reservation.

Mr. HALL. Could the gentleman inform the House and the public further as to whether or not the conference on which we have been waiting has reached any possible agreement, or whether or not there is any time certain that they might reach an agreement over the weekend?

Mr. ALBERT. I have no knowledge of that. May I advise the gentleman that I have been advised that the Senate has adjourned until Monday, and no final action could be taken on this matter until Monday anyway.

Mr. HALL. Mr. Speaker, further reserving the right to object, does this mean, then, that any further action of the conference of the two bodies that might ensue could not be brought up without necessarily filing and laying over in the House, according to existing rules, until Tuesday?

Mr. ALBERT. The conference report, of course, or any other action that could be taken could only be brought up within the Rules of the House.

Mr. HALL. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma? The Chair hears none, and it is so ordered.

HIGHWAY SAFETY STANDARDS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MCCARTHY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCARTHY. Mr. Speaker, in spite of anything we seem to be able to do, the number of deaths and injured on our roads and highways continues to go higher and higher. The record toll on the July 4 weekend, though it did not quite reach the National Safety Council estimate, was most disheartening.

Last fall Congress set up a new safety bureau within the Department of Transportation to deal with this problem. This agency began its difficult task last January by developing an introductory set of safety standards for new automobiles and equipment. Cars, of course, are only a part of the problem, the rest being the driver and the road.

Now an important move has been taken in that direction. Secretary of Transportation Boyd recently issued national standards for State highway programs. These cover such critical areas as motor vehicle inspection and registration, driver education and licensing, and highway design, construction, and maintenance, among others.

The availability of these standards paves the way for providing Federal funds to the States for their highway safety programs, and through them, to the local communities.

This is a heartening development. Though we cannot expect miracles, and unquestionably it will take time before these plans can be translated into lower death and injury rates, the new standards are a giant step in the right direction.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BROTZMAN (at the request of Mr. GERALD R. FORD), on July 13, 1967, on account of official business.

Mr. BUTTON (at the request of Mr. GERALD R. FORD), for July 13, 1967, on account of official business.

Mr. WHITENER (at the request of Mr. ALBERT), from July 13 through July 21, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RESNICK, for 1 hour, on Tuesday, July 18; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. PRICE of Texas) and to revise and extend their remarks and to include extraneous matter to:)

Mr. HALPERN, for 20 minutes, on July 18.

Mr. FINDLEY, for 30 minutes, today, July 13.

Mr. HORTON, for 1 hour, on July 17, following Congressman MORSE of Massachusetts.

Mr. EDMONDSON (at the request of Mr. ALBERT), for 20 minutes, on July 20, 1967; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks was granted to:

Mr. STRATTON, prior to passage of H.R. 10595, and to include extraneous matter.

(The following Members (at the request of Mr. PRICE of Texas) and to include extraneous matter:)

Mr. BUTTON.

Mr. BERRY.

Mr. QUILLEN.

Mr. HORTON.

Mr. BROYHILL of Virginia.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. CORMAN.

Mr. WATTS.

Mr. PUCINSKI.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 10918. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until Monday, July 17, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

907. A letter from the Comptroller General of the United States, transmitting a report of review and appraisal of efficiency and effectiveness of audit activities, Department of Commerce; to the Committee on Government Operations.

908. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on smoking and health, pursuant to the provisions of Public Law 89-92; to the Committee on Interstate and Foreign Commerce.

909. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the annual report covering operations for the calendar year 1966, pursuant to the provisions of section 17(a) of the Federal Deposit Insurance Act; to the Committee on Banking and Currency.

910. A letter from the Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 133, *The Ottawa Tribe, et al., Petitioners* v. *The United States of America, Defendant*, pursuant to the provisions of 60 Stat. 1055; 25 U.S.C., 70t; to the Committee on Interior and Insular Affairs.

911. A letter from the Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 312, *Citizen Band of Potawatomi Indians of Oklahoma, et al., Petitioners,* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

912. A letter from the Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 101, *The Citizen Band of Potawatomi Indians of Okla-*

homa, et al., Petitioners, v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

913. A letter from the Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 13–C, *James Strong, Elmer B. Simonds, William Robert Warren, Margaret Arvold, Julia Potter, Betty Ann Nordwall, Stanley A. Nordwall, Edwin Carl Lerke, Jr., et al., as the representatives and on behalf of all members by blood of the Chippewa Tribe of Indians, Plaintiffs,* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

914. A letter from the Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 98, *The Muckleshoot Tribe of Indians on relation of Napoleon Ross, Chairman of the General Council, Claimant,* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

915. A letter from the Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 13–L, *James Strong, et al., as the representative and on behalf of all members by blood of the Chippewa Tribe of Indians, including all descendants of Chippewa members of the United Nations of Indians, Petitioners,* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

916. A letter from the Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 40–J, *Robert Dominic, et al., as the representative and on behalf of all members by blood of the Ottawa Tribe of Indians, Petitioner,* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

917. A letter from the Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 279–B, *The Blackfeet and Gros Ventre Tribes of Indians, residing upon the Blackfeet and Fort Belknap Reservations in the State of Montana, Petitioners,* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

918. A letter from the Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 18–I, *Red Lake, Pembina, and White Earth Bands, et al., Petitioner,* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

919. A letter from the Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 341, *The Seneca-Cayuga Tribe, et al. Petitioners,* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1955; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce, Senate Joint Resolution 88. Joint resolution authorizing the operation of an amateur radio station by participants in the XII World Boy Scout Jamboree at Farragut State Park, Idaho, August 1 through August 9, 1967 (Rept. No. 483). Referred to the House Calendar.

Mr. BOLAND: Committee on Appropriations. H.R. 11456. A bill making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 484). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of North Dakota:

H.R. 11424. A bill to amend the Internal Revenue Code of 1954 to exempt certain farm vehicles from the highway use tax; to the Committee on Ways and Means.

By Mr. BATTIN:

H.R. 11425. A bill to authorize the appropriation of funds for the construction, reconstruction, and improvement of the Alaska Highway; to the Committee on Public Works.

H.R. 11426. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. BROYHILL of North Carolina:

H.R. 11427. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. BYRNES of Wisconsin:

H.R. 11428. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the emigrant New York Indians Claims Commission docket No. 75, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CONABLE:

H.R. 11429. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. DOW:

H.R. 11430. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EVERETT:

H.R. 11431. A bill to provide assistance to first processors of cotton who have suffered substantial losses because of the economic impact of cotton programs of the Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. GURNEY:

H.R. 11432. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. HUTCHINSON:

H.R. 11433. A bill to provide for the control or elimination of the alewife in the waters of the Great Lakes; to the Committee on Merchant Marine and Fisheries.

By Mr. KLUCZYNSKI (by request):

H.R. 11434. A bill to amend the International Travel Act of 1961 to provide for Federal regulation of the travel agency industry; to the Committee on Interstate and Foreign Commerce.

By Mr. MACHEN:

H.R. 11435. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alinement, and for other purposes; to the Committee on the District of Columbia.

By Mr. MATSUNAGA:

H.R. 11436. A bill to amend the Agricultural Act of 1949 to provide for the stockpiling, storage, and distribution of agricultural commodities and products thereof for emergency purposes; to the Committee on Agriculture.

H.R. 11437. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 11438. A bill to prohibit banks from performing professional accounting services; to the Committee on Banking and Currency.

By Mr. MINISH:

H.R. 11439. A bill to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Ways and Means.

By Mr. O'HARA of Illinois:

H.R. 11440. A bill to provide for the control or elimination of the alewife and other such pests in the waters of the Great Lakes; to the Committee on Merchant Marine and Fisheries.

By Mr. TAFT:

H.R. 11441. A bill to mesh the combined efforts of government at all levels with private endeavors to provide jobs and dignity for the poor; to the Committee on Education and Labor.

H.R. 11442. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. WHALLEY:

H.R. 11443. A bill to create the Interoceanic Canals Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WYDLER:

H.R. 11444. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BROCK:

H.R. 11445. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed; to the Committee on Post Office and Civil Service.

By Mr. BROYHILL of Virginia (by request):

H.R. 11446. A bill to amend section 548 of the act of March 3, 1901, to repeal the residence requirement for the Recorder of Deeds of the District of Columbia; to the Committee on the District of Columbia.

H.R. 11447. A bill for the promotion of the progress of the useful arts by the general revision of the patent laws, title 35 of the United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 11448. A bill to amend title V of the Social Security Act to provide a grant-in-aid program to assist the States in furnishing aid and services with respect to children under foster care; to the Committee on Ways and Means.

By Mr. EILBERG:

H.R. 11449. A bill creating a commission to be known as the Commission on Obscenity and Pornography; to the Committee on Education and Labor.

H.R. 11450. A bill to authorize demonstration projects designed to help young adult criminal offenders through the services of members of VISTA and the Teacher Corps; to the Committee on Education and Labor.

By Mr. GUBSER:

H.R. 11451. A bill to amend title 39, United States Code, to provide for the regulation of mailing list dealers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HORTON:

H.R. 11452. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. KUPFERMAN:

H.R. 11453. A bill granting the consent of Congress to the several States to enter into agreements or compacts to develop, establish, and enforce uniform divorce laws; to the Committee on the Judiciary.

By Mr. STEIGER of Wisconsin:

H.R. 11454. A bill to provide for the control or elimination of the alewife and other such pests in the waters of the Great Lakes; to the Committee on Merchant Marine and Fisheries.

By Mr. ULLMAN:

H.R. 11455. A bill to declare and determine the policy of the Congress with respect to the primary authority of the several States to control, regulate, and manage fish and wildlife within their territorial boundaries, to confirm to the several States such primary authority and responsibility with respect to the management, regulation, and control of fish and wildlife on lands owned by the United States, and to specify the exceptions applicable thereto; to the Committee on Merchant Marine and Fisheries.

By Mr. BOLAND:

H.R. 11456. A bill making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes.

By Mr. BROWN of California:

H.R. 11457. A bill to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of community programs for patients with kidney disease and for conduct of training related to such programs and other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of Michigan:

H.R. 11458. A bill to establish an Office of Program Analysis and Evaluation and a Joint Committee of Congress on Program Analysis and Evaluation; to the Committee on Rules.

By Mr. BROYHILL of Virginia (by request):

H.R. 11459. A bill to amend title 5, United States Code, to improve the classification of positions on the special security police force of the Bureau of Engraving and Printing of the Department of the Treasury; to the Committee on Post Office and Civil Service.

By Mr. BURTON of California:

H.R. 11460. A bill to authorize the Secretary of the Interior to study the feasible and desirable means of establishing a marine sanctuary in the Santa Barbara Channel, Calif.; to the Committee on Merchant Marine and Fisheries.

By Mr. KASTENMEIER:

H.R. 11461. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. McCLURE (for himself and Mr. Hansen of Idaho):

H.R. 11462. A bill to amend the act of October 30, 1965 (79 Stat. 1125), so as to authorize the State of Idaho to participate under the provisions of such act; to the Committee on Merchant Marine and Fisheries.

By Mr. MORSE (for himself, Mr. Bates, Mr. Boland, Mr. Burke of Massachusetts, Mr. Conte, Mr. Donohue, Mrs. Heckler of Massachusetts, Mr. Keith, Mr. Macdonald of Massachusetts, Mr. O'Neill of Massachusetts, and Mr. Philbin):

H.R. 11463. A bill to amend the act of September 21, 1959, to increase the authorization for the Minute Man National Historical Park; to the Committee on Interior and Insular Affairs.

By Mr. POLANCO-ABREU:

H.R. 11464. A bill creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. RARICK:

H.R. 11465. A bill to repeal the United Nations Participation Act of 1945; to the Committee on Foreign Affairs.

By Mr. RIVERS:

H.R. 11466. A bill to remove the restrictions on the grades of the director and assistant directors of the Marine Corps Band; to the Committee on Armed Services.

By Mr. STUBBLEFIELD (for himself and Mr. Ichord):

H.R. 11467. A bill to authorize the Secretary of Agriculture to cooperate with the States in providing for the prevention and suppression of structural and wild fires in rural areas; to the Committee on Agriculture.

By Mr. STUBBLEFIELD:

H.R. 11468. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. BROWN of California:

H.R. 11469. A bill to authorize the Secretary of the Interior to study the feasible and desirable means of establishing a marine sanctuary in the Santa Barbara Channel, Calif.; to the Commitee on Merchant Marine and Fisheries.

By Mr. MacGREGOR:

H.R. 11470. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 11471. A bill to provide for the establishment of a U.S. Court of Labor-Management Relations which shall have jurisdiction over labor disputes which result in work stoppages that adversely affect the public interest of the Nation to a substantial degree; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.J. Res. 709. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. HANNA:

H.J. Res. 710. Joint resolution creating a Joint Committee To Investgiate Crime; to the Committee on Rules.

By Mr. ROYBAL:

H.J. Res. 711. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

H.J. Res. 712. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. SISK:

H.J. Res. 713. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. FULTON of Tennessee:

H.J. Res. 714. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. McCLORY:

H.J. Res. 715. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. DOW:

H. Con. Res. 412. Concurrent resolution providing for the designation of nine Members of Congress to serve as observers for the Congress of the elections to be held in South Vietnam in the period from August 1 to September 3, 1967, inclusive; to the Committee on Rules.

By Mr. EILBERG:

H. Res. 739. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. FALLON:

H. Res. 740. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. ASHBROOK:

H. Res. 741. Resolution creating a House select committee to conduct a study of the effects of the October Revolution of 1917; to the Committee on Rules.

By Mr. SCHEUER:

H. Res. 742. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

256. The SPEAKER presented a memorial of the Legislature of the State of Oregon, relative to the Amerasian children in Southeast Asia, which was referred to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE of Florida:

H.R. 11472. A bill for the relief of Dr. Pedro Piña; to the Committee on the Judiciary.

By Mr. MATHIAS of California:

H.R. 11473. A bill for the relief of George D. Prather and Mable E. Prather; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 11474. A bill for the relief of John J. Curtis, Sr.; to the Committee on the Judiciary.

By Mr. POLANCO-ABREU:

H.R. 11475. A bill to authorize the transportation of passengers by certain foreign vessels between Puerto Rico and Port Everglades, Fla.; to the Committee on Merchant Marine and Fisheries.

By Mr. RAILSBACK:

H.R. 11476. A bill for the relief of Mr. and Mrs. James Chambers; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 11477. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Eugene E. Laird; to the Committee on the Judiciary.

By Mr. WILLIS:

H.R. 11478. A bill for the relief of Pero Cibilic; to the Committee on the Judiciary.

By Mr. ASHMORE:

H. Res. 743. Resolution to refer the bill (H.R. 9826) entitled "A bill for the relief of Branka Mardessich and Sonia S. Silvani" to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; to the Committee on the Judiciary.

* * *

SENATE

Thursday, July 13, 1967

The Senate met at 10 o'clock a.m., and was called to order by Hon. Clifford P. Hansen, a Senator from the State of Wyoming.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God and Father of all mankind, whose paths are mercy and truth, we come with all our fallible judgments that in Thy light the immediate might be set in the wide horizons of abiding verities.

We would test our thoughts and words and deeds, not against the faulty background of our fellows, but with our eyes upon the transparent glory of the crystal Christ.

In these dangerous and disturbing days sober us with a solemn sense of personal responsibility, and that Thy call to each one of us is to contribute to the world's good, our own life, strong, clean, honest, trustworthy, and serviceable.

As Thy servants and the people's in this temple of democracy, save us from any perversion of the power that has been entrusted to our hands.

Lord God of Hosts, be with us yet,
Lest we forget—lest we forget!

Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 13, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. CLIFFORD P. HANSEN, a Senator from the State of Wyoming, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. HANSEN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, July 12, 1967, was dispensed with.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the order of yesterday, the Chair recognizes the Senator from New York [Mr. JAVITS].

Mr. MANSFIELD. Mr. President, will the Senator yield to me for 1 minute?

Mr. JAVITS. I yield.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Special Subcommittee on Arts and Humanities of the Committee on Labor and Public Welfare.

The Subcommittee on Government Research of the Committee on Government Operations.

The Subcommittee on Military Construction of the Committee on Armed Services.

The Subcommittee on Constitutional Rights of the Committee on the Judiciary.

On request of Mr. BYRD of West Virginia, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary.

The Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare.

The Subcommittee on Merchant Marine and Fisheries of the Committee on Commerce.

COMMITTEE MEETING DURING SENATE SESSION TODAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE VIETNAMESE ELECTIONS—U.S. OPPORTUNITY AND RESPONSIBILITY

Mr. JAVITS. Mr. President, first I wish to express my appreciation to the majority leader and to the minority leader for arranging this time for me. I do not expect to take all the time which has been arranged. It may be that others who also desire to address the Senate may share some of this time with me.

My reason for taking the time this morning is to express my views on the situation in Vietnam now, at a moment when again the United States must reevaluate its position. We are being called upon to send more troops at a time when that struggle is being waged at enormous cost in terms of casualties, as well as in treasure. I see an opportunity presenting itself to us in Vietnam. If we take it now, which may very well begin to form the basis for a changed situation there—an opportunity to attain the result for which we are there, without an indefinite continuance of the "decade war" we constantly hear about.

Mr. President, I speak now also because, in my judgment, unless we act now along the lines which I will indicate, we may very well miss a historic opportunity. I believe it is clear that we must act on our own. We cannot rely upon the expectation that there are going to be peace negotiations. We have relied on that gambit for a long time now, and nothing has happened. We had better decide now that the only reliable way in which we can deal with the situation is on our own initiative.

So, I speak now, upon those two bases—one, that we are called upon for a greater commitment now, while casualties and expenditures are already at a relatively high level; and, second, because we cannot now rely upon negotiations to disentangle this situation.

The September elections in Vietnam present the United States with a unique opportunity and a grave responsibility. If we fulfill our responsibility and seize our opportunity we can regain crucial options lost in recent years. Our basic commitment in Vietnam is to give the people of the south a chance to choose their own government in free elections and to determine their own future. The Vietnamese Presidential elections this September, following the recent village council elections and the earlier Constituent Assembly elections, can be viewed as giving the Vietnamese people such an opportunity to choose their own government, if they are conducted in a truly free and legitimate fashion. If the Vietnamese face up to their responsibility, and we do our share in connection with this crucial electoral process, we can reclaim the freedom of action of honorable and phased disengagement from the military conflict, with forces of the Republic of Vietnam taking over as needed.

U.S. responsibilities in this connection are several and acute. Our massive military involvement not only has given us the right but indeed has imposed on us a responsibility to be alert to the implications of this political crossroads.

First, we must make certain that these elections are conducted in a truly free and legitimate fashion. Equally important, we must see to it that voters and candidates alike understand the issues and responsibilities at stake. In this connection, I urge President Johnson to appoint a bipartisan special task force under the chairmanship of an American of the highest stature to go to Vietnam for the express purpose of surveillance of the elections and thereby to impress upon the candidates and voters a sober awareness that the results of this election will determine their future in large measure.

While I have not suggested a specific name for the chairmanship, I wish that former President Eisenhower were able to undertake it. The President has already requested him to make a mission to Asia. But there are a number of distinguished statesmen of our country, men who have served with the highest distinction in posts of great authority in the foreign affairs responsibilities of the Nation. The President would not have difficulty making a suitable choice.

Second, the United States must insist that the immediate postelection period be one of political coalescence and national consolidation. The group that wins the election and forms the government must take the initiative in reaching out to the other groups in a spirit of reconciliation. The legitimate interests of all the groups participating in the elections must be incorporated and find a voice in the processes and decisions of government. There is no room here for threats against any freely elected government by the military officials in control now. I refer in this connection, to Premier Ky's remark that he will have to fight any government that he does not think will carry on the war against North Vietnam. That certainly is not consistent with free elections or freedom of action for a chosen government.

Third, and most crucially, we must exert maximum persuasion to insure that this process of political coalescence is followed by an all-out campaign for eco-

nomic and social reform. We must permit no backsliding into sordid political brokerage among the traditional spokesmen of privilege and status quo. An incessant, dedicated effort must be launched to win the confidence of that disinherited 60 percent of South Vietnamese who are now equally indifferent to the Vietcong and the government of Saigon. Here we must include the President's proposal for a project, to include even North Vietnam if there is peace, for the development of Southeast Asia. It is this forgotten 60 percent of the population of South Vietnam which constitutes, in the words of Mao Tse-tung, the water in which the guerrilla fishes swim. When that habitat dries up, the Vietcong will be fish out of water.

Secretary Rusk, in speaking about Vietnam, once approvingly quoted General Marshall as follows:

> Gentlemen, let's not talk about this matter too much in military terms; to do so might make it a military problem.

I wish the administration had paid more heed to this excellent advice. The logic of our military tactics has blurred our perspective. The struggle in Vietnam, even today, is preeminently a political struggle and it will be won or lost in the south.

In the late 1950's we made a great mistake in not insisting that Diem implement far-reaching economic and social reforms. Instead, we permitted his regime to become the very opposite of a government of the people, by the people and for the people of South Vietnam. The rotten and disjointed polity which resulted was an inevitable target of renewed Communist seige. With great effort and enormous cost, half a million American troops have now reversed the tide of battle. We have, in fact, saved the south from military conquest and the forcible establishment of Hanoi's writ throughout both Vietnams.

The beleaguered South Vietnamese must now stand and be counted. Considering what they have been through over the past decade it is perhaps too much to expect that they can quickly match the fanaticism of the Vietcong. But the "motivation gap" has been too large for too long. American troops cannot be expected to keep the terror and tyranny of Vietnamese communism at bay indefinitely while the ARVN forces engage essentially in pacification operations without achieving any apparent major results. We must give notice now to the fractured cliques in Saigon that South Vietnam must be transformed into a resolute and purposeful nation. Such a transformation, and only such a transformation, will convince Hanoi and the Vietcong that their ruthless enterprise cannot succeed.

This is a phasing operation. We need to begin phasing out of the major responsibility for fighting the war once a viable elected government is established. Even such a phasing out may take a long time but a beginning must be made following the September 1967 elections. Let me make it clear, however, that I am not suggesting that our forces, which are now engaged so tellingly and so successfully with North Vietnamese regulars, should be weakened or asked to pull back.

We are confronted now with a stalemate. This does not mean that our military involvement has accomplished nothing. On the contrary, it has achieved a great deal because the Communists were on the verge of a sweeping military victory when we intervened on the ground 2 years ago. Nonetheless, we now have a stalemate which must be broken.

The war hawks offer the prescription of military escalation. But quantum jumps in our military involvement in the past have resulted only in new stalemates at higher levels of intensity and cost. Further escalations, if followed to their logical conclusion, would widen the ground war to Laos, Cambodia and North Vietnam—and eventually to Communist China. We would then find ourselves in the very quagmire which we were told that our original modest involvement in South Vietnam was designed to prevent.

The judgment on General Westmoreland's request for added troops should be made on this kind of basis; that is, the opportunity to begin to phase out of the situation in Vietnam once there is a legitimate government, rather than on the idea of further military escalation of the struggle in Vietnam. As a Senator I shall make my judgment on that basis.

The argument of the bombing enthusiasts is that it harasses and weakens the will of Hanoi. I have seen no convincing evidence to support this contention. We have not bombed Hanoi to the peace table and there is no indication that we will do so in the proximate future. We can assume therefore that there is no way to force negotiations through bombing. Bombing should be directed essentially at the interdiction of infiltration of men and supplies to protect the security of our forces.

I urge that we seek actively to create a diplomatic framework in which a cessation of bombing, or a phased reduction of bombing, may bring about peace negotiations. In this context, I urge consideration of the proposal of eight Republican Representatives in the House of Representatives for a phased reduction of bombing.

The stalemate in Vietnam can be broken, however, by the kind of political escalation I have prescribed earlier in this speech. What really will discourage Hanoi and the Vietcong is a political and economic renaissance in the south. When the political, social, and economic swamps of the south are drained and dried the Communist guerrilla fishes will be left high and dry. The North Vietnamese main force units will wither before our firepower and the "war of liberation" will hear and heed its own deathknell.

Again, I repeat that it is political escalation which is required at this time when we have the opportunity in connection with the election to phase out of this struggle. The course which I have prescribed in this speech will require a new order of leadership in South Vietnam.

We have recently witnessed Prime Minister Ky's withdrawal from the presidential race under pressure from the military directorate. This was a rather bizarre spectacle and was preceded by some highly questionable campaign behavior on Ky's part. Nonetheless, the evident determination of the South Vietnamese military to maintain a united front, and Ky's apparent acquiescence in this decision at the cost of his own candidacy, is an encouraging sign. But much more is demanded of these same military leaders in the months ahead.

Hence, if the Thieu-Ky ticket wins in September, as the pundits now predict, they must embark on the painful upward course to statesmanship. The growth process will seem excruciating at times as they leave the comfortable and familiar confines of military command and seek the confidence and support of all segments of society. The art of political leadership is a talent for inclusion rather than exclusion; other military men leading other Asian governments have joined with the leading civilian elements. It is an art the Vietnamese military leaders must learn too. I cite President Ayub Khan of Pakistan as successful example.

In conclusion, Mr. President, we cannot rely on the prospect of negotiations with the North Vietnamese. We must depend on ourselves and the opportunity we have in connection with these elections. Political escalation is the path for the United States to break the stalemate. In this connection, I reiterate my call to the President to appoint a bipartisan special task force, under the chairmanship of a most distinguished American, to visit Vietnam in connection with the September elections. The presence of such a group under a really distinguished chairman would dramatically impress upon the South Vietnamese and the world in general the gravity of the issues at stake in the elections, and the seriousness of the American people in seeing that the elections are free and begin a process of transformation which will lead to peace in Southeast Asia and military disengagement for the United States.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I understand that other Senators desire to utilize the remainder of the hour which I have obtained.

I ask unanimous consent that disposition of the remainder of the time which has been allocated to me by unanimous consent may be in the hands of the Senator from West Virginia [Mr. BYRD].

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia. I thank the Senator.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair, with the proviso that the recess not extend beyond 11 o'clock this morning.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

At 10 o'clock and 23 minutes a.m., the Senate took a recess until

At 10:52 a.m., the Senate reassembled, when called to order by the Acting President pro tempore.

OPPOSITION TO AN INCOME TAX INCREASE NOW

Mr. BYRD of West Virginia. Mr. President, there is a rising tide of speculation as to congressional action to institute an increase in taxes within the coming weeks.

Earlier this year, the President outlined a general proposal for such increase through the device of a 6-percent surcharge on income taxes of citizens and corporations. The proposal was presented under the claim that it was anticipated that it would be needed to curb inflationary pressures. However, other than defending statements by Government economists on the one hand and attacks by economists with opposing views on the other hand, no real action has yet occurred. Administration spokesmen have recently intimated that an increase in income taxes will be pressed and forthcoming.

There has been growing concern in many quarters because of the potentially dangerous effects on the national economy of the possible increase in Federal indebtedness to something substantially beyond the $358 billion limit just signed into law by the President in legislation raising the permanent debt ceiling.

As an understandable basis for this fear, there is the experience of this past fiscal year in estimating Vietnam military costs. These were originally estimated at about $10.5 billion. Then earlier this year, an official budgetary revision raised these war costs to $19.9 billion. Now many knowledgeable Government officials and members of Congress believe they may actually exceed $20 billion when the final charges are added.

These fiscal facts of life are not to be ignored. I am opposed to an increase in income taxes at this time and I am opposed to the proposed surcharge, not because of disagreement with these facts, but rather on the conviction that, before we impose further taxes on the American taxpayer, Federal programs of marginal virtue and questionable benefit should first be reexamined and their true worth assessed. Where there are programs which are demonstrably ineffective, or which are annually absorbing substantial portions of the Federal treasury without bringing the results for which they allegedly were designed, I believe these programs should be either overhauled to become more effective and less expensive, reduced substantially, or, if indicated, abolished entirely.

Moreover, I am concerned that the constant on again and off again proposals on increased taxation of the American citizenry and businesses is detrimental to a healthy economic climate. How can any business operate in a progressive fashion when it is unable to plan ahead, in any certainty, on a concerted program of long-range investments or modernization? Being subjected to fluctuations in financial marts, which are reacting to constantly recurring cycles of cutting and raising taxes, is certainly not a good recipe for financial stability and must be discouraging to business innovations.

Economists have warned that a tax increase now could very possibly have an adverse effect on sales—and I believe this—which in turn could depress profits, and cause investment sources to dry up.

It is almost certain that many businesses will be forced into trying to offset rising tax costs by raising prices to the consumer, which could likely trigger demands for wage increases to offset rises in prices.

The Congress recently acted to approve an increase in the national debt ceiling, meeting its responsibilities when it became obvious that the costs of our South Vietnam military efforts had exceeded the original estimates.

In order to keep these Federal debts within prudent limits, I believe that our wisest course of action now is to proceed to reexamine some of the Federal programs which are certainly questionable in benefits derived in relation to Federal funds expended, to insure that these programs are indeed accomplishing the results for which they were originally conceived. This reexamination certainly is more to be desired than rushing into a tax increase with its potential danger to our Nation's economy, through possible depressive effects.

In discussing this reevaluation of Federal programs, let me say I do not question the need for retention of health programs nor the importance of underwriting our military commitments, but I do feel that some of the foreign aid which our Nation has provided in the past has outlived its usefulness and now represents an unnecessary drain on the Nation's resources.

I believe that the National Aeronautics and Space Administration should have its programs more closely watched, and a realistic and unbiased appraisal should be made of the tremendous expenditures being made through our space efforts. It has been my observation, over the years of my service in the Congress, that expenditures by the Federal Government which are not carefully watched often pyramid far beyond the original intent to form little empires.

Especially do I believe that various of our domestic programs should be carefully reviewed with an idea of balancing the funds spent on them with the benefits received from them. I feel that some people in the administration and in the Congress may have been unduly pressured and stampeded by troublesome elements in our society, which has resulted in the fiscal "beefing-up" of some socioeconomic programs which are greatly inefficient and structurally incapable of achieving the desired goals, many of which may be worthy in themselves. All too often, Federal programs of such character end up providing a testing ground for social theories which are too far divorced from reality ever to be practical or workable.

Finally, I do not believe that the American taxpayer wants to be the bearer of ever-greater tax burdens in order to support unworkable programs or to continue exravagant and impractical operations which simply drain more dollars from his pocketbook.

Before acting on tax increase proposals, I feel that the Congress should review current Federal spending and first determine what cuts can constructively be made in various less productive programs.

Mr. President, I suggest the absence of a quorum.

The **ACTING PRESIDENT** pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The **ACTING PRESIDENT** pro tempore. Pursuant to the order of July 11, the Chair recognizes the Senator from South Dakota.

THE UNITED STATES NEEDS AN EMBARGO ON AID TO OUR ENEMIES

Mr. MUNDT. Mr. President, the morning newspapers carry the expected but unpleasant news that, having returned from Vietnam, Secretary of Defense McNamara expects to ask for additional troops to be sent to the war area in Vietnam. He does not tell us how many. Apparently, it is impossible at this time to estimate how many we are going to need in this steadily escalating war.

The same newspapers carry accounts that there is a growing intention on the part of the administration to ask for a tax increase this year, and Vietnam and the war activities there are given as the basic reason for such a request.

As we face up to the fact that we are in a war in Vietnam which is becoming one of the longest wars in America's history, and one of the bloodiest, it seems to me that all Members of Congress should reflect a little on those collateral governmental policies which are related to the fact that this war goes on without end, without victory, and without any apparent progress from the standpoint of the important business of bringing the enemy to the conference table to negotiate.

I noticed in last night's newspapers that a very distinguished American columnist, David Lawrence, had written in his syndicated column that there was a new breed of birds in the Senate from those to which we had previously alluded. There have been efforts for some time on the part of newspapermen, trying to oversimplify facts, to divide the Senate into doves and hawks. It never was a very appropriate or accurate title. Certainly, it left a great many of us without any nest at all in this birdlife Washington atmosphere in which we live.

In his article, David Lawrence publicly reported a very poorly kept secret—that is that the distinguished Senator from California [Mr. MURPHY] conceived the idea that there must be other kinds of birds in the Senate besides doves and hawks, and so he circularized a memorandum, a sort of commitment, to be signed by Senators who cared to sign it, designating themselves as eagles and setting out on this third designation.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. MUNDT. I yield to my fellow eagle, whose name I have seen on the Murphy list.

Mr. BYRD of West Virginia. I am sure the distinguished Senator will recognize that there are two Members of the Senate who are just plain "Byrds."

Mr. MUNDT. The Senator is correct—just plain "Byrds." We also have some "birds" at the other end of the avenue; and, being an old-time bird-watcher myself, I am not averse to having these birds appearing so prominently in the category of the press. We simply are adding our newly designated "eagles" to the "hawks," the "doves," and the other birds and "Byrds" in our Washington birdcage.

But I am impressed by the fact that we have so many eagles in the Senate; and, speaking as one of the eagles who was appropriately listed last night in the David Lawrence column, I point out that we have some ideas on this war ourselves and what is continuing it and why we are failing to make progress, apparently, in any direction other than to escalate the American casualties and the cost and the length of the war.

From now on, some of us who have been classified as eagles are going to have more to say on this subject, taking our place somewhere between the area occupied by the doves and the area occupied by the hawks; because certainly we want less war and an earlier peace, not more war and a peace which is longer deferred.

I believe it is well known in the Senate that I have been one of the Republican Members who, despite my lifetime zeal to get into a partisan contest now and then, has refrained from trying to take any partisan advantage whatsoever in this war, which has developed, grown, and is being operated under a Democratic administration. In fact, I have been a supporter of the President in what I still believe is his commendable stated purpose of trying to make sure that communism does not take over in that area of the world and that the United States does not suffer a humiliating defeat which would shoot us out of the saddle of world leadership and leave our globe without a competent, capable, and adequate leader, from the standpoint of the free world.

But I must sadly state, as I begin my address on this subject—and I shall have more to say upon it next week, and considerably more in the weeks ahead, as will other eagles listed in the newspaper article—that unless some sharp changes are summarily made by this administration in the collateral policies which in my opinion are largely responsible for the prolongation of the war—I refer to political, diplomatic, and trade policies as they relate to our friends, our neighbors, and our neighbors around the world. I allude not to political policies as they apply to our domestic politics, but political policies from the standpoint of those actions, other than military fighting, which could and should be taken to assure the American public that we value human life and peace more than we value profits and the opportunity to expand profiteering by wartime trading with an enemy.

Mr. President, I have been supporting this administration, without carping criticism, without seeking any political advantage, and without trying to embarrass or downgrade President Johnson for every mistake in judgment he makes in the handling of our military decisions in Vietnam. By my vote and by my voice I have given this administration far better support in this area than have many of our Democratic colleagues. However, I sadly say that during the last several weeks—in fact, ever since the days of the consular treaty fight on the Senate floor—I have been doing it with less confidence that I am right in doing it, and with less conviction that the administration program is right as it makes its wartime decisions, and with less optimism that at the end of the road this administration will get us what we want—an enduring peace, a successful end to the war, avoidance of a humiliating defeat, and the reestablishment of order and justice in that part of the world.

With that background, Mr. President, I point out that the Johnson administration frustrated by the adamant opposition of the 89th Congress, has been hard at work building support for its so-called East-West trade bill, which is nothing but a euphonious and deceptive phrase to thinly disguise trading with the enemy, and apparently the administration is making progress in this curious and calloused campaign. From the reports I hear, hardly a day passes without a new emissary being dispatched to some crossroads of the land, or to some congressional office, or to some committee room, to preach propaganda for this ill-conceived and unprecedented measure to promote wartime and warmaking trade with the Communist enemy.

The administration may hope for a ground swell of grassroots support. But I have been pretty generally around the country in the past 4 months, and I can tell the administration that Americans are getting sick to their stomachs with an administration policy which is increasing American casualties through the supplies which we send to the Communist states, which in turn are used to shoot and kill American boys who are trying to bring us victory in Vietnam.

The time has come to face this issue, to speak out with the facts. I have tried every kind of persuasive technique I know to convince the administration by other means than public address that this policy is morally wrong, that it is self-defeating, and that it is in large part responsible for the fact that in the fifth year of the war in Vietnam we apparently are still on the same bloody treadmill, getting nowhere in our efforts to punish the enemy sufficiently to get him to negotiate a peace. There has to be a reason for this failure. Now the Secretary of Defense says we need to send more men to march in the shoes of those who are dead and who are dying in American uniforms.

In the face of this unprecedented pressure campaign, when the rhetoric is seemingly so persuasive, when the administration has tried so hard to open up more opportunities for American profiteers by shipping supplies overseas, why do so many Americans remain unconverted? Why do I say that I believe the public is getting sick at heart and sick to its stomach over this kind of self-defeating policy in time of war?

First and foremost I think it is because most Americans take our differences with communism seriously, much more seriously than does the administration, especially with reference to Vietnam.

Never before in history have we found it conscionable to trade with the enemy in time of war. Today we have more men committed to the defense of free South Vietnam than were involved at any time during the Korean war and some say we will need many more men committed before the strife is over. Some talk about many more grim years of war and, in fact, unless we change our collateral policies I see no way we may ever have of bringing the war to an end because of our capacity to supply the Communists with what they need to transform or substitute our supplies into the guns and weapons required by the North Vietnamese for almost unlimited and endless war.

The ultimate sacrifice has been made by over 11,000 of our fellow citizens. A total in excess of 60,000 men have fallen casualty to Communist-supplied arms in the Vietnam war. So long as we can recruit or get men to go to war, this war could go on forever under the kind of inconsistent and incomprehensible trade policies of this administration as it talks about peace and pursues trade policies to prolong the war.

It is little wonder to me that the Vietnamese Communists would question our resolve to carry this conflict to successful conclusion when we espouse a business-as-usual attitude in our trade policy with the European Communists who supply their every military and warmaking requirement.

Communists are not idiots; they too can think for themselves. They know that something is lacking in our American desire to conclude this war successfully when we not only ship their side of the war hundreds of different types of the supplies which they need, but also encourage our American exporters to expand even greater trade with the enemy which is so desperately needed by the Communist states.

Worse, we find this administration assiduously promoting new markets within Communist nations at the very time these adversaries openly brag of "fraternal" support to North Vietnam. What a contrast with our Korean war attitude. Then we drastically cut our exports to the Soviet Union back to zero. Similarly, during the Berlin crisis, trade was sharply restrained, each application for export being postponed by the Department of Commerce with the explanation that it could not be considered in light of developments arising over tensions in Berlin.

FORGOTTEN IDEALS

It is now proposed by this administration among other things to get the American public to loan $50 million to build a new automobile plant in Russia to be operated by the Fiat Italian automobile company. To me, the East-West trade bill, the American-financed automobile plant in Russia, and the associated trade and credit policies embody a crass disregard for the ideals upon which this country was founded.

Seemingly forgotten is the fact that our forefathers crossed the seas and set forth on this continent a new freedom where man could live on the fruits of his honest labor, free to pursue moral convictions, trusting in God, and honoring his neighbor. It is this heritage which we should seek to preserve today and share with all mankind. Are we no longer intolerant of those who would subvert the free will of one man for another? Have we forgotten that generations of our countrymen have shed blood in war after war against despotism? These are debts which cannot be shirked. This, after all, is or should be basically why we are in Vietnam today.

Yes, I must say that these ideals seem lost when the administration practices a statecraft devoid of moral obligation to men at this moment fighting in the jungles of Vietnam. Being charitable we might say that the escalation of the war in Southeast Asia has been so gradual that the situation is not realized for what it is, but we can no longer afford that charity. It is high time this administration delivers to the American public a more tolerable diet of statesmanship.

Mr. President, my name has been kicked around a little in the public press because of my futile fight to stop the consular treaty from being signed—and our fight failed in the Senate by only three votes. Maybe the fight will be won on the other side inasmuch as the Presidium and the Russians have not yet ratified the treaty. However, in all events, because of that publicity, and as I exposed a deliberate effort by this administration which was stopped in the nick of time, and prevented an American gravimeter from falling into the hands of the Communists after it was approved by the administration, I have been getting many letters from mothers and fathers of boys who have been wounded and killed in Vietnam, and from the fighting men in Vietnam themselves. I wish the President, the Secretary of State, and the Department of Defense could read those letters because they indicate a growing resentment and bitterness which should never manifest itself in this great free land of ours in time of war.

How does one answer a mother who writes: "Mr. Senator, what justification can you give for the fact that my boy lost a leg as a pilot flying over Vietnam?" What justification can you give to a mother who writes that her son's leg was lost because her son was shot down by a Mig which was made in Russia and shipped to Vietnam to kill her son. And still the President urges American corporations, war-made millionaires, and profiteers to expand the trade that frees the industrial complex of Russia so it can ship more Migs, SAM's and rockets to kill more American boys in Vietnam.

This administration is going to have to answer some pretty direct questions from the eagles in this Senate very soon or we are going to have a lot more dissention in this country than I would like to see in time of war.

THE PREMISE

Mr. President, when proponents speak of expanding trade with Eastern Europe, they insist that after all is said and done, increased exports will have little significance on the performance of bloc economies.

I spent a lot of research in connection with that matter. I wanted to get the facts. They say in no way will exports to the Communists increase the military potential of our adversaries. It is a curious statement. Now this is a very important premise and it should be closely examined. If they are wrong, and if in fact our exports are of critical consequence and are prolonging the war unnecessarily, then surely expansion of trade without concessions from the other side is not in our national interest.

Mr. President, I have done some extensive research to know the real facts involved in what they are talking about. Are they trying to deceive the people? Are they will to defend their position in hearings before this body? I doubt that they are.

Rumors tell us the administration is even now twisting arms by day and by night trying to influence a committee of this body to bring before the Senate a bill which would compel Americans to loan $50 million of their money to build an automobile plant in Russia today, and they have urged the committee to bring it before the Senate without a hearing on this highly significant proposal. Think of it. Do we have any regard for the man fighting for us or not? Are we going to succumb to an attempt to slip through that kind of policy without a public hearing, without a record to look at? I doubt that they can seduce, induce, bully, or bribe a Senate committee to so destroy our confidence in its capacity to present legislation on this floor that they would bring before the Senate such a proposal without a book of hearings by which those who believe it is good can tell us why it is good, and those who believe it is wrong, and a backward step, and a device which will certainly expand the shooting, and prolong the war can tell us why they believe that evidence to prove these conclusions is available. That is only rumor but I mention it now so that no Senator can come here next week or soon thereafter to be confronted by a bill slipped out without a hearing and ask the Senate to vote it up or down. If they try that, if the executive can so control a committee of this body, if this rumor becomes a fact, I can assure everyone that there are a lot of eagles in the Senate who will see to it that the American public hears all about it over and over again at some length before we even come to a vote on any aspect of that Export-Import Bank bill. If they do it properly; if they give the proponents and the opponents a chance to be heard before the committee; if they give us a full set of hearings on the automobile plant in Russia's scheme, that is a horse of a different paint job. But this is no time for a legislative sleight-of-hand performance when our men are dying in Vietnam because of recent trade policies already adopted.

Many Americans say that this country cannot afford to put its money into the building of a munitions plant in Russia in this wartime era. Mr. President, an automotive plant is as close as one can come to building a munitions plant without actually putting that label on the building itself.

Throughout American history automotive plants in Detroit and elsewhere have been diverted, rapidly and completely, from making passenger cars, farmers' trucks, peacetime equipment, and Greyhound buses. They have been diverted quickly to the point of making tanks, guns, trucks, and planes for wartime usage.

Certainly, the Russians would be no more reluctant to make that quick change from peaceful to war-making production than would we. Therefore, like the psychiatrist treating his patient, an intelligent effort should be made by this body, an effort it should belatedly make, to explore and explode the myth that one can shorten the war by increasing the capacity of the enemy to kill our soldiers. It is time to explore it by Senators elected by the people and not just let it be discussed by Presidential appointees who never have to answer to the public at the polling places of America.

(At this point Mr. KENNEDY of New York took the chair as Presiding Officer.)

Mr. MUNDT. Mr. President, like the psychiatrist treating his patient, we must begin with analysis. I intend to concentrate on the Soviet Union, as it is the foundation cornerstone for the bloc economies. With a gross national product close to half that of the United States, it stands second in the world in productivity. Dramatic military and space achievements outreach even this measure. There is little comfort in the fact that Soviet strategic bombers number twice that in the U.S. inventory. According to the Institute of Strategic Studies, the Soviet Union also enjoys preponderance in nuclear megatonage capable of being delivered by intercontinental ballistic missiles. These considerable accomplishments stem from an extraordinary expansion of Soviet military investments and hard work.

However, it is precisely because of this overinvestment in the military industry that the overall Soviet economy faces greater tests than ever before, once we supply the gaps in its consumer production, created by its mad desire to outstrip us in an arms race in order to arm its Red forces around the world, to equip armies to prolong the war and escalate the casualties in Vietnam, and now to supply the Arab States with increasing supplies of arms so that if not immediately then later they can take another bloody crack at Israel, we become a direct accomplice in the Communist tactics of military aggression.

THE PLIGHT OF THE SOVIET ECONOMY

When we look at the overall performance, we begin to grasp the full dimensions of the Soviet problem. Today, roughly 100 of the 228 million are employed. This is a labor force 50 percent larger than our own, yet it turns out only half the gross national product. According to published Soviet statistics, farmers number almost 49 million—seven times larger than here in the United States. Despite additional heavy investments in fertilizers, irrigation, and new lands, grain yield per acre remains only 12 bushels compared to the 25 harvested on U.S. farmlands.

The czarist Russia for the period 1909 to 1913, average grain yield was 81 million metric tons, feeding a population of 160 million. Even as late as the period 1949 to 1952 this figure had been little improved upon. For the years 1953 through 1962, which encompass the new lands program, the average yearly yield increased to 119 million metric tons, still behind the 25-percent increase in population, however. The importance of this lapse takes on significance when one realizes that "even in the mid-sixties most of the caloric content of the Soviet diet comes from bread, cereal, macaroni, and other grain foods"[1]

While livestock output doubled between 1952 and 1964, it must be remembered that the number of cattle compared to czarist Russia has increased by only 35 percent, again little more than the population growth.

It was this failure which led to the 30-percent rise in Russian meat prices in 1962.[2]

Returning for the moment to the late 1950's, I remember a number of our experts, Allen Dulles among them, warning of the remarkable growth rate being realized by the Soviet Union. There were fears that they might overtake us because their economy was on the rise while ours was going down. So when Khrushchev propounded before the Communist Party in 1959 that Marxian utopia would be achieved by 1980, we were not too quick to reject this as idle boasting. We wondered if he might be right.

Soviet performance during the first half of the Khrushchev era had been truly staggering. These were the zenith years of Soviet sputniks, thermonuclear bombs and intercontinental ballistic missiles. By 1958, steel, coal, and electric power—the standards of heavy industry—had all nearly doubled in output compared to 1952 levels. Machine tools, a critical ingredient for industrial growth, also had doubled, outproducing the United States by wide margin. We might quibble about the quality, but surely the magnitude of numeric increase in itself was a prodigious feat.

But by 1960, Soviet economic planners were faced with formidable new problems. Whereas labor had been seemingly an inexhaustible resource, the generation gap resulting from the ravages of World War II began to be felt in 1960. Though irretrievably committed to labor reforms, such as reducing the workweek from 48 to 41 hours and the abolition of slave-labor camps, the government still had to enlist great numbers of the populous for the cultivation of 100,000 acres in new lands without expense to heavy industry. The situation was temporized to some extent by cutting back secondary education to free youngsters for work in their teens, but it was clear that the time had come when the state could no longer afford extravagant dispensation of labor.

Both administration and allocation of investments had to improve if the Soviet economy was to expand at a rate commensurate with earlier performance. If productivity faltered there would be no hope of obtaining the high goals set by Khrushchev in the 7-year plan announced in January 1959. But on the fundamentals, the primacy of state planning, socialized farming, and command and control of the economy through the party, there could be no change.

Khrushchev grew more alarmed as allocation of excessively inferior goods left major elements of the economy ill-equipped to perform assigned tasks. As he informed the Central Committee in December 1959, in Kazakhstan, a key virgin lands territory, 18,000 tractors remained unrepaired. Throughout the harvest 64,000 harvesting combines stood idle. In the chemical industry, which was a major investment program under Khrushchev, it was reported by Pravda in November 1963, that only 88 of the 259 plants commissioned that year were operable and these only on a part-time basis due to faulty design. Scarce investment resources too often were apportioned without regard to production priorities. As Khrushchev complained:

> We built the 2,300,000 kilowatt Lenin-Volga hydroelectric station in seven years . . . but with the same money we could have built in less time several thermal power plants with a total capacity of 11,000,000 kilowatts.[3]

Most disappointing of all to Khrushchev was the failure of his scheme to improve efficiency through administrative reorganization. As P. N. Glushkov, Director of the Ukrainian Institute of Cybernetics explained in 1962:

> If present-day methods do not change, by 1980 the entire adult population will be employed in administration.[4]

Yet, for all this increase in management control, the Soviet economy still lacked internal consistency Khrushchev exemplified the problem with this story:

> A great many motor vehicles have been immobilized by lack of tires. Many commissions have been organized to solve this problem . . . They would propose that the tire output be increased by a certain amount by a certain time. Independently, however, decisions were made to increase the production of motor vehicles. The result was that the entire increase in the production of tires went to equipping the additional motor vehicles, while many drivers can only stroll around their immobilized vehicles rather than drive them.[5]

All these factors had their cumulative effect. According to a report released by the Central Intelligence Agency in January 1964, economic growth had declined considerably by 1962 compared to 1958. Taking year to year capital investment increase as an indicator, the figure for 1958 was 16 percent compared to only 4 percent in 1962. In response to this discouraging turn of events, Khrushchev proposed still more radical modifications in the administration of the economic plan. Economic regions were cut from 67 to 24 in an effort to eliminate artificial and contradictory distinctions. The Communist Party was divided into three economic bureaus: one for industry and construction; one for agriculture; one for chemical and light industry. Third, a new centralized authority for design and technology was created in an effort to eliminate overdiversification in industry. In criticism of prevailing practices he said:

> Who can calculate how many scientists and staff members of the design bureaus are simultaneously designing similar farm machines or similar machine tools! Dozens of design organizations duplicate each other's work starting each project from beginning, almost as if no one else worked on it . . .

Did the fault lie in such reckless manipulation of economic management as Khrushchev's successors have claimed? It would seem partly true. But this is by no means the full explanation.

INVESTMENTS IN MILITARY PROGRAMS

Obscured from the Soviet people, and apparently some policymakers in America, but obvious to a lot of other people in the free world, is the fact that at the height of prosperity in mid-1961, Soviet leadership decided to expand military investments greatly, stopping the release of military men to increase the number of nuclear weapons, and to build hardened missile sites. As Harry Swartz, the noted New York Times authority on the Soviet Union, has written:

> The cost of this shift must have been high for other parts of the economy, especially since these sophisticated military weapons and measures require the highest grades of resources, both material and human. . . .

Indeed it was, Mr. President.

A vivid insight into the magnitude of the Soviet military preparedness program in the mid-1960's was given on April 20, 1964, when Khrushchev announced he would halt the building of two large scale nuclear reactors for producing plutonium. That the Soviet at that late date—almost fifteen years after the first detection of a Soviet atomic bomb explosion should still have been increasing its capacity for producing

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[1] Schwartz, Harry, *The Soviet Economy Since Stalin*, page 52.

[2] Ibid., pages 34, 53, and 54.

[3] *Pravda*, August 24, 1958.

[4] Literaturnaia Gazeta, September 25, 1962.

[5] *Pravda*, November 20, 1962.

> fissionable materials is a sobering thought indeed.[6]

The extraordinary dimensions of this commitment to military spending are revealed in the following statement by the noted Soviet economist. A. G. Aganbegian:

> We spend a great deal for defense and we have much difficulty in competing with the United States in this field because we spend almost as much as they do while our economic potential is only half of theirs. Of about 100 million of the active population, about 30 to 40 million work for defense.[7]

Mind you, half the labor force—49 million—is already working on the farms. You do the arithmetic—that leaves only 10 to 20 million workers to perform all the other functions in the economy, to supply consumer needs, to build refrigerators, office equipment, to build conveniences for the home, to build what they have to have to conduct mechanical activities on the farms, to put electric lights around the country—with only 10 million to 20 million workers to perform these other functions. No wonder the Communist clamor for America to send them more consumer goods so that they can continue to divert, even increasingly, their men and their materiel, their equipment, their plants, and their factories to manufacture implements of war to send to Vietnam to kill American boys, to send to the Middle East to create crisis, trouble, and potential war over there, as well as other troubled areas of the world.

Taken in these terms, the wonder is not that productivity has fallen off, but rather why are they not bankrupt?

A year or so ago, Oleg Penkovskiy's papers were published. The book has been a bestseller. I only wish it would be read by all those at the other end of the avenue who deal with these policies, as well as those who believe in this phony détente nonsense. This patriot of the world—he was that in every sense of the word—sacrificed his life to expose the evil schemes of Khrushchev. I might add that the present leaders, Kosygin and Brezhnev, do not come off well either in Penkovskiy's accounts.

But in this, one gets a very clear picture that every product of any kind we send to the Soviet Union today becomes an implement of war. As Barney Baruch once put it:

> In time of war, there is no such thing as a nonstrategic export to an enemy.

Nothing has transpired to change that picture. The point is that in the Soviet Union today, as we put the X-ray up to the economic problems currently before them, the Communists in Russia cannot have both guns and butter there any more than we can have them here.

As you read this book, you discover the enormity of the undertaking. Soviet missiles, in contrast to our own, are the product of thousands of hours of engineering, each a separate project, much as our earliest prototypes were. You see, lacking mass production technology, a great deal of extra machining is necessary. The point is that this cannot be done without expense to other endeavors. This is why the Soviet Union does not have engineers to design automobiles, petrochemical plants and all the rest of the civilian products embodied by our modern economy—they are off building weapons of war. It is also why they seek to import U.S. advanced plant technology in turn-key packages.

During the Consular Treaty debate, I placed in the CONGRESSIONAL RECORD page after page after bloody page showing specifically the kinds of supplies, products, machinery, and equipment that President Johnson personally authorized Americans to sell the Russians in an Executive order dated October 12, 1966. Since then he has expanded that sad list by many other items, some 40 additional types of exports in number.

SOVIET DRIVE FOR NEW MARKETS

To get the hard currencies to pay for western technology the Soviets must find new customers for products no longer desired by traditional buyers. The markets which returned handsome rewards in postwar years, the East European states in particular, now suffer from indigestion brought on by overpurchase of Soviet machine tools and plant technology. Indeed, the principal difficulty now facing East European economies is intrabloc redundancy, a result of shortsighted duplication of Soviet industrialization in each of the Satellite countries.

Steel mills and foundries distant from coal and iron fields find they cannot operate competitively in the fact of world oversupply of cheap steel. In other lines, overreliance on Soviet machinery has saddled these countries with the same backward technology which hamstrings the Soviet industry. Because of this overduplication, all too often bloc traders find themselves rubbing elbows in the same market. Khrushchev's complaint that the Soviet economy suffered from extravagant overdiversification applies equally to the situation in the Eastern European satellites. Now that these countries realize the error of their way, they are disinclined to order more of the same. But in looking elsewhere, the Soviets find they have other problems. Rather shortsightedly, they have burdened their customers in less developed countries with long-term debts for vast quantities of unneeded, but expensive, military wares. In this situation, they have nowhere to turn but the West.

So when we buy communist products, the money collected from these purchases helps them to buy scarce industrial technology elsewhere.

Every merchant selling a Communist import, every American citizen buying a Communist import, helps by just that much to keep the Communist munitions program geared up and fully operating. This is inevitable when we pursue the profane policy which promotes trade with an enemy while we seek at the same time to defeat it.

THE MEANING IN ALL THIS

In reviewing these matters in such detail, is has been my purpose to refute the contention of Secretary of State Rusk that "in overall size, the Soviet economy is closer to self-sufficiency than even the vast economy of the United States. Certainly, it is only marginally dependent upon products of the free world." Unhappily for America, this opinion is contradicted by the facts. As Werner Keller, in his book, "East Minus West Equals Zero," sums it up:

> The history of the U.S.S.R. provides a unique example of the rise and development of a great power. It took its mortal enemy as a model, and legally or illegally adopted all the technical, industrial and scientific achievements from the whole of Western Europe and America for its own use, claiming them as its own . . . If the Soviets had succeeded, as Bolshevism continuously boasts, then this would in any case have been a triumph for international capitalism, which supplied the credit, the machinery, the designs, the patents, the engineers and the technicians, everything indeed of decisive importance, the whole capitalist production in fact for the Russians' use.

There is truth in what Mr. Keller says. He may not be as good a diplomat as is our Secretary of State, but I am confident he is a better businessman and knows a little more about the significance of this unsound and unwise trade policy doing so much to prolong our war in Vietnam. Look at all the military achievements credited to the Soviet Union. Was not it the treachery of Klaus Fuchs that enabled them to build the nuclear bomb? The British certainly gave them the jet engine know-how when they sold those Rolls Royce engines to Russia in the late 1940's. And how about those marvelous space feats? After World War II, the entire German missile establishment with a few noteworthy exceptions was uplifted and transported to Russia to continue research and development under a new trademark. It is often forgotten that General Electric, Ford, and other leading U.S. companies built the industrial base for modern Russia during the 1920's and 1930's. Later, $10 billion in U.S. lend-lease goods spurred the Soviet economy all the more.

But here is the rub. These machines are wearing out or are too inefficient compared to new generation machines made possible by Western discoveries in applied technology. That is why Kosygin told the party faithful that they must look much more to imports from the West to solve the problems in the Soviet economy. It is also why Mr. Malov, the president of Amtorg, which is the Soviet trade agency here in America, tells U.S. businessmen that they must see to it that strategic controls are abolished if they want trade expanded.

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[6] Ibid., page 135.

[7] The Italian Journal Bandiera Rosa, July, 1965.

NOTE.—A western economist corroborates this statement with an analysis of figures published in Soviet accounts of product acquisitions. In the Joint Economic Committee Report, "New Directions in the Soviet Economy," Michael Boretsky writes (see page 233): "Needless to say these estimates might contain a sizeable margin of error. Yet it does not seem probable that the errors could be as large as to change the broad conclusions; namely, that the Soviet industrial defense establishment has grown at the rate more than twice that of the Soviet economy and that by 1963 it was in absolute terms about as large or larger than that of the United States, and that the growth of this establishment must have been a factor in poor efficiency of the economy at large."

What are those problems, Mr. President? "How can we send more Migs, more flamethrowers, more ground-to-ground rockets, more petroleum, to Vietnam, so we can help our Communist associates there kill more American boys?" That is the No. 1 economic problem in the Soviet Union. Why should we want to solve that problem? Why, in heaven's name, should we make it easier for them to make it more difficult for us? The administration is going to have to answer that question, and they are going to have to answer it from A to izzard if they are going to try to sneak through an automobile plant to be built in Russia, with American money, without a hearing, without advance notice, without public justification, but just as the result of a political push from the other end of the avenue.

WILL WE NEVER LEARN?

Second, I hope that it is clear from this review that trade with the Soviet Union is not going to change any bad intentions. For 50 years we have traded with Soviet despots and today we are worse off because of it. Remember how our Government pussyfooted around the issue of scrap iron and oil exports to Japan, avoiding a moral embargo for fear of provoking the Japanese? Today, we seem bent on the same meek course of action. Will we never learn? The same advice that stopped President Roosevelt from acting seems to intrude into the White House today—probably from the same would-be war profiteers and other greedy interests who know how to make a fast buck when the war is on if the administration will permit them to sell supplies to our own enemies. It is as crass as that. It is as blunt and brutal and heart rending as that to the mothers and fathers of America whose boys are being killed increasingly today in their heroic battle for freedom in Vietnam.

Most of us remember our President as a man of great ability, shrewd, and incisive when he served his country so ably as the majority leader here in the Senate. It makes me wonder sometimes whether there is any hope for the executive branch when it transforms a former rugged individualist like Lyndon Johnson into an advocate of trade with our adversaries in time of war. Who would expect that from a Texan? But it is happening in America right now. Perhaps my friend, Walter George, of Georgia, who served this body so well for so long, was everlastingly right when he said:

> The greatest problem in this country today is to get the Washington bureaucracy to carry out the intent of Congress.

That, Mr. President, brings up a good point, and that is the East-West trade bill. Why is it desirable to obligate America's money to build a thinly disguised munitions plant in Communist Russia, labeled an automobile plant, to be run by a foreign power, but financed by the mothers and fathers of the boys to be killed by the munitions to be produced by Moscow and shipped to Vietnam or to the Mideast?

THE EXPORT CONTROL FARCE

When the Johnson administration sent up the East-West trade bill last year, the American public was reassured that nothing in this bridges-to-the-East proposal would reduce the effect of the Export Control Act or the embargo against Asian Communist countries and Cuba.

Those of us who have watched the manner in which the Export Control Act has been administered certainly would wonder what they were talking about. In recent years, the Department of Commerce has time after time approved exports to the Soviet bloc of such goods as computers, electronic navigation gear, scientific instruments, and precision machine tools in such volume as to make a farcical pretense out of export controls. In 1962, out of concern for this growing permissiveness, the Congress wrote into the law new language expressly prohibiting shipment of goods of economic significance so there would be no misunderstanding. It was a waste of time. We see today the cream of Western technology being freely provided to Soviet economic planners, literally so when, as in many instances, we release plans for complete plants, free of charge.

From my earlier description of the Soviet economy, I am sure you understand the difficulty which they now face. There should be no question that anything we send which enables them to correct faulty engineering or rebuild deficient industries is of great economic consequence.

Even Secretary of Commerce Trowbridge concedes this when he says:

> The value of U.S. origin technical know-how that we have licensed this year for export by United States industrial and engineering firms to Eastern Europe . . . would be significantly higher than for goods alone.

Let me repeat, the law expressly prohibits exports of goods of economic significance. Nor does he encourage us to believe that full faith and credit is given to prohibitions in the law when he says:

> Some types of commodities and technology are being approved for Eastern European countries that we were not approving a few years ago. This does not mean that we have ceased to regard these items as strategic and that we are ready to remove them from validated license control. They are still "grey area" items meaning items that can have both peaceful and strategic uses. We are, however, finding it possible to approve them in some cases because it is possible to determine that the "grey area" item will be used in a particular instance for peaceful purposes.

What tommyrot, to come from a Cabinet officer. Yes, this can be used for war purposes by Russia, or for peace purposes they say; but since it can be used for both, and since the Russians have said they are going to use it for peace purposes, we are going to send it over to Russia right now.

There is nothing in the law that makes allowances for trusting Soviet declarations that strategic goods will be used for nonstrategic purposes. The Soviets invariably refuse entry to plants where these goods are installed, even when necessary maintenance must be performed to comply with contract terms. Instead, the U.S. engineer must direct the work at long distance from a Moscow hotel. And we are to believe them when they say these are peaceful uses? Incredible.

It is no wonder there are those gray area decisions. No wonder such decisions are made, by people who do not have to retain their jobs by election by the public. No wonder these gray area decisions find their ultimate result in the black crepe of mourning on the doors of increasing thousands of American homes because of this unsound, unwise, and unrewarding policy.

In agriculture, which as I have pointed out has long been deficient, we send them complete fertilizer plant technology. We send them all the equipment needed to automate potash mining. We send them herbicides, insecticides and pesticides. And what happens? Lo and behold, grain yield per acre jumps from 5 to 12 bushels. I ask you, who in his right mind could say that is insignificant? Who in his right mind would say this does not relieve additional Russian manpower to make weapons to kill American boys? Certainly, the Russians do not, when they boast that the record harvest last fall proves the ultimate triumph of Soviet methods. Such nonsense, indeed.

Let us look at the Soviet oil industry for a moment. Lots of people are worried about the great increase in Soviet oil exports. Their tanker fleet has doubled in size. New pipelines stretch from Russia to every European satellite country, and we have exported them some of the supplies to build the pipe lines. More are planned into Western Europe. They have more prospecting crews out looking for oil than the combined total of all Western interests according to the National Petroleum Council. The handwriting is on the wall when the Soviets pledge to destroy western influence in the Middle East by undercutting the market for its oil. That is exactly what they are doing now that they have talked the Arabs into cutting off Europe from oil. As it turns out, the Europeans had nothing to worry about because it happens that the Soviets have a large oil surplus and they have no moral qualms over taking advantage of their partner's mistakes.

But the Soviets have a problem. Made in Russia oil drills are good only for shallow wells. Diamond bits for deep drilling are made in the United States. But do we take advantage of it? No indeed. Among the items removed from export control by President Johnson on October 12 last year were diamond drill bits. I wonder if perhaps that helped produce the panic, the trouble, and the crisis in the Middle East.

Each time the Department of Commerce approves the shipment of a strategic item, it is obliged to publish the fact that an export license has been issued. The Department tried to get out of this a couple of years ago, but Congress insisted that the reporting be continued. I was among the insisters then, as I am among the insisters now. These lists of approved shipments are real eye-openers. Because there are so many on each list—they usually number 400 to 500 transactions every day—they abbreviate the description of the license, so it is not always obvious just what exactly is being shipped. But even at a casual glance, it is clear that we are shipping tremendous quantities of chemicals to the Soviet Union. They usually obscure the true identity by categorizing these licensed shipments under some abbreviated name.

But every now and then they slip up and identify the chemical in parentheses. For instance, on March 10, and again on August 16, 1966, the Commerce Department approved shipments of diethylene glycol worth $482,250. And guess what this chemical is used for? According to the Rose Chemical Dictionary, this chemical is used in the manufacture of explosives and liquid rocket propellants, and we are selling it to Russia now. It can also be used as a plasticizer in solid rocket propellants of the type suitable for air-to-air missiles like the ones that are shooting down our planes in Vietnam.

Other chemicals shipped in great quantity to the Soviet Union in the last year are used for the production of oxalic acid which is a purifying agent for glycerol. Again, an important ingredient in the manufacture of explosives.

Already this year we have shipped $2,387,000 worth of chemical wood pulp to the Soviet Union. That sounds harmless enough until you look it up, until you talk to the chemists and industrialists, and look at the record, and do a tremendous amount of research—which an ordinary Senator should not be called upon to do individually to get the facts—to protect American boys from their own Government. But look it up, and see what it is used for. It is used to make nitrocellulose—an important ingredient for solid rocket fuels. They are now using rockets against us in Vietnam.

On May 9, 1967, our Government approved a shipment of polyvinyl butyral valued at $268,975. I found it in the record. According to the chemical dictionary, this product is primarily used as an interlayer in bullet-resistant glass.

I suppose you can use that for peacetime purposes, to keep one of the Communist secret policemen from shooting you on your way home after you leave the Kremlin. But you can also use it in a war, in a helicopter or in a plane. Why, in heaven's name, should Americans be permitted to profiteer by selling that kind of weaponry to Russia, when all she has to do is repackage it and send it on to Hanoi? It would be just as simple, just as easy, though not as profitable, of course, to would-be war profiteers for us to send those war supplies directly to Hanoi and say, "We have our boys there, shoot them down. This will make it easier for you to expand our casualty list and to decrease yours."

According to one of our top missile experts, Mr. C. Stark Droper:

> The key area for advances in control and guidance is still the region in which the basic limitation exist—that is, in the high accuracy sensing of geometrical information.[8]

As I have already pointed out to the Senate—see CONGRESSIONAL RECORD, June 21, 1967, page 16629—our Commerce Department authorized the shipment of just such an instrument, a Worden Gravimeter, on February 1, 1967. As I understand it, the license approval has now been withdrawn for further consideration, but if this instrument ever reaches the Soviet bloc you can be sure it will be used to improve the accuracy of Soviet missiles.

Now this is not some exaggerated horror story I am making up. These are only representative instances of goods we are shipping to Russia with love and best wishes. Remember, all the items on the published list of license approvals have been previously identified by the executive branch as strategic commodities. These shipments are not unintentional errors. It is fully recognized that these items have military application or they would not have required approval in the first place.

Mr. President, this travesty has gone on long enough. Americans across the length and breadth of this land should contact their Senators and Representatives, and let them know what they want to have happen in terms of trading with the enemy in time of war.

Now when you question the Commerce Department about their approving specific exceptions to the export controls, they always explain that these were licensed because comparable goods were available from other sources. This is what they tell you when they allow some of our advanced computers to be shipped to Russia. Somehow I find this difficult to believe when, at the same time, we hear all these complaints from our European friends about the technology gap. And where do they point the accusing finger? At computers and electronics.

These are the technologies Europe wants a larger share of. General de Gaulle is very upset with our General Electric Co. They bought controlling interest in the French company Bull which is about the top producer of computers outside the United States. When General Electric looked into the operation, examined the market and the product line, they found that they were not good enough. They did not perform as well, and they were too expensive to produce compared to the G.E. line. General Electric had no choice but to switch over to the U.S. designs. So you see, those so-called comparable goods, at least in computers, are not all that they are supposed to be. Besides, why else would the Soviets shop here if they could buy the same from some other supplier? You can bet that they have no interest in shoring up the American economy. No, they want U.S. products because they are clearly superior.

Now what about the other point, of keeping the embargo against the Asian Communist states and Cuba? How can it possibly be effective when we grant millions of dollars in concessions on grain deals with countries like Poland and Yugoslavia, and then when our back is turned they use these extra allowances to increase aid to Cuba and North Vietnam? We could as well send the wheat and food to Vietnam itself, instead of the people who transship it to our enemy. This is exactly what happened in Poland when, in October 1966, we agreed to negotiate a $26 million debt overdue for food-for-peace sales. Having won this concession, the Poles then announced that they planned to extend $30 million in aid to North Vietnam.

Twenty-eight times we have urged North Vietnam to come to the negotiating table, but we have continued to send the Vietcong supplies through Russia and its Communist satellites, which has made it inadvisable from the North Vietnam viewpoint to come to the negotiating table.

What good have been the 28 invitations to negotiate when North Vietnam has been furnished the implements of war from Communist countries to whom we sell and send the raw materials and supplies from which the implements of war are made? When the terms of bargain were confirmed in January this year, the Polish Government flouted the spirit of our concession again by concluding a new multimillion-dollar aid pact with Cuba. Obviously, we are laying the foundations for aid to our enemies when we indirectly provide the credit.

Representative PAUL FINDLEY and other Members of the House have not been sitting quietly by while this travesty has been developing. They and the Comptroller General pointed out recently that the administration saw no contradiction in a policy which allocates $9 million worth of U.S. vegetable oils to Yugoslavia at the very time that country declares support for "fraternal" North Vietnam and sends hundreds of thousands of dollars in medical supplies to our enemy. This is a flagrant breach of the embargo and furthermore is in direct violation to provisions of the Appropriations for Agriculture and Related Agencies Act of 1966. But, remember, the Johnson administration can be rather cavalier when it comes to interpreting the law when it applies to trade with our adversaries.

BLOC AID TO NORTH VIETNAM

Whenever proponents speak of East-West trade, they take pains to defend the Soviet Union as working for peace in Vietnam.

That would be information, helpful and encouraging if it were a fact. But Americans have a sort of stubborn policy of looking for facts behind the great generalities couched in terms which are not always susceptible of proof. We are told at the other end of the avenue that the bulk of military supplies for Vietnam comes from China. Technically, it may be true that the war materiel is shipped over Chinese railways en route to Hanoi, but make no mistake about it, the weapons that kill our boys and shoot down our aircraft originate in Soviet factories. Twenty-five battalions of SAM missiles, each with six launchers, and over 200 Mig fighters have been shipped from Russia to Vietnam. The SAMs of course have not been too successful—but because of them our fighter-bombers must come in at low altitude where they are sitting ducks for a withering barrage from the estimated 7,000 antiaircraft guns supplied by Russia to Hanoi.

In an article appearing in the February 14, 1967, edition of the authoritative Wall Street Journal, the following details concerning Soviet aid were reported:

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[8] *Space Flight Report*, the American Rocket Society, 1962, page 91.

> There's no question that the Soviet Union is the primary supplier of war goods to North Vietnam, even though rival China loudly disputes that fact. U.S. intelligence experts estimate that the Russians have supplied North Vietnam with more than $600 million in military aid, including $500 million in arms alone, since 1953; of that total, 85% has been sent since August 1964, when North Vietnamese ships attacked U.S. Destroyers in the Gulf of Tonkin and the Vietnam war began heating up rapidly. Since 1953 the Chinese have given Hanoi only $150 million in military aid, 65% of that since August 1964.

Would you not agree with me, Mr. President, that this administration at least owes the American public a statement directly from the White House answering that statement in the authoritative Wall Street Journal?

If that statement is not true, let the administration tell us why it is false. I state that it is a shameful fact that we are selling anything to Russia. It wants, and I think it deserves, more unanimity for its war effort than it gets, but it will get less, rather than more, unless it comes clean and lets us know the facts behind this great desire to increase trade with our enemy.

Are we really interested in ending the war successfully? Or is this conflict to be prolonged as a sort of giant WPA project to give millions of dollars in profits to those in America who are privileged to sell supplies to the enemy in time of war? What really are the facts behind this curious and self-defeating war—prolonging trade policy?

The Soviets have also been generous in other aid to North Vietnam. Credit them with four thermoelectric and two hydroelectric stations—and 17 more are under construction. Machine shops, a factory for diesel engines, and an automobile repair and accessories plant are on the Soviet aid list. Coal mining capacity—absolutely essential to the North Vietnamese economy because exports of coal are the main source of foreign currencies—has doubled under Soviet technical and mechanical assistance.

Phosphate production has increased from 66,000 tons in 1957 to 1.4 million tons—an increase again made possible by installation of Soviet equipment. Does that ring a bell? It should because millions of dollars of U.S. technology and automated phosphate mining equipment were shipped to Russia in the early 1960's. Seven times this year the Commerce Department has allowed thousands of dollars in repair parts for these installations to be shipped.[9] Can we be sure they are destined for Russia, or are they being transshipped to North Vietnam? I strongly suspect that some of it was sent to Russia from American machine shops at a profit.

There is hardly a sector in the economy that has not benefited from substantial doses of Soviet technical assistance. A pharmaceutical factory was pledged for the 1961–65 5-year plan. And the fancy that monolithic communism is dead does not jibe with the $200 million in aid which was pledged to North Vietnam by European satellite countries last October. With the aid of Czechoslovakia, a number of broadcasting, telegraph, and automatic telephone systems have been installed. And, of course, 100 percent of the petroleum requirements are filled by bloc shipments, the largest contribution by far being made by the Soviet Union.[10]

Where is the detente? The detente is between and among the Communist countries who make the maximum wartime use of our American capitalists in our free economy system who are selling to them at a profit when American boys spit blood and die in Vietnam from weapons thus supplied.

The truth is that the Soviet bloc aid to Vietnam is so large and substantial that were it to cease tomorrow, the impact would be swift and critical. Surely, North Vietnam would find its capacity to support insurrection south of the 17th parallel so reduced that it would have no alternative but to accept return to the 1954 Geneva Accords. If the Soviet Union sincerely desires peace in Vietnam, it need only turn off the economic lifeline to Hanoi.

THE MIDDLE EAST

I shall speak a word or two before I close about the Middle East.

Those who have been counseling that the Soviets are "partners in peace" have been proven wrong again just last month. Let me show how wrong they were. When the consular treaty was passed it was said that Russia would immediately move to ratify it. Months have gone by, and our administration is still on tenterhooks. The Russians have not ratified it.

Kosygin said in his talk to the American people after the summit conference in New Jersey: "No, we have not acted yet."

Extravagant pledges of Soviet support and accelerated shipments of Soviet war material to the Arab States more than anything else led to Nasser's belligerent closing of the Straits of Tiran. And the ensuing hard-line of Ambassador Fedorenko in the United Nations could have been taken right out of the diary of Andrey Vyshinskiy. If that were not enough, we have all those bad intentions underscored by Premier Kosygin himself in his comments following the Glassboro summit. He made it clear that the Soviet Union will not encourage any negotiations on Vietnam until the bombing stops and U.S. troops are withdrawn. He thumbed his nose at those who say a détente exists between the countries. He also pledged continuing support of all so-called wars of national liberation and clearly indicated Russia's intention of continuing to arm the Arab world. And this was not political eyewash for the folks back home as some apologists would have it. This is something they are doing today around the clock with surplusage made possible because of greed-soaked American exports to Russia in time of war.

Shortly after Glassboro, after the summit, it was disclosed that the Soviet Union had already shipped 200 new fighters to Egypt to make up for the 230 lost early in June.[11] Yet we continue to ship more and more American supplies to the Soviet bloc, knowing full well that these goods ease the burden on economies taxed to the limit, not to supply the needs of their own people, but to feed fresh fuel on the fires of crisis in the Middle East and Vietnam.

CONCLUSION

Mr. President, I cannot believe trade with communism serves the national interest. We have reduced our strategic bombers by 75 percent. We have removed our missiles from NATO sites in Europe and Turkey. We have scrapped most of our big payload Atlas missiles. We have abstained from installing an antiballistic missile system. Over and over again, our negotiators have pursued parity in weapons. And what is the answer? Why, the Soviets have turned around and redoubled efforts to increase their military apparatus. Five years ago, the U.S. military posture completely outdistanced Soviet capabilities. Today, the Soviet military base is as large as, or larger than, our own.

But this enormous investment has not been without cost. The Soviet economy, which had boomed for so long, now falters. If it is to get going again, either there must be wholesale imports of western technology, as Kosygin called for in his address to the 23d Congress of the Communist Party, or they must shift investments and human resources out of the military sector. Obviously, our national interest is better served by restricting them to the second choice.

Besides, who ever heard of trade reducing tensions. Right up to the beginning of both world wars, England, Germany, and France were each other's best customers. Until the open breach of August 1960, trade between China and the Soviet Union was larger than either country shared with any other. Nor did the fact that the United States was Japan's largest market deter the sneak attack on Pearl Harbor.

Why do these historians who tell us that trade brings us peace not show us how it does so, when trade between the biggest traders so frequently results in war.

Finally, I cannot accept trade with adversaries so long as our citizens are dying on the Vietnam battlefields. The United States is the hope of mankind. If actions cannot be consistent with ideals, how can we hope to lead others to believe in them? Such trade is no less than contraband, and there can be no legitimate profit for those who traffick in it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MUNDT. I ask unanimous consent that I may proceed for 5 additional minutes.

Mr. BYRD of West Virginia. Mr. President, I am constrained to object. The majority leader indicated yesterday that the morning business would begin at 12 o'clock, at the completion of the 1 hour which had been allotted to the distinguished Senator; that there would be a brief period set aside for the transaction of routine morning business; and that somewhere between 12:15 and 12:30, the Senate would continue its consideration of the agricultural appropriations bill. I am very sorry to have to object.

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[9] January 4, 1967, $4,884; February 10, 1967, $2,479; March 3, 1967, $3,500; April 10, 1967, $8,400; April 10, 1967, $21,860; February 9, 1967, $1,500; March 14, 1967, $75,000.

[10] The China Quarterly, July–Sept., 1966, Soviet and Chinese Aid to North Vietnam, pp. 84–100.

[11] *The Washington Post,* June 30, 1967, p. A–10.

ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that we proceed with the transaction of routine morning business, and that statements made during that period be limited to 3 minutes.

Mr. SMATHERS. Reserving the right to object——

Mr. MUNDT. May I have the first 3 minutes of the morning hour?

Mr. SMATHERS. Is the unanimous-consent request which the Senator from West Virginia is making in conformity with the unanimous-consent agreement that was entered into last night?

Mr. BYRD of West Virginia. It is in conformity up to the point of the limitation of 3 minutes on morning business speeches.

Mr. SMATHERS. Previously, there was no agreement that the morning speeches would be limited to 3 minutes?

Mr. BYRD of West Virginia. That is correct. But the majority leader stated that morning business would begin at 12 o'clock, and that the Senate would continue its consideration of the unfinished business, which is the agricultural appropriations bill, somewhere between 12:15 and 12:30. So it is my thought that if we can get on now with the morning business, the Senator from South Dakota can proceed for the first 3 minutes.

Mr. SMATHERS. I am perfectly agreeable, and make no objection to the Senator from South Dakota completing his speech. I withdraw my objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

EMBARGO ON AID TO ENEMIES OF THE UNITED STATES

Mr. MUNDT. So long as hostilities in Vietnam continue, so long as Communist countries arm and feed terroristic insurrections in any foreign land, it is immoral, it is un-Christian, it is un-American, and it is unrewarding in every way to support them with trade from American sources. Surely, this is abundantly clear. It is my earnest conviction that restraint of trade with the Communist world is needed now more than ever. That is why I am today introducing legislation to declare an embargo on exports to the Soviet Union and its East European satellites until such time that they abandon support for so-called wars of national liberation in Southeast Asia. I am also introducing legislation raising levies on all bloc products imported by 200 percent. They are the ones feeding the war machine in North Vietnam. Let them pay for it. When the appropriate bills are submitted for consideration, I intend to introduce additional legislation which will eliminate "executive determination" escape clauses in our Food for Peace Act, the Export-Import Bank Act and the Commodity Credit Corporation Act.

The intent of Congress has been clearly registered yet it continues to be flagrantly disregarded by the administration.

The Constitution provides that Congress shall regulate trade. Not the President. It is we who are remiss. Let us join together and reestablish a trade policy which truly serves the national interest—if in fact the administration will not act on its own power.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. HANSEN. Mr. President, I commend the Senator from South Dakota for presenting a powerful and comprehensive analysis of present and recent Russian history and of the cold war confrontation which is the central fact of international relations. The comprehensiveness of the Senator's remarks, the eloquence of his expression, and the conviction with which he has articulated his arguments in support of the two bills which I am pleased to cosponsor, leave neither latitude nor necessity for elaboration.

I intend to discuss yet another facet of this complicated and difficult-to-understand subject. Since we are confronted with a time limitation, I shall withhold further remarks now and conclude by saying that the distinguished senior Senator from South Dakota has made a most important and convincing contribution to the assessment of fact which should precede any judgment on expanded East-West trade.

Mr. MUNDT. I thank the Senator very much, and I am glad to have him as a cosponsor.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. DOMINICK. I commend the Senator from South Dakota for bringing up this problem with such great thoughtfulness and ability. I had planned to deliver a speech on the same subject today, of over an hour, but I will postpone it, because of our legislative program, until sometime next week.

But I do say to the Senator that this matter is of enormous importance to our country, and I support him wholeheartedly in his efforts to bring this matter to the front and to do something about it.

Mr. MUNDT. I thank the Senator. He is most generous and encouraging in his comments.

Mr. FANNIN. Mr. President, I too, should like to lend my support to the Senator from South Dakota. I commend him for his excellent presentation of the subject. It is probably the most vital subject discussed in this Chamber.

At a later date, I will make extended remarks on this subject, and I appreciate the privilege of joining with the Senator.

Mr. MUNDT. I thank the Senator for his remarks.

This is the result of many months of research, and a sequel to this subject, if needed, will come from the same source as I expect to address the Senate further on this subject some day next week.

Mr. JORDAN of Idaho. Mr. President, I wish to commend the distinguished senior Senator from South Dakota [Mr. MUNDT] for his excellent speech on the dangers of East-West trade. He has pointed out, in thought-provoking detail and with convincing logic, the fallacies of our present policy. I wish to associate myself with his remarks.

My mail from Idaho expresses the concern that Senator MUNDT has so clearly analyzed today.

John E. Davis, national commander of the American Legion, expressed himself forcefully in opposition to East-West trade in a statement published in the American Legion magazine for July 1967. I ask unanimous consent that his statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EAST-WEST TRADE—THE DANGEROUS ILLUSION

A proposed "East-West Trade Relations Act" is receiving serious consideration in the Congress, and is backed by the Administration. It would encourage and simplify much broader trade relations between the United States and the Communist-bloc nations. The American Legion is officially opposed to this concept, and we have both short-range and long-range objections.

In our short-range objections, our National Executive Committee this May called on Congress to prohibit further trade between the United States and any Soviet-bloc country "which is providing North Vietnam with assistance of any form that can increase the war-making potential of the enemy. . . ." We need explain nothing further to justify that objection. Any such trade amounts to trading with the enemy in time of war. In the short run, we can only express amazement that East-West trade should be advanced while hostilities backed by the entire Communist world continue in Vietnam, and have since taken on a new dimension in the Near East.

Our long-range objections are better reflected in the action of our last National Convention, which opposed trade with the Communist bloc except in specific cases in which concrete advantage to us could be spelled out. So long as the Cold War continues, even in the absence of armed conflict, we believe that should be the absolute limit of trade agreements with the Communist bloc. Here we recognize that trade might be used as a means of weakening the cohesiveness of the Soviet bloc, that our trade *might* be helpful in causing a member country of that bloc to weaken its ties with the Soviet power centers.

We have, for instance, engaged in limited trade with Communist Poland and Yugoslavia in such hopes. In the case of Poland, even Senator Fulbright has had to admit that its leaders have actually drifted toward a greater reliance on the Kremlin while enjoying favorable U.S. trade relations.

We have *possibly* made some headway in independence from Soviet domination with some small trade, though that isn't conclusive yet. Whether we succeed or fail in such ventures, they are at least tied to a very clear purpose, in which we are trying to use trade instead of bullets as a weapon in the Cold War.

But the proposals for a general broadening of our trade with the Communist world totally escape any practical purpose. They prevent us from using trade as a weapon, by simply extending it freely in broad terms. The very arguments in favor of broader East-West trade are dreamy and generalized. The commonest one of all is that we would be "building bridges of friendship." On the record, trade is a game of advantage, not friendship. Right up to the eve of war, Hitler and the Japanese Empire traded with those they attacked in WW2, and as we well know, they traded most earnestly in whatever would best strengthen them for the coming conflict.

Last December, Assistant Secretary of State Katzenbach argued that proposed East-West trade would be in consumer goods, therefore it could not be expected to bring any advantage to the Soviet military thrust. He went on to cite an Italian Fiat agreement to build a compact car plant in the Soviet Union as an example of the kind of profitable trade we are losing in the absence of an East-West trade agreement.

I find such argument to be frightening. When our own President is embarrassed by burdens that military operations in Vietnam impose on his domestic program, how can our government argue that the same principle does not apply in the Soviet Union? *Anything* that *we* do to provide consumer satisfaction in the Soviet Union frees Soviet energies and resources for their aggressive external policies. The point is so obvious that I am not really arguing it, but simply pointing out the bankruptcy of the rationales in favor of broad East-West trade. Even in the case of the Fiat plant, *we* now have been approached to lend Fiat the money for machine tools through the Import-Export Bank. Obviously, the Soviets will not release sufficient capital from their offensive programs even to acquire such an asset. They will be happy instead to see us help capitalize this plant in Russia for the benefit of Russia and Italy, while they save what capital they can to foot war in Vietnam, the Middle East, Latin America, etc.

The present move toward East-West trade traces to a report in favor of it by the Committee for Economic Development issued in May 1965. A minority report in the same study, drafted by committee member Robert E. Kleberg, should have received more attention. Wrote Kleberg, in part: ". . . it would be unrealistic to hope that mutually useful trade could be developed with the Communist countries under present circumstances. We would receive little benefit from such trade and would expose the Western world to some or all of the following hazards:

"(1) An increase in Communist propaganda and subversion in Latin America under the guise of trade.

"(2) An opening of the trade barriers which we have attempted to impose around Cuba.

"(3) A further detriment to our balance of payments position as a result of the credits which we would have to extend to Communist countries.

"(4) An increase in the flow of our technical information and know-how to the Communist world.

"In short, Communist governments look upon trade as a political weapon and use it as such. So long as this is true, we should attempt to deny it to them."

These are hard, demonstrated facts, none of which are met by saying "Bridges of Friendship."

Mr. MUNDT. Mr. President, on behalf of myself and the Senator from Wyoming [Mr. HANSEN], I now introduce two bills relating to the importation of articles from Communist countries.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. MUNDT (for himself and Mr. HANSEN), were received, read twice by their titles, and appropriately referred, as follows:

S. 2097. A bill to double the customs duties on articles imported from Communist countries selling or furnishing materiel to North Vietnam; to the Committee on Finance.

S. 2098. A bill to prohibit the export of articles to Communist countries selling or furnishing materiel to North Vietnam; to the Committee on Banking and Currency.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 20) to provide for a comprehensive review of national water resources problems and programs, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 4833) to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 4833) to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania, was read twice by its title and referred to the Committee on the Judiciary.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON FINAL SETTLEMENT OF CLAIMS OF CERTAIN INDIANS

Nine letters from the Commissioner, Indian Claims Commission, Washington, D.C., transmitting, pursuant to law, reports relating to the final settlement of claims of certain Indians, Docket Nos. 18–I, 40–J, 13–C, 98, 101, 312, 133, and 341 (with accompanying papers); to the Committee on Appropriations.

REPORT ON SMOKING AND HEALTH

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on smoking and health (with an accompanying report); to the Committee on Commerce.

TRANSIT DEVELOPMENT PROGRAM FOR THE NATIONAL CAPITAL REGION

A letter from the Administrator, National Capital Transportation Agency, Washington, D.C., transmitting a draft of proposed legislation to amend the National Capital Transportation Act of 1965 authorizing the prosecution of a transit development program for the National Capital region and to further the objectives of the Act of July 14, 1960 (with an accompanying paper); to the Committee on the District of Columbia.

REPORT ON U.S. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

A letter from the Secretary of State, transmitting, pursuant to law, a report on U.S. contributions to international organizations, for the fiscal year 1966 (with an accompanying report); to the Committee on Foreign Relations.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review and appraisal of efficiency and effectiveness of audit activities, Department of Commerce dated July 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on excess military assistance program property to recipient countries (with an accompanying report); to the Committee on Government Operations.

INTERIM REPORT OF FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

A letter from the Chairman, the Franklin Delano Roosevelt Commission, Washington, D.C., transmitting, pursuant to law, an interim report of that Commission, summarizing action taken since January 1966 (with an accompanying report); to the Committee on Rules and Administration.

MEMORIAL

The ACTING PRESIDENT pro tempore laid before the Senate a memorial of the Legislature of the State of Oregon, which was referred to the Committee on Foreign Relations, as follows:

MEMORIAL TO CONGRESS

To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

We, your memorialists, members of the Fifty-fourth Legislative Assembly of the State of Oregon, most respectfully represent as follows:

Whereas children of Asian mothers are being born in Southeast Asia, fathered by members of our American Armed Forces; and

Whereas in Asian countries a child belongs to the father, never the mother, and lacking a father, has no family, no one authorized to register his birth, and is, therefore, almost universally denied the rights of schooling and, later, of access to normal employment; and

Whereas such an Amerasian child is a stateless person, one without a country, and, hence, a special kind of orphan, condemned to anger and bitterness at his lot, and, usually to the company of those like him, who often form roving bands of juveniles; and

Whereas these children generally prove to be individuals of real ability and talent, with potential for normal and wholesome personality development, and the possibility of making real contributions to society; and

Whereas such organizations as Fathers Anonymous, founded by Nobel prize-winner, author, and former Asian missionary, Pearl Buck, seek to contact the fathers of these children and discreetly arrange their voluntary support; and

Whereas the government is responsible for the presence of our young men in Southeast Asia and for their being uprooted from home, family, and other community restraints; now, therefore,

Be it resolved by the undersigned members of the Fifty-fourth Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is memorialized to appropriate funds needed to aid in the care, support, and later adoption of Amerasian children within the United States.

(2) A copy of this memorial shall be transmitted to the presiding officer of the Senate and of the House of Representatives of the United States and to each member of the Oregon Congressional Delegation.

Charles Sylvan Paul, Howard D. Willits, William H. Stevenson, Paul E. Harrelman, Frank L. Roberts, Kent D. Shuman, Roger E. Morton, Betty Roberts, Edward N. Fadeley, Leo M. Thornton, Sidney Leiken, L. B. Oey, Harold V. Lewis, Dolem Harlan, I. C. Mann, Rod McKenzie, Fred Meed, Connie McCrady, Wayne Punner.

Morris K. Crohern, M.D., Joe B. Richards, Norman R. House, Bill Bradley, Wally Priestly, J. E. Bennett, Gerald W. Detering, F. F. Montgomery, Tom F. Hartung, Robert G. Davis, John H. Elliott, C. R. Hoyt, C. B. Howe, Floyd Bryant, Ralph Geyues, W. Stan Ominkirk, Jason D. Bow, Amos Bauman, Joe Rogers.

Kim Jimstedt, Marva Graham, Lee John, Ed Elds, John Anderson, Don McKinn, Wm. H. Halinstan, Richard L. Kenney, Vern Cobb, Ted Halloch, Ross Morgan, Donald R. Husband, John W. Burns, George Eve, Arthur P. Ireland, R. F. Chapman.

Philip D. Long, Janus A. Redden, Sid Bzut, David Grott, H. Meghn, Fritz Chuinard, Don Wilson, Albert Smith, Art Atley, Dan Thiel, Al Flegel, Don Millner, Shea Strode, Glenn Huston, T. W. Henley, J. J. Inskeep, Harvey J. Burn.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency, without amendment:

S. 1956. A bill to extend for 2 years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues (Rept. No. 396).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

H. Con. Res. 253. Concurrent resolution providing for the printing as a House document of certain maps and indicia relating to Vietnam and the Asian Continent (Rept. No. 399);

H. Con. Res. 346. Concurrent resolution to authorize the printing as a House document the pamphlet entitled "Our Flag" (Rept. No. 400);

H. Con. Res. 348. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs (Rept. No. 401);

H. Con. Res. 369. Concurrent resolution authorizing certain printing for the Select Committee on Small Business of the House of Representatives (Rept. No. 402);

S. Res. 137. Resolution to provide additional funds for the Committee on Appropriations;

S. Res. 140. Resolution to print as a Senate document the Annual Report of the National Forest Reservation Commission (Rept. No. 398); and

S. Res. 141. Resolution authorizing additional committee funds for the Committee on Labor and Public Welfare.

By Mr. CANNON, from the Committee on Rules and Administration, with amendments:

S. 1581. A bill to amend the Federal Voting Assistance Act of 1955 (69 Stat. 584) (Rept. No. 397).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency:

Robert C. Moot, of Virginia, to be Administrator of the Small Business Administration.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. MUNDT (for himself and Mr. Hansen):

S. 2097. A bill to double the custom duties on articles imported from Communist countries selling or furnishing materiel to North Vietnam; to the Committee on Finance.

S. 2098. A bill to prohibit the export of articles to Communist countries selling or furnishing materiel to North Vietnam; to the Committee on Banking and Currency.

(See the remarks of Mr. Mundt when he introduced the above bills, which appear under a separate heading.)

By Mr. DOMINICK:

S. 2099. A bill to amend title IV (B) of the Higher Education Act of 1965, relating to insured loans for students in institutions of higher education, in order to authorize additional funds for reserves for the purposes of such title; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Dominick when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of New York (for himself, Mr. Smathers, Mr. Pearson, and Mr. Ribicoff):

S. 2100. A bill to encourage and assist private enterprise to provide adequate housing in urban poverty areas for low-income and lower middle-income persons; to the Committee on Finance.

(See the remarks of Mr. Kennedy of New York when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE (by request):

S. 2101. A bill to amend the Act entitled "An Act to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes", approved February 27, 1925;

S. 2102. A bill to amend the District of Columbia Police and Fireman's Salary Act of 1958, as amended, to increase salaries, to adjust pay alignment, and for other purposes; and

S. 2103. A bill to provide that the Uniform Interstate and International Procedure Act shall apply in the courts of the District of Columbia; to the Committee on the District of Columbia.

By Mr. TOWER:

S. 2104. A bill for the relief of Irva G. Franger; to the Committee on the Judiciary.

By Mr. MONDALE (for himself, Mr. Cooper, Mr. Hatfield, Mr. Kennedy of New York, Mr. McGovern, Mr. Montoya, and Mr. Tydings):

S. 2105. A bill to establish cooperative extension services in the District of Columbia; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Mondale when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of Massachusetts:

S. 2106. A bill to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore; to the Committee on Interior and Insular Affairs.

S. 2107. A bill to amend title 10, United States Code, to remove the restriction on the use of certain private institutions under the dependents' medical care program; to the Committee on Armed Services.

(See the remarks of Mr. Kennedy of Massachusetts when he introduced the above bills, which appear under separate headings.)

By Mr. YARBOROUGH:

S. 2108. A bill to amend section 8336 (c) of title 5, United States Code, to include the position of customs inspector in the category of hazardous occupations; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 2109. A bill to authorize retirement credit for certain alien employees of the Foreign Service during breaks in diplomatic relations, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. Fulbright when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 2110. A bill to provide a uniform closing time for polling places in certain Federal elections; to the Committee on Rules and Administration.

S. 2111. A bill making Presidential Election Day a legal holiday; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above bills, which appear under a separate heading.)

By Mr. McGOVERN:

S. 2112. A bill for the relief of Kin Lai, Lun Sum Pun, Wong Kam Shu, and Wong Kwong Fai; and

S. 2113. A bill for the relief of Lap Huen Lam, Nang Cheng, Sai Yan Lo, Yee Chuk Wong, Kwan Puk Wong, Shui Yin Cheung, Hing Tong Wong, Ping Hui, Pun Nuen Chan, and Yok Mou Chong; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 2114. A bill to amend title III of the National Housing Act to improve and supplement the financing of the construction and purchase of homes where there is evidence of discriminatory lending practices or policies by private lenders, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK:

S. 2115. A bill to amend the National Housing Act to establish a new program of mortgage insurance and counseling assistance to aid low-income families to achieve the goal of homeownership; to the Committee on Banking and Currency.

CONCURRENT RESOLUTION

INVESTIGATION OF GROWTH AND MOVEMENT OF POPULATION IN THE UNITED STATES

Mr. PROXMIRE (for himself and Mr. Mundt) submitted a concurrent resolution (S. Con. Res. 33) to express the sense of the Congress that the Joint Economic Committee should include within its investigations an analysis of the growth and movement of population in the United States, which was referred to the Committee on Banking and Currency.

(See the above concurrent resolution

printed in full when submitted by Mr. Proxmire, which appears under a separate heading.)

INCREASE IN RESERVE FUND FOR STUDENT LOAN PROGRAMS

Mr. DOMINICK. Mr. President, I introduce, for appropriate reference, a bill to increase by $17.5 million the authorization for the reserve fund of State and nonprofit, private guaranteed student loan programs as contained in the Higher Education Act of 1965.

In my opinion this bill is a matter of great urgency. Yesterday I had the opportunity of discussing this problem with the senior Senator from Oregon [Mr. Morse], whom I see in the Chamber.

I hope that by virtue of this proposal we will be able to get immediate hearings. The need arises in the following manner: In 1965 we introduced provisions in the act for seed money for the purpose of guaranteeing student loans through commercial banks. When this program was enacted it was intended that the States would undertake to guarantee the loans rather than the Federal Government. In order to make sure that money would be available for the students, we also enacted a program which authorized the Federal Government to go directly into this affair in the event the seed money of the State was exhausted without the State's having acted. It now appears that the State of Colorado has exhausted its seed money funds and Colorado, along with other States, finds itself in a difficult, legal position because of provisions of the Constitution and, therefore, may have some problems in working out the question of getting the State to move on a local basis to guarantee student loans.

As a result of this, Governor Love has requested that the Federal program be initiated in Colorado. I am sure he did this on the advice of competent people, but he certainly did it without consulting either my colleague, Mr. Allott, or me.

As recenty as last Tuesday, there was a meeting at the White House on the subject at which representatives of the banking institution, the Office of Education, and other interested parties were in attendance. It appears that there may have been worked out a possible solution, which may take some time, but which would be of benefit to those States which find themselves faced with this kind of problem.

If the Federal program goes into effect as requested by the State of Colorado, and as urged by some members of the Office of Education, there is little or no doubt that it would mean a tremendous expansion in the Federal regional Offices of Education around the country, that it would destroy the State programs which have been put into operation by approximately 30 States and that it would create a Federal interjection and overlay of education which was not contemplated either by Congress or the committee.

Consequently, it seems to me that this bill is a matter of great urgency and should be acted upon as rapidly as possible so that we can have funds available for the purpose of guaranteeing adequate loans obtained through local commercial sources.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2099) to amend title IV B of the Higher Education Act of 1965, relating to insured loans for students in institutions of higher education, in order to authorize additional funds for reserves for the purposes of such title, introduced by Mr. Dominick, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

USDA COOPERATIVE EXTENSION SERVICES FOR THE DISTRICT OF COLUMBIA

Mr. MONDALE. Mr. President, every Member of the Senate is aware of the migration of untrained, poorly educated workers from marginal farm areas to major metropolitan areas in recent years. Our own National Capital City has experienced this phenomenon, and I am today introducing legislation which will provide the District of Columbia with a singularly helpful tool in assisting these citizens to make the essential adjustment to urban life. I do so for myself and Senators Cooper, Hatfield, Robert F. Kennedy, McGovern, Montoya, and Tydings.

Simply stated, this legislation authorizes the U.S. Department of Agriculture to make available to officials and residents of the District of Columbia its pool of trained leadership in cooperative services for homes and youth. Enactment of this proposal will eliminate the last remaining area in our Nation where the Federal Extension Service is not permitted to assist Americans.

Initiated as a Government information bureau 15 years ago by President Lincoln, the Department of Agriculture has long been one of the world's great institutions of learning and education. The Department has worked cooperatively with the States, with leading State universities and with private citizens to produce the best informed, best trained and most productive agricultural community in history.

By 1907, 60 years ago, the importance of programs of youth development to this educational effort was recognized through the organization of boys' and girls' clubs in Mississippi. Two years later, these youth clubs had spread to several additional southern States. In the Smith-Lever Act of 1914, Congress established the Extension Service and further expanded it through the Capper-Ketcham Act of 1928, the Bankhead-Jones Act of 1935, and the Bankhead-Flanagan Act of 1945.

From the beginning of the extension service the accent has been on youth and the widely known 4–H clubs fostered by the service have been outstanding for their youth development programs.

Through the years, the Federal Extension Service has been truly a cooperative organization in its mutually beneficial relationship with the States, the universities and the public. It would be difficult to overstate the community spirit that has been fostered in the rural portions of America because of the cooperative services stimulated and provided by the Department with the voluntary participation of farmers and their families.

Through its vast network of educational and informational services, the Department has made readily available to all citizens the results of its large research program, crop reports and market prices. The result has been that when emergencies have arisen—whether the great drought of the 1930's or the more recent advent of mechanization—the leadership and technological know-how of the Service has modified the blow of what otherwise might have been pure disaster for large areas of the Nation.

Since World War II, as the House Appropriations Committee has noted in its report on the fiscal year 1968 agricultural appropriations bill, the Federal Extension Service of the Department has been moving increasingly into our urban areas. The following quote from that report is, I think, illustrative of this trend:

> In view of the many agencies of the Department and the entire Federal Government engaged in community development activities, the Committee feels that the additional funds can be used most effectively in programs which work directly with the youth of this Nation. The wholesome effect of 4–H Club activities has been so beneficial to rural youth that additional efforts to bring 4–H programs to young people in the congested and deprived urban areas of the United States would make an invaluable contribution to the moral, spiritual and economic strength of this Nation.

The committee's enthusiasm is buttressed by the fact that there is hardly a single city in America today which has not called on the Federal Extension Service for its leadership in setting up programs of training in home counseling and in youth development. Many mayors of problem-plagued cities have known how effective these programs can be in creating greater family stability, in providing supplementary educational programs, and in salvaging drop-outs from school and society from the brink of delinquency and despair.

Mr. President, many cities—most cities—have made effective use of the Federal Extension Service. But not the District of Columbia. Puerto Rico, Guam, and the Virgin Islands have their 4–H clubs. Most of the countries of Latin America and many other nations have their own 4–H type youth organizations—but not the District of Columbia.

This oversight by the Congress constitutes, in my judgment, an urgent need for corrective action. Few urban areas in the Nation can show greater real need for expert, trained leadership in child care, public health, home counseling, youth development and vocational retraining than the District of Columbia. In view of the many calls for increased services in the Federal City it is only right and just for Congress to make available to District residents the same opportunity for self-help programs of this nature that are already available to Guamanians, Virgin Islanders, New

Yorkers, Chicagoans, and residents of every other American city. In short, it is imperative that the Congress authorize the highly esteemed programs of the Federal Extension Service for the District of Columbia at the earliest possible date.

Mr. President, in recent months home counseling services and youth development programs have been brought in to provide leadership in public housing projects under the guidance of the extension service in such cities as Providence, Kansas City, Hartford, Manchester, Newark, Buffalo, New Haven and Warren, Ohio. Similar self-help, learning-by-doing programs are urgently needed for the thousands of families in the District's public housing developments and in many other low-income neighborhoods. There is not a single public service department of the District, whether it be the school system, the recreation department, the public health department, or any other, which would not be substantially augmented by making extension service resources available to the District of Columbia.

Sources knowledgeable about District difficulties have informed me that some 55,000 District youngsters between the ages of 9 and 19, live in circumstances describable only as abject impoverishment; 49,000 District families can be reasonably placed in the same category. Enactment of this legislation would, it is estimated, permit one-half of this target group to be reached in some helpful manner by the cooperative service programs envisioned by this bill in its first year in operation. In short, this legislation would provide urgently needed supplemental assistance for present efforts to reach those youngsters and families in the District of Columbia hopelessly caught up in impoverished circumstances by informational, educational and vocational inadequacies.

Another phase of the extension program which warrants consideration is the cooperation supplied by the designated universities which operate as extension service centers. In this case, Howard University would serve as the service center. These universities—and I am well acquainted with the work of the University of Minnesota in this regard—heed the call for help from the community, review the problems and help local organizations plan for youth development programs, for adult education, for supplementary vocational training, for teaching of homemaker skills, for child health, or whatever the problem may be.

The extension service university lends its prestige and many of its most eminent professors to the job of helping the community in which it is set. At the same time, of course, the university also benefits, for exposure to the problems of the community enriches the vitality and expands the objectives of any educational institution.

Yet another vital phase of the extension service activities is the welding of workable, situational partnerships with community officials and neighborhood leaders. It is my understanding that many agencies of the District government are already responding to appeals from various neighborhood groups and civic organizations. The introduction of similar legislation in the House of Representatives has already prompted meetings and discussions throughout the city concerning the most needed cooperative services.

Whether these preliminary proposals become part of the program for the Federal City or whether different services eventually develop, I think it important to note that the introduction of such legislation has already fostered a heightened spirit and sense of cooperation between neighborhood organizations and municipal officials.

Mr. President, I am most hopeful that this proposal will receive early consideration and that the Congress will act with dispatch to eliminate one of the many inequities which have for so long hampered residents of the District of Columbia in their attempts to achieve full personal and community development.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2105) to establish cooperative extension services in the District of Columbia, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

CAPE COD NATIONAL SEASHORE

Mr. KENNEDY of Massachusetts. Mr. President, I introduce, for appropriate reference, a bill to insure the continued acquisition of land for the Cape Cod National Seashore. The original act, signed into law by President Kennedy in 1961, designated 27,000 acres for the seashore and authorized $16,000,000 for its acquisition.

This amount has proved insufficient to complete the job.

During the past 5 years, the allotted funds have been spent at the rate of $3,200,000 per year. The authorization and appropriation have been exhausted, yet 8,000 acres must still be purchased to fill out the planned acquisition. An additional $12,000,000 will be required to bring this land under the ownership of the seashore.

Unless these funds are made available, the land acquisition program will be cut short in August of this year. The results will be many and harsh: unnecessary hardship will be imposed on private landowners; the Department of the Interior will bear the burden of rising land values; public enjoyment of these areas will be postponed; and unspoiled seascape may be lost forever.

The cost of land may seem high, but it is dwarfed by the price of delay.

The Cape Cod National Seashore presents one of our last opportunities to secure a large unspoiled seashore for public enjoyment. It is an area rich in history, rich in wildlife, and renowned for its austere beauty.

During the age of exploration, the cape was visited by Hudson, Champlain, and Gosnold. It was near Wellfleet that the Pilgrims first sighted the new world on November 9, 1620. Since that day, the dramatic shoreline has been the object of constant praise. Henry David Thoreau named it the "Great Beach," and wrote:

> A man can stand there and put all America behind him.

From north of the Great Pond near Eastham, Thoreau wrote:

> We were traversing a desert . . ., a sort of promised land on the one hand, and the ocean on the other . . . A thousand men could not have interrupted it, but would have been lost in the vastness of the scenery, as their footsteps in the sand.

The designated area lies within a 1-day drive of 30 million people, and it is within easy access of many millions more. Last year the seashore was visited and enjoyed by 2,830,288 Americans. As the reputation of the seashore spreads, and as additional areas are opened to the public, millions more are expected.

The rapid growth of the industrial Northeast, however, represents a serious threat to the land not yet acquired for the seashore. There are great pressures to use it for commercial purposes, and since 1961 the value of shore front property has increased as much as 12 percent a year. The rising cost of land restricts the ability of the seashore to move forward effectively in its purchase program.

The paramount importance of this area to the people of Cape Cod, of Massachusetts, and of the Nation was clearly recognized by President Kennedy. As a Senator he introduced legislation to create a national seashore, and as President he signed the act which did so. I am asking today that we complete the task which the Congress and the President undertook in 1961: that we raise the authorization by $12,000,000.

If we miss this opportunity, another may never be presented. It is only by our action now, that this land can be preserved.

I ask unanimous consent that a letter from the Chairman of the Cape Cod National Seashore Advisory Commission, which bears on the need for this bill, be included in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2106) to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore, introduced by Mr. KENNEDY of Massachusetts, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter, presented by Mr. KENNEDY of Massachusetts, is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE, CAPE
COD NATIONAL SEASHORE,
South Wellfleet, Mass., June 19, 1967.

Hon. EDWARD M. KENNEDY,
Senate Office Building,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: The Cape Cod National Seashore Advisory Commission at its June 2 meeting voted to request the support of the Massachusetts Congressional delegation in raising the present authorization for land acquisition for the Cape Cod National Seashore and in having additional funds appropriated to continue its land acquisitions at the current rate of $3,500,000 annually.

The Cape Cod National Seashore was authorized in August 1961, P.L. 87–126 in an area of approximately 27,000 acres. At that time, $16,000,000 ceiling was authorized for land acquisition. During the past five years land purchases have been made at an average rate of $3,200,000 annually. Therefore, the $16,000,000 ceiling has been reached. At the present time, 16,000 acres are federally owned or under purchase contract as part of the Cape Cod National Seashore. About 8,000 acres of privately owned undeveloped land remain to be acquired. However, this land acquisition program will have to be suspended around August 1, 1967, unless the Congress raises the authorization limit of $16,000,000 for acquisition purposes and provides a subsequent appropriation of funds to continue the land purchases. Presently the Cape Cod National Seashore has under negotiation with owners lands valued at around $1,500,000 for which appraisals have been obtained. All this activity will have to cease as of August 1967 unless action by the 90th Congress insures its continuance.

The 89th Congress apparently took no action on the legislation filed by Senator Saltonstall (S. 3568) and Congressman Keith (H.R. 16090) to raise the $16,000,000 limitation for land acquisition at Cape Cod. The Advisory Commission strongly urges each member of the Massachusetts Congressional delegation to support legislation raising the land acquisition authorization for the Cape Cod National Seashore from $16,000,000 to $28,000,000 and the appropriation of additional funds to purchase the remaining 8,000 acres of undeveloped land in private ownership.

Sincerely yours,

JOSHUA A. NICKERSON,
Chairman, Cape Cod National Seashore, Advisory Commission.

MILITARY DEPENDENTS' MEDICAL CARE

Mr. KENNEDY of Massachusetts. Mr. President, I introduce, for appropriate reference, a bill which would amend title 10 of the United States Code to remove the restriction on the use of certain private institutions under the military dependents' medical care program.

On September 30, 1966, Public Law 89–614, which I was glad to support, became law. This law provided that proper medical care be available to mentally retarded or physically handicapped dependents of members of the armed services when on active duty. Subject to a requirement of a contribution by the member, these health benefits cover the cost of institutional care for these handicapped dependents in private nonprofit, public, and State institutions and facilities.

This program has been of great assistance to those in military service who must bear the high costs of caring for their handicapped dependents. However, during the year this program has been in effect, one inequity has become apparent. These benefits are extended to private nonprofit institutions, but do not cover other private institutions. This works a hardship on members of the service who are unable, because of the crowded facilities and long waiting lists, to find placement for their children in institutions which would qualify under the present law.

The Department of Defense has estimated that 94,144 physically handicapped and 6,984 mentally retarded dependents are eligible under the present law; however, only some 10 percent of these have actually received assistance. The primary reason for the low utilization of this program is the scarcity of openings in public and private nonprofit institutions. Many families, in order to get the proper care for their dependents, have found it necessary to make use of private facilities which operate at a profit, and thereby incur the burden of paying the high institutional costs without any of the assistance this program was intended to provide. Still other families, the less fortunate, cannot afford these costs, and their dependents are denied the care which they so desperately need.

The problem stems from the inability of public and private nonprofit institutions to handle the great number of mentally and physically handicapped. Much must be done to increase the number and size of these facilities; much time and effort must be spent in research and development to make them more effective. We in the Congress have done much to encourage this development of facilities, particularly in recent years.

But until this is done, the overcrowding remains. The strides we must make in the future will not help those who are presently in need. The handicapped should be treated whenever possible; if public facilities are not available, they must be treated in private facilities. However, the present law penalizes those who cannot get placement in public or private nonprofit institutions.

Such inequities were clearly not intended when the law was passed. The bill I introduce today seeks to remedy this unfairness by removing the requirement that a private institution be nonprofit. A member of the military would be able to place his dependent in a private institution and receive Federal assistance equivalent to the cost of the same treatment in a public institution. This would enable all eligible persons to make use of this program, and thus fully accomplish the original purpose of Congress when it created the dependents' medical care program.

Mr. President, a companion bill, H.R. 8009, has been introduced in the other body by Congressman LEGGETT, of California. I ask unanimous consent that two letters from the Department of Defense commenting on H.R. 8009 be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letters will be printed in the RECORD.

The bill (S. 2107) to amend title 10, United States Code, to remove the restriction on the use of certain private institutions under the dependents' medical care program, introduced by Mr. KENNEDY of Massachusetts, was received, read twice by its title, and referred to the Committee on Armed Services.

The letters, presented by Mr. KENNEDY of Massachusetts, are as follows:

DEPARTMENT OF THE AIR FORCE,
Washington, D.C., June 20, 1967.
Hon. EDWARD M. KENNEDY,
U.S. Senate.

DEAR SENATOR KENNEDY: This is in reply to your letter concerning the family problem of Lt Col John F. Franham, USAF. You requested our comments concerning the possibility of establishing a scale of payments to assist military personnel who are required to place handicapped members of their families in private institutions. You further state that you would welcome suggestions for legislative changes to strengthen the program.

The difficulty encountered by Lt Col Farnham arises from the failure of P.L. 89–614 to permit handicapped dependents of uniformed services personnel to utilize other than private nonprofit and public institutions under the program for the handicapped. It would, therefore, not be legally permissible under present law to establish any scale of payments in connection with care, services, or training obtained by such dependents from a private institution operated for profit. Due to a stortage of public and nonprofit institutions, it becomes necessary for handicapped dependents to often utilize "for-profit" institutions as in the case of Lt Col Farnham. The problem has been recognized and remedial legislation has been proposed (H.R. 8009, Mr. Leggett). The bill would permit the use of for-profit private institutions under the program for the handicapped. The legislation would be retroactive to January 1, 1967, and the same scale of payments as is now in effect with respect to public and nonprofit private facilities would apply.

The Department of Defense actively supports H.R. 8009. A copy of the Department's comments favoring enactment of the legislation is attached. We trust that the above information will be helpful. We appreciate your effective support in the past and your continuing interest in this matter of handicapped spouses and children of military personnel.

Sincerely,

ALONZO A. TOWNER,
Major General, USAF, MC, Deputy Surgeon General.

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE,
Washington, D.C. 12 June, 1967.
Hon. L. MENDEL RIVERS,
Chairman, Committee on Armed Services,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request for the views of the Department of Defense on H.R. 8009, 90th Congress, a bill "To amend Title 10, United States Code, to remove the restriction on the use of certain private institutions under the Dependents' Medical Care Program."

The purpose of the bill is to permit, under certain circumstances, the mentally retarded or physically handicapped spouses and children of active duty members of the uniformed services to use private institutions operated for profit when obtaining benefits under the Civilian Health and Medical Program of the Uniformed Services.

The bill would eliminate, retroactively to January 1, 1967 (the date the "handicapped" program became effective), the general prohibition on institutional care in private facilities operated for profit in the case of dependents who are in the categories referred to above.

The Military Medical Benefits Amendments of 1966 (P.L. 89–614) authorized, effective January 1, 1967, the establishment of a special financial support program for the spouse or child of an active member of the uniformed services who is moderately or severely mentally retarded or who has a serious physical handicap. Among other benefits, such persons are eligible for the following:

"Institutional care in private nonprofit, public and State institutions and facilities and, when appropriate, transportation to and from such institutions and facilities."

The Department of Defense has considered the bill and the inequities which it seeks to overcome. We have concluded that the ban on the use of private profit institutions for residential care is unduly restrictive. Our conclusion rests primarily on the following three points:

1. The "advance approval" concept under which our program now operates affords us ample opportunity to exclude from participation those private profit institutions not offering quality care or which have unreasonable charges.

2. The provisions of 10 U.S.C. 1079(f) already exclude the use of any private institutions when public facilities are adequate and available.

3. If in a given area (or for a particular type of care) the only available institution is a private one operated for profit and such an institution provides care of an acceptable quality at a reasonable cost, there is no logical reason why such an institution should not be used.

The Department of Defense recommends the enactment of H.R. 8009.

COST AND BUDGET DATA

Preliminary estimates indicate that the enactment of H.R. 8009 would result in additional costs to the Government for Fiscal Year 1967 of approximately $23,000, with annual costs of approximately $50,000 thereafter.

The Bureau of the Budget advises that, from the standpoint of the Administration's program, there would be no objection to the presentation of this report for the consideration of the Committee.

Sincerely yours,

Paul C. Warnke.

A BILL TO INCLUDE CUSTOMS INSPECTORS IN THE CATEGORY OF HAZARDOUS OCCUPATIONS

Mr. YARBOROUGH. Mr. President, I introduce a bill to add customs inspectors to the categories of Federal employees deemed to be engaged in hazardous occupations.

Customs inspectors are charged with the enforcement of customs laws. Enforcement includes securing and acting upon information of actual or suspected violations of the customs laws, where necessary making searches, seizures, and arrests.

Like other enforcement officers, customs inspectors are subject to call at any time of the day or night. In addition to an erratic working schedule, customs inspectors constantly face personal hazards other than those normally incident to most enforcement duties. Hazards are ever present in boarding or leaving vessels, from falling into open hatches, in stepping on slippery decks, from walking among rails and switches at railroad terminals, from speeding fork trucks and swinging cranes.

Customs inspectors continually come into personal contact with vessel officers, crew members and the traveling public who are oftentimes antagonistic and belligerent. In many instances, and especially in connection with small ships or at isolated ports, he performs his duties away from crowded piers and terminals and may be the only enforcement officer on duty.

In addition to duty assignments at seaports and airports throughout the country, customs inspectors are employed at customs ports of entry and customs stations along the Mexican and Canadian borders. At these points they come in direct contact with persons of all types and descriptions, including all manner of criminals.

One of the potentially dangerous persons is the narcotic offender and smuggler. Many narcotics seizures are made from these persons, and many of them are criminals of the most vicious type. For example, at the small port of San Luis, Ariz., a customs inspector found narcotics in the possession of a bordercrosser while making a routine search, without any idea of the past criminal record of the individual. When the subject was arrested and his background checked, it was found that he had been convicted of eight felony counts, including rape, assault, kidnapping and robbery. The danger of contact with such an individual is obvious.

In routine searches along the border it is common to discover concealed weapons such as knives, switch blades, brass knuckles, revolvers, and automatic pistols. Knives have been found dangling on the end of a string down a suspect's pants leg attached from his belt. Guns have been found strapped to the legs or taped there with masking or adhesive tape.

In consideration of the extreme hazards of the inspectors' work, it is obvious that as a matter of plain justice, they should be included as a class under the provisions of section 8336(c) of title 5, United States Code, along with other Federal employees subject to no greater hazards in the performance of their assigned duties.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2108) to amend section 8336(c) of title 5, United States Code to include the position of customs inspector in the category of hazardous occupations, introduced by Mr. Yarborough, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

A BILL TO AUTHORIZE RETIREMENT CREDIT FOR CERTAIN ALIEN EMPLOYEES OF THE FOREIGN SERVICE

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to authorize retirement credit for certain alien employees of the Foreign Service during breaks in diplomatic relations, and for other purposes.

The proposed bill has been requested by the Department of State, and I am introducing the proposed legislation in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the Record at this point, together with the letter from the Assistant Secretary of Congressional Relations, to the Vice President dated June 27, 1967, in regard to it, and the explanation of the proposed legislation, section-by-section analysis and cost estimate.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, explanation, section-by-section analysis, and cost estimate will be printed in the Record.

The bill (S. 2109) to authorize retirement credit for certain alien employees of the Foreign Service during breaks in diplomatic relations, and for other purposes, introduced by Mr. Fulbright, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

S. 2109

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8332 of title 5, United States Code, is amended by adding at the end thereof the following subsection:

"(m) An alien who completes at least 5 years of civilian service during which he is otherwise subject to this subchapter shall be allowed credit for employment (while not an annuitant under this subchapter) with a foreign government for the purpose of protecting or furthering the interests of the United States, during an interruption of diplomatic or consular relations that requires the evacuation of the United States diplomatic mission or consular posts from the jurisdiction in which the employment is performed, and for which employment reimbursement is made by the United States. An alien so employed with a foreign government is deemed an employee for the purpose of determining his right, and that of his survivors, to annuity under this subchapter. For each alien so employed, the Department of State shall pay to the Fund from its appropriations agency contributions in the same amount required by section 8334(a) of this title to be contributed by an employing agency for employees. The Secretary of State shall maintain and certify to the Civil Service Commission such records as may be required by the Commission in each case."

Sec. 2. Agency contributions required by the operation of the amendment made by section 1 of this Act are not required with respect to employment with a foreign government occurring before the date of enactment of this Act.

Sec. 3. The amendment made by section 1 of this Act applies only to those aliens who, on or after the date of enactment of this Act, are employed with a foreign government under the conditions referred to in that amendment or by the Government as defined by section 8331(7) of title 5, United States Code.

Sec. 4. The provisions of section 8348(g) of title 5 shall not apply with respect to the benefits resulting from the enactment of this Act.

The letter, explanation, section-by-section analysis, and cost estimate, presented by Mr. Fulbright, are as follows:

Department of State,
Washington, June 27, 1967.

The Vice President,
U.S. Senate.

Dear Mr. Vice President: Enclosed is a draft bill "To authorize retirement credit for certain alien employees of the Foreign Service during breaks in diplomatic relations, and for other purposes."

Alien (local) employees of the Foreign Service provide invaluable services for the United States. They perform the unclassified routine and housekeeping, but nevertheless important chores of maintaining our embassies and consulates throughout the world.

Many work for the United States for their entire careers and in most countries are covered under the U.S. Civil Service retirement system. Up to now they have been denied retirement credit during periods when, although they continued to serve United States' interests, they found themselves technically employed by a friendly third power because of a break or other interruption in diplomatic or consular relations that required American Foreign Service employees to depart from the area. The proposed bill would authorize Civil Service retirement credit for such service in order to avoid penalizing those employees who find themselves in this unique circumstance. The bill would benefit about 150 employees with such service from World War II and a few employees currently performing such service in areas such as Cuba and the Near East.

Employees with such service and those around them recognize that although they have served the United States for many years they are denied retirement credit for periods when perhaps at some personal risk they continued to serve the United States despite the absence of their American employers. This unfortunate situation casts the U.S. in the role of an unfair and ungrateful employer and is detrimental to the United States in its foreign relations.

This proposal was recommended by the Cabinet Committee on Federal Staff Retirement Systems in its report to the President on February 15, 1966 which was subsequently endorsed by the President and transmitted to the Congress on March 7, 1966.

The Department has been informed by the Bureau of the Budget that there would be no objection to the presentation of this draft legislation to the Congress for its consideration.

Sincerely yours,
WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations
(For the Secretary of State).

EXPLANATION OF THE PROPOSED BILL TO AUTHORIZE RETIREMENT CREDIT FOR CERTAIN ALIEN EMPLOYEES OF THE FOREIGN SERVICE DURING BREAKS IN DIPLOMATIC RELATIONS, AND FOR OTHER PURPOSES

Alien (local) employees of the Foreign Service working in a U.S. Embassy or consular post are separated from Federal service when diplomatic or consular relations with the country exercising jurisdiction in the area involved are broken or interrupted. Arrangements frequently are made at such times to have a third nation protect U.S. interests on a reimbursable basis. In such cases the third country usually hires some of the separated Foreign Service local employees to carry on the work involved in handling U.S. matters. The local employees are thereafter usually rehired by the Foreign Service upon resumption of relations.

Service under such circumstances has not been creditable for civil service retirement purposes. This has been a problem since World War II during which several hundred Foreign Service local employees transferred to the Swiss in order to continue to serve U.S. interests in enemy and occupied countries. Also, during the course of the war, a few persons were hired by the Swiss to perform work for the United States who had not previously been employed by the Foreign Service. After the war, most returned or were appointed to Foreign Service rolls and about 150 are still so employed. In addition, about 35 others are now performing such services in areas such as Cuba helping to protect U.S. interests. Similar arrangements are being worked out now in certain Near Eastern countries.

This bill would authorize Civil Service retirement credit for such service in order to avoid penalizing those employees who find themselves in this unique circumstances. This bill will also provide protection to employees who die, become disabled or reach retirement age while working for a foreign power in these circumstances, provided the employee has acquired eligibility for these benefits by completing at least five years of otherwise creditable service. Credit would be granted only for service which would be creditable if performed while in the direct employ of the United States Government.

Employees with such service, and those around them, recognize that although they have served the United States for many years, they are denied retirement credit for those years when, perhaps at some personal risk, they continued to serve the United States despite the absence of their American employers. This unfortunate situation casts the United States in the role of an unfair and ungrateful employer. This appearance is detrimental to the United States in its foreign relations.

The situation of Foreign Service local employees temporarily employed by a protecting power is comparable to the situation of other Federal employees who resign from their Federal positions to accept appointments on the staffs of international organizations or the Appalachian Commission. In these latter situations, employees are permitted to continue their Civil Service retirement coverage under certain conditions by specific provisions of the Federal Employees International Organization Service Act of 1958, P.L. 85–795, and the Appalachian Regional Development Act of 1965, P.L. 89–4. This privilege is provided to encourage qualified Federal employees to accept positions in these organizations since this is in the national interest. It is also clearly in the national interest that Foreign Service local employees transfer to a protecting power in order to continue to serve United States interests during wartime and other periods while diplomatic relations are interrupted.

SECTION-BY-SECTION ANALYSIS OF THE PROPOSED BILL

Section 1 of the draft bill would amend the civil service retirement law (Chapter 83, title 5, U.S. Code) to authorize retirement credit for service performed by certain aliens who are employed by a protecting power on a reimbursable basis for the purpose of protecting U.S. interests during a period when diplomatic relations are interrupted and which would be creditable if performed while in the direct employ of the United States Government. The service in the employ of the protecting power would be creditable only if, before or after such service, the alien employee completes at least 5 years of civilian service for the U.S. Government during which he is subject to the civil service retirement law. Past service which meets the above conditions would be creditable but only for persons who perform such service or other service under the civil service retirement system on or after the date of enactment.

Also, Section 1 directs the State Department to pay the required agency contributions for the subject service. Employees will not have retirement contributions deducted from their salaries during such employment. They will make their contributions later by deposit or will have their annuities reduced the same as for any other creditable service for which contributions are not deducted.

Section 2 states that agency contributions will not be required with respect to employment with a foreign government occurring before the date of enactment.

Section 3 provides that the amendment made by section 1 will apply only to employees who on or after the date of enactment are employed with a foreign government under the conditions referred to in that amendment or by the Government of the United States.

Section 4 waives the provisions of 5 U.S.C. 8348(g) which otherwise would require an appropriation to the Civil Service Retirement and Disability Fund of approximately $230,000 before any benefits could be paid.

COST ESTIMATE

It is estimated that enactment of this legislation would increase the unfunded liability of the Civil Service retirement fund by $230,000 because of past services of the 150 employees still employed who have such service.

In addition, there would be a $4,000 annual cost to the Department of State for the employer contribution to the Civil Service retirement fund on behalf of 35 employees now performing such services in Cuba and a few other areas.

This estimate does not include costs for operations in the Near East because arrangements there have not been completed.

JAVITS PROPOSES UNIFORM POLL CLOSING, NATIONAL HOLIDAY ON PRESIDENTIAL ELECTION DAYS

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, two bills providing for a uniform closing time for polls throughout the country, and the establishment of a national holiday for presidential election days.

The bills are designed to encourage voter participation and to meet the growing concern over the effects on voters of electronic computers and other modern techniques of communication in providing early election returns and predictions before all the polls are closed.

Many citizens have been concerned in recent years with the influence upon western voters of the eastern election returns. The problem has been aggravated in modern times by the rapid communication of election results—and especially projections of these results based on partial returns—across the country through the medium of radio and television. Thus when the polls close at 4 p.m. in some parts of Tennessee, it is only midday in California, and indeed only 10 a.m. in Alaska and Hawaii.

Some social scientists believe that substantial number of voters in the later time zones are influenced by projections of final results based on early returns in sample precincts and do not go to the polls when the success or failure of the candidate of their choice is predicted by computers even while their polls are still open. The actual effect of such predictions broadcast over radio and television are by no means certain. But in my judgment, we cannot take the chance that a close presidential election could be decided by these predictions or that local candidates in these States would suffer because voters stayed away from the polls believing the presidential contest was already decided.

In order to preclude this side effect—so harmful to the democratic process—two courses of action are possible: We can restrict the flow of information about early returns, or we can provide for a uniform poll closing time. Since the former raises grave first amendment problems—particularly if we restrict broadcasters or newspapers from reporting the results—I believe the latter solution is most practical.

My bill, therefore provides that the official closing time of polling places in presidential elections should be at 11 p.m., eastern standard time; 10 p.m., central standard time; 9 p.m, mountain standard time; 8 p.m., pacific standard time; 7 p.m., Yukon standard time; 6 p.m., Alaska-Hawaii standard time; and 5 p.m, Bering standard time

The practical effects of this uniform closing time, would be that polls would have to close earlier than they presently do in only two States—Alaska, 2 hours earlier, and Nevada, 1 hour earlier. In several Eastern States, the polls would have to remain open for longer periods of time. For example, in Alabama, Delaware, Georgia, the District of Columbia, Florida, Kentucky, North Carolina, and South Carolina, they would remain open for 3 hours longer than they do now; and some other States would be affected to a lesser extent.

This change to longer voting hours in several of the States is actually a beneficial change, as it would provide a greater opportunity to vote for millions of voters. My proposal would also have the effect of establishing a national standard that the polls should remain open for at least 12 hours on election day.

There is no constitutional question about the power of Congress to establish a uniform poll closing time. Article II, section 3, of the Constitution gives Congress the power to "determine the time of choosing the electors" for President and Vice President. In addition, article I, section 4, empowers the Congress to regulate the "times, places, and manner of holding" elections for Senators and Representatives, and the Supreme Court has indicated that this provision may be applicable to presidential elections.

My second bill would make each presidential election day a national holiday. This would encourage more voter participation, and would compensate, in a sense, the people of Nevada and Alaska who will lose voting hours, by making it possible for the working man or woman to vote at any time during the day.

Hearings on electoral reporting begin next week in the Communications Subcommittee of the Commerce Committee, and I urge the members of the committee to consider these proposals as part of their comprehensive study.

I ask unanimous consent that the two bills be printed in the Record.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record.

The bills, introduced by Mr. Javits, were received, read twice by their titles, appropriately referred, and ordered to be printed in the Record, as follows:

S. 2110

A bill to provide a uniform closing time for polling places in certain Federal elections; to the Committee on Rules and Administration

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on the Tuesday next after the first Monday in the month of November 1968, and the Tuesday next after the first Monday in the month of November of each fourth year thereafter, the official closing time of the polling places in the several States of the United States for the election of electors for President and Vice President of the United States and the election of United States Senators and Representatives shall be as follows: 11 post meridian standard time in the eastern time zone; 10 post meridian standard time in the central time zone; 9 post meridian standard time in the mountain time zone; 8 post meridian standard time in the Pacific time zone; 7 post meridian standard time in the Yukon time zone; 6 post meridian standard time in the Alaska-Hawaii time zone; and 5 post meridian standard time in the Bering time zone.

S. 2111

A bill making Presidential Election Day a legal holiday; to the Committee on the Judiciary

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Tuesday next after the first Monday in the month of November 1968, and the Tuesday next after the first Monday in the month of November of each fourth year thereafter, is hereby made a legal public holiday to all intents and purposes and in the same manner as the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the first Monday of September, the eleventh day of November, the fourth Thursday of November, and Christmas Day are now made by law public holidays.

IMPROVED FINANCING OF HOUSING FOR MINORITY GROUPS

Mr. HARTKE. Mr. President, I am today introducing a proposal which I hope will be given serious and careful consideration by the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency during the hearings scheduled to begin on Monday, July 17.

The bill is designed to assist families who desire to purchase homes but who are prevented from doing so, or are seriously impeded, because of refusal by lenders to provide adequate mortgage financing for the homes or housing developments involved. These families are those belonging in the minority groups in the United States and to an overwhelming extent I would guess they are Negro citizens who are striving to attain the goal of homeownership so greatly prized by our general citizenry since the days of our country's early beginnings.

Let me be more specific because I wish this bill to point up for the subcommittee a problem of serious concern and proportion to Negro families and to some of our other minority groups. The fact is, as I understand it, that regardless of State and Federal laws to the contrary, there is still reluctance on the part of some—perhaps many—lenders to finance housing developments and home mortgages for and by Negro families. The result is that homebuilders wishing to create a subdivision of homes available for sale to both Negro and white families are more often than not faced with substantial difficulties in finding both short-term construction financing and permanent mortgage financing. Similar difficulties face a Negro family wishing to build or buy a home in an area largely occupied or to be occupied by white families.

It was in the housing section of the report of the U.S. Civil Rights Commission, issued in September 1961, that the situation was put in these words:

> The Commission has found evidence of racially discriminatory practices by mortgage lending institutions throughout the country.

The Commission went on to say:

> In Detroit the Commission heard of the "common policy of refusing to lend to Negroes who are the first purchasers in a white neighborhood." In Dayton the great majority of lending institutions are reported to want 30 or 40 percent Negro occupancy in a neighborhood before they will finance the purchase of a home for a Negro. In Cleveland lending policies were said to vary with institutional marketing areas; West Side companies, for example, will lend to Negroes who wish to buy on the East Side, while the East Side banks refuse loans on similar property. In Columbus it was reported that: "Mortgages available to (minorities) involve short-term amortization and excessively high downpayments." In Los Angeles, the Commission was told, "if a white person buys a home and later wants to sell to a non-Caucasian (and) the non-Caucasian tries to qualify for the loan, the lending institution will not approve of this successive non-Caucasian buyer. Now that necessitates refinancing which is expensive and burdensome and oftentimes impossible. So the lending institution tends to control certain areas in that matter."

The Civil Rights Commission pointed out that the Federal Government has undertaken extensive programs of mortgage insurance through the Federal Housing Administration, mortgage guarantees through the Veterans' Administration, and secondary market operations through the Federal National Mortgage Association in order to implement national housing policy. These are programs which have become a principal factor in the operations of the homebuilding industry. William Levitt, known as one of the Nation's largest homebuilders, is quoted as saying:

> We are 100 percent dependent on the Government. Whether this is right or wrong, it is a fact.

So we have a national housing policy of assistance through VA, FHA, and FNMA, and at the same time we have a national policy of nondiscrimination. Yet we have never used the strength of the one to insure the accomplishment of the other, or certainly not to any degree commensurate with the powers available. This my bill proposes to do.

Let me make one other note of the Civil Rights Commission report, since the bill I offer is precisely in line with its recommendations as found on pages 151 and 152 of its housing report. In its recommendation 2 was the proposal that the President "direct FHA, VA, and FNMA to take appropriate steps to assure nondiscrimination by lending institutions with which these agencies have dealings and"—and this is at the heart of my bill—"designate open occupancy housing for FNMA special assistance." A further recommendation, which is listed as recommendation 3, is also precisely applicable to this bill—"a recommendation that the Federal Government, either by executive or by congressional action, take appropriate measures to require all financial institutions engaged in a mortgage loan business that are supervised by a Federal agency to conduct such business on a nondiscriminatory basis, and to direct all relevant Federal agencies to devise reasonable and effective implementing procedures."

Mr. President, it so happens that the recommendations were not directly involved in the motivations which prompted me to undertake preparation of this bill. I may once have known of them, but it was only after the procedures outlined here were devised that I found the kind of specific coincidence with the Civil Rights Commission recommendations which I have been quoting.

I recognize that the President's Executive Order No. 11063, issued November 20, 1962, goes a long way toward eliminating housing discrimination which involves the use of mortgage insurance issued by the Federal Housing Administration. I assume that the President's Committee on Equal Opportunity in Housing has been alert in seeing that all other executive departments and agencies subject to that order have implemented it with directives and programs designed to prevent discrimination because of race, color, creed, or national origin in other aspects of federally assisted housing programs. Also, I am aware that the President has submitted to the Congress this year a civil rights message which discusses in some detail "equal justice in housing," to which I fully subscribe, and that S. 1026 of which I am a sponsor was introduced February 20, 1967, with extensive provisions under title IV to prevent discrimination in the purchase, rental, financing, and occupancy of housing throughout the United States.

It is my hope that title IV of the proposed Civil Rights Act of 1967 will be given thorough consideration and favorable action during this Congress. At present, however, I address myself to a somewhat different approach, one calculated to assist and in no way to coerce builders, developers, and prospective home buyers seeking exactly the same objective as encompassed by title IV of S. 1026.

Let me come now to the specifics of the bill. It is not a long bill, it modifies existing procedures, but it achieves to a much larger extent than now prevails even after the efforts made since the 1961 report, goals noted there. Briefly:

HOW S. 2114 WILL WORK

First. The bill would amend the stated purposes of FNMA so as to authorize this facility to provide special assistance for the financing of home purchases and housing construction for persons otherwise denied or discriminated against in such financing because of race, color, religion, or national origin.

Second. The bill would add a new subsection (j) to the special assistance functions under section 305 of the act. This would provide that the Association may make a commitment to purchase any mortgage insured by the Federal Housing Administration for the purchase of a single-family, owner-occupied dwelling, or for the purchase of a cooperative or condominium apartment. It would also authorize such commitment to provide for participation by the Association in the making of insured advances on the mortgage during construction where this may be needed. This new special assistance function of FNMA would be used only where evidence satisfactory to the Association has been submitted showing a denial or serious impediment to the construction or purchase of housing because of discriminatory practices or policies by private lenders.

Third. In order that the legislative history of this bill may indicate my full intention that it be placed into operation on as large a scale as possible, and for other reasons to facilitate its operation, the bill contains a provision increasing the general authorization for the special assistance fund by $200 million. It is not my feeling that the scope of this worthy program would be limited to this figure, but in view of the fact that there are already more than a dozen special assistance programs competing for the funds available, I feel that the safest and surest course to assure its funding opportunities is to increase the authorization at the outset. I have designated the increase for the special assistance fund as a whole, but I would hope that the $200 million increase, or so much as is necessary, may give firm support to the new program.

Fourth. The bill contains a provision directing the Secretary of Housing and Urban Development and the Commissioner of the Federal Housing Administration to take into consideration whether or not lenders engage in systematic discrimination in their practices in making up the lists of approved lenders with whom Housing and Urban Development and the Federal Housing Administration will deal in rendering assistance in housing. The provision is intended to give added and affirmative impetus to the Government's program to discourage discriminatory practices among lenders. If a lender finds himself unable to make other loans under Federal auspices because he systematically discriminates, he stands to lose financially. I think we all know that financial loss in prospect goes a long way to change the practices of many who stand to lose.

I offer this legislative proposal to the Subcommittee on Housing and Urban Affairs for consideration along with the many other bills and proposals which are now pending. I recognize that this is a limited proposal since it covers only mortgages insured by the Federal Government and does not provide alternative funds for the borrower who has been discriminated against. Yet the bill will go a long way, I believe, toward providing Negro and other minority group families with a clear alternative resource for construction and mortgage financing. The need is growing for dealing with the problem as the economic status of our minorities is improved, and the need will be even more acute as our Negro veterans return, having given in Vietnam, perhaps, devoted service to the Nation. They must not come back to find their way to homeownership blocked by the lack of financing when they meet all other criteria for valid loans. The bill will put a checkrein on that now all too common possibility. It will be of benefit to the entire Nation when private, local, and, I should say, unfair lending practices strike at or threaten to kill their highest aspiration and, like all other Americans, their greatest dream—homeownership.

We have come a long way in our Federal programs in recent years toward achieving a goal of equal opportunity for all, irrespective of race, color or creed. In the field of housing, however, where there seems to be misunderstanding and sometimes bitter opposition, our national approach thus far has been negative. The Executive order on housing states that the Government will not proceed with aid unless there is a lack of discrimination. The President has not seen fit legally to extend that order to the conventional market. Certainly the theory of constitutional law that where there is a Federal dollar or the insurance or guarantee of a dollar there must be no discrimination—this theory would permit, if not require, that Congress take affirmative steps. We must, as a Congress, do so in order to see that our existing housing machinery is geared in a more active way to overcoming the discriminatory practices which hold back so many of our fellow citizens from enjoying the privileges which they deserve. It is my belief and hope that this bill is a step in that direction.

Mr. President, I ask unanimous consent that there may appear at the end of my remarks the text of the bill, and that there may also appear an excerpt from the housing report to which I have referred, published by the U.S. Commission on Civil Rights in 1961.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and excerpt will be printed in the RECORD.

The bill (S. 2114) to amend title III of the National Housing Act to improve and supplement the financing of the construction and purchase of homes where there is evidence of discriminatory lending practices or policies by private lenders, and for other purposes, introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2114

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (b) of section 301 of the National Housing Act is amended by striking out "and" before "(2)", and by striking out the semicolon at the end of such paragraph and inserting in lieu thereof the following: ", and (3) home mortgages on, and the construction of, housing to be built or purchased and occupied by persons as to whom there is evidence of discriminatory private lending practices or policies based on race, color, religion or national origin;".

(b) Section 305 of such Act is amended by adding at the end thereof a new subsection as follows:

"(j) Notwithstanding any other provision of this Act, the Association is authorized to enter into advance commitment contracts and purchase transactions, which do not exceed the amount authorized by the President within the total amount authorized under subsection (c) of this section, to improve and supplement the availability of financing for mortgages on, and the construction of, housing in cases where there is evidence satisfactory to the Association that such financing is not otherwise available because of discriminatory lending practices or policies based on consideration of race, color, religion, or national origin. Any commitment issued under this subsection may provide for participation by the Association in the making of insured advances on the mortgage during construction, but such participation shall be limited to 95 per centum of the amount of each of the advances involved. The Association shall make appropriate arrangements for the payment of the balance of such amount, which may be paid by the mortgagee, builder or home buyers involved, and suitable arrangements shall be made for the necessary servicing and processing of such advances until the final insurance endorsement of the mortgage. This authorization of special assistance shall be limited to new or existing single-family, owner-occupied housing, including cooperative and condominium dwellings, constructed or purchased with assistance of mortgage insurance issued by the Department of Housing and Urban Development."

(c) Section 305(c) of such Act is amended to read as follows:

"(c) The total amount of purchases and commitments authorized by the President pursuant to subsection (a) of this section shall not exceed $2,550,000,000 outstanding at any one time, which limit shall be increased by $525,000,000 on July 1, 1968."

Sec. 2. Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall refuse the benefits of participation in mortgage insurance programs under the National Housing Act to any mortgagee which he determines engages in lending practices which result in the systematic denial of home loans to persons on the basis of race, color, religion, or national origin. Before any such determination is made any person or firm with respect to whom such a determination is proposed shall be notified in writing by the Secretary and shall be entitled, upon making a written request to the Secretary, to a written notice specifying charges in reasonable detail and an opportunity to be heard and to be represented by counsel. Determinations made by the Secretary under this section shall be based on the preponderance of the evidence. For the purposes of compliance with this section the Secretary's notice of a proposed determination under this section shall be considered to have been received by the interested person or firm if the notice is properly mailed to the last known address of such person or firm.

The excerpt, presented by Mr. Hartke, is as follows:

Housing—U.S. Commission on Civil Rights Report

The Federal Government as supervisor of mortgage lenders.—At the Commission's hearing in Detroit, an elementary truth was expressed regarding the function of mortgage lending institutions: "Mortgage financing is considered to be the fountainhead of the housing industry." In Cleveland, Ohio, another truth was stated: "Banks dictate where the Negroes can live."

These twin truths suggest the extensive civil rights implications of Federal supervision of the financial community. The Federal Government has much to say about how privately owned and controlled mortgage credit institutions conduct themselves.

Savings and loan associations deal almost exclusively in home mortgage credit; of all financial institutions, they have been the most directly affected by Federal Government housing activity. Certain of them are chartered by the Federal Home Loan Bank Board, a Government agency. The Board also maintains the Federal Home Loan Bank System, offering, among other things, a nationwide reservoir of low-interest credit (all savings and loan associations, whether federally or State chartered, savings banks, cooperative banks, and insurance companies, may become members). Finally the Board supervises the Federal Savings and Loan Insurance Corporation (itself a federally chartered and operated institution), which offers to eligible associations the invaluable advantage of Federal insurance of share accounts.

The Federal Government plays an equally substantial role in the area of commercial banks which, although engaged in many other kinds of activities, are responsible for a significant portion of all home financing in the country. Through the Office of the Comptroller of the Currency, the Federal Government offers Federal charters to national banks. Through the Board of Governors of the Federal Reserve System, it offers the advantages of membership in the Federal Reserve System to all qualified banks, whether federally or State chartered. And through the Federal Deposit Insurance Corporation, deposit insurance is offered to all qualified banks.

All of these financial institutions, privately owned and operated for private profit, are influenced in varying degrees by Federal authority. Federal savings and loan associations and national banks are Federal creations. Associations and banks that are members of the Federal Home Loan Bank System or the Federal Reserve System participate in a nationwide, governmentally controlled banking system. The growth and success of federally insured institutions are in large part attributable to the confidence which Federal insurance of share accounts and deposits has instilled in the public. The Federal Government is indispensable to many of these institutions; it is important to all. All are regulated, supervised, and examined by agencies of the Federal Government. At the end of 1960 they held $100.3 billion in nonfarm residential mortgage loans. Table 1 shows the amount of mortgage loans held by each category of financial institutions.

The Commission has found evidence of racially discriminatory practices by mortgage lending institutions throughout the country. In Detroit the Commission heard of the "common policy of refusing to lend to Negroes who are the first purchasers in a white neighborhood." In Dayton the great majority of lending institutions are reported to want 30 or 40 percent Negro occupancy in a neighborhood before they will finance the purchase of a home for a Negro. In Cleveland lending policies were said to vary with institutional marketing areas; West Side companies, for example, will lend to Negroes who wish to buy on the East Side, while the East Side banks refuse loans on similar property. In Columbus it was reported that: "Mortgages available to [minorities] involve short-term amortization and excessively high downpayments." In Los Angeles, the Commission was told, "if a white person buys a home and later wants to sell to a non-Caucasian, [and] the non-Caucasian tries to qualify for the loan, the lending institution will not approve of this successive non-Caucasian buyer. Now that necessitates refinancing which is expensive and burdensome and oftentimes impossible. So the lending institution tends to control certain areas in that manner."

Freedom of choice is often denied to whites as well as nonwhites. In San Francisco, the Commission was told, white persons desiring to purchase a home in an integrated neighborhood experience great difficulties in securing financing. The representative of a leading mortgage lending institution told one family that one such neighborhood in the Palo Alto area was "blacked out" and that no loans would be available.

There has been some recognition by the lending community of the financing inequalities confronting members of minority groups. The Voluntary Home Mortgage Credit Program, a unique Government-private enterprise arrangement, is an attempt to encourage equal treatment through essentially private means. Beyond this, little has been done by Government or the lending community to reduce or discourage discriminatory practices and, as will be shown below, Federal agencies have made no substantial attempt to intervene.

Federal assistance to home finance.—The Federal Government has undertaken extensive programs of mortgage insurance (FHA), mortgage guarantees (VA), and secondary market operations (FNMA) to implement national housing policy. These programs have been a principal factor in the dynamic expansion of the homebuilding industry. William Levitt, one of the country's largest homebuilders, has said that "we are 100 percent dependent on the Government. Whether this is right or wrong, it is a fact." At the same time the programs have virtually eliminated the financial community's risk of loss from large numbers of mortgages. Thus Federal programs are a form of subsidy to the mortgage lending and homebuilding industries, yet the Federal Government has done little to see that the benefits from this subsidy—an increased housing supply—are available to all Americans on a basis of equal opportunity. In Detroit, a Commission witness pointed out that—

> "The situation still persists where FHA- and VA-approved lending institutions are permitted to utilize the credit, the insurance, the guarantee of the Federal Government to practice discrimination and foster segregation in the private housing market."

In Los Angeles, a Commission witness referred to "the fact that the builders and developers refuse to sell FHA and VA homes to non-Caucasians." He added: "I think that public acceptance of residential segregation is kept at a maximum by the common knowledge that the Government through its housing agencies is a partner to the refusal of FHA and VA."

The resources of the Federal Government, then—its credit, its sponsorship, its very name—are involved in virtually all aspects of mortgage credit, and yet racial discrimination is a widespread practice among the enterprises which enjoy these Federal resources. The succeeding sections of this chapter will explore the precise nature and scope of Federal involvement in both supervision and subsidy of mortgage credit, the relationship of the various Federal agencies to the institutions which they regulate, the steps presently being taken to insure equal access to housing, and the steps that could be taken.

Table 1.—*Nonfarm residential mortgages held by federally supervised financial institutions, 1960*

	Number	Amount (in billions)
Federal savings and loan associations	1,873	$32.3
FSLIC-insured savings and loan associations	4,098	56.8
Member savings and loan associations [1]	4,694	58.5
National banks	4,537	11.4
Member banks	6,174	16.2
FDIC insured banks [2]	[3] 13,451	[4] 41.8

[1] Includes all Federal savings and loan associations and all FSLIC-insured associations.

[2] Includes all national banks and all State member banks of the Federal Reserve System.

[3] Includes 13,126 insured commercial banks and 325 insured mutual savings banks.

[4] $20,300,000,000 held by insured commercial banks and $21,500,000,000 held by insured mutual savings banks.

Source: Figures obtained from respective agencies.

INTRODUCTION OF BILL TO MAKE FHA HOME FINANCING AVAILABLE TO FAMILIES OF MODERATE MEANS

Mr. CLARK. Mr. President, I introduce, for appropriate reference, a bill to make the benefits of FHA home financing available to tens of thousands of families of moderate means who can afford to buy a home but who have been denied FHA assistance because they fail to meet that agency's high financial standards.

As a result of these standards, FHA home financing has tended to operate primarily as a subsidy to middle class families buying homes in the suburbs. By and large this subsidy has not been available to persons living in the older parts of our cities, to members of minority groups, and to other persons of modest means.

This is a modest bill. Its purpose, simply put, is to make the benefits of FHA home financing equally available to all potential homebuyers. It is not a substitute for existing public housing programs, for the rent supplement program, and for below-market-interest-rate programs. No interest rate subsidy is involved. It does not require the creation of an elaborate private nonprofit corporation structure. It does, however, directly involve private capital and private initiative, but in the tried and tested way of FHA financing. The bill is aimed primarily at the family with an income of from $4,000 to $6,000—too high for public housing, but too low for help under FHA's existing programs. There is strong evidence that families in this income range can achieve homeownership with FHA financing and budget counseling, but without a subsidized interest rate. This bill is designed to give them that chance.

I ask unanimous consent that the text of the bill and a memorandum explaining its operation be inserted in the RECORD following my remarks. Although the explanation speaks for itself, I should like to point out that the bill would authorize an initial sum of $15 million to go into a special insurance fund for this program. Although this fund can be expected to grow as premiums are paid into it, I would hope that as the program takes hold and demonstrates its worth Congress would find it advisable to expand this modest initial investment.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD, along with the explanation.

The bill (S. 2115) to amend the National Housing Act to establish a new program of mortgage insurance and counseling assistance to aid low-income families to achieve the goal of homeownership, introduced by Mr. CLARK, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2115

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the National Housing Act is amended by adding at the end thereof the following new section:

"HOUSING FOR LOWER INCOME FAMILIES

"SEC. 235. (a) The purpose of this section is to help provide adequate housing for families of low and moderate income, including those which, for reasons of credit history, irregular income patterns caused by seasonal employment, or other factors, are unable to meet the credit requirements of the Secretary for the purchase of a single family home financed by a mortgage insured under section 203, 220, or 221, but which, through the incentive of home ownership and counselling assistance, may be able to achieve home ownership.

"(b) As used in this section, the terms 'mortgage', 'first mortgage', 'mortgagee', 'mortgagor', 'maturity date' and 'State' shall have the same meaning as in section 201 of this Act.

"(c) To be eligible for insurance under this section, a mortgage shall—

"(1) meet the requirements of section 203, 220(d) (3) (A), 221(d) (2), or 221(h) (5) (B), except as such requirements are modified by this section;

"(2) involve a principal obligation (including such initial service charges, appraisal, inspection and other fees as the Secretary shall approve) in an amount not to exceed $15,000: *Provided*, That the Secretary may increase the amount to not to exceed $17,000 in any geographical area where he finds that cost levels so require: *Provided further*, That no mortgage meeting the requirements of section 203(i) or 221(d) (2) shall be eligible for insurance under this section if its principal obligation is in excess of the maximum limits prescribed in such sections;

"(3) be executed by a mortgagor whom the Secretary has determined, after a full and complete study of the case, would not be an acceptable credit risk for mortgage insurance purposes under section 203, 220, or 221, because of his credit standing, debt obligations, total annual income, or income characteristics, but whom the Secretary is satisfied would be a reasonably satisfactory credit risk, consistent with the objectives as stated in subsection (a), if he were to receive budget, debt management and related counseling; and

"(4) require monthly payments which, in combination with local real estate taxes, do not exceed 25 percent of the applicant's income, based on his average monthly income during the year prior to his application, or the average monthly income during the three years prior to his application, whichever is higher.

"(d) The Secretary shall give preference in approving mortgage insurance applications under this section to families living in public housing units, especially those families who have been forced to leave public housing because their incomes have risen beyond the maximum prescribed income limits, and families eligible for residence in public housing who have been displaced from federally-assisted urban renewal areas.

"(e) Any mortgagee under a mortgage insured under this section is entitled to the benefits of the insurance as provided in section 204(a) with respect to mortgages insured under section 203.

"(f) The provisions of subsections (b), (c), (d), (f), (g), (h), (j), and (k) of section 204 shall apply to mortgages insured under this section, except that as applied to those mortgages (1) all references to the 'Fund' or 'Mutual Mortgage Insurance Fund' shall refer to the Special Insurance Fund, established by subsection (j) of this section, and (2) all references to 'section 203' shall refer to this section.

"(g) The Secretary is directed to process all mortgage insurance applications which do not qualify for FHA mortgage insurance for the reasons stated in subsection (a), but which are eligible for mortgage insurance under subsection (c). The Secretary shall thoroughly review credit histories of applicants under this section, giving special consideration to those delinquent accounts which were ultimately paid by the applicant and to extenuating factors, such as unethical sales practices or ignorance of payment methods, which caused accounts of the applicant to become delinquent. The Secretary shall also give special consideration to income characteristics of persons whose total income over the two years prior to their applications has remained at levels of eligibility (as required under subsection (c) (4)) but who, because of the character of their seasonal employment or for other reasons, have not maintained continuous employment under one employer during that time.

"(h) The Secretary is directed to provide or contract with public or private organizations to provide budget, debt management, and related counselling services necessary to insure that the commitment under any mortgage insured under this section will be fulfilled to an extent consistent with the objectives stated in subsection (a). The Secretary may also provide such counselling to otherwise eligible families who lack sufficient funds to supply a down payment, to help them to save an amount necessary for that purpose.

"(i) The Secretary shall give due notification of this section to all public housing agencies and all local public agencies administering urban renewal programs and direct them to notify all residents of public housing and all persons facing relocation from urban renewal areas of their possible eligibility for assistance under this section.

"(j) There is hereby created a Special Insurance Fund which shall be used by the Secretary as a revolving fund for carrying out the mortgage insurance provisions of this section. There is authorized to be appropriated such sums, not to exceed $15,000,000, as may be necessary to provide capital for such fund. Moneys in such fund not needed for current operations shall be deposited in the Treasury of the United States to the credit of such fund, or invested in bonds or other obligations of, or guaranteed by, the United States.

"(k) Any mortgage insured under this section to finance the purchase of a home rehabilitated by a nonprofit mortgagor pursuant to section 221(h) shall bear interest at the same rate as mortgages insured under section 221(h) (5) (B), if the mortgage would be eligible for insurance under section 221(h) (5) (B) except for the credit standing and income characteristics of the mortgagor."

SEC. 2. Section 305(h) of the National Housing Act is amended by striking out "sections 221(d) (3) and 221(h)" and inserting in lieu thereof "sections 221(d) (3), 221(h), and 235".

The explanation of the bill presented by Mr. CLARK, is as follows:

EXPLANATION OF CLARK HOME OWNERSHIP BILL

Purpose.—To help provide adequate housing for families of low and moderate income, including those who for reasons of credit history and/or irregular income patterns caused by seasonal employment or other factors, are unable to meet the credit requirements of the Secretary of Housing and Urban Development for the purchase of a single family home financed by a mortgage insured under Sections 203, 220, or 221 of the National Housing Act, but which, through the incentive of home ownership and counseling assistance, may be able to achieve home ownership.

Eligibility.—In order to be eligible for insurance under this program, a mortgage must:

1. involve a principal obligation of not more than $15,000, except that in areas where cost levels so require, the Secretary may increase the amount to $17,000.

2. be executed by a mortgagor whom the Secretary determines would not be an acceptable credit risk for mortgage insurance under programs authorized by Sections 203, 220 or 221 of the National Housing Act, because of his credit standing, debt obligations, total annual income or other income characteristics, but whom the Secretary is satisfied would be a reasonably satisfactory credit risk

consistent with the objectives of this program.

3. require monthly payments which, in combination with local real estate taxes, do not exceed 25 percent of the applicant's income.

Preference.—Preference is to be given to families living in public housing units, especially those who are forced to leave because their incomes have risen beyond the maximum prescribed income limits, and families eligible for public housing who have been displaced from federal urban renewal areas.

Conventional FHA Disapprovals.—The Secretary is directed to process mortgage applications which do not qualify for ordinary FHA mortgage insurance to determine whether the applicant may be eligible under this program. In reviewing credit histories the Secretary is directed to consider extenuating factors, such as unethical sales practices or ignorance of payment methods, which caused the accounts of the applicant to become delinquent.

Budget Counselling.—The Secretary is directed to provide budget counseling to mortgagors under this program to insure that the mortgage commitment will be fulfilled, and to families otherwise eligible who lack sufficient funds for a downpayment to enable them to save enough money for this purpose.

Notification.—The Secretary is directed to notify all public housing agencies and Local Public agencies administering urban renewal programs and direct them to inform residents of their possible eligibility for assistance under this program.

Special Insurance Fund.—Authorizes $15 million for a Special Insurance Fund to cover risks under this program.

ANALYSIS OF THE GROWTH AND MOVEMENT OF POPULATION IN THE UNITED STATES

Mr. PROXMIRE. Mr. President, I submit, for appropriate reference, a concurrent resolution calling upon the Joint Economic Committee, or any duly authorized subcommittee thereof, to include within the scope of its investigations a study and analysis of the growth and movement of population in the United States. I submit this resolution on behalf of myself and the Senator from South Dakota [Mr. MUNDT].

On April 6, Senator MUNDT introduced a joint resolution to create a Commission to be known as the Commission on Balanced Economic Development. At that time I suggested to the Senator the possibility of having the Joint Economic Committee make a study in this area. In subsequent discussions we concluded that the resources of the committee, and its responsibilities under the Employment Act of 1946 made it especially appropriate and desirable to have the committee undertake such a study.

The Employment Act of 1946 declared:

> The continuing policy and responsibility of the Federal Government to use all practicable means . . . for the purpose of creating and maintaining, . . . conditions under which there will be afforded useful employment opportunities, . . . for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power.

The Joint Economic Committee, established under this act, was given the directive and function to study means of coordinating programs in order to further this policy mandate.

Clearly, population growth and movements have a tremendous impact upon the economy in terms of production and consumption, the location of industries, and regional development. Population growth and movements provide the connecting link between economic problems in the cities and in rural areas. An understanding of the magnitude of population changes and the reasons underlying population shifts is, therefore, vital to an evaluation of economic trends and problems. Such an understanding is also essential for the formulation of appropriate policies to encourage more balanced population growth and economic development in the various regions of the country.

An analysis of the growth and movement of population in the United States would provide an important guide to the formulation of policies and programs to cope with our urban-rural economic problems. Obviously our difficulties in the cities and the problems of rural areas are to a large extent two sides of the same coin. Our metropolitan areas continue to attract an inflow of workers because of the apparent economic advantages of the city. This movement consequently worsens congestion in the large metropolitan centers and increases the problems of crime, air and water pollution, and unrest in the already teeming ghettos.

On the other hand our rural areas are declining economically as they continue to lose population, particularly among the younger educated members of the community. If we could devise programs and policies to encourage a change in the trend of our population movements, it might go a long way toward solving the problems of both our urban and rural areas. With modern technology and modern transportation there would seem to be a great opportunity for bringing jobs to the countryside rather than people to the cities.

The committee has already done a substantial amount of work on some of the ramifications of this broad problem of population movement. Our Economic Progress Subcommittee, which is chaired by the distinguished chairman of the House Banking and Currency Committee, WRIGHT PATMAN, has pioneered in exploring the vital question of investment in human resources and its implications for our economy and its society. Our Fiscal Policy Subcommittee, under the outstanding leadership of MARTHA GRIFFITHS, is currently engaged in an extensive exploration of intergovernmental finances, which is very much interwoven with problems deriving from population shifts. Also this year, the committee has established a new Subcommittee on Urban Affairs under the able chairmanship of Congressman BOLLING, which is undertaking a very deep and comprehensive study of the problems of cities. Our Subcommittee on Economic Statistics, chaired by the distinguished Senator from Georgia [Mr. TALMADGE], is also engaged in some pioneer work in improving the coordination of Federal statistics, regional statistics, and Federal, State, and local statistics, all of which are extremely relevant to competent measurement of the problems involved in population movement.

In short, I believe that the Joint Economic Committee has a great statutory responsibility to explore further the broad economic problems involved in population changes; we have already developed a considerable amount of interest and expertise in pursuing the issues; and our members have already demonstrated an extraordinary interest in many aspects of the question. For this reason I should be most pleased if the directive of this resolution becomes the will of this body.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, under the rule, the concurrent resolution will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 33) was referred to the Committee on Banking and Currency, as follows:

S. CON. RES. 33

Whereas the Congress, by section 2 of the Employment Act of 1946, declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power;

Whereas the Joint Economic Committee, established under that Act, has been given the directive and function to study means of coordinating programs in order to further this declaration of policy as set forth in the Act;

Whereas the growth and movement of population has most important effects on production and consumption in our economy; and

Whereas population movements have profound interaction with the location of industries and regional development; and

Whereas population growth and movement has contributed to the emergence of certain basic economic problems both in the cities and in the rural areas: Now, therefore, be it

Resolved, That it is the sense of the Congress that the Joint Economic Committee, or any duly authorized subcommittee thereof, be requested and urged to include within the scope of its investigations an investigation and analysis of the growth and movement of population, including, but not limited to the following—

(1) an analysis and evaluation of the economic, social, and political factors which affect the geographic location of industry;

(2) an analysis and evaluation of the economic, social, and political factors which are necessary in order for industries to operate efficiently outside the large urban centers or to operate and expand within the large urban centers without the creation of new economic and social problems;

(3) an analysis and evaluation of the limits imposed upon population density in order for municipalities, or other political subdivisions, to provide necessary public services in the most efficient and effective manner;

(4) an analysis and devaluation of the extent to which a better geographic balance in the economic development of the Nation serves the public interest; and

(5) a consideration of the ways and means whereby the Federal Government might ef-

fectively encourage a more balanced industrial and economic growth throughout the Nation.

Mr. MUNDT. Mr. President, it is a pleasure to join with the distinguished Senator from Wisconsin [Mr. Proxmire], who is also the chairman of the Joint Economic Committee, in introducing this concurrent resolution instructing that committee to investigate and analyze the growth and movement of population in the United States.

This concurrent resolution is complementary to Senate Joint Resolution 64 which I, and 21 cosponsors, introduced on April 6 of this year. That resolution would establish a Commission on Balanced Economic Development. I am happy to report that hearings have already been held on Senate Joint Resolution 64 in the Government Operations Committee and further hearings have been scheduled beginning the 20th of this month. It is proper to bring into focus all the facts and bring our full talent into play to solve the interrelated problems of big cities, small towns, and sparsely settled communities. I congratulate the Senator for his leadership.

I mention the progress that has been made in getting the legislative wheels rolling on Senate Joint Resolution 64, not because I feel that there is any duplication of effort, but, on the contrary, to point out the need for developing as much information on this complicated subject from as many diversified sources as possible. It has become quite clear to me, as I have listened to the testimony in the Government Operations Committee, that we are sadly lacking in raw source material in this area and that the impact of a shifting population has had a much more profound influence on our economic life than is generally suspected.

The talent and professional staffing available to the Joint Economic Committee can, I am sure, complement the work of the proposed Commission on Balanced Economic Development, which would be much broader based and have less of a committee approach. We would be, in effect, focusing our attention on the major problem from different angles.

As the Senator from Wisconsin pointed out last April, the Joint Economic Committee is presently undertaking a deep and comprehensive study of the problems of the cities. This matter has also been the subject of productive hearings before the Executive Reorganization Subcommittee of the Government Operations Committee under the able chairmanship of the Senator from Connecticut [Mr. Ribicoff]. None of the studies, however, have linked together the problems of the cities with the problems of the rural areas and I believe they are interrelated. In fact, I feel very strongly that the population flow has had a profound impact on small and medium-size towns or cities, as well as large cities and our rural depopulated areas.

In closing, I would like to reiterate why I believe such a study is necessary and why I believe the Federal Government has a clear interest in understanding what factors make for rapid economic development in certain areas of the country and slow economic development or even stagnation in others.

I believe the Government should ascertain, after measuring both the costs and the advantages, what degree and procedures of economic and population development would be the optimum for various areas of the country—what would be the most efficient use of our resources.

Several apparent disadvantages, resulting from the intense concentration of population in a relatively few restricted areas, can be cited: Transportation snarls, water and air pollution, crime, water shortages, housing and recreational problems, and possible diseconomies of size incurred in the huge metropolitan centers.

My citing such diseconomies is necessarily largely speculative. But any observer can clearly witness in this country that on one hand we have progressively been worsening the difficulties in governing and serving the large metropolitan centers—which continue to attract outsiders because of their alleged economic advantages for the individual workers—and on the other hand, we have seen the relative depopulation of broad stretches of this continent—which are deserted by the indigenous population who seek economic advantages elsewhere.

In spite of these problems and warnings by many members of the administration we have no policy. We have hardly begun even to inquire about desirable balance in economic and population distribution. Now is the time to begin. We should attack these problems on many fronts and the Proxmire resolution and my Senate Joint Resolution 64, which has 21 cosponsors in the Senate offer two complementary, but not conflicting, procedures on making progress in this too-long-neglected area.

Mr. PROXMIRE. I very much appreciate the comments of the Senator from South Dakota. I recognize that he is the one who took the initiative.

EXTENSION OF INTEREST EQUALIZATION TAX—AMENDMENT

AMENDMENT NO. 227

Mr. RIBICOFF submitted an amendment, intended to be proposed by him, to the bill (H.R. 6098) to provide an extension of the interest equalization tax, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, on behalf of the distinguished Senator from Louisiana [Mr. Long], I ask unanimous consent that the names of the Senator from Illinois [Mr. Dirksen] and the Senator from Nebraska [Mr. Hruska] be added as cosponsors to S. 2041, a bill to amend title 28 of the United States Code to include a provision relating to the U.S. Tax Court, and for other purposes, and that their names be listed among the sponsors at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 1948) the Day Care Act of 1967, the name of the Senator from Massachusetts [Mr. Kennedy] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from South Carolina [Mr. Hollings], I ask unanimous consent that, at the next printing of the bill (S. 1796) to impose quotas on the importation of certain textile articles, the names of Senators Hill, Jordan of North Carolina, and Brewster be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

REQUEST FOR STAR PRINT OF S. 1976

Mr. BYRD of West Virginia. Mr. President, because of certain printing errors that appeared in the printing of S. 1976, I ask unanimous consent that a star print be made.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT TO ARTICLE 28 OF CONVENTION OF THE INTERGOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION—REMOVAL OF INJUNCTION OF SECRECY

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive M, 90th Congress, first session, an amendment to article 28 of the Convention of the Intergovernmental Maritime Consultative Organization, transmitted to the Senate today by the President of the United States, and that the amendment, together with the President's message, be referred to the Committee on Foreign Relations and that the President's message be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to acceptance, I transmit herewith an amendment to article 28 of the Convention of the Intergovernmental Maritime Consultative Organization, which amendment was adopted by the Assembly of the Organization on September 28, 1965.

The amendment, which relates to the composition of the Maritime Safety Committee of the Organization, enlarges the membership of the Committee from 14 to 16 and modifies the method of election.

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the amendment.

I recommend that the amendment be given favorable consideration.

Lyndon B. Johnson.

The White House, *July 13, 1967.*

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Paul G. April, of New Hampshire, to be U.S. marshal, district of New Hampshire, term of 4 years—reappointment.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Thursday, July 20, 1967, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Simon F. McHugh, Jr., of the District of Columbia, to be a member of the Subversive Activities Control Board for the remainder of the term expiring April 9, 1972, vice Thomas James Donegan, term expired.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Thursday, July 20, 1967, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING BY COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. JACKSON. Mr. President, I announce for the information of the Senate that on Monday, July 17, the Committee on Interior and Insular Affairs will hold an open hearing on the nomination of Mr. David S. Black, of Washington, to be Under Secretary of the Interior to succeed Charles F. Luce.

I commend President Johnson on his selection of Mr. Black for this important position in the Department of the Interior, the agency with primary responsibility for the stewardship of our Nation's natural resources. I have known Mr. Black for many years and have followed his career in public service with great pride. His most recent assignment has been administrator of the Bonneville Power Administration in the Pacific Northwest. He performed his duties in that position with dedication and great ability. Prior to that assignment he served as a member of the Federal Power Commission.

Knowing Dave Black as I do, I am confident that he will be highly regarded by all Members of Congress and the public who come in contact with him in his new responsibilities as Under Secretary of the Interior.

The hearing will begin at 10 a.m. in room 3110 of the New Senate Office Building. It is a public meeting and all those who wish to testify concerning Mr. Black's nomination will be welcome to do so.

I ask unanimous consent to include at this point in my remarks a biographical sketch of Mr. Black.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

BONNEVILLE POWER ADMINISTRATION BIOGRAPHICAL RELEASE—ADMINISTRATOR DAVID S. BLACK

David S. Black was born in Everett, Washington, July 14, 1928. He attended the University of Washington and Stanford University, where he received his B. A. Degree in 1950. After two years of service in the Army during the Korean conflict, Mr. Black returned to the University of Michigan, and received his LL. B. Degree in 1954.

He entered private law practice as an associate with Preston, Thorgrimson and Horowitz, a Seattle, Washington, law firm. Mr. Black remained with that firm until 1957, when he became Assistant Attorney General for the State of Washington and Counsel to the Washington Public Service Commission. He represented the Public Service Commission and the public in proceedings before that agency and as intervener in cases before Federal regulatory agencies.

Mr. Black left his position with the State in April 1961 to accept appointment as General Counsel for the Bureau of Public Roads, Department of Commerce in Washington, D.C. He served in this capacity until his appointment to the Federal Power Commission.

President Kennedy named Mr. Black to the Federal Power Commission on July 22, 1963, for the term expiring June 22, 1968. He took office on August 30, 1963. On August 7, 1964, he was selected to serve as vice chairman. He was reelected vice chairman for the calendar year 1965, and served as Acting Chairman for a portion of 1966, temporarily filling the vacancy left by the departure of Joseph C. Swidler. Mr. Black also served as Chairman of the Inter-Agency Committee on Water Resources and as a member of the Executive Committee of the National Association of Railroad and Utilities Commissioners.

Mr. Black is married to the former Nancy Haskell of Seattle. They have three children—two sons and a daughter.

Mr. Black was appointed Administrator of the Bonneville Power Administration by Secretary Udall on September 13, 1966.

THE ARAB REFUGEE SITUATION IN JORDAN

Mr. GORE. Mr. President, I have just received a telegram from President Johnson, dealing with a matter of urgency and importance, which I now read:

DEAR ALBERT: Thank you very much for your telegram giving me your views on the Arab refugee situation in Jordan. I know your longstanding interest in alleviating the plight of these unfortunate victims of two wars in the last two decades. Your first-hand report is helpful to me and I want to thank you for the speed with which you have prepared and transmitted it.

As I stressed in my speech on June 19, the refugee problem is a cause of deep humanitarian concern to the United States and the manner in which it is dealt with will have a vital bearing on the overall question of whether a more stable peace can be established in the Near East. That is why I cited the need for a just solution of the refugee problem as one of the five basic elements for a Near East peace settlement. The immediate task is to ease the suffering of those who fled from the area of hostilities and are now departed from their homes and sources of livelihood. The U.S. Government responded immediately to these pressing humanitarian needs by airlifting 5,000 tents to Jordan. Since then we have authorized a further contribution of 5,000 tents, 50,000 blankets, and quantities of household utensils. On June 27 I announced that the United States was making available $5 million for relief of those who had suffered as a result of the hostilities. Of that sum $2 million has been earmarked for the United Nations Relief and Works Agency for emergency purposes, since that organization has assumed responsibility for caring for a large number of the newly displaced persons. We have also transmitted $100,000 to the American Red Cross for immediate use by the International Committee of the Red Cross.

I am also pleased at the generous and prompt response to the crisis of so many American voluntary agencies. We are in close touch with these organizations.

I am in full agreement with your views concerning the urgent need for the return to the West Bank of as many of the displaced persons as possible. These people have been uprooted from their established places of residence and in many cases separated from their families.

Moreover, it is neither humane nor logical for them to be living in make-shift and inadequate camps when far better conditions exist on the West Bank. The Commissioner General of UNRWA has emphasized that better care can be taken of the refugees in the West Bank Camps, which as you noted are now practically deserted.

We are gratified that the Israeli Government has announced it will permit the return of West Bank residents. We have urged the Israeli Government to carry out this program in a way that will enable the maximum number of west bankers to return. This would apply to those who left UNRWA camps on the West Bank as well as other West Bank residents.

The Israeli Government has stated it is taking urgent steps to restore economic activity on the West Bank of Jordan. This will be an important factor in encouraging those who fled to return and resume normal lives. I concur with your estimation of the importance of establishing procedures that will enable West Bank residents to receive remittances from other Arab countries, since this is an important source of income for many West Bank families.

Let me again express my appreciation for your timely and constructive report. As always I greatly value your views. I hope that a mutually convenient time after your return there will be an opportunity for you to meet with senior officials in the executive branch for a future exploration of the refugee problem.

Sincerely,

LYNDON B. JOHNSON.

Mr. President, I wish to express my gratitude and appreciation for the urgent and thorough attention which President Johnson and his administration are giving to this desperate human problem. Humane treatment and compassionate consideration of this human tragedy might ease the path to formulas for coexistence in the Middle East.

OUR INTERVENTION IN A CIVIL WAR IN VIETNAM HAS BECOME A GREAT AMERICAN TRAGEDY

Mr. YOUNG of Ohio. Mr. President, other Senators who have made factfinding trips to Vietnam must have shared my astonishment when, after spending an entire day in helicopters or on the ground at our various air bases at Cam Ranh Bay and in the field with the 173d

Airborne Brigade or with the Big Red 1 division or talking with young GI's from our respective States, we beheld an astonishing spectacle upon landing in Saigon and proceeding to our billets for the night before taking off early the following morning. The avenues of Saigon were densely packed with thousands and thousands of young Vietnamese men of draft age, all civilians, darting in and out of traffic on their motorcycles or bicycles in the downtown area of neon lights, blaring music, bars, girlie shows, and black market operators. These thousands of Vietnamese young men from the age of 18 upward were all civilians, apparently all on the make. This was an astonishing and disheartening spectacle.

Those Senators, such as the distinguished senior Senator from New Jersey [Mr. CASE], the distinguished junior Senator from Masachusetts [Mr. BROOKE], and others, must have shared my astonishment. The facts are that in South Vietnam there is no general mobilization, no selective service as we Americans know it, and no attempt whatever anywhere in South Vietnam to have a general mobilization of young men who should be fighting in the so-called friendly forces of South Vietnam. If there is a belief in the military junta ruling the Saigon regime that their cause is just and that the Vietnamese, not Americans, should fight this land war, it is not evident.

Month by month in recent years the South Vietnamese forces have done less fighting and Prime Minister Ky and the nine generals of the military junta have done more talking. Ky says South Vietnam needs more U.S. troops. Those generals who overthrew the civilian regime of Saigon in June 1965 all fought with the French colonial army against the forces of national liberation seeking freedom for Vietnam from French colonial oppression from the years 1946 to 1954. Some of those generals and Prime Minister Ky still strut around Saigon wearing French decorations on their uniforms.

They were the tories, or loyalists to the French, during that revolution. They are still the tories, and we Americans are doing the fighting. Defense Secretary McNamara, instead of yielding to the urgings of General Westmoreland and Nguyen Van Thieu and Prime Minister Ky, who are demanding more and more American soldiers to be sent into the swamps and rice paddies of the Mekong Delta and in the jungles and highlands, south of the demilitarized zone to fight, and many of them to die, to maintain these generals in power, should insist that the ARVN or so-called friendly forces do some fighting. We have not read in weeks of any offensive by South Vietnamese soldiers. Therefore, why should we suffer more of our draftees, following 4 months' training, to be sent to combat in Vietnam? Confucius wrote many centuries ago:

> A man who make a mistake and does not correct it makes another mistake.

Unfortunately, that is true of nations. We Americans made a mistake in sending in thousands of our soldiers to fight a ground war in Southeast Asia and now we are compounding that mistake by sending in more thousands. The truth is as Walter Lippmann wrote, "We are fighting to save face."

We should demand that before more American GI's drafted into our Armed Forces are sent to Vietnam that the Saigon junta enforce conscription and a general mobilization of the youth in South Vietnam they claim to control. The obvious truth is that the Saigon military junta maintains no control whatever over three-fourths of the area of South Vietnam. The truth is we Americans are involved in an ugly land, jungle and swamp war 10,000 miles distant in an area of no importance whatever to the defense of the United States. It is the most unpopular war our Nation ever fought and it is becoming more unpopular day by day. From the letters I receive from Ohio constituents, I know that citizens who considered my views 100 percent wrong 18 months ago no longer are critical.

My mail from Ohio citizens now shows that the rank and file of American men and women now are beginning to realize we are engaged in the wrong war in the wrong place, and that this is the most unpopular war our Nation has engaged in at any time during the past 191 years. It has become a great American tragedy.

VISTA VOLUNTEERS

Mr. DOMINICK. Mr. President, the Denver Post recently featured an article on the commendable work of two VISTA volunteers assigned to Denver for the past 2 years, and I ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOMINICK. Mr. President, as individuals truly concerned with offering encouragement and guidance to others, Pat Poetter and Dave Wilson are certainly to be congratulated. Their efforts and successes in breaking down barriers and battling the problems of lack of aspiration emphasize, in my mind, the necessity for people-to-people relationships in combating poverty. In this connection, I was particularly encouraged by Dave Wilson's establishment of a big brother and sister program with volunteers from the University of Denver. It is my hope that more and more private organizations and foundations will take the initiative for just such endeavors, realizing that personal interest and encouragement can be much more fruitful in the long run than any number of Government agencies.

EXHIBIT 1

[From the Denver Post, May 26, 1967]

PROJECT 2 YEARS OLD: VISTA GAINS TWO SIDED

(By Judith Brimberg)

In December 1964, President Johnson welcomed the first 20 volunteers for the domestic version of the Peace Corps—the Volunteers in Service to America (VISTA).

The following May, Denver got its first workers for what was to be a variety of projects designed to help the poverty ridden.

During the past two years, the projects have been helpful both to the community and to the volunteers.

Two—Pat Peotter, 22, of Seymour, Wis., and Dave Wilson, 22, of Pittsburgh, Pa., who work with families in the Quigg Newton Housing Project in North Denver—say their VISTA jobs have given them insight about the kinds of careers they wish to pursue.

Miss Peotter, the fourth of nine children, worked as a secretary and dietitian's aide in a hospital after graduating from high school in Seymour, a small farming community of 2,000 in northeast Wisconsin.

"Then I decided I wanted to do more than work a 40-hour week," she said.

BIG BROTHER

Wilson was attending Indiana State College, Indiana, Pa., majoring in sociology and education. He also had been a "big brother" to a 9-year-old and had done some practice teaching.

"I found teaching in an urban middle class neighborhood wasn't what I wanted," Wilson said.

Both applied to VISTA—Wilson last April and Miss Peotter in June.

Both underwent a six-week-training course which included three weeks in the field.

"It was rough," Miss Peotter recalled. "We went from 7 in the morning until 10 at night. I got a lot out of it, though, and became more aware of what's going on. Even if I wasn't selected, I felt the training period alone would have been worthwhile."

YWCA SPONSORED

Last August, Wilson moved into a two-bedroom apartment with another male VISTA volunteer at 4427 Mariposa Way. Miss Peotter came to 4551 Mariposa Way last December. Both work under the sponsorship of the Denver Young Women's Christian Association.

Wilson soon adapted to the role of trouble-shooter.

He found the toughest hurdle was being accepted.

"I don't have a family and I don't talk and look like the others in the project," he said.

"At first, they thought I was a policeman or a social worker.

"Even when they finally understood what I was doing, they still thought I sent reports to Washington. I don't.

"You have to prove yourself by being yourself, and not a fake or a phony," he said.

After three months, Wilson knew he was in. His $75 monthly stipend from Washington failed to arrive and he didn't have money for food.

"But when I went home at night, I would find hot tortillas wedged against the door," he recalled.

In his role as a good neighbor, Wilson has had some eye-opening experiences.

"I've encountered discrimination when I've gone with some of the men to help them get jobs.

"A lot of the people are beaten down in almost every area—educationally, socially and in their choice of jobs.

"No wonder there's what Michael Harrington calls a 'lack of aspiration.'"

RESOURCES STUDIED

One of Wilson's jobs has been to learn what the community resources are and to use them to help his neighbors.

He takes people to hospitals, assists juveniles in trouble and refers cases to appropriate counseling, educational and legal aid centers.

In many homes where men are absent, the presence of the Spanish-speaking VISTA volunteer is particularly welcome. He sips coffee with the women and talks over their problems.

"But you have to learn when to say 'no,' and to let them handle things for themselves," Wilson said.

"You've got to be involved with the people in order to help them. You have to build up a personal relationship so that they feel at ease with you.

"I'm still breaking down barriers and knocking on doors," he said.

RECREATION LEADER

Miss Peotter, who said she found that Wilson and others had removed some of the barriers for her, has been a recreation leader and a counselor.

She founded the Y-Teen Club, consisting of girls aged 12 to 14. The group engages in service projects, sews and takes trips.

She said she found the girls weren't used to working in groups.

She also established a club for girls age 7 to 10. Their activities center around arts and crafts projects.

Miss Peotter and Wilson have enlisted teen-age volunteers to tutor some of the project children having difficulty with their school work.

Wilson also established a "big brother and sister" program with the help of 35 volunteers from the University of Denver.

"They take the kids out of the project—to museums, libraries, movies and the mountains. Some have eaten and slept in the (college) dorms," Wilson said.

For Miss Peotter and Wilson, it's a seven-day-a-week job.

"One night I got a call about four kids with no place to live," Wilson said. "Then, there was the mother whose kids had set fire to the mattress and had no place to sleep except on the floor.

"I've helped people with income tax forms and job applications and showed them how to get food stamps and how to use them.

"The important thing is that there is someone the people can call on," Wilson said.

Miss Peotter thinks that when she has completed her 10½ months in Denver, she'll go to college and major in sociology.

Wilson is planning to take graduate work, or he may combine graduate school with field work.

Wilson said he feels one of the best things about VISTA is that it calls attention to the plight of the poor.

"People don't know about the kids who need clothing to go to school, or the families who are in need of furniture," he said.

But VISTA's most important function, he said, is to motivate the poor to try and try—and when the wall falls down, to build again.

TED R. JOHNSON—VICE PRESIDENT OF KIWANIS INTERNATIONAL

Mr. DOMINICK. Mr. President, it is a great pleasure for me to take this opportunity to pay tribute to an outstanding Coloradan, Mr. Ted R. Johnson, who has recently been elected vice president of Kiwanis International. His list of qualifications is impressive—both in service to the organization and in community service. During 18 active years as a member of Kiwanis in Denver, Mr. Johnson has exhibited leadership as president of the local organization, as governor of his district, and as a trustee and member of the executive committee of Kiwanis International, not to mention his innumerable committee chairmanships at all three levels.

Mr. Johnson's list of civic contributions is no less impressive and is indicative of a sincere interest in serving the community of Denver and the State of Colorado. In addition to professional organizations, Mr. Johnson has participated actively in such varied capacities as a member of the Governor's safety committee, trustee for the Voice of Youth, a member of the Salvation Army advisory board and vice president of the Colorado Consistory Cathedral Association, to mention just a few.

The confidence of fellow Kiwanians is well placed in a man with such a distinguished background of dedication and leadership. I wish Mr. Johnson the very best of success during his forthcoming term of office, and I know he will continue to serve with distinction.

U.S. TRADE POLICY WITH RUSSIA

Mr. BYRD of Virginia. Mr. President, I commend the senior Senator from South Dakota [Mr. MUNDT] for developing and bringing out the facts about East-West trade which I think the American people are entitled to know.

I find it difficult to understand the attitude of many high officials of our Government in regard to trading with the enemy.

All of us desire a lessening of tensions between East and West.

All of us desire a lessening of tensions in the cold war.

But at a time when we have 466,000 Americans in Vietnam, and when the President, even now, is considering whether to send additional troops there, it does seem to me to be very important that the American people have full knowledge of the kinds of trade which are being permitted by our Government with those nations supplying weapons to our enemy in Vietnam.

Mr. President, I had planned today to make an extended talk on the facts brought out this morning so ably by the senior Senator from South Dakota, but the parliamentary situation being what it is, I shall delay my talk until another time.

At this point, Mr. President, I ask unanimous consent to have printed in the RECORD a letter which I sent to the Secretary of Commerce on July 7 concerning approval by the Commerce Department of the sale of a highly sophisticated guidance device to Communist Poland. Polish ships almost daily carry cargo to the enemy through Haiphong.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 7, 1967.

Hon. ALEXANDER B. TROWBRIDGE,
Secretary of Commerce,
Department of Commerce,
Washington, D.C.

MY DEAR MR. SECRETARY: I was shocked to learn this week that the Department of Commerce had approved the sale of a highly sophisticated guidance device to Communist Poland.

It is inconceivable to me that an item of such obvious strategic potential could be approved for export to a country which is second only to Russia in the number of supply ships it sends to aid the North Vietnamese war effort.

The Export Control Division has acknowledged that this instrument—a Worden type gravity meter—is better than anything produced in the communist world and that it could be of great value in developing an accurate guidance system for missiles. It also could be used in military reconnaissance and mapping and for guiding manned aircraft in low-level flights beneath the range of radar.

Certainly Poland would experience no difficulty in finding a military application for the instrument either on its own or with the assistance of the Soviet Union. Nor is it unreasonable to suppose that use could be made of the instrument in the air defense systems now being supplied to North Vietnam by the Communist nations of Europe.

On the very day that one newspaper carried the report of this proposed sale, there appeared a story on another page that two U.S. tanks had been destroyed by the North Vietnamese who used the latest Soviet-made anti-tank weapon.

This dramatizes how important aid from Russia, Poland and other European Communist countries is to the North Vietnamese war effort. And it emphasizes how critically important it is that we do nothing to aid the communist war-making potential.

The granting of this license comes on the heels of assurances to machine tool companies that the Administration will look with favor on the export of equipment to be used in an automobile factory in the Soviet Union. Again, it requires little imagination to see how this equipment could be converted to military purposes or used to produce military vehicles.

The license for the export of this gravity meter was granted by the Commerce Department to a private company in February 1967. It was later withdrawn for reconsideration on the request of an intelligence agency. The objection to the deal, however, was not because the instrument was of strategic value to the Communist world, but for entirely unrelated reasons.

I believe such a sale would be a disservice to the 463,000 Americans now fighting in Viet Nam. I urge the Department of Commerce to revoke this license.

With best wishes, I am

Sincerely,

HARRY F. BYRD, Jr.

Mr. MUNDT. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I am happy to yield to the Senator from South Dakota.

Mr. MUNDT. Let me say to the Senator from Virginia that I certainly am very much encouraged and gratified by his substantial support of the position which I have been discussing.

I know how the Senator from Virginia feels on this matter. I know about the conscientious study he has devoted to it. Let me assure him that a great many Senators on both sides of the aisle who are neither hawks nor doves—eagles, maybe—have determined that from now on, unless the administration rescinds by itself the executive orders which created this trade, Congress is determined to do its best, certainly the Senate will, when it can, as it can, and where it can, to bring order out of this economic chaos.

Mr. BYRD of Virginia. I thank the Senator. His point is well taken.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I am happy to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I want to join the senior Senator from South Dakota and the Senator from Virginia in expressing the hope that either the administration will stop this practice of expanding trade with the Communist regimes or, if not, that Congress will take what appropriate steps are necessary to force such action.

I compliment the senior Senator from

South Dakota on his remarks today, and I join the Senator from Virginia in strongly supporting his objectives.

AMERICA'S ROLE IN THIS WORLD OF CONFLICT

Mr. KUCHEL. Mr. President, on June 25, last, I had the honor to speak before the 49th annual department convention of the American Legion, and the 48th annual convention of the American Legion Auxiliary, in San Diego, Calif.

I ask unanimous consent that a partial text of my remarks on that occasion be printed in the RECORD.

There being no objection, the partial text was ordered to be printed in the RECORD, as follows:

AMERICA'S ROLE IN THIS WORLD OF CONFLICT

(Partial text of remarks by U.S. Senator THOMAS H. KUCHEL before the 49th annual department convention of the American Legion, June 25, 1967, San Diego, Calif.)

I am greatly honored to be invited to speak at the 49th Annual Department Convention of the American Legion and the 48th Annual Convention of the American Legion Auxiliary this evening. I come before you at a moment in the history of this nation when our deepest beliefs in America and in its meaning for humankind have been put to a severe and grueling trial. This is a time when America's presence, her precious resources and her power have been extended, in varying degrees, over a vast portion of the globe. It is a time portending great change in the makeup of world order. It represents to the American people and to their government a greater challenge, set in a far larger perspective, to the future of the republic and to the whole human family, than ever before.

For the past 20 years the undoubted military supremacy of the Free World, led by the United States, has been sufficient to allow the peaceful reorganization of whole continents, from colonial empire into fledgling nationhood. Our country has played a role of leadership in the cause of right. Where aggression and subversion have appeared, as in the Lebanon and Santo Domingo, American forces responded at once to a call for assistance with the firm support of allies throughout the world. And where starvation and pestilence have rampaged and ravaged distant peoples, the resources of the American people have been made available to stem the tide.

Our powers have been repeatedly tested. Relentless revolution, irrational hierarchies, like the Communist Chinese, tyrannical nationalists, like Egypt's Nasser, have devised techniques specifically to overcome our position of strength. The tactics are known to all of us. They run the gamut of infiltration, subversion, and terrorism, and of small brushfire wars, which depend principally on scattered guerrilla action—less vulnerable to the impact of modern fire power. The techniques of "Wars of National Liberation" are being employed particularly to overcome the advantages of massive power. These were the tactics preached widely by Mao Tse Tung, and practiced sedulously by Ho Chi Minh.

The Communist strategy is to encourage the leaders of the so-called "emerging nations" to play upon the divisions in the Free World, to encourage small wars and to try to keep America pinned down. In this situation established peacekeeping institutions seem almost helpless.

The United Nations has shown itself incapable of coming to grips with the crisis in Vietnam. Its 11th hour agreement on the cease fire in the Near East, is hardly an example of effective action. The chances for establishing a peaceful system of world security appear to grow smaller by the week, as new crises erupt and the old machinery proves inadequate.

The recent outburst of hostilities in the Near East has demonstrated vividly how little groups of willful leaders, putting their vain hopes on shiny new weapons, can unleash upon the earth the horrors of 20th Century war—without so much as "by your leave" to the Great Powers, or to the United Nations, or to anyone else. Perhaps the utter route of the Arab armies in the deserts of Sinai may provide an object lesson. In the long run, the Arab leaders must learn that peace will not come to the Near East by recurrent demands for the destruction of Israel. But the present turmoil in the Arab countries suggests that the dawning of reason is still far away.

Hopes and prayers for world stability are deeply disturbed by another development. New nations have been, and are, acquiring, the ominous scientific skills needed to produce nuclear weapons. Just a week ago, a giant hydrogen device was exploded by the Red Chinese. India may well be on the brink of discovery; Nasser has boasted that the United Arab Republic will not be far behind. The capacity for production of such weapons undoubtedly is available, or practically so, in Sweden, in Israel, and in some other industrialized nations.

Proposals for a multilateral anti-nuclear proliferation agreement continue to be delayed. The sad truth is that we may be on the verge of the next stage of nuclear escalation.

In November of last year, the Administration conceded officially that it had hard information that the Soviet Union had begun to build a new nuclear defense system around one or more of its major cities, composed at least in part of Anti-Ballastic Missiles. We do not know everything about the capabilities of Soviet weapons. But we have grave apprehensions about this Soviet development, and about its enormous implications for the very continuity of the human race. The Soviet action, taken in secrecy, gravely prejudices the possibility of resolving our differences by rational and peaceful means.

I want to recall the prophetic words of the great Eisenhower in the closing months of his Administration. He said to the world:

"In an age of rapidly developing technology, secrecy is not only an anachronism, it is downright dangerous. To seek to maintain a society in which a military move can be made in complete secrecy, while professing a desire to reduce the risk of war through arms control, is a contradiction."

This contradiction which Eisenhower so clearly saw in the Soviet system remains. It lies at the heart of the Soviet Union's inability to contribute, as that nation should, to meaningful peacekeeping endeavors. It is the tragic reason, I think, why President Eisenhower's "Open Skies" proposal was not accepted. What a giant step forward for humanity that would have been.

There is a severe limit to how long we can tolerate Soviet ABM action without an appropriate military response of our own. We and the Russians both possess vast nuclear retaliatory capability. Ours is superior and considerably larger. There is nothing America can do to keep the Soviet Union from building and maintaining such a force, awesome as it may be, unless, by reason and by diplomacy, she were to urge terminating this excursion into needless nuclear escalation. We cannot permit the USSR to gain strategic military superiority over the United States.

Aside from the vital question of our own American defense, which we must and shall sustain in all its facets and at all costs, there is a real possibility that a potential aggressor, possessed of an Anti-Ballistic Missile defense, could develop a false sense of security which in turn might lead it mistakenly to downgrade the power of America's nuclear deterrent. Modern nuclear warfare is unthinkable as long as it remains clear to the potential aggressor that he would be destroyed by retaliatory attack. But to an irrational leader bent on world conquest, the possibility of nuclear warfare becomes attractive if he thinks he has a credible system of nuclear defense. This is the subtle threat of the Anti-Ballistic Missile that the Soviet Union has determined to install. The threat of global warfare between the two nuclear giants actually increases—even as their power to contain some devastation may diminish. And thus we face the most extraordinary paradox of our time: Never in the world's history has any nation been so strong as America is today, yet never before has our country been more vulnerable to a surprise nuclear attack, nor our far flung interests more susceptible to corrosive nationalisms and their harassing guerrilla strikes.

We need to maintain a nuclear superiority, to maintain the maximum credibility of our own deterrent against a surprise attack. That will lessen the impact of the paradox. But we also need to join with other free peoples to maintain world stability.

As a Republican, a member of the minority, I have stood firmly, along with the overwhelming majority of my party for American participation in a system of international collective security. I recall with pride the great Arthur Vandenberg of Michigan who spoke out two decades ago to bring to our country a clear understanding that there must be an interdependence among the free peoples, that the United States could not "go it alone". It was Vandenberg and the men of the 81st Congress in both parties who slammed the door on America's outgrown policy of isolation. In this vastly shrunken globe, we—the world—have become a kind of neighborhood. Said Vandenberg: "I do not believe that any nation hereafter can immunize itself by its own exclusive action." Neither do we. But the great hopes for world security, so bright in the aftermath of World War II, have been shattered and perhaps broken beyond repair.

As a consequence, enormous burdens have been heaped on the shoulders of the American people by the events of the last few years. Over 450,000 American troops have now been committed to the defense of the Republic of South Vietnam. They have fought with uncommon valor. Their Commander, General Westmoreland, has called them the "finest ever fielded by our nation". The United States and the free peoples of Asia, carry on this costly conflict without any substantial help from their allies in Europe, who nevertheless continue to benefit from the protection of American nuclear defense forces.

The commitment of American forces in South Vietnam is an honorable one. It has found a remarkable response from the non-Communist Asians, who recognize full well that the madness, now sweeping through Communist China, poses a great threat to the peace of Asia, and possibly to the entire world.

America seeks to assist the people of South Vietnam to resist Communist aggression and to maintain their independence, their right to determine their future for themselves. There are some, not too many, who contend that the considered use of American military power in this conflict is immoral, illegal, or that it constitutes a threat to world peace. Their argument ignores the clear threat posed by the terror tactics of the Viet Cong and the North Vietnamese. It rests on the abstract premise that the Free World must totally exclude military force as an instrument of national policy, that when war is initiated by the other side, it then may be countered on our part by some kind of splendid moral inaction.

If adequate worldwide peacekeeping machinery were available, if the so-called "Great Powers" were willing to concert with us for peace, then perhaps an alternative to the conflict in Southeast Asia might be found. But I see little evidence of this as France and Red China develop their nuclear arsenals, as the Arab nations, even in defeat, scheme to destroy Israel, and when neither the United Nations nor the powers of once mighty Europe dare to come to grips with problems beyond their borders. At this moment in the history of mankind, the strength of the peoples of the world who would keep their human rights rests fundamentally on those nations who share a determination to maintain their human freedom. To argue that their power must not be used in justified self-defense, is to concede to the fallacy that military action is morally wrong except when taken in the name of "world revolution." The world is not perfect yet, but there is much good that needs defending.

Our military actions in Vietnam, as part of the resolute policy of standing up to aggression in alliance with the nations of Southeast Asia, will encourage the chances of political settlement in that area. This is the logic of reality as against sophistry. There has been no real peace in East Asia since the end of World War II. America and her friends would be foolish to assume that simply by turning their backs and walking away any of the outstanding issues would be resolved.

The North Vietnamese have daily evidence of the determination of the United States' aid in the defense of the Republic of South Vietnam. Whether they agree or disagree with our presence in Vietnam, the peoples of the entire world must recognize the true depth of the American commitment to collective security and the defense of freedom. For myself, I take pride in the words of the Prime Minister of Australia who said: "American intervention in Vietnam was the greatest act of moral courage since Britain stood alone in the last world war."

Regrettably, our position is not so clear in the Near East. Any realistic appraisal of the world situation today must face the cold reality that American diplomacy signally failed to impress both Arabs and Israelis that their interests, and ours, lay in avoiding conflict. For 20 years an uneasy truce between Israel and the Arab nations was held together by a patchwork of United Nations organizations and a tottering balance among all nations with vital interests in the area. The recent victory of Israeli forces showed that Arab cries for destruction of Israel and the conquest of Palestine would meet decisive response, swift and sure, from a small but determined people.

In the Arab mind, years of demagoguery will not be quickly forgotten. The cost of settlement will not be paid in a trice. The true meaning of Nasser's charge that American planes flew cover for Israeli forces in Sinai is simply that he would not believe that a little nation had destroyed his army. Undoubtedly, he will continue to utilize this kind of fallacy. We may rest assured that irrational Arab leaders will attempt to take advantage of our position to make sure that their loss of face will be translated into attacks on our assets in the area.

Since the time of the Eisenhower Doctrine, our diplomacy in the Near East was designed to prevent conflict, to secure the peaceful existence of Israel and to preserve a measure of communication and common interest with the Arab states. After the Arab defeat at Suez in 1956, the Soviet Union decided to make the Near East a battleground of Cold War diplomacy. The Soviet Union chose to side with the Arab nations. Communist policy progressively forced the divisions which brought on the present holocaust. American influence in the Arab world was accordingly diminished.

Through misleading promises and continued propaganda assaults, the Arabs were convinced that not only could they destroy Israel, but that the Soviet Union would stand firmly behind them in this misdeed. The tragedy of this event is that none of our techniques of diplomacy, none of our foreign aid nor our information programs could prevail against the fanciful notion that, with modern Soviet weapons, the Arab nations could return to the lost greatness of the 12th Century. They learned, to their sorrow, that the issues of the modern world and of modern warfare are more complex. Nations require not only advanced weapons but, more important, they need the men trained to employ them. The lesson of the Battle of Sinai was not that one weapon was better than another or that one flag prevailed over another. It was a thrilling and convincing demonstration that able men who have the spirit to fight for what they believe in are always a match for their opponents, even when woefully outnumbered.

The Soviet Union is now moving by international legerdemain to turn a military defeat into a diplomatic victory. Through exploitation of the fears of the smaller nations, they have tried to blame the conflict in the Near East on the United States. They are thus repeating in diplomatic terms Nasser's false charge of United States air cover for the Israeli advance.

The Arab nations now know that their security cannot be had simply by acquiring modern arms. The arithmetic is equally clear to the Soviet Union. It has sent nearly $2 billion in arms to the Near East and received less than $200 million in payment. Both the Soviet Union and the Arabs must recognize the failure of their last adventure. It may be a very long time before the United States regains a measure of good will in the Arab lands of the Near East, but it is also true that the Arab nations have been shown that they cannot count on the Soviet Union.

The failure of the Soviet strategy in the Near East has cost the Communists dear. Is it possible that the Russian leaders may discern that further adventures with the Arabs could very well increase the risks of world conflict and reduce Soviet power and influence? Is not the cynicism of Soviet diplomacy in this crisis plainly visible to all? The critical issue is whether those nations who believe in peace and freedom are willing to stand up and be counted.

All people with a rational interest in self-preservation must see the need to prevent further conflicts of the kind we have witnessed in the Near East.

For America our role is clear.

Our country must remain pre-eminently strong. Our defense establishment must be supplied with the most up-to-date technology and equipment. As a member of the Senate Committee on Appropriations, I have voted to maintain our military strength. Indeed, I have further supported the continued development of our manned bomber force and the development of nuclear-powered naval vessels. In my view, the time has long since arrived to increase substantially the proportion of nuclear vessels in our fleet.

We must continue research and development and move forward with programs, whether offensive or defensive in character, to avert the threat posed by Soviet deployment of an Anti-Ballistic Missile System. Some progress may be possible through diplomatic channels, as shown by the recent ratification of a multilateral treaty banning weapons in outer space. But diplomatic action must not confuse our national determination to remain strong. I reiterate, America must retain her assured capability for nuclear retaliation. Our nuclear predominance is still the first guarantee of freedom for our world.

Our equipment must be the most modern, and we must have men trained and capable to use it. The Congress has recently concluded an exhaustive study of the Selective Service System. It has extended the Selective Service System for a further four years in order that the Armed Forces will have the men required to perform their increasingly complicated assignments. We need to take additional steps to keep our military establishment attractive as a career to the most competent members of our society. I have recently joined in introducing legislation to assure that retirement pay be kept in line not only with the cost of living but with the rates paid those on active duty. An attractive retirement system is essential to the maintenance of a dynamic corps of men required for our modern military establishment.

America must also continue to encourage the establishment of effective peacekeeping mechanisms. The Near East crisis has shown dramatically how the United Nations has failed to provide workable means of preventing armed conflict. This weakness derives from the continued unwillingness of the Soviet Union to accept its role as a responsible world power. The United Nations Security Council was created to provide a meeting place for the relatively few nations which control the predominance of economic and military resources. It cannot be supplanted by the General Assembly, a conclave of nations in which the vote of the United States can be cancelled out by Mauritania. The General Assembly has its value, but it does not represent the power realities of our world. It provides no avenue for agreement among the Great Powers. In these increasingly threatening times, it is this agreement which is vitally needed.

In the search for means to keep the peace there is an expanding role for the genius of our modern industry. Certainly in this just cause the world can ill-afford to forego the inventive talent of American enterprise. The space and aeronautics industry has already demonstrated its ability to contribute in this cause. The same equipment used in our civilian lunar orbiter program could be employed in keeping watch over large-scale military movements in regions of potential conflict. It might be possible, for example, to place a satellite over the Near Eastern area to observe movements of potentially hostile forces. The information gained by this means and placed at the disposal of an effective peacekeeping organization could provide a timely warning that could give nations interested in keeping the peace an opportunity to take effective action. This would be a far cry from idle hand-wringing that followed this outbreak of conflict in the Sinai Desert last month.

Above all, the United States must continue as it has in the past to honor its commitments to collective security and to speak with moral force in the councils of nations. In 1956, President Eisenhower, by a bold stroke of diplomacy, was able to bring peace to the Near East after a bitter struggle over the Suez Canal. That move was possible because all nations concerned had full respect for the word of our government, and because they knew we would keep that word.

They knew that America is devoted to peace with justice and for human liberty. They knew that America opposes aggression and devotedly believes in the self-determination of nations. And they should know today that the hour is growing late.

Twenty-two years ago, as the Second World War came to a close, General Douglas MacArthur spoke to the American people:

"Men since the beginning of time have sought peace. Various methods through the ages have been attempted to devise an international process to prevent or settle disputes between nations. From the very start workable methods were found insofar as individual citizens were concerned, but the mechanics of an instrumentality of larger international scope have never been successful. Military alliances, balance of power, Leagues of Nations all in turn failed, leaving the only path to be by way of the crucible of war. The utter destructiveness of war now blots

> out this alternative. We have had our last chance. If we do not devise some greater and more equitable system Armageddon will be at our door. The problem basically is theological and involves a spiritual recrudescence and improvement of human character that will synchronize with our almost matchless advance in science, art, literature, and all material and cultural developments of the past two thousand years. It must be of the spirit if we are to save the flesh."

ORDER OF BUSINESS

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may speak for not over 5 minutes on another subject.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

WOUNDS OF DISTRUST

Mr. KUCHEL. Mr. President, when the monstrous act occurred at Dealey Plaza in Dallas that fateful November 22, 1963, our country suddenly experienced the pain, and the disbelief of a crushing national tragedy. The life of a Nation's youthful President had been taken by an assassin's bullet. Every American was moved deeply by the shock of that loss, and by the sorrow of the days that followed. But history will record not only the wounds that caused the death of a President, but also the deep hurt of suspicion and distrust which flourished in the aftermath of the assassination and which persist to this day.

It was hoped that all the accumulating ugly fantasies would be cleared away by the appointment of a Commission to sift carefully the evidence and to ascertain the facts of the assassination—a Commission of seven distinguished and unimpeachable Americans whose collective judgment would be honored by men. On November 29, 1963, pursuant to Executive Order No. 11130, such a Commission was appointed under the chairmanship of Chief Justice Earl Warren.

After 10 months of intensive hearings and investigations, the Commission, with the assistance of a highly competent staff of able lawyers, on September 24, 1964, presented its findings. They were spread across an 888-page report, supported by 26 additional volumes of exhibits and hearings. The now familiar conclusion of the report, based on the overwhelming weight of the evidence, was: Lee Harvey Oswald, acting alone, had assassinated the President.

Mr. President, the people of America and the world have every reason to place their trust in the competence, the care, and the labor of the members of that Commission. The Presidentially appointed members were men of unimpeachable stature, each with a high national repute. Each witness had been questioned closely. Every fact was analyzed carefully. Alternative potential theories of how the crime took place were explored. And yet, in the two and a half years since the report, a steady and growing number of books, magazine articles, theatrical productions, and a motion picture continue to challenge the Commission and its findings.

This highly commercialized stream of lurid, speculative, dark and bizarre conspiracies may, alas, have an impact on the public. Critics of the report have fanned the flames of rumor and disbelief at home and abroad. They have given sustenance to the doubts, which some abroad hoped to engender, on the integrity and probity of U.S. institutions and political figures. Today, according to a recent Harris poll, seven out of 10 Americans distrust the conclusions of the Warren Report. It is a matter of national concern when the people lose faith in the work of those who must serve the people and bear the public trust.

But what have the critics presented to warrant this distrust in the report?

They have exploited its every sentence—distorting, questioning, and editing. They have made grave charges, created uncertainty and certainly made money. They have produced appraisals which range from sensation-seeking fantasies, through several grades of hyperbolic emotionalism, to detailed analyses of the report. No important new evidence has been adduced. The report has been for too long the target of critics who sought, out of whole cloth, to undermine it.

Recently, however, articles, books, and television programs have begun to appear which objectively analyze the views of the critics and, which in the end, support the conclusions of the Warren report. Two outstanding examples of such reporting occurred within the last few weeks.

In a recent article appearing in the Outlook section of the Washington Post, Bernard Gavzer and Sid Moody of the Associated Press state:

> The critics have produced little in the way of new evidence. They have used the commission's 26 volumes of testimony and exhibits—but to different conclusions. The critics' case rests on the same base as the commission's—the Warren Report. . . . The critics have sat in judgment of the Warren Commission and found it wanting. But they are not judges. They have been prosecutors, making a case. Where fact has served, they have used it. Where it has not, they have not.

This particular article surveys some of the basic questions upon which critics have based their case—the single bullet theory, the circumstances of the autopsy, the possibility of an assassin on the grassy knoll, and the various theories of conspiracy. In each case, the theories of critics are analyzed along with the conclusions of the Warren report. The result is a renewed confidence in the work of the Commission. The writers conclude:

> One may interpret what the commission found, and the critics have—abundantly. But while, as of this date, there may be doubters, books and speculation, the critics have yet to produce that one essential of proof: evidence.

In a recent four-part television program entitled "The Warren Report," CBS News performed, I think, an excellent public service by conducting a careful and independent inquiry into some of the critical questions about the assassination. The program concluded with these words:

> We have found that most objections to the Report—and certainly all objections that go to the heart of the Report—vanish when they are exposed to the light of honest inquiry. It is a strange kind of tribute to the Warren Report that every objection that can be raised against it is to be found in the Report itself. . . . Measured against the alternatives, the Warren Commission Report is the easiest to believe and that is all the Report claims. But, we have found also that there has been a loss of morale, a loss of confidence among the American people toward their own government and the men who serve it. And that is perhaps more wounding than the assassination itself.

Mr. President, there is little question but that these most grievous wounds of distrust persist today and may linger on. Commercialization of the event was a regrettable but perhaps foreseeable consequence. But sheer unfounded sensation is simply pandering to those who have everything to gain by undermining confidence in the integrity of one of the most important American commissions to be convened in this century.

The President of the United States, in his Executive order creating the Commission, directed it:

> To examine the evidence developed by the Federal Bureau of Investigation and any additional evidence that may hereafter come to light or be uncovered by federal or state authorities; to make such further investigation as the Commission finds desirable; to evaluate all the facts and circumstances surrounding such assassination . . . and to report to me its findings and conclusions.

I believe that the conclusions of the Commission, as reported to the President, are unassailable. It has satisfied itself that the truth is known as far as it can be discovered. Despite the criticisms that have been produced, none have been able to shake the indisputable evidence which supported the conclusions of the Commission. Until this could be done, and I doubt that day will ever arise, the Warren Commission report will stand the test of time and trust.

SANTA BARBARA MADRIGAL SINGERS

Mr. KUCHEL. Mr. President, the Madrigal Singers of Santa Barbara came to Washington last month. They were a superb hit. I ask unanimous consent that the text of an article which acclaims the performance of the Madrigal group, appearing in the Washington Post on Tuesday, June 27, be incorporated in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TEENAGERS AT MUSEUM—MADRIGAL GROUP SINGS EXQUISITELY

(By Alan M. Kriegsman)

When I set out for the concert last night at the Museum Auditorium, I was not aware that the Santa Barbara Madrigal Singers was a high school ensemble. Moreover, the standard of their singing is so high one would scarcely guess the fact, except possibly through the youthful timbre of their voices.

This excellently trained group of 16 teenagers has the right size, the right sound, and the right sort of leadership. The group's compact size enables it to achieve the cohesion and transparency that makes part-singing a delight to hear.

The sound is well-contained and beautifully modulated, but full of power when necessary. As for the leadership, William Hatcher not only commands unswerving attention and sharp response from his charges, but instilled in them remarkable qualities of musicianship as well.

The group is in Washington on the first leg of an international tour. This was reflected, too vividly perhaps, in the program, a soup-to-nuts affair that displayed the versatility of the ensemble, occasionally at the expense of artistic level.

There was much fine music, including a Latin motet, English and Italian madrigals, chansons, and part-songs from America and other nations. Mixed in with these, however, was a passel of novelties, slapstick gimmicks, glee club potboilers, spirituals, folk songs, and even an operatic aria.

Not that there is anything wrong with any of this repertoire, nor is there any reason why high school madrigalists should not be enjoying themselves with the entire musical spectrum.

It just seems something of a waste of abilities when a group that can sing a work like the Hassler Missa Secunda so exquisitely fails to put its talents to use in a concert program of undiluted strength.

The Hassler Mass was one of the evening's highlights. The performance took full cognizance of the work's mingling of sacred and secular styles, by emphasizing, for example, the skipping dance rhythms of the "Et in terra," and the romantic expressivity of the "Agnus" melodies. Equally rewarding were the performances of first-rate pieces by Lassus, Morley and Halsey Stevens.

The group is now off on a jaunt which will take it as far as Greece. We wish the members bon voyage and every success.

LET US WITHDRAW MORE SOLDIERS AND DEPENDENTS FROM WESTERN EUROPE

Mr. YOUNG of Ohio. Mr. President, to the brass at the Pentagon from the Joint Chiefs of Staff on down and to bureaucrats of our State Department it is a despicable sacrilege to talk of withdrawing any sizable number of our highly trained, extremely competent, combat-ready divisions in West Germany and *of sending two of these divisions, most of* whose officers are career soldiers, to Vietnam for combat in the jungles of the central highlands and in the swamps and rice paddies in the Mekong Delta.

To those general officers and their dependents and field grade officers and *their dependents who have been and are* living high on the hog, with their servants, in the various and divers American enclaves in West Germany it has always seemed unthinkable that their gracious manner of living be abruptly taken from them. There have been howls of anguish whenever a Senator suggests even mildly that our draftees could well be sent over to West Germany and other places in Western Europe and instead of condemning these youngsters to combat in an ugly civil war in Southeast Asia we should withdraw from the peaceful paradise of West Germany two of our divisions and send them where, apparently according to General Westmoreland, at least 100,000 more highly trained American soldiers are needed?

We read in the newspapers in recent weeks that the West German Government has adopted an austerity program to save money for its taxpayers. The government of Chancellor Kiesinger now proposes to reduce the armed forces of the West German Republic by 61,000. Let us hope the executive branch of our Government, which has sent more than 500,000 young men to Vietnam and Thailand to engage in an American ground war in Vietnam which is of no strategic importance whatsoever to the defense of our country, will take similar sensible action and reduce our forces in Western Europe by 61,000 or more.

Following the end of World War II when Stalin was dictator of the Soviet Union, and during the final years of the administration of our great President, Harry S. Truman, the situation in Western Europe was grim and threatening. A bitter cold war was being waged against us by a bloodthirsty unscrupulous dictator, Stalin, whose memory is not even respected at this time in his own native land. In those days of the blockade of Berlin and the airlift, there was reason for apprehension that a border incident in Central or Eastern Europe might erupt into a third world war. Since that time and to the present time the Soviet Union has ceased to be a have-not nation. It is a have nation. It is veering toward capitalism. It is seeking trade with the nations of the free world. Its people envy our automobiles, our homes and the consumer goods piled in our stores. Their leaders appear to be seeking above everything else to raise the standard of living of the Russian people.

Even bureaucrats in the State and Defense Departments must admit to themselves that the Russians have not been guilty of an act of aggression or of seeking to expand their borders in the European sector by even one yard at any time within the last half dozen years.

It is well known that our nuclear and missile superiority over the Soviet Union is probably of a ratio of 3 to 1. Our atomic missile manned Polaris submarines roam the seven seas. With our missile power, our overwhelming air superiority over *the Soviet Union and our naval superiority* above the waves and below the surface of the seas we have tremendous superiority over the armaments of the Soviet Union. On their part, they know that even were they to strike first and destroy many of our cities and airbases and kill millions of Americans, our power of instant retaliation is so great that within a matter of 2 or 3 hours at the most we would destroy every great city within the Soviet Union, every staging area for its armed forces and every airbase and missile site. The atomic destruction on both sides would be too terrible to contemplate. Their leaders know that, and those of their citizenry who are intelligent are aware of that fact. Our American leaders and most of our citizens also know this.

The possibility of offensive action by the Soviet Union in Western Europe is so remote as to be nonexistent. Hence, we in the Congress should speak out repeatedly and loudly and finally pound into the ears of the bureaucrats in the executive branch of our Government that it is the sensible and self-evident operation for us to, without delay, cut down our huge forces in Western Europe whose generals and colonels never had it so good. Take them out of Western Europe and send these highly trained officers and men of our Armed Forces where they are needed. In their stead we could send a reasonable number of young draftees to Western Europe for their training. I do not even see much sense in maintaining more than a nominal force over there. The fact is that we have the demonstrated capability to immediately airlift combat trained fighting men from continental United States to Western Europe in a matter of 48 hours and place them in the field battle ready to repel any aggressor.

Mr. President, withdrawal of 150,000 soldiers and dependents from West Germany and Western Europe would also help end our outflow of gold and relieve our balance-of-payments deficit.

MILE OF FLAGS AT OAK LAWN, ILL.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Oak Lawn's Mile of Flags Draws National Attention—Project of Michael Juneman," published in a Southwest Messenger Press, Inc., publication. In addition to this newspaper, the article also appeared in 13 of Chicago's Southwest Side community newspapers.

This flag project promoted by Michael Juneman and other young people is more than an answer to the flag burners, the draft card destroyers, and the other protestors. The article deserves reading by all Americans.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From a Southwest Messenger Press, Inc., publication, July 6, 1967]

OAK LAWN'S MILE OF FLAGS DRAWS NATIONAL ATTENTION, PROJECT OF MICHAEL JUNEMAN

"Think Big!" one of the precepts stressed in the courses Michael Juneman, 10035 So. Kostner ave., Oak Lawn, is taking at Fox Business College in Chicago, led to a "Mile of Flags," along Mike's home street Kostner *Avenue from 95th street to 103rd street.*

Earl B. Fox, President of Fox College, is a great admirer of Dr. W. S. McBirnie who speaks daily from Glendale, California on ways to solve America's problems through free enterprise and by intelligent loyalty to the concepts of freedom and with the Independence Day holiday coming up, he suggested that the students have a contest and distribute flags to all families on their block and gave each student 50 American flags to be put on the front lawn of each home or church and the students decided this would be done to honor our servicemen in Viet Nam.

Mike started out and decided "why only a block—why not a mile of flags?" and promptly proceeded to contact each of the homeowners in the 93 homes in the mile, collecting their signatures giving permission to place the flags on their lawns.

Because the contest was not started until late in the week and Mike only had fifty flags, he called on the other students who were not able to place all their flags as well as the Johnson-Phelps Post 5220, Veterans of Foreign Wars and their Ladies Auxiliary of Oak Lawn, to get enough flags to complete his project.

Mike, the son of Mr. and Mrs. James E. Juneman, is a graduate of Brother Rice High School and will complete his course in Business Administration at Fox Business College in October.

THE LETTER OF THE COMMITTEE TO RESTORE LITHUANIA'S INDEPENDENCE TOWARD THE MIDDLE EAST CRISIS

Mr. LAUSCHE. Mr. President, during the recent debates in the United Nations on the Middle East crisis the U.S.S.R. has led a verbal attack on Israel. The Soviet spokesmen accused Israel of aggression and interference in the internal affairs of independent countries. The hypocrisy of the Communist position is evident to all free men. The history of the Soviet Union has been one of continuing aggression and intervention in the affairs of sovereign states. Communist imperialism has victimized many countries and deprived millions of people of their personal freedom and national independence. The world can never forget such a flagrant example of aggression as the brutal colonization by the Communists of the Baltic States of Estonia, Latvia, and Lithuania. In a pattern that was to become only too familiar, the Soviet armies marched into these nations in 1940, conquered them, and established puppet governments that were responsible not to the wishes of the people but rather to the dictates of the Kremlin. Despite this takeover and subsequent incorporation into the U.S.S.R., the desire of the Baltic people for their liberty was not destroyed. Not even Stalin's policy of mass deportation and liquidation could destroy these aspirations. Today, 27 years later, vigorous campaigns of Russification and Sovietization have still not been successful in their efforts to break the attachment of the Estonians, Latvians, and Lithuanians to their proud heritage of religion, culture, and tradition nor to their sense of a national origin and historic aspirations.

The Soviet leaders should study their own words directed at the so-called aggression of Israel. They should heed their own condemnation of a "policy of conquest of foreign lands and subjugation of people living there." Just as the Baltic peoples will never accept Communist domination, so we in the free world will not accept their imprisonment as final. We will support firmly every practical policy that will help these people achieve eventual freedom for themselves and their nations.

UNITED STATES SHOULD BAR EGYPTIAN COTTON

Mr. FANNIN. Mr. President, as a cosponsor of S. 1975, I should like to impress upon Senators the logic of this proposal, which is to bar the importation of Egyptian extra long staple cotton into the United States.

It has been obvious for some time that our policy of granting favorable trade regulations to Egypt needs restudy, particularly in light of our Nation's declining cotton industry. And the time to make that move is now. Egypt's hasty and irrational action in breaking diplomatic relations with the United States was in and by itself sufficient reason to ban her cotton exports.

To do so would lessen our dependency on an unfriendly nation and also free our domestic cotton farmers from the restrictions under which they have found it largely impossible to operate profitably. The cotton farmer, no less than his American brethren engaged in other forms of agriculture, can be counted on to produce whatever quantity and quality of cotton our Nation requires.

The proposal deserves our support.

PRESIDENT JOHNSON SEEKS OUT COMMON GROUND FOR PEACE AT GLASSBORO

Mr. MOSS. Mr. President, the Salt Lake Tribune of June 27 published an editorial on the recent summit meeting which I believe deserves wide currency for the accuracy and perception of its views.

It said that differences have existed between nations for thousands of years, and will continue to exist. Yet, in the nuclear era a new responsibility for peace has been placed on leaders of nations.

President Johnson has taken that new responsibility deeply to heart.

He knows the catastrophic results of nuclear war would be defeat for everyone—for us, for the Russians, for civilization.

Yet he has not succumbed to appeasement. He is not retreating from a strong statement of American views.

He is merely exploring every possible road to peace compatible with the security and dignity of the United States and the free peoples of the world.

President Johnson said the meetings have made the world "a little less dangerous."

Few can doubt that. The dangers of nuclear war were clearly discussed. The path to avoiding such a catastrophe is certainly clearer if not easier.

Glassboro cleared the air. President Johnson must be given full credit for that accomplishment. It is certainly a reflection of the people's confidence in the President that recent polls show a dramatic increase in the number of Americans who believe President Johnson is doing a good job.

At Glassboro, he was the right man in the right place at the right time.

I ask unanimous consent to have printed in the RECORD an excellent editorial, entitled "Common Ground: Avoid Nuclear War," published in the Salt Lake Tribune of June 27, 1967.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COMMON GROUND: AVOID NUCLEAR WAR

There is no question that the two lengthy, and intimate, conferences between President Johnson and Premier Kosygin have given a lift to the hopes of Americans, and we expect the people of other nations including the Soviet Union, that somehow the superpowers could sufficiently coordinate their policies in the world to avoid nuclear catastrophe.

This is the overwhelming challenge facing the world. Differences between nations have existed since the dawn of history, and will exist until the millennium. Such differences are tolerable if they can be kept below the level of nuclear escalation.

And there, we think, was the principal reason for the feeling of satisfaction at the Johnson-Kosygin exchanges. Both men accepted a heavy responsibility for avoiding big war. Kosygin even more than Mr. Johnson was said to have invoked the President's new grandson as a symbol of the future generations toward which they both felt an obligation.

In leaving the final session at Glassboro Sunday, Mr. Kosygin acknowledged the crowd's "warm welcome" and expressed the hope that the Soviet and American people "shall go forward together for peace." And in his otherwise unbending reiteration of rigid Soviet policies relative to the Middle East, Vietnam and other issues at a United Nations news conference Sunday evening, the Soviet Premier went out of his way to say that the people of Russia "have no wish whatsoever for war, and we are equally sure that the people of the United States don't want war."

This surely is the beginning of wisdom for both countries. If each is persuaded of the sincere desire of the other to avoid that catastrophic big war, then its avoidance becomes more a matter of mutual contact and understanding than of the complete resolution of differences.

The latter could be a long time coming. But a better understanding, a mutual respect, a certain sense of confidence even though limited to confidence in the mutual determination to avoid big war, does indeed justify President Johnson's conclusion that the two days of talks have made the world "a little less dangerous."

Still, of course, very dangerous so long as there are such explosive situations as the Middle East, Vietnam, nuclear proliferation, the arms race, East-West antagonisms and a belligerent and wholly unpredictable Communist China.

Whether the "spirit of Glassboro" can lead to any progress in easing any of these problems no one can now say. It would be wrong to hope for too much.

But it might be asked what the attitude of Americans, of Russians, and of the world might have been had the Russian Premier gone back to Moscow without even an exchange of courtesies with the President of the United States—much less such long and intimate discussions in which obviously these two world leaders had an unparalleled opportunity to sound each other out on a wary, but nonetheless friendly, basis.

We can only echo Premier Kosygin's statement that these talks were "useful," and agree with President Johnson that, despite deep and serious differences, the exchange emphasized the one thing both nations have in common—"a grave responsibility for world peace in the nuclear age."

If Glassboro helped establish more firmly that grave responsibility it will prove a very useful meeting indeed—perhaps even one which will some day be regarded as a turning point in history.

THE CASE OF MR. ANATOL MICHELSON

Mr. SCOTT. Mr. President, I invite the attention of Senators to a matter involving the Soviet Union. Though smaller in scope than the foreign events of the past few weeks, it may nonetheless be an additional indication of current conditions which give us all pause to think. I refer to the case of Mr. Anatol Michelson, currently a Pennsylvanian, who left the Soviet Union in 1956. Since that time, Mr. Michelson has endeavored to have his wife and daughter join him.

Although methods of emigration are different in our Nation, one must comply with Soviet laws and regulations regarding procurement of an exit visa. To this end, Mrs. Michelson and her daughter, living in Moscow, had repeatedly sought to apply for an exit visa with the proper Soviet officials. This case had been brought to public attention through newspaper publicity, through an open letter to Chairman Kosygin from Mr. Michelson, and letters of my own to Chairman Kosygin. This past year, Soviet pronouncements appeared encouraging. Since even an application had been refused in the past, Mr. Michelson was greatly encouraged when Soviet authorities accepted Mrs. Michelson's application, March 18, 1967. Our Department of State made appropriate representations to Soviet officials through proper methods. Throughout this case, all parties concerned have recognized the prerogative of the Soviet officials; throughout, all parties have emphasized the humanitarian aspects of this case—a matter bound up with warm and intensely human feeling understandable to all men; throughout, all have sought only an indication of good will. A further factor was added last month with Mr. Michelson's treatment for a serious illness from which he is now recuperating.

Now comes word that Soviet authorities have apparently rejected the applications of Mrs. Michelson and her daughter. I am very disappointed and discouraged by this turn of events. The exercise of power is an awesome responsibility. With authority comes the duty of compassion and understanding. With the power to jot words on a piece of paper comes the need to know that the paper carries with it the hopes of a human like oneself. Indeed, the struggle of man for all ages has been the struggle to remove himself from subordination to decisions which crush him in the name of fine phrases coined by privilege and power. In my 25 years in Washington, I have commended those thoughts to many men, and I want today to commend them to the appropriate Soviet officials.

I look at this seemingly small decision to keep a family apart, and I ponder its meaning to all those in both nations who must make decisions concerning our future. Again, one cannot leap out of context; men of good will must continue their efforts. But I deplore and decry this additional burden which must be borne on the road to understanding. Let us hope that in the future the signs we see and the symbols which appear may turn rather in the direction of good will and amity.

IMPACT OF HUMAN RIGHTS CONVENTIONS ON NATIONAL CONSTITUTIONS IS REAL AND SIGNIFICANT—CII

Mr. PROXMIRE. Mr. President, the Universal Declaration of Human Rights, adopted unanimously by the U.N. General Assembly in December of 1948, and the Human Rights Conventions are far more than simply theoretical exercises. On the contrary, they have been the basis for national constitutions and statutes in many nations, both old and new.

The new states, 60 of them since 1943, have relied upon these international documents for guidance and direction. For example, in article 1 of the Statute of Togoland that state was declared to be "a republic based on the respect for international treaties and conventions and the principles set forth in the Universal Declaration of Human Rights."

Panama enacted a law—No. 25—in 1956 to implement a constitutional provision which prohibits discrimination on account of birth, race, social origin, sex, religion, or political opinion. The preamble to the law states clearly that any discrimination on account of color or race is a flagrant violation "of the Universal Declaration of Human Rights."

The Federal Republic of Germany patterned much of its own national constitution on the Universal Declaration.

The Human Rights Conventions are international agreements to establish and implement the basic tenets of the Universal Declaration.

A total of nearly 50 new states have embodied provisions of the Human Rights Conventions in their own national constitutions.

Mr. President, the evidence is very strong indeed. The Human Rights Conventions do not only establish minimum international standards of human dignity, but through their adoption in whole or in part by national legislatures, they guarantee those standards for millions of men and women daily.

The United States can give these conventions a new impetus, and human rights a new urgency, by ratifying them.

It is nearly 4 years since President Kennedy sent the Conventions on Forced Labor, Political Rights of Women, and Slavery, to the Senate. They are now before the full Committee on Foreign Relations.

I urge that committee to report these three conventions favorably to the Senate, where, I am confident, they will be overwhelmingly ratified.

I also once again urge the Committee on Foreign Relations to give their earliest consideration to the Genocide Convention and the Freedom of Association Convention, which have been ignored for 18 long years.

WILD RIVERS AND SCENIC RIVERS

Mr. TOWER. Mr. President, a number of my constituents have communicated to me their interest in securing the passage by the Senate of S. 119, the so-called wild rivers bill, and S. 1092, the scenic rivers bill.

As one of them, a friend and associate of mine in Temple, Tex., wrote recently:

> Those of us who frequently get out and paddle the streams of Texas are becoming genuinely alarmed at the very rapid progress of destruction and pollution that is turning our formerly beautiful and clean-flowing rivers into sewers.

Mr. Burleson was kind enough to send me a copy of a resolution passed by the Texas Explorers Club which endorses the proposed legislation. I ask unanimous consent that it be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

A Resolution by the Texas Explorers Club

Be it resolved by the Texas Explorers Club as follows:

(1) That the Texas Explorers Club, a nonprofit charitable and educational corporation organized under the laws of the State of Texas, does hereby pledge its wholehearted support of two bills now pending before the Senate of the United States of America, to wit: S–119, the Wild Rivers Bill, and S–1092, the Scenic Rivers Act.

(2) That the Texas Explorers Club will make known to our outstanding Senators from the State of Texas, to wit: the Honorable Ralph W. Yarborough and the Honorable John Tower, this organization's sincere belief and deepest conviction that river protective legislation is one of the most pressing needs of our Nation today and that the passage of such legislation is absolutely essential to the continued good health, welfare, and moral and spiritual well-being of the present and future citizens of these United States of America.

(3) That the hasty and inadequately considered damming of our few remaining flowing streams, the pollution and poisoning of all of our rivers and streams, and the criminal abuse of our few remaining spots of wilderness and natural beauty constitute a stain upon the honor of the United States and must be corrected with all haste.

And be it further resolved by the Texas Explorers Club that the beautiful and unique section of wilderness canyons along the Rio Grande River from the easternmost boundary of Big Bend National Park to the town of Langtry, Texas, should be included within both of the above named bills and any future river protective legislation, and that this area of outstanding natural beauty and remoteness be forever preserved for the use of present and future citizens of the United States as a natural and flowing river, unspoiled by the unnecessary, selfish and destructive works of man.

Unanimously passed and adopted by the members of the Texas Explorers Club at a regular meeting on this the 1st day of April, 1967.

Bob Burleson,
President.

Attest:

Jim D. Bowmer,
Secretary.

SAFE DRIVERS IN THE WORLAND, WYO., SCHOOL SYSTEM

Mr. McGEE. Mr. President, the spring issue of The Highwayman, the official publication of the Wyoming highway department, contains an interesting and informative article on 47 years of safe driving by drivers in the Worland school system. What makes this record doubly impressive is that the drivers are high school students between the ages of 16 and 19. Admittedly, they are carefully screened and well trained. They are more, however, for they are, in the words of Supt. John Seyfang, "especially conscientious."

I ask unanimous consent that the article, entitled "Safe Driving for 47 Years," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Safe Driving for 47 Years

Forty-seven years of injury-free bus driving is a pretty good record in any league. But add to this the fact that during the course of these 47 years, each of the drivers was 19 years old or younger and the miles and years of injury-free driving are even more remarkable.

All school bus drivers in the Worland school district are high school students between 16 and 19 years old. This tradition has been continued since 1920, and during that period, there has not been a single injury to any occupant of the buses.

The record of the student drivers has been so good during the years, the school's insurance company grants the same rates for the young drivers they would for adults. The pay of the drivers is generally less than adult drivers throughout the state, so the program is even more economical for the district.

Each day approximately 800 miles of country roads are covered by the drivers bringing their charges to school and taking them home again. The routes vary in length from a twelve-mile round trip to the longest which involves 125 miles a day.

All drivers on established routes are students who are enrolled in either their junior or senior year in high school. Their employment automatically terminates when they graduate from the school.

John H. Seyfang, superintendent of the Worland schools, says, "We have found these people especially conscientious not only in terms of driving, but also in bus maintenance as well as pride in the job which they do. In fact, it has been my experience that these young drivers maintain more control, are better drivers and take more pride in their jobs than any adult drivers with which it has been my pleasure to work. It is not just a job to these boys, it is an organization."

A screening process is very thorough in determining which of the students will become bus drivers. In each of the various steps undertaken throughout the testing period, some are washed out of the program.

Each student who wants to drive a school bus must make application through the high school principal. The principal checks out the student in relation to grades and citizenship and indicates his approval or disapproval. Then each applicant is interviewed by the superintendent and the bus supervisor, again some may be eliminated.

If a student is successful thus far, he must then go through a training program in the spring which involves him in driving empty buses, observing other drivers, learning the routes and checking out with the bus supervisor. One or two boys are eliminated in this process.

A two-day workshop is held during the late summer in which the boys have a written examination relative to the driving laws of the state and the school's policies. The workshop also involves a safety film showing and lectures on the school's philosophy. In addition, a member of the Wyoming Highway Patrol lectures to the prospective drivers.

During the workshop, each of the boys drives a bus, accompanied by a Highway Patrolman, who gives a critique of the driving ability of the boy. Invariably, some of the drivers are eliminated in this phase of the testing.

Each of the drivers is required to take a physical examination before he is accepted as a driver for the school. This examination also includes a comprehensive eye examination.

In addition to all of these requirements, the prospective student driver must have an approval form signed by every parent on his route. Before a driver is allowed to haul students to school, he must have the parents' consent. When a driver is selected, he must have the back of his drivers' license stamped by the State Motor Vehicle Division, which allows him to drive a bus on an established route.

Bob Smith, bus supervisor, is responsible for the buses and their drivers. He keeps the drivers on their toes and makes sure they are paying attention to their work. Smith is the final arbiter in determining whether or not one of his student drivers has made a driving or judgment error.

At the outset of the school year, when new drivers are selected, Smith tells his crew, "I want you to picture 40 parents' cars following you, a carload of teachers, school officials, Highway Patrolman, Sheriff's officers and a dozen skeptics. All of these want to see you do a good safe job, so keep your mind on your job and you'll have no trouble."

Throughout the year, weekly and monthly safety meetings are conducted and each boy is responsible for the policing of every other boy. If one of the drivers makes an error, either in driving or in judgment, he must buy soft drinks for the other drivers. They are closely watched not only by each other, but also by all of the people in and around Worland. Each driving error is reported and the driver must pay the penalty.

If any driver is cited into court for any violation, he is either suspended from the crew or dismissed. This applies to violations incurred in private vehicles as well as the buses. If at any time, whether in a private car or a school bus, he is cited into court because of a traffic violation, the driver may be removed from service, depending on the seriousness of the violation. A driver is always suspended for a brief period for any violation.

If it is a moving traffic violation, he is usually permanently removed from service. Each of the student drivers understands this when he is accepted as a driver and realizes it is a condition for his employment.

None of the students drives on activity trips for the school. This is the responsibility of approved teacher-drivers who go through a short workshop each year prior to their being qualified to drive on activity trips.

Driver-parent relationships are very good in the Worland schools. Parents have come to respect the ability and judgment of the young drivers and have no qualms about sending their children to school with the student drivers. This has been accomplished through almost half a century of the safe driving record the boys have shown.

Many of the drivers are sons of men who drove for the same school while they attended it.

In relation to the liability insurance policy, the insurance company has unconditionally stated there is not increased cost in the premium to the school district because of the acceptance and because of the past safety record. The rates offered by the insurance company are the same as those for schools with adult drivers.

Since 1960, there have been only four accidents in which the school buses were involved while the students were driving. In one accident, the bus was forced off the road and there was only minor damage to the fender of the bus.

Once the driver of a pickup truck, unable to see because of a frosted windshield, ran into the side of a bus, but there were no injuries. A bus backed into a car illegally parked in a bus loading zone and in another instance, a car sliding on a slick street ran into the front of the bus. In none of these mishaps were there any injuries. This has been the case throughout the last 47 years, not one bus passenger injured with the buses traveling more than 125,000 miles annually.

School superintendent Seyfang says he is personally sold on the program and highly recommends it.

PROF. RAYMOND MOLEY

Mr. THURMOND. Mr. President, I wish to pay tribute to one of the best Democrats and one of the most remarkable Republicans I have ever known—both in the same man, Prof. Raymond Moley.

Raymond Moley, it will be remembered, was chief of President Roosevelt's famous brain trust. He was the President's No. 1 adviser on policy during the first 100 days of the Roosevelt administration when much of the President's legislation was approved by the Congress.

However, when, in 1936, Moley felt that Roosevelt was reaching for too much power, thus departing from principles of limited government, civil liberty, and individual responsibility upon which the Nation had been founded, he regretfully resigned and changed his party affiliation from Democrat to Republican.

Professor Moley has recent published his 17th book, entitled "The First New Deal." The distinguished minority leader, Senator DIRKSEN, placed Robert Moses' review of that book in the RECORD on May 16. I should like to bring to the Senate a few quotations from the book itself. In the preface, Mr. Moley says:

> A new generation must deal with a transformed nation, with a world that no one could envision in the 1930's. But, although methods and names may change, great principles abide and are deeply embedded in American character. And the extent to which they were observed in 1933 and the beneficial results that emerged, and also the extent to which they were disregarded with unhappy results, are lessons for any future generation.

Certainly the history of the first New Deal as told from the vantage point of the chief of the brain trust holds lessons for us today. It is for this reason that I ask unanimous consent that Professor Moley's views on when and how the imbalance of governmental powers first occurred and why he left the Roosevelt administration be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

> My inclination to terminate my unofficial relations with Roosevelt had been shaping itself for months. But he had made it easy, not to say tolerable, for me to continue. He clearly wanted to continue the relationship which had at that time gone on for four years. He wanted me to "go along." * * *
>
> But there were divergent views now that I could not resolve in my mind. And if I had continued, with such differences gnawing in my mind, I could but serve him badly * * *
>
> There was my conception of the role of party in a free society. In my earlier years as a college teacher I had believed and taught that the two parties should represent sharply different views about the relations between government and the individual and government individual enterprise. But more observation and reflection had convinced me that in a nation as big as the United States, the two national parties should cut into all classes and interests. * * * he sees the exercise of naked power by finite men that it must be controlled or balanced by other sources of power. By close observation of the effect of power upon Roosevelt—power that projected its insidious infection more and more deeply with popularity and political success—I came to respect what Madison wrote in *The Federalist:* "Ambition must be made to counteract ambition * * * It may be a reflection of human nature, that such devices should be necessary to control the abuses of government. But what is government itself but the greatest of all reflections on human nature?"
>
> Tyranny is a sleeping infection in the vast powers imposed upon any President. But when that individual is securely in control of a top-heavy majority, the tyranny inherent in a majority also appears. The aftermath of the election more than showed this peril in the Roosevelt-Flynn strategy.
>
> An indiscriminate attack upon business

without specifications or name-calling could only hinder the progress of recovery. The free market, if kept free, could right itself. And by 1936 it was recovering. My forebodings were in fact justified in what happened after the demagoguery of the 1936 campaign. For the growth of the national product, which had recovered at the rate of 10 per cent a year, slowed down to less than 3 per cent a year until the war. And unemployment began to rise after 1937. In 1936, the percentage of the unemployed was 16.8. It was 14.3 in 1937. It rose to 19 per cent in 1938, and only fell below the 1937 figure in 1940, when rearmament began.

My concept of the American economy centered upon individual enterprise operating in a free market. Government, the servant of the public interest, should keep watch and make sure there is invigorating competition. The operation of such a system rests upon millions of individual parts—those who create enterprises to serve the needs of many; those who contribute labor, which, mingled with natural resources and capital, produces true wealth; those who contribute talent for planning and management; those who consume, whose spending makes profits possible; large businesses dependent upon many small suppliers. Each is essential to the other. This is what I meant when I used the word "interdependence" in Roosevelt's speeches in the campaign of 1932 and thereafter.

The system depends upon billions of individual decisions in the market. There should be freedom in these decisions. Americans vote in the marketplace and reward those who make what they choose to buy. Under broad rules made by the government to enforce fairness and honesty, capital is risked, individuals have the liberty to succeed or fail, and after failure to try again. In this diffusion of decision-making there is national strength. For mistakes here are corrected there. This repudiates either central planning by the government or legal restrictions so tight that enterprise is paralyzed. All this I had learned as I watched the First New Deal's enactments in operation, which succeeded or failed as they departed from those principles.

The Philadelphia acceptance speech had made firm and final my decision to disassociate myself from Roosevelt's new policies.

Since I believed in a two-party system and that it is the responsibility of everyone to have a party affiliation, I chose in the years that followed to support editorially Republican candidates and generally Republican policies. I could not remain a Democrat when the nature and objectives of that party had so completely departed from its earlier faith.

It seems strange in a country like ours, in which so many fail to disclose their party affiliation and such a small proportion of the eligibles vote at all, that when a person prominently identified changes his affiliation, there should be so much comment about it. But in Britain, where national parties are so clearly identified and such a large proportion of the eligibles vote in general elections, history is full of statesmen who have crossed the aisle to the opposition. Gladstone began his parliamentary career as a Tory and turned Liberal. Winston Churchill began as a Conservative. He joined the Liberals later and, after twenty years, returned to the Conservatives. Then for several years he became a severe critic of the government. After his summons to the leadership of the war government, he remained as head of the Conservatives until his retirement.

In discussing consistency in politics he wrote this:

"A change of Party is usually considered a much more serious breach of consistency than a change of view. In fact so long as a man works with a Party he will rarely find himself accused of inconsistency, no matter how widely his opinions at one time on any subject can be shown to have altered. Yet Parties are subject to changes and inconsistencies not less glaring than those of individuals. . . . To remain constant when a party changes is to excite invidious challenge. Moreover, a separation from Party affects all manner of personal relations and sunders old comradeships. Still, a sincere conviction, in harmony with the needs of the time and upon a great issue, will be found to override all other factors; and it is right and in the public interest that it should. Politics is a generous profession. The motives and characters of public men, though constantly criticised, are in the end broadly and fairly judged."

Two comments in that statement of Churchill's apply to what happened with me in 1935 and 1936. Roosevelt substantially reversed the policies of the Democratic Party. The old Democratic affirmation of the constitutional integrity of state and local authority was abandoned. The Federal government intervened, at first slowly but later massively, in areas hitherto reserved to the states and the communities in privately organized welfare and in large parts of economic life.

The strength of the Democratic Party came to be centered in the large urban centers. In every election after 1936 the Democrats lost more counties but gained vast popular majorities from the masses in the cities. Roosevelt created a veritable political revolution. I was frequently asked why I had left the Democratic Party. My answer was that the Democratic Party had left me.

I did not float between the worlds, like Kipling's Tomlinson. I did not believe in non-partisanship. New and important figures rose in the Republican Party and in every Presidential campaign, beginning in 1940 (except in 1956), my help was solicited in their campaigns. I joined in their efforts to turn the tide.

FAIR LABOR STANDARDS ACT—EXEMPTION OF CERTAIN STATE EMPLOYEES FROM COVERAGE

Mr. TOWER. Mr. President, a short time ago I received a copy of a resolution passed by the Texas Jaycees in support of S. 727, introduced by the Senator from Colorado [Mr. DOMINICK]. I wish to speak briefly in support of S. 727, myself; then I shall ask that the text of the resolution be printed in the RECORD.

The subject of S. 727, of the resolution, and of a suit instigated by the attorney general of Texas, Hon. Crawford Martin, is the amendments of 1966 to the Fair Labor Standards Act. In particular, it concerns the application of the minimum wage and other provisions of the act to State agencies and political subdivisions.

The bill introduced by my friend, the Senator from Colorado, would exempt from coverage of the law State employees in State hospitals and schools. It would serve to acknowledge and strengthen the federal form of our Government, for there are many who hold—and I believe rightfully so—that the application of the provisions of the Fair Labor Standards Act to State employees is violative of the intent of the Constitution.

By a forceable application of the minimum wage and other provisions of this law to employees of State schools and hospitals, the principle of States rights is infringed.

The distinguished Senator from Colorado is a most knowledgeable legislator, and with the introduction of S. 727 he has sought to rectify a serious situation and repeal a dangerous precedent.

As the Senator remarked upon the introduction of S. 727:

> The inclusion of state employees under the Fair Labor Standards Act is a direct challenge to our Federal form of government. To me it is a fundamental issue totally overlooked by Congress when the Fair Labor Standards Amendments of 1966 was before us last year.

The junior Senator from Colorado has established in the Senate a reputation of devoted service to his State and his Nation. The proposed legislation is further evidence of his distinguished service.

I ask unanimous consent that the text of the resolution passed by the Texas Jaycees be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Resolution on 1966 amendments to Fair Labor Standards Act by Texas Jaycees

Whereas, the framers of our Federal Constitution expressly intended that the dual system of government be one of the basic foundations upon which our republic was founded; and,

Whereas, there have been many attempts in recent years to destroy the sovereignty of the individual states and thwart the initiative of the individual citizen, which are both constitutional guarantees; and,

Whereas, the 89th Congress of the United States in September, 1966, by enacting PL 89–601, passed amendments to the Fair Labor Standards Act of 1938, which amendments extended the regulatory nature of this act to be applicable to agencies and political subdivisions of the various states, all contrary to the Constitution and our basic form of dual system of government; and,

Whereas, by such amendments, the Congress of the United States has attempted to extend the term 'commerce' to include State government, by saying that the states in the performance of their governmental functions are engaged in interstate commerce and therefore subject to regulation by the Federal Government thereby destroying the sovereignty of the individual states; and,

Whereas, the Honorable Crawford C. Martin, the Attorney General of Texas, immediately after taking office on January 1, 1967, challenged the position of the Federal Government concerning the 1966 Amendments to the Fair Labor Standards Act, and was instrumental in leading 26 states in protecting their sovereignty against further encroachment by the Federal Government; and,

Whereas, the Honorable Senator Dominick of Colorado has introduced in the United States Senate a bill known as S–727, to repeal the 1966 Amendments to the Fair Labor Standards Act as they apply to State Agencies and political subdivisions; and,

Whereas, we as Jaycees believe in a government of laws rather than of men, in a system of economic justice based on a system of free enterprise, and in a state government free from Federal control and regulation which are contrary to the Federal Constitution,

Now, therefore, be it resolved, that the Texas Jaycees by and through its delegates duly assembled at its State Convention in Fort Worth, Texas, this 21st day of April, 1967, express its commendation and support to Attorney General Crawford C. Martin in his efforts to protect all our interests not only as citizens of the great State of Texas, but as free men; and we further endorse and support the passage of Senate Bill No. 727 in the United States Senate; and,

Be it further resolved, that to effectively express our support as the Texas Jaycees, that this resolution be published in "The Texas Jaycee," the official publication of this organization; by delivering a copy of this resolution to the Honorable Crawford C. Martin, Attorney General of Texas, the Honorable John B. Connally, Governor of Texas, United States Senator Dominick of Colorado, the Honorable Lyndon B. Johnson, President of the United States, and the Texas Congressional Delegation in Washington, D.C.; and,

Be it further resolved, that we as the Texas Jaycees urge every individual and every group which believes in the dual system of government and free enterprise to vigorously support the Attorney General in his efforts; and, to support the passage of S–727 in the United States Congress.

Glenn Reed,
President.

Attest:

Bill Green,
Executive Vice President.

SELECTIVE SERVICE REFORM

Mr. KENNEDY of Massachusetts. In a recent broadcast on ABC radio, Edward P. Morgan stated one of the great difficulties facing the legislator: the distance between idea and action.

Mr. Morgan specifically referred to the Burke Marshall report on the draft, and the failure of Congress to implement the course of draft reform suggested by it and by the President. He poses a challenge to Congress—the challenge of making full use of information it has acquired.

Mr. President, we have not met this challenge. I do not think that the Selective Service Extension Act is a satisfactory answer to the issues presented to us. We have acted, but we must act again in order to bridge this immobility gap, and present to the Nation a draft law which does reflect mature deliberation and evaluation.

I ask unanimous consent that Mr. Morgan's remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Edward P. Morgan and the News

The meeting will please come to order. The first item of business tonight is the question of how much longer we can afford the American Way of Life.

Winston Churchill, as we all remember so well, once observed with more wisdom than cynicism that a democracy is the worst possible form of government—except all the others. It is time to take the implications of that remark more seriously. More than ever before in our history, we seem to be balanced perilously on a pinnacle which might be called the Matterhorn of Dilemma, totally surrounded by gaps. There is the credibility gap, the communications gap, the education gap, the prejudice gap that surpasses understanding and plunging down there below us, unexplored much though it has been there all the time and is being dug deeper all the time by the erosion of neglect and irresponsibility, yawns the immobility gap.

The distance between idea and action, between need and fulfillment, between proposal and performance, this is the greatest and most perilous chasm of all. We may topple right into it and carry all the bricks and basic institutions of the open society along with us if we don't bridge it with something more durable than the tenuous, swaying lifeline of a breeches buoy.

Look at the record: a fundamental fault in American life today is the unfairness and inefficiency of the draft. It mitigates against the poor and it allows many other young men of the middle and so-called upper classes to succeed in the business of avoiding the draft without really trying. The selective service act expires on June 30th. In anticipation of the need of its radically revised extension, President Johnson recruited some of the best and most responsible brains in the nation for a study commission headed by a brilliant lawyer and civilized citizen, Burke Marshall, former Assistant Attorney General, to come up with new legislation. The commission did. Its suggestions were not perfect but they vastly improved on the present antique procedures. An astonishing and little known fact is that an informal study group of 14 Harvard scholars, "holding widely different views about foreign and military policy, and especially about the war in Vietnam," produced three weeks ago a series of recommendations on their own on which they agreed unanimously and which impressively supported the major proposals of President Johnson's commission. They urged higher pay for the military, abolition of special deferment for students and teachers and a lottery to determine who should serve "when not all serve."

Congress probably never even heard of the Harvard report but what did Congress do with the LBJ-endorsed Burke Marshall report? Almost nothing. There were some minor improvements incorporated in the new bill but as the New York Times observed this morning, "the revisions in the military draft agreed upon by Senate-House conferees scarcely reflect the kind of mature deliberation America's young men were entitled to expect in a measure so crucial to their futures."

Last spring another presidential commission released the most thorough study ever made in this country on the problem of crime. Last week a Harvard professor who served on that commission told me it was his considered judgment that few if any of the commission's recommended reforms would be adopted outside of the realm of crime-detecting and crime-preventing gadgetry. As for one of the most urgent aspects of the problem—police-community relations—he saw it improving at a snail's pace. He added that in this area the police just don't understand what they are up against psychologically in terms of the needs and attitudes of minority groups.

In 1965, the White House pushed through Congress what has come to be known as the Ladybird beautification act, in honor of the First Lady's interest in conserving what beauty of the land is left between billboards and after the wanton exploitation of natural resources. But now that two-year act, instead of being renewed, has been gutted. The Administration itself has yielded unbeautifully to the selfish pressures of the billboard lobby as applied through short-sighted members of Congress, responding, as advertised, to the narrow special interest of some constituents.

When is the gap between proposals and performance going to be narrowed? One of the most explosively crucial areas of delay involves racial strife. It is the most urgent domestic issue in the United States. Tougher police measures are being prepared to contain riots but so little is being done to attack the root problem of the Negroes' second class citizenship that it is laughable—except that there is nothing funny about it.

Israel has just won a lightning war. Reports from Tel Aviv and Jerusalem describe the Israelis acting under stress like a self-sacrificing family. There is, of course, the danger of strident nationalism rising in the wake of victory. But in an emergency, performance matched requirements. With all its power and riches, the United States is in an emergency of non- or half-performance. Making it a federal crime to desecrate the flag is hardly a worthy response. In fact Congress is guilty of a kind of criminal neglect when it doodles with such unnecessary legislation—every state in the union has its own laws protecting the flag—and avoids coming to grips with more serious facts of life which need attention.

This is Edward P. Morgan saying good night from Washington.

PRESIDENT JOHNSON REFOCUSES THE WORLD'S ATTENTION ON THE POSSIBILITIES FOR PEACE

Mr. MOSS. Mr. President, in world affairs as in human affairs, it is sometimes necessary to refocus the attention of nations and people on the possibilities of the future, rather than on the problems of the present.

President Johnson did just this at the summit meeting in Glassboro.

He reminded the world—and the Soviet Union—that our two nations have special responsibilities for maintaining peace.

He reminded the Soviet Union that there are bridges between us in spite of strong ideological differences.

He reminded the Russians that nations can live at peace even though they compete with one another.

And he finally reminded other nations in the world that the United States does not expect to retreat from solemn commitments to freedom, liberty, and independence.

President Johnson heartened the world with his flexibility, his informality, his statesmanship, in pursuing peace.

No one expected miracles.

But the fact that differences were put aside to discuss common possibilities, is an accomplishment of the first order in these days of potential nuclear disaster. The talks were indeed a "beacon of light."

I ask unanimous consent to have printed in the Record a perceptive article written by William L. Ryan, published in the Salt Lake Tribune of June 27, which devotes itself to the positive side of the Johnson-Kosygin talks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Johnson-Kosygin Talks Light Beacon of Hope

(By William L. Ryan)

In their two days of meetings at Glassboro, leaders of the United States and the Soviet Union came as close to statesmanship as Russians and Americans had for a long time, even though their summit failed to make discernible progress on major explosive issues.

Glassboro was just a small beginning, but the fact remains that it happened. In that alone, Glassboro becomes a sort of beacon.

Even the damp blanket spread by Alexei N. Kosygin once he left New Jersey failed to smother the glimmer of hope which the face-to-face meeting produced—the hope, as President Johnson put it, that the world now is a little less dangerous.

Now Kosygin has some fences to mend. A Soviet leader had come close, perhaps too close, to looking human. Russian leaders, trapped by their own cliches, now must try to allay suspicions which have arisen among those who already were distrustful allies.

Thus, the first stop on Kosygin's long journey home is Communist Cuba, whose "maximum leader," Fidel Castro, must take a dim view of any Soviet chieftain exchanging handshakes with the leader of "the imperialists."

Nobody had expected a radical change from the meeting. Any deep-going change in U.S.-Soviet relations would take time and patience. But there was, indeed, a change in the fact that the premier and the President met at all, and that both, for the time being, put aside domestic and foreign considerations which could make such a meeting politically risky.

REFOCUS ATTENTION

Soviet-American summits tend to refocus attention on something which often is forgotten. That is that there are two enormously powerful nations in this world.

The United Nations has been a safety valve, a forum for debate. But major decisions affecting the future of the world and the future of peace cannot be made without American-Soviet collaboration.

U.S.-Soviet summits in the past have shaped the destiny of the rest of the world, or made the difference between extreme tension and relative tranquility.

Whatever was accomplished was done by the two big powers themselves, with the rest of the nations as spectators.

RETREATS TO RIGIDITY

Once back from Glassboro, Kosygin stopped smiling. He retreated to the rigid, prefabricated positions of Moscow policy on all major issues. That was predictable. He had no other choice. What he said at his news conference at the United Nations was practically a rerun of his speech a week ago in the U.N. debate on the Middle East war crisis.

Kosygin is a member of a collective regime. Before he even arrived in Glassboro, a Pravda editorial made it clear the Soviet premier was in no position to depart in any significant respect from prescribed lines.

"The speech at the session of the U.N. Assembly by Comrade Alexei Nikolayevich Kosygin has expressed the position of our party and government," Pravda, the Communist party paper said.

SIMPLY A MESSENGER

The position had been mapped out in advance. Kosygin was just a messenger of the collective, the representative of the whole Soviet leadership.

By the same token, however, Kosygin could not have attended the summit without that collective leadership's approval. Undoubtedly people in it objected in principle and disliked the risks involved, just as there are some in the United States who gagged at the idea.

Now the Chinese Communists will point scornfully again at Moscow and cry, "We told you so." Cuban Communists will be suspicious.

WILL ENTERTAIN DOUBTS

Algerians and Syrians, the farthest left and most loudly "anti-imperialist" of the Arab bloc, will entertain doubts of long-range Soviet intentions. Kosygin hardly made the Arabs happy, for example, by conceding that Israel had a right to exist. China will accuse the Russians of under-the-table deals looking toward a future Vietnam settlement.

But whatever Kosygin and the Soviet collective do now, they can not turn back history's pages. There may be repercussions in Moscow and perhaps even a new clash at the top, but Glassboro will stay in the history books, continue to represent a timid step on a long road.

SENATOR SCOTT URGES INCREASED FUNDS FOR HOUSING AND URBAN PLANNING PROGRAMS

Mr. SCOTT. Mr. President, I wish to comment on the proposed fiscal 1968 appropriation for the Department of Housing and Urban Development, several of whose programs are of vital concern to my Commonwealth. These programs are intended to help our cities rebuild so that they can be more livable for their inhabitants.

Three programs merit special consideration. They are the model cities program, the metropolitan development supplementary grants, and rent supplements. Today, I submitted a statement to the Committee on Appropriations, urging it to increase the appropriations which the House of Representatives approved for these programs.

I did so in the realization that the requirements of our Armed Forces in Vietnam necessarily have top priority and in awareness of the mounting estimates of the deficit for fiscal year 1968. At the same time, however, I seriously question the wisdom of interrupting the momentum begun by new programs which show great promise for urban and metropolitan Americans.

These programs show promise because their focus is community development. Let me underscore the word "community" because these programs recognize the critical importance of involving all sectors of the community and marshaling all its resources in a cooperative and comprehensive effort to build a more livable and healthier environment for its residents.

The model cities program is significant because it combines for the first time the concepts of physical rebuilding and human renewal which heretofore have tended to be treated separately in our urban renewal programs. People are its concern. By conditioning its funds on the requirement that cities plan and develop a wide array of programs to rebuild blighted neighborhoods, the model cities program can better enable municipal governments to serve their people effectively on a truly comprehensive and coordinated basis.

The budget request for the model cities program was $662 million, consisting of $12 million for planning grants, $400 million for supplementary grants to implement the program, and $250 million for new urban renewal projects within model city project areas—to insure that the normal urban renewal funds would not be drained off by model city projects.

The House sharply reduced this to a total of $237 million, retaining the $12 million for planning grants, reducing supplementary implementation grants to $150 million, and reducing new urban renewal grants to $75 million.

In my judgment, these amounts are absolute, rockbottom minimums which should be increased if at all possible.

To illustrate the need for increases, let me explain how Pennsylvania has prepared for the program.

At the present time, 11 Pennsylvania communities have submitted model cities applications to the Department of Housing and Urban Development for planning funds. They are Allegheny County, Butler, Chester, Easton, Erie, Lancaster, New Castle, Philadelphia, Pittsburgh, Reading, and Wilkes-Barre.

In almost every case, the development of these applications has been the direct result of a unique cooperative effort by city, county, and State officials. The Commonwealth's department of community affairs, under the dynamic leadership of its Secretary, Joseph W. Barr, Jr., and with Gov. Raymond P. Shafer's complete endorsement, has promoted the potential benefits of this program throughout the Commonwealth. The department has cautioned communities about the selectivity of applicants and the limited availability of funds. However, it has stressed the value of going through the process of the model cities approach even if a community is not selected, for the process itself comprises those features necessary to a total attack on a community's modern-day problems.

In every case where interest has been expressed, the State has taken effective steps to follow through by providing complete assistance and cooperation. Utilizing its convener authority, the department of community affairs has sent task forces of State officials to the 11 communities to assist in their planning and program development. The resulting cooperation and the totality of community involvement has been excellent. The department's regional coordinators have been assigned the responsibility for followthrough. In addition, all involved State agencies are prepared to participate completely during the planning phase of the model cities program, as well as during the program's implementation. In many cases this participation will take the form of contributions of State staff and State funds.

The Shafer administration's active participation in the advance planning for the model cities program in Pennsylvania demonstrates how a State government can play a major coordinating and service role in urban development programs that are supported in significant part by Federal grants directly to local governments. Pennsylvania under Governor Shafer's leadership can be proud of the responsibility which it is aggressively asserting in a wide range of urban development activities.

In summary, the Commonwealth of Pennsylvania has made a total commitment to the model cities program, and has taken and will continue to take effective steps to insure the program's successful implementation. Successful implementation, however, depends on sufficient funds. I hope that Congress can see fit to approve them.

Regarding the metropolitan development supplementary grants, which Congress authorized in title II of the Demonstration Cities and Metropolitan Development Act of 1966, the House completely eliminated the $30,000,000 budget request for this pioneering new program. In addition, the House, by the Cramer amendment, prohibited the Department of Housing and Urban Development from using its administrative funds for implementing section 204 of the act.

From the viewpoint of sound planning, this development is regrettable. Title II of the 1966 act is significant because it is a major step forward in the Federal Government's efforts to encourage communities in metropolitan areas to cooperate in dealing with those problems which go beyond and do not respect their jurisdictional boundaries, encompassing instead the entire metropolitan area. Section 205 rewards those metropolitan areas which formulate comprehensive plans for the orderly development of these areas by providing supplementary grants to help finance the construction of public facilities which have a significant impact on that development. Section 204 strengthens the planning process as a coordinative device by permitting a metropolitan area's comprehensive planning agency to review applications from communities within the area for these projects.

Title II is important. It can accelerate the trend, already underway in our metropolitan areas, where local officials are working together to create new institutions, such as the councils of governments now springing up in many areas, to deal with problems common to an entire metropolitan area. It can, with its emphasis on comprehensive, areawide planning, lead to the more prudent and rational investment of Federal funds.

My interest in the implementation of title II stems from my conviction that we must establish a logical basis for comprehensive planning and program coordination at the National, State, regional, and local levels. That is the purpose of S. 799, the Comprehensive Planning and Coordination Act of 1967, which I introduced last February.

Accordingly, I hope that Congress will restore the full budget request for the metropolitan development supplementary grants. I also urge the deletion of the Cramer amendment to which I referred earlier so that the Department of Housing and Urban Development can proceed with the implementation of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966.

Turning finally to the rent supplements program, I have consistently supported it since Congress first authorized it 2 years ago because it involves private enterprise in a meaningful way in efforts to provide decent housing to low-income residents of our cities.

The rent supplements program holds significant promise. Contrary to views expressed a few weeks ago in the House, it restores to our housing construction activities major elements of the private enterprise system, including private ownership and property management. In the long view, it seems to be a much better solution to the problem of finding decent low-income housing than public housing which completely avoids the private enterprise system and is totally supported by public moneys.

In supporting this program, I share the philosophy held by one of the immortal leaders of my party, the late Senator Robert A. Taft, of Ohio, who said in 1949:

> I believe that the American people feel that with the high production of which we are now capable, there is enough left over to prevent extreme hardship and maintain a minimum standard floor under subsistence, education, medical care and housing, to give to all a minimum standard of decent living and to all children a fair opportunity to get a start in life.

I very much regret the action of the House in deleting all funds for this meritorious program. I hope that Congress will permit its continuation, at least at the fiscal 1967 level of appropriations.

All three of the foregoing programs—model cities, metropolitan development incentives, and rent supplements—deserve adequate financial support by Congress this year.

TEXTILE IMPORTS

Mr. TOWER. Mr. President, on May 29, 1967, the Texas House adopted a resolution which originated in the Texas Senate, and which effectively draws attention to the urgent nature of the textile imports situation. The resolution, Senate Concurrent Resolution No. 92, calls upon the "executive and legislative branches of the U.S. Government to recognize the immediate urgency of the textile imports situation and move promptly to impose meaningful quantitative controls on imports of cotton, manmade fiber, and wool textile imports."

In order that the Senate may have the benefit of the thinking of the Texas Legislature on this matter, I ask unanimous consent that the text of the resolution be printed in the Record.

I have addressed the Senate on the seriousness of the situation in recent weeks, and I am pleased to have this statement from this distinguished body in my State.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Senate Concurrent Resolution 92

Whereas, The Legislature of the State of Texas understands and accepts the need for a substantial volume of international trade in textile products; and

Whereas, Current trade policies, however, have generated imports into this country in a volume at a rate of growth that seriously threatens the economic stability of the cotton farmer, of the primary U.S. textile industry, the apparel industry, the wool producers, the chemical and machinery industries, and many other industries which supply and serve the U.S. textile industry; and

Whereas, Texas' future well-being depends heavily on the economic stability and confidence of these industries; and

Whereas, Texas is one of this nation's leading producers of cotton. In 1966 more than 30 per cent of the nation's cotton crop was produced in Texas. Texas cotton farms employ about 160,000 persons and provide an annual payroll of more than $120-million; and

Whereas, The apparel and primary textile industries of Texas employ 30,000 persons and have a combined annual payroll of more than $100-million. Including employment in gins, cotton seed oil mills, farm and gin machinery manufacturing and transportation, more than 230,000 Texans are dependent on cotton and cotton textiles for their livelihood; and

Whereas, Aside from cotton, Texas is the country's leading producer of wool and mohair, and the Texas petrochemical industry is a leading supplier of materials used in the production of synthetic fibers; and

Whereas, Texas' heavy dependence on textile and related industries is such that this legislature cannot ignore the tremendous flood of cotton, wool and man-made fiber textile goods that are devouring this country's domestic market; and

Whereas, Ten per cent of the United States cotton textile market in 1966 was absorbed by imports of more than 1.8 billion square yards of cotton textile goods. And imports in 1967 are running 11 per cent ahead of last year's record total.

Whereas, In 1966, 10 per cent of this country's man-made fiber textile market was absorbed by imports of almost 800-million square yards of man-made fiber textiles. Man-made fiber textile imports have increased more than 600 per cent since 1961, and this year are running 25 per cent ahead of last year's total; and

Whereas, Twenty-five per cent of the United States wool market has been absorbed by wool textile imports amounting to more than 179-million square yards; and

Whereas, It has been estimated that cotton, wool, and man-made fiber textile imports have replaced jobs in the United States for 200,000 to 250,000 persons directly in textile, plus another 100,000 to 150,000 in those industries which supply materials and services to textiles; and

Whereas, The rapid and sharp increase in textile imports demonstrates clearly that present policies governing imports of textile products do not provide for the development of orderly trade; rather, they create extreme disruption in U.S. textile markets and deprive hundreds of thousands of employment. The textile tariff reductions negotiated during the recent Kennedy Round of the Geneva Agreement on Tariffs and Trade can only invite further increases in imports and resulting unemployment; now, therefore be it

Resolved, That we strongly urge the executive and legislative branches of the United States government to recognize the immediate urgency of the textile imports situation and move promptly to impose meaningful quantitative controls on imports of cotton, man-made fiber and wool textile imports, and that copies of this Resolution be forwarded to the President of the United States, the Secretary of State and the Texas delegation to the United States Congress.

Preston Smith,
Lieutenant Governor, President of the Senate.

Ben Barnes,
Speaker of the House.

I hereby certify that S.C.R. No. 92 was adopted by the Senate on May 27, 1967.

Charles Schnabel,
Secretary of the Senate.

I hereby certify that S.C.R. No. 92 was adopted by the House on May 29, 1967.

Dorothy Hallman,
Chief Clerk of the House.

DODGE CITY, KANS., BEGINS TO SEE THE LIGHT

Mr. GRUENING. Mr. President, it has been my conviction, ever since I urged the cessation of our military intervention in Vietnam on March 10, 1964—when withdrawal would have been easy—that if the American people were fully apprised of all the facts and the consequences of that ill-conceived venture they would change their attitude of support for an undertaking which has been utterly disastrous and will be increasingly so.

That this is happening is revealed in a front-page story in the Wall Street Journal of July 12 headed "War-Weary Dodge," with subheads "Kansas Town's Doubts on Vietnam Policy Run Deeper Than Year Ago," "Doves Come Into Open Now; Shadow of Draft Affects Attitudes in More Homes," and "A Wounded Veteran Returns."

We may confidently expect that the revulsion in Dodge City, Kans., will be followed by similar reactions throughout the country, and if they serve to put a halt to this illegal, immoral, unjustifiable, wholly needless and monstrous war, it would be a blessing.

I ask unanimous consent that the article written by Everett Groseclose, staff reporter of the Wall Street Journal, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WAR-WEARY DODGE: KANSAS TOWN'S DOUBTS ON VIETNAM POLICY RUN DEEPER THAN YEAR AGO—DOVES COME INTO OPEN NOW—SHADOW OF DRAFT AFFECTS ATTITUDES IN MORE HOMES—A WOUNDED VETERAN RETURNS

(By Everett Groseclose)

DODGE CITY, KAN.—Ever since frontier gunslingers faced each other along Front Street here, residents have been steeped in shoot-it-out folklore. But you wouldn't guess it now, talking to them about the Vietnam war.

After a year's absence, a visitor quickly detects a change in public opinion when he returns to assess once again the impact Vietnam is having on this town. It's apparent that the 14,000 residents are weary of the war, frustrated by its complexity and puzzled about why it can't be brought to an end. The town is no nest of doves, but neither does it display the hawk-like spirit it did a year ago. Many Kansans who staunchly backed U.S. Vietnam policy not long ago now aren't sure that policy is right.

"There's a strong undercurrent of change here," says Mayor Frank B. Mapel. "People are beginning to question everything—especially what our leaders tell us and the wisdom of going ahead in Vietnam."

The most nagging question concerns the cost of the war in lives. A month ago the Dodge City Daily Globe reported the death of Army 1st Lt. Charles L. Hemmingway, a West Point graduate who grew up here. He was the fourth local man to die in Vietnam. Said the Globe: "This brings the war home to us as nothing else does."

RETURN OF THE WOUNDED

The war also is brought home by the return of men wounded in Vietnam. One is Dr. R. Lanny Hunter, 30, an Army doctor who won a Distinguished Service Cross in Vietnam and was one of 40 survivors of an October 1965 Vietcong attack on a Special Forces compound at Plei Me (300 Plei Me defenders, including South Vietnamese as well as Americans, died). Dr. Hunter was wounded four times by mortar fire. He returned to Dodge a little less than a year ago.

"Almost all I did for four months after I got back was talk to civic and church groups," says Dr. Hunter. These groups, he says, "asked a lot of questions about whether I thought we should be there, and everybody expressed dissatisfaction with the way the war is being prosecuted."

Those dissatisfied aren't always sure if they would favor a more hawkish or more dovish stand. Edward D. Estes, a 24-year-old high-school teacher with more than a passing interest in the Vietnam war because he may soon be drafted, polled 78 of his students last year and found "a clear-cut majority thought we were doing fine in Vietnam." In late May, he polled the same students again. His report: The majority "now thinks that we're doing badly—that something or the other ought to be done—but nobody seemed quite sure just what."

(These results aren't too dissimilar from those turned up by national polls. In early May, the Gallup Poll found that 43% of those queried approved President Johnson's conduct of the war, down from 50% a year earlier, though up from 37% in March. An almost equal 42% disapproved. A more recent Gallup Poll found that the sort of confusion about the war evident in Dodge City also exists nationally; 48% of those queried said they had a "clear idea" of why the U.S. was fighting in Vietnam, but 48% said they did not.)

DOVES IN THE OPEN

But outright doves are appearing in the Dodge area, which wasn't the case a year ago. The first open dissent appeared on Memorial Day, when a group calling itself Western Kansans Concerned About Vietnam published a full-page ad in the Hutchinson (Kan.) News, a daily read widely in Dodge City.

The ad pictured a bleeding Vietnamese boy and said: "People all over America are heartsick over the war in Vietnam and want to do something about it." It urged Kansans to make their dissent known to friends, neighbors, clergymen, Congressmen and President Johnson. More ads will follow soon, promises Mrs. Max Stanley, who heads the protest group from her farm home near Dighton, Kan., 45 miles northwest of here.

Some Dodge City residents are following the ad's advice, at least as far as friends and neighbors are concerned. "Just this morning, a woman was in here really bitter about Vietnam," says Emmett C. Sherwood, manager of Bond's Men's Wear store on Wyatt Earp Boulevard (Wyatt Earp, lately a TV hero, was the real-life marshal of Dodge City in its frontier days). "She has a son over there while a hell of a lot of neighbors have boys who are riding out this school deferment deal."

LONELY HAWKS

As doves and other discontented people come into the open, hawks are starting to feel lonely. Robert P. Shipley, a sophomore at St. Mary of the Plains College, one of Dodge City's two small colleges, says that during the spring semester he and two friends thought "about organizing a demonstration" to express support of the war. But the demonstration never came off because they were "afraid it might wind up with just the three of us walking around the campus carrying signs."

Whatever their opinions, residents are feeling the war more in several ways. Businessmen blame the war for soaring costs, sagging profits and consumer jitters. Young men and women fear it will dominate the course of their lives. "You can't plan anything for the future with something like this hanging over you," complains J. Paul Cox, 20, a student at Dodge City Community Junior College.

The shadow of the draft is falling over more Dodge City homes. The local draft board has inducted 32 men so far in 1967, compared with 23 in the corresponding period last year. About 550 Dodge City-area men are now in uniform, says Mrs. Elwood Augerot, clerk.

"A lot of these kids that we're taking now are almost the same age as my children," Mrs. Augerot adds. "They've been running around in my house since they were born. It's like drafting your own son." If the war doesn't end before her son is graduated from college, Mrs. Augerot eventually may have to do exactly that.

To be sure, there are those besides students who escape the draft. The local National Guard unit has a waiting list of 40 youths, up from 30 a year ago, and only six openings will come up this year. Nevertheless, it recently squeezed in the son of a prominent Dodge City businessman ahead of others on the waiting list. The businessman formerly was a high-ranking official of the Guard unit and still has considerable influence with Kansas National Guard authorities.

The war even has created a new social grouping in Dodge City—young women who call themselves "waiting wives." Perhaps as many as two dozen are living with their parents while their husbands serve military time, says Mrs. Kenneth Herin, 21-year-old wife of an Army private in Vietnam. The women feel they don't quite fit into the social life of the town any more.

"Around here, if your husband's away, you don't have any status whatsoever," says Mrs. Stephen F. Peters. Her own husband, a Special Forces lieutenant in Vietnam, has been away so much that he has seen their year-old daughter only twice, for a total of 15 days, she says. Her part-time job teaching French and Spanish in a local high school provides some distraction, but "even when I go along on a faculty outing, I'm a third wheel," she says.

IT SEEMS SILLY

These women's opinions on the war naturally reflect their loneliness and worry for their men. "It seems silly to be fighting when there's so much to be done here at home," says Mrs. Herin, who was married two months and two days before her husband shipped out for Vietnam. His letters now give her a far more vivid—if hardly reassuring—picture of the fighting there than most Dodge residents have. An extract from one recent letter:

"A child (girl) not more than 10 years old threw the grenade that put the radio out of operation. A boy 6½ years old cut 8 wounded GI's throats before he could be shot. An old lady who could barely walk killed the CO (commanding officer) with a GI grenade."

On the campuses of Dodge's two colleges, the main effect of war has been to make students hit the books as never before, seeking to maintain high class standings so as not to be drafted. There have been other effects, however.

Sister M. Cecilia, president of St. Mary, says student interest in Asia has caused the college to add a course called History of the Eastern World. There already is a waiting list of students who want to take the course when classes reopen in September, she says. But there isn't any waiting list for the college's new $400,000 men's dormitory. "With this draft like it is, I just don't know if we're going to be able to fill it," says the nun.

ANTICIPATING INFLATION

Charles M. Barnes, president of Dodge City Community Junior College, tells a visitor that "we're building a new $3.6 million campus, but this war is making us allow for at least a 10% increase in prices" before it's finished in 1969.

Organized support for the war has just about disappeared from the colleges since a highly successful blood-donation drive last year. Organized dissent hasn't yet appeared, at least not in the form of demonstrations. But Dodge City Community Junior College in April did for the first time invite a critic of the U.S. war effort—David F. Schoenbrun, a TV news commentator and lecturer—to speak on campus.

"Those kids bombarded me with questions," Mr. Schoenbrun recalls, and after the formal session about 50 students engaged him in an informal discussion that got so intense "I thought the night would never end." A year ago, Mr. Schoenbrun thinks, "they would have run me out of town."

Dissent, or at least war weariness, crops up even among executives of the handful of small manufacturing concerns in Dodge City. At Speed King Manufacturing Co., which makes conveyor systems, Nathan R. Massey, chief engineer, says that "a year ago I thought we had something worth fighting for." Now, he says, he wonders "what would we gain even if we could win it outright? I think we should either win it as fast as we can or get out altogether."

R. H. Curtis, president of Curtis Machine Co., a maker of gears and gear boxes, reports that as recently as December he felt the U.S. could win in Vietnam if it simply kept up the pressure it was then applying. Now, however, he says his attitude is "to heck with stringing it out," though he doesn't spell out how he thinks the situation should be resolved.

The war has created severe business problems for both men. Mr. Massey's company, Speed King, has been unable to hire as many workers as it needs because of the draft, and, says Mr. Massey, "the delivery situation is worse than ever." He says a salesman recently told him that "the Government is taking a lot of conveyor belting," causing deliveries to run 18 weeks late, against 12 weeks a year ago.

REACTING AS FATHERS

Curtis Machine a few months ago placed an order for retaining rings and bearing lock nuts. Then, says Mr. Curtis, "the Government swooped in and took all that were available, and it took us months of scouting around here and there to find others."

Both executives, however, are not reacting to the war just as businessmen. Mr. Massey's son Michael, 20, recently finished his Army training and a few days ago got his orders for Vietnam. Mr. Curtis' 19-year-old son volunteered for the Army a few months ago and currently is being trained in electronics. "It's a hopeless feeling," says Mr. Curtis. "Undoubtedly he'll wind up in Vietnam."

Eventually, the war may cause a split among Dodge City's churchgoers. There already are divisions, though as yet they are only being voiced hesitantly.

Mrs. Richard E. Speirs, a doctor's wife and member of Dodge's Presbyterian congregation, last year fumed that draft-card burners made her "so mad I could spit fire." Today, like most other Dodge residents, she shows signs of war-weariness, complaining that she is "awfully tired of not getting anywhere." But she is hawkish enough still to oppose strongly a dovish statement adopted recently by the United Presbyterian Church in the U.S.A.

THE PASTOR'S VIEW

That statement, among other things, urged the U.S. to make efforts "even at risk to national security, to reduce areas of strife and to broaden international understanding." Says Mrs. Speirs: "I hope the people who oppose this will have the gumption to stand up and say so."

Such views put Mrs. Speirs and like-minded Presbyterians in at least incipient conflict with the Rev. David P. Birch, pastor of Dodge City's First Presbyterian Church. "Privately I think this war is a sin, but I can't stand up in front of my congregation and say this," he says. It's not that he's afraid, he explains, but that the people in his church "have sons and relatives over there, and I've got to bring them comfort."

Mr. Birch says, however, that his own feelings, mildly against the war from the start, "are certainly much more crystalized than they were this time last year."

As yet, there is no political outlet for Dodge City's questioning of the war. But Republican Congressman Bob Dole, who represents the area, says discontent "is certainly reflected in my mail." He says he tells voters that "I try to avoid getting into making military decisions," but "they aren't accepting that for an answer any more—they just write back wanting to know why I can't do something."

Adds the Congressman: "This unrest is going to be felt by somebody (when election time comes in 1968), and I just hope it isn't me."

ADDRESS BY DR. MILLER UPTON AT RIPON COLLEGE

Mr. CURTIS. Mr. President, I ask unanimous consent to have printed in the RECORD an address made by Dr. Miller Upton, president of Beloit College, at an honors convocation at Ripon College. His remarks were published in the U.S. News & World Report of July 10, 1967.

As my friend, who called this article to my attention, has so aptly stated:

> Dr. Upton has said some things that have long needed to be said.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

IT'S TIME TO STAND UP FOR THE UPPERDOG

(From an address by Miller Upton, president of Beloit College, Beloit, Wis., which he delivered recently at the honors convocation of Ripon College, Ripon, Wis.)

I have just about reached the end of my tolerance for the way our society at the present time seems to have sympathetic concern only for the misfit, the pervert, the drug addict, the drifter, the ne'er-do-well, the maladjusted, the chronic criminal, the underachiever, the loser—in general, the underdog.

It seems to me we have lost touch with reality and become warped in our attachments, if not in fact, psychotic.

In short, I feel it is time for someone like me to stand up and say, "I'm for the upperdog!" I'm also for the achiever—the one who sets out to do something and does it; the one who recognizes the problems and opportunities at hand and endeavors to deal with them; the one who is successful at his immediate task because he is not worrying about someone else's failings; the one who doesn't consider it "square" to be constantly looking for more to do, who isn't always rationalizing why he shouldn't be doing what he is doing; the one, in short, who carries the work of his part of the world squarely on his shoulders.

Not the wealthy, necessarily; not the ones in authority, necessarily; not the gifted, necessarily—just the doer, the achiever—regardless of his status, his opulence, his native endowment.

We are not born equal; we are born unequal. And the talented are no more responsible for their talents than the underprivileged for their plight. The measure of each should be by what he does with his inherited position.

No one should be damned by the environmental condition of his life—whether it be privileged or underprivileged. . . .

It is a dying fashion to pay respect to those who achieve—who really "have it," to use the vernacular. This is the day when the fashion is to be for the underdog. The attitude is being developed that if you really want people to care for you—and who doesn't?—don't be successful; be a misfit, a loser, a victim of one's environment. This is an occasion to honor the successful—to say it is better to win than to lose, better to receive an A than a C, that class rank *is* meaningful, that those who have developed the pattern of achieving in college will go on achieving out of college, and, because of their achievement, the rest of us will live richer and easier lives.

I'm not entirely sure of the reason for what appears to me to be a general social-psychological aberration, but I suspect it springs from a massive social guilt.

Each of us individually is so aware of our personal limitations that we have developed a form of masochistic reaction to problems of the day. Instead of attempting to deal with the problems in a forthright way, we berate ourselves, we martyr ourselves, we pillory ourselves.

Or, if the problems seem too much for us to handle, we mitigate our sense of guilt by heaping all blame on convenient scapegoats or by concerning ourselves with the problems of others at a conveniently remote distance.

Let me illustrate my point by specific reference:

I have become increasingly bored and resentful of the ridicule and snide references made of the WASPS—the white, Anglo-Saxon, Protestant suburbanites. I wouldn't feel the point so strongly were the criticisms leveled by those outside of the circle. Such could be looked upon as healthy social criticism and competition. But when it comes mainly from those who are part of the circle—WASPS stinging themselves—it assumes the nature of sick self-immolation.

Our society's treatment of the Negro over the years is deplorable. In fact, that's too mild a term for it. The word "sinful" in its full theological sense is more accurate. But this fact does not justify us, in our sense of guilt, condemning a particular segment of society which in many ways constitutes the backbone of American social existence.

If damning by association is wrong, as I would maintain strongly it is, then how horribly wrong it is to level our guns of hostility, envy and ridicule in this fashion on the successful white man who more often than not struggled financially to get a college education, who more often than not works at his job more than 60 hours a week, who buys a comfortable home in the suburbs with the welfare of his family in mind, who is active in his church and community affairs, who gives his time to service on boards of education and social-welfare agencies, and in some cases is shortening his life span through overwork and anxiety resulting from the basic social responsibilities he must carry.

These are among the chief doers and achievers of today. And where would our society be without them? For one thing, we would not have Ripon College or Beloit College or the University of Wisconsin as we know them today were it not for the likes of these people. Nor could we afford to have a major portion of the population going to school for 12 to 20 years. Nor would we enjoy the leisure time, recreational activities and cultural advantages which are a direct product of our material welfare. However, there would be one by-product advantage: We would have to be so concerned individually with eking out our own meager existence that there would be no time to be wasted on such irrelevant and dishonest name-calling and buck-passing.

BLAMING ECONOMIC SYSTEM UNFAIRLY

Or, just as we point an accusing finger at those who succeed within our economic system, so we accuse the system itself of faults which are not of its creation. In short, we tend to blame the economic system for the faults of individuals who operate within it.

It is important to recognize that the quality of any society is directly related to the quality of the individuals who make it up. Therefore, let us stop referring naively to creating a "great" society. It is enough at this stage of our development to aspire to create a "decent" society. And to do so our first task is to help each individual be decent unto himself and in his relationship with other individuals.

A decent society cannot be created out of a vacuum and imposed. It can only evolve out of the lives of constituent members. In this regard, our economic system has become the scapegoat for the failures of our educational, religious and family institutions to develop decent and responsible individuals.

Whenever one blames another or group of individuals for one or more of the ills of mankind—beware! He is expressing personal hostility and offering no solution. There is no single scapegoat for the world's ills, unless it be our own personal limitations as finite beings.

Also, the Puritan ethic and religious morality in general have come in for some heavy-handed humor and disdain. I can support that criticism which focuses on arbitrary value judgments. But we seem to be in the process of developing a much more perverse kind of moralism—a moralism which says that since love is the one absolute virtue of man, the one way we will solve the problems of poverty, crime, racial discrimination and the like is by forcing everyone to love everybody else—we must love the white man because he is white, or the black man because he is black, or the poor because he is poor, or the enemy because he is the enemy, or the perverse because he is perverse, or the afflicted because he is afflicted! Rather than because he is a human being, any human being who just happens to be white or black, poor or rich, enemy or friend.

This is a hideous abuse of the notion of love that avoids the hard fact that love is a uniquely personal experience.

If it is idle to attempt to legislate individual morality, it is even more idle, and even arrogant, to attempt to force individual love. There can be no love unless it is genuine and authentic. To love, or go through the pretense of loving, without truly feeling that way is one of the lowest forms of hypocrisy, It is dishonesty at its worst. And the fruit of such dishonesty, as with all forms of dishonesty, is distrust, degradation, chaos. We should respect all people so much that we would not dare demean one by pretending to love him when we don't. . . .

We need to start being honest with ourselves in more ways than one. It is too bad that we have failed to heed the charge that Polonius made to his son: "This above all, to thine own self be true." For were we to do so we would have to admit honestly and joyously that love in its very essence is selfish. Were it not so, there would be none—not real love—only a martyred imitation. . . .

We have serious problems and issues facing our society at the present time. Let there be no doubt about it. But they can be solved over time if we will attack them directly and honestly—that is, if we will be willing to pay the price in time and persistent personal effort.

They will never be subject to instant solution—to wishing it so. Nor will they be solved by blaming others for their existence, or by making certain segments of society the scapegoat for the general ills of society. Nor will they be solved by running away from them by concerning ourselves with remote situations rather than those at hand. Nor will they be solved by application of the perverse notion that to love means only to sacrifice one's self.

The one most certain point is that they will be solved by doers—not people with good intentions, but individuals with good deeds. Not those who talk a good game, but those who play a good game—the achiever.

ENCOURAGE INDIVIDUAL EXCELLENCE

We will never create a good society, much less a great one, until individual excellence and achievement is not only respected but encouraged. That is why I'm for the upperdog—the achiever—the succeeder. I'm for building an ever better society, and this will only be done by those who take seriously their responsibility for achievement, for making the most of their native ability, for getting done the job at hand.

PANAMANIAN ASPIRATIONS REFLECTED IN LOCAL PRESS

Mr. THURMOND. Mr. President, for those who seek news and public opinion on the Isthmus, the Republic of Panama has two types of newspapers—the English language and Spanish language. The English language appeals largely to residents of the Canal Zone and the Spanish to Panamanians. Thus to be adequately informed one must read both, especially the Spanish language as that reflects the national aspirations of Panama.

From an examination of recent issues of the Spanish language papers, it is clear that the ultimate Panamanian objective as regards the Panama Canal is nationalization and already the press of Panama is assuming the ratification of the Johnson treaties. Among the other objectives are:

First. That Panama is planning fiscal jurisdiction over the Canal Zone, and that commercial establishments, including oil companies there, will have to pay income taxes to Panama.

Second. That Panama is considering closing its territorial waters surrounding the Canal Zone—not recognized by the United States—as a threat.

Third. That Panama aspires to have the same relation to the Panama Canal as Egypt does to the Suez Canal and proposes to nationalize it.

Fourth. That Panama repudiates the idea of internationalization.

Fifth. That the General Assembly will meet in August to discuss the treaties.

Sixth. That Panamanians oppose giving Canal Zone residents a voice in the proposed binational board for managing the Panama Canal.

Seventh. That Panama is determined to have complete sovereignty over the Canal Zone.

In order to enable all Members of the Senate to read recent excerpts from the Spanish language press of Panama, I ask unanimous consent that a translated collection of them from June 13 through June 29, 1967, be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Panama Canal Information Office, Daily Digest of News and Editorial Opinion of Panama News Media]

(Note.—This Digest is an informal résumé of items selected from Isthmus newspapers and broadcasts as being of interest to Canal Zone officials. It does not purport in any sense to summarize the full content of the press or to translate in detail any articles therein.)

El Mundo, June 13, In the news columns: Legal reasons for recommendations made in relation to the contention that oil companies in the Canal Zone should pay income tax to Panama are on page 2 with a top of the page headline that says "Galileo Solis and Carlos Velarde Report On The Fiscal Jurisdiction of Panama In The Canal Zone."

Editorial: The editorial favors the position adopted by the Panama Government in reference to a study made by the Supreme Court of Justice saying firms established in the Canal Zone should pay income taxes to Panama.

El Panama America, June 15, In the news columns: A front page report says the Panama Council approved a resolution unanimously Tuesday night which advises government authorities to include within Panama's jurisdiction, the Canal Zone areas known as Paraiso, Pedro Miguel, Red Tank, Clayton, Corozal, Diablo, Albrook Field, Curundu, Ancon, La Boca, Fort Amador and Balboa on the Pacific side. The resolution also requests the same measure be taken for the Colón, Chagres, La Chorrera and Arraijan areas adjacent to the Canal Zone. The final part of the resolution advises national and municipal authorities also to consider the income tax commercial establishments in the Canal Zone area would have to pay, once they are under Panama's jurisdiction, the report says. A similar story appears in La Estrella.

El Dia, June 15, Columnists: Guillermo R. Valdes in "Comentarios y Primicias" on page 2, refers to an article in "Periscope" in the June 12 Newsweek. It says the United States was watching the Aqaba Gulf blockade outcome, because if Egypt could prove it could close the gulf, Panama could ask for special concessions in the negotiations by using the same threat of closing access to the Canal through its territorial waters. The idea is not bad, says Valdes.

El Mundo, June 20, In the news columns: A front page item advises readers that El Mundo is carrying, beginning today the text of the decision handed down by the Panama Supreme Court of Justice in the cases of income tax obligations of oil companies operating in the Canal Zone. All of page 8 is devoted to Part One of the decision and carries a top of the page headline that says "Panama Maintains Fiscal Jurisdiction Over Firms in the Canal Zone."

Expreso, June 20, In the news columns: "Panama Should be Free to Operate Her Canal/Dr. Benedetti" is the top of the back page headline. Dr. Benedetti thinks that an international organization, dependent on the United Nations, should be established to regulate interoceanic waterways, says the story. But the organization should serve only to establish tolls and freedom of transit. Panama and Egypt should have complete freedom to operate their canals with full sovereign rights and benefits, Benedetti is quoted as saying.

El Mundo, June 22, in the news columns: Referring to the Russian proposal of international control over canals, the National Liberation Movement Party maintains that the Panama Canal should be discussed by Panama and not the big powers. Panama's position is her greatest asset and Panama aspires that sooner or later the Canal be Panamanian, says the page one story.

El Panama America, June 22 in the news columns: A boxed report with red headlines on the front page says the Panama Permanent Legislative Committee unanimously adopted a resolution repudiating Russia's proposal to internationalize the Panama. The Committee stated the proposal is contrary to Panamanian aspirations to nationalize the Canal. A similar report appeared in El Dia.

Critica, June 23, in the news columns: Artlines below a picture of the Panama Legislative Building say, "Spokesmen of the masses repudiate internationalization of the Canal and are for nationalization."

La Estrella, June 23, in the news columns: Two resolutions by the Permanent Legislative Committee appear on the front page. One resolution supports the decision of the Supreme Court declaring that the Republic of Panama has full jurisdiction over the Canal Zone and the other repudiates the Soviet Union's proposal to internationalize the Panama Canal.

La Prensa, June 23, Columnists: Commenting on the Russian proposal of international control of canals, columnist Miguel A. Moreno Gongora says the Russians are wrong indeed in thinking that the U.S. can play with Panama's destiny as they (Russian and the U.S.) are doing with Eastern European countries. He says that Russia's proposal is a maneuver to pressure the U.S. to press Israel to stop her demands for permission to transit of the Suez. The Permanent Legislative Committee has expressed the attitude of all Panamians, says the columnist, that nationalization of the Panama Canal is the goal sooner or later. Although the President has not expressed his opinion on the subject he is sure it will be the same as the attitude of all Panamanians, says Moreno.

Editorial: The editorial expresses strong opposition to the Russian proposal of international control of the Panama Canal, and says Russia is mistaken if she thinks she can use oppression, insolence and imperialistic tactics on Panama. Panama's aspiration, sooner or later, but sometime, is to nationalize the Canal, says the writer. The moment calls for all Panamanians, all organizations and all sectors of public opinion to voice their protest against Russia's absurd proposal, says the writer.

La Hora, June 23, In the news columns: "Resolution of the Legislative/Panama's objective: The Nationalization of the Canal," are the heavy black headlines across the top of the front page over a report that the Permanent Legislative Commission of the Panama National Assembly rejected yesterday the Soviet proposal of the internationalization of the Panama Canal and announced that "the objectives of the Panamanian Nation is the nationalization of the Panama Canal."

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Columnists: An item in "Periodismo en Capsulas" by Zorba el Griego says that the Panama National Assembly approved yesterday a resolution expressing their satisfaction for the recent verdict of the Supreme Justice Court confirming Panama's tax jurisdiction in the Canal Zone.

Expreso, June 23, in the news columns: A resolution repudiating the Soviet Union proposal of internationalizing the Panama and Suez Canals was passed Friday by the Panama Permanent Legislative Committee, a front page story says. The story is printed with a picture of the Panama Canal which fills up most of the front page. Superimposed is a drawing of the Panama flag and the words "Nationalization—yes; internationalization—no."

La Prensa, June 24, in the news columns: A front page headline says the treaties will be brought before the National Assembly in August. The story on page 6, part of a column called "Caleidoscopio Panameño," says that Foreign Minister Fernando Eleta and the Panama treaty negotiating team will return soon with the draft of the new treaty. It will be smoothed out here and then they will go to New York to have the final edition put in English and Spanish. *The National Assembly will be called into special session in August to discuss the treaty.*

Expreso, June 24, in the news columns: The resolution supporting the nationalization of the Panama Canal and rejecting the Russian plan of internationalization has been circulated to all nations of the world and by news bureaus, a front page story says. The National Assembly says that the objective of Panama is to nationalize the Canal.

Columnists: *"Picando" says that the National Assembly has decided to establish that what the Panamanians want is the nationalization of the Canal and that they do not want a joint administration of U.S. and Panama Government officials. On the thesis that the "canal is ours" it should be administered, directed and operated by Panamanians.*

El Panama America, June 24, Columnists: El Pulso de Panama on the front page refers to a petition said to be made to the Democratic Party by the Canal Zone, asking that a Canal Zone resident be included on the joint control board which will operate the Canal under the new treaty. The column feels there is no justification for this and it would serve only to give new idea of permanence to a community which has been for 70 years the principal cause of friction between Panama and the United States.

Critica, June 26, In the news columns: Lead position on the back page with a headline saying "Sullivan Says the Oligarchy Dominates Panama Economy," is given to quotes from a recent speech in St. Louis by Rep. Leonor Sullivan in which she is quoted as saying that Foreign Minister Eleta is proud of being a member of the oligarchy of Panama. The talk, which was also printed in the English language Panama Tribune, accused Panama of having an insatiable appetite which cannot be appeased short of walking out of the Canal Zone and surrendering the Canal.

La Hora, June 27, In the news columns: "Several Weeks to Translate New Treaty From English/Robles Announced" are the headlines across the top of the back page over a picture of President Robles with Panama officials at a press conference. The story says that in three or four weeks the Spanish text of the three treaties with the United States will be ready.

Today's joke says that commenting on the official announcement that it will take three weeks "to translate" the new treaty, a Panamanian deputy of the opposition said: "It has taken 3 years to negotiate it. Now it will take 3 weeks to translate it. And, probably, the country will need only 3 minutes to throw it out."

Columnists: Another item in "Antena del Dia" says that Panama Councilman Coutte has sent a letter to the most eminent Panamanian internationalists in which he requested their opinion on the feasibility of collecting municipal taxes on the business operations in the Canal Zone, based on the fiscal sovereignty established in the 1936 Treaty and ratified by a recent verdict of the Panama Supreme Court.

Expreso, June 27, Editorial: Discussing the new Canal treaty, the writer says that to satisfy the masses the treaty must contain the elimination of the 1903 Treaty, complete sovereignty in the Canal Zone and just participation of Panama in the benefits from the Canal. As for the military bases, says the writer, this needs explaining since an agreement on bases was rejected 19 years ago. The present administration should understand that it is not the President, nor the negotiating team, nor the group of advisors, but the masses who have the last word in accepting or rejecting the new Canal treaty, says the writer.

La Prensa, June 27, In the news columns: "Robles Promised That the Entire Country Would Know Treaties" is the front page headline over a report of President Robles' statements on the drafts of the new Canal treaties. The President is quoted as saying that he considered the treaties favorable to Panama's interests and that after translation into Spanish, nation-wide publicity would be given them so all Panamanians would know the contents.

Columnists: Commenting on questions by newsmen at the President's press conference on the new Canal treaties, the columnist in "Caleidoscopio Panameño" points out that the word "abrogation" was not mentioned.

El Panama America, June 27, in the news columns: "Opposition to Treaties in United States," is the headline over the lead story that says a number of U.S. congressmen are opposed to the signing of the new treaty between the United States and Panama. Both congressmen Daniel J. Flood and Leonor K. Sullivan urged the U.S. Senate to block ratification of the new treaty, the report says. A similar story appears on the English-language sister newspaper.

A front page report says the Panama Municipal Council discussed Tuesday night, the possibility of municipal tax payments by private enterprises established in the Canal Zone which are not included in the present U.S.-Panama Canal treaty. Gabriel Zeballos Vega of the Panama Council requested a resolution which authorizes the Panama Municipal Treasurer to charge a municipal tax to all private companies in the Canal Zone, the report says.

Panama City RPC–TV Network, June 27, commenting on the new treaties, this station says they will forever eradicate the humiliating position Panama has suffered to this day and will insure benefits never expected by the preceding generations from the Canal that crosses Panamanian soil.

"That the formula agreed upon by both negotiating teams will be of great benefit to Panama is confirmed by the fact that the spokesmen of U.S. radicalism have constantly protested the concessions which, according to them, are being granted to Panama in the negotiations. They do not consider the fact that what they believe is being given to us is in reality merely being returned to us, in an act of justice that enhances the spirit of fairness of the United States of America," the commentator said.

El Mundo, June 28, in the news columns: A story on the front page says the Panama City Municipal Council approved a motion to levy taxes on private firms in the Pacific sector of the Canal Zone, basing this action on the judicial affirmation that Panama has fiscal jurisdiction in the Canal Zone.

El Panama America, June 28, in the news columns: A front page report says the Foreign Relations Committee of the U. S. Senate expects to hold a meeting Thursday with U. S. representatives who negotiated the new U.S.-Panama Canal treaties, it was announced by Sen. J. William Fulbright, chairman of the committee. Members of the committee want detailed explanations of the text of the new U.S.-Panama Canal treaties announced jointly by Presidents Johnson and Robles last Monday. The meeting will take place behind closed doors, the report says.

La Prensa, June 28, in the news columns: An inquiry on whether the Panama Municipal Council and other town Councils adjacent to the Canal Zone should collect taxes from private firms in the Zone is being carried on by the president of the Panama Municipal Treasury Committee, says a page 3 story.

Columnists: The United Front, with Dr. Arnulfo Arias at the head, will, from now on, makes use of President Robles' "non-use" of the word "abrogation" as an excuse to attack the treaty, says the columnist in "Caleidoscopio Panameno."

The columnist in "Trinchera de la Palabra" comments on the responsibility of the news media in giving information on the Canal treaty and says press, radio and TV reports should be based on facts and not simply speculations.

Commenting on Canal treaty negotiations, Miguel Moreno Gongora says the Government will not sign a treaty which is not favorable to the people of Panama. Criticism of the treaty should be honest and patriotic and not colored by political passions, says the columnist. He hopes the translation into Spanish will be done soon. Furthermore, he says he does not see why it is not published in English. It would not affect what has already been negotiated, he says.

Jacobo Maria says in "Platillos Voladores" that for those who were complaining of the secrecy of the Canal treaty negotiations, President Robles' announcement of a favorable treaty must be "a cold slap in the face."

La Hora, June 29, in the news columns: A report on page 13 says Panama City Councilman, Luis A. Coutte, is investigating to see if municipal taxes can be collected from private business operations in the Canal Zone.

Columnists: An item in "Antena del Dia," by Monchi Torrijos, says that the most absolute secrecy surrounds the Panama-U.S. Treaties, the rough drafts of which just arrived in Panama. It appears that only the three negotiators and President Robles—if he has any knowledge of English—are the only ones that know its contents, he adds. In other words, they are the only ones that know what the package contains. Even though the official statements demonstrate optimism and indicate negotiations are ended, it is wise to point out now that the documents should have the three essential things asked in January 1964: total abrogation of the ominous 1903 Treaty; indubitable, full and total sovereignty of Panama over the Canal Zone; and an equitable share for Panama in the Canal's profits. It also should be known that it is not the President, nor the negotiators, nor advisors who can make a final decision, but only the Panamanian people. Let us not forget what happened in 1947 with the Bases Agreement, he urges.

RAMPART IS VERY MUCH ALIVE

Mr. GRUENING. Mr. President, last month the Secretary of the Interior made a long expected but disappointing announcement that the Department of the Interior would recommend against the construction of the great Rampart Dam on the Yukon River in Alaska. This great project, with its enormous potential for production of very low cost power in large quantities, is one which will one day be constructed. The needs of the United States for electric power increase at a phenomenal rate every year and we may be sure that Rampart's 5 million kilowatts of power will some day supply the Nation with an essential commodity it needs.

Vice President Hubert H. Humphrey, who demonstrates long experience and imagination in his view of the development of Alaska, had a very different view of the importance of the construction of Rampart from the opinion expressed by the Secretary of the Interior. In the course of a press conference at Anchorage on July 3, the Vice President made clear his positive attitude toward the development of natural resources in the following quotation:

> Let me say this, when Muscle Shoals was created—I mean harnessed—there were people who said, "They'll never use that power." And when TVA was put up there were all kinds of pessimists who said this was overdone. With Grand Coulee it was the same way. But we've always been short.
>
> One thing I've learned in public life: no matter how much you try to do, five years later you find you should have done more. . . . So, on the basis of that, if I were that gentleman in the Department of the Interior, whoever he may be—and I have a feeling he's rather high—I would be a little bit hesitant about predicting what would be the future power requirements of Alaska.
>
> Here's my feeling. If this Alaska is to realize its dream and to build a really viable, strong, productive part of the American economy, it is going to need more power than you have ever dreamed necessary or possible.

Upon further questioning, the Vice President said he would give his view on Rampart Dam to Secretary Udall. He said:

> I have been for the Rampart Dam for a long time. . . . I have a high regard for Mr. Udall—by the way, I've worked with Senator Gruening on this, you know that, and Senator Bartlett. It is my view that you have to harness the basic resources of this state in order to get the capital you need for investment purposes and to extend the economy.
>
> You build your school system, your technical schools, your technical scientific institutes. Build your transportation system. Get your transportation costs down as best you can—and your Senators have been working hard on that. Get a communications system so you have good communications throughout the villages. Get a good road system. And get power. Then you will find business coming here, but if you don't have those things, gentlemen, business isn't going to come as rapidly as you want it. This is the whole lesson we have learned. You have to build an agreeable structure.
>
> Cabinet officers or no cabinet officers, I take my position—and I'll talk to Stewart—he's a dear friend of mine, a good man. Maybe he's faced with a few budget problems. You know how things go.

It has always been clear that the reason for the Interior Department's opposition to Rampart has been the result of Secretary Udall's prejudice in favor of the views of certain wildlife preservation societies and what may properly be designated as the extremists in the laudable field of conservation. I believe his action on Rampart demonstrated that he is a captive of the "duck hunter element" which led him when telling me of his opposition to Rampart: "We can't afford to antagonize the sportsmen."

Not only the Vice President but other knowledgeable individuals and groups have made statements, since the Interior Department's action on Rampart, that make it clear substantial support exists for the project and can be expected to give increasing impetus to its authorization. The American Public Power Association in its weekly newsletter of June 23, discussed the Rampart action by the Interior Department as did the newsletter of June 23 of the National Rural Electric Cooperative Association.

The support which continues in Alaska for the Rampart project is represented by editorials in the Anchorage Daily Times of July 8 and the Anchorage Daily News of July 6. Clearly, the people of Alaska have no intention of forgetting the importance of Rampart.

I ask unanimous consent that at the close of my remarks the Record include the editorials from the Anchorage Daily Times and Anchorage Daily News, to which I have made reference; an excerpt from the newsletter of the National Rural Electric Cooperative Association of June 23, 1967; and an excerpt from the American Public Power Association weekly newsletter of June 23, 1967.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Anchorage Daily Times,
July 8, 1967]

ALASKA'S BUSINESS: HUMPHREY LIKES RAMPART DAM

Vice President Hubert Humphrey gave more than a passing nod to the problems of petroleum exploration in Alaska during his whirlwind schedule here earlier this week.

Primarily he acknowledge an awareness of the high-cost factors about which the industry has often spoken—and mentioned that the troubled Middle East situation has focused even more attention on Alaska's growing reserves.

During his televised press conference, he also admitted that being in the service of a Texas-born President has resulted in a change in his views about the oil depletion allowance, which as a senator from Minnesota Humphrey had described as one of the loopholes in the nation's tax laws.

He did make clear, however, that no legislation regarding depletion allowances was on the Washington horizon. And he seemed to indicate there would be no change in this as long as Mr. Johnson occupies the White House, at least.

Sen. Ernest Gruening took heart, also, from Vice President Humphrey's remarks on Rampart Dam during the same session with Anchorage newsmen.

The vice president, long a public power advocate, promised to speak in favor of Rampart to Interior Secretary Stewart Udall whose agency issued the negative report recommending against planning and construction funds for the massive proposed project on the Yukon River.

Sen. Gruening, one of Rampart's most persistent backers, expressed the view that Humphrey's comments in favor of Rampart—or any hydroelectric project on a grand scale, apparently—would carry considerable weight in Washington.

Udall, the senator suggests, is being squeezed by the conservation pressure groups. "And he won't be in office forever," the senator said of the secretary.

[From the Anchorage Daily News,
July 6, 1967]

NOT HOLLOW WORDS, WE HOPE

Vice President Hubert Humphrey, in his recent whirlwind and ebullient trip through the state, said many things Alaskans liked to hear. He spoke of the great need of paving the Alaska Highway (he still referred to it as the Alcan). He spoke of the need of digging our locked-in resources out of the earth and putting them to use in the commerce of the world; he spoke of the need of people to populate our cities and the vast countryside.

Mr. Humphrey was indeed the emmisary of optimistic future for Alaska. Regardless of one's politics or choice of political party it was difficult not to applaud, at least silently, Mr. Humphrey's overwhelming enthusiasm for great things to come for the 49th state.

Of the many potentials of Alaska, Mr. Humphrey emphasized in particular the need to get on with the construction of Rampart Dam and put on the line its 5 million kilowatts of low cost power. Temporarily scuttled by the Department of the Interior, Mr. Humphrey saw no reason why the program should not be revived and the hydro-electric plant built. The vice president was outspoken in his belief that it was shortsightedness to have recommended against Rampart and he saw no reason to fear that the huge output of Rampart would not be used. "It is my experience that no matter how much of anything you provide, in five years it won't be enough," he said in one televised interview. The maxim could be applied nowhere better than to the development of Rampart and Alaskans have been preaching this ever since the project was first brought to the attention of Congress in 1959. The Columbia River dams are classic examples of power begetting power. It took years to convince Congress that the first power plant should be built near Portland. Now the river is criss-crossed with power dams and still the need is not satisfied. Indeed experts have predicted that Alaska itself will need 35 billion KW hours by 1990, slightly more than 20 years from now.

The Rampart endorsements were some of Vice President Humphrey's sweetest words in his cheerful embracement of Alaska's problems.

It is hoped they were not carelessly uttered.

N. C. B.

[From the Rural Electric Newsletter, June 23, 1967]

Rampart: Fantasy or Fantastic?

"We must meet the challenge of Alaska—the challenge to reap its abundance, build its strength and provide a reservoir of natural wealth for a growing America. We must, of course, press forward with bold, and vitally needed, projects such as the Rampart canyon Dam . . . I foresee a land of over one-million people—a giant electric grid stretching from Juneau to Anchorage and beyond. I see the greatest dam in the free world at Rampart Canyon, producing twice the power of TVA to light homes and mills and cities and farms all over Alaska."

Those are the words of John F. Kennedy. The vision of Alaska he saw as a result of development of the famed Yukon River has now been punctured by the Department of Interior, ironically headed by a man JFK appointed.

While the project, as Alaska Senator Ernest Gruening notes, isn't quite a corpse, it's suffering from a grevious wound inflicted by Interior's decision last week that it "cannot recommend the project at this time."

Who inflicted the wound, in this case, isn't nearly as important as why it was inflicted. That question goes to the heart of resource development projects not only in Alaska, but all over the nation.

"The Rampart project is one of the great hydroelectric potentialities of North America and the largest ever studied in the United States in terms of power production and reservoir size and capacity," notes the elaborately constructed report issued a week ago by the Department of Interior.

The report adds that the project would create a reservoir with a water surface of about 10,600 square miles, a maximum length of about 280 miles and a maximum width of about 80 miles—larger than Lake Erie. It would have an installed capacity of 5,040 megawatts, a prime power capacity of 3,904 megawatts and an average annual energy production of 34.2 billion kilowatt-hours.

Those figures alone are enough to give the Rampart project its enemies—people who lack the vision to see the benefits of such a tremendous undertaking. But in the final analysis, the Rampart wound came from another quarter: the so-called conservationists.

Almost from the very beginning, it has been the "sportsmen" who have fought against the Rampart project. "You name the organization, they've been against us," says Senator Gruening. Says the Interior report, in adopting almost completely the arguments of the "conservationists":

"The project would result in an estimated annual wildlife loss of 1.5 million ducks, 12,800 geese, 10,000 cranes, 20,000 grebs, 13,000 moose and 3.6 million commercial fur animals. The 1.5 million ducks are the fall population which includes the survivors and their offspring of the 500,000 breeding ducks. The latter represent about 1.6 percent of the total continental breeding population. The annual loss of anadromous fish (fish which go upstream to spawn) is estimated at between 231,000 and 430,000."

The figures sound imposing—until you stop to consider these facts:

Of all the ducks and geese shot in the United States, on all four major flyways, 85 percent come from breeding grounds in Canada, 11 percent from the lower 48 states and only four percent from *all* Alaska. In addition, dam proponents say that rather than destroying waterfowl breeding grounds, the project could enhance them. Present marshy areas fluctuate as much as 30 feet now; after the dam is built they would fluctuate only five feet.

There never has been a commercial run of fish along the upper Yukon River, say dam proponents. And, Interior itself points out that the reservoir itself has potential for development of a commercial fresh water fishery. In addition, artificial spawning areas for salmon and other measures would likely replenish or protect the fish supply.

The basis for the figures on animal losses are not given, but it's worth noting that land that would be covered by the project is only about two percent of the land area of the state. The ratio of the animals supposedly lost and the rest of the animal population of the state ("We're overrun with wildlife now," says Senator Gruening) isn't given.

At any rate, as the price tag for "mitigating" the losses to wildlife that supposedly will occur, Interior has tacked $634-million on to the cost of the Rampart project. The construction of the dam, reservoir and powerplant proposed by the Corps of Engineers is estimated to cost $1,222-million, exclusive of wildlife costs. According to the Interior report, the additional wildlife expense would just about double the cost of producing power at Rampart.

Using these power cost figures, the Department concluded that there would be "limited opportunities for marketing the project power" and that there is an "availability of favorable, less costly alternatives" for power.

These conclusions are in sharp variance with earlier ones brought out in a report to the Senate Public Works Committee by a research firm headed by David E. Lilienthal and Gordon R. Clapp. Clapp, former TVA head, noted:

"The growth of this market will, in our judgment, occur at a pace which will fully consume Rampart power substantially as it becomes available. This market trend will create a demand within the area for low-cost power in addition to Rampart soon after Rampart is in full operation. Should requirements increase more rapidly than we have projected, which we consider a reasonable possibility, additional low-cost power sources will be needed in the area before full Rampart power is available."

The report was completed in 1962 and assumed 27 years of lead time—including 18 years for the reservoir to fill and seven years for construction. So even if the Rampart project were authorized today, it is likely that it would not be in full operation until 1995. By then, power demands in Alaska will certainly have increased sharply.

The earlier report made its predictions on the basis that the Rampart project would provide low-cost power—on the order of two to four mills delivered to the load centers. With those rates, the report noted, Alaska would most surely attract high power-use industries, such as aluminum plants.

To the framers of the earlier report, the decision to build or not to build Rampart will "shape the pattern of Alaska's economic and industrial developments through the rest of the 20th Century and on into the next.

"To appraise the future market for five-million kilowatts of low-cost power in Alaska is really to appraise the future of Alaska if Rampart is built. The availability of Rampart power will in itself be an important stimulus for the development of Alaska."

Of special interest is this paragraph in Clapp's covering letter to the Senate Committee:

"The United States faces a crucial period of rapid growth during the next generation. There will be a large increase in our population, in our labor force, and in our stock of industrial capital. New needs for electrical energy, especially at low cost, will be very large. Our sources of low-cost power are limited. Rampart is the largest single undeveloped source of low-cost hydroelectric power in the nation. There is no source or means which could, at the time Rampart power would become available, provide an equivalent amount of electric power at so low a cost within the United States. In terms of the hundreds of millions of additional kilowatts which will need to be added to the nation's power supply between now and 1990 if lack of power is not to be a severe brake on national economic growth, Rampart would constitute a small portion of that additional capacity. But it is a portion which in our judgment can be fully used, and used in ways which will serve important national interests."

All of this contradictory evidence points out just one thing: When you're planning for 30 years into the future, the assumptions you make are the controlling factor. And, in this case, the assumptions are apparently based on whose duck is being shot at.

It's worth more than passing mention that Rampart is not the only victim of what Senator Gruening calls "extremist conservationists." He points out that needed development on the Potomac River (in an area now suffering from a power shortage) and on the Lower Colorado River have been delayed or killed by these same "wilderness" people. The Senator also notes that these prophets of gloom are often wrong in the predictions. He cites Bureau of Reclamation figures which show that wildlife has increased rapidly in Bureau development areas. And he calls attention to Lake Powell behind Glen Canyon dam. "This project was a tremendous enhancement for the area. It's quite the opposite of desecration," he says.

But to the conservation extremists, anything touched by human hands constitutes "desecration." One of these zealots, in a hearing on the Rampart project, said he wanted the Yukon River to remain in its natural state as a "strong feature of the original Alaska which we admire."

One is left to wonder if he will ever visit the place or will just admire it from afar. One wonders, too, what this country would be like today if this attitude had prevailed when our pioneers were marching westward across our "natural" America.

[From the APPA Weekly Newsletter, June 23, 1967]

Intfrior Decision To Shelve Rampart Dam Project Criticized by Senator Gruening

Secretary of Interior Udall's announcement on June 16 of the Department's negative report on construction of the proposed Rampart Dam project in Alaska is described by Sen. Gruening (D., Alaska), as a "prejudicial" decision "in favor of the views of certain wildlife preservation societies."

Secretary Udall told a press conference that Interior's recommendation against building the 5,040 megawatt, $2-billion Rampart facility "at this time" is based on (1) the limited market for the enormous power potential; (2) the "non-competitive position" of the project's output for primary aluminum production in Alaska; (3) the tremendous investment required; and (4) the serious adverse effects on fish and wildlife.

Although Interior's action was taken in the form of a recommendation to the Army Corps of Engineers—which makes its own decision on such projects—Mr. Udall indicated that the Department consulted the Bureau of the Budget before acting.

Administration Supports Action: "This does represent a decision (made with) the support of the Administration," the Secretary said. "I would be surprised if the Corps of Engineers recommends approval at this time. The prudent thing for them to do is not to recommend it."

Mr. Udall admitted that the "duck hunter element" played a major role in the Rampart dialogue, with a number of conservation groups stirring up a "very considerable controversy," similar to the rumpus they raised over Interior's now-abandoned hydro development proposals in the Grand Canyon region.

Although the Secretary denied that its negative report permanently shelves the Rampart project—one of North America's outstanding hydro development possibilities—he conceded that the waterfowl situation, a dominant barrier, would not improve in the region.

Sen. Gruening—the foremost advocate of Rampart development—indicated that Interior's action was "not unexpected."

"It has been perfectly clear for years that Alaskans could never expect an unbiased, objective report on Rampart from the Interior Department. Secretary Udall's prejudice in favor of the views of certain wildlife preservation societies was completely disclosed by his statement to me that 'we can't afford to antagonize the sportsmen.' My disagreement with the Secretary's assessment of the possible damage to wildlife, a conclusion which I do not share—as compared with those of human beings—is well documented."

The Alaska Senator expressed his conviction that Rampart Dam "will be built," however, pointing out that the Corps of Engineers must consider factors other than just Interior's judgment in its decision.

Gruening Reservations: Commenting on Secretary Udall's companion announcement on the establishment of an Alaska Power Administration "to help spur economic development of the State," Senator Gruening said "this has a fine ring to it". . . but "it must be meaningful," with adequate funding, equal rank with the Bonneville Power Administration and a definitive explanation of its function. "This is left quite vague by the Departmental announcement," he said. "Thus, although any progressive action for development of power resources of Alaska is welcome, I must express reservations about the proposed Alaska Power Authority—at least until more is known about it."

Alternatives to Rampart suggested by Mr. Udall include hydropower developments of much less capacity on the Susitna River, Bradey Lake, Lake Grace and Takatz Creek, in addition to thermal projects using fossil fuels and nuclear power.

THE STATES AND THE ARTS

Mr. JAVITS. Mr. President, a most significant provision, of which I am proud to have been the sponsor, of the National Foundation of the Arts and the Humanities Act of 1965 authorizes Federal matching funds for States' arts programs and a one-time nonmatching grant for a State to establish an arts program where none heretofore existed. In 1965 only nine States had created State arts councils by law. Today every State but two has a statutory permanent State arts agency; the two remaining States have nonstatutory agencies. Since 1965 State legislatures have appropriated more than $5.4 million for State arts agency programing; private support has also increased.

The New York Council on the Arts of which we are very proud in New York, is the pioneer State arts agency and will, for the second consecutive year, receive the full amount of Federal funds which will be matched by State expenditure. The New York State council has submitted a statement to be included in the hearings now getting underway by the Arts and Humanities Subcommittee which describes in some detail how New York has used to advantage Federal arts funds.

I ask unanimous consent to have the statement printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of the New York Council on the Arts

Within the year July 1, 1966 to June 30, 1967 the $50,000 grant to the New York State Council on the Arts has been enormously beneficial, useful and financially provocative. A total of $85,000 in addition to the $50,000 federal grant was immediately precipitated by the use of these funds. More significantly, each of the three projects made possible with federal funds during the past year will be continued on an expanded basis with less financing from the National Council on the Arts and the Humanities.

Specifically, the string instruction project utilizing the Suzuki method was enormously successful in three Rochester school systems. As a result, the Suzuki string instruction technique is being used in the coming year at various locations throughout the state including Greece, Pittsford, Victor, Bedford, Ithaca College, and in New York City at the St. James Community School of the Arts and the Henry Street Settlement. A strong step has been taken to eliminate one of the most critical and pervasive problems in the arts—that of not enough qualified string players.

In addition, a major and continuing program on the film in New York State was made possible by the National Council on the Arts' grant. By showing films of exceptional merit with discussion by distinguished film critics and commentators a beginning has been made in providing direction for the haphazard bombardment of visual imagery that so clutters contemporary American society. By the time a student graduates from high school he will have spent 15,000 hours watching television and film; the only other single activity which competes with this amount of his time is sleep. A significant step has been taken toward establishing patterns of visual discrimination among elementary and secondary school children as well as adults.

Last year the National Council on the Arts contributed $20,000; the New York State Council on the Arts $20,000. For the current year, an amount of $46,000 has been budgeted in the State Council's appropriation free and clear of federal support.

Contemporary Voices in the Arts enabled students from 7 campuses to be exposed to the imaginations and creative work of 7 contemporary American artists; John Cage, Robert Creeley, Merce Cunningham, Billy Kluver, Len Lye, Jack Tworkov, and Stanley VanDerBeek. The New York State Council on the Arts contributed $20,000 and the National Council on the Arts $20,000 in order to launch a highly successful, well-attended and well-publicized tour. Some of the campuses have decided to conduct their own multi-media discussions in the coming year apart from either New York Arts Council or National Arts Council support.

The conclusion is obvious and impressive that the first matching grant from the National Council on the Arts has provoked programs whose immediate impact has already made itself felt in the State. Even more importantly, each of these programs will be continued indefinitely on an expanded scale which demonstrates the demand and response on the part of the public to artistic activities of quality which government initiative is helping to make possible.

JURY TRIALS URGED FOR TVA CONDEMNATION SUITS

Mr. BAKER. Mr. President, on April 26, 1967, I introduced a bill to amend the Tennessee Valley Authority Act of 1933 to provide that the issue of just compensation may be tried by jury in any case involving the condemnation of real property by the Tennessee Valley Authority. S. 1637 is now pending before the Committee on Public Works.

An identical bill has been sponsored in the House of Representatives by Mr. Brock, of Tennessee. On March 29, 1967, the Tennessee General Assembly adopted a resolution supporting jury trials for TVA condemnation cases.

Since that time I have received a great deal of mail backing S. 1637, and several newspaper articles have been published. While some of the letters are critical of specific lawsuits involving TVA, I want the Record to be clear that S. 1637 is not an anti-TVA measure. Condemnation cases in which equity has not been achieved are probably quite rare.

However, I truly believe that the enactment of S. 1637 would work to ease any ill feeling which might arise from persons engaged in condemnation suits. It would give everyone his day in court, and I think TVA and the citizens living in the area serviced by TVA would both benefit.

On February 9, 1967, the American Trial Lawyers Association, meeting at the Roosevelt Hotel, in New Orleans, went on record favoring jury trials in condemnation suits. I ask unanimous consent that the minutes of that meeting be printed in the Record.

There being no objection, the minutes were ordered to be printed in the Record, as follows:

Minutes of the Meeting of the State Committeemen of the American Trial Lawyers Association, Held at the Roosevelt Hotel, New Orleans, La.

1. The reading of the minutes of the previous meeting were dispensed with.

2. Calvin E. Cohen, Esq., Maryland State Committeeman, moved to appoint a committee to study the advisability of having uniform bylaws for State affiliates. This was seconded by George J. Moore, Esq., of Alabama. John Iacoponelli, Esq., of Colorado, H. Calvin Walter, Esq., of Tennessee, Howard J. Nedved, Esq., of New Hampshire, Philip R. Finkelmeier, Esq., of Ohio, Elson K. Collins, Esq., of Mississippi, and Edward B. Willing, Esq., of New York commented. The motion was unanimously carried.

3. George A. Greenfield, Esq., of Idaho, moved that the Director of the Seminar Program send the list of dates to be cleared with the State Committeemen with respect to Caravans. After same was duly seconded, and comments by Charles W. Smith, Esq., of Maine, Sigmund L. Miller, Esq., of Connecticut, Tom H. Davis, Esq., of Texas, and Her-

man Wright, Esq., of Texas, the motion was unanimously carried.

4. Tom H. Davis, Esq., of Texas, moved that the American Trial Lawyers Association accept no lawyer whose principal practice is in the defense of civil cases. E. K. Collins, Esq., of Mississippi, seconded the motion, which, after comments by G. Ross Anderson, Jr., Esq., of South Carolina, was unanimously carried.

5. Philip A. Levin, Esq., of Oregon, moved that no Sections be organized in Eminent Domain and Probate litigation. After comments, motion made by John P. Miller, Esq., of Nebraska, to table was carried.

6. H. Calvin Walter, Esq., of Tennessee moved that the Board of Governors go on record as guaranteeing trial by jury in eminent domain matters. This motion was seconded by Tom H. Davis, Esq., of Texas and carried, after comments by Frank G. Schubert, Esq., of Illinois, Seymour Horwitz, Esq., of Virginia, and Richard S. Fleisher, Esq., of Illinois.

Those present were:

Calvin E. Cohen, Esq., Annapolis, Md.
Tom H. Davis, Esq., Austin, Tex.
Charles A. Williams, Esq., Paducah, Ky.
Philip R. Finkelmeier, Esq., Cincinnati, Ohio.
Edgar W. Bayliff, Esq., Kokomo, Ind.
John Iacoponelli, Esq., Denver, Colo.
George A. Greenfield, Esq., Boise, Idaho.
Edward J. Gallagher, Jr., Esq., Waterloo, Iowa.
Freeman B. Blackwell, Sr., Esq., Louisville, Ky.
Frank G. Schubert, Esq., Rock Island, Ill.
Richard T. Marshall, Esq., El Paso, Tex.
Philip A. Levin, Esq., Portland, Oreg.
Richard S. Fleisher, Esq., Chicago, Ill.
David R. Vandenberg, Jr., Esq., Klamath Falls, Oreg.
Gerard F. Thomas, Jr., Esq., Natchitoches, La.
G. Ross Anderson, Jr., Esq., Anderson, S.C.
Robert K. Bing, Esq., Burlington, Vt.
Charles W. Smith, Esq., Saco, Maine.
Norman S. Reef, Esq., Portland, Maine.
George J. Moore, Esq., Mobile, Ala.
H. Calvin Walter, Esq., Knoxville, Tenn.
Herman Wright, Esq., Houston, Tex.
Francis S. Bowling, Esq., Jackson, Miss.
Elson K. Collins, Esq., Laurel, Miss.
John P. Miller, Esq., Omaha, Nebr.
Lowell F. Curran, Jr., Esq., Princeton, N.J.
Howard J. Nedved, Esq., Nashua, N.H.
Sigmund L. Miller, Esq., Bridgeport, Conn.

Respectfully submitted.

Edward B. Willing,
Secretary.

Mr. BAKER. Additionally, Mr. President, two timely and thoughtful articles have been published in Tennessee newspapers in recent days. On June 22, the Tracy City Herald published an article written by Murray Miles, Jr., of the Tennessee Farm Bureau Federation, underlining the increase of support for jury trials in condemnation suits.

The Knoxville Journal, in an editorial published on July 4, indicated the work that Mr. Brock, of Tennessee, and State Representative W. E. Michael, of Sweetwater, have put into this effort. I ask unanimous consent that the article and editorial be printed in the Record.

There being no objection, the article and editorial was ordered to be printed in the Record, as follows:

[From the Tracy City (Tenn.) Herald, June 22, 1967]

Lawmakers Back Jury Trials In TVA Land Condemnation Suits

(By Murray Miles, Jr.)

One of the little publicized actions of the recent Tennessee General Assembly was a resolution petitioning the Congress to allow jury trials in TVA land condemnation suits. The resolution was adopted by a unanimous vote.

The bill, if passed by the Congress, would give farmers and other landowners who might have land condemned by TVA, the right of trial by jury if the issue of just compensation for their property has to go to trial. Under the present terms of the TVA Act, such trials must be tried before federal commissioners, and a jury trial is not permitted.

A bill (H.R. 4846) has been introduced by Congressman William Brock (R) of Chattanooga, and an identical bill has been introduced in the Senate by Senator Howard Baker. The resolution passed by members of the legislature, and signed by Governor Ellington, was presented on the U.S. Senate floor by Senator Albert Gore. Senator Gore asked that the resolution be printed in the Congressional Record, and made these remarks about it:

"For some years there has been a great deal of discussion throughout the state of Tennessee about appropriate procedures in land condemnation cases, particularly when the land is taken under provisions of the Tennessee Valley Authority Act. Many persons feel that either party should have the right to demand a jury to determine issues of just compensation."

Farm Bureau members agree with the actions taken on this issue by Tennessee's two Senators, Representative Brock, the members of the Tennessee General Assembly, and Governor Ellington. The organization feels that a landowner is more likely to get a fair deal in negotiations if he can have a trial by jury in case he must later go to court.

Other groups feeling the same way, and backing the bill, are the Tennessee Bar Association, Tennessee Scenic Rivers Association, and the Loudon County Quarterly Court.

One of the basic rights in this nation is right of trial by jury. It is hoped that this bill will be passed soon to permit this right to Tennessee landowners facing TVA land condemnation suits.

[From the Knoxville (Tenn.) Journal, July 4, 1967]

Situation Without Precedent

State Rep. W. E. Michael is urging that the Public Works Committee of the House hold public hearings in this area to confirm the need for jury trials in condemnation cases brought by the Tennessee Valley Authority.

"If there is any doubt in the minds of the majority of the committee as to the justice of, or the need for, this meritorious legislation," Representative Michael said in a letter to Rep. George H. Fallon of Baltimore, chairman of the US House committee, "then I would like to suggest that the committee hold public hearings in the Tennessee Valley, preferably in Knoxville or Chattanooga, and determine these questions on the ground. I assure you that such a hearing would produce startling evidence in support of our position."

This suggestion by Representative Michael, of Sweetwater, deserves public support, as do similar requests of Congress by many private citizens here and elsewhere in the valley.

Rep. William E. Brock III, of Tennessee's Third Congressional District, has introduced a bill—the one which the Public Works Committee is considering—which would provide for a jury trial in TVA condemnation cases in addition to the authority which from 1933 has rested in the hands of a three-man commission. This body has acted as prosecutor, judge and jury.

It is true the act also provides that the owner of property being condemned may appeal to a three-judge federal court and, if he loses there, may appeal to the US Circuit Court of Appeals. However, no small property owner would have the money to pay the expenses of preparing the lengthy brief which would be required for scrutiny of a three-judge federal court or the Circuit Court of Appeals. In many cases the cost of an appeal by this route would exceed the amount involved in the original controversy between the property owner and the TVA commission.

Finally, it should be emphasized that at no juncture in any controversy over the value of land to be seized is the landowner permitted resource to a trial by jury.

The Brock bill and its supporters do not deserve to be cast in the role of hostility toward TVA. What Representative Brock and those of us who support his bill are trying to do is simply restore a right to the private property owner which is generally recognized in the whole body of state and federal law.

We should think that the Tennessee Valley Authority itself, rather than opposing this proposed amendment, would be in strong support of it. The right of an appeal to a designated court would eliminate the basis for any criticism of the authority as to the fair value of any land it found necessary to condemn.

MAJ. BERNARD F. FISHER, RECIPIENT OF MEDAL OF HONOR

Mr. MOSS. Mr. President, on August 12 the city of Clearfield, Utah, will honor its most illustrious hometown boy. He is Maj. Bernard F. Fisher, the first living member of the U.S. Air Force to receive the Medal of Honor. Major Fisher spent his formative years in Clearfield, and the city is awash with pride.

Its citizens are finding it difficult to devise rites and language at once splendid enough to convey their glory in his exploits, and to pay tribute to his daring. There lies in Major Fisher's exploits, and in the traits of the man himself, the stuff out of which legends are made—legends of bravery and decency and wholesomeness which influence a whole generation of young American men, legends which become a symbol of the best of the times in which we now live.

In a cover story in the March issue of the Airman, the Air Force attempts to tell the enduring story of Major Fisher. The writer, T. R. Sturm, does a magnificent job, but even he has trouble making the story seem real—making it seem possible that Major Fisher could have defied the law of averages and all reasonable expectations to fly into a bullet-ridden valley in Vietnam, with some 200 Vietcong swarming about, and to rescue from an airstrip a downed American pilot and bring both himself and the pilot back alive. Major Fisher forgot himself and his safety entirely. He thought only of Lt. Col. Dafford Wayne Myers—"Jump" Myers—down there on the ground, subject to sure capture by the Vietcong.

I shall be in Clearfield on August 12 to help honor this great American, and to shake his hand again as I shook it that day in the White House earlier this spring when President Johnson presented him the Medal of Honor.

So that others may know the details of Major Fisher's heroic undertaking, I ask unanimous consent that the article from the Airman be printed in the Record.

At the conclusion of this article, I ask unanimous consent that the comments of Maj. Gen. John P. McConnell, Chief of Staff of the Air Force, be printed also, because they best catch the significance of Major Fisher's selflessness and bravery.

There being no objection, the items were ordered to be printed in the Record, as follows:

Into the Valley of Death

(By T. R. Sturm)

Even though a sudden snowstorm on the morning of January 19, 1967, forced President Lyndon B. Johnson to hold the special award ceremony inside the White House instead of on the south lawn as originally planned, the change neither surprised nor upset the man to be honored.

He is accustomed to surprises; to changing conditions, plans and circumstances. His flexibility, as well as his skill and courage, contributed, in fact, to Maj. Bernard Francis Fisher's presence in the White House that day.

For Major Fisher is a professional pilot in the United States Air Force, and he was about to receive the Medal of Honor, the highest award a grateful nation bestows on its heroes.

As the President fastened the blue ribbon around the major's neck, Fisher became the 48th Air Force member (including Air Force predecessor organizations) to receive the award. He is the fifth and the only living Air Force man to be awarded the Medal since the Air Force became a separate service. Four commissioned pilots were MOH recipients during the Korean war; and all four died in the action for which the award was made. Moreover, Major Fisher is the first Air Force man to get the Medal for action in Vietnam.

By all odds, laws of averages and reasonable expectation, Maj. Bernie Fisher also should have died in the action for which he earned the Medal. But the defiance of odds, laws of averages, and reasonable expectations in times of war often produces heroes instead of dead men. And such was the case in the incredible saga of Major Fisher, who cheated death in Vietnam on March 10, 1966.

As the citation to accompany the award was read by The Hon. Harold Brown, Secretary of the Air Force, Lt. Col. Dafford Wayne Myers listened to the opening sentence and stole a sidelong glance at Bernie Fisher.

"*. . . distinguished himself by conspicuous gallantry and intrepidity . . .*" (Myers always had trouble pronouncing that word) "*. . . at the risk of his life above and beyond the call of duty as an A-1E pilot near A Shau, Republic of Vietnam . . .*"

"Well," thought Myers, who is called "Jump" by his friends, "he sure *was* gallant and intrepid. And there isn't any doubt about his risking his life!"

If Myers doesn't know, nobody does. He is the man Fisher rescued that day in the A Shau valley. And even in the peaceful White House East Room, it wasn't difficult for Jump Myers to visualize the scene of almost a year ago—a bullet-ridden valley swarming with 2,000 Viet Cong who had overrun a small airstrip and were attacking a Special Forces outpost; the stinking, lousy weather that hung over the "tube," which is what they called the valley because it was less than a mile wide, about six miles long, and lined with ridges on which the VC had installed more than 20 antiaircraft positions to say nothing of the hundreds of automatic weapons. All of which meant you ducked down through an 8,000-foot deck of clouds with an 800-foot ceiling that occasionally dropped to 200 feet (at least *that* day); scurried like hell straight along the valley floor because it was too narrow to maneuver, strafe and bomb out of a hard left turn the south wall of the outpost where the VC had broken through; continue into an unbelievable 180-degree turn; do it again; and again; and again!

Myers remembers that the action began when he and his wingman, Capt. Hubert King, were tooling in circles on top of the clouds over A Shau, trying to find a hole in the clouds so they could get their A-1Es down inside and help the troops at the fort. Capt. Jon Lucas and his wingman, Capt. Dennis Hague, were with them, and all four saw Bernie and Capt. Francisco (Paco) Vazquez, flying wing for Bernie, coming in from Pleiku.

Nobody can remember how he did it, exactly, but Fisher found a hole—he swears it was the same one he had used the day before—and he and Paco led the other four in a loose string down through the clouds into the deadly valley.

They roared out at treetop level, getting their instructions on where to place their ordnance from a radioman in the fort. They rocked through a hail of lead toward the fort's south wall, teeming with VC. (Before the day ended, 300 VC bodies hung on the barbed wire of the south wall.) Lucas and Hague stayed north, orbiting in reserve, while Fisher led the string on the first pass, followed by Paco, Myers and King. As they sped straight down the tube, the VC opened up. King took a burst of automatic weapons fire through his canopy. Miraculously, he was not hit, but the canopy was so shattered and clouded he was forced to break off and return to home base.

Fisher, Vazquez and Myers pressed on, hitting the south wall of the fort, then swinging around and going in again. On the second strafing attack, Jump Myers felt his aircraft shudder.

"I've been hit by 50 calibers, before," he said later, "but this was something bigger, maybe the Chinese 37-millimeter cannon.

"Almost immediately the engine started sputtering and cutting out, and then it conked out for good. The cockpit filled with smoke. I got on the radio and gave my call sign, Surf 41, and said, 'I've been hit and hit hard.' Hobo 51—that was Bernie—came right back and said, 'Rog, you're on fire and burning clear back past your tail.' I was way too low to bail out so I told him I would have to put it down on the strip."

"*During the battle, Major Fisher observed a fellow airman crash land on the battle-torn airstrip.*"

It was the voice of the Air Force Secretary, snapping Myers back to the present, but sending Fisher, still at rigid attention before the President, back to that moment in time and space—a moment that can never have an equal for those who were caught up in its events.

Fisher remembered Myers' words, remarkably cool considering the apparent hopelessness of the situation. "Rog, I'll have to put her down on the strip," he had said.

Jump was only 200 feet off the ground when he got hit. He was on the east side of the runway where there were some pretty heavy guns, so he just made a 180-degree gliding turn. Because of the smoke and flame, Myers could not see forward. Fisher, noting this, "talked" him onto the strip, actually running through the landing check list with him. As Myers approached touchdown, Fisher noted he was going too fast. "Raise the gear!" he said. Myers responded. His gear was coming up as the A–1E settled on its belly.

"He had tried to release his belly tank, but couldn't so it blew as soon as he touched," Fisher explained later. "A huge billow of flame went up and the fuel made a path right down to where he stopped. He had skidded several hundred feet before he spilled off to the right side of the runway. The flame just followed him right on down, caught up with him and the A–1E turned into a huge ball of fire. I thought he would get out right away—usually you can get right out and run—but he didn't. It seemed like an awful long while. We estimated about 40 seconds because I made almost a 270-degree turn around him."

Fisher called Control, an airborne command post, and told them Myers had gone down. He waited a few minutes and then told Control he didn't think the pilot was going to get out. He thought he was still in the airplane, and hurt. (Myers could see nothing but flame from the cockpit, and had taken the time to remove his chute, gun, helmet, and survival gear so he could make it through the fire.)

"I continued my turn around on the east side of the strip and about that time Jump came out the right side of the airplane. I think the wind must have blown the flames away from the right side. He jumped out and ran, and it looked like he was burning. There was smoke coming from him, but I guess it was because he was so saturated with smoke in that cockpit. He ran toward the end of the wing, jumped off and ran a short distance to the side of the strip."

Fisher noted that there was a little embankment a couple of feet high along the strip and Myers hid in the brush against the embankment. The enemy was on the other side. As Fisher flew right over the top of Myers, he saw him look up and wave. Fisher then knew Myers was still living, but he didn't know how badly he was hurt. He so notified Control. He asked how long it would be before a rescue helicopter would arrive and Control said it was on the way. He estimated arrival in 20 minutes.

By then Lucas and Hague had moved in. So that left four A–1Es still airborne—Lucas, Hague, and Paco, Bernie's wingman. They were all giving Myers support by strafing around the area, and were at the same time keeping the fort's wall under fire.

In about 10 minutes or so, Fisher called Control again and asked him where the chopper was. He said it was still about 20 minutes out, which was what he had said before. Bernie figured he was just making a good guess. Control then asked him if he would go back up through the hole in the clouds where they had come down, and escort the chopper in.

"I don't think we could have done it," Bernie Fisher said. "If we had gotten away from there, the VC would have been on him because they were all around him. They controlled the area, but he was pretty well concealed in the brush so they hadn't gotten him."

That's when Fisher told Control that he was going to go in and pick Myers up.

"They kind of discouraged it. I know it really wasn't wise; it wasn't a very good thing to do, but it is one of those situations you get into. You don't want to do it, but you've got to, because he's part of the family; one of our people. You know you have to get him out.

"I told Control I would land, and came right down on the approach. Paco, my wing man, was right along with me, strafing. I was a little too hot—that is a little too fast—and blowing smoke concealed the runway. When I got on final I had to fly through the smoke so I kept the power on until I could see what was on the other side. I had a little too much power on. Even though I pulled it off and touched the gear to slow down, I was too far down the runway to stop."

Smoke was probably the least of the obstacles in Fisher's path. The VC had mortared the pierced steel planking runway and the planking had turned up; there were slivers of steel sticking up a foot or so; steel slivers that could shred the tires.

"There was all kind of garbage on there," Bernie continued. "Metal that had blown over from the camp from some of the explosions—tin roofs, buckets and so forth. There were some barrels and somebody had dropped five or six 18-inch diameter rocket pods and I hit a couple of these but I didn't hit anything else.

"I did a little dodging and weaving and got around the rest, but I was too fast to stop. I knew I would go off the end so I just gave it the power and took it around again." Bernie told Lucas that he would make a 180 and come back in from the other direction.

"I turned and touched down just about the end of the runway. I used all the brakes I could but the strip was only 2,500 feet long. This is the only time I was scared because it didn't look like I was going to be able to stop. I just hit the brakes as hard as I could and pulled the flaps up which gave me a little more weight on the brakes. I think I must have been skidding on that steel planking. It was a little bit slick from the dampness. I actually went off the end of the runway a little ways. There were a lot of 55-gallon drums sitting out in the weeds and in my mind I was sure I would hit them. My tail did when I turned but the wing went right over the tops of them."

Fisher then taxied about two-thirds the length of the runway, looking for Myers.

"I knew about where he was and when I taxied by him he waved both arms vigorously. I stopped as soon as I could but taxiing as fast as I was it must have taken about 100 feet to stop. I waited just a moment expecting him to be right there with me; you know, right on the side. But he wasn't.

"I figured he must be hurt more than I thought—maybe he couldn't move or something—so I set the brakes on the bird and climbed over the right seat to get out on the side he was on. I looked through the mirror and saw two little red, beady eyes trying to crawl up the back of the wing."

Myers told reporters later that was the fastest dash an old man of 46 ever made. Myers got up on the wing and got his head inside the cockpit. Fisher grabbed him by the seat of the pants and pulled him in head first right onto the floor of the airplane.

"It was hard on his head but he didn't complain."

According to Fisher it was clear sailing from then on. The two airmen got out of there fast. Bernie held the A–1E on the deck, after he got flying speed, then whipped it up and out of the valley.

When it was all over, neither Myers nor Fisher could say enough for the three pilots who supported them while the rescue was taking place. Their accurate strafing and bombing was the primary factor contributing to the success of the rescue. In the critical, final stages, when Bernie was pulling Jump in by the seat of his pants, Lucas, who a minute before had his hydraulic system almost shot out, led Hague and Vazquez in a "dry" pass over the enemy. All three aircraft were "Winchester"—out of ordnance, but, as Lucas pointed out, "The VC didn't know that!"

As Fisher and the others left the valley, another flight of A–1Es was on the way in. That afternoon, 13 of the 17 Special Forces survivors evacuated the A Shau camp. From one of them, several days later, the pilots learned they had wiped out a whole company of VC along the east ridge.

"It took all the pressure off the east wall of the fort," the survivor said, "and enabled us to escape."

". . . *Major Fisher's heroic aggressiveness and selfless courage in completing a daring rescue of a fellow airman in the face of overwhelming opposition are in keeping with the highest traditions of the American fighting man, and reflect the highest credit upon himself and the United States Air Force.*"

That was it. But what are these highest traditions of the United States Air Force? Courage alone? A daring indifference to one's own life, when the mission, or the life of "one of the family" is at stake? Yes, and perhaps more. Perhaps an ingrained or even acquired conviction that what this nation and its objectives stand for must prevail, if indeed there is any real hope for the future of mankind.

There were many there at the White House on January 19, as well as many throughout the Air Force, who would elicit no surprise that Maj. Bernie Fisher had won the Medal of Honor. This, despite the fact he had spent his entire U.S. Air Force career—ever since he graduated from the Day Fighter School at Tyndall AFB, Fla., in 1953—in the Air Defense Command, where he flew supersonic jet fighters.

It was in 1965 that Bernie Fisher, who was then a flight commander with the 319th Fighter Interceptor Squadron at Homestead AFB, Fla., volunteered for duty in Vietnam.

Yet even while he commanded "A" Flight, of the 319th, he earned the first of many awards. On two separate occasions while at Homestead, he successfully landed F-104s that had suffered complete engine oil system failures. This is regularly a "bail-out" situation in the F-104s, because of the severe thrust loss in the engine, coupled with the fact that after oil failure the engine will operate for only four to five minutes.

Fisher earned the Air Defense Command's "We Point With Pride" award for one of these incidents and the Air Medal for the other.

Fisher then took 12 eventful months out of his career in the Air Defense business. Eventful? Yes!

Within the time period of July 1965 to June 1966, during which he flew A–1Es out of Bien Hoa and Pleiku, South Vietnam, he earned six more Air Medals, the Distinguished Flying Cross, the Silver Star, and the Medal of Honor.

The man himself? His personal life, beliefs, philosophy? Anything there to provide a clue as to why he did, and would probably do again, those things that resulted in the award of the nation's highest medal?

He's a Mormon—member of the Church of Jesus Christ of Latter-Day Saints, and consequently neither smokes, drinks (not even coffee), curses, or indulges in other vices. He's married to a registered nurse, has five children, is quiet, unassuming, dedicated to the ideals of Americanism, and more important, lives and defends them.

He is a superb pilot, versatile, facile, courageous. Currently, he is flying F–102s with the 496th Fighter Interceptor Squadron at Hahn Air Base, Germany.

Anything in that background to equate with the qualifications of a Medal of Honor winner? We think so! But be your own judge.

FROM THE CHIEF OF STAFF

In a formal ceremony in the White House on January 19, the President of the United States presented to Maj. Bernard F. Fisher the Medal of Honor. Major Fisher is the first member of the Air Force to receive that Medal, the nation's highest, for gallantry in combat in Vietnam.

The citation accompanying the award detailed Major Fisher's heroic rescue effort. It also paid tribute to his "conspicuous gallantry" and "his profound concern for his fellow airman." His example will serve as an inspiration to all of us in the Air Force for many years to come.

Major Fisher's extraordinary display of the traditional virtues of the fighting man—skill, resourcefulness, integrity, and courage—has particular significance at this time. The tendency in recent years has been to minimize these virtues, and to lay stress instead on the size and sophistication of weapons. Headlines describe this period as the age of the "mega" weapon and of automated command and control—and to some extent it is—despite the fact that we are fighting a limited war in Vietnam with conventional weapons.

I would like to stress, however, that an increase in the power and complexity of weapons does not, and cannot logically, produce a corresponding decrease in the importance of the men who use those weapons. If anything, logic points in the opposite direction.

In my opinion, success in battle will never depend solely on numbers of men or power of weapons, regardless of the dimensions of the war—whether it be a limited war within the confines of a small country like Vietnam or an unlimited war fought on a global battlefield. Ultimately, all weapons come under the control of men, and the knowledge, determination, and courage of those men will govern how well those weapons will be used.

We are fortunate in this country to have the environment which, from the nation's earliest beginnings, has brought forth men imbued with all the qualities needed for enhancing and protecting our national interests. As our weapons become increasingly sophisticated and powerful, mounting demands must be placed on the skill and professionalism of the men who control, operate and service them. But I have no doubt that today's active-duty personnel possess both the modern skills and traditional qualities which, in combination, make the American fighting man excel among all others.

The annals of the Air Force already include the names of many gallant and capable men. Their heroic efforts have played a major part in our military successes in recent years. Today, the Air Force salutes, through the medium of this magazine, a man who has performed "in the highest traditions of the United States Air Force" and whose actions "reflect great credit upon himself and the Armed Forces of his country"—Maj. Bernard F. Fisher.

JOHN P. MCCONNELL,
General, U.S. Air Force.

THE TRAGEDY OF LIDICE

Mr. MORSE. Mr. President, 25 years have passed since the Nazis destroyed the peaceful village of Lidice. The martyrdom of Lidice shall always be remembered as a symbol of the horrors wrought during World War II upon the people of Czechoslovakia.

Mr. Joseph Martin, of Portland, Oreg., a leader of the American Czechoslovakian Society, who has been active throughout many years in promoting better understanding between the American and Czechoslovakian peoples, has brought to my attention a memorial edition of the Czechoslovakian weekly newspaper, Ceskoslovensky Svet. I ask unanimous consent that the text of this special edition commemorating the tragedy of Lidice be included in the CONGRESSIONAL RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

There are very few people in the world who do not know about the tragedy of Lidice, the tragedy which occured on 10 June 1942 in a small village of miners in the Kladno region. On that day the German Fascists broadcasted the news that the village was destroyed, all men shot and women and children deported to concentration camps. The children were killed shortly afterwards in the gas chambers. Shocking news, completely unbelievable, and yet true.

The Fascist illwill and bestiality came fully to the fore. The destiny of a small innocent Czech village was officially terminated in that way.

From the very beginning of the return to our beloved homeland, we the citizens of Lidice, after the experiences of those horrors and sufferings which are hardly imaginable today, have concentrated on the work preventing for ever such happenings in the world.

And we were never alone. Our ideas, our struggle for the realization of the idea "Never Again Lidice" found response not only in the Czechoslovak Socialist Republic but among all progressive women of the world and that struggle has become one of the pillars of our policy and life generally.

This year, the year of the twenty-fifth anniversary of the tragedy of our village, where people from all over the world come to pay their respects to the memory of the Lidice martyrs, we hear more and more about the renewal of such conditions for the Fascist circles in the Federal Republic of Germany. We cannot be deceived even if the Government of the Federal Republic of Germany and its spokesmen call it by different names. Fascism is something very real and everyone who has experienced it in such a way as we have cannot be deceived. Originally Hitler and his henchmen have also proclaimed innocent slogans in the interest of the German nation. But what followed later was only horror, murders and hatred.

Today they call for the most modern and most efficient weapons. But all that can be seen in various forms in the horrible past of the German Fascism.

Therefore we raise a warning voice in the name of humanity, peace and friendship among nations, in the name of life! Let us unite! Let us be vigilant! The tragedy of Lidice must not be repeated and no mother, regardless of her colour or political conviction, must weep for her child or husband. Nobody must ever again experience such horrible sufferings which we had experienced.

M. Jarosová,
Mayor of Lidice.

There are events which leave behind a path that cannot be erradicated. They remain as a symbol of history, a symbol of warning and incentive.

The name of a Czech village Lidice is such a symbol which has remained permanently in the memory of the nations as an appeal against war.

After the explosion of the grenade which hit the Deputy Reichsprotektor Heydrich, the Nazis escalated their terror against the Czech people and especially against its bravest representatives, the Communist illegal fighters. Already on 1 June 1942, K. H. Frank wrote to the SS-Oberstgruppenführer K. Daluege: "The Germans hope that the present measures are only a beginning. What has been done against the Czechs so far is not sufficient." And several days later the Sicherheitsdienst reports: "The German side requests that after the state act in Berlin, which is expected with great interest (i.e. the funeral of Heydrich) steps are finally taken for sharpest possible measures against the Czechs."

In that atmosphere the Prague Gestapo, together with the so-called special commission which was entrusted with the investigation of the assassination of Heydrich, contemplated a plan of an especially brutal action which would cause a new wave of horror and panic among the Czech people and help to crush the resistance of the people against the occupants, a goal attempted so far without success. The following examples may be given for those intimidating actions: evacuation of the people, internment of the population, execution of a great number of groups arrested as a warning and destroying of villages. In their plans the aggressors considered such places where the necessary communications would not suffer but where the village would be near enough to industrial centres and communities of workers so that such an action would have the best possible result.

In that situation reports from the Gestapo in Kladno arrived. Allegations, completely denied by the Nazi police investigations. Even the chief of the Gestapo in Kladno, Harald Wiesmann later declared: "In order to obtain approval of the Führer, K. H. Frank could use only the alleged reports of confidents, that there are arms hidden in the Lidice mill." Those arms were "discovered" only on 10 June 1942, when the Führer had already given the order to destroy Lidice.

However, the proof of the innocence of Lidice was given by the Nazis immediately after the crime of the common murder. Der Neue Tag, the central organ of the Nazi Party, published in Prague for the territory of the so-called Protektorat, for example wrote on 13 June 1942 that the connection with Lidice proved to lead to no result and a new appeal was made to seek the persons responsible for the assassination.

In spite of that, 173 men were shot by the firing squad at dawn of 10 June 1942, among them Emanuel Kovařovský, 83, and Josef Hronik, not yet 15. Miners, foundrymen, peasants, smiths, carpenters, brick-layers, apprentices, a teacher and a priest—they all were shot. There was also a blind man—a veteran of the First World War. The only persons missing were the workers at the night shift, as they left for work on 9 June 1942. They were caught later and executed. A miner, who was hospitalized in Kladno, was likewise executed. The total number of men killed in Lidice was 192.

The women of Lidice were deprived of their children and lived for many sad years behind the barbed wires of Ravensbrück, Lublin, Oswietim and other concentration camps. Františka Hroníková, whose seven children were killed by the Nazis, passed through twelve concentration camps. 95 women died before the end of the war.

The Nazis did not stop even before the lives of the children. Some of the Lidice children were given to German families for a so-called proper re-education and together with those born after the tragedy, they were destined to lose their names, country and parents for ever. 88 children were killed by the Nazis. A statement how the children lived in the concentration camp at Lodz was given by a witness, Julie Makowska, a Polish nurse, today an honorary citizen of Lidice, who, at that time was imprisoned in that camp. She stated that the children of Lidice arrived on 13 June 1942 in two groups between 1–15 years of age. The children were poorly dressed, scared and very tired after the long journey. Two small children were completely naked because the Nazi women accompanying them, had thrown their dirty clothing out of the train. The children were placed in bare rooms and slept on the concrete floor. It was expressly forbidden to give any medical help to a sick Lidice child.

Julie Makowska arranged for some of the children to send postcards to their relatives in Bohemia. Those cards represent a terrible accusation of Fascism and at the same time the last direct news about the destiny of those children before they were murdered. The children were given to the Gestapo at Lodz shortly afterwards and then they perished, probably in the gas chambers of Chelmn.

Lidice was burned and destroyed. The Nazis have even made a documentary film about the whole crime and marked it "cultural and instructive".

And no wonder. The crime in Lidice was not in contradiction with the so-called Nazi right, it was also a completely logic part of the chain of the Nazi crimes who, already long before the Second World War, started to plan the activities of the Sudeten German fifth column for the destroying of Czechoslovakia and after the accomplishment of that deed, for the physical liquidation of the whole nation.

V. Konopka.

Twenty-five years ago, on 10 June 1942, the Nazis announced from Prague the news which stunned the whole world . . .

Within several hours of their announcement of that news, the whole world learnt about Lidice. There were people who did not know the name of the capital of Czechoslovakia but since 10 June 1942 they knew that there was a village called Lidice in that country. The first news about Lidice appeared on the front pages of the newspapers without any comment. It was clear that even the pen of the experienced journalists, accustomed to write every day about the terrible events of war, shook at the first moment. The press returned to the event only the second day with considerable comment. All leading politicians of the anti-Hitlerite coalition commented on the event. Even the democratic Germans, who lived in America, condemned that act of barbarism. The secret broadcasting station of the German democrats transmitted the appeal to all Germans: "If we will not finish with this band of murderers in time, if we wait till Hitler is defeated in the war, the bloody wave of revenge will engulf us and any assurances that we have nothing in common will not help us."

The world public reacted to the Lidice tragedy by a great wave of international solidarity and compassion with the Lidice martyrs. Several days after the tragedy in Lidice a movement was born in the mining area of the British Northern Staffordshire which called itself "Lidice Shall Live". The originator of that idea was Dr. Barnett Stross, later Member of Parliament for the Labour Party. The movement proclaimed its aim to re-build Lidice and appealed to the British public for funds. A meeting took place in Stoke-on-Trent on 6 September 1942 with the participation of a number of official personalities, inclusive members of Government, where the Lidice Shall Live movement was publicly proclaimed. Committees for the re-building of Lidice were, likewise, established in other Western states. So, for example, in the U.S.A. members of such committee were: Einstein, Mayor of New York, La Guardia, Ch. Chaplin, members of the U.S. Supreme Court and a number of others.

A mass expression of the solidarity with Lidice and the resistance to the Nazis was the naming of villages, streets, schools, clubs and camps by the name of Lidice as well as places where the compatriots lived, like Lidice Stern Park Gardens, Ill., Lidice Street, Tábor, South Dakota, etc. Also new born babies were given the name of Lidice. There is no place in the world where the name of Lidice is not commemorated in some way.

The tragedy of Lidice has inspired artists, poets, writers, dramatists, film-producers and composers as well as painters and sculptors to express their esteem of Lidice, to appeal for the struggle against Nazism, against wars and for peace. Many of those works of art belong today among the world masterpieces.

During the war Lidice became a symbol of the struggle against the German brutality, a symbol of the struggle for the freedom of nations, for a just peace. It has remained that symbol even after the victorious war—the symbol of a world without wars.

After 1945 the independent Czechoslovakia re-built Lidice with great piety and care. It has become an exemplary village in the Central Bohemian Region. Every woman, who returned back, was given a new house complete with furniture. All Czechoslovak people care for Lidice. This is proved by the great number of visitors coming to Lidice, among them also compatriots from abroad, who use the opportunity to visit that place marked with such tragedy and so well known. On the anniversary of the tragedy of Lidice a great national pilgrimage takes place there which ends by a manifestation for peace and against Fascism. The compatriots from abroad always take part in such manifestations confirming the fact that the world does not forget Lidice.

This year's Twenty-fifth anniversary is an especially great incentive for the increase in the interest of Lidice. Dr. Barnett Stross, Chairman of the "Lidice Shall Live" Committee and an honorary citizen of Lidice came forward with the idea to build an Art Gallery in Lidice for which outstanding artists would donate their works. It should be a selective collection and it is expected that a number of works of art will be donated by English artists. Great response is, likewise, in France, where the collection is organized by a well-known painter Jean Effel. There is also a positive response in Sweden and Finland. A picture by a compatriot A. Seckar, an artist now living in the U.S.A. is already in Lidice. Czechoslovak artists and sculptors prepare their participation in that action with great care.

The British "Lidice Shall Live" Committee also intends to participate in the commemorative ceremony by a numerous delegation, composed from the representatives of Trade Unions, towns which especially suffered by the Nazis and Members of Parliament. Great delegations will also come from France and Italy.

The tragedy of Lidice in 1942 was followed by a great wave of international solidarity against the German aggressor. That international solidarity, symbolized by Lidice, is now as much needed and necessary as it was twenty five years ago. Innocent citizens are again murdered and villages are burned, we are again witnesses of the brutalities of foreign forces in a country which wants nothing but freedom and its own kind of Government. Lidice is the symbol of a struggle against violence, for peace and friendship among nations and is also a warning signal for all aggressors.

V. BERDYCH.

FLOOD DAMAGE IN MISSOURI

Mr. SYMINGTON. Mr. President, final estimates on the damage suffered from floods in Missouri this summer have not been compiled, but it is clear that it will amount to at least $60 million. Much of this could have been prevented with flood protection work authorized by the Congress but not yet funded.

In this connection, I ask unanimous consent to have inserted at this point in the RECORD an editorial from the Kansas City Times of yesterday morning, July 12, "A High Price for Neglect on Missouri Levees," which so clearly points up the need to accelerate this important work on that great basin.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Kansas City Times, July 12, 1967]

A HIGH PRICE FOR NEGLECT ON MISSOURI LEVEES

This business of rebuilding small and inadequate Missouri river farm levees after every flood is ridiculously wasteful. The latest flood, with 500,000 acres inundated and 48 million dollars in crop loss, points to the need for accelerating the long-abused federal levee program—to build the bigger, stronger barriers that will do the job, once and for all.

In 1941 Congress set up a revolving emergency fund to restore private farm levees which had been breached or overtopped by flood, citing the need to protect the nation's food production. Like so many "temporary" government programs, it has endured. In the Kansas City Army engineer district, from Rulo, Neb., downstream, 20 million dollars now has been spent on this work, with some units having been rebuilt five or six times. With this latest flood having washed out 226 such levees on the Missouri, most of this money is literally down the drain at the moment and another infusion is needed.

In the meantime Missouri river bottomlandfarmers have lost another crop, in most cases with no hope of replanting this year. So lush is this land that philosophic oldtimers who have learned to live with the river figure that if they get three crops out of five they can do as well as their upland neighbors. But it needn't be this way and—as the farm surplus problem rapidly dissolves into dire, long-range warnings of world famine—it had better not continue this way indefinitely.

There is no comparison between the two types of levee. The private units, built by individual farmers or small local districts, usually are erected with bulldozers or "clam shell" drag lines which pile the available dirt six or eight feet high. And that's it. Under prolonged pressure by high water, such units cave in to seepage even when not overtopped. The federal, contractor-built levees are 14 to 18 feet in height, with broad bases giving only half as steep a slope as the others. They have a 5-foot facing of selected, impervious fill plus stone riprap protection in some places on the riverward side and, in vulnerable spots, may have huge landfill "berms" on either the outside or inside to suppress seepage.

These are big, expensive levees (one near St. Charles is 40 miles long and will protect 35,000 acres) but if they stay put and do the job year after year, they're certain to pay their way. Yet the "ag levees" have been the stepchild of the Pick-Sloan Missouri basin program. Of 138 units originally authorized, only 22 have been completed, 11 each in the Kansas City and Omaha districts. About 30 above Omaha have been dropped as no longer needed.

The corps's basic flood plan calls for trapping part of the water in reservoirs and passing the remainder between levees.

In the late '40s, with the Kaw basin dams barely under way, it was obvious folly to start on the Missouri river levees below the Kaw mouth. But in the years since, with many key dams now operating, the levee program has been hit successively by the Korean and Vietnam war economy drives and Budget bureau delays for restudy.

Last year's appropriation was only $2,200,000; the budget recommendation for this year is $2,900,000, about enough to start—but not finish—two units. By law, sponsoring local levee districts must provide the government with right of way, freedom from damages and maintenance after completion. This is no impediment along the Missouri. After all this time, levee districts are ready to go on some 63 million dollars' worth of work. The farmers who have lost another crop to a flood will be coming once more to the government for emergency restoration money. But they'd rather go ahead and build the permanent federal levees.

COSTS AND DELIVERY OF HEALTH SERVICES TO THE ELDERLY

Mr. WILLIAMS of New Jersey. Mr. President, it is becoming more and more apparent that health care in this Nation should receive the sustained attention of thoughtful individuals inside and outside of the medical professions.

We in Congress are concerned with costs of such care, but I believe that we are also asking questions about the basic organization of health services. The Comprehensive Health Service Planning Act, for example, will eventually result in major innovations that will improve services and make them more readily available. Medicare and Medicaid, too, are already causing maor changes in availability of services and in our outlook toward medical care in general.

In other words, we are going through a period of new thinking, innovation, and overall improvement. At such a time, it is important that we have a clear understanding of strengths and weaknesses within our health care system.

For this reason, I believe that Senator GEORGE SMATHERS, of Florida, performed a very timely and useful service for Americans of all age groups on June 22 and 23 when he conducted hearings on the costs and delivery of health services to older Americans. Senator SMATHERS' Subcommittee on Health of the Elderly is a unit of the Senate Special Committee on Aging, of which I serve as chairman; and it is evident that the subcommittee has a major task ahead in hearings both in Washington and in the field.

At its opening hearing, the subcommittee took introductory testimony from physicians, educators, and others concerned about the special health needs of the elderly. The Department of Health, Education, and Welfare presented a comprehensive and very useful report, too.

Mr. President, two recent newspaper accounts of the hearing gave excerpts from testimony of outstanding witnesses. Mr. Theodore Schuchat, eminent author of the "Years to Enjoy" column for the North American Newspaper Alliance, wrote about the hearing in an article which appeared on July 12 in the Washington Evening Star. He also selected several significant questions raised by Senator SMATHERS.

The Senior Citizens News, which keeps its readers thoroughly informed about issues of direct concern to them, gave an excellent report on the hearings and their significance in its July issue.

Mr. President, I ask unanimous consent that Mr. Schuchat's article and excerpts from the Senior Citizens News coverage be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, July 12, 1967]

YEARS TO ENJOY—ELDERLY HEALTH CARE HAS SOME GAPS

(By Theodor Schuchat)

Sen. George A. Smathers, D-Fla., called together a group of medical, hospital and health insurance experts and put some pointed questions to them recently.

"Are rising medical costs causing special difficulties for the elderly?" he asked first. He is chairman of the Senate Subcommittee on Health of the Elderly.

"If one considers the older person on a limited pension or on Social Security alone," answered Dr. S. David Pomrinse of New York's Mount Siani Hospital, "one wonders whether he really thinks he is getting a good deal under Medicare.

"He has to pay $86 before he receives any services (the $50 deductible and the $3 a month premium)," explained Pomrinse, "and then he may have to pay the physician considerably more than Medicare will allow if the physician refuses to accept an assignment."

"He is also excluded from having his drugs purchased, and yet, in many chronic illnesses drugs represent a very large percentage of the total cost of care," the physician pointed out.

Satisfied that medical costs are still a problem for retirees, Smathers next wanted to know whether they "continue to rise because our health care is inefficiently organized." He was answered by Dr. Milton I. Roemer, professor of public health at the University of California in Los Angeles.

"The crucial fact is that most of the expanded economic support for health service has been applied to a framework of medical and dental practice in isolated individual offices and a patch-quilt of hospitals, drugstores and laboratories which are characterized by extravagance, inefficiency and frustration for the patient and provider alike," was his reply.

The senator then asked the experts: "Are present health services remote for many of our older people?"

"Health services for the poor are generally as poor as the poor themselves," insisted Mary E. Davis, chief social worker for the Catholic Hospital Association. "They are also inaccessible because of geographic location, lack of coordination and more basically a complete lack of interest in and concern for the patient as a person."

The senator put another question to the experts: "How responsive are our mental health programs to the elderly?"

"If you take a man in the prime of life, deprive him of his wife, his hearing and vision, his job, his contemporaries and confine him to his home month after month, year after year," replied Dr. George James, a medical school dean, "you would not be surprised if he developed some strange personality traits."

Smathers had the last word, nevertheless, as senators usually do. "Sometimes it seems to me that we almost expect a man to fall ill as soon as he leaves the work force," he said.

"And what harsher indictment can be made of a people than to say that they are impatient with the very existence of their retired elders?" he went on. "I do not think that we in this nation deserve that indictment, but I do say that we prefer not to notice the chronic pain and the isolation of old people who are ill."

"I think, too," the senator said of his quiz session, "that there is a great gap between what we say we want in the way of health services for all Americans and what we actually have."

[From the Senior Citizens News, July, 1967]

Conference on Medical Costs Goes Yak, Yak, Yak—But Senators Get Facts on High Medical Prices

Unlike the National Conference on Medical Costs, which was held a week later, the hearings which opened before Senator George A. Smathers and the Subcommittee on Health of the Elderly, of the U.S. Senate Special Committee on Aging on June 22–23, laid heavy emphasis on the skyrocketing costs and problems of delivery of health services to older Americans.

The National Conference on Medical Costs was organized by the Department of Health, Education, and Welfare at the direction of the President. It brought together some 300 leaders of the medical community and members of the public to discuss how we can lower the cost of medical services without impairing the quality. National Council President John W. Edelman and Executive Director William R. Hutton were invited to participate. Another national conference on rising medical costs is scheduled to begin in September.

Senator Smathers, opening the Subcommittee hearings, said he recently listened to a witness in Tampa, Florida, who was both eloquent and frightening when he said that many of his friends, aged and ill, had literally to choose every day between food and drugs. He said he had heard from other persons that older Americans—even with Medicare paying a major part of their hospital bills—find that health services are too costly, or too remote, or too forbidding for them to use.

Noting that the hearings were beginning only a week before the first of the National Conferences on Medical Costs, Senator Smathers said he hoped the Senate deliberations would help assure that the problems of the elderly receive adequate attention at the conference.

The Senator's hope was not realized, however, because the problems of the elderly were largely ignored in all five subject panels of the HEW-sponsored conference.

President Edelman and Executive Director Hutton urged Senator Smathers and his Subcommittee to demand a phasing out of the Medicare deductible and co-insurance features which serve only as a barrier to health care. "These restrictive features of Medicare put us in the position of offering the elderly modern health care with one hand and snatching it away with the other," said Edelman.

Hutton said millions of our elderly were living in the squalor of poverty and found it difficult if not impossible to meet the deductibles and co-insurance features of the Medicare law. He said there were very genuine fears that skyrocketing doctor fees could necessitate a move by the Trustees of the Medicare program to ask for a substantial increase in the present $3 monthly premium for the optional doctor insurance . . .

* * * * *

. . . there were a few doctors winning high praise for the medical profession for their helpful and courageous testimony at hearings of the U.S. Senate Subcommittee on Health of the Elderly which was discussing the costs and delivery of health services to older Americans in Washington, D.C.

The Subcommittee, under the chairmanship of Senator George A. Smathers of Florida, is a unit of the U.S. Senate Special Committee on Aging.

* * * * *

. . . we are able to highlight some of the comments made by the physicians.

* * * * *

Dr. William A. Nolen is a surgeon in a small medical clinic located in Litchfield, Minnesota. He was brought to the subcommittee's attention because of an article he wrote "as a warning to my associates in the medical profession" and which appeared in the medical magazine, "Medical Economics."

* * * * *

On the subject of doctor fees under Medicare, Dr. Nolen told Sen. Smathers, "With Medicare we live in constant dread that at some point the Government is going to set rigid fee schedules for us. We fight constantly, therefore, to keep our 'usual' fee as high as we can. If we are going to have our fees fixed, let's have them fixed at what is, temporarily at least, a satisfactory level."

Dr. Milton I. Roemer, Professor of Public Health, University of California, Los Angeles, said that while we have made a great deal of progress over the last 30 years in the United States in financing medical services, for both young and old, our social machinery for delivering those services has remained almost at a horse-and-buggy level.

"The crucial fact is that most of the expanded economic support for health service has been applied to a framework of medical and dental practice in isolated individual offices and a patch-quilt of hospitals, drugstores and laboratories which are characterized by extravagance, inefficiency, and frustration for the patient and provider alike," said Dr. Roemer.

"Half the Nation's general hospitals are under 100 beds—a size much too small to render optimal scientific services soundly and economically. Eighty-five per cent of clinical physicians and 95 per cent of dentists hold forth as solo practitioners, despite the enormous development of specialization demanding professional teamwork.

"Thousands of small, independent drug stores dispense a bewildering array of drugs at very high prices, inflated by the cost of a fantastic volume of competitive advertising, robust manufacturing profits and an elaborate network of middlemen between producer and consumer.

"Dental treatment absorbs the scarce and expensive time of highly-trained professionals, doing tedious tasks that could be readily assigned to technicians under supervision.

"Preventive medicine is widely preached but seldom practiced, while geriatric rehabilitation is a fiction in the thousands of small proprietary nursing homes that accommodate the vast majority of chronically ill and aged patients whose numbers are increasing daily."

* * * * *

Dr. George James, Dean of Mount Sinai School of Medicine, New York, said the answer to the problem of medical care for our aged is to organize services around the patient and his needs rather than to insist that he spend what few energies and motivations he has in a futile round-robin of visits to various specialty services.

He told the Senate subcommittee that America is only on the threshold of an attack upon the complex problems of medical care for the aged.

"Medicare and Medicaid are largely aimed at the financial barriers to care—and there are many other high fences still to be removed," he said. "The hospital emergency room has too long been the inept resource used for the chronic care of disease; the traditional proprietary nursing home has too long been a dismal answer to crying medical and emotional needs which have gone unheeded.

"We desperately need packages of care we can afford. One thing, however, is certain. At the current rates of increase of our aged and their concomitant higher incidence of chronic disease, these problems cannot be ignored."

Dr. David Pomrinse, medical administrator of Mount Sinai Hospital, New York, said it was grossly untrue that the economic barriers of the elderly to adequate health care had disappeared since enactment of Medicare and Medicaid.

Not only do deductibles and coinsurance interfere with a person's use of service, but they artificially raise the cost of administering and operating the program, he said.

OREGON BLM DIRECTOR CITED FOR DISTINGUISHED SERVICE

Mr. MORSE. Mr. President, last month I announced to the Senate the appointment of Archie D. Craft as the new State Director for the Bureau of Land Management in Oregon. At that time I mentioned the coming retirement of the current State Director, James F. Doyle.

Today, I am pleased to call the Senate's attention to the Distinguished Service Award which Secretary Udall has conferred on Mr. Doyle.

Mr. Doyle is an attorney by profession. He joined the Department of the Interior in 1938 as a special agent in the Office of the Secretary in Washington, D.C. Except for a 4-year tour as a major in the U.S. Army during World War II, he has served as an attorney or administrator in the Department of the Interior since.

From 1947 to 1961 he was in Oregon rising to Regional Administrator. He came to Washington in 1961 to serve in several positions in the Directorate of the Bureau of Land Management.

He returned to Oregon in June 1966 as State Director.

Action and sound judgment have been the distinguishing marks of Mr. Doyle's career. His friends in Oregon will be particularly pleased to know that Portland will be his home on retirement.

Mr. President, I ask unanimous consent that Secretary Udall's citation of Mr. Doyle be printed at this point in the Record.

There being no objection, the citation was ordered to be printed in the Record, as follows:

The Secretary of the Interior,
Washington, June 8, 1967.

Citation for Distinguished Service of James F. Doyle for superior service in public land administration with the Bureau of Land Management, Department of the Interior.

Mr. Doyle came to the Interior Department in August 1938, as a Special Agent with the Division of Investigations. In 1942, he transferred to the General Land Office, now the Bureau of Land Management. Mr. Doyle served with distinction in all phases of public land and resource management, particularly in the Northwest at regional and area levels, and on the Director's immediate staff in Washington. As an outstanding Public Land Administrator and an expert in the legal field, he administered Bureau programs to insure effective management and conservation of the Nation's land and natural resources. In 1961, Mr. Doyle became Assistant Director for Lands and Minerals Management. He very skillfully conducted the work of the Appeals and Hearings Office prior to his appointment in June 1966, as the Oregon State Director. He is responsible for directing Bureau activities in the States of Oregon and Washington. Mr. Doyle has demonstrated outstanding ability and technical competence in carrying out the varied programs under his jurisdiction and he is a guiding force in the goal for maximum utilization of public lands. He is a man of action and sound judgment, with a reputation for achieving the difficult. He has created excellent public relations and confidence in the Bureau. In recognition of his eminent Government career, Mr. Doyle is granted the highest honor of the Department, its Distinguished Service Award.

Stewart Udall,
Secretary of the Interior.

TESTIMONY OF MRS. FRED HARRIS ON BEHALF OF THE AMERICAN INDIAN

Mr. KENNEDY of New York. Mr. President, Mrs. Fred Harris, the wife of the distinguished Senator from Oklahoma, appeared before the Committee on Education and Labor of the House of Representatives today and delivered a most eloquent and moving plea on behalf of the American Indian. Actually her statement is much more than a testament for the American Indian. It is a plea that the people of this country—of all races and colors—should be true to the ideals and principles of our Nation, and begin to treat the American Indian with the justice, compassion, and fairness which has been so long overdue.

Mrs. Harris has been one of the most ardent champions of justice for the American Indian. She herself is a member of the Comanche Tribe, but her interests and her efforts have gone far beyond that tribe and even beyond the Indian of the State of Oklahoma. She knows as much about the problem facing this group of our fellow citizens as anyone in the country. Those who have heard her speak of the Indian—of the desperate need for education for the youth, for training and jobs for the elderly, for an opportunity for hope and dignity for all—cannot help but be moved.

I commend to the attention of all Members of Congress Mrs. Harris' statement before the Committee on Education and Labor on the importance of the War on Poverty for the American Indian. The proposed legislation will be considered by Members of both bodies in the months ahead, and Mrs. Harris has described in human terms how essential it is that it be favorably considered.

As she said:

> This bill deals with people, but people who are still individuals, individuals who want a chance. When we think in terms of the individuals who are involved in this program, this bill must surely pass by an overwhelming margin.

I commend Mrs. Harris for the service she is performing for the American people by her compassion for and her struggle on behalf of the American Indian.

I ask unanimous consent that Mrs. Harris' testimony be printed in the Record.

Mr. CLARK. Mr. President, as the Chairman of the Subcommittee on Manpower, Employment and Poverty of the Senate Committee on Labor and Public Welfare, it has been my privilege to read the cogently reasoned and splendid statement of Mrs. Harris in support of the poverty program which President Johnson has recommended to Congress. I join the distinguished Senator from New York [Mr. Kennedy] in asking unanimous consent that her statement before the House Committee on Education and Labor be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Mrs. Fred R. Harris Before the Education and Labor Committee of the U. S. House of Representatives, Concerning H.R. 8311, OEO Authorization

(Note.—Mrs. Fred R. Harris is the wife of Oklahoma's junior U.S. Senator. An active member of the Comanche Indian Tribe, she is President of Oklahomans for Indian Opportunity, a member of the Board of Directors of the Oklahoma Mental Health Association and the Oklahoma Health and Welfare Association, and a member of the Executive Board of the Southeast Order for Human Relations Studies at the University of Oklahoma. She was recently appointed a consultant to the Joint Commission on Mental Health of Children, Washington, D.C., and serves as a member of one of its Task Forces.)

Mr. Chairman and members of the Committee: I am honored by your invitation to appear here today, and I am grateful for this opportunity to express my individual and enthusiastic support for the programs sponsored by the Office of Economic Opportunity, my strong conviction that O. E. O. must be continued as a separate agency of the government and my endorsement of the provisions and the increased funds contained in the authorization bill pending before you, H.R. 8311.

While the amount of money involved in this bill is less than half the amount recommended for the Space Program and is less than 2 per cent of the total federal budget, it may well be the most important bill the Congress will consider during this session.

President Johnson's War on Poverty offers to the poor the chance to win the struggle to overcome feelings of lack of self-confidence and hopelessness of poverty. It offers no guaranteed answers, but the means by which a person can seek his own answers. It provides no required goals, but it exposes people to new possibilities.

So many good, decent Americans speak of the need for self reliance when they criticize O.E.O. and what it does. We must help them see that this is, truly, the "self reliance program." We must help them see that self-reliance must be made meaningful for a middle-aged Indian man I know who lives in a beautiful rural county of Oklahoma where 46 per cent of all the adults in the county have less than an eighth-grade education and where the land has been mined and farmed to exhaustion. Talk to this man who, though he speaks in broken English and has only a third-grade education, but who has obviously much above average intelligence, and you realize that here is a fellow human being who has been wasted for forty-five years, and that with all our wealth and know-how we have allowed the world to pass him by. You stand talking with him beside a polluted well from which his and three other families draw by hand their daily water supply and you don't know whether to laugh or cry when this man, who has never had a steady job and wouldn't have the new skills required in this automated age if one were offered, says, "All I want is steady work so I can send my kids to college." With this bill, under the rural poverty program of O.E.O., we will give him the chance to put his self reliance to work.

As Dr. Billy Graham said at a Congressional luncheon here in the Capitol last month:

"One of the things that impressed me with what the Office of Economic Opportunity is doing is that their programs are not give-away programs. I thought they were until I began to look into them and study them. What they are doing is helping people help themselves. They're giving people an opportunity."

THE IMPORTANCE OF THIS PROGRAM TO THE POOR

I am unable to think of the War on Poverty in the abstract. I think of it in terms of particular component programs, and then I think of those programs in terms of people I know.

The Community Action Program, for example, makes me think of the Upward Bound Program, sponsored by the local Community Action group in Altus, Oklahoma, which then reminds me of some young people I talked with, who had caught a glimpse of a whole new world of opportunity when they were exposed briefly to campus life at Southwestern State College. I think of their neat appearance and their hopeful eyes and their change of attitude toward themselves and other people.

When I think of the Work and Training Program and the Neighborhood Youth Corps, I think of a beautiful young Indian high school girl in McLoud, Oklahoma, who had been a severe disciplinary problem, but who has, now, for the first time, begun to see what she was meant to be and can become.

When I think of the Legal Services Program, I think of a lady in Oklahoma City, who for the first time now sees the law and those who administer it as possible friends, rather than enemies.

When I think of the Head Start Program, I think of "Project Magic," an activity in my hometown of Lawton, Oklahoma, and I see children with a sparkle in their eyes for the first time in their lives because they were brought together with older people, under the Foster Grandparent Program, people who formerly had felt useless and unwanted. I think of a particular pair, a child starved for love, who for the first time now is beginning to talk, and an older person, who now has someone to whom to give his love.

When I think of the Adult Training Program, I think of an 80-year-old Negro woman in Lawton, who is learning to read and write. She said, "It seems like I had just been waiting to die; there was nothing for me to do. Now, for the first time, I feel like a real human being."

When I think of the Training Program, I think of the Indian boy in Anadarko, a high-school dropout, working as a welder, his first job, and planning now to finish school and go to college.

When I think of the Migrant Worker Program, I think of a Mexican-American child in southwestern Oklahoma, who had spent most of her days in school in tears because of her difficulty in English, but who now thinks of herself as a real American.

When I think of Vista, I think of Idabel, Oklahoma, and a large Head Start Program which was started by a Visa volunteer with one box of Crayolas and one child. Or, I think of a child crying in the hill country of eastern Oklahoma, getting his first inoculation for typhoid, diphtheria, smallpox and whooping cough, because a Vista worker cared enough to help bring our health programs to the people.

All of us, whether we are social workers or public officials or lawyers or doctors or just citizens, tend to think of "cases" and "constituents" and "clients" and "patients" and "the poor." This bill deals with people, but people who are still individuals, individuals who want a chance. When we think in terms of the individuals who are involved in this program, this Bill must surely pass by an overwhelming margin.

THE IMPORTANCE OF THIS PROGRAM TO AMERICAN INDIANS

American Indians, with a different heritage which should be a source of pride and motivation, are, first and foremost, American citizens. They have the same problems and the same goals we all have. But more of them are poor, and, when they are poor, they face special problems because of their different background.

Indians are the only minority group which has its own government bureau and health service, but, as the Senate Interior Committee last year said, the American Indian still ranks below everybody else in health, in housing, in jobs, in education and in almost any other indication of the quality of his life. We have been too paternalistic. We have been doing things *to* Indians and *for* Indians, rather than *with* Indians. Now, the Bureau of Indian Affairs has begun a new orientation, and OEO has placed great stress on self-help programs involving Indians.

As you know, I am President of Oklahomans for Indian Opportunity, a charitable and educational non-profit corporation. Our Board of Directors is composed of 41 Oklahomans, mostly Indians, from every section of our state. While in Oklahoma we do not have the additional problem of physical isolation on reservations, we do have one-fourth of all of the Indians in the United States, some 68 Indian tribes, and depressing national statistics concerning American Indians are duplicated in our state.

Oklahomans for Indian Opportunity began its existence when a group of interested Indians and non-Indians got together to sponsor a statewide Indian Opportunity Conference in 1965. We planned for around 200, and had more than 500 persons in attendance. There was tremendous desire for self improvement, and so we banded together in an organization which seeks to help draw Oklahoma Indians more fully into our state's economy and culture. We are now ending our first year as a sub-contractor under the Multi-purpose Training Center at the University of Oklahoma, funded by O.E.O., to help Oklahoma Indians acquire the self confidence, motivation and skills to become active, productive members of the total community in our state.

We don't want to force the American Indian to become a middle class white man, but he must have the opportunity to make a real choice of what he wants to do with his life. All do not have that opportunity now, because of inadequate preparation for the transition and partly because of the attitudes of non-Indians. Both of these must change, and this is the goal of Oklahomans for Indian Opportunity.

We sponsor leadership training for community involvement and community development, a work study program for young people, youth programs to involve young Indians in total public school activities, and an Indian Achievement Week to foster the powerfully motivating force of pride of heritage. We spin off Indian leaders into local community projects which we help stimulate, including housing, education and health. Since, as is true of the nation as a whole, one-half of all Oklahoma Indians live in urban areas, we provide referral centers in each of our two large cities, Tulsa and Oklahoma City, to bring together the rurally-oriented Oklahoma Indian with state, federal, local and private efforts intended to help him find employment, housing, training and so forth.

All of this is a big and difficult job. It is not made any easier by the fact that, like so many other activities which got started around the country through the sponsorship of O. E. O., nobody is altogether certain of how to accomplish the goal of human resource development. But we are trying, and we are mostly succeeding. Our funding as a subcontractor under O. E. O. is $242,000 this year, and, Mr. Chairman, I offer for the record a written report on our first year's activities.

What we are doing in Oklahomans for Indian Opportunity has had impact throughout the United States, because of a national magazine article on our activities, and, because of O. E. O. and the new spirit within the Bureau of Indian Affairs, Indians everywhere in the United States are experiencing the beginning of a new day.

THE IMPORTANCE OF THIS PROGRAM TO THE AFFLUENT

This is a changed world. It is different from what it was yesterday. Tomorrow will be different from today. If we don't, continually and every day, think anew about how to live with these changing conditions in a changing world, we will become stagnated as individuals, and so will our nation.

This is an urbanized country. Most of our people now live in urban areas without the security of knowing their neighbors, or knowing where they fit into things or knowing what is expected of them—things which they had when they lived in rural areas and small towns. Technology and the explosion of knowledge virtually overwhelm us and makes some of us feel small and worthless as individuals. And, then, there are more of us, and we crowd each other. All of us who are different are no longer isolated, and no one is isolated or insulated from us.

And something is happening to our children. They become physical adults at 12, not at 17 as they did 100 years ago, and they know more in grade school—and must know more—than we did in high school. And there is a wider and wider period between the time they become adults at an earlier age and the time when they can, with skills and education, become participating members of society.

Although all of us have more bills than we can pay, and are busy about our daily chores of making a living, deep down all of us, every now and then, take stock and ask, "Am I really doing anything worthwhile with my life?" The man who works in a factory at a highly skilled, highly paid job, has no finished product he can call his own or take pride in. The medical specialist deals with "cases," with little human involvement. The teacher in an over-crowded classroom knows she reaches less than all her class. The housewife drives her car, and pays the bills, and does the shopping, and drives her car some more. Every segment of our society needs wider avenues, broader opportunities for meaningful service to others. We are no longer satisfied with dropping our money in the poor box, or making baskets for the poor at Christmas time, or giving our "fair share" to the United Fund. It isn't personal enough, although these things are laudable.

This need for meaningful service is especially acute in the ever-growing number of older people, retiring at earlier and earlier ages. It is especially crucial, also, for the ever-growing number of young people, who must wait longer and longer to have any part in making the decisions which affect their lives.

So, at least as important as what it means for the poor, the programs sponsored by O. E. O. serve a basic and vital national need in providing avenues for volunteer service—and we have barely scratched the surface. This country, this government, and each of us are going to have to think of new ways to involve people in meaningful service, to use these wasted human resources, that we have not yet even dreamed of.

And every agency and department of this government is going to have to continually change its outlook and its activities to meet changing needs and conditions. While there is a spirit of innovation and creativity sweeping through every agency of our government, there is no question in my mind that it would not be moving nearly as fast as it is—or as it must—except for the challenge and competition of the single government agency which speaks for the poor, offers opportunity for service, and deals primarily in innovation.

O.E.O. must be kept as a separate entity for this reason, if for no other. I am particularly glad that the largest increases in funds provided for in this Bill are in broad, general areas which encourage and give incentive to innovation, creativity and originality of thinking, of approach and of action to the complex problems which our country faces.

The Upward Bound and Neighborhood Youth Corps examples and the eighty-year-old Negro woman learning to read and write, I spoke of earlier, also make me think of the renewed pride in their profession gained by the educators involved, and the widened vision they have about what they can do for people who formerly were lost, and the new perspective they have received about the problems and worth of the disadvantaged.

The Anadarko boy working as a welder makes me think of his employer, who, now, is not just making a living, but is giving a helping hand to someone else.

The Oklahoma City lady, getting a new view of law and legal machinery, reminds me of the brilliant young lawyer who has turned from building his own practice to running the Legal Services Program and the 75 law students who recently volunteered to help without pay.

When I think of the Headstart or Health or other programs started by Vista volunteers, I think also about the blonde Vista volunteer, working in a Vinita mental hospital, her face made more beautiful by the shine of inner satisfaction and of her determination to prepare herself even better through more education.

When I think of the Work Orientation Program, sponsored by Oklahomans for Indian Opportunity, I remember the Director trying to reach and get some response from—trying to communicate with—a group of withdrawn Indian dropouts in Shawnee, Oklahoma, and I could almost see him, the staff member, grow before my eyes, challenged as never before in his life.

When I think of the Migrant Worker Program in Southwestern Oklahoma, I think of the church women and ministers now living their religion on a daily basis.

As Bill Suttle, President of the United States Jaycees, whose regional office is in Tulsa, said recently:

"Experience gained by the current programs could go far toward greater involvement on the part of millions of concerned American volunteers."

We cannot meet the problems this country faces in health, mental health, in education or in most other areas except by the tremendously increased effort of non-professional volunteers. O. E. O. is pointing the way.

From all over America, people have written me asking "What can I do?" That is a terribly difficult question to answer, and we must make it easier. But, one way, I always say, is to support the programs of O. E. O. and their funding. Another is to become personally involved in them. I have done my best to become involved. And, now, I am very happy to have this opportunity to speak out in support of this legislation. I am honored you asked me. I congratulate you on what you have done in establishing O. E. O., and I feel certain that you will continue it and permit its impact to grow. This will be a better country, and each of us will be better citizens because you do.

RETURNS FROM THE SALE OF FEDERAL TIMBER

Mr. MORSE. Mr. President, in the summer of 1965 the Bureau of the Budget asked the Department of Agriculture and the Department of the Interior for a joint study of timber pricing procedures used by the Forest Service and the Bureau of Land Management. The request also called for a program which would bring more uniformity into appraising Federal timber.

The report is entitled "Review of Returns From Sale of Federal Timber." It understandably has become the source of several proposals on Federal timber sales and appraisal policies.

In the West the Federal Government owns 70 percent of the inventory of saw timber. Much of the privately owned timber in the West is in stable ownership and is generally not for sale to independent sawmills. As a practical matter, therefore, the Federal Government throughout most of the West owns about 90 percent of the timber readily available to the market.

It is understandable, therefore, that there are numerous requests for this report from Oregonians and others. To make it readily available to Members of Congress and others who are interested, I ask unanimous consent to have printed at this point in the RECORD, parts I, II, and III of this joint report. The headings for these parts are cast as questions:

Part I. Are appraisals, definitions, and objectives in line with fair market value concepts?

Part II. Do the agencies have a sound appraisal mechanism which is functioning efficiently?

Part III. Are agency sale programs and procedures such as to obtain fair return to the government?

In setting down the basic material to answer these questions, this part of the report covers value determination guidelines in the various statutes, regulations, legal opinions, and agency directives. There are authoritative descriptions of agency procedures, summaries of pricing policies, descriptions of timber sale policy and sale design.

I am certain that all serious students of forest management principles will be materially aided in their studies and reflections by having this fundamental information so readily available.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REVIEW OF RETURNS FROM SALE OF FEDERAL TIMBER

(A joint report to the Bureau of the Budget, prepared by Forest Service, U.S. Department of Agriculture and Bureau of Land Management, U.S. Department of Interior, May 1966)

INTRODUCTION

This report is concerned with whether the United States is obtaining fair market value in its sales of standing timber (stumpage). It is concerned with the pricing procedures used by the Forest Service, Department of Agriculture, and Bureau of Land Management, Department of the Interior, in commercial sales of standing timber. These are the two Federal agencies concerned with permanent programs of growing and selling timber for commercial industrial use. This inquiry does not consider incidental sales of timber as surplus property by military, conservation or other agencies not directly concerned with continuing programs of commercial timber production and timber sales. The inquiry does not cover the Bureau of Indian Affairs, which is acting in a fiduciary capacity in its conduct of a permanent timber production and sales program on Indian lands.

Standing timber is part of the realty until it is severed. Thereafter it is personal property and when cut into logs becomes a commodity of commerce which is the raw material for the forest products industries. Thus timber has some of the characteristics of real estate and some of the characteristics of a commodity of commerce. Value determinations must take into account procedures applicable to both characteristics. Like real estate, every timber tract has its own special characteristics which must be evaluated. Value comparisons from transaction to transaction must take into account these differences between tracts before a value judgment can be reached.

The classic means to determine market value of real estate is through comparative analysis of transaction evidence based upon expert judgment. Reliable information on transaction prices for private timber in sufficient detail to permit true comparability is too meager to make this a practical means for value determinations of stumpage. There is no generally recognized average going price for timber in a specific region at a specific time. The only generally available stumpage price quotations are those which result from bidding on Federal timber offerings.

An inquiry into Federal timber pricing must necessarily take into account the dominant position of Federal timber holdings. In the west, approximately 70 percent of the inventory of sawtimber is in Federal ownership. For the country as a whole, approximately 55 percent of the sawtimber inventory is in Federal ownership. Since much of the privately owned timber, particularly in the west, is in stable ownership and generally not available for sale, the Federal timber offerings form a much larger proportion of timber available for sale than the portion of Federal ownership in the sawlog inventory.

As a practical matter, throughout most of the west about 90 percent of the timber available for purchase is controlled by the Federal Government. In northern California, Washington, Oregon, north Idaho, western Montana, and the Boise Basin of Idaho, the needs of established mills for timber generally exceeds the rate at which Federal timber can be offered under sustained-yield management policies. As a result of these factors, the record of prices bid for Federal timber cannot be characterized as a price resulting from negotiations between a willing buyer and a willing seller, both of whom are under no compulsion to sell or purchase. These bid prices have aspects of a monopoly price in that the premiums offered by competitors who are in short supply cannot result in increasing the supply of timber. For these reasons, the transaction evidence resulting from bidding for Federal timber has been discounted heavily by Federal timber selling agencies in their determination of appraised prices for new timber offerings.

Appraised prices used in offerings of Federal timber are based primarily on analytical appraisal. This appraisal system starts with an estimate of the value of the products to be manufactured from a timber tract. From this value is subtracted the estimated cost of production. The difference between these two estimates is termed "conversion value." Conversion value is divided into a margin for profit and risk to the timber operators and a stumpage fee to the Government. Stumpage is thus a residual value which is an estimate of the amount an operator can afford to pay for raw material while earning a normal profit if he can conduct his production and selling activities at an average level of efficiency.

Since the Federal agencies do not advertise timber for sale at less than its appraised value, an inquiry into whether the United States is obtaining fair market value or some other concept of a fair return to the Government must necessarily be concerned with: (1) Do the agencies have a sound appraisal mechanism which is functioning efficient, and (2) Are values determined by analytical appraisal acceptable as fair compensation in situations without competitive bidding.

This report explores in detail the many factors which bear on the preceding two questions.

I. ARE APPRAISAL DEFINITIONS AND OBJECTIVES IN LINE WITH FAIR MARKET VALUE CONCEPTS?

A. Review of value determination guidelines

1. Basic statute authorizing sales

(a) *Forest Service.*—The statutory basis for Forest Service timber sales and timber pricing policies comes from a single section of the Act of June 4, 1897 (30 Stat. 35). This statute, as amended, is section 476 of Title 16 of the United States Code. The essence of this Act in respect to timber pricing is:

"The Secretary of Agriculture, under such rules and regulations as he may prescribe, may cause to be designated and appraised . . . trees found upon national forests, and may sell same for not less than appraised value. Before such sale shall take place, notice thereof shall be given . . . for not less than thirty days in one or more newspapers of general circulation. . . ."

(b) *Bureau of Land Management.*—(1) Act of August 28, 1937 (50 Stat. 874). This is the basic law authorizing the sale of timber from the revested Oregon & California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in Oregon. This Act contains several references which have been interpreted as value determination guidelines in the sale of timber. Excerpts from the O&C act embodying these guidelines are as follows:

"That . . . such portions of the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands as are or may hereafter come under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site lands valuable for timber, shall be managed, for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities. . . ."

"The annual productive capacity for such lands shall be determined and declared as promptly as possible after the passage of this Act, but until such determination and declaration are made the average annual cut therefrom shall not exceed one-half billion feet board measure: Provided, That timber from said lands in amount not less than . . . The sustained yield capacity . . . shall be sold annually, or so much thereof as can be sold at *reasonable prices* on a normal market."

"If the Secretary of the Interior determines that such action will facilitate sustained-yield management, he may subdivide such revested lands into sustained-yield forest units, the boundary lines of which shall be so established that a forest unit will provide, insofar as practicable, a permanent source of raw materials for the support of dependent communities and local industries of the region; . . . Due consideration shall be given to established lumbering operations in subdividing such lands when necessary to protect the economic stability of dependent communities." (Underlining supplied)

(2) Act of July 31, 1947 (61 Stat. 681). This is the basic law authorizing the sale of timber from the public lands of the United States if the disposal of such timber is not otherwise expressly authorized by law nor is not expressly prohibited by law. This Act makes indirect reference to value determination guidelines in Sec. 1 where it says "Such materials may be disposed of only in accordance with the provisions of this Act and upon payment of adequate compensation therefore, to be determined by the Secretary: . . ." Also Sec. 2 of the Act states that "The Secretary shall dispose of materials under this Act to the highest responsible qualified bidder after formal advertising . . ."

2. Secretary's regulations

(a) *Forest Service.*—Regulation S-7 (36 CFR 221.7) defines objectives and outlines procedures for appraisal of National Forest timber. In paragraph (a) the stated objective of appraisal is to establish market value. Analytical appraisal is specified as the basic procedure. Costs and product values of operators of average efficiency are to be used. All pertinent factors affecting market value are to be considered.

In paragraph (b) the Chief, Forest Service, is required to establish minimum stumpage rates for species or products on individual National Forests. No timber may be sold or cut for less than these minimum rates under commercial timber sales.

Paragraphs (c), (d), (e), and (f) establish a basis for the pricing features of National Forest timber contracts.

"*Reg. S-7. Appraisal and Contract Conditions.*

"(a) The objective of National Forest timber appraisals is to establish fair market value. The basic procedure will be analytical appraisal under which stumpage value is a residual value determined by subtracting from the selling value of the products normally manufactured from the timber the sum of estimated operating costs, including costs to the purchaser for construction of roads or other developments needed by the purchaser for removal of the timber, and margins for profit and risk. Costs and product values shall be those of an operator of average efficiency and related to the operating difficulties and to size and quality of the timber. All pertinent factors affecting market value shall be considered including but not limited to prices paid in transactions and valuations established for other purposes for comparable timber. Consideration of such prices and valuation shall recognize and adjust for factors which are not normal market influences.

"(b) The Chief, Forest Service, shall establish minimum stumpage rates for species and products on individual National Forests, or groups of National Forests. No timber may be sold or cut under commercial timber sales for less than such minimum rates.

"(c) Appraisal may also establish stumpage value as if unconstructed roads or other developments needed by the purchaser for removal of the timber were in place. When timber is appraised and sold on such basis, the estimated cost of construction of such roads or other developments specified in the timber sale contract shall, when such construction is accomplished by Purchaser, be deducted from stumpage payments made by or due from Purchaser under the timber sale contract for other than minimum stumpage rates and required deposits for slash disposal. Such estimated construction costs may be adjusted during the period of the contract in accordance with contract terms to reflect agreed to changes in location, construction specifications, physical conditions, or other circumstances which (1) either justify a reestimate of work quantities, or (2) result in variance between the estimate of construction quantities and those needed and accomplished by the Purchaser.

"(d) Timber shall be advertised for sale at its appraised value, but at not less than minimum stumpage rates. If advertised at its appraised value based on an assumption roads are in place, the advertised rate shall include an equivalent to the amortization rate for the estimated cost of such roads expected to be constructed by the Purchaser.

"(e) Timber may be appraised and sold at a lump-sum value or at a rate per unit of measure which rate may be adjusted during the period of the contract and as therein specified in accordance with formulas or other equivalent specifications for the following reasons: (1) Variations in lumber or other product value indices between the price index base specified in the contract and the price index actually experienced during the cutting of the timber; (2) variance between advertised rates and rates redetermined by appraisal at dates specified in the contract; (3) variance between redetermined rates and rates appropriate for changes in costs or selling values subsequent to the rate redetermination which reduce conversion value to less than such redetermined rates; and (4) substantial loss of value due to physical deterioration of green timber.

"(f) All sale contracts exceeding 5 years in duration, and those of shorter duration to the extent found desirable by the officer authorizing the sale, will provide for the redetermination of rates for stumpage and for required deposits at intervals of not more than 5 years, exclusive of any period allowed for the construction of improvements; but contracts for large sales in Alaska, involving installation of extensive manufacturing facilities, may provide that the first redetermination of rates and deposits will be made after not more than 10 years, exclusive of any period allowed for the construction of improvements.

(30 F.R. 8519, July 3, 1965, 36 CFR 221.7)"

(b) *Bureau of Land Management.*—Secretary's regulations governing the sale of timber from lands administered by the Bureau of Land Management are set forth in Title 43 Code of Federal Regulations, Group 5400—Forest Products Disposals. Specific regulations which have a more direct bearing on the pricing of BLM timber than others are listed as follows:

(1) § 5400.0-3 Authority.

(a) O and C and public domain sales.

(1) The Act of August 28, 1937 (50 Stat. 874, 43 U.S.C. 1181a) authorizes the sale of timber from the Revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road Grant Lands and directs that such lands shall be managed for permanent forest production and the timber thereon sold, cut and removed in conformity with the principle of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating streamflow and contributing to the economic stability of local communities and industries and providing recreational facilities.

(4) § 5402.1 Policy on appraisal and measurement.

(a) All timber or other vegetative resources to be sold shall be appraised and in no case shall be sold at less than the appraised value. Measurement shall be by tree cruise, log scale, weight, or such other form of measurement as may be determined to be in the public interest.

(b) As the general practice, the Bureau will sell timber on a tree cruise basis.

(c) Scaling by the Bureau will be used from time to time for administrative reasons. Such reasons would include but not be limited to the following: To improve cruising standards; check accuracy of cruising practices; for volumetric analysis; and for highly defective timber where it is impossible to determine the tree cruise volume within a reasonable degree of accuracy.

(d) Third party scaling may be ordered by the Bureau after a determination that all of the following factors exist: (1) A timber disaster has occurred; (2) a critical resource loss is imminent; (3) measurement practices listed in paragraphs (b) and (c) of this section are inadequate to permit orderly disposal of the damaged timber. Third party scaling volumes must be capable of being equated to Bureau standards in use for timber depletion computations, to insure conformance with sustained yield principles.

(9) § 5443.2 Reappraisal.

(a) If an extension is granted as provided in § 5443.1 the material sold shall be reappraised by the authorized officer. In making the reappraisal, the authorized officer shall use the Bureau of Land Management's prescribed procedures.

(b) For a cruise sale the timber sold remaining on the contract area shall be reappraised for the purpose of computing the reappraised total purchase price. The reappraised total purchase price shall not be less than the total purchase price established by the contract or previous extension. The reappraised total purchase price shall be paid in advance as a condition of granting an extension.

3. Departmental legal opinions

(a) *Forest Service.*—The General Counsel for the Department of Agriculture on June 3, 1962 issued an opinion on the meaning of "appraised value" as used in the Act of June 4, 1897, 30 Stat. 35, as amended, 16 U.S.C. 476. The major conclusion of this opinion is:

"As used in the statute the words 'appraised' and 'appraised value' are to be given their generally accepted meaning and that 'appraised value' means market value or fair market value as determined by appraisal."

A copy of this opinion is included in the Appendix as Item 2.

4. Agency manuals and directives

(a) *Forest Service.*—The market value definitions in Regulation S-7 and the definitions of appraised value in the General Counsel's opinion are used as a basis for an expanded discussion of market value objectives of National Forest timber appraisal in section 2423.12 of the Forest Service Manual, which reads as follows:

"*2423.12—Market Value of Stumpage.* Market value as used by the Forest Service in stumpage appraisals is the price acceptable to a willing buyer and seller, both with knowledge of the relevant facts and not under pressure or compulsion to deal. This price is sometimes called 'fair market value.'

"The act of June 4, 1897, provides that national forest timber may be sold at 'not less than the appraised value.' In applying this requirement the aim in national forest stumpage appraisals is to determine market value. Thus appraised value and market value as used by the Forest Service mean the same. Determination of appraised value (market value) by the Forest Service is based to a large extent upon the costs and returns applicable to representative forest-product operations of average efficiency. Prices received for national forest stumpage must also be considered but the many factors affecting these prices should be evaluated. Some of the more important factors may be: *

* 1. Local conditions of supply and demand for national forest stumpage.
2. Preemptive bidding.
3. Entrance or bonus bidding.
4. Income tax considerations.
5. Supplies of private timber.
6. Purchases by operators having superior merchandising or manufacturing facilities.

"Market value or appraised value as defined above is not necessarily the highest price received for similar timber by competitive bidding. In the sale of national forest timber, except as provided in FSM 2430.3, each sale of more than $2,000 appraised value must be advertised for at least 30 days and sold at the highest qualified bid. Thus the bid price or selling price is apt to be greater than the appraised value. This is understandable as the appraised value is based on the operator of average efficiency and is aimed at a market value which will interest sufficient purchasers to harvest the allowable annual cut offered for sale."

(b) *Bureau of Land Management.*—Broad policy objectives and guidelines are set forth in BLM Manual, Volume VIII Forestry, Chapter 2.7. Excerpts from the manual with principal value consideration guidelines are as follows:

(1) ".3 The Act of August 28, 1937 specified:

"The O&C lands shall be managed for permanent forest production and the timber on these lands sold, cut and removed in conformity with the principle of sustained yield, for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating streamflow, and contributing to the economic stability of local communities and industries and providing recreational facilities."

"The manner in which the timber is harvested has a very important influence on the achievement of the above enumerated objectives. Consequently, in planning and carrying out each O&C timber sale, each of the said objectives, and others that are appropriate, shall be given balanced consideration. No single purpose, such as financial returns, is to be overemphasized. The policy for sales of public domain timber is found in 43 CFR 5400."

(2) ".4A. It is Bureau policy to provide equal access opportunity for all BLM timber offered for competitive bidding. (See 43 CFR 5411.1 and Chapter 2.4 of this volume.)

(3) ".4C. Each timber sale shall be so located and so planned that it is in harmony with the long term resource management needs of the Bureau for the logical and orderly multiple use management of the BLM lands in the general area under consideration. Also the road construction required of the timber sale purchaser must be compatible both with justifiable costs and with the long term and short term resource management needs of the Bureau in the entire area tributary to the road system involved.

(4) ".4D. For O&C Sales ordinarily, annual timber sale offerings should be well distributed throughout each master unit. However, where there is a lack of community need for timber in portions of master units as evidenced by an unwillingness to purchase offered timber appraised under the principles stated in section .6B of this Chapter, annual sales should be located in those portions of master units where there is an effective demand for timber sales.

(5) ".4E. Within the limitations of good forest management, the size of sales in each master unit should be varied with the expressed needs of local forest industries. Ordinarily, the sales should be limited to a comparatively small volume (generally less than 10MM board feet) to increase the number of opportunities to purchase O&C timber. Sales of public domain timber should be limited in size compatible to requirements of local industry.

(6) ".6A. (1) It shall be the general practice to offer timber on a tree measurement or lump sum basis. Deviations from this practice must be fully justified, by memorandum, in the timber sale file, and is permitted when:

(a) Sales of highly defective timber make it impossible to determine, within a reasonable degree of accuracy, the standing tree volume.

(b) Special study sales designed to improve cruising standards, check accuracy of cruising standards or other volumetric analysis are needed.

(c) Count of the forest products rather than board foot volume, is the basis of measurement, i.e. Xmas trees, bunches of fern, cords of fuelwood.

(2) If scaling or counting is specified, all scaling or counting except Christmas tree sales conducted by the Division of Field Services, shall be performed by qualified BLM employees and shall be on a 100% basis. When scaling is specified the log rule used should be the same as the one employed by BLM for making tree measurement sales and for forest inventory determination. The economic feasibility of providing scaling services shall be of prime consideration in determining the method of measurement.

(7) ".6B. With few exceptions, appraisal of BLM timber shall be based upon the current value, F.O.B., of the product ordinarily manufactured locally from the timber involved (lumber, plywood, pulp, etc.). Stumpage will represent the difference between these values and the sum of the processing costs plus the allowance for profit and risk. In determining the estimated total costs of harvesting a particular tract of timber, use should be made of realistic up-to-date time and cost tables and charts for each phase of the harvesting job. These charts and tables should ordinarily be applied uniformly throughout western Oregon. Likewise the value used for any particular manufactured product should ordinarily not be varied from district to district.

(8) ".6E. The prompt salvage of economic units of dead or dying timber shall be given first consideration. Emphasis shall be placed on selling such timber before it deteriorates."

B. Compare and reconcile agencies' objectives

The Forest Service operates on the proposition that the basic timber sale statute requires timber to be offered at not less than appraised value and that such appraised value is market value. How market value will be determined in National Forest timber appraisals has been defined by the Secretary in paragraph a of Regulation S–7 (CFR 221.7). The instructions for appraisal of National Forest timber establish detailed procedures and guidelines for the principles stated in paragraph a of Regulation S–7. Forest Service procedures place much more emphasis on analytical appraisal than on transaction evidence.

The Bureau of Land Management's guiding objectives for appraising timber are summarized below:

An appraisal is an evaluation of attributes and obviously the evaluation must be on a particular scale or from a particualr point of view. Forces alien to this particular point of view, which could be called a pressure or compulsion, might have an effect on the actual price paid—or stated differently, it could cause a change in the position or viewpoint from which the evaluation is made. This concept is surely in conflict with those who would refer to bid prices on current or recent timber sales as a "fair market value" if taken from the point of view of a stable operator who wishes his business to continue during his lifetime and into the future (this would seem to be the type of operator who would help stabilize communities, be it a local community, the country or area and could furnish the nation with a continuous supply of desirable goods at reasonable prices and insure a source of necessary products during a time of national emergency.)

Bid prices are not reflective of true free market value because for one thing bidders are not free to bid lower than the refusal price and for another there is no way to determine the occurrence or extent of the compulsions and pressures which may affect the bid such as:

1. Current high demand.
2. Decreasing availability of private logs.
3. "Short-term" pressures.
4. Preclusive bidding.
5. Bidders uninformed on costs and markets (bidding blindly).

Recognizing the foregoing a close look and thoughtful consideration of the enabling legislative acts and regulations listed in Section I.A. below would indicate that the concept of "fair market value" in the classic sense (and taken from the point of view discussed earlier) would probably provide somewhere near the value which would permit stabilization of industry and communities. This would of necessity preclude short-term pressures as an influence on the market price of the stumpage as described previously.

As a practical matter the appraisal objectives of the two agencies are quite similar. The definition of appraisal of the two agencies differs. The Forest Service maintains that its procedures are reconcilable to a fair market value determination as fair market value is defined by the Secretary's regulation. The Bureau of Land Management has not attempted to define its value determination as fair market value. The statutes under which BLM operates have no requirement that timber be offered for not less than market value.

Neither agency has attempted to appraise the fair market value in the sense that such phrase refers to actual timber transaction evidence.

Both agencies are in agreement in principle that value developed from analytical appraisals should be the minimum acceptable prices at which Federal timber should be offered. The differences in procedures of applying analytical appraisals, which are discussed in Item II are considered by both agencies to be more significant than differences in terminology over what results from an analytical appraisal.

II. DO THE AGENCIES HAVE A SOUND APPRAISAL MECHANISM WHICH IS FUNCTIONING EFFICIENTLY?

While the theory of analytical appraisals used by the two agencies is virtually identical, the methods of developing cost, returns, and profit margins used by the two agencies differ significantly.

A. Description of the appraisal procedures used by each agency

1. Forest Service

The details of Forest Service appraisal procedure are stated in Chapter 2420 of the Forest Service Manual. A copy of this is included in the Appendix as item 3. The value of product outturn FOB milling point is estimated for lumber, plywood, and chips. Lumber outturn estimates are based on mill scale studies which predict grade yield by log size and log grade. These same studies are used to develop the volume relationship between log scale and lumber tally. Lumber selling values by grade are obtained from the accounting records of a sample group of timber purchasers. Plywood outturn by grade and volume, and prices by grade are based on data supplied from the American Plywood Association.

Chip selling values at the pulp mill are determined from accounting records of representative sample mills. The cost of transportation from the sawmill and plywood plant to the pulp plant is calculated and deducted from the chip selling value at the pulp mill. The volume of chips per unit of log measure is based on Forest Service studies of chip production in representative mills.

The Forest Service estimates costs for both sawing and logging from accounting records of selected representative purchasers. Costs for manufacture of veneer and plywood are obtained from the American Plywood Association. Road construction costs are estimated from contract bid rates for similar road construction. The costs are compiled on a calendar year basis in order to have the full effects of all seasons of operating and weather conditions. These experienced costs from operators' records are segregated by operating zones. Adjustments are made for unusual local conditions or stand conditions from these average zonal costs. For log transportation by truck, the cost may be computed from a published tariff schedule from the Washington State regulatory authority or by time study allowances in a Forest Service published study.

The profit allowance in Forest Service appraisals is developed by use of a profit ratio which is a percentage of the total cost of production including the appraised stumpage value. This method also results in a percentage allowance on the total value of the estimated product outturn. Thus an allowance of 12 percent on the cost including stumpage is equivalent of a 10.7 percent allowance on product outturn value. The profit ratio is generally around .12. It is subject to adjustment whenever significant market trends are detected. A regular review at the start of each calendar quarter is made to determine whether to continue or to adjust the rate then in effect.

2. Bureau of Land Management

The basic approach used by the BLM in appraising stumpage for sale is the residual method under which all costs of production are subtracted from the selling value of all products estimated to be available from all timber designated for sale and the difference is divided according to a particular rationale between operator profit and risk, and stumpage. The division of this difference known as the conversion return has been discussed previously. Details of the process follow.

Volume Determination.—The BLM uses a 100% cruise to determine the volume of timber on each sale. The tree volumes are based on the form class concept as developed by James W. Girard and Donald Bruce. Trees are cruised in 16′ logs. Any log that is estimated to contain less than ⅓ sound material is considered a cull log. The BLM merchantable top diameter is equal to 50% of the diameter inside bark at the top of the first 16′ log. Concurrent with the volume cruise a percentage of the trees is graded. This percentage varies, but it is expected to be large enough to insure no greater than a ±10% sampling error (95% fiducial limits) in pond value.

When the field cruise for a sale is completed it is sent to the Portland Service Center for computer calculation of volume and pond value. The volumes for each 16′ log are calculated by the Scribner approximation formula. The pond value is applied to each log by species, grade and diameter. Volumes and values are summarized and sent back to the district office where the appraisal is completed.

Product Selling Values.—The Bureau generally follows the procedure of securing product values which an average operator could expect and which are as current as possible. Prices for each product grade within each species are determined individually. The use of a plywood index for adjusting veneer values, is occasioned by the complex nature of veneer value calculation plus the fact that grade values are interrelated because of the normal procedure of selling combinations of veneer grades in single panels—prices for veneer during the base period are calculated giving consideration to this fact. The cost accountants in the American Plywood Association (A.P.A.) advise that the plywood items in their monthly letter form a sound base for monthly price adjustment.

While it is preferable to use actual current transaction data this is not entirely possible. Crows Price Reporter, used for Douglas-fir and cedar prices, and Random Lengths, used for hemlock and cedar pricing, report prices which are currently being booked. The prices listed in each publication are taken from a cross section of company size classes and presumably represent a price the average operation might receive. The prices for the true firs and the pines are taken from the Western Wood Products Association summaries. Prices from the W.W.P.A. used for pricing the true firs and the pines, are actual shipped values which are desirable but the time lag is greater than for those listed in the price reporting periodicals. The final publication issue each month in each case is used for pricing purposes and is averaged with prices from the preceding two months to establish the monthly "rolling average" lumber grade price. Veneer, as noted above, is based upon the only plywood letter each month—again the lag is substantial—but represents prices received for plywood which has been shipped and is averaged with those of the preceding two months for the "rolling average."

In application, an index is determined for each species each month and the new prices (the rolling average reduces the number of sharp increases and decreases which would serve only to increase the amount of work if used) are introduced if the difference between the new index and the one for prices currently effective in appraisals is equal to or greater than $2.

When new prices are decided upon the new product prices are applied to the percentages of the appropriate product grade by log grade and diameter class and a value in dollars per Mbf lumber tally determined for each log diameter class within each log grade. Each of these values is then multiplied by the ratio of actual product output volume to log scale volume. These ratios are determined from recovery studies except in the case of Douglas-fir lumber where the International ⅛″ rule is used as the statement of product output volume (lack of sufficient data for appropriate log scale dictates this though the one small quantity of data available supports this practice). For peeler grade logs this is assumed to be the value (a small value for chips is added later) and is not variable by log size for various reasons. The values for logs of varying diameter for each log grade are analyzed by a linear and curvi-linear regression and the relationship of value per Mfb log scale by log diameter established for each log grade for use with cruise data.

Chip values are added to the value of logs later. The selling values are based upon Forest Service and BLM canvass of operator's for their contract price. Costs are from the synthesized mill and the recoveries are, in general, based upon recent recovery study information.

Milling Costs.—The Bureau's intent in general is to determine and use product manufacturing costs which are average and which are commensurate with the products and product prices used as a basis for selling values. This is accomplished for veneer or plywood through use of the American Plywood Association cost accounting division report which develops costs and veneer factors by specific manufacturing processes for the companies subscribing to their procedure and thus a total cost by veneer grade.

Sawmilling costs (and chip productions costs) are determined through development of a synthesized or engineered mill which is average, will produce the products used for pricing and for which allocation of costs to the appropriate manufacturing processes can be achieved and fixed and variable costs can be determined. This permits accurate use with production rates found in time studies which can be varied by log size and other variables (log grade, defect, species and length if appropriate). This approach also has an advantage in permitting the elimination of inappropriate costs such as excessive overhead, accelerated depreciation, etc. One disadvantage may be the omission of a portion of normal delay or lost time which specific time studies do not reflect.

These costs, like those for harvesting logs, are kept in line with the general appraisal approach of omitting elements of profit, risk, income tax, etc. Product and processing development costs are included in a nominal way in sawmilling costs (it is included in an allowance for general and administrative expenses which amounts to 10% of all other costs) and as a portion of the A.P.A. (the Association performs some of the research) dues and in the general and administrative cost allowance.

Determination of Logging Costs.—The determination of stumpage value using the residual method as employed by the BLM requires an estimate of the costs of tree harvesting from the stump to mill pond. The Bureau seeks to use costs which are insofar as possible commensurate with the job to be done on each specific area and has adopted the use of time studies and synthesized operating costs.

For this method time studies are conducted for the various functions of timber harvesting, including road construction, in such a way that the time required to do the job can be related to certain measurable variables which affect the speed of performance.

Machine rates are calculated for machines that closely approximate, in capacity and horsepower, those used in the time studies. These costs are worked from the purchase prices and operating expenses furnished by manufacturers and distributors of equipment and supplies. An attempt is made to estimate actual "useful life" of equipment for depreciation allowance.

Manpower in each operation is based on an average of study conditions. Basic wage rates for woods workers are collected from the Western Council of Lumber and Sawmill Workers, AFL–CIO, and the International Woodworkers of America, AFL–CIO. These basic rates are then adjusted for workman's benefits, direct supervision costs, and employers contributions from information supplied by the State of Oregon.

The machine and wage rates are used together to develop operating costs per minute for the various timber harvesting jobs. These costs are then applied to the time study results to yield cost tables. BLM harvesting costs, with minor exceptions, do not include profit, risk income taxes, etc. Exceptions are in those items that an average operator cannot be expected to do such as construct a concrete bridge or crush road rock; he must pay someone else to do the job. The average operator's costs for these items must necessarily include profit, risk, etc. An item amounting to 10% of all other costs is included to cover general and administrative allowances.

Division of Conversion Return.—The BLM currently uses a conversion return division of .50 for stumpage for all species except the pines in the Medford District and the eastern Oregon districts for which .60 is the stumpage allocation. This means that about 99% of the volume sold is appraised using the 50–50 formula. This item has been discussed under heading I.

Details of BLM appraisal procedures are included in the Appendix as item 4.

B. Compare and reconcile agency procedures

FS–BLM Plan for Development of More Uniform Procedures for Appraisal of Federal Timber in Western Oregon

Both agencies are now making a joint review of timber appraisal systems in use in western Oregon. In this review, consideration will be given to recent mill scale, transportation, and cost studies which provide a basis to improve appraisal accuracy. These studies will also facilitate agency adjustments toward uniformity in appraisal procedures.

Each agency must consider the impacts of adjustment in its procedures to attain uniformity on its overall operation and its budgetary position. With this in mind it is the desire of each agency to develop the maximum practicable degree of uniformity in timber appraisal procedures.

We have agreed that there are many appraisal elements to be analyzed, but also that an interim and coordinated adjustment in appraisals would be necessary. Thus, the approach is to undertake changes in two stages, an interim short-term stage and a long-term stage.

The interim short-term stage would aim for an early major adjustment in appraisal procedures which will be put into effect the latter part of the summer of 1966.

Interim Stage.—The BLM–FS objective in the interim stage is to reconcile to the extent possible differences in cost estimates and realization values. A BLM–FS task force in Portland is currently studying the two appraisal procedures.

Costs.—A comparison of BLM and FS cost estimates for similar timber and similar measurement units indicate some differences in estimates of falling and bucking and transportation. These two items of cost will be intensively reviewed and adjustments made if necessary.

Lumber Recovery Values.—Both agencies are using data from a lumber recovery study made in 1947. Work is just about completed to the point where studies made within the last three years are ready for use. Preliminary estimates are that adoption of results of these recent mill studies may raise end product values $2 to $4/MBF.

Conversion Return.—There is a considerable difference in the methods used by the two agencies in dividing the conversion return between stumpage and profit and risk. The BLM is preparing to adopt a method of splitting the conversion return which is similar to that used by the Forest Service.

Comparison of Sale Volumes.—Both agencies will cooperate in an effort to determine the ratio between log volume recoveries measured in Bureau scale and tree measurement volume determination of BLM.

Long-Term Stage.—The objective in the long-term stage is to develop and agree on similar procedures for estimating costs and realizations and division of the conversion return into stumpage and margin for profit and risk. It is generally agreed that the appraisal elements not covered in the initial stage are of a nature that change or solution will require a period of one year or more and include the following:

1. Selling Value Estimates

A. Measurement Unit—A committee has already been established to develop a common acceptable measurement unit.

B. Sawlog Mill Scale Studies.

(1) Use of new mill scale studies.

(2) Adjustment of mill scale study overrun to reflect difference in log lengths between mill scale study and normal scaling practice.

(3) Selling prices for grades and items recovered in mill scale studies should be fully developed for use in selling value determination.

(4) Use of collected grade prices or quoted grade prices for application to mill scale recovery in selling value determination.

C. Plywood Mill Scale Study.

(1) Use of new mill scale studies.

(2) Adjustment of mill scale study recovery ratio to reflect difference of scaling between study and normal scaling practice.

(3) Use of collected, quoted, or developed veneer prices from plywood for application to mill study recovery.

(4) Use of collected or quoted plywood prices.

D. Experienced Selling Values.

(1) Lumber and specialties.

(2) Plywood and specialties.

E. Adjustment of experienced selling values to reflect timber quality differences.

(1) By batch testing.

(2) By identifying the zone average log mix for lumber and plywood logs, and developing a relative adjustment factor.

(3) By using lumber relatives only, or plywood relatives only.

2. Manufacturing Cost Estimates

A. Properly identifiable cost collections from the same operations furnishing selling values will be applied to time study data for lumber manufacture.

B. Costs to be placed on same measurement unit as used for selling values.

C. Manufacturing overruns and selling value overruns must be constant.

3. Logging Costs

A. Based on same measurement unit used with selling values and manufacturing costs.

B. Logging costs will be collected from a representative sample of loggers and average costs will be determined for a zone or geographical area.

C. Properly identifiable average logging costs will be applied to time study data on each sale.

D. Because of different practices resulting from different stand and topographic conditions we agreed to continue the following appraisal items independently by each agency.

(1) Estimate of road construction costs, although unit cost information will be interchanged in the interest of securing better estimates by both agencies.

(2) Other logging costs, including such things as slash disposal, reforestation, erosion control, stream clearance, etc.

4. Methods Used in Current Pricing

Both agencies use current pricing methods in order to keep in touch with market trends. The Forest Service method is based on adjustment of average realizations by the percentage change in lumber and plywood indices each calendar quarter from the base period on which average realizations are based.

The Forest Service uses the monthly lumber price indices of the Western Wood Products Association for these current pricing adjustments. These indices are computed from shipping invoices.

BLM computes selling values directly from lumber price quotations in trade publications. Prices used are a three-month rolling average which is recomputed whenever a $2 per M board-feet change in the average three-month selling value occurs.

Significant differences between these two procedures are:

A. WWPA indices are based on actual transactions documented by shipping invoices. Trade publications are expert opinions on lumber price levels.

B. The shipping invoices used to compute WWPA indices normally become available from three to six weeks after an order is booked. The trade publication price reports are expert opinions on the prevailing level at which orders are being booked.

C. The Forest Service contract provides for a quarterly stumpage price adjustment based on 50 percent of the difference between a base index stated in the contract and the index for the most recent calendar quarter. BLM contracts have no such escalation provision.

D. Forest Service selling values are adjusted at regular three-month intervals. BLM selling values are adjusted only when a change in value of more than $2 per M board feet develops. When such a change occurs, the price base becomes the three-month period preceding it. Hence BLM price base is of indefinite duration and the 90-day period from which it is derived can be any consecutive portion of the year.

These two methods of current pricing will be studied.

C. Units of measure in western Oregon

In the Douglas-fir region, the Forest Service uses the industry's unit of measure, which is bureau scale. Bureau scale is the production unit used in industry cost computations. Forest Service scale cruises for appraisals are designed to estimate log outturn in bureau scale units. Stumpage payments for virtually all Forest Service sales in the Douglas-fir region are based on a log scale. Scaling services furnished by the five established bureaus in the Douglas-fir region are accepted for purposes of computing stumpage payments by the Forest Service. When the scale is performed by Forest Service employees, they work under instructions which are comparable to those followed by bureau scalers. The major special features of bureau scale in the Douglas-fir region which sets this unit of measure apart from industry and Forest Service scaling practices elsewhere are as follows:

1. Fractional inches are dropped (not rounded to the nearest inch) in determining log diameters.

2. No taper is allowed in logs up to 40 feet in length.

3. For logs over 40 feet in length, an allowance of one-inch taper per ten foot of length is made.

4. Defect deductions are made by length and diameter cut rather than by the squared defect method.

The tree cruise volumes for developing the stumpage appraisal used by the Bureau of Land Management are the volumes upon which the total appraised (minimum acceptable) price of the sale is based. The volume is found by an individual assessment for all trees of each diameter and height (number of 16-foot logs) to the point where the diameter inside bark is one-half of the diameter inside bark at a height of 16 feet. Later, through use of a computer, the Scribner approximation formula is applied to each 16-foot segment using a stand average form class and hyperbolic rate of taper developed by Bruce.[1]

The contrast between this method and the major features of bureau scale listed previously are as follows:

1. The volume tables are computed on the basis of rounding diameters to the closest inch.

2. Taper is allowed for at regular 16-foot intervals.

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[1] Girard, James W., and Bruce, Donald; *Board Foot Volume Tables for 16-foot logs.* 44 pp., Portland, Oregon (1949).

3. The taper at each 16-foot interval is calculated by a mathematical formula based on measurement of sample trees. The rate of taper thus determined is substantially more than the one inch in 10 feet used in bureau scaling.

For the same tract of timber, Forest Service and Bureau of Land Management measurement systems and sale procedures will produce substantially different number of payment units (thousand board feet). These differences will arise from several sources.

1. The geometry of bureau scale specifications as compared to specifications for 16-foot volume table cruising. The percentage of difference due to this cause will be affected by the size of timber but will be reasonably uniform if it is assumed that all logs will be bucked and scaled in 40-foot lengths. A detailed tree-by-tree comparison for one sample area of the gross volume determined by Bureau of Land Management method with the gross volume of the same trees if cruised on bureau scale specifications and at uniform 40-foot lengths was made jointly by the two agencies. The results of this analysis indicated that the Forest Service volume should be increased by 18.3 percent to equal the BLM volume. The corresponding adjustment to convert Bureau of Land Management scale into Forest Service volume would be to multiply the Bureau of Land Management cruise volume by .847.

2. Since the Forest Service scale is based on actual bucking practice, the actual scale will be affected by deviations from a uniform 40-foot log length. Where logs longer than 40 feet are produced, the allowance of one inch in 10 feet for taper may result in a lower scale than if logs were produced at a uniform 40 feet.

3. In a scale sale, log scaling is done after the breakage has occurred. Internal defects can be identified at the end of each log and defects on the side of logs can be inspected at close range. In estimating volumes of standing trees, breakage must necessarily be estimated. Defect deductions are adjusted for such visible evidence as can be detected in the standing tree, based on experience.

4. The actual utilization practice of a particular operator is a variable which affects the final volume outturn in terms of log scale.

A systematic exploration of the difference in volume between Bureau of Land Management and Forest Service method has never been attempted. One such test would be comparisons of scaled log outturn from Forest Service sales which had been cruised by the Bureau of Land Management before cutting began. A series of observations would be needed to establish the degree of variability in volume under different conditions. Comparisons also could be made by obtaining bureau scale of log outturn from cruise sales made by the Bureau of Land Management. A series of paired observations of these two methods would throw some light on whether the utilization obtained under a cruise sale is more intensive than that obtained under a scale sale. The two agencies are planning to develop a series of these tests.

The two agencies have agreed that an approximate adjustment to put volume determinations on a common basis would be to increase Forest Service volumes by 18 percent to equal BLM volume and to multiply BLM volume by .848 to equal Forest Service volume. This conversion ratio is used in this statement.

D. Summary of reviews of Federal timber pricing policies and valuation procedures

Beginning in the 1950's, there have been a series of investigations, studies, audits, and reviews of the activities of the two agencies which have been concerned primarily or collaterally with timber pricing policies. A brief description and characterization of these past inquiries is furnished.

1. 1954 House Hearings on Marking and Pricing of Timber in National Forests

The first Congressional inquiry into pricing policies for national forest timber was a hearing held by the public lands subcommittee of the House Interior and Insular Affairs Committee in 1954. A copy of the printed record of this hearing is included in the Appendix as item 5.

During late 1953 and early 1954, the lumber market suffered its first decline after the higher price levels developed from the Korean War. A number of California lumbermen presented testimony which criticized the Forest Service for alleged use of transaction evidence in its determinations of advertised value. The Forest Service defended its pricing policies to a considerable extent on the basis of bidding records. The public lands subcommittee took no action on these hearings. These hearings do provide a record of industry objection to Forest Service pricing policies during a rather mild recession in the lumber market and a statement of Forest Service position on appraisals as of 1954. In that statement of position, the analysis of transaction evidence was stressed more by the Forest Service than it is in current appraisal manual instructions. Industry's attack was centered on this particular phase of the Forest Service appraisal policy.

2. McKinsey and Company Review

In the fall of 1954, McKinsey and Company, a nationally known management consulting firm, was employed to make an evaluation of Forest Service timber sales activities. This included a review of appraisal procedures and pricing policies. This was the first outside review of Forest Service pricing policies. This report was widely circulated among the interested persons in the forest products industry. This report concluded that Forest Service appraised prices were within the zone of fair market value. McKinsey and Company stated that Forest Service appraised prices approximate those charged by private sellers. The report stated: "The Forest Service, therefore, is receiving full value for the timber it sells, and for the extent that comparison is possible, its realization compares favorably with that achieved from the sale of private and other public stumpage." A copy of the McKinsey and Company report, together with the Forest Service comments of November 1, 1955 on it, is included in the Appendix as item 6.

3. Federal Timber Sale Policy Review by House and Senate Sub-Committees in 1955–1956

In 1955 a Senate subcommittee of the Senate Interior and Insular Affairs Committee and a subcommittee of the House Government Operations Committee joined forces and held hearings on Federal timber sale policies in California, Oregon, and Washington. These hearings were held in November 1955 and were followed up by a hearing in Washington in February 1956. Congressman Chudoff served as chairman during the course of these joint hearings. The Committee staff prepared an extensive report and the two subcommittees adopted certain published recommendations. In 1958 the Senate subcommittee reprinted its recommendations with comments from the Federal agencies on each of them. A copy is included in the Appendix as item 7.

This Congressional investigation was not aimed primarily at timber pricing policies. The investigation was made in an entirely different economic environment than the public lands subcommittee inquiry in 1954. By the fall of 1955 and early 1956, there had been a marked upturn in the lumber market. The forest products industries were booming. The main emphasis was on means to find a bigger source of supply of raw materials from the Federal timberlands.

The one specific recommendation on timber pricing was item k-3, which read: "The agencies should compute an appraised price consistent with the fair market value of timber, as established by competitive bids for comparable timber." In the 1958 responses, both the Forest Service and the Bureau of Land Management pointed out there was no basic disagreement with the recommendation but there were probably differences in interpretation of how controlling and what adjustments were appropriate in considering the pertinency of transaction evidence.

4. An Examination of Some Economic Aspects of Forest Service Stumpage Prices and Appraisal Policies

In 1958 the Forest Service employed Dr. Sidney Weintraub, Professor of Economics, University of Pennsylvania, to review its stumpage prices and appraisal policy. His report of approximately 200 pages was reproduced and distributed by the Forest Service. The report is now out of print. Dr. Weintraub had had no previous experience in the forest products industry or in timber appraisal matters. His report was primarily for use as background material by those responsible for formulating Forest Service appraisal policies. He presented a new and fresh viewpoint. Dr. Weintraub's report is a rather broad and rambling analysis. It supports the use of transaction analysis. It suggests that the major objective of price and appraisal policy would be: (1) to move the annual yield quota onto the market for harvesting; and (2) to maintain a lumber industry of such present and prospective future size as to enable sustained-yield programs to be met.

5. Timber Appraisal Review Committee

A thorough general review of timber appraisal policies and procedures was made by a three man committee organized by the Forest Service at the request of the Secretary of Agriculture in the first half of 1963. A. C. Worrell, Professor of Forest Economics at Yale University; A. N. Lockwood, a past president of the American Institute of Real Estate Appraisers; and M. J. Lauridsen, Valuation Engineer, Internal Revenue Service, comprised the committee. The committee operated with complete autonomy. Its report dated June 1, 1963, is undoubtedly the most thorough review of timber appraisal procedures which has been made. The report of the committee and the comments of the Forest Service, dated November 7, 1963, are included in the Appendix as item 8. The findings of the committee have received substantial support from industry spokesmen.

The committee questioned whether the analytical procedure as used by the Forest Service developed fair market value. It recommended retention of analytical appraisals to an operator of average efficiency. It recommended that such appraisals be termed the determination of "acceptable price." It recommended that this acceptable price be determined by use of a uniform allowance for profit in all appraisals. The allowance for risk would be varied to conform with the particular risk conditions of each sale. The committee stated that such an appraised price is the maximum an operator of average efficiency could be expected to pay when not under compulsion by competition to offer more.

In its comments of November 7, 1963, the Forest Service pointed out that under most circumstances its appraised prices would be virtually identical with those arrived at under the committee's proposal. However, there are circumstances when adherence to the committee's suggestion would result in substantially different value determination than the facts justify. Some circumstances will be encountered where use of transaction evidence as a guide to adjustment of profit ratios must be used.

While there is much critical analysis of Forest Service appraisal procedures in the committee's report, the basic procedures followed by the Forest Service are strongly supported. The entire discussion in the committee's report is based on the proposition that cost and selling values will be ascertained from operators' records.

6. Report of Investigation of the Sale of Government owned timber in the Pacific Northwest during calendar years 1947–1951, by the Forest Service, Department of Agriculture, and the Bureau of Land Management, Department of the Interior

This report of the General Accounting Office in March 1953 covered an investigation of the timber sales practices of the Forest Service and the Bureau of Land Management during the period 1947–1951. Significantly, the report dwelled upon the degree of competition for Federal timber and the various factors which influence competition. The report concluded that the following factors have a "distinctly adverse bearing on the degree of effective competition for each individual tract of timber offered for sale and in the net amount of revenue accruing to the Treasury: (a) "gentlemen's agreements" among operators to restrict competitive bidding, (b) private control, through private ownership of contiguous land and access roads, (c) administrative policies of the agencies with regard to the method of acquiring access roads, (d) timber selling practices of the agencies, and (e) the effect of the application of the capital gain and loss provision of the Internal Revenue Code (26 U.S.C. 117(k))."

The timber selling practices of the two agencies were analyzed separately. With respect to BLM the GAO also concluded from a study of some 912 timber sales made during the study period, that the sales on a lump sum basis (cruise) resulted in a significant loss of revenue to the Government. This conclusion by the GAO caused the Office of the Secretary, Department of the Interior, to write a seven-page rebuttal to the report contending that the conclusion was based upon false premises.

7. 1962 Senate Commerce Committee Hearings on Problems of Softwood Industry

A decline in lumber and plywood prices began in the last half of 1960 and continued through 1961. By the spring of 1962, a severe profit squeeze resulted in production curtailment, mill closures, and unemployment in some timber dependent areas. The impact of Canadian lumber imports increased. Because of this situation, the Senate Commerce Committee held a series of hearings on problems of the softwood lumber industry between April 16 and June 18, 1962 at Olympia, Washington; Portland, Oregon; Lewiston, Idaho; and Washington, D.C. These hearings have been printed as a Senate document in three parts.

The difficulties of Pacific Northwest lumber producers in meeting Canadian competition was laid primarily to (1) higher costs for intercoastal shipment of domestic lumber than lumber shipments from British Columbia to the east coast and (2) higher stumpage prices for National Forest timber than for timber from Crown lands in British Columbia. At that time there was a strong sentiment to do everything possible within sound conservation practice to market more National Forest timber so that the spread between bid and appraised prices would be reduced. There were also numerous charges at the hearings that appraised prices for National Forest timber in the Douglas-fir region were unreasonably high.

E. P. Cliff, Chief of the Forest Service, appeared before the Senate Committee on June 15, 1962. (See pages 154–263, Part I of Senate Commerce Committee Hearings, 87th Congress, on "Problems of Softwood Lumber Industry.") In his prepared statement, Mr. Cliff cited several actions taken at that time to reduce appraised prices. He was cross-questioned at length on the adequacy of these pricing actions by Committee members. There was no suggestion that the price reduction action should not have been taken.

In this statement to the Committee, the concept of the 42 National Forests of the Pacific Coast and Inland Empire States where demand for timber is in excess of volume available for sale was first developed. Allowable cuts, volumes sold and cut, and bid and appraised prices for the years 1959, 1960, and 1961 for these 42 National Forests was the central theme of the Forest Service statement.

The record of these Senate and Commerce Committee hearings clearly document industry problems during the most recent lumber price dip. A concern over stumpage prices for National Forest timber is brought out both in the industry spokesman testimony at the field hearings and the cross-examination of Mr. Cliff at the hearing in Washington.

E. Pending and proposed reviews

The reviews involving Federal timber pricing matters are underway or planned.

1. Competition for National Forest Timber in the Pacific Northwest by Walter J. Mead

This study is an analysis of the difference between bid and appraised prices for timber in Forest Service Region 6 from 1959 to 1963, inclusive. This report is being prepared for the Pacific Northwest Forest Experiment Station by Walter J. Mead, of the faculty of the Santa Barbara branch of the University of California. The full report is in manuscript form and undergoing final editing. Mr. Mead furnished a preview of his work in a memorandum to the Bureau of Land Management. That memorandum has been given considerable circulation. A copy is attached, together with Forest Service and Bureau of Land Management comments included in the Appendix as item 9.

2. Interagency Review of Conversion Values

BLM and FS analyzed the relationships between the appraisal elements and the data used by each agency. The purpose of this analysis was to determine where, if any, there were differences which could be resolved by further detailed review.

Data was obtained on average appraisal pricing and costs for all national forest sales in western Oregon for a year and one-half period, from July 1, 1964, to December 31, 1965, and compared to similar costs used in BLM appraisal sales in western Oregon during the one year period January 1, 1965, to December 31, 1965.

From this analysis it appeared that significant differences were in two logging cost items (transportation and felling and bucking costs) and in the profit margin.

As a result of this analysis both agencies are proceeding with the plan as explained in II B of this report.

3. Interagency Profit Study 1966

One of the recommendations of the Timber Appraisal Review Committee was that a thorough economic study of profit margin be made.

"A further study of profit levels for use in appraisals, as suggested by the Appraisal Review Committee, is desirable. The study should review the various sources of profit compilations by industries and industry-size classes and establish a systematic basis for interpretation of such statistics both from year to year and on a comparative basis between industries. A comprehensive statement on this subject should prove quite helpful in establishing common understanding with industry on the significance and interpretation of published profits statistics. A needed second phase for study is the significance and use of data on attained profits in past years for guidance in setting profit margins in appraisals which estimate costs and margins applicable to future cutting.

"The Forest Service has made two previous attempts to obtain effective analysis and advice on the subject of profit levels through independent studies by persons not previously connected with National Forest timber appraisal activities. (The work of the Timber Appraisal Review Committee is one of these attempts.) The fact that, as pointed out by the Committee, further study is still needed suggests that joint effort by personnel responsible for National Forest timber appraisals with qualified economists is needed. We plan to pursue these studies with the assistance of other agencies of the Department on this basis."

It now appears advisable to expand this study into a full scale interagency review of both levels and procedures for setting profit margins in timber appraisals. The two agencies will proceed to organize for the conduct of this study at the earliest practicable date.

III. ARE AGENCY SALE PROGRAMS AND PROCEDURES SUCH AS TO OBTAIN FAIR RETURN TO THE GOVERNMENT?

A. Timber sale policies

1. Continuous Offerings of Allowable Cut at Even Flow

(a) *Forest Service.*—Regulation S-6, paragraph a, of the Secretary of Agriculture (36 CFR 221.6) reads as follows:

"(a) One of the prime objectives of National Forest management is to develop an orderly program of timber sales designed to obtain the regular harvest of National Forest timber and allowable cutting rates as determined by timber management plans prepared in accordance with section 221.3(a) for management of National Forest timber resources."

Section 2430.2 of the Forest Service Manual supplements the Secretary's instructions by pointing out that the timber sales program is an important segment of the total program of multiple-use sustained-yield management for the National Forests. This section of the Manual recognizes that adequate markets of timber are dependent on progressive and healthy forest products industry. In the long run, the successful sales program is dependent on a market generated by healthy forest products industry.

Forest Service policy is to offer the full allowable cut in working circles where there is milling capacity to use it each year. Fluctuations in prices of forest products are reflected in timber appraisals but do not influence the rate of timber offerings. Thus a high level of bid premiums does not result in increasing the volume of National Forest timber offerings.

A substantial recession in forest product prices can have the effect of making most of the timber in some working circles economically inoperable. If the reduction in conversion value is such as to still leave a profit margin of 50 percent or more of normal, no shift in the rate of timber offerings is made. If the product price drop results in profit margins of less than 50 percent of normal (after allowance for payment of stumpage at minimum rates), the volume offered for sale is usually reduced because of lack of interest by mills in making timber purchases.

Fiscal year 1965

Quarter	Number of sales	Percent	Volume	Percent
1st	137	29.4	331,687	28.2
2d	106	22.6	265,623	22.6
3d	77	16.5	179,327	15.3
4th	147	31.5	398,574	33.9
Total	407	100.0	1,175,211	100.0

(b) *Bureau of Land Management.*—In the Act of August 28, 1937, the Congress of the United States directed that the O&C lands be managed for permanent forest production in conformity with the principles of sustained yield. The Congress also directed that the annual productive capacity of such lands be determined and timber in such amounts sold each year. The Act specified that an amount not less than 500 million board feet be sold annually pending determination of the sustained-yield capacity. The sustained-yield capacity of the O&C lands was first determined in 1948. It has been revised 10 times and the current allowable cut is 1127 MM b. f. Since 1952, the Bureau of Land Management has offered the full allowable cut for sale.

In compliance with this Congressional directive, the Bureau has, since 1951, prepared formal plans for the sale of timber on an annual basis. The plans are formulated at the field level based upon criteria set forth in law and regulation. The plans are reviewed by the public generally and the district advisory boards specifically prior to adoption and publication. A timber sale plan consits of a listing, by legal description, of every parcel of timber to be offered for competitive sale. For each parcel listed there is shown the approximate volume to be sold and the probable period (quarter) during the plan year when the timber will be offered for sale. (An example of a typical timber sale plan for a western Oregon district is included in the Appendix as Item 10.) The plans seek to provide an even distribution of sales during the plan year.

Emphasis is given to scheduling sales to meet forest development needs and to permit an orderly and efficient programming of sales preparation by field foresters. The following distribution of sales in western Oregon during fiscal year 1965 illustrates this:

Third quarter (January, February, and March) activity is generally at a reduced level as compared with other quarters of the year because of weather conditions and the fact that some areas become inaccessible during the winter months. The Bureau does not seek to maximize dollar returns from the sale of timber through manipulation of sales schedules. Nor does it seek to interpret the market and tailor sales schedules to meet optimum pricing situations.

2. Community Support Considerations

(a) *Forest Service.*—A portion of Regulation S-3 is pertinent to community support objectives in National Forest management plans and sale programs. Regulation S-3 prescribes procedures for management planning activity. Item (a) of that Regulation (36 CFR 221.3 (a)) provides as follows:

(a) Management plans for National Forest timber resources shall be prepared and revised, as needed, for working circles or other practicable units of National Forest. Such plans shall:

(1) Be designed to aid in providing a continuous supply of National Forest timber for the use and necessities of the citizens of the United States.

(2) Be based on the principle of sustained yield, with due consideration to the condition of the area and the timber stands covered by the plan.

(3) Provide, so far as feasible, an even flow of National Forest timber in order to facilitate the stabilization of communities and of opportunities for employment.

(4) Provide for coordination of timber production and harvesting with other uses of National Forest land in accordance with the principles of multiple use management.

(5) Establish the allowable cutting rate which is the maximum amount of timber which may be cut from the National Forest lands within the unit by years or other periods.

(6) Be approved by the Chief, Forest Service, unless authority for such approval shall be delegated to subordinates by the Chief.

Item (a)(3) of Regulation S-3 establishes the policy of cutting at an even rate on the National Forests in order to facilitate stabilization of communities and opportunities for employment. This policy is applied to the timber in National Forest ownership. Fluctuations in the rate of cutting of timber in other ownerships is not taken into account because there is no practical means to get firm commitments on the future management of such properties. (The Cooperative Sustained Yield Unit Act of March 29, 1944 was designed for this purpose. In 1957 the Department announced it planned to establish no further cooperative sustained-yield units under this permissive law.) The Forest Service feels that its major contribution towards community stability is a regular sales program at allowable cutting rates.

(b) *Bureau of Land Management.*—Upon its enactment the O&C Act recognized the significance of the O&C lands to the economy of western Oregon. Congress specified that the lands be managed in such manner as to "contribute to the economic stability of local communities and industry . . ." The importance of BLM lands to the western Oregon economy is illustrated by the following statistics developed by the Pacific Northwest Forest and Range Experiment Station for calendar years 1963 and 1964 which show that logs originating from BLM in western Oregon accounted for 18.8% and 19.4%, respectively, of total log production. Since 1961 in excess of 50% of the total log production in western Oregon has been derived from public lands of which 35% was from BLM lands. This trend is expected to continue with more pressure put on public lands. Installed capacity in sawmills and plywood plants continues to exceed total log production; in western Oregon this capacity exceeds production by approximately 1 billion board feet.

BLM programs have been geared to long-term management goals designed to keep the land productive in perpetuity. Sales programs seek a distribution of sales throughout western Oregon to maximize the opportunity for competition. Sales are generally restricted to small volume sales (average size for FY 1964 and 1965 was 2.6MM) to increase the opportunity of prospective purchasers to bid. Access to all sales is guaranteed by the Bureau before a parcel is offered for sale thus, again, giving all bidders an equal chance to participate. Sales are offered insofar as practical on schedule to keep timber supplies continuously available to the industry rather than to take advantage of market conditions. Contract periods are of short duration thus encouraging timber to be cut and processed promptly and at the same time limiting the opportunity to speculate in Government timber by purchasers. Development of the timber resource through road construction is geared to long-term needs consistent with all resources. Much road construction is accomplished under the terms of timber sale contracts. Contracts contain provisions designed to protect the site and hasten regeneration of successive timber crops.

The BLM, through its sales policies and programs, seeks a balance between dollar return and management goals. Each must be considered. An objective of seeking the last nickel in the sale of timber would thwart long-term management goals. The return from the sale of Government timber must also be measured in the improvements to the land *after* the timber has been cut and removed. It is necessary to consider investments in good planning and management which will be paid off in generations to come.

3. Multiple Use Considerations

(a) *Forest Service.*—The Multiple Use Sustained Yield Act of June 12, 1960 (16 USC 528-31) gives statutory recognition to long established management practices for the National Forests. Commercial timber utilization on commercial National Forest lands is excluded or modified if necessary to meet requirements of other uses, such as scenic preservation, occupancy needs, and watershed protection. There are relatively few scenic classifications on the National Forests where cutting is excluded. Most scenic classifications provide for special forms of cutting and longer rotations than in the same forest type subject to full commercial management. The requirements in timber sale contracts to meet these prescriptions must be recognized in the timber appraisal as operating costs. Requirements in the interest of watershed protection also result in higher operating costs which are recognized in appraisals and reduce appraised and bid values. In these areas where for either scenic or watershed purposes special restrictions on cutting are imposed, appraised and bid prices for National Forest timber will be less than prices obtained by other owners who are not requiring comparable cutting practices.

(b) *Bureau of Land Management.*—BLM policy objectives and guidelines set forth in IA-4 stress the importance of the multiple use concept in the management of forest land. Congress recognized the multiple use aspects of the O&C lands when it admonished future administrators of the Act to manage the lands in such a manner to protect watersheds and streamflow and to provide recreational facilities.

Basic policy in the BLM Manual relating directly to valuation of timber states that no single purpose such as financial returns is to be overemphasized. Each timber sale area is to include individually tailored safeguards to reduce soil erosion to the minimum. Also, stream channels are to be left free of logging debris which might damage downstream property or game fish habitat.

Any timber sales made on BLM lands having significant existing or potential scenic and recreation, wildlife, or game fish values shall be conducted in such a manner that these values are fully considered and where reasonably possible, the values enhanced.

On any single sale area any or all of the foregoing factors would influence the sale requirements. Some of these factors are readily quantifiable in the timber appraisal (such as costs of stream clearance, snag felling, selective logging, slash disposal, and water barring of roads). These factors would constitute direct costs varying from $0.25/M bd. ft. to perhaps $5.00/M bd. ft.

Other multiple use considerations which are applied to a much greater area are much more difficult to attach a dollar value to. However, they are no less real than those factors quantified above. Some of these considerations are effects on total allowable cuts by restricting logging along streams and highways, or in heavy use areas such as a campground, location of a logging road away from a fishing stream and in a more costly location and requiring costly timber yarding practices to protect the soil from erosion. All these multiple use considerations affect (reduce) the valuation placed on public timber. They constitute an obligation to the public forest administrators; an important one which tempers those who would strive for the last dollar at the expense of these considerations.

B. Sale design

1. Sale Size

(a) *Forest Service.*—The Forest Service varies the size of its advertised sales to fit the various combinations of circumstances encountered. Some of the factors which influence size of sale are: (1) Size of established mills, (2) Timber stand and topographic conditions, (3) Access problems, and (4) Competitive situation. In general, medium to small scale size classes are favored. Large sales are used only where there are special problems such as high cost roads to be built by purchasers or where installation of a new milling facility is needed. The objective of the Forest Service is to make sale offerings in size classes which are suitable to the needs of the established local industry.

Summary Table 1 is based on Appendix Table 3–A. It shows sale size class comparisons for all the western Regions. The percentage distribution of sales by size class is quite consistent within each Region for the two fiscal years under study. The size class distribution between Regions is generally dissimilar. Regions 1, 4, and 6 have the highest proportion of sales in the five to 15 million foot class. Regions 2, 3, and 5 have the highest proportion in the size class above 15 million board feet. Regions 1 and 4 have close to 30 percent of their sale volume in the size class between two and five million board feet. It is surprising to note that Region 6 has close to 10 percent of the sale volume in sales from $2,000 to two million feet. This is a greater proportion of small sales than attained by any other Region. Region 2 is the only Region which had a significant switch in its sale size class proportions between 1964 and 1965. Average sale size was reduced substantially in 1965.

From the bid ratios it is evident that competition was of minor significance in Regions 2, 3, and 4. In Regions 1, 5, and 6, competition was strong. There were conflicting trends between Region 6 and Regions 1 and 5. In both Regions 1 and 5, the bid index was lower in FY 65 than in FY 64. In Region 6 the bid index in FY 65 was higher than in FY 64. In all three competitive Regions, the highest bid indices were for sales between five and 15 million feet. This is the sale size group with the largest proportion of volume for each of these Regions. In general, there is no distinct pattern of bid index variation by sale size classes.

SUMMARY TABLE 1

Sale size class comparison for sawlogs in the western regions (Forest Service) advertised sales in fiscal year 1964 and 1965

Region	Fiscal year	Total volume (million board feet)	Sale size classes								Bid index, all sales
			$2,000 to 2 MM bd.ft.		2 MM to 5 MM bd.ft.		5 MM to 15 MM bd.ft.		Over 15 MM bd.ft.		
			Percent by volume	Bid index	Percent by volume	Bid index	Percent by volume	Bid index	Percent by volume	Bid index	
1	1964	1,255	7.2	1.77	26.8	2.14	51.2	2.08	14.8	1.64	2.01
1	1965	1,214	8.6	1.53	28.1	1.74	49.1	1.82	14.2	1.03	1.64
2	1964	449	5.5	1.26	5.8	1.39	31.2	1.09	57.5	1.01	1.08
2	1965	265	7.5	1.02	16.6	1.11	55.1	1.01	20.8	1.01	1.02
3	1964	439	3.2	1.08	3.2	1.00	16.4	1.00	77.2	1.04	1.03
3	1965	547	3.1	1.24	4.0	1.54	11.5	1.00	81.4	1.20	1.20
4	1964	404	6.4	1.06	27.0	1.13	57.4	1.05	9.2	1.03	1.07
4	1965	459	5.0	1.06	30.8	1.09	57.2	1.15	7.0	1.02	1.12
5	1964	2,204	2.9	1.58	5.7	1.87	37.5	1.72	53.9	1.67	1.70
5	1965	2,185	2.6	1.49	5.7	1.51	34.2	1.60	57.5	1.59	1.58
6	1964	4,559	9.3	1.37	15.5	1.49	46.3	1.59	28.9	1.35	1.49
6	1965	4,487	10.1	1.59	15.1	1.78	49.6	1.88	25.2	1.68	1.78
Total, regions 1 to 6	1964	9,310	6.9	1.41	14.1	1.58	43.3	1.63	35.7	1.43	1.54
Total, regions 1 to 6	1965	9,157	7.4	1.57	14.7	1.72	44.1	1.80	33.8	1.58	1.70

(b) *Bureau of Land Management.*—BLM sale size varies but is influenced primarily by the following factors:

(1) Manual requirement that size should be varied with the expressed needs of the local forest industries and generally kept less than 10 MM board feet to increase the number of opportunities to purchase.

(2) Good timber management limitations.

(3) Topographic and timber stand conditions.

(4) Access considerations.

(5) Scattered land pattern.

Large sales are the exception rather than the rule and have been used in catastrophic situations (such as blowdown resulting from the 1962 storm) and to permit necessary road development in high road cost areas.

Summary Table 2 is based on Appendix Table 4–A. It shows sale size class comparisons by BLM states. The distribution of sales is quite similar within each state for the two fiscal years. Except for Oregon, there are only two sales which exceeded five million board feet in all the other states for both years. Sixty-one percent of the volume sold in all states except Oregon is in the size class of less than two million board feet. Fifteen percent of the volume sold in Oregon is in this same small size class. Also, 92 percent of the total volume sold is sold in sales averaging smaller than 15 million board feet. Average sale size was virtually the same for each fiscal year (2.6 million board feet.)

Overall the highest bid ratio was for sales less than five million board feet. One exception to this was the bid ratio in Oregon for 1965 for sales in excess of 15 million board feet. In states other than Oregon the bid ratios were highest for those sales in the two to five million foot size.

SUMMARY, TABLE 2

Sale size class comparison BLM timber sales by States in fiscal year 1964 and 1965

State	Year	0 to 2,000 MBF				2,001 to 5,000 MBF				5,001 to 15,000 MBF				15,001 plus MBF			
		Number of sales	Volume, MM board feet	App. per M	Bid	Number of sales	Volume, MM	App.	Bid	Number, of sales	Volume, MM	App.	Bid	Number of sales	Volume, MM	App.	Bid
California	1964	18	13	$17.47	$20.89	2	5	$19.58	$28.17	1	6	$18.40	$28.50	--------	--------	--------	--------
	1965	15	8	14.96	19.41	8	30	18.42	24.01	--------	--------	--------	--------	--------	--------	--------	--------
Colorado	1964	6	4	4.84	5.45	2	6	3.47	4.02	--------	--------	--------	--------	--------	--------	--------	--------
	1965	9	6	5.11	5.12	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------
Idaho	1964	21	24	7.41	9.63	2	6	8.77	8.79	--------	--------	--------	--------	--------	--------	--------	--------
	1965	12	8	8.01	10.86	4	10	7.47	9.46	1	6	13.37	13.37	--------	--------	--------	--------
Montana	1964	8	8	10.05	13.65	1	3	5.91	10.72	--------	--------	--------	--------	--------	--------	--------	--------
	1965	10	12	7.89	10.02	2	61	8.37	12.08	--------	--------	--------	--------	--------	--------	--------	--------
New Mexico	1964	2	1	8.10	8.10	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------
	1965	1	1	10.05	10.05	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------
Oregon	1964	356	246	21.12	28.73	153	492	21.01	28.38	80	632	20.37	25.32	6	112	$17.70	$20.99
	1965	247	148	21.72	36.75	124	412	21.50	35.51	74	522	20.64	32.10	6	107	21.22	39.17
Utah	1964	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------
	1965	1	1	5.42	6.19	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------
Washington	1964	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------
	1965	1	1	12.04	16.85	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------
Wyoming	1964	4	2	3.83	3.89	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------
	1965	2	1	3.66	3.66	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------
Total	1964	415	298	19.18	25.90	160	512	20.74	--------	81	638	20.37	25.32	6	112	17.70	20.99
	1965	298	186	19.11	34.78	138	458	20.82	--------	75	527	20.64	32.10	6	107	21.22	39.17

(c) *Comparison of Forest Service and Bureau of Land Management in Western Oregon.*—Table 3 is based on Appendix Tables 3–C and 4–C. It summarizes the experience of the two agencies in bid results by sale size classes in western Oregon. The distribution of sales between the four size classes for the Forest Service in the two fiscal years is remarkably similar. The percentage distribution by size classes for the Bureau of Land Management in these two years shows some variations. Both agencies have close to three-quarters of all sales in size classes from two million to 15 million feet. The Bureau of Land Management has almost twice the proportion of sales in the two to five million foot class than the Forest Service. Proportionately the BLM has more sales below two million feet and less sales above 15 million feet than the Forest Service. This sale size pattern distribution is consistent with the landownership pattern characteristics of the two agencies.

Bid ratios for the Forest Service sales tend to increase with sale size. The trends are consistent between the two fiscal years with approximately 30 points higher bid index for each of the sale size classes in fiscal 1965. The one exception is a particularly high bid ratio for sales over 15 million feet in 1965.

The bid ratios for BLM are approximately 30 points lower than for the Forest Service sales of the same size and year. Bid ratios for the BLM tend to decrease with increase in sale size class. The one exception is a particularly high bid ratio for sales over 15 million feet in 1965. Trends between size classes are consistent for the two fiscal years with this exception.

The variation in bid ratios by size classes for both BLM and the Forest Service do not appear to be particularly significant. There is nothing in the table which suggests that substantial stimulation of bidding can be developed from manipulation of sale size class in western Oregon.

SUMMARY TABLE 3

Sale size class comparison for Forest Service and BLM in western Oregon advertised sales in fiscal years 1964 and 1965

Agency	Fiscal year	Total volume (million board feet)	Sale size classes								Bid index, all sales
			$2,000 to 2,000,000 board feet		2,000,000 to 5,000,000 board feet		5,000,000 to 15,000,000 board feet		Over 15,000,000 board feet		
			Percent by volume	Bid index	Percent by volume	Bid index	Percent by volume	Bid index	Percent by volume	Bid index	
Forest Service	1964	2,051	11.7	1.37	18.7	1.58	55.6	1.69	14.0	1.67	1.63
BLM	1964	1,479	16.4	1.36	33.3	1.35	42.7	1.24	7.6	1.18	1.30
BLM	1965	1,175	12.0	1.71	34.5	1.66	44.4	1.55	9.1	1.84	1.64
Forest Service	1965	2,218	10.9	1.67	17.1	1.83	55.7	1.95	16.3	2.18	1.93

2. *Road developments*

(a) *Forest Service.*—Since road development costs in Regions 2 and 3 average only around 50 cents per thousand board feet, they have been excluded from the analysis of the effect of road cost requirements on comparative bidding.

Summary Table 4 is based on Appendix Table 1-B. It shows the comparisons between bid ratios and road costs for the 42 National Forests of the Pacific Coast and Inland Empire States where demand-supply relationships for timber are critical. The table summarizes results on these 42 Forests by States. The table indicates that other factors affecting competitive bidding are more significant than variations in the road costs. The highest road costs are in the State of Washington. The bid index for sales on the National Forests in the State of Washington is a approximately the same as the average for the 42 Forests. The lowest road cost requirements are in the State of Idaho; the bid index for the Forests in Idaho in 1964 was approximately at the average for the 42 Forests. In total amount, the bid premium for the National Forests in Idaho was the lowest of any of the States. Average appraised price was approximately $5.00 and $6.00 per thousand board feet in 1964 and 1965, respectively. This means that the bid premium was approximately $3.00 and $1.80, respectively, for the two years. This is in contrast to an average bid premium for the 42 Forests of $6.22 and $8.44, respectively.

The highest road cost per thousand on the 42 Forests occurred on the Mt. Baker Forest where the cost was $8.37 per M board feet in 1964 and $7.47 in 1965. The bid ratios for these two years for this Forest were 1.72 and 2.14. These ratios are substantially higher than the respective average bid ratios for the 42 Forests.

C. Auction or sealed bids

1. Forest Service

Summary Table 5 is based on Appendix Table 5-A. It compares appraised and bid prices and bid ratios for sealed and auction bidding sales in the six western Regions. In only three Regions was sealed bidding used to an extent which makes the comparative results of possible significance. These Regions are 1, 2, and 5. Region 1 made the most use of auction bidding with slightly over 25 percent. Regions 2 and 5 use approximately 20 percent but the percentage dropped to 13.4 in Region 5 in 1965. Since there is little competitive bidding in Region 2, there is not much significance in the comparative figures between the two methods there. In Region 1, sealed bidding produced a higher bid ratio than auction bidding, particularly in 1965. The appraised value of sales used for sealed bidding was approximately $1.00 per M higher than for auction bidding in both Regions 1 and 5. In Region 5 auction bidding produced higher bid ratio than sealed bidding.

Overall only around 10 percent of total sales were made through sealed bidding in the western Regions. The overall averages are not particularly significant because they are strongly affected by the large volume of sales in Region 6 which is almost exclusively on an auction bidding basis.

The available comparative statistics on sealed and auction bidding are inadequate to support conclusions on the monetary advantages or disadvantages to the Government from either method.

SUMMARY TABLE 4

Comparison of bid ratios with specified road costs on 42 national forests of Pacific coast and inland empire States where timber supply-demand relationships are critical—Advertised sales in fiscal years 1964 and 1965

	Fiscal year	Volume thousand board feet	Appraised price per thousand board feet	Bid ratio	Road cost per thousand board feet
California	1964	2,186	$7.76	1.70	$4.46
Do	1965	2,154	8.84	1.59	3.51
Idaho	1964	767	5.03	1.60	3.11
Do	1965	820	6.03	1.31	3.20
Montana	1964	476	5.03	2.13	3.99
Do	1965	414	5.71	1.88	4.70
Oregon	1964	3,167	16.09	1.50	5.44
Do	1965	3,136	16.50	1.80	6.09
Washington	1964	1,451	10.47	1.49	6.51
Do	1965	1,422	11.49	1.75	6.79
Total	1964	8,047	11.11	1.56	5.06
Do	1965	7,946	11.88	1.72	5.15

SUMMARY TABLE 5

Comparison of auction and sealed bidding for sawlogs in the western regions—Advertised sales in fiscal years 1964 and 1965

Region	Bid method	Fiscal year	Number of sales	Volume (MM board feet)	Percent of annual volume	Price per thousand board feet			Bid ratio
						Appraised	Bid	Overbid	
1	Auction bid	1964	173	906.7	72.9	$4.48	$8.93	$4.45	1.99
	Sealed bid	1964	108	337.1	27.1	5.73	11.87	6.14	2.07
	Auction bid	1965	167	270.3	73.2	5.63	8.52	2.89	1.51
	Sealed bid	1965	120	317.9	26.8	6.22	12.82	6.60	2.06
2	Auction bid	1964	28	366.0	81.8	2.64	2.79	.15	1.06
	Sealed bid	1964	21	81.7	78.2	3.19	3.66	.47	1.15
	Auction bid	1965	24	182.4	75.1	3.84	3.87	.03	1.01
	Sealed bid	1965	22	62.5	24.9	2.59	2.83	.24	1.09
3	Auction bid	1964	31	363.0	98.6	4.49	4.64	.15	1.22
	Sealed bid	1964	5	5.2	1.4	5.31	6.39	1.08	1.20
	Auction bid	1965	31	445.8	99.1	4.58	5.63	1.05	1.23
	Sealed bid	1965	4	3.9	0.9	6.37	8.75	2.38	1.37
4	Auction bid	1964	62	354.4	94.1	4.29	4.61	.32	1.07
	Sealed bid	1964	9	22.4	5.9	2.42	2.48	.01	1.60
	Auction bid	1965	69	400.6	91.8	3.51	3.98	.47	1.13
	Sealed bid	1965	13	35.6	8.2	6.35	6.77	.42	1.07
5	Auction bid	1964	137	1,684.3	78.1	7.58	13.22	5.64	1.74
	Sealed bid	1964	77	473.2	21.9	8.47	13.39	4.92	1.58
	Auction bid	1965	138	1,817.6	86.6	8.72	14.09	5.37	1.62
	Sealed bid	1965	68	280.6	13.4	9.60	14.58	4.98	1.52

SUMMARY TABLE 5—Continued

Comparison of auction and sealed bidding for sawlogs in the western regions—Advertised sales in fiscal years 1964 and 1965—Continued

Region	Bid method	Fiscal year	Number of sales	Volume (MM board feet)	Percent of annual volume	Price per thousand board feet			Bid ratio
						Appraised	Bid	Overbid	
6	Auction bid	1964	1,008	4,456.5	99.4	14.46	21.63	.17	1.50
	Sealed bid	1964	50	28.8	0.6	11.97	16.51	4.54	1.31
	Auction bid	1965	1,014	4,372.1	99.4	15.07	27.00	11.93	1.79
	Sealed bid	1965	66	26.5	.6	18.42	29.99	11.57	1.63
Total	Auction bid	1964	1,439	8,131.1	89.5	10.50	16.12	5.62	1.54
	Sealed bid	1964	270	948.4	10.5	6.99	11.81	4.82	1.69
	Auction bid	1965	1,443	8,094.8	91.7	11.22	19.26	8.04	1.72
	Sealed bid	1965	295	727.0	8.3	7.66	12.95	5.29	1.69

2. Bureau of Land Management

On February 9, 1965, the Comptroller General forwarded to the Congress of the United States a Report titled "Questionable Aspects of Oral Auction Bidding for Federal Timber Sold at Certain Locations in the Pacific Northwest." The report was based on a review of "bidding procedures for selected Federal Timber sale offerings of the Forest Service, Department of Agriculture, and the Bureau of Land Management, Department of the Interior, in the Pacific Northwest." The scope of review ". . . was directed primarily to an examination into the operations of selected offices of the Forest Service and the Bureau of Land Management in the disposal of Federal timber offered for sale to the general public during fiscal years 1961 and 1962 and the first half of fiscal year 1963." Significant in the report is the Comptroller General's observation that "bidding practices employed in the sale of Federal timber . . . by the Forest Service and the Bureau of Land Management in the Pacific Northwest disclosed instances where the use of oral auction bidding did not appear to provide the Government with reasonable assurance that the timber was being sold at competitive prices." The concern of the Comptroller General was that the Government did not always receive just compensation from the sale of Federal timber. The Comptroller General recommended a change in bidding practices, i.e., use of sealed bids, in only these specified instances, to correct the situation.

The Department of the Interior in a May 14, 1965 response to the GAO report had the following to say:

> "The basic issue is whether sealed bids *per se* will result in broader competition in timber sales. We can neither rebut nor affirm this GAO theory. Clearly, behavior of bidders for public timber must be more fully understood before sealed bidding can be accepted as a procedure that will further the broad purposes of the acts governing timber disposal.
>
> "Among the requirements of the laws governing timber disposal is that it contributes to the economic stability of local communities and forest industries. We feel that sales utilizing oral bidding contribute to the accomplishment of these objectives. However, we intend to use sealed bids in selected areas on a trial basis for approximately 10 percent of the sales on a random selection basis to obtain data for comparison with the results obtained under oral bidding procedures."

Subsequent to the above exchange of correspondence, this particular study was initiated at the request of the Bureau of the Budget. Also, on October 11, 1965, the General Accounting Office issued a report analyzing the results of sealed and oral bid timber sales in Regions 1 and 5 of the Forest Service. It is possible that this particular study plus a detailed analysis of the GAO report referred to above may obviate the need to carry forward the proposal for a sampling program of sealed bid timber sales in western Oregon.

A special subcommittee of the O&C Advisory Board was asked to study the question of bidding methods in Western Oregon. Basically their finding was that sealed bidding should not be used. The O&C Advisory Board concurred with the findings of this subcommittee. A copy of this report is included in the Appendix as Item 11.

D. Procedures for determining payment volumes

Most BLM sales are made on the basis of volume determined in the standing tree. Most Forest Service sales are made on the basis of volume determinations by measurement of the logs cut and removed from a sale area. The BLM makes some scaled sales, and the Forest Service makes some cruise sales. It is agreed that the same appraisal system should be applicable to both scaled and cruised sales. The appraisal system determines the stumpage value per unit of measure. This rate can be applied to volumes determined either in the standing tree or after the trees have been felled and bucked into logs.

ORDER OF BUSINESS

The PRESIDING OFFICER. The Senator from New York [Mr. KENNEDY] is recognized.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from New York [Mr. KENNEDY] may be recognized, along with the distinguished Senator from Florida [Mr. SMATHERS], for not to exceed 13 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. And that at the conclusion of that time the unfinished business be laid before the Senate and the transaction of morning business be concluded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INVESTMENT IN HOUSING IN URBAN POVERTY AREAS

Mr. KENNEDY of New York. Mr. President, I am privileged to join with the junior Senator from Florida [Mr. SMATHERS] and the junior Senator from Kansas [Mr. PEARSON], in a bill to engage the resources, talents, and energies of American private enterprise in the physical reconstruction and rehabilitation of housing in urban poverty areas.

Private enterprise builds nearly all of our housing today. But the one area in which private enterprise has not played a full part has been in the area of greatest present need: the construction of low- and moderate-income housing in the center city, and the rehabilitation of the slums which scar its face. It is in these areas also that Government programs have most conspicuously failed. And it is the purpose of this bill to enlist the energies and resources of private enterprise in this great remaining task.

Though complex in detail, the bill we introduce today is simple in purpose and method. Its aim is to create a mechanism by which private enterprise can and will build and rehabilitate large numbers of low-cost housing units in urban poverty areas. It drives toward this goal by two means. First, it attempts to lower costs by providing an extended interest rate subsidy similar to that existing in some current housing programs, and by authorizing payments to municipalities in lieu of real estate taxes on this housing. Second, it aims to attract large-scale private enterprise investment through a system of tax incentives, designed to make such investment possible at competitive rates of return.

By offering positive inducements for large investments of equity capital, the bill would attempt to lessen the industry's excessive dependence on the interest rate, and thereby lessen the consequences—in unbuilt housing, idle construction capacity, and unemployment—which now follow fluctuations in that rate.

The bill has been designed to produce the needed new housing at the lowest possible cost to the Government. For the initial volume of 300,000 to 400,000 units set out in the bill, the maximum cost of the interest-rate subsidy and related expenditures is $50 million a year excluding the contribution to local tax abatement efforts. The bill's inherent flexibility provides for tax credits if equity is substituted for borrowing. In any case, the average annual expenditure for interest subsidies and tax benefits will not go over the $50 million maximum.

Moreover, much of the direct dollar cost will be offset by increased Federal tax collections on increased construction activity, and the Federal tax abatement features will result in dollar for dollar gains to municipal revenues.

THE PROBLEM

At the heart of nearly every American city is a core of poverty. It has many characteristics, but one of the most serious and resistant problems today—as it has been for nearly a century—is housing which is dangerous, unhealthy and overcrowded, a blight on the tax rolls of the city and the souls of its people alike. Since the turn of the century, when Jacob Riis awakened New York and the Nation to the squalor and danger of the slums, governments at all levels—State, city, and Federal—have mounted program after program, effort after effort, to do something about them. We have torn them down—and others have risen in their place. We have tried to rehabilitate them—and deterioration has more than kept pace with repair. Their residents have become educated, and trained; they have moved to better areas of decent housing—and others have come to take their places: from Poland and Ireland, and from every other country of Europe; and for the last 40 years, from every corner of America—from the Appalachian mountains and the Mississippi Delta, from the Northern plains and the Southwestern Dust Bowl.

Nearly every group and class of Americans has, at one time or another, passed through the city slum on its way to joining the mainstream of the Nation; for each group in turn, the slum has been the passing experience of a generation or two. But in recent years, an exploding population, along with the growth of the suburbs, and sweeping changes in the economy, have made the slum into a trap, a seemingly permanent abode, in the words of Joseph Lyford, an airtight cage. The slums have become bigger: whole cities in themselves, areas of as many as 350,000 people. And as they have grown, the cities around them have withered. Those with the means to do so have fled to the suburbs; income-producing jobs have gone with them. The cities' tax base has eroded, and thus they have become less able to deal with decay, just as ever-greater proportions of their people came to require assistance.

These conditions have affected more than the poor. Every man and woman and child in the city feels them in every aspect of daily life: from the deterioration of municipal services to the threat of tension and violence that is present wherever slums exist. To act against them is to help the poor; but it is also to help ourselves. Therefore, it is not charity, but the deepest practical wisdom, which commands that we act—to save the cities we all must share.

The cities need help in many forms. By far the most important is in the redevelopment of their economies to bring back jobs and income to the unemployed and poverty-stricken who now are so large a part of the city's population—and so serious a drain on its financial resources. As David Rockefeller has said, we must begin to develop the economies of our cities just as we try to develop poor nations abroad. Nothing can take the place of new jobs, affording dignity and self-sufficiency for those who now languish in idleness, or on the welfare rolls. And it was to this end that I joined yesterday in the introduction of a bill for the stimulation of job-creating investment in urban poverty areas.

But another vital need is for better housing, at a price which the people of the city can afford. For the city's physical decay has reached threatening proportions:

As of the last housing census in 1960, over 4 million urban housing units were classed as substandard—that is, were either completely dilapidated, or were both physically deteriorating and without adequate sanitary facilities;

At the same time, 3 million more units were so deteriorated that they required constant major repair;

At least 2 million more had serious violations of local codes, or were badly overcrowded.

And in poverty areas, over 40 percent of housing was substandard. Indeed, so pervasive has decay become that Secretary Weaver informs us there are at least 4 million moderate income families—not poor, but with annual incomes between $3,500 and $6,000 who are trapped into inadequate housing because there is no decent housing within their ability to pay. As Walter Reuther told the Executive Reorganization Subcommittee:

> When people who need low- and middle-income housing have to compete . . . with people who can afford luxury housing, it is quite obvious that the people who need low- and middle-income housing come out on the short end.

And the problems are increasing. Since the 1960 census, what special studies we have indicate that the problem has not eased; indeed there are indications that it has grown far worse. The most comprehensive of these special studies, carried out by Prof. Charles Abrams, revealed that in New York City, the number of unsound housing units rose from 420,000 in 1960 to 525,000 in 1965. That is, as columnist Murray Kemper observed, New York acquired enough new substandard units "to house the entire population of Trenton, N.J., in splendid misery." Still there is no reason to think New York is unique; indeed, in those years, New York did more to clear slums and build new low-rent housing than any other city in the country.

GOVERNMENT PROGRAMS

Since 1937, the Federal Government has subsidized the construction and operation of public housing units for low-income families. In 1949, Congress declared the goal of national housing policy to be "a decent home and a suitable living environment for every American family." Almost every Congress since World War II has grappled with the problem of how to encourage the building of more housing within the reach of moderate- and low-income families.

These efforts have been successful in only one major direction. In the years since the war, programs of Government mortgage insurance, assistance for the construction of roads, and tax advantages for home ownership, have supported and made possible the vast expansion of housing in the suburbs. Around every great city, where once there were farms and open fields, stretch millions of single-family homes, housing the fastest growing part of our people.

But programs to assist housing in the central cities—the vital nerve centers of these great metropolitan concentrations—have been far less successful. In its 30 years of operation, the public housing program has completed only 639,000 units—and of these, only one-fifth, less than 150,000, are in cities of over 25,000 people. Similarly, in 1961, Congress enacted a program to lower the cost of moderate-income housing through subsidizing the interest rate on mortgages—the so-called 221(d)(3) program. In 6 years of operation, this program has produced only 65,000 housing units, and many carry rents well above the paying capacity of families earning even as much as $6,000 yearly. Nor have State and local government programs been more effective than those of the Federal Government.

Clearly, the construction each year of 25,000 low-income units and 11,000 moderate-income units does not begin to keep pace with the constant deterioration of older housing stock. If we would begin to eliminate slums, or even to slow down their further growth; if we would begin to restore the cities' fading tax base; if we would begin to change a situation in which 14,000 American children are treated for rat bites each year; then we must build and rehabilitate far more housing units in the center cities—at a price which their residents can afford to pay.

PRIVATE ENTERPRISE PARTICIPATION AND INCENTIVES

Almost all housing in the United States is built by private enterprise. Except for a few direct support programs, such as public housing or housing for the elderly, the role of Government has been in support of efforts by the private sector. Nevertheless, the role of Government has been and continues to be, a vital one. Eighty percent of postwar suburban housing, for example, was built with the aid of mortgage guarantees, from the Federal Housing Administration. For many years, the supply of mortgage money has been facilitated by the Federal National Mortgage Association. FNMA provides a secondary market for mortgages, thus allowing capital to be constantly reinvested in new construction. Federal regulatory policies have fostered the growth of savings and loan associations which finance most single-family home construction. Even the building of luxury housing in the city has been assisted by favorable treatment in the Internal Revenue Code. But similar assistance and support has not been available for low-cost housing in the slums.

To bring the resources of private enterprise to bear on the problems of the slums, it will be necessary to provide a system of incentives and assistance—fully as effective to this task, as was the assistance and encouragement we gave private enterprise to engage in the construction of the suburbs.

For it is not out of lack of a sense of responsibility, nor out of disinterest or ignorance, that American business has neglected the city housing problem. Firms such as U.S. Gypsum and U.S. Plywood have begun experimental rehabilitation projects in the slums of New York and Cleveland. In New York City, Conrad Engineers has developed and experimented with a special 48-hour rehabilitation technique. And witness after witness at the hearings of the Subcommittee on Executive Reorganization agreed with Gerald Phillipe, chairman of the board of General Electric, that in the development of low-cost housing, Government "should look to private industry for leadership"—and that private industry was ready to assume that leadership role.

But as David Rockefeller also told the committee, businessmen know of no real way "in which private enterprise can build and make a profit, even a modest one," in building for the lower income families. In the words of a Ford Foundation position paper:

> If private capital is to enter (the slums), new and powerful incentives will be needed to compensate for the obvious economic disadvantages that now exist.

And, the paper continues:

> Next to an outright guarantee of profits—an undesirable and unlikely alternative—the most effective tools we have so far devised to redirect the flow of private resources are private tax incentives.

This bill would provide those incentives.

THE BILL

The bill is designed to encourage a partnership of private enterprise and Government in the swift and efficient production of low-income housing. It establishes a new mechanism for lowering the cost of housing, while providing reasonable and competitive profits on capital through a system of tax incentives. We believe this mechanism capable of producing two- and three-bedroom units that will rent for under $100 a month.

The bill has 11 basic features.

First. The bill encompasses not only the building of new units, but encourages the rehabilitation of existing structures. In the present state of our technology, many housing units in major cities can be rehabilitated for between half and two-thirds of the cost of new construction. Moreover, rehabilitation can normally be accomplished more rapidly than can the building of new units. Thus, both cost efficiency and speed lead us to prefer rehabilitation—perhaps in conjunction with new construction—rather than just new construction.

Second. Cities will have primary control over their housing programs; satisfactory consultation must be had with city officials—as well as local residents—before a certificate can be obtained from the Department of Housing and Urban Development. Under this procedure, the city can determine the order and pace of reconstruction for its poverty areas, and deal with resettlement problems in an orderly fashion. It can lower building costs and rents by condemning land and then leasing it to the private entrepreneur for the useful life of the project. By using such a condemnation-leaseback, the city can encourage housing construction, and yet guarantee that land value increases will ultimately accrue to the general public. Most importantly, the city can insure that construction is carried out with maximum attention to coordination with such city services as schools, transportation, and health, as well as to other Federal programs such as Open Space, and the Model Cities Act.

Third. The benefits of the bill are limited to the construction of low-income housing within urban poverty areas, demarcated on maps prepared by the Bureau of the Census for the Office of Economic Opportunity. The bill is so limited for several reasons. One is that this is initially a limited, not an open-ended program; therefore it is appropriate to require that the worst housing conditions be remedied first. Another is that the work of construction in poverty areas will indirectly aid the economy of these areas, especially small businesses which service the construction and its workers; and these areas desperately need economic improvement. Finally and most importantly, the physical reconstruction of urban poverty areas is an important element in the building of coherent and independent communities—an opportunity which their residents demand and deserve. I am deeply committed, as I believe are they, to the principle of an open society in which each man decides where he will live and whom he will call neighbor. But the immediate need is for decent and dignified conditions where people now live. And in the long run, it is only by a rebuilding process of which physical reconstruction is an integral part, that we can achieve the comparability of housing which is an indispensable requirement for full integration.

Fourth. The bill establishes a new Low-Income Housing Administration within the Department of Housing and Urban Development. Assignment of this program to the Federal Housing Administration would be neither appropriate nor effective. FHA's primary interest is in the construction of single-family homes for middle-income families. But the personnel and procedures developed to deal with the suburbs are not well suited to the rapid processing of applications for the construction of multiple-dwelling units for low-income families. Indeed, many builders avoid FHA programs because they cannot afford to wait as long as 3 years or more for project approval. A small, active, new organization within HUD on the other hand, will allow the different problems each to be handled in a manner appropriate to the housing being constructed. And this organization can utilize the FHA mechanism whenever it is felt advisable .

Fifth. An applicant receiving local approval and certification from HUD can obtain mortgage insurance for a loan of up to 80 percent of the project cost, to be amortized over a period of up to 50 years at a 2-percent rate of interest. As with the existing Federal housing programs which provide a below-market interest rate, this is made possible by a purchase commitment from the FNMA, which buys the mortgages with the proceeds of Treasury borrowings. In this bill, the dollar value of mortgages that can be insured is limited by the ceiling on the FNMA commitment: $3 billion, to be made available over the next 6 years.

The minimum equity has been set at a relatively high 20 percent, for several reasons. One is to prevent irresponsible or fly-by-night operators from exploiting this program, as has happened to some Federal housing programs in the past. A second is to make the Government's money go further, and as will appear later, substantial additional benefits are offered to secure greater equity investment. Finally, inducing greater equity investment is an attempt to stabilize construction expenditures, which are now overly dependent on small fluctuations in the interest rate. America's major industrial corporations finance a great portion of their investment, for the most part, through internally generated equity capital. Thus they can maintain a course of steady growth over many years—a course which is beneficial to themselves, to their workers, and to the economy in general.

The construction industry, on the other hand, is financed almost entirely through borrowings, and therefore stops and starts again—perhaps more than once in the course of a year—as the interest rate goes up or down by fractions of a point. The result is the production of housing on schedules often irrelevant to the demand for new units, magnified instability in the economy, and serious personal hardship for construction workers. In my own State of New York, some construction trades are now experiencing unemployment rates of up to 15 percent; the extent of unused capacity is shown by the fact that construction in the State is down 17 percent from the high of 1962.

If we can, by inducements which are described later, increase the proportion of equity capital in construction, the result will be beneficial to housing policy and especially to construction workers, so many of whom are now idle in every section of the country.

In return for receiving the low-interest loan and other benefits, the applicant must agree to meet basic standards of design, construction, and maintenance, and to build or rehabilitate at least 100 units whose rentals will be determined by the Department of Housing and Urban Development. He must also agree to accept a direct base return on his equity of approximately 3 percent. Finally, he must rent to low-income persons, and continue as owner of the project for a minimum period of 10 years.

Sixth. In order to induce groups of individuals and corporations to pool their resources for the rebuilding of urban poverty areas, the bill amends subchapter S of the Internal Revenue Code. Under the amendment, corporations having individual or corporate shareholders can be formed to construct certified low-income housing projects. These corporations can then pass the rental income received and the tax losses through to their shareholders. I have spoken with numerous business leaders and they are unanimous in believing that this amendment is needed. For with it, they can combine their talents and resources, and approach the task we are asking them to perform with the capital needed to rebuild not a single dwelling but city blocks and even entire neighborhoods. They can make this a joint venture in which a common goal is sought through coordinated planning.

Seventh. The bill provides for the resettlement of all those persons or businesses forced to move due to the construction or rehabilitation of low-income housing. Not only are moving allowances and assistance programs made available; but any individual, family or businessman who has been asked to resettle is given first priority in any project constructed under the provisions of this act. As the program gathers momentum, it is hoped that construction in any poverty area will be staggered so as to relocate each group or small business that has been forced to move in a newly completed project within the same neighborhood.

Eighth. The bill creates a home management fund to be administered by the Department of Housing and Urban Development, and provides for the formation of numerous home management corporations.

The fund, with an initial appropriation of $5 million, will supply financial assistance and expertise for organizing the buildings' tenants into management corporations. These bodies will then work with the projects' owners, performing management and maintenance functions within the buildings for appropriate fees. It is hoped that these management corporations will also serve as vehicles for undertaking educational, cultural, employment, and health programs. They will be eligible to apply for funds from various Federal agencies, including the Department of Labor and the Office of Economic Opportunity. The home management corporation can thus become one of the focal points of community activity—an organization with a specific purpose and yet an ability to engage individual participation in a wide range of social functions.

Ultimately, the role of the corporation in the project itself may grow from maintenance assistance to ownership; the bill provides, after an 8-year period, inducements for the owner to sell the building to his tenants. Thus the management corporations could provide a gradual transition from ordinary renting to cooperative or condominium ownership, avoiding at the outset the complex and difficult legal and financial problems of the ownership of multiple dwellings.

Ninth. The bill provides for the establishment of a property tax abatement fund whose ultimate effect will be to lower tenant rentals in projects built under this program. At present, property taxes are one of the primary obstacles to low-cost housing in major cities; they may run as high as 25 percent of total rents, and impose a cost of $20 to $40 a month on each tenant. A few cities like New York have taken steps to abate taxes. But such a step imposes severe financial burdens on the municipality and cannot be continued indefinitely without outside financial support.

Nevertheless, the provision of low-rental housing requires the reduction of property tax charges. The bill therefore requires cities to lower their property taxes for the projects built or rehabilitated under it to a maximum of 5 percent of total rents. At the same time, the bill creates a tax abatement fund, with an initial appropriation of $30 million. This fund will automatically reimburse the city for 50 percent of its revenue loss through the abatement. For the remaining 50 percent, the fund matches the contribution of the State in which the city is located, dollar for dollar. The tax abatement fund will be maintained at a $30-million level partly by appropriations, and partly by payments from tenants whose incomes, over time, rise sufficiently that their fixed rental charges constitute less than 15 percent of their total income. Rather than force these people to move—as is done in too many low-income housing projects—and strip the building of its successes and the community of its natural leaders, this bill lets them remain as tenants. It asks only that they contribute 18 percent of their additional income to the Federal fund which is lowering the cost of housing for them and for all of their neighbors.

Tenth. The major feature of the bill is an integrated system of tax incentives designed to encourage individuals and corporations to invest in the construction of certified low-income housing projects.

The initial owner of the project would receive a tax credit scaled to his equity investment: from a 3-percent credit for an equity investment of 20 percent; to a 22-percent credit against a 100-percent equity investment. The credit is taken on the entire cost of the project.

The initial owner is also afforded an accelerated depreciation scale. With a 20-percent equity investment, the owner can depreciate the project over a period of no more than 20 years. With a 100-percent equity investment, the progressive scale permits a 10-year depreciation period. Included within the depreciable base—not capitalized as land costs—are all demolition and site improvement costs. In depreciating the project, the initial owner need not make an allowance for the project's salvage value.

The initial owner is assigned a minimum and a maximum required holding period. The minimum period for all initial owners is 10 years, and a sale before the end of that period—except to a home management corporation—leads to a return of all tax benefits to the Government. If the sale occurs after the minimum period, but before the end of the maximum required holding period, the owner can either pay a capital gains tax on his profits, or reinvest the cash proceeds in another low-income housing project. If he builds more low-income housing, then no taxable gain is recognized on any of the reinvested sale proceeds—just as an individual taxpayer, who sells his house to buy another, need not recognize any gain on the sale of his first house.

The maximum required holding period is also scaled to benefit the high equity investor. The maximum required holding period is equal to the useful life of the project for depreciation purposes: approximately 20 years for the owner with 20 percent in equity, 10 years for the 100-percent equity investor. If the initial owner holds the project until the end of the maximum period, and reinvests the sale proceeds in another low-income housing project, he pays a capital gains tax only on the proceeds which are in excess of his federally insured mortgage. In effect the builder is being relieved of capital gains payments on the difference between his prior depreciation and the extent of his mortgage amortization.

In selling his project at any time after the minimum required holding period, the initial owner should be able to obtain a price at least equal to the amount of the remaining federally insured mortgage and his initial equity investment as reduced by the credit he has been granted. In fact, the incentives that are provided to all subsequent buyers should produce a purchase price to the initial owner that will be somewhat larger than his equity investment and the outstanding federally insured mortgages.

If at the end of the maximum required holding period, an owner decides to continue operating the building, he is given a restored basis and permitted to redepreciate the building as if he had purchased it from himself. In most cases, stability of ownership is desirable and this bill takes the relevant steps to encourage that stability.

All subsequent buyers of a project built under this program are granted credits and accelerated depreciation periods; they are also assigned maximum and minimum required holding periods.

Finally, an insurance fund with an initial appropriation of $10 million is established. The fund, while charging a reasonable premium from all participating owners, guarantees that if in any year, the direct return on an investment in a project falls from the permitted 3 percent below 0 percent, there will be a reimbursement for cash losses. Thus, if maintenance costs or vacancies should suddenly rise in a project, the owner will not—if he has taken out insurance—be forced to carry the project at a deficit.

Admittedly, these are complex and intricate provisions. But their basic thrust is simple and clear. They have been designed, after extensive consultation with businessmen and tax experts, to achieve the following ends:

To induce large equity investment in low-cost housing;

To favor those owners who hold the property for long periods, rather than turning it over within a few years for a tax gain;

To encourage investors to reinvest the proceeds of any sale in more low-cost housing;

And to provide a competitive rate of return, to make the investment attractive overall—thus minimizing any need for direct Government participation in the ownership, construction, or management of the housing, or for any direct Government financing.

The rebuilding of great cities is a great task. But it is only one of many such challenges that this Nation has faced since the day of its birth. Certainly it is no more serious and difficult than was building transcontinental railroads in the 1860's—or building an industrial base in an agricultural country in the 1870's—or building the "arsenal of democracy" in the 1940's. The physical rebuilding of cities is a far less difficult task than is the broader task of which it is a part—the task of eliminating poverty in the Nation as a whole. Faced with such challenges in the past, we met them through a partnership of Government and its people, with the Federal Government giving business and labor the guidance and support they needed to make their efforts effective.

That support—no more, and no less—is what this bill proposes today.

Mr. SMATHERS. Mr. President, I am very pleased and honored to join with the able and distinguished Senator from New York [Mr. KENNEDY] in proposing legislation which provides incentives to private industry to participate in the meeting of the housing needs of our cities, throughout the Nation. The ghettos, the slums, the resultant dislocation and crime of our cities must be removed. This proposal of the Senator from New York is not the first but the best proposal yet made to eliminate this blight on the face of our otherwise flourishing Nation. The Federal Government up to the present time has only been able to provide a small effort in meeting this gigantic shortage of adequate housing for those who have substandard incomes, or no incomes at all. We all recognize the social disorders that result from these deplorable conditions. In 30 years only 639,000 public housing units have been completed with four-fifths of these in communities of under 25,000 population.

A program that was begun 6 years ago to supply lower middle income housing has insured only 65,000 units. Most of these units rent for more than a family earning annually $6,000 a year can afford to pay.

It seems to me, therefore, that our task is clear.

We must turn the tide.

We must slow the rate at which housing slides into disrepair and then deteriorates into a slum state.

We must reverse the fatal housing trend of today, the trend which sees more housing units falling into the substandard category than the number of new units built to replace them.

We must rehabilitate the old and rundown, and we must build the new. In short, we must supply enough quality housing to meet the needs of an America, which in a few years will have 80 percent of its population living in cities.

By itself, Government cannot fully meet the housing needs of urban America.

The task demands the full attention and effort of both the public and private sectors.

It demands a partnership of Government and private enterprise—a pooling of money, ideas, understanding, and technology.

The interest of private enterprise in such a joint effort is only too evident. U.S. Gypsum and U.S. Plywood and other firms are experimenting with new housing rehabilitation techniques.

But a large-scale effort on the part of private industry to rebuild our slums will only come if we in Government can provide a reasonable return to those who invest.

Private corporations are responsible first and foremost to their stockholders. In one sentence, building luxury housing or investing in stocks and bonds provides these corporations with bigger profits and less risk than does the rehabilitation of dwellings in large cities throughout the Nation.

Therefore, it appears the Government's responsibility is clear. We must provide incentives which will insure that the housing needs of our cities will be met today.

The proposed measure introduced by Senator KENNEDY and myself combines tax incentives, low-interest mortgages, and other devices to meet these needs.

Obviously, this measure will achieve two objectives that seem irreconcilable.

The first objective is low-rent housing for the poor.

The second is a reasonable profit for builders who attempt to provide such housing.

David Rockefeller, president of the Chase Manhattan Bank of New York, explained the problem to the Subcommittee on Executive Reorganization of the Senate's Committee on Government Operations as follows:

> Businessmen know of no real way in which private enterprise can build and make a profit, even a modest one, for the lowest income brackets.

The proposed legislation would achieve several results.

First, it would construct or rehabilitate an estimated 300,000 to 400,000 low-rent housing units and present us with a new building technique.

Secondly, it would establish rents on the average of $70 to $100 a month.

Third, it would gain a net return on money invested of between 13 and 15 percent for those who build the low-rent housing.

Fourth, it would establish an autonomous division within the Department of Housing and Urban Development to rapidly process applications for the construction of multiple dwellings to house low-income families.

And finally, it would pave the way for the owner of the housing after a 10-year period, to sell the building to his tenants.

The main objective is to provide quality rental housing as soon as possible for people with little income. Long-term Government loans, at only 2 percent interest to those who invest in low-cost housing would make possible low rents.

Relatively high profits, which would entice or stimulate private capital to move into the ghettos, would be made possible by two forms of tax benefits; namely, tax credits and accelerated depreciation.

As all of you know, a tax credit is a return to an investor of a tax he would otherwise owe, measured in terms of a certain percentage of his investment.

Accelerated depreciation of an investment has the effect of reducing the quantity of an investor's income that would be taxed currently.

An investor who decided to build low-rent housing in an urban slum or ghetto would receive a Federal loan of up to 80 percent of the cost of the construction, amortized over 50 years at a rate of 2 percent annually. In return for receiving such Federal assistance, the investor would have to agree to meet basic standards of construction, design, and maintenance.

In addition, the investor would have to build or rehabilitate at least 100 housing units whose rentals would be set by the Federal Government. He would also have to rent to low-income persons, and continue as owner of the project for a minimum of 10 years.

Finally, the investor would have to agree to accept a basic direct return on his equity of only 3 percent. On its face this sounds like a sacrifice—the kind an intelligent businessman would not be willing to make.

On a $10 million project where the investor's equity was $2 million, his return annually would be only $60,000—less than the percentage the investor would like to receive on a $2 million outlay.

But tax incentives would make the plan more attractive.

The proposal calls for a scale of investment credits ranging from 3 percent for the individual who makes an investment of 20 percent of the housing cost to 22 percent for the person who puts up the entire cost.

Large corporations with heavy cash reserves who undertake large scale building efforts in the ghetto would benefit substantially.

In addition, corporate and individual investors would also have the benefit of accelerated depreciation.

For the investor who puts up 20 percent of the cost of construction, depreciation is allowed over a period of 20 years.

For the investor who puts up 100 percent, the progressive scale permits a 10-year period for depreciation.

The proposed legislation, in my opinion, has the potential for supplying an adequate amount of low-rent housing to our urban poor.

It represents a new and untried approach to an old problem. But this is a time where, as Lincoln once said, "We must think anew and act anew."

I am optimistic that the pending proposal will be rewarded by large scale construction of quality low-income housing, ridding our cities of the ghetto to a substantial degree of the spawning menace of crime and juvenile delinquency. I feel that private enterprise will be more than willing to do its part, and I sincerely trust the committee or committees to which this measure is referred will immediately begin consideration of the measure, and will act favorably on it at an early date.

I am satisfied that it does provide a financial answer to this great need in America. I again congratulate the distinguished junior Senator from New York [Mr. KENNEDY] for having conceived of this idea. I am pleased and honored that I could be permitted to join with him.

Mr. KENNEDY of New York. Mr. President, I thank the distinguished junior Senator from Florida for his remarks. I am pleased that we are involved in this venture together.

Mr. President, I ask unanimous consent that the bill and a summary of the bill be printed in the RECORD, and that the bill be referred to the appropriate committee.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred; and, in accordance with the request of the Senator from New York, the bill and the summary of the bill will be printed in the RECORD.

The bill (S. 2100) to encourage and assist private enterprise to provide adequate housing in urban poverty areas for low-income and lower middle-income persons, introduced by Mr. KENNEDY of New York (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2100

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Urban Housing Development Act of 1967".

Declaration of purpose

SEC. 2. It is the purpose of this Act to assist private enterprise in providing new and substantially rehabilitated housing in urban poverty areas in order to enhance the living conditions of such areas, and to meet an immediate and pressing need for decent, safe, and sanitary housing for low-income and lower middle-income persons at rentals which they can afford.

Definitions

SEC. 3. As used in this Act—

(1) The term "Secretary" (for purposes of Title I and Title II) means the Secretary of Housing and Urban Development.

(2) The term "urban poverty area" means an area, within a standard metropolitan statistical area containing a population of at least 250,000, which the Bureau of the Census has determined, at the request of, and under procedures approved by, the Office of Economic Opportunity, to be a poverty area, subject to such modifications, exceptions, or additions as the Secretary, in consultation with the Director of the Office of Economic Opportunity, may determine to be appropriate for the purposes of this Act.

(3) The term "city" means any municipality, county, parish, or other political subdivision of a State having general governmental powers.

(4) The term "certified project" means a housing project, which may consist of one or more buildings, with respect to which an unrevoked certificate of eligibility has been issued by the Secretary under section 101 of this Act.

(5) The term "certified operation period" means with regard to a certified project,

(A) in the case of a project financed in part by a mortgage insured under section 235 of the National Housing Act, the term of such mortgage, or

(B) in the case of a project not financed in part by a mortgage insured under section 235 of the National Housing Act, 50 years from the date of completion of construction or rehabilitation of the project which is certified under section 101 of this Act.

(6) The term "net return" means with respect to any fiscal year, the net operating income of a certified project, before any deductions for depreciation, interest, United States income tax and State or local income or franchise taxes computed with reference to net income, but less the amount of the amortization payment (including both the amount thereof attributable to interest and the amount thereof attributable to retirement of principal) payable on a mortgage on the project insured under section 235 of the National Housing Act.

(7) The term "home management corporation" means a public or private nonprofit corporation or association which is organized under State or local law by the residents of one or more certified projects in an urban poverty area for the purpose of managing and performing maintenance tasks on each project, for developing and carrying out programs for improving the physical, economic, and social conditions prevailing in the urban poverty area where such project is constructed, and ultimately for purchasing such project to take ownership either in the name of the corporation or in the name of each resident of such project.

(8) The term "holder" means any individual, firm, or corporation possessing an unrevoked certificate of eligibilty issued by the Secretary under section 101 of this Act.

(9) The term "initial equity" means, with respect to the holder of a certified project, the difference between the total cost of the project to the holder as determined under section 235 (d) (3) of the National Housing Act and the principal amount of any mortgage on the project, insured under section 235 of the National Housing Act, at the particular time in question.

(10) The term "occupancy charge" means the rental or other payment made by the occupants of dwelling units in a certified project to any holder of such project including a home management corporation composed of such occupants.

TITLE I—ELIGIBILITY FOR ASSISTANCE

Certificates of eligibility

SEC. 101. (a) The Secretary shall issue a certificate of eligibility to any applicant desiring to provide housing in an urban poverty area for low-income and lower middle-income persons, if—

(1) the governing body of the city in which the project is to be located has given written notice to the Secretary that it wishes to participate in the program authorized by this Act, and has given written assurances (deemed satisfactory to the Secretary) that local real estate taxes levied against any project, during any year in the certified operation period, will not exceed 5 per centum of the occupancy charge for the project during such period;

(2) the Secretary, after consultation with such governing body or an agency or instrumentality of such city designated by such body, and after consultation with the residents of such urban poverty area determines that such project will contribute to the overall economic and social welfare of the area and will be coordinated with all other governmental programs for community development;

(3) the Secretary determines that the applicant meets such requirements with respect to business and financial responsibility as he may prescribe; and

(4) the applicant agrees, in such form and manner as the Secretary may prescribe—

(A) to provide at least 100 dwelling units of housing (through new construction or the substantial rehabilitation of existing structures) in conformity with standards prescribed by the Secretary under subsection (d) within such period of time, and at such site within an urban poverty area, as may be specified or agreed to by the approving agency under paragraph (2);

(B) to provide at least as many dwelling units of housing (through new construction or the substantial rehabilitation of existing structures) as are eliminated in the course of such construction or substantial rehabilitation;

(C) to hold and manage the certified project in accordance with the provisions of this Act, and any regulations issued pursuant thereto;

(D) to establish, during the certified operation period, occupancy charges for dwelling units in the project which are not in excess of the levels prescribed by the Secretary pursuant to section 102;

(E) to lease, during the certified operation period, dwelling units in the project to eligible individuals and families in accordance with regulations prescribed by the Secretary under section 103;

(F) to utilize, during the certified operation period, the services of a home management corporation whenever such services are available; and

(G) to sell, transfer, or otherwise dispose of the certified project only to the holder of a certificate of eligibility issued pursuant to subsection (b), during the certified operation: *Provided,* That any home management corporation established for the certified project shall have a first option to purchase such project from the applicant at any time after the expiration of four-fifths of the applicant's minimum holding period at a price which exceeds the principal amount of any insured mortgage on the project under section 235 of the National Housing Act by no more than the holder's initial equity in the project and subject to such other terms and conditions as may be specified by the Secretary.

(5) The Secretary determines that the cost of the project, estimated operating costs of the project, and other factors relating thereto, will permit the establishment of occupancy charges, under the standards set forth in section 102, which will not be in excess of those suitable for low-income or lower middle-income individuals and families. The Secretary shall issue, from time to time, bulletins setting forth maximum occupancy charge levels suitable for low-income or lower middle-income individuals and families in various urban poverty areas throughout the country.

(6) The Secretary determines that the approving agency under paragraph (2), or such other agency or instrumentality as the governing body of the city may designate, will carry out an adequate relocation program, in accordance with section 105, for any persons displaced from their homes or business establishments by the project.

(b) The Secretary shall issue a certificate of eligibility for benefits under this Act to any applicant who is or will be the successor in interest to the ownership of any project with respect to which a certificate was issued under subsection (a), if—

(1) the Secretary determines that the applicant meets such requirements with respect to business and financial responsibility as he may prescribe; and

(2) the applicant agrees to conform to the requirements of subsection (a)(4).

(c) The Secretary shall terminate a certificate of eligibility issued to any holder under this section whenever he determines after a hearing that such holder has failed, after due notice and a reasonable opportunity to correct the failure has been given, to carry out its agreement under subsection (a)(4) or (b)(2).

(d) Any certified project with respect to which a certificate of eligibility is issued under this section shall conform to such standards of design, construction, and operation as the Secretary shall by regulation require. Such regulations shall—

(1) giving due effect to any action taken by the locality in which such project is located, ensure that the project is to designed, constructed, and operated as to provide decent, safe, and sanitary dwellings in esthetically pleasing structures, and

(2) establish maximum cost limitations for the project and for dwelling units in the project having regard for—

(A) the provisions of subsection (a)(4),

(B) the size and nature of the unit,

(C) whether the unit is provided by new construction or substantial rehabilitation, and

(D) building costs in the particular locality.

(e) The Secretary shall keep interested and participating Federal, State, and local agencies fully apprised of any action taken by him under this section.

(f) The Secretary may by regulation require the holder of a certificate of eligibility issued under this section to file such reports from time to time as he may deem necessary in order to carry out his functions under this title.

(g) No certificate of eligibility shall be issued under this section, unless application therefore is received by the Secretary prior to the expiration of 15 years after the date of enactment of this Act.

Occupancy charges for dwelling units in certified projects

SEC. 102. (a) The maximum occupancy charges for dwelling units in any certified project shall be fixed in accordance with schedules to be submitted by the holder to the Secretary, from time to time, and approved by the Secretary. In approving any such schedule for any such project, the Secretary shall be guided by the following criteria.

(1) The gross occupancy charges for a certified project shall be established at a level which (assuming a vacancy factor of not more than 7 per centum of the available dwelling units in the project), would be sufficient to produce for a holder having the minimum initial equity in the project, a net return equal to 3 per centum of such equity in each fiscal year of the holder commencing or ending during the certified operation period. The fact that a holder has a greater equity in a certified project than the minimum required equity shall not affect the gross occupancy charge of the project.

(2) The occupancy charge for each dwelling unit shall bear its reasonable and proportionate share (having regard to the type and size of the accommodations provided) of the gross occupancy charge for the project.

(b) The Secretary may, at the request of the owner of a certified project or upon his own initiative, authorize or require such changes or modifications in any occupancy charge schedule, approved for such project under subsection (a), as he determines to be necessary (1) to allow for maintenance costs or a vacancy factor above or below those upon which such schedule was previously predicated and approved, or (2) to ensure compliance with the requirements set forth in subsection (a) of section 101 (a)(4).

(c) The Secretary is authorized, upon such terms and conditions as he shall by regulation prescribe, to make commitments to insure, and to insure, the owner of a certified project against a negative annual net return from such project in a particular fiscal year. For the purposes of this subsection there is hereby created an Equity Insurance Fund which shall be used by the Secretary as a revolving fund with respect to insurance provided hereunder, and there is authorized to be appropriated (1) the sum of $10,000,000 to provide initial capital for such fund, and (2) such additional sums as may from time to time be required, in the event the balance in such fund becomes less than $5,000,000, to restore such balance to an amount equal to $10,000,000. For insurance granted under this subsection the Secretary shall fix and collect a premium charge in such amount as he determines to be necessary to maintain the fund on a sound basis: *Provided,* That any charges so established shall be reduced during any period in which the balance in such fund exceeds $11,000,000: *Provided further,* That no sums shall be paid from such funds to the owner of a certified project who willfully causes his annual net return from his investment to fall below 0 per centum.

Eligibility requirements for obtaining occupancy in certified projects

SEC. 103. The Secretary shall prescribe regulations with respect to the eligibility of individuals and families for occupancy in a certified project. In prescribing such regulations, the Secretary shall be guided by the following criteria:

(1) No person shall be ineligible for occupancy in the project because of race, creed, color, or national origin.

(2) A first priority shall be granted to individuals and families who were displaced from their homes as a result of property acquisitions made in connection with the establishment of such project or an industrial or commercial facility under the provisions of the Urban Employment Opportunities Development Act of 1967.

(3) Except as provided in paragraph (2), no individual or family shall be eligible to obtain occupancy in a dwelling unit of the project if the annual occupancy charge established and approved for such unit is less than 18 per centum of the adjusted gross annual income (as defined in section 62 of the Internal Revenue Code) of such individual or family: *Provided,* That the Secretary may waive the foregoing requirement whenever he determines that there are no prospective tenants available for such dwelling unit, at the established occupancy charge rate, who are eligible individuals and families.

Eligibility requirements for maintaining occupancy in certified projects

SEC. 104. (a) No individual or family shall be required to move from a certified project as a result of an increase in his or its annual income: *Provided,* That if, for any calendar year, the annual occupancy charge for the dwelling unit occupied by an individual or family is less than 15 per centum of his or its adjusted gross income for such year, such individual or family shall be required to pay to the holder of the project, such amount in addition to his or its regular payments, in such installments and at such times as may be required under regulations to be prescribed by the Secretary, as will result in a total occupancy charge to such individual or family equal to 18 per centum of the adjusted gross income of such individual or family for such year. Any such additional amounts received by the owner of the project shall be used to make payments to the Secretary for deposit in the Tax Abatement Fund, established under section 106, to reduce the costs to the Federal Government of making grants under such section.

(b) The Secretary may by regulation require each individual or family occupying a unit in a certified project to file such income statements from time to time as he may deem necessary in order to carry out his functions under this section.

Relocation assistance

SEC. 105. (a) In determining whether, for the purposes of section 101 (a) (5), an adequate relocation program exists in any city to assist in the relocation of persons, businesses, and nonprofit organizations displaced as the result of property acquisitions made in connection with a certified project, the Secretary shall be guided by the following criteria:

(1) Any persons so displaced shall be assured under the program of obtaining decent, safe, and sanitary housing at rentals which they can afford and at locations which are reasonably accessible to their places of employment.

(2) As part of the program, the services of a home management corporation shall be utilized to provide moving and resettlement assistance to persons so displaced: *Provided,* That if such services are not available a local group of residents of the area in which the project will be situated will receive training and compensation, in accordance with regulations prescribed by the Secretary, in providing moving and resettlement assistance to persons so displaced.

(3) (A) There will be paid to any person or family so displaced—

(i) a moving expense allowance, determined according to a schedule approved by the Secretary, not to exceed $200;

(ii) a dislocation allowance equal to the amount under (i) or $100, whichever is the lesser;

(iii) an additional payment of $300, if such person or family purchases a dwelling for the purpose of residence within one year from the date of actual displacement, and the dwelling so purchased is situated upon real estate in which such person or family acquires a fee title or a life estate, or which is held under a ninety-nine year lease or other type of long-term lease equivalent to fee ownership.

(B) In addition to the amounts payable under subparagraph (A), there will be paid to any family, any individual (not a member of a family) who is sixty-two years of age or over, or any individual (not a member of a family) who is handicapped within the meaning of section 202 of the Housing Act of 1959, monthly payments over a period not to exceed twenty-four months in an amount not to exceed $500 in the first twelve months and $500 in the second twelve months to assist such family or individual to secure a decent, safe, and sanitary dwelling. Subject to the limitation imposed by the preceding sentence, the additional payments shall be an amount which, when added to 20 per centum of the annual income of such family or individual at the time of displacement, equals the average annual rental required for such a decent, safe, and sanitary dwelling of modest standards adequate in size to accommodate such family or individual in areas not generally less desirable in regard to public utilities and public and commercial facilities: *Provided,* That such payments shall be made only to a family or individual who is unable to secure a dwelling unit in a low-rent housing project assisted under the United States Housing Act of 1937, or under a State or local program having the same general purposes as the Federal program under such Act, or a dwelling unit assisted under section 101 of the Housing and Urban Development Act of 1965.

(4) There will be paid to any business concern or nonprofit organization so displaced—

(A) its reasonable and necessary moving expenses and any actual direct losses of property (except good-will or profit) for which reimbursement or compensation is not otherwise made; and

(B) an additional $2,500 in the case of a private business concern with average annual net earnings of less than $10,000 per year, if such concern is not part of a larger enterprise having establishments other than the one with respect to which the displacement occurred.

(b) The Secretary is authorized to enter into contracts to make, and to make, grants to any city carrying out an approved relocation program under this section, or to any agency or instrumentality of such city designated by the governing body thereof, to defray that part of the cost of carrying out such program which is required under paragraphs (2), (3), and (4) of subsection (a).

(c) There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this section. Any sums so appropriated shall remain available until expended.

Grants to cities providing tax benefits with respect to certified projects

SEC. 106. (a) The Secretary is authorized to enter into contracts to make, and to make annual grants to cities participating in the program authorized by this Act. The amount of any such grant shall not exceed a sum equal to—

(1) 50 per centum of the amount by which the tax revenues received or receivable by such city during any year were reduced by reason of any tax benefit granted by such city, pursuant to section 101(a)(1), to one or more certified projects, and

(2) an amount equal to any contribution paid or payable to such city by a State to defray any part of the loss of tax revenues incurred or incurrable by such city during such year as the result of such tax benefit: *Provided,* That in no case shall the amount of any such grant exceed 75 per centum of the amount by which the tax revenues received or receivable by any such city during any year were reduced by reason of such tax benefit.

(b) For the purpose of this section, there is hereby created a Tax Abatement Fund which shall be used by the Secretary for grants hereunder. Such funds shall consist of (1) the sum of $30,000,000 to be appropriated by the Congress to provide initial capital to such fund, (2) such additional sums as may be appropriated thereto by the Congress in the event the balance in such fund becomes less than $20,000,000 to restore such balance to an amount equal to $30,000,000, and (3) such sums as may be deposited therein by the Secretary from receipts under section 104(a).

Assistance for home management corporations

SEC. 107. (a) The Secretary, in consultation with the Director of the Office of Economic Opportunity, is authorized to undertake such activities as he determines to be appropriate to assist the residents of urban poverty areas to organize and make use of home management corporations. Such activities may include grants to defray reasonable and necessary expenses incident to the organization of such corporations. Such activities may also include the issuance of model forms of management agreements which may be entered into between holders and such corporations.

(b) For the purposes of this section, there is hereby created a Home Management Assistance Fund, and there is authorized to be appropriated (1) the sum of $5,000,000 to provide initial capital for such fund, and (2) such additional sums as may from time to time be required to make all necessary grants to home management corporations. Any sum so appropriated shall remain available until expended.

(c) After its organization, a home management corporation shall receive funds from the Home Management Fund and from any other Federal agency only if the Secretary, in consultation with the Director of the Office of Economic Opportunity, determines that the members of such corporation are contributing sufficient time and funds to ensure that the corporation is operating efficiently and effectively.

Administration

SEC. 108. The provisions of this title shall be administered by the Secretary through a Low-Income Housing Administration to be established by the Secretary in the Department of Housing and Urban Development.

Penalties

SEC. 109. Whoever, in any report or income statement required to be filed under this title, or any regulation issued pursuant thereto, knowingly makes a false statement of a material fact, shall be fined not more than $——— or imprisoned not more than ———, or both.

TITLE II—HOUSING ACTS AMENDMENTS

Mortgage insurance

SEC. 201. Title II of the National Housing Act is amended by adding at the end thereof a new section as follows:

"Mortgage insurance for urban housing

"SEC. 235. (a) This section is designed to assist private industry to provide housing in urban poverty areas for low-income and lower middle-income persons in furtherance of the purposes of, and under a program authorized by, the Urban Housing and Development Act of 1967.

"(b) The Secretary is authorized, upon application by the mortgagee, (1) to insure in accordance with the provisions of this section any mortgage (including advances during construction) which is executed by a mortgagor to whom has been issued, under section 101 of the Urban Housing Development Act of 1967, an unrevoked certificate of eligibility, and which is otherwise eligible for insurance as herein provided; and (2) upon such terms and conditions as the Secretary may prescribe, to make commitments for the insurance of such mortgages prior to their execution or disbursement thereon.

"(c) As used in this section (except as otherwise herein provided), the terms 'mortgage', 'mortgagee', 'mortgagor', and 'maturity date' shall have the same meaning as in section 201 of this Act.

"(d) To be eligible for insurance under this section, a mortgage shall—

"(1) have been made to and be held by a mortgagee approved by the Secretary as responsible and able to service the mortgage properly;

"(2) not exceed in principal amount $———;

"(3) not exceed 80 per centum of the total cost of the project when the proposed new construction or substantial rehabilitation is completed. For purposes of this paragraph, the total cost of a certified project shall be the sum of (A) the mortgagor's adjusted basis for the project (including both the land and the buildings) for Federal income tax purposes, at the time that the new construction, or substantial rehabilitation, certified under section 101 of the Urban Housing Development Act of 1967, is completed, and (B) the amount of carrying charges allocable to the certified project, which were incurred during such construction or rehabilitation thereof and deducted by the mortgagor under section 266 of the Internal Revenue Code. Subject to regulations to be prescribed by the Secretary, there may be included in the total cost of the project, a net profit for the builder (who, for this purpose, shall include all parties related to the builder under section 267 of the Internal Revenue Code), of up to, but not more than, 10 per centum of the total cost of the project less such profit;

"(4) bear interest (exclusive of premium charges for insurance and service charge, if any) at not to exceed 2 per centum per annum on the amount of the principal obligation outstanding at any time; and contain such terms and provisions with respect to the application of the mortgagor's periodic payment to amortization of the principal of the mortgage, insurance, repairs, alterations, payment of taxes, default reserves, delinquency charges, foreclosure proceedings, anticipation of maturity, and such other matters as the Secretary may prescribe; and

"(5) provide for complete amortization by periodic payments within such terms, not to exceed 50 years, as the Secretary may prescribe.

"(e) A project covered by a mortgage insured under the provisions of this section shall comply with the requirements of the Urban Housing Development Act of 1967, and regulations prescribed thereunder, and for such purpose the Secretary may make such contracts with, and acquire for not to exceed $100 such stock or interest in the mortgagor, as he deems necessary to render effective any such requirements. Such stock or interest shall be paid for out of the General Insurance Fund and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Secretary under the insurance.

"(f) Notwithstanding any provision of this Act, the Secretary may, whenever he determines that such action is necessary or desirable in furtherance of the purposes of this section, insure a mortgage under this section with no premium charge, with a reduced premium charge, or with a premium charge for such period or periods during the time the insurance is in effect, as the Secretary may determine, and there is authorized to be appropriated such amounts as may be necessary to reimburse the General Insurance Fund for any net losses in connection with such insurance.

"(g) The mortgagee shall be entitled to receive the benefits of insurance issued under this section as provided in section 207 (g) of this Act with respect to mortgages insured under such section 207, and the provisions of subsections (h), (i), (j), (k), and (l) of such section 207 shall be applicable to mortgages insured under this section."

Cost certification

SEC. 202. Section 227 (a) of the National Housing Act is amended by striking out "or (viii) under section 234 (d)" and inserting in lieu thereof "(viii) under section 234 (d), or (ix) under section 235".

Purchases by Federal National Mortgage Association

SEC. 203. Section 305 of the National Housing Act is amended by adding at the end thereof a new subsection as follows:

"(j) Notwithstanding any other provision of this Act, the Association is authorized to make commitments to purchase and to purchase, service, or sell, any mortgage insured under section 235 of this Act, subject to the following limitations:

"(1) The total amount of such purchases and commitments outstanding at any one time shall not exceed $500,000,000, which amount shall be increased by $500,000,000 on July 1 in each of the years 1968, 1969, 1970, 1971, and 1972.

"(2) Not more than 20 per centum of the total amount of such purchases and commitments outstanding at any one time shall relate to mortgages secured by properties situated in any one city."

Certified projects in urban renewal areas

SEC. 204. Section 107 (a) of the Housing Act of 1949 is amended—

(1) by striking out "or (2)" and inserting "(2)";

(2) by adding after "Act," the following: "or (3) a purchaser having an unrevoked certificate of eligibility issued under section 101 of the Urban Housing Development Act of 1967,"; and

(3) by inserting "low or" before "moderate income".

TITLE III—INTERNAL REVENUE CODE AMENDMENTS

Tax treatment of certified projects

SEC. 301. (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 40 as 42, and by inserting the following new section:

"SEC. 41. INVESTMENT IN CERTAIN HOUSING PROJECTS IN URBAN POVERTY AREAS.

"(a) GENERAL RULE.—There shall be allowed, as a credit against the tax imposed by this chapter, the amount determined under section 1392.

"(b) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section and section 1392."

(b) Subchapter S of Chapter 1 of the Internal Revenue Code of 1954 (relating to the taxable status of small business corporations) is amended by inserting after section 1378 the following new section:

"SEC. 1379. INSURED INDEBTEDNESS OF SMALL BUSINESS CORPORATION.

"(a) INSURED LOAN.—In the case of an electing small business corporation which has been granted on insured loan (as defined in subsection (c)) or which has purchased a section 1391 property (as defined in subsection 1391 (3)) subject to an insured loan (as defined in subsection (c))—

"(1) the insured loan shall be deemed to have been made by the lender to the shareholders of such corporation, in proportion to their holdings of stock at the time that the loan is made.

"(2) the proceeds of the insured loan shall be deemed to have been loaned by such shareholders to the electing corporation, on the same terms as those of the insured loan, and

"(3) payments by the corporation on the insured loan shall be treated as payments on the loan deemed made to the corporation by its shareholders under subsection (b) herewith, which are, in turn, paid by the shareholders on the insured loan.

"(b) Sale of stock.—A sale or exchange of shares of stock in an electing small business corporation, in proportion to which an allocation of an insured loan was at any time made under subsection (a)(1) shall be deemed—

"(1) to include a sale or exchange of the unpaid portion, if any, of the loan to the corporation which was deemed made by the holder of such stock under subsection (a) (2), and

"(2) to have been made subject to the portion of the insured loan deemed owing by the holder of such stock under subsection (a) (1).

"(c) Definitions.—For purposes of this section the term 'insured loan' means a loan made to an electing small business corporation which is insured under section 235 of the National Housing Act."

(c) Chapter 1 of the Internal Revenue Code of 1954 (relating to normal taxes and surtaxes) is amended by adding at the end thereof the following new subchapter:

"SUBCHAPTER U—TAX TREATMENT OF CERTAIN HOUSING PROJECTS IN URBAN POVERTY AREAS

"Sec. 1391. Definitions.
"Sec. 1392. Investment credit.
"Sec. 1393. Depreciation of section 1391 buildings.
"Sec. 1394. Restoration of basis.
"Sec. 1395. Dispositions before end of minimum holding period.
"Sec. 1396. Nonrecognition of gain on certain dispositions of section 1391 property.

"Sec. 1391. Definitions.

"For purposes of this subchapter—

"(1) Section 1391 certificate.—The term 'section 1391 certificate' means a certificate of eligibility issued by the Secretary of Housing and Urban Development—

"(A) under section 101(a) of the Urban Housing Development Act of 1967, authorizing the grant of certain income tax and other incentives to a person constructing, or substantially rehabilitating, a certified project, or

"(B) under section 101(b) of such Act, authorizing certain income tax and other incentives to a person who is a successor in interest to such a project.

"(2) Section 1391 building.—The term 'section 1391 building' means any building which has been constructed, or substantially rehabilitated, pursuant to a section 1391 certificate. The term includes—

"(A) the structure of the building and all components of such building constituting section 1250 property (as defined in subsection 1250(c)), and

"(B) elevators and escalators in the building but no other equipment used in the operation of the building which constitutes section 1245 property (as defined in subsection 1245(a) (3)).

"(3) Section 1391 property.—The term 'section 1391 property' means real property consisting of —

"(A) a section 1391 building, and

"(B) the land on which any such section 1391 building is located.

For purposes of this subsection, the land on which a section 1391 building is located shall include reasonable grounds for the building, encompassing gardens, playgrounds, and other facilities. In a case in which such grounds constitute less than all of a tract of land owned by the taxpayer (whether or not any other building not constituting a section 1391 building is located on such a tract), an apportionment of the total tract as between the section 1391 property and other property, shall be made pursuant to regulations to be prescribed by the Secretary or his delegate.

"(4) Section 1391 corporation.—The term 'section 1391 corporation' means a corporation which is holding one or more section 1391 properties.

"(5) Equity investment.—The term 'equity investment' means—

"(A) with respect to the first holder of a section 1391 property, the amount by which (i) the holder's adjusted basis for such property at the time of the completion of the construction or substantial rehabilitation undertaken pursuant to the section 1391 certificate exceeds (ii) the initial principal amount of any mortgage on such property which is insured under the provisions of section 235 of the National Housing Act, and

"(B) with respect to a subsequent holder of a section 1391 property, the amount by which (i) such holder's adjusted basis for such property at the time of acquisition exceeds (ii) the unpaid principal amount of any mortgage insured under the provisions of section 235 of the National Housing Act to which the property is subject at the time of its acquisition.

"(6) Equity investment percentage.—The term 'equity investment percentage' means, with respect to the holder of a section 1391 property, the ratio of—

"(A) the holder's equity investment in such property, over

"(B) the holder's adjusted basis for such property at the applicable time specified in subsection (5).

"(7) Maximum holding period.—The term 'maximum holding period' means with respect to a section 1391 property the lesser of (A) the useful life of the section 1391 building, constituting part of such property, as determined under section 1393 (whether or not an election with respect to such building has been made under such section), or, (B) the useful life of such building for purposes of section 167, determined without regard to section 1393.

"(8) Minimum Holding Period.—The term 'minimum holding period' means with respect to a section 1391 property,—

"(A) in the case of the first holder thereof 10 years, or

"(B) in the case of a subsequent holder of such property, 10 years or, if lower, the useful life of the section 1391 building constituting part of such property for purposes of section 167 but determined without regard to section 1393.

"(9) Qualified Expenditures.—The term 'qualified expenditures' means, with respect to any taxable year—

"(A) as to a taxpayer who, during the taxable year, completed the construction or substantial rehabilitation of a section 1391 building, pursuant to a section 1391 certificate, the adjusted basis of the section 1391 property of which such building constitutes a part, at the time of the completion of such construction or substantial rehabilitation, and

"(B) as to a taxpayer who purchases a section 1391 property during the taxable year, as a subsequent holder thereof, the basis of such property at the time of purchase.

"(10) First Holder.—The term 'first holder' means with respect to any section 1391 building, or section 1391 property, the person to whom a section 1391 certificate is issued authorizing the construction or substantial rehabilitation of a section 1391 building as part of such property.

"(11) Subsequent Holder.—The term 'subsequent holder' means, with respect to any section 1391 property, a person to whom a section 1391 certificate has been issued with respect to such property under section 101 (b) of the Urban Housing Development Act of 1967, but only if—

"(A) such person acquires such property by purchase (as defined in section 179 (d) (2)) from a person who, at the time of the purchase, was a first holder or subsequent holder of the property,

"(B) the acquisition is made after the end of the minimum holding period applicable to such property in the hands of such first or subsequent holder.

"Sec. 1392. Investment Credit.

"(a) Determination of Amounts.—

"(1) General Rule.—The amount of the credit allowed by section 41 for the taxable year with respect to any section 1391 property (as defined in subsection 1391 (3)) shall be the following percentage of the qualified expenditures (as defined in subsection 1391 (9)) made by the taxpayer during the taxable year with respect to such property:

"If the taxpayer's equity investment percentage (as defined in subsection 1391(6)) is—	In the case of the first holder of any section 1391 property (as defined in subsection 1391(10)), the credit shall be—	In the case of a subsequent holder of such property (as defined in subsection 1391 (11)), the credit shall be
20 percent or more but less than 25 percent	3 percent	2 percent.
25 percent or more but less than 30 percent	5 percent	3 percent.
30 percent or more but less than 35 percent	6.5 percent	4 percent.
35 percent or more but less than 40 percent	8 percent	5 percent.
40 percent or more but less than 45 percent	9.5 percent	7.5 percent.
45 percent or more but less than 50 percent	11 percent	10 percent.
50 percent or more but less than 55 percent	12 percent	12 percent.
55 percent or more but less than 60 percent	13 percent	13 percent.
60 percent or more but less than 65 percent	14 percent	14 percent.
65 percent or more but less than 70 percent	15 percent	15 percent.
70 percent or more but less than 75 percent	16 percent	16 percent.
75 percent or more but less than 80 percent	17 percent	17 percent.
80 percent or more but less than 85 percent	18 percent	18 percent.
85 percent or more but less than 90 percent	19 percent	19 percent.
90 percent or more but less than 95 percent	20 percent	20 percent.
95 percent or more but less than 100 percent	21 percent	21 percent.
100 percent	22 percent	22 percent.

"(2) Limitation.—Notwithstanding paragraph (1), the credit allowed by section 41 for the taxable year shall not exceed the taxpayer's liability for tax for the taxable year.

"(3) Liability for tax.—For purposes of this section, the liability for tax for the taxable year shall be the tax imposed by this chapter for such year, reduced by the sum of the credits allowable under—

"(A) section 33 (relating to foreign tax credit),

"(B) section 35 (relating to partially tax-exempt interest),

"(C) section 37 (relating to retirement income), and

"(D) section 38 (relating to investment in certain depreciable property).

For purposes of this paragraph, any tax imposed for the taxable year by section 531 (relating to accumulated earning tax), section 541 (relating to personal holding company tax), or section 1378 (relating to tax on certain capital gains of subchapter S corporations), and any additional tax imposed for the taxable year by section 1351 (d) (1) (relating to recoveries of foreign expropriation losses), shall not be considered tax imposed by this chapter for such year.

"(b) Carryback and Carryover of Unused Credits.—

"(1) Allowance of credit.—If the amount

of the credit determined under subsection (a)(1) for any taxable year exceeds the limitation provided by subsection (a)(2) for such taxable year (hereafter in this subsection referred to as the 'unused credit year'), such excess shall be—

"(A) a section 41 credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(B) a section 41 credit carryover to each of the 7 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by section 41 for such years, except that such excess may be a carryback only to a taxable year ending after the date of the enactment of the Urban Housing Development Act of 1967. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 10 taxable years to which (by reason of subparagraphs (A) and (B)), such credit may be carried and then to each of the other 9 taxable years to the extent that, because of the limitation contained in paragraph (2), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(2) Limitation.—The amount of the unused credit which may be added under paragraph (1) for any preceding or succeeding taxable year shall not exceed the amount by which the limitation provided by subsection (a)(2) for such taxable year exceeds the sum of—

"(A) the credit allowable under subsection (a)(1) for such taxable year, and

"(B) the amounts which, by reason of this subsection, are added to the amount allowable for such taxable year and attributable to taxable years preceding the unused credit year.

"(c) Subchapter S Corporations.—In the case of an electing small business corporation (as defined in section 1371)—

"(1) the qualified expenditures for each taxable year shall be apportioned pro rata among the persons who are shareholders of such corporation on the last day of such taxable year, and

"(2) any person to whom any expenditures have been apportioned under paragraph (1) shall be treated (for purposes of this subchapter) as the taxpayer with respect to such expenditures, and such expenditures shall not (by reason of such apportionment) lose their character as qualified expenditures.

"(d) Estates and Trusts.—In the case of an estate or trust—

"(1) the qualified expenditures for any taxable year shall be apportioned between the estate or trust and the beneficiaries on the basis of the income of the estate or trust allocable to each, and

"(2) any beneficiary to whom any expenditures have been apportioned under paragraph (1) shall be treated (for purposes of this subchapter) as the taxpayer with respect to such expenditures, and such expenditures shall not (by reason of such apportionment) lose their character as qualified expenditures.

"(e) Cross References.—

"(1) For the effect of a disposition of section 1391 property before the end of the minimum holding period applicable to a certified housing project, see section 1395.

"(2) For application of this subchapter to certain acquiring corporations, see section 381(c)(24).

"Sec. 1393. Depreciation of Section 1391 Buildings.

"(a) Election by Taxpayer.—If an election is made under this subsection with respect to a section 1391 building (as defined in subsection 1391(2))—

"(1) expenditures paid or accrued in the course of the construction, or substantial rehabilitation of such building, pursuant to a section 1391 certificate (as defined in subsection 1391(1)), for the demolition of existing structures and for site improvement, which would, apart from this subsection, be added to the taxpayer's basis for the land, shall instead be added to the taxpayer's basis for the section 1391 building;

"(2) the useful life of such section 1391 building, for purposes of section 167 shall be the number of years determined under subsection (b); and

"(3) for purposes of section 167, such building shall be treated as having no salvage value.

An election under this subsection with respect to any property shall be made at such time and in such manner as the Secretary or his delegate prescribes by regulations. Any such election may be revoked only with the consent of the Secretary or his delegate.

"(b) Useful Life.—For purposes of subsection (a)—

"If the taxpayer's equity investment percentage (as defined in subsection 1391(6)) is—	If the taxpayer is the first holder (as defined in subsection 1391(10)) with respect to the section 1391 building the useful life of the building shall be the following percentage of its useful life determined without regard to this subsection—	If the taxpayer is a subsequent holder (as defined in subsection 1391(11)) with respect to the section 1391 building, the useful life of the building shall be the following percentage of its useful life determined without regard to this subsection—
20 percent or more but less than 25 percent	40 percent	50 percent.
25 percent or more but less than 30 percent	36 percent	46 percent.
30 percent or more but less than 35 percent	32 percent	43 percent.
35 percent or more but less than 40 percent	28 percent	40 percent.
40 percent or more but less than 45 percent	25 percent	35 percent.
45 percent or more but less than 50 percent	22 percent	30 percent.
50 percent or more	20 percent	25 percent.

For purposes of applying this subsection, the useful life of a section 1391 building apart from the application of the percentages specified in this subsection shall not be deemed less than the term, or remaining term, of any mortgage on the building insured under section 235 of the National Housing Act.

"(c) Method of Depreciation.—If an election is made under subsection (a) with respect to any section 1391 building, the methods of depreciation specified in subsection 167(c) may be used only if the taxpayer's equity investment percentage is in excess of 50 per centum.

"(d) Limitation.—Paragraph (1)(A) shall not apply to any section 1391 building if the useful life of such building to the taxpayer for purposes of section 167 (determined without regard to this subsection) is less than ten years. The useful life of any section 1391 building shall not, by reason of an election under this subsection, be less than ten years.

"(e) Cross Reference.—

"For the effect of any early disposition of a section 1391 building with respect to which an election is made under subsection (a), see section 1395.

"Sec. 1394. Restoration of Basis.

"(a) Election.—Under regulations prescribed by the Secretary or his delegate, if a holder of a section 1391 property (as defined in subsection 1391(3)) holds such property for the maximum holding period applicable thereto (as defined in subsection 1391(7)), and at the end of such period certifies to the Secretary or his delegate that he will continue to hold such property in conformity with the requirements of section 101 of the Urban Housing Development Act of 1967, such holder shall, for purposes of this chapter (except as provided in subsection (b)), be treated as having sold and purchased such property, on the first day after the end of such maximum holding period, for an amount equal to the sum of:

"(1) his equity investment in such property (as defined in subsection 1391(5)) less the amount of any credits allowed to such holder under section 41 with respect to such property; and

"(2) the unpaid principal amount of any mortgage insured under section 235 of the National Housing Act to which such property is subject on the date of such purchase.

"(b) Treatment as Subsequent Holder.—A taxpayer who makes an election under subsection (a) hereof shall be treated as of the date of the purchase under such election as a subsequent holder of the section 1391 property for all purposes under this chapter, except that such taxpayer shall not be entitled to any credit on such purchase under section 1392.

"Sec. 1395. Dispositions Before End of Minimum Holding Period.

"(a) Dispositions of Section 1391 Property.—If any section 1391 property (as defined in subsection 1391(3)) is disposed of before the end of the minimum holding period applicable to such property (as defined in subsection 1391(8)) except in a disposition subject to section 1396(c)—

"(1) in applying section 1250 (relating to gain from disposition of certain depreciable realty) to such disposition—

"(A) the applicable percentage shall be 100 percent, and

"(B) the term 'additional depreciation' in subsection 1250(a)(1)(A) shall mean (in lieu of the meaning set forth in subsection 1250(b)(1)) the depreciation adjustments with respect to such property, to the extent they exceed the sum of—

"(i) the amount of the depreciation adjustments which would have resulted if such adjustments had been determined for each taxable year, under the straight line method of depreciation, but without regard to section 1393, and

"(ii) any amounts eliminated from additional depreciation under paragraph (b)(5).

"(2) the tax under this chapter for the taxable year in which the disposition occurs shall be increased by an amount equal to the credits allowed under section 41 for prior taxable years which are attributable to such property, and any carrybacks and carryovers under section 1392(b) shall be adjusted: *Provided*, That this paragraph shall not apply to any disposition upon which gain otherwise subject to section 1250(a) is not recognized in whole or in part by virtue of any of the provisions of section 1250(c).

For purposes of this subsection, if the section 1391 certificate (as defined in subsection 1391 (1)), issued with respect to any section 1391 property, is terminated by the Secretary of Housing and Urban Development under section 101 (c) of the Urban Housing Development Act of 1967, or if any property otherwise ceases to qualify as section 1391 property with respect to the taxpayer, such property shall be treated as having been disposed of on the day on which such termination becomes effective or such cessation occurs.

"(b) Disposition of Stock.

"(1) General rule.—If stock in a section 1391 corporation (as defined in subsection 1391 (4)) is disposed of before the end of the minimum holding period applicable to any section 1391 property held by the corporation issuing such stock, gain on such disposition which is not subject to the provision of section 341 (a), shall be considered as gain from the sale or exchange of property which is not a capital asset, to the extent of the amount determined under paragraph (2).

"(2) Amount of ordinary income.—The amount of gain subject to paragraph (1) shall be the amount allocable to the stock sold (as determined by the regulations to be prescribed by the Secretary or his delegate), *of the aggregate gain subject to section 1250* (a) that would have been realized by the section 1391 corporation, if at the time of such disposition of stock, the corporation sold, at a price equal to its fair market value, each section 1391 property (as defined in subsection 1391 (3)) which it had not, at *such time, held for its minimum holding period. In applying paragraph (1) to a sale* or exchange under section 302, 303, or 346, any gain subject to subsection (a) realized by the section 1391 corporation on such sale or exchange shall not be included in the potential income of the corporation subject to section 1250, referred to in the preceding *sentence.*

"(3) Minority shareholders.—Paragraph (1) of this subsection shall not apply if—

"(A) at no time during the five years preceding the sale or exchange, the taxpayer owned directly or indirectly over 10 percent of either the common stock or the voting stock of the section 1391 corporation, or

"(B) at the time of the sale or exchange, the aggregate fair market value of the section 1391 properties held by the section 1391 corporation, less the liabilities to which such properties are subject or which are otherwise related thereto, represented less than 10 percent of the fair market value of such corporation's assets less the amount of all its liabilities.

"(4) Excepted transfers.—

"(A) Paragraph (1) shall not apply to a disposition upon death or by gift.

"(B) Paragraph (1) shall not apply to a sale or exchange of stock in complete liquidation of the corporation under section 331.

"(C) If the basis of stock in a section 1391 corporation in the hands of a transferee is determined by reference to its basis in the hands of the transferor thereof in a disposition otherwise subject to paragraph (1), by reason of the application of section 332, 351, 361, 371(a), 721, or 731, the amount of gain taken into account by the transferor on such disposition under paragraph (1) of this subsection shall not exceed the amount of gain recognized on the disposition, determined without reference to this section.

"(5) Elimination from additional depreciation.—The amount of gain recognized under paragraph (1) on a sale or exchange of stock in a section 1391 corporation shall, as of the date of such sale or exchange, be eliminated from the additional depreciation as to the section 1391 properties held by such corporation under subparagraph 1391 (a)(1)(B)(ii).

"Sec. 1396. Nonrecognition of Gain On Certain Dispositions of Section 1391 Property.

"(a) Nonrecognition of Gain.—Upon a sale or exchange of section 1391 property (as defined in subsection 1391(3)), gain shall not be recognized to the extent set forth in subsections (b), (c), or (e).

"(b) Qualified Reinvestment.—

"(1) General rule.—If section 1391 property is sold or exchanged at any time after the end of the minimum holding period applicable to such property (as defined in subsection 1391 (8)), no gain shall be recognized if, within one year after the date of such sale or exchange, or within such longer period of time as may be authorized by the Secretary or his delegate, upon an application of the taxpayer showing reasonable grounds for an extension, the taxpayer makes a qualified reinvestment (as defined in paragraph (2)) of an amount not less than:

"(A) the amount realized on such sale or exchange, over

"(B) the amount of any mortgage on such property insured under section 235 of the National Housing Act (as of the date of such sale or exchange).

"(2) Amount of qualified reinvestment.—For purposes of this subsection, a qualified reinvestment shall mean:

"(A) an expenditure paid or accrued by the taxpayer which will constitute part of a qualified expenditure (as defined in subsection 1391 (9)), or

"(B) any other expenditure paid or accrued by the taxpayer for the construction or substantial rehabilitation of housing, *the rental levels of which insure that they will be suitable for occupancy by low-income* or lower middle-income families or individuals. The types of expenditures which shall constitute qualified reinvestments under subparagraph (B) shall be specified in regulations to be prescribed by the Secretary of Housing and Urban Development.

"(c) Disposition to Home Management Corporation.—If section 1391 property is sold or exchanged at any time after the end of four-fifths of the minimum holding period applicable to such property, no gain shall be recognized if such sale or exchange is made to a home management corporation (as defined in section 3(7) of the Urban Housing Development Act of 1967).

"(d) Dispsitions After End of Maximum Holding Period.—

"(1) General rule.—If section 1391 property is sold or exchanged at any time after the end of the maximum holding period applicable to such property (as defined in subsection 1391(7)) and subsections (b) or (c) do not apply to such sale or exchange, then the gain to be recognized on such sale or exchange shall not exceed an amount determined under paragraph (2).

"(2) Amount of ordinary income.—The amount of gain to be recognized in a sale or exchange described in paragraph (1) shall not be greater than the excess of:

"(A) the amount realized on such sale or exchange, over

"(B) the amount of any mortgage on such property insured under section 235 of the National Housing Act, as of the date of such sale or exchange.

"(e) Characterization of Gain.—If section 1391 property is sold or exchanged after the expiration of the minimum holding period applicable to such property, any gain realized on such sale or exchange shall be treated as gain on the sale or exchange of property described in subsection 1231(b)."

Technical, conforming and clerical amendments

Sec. 302. (a) The table of subchapters for chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new item:

"SUBCHAPTER U. TAX TREATMENT OF CERTAIN HOUSING PROJECTS IN URBAN POVERTY AREAS."

(b) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by inserting the following:

"Sec. 41. Investment in certain housing projects in urban poverty areas."

(c) Section 167 (j) of such Code is amended to read as follows:

"(j) Cross References.—

"(1) For additional rules applicable to depreciation of improvements in the case of mines, oil and gas wells, other natural deposits, and timber, see section 611.

'(2) For additional rules applicable to depreciation of section 1391 property, see section 1393."

(d) Section 381(c) of such Code is amended by adding at the end thereof the following new paragraph:

"(24) Credit under section 41 for investment in certain housing projects in urban poverty areas.—The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 41, and under such regulations as may be prescribed by the Secretary or his delegate) the items required to be taken into account for purposes of section 41 in respect to the distributor or transferor corporation."

(e) Section 1250 of such Code is amended by adding at the end thereof the following new subsection:

"(i) Certified Housing Projects.—

"For special rules for applying this section in the case of real property comprising section 1391 property, see section 1395."

(f) Subsection 1250(d) is amended by adding at the end thereof the following new *paragraph:*

"(9) Transfer to Home Management Corporation.—Subsection (a) shall not apply to a disposition of section 1391 property (as defined in subsection 1391(3)) which is subject to subsection 1369(c)."

(g) Section 1371 of such Code is amended by adding at the end thereof the following new subsection:

"(e) Corporate Shareholder.—"Subparagraph (a)(2) of this section shall not apply to a corporation during any taxable year in which over 90 percent of its gross receipts constitute rental or other income realized in the operation of section 1391 property *and/or the proceeds of sales or exchanges of* such property."

(h) Section 1372(e)(5) of such Code is amended by inserting after "rents" the following: "(other than rents from section 1391 property)".

(i) The table of sections for subchapter S of chapter 1 of such Code is amended by adding at the end thereof the following new item:

"Sec. 1379. Indebtedness to Shareholders of Small Business Corporation Holding Section 1391 Property."

Effective date

Sec. 303. The amendments made by this title shall apply to taxable years ending after the date of the enactment of this Act.

The summary, presented by Mr. Kennedy of New York, is as follows:

Summary—Urban Housing Investment Act

At the recent hearings before a Subcommittee of the Committee on Government Operations concerning the Federal Role in Urban Affairs, a great many of the witnesses testified that the investment of private capital was desperately needed if our center city slums were to be rebuilt. The problem is how to encourage this large-scale flow of private capital.

One of the answers has been provided in a position paper done for the Ford Foundation. "If private capital is to enter, new and powerful incentives will be needed to compensate for the obvious economic disadvantages that now exist. Next to an outright guarantee of profits—an undesirable and unlikely alternative—the most effective tools we have so far devised to redirect the flow of private resources are private tax incentives. . . . Taxes, observes Charles Abrams, is the least explored subject in American urban development." This position has been seconded by David Rockefeller who, at recent hearings, noted that the Internal Revenue Code could be used to promote urban development "just as it has been proposed that it be used to encourage investment in the developing areas of the world."

The objective is to create new or rehabilitated housing for urban dwellers in the low-income and lower middle-income groups, who currently live in substandard facilities. We are concerned with rebuilding ghetto areas as well as building new, low-cost and low-rental housing. Thus the program should be confined to urban "poverty areas", which can be located on Bureau of Census maps and which are, by definition, our worst urban areas. Many ghetto residents want to remain in their own neighborhoods. What they need, however, is decent housing.

The need for safe and sanitary housing for lower middle-income families is clear. The National Urban League has found that, "Next to public housing, probably the most pressing need is adequate housing for the so-called middle-income group that earns between $3,000 and $6,000 a year. All too frequently these families are forced to resort to sub-standard or badly deteriorating housing since they earn too much to be eligible for low-rent housing and too little to afford new or recently constructed housing."

At the 1965 hearings on Rent Supplements, Secretary Weaver put the problem in more concrete terms: "About 4 million of the nation's families . . . are within the income range where they are unable to afford decent housing, but have incomes above those permitted for admission to public housing. . . . The volume of housing needed to meet the needs of this group can be supplied best through the resources and initiatives of private enterprise."

When asked about the 221(d)(3) program which is meant to provide low-cost housing to this group, Secretary Weaver said: "This program has been successful but it has served only the top to the moderate-income families and it has not gotten down to the people who are still between it and public housing. It serves a little bit of the layer between public housing and private, but you have a whole lot left in there and this whole lot is getting larger. . ."

PROVISIONS OF BILL

1. Before applying to HUD for certification under this program, a prospective builder must obtain approval for his housing project from the municipality. (The municipality is thus in the position to seek out and encourage businessmen and other builders to construct these projects.) A partnership between private enterprise, local government, and the Federal government is thus achieved.

2. In order to qualify for benefits under this program, a builder with approval from a municipality must still seek certification from HUD. (This program will be administered through a new Low-Income Housing Division within HUD, which can devote all its attention to producing low cost housing.)

3. The builder-owner of the project must agree to (a) build or rehabilitate at least 100 dwelling units; (b) construct at least as many units as he destroys; (c) provide an initial equity investment of at least 20% of the project's cost; (d) agree to accept only a 3% direct return on his initial equity investment.

4. Mortgage money for a certified project will be made available in the same way it is made available under section 221(d)(3) of the National Housing Act. Once the project is certified by HUD, a 50 year mortgage bearing an interest rate of 2% can be obtained from a private bank. Since it will be FHA insured, the mortgage can then be purchased by the Federal National Mortgage Association. The mortgage on each project will run to 80% of cost depending upon the amount of equity supplied by the owner. The money for purchasing such mortgages will constitute a fund of $3 billion. The Secretary of the Treasury will be instructed to borrow this money over the next 6 years. Because Treasury will have to borrow it at about 4% and then lend it at 2%, it will have to subsidize the difference. The subsidy cost will be approximately $35 million a year for 50 years, quite low for the number of potential units.

5. The bill provides that local real estate taxes on these projects must be reduced from the normal 20 to 25% of total rents to 5%. A tax abatement fund is established with an initial appropriation of $30 million. The Federal government automatically reimburses the municipality for 50% of the required tax abatement. On the remaining 50%, it matches the state contribution dollar for dollar.

6. Any family which is dislocated will be given a priority in obtaining the new housing units created under this bill.

7. The bill provides project insurance so that an owner will not experience any cash losses on the housing he has provided. An initial Federal fund of $10 million is established; small premiums are then paid by the owners for the insurance they receive.

8. The bill establishes a Home Management Assistance Fund within HUD. Five million dollars is provided as an initial appropriation for this fund. At the time that the owner's project is certified, he will be required to consult with a representative from the fund. Arrangements will be made between the owner, the fund and the municipality to train the residents of the project to participate in managing and handling the day-to-day operations of the project.

9. No person or family shall be permitted to move into the project if the yearly sum for rent constitutes less than 18% of his or its gross income (unless the Secretary of HUD waives the requirement for the project because of problems of maintaining full occupancy). If the tenant's income rises once he enters the project, he faces no increased payment until the rent constitutes less than 15% of gross income. Once it is less than 15%, the tenant shall be required to pay 18% of his income for his housing unit. The additional payment shall go into the tax abatement fund and serve to help lower Federal appropriations.

10. In return for building these projects the owner receives the following tax benefits:

A. a tax credit, which increases proportionately to the amount invested, equal to a specified percentage of the cost of the project, which builds upon existing investment credit provisions in Sections 46 through 48 of the Internal Revenue Code;

B. a shorter useful life for depreciation purposes, which builds upon the 5 year period for the amortization of emergency defense facilities and grain storage facilities.

C. the right to treat demolition and site improvement costs (often amounting to 10 to 15% of the entire cost of the project) as part of the cost for the building and therefore as part of the depreciable base;

D. a reduction, or in certain cases a postponement, of a capital gains tax upon a sale of the project after a minimum period of time.

11. It is estimated that a $15,000 unit will rent for about $99 a month, a $12,500 unit will rent for $86; and a $10,000 unit will rent for $73. With the cooperation of municipalities in lowering of land costs and the expertise of large private corporations, it is expected that housing costs could be reduced and rentals established below even these low levels.

12. Computations have also been made on the profits that owners will receive for building and continuing to own these projects. As the owner's equity investment goes up, his after-taxes profits will also go up. Profits for a large corporation will run over 10%. These benefits should induce large corporations to begin the job of rebuilding urban ghettos.

SECTION-BY-SECTION SUMMARY OF URBAN HOUSING DEVELOPMENT ACT OF 1967

Section I—Short title

This Act shall be cited as the "Urban Housing Development Act of 1967".

Section 2—Purpose

The purpose of this Act is to provide tax and other incentives for private industry to build new, or to rehabilitate, housing in our urban poverty areas. This nation has a pressing need to produce decent, safe, and sanitary housing for low-income and lower middle-income persons at prices which they can afford.

Title I of the Act describes the procedures by which a building certificate is obtained. Title II deals with the relevant amendments to the National Housing Act to ensure that the mortgage money needed to construct low cost housing will be available. Title III amends the Internal Revenue Code to provide the necessary tax incentives.

Section 3—Definitions

This section defines the various terms used in the Act. An "urban poverty area" is defined as an area, within a standard metropolitan statistical area of at least 250,000 persons (for a further explanation of this definition, see Appendix I) which the Census Bureau has determined to be a poverty area at the request of the Office of Economic Opportunity, subject to additions and deletions regarded as appropriate by the Secretary of Housing and Urban Development.

The term "certified project" is defined as a building or group of buildings which has been certified by the Secretary of Housing Urban Development as eligible for benefits under this Act.

The term "certified operation period" means the normal 50 year time period, over which a mortgage insured under section 235 of the National Housing Act will run or, in the case where no insured mortgage exists, a 50 year period which begins from the time the construction or rehabilitation of the project has been completed. It covers the period during which the benefits and requirements of this Act are applicable to a certified project.

The term "net return" means the yearly net operating income from a project before any deductions for depreciation, interest, and various Federal, State, and local taxes have been taken, minus the amount of the amortization and interest payments on a mortgage insured under section 235 of the National Housing Act. (This definition corresponds with the term "cash flow" as utilized in the real estate industry.)

The definition of "home management corporation" includes any nonprofit corporation or association composed of the tenants of one or more certified projects in an urban poverty area. The primary objective of such a corporation is to work with the owner of the project in managing and performing maintenance tasks on the buildings in the project. The corporation is eligible to receive grants from other Federal, State and local agencies to improve the physical, economic, and social conditions prevailing in the urban poverty area which encompasses the certified project. The Act also provides that this corporation can eventually purchase the project from its private owner and take title to it either in the name of the corporation or in the name of each resident.

The term "holder" means a person possessing a certificate of eligibility for one of these projects.

The term "initial equity" means the difference between the cost of building or buying the project and the amount of the mortgage under section 235 of the National Housing Act on such project at the time in question. Initial equity may thus include funds obtained through private mortgages which are not insured by the Federal government.

The term "occupancy charges" means the rental payments made by the tenants to a private owner or, at a later stage in the life of the certified project by the occupants of such project to the home management corporation which may be holding title in the name of such occupants if it has purchased the project.

TITLE I—ELIGIBILITY FOR ASSISTANCE

Section 101—Certificates of eligibility

The Secretary of Housing and Urban Development shall issue a certificate of eligibility for benefits under this Act to any person wishing to provide housing in an urban poverty area for low-income and lower middle-income persons when six conditions have been met.

First, the city in which the project is to be located must have given written notice to the Secretary that it wishes to participate in the program provided for in this Act. The city must also agree to fix its real estate taxes levied on any project at 5 percent or less of the total rental or other payments for such project during the certified operation period.

Second, the Secretary must, after consulting with the city and residents of the urban poverty area, determine that the project will promote the social and economic welfare of such area, and, will be coordinated with other governmental programs for community development.

Third, the Secretary must determine that the applicant has the business and financial capabilities needed to construct the project in accordance with the requirements of this Act.

Fourth, the applicant who will undertake the project must agree, in a manner prescribed by the Secretary, (A) to provide—by construction or substantial rehabilitation—at least 100 dwelling units within the urban poverty area on a site, and within a period of time, specified by the city and in conformity with the standards set forth by the Secretary; (B) to provide at least as many dwelling units as are lost through the rebuilding process; (C) to hold and manage the project in accordance with the requirements of this Act; (D) to set, during the certified operation period, occupancy charges which conform to levels established by the Secretary; (E) to lease the dwelling units, during the certified operation period, to individuals and families whose incomes are in accordance with the provisions of this Act; (F) to utilize a home management corporation, if one has been established, during the certified operation period; and (G) to sell, transfer, or dispose of the project during the certified operation period only to a person holding a certificate of eligibility issued by the Secretary and to give a purchase priority to a home management corporation for such project.

Fifth, the Secretary must determine that the estimated construction and operating costs for the building will permit the establishment of occupancy charges (under the standards set forth in section 102) appropriate for low-income and lower middle-income individuals and families. The Secretary will issue bulletins, from time to time, indicating appropriate maximum rental levels in various urban poverty areas throughout the country.

Sixth, the Secretary must determine that the city will carry out an adequate program for relocating individuals, families, and businesses displaced by projects built under this Act. The city must provide decent housing reasonably accessible to the individuals' or families' places of employment, and must pay reasonable moving expenses and compensation for any actual direct losses of property.

These costs shall be borne by the Federal government as explained below. The Secretary shall issue a certificate of eligibility to any person who wants to succeed to the ownership of one of these projects if the applicant can meet the business and financial responsibilities set forth by the Secretary and agrees to follow the same requirements on holding the project that his predecessor did.

The Secretary shall terminate a certificate of eligibility if the holder of it fails to carry out its agreement and does not correct such failure after a reasonable period of time. A hearing shall be held, however, before any certificate is terminated.

The project shall conform to standards of design, construction and operation issued by the Secretary. Such standards shall, giving due effect to any local action, ensure decent, safe, sanitary, and aesthetically pleasing dwelling units. The standards shall also set maximum cost limitations for the construction of dwelling units. These cost limitations shall vary depending on the size of the unit and building costs in the locality. They shall also vary depending on whether the unit is provided by new construction or rehabilitation and whether it is in a building with an elevator.

The Secretary shall keep interested Federal, State, and local officials fully informed of his actions. He may also require holders of certificates to supply reports so that he may have all the information needed to carry out his functions under this title.

No certificate shall be issued under this program—without a Congressional renewal of authority—if the application is received later than 15 years after the date of enactment of the Act.

Section 102.—Occupancy charges for dwelling units in certified projects

A proposed occupancy charge schedule shall be filed by the holder of a certificate with the Secretary of Housing and Urban Development who must approve such schedule. The charges for each unit shall be computed on the basis of its proportionate share of the total annual income for the project. The total occupancy charge for the project shall be set so as to produce approximately a 3 percent net return on the holder's initial equity. This return shall be computed on the basis of a 7 percent vacancy factor. In establishing this occupancy charge, the Secretary shall do so as if the holder of the certificate had invested only the minimum required equity or 20 percent. This means that regardless of whether the holder's equity share is 20 percent or 50 percent or 100 percent of the project's cost, the total occupancy charges for the project remain the same. The effect of this provision is to raise the owner's profit a little above 3 percent as the percentage of equity to total cost goes up. The reason for this slight increase in profit stems from the fact the cost of amortizing and paying interest on each dollar of an FHA insured 50 year mortgage at 2 percent is slightly more than 3 percent.

The Secretary may raise or lower the occupancy charge schedule based upon changes in maintenance costs or the vacancy factor. He may also lower dwelling unit charges to ensure that the holder of a certificate will meet the requirements set forth in the provisions of this Act.

An Equity Insurance Fund with an initial $10 million appropriation is established to insure that the owner of a project will not receive a negative return on his investment because of increased maintenance costs or a higher than normal vacancy factor. The owner shall pay a premium charge for this insurance to be fixed by the Secretary. If the fund becomes less than $5 million, Congress shall appropriate the funds needed to restore it to $10 million. If the balance in the fund grows above $11 million, then insurance premiums shall be reduced. No sums shall be paid from the fund to an owner who willfully causes his annual net return to fall below zero percent.

Section 103—Eligibility requirements for obtaining occupancy in certified projects

The Secretary shall set eligibility requirements for the occupancy of units in a certified project. He shall be guided by three criteria.

First, no person shall be ineligible for occupancy because of race, creed, color, or national origin.

Second, individuals or families displaced because of property acquisitions under this Act or under the Urban Employment Opportunities Act of 1967 shall have a first priority in obtaining units in these projects.

Third, no individual or family—unless he or it possesses a resettlement priority—shall be eligible to obtain occupancy in a project built under this Act if the annual occupancy charge for such unit constitutes less than 18 percent of the annual adjusted gross income of such individual or family. This requirement may be waived if the Secretary finds that there are no prospective eligible tenants available for the project at the stipulated income cut-off point.

Section 104—Eligibility requirements for maintaining occupancy in certified projects

No individual or family shall have to vacate a unit in a certified project because of an increase in his or its gross annual income. If the annual charges fall below 15 percent of adjusted gross income, however, the individual or family shall increase its payment so that the amount paid constitutes 18 percent of his or its adjusted gross income. The excess paid by the tenant shall be used to supplement the Tax Abatement Fund which is established under section 106 of this Act for lowering rentals and other charges in all projects built under this Act.

The Secretary of Housing and Urban Development may require the tenants of a certified project to file any income statements deemed necessary to carry out the purposes of this section.

Section 105—Relocation assistance

In determining if a city has an adequate relocation program for displaced individuals, families, businesses or non-profit associations, the Secretary shall determine whether the city can provide decent, safe, and sanitary housing, and whether it will pay resettlement expenses to those persons forced to relocate. The city must also attempt to utilize either a home management corporation or some other local group of residents of the area in which the project will be located.

Finally the city must establish a reasonable compensation program. All individuals or families shall receive up to $200 in moving expenses and up to $100 as a dislocation allowance. If the person or family buys a dwelling place, then an additional payment of $300 shall be made. Any low-income or elderly or handicapped person shall receive monthly payments for up to 24 months, not to exceed $500 in each of the two years, to assist them in obtaining decent dwelling units. The payments shall equal the difference between 20% of income and the rental required for a decent housing unit in an area not less desirable than the one being vacated. Such payments shall not, however, be made to an individual or family which secures a dwelling unit in a specified low rent Federal, State, or local housing project. A displaced business concern or nonprofit association shall secure its reasonable and necessary moving expenses and payments for direct property losses (not including good-will or profits) not otherwise compensated for through the purchases of the enterprise's facility. An additional $2,500 shall be paid to a private business having average annual net earnings of less than $10,000 a year, if such concern is not part of a larger business enterprise having other establishments than the one being displaced.

To assist in resettlement, the Secretary is authorized to enter into contracts to make and to make grants to the cities to defray the costs of establishing an approved relocation program.

The sums that may be needed to carry out the provisions of this section are authorized. Any funds appropriated under this authorization shall remain available until expended.

Section 106—Grants to cities providing tax benefits with respect to certified projects

The Secretary of Housing and Urban Development is authorized to enter into contracts to make and to make annual grants to cities in which projects are built under this Act. Such grants shall be for the purpose of assisting cities to abate real estate taxes. The amount of the grant shall automatically cover 50 percent of the difference between the city's normal assessment—without regard to this bill—and its required assessment of 5 percent or less of gross rental. As for the other 50 percent of the abatement, the Federal government will match—dollar for dollar—any contribution made by the State. Under this formula, the maximum Federal grant can be no more than 75 percent of the required abatement.

A Tax Abatement Fund with an initial appropriation of $30 million is established to make such grants. The fund shall be increased by any payments made by tenants whose assessed occupancy charges constitute less than 15 percent of their adjusted gross incomes. If the fund falls below $20 million, then Congress is authorized to appropriate the necessary amount to restore it to a $30 million balance.

Section 107—Assistance for home management corporations

The Secretary of Housing and Urban Development, in conjunction with the Director of the Office of Economic Opportunity, is authorized to assist the residents of urban poverty areas to form home management corporations. Such corporations shall help resettle tenants and then work with the project owner to manage, and provide maintenance for such project. They shall also help organize the project's tenants to engage in social, educational, and cultural activities. The Secretary shall provide economic assistance to assist in organizing the corporations and shall also help arrange management agreements between such corporations and the holders of certified projects. A Home Management Assistance Fund with an initial appropriation of $5 million shall be established to provide grants to these corporations. Any further appropriations needed to allow the fund to continue its operations are authorized. (It is also expected that these corporations will qualify for grants under various programs run by Federal agencies such as the Office of Economic Opportunity and Departments such as Health, Education and Welfare. A corporation can only qualify for such grants if it is found to be serving its members by maintaining their interest and participation in community projects.)

Section 108—Administration

The Secretary of Housing and Urban Development shall administer the program provided for in this Act through a newly constituted Low-Income Housing Administration.

Section 109. Penalties

Whoever knowingly files a report or income statement which includes a false statement of a material fact shall be subject to criminal penalties.

TITLE II—HOUSING ACT AMENDMENTS

Section 201. Mortgage insurance

Title II of the National Housing Act is amended to add the following new section:

"*Section 235. Mortgage insurance for urban housing*

"To assist private industry in providing housing for low-income and lower middle-income persons, the Secretary is authorized to insure the mortgages of mortgagors holding unrevoked certificates of eligibility issued under this Act.

"To be eligible for insurance, the mortgage must have been made to and be held by a financially responsible mortgagee. The mortgage shall also not exceed 80 percent of the total cost of a completed certified project. The total cost of a project is equal to the owner's adjusted basis for the land and buildings of the project—computed for Federal income tax purposes—and the amount of carrying charges sustained during the construction of and allocable to, the project and deducted by the mortgagor under Section 266 of the Internal Revenue Code. (By utilizing tax definitions, the bill avoids the necessity of requiring a builder or subsequent holder to maintain an additional set of records.) Subject to regulations issued by the Secretary of Housing and Urban Development, the total cost may include a builder's and sponsor's profit not to exceed 10 percent of the total cost of the project less such profit. The mortgage shall bear an interest rate not to exceed 2 percent per year on the amount of the mortgage's principal obligation outstanding at any time. The mortgage shall be amortized over a period of up to 50 years by periodic payments. The Secretary may alter the payment terms as he deems necessary.

"To ensure acceptable management and operation in accordance with the requirements of the Urban Housing Development Act of 1967, the Secretary may make a contract with and acquire up to $100 of stock or interest in the mortgagor. This stock or interest shall be redeemed by the mortgagor when obligations under the insurance are terminated.

"The Secretary may insure a mortgage under this section with no premium charge or with a reduced premium charge. There is authorized to be appropriated such amounts as may be necessary to reimburse the General Insurance Fund for any net losses it sustains in connection with such insurance.

"The mortgagee shall be entitled to receive the benefits of insurance issued with respect to mortgages insured under section 207 of the National Housing Act."

Section 202.—Cost certification

Section 227(a) of the National Housing Act is amended to bring mortgages insured under section 235 within the scope of its provisions.

Section 203.—Purchases by Federal National Mortgage Association

Section 305 of the National Housing Act is amended to authorize the Federal Mortgage Association to make commitments to purchase, and to purchase, service, or sell mortgages insured under section 235 of this Act. Such commitments and purchases are limited by the fact that they cannot exceed $500 million during the next fiscal year and an additional $500 million for each of the 5 years thereafter. The overall dollar limitation is $3 billion.

Not more than 20 percent of all outstanding purchases and commitments can relate to mortgages secured by projects situated in any one city.

Section 204.—Certified projects in urban renewal areas

Section 107(a) of the Housing Act of 1949 is amended to provide that projects certified under the Urban Housing Development Act of 1967 can be built in urban renewal areas with all the consequential benefits to the builder and ultimately to the tenants of such project.

TITLE III—INTERNAL REVENUE CODE AMENDMENTS

The following tax incentives are granted in regard to a certified project.

1. A tax credit, modeled on the existing investment credit, for specified percentages of the investment of the builder, or subsequent holder of the project is established.
2. A more rapid rate of depreciation for the building is provided. This accelerated rate of depreciation is achieved through a percentage reduction in the useful life otherwise applicable so as to result in no alteration of the technical depreciation rules now set forth in the Code and regulations.

The credit rates and reductions in useful life available to the initial builder are greater than those available to a subsequent holder. This reflects the fact that greater risks are involved in constructing and renting a wholly new project, than in purchasing a project which is already a going operation.

The amount of the tax credit and reduction in useful life gradually increases as the holder's equity investment in the project increases. For purposes of these provisions, the term "equity investment" means the amount of funds which the holder expends in building and/or purchasing the project, in excess of federally insured mortgages. The purpose of this provision is to encourage the construction of low rental housing with the minimum possible drain on the Federal government's mortgage resources.

In order to prevent a rapid turnover of certified projects, which would multiply the tax reductions ultimately granted in regard thereto, minimum and maximum holding periods are specified. For example, the minimum holding period for the builder of a project is ten years. The maximum holding period is the reduced depreciation period granted to the holder.

If the holder sells before the end of the minimum holding period, the tax benefits granted to him are, in effect, "recaptured."

If he sells after the end of the maximum period, the capital gains tax otherwise payable on the sale will be reduced.

Finally, the capital gains tax otherwise payable on a sale is eliminated in two situations which the legislation is designed to encourage, namely, when a sale is made to a home management corporation, and when, within a short period of time after the sale, the holder reinvests the proceeds in the construction of another low rental project.

Section 301. Tax treatment of certified projects

Chapter I of the Internal Revenue Code is amended to insert the following section within subpart A of part IV of subchapter A of such chapter which relates to credits allowable.

Section 41. Investment in certain housing projects in urban poverty areas

Under regulations prescribed by the Secretary of the Treasury or his delegate, a credit—to be determined under a new section 1392 of the Internal Revenue Code—shall be allowed against the tax imposed by chapter I of such Code.

Chapter I of the Internal Revenue Code is amended to insert the following section within subchapter S of such chapter which relates to the taxable status of small business corporations.

Section 1379. Insured indebtedness of small business corporation

A major obstacle which may deter an individual or corporation from undertaking the construction or purchase of a certified project (even with its concomitant tax benefits) is the risk of exposing his or its other assets to losses and liabilities arising from such project.

Under existing law, a corporation which, by itself, constructs or otherwise purchases a certified project, may hold the project in a separate subsidiary (thereby shielding its other assets against the liabilities of the project) and, nevertheless, achieve resulting tax benefits from the project directly by means of a consolidated return. But, a group of corporations, or a group of individuals undertaking a certified project could not at the same time achieve both the insulation against liabilities, and the direct benefit of tax incentives.

Subchapter S of the Code provides a means by which the net operating losses and investment credits of a corporation may be passed through to its shareholders.

Subchapter S, however, requires several amendments—which this legislation proposes—in order to make it a suitable vehicle for achieving this "pass through" of benefits in regard to the ownership and operation of a certified housing project.

Thus the bill amends Section 1371 so as to qualify a corporation as a permissible shareholder for an S corporation, owning and operating a certified project.

The bill also amends Section 1372 so as to make rental income from a certified project a qualified type of income for an S corporation.

Finally the bill adds a new Section 1379 to Subchapter S to increase the tax benefits which the shareholder of an S corporation can obtain from such corporation. Under existing law, a partner in a partnership may claim a share of partnership losses up to the total of his capital contributions and his loans to the partnership, and, his proportionate share of any mortgages and other liabilities held by the partnership. In contrast, a shareholder of an S corporation may claim a share of corporate losses only up to the amount of his capital contributions and his loans to the corporation. He may not claim a further share of losses up to the amount of his share of mortgages and other liabilities of the corporation. Thus, under the existing subchapter S rules, the shareholder of an S corporation owning and operating a certified project could not deduct a major portion of the project's losses while a partner in a partnership holding a project could deduct such losses. The proposed legislation surmounts this problem without interfering with the present technical structure of Subchapter S, by treating the insured mortgage loan to the corporation as a constructive loan to the shareholders who, in turn, are deemed to reloan the proceeds to the corporation. In this manner, the loan becomes part of the shareholders' basis for their interest in the S corporation. It is that basis on which the shareholders may then claim their share of the corporation's losses.

Chapter I of the Internal Revenue Code is amended to insert the following new subchapter V dealing with "Tax Treatment of Certain Housing Projects in Urban Poverty Areas." Such subchapter shall include the following sections:

Section 1391 definitions

This section defines the various terms used in this subchapter. A "section 1391 certificate" is defined as a certificate of eligibility issued under the Urban Housing Development Act of 1967 either to a person constructing or substantially rehabilitating a certified project or to a subsequent purchaser of such project.

A "section 1391 building" is a building eligible for rapid depreciation. It is a building constructed or substantially rehabilitated by a person pursuant to a section 1391 certificate. The section 1391 building includes the structure and all components of the building constituting section 1250 property. It also includes any elevators and escalators within the building.

"Section 1391 property" is that type of property qualifying for the credit provided in this Act. It is defined as real property consisting of section 1391 buildings and the land on which these buildings are located. The land is limited to reasonable grounds for the building and for its gardens and playgrounds and other facilities. In some cases, these grounds will not constitute the entire tract of the taxpayer and an apportionment will have to be made between land constituting section 1391 property and other land.

A "section 1391 corporation" is a corporation holding at least one piece of section 1391 property.

The term "equity investment" is defined both as to the first holder of a section 1391 property and to any subsequent holders of such property. With respect to the first holder, it means the difference between the adjusted basis for such property at the time of its completion under a section 1391 certificate and the initial principal of any mortgage on such property insured under section 235 of the National Housing Act. With respect to a subsequent holder, it means the difference between his adjusted basis for such property at the time of acquisition and the unpaid principal of any mortgage insured under section 235 of the National Housing Act to which such property is subject at the time of acquisition.

The term "equity investment percentage" means the ratio of the holder's equity in any certified project to his adjusted basis in such project either at the time that the construction of the project is completed or when the project is purchased.

A "subsequent holder" is a person to whom a section 1391 certificate is issued for the purchase of a section 1391 property. But for tax purposes, a person shall only be treated as a subsequent holder if the acquisition is made sometime after the end of the minimum holding period applicable to such property in the hands of the former holder.

Section 1392—Investment credit

A scale of credits is established for both a first holder and a subsequent holder of any section 1391 property. The credit is determined as a percentage of the qualified expenditures paid or incurred during the taxable year with respect to such property. The term "qualified expenditures" is defined as, with respect to any taxable year, the adjusted basis of any section 1391 property which has been completed during such year and the basis of any section 1391 property purchased by the taxpayer during such year.

For a first holder, the credit ranges from 3 percent for a 20 to 25 percent equity investment to 12 percent for a 50 to 55 percent equity investment to 22 percent for an 100 percent equity investment. For any subsequent holder, the equivalent credit percentages for the equity invested are 2, 12, and 22 percent.

If any permissible credits under this section are not used, they may be carried back for 3 taxable years and forward for 7 taxable years. The carryback or carry forward must be to the earliest possible year first. A carryback cannot, however, be made to a taxable year ending before the date on which this Act is enacted.

In each carryback or carryover year, the amount of the unused credit which may be added shall not exceed the amount by which the dollar limitation described above exceeds the sum of, for such taxable year, the credits allowable for other section 1391 properties under this section and the amounts which are added to the amount allowable for such taxable year that can be attributed to taxable years preceding the unused credit year.

This section also makes the credits that are provided applicable to the shareholders of subchapter S corporations and estates and trusts.

Section 1393—Depreciation of section 1391 buildings

If an election is made by a taxpayer under this section for any section 1391 building, such taxpayer can obtain the following benefits in regard to the depreciation of the building. First, he may add to his basis for the building, all expenditures paid or accrued in the course of construction or substantial rehabilitation of such building (excluding any expenditures which he has deducted pursuant to section 266 of the Internal Revenue Code). Under present law, virtually all of these expenditures must be added to the cost of the land which is not depreciable.

Second, for purposes of depreciating such building, he may then use a shortened period of time as specified below. Third, in computing his depreciation, he may treat the building as having no salvage value at all.

An election under this section shall be made in accordance with regulations issued by the Secretary or his delegate. An election may only be revoked with the consent of the Secretary or his delegate.

The depreciation scale for a section 1391 building is shortened for both the first holder and any subsequent holder of a certificate of eligibility for a section 1391 property. The depreciation scale is based on the holder's equity percentage of the total cost of such property. With respect to a first holder, a 20 to 25 percent equity investment produces a 60 percent decrease in useful life (estimated as 50 years which will be the life of most of the federally insured mortgage); a 40 to 45 percent equity investment leads to a 75 percent decrease; a 50 percent or more investment produces an 80 percent decrease. With respect to a subsequent holder with a comparable percentage in equity investment, the relevant percentage decreases in useful life (estimated on the remainder of the normal 50 year period) are 50, 35, and 25 percent respectively.

If an election is made under this section, the double declining balance or the sum-of-the-years'-digits methods of depreciation may not be utilized unless the initial equity investment of the holder is greater than 50 percent of the cost of the project. If the holder's initial equity investment is 50% or less, he still may use the 150% declining balance method, as under existing law.

An election under this section cannot, however, reduce the useful life of the building below 10 years. For any property where the useful life of the building—computed without regard to this section—would be less than 10 years, this section's provisions on shortened depreciation periods do not apply.

Section 1394—Restoration of basis

The elimination of the initial, or any subsequent holder's basis for depreciation at the end of this shortened useful life period would virtually require such holder to sell at that time—which will often not be desirable.

It is therefore provided that if at the end of his maximum holding period, the holder decides to continue holding such property in conformity with the requirements of the Urban Housing Development Act of 1967, he shall be treated as having purchased such property from himself. He will then receive a restored basis equal to his original equity investment, reduced by any credits he has previously taken, and the unpaid principal amount of any mortgage under section 235 of the National Housing Act, to which such property is subject at the time. (This restored basis is less than the price which it is estimated that an independent purchaser would pay—and thereby obtain credits and accelerated depreciation upon. Hence there is no estimated revenue loss arising from the restoration of basis provision.)

If the holder receives such a restored basis, he will then be covered again by this Act's depreciation and holding period provisions but he will not be entitled to a credit.

The holder's election under this section shall not be treated as a disposition of the property for tax purposes.

Section 1395. Dispositions before end of minimum holding period

If section 1391 property is disposed of before the end of the minimum holding period then the gain obtained as the result of the accelerated depreciation provided for in this Act shall be taxed as ordinary income rather than as capital gains. This is done by means of an amendment to section 1250 of the Code, which already deals with the recapture of certain accelerated depreciation deductions with regard to real property.

The term "minimum holding period" for section 1391 property means: (A) 10 years for a first holder; (B) either 10 years or the normal useful life of the section 1391 building constituting part of such section 1391 property, computed without regard to the provisions of this subchapter, for a subsequent holder.

The exceptions to this rule are those specified in section 1250 when the disposition is made because of such occurrences as death, casualty, etc. A further exception applies when the disposition is made to a home management corporation under conditions specified below (a confining amendment is made to section 1250).

In all but the above excepted transactions, the tax shall also be increased for the year in which the disposition occurs by the sum of all credits allowed under section 41 for such property. Carrybacks and carryovers permitted under this Act shall be adjusted accordingly.

A termination of a certificate by the Secretary of Housing and Urban Development shall be treated as a disposition of the section 1391 property for which such certificate was issued on the date on which such termination becomes effective. Similarly, if the property ceases to qualify as section 1391 property with regard to the taxpayer, then it shall be treated as if disposed of at the time of the cessation. (These provisions parallel the existing rules for the investment credit.)

If stock in a section 1391 corporation is sold or exchanged before the end of the minimum holding period that applies to the section 1391 property held by such corporation, then some of the gain on such sale or exchange shall be treated as ordinary income and not capital gains, unless the sale or exchange is subject to section 341(a) of the Internal Revenue Code. (Under which ordinary income results apart from this section). The portion that shall be treated as ordinary income is equal to the amount of the gain that would be allocable to the stock involved if, at the time of such sale or exchange of stock, the corporation had sold all its section 1391 properties which it had not held for the minimum holding period. Any gain recognized on the sale or exchange of stock under this section shall, however, be eliminated from consideration in computing the corporation's additional depreciation on its section 1391 properties.

The provisions shall not apply if the taxpayer who sold or exchanged the stock has now owned, at any time during the 5 years preceding such sale or exchange, 10 percent of the fair market value of all the corporation's assets less its liabilities.

Finally, in the case of a sale or exchange of stock in a section 1391 corporation which is governed by sections 332, 351, 361, 371a, 721 or 731 of the Internal Revenue Code, the amount of gain recognized under this section shall not exceed the amount of gain recognized on such stock determined without reference to this section.

A sale or exchange of stock may result from a distribution by the corporation in complete liquidation or in a partial redemption of its stock. In a distribution or complete liquidation, the corporation will itself recognize the ordinary income and hence the sale of stock is exempted from section 1395. An appropriate adjustment rule is provided when the corporation makes a distribution or redemption of part of its stock.

Section 1396—Nonrecognition of gain on certain dispositions of section 1391 property

Under certain circumstances, gain realized upon a sale or exchange of section 1391 property shall not be recognized. First, if the section 1391 property is disposed of to a home management corporation established to manage and maintain such property, then no gain shall be recognized for tax purposes. The sale to such corporation can take place anytime after the end of four-fifths of the minimum holding period applicable to such property.

Second, if the amount realized on a sale or exchange after the end of the minimum holding period less the amount of any mortgage on such property insured under section 235 of the National Housing Act is invested in the construction of substantial rehabilitation of housing for low-income or lower middle-income families or individuals, no taxes shall be paid on such amount. The types of expenditures which shall qualify as reinvestments under this provision shall be specified in regulations issued by the Secretary of Housing and Urban Development.

Third, if the section 1391 property is not disposed of until the end of the maximum holding period applicable to such property and one of the above dispositions is not made, then the gain recognized for tax purposes shall be limited to the amount of the sale proceeds in excess of the mortgage under section 235 of the National Housing Act. (The term "maximum holding period" for section 1391 property means: (A) 10 years for a first holder; (B) either 10 years or the normal useful life of the section 1391 property, computed without regard to the provisions of this subchapter, for a subsequent holder.) In effect, the seller is being relieved of capital gains on the excess of his prior depreciation over amortization.

Such a provision for a partial reduction of capital gains tax does not give the builder or buyer anything which he could not substantially accomplish under existing law, with less desirable consequences for the economy. For example, the builder or buyer of a luxury apartment house generally realizes the tax benefits therefrom for a maximum period of 7 or 8 years. After that time, the amortization of principal payments on the mortgage will exceed his depreciation deductions and, hence, the taxable income from the property will exceed its cash flow. At that point, the builder may attempt to refinance his mortgage. Alternatively, he may dispose of the property without a capital gains tax by contributing it to his charitable foundation or to a public charity. By so doing the builder obtains a deduction for the full fair market value of his equity in the building (less a relatively small amount of additional depreciation subject to "recapture" under Section 1250). Assuming that the builder is in a 70% bracket, his charitable contribution has almost the same effect for him as a sale for a price equal to the full value of his interest in the building. It relieves him of capital gains payments on the excess of his prior depreciation over his amortization of the mortgage.

Fourth, section 1396 provides that any gain which is recognized upon a sale after the end of the holder's minimum holding period shall automatically be considered as capital gain under section 1231. Under existing law, ordinary income might result in the infrequent case of a holder engaged in the business of selling apartment houses who also held section 1381 properties for more than the minimum holding period required under this Act before selling them.

TECHNICAL, CONFORMING, AND CLERICAL AMENDMENTS

Section 302

The table of subchapters of chapter 1 and the table of sections for subpart A of part VI of subchapter A of chapter 1 are amended to take account of this Act.

Section 167 (j) is amended to provide for the additional rules on depreciation specified in this Act.

Section 381 (C) is amended to take account of the new credit provided under section 41 for investments in housing projects in urban poverty areas.

Section 1250 is amended by adding a new subsection to take account of section 1395 application of section 1250 to certified housing projects and to except a sale of section 1391 property to a home management corporation covered by section 1396.

The table of sections for subchapter S of chapter 1 is amended to take account of this Act.

Section 303—Effective date

The tax provisions of this Act shall apply to all taxable years ending after the date on which this Act is enacted.

Mr. KENNEDY of New York. Mr. President, to complete the summary, we are adding several charts and an explanation concerning the returns that builders of certified projects and the purchasers of such projects can expect to earn. The explanation covers the various possibilities under which the yields for the holders of certified projects will be increased or decreased.

I ask unanimous consent that this material may be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Builder

	Percent of equity investment			
	20	35	50	100
Credit rates and useful life:	Percent	Percent	Percent	Percent
Rate of credit	3	8	12	22
Useful life, percent reduction	40	28	20	20
Useful life, years (assuming 50 years of useful life)	20	14	10	10
Net equity investment:	Thousands	Thousands	Thousands	Thousands
Investment	$300.0	$525.0	$750.0	$1,500.0
Less credit (percent of $1,500,000) in dollar figures	45.0	120.0	180.0	330.0
Net equity investment	225.0	405.0	570.0	$1,170.0
Average current yield per annum, corporation (50 percent bracket):				
Net operating income	47.0	47.0	47.0	47.0
Less mortgage payments (principal and interest)	−38.0	−30.8	−23.7	0
Net return	9	16.2	23.3	47.0

Builder—Continued

	Percent of equity investment			
	20	35	50	100
Tax saving (straight-line depreciation):	Percent	Percent	Percent	Percent
Depreciation (on $1,350,000)	$67.5	$96.4	$135.0	$135.0
Less cash flow	−$9.0	−$16.2	−$23.3	−$47.0
Less mortgage-amortization of principal	−$17.2	−$13.0	−$9.7	0
Tax loss	$41.3	$67.2	$102.0	$88.0
Tax rate (corporation) (percent)	50	50	50	50
Tax saving	$20.7	$33.6	$51.0	$44.0
Total current yield	$29.7	$49.8	$74.3	$91.0
Percent yield on net equity investment (sale at price A):				
Corporation (50-percent bracket) (percent)	11.6	12.3	13.0	7.8
Individual (70-percent bracket) (percent)	15.0	15.5	16.3	9.3
Sale at price B: Additional yield on sale of price B (cash proceeds less net equity investment)	$116	$136	$262	$52
Percent yield if sale at price B:				
Corporation (50-percent bracket) (percent)	13.9	14.7	17.6	9.9
Individual (70-percent bracket) (percent)	17.3	17.9	20.9	11.3

Buyer

	From builder who made investment of—			
	20 percent	35 percent	50 percent	100 percent
Computation of price A (mortgage at time of purchase plus builder's net equity investment):				
Cash	$255	$405	$570	$1,170
Percent of total price	23	33.8	46.6	100
Mortgage	$856	$793	$653	0
Total price A	$1,111	$1,198	$1,223	$1,170
Building (90 percent of total cost)	$1,000	$1,078	$1,100	$1,053
Price A, net equity investment:				
Investment	$255	$405	$570	$1,170
Credit (percent of price A)	2	4	10	22
Less credit in dollar figures	$22	$48	$122	$257
Net equity investment	$233	$357	$448	$913
Price A, average current yield per annum, corporation (50 percent bracket):				
Net return	$9.0	$16.2	$23.3	$47.0
Tax saving:				
Depreciation period (years)	15.0	15.0	12.0	10.0
Depreciation in dollar figures	$67.0	$71.9	$91.6	$105.3
Less cash flow	$9.0	$16.2	$23.3	$47.0
Less amortization	$24.3	$17.5	$12.1	0
Tax loss	$33.7	$38.2	$56.2	$58.3
Rate (corporation) (percent)	50	50	50	50
Tax saving	$16.8	$19.1	$28.1	$29.2
Total current yield	$25.8	$35.3	$51.4	$76.2
Price A, percent yield on net equity investment (also equal return for builder who continues to hold):				
Corporation (50 percent bracket) (percent)	11.7	10	11	8.3
Individual (70 percent bracket) (percent)	14.0	12	14	9.6
Computation of price B, corporation:				
Buyer's equity investment (current yield at price A multiplied by 12.5)	$322	$441	$642	$953
Add mortgage	$856	$793	$634	0
Subtotal	$1,178	$1,234	$1,276	$953
Add credit at price B (percent)	4	7.5	13	22
Credit in dollar figures	$49	$100	$190	$269
Total price B	$1,227	$1,334	$1,466	$1,222
Building cost (90 percent of price B)	$1,104	$1,200	$1,319	$1,100
Price B, average current yield per annum:				
Net return	$9.0	$16.2	$23.3	$47.0
Tax saving:				
Depreciation in years	13	13	10	10
Depreciation in dollars	$85.0	$99.3	$131.9	$110.0
Less cash flow	$9.0	$16.2	$23.3	$47.0
Less amortization	$23.8	$17.0	$11.8	0
Tax loss	$52.2	$59.1	$96.8	$63.0
Tax rate (percent)	50	50	50	50
Tax saving	$26.1	$29.6	$48.4	$31.5
Total current yield	$35.1	$45.8	$71.7	$78.5
Price B, buyer's yield on net equity investment:				
Corporation (50 percent bracket) (percent)	10.6	10.4	11.2	8.2
Individual (70 percent bracket) (percent)	14.1	13.0	14.2	9.6

EXPLANATION AND COMMENTS REGARDING TABLES

I—MEANING OF YIELD

A. In the above table, yield percentages represent the ratio of (1) total yield to (2) net equity investment.

B. Net Equity Investment represents—

1. the holder's equity investment (the total cost of the project less any federally insured mortgage), less 2. any credit granted to the holder under the bill.

C. Total yield represents the sum of—

1. current yield, and 2. any further proceeds realized on a sale of the property in excess of the holder's net equity investment.

D. Current yield, in turn, represents the sum of—

1. the current cash flow from the property (defined in the bill as "net return") i.e., net operating income before depreciation interest and certain income taxes but less payments on the insured mortgage,[1] and 2. the

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[1] Since the gross rental income and expenses do not vary with the holder's equity investment, the net operating income remains the same in the computations regardless of the amount of the holder's equity investment.

tax saving resulting from the offset of excess depreciation deductions of the building[2] against other income.

In computing these savings it is assumed that the income against which this loss is applied would otherwise be taxable to the holder at an average rate of—

(a) 50% in the case of a corporate holder (typical combined Federal and State rate), or (b) 70% in the case of an individual holder.

II—GAIN ON SALE OF PROPERTY—MEANING OF PRICE A AND PRICE B

A. The yield percentages under the caption "sale at price A" do not assume any additional cash proceeds on the sale of the property in excess of the holder's original net equity investment. In other words, Price A is a sales price for the property representing merely the total of the holder's net equity investment plus the amount of the mortgage at the time of the sale. The total yield at Price A is, thus, purely a current yield, i.e., it is assumed that the investor will get his exact investment back at the end of a specified period. The percentage yield at Price A is therefore computed in the same manner as the yield on a bond bought at par and held to maturity.

B. It is estimated that a corporation *purchasing* the property from the builder at Price A would generally realize a yield of about 11%. The Price B computations, by contrast, reflect the possibility that a subsequent buyer may be willing to pay a higher price, on the basis of which his yield would be about 10%.[3] The Price B figures thus reflect an increased yield to the holder upon his sale of the property.

C. It is important to note that the yield figures shown in the table do not reflect any capital gains tax on the sale of the property. Such a completely tax-free sale of a certified project may be achieved by a holder *only* in the event of—

1. a sale to a home management corporation in certain circumstances, after the expiration of four-fifths of the holder's minimum holding period or 2. a sale, in certain circumstances, after the expiration of the holder's minimum holding period which is followed by a reinvestment in another qualified low-rental housing project of an amount equal to the full proceeds of the sale. (By proceeds, the amount over and above the mortgage is meant.)

In all other instances, at least some capital gains tax must be paid by the holder on a sale of the property, even if the sale is not made until after the expiration of the holder's minimum holding period. Thus—

(a) if the sale is made after the end of the holder's minimum holding period, but before the end of the holder's maximum holding period, a capital gains tax will be paid; under existing rules, on the excess, if any, of:

(i) the amount realized on the sale (i.e., any cash plus the remaining amount of the mortgage to which the buyer takes subject) over (ii) the holder's adjusted basis for the property (i.e., his initial cost minus his prior depreciation deductions). The payment of such a capital gains tax upon a sale at the end of the 10th year would reduce the estimated yield figures shown in the above table for a corporate builder (making a less than 50% equity investment[4] by 3% to 5%.

(b) If the builder makes a private sale at the end of his maximum holding period, his taxable gain will be limited to the proceeds of the sale above the mortgage, that is, he will not pay a tax on the excess of prior depreciation over amortization. If such a sale is made, the yield percentages on Price B must be reduced by roughly 25% of the *difference* between the yield at Price A and the yield at Price B (this difference represents the cash proceeds of the sale which would be subject to the limited capital gains tax.)[5]

III—LEVEL AMORTIZATION AND DEPRECIATION

A. The above tables assume that the principles and interest components of the mortgage payments will remain constant throughout the term of the mortgage. This is, of course, not the case. At the outset, virtually the entire mortgage payment is interest. Thereafter, as the mortgage is reduced the interest component of each payment decreases, and the principal component of each payment increases by like amount.

Inasmuch as interest payments on the mortgage are deductible; whereas principal payments are not, a holder's current yield may, in fact, be higher than the average yields shown in the table, in the early years of his holding period, and lower than the average in the later years.

Under certain methods of computing average yield, this type of yield curve would result in *higher average* yields than those shown in the above table (which were computed on the assumption that the current yield would be the same in all years).

B. This tendency of the above tables to underestimate the holder's possible yield in early years and over-estimate his possible yield in the later years is accentuated by the fact that the above tables assume that the holder will utilize the straight line method of depreciation—which produces uniform depreciation deductions in each year.

If, as will often be the case, the holder uses one of the accelerated methods of depreciation, his depreciation deductions (and therefore his current yield), may be considerably higher in the earlier years of his holding period than in the later years.[6]

For example, a corporate builder making a 75% equity investment could, as a result of declining balance depreciation deductions, receive back 47% of its net equity investment in the first 3 years (an average return of about 15⅔%).

The comparable figures for a builder financing the project entirely by equity investment are:

	Percent of equity investment back in 1st 3 years	Average return in 3 years (percent)
Corporation	36	12
Investment	43	14⅓

The importance of accelerated depreciation deductions is increased, if the holder does not retain the property throughout his entire depreciation period; i.e., the period after the end of the minimum holding period but before the end of the maximum holding period. If the holder retains the property throughout his maximum holding period his aggregate depreciation deductions will be approximately the same under the accelerated methods as under the straightline method, although they will be spread differently throughout the holding period. By contrast, if the holder does not retain the property for his maximum holding period, his aggregate depreciation deductions may exceed the aggregate depreciation deductions he would have taken under the straightline method.

For example, a builder, who after taking 150% declining balance deductions for ten years makes a tax free sale to a home management corporation may realize an additional current yield from the project (above the percentages shown in the above tables).

	20 percent	35 percent	50 percent	100 percent
Additional depreciation deductions.	$55,914	$48,953	No change because 10 years is also depreciation period.	
Additional yield (percent):				
Individual	.55	.45	Do.	
Corporation	.80	.60	Do.	

If the holder does not make either of the following types of tax-free sales, but rather makes a taxable sale after the end of his minimum holding period, (but before the end of his maximum holding period) any "extra" depreciation deductions which he claimed by virtue of having utilized one of the accelerated methods of depreciation will, under the existing rules, increase the amount of the capital gain which he may realize on the sale.

C. The tendency of the foregoing factors (i.e., the declining interest component of mortgage payments and accelerated depreciation) is, as set forth above, to increase the holder's yield in the early years of his holding period above the averages shown in the above tables, and to decrease his yield in the later years below such averages.

This tendency is offset, to some extent, by another assumption used in the computations. In the above tables, the additional proceeds achieved by the builder upon a sale at Price B are for purposes of simplicity spread pro rata throughout the term of his holding period. Of course such additional proceeds are realized only at the end of the holding period.

APPENDIX I

OEO MAPS ON POVERTY AREAS

OEO maps show some 4,000 "poor tracts" in Standard Metropolitan Statistical Areas of 250,000 people or more

Five characteristics of a "poor tract"

1. Percent of families with cash incomes under $3,000 for 1959
2. Percent of children under 18 yrs old not living with both parents
3. Percent of males 25 yrs old or over with less than 8 yrs of school completed
4. Percent of unskilled males aged 14 or over in the employed civilian labor forces
5. Percent of all housing units lacking some or all plumbing facilities or dilapidated.

Then to obtain a Poverty Area, OEO combined poor tracts.

Definition of Poverty Area:

1. Any area having five or more contiguous "poor tracts" regardless of the number of families contained.
2. Any group of 1 to 4 contiguous "poor tracts" containing an aggregate of 4,000 or more families.
3. Any area of 1 or 2 contiguous tracts not ranked in the lowest quartile but completely

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[2] Excess depreciation deductions are depreciating deductions in excess of the net operating income of the building.

[3] Price B was estimated in the following manner. The current yield to the buyer at Price A was capitalized at 8% (i.e., multiplied by 12.5) to arrive at a revised net equity investment to the buyer. To this sum was added the buyer's estimated credit and the amount of the mortgage, to arrive at total Price B.

[4] In the case of a builder making at least a 50% equity investment the minimum and maximum holding proceeds are the same—10 years.

[5] In the above calculations, this represents a reduction in yield percentage of about 1%.

[6] The bill permits the holder to use accelerated methods of depreciation in certain circumstances.

(a) If the holder's equity investment percentage is not more than 50% he may use the 150% declining balance method assuming it is permissible to do so under existing law but he may not use the 200% declining balance method or the sum of the year's digits method.

(b) If the holder's equity investment percentage is over 50% he may use the two latter methods of accelerated depreciation as well, **assuming it is permissible to do so,** under existing law.

surrounded by such "poor tracts." In some cases, areas of 3 or 4 contiguous tracts not themselves "poor" were surrounded by "poor tracts" and were included in the neighborhood after analysis of their individual characteristics. Areas of 5 or more contiguous tracts not ranked in the lowest quartile but surrounded by "poor tracts" were excluded when designating "poor tracts."

CORREGIDOR-BATAAN MEMORIAL COMMISSION—RECOMMITTAL TO COMMITTEE ON FOREIGN RELATIONS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the motion to reconsider the vote by which H.R. 3399, the Corregidor-Bataan Memorial Commission termination measure, was passed.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 3399) to amend section 2 of Public Law 88–240 to extend the termination date for the Corregidor-Bataan Memorial Commission.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to consider the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to reconsider.

The motion was agreed to.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that H.R. 3399 be recommitted to the Committee on Foreign Relations.

The PRESIDING OFFICER. Without objection, the motion of the Senator from West Virginia to recommit the bill to the Committee on Foreign Relations is agreed to.

AGRICULTURAL APPROPRIATIONS, 1968

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 10509) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator is advised that all time has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be a brief quorum call and that the time not be charged to either side.

The PRESIDING OFFICER. Without objection, it so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 226

Mr. PROXMIRE. Mr. President, I call up my amendment No. 226 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 34, line 15, strike "$2,984,856,389" and insert in lieu thereof "$1,400,000,000".

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. PROXMIRE. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. PROXMIRE. Mr. President, my amendment would reduce the agricultural appropriation bill by $1,584 million. In doing so, it would bring this particular item in the bill in line with the request of the Budget Bureau, with the request of the President of the United States, with the request of the House of Representatives, and, it seems to me, in line with commonsense.

Mr. President, let me explain what this is about. The bill as approved by the Senate Appropriations Committee provides that the borrowing authority of the Commodity Credit Corporation should be restored, or at least it should be restored to the extent that the losses were suffered in 1966. The loss in 1966 was just under $3 billion. The Appropriations Committee amendment would restore the amount in full.

The administration feels this is not needed. Let me say that the Corporation's outstanding borrowing is limited by law to $14.5 billion. The bulk of the borrowings are from the Federal Treasury.

Appropriations are authorized to reimburse the Corporation for its net realized losses.

The appropriation is used to pay off a portion of the borrowings from the Treasury and thus increase the amount that may be borrowed and spent.

The repayment of such borrowings is not a budget expenditure, since it is wholly within the Government.

The spending of the amount borrowed, however, is reflected in the budget, no matter which measure of spending is used—the administration budget, the national income accounts, or the consolidated cash statement—and no matter what the amount of the appropriation.

If, after the appropriation is used to repay borrowings, the margin of borrowing authority available is not sufficient to carry out the programs, two remedies are available. Both have been used in the past.

The first remedy is that more funds may be appropriated. The second is that the borrowing authority limit may be raised.

The purpose of the bill before us is to provide the Department of Agriculture with the funds needed to carry out its operations in the fiscal year 1968. However, the committee has proposed an exception for the Commodity Credit Corporation—the proposed appropriation is based on losses sustained in 1966 rather than on needs for 1968.

But, the appropriation is clearly authority to spend additional funds in the future. Thus, if we take the action proposed by the committee we will be increasing the amount the Corporation can spend without further congressional approval.

So, this is not merely a matter of bookkeeping. This would give authority to spend funds, which authority can be used in the future without coming back to Congress and getting approval from them.

That is why I want to reduce it to the level that the President requested, and it should not be a penny more.

The operations of the Corporation are such that its fund requirements are difficult to forecast with a high degree of accuracy. We must, therefore, provide sufficient reserves so as not to impair its ability to carry out the authorized programs. This means that in some years amounts in excess of prior years' losses may have to be appropriated, and in some years a lesser amount may be warranted. The Congress may act as warranted by the then existing conditions.

If the Corporation needs the additional $1.5 billion this year—if the amount requested by the President is in fact not enough—I would not oppose the action proposed by the committee. But the need has not been demonstrated.

The amount requested by the President for the Commodity Credit Corporation is quite adequate.

It is related to future requirements, not to past spending.

It is related to a carefully considered need, not to an arbitrary formula.

It is sufficient to meet the Corporation's foreseeable needs plus a generous reserve of $2.7 billion.

There is no law, no requirement which insists that the President request—or the Congress appropriate—more than is needed.

Mr. President, let me make clear why I say that this is so.

Mr. President, there is no requirement in the law that the Congress must make an appropriation to make good the full losses of the CCC in a prior year.

What does the law say? I will read it:

> P.L. 87–155, Sec. 2: There is hereby authorized to be appropriated annually for each fiscal year, commencing with the fiscal year ending June 30, 1961, out of any money in the Treasury not otherwise appropriated an amount sufficient to reimburse CCC for its net realized loss incurred during such fiscal year, as reflected in its accounts and shown in its report of its financial condition as of the close of such fiscal year.

Now in the first place we all know the difference between authorization and appropriations. Indeed usually the Appropriation Committee appropriates in part but not in full for authorizations that are made.

No one questions the authority of the Congress to limit its appropriation within the maximum figures set by the authorization. The authorization has never been considered a mandate to appropriate all the money authorized.

Number two, in interpreting the law, the Department of Agriculture told the Appropriation Committee in April of 1965:

> The language is an authorization and is not a directive which would require the exec-

utive branch to request full restoration or the Congress to make full restoration with regard to any fiscal year if such request were made.

So, Mr. President, the interpretation that the Congress has no binding obligation to appropriate the full amount of losses has its sanction in the interpretation of the law by the Department of Agriculture more than 2 years ago.

It has its sanction in the decision of the President of the United States to seek only partial restoration.

It has its sanction in the considered decision of the House Appropriations Committee and the House itself to seek only partial restoration.

I submit that this body might consider whether we are putting ourselves in the position of the proud parents who saw their boy marching by in a company of more than a hundred soldiers and proudly observed, "Everybody's out of step except Johnny."

The additional $1.6 billion—$1.584 billion—of Senate appropriation would give the administration a further $1.6 billion of discretion to use their borrowing authority.

This discretion would apply to loans and purchases under price support laws, and of course with regard to these laws the discretion is meaningless. It is not meaningless altogether, but with regard to these laws it is meaningless, because the laws must be faithfully executed, and to do so the CCC must meet whatever purchases are required to maintain that level of prices required by law, and make all loans meeting the standards provided in the law.

So the CCC would indeed have no discretion if it is to carry out the price support laws and its necessary borrowing and expenditures could be zero, 1 billion, 2 billion, or more.

Discretion does come into play, however with regard to title I and title II of Public Law 480.

Title I, section 102, provides:

> For the purpose of carrying out agreements concluded under this act the CCC is authorized to finance the sale and exportation of agricultural commodities whether from private stocks or from stocks of the CCC.

Section 110 of title I provides:

> Agreements shall not be entered into under this title during any calendar year which will call for an appropriation to reimburse the CCC in an amount in excess of $1.9 billion, plus any amount by which agreements entered into under this title in prior years have called or will call for appropriations to reimburse the CCC in amounts less than authorized for such prior years.

Title II, the donations title, specifies a further discretion for the CCC, in section 201:

> The CCC shall make available to the President such agricultural commodities determined to be available under section 401 as he may request.

And in section 204:

> Programs of assistance shall not be undertaken under this title (title II) during any calendar year which call for an appropriation of more than $600 million to reimburse the CCC for all costs incurred in connection with such programs plus any amount by which programs of assistance undertaken under this title in the preceding calendar year have called or will call for appropriations to reimburse the CCC in amounts less than were authorized for such purpose during such preceding year.

This means that under title I of Public Law 480, the CCC is authorized to use its borrowing authority to the extent Congress has provided appropriations, as we are providing them today, to finance up to $1.9 billion of whatever agreements the President decides to enter into. That is, the discretion is from zero to $1.9 billion, depending—I repeat—depending on how much Congress may appropriate, as we are appropriating today, to restore the borrowing authority of the CCC.

Furthermore, under title II—donations—the CCC may use its borrowing authority—for which the appropriation under consideration provides the necessary additional funds—from zero up to $600 million in any calendar year to provide whatever funding for whatever donation agreements the President's discretion may dictate, but once again subject to the limitation of Congress, providing the necessary appropriations to provide borrowing authority; and that is what we are doing today in this bill and in this specific appropriation which is the subject of the instant amendment.

Now, put these two Public Law 480 provisions together. It means that the CCC has the discretion, if its borrowing authority permits, to borrow up to $2.5 billion from the U.S. Treasury—that is, from zero to $2.5 billion—depending upon administrative discretion.

Congress can limit this discretion by limiting its appropriation to the CCC borrowing authority.

This limitation is precisely what the administration is suggesting to Congress. They ask a limitation that will confine the capacity to use the CCC borrowing authority to what they feel is needed.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. LAUSCHE. What is the basic limitation on the borrowing authority of the Commodity Credit Corporation? What is the amount?

Mr. PROXMIRE. The total amount that was established a few years ago was $14.5 billion. However, some of this has been used. In 1961, there was a reevaluation of inventories that reduced the authority. In 1966 there were losses. There have been losses in 1967. The losses have reduced the authority now to a figure which the chairman of the subcommittee may have. In my judgment, it is somewhere between $11 billion and $12 billion.

Mr. LAUSCHE. The Corporation still has a borrowing authority of $11 or $12 billion?

Mr. PROXMIRE. It would have that authority under my amendment. However, a number of commitments have been made which greatly reduce the $11 billion or $12 billion which would be provided under the amendment I am offering, and it would be closer to $14 billion under the amendment that the committee asks.

Mr. LAUSCHE. If the $1.5 billion is appropriated, the borrowing authority of the Commodity Credit Corporation will be increased correspondingly, will it not?

Mr. PROXMIRE. That is correct.

Mr. LAUSCHE. A moment ago, the Senator said that in 1965 the Department of Agriculture stated that the present law authorizes but does not require appropriation.

Mr. PROXMIRE. That is correct.

Mr. LAUSCHE. What situation was in existence in 1965 that caused the Secretary of Agriculture, or one of his representatives, to say that it was not mandatory to appropriate?

Mr. PROXMIRE. That was at a hearing in April 1965 before the Subcommittee on Agricultural Appropriations of the Committee on Appropriations. It was simply a statement made in the course of that hearing. So far as I know, there was no special situation, or at least no situation relevant to this particular amendment today.

Mr. LAUSCHE. My question was directed to learn whether the same situation prevailed in 1965 as prevails now in the amendment offered by the Senator from Wisconsin. The answer is that the same situation did not then prevail?

Mr. PROXMIRE. That is, to the best of my knowledge; although there has been a continuing dispute between some Members of the House and Senate, and the administration, over whether there should be a full restoration of the losses.

Mr. LAUSCHE. Do I correctly understand the Senator from Wisconsin to argue that, in his opinion, if this appropriation is made, it will not be merely a bookkeeping item, but will increase the ability of the Commodity Credit Corporation to spend?

Mr. PROXMIRE. That is correct. There is no question in my mind that anyone who reads titles I and II of Public Law 480 can construe it as anything else.

Let me say further that the Commodity Credit Corporation can come back to Congress and ask for supplemental appropriations; but that is exactly the function that Congress should perform under these circumstances. That discretion could be granted or denied, but it seems to me that it is up to Congress to decide.

Mr. LAUSCHE. I thank the Senator.

Mr. PROXMIRE. Mr. President, the House of Representatives has agreed to this limitation of administration discretion in the use of the CCC borrowing authority.

But now the Senate would add more than $1.5 billion—and thus increase the borrowing authority of the CCC—and in doing so broaden the discretion of the President by $1.5 billion more than he desires.

It may be said that all this is academic, because if the President decided to go all the way that the additional $1.5 billion of appropriation permits, he would not be restrained by the congressional decision to limit his discretion by not providing the additional $1.5 billion. The administration could simply request a supplemental appropriation for the additional $1.5 billion, and Congress would grant it.

That argument does not—I repeat,

does not—hold up. It undoubtedly would apply to any borrowing by the CCC under the price-support laws, where the effective discretion both for the administration and the appropriations committees is nil.

But it would emphatically not apply to all circumstances under Public Law 480. This is not simply a senatorial interpretation. This is the administration's own interpretation. They recognize the limitation; they acknowledge it. Indeed, I have talked with top experts in the Bureau of the Budget within the last 24 hours. They insist that this is the case.

Regardless of the interpretation that Senators may put on that position, the way the administration looks at its own interpretation is far more significant. It is not what we say, but what they say, because they are the ones who will act under this limitation.

The administration interpretation is that they recognize the limitation and acknowledge it and Congress could say no. The Congress could and very possibly might say no. It might not provide the additional discretionary funds.

So the decision by Senators to deny this additional $1.5 billion by voting for the proposed amendment could provide for an actual reduction in expenditures. It would definitely provide a clear limit, a $1.5 billion lower limit on the capacity of the CCC to borrow without a supplemental appropriation.

And under the circumstances I have indicated that reduction in expenditures would materialize. It would hold down spending and hold down the deficit, provided of course the Congress decided to exercise its discretion at the time of the supplemental appropriation to do so.

At any rate, what in the world is wrong with the Congress retaining a discretion, imposing a limitation on the borrowing and spending by the administration when the administration asks us to do exactly that.

Now, Mr. President, let us be practical. As a practical matter the President and his top experts would be likely to come to congressional leaders in this field such as Senators HOLLAND, ELLENDER, RUSSELL, HRUSKA, and YOUNG, and, of course, the House leaders, to discuss any substantial increase in what he plans now to spend for Public Law 480. But we all know, that any President is much more likely to initiate that discussion to secure this congressional advice, and maybe the congressional leader veto, with the kind of fund pressure this amendment would impose and that the President himself is now asking, and that the House has already imposed.

This amendment is definitely not a matter of bookkeeping hocus-pocus. It is not a matter of sweeping spending under a rug. Every nickel of spending must be and will be reported and long before the 1968 election.

This amendment is a matter of imposing a legitimate and proper limitation on the borrowing and spending of the administration, a limitation they ask for, a limitation the other House has had the wisdom to impose.

And why in the world should we not impose this limitation? Constituents from all over the country might very well be asking Senators why in the world are we giving the President a billion and a half more than he wants or needs for the farmers.

Does any significant proportion of the American public want this? Certainly the farmers do not want a nearly $7 billion appropriation bill to hang around their necks. I can see the editorials all over the country keying in on this $7 billion figure when we are fighting a war in Vietnam and when a tax rise is going to be the big issue of this session and very possibly of the 1968 election.

There are fewer farmers than ever and yet we still spend nearly $7 billion. Do the farmers want this kind of public relations millstone? Of course not. The passage of this amendment will not hurt the American farmer in any way. It will help materially the view his fellow taxpayer has of him.

And how about the man off the farm? You can talk about restoring the full borrowing authority of the CCC until you are blue in the face, and he is going to come with one question: If the Government is spending too much, how in the world do you justify forcing an additional $1.5 billion on him for the farm program? Maybe if Senators have an hour or two to spend with their constituents, they can convince them.

But on the other hand I think he would be right if at the end of the most eloquent defense of restoring borrowing authority he still scratched his head and asked, "But you are still providing an additional $1.5 more for borrowing and spending than the President asked." If you answer that question fully—including the discretion to spend for Public Law 480 which I have described, Mr. President, my bet is that you would lose him, and you should. Mr. President, you would lose the farmers, and also the nonfarmers and you should because there is no question if this amendment is not accepted and the position prevails in conference with the House of Representatives that the Senate has taken, there will be additional discretion in the hands of the Commodity Credit Corporation to act without coming back to Congress. They have that discretion under Public Law 480. Discretion could be exercised and there could be more money spent.

Mr. President, this is a sensible and logical amendment. I hope the amendment receives support.

Mr. President, I reserve the remainder of my time.

Mr. HOLLAND. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, in the first place, the distinguished Senator from Wisconsin is wrong about the attitude of the farmers. The director of legislative activities for the American Farm Bureau Federation, when he appeared before our subcommittee, stated as clearly as a man can state that he felt there was an interest on the part of the farmers to have this annual deficit restored; and that we should not again get into the situation we have been in three times in the history of the membership of this Senator in this body where we had to raise the borrowing authority of the Commodity Credit Corporation under difficult and adverse circumstances. We have also contacted today the head of the National Grange. They have advised us that their position also is that this deficit should be restored. We have contacted the National Farmers Union. They say they do not care to take a position on this matter. That is the position with respect to the three leading farm organizations.

The American Farm Bureau Federation and the National Grange both say the policy adopted by this committee in the Senate 3 or 4 years ago and adhered to since that time, and followed by the Department of Agriculture since that time, all based on the law which carries the amendment of the distinguished Senator from Delaware [Mr. WILLIAMS] some years ago, is a sound position both from the standpoint of keeping the Commodity Credit Corporation clothed with powers within its total financial capacity, as authorized, and in adhering to the laws which we have passed and are on the statute books. The Commodity Credit Corporation has no independent authority to create any new fields of activity or go one step beyond the authority we have given them in laws duly passed by Congress and signed by the President.

Beginning just after the unfortunate experience early in 1961, this committee has taken the position that there should be restoration, in accordance with Public Law 87–155, which was the reenactment and updating of the earlier act, offered in 1954, Public Law 312 of the 83d Congress which carried the Williams amendment. Our position has been that the entire deficit for the last accountable year, in the instant case, 1966, be completely restored so that the public could be informed as to what the deficit was. For that matter this is public information and that matter is of public interest.

Up to this moment that has been the attitude of the Committee on Appropriations on this bill in recent years. This has also been the attitude of the Department of Agriculture. When Mr. Freeman was before our committee for hearings this year he made that statement. I know that the Senator from Wisconsin will recall this as a fact. Mr. Freeman stated when he was before the committee that he had asked the Budget Bureau for complete restoration of the deficit as already shown for the year 1966 and further had requested that the balance of $1,057 million from fiscal 1961 be included in the budget request for 1968. The officials of the Department have stated that they approve the policy of the Committee on Appropriations and Congress as enacted since 1961; that it was sound and good business policy and that it was right for the Congress to make the needed restorations. They do not represent the expenditure of any money whatsoever, but are mere bookkeeping transactions.

How does the CCC get its money? From loans from the Treasury, in the main. If Senators wish to see the report of 1966, they can see it in this year's hearing record at pages 676 and 677. The table there shows how this money was spent.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HOLLAND. Mr. President, I yield myself another 5 minutes.

First, I want to state that Public Law 480 is provided for under a separate appropriation heading and in the main is required to be financed in advance by annual appropriations so that it will not be chargeable to the operations of the Commodity Credit Corporation.

The Senator will find that appropriation item under the heading "Public Law 480" on page 58 of the Senate bill. He will find the appropriations carried in the bill for the three sections of Public Law 480 set forth. They have no reference whatsoever, no relation whatsoever, to the point we are discussing at this time. I am sorry that the distinguished Senator from Wisconsin did not apparently understand that fully because Public Law 480 expenditures for foreign aid items have nothing to do with the domestic operations of the CCC which are funded under domestic law and which are required to be shown in full by an annual report and which, when so shown, if they show a loss, forms the basis upon which we appropriate reimbursement funds. They are authorized by Public Law 87-155 which was authored by the Senator from Delaware, and enacted into law in 1961.

Now it is certainly technically correct that there is no mandate in the law to restore this deficit in that same year. Yet, that was so intended and will clearly be seen if Senators will read the words of the Senator from Delaware [Mr. Williams] published in the Congressional Record of March 3, 1954, volume 100, part 2, page 2550. I will not quote because it is too long, and I am on limited time—but the Senator from Delaware intended, and so stated in his statement, that this was to be an annual accounting and an annual replacement. This was prior to the enactment of Public Law 312 of the 83d Congress which carried the amendment of the Senator from Delaware. This law was later updated by Public Law 87-155. Congress has proceeded in accordance with that understanding.

One more point and that is that if we act as recommended by our committee, we simply have a bookkeeping transaction requiring the recognition of the loss as it did exist, and we restore the borrowing capacity of the CCC. It does not cost one cent in the fiscal year 1968, which we are now financing, because this money was spent back in fiscal 1966.

Mr. President, I have heard a lot about backdoor spending. I never expected to hear my friend from Wisconsin taking a position which, in effect, does favor backdoor spending and does favor not recognizing it and not taking care of it by appropriate action of Congress as soon as it is called to its attention. The purpose of the whole bill is to permit the CCC to act when the money is needed, and then to come to Congress and say that they have spent so much money and there is a loss, through no fault of theirs, but because the law requires them to pay program costs and warehouse costs, and transportation costs. There are certain losses due to depreciation and the like, which they cannot help at all. I have no criticism to make of the CCC, and neither does the committee. We are simply trying to follow the course which we think is right and fair and in strict accordance with the law. I shall not argue the question in greater detail at this time.

Mr. President, the fact is, there is a great deal involved here as to whether we are going to continue the fiscally sound operation which the committee has been trying to set up and follow through with, or whether we are going to continue the former method under which, since 1961, there is still a nonrestored deficit of $1,057,000,000. It has curtailed the total authorized borrowing capacity of the CCC by that amount, $1,057,000,000.

Now the Senator from Wisconsin proposes to knock it down further by an additional $1,584,856,389.

Mr. President, if we want to start nibbling away at the basic credit of the CCC which we have charged not only with the handling of the price-support program and all the warehousing and transportation costs, but also payment of the land diversion program, which we ourselves have set up by passing the laws which guide them, if we want to start nibbling away at the backlog upon which the CCC has the authority to operate, this is one way to do it.

I do not think that Congress should do it.

In closing, I invite attention to the fact that this does not mean one additional penny added to the spending budget for 1968. However, it does follow the law and does play fair with the public by disclosing what the total deficit was for 1966. It was nearly $3 billion, through no fault of anyone. And this is the predicate for keeping the CCC solvent and keeping it clothed with the powers which Congress intended to give it when it set up the backlog of $14.5 billion against which it could operate.

Mr. President, I yield the floor.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. Mr. President, I yield 5 minutes to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 5 minutes.

Mr. WILLIAMS of Delaware. I support the committee's action. I want to state in the beginning that no matter how the Members of the Senate vote on the Proxmire amendment it will not affect one dime so far as the taxpayers of this country are concerned. It will also not affect Government spending one dime. This is a question of recognizing an expenditure already made.

What we are dealing with here is truth in Government. As the Senator from Florida has pointed out, I was the author of this proposal a few years ago. At that time I said that the Government had a phony bookkeeping system and was not telling the American people the truth as to the cost of its agricultural programs in that it was not meeting the costs on an annual basis. By not appropriating enough to cover the actual expenditures they were only postponing the day of reckoning and deceiving the American taxpayers. The people were not being told what the program really costs.

I sponsored an amendment, as the Senator from Florida has said, which instructed the Appropriations Committee to bring in each year a factual budget restoring all the expenditures of the CCC so that the American farmers and taxpayers would know what the farm program really cost. There is only one way to reduce the cost of the farm program, and that is to deal directly with the programs themselves. I will be offering amendments on that later.

If we adopt the Proxmire amendment we will be giving the impression that we are saving $1.5 billion when in fact it saves not 1 cent. We are not saving one dime. If we want to save a billion there is one way to do it—cut back on the programs. I say it is phony bookkeeping to proceed in such a manner. I realize that the President does approve the Proxmire amendment. That has been my argument with the administration for some time—that it has not told the American people the truth as to what these programs are really costing.

For example, the amount paid out under the feed grain program in fiscal 1967, will have to be restored in next year's appropriation bill. Whether we like it or not, once these expenditures are made the appropriation to cover the cost is automatic.

In 1966 we spent $786 million in direct payments under the cotton program. These are all direct cash payments. Following this amendment I am going to have an amendment dealing with those payments for the next fiscal year. Under the wheat program we spent $308 million. I might say, this is only the cost for the first 9 months of the 1967 fiscal year. I quote from the report:

> The Corporation's total net realized loss from program operations amounted to $3,279,704,000 for the nine-month period ended March 31, 1967.

That is the cost for the first 9-month period of this fiscal year. We cannot come in here next year and cut back on these costs, as the Senator from Wisconsin is proposing we do for the 1966 fiscal year.

The PRESIDING OFFICER. The time of the Senator from Delaware has expired.

Mr. HOLLAND. Mr. President, I yield 3 additional minutes to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 3 additional minutes.

Mr. WILLIAMS of Delaware. To adopt the pending amendment would merely mislead the American people.

Mr. President, only yesterday the Senate passed by a vote of 92 to 0 the truth-in-lending bill. Here is an opportunity for truth in Government and truth in budgeting. That is all that is involved here. It is just a case of whether we tell the truth or whether we want to give the country a phony picture as to the true deficit next year. If we adopt the Proxmire amendment we will have reduced the reported deficit which President

Johnson will have at the end of the next fiscal year by $1.5 billion, yet in reality it saves not a dime.

I repeat, we will not have reduced the expenditures one single dime. We will only be giving the American people a false picture as to the deficit.

Mr. President, I ask unanimous consent that statistics from the Commodity Credit Corporation's report of March 31, be printed at this point in the RECORD. These show the breakdown of the cost of this program for this fiscal year for the first 9 months.

There being no objection, the statistics were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
Washington, May 9, 1967.

MARCH 31 SUMMARY OF CCC PRICE-SUPPORT ACTIVITY AND PROGRAM RESULTS

Price-Support Loans and Inventories. The U.S. Department of Agriculture reported today that as of March 31, the total investment of Commodity Credit Corporation in price-support loans and inventories amounted to $3,953,545,000. This total investment includes loans outstanding of $2,008,066,000 (financial institutions financed $943,302,000 of these loans) and inventories amounting to $1,945,479,000.

A comparison of total investment as of March 31, 1967 and 1966 follows:

	Mar. 31, 1967	Mar. 31, 1966
Loans	$2,008,066,000	$2,787,770,000
Inventories	1,945,479,000	3,570,711,000
Total	3,953,545,000	6,358,481,000

Details of the investment in loans and inventories by commodity are shown on pages two and three.

Losses From Program Operations. The Corporation's total net realized loss from program operations amounted to $3,279,704,000 for the nine-month period ended March 31, 1967, as compared to $2,310,926,000 for the same period a year earlier. The increased loss over March 1966 is largely the result of program payments to farmers.

These losses for the fiscal years 1967 and 1966 as of March 31, are summarized as follows:

[In thousands]

	Fiscal year 1967 through March 1967	Fiscal year 1966 through March 1966
Realized program gains and losses:		
Commodity inventory operations:		
Sales:		
Proceeds	$1,799,496	$1,303,094
Cost of commodities sold	[1] 2,149,840	[1] 1,273,926
Net gain (or loss [1]) on sales	[1] 350,344	29,168
Donations (cost of commodities donated)	[1] 151,887	[1] 226,405
Expenses applicable to inventories:		
Storage and handling	[1] 119,941	[1] 184,785
Transportation	[1] 75,846	[1] 86,520
Net gain (or loss [1])	[1] 698,018	[1] 468,542
Export payments and allowances	[1] 133,797	[1] 120,514
Cotton equalization program payments	[1] 20,375	[1] 280,480
Cotton diversion payments	[1] 276,858	[1] 83,549
Feed grain diversion payments	[1] 525,328	[1] 773,617
Wheat diversion payments	[1] 27,133	[1] 38,103
Cotton price-support payments	[1] 489,108	[1] 57,576
Feed grain price-support payments	[1] 777,694	[1] 430,642
Wheat price-support payments	[1] 281,374	
Reseal loan storage expense	[1] 39,364	[1] 50,983
Other	[1] 10,655	[1] 6,920
Total program losses	[1] 3,279,704	[1] 2,310,926

[1] Indicates expense or loss.

Mr. WILLIAMS of Delaware. Mr. President, I next ask unanimous consent that page 3 of schedule C of the Commodity Credit Corporation's report of March 31, 1967, be printed in the RECORD at this point.

There being no objection, the statistics were ordered to be printed in the RECORD.

EXHIBIT C

Agricultural Stabilization and Conservation Service, Commodity Credit Corporation

ANALYSIS OF DEFICIT AS OF MAR. 31, 1967

Item	Cumulative to June 30, 1966	Fiscal year 1967	Cumulative to Mar. 31, 1967
Total realized gain or loss [1] exclusive of cost of wartime consumer subsidy program	[1] $27,972,198,051	[1] $3,522,959,030	[1] $31,495,157,081
Cost of wartime consumer subsidy program	[1] 2,102,281,073		[1] 2,102,281,073
Subtotal	[1] 30,074,479,124	[1] 3,522,959,030	[1] 33,597,438,154
Reserves for losses—Program	[1] 888,193,000	[2] 388,524,000	[1] 499,669,000
Net operating gain or loss [1]	[1] 30,962,672,124	[1] 3,134,435,030	[1] 34,097,107,154
Net restoration of capital from U.S. Treasury	21,878,565,334	3,555,855,000	25,434,420,334
Adjustments for recovery of price-support losses—Charges to the reserve for postwar price support	500,000,000		500,000,000
Recovery from Secretary of Treasury—Public Laws 389 and 393, 80th Cong	56,239,432		56,239,432
Recovery of emergency feed program losses—Public Law 40, 84th Cong	41,915,799		41,915,799
Net deficit [1]	8,485,951,559	421,419,970	[1,3] 8,064,531,589

[1] Indicates loss or deficit.

[2] Represents adjustment of reserves for losses.

[3] Comprised of the following:

Unrestored realized losses:	
Fiscal year 1961	$1,057,047,170
Fiscal year 1966	2,984,856,389
Fiscal yeer 1967 through Mar. 31, 1967	3,522,959,030
Total as of Mar. 31, 1967	7,564,862,589
Reserves as of Mar. 31, 1967	499,669,000
Net deficit as of Mar. 31, 1967	8,064,531,589

Mr. WILLIAMS of Delaware. I quote just three figures from the report. They represent the nonreimbursed losses for earlier years. They are comprised of the following: The unrestored realized losses. This does not say "prospective losses," but the unrestored realized losses for fiscal 1961, $1,057,047,147.

We have spent that money but have not included it in the budget as yet.

For fiscal 1966 the unrestored realized losses amounted to $2,984,856,389.

Those are losses sustained, and that is what the committee is proposing to recognize in this appropriation bill.

If we adopt the amendment of the Senator from Wisconsin we will be giving the impression the program for fiscal 1966 only cost $1.4 billion that year. We have spent that money. It is gone.

For fiscal year 1967 through March 31, we have spent $3,522,959,030.

Altogether losses of $8,064 billion have been sustained by the Corporation out of its $14.5 billion line of credit. The taxpayers have not been told the truth. I think it is time, inasmuch as the administration says it wants to tell the truth to the American people, that we cut out these phony bookkeeping methods. Let us tell the people what the losses have been. We can only do that by sustaining the committee action.

I certainly hope the Proxmire amendment will be defeated.

I will have two amendments to offer later which will go to the heart of the programs and which will cut down the amounts of future payments that will be made, thus reducing the losses for the Commodity Credit Corporation in the succeeding fiscal years. But we can only save money by changing the law. We cannot do it by a phony system of bookkeeping and juggling of figures.

The net effect of adopting the pending Proxmire amendment will be merely to deceive the taxpayers as to the staggering costs of the present farm program.

Mr. HOLLAND. Mr. President, I yield to the Senator from Nebraska [Mr. HRUSKA] such time as he may wish to use.

Mr. HRUSKA. Three minutes.

Mr. HOLLAND. Three minutes to start with.

Mr. HRUSKA. Mr. President, I rise in opposition to the pending amendment, and therefore in favor of the committee bill as it was reported to the Senate. I do so because the action taken by the committee is in keeping with the policy and practice declared and adopted by the Congress. We spelled out that policy in 1961 with Public Law 87–155. We have spelled out that policy for several years past now by our taking action similar to that which is taken in this bill. So, from the standpoint of law and practice we do have that policy. We should continue to follow it.

This policy was developed because it was good, sound business and appropriations procedure. It fully informs the people of the Nation, and particularly the farmers and taxpayers, exactly of the status of the books and appropriations and expenditures. They are entitled to and they should have that information.

In my judgment, it is not a valid reason to say the budget will look worse, and, therefore, we should remove it. The Senator from Delaware is right—if that is going to be the reason, we should take the $1.4 billion the other body approved for this purpose.

The fact of the matter is, as the Senator from Florida and the Senator from

Delaware have said, and as I said yesterday, not one more penny will be added to the expenditures by reason of the action, whatever action is taken, in this matter.

I believe we should continue to comply with the law and conform to the practice and policy we have adopted.

I hope this amendment will be defeated.

Mr. PROXMIRE. Mr. President, I am sorry the Senator from Delaware [Mr. WILLIAMS] is not here at this moment. Would the distinguished Senator from Florida yield to permit me to ask him this question, and I yield myself such time as I may need to do so?

The Senator from Delaware, as I understood him, said that if my amendment is adopted to reduce it to $1.584 million, it will reduce the budget deficit by $1.584 billion. That is not my interpretation or that of the Bureau of the Budget. Is it the interpretation of the Senator from Florida that it will reduce the budget deficit at all?

Mr. HOLLAND. What the Senator from Delaware meant, I am sure, is that it indicates the Congress is recognizing the deficit for 1966 as $1.4 billion; whereas, to the contrary, it is nearly $3 billion. That is what the Senator from Delaware meant.

So far as the Senator from Florida is concerned, he agrees with the theory and he thinks it is nothing but right that the public shall know that this program costs that much. We have nothing to apologize for on that account. We have been trying to give to these farmers generally those things that will enable them to stay in business, although many of them have been going out of business. The Senator from Wisconsin has been one of the most vigorous proponents of furnishing a better program for the dairymen and has stated to our committee that hundreds of them have gone out of business. I believe he said a hundred or more a month in his State of Wisconsin have gone out of business due to the sad conditions with which the farm people are confronted.

So far as the Senator from Florida is concerned, he is not about to apologize for the fact that the Commodity Credit Corporation, acting under laws which Congress has passed, in paying for program, warehouse, and transportation costs, in writing off losses under the wheat program for exports abroad in which it has to pay the difference between the price support and the world price, has undergone a loss of $3 billion. It is right for the public to know that.

Mr. PROXMIRE. The public knows it. It knows the figures so far in 1966 which were expended by the Commodity Credit Corporation. The figure was recorded as an expenditure and it was listed as an expenditure. It was part of the budget deficit in 1966. We are not going back, now in 1968, to 1966, and talk about budget matters that are needed this afternoon. The expenditures of the Bureau of the Budget and the administration show the expenditures for the Commodity Credit Corporation. So it does not affect the deficit in 1966, 1967, or 1968. It will provide a discretion for the Commodity Credit Corporation to act under Public Law 480 according to the interpretation by the Bureau of the Budget. I submit that this administration's interpretation is the important one, with respect to the $1.584 billion. It is true there is a separate appropriation, but the law is clear as to the limitations on how that amount can be spent. There is access to the funds. There is no confinement that says it is limited only to domestic operations.

Certainly, even if the interpretation of the Senator from Florida is correct, the important interpretation is that of the Bureau of the Budget. They are the ones who are going to act under this program. They are the ones who are going to spend money or not spend money.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. The Senator from Wisconsin is not entirely correct. The expenditures that were made in 1966 show up as expenditures in 1966, but those expenditures did not show up in the budget figures as a deficit and will not show up until such time as Congress appropriates the money.

If we do not appropriate the money at this time and if we accept the Senator's amendment the budget deficit as reported to the taxpayers for June 30, 1967, will appear to be $1.5 billion less, but the loss would still be there for reimbursement in later years.

Mr. HOLLAND. More.

Mr. PROXMIRE. More.

Mr. WILLIAMS of Delaware. If we accept the Senator's amendment it would be less; if we accept the committee amendment the figures will show a greater deficit because the true cost would be included in the budget deficit. That was the basis of my argument a couple of years ago. I said these losses, which represented the true cost of the programs as they were being financed by the Commodity Credit Corporation, financed with money from the Federal Treasury, were not showing up in the budget figures.

Mr. PROXMIRE. May I say to the Senator from Delaware that it is true, the Senator is exactly right; the way Congress may keep its budget in terms of totaling up, his interpretation may be correct as to that. But I say that what the country pays attention to, and the taxpayer pays attention to, is the figures reported by the President of the United States and the Bureau of the Budget, and their reconciliation at the end of the year as to what the deficit is. This appropriation, which may never be spent, is the figure the administration considers an appropriate figure for spending on the farm program.

Mr. WILLIAMS of Delaware. Will the Senator yield a moment further?

Mr. PROXMIRE. The Senator and I understand each other.

Mr. WILLIAMS of Delaware. No——

Mr. PROXMIRE. My time is limited. I hope the Senator from Delaware will get time from the Senator from Florida.

Mr. WILLIAMS of Delaware. I would like to make a point at this time.

Mr. PROXMIRE. The Senator will obtain time from the Senator from Florida, because my time is almost gone.

Mr. HOLLAND. Mr. President, I will be glad to yield to the Senator from my time now, or on the bill. I do not want to cut the Senator from Delaware or anybody else off.

Mr. WILLIAMS of Delaware. With the permission of the Senator from Wisconsin, I point out that we are talking about the budget figures and deficits in the President's reports on June 30 of each year. They do not include these budget deficits until we appropriate the money to reimburse the agency for losses sustained.

That is what I am talking about. If we do not appropriate the actual cost here today when the President reports his figure next year it will appear that he has saved $1.5 billion when in reality he is not saving anything. The President would not be telling the truth to the voters as to what his farm program has cost. The Director of the Budget has confirmed that point to the Committee on Finance. These losses by the Commodity Credit Corporation do not show up in the figures reported to the taxpayers by the President at the end of the fiscal year unless Congress puts the actual amount in the appropriation bill. If we do not put it in the appropriation bill it gives the President a chance to give a false picture to the American taxpayers. Let us have some truth in Government.

Mr. HOLLAND. Mr. President, I wish to bring out two matters that I overlooked heretofore, which I think it is only fair to bring into the debate.

The first is that the Senator from Wisconsin used figures that were presented to us at our hearings earlier this year, which are not any longer in effect, as to what is expected to be on hand at the end of fiscal 1968. Yesterday the Department of Agriculture furnished us with new figures showing a reduction of nearly a billion dollars. In other words, they have been asked to spend and invest at a much faster rate than they had estimated earlier. They presently figure that they will have only $1.8 billion left at the end of fiscal year 1968, instead of the $2.752 billion which was the figure anticipated at the end of our hearings. The Senator did state that earlier figure correctly.

Mr. President, my reason for mentioning this matter is that I want it to be very clear that the Commodity Credit Corporation has to meet the problems of the farming community as they arise, and that very frequently it finds itself in just this sort of situation. Whereas this spring it felt that it would have at the end of 1968 a substantial balance of $2.752 billion, it now estimates that it will have only $1,807 billion, and it probably will actually have less than that.

I call the attention of the distinguished Senator likewise to the message of our President day before yesterday, on the first page of the Senate portion of the RECORD of July 11, 1967, in which he gave notice of the fact that the activities of the Commodity Credit Corporation would have to be expanded and were being expanded because of the very obvious fact that when we are asking our farmers to produce substantially more than they have been producing for the last 2 or 3 years, because of the world-wide need for food and fibers, we have to gird ourselves to take care of that situation.

I shall not attempt to quote in full the message of the President, but Senators will find it on page 18357 of the CONGRESSIONAL RECORD of Tuesday, July 11, 1967. I read only the last two paragraphs:

> The expansion of the price-support loan program will permit more farmers to keep commodities off the market beyond the current crop season. The commodities will continue to be owned by the farmers, with the Government paying the storage costs as part of the Nation's price for maintaining adequate reserves.
>
> By thus drawing further upon the resources of the Commodity Credit Corporation to meet changing conditions, this Nation will be taking another important step toward economic equality for the American farmer.

Mr. President, I know that the President was sincere in that statement. I approve that statement. But the two paragraphs which I have just quoted show how this picture can change, as it has changed since we had our hearings, which were in early April. The Senator will recall, because he attended the hearings, as did I. At that time, the expectations of the amount to be needed by the Commodity Credit Corporation differed greatly from what now appears to be the case.

This is not new to us. Year before last, the Commodity Credit Corporation asked for restoration of only part of its loss, and then, before we could get our bill up, they came in with a supplemental request for an additional half billion dollars, and it developed that they needed more than that before they got through.

So, Mr. President, our feeling is that it is the part of prudence, the part of wisdom, and the part of playing fair with the farming community and with all of our people, to tell this story exactly as it is in the bill. That is the reason why the 26 members of the Appropriations Committee have, during the last 3 or 4 years, as a solid phalanx, taken this position, as I believe we are taking it now, with the single exception of my distinguished friend; and I must say that, as chairman of the committee of Congress having to do with economics, I am surprised that he is taking a position which, in effect, approves backdoor spending, approves not telling the whole story in the bill, and approves not holding forth to the public just exactly what are the facts with reference to the perfectly legal operation of the Commodity Credit Corporation.

I merely say to my distinguished friend that I agree with the head of the American Farm Bureau and the head of the National Grange when they say that the part of wisdom for the farming community is to play completely fair with our people in this Nation, because they know the farmers are having a rough time, and they should know exactly what the Government is doing to help them.

Mr. President, I will be glad to yield to any Senator who desires additional time. I see the distinguished Chairman of the Committee on Agriculture and Forestry in the chamber. If he wishes to have time, I shall yield to him.

Mr. ELLENDER. Mr. President, I regret that I was not able to be present at the beginning of the debate. However, if our farm program is to continue as we envisioned it, it is necessary to keep the capital of the Commodity Credit Corporation at a high level.

If we look at the report, it will be seen that the net realized losses that are facing us in the Commodity Credit alone would be almost $4 billion.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. HOLLAND. Mr. President, I yield 5 minutes from the time allotted on the bill to the distinguished Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. ELLENDER. Mr. President, restoration of capital is purely a matter of bookkeeping. The money has already been spent and when Congress authorizes a restoration, it is in effect balancing on paper those payments which have already been made.

The Commodity Credit Corporation has borrowing authority of $14.5 billion. In the normal course of events as money is needed by the Commodity Credit Corporation to make payments or to finance agricultural programs, these funds are obtained by direct borrowing from the Treasury. Subsequently when Congress authorizes the restoration of the borrowing authority, it is in effect only restoring funding authority that has been used. This does not increase the authority of the Commodity Credit Corporation to spend or obligate funds. That authority is permanent.

It is true that if the total $14.5 billion borrowing authority of the Commodity Credit Corporation were obligated that Corporation would no longer have any authority to obligate or spend additional funds. Therefore, it is imperative that in order for the Commodity Credit Corporation to function properly and as it was intended by the Congress that full restoration of any capital impairment be made as soon as possible after funds are expended. We have seen in past years when the Commodity Credit Corporation was required to come to Congress on a crash basis and ask for additional restoration in order to perform its function in financing agricultural programs approved by the Congress. At those times, the Congress responded; however, it may not always be possible to act so expeditiously. In the absence of adequate funds, many activities would cease to exist. For example, the Corporation engages in a host of activities with respect to agricultural commodities, their products, food, feeds, and fibers. It finances exports of agricultural commodities through export subsidies, the purchase and distribution of surplus foods and the stabilizing, supporting and protecting of farm income and prices. To be in a position to meet any emergency, the Commodity Credit Corporation should always have at hand maximum funds authorized under the law.

Furthermore, full restoration of capital would show more accurately the expenditures of the Federal Government and the cost of farm programs.

Mr. President, there is no question about the fact that, unless we restore this now, it will have to be done within the near future if our program is to continue.

I will be frank to say that the farm program has been a little more expensive than I anticipated it would be. The amount of money that is required in order to divert acreage is much more than we had anticipated. It is true that we are saving money on storage costs and in other areas, but in order to be in a position to provide for orderly marketing of agricultural commodities it is necessary that the Commodity Credit Corporation be in a position in order to provide loans to farmers so as to keep price depressing commodities from flooding the market.

I am sure that my good friend, the senior Senator from Florida, explained to the Senate what happened, the last time when in the supplemental bill we had to restore money in order to keep the capital of the Commodity Credit Corporation high enough for it to be able to function.

Mr. HOLLAND. The amount was a half billion dollars.

Mr. ELLENDER. The Senator is correct. In this case, we are curtailing the amount, as I understand it, by approximately $1.5 billion if this amendment is agreed to. Unless we can provide those funds now there is no question that before Congress recesses it may be necessary for us to provide more funds for the operation of the Commodity Credit Corporation.

Mr. President, I say that because only yesterday the Department of Agriculture told us what the prospects are for wheat and corn. This year, we are having the biggest corn crop ever produced. It will be in excess of 4.5 billion bushels. With respect to wheat, we will have 1.6 billion bushels of wheat.

That will all require financing through the Commodity Credit Corporation if we are to live up to the promises made by Congress to the farmer.

I hope that the amendment is rejected.

Mr. HOLLAND. Mr. President, I yield 1 minute to myself from the time on the bill.

The PRESIDING OFFICER. The Senator from Florida is recognized for 1 minute.

Mr. HOLLAND. Mr. President, I think the RECORD should show these figures.

We have already by our inaction with respect to restoring the entire deficit for 1961, reduced the borrowing power of the Commodity Credit Corporation by $1,057 million.

The Senator from Wisconsin now proposes to reduce it further to the tune of $1,584 million, making a total reduction of $2,641 million.

I want the RECORD to show that this would reduce the borrowing capacity of Commodity Credit from the $14.5 billion which Congress thought was a wise figure, and which it enacted, to $11,859,000,000 at the very time when the President tells us that the program is being expanded and at the very time when the Secretary of Agriculture tells us—yesterday—that the estimate has gone up approximately $1 billion as compared with what he expected would be needed in 1968, at the time he testified before us last spring.

Mr. PROXMIRE. Mr. President, it is my understanding that I have 5 minutes remaining.

The **PRESIDING OFFICER.** The Senator is correct.

Mr. PROXMIRE. Mr. President, I do not intend to take the full 5 minutes.

My amendment would not reduce the borrowing authority. It would simply increase it by $1.4 billion instead of $2.984 billion. So, there would be an increase and not a decrease.

Any time the Department of Agriculture, the Commodity Credit Corporation, or the President of the United States feels that more money is needed, they can come to Congress and ask for it.

All I would provide is that we should give them what they ask for and not more, and certainly not $1.584 billion more than they ask for.

It is interesting to note, as the Senator from Florida has told us, that one of their reasons why they think they should have more than my amendment would provide is that Public Law 480 may have to be expanded to provide food for other lands.

That is my exact point. If there were dramatic change and a need for the expansion of Public Law 480, then the administration should come up and justify it and Congress should be in a position to say yes or no.

That is why this is not simply a bookkeeping amendment. This would, I repeat would, affect the discretion of the administration to go ahead and spend money on Public Law 480.

I am for the program. I think it is one of the finest programs we have ever had. However, I am in favor of Congress retaining its prerogative so that whenever there is a substantial change in the agricultural program, Congress will have something to say about it.

If we give the President more than he needs, he is far less likely to have to come to Congress for approval, if he sharply increases his plans to spend. It is that simple.

Mr. HOLLAND. Mr. President, I yield myself 1 additional minute from the time on the bill.

The **PRESIDING OFFICER.** The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, I am glad to see that the Senator from Wisconsin agrees with the committee in at least one regard. It was this committee that insisted that funds for Public Law 480 be handled by appropriations and justified ahead of time, as they are in the pending bill. That is the way we will continue to insist that they be handled.

If the Senator wants to reduce the operating abilities of the Commodity Credit Corporation by $1.584 billion which could be very serious when we are not in session, he can accomplish it by insisting on his amendment.

Mr. President, I yield back the remainder of my time.

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, I yield back the remainder of my time.

The **PRESIDING OFFICER.** All time having expired, the question is on agreeing to the amendment of the Senator from Wisconsin. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Maine [Mr. MUSKIE], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Florida [Mr. SMATHERS], the Senator from New Mexico [Mr. ANDERSON], the Senator from Missouri [Mr. LONG], and the Senator from Montana [Mr. METCALF] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD] and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORTON] is necessarily absent and, if present and voting, would vote "nay."

The result was announced—yeas 17, nays 74, as follows:

[No. 184 Leg.]

YEAS—17

Brewster
Byrd, Va.
Cannon
Clark
Griffin
Hart
Hatfield
Javits
Kennedy, Mass.
Kennedy, N.Y.
McIntyre
Nelson
Proxmire
Ribicoff
Spong
Williams, N.J.
Young, Ohio

NAYS—74

Aiken
Allott
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brooke
Byrd, W. Va.
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Gruening
Hansen
Harris
Hartke
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Miller
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Murphy
Pastore
Pearson
Pell
Percy
Prouty
Randolph
Russell
Scott
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—9

Anderson
Burdick
Dodd
Long, Mo.
Metcalf
Morton
Muskie
Smathers
Tydings

So Mr. PROXMIRE's amendment was rejected.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DIRKSEN. Mr. President, will the distinguished Senator from Florida yield?

Mr. HOLLAND. I am glad to yield time on the bill.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I would like to ask the distinguished majority leader what his plans are for the day and the week, if perchance we can act on the appropriation bill that is now pending, and any other matters he would like to take up which are on the calendar.

Mr. MANSFIELD. Mr. President, it is anticipated that after the conclusion of the debate and the final vote on the pending bill this afternoon, the next order of business will be S. 25, having to do with the establishment of the Great Salt Lake National Monument. It is my understanding that a yea-and-nay vote will be demanded on that measure. I, therefore, inform Senators to that effect.

If we finish these two bills today it is the intention of the joint leadership to go over until Monday. On Monday it will be in order to take up for reconsideration S. 1577, the Vienna Convention on Diplomatic Relations, and also S. 450, which provides for the popular election of the Governor of the Virgin Islands. On Tuesday it would be anticipated that we would take up the Clean Air Act.

CAREER STATUS FOR CERTAIN EMPLOYEES OF THE FEDERAL GOVERMENT

Mr. MONRONEY. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 1320.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 1320) to provide for the acquisition of career status by certain temporary employees of the Federal Government, and for other purposes which was, to strike out all after the enacting clause and insert:

That (a) subchapter I of chapter 33 of title 5, United States Code, is amended by inserting immediately after section 3304 the following new section:

"§ 3304a. Competitive service; career appointment after three years' temporary service

"(a) Except as provided by subsection (b), and subject to subsection (c), of this section an individual serving in a position in the competitive service under an indefinite appointment or a temporary appointment pending establishment of a register (other than an individual serving in GS–16, GS–17, or GS–18) acquires competitive status and is entitled to have his appointment converted to a career appointment, when—

"(1) he completes, without a break in service of more than thirty days, a total of at least three years of service in such a position;

"(2) he passes a suitable unassembled, noncompetitive examination;

"(3) the appointing authority (A) recommends to the Civil Service Commission that the appointment be converted to a career appointment, and (B) certifies to the Commission that the work performance of the individual for the past twelve months has been satisfactory; and

"(4) he meets current Commission qualification requirements for the position, and is otherwise eligible for career appointment.

"(b) An individual serving in a position in the competitive service in the postal field service under a temporary appointment without a definite time limitation (other than an individual serving in a postmaster or rural carrier position) acquires competitive status and is entitled to have his appointment converted to a career appointment, when—

"(1) he completes, without a break in service of more than thirty days, at least three years of service in such a position during each of which he has been paid for at least seven hundred hours of work;

"(2) he passes a suitable unassembled, noncompetitive examination;

"(3) the appointing authority (A) recommends to the Civil Service Commission that the appointment be converted to a career appointment and (B) certifies to the Commission (i) that the work performance of the individual for the past twelve months has been satisfactory and (ii) that straight time hours as determined by the past twelve months' experience of career substitutes on the rolls on the date of the certification will not be reduced solely because of the conversion; and

"(4) he meets current Commission qualification requirements for the position, and is otherwise eligible for career appointment.

Section 3302 of title 39 does not apply with respect to the operation of this subsection.

"(c) In computing years of service under subsections (a)(1) and (b)(1) of this section for an individual who leaves a position in the competitive service to enter the Armed Forces and is reemployed in such a position within one-hundred and twenty days after separation under honorable conditions, the period from the date he leaves his position to the date he is reemployed is included.

"(d) The appointment of an individual who does not pass a suitable unassembled, noncompetitive examination under subsection (a)(2) of this section, who is not recommended for conversion to career appointment under subsection (a)(3) of this section, or who fails to qualify under subsection (a)(4) of this section, shall be terminated not later than ninety days after he has completed the three-year period referred to in subsection (a)(1) of this section.

"(e) The Commission may prescribe regulations necessary for the administration of this section.".

(b) The analysis of subchapter I of chapter 33 of title 5, United States Code, is amended by adding the following new item immediately below item 3304:

"3304a. Competitive service; career appointment after three years' temporary service.".

SEC. 2. The first sentence of section 1310 (a) of the Supplemental Appropriation Act, 1952 (65 Stat. 757), as amended, is amended to read as follows:

"The Civil Service Commission and the heads of the executive departments, agencies, and corporations shall make full use of their authority to require that initial appointments to positions in and outside the competitive service shall be made on other than a permanent basis: *Provided*, That any position vacated by a permanent employee called to military service or transferred to a national defense agency shall not be filled except on a temporary or indefinite basis.".

SEC. 3. (a) This section and section 2 of this Act shall become effective on the date of enactment of this Act.

(b) The first section of this Act shall become effective on the one hundred and twentieth day following the date of enactment of this Act. In the case of an individual who, prior to such effective date, shall have completed the three-year period referred to in section 3304a(d) of title 5, United States Code, as enacted by the first section of this Act, the date of such completion shall be deemed to be such effective date.

Mr. MONRONEY. I move that the Senate disagree to the amendment of the House of Representatives, and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Senators MONRONEY, YARBOROUGH, RANDOLPH, CARLSON, and FONG conferees on the part of the Senate.

AGRICULTURAL APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 10509) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

MODIFICATION OF UNANIMOUS-CONSENT AGREEMENT

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. WILLIAMS of Delaware. Yesterday when we obtained the unanimous-consent agreement with respect to these amendments, there had been some Senators who, unfortunately, were going to speak against my amendment. At that time I did not know how much time they would need. I had asked the majority leader to give us 1 hour on each side. Since that time I have talked to the Senators involved and I have learned that their remarks will be brief.

Therefore, I would be agreeable to reducing the time on my amendment to 1 hour, so that Senators will be on notice.

Mr. MANSFIELD. Mr. President, I appreciate the consideration by the distinguished senior Senator from Delaware.

Mr. President, I ask unanimous consent that instead of a 2-hour limitation, the time to be equally divided, that the time on the amendment be limited to 1 hour, to be equally divided with the other agreements as heretofore specified.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 225

Mr. WILLIAMS of Delaware. Mr. President, I call up my amendment No. 225 and ask that it be stated as modified at the desk. The modification would provide for a limitation of $10,000 on all cash payments. As originally worded it would also apply to price support loans, but I have modified it to cover only subsidy cash payments.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment, as follows:

On page 39, between lines 3 and 4, insert the following:

"SEC. 508. Notwithstanding any other provision of law, after January 1, 1968, no producer shall be eligible for payments under any program or programs administered by the Department of Agriculture in any amount in excess of $10,000 for any one year. The foregoing limitation shall include the fair dollar value (as determined by the Secretary of Agriculture) of any payment-in-kind made to a producer."

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 10 minutes.

Mr. WILLIAMS of Delaware. Mr. President, this amendment would provide a limitation on what is described as direct cash subsidy payments or payments in kind under the various agricultural programs. I have not included price support loans in the limitation. It would have been necessary to revise the entire Agriculture Act to have included price support loans, and that is not before the Senate at this time.

The amendment would place a limitation beginning in the calendar year 1968 of $10,000 as the maximum amount that any individual farmer could collect in direct cash subsidies. This provision is very important because it would preserve the family-type farm. There is an argument made that the proposal would give an advantage to one type of farmer over another type farmer. I admit that is true, but it gives this advantage to the small farmer and not to the corporate-type operation.

In the present program, where there is no limitation on the amount of payment, there is a definite advantage to the larger corporate-type organization because a larger operation, with thousands of acres, can place part of its acreage in the soil bank and collect diversion payments. They would only have to run a tractor or a combine into the shed and lay off help, and then the cash payments for not farming the land would represent clear profit. A small farmer who is operating with one tractor or one combine and who cuts back on his acreage cannot then efficiently utilize his equipment.

Under the existing law, last year there were 5 payments in excess of $1 million each. I should point out that there is nothing illegal in what these farmers are doing when they accept these multimillion-dollar payments. They were complying with the law. If Congress wants to change that law this is the place to do it, and here today is our chance, by voting on this amendment.

There were 11 payments between $500,000 and $1 million, and there were 258 payments between $100,000 and $500,000 a year. For example, there is the Kern County Land Co., which is listed on the New York Stock Exchange and which is a profitable operation. Its stock is selling near its high. This company collected $652,000 last year as a subsidized farmer under this program. How absurd can we get?

The Texas Department of Corrections, as a Texas farm, collected $288,911. The Louisiana State Penitentiary collected $92,135 as a farm, and the Arkansas State Penitentiary collected $122,090 as a farm.

It is interesting that if the farmers who collect this money are found to have filed false reports they are subject to criminal penalties and conceivably could be put in the penitentiary. The question has arisen in my mind: How can you put a penitentiary in the penitentiary for not complying with the law? It would be a rather interesting situation.

Let us stop kidding ourselves. These are not farmers. We talk about farm programs for the farmer. During every election we hear a lot of political speeches on both sides of the aisle bewailing the fact that the small farm is vanishing from America. Yet the farm program is set up to benefit not the small farmer but the larger type operation.

Certainly $10,000 in cash payments from the Federal Treasury is enough money for any individual to receive for not farming. That is what the payments are for. We are paying them not to farm in this day when we have such a high cost of living.

Just a moment ago we had an amendment before us which would cut back on restoration of the capital of the CCC by $1 billion and a half. I described that as a false approach. It would not have saved the taxpayers a dime. If we want to reduce expenditures this is the place to do it. In the first 9 months of fiscal year 1967, based upon the CCC's own records, it made in direct payments $525 million to the feed grain farmers in diversion payments plus another $777 million in price support payments. The cotton farmers received $786 million; and the wheat farmers, $281 million. These are the direct payments. If Congress wants to cut these expenditures and reduce the cost of the agricultural program this is the only place to do it. If Congress does adopt this amendment then do not come in here next year with another phony amendment saying we will cut back on the restoration of capital and instead finance the program by borrowing the money from the Treasury so that our grandchildren will have to pay it off.

Once these expenditures have been made or committed they must be paid.

I want to compliment the chairman of the committee, the Senator from Florida [Mr. HOLLAND], for sponsoring a proposal to tell the American people the truth as to what the programs are going to cost. I realize he opposes my pending amendment, but he is willing to tell the taxpayers the true cost. Once these programs are enacted the CCC has no alternative but to make the payments as required under the law. The multimillion-dollar payments will continue to be made if this amendemnt is not adopted. If they are made then Congress should meet the costs, reimburse the CCC, and tell the American people the facts.

This is the place to vote "yea" if we want to cut down on the costs of this agricultural program.

Mr. DOMINICK. Mr. President, will the Senator from Delaware yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. DOMINICK. Is my understanding correct that the Senator would include in the provisions of the restriction payments to sugar producers who are under a separate act?

Mr. WILLIAMS of Delaware. Yes. It does include the sugar producers; they are under a separate act, but it is in this bill.

Mr. DOMINICK. If my recollection is correct, amendments proposed by the Senator on this in the past have not applied to producers of sugar.

Mr. WILLIAMS of Delaware. I have offered amendments both ways; yes.

Mr. DOMINICK. I am sorry to find this amendment would include them. They are under a separate act, with a separate situation. In fact the Sugar Act has produced more revenue than has ever been paid out. This makes the proposition a little more difficult. Also, I wonder whether the Senator could not get at the problem of the penitentiaries or similar entities who are receiving these payments by simply putting on a restriction to the effect that payments shall not be made to any governmental or quasi-governmental agency. Wouldn't that meet the problem the Senator has brought up?

Mr. WILLIAMS of Delaware. No. I am afraid it would aggravate the abuse, and I will tell the Senator why.

Under the existing program the State of Montana last year received $337,345 as a farmer. The State of Washington got $125,552. In prior years I pointed out that the State of Arizona had a situation in which it could not collect the money itself, and so the State of Arizona leased its land to private individuals for around two or two and a half dollars an acre. Those people then placed the same land in the Soil Bank and collected around $20 an acre for not farming. This gave them $17 an acre for handling the paper transactions. The payments made in that category amounted to large sums. It was a racket.

It is certainly foolish, but I said that if we are going to do this at least pay it to the State so that the taxpayers of that State will get the benefits rather than have some State official pass it out.

Mr. DOMINICK. That is restricted to a very few States, however.

Mr. WILLIAMS of Delaware. That is correct, but it could be true in any State that owned land. This is no criticism of Arizona. In fact, the correction in the law was made on the initiative of and with the help of the officials of Arizona, who recognized the absurdity of the transaction. I complimented these officials at that time for their support in exposing this abuse.

Mr. DOMINICK. My concern is that the Senator is including the sugar producers, who I do not think should be included at all because of the situation under the Sugar Act. In addition, the farmers of this country are having a very rough time of it now. They seem to be the targets of almost every administration attack originating within the Department of Agriculture. There are many farmers who find it is almost impossible to keep going under the present cost-price squeeze without having——

The PRESIDING OFFICER. The time of the Senator from Delaware has expired.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 3 additional minutes.

Mr. DOMINICK. If we restrict it to the $10,000 figure, we will have a lot of farmers working hard on the family farm trying to make a go of it, while their funds will be going for repayment of loans from commercial banks. Frankly, they will be in worse shape than they were the year before. Both the Senator from Delaware and I know this. There is also the specter of a future famine looming on the horizon. We therefore want to support our farmers as much as we can, wherever we can.

Mr. WILLIAMS of Delaware. I appreciate the remarks of the Senator from Colorado, and I appreciate the argument he has made in connection with the sugar producers. I have heard that argument before. But to accept the principle that the sugar producers' subsidy will not cost the taxpayers anything by virtue of the fact that the tax on sugar offsets it, is not a valid argument. The same argument could also be made with full justification on all these payments without limitation, because I am confident, farmers as a whole, as income taxpayers, pay more money into the Federal treasury than is paid out in farm subsidies. Therefore it could be argued that the farm program is costing the taxpayers nothing. To carry that one step further——

Mr. DOMINICK. Not many of them are paying anything now.

Mr. WILLIAMS of Delaware. The Secretary of Defense could theoretically allocate all corporate taxes to pay for the war in Vietnam and then tell the individual taxpayer that the war really is not costing him anything. This argument can be made whether it be a highway program or any other program. The truth is that these payments are made out of the Treasury of the United States, with a Treasury check, and the Treasury gets this money from the American taxpayers in the form of taxes, income taxes, excise taxes, sugar taxes, tariffs, and inheritance taxes. But it is all revenue, and it is all commingled in the funds. These are cash subsidy payments, and they are paid by the American taxpayers.

Mr. President, I reserve the remainder of my time.

Mr. HOLLAND. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, the distinguished Senator from Delaware was extremely cooperative and helpful in the last debate. I am therefore very sorry that we find ourselves on opposite sides of the fence at this time. I have learned, over a sizably long life in law practice, that one is apt to find oneself on the same side of the table one day and on the opposite side the next.

Mr. President, the committee is opposed and I am opposed strongly to the amendment. It is true that the Senator has made it less objectionable by striking out the words "price support loans, or". In other words, by creating a condition under which this amendment, if enacted, would apply only to payments, but it does apply to payments in two particularly critical commodity matters which I want to mention first.

They are the matters of the sugar payments and the wool payments. These are not loans. They are payments and they happen to differ in the case of sugar as to the amount that one produces. In other words, a farmer with a small acreage of sugar cane or beets gets greater pay per unit of production than does a large one. So that Congress has, by the basic legislation, paid some attention to the fact that there is a difference between the small and the great.

I invite attention to the fact that Congress has been trying, and the Nation has been trying, for a long time, to bring about a greater production of both sugar and wool, because both of those commodities are necessary to our country, particularly in case of emergency, or war, where we might be cut off from further supplies. In each case, we have produced only a fraction of what our Nation needs.

I also invite the attention of the Senator from Delaware to the fact that he could not hit a more hurtful blow at causes which have been recognized by Congress through the years as being causes in which we should try to gain further production from our own acreage and from our own pastures than he does by aiming this particular amendment at the sugar and wool industries.

Mr. President, at this time I ask that the yeas and nays be ordered.

The yeas and nays were ordered.

Mr. HOLLAND. To go further, may I say that is true not only in the case of these two very vital industries, both of which are industries which are in deficiency production so far as our Nation is concerned. I see here one of the Senators from Hawaii, where the production of sugar is not only a great staff for his State to lean on, but it is a great boon to our entire Nation to have their sugar production. I saw a minute ago the Senator from Louisiana, a State which produces a great amount of sugar. I see other Senators from States where there is beet sugar production, as, for example, the Senator from Kansas, the Senator from Iowa, and other Senators.

I hope Senators will be fully advised that this amendment would limit to $10,000, in connection with other payments to which a farmer might be entitled, the total a farmer could get for his sugar production, which we badly need domestically, and in the case of wool production, which we badly need domestically. In the case of wool production, we need it so badly that even Mr. Wirtz, the Secretary of Labor, who is not noted for his kindness to agriculture, has let down the bars so that Basques from Spain might come into this country to act as sheepherders over a period of 3 years at a time, which would indicate that he recognizes this problem.

We are trying our best to increase the production of wool.

There is another field which I would mention at this time, and that is the retirement or diversion of acreage. A Senator has asked the question: Why do we talk about diversion of acreage when we are talking about the necessity of increasing production because of present conditions?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HOLLAND. I yield myself 5 additional minutes.

The reason—and a definite reason—is that we have a condition under which the effect of the conservation reserve program, which we have had for some years, is about to come to an end. A tremendous amount of acreage will come back out from under that program next year. The following year it will be five times that amount. The next 3 years are the critical end of the conservation reserve program.

I have a long letter from the Secretary of Agriculture, which I shall not place in the RECORD, because it deals with another appropriation item, but any Senator can see it if he wants to. He makes the point that he is going to need some money, and some tools, with which to continue the retirement of thousands of acres, or else we are going to find ourselves plunged back into surpluses in several areas, particularly with reference to the surplus of grains, as he stated.

Having in mind that the attempts for acreage reserves or retirement and that the sugar program and wool program are a necessary part of our whole agricultural program, I plead with the Senate not to seriously consider the adoption of this very hurtful amendment, which does not accomplish much as far as this bill is concerned.

It is a legislative amendment, which would ordinarily be subject to a point of order, but the fact is that the majority leader asked for a unanimous-consent agreement before I had ever seen the amendment, which, as I understand, takes away the right to make a point of order. I see the Senator from Delaware smiling. I have no hard feeling about it, but the next time I will have in mind to see his amendment before I agree to a unanimous consent, even at the request of the leader of either side of the aisle.

I hope the Senate will soundly reject the amendment, which guts the heart not only of the appropriation bill but numerous agricultural programs which are of enormous importance to our country.

I yield the floor and recognize the distinguished Senator from Nebraska [Mr. HRUSKA].

Mr. HRUSKA. Mr. President, I rise in opposition to the amendment. It is certain that the Senator from Nebraska could not improve upon the logic or eloquence of the Senator from Florida. He has covered the situation well and made a very persuasive case for an overwhelming defeat of the amendment offered by our good friend from Delaware.

The reasons are compelling that the amendment does constitute legislation on an appropriation bill. That point has been waived, unfortunately, but, more important, no hearings were had on this issue by the committee. No showing of any kind was made as to the exact impact of the amendment or how many dollars would be involved. There is no record whatsoever. It would substantially change existing farm programs. In fact, it could well ruin some of the farm programs if the amendment were adopted. This would have an especially harsh impact on the sugar and wool programs.

So I urge the amendment be rejected, and rejected by a large margin.

Mr. HOLLAND. Mr. President, I yield 5 minutes to the distinguished Senator from Georgia [Mr. TALMADGE].

Mr. TALMADGE. Mr. President, the Congress of the United States has passed various farm bills in an attempt to do two things.

The first was an attempt to assure the farmers of the country some reasonable income commensurate with their important part in our economy and comparable to that of people who live and work in towns and cities. Unfortunately, we have not achieved our objective in that regard. Our farmers still work the longest hours. They still work hardest. They still receive the lowest reward for their labors.

The second objective of our farm legislation was to attempt to deal with the enormous surpluses built up since the end of World War II. We have made very substantial progress in this area. We now have most of our surpluses down to manageable proportions except in the case of cotton. In regard to cotton, we have the smallest crop that we have had in more than 100 years. Two years ago we had a surplus of 17 million bales of cotton, the largest surplus in the entire history of our country.

In order to accomplish those two objectives—first, a living income, and, second, manageable surpluses of our farm commodities—we passed legislation which the President of the United States approved to divert acres from production, and to pay farmers for those diverted acres in order to make up some of the loss they would have in their income as a result of the diversion.

Yet, after Congress passed that legislation, after the farmers of our country relied in full faith and confidence in the laws of the United States of America, the amendment offered by the distinguished Senator from Delaware would come in and say, "Yea, we passed the law, but now we are not going to appropriate the money. We are not going to keep faith with the people of the United States of America. The farmers of our country cannot accept with full faith and confidence an act of the Congress of the United States. Now we are not going to give you the money. We are going to deceive you."

That is exactly what the amendment offered by the distinguished Senator from Delaware would do.

In addition to that, it would destroy our farm programs, because you cannot deal with one farmer in one manner and deal with his neighbor who is producing the same farm commodity in a different manner. Citizens of the United States are entitled to equal treatment under the law, and the Senator's amendment would be violating that principle.

He would say, if you are a big farmer, you are entitled to treatment in one manner. If you are a small farmer, you are entitled to treatment in a different manner. Whoever said the laws of the United States are to be administered in such an unequal fashion and that the taxpayers or our citizens are to be treated in an unequal manner?

If you would carry the situation one step further, you would say that a holder of Government bonds of the United States, if he has $1,000 worth of bonds, would be entitled to, say, a 5-percent interest return. If he had $10,000 worth of bonds, he would be entitled to a 4-percent interest rate. If he had $20,000 worth of bonds, he would be entitled to a 3-percent interest rate. If he had $100,000 worth of bonds, he would be entitled to a 1-percent interest rate. And if he had $1 million worth of bonds, he would not be entitled to any return on his money whatsoever.

That is the same analogy that the Senator's amendment would provide for the farmers of our country. The farm program is designed to benefit all farmers. We cannot pick out Farmer A and treat him differently from Farmer B. Farmers A, B, and C must be treated in an identical manner, all of them in accordance with the laws that have been passed by Congress.

Mr. President, if we approve the pending amendment, it will mean that we are gutting the farm programs that have been adopted by Congress. It will mean that the enormous surpluses with which we are trying to cope will be continued and expanded instead of decreased. It will mean that we are saying that although the Senate and the House have passed a bill, and the President has approved it, we did not mean what we said; that we are going to welsh on what we promised the farmers of the United States, and they cannot act in reliance on the laws which Congress has passed.

I hope the amendment will be overwhelmingly disapproved.

Mr. HOLLAND. Mr. President, I now yield 5 minutes to the distinguished Senator from Kentucky [Mr. COOPER].

Mr. COOPER. Mr. President, I do not often differ with my distinguished friend the Senator from Delaware [Mr. WILLIAMS]. In doing so now, I wish to say, first, that this always appears, on its face, to be a very attractive amendment. It holds great appeal for many—and especially for those who are uninformed about the necessity of a support program for agriculture in this country—for if one votes for such an amendment it might be said that he is voting to prevent the enrichment of large farmers through funds provided by the U.S. Government.

I know that the Senator from Delaware is very conscientious about this amendment. He does not like farm-support programs at all. He believes the amendment would save some money from the Treasury although he did not say in his speech how much money would be saved.

In speaking against the amendment I speak for protection to the small farmer, and not to the large farmer, because the production control and price-support programs, including both small and large farms, assures them fair prices. In my State, the average acreage in a farm is about 100 acres. But as I have said, these programs to control production are designed for the protection of all farmers—to provide fair prices for the small farmer as well as the large—and there are many more small farmers than there are large farmers.

In voting on this amendment, we really vote for or against production control and support programs. Many people do not like fair-support programs. But their purpose is to control production, assure a decent and a fair price for the American farmer, and assured supplies of food and fiber for our people and people of the world. To secure such a program, there must be incentives, in the way of support prices, compensatory payments, conservation or land retirement payments.

In some cases, of course, the larger farmers do receive large amounts. But if the program is to work, it must embrace all the farmers, whether they are large farmers or small farmers, whether they receive large payments or small. If a farmer receives a million dollars, he probably takes out of production crops equal to what one thousand small farmers with 100 acres each would take out.

If the farm program is weakened, it will result in increased production, reduced prices, and hurt the small farmer.

I must say that the consequences of the Senator's amendment could be large. The farm commodity and conservation programs have been adopted by Congress. Referendums have been held among farmers, and they have agreed to participate in these programs. The Department of Agriculture has entered into contracts with the farmers, to the effect that if they will control production, the Government will support their crops, and will make certain payments for the reduction of acreage and for conservation purposes.

The amendment has appeal, but the real point which must be remembered is whether we wish to weaken programs designed to control production, give the farmer a fair price, and to assure needed and balanced production for our people and the needs of the world. The amendment would expand production, drive down farm prices, and hurt not the farm economy alone, but the Nation's economy.

Our country today has the cheapest food in the world, as far as the farmer is concerned, yet farmers' prices are below parity, and at the lowest parity ratio since World War II.

Therefore, for the reasons I have stated, I must oppose the amendment, as attractive as it may appear, because it would go finally to the very heart of decent programs and prices for all American farmers.

Mr. President, I ask unanimous consent that a brief statement I have prepared, commenting on several points in this bill of particular interest in Kentucky, be included at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

The bill now before the Senate, H.R. 10509, provides about $6.8 billion to carry out during fiscal 1968 the programs of the Department of Agriculture. In past years, as a member of the Senate Agriculture Committee, I have always supported the programs which are important to farm families. While I no longer serve on the Agriculture Committee, Kentucky is an agricultural state, I will always be interested in agriculture, and I wish to comment on certain items in this appropriations bill.

I would like first to speak briefly on funds for the programs of the Soil Conservation Service. The Senate Committee has restored funds for Conservation Operations. This will make possible an additional 125 man-years of part-time help, of which the Kentucky program will require 8. The Committee has also restored to the budget funds for Resource Conservation and Development. Over the years, I have drawn attention to the need to carry forward small watershed planning and construction for, as a member of the Small Watersheds Subcommittee, I realized that needed projects would pile up and construction of approved projects will be delayed unless the annual funding is balanced. The Committee states this fact in its report, commenting on the failure of the budget to balance funds for these programs, and limiting new planning starts to 80. I want to point in this regard, to the recommendation of the Kentucky Association of Soil and Water Conservation Districts that an additional $10 million be provided for watershed protection, for the program in Kentucky is progressing well, with 5 projects in the planning stage and 17 approved for construction.

Recommended in the Committee bill is $89.5 million for the Consumer and Marketing Service, the amount of the budget. I support as I have in the past the special milk program. The Committee, while reducing the total amount for the school lunch program by nearly $8 million, has provided funds to permit a modest expansion of the new feeding programs, including $8 million for Section 11, $5 million for the pilot breakfast program, and $3 million for non-food assistance, as well as funds for State administrative expenses, striken in the House bill. I realize that the rising cost of food has affected the operation of the food distribution programs of the Department of Agriculture, and the Director of the Kentucky School Lunch Division has made the suggestion that this be accommodated by increasing State participation. I support the Senate bill which provides an increase of $10 million for cash payments to States. In my State, where many pupils require supplemental meals, Section 11 has brought lunches to 45 needy schools, the pilot breakfast program is operating in 14, where 37.7% of the children participate.

I wish to comment on the Committee recommendation that the Department of Agriculture review testimony on the need to improve equine statistics. There is a growing interest among Kentucky agricultural leaders and the horse industry and I have received letters from the Kentucky Commissioner of Agriculture in support of an equine census. The 1964 agriculture census did not include questions about the number of horses and mules on farms because of the decline over the years of draft horses. But the stock is increasing of riding horses, trotting horses as well as thoroughbred racing horses—all raised in Kentucky—and their numbers, value and importance will undoubtedly increase. The responsibility of making this census should be assumed, as the horse industry has become increasingly important.

Another item in the ARS appropriation of interest to many in Kentucky is the $1.2 million recommended by the Committee to implement the Laboratory Animal Welfare Act.

I supported this legislation last year and hope that adequate funds will be provided by the conference.

The Senate Committee has recommended $324 million for the rural electrification program, $10 million above both the budget and House figures and without a reserve requirement. I hope this amount will be approved by the Senate and retained in conference, pending the enactment of constructive and helpful supplemental financing legislation—which I have introduced.

There are many items in this appropriations bill, but I have chosen to comment only on a few of interest in Kentucky. I will vote for the bill.

I join with my colleagues in commending the able Chairman of the Subcommittee on Appropriations for Agriculture, Senator Holland, and the ranking minority member, the able Senator from Nebraska, Senator Hruska, firm and devoted friends of agriculture, Senator Young of North Dakota, and able leader in farm matters, and all members of the Committee for their fine work.

Mr. FONG. Mr. President, will the Senator from Florida yield me 5 minutes?

Mr. HOLLAND. I am happy to yield. I was trying to yield back and forth, from one side of the aisle to the other, but I notice the Senator from Texas has stepped out of the room. I therefore yield to the Senator from Hawaii.

Mr. FONG. Mr. President, I am unalterably opposed to the pending amendment.

The Williams amendment, to establish a ceiling of $10,000 for agricultural payments, including sugar compliance payments to our growers, would absolutely destroy Hawaii's sugar industry. It would deal a staggering blow to Hawaii's economy, which is based heavily on the growing of sugar. Sugar represents approximately $191 million of our State's income. The sugar industry employs 12,600 people. It pays $66 million in wages. If the Williams amendment were enacted, Hawaii would suffer tremendously. I am quite sure that the industry would not survive and that our fields would lie barren. If the Williams amendment were to be enacted, I am afraid that America would have to rely upon imported sugar, because our farmers would never be able to continue to produce sugar cane.

In 1966, the approximate value of raw sugar and molasses to Hawaii's economy was $191 million. For all practical purposes, if the Williams amendment providing for a $10,000 limitation were passed, it would amount to the wiping out of the greater portion of the compliance payments to our sugar producers.

For those not familiar with compliance payments, I should like to explain them briefly.

At present, there is a Federal excise tax of one-half cent per pound on raw sugar processed in the United States. In other words, for each pound of raw sugar that is processed, the Government exacts a tax of one-half cent. In 1965, I am informed, the U.S. Treasury collected $11,607,060 from the processing of cane sugar produced just by Hawaii's sugar producers.

The tax collected by the Federal Government on sugar produced each year by each company in Hawaii is more than the same company receives in compliance payments.

As I said 2 years ago in the Senate, when amendments were offered to the sugar bill to limit compliance payments the purpose of the sugar excise tax is to provide funds to pay U.S. sugar producers or processors for maintaining good working conditions, promoting orderly development of the sugar industry, and stabilizing the price of sugar for consumers.

Federal law permits conditional compliance payments to producers, or to processors, who are also producers, when they first, comply with sugar production and marketing restrictions; second, pay at least the official minimum wages to workers; third, do not employ child labor; and fourth, in the case of processors, pay at least the official minimum prices for sugarbeets or sugarcane.

Preliminary figures show total compliance payments received by Hawaii producers were $10,760,112 in 1965. Of this, the 25 sugar plantations received a total of $9,607,702. The 71 adherents and coproducers received a total of $18,437. The 1,000 independent grower farms received $1,133,973.

Thus, in 1965, as in the past, the U.S. Treasury collected on Hawaii sugar processed far more than Hawaii sugar companies received in compliance payments.

In fact, since 1937, the Federal Government has collected more in processing taxes on Hawaii sugar than has been paid to Hawaii sugar producers. So it is clear, compliance payments do not represent a net drain on the U.S. Treasury.

On the other hand, compliance payments are crucial to the continuance of the Hawaii sugar industry. In 1965, compliance payments to Hawaii companies ranged from $54,000 to $1,177,000, with the majority of companies receiving more than $200,000.

The reason why these payments have been large is that the growing of a cane sugar crop is unlike the growing of other agricultural commodities.

We need tremendously large acreages in Hawaii—6,000 acres, 10,000 acres, or 12,000 acres—in order to attain high output of cane and to operate efficiently. We employ thousands of people to work on these plantations.

Such large plantations contribute to necessary efficiency so that Hawaii's sugar can be competitive in the marketplace.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HOLLAND. Mr. President, I yield 3 minutes to the Senator from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for an additional 3 minutes.

Mr. FONG. Mr. President, while these payments are large, the cost to the U.S. Treasury per ton in Hawaii is substantially less than any other domestic producing area. Payments in 1965 to Hawaii sugar plantations, our largest producers, were $8.83 per ton, whereas compliance payments to sugar producers in other areas of the United States went as high as the maximum of $16 a ton.

Even with these compliance payments, the return on invested capital in Hawaii's sugar industry is extremely nominal. In a substantial number of years, the majority of Hawaii sugar companies have lost money despite receiving compliance payments.

Limiting compliance payments to $10,000 per producer, as the Williams amendment proposes, would for all practical purposes hurt Hawaii's sugar producers as much as outright elimination of these payments.

Our sugar producers just could not survive such a blow.

The sugar industry in Hawaii provides year-round employment for some 12,500 workers. The payroll totaled about $66,000,000 in 1965 and was even higher in 1966 as wage increases for workers went into effect. Hawaii's sugar workers are the highest paid in the world.

These workers would face unemployment if Hawaii's sugar industry collapses, as it would under the Williams amendment. Where would all these workers find jobs?

As I have already noted, there are approximately 1,000 independent grower farms in Hawaii and 71 adherents or coproducers. They would suffer if Hawaii's sugar industry is destroyed as it would be under this amendment.

In addition, there are 25 sugar plantations in Hawaii which are owned by about 12,300 individual stockholders of whom almost two-thirds live in Hawaii. These people would also suffer.

Hawaii's sugar industry is a world leader in sugar technology and mechanization. It has served America well in war and in peace to help supply our Nation with sugar, so basic to human needs.

The Williams amendment would deal a death blow to Hawaii sugar producers and workers. I am totally opposed to this amendment.

I urge my colleagues to join me in voting against the Williams amendment.

VISIT TO THE SENATE BY MEMBERS OF THE SENATE OF FRANCE

Mr. HOLLAND. Mr. President, I understand that the distinguished Senator from Alabama [Mr. SPARKMAN] has some guests from a foreign country whom he wishes to present briefly to the Senate.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SPARKMAN. Mr. President, I feel both very privileged and proud to have the opportunity today to introduce to the U.S. Senate five distinguished Members of the Senate of the Republic of France.

We have had the pleasure of having these distinguished gentlemen with us in the Foreign Relations Committee Room and had a very pleasant visit with them.

I am glad that they saw fit to accept our invitation to visit the Senate floor for a few minutes.

I shall ask the Senators to stand as I call their names. Our guests are:

Senator Guy Petit, an Indepedent Senator from the Department of the Basses-Pyrenees.

Senator Jean Peridier, a Socialist Senator from the Department of L'Herault.

Senator Louis Martin, a Senator of the Department of La Loire.

Senator Gustave Heon, a Senator from L'Eure, Democratic Left.

Senator Lucien Gauthier, an Independent Senator from Marneet-Loire.

We welcome you to the Senate. We welcome you to our country.

(The distinguished visitors rose in their places and were greeted with applause, Senators rising.)

Mr. SPARKMAN. The relations between our two Republics have been so close and profound over so long a period of time that there is nothing I need say or can say to try to embellish the brilliant record of the historic friendship between the French and the American peoples.

I take this occasion to extend the warmest of welcomes to our guests and to express the hope—indeed, the conviction—that they will find their visit here highly enjoyable and profitable.

Mr. President, I invite my colleagues to welcome and meet with our distinguished friends, and I ask unanimous consent that the Senate stand in recess for 5 minutes for that purpose.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 2 o'clock and 55 minutes p.m.) the Senate took a recess for 5 minutes.

The Senate reassembled at 3 o'clock p.m. when called to order by the Presiding Officer (Mr. BYRD of Virginia in the chair).

AGRICULTURAL APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 10509) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, I understand that the distinguished Senator from Delaware wishes to recognize a speaker at this time.

Mr. WILLIAMS of Delaware. I yield 3 minutes to the Senator from Maryland [Mr. BREWSTER].

Mr. BREWSTER. Mr. President, over the past 8 years I have opposed our agriculture policy on many occasions. It is a policy which benefits mainly the large, well-to-do farmer, and throws its remaining crumbs to the small family farmer. It is a policy which places a mighty and unfair burden on the taxpayer. It is a policy which was founded as an emergency measure in the 1930's, and which is hopelessly out of date today. Finally, it is a policy which is causing an increasing number of small farmers to flee to the already overcrowded urban centers. Mr. President, the time for reform is long overdue.

The present farm program is weighted heavily in favor of the large producer and the corporate farmer. Less than 2 percent of the farmers in America gross more than $100,000 a year, yet they take home 20 percent of the subsidy program.

We are in fact sacrificing the welfare of the taxpayer, the small family farmer, and the consumer in the interest of the large farm producers. We are driving the small farmers off their farms and into the cities. From 1960 through 1966, over 4 million farm residents were forced to leave their homes and seek other employment, and from 1965 to 1966 alone the number was around 770,000.

The original purpose of the farm program was to save the family farmer. It is, in fact, doing just the opposite. It is encouraging, at great expense, the big producer and eliminating the small farmer altogether.

This fact was clearly pointed out by Mr. John Fischer in last July's issue of Harper's magazine, where he stated that an "embarrassing consequence of the farm program has been to make the big farmers bigger, and to shove the little ones onto the highway." He further pointed out—

> When you offer a bribe for every acre taken out of cultivation, the men with the most acres naturally get the most money—in many cases hundreds of thousands of dollars every year. Typically they have used their loot in two ways: (1) to buy more land from their smaller neighbors; and (2) to invest in tractors, cottonpickers, fertilizer, weed-killers, six-row cultivators, and all the other devices of modern technology. As a result the efficiency of the big farms (often run by corporations) has increased spectacularly; they are now producing more per acre than ever before, and with a lot less manpower.

But the little farmer, whom our agricultural program is supposed to save does not get enough Government money to modernize his farm. Fischer correctly points out in his penetrating article that the small farmer just cannot compete under the existing program and "so he sells out, loads his mattress, his wife, and his eight children into the pickup truck, and heads for the city."

I can think of no reason why the Federal Government should give five producers over $1 million apiece annually, and 11 producers over $500,000 apiece, when the average farmer gets only $831 a year, nor can I think of any reason why the taxpayers should pay hundreds of millions of dollars to "support" wealthy farmers who are receiving over $50,000 in payments.

Furthermore, it is absurd to pay such fantastic amounts in price supports at a time when the surpluses in corn, wheat, vegetable oil, and rice have been entirely eliminated, and in a day when the demand for these items exceeds the supply.

This point was forcefully brought home by Harold B. Meyers writing in the December 1966 issue of Fortune magazine in his article entitled "It's time to turn the farmers loose."

In part he said:

> With the huge grain surpluses gone, now, if ever, is the time for a fresh look at U.S. agricultural policy. For many years the besetting problem of policy has been to deal with price-depressing overproduction, or the threat of it. Now at last a long-awaited opportunity is at hand—the opportunity to alter or abandon Government programs that have imposed complex restrictions on farmers and heavy costs on taxpayers.

What we can now do, and should do is to set about turning the farmers loose. We should dismantle present farm programs with deliberate speed, ending restraints on production and eliminating the income-supplement payments that induced farmers to accept the restraints. Farmers would then be free to make their own decisions about what and how much to grow. They would dispose of their output in the market, and get their reward from it. American consumers would have ample supplies of food, and the prospects for easing world hunger would be greatly improved. Abundance, in short, need no longer be considered a burden.

If there is a farm problem nowadays, it clearly is not a problem of poverty among commercial farmers. Where rural poverty does exist, it should be regarded as a welfare problem, not a farm problem. Since he produces meager crops and owns few acres, the poor farmer cannot benefit in any large way from price-support or acreage-diversion programs. Such programs may make prosperous farmers more prosperous, but they leave poor farmers still poor.

One further point which deserves consideration has been raised in the past by my colleague, the Senator from Delaware [Mr. WILLIAMS]: Should we pay any money to State penal institutions for not growing certain crops? This would appear to me to be a highly questionable business. Yet, the fact remains that the Department of Agriculture paid out nearly $1 million in 1966 to State-owned farms. In addition, $70,177 was shelled out to the Midlane Farm Country Club in Lake County, Ill.

I am convinced that the average American farmer does not want Government-controlled production quotas, nor does he want to be paid for being nonproductive. He does not look with favor on the giant farm corporations who profit from the failures of the family farm. I think it is significant that in the past, when I have offered amendments to limit the amount of subsidy payments to any one farmer or corporation, my proposal has received strong support from many of my so-called farm State colleagues.

The fact is that the vast amount of land in my own State of Maryland is rural. Farming is important to the economy of large segments of Maryland's residents. When I talk to them, and they are mostly family farmers, they come straight out and tell me what they think of price-support programs. They know that they could earn more without the programs.

This was particularly evident when Maryland tobacco farmers voted not to participate in the crop-support program. If they had participated, they would have been ruined by the very program that the Department of Agriculture said would help them. Now, since they rejected one of the Department's programs, the Department has blocked their participation in another program, one designed to encourage the export of American farm products. This is typical of the strong-arm tactics the Department has been known to use over the years.

We are in a year when we cannot afford to throw money away on nonproductive programs. I am sure that a study of the cost effectiveness of our subsidy program would bear out my contention that it is a waste of the taxpayers' money and not in his best interest. It is certainly not in the best interest of the family farmer, and it certainly does nothing to benefit the millions of rural poor in this country. It is for this reason that I have consistently opposed further funding of the CCC program, which frequently in the past has amounted to over one-half of the Agriculture Department's budget.

The measure we are considering today is an appropriation bill, not an authorization, so it is not the place to try and rewrite our outdated farm policy. However, it is the proper place to put some brakes on extravagant programs. It is for this reason that I support this amendment to H.R. 10509.

I ask unanimous consent that a list of farms receiving over $50,000 be printed at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Payments of $500,000 to $999,999 under ASCS programs, 1966 (excluding price-support loans)

ARIZONA

Farmers Investment Co., Aguila (Maricopa County)	$747, 547
Youngker Farms, Buckeye (Maricopa County)	508, 988

CALIFORNIA

Vista Del Lland, Firebaugh (Fresno County)	622, 840
Boston Ranch Co., Lemoore (Fresno County)	506, 061
Kern County Land Co., Bakersfield (Kern County)	652, 057
Westlake Farms, Stratford (Kings County)	622, 569

FLORIDA

South Puerto Rico Sugar Co., South Bay (Palm Beach County)	576, 433

HAWAII

Lihue Plantation Co., Ltd., Honolulu (State office)	577, 426
Oahu Sugar Co., Honolulu (State office)	526, 171
Waialua Agricultural Co., Ltd., Honolulu (State office)	516, 520

PUERTO RICO

Luce & Co., Aguirre (Mayaguez County)	518, 224

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)

ALABAMA

E. F. Mauldin, Town Creek (Lawrence County)	$101, 398

ARIZONA

O. L. Hilburn, Bowie (Cochise County)	116, 000
Goodyear Farms, Litchfield Park (Maricopa County)	275, 056
Bogle Farms, Chandler (Maricopa County)	268, 584
D. R. Hiett, Mesa (Maricopa County)	180, 887
Waddell Ranch Co., Waddell (Maricopa County)	139, 187
Fridenmaker Farms, Phoenix (Maricopa County)	130, 396
Abel Bros., Tolleson (Maricopa County)	129, 358
F. C. Layton, Tolleson (Maricopa County)	126, 358
Ben Riggs & Son, Chandler (Maricopa County)	115, 602
Ed Ambrose, Buckeye (Maricopa County)	114, 975

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ARIZONA—continued

J. L. Hodges Farming Co., Buckeye (Maricopa County)	$114, 619
Bkw Farms, Inc., Marana (Pima County)	285, 508
John Kai, Marana (Pima County)	200, 411
John J. and Ola V. Lord, Tucson (Pima County)	118, 667
Kirby Hughes, Marana (Pima County)	112, 017
C & V Sheep & Cattle Co., Inc., Maricopa (Pinal County)	453, 328
Red River Land Co., Stanfield (Pinal County)	362, 138
Hamilton Farms, Eloy (Pinal County)	347, 810
John D. Singh, Casa Grande (Pinal County)	317, 742
Ak Chin Enterprises, Maricopa (Pinal County)	278, 422
Pima Community Farms, Sacaton (Pinal County)	273, 303
Arizona Farming Co., Eloy (Pinal County)	218, 523
L–4 Ranches, Inc., Queen Creek (Pinal County)	213, 861
Coury Bros., Queen Creek (Pinal County)	193, 437
W. T. Golston Farms, Stanfield (Pinal County)	188, 873
Kirby Hughes, Tucson (Pinal County)	185, 163
Thunderbird Farms, Phoenix (Pinal County)	158, 880
J. A. Roberts, Casa Grande (Pinal County)	155, 276
Imperial Valley Cattle Co., Arizona City (Pinal County)	154, 243
Rancho Tierra Prieta, Eloy (Pinal County)	148, 291
Talla Farms, Inc., Stanfield (Pinal County)	142, 695
Ray Farms Co., Litchfield Park (Pinal County)	134, 239
Isom & Isom, Casa Grande (Pinal County)	132, 166
Milton P. Smith, Jr., Maricopa (Pinal County)	125, 962
Santa Cruz Farms, Inc., Eloy (Pinal County)	109, 875
Paul Brophy, Casa Grande (Pinal County)	109, 256
McCarthy Hilderbrand Farms, Eloy (Pinal County)	108, 315
McFarland & Hanson Ranches, Coolidge (Pinal County)	107, 453
Anderson Bros., Casa Grande (Pinal County)	105, 266
Glenn Lane, Coolidge (Pinal County)	102, 095
Barkley Co. of Arizona, Somerton (Yuma County)	324, 588
Bruce Church, Inc., Yuma (Yuma County)	260, 911
J. W. Olberg, Yuma (Yuma County)	207, 588
Colorado River Trading Co., Parker (Yuma County)	166, 030
Jones Ranches, Eloy (Yuma County)	151, 858
Texas Hill Farms, Yuma (Yuma County)	138, 920
Ben Simmons, Parker (Yuma County)	128, 941
Sherrill Lafollette, Phoenix (Yuma County)	102, 512

ARKANSAS

M. K. Kuhn & B. K. Happell & VKC, (Crittenden County)	215, 525
Bond Pltg. Co., Clarkedale (Crittenden County)	107, 674
Arkansas State Penitentiary, Grady (Lincoln County)	122, 060
George Yarborough, England (Lonoke County)	126, 351
Howe Lumber Co., Inc., Wabash (Phillips County)	255, 822

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ARKANSAS—Continued

Brooks Griffin, Elaine (Phillips County)	$158, 405
Keiser Supply Co., Keiser (southern Mississippi County)	444, 654
Wesson Farms, Inc., Victoria (southern Mississippi County)	177, 083
Rufus C. Branch, Joiner (southern Mississippi County)	118, 024
Armorel Planting Co., Armorel (southern Mississippi County)	102, 405
J. G. Adams and Son, Hughes (St. Francis County)	136, 021

CALIFORNIA

Five Points Ranch, Inc., Five Points (Fresno County)	471, 583
Airway Farms, Inc., Fresno (Fresno County)	364, 177
Jack Harris, Inc., Five Points (Fresno County)	344, 672
Sullivan & Gragnani, Tranquility (Fresno County)	290, 914
McCarthy & Hildebrand, Burrel (Fresno County)	282, 946
Schramm Ranches, Inc., San Joaquin (Fresno County)	270, 600
Timco, Mendota (Fresno County)	250, 005
Redfern Ranches, Inc., Dos Palos (Fresno County)	203, 061
Coit Ranch, Inc., Mendota (Fresno County)	184, 625
W'm H. Noble, Kerman (Fresno County)	166, 794
Frank C. Diener Ranch, Five Points (Fresno County)	161, 522
W. J. Deal, Mendota (Fresno County)	153, 560
Raymond Thomas, Inc., Madera (Fresno County)	153, 279
M. J. & R. S. Allen, Coalinga (Fresno County)	153, 037
Hugh Bennett, Firebaugh (Fresno County)	149, 917
Pilibos Bros., Inc., Fresno (Fresno County)	140, 079
V. C. Britton, Firebaugh (Fresno County)	122, 216
J. E. O'Neill, Inc., Fresno (Fresno County)	116, 564
Linneman Ranches, Inc., Dos Palos (Fresno County)	113, 742
Harnish Five Points, Five Points (Fresno County)	113, 291
Ryan Bros., Mendota (Fresno County)	110, 198
Telles Ranch, Inc., Firebaugh (Fresno County)	108, 398
Wood Ranches, Lemoore (Fresno County)	104, 213
H. B. Murphy Co., Brawley (Imperial County)	358, 079
Elmore Co., Brawley (Imperial County)	287, 026
Jack Elmore, Brawley (Imperial County)	197, 219
Russell Bros. Rches, Inc., Calipatria (Imperial County)	189, 608
W. E. Young & W. E. Young, Jr., Calipatria (Imperial County)	181, 182
Irvine Co., El Centro (Imperial County)	179, 737
C. T. Dearborn, Calipatria (Imperial County)	150, 859
Sinclair Rches, Calipatria (Imperial County)	141, 045
J. H. Benson Est., Brawley (Imperial County)	140, 576
Antone Borchard Co., Brawley (Imperial County)	133, 201
Salton Sea Farms, Calipatria (Imperial County)	128, 762
Stephen H. Elmore, Brawley (Imperial County)	126, 243
Donald H. Cox, Brawley (Imperial County)	110, 196
Neil Fifield Co., Brawley (Imperial County)	107, 892

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

CALIFORNIA—continued	
Wynne & Elmore, Calipatria (Imperial County)	$104, 585
Stafford Hannon, Brawley (Imperial County)	101, 387
Adamek & Dessert, Seeley (Imperial County)	100, 184
S. A. Camp Farms Co., Shafter (Kern County)	426, 922
Miller & Lux, Bakersfield (Kern County)	299, 051
M & R Sheep Co., Oildale (Kern County)	286, 949
Giumarra Vineyard Corp., Bakersfield (Kern County)	246, 882
Houchin Bros. Farming Buttonwillow (Kern County)	245, 313
W. B. Camp & Sons, Bakersfield (Kern County)	192, 080
O. M. Bryant, Jr., Pond (Kern County)	180, 443
Mazzie Farms, Arvin (Kern County)	173, 014
C. J. Vignolo, Shafter (Kern County)	169, 677
Reynold M. Mettler, Bakersfield (Kern County)	129, 743
Tejon Ranch Co., Bakersfield (Kern County)	121, 096
Em. H. Mettler & Sons, Shafter (Kern County)	111, 918
Bidart Bros., Bakersfield (Kern County)	109, 615
McKittrick Ranch, Bakersfield (Kern County)	107, 247
Cattani Bros., Bakersfield (Kern County)	105, 318
Wheeler Farms, Bakersfield (Kern County)	100, 259
West Haven Farming Co., Tulare (Kings County)	289, 841
Vernon L. Thomas, Inc., Huron (Kings County)	285, 953
J. G. Stone Land Co., Stratford (Kings County)	232, 851
Gilkey Farms, Inc., Corcoran (Kings County)	189, 048
Borba Bros., Riverdale (Kings County)	154, 573
Kern River Delta Farms, Wasco (Kern County)	153, 323
Boyett Farming, Corcoran (Kings County)	117, 265
Nichols Farms, Inc., Hanford (Kings County)	112, 677
R. A. Rowan Co., Los Angeles (Kings County)	100, 778
Red Top Ranch, Red Top (Madera County)	133, 555
Bowles Farming Co., Los Banos (Merced County)	141, 375
Wilco Produce, Blythe (Riverside County)	296, 484
Riverview Farm & Cattle Co., Blythe (Riverside County)	266, 654
Clarence Robinson, Blythe (Riverside County)	139, 745
John Norton Farms, Blythe (Riverside County)	128, 735
Kennedy Brothers, Indio (Riverside County)	107, 466
C. J. Shannon & Sons, Tulare (Tulare County)	230, 572
E. L. Wallace, Woodland (Yola County)	149, 636
E. L. Wallace & Sons, Woodland (Yola County)	105, 443
Heidrick Farms, Inc., Woodland (Yola County)	103, 722
COLORADO	
Olive W. Garvey, Garvey Farms Management Co., Colby, Kans. (Kiowa County)	107, 110
Baughman Farms, Inc., Liberal, Kans. (Kit Carson County)	286, 358
FLORIDA	
Talisman Sugar Corp. Belle Glade (Palm Beach County)	$362, 477
Florida Sugar Corp., Belle Glade (Palm Beach County)	151, 146
A. Duda Sons, Inc., Oviedo (Palm Beach County)	130, 064
715 Farms, Ltd., Pahokee (Palm Beach County)	113, 336
Closter Farms, Inc., Belle Glade (Palm Beach County)	100, 475
HAWAII	
Pioneer Mill Co., Honolulu (State office)	489, 369
Ewa Plantation Co., Honolulu (State office)	458, 220
Kekaha Sugar Co., Ltd., Honolulu (State office)	422, 001
Kohala Sugar Co., Honolulu (State office)	420, 019
Grove Farm Co., Inc., Lihue (State office)	376, 678
Laupahoehoe Sugar Co., Honolulu (State office)	359, 639
Honokaa Sugar Co., Honolulu (State office)	358, 627
Hamakua Mill Co., Honolulu (State office)	335, 885
McBryde Sugar Co., Ltd., Honolulu (State office)	317, 639
Hutchinson Sugar Co., Ltd., Honolulu (State office)	312, 986
Puna Sugar Co., Ltd., Honolulu (State office)	302, 336
Kahuku Plantation Co., Honolulu (State office)	208, 135
Gayaud Robinson, Makeweli (State office)	183, 761
INDIANA	
William Gehring, Inc., Rensselaer (Jasper County)	103, 540
IOWA	
Francis Wisor Gooselake (Clinton County)	100, 189
Amana Society, Middle-Amana (Iowa County)	155, 006
KANSAS	
The Garden City Co., Garden City (Kearny County)	100, 032
LOUISIANA	
Scopena Plantation, Bossier City (Bossier Parish)	118, 608
J. P. Brown, Lake Providence (East Carroll Parish)	162, 051
Epps Plantation, Epps (East Carroll Parish)	103, 962
South Coast Corp., Mathews (Lafourche Parish)	281, 823
Southdown, Inc., Thibodaux (Lafourche Parish)	163, 868
J. H. Williams, Natchitoches (Natchitoches Parish)	132, 285
Sterling Sugars, Inc., Franklin (St. Mary Parish)	116, 530
MISSISSIPPI	
Delta and Pine Land Co., Scott (Bolivar County)	468, 529
Robbins and Long, Rosedale (Bolivar County)	132, 609
Dan Seligman, Shaw (Bolivar County)	124, 515
Kline Planting Co., Alligator (Coahoma County)	118, 618
Roundaway Planting Co., Alligator (Coahoma County)	116, 592
Fred Tavoleti & Sons, Clarksdale (Coahoma County)	104, 210
John B. & F. B. McKee, Friar Point (Coahoma County)	103, 950
Oakhurst Co., Clarksdale (Coahoma County)	103, 561
J. H. Sherard & Son, Sherard (Coahoma County)	103, 184
MISSISSIPPI—continued	
Pal Sanders, Walls (De Soto County)	$154, 390
Topanco Caine Farm, Lake Cormorant (De Soto County)	106, 773
B. W. Smith Planting Co., Louise (Humphreys County)	124, 954
Blanche R. Slough, in care of T. L. Reed III, Belzoni (Humphreys County)	124, 354
Buckhorn Planting Co., R.R. 2, Greenwood (Leflore County)	161, 595
Four Fifths Plantation, R.R. 3, Greenwood (Leflore County)	124, 124
West, Inc., R.R. 1, Sidon (Leflore County)	121, 014
Wildwood Plantation, R.R. 3, Greenwood (Leflore County)	117, 042
The Branw Farm, Schlater (Leflore County)	102, 206
Harrison Evans, Shuqualak (Noxubee County)	189, 729
Yandell Bros., Vance (Quitman County)	127, 923
Pantherburn Co., Panther Burn (Sharkey County)	112, 884
Cameta Plantation, Inc., Anguilla (Sharkey County)	105, 164
Mrs. E. C. Eastland, Doddsville (Sunflower County)	129, 997
Duncan Farms, Inc., No. 2, Inverness (Sunflower County)	115, 419
Roy Flowers, Mattson (Tallahatchie County)	162, 647
M. T. Hardy, Webb (Tallahatchie County)	110, 625
Mike P. Sturdivant, Glendora (Tallahatchie County)	106, 533
H. R. Watson & Sons, Tunica (Tunica County)	109, 801
Live Oak Plantation, Arcola (Washington County)	188, 455
Potter Bros., Inc., Arcola (Washington County)	154, 232
Husbandville Plantation, care of W. T. Robertson, Holly Ridge (Washington County)	123, 522
Torrey Wood & Son, Hollandale (Washington County)	118, 143
Trail Lake Plantation, Tralake (Washington County)	115, 179
W. T. Touchberry, care of Peru Plantation, Glen Allan (Washington County)	114, 349
Dean & Co., Tribbett (Washington County)	110, 646
R. A. Ingram, Leland (Washington County)	110, 181
MONTANA	
Campbell Farming, Hardin (Big Horn County)	164, 351
State of Montana, Helena (Sheridan County)	337, 345
NEW MEXICO	
John Garrett & Sons, Clovis (Curry County)	143, 608
Emma Lawrence, Hobbs (Lea County)	158, 261
NORTH CAROLINA	
McNair Farms, Inc., T. J. Harris, Red Springs (Hoke County)	195, 053
OHIO	
Ward Walton & Associates Inc., Upper Sandusky (Marion County)	127, 850
OREGON	
Cunningham Sheep Co., Pendleton (Umatilla County)	107, 647
PUERTO RICO	
A. Roig Sucrs., Humacao (Mayaguez County)	349, 095
C. Brewer P.R. Co., Fajardo (Mayaguez County)	308, 294

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

PUERTO RICO—Continued

Sucn J. Serralles, Mercedita (Mayaguez County)	$274,403
A. Martinez, Jr., trust, Aguadilla (Mayaguez County)	131,385
C. Oppengeimir Admini, Guayanilla (Mayaguez County)	117,900

SOUTH CAROLINA

W. R. Mayes, Mayesville (Sumter County)	167,083

TEXAS

Three Way Land Co., De Kalb (Bowie County)	192,958
H. H. Moore & Sons, Navasota (Brazos County)	274,902
Tom J. Moore, Navasota (Brazos County)	274,719
Est. Geo. C. Chance, Bryan (Burleson County)	112,592
Martha M. Russell, San Benito (Cameron County)	103,134
Edwin P. Carroll, Panhandle (Carson County)	130,093
Hill Farms, Hart (Castro County)	142,119
Ware Farms Co., Dimmitt (Castro County)	107,180
Carl Easterwood, Dimmitt (Castro County)	103,461
Jimmie Cluck, Hart (Castro County)	101,778
J. K. Griffith, Morton (Cochran County)	275,921
John A. Wheeler, Lorenzo (Cochran County)	167,922
Bill Weaver, Lamesa (Dawson County)	111,136
Taft McGee, Hereford (Deaf Smith County)	129,080
Perrin Bros., Hereford (Deaf Smith County)	109,488
R. C. Goodwin, Hereford (Deaf Smith County)	109,212
Lee Moor Farms, Clint (El Pasco County)	101,494
Texas Department of Corrections, Central Farm 520, Sugarland (Fort Bend County)	288,911
Ercell Givens, Abernathy (Hale County)	152,727
Lloyd M. Bentsen, Jr., Houston 2 (Hidalgo County)	152,352
Sebastian Cotton & Grain Corp., Sebastian (Hidalgo County)	133,190
Helen Engelman Stegle, Elsa (Hidalgo County)	121,889
Krenmueller Farms, San Juan (Hidalgo County)	102,879
Rio Farms, Inc., Edcouch (Hidalgo County)	101,801
R. T. Hoover Farms, Fabens (Hudspeth County)	240,518
C. L. Ranch, Del City (Hudspeth County)	119,233
Halsell Estate, Kansas City (Lamb County)	134,586
Busby Farms, Olton (Lamb County)	100,733
Pendell and Roseta Farms, Eagle Pass (Maverick County)	135,048
Sun Valley Farms, Inc., Fort Stockton (Pecos County)	159,810
Clark & Roberts, Pecos (Red River County)	173,407
Worsham Bros., Pecos (Reeves County)	217,126
U-Bar Land and Cattle Co., Pecos (Reeves County)	178,822
Kesey Bros., Pecos (Reeves County)	165,622
Kenneth Lindemann, Pecos (Reeves County)	146,773
Mi Vida Farms, Inc., Pecos (Reeves County)	113,701
John W. Nigliazzo, Hearne (Robertson County)	110,526

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

TEXAS—continued

F. H. Vahlsing, Inc., Mathis (San Patrico County)	$138,880
Fowler E. McDaniel, Tulia (Swisher County)	141,236
W. T. Waggoner trust estate, Vernon (Wilbarger County)	128,007

WASHINGTON

Broughton Land Co., Dayton (Columbia County)	103,545
State of Washington, Department of Natural Resources, Ephrata (Lincoln County)	125,552

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)

ALABAMA

W. L. Corcoran, Eufaula (Barbour County)	$54,666
Ben F. Bowden, Eufaula (Barbour County)	51,227
Joe I. McHugh, Orrville (Dallas County)	90,554
G. T. Hamilton, Hillsboro (Lawrence County)	65,449
Grady Windle Parker, Courtland (Lawrence County)	55,974
T. J. Jones, Sprott (Perry County)	55,330

ARIZONA

Luckett Farms, Bowie (Cochise County)	88,884
M. H. Barnes, San Simon (Cochise County)	70,660
Eaton Fruit Co., Inc., Willcox (Cochise County)	63,152
Gus Arzberger, Willcox (Cochise County)	50,372
H. L. Anderson, Peoria (Maricopa County)	96,915
Southmountain Farms, Inc., Laveen (Maricopa County)	94,381
A. J. Lewis, Scottsdale (Maricopa County)	92,852
Hardesty Bros., Buckeye (Maricopa County)	92,520
Morrison Bros., Higley (Maricopa County)	92,072
Wallace Bales, Buckeye (Maricopa County)	85,210
Harris Cattle Co., Chandler (Maricopa County)	84,639
Sutton Bros., Phoenix (Maricopa County)	82,705
Woodrow Lewis, Chandler (Maricopa County)	79,080
Henry L. Voss, Phoenix (Maricopa (County)	77,989
H. C. McGarity, Buckeye (Maricopa County)	77,058
King Farms, Buckeye (Maricopa County)	73,116
Power Ranches, Inc., Higley (Maricopa County)	72,627
James A. Wilson, Phoenix (Maricopa County)	71,568
S. L. Narramore, Phoenix (Maricopa County)	71,039
Vantex Land & Development (Maricopa County)	68,938
Don H. Bennett, Buckeye (Maricopa County)	68,775
Robert B. Coplen, Laveen (Maricopa County)	65,698
Leyton Woolf, Glendale (Maricopa County)	64,888
Raymond D. Schnepf, Queen Creek (Maricopa County)	63,971
Dougherty Ranch, Phoenix (Maricopa County)	63,287
Gilbert Turner, Buckeye (Maricopa County)	63,128
Phelps & Palmer, Mesa (Maricopa County)	62,501
James M. Hamilton, Chandler (Maricopa County)	60,852

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ARIZONA—continued

Arena Co. of Arizona, Glendale (Maricopa County)	$60,437
S & P Farms, Inc., Gila Bend (Maricopa County)	59,122
W. H. Haggard, Jr., Buckeye (Maricopa County)	58,686
D. L. Hadley, Chandler (Maricopa County)	58,654
Jacob S. Stephens, Buckeye (Maricopa County)	58,127
Barney-Mecham, Queen Creek (Maricopa County)	57,470
M. I. Vance & J. A. Mortensen, Jr., Tempe (Maricopa County)	57,359
R. D. Beebe & Sons, Mesa (Maricopa County)	56,920
F. M. Gorrell, Buckeye (Maricopa County)	56,854
J. S. Hoopes, Chandler (Maricopa County)	55,592
Chico Farms, Peoria (Maricopa County)	55,306
Enterprise Ranch, Buckeye (Maricopa County)	53,835
Dobson & Patterson, Mesa (Maricopa County)	53,098
Arthur E. Price, Chandler (Maricopa County)	52,570
Bob Stump, Phoenix (Maricopa County)	52,361
Salt River Farms, Mesa (Maricopa County)	51,646
Kempton & Snedigar, Tempe (Maricopa County)	51,512
Ted Siek, Glendale (Maricopa County)	50,966
Eldon K. Parish, Phoenix (Mohave County)	74,885
Argee Farms, Inc., Tucson (Pima County)	92,541
C. & W. Ranches, Inc., Marana (Pima County)	86,358
Avra Land & Cattle, Tucson (Pima County)	75,268
Luckett Farms, Cortaro, Tucson (Pima County)	65,813
Claude Hughes, Marana (Pima County)	53,147
Watson Farms, Marana (Pima County)	50,023
Fred Enke, Casa Grande (Pinal County)	95,536
Diwan Ranches, Inc., Casa Grande (Pinal County)	93,281
L Z Farms, Inc., Casa Grande (Pinal County)	92,119
Sunset Ranches, Inc., Eloy (Pinal County)	91,171
Empire Farms, Elroy (Pinal County)	90,905
Bud Antl, Inc., Red Rock (Pinal County)	88,205
Edward Pretzer, Eloy (Pinal County)	84,779
P. S. Thompson, Eloy (Pinal County)	84,599
H. L. Holland, Coolidge (Pinal County)	83,572
Combs & Clegg Ranches, Inc., Queen Creek (Pinal County)	82,019
McFaddin Ranches, Inc., Casa Grande (Pinal County)	80,943
Wilbur Wuertz, Casa Grande (Pinal County)	80,866
Anderson-Palmisand Fms, Maricopa (Pinal County)	80,137
Grant E. Petrson, Coolidge (Pinal County)	78,998
Jack Ralson, Maricopa (Pinal County)	78,618
M. M. Alexander, Eloy (Pinal County)	78,030
C. Ray Robinson, Eloy (Pinal County)	75,902
Chas. Urrea & Sons, Mesa (Pinal County)	74,709
Rex Neely, Chandler (Pinal County)	74,655

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ARIZONA—continued

Pinal Farms, Inc., Stanfield (Pinal County)	$74,077
K. K. Skousen, Chandler (Pinal County)	73,507
Duane Ellsworth, Queen Creek (Pinal County)	72,612
C. J. & L. Farms, Inc., Casa Grande (Pinal County)	71,355
Emmett Jobe, Queen Creek (Pinal County)	70,814
Independent Gin Co., Casa Grande (Pinal County)	69,815
Saguaro Farms, Florence (Pinal County)	69,635
Dunn Farms, Maricopa (Pinal County)	67,587
Crouch Bros., Maricopa (Pinal County)	65,637
N. S. Cooper, Casa Grande (Pinal County)	64,653
Alex & Norman Pretzer, Eloy (Pinal County)	64,162
Finley Bros., Gilbert (Pinal County)	63,453
Marathon Farms, Casa Grande (Pinal County)	61,768
J. H. Farms, Coolidge (Pinal County)	60,772
M. H. Montgomery, Casa Grande (Pinal County)	60,711
Telles Ranch, Inc., Eloy (Pinal County)	60,288
Robert D. Bechtel, Coolidge (Pinal County)	59,613
Bud Blum, Casa Grande (Pinal County)	59,428
J. B. Johnston, Phoenix (Pinal County)	56,210
Korsten & Korsten, Stanfield (Pinal County)	55,057
Buckshot Farms, Inc., Stanfield (Pinal County)	55,048
Roy Wales, Queen Creek (Pinal County)	54,786
Gilbert Bros., Casa Grande (Pinal County)	54,391
John Smith, Maricopa (Pinal County)	54,118
R. P. Anderson, Coolidge (Pinal County)	53,665
Attaway Ranches Trust, Coolidge (Pinal County)	52,971
Otice Self, Stanfield (Pinal County)	52,770
R. W. Neely, Florence (Pinal County)	52,534
Sunshine Valley Ranches, Eloy (Pinal County)	51,342
C. V. Hanna, Coolidge (Pinal County)	50,640
Hamilton Farms, Inc., Florence (Pinal County)	50,279
Earl Hughes, Gadsden (Yuma County)	99,410
Woods Co., Yuma (Yuma County)	81,953
James A. Wilson, Phoenix (Yuma County)	76,929
C and V Growers, Inc., Maricopa (Yuma County)	75,526
Wm. M. Harrison, Yuma (Yuma County)	70,132
M and V Farms, Ehrenberg (Yuma County)	65,509
Glen Holt, Parker (Yuma County)	64,849
Clayton Farms, Ehrenberg (Yuma County)	53,613

ARKANSAS

Alpe Bros., Crawfordsville (Crittenden County)	90,621
J. F. Twist Plantation, Twist (Crittenden County)	89,412
Allen Helms, Clarkedale (Crittenden County)	88,385
Carlson Bros., Marion (Crittenden County)	80,109
N. S. Garrott & Sons, Proctor (Crittenden County)	74,174
Mallory Farms, Chatfield (Crittenden County)	$73,489
Pacco, Inc., Turrell (Crittenden County)	73,000
Pirani & Sons, Turrell (Crittenden County)	72,129
Bruins Plng Co., Hughes (Crittenden County)	71,569
J O E Beck Trust, Hughes (Crittenden County)	71,341
Carter Planting Co., Clarkedale (Crittenden County)	67,581
Richland Plan, Inc., Hughes (Crittenden County)	63,720
O. W. Rodgers, West Memphis (Crittenden County)	63,324
Lake Plantation, care of L. Taylor, Jr., Hughes (Crittenden County)	62,879
H. E. Cupples, Hughes (Crittenden County)	55,999
Bloodworth Co., Crawfordsville (Crittenden County)	54,887
E. H. Clarke & Co., Hughes (Crittenden County)	51,492
William B. Rhodes Co., Marion (Crittenden County)	51,181
James W. Young, Jr., Crawfordsville (Crittenden County)	51,134
Ragland Plant, Inc., care of C. G. Morgan, Hughes (Crittenden County)	50,558
D & J, Inc., Crawfordsville (Crittenden County)	50,532
O'Neal & Son, Inc., Crawfordsville (Crittenden County)	50,343
Nickey-Eason Plantation, Hughes (Crittenden County)	50,025
E. D. McKnight, Parkin (Cross County)	83,353
H. P. Sisk, Parkin (Cross County)	60,729
J. H. Johnston, Jr., Birdeye (Cross County)	51,717
Elms Planting Corporation, Altheimer (Jefferson County)	90,538
Cornerstone Farm & Gin Co., Pine Bluff (Jefferson County)	74,833
B. N. Word Co., Inc., Wabbaseka (Jefferson County)	56,431
Lawrence E. Taylor, Bradley (Lafayette County)	52,651
Sweet Bros., Widener (Lee County)	80,404
H. T. Dillahunty & Sons, Hughes (Lee County)	78,384
C. E. Yancey & Sons, Marianna (Lee County)	75,488
Miller Farms, Inc., Marianna (Lee County)	52,437
Holthoff Bros., Gould (Lincoln County)	60,802
H. R. Wood & Son, Inc., Grady (Lincoln County)	53,614
Price Plantation, Inc., Garland (Miller County)	51,993
Ralph Abramson, Holly Grove (Monroe County)	54,758
Highland Lake Farm, 46 Waverly Wood, Helena (Phillips County)	88,748
Alexander Farms, Inc., 46 Waverly Wood, Helena (Phillips County)	81,758
Wood-Sanderlin Farm, Crumrod (Phillips County)	69,647
Buron Griffin, Box 571, Helena (Phillips County)	61,868
Tunney Stinnett, Elaine (Phillips County)	55,699
A. R. Keesee, 326 Walnut, Helena (Phillips County)	51,057
Riverside Farm. R.F.D. 1, Box 330D, Helena (Phillips County)	50,561
Semmes Farm Corp., Box 205, Joiner (South Mississippi County)	73,368
Lowrance Bros. & Co., Driver, (South Mississippi County)	72,864
R. D. Hughes, Box 67, Blytheville (South Mississippi County)	70,915
H. T. Bonds Sons., Inc., R.F.D. 1, Lepanto (South Mississippi County)	59,439
Leonard Ellison, Luxora (South Mississippi County)	$58,868
M. J. Koehler, Dell (South Mississippi County)	58,282
Wesley Stallings, R.F.D. 2, Box 47, Blytheville (South Mississippi County)	57,288
J. A. Crosthwait, Box 351, Osceola (South Mississippi County)	55,689
Midway Farms, Inc., R.F.D. 1, Joiner (South Mississippi County)	55,673
Henry Battle, Box 157, Joiner (South Mississippi County)	51,622
Larry Woodard Farms, Inc., Lepanto (South Mississippi County)	50,867
Miller Lumber Co., Marianna (St. Francis County)	97,174
W. W. Draper, Jr., 402 Mockinbird Lane, Forrest City (St. Francis County)	89,389
Shannon Bros. Enterprises, Box 2863 Desota Sta., Memphis, Tenn. (St. Francis County)	64,841
M. E. Johnson, Widener (St. Francis County)	59,810
Chappell & Moore, Box 166, Forrest City (St. Francis County)	55,649
John T. Higgins & Son, Forrest City (St. Francis County)	55,340
L. E. Burch, Jr., Hughes (St. Francis County)	52,866

CALIFORNIA

M & T, Inc., P.O. Box 308, Chico (Butte County)	57,793
Giusti Farms, Suite 904, 2220 Tulare, Fresno (Fresno County)	95,712
Weeth Ranches, Inc., Box 924, Coalinga (Fresno County)	90,078
O'Neill Farms, Inc., P.O. Box 5, Huron (Fresno County)	86,938
Wolfsen Bros., P.O. Box 311, Los Banos (Fresno County)	86,606
Pappas & Co., Inc., P.O. Box 477, Mendota (Fresno County)	84,070
M. L. Dudley & Co., 515 N. Harrison, Fresno (Fresno County)	83,871
Rabb Bros., Box 736, San Joaquin (Fresno County)	83,095
S. E. Lowrance Ranch, Box 36, Tranquillity (Fresno County)	78,887
Gordon Bros., P.O. Box 366, Tranquillity (Fresno County)	74,821
Deavenport Ranches, Inc., 910 E. Swift, Fresno (Fresno County)	73,882
J & J Ranch, P.O. Box 155, Firebaugh (Fresno County)	73,091
Hogue Produce Co., Box 66, Firebaugh (Fresno County)	71,796
Sam & D. M. Biancucci, P.O. Box 337, Firebaugh (Fresno County)	71,184
J. C. Anderson, 10610 W. Whitesbridge, Fresno (Fresno County)	70,973
Poso Dairy Farms, Inc., 38282 W. Silaxo, Firebaugh (Fresno County)	70,834
Goodman Traction Rranch, Box 427 Tranquillity (Fresno County)	66,635
Sierra Dawn Farms, 45949 W. Shields, Firebaugh (Fresno County)	64,127
Drew Farms, Inc., 50860 W. Herndon, Firebaugh (Fresno County)	62,680
S & S Ranch, Inc., Box 22, Mendota (Fresno County)	62,595
Wood & Gragnani, P. O. Box 333, Tranquillity (Fresno County)	61,821
J. B. Hawkins, P.O. Box 566, Fresno (Fresno County)	61,768
Starkey & Erwin, P.O. Box 669, Avenal (Fresno County)	61,453
Vincent Kovacevich, 8580 W. Whitesbridge, Fresno (Fresno County)	60,341
Willson Farms, Inc., Fresno (Fresno County)	59,589

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

CALIFORNIA—*continued*

Kriesant Operating Co., Inc., Mendota (Fresno County)	$58,854
Griffin & Griffin, Coalinga (Fresno County)	57,882
Pucheu Ranch, Mendota (Fresno County)	57,356
Robert Cardwell, Fresno (Fresno County)	56,436
Marchini Bros., Tranquillity (Fresno County)	56,032
Aladdin Ranch, Fresno (Fresno County)	52,805
W. A. Klepper & Son, Caruthers (Fresno County)	52,749
Ed Wilkins, Tranquillity (Fresno County)	52,096
Davis Drier & Elevator, Inc., Firebaugh (Fresnno County)	51,464
Claremont Farms, Huron (Fresno County)	51,374
Vierhus Farms, Coalinga (Fresno County)	51,312
BTV Farms, Tranquillity (Fresno County)	51,216
Rusconi Farms, San Joaquin (Fresno County)	51,203
W. F. McFarlane, Clovis (Fresno County)	51,106
Coelho Farms, Riverdale (Fresno County)	50,939
Frank Ayerza, Tranquillity (Fresno County)	50,186
Williams & Quick, Calipatria (Imperial County)	95,083
Chas. Vonderahe, San Diego (Imperial County)	87,698
Griset Bros., Santa Ana (Imperial County)	87,319
George B. Willoughby, El Centro (Imperial Valley)	86,156
Jack Bros. & McBurney, Inc., Brawley (Imperial County)	85,059
Reese & Krepla, Westmorland (Imperial County)	79,701
Johnson & Drysdale, Brawley (Imperial County)	78,824
Fifield Farms, Brawley (Imperial County)	76,062
California Sturges Ginning Co., Arizona (Imperial County)	75,451
Ed Wiest, Brawley (Imperial County)	75,120
Hugh Hudson Ranches, Calipatria (Imperial County)	74,331
Hawk & Sperber, Holtville (Imperial County)	72,926
John Baretta, Calipatria (Imperial County)	68,578
Abatti Bros., El Centro (Imperial County)	68,279
Harry Schmidt Farms, Brawley (Imperial County)	66,426
Dessert Seed Co., Inc., El Centro (Imperial Valley)	65,784
J. N. Osterkamp Rches, Brawley (Imperial County)	62,719
J. M. Bryant, Calipatria (Imperial County)	61,173
House & Haskell, El Centro (Imperial County)	59,690
Kenneth Reynolds, Calipatria (Imperial County)	59,621
Dearborn & Maraccini, Calipatria (Imperial County)	56,892
Davis Beauchamp, Calipatria (Imperial County)	56,589
Robert C. Brown, Brawley (Imperial County)	56,564
Correll Farms, Inc., Calipatria (Imperial County)	54,784
Jake Brown, Brawley (Imperial County)	54,112
Jeankins Farms, El Centro (Imperial County)	51,616
Opal Fry & Son, Bakersfield (Kern County)	99,114
L. I. Rhodes & Sons, Wasco (Kern County)	$90,280
M & I Farms, Delano (Kern County)	96,830
Coberly West Co., Bakersfield (Kern County)	95,766
Twin Farms, Buttonwillow (Kern County)	92,168
Kern Valley Farms, Arvin (Kern County)	91,566
Sanders & Sanders, Bakersfield (Kern County)	88,696
The Mirasol Co., Buttonwillow (Kern County)	87,817
Willis & Kurtz, Bakersfield (Kern County)	87,542
Rossi Bros. Bakersfield (Kern County)	87,149
G. Mendiburu & Son, Oildale (Kern County)	38,347
Tracy Fanch, Inc., Buttonwillow (Kern County)	85,034
Milham Farms, Bakersfield (Kern County	83,234
Campco Farming Co., Shafter (Kern County)	79,744
Paul Pilgrim, Shafter (Kern County)	78,869
Sill Prop, Inc., Bakersfield (Kern County)	78,427
E. O. Mitchell, Inc., Arvin (Kern County)	78,096
W. A. Banks, Bakersfield (Kern County)	73,442
L. A. Robertson Farms, Inc., Shafter (Kern County)	73,281
John Kovacevich, Arvin (Kern County)	71,794
C. Mettler, Bakersfield (Kern County)	70,569
Ridgeside Farms, Arvin (Kern County)	70,169
Kennedy & Stephens, Bakersfield Kern County)	68,605
Sanders Farms, Bakersfield (Kern County)	68,580
Voth Farms, Inc., Wasco (Kern County)	68,549
Cerros Bros., Bakersfield (Kern County	66,980
Barnard Bros., Bakersfield (Kern County)	66,796
South Lake Ranch, Bakersfield Kern County)	64,185
Porter Land Co., Bakersfield (Kern County)	63,191
B. S. Baldwin, Bakersfield (Kern County)	62,512
C. R. Wedel Estate, Wasco (Kern County)	62,008
Marvin Lane, Shafter (Kern County)	61,881
Garone Bros., Bakersfield (Kern County)	61,833
Henson & Sons, Bakersfield (Kern County)	60,288
Robert T. Johnson, Bakersfield (Kern County)	60,208
Jimmie Icardo, Bakersfield (Kern County)	59,990
Joe G. Fanucchi & Sons, Bakersfield (Kern County)	59,630
S. K. Farms, Buttonwillow (Kern County)	59,233
W. B. Camp, Jr., Inc., Bakersfield (Kern County)	59,187
S. Chernabaeff, Wasco (Kern County)	55,736
Antongiovanni Bros., Bakersfield (Kern County)	55,615
John Valpredo, Bakersfield (Kern County)	54,858
Bloemhof May Co., Buttonwillow (Kern County)	53,816
Parsons Ranch, Buttonwillow (Kern County)	53,175
I & M Sheep Co., Oildale (Kern County)	$52,795
Little & Hanes, Wasco (Kern County)	52,473
H. Buller Farms, Bakersfield (Kern County)	51,718
J. Kroeker Sons, Shafter (Kern County)	51,366
Barling Bros., Wasco (Kern County)	50,888
Schwartz Farms, Inc., Stratford (Kings County)	93,510
Wedderburn Bros., Lemoore (Kings County)	91,675
Harp & Hansen, Corcoran (Kings County)	83,444
Newton Bros., Stratford (Kings County)	80,963
Loan Oak Ranch, Corcoran (Kings County)	77,151
Jones Farms, Stratford (Kings County)	71,605
F. Hansen Ranch, Corcoran (Kings County)	68,561
Peterson Farms, Corcoran (Kings County)	62,582
Inco Farms, Inc., Bonsall (Kings County)	58,274
W. W. Boswell, Jr., Corcoran (Kings County)	58,188
R. S. Barlow, Lemoore (Kings County)	54,110
John Fuson, Lebec (Los Angeles County)	88,755
Godde & Ritter, Lancaster (Los Angeles County)	58,063
Schuh Bros., Chowchilla (Madera County)	95,365
Dave Mendrin & Sons, Madera (Madera County)	93,740
Hooper Farms, Inc., Chowchilla (Madera County)	62,759
A. K. Baker, Madera (Madera County)	62,587
San Juan Ranching Co., Dos Palos (Merced County)	86,286
Wolfsen Land & Cattle, Los Banos (Merced County)	74,745
Mesa Farms, Inc., King City (Monterey County)	68,028
Rummonds Bros. Ranches, Thermal (Riverside County)	68,356
George Arakelian, Blythe (Riverside County)	67,250
George T. Scott, Blythe (Riverside County)	63,692
Delta Ranches, Inc., Blythe (Riverside County)	52,335
Pi-Land & Cattle Co., Blythe (Riverside County)	51,185
Rey Brothers, Paicines (San Benito County)	55,116
Salyer Victoria, Inc., Hanford (San Joaquin County)	67,347
Jackson & Reinert, Paso Robles (San Luis Obispo County)	51,493
R. L. Calhoun, Taft (Santa Barbara County)	58,613
Arnold Collier, Dixon (Salano County)	51,038
Newhall Land & Farming, El Nido (Sutter County)	74,418
F. J. McCarthy & Sons, Tulare (Tulare County)	95,890
G. L. Pratt, Visalia (Tulare County)	88,783
Roy D. Murray, Earlimart (Tulare County)	86,809
Lesley W. Smith, Pixley (Tulare County)	76,011
Jack Phillips, Delano (Tulare County)	70,132
Porter Estate Co., San Francisco (Tulare County)	65,550
Correia Bros., Visalia (Tulare County)	62,928

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

CALIFORNIA—continued	
E. W. Merrit Est., Porterville (Tulare County)	$58,825
Roberts Farms, Inc., Porterville (Tulare County)	58,120
J & J Farms, Tulare (Tulare County)	57,630
Di Giorgio Fruit Corp., Delano (Tulare County)	56,100
Baker Bros., Earlimart (Tulare County)	54,844
Mitchellinda Ranches, Alpaugh (Tulare County)	52,303
A.T. & J.R. Villard, Delano (Tulare County)	51,138
McCallister Bros., Visalia (Tulare County)	50,472
Doe Cattle & Land Co., Visalia (Tulare County)	50,464
C. Bruce Mace Ranch, Inc., Davis (Yola County)	88,017
Layton Knaggs, Woodland (Yola County)	64,940
Chew Bros., Sacramento (Yola County)	52,772
Heidrick Bros., Woodland (Yola County)	51,763
COLORADO	
Monaghan Farms Co., Commerce City (Adams County)	51,427
Spady Bros., Las Animas (Bent County)	51,626
Jake Broyles, Lamar (Bent County)	50,084
John Kriss, Kansas (Cheyenne County)	64,214
Profit Sharing TR 3–D, Inc., Denver (Crowley County)	86,575
Delmer Zweygardt, Burlington (Kit Carson County)	90,154
Penny Ranch, Burlington (Kit Carson County)	58,333
Hinkhouse Bros., Burlington (Kit Carson County)	51,826
X Y Ranch Co., in care of Ray Jameson, Granada (Prowers County)	87,884
C. H. Fletcher, Lycan (Prowers County)	50,909
Jean Eichheim, Nunn (Weld County)	50,815
FLORIDA	
John Tiedtke, Clewiston (Glades County)	79,230
Sugarcane Farms, Palm Beach (Palm Beach County)	98,065
S. N. Knight Sons, Inc., Belle Glade (Palm Beach County)	95,699
S. D. Sugar Corp., Belle Glade (Palm Beach County)	80,999
Wedgeworth Farms, Inc., Belle Glade (Palm Beach County)	73,772
Vinegar Bend Farms, Inc., Belle Glade (Palm Beach County)	71,022
New Hope Sugar Co., Palm Beach (Palm Beach County)	68,564
Sam Senter Farms, Inc., Belle Glade (Palm Beach County)	65,890
Billy Rogers Farms, South Bay (Palm Beach County)	64,839
Hatton Bros., Inc., Pahokee (Palm Beach County)	62,984
J. Allen Baker Farms, Gelle Glade (Palm Beach County)	58,441
South Bay Growers, Inc., South Bay (Palm Beach County)	55,463
Eastgate Farms, Inc., Orlando (Palm Beach County)	51,880
GEORGIA	
Quinton Rogers, Waynesboro (Burke County)	60,213
Roy Barefield, Alexander (Burke County)	55,300
Singletary Farms, Blakely (Early County)	63,994
Hubert Cheek, Jr., Bowersville (Hart County)	53,091
GEORGIA—continued	
W. A. Rountree, Dublin (Laurens County)	$54,866
W. J. Estes, Haralson (Meriwether County)	51,670
D. W. Malcom, Bostwick (Morgan County)	64,594
Rufus Peede, Ellaville (Schley County)	60,249
Millhaven Co., J. K. Boddiford, manager, Millhaven (Screven County)	51,555
W. K. Jones, Dawson (Terrell County)	53,530
Guy H. Shivers, Sr., Norwood (Warren County)	62,529
Fred C. Evans, Bartow (Washington County)	54,496
HAWAII	
Waimea Sugar Mill Co., Ltd., Honolulu (State office)	54,731
IDAHO	
J. Walt Vanderford, Aberdeen (Bingham County)	52,166
Heclar Ranch, Inc., Burley (Cassia County)	80,329
Vernon B. Clinton, Rupert (Minidoka County)	61,897
Ruby Co. Farms, Inc., Burley (Minidoka County)	57,568
Morgan Shillington Farms Co., Rupert (Minidoka County)	55,570
Wagner Brothers, Inc., Lewiston (Nez Perce County)	65,500
Ira McIntosh and Sons, Lewiston (Nez Perce County)	59,205
ILLINOIS	
C. H. Moore Trust Est., Clinton (De Witt County)	65,447
Meadowlark Farms, I. H. Reiss, Fisher Building, Sullivan (Fulton County)	60,915
Edward C. Sumner, Jr., Milford (Iroquois County)	56,818
Midlane Farm Ct. Club, Dennis Gent, Wadsworth (Lake County)	70,177
Martin Bros. Implement Co., Roanoke (Woodford County)	77,965
INDIANA	
Pinelands N A, Fort Wayne (Allen County)	9,794
Dale Armbruster, Woodburn (Allen County)	5,084
Interstate Industrial Pk., Fort Wayne (Allen County)	1,516
Savich Farms, Rensselaer (Jasper County)	56,895
Robert A. Churchill, Lake Village (Newton County)	65,247
Mary Jo Hegarty, Newport (Parke County)	42,649
Overmyer Farms, care of Lee Overmyer, Francesville (Pulaski County)	74,364
Arthur P. Gumz, North Judson (Pulaski County)	66,118
E. Gumz, Inc., North Liberty (St. Joseph County)	57,320
Richard Gumz, North Judson (Starke County)	85,802
IOWA	
Garst Co., Coon Rapids (Carroll County)	70,923
KANSAS	
First National Bank Trust, M. Lewis, First National Bank, Kansas City (Comanche County)	64,873
Andrew E. Larson, Garden City (Finney County)	53,813
A. Sell Estate, Aurora, Colo. (Greeley County)	65,250
O. Steele, Ford (Greeley County)	59,807
Kleymann Bros., care of F. J. Kleymann, Tribune (Greeley County)	50,038
KANSAS—continued	
Vernon G. Kropp, Winfield (Kearney County)	$67,553
W. R. Cottrell, Meade (Meade County)	56,263
J. Edmond Ely, Garden City (Scott County)	65,885
Lloyd Kontny, Goodland (Sherman County)	50,962
G H J Farms, Ltd., Johnson (Stanton County	75,285
Paul E. Plummer & Sons, Johnson (Stanton County)	68,183
Clarence Winger, Johnson (Stanton County)	58,192
Walter Herrick, Johnson (Stanton County)	51,121
James S. Garvey, Colby (Thomas County)	97,267
Willard W. Garvey, Colby (Thomas County)	59,846
Herman Bott, Palmer (Washington County)	50,508
KENTUCKY	
Lambert Scott, Ledbetter (Livingston County)	94,331
LOUISIANA	
Churchill & Thibaut, Inc., Donaldsonville (Ascension County)	51,062
Rosedale Planting Co., Inc., Benton (Bossier County)	50,214
Clyde Clements, Clements Bros., Ida (Caddo County)	78,790
Stinson & Stinson, Gilliam (Caddo County)	59,660
R. G. Smitherman, Jr., Shreveport (Caddo County)	58,906
Cecilia L. Ellerbe, Shreveport (Caddo County)	54,795
L. R. Kirby, Jr., Belcher (Caddo County)	53,159
G. A. Frierson, Shreveport (Caddo County)	50,273
Carrol Rice, Sicily Island (Catahoula County)	55,437
Hollybrook Land Co., Inc., Lake Providence (E. Carroll County)	86,949
Russell Fleeman, Lake Providence (E. Carroll County)	53,803
Shepherd & Shepherd, Lake Providence (E. Carroll County)	51,610
A. Wilberts Sons L/S Co., Plaquemine (Iberville County)	74,559
Ashly Plantation, Tallulah (Madison County)	64,148
Barham, Inc., care of Joe Barham, Oak Ridge (Morehouse County)	96,902
James U. Yeldell, Jr., Mer Rouge (Morehouse County)	61,567
Mason & Goodwin, Monroe (Ouachita County)	77,098
W. A. Calloway, Boxco (Ouachita County)	65,587
L. H. Woodruff, McDade (Red River County)	57,257
R. R. Rhymes Farm, Rayville (Richland County)	54,211
C. L. Morris, Rayville (Richland County)	54,134
Rodrigue Planting Co., Vacherie (St. Charles County)	72,235
E. R. McDonald & Sons, Newellton (Tensas County)	73,466
Milliken & Farwell, Inc., Port Allen (West Baton Rouge County)	75,904
Harry L. Laws, Co., Inc., Brusly (West Baton Rouge County)	53,129
Louisiana State Penitentiary, Angola (West Feliciana County)	92,135
MISSISSIPPI	
J. A. Howarth, Jr., Cleveland (Bolivar County)	98,744
Allen Gray Estate, Benoit (Bolivar County)	97,955

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

MISSISSIPPI—continued

Brooks Cotton Co., Shelby (Bolivar County)	$90, 090
McMurchy Farms, Duncan (Bolivar County)	77, 193
Lewis Barksdale, Jr., Deeson (Bolivar County)	67, 200
Carr Planting Co., D. C. Carr, Jr., Clarksdale (Bolivar County	65, 818
H. B. Hood, Duncan (Bolivar County)	64, 440
J. R. Smith, Merigold (Bolivar County)	62, 296
W. L. Smith, Cleveland (Bolivar County)	60, 906
Dossett Plantation, Inc., Beulah (Bolivar County)	59, 923
H. H. Lawler, Rosedale (Bolivar County)	53, 927
Warfield Bros., Gunnison (Bolivar County)	52, 630
J. E. Bobo, Gunnison (Bolivar County)	51, 989
Charles A. Russell, Beulah (Bolivar County)	51, 007
Cloverdale Planting Co., Alligator (Bolivar County)	50, 505
W. H. Howarth, Skene (Bolivar County)	50, 389
W. J. Linn, Houston (Chickasaw County)	51, 974
King & Anderson, Inc., Clarksdale (Coahoma County)	96, 525
J. & M. McKee, Friars Point (Coahoma County)	82, 112
Garrett & Son, Clarksdale (Coahoma County)	81, 225
H. H. Twiford, Alligator (Coahoma County)	71, 579
Fox Bros., Clarksdale (Coahoma County)	71, 573
Mohead Planting Co., Lula (Coahoma County)	70, 455
W. S. Heaton, Jr., Lyon (Coahoma County)	68, 399
J. R. Weeks, Clarksdale (Coahoma County)	65, 504
P. F. Williams & Son, Clarksdale (Coahoma County)	63, 605
Leon C. Bramlett, Clarksdale (Coahoma County)	62, 974
Graydon Flowers, Matson (Coahoma County)	62, 068
Connell & Co., Clarksdale (Coahoma County)	58, 805
Johnson Bros., Friars Point (Coahoma County)	56, 562
Wheeler-Graham, Coahoma (Coahoma County)	55, 868
Carr-Mascott Planting, Inc., Clarksdale (Coahoma County)	55, 812
J. H. Pruett, Lyon (Coahoma County)	54, 832
Simmons Planting Co., Clarksdale (Coahoma County)	54, 390
W. E. Young, Bobo (Coahoma County)	53, 232
Maryland Planting Co., Clarksdale (Coahoma County)	52, 843
Allen & Ritch, Lyon (Coahoma County)	51, 237
C. E. Rhett, Lyon (Coahoma (County)	50, 069
Banks & Co., Hernando (De Soto County)	96, 124
Howard & Blythe Plant, Lake Cormorant (De Soto County)	86, 780
R. L. Sullivan, Walls (De Soto County)	64, 127
R. S. Jarratt, Walls (De Soto County)	53, 157
Gaddis Farms, Inc., Raymond (Hinds County)	57, 361
C. D. Noble, Edwards (Hinds County)	51, 289
Egypt Planting Co., Cruger (Holmes County)	92, 444
Stonewall Planting Co., Thornton (Holmes County)	$62, 616
Wayne Watkins, Cruger (Holmes County)	59, 669
Lynchfield Planting Co., Tchula (Holmes County)	54, 525
Pluto Planting Co., Thornton (Holmes County)	51, 703
James E. Colman, Yazoo City (Humphreys County)	88, 769
C. B. Box Co., Midnight (Humphreys County)	79, 403
Nerren Brothers, Isola (Humphreys County)	75, 306
Spencer H. Barret, Belzoni (Humphreys County)	73, 164
Cordon & Partridge, Louise (Humphreys County)	68, 975
R. D. Hines, Yazoo City (Humphreys County)	52, 718
A. B. Jones, Jr., Belzoni (Humphreys County)	52, 551
Hagan and Bruton, Hollandale (Issaquena County)	87, 220
Loyd M. Heigle, Mayersville (Issaquena County)	63, 692
Johnson Brithers, Valley Park (Issaquena County)	51, 221
Twenty Miles Planting, Inc., Tupelo (Lee County)	82, 462
Race Track Plantation, Greenwood (Leflore County)	96, 755
O. F. Bledsoe Plantation, Greenwood (Leflore County)	83, 570
Roebuck Plantation, Sidon (Leflore County)	81, 024
L. W. Wade Farms, Inc., Greenwood (Leflore County)	79, 133
New Hope Plantation, Greenwood (Leflore County)	77, 605
H. C. McShan, Schlater (Leflore County)	70, 239
Joe Pugh, Itta Bena (Leflore County)	66, 899
Reynolds Planning Co., Glendora (Leflore County)	63, 575
Ruby Planting Co., In care of J. F. Shaw, Money (Leflore County)	63, 426
Ed Hunter Steele, Morgan City (Leflore County)	62, 809
Runnymede Plantation, Itta Bena (Leflore County)	60, 778
Maloney Farms, Itta Bena (Leflore County)	60, 667
T. J. Carter, Money (Leflore County)	58, 652
Hobson Gary, Schlater (Leflore County)	56, 656
Elmwood Plantation, Greenwood (Leflore County)	55, 903
Sturdivant & Bishop, Minter City (Leflore County)	54, 119
W. L. Craig, Greenwood (Leflore County)	51, 771
Roberson Plantation, Minter City (Leflore County)	50, 541
B. G. McGeary, Sidon (Leflore County)	50, 141
George H. Moore, Canton (Madison County)	51, 056
Hays Bros. & Hall, Sardis (Panola County)	63, 297
J. H. Magee, Batesville (Panola County)	59, 647
W. S. Taylor, Jr., Como (Panola County)	51, 803
F. R. Wright, Jr., Lambert (Quitman County)	79, 533
Dalmar Plantation, Marks (Quitman County)	65, 173
Roger Davidson, Marks (Quitman County)	63, 404
Wise Bros., Jonestown (Quitman County)	54, 502
J. W. Patrick, Jr., Brandon (Rankin County)	57, 819
Murphy Jones, Nitta Yuma (Sharkey County)	$89, 967
H. G. Carpenter, Rolling Fork (Sharkey County)	84, 126
Raymond Brown & J. M. Brown, Anguilla (Sharkey County)	83, 419
Moore Planting Co., Inc., Cary (Sharkey County)	65, 381
Realty Plantation, Inc., Rolling Fork (Sharkey County)	60, 722
Powers Co., Inc., Cary (Sharkey County)	59, 404
Evanna Plantation, Inc., Cary (Sharkey County)	59, 086
Baconia Plantation, Inc., Cary (Sharkey County)	57, 557
Little Panther Plantation, Leland (Sharkey County)	52, 346
S. M. Montgomery, Rolling Fork (Sharkey County)	51, 023
J. B. Dunaway & Sons, Anguilla (Sharkey County)	50, 009
Brooks Farms, Drew (Sunflower County)	96, 784
W. D. Patterson, Rome (Sunflower County)	93, 751
Bridwell Farms, care of Grady Todd, Shelby (Sunflower County)	79, 652
Millups Plantation, Inc., Indianola (Sunflower County)	58, 894
Allen & Brashier Planting Co., Indianola (Sunflower County)	69, 511
V. A. Johnson, Indianola (Sunflower County)	69, 245
William M. Pitts, Indianola (Sunflower County)	67, 600
Mateele M. Brewer, Inverness (Sunflower County)	66, 760
W. P. Scruggs, Doddsville (Sunflower County)	66, 325
M. W. Jefcoat, Sunflower (Sunflower County)	65, 077
Mrs. Virginia Polk, care of J. G. Prichard, Inverness (Sunflower County)	64, 436
Douglas Mallette, Indianola (Sunflower County)	63, 690
Shurden and Owens, Drew (Sunflower County)	62, 762
Philip Fratesi, Indianola (Sunflower County)	62, 687
J. Levingston Estate, Ruleville (Sunflower County)	56, 665
C. S. Simmons, Jr., Inverness (Sunflower County)	56, 665
W. O. Shurden, Drew (Sunflower County)	56, 034
George Lipe, Indianola (Sunflower County)	55, 903
Brewer Morgan, Sunflower (Sunflower County)	55, 887
Mateele M. Brewer, Inverness (Sunflower County)	51, 920
J. B. Baird, Inverness (Sunflower County)	51, 376
J. L. Hill, Jr., Webb (Tallahatchie County)	71, 185
Annapeg, Inc., Minter City (Tallahatchie County)	75, 842
T. C. Buford, Glendora (Tallahatchie County)	74, 600
Jerry Falls, Webb (Tallahatchie County)	71, 079
Equen Plantation, care of W. F. Darnell, Minter City (Tallahatchie County)	67, 092
Twilight Plantation, Swan Lake (Tallahatchie County)	65, 239
Rainbow Planting Co., care of W. W. Pearson, Webb (Tallahatchie County)	61, 075
E. C. Fedric, Glendora (Tallahatchie County)	59, 706
Ralph T. Hand, Jr., Glendora (Tallahatchie County)	59, 549

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

MISSISSIPPI—continued

Hoparka Plantation, care of F. M. Mitchener, Sumner (Tallahatchie County)	$58,499
J. A. Townes, Minter City (Tallahatchie County)	57,584
E. D. Graham, Sumner (Tallahatchie County)	56,573
T. B. Abbey, Jr., Webb (Tallahatchie County)	53,207
Triple M. Planting Co., Sumner (Tallahatchie County)	52,526
J. R. Flautt & Sons, Swan Lake (Tallahatchie County)	52,423
Cotton Dixie, Inc., care of J. B. Baker, Webb (Tallahatchie County)	52,380
Frank Sayle, Charleston (Tallahatchie County)	52,273
S. M. Fewell & Co., Vance, Tallahatchie County)	50,238
B. F. Harbert Co., Robinsonville (Tunica County)	99,294
Parker Farms, Tunica (Tunica County)	91,143
U. O. Bibb, Jr., Tunica (Tunica County)	88,804
M. L. Earnheart Co., Tunica (Tunica County)	85,812
S. C. Wilson & Son, care of Shelby T. Wilson, Dundee (Tunica County)	84,869
Owen Brothers, Tunica (Tunica County)	84,477
Abbay and Leatherman, Inc., Robinsonville (Tunica County)	82,509
Hood Farms, Inc., Tunica (Tunica County)	77,078
Paul Battle, Tunica (Tunica County)	76,176
Arnold Farms, Inc., Tunica (Tunica County)	75,662
Clinton P. Owen, Robinsonville (Tunica County)	73,363
R. W. Owen, Inc., Tunica (Tunica County)	71,030
S. A. Arnold, Jr., Tunica (Tunica County)	65,594
M. P. Moore, Senatobia (Tunica County)	63,655
Oaklawn Plantation, Inc., Dundee (Tunica County)	61,320
T. O. Earnheart Co., Tunica (Tunica County)	60,550
Carl C. May, West Helena, Ark. (Tunica County)	60,375
A. S. Perry & Sons, Tunica (Tunica County)	60,065
Withers & Seabrook, Tunica (Tunica County)	50,504
Hugh Stephens, New Albany (Union County)	81,328
Aden Brothers, Inc., Valley Park (Warren County)	77,035
H. K. Hammett & Sons, Greenville (Washington County)	95,858
I. D. Nunnery, Arcola (Washington County)	92,361
Walker Farms, Inc., Care of George R. Walker, Stoneville (Washington County)	92,117
Clyde V. Gault, Leland (Washing- County)	82,520
Gilnockie Planting Co., Leland (Washington County)	77,013
Baker Plant Co., Leland (Washington County)	75,308
Fairfax Plantation, Ben Walker, Tribett (Washington County)	72,606
Hiram W. Hill, Indiannola (Washington County)	70,477
Alex Curtis, Leland (Washington County)	63,414
Dogwood Plantation, W. E. Taylor, Greenville (Washington County)	59,378
Refuge Plantation, Inc., Greenville (Washington County)	58,770
J. C. Reed, Leland (Washington County)	$57,896
Lakeland Farms, Hollandale (Washington County)	57,383
Montgomery & Grissom, Leland (Washington County)	57,139
John T. Dillard, Leland (Washington County)	56,742
E. J. Ganier, Percy (Washington County)	55,784
Andrews Bros., A. L. Andrews, Leland (Washington County)	54,872
Dan L. Smythe, Leland (Washington County)	53,715
Billy Joe & Franklin Trotter, Hollandale (Washington County)	50,167
J. C. Sides, Sr., Coffeeville (Yalobusha County)	86,349
Lakeview Planting Co., Yazoo City (Yazoo County)	95,442
H. S. Swayze, Benton (Yazoo County)	92,241
E. T. Jordan & Sons, Yazoo City (Yazoo County)	87,514
Roby Walker, Bentonia (Yazoo County)	65,730
D. H. Dew, Eden (Yazoo County)	61,003
Johnson & Simmons, Bentonia (Yazoo County)	59,975
E. T. Schaefer, Yazoo City (Yazoo County)	51,874
Seward & Harris, Midnight (Yazoo County)	50,622
S. C. Coleman, Yazoo City (Yazoo County)	50,431

MISSOURI

J. F. Ward, Gilman City (Davies County)	69,029
Donald E. Morris, Fortescue (Holt County)	52,574
Rlds Church, care of Don Elfson Rlds Audit, Independence (Jackson County)	69,430
East Fork Ranch, care of Tony Lolli, Macon (Macon County)	69,316
Wolf Island Farms, Wolf Island (Mississippi County)	85,857
Marshall Lands, Inc., Charleston (Mississippi County)	81,913
Harland Maxwell, East Prairie (Mississippi County)	54,243
W. C. Bryant, East Prairie (Mississippi County)	51,194
A. C. Riley, New Madrid (New Madrid County)	56,101
Acom Farms, Inc., Wardell (New Madrid County)	52,509
Swiney & Sons, Morehouse (New Madrid County)	51,391
Green Top Farms, Inc., Richmond (Ray County)	52,986
E. P. Coleman, Jr., Sikeston, (Scott County)	53,068
W. P. Hunter, care of Blair Dalton, Bell City (Stoddard County)	73,162
Taylor Bros., Essex (Stoddard County)	59,345

MONTANA

V. R. Crazier & Sons, Toston (Broadwater County)	56,465
Nash Brothers, Redstone (Sheridan County)	65,806
S. A. Adaskavich, Shelby (Toole County)	61,727

NEBRASKA

Hundahl Farms, care of Ernest Hundahl, Tekamah (Burt County)	68,614
Fred Horne, Jr. Atkinson (Holt County)	58,043

NEW MEXICO

A. W. Langenegger, Hagerman (Chaves County)	73,140
H. C. Berry, Dexter (Chaves County)	51,590
C. Elton Green, Clovis (Curry County)	$99,702
Garrett Corporation, Clovis (Curry County)	96,334
Verney Towns, Muleshoe, Tex. (Curry County)	85,983
Bert Williams, Farwell, Tex. (Curry County)	85,952
James E. & Garrett, Clovis (Curry County)	82,495
Leon Marks, Clovis (Curry County)	81,979
Lockmiller and Son, Clovis (Curry County)	81,771
L. R. Talley, Texico (Curry County)	78,000
Dale Elliot, Clovis (Curry County)	74,751
F. L. Ashley Estate, Melrose (Curry County)	70,473
O. H. Pattison, Clovis (Curry County)	58,996
John H. Spearman, Clovis (Curry County)	57,243
Dave Thompson, Friona, Tex. (Curry County)	53,873
Albert Matlock, Clovis (Curry County)	53,799
John Garrett, Jr., Clovis (Curry County)	50,283
Snodgrass & Carlisle, Roswell (Eddy County)	72,420
Moutray Bros., Carlsbad (Eddy County)	53,201
M. R. Jones, Lovington (Lea County)	87,617
John K. Burns, Lovington (Lea County)	65,209

NORTH CAROLINA

A. D. Swindell, Pantego (Beaufort County)	60,413
M. C. Braswell Farms, Battleboro (Nash County)	74,813
R. E. Parnell, Parkton (Robeson County)	56,206
D. D. McColl, St. Pauls (Robeson County)	55,833
McNair Investment Co., Laurinburg (Scotland County)	86,802
Sou. Natl. Bank Agt., Annie V. J. Watkins, Laurinburg (Scotland County)	72,886
Z. V. Pate, Inc., Gibson (Scotland County)	65,108

NORTH DAKOTA

Bert Olson and Sons, Glasston (Pembina County)	59,019
Otto Engen, Minot (Ward County)	55,461

OKLAHOMA

Wm. J. Schulte, El Reno (Canadian County)	62,233
F. E. Motley, Hollis (Harmon County)	78,776
Wayne Q. Winsett, Altus (Jackson County)	69,515
Murray R. Williams, Altus (Jackson County)	50,422

OREGON

Tulana Farms, Klamath Falls (Klamath County)	69,070
Tucker Ottmar Farms, Inc., Echo (Morrow County)	54,030
Joe Heater, Mord (Sherman County)	83,160
H. A. Main, Pilot Rock (Umatilla County)	70,270
Key Bros., Milton Freewater (Umatilla County)	52,576

PUERTO RICO

R. Gonzalez Hernandez, Aguirre (Mayaguez County)	94,395
Carlos F. Quiles Trust, Hormigueros (Mayaguez County)	91,707
Mario Mercado E. Hijos, Guayanilla (Mayaguez County)	85,841
M. H. Soldervilla, executor, Ponce (Mayaguez County)	79,134

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

PUERTO RICO—continued

W. Bravo Monagas, Mayaguez (Mayaguez County)	$79,045
Coop Azucarera Los Canos, Arecibo (Mayaguez County)	73,940
Agric Del Monte, Cayey (Mayaguez County)	70,540
E. Quinones Sambolin, San German (Mayaguez County)	63,477
R. Sefton Wallace, Ensenada (Mayaguez County)	60,492
H. L. Brund, Guayama (Mayaguez County)	60,486
Wirshing & Co., Mercedita (Mayaguez County)	58,098

SOUTH CAROLINA

Kirkland & Best, Ulmers (Allendale County)	58,981
C. P. Polston Jr., Blenheim, (Dillon County)	69,862
Lawrence E. Pence, McColl (Marlboro County)	78,675
Charles E. Lynch, Bville (Marlboro County)	64,164
J. A. McDonald, Bville (Marlboro County)	51,275
J. F. Bland, Jr., Mayesville (Sumter County)	83,014

SOUTH DAKOTA

Stanley Asmussen, Agar (Sully County)	52,166

TENNESSEE

Cowan Bros., La Grange (Fayette County)	65,932
W. T. Jamison, Jr., Tiptonville (Lake County)	56,248
Jim Fullen, Ashport (Lauderdale County)	66,542
H. S. Mitchell, Millington, (Shelby County)	57,897
E. F. Crenshaw, Memphis (Shelby County)	51,688

TEXAS

Carl C. Bamert, Muleshoe (Bailey County)	67,342
Horace Hutton, Muleshoe (Bailey County)	65,018
W. B. Little, Muleshoe (Bailey County)	59,098
W. T. Millen, Muleshoe (Bailey County)	56,442
J. G. Arnn, Muleshoe (Bailey County)	50,557
Bentley Johnston, De Kalb (Bowie County)	75,524
William H. Farris, De Kalb (Bowie County)	55,039
J. P. Terrell & Son, Navasota (Brazos County)	72,999
Brazos A. Varisco, Bryan (Brazos County)	68,275
Joe Varisco, Bryan (Brazos County)	50,427
Porter Bros., Caldwell (Burleson County)	85,737
Holland Porter, Caldwell (Burleson County)	78,692
H. H. & Edgar Baker, Somerville (Burleson County)	77,058
Roy Smith, Corpus Christi (Calhoun County)	54,278
Oscar Mayfield & Sons, Taft (Cameron County)	90,587
Elijah B. Adams, Harlingen (Cameron County)	67,883
Henry V. Macomb, Los Fresnos (Cameron County)	63,235
John A. Abbott, Harlingen (Cameron County)	59,862
Texas Technological Research F. R. M., Pantex (Carson County)	64,984
Frank Robinson, Panhandle (Carson County)	60,283
G. L. Willis, Jr., Dimmitt (Castro County)	94,213
Homer Hill, Hart (Castro County)	90,211

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

TEXAS—continued

Milton Bagwell, Dimmitt (Castro County)	$87,361
F. O. Masten, Sudan (Castro County)	83,733
Chas. E. Armstrong, Dimmitt (Castro County)	64,389
Dulaney Brothers, Dimmitt (Castro County)	64,381
Clements Corp., Plainview (Castro County)	58,140
Homer A. Hill, Hart (Castro County)	54,167
Jerry Cluck, Hart (Castro County)	53,573
Truvis Campbell, Dimmitt (Castro County)	51,979
C. C. Slaughter Farms, Morton (Cochran County)	99,647
R. L. Polvado, Morton (Cochran County)	79,477
D. E. Benham, Morton (Cochran County)	77,751
J. E. Polvado, Morton (Cochran County)	67,021
Slaughter Hill Co., Levelland (Cochran County)	58,707
Erma Griffith, Morton (Cochran County)	58,507
T. Cattle Co., care of B. B. Wegenhoft, Eagle Lake (Colorado County)	54,856
Leslie Mitchell, Crosbyton (Crosby County)	97,640
The McLaughlins, Ralls (Crosby County)	74,472
Luis Garcia/Sons, Inc., Spur (Crosby County)	61,590
J. P. Beck, Ralls (Crosby County)	59,926
G. J. Parkhill, Jr., Crosbyton (Crosby County)	53,761
Delton Caddell, Ralls (Crosby County)	50,925
Carl Archer, Spearman (Dallam County)	58,505
E Bar S Ranch, care of Jas. Ratcliff, R.R. 2, Mesquite (Dallas County)	55,081
Sam C. Jenkins, Lamesa (Dawson County)	90,561
R. M. Middleton, O'Donnell (Dawson County)	56,693
Woodward Farms, Inc., Lamesa (Dawson County)	55,351
Carson Echols, Lamesa (Dawson County)	53,993
Gordon V. Waldrop, Lamesa (Dawson County)	51,147
W. H. Gentry, Hereford (Deaf Smith County)	76,624
Virgil F. Marsh, Hereford (Deaf Smith County)	74,008
White Farms & Cattle Co., Canyon (Deaf Smith County)	69,002
B. T. Spear, Wildorado (Deaf Smith County)	68,623
Delmar R. Durrett, Amarillo (Deaf Smith County)	66,733
A. R. Dillard, Hereford (Deaf Smith County)	62,740
R. K. Brooks, Tulia (Deaf Smith County)	59,351
Clarence D. Carnahan, Hereford (Deaf Smith County)	57,085
O. D. Bingham, Fridna (Deaf Smith County)	55,322
James Overstreet, Hereford (Deaf Smith County)	55,136
Cruce G. Richardson, Vega (Deaf Smith County)	51,147
Billy Wayne Sisson, Hereford (Deaf Smith County)	50,524
Don Kimball, Wildorado (Deaf Smith County)	50,285
G. B. Morris, Crosbyton (Dickens County)	50,285
L. R. Allison Co., Tornillo (El Paso County)	54,834
Basil Abate, Bremond (Falls County)	58,764

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

TEXAS—continued

R. A. Harling AG, Telephone (Fannin County)	$69,847
Marble Brothers, South Plains (Floyd County)	92,974
J. E. Franklin, Lubbock (Floyd County)	92,249
John C. Alford, Petersburg (Floyd County)	72,607
William S. Poole, Dougherty (Floyd County)	68,919
R. I. Bennett, Lockney (Floyd County)	66,773
Dorris Jones, Floydada (Floyd County)	58,197
Thomas Bros., Lockney (Floyd County)	55,957
J. S. Hale, Jr., Floydada (Floyd County)	55,145
Vernon Goodwin, Seagraves (Gaines County)	79,709
John Henry Jones, Welch (Gaines County)	69,051
Fred Barrett, Jr., Seminole (Gaines County)	58,997
Verlon Hilburn, Lovington, N. Mex. (Gaines County)	58,333
Nix & Norman, Lamesa (Gaines County)	56,577
Wheeler Robertson, Idalou (Gaines County)	56,224
Earl Layman, Loop (Gaines County)	53,487
C. E. Hilburn, Lovington, N. Mex. (Gaines County)	51,668
Marion C. Bowers, Brownfield (Gaines County)	50,917
J. C. Miller, Abernathy (Hale County)	94,008
Elmo Stephens, Plainview (Hale County)	84,721
James Cannon, Plainview (Hale County)	71,836
Grady Shepard, Hale Center (Hale County)	65,221
Frank Moore, Plainview (Hale County)	65,093
H. D. Smith, Hart (Hale County)	64,317
Jason H. Allen, Lubbock (Hale County)	61,214
Raymond Akin, Plainview (Hale County)	55,738
I. F. Lee, Hale Center (Hale County)	54,599
Swann Pettit, Hale Center (Hale County)	54,063
Ballard and Hurt, Plainview (Hale County)	53,328
John Trimmier, Jr., Hale Center (Hale County)	52,864
Ralph Wheeler, Edmonson (Hale County)	52,686
A. J. Givens, Plainview (Hale County)	52,391
E. A. Houston, Abernathy (Hale County)	52,008
J. H. Kirby and Sons, Hale Center (Hale County)	50,685
R. L. Porter Est., Spearman (Hansford County)	87,218
Jack Hart, Gruver (Hansford County)	68,372
R. E. and Rue Sanders, Spearman (Hansford County)	52,009
Texas Farming Corporation, Hartley (Hartley County)	78,801
Shary Farms, Inc., Mission (Hidalgo County)	94,889
Bryon Campbell, Raymondsville (Hidalgo County)	87,096
Bill Burns, Raymondsville (Hidalgo County)	77,211
Sam Sparks, Santa Rosa (Hidalgo County)	62,408
Guerra Bros., Linn (Hidalgo County)	57,777
Beckwith Farms, Progreso (Hidalgo County)	55,347

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

TEXAS—continued

J. B. Pollock, Hargil (Hidalgo County)	$51,763
White Face Farms, Inc., Levelland (Hockley County)	94,533
Post Montgomery, Levelland (Hockley County)	82,667
Cobleland Farms, Levelland (Hockley County)	61,646
J. Walter Hobgood, Anton (Hockley County)	61,436
Spade Farms, Inc., Lubbock (Hockley County)	50,825
B. E. Walker, Fort Hancock (Hudspeth County)	53,120
Grady E. Miller, Jr., Fort Hancock (Hudspeth County)	52,248
Claude Higley, Stinnett (Hutchinson County)	67,803
E. K. Angeley, Muleshoe (Lamb County)	83,958
W. C. Stout, Muleshoe (Lamb County)	75,066
K. B. Parish, Springlake (Lamb County)	70,743
Clayton Farms, Springlake (Lamb County)	70,754
J. D. Smith, Littlefield (Lamb County)	61,274
T. V. Murrell, Earth (Lamb County)	53,304
J. B. James, Olton (Lamb County)	52,667
William E. Armstrong, Lubbock (Lubbock County)	99,369
Smith Brothers, Slaton (Lubbock County)	73,076
Standefer-Gray, Inc., Lubbock (Lubbock County)	73,020
A. L. Cone, Lubbock (Lubbock County)	70,426
Lubbock Irrigation Co., Lubbock (Lubbock County)	68,636
Carson Farms Pts., care of A. L. Cone, Lubbock (Lubbock County)	63,992
J. Carter Caldwell, Slaton (Lubbock County)	58,499
Annette O. Martin, Lubbock (Lubbock County)	54,556
Wendell D. Vardeman, Slaton (Lubbock County)	52,670
L. L. Lawson, Lubbock (Lubbock County)	52,202
Davis-Son, care of Don E. Davis, Ropesville (Lubbock County)	52,067
W. C. Huffaker Jr., Tahoka (Lynn County)	97,360
John Saleh, O'Donnell (Lynn County)	62,400
Wm. G. Lumsden, Wilson (Lynn County)	59,496
J. W. Gardenhire, O'Donnell (Lynn County)	58,053
Cecil Dorman, O'Donnell (Lynn County)	55,235
Glen Cox, Lenorah (Martin County)	74,776
James M. Warner, Waco (McLennan County)	53,127
Bob Evans, Midland (Midland County)	58,789
Louie Koonce, Midland (Midland County)	53,275
James Brooks, Midland (Midland County)	50,435
E. Martin Gossett, Jr., Dumas (Moore County)	62,099
Lloyd Beauchamp, Dumas (Moore County)	56,659
Marshall Cator, Sunray (Moore County)	54,493
James Fortson, Corsicana (Navarro County)	72,000
Herbert L. Williams, Roscoe (Nolan County)	55,388
Clarence Martin, Friona (Parmer County)	77,081
J. C. Mills, Abernathy (Parmer County)	$63,693
Ralph W. Shelton, Friona (Parmer County)	60,037
Fangman Farms, Inc., Friona (Parmer County)	58,501
Mike Allen, Friona (Parmer County)	57,016
Bill St. Clair, Muleshoe (Parmer County)	50,991
J. D. Kirkpatrick, Bovina (Parmer County)	50,434
A. B. Foster, Pecos (Pecos County)	87,634
Lakeside Farms, Fort Stockton (Pecos County)	62,159
Harral and Marable, Fort Stockton (Pecos County)	50,734
W. T. Lattner and Son, Pecos (Reeves County)	99,967
W. W. Hill, Pecos (Reeves County)	98,960
Walter B. Shaw, Pecos (Reeves County)	88,624
Reetex Farms, Pecos (Reeves County)	87,295
Dingler Farms, Pecos (Reeves County)	78,479
J. F. Crews, Pecos (Reeves County)	71,167
Davidson Bros., Pecos (Reeves County)	78,784
Rowe and Turnbough, Toyahvale (Reeves County)	63,669
Broyles Pecos Farm, Fort Stockton (Reeves County)	62,248
W. R. Sage, Lubbock (Reeves County)	60,474
G. G. Passmore, Pecos (Reeves County)	57,527
J. W. Bryan, Pecos (Reeves County)	56,949
Virgil M. Glenn, Pecos (Reeves County)	54,864
Coy Fraley, Pecos (Reeves County)	53,998
H. R. Hudson, Jr., Pecos (Reeves County)	51,576
J. B. Hopkins, Pecos (Reeves County)	51,474
Tom Passmore, Pecos (Reeves County)	50,426
Goodland Farms, Inc., Hearne (Robertson County)	77,773
Lee Fazzino, Bryan (Robertson County)	64,129
Joe Reistino, Hearne (Robertson County)	61,015
John C. Reistino, Hearne (Robertson County)	59,876
James H. Jones, Hearne (Robertson County)	52,115
Sam Degelia, Sr., Hearne (Robertson County)	51,809
Heirs of Jos. F. Green, Taft (San Patricio County)	59,995
Starr Produce Farm Acct., Rio Grande City (Starr County)	54,611
M. T. Glenn, Tulia (Swisher County)	90,682
Warner Reid, Tulia (Swisher County)	87,822
B. Raymond Evans, Tulia (Swisher County)	86,152
Miller Farms Co., Tulia (Swisher County)	65,464
Alvis Hefley, Tulia (Swisher County)	56,045
J. L. Francis, Kress (Swisher County)	55,142
S. A. Barrett, Kress (Swisher County)	53,187
H. O. Thompson, Plainview (Swisher County)	51,185
Howard Hurd, Brownfield (Terry County)	79,862
Charlie Caswell, Meadow (Terry County)	62,059
Texas Department of Corrections, Bryon W. Firerson, Sugar Land (Walker County)	62,434
Alazan Farms, Harlingen (Willacy County)	$73,069
K. L. Morrow, Lyford (Willacy County)	62,325
S. R. & C. D. Stone TST, Aransas Pass (Willacy County)	51,465
Norment Foley, Uvalde (Zavala County)	58,022
Ritchie Bros., Crystal City (Zavala County)	51,360

WASHINGTON

D. E. Phillips, Lind (Adams County)	72,629
Leonard & Henry Franz, Lind (Adams County)	57,528
Hutterian Brethren, Inc., Espanola (Adams County)	53,304
Bi County Farms, Prosser (Benton County)	63,526
Vollmer-Bayne, Prosser (Benton County)	55,367
Neil Rasor, Royal City (Grant County)	71,141
Lonneker Farms, Inc., Walla Walla (Walla Walla County)	77,390
Grote Farms, Inc., care of Ben Grote, Prescott (Walla Walla County)	54,189
Cecil R. Anderson, Prescott (Walla Walla County)	50,773
Glen Miller, Colfax (Whitman County)	92,905
McGregor Land & Livestock Co., Hooper (Whitman County)	74,526

WISCONSIN

Robert O. Link, Cambria (Columbia County)	79,706

WYOMING

Covey & Dayton, care of John Dayton, Cokeville (Lincoln County)	51,890

Mr. HOLLAND. Mr. President, I yield to the distinguished Senator from Texas [Mr. YARBOROUGH].

Mr. YARBOROUGH. Mr. President, I support the position of the distinguished chairman of the Agricultural Subcommittee of the Committee on Appropriations, the Agricultural Subcommittee, and the full Appropriations Committee, in its position on this agricultural appropriations bill.

I commend the distinguished chairman of the subcommittee for his usual thorough and judicious handling of the bill. The Senator carefully and fairly considers each dollar that is requested. Each year, the agricultural appropriations bill bears the stamp of thorough and just consideration by one of the most knowledgeable agricultural experts in the country. Similarly, the distinguished Senator from Nebraska [Mr. HRUSKA] has done an outstanding job in his first year as the ranking minority member of the subcommittee.

Mr. President, the amendment offered by the distinguished Senator from Delaware would slash the heart out of the agricultural appropriations bill.

Periodically, in certain quarters, a great hue and cry is raised to place a limitation on Government payments to producers of agricultural commodities.

This furor usually comes from two main groups: those who believe that payments to farmers should be regulated in such a manner that they mainly benefit only small, family-size farming operations that need help most; and those that look upon all farm payments as some sort of welfare program. To the first I would say that if they seek to aid the family farmer, wrecking a great portion of agriculture will be disastrous in its multiple implications to the family farmer.

Neither group viewpoint is consistent with the facts.

Payments are an integral part of farm programs. They are carefully tailored to specific commodity situations. For diversion of cropland they represent a partial compensation for production adjustment that is made in the national interest. In the case of price support payments, they represent an economy and saving to the taxpayers because in their absence the cost of farm programs would be higher.

I point out that the urban dweller, by the modest price he pays for food and fiber, is getting the benefit of these payments to the agricultural community. The payments are not something for nothing. They are not welfare. They do not represent handouts from the Government. They were adopted as the least costly method of achieving program objectives by a productive agriculture with an abundance of food and fiber.

We look at the vast complex of Russia, with its vast amount of rich land, and we see the accomplishment of our agriculture. We are the most successful agricultural nation on earth, with abundances and surpluses that have helped us in our foreign policy at a far less price than more expensive programs would cost us had we attempted the overseas objectives with a more expensive program than an abundance of food. The limitation of Government payments could well be the beginning of the end of voluntary farm programs as we know them.

Some Members have candidly stated today that they want to abolish the farm programs.

Farm programs are designed to achieve a reasonable balance between what farmers produce and what can be used—either domestically or through export channels.

In the dollar balances, agricultural exports bring in more dollars than anything else to help offset the outflow of gold.

Present technology is so advanced and resources are so great that it is essential for these farm programs to be tailored to the prevailing commodity situation.

Payments also are geared to the particularly commodity situation. Under the action farm programs, administered by farmer-elected agricultural stabilization and conservation committees, payments can be grouped in two general categories: First, diversion and price support; and second, conservation.

Diversion payments are used to achieve a balance between production and quantities that can be used; in other words, to induce a producer to hold down his acreage and production. Such payments are made under acreage diversion programs for wheat, cotton, feed grains, and also under the cropland adjustment, cropland conversion and conservation reserve programs. Other provisions of the commodity diversion programs, such as price support payments and certificates, also play an important part in inducing farmers to reduce their production to desirable levels.

Basic to our understanding of diversion payments is the cold, hard fact that it is national agricultural policy to adjust production and supply. We have a choice of two approaches to achieve this. We can insist on a mandatory program with apportioned acreages and production limitations, or we can accomplish the desired objective through voluntary programs with incentives, such as diversion payments. The effort is to adjust the national supply. The size of the payment only reflects the degree of participation or contribution to the total adjustment. Excluding large acreages from participation by denying large-scale farm operators to earn payments would be contrary to the objectives of the program. On the other hand, if we deny large operators an opportunity to participate in the program we certainly would fail in our primary objective of adjusting supply, and total production would increase.

In the case of price support loan operations, if we attempt to deny or limit the loan program to large operators we would only force their production onto the market and into regular commercial channels without any guarantee that such marketings would be conducted in an orderly fashion, and with no assurance that the pressure on prices would not hurt the smaller operators who were unable to protect themselves in the marketplace.

Price support or equivalent payments are made to eligible producers of wheat, cotton, feed grains, wool, mohair, and sugar. The payments in the case of cotton and grains are offsets to reductions in expected returns which farmers could heretofore get for their crops by placing them under loan and turning them over to the Government in settlement of the loans.

Payments on wool and mohair provide an incentive to increased production which is part of our national agricultural policy.

In the case of sugar, the economy of this commodity is rigidly structured. Sugar payments are generally referred to as "conditional" because of the various requirements imposed before they can be issued. Sugar payments are more than offset by taxes imposed on sugar processed, both domestic and imported.

Conservation payments are made under various programs. A common characteristic of all such payments is that they share the costs incurred by owners in carrying out needed and approved conservation practices. Such payments have been appropriately described as reflecting the benefits to the total national economy from needed soil and water conservation.

There appears to be among some people a substantial misunderstanding that Government payments to farmers are "something for nothing." Nothing could be further from the truth. Payments are part of a stabilizing mechanism in the interest of the national economy.

Payments are made to farmers to take land out of production. It is privately owned or operated land—their land. They have the capital equipment, the know-how, and the inherent right to produce a commodity on it. They forgo the return from this output in return for payments.

Again, payments to farmers are in lieu of income the producer would have received from raising crops on acreage held out of production, or to prevent losses which would occur to our national endowment of soil and water resources for future generations in the absence of needed conservation measures.

In all cases, payments are in direct proportion to the farmer's contribution. Clearly, a payments limitation would prevent participation in programs by the larger producers. No useful purpose would be served; in fact, the supply adjustment mechanism would be seriously jeopardized if we forced large-scale farming operations out of our farm programs. The nonparticipation of these larger farms would result in increased costs to the Goverment, less effective programs, and quite probably a complete collapse of our present programs.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. I ask for 5 minutes on the bill.

Mr. HOLLAND. We will almost run out of time.

Mr. YARBOROUGH. I will limit myself to 2½ minutes.

Mr. President, so much could be said about the lack of wisdom of the proposed amendment that I could take a great deal of time, but I have a special responsibility here with respect to another phase of agriculture.

Last year, as chairman of the Senate Labor Subcommittee, I was the floor manager of the minimum wage bill, which for the first time led to the enactment of a Federal minimum wage in agriculture. That bill applied only to farmers with more than seven employees. The family farmer was not affected.

We have raised the cost of agricultural production by putting a $1 an hour floor under the wages for the larger farm. If we cut off the payments income, it will be a disaster to agriculture.

For years I have attempted to secure a fair wage for the low-paid agricultural worker. We conduced hearings of the Subcommittee on Migratory Labor, under the chairmanship of the Senator from New Jersey, in the Rio Grande Valley, in the closing days of June, and efforts were made to do something for migratory labor. But if we slash the farmers' income, how can he pay a fair wage to the agricultural worker? The proposed amendment would cut off all payments over $10,000.

On February 1, the minimum wage for agricultural workers became $1 an hour, under the Federal program, for the farmer who hired more than seven workers in a quarter. February 1 of next year, it goes to $1.15, and on February 1, 1969, to $1.30.

We now have a proposal to cut the heart out of these programs for the group of farmers whom we are asking to raise the wage of farmworkers. Having supported the program to secure a living wage for the agricultural workers, the entire program will be wrecked if the farmer is not allowed an income.

Mr. President, I ask unanimous consent to have printed in the RECORD the table which appears on page 8, volume 4 of the hearings, showing the number and the amount of farm employment in the country, the table on page 12, volume 4 of the hearings, showing the number of farms in the country and the number of employees.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE 1.—*Farm employment: Type of worker and region in 1966, and percentage change, 1950–66*

Region	1966			Percentage change, 1950–66		
	Total	Family[1]	Hired	Total	Family[1]	Hired
	Thousands	*Thousands*	*Thousands*			
Northeast	422	308	114	−55	−52	−61
Lake States	589	518	71	−40	−38	−51
Corn Belt	954	822	132	−44	−43	−50
Northern Plains	393	333	60	−42	−41	−43
Appalachian States	877	656	221	−48	−52	−30
Southeast	435	273	162	−56	−64	−29
Delta States	393	262	131	−62	−66	−50
Southern Plains	429	301	128	−49	−50	−47
Mountain	266	167	99	−36	−37	−34
Pacific	456	214	242	−32	−38	−27
United States	5,214	3,854	1,360	−47	−49	−42

[1] Family workers include operators and unpaid family workers.

Source: (36).

TABLE 3.—*Income per farm-operator family: Realized gross, net, and off-farm income, by value of sales classes, United States, 1965*

Value of sales per farm	Number of farms	Realized farm income		Off-farm income[1]	
		Gross[2]	Net[3]	Amount	Percentage of total
$20,000 and over	499,000	$54,767	$13,547	$2,246	14
$10,000 to $19,999	519,000	15,971	5,952	1,590	21
$5,000 to $9,999	498,000	8,809	3,741	1,904	34
$2,500 to $4,999	410,000	4,968	2,383	2,220	48
Less than $2,500[4]	1,448,000	2,049	1,095	3,402	76
Total, all farms	3,374,000	13,319	4,210	2,587	38

[1] Income of farm-operator families received from sources other than the farm operated.

[2] Includes cash receipts, Government payments, and nonmoney income such as products consumed directly in farm households.

[3] Gross less farm expenses, including depreciation and other capital consumption and interest on farm mortgage debt.

[4] Includes noncommercial farms.

Source: (35).

Mr. HOLLAND. Mr. President, I yield 5 minutes to the Senator from Arizona [Mr. FANNIN].

Mr. FANNIN. Mr. President, I thank the Senator from Florida for yielding and I wish to commend him for his leadership in connection with this legislation.

Mr. President, I rise to oppose the amendment of the distinguished Senator from Delaware. It is seldom that I am in disagreement with him on an issue but at this time, on this complicated and complex matter, I must oppose him.

Under the Agricultural Act of 1965, farmers are paid to divert to other uses, land normally devoted to the production of cotton. As a result, planting went down from over 15 million acres in 1960 to 10,350,000 acres in 1966, 9,725,000 in 1967. Farmers received payments for diverting these acres from cotton to soil conserving uses. All of this was done to bring our cotton surpluses into line. If this amendment is adopted, these diversion payments will be denied to many farmers. This means that they will not divert their land from cotton in order to eliminate the surplus. The full burden of diverting to eliminate the surplus will fall on the smaller farmers while the larger farmers would plant additional cotton.

I do not mean to indicate that the large farmer, per se, is not entitled in the same ratio as is the small farmer. Under our great system we want to be fair and make it possible for the small farmer to become a large farmer. However, in effect, a vote for this bill is really not a vote against the larger farmer, instead it is a vote to force upon the smaller farmers the full burden of correcting surpluses.

Also consider how this amendment will affect this year's crop. The rules under which this year's crop was planted were announced many months ago. Arizona farmers are already harvesting. None of the cotton farmers would have an opportunity to change their operations for this year in order to adjust to the effect of this amendment were it adopted.

Mr. President, a serious matter such as this should not be handled by an amendment to an appropriations bill offered on the floor of the Senate. If the Congress is going to act on a matter such as this, the legislative committee having jurisdiction of the program should hold hearings and study the matter carefully so that its full effects will be known. This has not been done in connection with this amendment.

Finally, I look on any such size discrimination as a very serious matter. Agriculture is probably the one big industry which is at the bottom of our economic ladder. Why consider applying a discriminatory scheme to those individuals who till the soil to feed and clothe us for so small a return? Why should not the shipping industry, for example, be limited in the large subsidies it receives?

Again, I urge the Senate not to accept this amendment because of the untold hardship which it would do to our farmers. In many respects we subsidize their competitors and I do not feel we should at this time adopt an amendment that is so discriminatory to them.

Mr. HOLLAND. Mr. President, I am happy to yield to the Senator from Louisiana [Mr. ELLENDER], the chairman of the Committee on Agriculture and Forestry. The farmers of this country have no better friend than the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I thank the Senator from Florida. I have been a member of the Committee on Agriculture and Forestry since January 1937, which is now approaching 31 years. I participated in the formulation and enactment of all of our farm programs now on the books.

There is no doubt in my mind that if restrictions are placed on payments to farmers it would actually destroy these farm programs. That fact has been demonstrated on two or three occasions.

As I recall, the committee, over my protest, at one time in the early days did recommend a limitation on payments. But it did not work because whenever we attempted to reduce the production of crops, so as to get a fair price for the crop, it was necessary that all farmers participate. If we limit the payments, it would have the effect of keeping the large farmer out of the program and if those farmers are kept out and they are permitted to produce all they desire, the effect of the farm program would be destroyed.

Mr. President, there are many specific reasons why this amendment should be defeated, and I shall now set forth some of them.

The amendment is directed to establishing eligibility of producers for price-support payments rather than a direct restriction on the use of funds in the appropriation.

The impact of the limitation would fall directly on large producers but would indirectly affect all producers. If large producers were unable to use price-support loans to carry out orderly marketing they would be forced to dispose of crops in such a manner that prices would be depressed thus adversely affecting small producers as well and disrupting the present orderly marketing procedures.

Payments under other than ASCS programs would also be affected. For instance those under the Great Plains conservation program, and possibly Federal crop insurance payments or others.

The cost of establishing administrative controls, procedures and records to assure compliance with such a limitation would be prohibitive. Some means would have to be established to assure that look upon all farm payments as some sort of welfare program. To the first I would say that if they seek to aid the family farmer, wrecking a great portion of agriculture will be disastrous in its multiple implications to the family farmer.

Neither group viewpoint is consistent with the facts.

Payments are an integral part of farm programs. They are carefully tailored to specific commodity situations. For diversion of cropland they represent a partial compensation for production adjustment that is made in the national interest. In the case of price support payments, they represent an economy and saving to the taxpayers because in their absence the cost of farm programs would be higher.

I point out that the urban dweller, by the modest price he pays for food and fiber, is getting the benefit of these payments *to the agricultural community.* The payments are not something for nothing. They are not welfare. They do not represent handouts from the Government. They were adopted as the least costly method of achieving program objectives by a productive agriculture with *an abundance of food and fiber.*

We look at the vast complex of Russia, with its vast amount of rich land, and we see the accomplishment of our agriculture. We are the most successful agricultural nation on earth, with abundances and surpluses that have helped us in our foreign policy at a far less price than more expensive programs would cost us had we attempted the overseas objectives with a more expensive program than an abundance of food. The limitation of Government payments could well be the beginning of the end of voluntary farm programs as we know them.

Some Members have candidly stated today that they want to abolish the farm programs.

Farm programs are designed to achieve a reasonable balance between what farmers produce and what can be used—either domestically or through export channels.

In the dollar balances, agricultural exports bring in more dollars than anything else to help offset the outflow of gold.

Present technology is so advanced and resources are so great that it is essential for these farm programs to be tailored to the prevailing commodity situation.

Payments also are geared to the particularly commodity situation. Under the action farm programs, administered by farmer-elected agricultural stabilization and conservation committees, payments can be grouped in two general categories: First, diversion and price support; and second, conservation.

Diversion payments are used to achieve a balance between production and quantities that can be used; in other words, to induce a producer to hold down his acreage and production. Such payments are made under acreage diversion programs for wheat, cotton, feed grains, and also under the cropland adjustment, cropland conversion and conservation reserve programs. Other provisions of the commodity diversion programs, such as price support payments and certificates, also play an important part in inducing farmers to reduce their production to desirable levels.

Basic to our understanding of diversion payments is the cold, hard fact that it is national agricultural policy to adjust production and supply. We have a choice of two approaches to achieve this. We can insist on a mandatory program with apportioned acreages and production limitations, or we can accomplish the desired objective through voluntary programs with incentives, such as diversion payments. The effort is to adjust the national supply. The size of the payment only reflects the degree of participation or contribution to the total adjustment. Excluding large acreages from participation by denying large-scale farm operators to earn payments would be contrary *to the objectives of the program. On the* other hand, if we deny large operators an opportunity to participate in the program we certainly would fail in our primary objective of adjusting supply, and total production would increase.

In the case of price support loan operations, if we attempt to deny or limit the loan program to large operators we would only force their production onto the market and into regular commercial channels without any guarantee that such marketings would be conducted in an orderly fashion, and with no assurance that the pressure on prices would not hurt the smaller operators who were unable to protect themselves in the marketplace.

Price support or equivalent payments are made to eligible producers of wheat, cotton, feed grains, wool, mohair, and sugar. The payments in the case of cotton and grains are offsets to reductions in expected returns which farmers could heretofore get for their crops by placing them under loan and turning them over to the Government in settlement of the loans.

Payments on wool and mohair provide an incentive to increased production which is part of our national agricultural policy.

In the case of sugar, the economy of this commodity is rigidly structured. Sugar payments are generally referred to as "conditional" because of the various requirements imposed before they can be issued. Sugar payments are more than offset by taxes imposed on sugar processed, both domestic and imported.

Conservation payments are made under various programs. A common characteristic of all such payments is that they share the costs incurred by owners in carrying out needed and approved conservation practices. Such payments have been appropriately described as reflecting the benefits to the total national economy from needed soil and water conservation.

There appears to be among some people a substantial misunderstanding that Government payments to farmers are "something for nothing." Nothing could be further from the truth. Payments are part of a stabilizing mechanism in the interest of the national economy.

Payments are made to farmers to take land out of production. It is privately owned or operated land—their land. They have the capital equipment, the know-how, and the inherent right to produce a commodity on it. They forgo the return from this output in return for payments.

Again, payments to farmers are in lieu of income the producer would have received from raising crops on acreage held out of production, or to prevent losses which would occur to our national endowment of soil and water resources for future generations in the absence of needed conservation measures.

In all cases, payments are in direct proportion to the farmer's contribution. Clearly, a payments limitation would prevent participation in programs by the larger producers. No useful purpose would be served; in fact, the supply adjustment mechanism would be seriously *jeopardized if we forced large-scale* farming operations out of our farm programs. The nonparticipation of these larger farms would result in increased costs to the Goverment, less effective programs, and quite probably a complete collapse of our present programs.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. I ask for 5 minutes on the bill.

Mr. HOLLAND. We will almost run out of time.

Mr. YARBOROUGH. I will limit myself to 2½ minutes.

Mr. President, so much could be said about the lack of wisdom of the proposed amendment that I could take a great deal of time, but I have a special responsibility here with respect to another phase of agriculture.

Last year, as chairman of the Senate Labor Subcommittee, I was the floor manager of the minimum wage bill, which for the first time led to the enactment of a Federal minimum wage in agriculture. That bill applied only to farmers with more than seven employees. The family farmer was not affected.

We have raised the cost of agricultural production by putting a $1 an hour floor under the wages for the larger farm. If we cut off the payments income, it will be a disaster to agriculture.

For years I have attempted to secure a fair wage for the low-paid agricultural worker. We conduced hearings of the Subcommittee on Migratory Labor, under the chairmanship of the Senator from New Jersey, in the Rio Grande Valley, in the closing days of June, and efforts were made to do something for migratory labor. But if we slash the farmers' income, how can he pay a fair wage to the agricultural worker? The proposed amendment would cut off all payments over $10,000.

On February 1, the minimum wage for agricultural workers became $1 an hour, under the Federal program, for the farmer who hired more than seven workers in a quarter. February 1 of next year, it goes to $1.15, and on February 1, 1969, to $1.30.

We now have a proposal to cut the heart out of these programs for the group of farmers whom we are asking to raise the wage of farmworkers. Having supported the program to secure a living wage for the agricultural workers, the entire program will be wrecked if the farmer is not allowed an income.

Mr. President, I ask unanimous consent to have printed in the RECORD the table which appears on page 8, volume 4 of the hearings, showing the number and the amount of farm employment in the country, the table on page 12, volume 4 of the hearings, showing the number of farms in the country and the number of employees.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE 1.—*Farm employment: Type of worker and region in 1966, and percentage change, 1950–66*

Region	1966			Percentage change, 1950–66		
	Total	Family[1]	Hired	Total	Family[1]	Hired
	Thousands	*Thousands*	*Thousands*			
Northeast	422	308	114	−55	−52	−61
Lake States	589	518	71	−40	−38	−51
Corn Belt	954	822	132	−44	−43	−50
Northern Plains	393	333	60	−42	−41	−43
Appalachian States	877	656	221	−48	−52	−30
Southeast	435	273	162	−56	−64	−29
Delta States	393	262	131	−62	−66	−50
Southern Plains	429	301	128	−49	−50	−47
Mountain	266	167	99	−36	−37	−34
Pacific	456	214	242	−32	−38	−27
United States	5,214	3,854	1,360	−47	−49	−42

[1] Family workers include operators and unpaid family workers.

Source: (36).

TABLE 3.—*Income per farm-operator family: Realized gross, net, and off-farm income, by value of sales classes, United States, 1965*

Value of sales per farm	Number of farms	Realized farm income		Off-farm income[1]	
		Gross[2]	Net[3]	Amount	Percentage of total
$20,000 and over	499,000	$54,767	$13,547	$2,246	14
$10,000 to $19,999	519,000	15,971	5,952	1,590	21
$5,000 to $9,999	498,000	8,809	3,741	1,904	34
$2,500 to $4,999	410,000	4,968	2,383	2,220	48
Less than $2,500[4]	1,448,000	2,049	1,095	3,402	76
Total, all farms	3,374,000	13,319	4,210	2,587	38

[1] Income of farm-operator families received from sources other than the farm operated.

[2] Includes cash receipts, Government payments, and nonmoney income such as products consumed directly in farm households.

[3] Gross less farm expenses, including depreciation and other capital consumption and interest on farm mortgage debt.

[4] Includes noncommercial farms.

Source: (35).

Mr. HOLLAND. Mr. President, I yield 5 minutes to the Senator from Arizona [Mr. FANNIN].

Mr. FANNIN. Mr. President, I thank the Senator from Florida for yielding and I wish to commend him for his leadership in connection with this legislation.

Mr. President, I rise to oppose the amendment of the distinguished Senator from Delaware. It is seldom that I am in disagreement with him on an issue but at this time, on this complicated and complex matter, I must oppose him.

Under the Agricultural Act of 1965, farmers are paid to divert to other uses, land normally devoted to the production of cotton. As a result, planting went down from over 15 million acres in 1960 to 10,350,000 acres in 1966, 9,725,000 in 1967. Farmers received payments for diverting these acres from cotton to soil conserving uses. All of this was done to bring our cotton surpluses into line. If this amendment is adopted, these diversion payments will be denied to many farmers. This means that they will not divert their land from cotton in order to eliminate the surplus. The full burden of diverting to eliminate the surplus will fall on the smaller farmers while the larger farmers would plant additional cotton.

I do not mean to indicate that the large farmer, per se, is not entitled in the same ratio as is the small farmer. Under our great system we want to be fair and make it possible for the small farmer to become a large farmer. However, in effect, a vote for this bill is really not a vote against the larger farmer, instead it is a vote to force upon the smaller farmers the full burden of correcting surpluses.

Also consider how this amendment will affect this year's crop. The rules under which this year's crop was planted were announced many months ago. Arizona farmers are already harvesting. None of the cotton farmers would have an opportunity to change their operations for this year in order to adjust to the effect of this amendment were it adopted.

Mr. President, a serious matter such as this should not be handled by an amendment to an appropriations bill offered on the floor of the Senate. If the Congress is going to act on a matter such as this, the legislative committee having jurisdiction of the program should hold hearings and study the matter carefully so that its full effects will be known. This has not been done in connection with this amendment.

Finally, I look on any such size discrimination as a very serious matter. Agriculture is probably the one big industry which is at the bottom of our economic ladder. Why consider applying a discriminatory scheme to those individuals who till the soil to feed and clothe us for so small a return? Why should not the shipping industry, for example, be limited in the large subsidies it receives?

Again, I urge the Senate not to accept this amendment because of the untold hardship which it would do to our farmers. In many respects we subsidize their competitors and I do not feel we should at this time adopt an amendment that is so discriminatory to them.

Mr. HOLLAND. Mr. President, I am happy to yield to the Senator from Louisiana [Mr. ELLENDER], the chairman of the Committee on Agriculture and Forestry. The farmers of this country have *no better friend than the Senator from* Louisiana.

Mr. ELLENDER. Mr. President, I thank the Senator from Florida. I have been a member of the Committee on Agriculture and Forestry since January 1937, which is now approaching 31 years. I participated in the formulation and enactment of all of our farm programs now on the books.

There is no doubt in my mind that if restrictions are placed on payments to farmers it would actually destroy these farm programs. That fact has been demonstrated on two or three occasions.

As I recall, the committee, over my protest, at one time in the early days did recommend a limitation on payments. But it did not work because whenever we attempted to reduce the production of crops, so as to get a fair price for the crop, it was necessary that all farmers participate. If we limit the payments, it would have the effect of keeping the large farmer out of the program and if those farmers are kept out and they are permitted to produce all they desire, the effect of the farm program would be destroyed.

Mr. President, there are many specific reasons why this amendment should be defeated, and I shall now set forth some of them.

The amendment is directed to establishing eligibility of producers for price-support payments rather than a direct restriction on the use of funds in the appropriation.

The impact of the limitation would fall directly on large producers but would indirectly affect all producers. If large producers were unable to use price-support loans to carry out orderly marketing they would be forced to dispose of crops in such a manner that prices would be depressed thus adversely affecting small producers as well and disrupting the present orderly marketing procedures.

Payments under other than ASCS programs would also be affected. For instance those under the Great Plains conservation program, and possibly Federal crop insurance payments or others.

The cost of establishing administrative controls, procedures and records to assure compliance with such a limitation would be prohibitive. Some means would have to be established to assure that a producer had not already reached the limitation before accepting his offer to participate or enter into a contract for any new program. If a producer failed to carry out an agreement in whole or in part, some means would have to be established to redetermine his eligibility for participation at that time. To assure prompt execution of Department programs the only feasible way to make these determinations promptly would involve the adoption of a huge computer operation probably along the lines used by commercial airlines in determining passenger seating availability.

It has been demonstrated that the success of the farm programs is directly attributable to the contributions made by all producers and that without the participation of the large producers such programs would be ineffective. It is therefore questionable whether an effort should be made to continue the programs at all since they would be very costly and the probability of success practically nil.

The most probable result of an adoption of an amendment of this type would be the collapse of successful farm programs as we know them and a return to the situation of more than 30 years ago with alternating tremendous overproduction or underproduction; extremely high or extremely low prices; a depressed agricultural economy including foreclosures of small farms and a probable national depression.

Limiting payments would encourage fragmentation and splitting up of bases and allotments.

Economic entities such as the creation of subfarms could be created to circumvent the law. This is similar to holding companies subdividing for economic reasons.

Mr. President, I hope the Senate will defeat this amendment.

Mr. HOLLAND. Mr. President, I am glad to recognize at this time the Senator from Hawaii [Mr. INOUYE]. I wish to say how happy we are to have him back here smiling, looking none the worse for wear. We are happy to hear again his silver voice—for 3 minutes.

Mr. INOUYE. Mr. President, I thank the distinguished Senator from Florida.

I wish to associate myself with the remarks of Senators who have just spoken. I commend my dear friend, the Senator from Florida, for his eloquent statement against the amendment.

I wish to add a footnote by stating that the Sugar Act has been in operation for 30 years, and has been in operation very successfully. The Sugar Act has meant a great deal to the housewives because if they will check the price of sugar before the war and now they will notice that the price increase in sugar has been very minimal in comparison with other commodities.

If the pending amendment were adopted by the Senate it would mean that the Sugar Act would no longer be in operation and that would be a great loss to housewives and consumers.

I hope Senators will seriously consider the arguments presented by the distinguished senior Senator from Florida and reject the amendment.

Mr. HOLLAND. Mr. President, I am happy to welcome now a Senator who through fair weather and foul has been one of the finest friends of agriculture that this Nation has ever known, the Senator from North Dakota [Mr. YOUNG] who is himself a farmer.

Mr. YOUNG of North Dakota. Mr. President, there is considerable sentiment for an amendment such as this all over the United States, and even in my State. Personally, I would support an amendment such as this one if it were possible to operate farm programs under this kind of restriction. To anyone who is not familiar with farm programs it would seem reasonable to do so. However I wish to mention two programs: Sugar and wool. These are deficit crops. We only produce less than half of our needs. The producers would like nothing better than to do away with price supports and have price protection through tariffs or import quotas.

In the case of wool, price incentives have kept the wool industry alive. The sheep population is the lowest in more than a hundred years. If it were not for the wool production in which incentive payments are a part, the wool industry would be nonexistent and the wool users would be paying exorbitant prices for imports.

The same fact is true with respect to sugar. Those producers would like nothing better than to have protection against dumping by foreign countries rather than this program.

In my own State of North Dakota where sugarbeets are a sizable crop, no farmer could produce sugar with a huge investment in machinery unless he had at least 80 to 100 acres. If he had 100 acres in sugar beets, his payment would have to be around $10,000 or a little more than that.

Thus, if he were raising only sugarbeets, which is never the case, he would also have other crops, too—wheat, or wheat certificate payments under the new wheat program. The cash price of wheat today is lower than it was 20 years ago. Wheat certificate payments are designed to be a part of the price the farmer receives for his wheat. Accordingly, in a State like mine, where there is such highly diversified farming, a farmer may raise several crops for which there are payments under the present program.

This could also affect the land retirement program. The Farm Bureau, only 4 or 5 years ago, advocated a land retirement program of some 65 million to 75 million acres. All the general farm organizations recommended a somewhat similar program. It is true that we do not need a big land retirement program now, but the time may come when we will. We are paying a sizable amount to our farmers to keep land out of production.

Mr. President, let me say again that if there were some way we could put a small limitation such as this on a program and still make it workable, I would support it. But in order to make the farm programs workable, we have to have the participation of the large farmers as well as the small farmers. For that reason, I must oppose the amendment.

Mr. WILLIAMS of Delaware. Mr. President, how much time remains?

The PRESIDING OFFICER. Fourteen minutes.

Mr. WILLIAMS of Delaware. The distinguished Senator from Florida [Mr. HOLLAND] is a gracious opponent. While he and I are not in agreement on this particular amendment, I am glad to yield to him half of my time, and I will speak a little later.

Mr. HOLLAND. Does the Senator from Delaware wish me to use that time now, or later?

Mr. WILLIAMS of Delaware. Go ahead and use it now.

Mr. HOLLAND. I thank the Senator.

Mr. President, I am glad now to yield to the distinguished Senator from South Carolina [Mr. THURMOND].

Mr. THURMOND. Mr. President, I wish to thank my distinguished friend, the Senator from Florida.

There is no man in this body whose ability carries our respect more than that of the distinguished Senator from Delaware [Mr. WILLIAMS]. I have the highest regard for Senator JOHN WILLIAMS. However, I cannot agree with him on this amendment because it would have two detrimental results.

One, it would destroy the cotton program; this would result in a tremendous surplus of cotton in this country and chaos would reign so far as cotton is concerned.

Second, it would be disastrous to the textile industry in this country. It would mean, under the "snap back" provision a return to the two-price cotton system. If that comes about, our mills, which are having a hard time competing now, would have an even harder time just to exist.

NATURE OF COTTON PAYMENT

There are two types of payments made to cotton farmers: First, an income supplement to make up the difference in the 29 to 30-cents-per pound received for cotton under the two-price system and the 20 to 21-cents-per pound he receives for his cotton under the one-price system. Second, a payment to offset the loss of income incurred by diverting land out of cotton in order to reduce the surplus.

EFFECT OF A PAYMENT LIMITATION

There could be two effects from any limitation on price supports on cotton which may be adopted by the Congress. One is an immediate effect and the other is more long range.

THE IMMEDIATE EFFECT UNDER THE SNAPBACK PROVISION

Under the Food and Agriculture Act of 1965 which establishes the one-price cotton system through the 1969 crop, there is what is known as a "snapback" provision in the event of limitations on price support payments.

This section provides that if limitations prevent cotton farmers from receiving the full amount of price support which they would otherwise be due, price support would be set by the Secretary of Agriculture through loans or purchase at a level between 65 and 90 percent of parity. Price support could be implemented through the simultaneous purchase of cotton at the support price and resale at a lower price; or through loans redeemable at a price lower than the loan rate. These procedures would be designed to keep cotton in normal channels of trade, provide for the orderly marketing of cotton during the harvest season, and keep an adequate share of the market for U.S. cotton.

THE LONG-RANGE EFFECT

Price support and acreage allotment programs must be approved each year in a referendum by the farmers. If limitations on price-support payments are enacted by Congress, it would in all probability lead to rejection of the program by the farmers since it requires two-thirds approval. The farmers feeling the most adverse effects from the lack of a program would be the smaller farmers. The larger, corporate type farms, would be in a better position to compete on the open market in the absence of a cotton program than would the small family-type farm.

For these reasons, Mr. President, I feel that it would be a great mistake for the Williams amendment to be adopted and I hope the Senate will defeat it.

Mr. HOLLAND. Mr. President, I am glad now to yield time to the distinguished Senator from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. President, I have appreciated very much the discussion on the pending amendment which has, I think, been thoroughly discussed from every angle. Of course, I shall oppose it and hope it will be defeated overwhelmingly. I am opposed to it because I think it is unjust and unfair, and would destroy the farm program.

However, I wish to use the 2 to 3 minutes allotted me to express my appreciation to the committee, which reported the appropriation for the Department of Agriculture to the Senate, to its chairman, Senator HOLLAND, and to Senator HRUSKA. The committee has demonstrated its interest in agriculture because in some cases it has increased the budget items submitted by the Budget and also has increased some of the figures over the House figure. That is particularly true when it comes to the Great Plains conservation program which, according to the figures I have, established the full amount requested of $18,502,000. This is the minimum amount needed to reduce the large backlog of applications under the cost-sharing programs in the Great Plains area.

The committee also changed some of the funds for the watershed protection program and the soil conservation program. The committee made an increase of $5 million over the House figure for the watershed program. These programs are important to agriculture all over the Nation, particularly in my State of Kansas.

Thus, in the time granted me by the distinguished chairman, I wish to express my deep appreciation to the committee, to the chairman, and to the ranking members of the Committee on Agriculture and Forestry. The committee members have a clear vision of the problems of agriculture. Many people in our Nation do not fully understand the problems of agriculture. The farmers of our Nation at this time do not receive a fair share of the national income. Farm parity is down to 72 or 73 percent. It is certainly important that every effort be made to protect and preserve this great industry.

I thank the chairman for yielding to me.

Mr. HOLLAND. I thank the distinguished Senator from the Sunflower State, which should be called the Wheat State except for the fact that North Dakota is so close to it in production that I imagine its modesty prevents it from calling itself that.

Mr. President, I now yield the remainder of my time, except for 1 minute, to the Senator from Mississippi [Mr. STENNIS]. I am saving 1 minute for the Senator from Arkansas [Mr. FULBRIGHT].

Mr. STENNIS. How much time is that?

Mr. HOLLAND. Five minutes.

Mr. STENNIS. I thank the Senator from Florida. I do not expect to use all that time.

Mr. President, as a member of the subcommittee I want to express my appreciation and thanks for the splendid work accomplished by the chairman of the committee, as well as by the ranking member, the Senator from Nebraska [Mr. HRUSKA]. As usual, they have done a very fine job.

Now, Mr. President, as to the pending amendment, 2 years ago the Senate passed a general agricultural bill. All the facts were set before us. Hearings were held. Recommendations were made on all the points that were at issue and a definite policy was adopted by a majority of Congress, sent to the White House and signed by the President of the United States. This was a 4-year program and included in that was a policy with reference to cotton.

I will talk about that because I am more familiar with it. We made frank adjustments there in adopting the policy that the basic price of American cotton was going to be the world price. In order to do that, payments were involved in the nature of a subsidy. Not only were they involved, but there were involved the ACP payments, payments for the retirement of land, as well as the price support program.

Anyway, that was the policy adopted for 4 years. There has been no change in that basic law since. But the amendment proposed to this appropriation bill would say, in effect, "Yes, we adopted the policy, but we are not going to pay the account. We are going to repudiate a promise we made here to the American people and to the American farmer." Call it whatever you will, it comes back to that, except it is worse than a repudiation. It is a repudiation as to some, but living up to the promise as to others, which is a compounding of basic unfairness and an abolishment of principle—something we cannot afford to have, however much appeal there may be in the bare, raw amendment itself.

As the Senator from Louisiana said, those of us who have been through this for many years know that if any policy is to work and be successful, it must apply across the board. This amendment would say, "We admit the policy, we admit it is the law, but we are going to repudiate that promise, especially as to some, those that get more."

We can amend that policy any time we wish. We can modify the law any time we wish. But we have no right to repudiate it, as long as the obligation is here, by failing to appropriate the money to carry it out.

I hope the amendment will be overwhelmingly defeated, on its face, on its logic, as well as the principle involved.

I thank the Senator for yielding, and return the time I did not use to him.

Mr. HOLLAND. Mr. President, I now yield 3 minutes to the distinguished Senator from Arkansas [Mr. FULBRIGHT].

Mr. FULBRIGHT. Mr. President, this amendment has been offered for about 8 years by the Senator from Delaware. I am not sure there is anything original about it. I am opposed to it. The Senate has defeated it time and time again.

If the matter is to be dealt with, it should be dealt with in an orderly manner, as the Senator from Mississippi has said. In this instance it would be wholly inappropriate to support the amendment.

Just for the record I wish to note some of the programs which would be included under the amendment. I refer to page 656 of the hearings, in which Mr. Godfrey replied:

> This includes the acreage diversion payments on cotton, feed grains, and wheat; price-support payments on cotton and feed grains; wheat marketing certificates; cost-share payments under the agricultural conservation program, emergency conservation and Appalachia programs, land retirement and conservation assistance payments under the cropland conversion, cropland adjustment, and the conservation reserve programs, payments under the Sugar Act, the National Wool Act, and the milk indemnity payment program, but does not include any price-support loans or purchases.

The point I would like to emphasize is that it is not just payments to a few large producers that are involved, but a great many activities that are in the national interest, in the sense of conservation of croplands, under the ACP program, which have proved to be of great benefit, and against which there probably is not any opposition. If there is any, there is very little. I do not think that the sponsors of the amendment are against that program.

I think the principle that opposition is to be had because there are a few large payments is an erroneous one. The public is getting benefits under the program, which has proved to be beneficial to the economy as a whole. The immediate beneficiaries have been the farmers, but the overall beneficiaries are the people of this country in assuring to them that the fertility and productivity of this country will continue for many years to come, and to assure an adequate supply of food and fiber for this country. So I trust the Senate will not vote for adoption of the amendment.

Mr. HOLLAND. Mr. President, do I have any time remaining, including the time so generously yielded by the Senator from Delaware?

The PRESIDING OFFICER. The

Senator from Florida has 3 minutes remaining.

Mr. HOLLAND. I yield to the Senator from North Dakota such time as he may require.

Mr. YOUNG of North Dakota. Mr. President, referring to the merchant marine, one of the reasons for the high cost of the agricultural bill is that the law requires that 50 percent of the food to be transported under the food-for-peace program has to be carried in American bottoms. Starting in 1955 to date the merchant marine subsidy for that program has cost us $1.307 billion. This is in addition to the other huge subsidies paid to our merchant marine.

I will be glad to join, when this provision expires about a year from now, in efforts to eliminate this kind of subsidy paid to the merchant marine.

Mr. President, I ask unanimous consent that figures on the subsidy payments to the merchant marine, which appear on page 679 of part 1 of the hearings, be printed in the RECORD as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Extra costs to the Department of Agriculture of using U.S. vessels under the several Public Law 480 programs

[Millions of dollars]

Fiscal year	Sales for foreign currency [1]	Foreign donations	Barter [2]	Long-term credit sales	Total
1955	9.6		0.1		9.7
1956	20.2		.2		20.4
1957	50.6		.1		50.7
1958	53.8		.1		53.9
1959	73.8		.2		74.0
1960	79.6		.1		79.7
1961	107.7	6.9	1.3		115.9
1962	98.4	11.9	.3	0.6	111.2
1963	147.0	11.2	.6	1.4	160.2
1964	141.7	12.0		1.8	155.5
1965	148.8	11.1		7.3	167.2
1966	82.8	[3] 13.7	.3	9.8	106.6
1967 (estimate	56.1	[3] 14.8	.3	13.0	94.2
1968 (estimate)	68.3	[3] 14.8	.3	24.8	108.2
Total	[4] 1,148.4	[5] 96.4	[5] 3.9	[5] 58.7	1,307.4

[1] Total out-of-pocket costs to CCC.

[2] Shipments of nonagricultural materials on U.S. vessels under barter contracts.

[3] Estimated at 17 percent of total costs.

[4] The U.S. Government required through fiscal year 1966 from the recipient country, foreign currencies equivalent to $516 million over this same period of years, representing the estimated foreign-flag vessel rate. Some of these currencies have been available for payment of U.S. expenses abroad.

[5] Reflects costs or ocean transportation on U.S.-flag vessels in excess of foreign-flag vessel rates.

Note.—The above extra costs are due to the Cargo Preference Act, Public Law 664, 83d Cong.

Mr. McGOVERN. Mr. President, this morning I received a memorandum from the president of the National Farmers Union explaining that while his organization favors a limitation on benefits from our national farm programs, to encourage family-type agriculture, "the establishment of a limitation on payments without giving full consideration to the varying characteristics of farming within varying agricultural regions and counties simply does not make sense."

The Farmers Union proposes that the Department of Agriculture establish criteria to define family farms county by county throughout the Nation, which would become the basis for any limitation on farm program benefits.

I find myself today in very much the same situation as many others who advocate limitations.

I favor a limitation on Federal program benefits which will assure the continuation of the family farm pattern in American agriculture. I believe that we are approaching a time in the history of production control efforts, which have required that we encourage large farmers as well as small to retire acreage, when it may become practicable to impose a limitation on benefits. If we meet our responsibilities in the world war against hunger, the need for acreage limitation is going to decline very rapidly. When we reach that point, and it is no longer necessary to condition Federal program benefits on acreage retirement, the Federal benefits can be used to adjust income to fairer levels, and there should be no great difficulty in limiting benefits to a reasonable family income level.

Before we enact a limitation, however, or a graduated scale of benefits, or some other device, we need to study very carefully various methods, their effect, and their consistency with national agricultural goals.

We certainly should not enact a limitation which will undermine the effectiveness of acreage limitation, or supply management, while that is still necessary, or a limitation which may have very uncertain effect on the structure of farming in the varying areas of the Nation. It should be done carefully, after we have ascertained just as certainly as is possible what the effect of the particular limitation under consideration will be. We need to have hearings and the best analysis and advice we can get.

Under the circumstances, Mr. President, I cannot support a limitation offered as an amendment from the floor, without Agriculture Committee consideration and support, about which there is considerable debate and great uncertainty.

I ask unanimous consent to insert in the RECORD the message which President Tony T. Dechant of the National Farmers Union sent to Senators yesterday, July 12.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

NATIONAL FARMERS UNION,
Washington, D.C., July 12, 1967.

URGENT LEGISLATIVE MESSAGE

To: Member of the U.S. Senate.
From: Tony T. Dechant, President, National Farmers Union.

I respectfully urge you to support the Agricultural Appropriations Act which will soon come to the Senate floor.

The comprehensive and detailed position of Farmers Union on various programs of the United States Department of Agriculture for which funds are provided in the Act has been fully documented in hearings before the Agricultural Appropriations Subcommittee under its capable chairman, Senator Spessard Holland.

While Farmers Union strongly supports in principle a family farm cut-off, we question the arbitrary imposition of a limit on payments at this time without recognition being given to differences between farming operations over the Nation.

The delegates to our 1967 convention reaffirmed and supported the establishment by United States Department of Agriculture a criteria for defining commercial family farms by counties. Farms vary greatly in size between the various agricultural sections of the Nation. Therefore, the establishment of a limitation on payments without giving full consideration to the varying characteristics of farming within varying agricultural regions and counties simply does not make sense.

The definition of commercial family farms on a county-by-county basis would facilitate, in the view of our delegates to our 1967 convention, the administration of the various farm programs—commodity, credit, conservation, cooperative and education.

All of these programs in the United States Department of Agriculture and the programs of other agencies relating to agriculture and forestry should be directed in a positive way toward strengthening a commercial family-farm pattern of agriculture to which nearly everybody in our Nation subscribes but which is failing under programs as currently administered. For example, farm population is one-half of the 1947–49 average and the number of farms has been drastically reduced by 40 percent over the same period. And the trend continues.

The central issue is whether we may be able to maintain the desired commercial family-farm pattern of agriculture or go down the road toward a factory-in-the-field agriculture. Until such time as the United States Department of Agriculture has established such a criteria as we have outlined above, we ask that you support the concept of limitations on payments coupled with a legislative directive to the United States Department of Agriculture which requires full consideration of the various characteristics of farming within varying agricultural regions and counties.

Mr. HOLLAND. Mr. President, I yield back whatever time I may have left, again expressing appreciation for the generosity of the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I believe I have 7 minutes remaining. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. WILLIAMS of Delaware. I yield myself such time as I may need.

The Senator from North Dakota is right about the merchant marine subsidy. This is another subsidy which I have been unsuccessful in trying to roll back. The American merchant marine subsidy has gone too far. I will join him in cutting it back when the bill is before us. He makes a valid point.

There are many types of subsidies which have outlived their need, but we have got to start somewhere. The agriculture bill happens to be before us today. That is the reason we are making this attempt here.

The question has been asked, What is wrong with large farmers in America? I say there is nothing wrong. This is a part of our capitalistic system. I defend any farmer who wants to expand his operations, be he an individual, in partnership with someone, or a corporation. What I object to is dipping into the Federal Treasury and paying half a million dollar subsidy to help this corporate operation expand. Let him do it on his own initiative.

The question may be raised in the minds of some as to why I, coming from an eastern industrial State, would be interested in agriculture. I am interested in it from the standpoint of cost to the taxpayers and as a member of the Finance Committee which must raise the taxes to pay for these expenditures.

Also, I may point out that while I come from the second smallest State, the county in which I live ranks as the fifth county east of the Rocky Mountains in agricultural production, and it outranks in agricultural production any county in any of the so-called agriculture States of the Senators who have spoken this afternoon. So I come from an agricultural area, and I do understand these programs—what they do, and what they cost, as well as whom they benefit.

The argument has been made that Congress has no right to renege on a law that has been passed and a contract that has been made. They argue that farmers who have planted wheat and other crops have done so under the law passed by Congress, and therefore there is a direct commitment. That is true, but my amendment does not become effective until the 1968 crops for that reason. The adoption of this amendment would not repudiate outstanding commitments made under the law.

I opposed the amendment of the Senator from Wisconsin [Mr. Proxmire] for that same reason; the expenditures had been made, and we had the obligation to pay the bills. The place to change the expenditures is in the future crops. This amendment would be effective for the crop year 1968.

Much has been said about the wool growers needing this program. I respect that argument. It is one of the strongest arguments that has been made, but I have yet to find a single wool grower who appears on this list of large payments.

Let us not pull the wool over the taxpayers' eyes. I point out that when we figure this program of expenditures, out of the 3-billion-some-odd-million dollars lost in the first 3 months of this year, $776 million was for cotton, and $1,302,000,000 was for feed grains. So two-thirds of the losses sustained thus far do not even touch wool; and wool is such an insignificant item in the overall total that it is included at the bottom of the tabulation under the heading "Others," all of which received $10,675,000.

Earlier today I placed in the Record the Department of Agriculture report of May 9, 1967, covering the first 9 months of this fiscal year. This showed the losses sustained broken down by crops.

I say again, you cannot find wool mentioned, it is such a small item.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. YOUNG of North Dakota. Does the Senator include wool payments by way of Federal support programs, and wheat payments by way of wheat certificates?

Mr. WILLIAMS of Delaware. I am including all cash payments as I mentioned before.

The Senator from Hawaii made a rather convincing argument that the sugar processors in Hawaii had paid about $11 million in taxes on sugar, if I recall correctly, and the producers in Hawaii had collected only $9 million in subsidy payments during the same year.

Those figures are correct, but what do they prove? I point out that the sugar processors in Hawaii did not pay the tax. They were only collectors of the tax. The tax was paid by the housewives all over America who buy this sugar. They merely collected it and transmitted it to the Government. To say that the processors paid this tax is just as erroneous as to say that the tobacco companies in North Carolina pay the taxes on the cigarettes and all tobacco. The man who buys the cigarettes and the tobacco pays the tax, but it is collected by the manufacturers. If we were to carry that argument to an extreme, we could say that the whisky processors in America, who get no subsidy, are the only ones who are trying to balance the budget. On that basis everybody should go off on a drunken spree, because there is no subsidy.

But let us not get into any such diversionary arguments again. As I pointed out before, if we are not careful Secretary McNamara will be coming down and saying, "The taxes paid by the corporate taxpayers are enough to pay the cost of the war in Vietnam, and, therefore, no individual taxpayer should complain; this war is not costing him anything." All taxes are collected by the Federal Government, paid into the Treasury, and commingled, and the checks are written out of the Treasury.

Another Senator has argued that these large subsidy payments are not welfare payments. Certainly they are not welfare payments, but neither are the recipients of these large subsidies exactly paupers. Five large operators in 1966 received checks in excess of $1 million. Two of them each received subsidy checks in excess of $2 million. There were 11 farming operations in 1966 that received between $500,000 and $1 million, and 258 individuals or corporations received between $100,000 and $500,000.

Certainly these are not welfare payments, but I call to the attention of Senators again that the recipients are not welfare patients, either. I agree this is not a poverty program. Neither are these poverty-stricken individuals, and in my opinion, we cannot justify going into the Federal Treasury and paying this type of a subsidy to expand these corporate-type operations.

We have all heard that the agricultural program instituted by the late Vice President of the United States, Henry Wallace, was a socialistic program, one which would cost a lot of money, and that he had some wild ideas about farm subsidies. But I should like to read at this point an editorial which appeared in the Wallace's Farmer of June 24, 1967.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HOLLAND. Mr. President, if I have any more time, I shall be glad to yield it to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Florida has 1 minute remaining.

Mr. HOLLAND. How much time does the Senator need?

Mr. WILLIAMS of Delaware. Five minutes, if I may have it.

Mr. MANSFIELD. Five minutes on the bill.

Mr. HOLLAND. I have no time left on the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Delaware may have an additional 5 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. WILLIAMS of Delaware. I thank the Senator. I read now an editorial which appeared in Wallace's Farmer for June 24, 1967. It is entitled "No Limit on Payments," and reads as follows:

> ### No Limit on Payments
>
> An attempt was made in the House again this year to put a $25,000 limit on farm program payments. The attempt failed, as similar attempts failed in previous years.
>
> Are there any valid objections to a reasonable ceiling on government payments? We would prefer a ceiling of $10,000 per year rather than $25,000, but Congress won't even approve the higher limit.
>
> City newspapers regularly send reporters to ASC offices to get a list of those who got big government checks. The obvious inequity of USDA sending a check to a big corporate farm operator gives all farmers and farm programs a black eye with the general public.
>
> But we shouldn't give up trying to get payment limits enacted. They may help save the commercial family farm some day. We feel the family farmer should get some government help in his coming struggle against the integrated, multimillion dollar, corporate food producer.

Mr. President, this editorial supports my amendment. I will say it points out how far we have gone, that, I as a conservative from the East, would here today be using an editorial from Henry Wallace's paper in support of a conservative amendment on the farm program.

Mr. President, I certainly hope that the amendment will be adopted, and I repeat again, the acceptance of this amendment does not mean that the Government reneges on any commitment made to any farmer anywhere in the United States for the crops he has produced or will produce in the calendar year 1967. We have a perfect right, as every one of the speakers herefore has admitted, to modify that program for the future if Congress sees fit to do so. But we have an obligation, when we do, to modify it for the year in advance.

It will not be long before we shall be asking the American people to consider the question of whether we should or should not increase income taxes. Certainly, if we are going to cut back on government spending, we must start by cutting back on these programs as they are before us for a vote. I simply do not see, as one individual, any basis for continuing to pay these huge subsidies to the large corporate-type operations. I think the strength of the foundation of America is based on the small individual family farm. My amendment would give to that small farmer a direct advantage over the large farmer in that he could collect his $10,000 cash in benefits of the program, whereas the others would operate on a free market.

I say again, this does not affect one iota the price support programs, because they come under other laws. This amendment does not put a limitation on the price support programs, or the amount that can be loaned for price support programs; it does limit the direct cash subsidy payments for land diversion, and so forth.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. YOUNG of North Dakota. I think the Senator would be correct, so far as some price support programs are concerned; but I think he would have to agree that in order to make this effective on the sugar program, we would have to rewrite the whole program.

Mr. WILLIAMS of Delaware. The Senator is correct, to the extent that this is looked upon as a price support for the sugar producers. It could be argued that sugar supports are paid as direct cash payments. But why should we not place a limit on the amount we would pay to the sugar producers. The average individual producer does not collect more than $10,000 per year.

I conclude my remarks by saying that while I recognize that the tax on sugar may offset the amount of the subsidy paid to the sugar producers, to me that is no more of an argument than to say that since the income taxes paid by thousands of American farmers more than offset their subsidies that too is a free program. We are merely belaboring the point and dodging the real issue. The real issue here is, do we want to continue paying out Federal Treasury checks for $500,000, $1 million, or $100,000, to these corporate farmers?

This is not a price support program. This is a payment for not producing.

The Senator from Texas argued that these large farmers need the subsidy because they have to pay a higher minimum wage today if they are employing over seven employees.

This provision has nothing to do with the wages they pay. It has to do with what they collect on the portion of the farm which they are not operating. Consequently, there is no way in which work is involved with the exception of the work that is involved when the individual collects the check, takes it to the bank, and cashes it.

Mr. President, I ask unanimous consent that a list of the cash payments in excess of $50,000 as compiled by the Department of Agriculture be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Payments of $1,000,000 and over under ASCS programs, 1966 (excluding price-support loans)

CALIFORNIA

Griffen, Inc., Huron (Fresno County)	$2,397,073
South Lake Farms, Five Points (Fresno County)	1,468,696
J. G. Boswell Co., Corcoran (Kings County)	2,807,633
Salyer Land Co., Corcoran (Kings County)	1,014,860

HAWAII

Hawaiian Commercial & Sugar Co., Honolulu (State office)	1,236,355

Payments of $500,000 to $999,999 under ASCS programs, 1966 (excluding price-support loans)

ARIZONA

Farmers Investment Co., Agulla (Maricopa County)	$747,547
Youngker Farms, Buckeye (Maricopa County)	508,988

CALIFORNIA

Vista Del Lland, Firebaugh (Fresno County)	622,840
Boston Ranch Co., Lemoore (Fresno County)	506,061
Kern County Land Co., Bakersfield (Kern County)	652,057
Westlake Farms, Stratford (Kings County)	622,569

FLORIDA

South Puerto Rico Sugar Co., South Bay (Palm Beach County)	576,433

HAWAII

Lihue Plantation Co., Ltd., Honolulu (State office)	577,426
Oahu Sugar Co., Honolulu (State office)	526,171
Waialua Agricultural Co., Ltd., Honolulu (State office)	516,520

PUERTO RICO

Luce & Co., Aguirre (Mayaguez County)	518,224

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)

ALABAMA

E. F. Mauldin, Town Creek (Lawrence County)	$101,398

ARIZONA

O. L. Hilburn, Bowie (Cochise County)	116,000
Goodyear Farms, Litchfield Park (Maricopa County)	275,056
Bogle Farms, Chandler (Maricopa County)	268,584
D. R. Hiett, Mesa (Maricopa County)	180,887
Waddell Ranch Co., Waddell (Maricopa County)	139,187
Fridenmaker Farms, Phoenix (Maricopa County)	130,396
Abel Bros., Tolleson (Maricopa County)	129,358
F. C. Layton, Tolleson (Maricopa County)	126,358
Ben Riggs & Son, Chandler (Maricopa County)	115,602
Ed Ambrose, Buckeye (Maricopa County)	114,975
J. L. Hodges Farming Co., Buckeye (Maricopa County)	114,619
Bkw Farms, Inc., Marana (Pima County)	285,508
John Kai, Marana (Pima County)	200,411
John J. and Ola V. Lord, Tucson (Pima County)	118,667
Kirby Hughes, Marana (Pima County)	112,017
C & V Sheep & Cattle Co., Inc., Maricopa (Pinal County)	453,328
Red River Land Co., Stanfield (Pinal County)	362,138
Hamilton Farms, Eloy (Pinal County)	347,810
John D. Singh, Casa Grande (Pinal County)	317,742
Ak Chin Enterprises, Maricopa (Pinal County)	278,422
Pima Community Farms, Sacaton (Pinal County)	273,303
Arizona Farming Co., Eloy (Pinal County)	218,523
L–4 Ranches, Inc., Queen Creek (Pinal County)	213,861
Coury Bros., Queen Creek (Pinal County)	193,437

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ARIZONA—continued

W. T. Golston Farms, Stanfield (Pinal County)	$188,873
Kirby Hughes, Tucson (Pinal County)	185,163
Thunderbird Farms, Phoenix (Pinal County)	158,880
J. A. Roberts, Casa Grande (Pinal County)	155,276
Imperial Valley Cattle Co., Arizona City (Pinal County)	154,243
Rancho Tierra Prieta, Eloy (Pinal County)	148,291
Talla Farms, Inc., Stanfield (Pinal County)	142,695
Ray Farms Co., Litchfield Park (Pinal County)	134,239
Isom & Isom, Casa Grande (Pinal County)	132,166
Milton P. Smith, Jr., Maricopa (Pinal County)	125,962
Santa Cruz Farms, Inc., Eloy (Pinal County)	109,875
Paul Brophy, Casa Grande (Pinal County)	109,256
McCarthy Hildebrand Farms, Eloy (Pinal County)	108,315
McFarland & Hanson Ranches, Coolidge (Pinal County)	107,453
Anderson Bros., Casa Grande (Pinal County)	105,266
Glenn Lane, Coolidge (Pinal County)	102,095
Barkley Co. of Arizona, Somerton (Yuma County)	324,588
Bruce Church, Inc., Yuma (Yuma County)	260,911
J. W. Olberg, Yuma (Yuma County)	207,588
Colorado River Trading Co., Parker (Yuma County)	166,030
Jones Ranches, Eloy (Yuma County)	151,858
Texas Hill Farms, Yuma (Yuma County)	138,920
Ben Simmons, Parker (Yuma County)	128,941
Sherrill Lafollette, Phoenix (Yuma County)	102,512

ARKANSAS

M. K. Kuhn & B. K. Happell & VKC, (Crittenden County)	215,525
Bond Pltg. Co., Clarkedale (Critten County)	107,674
Arkansas State Penitentiary, Grady (Lincoln County)	122,090
George Yarbrough, England (Lonoke County)	126,351
Howe Lumber Co., Inc., Wabash (Phillips County)	255,822
Brooks Griffin, Elaine (Phillips County)	158,405
Keiser Supply Co., Keiser (southern Mississippi County)	444,654
Wesson Farms, Inc., Victoria (southern Mississippi County)	177,083
Rufus C. Branch, Joiner (southern Mississippi County)	118,024
Armorel Planting Co., Armorel (southern Mississippi County)	102,405
J. G. Adams and Son, Hughes (St. Francis County)	136,021

CALIFORNIA

Five Points Ranch, Inc., Five Points (Fresno County)	471,583
Airway Farms, Inc., Fresno (Fresno County)	364,177
Jack Harris, Inc., Five Points (Fresno County)	344,672
Sullivan & Gragnani, Tranquillity (Fresno County)	290,914
McCarthy & Hildebrand, Burrel (Fresno County)	282,946

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

CALIFORNIA—continued

Schramm Ranches, Inc., San Joaquin (Fresno County)	$270, 600
Timco, Mendota (Fresno County)	250, 005
Redfern Ranches, Inc., Dos Palos (Fresno County)	203, 061
Colt Ranch, Inc., Mendota (Fresno County)	184, 625
W'm H. Noble, Kerman (Fresno County)	166, 794
Frank C. Diener Ranch, Five Points (Fresno County)	161, 522
W. J. Deal, Mendota (Fresno County)	153, 560
Raymond Thomas, Inc., Madera (Fresno County)	153, 279
M. J. & R. S. Allen, Coalinga (Fresno County)	153, 037
Hugh Bennett, Firebaugh (Fresno County)	149, 917
Pilibos Bros., Inc., Fresno (Fresno County)	140, 079
V. C. Britton, Firebaugh (Fresno County)	122, 216
J. E. O'Neill, Inc., Fresno (Fresno County)	116, 564
Linneman Ranches, Inc., Dos Palos (Fresno County)	113, 742
Harnish Five Points, Five Points (Fresno County)	113, 291
Ryan Bros., Mendota (Fresno County)	110, 198
Telles Ranch, Inc., Firebaugh (Fresno County)	108, 398
Wood Ranches, Lemoore (Fresno County)	104, 213
H. B. Murphy Co., Brawley (Imperial County)	358, 079
Elmore Co., Brawley (Imperial County)	287, 026
Jack Elmore, Brawley (Imperial County)	197, 219
Russell Bros. Rches, Inc., Calipatria (Imperial County)	189, 608
W. E. Young & W. E. Young, Jr., Calipatria (Imperial County)	181, 182
Irvine Co., El Centro (Imperial County)	179, 737
C. T. Dearborn, Calipatria (Imperial County)	150, 859
Sinclair Rches, Calipatria (Imperial County)	141, 045
J. H. Benson Est., Brawley (Imperial County)	140, 576
Antone Borchard Co., Brawley (Imperial County)	133, 201
Salton Sea Farms, Calipatria (Imperial County)	128, 762
Stephen H. Elmore, Brawley (Imperial County)	126, 243
Donald H. Cox, Brawley (Imperial County)	100, 196
Neil Fifield Co., Brawley (Imperial County)	107, 892
Wynne & Elmore, Calipatria (Imperial County)	104, 585
Stafford Hannon, Brawley (Imperial County)	101, 387
Adamek & Dessert, Seeley (Imperial County)	100, 184
S. A. Camp Farms Co., Shafter (Kern County)	426, 922
Miller & Lux, Bakersfield (Kern County)	299, 051
M & R Sheep Co., Oildale (Kern County)	286, 949
Giumarra Vineyard Corp., Bakersfield (Kern County)	246, 882
Houchin Bros. Farming Buttonwillow (Kern County)	245, 313
W. B. Camp & Sons, Bakersfield (Kern County)	192, 080
O. M. Bryant, Jr., Pond (Kern County)	180, 443
Mazzie Farms, Arvin (Kern County	173, 014

Payments of $100,000 to $499,999 under ASCS programs, 19.6 (excluding price-support loans)—Continued

CALIFORNIA—continued

C. J. Vignolo, Shafter (Kern County)	$169, 677
Reynold M. Mettler, Bakersfield (Kern County)	129, 743
Tejon Ranch Co., Bakersfield (Kern County)	121, 096
Em. H. Mettler & Sons, Shafter (Kern County)	111, 918
Bidart Bros., Bakersfield (Kern County)	109, 615
McKittrick Ranch, Bakersfield (Kern County	107, 247
Cattani Bros., Bakersfield (Kern County)	105, 318
Wheeler Farms, Bakersfield (Kern County)	100, 259
West Haven Farming Co., Tulare (Kings County)	289, 841
Vernon L. Thomas, Inc., Huron (Kings County)	285, 953
J. G. Stone Land Co., Stratford (Kings County)	232, 851
Gilkey Farms, Inc., Corcoran (Kings County)	189, 048
Borba Bros., Riverdale (Kings County)	154, 573
Kern River Delta Farms, Wasco (Kern County)	153, 323
Boyett Farming, Corcoran (Kings County)	117, 265
Nichols Farms, Inc., Hanford (Kings County)	112, 677
R. A. Rowan Co., Los Angeles (Kings County)	100, 778
Red Top Ranch, Red Top (Madera County)	133, 555
Bowles Farming Co., Los Banos (Merced County)	141, 375
Wilco Produce, Blythe (Riverside County)	296, 484
Riverview Farm & Cattle Co., Blythe (Riverside County)	266, 654
Clarence Robinson, Blythe (Riverside County)	139, 745
John Norton Farms, Blythe (Riverside County)	128, 735
Kennedy Brothers, Indio (Riverside County)	107, 466
C. J. Shannon & Sons, Tulare (Tulare County)	230, 572
E. L. Wallace, Woodland (Yola County)	149, 636
E. L. Wallace & Sons, Woodland (Yola County)	105, 443
Heldrick Farms, Inc., Woodland (Yola County)	103, 722

COLORADO

Olive W. Garvey, Garvey Farms Management Co., Colby, Kans. (Kiowa County)	107, 110
Baughman Farms, Inc., Liberal, Kans. (Kit Carson County)	286, 358

FLORIDA

Talisman Sugar Corp. Belle Glade (Palm Beach County)	362, 477
Florida Sugar Corp., Belle Glade (Palm Beach County)	151, 146
A. Duda Sons, Inc., Oviedo (Palm Beach County)	130, 064
715 Farms, Ltd., Pahokee (Palm Beach County)	113, 336
Closter Farms, Inc., Belle Glade (Palm Beach County)	100, 475

HAWAII

Pioneer Mill Co., Honolulu (State office)	489, 369
Ewa Plantation Co., Honolulu (State office)	458, 220
Kekaha Sugar Co., Ltd., Honolulu (State office)	422, 001
Kohala Sugar Co., Honolulu (State office)	420, 019
Grove Farm Co., Inc., Lihue (State office)	376, 678

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

HAWAII—continued

Laupahoehoe Sugar Co., Honolulu (State office)	$359,2639
Honokaa Sugar Co., Honolulu (State office)	358, 627
Hamakua Mill Co., Honolulu (State office)	335, 885
McBryde Sugar Co., Ltd., Honolulu (State office)	317, 639
Hutchinson Sugar Co., Ltd., Honolulu (State office)	312, 986
Puna Sugar Co., Ltd., Honolulu (State office)	302, 336
Kahuku Plantation Co., Honolulu (State office)	208, 135
Gayaud Robinson, Makaweli (State office)	183, 761

INDIANA

William Gehring, Inc., Rensselaer (Jasper County)	103, 540

IOWA

Francis Wisor Gooselake (Clinton County)	100, 189
Amana Society, Middle-Amana (Iowa County)	155, 006

KANSAS

The Garden City Co., Garden City (Kearny County)	100, 032

LOUISIANA

Scopena Plantation, Bossier City Bossier Parish)	118, 608
J. P. Brown, Lake Providence (East Carroll Parish)	162, 051
Epps Plantation, Epps (East Carroll Parish)	103, 962
South Coast Corp., Mathews (Lafourche Parish)	281, 823
Southdown, Inc., Thibodaux (Lafourche Parish)	163, 868
J. H. Williams, Natchitoches (Natchitoches Parish)	132, 285
Sterling Sugars, Inc., Franklin (St. Mary Parish)	116, 530

MISSISSIPPI

Delta and Pine Land Co., Scott (Bolivar County)	468, 529
Robbins and Long, Rosedale (Bolivar County)	132, 609
Dan Seligman, Shaw (Bolivar County)	124, 515
Kline Planting Co., Alligator (Coahoma County)	118, 618
Roundaway Planting Co., Alligator (Coahoma County)	116, 592
Fred Tavoleti & Sons. Clarksdale (Coahoma County)	104, 210
John B. & F. B. McKee, Friar Point (Coahoma County)	103, 950
Oakhurst Co., Clarksdale (Coahoma County)	103, 561
J. H. Sherard & Son, Sherard (Coahoma County)	103, 184
Pal Sanders, Walls (De Soto County)	154, 390
Topanco Caine Farm, Lake Cormorant (De Soto County)	106, 773
B. W. Smith Planting Co.. Louise (Humphreys County)	124, 954
Blanche R. Slough, in care of T. L. Reed III, Belzoni (Humphreys County)	124, 354
Buckhorn Planting Co., R.R. 2, Greenwood (Laflore County)	161, 595
Four Fifths Plantation, R.R. 3, Greenwood (Laflore County)	124, 124
West, Inc., R.R 1, Sidon (Laflore County)	121, 014
Wildwood Plantation, R.R. 3, Greenwood (Laflore County)	117, 042
The Branw Farm, Schlater (Leflore County)	102, 206
Harrison Evans, Shuqualak (Noxubee County)	189, 729

Payments of $100,000 to $499,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

MISSISSIPPI—continued

Yandell Bros., Vance (Quitman County)	$127,923
Pantherburn Co., Panther Burn (Sharkey County)	112,884
Cameta Plantation, Inc., Anguilla (Sharkey County)	105,164
Mrs. E. C. Eastland, Doddsville (Sunflower County)	129,997
Duncan Farms, Inc., No. 2, Inverness (Sunflower County)	115,419
Roy Flowers, Mattson (Tallahatchie County)	162,647
M. T. Hardy, Webb, (Tallahatchie County)	110,625
Mike P. Sturdivant, Glendora (Tallahatchie County)	106,533
H. R. Watson & Sons, Tunica (Tunica County)	109,801
Live Oak Plantation, Arcola (Washington County)	188,455
Potter Bros., Inc., Arcola (Washington County)	154,232
Husbandville Plantation, care of W. T. Robertson, Holly Ridge (Washington County)	123,522
Torrey Wood & Son, Hollandale (Washington County)	118,143
Trail Lake Plantation, Tralake (Washington County)	115,179
W. T. Touchberry, care of Peru Plantation, Glen Allan (Washington County)	114,349
Dean & Co., Tribbett (Washington County)	110,646
R. A. Ingram, Leland (Washington County)	110,181

MONTANA

Campbell Farming, Hardin (Big Horn County)	164,351
State of Montana, Helena (Sheridan County)	337,345

NEW MEXICO

John Garrett & Sons, Clovis (Curry County)	143,608
Emma Lawrence, Hobbs (Lea County)	158,261

NORTH CAROLINA

McNair Farms, Inc., T. J. Harris, Red Springs (Hoke County)	195,053

OHIO

Ward Walton & Associates Inc., Upper Sandusky (Marion County)	127,850

OREGON

Cunningham Sheep Co., Pendleton (Umatilla County)	107,647

PUERTO RICO

A. Roig Sucrs., Humacao (Mayaguez County)	349,095
C. Brewer P. R. Co., Fajardo (Mayaguez County)	308,294
Sucn J. Serralles, Mercedita (Mayaguez County)	274,403
A. Martinez, Jr., trust, Aguadilla (Mayaguez County)	131,385
C. Oppengeimir Admini, Guaganilla (Mayaguez County)	117,900

SOUTH CAROLINA

W. R. Mayes, Mayesville (Sumter County)	167,083

TEXAS

Three Way Land Co., De Kalb (Bowie County)	192,958
H. H. Moore & Sons, Navosta (Brazos County)	274,719
Est. Geo. C. Chance, Bryan (Burleson County)	112,592
Martha M. Russell, San Benito (Cameron County)	103,134
Edwin P. Carroll, Panhandle (Carson County)	130,093
Hill Farms, Hart (Castro County)	142,119

TEXAS—continued

Ware Farms Co., Dimmitt (Castro County)	$107,180
Carl Easterwood, Dimmitt (Castro County)	103,461
Jimmie Cluck, Hart (Castro County)	101,778
J. K. Griffith, Morton (Cochran County)	275,921
John A. Wheeler, Lorenzo (Cochran County)	167,922
Bill Weaver, Lamesa (Dawson County)	111,136
Taft McGee, Hereford (Deaf Smith County)	129,080
Perrin Bros., Hereford (Deaf Smith County)	109,488
R. C. Goodwin, Hereford (Deaf Smith County)	109,212
Lee Moor Farms, Clint (El Paso County)	101,494
Texas Department of Corrections, Central Farm 520, Sugarland (Fort Bend County)	288,911
Ercell Givens, Abernathy (Hale County)	152,727
Lloyd M. Bentsen, Jr., Houston 2 (Hidalgo County)	152,352
Sebastian Cotton & Grain Corp., Sebastian (Hidalgo County)	138,190
Helen Engelman Stegle, Elsa (Hidalgo County)	121,889
Krenmueller Farms, San Juan (Hidalgo County)	102,879
Rio Farms, Inc., Edcouch (Hidalgo County)	101,801
R. T. Hoover Farms, Fabens (Hudspeth County)	240,518
C. L. Ranch, Dell City (Hudspeth County)	119,233
Halsell Estate, Kansas City (Lamb County)	134,586
Busby Farms, Olton (Lamb County)	100,733
Pendell and Roseta Farms, Eagle Pass (Maverick County)	135,048
Sun Valley Farms, Inc., Fort Stockton (Pecos County)	159,810
Clark & Roberts, Pecos (Red River County)	173,407
Worsham Bros., Pecos (Reeves County)	217,126
U-Bar Land and Cattle Co., Pecos (Reeves County)	178,822
Kesey Bros., Pecos (Reeves County)	165,622
Kenneth Lindemann, Pecos (Reeves County)	146,773
Mi Vida Farms, Inc., Pecos (Reeves County)	113,701
*John W. Nigliazzo, Hearne (Robert*son County)	110,526
F. H. Vahlsing, Inc., Mathias (San Patricio County)	138,880
Fowler E. McDaniel, Tulia (Swisher County)	141,236
W. T. Waggoner trust estate, Vernon (Wilbarger County)	128,007

WASHINGTON

Broughton Land Co., Dayton (Columbia County)	103,545
State of Washington, Department of Natural Resources, Ephrata (Lincoln County)	125,552

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)

ALABAMA

W. L. Corcoran, Eufaula (Barbour County)	$54,666
Ben F. Bowden, Eufaula (Barbour County)	51,227
Joe I. McHugh, Orrville (Dallas County)	90,554
G. T. Hamilton, Hillsboro (Lawrence County)	65,449

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ALABAMA—continued

Grady Windle Parker, Courtland (Lawrence County)	$55,974
T. J. Jones, Sprott (Perry County)	55,330

ARIZONA

Luckett Farms, Bowie (Cochise County)	88,884
M. H. Barnes, San Simon (Cochise County)	70,660
Eaton Fruit Co., Inc., Willcox (Cochise County)	63,152
Gus Arzberger, Willcox (Cochise County)	50,372
H. L. Anderson, Peoria (Maricopa County)	96,915
Southmountain Farms, Inc., Laveen (Maricopa County)	94,381
A. J. Lewis, Scottsdale (Maricopa County)	92,852
Hardesty Bros., Buckeye (Maricopa County)	92,520
Morrison Bros., Higley (Maricopa County)	92,072
Wallace Bales, Buckeye (Maricopa County)	85,210
Harris Cattle Co., Chandler (Maricopa County)	84,639
Sutton Bros., Phoenix (Maricopa County)	82,705
Woodrow Lewis, Chandler (Maricopa County)	79,080
Henry L. Voss, Phoenix (Maricopa County)	77,989
H. C. McGarity, Buckeye (Maricopa County)	77,053
King Farms, Buckeye (Maricopa County)	73,118
Power Ranches, Inc., Higley (Maricopa County)	72,627
James A. Wilson, Phoenix (Maricopa County)	71,568
S. L. Narramore, Phoenix (Maricopa County)	71,039
Vantex Land & Development (Maricopa County)	69,938
Don H. Bennett, Buckeye (Maricopa County)	68,775
Robert B. Coplen, Laveen (Maricopa County)	65,698
Leyton Woolf, Glendale (Maricopa County)	64,888
Raymond D. Schnepf, Queen Creek (Maricopa County)	63,971
Dougherty Ranch, Phoenix (Maricopa County)	63,287
Gilbert Turner, Buckeye (Maricopa County)	63,128
Phelps & Palmer, Mesa (Maricopa County)	62,501
James M. Hamilton, Chandler (Maricopa County)	60,852
Arena Co. of Arizona, Glendale (Maricopa County)	60,437
S & P Farms, Inc., Gila Bend (Maricopa County)	59,122
W. H. Haggard, Jr., Buckeye (Maricopa County)	58,686
D. L. Hadley, Chandler (Maricopa County)	58,654
Jacob S. Stephens, Buckeye (Maricopa County)	58,127
Barney-Mecham, Queen Creek (Maricopa County)	57,470
M. I. Vance & J. A. Mortensen, Jr., Tempe (Maricopa County)	57,359
R. D. Beebe & Sons, Mesa (Maricopa County)	56,920
F. M. Gorrell, Buckeye (Maricopa County)	56,854
J. S. Hoopes, Chandler (Maricopa County)	55,592
Chico Farms, Peoria (Maricopa County)	55,306
Enterprise Ranch, Buckeye (Maricopa County)	53,835
Dobson & Patterson, Mesa (Maricopa County)	53,098

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ARIZONA—continued

Arthur E. Price, Chandler (Maricopa County)	52,570
Bob Stump, Phoenix (Maricopa County)	52,361
Salt River Farms, Mesa (Maricopa County)	51,646
Kempton & Snedigar, Tempe (Mari*copa County)*	*51,512*
Ted Siek, Glendale (Maricopa County)	50,966
Eldon K. Parish, Phoenix (Mohave County)	74,885
Argee Farms, Inc., Tuscon (Pima *County)*	92,541
C. & W. Ranches, Inc., Marana (Pima County)	86,358
Avra Land & Cattle, Tuscon (Pima County)	75,268
Luckett Farms, Cortaro, Tucson (Pima County)	65,813
Claude Hughes, Marana (Pima County)	53,147
Watson Farms, Marana (Pima County)	50,023
Fred Enke, Casa Grande (Pinal County)	95,536
Diwan Ranches, Inc., Casa Grande (Pinal County)	93,281
L Z Farms, Inc., Casa Grande (Pinal County)	92,119
Sunset Ranches, Inc., Elroy (Pinal County)	91,171
Empire Farms, Eloy (Pinal County)	90,905
Bud Antl, Inc., Red Rock (Pinal County)	88,205
Edward Pretzer, Eloy (Pinal *County)*	*84,779*
P. S. Thompson, Eloy (Pinal County)	84,599
H. L. Holland, Coolidge (Pinal County)	83,572
Combs & Clegg Ranches, Inc., Queen Creek (Pinal County)	82,019
McFaddin Ranches, Inc., Casa *Grande (Pinal County)*	*80,943*
Wilbur Wuertz, Casa Grande (Pinal County)	80,866
Anderson-Palmisand Fms, Maricopa (Pinal County)	80,137
Grant E. Petrson, Coolidge (Pinal County)	78,998
Jack Ralson, Maricopa (Pinal County)	78,618
M. M. Alexander, Eloy (Pinal County)	78,030
C. Ray Robinson, Eloy (Pinal County)	75,902
Chas. Urrea & Sons, Mesa (Pinal County)	74,709
Rex Neely, Chandler (Pinal County)	74,655
Pinal Farms, Inc., Stanfield (Pinal County)	74,077
K. K. Skousen, Chandler (Pinal County)	73,507
Duane Ellsworth, Queen Creek (Pinal County)	72,612
C. J. & L. Farms, Inc., Casa Grande (Pinal County)	71,355
Emmett Jobe, Queen Creek (Pinal County)	70,814
Independent Gin Co., Casa Grande (Pinal County)	69,815
Saguaro Farms, Florence (Pinal County)	69,635
Dunn Farms, Maricopa (Pinal County)	67,587
Crouch Bros., Maricopa (Pinal County)	65,637
N. S. Cooper, Casa Grande (Pinal County)	64,653
Alex & Norman Pretzer, Eloy (Pinal County)	64,162
Finley Bros., Gilbert (Pinal County)	63,453
Marathon Farms, Casa Grande (Pinal County)	61,768

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ARIZONA—continued

J. H. Farms, Coolidge (Pinal County)	$60,772
M. H. Montgomery, Casa Grande (Pinal County)	60,711
Telles Ranch, Inc., Eloy (Pinal County)	60,288
Robert D. Bechtel, Coolidge (Pinal *County)*	*59,613*
Bud Blum, Casa Grande (Pinal County)	59,428
J. B. Johnston, Phoenix (Pinal County)	56,210
Kortsen & Kortsen, Stanfield (Pinal County)	55,057
Buckshot Farms, Inc., Stanfield (Pinal County)	55,048
Roy Wales, Queen Creek (Pinal County)	54,786
Gilbert Bros., Casa Grande (Pinal County)	54,391
John Smith, Maricopa (Pinal County)	54,118
R. P. Anderson, Coolidge (Pinal County)	53,665
Attaway Ranches Trust, Coolidge (Pinal County)	52,971
Otice Self, Stanfield (Pinal County)	52,770
R. W. Neely, Florence (Pinal County)	52,534
Sunshine Valley Ranches, Eloy (Pinal County)	*51,342*
C. V. Hanna, Coolidge (Pinal County)	50,640
Hamilton Farms, Inc., Florencc (Pinal County)	50,279
Earl Hughes, Gadsden (Yuma County)	99,410
Woods Co., Yuma (Yuma County)	*81,953*
James A. Wilson, Phoenix (Yuma County)	76,929
C and V Growers, Inc., Maricopa (Yuma County)	75,526
Wm. M. Harrison, Yuma (Yuma County)	70,132
M and V Farms, Ehrenberg (Yuma County)	65,509
Glen Holt, Parker (Yuma County)	64,849
Clayton Farms, Ehrenberg (Yuma County)	53,613

ARKANSAS

Alpe Bros., Crawfordsville (Crit*tenden County)*	*90,621*
J. F. Twist Plantation, Twist (Crittenden County)	89,412
Allen Helms, Clarkedale (Crittenden County)	88,385
Carlson Bros., Marion (Crittenden County)	80,109
N. S. Garrott & Sons, Proctor (Crit*tenden County)*	*74,174*
Mallory Farms, Chatfield (Crittenden County)	73,489
Pacco, Inc., Turrell (Crittenden County)	73,000
Pirani & Sons, Turrell (Crittenden County)	72,129
Bruins Plng Co., Hughes (Crittenden County)	71,569
J O E Beck Trust, Hughes (Crittenden County)	71,341
Carter Planting Co., Clarkedale (Crittenden County)	67,581
Richland Plan, Inc., Hughes (Crittenden County)	63,720
*O. W. Rodgers, West Memphis (Crit*tenden County)	63,324
Lake Plantation, care of L. Taylor, Jr., Hughes (Crittenden County)	62,879
H. E. Cupples, Hughes (Crittenden County)	55,999
Bloodworth Co., Crawfordsville (Crittenden County)	54,887
E. H. Clarke & Co., Hughes (Crittenden County)	*51,492*
William B. Rhodes Co., Marion (Crittenden County)	51,181

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ARKANSAS—continued

James W. Young, Jr., Crawfordsville (Crittenden County)	$51,134
Ragland Plant, Inc., care of C. G. Morgan, Hughes (Crittenden County)	50,558
D & J, Inc., Crawfordsville (Crittenden County)	50,532
O'Neal & Son, Inc., Crawfordsville (Crittenden County)	50,343
Nickey-Eason Plantation, Hughes (Crittenden County)	50,025
E. D. McKnight, Parkin (Cross County)	83,353
H. P. Sisk, Parkin (Cross County)	60,729
J. H. Johnston, Jr., Birdeye (Cross County)	51,717
Elms Planting Corp., Altheimer (Jefferson County)	90,538
Cornerstone Farm & Gin Co., Pine Bluff (Jefferson County)	74,833
B. N. Word Co., Inc., Wabbaseka (Jefferson County)	56,431
*Lawrence E. Taylor, Bradley (La*fayette County)	52,651
Sweet Bros., Widener (Lee County)	80,404
H. T. Dillahunty & Sons, Hughes (Lee County)	78,384
C. E. Yancey & Sons, Marianna (Lee County)	75,488
Miller Farms, Inc., Marianna (Lee County)	*52,437*
Holthoff Bros., Gould (Lincoln County)	60,802
H. R. Wood & Son, Inc., Grady (Lincoln County)	53,614
Price Plantation, Inc., Garland (Miller County)	51,993
*Ralph Abramson, Holly Grove (Mon*roe County)	54,758
Highland Lake Farm, 46 Waverly Wood, Helena (Phillips County)	88,748
Alexander Farms, Inc., 46 Waverly Wood, Helena (Phillips County)	81,758
Wood-Sanderlin Farm, Crumrod *(Phillips County)*	*69,647*
Buron Griffin, Box 571, Helena (Phillips County)	61,868
Tunney Stinnett, Elaine (Phillips County)	55,699
A. R. Keesee, 326 Walnut, Helena (Phillips County)	51,057
Riverside Farm, R. 1, Box 330D, *Helena (Phillips County)*	*50,561*
Semmes Farm Corp., Box 205, Joiner (South Mississippi County)	73,368
Lowrance Bros. & Co., Driver (South Mississippi County)	72,864
R. D. Hughes, Box 67, Blytheville (South Mississippi County)	70,915
H. T. Bonds Sons, Inc., R. R. 1, Lepanto (South Mississippi County)	59,439
Leonard Ellison, Luxora (South Mississippi County)	58,868
M. J. Koehler, Dell (South Mississippi County)	58,282
Wesley Stallings, R.R. 2, Box 47, Blytheville (South Mississippi County)	57,288
J. A. Crosthwait, Box 351, Osceola (South Mississippi County)	55,689
Midway Farms, Inc., R.R. 1, Joiner (South Mississippi County)	55,673
Henry Battle, Box 157, Joiner (South Mississippi County)	51,622
Larry Woodard Farms, Inc., Lepanto (South Mississippi County)	50,867
Miller Lumber Co., Marianna (St. Francis County)	97,174
W. W. Draper, Jr., 402 Mockinbird Lane, Forrest City (St. Francis County)	89,389
Shannon Bros. Enterprises, Box 2863 Desota Sta., Memphis, Tenn. (St. Francis County)	64,841

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

ARKANSAS—continued

M. E. Johnson, Widener (St. Francis County)	$59,810
Chappell & Moore, Box 166, Forrest City (St. Francis County)	55,649
John T. Higgins & Son, Forrest City (St. Francis County)	55,340
L. E. Burch, Jr., Hughes (St. Francis County)	52,866

CALIFORNIA

M. & T., Inc., P.O. Box 308, Chico (Butte County)	57,793
Giusti Farms, Suite 904, 2220 Tulare, Fresno (Fresno County)	95,712
Weeth Ranches, Inc., Box 924, Coalinga (Fresno County)	90,078
O'Neill Farms, Inc., P.O. Box 5, Huron (Fresno County)	86,938
Wolfsen Bros., P.O. Box 311, Los Banos (Fresno County)	86,606
Pappas & Co., Inc., P.O. Box 477, Mendota (Fresno County)	84,070
M. L. Dudley & Co., 515 N. Harrison, Fresno (Fresno County)	83,871
Rabb Bros., Box 736, San Joaquin (Fresno County)	83,095
S. E. Lowrance Ranch, Box 36, Tranquillity (Fresno County)	78,887
Gordon Bros., P.O. Box 366, Tranquillity (Fresno County)	74,821
Deavenport Ranches, Inc., 910 E. Swift, Fresno (Fresno County)	73,882
J & J Ranch, P.O. Box 155, Firebaugh (Fresno County)	73,091
Hogue Produce Co., Box 66, Firebaugh (Fresno County)	71,796
Sam & D. M. Biancucci, P.O. Box 337, Firebaugh (Fresno County)	71,184
J. C. Andresen, 10610 W. Whitesbridge, Fresno (Fresno County)	70,973
Poso Dairy Farms, Inc., 38282 W. Silaxo, Firebaugh (Fresno County)	70,834
Goodman Traction Ranch, Box 427 Tranquillity (Fresno County)	66,635
Sierra Dawn Farms, 45949 W. Shields, Firebaugh (Fresno County)	64,127
Drew Farms, Inc., 50860 W. Herndon, Firebaugh (Fresno County)	62,680
S & S Ranch, Inc., Box 22, Mendota (Fresno County)	62,595
Wood & Gragnani, P.O. Box 333, Tranquillity (Fresno County)	61,821
J. B. Hawkins, P.O. Box 566, Fresno (Fresno County)	61,768
Starkey & Erwin, P.O. Box 669, Avenal (Fresno County)	61,453
Vincent Kovacevich, 8560 W. Whitesbridge, Fresno (Fresno County)	60,341
Willson Farms, Inc., Fresno (Fresno County)	59,589
Kriesant Operating Co., Inc., Mendota (Fresno County)	58,854
Griffin & Griffin, Coalinga (Fresno County)	57,882
Pucheu Ranch, Mendota (Fresno County)	57,356
Robert Cardwell, Fresno (Fresno County)	56,436
Marchini Bros., Tranquillity (Fresno County)	56,032
Aladdin Ranch, Fresno (Fresno County)	52,805
W. A. Klepper & Son, Caruthers (Fresno County)	52,749
Ed Wilkins, Tranquillity (Fresno County)	52,096
Davis Drier & Elevator, Inc., Firebaugh (Fresno County)	51,464
Claremont Farms, Huron (Fresno County)	51,374
Vierhus Farms, Coalinga (Fresno County)	51,312
BTV Farms, Tranquility (Fresno County)	51,216

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

CALIFORNIA—continued

Rusconi Farms, San Juaquin (Fresno County)	$51,203
W. F. McFarlane, Clovis (Fresno County)	51,106
Coelho Farms, Riverdale (Fresno County)	50,939
Frank Ayerza, Tranquility (Fresno County)	50,186
Williams & Quick, Calipatria (Imperial County)	95,083
Chas. Vonderahe, San Diego (Imperial County)	87,698
Griset Bros., Santa Ana (Imperial County)	87,319
George B. Willoughby, El Centro (Imperial Valley)	86,156
Jack Bros. & McBurney, Inc., Brawley (Imperial County)	85,059
Reese & Krepla, Westmorland (Imperial County)	79,701
Johnson & Drysdale, Brawley (Imperial County)	78,824
Fifield Farms, Brawley (Imperial County)	76,062
California Sturges Ginning Co., Arizona (Imperial County)	75,451
Ed Wiest, Brawley (Imperial County)	75,120
Hugh Hudson Ranches, Calipatria (Imperial County)	74,331
Hawk & Sperber, Holtville (Imperial County)	72,926
John Baretta, Calipatria (Imperial County)	68,578
Abatti Bros., El Centro (Imperial County)	68,279
Harry Schmidt Farms, Brawley (Imperial County)	66,426
Dessert Seed Co., Inc., El Centro (Imperial Valley)	65,784
J. N. Osterkamp Rches, Brawley (Imperial County)	62,719
J. M. Bryant, Calipatria (Imperial County)	61,173
House & Haskell, El Centro (Imperial County)	59,690
Kenneth Reynolds, Calipatria (Imperial County)	59,621
Dearborn & Maraccini, Calipatria (Imperial County)	56,892
Davis Beauchamp, Calipatria (Imperial County)	56,589
Robert C. Brown, Brawley (Imperial County)	56,564
Correll Farms, Inc., Calipatria (Imperial County)	54,784
Jake Brown, Brawley (Imperial County)	54,112
Jeankins Farms, El Centro (Imperial County)	51,616
Opal Fry & Son, Bakersfield (Kern County)	99,114
L. I. Rhodes & Sons, Wasco (Kern County)	90,280
M & I Farms, Delano (Kern County)	96,830
Coberly West Co., Bakersfield (Kern County)	95,766
Twin Farms, Buttonwillow (Kern County)	92,168
Kern Valley Farms, Arvin (Kern County)	91,566
Sanders & Sanders, Bakersfield (Kern County)	88,696
The Mirasol Co., Buttonwillow (Kern County)	87,817
Willis & Kurtz, Bakersfield (Kern County)	87,542
Rossi Bros., Bakersfield (Kern County)	87,149
G. Mendiburu & Son, Oildale (Kern County)	85,347
Tracy Fanch, Inc., Buttonwillow (Kern County)	85,034
Milham Farms, Bakersfield (Kern County)	83,234

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

CALIFORNIA—continued

Campco Farming Co., Shafter (Kern County)	$79,744
Paul Pilgrim, Shafter (Kern County)	78,869
Sill Prop, Inc., Bakersfield (Kern County)	78,427
E. O. Mitchell, Inc., Arvin (Kern County)	78,096
W. A. Banks, Bakersfield (Kern County)	73,442
L. A. Robertson Farms, Inc., Shafter (Kern County)	73,281
John Kovacevich, Arvin (Kern County)	71,794
C. Mettler, Bakersfield (Kern County)	70,569
Ridgeside Farms, Arvin (Kern County)	70,169
Kennedy & Stephens, Bakersfield (Kern County)	68,605
Sanders Farms, Bakersfield (Kern County)	68,580
Voth Farms, Inc., Wasco (Kern County)	68,549
Cerro Bros., Bakersfield (Kern County)	66,980
Barnard Bros., Bakersfield (Kern County)	66,796
South Lake Ranch, Bakersfield (Kern County)	64,185
Porter Land Co., Bakersfield (Kern County)	63,191
B. S. Baldwin, Bakersfield (Kern County)	62,512
C. R. Wedel Estate, Wasco (Kern County)	62,008
Marvin Lane, Shafter (Kern County)	61,881
Garone Bros., Bakersfield (Kern County)	61,833
Henson & Sons, Bakersfield (Kern County)	60,288
Robert T. Johnson, Bakersfield (Kern County)	60,208
Jimmie Icardo, Bakersfield (Kern County)	59,990
Joe G. Fanucchi & Sons, Bakersfield (Kern County)	59,630
S. K. Farms, Buttonwillow (Kern County)	59,233
W. B. Camp, Jr., Inc., Bakersfield (Kern County)	59,187
S. Chernabaeff, Wasco (Kern County)	55,736
Antongiovanni Bros., Bakersfield (Kern County)	55,615
John Valpredo, Bakersfield (Kern County)	54,858
Bloemhof May Co., Buttonwillow (Kern County)	53,816
Parsons Ranch, Buttonwillow (Kern County)	53,175
I & M Sheep Co., Olidale (Kern County)	52,795
Little & Hanes, Wasco (Kern County)	52,473
H. Buller Farms, Bakersfield (Kern County)	51,718
J. Kroeker Sons, Shafter (Kern County)	51,366
Barling Bros., Wasco (Kern County)	50,888
Schwartz Farms, Inc., Stratford (Kings County)	93,510
Wedderburn Bros., Lemoore (Kings County)	91,675
Harp & Hansen, Corcoran (Kings County)	83,444
Newton Bros., Stratford (Kings County)	80,963
Loan Oak Ranch, Corcoran (Kings County)	77,151
Jones Farms, Stratford (Kings County)	71,605
F. Hansen Ranch, Corcoran (Kings County)	68,561

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

CALIFORNIA—continued

Peterson Farms, Corcoran (Kings County)	$62, 582
Inco Farms, Inc., Bonsall (Kings County)	58, 274
W. W. Boswell, Jr., Corcoran (Kings County)	58, 188
R. S. Barlow, Lemoore (Kings County)	54, 110
John Fuson, Lebec (Los Angeles County)	88, 755
Godde & Ritter, Lancaster (Los Angeles County)	58, 083
Schuh Bros., Chowchilla (Madera County)	95, 365
Dave Mendrin & Sons, Madera (Madera County)	93, 740
Hooper Farms, Inc., Chowchilla (Madera County)	62, 759
A. K. Baker, Madera (Madera County)	62, 587
San Juan Ranching Co., Dos Palos (Merced County)	86, 286
Wolfsen Land & Cattle, Los Banos (Merced County)	74, 745
Mesa Farms, Inc., King City (Monterey County)	68, 028
Rummonds Bros. Ranches, Thermal (Riverside County)	68, 356
George Arakelian, Blythe (Riverside County)	67, 250
George T. Scott, Blythe (Riverside County)	63, 692
Delta Ranches, Inc., Blythe (Riverside County)	52, 335
Pi-Land & Cattle Co., Blythe (Riverside County)	51, 185
Rey Brothers, Paicines (San Benito County)	55, 116
Salyer Victoria, Inc., Hanford (San Joaquin County)	67, 347
Jackson & Reinert, Paso Robles (San Luis Obispo County)	51, 493
R. L. Calhoun, Taft (Santa Barbara County)	58, 613
Arnold Collier, Dixon (Solano County)	51, 038
Newhall Land & Farming, El Nido (Sutter County)	74, 410
F. J. McCarthy & Sons, Tulare (Tulare County)	95, 890
G. L. Pratt, Visalia (Tulare County)	88, 783
Roy D. Murray, Earlimart (Tulare County)	86, 809
Lesley W. Smith, Pixley (Tulare County)	76, 011
Jack Phillips, Delano (Tulare County)	70, 132
Porter Estate Co., San Francisco (Tulare County)	65, 550
Correia Bros., Visalia (Tulare County)	62, 928
E. W. Merrit Est., Porterville (Tulare County)	58, 825
Roberts Farms, Inc., Porterville (Tulare County)	58, 120
J & J Farms, Tulare (Tulare County)	57, 630
Di Giorgio Fruit Corp., Delano (Tulare County)	56, 100
Baker Bros., Earlimart (Tulare County)	54, 844
Mitchellinda Ranches, Alpaugh (Tulare County)	52, 303
A.T. & J.R. Villard, Delano (Tulare County)	51, 138
McCallister Bros., Visalia (Tulare County)	50, 472
Doe Cattle & Land Co., Visalia (Tulare County)	50, 464
C. Bruce Mace Ranch, Inc., Davis (Yolo County)	88, 017
Layton Knaggs, Woodland (Yolo County)	64, 940
Chew Bros. Sacramento (Yolo County)	52, 772
Heidrick Bros., Woodland (Yolo County)	51, 763

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued.

COLORADO

Monaghan Farms Co., Commerce City (Adams County)	$51, 427
Spady Bros., Las Animas (Bent County)	51, 626
Jake Broyles, Lamar (Bent County)	50, 084
John Kriss, Kansas (Cheyenne County)	64, 214
Profit Sharing TR3-D, Inc., Denver (Crowley County)	86, 575
Delmer Zweygardt, Burlington (Kit Carson County)	90, 154
Penny Ranch, Burlington (Kit Carson County)	58, 333
Hinkhouse Bros., Burlington (Kit Carson County)	51, 826
XY Ranch Co., in care of Ray Jameson, Granada (Prowers County)	87, 884
C. H. Fletcher, Lycan (Prowers County)	50, 909
Jean Eichheim, Nunn (Weld County)	50, 815

FLORIDA

John Tiedtke, Clewiston (Glades County)	79, 230
Sugarcane Farms, Palm Beach (Palm Beach County)	98, 065
S. N. Knight Sons, Inc., Belle Glade (Palm Beach County)	95, 699
S. D. Sugar Corp., Belle Glade (Palm Beach County)	80, 999
Wedgworth Farms, Inc., Belle Glade (Palm Beach County)	73, 772
Vinegar Bend Farms, Inc., Belle Glade (Palm Beach County)	71, 022
New Hope Sugar Co., Palm Beach (Palm Beach County)	68, 564
San Senter Farms, Inc., Belle Glade (Palm Beach County)	66, 890
Billy Rogers Farms, South Bay (Palm Beach County)	64, 839
Hatton Brothers, Inc., Pahokee (Palm Beach County)	62, 984
J. Allen Baker Farms, Gelle Glade (Palm Beach County)	58, 441
South Bay Growers, Inc., South Bay (Palm Beach County)	55, 463
Eastgate Farms, Inc., Orlando (Palm Beach County)	51, 880

GEORGIA

Quinton Rogers, Waynesboro (Burke County)	60, 213
Roy Barefield, Alexander (Burke County)	55, 300
Singletary Farms, Blakely (Early County)	63, 994
Hubert Cheek, Jr., Bowersville (Hart County)	53, 091
W. A. Rountree, Dublin (Laurens County)	54, 866
W. J. Estes, Haralson (Meriwether County)	51, 670
D. W. Malcom, Bostwick (Morgan County)	64, 594
Rufus Peede, Ellaville (Schley County)	60, 249
Millhaven Co., J. K. Boddiford, Mgr., Millhaven (Screven County)	51, 555
W. K. Jones, Dawson (Terrell County)	53, 530
Guy H. Shivers, Sr., Norwood (Warren County)	62, 529
Fred C. Evans, Bartow (Washington County)	54, 496

HAWAII

Waimea Sugar Mil Co., Ltd., Honolulu (State office)	54, 731

IDAHO

J. Walt Vanderford, Aberdeen (Bingham County)	52, 166
Heclar Ranch, Inc., Burley (Cassia County)	80,329
Vernon B. Clinton, Rupert (Minidoka County)	61, 897

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

IDAHO—continued

Ruby Co. Farms, Inc., Burley (Minidoka County)	$57, 568
Morgan Shillington Farms Co., Rupert (Minidoka County)	55, 570
Wagner Brothers, Inc., Lewiston (Nez Perce County)	65, 500
Ira McIntosh and Sons, Lewiston (Nez Perce County)	59, 205

ILLINOIS

C. H. Moore Trust Est., Clinton (De Witt County)	65, 447
Meadowlark Farms, I. H. Reiss, Fisher Building, Sullivan (Fulton County)	60, 915
Edward C. Sumner, Jr., Milford (Iroquis County)	56, 818
Midlane Farm Ct. Club, Dennis Gent, Wadsworth (Lake County)	70, 177
Martin Bros. Implement Co., Roanoke (Woodford County)	77, 965

INDIANA

Pinelands N A, Fort Wayne (Allen County)	9, 794
Dale Armbruster, Woodburn (Allen County)	5, 084
Interstate Industrial Pk., Fort Wayne (Allen County)	1, 516
Savich Farms, Rensselaer (Jasper County)	56, 895
Robert A. Churchill, Lake Village (Newton County)	65, 247
Mary Jo Hegarty, Newport (Parke County)	42, 649
Overmyer Farms, care of Lee Overmyer, Francesville (Pulaski County)	74, 964
Arthur P. Gumz, North Judson (Pulaski County)	66, 118
E. Gumz, Inc., North Liberty (St. Joseph County)	57, 320
Richard Gumz, North Judson (Starke County)	85, 802

IOWA

Garst Co., Coon Rapids (Carroll County)	70, 923

KANSAS

First National Bank Trust, M. Lewis, First National Bank, Kansas City (Comanche County)	64, 873
Andrew E. Larson, Garden City (Finney County)	53, 813
A. Sell Estate, Aurora, Colo. (Greeley County)	65, 250
O. Steele, Ford (Greeley County)	59, 807
Kleymann Bros., care of F. J. Kleymann, Tribune (Greeley County)	50, 038
Vernon G. Kropp, Winfield (Kearney County)	67, 553
W. R. Cottrell, Meade (Meade County)	56, 263
J. Edmond Ely, Garden City (Scott County)	65, 885
Lloyd Kontny, Goodland (Sherman County)	50, 962
G H J Farms, Ltd., Johnson (Stanton County)	75, 285
Paul E. Plummer & Sons, Johnson (Stanton County)	68, 183
Clarence Winger, Johnson (Stanton County)	58, 192
Walter Herrick, Johnson (Stanton County)	51, 121
James S. Garvey, Colby (Thomas County)	97, 267
Willard W. Garvey, Colby (Thomas County)	59, 846
Herman Bott, Palmer (Washington County)	50, 508

KENTUCKY

Lambert Scott, Ledbetter (Livingston County)	94, 331

LOUISIANA

Milliken & Farwell, Inc., Port Allen (West Baton Rouge County)	75, 904

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

LOUISIANA—continued

Harry L. Laws Co., Inc., Brusly (West Baton Rouge County)	$53, 129
Louisiana State Penitentiary, Angola (West Feliciana County)	92, 135
Churchill & Thibaut, Inc., Donaldsonville (Ascension County)	51, 062
Rosedale Planting Co., Inc., Benton (Bossier County)	50, 214
Clyde Clements, Clements Bros., Ida (Caddo County)	78, 790
Stinson & Stinson, Gilliam (Caddo County)	59, 660
R. G. Smitherman, Jr., Shreveport (Caddo County)	58, 906
Cecilia L. Ellerbe, Shreveport (Caddo County)	54, 795
L. R. Kirby, Jr., Belcher (Caddo County)	53, 159
G. A. Frierson, Shreveport (Caddo County)	50, 273
Carrol Rice, Sicily Island (Catahoula County)	55, 437
Hollybrook Land Co., Inc., Lake Providence (E. Carroll County)	86, 949
Russel Fleeman, Lake Providence (E. Carroll County)	53, 803
Shepherd & Shepherd, Lake Providence (E. Carroll County)	51, 610
A. Wilberts Sons L/S Co., Plaquemines (Iberville County)	74, 559
Ashly Plantation, Tallulah (Madison County)	64, 148
Barham, Inc., care of Joe Barham, Oak Ridge (Morehouse County)	96, 902
James U. Yeldell, Jr., Mer Rouge (Morehouse County)	61, 567
Mason & Godwin, Monroe (Ouachita County)	77, 098
W. A. Calloway, Boxco (Ouachita County)	65, 587
L. H. Woodruff, McDade (Red River County)	57, 257
R. R. Rhymes Farm, Rayville (Richland County)	54, 211
C. L. Morris, Rayville (Richland County)	54, 134
Rodrigue Planting Co., Vacherie (St. Charles County)	72, 235
E. R. McDonald & Sons, Newellton (Tensas County)	73, 466

MISSISSIPPI

J. A. Howarth, Jr., Cleveland (Bolivar County)	98, 744
Allen Gray Estate, Benoit (Bolivar County)	97, 955
Brooks Cotton Co., Shelby (Bolivar County)	90, 090
McMurchy Farms, Duncan (Bolivar County)	77, 193
Lewis Barksdale, Jr., Deeson (Bolivar County)	67, 200
Carr Planting Co., D. C. Carr, Jr., Clarksdale (Bolivar County)	65, 818
H. B. Hood, Duncan (Bolivar County)	64, 440
J. R. Smith, Merigold (Bolivar County)	62, 296
W. L. Smith, Cleveland (Bolivar County)	60, 906
Dossett Plantation, Inc., Beulah (Bolivar County)	59, 923
H. H. Lawler, Rosedale (Bolivar County)	53, 927
Warfield Bros., Gunnison (Bolivar County)	52, 630
J. E. Bobo, Gunnison (Bolivar County)	51, 989
Charles A. Russell, Beulah (Bolivar County)	51, 007
Cloverdale Planting Co., Alligator (Bolivar County)	50, 505
W. H. Howarth, Skene (Bolivar County)	50, 389
W. J. Linn, Houston (Chickasaw County)	51, 974

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

MISSISSIPPI—continued

King & Anderson, Inc., Clarksdale (Coahoma County)	$96, 525
J. & M. McKee, Friars Point (Coahoma County)	82, 112
Garrett & Son, Clarksdale (Coahoma County)	81, 225
H. H. Twiford, Alligator (Coahoma County)	71, 579
Fox Bros., Clarksdale (Coahoma County)	71,573
Mohead Planting Co., Lula (Coahoma County)	70, 455
W. S. Heaton, Jr., Lyon (Coahoma County)	68, 399
J. R. Weeks, Clarksdale (Coahoma County)	65, 504
P. F. Williams & Son, Clarksdale (Coahoma County)	63, 605
Leon C. Bramlett, Clarksdale (Coahoma County)	62, 974
Graydon Flowers, Matson (Coahoma County)	62, 068
Connell & Co., Clarksdale (Coahoma County)	58, 805
Johnson Bros., Friars Point (Coahoma County)	56, 562
Wheeler-Graham, Coahoma (Coahoma County)	55, 868
Carr-Mascot Planting, Inc., Clarksdale (Coahoma County)	55, 812
J. H. Pruett, Lyon (Coahoma County)	54, 832
Simmons Planting Co., Clarksdale (Coahoma County)	54, 390
W. E. Young, Bobo (Coahoma County)	53, 232
Maryland Planting Co., Clarksdale (Coahoma County)	52, 843
Allen & Ritch, Lyon (Coahoma County)	51, 237
C. E. Rhett, Lyon (Coahoma County)	50, 069
Banks & Co., Hernando (De Soto County)	96, 124
Howard & Blythe Plant, Lake Cormorant (De Soto County)	86, 780
R. L. Sullivan, Walls (De Soto County)	64, 127
R. S. Jarratt, Walls (De Soto County)	53, 157
Gaddis Farms, Inc., Raymond (Hinds County)	57, 361
C. D. Noble, Edwards (Hinds County)	51, 289
Egypt Planting Co., Cruger (Holmes County)	92, 444
Stonewall Planting Co., Thornton Holmes County)	62, 616
Wayne Watkins, Cruger (Holmes County)	59, 669
Lynchfield Planting Co., Tchula (Holmes County)	54, 525
Pluto Planting Co., Thornton (Holmes County)	51, 703
James E. Colman, Yazoo City (Humphreys County)	88, 769
C. B. Box Co., Midnight (Humphreys County)	79, 403
Nerren Brothers, Isola (Humphreys County)	75, 306
Spencer H. Barret, Belzoni (Humphreys County)	73, 164
Cordon & Partridge, Louise (Humphreys County)	68, 975
R. D. Hines, Yazoo City (Humphreys County)	52, 718
A. B. Jones, Jr., Belzoni (Humphreys County)	52, 551
Hagan and Bruton, Hollandale (Issaquena County)	87, 220
Loyd M. Heigle, Mayersville (Issaquena County)	63, 692
Johnson Brithers, Valley Park (Issaquena County)	51, 221

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

MISSISSIPPI—continued

Twenty Miles Planting, Inc., Tupelo (Lee County)	$82, 462
Race Track Plantation, Greenwood (Leflore County)	96, 755
O. F. Bledsoe Plantation, Greenwood (Leflore County)	83, 570
Roebuck Plantation, Sidon (Leflore County)	81, 024
L. W. Wade Farms, Inc., Greenwood (Leflore County)	79, 133
New Hope Plantation, Greenwood (Leflore County)	77, 605
H. C. McShan, Schlater (Leflore County)	70, 239
Joe Pugh, Itta Bena (Leflore County)	66, 899
Reynolds Planning Co., Glendora (Leflore County)	63, 575
Ruby Planting Co., In care of J. F. Shaw, Money (Leflore County)	63, 426
Ed Hunter Steele, Morgan City (Leflore County)	62, 809
Runnymede Plantation, Itta Bena (Leflore County)	60, 778
Maloney Farms, Itta Bena (Leflore County)	60, 667
T. J. Carter, Money (Leflore County)	58, 652
Hobson Gary, Schlater (Leflore County)	56, 656
Elmwood Plantation, Greenwood (Leflore County)	55, 903
Sturdivant & Bishop, Minter City (Leflore County)	54, 119
W. L. Craig, Greenwood (Leflore County)	51, 771
Roberson Plantation, Minter City (Leflore County)	50, 541
B. G. McGeary, Sidon (Leflore County)	50, 141
George H. Moore, Canton (Madison County)	51, 056
Hays Bros. & Hall, Sardis (Panola County)	63, 297
J. H. Magee, Batesville (Panola County)	59, 647
W. S. Taylor, Jr., Como (Panola County)	51, 803
F. R. Wright, Jr., Lambert (Quitman County)	79, 533
Dalmar Plantation, Marks (Quitman County)	65, 173
Roger Davidson, Marks (Quitman County)	63, 404
Wise Bros., Jonestown (Quitman County)	54, 502
J. W. Patrick, Jr., Brandon (Rankin County)	57, 819
Murphy Jones, Nitta Yuma (Sharkey County)	89, 967
H. G. Carpenter, Rolling Fork (Sharkey County)	84, 126
Raymond Brown & J. M. Brown, Anguilla (Sharkey County)	83, 419
Moore Planting Co., Inc., Cary (Sharkey County)	65, 381
Realty Plantation, Inc., Rolling Fork (Sharkey County)	60, 722
Powers Company, Inc., Cary (Sharkey County)	59, 404
Evanna Plantation, Inc., Cary (Sharkey County)	59, 086
Evanna Plantation, Inc., Cary (Sharkey County)	57, 557
Little Panther Plantation, Leland (Sharkey County)	52, 346
S. M. Montgomery, Rolling Fork (Sharkey County)	51, 023
J. B. Dunaway & Sons, Anguilla (Sharkey County)	50, 009
Brooks Farms, Drew (Sunflower County)	96, 784
W. D. Patterson, Rome (Sunflower County)	93, 751
Bridwell Farms, care of Grady Todd, Shelby (Sunflower County)	79, 652

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

MISSISSIPPI—continued

Millups Pltn, Inc., Indianola (Sunflower County)	$58, 894
Allen & Brashier Planting Co., Indianola (Sunflower County)	69, 511
V. A. Johnson, Indianola (Sunflower County)	69, 245
William M. Pitts, Indianola (Sunflower County)	67, 600
Mateele M. Brewer, Inverness (Sunflower County)	66, 760
W. P. Scruggs, Doddsville (Sunflower County)	66, 325
M. W. Jefcoat, Sunflower (Sunflower County)	65, 077
Mrs. Virginia Polk, care of J. G. Prichard, Inverness (Sunflower County)	64, 436
Douglas Mallette, Indianola (Sunflower County)	63, 690
Shurden and Owens, Drew (Sunflower County)	62, 762
Philip Fratesi, Indianola (Sunflower County)	62, 687
J. Levingston Estate, Ruleville (Sunflower County)	56, 665
C. S. Simmons, Jr., Inverness (Sunflower County)	56, 665
W. O. Shurden, Drew (Sunflower County)	56, 034
George Lipe, Indianola (Sunflower County)	55, 903
Brewer Morgan Sunflower (Sunflower County)	55, 887
Mateele M. Brewer, Inverness (Sunflower County)	51, 920
J. B. Baird, Inverness (Sunflower County)	51, 376
J. L. Hill, Jr., Webb (Tallahatchie County)	71, 185
Annapeg, Inc., Minter City (Tallahatchie County)	75, 842
T. C. Buford, Glendora (Tallahatchie County)	74, 600
Jerry Falls, Webb (Tallahatchie County)	71, 079
Equen Plantation, care of W. F. Darnell, Minter City (Tallahatchie County)	67, 092
Twilight Plantation, Swan Lake (Tallahatchie County)	65, 239
Rainbow Planting Co., care of W. W. Pearson, Webb (Tallahatchie County)	61, 075
E. C. Fedric, Glendora (Tallahatchie County)	59, 706
Ralph T. Hand, Jr., Glendora (Tallahatchie County)	59, 549
Hoparka Plantation, care of F. M. Mitchener, Sumner (Tallahatchie County)	58, 499
J. T. Townes, Minter City (Tallahatchie County)	57, 584
E. D. Graham, Sumner (Tallahatchie County)	56, 573
T. B. Abbey, Jr., Webb (Tallahatchie County)	53, 207
Triple M. Planting Co., Sumner (Tallahatchie County)	52, 526
J. R. Flautt & Sons, Swan Lake (Tallahatchie County)	52, 423
Cotton Dixie, Inc., care of J. B. Baker, Webb (Tallahatchie County)	52, 380
Frank Sayle, Charleston (Tallahatchie County)	52, 273
S. M. Fewell & Co., Vance (Tallahatchie County)	50, 238
B. F. Harbert Co., Robinsonville (Tunica County)	99, 294
Parker Farms, Tunica (Tunica County)	91, 143
U. O. Bibb, Jr., Tunica (Tunica County)	88, 804
M. L. Earnheart Co., Tunica (Tunica County)	85, 812

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

MISSISSIPPI—continued

S. C. Wilson & Son, care of Shelby T. Wilson, Dundee (Tunica County)	$84, 869
Owen Brothers, Tunica (Tunica County)	84, 477
Abbay and Leatherman, Inc., Robinsonville (Tunica County)	82, 509
Hood Farms, Inc., Tunica (Tunica County)	77, 078
Paul Battle, Tunica (Tunica County)	76, 176
Arnold Farms, Inc., Tunica (Tunica County)	75, 662
Clinton P. Owen, Robinsonville (Tunica County)	73, 363
R. W. Owen, Inc., Tunica (Tunica County)	71, 030
S. A. Arnold, Jr., Tunica (Tunica County)	65, 594
M. P. Moore, Senatobia (Tunica County)	63, 655
Oaklawn Plantation, Inc., Dundee (Tunica County)	61, 320
T. O. Earnheart Co., Tunica (Tunica County)	60, 550
Carl C. May, West Helena, Ark. (Tunica County)	60, 375
A. S. Perry & Sons, Tunica (Tunica County)	60, 065
Withers & Seabrook, Tunica (Tunica County)	50, 504
Hugh Stephens, New Albany (Union County)	81, 328
Aden Brothers, Inc., Valley Park (Warren County)	77, 035
H. K. Hammett & Sons, Greenville (Washington County)	95, 858
I. D. Nunnery, Arcola (Washington County)	92, 361
Walker Farms, Inc., Care of George R. Walker, Stoneville (Washington County)	92, 117
Clyde V. Gault, Leland (Washington County)	82, 520
Gilnockie Planting Co., Leland (Washington County)	77, 013
Baker Plant Co., Leland (Washington County)	75, 308
Fairfax Plantation, Ben Walker, Tribett (Washington County)	72, 606
Hiram W. Hill, Indiannola (Washington County)	70, 477
Alex Curtis, Leland (Washington County)	63, 414
Dogwood Plantation, W. E. Taylor, Greenville (Washington County)	59, 378
Refuge Plantation, Inc., Greenville (Washington County)	58, 770
J. C. Reed, Leland (Washington County)	57, 896
Lakeland Farms, Hollandale (Washington County)	57, 383
Montgomery & Grissom, Leland (Washington County)	57, 139
John T. Dillard, Leland (Washington County)	56, 742
E. J. Ganier, Percy (Washington County)	55, 784
Andrews Bros., A. L. Andrews, Leland (Washington County)	54, 872
Dan L. Smythe, Leland (Washington County)	53, 715
Billy Joe & Franklin Trotter, Hollandale (Washington County)	50, 167
J. C. Sides, Sr., Coffeeville (Yalobusha County)	86, 349
Lakeview Planting Co., Yazoo City (Yazoo County)	95, 442
H. S. Swayze, Benton (Yazoo County)	92, 241
E. T. Jordan & Sons, Yazoo City (Yazoo County)	87, 514
Roby Walker, Bentonia (Yazoo County)	65, 730
D. H. Dew, Eden (Yazoo County)	61, 003

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

MISSISSIPPI—continued

Johnson & Simmons, Bentonia (Yazoo County)	$59, 975
E. T. Schaefer, Yazoo City (Yazoo County)	51, 874
Seward & Harris, Midnight (Yazoo County)	50, 622
S. C. Coleman, Yazoo City (Yazoo County)	50, 431

MISSOURI

J. F. Ward, Gilman City (Davies County)	69, 029
Donald E. Morris, Fortescue (Holt County)	52, 574
Rids Church, care of Don Elefson Rids Audit, Independence (Jackson County)	69, 430
East Fork Ranch, care of Tony Lolli, Macon (Macon County)	69, 316
Wolf Island Farms, Wolf Island (Mississippi County)	85, 857
Marshall Lands, Inc., Charleston (Mississippi County)	81, 913
Harland Maxwell, East Prairie (Mississippi County)	54, 243
W. C. Bryant, East Prairie (Mississippi County)	51, 194
A. C. Riley, New Madrid (New Madrid County)	56, 101
Acom Farms, Inc., Wardell (New Madrid County)	52, 509
Swiney & Sons, Morehouse (New Madrid County)	51, 391
Green Top Farms, Inc., Richmond (Ray County)	52, 986
E. P. Coleman, Jr., Sikeston, (Scott County)	53, 068
W. P. Hunter, care of Blair Dalton, Bell City (Stoddard County)	73, 162
Taylor Bros., Essex (Stoddard County)	59, 345

MONTANA

V. R. Crazier & Sons, Toston (Broadwater County)	56, 465
Nash Brothers, Redstone (Sheridan County)	65, 806
S. A. Adaskavich, Shelby (Toole County)	61 ,727

NEBRASKA

Hundahl Farms, care of Ernest Hundahl, Tekamah (Burt County)	68, 614
Fred Horne, Jr., Atkinson (Holt County)	58, 043

NEW MEXICO

A. W. Langenegger, Hagerman (Chaves County)	73, 140
H. C. Berry, Dexter (Chaves County)	51, 590
C. Elton Green, Clovis (Curry County)	99, 702
Garrett Corp., Clovis (Curry County)	96, 334
Verney Towns, Muleshoe, Tex. (Curry County)	85, 983
Bert Williams, Farwell, Tex. (Curry County)	85, 952
James E. & Garrett, Clovis (Curry County)	82, 495
Leon Marks, Clovis (Curry County)	81,979
Lockmiller & Son, Clovis (Curry County)	81, 771
L. R. Talley, Texico (Curry County)	78, 000
Dale Elliot, Clovis (Curry County)	74, 751
F. L. Ashley Estate, Melrose, (Curry County)	70, 473
O. H. Pattison, Clovis (Curry County)	58, 996
John H. Spearman, Clovis (Curry County)	57, 243
Dave Thompson, Friona, Tex. (Curry County)	53, 873
Albert Matlock, Clovis (Curry County)	53, 799

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

NEW MEXICO—Continued

John Garrett, Jr., Clovis (Curry County)	$50,283
Snodgrass & Carlisle, Roswell (Eddy County)	72,420
Moutray Bros., Carlsbad (Eddy County)	53,201
M. R. Jones, Lovington (Lea County)	87,617
John K. Burns, Lovington (Lea County)	65,209

NORTH CAROLINA

A. D. Swindell, Pantego (Beaufort County)	60,413
M. C. Braswell Farms, Battleboro (Nash County)	74,813
R. E. Parnell, Parkton (Robeson County)	56,206
D. D. McColl, St. Pauls (Robeson County)	55,833
McNair Investment Co., Laurinburg (Scotland County)	86,802
Sou. Natl. Bank Agt., Annie V. J. Watkins, Laurinburg (Scotland County)	72,886
Z. V. Pate, Inc., Gibson (Scotland County)	65,108

NORTH DAKOTA

Bert Olson and Sons, Glasston (Pembina County)	59,019
Otto Engen, Minot (Ward County)	55,461

OKLAHOMA

Wm. J. Schulte, El Reno (Canadian County)	62,233
F. E. Motley, Hollis (Harmon County)	78,776
Wayne Q. Winsett, Altus (Jackson County)	69,515
Murray R. Williams, Altus (Jackson County)	50,422

OREGON

Tulana Farms, Klamath Falls (Klamath County)	69,070
Tucker Ottmar Farms, Inc., Echo (Morrow County)	54,030
Joe Heater, Mord (Sherman County)	83,160
H. A. Main, Pilot Rock (Umatilla County)	70,270
Key Bros., Milton Freewater (Umatilla County)	52,576

PUERTO RICO

R. Gonzalez Hernandez, Aguirre (Mayaguez County)	94,395
Carlos F. Quiles Trust, Hormigueros (Mayaguez County)	91,707
Mario Mercado E. Hijos, Guayanilla (Mayaguez County)	85,841
M. H. Soldervilla, executor, Ponce (Mayaguez County)	79,134
W. Bravo Monagas, Mayaguez (Mayaguez County)	79,045
Co-op Azucarera Los Canos, Arecibo (Mayaguez County)	73,940
Agric Del Monte, Cayey (Mayaguez County)	70,540
E. Quinones Sambolin, San German (Mayaguez County)	63,477
R. Sefton Wallace, Ensenada (Mayaguez County)	60,492
H. L. Brund, Guayama (Mayaguez County)	60,486
Wirshing & Co., Mercedita (Mayaguez County)	58,098

SOUTH CAROLINA

Kirkland & Best, Ulmers (Allendale County)	58,981
C. P. Polston, Jr., Blenheim, (Dillon County)	69,862
Lawrence E. Pence, McColl (Marlboro County)	78,675
Charles E. Lynch, Bville (Marlboro County)	64,164
J. A. McDonald, Bville (Marlboro County)	51,275

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

SOUTH CAROLINA—Continued

J. F. Bland, Jr., Mayesville (Sumter County)	$83,014

SOUTH DAKOTA

Stanley Asmussen, Agar (Sully County)	52,166

TENNESSEE

Cowan Bros., La Grange (Fayette County)	65,932
W. T. Jamison, Jr., Tiptonville (Lake County)	56,248
Jim Fullen, Ashport (Lauderdale County)	66,542
H. S. Mitchell, Millington (Shelby County)	57,897
E. F. Crenshaw, Memphis (Shelby County)	51,688

TEXAS

Carl C. Bamert, Muleshoe (Bailey County)	67,342
Horace Hutton, Muleshoe (Bailey County)	65,018
W. B. Little, Muleshoe (Bailey County)	59,098
W. T. Millen, Muleshoe (Bailey County)	56,442
J. G. Arnn, Muleshoe (Bailey County)	50,557
Bentley Johnston, De Kalb (Bowie County)	75,524
William H. Farris, De Kalb (Bowie County)	55,039
J. P. Terrell & Son, Navasota (Brazos County)	72,999
Brazos A. Varisco, Bryan (Brazos County)	68,275
Joe Varisco, Bryan (Brazos County)	50,427
Porter Bros., Caldwell (Burleson County)	85,737
Holland Porter, Caldwell (Burleson County)	78,692
H. H. & Edgar Baker, Somerville (Burleson County)	77,058
Roy Smith, Corpus Christi (Calhoun County)	54,278
Oscar Mayfield & Sons, Taft (Cameron County)	90,587
Elijah B. Adams, Harlingen (Cameron County)	67,883
Henry V. Macomb, Los Fresnos (Cameron County)	63,235
John A. Abbott, Harlingen (Cameron County)	59,862
Texas Technological Research F. R. M., Pantex (Carson County)	64,984
Frank Robinson, Panhandle (Carson County)	60,283
G. L. Willis, Jr., Dimmitt (Castro County)	94,213
Homer Hill, Hart (Castro County)	90,211
Milton Bagwell, Dimmitt (Castro County)	87,361
F. O. Masten, Sudan (Castro County)	83,733
Chas. E. Armstrong, Dimmitt (Castro County)	64,389
Dulaney Brothers, Dimmitt (Castro County)	64,381
Clements Corp., Plainview (Castro County)	58,140
Homer A. Hill, Hart (Castro County)	54,167
Jerry Cluck, Hart (Castro County)	53,573
Truvis Campbell, Dimmitt (Castro County)	51,979
C. C. Slaughter Farms, Morton (Cochran County)	99,647
R. L. Polvado, Morton (Cochran County)	79,477
D. E. Benham, Morton (Cochran County)	77,751
J. E. Polvado, Morton (Cochran County)	67,021
Slaughter Hill Co., Levelland (Cochran County)	58,707

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

TEXAS—continued

Erma Griffith, Morton (Cochran County)	$58,507
T. Cattle Co., care of B. B. Wegenhoft, Eagle Lake (Colorado County)	54,856
Leslie Mitchell, Crosbyton (Crosby County)	97,640
The McLaughlins, Ralls (Crosby County)	74,472
Luis Garcia/Sons, Inc., Spur(Crosby County)	61,590
J. P. Beck, Ralls (Crosby County)	59,926
G. J. Parkhill, Jr., Crosbyton (Crosby County)	53,761
Delton Caddell, Ralls (Crosby County)	50,925
Carl Archer, Spearman (Dallam County)	58,505
E Bar S Ranch, care of Jas. Ratcliff, R.R. 2, Mesquite (Dallas County)	55,081
Sam C. Jenkins, Lamesa (Dawson County)	90,561
R. M. Middleton, O'Donnell (Dawson County)	56,693
Woodward Farms, Inc., Lamesa (Dawson County)	55,351
Carson Echols, Lamesa (Dawson County)	53,993
Gordon V. Waldrop, Lamesa (Dawson County)	51,147
W. H. Gentry, Hereford (Deaf Smith County)	76,624
Virgil F. Marsh, Hereford (Deaf Smith County)	74,008
White Farms & Cattle Co., Canyon (Deaf Smith County)	69,002
B. T. Spear, Wildorado (Deaf Smith County)	68,623
Delmar R. Durrett, Amarillo (Deaf Smith County)	66,733
A. R. Dillard, Hereford (Deaf Smith County)	62,740
R. K. Brooks, Tulia (Deaf Smith County)	59,351
Clarence D. Carnahan, Hereford (Deaf Smith County)	57,085
O. D. Bingham, Fridna (Deaf Smith County)	55,322
James Overstreet, Hereford (Deaf Smith County)	55,136
Cruce G. Richardson, Vega (Deaf Smith County)	51,147
Billy Wayne Sisson, Hereford (Deaf Smith County)	50,524
Don Kimball, Wildorado (Deaf Smith County)	50,285
G. B. Morris, Crosbyton (Dickens County)	50,285
L. R. Allison Co., Tornillo (El Paso County)	54,834
Basil Abate, Bremond (Falls County)	58,764
R. A. Harling AG, Telephone (Fannin County)	69,847
Marble Bros., South Plains (Floyd County)	92,974
J. E. Franklin, Lubbock (Floyd County)	92,249
John C. Alford, Petersburg (Floyd County)	72,607
William S. Poole, Dougherty (Floyd County)	68,919
R. I. Bennett, Lockney (Floyd County)	66,773
Dorris Jones, Floydada (Floyd County)	58,197
Thomas Bros., Lockney (Floyd County)	55,957
J. S. Hale, Jr., Floydada (Floyd County)	55,145
Vernon Goodwin, Seagraves (Gaines County)	79,709
John Henry Jones, Welch (Gaines County)	69,051
Fred Barrett, Jr., Seminole (Gaines County)	58,997

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued.

TEXAS—continued

Verlon Hilburn, Lovington, N. Mex. (Gaines County)	$58,333
Nix & Norman, Lamesa (Gaines County)	56,577
Wheeler Robertson, Idalou (Gaines County)	56,224
Earl Layman, Loop (Gaines County)	53,487
C. E. Hilburn, Lovington, N. Mex. (Gaines County)	51,668
Marion C. Bowers, Brownfield (Gaines County)	50,917
J. C. Miller, Abernathy (Hale County)	94,008
Elmo Stephens, Plainview (Hale County)	84,721
James Cannon, Plainview (Hale County)	71,836
Grady Shepard, Hale Center (Hale County)	65,221
Frank Moore, Plainview (Hale County)	65,093
H. D. Smith, Hart (Hale County)	64,317
Jason, H. Allen, Lubbock (Hale County)	61,214
Raymond Akin, Plainview (Hale County)	55,738
I. F. Lee, Hale Center (Hale County)	54,599
Swann Pettit, Hale Center (Hale County)	54,063
Ballard and Hurt, Plainview (Hale County)	53,328
John Trimmier, Jr., Hale Center (Hale County)	52,864
Ralph Wheeler, Edmonson (Hale County)	52,686
A. J. Givens, Plainview (Hale County)	52,391
E. A. Houston, Abernathy (Hale County)	52,008
J. H. Kirby and Sons, Hale Center (Hale County)	50,685
R. L. Porter Est., Spearman (Hansford County)	87,218
Jack Hart, Gruver (Hansford County)	68,372
R. E. and Rue Sanders, Spearman (Hansford County)	52,009
Texas Farming Corporation, Hartley (Hartley County)	78,801
Shary Farms, Inc., Mission (Hidalgo County)	94,889
Bryon Campbell, Raymondsville (Hidalgo County)	87,096
Bill Burns, Raymondsville (Hidalgo County)	77,211
Sam Sparks, Santa Rosa (Hidalgo County)	62,408
Guerra Bros., Linn (Hidalgo County)	57,777
Beckwith Farms, Progreso (Hidalgo County)	55,347
J. B. Pollock, Hargill (Hidalgo County)	51,763
White Face Farms, Inc., Levelland (Hockley County)	94,533
Post Montgomery, Levelland (Hockley County)	82,667
Cobleland Farms, Levelland (Hockley County)	61,646
J. Walter Hobgood, Anton (Hockley County)	61,436
Spade Farms, Inc., Lubbock (Hockley County)	50,325
B. E. Walker, Fort Hancock (Hudspeth County)	53,120
Grady E. Miller, Jr., Fort Hancock (Hudspeth County)	52,248
Claude Higley, Stinnett (Hutchinson County)	67,803
E. K. Angeley, Muleshoe (Lamb County)	83,958
W. C. Stout, Muleshoe (Lamb County)	75,066
K. B. Parish, Springlake (Lamb County)	70,743

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued.

TEXAS—continued

Clayton Farms, Springlake (Lamb County)	$70,754
J. D. Smith, Littlefield (Lamb County)	61,274
T. V. Murrell, Earth (Lamb County)	53,304
J. B. James, Olton (Lamb County)	52,667
William E. Armstrong, Lubbock (Lubbock County)	99,369
Smith Brothers, Slaton (Lubbock County)	73,076
Standefer-Gray, Inc., Lubbock (Lubbock County)	73,020
A. L. Cone, Lubbock (Lubbock County)	70,426
Lubbock Irrigation Co., Lubbock (Lubbock County)	68,636
Carson Farms Pts., care of A. L. Cone, Lubbock (Lubbock County)	63,992
J. Carter Caldwell, Slaton (Lubbock County)	58,499
Annette O. Martin, Lubbock (Lubbock County)	54,556
Wendell D. Vardeman, Slaton (Lubbock County)	52,670
L. L. Lawson, Lubbock (Lubbock County)	52,202
Davis-Son, care of Don E. Davis, Ropesville (Lubbock County)	52,067
W. C. Huffaker Jr., Tahoka (Lynn County)	97,360
John Saleh, O'Donnell (Lynn County)	62,400
Wm. G. Lumsden, Wilson (Lynn County)	59,496
J. W. Gardenhire, O'Donnell (Lynn County)	58,053
Cecil Dorman, O'Donnell (Lynn County)	55,235
Glen Cox, Lenorah (Martin County)	74,776
James M. Warner, Waco (McLennan County)	53,127
Bob Evans, Midland (Midland County)	58,789
Louis Koonce, Midland (Midland County)	53,275
James Brooks, Midland (Midland County)	50,435
E. Martin Gossett, Jr., Dumas (Moore County)	62,099
Lloyd Beauchamp, Dumas (Moore County)	56,659
Marshall Cator, Sunray (Moore County)	54,493
James Fortson, Corsicana (Navarro County)	72,000
Herbert L. Williams, Roscoe (Nolan County)	55,388
Clarence Martin, Friona (Parmer County)	77,081
J. C. Mills, Abernathy (Parmer County)	63,693
Ralph W. Shelton, Friona (Parmer County)	60,037
Fangman Farms, Inc., Friona (Parmer County)	58,501
Mike Allen, Friona (Parmer County)	57,016
Bill St. Clair, Muleshoe (Parmer County)	50,991
J. D. Kirkpatrick, Bovina (Parmer County)	50,434
A. B. Foster, Pecos (Pecos County)	87,634
Lakeside Farms, Fort Stockton (Pecos County)	62,159
Harral and Marable, Fort Stockton (Pecos County)	50,734
W. T. Lattner and Son, Pecos (Reeves County)	99,967
W. W. Hill, Pecos (Reeves County)	98,906
Walter B. Shaw, Pecos (Reeves County)	88,624
Reetex Farms, Pecos (Reeves County)	87,295

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

TEXAS—continued

Dingler Farms, Pecos (Reeves County)	$78,479
J. F. Crews, Pecos (Reeves County)	71,167
Davidson Bros., Pecos (Reeves County)	78,784
Rowe and Turnbough, Toyahvale (Reeves County)	63,669
Broyles Pecos Farm, Fort Stockton (Reeves County)	62,248
W. R. Sage, Lubbock (Reeves County)	60,474
G. G. Passmore, Pecos (Reeves County)	57,527
J. W. Bryan, Pecos (Reeves County)	56,949
Virgil M. Glenn, Pecos (Reeves County)	54,864
Coy Fraley, Pecos (Reeves County)	53,998
H. R. Hudson, Jr., Pecos (Reeves County)	51,576
J. B. Hopkins, Pecos (Reeves County)	51,474
Tom Passmore, Pecos (Reeves County)	50,426
Goodland Farms, Inc., Hearne (Robertson County)	77,773
Lee Fazzino, Bryan (Robertson County)	64,129
Joe Reistino, Hearne (Robertson County)	61,015
John C. Reistino, Hearne (Robertson County)	59,876
James H. Jones, Hearne (Robertson County)	52,115
Sam Degelia, Sr., Hearne (Robertson County)	51,809
Heirs of Jos. F. Green, Taft (San Patricio County)	59,995
Starr Produce Farm Acct., Rio Grande City (Starr County)	54,611
M. T. Glenn, Tulia (Swisher County)	90,682
Warner Reid, Tulia (Swisher County)	87,822
B. Raymond Evans, Tulia (Swisher County)	86,152
Miller Farms Co., Tulia (Swisher County)	65,464
Alvis Hefley, Tulia (Swisher County)	56,045
J. L. Francis, Kress, (Swisher County)	55,142
S. A. Barrett, Kress (Swisher County)	53,187
H. O. Thompson, Plainview (Swisher County)	51,185
Howard Hurd, Brownfield (Terry County)	79,862
Charlie Caswell, Meadow (Terry County)	62,059
Texas Department of Corrections, Byron W. Firerson, Sugarland (Walker County)	62,434
Alazan Farms, Harlingen (Willacy County)	73,069
K. L. Morrow, Lyford (Willacy County)	62,325
S. R. & C. D. Stone TST, Aransas Pass (Willacy County)	51,465
Norment Foley, Uvalde (Zavala County)	58,022
Ritchie Bros., Crystal City (Zavala County)	51,360

WASHINGTON

D. E. Phillips, Lind (Adams County)	72,629
Leonard & Henry Franz, Lind (Adams County)	57,528
Hutterian Brethern, Inc., Espanola (Adams County)	53,304
Bi County Farms, Prosser (Benton County)	60,520
Vollmer-Bayne, Prosser (Benton County)	55,367
Neil Rasor, Royal City (Grant County)	71,141

Payments of $50,000 to $99,999 under ASCS programs, 1966 (excluding price-support loans)—Continued

WASHINGTON—continued

Lonneker Farms, Inc., Walla Walla (Walla Walla County)	$77, 390
Grote Farms, Inc., care of Ben Grote, Prescott (Walla Walla County)	54, 189
Cecil R. Anderson, Prescott (Walla Walla County)	50, 773
Glen Miller, Colfax (Whitman County)	92, 905
McGregor Land & Livestock Co., Hooper (Whitman County)	74, 526

WISCONSIN

Robert O. Link, Cambria (Columbia County)	79, 706

WYOMING

Covey & Dayton, care of John Dayton, Cokeville (Lincoln County)	51, 890

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Delaware. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Maine [Mr. MUSKIE], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Missouri [Mr. LONG], the Senator from Montana [Mr. METCALF], the Senator from Florida [Mr. SMATHERS], and the Senator from Oklahoma [Mr. MONRONEY] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Florida [Mr. SMATHERS], and the Senator from Missouri [Mr. LONG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORTON] is necessarily absent.

The result was announced—yeas 14, nays 76, as follows:

[No. 185 Leg.]

YEAS—14

Boggs
Brewster
Case
Clark
Cotton
Griffin
Hartke
Hatfield
Javits
Lausche
Ribicoff
Scott
Smith
Williams, Del.

NAYS—76

Aiken
Allott
Baker
Bartlett
Bayh
Bennett
Bible
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Church
Cooper
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Gruening
Hansen
Harris
Hart
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Miller
Mondale
Montoya
Morse
Moss
Mundt
Murphy
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Russell
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—10

Anderson
Burdick
Dodd
Long, Mo.
Metcalf
Monroney
Morton
Muskie
Smathers
Tydings

So the amendment of Mr. WILLIAMS of Delaware was rejected.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I have one more amendment, and, for the information of the Senate, I would be willing to limit the time on this amendment to 15 minutes for each side if the Senator from Florida wishes.

Mr. HOLLAND. I have no objection, if it is agreeable to the other Members of the Senate.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the debate on the amendment of the Senator from Delaware take no more than 30 minutes, the time to be equally divided between each side.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Is there objection? The Chair hears none, and it is so ordered.

The amendment offered by the Senator from Delaware will be stated.

The LEGISLATIVE CLERK. On page 23, line 2, strike out "$220,000,000" and insert "$120,000,000."

Mr. WILLIAMS of Delaware. I ask for the yeas and nays on this amendment.

The yeas and nays were ordered.

Mr. COTTON. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Who yields time?

Mr. STENNIS. A point of order, Mr. President. Will the Chair have the Senate come to order, so that we may hear?

The PRESIDING OFFICER. The Senate will be in order.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 5 minutes.

The bill before us provides for $220 million to meet the obligations of the Federal Government to pay the ACP payments which accrue in calendar year 1967. Those are obligations, and we cannot change this figure. However, the bill *also provides on page 23 for $220 million* new obligational authority for the calendar year beginning January 1968—that is, for the next farming year. It is customary that each year we very properly provide the authorization to the Department as to how high it can go in the next crop year.

In his budget message to Congress the President asked for only $100 million with respect to this item. The bill has raised this to $220 million. The amendment I offer will reduce the $220 million to $120 million, which is a $100 million saving; and if the amendment is adopted the administration would still be given $20 million more than it is asking.

Personally, I would be in favor of the full reduction, but some argue that to roll it all the way back to the President's request would be too low. My amendment would roll it back to a figure that would still leave $20 million more than the budget request. I do not see why the Senate would not accept this amendment in the interest of economy. Its acceptance would save $100 million in the next calendar year.

I reserve the remainder of my time.

Mr. HOLLAND. Mr. President, at the hearing on this matter, the distinguished Senator from Nebraska took a leading part; and while I am strongly and sturdily against the proposed amendment, I recognize his great interest in the matter, and ask him to speak first, yielding to him such part of the time as he may wish to take.

Mr. HRUSKA. I thank the Senator from Florida.

Mr. President, we have considered this matter over a long period of time. I believe it has been some 9 or 10 years that the Bureau of the Budget has come forward with its estimate for a cut of $100 million to $120 million for this purpose. Just as religiously and persistently Congress has upped the amount by $100 million, and the result has been the same for a great number of years. The same thing has happened this year.

The agricultural conservation program is a matching proposition—50 percent by the farmer and 50 percent by these payments. It is a popular and broadly based program.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. AIKEN. I might add that the President's request of $100 million would be sufficient to pay all the personnel involved in this program, but would not leave much for the farmers.

Mr. HRUSKA. That would be on a par with some of the personnel practices of some of the other departments.

It is a popular and widely based program, Mr. President. The requests in 1966 were about 170 percent of the available funds. In that year a little more than one million farmers participated. Over a 3-year period, more than 2 million farmers participated at least one time.

There is a limitation that has been imposed of $2,500 payment to any one farmer, thereby reducing by $7,500 the limitation that the Senator from Delaware sought in his first amendment. As a matter of fact some of the States have voluntarily set limits below the $2,500 to make the dollars available to more farmers and to stretch them further.

Perhaps after these many years at a $220 million level, a thorough study should be made to determine whether the program should be continued at the present level or whether it should be increased or decreased. However, on the basis of our findings the evidence before us now, and it is a program that should be continued at $220 million.

Each year we get requests for increases but have not gone above that figure for a long time.

We believe, having considered the matter carefully and on quite a bit of evidence, that the figure should stay at $220 million. This is the same figure which was approved by the other body.

We express the hope that the amendment will be rejected.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 3 minutes.

Mr. DOMINICK. Mr. President, may we have order? We cannot hear.

The PRESIDING OFFICER. The Senate will be in order.

Mr. WILLIAMS of Delaware. Mr. President, in line with the statement of the Senator from Nebraska, I agree that this is one of the most popular of the agricultural programs. It is popular in my area. However, I point out that if we are going to reduce the size of the budget we are going to have to reduce the cost of some of the programs which are popular in our own States as well as in other areas.

Yes, it is true that this is a popular program, and as has been pointed out, over the years Congress has a way of upping it annually. Congress has been increasing these various programs until we are now spending about $1.5 billion per month more than we are taking in. That is why we have a deficit of $20 million confronting us next year. That is the reason we are told we shall not only have to cut back the spending on some programs but possibly even have to raise taxes. If the Congress is going to cut back on spending let us start with all of these programs, even though some of them may be popular and in times of budget surplus be fully justified.

Mr. President, in this instance much has been said about the administration spending money too freely under its Great Society programs. In this instance the bill before us would increase the President's budget request by over 100 percent. Even if this amendment to roll the amount of $220 million back to $120 million were adopted, it would still give the administration $20 million more than the Budget Bureau recommended as being the amount that could be advantageously spent for the benefit of the farmer.

I appeal for the support of those who are concerned that within the next few weeks we may be asked to raise taxes on all taxpayers. I believe that this is one area where we can save $100 million. I say to the Senate that the place to start cutting expenditures is when the issue is before us. If the Senate votes for this amendment it would save $100 million and still be appropriating $20 million over the Budget Bureau request.

Mr. HOLLAND. Mr. President, I yield myself 5 minutes, if I have that much time remaining.

First, I wish to pay my respects to the Senator from Nebraska [Mr. HRUSKA] because he led most of the questioning in this field when witnesses appeared before the committee and he did a splendid job.

The Senator from Nebraska read a part of his exchange with Mr. Godfrey. I wish to make it clear that from that exchange it is shown that no less than 2 million farmers out of the 3 million farmers in the Nation have participated in this program over a period of years.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks the listing which appears on page 94 of the subcommittee print of the budget of the Department of Agriculture, showing the appropriation request and the congressional action on this program going back to 1959.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Advance authorizations

Program year	Estimates	Enacted
1959	$125,000,000	$250,000,000
1960	100,000,000	250,000,000
1961	100,000,000	250,000,000
1962	150,000,000	250,000,000
1963	150,000,000	250,000,000
1964	150,000,000	250,000,000
1965	[1] 120,000,000	[1] 220,000,000
1966	[1] 120,000,000	[1] 220,000,000
1967	[1] 100,000,000	[1] 220,000,000
1968	[1] 100,000,000	

[1] Excludes administrative expenses.

Mr. HOLLAND. Mr. President, the list shows that for the first 6 years in that period $250 million a year was granted for this program and for the last 3 years $220 million a year was granted. The first years included the administrative expense and the last 3 years have excluded the administrative expense.

Mr. President, probably the group who would be the worst hurt of our agricultural producers are the dairy people. If any group has gotten help from this program for the improvement of pastures, necessary to care for and produce cows, or restoring those that are nonproductive, it is the dairy people.

The President has just recognized the hardship under which that sector of industry is proceeding, by cutting down to about one-fourth the amount of dairy imports which are coming in from overseas in an effort to keep more of these hard-working people in the business of producing milk and milk products for our people. Mr. President, when I say "hard-working people," I mean it because when computed on an hour-wage basis, the dairy farmer probably has the smallest return per hour of any of the farmers we have.

This amendment would not only hit a blow at the dairy farmers but it also would hit a blow at the producers of meat. When I go through my part of the country and see improved pastures that have resulted from the program, one can see it has helped them to get underway. That is true not only in my State. I do not like to speak so often of my State. However, it is also true in the State represented by the Senators from Mississippi. There are literally hundreds of thousands and perhaps millions of improved acres as a result of the ACP program that have been developed, and I am sure that the Senators from Mississippi will say so.

Mr. President, I could repeat that statement for Senators from practically every other State because practically every State in the Nation, to some degree, produces meat and milk. However, I am not limiting my remarks to those two elements of agriculture. This is important to all elements of agriculture.

If Senators will look at the list I have just placed in the RECORD, they will see what the Bureau of the Budget has done in connection with this program. Every year, down through the years, they have cut the advance authorization requests of the Department of Agriculture, sometime by amounts ranging from $100 to $120 million. For some reason they seem to think this money is wasted. If there is any place money is not wasted, it is in this ACP program. It has made our country more fertile and it has made our country more productive and it has helped those in agriculture who needed help. The Congress has repeatedly, year after year, declared its own judgment rather than follow the dictates of the Bureau of the Budget, which in no instance followed the request of the Department of Agriculture.

Senators who are in touch with their own people, and Representatives who know farmers, know perfectly well that this increased fertility of the soil increases the productivity of farms from one end of the Nation to the other. This is an important factor in the total farm program, although it represents a small part of our investment in improving the life and the lot of the farmer.

The distinguished Senator from Delaware comes from a fine county in his State which, in my judgment, is next in greatness to the county in which I live, because it is one of the highest producing counties in America. His county I generally consider to be in the South, and we do like to consider Delaware as being part of the South.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. HOLLAND. I yield myself 1 more minute.

My own county, for instance, has been on the banner list of the 25 highest producing counties printed every year by the Department of Agriculture since that list has been printed.

My county has usefully employed its allocation of funds from this particular source. It has not been wasted. It has gone to good result. It has made for better farming. It has made for greater productivity and greater fertility of the soil. I do not believe that the Senate would even thing about granting the request, which I think has been made rather facetiously by my good friend from Delaware, because he does not look nearly so determined or so serious about this amendment as he generally does about his amendments.

I hope that the amendment will be soundly defeated.

Mr. WILLIAMS of Delaware. Mr. President, I assure the Senator from Florida that I am just as serious on this amendment as I was on the other. However, I find myself on the losing end so often when we try to reduce expenditures that I have learned to take it all in good grace.

Seriously speaking, Mr. President, I shall not for one moment argue that this program is not meritorious. I do not know of a single program that has been recommended or mentioned by any of the preceding administrations—or by the Johnson administration under the Great Society—which when taken by itself could not be described as having merit. But I repeat what I said earlier, that if we are going to cut the budget down to a realistic level we must reduce expenditures under programs which are popular in some quarters. This happens to be very popular in many other States as well as my own. But let us not overlook this point, the basic purpose of this program is to increase the fertility of the soil and increase the productive capacity of the farms.

The basic purpose of the program involved in the preceding amendment was to pay over $1 billion annually to leave this same acreage out of production.

Two hundred and twenty million dollars for the stated purpose of increasing production on farms and $1 billion to reduce production—all in the same bill.

Who said that this Great Society does not have imagination?

Who will claim that makes sense? The amendment just rejected means that Congress will continue wide open a program of paying as much as $1 million to certain corporate operations. For what? Not to cultivate the soil. Then we pay $220 million to increase the fertility, ofttimes of the same soil.

We have not got money enough in the Federal Treasury to finance these contradictory programs. The taxpayers cannot afford the continuation of such expenditures.

Mr. LAUSCHE. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield 2 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 2 minutes.

Mr. LAUSCHE. Mr. President, each year when this issue has been before the Senate, I have stated that I could not subscribe to a paradoxical program, on the one hand to pay the farmer not to put his fields into production and on the other hand to pay him to increase the fertility of the soil.

I know of no rationalization that can bring those two conclusions to a compatible end. Approximately $1.6 billion is spent to induce the farmers not to produce. Under the issue now before us, $220 million will be spent to induce the farmer to produce more.

I cannot subscribe to that kind of Government policy. I cannot do so especially in these times when we will soon have before us the proposal to increase taxes.

Constantly we hear arguments about the need to reduce Government expenditures. However, when the time comes that an opportunity is available, we fail to heed the warning that unless we reduce expenditures we will have to increase taxes.

I do not propose to vote for an increase in taxes. I cannot sustain that position of mine if, in voting against taxes, I vote for increased expenditures. The two courses do not go hand in hand. One is inconsistent with the other.

I shall vote with the Senator from Delaware because I believe that his rationalization of this issue is sound.

Mr. WILLIAMS of Delaware. Mr. President, I yield back the remainder of my time.

Mr. HOLLAND. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has now been yielded back. The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS].

On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Maine [Mr. MUSKIE], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Montana [Mr. METCALF], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD] and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORTON] is necessarily absent.

The result was announced—yeas 10, nays 82, as follows:

[No. 186 Leg.]

YEAS—10

Boggs
Brewster
Byrd, Va.
Case
Dirksen
Griffin
Lausche
Percy
Ribicoff
Williams, Del.

NAYS—82

Aiken
Allott
Baker
Bartlett
Bayh
Bennett
Bible
Brooke
Byrd, W. Va.
Cannon
Carlson
Church
Clark
Cooper
Cotton
Curtis
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlocper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Murphy
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Russell
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—8

Anderson
Burdick
Dodd
Metcalf
Morton
Muskie
Smathers
Tydings

So the amendment of Mr. WILLIAMS of Delaware was rejected.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there are no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. RIBICOFF. Mr. President, agriculture has always been an important concern to Americans. From the apple orchards of New England to the wheatfields of Iowa, farmers have contributed to the American way of life.

Because farmers have always been and always will be an essential part of American life and economy, we should have a farm program based on present realities and necessities. As America changes, careful and responsible reexamination of our past programs is necessary. Today, we need an agriculture program suited to the need of a growing, dynamic economy in modern America.

The bill before us today is geared to the farm problems of the depression years. It is geared to the problems of the 1930's, not the 1960's. It continues the expensive dike plugging program which has characterized recent Federal agriculture programs rather than anticipating the future directions and requirements of America.

This bill provides an increase of $2 billion more than the bill passed by the House. It provides $1¾ billion more than the budget estimate. It totals almost $7 billion.

There is no excuse for the Senate to increase this bill by almost $2 billion and I am opposed to it. I have voted against the increase and I will vote against the bill.

I recognize the problems of agriculture. But I feel that we must begin to fight our way out of the morass the Federal agricultural program has become. We must begin a thorough and responsible reappraisal of these massive programs. We must take a more realistic and longsighted approach than that embodied in the proposed bill.

POULTRY INSPECTION

Mr. TALMADGE. Mr. President, the Senator from Florida [Mr. HOLLAND] again this year has done a masterly job of bringing before the Senate a bill which provides appropriations to operate the U.S. Department of Agriculture for the fiscal year which began on July 1, 1967.

I commend the distinguished Senator from Florida for the ability, imagination, and devotion he has brought to his task. By diligently preparing the document which we are considering today, he has simplified the work for the rest of us.

I particularly wish to single out one section of the Senate Hearings on the Agricultural Appropriations Bill, the section dealing with poultry inspection. Poultry is a major agricultural enterprise in my State of Georgia. During the hearings on the bill which is before us, the Senator from Florida carefully—and in detail—questioned officials from the U.S. Department of Agriculture on two matters which are of deep concern to the Georgia poultry industry and, indeed, to the poultry industry of the entire Nation.

The first of these is the absolute necessity of keeping the USDA's poultry inspection service separate in all important respects from their red meat inspection service. The second is the right of poultry plant owners to operate their plants free of the fear that the USDA may summarily shut down a plant for reasons other than those contained in present law.

The good work of the Senator from Florida in keeping these matters in proper perspective before the Department of Agriculture has been reported in an excellent article in the NBC Bulletin for July 7, 1967, a publication of the National Broiler Council. The article, entitled "Senator Holland Holds USDA's Feet to the Fire," includes this statement:

> NBC salutes Senator Holland for his constructive and continuing surveillance of USDA's actions in the field of poultry inspection, even though the specific issues of merger and withdrawal of inspection services have, fortunately, not arisen in recent months. NBC is mindful that the colloquies cited above (in the published Senate hearings) are legislative history and thus express the intent of Congress in guiding the activities of the Administrative Agencies.

I assure my friend from Florida that I share the sentiments of the National Broiler Council in their well-justified salute to him.

Mr. President, I would ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATOR HOLLAND HOLDS USDA'S FEET TO THE FIRE

The Senate hearings on H.R. 10509, the Bill which provides Agricultural Appropriations for Fiscal Year 1968, released a few days ago, contain a colloquy of particular interest to the broiler industry. The key section is a dialogue between the Committee Chairman Senator Spessard L. Holland (D. Fla.) and S. R. Smith, Administrator of USDA's Consumer and Marketing Service, on poultry inspection.

After Smith testified as to USDA's budget request for poultry inspection for the next fiscal year and outlined accomplishments of the program during 1966, this exchange took place:

Senator HOLLAND. You remember that last year the Senate committee stated in its report that it expected the Department to maintain separate supervisory inspection standards, separate working level inspection standards and service between the red meat inspection and the poultry inspection services. Would you please tell this committee if you have carried out these instructions?

Mr. SMITH. Yes, we have, Mr. Chairman. As I recall, following the position expressed by the committee, the Secretary addressed a letter to the chairman, dated May 18, 1966, detailing the action proposed and which we believe was in keeping with the position of the committee. We have tried religiously to follow that course of action, and we believe that we have.

Senator HOLLAND. As I remember it, our reaction was after the receipt of that letter rather than before it. Did the letter outline the same action that was outlined by the request of this committee?

Mr. SMITH. Yes.

Senator HOLLAND. Do you have a copy of that letter of May 18?

Mr. SMITH. I have a copy of that letter with me; yes, sir.

Senator HOLLAND. Will you insert it in the record at this point?

Mr. SMITH. Yes, sir.

The letter outlining the changes which USDA proposed and subsequently put into effect was thereupon placed in the record, and Senator Holland then placed in the record also an excerpt from his committee's report of last year "so that the similarity or differences between the letter of the Secretary and the request of the committee may be apparent."

A key portion of the excerpt from the committee report reads:

". . . The letter from the Secretary further asserts that day-to-day inspection functions of mandatory poultry inspection would not be changed by the realignment of common service activities announced last December 7 (1965).

"The Committee expects the Secretary and the Department to abide by the statements contained in the letter and expects the Department to maintain independent supervisory inspection standards where required and separate working level inspection standards and services for these two important industries."

Senator Holland also questioned Smith on the issue of withdrawal of inspection services, which was such a bone of contention last year. Here is the key exchange on this issue, as printed in the Senate hearings:

Senator HOLLAND. You will recall that last year the committee contacted you regarding the proposed changes in the poultry inspection regulations which would have allowed the Department to withdraw inspection service without a public hearing. Have these proposed changes been put into effect?

Mr. SMITH. They have not, sir.

Senator HOLLAND. In other words, you still allow public hearings?

Mr. SMITH. No change has been made in the regulations, Mr. Chairman. The matter is still under study. Just how we will work it out, I am not sure at this point. But, in view of the strong objections voiced by the industry, we have held that matter in abeyance.

Senator HOLLAND. Your present regulations provide for an appeal procedure by the aggrieved plant owner if he disagrees with your reasons for withdrawing service.

Mr. SMITH. Yes.

Senator HOLLAND. No change in that old regulation has been effected?

Mr. SMITH. No. The issue revolved around withdrawal of service under conditions where the inspector or inspectors in the plant were subject to abuse or bodily harm. Our original thinking was that this was a reasonable measure of the position to be taken in behalf of our employees. But the industry, as I see it, probably misconstrued our intention and were very critical of any precipitous withdrawal of the service. So, as I stated earlier, we have not processed that one to conclusion. The regulations previously in effect still apply.

Senator HOLLAND. Have you had any more than the one incident which you related to us last year, in which an inspector was subjected to bodily harm?

Mr. SMITH. To my recollection, no. Fortunately, these instances are few and far between.

NBC salutes Senator Holland for his constructive and continuing surveillance of USDA's actions in the field of poultry inspection, even though the specific issues of merger and withdrawal of inspection services have, fortunately, not arisen in recent months. NBC is mindful that the colloquies cited above are legislative history and thus express the intent of Congress in guiding the activities of the Administrative Agencies.

EMERGENCY CONSERVATION MEASURES IN MONTANA

Mr. MANSFIELD. Mr. President, there is one item in the Appropriation Act for the Department of Agriculture and related agencies that is in need of some legislative clarification. This is the item listed in the budget as "Emergency Conservation Measures." The bill now before the Senate recommends $5 million for emergency conservation measures.

Last month we experienced a flood emergency situation in Montana. The Secretary of Agriculture declared eight counties in Montana as disaster counties because of flood damage. Funds appropriated last year for "Emergency Conservation Measures" were allocated by the Secretary of Agriculture to these eight counties.

The point in need of legislative clarification is this. The Congress has never indicated to what extent the funds appropriated for emergency conservation measures can be used to reimburse the Soil Conservation Service for technical services in restoring to production land damaged by natural disaster.

The Congress has provided legislative history for transferring regular ACP funds to SCS for necessary technical services. In this instance the Appropriation Act permits up to 5 percent of the regular ACP funds to be transferred to SCS.

This year in Montana the flood damage which has occurred is of such a nature that it will require extensive engineering services to restore the land to production. It is estimated that these engineering services will cost at least 10 percent of the emergency conservation measures funds allotted to the Montana counties.

It is my purpose today to seek legislative clarification to the point that whatever the cost of needed technical services, such costs should be financed in full from funds appropriated for emergency conservation measures. If 3 percent of the funds are needed by the SCS technical services, then 3 percent should be transferred. If 15 percent are required for technical services, then 15 percent should be transferred. The Montana situation can be taken care of if 10 percent of the emergency conservation measures funds allotted to Montana counties could be transferred to SCS to pay for the needed technical services.

If the able chairman of the Subcommittee on Agriculture Appropriations and the Senate will agree, funds appropriated for emergency conservation measures can then be used to finance in full the needed technical services as well as sharing the cost of installing emergency conservation measures.

This additional assistance will be of tremendous aid to this part of Montana, which has suffered from unusual and exceedingly heavy rains. To date most of the necessary aid has been made available through existing programs designed to aid in unnatural disasters.

I discussed this matter with my colleague, Senator METCALF, before he went to Montana for a judicial conference, and he shares my concern and supports this clarification of the intent of the emergency conservation measures program. We hope some clarification will be forthcoming.

Mr. HOLLAND. Mr. President, I have consulted with the distinguished Senator from Nebraska [Mr. HRUSKA] on this matter. I feel that we have no authority by which we can say that more than 5 percent will be made available, because that is what has been made available under the ACP transfer provision.

I can say, however, that both the Senator from Nebraska and I have a most highly sympathetic attitude in this matter. We are perfectly willing for the entire amount allocated to the State of Montana, or to any other State so situated, to be used in the most beneficial and necessary manner. We certainly would not raise any question. But we are not in a position to say that the law positively and affirmatively permits it.

Unless the Senator from Nebraska wishes to add anything, that, it seems to me, is about all we can say.

Mr. HRUSKA. It would appear so. But the discussion between the Senator from Florida and this Senator was to the effect that if there was anything the committee could do, we would be very willing to take such steps,

It happens, I might tell the Senator from Montana, that widely distributed and very destructive floods have visited the eastern part of my State within the last 6 weeks. We are keenly aware of the severity of the situation. We know what we will encounter when it comes to the matter of the technical assistance that is so necessary under those circumstances. But I subscribe to the idea advanced by the chairman, and support him fully.

Mr. MANSFIELD. I thank both the chairman and the distinguished ranking minority Member for the encouragement, the sympathy, and the support which they have undertaken.

The PRESIDING OFFICER. Who yields time?

Mr. DIRKSEN. Mr. President, I yield myself 2 minutes, and I hope every Senator gives good ear.

Mr. HOLLAND. Is the Senator going to ask for a rollcall?

Mr. DIRKSEN. I shall ask for a rollcall, but before I do, I wish to refresh the Senate on the fact that there is $6.75 billion provided in this bill for one agency of the Government.

Thirty-five years ago, one-half of the amount in this bill was asked for the purpose of running every function and agency of the Government, including the Army, the Navy, the Marine Corps, all the nondefense spending, and everything else that ever happened and was submitted in budget form.

Now we are going to have a very wholesome deficit, and we are going to have to deal with it. Already there is talk about a 6-percent surcharge tax, an 8-percent tax bill, or a 10-percent tax bill. Under all the circumstances, and in view of the fact that we are probably going to have to deal with a tax bill, I think it would be a capital idea if the Senate went on record with respect to the 6¾ billion dollars that we see confronting us in appropriations for the Department of Agriculture for a single fiscal year. Accordingly, Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. Does the Senator yield back the remainder of his time?

Mr. HOLLAND. Mr. President, I hope the Senator will yield me 2 minutes to reply briefly.

Mr. DIRKSEN. I yield to the Senator for that purpose.

Mr. HOLLAND. Mr. President, I wish the situation were such that we could operate on the same amount of funds we could operate on some years ago, as recited by my distinguished friend. But the Senate knows perfectly well that this bill covers things that were not even heard of in those days. One of them is the Public Law 480 program, which is a part of the foreign aid program of our country. Another is the subsidy for the export of wheat under the International Wheat Agreement, in order for our wheat, produced at a higher cost, to be marketed on the world market. There are also the school lunch programs and the food stamp programs. There are so many others that I cannot weary the Senate by taking its time to recite them.

Sometimes I get the same feeling of nostalgia, because I reach back, as I recall it, about 4 years further than my distinguished friend, and I can remember peaceful times even a little more clearly than he does.

It just happens, Mr. President, that "time do move," and that our Nation has all these new problems; and although this bill is called the farm bill, as a matter of fact only a relatively small part of it—my recollection is less than one-third—of the annual authorized expenditures made by the Department of Agriculture are primarily for the benefit of the farmer.

To the contrary, we all know that the farmers are going out of business. We all know that the farmer is in a sad plight, and in spite of that he is providing us with our ace in the hole in our dealings with other nations of the world by the great productivity which he has demonstrated year by year.

So far as I am concerned, I am as strongly for economy as is my distinguished friend, the Senator from Illinois.

I voted against many of these new domestic measures which I think we should forgo in these times. I shall continue to do so. I am not for putting more farmers out of business, and I am not for discontinuing Public Law 480 and other programs that we have found to be most helpful to our Nation and most nearly calculated to discharge some of the responsibility which we, as the most powerful nation of the world, have to other nations less fortunate.

Mr. DIRKSEN. Mr. President, I yield myself 2 minutes. I say to my distinguished friend, the Senator from Florida, that I am not nostalgic about this. I sold my horse and buggy long ago. I have a whip framed in my parlor, and, hanging in the kitchen, I have a picture of the old horse.

Whenever I get nostalgic, I look at that old nag, and that is good enough for me.

I am thinking in terms of how much more we spend now, and then I try to relate it to the population growth of the country. However, I relate it to an even better figure than the one that the distinguished chairman of this subcommittee has just intimated, and that is that there are fewer and fewer farmers year after year.

When we have fewer farmers the cost of agriculture goes up. That, to me, is one of the astounding things.

I used to be a member of this subcommittee on the other side, and once upon a time I was the chairman. I remember those days, and I used to fight these battles early and late, particularly with my distinguished friend, the senior Senator from Georgia [Mr. RUSSELL], and when we had a conference fight, we really had it. It was equal, I think, to Gettysburg, and it was a fight, I can assure you.

So, this is not a new and unchartered domain for me. I have been through this kind of agony before. However, it does distress my soul as I think of all of these levels of appropriations coming up. We will have a veritable donnybrook when we have to make a decision on a tax bill.

We love to vote for expenditures, but we are so allergic to tax bills. However, we are going to have to face up to it. I would like to divert a little of the curse from it, if I could.

I am going to vote for the pending bill and let the bitter go with the sweet.

Our progress in fiscal degeneracy has gone from the creeping variety to the galloping variety, and nobody can contemplate the fiscal affairs of this country and its balance sheet and its credit both at home and abroad without having some sense of jeopardy about our country.

That is all I have to say.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MILLER. Mr. President, I thank the minority leader for yielding.

I merely want to substantiate and reinforce what the distinguished Senator from Florida has said.

I think that the American public has been under the impression for a long time that every time we pass an agricultural appropriations bill, the money is all going to go to the farmers.

All one has to do is to go through the list of items to see what items are not going to go to the farmers.

This is not to say that we should not have a Consumers Marketing Service, but let us make sure that the press and the people know that the Consumers Marketing Service is primarily not for farmers.

The same is true with Public Law 480, which is really a foreign aid program.

The food-for-peace program involves foreign aid.

The Food Stamp program is really a social welfare program.

It is unfortunate that we have not been able to allocate these programs to other agencies. However, let us make sure for the record that this is not thought of as a farmers' bill. About 50 percent of it is a farmers' bill. A very important aspect of it is for the farmers, and it should be.

I hope that the Senate will support the pending bill and realize that this is not the place in which to start cutting appropriations.

There are other programs that have expanded. The programs contained in the pending bill have not been expanded.

I commend the committee for having the intestinal fortitude to see to it that the impairment of the Commodity Credit Corporation has been eliminated.

This may aggravate the budgetary deficit, but it is being fair with the American taxpayer by disclosing the true financial condition of the Commodity Credit Corporation.

"BAREBONES" FOR THE SMALL WATERSHED PROGRAM

Mr. HARTKE. Mr. President, the small watershed projects, a part of one of the most important Federal programs to provide the United States with an adequate water supply for the future, will move slowly again this year, in spite of efforts by the Senate Appropriations Committee.

The Public Law 566 program—small watersheds is in such bad shape that the Agriculture Subcommittee of the Senate Appropriations Committee even had to help the executive branch by calling to the Senate's attention "the failure of the budget estimate to include sufficient funds under 'Watershed Protection' to balance the construction work on approved watershed projects with the planning activity." This year the committee has made an additional $5,000,000 available from the Farmers Home Administration loan funds for financing construction of these watersheds. In other words, the Soil Conservation Service and the Bureau of the Budget would have our people continue planning watersheds without insuring them of adequate funds to proceed with construction.

My own State of Indiana has 89 applications for the Public Law 566 for small watersheds to help Hoosiers with an adequate water supply for the future. Out of these 89 applications only four have been completed and only nine are under construction. This is not a good record. We are requiring people to plan for 20 years rather than to go ahead and build the watersheds.

I had hoped that the committee of Congress would appropriate $10,000,000 additional funds for construction of watersheds. However, the United States is financing a war in Vietnam which costs, on a conservative estimate, some $2.5 billion a month. To keep the budget deficit down we, the Congress, can only provide the bare bones for these worthwhile programs like the Small Watersheds. We can only hope that our people who have worked for years to bring soil conservation and water resources planning projects to their local area will keep their interest in these projects.

I commend the distinguished Senator from Florida [Mr. Holland] chairman of the Subcommittee on Agriculture Appropriations for providing the additional $5,000,000 to be used from the loan fund to construct some of these "well-planned" watersheds. At least Senator Holland is thinking about the good people in Indiana who have been waiting a long time.

I also wish to point out to Senators that the $242,284,000 nationwide for the Soil Conservation Service budget for 12 months to provide watersheds, soil surveys and land management is less than 10 percent of the cost of 1 month of the war in Vietnam.

Mr. YARBOROUGH. Mr. President, I would like to commend the distinguished chairman of the subcommittee [Mr. Holland] for his usual thorough and judicious handling of this bill. The Senator carefully and fairly considers each and every dollar which is requested. Each year the agriculture appropriations bill bears the stamp of thorough and just consideration by one of the most knowledgeable agricultural experts in the country.

Likewise the distinguished Senator from Nebraska [Mr. Hruska] has done an outstanding job in his first year as ranking minority member of the subcommittee.

As one of the largest agricultural States, Texas has a great interest in this bill. Several items of importance to Texas have been added in the Senate bill. The Agriculture Department has been requested to make a feasibility study on additional construction for the Soil and Water Research Laboratory at Weslaco for acceleration of the remote sensing research program. This research is badly needed.

The committee has also added $40,000 for transportation research on handling and packaging in Texas.

As the largest REA State, Texas has benefited immeasurably from rural electrification, which has changed the nature of agriculture in my part of the country. I support the $10 million increase in loan authorizations, bringing the total available for next year to $400 million, with a $324 million appropriation and a $76 million carryover from the preceding year. I also support the deletion of the reserve authorization and the appropriation of the total amount of usable money. It is ridiculous for Congress to appropriate funds which we know are needed, and then put them into a contingency fund, the better for the Budget Bureau to impound them.

The Great Plains conservation program is badly in need of funds. The demands far outruns the supply. The committee has recommended an increase of $2,168,300 over the House, bringing the appropriation at least up to last year's figure of $18,504,300.

Although the committee recommends limiting the number of watershed planning starts to 80, I would have preferred at least to have the House figure of not less than 100, with the actual number to be determined by how far the funds will stretch. I know that in Texas applications for assistance on watershed projects continue to be made faster than work plans can be developed. Seventy-two watersheds in my State are awaiting planning assistance. At this time last year the number was 63.

A highly important program which has never been adequately funded is the cotton cost-cutting research program. Although this year the Senate has added an additional $630,000 over the budget estimates, this is not enough, and as a result the program continues to fall far short of the $10 million project which Congress authorized. I hope that in the near future the total amount can be made available for this program so vital to the cotton industry.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The bill having been read the third time, the question is, Shall the bill pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Maine [Mr. Muskie], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Montana [Mr. Metcalf], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd] and the Senator from Florida [Mr. Smathers] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. Baker] and the Senator from Kentucky [Mr. Morton] are necessarily absent.

If present and voting, the Senator from Tennessee [Mr. Baker] and the Senator from Kentucky [Mr. Morton] would each vote "yea."

The result was announced—yeas 88, nays 3, as follows:

[No. 187 Leg.]

YEAS—88

Aiken
Allott
Bartlett
Bayh
Bennett
Bible
Boggs
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Murphy
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Russell
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—3

Brewster
Ribicoff
Williams, Del.

NOT VOTING—9

Anderson
Baker
Burdick
Dodd
Metcalf
Morton
Muskie
Smathers
Tydings

So the bill (H.R. 10509) was passed.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives thereon, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. Holland, Mr. Russell, Mr. Ellender, Mr. Hruska, and Mr. Young of North Dakota conferees on the part of the Senate.

Mr. HOLLAND. Mr. President, before yielding the floor, I wish to express for myself, my subcommittee, and as a member of the full committee, our great appreciation of the kind and considerate hearing and treatment that has been accorded to this rather complex and difficult bill by all Members of the Senate.

Mr. HRUSKA. Mr. President, I should like to join in that thought and in the sentiments just expressed by the chairman of the subcommittee.

Mr. MANSFIELD. Mr. President, the senior Senator from Florida [Mr. Holland] is acknowledged as one of the outstanding experts in the agricultural field in the Senate and throughout the Nation as well. His handling of the 1968 agriculture appropriation measure just adopted by the Senate merely confirms talents, abilities and immense wisdom already long established. Nevertheless, it is always a gratifying experience to witness the astute manner in which he directs this yearly appropriation bill, obtaining the benefit of his broad and deep knowledge. In his devotion and dedication to their needs, the farmers of the Nation could find no better friend or advocate. The Senate and indeed the Nation owe him a richly deserved debt of gratitude.

Joining Senator Holland to assure the overwhelming acceptance of this measure was the senior Senator from Nebraska [Mr. Hruska], the ranking minority member of the Agricultural Appropriations Subcommittee. Senator Hruska, like Senator Holland, has developed the keen insight into the problems and needs of the Nation's farmers that makes his leadership in the area of vital importance. We certainly appreciate his efforts in assuring this success.

The senior Senator from Wisconsin [Mr. Proxmire], displayed his already established grasp of the many problems that face our farming interests. The Senate is grateful for his views: they are expressed always with deep conviction, with articulate clarity. The senior Senator from Delaware [Mr. Williams] also contributed immensely to the thoughtful discussion that occurred during the consideration of this matter. His deep appreciation of the agricultural program has always been of great importance to the Senate. And he, along with Senator Proxmire, exhibited most graciously his cooperative spirit by offering his own strong views on certain features of this year's appropriation bill but at the same time, by in no way impeding the Senate's efficient action in disposing of the measure.

Other Senators are to be commended for joining the discussion. Noteworthy were the articulate views of the senior Senator from Louisiana [Mr. Ellender], the Senator from Georgia [Mr. Talmadge], and the Senator from Kentucky [Mr. Cooper]. Their abiding devotion to the improvement of the farm program has produced some of its most productive and constructive features. The senior Senator from Vermont [Mr. Aiken], the senior Senator from Texas [Mr. Yarborough], the senior Senator from North Dakota [Mr. Young], and the Senators from Hawaii [Mr. Inouye and Mr. Fong] likewise played vital roles in today's discussion by urging their astute and always welcome assessments of this funding measure.

Finally, with its passage, the Nation's agricultural interests are again afforded a highly worthwhile program—perhaps not perfect—but one on which they can base continued advancement, and hopefully, one that will resolve many of the special problems that face the farmers whose welfare and success is so vital to our economy.

ORDER FOR ADJOURNMENT UNTIL MONDAY NEXT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORTGAGES FOR THE POOR

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent to have printed at this point in the Record an article written in the July issue of the Mortgage Banker by the junior Senator from Illinois [Mr. Percy] in connection with the bill he sponsored with respect to the National Home Ownership Foundation.

There being no objection, the article was ordered to be printed in the Record, as follows:

National Home Ownership Foundation: Mortgages for the Poor

(By Senator Charles H. Percy)

Last February a CBS television team did a special presentation on life in a Chicago slum building. At one point the CBS commentator is standing in a vacant lot adjacent to the tenement. Children are playing amid the waste paper, junk, and broken bottles.

The commentator is talking with Mrs. Barber, a Negro lady who lives in the tenement building. He asks her about her dream house, and she says:

"My dream house? I would like to have a dining room—kitchen, say, and three rooms and a sun porch on the first floor, and most of all, have a recreation center in the basement."

And Mr. Staples, who lives in the same slum tenement, adds softly:

"This is every man's dream, to own his own home and be able to have a decent place for your family to live in—because you know if you own this, you know this is yours."

Time and again, in encounters and correspondence with poor people and their organizations, I have heard this sentiment repeated with a depth of feeling that can be very moving. There is no doubt in my mind that this desire to own a home—not just any home, but a *decent* home in a *decent* neighborhood—is as common to today's urban poor as to middle and upper income suburbanites.

For home ownership, aside from its economic values, can generate important psychological values as well. It can bring pride and dignity and self-esteem to families who have known little of those feelings. It can bring a new sense of community responsibility, stability, and respect for law and order. It can yield the vital feeling of "roots," of having a place and an identity in urban mass society. It can contribute to the practice of deferred gratification—of saving today for tomorrow's benefit, a characteristic conspicuously absent from most poor families. It gives the home buyer a new understanding of the workings of the business world—of taxes and insurance and mortgage payments and credit ratings. And, perhaps most important, just the prospect of owning a decent home of his own can be a powerful force to motivate a poor man to strive to overcome poverty and advance to a better, more independent life.

No one would pretend that every poor person can be made into a responsible home owner. Obviously, some can scarcely hope to achieve it—the mentally and physically handicapped, the unemployable, the perpetual welfare case, the elderly poor, the transient, the criminal or degenerate. But even when all these people are excluded, there remain hundreds of thousands of American families that have *or can develop* the capacity for home ownership, but who today have little realistic opportunity to enjoy its advantages.

Few greater challenges—and opportunities—confront this nation today than devising a way for helping these families help themselves to become home owners—whether it be a single family home, row house, or condominium or cooperative apartment.

In many places around the country, local home ownership projects for lower income families are in operation or taking shape. The Bicentennial Civic Improvement Corporation in St. Louis has perhaps received the most publicity. The Interfaith Interracial Council of the Clergy of Philadelphia is on the same track. Better Rochester Living in upstate New York has now completed 55 homes for sale to poor families. Flanner Homes in Indianapolis has for over 15 years pioneered in urban home ownership and cooperative "sweat equity" construction. HOPE, Inc. has a project under way in Baltimore. Dr. Martin Luther King is sponsoring a condominium conversion for lower income families on Chicago's West Side.

It is noteworthy that most projects of this sort were generated not by government grants, but by the voluntary initiative of concerned citizens at the local level. And it is equally noteworthy—and indeed axiomatic—that wherever this sort of project has been a success, behind that success stands a mortgage banker who cared enough to make it happen.

In St. Louis, to take the leading example, the Federal Housing Administration and the War on Poverty couldn't be bothered with a dedicated priest's dream for rebuilding a slum into a community of home owners. But some mortgage lenders in St. Louis saw the promise. And through their faith and support—and unsubsidized, uninsured, 15-year, 6% home mortgages—these mortgage lenders helped bring about a new dawn of opportunity for 57 families who up to that time knew only the desperation of public housing or the squalor of the slum.

But as so often happens, no sooner has a private-sector idea begun to prove itself than the advocates of government action move in. Progress, they solemnly aver, comes from the initiative of government, not from the strengths and resources of the private sector.

Few would say today that government—federal, state, and local—has no responsibility in the field of housing. The debate is whether government should be the initiator and executor of programs for enlarging housing opportunities, or whether it should serve as a guarantor and reinforcing agent to back up private sector efforts.

In my view, government has an important concern in expanding home ownership opportunities for all Americans. But, in the words of a recent Mortgage Bankers Association policy statement, government should "be concerned with the removal of the obstacles that impede the potential utilization of private credit." Where there are credit gaps, the statement continues, "their elimination will best be achieved by directing the influence and action of government to fostering the institutions through which private initiative will be given encouragement and confidence to reach its fullest capabilities."

To try to foster this sort of private institution, I have joined 38 other Senators and 110 Representatives in sponsoring legislation to create a private National Home Ownership Foundation. The National Home Ownership Foundation would have two essential functions: (1) to provide the needed technical knowhow and expertise to local groups sponsoring home ownership programs for lower income families who have or can develop the potential for carrying a modest mortgage, and (2) to make mortgage funds available to finance projects which do not now have direct access to local capital.

The federal government would aid in two principal ways. It would, first of all, stand behind the debentures issued by the Foundation to insure investors against loss, just as, for example, it now stands behind maritime bonds to encourage ship construction. Second, it would subsidize the cost of home ownership for a lower income family. But the program would not operate through FHA or FNMA. And the investment of $20 million in government interest assistance money could, through a powerful leverage effect, generate the financing of perhaps 60,000 homes, compared with only 2,000 through direct FNMA takeout without participations.

Let me construct an example of how the National Home Ownership Foundation program could work. A local organization undertakes to sponsor a home ownership program in its neighborhood. Part of that program, of course, will be the production of decent housing; an equally important part will be the identification of families with home ownership potential and their preparation to accept its responsibilities.

The Foundation's Technical Assistance Service, at the invitation of this local "client" group, helps design a program—including involving members of the local business and financial community on the local organization's board. Local lenders will be approached for construction and mortgage financing.

Some prospective buyers, presumably, will be unable to obtain or afford local conventional financing. The Foundation is then authorized to make loans directly to these buyers, from funds raised through the sale of debentures on the open market. Local mortgage management institutions would service these mortgages on contract with the Foundation. The home buyer, of course, would pay the bulk of the monthly mortgage payment; the Treasury would make payment for the difference. (Later on, if the buyer's income rises substantially, he would begin to pay back the previous subsidy, which would convert it from a subsidy into an investment on the part of the government.)

There are many variations of this basic plan. Using the "coadjutant agreement" section of the bill, a local lender could make a loan to a local organization, with the Foundation absorbing over 90 percent of the risk. To do so, the lender would buy government guaranteed Foundation debentures in an amount equal to 90 percent of the required project mortgage, and put the remainder out directly on a risk basis to the local borrower. The Foundation would simultaneously make a loan to the local organization equal to the lender's bond purchase. Here, I think, is a way in which local lenders can make loans to local projects without incurring undue risk of loss—but retaining the advantages of highly visible sponsorship of a worthy local effort to produce better homes.

Or, consider this possibility: instead of buying debentures of the Foundation, the local mortgage lender might obtain a cash deposit directly from the Foundation to cover 90 percent of the local project's cost. This loan would be made with the agreement that the Foundation would accept 90 percent of any loss that might ensue, waiving its claims as a depositor-creditor. In this variation, the Foundation would not hold mortgages at all, while the local lender would have effective insurance against up to 90 percent of his potential loss.

The plan, contained in S. 1592, covers some 33 pages of legal language. No doubt much of that language is susceptible to improvement—perhaps even those parts of it contributed by mortgage bankers who were consulted during the four-month drafting process. Without attempting to explain all of its details, let me point out some particular benefits it offers to the mortgage banking profession.

First, the National Home Ownership Foundation program promises a substantial increase in home ownership and home mortgages, especially among those who under present circumstances would never expect to become mortgagors. As experience accumulates, lenders will develop sound criteria for evaluating loan applicants on grounds in addition to mere credit history. When relevant social factors are taken into account—especially a sustained determination on the part of the prospective home owner to achieve the economic security needed to carry a mortgage—I am firmly convinced that America's mortgage lenders will discover a sizeable new market presently beyond their lending experience.

Second, the program would result in thousands of families doing business with local mortgage lenders. It would teach them the fundamentals of modern banking practice, insurance, taxes, and prudent savings, of which so many lower income families are ignorant. It would give them the reassuring knowledge the mortgage lender is there to make a better life possible for them, and not to exploit them for someone else's advantage.

Third, it would provide a useful yardstick for evaluating present below-market government programs—and a responsible alternative in which the private enterprise system can function without the privileged competition of government agencies.

But beyond these specific advantages to the mortgage banking industry, I am convinced that enactment of this legislation—if wholeheartedly backed by the private enterprise system—can lead to a major turning point in America's domestic life. For, by restoring government to its proper role as guarantor and reinforcer, the private institution envisioned in this legislation can generate a new spirit of private initiative to meet national problems the free enterprise way. And as such, it can signal a turning away from 35 years of adherence to the notion that good things happen only when a government program is created to make them happen.

I say this *can* happen, not that it *will* happen. The mere chartering by Congress of a new private institution is not enough. Private enterprise, including the financial community, must display the dedication and resolution needed to recapture the initiative from government. *Now* is the time for bold action to implement those decades of luncheon club speeches about the "free enterprise way."

Is this bill the last, best hope for reversing the dangerous drift to ultimate dependence on government for all new initiative? It would be presumptuous of me to say so. Yet I cannot help but feel that here, for the first time in recent years, is a proposal for an effective mechanism for mobilizing the enormous resources of the private sector to meet one of the nation's most crucial problems. It is a proposal to give direction and discipline to private efforts, with the government's role restricted to safeguarding against the risks inherent in pioneering a largely unfamiliar new area. If the private sector does not rally to the cause, if its experts do not supply the technical refinements that may be needed, if its leading spokesmen do not boldly and clearly reaffirm and act upon their belief in private initiative—then, I must confess, my hopes for generating a rebirth of nongovernmental action and responsibility will not be bright.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination reported earlier today.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

SMALL BUSINESS ADMINISTRATION

The legislative clerk read the nomination of Robert C. Moot, of Virginia, to be Administrator of the Small Business Administration.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified immediately of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 10368) making appropriations for the legislative branch for the fiscal year ending June 30, 1968, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ANDREWS of Alabama, Mr. STEED, Mr. KIRWAN, Mr. YATES, Mr. CASEY, Mr. MAHON, Mr. LANGEN, Mr. REIFEL, Mr. ANDREWS of North Dakota, Mr. WYMAN, and Mr. BOW were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 11089) to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Dulski, Mr. Henderson, Mr. Daniels, Mr. Corbett, and Mr. Broyhill of North Carolina were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 10918) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

GREAT SALT LAKE NATIONAL MONUMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 85, S. 25.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 25) to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments on page 2, line 19, after the word "jurisdiction", to insert "within the State of Utah"; after line 24, to strike out:

Sec. 2. When title to the lands and waters within the areas described in section 1 of this Act is vested in the United States such areas shall thereby be established as the Great Salt Lake National Monument and the Secretary of the Interior shall publish notice of such establishment in the Federal Register.

And, in lieu thereof, to insert:

Sec. 2. When the Secretary of the Interior determines that lands and waters or interests therein within the areas described in section 1 of this Act have been acquired by the United States in sufficient quantity to provide an administrable unit, he may establish the Great Salt Lake National Monument by publication of notice in the Federal Register.

On page 3, after line 19, to strike out:

(b) The Secretary is authorized to enter into an agreement with the State of Utah whereby the State may provide recreational facilities for swimming, boating, horseback riding, picnicking, and related facilities and services at such places within the Great Salt Lake National Monument as the Secretary and the Governor of the State of Utah shall mutually agree are suitable therefor. Such agreements shall require the State of Utah to provide said facilities and services in conformance with the Secretary's overall plan for, and administration of, the Great Salt Lake National Monument pursuant to subsection (a) of this section, and shall permit the State to charge fees for the use of said facilities and services in accordance with good business practices. If the Secretary finds that the State of Utah has failed to comply with any provision of such agreement, he may terminate the agreement one year after the date he gives written notice to the State of his intention to do so: *Provided,* That a public hearing on the proposed termination shall be conducted at least six months prior to the termination date for the purpose of hearing all interested parties, and thereafter the Secretary may withdraw his notice of intention to terminate the agreement if, in his judgment, the public interest will be served and protected under the agreement.

On page 4, at the beginning of line 18, to strike out "(c)" and insert "(b)"; and, on page 6, line 3, after the word "appropriated", to strike out "such sums as are necessary" and insert "not to exceed $2,245,000 for acquisition and $9,135,000 for development"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may acquire on behalf of the United States by gift, purchase with donated or appropriated funds, or exchange, lands, submerged lands, waters, and interests therein, within the area described in subsection (b) of this section for establishment as the Great Salt Lake National Monument.

(b) The area referred to in subsection (a) of this section means—

(1) All of that certain area which, under the Federal survey of 1876, was described as Antelope Island, in the Great Salt Lake, and which is within the metes and bounds of such island as established by the meander line under such survey, plus

(2) All of that certain area (consisting of submerged and relicted lands and waters) appurtenant to the area described in paragraph (1) and bounded by a line which lies one thousand yards distant from the nearest portion of any part of the area described in paragraph (1).

(c) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the national monument, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction *within the State of Utah* which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

Sec. 2. When the Secretary of the Interior determines that lands and waters or interests therein within the areas described in section 1 of this Act have been acquired by the United States in sufficient quantity to provide an administrable unit, he may establish the Great Salt Lake National Monument by publication of notice in the Federal Register.

Sec. 3. (a) The Secretary of the Interior shall administer the Great Salt Lake National Monument in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented, and in connection therewith he shall provide such interpretive and educational facilities as are necessary to depict for the education and inspiration of the people of the United States the scientific history of the Great Salt Lake and its environs.

(b) Nothing in this Act shall be construed as requiring that the water level of Great Salt Lake shall be maintained at a constant level, and nothing in this Act shall be construed to prevent or inhibit the State of Utah or its authorized agents from exercising any right the State may have to build dikes on the bed of the Great Salt Lake, to raise or lower water levels bordering the Great Salt Lake National Monument, or after consultation with and approval of the Secretary, to build dikes within the national monument to establish or maintain water levels.

Sec. 4. Neither the provisions of this Act nor the establishment of a monument pursuant to this Act shall be construed as (1) restricting or preventing in any way the acquisition, on or after the date of its enactment, by the State of Utah, any political subdivision thereof, or any person of any right with respect to (A) any water flowing into the Great Salt Lake; (B) any water comprising a part of the Great Salt Lake; or (C) any minerals (including oil or gas) or chemicals within or under the Great Salt Lake; or (2) impairing, diminishing, or affecting in any way any valid right of any such State, subdivision, or person existing on the date of enactment of this Act with respect to any such water, minerals (including oil or gas), or chemicals; except that nothing in this section shall be construed as authorizing any such State, or a political subdivision thereof, or person to exercise any such rights referred to in this section within the boundaries of any monument established pursuant to this Act, except to build dikes within such monument, as provided in section 3 hereof, or (3) restricting or preventing the State from exercising any right it may have to construct roads or dikes across any part of the Great Salt Lake, to alter the shoreline, or to take any other lawful action on the shores or bed of the Great Salt Lake outside of this monument.

Sec. 5. There are authorized to be appropriated not to exceed $2,245,000 for acquisition and $9,135,000 for development to carry out the provisions of this Act.

PROBABILITY OF CONSIDERATION OF CONFERENCE REPORT ON RAILROAD LEGISLATION

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senate, I wish to make both an announcement and a unanimous-consent request. It would be appreciated if Senators on both sides of the aisle would remain close to their offices or the Chamber this evening, at least as long as the conferees on the railroad labor legislation are in conference so that we may be prepared to undertake any action that may be called for if the conference report is referred back to the Senate. I do not know that it will be, but I am asking the Senate to be on notice to that effect and not to go too far away.

GREAT SALT LAKE NATIONAL MONUMENT — UNANIMOUS - CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, with the consent of the distinguished Senators from Utah, I ask unanimous consent that there be a time limitation of one-half hour on each amendment on the bill, to be equally divided between the two Senators, and one and one-half hours on the bill to be equally divided between the two Senators, the time to start immediately, and under the regular procedures.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. MANSFIELD. Mr. President, I further announce that there will be rollcall votes tonight on the amendments and it is very likely that there will be a rollcall vote on final passage.

Mr. MOSS was recognized.

Mr. MOSS. Mr. President, I yield to the chairman of the subcommittee, the distinguished Senator from Nevada [Mr. BIBLE].

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. BIBLE. Mr. President, I ask unanimous consent that I may proceed for such time as I may need. I do not think that the opening statement would take more than 5 minutes.

Mr. MOSS. I am happy to yield to the Senator for 5 minutes and I shall be glad to extend the time if need be.

Mr. BIBLE. Mr. President, the pending legislation is S. 25, which is a bill to provide for the establishment of the Great Salt Lake National Monument in the State of Utah.

The purpose of this legislation is to authorize the Secretary of the Interior to acquire the area comprising Antelope Island and certain land and water areas appurtenant thereto in the Great Salt Lake and to establish such areas as the Great Salt Lake National Monument. The monument will encompass about 26,000 acres of land on Antelope Island as described in a Federal survey of 1876, and an additional 15,000 acres of relicted land and water.

Hearings on a similar bill—which coincidentally bears the same number, S. 25—were held in Salt Lake City on June 15, 1966, by the Parks and Recreation Subcommittees of the Committee on Interior and Insular Affairs. Those hearings were held under the chairmanship of my distinguished colleague, the junior Senator from Utah [Mr. MOSS]. This was the preliminary hearing and the first hearing held on this particular legislation.

On January 25, 1967, Senator Moss again introduced a bill to accomplish the same purpose. It was assigned the same number as his bill of the previous Congress, and it is now before the Senate as S. 25.

Hearings on the measure were conducted by the subcommittee on March 13, 1967. The bill was favorably reported, and I believe unanimously, to the Senate with amendments on April 3, 1967. On June 12, 1967, an informational hearing was conducted to secure additional information on the values of the property proposed to be acquired for the monument.

The bill as reported limited the acquisition cost to $2,245,000. However, after further investigation on the part of Senator Moss and the Park Service, it was determined that it was wise to take a second look at this proposed acquisition figure, the feeling being that possibly $2,245,000 was not an actual reflection of the true value of the particular property. Accordingly, on June 6, 1967, the Senator from Utah [Mr. MOSS] introduced an amendment which would reduce the figure of $2,245,000 to a figure of $1,600,000.

Mr. President, at this time I send to the desk the amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 6, line 4, strike out "$2,245,000" and insert in lieu thereof "$1,600,000".

Mr. BIBLE. Mr. President, I understand that the Senator from Utah [Mr. BENNETT] does not object to the amendment which has been stated.

Mr. BENNETT. Mr. President, I am happy to join in approving this amendment and I ask that the Senate, by unanimous consent, adopt it.

The PRESIDING OFFICER. The committee amendments would first have to be agreed to.

Mr. BIBLE. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are considered and agreed to en bloc.

The bill is open to further amendment.

Mr. BIBLE. Mr. President, I ask unanimous consent that the amendment which has been submitted, reducing the figure from $2,245,000 to $1,600,000 be agreed to.

Mr. BENNETT. Mr. President, I have no objection.

The amendment was agreed to.

Mr. BIBLE. Mr. President, the amendment which has just been agreed to sets forth what I think is a realistic figure for the purchase of the land involved in this particular bill.

In its report the committee noted the commendable desire of the State to preserve and develop Antelope Island, and its action to create a Great Salt Lake Authority to facilitate this end. The authority indicated its approval of S. 25 in a resolution dated March 8, 1967, which states in part:

> It is hereby firmly resolved and declared that the Congress of the United States and the Utah delegation therein be advised that the Great Salt Lake Authority endorses, approves of, and recommends the creation and establishment of a national monument on Antelope Island and in furtherance thereof, that S. 25 of the 90th session of the Congress calling for the same, be enacted by Congress at the earliest possible time.

The committee also noted the nearly unanimous testimony of Utah citizens, in behalf of the monument at the hearings held in Salt Lake City in 1966.

Mr. President, I am in receipt of a telegram dated July 11, 1967, addressed to me. The telegram is from Calvin L. Rampton, Governor of Utah, and it reads as follows:

SALT LAKE CITY, UTAH,
July 11, 1967.

Senator ALAN BIBLE,
Senate Office Building,
Washington, D.C.:

The people of Utah are in overwhelming support of S. 25. All major newspapers in the State have editorialized in support of the bill. The Great Salt Lake Authority, the State agency having jurisdiction of the Great Salt Lake and its environs, has passed a resolution in favor of the bill. The Utah State Legislature in enacting a bill to create a State park on the north end of the island specifically provided that the creation of such park should be compatible with a national monument on the balance of the island. The establishment of a national monument is completely compatible with the State's proposed development and will greatly enhance the value of the State of the proposed State development. We believe Antelope Island to be fully worthy of national monument status. This geological value is unique. The National Park Service concurs in this opinion.

CALVIN L. RAMPTON,
Governor of Utah.

Mr. President, a later hearing, on June 6, was devoted almost entirely but not completely to the question of value. As I said earlier in my statement, I happened to chair that complete hearing. It was rather a full hearing on the question of value. I feel that the amendment which has been offered and has been accepted, to place the figure at $1,600,000, is a realistic figure.

I urge the Senate to approve the bill.

Mr. MOSS. Mr. President, I yield myself such time as I may require to make my opening statement.

Mr. President, this is a gratifying moment for me—the culmination of a long drive to bring before the U.S. Senate a bill to open up to the Nation the unique scientific, historic, and recreational values of Antelope Island. If enacted, it will make the Great Salt Lake once more a focal point for interested Americans and foregin visitors who would like to see and feel our great dead sea.

One of the first bills I introduced when I came to the Senate 9 years ago was a Great Salt Lake bill. The measures before us today, which would establish a Great Salt Lake National Monument on Antelope Island, is the legacy of that original effort.

It represents a distillation of the best of that first bill, and other bills I have introduced down through the years, in an endeavor to find the most practical and advantageous way to develop the unusual qualities of Great Salt Lake for the enjoyment and education of all of our people.

The Great Salt Lake is one of the truly unique geological features of the world. Schoolchildren the world over have studied it in their geography courses.

The lake is the living remnant of huge Lake Bonneville of Pleistocene time.

Lake Bonneville was an ice-age lake which covered much of northern Utah, eastern Nevada, and southern Idaho, in places to a depth of over 1,000 feet. The lake drained northward into the Columbia River system. As the climate of the world changed, evaporation from Bonneville's surface exceeded the inflow of fresh water, reducing the surface from about 20,000 square miles to near its present size, nearly 200 square miles.

Dissolved salts, left behind by the evaporation, have ranged from 16 to 26 percent and have accounted for many of the unique qualities of Great Salt Lake. A swim in its waters is an essential element of experiencing its wonders. A great industry is developing to extract valuable minerals from the briny waters.

Mr. President, I invite the attention of Senators to the maps on the easels at the back of the Chamber. One shows where Antelope Island is located within the Great Salt Lake. Another shows the map of Utah where the Great Salt Lake is situated within the State. The third map shows the various levels at which the water stood as the prehistoric lake existed in Utah.

Let me state that Antelope Island has always been an island even when Lake Bonneville was there and the waters were a thousand feet higher. Antelope Island was there and the beaches can be seen.

Antelope Island is situated in the southeast quadrant of the lake. It is about 15 miles long by 4 miles wide and its mountain tops soar 1,700 feet above the lake's surface. As this island has been maintained in a near primitive condition, it affords the best site for scientific interpretation of the geologic and biologic phenomena of the lake.

The entire island is a platform from which to see and interpret the present lake and its physical history. The wave-carved terraces from different stages of Lake Bonneville are visible. In addition, there are magnificent views of Great Salt Lake and other islands and promonotories and mountain ranges that stand in and around the basin. The restricted but fascinating lake life, including reeflike algae deposits, and the products of evaporation can readily be interpreted from the island base.

It is also easy to visualize, from the island, the effect of Great Salt Lake, both as a barrier and as a magnet for fur trappers, explorers, Mormon pioneers, and the railroad builders, all major features of the story of our westward expansion. Promontory Summit can be seen This is the place on which the Golden Spike was driven in 1869, linking the east and west coasts by Continental Railroad. Built in 1849, the oldest house in Utah still used for its original purpose—as a ranch house—stands in a grassy setting.

Let me quote to you the Department of the Interior's conclusion as to scientific significance:

> Scientific significance is the hallmark of national monument caliber for any feature, site or area. On this basis, Antelope Island merits national monument status in its own right. The island as a whole comprises a complete topographic unit and it is the record of the drama of earth history which circumscribes the island from its present shoreline to the crests and promontories standing as much as 2,400 feet above the surface of Great Salt Lake. These are factors which contribute to the scientific significance of Antelope Island. It is doubtful whether any other location surpasses Antelope Island as a scientific exhibit of the story of the Great Salt Lake and its ancestral lakes and as a place for its observation, study and enjoyment by visitors.

Meeting in Washington in 1963, the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, recommended that Antelope Island, or a portion thereof, be authorized for establishment in the National Park system.

There is also great potential for recreational development on the north end of Antelope Island. Preliminary development plans include two salt water beaches and piers, a marina, bathhouse, picnic facilities, camping ground areas throughout the island and facilities for horseback riding.

Swimming or bathing in the Great Salt Lake is a significant factor in telling the story of the lake. Forty years ago there were people from all over the world swimming in the Great Salt Lake. In recent years, however, very few people—either Utahans or visitors—have been able to try the exhilarating waters because bathing facilities have been inadequate. Receding lake waters have left the famous old resort, Saltair, high and dry, and it has fallen into a sad state of disrepair. Other resorts along the southern edge of the lake are small, and their facilities are limited.

For years, Utah overlooked one of its greatest recreational and tourist assets. However, shortly after I introduced my Great Salt Lake Park Bill more than 7 years ago, the Great Salt Lake Authority was established. Some citizens felt that Utah's landmark lake should be developed by the State and not the Federal Government, but most, I believe, were tired of delay and determined to see a program go ahead. Some planning has been done by the authority, and a total amount of slightly more than $600,000 has been appropriated over the years for study and development of the lake by different sessions of the State legislature.

However, since State funds must be used to construct a causeway to the lake and funds have been expended to study and experiment on the use of Kennecott mine tailings for diking the lake, and now are needed to purchase land for development of beach and to build facilities, it is clear that the State funds available would support only the most meager sort of development. It is now generally agreed that the Great Salt Lake deserves the more comprehensive development which the Federal Government could finance. Moreover, the title of national monument would give it much greater prestige.

The interest of the State in developing recreational facilities on Antelope Island was recognized and dealt with specifically by the Senate Interior and Insular Affairs Committee when it favorably reported S. 25 to the Senate. This was by unanimous vote of the committee.

The committee report encourages the Secretary of the Interior to offer the State of Utah a priority concession covering facilities and planned activities on Antelope Island. The National Park Service could enter into an agreement authorizing the State of Utah to operate certain concession facilities. Of course, any such arrangement would incorporate usual Park Service concession policies. This is only fair and equitable. But I can see no reason why the State and the Federal Government cannot work jointly and in harmony on the development of the facilities. Officials of the Department of the Interior and the State of Utah share this view.

The southernmost tip of Antelope Island is only 12 miles from Salt Lake City, and the National Park Service development plan calls for the improvement of the causeway to this tip. A second causeway to the northern end of the island is already being built from Syracuse in Davis County. A circular road around the island would connect with both causeways.

The island itself comprises about 26,000 acres, and establishment of the monument would also require the acquisition of some 15,000 acres of relicted land left exposed by the receding waters and a band of water around the island. The island is owned by a ranching company which is willing to sell. Costs of acquisition are estimated at not more than $1,600,000 and development costs have been set by the National Park Service at $9,135,000.

Mr. President, S. 25, my bill to establish the Great Salt Lake National Monument on Antelope Island, has almost unanimous support in Utah. It was overwhelmingly supported at hearings held on last session's bill in Salt Lake City in June of 1966.

It has the strong support of Utah's Governor, Calvin L. Rampton. It has the support of the Great Salt Lake Authority, the State group established to promote the development of Great Salt Lake. It has the support of the Salt Lake Tribune, the Deseret News, and the Ogden Standard Examiner, Utah's three largest newspapers.

Both the Salt Lake Tribune and the Deseret News have printed editorials in favor of S. 25 since it was reported by the committee. I ask that these editorials be carried at the close of my statement.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. **MOSS.** During the many hearings, numerous conferences with State officials, and with officials of the Department of the Interior, the problems of pollution, water fluctuation, relicted lands, diking, and mineral rights have been resolved.

And so, with the problems swept clear—as clear as the wind sweeps the salt-encrusted shores of the lake itself—and with the desirability of Federal development of Antelope Island fully accepted and supported in the State of Utah and by the Senate Interior and Insular Affairs Committee, I ask the Congress to pass my bill (S. 25) to establish the Great Salt Lake National Monument.

EXHIBIT 1

[From the Salt Lake City (Utah) Deseret News, Apr. 6, 1967]

TIME FOR ACTION ON GREAT SALT LAKE

The Senate Interior Committee's recent favorable report of Senate Bill 25 to create a Great Salt Lake National Monument raises real hope for early action on a long-needed development.

But the bill will have little chance of success unless the Utah delegation is united. So far, it is not.

Senator Wallace F. Bennett has raised some important points, in suggesting that creation of the monument be delayed at least two years. He contends:

1. The dispute over reliction land in Great Salt Lake involves lands around Antelope Island where the monument would be established. This should be settled before action is taken.

2. The Utah Legislature passed a bill providing for development of a state park on the north end of Antelope Island, which removes the need for early action for a national monument.

3. Nothing must be allowed to interfere with Utah's right to develop the mineral resources of Great Salt Lake.

4. The Federal government, faced with deficits and inflation, should not spend the

$11 million or so necessary to acquire and develop the island as a National Monument.

These are pertinent points. They have been thoroughly considered by Utahans, particularly officials of Davis and Weber counties who long opposed national development of the island, preferring a state park instead. Many meetings and much study later, plans have now been hammered out for joint development of the island, and these have satisfied most of the opponents.

State officials point out that the reliction lands around the island pose no great problems. They total some 15,000 acres and are valued by the State Land Board at no more than $8 an acre, being useless for mineral or chemical extraction. Thus, the question of "locking up" mineral resources through a National Monument is largely academic. A simple quit-claim by the state would remove these lands from litigation over the much more extensive and valuable reliction lands elsewhere.

As for holding up on a National Monument to see what the state can do, the Legislature deliberately shaped its legislation so the two could go ahead together. It provided that the Great Salt Lake Authority can develop a state park either by leasing the land from the federal government if the entire island is acquired for a National Monument or by securing land by eminent domain in event the federal bill is not passed.

Obviously, the state's limited funds will barely cover acquisition of the needed lands on the north end of the island, with nothing left for development. Moreover, if the state should acquire its lands by condemnation, it would have to pay damages for making the rest of the island less valuable for grazing. There would be no such problem if the federal government acquired the entire island and leased land to the state for a state park. Moreover, federal-state partnership in the development would allow a complete loop-road access, rather than the single road out from Syracuse.

Great Salt Lake is potentially one of the state's most valuable tourist resources. It has been neglected and wasted far too long. Now that action appears in sight at last, let's not fail to seize the opportunity.

[From the Salt Lake City (Utah) Tribune, Apr. 5, 1967]

ANTELOPE ISLAND, JOINT STATE-U.S. PLAN

After innumerable delays and failures during the last century, both the state and federal governments at long last are taking steps to protect Antelope Island, a living remnant of Lake Bonneville in Great Salt Lake of Pleistocene time.

The State Legislature last month reconstituted the state's Great Salt Lake Authority, with funds and powers to acquire land at the north end of the island for public recreational purposes, develop the area and build an access road. Meantime the Interior Committee of the U.S. Senate has voted favorably on Utah Sen. Frank E. Moss' bill to make Antelope Island a national monument.

The Utah Legislature last month introduced a resolution endorsing the creation of the national monument under the provisions of the Moss Bill (Senate 25). Official statements by Moss, Governor Rampton, the Great Lake Authority and others make it clear there are no serious conflicts between the state and local programs for Antelope Island.

The Great Salt Lake Authority was allocated $400,000 in state funds and this, together with money left over from the last biennium, can be used to lease or purchase the north sector of the island and begin work on a beach, access road and the transfer if the state buys the area and related facilities. The state act provides that the developments will conform to National Park standards thus facilitating the transfer if the state buys the area and it is taken over by the Park Service. Should there be any delay in creation of the Antelope Island National Monument by Congress, the state would be free to go ahead with land acquisition and development. If and when S. 25 becomes a law, however, the state would lease the north end of the island for recreational purposes. The National Park Service would administer the entire island in its current near primitive state.

The national monument would involve some 28,000 acres of land on the island and about 15,300 acres of relicted land and water adjoining the shore. The Park Service estimates that land acquisition would cost about $1,700,000, that development would require about $8,840,000 and annual operating costs would be $300,000. Clearly the state could not afford all this expense under present conditions.

At several Senate committee hearings, Governor Rampton, who is an attorney, and other authorities have emphasized that there is no conflict between the state and national plans and that the current dispute over relicted land around the Great Salt Lake creates no serious problem. The ownership of the relicted land must be decided by the U.S. Supreme Court but that adjacent to Antelope Island has been appraised at only $8 an acre. If Senate 25 were passed the state could give the federal government a quit-claim deed to these lands to remove them from the litigation. In any respect, the tourist value of a national monument would far exceed other considerations.

Reliction lands adjacent to Antelope Island are not available as settling ponds, used in extractive industries. Minerals sought are in the brine itself, available in ample quantities elsewhere in the lake.

The Tribune and others have warned that every precaution must be taken in creating a monument to protect mineral and industrial development of the lake. Such protection is embodied in the bill.

Senator W. F. Bennett has urged that Senate 25 be delayed two or three years to give the Great Salt Lake Authority time to act and to permit time to settle questions of mineral development, tailings tests and the like. We urge consideration of Sen. Bennett's presentation. But we also urge Senator Bennett to reconsider his stand. The Republican-dominated Utah Legislature and members of the Great Salt Lake Authority considered thoroughly the questions he raised and overwhelmingly approved the program which can be successful only with federal participation. Any delay in passing Senate 25 will, by requiring the state to spend practically all its appropriated funds for land acquisition, delay the necessary developments on the island.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for a question?

Mr. MOSS. I am happy to yield for a question.

Mr. HICKENLOOPER. I am not too familiar with this matter. I have flown over the island a couple of times quite low. I notice on page 4 of the Senator's statement that he says the island is owned by a ranching company that is willing to sell. Is that the 15,000 acres or the entire amount?

Mr. MOSS. Twenty-five thousand eight hundred and twenty-two acres are privately owned. This is the amount that would be purchased.

Mr. HICKENLOOPER. For $1.6 million?

Mr. MOSS. No; for $1.4 million. That price takes into account the purchasing costs. The State has 80 acres which it will add to that. The Federal Government has 223 acres which will be transferred from one agency to the National Park Service.

Mr. HICKENLOOPER. What I am trying to get at is how much will be purchased from this particular owner.

Mr. MOSS. Twenty-five thousand eight hundred and twenty-two acres, plus relicted land that will go with it, amounting to about 15,000 acres.

Mr. HICKENLOOPER. The private company has the right to give title to that?

Mr. MOSS. Yes.

Mr. HICKENLOOPER. Does the Senator have the name of that private company?

Mr. MOSS. It is known as the Island Ranching Co.

Mr. HICKENLOOPER. How long has it owned the land?

Mr. MOSS. It has owned it for many years, 60 or 80 years. It was owned by the Dooley family before that.

Mr. HICKENLOOPER. Does the Senator have the tax record of what the assessed value of that land is and how much in taxes were paid every year?

Mr. MOSS. I do. That was developed in the hearings before the committee. I can refer to the proper page of the hearings. In Utah, as in most other States, our land is assessed by the county assessor, who is an elected official, and he assesses in general terms. It is either grazing land or subdivision land, or industrial land——

Mr. HICKENLOOPER. My question is how much its assessed valuation was, regardless of what it was assessed for.

Mr. MOSS. The assessment would be roughly about 10 percent of the amount. I think the Senator from Utah [Mr. BENNETT] will confirm this. It is worth about $600,000, using this basis.

Mr. BENNETT. If the Senator will yield, the total taxes are a little less than $6,000 a year.

Mr. HICKENLOOPER. Those are the total taxes?

Mr. BENNETT. Yes.

Mr. HICKENLOOPER. Does the Senator recall the assessed valuation or the declared valuation? I am just trying to get what we are paying for it.

Mr. BENNETT. The valuation on which that assessment is based is something like $65,000.

Mr. HICKENLOOPER. And the Federal Government will pay $1,600,000?

Mr. BENNETT. One million four hundred thousand dollars.

Mr. HICKENLOOPER. I thank the Senator.

Mr. MOSS. Mr. President, I have one reference here on value that I would like to bring to the attention of the Senate. Of course, what it is assessed for and what the taxes are have nothing to do with market price, either here or elsewhere. In the record of the hearings there is a letter from Mrs. Wilcox to the Layton City Council, in which she stated as follows. By the way, she was not necessarily favorable to this proposal:

> The city council has gone on record as favoring development of Antelope Island by the State, and, or county and local interests, and I should like to state also that a group of interested citizens, bipartisan substantial citizens, has been very willing to attempt to raise the necessary funds to

> buy the island and then lease back a portion of it to the State. Several years ago, a figure was being tossed around, a million dollars, perhaps, for the entire island. . . .

That appears on page 86 of the hearings on the 15th of June 1966.

Mr. BENNETT. Mr. President, may I add that I have now found the figure in the hearing of June 12. The assessment is $68,000, which is assumed to be 12 percent of the fair market value of the land.

Mr. MOSS. It would come, on that basis, to $558,000.

Mr. BENNETT. That is correct.

Mr. MOSS. The fair market value for grazing land.

Mr. President, I yield the floor.

Mr. BENNETT. Mr. President, I yield myself such time as I may require, and I ask that the time that I use come out of the time on an amendment which I shall introduce during the course of my statement. If necessary, I will introduce the amendment now in order to justify the time.

The PRESIDING OFFICER. The Senator does not get any time on the amendment until he offers it.

Mr. BENNETT. Then I send the amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from Utah will be stated.

The assistant legislative clerk read the amendment, as follows:

> On page 1, line 8 immediately after the period insert the following: "Any property or interest therein owned by the State of Utah or any political subdivision thereof may be acquired only with the consent of the state legislature."

Mr. BENNETT. Mr. President, I now ask that such time as I may use be charged to the amendment.

Mr. President, as a background for an understanding of my opposition to this bill, let me begin by telling the Senate as briefly as I can how this whole thing looks to me, and I am sure, to many other people in Utah.

In every State these days there is a great drive to attract tourists. To do this special attention is given to those features in each State, historic, geographic, or recreational which are unusual or unique. So it is in Utah. And in the Great Salt Lake, we have such a feature. What is it about the Great Salt Lake that will attract tourists? Our past experience clearly shows that it is the experience of floating in the salt water in which one cannot sink. Years ago before the lake shrank there was a great resort of worldwide renown, to which the Senator has referred, which provided this bathing experience and was very popular. Therefore, we in Utah think it is reasonable to believe that if bathing facilities can be provided again, tourists will again be attracted.

The best place to reestablish salt water bathing in the lake turns out to be a beach at the north end of what is called Antelope Island but what, due to the shrinking of the lake, is now a peninsula. This so-called island contains about 26,000 acres plus 15,000 acres of old lake bed exposed by the receding waters. It is privately owned and operated as a part-time cattle range. The owners of the island are not interested in developing bathing or letting any private organization do so. So the people of Utah have had to turn to government agencies, some to the State of Utah and some to the Federal Government.

The State got interested as early as 1963. A Great Salt Lake authority was then created which tried to acquire 4,000 acres including the aforementioned beach by condemnation. The State supreme court prevented this by declaring their authority to exercise the right of eminent domain faulty. This year (1967) the legislature corrected that fault and appropriated money to begin the project. Since then, and since the present bill was reported to the Senate by the committee the land area to be taken by the State has been reduced to 2,000 acres and a lease-purchase agreement on June 9, 1967, was signed with the island's owners for a total cost of $210,000. Moreover the Utah Highway Department has begun the construction of a causeway road from the mainland to the area. Let me repeat—the program is underway now. All of this has taken place since the bill was reported back in April.

But there are still those including my colleague Senator Moss who think this recreational area should not be developed by the State but by the Federal Government as a national monument. As he has explained, to do this would involve the purchase of the whole island for at least $1½ million plus the expenditure of nearly $10 million more for all the traditional national monument paraphernalia—visitors centers, scenic points, and so forth, all at a cost at least 10 and perhaps 20 times as great as the State expects to spend under its present program. The Park Service would in fact annul the present contract and push the State off the island.

This leads us to what is to me a basic conflict of policies. The State authority and most citizens recognize the possibility of salt water bathing as the chief tourist value. But the standard official schedule of qualifications for a national park or monument does not even include so mundane a form of entertainment. Instead the Park Service officials have to test the islands value by a very long, involved, and erudite set of standards.

For the interest and perhaps the amusement of the Senate I shall read just two of them. I am reading now from the Interior Department's "National Park Service Criteria for Parklands" pamphlet which shows on page 10:

> An ecological community significantly illustrating characteristics of a physiographic province or biome.

And the next one:

> A biota of relative stability maintaining itself under prevailing natural conditions, such as climatic climax community.

No wonder one of the Park Service officials admitted to me it took a lot of rationalizing to agree that in a national monument, public facilities for bathing could be provided at all, under their criteria.

The author of the bill, apparently, recognizing that the State-Federal conflict was a real danger to the project has been hoping that there could be a form of joint development. I have checked this possibility carefully and as I shall show later, the chance of this is so limited as to be meaningless.

So in the end we come back to these basic questions:

First. Which feature will attract the tourists? The bathing beach or what are to me the completely uninteresting features of a desert island cattle ranch?

Second. If you can set up the bathing facilities for around $500,000 as I think you can, why spend 20 times as much or more to develop synthetic points of interest on the rest of this more-or-less barren desert island?

If you make the latter choice, the group that will benefit the most will be the owners of the island who will have found a generous buyer for a generally unsalable piece of real estate.

Third. If the development of bathing is the real purpose then which agency can do it best and cheapest? The obvious answer is the State, which can most appropriately tolerate and administer the bathing beach with its many obvious satellite services—bathhouses, snack bars, and so forth.

A State has greater freedom of movement and is bound to have a lower overhead. On the other hand, if we put it into the National Park Service we turn it over to a group of men who by their very nature and tradition believe that this kind of recreation does not belong in a national monument in the first place. And you also impose on the whole island and on the lake around it all the rigid, hidebound limitations that have grown up over the years based on the feeling that the greatest duty of the National Park Service is to preserve the past for the future.

It is true that some State authorities, including and especially those directly under the Governor, are supporting this bill under the theory, apparently, that it will save money for the State at the expense of the Federal Government. In the face of the present and prospective Federal deficits I think this is a bad bargain for everybody including the citizens of Utah who after all, also pay Federal taxes.

This then is a very brief introductory analysis of the problem involved in this bill and my chief reason for opposing it. I also oppose it because the bill, if passed, would affect the future development of the lake as a whole. But the problems involved will need more detailed explanation later, and I am leading up to an amendment.

Even though I feel that the State development of the bathing facilities on the north end of the island is the most effective solution to this whole problem and even though I hope that the present bill will be defeated, it could be true that joint but separate development of the whole island might actually be worked out.

To that end I offer an amendment based on previous practice within the Park Service system in other similar situations.

The language of my amendment is

simple and, I feel, vital to this measure so that the people of the State of Utah can obtain the same legal benefits afforded the people of Maryland and Virginia at Assatague Island National Seashore; the people of Indiana at Indiana Dunes National Seashore; and the people of Oregon in the proposed Oregon Dunes National Seashore bill where similar conditions exist.

My amendment simply says:

> Any property or interest therein owned by the State of Utah or any political subdivision thereof may be acquired only with the consent of the State legislature.

In other words, the State cannot be pushed off the island.

Perhaps at this point I should stop and ask my colleague whether he would accept the amendment.

Mr. MOSS. Mr. President, I cannot accept that amendment, It flies in the face of the agreement already entered into by the Great Salt Lake Authority, with the consent and in fact at the direction of the legislature and the Governor, and it would vitiate the proposed development that is going forward there now. Therefore, I oppose the amendment.

Mr. BENNETT. Then I shall continue.

When Assateague was established, Maryland had a going State park on one portion of the island. The exterior boundaries of Assateague extended around and included the State Park. However, the Interior Department cannot, under the act establishing the seashore, acquire the State park without consent of the State. Incidentally, the State has chosen to continue to run its own operation there. The basis for this action is contained in Public Law 89-195, the Assateague Island law, which reads:

> Any property or interests therein owned by the States of Maryland or Virginia shall be acquired only with the concurrence of such owner.

As I said, there is somewhat different but basically the same language in the Indiana dunes law, which is Public Law 89-761, and I noticed the language again in the proposed Oregon dunes legislation.

The amendment does protect Utah's investment on the northern end of the island, and provides the State at least an opportunity to take a hard look at any proposed takeovers by the Federal Government.

There has been much talk and conjecture both in Utah and Washington that—

> The Federal Government—

And I am quoting now from a speech by Senator Moss in the CONGRESSIONAL RECORD on April 28, 1967—

> must enter into a partnership with the State of Utah to provide for mutual benefits a new National Monument as called for in my bill.

I have wondered many times just why the Federal Government must enter into an agreement, and I have come to discover that it must because there is language in the report which reads:

> The committee encourages the Secretary to enter into a concession agreement with the State of Utah, whereby the State, under such laws and regulations as the Secretary would apply to private concessions, would become a concessioner.

This involves encouragement, and not necessity.

I should point out, Mr. President, that at one time there was language in S. 25 which provided these specific features, but before the committee reported the measure that particular language was dropped and these words were written instead into the report. I have been writing language into reports for years, and most of us know what the administration and the Interior Department do with language in reports. For instance, 3 and again 2 years ago, I caused to be written language in reports of appropriation bills calling on the Interior Department to spend appropriated funds provided for the central Utah project only to be spent for the central Utah project. Twice the Interior Department ignored these requests, and that is all they were, and spent the funds elsewhere. What assurance is there in words in a report, especially when they were once in the bill and ordered stricken?

In addition to this, I have seen from various letters to the editor written by my colleague that he feels that language in a letter from the Deputy Assistant Secretary of Interior George E. Robinson on May 19, 1967, apparently proves once and for all that the Interior Department "must" enter into a concession agreement with the State of Utah.

The PRESIDING OFFICER. The time of the Senator on the amendment has expired.

Mr. BENNETT. Mr. President, I yield myself from the bill such time as I may require.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, in order to bring this matter out of the clouds and to avoid a "Yes it will—no it won't" argument about joint development, I too, have written a letter to the National Park Service asking a number of questions on the subject.

One question said:

> If the island is to become a monument, is the National Park Service willing to consider an amendment which would have the State in possession of the presently leased land and give the National Park Service the remainder?

The answer from Director Hartzog was:

> We are not prepared to comment on such an amendment specifically in the absence of specific language and the usual departmental clearances. However, it would appear to us that the effect of such an amendment would be to establish dual management of the island. A better situation from an administrative standpoint and from the standpoint of the visiting public would be to vest primary management authority in a single agency. This would be the case if the State operated certain concession facilities under an agreement with the National Park Service which incorporated our usual concession policies.

My next question was:

> Are there any situations in which the National Park Service shares an area with a state?

The answer was:

> Yes, at Assateague Island National Seashore and Indiana Dunes National Lakeshore.

This sent me to the two laws which contained essentially the same language I am offering at this time.

More questions and answers from Mr. Hartzog are as follows:

> If you take the whole island in what capacity can the State operate under your supervision?
>
> Answer: "The State could, under an agreement, operate those facilities normally operated by a concessioner."
>
> Question: "Can you negotiate such an agreement with a State in advance of the authorization legislation (as in option to buy)?"
>
> Answer: "Negotiations in anticipation of enactment could take place. However, we could NOT execute such an agreement on behalf of the United States."
>
> Question: "Or must you throw any concession program open to bids and accept the highest bid?"
>
> Answer: "Pursuant to existing policy, when a new concession is to be authorized, we issue a prospectus inviting offers from all interested parties. The successful applicant is selected on the basis of managerial competence in the type of enterprise contemplated, and financial ability to make the required investment. The determination is not made on the basis of the 'highest bid' but on the basis of the applicant best qualified to render the most satisfactory service to the public at reasonable rates."
>
> Question: "Has any State ever sought the privilege of becoming a concessionaire?"
>
> Answer: "Yes. In addition to Wyoming, Hawaii has recently been pursuing the possibility of a limited operation in Hawaii Volcanoes National Park."
>
> Question: "Has any State ever become a concessionaire?"
>
> Answer. "No."
>
> Question: "Can an out-of-state bidder win a concession agreement if he is the high bidder?"
>
> Answer: "There are no restrictions with respect to residence of concession applicants."

And my last question, which answers once and for all the question whether or not Utah "must" become the concessionaire reads:

> In fact, is there any documented way you can assure Utah in advance that it will be selected as concessionaire?
>
> Answer: "All concession contracts for more than five years, or where gross receipts are expected to amount to $100,000 per annum or more, must be submitted to the Speaker of the House and the President of the Senate for referral to the appropriate committees for 60 days before they may be executed on behalf of the United States."

And I stop here for a second to emphasize the next sentence. To me, the important thing is the next sentence, quoting again from Mr. Hartzog:

> We can assure no applicant for such a contract that it will, in fact, be the concessioner until the contract is actually executed on behalf of the United States following the congressional review period.

I should say here that this information is available in my office if anyone cares to look at it.

Mr. President, in light of these answers to my letter, and since I have had a chance to take a close look at the State's lease agreement which was signed on June 9, 1967, I have come to realize the true significance of the State's arrangement. I am persuaded that the National

Park Service is mainly interested in the development of the typical and traditional trails and scenic overlooks rather than in bathing and similar recreational pursuits. Conversely, the State's chief interest is not so much in the trails and overlooks, but in the bathing operation.

I feel that the State's chief interest and the Federal Government's chief interest can best be preserved by the language contained in my amendment. I, therefore, feel that my amendment should be agreed to.

Mr. President, I ask unanimous consent that there may be printed at this point in the RECORD a showing of similar language which has been included in other bills having a similar problem.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAJOR RECENT PARK AND RECREATION LAWS—ACQUISITION OF STATE PROPERTY

AREA

Cape Cod National Seashore (Act of Aug. 1, 1961; 75 Stat. 284)

PROVISION

"Any property * * * owned by the Commonwealth of Massachusetts * * * may be acquired only with the concurrence of the owner." (sec. 2(a)).

AREA

Point Reyes National Seashore (Act of Sept. 13, 1962; 76 Stat. 538)

PROVISION

"Any property, or interest therein, owned by a State or political subdivision thereof may be acquired only with the concurrence of such owner." (sec. 3(a)).

AREA

Padre Island National Seashore (Act of Sept. 28, 1962; 76 Stat. 650)

PROVISION

"Any property, or interest therein, owned by the State of Texas or political subdivision thereof may be acquired only with the concurrence of such owner." (sec. 2(a)).

AREA

Ozark National Scenic Riverways (Act of Aug. 27, 1964; 78 Stat. 608)

PROVISION

"Lands and waters owned by the State of Missouri * * * may be acquired only with the consent of the State." (sec. 2). The Secretary, with the concurrence of the State, shall designate for inclusion * * * the lands composing Big Springs, Alley Springs, and Round Spring State Parks, and the Secretary is hereby directed to negotiate with the State for the donation and inclusion of such park lands * * *." (first section).

AREA

Pecos National Monument (Act of June 28, 1965; 79 Stat. 195)

PROVISION

The Secretary's authority to acquire land is limited to the acceptance of donations. Most of the land is (or was) owned by the State.

AREA

Fire Island National Seashore (Act of Sept. 11, 1964; 78 Stat. 928)

PROVISION

"Any property or interest therein owned by the State of New York * * * may be acquired only with the concurrence of such owner." (sec. 2(a)).

AREA

Whiskeytown-Shasta-Trinity National Recreation Area (Act of Nov. 8, 1965; 79 Stat. 1295)

PROVISION

"Any property or interest therein owned by the State * * * may be acquired * * * only with the concurrence of the owner." (sec. 2(a)).

Mr. BENNETT. Mr. President, I am ready to have a vote on the amendment at this time.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. LAUSCHE. Mr. President, the State of Utah has been able to acquire 2,000 acres at $105 an acre. Are those 2,000 acres located in the choicest part of the island?

Mr. BENNETT. From the point of view of recreational development, yes. From the point of view of the Island Ranching Co., they are no different than the other 1,000 acres.

Mr. LAUSCHE. 2,000 acres at $105 an acre would be $210,000.

The entire island has on it 25,822 acres of active land, plus the relicted land consisting of 15,300 acres, making a total of approximately 41,000 acres which you contemplate acquiring at a cost of $1,600,000.

Mr. MOSS. $1,600,000 is the maximum. Actually, it is $1,400,000 for the acquisition of the land which, with the 15,000 acres is about $38 an acre with the thousand acres thrown in.

Mr. LAUSCHE. That would mean an average of approximately $35 an acre for the 41,000 acres of land?

Mr. MOSS. The Senator is correct.

Mr. LAUSCHE. Why does the Senator from Utah feel that if the State got the concession, it would be best. Why can the Federal Government not operate it?

Mr. BENNETT. The Federal Government is not essentially sympathetic to the bathing type of development. It is going to be turning its attention to the typical trails and roads and rest camps.

That is a barren island with almost no trees on it. And in terms of interest in going over the surface of the island, we have literally hundreds of thousands of acres in the immediate area that are much more desirable.

Mr. LAUSCHE. The Senator from Iowa [Mr. HICKENLOOPER] asked who the present owners of the land are and how long they have owned it. Has there been a recent acquisition of land?

Mr. BENNETT. The land has been owned for somewhere between 80 and 100 years.

Mr. MOSS. Mr. President, I yield myself such time as I shall require on the amendment that has been offered by my colleague.

I think the principal objection that my colleague has offered is that he feels the State might not be permitted to operate the concession on the island. He points out that at one time there was language in the bill to require the Federal Government to deal with the State and that this language was later removed and placed in the report.

I point out that the reason this was done is that the Federal Government cannot decide for the State whether the State wants to be a concessionaire. At the present time, the State apparently would like to be a concessionaire, and so language has been placed in the report directing the Secretary to negotiate with the State. However, the State might change its mind, and if the Secretary had no authority other than to deal with the State, he would have no opportunity then to talk to any other concessionaire.

However, the intention of the Secretary at this point is to deal with the State as the concessionaire on the north end of the island.

I point out that on page 77 of the Record of June 12, I say—and this was during the testimony of Mr. Hartzog, the director of the National Park Service:

> Senator MOSS. The State has now executed this lease purchase agreement we have been talking about here, and presumably will begin within the next few months, if they get their road built, to construct a bathing beach there. The State, then, under the provisions of the report, would ask to function as a concessionaire continuing to run that bathing beach and the functions on the north end. Has this been contemplated by the Department in supplying its report to this committee on S. 25?
>
> Mr. HARTZOG. It has, sir.
>
> Senator MOSS. Are there any doubts that the Department has as to whether the State should be permitted to function that way if it wishes to do so?
>
> Mr. HARTZOG. There is not.
>
> Senator MOSS. Is it your intention to enter into negotiations with the State in the event the bill becomes law to regularize this procedure?
>
> Mr. HARTZOG. That is our intention unless there is some different instruction or provision included in the act.

So I believe that it is as definite as could be that the State will be offered the concession on this, it will be negotiated, and if the State wishes to continue its bathing operations, it will be permitted to do so.

Senator BENNETT also used the language that the National Park Service would push the State off the island. I have here a resolution which was adopted unanimously by the Great Salt Lake Authority and sent to me in April of this year. I should like to read part of the resolution, and I point out that this is the State agency charged with managing the Great Salt Lake and planning for it:

> Whereas, it is the mind and judgment of the Great Salt Lake Authority that the passage of S. 25 referred to herein will be consistent with the objectives to be obtained by the development of the state park as proposed by the Great Salt Lake Authority, and will result in the establishment of a purposeful, beneficial and permanent development of the Great Salt Lake and Antelope Island for the use and enjoyment of the public and further, that a National Monument on Antelope Island would be and is in the best interest of the State of Utah and its people;
>
> Now, therefore, by reason of the foregoing recitations, it is hereby firmly resolved and declared, that the Congress of the United States and the Utah delegation therein be advised that the Great Salt Lake Authority endorses, approves of, and recommends the creation and establishment of a national monument on Antelope Island and in furtherance thereof, that S. 25 of the 90th session of the Congress calling for the same, be enacted by the Congress at the earliest possible time.

The Great Salt Lake Authority is the State that is on the island. They executed this lease. They are getting the road built on the north end of the island. They are operating there now. They submitted a resolution asking that this bill be passed. This bill has been discussed very thoroughly with the authority.

The lease has now been entered into, and I have a copy of the lease in my possession. I also have a copy of the act to which the Senator referred, when the Great Salt Lake Authority was constituted to enter into the lease with the Island Ranching Co.

The contemplation here—the Senator from Ohio [Mr. Lausche] turned directly to it—is that the State can get started earlier; so they have entered into a lease-purchase agreement under which they are willing to pay $105 an acre to get the bathing beach in on the north end so they can get started.

What they propose to do if this legislation is enacted is to change over to a concessionaire, operating the bathing facilities under the jurisdiction of the National Park Service. Senator Bennett has stated that he doubts whether the National Park Service is agreeable to having bathing on the island. As a matter of fact, in the report that I read to the Senate earlier, it will be found that the National Park Service, in describing what is particularly unusual about this unique island, says that bathing in the briny waters there is an experience that should be made available to the people. So that rather than being opposed to it, they want bathing. They say that is one of the things that should be done off Antelope Island, and they would seek a concessionaire to run the bathing facilities—the bathhouses, the suits, the showers, and everything else that goes with such an operation.

If the State wants to do that, the National Park Service will deal with the State and let them be the concessionaire. If the State does not want to do it, the Federal Government cannot force them to do it. It can only seek another private concessionaire. At the present time, the State wants to do it, and that is the way it will happen, according to Mr. Hartzog.

One additional feature I wish to point out is that the pending amendment would provide that any property or interests owned by the State of Utah or any political subdivision thereof may be acquired only with the consent of the legislature. But the legislature has already spoken. It spoke when it created the Great Salt Lake Authority earlier this year.

This is Senate Bill No. 60, an engrossed copy from the Utah State Legislature, 1967. Section 65-8-4, subsection 2 of the act, provides that the Great Salt Lake Authority is constituted—

> To construct and maintain those facilities consistent with the purposes of this act; except that in regard to facilities constructed, operated, or leased as concessions on Antelope Island, the authority shall adopt guidelines similar to the standards used in our national park system and approved by the state park and recreation commission as to type, number, and quality of such facilities, in order to preserve the beauty and natural features of the island and to safeguard it against excess exploitation; and to construct and maintain such access roads as are not otherwise provided for in this act.

Under the authority of this act, the Great Salt Lake Authority has entered into the lease-purchase agreement, and it looks forward to operating as a concessionaire, and this is in the lease-purchase agreement.

This is section 3, "Purpose":

> Provided, however, that the development, construction, and operation of improvements and facilities on the leased premises, inclusive of commercial concessions and licenses in connection therewith, shall be in all respects consistent and in accordance with the standards, regulations, objectives, and basic plans proposed for Antelope Island by the National Park Service of the United States of America.

So what the State contemplates is the bill that we have before us, and the proposed amendment would take that away and would put off for 2 years the decision as to whether the legislature might come back and do over again what it has already done once.

Mr. President, I would be willing to yield back my time amendment.

Mr. BENNETT. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time not be charged to either side.

Mr. MOSS. Will the Senator withhold for a moment? I believe we may have enough Members present.

The yeas and nays were ordered.

Mr. BENNETT. I yield back the remainder of my time.

Mr. MOSS. I have yielded back the remainder of my time.

The PRESIDING OFFICER (Mr. McIntyre in the chair). All time having been yielded back, the question is on agreement to the amendment.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Arizona [Mr. Hayden], the Senator from Washington [Mr. Magnuson], the Senator from Maine [Mr. Muskie], the Senator from Georgia [Mr. Russell], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Oklahoma [Mr. Harris], the Senator from North Carolina [Mr. Jordon], the Senator from Montana [Mr. Metcalf], the Senator from Florida [Mr. Smathers], and the Senator from Georgia [Mr. Talmadge] are necessarily absent.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. Harris], and the Senator from Rhode Island [Mr. Pastore] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. Baker], and the Senator from Kentucky [Mr. Morton] are necessarily absent.

The Senator from California [Mr. Murphy], and the Senator from North Dakota [Mr. Young] are detained on official business.

If present and voting, the Senator from Tennessee [Mr. Baker], the Senator from Kentucky [Mr. Morton], and the Senator from California [Mr. Murphy] would each vote "yea."

The result was announced—yeas 38, nays 45, as follows:

[No. 188 Leg.]

YEAS—38

Aiken
Allott
Bennett
Boggs
Brooke
Byrd, Va.
Carlson
Case
Cooper
Cotton
Curtis
Dirksen
Dominick
Ervin
Fannin
Fong
Griffin
Hansen
Hatfield
Hickenlooper
Holland
Hollings
Hruska
Javits
Jordan, Idaho
Kuchel
Lausche
McClellan
Miller
Mundt
Pearson
Percy
Prouty
Scott
Smith
Thurmond
Tower
Williams, Del.

NAYS—45

Bartlett
Bayh
Bible
Brewster
Byrd, W. Va.
Cannon
Church
Clark
Eastland
Ellender
Fulbright
Gore
Gruening
Hart
Hartke
Hill
Inouye
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Mansfield
McCarthy
McGee
McGovern
McIntyre
Mondale
Monroney
Montoya
Morse
Moss
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Sparkman
Spong
Stennis
Symington
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—17

Anderson
Baker
Burdick
Dodd
Harris
Hayden
Jordan, N.C.
Magnuson
Metcalf
Morton
Murphy
Muskie
Russell
Smathers
Talmadge
Tydings
Young, N. Dak.

So Mr. Bennett's amendment was rejected.

Mr. YARBOROUGH. Mr. President, I am pleased to support S. 25, to establish a Great Salt Lake National Monument in Utah. The Great Salt Lake is undoubtedly one of the most fascinating historical and geographical wonders of this country. All Americans proudly recognize this uniquely beautiful natural phenomenon as one of this land's greatest scenic attractions.

S. 25 would provide for the creation of a national monument on Antelope Island in the lake and the development of recreational facilities on the island. Such a combination of a manmade park with the natural historic scientific advantages that Antelope Island and the Great Salt Lake possess would provide an irresistible attraction for naturalists and tourists. Besides creating a recreational haven for visitors from this and other countries—I might say at this point that this lake is known the world over, because when I visited other continents on this world, several people mentioned it to me—the project called for in this bill shows a recognition of the stake that we have in preserving the natural wonders of this country and in displaying them to their best advantage. The development of the Great Salt Lake National Monument will enhance the well-deserved renown of the Great Salt Lake and the State of Utah.

Mr. President, I hold in my hand Senate Document No. 3 of a special session of the Senate in March of 1851.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. MOSS. Mr. President, I yield one minute to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 1 minute.

Mr. YARBOROUGH. This concerned a survey made of the Great Salt Lake in Utah, by Captain Stansbury of the Topographical Engineers, a survey began in 1849, shortly after the acquisition of this territory from Mexico as a result of the Mexican War, at the direction of Congress. This great scientific document tells about the survey which took 2 years and gives a very fine description of Antelope Island.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. YARBOROUGH. Thirty seconds, Mr. President.

Mr. MOSS. Mr. President, I yield 1 minute further to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 1 minute.

Mr. YARBOROUGH. I wish to read a paragraph from the book which formerly belonged to William H. Prescott, an eminent American historian:

> Antelope Island is the largest of the islands in the lake. It is about sixteen miles in length and five miles broad in its widest part. Like all the other islands in the lake, and, indeed, all the prominences observed west of the Wahsatch range and within its valley, it consists of a long rocky eminence, ranging from north to south, rising abruptly from the water, and attaining an elevation of about three thousand feet about the level of the lake. A party was sent up the mountain to erect a triangulation station upon its highest peak. The officer charged with that duty describes the view from this elevation as grand and magnificent, embracing the whole lake, the islands, and the encircling mountains covered with snow—a superb picture set in a framework of silver.

Mr. President, that is a description of Antelope Island as given in Senate Document No. 3 in 1851. I could go on for many more paragraphs. After 116 years, I think it is about time that we preserved this beautiful area for posterity.

Mr. BENNETT. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Utah has 39 minutes.

Mr. BENNETT. I thank the Chair. I hope not to use all that time, but there are some things which I should like to get into the Record.

Mr. President, as I said earlier, with or without the amendment we have just considered—and I feel that it was merely a perfecting amendment correcting an oversight on the part of the sponsors—the basic problems inherent within S. 25 are still with us.

Passage of this legislation would do irreparable damage to a unique natural phenomenon that is one of Utah's most precious assets—and part of the Nation's heritage of geographic wonders. It would do damage to the Great Salt Lake and to Utah, because we are just beginning to become aware of the many values that are in and around the lake which this bill would put in jeopardy.

In my opinion, the greatest threat from the bill is that it will prevent the development of the lake to its highest potential.

On the surface—and so far as the apparent intentions of its supporters are concerned—the bill seems praiseworthy and innocuous. Apparently, it would simply have the Park Service take over an island in the lake and make it a national monument to be developed with Federal funds for recreational use. The bill's sponsors, as I said at the outset, undoubtedly hope that in this status, it could be made into a tourist attraction and thus make an economic contribution to the communities in the area and a contribution to the State's economy. No one can oppose that objective if the effects of the bill stopped there. But if, on the other hand, to achieve these limited values, we had to make or sacrifice others of infinitely greater worth, passage of this bill could be a major mistake.

That these risks and potential mistakes exist is obvious to anyone who knows anything about currently announced plans for the development of the whole lake. It is my purpose now to set them out clearly not only for my colleagues in the Senate but also for the people in Utah.

Before I can effectively be specific about the damage this bill would do, if enacted, I must fill in the background for the several points of view from which it must be analyzed and judged.

The simple purpose of the bill is to make Antelope Island a National Monument. To put this in focus, let us first review the meaning of the status national monument and set forth what happens to land put into that status.

At this point the language in the National Parks Service criteria for parklands becomes important, and I ask unanmous consent to have it printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

CRITERIA FOR NATURAL AREAS

NATIONAL SIGNIFICANCE

A. National significance is ascribed to areas which possess exceptional value or quality in illustrating or interpreting the natural heritage of our Nation, such as:

1. Outstanding geological formations or features significantly illustrating geologic processes.
2. Significant fossil evidence of the development of life on earth.
3. An ecological community significantly illustrating characteristics of a physiographic province or a biome.
4. A biota of relative stability maintaining itself under prevailing natural conditions, such as a climatic climax community.
5. An ecological community significantly illustrating the process of succession and restoration to natural condition following disruptive change.
6. A habitat supporting a vanishing, rare, or restricted species.
7. A relict flora or fauna persisting from an earlier period.
8. A seasonal haven for concentrations of native animals, or a vantage point for observing concentrated populations, such as a constricted migration route.
9. A site containing significant evidence illustrating important scientific discoveries.
10. Examples of the scenic grandeur of our natural heritage.

B. To possess national significance, the area must reflect integrity, i.e., it must present a true, accurate, essentially unspoiled natural example.

SUITABILITY

A. National parks

1. National Parks should be relatively spacious land and water areas so outstandingly superior in quality and beauty as to make imperative their preservation by the Federal Government for the enjoyment, education, and inspiration of all people.
2. They should embrace a sufficiently comprehensive unit as to permit public use and enjoyment and effective management of a continuing representation of its flora and fauna.
3. They should be adaptable to a type of management that can provide a wide range of opportunities for human enjoyment, such as camping, picnicking, hiking, horseback riding, sightseeing, in a natural setting consistent with the preservation of the characteristics or features that merited their establishment.
4. They will most often contain a diversity of resources and values, including scenic and scientific.

B. National monuments

1. National Monuments are land and water areas usually involving lesser acreage than National Parks.
2. Generally, National Monuments preserve resources having primary scientific significance.
3. They should embrace a sufficiently comprehensive unit to permit public use and enjoyment of the scientific object, feature, or assemblage of features consistent with the preservation of such features.
4. National Monuments, for the most part, are not of sufficient size to support as broad a range of visitor-use programs as National Parks.

FEASIBILITY

The test of feasibility involves weighing all of the values and public needs served by the proposal.

Mr. BENNETT. Mr. President, in addition, I should like to read a small portion from the "Criteria." Under a chapter called: "Criteria for Natural Areas" we find:

> A. National Significance.
>
> National significance is ascribed to areas which possess exceptional value or quality in illustrating or interpreting the natural heritage of our Nation, such as:
>
> 1. Outstanding geological formations or features significantly illustrating geologic processes.

Skipping to No. 6 we have:

> A habitat supporting a vanishing, rare, or restricted species.

No. 8 says:

> A seasonal haven for concentrations of native animals, or a vantage point for observing concentrated populations, such as constricted migration route.

And No. 10:

> Examples of the scenic grandeur of our natural heritage.

The booklet also reads:

> To possess national significance, the area must reflect integrity, i.e., it must present a true, accurate, essentially unspoiled natural example.

Mr. President, in administering these guidelines and in approving or opposing proposals for the creation of new national monuments, certain firm policies have been developed by the Park Service.

Several are of particular significance in the present situation.

First, the Park Service does not share administrative responsibility with any State authority nor has it ever accepted any State agency as a concessionaire.

Second, the Park Service never permits new multiple use of any of the resources of a national monument—including public hunting, mining, and so forth, on the theory that this area must present a natural condition. I am very curious as to what the Park Service is going to do to get rid of Chukar Partridges brought over from India which were planted on the island by its present owner. One Park official said that this will be a real problem for them but they have got to get rid of them because they do not belong on the island.

If any such uses may have been reserved in the law creating the park or monument, there is constant pressure for a quick phase out as occurred in the canyonlands bill when it reached the House of Representatives.

Third, park boundaries are considered sacrosanct and except under very unusual circumstances no non-Federal construction such as roads, dams, dikes, and so forth is permitted.

Fourth, whenever feasible, admission fees are charged for every entry into a park or monument.

In other words, once an area is made into a national monument it passes into complete Federal control and no private or State development of any kind, or of any natural resource, is permitted. The land is "locked up" forever and its use as a park must be and remain its highest and only potential.

This leads naturally to these basic questions.

Is Antelope Island worthy of national monument status? Does it have "national significance which possesses exceptional value or quality in illustrating or interpreting the natural heritage of our Nation"? Does it "reflect integrity, that is, a true, accurate, essentially unspoiled natural example"? as we have read in the Park Service's own criteria for parks and monuments? Would its development as a national monument represent its highest potential use?

In my mind the answer to these questions is an obvious and clear "No."

It has been grazed for 100 years. To bring it back to its original natural condition would be almost impossible.

In order to help the Senate understand this, it is vital to point out that, in this case we are not dealing in a vacuum or only with the barren hill that rises out of the lake called Antelope Island, but with the whole future of the lake itself.

In the first place, the very name is misleading. There have never been antelope on the island in the memory of men now living, and, because the waters of the lake have receded in the past 40 years, the hill is not an island; it is a peninsula.

If this barren hill were anywhere but in the lake, no one would ever think of it as a potential national monument. Over all the years since the Mormon pioneers settled the Salt Lake Valley, its only value has been as a pasture for horses and cattle. In those early days it was probably an excellent range, covered with tall perennial grasses, but in 120 years, it has been so abused and overgrazed that, even though it contains about 30,000 acres, it can only sustain a few hundred head of livestock for part of the year.

There is only one habitable house on it, mainly because there has not been any need for herdsmen so long as the salty water of the lake made an ideal fence.

One would have to have a very vivid imagination to give this denuded cow pasture a historical aura or to say that it possesses exceptional value or quality in illustrating or interpreting the natural heritage of our Nation.

There are no relics, no significant ruins, and no historic incidents occurred there. And it certainly does not represent an "example of the scenic grandeur of our natural heritage."

What, then, is the justification for monument status? It is that, by standing on its high points, one can get a good view of the lake, which does have a unique history. But if we were to amend the concept of national monuments to include every scenic lookout and if we were to spend more than $10 million each to develop every one of these in the country, we would obviously reduce such proposals to the absurdities that they are.

As early as 1960, when the first of the many proposals to give Federal status to Great Salt Lake was made, the Interior Department and others throughout the country saw Antelope Island as unworthy of national status.

Commenting on S. 2894 as amended in the 86th Congress, a bill which would encompass Antelope and Fremont Islands, an area 8 miles wide and 28 miles long, we have the following reports and in the interest of time I am excerpting the pertinent information.

From the Bureau of the Budget:

> The report which the Secretary of Interior is submitting on this bill refers to certain problems to be solved in this area, and makes no recommendation pending further study of the proposal. This bureau concurs in that report and, accordingly, recommends that S. 2894, not be enacted at this time.

From Mr. Roger Ernst, Assistant Secretary of the Interior:

> Our investigations have revealed that one of the more serious drawbacks to establishment of a park or monument at Great Salt Lake is the use of the lake waters as a depository for municipal and industrial wastes. We feel that the possibilities for preservation and interpretation of the scenic and other significant values at Great Salt Lake are dependent to a large extent upon corrective measures that may be taken to alleviate this condition.

From George W. Abbott, solicitor of the Interior Department:

> One reason for suggesting that your committee delay action on this legislation stems from the available information which indicates that the land and water area proposed for national park designation in the substitute bill may not be suitable for recognition.

It has been said that these are not necessarily negative or adverse reports and that I have somehow or other "misled" the people of Utah in referring to them in such a way. There they are in the record of the hearing conducted in Salt Lake City on November 10, 1960. I did not make the reports; the Interior Department made them. And if they are not negative or adverse, I certainly find it hard to believe that they are actually positive or affirmative.

While on the subject of reports, I would like to mention one more report—although not official—which came from a man who at the time was assistant editor of a newspaper called National Wildlands News. The man said in the public hearing in 1960 in Salt Lake City:

> In our determination to enlarge the scope of the system, we do not wish to reduce the dignity of the system as a whole. We must be ever watchful that substandard areas, regardless of local appeal are not brought in.
>
> . . . Therefore, we must be honest with ourselves when we ask the question: Does the Great Salt Lake measure up to places such as Zion and the Grand Canyon? We believe it does not.
>
> The lake does have scientific values, but in view of man's interference with the natural processes over the years, principally by industrial uses and disposal of municipal wastes, the ecological significance of the area has been altered considerably.
>
> The mention of developing a fresh water lake is particularly alarming, since it is definitely not in harmony with the ideal of maintaining natural conditions that is the very basis on which national parks are established.

And one more paragraph:

> We also suggest that in any development of the lake, the preservation and restoration of natural conditions take precedence over development of mass recreation facilities, and that steps be taken to remedy existing uses of the lake and surrounding country that tend to impair its importance as a scientific phenomenon.

Mr. President, this statement is significant, coming as it did from Mr. J. F. Carithers, who made it in 1960 in Salt Lake City in his capacity as assistant editor of National Wildlands News. It is significant today because it is the same Mr. Carithers who is the assistant to the regional director of the National Park Service in Sante Fe, N. Mex., under whose jurisdiction Great Salt Lake National Monument would come.

In addition, over the Fourth of July congressional recess, I had occasion to visit some of the national parks and monuments in southern Utah where, over the years, a great many Americans have come to marvel at such places at Zion, Bryce, Cedar Breaks, and other great national attractions. I regret to say that, after loking at some of these time-tested tourist attractions, once again Antelope Island looks worse than ever. It is nowhere near their class in any way, shape, or formation. I am more convinced than ever that nothing has changed at Antelope Island since 1960 in terms of its value as a national monument.

Turning from the merits of Antelope Island as a national monument now, to consider how such a designation would affect the future of the lake, I am sure that what is done on the island will not happen in a vacuum alone. It affects the future of the entire lake, and if this bill is passed, the problems it will create will be infinitely more numerous and more serious than those it will solve. The benefits of this bill fall far short of reaching the highest potential of the lake. However, if we freeze it into law, the regulations under which national parks and monuments are run could jeopardize the many other great uses that are foreseen for the lake itself.

I should also say that, if the lake had no future that everyone could now plainly see, I might be happy with the crumbs that this bill provides, although I would always wonder whether the $10 or $11 million expenditure by the Federal Government for the preservation of the place would be worth it.

If the lake were going to continue to shrink in a widening frame of salt-mud, then we probably would welcome a platform from which to view the remains, but instead of being moribund, its future has suddenly become very exciting, too much so to risk burying it alive.

This fear grows from the obvious conflict of interest that will be created if we set a Federal presence in the form of a rigidly administered national monument in the middle of a State-owned lake, knowing that in every contest between these two units of government the Federal Government is almost certainly bound to win. Also, I should point out, that where the State is free to work for the development of the lake's other resources, the Park Service, by law and tradition, must work against them whenever the park officials believe that, even by the greatest stretch of the imagination, they might impinge on the sacred soil of the monument or offend the purist concepts of the conservationists.

I realize that there is language in the bill offered in the hope of protecting the potentially huge multibillion-dollar industry that looms on the lake, but I doubt its effectiveness.

Some interest in the chemistry of the lake was shown as early as 1850, over 100 years ago. However, it was not until 1959 that modern chemical data revealed that the lake contains in excess of 5 billion tons of dissolved mineral solids. Some 77 percent of the dissolved material should precipitate as sodium chloride, 9 percent as sodium sulfate, 5 percent as magnesium chloride, 4 percent as magnesium sulfate, 4 percent as potassium chloride, and 1 percent as compounds of lithium, bromine, and other elements.

Despite the language in the bill, it is my feeling that you cannot take one part of the lake such as Antelope Island and, in a way, a key part of the lake, and isolate it from other development throughout the lake. No matter how carefully we word the bill, conditions can conceivably arise which will permit decisions by the Park Service which could be inimical to the interests of the people of the State of Utah and the economic development of the Great Salt Lake.

A perfect example of this came to my attention on April 7, 1967, when Agriculture Secretary Orville Freeman, in a speech before the Sierra Club in San Francisco, discussed a Kennecott Copper Corporation's holding on Miners Ridge in the North Cascade Mountains of Washington.

The Secretary pointed out that Kennecott had every legal right under the Wilderness Act to mine the region, but then he turned around and urged the Sierra Clubbers to begin a national campaign to prevent the firm from opening its mine.

I quote Mr. Freeman's speech:

> The decision in this case lies almost totally with the Kennecott Copper Corp. and not with the Secretary of Agriculture. They own, or have claims on, the land on which the deposit is located. The language of the Wilderness Act and the intent of Congress is clear. They have the right to develop it, if they insist.

Then the Secretary said:

> I urge the management and directors of Kennecott Corp, who will make this decision, to consider and weigh most carefully the very real and transcendent values that will be destroyed if mining is begun. I further urge that the Sierra Club take every possible opportunity to inform the officers and shareholders of the company, and the American public, of the issues at stake on Miners Ridge. The issues are not simple. But if they are presented fairly and completely, I am confident that the public interest will prevail.

This pressure produced editorials and public reaction against the mining company such as these from the Washington Post and New York Times which I ask unanimous consent to have inserted into the Record at this point.

There being no objection, the editorials and article were ordered to be printed in the Record, as follows:

[From the New York Times, Apr. 30, 1967]

Is This Mine Necessary?

The area around Glacier Peak in the state of Washington is one of this nation's most beautiful mountain landscapes. Sparkling lakes, Alpine meadows and exciting craggy peaks make it the American equivalent of the Alps. Experts in the National Park Service believe that it surpasses any existing national park in its natural beauty.

A park in this area has been under study for years, but long before Glacier Peak gets national park status, it is likely to get an ugly open pit mine. The Kennecott Copper Corporation has under consideration the development of a claim it has long held in the heart of the Glacier Peak wilderness. The company believes that its operations will not seriously damage the scenery. But in addition to the mine, a mill will be constructed at the site and a long access road will be built to move the copper to the nearest railroad line. Not only the scenery but also the water and the wilderness quality of Glacier Peak will be irreparably harmed by this gross intrusion by Kennecott.

The ore in this location is valuable, but it is not great enough in quantity to be of decisive importance in Kennecott's operations, much less in the copper needs of the nation. As against its marginal economic importance, the mine would have major adverse effects on a scene of incomparable beauty that this generation should hold in trust for all future generations. Since no final decision has been reached, Kennecott has an opportunity to serve the public interest by withholding development of its claim.

[From the Washington (D.C.) Post, May 2, 1967]

U.S. Forest Service Strives To Prevent Big Open-Pit Mine

(By Eric Wentworth)

The U.S. Forest Service is looking for ways to block Kennecott Copper Co. from starting a major new open-pit mine in the Pacific Northwest's mountain wilderness.

Forest Service officials have backing in varying degrees from their boss, Secretary of Agriculture Orville L. Freeman, plus Sen. Henry M. Jackson (D-Wash.), Rep. Lloyd Meeds (D-Wash.), Washington's Gov. Daniel J. Evans and assorted nature-lovers. They concede, however, that their legal powers are limited.

A spokesman for Kennecott said the giant mining concern has made no decision yet to go ahead on the project, but should be ready to decide by summer. He said he expected conservationists to raise the issue at Kennecott's annual stockholders' meeting today.

$15-MILLION PROJECT

Kennecott last year circulated a fact sheet stating the project, if undertaken, would involve a $15-million investment and produce 12,000-to-15,000 tons of copper yearly plus gold, silver and other by-products. The pit would be some 1500 feet in diameter, a company spokesman added.

The site in question covers some 3000 acres inside the spectacular 485,500-acre Glacier Peak Wilderness Area in the North Cascades Mountains of Washington, northeast of Seattle. The area is popular with hikers and other nature lovers. Kennecott owns some 350 acres through patented mining claims and holds mineral rights on another 2650 acres.

Secretary Freeman himself challenged Kennecott's project in a speech April 7 to the Sierra Club, a militant conservationist group, in San Francisco. He urged the company to "weigh most carefully the very real and transcendant values that will be destroyed if mining is begun."

FIRST SINCE 1964

This appears to be the first major public dispute over mining operations inside Federal wilderness areas since passage of the controversial Wilderness Act in 1964.

As it figures in this case, the Act, while established to protect vast expanses of wilderness from commercial exploitation does give limited recognition to private mineral rights, assures access across Federal wilderness land to holders of private property within the wilderness and lets the Government acquire such property only with the owner's permission.

TWO POSSIBLE APPROACHES

Forest Service officials are exploring the possibility of asking Congress for special authority to acquire Kennecott's property, though they concede this might be very expensive. Another, possibly more farfetched approach would be to ask Congress to amend the Wilderness Act with some general land-purchase authority against mining operators. It's unlikely Congress would reverse the policies it set in 1964.

The Forest Service conceivably could try talking the company into some sort of voluntary sale.

In any event, it would be able to attach "reasonably" conditions to granting the company access to the mine site. Freeman warned in San Francisco that if Kennecott goes ahead with the project, he would "take steps to insure that the highest standards of performance and restoration, under the law, are observed."

[From the Washington (D.C.) Post, May 3, 1967]

Crisis at Miners Ridge

The country is facing its first major crisis under the Wilderness Act. That statute passed in 1964 is designed to save for all future generations the finest of our remote and untamed mountains and forests. One region thus supposedly protected is the fantastic Glacier Peak Wilderness in the State of Washington's North Cascades often called the "American Alps." Here is one of the most alluring samples of the unspoiled manless world.

But in the midst of this "ocean of mountains, frozen in space and time," as Secretary Freeman recently called it, is an enclave known as Miners Ridge. The Kennecott Copper Co. owns 3000 acres of land (or the mineral rights to it) and is talking of developing an immense open-pit mine. Mr. Freeman shocked many conservation-minded groups when he said that the decision on opening the mine lies, not with the Secretary of Agriculture, but with Kennecott Copper.

Unfortunately, the Secretary was merely acknowledging what the law itself provides. Section 5 says that where privately owned land is completely surrounded by national forests the private owner "shall be given such rights as may be necessary to assure adequate access" to his land. This seems to mean that the copper company can claim its mineral from this choice wilderness regardless of what damage may be inflicted on a priceless national heritage.

It is not merely a question of leaving a ghastly scar in the place of natural beauty. Construction of an industrial road into the area and possibly smelting plants would destroy its character as untouched wilderness. Some day the Nation may be in such dire need of copper that this sacrifice will have to be made. But no such question arises today, and when the time comes surely the decision should be made by a responsible national agency rather than a private company interested primarily in profits

In our view the Wilderness Act should be amended in two important particulars. It should authorize the Secretary of Agriculture to condemn such enclaves in a wilderness area and, short of condemnation, to permit their exploitation only under conditions compatible with preservation of the wilderness. Meanwhile there is some comfort in Secretary Freeman's pledge to use every resource at this command to protect the public interest in this primeval retreat.

Mr. BENNETT. The headlines of the articles I have just inserted read: "Crises at Miners Ridge," and "U.S. Forest Service Strives To Prevent Big Open-Pit Mine," and "Is This Mine Necessary?"

What assurances do the people of Utah and the firms contemplating construction on the shores of the lake have that some conservation group like the Sierra Club and say: "Despite the legal right the companies have to build their factories—and the language of the bill is clear—please try to stop them because of the damage they can do to nearby Antelope Island."

The Federal presence on Antelope Island might effectively prevent another imaginative development whose potential also has become evident only since 1960. Most of the fresh water which comes into the lake flows down from the high mountains to the east and where the streams enter it the lake water is almost fresh. For generations people of Utah have been dreaming of building a dike system anchored on the island, which creates a small fresh water lake near the homes and farms—alongside the Great Salt Lake. All they needed was satisfactory diking material that was cheap enough. Now they have found that material in the form of fine tailings from the smelters of the great Kennecott Copper Pit at Bingham. Moved in the form of liquid slurry through a flexible system of pipes, before the turn of the next century these tailings can build dikes and beach causeways and roadbeds anywhere within the lake's boundaries. The variety of their uses is almost unlimited. We must not let this development be stopped by an Island Federal Monument whose shores in national park tradition must be held inviolate and aloof even against impounded water. And we need but look at a Park Service policy about impounding water within the borders of a national park or monument in the record of the Lower Colorado River hearings when there was a question of some water backing up into the Grand Canyon from one of the dams.

Turning now for a look at the costs of this development I should point out that the record I have made in the hearing held on June 12, 1967, by the Senate Interior Committee is quite clear. Let me summarize it for the Senate:

In 1963, sometime between January and March, the Utah Legislature created the Great Salt Lake Authority which was given the right of eminent domain. In 1964, the authority secured three official appraisals of the costs of the island with an eye toward creating the beach on the northern end.

These appraisals, according to information given me by the authority, ranged from $22 to $27 an acre. With these appraisals in hand the authority instituted condemnation proceedings to acquire 4,000 acres at the north end for its bathing beach project.

They won this in the district court, and they won it in the Supreme Court by a 3 to 2 decision over the vigorous opposition of the Island Ranching Co., the owner of the island, which obviously did not want to sell 4,000 acres for $25 an acre when a higher price was awaiting in the shadows through a Federal National Monument bill.

Then one justice of the Utah Supreme Court died and a rehearing was arranged. The supreme court reversed itself when the new justice joined the original two, and with one vacancy, the court this time ruled 3 to 1 that the language giving the Great Salt Lake Authority the right of eminent domain was faulty. Consequently, the Great Salt Lake Authority had to halt its activity.

It is obvious to me the Island Ranching Co. at this point decided the best way to protect itself against new State action that could begin when the faulty language was cancelled was to join forces with Senator Moss and the Governor and work to help get the island made a national monument.

So, in January 1965, Senator Moss introduced in the 89th Congress a new version of S. 25 which would take over the entire island for $1.7 million and which would authorize another $9 million for development.

The bill got nowhere in the 89th Congress so in the 90th Congress the bill was reintroduced on January 12, 1967, this time with a land acquisition figure of $2,245,000.

In a letter to me from the Park Service on April 28, 1967, I was told the original estimate of $1.7 million for land acquisition contained an amount of $1.5 million for the actual purchase of land with $200,000 to cover possible legal and other costs incurred in the actual acquisition.

Considering the 26,000 acres as the amount of land to be purchased, this divides into a price of about $57 plus an acre.

In explaining the new figure of $2,245,000 the Park Service said they had raised the amount that might be spent actually for land acquisition from $1.5 million to $1.6 million leaving $645,000 for administrative costs with which to close the deal. That figure astounded me—$645,000 for closing a deal on an island which has had one owner since the turn of the century.

In all fairness I should point out that since the bill was reported to the Senate with the $2,245,000 figure Senator Moss has offered an amendment making the total no more than $1.7 million and I would like to think that, on paper at least, I have saved the taxpayers some $600,000.

Going back to the Utah side of the issue, when the Utah Legislature met in 1967 and passed a law clearing up the right of the Great Salt Lake Authority to exercise the power of eminent domain, this law was vigorously opposed by the attorney for the Island Ranching Co. who admitted he lobbied against it. But he did not succeed.

This time the authority in April 1967 secured a new appraisal at $50 an acre from one of the three original appraisers—Mr. Marcellus Palmer who, 3 years earlier had appraised the value at somewhere between $22 and $27 an acre. His new $50 figure was for the 2,000 acres on the north end which comes to $200,000. In addition he added a figure of $72,657.80 for severance damages to pay to the Island Ranching Co. for whatever damage they would suffer if they reduced the effectiveness of their operation by losing the 2,000 acres.

It is interesting to me, in passing, that while I was on the island earlier this spring with the president of the company, I asked him why he was willing to deal with the State if it reduced his demand from 4,000 to 2,000 acres, and his answer was in effect that "we can give up the 2,000 acres without suffering any problem with our ranch operations but the 4,000 acres would give us a problem."

So they are now being given $72,657 to compensate severance damage which he admitted would create no loss of operating capability.

In summary, then, in 1964 three appraisals were made with a figure of $25 an acre. In 1967 one of the three appraisers doubled his appraisal and added $72,000 for severance damages and then through the Great Salt Lake Authority, the State of Utah made a lease after saying they would not take it to condemnation despite the fact the legislature gave them the power of eminent domain. This amounted to a price for the 2,000 acres of land being raised in value from $25 an acre to $105 an acre.

There is one final matter on which I think I must speak, and I do this with some regret, because it has been charged within the last 2 or 3 days that I have been conducting a one-man campaign to kill this proposal. If this were true, one would think that the people of Utah would be deluging me with mail against my position. I can report that this year I have received a grand total of 32 letters with respect to this bill, eight criticizing my position and 24 approving it. When the Governor wires and says there is overwhelming support and demand for the bill in Utah, it is hard for me to translate 32 letters as overwhelmingly representing 1 million people.

Frankly, most of the people in the State of Utah have no feeling one way or another. Among those who do have an opinion, my contacts indicate that a majority are in general agreement with me that the State should proceed with the development and they are well-satisfied that the current procedure of State ownership is best.

Since this matter came up early in this session of Congress I undertook to make a study—which actually turned out to be a survey of sorts—regarding the position of the people of Utah.

I first turned to the hearing record for November 1960, 86th Congress on S. 2984 as amended which was the Antelope-Fremont proposal and discovered the following: 13 witnesses for the plan: 22 against the plan; and 22 uncommitted.

In the hearing record for S. 25 in the 89th and 90th Congresses there were 12 for the plan—however, four of these said they would be for it provided there could be a joint agreement between the State and the Federal Government—10 against the plan, and one uncommitted.

At this time I would like to tell a story. I had a friend who served in World War I as a British officer and became very much indoctrinated with the military attitude. Whenever he found himself in a position where he had made a mistake or a misstatement, his eyes would twinkle and he would say, "Bad staff work. Bad staff work."

I refer to a letter from my colleague [Senator Moss] obviously written to offset a letter I wrote earlier in the week, and which says:

> It is not true, as Senator Bennett claims, that there is very little support for the bill in Utah. It has the support of Governor Rampton, the Utah Legislature, the Great Salt Lake Authority, the Utah State Park and Recreation Commission, the Utah Travel Council, the Utah League of Women Voters, the Salt Lake City and Ogden Chambers of Commerce, as well as the three daily newspapers in Salt Lake City and Ogden.

Going back to the beginning of the list of so-called support we find: Governor Rampton. There is no question, the Governor is very much in favor of the bill.

Next we find: Utah Legislature. This is in error. When the Governor signed the 1967 legislation giving the Great Salt Lake Authority the power to eminent domain this was reported in the daily papers in this manner—and I quote now form the Deseret News of March 8, 1967:

> The governor reiterated an earlier request that legislators adopt a joint resolution which would strengthen Senator Moss' hand in obtaining enactment of his bill. The legislators were non-committal toward such a resolution this late in the session.

In fact, no resolution was adopted.

We also have an editorial from the Salt Lake Tribune dated April 8, 1967, in which we find:

> The Tribune erred in an editorial April 5 when it said the Utah Legislature had endorsed the creation of the national monument.

We also have a letter from State Senator LaMar Buckner of Ogden, the sponsor of the State's S.B. 60 Great Salt Lake Authority bill. Senator Buckner reports:

> A completely erroneous impression has been created by the backers of the Federal program, that the Utah Legislature has endorsed the Federal development of the Island.

And I have also received a joint letter signed by both the president of the Utah Senate, Senator Haven J. Barlow, and the speaker of the Utah House of Representatives, Representative Franklin W. Gunnell who said:

> It is quite clear that there is a strong feeling that the legislature has restored the authority and provided ample funds for the development of Antelope Island and that under no conditions do they want the Federal Government to be involved, not even in the balance of the Island becoming a National Monument.

Another paragraph said:

> Our feelings concerning the development of Antelope Island are strengthened by the fact that the Senate voted unanimously for the Great Salt Lake Authority when the bill was received in the Senate, and the substantial margin in the House of Representatives would indicate that they are in favor of state development of the north end of the Island. Had the Legislature felt otherwise, it would not, in my opinion, have appropriated $400,000 for the general fund for the Great Salt Lake Authority plus another $190,000 unexpended balance of appropriations made previously.

Next on the Senator's list of support we find the Great Salt Lake Authority. This is true today, although up until 1965 the Great Salt Lake Authority had been in favor of the State's program.

Next we see Utah State Parks and Recreation Commission. This is debatable since, in a letter to me on March 29, 1967, the director of the commission said that the commission would favor some sort of cooperative arrangement on both a State and Federal level.

Next is listed "The Utah Travel Council." This is another case of bad staff work. We find in the hearings in Salt Lake City on June 15, 1966, a statement in the testimony of Mr. Murray M. Moler, chairman of the Utah Travel Council, which reads:

> It is not the policy of the State council to endorse—or oppose—specific legislation on any level.

Now "The Utah League of Women Voters." I have made a thorough search of my files and can find no communication from the Utah League of Women Voters, but today, over the telephone, one or two Members have told me they have never been told how the league stands, one way or the other.

Next we see "Salt Lake City and Ogden Chambers of Commerce." So the record can be complete I shall read the Salt Lake chamber's resolution on the matter at this time:

> Be it resolved that the Great Salt Lake Committee go on record as favoring a national monument status for Antelope Island with the provision that it does not interfere with future economic development of the State, with a further proviso that the law establishing the national monument provides for the leasing of appropriate lands to the State of Utah in a suitable location for state park and recreational purposes.

I offered such an amendment, and the Senate voted it down—by a narrower margin, I admit, than I expected.

The Ogden Chamber of Commerce resolution fully endorses a position taken earlier calling for implementation of the State's S.B. 60 "as promptly as possible," the bill that restored it back to the Great Salt Lake Authority to establish eminent domain on the lake.

My colleague has referred to the three daily newspapers. As I read those editorials, I would say one of the newspapers is definitely for the bill, one of them has been on both sides, and the Ogden paper is very carefully noncommittal.

It is interesting to me that the Great Salt Lake Authority is now listed as heavily favoring S. 25. I should point out that prior to the changeover in State administrations in 1965 the members were in favor of a State program, which they would administer. However, once they came under the control of the new governor who named a new Democratic majority their viewpoint changed.

One other interesting development regarding support or nonsupport of the Federal bill occurred recently when on June 24 the Utah Young Democrats in their State convention in Ogden voted to recommit to the resolutions committee for further study a resolution supporting the position taken by Senator Moss on development of Antelope Island as a National Monument. I should point out in the interest of fairness, however, that on June 28 the Young Democrats—this time not in convention but in some sort of executive meeting—in what seemed to me a lamely fashion, said they really "intended" to commend Senator Moss for his efforts in promoting Utah and his work with regard to Antelope Island. But the resolution originally was recommitted.

We have all seen the list of those so-called suporters of the legislation and so that the record can be complete. I, too, would like to list those favoring the State proposal—as I do, and I cannot say that enough times.

We have in favor of a State bill:

The Utah State Senate by a vote of 26 to 0. The Utah State House of Representatives when it passed the same bill, 49 to 15. Representative Franklin Gunnell, speaker of the Utah House of Representatives. Senator Haven Barlow, president of the Utah State Senate. Salt Lake's Mayor J. Bracken Lee. Salt Lake Commissioner Conrad B. Harrison. Salt Lake Commissioner James Barker. Mr. Rodney Sutton, planning director of the Davis County Planning Commission. Pro-Utah, an organization composed of Salt Lake City businessmen, to develop Utah's commercial potential. Mr. Stanley M. Smoot, chairman of the Davis County Commission as well as fellow Commissioners Glen W. Flint and Richard S.

Evans. Mr. Ray Buchanan, president of Utahans, Inc., an organization composed of tourist-oriented businessmen. Former Gov. George D. Clyde, Layton Chamber of Commerce, Clearfield Chamber of Commerce, South Davis Chamber of Commerce, Box Elder County Commission, Miles P. Romney, and the Utah Mining Association, Mr. Stephen C. Richards, part owner of nearby Fremont Island.

In addition to this information, the Senate should know that last year Davis County conducted a survey at the end of the uncompleted road which was being moved toward Antelope Island, and out of 3,000 answers returned it was found that 87 percent of the people reported they would like to see Antelope Island developed as a State park. The main reason given was to keep control at the State level.

Mr. President, in conclusion, Federal action now would be unfortunate and untimely. The State is already on the way to develop a State park to provide the desired bathing facilities on the north end of the island. The economic development of the mineral resources in the water of the lake is just about to begin. A new Federal presence in the lake—with the Park Service rigid rules for preserving the sanctity of its boundaries—could cause trouble. In addition, the Park Service, under its traditional policies, could be expected to oppose the creation of a fresh water lake, which has long been the dream of the people of Utah, particularly if they are going to try to preserve the island in its original state. There was no fresh water lake then.

All of these and many more facts lead me to the basic feeling that the bill before us should be rejected for the benefit of the State of Utah now and in the future.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. MOSS. Mr. President, I yield myself 5 minutes, and I shall try to hold myself to that. I know we have kept the Senate a long time. I must, however, answer one or two assertions made by my colleague.

He worries about whether or not this is going to impede the development of minerals out of the lake. I suggest to the Senate that he has not read the bill. If he had read section 4, he would have read that:

> Neither the provisions of this Act nor the establishment of a monument pursuant to this Act shall be construed as (1) restricting or preventing in any way the acquisition, on or after the date of its enactment, by the State of Utah, any political subdivision thereof, or any person of any right with respect to (A) any water flowing into the Great Salt Lake; (B) any water comprising a part of the Great Salt Lake; or (C) any minerals (including oil or gas) or chemicals within or under the Great Salt Lake; or (2) impairing, diminishing, or affecting in any way any valid right of any such State, subdivision, or person existing on the date of enactment of this Act with respect to any such water, minerals (including oil or gas), or chemicals; except that nothing in this section shall be construed as authorizing any such State, or a political subdivision thereof, or person to exercise any such rights referred to in this section within the boundaries of any monument established pursuant to this Act, except to build dikes within such monument, as provided in section 3 hereof, or (3) restricting or preventing the State from exercising any right it may have to construct roads or dikes across any part of the Great Salt Lake, to alter the shoreline, or to take any other lawful action on the shores or bed of the Great Salt Lake outside of this monument.

This monument consists only of the island, and the Great Salt Lake is nearly 200 square miles. All the chemical extraction areas are away from the island. This act protects them.

The Senator says that perhaps some Secretary of the Interior, or the National Park Service, would not be so sympathetic. We do not care about that. It is written into the law. The only place they can come back and get the law changed is right here.

So all the rights on the lake are preserved, and the Senator is talking nonsense when he says there is any threat to the extraction of minerals or the maintenance of water levels, or any other thing.

He quoted Murray Moler, said he talked to him on the phone, and said that Murray Moler is not so sold on this project.

I read from page 31 of the hearings at which Mr. Moler appeared as a witness, on the 15th of June 1966, at which he said, on line 2:

> A Great Salt Lake National Monument would fit perfectly into the pattern that has already been established so well.
>
> The tourist and convention committee of the Greater Ogden Chamber of Commerce has stoutly endorsed S. 25, as other spokesmen for the chamber will detail at this hearing.

So much for Mr. Moler. He talks about editorials from the State papers. Mr. President, here we have a whole sheaf of them. We have not had a contrary editorial yet. They have all supported the bill.

I had a poll, too. I sent out a number of questionaires. 3,220 people answered the questionnaire.

The bill was favored by 3,010 out of 3,220 replies. So, we can see what I am talking about when I say that the support in the State is overwhelming.

The National Parks Advisory Board has endorsed the bill by resolution. That is in the record.

The Department of the Interior endorses the bill. Mr. Hartzog has testified in favor of it. The Department prepared a brochure on it that has been widely distributed.

The Great Salt Lake Authority adopted a resolution and sent it to my colleague and me, in which they say:

> Now therefore, by reason of the foregoing recitations, it is hereby firmly resolved and declared, that the Congress of the United States and the Utah delegation therein be advised that the Great Salt Lake Authority endorses, approves of and recommends the creation and establishment of a national monument on Antelope Island and in furtherance thereof, that S. 25 of the 90th session of the Congress calling for the same, be enacted by the Congress at the earliest possible time.

The Utah Parks and Recreation Commission report can be found on page 47 of the record. The Brigham City Chamber of Commerce is in favor of it.

The support in the State is overwhelming. I think the record is complete. We have a thorough record in this matter.

I think that one of the greatest scenic and scientific attractions of the whole West is Antelope Island where the beach, the Wasatch Mountains, and the Great Salt Lake can be observed.

Mr. BENNETT. Mr. President, I ask unanimous consent that the time I prematurely yielded back may be restored.

Mr. MOSS. I would object unless I may have equal time.

Mr. BENNETT. The Senator had equal time. However, thinking the Senator was ready to vote, I said that I would yield back my time. However, the Senator did not yield back his time.

I am merely asking if I can recover the time that I inadvertently yielded back.

Mr. MOSS. I will just retain the time that I have remaining.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BENNETT. Mr. President, we are now at the point where we will say, "Yes, it is so," or "No, it ain't so."

Murray Moler, as I have already read, indicated clearly that he was not speaking for the State of Utah Travel Council. I do not know his idea as an individual, but he said on page 30 of the hearings:

> It is not the policy of the State Council to endorse or oppose specific legislation at any level.

My colleague said that he sent out more than 3,200 questionnaires and received 3,000 replies that were favorable to his position. He said that that shows overwhelming support. I will match his 3,000 against my 3,000 at the end of the road near the island. My replies show that the people of Utah are not united or overwhelmingly in support of this legislation.

My colleague made a major point of the fact that he has now written safeguards in the bill which will make it impossible to interfere with the mineral development of the lake.

There are two things that come to my mind when he says that.

The first is the Secretary Freeman speech from which I quoted at length. If they cannot get it legally, they will attempt to develop public pressure with respect to mineral development.

The other thing is that in the Canyonlands authorization bill, when it went from the Senate, there were certain provisions written in the bill to protect the opportunity to develop the mineral resources of that great area. However, as soon as the bill got to the other body, those provisions were knocked out. The Senate allowed them to be knocked out in conference.

So, I do not think we can be sure that we have protected these things in any bill merely because the bill has gone through one body.

I would rather be sure that there is nothing which might raise a threat.

Mr. MOSS. Mr. President, I yield myself 1 or 2 minutes.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. MOSS. Mr. President, I ask unanimous consent that various material be printed at this point in the RECORD.

The material consists of certain editorials which do not appear in the hearings. There is also a copy of a telegram from Governor Rampton to me, a copy of a letter sent by Senator BENNETT to various Senators, a copy of a letter sent by me to a number of Senators on this subject, and a copy of a letter of May 19 from the Assistant Secretary of the Interior to me having to do with the choosing of a concessionaire for this island.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Ogden Standard-Examiner, Apr. 28, 1967]

ANTELOPE ISLAND PROGRAM PROGRESS

The Great Salt Lake Authority has certainly proceeded with dispatch in carrying out the directive from the 1967 Utah Legislature to expedite development of Antelope Island.

The authority and the Island Ranching Co., owners of the unique island in the southeast corner of Great Salt Lake, have reached tentative agreement on an arrangement that has great promise.

A lease-purchase plan is being drafted for consideration of necessary authorities that calls for acquisition of 2,000 acres on the northern end of the island for a purchase price of $210,000.

The money would be paid over 10 years in regular installments.

By 1977 the state would own the 2,000 acres—unless pending legislation in Congress for purchase of the entire island as a national monument goes through and Uncle Sam buys Antelope.

The lease-purchase program has many virtues.

It means that long controversy over state acquisition of the northern end of the island, particularly the fine swimming beach in Bridger Bay, is now over. There should be no more litigation of the type that has long stalled the island's recreational development.

If there are no further hitches—and none is in sight—the road from Syracuse west toward the northern part of Antelope can be quickly completed, possibly late this summer.

Then the vexing matter of fresh water can be resolved by drilling of wells or piping of water from the mainland.

And, finally, work on the Bridger Bay beach can be done.

The Great Salt Lake Authority was granted $400,000 by the 1967 Legislature. It also has about $200,000 remaining from prior appropriations.

Just how far this money will go depends, obviously, on the price tags that go on various elements of the project. It won't provide anything deluxe—but it should get the job done for now.

The state will have at least provided a beach where tourists can be taken with pride for the float in Great Salt Lake that so many want.

What happens after the Bridger Bay phase is up to Congress.

All sources agree that Antelope Island would have greater stature as a national monument. And federal funds would be essential to provide a connecting road from Bridger Bay to the lake's south shore so visitors can have a desired "loop" route.

The state's program takes this potential federal role into consideration. Nothing is to be done on Antelope that would be incompatible with the high standards of the National Park Service.

So there's a possibility that the state of Utah, by making the investment now under the lease-purchase arrangement, will get the needed development—and eventually be repaid by Uncle Sam for the pioneering now about to start.

It's a good deal all around.

[From the Salt Lake Tribune, Jan. 20, 1967]

TIME TO PUSH ANTELOPE ISLAND "PARK"

Utah state financial difficulties, coupled with the urgent need to expand tourist-economic resources, should encourage more local support of a proposal to establish a Great Salt Lake National Monument on Antelope Island. This famous and unique tourist asset has been neglected too long.

Senator Frank E. Moss, who has had a bill in Congress since 1960 for National Park Service administration of the island, has announced he plans to reintroduce the measure in the present session and press for action on it. The proposal was aired at hearings of the Senate Parks and Recreation Subcommittee in Salt Lake City last year, with most witnesses favoring the general plan.

Meantime, plans are under way to strengthen or clarify the eminent domain powers of the Great Salt Lake Authority, established by the State Legislature in 1963. The Utah State Supreme Court recently ruled that the authority could not legally condemn the privately-owned 4,000 acres at the island's north end, as it had proposed to do, for a public bathing, boating and general recreation area. Governor Rampton and members of the Great Salt Lake Authority have emphasized that there is no conflict between the state and national plans; in fact both may be needed to acquire and develop the island and protect its unique scientific and recreational advantages. The owners of the island are especially opposed to selling only part of it for a park or resort.

The Moss bill would designate the entire island of 29,000 acres of land and adjacent water (1,000 feet out from shore) as the national monument, with the proviso that the state would be given a long-term concession to develop and operate recreational facilities at the north end and be allowed to continue with diking activities in an experimental program to create a fresh-water lake on the eastern shore of the island. The remainder of the island would be kept in its semi-primitive state. The Moss bill, which has been amended and refined repeatedly in accordance with Utah requirements, would not interfere with chemical and mineral exploration and development operations under way or contemplated elsewhere on or in Great Salt Lake. The Tribune is on record in favor of the Moss bill in principle.

We commend to all interested the published account of the hearings of the Senate subcommittee on the Moss bill (Senate 25) recently published by the Government Printing Office. The 117-page booklet emphasizes the several advantages of federal-state cooperation in developing and protecting the island.

The National Park Service estimates that acquisition of the non-federal property within the boundaries recommended would cost about $1,700,000, that development would require about $8,840,000 and annual operating costs would amount to $300,000. Governor Rampton explained to the subcommittee that the state of Utah could not afford to buy the entire island but agreed that it would be advantageous to have it all in public control. He said he did not fear conflict with the federal government in administering the island. Haven Barlow of Davis County, now president of the Utah State Senate, agreed that the state could not finance the undertaking as envisioned by the Moss bill but expressed his country's deep interest in utilizing the recreational advantages of the area.

The bill for the national monument may need further distilling but it seems to include the safeguards needed for commercial exploitation of resources of the lake without diluting the recreational advantages of Antelope Island. The possibility of a loop trip from the island to Promontory Point and Golden Spike and back, as envisioned by the National Park Service (through proper location of dikes) adds to the recreational possibilities.

[From the Ogden Standard-Examiner, March 9, 1967]

UNIFIED ACTION ADVANCES LAKE PLAN

The long-sought program for development of the recreational potential of Great Salt Lake is now, finally, back on the main line with a comparatively clear track ahead.

The Great Salt Lake Authority bill that was signed into law with appropriate ceremony Wednesday by Gov. Calvin L. Rampton is more than just a piece of routine legislation.

It shows what unified action can do.

Development of the lake, particularly the enticing swimming beach on the northwest shores of Antelope Island, has been a dream of Davis, Weber and Box Elder county civic leaders for years.

Four years ago the Utah Legislature created a Great Salt Lake Authority to handle the state's role in the program.

But it bogged down in the face of legal complications over acquiring necessary acreage on the privately-owned Antelope Island.

Despite the far-sighted efforts of the Davis County Commission in beginning a road from Syracuse to Antelope Island, it appeared the project was doomed last fall.

That's when the cooperative effort really started moving.

Executive Vice President D. Keith Hunt of the Greater Ogden Chamber of Commerce, working closely with other officials of the chamber and its committees, had a meeting called in Ogden on a wintry Saturday morning, just as the 1967 Legislature was started.

Problems were reviewed. Those at the session showed a remarkable solidarity in supporting a request that the Great Salt Lake Authority be continued, with its powers to acquire needed land reinforced, until the Syracuse-Antelope road could be finished and the Bridger Bay beach developed.

Gov. Rampton gave his support to the bipartisan effort. Weber County Sen. E. LaMar Buckner led the fight on the floor of the State Senate. The legislation passed, including an appropriation of $400,000. With other funds already available, this should get the immediate project done.

The next step in the lake development project comes Monday in Washington when Chairman Alan Bible of the Senate Subcommittee on Parks and Recreation will conduct a hearing on Utah Sen. Frank E. Moss' bill to create a Great Salt Lake National Monument.

The Moss bill is identical to the Utah Democrat's previous proposal, subject of a Utah hearing last year, that would authorize expenditure of $8 to $10 million for further land acquisition and road and facility construction on Antelope Island.

The legislation includes a provision that the state of Utah could enter into a concession agreement with the National Park Service for operation of the swimming beach.

So the state's work, under the Great Lake Authority bill signed Wednesday, can go ahead and later be dovetailed into the federal program—should Congress approve the Moss bill and appropriate funds for the larger project.

The unified effort should pay off, within a few years, when—for the first time since the lake receded and left Saltair high and dry—

Utahans will have a Great Salt Lake beach where they can proudly take visitors, as well as do their own swimming, floating and sunning.

[From the Ogden Standard-Examiner, Feb. 13, 1967]

Progress on Great Salt Lake Bill

The Utah State Senate has completed action on a bill that is aimed at getting recreational development of Great Salt Lake back on the track.

The measure, approved by the Senate last week on a unanimous vote, is specifically designed to keep the Great Salt Lake Authority in business long enough to complete a road to Antelope Island and build a modest swimming facility on the island's Bridger Bay.

There's a longer-range goal, too.

The bill, as passed by the Senate, contains language that will require the state development on Antelope Island to conform to the high standards of the National Park Service.

This provision has two distinct advantages:

1. It will preclude any honkey-tonk atmosphere on the north end of Antelope Island. That's the way, we know, most Utahans want the facilities to be.

2. And it paves the way for a joint federal-state venture on Antelope Island, when the day comes that the island is made a national monument.

The Senate bill, after considerable discussion, included an appropriation of $400,000 for purchase of private land on the north end of the island, for the road work and for the beach enterprise.

In addition, the Great Salt Lake Authority may use funds previously appropriated but not spent because of a legal snarl in earlier authority legislation that clouded its right to use condemnation, if necessary, to acquire the land. This cloud has been removed in the new bill.

However, the state's allocation of slightly more than $600,000 would finance, at best, only a small, minimum beach facility.

If Antelope Island is to become the tourist attraction that it merits, a greater expenditure will be necessary eventually. And that will take federal financing as the island becomes a national monument, which it should.

U.S. participation through the monument bill would also provide the only means of getting the entire island development, particularly access roads to the south that will be needed to complete the tourist-desired loop highways.

National monument status would also give Antelope Island a more prominent spot on tourist maps, since the reputation of National Park facilities will always exceed those of any state program.

National Park experts have surveyed the island and rated it as deserving of national designation.

Northern Utahans led the fight for passage of the measure in the Senate. They are certain to be in the van of the discussion that now begins in the House of Representatives.

They know, from many meetings held in our area, that development of the island as a No. 1 recreation center is long overdue.

There's no place in the United States quite like Great Salt Lake! Where else can tourists—and natives, too—float like a cord with such ease?

Utah enjoyed tremendous publicity in years gone by when the lake was higher and resorts like Saltair—and those at Syracuse and Farmington before that—were the focal point for picnickers, bathers and dancers.

But the lake receded and left the old resorts high and dry. Existing facilities on the south end have, for years, been meager, hampered by shifting salt beds, lack of fresh water, poor access, capricious winds and a slope north from the water line that is too gentle.

At Bridger Bay on Antelope Island, it's a different story.

A natural harbor offers protection from the winds. The beach is white sand, not salt. The water is clear and the beach slopes at a more hospitable and inviting angle.

Fresh water, to be sure, is scarce. But there are some springs that might be developed—or supplies can be piped from the mainland over the causeway leading westward from Syracuse.

Sen. E. LaMar Buckner of Weber County, who led the Senate floor fight for the legislation, classifies the Salt Lake bill as the most important accomplishment of the upper house to date, so far as our part of Utah is concerned. We agree—and believe that the House should follow the path already taken by the Senate.

After 4 Years: Antelope Island Lease Purchase Now Arranged

The Great Salt Lake Authority has finally come to terms with the Island Ranching Corp. on a lease-purchase arrangement of 2,000 acres of the north end of Antelope Island, announced County Commissioner George Buzianis, a member of the authority.

The announcement came after four years of negotiations and court battles. The authority has been seeking the land to develop part of the island for recreation. Tentative plans include boating, swimming, motel and restaurant facilities.

Mr. Buzianis stated that the GSLA met with Governor Calvin Rampton and representatives of the Island Ranching Corp. Tuesday and agreed to rent the land on the island for 10 years for a total of $210,000. The money is to be paid in $21,000 a year increments, with the state receiving free title to the property after its tenth payment.

Although the price sounds a little exorbitant Mr. Buzianis pointed out that the $210,000 figure includes more than just the purchase price. It also includes $100,000 in severance damages to the Island Ranching Corp., in lieu of damage to its operation. It also includes the cost of graveling a road across to the island from Syracuse, Utah. He said the road would require some 7,000 feet of fill and the State Road Commission would begin work on the road within 60 days. He added that piecemeal purchase would also be non interest bearing.

Mr. Buzianis stated that the main reason the GSLA decided on a lease purchase arrangement was because the federal government is considering the island as a National Park.

"And if SB 25, which is on the Senate floor, should pass, it will become a National Park," he said.

The commissioner disclosed that if the state had purchased the land outright, the island would not be considered for a National Park.

If SB 25 passes and the federal government buys the island, the Island Ranching Corp. will return all of the state's payments with the exception of $7,000 per year for a lease payment, he noted. Then, he said, the state will have to lease land from the federal government if it wants recreation on the island.

Mr. Buzianis stated that before the lease purchase goes into effect, it will have to be ratified by the Island Ranching Corp. and be passed by the State Board of Examiners. He disclosed that May 15th has been set as a target date for the signing of the contract.

July 12, 1967.

My colleague, Senator Bennett, has sent you a letter bitterly attacking my Great Salt Lake Monument bill (S. 25) which is scheduled for action. I point out that it was unanimously reported by the Interior Committee.

It is not true, as Senator Bennett claims, that there is very little support for the bill in Utah. It has the support of Governor Rampton, the Utah Legislature, the Great Salt Lake Authority, the Utah State Park and Recreation Commission, the Utah Travel Council, the Utah League of Women Voters, the Salt Lake City and Ogden Chambers of Commerce, as well as the three daily newspapers in Salt Lake City and Ogden.

It is not true that Antelope Island is not worthy of monument status. It is a "scientific gem" and the National Advisory Board on Parks and Monuments recommended in 1963 that it be made a National Monument.

It is not true that Utah would be a victim of "federal intervention." The State does propose to develop a small end of the Island "in accordance with the standards, regulations, objectives and basic plans proposed for Antelope Island by the National Park Service." The State looks to the Service to develop this unique island for the benefit of all Americans.

The truth is that the opposition to the bill comes almost entirely from Senator Bennett.

I ask that your decision be made on the merits of the bill which I am prepared to present on the Senate floor.

Ted.

July 10, 1967.

The Senate schedule this week shows that we will consider S. 25, a bill creating a national monument out of Antelope Island in the Great Salt Lake in Utah.

I plan to oppose this legislation for a number of reasons and I am writing to give you one or two of them and to ask your support in helping us to kill the proposal.

The State of Utah has just completed an arrangement to lease 2,000 acres which are the only worthwhile portion of the island for a state park complete with bathing facilities. S. 25 which would call for a takeover of the entire island, would be a blatant example of federal intervention into an area where the State, with overwhelming support from the Utah Legislature, has chosen to move on its own.

In addition, it is the view of most Utahans, as well as many officials within the National Park Service itself (although, obviously they cannot speak up), and others throughout the country that Antelope Island—which is really a barren, overgrazed desert island—is not worthy enough to be included within the Park Service system. It definitely would not add to the dignity of the system nor would it even come close in scenic or any other comparison with most of our great parks and monuments in the country.

I can find very little support for this bill in Utah and there is virtually unanimous opposition in the county in Utah where the island lies.

I plan to outline my views, tracing the inflated purchase price in some detail as well as presenting many, many more reasons for my opposition when the bill comes up.

I would appreciate your support in helping me to kill this bill.

Kindest personal regards.

Sincerely,

Wallace F. Bennett.

Salt Lake City, Utah,
July 11, 1967.

Senator Frank E. Moss,
Senate Office Building,
Washington, D.C.:

The people of Utah are in overwhelming support of S. 25 all major newspapers in the State have editorialized in support of the bill, the Great Salt Lake Authority, the State agency having jurisdiction of the Great Salt Lake and its environs, has passed a resolution in favor of the bill. The Utah State Legislature in enacting a bill to create a State park on the north end of the island specifically provided that the creation of such park should be compatible with a national monument on the balance of the island. The establishment of a national monument is completely compatible with the State's proposed development and will greatly enhance the value of the State of the proposed State development. We believe Antelope Island to be fully worthy of national monument status. Its geological value is unique. The National Park Service concurs in this opinion.

CALVIN L. RAMPTON,
Governor of Utah.

DEPARTMENT OF THE INTERIOR,
Washington, D.C., May 19, 1967.

Hon. FRANK E. MOSS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MOSS: This is in reply to your letter of May 15 in which you ask three questions concerning S. 25, the bill you introduced "To provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes." The questions and our answers are as follows:

1. If S. 25 should be enacted in the form it was reported from the Senate Committee on Interior and Insular Affairs on April 3, 1967, would the Secretary of the Interior have authority to enter into a concession agreement with the State of Utah under such laws and regulations as the Secretary would apply to private concessioners?

The answer is in the affirmative. In reporting S. 25, the Committee deleted from the bill a specific provision which authorized the Secretary to enter into an agreement with the State of Utah under which the State could provide certain recreational facilities and related facilities and services within the national monument. Such provision was unnecessary, however, since under 16 U.S.C. sections 3, 17b, and 20, the Secretary is authorized to enter into an agreement with the State under which the State could provide such facilities and services. As we stated in the departmental report of March 10, 1967, on S. 25, any agreement with the State would be governed by the same policies that apply to private concessioners.

2. If the answer to question number 1 is in the affirmative, would the Secretary's authority be limited or restricted by the provisions of Public Law 89-249?

Public Law 89-249 requires the Secretary of the Interior to take such action as may be appropriate to encourage and enable private persons and corporations to provide and operate visitor facilities and services in the areas administered by the National Park Service. The Act does not, however, preclude the Secretary from entering into an agreement with a State under which the State would construct and operate such facilities, assuming, of course, that the State has authority to bind itself to an agreement that is consistent with the policies set forth in that Act and the Department's concession policies.

3. Does the Committee encourage the Secretary to enter into a concession agreement with the State of Utah by virtue of the language set forth in the Committee report to accompany S. 25?

The answer is in the affirmative.

Sincerely yours,
GEORGE E. ROBINSON,
Deputy Assistant Secretary of the Interior.

Mr. MOSS. Mr. President, it seems to me that we have the opportunity at last, after a period of approximately 5 years of perfecting the bill, to now establish one of the great landmark monuments of the National Park System.

My colleague says that I have written safeguards into the pending bill. I assure the Senate that they have been in the bill all along. This is the bill that we have worked out over a long period in conferences with the National Park Service, with the Governor, with the Great Salt Lake Authority, and with the people of Utah.

I believe this is the opportunity for the Senate to vote to create this national monument.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MOSS. I yield.

Mr. LONG of Louisiana. Do I correctly understand the Senator to say that the Governor of the State is in favor of the bill?

Mr. MOSS. He is, indeed. The telegram which I have just asked to have printed in the RECORD strongly recommends passage of the bill.

Mr. LAUSCHE. Mr. President, may I ask either one of the main participants in the discussion whether the desire of other States to have projects termed as national monuments was indicated in the hearings?

I ask the question as a forerunner of what we can expect in the next session and the sessions following when other States will come in and ask for what are supposed to be extraordinary geographical situations and places of historical richness to be accepted as national monuments.

Mr. MOSS. I serve on the subcommittee under the chairmanship of the Senator from Nevada [Mr. BIBLE], and on the committee under the chairmanship of the Senator from Washington [Mr. JACKSON]. Indeed, there are proposals that come forward for the consideration of the committee as to whether they are worthy to be included in the National Park System.

The first thing that must appear before we look at them is the clearance of the National Parks Advisory Board. This board is composed of private citizens of great distinction. They come from all walks of life, including presently the editor of the National Geographic, who happens to be the chairman this year.

That is a tough hurdle in the first place.

If the project is recommended by them, then the Department of the Interior makes a study, and the National Park Service makes its recommendation.

We then start our hearings. This committee is not rubber stamping any kind of monument or historical site or park, I can assure you.

The committee completed its work. There were five separate hearings on this, in the field as well as in Washington.

The committee then acts. The committee voted unanimously to send the pending bill to the floor of the Senate. That means that every committee member was convinced. The bill is now before us on that basis.

Mr. LAUSCHE. Mr. President, can the Senator identify any of the areas that have been suggested or mentioned in the hearings as being potential national monuments that ought to be accepted for financing by the Federal Government?

Mr. MOSS. I think there was the Agate National Monument out in Nebraska. That was considered by the committee not long ago. Of course, the Redwoods National Park is under consideration.

North Cascades is under consideration.

These are items that are now before the committee. We work on such matters all the time.

Mr. BENNETT. Mr. President, may I give an additional answer?

The Advisory Council on National Parks meets twice a year.

In the spring of 1965 it approved four proposed national monuments, parks, or historic sites, of which one has been adopted. There was one in Texas, two in Minnesota, and one in Indiana. In 1966 it approved 17 additional sites, of which, so far as I know, only the Indiana dunes has been approved. So a sizable number have been coming up every year.

Mr. LAUSCHE. Has the number been increasing or diminishing?

Mr. BENNETT. In 1965 there were four, and in 1966 there were 17.

Mr. LAUSCHE. Will the Senator yield me 2 minutes?

Mr. BENNETT. I am happy to yield to the Senator.

Mr. LAUSCHE. I merely wish to relate to my colleagues my experience while sitting as the chief executive of Ohio. From every county came applications for the establishment of historic sites in the counties. It was pointed out that there were places of ancient activity in the community, and it was said that this is important in the history of Ohio. Many of the sites were offered to the State as a gratuity, provided the State would agree to finance permanently the operation of the historic site.

After I was deluged by applications from counties, I became frightened at the prospect of the cost that would be entailed if and when the State began accepting the many gratuitous gifts or offerings that were made to it.

The building of monuments entailing a permanent, irrevocable expenditure, is a matter that cannot be looked upon lightly. I recognize that there are historic sites—geologically, historically, and otherwise—that should be taken over by the States and by the Nation. We have 50 States. While this debate was in progress, I began to look around to see where in Ohio I would find a site; and we have some islands down off the Sandusky Bay, with the traces of the Ice Age upon the rocks.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. May I have 2 additional minutes?

Mr. BENNETT. I yield 2 additional minutes to the Senator.

Mr. LAUSCHE. Those islands definitely fall within the category of historic sites.

I will begin looking for monuments to be financed by the Federal Government. Others will begin looking for them. In Ohio, each of the 88 counties were trying to present sites, and in the Federal Government we will have 50 States offering sites to be accepted in the categories which the Senator from Utah [Mr. BENNETT] just described.

Mr. BENNETT. Mr. President, I should like to make one comment to clear up something that may create a question in the minds of some of my colleagues.

This bill provides that the Secretary of the Interior will have the authority to condemn State property. The State now owns 2,000 acres at the end of the island. The representatives of the Park Service have informed me that they would insist upon the whole island. Perhaps the State is willing to give it up without condemnation, but I am informed that the words in the bill "the Secretary of the Interior may acquire, on behalf of the United States, by gift, purchase, with donated or appropriated funds" carry with them the power of condemnation, and Senators should be aware of that.

Mr. MOSS. The State has leased 2,000 acres at the north end of the island, and in the lease itself the State contemplates turning the land over to the Federal Government, having the lease terminated at that point. In fact, there is a provision that a portion of their money may come back at the time this happens. This is exactly what the State plans to do. So the State is not going to be moved any place it does not want to move, and this is the Great Salt Lake Authority.

I believe we are ready for third reading.

Mr. BENNETT. Mr. President, I must correct that statement. This is a lease-purchase agreement. This is not a lease alone. It is a lease-purchase agreement under which the State will acquire title to the land.

There is a matter of time involved. If this bill could be passed while the present administration is in the statehouse, they would see that the State surrendered its land. But there are other administrations and other times, and it may be that the time will pass to the point where the purchase actually will be carried out.

Mr. MOSS. I stand corrected, Mr. President. It is a lease-purchase agreement. If the State pays its rental for 10 years, and if within the 10 years the Federal Government has not taken the island pursuant to this bill, then the State may get title 10 years from now. So I say that as of now the State has a lease on the north end of the island.

Mr. KENNEDY of New York. Mr. President, I rise in support of S. 25. It was my pleasure last week to join Senator Moss in flying over the Great Salt Lake and Antelope Island, and I can attest to the unique rugged beauty of this area. We flew low over the world renowned salt waters, and over Antelope Island itself. We saw the striking mountains which rise nearly half a mile above the lake, the swimming beach and recreation area at the north end of the island, and some of the buffalo and deer which live on the island.

Establishment of the Great Salt Lake National Monument would afford recognition to an area which is at once a world famous natural phenomenon, an important geological site, and an area of recreational pleasure for contemporary Utahans. It would pave the way for the further development of recreational facilities which serve almost three-quarters of the people of Utah. It is in keeping with the many conservation and recreation measures which Congress has enacted in recent years. I hope, therefore, that the Senate will enact S. 25 this afternoon.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading.

The bill was read the third time.

The PRESIDING OFFICER. Is all time yielded back?

Mr. BENNETT. I yield back the remainder of my time.

Mr. MOSS. I yield back my time.

The PRESIDING OFFICER. All remaining time having been yielded back, and the bill having been read the third time, the question is, Shall it pass?

Mr. MOSS. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Arizona [Mr. HAYDEN], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island, [Mr. PASTORE], the Senator from Georgia [Mr. RUSSELL], and the Senator from Maryland [Mr. TYDINGS], are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. HARRIS], the Senator from North Carolina [Mr. JORDAN], the Senator from Montana [Mr. METCALF], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

I further announce that, if present and voting the Senator from Oklahoma [Mr. HARRIS] and the Senator from Rhode Island [Mr. PASTORE] would each vote "yea".

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Nebraska [Mr. CURTIS] the Senator from California [Mr. MURPHY], and the Senator from North Dakota [Mr. YOUNG] are detained on official business.

If present and voting, the Senator from Tennessee [Mr. BAKER], the Senator from Nebraska [Mr. CURTIS], the Senator from Kentucky [Mr. MORTON], and the Senator from California [Mr. MURPHY] would each vote "nay."

The result was announced—yeas 46, nays 35, as follows:

[No. 189 Leg.]

YEAS—46

Bartlett
Bayh
Bible
Brewster
Byrd, W. Va.
Cannon
Church
Clark
Ellender
Ervin
Fulbright
Gore
Gruening
Hart
Hartke
Hill
Inouye
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Mondale
Monroney
Montoya
Morse
Moss
Nelson
Pell
Proxmire
Randolph
Ribicoff
Sparkman
Spong
Stennis
Symington
Williams, N.J.
Yarborough
Young, Ohio

NAYS—35

Aiken
Allott
Bennett
Boggs
Brooke
Byrd, Va.
Carlson
Case
Cooper
Cotton
Dirksen
Dominick
Fannin
Fong
Griffin
Hansen
Hatfield
Hickenlooper
Holland
Hollings
Hruska
Javits
Jordan, Idaho
Kuchel
Lausche
Miller
Mundt
Pearson
Percy
Prouty
Scott
Smith
Thurmond
Tower
Williams, Del.

NOT VOTING—19

Anderson
Baker
Burdick
Curtis
Dodd
Eastland
Harris
Hayden
Jordan, N.C.
Metcalf
Morton
Murphy
Muskie
Pastore
Russell
Smathers
Talmadge
Tydings
Young, N. Dak.

So the bill (S. 25) was passed.

Mr. MOSS. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD and Mr. LONG of Louisiana moved to lay the motion on the table.

The motion to lay on the table was agreed to.

WEST GERMANY AND NATO FORCES

Mr. MANSFIELD. Mr. President, last weekend it was announced in Bonn that the West German Cabinet had reached a decision to cut the German defense budget by the equivalent of $2.3 billion for the period 1968 to 1971. Although it is not yet clear what the practical effects of this budget cut will be, it seems to be the opinion of well-informed German sources that one result will be a sizable reduction in West German troop strength of some 40,000 to 60,000 men. Another probable result is a reduction of planned German armament purchases in the United States and Great Britain going beyond the substantial reductions predicted earlier this year.

According to press reports, which I understand to be accurate, Chancellor Kiesinger explained the reduction of the defense budget by referring to the need for reappraisal because of "the general world situation and the development within the North Atlantic Treaty Organization." He is said to have denied that the gap in the German budget was the main factor responsible for reductions in defense expenditures.

Mr. President, I have had occasion several times this year to remark favorably on the efforts of the new West German Government to improve relations with the countries of Eastern Europe. If, as reported, current plans to trim West Germany's military establishment and to emphasize the defensive posture of its armed forces form part of these efforts, they are a hopeful development. For it is undeniable that West Germany's military potential has been a source of suspicion and even fear in both Eastern and Western Europe. And it has long been my view that one way to reduce political tension in Central Europe is to reduce the size of the forces which are in confrontation there. I now gather, from Chancellor Kiesinger's statement, that the West German Government would agree, and I applaud this conclusion.

But I would be less than frank, Mr. President, if I did not say that the recent decision of the West German cabinet was also disquieting on several counts.

In the first place, this decision, along with recent press reports that Belgium, the Netherlands and Canada are seriously considering reductions in their forces in West Germany, casts a new and rather unfavorable light on the recently concluded trilateral talks involving West Germany, Great Britain, and the United States. Obviously, the conclusions reached in these negotiations were not based on the assumption that there would be a major reduction of West German armed forces. In fact, on April 26, Secretary McNamara told a meeting of the combined Subcommittee of Foreign Relations and Armed Services Committees on the subject of U.S. troops in Europe—a subcommittee which I have the honor to chair, that—

> There is no major reduction in military strength planned by any of the major NATO countries that I know of.

Of course, there was never any doubt in my mind that the conclusions reached in the trilateral talks pointed toward a new round of difficult discussions on troop levels and associated foreign exchange costs in 1968. But it now seems clear that the patchwork of financial concessions and agreements on token troop reductions produced by the trilateral negotiations is already coming apart at the seams. I have the discouraging impression that during 7 long months of arduous discussions, the trilateral negotiators failed to go to the heart of the matter—that is, to the need for more than token and tentative adjustments to the fundamental and far-reaching changes that have taken place in Europe in recent years.

This leads me to a second source of disquiet, Mr. President. As my colleagues in the Senate know, I have felt for some time that the United States is maintaining an excessive number of troops in Europe—excessive in terms of the military and political situation there and excessive in terms of the numbers of troops maintained by other NATO countries. Members will recall that when a planned redeployment of 35,000 U.S. forces from West Germany to the United States was announced in early May, I greeted this decision as "a good first step." In view of the recent decision of the West German cabinet, I now feel obliged to confess to some disillusionment. Members of the Combined Subcommittee were solemnly assured by administration spokesmen that any reduction beyond 35,000 would have an extremely adverse psychological effect on West Germany. But now West Germany's highest political officials have shown that their own estimate of the threat from the East permits substantial reductions in their defense budget and military effort.

Mr. President, I believe that it is not the mark of sound political judgment that we should appear to take the question of a possible threat in Western Europe more seriously than those most directly concerned. I am sure that it is not in our interest—or in Germany's interest—that we should be more militant about the defense of Germany than the Germans themselves.

It is my hope that this new decision on the part of the West German Government will have the result of persuading our Government that the planned redeployment of 35,000 American troops from West Germany to the United States can be followed in the not so distant future by further redeployments.

Let me mention a last disturbing impression which I hope will be dissipated by subsequent events. The question of allied troop strength in Central Europe is obviously a matter for multilateral discussion and agreement within NATO. But the record shows, and it is a matter for regret, that more often than not vital decisions affecting the levels and combat capability of NATO forces have been taken unilaterally by our European partners.

The trilateral talks were supposed to have laid the basis for orderly, equitable, and mutually agreed adjustments in troop levels and strategy. It now appears that this expectation was prematurely optimistic. It is my hope, however, that the impression that a unilateral decision has been taken by the West German Government will prove not to be correct. The West German Government has always urged the United States to be scrupulous in this respect; I am sure that they intend to be no less scrupulous.

Finally, Mr. President, I would like to add that the transcript of the two hearings held by the subcommittee at which Secretary McNamara, Secretary Rusk, and Undersecretary Katzenbach testified, will be published some time next week, as the executive departments concerned have now finally concluded making the necessary security deletions. I trust that this transcript will prove helpful to Members as the subjects the subcommittee considered have assumed new topical importance.

Mr. President, I ask unanimous consent to have inserted in the Record at this point the following articles: "Bonn Plans Cuts in Army," from the Baltimore Sun, July 7, 1967; "West Germany Reassessing Army's Role," from the Washington Post, July 7, 1967; "West Germany Plans a Sizable Cut in Its Defense Budget," from the New York Times, July 7, 1967; "Bonn Troop Cut To Renew NATO Debate," from the Washington Post, July 8, 1967; "Bonn To Review Defense Policy," from the New York Times, July 8, 1967; "West German Army Faces Broad Reorganization," from the New York Times, July 12, 1967.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Baltimore Sun, July 7, 1967]

Bonn Plans Cuts in Army—Sources Say Defense Will Take Brunt of Budget Slashes

(By Stuart S. Smith)

Bonn, July 6.—The Kiesinger Administration has agreed to defense spending cuts which will shrink the West German Army by 60,000 men, about 13 per cent, and sharply reduce the Federal Republic's jet Starfighter forces, official sources announced today.

These rocket-armed jets are capable of carrying nuclear weapons.

The Cabinet decision, which will prune the 1968 to 1971 defense budgets by some $2,250,000,000 under what was formerly planned, will necessitate a thorough revision in the nation's Atlantic alliance role and will doubtlessly have a profound effect on Central European political conditions, it was predicted.

FOUR-YEAR PROGRAM

The cuts were made in the so-called medium-term economic plan, which is a four-year program to reduce Government expenditures and quicken the lagging West German economy.

It included some slashes in the Social Ministry's spending plan but reportedly not enough to alarm Hans Kaizer, the Federal Labor Minister.

The program was pushed through the Cabinet by Franz Josef Strauss, the Federal Finance Minister, and Karl Schiller, the Federal Economics Minister, over the strenuous objections of Gerhard Schroeder, the West German Defense Minister, who warned yesterday that cutting the Army's strength is bound to reduce the Federal Republic's political weight on the continent.

PERSONAL RIVALRY

Some observers thought it likely that personal rivalry between Schroeder and Strauss, who was once Defense Minister himself, may well have played a part in the Finance Minister's proposals. In any event, the *Frankfurter Rundschau,* an independent Frankfurt newspaper, said this morning that the Cabinet decision might well weaken Schroeder's position in the Government and may even permanently affect his political future.

Yesterday, reliable sources said, Schoeder warned his colleagues that the slashes will have serious consequences, particularly as no corresponding cuts have been made in the Warsaw Pact forces in Eastern Europe.

PARTNER AMENABLE

However, the Cabinet's Social Democrats were presumably amenable to making the Defense Ministry carry the burden of reestablishing West German fiscal stability, as the smaller coalition partner has long advocated reduced troop strength and a "denuclearization" of the country's military forces.

As it is, the reliable sources said today, the Defense Ministry will have to reduce its present 460,000-man force to 400,000 men. The cuts will be principally in Army troop levels and in the rockets and jet fighter-bombers which can carry American nuclear warheads if the United States President so orders.

This reduction would be tantamount to abandoning previously agreed-upon NATO commitments. The alliance's five-year Bravo Plan calls for West German military forces to increase to 580,000 men by 1972.

The Bravo Plan foresaw a total West German defense expenditure of $31,000,000,000 for the coming five years, but a year ago this was reduced to $28,250,000,000. The Strauss program adopted by the Cabinet is said to cut this still further—to $25,850,000,000.

CONTRIBUTION DROP

Thus, the West German prorated contribution to NATO would drop below that of Great Britain's and France's for the first time.

One newspaper suggested that it will be necessary to reexamine West German arms purchases in the United States, and some commentators said Chancellor Kurt Georg Kiesinger has decided to postpone his trip to Washington until next fall, by which time he would supposedly have better arguments ready for his Administration's action than he does now.

A Social Democratic newspaper pointed out Tuesday that Willy Brandt, Vice Chancelor, recently remarked that as the Federal Republic is no world power, it needs no defense force of world-power size.

EAST-WEST DETENTE

The cuts should, at any rate, fit in with the Kiesinger-Brandt program for East-West detente in Europe and drown out some of the Communist bloc's propaganda thunder about West Germany being a militaristic nation.

On the other hand, members of the Christian Democratic party's conservative wing objected that the Federal Republic is no Switzerland or Sweden and cannot afford not to defend itself up to the limit of its ability.

[From the Washington Post, July 7, 1967]

West Germany Reassessing Army's Role

(By Dan Morgan)

Bonn, July 6.—West Germany's future military role in NATO is being reappraised in highest government circles in light of expected cuts in the country's defense spending in the next four years.

The cuts are expected to total at least $2 billion from 1968 through 1971, at a time when NATO plans call for an increase in West German troop strength from 461,000 to 508,000 men.

Though it is possible that money could be saved by reorganizing and perhaps consolidating some of West Germany's 12 army divisions, government sources said personnel reductions of 40,000 to 60,000 in the Bundeswehr are considered likely.

German sources also indicated that reductions in procurement of nuclear delivery vehicles—including Starfighter jets and Honest John and Sergeant rockets—would have to be considered along with other cost-cutting possibilities.

The decision to reduce military spending was reportedly taken during special cabinet meetings held Tuesday and Wednesday. The sessions are aimed at producing a four-year financing plan for the country that will bring the government's bloated spending programs into line with revenues.

Defense Minister Gerhard Schroeder, a Christian Democrat, reportedly opposed the plans to cut back on defense, but the cabinet was said to feel they were needed to appease Social Democrats who agreed to new austerity measures in social welfare. The two parties make up the present "Grand Coalition" government of chancellor Kurt Georg Kiesinger.

Defense is the biggest item in the 1967 German budget, requiring about a quarter of the $20 billion total outlay.

The appraisal of West Germany's NATO role has been progressing since the NATO defense ministers in Paris this spring formally scrapped the policy of "massive retaliation" to Russian attack in favor of a "flexible response" plan.

The decision immediately caused repercussions in Germany, where massive retaliation has always had appeal because of the possibility that the country might be overrun if the response was "selective."

The United States now has roughly 7000 nuclear warheads on European soil. Some of these could be fired from West German planes or rockets if released to Germany during an attack.

On Sunday, in a radio talk, Foreign Minister Willy Brandt said he envisioned that a new European security system could mean the virtual elimination of standing armies in Europe by 1987.

Brandt proposed that both the West and East power blocs agree to mutual troop reductions on the Continent, renounce atomic weapons and the use of force in settling political disputes.

A somewhat similar proposal was made this week in the national magazine Stern. An article quotes two Social Democratic Party experts, Hellmut Roth and Bernhard Bussmann, as feeling that a smaller, more professional army is needed for the 1970s, for reasons of effectiveness as well as cost.

This is the "small, but oh my" theory of defense which has been held for some time by Bundeswehr critics who say the army is flabby and overextended.

According to Stern, Roth and Bussmann favor reducing the standing army from 461,000 to 250,000 men, who would serve longer. There would be a small reserve force of 60,000 men, instead of the present 250,000.

The country would renounce atomic weapons and also abandon some of the expensive, vastly complex defense systems such as the Starfighter jet fighter. Instead, helicopters and fighters with more firepower would be used.

The new defense system would be highly flexible, and much cheaper, it is argued. Since massive retaliation has been scuttled, the need for medium-range planes packing an atomic wallop, such as Starfighter, is outdated.

A Bundeswehr overhaul already has the support of parts of the Social Democratic Party, which is sharing governmental power in the coalition government with the Christian Democratic Party of Chancellor Kurt Georg Kiesinger.

The opposition Free Democratic Party favors the reduction of military service from 18 months to a year, drastic reductions in troop strength and formal renunciation of atomic ambitions.

Supporters of the present system contend that the citizen army—which lacks all trappings of the old Prussian military tradition, including even a general staff—is democratic. More important, they say, it is a vital contribution to NATO and to German goals of a politically strong, militarily integrated West Europe.

However, the Bundeswehr suffers from a chronic shortage of officers and specialists, stemming partly from the revolving door chraracter of a draftee army.

The strategic withdrawal of small numbers of American, British and Belgian forces in West Germany is a consideration in all debates over the status of the Bundeswehr. But it is not always an argument for strengthening the German force.

[From the New York Times, July 7, 1967]

West Germany Plans a Sizable Cut in Its Defense Budget

Bonn, July 6.—West Germany plans a sizable cut in its defense efforts, reducing its present troop strength by about 13 per cent as part of an austerity program to balance the nation's financial deficit, officials disclosed today.

The Cabinet was reported to have overruled objections raised by Defense Minister Gerhard Schröder in deciding to trim the defense budget by $500-million annually for the five-year period ending in 1971. Under the plan the over-all strength of the armed forces is to drop from 461,000 men to about 400,000.

Bonn is faced with a deficit this year of close to $2-billion. In view of repeated painful German experiences with monetary inflation in this century, the Government has ruled out all ideas of deficit spending to overcome the crisis.

The plan for defense reductions was worked out by Chancellor Kurt Georg Kiesinger and his Cabinet during three consecutive days of budgetary conferences that ended tonight.

STATEMENT BY FINANCE CHIEF

Finance Minister Franz Josef Strauss was reported to have told Dr. Schröder that there were not sufficient funds available to keep the army at its present strength, much less bring it up to the 508,000-man ceiling envisaged under North Atlantic Treaty Organization planning for the period ending in 1971.

The Government's decision is not expected to become effective before Parliament has agreed to it in its first session in the fall after the summer recess.

There was little doubt, however, that the ruling would be adopted as Mr. Kiesinger and his coalition of Christian Democrats and Social Democrats command an overwhelming majority in the Bundestag, or lower house.

Dr. Schröder was reported to have been told to work out detailed plans with the military on how to trim defense spending. In addition to cutting military personnel, the austerity program calls for a reduction in the F–104 Starfighter force and rocket units, which could deliver nuclear strikes.

Apart from the financial reasons given, Bonn's desire to seek a new balance between East and West on European security appeared to loom largely behind the Cabinet decision.

Foreign Minister Willy Brandt a few days ago renewed proposals for a fresh approach to the problem of European security involving troops cuts by each side and formal guarantees by the United States and the Soviet Union.

In a radio address he also emphasized Bonn's willingness to renounce the use of force and to give up all claims to nuclear weapons. Bonn has built up a limited delivery system, but atomic weapons stationed in the country are under direct United States control.

WARNINGS BY SCHRÖDER

Dr. Schröder was repeatedly warned against drastic defense cuts and was said to have contended that so far the Soviet Union had not indicated readiness to reciprocate the West's desire to reduce overall military strength in Europe. Both the United States and Britain have pulled out minor contingents of troops from West Germany this year.

The Defense Minister was said to fear an erosion of West Germany's position in NATO as a result of defense trimming.

According to military spokesmen, structural changes in the Bundeswehr, the West German armed forces, will mainly affect the army, which is expected to be cut from its present 12 divisions to 10 or 11.

Officials said that while the principle of a general draft was to be retained, it would be modified, possibly under a lottery system, to induct smaller yearly contingents. West Germans must now serve 18 months in the armed forces.

While the Defense Ministry is slated to have the biggest wedge cut from its annual budget of $2-billion, reductions are also envisaged in the country's social insurance system and in farming subsidies.

A "value increment" tax on all goods produced and distributed in West Germany is expected to rise from 10 to 11 per cent effective at the end of the year.

[From the Washington Post, July 8, 1967]

Bonn Troop Cut To Renew NATO Debate

(By Murrey Marder)

An intended deep cut in West German defense spending, confirmed yesterday by Chancellor Kurt Georg Kiesinger, will reopen a wrenching debate over the size and strategy of the North Atlantic Alliance.

The United States was caught unprepared by forecasts from Bonn on Thursday of a 40,000 to 60,000 slash in the level of West German troop levels, as the result of budget cuts.

Officially, the Administration yesterday tried to disguise its chagrin on being confronted with a major policy shift to Bonn. Usually it is the other way around, with West Germany protesting a lack of advance warning of Washington's intentions.

But there was no disguising the fact that the United States looks with dismay at the prospect of a new transatlantic struggle over NATO troop levels. Traditionally, West Germany has held the opposite, "stand fast" side of the troop-level argument.

Only last May the United States, Britain and West Germany completed an exhausting round of six months of negotiating over the level and costs of American and British forces stationed in West Germany. In that first, permanent Western European troop cut since the Cold War era began, it was agreed that 35,000 of the 225,000 American troops would be "redeployed" from West Germany, and that Britain would pull out 5000 men from its 55,000-man Rhine army.

American officials expressed satisfaction at that time over halting a "stampede" in the unraveling of NATO forces, and averting the danger of "unilateral" national actions. That agreement headed off demands in Congress for a far deeper cut in U.S. forces in Europe.

But yesterday, top U.S. officials were left saying, embarrassingly, that they lacked any details on Kiesinger's announced plan to cut West Germany's 461,000-man army to balance his budget. While Kiesinger gave no actual figures, other Bonn sources have forecasts the 40,000 to 60,000 cut.

U.S. officials said they expect to be advised if Bonn's decisions will affect NATO force levels. But the fact is that any cut in West Germany's forces automatically affects NATO. Unlike other members of the Atlantic Alliance, West Germany's entire army is committed to NATO defense; that was a major post-World War II condition for Allied agreement to rebuilding a West German army.

For the record, State Department Press Officer Robert J. McCloskey said yesterday that the United States anticipates detailed talks in NATO "before any definitive decision is made on the level of German forces."

"We would be opposed to any unilateral cutback," said McCloskey.

McCloskey said, "We have been aware for some time," of Bonn's budget difficulties, but what was wholly unexpected, other sources confirmed, was an actual deep slash in defense spending. That news, on Thursday and Friday, found the United States Ambassador to West Germany, George C. McGhee, in Washington. McGhee originally planned to be here for Kiesinger's visit to President Johnson, originally planned to begin yesterday but postponed because of the Bonn budget crisis.

Dan Morgan of The Washington Post Foreign Service reported earlier from Bonn:

Chancellor Kiesinger told a press conference he regretted the troop cutback that would be made, but said, "It would have happened anyway because developments inside NATO, and the world situation, force us to such a review."

The statement was the first hint since Kiesinger's coalition government took office seven months ago that a shift in West German policy toward NATO may be in the offing.

There was also speculation—unconfirmed by Kiesinger himself—that the Bonn government may try using troop reductions to speed up its efforts at easing relations with Eastern Europe and the Soviet Union. The reductions will probably total 60,000 men by 1971.

In a speech delivered over the weekend, Foreign Minister Willy Brandt renewed the call for a European security conference and said supervised mutual troop reductions could mean the ending of standing armies by 1987. As late as 1966, the official United States position was that the "time was not ripe" for a European security conference.

Despite planned defense reductions of about $2 billion through 1971, Kiesinger cautioned today that "we should not forget the danger, even though it is reduced." He said there was no indication to date of any reductions in the troops now in Eastern Europe.

Kiesinger added that there had been "the greatest reservations" over the planned cuts, which were agreed on during three days of cabinet meetings this week. The discussion was "heated," he said, "but there was no alternative."

The possibility of reductions immediately raised the spectre of an unraveling of the NATO defense plan.

Though the defense cuts were disappointing to Defense Minister Gerhard Schroeder, Kiesinger emerged from the marathon cabinet sessions of this week with his government still intact.

[From the New York Times, July 8, 1967]

BONN TO REVIEW DEFENSE POLICY—KIESINGER PLANS THOROUGH REAPPRAISAL IN LIGHT OF BUDGETARY DIFFICULTIES

BONN, July 7.—Chancellor Kurt Georg Kiesinger announced today that West Germany must enter into a "thorough reappraisal" of its defense policy in view of the world situation and the country's budgetary troubles.

The announcement followed a Cabinet decision for drastic cuts in the defense budget, totaling $2.3-billion for the period from 1968 to 1971.

Informed sources said that trimming the defense effort would result in the country's relinquishing offensive weapons systems, thus restricting West Germany's armed forces to a purely defensive role.

In addition to a sizable reduction in troop strength, the Cabinet also said it would have to cut down on armament purchases or stretch programs over several years. Manpower in the Bundeswehr, the West German armed forces, is expected to drop from the present 461,000 to about 400,000.

The new program probably will end West Germany's nuclear delivery systems, operational under American control. The main strike force consists of 700 F-104 Starfighters equipped for medium-range atomic delivery and a number of rocket units. West Germany has bought the majority of its more advanced weapon systems in the United States, and, to a lesser degree, in France and Britain. The new cuts will also sharply reduce armament purchases in the allied countries in the foreseeable future.

The defense cuts are part of an over-all austerity program worked out by the Cabinet in three unsual daylong sessions from Tuesday morning to last night.

This morning the Parliamentary parties and the public heard details of the plan designed to close a $2-billion yearly deficit that threatens to grow.

Apart from cuts expected to top $1.2-billion next year, the budget provides for substantial increases in taxation. The corporation tax is to go up by 3 per cent effective Jan. 1, 1968, with the income tax rising by the same percentage for all those who make more than $4,000 a year.

KIESINGER EXPLAINS PLANS

Announcing his plans at a news conference, Mr. Kiesinger said the gap in the budget was not the main factor in forcing him to seek a way of transforming the country's defense system.

"The general world situation and the development within the North Atlantic Treaty Organization force us to enter into a thorough reappraisal," he said.

Such evaluation, he added, "will seek to establish the proper place for the Bundeswehr in the framework of the present world situation."

The Chancellor said he planned to discuss the matter thoroughly with Defense Minister Gerhard Schröder, whose objections to defense cuts were reported to have been overruled by the Cabinet.

It was understood that the planned reorganization of the Bundeswehr required the approval of NATO since the West German forces are committed to the alliance. However, it could not be immediately ascertained when Bonn planned to seek consultations.

The austerity program and a four-year medium-term finance plan are expected to go into effect this fall after adoption by Parliament.

Approval appeared certain after the two powerful parties in the Government coalition, Mr. Kiesinger's Christian Democrats and the Social Democrats, approved the program today.

The Government plans to save $7.42-billion over the four years and gain additional revenue totaling $4.1-billion. Twin aims of the program the Chancellor said, are to bridge the deficit and at the same time revive the flagging economy.

In addition to the surcharge on corporation taxes, business will be hit by a new "added value tax" to be imposed on all processed goods. A whole range of tax reliefs is to go, mainly concessions for savings banks and credit institutes. * * *

[From the New York Times, July 12, 1967]

WEST GERMAN ARMY FACES BROAD REORGANIZATION—BUDGET CUTS INDICATE THAT FORCE WILL BE SMALL AND HAVE MORE INDEPENDENCE

(By David Binder)

BONN, July 11.—West Germany's Bundeswehr, the federal army, is facing a sweeping reorganization as a result of progressive budget cuts.

While the coalition Government of Chancellor Kurt Georg Kiesinger intends to maintain its commitments to the North Atlantic Treaty Organization, and has said so repeatedly, the implications of the cuts are that a small and more independent West German armed force will emerge.

This is the impression given by highly placed Bonn officials.

According to one authority close to Chancellor Kiesinger, the Bundeswehr faces two options under the proposed budget reduction of 2 billion marks ($500-million) next year.

The first option would be to maintain its present strength of about 456,000 troops, or eight divisions, and then to build up a ready reserve system similar to that of Israel.

In doing so, the source declared, the Bundeswehr would adopt Defense Secretary Robert S. McNamara's concept of an "early political warning" period of at least 10 days permitting step-by-step mobilization of reserves.

For the Bundeswehr this would mean spreading a system of permanent divisional cadres throughout the country that would form the nucleus of the reserves to be called up in case of an emergency. It would probably also bring about changes in the status of the so-called territorial or home guard reserves.

The general effect would be to place heavier emphasis on the Bundeswehr reserves while maintaining smaller active fighting units. A source described this as a form of "rotation within Germany" parallel to the "big lift" concept of troop rotation now being adopted by the Pentagon.

The second option, considered more likely here at this point in army circles and in the Ministry of Defense, is a reduction of the Bundeswehr to about 400,000 men.

The cuts would be undertaken not only to save money but also to keep the smaller force up to NATO standards for battle readiness.

EFFECT ON NUCLEAR ARMS

However, this alternative would force the Bundeswehr to alter its battle plans as well as the present disposition of its corps and reserves.

Both proposals would cause major changes in NATO's strategic planning for the defense of Western Europe. That is why the West Germans expect to spend many months going over the alternatives in consultations with the alliance and with their individual partners in it.

It is widely believed in West German military circles that the budget cuts will have a direct effect on Bundeswehr nuclear armament as well, with a shift away from medium-range weapons to shorter-range tactical weapons.

This, in turn, is expected to have an impact on the West German Air Force so that future stress will be on interceptors and ground-support aircraft rather than on longer-range strike planes. Nuclear weapons stationed in West Germany are under direct United States control.

The planned budget cuts were adopted last Friday by the federal Cabinet as part of a general trimming to meet a financial crisis, but no decision has yet been made on how this will affect the Bundeswehr.

The future of the armed forces is expected to be the subject of long discussions between defense planners, including Defense Minister Gerhard Schroeder and Chancellor Kiesinger.

THE ISSUE OF OFFSET COSTS

Equally important for West Germany's relations with its allies, however, is a secret agreement within the coalition Cabinet to stop paying offset costs for the stationing of American and British troops here.

According to a well-informed source, the Bonn Government intends to tell London and Washington that it simply cannot afford to go on making offset contributions. Bonn now spends the equivalent of 4.2 per cent of its gross national product on defense.

The offset payments were made in the past under three-power agreements to help stem the outflow of currency from Britain and the United States.

Asked what the Kiesinger Government proposed to do in place of offset payments, a senior official turned up the palms of both hands and said, "We do not know."

Despite the sharp confrontations with their allies implicit in these West German decisions, Bonn officials are dismissing initial criticism emanating from Washington as "exaggerated."

Mr. LONG of Louisiana. Mr. President, will the Senator from Montana yield for a question?

Mr. MANSFIELD. I yield.

Mr. LONG of Louisiana. Would the distinguished majority leader tell me, again for the record, how much the West Germans have decided to reduce their armed forces, in terms of the number of men?

Mr. MANSFIELD. Based on the statement issued by the German Cabinet, the number will be reduced by 40,000 to 60,000 men over the period 1968 to 1971.

Mr. LONG of Louisiana. Then, with them reducing theirs by 40,000 to 60,000, we are told that it would have a disastrous effect if we reduced ours by more than 30,000; is that correct?

Mr. MANSFIELD. Thirty-five thousand. It is really not a reduction but a rotation.

Mr. LONG of Louisiana. I thank the Senator.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that following the adjournment of the Senate until noon Monday, July 17, all committees of the Senate be permitted until noon, July 15, to file their reports, together with minority, individual, and supplemental views, if desired, and that the Vice President, the President pro tempore, or the Acting President pro tempore be permitted to sign duly enrolled bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION TO RECEIVE MESSAGES

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the adjournment, the Senate be allowed to receive messages from the President of the United States and the House of Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

POPULAR ELECTION OF THE GOVERNOR OF THE VIRGIN ISLANDS

Mr. BYRD of West Virginia. Mr. President, for the purpose of laying down the pending business for Monday next, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order No. 209, S. 450.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 450) to provide for the popular election of the Governor of the Virgin Islands, and for other purposes.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That, effective on the date of enactment of this Act, section 7(a) of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 500; 48 U.S.C. 1573(a)), as amended, is amended to read as follows:

"(a) Regular sessions of the legislature shall be held annually, commencing on the second Monday in January (unless the legislature shall by law fix a different date), and shall continue for such term as the legislature may provide. The Governor may call special sessions of the legislature at any time when in his opinion the public interest may require it. No legislation shall be considered at any special session other than that specified in the call therefor or in any special message by the Governor to the legislature while in such session. All sessions of the legislature shall be open to the public."

SEC. 2. Effective on the date of enactment of this Act, section 9, subsection (a) of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 501; 48 U.S.C. 1575(a)) is amended by deleting the first sentence and by substituting therefor the following: "The quorum of the legislature shall consist of eight of its members."

SEC. 3. Section 9, subsection (d), of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 501; 48 U.S.C. 1575(a)) is amended by deleting its sixth, seventh, eighth, ninth, and tenth sentences and by substituting therefor the following: "If, after such reconsideration, two-thirds of all the members of the legislature pass the bill, it shall be a law."

SEC. 4. Section 11 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 503; 48 U.S.C. 1591) is amended to read as follows:

"SEC. 11. The executive power of the Virgin Islands shall be vested in an executive officer whose official title shall be the 'Governor of the Virgin Islands'. The Governor of the Virgin Islands, together with the Lieutenant Governor, shall be elected by a majority of the votes cast by the people who are qualified to vote for the members of the legislature of the Virgin Islands. The Governor and Lieutenant Governor shall be chosen jointly, by the casting by each voter of a single vote applicable to both offices. If no candidates receive a majority of the votes cast in any election, on the fourteenth day thereafter a runoff election shall be held between the candidates for Governor and Lieutenant Governor receiving the highest and second highest number of votes cast. The first election for Governor and Lieutenant Governor shall be held on November 3, 1970. Thereafter, beginning with the year 1974, the Governor and Lieutenant Governor shall be elected every four years at the general election. The Governor and Lieutenant Governor shall hold office for a term of four years and until their successors are elected and qualified. No person who has been elected Governor for two full successive terms shall be again eligible to hold that office until one full term has intervened. The term of the elected Governor and Lieutenant Governor shall commence on the first Monday of January following the date of election.

"No person shall be eligible for election to the office of Governor or Lieutenant Governor unless he is able to read and write the English language, is and has been for five consecutive years immediately preceding the election a citizen of the United States and a bona fide resident of the Virgin Islands and will be, at the time of taking office, at least thirty years of age. The Governor shall maintain his official residence in the Government House on Saint Thomas during his incumbency, which house together with land appurtenant thereto is hereby transferred to the government of the Virgin Islands. While in Saint Croix the Governor may reside in Government House on Saint Croix free of rent.

"The Governor shall have general supervision and control of all the departments, bureaus, agencies, and other instrumentalities of the executive branch of the government of the Virgin Islands. He may grant pardons and reprieves and remit fines and forfeitures for offenses against local laws. He may veto any legislation as provided in this Act. He shall appoint, and may remove, all officers and employees of the executive branch of the government of the Virgin Islands, except as otherwise provided in this or any other Act of Congress, or under the laws of the Virgin Islands, and shall commission all officers that he may be authorized to appoint. He shall be responsible for the faithful execution of the laws of the Virgin Islands and the laws of the United States applicable in the Virgin Islands. Whenever it becomes necessary, in case of disaster, invasion, insurrection, or rebellion or imminent danger thereof, or to prevent or suppress lawless violence, he may summon the posse comitatus or call out the militia or request assistance of the senior military or naval commander of the Armed Forces of the United States in the Virgin Islands or Puerto Rico, which may be given at the discretion of such military commander if not disruptive of, or inconsistent with, his Federal responsibilities. He may, in case of rebellion or invasion or imminent danger thereof, when the public safety requires it, proclaim the islands, insofar as they are under the jurisdiction of the government of the Virgin Islands, to be under martial law. The members of the legislature shall meet forthwith on their own initiative and may, by a two-thirds vote, revoke such proclamation.

"The Governor shall make to the Secretary of the Interior under section 30 of this Act an annual report of the transactions of the government of the Virgin Islands for transmission to the Congress and such other reports at such other times as may be required by the Congress or under applicable Federal law. He shall have the power to issue executive orders and regulations not in conflict with any applicable law. He may recommend bills to the legislature and give expression to his views on any matter before that body.

"There is hereby established the office of Lieutenant Governor of the Virgin Islands. The Lieutenant Governor shall have such executive powers and perform such duties as may be assigned to him by the Governor or prescribed by this Act or under the laws of the Virgin Islands."

SEC. 5. Section 12 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 503; 48 U.S.C. 1593) is deleted and replaced by the following new provision, also designated section 12:

"SEC. 12. Any Governor of the Virgin Islands may be removed from office by the people registered to vote in the Virgin Islands if a majority of two-thirds of the persons registered to vote shall vote in favor of recall at a referendum election. A referendum election, for purposes of this section, shall be initiated by the legislature of the Virgin Islands following: (1) a two-thirds vote of the members of the legislature in favor of a referendum; or (2) a petition for referendum to the legislature by 25 per centum of the people registered to vote in the Virgin Islands."

SEC. 6. Effective on the date of enactment of this Act section 13 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 503; 48 U.S.C. 1594) is hereby repealed.

SEC. 7. (a) Section 14 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 504; 48 U.S.C. 1595), is amended to read as follows:

"SEC. 14. (a) In case of the temporary disability or temporary absence of the Governor, the Lieutenant Governor shall have the powers of the Governor.

"(b) In case of a permanent vacancy in the office of Governor, arising by reason of the death, resignation, removal by recall or permanent disability of the Governor, or the death, resignation, or permanent disability of a Governor-elect, or for any other reason, the Lieutenant Governor or Lieutenant Governor-elect shall become the Governor, to hold office for the unexpired term and until his successor shall have been duly elected and qualified at the next regular election for Governor.

"(c) In case of the temporary disability or temporary absence of the Lieutenant Governor, or during any period when the Lieutenant Governor is acting as Governor, the president of the legislature shall act as Lieutenant Governor.

"(d) In case of a permanent vacancy in the office of Lieutenant Governor, arising by reason of the death, resignation, or permanent disability of the Lieutenant Governor, or because the Lieutenant Governor or Lieutenant Governor-elect has succeeded to the office of Governor, the Governor shall appoint a new Lieutenant Governor, with the advice and consent of the legislature, to hold office for the unexpired term and until his successor shall have been duly elected and qualified at the next regular election for Lieutenant Governor.

"(e) In case of the temporary disability or temporary absence of both the Governor and the Lieutenant Governor, the powers of the Governor shall be exercised, as Acting Governor, by such person as the laws of the Virgin Islands may prescribe. In case of a permanent vacancy in the offices of both the Governor and Lieutenant Governor, the office of Governor shall be filled for the unexpired term in the manner prescribed by the laws of the Virgin Islands.

"(f) No additional compensation shall be paid to any person acting as Governor or Lieutenant Governor who does not also assume the office of Governor or Lieutenant Governor under the provisions of this Act."

(b) Section 15 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 504; 48 U.S..C. 1596), is repealed.

SEC. 8 Subsection (a) of section 16 of the Revised Organic Act of the Virgin Islands, as amended (68 Stat. 497, 504; 48 U.S.C. 1597(a)), is amended by deleting therefrom the last sentence.

SEC. 9. Effective on the date of the enactment of this Act, section 17 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 504; 48 U.S.C. 1959) is amended to read as follows:

"SEC. 17. (a) The Secretary of the Interior shall appoint in the Department of the Interior a government comptroller for the Virgin Islands who shall be under the general supervision of the Secretary of the Interior, shall not be a part of any executive department in the government of the Virgin Islands, and whose salary and expenses of office shall be paid by the United States from funds derived by transfer from the internal revenue collections appropriated for the Virgin Islands.

"(b) The government comptroller shall audit and settle all accounts and claims pertaining to the revenues and receipts from whatever source of the government of the Virgin Islands and of funds derived from bond issues; and he shall audit and settle, in acordance with law and administrative regulations, all expenditures of funds and property pertaining to the government of the Virgin Islands including those pertaining to trust funds held by the government of the Virgin Islands.

"(c) It shall be the duty of the government comptroller to bring to the attention of the Secretary of the Interior and the Governor of the Virgin Islands all failures to collect amounts due the government, and expenditures of funds or uses of property which are irregular, unnecessary, or not pursuant to law. The audit activities of the government comptroller shall be directed so as to (1) improve the efficiency and economy of programs of the government of the Virgin Islands and (2) discharge the responsibility incumbent upon the Congress to insure that the substantial Federal revenues which are covered into the treasury of the government of the Virgin Islands are properly accounted for and audited.

"(d) It shall be the duty of the government comptroller to certify to the Secretary of the Interior the net amount of government revenues which form the basis for Federal grants for the civil government of the Virgin Islands.

"(e) The decisions of the government comptroller shall be final except that appeal therefrom may, with the concurrence of the Governor, be taken by the party aggrieved or the head of the department concerned, within one year from the date of the decision, to the Secretary of the Interior, which appeal shall be in writing and shall specifically set forth the particular action of the government comptroller to which exception is taken, with the reasons and the authorities relied upon for reversing such decision.

"(f) If the Governor does not concur in the taking of an appeal to the Secretary, the party aggrieved may seek relief by suit in the District Court of the Virgin Islands if the claim is otherwise within its jurisdiction. No later than thirty days following the date of the decision of the Secretary of the Interior, the party aggrieved or the Governor, on behalf of the head of the department concerned, may seek relief by suit in the District Court of the Virgin Islands if the claim is otherwise within its jurisdiction.

"(g) The government comptroller is authorized to communicate directly with any person having claims before him for settlement, or with any department officer or person having official relation with his office. He may summon witnesses and administer oaths.

"(h) As soon after the close of each fiscal year as the accounts of said fiscal year may be examined and adjusted, the government comptroller shall submit to the Governor of the Virgin Islands and the Secretary of the Interior an annual report of the fiscal condition of the government, showing the receipts and disbursements of the various departments and agencies of the government. The Secretary of the Interior shall submit such report along with his comments and recommendations to the President of the Senate and the Speaker of the House of Representatives.

"(i) The government comptroller shall make such other reports as may be required by the Governor of the Virgin Islands, the Comptroller General of the United States, or the Secretary of the Interior.

"(j) The office and activities of the government comptroller of the Virgin Islands shall be subject to review by the Comptroller General of the United States, and reports thereon shall be made by him to the Governor, the Secretary of the Interior, and to the Congress.

"(k) All departments, agencies, and establishments shall furnish to the government comptroller such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the government comptroller, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department, agency, or establishment."

SEC. 10. Section 20 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 505; 48 U.S.C. 1598, 1641), as amended, is amended to read as follows:

"SEC. 20. The salaries and travel allowances of the Governor, Lieutenant Governor, the heads of the executive departments, other officers and employees of the government of the Virgin Islands and the members of the legislature, shall be paid by the government of the Virgin Islands at rates prescribed by the laws of the Virgin Islands."

SEC. 11. Effective on the date of enactment of this Act, section 3 of the Revised Organic Act of the Virgin Islands (68 Stat. 497; 48 U.S.C. 1561) is amended by adding at the end thereof the following new paragraph:

"The provisions of clause 1 of section 2 of article IV and section 1 of amendment XIV of the Constitution of the United States shall have the same force and effect within the unincorporated territory of the Virgin Islands as in the United States or in any State of the United States."

SEC. 12. Effective on the date of enactment of this Act, chapter 15 of the General Military Law (70A Stat. 15, 16; 10 U.S.C., 331–334) is amended by adding at the end thereof the following new section 336:

"SEC. 336. For the purposes of this chapter, 'State' includes the unincorporated territory of the Virgin Islands."

SEC. 13. Section 2 of the Revised Organic Act of the Virgin Islands (68 Stat. 497; 48 U.S.C. 1541) is amended by adding at the end thereof the following new subsection (c):

"(c) The relations between such government and the Federal Government in all matters not the program responsibility of another Federal department or agency shall be under the general administrative supervision of the Secretary of the Interior."

SEC. 14. Effective on the date of enactment of this Act, section 19 of the Revised Organic Act of the Virgin Islands (68 Stat. 505; 48 U.S.C. 1632) is hereby repealed.

SEC. 15. Those provisions necessary to authorize the holding of an election for Governor and Lieutenant Governor on November 3, 1970, shall be effective on January 1, 1970. All other provisions of this Act, unless otherwise expressly provided herein, shall be effective January 4, 1971.

SEC. 16. This Act may be cited as the "Virgin Islands Elective Governor Act".

ADJOURNMENT TO MONDAY

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 7 o'clock and 35 minutes p.m.) the Senate adjourned until Monday, July 17, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 13, 1967:

ASSISTANT POSTMASTER GENERAL

John L. O'Marra, of Oklahoma, to be an Assistant Postmaster General, vice Tyler Abell.

POSTMASTERS

ALABAMA

The following-named persons to be postmasters:

William W. Wright, University, Ala., in place of C. B. Lampkin, Jr., retired.

CALIFORNIA

Charles R. Harper, Napa, Calif., in place of M. C. Friel, transferred.

FLORIDA

Wyman Coarsey, Cortez, Fla., in place of H. F. Swathwood, retired.

Thomas G. Moon, Sr., Oviedo, Fla., in place of J. E. Courier, Jr., deceased.

James B. Ball, Quincy, Fla., in place of J. H. Cox, retired.

GEORGIA

William R. Mathews, Columbus, Ga., in place of R. L. Wall, retired.

Frances C. Clayton, Waco, Ga., in place of W. C. Lively, retired.

INDIANA

Donald F. Reidy, Medaryville, Ind., in place of D. P. Guild, retired.

James R. Kirkwood, Summitville, Ind., in place of J. E. Brewer, deceased.

LOUISIANA

William I. Strecker, Slidell, La., in place of W. A. Bulcao, retired.

MINNESOTA

Roger D. Miller, Belview, Minn., in place of A. H. Johnson, retired.

Gerald A. Schuldt, Clear Lake, Minn., in place of R. B. Dingmann, transferred.

Marlowe J. Moehnke, Eyota, Minn., in place of E. L. Hansen, retired.

NORTH CAROLINA

Wade M. Hobson, East Bend, N.C., in place of E. M. Martin, retired.

OKLAHOMA

Eldria L. Johnson, Boley, Okla., in place of E. A. Moore, deceased.

SOUTH CAROLINA

Betty A. Austin, Startex, S.C., in place of H. S. West, retired.

WASHINGTON

Roy A. Betlach, Spokane, Wash., in place of J. L. Maloney, retired.

WEST VIRGINIA

Ruth E. Foy, Montcalm, W. Va., in place of C. L. Hardy, retired.

Herman V. Walker, Morgantown, W. Va., in place of D. L. Jamison, deceased.

WISCONSIN

Donna E. Spaeth, Downsville, Wis., in place of A. M. Warren, retired.

IN THE MARINE CORPS

The following named (staff noncommissioned officers) for temporary appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Bell, James E.
Bright, Robert, III
Dinota, Dennis T.
Dover, George R.
Finton, Patrick D.
McGinty, John J.
Melton, William R.
Roy, James E.
Willson, Thomas D.

CONFIRMATION

Executive nomination confirmed by the Senate July 13, 1967:

SMALL BUSINESS ADMINISTRATION

Robert C. Moot, of Virginia, to be Administrator of the Small Business Administration.

EXTENSIONS OF REMARKS

Dr. Carl Hansen

EXTENSION OF REMARKS
OF
HON. JOEL T. BROYHILL
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 13, 1967

Mr. BROYHILL of Virginia. Mr. Speaker, the high priests of local education in this Nation today are the Federal bureaucrats and robed justices who sit amidst the political splendor of their offices and issue edicts to our educators, nosecounters to our classrooms, and bus schedules to our pupils. It is a sorry state of affairs.

It became sorrier when Dr. Carl Hansen resigned as superintendent of schools in the Nation's Capital. Dr. Hansen is a victim of this meddlesome intervention in education.

Dr. Hansen has no peer as an innovator in education, a man of principle in local control of schools, and as a realist in the relations of education and government.

He mastered the school system of Washington, D.C., and set an example of conduct for school superintendents across the Nation in the process. We who respect and honor him are the least of the victims of his departure from this school system. The children will suffer most from the forces of villification and slander who engineered his departure.

I respect Dr. Hansen as a man, as an educator, and for the enemies of his efforts. He is right and they are wrong. Time will verify his excellence. Let it also bring him the recognition and success he deserves. He worked with the best in combating the worst. It is my hope he will continue to do so for the sake of local school systems everywhere.

Antiriot Legislation

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 13, 1967

Mr. BERRY. Mr. Speaker, the ever-increasing number of civil disorders which are obviously being incited by a few professionals makes prompt enactment of this antirioting legislation a must.

The mechanics of the bill would simply give local law enforcement authorities an additional and badly needed weapon in coping with these professionals who travel from area to area only to cause civil disturbances, riots, and violence. Their actions are a mockery to the due process and legal foundations upon which the rights of all are based. Anarchy of this type cannot be permitted in a civilized nation.

Salute to the Ladies Auxiliary of the Veterans of Foreign Wars, Post 2323, Granada Hills, Calif.

EXTENSION OF REMARKS
OF
HON. JAMES C. CORMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 13, 1967

Mr. CORMAN. Mr. Speaker, the Ladies Auxiliary of the Veterans of Foreign Wars, Post 2323, has made its mark in the community of Granada Hills and the San Fernando Valley, Calif., as an outstanding, dedicated, and devoted women's service organization.

The ladies auxiliary, instituted on March 25, 1955, has consistently proved its loyalty to the veterans whose name the organization bears. Its motto—"To Keep Faith With Our Dead by Serving the Living"—has been repeatedly proven through service not only to living veterans, but to wives, widows, and orphans needing care and attention.

Auxiliary activities include work in the Sepulveda, Calif., Veterans' Hospital, cancer aid and research, civil defense, VFW National Home Assistance, youth activities, USO, and a dedication to the values of community service and rehabilitation.

The ladies auxiliary has raised funds for these worthy causes through annual

Buddy Poppy sales during the Memorial Day holiday, auxiliary dinners, dances, fashion shows and other regular functions scheduled throughout the years.

In every way possible the women of the auxiliary have surpassed the pledge laid down in their constitution:

> The objects of this organization shall be fraternal, patriotic, historical and educational; to assist the Post and members thereof of the VFW and its own members whenever possible; to maintain true allegiance to the Government of the United States of America.

The loyalty of the auxiliary ladies to these objectives has won them a number of awards for community service and a recognition from all levels of Government. On a recent occasion, I had the honor to present the auxiliary with a flag that had been flown over the Capitol of the United States. This was a singular pleasure and privilege.

Under the leadership of Fern Flanagan, the auxiliary's president for this past year, the organization has completed a year of exceptional service to the community, the city of Los Angeles and the State of California.

Mrs. Flanagan has recently inaugurated an historical, educational, and patriotic program for the community, by requesting photographs of living wives of the Presidents of the United States, dedicated to the auxiliary. The post home proudly displays photographs of Mrs. John F. Kennedy, Mrs. Dwight D. Eisenhower, and Mrs. Lyndon B. Johnson.

I extend to the officers and members of the Ladies Auxiliary of the VFW Post 2323 my best wishes for continued success.

Congressman Horton Praises Damascus Temple, A.A.O.N.M.S.

EXTENSION OF REMARKS
OF

HON. FRANK HORTON

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 13, 1967

Mr. HORTON. Mr. Speaker, as my colleagues are surely aware, Washington is the host city this week to the 93d Imperial Council of the Ancient Arabic Order, Nobles of the Mystic Shrine, and to tens of thousands of Shriners.

On Wednesday of this week, it was my pleasure to present a flag which had flown over the Capitol to 3 members of the Color Guard of Damascus Temple, A.A.O.N.M.S. of Rochester, N.Y., the Temple to which, I am proud to say, I belong.

The members of the Damascus Temple color guard who received the flag were Nobles William D. Staples, Randall G. Beachner, and Robert J. Gabel.

They are three of the more than 400 Damascus Temple Shriners who are on the pilgrimage to the national convention.

Damascus Temple is the second oldest temple in the Shrine jurisdiction. Its charter is dated 1875.

Because of its seniority, Damascus Temple will be one of the first units whose colorful band and Shriners will thrill and delight the many thousands of people who will watch tonight's parade up Pennsylvania Avenue.

Damascus Temple this year is under the able leadership of Potentate Clayton F. Kaul.

Potentate Kaul is assisted by these elected members of the Divan—

Chief Rabban Barton S. Horner.

Assistant Rabban James B. Scobell.

High Priest and Prophet Robert L. Anderson.

Oriental Guide Leonard Parker.

Other Shriners who head units in Damascus Temple, and who are on the pilgrimage to Washington, are—

Patrol Captain William J. Cox.

Legion of Honor Captain Le Roy Wilson.

Band Director John W. Cummings.

President of Director's Staff Douglas McLean.

Director of Director's Staff Ralph I. Oatman.

Director of Musical Unit Charles B. Benedict.

Horse Patrol President Leland Pflanz.

Horse Patrol Captain Theodore Hamilton.

Color Guard Captain Karl Lemperle.

Patrol President Charles Jack.

Chanters President Anton Hanson.

Shrine activities which the public is seeing this week highlighted by the parades, emphasize high spirits, good fellowship, and enjoyment of life. I can attest to the enjoyable aspects of being a Shriner.

But the public is not as aware of the serious aspects of Shrine activities.

The 3,500 members of Damascus Temple in Rochester, for example, are deeply involved in the operation of two Shrine Hospitals for Crippled Children. One is located in Springfield, Mass.; the other in Erie, Pa.

Mr. Speaker, I am proud to draw the attention of my colleagues to the worthy activities of the Shrine, and of Damascus Temple of Rochester, N.Y.

President Johnson Deserves Commendation for Taking Steps To Prevent a "Torrey Canyon" Disaster in the United States

EXTENSION OF REMARKS
OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 13, 1967

Mr. PUCINSKI. Mr. Speaker, my attention has been called to an Executive Order issued by President Johnson on May 26 ordering all agencies of Government to prepare for him within the next 90 days a report on how this Nation can avoid the kind of havoc that was wreaked on the English coast last year when the oil tanker *Torrey Canyon* cracked up and spilled millions of gallons of oil into the sea.

I believe President Johnson deserves the highest commendation of the American people. Here is a man beset with the heaviest of responsibilities in trying to bring victory to Vietnam and the myriad domestic problems. Yet, the President has the foresight to concern himself personally with the possibility of a major oil spill in the United States.

I believe the President's Executive order gives us a measure of his broad knowledge and deep concern for the people of our nation.

The President's directive was sent to the Secretary of Interior and the Secretary of Transportation. It cited the oil spill off the coast of England and also the oil slick off Cape Cod, which created serious problems along beaches on the east coast. The President's directive states that both agencies take prompt action to mobilize resources within the United States to avoid the consequences of a possible major oil spill within our area.

The directive also stresses the seriousness of the problem and directs both the Secretary of Interior and the Secretary of Transportation to report to the President within 90 days of the emergency plans they have established to deal with this type of a disaster. The directive further states that emergency procedures should not be limited to oil spillage alone, but should include recommendations to deal effectively with all other forms of major pollutants in the waterways.

In effect, Mr. Speaker, the President, through his directive, said "go" to all the agencies of Government to develop a crash program for dealing with major water pollution.

I am particularly grateful to the President because the people of Chicago rely entirely on the extent of an adequate supply of fresh water from Lake Michigan.

I am advised by Capt. John Natwig, who is captain of the port for the U.S. Coast Guard in Chicago, that a major oil spill in the Chicago area could seriously impair our availability of water for both human and industrial consumption. Captain Natwig, working in group association with the Corps of Engineers and all city agencies in Chicago, is now making a report consistent with the President's directive to see how the Chicago area would deal with a major disaster similar to the *Torrey Canyon* disaster.

A survey is now underway to see what equipment is available in the Chicago area and similar studies have been undertaken throughout the country.

The information assembled thus far shows that we have only very limited facilities to deal with a major oil spill. In Chicago, private industry dealing with the shipping of petroleum has some facilities to cope with this problem and the Chicago Fire Department has indicated it can deal with a small oil spill; but our ability to deal with a major oil spill is extremely limited and could create serious havoc.

While a major oil spill would confine itself primarily to the surface waters of Lake Michigan, the danger to a city like Chicago comes in the effort to remove the oil slick. Chemical facilities which are now used to deal with the problem would cause the oil to sink below surface level and it is this chemically treated oil that could create problems at the intake of our water cribs which pump water from Lake Michigan to the city.

A corollary problem in trying to deal with a major oil spill is that detergents used to break down the oil particles also kill fish in the lake. These dead fish cause a serious problem as they clog the crib intakes.

Private industry has not as yet found chemicals that can successfully dissolve a massive oil spill without some of the cited efforts mentioned heretofore.

We in the Great Lakes ship oil, particularly petroleum, all winter long so that this is a problem that can confront us throughout the year. Part of the study now underway includes density of traffic and establishment of procedures which would reduce the probability of a major oil spill to an absolute minimum.

Mr. Speaker, in a world troubled with major military conflicts, we Americans sometimes tend to overlook the fact that nature itself can play havoc with our existence. I must say that it is a source of great comfort to me to know that our President has taken time to order the proper agencies of Government to plan sufficiently ahead in an effort to avoid a possible future disaster.

This may not seem like an important problem when placed with all the other problems confronting our Nation; but actually the denial of fresh water to a large community such as Chicago for any length of time could have disastrous results.

We in Chicago have been comfortably sitting back smug in the feeling that because we have Lake Michigan in our front yard we shall never experience any great problem with water. The *Torrey Canyon* disaster demonstrates how wrong such smugness can be.

I shall await the report to the President with great interest and I am sure that all Americans are grateful to the President for initiating this important action.

The problem we now are experiencing with alewives gives us an indication of what problems can develop in the Great Lakes. I am certain that we could be faced with disaster if our large oil tankers should break up near Chicago and disrupt our normal flow of fresh water. That is why I believe we cannot wait any longer in developing emergency measures to deal with this possible eventuality. It will obviously require tremendous ingenuity to develop adequate remedies. The *Torrey Canyon* disaster has shown us how difficult it is to deal with this problem.

Congressman James H. Quillen Reports on His 1967 Questionnaire

EXTENSION OF REMARKS

OF

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 1967

Mr. QUILLEN. Mr. Speaker, I believe that my colleagues and the readers of the RECORD will find most interesting the results of my 1967 questionnaire, which I recently sent to all boxholders in my district.

Under unanimous consent I insert at this point in the RECORD the report on my questionnaire which was mailed last month to all who responded:

DEAR FRIENDS: This Report from Washington is devoted to the results of my 1967 Questionnaire.

I received many favorable comments on the IBM type of questionnaire I used this year, and I am real pleased with the results. More than 22,100 returns were received from over 154,000—or about 15 per cent—of those mailed out.

Residents of the First District again strongly favored making an all out effort to win the war in Viet Nam. The great majority (76.1%) expressed this desire, while far behind were 14.3 per cent who want to end the war at any cost in prestige and money and the 9.6 per cent who felt that the present course of the war should be continued.

The people called for action by the Federal Government in the areas of water and air pollution. They also showed overwhelming approval of an eight per cent increase in Social Security benefits without raising the Social Security taxes, and they expressed strong support for Federal legislation to assist police and law enforcement agencies in combating crime.

Many of the answers to the questions showed that the people of the First District are quite evenly divided in their thinking on the important issues that are now facing our Nation. Reactions on the program to put a man on the moon evidenced less than four per cent more in opposition to the program than in favor of it. Almost even opinion was expressed on combining the Department of Commerce and the Department of Labor into a single Department of Business and Labor—four per cent more opposed this merger than favored it.

Two areas in which approval ran from 35 to 40 per cent over opposition were in reference to ending the war on poverty and enacting legislation to prevent the President from expanding U.S. trade with the USSR and her satellites.

Our farmers and others expressed the opinion that our present farm programs are not achieving their purpose of maintaining farmers' income at adequate levels. Although in this category, and in the area of merging the cabinet positions of Commerce and Labor, the percentage of undecided vote was the highest by a fairly large degree.

I am sure that the large percentage of those who favor changes in our present draft laws is well in keeping with the national feelings, as I believe many of the questionnaire returns are. More than 23 per cent more favored amending the draft laws than those who would prefer that they remain the same.

Finally, on the question of the need for stricter laws regulating the right to buy and own a gun, the majority opinion ran nine per cent ahead in favor of such laws.

The following is a complete breakdown of the overall District returns.

Overall district results

[In percent]

	Yes	No	Undecided
1. Do you favor Federal laws enacted to assist police and other law enforcement agencies in combating crime	74.4	17.5	8.1
2. Should Congress enact legislation to prevent the President from expanding U.S. trade with the U.S.S.R. and her satellites	60.2	25.7	14.1
3. Should we continue our program to put a man on the moon	41.4	45.8	12.8
4. Do you favor an end to the war on poverty	64.1	25.3	10.6
5. Do you favor changes in our present draft laws	53.3	29.8	16.9
6. Should the Federal Government take further steps to prevent water and air pollution	84.2	7.2	8.6
7. Are our present farm programs achieving their purpose of maintaining farmers' income at adequate levels	14.2	59.4	26.4
8. Do you favor the proposal to merge the Department of Commerce and the Department of Labor into a single Department of Business and Labor	31.6	35.8	32.6
9. Do we need stricter laws regulating the right to buy or own a gun	50.8	41.7	7.5
10. Should we—			
(a) End the war in Vietnam at any cost in prestige and money	14.3		
(b) Continue to follow our present course in the war	9.6		
(c) Make an all-out effort to win the war	76.1		
11. Do you favor increased social security benefits—			
(a) Of 8 percent without an increase in social security taxes	74.0		
(b) Of 15–20 percent with an increase in social security taxes	26.0		

This year I was happy that some of the institutions of higher learning in the District requested to participate in my questionnaire, and I was extremely gratified by the response. I think a comparison of these returns to those of the overall District will be of interest to all.

The students in our university and colleges leaned in opposite directions on the questions of putting a man on the moon, expanding trade with Russia and her satellites, and ending the war on poverty. However, on many of the questions in which they were in agreement with the overall District opinion, they were more strongly in favor or more strongly in opposition to the proposals. Their approval ran as high as ten per cent above the overall results on the question of Federal laws to assist police and other law enforcement agencies in combating crime and on Federal action to prevent water and air pollution.

Up to thirteen per cent more of the college students favored changes in the draft laws and as much as 17 per cent more favored stricter laws in regard to buying and owning a gun.

The percentage of students disapproving of the farm programs and in favor of an eight per cent increase in Social Security without an increase in taxes was below the overall figures. Only on the questions of combining the Departments of Commerce and Labor and on the war in Viet Nam were the college and overall figures quite close.

Here are the individual results of the colleges and university—Carson-Newman, East Tennessee State University, Milligan, and Tusculum.

University and colleges results

[In percent]

	Yes	No	Undecided
1. Do you favor Federal laws enacted to assist police and other law enforcement agencies in combating crime?	84.7	8.8	6.5 (Carson-Newman).
	79.2	12.2	8.6 (ETSU).
	75.5	13.8	10.7 (Milligan).
	80.5	7.9	11.6 (Tusculum).
2. Should Congress enact legislation to prevent the President from expanding U.S. trade with the U.S.S.R. and her satellites?	34.7	37.2	28.1 (Carson-Newman).
	24.1	57.3	18.6 (ETSU).
	33.7	41.4	24.9 (Milligan).
	28.0	47.1	24.9 (Tusculum).
3. Should we continue our program to put a man on the moon?	79.9	10.5	9.6 (Carson-Newman).
	82.7	10.0	7.3 (ETSU).
	74.1	13.3	12.6 (Milligan).
	83.1	11.1	5.8 (Tusculum).
4. Do you favor an end to the war on poverty?	40.2	45.1	14.7 (Carson-Newman).
	36.4	51.4	12.2 (ETSU).
	40.6	40.0	19.4 (Milligan).
	28.7	59.7	11.6 (Tusculum).
5. Do you favor changes in our present draft laws?	63.2	25.7	11.1 (Carson-Newman).
	63.2	27.1	9.7 (ETSU).
	61.4	25.3	13.3 (Milligan).
	62.8	19.7	17.5 (Tusculum).
6. Should the Federal Government take further steps to prevent water and air pollution?	94.6	2.3	3.1 (Carson-Newman).
	94.3	2.9	2.8 (ETSU).
	82.1	9.3	8.6 (Milliagn).
	92.2	2.6	5.2 (Tusculum)
7. Are our present farm programs achieving their purpose of maintaining farmers' income at adequate levels?	7.6	48.8	43.6 (Carson-Newman).
	7.9	57.3	34.8 (ETSU).
	8.9	44.2	46.9 (Milligan).
	11.7	42.8	45.5 (Tusculum).
8. Do you favor the proposal to merge the Department of Commerce and the Department of Labor into a single Department of Business and Labor?	34.4	23.7	41.9 (Carson-Newman).
	29.7	33.3	37.0 (ETSU).
	22.8	28.9	48.3 (Milligan).
	28.1	32.8	39.1 (Tusculum).
9. Do we need stricter laws regulating the right to buy or own a gun?	60.1	31.0	8.9 (Carson-Newman).
	51.9	40.2	7.9 (ETSU).
	59.4	27.2	13.4 (Milligan).
	67.8	23.8	8.4 (Tusculum).
10. Should we—	11.3		Carson-Newman.[1]
(a) End the war in Vietnam at any cost in prestige and money	14.6		ETSU.[1]
	14.3		Milligan.[1]
	22.8		Tusculum.[1]
(b) Continue to follow our present course in the war	15.8		Carson-Newman.[1]
	18.3		ETSU.[1]
	13.3		Milligan.[1]
	15.9		Tusculum.[1]
(c) Make an all-out effort to win the war	72.9		Carson-Newman.[1]
	67.1		ETSU.[1]
	72.4		Milligan.[1]
	61.3		Tusculum.[1]
11. Do you favor increased social security benefits—	80.5		Carson-Newman.[1]
(a) Of 8 percent without an increase in social security taxes	79.3		ETSU.[1]
	89.8		Milligan.[1]
	79.9		Tusculum.[1]
(b) Of 15–20 percent with an increase in social security taxes	19.5		Carson-Newman.[1]
	20.7		ETSU.[1]
	10.2		Milligan.[1]
	20.1		Tusculum.[1]

[1] Not applicable.

I am most grateful to each and every one who extended his views to me by returning my questionnaire, and I also appreciate very much the hundreds of letters that I received in which many clarified and expanded their views on the questionnaire's propositions, as well as on many of the other vitally important issues that are now before the Congress or that will be in the near future. It is most helpful to me to have this information as a guideline. The views expressed in the questionnaire follow closely the letters that I have received in the past months on these issues.

I always make it a point to consider first and foremost the thinking of the people in my District. However, sometimes bills are greatly transformed by the time they reach the final voting stage; therefore, I must then in the light of the bill's final form do what I feel is best for the District and the Nation.

It is true that an informed public is the best safeguard of democracy, and it is my deepest hope that our people will continue to take such a concerned interest in the affairs of our national government. Please never hesitate to let me know your thinking on any of the issues, no matter how small or large they may seem to you. Your views are of great assistance to me.

Again, I thank all of you for your cooperation in participating in my 1967 Questionnaire, and I look forward to hearing from you on other programs and issues.

Sincerely,

JAMES H. QUILLEN.

OEO Responds to Genuine Needs of the Poor

EXTENSION OF REMARKS

OF

HON. DANIEL E. BUTTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 1967

Mr. BUTTON. Mr. Speaker, in the face of considerable vocal political opposition last month, the Office of Economic Opportunity announced a $400,000 grant to the Southwest Alabama Farmers' Cooperative Association, a 10-county cooperative in one of America's most depressed rural areas.

As was expected, Mrs. Wallace vetoed the grant. Recently, Mr. Shriver, using the authority vested in the Economic Opportunity Act of 1964, after a further detailed investigation of the whole proposal, found the grant to be "fully consistent with the provisions and in furtherance of the purposes of the (act)."

I applaud Mr. Shriver and the OEO for displaying the kind of leadership and innovative responsibility that others often shun. Once again, Mr. Speaker, the OEO is responding to the urgent needs of people so poor that they are, in a very real and tragic sense, the "untouchables" of American society.

Approximately 96 percent of the present members of SWAFCA are poor. Many members have incomes below $1,000 a year. The vast majority have incomes so low that the Farmers Home Administration cannot consider making them loans.

All of the present and potential members of SWAFCA are faced with technological changes in agriculture, falling prices, and reduced Federal allotments that make their survival on the land precarious at the very best. Many have already been forced to leave the only environment they know and can cope with and to forfeit their only source of saving and capital, pitifully small though that source may be. In approving this grant, OEO has recognized the need to act quickly before many more inevitably follow, cast adrift into city slums. Members of SWAFCA have already identified 300 families who are at the point of being forced off their land.

Mr. Speaker, the OEO has been meticulous in its processing of this grant. In not the slightest sense is it an impulsive giveaway. The SWAFCA proposal was submitted to the OEO 5 months ago and received intensive profesisonal evaluation and development. The program will not duplicate existing services. On the contrary, the Department of Agriculture has indicated that it simply does not have sufficient resources to undertake a project of this magnitude and complexity but has pledged to the program its support and assistance in every way possible.

The proposed budget has been gone over with a fine-tooth comb and pared, line by line, by a little over $100,000 from the original request.

Because of local personal attacks on the backgrounds of certain members of SWAFCA's board of directors, the backgrounds of all board members have been checked. No subversive or objectionable information has been discovered by any of these checks.

Finally, although the membership of SWAFCA will undoubtedly be predominantly Negro, a special condition to the grant specifies that low-income white farmers will be eligible to become members and to participate fully in SWAFCA's activities.

It is commendable, Mr. Speaker, that OEO went to such great lengths in taking these precautions. But it is vital that the needs of people like the farmers in SWAFCA receive imaginative and comprehensive support. This poverty has implications which extend far beyond the confines of the 10 black belt Alabama counties. Mr. Speaker, OEO's willingness to come to grips with these implications has been dramatically shown by the approval of the SWAFCA grant, addressing itself to fundamental issues that are vital to the development of genuine economic opportunities for the poor.

Kiwanis International Trustee

EXTENSION OF REMARKS

OF

HON. JOHN C. WATTS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 1967

Mr. WATTS. Mr. Speaker, I should like to call attention to one of Kentucky's outstanding and dynamic sons—Ted R. Osborn—who has recently been elected for a 2-year term as a Kiwanis International trustee. Mr. Osborn has been a Kiwanian for 13 years, belonging to the Blue Grass Kiwanis Club in Lexington, Ky. At the moment he is both the chairman of the committee on programs for his club and secretary for his district. In the past Mr. Osborn served as president in 1958 for his club; director and chairman of the committee on key clubs. While for his district, he served as lieutenant governor, governor, secretary from August 1964, and chairman of committees on achievement; golden anniversary—2 years; new club building; and past district governors. In the Kiwanis International he was both chairman and member of the committee on attendance and membership.

By profession, Mr. Osborn is a land developer and president of the American Businessmen's Life Insurance Co. His training and education was received at Transylvania College, in Lexington, where he received his A.B. degree.

At the age of 40, Mr. Osborn and his wife, Della, have four children—Zan, 12; Ted, 10; Holly, 5; and Lee Adams, 1. While not only as a busy father, Mr. Osborn is a very active participant in civil affairs.

Throughout the years, he has served both city and State widely. For the city of Lexington he has acted as chairman of the city, county civil defense and chairman of the airport zoning board of appeals. For his State of Kentucky Mr. Osborn has served in dedication two vice chairman of the State Commission terms in Kentucky Legislature and as on higher education. He has also been past president for the Lexington Sub-Dividers Association.

While some may wonder where such time may be found, Mr. Osborn's activities certainly do not stop here. As a member of various other clubs and organizations he has also participated very actively in all of them as well. Such are: President of the Lexington Junior Achievement; member of the national junior achievement board; regional board member of the Boy Scouts; vice president of the YMCA; president of the Community Recreation Association; president of the President's Civic Roundtable; president of the West End Foundation, which is active in the promotion of free school lunches; past county chairman of the United Community Fund; past State chairman of the Easter Seals campaign; past president of the Transylvania College National Alumni Association; past president of Y Men's Club; and past board member of Big Brother's.

There is little need to ask what benefit and service Mr. Osborn can be to the Kiwanis International trustee. It can easily be seen that his sound and stable judgment gathered through many years of work and dedication will be of great avail to anyone's interests that he might serve—and especially to that of the Kiwanis Club. Genial and versatile, Mr. Osborn again will prove his ability as an able organizer and inspiring leader as a member on the international board of trustees.

SENATE

MONDAY, JULY 17, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of life and light, whose love is unfailing and in whose mercy there is a wideness like the wideness of the sea.

At this wayside shrine of prayer set up so long ago by those who launched our ship of state and hallowed across the long years, we lift up our souls unto thee.

We come unto our Father's God
  Their rock is our salvation
The eternal arms their dear abode
  We make our habitation
We seek Thee as Thy saints have sought
  In every generation.

In this forum of deliberation and debate, amid the din and clash of differing opinions, may we here unite in keeping always a constant sense of the eternal which will save us from spiritual decay, from moral cowardice, and from any betrayal of the highest public good.

In the Redeemer's name. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 10595) to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 10595) to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities, was read twice by its title and referred to the Committee on Banking and Currency.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. McCLELLAN, from the Committee on the Judiciary:

Simon F. McHugh, Jr., of the District of Columbia, to be a member of the Subversive Activities Control Board.

By Mr. JACKSON, from the Committee on Interior and Insular Affairs:

David Statler Black, of Washington, to be Under Secretary of the Interior.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 13, 1967, was dispensed with.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

REQUEST FOR SUBCOMMITTEE TO MEET DURING SENATE SESSION

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Subcommittee on Merchant Marine and Fisheries of the Committee on Commerce be permitted to meet during the session of the Senate today.

Mr. **DIRKSEN**. Mr. President, reserving the right to object, in view of the nature of the business that will come before the Senate this afternoon, it occurs to me that all Senators should be present; and, reluctant as I am to object, I must and I do object.

Mr. **MANSFIELD**. Mr. President, I join the minority leader in that respect. There will be no allowances made for any committees to meet after the conclusion of morning business today.

THE CALENDAR

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 382 and the succeeding measures in sequence.

The **PRESIDING OFFICER** (Mr. HARTKE in the chair). Without objection, it is so ordered.

AMENDMENT OF THE FEDERAL VOTING ASSISTANCE ACT OF 1955

The Senate proceeded to consider the bill (S. 1581) to amend the Federal Voting Assistance Act of 1955 which had been reported from the Committee on Rules and Administration with an amendment on page 4, after the sixth line following line 2 to insert: "For those assigned elsewhere:". So as to make the bill read:

S. 1581

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Voting Assistance Act of 1955 (69 Stat. 584) is amended as follows:

(1) Clause (10) of section 102 is amended to read as follows:

"(10) for the purposes of this Act, authorize oaths required by State law to be administered and attested by any commissioned officer in the active service of the Armed Forces, any member of the merchant marine of the United States designated for this purpose by the Secretary of Commerce, the head of any department or agency of the United States, any civilian official empowered by State or Federal law to administer oaths, or any civilian employee designated by the head of any department or agency of the United States."

(2) The following new section is inserted after section 103:

"SEC. 104. It is recommended that each of the several States permit any person covered by section 101(1) of this Act who is otherwise fully qualified to register and vote in the State to acquire legal residence in that State, notwithstanding his residence on a military installation, and to register and vote in local, State, and national elections."

(3) Clauses (1) and (2) of section 203 are amended to read as follows:

"(1) The Secretary of Defense to designate a day in the latter part of September before any general election in November as 'Armed Forces Voters Day' and to insure that every component of the Department of Defense exerts every effort to make that day a success;

"(2) the Administrator of General Services to cause to be printed and distributed post cards for use in accordance with the provisions of this Act. Such post cards shall be delivered by the department or agency concerned to persons to whom this Act is applicable for use at any general election at which electors for President and Vice President or Senators and Representatives are to be voted for. For use in such elections, post cards shall be in the hands of the persons concerned not later than August 15 before the election if they are outside the territorial limits of the United States and not later than September 15 before the election if they are inside the territorial limits of the United States. To the extent practicable and compatible with other operations, post cards shall also be made available at appropriate times to such persons for use in other general, primary, and special elections; and".

(4) Clause (b) of section 204 is amended by amending item (5) of the Federal post card application to read as follows:

"(5) For ---- years preceding the above election my home (not military) residence in the above State has been ---------------------------------- in the county or parish of
(Street and number or rural route, etc.)
-------------------------. The voting precinct or election district for this residence is -----------------------------."
(Enter if known)

(5) Clause (b) of section 204 is amended by amending item (7) of the Federal post card ballot to read as follows:

"(7) Mail my ballot to the following official address:
For those assigned in the U.S.:

(Unit (Co., Sq., Trp., Bn., etc.), Govt. Agency, or Office)

(Military Base, Station, Camp, Fort, Ship, Airfield, etc.)

For those assigned elsewhere:
--"
(APO or FPO number)

(6) Clause (c) of section 204 is amended to read as follows:

"(c) Upon the other side of the card there shall be printed in red type the following:

FILL OUT BOTH SIDES OF THE CARD

FREE of U.S. Postage
Including Air Mail

Official
Mailing
Address

OFFICIAL ELECTION BALLOTING MATERIAL—VIA AIR MAIL

To: --------------------------------------
(Title of Election Official)

(County or Township)

(City or Town, State)

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 397), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

REPORT OF THE SUBCOMMITTEE ON PRIVILEGES AND ELECTIONS ON S. 1581, A BILL TO AMEND THE FEDERAL VOTING ASSISTANCE ACT OF 1955 (69 STAT. 584)

S. 1581 would amend the Federal Voting Assistance Act of 1955 by incorporating modifications and improvements to achieve greater effectiveness in absentee voting by members of the Armed Forces and certain other groups and individuals.

NATURE AND EFFECT OF THE FEDERAL VOTING ASSISTANCE ACT OF 1955

The Federal Voting Assistance Act of 1955, effective as of August 9, 1955, was a recommendation by the Congress to the several States that legislative or administrative action be taken to enable every person in any of the following categories, absent from the place of his voting residence—
to vote by absentee ballot in any primary, special, or general election held in his election district or precinct if he were otherwise eligible to vote in that election:

(1) Members of the Armed Forces while in the active service, and their spouses and dependents.

(2) Members of the merchant marine of the United States, and their spouses and dependents.

(3) Civilian employees of the United States in all categories serving outside the territorial limits of the several States of the United States and the District of Columbia, and their spouses and dependents when residing with or accompanying, whether or not the employee is subject to the civil service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the Congress.

(4) Members of religious groups or welfare agencies assisting members of the Armed Forces, who are officially attached to and serving with the Armed Forces, and their spouses and dependents.

The act further recommended to the several States the adoption of certain balloting procedures in order to effectuate its purposes, and authorized the President of the United States and the heads of certain departments and agencies of the Federal Government to coordinate and facilitate such actions as might be required to discharge Federal responsibilities under the act.

Enthusiastic and public spirited support given by the States in adopting and implementing the act has resulted in the continued enjoyment of the voting franchise by American citizens, who, through no fault of their own and while serving their country, would have suffered the loss of the privilege by virtue of being absent from their States of residence.

PURPOSE OF S. 1581

The Department of Defense, having general authority to coordinate and facilitate Federal responsibilities under the act, as designated by the President, has noted the excellent response to the recommendations made by the Congress, but has found some areas where additional action by the States would guarantee still greater opportunity for members of the Armed Forces and others to cast their votes by absentee ballot.

S. 1581 amends the act so as to perfect certain ballot procedures which, administratively, are already in effect, and simplifies the methods by which ballots reach the absentee voters and, in turn, are executed by the voter.

The title was amended, so as to read: "A bill to amend the Federal Voting Assistance Act of 1955 (69 Stat. 584)".

Mr. CANNON. Mr. President, I am delighted that the Senate has given its unanimous approval to my bill, S. 1581, which seeks to assist members of the Armed Forces, their dependents, and others accompanying them overseas in the exercise of their voting franchise.

This long-needed improvement of the Federal Voting Assistance Act of 1955 would facilitate absentee voting by members of the Armed Forces and their dependents.

This bill provides for the taking of an oath for voting purposes by any civilian employee designated by the head of any department or agency of the United States serving overseas or elsewhere outside the United States.

It is my firm hope and belief that the various States will see fit to adopt this recommendation of the Congress. This measure would enable qualified citizens to vote who reside on military reservations in any State.

A most important and added feature of this legislation is to name a day in the latter part of September in a general election year as "Armed Forces Voters Day." The bill also would authorize changes in the Federal post card form which would facilitate absentee voting.

AUTHORIZATION OF FUNDS FOR THE COMMITTEE ON APPROPRIATIONS

The resolution (S. Res. 137) to provide additional funds for the Committee on Appropriations was considered and agreed to, as follows:

S. Res. 137

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate, during the Ninetieth Congress, $35,000, in addition to the amounts, and for the same purposes, specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946.

AUTHORIZATION OF ADDITIONAL FUNDS FOR THE COMMITTEE ON LABOR AND PUBLIC WELFARE

The resolution (S. Res. 141) authorizing additional committee funds for the Committee on Labor and Public Welfare was considered and agreed to, as follows:

S. Res. 141

Resolved, That the Committee on Labor and Public Welfare is hereby authorized to expend from the contingent fund of the Senate, during the Ninetieth Congress, $25,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act approved August 2, 1946.

ANNUAL REPORT OF THE NATIONAL FOREST RESERVATION COMMISSION

The resolution (S. Res. 140) to print as a Senate document the annual report of the National Forest Reservation Commission was considered and agreed to, as follows:

S. Res. 140

Resolved, That the annual report of the National Forest Reservation Commission for the fiscal year ended June 30, 1966, be printed with an illustration as a Senate document.

PRINTING AS HOUSE DOCUMENT CERTAIN MAPS AND INDICIA RELATING TO VIETNAM AND THE ASIAN CONTINENT

The concurrent resolution (H. Con. Res. 253) providing for the printing as a House document of certain maps and indicia relating to Vietnam and the Asian Continent was considered and agreed to.

OUR FLAG

The concurrent resolution (H. Con. Res. 346) to authorize the printing as a House document the pamphlet entitled "Our Flag" was considered and agreed to.

PRINTING FOR THE COMMITTEE ON VETERANS' AFFAIRS

The concurrent resolution (H. Con. Res. 348) authorizing certain printing for the Committee on Veterans' Affairs was considered and agreed to.

PRINTING FOR THE SELECT COMMITTEE ON SMALL BUSINESS

The concurrent resolution (H. Con. Res. 369) authorizing certain printing for the Select Committee on Small Business of the House of Representatives was considered and agreed to.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination reported earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBVERSIVE ACTIVITIES CONTROL BOARD

The legislative clerk read the nomination of Simon F. McHugh, Jr., of the District of Columbia, to be a member of the Subversive Activities Control Board.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate resumed the consideration of legislative business.

RURAL WATER FACILITIES—PRINTING OF ADDITIONAL COPIES OF BILL

Mr. AIKEN. Mr. President, on April 13 of this year, the senior Senator from Montana [Mr. Mansfield] and I introduced S. 1504, a bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans to supplement farm income, authorize loans and grants for community centers, remove the annual ceiling on insured loans, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, establish a flexible loan interest rate, and for other purposes. This bill is really intended to supplement the Rural Water Facilities Act which was passed in 1965.

Soon after the introduction of S. 1504, I read into the Record the names of 13 additional Senators who desired to cosponsor the proposed legislation. Since that time, the number of Senators who desire to be cosponsors has increased rapidly, and I will read the entire list at this time. Besides Senator Mansfield and myself, the list includes the following: Messrs. Allott, Anderson, Baker, Bartlett, Bayh, Bennett, Bible, Brewster, Brooke, Burdick, Byrd of West Virginia, Cannon, Carlson, Case, Church, Clark, Cooper, Cotton, Curtis, Dirksen, Dodd, Dominick, Eastland, Ellender, Ervin, Fannin, Fong, Fulbright, Gruening, Hansen, Harris, Hart, Hartke, Hatfield, Hayden, Hickenlooper, Hill, Hollings, Hruska, Inouye, Jackson, Javits, Jordan of North Carolina, Jordan of Idaho, Kennedy of Massachusetts, Kennedy of New York, Kuchel, Lausche, Long of Missouri, Long of Louisiana, Magnuson, McCarthy, McClellan, McGee, McGovern, McIntyre, Metcalf, Miller, Mondale, Monroney, Montoya, Morse, Moss, Mundt, Murphy, Muskie, Nelson, Pastore, Pearson, Pell, Percy, Prouty, Proxmire, Randolph, Ribicoff, Scott, Smathers, Mrs. Smith, Messrs. Sparkman, Spong, Stennis, Symington, Talmadge, Thurmond, Tower, Tydings, Williams of New Jersey, Williams of Delaware, Yarborough, Young of North Dakota, and Young of Ohio.

I might say that of the seven Senators who are not cosponsors, some have indicated their intention of supporting the proposed legislation.

I understand that the supply of the original printing of S. 1504 is practically exhausted and that a new printing is necessary. Therefore, I ask unanimous consent that a new printing be made including the names of all 93 cosponsors of the proposed legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. MANSFIELD. Will the Senator state again just how many cosponsors there are to the Aiken bill?

Mr. AIKEN. To this bill, there are 93. Therefore, it appears that any possession goes out of Aiken's hands and into the hands of 93 Members of this body, which is the same number of cosponsors that the original Rural Water Facilities Act of 1965 had.

Mr. MANSFIELD. The Senator anticipated my question, because I was going to refer to the Aiken bill of 2 years ago, which had an identical number of cosponsors; and I am sure that the Budget Bureau, the administration, and the Senator will look upon this bill with favor.

Mr. AIKEN. The Budget Bureau did not follow the same track that it followed 2 years ago, when it opposed the proposed legislation. The administration has recommended some rather minor, mild amendments to the pending bill, but the success of the original act has been little short of astounding.

I see the Senator from California in the Chamber. I believe that his State now has 119 applications pending for rural water programs. There are over 4,200 applications from all 50 States.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. KUCHEL. Mr. President, I wish to recall that when the President was here many months ago for a luncheon with Senators, the President congratulated Senator Aiken on this legislation and chided the Bureau of the Budget for its opposition.

Mr. AIKEN. He was a very effective ally in getting the legislation passed and I trust he will be equally effective in getting early approval of the supplemental legislation provided by S. 1504.

Mr. KUCHEL. He was in a position to be helpful.

Mr. AIKEN. I believe the State of Texas as well as Mississippi now has some over 300 applications pending.

We hope, and I believe, he will have the same enthusiasm for this supplemental legislation that he had for the original bill 2 years ago.

ENROLLED BILL SIGNED DURING ADJOURNMENT

Under authority of the order of the Senate of July 13, 1967,

The VICE PRESIDENT announced that on July 14, 1967, he signed the enrolled bill (H.R. 10918) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of July 13, 1967,

Mr. MUSKIE, from the Committee on Public Works, reported favorably, with amendments, on July 15, 1967, the bill (S. 780) to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspections of automobile emission control devices, and for other purposes, and submitted a report (No. 403) thereon, which was printed.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Proposed Facilities To Be Undertaken for Air National Guard

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on proposed facilities to be undertaken for the Air National Guard (with accompanying papers); to the Committee on Armed Services.

Report on Department of Defense Procurement From Small and Other Business Firms

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms, for the period July 1966–May 1967 (with an accompanying report); to the Committee on Banking and Currency.

Amendment of District of Columbia Public Education Act

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the District of Columbia Public Education Act (with accompanying papers); to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the Senate of the State of Ohio; to the Committee on Finance:

"Ohio Senate Resolution

"To memorialize the Congress of the United States to take action to provide the domestic steel industry with temporary relief from the increasing inflow of foreign steel imports until equitable and fair competition is established

"Whereas, The members of the Senate of the 107th General Assembly of Ohio note, with concern, that imports of foreign steel have increased from more than one million tons in 1957 to eleven million tons in 1966; and

"Whereas, In 1966 these imports accounted for eleven per cent of the total domestic steel market; and

"Whereas, The current world excess steel-producing capacity of approximately seventy-five million tons and projected facility additions for Western Europe and Japan indicate that imports will account for an increasingly greater share of the domestic steel market in the years to come; and

"Whereas, The current high level of importation is largely due to the many actions of foreign governments to encourage their steel industries to export, coupled with the significantly lower employment costs in those countries; and

"Whereas, If present trends continue, the loss of volume caused by the rapidly increasing imports will pose a serious threat to the profitability of the steel industry; and

"Whereas, A healthy domestic steel industry is vital to our national security, is instrumental in maintaining a high level of employment in Ohio and other steel-producing states, and is a significant factor in stemming the drain on the United States balance of payments; therefore be it

"Resolved, That the members of the Senate of the 107th General Assembly of Ohio strongly urge the Congress of the United States to immediately take all of the necessary steps to provide the domestic steel industry with temporary relief from the increasing inflow of foreign steel imports until equitable and fair competition is established; and be it further

"Resolved, That the Clerk of the Senate transmit authenticated copies of this Resolution to the Speaker of the House of Representatives of the United States, the Vice-President of the United States, and to each Senator and Representative from Ohio in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"Senate Joint Resolution 26

"Relative to mining deposits on public lands

"Whereas, The term 'common varieties' as contained in the Act of Congress of July 23, 1955 (69 Stat. 368), also commonly known as Public Law 167 and as the Common Varieties Act, has been misunderstood and is vague and uncertain and has misled large numbers of persons and firms engaged in good faith in prospecting and mining upon the public domain; and

"Whereas, The Committee on Interior and Insular Affairs of the Senate of the United States, as stated in its Report No. 1608 dated September 19, 1966, to the 89th Congress, 2nd Session, found that the act had not been interpreted or administered in accordance with the congressional intent, had given rise to many abuses, was imposing inequitable hardship on bona fide mining men, and because of uncertainty as to just what the administrative agencies would determine to be a common variety, was seriously impeding the development of the mineral resources of the public domain; and

"Whereas, Many persons and firms in the State of California are engaged in mining upon the public domain and are or can easily be subject to the inequitable hardship mentioned by the Senate Committee; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly*, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to take such action as may be necessary to clarify the intent of the Congress in enacting Section 3 of the Act of July 23, 1955 (69 Stat. 368), also commonly known as the Common Varieties Act; and be it further

"*Resolved*, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution adopted by the American Federation of Musicians of the United States and Canada, AFL–CIO, praying for the enactment of the Public Television Act of 1967; to the Committee on Commerce.

A resolution adopted by the American Federation of Musicians of the United States and Canada, AFL–CIO, praying for the enactment of legislation to amend the copyright laws; to the Committee on the Judiciary.

RESOLUTION OF LEGISLATIVE ASSEMBLY OF THE STATE OF OREGON

Mr. HATFIELD. Mr. President, I present, for appropriate reference, a resolution adopted by the Legislative Assembly of the State of Oregon. I ask unanimous consent that the resolution be printed in the Record.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the Record.

The resolution was referred to the Committee on Commerce, as follows:

Senate Joint Memorial 9

To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled, the Secretary of the Interior and the President of the United States

We, your memorialists, the Fifty-fourth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the importance and nutritional value of fish and shellfish in the world (fish protein concentrate) and the American diet are becoming increasingly more important as a protein resource; and

Whereas our federal agencies involved have found on three occasions since 1953–54 that our domestic trawl fish industry was being hurt or injured by importations, and yet executive administrative action has not been forthcoming to provide this needed protection; and

Whereas the United States domestic fishery production has decreased and diminished consistently since 1954 to the point of having dropped in world production from second place to fifth place (1964) with Norway overtaking the United States in 1966; and

Whereas the domestic fishing industry, having been severely criticized for not having upgraded itself has found so doing impossible as long as any and all foreign nations can so conveniently ship fishery products into the United States; and

Whereas the United States production of these species in 1966 was only 19.2 percent of the total United States supply and that from imports was 80.8 percent (U.S.D.I. Bureau of Commercial Fisheries Annual Summary, "Packaged Fishery Products—1966," C.F.S. No. 4343); and

Whereas foreign fishing on our coasts and importations are one and the same problem, and are destroying the domestic trawl industry; and

Whereas the processing plants of Oregon are limiting the landings of otter trawled seafoods due to the heavy and steadily increasing imports of similar species; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is memorialized to take appropriate action to ensure and provide a sound and healthy domestic trawl fishery through quota protection on such imported products.

(2) A copy of this memorial shall be transmitted to the President of the United States, to the Secretary of the Interior and to each member of the Oregon Congressional Delegation.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RIBICOFF (for himself, Mr. Brewster, Mr. Brooke, Mr. Church, Mr. Clark, Mr. Ervin, Mr. Fong, Mr. Gruening, Mr. Harris, Mr. Inouye, Mr. Javits, Mr. Kennedy of New York, Mr. Long of Missouri, Mr. McClellan, Mr. McGee, Mr. McIntyre, Mr. Miller, Mr. Montoya, Mr. Moss, Mr. Pell, and Mr. Tydings):

S. 2116. A bill to establish a commission to study the organization and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy; to the Committee on Government Operations.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG (for himself and Mr. Inouye):

S. 2117. A bill to authorize Federal Housing Administration insurance on loans made for the purpose of purchasing fee simple titles from lessors, and to allow savings and loan associations to purchase such insured loans; to the Committee on Banking and Currency.

(See the remarks of Mr. Fong when he introduced the above bill, which appear under a separate heading.)

By Mr. DOMINICK:

S. 2118. A bill for the relief of Dr. Joseph E. Stapleton; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 2119. A bill for the relief of Dr. Octavio Suarez-Murias; and

S. 2120. A bill for the relief of Mr. Jose D. Neugart; to the Committee on the Judiciary.

By Mr. CHURCH (for himself and Mr. Bible):

S. 2121. A bill to extend the provisions of the act of October 23, 1962, relating to relief for occupants of certain unpatented mining claims; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Church when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. Brewster, Mr. Jackson, Mr. Kennedy of Massachusetts, Mr. McGee, Mr. Pell, and Mr. Ribicoff):

S. 2122. A bill to provide for scenic development and beautification of the Federal-aid highway systems; to the Committee on Public Works.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON (for himself, Mr. Mondale, Mr. McCarthy, Mr. Griffin, Mr. Hart, Mr. Hartke, Mr. Bayh, Mr. Dirksen, Mr. Kennedy of New York, Mr. Proxmire, and Mr. Percy);

S. 2123. A bill to provide for the control of the alewife and other fish and aquatic animals in the waters of the Great Lakes which affect adversely the ecological balance of the Great Lakes; to the Committee on Commerce.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 2124. A bill to amend title II of the National Housing Act to provide home purchase assistance, and for other purposes; and

S. 2125. A bill to assist nonprofit sponsors of low- and moderate-income housing; to the Committee on Banking and Currency.

(See the remarks of Mr. Mondale when he introduced the above bills, which appear under a separate heading.)

By Mr. COOPER:

S. 2126. A bill to amend the Food and Agriculture Act of 1965; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Cooper when he introduced the above bill, which appear under a separate heading.)

By Mr. BAKER:

S. 2127. A bill to provide assistance to first processors of cotton who have suffered substantial losses because of the economic impact of cotton programs of the Department of Agriculture, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Baker when he introducted the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 2128. A bill to repeal section 315 of the Communications Act of 1934 relating to the affording of equal time for use of broadcasting stations by candidates for public office; to the Committee on Commerce.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

EXECUTIVE REORGANIZATION AND MANAGEMENT ACT OF 1967

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, a bill to establish a Presidential Commission on the Reorganization and Management of the Executive Branch. I am joined in sponsoring the bill by the following 20 Senators: Senators Brewster, Brooke, Church, Clark, Ervin, Fong, Gruening, Harris, Inouye, Javits, Kennedy of New York, Long of Missouri, McClellan, McGee, McIntyre, Miller, Montoya, Moss, Pell, and Tydings.

America stands on the threshold of a new era in her national development. Although the exact nature of this change has not yet emerged, it will be shaped by the twin revolutions of our time—the revolution in technology and the revolution in human aspirations.

Both revolutions will touch every city, town, and farm in America, as well as each man, woman, and child. For we are, in the fullest sense of the words, both a nation and a community. Never before have Americans in so many different communities and different situations shared so many common concerns.

Clearly, then, we have a deep responsibility to organize for the future if America is to fulfill her promise. And the first step in such an effort is to reassess our highest institutions of government with a view toward organizing them into a modern and effective system for achieving our national goals and purposes.

We have done this from time to time with notable success. The time is now ripe to conduct such an inquiry again.

Today we face a modern version of the dilemma that Franklin Delano Roosevelt described when he said:

> The principal object of every government all over the world seems to have been to impose the ideas of the last generation on the present one. That is all wrong.

In the America of the 1960's, new and fresh ideas are making their way into government. Our many new programs attest to this fact. But our efforts at improving the organizational framework in which these programs must operate have not kept pace. The result is that we are imposing the executive structure of the past generation on the ideas of the present one. And that, too, is all wrong.

This dilemma is an almost daily experience of any government, agency, or institution—public or private—that tries to make its way through the maze of Federal programs.

In an effort to respond to our many new problems, Washington has increased the size, number, and variety of its programs. For example:

Since 1955, the Federal budget has doubled. We will spend an estimated $135 billion in fiscal year 1968, compared with expenditures of $64 billion just 13 years ago.

Although much of the increase has occurred in defense, the largest rate of increase has been in programs affecting the everyday life of the individual citizen. Educational expenditures have increased from $377 million in fiscal 1955 to almost $3 billion in fiscal 1968. Spending for health, labor, and welfare has increased from $2 billion in 1955 to more than $11 billion in fiscal 1968.

Our Federal grant programs also have grown. As of January 1966, we had 162 major programs under 399 separate authorizations and categories. And the last session of Congress enacted 21 new health programs, 17 new educational programs, 15 new economic development programs, 12 new programs to meet the problems of our cities, 4 new programs for manpower training, and 17 new resource development programs.

Manpower programs alone have increased eightfold since 1961, but they are administered by 10 separate organizational units in three independent departments.

Programs to improve the natural environment are conducted by 18 separate agencies.

Thus, the net result of our efforts often is confusion, frustration, and delay. Good ideas have withered on the bureaucratic vine because we have not taken the time to clear out the underbrush. We have relied too heavily on the programmatic approach to solving our common problems and not enough on the systematic approach. We have spent too much time responding to crises and not enough time anticipating them. As a result, we have often acted in great haste—and with great waste.

The bill establishing a Commission on the Reorganization and Management of the Executive Branch addresses itself to this important problem.

The bill recognizes that the purpose of reorganization is to improve the quality of our Government; and that three distinct factors must be considered in any reorganization effort—goals, structure, and management. Thus, the Commission would be charged with three main functions:

First. Assessing the present and future goals of our country by reviewing our problems, resources, and capabilities.

Second. Making appropriate recommendations to improve the quality and structure of the executive branch and the quality of the coordination between and within executive agencies in order to attain those goals.

Third. Appraising the current status of administrative management with a view toward proposing reforms, new procedures and facilities to improve the conduct of Government services.

The bill is founded on the premise that executive organization and management are the legitimate concerns and responsibilities of both the President and the Congress. Accordingly, the bill would grant the President the power to appoint all nine members of the Commission, and would grant Congress the power to set the goals of the Commission. The bill would leave the Commission free to choose the methods it would use to accomplish its purposes.

The bill would not result in improper interference in the management of the executive branch or attempt to dictate the functions and activities the executive branch may engage in. Its primary purpose is to assist the President in carrying out his constitutional responsibility to coordinate and manage the executive branch in the most effective manner.

This legislative proposal is an outgrowth of issues raised during recent year-long hearings on the Federal role in urban affairs by the Subcommittee on Executive Reorganization of the Committee on Government Operations. In surveying the Federal activities designed to meet the problems described by more than 100 witnesses, the subcommittee learned that the city was far more than a geographic concept. It was a mirror of the American future. For this reason, I believe that the matter of reorganization must include more than the agencies and departments that have specific jurisdictions in urban areas. It must include our entire executive structure and all the problems it confronts.

We have made some major organizational changes in recent years. Three new agencies of Government have been established. There is the Office of Economic Opportunity, which is conducting the war on poverty; the Department of Housing and Urban Development, which is dealing with some problems of our cities both large and small; and the Department of Transportation, which has brought under one roof for the first time many of the Federal activities in this field.

Other agencies have experienced reorganization on a smaller scale. The Senate Subcommittee on Executive Reorganization has received more than a dozen reorganization plans resulting in changes in such important areas as water pollution and public health services.

Numerous executive branch commissions and task forces have reviewed important areas of our national life, and there have been specific proposals to establish other new departments. In addition, the Bureau of the Budget has instituted a planning-programing-budgeting system in order to bring together the functions of planning and budgeting.

But so far we have only looked at the parts. We have not carried this effort to the executive branch as a whole.

Mr. President, change is the largest single factor in American life today.

Our lives are strikingly different from those of our parents. And our children's lives will show an even greater contrast when compared with our own. Man's enormous curiosity about his environment and his capacity to master rather than submit to his fate has lighted hundreds of new horizons and increased the range of human freedom and opportunity.

Government must encourage and expand this freedom and opportunity. And a government that is organized in terms of our future needs and problems, a government that can anticipate and adjust to change without losing its traditional values, a government that can achieve systematic solutions to our common problems, is our best hope of guaranteeing this freedom and opportunity.

But let us also realize the limits of organization. It cannot replace the human factor—the individual judgment that often determines the success or failure of our programs and strategies. But the proper organization—one that takes into account goals, structure, and management—can provide a creative climate in which fresh ideas and concepts will prevail and dedicated individuals will seek to enter our public service. And this climate, by contributing to the quality and character of our Government, can be the basis of great achievements.

Mr. President, we would be wise to keep in mind some cogent thoughts written on the subject of improving the machinery of government which are very applicable:

> Throughout our history we have paused now and then to see how well the spirit and purpose of our nation is working out in the machinery of everyday government with a view to making such modifications and improvements as prudence and the spirit of progress might suggest. Our Government was the first to set up in its formal Constitution a method of amendment, and the spirit of America has been from the beginning of our history the spirit of progressive changes to meet conditions shifting perhaps more rapidly here than elsewhere in the world.
>
> Since the Civil War, as the tasks and responsibilities of our Government have grown with the growth of the Nation in sweep and power, some notable attempts have been made to keep our administrative system abreast of the new times. . . .
>
> Now we face again the problem of governmental readjustment. . . . There is room for vast increase in our national productivity and there is much bitter wrong to set right in neglected ways of human life. There is need for improvement of our governmental machinery to meet new conditions and to make us ready for the problems just ahead.
>
> Facing one of the most troubled periods in all the troubled history of mankind, we wish to set our affairs in the very best possible order to make the best use of all our national resources and to make good our democratic claims. If America fails, the hopes and dreams of democracy over all the world go down. We shall not fail in our task and our responsibility, but we cannot live upon our laurels alone. We seek modern types of

> management in National Government best fitted for the stern situations we are bound to meet, both at home and elsewhere. . . .
>
> The efficiency of government rests upon two factors: the consent of the governed and good management. In a democracy consent may be achieved readily, though not without some effort, as it is the cornerstone of the Constitution. Efficient management in a democracy is a factor of peculiar significance.
>
> Administrative efficiency is not merely a matter of paper clips, time clocks, and standardized economies of motion. These are but minor gadgets. Real efficiency goes much deeper down. It must be built into the structure of a government just as it is built into a piece of machinery. . . .
>
> In proceeding to the reorganization of the Government it is important to keep prominently before us the ends of reorganization. Too close a view of machinery must not cut off from sight the true purpose of efficient management. Economy is not the only objective, though reorganization is the first step to savings; the elimination of duplication and contradictory policies is not the only objective, though the new organization will be simple and symmetrical; higher salaries and better jobs are not the only objectives, though these are necessary; better business methods and fiscal controls are not the only objectives, though these too are demanded. There is but one grand purpose, namely, to make democracy work today in our National Government; that is, to make our Government an up-to-date, efficient and effective instrument for carrying out the will of the Nation.

This inspired statement of the role of proper executive management—with its striking implications for today—comes from the introduction to the Report of the President's Committee on Administrative Management which was submitted to the Congress by President Franklin D. Roosevelt, January 12, 1937.

Thirty years have passed since that statement was written. But we are still grappling with the same basic issues: How do we keep our Federal Government an alive, responsive instrument of national policy? How do we insure that it is organized effectively to deal with the Nation's needs.

The Commission on the Reorganization and Management of the Executive Branch would explore these issues in great depth.

I ask unanimous consent that the text of this bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2116) to establish a commission to study the organization and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy, introduced by Mr. RIBICOFF (for himself and other Senators), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 2116

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That this Act may be cited as the "Executive Reorganization and Management Act of 1967".

FINDINGS OF FACT AND DECLARATION OF POLICY

SEC. 2. (a) The Congress finds that there are more than 150 departments, agencies, boards, commissions, bureaus, and other organizations in the Executive Branch engaged in performing the functions of Government; that such a proliferation of governmental units tends to produce a lack of coordination between them and overlapping, conflict and duplication of effort among them; that the President and the Congress need additional tools and procedures to exercise better supervision and direction over so large a number of governmental establishments; and that improved organizational structure and managerial techniques would permit the President to carry out more effectively the Constitutional mandate that he coordinate and manage the Executive Branch in accordance with the laws enacted by the Congress.

(b) The Congress declares that is the responsibility of the President, in conformance with policy set forth by Congress, to administer the executive branch effectively and economically, and that it is the joint responsibility of the President and the Congress to provide an executive organizational structure which will permit the efficient and economical discharge of the duties imposed upon the President by the Constitution.

COMMISSION ESTABLISHED

SEC. 3. (a) To assist the President in the discharge of his constitutional responsibilities, there is hereby established the Commission on the Reorganization and Management of the Executive Branch (referred to hereinafter as the "Commission"). The Commission shall be composed of nine members appointed by the President from persons holding office in Government and persons in private life who are specially qualified by training and experience to perform the duties of the Commission. The President shall designate a Chairman and a Vice Chairman of the Commission from its membership.

(b) Five members of the Commission shall constitute a quorum. A vacancy in the membership of the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) Members of the Commission appointed from private life shall receive compensation at the rate of $100 per diem when engaged in the actual performance of duties of the Commission. Members of the Commission who are Members of Congress or officers of the executive branch of the Government shall serve without compensation in addition to that received for their services as Members of Congress or officers of the executive branch. All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses actually incurred by them in the performance of the duties of the Commission.

(d) For the purposes of chapter 11, title 18, United States Code, a member of the Commission appointed from private life shall be deemed to be a special Government employee.

DUTIES OF THE COMMISSION

SEC. 4. (a) The Commission shall analyze and assess the present organization, coordination, and management of all departments, agencies, boards, commissions, bureaus, independent establishments, and other organizations in the executive branch to ascertain what modifications and innovations in their structure and administration are required to realize the purposes of this Act.

(b) It shall be the function of the Commission to—

(1) recommend appropriate reorganizations within the executive branch to reflect present and anticipated needs, capabilities and potentialities of the Government and the Nation;

(2) evaluate the extent and quality of coordination between and within organizations in the executive branch in order to propose measures to insure the maximum degree of cooperation and consistency in governmental action; and

(3) appraise the current status of administrative management in the executive branch with a view to proposing reforms and new procedures, techniques, and facilities which will improve the conduct of Government service.

(c) The Commission shall complete its study and investigation 18 months after the date of its appointment. Within 60 days after the completion of such study and investigation the Commission shall transmit to the President and to the Congress a report of its findings and recommendations. Upon the transmission of such report, the Commission shall cease to exist.

POWERS OF THE COMMISSION

SEC. 5. (a) The Commission shall have power to appoint and fix the compensation of an Executive Director and other personnel as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) The Commission may procure temporary and intermittent services of experts and consultants to the same extent as is authorized for the departments by section 3109 of title 5, United States Code, but at rates not to exceed $75 per diem for individuals.

(c) To carry out the provisions of this Act, the Commission or any duly authorized subcommittee or member thereof, may hold such hearings; act at such times and places; administer such oaths; and require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission or such subcommittee or member may deem advisable. Subpoenas may be issued under the signature of the Chairman of the Commission, the Chairman of any such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman, or member. The provisions of section 102 to 104, inclusive, of the Revised Statutes (U.S.C. title 2, secs. 192–194), shall apply in the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this section.

(d) To enter into contracts or other agreements with Federal agencies, private firms, institutions, and individuals for the conduct of research or surveys.

(e) Subject to the requirements of national security, the Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this Act: and each such department, bureau, agency, board, commission, office, independent establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

APPROPRIATIONS

SEC. 6. There are hereby authorized to be appropriated to the Commission such sums as may be required to carry out the provisions of this Act.

Mr. PEARSON. Mr. President, I wish to commend my able colleague, the distinguished junior Senator from Connecticut, for his persuasive comments on the need for reform of administrative practices in the executive branch. As the Senator knows, I have long advocated such a step and am now the sponsor of a bill (S. 47) to establish a Commission on the Operation of the Executive Branch very similar to the one proposed today.

As my colleague convincingly observed, this decade has witnessed an infusion of new ideas and approaches into our Federal Government. It has also brought an unparalleled proliferation of new programs and a rapid expansion of old ones. The result, unfortunately, has too often been disorder, duplication, and delay.

As the Senator noted, today there are over 400 grant programs and component parts that are administered by more than 150 departments, agencies, and bureaus. In such a confusing welter, the need for coordination and consolidation is obvious. In fact, it is more than obvious, it is of the utmost urgency. For, while America is a wealthy country, it is faced at home and abroad with a number of immediate and expensive challenges. We simply can no longer afford the waste endemic in an unreviewed bureaucratic growth. Neither can we afford to further delay effective treatment of such pressing ills as slums housing, unemployment, and poverty. To do so would be to invite disaster.

The distinguished Senator from Connecticut also remarked on the recent organizational changes the executive branch has made in an attempt to bring order out of what is often chaos. As a former Secretary of Health, Education, and Welfare, he is unusually well qualified to comment on the strength and limitations of such reforms. I join with him in saying that while many of these reforms have wrought improvements, much more must be done. A thorough review of administrative practices and organizational structure is required. We have looked at bits and pieces for too long. It is time we examined the executive branch as a whole. This is the only way the interrelationship of the parts can be improved.

Mr. President, I also concur with the view that, while nothing can replace the value of individual initiative and insight, a sound organization structure is needed to provide the creative environment so necessary for flexible and responsive programs.

While both of us are agreed that a comprehensive review is the surest method of encouraging imaginative administrative practices, we differ somewhat on the mechanism of creating the study commission. For example, it is important that we specify that the Commission be completely bipartisan and include members from Congress, as well as members from the executive branch and private life. Only in this way can complete public confidence and support be assured. It is also advisable that interim reports be required in order to keep Congress fully informed and to insure that the data is properly collated.

But these differences are not as important as the common purpose which unites us. Forty-one other Senators have cosponsored my bill. I am sure others will support the proposal of the distinguished Senator from Connecticut. Thus, to use a popular phrase, a consensus is developing. Such a consensus augurs well for the implementation of new and revitalized administrative procedures that will breathe life into moribund programs and give the taxpayers full value for their dollar. And the promises of the past might yet become the reality of the future.

Mr. President, Friday, July 7, marked the 20th anniversary of the signing of the bill establishing the first Hoover Commission. Six years later the second Hoover Commission was created. Twelve long years have passed since that group submitted its report. The problems which led to its creation have not all been solved. Still others have arisen. Overlapping and wasteful programs still sap the strength of government efforts to improve the quality of American life. As my colleague from Connecticut observed, we are faced not with the need to create a rigid and timeless hierarchy, but with the need to insure that the executive branch will be a flexible and responsive instrument of national policy.

As Oliver Wendell Holmes once said:

> We must remember that the machinery of government would not work if it were not allowed a little play in its joints.

Mr. President, I commend the junior Senator from Connecticut for his concern and his determination to deal with one of the most pressing needs of American Government.

Mr. RIBICOFF. Mr. President, I appreciate the comments of the Senator from Kansas. This bill introduced by the Senator from Kansas with many cosponsors is also a step in the same direction that many of us are seeking to go, recognizing the great changes that must take place in the executive branch.

It is my intention to hold hearings on both the bill of the Senator from Kansas and my bill. It is my feeling that out of these hearings there will come a measure incorporating features of the proposal of the Senator from Kansas and my proposal.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

FEDERAL HOUSING ADMINISTRATION INSURANCE ON LOANS

Mr. FONG. Mr. President, in Hawaii and in other States, some homeowners do not own fee-simple title to the land on which their homes are located. Instead, they own merely a long-term leasehold. This situation arises because in some cases the owners of the land were not willing to sell or the lessee did not wish to purchase the fee-simple title at the time the homes were constructed.

Leasing land to homeowners has been a prevailing practice in Hawaii where much of the land is owned by large estates. By a recently enacted law of the Hawaiian legislature, leaseholders will have an opportunity to purchase their leaseholds.

However, as much as the leaseholders desires to purchase the fee-simple title to the land on which they are leasing, they will find it difficult to finance the purchase. Unless they can pay cash for the purchase, it is necessary for them to either refinance their existing home mortgages or place second mortgages on the properties in order to obtain loans for this purpose.

Frequently, refinancing an existing mortgage results in increasing the interest paid on the mortgage. Or, refinancing can be even more expensive where the homeowner takes out a second mortgage. The interest rate on conventional second mortgages generally is much higher than on first mortgages. The increased expense makes it difficult for the homeowners to purchase from the lessors the fee-simple title.

To assist these homeowners, my distinguished colleague, the junior Senator from Hawaii [Mr. DANIEL K. INOUYE], and I introduce this bill which would add a new section 235 to the National Housing Act. The new section would authorize the Federal Housing Administration to insure loans made by private lending institutions to finance the purchase by homeowners of fee-simple title to property on which their homes are located.

Clearly, insurance of loans for the purchase of fee-simple title as proposed by the bill would provide a source of credit to homeowners at reasonable cost. It would also obviate the need for refinancing of an existing mortgage.

There are some limitations on a loan which could be insured under the provisions of the bill. First, it would be limited to an amount of not more than $10,000, or the cost of purchasing the fee-simple title, whichever is less. Second, it would be limited to an amount which, when added to any outstanding indebtednes related to the property, would create a total outstanding indebtedness that would not exceed the amount of an insured first mortgage which would be used to purchase the home if the entire property were being purchased. Third, the interest rate on a loan could not exceed a maximum of 6 percent of the unpaid principal or a rate prescribed by the Federal Housing Administration. Finally, the term of the loan could not be longer than 20 years.

In order to permit savings and loan associations to invest in the proposed FHA-insured loans for the purchase of fee-simple title, section 2 of the bill would amend section 5(c) of the Home Owners' Loan Act of 1933. Under the present law these associations are limited to the purchase of first-lien loans. The amendment in the bill would permit these lenders to purchase the FHA-insured loans authorized by the bill.

Mr. President, this bill is needed by homeowners on leased land. It is a meritorious measure and deserves speedy approval by this body.

I respectfully urge such action.

Mr. President, I ask unanimous consent that the full text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2117) to authorize Federal Housing Administration insurance on loans made for the purpose of purchasing fee simple titles from lessors, and to allow savings and loan associations to purchase such insured loans, introduced by Mr. Fong (for himself and Mr. Inouye), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 2117

A bill to authorize Federal Housing Administration insurance on loans made for the purpose of purchasing fee simple titles from lessors, and to allow savings and loan associations to purchase such insured loans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the National Housing Act is amended by adding at the end thereof the following new section:

"PURCHASE OF FEE SIMPLE TITLE FROM LESSORS

"Sec. 235. (a) The Secretary is authorized, upon such terms and conditions as he may prescribe, to make commitments to insure and to insure loans made by financial institutions for the purpose of financing purchases by homeowners of the fee simple title to property on which their homes are located.

"(b) As used in this section—

"(1) the term 'financial institution' means a lender approved by the Secretary as eligible for insurance under section 2 or a mortgagee approved under section 203(b)(1); and

"(2) the term 'homeowner' means a lessee under a long-term ground lease.

"(c) To be eligible for insurance under this section, a loan shall—

"(1) relate to property on which there is located a dwelling designed principally for a one-, two-, three-, or four-family residence;

"(2) not exceed the cost of purchasing the fee simple title, or $10,000 per family unit, whichever is the lesser;

"(3) be limited to an amount which when added to any outstanding indebtedness related to the property (as determined by the Secretary) creates a total outstanding indebtedness which does not exceed the mortgage limits prescribed in section 203(b);

"(4) bear interest at not to exceed a rate prescribed by the Secretary, but not in excess of 6 per centum per annum of the amount of the principal obligation outstanding at any time and such other charges (including such service charge, appraisal, inspection, and other fees) as may be approved by the Secretary;

"(5) have a maturity satisfactory to the Secretary, but not to exceed twenty years from the beginning of amortization of the loan or three-quarters of the remaining economic life of the home, whichever is the lesser; and

"(6) comply with such other terms, conditions, and restrictions as the Secretary may prescribe.

"(d) The provisions of paragraphs (3), (5), (6), (7), (8), and (10) of section 220 (h) shall be applicable to loans insured under this section and, as applied to loans insured under this section, references in those paragraphs to 'home improvement loans' and 'this subsection' shall be construed to refer to loans insured under this section 235.".

Sec. 2. Section 5(c) of the Home Owners Loan Act of 1933 is amended by adding immediately before the last paragraph the following paragraph:

"Notwithstanding any other provisions of this subsection, an association may invest in loans or obligations, or interests therein, as to which the association has the benefit of insurance under section 235 of the National Housing Act, or of a commitment or agreement therefor, and such investments shall not be included in any percentage of assets or other percentage referred to in this subsection."

EXTENSION OF MINING CLAIMS OCCUPANCY ACT

Mr. CHURCH. Mr. President, I introduce, for appropriate reference, on behalf of myself and the distinguished senior Senator from Nevada [Mr. Bible], a bill to extend the act of October 23, 1962 (72 Stat. 1127), relating to the residential occupancy of unpatented mining claims.

Unless we extend it, Mr. President, the act will expire this October, and with it a method of relief for many individuals in the West who make their homes on unpatented mining claims. The act gives the Secretary of the Interior a full kit of legal tools and the discretion, when the public interest will not be injured, to permit persons who live on mining claims for residential purposes who were in possession at least 7 years prior to July 23, 1962, where this is a principal home for them, and their claim has been invalidated or relinquished, to continue to reside in their home.

It has been a tradition in the mountain West that a private citizen may go upon the public lands, to stake a mining claim, and thereafter to have and retain a possessory interest immune to interference from anyone. The power of the Government to challenge the validity of a mining claim has been recognized, but the Government traditionally has interfered little, and locators and their successors in interest have felt secure in their right to possession.

The act provides relief where it would be a hardship for these people to give up the homes they have constructed and improved over the years.

Because the Public Land Law Review Commission is making an extensive and thorough study of public land problems, the expiration date of the proposed extension is designated as 1 year after the Commission makes its final report. The report is due by December 31, 1968.

As chairman of the Senate Public Lands Subcommittee it is my intention to schedule hearings on the proposed amendment at an early date.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2121) to extend the provisions of the act of October 23, 1962, relating to relief for occupants of certain unpatented mining claims, introduced by Mr. Church (for himself and Mr. Bible), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

A BILL FOR SCENIC DEVELOPMENT AND BEAUTIFICATION OF THE INTERSTATE AND SCENIC HIGHWAY SYSTEM

Mr. MAGNUSON. Mr. President, I send to the desk, for appropriate reference, a bill to improve and simplify the Highway Beautification Act of 1965.

Mr. President, the 89th Congress enacted a bill to help make driving more relaxing, more enjoyable, and more safe. With this new law one would supposedly be free to enjoy the countryside unmarred by man's visual pollution of the scenery, and he would be able to see important informational aids without the need for a time-consuming, frustrating, and often dangerous search through a hodgepodge clutter of signs created for the very purpose of diverting the harried driver's attention. These are admirable goals and many Congressmen hoped these goals would be achieved by the 1965 act.

However, there has been extensive comment throughout the Nation that the 1935 law, which we all knew was not perfect, is indeed not workable. Up until a month ago, no State had yet signed an agreement with the Secretary of Transportation to implement the 1965 law—apparently two States have signed up in the last 2 weeks. This is indication enough that the law, in its present form, enjoys little support—it certainly has had little effect.

In 1961 in a special message to Congress, President Kennedy said:

> The Interstate Highway System was intended, among other purposes, to enable more Americans to more easily see more of their country. It is a beautiful country. The System was not intended to provide a large and unreimbursed measure of benefits to the billboard industry, whose structures tend to detract from both the beauty and the safety of the routes they line. Their messages are not, as so often claimed, primarily for the convenience of the motorist whose view they block. Some two-thirds of such advertising is for national products, and is dominated by a handful of large advertisers to whom the Interstate System has provided a great windfall.

The bill I introduce today is intended to improve and simplify the Highway Beautification Act of 1965. It would initially protect fewer miles than specified by the 1965 law, but is intended to protect them well and to provide a solid foundation and a high standard for the States to build upon to advance their own laws for scenic development and beautification of their roadsides. I believe this bill would provide the degree of roadside protection and scenic development and beautification that the public has been led to expect.

Earlier this session, I introduced S. 539 to remove the mandatory compensation feature of the 1965 law. The bill I introduce today takes advantage of the comments I have received concerning that bill as well as comments received about similar bills introduced in Congress.

Under the bill, the new 41,000-mile Interstate System, which will be completed in less than a decade at a cost of over $40 billion, will be fully protected. This is a new highway network, and because much of it is yet to be completed, the billboard and junkyard investment along its length is relatively minimal.

In addition, the bill provides that each State would designate 10 percent or more of its total mileage of primary and secondary highways as scenic roads. The scenic road system would be protected in lieu of the entire Federal-aid primary system as contemplated by the 1965 law. This approach was chosen because most of the primary highways are several decades old and much of the roadsides are occupied by commercial strip developments, including extensive investments in both billboards and junkyards. The expense of relocating or removing billboards and junkyards along these roadsides will not, in many cases, really improve the roadsides since the other commercial developments would remain.

Mr. President, I believe we would all agree that each State is a better judge about which of its many miles are scenic than is Congress. Therefore, the bill provides that the States select highways which they consider the most scenic subject to some commonsense guidelines specified in the bill. Some States, particularly those well endowed by a bountiful nature, will undoubtedly designate considerably more mileage than the minimum called for by my bill. In this latter situation, the bill provides for a small bonus in Federal assistance for new construction.

The so-called superbillboard far removed from the roadway yet so large that they are visible to the traveler was not guarded against in the 1965 act. Because this type of billboard presents a problem of serious dimensions, it was decided to include a provision in the bill which provides Federal control where the State decides that such signs should be regulated.

Most of the States have authority, by virtue of their constitutions, to require the removal of billboards after a just amortization period without the necessity of restoring to eminent domain. The bill I have introduced today will allow the States to provide for effective control of the erection and maintenance of billboards along the Interstate System and the scenic road system by the method most suited to the laws of the particular State.

There is nothing new or radical to be found in this provision. Prior to the present act, some 25 States agreed to control billboards along Interstate Highways, the vast majority doing so through their police power. The present act provides a 10-percent loss of Federal aid for any greater use of the police power by these States, while other States are penalized for using such powers at all. In effect this section of the bill says that if the States compensate for removal, the billboards must be removed within 2 years after becoming nonconforming. If, however, the States choose not to pay compensation, the Federal Government will compensate the billboard owner by allowing the billboard to remain intact for 5 years after becoming nonconforming.

A major deterrent to effective implementation of the 1965 act will be the cost involved. The Secretary of Transportation has estimated that it will cost $558,610,000 to remove nonconforming billboards. These costs would be substantially reduced if States having the power to remove billboards without compensation were allowed to exercise that power. Another factor in costs which should not be overlooked here is the reduction in costs that would result by including only a portion of the secondary and primary systems in the act, as this bill would do. Although less mileage will be controlled, it will be more effective than at present.

In addition, this subsection will allow the States to avoid problems of discrimination arising under the present act. Difficulties result when a State, under its police powers, removes billboards from secondary highways without paying compensation, but is at the same time obliged under Federal law—or lose 10 percent of its Federal highway assistance—to compensate billboard owners for signs removed along interstate and primary roads. Suppose, for example, that a State decides to control billboards on highways not encompassed in the 1965 Federal act. The State may order removal without offering to compensate. Meanwhile billboard owners with displays on interstate highways must be compensated under the Federal act. The result is that two billboard owners in the same State receive different treatment. A serious question of equal protection arises. The State may find itself faced with an expensive lawsuit. The effect of the Federal law is to stifle and to inhibit the States in the exercise of their powers in the interest of public safety and welfare.

Much of the recent controversy over the interpretation of the 1965 act has centered around the interpretation of "customary use."

This bill would remove the provision in the 1965 law which requires that the Secretary of Transportation determine, by agreement with the several States, the size, lighting, and spacing of outdoor advertising signs in accordance with "customary use." The "customary use" requirement written into the 1965 beautification law is a contradiction in terms and an illusory goal. As I said in Congress on March 25, 1966:

> If customary use had always been consistent with roadside safety and beauty, there would be little need for this legislation.

Another source of dispute has been the inclusion of commercial and industrial areas in the coverage of the act. These are areas where billboards inevitably flourish. The cost of removal to the Government or to the owner would be tremendous. Furthermore, there exists the possibility of attempted circumvention of the law by virtue of zoning certain areas as commercial or industrial. This bill proposes to eliminate all reference to commercial and industrial areas and provides the States with the option of excluding all incorporated municipalities so long as the Secretary of Transportation agrees that such exclusion is not contrary to the broad national policy outlined in the act.

I hope this proposal will receive early consideration.

Mr. President, I ask unanimous consent that an editorial from the Washington Post, together with a brief analysis of the bill, and the text of the bill be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, editorial, and analysis of the bill will be printed in the RECORD.

The bill (S. 2122) to provide for scenic development and beautification of the Federal-aid highway systems, introduced by Mr. MAGNUSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 2122

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Highway Beautification Act of 1967."

TITLE I

SEC. 101. Section 131 of title 23, United States Code, is revised to read as follows:

§ 131. Control of outdoor advertising

(a) The Congress hereby finds and declares that the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System and scenic road system designated pursuant to subsections (d) and (e) should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, to insure that information in the specific interest of the traveling public is presented safely and effectively, and to preserve natural beauty.

(b) Federal-aid highway funds apportioned on or after January 1, 1970, to any State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the scenic road system, designated pursuant to subsections (d) and (e), of outdoor advertising signs, displays, and devices which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall be reduced by amounts equal to 10 per centum of the amounts which would otherwise be apportioned to such State under section 104 of this title, until such time as such State shall provide for such effective control. Any amount which is withheld from apportionment to any State hereunder shall be reapportioned to the other States. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State.

(c) Effective control means that after January 1, 1970, such signs, displays, and devices shall pursuant to this section, be limited to:

(1) directional and other official signs or notices which are required or authorized by law;

(2) signs, displays, and devices pursuant to subsection (k) giving information in the specific interest of the traveling public and which shall conform to national standards hereby authorized to be promulgated by the Secretary hereunder;

(3) signs, displays, and devices advertising the sale or lease of property upon which they are located; and

(4) signs, displays, and devices advertising activities conducted on the property on which they are located.

(d) Effective control is further defined to mean that a State shall, by January 1, 1970, designate a scenic road system consisting of 10 per centum or more of its total mileage on the Federal-aid primary and Federal-aid secondary systems, and in areas adjacent to such scenic roads shall limit signs, displays, and devices in accordance with this section. After any such designation by a State and approval thereof by the Secretary such highway so designated and approval shall constitute the scenic road system in such State.

Notwithstanding the addition of a highway to the scenic road system, it shall concurrently remain as a unit of the system (primary or secondary) in which it was included prior to scenic road system designation. Nothing in this section shall be construed to prevent a State from designating from time to time additional scenic roads pursuant to this section and with approval of the Secretary. When a State designates scenic road system mileage on new construction in excess of the minimum mileage as defined in this subsection, the Federal share of costs payable under section 120(a) of this title, for highway projects comprising such excess, shall be increased by one-half per centum of the cost of construction above the Federal share otherwise payable.

(e) The Secretary shall approve the designation of any segment of the scenic road system which meets the following standards:

(1) a continuous length of at least twenty miles (counting contiguous portions within incorporated municipalities which may be excluded pursuant to subsection (f) from the provisions of sections 131 and 136 of this title); and

(2) proximity to existing and potential outdoor recreation areas identified in the statewide outdoor recreation plan, if any, prepared pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), or proximity to scenic geographic features such as oceans, lakes, rivers, mountains, or historic sites.

The Secretary may also approve the designation of segments not meeting such standards if he finds that such segments have scenic or recreational values.

(f) Any State may apply to the Secretary for the exclusion from the application of this section for segments of the scenic road system which traverse incorporated municipalities. The Secretary may grant such exclusions if he finds that such action will be consistent with the national policy declared in this Act. Segments of highways thus excluded from the scenic highway system shall not be counted as scenic road mileage under this section.

(g) A State may control the erection and maintenance of signs, displays, and devices visible from the main traveled way and in areas farther than six hundred and sixty feet of the nearest edge of the right-of-way along all or part of such systems, and if a State does carry out such control the Secretary shall participate in such control as if such areas were within six hundred and sixty feet of the nearest edge of the right-of-way of such systems.

(h) The sums authorized by section 319(b) of this title shall be utilized to the maximum extent feasible on the scenic road system, and the Secretary may give priority to applications of such projects. The Secretaries of the Interior, Housing and Urban Development, and Agriculture are authorized to utilize such statutory authority as they possess to cooperate with the Secretary and the States in protecting the scenic values and developing the recreational values of land adjacent to the scenic road system.

(i) The Secretary shall reimburse any State for 75 per centum of the cost of compensation paid for accomplishing the removal within two years of the date that the following signs, displays, and devices become nonconforming:

(1) those lawfully in existence on the Interstate System on the date of enactment of the Highway Beautification Act of 1965,

(2) those lawfully in existence on any highway made a part of the Interstate System after the date of enactment of the Highway Beautification Act of 1965; and

(3) those lawfully in existence on any highway made a part of the scenic road system after the date of enactment of the Highway Beautification Act of 1967.

Such compensation, to the extent compensable under State law, may be paid for the following:

(A) the taking from the owner of such sign, display, or device of all right, title, leasehold, and interest in such sign, display, or device; or

(B) the taking from the owner of the real property on which the sign, display, or device is located, of the right to erect and maintain such signs, displays, and devices thereon.

(j) Any sign, display, or device described in subsection (i) which is not removed with Federal assistance pursuant to such paragraph shall not be required to be removed prior to five years from the date on which it becomes nonconforming.

(k) In order to provide information in the specific interest of the traveling public, the State highway departments are authorized to maintain maps and to permit informational directories and advertising pamphlets to be made available at safety rest areas. Subject to the approval of the Secretary, a State may also establish informational centers at safety rest areas for the purpose of informing the public of places of interest within the States and providing such other information as a State may consider desirable.

(l) A State may provide for areas within the rights-of-way, at appropriate distances from intersections on the Interstate System, and at appropriate points on the scenic road system, on which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained. Such signs, displays, and devices shall conform to national standards promulgated by the Secretary.

(m) All public lands or reservations of the United States which are adjacent to any portion of the Interstate System or the scenic road system shall be controlled in accordance with the provisions of this section and the national standards promulgated by the Secretary. However, any Federal agency may promulgate more strict standards for those public lands or reservations under its jurisdiction which are adjacent to any portion of the Interstate System or the scenic road system.

(n) Any State highway department which has, under this section as in effect on June 30, 1965, entered into agreement with the Secretary to control the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System shall be entitled to receive the bonus payments as set forth in the agreement, but no such State highway department shall be entitled to such payments unless the State maintains the control required under such agreement to the control required by this section, whichever control is stricter. Such payments shall be paid only from appropriations made to carry out this section. The provisions of this subsection shall not be construed to exempt any State from controlling outdoor advertising as otherwise provided in this section provided that any State which has entered into such agreement need not remove any sign, display, or device previously authorized by this section as of June 30, 1965, and the national standards promulgated by the Secretary thereunder.

(o) Nothing in this section shall prohibit a State from establishing standards or laws imposing stricter limitations with respect to signs, displays, and devices on the Federal-aid highway systems than those established under this section.

(p) Not less than sixty days before making a final determination to withhold funds from a State under subsection (b) of this section, or to do so under subsection (b) of section 136, the Secretary shall give written notice to the State of his proposed determination and a statement of the reasons therefor, and during such period shall give the State an opportunity for a hearing on such determination. Following such hearing the Secretary shall issue a written order setting forth his final determination and shall furnish a copy of such order to the State. Within forty-five days of receipt of such order, the State may appeal such order to any United States district court for such state, and upon the filing of such appeal such order shall be stayed until final judgment has been entered on such appeal. Summons may be served at any place in the United States. The court shall have jurisdiction to affirm the determination of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the United States court of appeals for the circuit in which the State is located and to the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254. If any part of an apportionment to a State is withheld by the Secretary under subsection (b) of this section or subsection (b) of section 136, the amount so withheld shall not be reapportioned to the other States as long as a suit brought by such State under this subsection is pending. Such amount shall remain available for apportionment in accordance with the final judgment and this subsection. Funds withheld from apportionment and subsequently apportioned or reapportioned under this section shall be available for expenditure for three full fiscal years after the date of such apportionment or reapportionment as the case may be.

(q) There is authorized to be apportioned to carry out the provisions of this section, out of any money in the Treasury not otherwise apportioned, not to exceed $15,000,000 for the fiscal year ending June 30, 1968, and not to exceed $20,000,000 for the fiscal year ending June 30, 1969.

TITLE II

SEC. 201. Section 136 of title 23, United States Code is revised to read as follows:

S. 136. Control of junkyards

(a) The Congress hereby finds and declares that the establishment and use and maintenance of junkyards in areas adjacent to the Interstate System and the scenic road system, designated pursuant to subsections (d) and (e) of section 131, should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve the natural beauty.

(b) Federal-aid highway funds apportioned on or after January 1, 1970, to any State which the Secretary determines has not made provision for effective control of the establishment and maintenance along the Interstate System and the scenic road system, designated pursuant to subsections (d) and (e) of section 131, of outdoor junkyards, which are within one thousand feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall be reduced by amounts equal to 10 per centum of the amounts which would otherwise be apportioned to such State under section 104 of this title, until such time as such State shall provide for such effective control. Any amount which is withheld from apportionment to any State hereunder shall be reapportioned to the other States. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State.

(c) Effective control means that by January 1, 1970, with respect to junkyards along the Interstate System, and not later than two years after the designation of a segment of highway as part of the scenic road system, designated pursuant to subsections (d) and (e) of section 131, with respect to junkyards along such segment, such junkyards shall be screened by natural objects, plantings, fences, or other appropriate means so as not to be visible from the main traveled way of the system, or shall be removed from sight.

(d) the term "junk" shall mean old scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, dismantled or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

(e) The term "automobile graveyard" shall mean any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

(f) The term "junkyard" shall mean an establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and the term shall include garbage dumps and sanitary fills.

(g) Notwithstanding any provision of this section, any junkyard in existence on the date of enactment of this section which does not conform to the requirements of this section and which the Secretary finds as a practical matter cannot be screened, shall not be required to be removed until the end of the fifth year after such junkyard becomes nonconforming.

(h) The Federal share of landscaping and screening costs under this section shall be 75 per centum.

(i) The Secretary shall reimburse any State for 75 per centum of the cost of compensation, to the extent compensable under State law, paid the owner for the relocation, removal, or disposal of the following junkyards:

(1) those lawfully in existence on the Interstate System on the date of enactment of the Highway Beautification Act of 1965;

(2) those lawfully in existence on any highway made a part of the Interstate System after the date of enactment of the Highway Beautification Act of 1965; and

(3) those lawfully in existence on any highway made a part of the scenic road system, designated pursuant to subsections (d) and (e) of section 131, after the date of enactment of the Highway Beautification Act of 1967.

(j) All public lands or reservations of the United States which are adjacent to any portion of the Interstate System and scenic road system, designated pursuant to subsections (d) and (e) of section 131, shall be effectively controlled in accordance with the provisions of this section. However, any Federal agency may promulgate more strict limitations for those public lands or reservations under its jurisdiction.

(k) Nothing in this section shall prohibit a State from establishing more strict limitations with respect to outdoor junkyards adjacent to the Interstate System and scenic road system, designated pursuant to subsections (d) and (e) of section 131, than those established under this section.

(l) There is authorized to be appropriated to carry out this section, out of any money in the Treasury not otherwise appropriated not to exceed $20,000,000 for the fiscal year ending June 30, 1968, and not to exceed $20,000,000 for the fiscal year ending June 30, 1969. No part of the Highway Trust Fund shall be available to carry out this section.

The editorial and analysis, presented by Mr. MAGNUSON, are as follows:

BLUNDERBUSS BILLBOARD LAW

The Highway Beautification Act, as it applies to outdoor advertising, has turned out to be one of the most disappointing statutes Congress ever enacted. It was known at the time the bill was passed in 1965 that it contained some striking defects. Now some of the legislators who are most interested in protecting highways from unsightly distractions are saying that the law is worse than no law at all. In some states it will actually create billboard advertising where none existed before.

One critical error was the requirement that the states, with Federal aid, compensate the owners of billboards to be removed. A report by the Secretary of Transportation estimated the cost of removing about 1 million outdoor ads under this provision at $358,610,000. There is no indication that Congress is ready to appropriate that rather staggering sum. Nor is there any necessity for it. Some states have been able to control billboards through use of their police power, and they now balk at the idea that they must pay compensation where none would be required to effect the desired improvements under their own law.

Another critical defect in the act was the failure to make absolutely clear that the states could enforce stricter regulation of billboards than the Federal statute provided. This weakness was further accentuated by the provision declaring it a purpose of Congress "to promote the reasonable, orderly and effective display of outdoor advertising." This tricky gimmick in itself comes close to sabotaging the Highway Beautification Act.

The weaknesses of the act have come strikingly to the fore because any state which has not complied with its terms by next January 1 will lose 10 per cent of its Federal-aid highway funds. Some states with strict billboard control systems are thus in danger of being penalized unless they lower their standards in some respects and pay compensation where they feel that it is unnecessary.

The only feasible course appears to be a general overhaul of the statute so as to eliminate its inconsistencies and reduce the excessive outlays. Representative Pelly and Senator Cooper have introduced bills under which the focus would be shifted from the entire "Federal-aid primary system" to the Interstate System and especially scenic highways. Because of the confusion that has resulted from the attempt to regulate billboards in commercial and industrial zones, this problem would be left to the cities. Congressman Pelly insists that his bill would reduce the cost of the program by 30 per cent and produce more satisfactory results than the present law.

In any event Congress has to act during its present session if it is to avoid penalizing the states for not having conformed with what appears to be an unworkable and unsatisfactory law. Certainly it should address itself to the defects as well as extension of the time limit. And it would doubtless be better to create a good system of control with limited application than to struggle along with a blunderbuss approach that would be in danger of breakdown because of its complexities and extravagance.

ANALYSIS OF THE BILL

1. Provides for effective control of outdoor advertising and junkyards adjacent to the Interstate System and the scenic portions of other federal-aid highway systems by 1970. (The present Act requires state action by January 1968 with respect to all primary federal-aid highways and the interstate system.)

2. Requires the states to designate by 1970, 10 percent of its total mileage of federal-aid primary and federal-aid secondary systems as a scenic road system in addition to the Interstate System. An incentive bonus of ½ percent increase in federal construction assistance is provided where the states designate more scenic roads than are required.

3. Simplifies the present Act by more specifically defining those signs which are excluded from control.

4. Allows states to control the super signs beyond 660 feet of the right of way and to receive federal funds as if within 660 feet.

5. Allows each state to apply to the Secretary of Transportation for the exclusion of scenic highway segments passing through municipalities. The Secretary has the discretion to grant the exclusion consistent with national policy.

6. Permits a state, consistent with national standards, to designate certain areas at which signs giving specific information in the interest of the traveling public may be erected.

7. Provides for reimbursement by the federal government of 75 percent of the cost which is incurred by the state in compensating for sign removal. Where compensation is paid, the signs must be removed within two years after they become nonconforming. If the state does not pay compensation for removal, the signs need not be removed until after five years.

8. States which entered into agreements under the Act, as in effect on June 30, 1965, need not remove signs affirmatively authorized by the Act as then written.

9. Junkyards are controlled in substantially the same manner as outdoor advertising.

10. Requires that in designation of roads for the scenic road system the states consider scenic geographic or historic features and coordinate with their state recreation plan for the Land and Water Conservation Fund Act.

A BILL TO CONTROL ALEWIVES IN THE GREAT LAKES

Mr. NELSON. Mr. President, I introduce for myself and the Senators from Minnesota [Mr. MONDALE and Mr. MCCARTHY], the Senators from Michigan [Mr. GRIFFIN and Mr. HART], the Senators from Indiana [Mr. HARTKE and Mr. BAYH], the Senator from Illinois [Mr. DIRKSEN], the Senator from New York [Mr. KENNEDY], the senior Senator from Wisconsin [Mr. PROXMIRE], and the junior Senator from Illinois [Mr. PERCY], a bill to provide $5 million in Federal funds, to be matched by the interested Great Lakes States, to implement existing programs and develop new programs for controlling alewives.

The alewife is a small herringlike fish which originally lived in the Atlantic Ocean, but which in recent years has moved up the St. Lawrence River into Lake Ontario and then through the Welland Canal into the upper lakes.

In a very short period of time the populations of alewives have exploded to the point where it is now estimated that they constitute 90 percent to 95 percent of the total fish population in Lakes Michigan and Ontario, and there are indications that their numbers are increasing in the other Great Lakes. This alewife population explosion has caused a serious disruption of the ecological balance in the Great Lakes, particularly Lakes Michigan and Ontario.

Although the whole life cycle of this fish is not clearly understood—one thing is clear—these fish have relatively short lifespans and each year they die off in tremendous numbers. This year's dieoff has been the worst ever. The great mess that has been created by dead alewives piling up on the Lake Michigan shore this summer has created a very serious problem.

The dieoff this year has led some people to speculate that next year the population will be smaller. We have been told, however, that in the laboratory one female alewife produces 10,000 eggs and that 8,000 of them hatch.

The accumulation of dead fish along beaches creates a health hazard. The dead fish are a serious water pollutant and a threat to water-based recreation. Chicago park officials recently said that the number of dead alewives that they have removed from the beaches and buried would cover two football fields, 500 feet deep.

Several approaches to the problem have been attempted. One has been the introduction into the Great Lakes of predator species such as the Coho and Chinook salmon. Indications are that the plantings of Coho salmon last year were highly successful. We must expand plantings of predator species and at the same time continue to look for new species of fish which cannot only serve as predators but also as resources for the sport and commercial fisherman.

Another way to help control the alewife population is to expand commercial fishing and processing of them. In 1966, it was estimated that commercial fishermen and natural predators removed about 28.9 million pounds of alewives from Lake Michigan. At the same time, the Bureau of Commercial Fisheries said that there were between 3 and 5 billion pounds of alewives in Lake Michigan and that at least 200 million pounds could be profitably harvested each year.

The goal of our efforts is to establish a sound new ecology in the Great Lakes. The balance of nature that we are striving for will include alewives and a number of other species which will offer opportunities to both the sport fisherman and the commercial fisherman.

The bill has attracted widespread, bipartisan support. This problem is something that concerns all of the Great Lakes Senators and we intend to do something about it.

We are not going to solve this alewife problem overnight. It can only be resolved by a sustained effort over a period of years, but it is critical that we start now. This year's dieoff appears to be slowing down now but we must begin our new control programs as soon as possible or we will have an even worse mess next year.

Mr. President, I ask unanimous consent that the bill be printed in the Record at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2123) to provide for the control of the alewife and other fish and aquatic animals in the waters of the Great Lakes which affect adversely the ecological balance of the Great Lakes, introduced by Mr. Nelson (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 2123

A bill to provide for the control of the alewife and other fish and aquatic animals in the waters of the Great Lakes which affect adversely the ecological balance of the Great Lakes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, because of the fact that the ecological balance of the Great Lakes has been disrupted, the Secretary of the Interior is authorized, for purposes of conserving and protecting the fish resources, combating water pollution, and promoting and safeguarding water-based recreation for present and future generations, in the waters of the Great Lakes, to cooperate with, and provide assistance to, the States in controlling the alewife (known biologically as "alosa pseudoharvengus"), and other fish or aquatic animals which affect adversely the ecological balance of the Great Lakes.

Sec. 2. In carrying out the purposes of this Act, the Secretary of the Interior, in cooperation with the States, is authorized (1) to conduct, directly or by contract, such studies, research, and investigations, as he deems desirable, to determine the abundance and distribution of the alewife and other fish or aquatic animals which affect adversely the ecological balance of the Great Lakes and their effects on other fish or aquatic animals, pollution, and water-based recreation within the Great Lakes; (2) to conduct, directly or by contract, studies of control measures of the alewife and other such fish and animals; (3) to establish and carry out, based on studies made pursuant to this Act, programs relating to controlling the alewife and other such fish and animals, stocking, and the development of industrial or other commercial uses of the alewife and other such fish and animals; and (4) to take such other actions as he deems desirable in carrying out the purposes of this Act. The costs of any study, research, investigation, program, or other action conducted or carried out in accordance with the provisions of this Act shall be borne equally by the Federal government and by the States, acting jointly or severally.

Sec. 3. The Congress hereby consents to any compact or agreement between any two or more States entered into for the purpose of carrying out a program of research, study, investigation, or other action relating to the control of the alewife and other fish and aquatic animals which affect adversely the ecological balance of the Great Lakes. The right to alter, amend, or repeal this section or the consent granted herein is expressly reserved.

Sec. 4. Nothing in this Act shall be construed to alter, amend, repeal, modify, or diminish the present general authority of the Secretary of the Interior to conduct studies, research, and investigations related to the mission of the Department of the Interior.

Sec. 5. There is authorized to be appropriated not to exceed $5,000,000 for the Federal share of the costs involved in connection with any study, research, investigation, program, or action conducted or carried out in accordance with this Act.

INTRODUCTION OF THE HOME PURCHASE ASSISTANCE ACT AND THE HOUSING EXPERT AND LOAN PROGRAM

NEW DIRECTIONS IN HOUSING

Mr. MONDALE. Mr. President, millions of modest-income people in this country can no longer afford or obtain mortgage credit. "Redlined" residential areas, credit barriers for minority groups, and the constant threat of tight money are reducing home-buying opportunities even while our overall economy is expanding. The challenge of mortgage credit for lower income families has not been met by private lenders, and, regretfully, some have contributed to the problem we now face.

It is fitting at this time to remember that the Federal Housing Administration opened up home purchasing opportunities for millions of middle-income families. FHA did this by encouraging the private sector and supplementing its efforts. Under a bill I am introducing today, FHA could do the same for millions of low- and moderate-income families. And under a second bill, the commendable effort by nonprofit organizations in the housing field would be assisted. FHA has played a key supporting role for nonprofit sponsors as well as for profit-minded developers of housing.

FHA, unfortunately, finds itself in a crossfire of conflicting criticisms. Both caution and derring-do are urged upon the agency at the same time. Nonconstructive criticism and contradictory mandates are a disservice to both FHA and the public interest.

Housing legislation has never been restricted to a single goal. An expansion of the total supply of housing, conservation and rehabilitation of the existing supply, increased economic activity and greater employment opportunities, revitalization of blighted areas, and special efforts to improve housing opportunities for persons of low- and moderate-income have all been major policy objectives.

There are times when the pursuit of multiple goals leads to difficulty. The Federal Housing Administration seems now to find itself in one of these periods. If so, we are at a juncture that permits no hesitation, no faltering, no reluctance to meet those needs that are so urgent. Clarification, and a call to appropriate action are in order.

GENERAL PERSPECTIVE

Since its establishment in 1934, the FHA has made homeownership possible for more than 8 million families. It has provided insurance for $112 billion worth of loans and mortgages. In particular, insurance of mortgages with liberal terms has made possible large-scale construction and sales of homes, which, in turn, has enabled FHA to serve the moderate price market. In recent years, the FHA and similar VA programs have accounted for a majority of new homes costing under $15,000.

In any system as large and complex as FHA, involving hundreds of thousands of decisions ranging from estimates of the likely market to the capability of the builder, there are bound to be mistakes. Some can be avoided through foresight; some become clear only with the benefit of 20/20 hindsight. Some can be corrected through improved policies and procedures; some cannot, without destroying the very purposes for which FHA was created.

Recognizing that Congress created FHA for the express purpose of assuming a measure of risk which private lending institutions did not feel it prudent to accept by themselves, the remarkable fact is not that there have been some failures, but that there has been so much success.

Total losses to date represent only 0.7 percent of all insurance written. And FHA's insurance reserve is $1.1 billion, plus an allowance of $429 million for estimated losses.

The significance of these figures is all the more impressive in light of the new directions that Congress authorized FHA to take in recent years to meet the needs of central cities and families with moderate incomes—where the needs are urgent and the risks greater.

FHA'S NEW DIRECTIONS

In the postwar period, and especially in the 1960's, FHA has been called upon to administer a constantly increasing number of multifamily programs which are designed to serve specific social objectives.

The cooperative housing and condominium programs were introduced as a means of providing homeownership to an urban market which otherwise would be restricted to profit-motivated rental projects. The elderly housing program, section 231, was added for the purpose of increasing the availability of special facilities for persons 62 years and older, and this program has recently been expanded to accommodate handicapped persons. The urban renewal program, section 220, provides financing for rehabilitating substandard housing in slum areas and for the construction of new housing in areas cleared of slums. The section 221 program offers financing for the construction or rehabilitation of low cost sales housing and rental housing for moderate-income families. The special below-market interest rate financing under section 221(d)(3) enables the development of rental projects with rentals that can be afforded by low- and moderate-income families.

In establishing these new social purpose programs, with novel financial arrangements and with innovations in the types of projects and in the sponsorships, it is evident that Congress recognized that the FHA would be required to incur higher risks.

SECTION 231 PROGRAM

For example, let us examine the section 231 programs for housing the elderly:

In 1956, the Nation was greatly concerned with the inadequacy of available housing for the elderly. The Housing Act of 1956 permitted the FHA to insure mortgages covering nonprofit projects designed for rental to elderly persons. Congress recognized that elderly housing required special design and construction to meet the requirements of the elderly, such as small living units, central dining facilities, reading rooms, specially designed bathrooms and doorways, nonskid floors, special lighting fixtures and other amenities. As finally enacted, the mortgage was based upon 90 percent of the replacement cost.

The legislative history also indicated that Congress did not expect elderly housing projects to meet the test of economic soundness.

In 1959, this program was expanded to include both profit and nonprofit mortgagors. The nonprofit mortgagors were eligible for mortgages based upon 100 percent of replacement cost, whereas the profit mortgagors were restricted to 90 percent of replacement costs.

Testimony during the hearings on the 1959 amendment highlighted the fact that many nonprofit sponsors were unable to achieve the 10-percent equity required and that the 3 years of operation of the program there had been applications for only 32 projects, with a total of 4,500 units.

It was apparent that the program needed to be stimulated if it were to meet the needs of the elderly, and the 100 percent of replacement cost mortgages for nonprofit mortgagors was the result.

SECTION 220 PROGRAM

Another example of the new directions is the 220 program, which was first authorized in the 1954 Housing Act. Congress recognized that, if projects were to be built in substantial quantity in urban renewal areas, FHA would have to depart from the more cautious approach followed in section 207 programs.

Because lenders were unwilling to make loans in areas with an uncertain future, the older programs had not been effective in providing financing in urban projects. Creation of a special 220 program was expected to permit a less cautious evaluation of these projects than was necessary for projects located in more favorable environments.

This section 220 was further liberalized by a 1955 amendment which substituted "replacement cost" for "value" in determining the amount of FHA insurance available. In commenting on this proposed change, a Senate committee report stated:

> Although there has been general interest in the program by builders and lenders, it has not produced any housing. Testimony before the committee shows that one of the principal obstacles is the use of 'estimated value' as the basis for determining the maximum mortgage amount. Under the 'estimated value' concept, the FHA has been unwilling to recognize the ultimate value of a project constructed in the midst of a blighted area, even though such area is planned for eventual rehabilitation. This bill would provide that the maximum mortgage amount be computed on the basis of the 'estimated replacement cost.' *Under this concept, the committee hopes that the program can begin to serve the purpose for which it was created.*

In 1956, 2 years after its enactment in 1954, there still had not been a single project insured under section 220. Thus the House of Representatives conducted an investigation to "find out why the volume of rental housing construction under Government-assisted programs had virtually dried up and to determine what steps were necessary for corrective action." Subsequently the committee recognized that, in order to encourage participation by builders in urban renewal areas, it would probably be necessary to include in mortgage amounts an allowance for the "builder's and sponsor's risk." The committee's report stated:

> It certainly should not be overlooked either that the builder-sponsor equity investment is precarious and that it may be wiped out should the expected rental income fail to materialize. It has been estimated that a fall-off in expected rental income of as little as 15 percent could result in the foreclosure of the mortgage and the loss of the builder's equity . . . The proper profit allowance is necessarily a controversial subject as between the sponsor who understandably is interested in the highest allowance possible, and the FHA with its administrative responsibilities.

In 1956, section 220 was, once again, amended to include in the approved mortgage amount a 10-percent allowance for builder's and sponsor's profit and risk based on all costs incident to construction, including the cost of the land.

Inevitably, each of these steps has exposed FHA to a greater risk. In all fairness we must acknowledge that Congress, by legislative enactment, has called upon FHA to take a more experimental approach in various programs. Talk now of "economic soundness" and "economic feasibility" should be balanced by due consideration to the goals of renewing cities and removing blight of rehabilitation sound but deteriorating homes, of conserving neighborhoods, and of providing decent housing for low- and moderate-income people.

SECTION 221 PROGRAM

As to future directions, it is obvious that this administration expects the FHA to play an increasingly responsible social role in American cities:

Of prominence is the rent supplement program which was designed to mobilize the resources of private enterprise in meeting the urgent needs of low-income families for decent housing. By paying supplements to the owners, who, with FHA-insured private financing, construct and operate the projects, this program will stimulate and rely upon private enterprise. It will help thousands of our low-income citizens to lift themselves from substandard accommodations, and, in so doing, promote the efforts of local communities to remove blight and squalor.

Further, the FHA, has participated in several rehabilitation demonstration projects. The most far reaching of these is the so-called "hole in the roof" rehabilitation project in New York City. Through systems analysis, new technology, and new products, an old tenement was completely rehabilitated within a 48-hour period. In this venture, the FHA played an important role of by using the 221(d)(3) insuring program to support the mortgage.

There are other examples of the new social directions presently being undertaken by the FHA. Realistically, however, we should recognize that FHA is just beginning on this venturesome course. They need encouragement and most of all they need congressional direction.

On the other hand, I readily admit that some of the multifamily projects on which mortgages were insured were ill-conceived and underwriting judgments were sometimes poor—especially during the early phases of operation under the high-risk programs.

FURTHER NEEDS

I am substantially in agreement with the recommendation that high-cost housing projects have economic feasibility as a primary standard. However, in other projects we must allow for "acceptable risks" and FHA must be encouraged to take those risks necessary to provide adequate housing for the elderly, persons displaced by Government action, and other persons of low and moderate income. In addition we should take risks and suffer the losses necessary to conserve neighborhoods composed of low density residences suitable for families of modest income. Where actions by residents or by public authorities give reasonable promise of stabilizing the residential character of a neighborhood, mortgage credit on reasonable terms should be available. Lower income families should not be left at the mercy of unscrupulous lenders who charge exorbitant rates of interest or of landlords who exploit and improperly convert housing for quick profits. Some steps have been taken to meet these problems.

The FHA presently administers the section 221(h) program—rehabilitation sales housing for low-income purchasers. This program provides financing for the purchase of deteriorating or substandard single-family dwellings and the rehabilitation and sale of these dwellings to low-income purchasers on a nonprofit basis. Also the FHA is administering the 221(d)(3) program which provides rental units to moderate-income persons and those displaced by Government action. But there is no program to enable low- and moderate-income families to tap the existing housing supply as purchasers. Yet many of these older homes are not expensive. Many require little or no rehabilitation.

During recent hearings on mortgage credit several private organizations suggested that this "turnover" process was the best way to make housing available to low- and moderate-income people. But existing single-family dwellings are not in fact readily available to modest-income families. Sharp increases in the cost of mortgage credit, such as occurred last year, eliminate millions of families from the housing market. A rise of only one percentage point in the interest rate increases by $500 to $600 the annual income required to buy even an inexpensive home. The substantial jump in interest rates of last year may have removed as many as 4 million moderate-income families from home-buying eligibility.

The practice of "redlining" is another major interference with the turnover process. Older neighborhoods, especially as they are settled by minority groups, may be declared by lending institutions to be unsuitable for mortgage credit. Once an area is so marked, it can only go down. Money is not available to make repairs and to preserve the single-family character of residences. All across the country units are allowed to deteriorate. Some of them are large, rambling, Victorian houses which would be especially suitable for large families.

Nearly $2 billion have been spent on urban renewal. Painfully we have learned that rehabilitation is socially and economically preferable to clearance. We must also recognize that conservation and steady maintenance are preferable to rehabilitation. And we must go the one additional step necessary to realize that mortgage credit is a key to conservation. In her much praised book, "The Death and Life of Great American Cities," Jane Jacobs points out that "droughts of mortgage money" are the cause of much urban decay.

In some cases mortgage credit is not available on reasonable terms because prospective home buyers are minority group members or persons of low to moderate income. In mortgage credit as in so many other areas, the story is the familiar one—"the poor pay more." The consequence is overcrowding, rapid turnover in occupancy, and in paper ownership, and a speedy rate of decline and deterioration. Once this process has set in, clearance or, at best, expensive rehabilitation is the final result.

There is an alternative—to meet the problem forthrightly. Preventive measures would be a great deal more humane and, for the economy-minded, less expensive in the long run.

Finding fault with FHA will not change circumstances. Mortgage credit is costly; it is unavailable in many older areas containing inexpensive housing; and it cannot be obtained by many deserving families. Efforts have been made to promote greater insurance activity in older areas but without adequate tools neither FHA nor any other agency can cope with the situation.

THE HOME PURCHASE ASSISTANCE ACT

I am introducing today the Home Purchase Assistance Act. It is a charge to FHA to take risks and to pay greater heed to the housing problems of lower-income families, and it provides the means for taking these steps. In international affairs we have established high-risks, low-interest loans. My bill draws on this same principle to conserve our existing housing supply and to increase home purchasing opportunities for low- and moderate-income families. It is a mandate to FHA to take whatever risks are necessary in order to put low- and moderate-income families in decent housing.

As many as 7.5 million families in America could qualify under this program. This includes present homeowners who are in substandard or overcrowded units, and it includes renters who could achieve homeownership.

The program is limited to single-family, previously occupied dwellings which have a principal obligation of $12,500. An exception is made for high-cost areas where the mortgage can be $15,000. These homes will be insured at the FHA rate—currently 6-percent ceiling—and have a maturity of up to 35 years. The bill authorizes $30 million in contract authority the first year, and an additional $20 million the second year, to provide for an interest rate writedown. That is, the Federal Government will pay up to half of the interest for the length of this mortgage, with the purchaser paying the other half. This encourages the private lender to accept the mortgage on these homes and maintain it.

Also a $10 million reserve fund is established at the FHA to cover the risk of losses under this program. This protects the regular reserve fund, and provides for a clear mandate for greater risk on part of the FHA. Therefore, the bill makes no effort to bypass existing institutions, public or private, rather both the private lender and the FHA are encouraged to use their experience and resources to put low- and moderate-income families in decent housing.

The housing is available. One in five families move each year, providing a constant supply of vacant, standard residences.

The problem—

Bernard Frieden of MIT has explained—

> is to secure a larger share of this housing for people whose choices are now very limited, principally Negroes and low-income families.

With modest assistance this can be accomplished. The appropriation I am calling for would enable 100,000 families to better their housing conditions this year.

Tax deductions for mortgage interests have aided and encourage middle- and high-income families in the purchase of housing. Under this new program funds to cover up to half the interest charges would provide low- and moderate-income families with an equally strong incentive to purchase.

In the longrun, we will have saved money through conserving our housing. Owner-occupied, uncrowded, single-family dwellings have a life far longer than housing under any other conditions.

I want to emphasize one additional feature of my proposal—permission for a special increase in mortgage obligation of $2,500 for exceptionally large families. One of our chronic problems has been adequate housing for low- and moderate-income families with many children. Improved chances to purchase a home should help solve this problem.

It should be made clear that the program proposed here does not assume that every low-income family can or wants to buy a house. It does assume that many families who otherwise would have to remain renters—and all too often at a high cost—can and will purchase given some assistance.

The modest aid provided here along with a fuller use of the existing housing supply will afford substantial opportunities. My estimate by region of the income level which would be served and the average monthly housing cost under this bill are:

	Income interval	Monthly housing cost
Northeast	$4,700–$7,300	$103
North central	4,200– 7,400	88
South	3,600– 6,000	76
West	4,700– 7,400	103

This bill reduces the cost by $25 to $37 a month to the above levels.

OPERATION HELP

This program does not require the participation of nonprofit sponsors or similar intermediaries. But I am by no means inclined to neglect these groups and the important contribution they can make. Several existing programs depend on the use of nonprofit sponsors. For example, the 221(d)(3) program for low- and middle-income families, the rent supplement program, the housing for the elderly, and the rural housing program all encourage nonprofit sponsors such as church groups to be active in the housing field.

But, nonprofit sponsors have not been adequately used because of gaps in the legislation. These groups too often do not have the technical expertise necessary to deal with the maze of problems associated with planning, developing, financing, executing, administering, and managing these projects. For example, the local church in a small community might be interested in sponsoring a project for the elderly, but would not have the vaguest idea of how to go about acquiring land and constructing a 40-unit project. My second bill, Operation HELP, would deal with these problems and allow more potential sponsors to enter the field of providing housing for those of modest means.

This would be accomplished by providing grants to the States to establish a program to encourage nonprofit sponsors and to provide them with the technical assistance necessary to develop and obtain financing for a project.

Also a revolving fund would be established at the Federal level to provide no-interest loans to nonprofit sponsors for "seed" money to develop proposals for low- and moderate-income housing. At the present time many potential sponsors are discouraged by the cost of developing proposals. These costs include: architectural fees, market surveys, engineering surveys, insurance fees, and other costs associated with the preparation of a multiunit project. If we are to encourage these sponsors, then we must be concerned that they are successful and do not default. The preliminary work, if competent, will better insure their success. Therefore, we must provide the funds necessary to guarantee that careful competent planning is performed.

CONCLUSION

Thus my two bills deal with missing links in the housing law. The one gives the FHA a new mandate and encourages this agency to take the risk necessary to provide homeownership to many people otherwise prevented from it. The second bill facilitates the use of nonprofit sponsors in providing additional units of safe and decent housing for those of modest means. Neither is a drastic attempt to alter present practices; rather, both use the framework of existing legislation, the expertise and the competence of administrative agencies, and the experience and resources of private organizations.

Mr. President, I request that the following be placed in the RECORD at this point:

First. Summaries of the two bills.

Second. The text of these bills.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the summaries of the two bills and the text of the bills will be printed in the RECORD.

The summary, relating to Senate bill 2124, is as follows:

SUMMARY OF MORTGAGE SUBSIDY PROGRAM

The purpose of this bill is to broaden the federal government's housing program for families of modest means. At the present time there are various programs that assist the low and moderate income. The first is section 221. Under this section below the market interest rate mortgages may be insured by the FHA. The (d) (3) section of 221 provides for below the market interest rates for the construction or rehabilitation of rental units. The (h) section provides assistance to non-profit corporations to purchase and rehabilitate housing for resale to families of low income (defined to include only those who are eligible for rent supplements).

For the lowest income families there are, in addition to section 221 (h), the rent supplement and the public housing programs. Both provide for rental units to families who would otherwise be forced to live in substandard housing. The low and moderate income elderly are assisted under section 202 of the National Housing Act which provides for loans to sponsors of rental units for the elderly. The rural housing program assists the rural family in finding decent housing.

There is therefore one missing segment in this legislation if we are to provide alternatives to the low and middle income family. This gap is a program to assist the family of modest means in purchasing a home. This bill attempts to complement existing legislation by providing the alternative of home ownership to those families who can qualify under the income limits of the 221 (d) (3) program.

A new mortgage section, 235, would be created. This section would authorize the Secretary to insure mortgages on previously occupied, single family dwellings. The principal obligation could not exceed 12,500, except in high cost areas where it could be increased to 15,000 dollars. Special exception is made for the large family (5 or more children) as the Secretary is allowed to increase the maximum limits by 2500 dollars for these families.

The mortgages will bear FHA interest rate (currently 6% ceiling) and can run as long as 35 years. The federal government will use a home purchase assistance fund to reduce the amount of interest to 3% to the purchaser. The fund will provide the difference between this three percent and the actual interest rate, charged to the purchaser. This allows for the monthly payment to be lowered, and place the possibility of home ownership in the reach of additional families of modest means. $30 million is authorized in contracts for the first year and this will be increased another $20 million the second year.

Also a 10 million dollar fund is established to cover the expenses and the risks of this program. This will free FHA from the normal conservative insurance criteria it uses to cover the expenses and losses under the program.

The bill (S. 2124) to amend title II of the National Housing Act to provide home purchase assistance, and for other purposes, introduced by Mr. MONDALE, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2124

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the National Housing Act is amended by adding at the end thereof the following new section:

"HOME PURCHASE ASSISTANCE

"SEC. 1. Title II of the National Housing Act is amended by adding a new section 235 to read as follows:

" 'SEC. 235. (a) In addition to mortgages insured under other provisions of this title, the Secretary is authorized, upon application by the mortgagee, to insure mortgages executed to finance the sale of existing, previously occupied, single-family dwellings to low or moderate income purchasers. Commitments may be issued by the Secretary for the insurance of such mortgages prior to the date of their execution or disbursement thereon, upon such terms and conditions as the Secretary may prescribe. To be eligible for such insurance, the mortgage shall—

" '(1) be executed by a mortgagor having an income within the limits prescribed by the Secretary for occupants or projects financed with a mortgage insured under section 221(d)(3) which bears interest at the below market rate prescribed in the proviso of section 221(d)(5);

" '(2) involve a principal obligation (including such initial service charges, appraisal, inspection and other fees as the Secretary shall approve) in an amount not to exceed the lesser of the Secretary's estimate of the appraised value of the property or $12,500, or in the case of repair and rehabilitation in an amount not to exceed the lesser of the sum of the estimated cost of repair and rehabilitation and the Secretary's estimate of the value of the property before repair and rehabilitation or $12,500: *Provided,* That the Secretary may, by regulation, increase the foregoing dollar amount limitations to $15,000 in any geographical area where he finds that cost levels so require: *And provided further,* That when the Secretary finds that a family which includes five or more minor persons is unable to obtain housing of adequate size within the foregoing dollar amount limitations, the Secretary may, by regulation, increase the foregoing limitations to $15,000 and $17,500, respectively;

" '(3) be secured by property upon which there is located a dwelling which meets the requirements of all State laws, or local ordinances or regulations, relating to the public health or safety, zoning or otherwise, applicable thereto, and conforming to standards prescribed by the Secretary for properties insured under this section which standards shall give consideration to the need for providing adequate housing for families of low and moderate income;

" '(4) bear interest (exclusive of premium charges for insurance, and service charges, if any) at such rate, not in excess of 6 per centum per annum on the amount of the principal outstanding at any time, as the Secretary finds necessary to meet the mortgage market;

" '(5) provide for complete amortization by periodic payments within such term as the Secretary may prescribe, but not to exceed 35 years; and

" '(6) be executed by a mortgagor who shall have paid on account of the property at least 3 per centum of the Secretary's estimate of its acquisition cost which amount may include amounts to cover settlement costs and initial payments for taxes, hazard insurance premiums, mortgage insurance premiums, and other prepaid expenses: *Provided,* That the foregoing required payment on account of the acquisition cost of the property may be reduced, by regulation, to at least $200, if the mortgagor (i) is determined by the Secretary to be a displaced family within the meaning of "displaced family" as defined in the last paragraph of section 221(f) of this title, or (ii) is required to move from a low rent public housing project, aided by a contract for annual contributions under the United States Housing Act of 1937, because of an increase in family income beyond the approved maximum income limits for continued occupancy, or (iii) is living in housing determined by the Secretary to be substandard.

" '(b) Notwithstanding any provision of this Act, the Secretary, in order to further the provision of housing for low and moderate income families, may insure a mortgage which meets the requirements of subsection (a) of this section with no premium charge, with a reduced premium charge, or with a premium charge for such period or periods during the time the insurance is in effect, as the Secretary may determine.

" '(c) In order to further the objectives of this section, the Secretary may enter into agreements with mortgagees agreeing to hold mortgages insured under this section to pay such mortgagees, during such time as the mortgagor shall continue to occupy the property (or during such time as the property shall be occupied by a purchaser from the mortgagor who, at the time of purchase, shall have had an income within the limits prescribed in subsection (a)(1) of this section), annual payments on the basis of the difference between the amount of monthly payment for principal and interest which the mortgagor is obligated to pay under a mortgage bearing interest at the market rate established by the Secretary pursuant to subsection (a)(4) of this section and the monthly payment for principal and interest which the mortgagor would be obligated to pay if the mortgage were to bear interest at the rate established pursuant to the proviso in section 221(d)(5):

"'*Provided*, That such mortgagees shall agree to collect mortgage payments from mortgagors, during such periods of occupancy, in the amount which would be payable by the mortgagor if the mortgage were to bear interest at the rate established pursuant to the proviso in section 221(d)(5). The Secretary may also, in order to encourage private lenders to make funds available for mortgages insured under this section, enter into agreements with such mortgagees to compensate them for additional expenses which they may incur by reason of exceptional cost in originating and servicing such mortgages.

"'(d) Any mortgagee under a mortgage insured under this section shall be entitled to the benefits of the insurance as provided in section 204(a) with respect to mortgages insured under section 203. The provisions of subsections (b), (c), (d), (g), (j), and (k) of section 204 shall apply to mortgages insured under this section, except that as applied to those mortgages (1) all references to the "Fund" or "Mutual Mortgage Insurance Fund" shall refer to the "Home Purchase Insurance Fund" established by subsection (e) of this section, and (2) all references "section 203" shall refer to this section. The Secretary, in his discretion, and in accordance with such regulations as he may prescribe, may acquire a mortgage loan that is in default and the security therefor upon payment to the mortgagee in cash or in debentures (as provided in the mortgage insurance contract) of a total amount equal to the unpaid principal balance of the loan plus any accrued interest and any advances approved by the Secretary and made previously by the mortgagee under the provisions of the mortgage, and after the acquisition of any such mortgage by the Secretary, the mortgagee shall have no further rights, liabilities, or obligations with respect to the loan or the security for the loan.

"'There is hereby created a "Home Purchase Insurance Fund" (hereinafter referred to as the "Fund"), which shall be used by the Secretary as a revolving fund for carrying out the provisions of this section. For this purpose the Secretary of the Treasury shall make available to the Secretary such funds as the Secretary shall deem necessary, but not to exceed $10,000,000, which amount is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated. Premium charges, adjusted premium charges, inspection and other fees, service charges, and any other income received by the Secretary under this section, together with all earnings on the assets of the Fund shall be credited to such fund. All payments made pursuant to claims of mortgagees with respect to mortgages insured under this section, cash adjustments, the principal of and interest on debentures issued under this section, expenses incurred in connection with or as a consequence of the acquisition and disposal of property acquired under this section, and all administrative expenses in connection with the operation of this section, shall be paid out of this Fund. There is further authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such funds as may be requested from time to time by the Secretary, to provide assurance of the adequacy of the Fund for carrying out the operations of this section. Moneys in the Fund not needed for current operations under this section shall be deposited with the Treasurer of the United States to the credit of such Fund or invested in bonds or other obligations of, or in bonds or other obligations guaranteed by, the United States. The Secretary may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued under this section. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtained from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued.

"'(f) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of subsection (c) of this section, including but not limited to, such sums as may be necessary to make payments under contracts as prescribed in such subsection. The aggregate amount of the contracts to make such payments shall not exceed amounts approved in appropriation Acts and payments pursuant to such contracts shall not exceed $30,000,000 per annum prior to July 1, 1968, which maximum dollar amount shall be increased by $20,000,000 on July 1, 1969.'

"Sec. 2. Section 305 of the Federal National Mortgage Association Charter Act is amended by adding thereto the following new subsection:

"'(j) Notwithstanding any other provision of this Act, the Association is authorized to make commitments to purchase and to purchase, service, or sell any mortgages which are insured under section 235 of the National Housing Act. The total amount of such purchases and commitments shall not exceed $200,000,000 outstanding at any one time. The price to be paid by the Association for any mortgage purchased under this subsection shall not be less than the unpaid principal amount thereof at the time of purchase, with adjustments for interest and any comparable items.'"

The summary, relating to Senate bill 2125, is as follows:

Summary of Operation HELP, the Housing Expert and Loan Act

The purpose of this legislation is to provide a scheme of assistance to the non-profit sponsor of housing for those of modest means. Federal housing legislation provides special assistance to non-profit sponsors to encourage their entrance into the housing industry. Yet, there are gaps in the federal program which have discouraged potential non-profit sponsors from building or rehabilitating housing.

Too often sponsors do not have the technical know-how to organize and execute a project, nor do they have the financial resources to cover the "packaging" costs of preconstruction activities.

HELP attempts to fill these gaps in two ways: (1) a system of grants to the states to develop technical assistance programs, and (2) a revolving fund at the federal level for advancing money to the non-profit sponsor for costs necessary to develop and prepare the application for federal assistance.

I. This section authorizes $15 million a year, over a two year period, for grants to states to help finance programs of information and technical assistance to non-profit sponsors with respect to construction, rehabilitation and maintenance of law and moderate income housing. The state would submit a plan to the Secretary specifying the extent of the information and assistance functions it would provide. If the state plan was approved by the Secretary, the federal government would pay 90% of the cost of the program for the first two years, and 50% thereafter.

II. This section authorizes a $20 million revolving fund at the federal level to assist the non-profit sponsor in the preliminary costs of planning a project. No interest loans would be made by the Secretary to include such items as: preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site options, FHA and FNMA fees, and construction loan and fees and discounts.

Definitions—Non-profit sponsors means anybody or agency defined in section 221 (d)(3) of the National Housing Act including cooperatives, and moderate income projects are those that have mortgage insurance under section 221, or loans under sections 202 or 515. These include the low and moderate income programs, direct loan program for the elderly, and direct loan program for rural housing.

The bill (S. 2125) to assist nonprofit sponsors of low- and moderate-income housing, introduced by Mr. Mondale, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 2125

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing Expert and Loan Program, Operation HELP."

TITLE I

PURPOSE

Sec. 101. It is the purpose of this Title to assist States to make available information, advice and technical assistance to non-profit sponsors with respect to the construction, rehabilitation and maintenance of housing for low- and moderate-income families and individuals.

GRANT AUTHORITY

Sec. 102. (a) The Secretary is authorized to make grants to States to help finance programs to provide information, advice and technical assistance with respect to the construction, rehabilitation and maintenance of low- and moderate-income housing by non-profit sponsors. Activities assisted by such grants may include:

(1) the assembly, correlation, publication and dissemination of all information with respect to the construction, rehabilitation and maintenance of low- and moderate-income housing, and

(2) providing advice and technical assistance with respect to the construction, rehabilitation and maintenance of low- and moderate-income housing.

(b) A program assisted under this Section shall:

(1) Specify the information, advice and technical assistance activities to be carried on, and

(2) Justify the need for and costs of such activities.

AMOUNT OF THE GRANT

Sec. 103. The amount of any grant under this title shall not exceed 90 per centum of the costs of developing and carrying out a State program, as approved by the Secretary, during each of the first two years of the program, and shall not exceed 50 per centum of such costs thereafter.

COOPERATION

Sec. 104. Federal departments and agencies shall cooperate with States in providing information to assist in carrying out the purpose of this title.

APPROPRIATIONS

Sec. 105. (a) There are authorized to be appropriated for the purpose of carrying out the provisions of this title not to exceed $15 million for the fiscal year ending June 30, 1968, and not to exceed $15 million for the fiscal year ending June 30, 1969.

(b) Any amounts appropriated under this section shall remain available until expended; and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1969.

TITLE II

PURPOSE

SEC. 201. It is the purpose of this title to encourage and facilitate the construction and rehabilitation of housing to meet the needs of low- and moderate-income families and individuals by making loans to nonprofit sponsors for expenses incurred, prior to construction, in developing and in obtaining financing for low- and moderate-income housing.

LOAN AUTHORITY

SEC. 202. The Secretary is authorized to make loans to nonprofit sponsors for the expenses incurred, prior to construction, in developing and in obtaining financing for low- and moderate-income housing. Loans under this title may be made for the full cost and in obtaining financing for such housing, including, preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site options, Federal Housing Administration and Federal National Mortgage Association fees, and construction loan fees and discounts. Loans made to any nonprofit sponsor under this section shall be made without interest.

HELP FUND

SEC. 203. All funds allocated under this title shall be deposited in a revolving fund known as the HELP Fund, which shall be used by the Secretary for carrying out the purposes of this title. Sums received in repayment of loans made under this title shall be deposited in such revolving fund. Moneys in this fund not needed for current operation may be invested in bonds or other obligations guaranteed as to principal and interest by the United States.

APPROPRIATIONS

SEC. 204. There are authorized to be appropriated for the purpose of carrying out the provisions of this title not to exceed $20 million.

DEFINITIONS

SEC. 205. As used in this Act—

(1) "State" means any State of the United States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, or an agency or instrumentality designated by the chief executive of any of the foregoing, or a statewide agency or instrumentality of its political subdivisions designated by such chief executive.

(2) "Secretary" means the Secretary of Housing and Urban Development.

(3) "Non-profit sponsor" means any body or agency as defined in Section 221(d)(3) of the National Housing Act of 1949.

(4) "Low- and moderate-income housing" means any project eligible for an insured mortgage under Section 221 of the National Housing Act, or for a loan under Section 202 of the Housing Act of 1959 or Section 515 of the Housing Act of 1949.

AMENDMENT OF FOOD AND AGRICULTURE ACT OF 1965

Mr. COOPER. Mr. President, I introduce, for appropriate reference, an amendment to the Food and Agriculture Act of 1965. Under title VI of that act subtitled "Cropland Adjustment," the Secretary of Agriculture is authorized to enter into agreements with individual farmers to divert part of their acreage from crop production. This fallow land placed under conservation practices has the beneficial effect of controlling surplus production of crops eligible for price support. Section 602(a) provides, in part, as follows:

> No agreement shall be entered into under this section concerning land with respect to which the ownership has changed in the three-year period preceding the first year of the agreement period unless the new ownership was acquired by will or succession as the result of the death of the previous owner, or unless the new ownership was acquired prior to January 1, 1965, or under other circumstances which the Secretary determines, and specifies by regulation, will give adequate assurance that such land was not acquired for the purpose of placing it in the program:

I was a member of the Senate Committee on Agriculture at the time this provision was adopted, and recall that it was proposed following some criticism of the program, citing cases in which it appeared that individuals had bought farms and immediately placed them into the conservation reserve, giving the impression that the purchase of the farms was financed through the Government cropland adjustment payments. It was the intention of the provision to prevent such occurrences in the future.

However, the provision as it stands does not take into account occasions where farmowners are displaced and must relocate, when land is taken by an agency having the right of eminent domain. In these cases, the Congress has made provision for the transfer of acreage allotments, and I know it is the intention of the Congress that displaced owners be permitted to reestablish their farm operations on a new farm.

I am informed that cases of this kind have arisen in Kentucky in the course of acquisition by the TVA of the Between-the-Lakes Recreation Area. And Congressman STUBBLEFIELD, who is a member of the House Agriculture Committee, has introduced a similar bill in the House of Representatives.

It seems to me only proper in cases where farms or portions thereof are acquired by agencies having the right of eminent domain, that the displaced owner be permitted to continue to participate in the cropland adjustment program when he acquires a new farm. My amendment would accomplish this, and I hope it is given favorable consideration by the committee, and adopted.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2126) to amend the Food and Agriculture Act of 1965, introduced by Mr. COOPER, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

ASSISTANCE TO CERTAIN PROCESSORS OF COTTON

Mr. BAKER. Mr. President, I introduce, for appropriate reference, a bill to provide assistance to first processors of cotton who have suffered substantial losses because of the economic impact of cotton programs, and for other purposes.

Mr. President, the cotton ginning industry is facing the prospect of a very bleak year. Unusually heavy rainfall in many areas where cotton is grown has turned normally productive fields into quagmires.

But there are other and less capricious reasons for the relatively small crop expected this year. The acreage planted to cotton is the lowest in this century. The July 1 cotton acreage report from the U.S. Department of Agriculture indicates that 9,724,000 acres were planted in cotton this year. This figure is 6 percent less than the acreage planted in cotton in 1966 and is 37 percent below the average acreage planted in cotton between 1961 and 1965.

Because of the heavy rains, when the final estimate of acreage to be harvested is announced next month it is expected that the already record low cotton acreage will be reduced even further.

The present cotton program is, of course, designed to reduce the surplus, and for this reason many acres are diverted from production. Apart from the obvious impact of this diversion program on cotton growers, the reduced yield has a profound effect on first processors, or cotton ginners.

A cotton gin plays a unique role in the lives of many rural Americans. It represents, of course, a substantial capital investment on the part of its ownership, and, as such, its survival depends on adequate ginning receipts. But a cotton gin is often much more than just a ginning operation. In a great many small southern towns it forms the focal point of all life. With its fortunes rise or fall the fortunes and the quality of many lives. When a gin closes down, the farmers it serves must transport their cotton greater distances at greater expense, often to encounter inflexible and unfamiliar credit procedures and operational techniques.

The present situation is creating hardships for ginners and farmers alike; unless extraordinary action is taken, this year's crop could portend serious problems for the entire industry. The very serious financial plight of some cotton ginners caused by a series of small crops has closed many of the normal avenues of commercial credit.

For these reasons, Mr. President, I introduce this bill, which would provide for low-interest emergency loans to cotton ginners who are unable to obtain sufficient credit elsewhere at reasonable rates and terms. Determination of need would be left to the discretion of the Secretary of Agriculture.

A virtually identical bill has been introduced in the House of Representatives by ROBERT A. EVERETT, of Tennessee, and I am pleased to introduce a companion measure in the Senate and join with Congressman EVERETT's efforts to secure this much-needed relief.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2127) to provide assistance to first processors of cotton who have suffered substantial losses because of the economic impact of cotton programs of the Department of Agriculture, and for other purposes, introduced by Mr. BAKER, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

REPEAL OF EQUAL-TIME PROVISIONS

Mr. HARTKE. Mr. President, I am introducing today a very simple bill, one which reads in its entirety as follows:

> That section 315 of the Communications Act of 1934 (47 U.S.C. 315) is repealed.

Mr. President, a law that has to be changed often or suspended periodically is an unjust and unworkable law. That this section does not do the job for which it was intended has long been recognized by the Congress. The operation of section 315, at best, is predicated on the mistaken notion that a Government agency is better able to judge news and public affairs, is better able to judge and insure fairness, than anyone else. It is for these reasons that I propose its repeal.

The provisions of section 315, enacted in the Communications Act of 1934, go back to the Radio Act of 1927, in which section 18 provided that if a radio station licensee permits a candidate for public office to use a broadcasting station, he was required to afford equal opportunities to all other candidates for that office. The intent of the legislation, as FCC Commissioner Frederick W. Ford stated in a 1963 House hearing, was, and I quote, "to put it beyond the power of a licensee to determine which legally qualified candidate for a particular office should be heard on radio, once the station had permitted one candidate for that same office to use its facilities."

It was out of a 1949 policy statement of the FCC, in Docket No. 8516, that the so-called fairness doctrine grew. At its heart, and based on the 1934 act in which section 315 was very nearly identical to the earlier Radio Act, was the statement that "broadcast licensees have an affirmative duty generally to encourage and implement the broadcast of all sides of controversial public issues over their facilities, over and beyond their obligation to make available on demand opportunities for the expression of opposing views."

In order to do so, said the Commission, the licensee must play "a conscious and positive role in bringing about balanced presentation of the opposing viewpoints." The conclusion in the case was that broadcast stations might editorialize, but that in doing so they must assure fairness in their presentations.

We have since then, succeeded in exempting news broadcasts, discussions, and news documentaries from the equal time provisions. They are, of course, covered now under the fairness doctrine. Again, in 1960, the equal time provisions of section 315 were exempted by congressional amendment specifically for the period of the 1960 presidential and vice-presidential campaigns. These revisions resulted directly from bills I introduced to ease restrictions on campaign coverage by radio and TV.

Mr. President, the only real criterion for licensing of broadcast stations is their operation in the public interest. There is a limited spectrum of airwaves, and governmental control over licensing is the only way in which they can be allocated with any equity. This established system deals with the right to broadcast, not with the right to tell broadcasters what should be the content of their broadcasting. Where we move into that area of Government regulation of content, we approach the question of censorship.

We have historically upheld the freedom of the press, and the difference between newspaper journalism and electronic journalism is essentially only in the format and the mechanics, not in the basic concepts. Radio and television have come of age, and the journalism of radio and television is as responsible as that of the press. It should be no more hampered by the welter of rules and regulations surrounding the FCC interpretations of section 315 than should the journalism of print.

Mr. President, the way to clarify the situation which we will again face in election time, the confusion which has been recurrent in the effort to apply the provisions of section 315, is to repeal that section and to place the responsibility for electronic freedom on a par with that of freedom of the press. We can trust the responsibility of broadcasters to maintain the standards expected of them in the public interest, but if there is a serious abuse, we have a remedy—the power of the Federal Communications Commission to review the degree of public service and the manner of operation in the public interest when licensees seek renewal of their right to be allocated a place on the air in the broadcast band.

To repeal section 315 is not to repeal the obligations of the fairness doctrine. During the suspension of the 1960 campaign the operations of the broadcast industry were carried out with a high degree of fairness, as has been pointed out in several studies since that occasion. The Federal Communications Commission report of March 1, 1961, pointed out that—

> By and large, networks and stations exercised considerable care and succeeded in providing virtual equality in sustaining time as between the presidential and vice presidential candidates of the two major parties.

The President's Commission on Campaign Costs, issued in April 1962, recommended that section 315 be suspended again for the 1964 election campaign.

As I said earlier, Mr. President, a law that has to be changed often or suspended periodically is an unjust and unworkable law. We do not need the provisions of section 315, which cause such difficulties for all those concerned in its interpretation and the development of practice under its restrictions. We need the freedom of electronic journalism which its repeal will insure on a permanent basis. We need, in short, to make the change my bill proposes, the deletion of section 315 from the law.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2128) to repeal section 315 of the Communications Act of 1934 relating to the affording of equal time for use of broadcasting stations by candidates for public office, introduced by Mr. Hartke, was received, read twice by its title, and referred to the Committee on Commerce.

PRINTING OF REVIEW OF REPORTS ON SALEM CHURCH RESERVOIR, RAPPAHANNOCK RIVER, VA. (S. DOC. NO. 37)

Mr. MANSFIELD. Mr. President, on behalf of the Senator from West Virginia [Mr. Randolph], I present a letter from the Secretary of the Army, transmitting a report dated February 28, 1967, from the Chief of Engineers, Department of the Army, together with accompanying papers and an illustration, on a review of the reports on Salem Church Reservoir, Rappahannock River, Va., requested by a resolution of the Committee on Public Works, U.S. Senate.

I ask unanimous consent that the report be printed as a Senate document with an illustration, and referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Mr. KUCHEL. Mr. President, I ask unanimous consent that, at its next printing, the name of the junior Senator from Idaho [Mr. Jordan] be added as a cosponsor of S. 1991, to amend the Internal Revenue Code of 1954 with respect to the estate tax treatment of certain interests created by community property laws in employees' trusts and retirement annuity contracts.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, with the permission of the sponsors of the bill, I ask unanimous consent that my name may be added as a cosponsor of S. 1400, introduced by the Senator from Florida [Mr. Smathers] and the Senator from California [Mr. Kuchel] relating to improvement of statistics of the United States, providing for a special census in 1968 and 1975.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, on behalf of the senior Senator from Washington [Mr. Magnuson], I ask unanimous consent that, at the next printing of the bill (S. 1934), the Electric Power Reliability Act of 1967, the name of the Senator from Pennsylvania [Mr. Clark] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New York [Mr. Kennedy], I ask unanimous consent that, at the next printing of the bill (S. 2088) to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas, the name of the Senator from Wyoming [Mr. McGee] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New York [Mr. Kennedy], I ask unanimous consent that, at the next printing of the bill (S. 2100) to encourage and assist private enterprise to provide adequate housing in urban poverty areas for low-income and lower middle income persons, the name of the Senator from Washington [Mr. Jackson] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Alaska [Mr. Gruening], I ask unanimous consent that, at the next printing of the bill (S. 1985) to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes, his name be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS ON SURFACE MINING COAL BILL

Mr. JACKSON. Mr. President, on behalf of the Interior Committee which is the unit of the Senate that has overall responsibility under the Legislative Reorganization Act for mines and mining generally, I announce that hearings have been scheduled by the Subcommittee on Minerals, Materials, and Fuels for August 7, a Monday, on S. 217, cited as "the Mined Lands Conservation Act." S. 217 was introduced by Senator Lausche, for himself and Senators Bartlett, Fulbright, Kuchel, Metcalf, Nelson, Scott, Tydings, and Young of Ohio.

The measure provides for participation by the Federal Government with State and local governments and other interested parties in programs to reclaim lands and waters damaged by coal mining, to promote an effective continuing land-use program, and to prevent further damage to our lands and waters resulting from surface, or strip, mining.

Senator Lausche's S. 217 is a successor bill to his S. 1013 of the 88th Congress on which the Interior Committee held public hearings on March 25, 1964. Action on the substance of these measures has awaited the study, with findings and recommendations, of the Secretary of the Interior on surface mining. A report on this study was submitted to Congress by President Johnson on July 3, 1967. There is substantial agreement between Secretary Udall's findings and recommendations and the provisions of S. 217.

All Members of Congress and others interested in reclamation of mined lands as well as in mineral production from surface mining methods are invited to participate in the Minerals Subcommittees' hearings, which will be held in room 3110 of the New Senate Office Building, commencing at 10 a.m.

NOTICE OF HEARINGS IN DETROIT ON EARLY RETIREMENT

Mr. MONDALE. Mr. President, as chairman of the Subcommittee on Retirement and the Individual of the U.S. Senate Special Committee on Aging, I would like to announce that the subcommittee will conduct a hearing in Detroit, Mich., beginning at 1 p.m. on July 26 in the main auditorium of the Rackham Building, Detroit, Mich.

The subject of this hearing will be early retirement and its effect upon the individual and upon society. We will hear from many authoritative witnesses including representaitves of the United Auto Workers and several knowledgeable persons who will participate at the University of Michigan annual conference on aging, which will conclude at 11 a.m. on July 26.

Their testimony will enable the subcommittee to build upon the fine foundation made by Secretary Gardner and other witnesses at our introductory hearing on June 7 and 8 in Washington, D.C.

HEARINGS SET FOR NEW YORK CITY ON BILINGUAL AMERICAN EDUCATION BILL

Mr. YARBOROUGH. Mr. President, I would like to announce that a date has been set for bilingual education hearings in New York City for July 21, 1967, this coming Friday.

The purpose of the hearing is to hear public testimony from the Spanish-speaking community of New York. We have already heard testimony in Texas and California, and this hearing will give us information from the last of the three States which have the largest Spanish-speaking populations in the Nation.

Both Senators from New York are cosponsors of this bill, in recognition of the need for programs of bilingual education in the Nation's largest city, as well as in our Southwest. This series of hearings has crossed the Nation in gathering of testimony, just as the need for special educational techniques in treating with the language problem crosses our Nation today.

NOTIFICATION OF HEARINGS OF THE EDUCATION SUBCOMMITTEE ON S. 1125, THE ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967, AND RELATED BILLS

Mr. MORSE. Mr. President, I wish to announce that the Education Subcommittee of the Senate Committee on Labor and Public Welfare will conduct further hearings upon S. 1125, the Elementary and Secondary Education Amendments of 1967, and upon H.R. 7819, the House-passed companion measure, on Tuesday, July 25 at 10 a.m. in room 4232, New Senate Office Building.

It is our intention on the 25th to obtain testimony from administration witnesses, including Secretary Gardner. Because of the interest in the actions which have taken place in this area, the hearings will continue on July 26, again with administration witnesses.

Following these 2 days of hearings, the subcommittee will be in recess to permit administration testimony to be reviewed by the members and interested educational organizations.

It is my hope that the hearings will resume on Monday, August 7, and will continue in that week on the 9th, 10th, and 11th. All representatives of educational organizations and interested individuals who have a desire to present testimony on these major bills, if they have not already done so, are urged to communicate this interest to the subcommittee by addressing a letter to the subcommittee at room 4230, New Senate Office Building, in which they request an opportunity to present either an oral or written statement and in which they indicate the particular areas of the bills which are of concern.

Since it is the hope of the subcommittee to be able to report a measure covering all amendments to the Elementary and Secondary Education Act to the full committee at an early date, the subcommittee will be pleased to receive testimony on such other bills in this area as are pending before the subcommittee at this time in the elementary and secondary education area. I mention this because I know a number of my colleagues are concerned about modifications to impacted area legislation and its further extension.

NOTICE OF HEARINGS ON SENATE BILL 843

Mr. HARRIS. Mr. President, as chairman of the Subcommittee on Government Research of the Senate Committee on Government Operations, I wish to announce that the subcommittee will conduct hearings on S. 843, by Senator Mondale, and others, a bill to create a Council of Social Advisors, provide for an annual social report of the President and establish a Joint Committee on the Social Report, at 10 a.m. on July 19 and 20 in room 224, Old Senate Office Building, and at 10 a.m. on July 26 and 27 in room 1318, New Senate Office Building.

FLOOD PROTECTION

Mr. CARLSON. Mr. President, recent flood waters in Kansas, Nebraska, and Missouri have caused millions of dollars of damage, but this damage was greatly minimized because of the flood protection works that have been built in the last few years.

Beginning with a reservoir program that was authorized by Congress in 1936, great progress has been made in the control of water runoff in our State. For years I have stated that the future growth and development of our State will be determined largely by the amount of water we can conserve and use for beneficial purposes.

As one who has supported these programs from their inception, I am gratified at the benefits that are now prevalent.

These projects have been constructed by the Corps of Army Engineers, the Bureau of Reclamation, and the Department of Agriculture, through their watershed programs.

We are fortunate in Kansas to have a coordinated program for the control of water runoff and it is paying big dividends.

Col. W. G. Kratz, district engineer of the Kansas City district, Corps of Engineers, has just sent me a summary tabulation for the June-July floods in the Kansas City district, showing the estimated acres flooded, flood damage, damage prevention by existing projects, and flood damage which could have been prevented if the authorized program had been entirely completed. I ask unanimous consent that the report on Kansas be printed in the Record, as well as an editorial from a recent issue of the Kansas City Star, entitled "Some Changes in Flood Damage Since 1951," and an editorial from the Independence Daily Reporter, entitled "A Faithful Servant," be made a part of my remarks.

There being no objection, the report and editorials were ordered to be printed in the Record, as follows:

[From Department of the Army, Kansas City District, Corps of Engineers, Kansas City, Mo., July 12, 1967]

Preliminary June–Early July 1967 Flood Damage Summary

Table 1.—*Area flooded, flood damage, damage prevented by existing Federal projects, and additional damage preventable by authorized projects*

River basin and State	Flooded area (acres)	Estimated actual damage	Estimated damage prevented	Estimated additional damages preventable by authorized projects
Kansas:				
Kansas River	25,500	$1,000,000	$5,530,000	$482,000
Republican River	24,000	830,000	83,000	220,000
Smoky Hill River	5,200	120,000	39,000	84,000
Big Blue River	4,000	140,000	32,000	
Marais des Cygnes	132,300	10,490,000	1,857,000	3,332,000
Subtotal, Kansas	191,000	12,580,000	7,541,000	4,118,000

Table 2.—*Damages prevented by existing Federal projects in Kansas City district*

Missouri River main stem reservoir system	$235,280,000
Missouri River levee system (rural)	8,060,000
Kansas Citys levees	260,270,000
Topeka, Kans., levees	3,322,000
Stonehouse Creek project	10,000
Stranger Creek channel improvement	37,000
Ottawa, Kans., levee	760,000
Salina, Kans., levee	13,000
Frankfort, Kans., levee	32,000
Manhattan, Kans., levee	4,000
Norton Reservoir	885,000
Milford Reservoir	8,423,000
Cedar Bluff Reservoir	42,000
Kanopolis Reservoir	$2,104,000
Wilson Reservoir	192,000
Webster Reservoir	85,000
Kirwin Reservoir	191,000
Tuttle Creek Reservoir	17,490,000
Perry Reservoir	10,438,000
Pomona Reservoir	1,416,000

[From the Kansas City Star]

Some Changes in Flood Danger Since 1951

The serious flooding that has already occurred in this area inevitably turns concerned thoughts to the billion-dollar Kaw river tragedy of 1951. Certainly we are not out of the woods yet, and additional damage is probable before the flooding ends.

But there are, fortunately, two important differences between 1951 and now. The weather pattern is one: In 1951, a stable front over this area dumped rain almost nightly for 40 days before the flood deluge. What we have been getting recently is more a series of rain-triggering fronts, the weather bureau explains. It may seem that it has rained every night, but there have been significant breaks in the storm sequence. And this type of pattern is more likely to break up at any time, bringing dry relief. "More likely" we say, knowing how perverse weather can be when a change is urgently needed.

The second and much more tangible factor is the existence of numerous flood protection reservoirs and levees which were not in place in 1951. Such dams as Tuttle Creek, Milford and Perry—the latter not yet completed—have performed heroically in trapping hundreds of thousands of acre-feet of rushing floodwaters.

In unprotected areas, damages are estimated by the Army engineers to have reached more than 23½ million dollars with the cost still rising. But the corps figures that an additional 190 million dollars in flood damages would have occurred without any protection projects in place. This is an enormous and, to be sure, hypothetical figure. With this area's flood history, it would be unthinkable to have no projects built by now. And many industries and homes would not now be located on flood plain land except for the protection of dams and levees. Still, this is a rough measure of where we would be without those projects—and a reminder of the importance of getting on with others proposed but not yet built.

Storms such as we have been having are going to flood basements and yards and block streets, causing some local damage. No project can stop this. But a design plan of tributary reservoir storage, plus levees to pass the remaining flow safely past high-value municipal and industrial areas, can handle the cumulative superflood rolling down a major stream.

Missouri river bottomland farmers already have been badly hurt by this flood. Their small local levees couldn't contain the Big Muddy on the rampage. Certainly the 400,000 acres under water along the Missouri reemphasize the value of the big federal agricultural levees, only a few of which have been built from Sioux City to the mouth. This program has been delayed too long by doubts and surveys.

The list of streams now flooding where the reservoirs still are on paper makes sad reading: The Wakarusa (Clinton dam), the Grand (Pattonsburg and others), the Marmaton (Fort Scott), Hottawatomie creek (Garnett) and so on. Back in Washington the House public works committee is preparing to report out the public works appropriations bill. The June floods in Missouri and Kansas—and they're not over yet—should provide them a healthy reminder that, for all the burdens on the federal budget, flood protection still rates a high priority.

[From the Independence Daily Reporter, June 20, 1967]

A Faithful Servant

Elk City Reservoir, the huge flood control and water conservation area located just northwest of Independence, is finally in full operation and doing the job for which it was designed.

Within the past ten days it has harnessed the flood water of Elk River, saved thousands of acres of rich farm land from devastation by water and at the same time reached a level where water enthusiasts and fishermen can use it to the fullest extent.

Of all these services the one with the real dollar impact is the averting of the floods that almost yearly swept down the Verdigris and Elk River valleys sweeping crops, homes and other properties before them.

There's no direct estimate of the damage that might have happened had it not been for the reservoir in the last several days, but it's certain the amount would run into the thousands of dollars. Harvest season was just underway, corn and other row crops were growing and would have been greatly damaged by the overflow that didn't happen this time.

As a recreation ground the area is just coming into its own. On Saturday and Sunday more than 11,000 persons visited, picnicked, boated, fished and just had good clean and safe fun. The picnic areas were crowded with family groups and visitors from outside the area had nothing but praise for the facilities.

Now that the Corps of Engineers have the reservoir operating efficiently, it's up to the public to do its part in helping keep down vandalism damaging equipment and seeing that refuse is picked up and placed in the containers that dot the entire area.

Although operated by the engineers this reservoir and surrounding grounds belong to the taxpayers. Tax monies by the millions were used to make it possible, so the public that's now free to use it must be good housekeepers and keep it as attractive as possible.

Independence and the area cities have something in Elk City Reservoir to be proud of and how it is treated will depend greatly on just how much of a benefit it will be to the local economy. It deserves tender, loving and thoughtful care.

FINANCING OF POLITICAL CAMPAIGNS

Mr. HART. Mr. President, a former colleague of ours in Congress, a Representative at Large from the State of Michigan in the 88th Congress, who is now our Democratic national committeeman, served on the President's Commission on Campaign Costs. He is Neil Staebler, who has been active in politics and brings to it a businessman's background.

Mr. Staebler has advised me of a communication he sent to the chairman of the Committee on Finance [Mr. Long] under recent date. Neil Staebler's statement makes reference to the problem of financing political campaigns. I think it would be worthwhile if this statement were made a part of the Record, and I ask unanimous consent that it be printed at the conclusion of my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of the Financing of Political Campaigns, June 27, 1967

The problem of political campaign financing arises out of the rapidly escalating costs of the types of publicity: newspapers, radio, television.

If a solution were found to the problem of dealing with these three types of expenditures, all other costs could be ignored and all other filing provisions dispensed with.

There are four alternative ways of dealing with these types of expenditures:

(1) The federal government might provide them in limited amount, as in some foreign countries.

(2) Radio and television might be required to provide a certain amount of free time; newspaper advertising might be subject to a limitation but defrayed from ordinary contributions as at present.

(3) A limit might be placed upon the amount that might be expended in gross in all three media, the payment to be met from political contributions as at present.

(4) Alternatives (3) might be combined with a credit or income deduction or both against federal income taxes.

Let me enlarge on proposal (3), the establishment of federal limits on expenditures in a presidential campaign in newspapers, radio, and TV.

How would such a limitation operate? The candidate would be required to designate a campaign treasurer and the treasurer would be assigned the responsibility for observing the expenditure limitation. Before any newspaper, radio, or TV advertisement containing the names of the presidential candidates or references to the presidential ticket or electors was published, the medium would be required to secure from the candidate's treasurer an authorization in the amount of the advertisement. Payment might come from anywhere. Limitations as to source could be dispensed with. Only the candidate's authorization would count.

In the event that any medium carried an advertisement without authorization from the appropriate treasurer, it would be subject to fine. In the event that the treasurer issued authorizations in excess of the maximum, the penalty would take the form of the loss of electoral votes in those States where excess authorizations were issued.

NEIL STAEBLER.

POLICEMAN OF THE YEAR, FIREMAN OF THE YEAR IN ANAHEIM, CALIF.

Mr. KUCHEL. Mr. President, on Friday, June 23, 1967, I was pleased, by long distance telephone, to address Post 72 of the American Legion in my hometown of Anaheim, Calif. The occasion was a banquet honoring the city's Policeman of the Year, Capt. Russell E. Hamlyn, and Fireman of the Year, Capt. Rayford D. Knight. Both of these outstanding citizens received American Legion Medals of Merit and individual citations at the banquet. The event was Post 72's contribution to a national program of the American Legion to bolster respect for law and order by recognizing the accomplishments of local law enforcement personnel.

I ask unanimous consent that a partial text of my remarks be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

POLICEMAN OF THE YEAR, FIREMAN OF THE YEAR IN THE CITY OF ANAHEIM

(Partial text of remarks by U.S. Senator Thomas H. Kuchel before the American Legion, Anaheim Post 72, Anaheim, Calif., June 23, 1967)

Anaheim is my home.

I am honored to speak on this occasion as a member of Anaheim Post 72, honoring the Policeman of the Year and the Fireman of the Year in our community. It is the wish of the National Commander of the Legion that Law and Order be stressed by the posts across the country, and that wish is readily echoed by all good citizens everywhere.

Winston Churchill once said that Democracy is the worst form of government ever devised by man—except every other form of government ever devised by man. So, with all its faults, it still is the best kind of society for human beings, simply because, in a democracy, the citizens are free to make their own decisions and to live their own lives.

The freedoms we enjoy under the guarantees of our American Constitution, are founded and grounded on respect for law and on the maintenance of order. Our form of self-government is the most difficult kind of any organized society to carry on. It requires far greater duties of citizenship than simply blind obeisance to the state. The many decide rather than the few. This "democracy in a republic," as the American Creed describes us, requires a great amount of self-discipline. Freedom is costly, in that, to win it and to keep it, requires the very best we have to give. Right and responsibility walk hand in hand in a free nation. In a police state, in a society ruled by monolithic communism, the so-called duties or responsibilities of citizenship are set forth by the ruling clique, so much, maybe less, but certainly no more. And there are no rights, except as the state may determine. There is no free citizen, as we know that term, in any closed society, communist or otherwise. Self-discipline in our way of life is replaced by the enforced discipline of any totalitarian land. And thus the problem of respect for law and order rests on physical force, or the threat of force, in all lands which are not free. You obey the rules or else. Law enforcement in any closed society is an entirely different function than that in any open society. In free nations, law enforcement people serve the good of society. In totalitarian states, they serve the regime in power.

What we do tonight is to pay deserved tribute to two fellow citizens, each a servant of the people of this city, each nominated for the dedication to the public service which he has demonstrated this past year. The men we honor represent, in a true sense, the thousands, and tens of thousands of policemen and firemen and civil servants, all devoted to protecting the welfare of the people. But it is equally true that we honor these two men because they have proudly accepted, and have successfully met, the challenge of good citizenship.

As a citizen of this city, I join with all your neighbors and friends, Captain Hamlyn and Captain Knight, in congratulating you on receipt of these awards. You both represent law and order in the American tradition. You are the people's servants in the best sense of those words. You both represent the desire of every American city to provide for the protection of her population from the equal plagues of lawlessness and fire.

But I should like also to join the members of this Post and our fellow citizens in congratulating our city on the quality of our municipal government and, particularly, for this evening's civic function, in saluting the quality of law enforcement and of fire protection of our city. This is the very goal of the quest for social stability—to provide protection which can put down the enemies of society and which is, at the same time, responsive to the public will.

The efforts of Anaheim, and of other American cities, to maintain law and order among free citizens are the true measure of our attempts to achieve a rule of law on a broader scale throughout the world. For war and armed conflict between nations represent the complete breakdown of law and order and the replacement of right and justice by might and force of arms.

Democracy was born in the city states of Greece, in small meetings where men of all walks of life could come together to resolve the ancient issues of order versus anarchy, and of freedom versus tyranny. And still today a free and orderly society must be built from the ground up. If it has no firm roots in the cities, it will founder in the nation. And if the nations of the world, or any important segment of them, are not truly representative of the will of their societies, there can be no world order, no rule of law, no just or lasting peace.

It is a far reach from the daily affairs of Anaheim to the deserts of Sinai or the jungles of Vietnam. But the truth encompasses all three of them. And the shrunken world neighborhood includes all of them. If the Arab nations were possessed of a rational social order, the threat of conflict with Israel would long ago have been dissolved in the common interest of peaceful commerce and trade, and in the advance in culture for every state in the Near East. If 13 years ago the government of Vietnam, North and South, had found its base in the public will of the Vietnamese people, American men would not have to be fighting there today.

Law and order are the lynchpin of that complicated mechanism we call "civilization." We seek to perfect it at all levels of government in our own land, and, as the threat of global holocaust refuses to vanish, to extend it to the community of nations. Twenty years ago, when the world, in a rare moment of concensus, decided that it could not afford another war, there came forward two ideas for the peaceful protection of human rights and public order—the working principle of collective security and the concept of a United Nations. The United States has actively pursued both of these aspirations. For the people of the United States passionately believe in peace and unreservedly oppose aggression. The former—collective security—what the late Arthur Vandenberg called "the town meeting of the world"—has done far better than the latter. In Western Europe, through the NATO Alliance, an effective means was found to put an end to a new round of international banditry. Communist minorities, with the aid of Soviet troops, all under the direction of Stalin, had seized control of Poland, Czechoslovakia and most all the rest of Eastern Europe. The joint and determined opposition of the western democracies, with the firm and generous backing of the United States, put down this threat. History will record that collective security in Western Europe served a high and successful purpose.

We are now engaged with smaller and less affluent allies in Southeast Asia in a heroic effort to prevent the communist theft of South Vietnam. In Asia, the challenge of so-called "Wars of National Liberation" poses a more sophisticated threat and places a heavy tax on the resources of the United States. But the operation remains the same: a joint effort to preserve human rights and to maintain and establish a social order which reflects the public weal.

Tragically, an international agreement ratified by the United Nations to protect the innocent rights of peaceful maritime passage against international brigands has not been so honored. In October 1956, the United Nations Security Council unanimously, with the full consent of the government of Egypt, agreed to free and open transit of the Suez Canal by ships of all nations. That solemn commitment to international law and order was made a mockery by the Nasser regime. And it was a contemptible mockery, too, when, but a few weeks ago, the same Nasser announced that the Gulf of Aqaba would not be open any longer to peaceful international shipping. That, too, was a repudiation of law and contract, about which, incidentally, the incumbent Secretary General of the United Nations did nothing.

Clearly, the hopes for world order have been sustained more effectively by our collective security arrangements, than by the efforts of the United Nations. Much as we need a community of interest among all peace loving nations, we can say that such a community is not yet here. Like some unfortunate individual families, the family of nations still has some evil members.

In the aftermath of the Second World War, collective security became the watchword of our foreign policy on the theory that those countries who did desire peace would stand together against aggression. It was endorsed enthusiastically by both of our political parties and by each of our Presidents. It was, and is, a good theory, and it has proved itself in practice. Meanwhile, a lush growth of a thousand petty disputes begins to thrive in a jungle of selfish nationalism.

Today, we in the United States seem caught between "going it alone" or attempting to pull behind our vast oceans in a vain hope that they might again protect us. Nationalism in some western nations has weakened the ideal of collective security. But it remains the world's best hope. Peace is best pursued by nations working in concert. I think the Congress recognized this last year when it unanimously supported a resolution calling for no increased proliferation of nuclear weapons. It went further earlier this year when it unanimously ratified a treaty banning nuclear weapons in outer space.

Today's world possesses all of the challenge and all of the peril of discovery. The United States is going to have to test every aspect of her relationships in this unfolding globe. We will have to take our bearings and find the high road to follow. Our nation, founded on law and order, seeks a rule of justice for all the world—a world where nations will recognize the rights of their neighbors, where they will accept the futility of global conflict, and will uphold the manifest advantages of settlement of disputes by peaceful and just means. This search of the rule of law is as valid in international affairs as it is in Mississippi, Beverly Hills or Watts.

The chief characteristic of today's world is its growing lack of form and cohesion. There is little certainty. There are many surprises. In France, a proud and self-confident De Gaulle suddenly finds that he must rule with a parliamentary majority of one vote. Mighty Britain, once the prime tradesman of Europe, is yet to be admitted to the Common Market.

The rulers of Communist Rumania, with a rare taste for the bizarre, have ordered an air-conditioned $50,000 Rolls Royce, complete with television, intercom, and wine cooler, to carry their Chief of State—a capitalist's dream-come-true for the leader of the workers' revolution. The daughter of communism's cruelest dictator, Josef Stalin, has confessed a belief in God and asks refuge in the United States.

Many old problems, of course, remain. I have no doubt that the Kremlin's leaders still dream of a "World Revolution" in which our way of life would be destroyed. I rather think they also see in their dreams the nightmare of nuclear warfare, emanating possibly, from the land of their Chinese neighbor, in which Soviet cities, and God forbid, other cities and nations could be utterly devastated in a matter of an hour or two. Well might they remember the warning of President Eisenhower:

"Ours is a world of growing danger. There is a danger of surprise attack prepared in secret. There is the danger of nuclear attack from outer space. There is the menace of constantly mounting stockpiles of nuclear weapons and of large armies. There is the peril of spreading capability for the production of modern weapons to greater numbers of nations. There is the hazard of war by accident or miscalculation. We hold these dangers must be dealt with now."

President Eisenhower uttered this remarkably prescient statement seven years ago. How far have we come since? How much more deadly or unerring, or how much larger in number, are nuclear weapons today? By contrast, how little progress has been made in bringing reason, and the rule of law, to the councils of men? The fact is that the United States is today not only the most powerful military nation in the world, but the most powerful in the history of civilization, and yet—the supreme paradox—we are more vulnerable today than ever before. It appears that science has unlocked some of the more ominous secrets of the universe at a far faster rate than the growth and improvement of human virtue.

We go forward today trusting to our deep faith that these threats can, and will be, overcome. World security today is almost entirely dependent on the joint determination of independent nations to resist international lawlessness, brigandage, theft and subversion. The principle of collective security, depending on the free association of sovereign nations, is a real manifestation of the rule of law in world society—the forces of order, peace, justice and freedom united for common good.

This simple idea of joint action among free men has been the touchstone of our own American system. The government of our cities, of our 50 states and of our federal union depend on the cooperation of free men joining together in the common public interest—to stop theft, to maintain the rights of safe and innocent passage through our streets, to fight fire, flood and pestilence.

I do not stand before you as one who would recommend that all nations adopt our splendid American institutions. But I do contend that the best hope of mankind for peace and freedom lies in the political experience of our nation. This genius of our own American institutions, as it has unlocked the dynamic spirits of free men and women, has created the greatest example of social architecture in human history. And that edifice is founded on the rock of liberty, on a sense of justice and on unyielding respect for the rule of law. We put our faith in that foundation.

The defense of our society, whether against foreign aggression or domestic peril, is the highest obligation of citizenship. The duty cannot be discharged without a full measure of faith in our American system. It is this belief which ties all together, keeping our nation whole. The two fine men we honor here this evening have shown the way, through their contributions, to greater service to our community and nation. Let us celebrate their achievement with these words from William Tyler Page's American Creed:

"I believe in the United States of America as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a democracy in a republic, a sovereign nation of many sovereign states; a perfect union, one and inseparable, established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrifice their lives and fortunes.

"I therefore believe it is my duty to my country to love it; to support its constitution; to obey its laws; to respect its flag; and to defend it against all enemies."

SALUTE TO WILLIAM HANNA AND JOSEPH BARBERA

Mr. KUCHEL. Mr. President, the stresses of the era through which the world is passing may sometimes be relieved by fanciful diversion from worrisome events. From time to time every human being needs and relishes escape from realities and responsibilities.

The present month marks the 10th anniversary of successful endeavor by an enterprise based in my State of California which has contributed materially to the happiness and relaxation of countless individuals with a unique form of entertainment. Recently the firm of Hanna-Barbera Productions, Inc., marked this event with the knowledge a succession of animated cartoon motion pictures and television programs has brightened existence for innumerable viewers around the globe, even beyond the Iron Curtain.

William Hanna and Joseph Barbera have enjoyed satisfaction of coveted awards for their product. They are secure in knowledge that boldness in launching a new venture was justified. Their achievements include unforgettable characters, "Yogi Bear" and "Huckleberry Hound," and such televised series as "The Flintstones," and the widely applauded "Jack and the Beanstalk." Additionally they have gained a place of stature in operating one of the top companies turning out recordings for children and have developed diversification with industrial films.

The 10-year history of Hanna-Barbera Productions is truly a success story denoting exercise of originality and initiative to pioneer with a novel form of expression. On this occasion, it is a privilege to congratulate this organization, its founders, and all engaged in its operations for efforts which have delighted not only children but also their elders who find occasional exposure to fantasy a refreshing release from tension.

THE AMERICAN BARD

Mr. KUCHEL. Mr. President, since the evolution of written expression mankind has given voice to a full range of emotions through the medium of poetry. Doubtless there is not a single one among us who cannot recall and repeat some bit of verse learned at a remarkably early stage of life.

Poets often have been unappreciated, to the extent they frequently encounter obstacles in making others aware of their sentiments, philosophies, moods, and reflections.

The arrival of 1968 will denote completion of a half century of rewarding service in the field of cultural advancement by a publication issued for much of its existence in my native State of California. I wish to call attention to the forthcoming golden anniversary of the American Bard, the second-oldest poetry magazine in the Nation.

Since its founding in New Jersey in 1918, this publication has gained stature and respect for literary excellence under the guidance of only three editors. During the past decade, its direction has been the responsibility of a top-ranked California author of highly regarded poetry, Edythe Hope Genee, who has the assistance of a staff sharing deep feeling for beauty and adhering to highest ideals of literary excellence.

The American Bard has been the vehicle by which a long line of eminent poets gained recognition and enjoys the distinction of having discovered many who found it the first outlet for their compositions.

I am confident I voice the sentiment of all who enjoy poetry when I congratulate this publication and those conducting it for rounding out 50 years of faithful adherence to admirable principles of literary quality.

MINIMUM WAGE LAW—ANNUAL INCOME EXEMPTION FOR SMALL BUSINESSES

Mr. PROUTY. Mr. President, it will be recalled that last September I unsuccessfully attempted to have the minimum wage bill returned to conference with instructions that the Senate conferees insist on retaining a $350,000 annual income exemption for small business enterprises to become effective in 1969.

At that time, businesses with annual sales of less than $1 million were exempt from coverage. Under the legislation which we passed last fall, this exemption dropped to $500,000 in February of this year and will automatically be lowered to $250,000 in 1969.

During the debate on this subject, I made the following statement on the Senate floor:

> Small business has grown into large business—that is, men with initiative and courage, willing to run risks, have made a profit for themselves, yes; but they have put an awful lot of people to work. Many of the people employed in small business today are young people without any training, without any skills, and could not get a job if the wage level were increased beyond their productive capacity. Many elderly, retired people are able to supplement their meager incomes, even though they are not physically, perhaps, able to do a full day's work. We will be putting a lot of people who can earn something out of work, unless we take care of these small business problems.

Mr. President, this is the type of situation which gives me no satisfaction in pointing out that my predictions were correct. The National Federation of Independent Business recently completed a poll of 40,000 small business firms throughout the country, which indicates that 400,000 workers have lost their jobs because of the extension of coverage to many new industries and thousands of small businessmen as a result of the $500,000 annual income exemption which became effective in February.

The results of this survey show that most of those who have lost their jobs are teenagers, the mentally and physically handicapped, and the unskilled with the least aptitudes who are not productive enough to justify retaining under the new minimum wage regulations.

Unfortunately, the marginal employees who are losing their jobs are in groups where unemployment already runs well above the national average, as was pointed out recently by an editorial in the Wall Street Journal.

Some examples revealed by the poll are the following:

A plant in West Virginia reduced its employee complement by one-third because, according to the employer, it could no longer afford to train unskilled labor at the new rates.

A bank in Wisconsin reduced its number of employees from eight to six.

A laundry in Indiana reduced its staff from 40 to 35. Those discharged were, according to the owner, slow-thinking employees who were also slow in physical movement but who had been taught to do a specific job and produced at a rate of approximately 75 cents an hour.

And so it goes. Many employers have quit hiring high school students. According to restaurant operators, the earnings of unskilled labor such as kitchen help, dishwashers, and busboys, will be greatly curtailed. One owner stated:

> We will be forced to use paper instead of china in order to keep prices low enough so that the people can afford to eat with us. It has caused us to look at aspects of the industry such as take-out service, which will enable us to work efficiently with fifteen fewer employees.

Mr. President, I ask unanimous consent that the following articles be printed in the RECORD at the conclusion of my remarks. The first is from the July 10 issue of U.S. News & World Report, entitled "Jobs That Were Lost When Minimum Wage Went Up." The others are an editorial from the July 7 issue of the Wall Street Journal, entitled "Firings by Fiat," a column by John Chamberlain which appeared in the Washington Post on July 3, and a column by David Lawrence which appeared in the Evening Star on July 3.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 through 4.)

Mr. PROUTY. Mr. President, the annual income exemption for small businesses is now $500,000. The minimum wage is scheduled to increase again in 1968 and the annual income exemption will be lowered to $250,000 in 1969. With the 1968 increase in effect, the Wall Street Journal states:

> A few hundred thousand more workers may wonder whether firings forced by Federal fiat is indeed the American way.

Mr. President, we are not talking about big business even though $250,000 or $500,000 may sound like a lot of money. As I pointed out last fall, the median ratio of profit to net sales on profits produced by Dun's Review of Modern Industry is 1.09, which means that a business doing $349,000 in annual sales would show a profit of approximately $3,800. That is the median ratio. The highest ratio shown was 2.34 which would show a profit of approximately $8,200 on annual gross sales of $349,000.

I hope that Senators will read these articles and seriously consider this problem. I have mentioned but a few examples. Our Subcommittee on Poverty has also seen the extent of unemployment caused in certain southern rural areas as a result of implementation of the new minimum wage provisions. It is interesting to note that, despite the Labor Department's contrary claim, Negro and white leaders in the South are unanimous in agreeing that the minimum wage legislation which became effective in February has contributed to mass unemployment in their areas.

In my opinion, the employment issues raised by the report of the National Federation of Independent Business should be thoroughly investigated. Because of the timetable given us by the minimum wage law which we passed last year, there is still time for Congress to consider whether the annual income exemption for small businesses should be further reduced in 1969, as it will be under the present law, or whether the facts warrant enacting new legislation prior to 1969 to protect these very small businessmen and the thousands of marginal workers whom they now employ.

EXHIBIT 1

[From the U.S. News & World Report, July 10, 1967]

JOBS THAT WERE LOST WHEN MINIMUM WAGE WENT UP

Latest changes in the minimum-wage law have been in effect for five months, long enough for results to show up.

Just what are the results?

To find out, a small-business group polled its members. Here is what the poll shows.

Tens of thousands of workers have lost their jobs this year as a result of the latest increase in the minimum wage required by federal law.

Employers of these workers say they cannot afford to pay the wage rates required for workers covered for the first time, much less the higher rates fixed for employees who had been covered all along. Still higher rates, to come next year, are expected to bring still more layoffs.

A survey of small business concerns, just made public, estimates that as many as 400,000 workers have been dismissed as a result of the hourly rate of $1.40 now in force and the extension of coverage to many new industries.

Already, 20 of 60 employes have been dismissed at one manufacturing plant in West Virginia. "Our firm," said the employer, "no longer can afford to train unskilled labor at the new rates."

In Wisconsin, a bank with eight employes discharged two because, bank officials said, "We feel a jump to $1.40 is way too much for a beginner out of high school."

In Indiana, a laundry laid off five of its 40 employes and expects to fire still more. The owner explained:

"Prior to the present minimum-wage law we had several persons . . . slow thinking and slow in physical movement. We had taught them to do a specific job. They did the work—at a slow production rate—and earned about 75 cents an hour."

Said an employer of Kalamazoo, Mich.: "We've quit hiring high-school boys."

These examples and many more came out of the survey, which polled 40,000 small business firms in all parts of the country. The survey was made by the National Federation of Independent Business, Inc., an organization of independent business proprietors, which claims 235,000 members.

Officials of the federation reported that comments from the small employers indicated that "victims" of the higher minimum wage and broader coverage "are principally teen-agers, mentally and physically handicapped, and the unskilled with the least aptitudes" who are "not productive enough to justify retaining at the higher legal wage rates."

Small towns hit. The effect of the law is being felt, according to the federation, not in the big metropolitan areas, but in rural areas and small towns, especially in the Middle West, the South and the Rocky Mountain States.

If the present trend continues, the business organization said, the number of "hard-core unemployables" may reach 2 million workers by the end of this year, as a result of the new minimum-wage law.

It was the extension of the law to millions of workers not previously covered that resulted in many of the layoffs disclosed in the survey. For workers who had been covered, the rate rose to $1.40 an hour, from $1.25 on February 1 of this year. This rate goes to $1.60 next February.

For most of the newly covered 9 million workers, the beginning minimum rate is $1 an hour, with increases still to come.

Examples of lost jobs. In what follows, you get some other case histories that were reported by the business federation from comments of employers who were covered in the survey:

A building-specialties firm that operates in the Carolinas had 11 employes. Now it has eight. The three who lost their jobs, the employer said, "were long-time, aged employes who were not capable of producing under the new wage law."

The laundry in Indiana that laid off five employes who had earned about 75 cents an hour contended:

"This rather small income enabled them to be self-supporting.

"In terms of productivity, their wages were equal to employees earning $1.25 per hour. The 75 cents per hour was all that these people were physically able to produce.

"These people have been unable to find work since leaving us. Now the sad part is that we will be forced to lay off some more of our marginal people who have been with the company for years."

Unskilled help is the victim, according to a restaurant operator in upstate New York. Of 50 workers, he has fired four and may have to drop 15 more. He explained:

"The minimum wage will cripple the earnings of unskilled labor such as kitchen help, dishwashers, bus boys, etc. We will be forced to use paper instead of china in order to keep prices low enough so that the people can afford to eat with us. It has caused us to look at aspects of the industry such as take-out service, which will enable us to work efficiently with 15 fewer employes."

Cutback in learners. Fewer apprentices will be hired, according to a bakery owner in Utah. He said:

"The minimum wage virtually eliminates apprentices as new employes. The minimum-wage law is going to close many small businesses, including my own, which has an annual payroll of nearly $15,000."

A citrus-fruit packer in Florida, who normally employs 50 people, is cutting down his work force rapidly and reducing the quantity of fruit handled for concentrated juice. He said:

"We are faced with the possibility of some of our lower-grade fruit going to economic abandonment. Some citrus fruit now being delivered to processors will not pay out the cost of picking and delivering the fruit, much less the cost of production."

"HARD TO RAISE PRICES"

In Wyoming, a distributor of farm products has had to fire two employes.

"In farming communities," he said, "it is hard to raise prices in order to meet the burden put on by Congress, such as wage laws and more Social Security."

A butter-and-egg business in Ohio, with 35 employes, dropped two who were "casual, unskilled people."

"A couple of roustabouts" lost their jobs in a Kansas grain mill because their employer felt they were not worth the higher rate.

In Nebraska, eight lost jobs in a laundry and dry-cleaning firm in a town of less than 6,000 population. The owner, who had employed 28 persons, reported that the minimum wage forced him to lay off six full-time and two part-time workers.

An electric-service company in Nebraska said it discharged one employe because of the new wage. "We cannot continue price raises in the kind of economy we have here," the owner said.

Officials of the business organization predicted that the layoffs will continue, as more firms discover that workers with low skills or less-than-normal ability are not producing enough to justify the higher rates of pay.

EXHIBIT 2

[From the Wall Street Journal, July 7, 1967]

FIRINGS BY FIAT

When the minimum wage was raised early this year, labor leaders and some legislators claimed that millions of workers would be pulled upward to the "American way of life." For many thousands of people, however, the result has not been so agreeable.

According to a survey by the National Federation of Independent Business, as many as 400,000 workers have been fired as a direct result of the minimum-wage increase. The Federation polled 40,000 small businesses in all parts of the nation.

The higher pay floor chiefly hurt teenagers, the mentally and physically retarded and those individuals who possessed the fewest skills and aptitudes, the survey showed. Unemployment in these groups already runs well above the national average.

Unfortunately, some people still seem unable or unwilling to recognize that businessmen cannot pay employees more than they are worth. A business that operates on that sort of philanthropic principle runs the very real risk of being forced to cease operating at all.

As for the future, the Federation predicts that layoffs compelled by the minimum wage will continue, as more firms discover that low-skilled employes are not producing enough to justify the higher rates of pay. And another rise in the Federal pay standard is scheduled for 1968.

With next year's boost in effect, a few hundred thousand more workers may wonder whether firings-forced-by-Federal-fiat is indeed the American way.

EXHIBIT 3

[From the Washington Post, July 3, 1967]

UNITED STATES PUTS 400,000 OUT OF WORK

(By John Chamberlain)

Who listens to the small businessmen of this country? Their representative organization, the National Federation of Independent Business, Inc., with a membership of 235,587 is the largest of its kind. The Federation polls its membership on a monthly basis, seeking light on pertinent topics of vital importance to the small enterpriser, and it invariably comes up with information that should have a swift impact on our legislators. But nothing happens.

It could be that the rhetoric of the Great Society has such a mesmerizing effect on Congress that nobody dares to question the reigning cliches of the moment. The shabbiest, scrawniest sacred cows are permitted to nibble away our sustenance, yet nothing is done to get rid of them. Thus, to murmur a word against the Federal minimum wage law is enough to have one branded as an enemy of the people. Yet the cold truth of the matter is that the minimum wage law is putting people out of work, forcing internal migrations in the country that pile more and more helpless victims into the big metropolitan ghettos, and imposing insuperable burdens on Sargent Shriver's already over-pressured Office of Economic Opportunity.

Back in January the National Federation of Independent Business started a "continuous field survey" of the "employment structure" of independent retailers. For January there was a slight gain in employes after deducting those dropped. But in February, which was the month the minimum wage law went into effect, the bad news began to come in. Of the respondents who reported firing employes in February, 20 per cent of them gave the new minimum wage law as the reason. In March, 23 per cent reported dropping workers because of the new law. In April, the figure rose to 26 per cent.

The data collected by the Federation has come from 40,000 firms. Since there are some 4,700,000 independent firms in the Nation, this means that the Federation's sample constitutes roughly one per cent of the total for the whole United States. Computerized projections from the sample indicate that 400,000 people have lost their jobs because of stiff minimum wage requirements which businessmen have been unable to meet.

The Federation predicts that 2 million people will be compelled to look to public relief by the end of 1967 if the present rate of firings continues.

Voluntary comments supplied by respondents could not be fed into the computer. But, generalizing from them, the Federation says the victims of the minimum wage law are principally teenagers, the mentally and physically handicapped, and the unskilled with the least aptitude. These people are able to do limited jobs, but cannot be productive enough to justify being retained at the new compulsory wage rates.

What is deceptive about the workings of the minimum wage law is that its impact does not show up in the big metropolitan centers of the North and East. The big firings of the past five months have been in the Midwest, the South, and the Rocky Mountain States.

But this does not exempt the large cities from trouble. For the newly unemployed inevitably gravitate to the city slums where they can go on relief rolls. The recent Federal court ruling that Connecticut's residence requirement for relief is illegal must compound the disaster, for if this ruling holds up, 40 states which have put residence restrictions on the granting of public welfare payments will find themselves liable to supporting all comers.

EXHIBIT 4

MINIMUM PAY RISE CUTS TWO WAYS

(By David Lawrence)

Do many people know how costly to the country and how disrupting to individual welfare a change in the federal "minimum wage" rates is today? How many youngsters have been deprived of jobs, and how many persons in the upper age brackets have been idled?

These are questions which only partly indicate the profound effect in an economic sense caused by the raising of minimum wages this year to $1.40 an hour and by the increase in the scope of the law to include workers hitherto uncovered but who now get at least $1 an hour. Also, next February, the minimum wage goes to $1.60 an hour.

The most far-reaching cost of the increases is in the wage rates well above the minimum. These now are being forced upward all along the line. A worker, for example, previously earning $1.40 an hour on a 40-hour week received $56 a week, and the labor unions aren't content to leave this and the other rates unchanged as the minimum is moved up by law. When the workers who have already reached the $56 bracket demand an increase, this affects those in the $80 category and so on up the line. The total amount of these increases to the country runs into the hundreds of millions of dollars a year and is one of the factors in the rise in the cost of living, otherwise known as "inflation."

The hardships and tragic results of the raise in the minimum-wage rates have been disclosed to some extent in a survey conducted among 40,000 small business firms in all parts of the country by the National Federation of Independent Business, an organization of independent business proprietors. The replies to its questionnaire are very revealing.

Thus, for example, a laundry in Indiana laid off five of its 40 employes and expects to fire still more; in Wisconsin, a small bank discharged two of its employes because it felt that a rate of $56 a week is too much for a beginner just out of high school.

The new rates generally seem to have hurt the chances of teen-agers to get jobs. This is especially true in small towns, but even in a large city small firms are saying they can't afford to train unskilled labor at the new rates.

One restaurant operator in upstate New York said in his comment answering the survey:

"The minimum wage will cripple the earnings of unskilled labor such as kitchen help, dishwashers, bus boys, etc."

A bakery owner in Utah said the minimum wage virtually eliminates apprentices as new employes and will close up many small businesses. The new law affects some farm employes too. Altogether the need to discharge workers will be felt by the low skilled and unskilled.

But, it will be asked, why weren't all these factors taken into account by members of Congress when they enacted the minimum-wage legislation? The answer is that the labor-union monopoly in America boasts that it controls a majority of both houses of Congress today by furnishing campaign funds to help elect them. This certainly emphasizes the need for a stricter code of ethics than has been suggested thus far as a result of the cases of Sen. Dodd and Rep. Powell. It makes a good argument for federal appropriation of campaign funds so that candidates will not be placed under obligations to any vested interest.

The big labor organizations aren't interested particularly in minimum wages as such because those employes who get the increases are usually not members of unions nor likely to be for a while. They are primarily scattered workers in miscellaneous small shops which aren't organized by the unions. But every rise in the minimum-wage rates imposed by federal law pushes up the whole set of wage scales and has its impact all along the line—including, for instance, on the auto workers. This, of course, adds to the cost of the automobile itself.

Thus the minimum-wage rates have their biggest influence in moving up the other scales throughout the country. It might be less expensive in the long run for local communities to put the unskilled workers on government relief temporarily until they can be taught skills that would enable them to earn even better wages than the minimum.

PANAMA BACKDOWN

Mr. PEARSON. Mr. President, Mr. Paul Allingham, publisher and editor of the Atchison Globe, is one of the most astute and learned observers and interpreters of public affairs in the Nation today. His editorial in the Atchison Globe of Tuesday, July 11, 1967, discusses the prospective Panama Treaties and deals with questions of sovereignty, compensation, and the new proposed sea level canal which is anticipated in these treaties soon to be brought forth in hearings before the Senate.

Mr. President, I ask unanimous consent that the editorial, entitled "Panama Backdown," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PANAMA BACKDOWN

According to reports, the Johnson Administration announced the U.S. government had reached new accords with Panama over the canal, but in order to prevent domestic reaction against its diplomacy the Administration has still refused to publish the text of the treaties and has not yet admitted the surrender of sovereignty. But informed sources have managed to gather enough information to know the U.S. has vacated its title to the canal.

Under the new treaties, according to reliable authorities, the United States has effectively abrogated its 1903 treaty rights with Panama, relinquished absolute legal control over the Canal Zone and "effectively recognized" Panama's sovereignty over the 10-mile-wide strip of land containing the present canal.

Furthermore, Panama will be able to help run the present canal as well as any future sea level waterways (which according to the experts is at least 10 years away from reality).

While most Americans aren't aware of the true facts, diplomatic experts say the relinquishing of U.S. control over the Panama Canal has been a Communist objective since 1917 and that Red Agent Alger Hiss, when he was in the State Department, assiduously attempted to persuade the American government to forsake its Panamanian rights. Much of the anti-American agitation in Panama has both been inspired and led by the Communists.

Summing up the dangers of LBJ's diplomatic gambit, the Chicago Tribune editorializes:

"The administration seems unaware that one of the Soviet objectives is to strangle the great arteries of maritime communications, one by one. Russia's Egyptian cat's-paw, Nasser, has closed the Suez Canal with sunken ships and attempted to blockade the Gulf of Aqaba. The United States has fallen for Communist and Afro-Asian propaganda and got itself into a senseless quarrel with South Africa, whose ports and refueling depots are vital to use in the substitute route around the tip of southern Africa. Now the United States position in the Panama Canal has been compromised.

"The stage is set for Communist strangulation of the great sea arteries which contribute so much to American strategic mobility."

So we have only this to say to our readers—a flood of opposition mail from the grass roots to members of the Senate could prevent Senate approval. Ratification requires a "yes" by two-thirds of those present and voting.

It is time to let LBJ know the American people know the score and won't buy his so-called slick diplomacy.

RIOTS AND VIOLENCE IN OUR CITIES

Mr. JAVITS. Mr. President, I had intended to speak this morning at some length on the problem of riots and violence in our cities in connection with the entire matter of civil rights and the long, hot summer issue. However, inasmuch as we have a great emergency in the railroad strike matter in which I am very heavily involved as the ranking member of the appropriate committee, I shall forgo making my speech at this time, but I wish to announce that I will address myself to this subject not later than Wednesday.

CHICAGO TRIBUNE'S PUBLICATION OF CANAL TREATY TEXT

Mr. THURMOND. Mr. President, in a statement before this body on July 10, 1967, I quoted an illuminating news story published in the Chicago Tribune of July 7, by Chesly Manly, a distinguished correspondent of that great newspaper, in which he quoted part of the text of a proposed defense base treaty with Panama.

In the same paper, on July 15, there was featured another vital story by correspondent Chesly Manly quoting the full text of the proposed new basic treaty for the Panama Canal, preceded by a list of its main features and an editorial note on the Chicago Tribune's record of important journalistic achievements. Making the text of this proposed treaty available to the people of our country, who have been denied such information, is a national contribution of the highest importance for the security of the United States, if not of the entire Western Hemisphere. It is remarkable that the other great news gathering agencies of this country have ignored this important story. I have not yet seen any story that repeats the substance of the Tribune's revelations of July 7. I hope more attention will be paid to the present important scoop on the whole of the major proposed treaty.

The magnitude of the projected surrender at Panama exceeds the fears of those who have studied the subject and know its problems. Compared to what is proposed in this new treaty, the present juridical setup, though complicated, is simplicity itself. Even a glance at the list of main features of the treaty will suggest that its ratification will result in difficulties and chaos greater than anything we have so far witnessed.

In view of the comprehensive summary given by the Tribune in the list of main features of the treaty, I shall not, at this time, attempt to discuss them in detail except to state that the treaty interests of Great Britain and Colombia in the Panama Canal seem to have been ignored.

In order that my colleagues in the Senate may have the benefit of this further advance information on proposed treaties to be submitted for ratification, I ask unanimous consent to have printed in the RECORD the above indicated items.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FULL PANAMA TREATY TEXT—TRIBUNE GETS PLAN CEDING U.S. RIGHTS—TOLL RAISES PROPOSED TO PLACE CANAL ON PROFIT-MAKING BASIS—RESTRICTIONS SLATED ON AMERICANS FOR PROTECTION OF WATERWAY IN EVENT OF AGGRESSION

(By Chesly Manly)

PANAMA CITY, July 14.—The proposed new treaty between the United States and Panama on the Panama canal would change the law governing tolls on commercial shipping from a self-sustaining to a profit-making basis, to satisfy demands by Panama's politicians for greatly increased revenues from the canal.

Next to the effect of the canal treaty and a companion defense treaty on the security of the canal, the toll agreement is the most controversial of all changes proposed in the operation and defense of the canal.

A separate new defense treaty would authorize the United States to continue use of certain defense areas, but any military measures in the Republic of Panama outside of the specified areas, which the United States might consider necessary for the protection of the canal in case of aggression, armed conflict, or other emergency, could be taken only with the consent of Panama. A major part of the text of the new defense treaty was published by The Chicago Tribune on July 7.

The United States and Panama have negotiated three new treaties, which President Johnson and President Marco Robles are expected to sign in Washington next month.

AUTHORIZES SEA LEVEL CANAL IN PANAMA

Besides the treaties on the canal itself and its defenses, there is one authorizing the United States to build a sea level canal in

Panama, if it should choose a route in that country instead of alternative possibilities in northern Colombia and on the border of Nicaragua and Costa Rica, to replace the present high-level lake-lock canal.

Many American military and civilian authorities in both Panama and Washington regard the new defense treaty as hopelessly inadequate for the protection of the canal. They fear that in this age of nuclear weapons and blitzkreig conventional warfare, such as Israel's spectacular defeat of the Arab countries in three days, the canal might be overrun or destroyed before the United States could obtain permission from a communist-infiltrated government of Panama to protect it.

Opponents of the proposed new treaties also contend that explicit recognition of Panama's sovereignty in the Canal Zone would be a standing invitation for nationalization of the canal by a leftist regime in Panama. Nationalist extremists and leaders of the communist-dominated student organizations in Panama have been demanding nationalization of the canal ever since President Gamal Abdel Nasser of the United Arab Republic nationalized the Suez canal.

POSSIBLE U.S. PROBLEMS OUTLINED

If the canal should be nationalized, the national assembly of Panama could adopt new laws for its operation contrary to obligations under the proposed new treaty or calling for the withdrawal of American defense forces. Then the United States could defend the canal only at the risk of being accused thruout Latin America of "intervention" in the internal affairs of a small country.

The new treaties must have the "advice and consent" of the United States Senate, which requires a two-thirds vote, before they can be put into force. Also they must be approved by the national assembly of Panama. There is widespread opposition to the treaties in Panama, not so much because of their terms but because of a belief that the United States government, by agreeing to them at this time, is seeking to keep Panama's ruling oligarchy in power and thus is deemed interfering in the domestic politics of that country.

The canal treaty would increase annual payments to Panama, now $1,930,000, to 17 cents a long ton the first year and 22 cents after five years on all commercial cargo passing thru the canal. The canal is setting new cargo records each year and the annual total is now nearing 100 million long tons.

At 22 cents a ton, this would give Panama 22 million dollars a year, which is far more than the present net revenues of the canal operation. Transit revenues were 72.6 million dollars in the 1966 fiscal year and about 82 million in fiscal 1967. Net revenues, however, averaged only 3.9 million dollars for the five-year period, 1962–1966.

The new canal treaty authorizes toll increases to give the United States and Panama a "fair return in the light of their contributions" to the waterway. Under present law, the United States is permitted to charge tolls only for the purpose of supporting the canal operation, including the cost of the canal zone government, and recovering the United States investment in the canal. The total investment is 1.9 billion dollars, of which 330.7 million is interest-bearing. Altho interest payments have been made regularly the last capital reimbursement was 10 million dollars in 1960.

The present toll rates, which have not been increased since the canal was opened in 1914, are 90 cents a long ton of cargo capacity for laden ships and 72 cents for ships in ballast. Even at 90 cents a ton, however, a 40,000-ton ship can just about break even by going around Cape Horn and avoiding the canal, according to a recent study made for the canal administration by the Stanford Research institute.

STUDY INDICATES TOLLS CAN BE RAISED

Brig. Gen. Walter P. Leber, governor of the canal zone and president of the canal company, testified before a House of Representatives' Panama canal subcommittee on May 18 that studies made by the Stanford institute and by Arthur Anderson & Co. indicate the possibility of increasing tolls up to 25 per cent with little effect on the volume of traffic. He warned, however, that traffic would become progressively smaller with toll increases above 25 per cent. Panamanian politicians have demanded toll increases of 50 and even 100 per cent, with a 50 per cent share of gross, not net, revenues for Panama.

Studies made for the canal administration show that shippers would avoid excessive tolls by using alternative routes. Such a disruption of world shipping might have a serious effect upon costs to American consumers and upon exports and imports, as well as the balance of payments, of the United States.

Of 85.3 million long tons of cargo traffic thru the canal in fiscal year 1966, 36.6 million originated in the United States and 26.9 million was destined to the United States.

BELIEVE SUPER-TANKERS WOULDN'T USE IT

Eighty per cent of all cargo passing thru the canal is carried by ships of 20,000 tons or less. A ship of about 55,000 tons is the largest that can be locked thru the canal. Experts agree that even a sea level canal would not attract the new super-tankers, now approaching 200,000 tons.

It is cheaper for these highly automated ships to avoid the canal by going around Cape Horn or proceeding to American ports by other alternative routes. E. R. Duckstad, of the Stanford institute, testified that "an increase in tolls at the Panama canal generally can be expected to hasten the development of two separate supply basins for raw materials, one within the Atlantic and one within the Pacific area. And the amount of shipping between them will become a function of the level of tolls charged by the Panama canal."

LIST OF MAIN FEATURES OF CANAL TREATY

Following are the main provisions of the proposed new Panama canal treaty:

1. The Hay-Bunau-Varilla treaty of 1903, granting exclusive rights in the present canal zone to the United States "in perpetuity," and its amendments of 1936 and 1955, are abrogated.

2. The new treaty explicitly recognizes Panama's sovereignty in a new "canal area" to be substantially reduced in size. All United States property in the present zone which is not included in the new canal area shall be turned over to Panama.

BOARD TO REPLACE COMPANY

3. The present Panama Canal company, a United States government corporation, shall be replaced by a joint administration with a governing board of nine members, five appointed by the President of the United States and four by the president of Panama.

4. The new administration will assume all assets and liabilities of the present company except the unrecovered investment of the United States in the canal, which will be written off. The interest-bearing unrecovered investment was 330.7 million dollars on June 30, 1966. The total United States investment is 1.9 billion dollars in the canal and about 3 billion dollars in defenses.

5. Annual payments to the Republic of Panama, now $1,930,000, will be increased 17 cents a long ton the first year and 22 cents after five years on all commercial cargo passing thru the canal. With annual cargo now nearing 100 million long tons a year, payments to Panama would soon exceed 20 million dollars a year. Payments of 8 cents a long ton the first year and 10 cents after three years will be made to the United States.

TOLL RATES GOING UP

6. Toll rates, now 90 cents a long ton of cargo capacity for laden ships and 72 cents for ships in ballast, will be increased, but in the first three years they may be raised only for the purpose of meeting the tonnage payments to the United States and Panama.

7. The new joint administration will establish and maintain a police force, which shall have "exclusive police authority" in the canal area. The laws of Panama shall be applicable, however, in all matters not reserved by statutory law, to be adopted by the joint administration. Statutory law of the canal area will be applied by a special court of eight members [four from each country] to be appointed from panels designated by the two presidents.

8. Panama and the United States will provide for the defense, security, neutrality, and continuity of operation of the canal under provision of a separate treaty on defense and the status of forces, to be signed by the same day.

PROVIDES FOR CONCESSION

9. The joint administration will be authorized to make make arrangement for private operation of facilities and services now operated by the canal company and its concessionaires, including commissaries.

10. The administration shall have power to establish and maintain a postal service and to operate the Panama railroad, except that the government of Panama may shut down the railroad by giving two years' notice.

11. Employes of the present canal company [4,000 Americans and 11,000 Panamanians] will be transferred to the new administration under terms of employment provided by an agreement to be annexed to the treaty.

12. The treaty will expire Dec. 31, 1999, or earlier if, in the meantime, the present high-level lake-lock canal is replaced by a sea level canal.

A SERIES OF SCOOPS

Here is the text of the proposed Panama canal treaty which The Chicago Tribune's Chesly Manly obtained in Panama while details of this major development were being withheld in government circles in both countries. The heart of another treaty, concerning defense, was printed by the Tribune last week.

This new first is another in a long series The Tribune has scored over the years, particularly in critical international matters, some of which have been called not only the scoops of the generation but patriotic and valuable service to the county.

At the end of World War I, The Tribune's Frazier Hunt obtained and brought to the United States the first original copy of the war-ending treaty, which was turned over to the Senate and published in the paper.

The Tribune beat all of its competitors in the midwest in printing the text of the United Nations charter in 1945.

When President Truman imposed a gag on Gen. Douglas MacArthur, nearly eight months before Truman deposed him, The Chicago Tribune published in full the text of the important message which the far east commander was required to withdraw after preparing it for presentation to the Veterans of Foreign Wars convention in Chicago on Aug. 28, 1950. Following The Tribune's leadership, other newspapers published the MacArthur message, which urged the defense of Formosa to prevent it from falling into unfriendly hands.

In 1955, The Tribune presented to its readers, in a special section, the previously unpublished record of what was said and done at the Yalta conference in February, 1945, at which President Roosevelt and Prime Minister Winston Churchill of Great Britain made vast concessions to Josef Stalin of Russia.

TEXT OF PROPOSED TREATY ON CANAL—U.S., PANAMA WOULD CREATE OPERATING UNIT

ARTICLE I

1. The convention between the Republic of Panama and the United States of America signed at Washington, Nov. 18, 1903, is hereby abrogated.

2. The treaty of friendship and cooperation signed at Washington, March 2, 1936, and the treaty of mutual understanding and cooperation and related memorandum of understandings reached signed at Panama on Jan. 25, 1955, are hereby abrogated.

3. Any other treaty or agreement, or any part thereof, between the Republic of Panama and the United States of America which is inconsistent with this treaty is, to the extent of the inconsistency, hereby terminated.

ARTICLE II

1. The Republic of Panama and the United States of America hereby establish an international juridical entity to be known as the joint administration of the Panama canal [hereinafter referred to as the "administration"] to operate the Panama canal and its appurtenant and supporting facilities and services, maintain the Panama canal and such facilities and services, make improvements and additions thereto, and administer the canal area, which is defined in Article III of this treaty, for the purposes of this treaty.

2. The administration shall assume its full responsibilities and functions under this treaty on a date to be determined in agreement with the Republic of Panama and the United States of America, which shall not be sooner than 6 months nor later than 24 months following the entry into force of this treaty.

3. The Republic of Panama, as sovereign over the canal area, guarantees to the administration the peaceful use and enjoyment of the canal area, consistent with this treaty and the continuity of operation of the Panama canal.

4. The Republic of Panama and the United States of America shall facilitate in every way the carrying out by the administration of its responsibilities and functions under this treaty.

5. The official languages of the administration shall be English and Spanish.

ARTICLE III

1. The Republic of Panama and the United States of America, each to the extent of its interests, grant to the administration, effective upon the date the administration assumes its full responsibilities and functions under this treaty, the use of the Panama canal and its appurtenant and supporting facilities and services and the use of the areas of land and water delineated in Annex I, which shall be known as the "canal area."

2. The administration shall have and enjoy, subject to the terms of this treaty, the use of the Panama canal, of the canal area and of all of the property which, on the date the administration assumes its full responsibilities and functions under this treaty, is being administered or used by the United States of America, thru its agencies, the Panama Canal company or the Canal Zone government.

3. The administration shall assume, as of the date it assumes its full responsibilities and functions under this treaty, all of the assets, liabilities and commitments of the Panama Canal company and Canal Zone government as reflected in the final financial statements for the Panama Canal company and Canal Zone government. The unrecovered investment of the United States of America in the Panama canal shall not be included in the liabilities assumed by the administration under this paragraph.

ARTICLE IV

1. The governing body of the administration shall be a board consisting of nine members, four of whom shall be appointed by the president of the Republic of Panama and five by the President of the United States of America. The members of the board shall be appointed for terms of six years, subject to removal for cause by the President of the country by whom appointed, except that the terms of two of the members appointed by each President upon the entry into force of this treaty shall be three years only. Members of the board shall be eligible for reappointment.

2. The board shall be convened by the Republic of Panama and the United States of America as soon as practicable after the entry into force of this treaty. Except as otherwise provided in this treaty, the board shall act by majority vote of its members present and voting whenever there is a quorum. A majority of the members shall constitute a quorum of the board. The board may adopt by-laws and rules of procedure. A member of the board may be represented by an alternate designated by the President of the country by whom the member was appointed. While serving on the board, an alternate shall exercise the same powers as a member, shall receive compensation and allowances at the same rate as the members and shall be accorded the privileges and exemptions provided by paragraph 9 of this article.

Elected chairman would serve year

3. The board shall elect a chairman, from among its members, who shall serve for one year. The chairman shall preside at meetings of the board and shall perform such other functions as may be provided in the by-laws. The chairmanship shall alternate annually between a member appointed by the president of the Republic of Panama and a member appointed by the President of the United States of America.

4. The compensation and allowances of members and alternate members of the board shall be established by the board and paid from the funds of the administration.

5. There shall be a director general and a deputy director general of the administration, one of whom shall be a national of the United States of America and the other a national of the Republic of Panama.

6. The director general and deputy director general shall be appointed by the board for a term of four years, shall be eligible for reappointment, and shall serve until their successors assume office, subject to removal for cause.

Director general designated chief

7. The director general shall be the chief executive officer of the administration and shall conduct its business and operations and administer its affairs, in accordance with the policies and directives of the board. He shall have general supervision and authority over the administration's other officers and employes.

8. The deputy director general shall act for the director general during a vacancy in the office of director general or during the latter's temporary absence or disability and shall perform such other duties as may be assigned to him.

9. The administration, the members of the board, the judges of the courts of the canal area and officers and employes of the administration [except as otherwise provided, the phrase officers and employes of the administration wherever used in this treaty shall include personnel of the courts of the canal area] and members of their families residing with them shall have the privileges and exemptions set forth in Annex II of this treaty.

ARTICLE V

For the purposes of this treaty, the administration shall have the right and power to:

1. Operate and maintain the Panama canal and its appurtenant and supporting facilities and services and make improvements and additions thereto, and control navigation in canal area waters;

2. Administer the canal area;

3. Establish, modify, and collect tolls for the use of the canal, in accordance with article XXXIII of this treaty;

4. Establish, modify, and collect fees, charges, and tariffs for all services, equipment, supplies, and materials furnished;

5. Pay operating costs and make other disbursements as provided in this treaty;

6. Borrow money and issue evidences of indebtedness;

7. Enter into contracts;

8. Sue and be sued, subject to the provisions of this treaty, but no attachment, garnishment, or similar process shall be issued against salaries or other monies owed by the administration to members of the board, the judges of the courts of the canal area and officers and employes of the administration, except in domestic relations cases.

ARTICLE VI

1. Except as otherwise provided in this treaty, the administration shall have the right and power to appoint, remove, establish the conditions and requirements of service and define the authority and duties of officers and employes of the administration.

2. The administration shall have the right and power to obtain the services of personnel from the governments of the Republic of Panama and the United States of America on a reimbursable basis.

ARTICLE VII

The administration shall establish employment policies. Subject to the provisions of article XXVII of this treaty, such policies will be in accordance with the principles set forth below:

1. The canal is a primary source of employment for Panamanians in all categories of employment;

2. There shall be equality of treatment of all officers and employes without regard to nationality;

3. Personnel employment, classification, compensation and retention in all categories of employment shall be based on merit, seniority, the nature of the work, and the principle of equal pay for equal work, without regard to nationality or place of recruitment;

4. Special conditions of employment and payment of special allowances may be provided for whenever the administration finds such action necessary to obtain needed skills and services which cannot be obtained thru normal recruitment procedures.

ARTICLE VIII

The administration shall have the right and power to grant permits to reside within the canal area to persons in the following categories:

1. Officers and employes of the administration and judges of the courts of the canal area;

2. Persons who are residing in the Canal Zone at the time this treaty enters into force and, where appropriate, the persons who replace them;

3. Contractors of the administration and their employes during the performance of their contracts;

4. Persons authorized to engage in religious, charitable, welfare, educational, scientific and recreational activities in the canal area;

5. Such other persons or categories of persons as may be approved by a vote of two-thirds of the members of the board;

6. Members of the families of the persons named in subparagraphs 1 thru 5 of this paragraph residing with such persons;

7. Domestic employes of persons in the above categories residing with such persons.

ARTICLE IX

1. The administration shall have the right and power to provide to ships all services pertaining to transit thru the canal, make repairs to ships and provide them with naval supplies incidental to such repairs, and sell water, fuel, and lubricants to ships.

2. It shall be the policy of the administration that, whenever practicable, the services referred to in paragraph 1 of this article shall be provided by private enterprise.

ARTICLE X

The administration shall maintain and operate the system supplying water for the operation of the canal and shall have the right and power to make improvements and additions thereto. The administration also shall have the right and power to supply water for other uses consistent with this treaty.

ARTICLE XI

1. The administration shall have the right and power to maintain and operate the Panama railroad for the purposes of the administration, of the Republic of Panama, and of the United States of America and their agencies. The administration shall also have the right and power to operate the Panama railroad as a common carrier; provided that it shall discontinue its operation as a common carrier within two years after receipt of a request to that effect from the government of the Republic of Panama.

2. The administration shall also have the right and power, in conformity with the provisions of this treaty, to acquire, maintain, and operate ships, aircraft and motor vehicles for the purposes of the administration, of the Republic of Panama, and of the United States of America and their agencies.

ARTICLE XII

1. The Republic of Panama grants to the administration the right and power to establish and operate a postal service employing the rates of postage current in the Republic of Panama and using only Panamanian stamps, which shall be purchased from the Republic of Panama at the same cost at which stamps are acquired by the Republic of Panama for sale thru postoffices of the Republic of Panama. Any postal service shall be operated for the use of the administration, the United States of America and its agencies present in the Republic of Panama, individuals authorized to reside in the canal area; and, in connection with the conduct of their activities, persons, businesses and other organizations located in the canal area for the purpose of business or other authorized activities.

2. The Republic of Panama shall notify the Universal Postal union and the Postal Union of the Americas and Spain that the Republic of Panama's adherence to those postal unions includes the canal area.

ARTICLE XIII

1. Subject to the provisions of article XV of this treaty and to paragraph 2 of this article, and in furtherance of the rights and powers granted to it in this treaty, the administration shall have the right and power to construct or acquire, establish, maintain and operate, or provide, facilities and services such as navigation, water supply and flood control facilities and services; fixed and floating marine terminal, salvage and repair facilities and services; fuel handling and storage facilities and services; general repair, storage and warehousing facilities and services; rail, air, sea and land transportation facilities and services; utilities and communications systems, facilities and services; construction facilities and services; facilities and services for the manufacture, improvement, repair and maintenance of equipment, machinery, installations and other property, including ships for its own use; laundry and dry cleaning facilities and services; office buildings, fire protection and police facilities and services; jails and penitentiaries; other municipal buildings, services and facilities; a printing plant; schools and other educational facilities and services; public health and sanitation facilities and services; hospitals and other medical facilities and services; libraries and museums; guest houses and restaurants; and amusement and recreation facilities and services.

List administration's sales rights

2. With respect to such facilities and services, the administration shall have the right and power to make sales or otherwise furnish services, equipment, supplies and materials to:

[a] vessels pursuant to article IX of this treaty;

[b] the Republic of Panama and the United States of America and their agencies;

[c] persons residing in the canal area under the provisions of article VIII of this treaty, enterprises and nonprofit organizations authorized to carry out their activities within the canal area, and nationals of the United States of America employed by the administration and residing outside the canal area;

[d] personnel of the United States of America and its agencies present in the Republic of Panama pursuant to agreements between the two countries, who are not citizens of the Republic of Panama;

[e] such other persons or entities as may be approved by the board, acting by a vote of two-thirds of its members.

3. The administration shall have the right and power to provide medical and hospital services to its employes regardless of their place of residence.

4. The administration shall continue the operation and maintenance of the Mount Hope and Corozal cemeteries.

ARTICLE XIV

1. The administration shall have the right and power to construct or acquire, establish, maintain and operate, or provide, residential facilities for persons permitted to reside in the canal area pursuant to article VIII of this treaty.

2. In addition, the administration shall have the right and power, subject to the provisions of article XV of this treaty, to construct or acquire, establish, maintain and operate, or provide, retail marketing, processing and service facilities for persons in the categories referred to in subparagraphs [c], [d], and [e] of paragraph 2 of article XIII of this treaty.

ARTICLE XV

1. Subject to the understanding that the following facilities and services shall continue to be available at locations convenient to residents of the canal area and shall be operated in conformity with standards approved by the board and preferably by private enterprise, the administration shall, within five years following its assumption of its full responsibilities and functions under this treaty, discontinue its operation of food stores; department stores; milk products plants; bakeries; pastry shops; cafeterias or luncheonettes; theaters; bowling alleys and other recreational facilities for the use of which a charge is payable; optical shops; such hotels, laundries, dry cleaning plants, printing plants, automobile repair services, tire recapping services and gasoline stations as are operated for the public; and, as may be determined by the administration in accordance with article XVI of this treaty, any other similar facilities or services.

Give rules on private operation

2. In making arrangements for private operation of any facility or service in the canal area under paragraph 1 of this article:

[a] The administration shall first publish specifications and calls for bids, which shall be open, without discrimination, to all persons and firms eligible to be authorized to engage in business activities in the Republic of Panama, and any person or firm to whom an award is made shall be entitled to obtain from the Republic of Panama any necessary authority to engage in business in the Republic of Panama and shall otherwise be subject to article XVIII of this treaty.

[b] If no satisfactory bids are received within the period specified in the call for bids, which shall not exceed 120 days, the administration shall seek to negotiate arrangements for private operation of the enterprises in question, upon such terms and conditions as may be determined by the board; provided, however, that the administration may continue to operate them if satisfactory arrangements cannot be made for their operation by private enterprise. In the event of any such continued operation by the administration, the administration shall, after the expiration of the five-year period referred to in paragraph 1 of this article, turn over to the appropriate authorities of the Republic of Panama amounts equal to the taxes, fees and other charges for which it would be liable with respect to such enterprises if it were an ordinary business corporation of the Republic of Panama, and otherwise operate the enterprise in conformity with the fiscal laws of the Republic of Panama.

[c] When any facility or service operated by the administration is converted to operation by private enterprise under this article no restrictions otherwise provided by this treaty with respect to the categories of persons or entities who may utilize the facilities or services shall apply to such private operation.

ARTICLE XVI

1. Consistent with this treaty, the administration shall have the right and power to continue or discontinue any activity, which, at the time the administration assumes its full responsibilities and functions under this treaty, was being conducted for the purposes of administering the canal area or operating the Panama canal.

2. The administration shall have the right and power to discontinue any other activities which it determines no longer are required or appropriate for its responsibilities and functions under this treaty.

ARTICLE XVII

1. The administration shall have the right and power, consistent with this treaty:

[a] To relinquish to the Republic of Panama land which it determines no longer is required for the exercise of its responsibilities and functions under this treaty;

[b] to dispose of property, other than land, owned or being administered by it by sale, replacement, exchange, lease or otherwise; and

[c] to lease or make conveyances of its interest in land. Proceeds from the disposition of any property pursuant to subparagraphs [b] and [c] of this paragraph shall be part of the general funds of the administration.

2. Should the administration decide to sell and property pursuant to subparagraph [b] of paragraph [1] of this article, the administration shall, subject to the provisions of paragraph 2 of article XXII of this treaty, give advance notice of such sale, and the terms and conditions thereof, to the Republic of Panama and the United States of America, who shall have the right to purchase such property, subject to such terms and conditions.

ARTICLE XVIII

1. In order to further the economic development of the Republic of Panama, the administration shall have the right and power to authorize the establishment of private business enterprises of all kinds in the canal area and adopt, issue, and enforce regulations relating to their establishment, conduct and discontinuance.

2. The administration shall use its best

efforts to facilitate the development of that portion of Diablo Heights described in paragraph 4 of annex I of this treaty as an area for the establishment of private industries, consistent with the administration's full responsibilities in the canal area.

3. Private business enterprises authorized by the administration to conduct activities in the canal area in accordance with the provisions of this treaty, shall be subject to the laws of the Republic of Panama or to the statutes of the administration pursuant to the provisions of articles XXIV and XXV of this treaty.

Offer plan for established businesses

4. During the period referred to in article XXXVI of this treaty, private business enterprises actually established and engaged in activities in the Canal Zone on the date this treaty enters into force shall have the rights to continue their activities under the system referred to in that article and thereafter shall have the right to continue such activities in the canal area in accordance with the provisions of this treaty.

5. Persons engaged in business activities in the Canal Zone and residing there on the date this treaty enters into force shall have the right to reside in the canal area as long as they are engaged in such activities.

ARTICLE XIX

1. The administration shall have the right and power to authorize the establishment of nonprofit organizations in the canal area and adopt, issue, and enforce regulations relating to their establishment, conduct and discontinuance.

2. Nonprofit organizations authorized by the administration in the canal area in accordance with the provisions of this treaty shall be subject to the laws of the Republic of Panama or to the statutes of the administration pursuant to the provisions of articles XXIV and XXV of this treaty.

3. During the period referred to in article XXXVI of this treaty, nonprofit organizations actually established and engaged in such activities in the Canal Zone on the date this treaty enters into force shall have the right to continue their activities under the system referred to in that article and thereafter shall have the right to continue their activities in the canal area in accordance with the provisions of this treaty. Further, such nonprofit organizations shall be permitted to continue their activities on the same rental basis as on that date.

Set up rules on land licenses

4. In the event it should become necessary for the administration to revoke, other than for cause, the existing land license of any such previously-established and operating nonprofit organization, the administration shall provide, without cost to the organization, a suitable site and comparable facilities elsewhere in the canal area; if no such site and facilities are available elsewhere, the administration shall compensate the organization on the basis of a fair value of the improvements existing on the vacated premises.

5. Persons engaged in activities of nonprofit organizations in the Canal Zone and residing there on the date this treaty enters into force shall have the right to reside in the canal area as long as they are engaged in such activities.

ARTICLE XX

1. The Republic of Panama grants to the administration the right and power to provide for the protection of persons and property in the canal area, and for the maintenance of public order and peace in the canal area.

2. The administration shall provide for the protection of the Panama Canal, the shipping therein, and its appurtenant and supporting facilities and services.

3. The administration may, if necessary, call upon the armed forces of the Republic of Panama or of the United States of America for military assistance whenever it deems such military assistance to be necessary in carrying out its responsibilities under paragraphs 1 and 2 of this article.

4. The protective measures of the administration shall be coordinated with the defense and security measures contemplated in article XXXV of this treaty.

ARTICLE XXI

1. The Republic of Panama grants to the administration the right and power to enter into agreements with the armed forces of the United States of America regarding:

[a] The use by the administration of defense areas made available to the armed forces pursuant to the provisions of the treaty on the defense of the Panama canal and of its neutrality signed on this date between the Republic of Panama and the United States of America and the use by the armed forces of the installations and areas the use of which is granted to the administration by this treaty, except that the treaty status of such areas shall not be affected thereby; and

[b] the provision of facilities, supplies, equipment, maintenance, electric power, potable water, schooling, hospitalization, sanitation, fire protection, and other utilities and services.

2. Agreements made pursuant to subparagraph [b] of paragraph 1 of this article may include provisions for payment of reasonable charges.

ARTICLE XXII

1. The administration and the armed forces of the United States of America shall cooperate in facilitating their respective missions pursuant to this treaty and the treaty on the defense of the Panama canal and of its neutrality by continuing the support arrangements existing between the said armed forces and the Panama Canal company and the Canal Zone government at the time this treaty enters into force or concluding other mutually satisfactory arrangements for reciprocal support. Such arrangements may include provisions for payment of reasonable charges.

2. Should the administration decide to discontinue any facility, utility, service or activity which is the subject of such arrangements with the armed forces of the United States of America, the administration shall give advance notice of such decision to the forces and shall give them the opportunity to assume responsibility for the continued provision of the facility, utility, service or activity to the extent used by these forces and to acquire, without cost, the rights and interest of the administration in any property acquired pursuant to article III of this treaty which contributed to the furnishing of such facility, utility, service or activity [except the right granted to the administration by paragraph 1 of article XVII of this treaty to dispose of such property], provided that if, pursuant to this or any other treaty or agreement, any such property being used to render services to the Republic of Panama or to the United States of America, the transfer shall be made subject to the continuance of such services.

ARTICLE XXIII

The Republic of Panama grants to the administration the right and power to establish and maintain a police force, which shall have exclusive police authority in the canal area. Consistent therewith, officials of the Republic of Panama shall have the right to exercise in the canal area functions authorized by laws of the Republic of Panama applicable in the canal area under article XXIV of this treaty.

ARTICLE XXIV

1. The laws of the Republic of Panama shall, as of the date the administration assumes its full responsibilities and functions under this treaty, be applicable in the canal area except with respect to those subject matters enumerated or referred to in subparagraph [a] of paragraph 2 of this article, and except as otherwise provided in this treaty; provided, however, that the laws of the Republic of Panama shall not be retroactively applied to any period, matter or event occurring before the administration assumes its full responsibilities and functions under this treaty. No laws shall be made by the Republic of Panama nor shall any law be enforced which will, in any manner, discriminate against the administration or against persons or property within the canal area.

2. [a] The Republic of Panama grants to the administration the right and power to adopt, by an absolute majority vote of the board, statutes with respect to those subject matters listed below, which shall comprise the statute for the canal area and shall be the applicable law with respect to such subject matters in the canal area, to the exclusion of any other statutory law:

[i] Admiralty, shipping and navigation;

[ii] torts and contracts of the administration and contracts entered into by and between contractors and subcontractors of the administration which relate to work performed for or on behalf of the administration;

[iii] relations between the administration and members of the board, judges of the courts of the canal area and officers and employes of the administration, including terms and conditions of employment and other labor relations;

[iv] services rendered, facilities operated, activities carried out, functions performed by and rights and powers granted to the administration pursuant to this treaty when the board considers that the performance thereof makes advisable the adoption of statutory provisions with respect thereto, provided that any such statute adopted by the administration shall be consistent with the provisions of subparagraph [b] of paragraph 2 of article XV of this treaty;

[v] the following crimes and offenses, when considered advisable by the board:

[a] crimes and offenses against the security of the canal or any facility or installation thereof, and the shipping therein;

[b] crimes and offenses by or against ships, or their cargoes, officers, crews or passengers within the canal area;

[c] crimes and offenses arising in the canal area from any act or omission in the performance of official duty in the service of the administration;

[d] crimes and offenses in the canal area by or against the administration or its property, or by or against the person or property of members of the board, judges of the courts of the canal area and officers and employes of the administration and members of their families residing with them, or by or against the person or property of other residents of the canal area; and crimes and offenses against public order and peace in the canal area; and

[e] other crimes and offenses as determined by a vote of two-thirds of the members of the board.

[b] The death penalty shall not be imposed for any crime or offense.

[c] The administration shall adopt the statute for the canal area referred to in subparagraph [a] of this paragraph as soon as practicable after it assumes its full responsibilities and functions under this treaty. The administration shall have the right and power, by an absolute majority vote of the board, to amend, repeal or add to the statutes comprising the statute for the canal area.

Call for board of legal experts

3. The administration shall establish, as soon as practicable after the board has been appointed, a commission of legal experts of the Republic of Panama and the United

States of America to assist in the preparation of the statute for the canal area referred to in paragraph 2 of this article. The commission shall submit its recommendations to the administration not later than two years after the establishment of the commission.

4. After the date the administration assumes its full responsibilities and functions under this treaty, and pending the adoption of the statute for the canal area, the law applicable in the canal area immediately preceding that date [and regulations issued pursuant thereto in effect on that date] shall become the law of the canal area with respect to those subject matters described in items [i] thru [v] of subparagraph [a] of paragraph 2 of this article. The administration shall have the right and power, by an absolute majority vote of the board and to the extent required to carry out its responsibilities and functions under this treaty, to amend, repeal or add to any provision of the law applicable in accordance with this paragraph.

5. After the date the administration assumes its full responsibilities and functions under this treaty, the fundamental guarantees and rights which are provided for in the constitution of the Republic of Panama and those which were applicable in the Canal Zone on the date of entry into force of this treaty shall be applicable in the canal area.

6. The administration shall have the right and power, by a two-thirds vote of the entire board, to grant reprieves, paroles, commutations of sentences and pardons for crimes or offenses.

ARTICLE XXV

1. The Republic of Panama grants to the administration the right and power to establish a court of general jurisdiction in the canal area to be known as the Court of the Joint Administration of the Panama canal [hereinafter referred to as the "court"]. The court shall be established by the administration and shall assume its responsibilities and functions as of the date the administration assumes its full responsibilities and functions under this treaty. The court shall apply the laws applicable in accordance with article XXIV of this treaty. The court also shall apply any other law which may be applicable thru pertinent rules of conflicts of laws.

2. The court shall consist of eight judges, two of whom shall be known as Panama canal judges and six as associate Panama canal judges. The administration shall appoint one Panama canal judge and three associate Panama canal judges from a panel of eight qualified persons designated by the president of the Republic of Panama and one Panama canal judge and three associate Panama canal judges from a panel of eight qualified persons designated by the President of the United States of America. The Panama canal judges and associate Panama canal judges shall hold office for a period of six years or for the period during which the canal area is administered by the administration, whichever is shorter, unless removed by the board, acting by a vote of two-thirds of its members, for neglect of duty or malfeasance in office. In case of the death, resignation, absence, sickness, disqualification, removal or other inability to sit of a Panama canal judge, the court shall designate an associate Panama canal judge, appointed by the administration from the same country as that Panama canal judge, to sit in his place in the particular case or until the Panama canal judge is able to assume his seat or a new Panama canal judge is appointed, as the case may be. Panama canal judges and associate Panama canal judges shall be eligible for reappointment.

Administration would pay judges

3. The compensation and allowances of Panama canal judges and associate Panama canal judges shall be established by the administration and paid from its funds. All expenses of the court shall be paid from the funds of the administration.

4. The court may prescribe, consistent with this treaty, its rules of practice and procedure and may appoint and remove such personnel as may be required for the performance of its functions.

5. The courts of the Republic of Panama shall have jurisdiction over all civil actions and proceedings in the canal area except those specified in subparagraph [b] of this paragraph.

[b] The courts of the canal area shall have jurisdiction over all civil actions and proceedings in the canal area in the following categories:

[i] actions and proceedings by or against the administration;

[ii] actions and proceedings by or against an officer or employe of the administration arising out of the performance of official duties;

[iii] suits in admiralty or other actions and proceedings involving ships within the waters of the canal area, and actions and proceedings by or against cargoes, officers, crews or passengers on those ships, and

[iv] actions and proceedings arising under the statute for the canal area or under the law applicable in the canal area in accordance with paragraph 4 of article XXIV of this treaty.

[c] The courts of the Republic of Panama shall have criminal jurisdiction over prosecution of all crimes and offenses committed within the canal area except those specified in subparagraph [d] of this paragraph.

[d] The courts of the canal area shall have sole jurisdiction over prosecution of all crimes and offenses included within the categories enumerated or referred to in item [v] of subparagraph [a] of paragraph 2 of article XXIV of this treaty which are committed within the canal area, whether or not the administration has adopted statutes with respect thereto, and crimes and offenses which are crimes and offenses under the law applicable in the canal area in accordance with paragraph 4 of article XXIV of this treaty.

Offer further provisions on trials

[6] The law of the Republic of Panama may provide that crimes and offenses and civil actions and proceedings, or certain specified crimes and offenses and civil actions and proceedings, in the canal area over which the courts of the Republic of Panama have jurisdiction pursuant to the provisions of paragraph 5 of this article be prosecuted or tried or heard in the courts of the canal area.

[7] [a] The administration shall cooperate with and assist the authorities of the Republic of Panama by arresting within the canal area persons charged with having committed crimes and offenses over which the Republic of Panama has jurisdiction and handing them over to the authorities of the Republic of Panama, upon submission of a lawfully issued warrant of arrest. The Republic of Panama shall cooperate with and assist the administration by arrestiing elsewhere within the Republic of Panama persons charged with having committed crimes and offenses over which the administration has jurisdiction and handing them over to the administration, upon submission of a lawfully issued warrant of arrest. Provision shall be made to insure that persons charged with minor crimes and offenses are not needlessly deprived of their freedom prior to trial.

[b] The Republic of Panama and the administration shall cooperate with and assist each other in the carrying out of necessary investigations into crime, and offenses, and in the collection and production of evidence, including the seizure and, in proper cases, the handing over of objects connected with a crime or offense.

[c] The courts of the canal area shall, within the canal area, cause to be served process and notice in civil actions duly issued by the courts of the Republic of Panama. The courts of the Republic of Panama shall elsewhere in the Republic of Panama cause to be served process and notice in civil actions duly issued by the courts of the canal area. Such service of process and notice shall establish the jurisdiction of the issuing court over the person served, consistent with the provisions of paragraph 5 of this article.

Must insure that subpenas are served

[d] The courts of the canal area shall act to insure that subpenas issued by the courts of the Republic of Panama are served and complied with by persons in the canal area, and the courts of the Republic of Panama shall act to insure that subpenas issued by the courts of the canal area are served and complied with by persons elsewhere in the Republic of Panama.

[e] Judgments issued by a court of the Republic of Panama which are enforceable under the laws of the Republic of Panama and not inconsistent with this treaty, shall be recognized by and shall be enforceable in the canal area thru the courts of the canal area. Judgments issued by the courts of the canal area which are enforceable under the statutes of the administration and not inconsistent with this treaty shall be recognized by and shall be enforceable elsewhere in the Republic of Panama thru the courts of the Republic of Panama.

[f] The Republic of Panama and the administration shall agree on and promulgate procedures for the implementation of the provisions of subparagraphs [a], [b], [c], [d,] and [e] of this paragraph.

8. [a] Neither the administration nor its officers nor employees shall be subject to any suit which involves the setting, modifying or collecting of any toll or other charges pertaining to the transit of ships thru the Panama canal.

[b] Any action: [1] For injuries to vessels, or to the cargo, crew or passengers of vessels, in waters of the canal area, including the locks, or [2] for any official act of the administration or its offices or employees based on performance of their official duties within the canal area may be brought only against the administration and only in the courts of the canal area.

[c] The administration shall establish administrative procedures for adjusting claims arising under subparagraph [b] of this paragraph against it or against its officers and employes for the performance of their official duties. Claimants must exhaust those remedies before instituting court action.

9. [a] All actions and proceedings in the court, civil and criminal, whether in the first instance or on appeal from the inferior courts established pursuant to paragraph 10 of this article, shall, consistent with this treaty, be tried before one Panama canal judge [or the associate Panama canal judge designated to sit in his place] and may be appealed to a court composed of three judges, not including the Panama canal judge or associate Panama canal judge from whose decision the case is being appealed. The judgment of the appeal court shall be final.

[b] In criminal cases, the accused shall, at his election, be entitled to trial by jury, except in cases justiciable by the inferior courts pursuant to paragraph 10 of this article. A judgment of acquittal on the merits shall not be subject to appeal.

[c] The court may by rule establish a period of time reserved for hearing appeals under this pararaph. The court may also establish such other rules for trials and appeals consistent with paragraph 11 of this article as it deems appropriate.

10. The court shall have the right and power to establish such inferior courts of limited jurisdiction as it deems necessary and appropriate. The jurisdiction of these inferior courts, their rules of practice and procedure and the appointment, removal, term and salary and expenses of the judges

and other personnel shall be determined by the court, except that the criminal jurisdiction of such courts shall be limited to cases in which the maximum punishment shall not exceed a fine of $500 or imprisonment for 30 days or both. All expenses of the inferior courts shall be paid from the funds of the administration.

11. Prior to the establishment of the court, the Republic of Panama and the United States of America shall agree on arrangements for the continuation or other disposition of matters before the Canal Zone courts, including appeals, enforcement of judgment and related trainsitional problems and on further principles to govern the trial and appeal of criminal cases in the courts of the canal area.

ARTICLE XXVI

1. The administration shall issue and enforce rules and regulations to render effective the exercise of the rights and powers granted to it by this treaty.

2. The administration shall perform any and all acts to render effective the rights and powers granted to it in this treaty and shall perform whatever administrative functions are required to carry out the purpose of this treaty.

3. The administration shall perform such other functions and exercise such other rights and powers consistent with this treaty as may be authorized by the board acting by a vote of two-thirds of its members.

ARTICLE XXVII

On the date the administration assumes its full responsibilities and functions under this treaty, persons employed by the Panama Canal company and the Canal Zone government shall be transferred to employment by the administration under conditions of employment established pursuant to the annexed agreement between the United States of America and the Republic of Panama.

ARTICLE XXVIII

1. [a] The Republic of Panama and any political subdivision thereof, shall impose no taxes, fees or other charges on the Panama canal; on the land and water areas comprising the canal area; on the administration or its activities or services except as provided in subparagraph [b] of paragraph 2 of article XV of this treaty, or on facilities, buildings, material, equipment, supplies and other property acquired or used by the administration in the exercise of its rights and powers and in the carrying out of its responsibilities and functions under this treaty; or on vessels and their cargoes, crews, and passengers passing thru the Panama canal or on the use by vessels, crews and passengers of the canal facilities or of the services offered by the administration. The judges of the courts of the canal area and officers and employes and contractors of the administration and employes of such contractors shall not be exempt from such taxes, fees and other charges except as provided in this treaty.

[b] The Republic of Panama, and any political subdivision thereof, shall impose no taxes, fees or other charges on material, equipment, supplies, and other property of contractors of the administration, except real estate located in the Republic of Panama outside the canal area, being used by such contractors exclusively for work being performed for or on behalf of the administration.

Proposes regulations covering imports

2. The Republic of Panama shall permit the administration and its contractors to import free of custom duties, imposts, taxes or other charges and of licensing requirements any materials, equipment, supplies, and other articles to be used in the exercise of the rights and powers of the administration under this treaty. Duty-free import privileges shall not be extended to the members of the board, the judges of the courts of the canal area and officers and employes of the administration, except as provided by paragraph 9 of article IV of this treaty or to personnel of its contractors or to other residents of the canal area. Duty-free import privileges shall not apply to any item imported by the administration for resale after it assumes its full responsibilities and functions under this treaty, except for resale to the Republic of Panama or the United States of America or their agencies. The administration and its contractors shall procure goods grown, mined, produced, manufactured or assembled in the Republic of Panama, or goods originating in the United States of America that are available in the Republic of Panama, when the quality thereof satisfactory to the administration and the cost thereof to the administration is not greater than the cost if procured in the United States of America.

3. The transfer by the administration or its contractors to any person [except the Republic of Panama or the United States of America or their agencies], for use or disposition within the Republic of Panama of materials, equipment, supplies, and other property imported in accordance with paragraph 2 of this article shall be deemed an importation by the transferee of such article from its country of origin on the date of such transfer [and, if assessment is made on an ad valorem basis, as its value on that date], and the transferee shall be liable to the Republic of Panama, for import duties and other charges accordingly.

ARTICLE XXIX

After the date the administration assumes its full responsibilities and functions under this treaty:

1. [a] The Republic of Panama shall have the right to have vessels use and enjoy dockage and other facilities in the ports of the canal area for the loading and unloading of goods and embarkation and debarkation of passengers, subject to agreement between the Republic of Panama and the administration on satisfactory terms and conditions, and upon the payment of proper charges prescribed by the administration.

[b] The Republic of Panama shall permit vessels entering at or clearing from the ports of the Republic of Panama, under suitable regulations and upon the payment of proper charges, to use and enjoy the dockage and other facilities of said port for the purpose of receiving or disembarking passengers to or from the canal area, and of loading and unloading cargoes either in transit or destined for use by the administration.

2. The Republic of Panama may establish at mutually agreeable locations made available by the administration within the canal area, at its own expense but free of charges by the administration, except for services provided, such buildings and facilities as are necessary for the operation of customs, immigration, health, and tourist offices.

3. Immigration and public health officers of the Republic of Panama shall have free access to vessels and aircraft arriving in the canal area, for the purpose of administering the immigration laws and regulations of the Republic of Panama and, insofar as concerns cargo or passengers moving from or to points in the Republic of Panama outside the canal area, of obtaining information necessary to administration of the public health laws and regulations of the Republic of Panama. Insofar as is consistent with international practice, ships, including warships, and aircraft, owned, operated or chartered by a state and used solely for noncommercial purposes shall be exempted from the provisions of this paragraph.

ARTICLE XXX

1. The administration shall keep adequate records and books of account in accordance with generally accepted accounting principles approved by the controller general of the Republic of Panama and the controller general of the United States of America.

2. Not later than 120 days after the expiration of each fiscal year following the date the administration assumes its full responsibilities and functions under this treaty, the administration shall deliver to the president of the Republic of Panama and to the President of the United States of America statements to subparagraph [b] of paragraph 1 of article XXI of this treaty.

2. The administration shall have the right and power to:

[a] raise the surface of Madden lake to 260 feet about mean sea level and of Gatun lake to 100 feet above mean sea level and to lower the surface of these lakes as necessary in the use of water thereof; provided, however, that the level of the lakes shall be coordinated between responsible agencies of the Republic of Panama and the administration so as to protect the canal operation and the water supply of the Republic of Panama;

[b] erect, inspect and maintain rainfall and river gauging stations in the watersheds of the lakes and their tributaries on of income and sources and application of funds of the administration for such fiscal year and a balance sheet of the administration as of the last day of such fiscal year. Such statements and balance sheet shall set forth in reasonable detail the results of operation and the financial condition of the administration and shall be accompanied by the opinion of a firm of independent public accountants selected by the administration with the concurrence of the Republic of Panama and the United States of America.

ARTICLE XXXI

1. The administration shall have, free of cost, unimpaired use of the waters of Madden, Gatun and Miraflores lakes and their tributary streams for the following purposes:

[a] The operation and maintenance of the Panama Canal.

[b] The generation of electric power. In meeting increased requirements for electric power exceeding the installed productive capacity of the plants existing as of the date the administration assumes its full responsibilities and functions under this treaty, the administration shall give preference to the purchase from the Republic of Panama of the electric power required, provided the Republic of Panama offers such electric power on technical and economic terms acceptable to the administration.

[c] The suppy of water for municipal purposes in the canal area; for the cities and populations of the Republic of Panama, on the same terms and conditions and in the same quantity as agreed between the Republic of Panama and the Panama Canal Company prior to the entry into force of this treaty or upon such terms and conditions and in such quantities as may be agreed between the Republic of Panama and the administration; and for the United States armed forces pursuant the understanding that the administration shall make available to the Republic of Panama the data and information obtained; and

[d] Inspect, maintain and repair the Gatun lake saddle dams at Lagarto, Escobal, Cano, Arroya, Canoa and Barro.

3. The Republic of Panama and the administration shall cooperate to:

[a] preclude any use or activity which would pollute Madden, Gatun and Miraflores lakes and their tributaries or otherwise interfere with their use by the administration for the purposes stated in paragraph 1 of this article;

[b] protect administration rainfall and river gauging stations from theft or vandalism; and

[c] preclude any excavation into, or removal of earth or vegetation from the Gatun lake saddle dams or their vicinities, or any other

activity which would degrade their stability as dams.

4. The provisions of this article shall not restrict the right of the Republic of Panama to make use of the waters in question except to the extent that such utilization by the Republic of Panama might interfere with or impede the operation and maintenance of the Panama Canal. The administration shall cooperate with and assist the Republic of Panama in obtaining from these sources, at the expense of the Republic of Panama but free of any charges by the administration, except charges for services provided, the quantities of water which may be required for the supplying of water to the metropolitan areas of the cities of Panama and Colon and other populations in the vicinity of those areas.

Call for studies of satellite lakes

5. The Republic of Panama and the administration shall cooperate in the carrying out of studies of the feasibility of the construction of satellite lakes in the subbasins of Indis, Chagres, Pequeni, Agua Clara, Boqueron, Gatun, Agua Sucia, Ciri, Trinidad and other rivers, with the objective of augmenting the water reserves necessary for the operation of the Panama canal and of assuring to the Republic of Panama the benefits of irrigation, generation of electric power, fish raising, and other similar activities which may be compatible with effective operation of the Panama canal.

6. The administration also shall cooperate with the Republic of Panama and its interested agencies with respect to the following matters:

[a] Reconnaissances, investigations, and studies of hydrologic resources of the area of the canal and of the metropolitan areas of the Republic of Panama adjacent to the canal, and programs and projects for the conservation and joint use of said resources by the Republic of Panama and the administration.

[b] Development of the hydroelectric potential of the watersheds tributary to the Panama canal and reduction of the cost of the production and distribution of electric power and potable water.

ARTICLE XXXII

Should use of or access to areas of land or water other than those defined in article III of this treaty be required for the operation, maintenance or security of the Panama canal, the Republic of Panama and the administration shall agree upon such measures as may be necessary to insure such use or access.

ARTICLE XXXIII

1. The administration shall operate the Panama canal both to provide the Republic of Panama and the United States of America a fair return in the light of their contributions to the creation and maintenance of this interoceanic waterway and in the interest of world commerce.

2. The administration may establish and apply new rates of tolls and related charges for the transit of the canal by vessels and cargoes, in conformity with the following provisions and with the provisions of paragraph [3] of this article:

[a] There shall be no discrimination based on the nationality of vessels or cargoes.

[b] Rates of tolls shall be established equitably and may be differentiated on the basis of fair and reasonable criteria.

[c] The administration shall take into consideration all studies of tolls caused to be made or submitted by the government of the Republic of Panama or of the United States of America.

[d] No change in the tolls shall take effect until the expiration of 12 months after the administration has given public notice of proposed changes in the tolls. During this 12-month period the administration shall give due consideration to the views of all interested parties.

[e] Tolls shall be payable in United States dollars.

Modified toll rates called for

3. In addition to mandatory requirements for operation and maintenance of the Panama canal, the administration, during the first three years of operation of the canal, shall modify the rates of toll for the sole purpose of covering the payments required to be made by the administration as specified in paragraph 4 of this article.

4. The funds of the administration shall be used for the following purposes in the order of priority specified below:

[a] Payment of operating and maintenance costs including an annual payment to the Republic of Panama at the end of each year of operation of the canal beginning with a payment in the amount of seventeen hundredths of a United States dollar [$0.17] per long ton of commercial cargo transiting the canal during the first year of operation by the administration, such annual payment to increase each year for the five succeeding years in the amount of one-hundredth of a United States dollar [$0.01] per long ton of commercial cargo transiting the canal during the respective year, the annual payment to the Republic of Panama to continue thereafter in the amount of twenty-two hundredths of a United States dollar [$0.22] per long ton of commercial cargo transiting the canal during each year of operation.

[b] Establishment of required working capital and reserve funds, including reserves for locks overhaul, plant replacements and capital improvements, and interest and other debt service costs.

[c] Payment of the current cost of capital improvement or additions.

[d] Payment to any other obligations incurred by or evidences of indebtedness issued by the administration.

[e] An annual payment to the United States of America at the end of each year of operation of the canal, beginning with a payment in the amount of eight hundredths of a United States dollar [$0.08] per long ton of commercial cargo transiting the canal during the first year of operation by the administration, such annual payment to increase each year for the two succeeding years in the amount of one hundredth of a United States dollar [$0.01] per long ton of commercial cargo transiting the canal during the respective year, the annual payment to the United States of America to continue thereafter in the amount of ten hundredths of a United States dollar [$0.10] per long ton of commercial cargo transiting the canal during each year of operation.

Provide for use of extra proceeds

5. After the payments referred to in paragraph 4 of this article have been made from the proceeds of the annual tolls revenues, any remaining proceeds from the revenues of the administration shall be paid in equal shares to the Republic of Panama and to the United States of America.

6. Payments to the Republic of Panama or to the United States of America as provided for in this article, or any portion thereof, may be waived by the government of the country concerned, or deferred by the administration, on terms and conditions acceptable to the government of the country concerned. Payments due to the Republic of Panama or to the United States of America as provided for in this article may be applied by the administration against any amounts owed to it by the Republic of Panama or by the United States of America, respectively.

ARTICLE XXXIV

1. The Republic of Panama declares the Panama canal to be neutral.

2. The Republic of Panama and the United States of America agree that the neutrality of the canal, the entrances thereto, and the territorial seas adjacent thereto, shall be maintained in accordance with the principles which have governed since the canal was opened.

3. The Panama canal, the entrances thereto, and the territorial seas adjacent thereto shall be free and open to the vessels of commerce and of war of all nations, on terms of entire equality and nondiscrimination, subject to:

[a] the payment of applicable tolls and charges;

[b] compliance with the applicable rules and regulations; including such rules and regulations as may be established in time of war or other emergency;

[c] The requirement that vessels using the Panama canal commit no acts of hostility in the Panama canal, the entrances thereto, or the territorial seas adjacent thereto.

Accord U.S. ships priority basis

4. Notwithstanding any other provisions of this treaty, the Republic of Panama and the United States of America shall have the right at all times to transport ships, including warships, owned, operated or chartered by them, and used solely for noncommercial purposes, and cargoes thereon, thru the Panama canal. For the purposes described in article XXXV of this treaty such vessels shall be entitled to use of the Panama canal on a priority basis.

5. Ships referred to in paragraph 4 of this article shall be charged tolls as established by the administration, but payment of such tolls shall be by credit against the sums payable under article XXXIII of this treaty to the country owning, operating or chartering such ships.

6. The Republic of Panama agrees to continue to apply to the Panama canal after the termination of this treaty the principles established in paragraphs 1, 2, 3 and 4 of this article. Any declaration of neutrality made by the Republic of Panama to implement the application of such principles shall be made in accordance with international law.

ARTICLE XXXV

1. The Republic of Panama and the United States of America shall provide for the defense, security, neutrality and continuity of operation of the Panama canal, the shipping therein, and the appurtenant and supporting facilities and services of the canal, and for the defense and security of the canal area, in accordance with applicable provisions of the treaty on the defense of the Panama canal and of its neutrality signed on this date.

2. Within a period of five years prior to the termination of the defense treaty referred to in paragraph 1 of this article, the Republic of Panama and the United States of America will agree on arrangements to insure the defense, security, neutrality and continuity of operation of the Panama canal after the expiration of this treaty.

ARTICLE XXXVI

1. During the period between the date of entry into force of this treaty and the date on which the administration assumes its full responsibilities and functions under this treaty, the Republic of Panama and the United States of America shall continue, respectively, to enjoy and exercise the same rights, powers and authority, and shall be subject to the same obligations, that each was enjoying and exercising, and was subject to, under the treaties terminated under article I of this treaty.

2. During this period the United States of America shall continue to operate and maintain the Panama canal and shall administer the canal area in accordance with the system in force in the Canal Zone immediately preceding the entry into force of this treaty.

3. During this period individuals and private firms and organizations residing, employed or operating in the canal area shall continue to have the same rights, privileges and status which they were enjoying immediately prior to the entry into force of this treaty.

ARTICLE XXXVII

1. Any dispute between the two governments concerning the interpretation or application of this treaty [including the validity of acts of the administration] which is not settled by negotiation shall, upon request of either government, be submitted to arbitration in accordance with the procedure set forth below.

2. Arbitration shall be by a tribunal of three arbitrators constituted as follows:

[a] One arbitrator shall be named by each government within one month of the date of delivery by either government to the other of a request for arbitration. Within one month after both arbitrators are named, the two arbitrators so designated shall by agreement designate a third arbitrator, provided that such third arbitrator shall not be a national of the Republic of Panama or of the United States of America.

[b] If either government fails to designate an arbitrator or if the third arbitrator is not agreed upon in accordance with subparagraph [a] of this paragraph, either government may request the International Court of Justice or, if the court should decline to act, the secretary general of the Organization of American States to designate the necessary arbitrator or arbitrators.

3. The expenses of the arbitral tribunal, including the fees and expenses of the arbitrators, shall be shared equally by the two governments.

4. All decisions of the arbitral tribunal shall be final and shall be binding on the Republic of Panama, the United States of America and the administration.

ARTICLE XXXVIII

1. Upon the entry into force of this treaty, all rights of the United States of America to real property in the territory which constituted the Canal Zone but which is not included in the canal area and in the areas described in annex A of the treaty on the defense of the Panama canal and of its neutrality, signed on this date by the Republic of Panama and the United States of America, and those areas outside the Canal Zone which are listed in paragraph 6 of annex I of this treaty, shall become the exclusive rights of the Republic of Panama, without cost. The Republic of Panama agrees to hold the United States of America harmless with respect to any claims which may be made by third parties relating to such real property, including the transfer of such rights to such real property to the Republic of Panama.

2. The Republic of Panama agrees that the transfer of rights referred to in paragraph 1 of this article shall not affect the tract of land comprising lots numbered 641, 643, 645 and 647 located on the southwest corner of the intersection of Bolivar avenue and 11th street in Cristobal and the improvements thereon which were conveyed to the Sojourners lodge of the Ancient Free and Accepted Masons by the Panama Railroad company on April 16, 1921. Further, the Republic of Panama agrees that the rights of persons and organizations to buildings and other improvements in the territory referred to in paragraph 1 of this article which was included in the Canal Zone shall be given recognition under the laws of the Republic of Panama. The Republic of Panama agrees to permit persons and organizations who on the date of the entry into force of this treaty conduct business or nonprofit activities in the territory referred to in paragraph 1 of this article which was included in the Canal Zone to continue such activities at their then locations in accordance with such arrangements concluded between the Republic of Panama and the interested persons or organizations as may be necessary. If any persons or organizations are required by the Republic of Panama to terminate their activities, they shall receive fair compensation for the value of the improvements placed by them on the land.

3. Any rights of the United States of America and of the administration to real property within the canal area shall, upon the termination of this treaty, become the exclusive rights of the Republic of Panama, free of cost, provided that this shall in no manner affect the rights of the United States of America pursuant to paragraph 1 of annex I of the treaty concerning a sea level canal connecting the Atlantic and Pacific oceans signed on this date. The Republic of Panama agrees to hold the United States of America harmless with respect to any claims which may be made by third parties relating to such real property, including the transfer of such rights to such real property to the Republic of Panama.

ARTICLE XXXIX

1. Upon termination of this treaty: [a] The Panama Canal shall come under the exclusive operational control of the Republic of Panama and all its appurtenant facilities and services and all property of the administration shall be the property of the Republic of Panama; and [b] all rights to property granted to the administration pursuant to the provisions of this treaty shall be enjoyed exclusively by the Republic of Panama. No compensation shall be owed by the Republic of Panama because of the provisions of this paragraph.

2. The Republic of Panama agrees to hold the United States of America harmless with respect to any claims which may be made by third parties relating to the assumption by the Republic of Panama of the rights referred to in paragraph 1 of this article.

ARTICLE XL

This treaty shall be ratified in accordance with the constitutional procedures of the two governments. The instruments of ratification shall be exchanged at Panama City as soon as possible.

ARTICLE XLI

1. This treaty shall enter into force upon the exchange of instruments of ratification and shall remain in force until Dec. 31, 1999.

2. If a sea level canal connecting the Atlantic and Pacific Oceans should be opened to traffic before Dec. 31, 1999, this treaty shall expire one year after the opening of the sea level canal.

3. If on or before Dec. 31, 1999, the United States of America, pursuant to the provisions of the treaty concerning a sea level canal connecting the Atlantic and Pacific oceans signed on this date, has commenced construction of a sea level canal in the Republic of Panama, this treaty shall expire one year after the opening of the sea level canal to traffic or on Dec. 31, 2009, whichever occurs first.

4. It shall be considered that the sea level canal has been opened to traffic on the date on which any vessel whose transit is subject to the payment of tolls passes thru the sea level canal.

FEDERAL RESERVE BOARD FACTS REFUTE FEDERAL RESERVE BOARD CHAIRMAN ON TAX HIKE

Mr. PROXMIRE. Mr. President, the prospects for a tax increase were given one of their biggest boosts when the highly respected Chairman of the Federal Reserve Board came out a few weeks ago squarely and emphatically for the prompt enactment of the Presidentially recommended tax increase.

Mr. President, this Senator vigorously disagrees with Chairman Martin. I do so because tax action by Congress should be based squarely on the state of the economy.

It is the most elementary economics that a tax increase at a time when the economy is not growing, when unemployment is increasing, when consumers are not significantly increasing their buying, would worsen economic conditions.

A further tax burden on American business will not persuade business to hire additional employees or to produce more. An additional tax on consumers is not going to persuade them to increase their buying.

All of us know that the reverse is true. A tax increase is a depressant.

Yet we not only have Mr. Martin calling for it, we also have the Chairman of the Council of Economic Advisers telling the Joint Economic Committee that a tax increase this year is inescapable.

Immediately after Mr. Ackley appeared before the committee, the Michigan State expert, Dr. Katona, the Nation's outstanding expert on consumer behavior, disclosed that his most recent consumer study concluded that their test indicated that consumers were unlikely to increase their buying significantly in the foreseeable future.

The eminent Dr. Paradiso, of the Department of Commerce, told the committee that inventories too large in relation to sales are still depressing the economy, and will continue to do so for some time; that business investment in plant and equipment—the prime accelerator of the economy during the years from 1964 through 1966—had sharply slowed down in its increase and would continue to advance far more slowly this year.

But the most eloquent, recent rebuttal of Mr. Martin and Mr. Ackley on the economic case for a tax increase came from the hard cold facts released just last Friday—July 14—by Mr. Martin's own Federal Reserve Board.

For years the FRB's index of industrial production has been considered the most significant single index in the economy. The Board reported Friday that industrial production in this presumably dynamic American economy had sunk to a 14-month low last month. This most significant measure of economic activity is now a full 1 percent below its level of last year.

Note that this is the index that grew by an average of 7 percent each year between 1958 and 1966. Even in a slow year the index might be expected to increase by 2 to 3 percent. But during the past year it did not grow at all. It declined, and last month was the poorest month—the month with the lowest production in more than a year.

Only a few days ago, the Bureau of Labor Statistics told the country that unemployment had reached 4 percent—admittedly a low level but still the highest level the economy has experienced in 18 months.

In addition, the hours worked in manufacturing once again dropped—this time to the lowest level in more than 6 years. Employers are reluctant to discharge workers. For humane reasons, and because it may be difficult to replace them if business picks up, the "pink slip" in the pay check is a last resort. But this serious and continuous slowdown in hours worked indicates that many employers may be close to discharging large numbers of workers if business conditions continue slow.

This also indicates how swiftly and easily the economy could increase production without sharply increasing hiring and without corresponding inflationary pressures.

Mr. President, the President of the United States has wisely kept his powder dry. Of course, some administration spokesmen have called forthrightly for a tax increase. But the President has not renewed his proposal of last January for a July 1 6-percent surtax.

July 1 has come and gone. All the news commentators and financial experts expect the President to renew his demand for a tax increase soon, and emphatically, and call for it to take effect October 1 or January 1.

I hope that he will not do so. He would be well served not to do so.

Of course, the size of the budget deficit is an appropriate consideration and, without a tax increase, the deficit may be very large indeed. On the other hand, it is conceivable that in spite of a large deficit, tax increase could depress this stagnant economy of ours sufficiently so that even with higher tax rates, lower personal and corporate incomes would not yield much more—if any more—revenue.

Mr. President, I ask unanimous consent to have printed in the RECORD as the most eloquent argument against a tax increase the national summary of business conditions of the Federal Reserve Board for July 14, 1967.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

FEDERAL RESERVE: NATIONAL SUMMARY OF BUSINESS CONDITIONS

Industrial production edged downward in June and retail sales were about unchanged. Nonfarm employment rose moderately but the average workweek in manufacturing declined further and the unemployment rate rose to 4.0 per cent. Bank credit, time and savings deposits, and the money supply continued to increase. Yields on Treasury bills advanced sharply between mid-June and early July and yields on most intermediate- and long-term securities rose moderately; thereafter rates declined somewhat.

INDUSTRIAL PRODUCTION

Industrial production in June was 155.2 per cent of the 1957–59 average as compared with 155.5 in May and 156.5 a year earlier. Declines in output of some final products and materials were partially offset by increased production of autos, crude petroleum, and defense equipment.

Auto assemblies rose 4 per cent in June and at 156 per cent of the 1957–59 average were at the highest level for this year. Production schedules for the third quarter, after allowance for an earlier and shorter model changeover period, are somewhat above the June rate. Output of television sets and radios was sharply curtailed in June because of a work stoppage at a major producer. Production of furniture and appliances also declined. Output of industrial equipment continued to drop and in June was 8 per cent below the December peak. Production of most other business equipment lines was maintained in June.

Production of iron and steel and most other industrial materials declined. Output of crude petroleum, however, increased partly as a result of the curtailment in Mid-East supplies.

EMPLOYMENT

Nonfarm employment rose by 150,000 in June as advances continued strong in Government and the service industries. Manufacturing employment, following 4 months of decline, increased moderately, but the average workweek declined 0.2 hours to 40.2 hours and was 1.1 hours shorter than a year earlier. The unemployment rate rose to 4.0 per cent from 3.8 per cent in May.

DISTRIBUTION

The value of retail sales in June was about unchanged from the April–May level, according to the Census Bureau's advance figures, and was 2.6 per cent above a year earlier. April through June sales at both durable and nondurable goods stores were 1.5 per cent above the preceding three months. A 2 per cent rise in June sales at durable goods stores offset a decline at nondurable goods stores. Dealer sales of new domestic autos in June were at an annual rate of 8.4 million units, up sharply from May.

AGRICULTURE

Record crop output is indicated by July 1 crop conditions and by the 5 per cent increase from a year ago in acreage to be harvested. Increases of 22 per cent in wheat output and 10 per cent in corn are forecast and expanded acreage of soybeans indicates a record for that crop too. Smaller crops are in prospect for cotton, oats, flaxseed, and dry edible beans.

As compared with a year earlier, June production of meat and poultry was up 2 per cent and eggs were up 6 per cent, while milk was down slightly.

COMMODITY PRICES

Grain prices, influenced by the favorable crop outlook, declined further from mid-June to mid-July. Prices of most other farm and food products were about unchanged from the advanced level reached in June when the total index was 1 per cent above the April low. Wholesale prices of industrial commodities apparently have continued to show little change with further increases in selected finished products offset by some further weakness in industrial materials.

BANK CREDIT, DEPOSITS, AND RESERVES

Bank credit rose only $300 million in June following increases of over $2 billion in each of the two previous months. Acquisitions of municipal and Federal agency issues, although large, were less than the average of other recent months. Holdings of U.S. Government securities declined sharply as the result of large maturities of bank holdings of tax anticipation bills in the last statement week of June. While business borrowing at banks rose substantially—in association with corporate needs for funds to meet accelerated tax payments—other types of loans rose only moderately.

The money stock increased $1.9 billion in June, almost as much as in May; the rapid expansion in both months was associated in large part with sharp reductions in U.S. Government deposits. Time and savings deposits expanded at a rate slightly faster than the already high rate earlier in the second quarter.

Total and required reserves increased in June following some reduction in May. Free reserves averaged about $260 million over the four weeks ending June 28, very close to the corresponding May average. Both borrowings and excess reserves dropped slightly.

SECURITY MARKETS

Treasury bill rates rose very sharply between mid-June and early July, but then eased off, with the 3-month bill bid at around 4.15 per cent in the middle of July.

Yields of intermediate- and long-term Government securities rose further in the second half of June and declined thereafter.

Yields on corporate bonds rose sharply in June, but early in July showed signs of leveling off. Municipal yields, meanwhile, were advancing, but at a slower rate. Throughout June and early July, common stock prices fluctuated within a narrow range.

Business index

[1957–59 average equals 100]

Series	Seasonally adjusted				Not seasonally adjusted			
	1967				1967			
	June [1]	May	April	1966—June	June [1]	May	April	1966—June
Industrial production, total	155	156	156	157	158	157	158	159
Market groupings:								
Final products	156	156	157	155	159	156	[2] 158	158
Consumer goods	146	146	[2] 147	147	149	145	[2] 147	150
Business equipment	180	182	[2] 184	180	184	[2] 183	[2] 186	184
Materials	155	155	[2] 159	158	158	157	158	161
Industry groupings:								
Manufacturing	157	157	158	159	160	159	160	162
Durable goods	162	[2] 162	163	165	165	165	165	169
Nondurable goods	151	151	152	151	154	[2] 152	[2] 154	154
Mining	123	121	[2] 123	122	124	[2] 122	123	123
Utilities	182	[2] 181	180	172				
Employment and payrolls:								
Nonagricultural, total	124.8	[2] 124.5	124.7	121.8	125.9	[2] 124.4	123.7	122.9
Manufacturing, production workers:								
Employment	111.9	[2] 111.7	[2] 112.4	113.4	112.4	[2] 111.1	111.4	113.9
Payrolls [3]	150.0	[2] 149.9	[2] 151.0	150.1	152.4	[2] 149.9	[2] 148.9	152.5
Freight carloadings	89.7	93.1	95.9	95.1	93.5	94.4	95.7	99.9

[1] Preliminary.

[2] Revised.

[3] Value data.

Mr. PROXMIRE. Mr. President, the art of economic prediction is never easy. If experience with forecasting economic development as the basis of policy teaches anything, it teaches caution.

At the moment, of the 12 leading indicators, six are pointing toward recession and six toward economic expansion. That is a considerable improvement as compared to the situation a few months ago when nine pointed toward recession and only three toward better times.

Certainly the predominate view from the experts is that under the impact of a very large Federal deficit the economy is more likely to grow than to continue to stagnate.

But, it is a long, long way, Mr. President, from the prediction that the economy will grow to the assertion that

that growth will be inflationary and must be restrained by a multibillion-dollar increase in taxes.

To sum up my position on the tax increase, Mr. President, it is this:

First. Any increase in taxes should be based squarely on whether that increase is necessary to restrain inflation, and whether it will permit maximum economic growth consistent with price stability.

Second. The economy has been declining, not growing, for the past year. This is evident from the statistics on industrial production, lower than last year; unemployment which is rising; hours of work in manufacturing—the lowest in 6 years; level of capacity utilization—the lowest in 3 years; size of the work force—virtually no increase for the past 6 months, in spite of population growth; and the continued growth of inventory in relation to sales.

Third. The just-mentioned statistics on the economy indicate that the economy can grow steeply in the next several months resulting in longer hours of production, a growth in the labor force, reduction in inventories in relation to sales, reduced unemployment—all without putting any strain on the economy which would drive prices up.

Fourth. In the event the economy does suffer strain, the reduction of spending, especially in the area of public works, can be postponed or canceled before it is necessary further to restrain the economy by higher taxes.

As a balancing counterpoint to the report of the Federal Reserve Board, I ask unanimous consent that a column from this morning's Wall Street Journal, pointing to the brighter spots in the economy be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Outlooks: Appraisal of Current Trends in Business and Finance

(By Alfred L. Malabre, Jr.)

Economic pessimists received grist for their mills last week when the Labor Department announced the mid-June unemployment figures. For the first time since 1965, the nation's jobless rate touched 4%, up from 3.8% in May and only 3.6% as recently as March. Before the latest jobless report generates too much gloom, however, it would be well not to overlook some much sunnier, and probably more significant, economic developments.

In the first place, business history clearly demonstrates that unemployment levels normally tell little about the future trend of the economy. Rather, they tend to reflect general business conditions as they currently prevail. For this reason, labor-force unemployment is customarily classified as a "coincident indicator" of overall business activity.

To glimpse the probable course of business, most economic prophets peruse not such coincident indicators as unemployment and industrial output but so-called leading indicators of economic activity. Over the years, 12 leading indicators—compiled with Government assistance by the nonprofit National Bureau of Economic Research—have been found particularly reliable in foreshadowing business trends.

The message these key leading indicators are flashing now is that the business outlook is not nearly as gloomy as back in the spring, when unemployment was safely below the 4% mark.

A review of the 12 key leaders, based on the latest reports available, shows that half of the 12 point up, toward improving business in the months just ahead, and half point down, toward a recession. This is a markedly different picture from earlier in the year. In the May 8 issue of The Wall Street Journal, in his final "Outlook" column before retiring, George Shea conducted a similar review of the 12 leaders. The finding: Nine of the 12 pointed down and only three pointed up.

The key leading indicators, as well as dozens of other economic indicators, are recorded monthly in a Commerce Department publication called Business Cycle Developments. According to the June issue, as well as more recent statistical reports, the leading indicators that now say the economy will expand are new orders received by makers of durable goods, net new business formations, contracts and orders for plant and equipment, new private housing permits, industrial material prices and the ratio of prices to unit labor cost in manufacturing.

The six indicators that point to reduced business activity, on the other hand, are the average workweek of production workers, job placements in nonagricultural industries, the change in the book value of manufacturing and trade inventories, the monthly average of 500 stock prices, corporate after-tax profits and the net change in consumers' instalment debt.

Among the indicators that have turned up since the review by Mr. Shea are two that most economists consider especially reliable forerunners of business conditions—manufacturers' new durable-goods orders and contracts and orders for plant and equipment.

In May, the latest month available, durable-goods orders climbed to $23.9 billion, the highest total since late 1966. The May total was almost $2 billion higher than in March, when orders for durable goods hit the lowest level since early 1965. Similarly, the plant-contract total rose to nearly $5.7 billion in May, exceeding the level for any month since last October. Early this year, the contract figure was at the lowest point since the fall of 1965.

At the same time, the stock-price indicator, among the six yardsticks pointing downward, clearly pointed in the direction of better business at the time of the Shea review. As he observed then, stock prices generally have "risen since October, not only through March but also through April and into May."

The stock-price level continued to climb through May, the record now shows, reaching the highest point in more than a year. But in June, the price level fell. Now, however, there are signs that the June decline may only have been a temporary development, and that July's average may turn out to be higher. If this should be the case, it would put still another key leading indicator on the side of continuing business expansion in coming months.

Two more of the six indicators that point down may well be nearing levels at which a further decline is unlikely. These yardsticks are the inventory-change figure and the instalment-debt indicator.

In May, the latest month available, the value of inventories rose by only about $60 million. This compares with giant monthly increases earlier, ranging from about $10 billion to more than $20 billion through 1966 and into early 1967. It is possible, of course, that the inventory-change total may continue to drop for a while. But the economic record of the post-World War II era certainly suggests that this indicator is nearing a level at which a turnaround is likely before many months pass.

Similarly, the increase in consumers' instalment debt in May was the smallest such rise in nearly six years. At $2.3 billion, the May gain was down sharply from monthly increases of more than $5 billion as recently as last fall. Again, economic history shows that when the debt rise gets as small as it was in May a turnaround is normally not many months away.

The remaining indicators that point toward slower business in the months just ahead appear less likely to reverse direction soon. Corporate profits generally dropped in the first quarter, and most current reports indicate no change of direction. The average workweek, at 40.2 hours in June, remains at a level considerably above those prevailing through much of the postwar period. And the job-placement total, at 448,000 in May, could sink a good deal lower, the record suggests, before heading upward again.

Whatever way these and the other key leading indicators do point as 1967 unfolds, one thing seems very clear. Overall, the key yardsticks no longer point unhesitatingly in the direction of a recession. They may not signal an economic expansion either. But the recent change is nonetheless very welcome.

THE PANAMA CANAL JURIDICAL STRUCTURE—PART I: THE HAY-PAUNCEFOTE TREATY

Mr. THURMOND. Mr. President, all who have delved deeply into the history of interoceanic canals know that the problems of the Panama Canal are highly complicated and cover a wide range of subjects, including law, geology, engineering, and economics. In the days to come we shall hear much of these problems.

For present purposes, the first in importance is the juridical base formed by the three important treaties:

First, the Hay-Pauncefote Treaty of 1901 with Great Britain.

Second, the Hay-Bunau-Varilla Treaty of 1903 with Panama for the acquisition of the Canal Zone and the construction of the Panama Canal and its subsequent maintenance, operation, sanitation, and protection.

Third, the Thomson-Urrutia Treaty of 1914–22 with Colombia which was intended to remove "all the misunderstandings" incident to the Panama Resolution of 1903, and recognized the title to the Panama Canal and Railroad as vested "entirely and absolutely" in the United States.

Today, I wish to confine my remarks to the Hay-Pauncefote Treaty. Under the terms of this agreement the United States made the long-range commitment for the construction and operation of a ship canal between the Atlantic and Pacific Oceans by whatever route that may be expedient. The policy was viewed by our statesmen of that era as a "mandate for civilization."

Because of the major significance of this treaty, the policy behind which has been accepted by all nations that use the Panama Canal and has become a part of international law, some of its features should be stressed. This treaty—

First. Recognizes the "exclusive right" of the United States to construct an isthmian canal and to provide for its "regulation and management."

Second. Adopts the principles of the convention of Constantinople of 1888 for the Suez Canal as applying to the operation of an isthmian canal.

Third. Provides for free and open navigation by vessels of commerce and war of all nations on terms of equality with tolls that are just and equitable.

Fourth. Empowers the United States to protect the canal against "lawlessness and disorder."

Although this treaty did not specifically authorize the fortification of the canal, the Landsdowne memorandum of August 3, 1901, in commentary on its provisions prior to ratification, stated, as regards measures for its protection, that "it might be of supreme importance to the United States that they should be free to adopt measures for the defense of the canal at a moment when they were themselves engaged in hostilities," and that "there is no stipulation prohibiting the erection of fortifications commanding the canal or the water adjacent."

Certainly, Mr. President, the responsibilities of the United States according to the premises of the Hay-Pauncefote Treaty are not of the type that ought to be abdicated by delegation to some other sovereign nation or organization but must be borne by the United States alone. Delegation of this authority would be a clear violation of the spirit of our legal responsibilities.

In order that all Members of the Senate may have the full text of the Hay-Pauncefote Treaty for study in advance of submission of the proposed treaties with Panama, I ask unanimous consent to have printed at this point in the CONGRESSIONAL RECORD the full text of the indicated treaty.

There being no objection, the text of the treaty was ordered to be printed in the RECORD, as follows:

3. GREAT BRITAIN, 1901: TREATY TO FACILITATE THE CONSTRUCTION OF A SHIP CANAL[1] (HAY-PAUNCEFOTE TREATY)

(Concluded November 18, 1901; Ratification advised by Senate December 16, 1901; Ratified by President December 26, 1901; Ratifications Exchanged February 21, 1902; Proclaimed February 22, 1902. (32 Stat. 1903))

ARTICLES

I. Convention of April 19, 1850, superseded.
II. Construction of canal.
III. Rules of neutralization.
IV. Change of sovereignty.
V. Ratification.

[§ 31] The United States of America and His Majesty Edward the Seventh, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, and Emperor of India, being desirous to facilitate the construction of a ship canal to connect the Atlantic and Pacific Oceans, by whatever route may be considered expedient, and to that end to remove any objection which may arise out of the Convention of the 19th April, 1850, commonly called the Clayton-Bulwer Treaty, to the construction of such canal under the auspices of the Government of the United States, without impairing the "general principle" of neutralization established in Article VIII of that Convention, have for that purpose appointed as their Plenipotentiaries:

The President of the United States, John Hay, Secretary of State of the United States of America;

And His Majesty Edward the Seventh, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, and Emperor of India, the Right Honourable Lord Pauncefote, G.C.B., G.C.M.G., His Majesty's Ambassador Extraordinary and Plenipotentiary to the United States;

Who, having communicated to each other their full powers which were found to be in due and proper form, have agreed upon the following Articles:

ARTICLE I

[§ 32] The High Contracting Parties agree that the present Treaty shall supersede the afore-mentioned Convention of the 19th April, 1850.[2]

ARTICLE II

[§ 33] It is agreed that the canal may be constructed under the auspices of the Government of the United States, either directly at its own cost, or by gift or loan of money to individuals or Corporations, or through subscription to or purchase of stock or shares, and that, subject to the provisions of the present Treaty, the said Government shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal.

ARTICLE III

[§ 34] The United States adopts, as the basis of the neutralization of such ship canal, the following Rules, substantially as embodied in the Convention of Constantinople, signed the 28th October, 1888, for the free navigation of the Suez Canal, that is to say:

1. The canal shall be free and open to the vessels of commerce and of war of all nations observing these Rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable.

2. The canal shall never be blockaded, nor shall any right of war be exercised nor any act of hostility be committed within it. The United States, however, shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

3. Vessels of war of a belligerent shall not revictual nor take any stores in the canal except so far as may be strictly necessary; and the transit of such vessels through the canal shall be effected with the least possible delay in accordance with the Regulations in force, and with only such intermission as may result from the necessities of the service.

Prizes shall be in all respects subject to the same Rules as vessels of war of the belligerents.

4. No belligerent shall embark or disembark troops, munitions of war, or warlike materials in the canal, except in case of accidental hindrance of the transit, and in such case the transit shall be resumed with all possible dispatch.

5. The provisions of this Article shall apply to waters adjacent to the canal, within 3 marine miles of either end. Vessels of war of a belligerent shall not remain in such waters longer than twenty-four hours at any one time, except in case of distress, and in such case, shall depart as soon as possible; but a vessel of war of one belligerent shall not depart within twenty-four hours from the departure of a vessel of war of the other belligerent.

6. The plant, establishments, buildings, and all works necessary to the construction, maintenance, and operation of the canal shall be deemed to be part thereof, for the purposes of this Treaty, and in time of war, as in time of peace, shall enjoy complete immunity from attack or injury by belligerents, and from acts calculated to impair their usefulness as part of the canal.

ARTICLE IV

[§ 35] It is agreed that no change of territorial sovereignty or of the international relations of the country or countries traversed by the before-mentioned canal shall affect the general principle of neutralization or the obligation of the High Contracting Parties under the present Treaty.

ARTICLE V

[§ 36] The present Treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by His Britannic Majesty; and the ratifications shall be exchanged at Washington or at London at the earliest possible time within six months from the date hereof.

In faith whereof the respective Plenipotentiaries have signed this Treaty and thereunto affixed their seals.

Done in duplicate at Washington, the 18th day of November, in the year of Our Lord one thousand nine hundred and one.

[SEAL]
JOHN HAY
[SEAL]
PAUNCEFOTE.

KIWANIS INTERNATIONAL

Mr. DIRKSEN. Mr. President, Kiwanis International, which is headquartered in my home State of Illinois, in the great city of Chicago, has added to its distinction as an outstanding service organization in the world today.

Kiwanis International is meeting the charge that service clubs are knife-and-fork groups that meet, eat, and run. It is doing this by the effective method of increasingly speaking out on the issues of the day—not in a partisan vein—but speaking out on basic principles that are meaningful and also providing a forum for varying points of view, in the sound belief that proper and wise decisions can and will only be made by citizens who have and understand the facts.

I am happy and proud to pay tribute to the more than 270,000 members of Kiwanis International for the outstanding resolutions which the house of delegates of Kiwanis International—some 4,300 strong—approved during the 52d Annual Convention of Kiwanis International, June 25 to 29, in Houston, Tex.

The resolutions are:

1. REAFFIRMATION OF FAITH IN A SUPREME BEING

Kiwanians point with pride to the first Constitutional Object of Kiwanis International, "To give primacy to the human and spiritual, rather than to the material values of life," and believe that God works through His children, and that His presence is demonstrated in the lives of those who worship a Supreme Being.

Therefore, be it resolved that all Kiwanians reaffirm and demonstrate their belief in a Supreme Being by actively participating in and supporting their respective religions, and by advocating the application of spiritual and moral values to the solution of the social and economic problems of our nations.

2. VOLUNTARY PRAYER IN PUBLIC SCHOOLS

Kiwanians believe that the framers of the Constitution of the United States were God-fearing men who intended that the Constitution permit freedom of worship and prayer. The restriction of voluntary non-denominational prayer or worship is a direct violation of these rights.

Therefore, be it resolved that Kiwanis clubs through their members:

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[1] This Treaty superseded the Convention of 1850 (Clayton-Bulwer Treaty), § 1 et seq., ante.

[2] For Convention of April 19, 1850, see § 1 et seq., ante.

1. Work toward alerting the community to the importance of making voluntary, non-denominational prayer in public schools an inalienable right.

2. Urge the support and the adoption of an amendment to the Constitution of the United States providing substantially that nothing contained in the Constitution shall prohibit the authority administering any school, school system, educational institution or other public buildings supported in whole or in part through the expenditure of public funds from providing for or permitting the voluntary participation by students or others in non-denominational prayer.

3. Respect for the Flags of Our Nation

The flag is the visual manifestation and symbol of the history and tradition of a nation. It represents the ideals of its past, the glory of its present and the hopes of its future. Around a nation's flag revolves patriotism and love of country, noble concepts of the human heart. Respect for the flag reveals the finer elements in the individual.

Therefore, be it resolved that Kiwanians everywhere issue a clarion call for sincere respect, honor and reverence for the flags of our nations and the high ideals portrayed in their shimmering folds, and that each Kiwanian rigidly observe all formalities prescribed for according proper respect to the flag of his nation.

4. United States and Canada—Our Heritage

No two countries among the nations of the world have been more endowed by their Creator than Canada and the United States, the countries of Kiwanis origin.

Our towering forests, rushing rivers and other resources beyond comprehension are God-given assets which we should forever cherish. However, the greatest of our assets is the close association and friendly rapport developed over the years by the citizens of both countries, each country having a heritage of which it can be justly proud.

Therefore, be it resolved that Kiwanis International continually foster and promote this association, endeavoring to widen understanding and strengthen cooperation between our two countries, and dramatize this relationship as a pattern to be emulated by all nations.

5. Our Kiwanis Family

Kiwanis, Circle K and Key Club are the three components of the Kiwanis Family. Our pride in this association is of paramount importance and each organization needs the encouragement and inspiration which come from this relationship. Sponsorship of our two youth organizations is a goal toward which all Kiwanis clubs should aspire.

The participation of individual Kiwanians in Circle K and Key Club meetings, programs and activities is a cardinal aspect of our sponsorship. These young men are our future leaders, and through our examples we must guide them toward meaningful dedicated personal service. Kiwanians should live the type of adult life and set the pattern we would like our youth to emulate.

Therefore, be it resolved that each Kiwanis club sponsoring a Circle K or Key Club fulfill its obligations of sponsorship thus helping these young men to achieve their greatest potential.

Be it further resolved that Kiwanis clubs make every effort to strengthen and improve effective communication among our organizations and rededicate ourselves to the youth of our nations.

6. Respect for Law and Order

In these days, certain groups have inflamed the uninformed and the discontened, promised them the Utopia of something for nothing, encouraged them to want democracy and freedom without responsibility, and confused license with liberty. Such activity has undermined the respect for law which is necessary if an orderly civilization is to be maintained.

Therefore, be it resolved that all Kiwanians:

1. Make known our belief in the right of the people of a free society to defend themselves, their establishments, and their laws, and to insist that changes in laws be made only in accordance with contitutional procedures.
2. Deplore the lack of civility and responsibility which has swept our nations in recent times, and publicly condemn those who flout and disregard our laws.
3. Condemn all those who tend to glamorize and make heroes of those who engender strife and disrespect for law.
4. Realert all men to the fact that the communist technique is to disrupt, divide and destroy.
5. Implore men of good will everywhere to instill in all people by precept and example a respect for law and the determination to maintain order.
6. Express their gratitude and appreciation to the many able and conscientious law enforcement officers for their dedicated services.

7. Safety—Our Individual Responsibility

Death is inevitable, but it parades our highways to the extent that all motorists approach a rendezvous with it daily. Kiwanis must make a major thrust to arrest this deplorable carnage.

The individual behind the wheel is the key factor in curbing the high accident rate. Mechanical safety equipment, and the engineering and structural design of safe traffic ways are not enough. The driver's action or reaction, technique and behavior are largely influence by attitude, physical fitness, previous training and education.

We must also be concerned with safety in the home, in industry, on the farm and around water.

Therefore, be it resolved that Kiwanians accept individual responsibility to reduce this high accident rate and Kiwanis clubs promote safety through:

1. Urging rigid enforcement of all traffic laws and ordinances and the imposition of effective penalties upon convicted violators.
2. Placing and erecting placards, stickers and safety signs.
3. Distributing Kiwanis and other safety publicity materials to press, radio and television.
4. Encouraging and co-sponsoring driver training and education courses and the adoption of uniform traffic laws.
5. Cooperating with all national, state, provincial and local traffic safety programs.

8. Air and Water Pollution

The desecration of our God-given resources by the pollution of air and water is a menace to mankind.

Streams and rivers which were once pure and beautiful are being polluted to the point where their life-giving qualities are critically impaired. Contamination of the air by industrial, automotive and other noxious gasses is endangering the lives of our citizens.

Therefore, be it resolved that Kiwanians, by individual and club action:

1. Urge their legislative representatives to institute, support and enact appropriate legislation to correct this condition.
2. Call upon all duly constituted authorities to strictly enforce legislation dealing with pollution.
3. Initiate and co-sponsor educational and action programs designed to alert all citizens to the seriousness of this problem and inform them of the practices and abuses which endanger these valuable resources.
4. Commend and recognize individuals, industries and institutions who by voluntary action are helping to overcome this problem.

9. Vietnam

The United States and other nations of the free world are engaged in mortal combat with the doctrine and the forces of communism. These forces have as their sole aim the destruction and defeat of the free world. The current point of contact with these forces in Vietnam and the freedom of millions of people is at stake. Members of our Armed Forces are dying every day that these people may remain free.

Therefore, be it resolved that we reacknowledge our debt of gratitude to all men and women in the Armed Forces of our nations and express to them our full support.

Furthermore we encourage those responsible for the conduct of the war in Vietnam to take all steps necessary to bring this conflict to a quick and victorious conclusion, protecting the valiant South Vietnamese people from any and all future communistic aggression.

10. Preserving Our Individual Freedoms

With every privilege and right there is a responsibility; therefore it is the duty of every citizen to assume his responsibilities in a free society.

Therefore, be it resolved that Kiwanis International calls upon its members to:

1. Accept the responsibilities which each has in our free society.
2. Preserve economic freedom by actively promoting the free enterprise system.
3. Carefully select and vote in all elections for those possessed with the capacity, the ability and the will to make, interpret and enforce the laws that will preserve our freedoms.
4. Make our views on current issues known to those in authority.
5. Demand the full application of the systems of checks and balances prescribed for our governments.
6. Alert all citizens to the dangers which excessive bureaucracy in government poses to our freedom.

Special, New Nations in Kiwanis

Since our last International Convention, Kiwanis has expanded into new areas. New additions to the Kiwanis family of nations include Australia, Colombia, Denmark, New Zealand, Nicaragua, and Sweden.

New Kiwanis Clubs in these nations have adopted the objects of Kiwanis International and are bringing them to new life as new Kiwanians give service to their fellow men and to their communities. The efforts of these new wearers of the "K" will be reflected in the increased well-being of the citizens of their communities. It is hoped that this expansion of Kiwanis will bring about a better understanding among the peoples of the world.

Therefore be it resolved that we the delegates of the 52d convention of Kiwanis International extend you a hand of friendship, we welcome you into the fellowship of Kiwanis and seek your cooperation in our efforts to build a better world.

Mr. President, I also want to commend the delegates to Kiwanis International for their wisdom in electing one of my outstanding constituents as a trustee of Kiwanis International for a 2-year term beginning August 1. That individual is Roy W. Davis, of Homewood, Ill., a vice president of the Continental Illinois National Bank & Trust Co. of Chicago and the current president of the Kiwanis International Foundation. Roy Davis' attributes are many. I ask unanimous consent that there be printed at the conclusion of these remarks a summary of Mr. Davis' background; a speech entitled "The Ghettos of Indifference," which he delivered to his own Kiwanis Club of

Chicago recently; and an editorial entitled "Make It Your Foundation," published in the March issue of the Kiwanis magazine, concerning the work of the Kiwanis Foundation, Inc.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

INTERNATIONAL TRUSTEE: ROY W. DAVIS, CHICAGO, ILL.

QUALIFICATIONS IN KIWANIS EXPERIENCE

Positions in club

Present: Director, Chicago Kiwanis Foundations (since 1957).

Past: President, Secretary. Director for several years.

Positions in district

Past: Lieutenant Governor, Governor-elect, Governor, Secretary. Chairman of several committees.

Positions in Kiwanis International

Present: Member, Special International Committee on Organization Study. Trustee, The Kiwanis Foundation, Incorporated since 1961. Chairman of the Executive Committee and President of The Kiwanis Foundation since 1964.

Past: Member, International Committee on Support of Churches in Their Spiritual Aims.

How long a Kiwanian? 19 years.

Of what Kiwanis Club first a member? Chicago, Illinois.

QUALIFICATIONS IN GENERAL

Business or Profession: Banker. Age 54.

Education: Graduate, Northwestern University School of Commerce. President of Chicago Campus Class 1943. Awarded Delta Sigma Pi key "highest rank in scholarship, leadership, and promise of future usefulness." Graduate School of Banking, University of Wisconsin 1950.

Personality, Ability, etc.: Organizational, administrative, and public speaking abilities have been demonstrated in professional, community, religious, as well as Kiwanis circles.

Positions in or Service to:

City: Chairman, Chicago Trades and Industries. American Cancer Society. Homewood-Flossmoor Community Chairman, National Conference of Christians and Jews. Member, Laymen's Committee Billy Graham Greater Chicago Crusade. Director, South-Suburban Family Counseling Service.

State: Member, Illinois State Chamber of Commerce.

Trade or Professional Organizations: Member, American Institute of Banking.

Civic, Philanthropic and other organizations: Lay minister, St. Paul Community Church since 1958. Church School Superintendent, 1952 to 1958. Treasurer, Bethany Brethren Hospital. Trustee, Bethany Theological Seminary.

In what specific ways and for what specific reasons could he add strength to and be of service on the International Board of Trustees: Broad Kiwanis service with years experience has been enhanced by service on Special International Committee on Organizational Study. Kiwanis Foundation has progressed noticeably under Davis' direction. Davis would bring to the Board a wealth of professional financial experience as well as broad knowledge of civic and community endeavors.

General Facts: Married. Wife, Evelyn, Son, Bryan, a Doctor of Medicine and also married. Daughter, Nancy, is a Senior at Northern Illinois University. Military: Served with the U.S. Army. Member, American Legion.

THE GHETTOS OF INDIFFERENCE

(An address by Roy W. Davis)

(NOTE.—R. W. Davis is Vice President, Continental Illinois National Bank and Trust Company of Chicago; President, Kiwanis Foundation, Incorporated; Past Governor, Illinois-Iowa District of Kiwanis International; Past President, Kiwanis Club of Chicago; Lay Minister, St. Paul Community Church, Homewood; Trustee, Bethany Brethren Hospital, Chicago; Member Advisory Committee, Bethany Theological Seminary, Oak Brook.)

Recently I read a book the Title of which continues to haunt me. It was called "The Ghetto of Indifference." All of us are concerned about the ghettos of our inner cities and deplore the living conditions of those who must make their homes in these areas. Too often we say about them, "Such persons just don't seem to care."

I suggest to you that there is another "ghetto" of equal concern. Strangely, such ghettos are not limited to the slum areas of our cities. More and more people everywhere "just don't seem to care," about the other fellow. Nor do they care particularly about country, God, the law of the land, or right versus "the establishment." Adam Clayton Powell is a current hero to many people simply because he has presumably beaten the establishment. If he can get money out of the government, "why not?"—everybody else does. Fewer and fewer people really care about our government—its system of checks and balances. "Free enterprise" and the profit system come in for an unusual amount of abuse among our so called intellectuals on campuses everywhere.

"The Dangerous man," as Elton Trueblood remarked, "is not the man who doubts—but the man who does not care." But this Ghetto is even more subtle—it promotes the philosophy of avoidism. In a recent article entitled "Memoirs of a PTA Dropout," Roger Price, editor and publisher of America's newest zany magazine called "Grump" wrote:

"Avoidism, a dynamic example of New Thought, which I founded several years ago, is known primarily as the only discovered cure for the inability to cope with life—or copelessness. Its basic principle is simple. An avoidist avoids. Charter Member Peter Hillarion recently summed up the basic theory when asked why he had never climbed Mt. Everest, 'Because it's there' he said with calm assurance. It is men like Hillarion who inspire us all to greater depths of lethargy and nonparticipation."

To be sure this is a "tongue-in-cheek" article—but there's an element of truth in it. I live in Homewood. Our sister village immediately to the south is Flossmoor. The Daily News recently carried an article that the residents of Flossmoor are the highest per capita income group in the entire middle-west. Yet recently the *Homewood Flossmoor Star*, our local newspaper, carried an article by the local police chief which begged residents to let the police know of any suspicious characters or unusual events which should be investigated. It pointed out recent burglaries in broad daylight in the sight of residents who did not report them because they "did not want to get involved." Is this a Ghetto? Of course it is—a Ghetto of indifference.

We in Kiwanis must be dedicated to personal involvement. A man who wears the "K" is the man who cares. The Ghetto of Indifference has no place in Kiwanis, for our members are dedicated to service above self. Yes, Kiwanis is a service club. Sometimes we are asked, "Can't you be of service without joining a club?" Of course, but the fact is we probably would not serve if we had to do it alone. Our real purpose is to do together that which we cannot or would not do alone. Can you imagine me selling peanuts at the corner of LaSalle and Jackson Boulevards wearing a silly hat and apron if I was the only man in town doing this project. Really, bankers are more conservative than that—at least we were considered so until the charge card system was launched. But since thousands of other Kiwanians are also selling peanuts on the fourth Friday of September I gladly do my share without any embarrassment and with real *pride*. "Doc" Thrasher and I have had the block around the Continental Bank Building for several years and we are an effective team because we work together. Kiwanis is a matter of team work.

We in Kiwanis must join hands to preserve our freedoms. This has been one of our prime objectives in Kiwanis for many years. Too many of us are indifferent to the loss of freedoms because we are losing them just a little bit at a time. In fact many of us find it difficult to define freedom. I like the following definitions by Wilferd A. Peterson.

Freedom is a *personal* thing.

Freedom is an open door, but you must walk through it.

Freedom is a ladder, but you must climb it.

Freedom doesn't mean that you can do what you please, but it does mean that there isn't anything holding you back from striving to make your finest dreams come true.

Freedom is yours now, and what you do with it is up to you. You can aim at the highest goal.

Freedom is an invitation to be creative . . . to paint, sing, carve, write, or build according to your heart's desire.

Freedom is your right to be yourself, to make mistakes, to fail and try again. No failure is final; freedom always gives you another chance.

Freedom is also a blessing to be shared, for it is the opportunity to dedicate your life to the service of others. The fruits of freedom depend upon the interaction of the thoughts, ideas and ideals of men.

Freedom is a wide horizon gleaming with promise. It is your key to an inspiring future. The only shackles you must break are within you. You practice the art of freedom when you make the most of all that freedom offers.

Freedom is God's gift to you. "Where the spirit of the Lord is, there is liberty," wrote St. Paul.

Thank God for your freedom. It is what makes life on earth worthwhile.

Yes, we must preserve these freedoms if we are to preserve our way of life. We must convince the academic world and the young people of our day that "profits" are essential. The late President John F. Kennedy had this to say on the subject. "In a free enterprise system there can be no prosperity without profit. We want a growing economy and there can be no growth without investment that is inspired and financed by profit." We in The Kiwanis Foundation, Inc. are dedicated to the preservation of the free enterprise system and the dissemination of objective information about it. We hope to produce a motion picture film with brochures and other materials which tell the story objectively and truthfully. Our plans are already well underway.

Perhaps the most frequent question we as individual Kiwanians ask of ourselves is this, "Is my personal effort really worthwhile?" Sometimes we get discouraged and think that it doesn't really matter what we think or do—we're so small—so insignificant. Those of you who have been privileged to attend our District Convention will remember the presentations of the Spastic Paralysis Research Foundation. There is no more touching sight in the world than to see a youngster, now normal and well, brought by his parents to the stage and glimpse Doctor Luis Amador, our director. Inevitably the youngster runs into and is swept up in an emotional embrace by Doctor Amador. No one can hear his story of helping these youngsters obtain a normal life without a glow of pride in being a Kiwanian who helps in such a worthy project.

Not all of us have a starring role. Sometimes the average Kiwanian, way in the background, is the unsung hero. The story is told of a tour of the prison in Tewksbury, Massachusetts a few years ago. The visitor was conducted on the tour by an elderly lady whom we shall call Maude Jones. Maude had hoped to be a missionary, but went to work in the prison to support her orphaned brothers and sisters. She inquired if the visitor would like to see the cell in which Annie Sullivan was kept. She described those early days—how Annie was put into the cell in an ugly unruly mood, profane and vulgar. Gradually Maude Jones won her confidence. In due time Annie Sullivan became a rational, normal person. Although she had refused her food at first, now she and Maude became friends. It was about this time that a well-to-do family in the south called the Perkins Institute of the Blind to ask if there were someone who might be a companion to a little blind girl who was also deaf. Annie Sullivan had made such a miraculous recovery that she was offered this assignment and she accepted it. Her work with the little blind girl was so successful that the little blind girl grew up to be one of the greatest women of our time—Helen Keller. Just before Annie Sullivan's death a few years ago, Helen Keller stated publicly, "If it had not been for Annie Sullivan, the world would never have heard of Helen Keller; for I was destined to be in a world of my own—a world of silence and darkness. But it was Annie Sullivan who brought light and life." This touching story was made into a motion picture which won the Academy Award—"The Miracle Worker."

Anne Bancroft starred in this picture. So the whole world knows the story of Annie Sullivan and of Helen Keller, but no one ever heard of Maude Jones. Yet, if Maude Jones had not "cared" enough to win the confidence and friendship of Annie Sullivan and restore her to being a normal person, the story of Helen Keller would not have been possible. I say to you, *each one of us,* though our role may be minor—though the world may never have heard of us—*that person we serve—that person for whom we care*—is important and may be a blessing to all mankind.

On Kiwanis Peanut Day in 1966, a Kiwanian in Lisle, Illinois, Robert P. Connelly, lost his life in a vain but valiant effort to save the life of a crippled woman who fell on the railroad tracks just ahead of an onrushing train. He cared enough to give his life for another. Kiwanis International has ordered a medal struck in his honor to be given to his widow and daughter and indeed to any Kiwanian who hereafter may endanger life and limb for the sake of others. In the Kiwanis Foundation, Inc. we have established a scholarship for Colleen Connelly—the 12 year old daughter of Robert. We expect to send her all the way through parochial school and through college. Contributions have been received from all over the land, but we need much more. Recently Colleen called to say that she always ran home when she received her report card and showed it to her father. Now that her father is dead she asks if I would tell her "Kiwanis Fathers" that she got three A's and three B's on her recent report card. And so I report her grades to you—her Kiwanis Fathers.

Gentlemen, Robert Connelly cared enough to give his life—won't you care enough to do your very best in the service of others. I say to you there is no "Ghetto of Indifference" for the man who wears the "K."

MAKE IT YOUR FOUNDATION

(By Roy W. Davis)

"Bob was a man of action."

Raymond Miller, president of the Kiwanis Club of Lisle, Illinois, was talking about Bob Connelly, a member of his club.

On Kids' Day last fall, Bob was selling peanuts to Chicago commuters at the railroad station in suburban Lisle when he saw paraplegic Nancy Notto trip and fall in the path of an onrushing train. Bob leaped to save her, but was too late. Both were killed.

Nevertheless, the name of this man of action will not die. The Kiwanis Foundation is collecting for a special fund of approximately $15,000 that it will administer to guarantee Bob's 11-year-old daughter, Colleen, a complete education, through parochial high school as well as college. Any remaining funds will go to see other such youngsters through school.

This is only one part of the continuing work of the Kiwanis Foundation, which over the years has expended $200,000 in support of such programs as CQ (Citizen Quotient) and the annual Kids' Day activities, in which Bob Connelly was participating at the time of his death. The Kiwanis Foundation helps promote the work of men of action like Bob. It also functions as a receptacle and distributor for the funds donated to further the service work of Kiwanis throughout the world.

The Foundation concentrates on activities that normally would be considered too broad in scope for any individual club or district to handle. The Connelly case is an example. Actually, the fund originated with the Kiwanis Club of Lisle. But as problems of administering the funds mounted, and when the club learned that the Connelly family might move out of the state, Lisle Kiwanians turned to the Kiwanis Foundation. Soon, with the Foundation's support, a special Connelly Medal will be struck. It will be awarded to others who live up to the same high ideals of heroism and selflessness that made Bob Connelly the man he was.

The Lisle club has not lost touch with the Connellys, however. When she received her report card at school, Colleen always brought it home to Dad. Now she reports to her "Kiwanis Fathers." Recently, she called them to say that she had earned three A's and a B at Sacred Heart Academy.

The Kiwanis Foundation is currently expanding its programs. One objective is to explain free enterprise to youth. The Foundation already has donated $1000 to the Kiwanis Freedom Leadership program, one of whose activities is to demonstrate that business profits can serve a worthy function in society. It has also begun to raise the first $35,000 to finance a campaign for this purpose. Now being planned are a series of films and brochures, a speakers' bureau, and a national advertising campaign.

The Foundation receives money from numerous sources. Many districts have given bequests dedicated to outstanding Kiwanians. The Florida District contributed $1200 in memory of Past Governor Roy Brewton. Texas-Oklahoma gave $1300 in Past President O. Sam Cummings' name. Alabama remembered former Trustee Nelson Fuller with $1600. The Southwest District awarded the Kiwanis Foundation $1000 for Past Governor Bill Blair. And recently the Wisconsin-Upper Michigan District honored Past International President I. R. Witthuhn with a $1000 bequest in his name. A donation of $20 allows individuals to become Kiwanis Foundation Fellow for a year. Those who can contribute $100 or more, either in one lump sum or yearly $20 installments, become Life Foundation Fellows. Each Foundation Fellow receives a certificate of appreciation from the Foundation, each Life Fellow a handsome wall plaque.

The Kiwanis Foundation, Incorporated, does not compete in its activities with club and district foundations, nor does it limit itself to raising money, as it is doing for the Connelly Fund. The Kiwanis Foundation is your foundation. It seeks both your help and your guidance.

HUMAN RIGHTS ARE HISTORICALLY AN INTERNATIONAL CONCERN—SENATE SHOULD RATIFY HUMAN RIGHTS CONVENTIONS—CIII

Mr. PROXMIRE. Mr. President, on July 6, 1941, in a forceful message to Congress, President Roosevelt stated that among the Allied war aims was the achievement of four freedoms "everywhere in the world": Freedom of speech and expression, freedom of worship, freedom from want, and freedom from fear. In August of that year, Messrs. Roosevelt and Churchill reaffirmed their commitment to the latter two freedoms by signing the Atlantic Charter.

On the first of January, in 1942, the 26 United Nations declared, in Washington, "that complete victory over their enemies is essential to preserve human rights."

When the Dumbarton Oaks proposals were made public in October of 1944 with only one brief and subordinate reference to human rights and fundamental freedoms, strong popular sentiment was aroused to remedy this defect. Accredited consultants to the U.S. delegation pressed for a more prominent recognition of human rights at the 1945 San Francisco Conference. These 42 nongovernmental organizations, mostly representing churches, labor, education, and business, pressed particularly for the establishment of a United Nations Human Rights Commission. These efforts led directly to the inclusion of seven specific references to "human rights" in the United Nations Charter, including the establishment of a Human Rights Commission and the pledge of all members "to take joint and separate action in cooperation with the Organization for the achievement of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion."—Articles 55–56, U.N. Charter.

In his closing address to the San Francisco Conference, President Truman noted:

> Under this document (the Charter) we have good reason to expect the framing of an international bill of rights, acceptable to all nations involved. That bill of rights will be as much a part of international life as our own Bill of Rights is a part of our Constitution.

On July 28, 1945, after 33 days of consideration the Senate ratified the Charter of the United Nations by a vote of 89 to 2.

As a party to the multilateral treaty known as the United Nations Charter, the United States has already committed itself to the principle that human rights are an international concern. The Members of the Senate during this, the 90th Congress, have been handed an opportunity. We can reaffirm the commitment to the human rights made 22 years ago. By consenting to the ratification of the five human rights conventions pending in the Senate Foreign Relations Committee, we can reassert U.S. leadership in a field which, because of our inexcusable inactivity, has been permitted to fall.

FREE ENTERPRISE COMPETITION IS THE ANSWER

Mr. HARTKE. Mr. President, the current discussion of the chronic balance-of-payments deficits has centered around the immediate short-term effect of various programs that have inhibited overseas expansion of American industry.

Not enough attention has been paid to the effect such stifling will have over the next decade or so. I have said again and again that this type of negative approach is totally self-defeating. The net result of these policies will be to increase rather than decrease our future payments problems. The revenues that might have been generated to eventually overcome the deficits will not be forthcoming and we will find ourselves floating in a backwater of self-imposed economic isolation. I have also said many times that once American industry makes up its mind to do so, it can outsell and outproduce anyone, anywhere. That is the basic strength of the American economy.

Mr. John Chamberlain, the noted syndicated columnist, has written what I call a reaffirmation of the "can do" spirit that makes this country the greatest economic power the world has ever seen. He speaks of the necessity for small business to become actively involved in international sales programs. The resentment of our trading partners toward some of our industrial giants that have plants abroad would make involvement of smaller companies a "natural," as Mr. Chamberlain puts it.

Mr. President, this is the kind of activity that is needed to solve the problem of chronic deficits. It represents the kind of positive thinking that should also characterize our domestic fiscal and monetary policy decisions.

Mr. President, I ask unanimous consent that Mr. Chamberlain's column from the Washington Post of July 7, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SMALL INDUSTRY AND FOREIGN TRADE

(By John Chamberlain)

Willi Schlamm, the veteran of a score of journalistic wars since he first challenged Hitler from an editorial post as editor of Peace Prize winner Carl von Ossietsky's "Weltbuehne" in Prague, was in the United States recently. Willi, who now writes and lectures in West Germany, said he was engaged in his last—and "probably losing"—fight, which is to take a pro-American side in a continent that more and more tends to make anti-Americanism its all-consuming passion.

Willi told me about his sessions with West German bigwig politicos on the subject of U.S. economic competition. It seems that the Germans particularly resent American oil companies, American automobile competition, and American computers. This makes no sense to Willi, for the Germans aren't in the oil business, their Volkswagens give them an edge in any foreign car market, and Europeans must have access to American computers if they are to do good business on their own. But it is emotion that counts with the politicos; U.S. oil, automobile and computer companies are "big," and they serve admirably as devils because everybody can see them.

Since emotions can't be fought head on, it would seem a "natural" for the United States to help promote the overseas activities of its smaller businesses. Smallness always give protective coloration. Yet 90 per cent of U.S. manufacturers have no export sales program, and the Department of Commerce shows no particular interest in them. The "little man" simply lacks the personnel, the linguistic knowledge, the financing, and the "feel" for adventure that are needed to take his product overseas.

This is particularly unfortunate in this time of our adverse balance of payments, for if only 10,000 out of our total of a quarter of a million small manufacturers could manage to net $200,000 each from foreign licensing and sales, our international deficit would be completely eradicated.

Without any particular encouragement from Washington, a few adventurous Americans have been trying to set up "in between" companies to serve small manufacturers who can't go abroad on their own.

Some of the names in this field are the International Research Consultants, Pegasus International, Porter International, and National Patent Development Corporation. Porter International, for example, was created to do licensing on a fee basis by Paul Porter, once a government administrator of U.S. aid to Greece. Old established U.S. firms such as Arthur D. Little are in the foreign licensing field, too.

Europeans may hate U.S. business in general, but they don't hate U.S. techniques, and patents in particular. Thus General Motors may be a devil abroad, but nobody knows enough about its hundreds of suppliers to give them horns. So why not push what the suppliers have to give? And this goes for all makers of small components, not just the ones who help GM make the Opel car in Germany.

The sure-fire method of pushing this sort of business has been pioneered by Eugene Lang's Resources and Facilities Corporation, or Refac, which began its European operations 15 years ago. It started its business with a general franchise to license the manufacture of the Heli-Coil Corporation's screw thread inserts abroad. Heli-Coil is a Danbury, Conn., company whose rise has helped the famous Hat City to overcome its disastrous dependence on the declining market for men's headgear. By making use of the "in between" knowledge of Lang's "Refac," Heli-Coil has successfully penetrated nine countries which are now manufacturing its products under license agreements. Refac, for its own, now lists its presentation of Heli-Coil as only one of a number of licensing and joint venture relationships in foreign lands. With 300 such relationships in 23 countries on five continents, it has created an annual business turnover of more than $100 million. Royalties have an appreciable impact on the U.S. balance of payments.

Lang thinks he represents the way of the future. He has a plan for creating a multiplicity of small business trade corporations with foreign licensing connections before the Select Committee on Small Business of the House of Representatives. It could be worth more than the Small Business Administration.

THE NEED FOR A STRONG GREAT LAKES FLEET

Mr. NELSON. Mr. President, since the opening of the St. Lawrence Seaway, the port cities on the Great Lakes have become major centers of foreign commerce as well as busy ports for domestic trade. The Duluth-Superior harbor area is now second only to New York among American ports in the amount of total tonnage handled each year. A large percentage of American exports flow from the Great Lakes region to ports throughout the world. Clearly this bustling of commercial activity has brought great benefits to both the contiguous States and the country at large.

One might assume from this situation that the Great Lakes merchant fleet is in a condition of unprecedented prosperity. Unfortunately, this is not true. American Great Lakes gross tonnage has dropped by over 500,000 tons, while that our of Canadian neighbors has increased by roughly the same amount. The average age of our Great Lakes fleet has grown older, whereas new Canadian ships are being constructed and refurbished. Moreover, because of the Seaway, a large proportion of the import-export trade is now carried on European, Asian, African, and Latin American ships. It is deplorable that American Great Lakes shipping is not sharing more in the expansion of trade on our newest coastline.

Increased foreign trade does not make this situation inevitable; I have just pointed out that the Canadian merchant fleet, which was put in the same position by the opening of the Seaway, has prospered. This is due largely to progressive efforts of the Canadian Government to keep its merchant fleet healthy. So far our own Government has not come to grips with the problem.

An extremely penetrating analysis of the crisis facing the Great Lakes shipping industry, with proposals for what can be done, has recently been prepared by the Andrew Furuseth Foundation for Maritime Research. This report appeared in the May 1967, edition of the District 2 Marine Engineer.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the District 2 Marine Engineer, May 1967]

A STRONG GREAT LAKES FLEET IS NECESSARY TO OUR ECONOMY AND SECURITY; WE PRESENTLY HAVE NEITHER AND NEED BOTH

(Following is the April, 1967 report of the Andrew Furuseth Foundation for Maritime Research. The Foundation, which has its headquarters in Washington, D.C., is financed by contributions from SIU and District 2 MEBA shipowners in the offshore field and on the Great Lakes. The contributions, amounting to 15c a day per man, are made under terms of the Union contracts with the operators.

(The goal of the Foundation is to provide useful information for Congress and the Administration aimed at strengthening the U.S. merchant fleet. The Foundation is named in honor of Andrew Furuseth, long-time Secretary-Treasury of the Sailors Union of the Pacific and one of the greatest fighters for the rights of U.S. merchant seamen.

(The crowning achievement of Furuseth's 21 years of lobbying in Congress was passage of the Seaman's Act of 1951, which emancipated seamen from virtual serfdom. The act, which was sponsored by Senator Robert La Follette, Sr., of Wisconsin, abolished imprisonment for desertion, provided for decent quarters and food for merchant seamen, and established fundamental safety conditions aboard U.S.-flag ocean-going and Great Lakes ships.)

I. THE U.S.-FLAG GREAT LAKES FLEET

With the traditional April opening of the St. Lawrence Seaway, it is fitting to examine what is perhaps the most neglected segment of the United States Merchant Marine—the Great Lakes fleet. These U.S. lakes vessels are engaged in commerce on one of the longest inland waterways in the world. The St. Lawrence-Great Lakes system stretches 2,342 miles from the Atlantic Ocean into the heart of the North American continent. One of every 8 Americans and 1 of every 3 Canadians lives on or near this system.

Entering the Gulf of St. Lawrence, one travels down the St. Lawrence River to reach the Great Lakes. The first Lake entered is Ontario. This is connected to Lake Erie by the 28-mile Welland Canal. Lakes Huron, Michigan and Superior, together with connecting channels and the Sault Ste. Marie locks form the remainder of this inland waterway. On the Canadian side, this system borders 4 maritime provinces as well as Quebec and Ontario and touches 8 states of the United States: Minnesota, Wisconsin, Illinois, Michigan, Indiana, Ohio, Pennsylvania and New York. Although waterborne commerce on the Lakes system is limited to about 8 months of the year due to weather conditions, i.e., ice, it is one of the greatest concentrations of traffic in the world. More tons of cargo pass through the Sault Ste. Marie locks annually than pass through the Panama Canal. The Duluth harbor, located on Lake Superior, is one of the largest bulk traffic ports in the world. In terms of annual total tonnage, it has usually ranked second in the U.S., with first place going to New York harbor. Bulk commodities, chiefly iron ore, limestone, coal and grain, comprise 90% of the total tonnage shipped on the St. Lawrence-Great Lakes system.

Both the United States and Canada have fleets devoted exclusively to domestic and trans-lakes commerce. These 2 fleets comprise the Great Lakes fleet. The overseas Lakes trade is carried out by the regular ocean-going vessels, which differ in size, design, etc. from the lakers. With respect to Great Lakes foreign commerce carried by U.S. vessels, several American companies engaged in oceanborne trade serve the Great Lakes on specified trade routes. Most of these inland vessels, including bulk carriers (the most numerous type), self-unloaders, grain vessels, tankers and package freighters, were developed for and specialize in the movement of certain commodities.

Status of the Great Lakes Fleet

The tables below show the status of the Great Lakes fleet before and after the opening of the Seaway. Although both fleets have decreased in number of vessels, the Canadian-owned fleet has achieved an increase of 534,286 gross tons while the U.S. has lost 532,433 gross tons.

United States

	Number of vessels		Gross tons		Deadweight tons	
	1965	1955	1965	1955	1965	1955
Total, all types	255	373	1,878,567	2,411,000	2,945,121	3,676,200
Combinations	3	7	22,409	28,800	18,406	8,300
Freighters	1	5	1,042	30,300	1,660	41,300
Bulk carriers	222	337	1,798,534	2,280,300	2,849,572	3,525,800
Tankers	19	24	56,582	71,600	75,483	100,800

Canada

	Number of vessels		Gross tons		Deadweight tons	
	1965	1955	1965	1955	1965	1955
Total, all types	220	261	1,406,186	871,900	2,190,726	1,300,900
Combinations	3	4	9,258	11,400	5,558	6,100
Freighters	15	21	73,057	49,900	92,100	62,900
Bulk carriers	170	199	1,247,014	715,200	1,979,922	1,092,900
Tankers	32	37	76,857	95,400	113,146	139,000

In terms of employment opportunities for seamen on U.S. Great Lakes vessels, the loss of 128 vessels means approximately 4,500 less jobs. This does not include all of the other areas of employment which would be affected by this decrease.

The following table does show that during a ten-year period, the fleets of both the U.S. and Canada have been upgraded. The Canadian changes, however, are more significant than the U.S. ones. And the Canadian fleet has grown 1 year younger while the average age for the U.S. fleet has increased 2 years.

Total—All types of vessels

	United States		Canada	
	1965	1955	1965	1955
Average gross tons	7,668	6,500	6,392	3,300
Average deadweight tons	12,021	9,900	9,958	5,000
Average age (years)	42	40	31	32
Average speed (knots)	12	11	12	9
Average draft (feet)	22	21	21	18

Statistics reveal that U.S. domestic Great Lakes commerce has not changed too radically between 1956 (pre-St. Lawrence Seaway) and 1964 (post-Seaway); however, as can be seen from the table below, overseas commerce has increased about 14 times over the 1956 level:

Freight carried on Great Lakes system

[In millions of ton-miles]

	Total	Domestic				Foreign	
		Lakewise	Coastwise	Internal	Local and intraport	Canadian	Overseas
1964	105,912	73,249	71	596	125	24,243	7,628
1956	110,665	93,616	60	749	127	15,563	549

Source: Statistical Abstract, 1958, 1966.

In 1958 the U.S. exported less than one-half million short tons of agricultural and mine products and manufactures to overseas destinations, excluding Canada, via the Great Lakes. Three years after the opening of the seaway, this figure exceeded 5 million short tons.

Increased Foreign Competition

Prior to the opening of the St. Lawrence Seaway, the number of foreign vessels entering the Great Lakes was rather insignificant. In 1857, the **MADEIRA PET**, a British brigantine, sailed into Chicago harbor; and in 1933, the first Lakes overseas service was inaugurated by the Fjell Line. However, since seaway passage was limited to vessels of a maximum 14-foot draft, 252 foot length and 44 foot beam, only very small, and consequently very few foreign ocean-going vessels were involved. Trade on the Lakes was confined almost exclusively to the Canadian and U.S. fleets. The new Seaway significantly altered this picture. Now vessels of up to 25 foot draft, 730 foot length and 75 foot beam can enter. Thus it is estimated that 80% of the world's merchant fleet has dimensions within the Seaway's limitations and can enter the Lakes to compete with the two traditional Lakes' fleets.

The number of foreign-flag vessels entering the Great Lakes in 1956 through the old St. Lawrence passage totalled only 125. These vessels made 334 trips. However, in 1965, 3,068 transits of the Montreal-Lake Ontario section and 3,338 transits of the Welland Canal section of the Seaway were made by vessels of foreign registry; i.e., excluding Canada. This was approximately 41% of the total number of all vessels, including the U.S. and Canada, transiting these 2 sections.

II. SPOTLIGHT ON THE SEAWAY

The St. Lawrence Seaway, constructed at a cost of $345 million to Canada and $135 million to the U.S., was built to facilitate the transportation, at the lowest possible cost, of all types of commodities moving through the St. Lawrence and Lakes trading area. Increased economic development of mid-continent America as a result of increased trade due to easier and less costly access to foreign markets was also anticipated. Three unique features of the Seaway which distinguish it from other U.S. and Canadian waterways are:

(1) It is international in character with navigation facilities being located in the U.S. and Canada,

(2) It is operated by governmental corporations of the two involved countries, and

(3) It is financed from borrowed rather than appropriated money, thus necessitating tolls.

Tolls controversy

The St. Lawrence Seaway, under U.S. statute, is required to be self-supporting and self-liquidating; i.e., the initial $125 million investment plus interest charges is to be paid off in 50 years through revenues acquired from tolls. It has, however, been argued by those opposed to tolls that regardless of the yearly increase in tonnage, with the consequent larger revenue from tolls, it is unlikely that the cost of constructing the Seaway will ever be paid out of this revenue. Prior to the 1966 shipping season this might have been a valid argument. But in 1966 traffic and cargo not only reached the pre-1959 estimate upon which the tolls were based—they exceeded this estimate.

No Increase in Tolls

Because traffic and cargo did fall below the earlier-made estimates, the U.S. Seaway Development Corp. is about $20 million in debt and more than $9 million behind in meeting its statutory financial obligations. Late in 1966, the Seaway Corp. recommended a 10% increase in tolls, which was vigorously opposed by members of Congress from the Great Lakes states. The U.S. official position has been to oppose higher tolls, while the Canadian government is in favor of them. This March, the U.S. State Department announced that an agreement with Canada had been reached whereby there would be no increase in tolls for at least 4 years. But whereas the U.S. had previously received 29% of toll revenues, it now will receive 27%, with the remaining 73% going to Canada.

Effects of the seaway

The St. Lawrence Seaway has primarily affected 2 areas of U.S. Great Lakes bulk cargo trade—iron ore and grain. The effect on the U.S. Great Lakes fleet has been adverse and detrimental. Since the opening of the Seaway, U.S. vessel participation in grain movements on the Lakes has steadily declined. Prior to the Seaway, chiefly Canadian and U.S. vessels were engaged in this trade, with Canada carrying 70% of the total grain and the U.S. the remaining 30%. But by 1964, foreign vessels had intruded in this trade, taking more away from the U.S. fleet than the Canadian. Statistics for 1964 reveal that U.S.-flag carriers moved only 13% of all Great Lakes grain, while Canadian-flag vessels carried 63% and other foreign-flags carried 24%. Two chief reasons for this diminishing U.S.-flag participation are as follows:

(1) The Seaway has made it possible for large foreign ocean-going vessels to enter the Lakes and load the grain directly. Formerly this grain moved down the Lakes in lake vessels and then was transferred to ocean-going vessels, and

(2) Today Montreal, rather than Buffalo, is the major transshipment port for U.S. grain, which means that Canadian vessels are able to engage in this traffic which, if it were between two U.S. ports, would be closed to foreign-flag vessels.

Statistics for 1965 reveal both of these effects of the Seaway. In this year, of the total 7.2 million tons of grain shipped from the Great Lakes, 4 million tons were loaded directly on oceangoing ships and 3.2 million tons were transshipment via Canadian elevators on the lower St. Lawrence.

Ore Imports Up Sharply

The other segment of the U.S. Great Lakes fleet adversely affected since the Seaway opened is the ore carrier. In just one year, this segment lost 15 vessels, going from 166 ore carriers in 1965 to 151 in 1966. The Seaway enabled iron ore to be brought into the Lakes area for domestic consumption from Labrador and Quebec and cut down on the amount transported by U.S.-flag lake ore carriers from the Mesabi Range to U.S. iron and steel plants. This 22% increase in the use of imported iron ore has contributed to a 28% drop in the consumption of domestic ore. The Labrador-Quebec to Lakes ports traffic is dominated by Canadian vessels. In 1965, U.S. ships carried only 9% of the 11.1 million tons of imported iron ore.

The table below shows the small percentage of total cargo passing through the Montreal-Lake Ontario section of the St. Lawrence Seaway which is carried on U.S.-flag vessels:

	Tonnage	United States	Percent	Canada	Percent
1960	20, 310, 346	562, 619	2. 8	11, 031, 183	54. 4
1961	23, 217, 720	513, 118	2. 2	14, 117, 233	60. 3
1962	25, 593, 600	947, 729	3. 7	14, 441, 173	56. 4
1963	30, 942, 890	1, 950, 066	6. 3	18, 797, 655	60. 8
1964	39, 309, 029	3, 290, 470	8. 4	23, 546, 668	59. 9
1965	43, 382, 864	1, 943, 990	4. 5	24, 789, 995	57. 2
1966	49, 955, 974	1, 875, 850	3. 8	32, 955, 974	66. 9

Source: Traffic Report of the St. Lawrence Seaway.

The chief foreign countries transmiting the Seaway since its opening have been the United Kingdom, British Commonwealth nations, Norway and Germany. In 1965, they carried 24.7% of all cargo tonnage passing through the Montreal-Lake Ontario section. The remaining 13.6% was carried by vessels of other European, Asia, African and Latin American countries.

Changing traffic on the lakes

Apparently, the small Lake vessel is going to be forced to compete more with the large ocean-going bulk carrier of 17,000 tons and over. In 1959, the first year of Seaway operations, only 15 upbound transits carrying 3.5% of the total tonnage and 14 downbound transits, carrying no cargo, were made by vessels over 17,000 gross tons. In 1965, there were 256 upbound and 257 downbound transits made by this size vessel, carrying 28% and 22% of the total cargo tonnage respectively. A definite decline in the cargo tonnage carried by small ships is indicated. No vessel of over 17,000 gross tons has been built for the U.S. Great Lakes fleet since 1958. In contrast, 24 such ships have been built for the Canadian Lakes fleet since 1960.

St. Lawrence and U.S. overseas trade

The St. Lawrence Seaway is helping the U.S. to improve its balance of payments position as can be seen from the table below:

Year	Exports	Imports	Net favorable balance
1958	$137, 907, 692	$113, 182, 732	$24, 724, 960
1959	323, 369, 963	216, 663, 469	106, 706, 494
1960	425, 726, 876	226, 188, 674	199, 538, 202
1961	522, 373, 168	258, 814, 635	263, 558, 533
1962	592, 106, 988	317, 191, 934	274, 915, 054

Source: Great Lakes Commission.

However, a much greater improvement would result if U.S.-flag vessels were to carry more than 4% of this cargo tonnage. In 1964, U.S.-flag vessels carried only 254,596 tons out of 6.2 million tons of U.S. Great Lakes imports and exports, or 4%.

Ocean-Going Service Needed

Since foreign vessels participate in our Lakes overseas commerce at a sailing ratio of 19 to 1, the Maritime Administration suggested that ways must be found to provide more adequate U.S.-flag service on the Lakes to:

(1) provide more economical transportation for government generated (military and aid) cargoes,

(2) help reduce our imbalance of international payments,

(3) ensure against foreign control of rates and shipping availability, and

(4) give the Heartland taxpayer a better return for his money in terms of additional U.S. waterborne service.

III. THE U.S.-FLAG GREAT LAKES FLEET NEEDS HELP

Since 1955, the U.S. Great Lakes fleet has decreased by 128 vessels aggregating 859,279 d.w.t. Of this total 37 were transferred to foreign registry, 3 were sunk, 88 scrapped and 8 withdrawn. The following table shows this dangerous downward trend:

	Total number of vessels	Tonnage change deadweight tons
Year ending:		
1965	245	−102, 779
1964	260	−172, 900
1963	281	−117, 600
1962	296	−117, 200
1961	312	−211, 900
1960	346	−66, 800
1959	364	−13, 900
1958	365	−64, 200
1957	367	+12, 600
1956	365	−4, 000
1955	373	

In 1956 there were 20 U.S. independent bulk steamship companies on the Great Lakes. Presently only 8 of these remain.

Lakes Fleet Obsolescent

The Great Lakes fleet is even more obsolescent than our oceangoing fleet. One hundred and nine vessels, or approximately 45% of the fleet, were constructed before 1915. Only 28 vessels now operating on the Lakes were built after 1950. The following table shows the number of each type of vessel operating on the Lakes as of December 31, 1965, and the period in which it was built:

Number of U.S.-flag vessels as of Dec. 31, 1965

	Bulk carriers	Tankers	Combinations	Freighters
1892–99	1	1		
1900–1904	8			
1905–09	68		1	
1910–14	27	3	1	
1915–19	16	1		
1920–24	18	3		1
1925–29	18	2		
1930–34	2	4		
1935–39	5	2		
1940–44	24			
1945–49	9	1	1	
1950–54	18	1		
1955–59	6			
1960–65	2	1		
Total	222	19	3	1

Source: Marad.

Canada's Angel Plan

Cognizant of the need to stimulate vessel contruction, the Canadian government in 1949 enacted the Vessel Assistance Act, which enabled an operator to depreciate his vessel in as few as 3 years. Between 1950 and 1961, 51 new vessels of 666,200 dwt were added to the Canadian Great Lakes fleet. Additional legislation in 1961 provided a direct construction subsidy of 40% for vessels contracted for between May 12, 1961 and March 31, 1963, and a 35% subsidy for vessels contracted thereafter. This law, suspended in 1965 when it appeared that the U.S. might extend an operating-differential subsidy to its Great Lakes fleet operators, has been resumed at 25% until 1968.

Eighteen New Vessels

By the end of 1964, 18 vessels of 331,500 dwt were added to Canada's Lakes fleet. This subsidy plan, plus the fact that building costs are lower in Canada allowed the Canadian operator to build a new vessel at only 55% of the investment required by an American operator, who must build in U.S. yards with no subsidy, nor can he depreciate his vessel in less than 18 years. The Angel Plan has made the Canadian Lakes fleet the most advanced and highly automated in the world. The following table shows the gains made by the Canadian Lakes fleet during an 8-year period, including those years when the Angel Plan (Post-1961) was in effect:

Canadian	Total all types		Combination passengers and cargo		Freighters		Bulk carriers		Tankers	
	1965	1957	1965	1957	1965	1957	1965	1957	1965	1957
Average gross tons	6, 392	3, 300	3, 086	2, 300	4, 870	2, 500	7, 335	3, 600	2, 402	2, 500
Average deadweight tons	9, 958	5, 000	1, 853	1, 300	6, 140	3, 200	11, 647	5, 500	3, 536	3, 700
Average age (years)	31	32	44	35	18	37	33	34	27	25
Average speed (knots)	12	9	15	14	14	10	12	9	10	9
Average draft (feet)	21	18	16	15	21	18	21	18	17	17

Source: Marad, Division of Trade Studies.

The effect of Canada's efforts upon the U.S. fleet can be seen by the fact that between 1955 and 1964 the number of U.S. vessels engaged in the iron ore trades decreased from 255 to 169 while the number of Canadian ones increased from 50 to 86. During the same period the number of self-unloaders in the U.S. fleet declined by 4, while the Canadians added 11. In 1964, U.S.-flag ships carried only 14% of the exports and 29% of the imports in trans-lake commerce beween the U.S. and Canada. With respect to export-import traffic between U.S. Great Lake ports and Atlantic Canada, we carried a mere 19% of the exports and 17% or the imports.

What needs to be done for the U.S. Great Lakes fleet

American operators have attempted, as best they can, to improve the competitive position of the Great Lakes fleet. However, considering American costs are higher than Canadian ones, their chief competitor, and that the return on their investment is very low, they have not been able to prevent the downward trend of this fleet. Two things which have been done are converting hand-fired vessels to oil firing ones or repowering them with new diesel machinery and the use of bow thrusters has been increased, which reduces the need for tug services, increases the maneuverability of a vessel in tight situations and reduces damage. It has been stated that "the situation in the Great Lakes is made to order as an area for experimentation in new types of ships, route structure, rates and subsidies, and to expand the American Merchant Marine for commercial purposes."

Larger Ore Carriers

In the iron ore trade particularly, the U.S. needs newer and larger vessels. One Lakes operator has said that it is much more economical to operate a 26,000-ton vessel in certain bulk trades than an 8,000-ton one. Presently the average gross tonnage of a Great Lakes bulk carrier is slightly over 8,000. Some trades do require the use of smaller vessels and here modern, economical and versatile units are needed.

To modernize and improve the status of the Great Lakes fleet many Lakes' operators would prefer the government to allow them to deposit earnings in a tax-free reserve fund. This fund would be used for new vessel construction as well as major repairs, enabling operators to put present vessels into A–1 condition and prolong the useful life of these vessels.

It has also been proposed that in view of the success of Canada's rapid depreciation plan, the U.S. adopt a similar policy. In the interest of establishing replacement capital, depreciation rates for Great Lakes vessels should be revised to permit more rapid amortization of capital costs.

Long-range Building agreements

Another suggestion offered by Great Lakes operators is that legislation should be enacted which would allow Lakes' vessel owners and operators to enter into long-range building agreements with the government similar to the type of vessel replacement program now provided for oceangoing operators receiving operating-differential subsidy. It is believed that such a plan would provide sufficient incentives in the form of construction assistance to insure the preservation, rebuilding and maintenance of an adequate U.S.-flag Great Lakes fleet.

The fact that U.S. vessel safety standards are the most stringent in the world has imposed a financial burden upon U.S. Lakes' operators which is not felt by either Canadian or other foreign operators. To rectify this competitive imbalance and to improve safety conditions on the Lakes, it is advocated that the U.S. Coast Guard be given the authority to impose the same construction standards on any foreign-flag vessel sailing in American ports and waters as they require of U.S.-flag vessels.

Lower safety standards

Of interest is the fact that during the past 10 years, 30 former U.S.-flag vessels were sold to Canadian owners. Many of these ships were sold by American owners because it was deemed economically unfeasible to repair them to meet the U.S. Coast Guard requirements. The Canadians performed little, if any repairs, and put these vessels in service on the Lakes. Thus these vessels from our own fleet which did not meet our safety standards are actively competing with those U.S.-flag vessels which, at a great cost to the U.S. operator, do meet U.S.C.G. standards.

If the U.S. Great Lakes fleet is to survive and prosper, ways must be found to enable it to compete successfully with both Canadian and other foreign-flag vessels engaged in Lakes Commerce.

The need for a strong U.S. Lakes fleet

A study by the Maritime Administration concluded that "the same reasons which justify the existence of the American Merchant Marine on the other sea coasts of the Nation are present in the Lakes; and if anything with greater impact." It continued that the U.S. must not continue to allow foreign interests to control 96% of all exports and imports from the heartland of the country. From ports on the Great Lakes, the United States exports 20% of U.S. food and kindred products, 38% of rubber and plastic products, 22% of primary metal industries, 33% of fabricated metal products, 46% of machinery (except electrical), 27% of electrical machinery and 43% of transportation equipment. Indeed, these Lake port facilities and shipping services are vital to the economic growth of the U.S. heartland. Not only is a strong fleet necessary for overseas commerce but also our Great Lakes fleet should be improved so that the low percentage of trans-lakes cargo which it presently carries will be tremendously increased. The present figure of 10% U.S.-flag participation in the grain and coal trade between the U.S. and Canada is absolutely unacceptable. An updated, efficient U.S. Great Lakes fleet would also lessen the dollar drain between the U.S. and Canada.

U.S. Defense Needs

Another most cogent reason for backing a strong U.S. Lakes fleet is that of defense. In the event of a national emergency, it is highly doubtful that the present U.S. Great Lakes fleet could provide the necessary transportation facilities and reliance simply cannot be placed upon the Canadian fleet. In 1953, at the height of the Korean conflict, over 216 million tons of basic bulk materials, including 95.8 net tons of iron ore, were transported on the Great Lakes. This required the use of all 326 U.S.-flag Great Lakes vessels. Today's fleet of less than 250 vessels could not handle this type of operation. Not being able to get the raw materials such as iron ore to our industrial plants could seriously endanger our national security.

A strong U.S. Great Lakes fleet is just as necessary to our national economy and security as is a strong modern oceangoing fleet. We presently have neither and need both.

THE WAR IN VIETNAM

Mr. HATFIELD. Mr. President, the Portland Oregonian recently featured the experiences and insights of two veteran Associated Press correspondents, Peter Arnett and Horst Faas, regarding the conflict in Vietnam. I would like to share this account, by two distinguished Pulitzer Prize winners, with all Members of the Senate. Their "5 years and many delusions" poignantly illustrate the complex dilemmas that will undoubtedly continue to plague our military efforts in Southeast Asia.

I invite attention to this article for two reasons. Not only does it portray the futility of waging an ideological war with military weapons, but it points to the increasing urgency of seeking viable alternatives to our present course of action in Vietnam. As Secretary of Defense McNamara considers increasing our troop commitment, I submit that we must reexamine what has become a tyranny of "no alternatives"—the assumption that military success is a prerequisite to political success. We must instead explore all opportunities to de-Americanize what is essentially an Asian civil war, to seek a negotiated settlement through sincere diplomatic offensives, and to develop a peacetime economy in South Vietnam that will insure lasting peace in Southeast Asia.

I hope that the consideration of this article will encourage us all to come to grips with the political, social, and economic problems of Vietnam that can never be overcome by military means.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Portland (Oreg.) Oregonian, July 2, 1967]

IN VIETNAM WAR "DELUSIONS CROWD OUT REALITIES"—GROWING COMMITMENTS PULL UNITED STATES EVER DEEPER

(NOTE.—Few men can view the war in Vietnam with the experienced eyes of The Associated Press writers who collaborated on this article. Peter Arnett and Horst Faas have been in South Vietnam five years, and almost every week they have been in the field separately or together, to record first the efforts of Saigon's army and later the expanded campaigns of American and allied forces. They went to South Vietnam in 1962 to cover what was then a small war of insurgency. They have seen the war grow until more than 500,000 Americans are committed. Their news coverage has won them Pulitzer prizes—Arnett in reporting and Faas in photography.)

(By Peter Arnett and Horst Faas)

SAIGON.—In 1962 no one seemed to doubt that the war could be won. It is now five years and many delusions later, and there are still predictions of much the same sort of victory. Delusions still crowd realities.

Hope continues to spring eternal in the breasts of allied authorities.

There can be no surprise, then, when in answer to a particularly pessimistic report on the current pacification program, a U.S. official in Saigon is informed by Washington, "Your report is too leftist and defeatist. Please look for more encouraging aspects."

The search for encouraging aspects has bedeviled the gradual U.S. slide into the Vietnam morass, with the resultant toll of more than 10,000 American dead and $70 million a day expenditure. We now have 460,000 Americans engaged in the struggle.

In our view, the ever-enlarging American commitment has not been paralleled by an expansion of allied frankness or understanding about the realities of Vietnam today. The claims of progress can be brought into question when measured against the sacrifice of life and materiel.

However well intended, misjudgment and official deceptions or delusions surrounding the war have not helped its progress.

BRAVERY THERE

There is no question about the bravery and skill of allied fighting forces as a whole, but this does not remove doubts about their effectiveness in assigned tasks under the limitations imposed on them.

The enemy has grown steadily. Official statistics placed enemy strength at 30,000 in 1962, at 300,000 today.

American officials often have smiled at Vietnamese statistics, shrugged their shoulders, and commented, "Well, those enemy bodies were by Vietnamese count."

Yet today there is reason is believe that American field commanders sometimes yield to the temptation of exaggerating enemy casualty figures in order to gain healthy ratios to their own head. A favorable kill ratio is one way to measure progress, however ephemeral. Allied commanders seem to favor a ten-to-one ratio. Maybe three or four to one is more like it.

In statistical language there are never any American military defeats in Vietnam. No matter how severe the U.S. casualties, the enemy usually takes far more. If the bodies were not actually left on the battlefield, then they were "dragged away" or "killed by air and artillery too deep in the jungle to investigate." But the ability of many "destroyed" enemy units to return to the fray disputes allied claims and adds another degree of confusion.

ESTIMATE HAUNTING

Official estimates of enemy strength took on an air of reality last year, but the ghost of Defense Secretary Robert S. McNamara's 1963 estimate that the major part of the American commitment would be completed by 1965 comes back sometimes to haunt.

It was in 1965 that American combat troops were first committed. Without these troops the Saigon government certainly would have perished.

But even now the official impression is given that with "just a few more troops" the job can be done, say 200,000 more.

This continues an attitude that governed the dispatch of the first troops here.

Their role was to free Vietnamese soldiers from guard duty so they and not the Americans could seek out and destroy the Viet Cong main forces.

In reality Saigon's army had long been an ineffective fighting force, and top Americans knew it. Most of the best Vietnamese officers were either dead in battle or sent into political exile.

The army itself was weighed down by the specter of having been on the losing side against the same enemy 10 years earlier.

American troops rapidly began taking an ever greater share of the war, determining the destinies of the Vietnamese population in vast areas. The Vietnamese army receded although the American military commander, Gen. William C. Westmoreland, still heaps public praise on the Vietnamese military.

The U.S. 4th Division has been fighting along the Cambodian border. One of its officers commented the other day: "I have been in Vietnam nine months and I have not seen a Vietnamese soldier in action."

NEVER ENOUGH

There never seem to be quite enough American troops to do the job. One reason is that hopes of stopping enemy infiltration have not been realized, either by border fighting or the bombing against North Vietnam.

With only about 20 per cent of its regular army committed, Hanoi can raise the ante. The war, then, can get very much bigger but remain just as inconclusive.

The image of the Viet Cong has been lowered in the eyes of the Vietnamese—the Communists are no longer Robin Hoods. But the image of the United States has dropped, too. In large areas Americans are under orders to shoot on sight any living thing that moves.

Some aspects of America's military role disturb many U.S. civilians working in the countryside. Some are wondering if more troops are really necessary for the war, or to meet U.S. commanders' eagerness to expand their operations. Such questions, of course, arise in other wars.

The system of rotating U.S. troops at the end of a year's duty benefits morale but destroys continuity and the "institutional memory" so valuable in recalling past events.

The empty memory bank will afflict the new division commander who comes to Vietnam with his own ideas. If he meets heavy going and wants quick results he may belatedly seek knowledge from the records of his predecessor.

NO FRONT LINE

These same reports could be faulty, particularly in regard to statistics and the destruction of enemy units. The new commander could build a whole strategy on the basis of wrong information, and have this compounded over the years.

A military machine tries to justify its role. Gen. Westmoreland, seeking indices of progress, will refer to enemy casualties. Sometimes he cites the construction of a score or more airstrips capable of landing C130 cargo planes.

Better measures, perhaps, are the provable destruction of enemy forces, and a resultant increase of control over the population.

Authorities have been stating for years that the Viet Cong are demoralized, have been denied recruits and are ineffective. Yet the enemy seems as obstinate and as daring as ever. It breaks up big concentrations of American troops and scatters them by staging battles that burst like blisters across the anatomy of Vietnam. There is no front line, yet the front line is everywhere.

Consequently, units sorely needed for battles along the borders are often tied up "securing the victories" gained months earlier. The U.S. Army has to move into U.S. Marine territory to drain off pressure.

COST ENORMOUS

Only in a handful of areas has the Viet Cong guerrilla organization been adequately destroyed. The cost of holding this ground makes the prospect of spreading such security throughout the country almost a tactical impossibility. Millions of American troops would be required on that basis, according to some estimates.

What of the other index of progress, population control? One pacification scheme after another has crumbled, victims of a Vietnamese grassroots inability to grapple with the clandestine organization of the Viet Cong.

In 1962 some of South Vietnam's 13-million peasantry was affected by the war. Today they all are affected. They plant rice under the bombs, huddle in refugee camps, or cram into the cities.

Nearly two million refugees, one in every seven Vietnamese, live in government resettlement camps.

Many of them had to be resettled after the U.S. Army struck into fertile valleys and plains, long Viet Cong haunts. Artillery fire hammers these areas after the people move out.

Military men argue that resettlement will at least make the people safe from the war, and also remove a source of prime assistance to the Viet Cong.

KOREANS STRICT

Various subtleties of population control still seem beyond Westerners who sometimes find it difficult to classify Vietnamese as people rather than statistics.

Even the South Korean forces, who are credited with effective pacification operations in coastal Binh Dinh Province, may lack the key. A government district chief in the region recently wrote a friend in the delta: "The Korean troops are effective, and good soldiers. But they are terribly strict and people are comparing them to the Senegalese part of the French forces, hated during the Indochina war because of barbarities. I feel that one day, if the restrictions are not lessened, the people will rise up against the Koreans, not because the people are Communists but because they want their freedom."

Americans are placing great hopes in presidential elections this year and the modicum of democracy they are supposed to bring. The president elect's first mission must be to reorganize a civil service that has run down since the French left Vietnam.

Unless an effective administrative body is created the elections will be in vain. Bureaucratic inefficiency would negate any good works the president might do, just as it has negated billions of dollars of U.S. aid programs. The military have the only workable system in the country.

Not all of Vietnam has suffered from the war. The middle class has prospered. Saigon night clubs, built to trap loose American cash, are overflowing with Vietnamese who are growing rich on a war that is only in the back of their minds.

But these are very much a minority.

Americans like John Paul Vann, a wiry Texan, formerly a controversial adviser to the Vietnamese army and now civilian chief of operations in the 3rd Corps region, approach the broad situation with a refreshing candidness.

They feel, as does young Frank Scotton, a troubleshooter who has worked with Vietnamese in the countryside since 1962, that the job can be done over here, that the Communists can be beaten, and that a free Vietnam can emerge. Yet men such as Vann and Scotton have been sickened by the gradual destruction of the Vietnamese countryside as the war gains ferocity.

When one flies in over the neat, lush paddyfields of neighboring Cambodia, a pall of smoke seems to hang over all Vietnam. Bomb craters scar the earth. The blur of the burned-out fields reminds you of the times you walked down there with the troops and saw farmhouses destroyed, cattle dying, roads clogged with refugees.

Flying into Saigon from the northwest, you can see eight major American bases carved from the jungle. More are in the north, nestling alongside mountains, spreading down valleys. A dozen others are on drawing boards.

Still, this is a limited war, with adjacent areas off limits to U.S. forces, and some military men argue that that is why it has not led to better results. Field commanders openly express frustration about borders they cannot cross to get at enemy sanctuaries. Some see a need to invade North Vietnam, to destroy on the ground an enemy capability that has withstood constant assault from the air.

It is hard to escape the conclusion that as the months go by the solution of the conflict is being viewed more in purely military terms than in negotiations or pacification.

The irony is this: If the American and North Vietnamese forces were suddenly whisked away, South Vietnam would be back basically to the situation in 1962, so little has a real penetration of the Communist problem been made.

PUBLIC GRAZING LANDS IN OREGON

Mr. MORSE. Mr. President, on behalf of my colleague, Senator HATFIELD, and myself, I ask unanimous consent that there be printed at this point in my remarks, Enrolled House Joint Memorial 19 of the Oregon Legislative Assembly. This memorial was adopted by both houses of the legislature and was re-adopted by the Oregon House of Representatives on June 9 and by the Senate of the State of Oregon cn June 12.

There being no objection, the memorial was ordered to be printed in the Record, as follows:

Enrolled House Joint Memorial 19

To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

We, your memorialists, the Fifty-fourth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the Bureau of Land Management of the Department of the Interior is charged with improving and maintaining the public range lands at a level of forage production in keeping with the need for watershed protection and other resource uses; and

Whereas the bureau has announced reductions of 52,886 animal units months in grazing use scheduled over the next three years on public lands in Eastern Oregon; and

Whereas it has been estimated that a sum approximating $3 million is needed for rehabilitation of the public grazing lands where reductions are scheduled, primarily to insure watershed protection and erosion control but also to restore forage for livestock and wildlife and to perpetuate other multiple-use benefits; and

Whereas it has been the policy of the Bureau of Land Management not to permit the expenditure of money by private individuals for purposes of the long-term rehabilitation of public grazing lands; and

Whereas the announced reductions in grazing use would be deleterious to the economic well-being of this state generally, and especially of those communities dependent in large part upon the livestock industry; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is memorialized to appropriate the moneys necessary for rehabilitation of the public grazing lands in this state where reductions in grazing use have been scheduled by the Bureau of Land Management, so that the necessary watershed protection, natural beauty, and erosion control may be accomplished as speedily as possible without drastic reductions in grazing use and consequent economic dislocations in this state. Until such time as Congress provides funds for public range improvement, it is urged that grazing use be stabilized at its present permitted level.

(2) A copy of this memorial shall be sent to the presiding officer of the Senate and of the House of Representatives, to the Secretary of the Interior and to each member of the Oregon Congressional Delegation.

Mr. MORSE. Mr. President, the Senators from Oregon are particularly pleased to call this memorial to the attention of our colleagues because it supports a program which we have endorsed enthusiastically along with a number of our colleagues in the Senate.

The rehabilitation of western grazing lands constitutes one of the wisest investments of Federal funds in the preservation of our great natural resources.

Earlier this year we joined with our colleague, Senator Lee Metcalf, in asking for an increase of slightly over $2 million for fiscal year 1968 with which to do more intensive and accelerated soil and watershed conservation work. Although this increase was not included in the fiscal 1968 appropriations, we intend to continue our work in support of increased funds for this purpose. To that end, we joined with Senator Metcalf and other western Senators in addressing a letter to the President on June 30, 1967, in which we said:

> On June 14 the Wall Street Journal reported that the Bureau of Land Management had accepted bids totaling more than $500 million for oil drilling rights on the Outer Continental Shelf.
>
> This Bureau manages almost 470 million acres of public land, more Federal land than all the other government agencies combined. Year after year it earns far more money than its budget. Land managed by BLM includes the top of water sheds which are vital to the West. Much of this land is in critical condition.
>
> We urge that action be taken now to request in the budget for Fiscal 1969 additional funds for major conservation requirements on the public lands. A budget increase for BLM equal to 1% of the bonus bids for this oil—$5 million—would provide funds to handle major erosion problems on many of our vital watersheds.
>
> In statements to the Appropriations Subcommittee this year, we asked that some of the profits from our public lands be reinvested in their conservation. We hope you share our view.

It is imperative that steps be taken immediately to rehabilitate the vaste range lands of the West. These lands are sources of food and fiber for our generation and coming generations. We must not permit them to erode and deteriorate. We must conserve and enhance them because they are among the most precious of our resources.

WISCONSIN PUBLISHER WRITES PERCEPTIVELY ABOUT JOB CORPS

Mr. PROXMIRE. Mr. President, over the past few months a distinguished Wisconsin journalist, John M. Lavine, has written for the Chippewa Herald-Telegram an impressive series of articles about Job Corps centers in my State.

Wisconsin has three Job Corps centers—two conservation centers at Clam Lake and Blackwell, and one urban center at Camp McCoy. Altogether 1,278 Job Corpsmen are now located at the three centers. Only six States have a bigger financial stake in this program than Wisconsin, which has received $13,465,230 for the centers located there.

John Lavine's series is especially impressive because it eschews the sensational but negative approach that so many journalists have used in handling this subject for a solid assessment of the positive aspects of the Job Corp program. For example, in discussing the cost per year per corpsman of $5,580—a cost many critics have called excessive—one of the Lavine articles puts it this way:

> There are fantastic odds that almost 100 per cent of the boys at the center if they are not taught to read and given a trade will spend the rest of their lives on relief. If that happens society will pay $100,000 or more per man before their lives are over. And this doesn't include the problems that society will have with them with crime and other things. On the other hand, when these boys leave the Job Corps, we know that they are not only able to read and write, but they are able to . . . have a skilled trade which will give them employment.

This is good honest reporting of the highest quality. It is just like one of the memorable quotations from the series John Lavine wrote. I ask unanimous consent that the articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Chippewa Herald-Telegram, Dec. 3, 1966]

These Boys Have Been Worked Over by Pros

(By John M. Lavine)

Last Thursday I spent the day at the Camp McCoy, Wisconsin Job Corps center, and, to say the least, my trip was a real eye opener.

It all began some weeks prior to my visit to McCoy—which is just a few miles from Tomah, Wisconsin and about 90 miles from here. I received a note from Max "Muggs" Lorber, the now retired director and founder of Camp Nebagamon for Boys—one of America's finest private boys' camps.

I have known Muggs for many years. I knew him as director of his famous camp. I also knew of his off season work in his home community of St. Louis in some of the toughest sections of the city with its meanest kids. Most important, I knew Muggs was a very two-fisted realist.

Hence when Muggs said that he was coming to McCoy as a consultant on recreation to the Job Corps, I was thrilled. Here was my chance to visit a Job Corps center without having to be herded around by professional "P.R." men.

As fast as I could, I wrote back to Muggs, and said that I would love to see him again. More important, I asked, could I do a story on the Job Corps at McCoy at the same time as my visit?

MOST FASCINATING DAY

His also one word reply was "yes, come ahead," and thus began a most fascinating day.

When I arrived at McCoy, I couldn't help but wonder at the lack of logic at putting an expensive Job Corps center out in the middle of a forest—when the kids who were there came from the big cities and would be going back to those big cities. But I assumed that the reason for the placement of the camp was to use the McCoy facility and to fill the political need of boosting the economy of the Tomah area.

When I got into the center all thoughts of politics left me.

There was Muggs, looking better than I have seen him look in years. And with him was Bill Smith, the Project Manager of the whole center.

Smith is a young man who frankly impressed the devil out of me.

As we began to talk, Bill sounded like a corporation executive. We were walking into a Corpsmen lunch hall for lunch. There was a lot of racket, but Smith was rapid fire giving me an outline of how the center was a contract of RCA Service Co., who had a contract with the government to rebuild and run McCoy for the Job Corps.

By the time we got to our table with trays heaped with spare ribs—one of my favorite foods—Bill had finished the formal type outline, and he got down to the heart of what the McCoy center—Smith's center—was up against and was trying to do.

"Look," Bill said, "these kids are from a different world. That is the most important thing to understand. They come from the block; their life is spent on the street in front of the tenements."

"What do these kids know?" Bill continued. "Their whole existence is centered around their ability to fight, to flunk school, to survive in the gang, to accept that they will not succeed; that they have no chance."

"And you have to understand," Bill said. "None of the normal, middle class values and techniques of working with boys work or mean a damn here . . . These boys have been worked over by professionals—their drunk parents if they are lucky enough to have parents. To curse, to flunk, to fight—this is their life . . . They don't understand or find any meaning in even the vocabulary of the middle class."

"But how do you know how to work with them, to talk with them?" I asked naively.

Muggs broke in at this point. He told me that though Bill had been the dean of a college and had academic degrees to burn, he had grown up on a block in Harlem.

"He doesn't talk, but lives guts sociology", Muggs said. "Bill wants no part of the glib talkers, the theoretical sociologist. He knows that a staff member has to be willing to work the clock around; he has to get to the boy—one boy at a time—and do it endlessly, in the class room, or at 2 a.m. in the bull session."

50 TROUBLEMAKERS

"And let's get one thing straight," Bill said. "We will soon have 1,000 boys here. (With the recent cutback in Congress, the McCoy center will have only a thousand boys rather than the 1,600 originally planned.) Now in that group we will probably have 50 troublemakers who don't want to get anything out of the program, but to wreck it. We'll try to reach those fifty, but if they are hurting the program to the loss of the other 950, out they go . . . I know that the social workers say that the 50 are deserving of help. And they are. But so are the other 950 and there are more of them."

"You see," Muggs said, "the Job Corps is voluntary. The boys who are here have dropped out of school. They finally see that they have to get an education and they come here. But if they are hurting the program and we can't get to them, then Bill doesn't want them."

"O.K." I answered. "This is all well and good, but what about the cost of maintaining the boys who are here? I've read that it costs as much to keep a boy here is it does to send him to Harvard."

That's wrong," Bill threw back. "It cost more, and it should. By the time the center here is fully operational it will cost $6,500 per year, per boy. And the average Corpsman will spend 13 months here."

"But let's talk about the whole picture," Bill continued coldly, but objectively. "If that boy finishes here we know that 55% of the graduates will get jobs which they could never get before. Thirty five percent will go into the military service—which they could not make before. Ten percent will go on for more education . . . If the same boy stays on the block, he will never get a job or an education, and it will cost society $100,000 to keep him on relief for his life."

"Now," Bill said, "do you think that the investment is worth while?"

The answer had too much logic. I was hooked and I knew it.

"And let's get one other thing straight," Bill continued. "We've got a job which is even more important than vocationally training the Corpsmen—as crucial as that is. This boy who comes here doesn't think he's worth a damn. We know that when he leaves here, he will go back to the block. But what we have to do is get him ready to return right back to that block, to get a job, and, most important, to think enough of himself that he will try to improve himself from where he starts. In other words the boy has to be able to meet the gang, to mix with them, but to not accept as final his poverty, culturally deprived life. What he comes from is a vicious cycle. The worst part of it is that he doesn't see a way out and he won't accept that there is one."

"When he leaves here we know that he will go back to the same environment that he came from, but he has to be able to go back and survive, but to survive with a different attitude. He has to think that he is worth something, that it is worth trying that he isn't owed a chance, but that he can earn and get a chance."

To say that I was impressed by Bill Smith and what he had to say, would be a gross understatement. He obviously knew what had to be done and he knew how to do it. The question that remained for me was could the job be done.

[From the Chippewa Herald-Tribune, Dec. 6, 1966]

McCoy Job Corps Center People Would Like To Know How Many Lives Could Be Salvaged With Time and Money?

(Editor's Note: Yesterday in the first of this two part series on the Job Corps Center at Camp McCoy, Wisconsin, John Lavine, publisher of the Herald-Telegram, reported his meeting with Bill Smith, the dynamic project manager of McCoy. He noted the problems that Smith and Max "Muggs" Lorber, an old friend of Lavine's and now a recreational consultant to the Job Corps, had in working with the Corpsmen who come from the toughest neighborhoods of our country's big cities and who understand little if anything of middle class values or even vocabulary.)

(By John M. Lavine)

Before I met some of the Corpsmen, Bill Smith told me about the boys who came to McCoy.

"By and large they are from the tenement block of some big city," Bill said. "Though we would like a racial mix that is like society, we can't have it because the kids who need the Job Corps are not racially mixed in a balance like society."

"As a result, over 65 per cent of the young men who come here are Negro, and that is the way it is going to have to be."

"Do you have a very large drop-out factor?" I asked Bill.

"We don't know about McCoy yet," Bill answered. "The center here is too new. But overall the Job Corps has a dropout rate of less than 25 per cent—which is less than in most big city high schools. And you have to remember that almost 100 per cent of the boys who come here were school drop-outs before they decided to enter the Job Corps. For them to stay is quite something."

As it happened, a boy who had been at McCoy for seven weeks was coming over to the administration center when I asked for a Corpsman to show me around.

A staffer asked the young Corpsman from Chicago's near Southside if he would be my guide. His name was Billy Mitchell.

As we started to walk, I asked Billy about the Job Corps himself, and why he was at McCoy.

TURNED TABLES

No more had I asked the question when the serious young man turned tables on me and asked what I thought the Job Corps was for. I answered as best I could, saying, in essence, that the reason for my trip was to get a better answer to his question.

Billy then said that he could define best what the Corps was not rather than what it was. "It's not just for poor boys," Billy said. "I didn't come here because I'm poor or my family is poor."

"Why did you come?" I asked.

"Because I once thought that I was a smart guy. I dropped out of school in my third year to get a job. It was good money, but after a while I figured I wasn't so smart after all . . . Then I heard about the Job Corps and I quit my job . . . I wanted to finish my education. Then I'll go into the Army, then get a really good job."

As Billy talked, many things came to light. I would think it is fair to say, for example, that Billy did come from what we might call a culturally deprived family—one where education did not mean enough to make him see the sense of staying in high school, let alone learning a skilled trade.

LEARNED A LOT

As we walked around the McCoy center, however, it was equally obvious that Billy Mitchell had learned a lot since he came to McCoy.

Now, Bill had pride. He wanted to show me the welding classes for the Corpsmen, "because they do really good work." (Bill had been in the welding class and then had switched to business machines.)

Billy was also sorry when my friend Muggs suggested that we visit a nearby dorm, rather than cross the camp to see Bill's dorm. "Ours is really in good shape," Bill said firmly. And when the counselor of the dorm we visited needled Bill that the dorm we were in was neater than his, Billy spoke right up and said he thought his dorm was every bit as good as the one we were in.

Late in the walk around the center, we also visited an English class. There were four or five Corpsmen in the class and two teachers. The boys were reading the typical high school literature, but what interested me was the personal attention that the boys received. (Each boy has to take English. "It's important to know how to communicate, no matter what they do," the teacher told me.)

I saw one of the early themes of one of the boys in the class. I remember one part of it. The theme was on the boy's time in high school in his home town. One of the paragraphs read, "There was lots of kinds of kids at school. Some of them was my buddies. Some of them only seemed like buddies. When there was a fight the ones who wasn't buddies would take off."

It wasn't the finest English, but it said a lot about the writer.

THE BIG BOSS

As Billy and Muggs and I walked back to the project manager's office, Billy told us about a meeting he and a couple of other Corpsmen were having with Project Manager Bill Smith.

It seems that these boys were leaders and had gotten into a bull session the night before in which they had aired some gripes about the center. Now, they were getting a chance to air them to Bill Smith—"the big boss."

As Billy Mitchell talked about his "gripes"—which I was sure Bill Smith would get straight—I thought of Smith's comments earlier in the day.

"The honeymoon is still on, John," Bill Smith had said. "After the boys receive basic training here, they go to businesses in the area that work in the trade they are learning. There they not only get further training, but they also learn what it is like in the professional world they are going back to."

"But you have to remember," Bill Smith added seriously, "these are not lily white, good, pure little boys. So far we havn't had any serious trouble. But some day we're going to get a rotten apple and that kid is going to go into town and cause trouble. Then the test comes, and we can only hope that the community affected realizes who these kids are, where they come from, and what success we are having with the majority of them—even if there are a couple of sour ones along the way."

As I recalled Bill Smith's comments, I thought of how they might apply to Billy Mitchell. It was obvious that Billy was not only a natural leader, but he was also just as capable of causing a revolution at the center, as Bill Smith described, as of leading the Corpsmen in a constructive way. And if the staff were not alert, the "end of the honeymoon" could come with a bang!

What are the impressions that I got from my time at McCoy center? Well, first, it is obvious that men like Bill Smith, the project manager, and my friend Muggs Lorber, really know what type of boy they are dealing with, what his problems are, and how to make the Job Corps worth every penny we are spending for it. (Certainly, if a $6,500 investment for a year's training for a Corpsman can save society $100,000 not to have that man on relief for the rest of his life, it is worth it. Yet, the real meaning of the Job Corps can't be measured in monetary terms. It can only be really measured in whether it breaks the culturally deprived way of thought of the Corpsmen, if it gives his life meaning and purpose—in the best sense of those terms.)

Yes, I think that men like Bill Smith are doing their job and doing it a lot better than I could have ever guessed it could be done. But I also realized as I met Smith's staff that finding men and women who can serve as effective staff for the Job Corps is almost impossible. And if the Job Corps is to grow and be meaningful, these types of people are going to have to be found.

Another conclusion that I came to—and which I had guessed even before I came to McCoy, but which was validated there for me—was that people are wrong when they say, "Oh, those boys are poor, or uneducated, or culturally deprived, because they don't try. If they wanted to be different, they would be."

NOT TRUE

Some people may say that. And perhaps, for a few Corpsmen it applies. But I know that for the ones I met, no statement could be further from the truth.

These boys dropped out of school because no one told them that education was the key to surviving in the future. They found worthless jobs or joined gangs or had brushes with the law because they had no family or their family didn't give a hang where they were or what they were doing.

In spite of all this, these boys are, in some ways, just like every other 17–21 year old boy. They have desires and aspirations, but they don't know that they could be fulfilled any other way than by violence. And, in fact, before coming to the Job Corps violence and cussing were about their only answer to a society whose basic language and manners they knew nothing about.

And certainly these lacks were not of the Corpsmen's doing. Somewhere along the way neither their families nor society had given them the manners or vocabulary they needed to make the grade in 1966. And if they didn't have these tools they couldn't be expected to use them.

There was one other observation or prediction that was suggested to me about the Job Corps, and frankly it isn't too pleasant a one. That prediction is that the Job Corps won't last, and if it is discontinued, as a personal opinion, I think that it will be a real loss.

Why won't the Corps last? Well, the President and politicians have to curb government spending, and I can't think of any program which would be easier to cut than the Job Corps.

After all, how much time do we spend reading about or talking about the great majority of boys who come out of this program as productive members of society? No, these aren't the ones who are talked about. What we read and hear about are the explosive incidents as some Job Corps Center or with some Job Corpsman in a city.

NEGATIVE INCIDENTS

There are these negative incidents. I don't see how they could be avoided when a program is working with the type of boy that the Job Corps takes on.

And even though the number of total boys in the Job Corps versus the tiny faction of a per cent who cause trouble is overwhelming, the one incident in a town or at a center gives the whole program a bad image. And it is because of that bad image that I think the politicians will find the Job Corps the easiest program to cut.

I have no source for the opinion I have stated here. It is just an observation or prediction that seemed to fit after visiting the McCoy center, and then talking with people who were not familiar with the Job Corps program.

And what if the program does die? I can only quote a Job Corps staff member at McCoy who replied as follows when I posed the predictions about the end of the Corps to him: "You know, John," he said, "You could be right. I hope not, but I obviously don't know. The other day I was reading, though, and a fact in the news struck me. It costs this country as much to fire one space shot as to run this whole program for three years. I wonder if they couldn't just give us one of those space shots—and get to the moon a month later—so that we could try—seven days a week, twenty-four hours a day to do a little good for some boys and girls who really need it right here on earth?"

WHAT'S WITH MCCOY'S JOB CORPS CENTER? LAVINE TELLS "WHAT"

At Camp McCoy, just a stone's throw from Tomah, Wisconsin, there is a new Job Corps Center.

What is the center like? What sort of training does it give to the young men such as those pictured above? What are its problems with the tough, culturally deprived 17–21 year old men who come there? Is it true that it costs the taxpayer more to keep a boy at a Job Corps Center for a year than to send a boy through a year at Harvard University?

These and many more biting questions about the McCoy Job Corps Center and the Job Corps in general are answered in an exclusive Herald-Telegram two-part series which begins on page 7 of tonight's paper.

Travel with the Herald-Telegram's publisher, John M. Lavine, as he tours the McCoy Center. Lavine talks with Center Project Manager Bill Smith, "a guy" who Lavine says "talks the guts level, tenement language which is the only talk the in-coming corpsman understands."

Also spend time with Lavine and some of the Corpsmen. Learn what they have to say about the center, what it does, and what they think of it.

[From the Chippewa Herald-Telegram, Dec. 14, 1966]

JOB CORPS RECRUITERS GO DEEP INTO CULTURAL WOODS

(By John Lavine)

Last week I did two articles on the Job Corps at Camp McCoy.

I was happy to take the trip to McCoy, but unhappy with the outcome of the articles since there is so much more to the Job Corps than my small pieces offered.

Then, a call came from Eau Claire, and a whole new facet of the Job Corps and how it affects this area opened up.

The call was from Don Ickstadt, former Chippewa Falls-ite, and now manager of the Wisconsin State Employment Service in Eau Claire.

Don commented on the articles and in the process of discussing the Job Corps he told me—to my surprise—that the recruiting for the Corps in Wisconsin is handled by the state employment office.

"Wait a minute," I questioned. "There aren't boys from around here who would qualify for the Job Corps are there?"

"Well, sure," Don said, "we have sent over 60 in so far."

I don't know why, but I had always had the stereo-type picture that the Job Corpsman comes from a big city tenement. As I thought about it, however, I realized that a culturally deprived boy could come from any area, and it made a lot of sense that there would be potential Corpsmen right here in Chippewa County.

As you can imagine, when Don talked about this my "there's a column" bell rang, and I asked if I could come down to the employment office and talk with Don and the man who did the actual recruiting of the boys for the Corps.

Don was very helpful, and the date was set.

When Don and Bob Moore, the man who handles the recruiting, and I sat down to talk, a fascinating story about the Job Corps unfolded.

"You see," Don began, "we have found that the regular type of recruiting does not work for the Job Corps. To be frank, the average recruit does not usually read the newspaper or hear the radio or TV announcements of the employment service."

"Well, how do you find potential recruits to contact?" I asked.

"There are many sources," Bob Moore said. "We get suggested names from church groups, school guidance people, teachers, the welfare department, town chairmen, parole and court officials, county agents, many sources. They tell us of a boy who they think will benefit from the training of the Job Corps. Then, unlike most of the job work which is done here, we find that the best bet is to go right out to the boy's home and talk to him."

"You'd be amazed," Don added, "what places Bob ends up talking to these boys in—pool halls, on the farm, in the woods, etc."

"Can you give a picture of the typical Corps candidate?" I asked Bob.

"Yes," he answered. "They usually come from isolated areas of the nine counties we cover. Many of them are school dropouts, and they are usually what we term 'underemployed.' They are not always of poor families, but they are usually from culturally deprived families."

"What do you mean by 'underemployed'?" I interrupted.

"Oh, that is just our way of saying that they don't earn enough at the jobs they have or could get to support a family. Many of them are part-time helpers, part-time pulp cutters and the like."

"There are many other characteristics of a potential Job Corpsman," Don added. "Many of them come from homes where there is parent trouble or where a parent is missing, or unstable."

"Do you have trouble selling them on the Corps?" I queried.

"Not usually," Bob answered. "I try and point out what their future is if they don't get trained. Then we test them for reading ability and mental reasoning. And, finally, if they are accepted, the Job Corps assigns them to a Corps Center . . . As far as selling, since the Corps is voluntary, we don't try to sell—at least not actively. We just lay out the future as realistically as we can. Then, if the boy wants to go, it is up to him."

"Do you have any idea what has happened to the boys you have sent to the Corps," I asked.

TOO EARLY

"It is a little early to tell," Don said. "We do know that some have gone on to the service—ones who couldn't get into any military service before they joined the Job Corps. Some have also gone back to school—since in a few cases we have had boys who were very bright, but not originally motivated to "put out" in school . . . And, of course, some of them are vocationally trained and leave the Corps to get skilled, productive jobs in industry."

With this picture, I figured I would ask both men two questions which had been bothering me.

"Do you think that the Job Corps is effective and do you think it will last?"

"I don't know if it will last," Don answered. "Perhaps it will be cut down by the cutbacks in government spending that we are hearing about. I don't know and I don't think that anybody does. But I am sure that there will always be a smaller program of the Corps."

ONLY ANSWER

"As far as the questions of whether it is effective and worth while, I would say that the Job Corps is the only answer left for the type of boy who joins it."

"What else is there that is effective and meaningful for the boys who join the Job Corps?" Bob asked.

"You see, John," Don continued, "Unemployment is a problem with a multitude of facets. In fact the unemployment of a person is many times just a symptom of many other difficulties."

"The Job Corps is the last chance for most fellows of the type who consider it. And as far as we are concerned, it is an important tool since we have seen nothing which is as effective for reaching these boys and breaking the cycle of their culturally deprived, educationally deprived thinking and backgrounds."

"Yes, but is it all that meaningful and effective," I persisted.

"I suppose that it is still too early to say positively," Don said reflectively. "But I do know this, there are boys from the nine counties around here who, when they come to our office for their swearing-in to the Job Corps, have never been that far away from home . . . More important, when Bob and I were up at the Clam Lake Job Corps Center, we saw boys reading who eight weeks before were unable to read . . . They are using programmed teaching methods with small classes, and with the possibility for each boy to go at his own speed . . . They are trying new teaching techniques and ways to teach, and the results are pretty startling. Not only are the kids enthusiastic, but they are becoming literate—where they were illiterate when they came to the Job Corps . . . To me that is pretty impressive."

"And when you go to a camp like Clam Lake, you would be really a little startled—or at least I was," Bob Moore said. "There are tough boys with books under their arms, and there are kids who, when I interviewed them, didn't give a damn about anything, building the camp and taking great pride in it."

"I guess what we are trying to say is that in the Corps the boys seem to have learned that they are not as unintelligent as they thought," Bob concluded. "They are realizing that they can learn and achieve, and for all its problems, it's a wonderful thing to see."

Don Ickstadt and Bob Moore were impressed. They obviously had a difficult job on their hands with the unusual type of recruting necessary for the Job Corps, but they also obviously felt that their efforts were worthwhile in what the Corps was doing with the boys they found.

Was there anything we could do to help them and the employment service?

"Yes," Don said as I got ready to leave. "Tell people not to hesitate to call or write us if they know of a lad between 17 and 21 who they think would benefit from the Job Corps. We'll take it from there."

And I am sure they will.

HERALD-TELEGRAM PUBLISHER TOURS CLAM LAKE—MUST SEE JOB CORPS CENTERS TO BELIEVE THEM

(By John M. Lavine)

Last week I had quite an experience. I visited the Job Corps Center at Clam Lake, Wisconsin, in the Chequamegon National Forest.

Same months ago I spent some time at Camp McCoy, where there is a large, urban Job Corps Center. And I followed up that trip by interviewing the Wisconsin State Employment Office at Eau Claire who does recruiting in Wisconsin for the Job Corps.

However, most of the Job Corps Centers in the United States are not large urban centers such as McCoy. Rather, they are centers run by the United States Department of Agriculture's Forestry Service—the same men who are forest rangers and take care of our national forests. And since I had heard a lot about the Clam Lake Center and the slightly over 200 Job Corpsmen who populate it. I wanted to try to find out what this sort of center was all about.

To sum it up briefly, the conservation centers are sort of "grade school" from which young men "graduate" to the urban centers like McCoy.

Getting to Clam Lake this time of year is a fun experience. I drove from Chippewa Falls up to Hayward, then to Cable, past Mount Telemark, the ski hill, and on into the Chequamegon National Forest. A few miles into the forest there was a sign on the main road which said, "Job Corps Center, Four miles." I turned my car onto the blacktop sideroad and followed it for the four miles on a road surrounded on each side by magnificent pines. Then suddenly I came into a clearing filled with clean, neat, green, metal-sided buildings that bore signs like, "Maintenance Shop, Welding Shop, Office, School, Dormitories."

The man I was going to visit at the center is Don Christensen, the educational director, and up until a short time ago when he joined the Job Corps, a professor at the university in Eau Claire. (Prior to that Don was a high school and elementary school teacher.)

WILL YOU MOVE

As I entered the center's area, signs directed me to the "office." I just had parked my car in front and opened the door when I heard a warm, polite voice behind me say, "Sir, would you mind moving your car back about a foot? We have to put in a curb there." The young man who spoke was, I guess, about 16 years of age, and his accent made me think he was from somewhere near Chicago. He was Negro and the boy that was working with him was white. They were in the process of lugging 100 pound cement curb sections to form a line across the front of the office.

Obviously, I moved my car, and they smiled and lifted the section of curb they were to put right over the place where my front bumper had been.

The rest of the day at Clam Lake I spent with Don Christensen. We had a most interesting talk with Jack Weissling, the director of the Clam Lake Center, who is a professional forester. After a number of years in the forestry service Jack was asked, some two years ago, to take over and erect Clam Lake.

NOT LIKE OLD CCC

I suppose I should note at this point the Conservation Job Corps centers are not like the old CCC camps, but they appear to be somewhat similar. The difference is that the boys at the present conservation center, though they do a great deal of work, spend more of their time in school and vocational training than was true in the CCC days.

As Don explained it to me, the boys spend one week in school learning basic subjects like mathematics and English. Then, they spend a week on a work crew. Work crews are presently involved in building a ranger station elsewhere in the Chequamegon Forest and a dam which will create a lake when it is completed. Besides this, one of the work crew leaders told me that the boys have done most of the work—including wiring, carpentry, and site development—for the Clam Lake Center. "They work under a skilled tradesman," one of the crew leaders said. "We bring in a carpenter when we have some building to do, and he'll direct the boys, showing them what they are doing wrong and what they are doing right. They respond well to these men, respecting their ability and quickly grasping what should be done and how to do it."

Since I had arrived at the center about noon, Don and I walked over to the mess hall for lunch. As we stood in line I found myself falling into a conversation with a young man from Georgia who had been at the center only 16 days.

"What do you think of it?" I asked.

AWFUL COLD

"It's fine," he said with a quiet smile, "but it was awful cold when I got here. The temperature was way below zero, and it was 76 above when I left home."

"What are you learning?" I asked him. "Oh, that part of it's great," he answered. "I'm in the welding class and I've already worked on a welding project that seems to be coming out fine."

I suppose I should note at this point that one major difference, as Don explained it, between a conservation center like Clam Lake and an urban center like McCoy is that the academic grade level at Clam Lake more often than not is eighth grade and below. These young men are really like the stereotyped Appalachian deprived teenagers. They range in age from about 16 to 23. Many of them can read very little or not at all.

"This is why we think of it as an elementary school," Don said. "Here the boys not only learn a trade, but they gain a grounding in basic education. When they leave here, they can read and write. They have also covered basic mathematics, and then they can go on to a center like McCoy where they can get a high school diploma if they want one."

"Some of the boys, however," Don added, "learn to read and write here and learn a vocational skill to a degree that they can get a job as soon as they leave Clam Lake." To prove his point, Don took me to the welding shop, auto mechanics shop, and carpentry shop where it was obvious that the young men who were working under the watchful eye of skilled instructors were gaining a competency that would easily allow them to qualify well up on the apprentice ladder in a number of trades.

DROP-OUT FACTOR

When I first arrived at the Clam Lake Center, I asked Don and Jack Weissling about their costs and drop-out factor since these are questions which have been part and parcel of the negative press comment the Job Corps Centers have received, and they bothered me.

"We have about a 35 per cent drop-out factor," Jack said. "It's higher than at urban centers where the percentage usually runs about 25 per cent, but this center is more isolated, and the change for many of these boys, who have never been away from home, is more severe. Actually, however, if we can keep the boy the first 10 days and through the first weekend, chances are very high that he will remain on with us."

"How long does the average Corpsman stay?" I asked.

"Nine months," Jack answered. "And our cost now runs about $5,580.00 per year, per corpsman. Hence, if they stay nine months it is three-fourths of $5,580.00."

"As long as we are talking costs," Don added, "you should understand that right now Clam Lake Center's cost figure is somewhat inflated, since we are still paying off and finishing some of the construction for the center."

"No matter how low the figure for Clam Lake is, however, the cost for any given corpsman for nine months is pretty substantial. How can you justify such an expenditure of money?" I asked Don and Jack.

"It does sound like a lot," Don answered, "but you have to look at the entire expenditure in perspective to understand it. There are fantastic odds that almost 100 per cent of the boys at the center if they are not taught to read and given a trade will spend the rest of their lives on relief. If that happens, society will pay $100,000 or more per man before their lives are over. And this doesn't include the problems that society will have with them with crime and other things. On the other hand, when these boys leave the Job Corps, we know that they are not only able to read and write, but they are able to enter the military service or go forth in the world with a high school diploma, or have a skilled trade which will give them employment."

PAY FOR ITSELF

"The best way I can sum it up," Jack said, "is that a mathematician friend of mine pointed out that the Job Corps will rapidly pay for itself if only a small percentage of the men that leave here are not on the relief rolls before they die. And we know they are not going to be on relief if they have jobs and a future which they have when they leave here."

Now, certainly, the Job Corps as a whole and Clam Lake and McCoy in particular, are not 100 per cent successful or without their problems. When one observes these centers, it's obvious that two major problems they have are applicable to the Job Corps as a whole.

First, the centers are working with the toughest, most illiterate, uneducated young people in the country. Or, to state the case more graphically, they are working with the criminals and social out-casts of tomorrow. It all boils down to the simple fact that the Job Corps is going to have trouble with some of the people they deal with. As I see it, there is no alternative to this. Yet, the Job Corps should not be judged on whether or not there are incidents at a given center, since with the type of young people who become Job Corpsmen, there are bound to be some problems. The criteria on which the Job Corps should be judged, in my opinion, is whether or not it is successful in returning some of these young people to society as skilled workers who can earn a wage and build a livelihood for themselves or as educated young men and women who can go on to get further education and find a place in the world. And using this criterion, it's quite obvious the Job Corps, despite all of its problems, is quite successful.

STAFFING PROBLEM

Also, the Job Corps, like many of the poverty programs, has a staffing problem—except that in the Job Corps the problem is even more acute than in other areas.

I can think of no work that is more rewarding than working with an illiterate, unskilled, uncultured 16-year-old. And then, nine months later, after a pressure cooker schooling, seeing that same young man mature into a literate, skilled, polite person. Yet, as rewarding as this work is, it seems to be too big a challenge for many people, for at both Camp McCoy and Clam Lake the organizational charts show many vacancies in staff positions where teachers in the classroom or vocational area instructors are lacking. And not only is there a problem that many of these skilled people do not offer their services to the Job Corps, but there is also the problem that sometimes those that do offer have to wait so long before the funds are available or their processing is complete that they become discouraged and find employment elsewhere.

Yet, despite both of these problems, a person can gain a unique and very different view of the Job Corps visiting a center and talking with the corpsmen. It is certainly a very different picture than is gained from trying to evaluate the Job Corps by the sketchy reports that are written about the centers.

Finally, there are many things of interest about Clam Lake that could be related at this point to give examples of the activities of the Job Corps. Perhaps, however, the best examples would be to tell about Willie Davis and the great Green Bay Packer star's first trip to the center, and to give the evaluation of two Job Corpsmen about the Clam Lake Center and their experiences there and in the Job Corps.

Willie Davis arrived at the Job Corps on Friday evening, April 1. He told the corpsmen that when he came he felt he "owed something to the younger generation." He complimented the corpsmen on their work in the Job Corps, as it represents "the first step towards a successful life."

REQUIRES SACRIFICE

Referring to his own success, the Packer star noted that "all accomplishments requires sacrifice and corpsmen must sacrifice old friendships for new horizons found in the Job Corps." He also told the corpsmen that they won't realize what they "gain from the Job Corps tonight, but you will four, five or 10 years from now."

Willie Davis concluded by saying that "every person has the talent and the ability to be successful in some venture of life; and that each corpsman has the great resource, youth that he must use in the Job Corps."

To say the very least, the young men were awed and inspired by the fact that the famous American had taken time to visit them and encourage them, as did Willie Davis.

Finally, to sum up the Job Corps, one might note two brief statements by two Job Corpsmen in their education class. The first statement, as its author explains, is written by a young man from Fairfield, Alabama. Interestingly enough, he is one of the few high school graduates at the Clam Lake Center. The second comment is by a 20-year-old youth from Decatur, Illinois. Both of the men had been at the Clam Lake Center and in the Job Corps for about three months. And it seems to me that their statements evaluate the Job Corps far better than I ever could.

HOW I FEEL ABOUT THE JOB CORPS

"Before I say anything about Job Corps, I would like to tell you about myself. My name is James E. Kindall, and I am from Fairfield, Alabama. I am a high school graduate of Fairfield Industrial High School, class of 1965.

"Now I would like to tell you about Job Corps and the great opportunity we have. And I know you want to know why I came to Job Corps. I could not find a good job so I decided to come to Job Corps so I could get a trade. Now that I am in Job Corps, I am getting the trade that I want, which is welding.

"We have a week of school and a week of work. In our school week we go to welding classes and many others. In our welding class, we learn how to do different types of welding. We learn how to do arc welding, gas welding, and many other types of modern welding. In this welding class we are making barbecue grills to go out in the parks around this part of the Chequamegon National Forest for the public to use.

"Now I would like to tell you about our work program. We have fourteen work crews, and here are a few things that they do. They are working in this part of the national forest to preserve the beauty. We have crews to work in and around the camp. And we also have a carpenter's crew to do different kinds of jobs.

"I would like to thank the people of the neighboring communities for showing the corpsmen of this center such great hospitality when coming to their communities.

"I would like to thank our center director, our corpsmen supervisor and the staff of Clam Lake Job Corps for helping me and so many other boys to become useful citizens so we can be self-supporting citizens in the future.

"I think that Job Corps is a great program for the American youth of today's generation. I would like to tell the people if you know any high school dropouts, tell them to sign up for Job Corps where opportunities are plentiful for any race or color.

"P.S. I think Mr. Barrett is the greatest welding teacher in the world."

HOW I FEEL ABOUT THE JOB CORPS

"Before I talk about the Job Corps, my name is James Otis Comage. I am twenty years old and I am from Decatur, Illinois. I am a corpsman here at Clam Lake Job Corps of Wisconsin. I have been here for three months.

"I decided to join the Job Corps when I was walking down the sidewalk of Decatur. I noticed a sign on a telephone pole and it was about the Job Corps. I didn't pay much attention to it at the time, I didn't care about the young people's generation. I went to the employment system to get information about the Job Corps. This I didn't forget. There was a lady at the employment office, she smiled, so I thought she seemed to be friendly so I'll ask her. She said, 'Good morning. What can I do for you?' I said, 'Miss, you can give me some information on the Job Corps.' She replied, 'Yes, how old are you?' I told her my age and she explained it to me and it was about a month before the papers came back. On the 27th of December, 1965, I left on Wednesday morning at 10:30 a.m. I got here on the 28th of December.

"Since I have been here, I think I have learned enough to go out on a job. Before I came here I was unable to find a job—a decent one. I would like to thank the government for this chance to better myself here at Clam Lake, Wisconsin. The other corpsmen here appreciate this opportunity. I also appreciate what the community has done for us. The community has helped the corpsmen be proud of what they are, what they have, helped them to realize the purpose of the Job Corps Conservation Centers all over the United States, to take pride in it and also to be counted among the good citizens.

"For this I am proud. In this camp there are some of the areas which the corpsmen come from: Illinois, Florida, Michigan, Virginia, Ohio, New York, California and there are others. Everyone seems to like this place, some of them really make themselves at home.

"As far as the school is concerned the teachers here are great, also the staff members and work leaders.

"JAMES O. COMAGE."

JUSTICE DOUGLAS DEFENDS PRESERVING THE BIG THICKET AND THE TEXAS WILDERNESS

Mr. YARBOROUGH. Mr. President, Supreme Court Justice William O. Douglas has just published a new book, entitled "Farewell to Texas," in which he says:

> Progress is destroying some of the loveliest country God ever made—in Texas, as everywhere else.

Justice Douglas, an active, longtime crusader in the area of conservation and an experienced naturalist who knows about most of the loveliest country in the United States and the world through personal, on-the-spot observation, dons his crusading robe in this book "against the 'Ahabs' who recklessly and thoughtlessly destroy nature for greed and power. . . ." One of the areas to which Justice Douglas directs attention is the

unique biological area in southeast Texas called the Big Thicket, the subject of my bill S. 4, calling for the establishment of a Big Thicket National Park. This area, which Justice Douglas has explored on several occasions, most recently in June with me, is bent for destruction by the march of progress, and this great champion of nature's monuments thinks that it should be saved and given Federal recognition.

Mr. President, I ask unanimous consent that the excellent review of "Farewell to Texas," written by Mr. Lon Tinkle for the Dallas Morning News of July 9, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOUGLAS DEFENDS OUR WILDERNESS
FAREWELL TO TEXAS

(By Lon Tinkle)

The Texas to which Justice William O. Douglas makes a tentative goodbye in his latest book, "Farewell to Texas," is not the Texas you expect. It is not Texas as "a state of mind" or a cultural entity or a political commonwealth. Justice Douglas means nonhuman Texas, that is Nature and Wilderness.

Crusading as usual in favor of the goodness of nature and the perfectibility of man, the Justice's new work is part of his consistent and good fight for conservation. Not conservatism, but conservation. He says emphatically that the enjoyment of rural nature, unmanicured and unpaved, the enjoyment of "wilderness America," is indisputably one of our country's traditions and inheritance.

In Texas, as everywhere else, Justice Douglas sees "progress" destroying "some of the loveliest country God ever made." He has made three aims in writing such a book as "Farewell to Texas": (1) to persuade Americans of the delights still available next to nature in our forests, mountains, streams—in Texas, in such areas as the Big Thicket, the Big Bend, the Davis Mountains, Guadalupe Peak, the Hill Country and others; (2) to persuade Americans, once they appreciate the natural beauties of their land, to find their relaxation not only in machine-made amusements but in hiking and camping and exploring; and (3) to persuade Americans to find a solution for keeping "progress" alive while also preserving our vanishing "wilderness" heritage.

He is an effective pleader, for he genuinely loves—and knows—the natural "landmarks" he describes and glorifies. Whatever else you may think of Justice Douglas, you have to admit that his behavior and his beliefs and his social philosophy are consistent with his faith in the natural goodness of man and in vigorous, rewarding nature. He is an unreconstructed Rousseau.

With the same consistency, Justice Douglas believes in the virtues of planning and of federal control. These are his means of outwitting the destruction that "progress" entails. We don't have to submit to the destruction, he claims; we have only to control "progress" in such a way as to save Nature.

But he doesn't think Texans have enough partisans of Nature or enough conservationists of any power politically or economically to do the job by themselves. He thinks to save the Big Thicket from the lumber companies, to save Big Bend grasslands from rugged ranchers who overgraze their private holdings, to save Gulf Coast wild life refuges and crustacean habitats from oil well practices and highway demands for oyster shell—to save these and many other items even down to the dinosaur tracks on the Paluxy," the Justice thinks Texas must invoke federal aid.

Still, some preservation should and can be done privately. His major project for Texans is the creation of a Hiking Trail—stationed at proper intervals with camping sites and 66 facilities and with bypaths mapped—that would run from Glen Rose (an area he finds intensely interesting) on down through the Hill Country and by way of Canyon Dam (along the beautiful strip known as the Canyon Road) on into San Antonio.

This trail, he says, should be called the Lyndon B. Johnson Trail: "He has traveled and hunted areas that will make up parts of it." There is also the fact that this several-hundred-mile hiking trail across the Edwards Plateau is "a President's Country." He thinks easement across ranches could be easily secured. Models for such planning exist in the famous Appalachian Mountain Club in New England, the Green Mountain Club in Vermont, the Sierra Club in California.

It is a grand idea. Thus, "apartment-bred" modern man, vacationing at camp sites along the trail, would come to feel that the "land is sacred," he would be renewed by the sense of the "one-ness" of all life, of man and wild life, and grasses, trees, flowers and streams.

Many Texans, old-timers as well as recent emigrants, will be astonished to find the globe-trotting Justice so lyrical about their landscape, or parts of it. He says he spent parts of six years doing his field research. Crusading as he is against the "Ahabs" who recklessly and thoughtlessly destroy nature for greed and power, he is nonetheless practical-minded enough to give much detail about how to do the rugged things he has done (for instance, raft trips down Santa Elena, Mariscal and Boquillas Canyons). He is a man of iron constitution but his book is a fine guide even for more timid campers-out.

He generously acknowledges indispensable help from many experts: Lance Rosier ("who walks the woods with the wonder and humility of St. Francis"), Dr. Donovan Correll, J. C. Hunter Jr., Noel Kincaid, Don McIvor, and many others, including The News' Frank Tolbert from whose articles quoted pages here are among the liveliest and best in the book.

"Farewell to Texas" is very handsomely illustrated; the artist who did the drawings is curiously uncredited.

OBSERVATIONS ON A TRIP TO VIETNAM

Mr. BYRD of Virginia. Mr. President, on June 29, 1967, Mr. Arthur W. Arundel, publisher of the Loudoun Times-Mirror of Leesburg, Va., reported his observations after a month-long trip to Vietnam.

This was Mr. Arundel's second trip to Vietnam. He spent a year in Vietnam in 1954 and was one of the last three Americans out of Hanoi after the battle of Dien Bien Phu.

I ask unanimous consent that Mr. Arundel's penetrating article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARUNDEL SEES JUST ONE WAY TO WRAP UP VIETNAM WAR

It is an easy temptation to the journalist to draw simplified conclusions on such hugely complicated problems as the Vietnam War. Upon return from another trip through this wartorn land, I find it is still not so simple at all.

It is easy to find, as one roams Vietnam today, things that are wrong. It is quite a different matter at the end to try to put yourself into the heavy chair of decision making, given things as they are, not as we wish they were, and state yourself in practical terms on what you would do exactly to end the Vietnam War with honor to our commitment. So at the risk of generalization, which for the journalist is at least preferable to saying nothing, I will try.

CAN WE WIN IT?

There are before us now two questions—Why can't we win a lightning full military victory, such as that on the Sinai Desert? Or if that is not possible, how then can we get Ho Chi Minh to the conference table?

The answer to both lie in today's measure there of hard, sobering facts—of Vietnam's roadless jungle, marshes and mountains; of the enemy's 30-years' proven will to fight the Japanese, the French and now the Americans; of his also now proven capacity to increase his troops and firepower in direct proportion to our increases; of Oriental patience and disregard for human life; of proven Soviet determination to provide arms to keep the U.S. tied down in Vietnam or force us to quit; and of Ho Chi Minh's sworn pledge, if hit hard enough, to return to the jungle and keep fighting.

These essential characteristics from the long road of experience indicate in chilling truth that whatever we do, whatever crushing muscle we apply against North Vietnam there will never be a surrender table; and that whatever wisdom or pressure we level against Ho Chi Minh, there will never be a conference table to end this war.

Let's face it, our perseverance is founded in blindness by continuing to dream such dreams. This is not an American Civil War, nor a Korean nor does it possess the open field fighting characteristics of the Sinai Peninsula. We have hit the enemy in Vietnam now with more firepower than we used in all of World War II in Europe. But the effect is something like using aerosol spray cans in a swamp to kill mosquitoes. We have assembled the most formidable fighting force in the world, but it has not been equal to half naked natives, and our wisdom has been unequal to bridging the huge gulf separating the cultures of East and West. It is enough to break your heart if you care about the Vietnamese, and we do, and we want to succeed.

OUT OF THE WILDERNESS

Meanwhile, Americans are dying for it and so what road now do we take out of the wilderness?

Many things are being considered by top defense and civilian leaders. But within the crucial framework of timing, the opportunity I think exists this year in South Vietnam for what is patently the most important and promising change in our direction of all—in short, gradual sector by sector transfer of total military and civic action responsibility to self-determination by the South Vietnamese.

Vietnam has now adopted its own constitution, elected local government officials, and will in September elect its first president. But at this time, it is not the Vietnamese who are running Vietnam; it is the American who is in effective command of Vietnam's decision-making process. On paper it does not work this way, in the broad map briefings of visiting congressmen it does not work this way, and no one wants it to work this way, but in practice to get the job done we have now abrogated Vietnamese responsibility.

A beginning this September to a final phase in Vietnam could come with Ambassador Bunker and the new Vietnamese president agreeing upon transfer of full military and civic action responsibility in each of Vietnam's four corps' provincial areas, one at a time, to the best available Vietnamese combat and civilian units. Simultaneously American military and civilian people should be withdrawn from each corps in turn—leaving only such American technical people with the Vietnamese as are necessary for tactical air support, supply and so on.

GIVE VIETNAMESE A CHANCE

Many of our top people doubt that the Vietnamese are ready or able now to handle such a responsibility. This doubt, however, is itself based on an American yardstick.

It is necessary here to ask ourselves honestly—can we build a nation by Americans, of Americans and for the Vietnamese people? The answer is obvious, but I fear we are refusing to face its meaning.

On our present course in Vietnam we are developing in the sheer hugeness of our commitment a paternalism which says though we have been 14 years on the job, that the Vietnamese still cannot stand up without us. And thus, as surely as each dusk now falls across the rice marshes of South Vietnam, we do more and the Vietnamese do less. It is not our fault, nor theirs. But no farm boy ever grew to manhood who was not given the chance to take the horses out to plow alone.

And even though we may be willing to persevere with lives and dollars for another 10 or 15 years, time works not for our side but for the Vietcong. Our combat sweeps of Vietcong areas are like sweeping water with a broom—the water comes rushing right back as soon as the broom is removed. We use money, machines and Western compassion by day—the Vietcong terrorize and behead those who collaborate with us by night.

OUR GAP WITH ORIENT

This is the understood Oriental way. A Korean Army company I met had one of its men horribly mutilated by the Vietcong. Angry, they captured two V.C. men—one man they hung up by his heels and skinned alive, as his buddy watched. His buddy was then set free to go back into the jungle to tell his friends. The Korean unit could not make contact with the Vietcong for a month afterwards. Oriental civic responsibility? Another Korean, convicted of raping a Vietnamese woman, was shot dead at the inquiry by his own commanding officer. This cultural gap of thousands of years is not going to be bridged by one or a hundred years of well-meant American intentions in Vietnam.

I think Uncle Ho underestimates our determination and maturity, and the success of our village security and revolutionary development efforts. But these things will not lead to the negotiating table, and sooner or later the tides of world problems are going to force us, against all of our determination in Vietnam, to shift our strength somewhere else. It could have started at the Gulf of Aqaba—and even as we spend our strength half way around the world, reports sift in that 20,000 tons of new Russian arms have recently been delivered to Cuba for military operations closer to home.

Like the old Statue of Liberty play, the Soviets are trapping us into a grinding long term involvement on the mainland of Asia. This is the sort of historic mistake from which nations never fully recover—the kind Napoleon made when he entered Russia, that Hitler made when he attempted the same thing—the kind the Athenians made when they went to war against Syracuse. Regardless of motives and pride, there are in the strategy of conflict some wars which must be avoided because they are fatal. We cannot avoid this end by leaning on hamlet development while this enemy can launch main force military operations over the roadless mountains and jungle trails from North Vietnam.

HOT DOGS AND PANJI STICKS

We cannot persevere and win in our present course because, out of the vast gulf between our linguistics and culture, a people of Christianity, hot dogs and computers can simply not effectively communicate with a land of Buddhism, rice bowls and panji sticks. We tell ourselves we can, but to do it we are building awesome Little Americas all over South Vietnam, complete with air conditioning, swimming pools and soon, I learned, with bowling alleys. Those few Americans who stay long enough in Vietnam to gain understanding of the complex essential political base of the land, brilliant men such as General Edward Lansdale, their lives are an endless succession of efforts to teach the book in rice bowls and panji sticks to constantly changing American leaders in the country.

For all of these reasons, the shift of total responsibility to the Vietnamese must be compressed roughly into a three-year time span of this current team of experienced Americans. This course we should take in Vietnam, regardless of our fear of the risks. If the time is not right now, it never will be. With it we can probably wrap up our combat job in Vietnam safely within three years.

If we lose in Vietnam, and on our present course we will, it will be because we failed at the end, in our paternalism and haste to get the job done our way and to have faith in the South Vietnamese to assume the burden of responsibility for their own destiny.

CAPTIVE NATIONS WEEK

Mr. DOMINICK. Mr. President, during the week of July 16–22 we are once again commemorating the enslavement of peoples in Europe and Asia under the yoke of communism.

The heart of our efforts against the worldwide threat of communism is, of necessity, concentrated in South Vietnam. But it can never be stressed enough that this is not the only front; and winning our objectives in Vietnam is imperative to our ultimate aim of supporting the right of every nation to their choice of government.

In the heat of our battle against further aggression we tend to forget the suffering of nations already engulfed by communism. Untold thousands have suffered coercion, persecution, and deportation from their homelands in Soviet denial of their inherent rights.

Within their own world the Communists have notoriously coerced smaller nations into their fold. Twenty-seven years ago, the Soviet Union annexed Lithuania, Latvia, and Estonia—formerly free states—by force of arms. Since 1940 the Baltic States have lost over one-fourth of their population through executions and exile to slave labor camps. Twenty percent of the present population is Soviet, not Baltic, so the U.S.S.R. can be assured of at least a token amount of support for their occupation. From those fortunate enough to escape from the horrors of Soviet occupation, there are now citizens of our own country who recall the fear. Such accounts are not merely tools of free-world propaganda, but agonizing and tragic memories of inhuman atrocities committed against innocent men, women, and children as well as anyone who dared oppose the bondage of communism imposed by the Soviet Union.

Another tragic example is the Ukraine, granted independence by Lenin in 1918 only to be overrun ruthlessly by the Bolsheviks a short 2 years later. The 50th anniversary of the Bolshevik Revolution will be celebrated this fall with great fanfare and the inevitable propaganda against the "Western imperialists." Consistently ignored by the Soviets is the self-determined independence of almost all former colonies, who are now struggling under continuous harassment from Communist subversion.

The captive nations of Eastern Europe are now sealed off from the rest of the world. They are told of greed and corruption in the free world. They are told communism will bring a better standard of living for all. And they know if they voice opposition, they too will face execution or exile to Siberia. The threats and false promises are a necessary substance of communism, because these are people who would cherish freedom. Just as new nations in other parts of the world have no desire to be ruled from without, neither do these countries wish to be ruled from Moscow, nor should they be.

The nations annexed by the Soviet Union were but the beginning of the increasingly long list of captive nations. Asia became the prime target with the subjugation of mainland China, now a major threat of itself. Those who may have been consoled by political turmoil within Red China and her enmity with Russia must certainly admit to the continuing intentions of Peking to instigate uprisings outside China, such as the abortive coup 2 years ago in Indonesia. A report issued from Peking only last week confirmed support of that uprising, and Indonesian Communist leaders taking refuge in Red China reaffirmed their intentions to regroup forces for continued guerrilla assaults in Indonesia.

Even the more stable nations in that area are not free from the pressures. Laos and Thailand are harassed by Communist guerrillas; Cambodia is used as a sanctuary by Vietcong; even the 12-year-old truce between North and South Korea can hardly be considered stable. The Communist elements are just as persistent as ever in their efforts to force more of the world into captivity.

Their persistence is equally ominous in this hemisphere, with the primary base of operations only 90 miles from our own shores. As I pointed out in detail in this Chamber in April, guerrillas trained in Cuba by Soviet personnel are infiltrating weak spots in South America and are dedicated to bringing those countries under Communist control.

The picture throughout the world is at best hazardous, but it is most grim for those countries first engulfed by communism. Having already endured an inhuman amount of suffering, they now have little or no chance of breaking free from the overwhelming power of Russia and Red China. But there is no reason to believe they are not equally desirous of liberty, and as peoples with their separate heritages they have every right to freedom.

A basic concept in our foreign policy traditionally is recognition of the right to free and independent choice of government structure. The lives being lost and the valiant efforts of our men in Vietnam would be difficult, indeed, to justify if we did not apply this belief equally to nations already suffering the captivity of communism.

In accordance with this belief, it is appropriate that we now reaffirm our sympathy and support for the captive nations and our desire to rectify the injustice forced upon them. It is a fitting time to reassess our foreign policies and direct all possible efforts toward furtherance of this goal. Our most effective bargaining force at present is economic influence; and in future consideration of any East-West trade expansion, I hope the potential will be fully exposed in endeavoring to bring freedom to the captive nations.

THE ANTIRIOT BILL

Mr. THURMOND. Mr. President, in view of the grave conditions in our cities, as evidenced most recently by the riots in New Jersey, it seems appropriate to invite the attention of Congress and the Nation to the need for the quick approval of a strong antiriot bill designed to punish agitators who cross State lines with intent to instigate or participate in a riot or other acts of civil disobedience.

The fact that these riots usually run for a period of several days leaves little doubt they are supported by a sizable portion of the community in which they occur. Certainly the criminal element takes advantage of the strife, but they alone could not sustain the disorder in a community hostile to their purposes or without substantial support of many residents of that community.

Neither this bill, nor any other bill, will put an end to these dastardly acts by irresponsible and immature citizens but it should serve as a tool in that direction.

In this country we are faced by an armed insurrection supported by a racial minority. Destruction of property which has taken many years of sweat and sacrifice to establish, and acts of murder, will not cease until leaders of this minority start acting like they know what to do with responsibility once it is given them.

An incisive editorial column on the antiriot bill was written recently by Frank van der Linden, the esteemed news columnist and author, under the title of "Dateline Washington," and appeared in the July 2, 1967, issue of the News and Courier newspaper at Charleston, S.C.

Mr. President, I ask unanimous consent the column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ANTIRIOT BILL

(By Frank van der Linden)

WASHINGTON.—A strong federal anti-riot bill, to jail and fine agitators who cross state lines to stir up violence, is all set to breeze through the House about mid-July.

It will be Congress' response to a nationwide wave of public anger over the racial violence which has erupted in looting, burning, shooting, and even deaths in cities ranging from Boston and Buffalo to Cincinnati, Dayton, Tampa, and Atlanta.

Some members predict that not more than a couple of dozen Congressmen will dare to vote against the bill which is aimed at firebrands like Stokely Carmichael, the noisy "Black Power" advocate whose speeches in many cities have been followed by riots.

MAXIMUM PENALTY

The bill would impose a maximum penalty of five years in jail or a $10,000 fine, or both, upon persons convicted of traveling across state lines or using such interstate facilities as the mail and telephone systems, with intent to incite a riot.

Depite public demands that Congress "do something" about riots, bills to this effect were gathering dust all this year in the House Judiciary Committee because they were opposed by Chairman Emanuel Celler, D-NY, and by the Johnson administration.

Celler's committee finally acted a few days ago, only after being prodded by House Rules Committee Chairman William Colmer, veteran Mississippi Democrat.

Colmer told Celler, in so many words, "If you don't bring out this anti-riot bill, I will."

The Mississippian had the power to hold hearings on his own and push the bill to the floor. On the very day his hearings were to start, the Judiciary Commitee popped out the bill.

"Manny Celler saw the handwriting on the wall," Republican Congressman Albert W. Watson of South Carolina said.

RIDER TO BILL

Earlier, the foxy "Manny" had a subcommittee tack onto the very popular anti-riot bill a civil rights "rider" very much desired by the Johnson administration and Negro lobby groups. That would impose stiff penalties upon persons convicted of forcibly interfering with Negroes exercising their rights—such as voting, attending school, applying for jobs, federal jury service, using desegregated public facilities and the like.

Opponents contended the Celler "rider" would make federal offenses out of a lot of ordinarily local crimes. For instance, a white man accused of striking one of Dr. Martin Luther King's demonstrators in a fist fight could be jailed for up to ten years "if injury resulted," under terms of this bill.

If death resulted from the incident, the maximum penalty would rise to life imprisonment.

Colmer complained that Celler was trying to make Southerners swallow a civil rights bill as the price of the anti-riot measure and vowed that "Manny" wouldn't get away with it.

Under Colmer's pressure, Celler reluctantly split the two bills apart and reported them separately. He said House Majority Leader Carl Albert, D-Okla., had an agreement to move the civil rights bill through the Rules Committee and onto the floor soon after approval of the riot control measure.

Any attempt to tie them together again on the floor will run into a fierce fight.

The civil rights measure could be blocked by a Senate filibuster like the one which killed the Johnson administration's 1966 civil rights omnibus bill.

Sponsored by Florida Republican William Cramer, the anti-riot measure was tacked onto that legislation in the House by a 389 to 25 majority.

All six of the South Carolina House members strongly favor the anti-riot bill.

Greenville Democrat Robert Ashmore played a role in the Judiciary Committee, in having the measure approved without the civil rights "rider" proposed by Celler.

PASSAGE EXPECTED

"I expect the anti-riot bill to be passed by the House without amendment," Ashmore said. He expressed the hope that it would curb Stokely Carmichael who, in Ashmore's words, "goes around stirring up riots and leaves a trail behind like a skunk."

Charleston Democrat L. Mendel Rivers said "We can thank Colmer for forcing Celler to report the anti-riot bill. He just told Celler how 'the horse ate the cabbage,'—in other words, that he was not going to let Celler befuddle the clear-cut riot issue and embarrass the Southerners with a civil rights 'rider.' He put the monkey on Manny's back and Manny responded."

Rivers said he was also glad to see that "President Johnson finally woke up" and denounced flag-burners and anti-Vietnam agitators in a recent Baltimore speech.

DEATH OF SAM STERN, FARGO, N. DAK.

Mr. BURDICK. Mr. President, the July 1967 issue of the Elks magazine contains an editorial which pays tribute to some of the contributions which Sam Stern, of Fargo, N. Dak., left. Mr. Stern died recently, but his work particularly on behalf of handicapped people will be remembered. He will also have a firm place in the memory of the Elks, through his work at local, State, and National levels. I wish to share with Senators the tribute paid to Sam Stern, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PAST GRAND EXALTED RULER SAM STERN

Sam Stern, who was Grand Exalted Ruler in 1952–1953, died May 20, 1967, in the Kahler Hotel, Rochester, Minn., at the age of 79.

The Fargo, N.D., banker and merchant had been a member of the Board of Trustees of the Elks National Foundation since 1953. He was known for his work on behalf of the physically handicapped.

He was born Feb. 11, 1888, in Fargo. In 1909, he received a bachelor of laws degree from the University of Minnesota; he practiced law only a short period before entering business with his father. At the time of his death, he was president of the Alexander Stern & Co. department store in Fargo and a director of the Dakota National Bank of Fargo.

A 1910 initiate of Fargo Lodge, Brother Stern was elected Exalted Ruler 14 years later and served as Chairman of the lodge Trustees for a number of years. He was chosen President of the North Dakota Elks Assn. in 1927 and appointed District Deputy Grand Exalted Ruler for North Dakota the next year. He served two additional terms as State President, from 1941 through 1943.

He was a founder of the North Dakota State Elks Crippled Children's Committee and served as its chairman for a number of years.

When the North Dakota State Crippled Children's Commission was organized in 1941, Brother Stern was appointed its chairman by the governor. He held the post under two successive governors. He also helped organize Camp Grassick, a summer camp owned by the North Dakota Elks Assn. and offering physical and speech therapy to youngsters, and served as state chairman for the then National Foundation for Infantile Paralysis.

Brother Stern had served on the Grand Lodge Good of the Order Committee, the State Associations Committee, and the Lodge Activities Committee before being elected to the Board of Grand Trustees in 1944. He served on the board through 1950–1951, when he was Chairman. He was elected Grand Exalted Ruler in 1952.

Among those who attended the services were G.E.R. Raymond C. Dodson, P.G.E.R.s George I. Hall, Lee A. Donaldson, and R. Leonard Bush, and Nelson E. W. Stuart, Executive Director of the Elks National Foundation. Interment was at Riverside Cemetary, Fargo.

Brother Stern is survived by his brother, Edward.

LONG-DISTANCE RUNNING RESTORES HEART VICTIM TO VIETNAM FLYING STATUS

Mr. PROXMIRE. Mr. President, one of the most impressive demonstrations of effective patriotism I have ever heard was achieved earlier this year by Capt. Arthur Yarrington.

Captain Yarrington was called on November 30, 1964, his 31st birthday, for a combat readiness examination. An electrocardiogram told the doctors that his coronary arteries had failed him. He was diagnosed as suffering from myocardial ischemia.

He was not only denied the opportunity he yearned for—to go to Vietnam as a fighter pilot; he was grounded and transfered to communications.

Captain Yarrington was so determined to serve his country in Vietnam that he underwent one of the most remarkable conditioning programs in medical history.

Captain Yarrington first began vigorous daily walks, gradually increasing the length and speed of his walking until he was walking 5 miles and doing it in 1 hour.

Yarrington was then examined and told that while his heart had recovered well, he had one chance in a million of ever winning a waiver that would qualify him to fly as a fighter pilot in Vietnam.

Captain Yarrington decided to make the best of that one-in-a-million chance.

So he ran. At first it was 3 minutes' running and 3 minutes' walking, plus body calisthenics and a low cholesterol diet. Then he lengthened his running to 15 miles daily. At first, that 15 miles took 2½ grueling hours. Then he gradually developed his capacity so that he worked his time down to 15 miles in an hour and 50 minutes.

Mr. President, as one who runs several miles every day, I can testify that the kind of routine Captain Yarrington developed never becomes easy or pleasant. It is tough, painful, exhausting work. Moreover, it is one thing to do this to improve one's health, vitality, or longevity.

But Captain Yarrington was doing it so that he could serve his country in what all of us recognize as one of the most dangerous jobs in the world. After 6 months of this running routine, Yarrington went back for another examination.

Maj. Kenneth Cooper, the space surgeon who examined him, is a brilliant expert on physical fitness. He declared after examining Yarrington that he not only had recovered fully and completely, but that he was actually in the best physical condition of anyone he had ever examined.

But the Air Force still rejected him.

Yet Yarrington kept at it. To demonstrate his fitness he ran 25½ miles in about 4 hours, and with another report from Dr. Cooper appealed his rejection. He was rejected again.

Then Dr. Cooper came up with a dramatic medical illustration of Yarrington's heart. He showed Yarrington's heart in an X-ray movie, proving that Yarrington's heart was sound, regular, and undamaged.

This angiogram was submitted with a third appeal. The appeal came back approved, and Captain Yarrington achieved his goal. He was approved for combat flying in Vietnam.

Mr. President, this amazing persistence, this determination not to give up, and to submit to the most grueling, painful regimen, day after day and month after month, during which this man ran more than 5,000 miles, is to me a marvelous demonstration of true patriotism.

What an example Captain Yarrington has given for other young Americans to serve in what has become the most vehemently questioned and controversial war in our history.

I ask unanimous consent that an article describing the Yarrington saga of running to flying status, published in the Air Force Times of April 16, 1967, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Heart Victim Runs Way Back to Flying

Hq AFCS, Scott AFB, Ill.—Capt. Arthur Yarrington has run all the way back from a serious cardiac condition—an estimated 5000 miles.

A medical report issued in the late 1964 plucked him from a fighter plane cockpit and branded him "grounded." It came after he volunteered to fly in Vietnam.

Today Captain Yarrington is back on flying status. The cardiac indictment has been erased from his medical records. The fight back was a long, arduous one, almost entirely based on physiotherapy—in this case, running.

Captain Yarrington, in a medically supervised program, ran daily—up to 25 miles at a session. The conditioning hardened him and developed his heart to the point where flight surgeons could find nothing irregular. They said his physical fitness exceeded 99 percent of the Air Force male population.

He may be the first pilot restored to flying status after being classed as a cardiac case.

After the grounding order it was decided to retrain him in communications. He was sent to school for 43 weeks, then was assigned to Communications Service headquarters at Scott where he is serving as a requirements officer in the office of the DCS/Programs and Requirements.

His days as a communications officer now may be ending. His request for combat duty in Vietnam as a fighter pilot has been resubmitted.

On Nov. 30, 1964, his 31st birthday, Yarrington was called for a combat readiness medical examination. An electrocardiogram told the medics that his coronary arteries had failed him. They diagnosed it as myocardial ischemia.

Searching for aid, Yarrington heard of the work Maj. Kenneth H. Cooper, a space surgeon and a cardiologist, was doing with the astronauts at Lackland.

Doctor Cooper indicated interest but could not see Yarrington for four months. In the meantime, the doctor told Yarrington to "walk."

The grounded pilot began walking. At first it was a daily 20-minute brisk walk. After two weeks, it went to 30 minutes. In the four months he waited for the appointment with Dr. Cooper, Yarrington increased the pace until he covered five miles in an hour.

After exhaustive tests, Major Cooper told Yarrington his chances were "one in a million" to regain flying status, but that he strongly believed Yarrington was capable of complete rehabilitation. Dr. Cooper outlined a laborious running program for Yarrington.

"I was determined to rehabilitate or kill myself trying," Yarrington said.

So he ran. At first it was three minutes running and three minutes walking. He also went through daily body calisthenics and followed a low cholesterol diet. As his body responded to the increased physical activity, Yarrington gradually lengthened his daily runs to 15 miles. The 15 miles required 2½ hours but was gradually reduced to an hour and 50 minutes.

After six months, Yarrington returned to Dr. Cooper for examination. The space surgeon could find nothing wrong. The ex-pilot was in better condition than anyone he ever examined, Dr. Cooper said.

However, despite the doctor's rating, Yarrington's bid for flying status was rejected.

A dramatic physical demonstration was needed to illustrate vividly the recovery Yarrington realized.

At the suggestion of Dr. Cooper, Yarrington set his sights on competing in the gruelling 26-mile Boston Marathon race. Unfortunately, an infected foot caused a halt of the program and the idea was dropped.

Yarrington raced against himself on a 1½-mile track. He completed 25½ miles in about four hours. This feat was documented by four Air Force officers and together with another favorable progress report by Dr. Cooper, served as the basis for the second appeal. It, too, was rejected.

Doctor Cooper then came up with an idea for an impressive medical illustration, an X-ray movie of Yarrington's heart under a variety of tests. The angiogram provided indisputable evidence that Yarrington's heart was sound, regular, and undamaged.

The angiogram was submitted with a third appeal which was strengthened with the suggestion that Yarrington submit to a special medical exam annually.

The appeal came back "waiver approved."

Yarrington now is flying a U-3A at Scott to retain that status until his orders come through for assignment to Vietnam as a fighter pilot.

"That's the job I was trained to do," the Captain comments confidently.

THE WORLD'S TROUBLE SPOTS—ADDRESS BY GERALD W. FRANK

Mr. HATFIELD. Mr. President, Mr. Gerald W. Frank, a consultant member of my staff, recently made a factfinding trip for me, at his own expense, to some of the world's "trouble spots." He gave an account of his globe-circling trip to the Salem, Oreg., Rotary Club on June 14.

Mr. Frank is an eminent business and community leader in Oregon and is currently president of the Salem Area Chamber of Commerce.

Because of the helpful insights and observations recorded by Mr. Frank in his report, I ask unanimous consent that his report be printed at this point in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Remarks Presented by Gerald W. Frank, President, Salem Area Chamber of Commerce, Before the Salem Rotary Club, Salem, Oreg., June 14, 1967

A very astute man, a member of the National Constituent Assembly in South Vietnam and a current candidate for Vice President of that country, Dr. Phan Quang Dan, told me in a visit with him in Saigon several weeks ago that in his opinion his country today is "breathing with an American iron lung."

After my recent journey, I am of the opinion that "American iron lungs" may soon be needed in many other troubled spots around the globe.

I have just returned from around the world—not in eighty days, but in half that time—on an information-gathering mission for Senator Mark Hatfield. I visited some sixteen nations in Europe, the Middle East, and the Far East, where my mission was to talk with political, financial, military, and business leaders of those nations and with our own Foreign Service officers, as well as with Peace Corps personnel in four countries. It was the most instructive, the most stimulating, but the most sobering and frustrating, six weeks that I have ever experienced.

How do you describe forty thousand miles of travel, dozens of conferences and hours of discussions, and thousands of visual impressions in the short period that's allotted to me?

Yes, there were times for especially-interesting sidelights, such as the visit to the British Military Station right on the border between Hong Kong and Red China. It happened to be the last mule outfit in the British Army.

And there was the visit to the Blue Mosque in Turkey, and to see Old Cairo, and the visit inside the Pyramids, and a ride on a Russian airliner from Cyprus to Cairo. There was a chance to visit the famous Vienna Riding School, and also to hear the great Boys' Choir and the Viennese State Opera; a trip through the Galilee area, and through Jerusalem; and then there were the visits to the great market places and bazaars of Istanbul and Teheran and Cairo, where an old retailer just couldn't help but be interested in the way they conducted their business.

I want to make one point crystal clear. I am no foreign relations or political history or military science professional. One has a temptation to sound like an expert—someone with all the "right" answers—after an adventure and an assignment like this. It's impossible and unrealistic to think that in 48 or 72 hours you know it all, but I do think that you pick up certain impressions, and you do get an idea of the health and the problems and the future prospects of the country.

A doctor can tell a lot about your health just by looking at you and asking a few questions if you're not well, and I can remember, having been in the retail profession for a long time, that I felt I was able just to walk into a store and look around and smell a little bit, and I could tell a good deal about the kind of operation of that store. So can a traveler, if he keeps his eyes and ears open as he visits new places, sees new things, and talks to a variety of people.

United States industry has invested over 44 billion dollars in foreign operations, and the rate of increase yearly in direct investment abroad has outstripped the rate of increase in domestic investment for the past seven years.

In talking about world stability, it is important to remember the size of U.S. investments abroad and the problems created by American businesses and American personnel overseas, because this has a very profound effect upon our political and military decisions.

There are today, in my opinion, a multitude of serious—yes, *very* serious—simmering and exploding conflicts and problems around the globe—not just in the sixteen nations that I visited—and the repercussions from these troubled spots are felt throughout the entire world.

First, there was the military take-over in Greece—not too surprising, because the unrest in this country has been very apparent. The Greeks, as you know, have a history of being very unstable politically. The old story goes that if you have two Greeks together, you have three political parties.

Greece has been facing severe problems: An agricultural program employing 50% of the population, yet producing only 25% of the gross national product; a lack of a capital market; an antiquated educational system; an ineffective Civil Service program; and a large deficit in foreign trade.

Then the problems in Cyprus between the Greek Cypriots and the Turk Cypriots, with United Nations forces in full position there and the two groups cut off from intercourse between each other.

I visited with a Turk lawyer—an elected member of Parliament—who had not been able to take his seat, because for over three years he and his family had been confined to a twelve-block area in his zone.

Next there was the tense situation in the Middle East between the Arabs and the Israelis.

Then there are the difficulties in Pakistan and India over Kashmir.

And on into Hong Kong, where there was Communist-inspired rioting and a great deal of unrest, with curfews and police action.

Next stop—the shooting war in Vietnam.

And finally—the terrorist "Huk" activities in the Philippines.

To draw an analogy which is admittedly farfetched, but which does perhaps the best job of trying to describe the total impression, it seems to me that our country could be compared to a beautiful, wealthy movie star who has worked herself up to the very pinnacle of her stardom after many rough episodes and a great deal of time and effort.

Some people will say that she isn't really ready for stardom—that she's too young, too inexperienced, that she hasn't been schooled properly—and perhaps this is the way that some of our friends around the world look *at* us.

Going on a mission such as this, under the auspices of a person of the stature of Senator Hatfield, meant that doors were opened for me everywhere, from heads of state down, and I did have the opportunity, I feel, to get a well-rounded impression from these discussions.

One of the most stimulating individuals with whom I spent some time was Dr. Alfred Schaefer, who is the Chairman of the Board of the Union Bank of Switzerland—probably the most important financial figure in Europe.

He said to me that: "Perhaps today your country is not ready for leadership because of the lack of experience that your people have had in this area compared with what the British have been through. Still, be that as it may, you are thrust into this position of responsibility, and the rest of the world is looking towards your country for leadership."

His view, I think, was reflected by others, particularly those in Europe who have a broad picture of current problems.

Because of her position, this beautiful movie star is now besieged by all around her for attention and for gifts and for help, and I think this relates to our position today—that those in Europe feel that America is looking too much towards Asia, and is too involved in the Vietnamese situation and not paying enough attention to the needs in their area.

But the farther East you go, and the closer you get to Vietnam, the stronger is the feeling amongst those nations that theirs is the most important area of concern.

There is a good deal of feeling in some countries about our cutting various foreign aid programs. For example, in Iran, our Ambassador there was very critical of what he called our "instant withdrawal."

Here is a country where we have invested over one billion 500 million dollars in aid over the past few years. We have suddenly stopped aid here altogether. We have had many American specialists in this area—experts helping the Iranians with airport construction and traffic control, building roads and highways. These people are expensive to pay in comparison with their Iranian counterparts.

But the important point here is that in the void created by the withdrawal of our people, the Russians have stepped in and have provided these specialists. Then these men have of course recommended, in turn, Russian equipment and methods. The Iranians certainly would rather have our equipment and our personnel, but we have made it difficult and too expensive for them. We're charging 6% interest; the Russians are asking 2½%.

Where do you draw the line? The needs are great 'most everywhere.

This engaging and talented star can't be everywhere for personal appearances, of course. But it looks as if she might be asked to appear in many new spots. However, at present she is, of course, being pushed for appearances in one area—Vietnam.

Some people, like the Shah of Iran, feel that because of our involvement in Vietnam we may not be available for help in other areas such as his country, and this of course means that his military posture must be altered.

Today we're committed in Vietnam to nearly a half-million troops. We're dropping 3,000 tons of bombs a day. We are spending, depending on what kind of arithmetic you want to accept, 2½ to 5 billion dollars a month in Vietnam. It's costing us just about as much as World War II, and if the casualty rate continues as it is at the moment, by the end of this year, we will have over 100,000 Americans killed and wounded.

I don't come back with any magic suggestions or any new theories of what we can do to try to settle the Vietnam situation. As a matter of fact, in talking with dozens and dozens of individuals throughout this country and throughout the world, none of them have any answers either, but there is one thing that is certain: We do have a superb fighting force in Vietnam. Our G.I.'s and their officers are the very best—the cream of the crop. They're doing everything they can, under the most difficult conditions.

Something must be done, some tools must be used, some program must be put forth, to allow us to reach an honorable solution to this conflict. In your own family, if you had an argument, you would try to settle it by discussions across the breakfast table; in your own business, if you had labor problems, you would try to settle them by talking across the table.

It seems to me that the same thing must be tried in Vietnam. Some way, somehow, we must bring all elements who are at war in this area together, across the table, just to begin shirtsleeve discussions, perhaps on the smallest items, that then could develop into a full-scale peace conference.

As one very keen man observed: "Perhaps you Americans are like a surgeon; it was necessary for you to come in and cut out the sore and get rid of the major infection, but now that it is out, it is up to the individual to build up the antibodies of recovery and renewal of energy." He likened this to Vietnam, where the South Vietnamese themselves must be more involved and provide more of the strength and the material to build up their own defense against their enemy.

This is a difficult war for us, because it is being fought with guerrilla tactics, and we are not trained for that kind of operation. We are fighting in and trying to control the cities, where roads, hospitals, schools, and other services are needed. Our adversaries are in the country and in the brush, where we are having a most difficult time trying to flush them out. Many feel that the more we bomb, the more we scatter them.

It is discouraging to find such a divergence of opinion, throughout the world and even here at home, on what our national interests are in Vietnam.

At the conclusion of my trip I was invited by the Navy Department to attend the Naval War College Global Strategy Conference in Newport, Rhode Island. I spent three days there in company with 45 of our highest-ranking military officers and a group of civilians and senior reserve officers, and we discussed and threw around this very same problem. Even they could not answer the question concerning our national interests in Vietnam, and how we are going to win or conclude this tragic involvement.

This is not the only problem area facing us.

Today our country has formal commitments to defend at least 43 specific nations in what appears to be a highly-unstable world. Even the very highest officials of our country are unable to say exactly how many nations are covered by all the various American commitments. Some of these commitments grow from regional treaties and alliances, and some are bilateral defense agreements with another nation.

This wealthy and prominent star has to make sure that others understand her. This is not so easily done.

In the Philippines I had a discussion with General Carlos Romulo, who today is President of the Philippine University and Director of Education for that country—and one of the great Generals of all time.

He made the very strong point that some of the world leaders do not understand us, that Khrushchev did, but Mao and Nasser do not. Perhaps these people, then, are making decisions and performing acts without fully understanding what the repercussions might be in our country.

And this prominent star has to be careful now about what she says, and what she does, and to whom she makes certain statements, because of the likelihood of misunderstanding.

For example, in the Pakistan-India situation we recently announced a program where we will make available replacement parts for non-lethal military gear. These parts are available to both Pakistan and to India, but the important thing to remember is that the Pakistan war machine today is practically all American-equipped, and the India war machine is equipped mostly with hardware from the East.

There is great feeling today that we are discriminating against India in favor of Pakistan because of our pronouncement that these replacement parts are available.

Those who I talked with in Egypt who are close to the government say that Nasser has absolutely no opposition in his country; that his CIA, or FBI, or Secret Service, or whatever you want to call it, is probably the most potent and the most powerful in all the world. They know exactly where you are and who you're talking to, and anyone who is seen talking with an American is questioned afterwards as to just what the conversation was about.

In any case, Nasser doesn't understand the American system. He reads the American papers and magazines very carefully. If he sees one word that is uttered by one of our people that is unfriendly toward him, he then feels that this is the attitude of the entire nation.

Our star has to understand that not everyone really wants to see her stay on top, and not everyone understands what her motivations are; they don't comprehend what her problems are.

The man in the street in Europe does not understand why this great nation, the most powerful military and economic force in all the world, is taking so long to win a war with a third-rate country in a guerilla territory. In the Communist countries that I visited (Hungary, Czechoslovakia, and Yugoslavia), they don't understand our methods of procedures.

For example, the Time-Life people took a group of business leaders, including Keith Funston, the head of the New York Stock Exchange, and Henry Ford, and others of that caliber, on a tour through the Iron Curtain countries, and they were so impressed in those areas with the need for American help and American expertise that they announced in Czechoslovakia that they would offer some jobs to citizens of that country, to work in our factories and plants in America. This received great publicity in the Czech press.

Then when these leaders came back home, these offers were withdrawn because of pressure from the workers in their own factories.

Well, this is hard to explain, and has been very embarrassing for our people in Czechoslovakia.

It's very obvious that this great star must spend time and money to help others—those who want and need American know-how. And I come back thoroughly convinced that there are some tools available—small tools, indeed, but still we are seeing a start.

One tool that I strongly support is the Peace Corps. I had the opportunity to visit with personnel of our Peace Corps in Turkey, in Iran, in India, and in the Philippines. Individuals were brought in from the field, and we spent hours discussing the program, what they were doing, and how they felt they were contributing in helping the people of those countries improve their lot.

The one basic problem is a stomach problem, because hungry people today are those who are most susceptible to Communism.

I don't think that there are hundreds of thousands or millions of individuals who want to live under the Communist philosophy, but they are accepting it today because they have no alternative; they have no alternative to feed an empty stomach. The danger today is not in the masses of individuals with Communist leanings, but in a few unscrupulous and militant leaders who are preying on those who are hungry and who are susceptible to any kind of leadership that provides them with something to eat.

The Peace Corps today has over 12,000 men and women—the cream of young America—involved in some 52 countries. They are teaching new methods for making land produce more, showing how to use new equipment, training teachers. I think that we in Oregon should be very proud of our contribution, for per capita, we have the second highest number of volunteers in the Nation.

I was impressed with the leadership of the Peace Corps movement—top people, who we'd be proud to have in any of our businesses.

I would like to see the expansion of this program, along with such other activities as the International Executive Service Corps. These are men who have occupied important positions in their firms and are now retired, and who are working to set up new flour mills, to organize airlines, to show how to harvest forests, in underdeveloped countries. This is the kind of program where we are truly getting our message across on a people-to-people—yes, an eyeball-to-eyeball—basis.

You add to this—the International Executive Service Corps and the Peace Corps—Student Exchanges (working both ways), and I think that you have the beginnings of the type of program that in the long term will be far more effective than the use of give-away funds or military hardware.

Our star must train and help others, showing them how they can help themselves. However, we can't begin to think that other nations are going to want to, or be able to, live the same way that we do.

The customs and traditions of some of these countries hardly seem compatible with the Twentieth Century.

For example, in India I ran across an ad in the Indian papers—a matrimonial ad, for in this country today, as you know, most of the marriages are still arranged. This ad read as follows: "A good charactered, homely, well-educated, well-cultured, high social-standing spinster, employed, holding a good position, owning own house and property, invites matrimonial correspondence from good-charactered, homely, high school-standing bachelor-widower, without encumbrances, aged 37 to 47; officers, engineers, businessmen preferred."

I think that of all the nations I visited perhaps the most vivid impression was the situation in India, where the poverty and the disease and the overcrowding is almost too staggering to comprehend.

I saw areas in Calcutta that are the most densely-populated in the world—with people living and dying in the streets: children lying on the sidewalks, half dead, diseased, and abandoned, with animals and manure and all of the filth and garbage around them. It is almost impossible to describe—something that you have to see first-hand to believe. I saw an area in Calcutta where over 500 people use one sanitary facility, if you want to call it a "facility." It was cleaned once a week, and the smell and the filth was just indescribable.

Well, some of our people recognize these problems, and they're trying to do something about helping these people solve them. A plan that our people have helped develop for Metropolitan Calcutta looks ahead some twenty years, when twelve to thirteen million people will be living in the 490-square-mile area of the present Calcutta Metropolitan district. This is almost double the present population. Jobs will have to be made available for over 3½ million workers in the next nine years.

Additional hospital beds for over 22 thousand patients must be provided. In the Calcutta area, the region which now comprises about 150 million people is expected to absorb over eight million more people by 1936.

Here is a real stomach problem; here are real food problems; and here is where our people have been and must continue to be of help.

In looking at the situation in India and in the Philippines, where there are today democratic forms of government, it is the impression of many that the danger is not so much from the left but from the right. The next few years are very crucial ones for both of these nations.

The problems in the Philippines are very deep, and one of the most serious ones is the fact that the young generation there has developed a very nationalistic feeling. This exerts itself in a dislike and distrust of Americans, particularly in the economic fiber of the country.

There is also a lack of national identity in the country, and this is compounded by the communications problem. There are some 87 different languages in use, and there are intense loyalties on the part of each language-speaking area. There is a lack of respect for law and order, and corruption and disillusionment are perpetuated at almost all levels of society. The Huks are terrorizing areas throughout the country.

There is a lack of community responsibility, and many Philippinos tend to think with humane concern only of those within their immediate circle. They are indifferent about the fate of the others. There are also serious health and sanitation problems, and serious educational needs, too. There is a lack of vocational orientation and training, and this is an area where our Peace Corps is doing great work.

In the agricultural field, the primary problem is food production—ways of increasing such production to meet the national needs. The rice farmer today does little more than grow enough rice to feed his immediate family and relatives, and the growing population explosion there accentuates the need to increase agricultural productivity. How much sense does it make for a country such as the Philippines to be importing their major food needs, which they presently have to do?

Well, then, the situation that our star faces is a very difficult one, and a very serious one, and the problems seem to be magnified daily.

The situation in the Middle East, between Israel and Egypt, is critical. During my time there I did a visit to the border areas, where there was great tension even at that period.

The basic problem there dwells around the 1,200,000 Arabs who used to live in Palestine and who now (with their families) are outside in the border areas. They look daily with envious eyes on their former home ground; they are militant and unhappy about their present plight.

The problem is magnified by Nasser, who feels that he must speak loudly to make sure that he continues to claim the leadership of the Arab world.

It is my feeling that here is a problem that's not going to be solved easily or quickly—a very deep conflict, because, in my opinion, the Arab world will not accept a Jewish state in its midst.

The problems in Cyprus are also very intense, and as I mentioned, the two armed camps there have no intercourse whatsoever. What they call a "dialogue" to try to settle their problems is going on far away in Athens, and in Istanbul.

I talked with Glafcos Clerides in Nicosia—he is the second man to Archbishop Mikarios. He felt that a personal type of confrontation must be initiated, with Greeks and Turks sitting down themselves to begin to resolve their own problems across the conference table right in Nicosia.

And then we have to look at the situation in Hong Kong, which is extremely tense. There were riots in the streets and curfews during the time I was there.

It's hard to understand why Peking wants to stir up trouble in Hong Kong—and certainly the riots there were Red Communist-inspired—because today Hong Kong serves as the eyes and ears of the East in the West. Also, Communist China is getting nearly 750 million dollars a year out of this area.

Hong Kong used to be a labor-intensive market, but recently it has become a capital-intensive market, as more and more funds have been poured into this area for new capital machinery. But now, because of the problems, it is felt that Hong Kong will not attract additional capital, and this is of great concern. Also, of course, a slackening of the tourist business is certain to take place.

So all of these problems together mean that we have a grave situation confronting us. I come back feeling not encouraged, but depressed. I'm afraid that the possibility of World War III is too close for comfort.

The thinking people around the world—people like Abba Iban, the Foreign Minister in Israel; Remé Georgé, the Senior United Nations Representative in Cyprus; and others—say the same thing: That you cannot bargain with the Communists; they don't understand what the word means.

But what we have to do, as I mentioned, is exert every bit of power that we can to bring all those involved in these struggles to personal confrontations. Hopefully, we can do this, but we have to make sure that we do not allow ourselves to fall prey to what the Communists obviously want.

They want to spread our forces; they want to dilute our military and our financial and our economic and our political strength in spots all over the globe. I don't feel that we, in the prominent position that we have, can allow ourselves to be so weakened.

There is a Chinese proverb that I heard on this trip that says: "One who steals a little is a thief. One who steals a little bit more is a robber. And one who steals a nation is a king."

I don't think that we want to see any more kingdoms established in our time.

We are living today in a world of bellies empty of food and hearts full of hate. Our job is to help fill the former with our material blessings and the latter with our spiritual blessings.

OUR AMBASSADOR TO AUSTRALIA, EDWARD CLARK, DISCUSSES AMERICAN INVESTMENT IN AUSTRALIA

Mr. YARBOROUGH. Mr. President, our Ambassador to Australia, Hon. Edward Clark, is a man who is delighting in interpreting and relating the ideas of the Americans and the Australians to each other. His affectionate feelings for the Australians and his insight in understanding the unique problems of his adopted country account for his notable and well-deserved reputation. Ambassador Clark has frequently suggested on his welcome visits home that the Australians and Americans would benefit mutually from closer economic and cultural ties. On June 13, 1967, he delivered an address before the San Augustine Lions Club, San Augustine, Tex., on this important subject of increased Australian-American cooperation. Surely we can benefit from Ambassador Clark's wisdom in advising enterprising American investors to look to Australian business opportunities.

Mr. President, I ask unanimous consent that the speech by Ambassador Clark be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

American Investment in Australia

(An address by the Honorable Edward Clark, American Ambassador to Australia, before the San Augustine, Tex., Lions Club, June 13, 1967)

It is a pleasure and an honor for me to address you here today. I didn't expect to be back in the United States this soon for I left here only April 30 to return to my post in Australia after a period of consultation in Washington and a short leave in Texas.

I'm beginning to feel like an international commuter. With the jet plane service we have at our disposal today, this is quite possible. But also it brings out some human frailty. Jets can handle it alright, but they seem to travel at 600 miles an hour, and even faster than that, with no serious ill effect. But it has its wearing effects on the human system and I find it takes me three or four days to get myself readjusted and reoriented after these 12,000 mile trips to and from Australia.

I know that this physical effect of the speed of jet travel is coming in for a lot of discussion and study these days and I understand that a number of business enterprises prefer that their representatives not enter into important negotiations immediately after getting off the plane from an international flight. They prefer to have them take a day or so to get rested and to get adjusted before entering into important discussions.

I personally think this is a good thing, and in my own particular case, coming from Australia in the Southern Hemisphere, where the sun shines in the North and going "up North" in the Winter time is going "down South" in our country, I find that a period of adjustment is even more necessary.

It is always good to get home. It doesn't matter whether you have been away a short time or a long time, coming home is always a wonderful experience. Much as I love Australia and am attracted to it, and I refer to it now as my "second home,"—I must say that absence makes the heart grow fonder for this great country of ours and for the part that is dearest to me of all, the State of Texas.

I have fallen in love with Australia and the Australian people. I have enjoyed the warmest kind of hospitality of many Australian friends all over that great continent. They are movers, and doers and go-getters. They are our kind of people. And it is a phase of our relationship, Australian and American, a relationship which has a vital importance for the futures of both our countries, that I propose to discuss for a few moments with you today. My subject is "American Investment in Australia."

Australian country people, and indeed all Australians, from the big city bankers and industrialists to the man on the land,—the sheep station owner, the cow cocky, the cotton grower, the miner—all take a very hard-headed look at the flow of investment money coming into their country from the great financial capitals of the world, and especially from the United States. It is proper and fitting that they do so. On the whole they welcome us, but with reservations.

I believe you will agree with me that it makes sense that American investment in Australia should have some benefits for the investor. I am a lawyer and a businessman and profit is not a dirty word to me. Australia offers wonderful opportunities for enlightened, intelligent investment. By this I mean investment that not only benefits the investor but also benefits Australia and Australian enterprise and economy.

I personally am inclined to believe that American investment benefits Australians just as much, perhaps even a little more, than it does the American investor. Australia is the recipient of a number of by-products and side effects from this investment that will be long-lasting and extremely beneficial. I refer to American know-how, industrial and business management methods, technical developments, and above all, practical and applied research. These are "extras" which come with American investment and American co-partnership.

But let's go back and take a look at a few basic facts that may help us put the whole subject in its proper perspective. The most notable fact is the relative increase in North American investment in relation to other foreign investment in Australia. Incidentally, the figures include Canada along with the United States, but it is nearly all U.S. money, one way or another. In the first ten years following World War II, North American investment in Australia was only about 42% of British investment. During the past year, however, American investment has run slightly higher than British investment. This trend probably will develop further if Great Britain enters the Common Market, as she seems about to do.

Of course, the accumulated total of British investment is still far greater than American—United States and Canada together. In such important fields as banking, insurance, and urban real estate, there is much British investment and scarcely any American. American investors have entered other fields, mainly development of oil and gas resources, manufacturing, land reclamation and improvement, etc. Over-all since World War II, America has furnished about one-third of all foreign investment in Australia; Great Britain has supplied nearly 55%.

A question I am often asked is "what proportion of Australian business is in some way controlled by American interests right now?" This is rather a complicated technical question, for American money, management, know-how, is involved all the way from mere consultation to majority control. However, in the latter case, there are very few examples to cite. But based on official Australian figures, about 8% of Australian business is in some way controlled by American interests. More precisely, it seems that Americans own about 8% of all Australian company assets. This is about one-third of the overall 24% of foreign ownership of Australian enterprise.

The Australian economy as a whole, however, has grown roughly in proportion to the growth of foreign investment. As foreign investment has increased the country's economy has grown, and today overseas interests control the same proportionate slice of a much bigger and much more attractive pie.

So, according to these figures, the dire predictions made in the mid 50's by some of the Cassandras, that foreign ownership would take over Australian company assets to a high degree, do not seem to have eventuated.

It is true that the absolute amount of foreign investment has substantially increased, and that the American share of this increase has grown in relation to that of other nations. But it is important to remember that over the last ten years, the total proportion of foreign ownership of Australian company assets has not increased, but has remained the same.

Now we know that American industry and investment capital does not go into a venture without careful study of the pros and cons; of the climate in which it will be expected to operate; of the possibility of obtaining a fair return for its money and know-how. In short, we know what we expect from a partnership of this nature. But what do the Australians get? What advantage do they receive?

First of all, the practical day-to-day management of almost all American-owned Australian company assets is very largely in the hands of Australian managers. Many of these company managers and directors visit the United States several times a year for study and consultation and to familiarize themselves with American methods. Also, there are financial advantages that work both ways. For example, if a million American dollars of equity investment is put to work in Australia, this million dollars will certainly influence the property and work of very many Australians. It is equally true, however, that the million American dollars become subject to the final control of the Australian Government. And in this last analysis it is Australia which controls American investment in Australia.

These Australian controls have been very lenient and understanding, and I believe will continue to be so. Nevertheless, Australian laws and the Australian Government have, in effect, the last word. But I believe that as long as American industry and enterprise maintains its present cooperative attitude, we will continue to receive the kind of fair and square and friendly treatment which we have experienced heretofore. We have had some painful experiences in many countries, but, to my knowledge, never in Australia, where the Government and the people are fairminded and above-board.

But as the earth turns and the seasons change, so does the climate of business—in our own country—and in Australia as well. In the last six years, the rate of return on American investment in Australia has fallen very sharply. In the 50's, it approached 16%.

This has now fallen to a more pedestrian 8% in the mid-60's. In passing, we should not miss the fact that most of the American profits in the 16% era were ploughed back into the Australian economy, into plant and into development, and were not taken out of the country.

It is interesting, then, to consider the reasons why the rate of return for American investors has fallen to approximately half of its former amount in the last five years. Part of the reason is that the Australian economy itself has become much more competitive. Stricter control of inflation by the Government has limited purely paper profits as measured in Australian currency, and indirectly has stimulated greater efficiency throughout the economy. Australian business as a whole, including the foreign sector, has had to pull its socks up a bit. The abandonment of import licensing has had the same effect, though increased tariffs may have cut the other way.

Perhaps the most important reason for the falling return on American investment, however, is the great increase in new American commitments. The new investors are not looking for a fast buck. They often expect no profit at all for the first few years. They are in Australia for the long pull, and in my opinion, this is an extremely enlightened and intelligent attitude.

Australia's experience has been quite typical of that of countries who started out as an agricultural society; quite similar, in fact, to our own experience in the United States. The Western movement in our own country is a typical example of a very ancient social process in agricultural societies—the movement of a growing population into empty land. It was a process that began in the western world with the revolution in agricultural techniques. An agricultural population, working the soil according to traditional methods, exhausted the resources of the land and migrated westward to new ground. The continent, and here I speak of Australia as well as the United States, offered an unprecedented wealth of natural resources that gave anyone sufficiently energetic and inventive an opportunity to work out his own future in the forests and the land.

So the early settlers in both Australia and the United States were pretty much of the same mind. They thought that if you logged over a forest and moved on leaving barren lands behind it didn't matter much. There was always a great deal more waiting to be exploited; always greater forests and more land stretching endlessly to the west. What did it matter if the soil of a farm was exhausted? There were more fertile soils for the pioneer to move on to.

But this great raid on natural resources has taught both of us a lesson. Conservation is a very serious matter to the Australians today, just as it is with us. And the man who comes in to contribute, to construct, to conserve, is a man who is welcome and appreciated.

So, when an important new factory is built largely by American capital, or as in the case of the motor vehicle, when a major industry develops dramatically, there is a whole range of benefits accruing to Australia. New job opportunities, new tax revenues, stimulation of supporting industries and services, a substantial increase, quite often, in export sales.

Of very special significance is the skill and know-how which American industry brings with it. It is no secret that our big companies in the United States are spending tremendous sums on research. The results of this research are transmitted to American subsidiaries and franchise holders in Australia. The United States also has developed a great pool of trained personnel. We have learned how to do a great many things rapidly and efficiently. Australians appreciate this and admire it and know that through the American parent company they will have access themselves to this kind of training and experience.

Furthermore, Australians appreciate that they can learn a great deal from Americans in the field of management and operation. It is worth noting that most American-owned enterprises in Australia endeavor to keep American personnel to a minimum. A most striking example of this is the Mt. Isa mines up in Queensland. This great copper, zinc, silver-lead mining enterprise got into serious difficulties in 1930. In fact, the American investors in Mt. Isa received no dividends for the first seventeen years—until 1947. Right now there is a 54% American interest in Mt. Isa. Yet not one single American is permanently employed at Mt. Isa. Everyone from the Managing Director on down is an Australian.

The mention of Mt. Isa reminds me of the great new discoveries of mineral resources which have developed all over Australia in the last few years; Bauxite in Queensland; oil and gas off the shores of Victoria and elsewhere, and above all, the immense iron reserves in the Hammersley area in Western Australia. Australia's economy has not yet reached the point where this great bonanza of natural resources can be developed solely by Australian capital. The iron-ore would still be underground and much of the oil undiscovered without foreign and, in this case, United States capital and enterprise.

A few months ago, I visited some large American properties in the Esperance area of Western Australia—way down on the Southwestern tip of the continent. The apparently desolate land in that area needs only trace elements for productive use. The basic scientific discoveries were made by the local Australian Agricultural Research Station. However, the capital needed to get things going in a large practical way was furnished by American investors. The first major American investor didn't have enough capital to stick it out and the first scheme of land development in the area collapsed. Now, however, splendid progress has been made by the Chase Manhattan Bank of New York, Mr. Art Linkletter, and associates, the King Ranch of Texas, and Mr. Benno C. Schmidt, Managing Partner, J. H. Whitney and Company of New York, and former distinguished Professor of Law at the University of Texas and Harvard University, along with a number of other major American investors.

The results of their experiments and their enterprise, not all uniformly successful by any means, have been made known to local Australian investors who would otherwise have had to learn the hard way and could not have afforded it. I remember the vivid view from the airplane. Large emerald green pastures ended on ruler straight boundary lines right up against grey, apparently sterile scrub land. The infusion of large United States investment has made a big difference in the Esperance area. Surely a good thing for Australia; surely a good thing for the United States.

The United States itself, when it was a young, poor, and insecure nation, was the beneficiary of enlightened foreign investment by a number of countries—England, Holland, Germany, France. Friendly and constructive foreign investment at strategic points can have immense impact on a growing economy even though the sums invested may be relatively small. We in the United States today, because of our wealth and enterprise have become a lender nation, ready to play the role of overseas investor on a large scale.

I personally am of the opinion that Australia, in almost every way you can think of, offers excellent opportunities and climate for American investment.

I have said that Australia is destined to be one of the richest continents in the world—and that time is not twenty-five years away, either. Mark my words. Remember the time and place. And if I'm wrong you can call me collect for a hand engraved, gilt edged, signed and sealed retraction, apology, or for personal satisfaction with the weapon of your choice. The Australian Government's encouragement of American investment has produced splendid results for both Australians and Americans. Not only in the field of finance and industry, and tangible things, but in the field of improved personal relationships, friendly understanding; people-to-people; in the lives of men as well as the products of money and machines.

Australians are our friends, our partners, our allies. They can be relied on to give us a fair go.

SENATOR PROXMIRE'S TRUTH-IN-LENDING VICTORY

Mr. NELSON. Mr. President, the passage by the Senate of the truth-in-lending bill by the resounding unanimous vote of 92 to 0 represents not only a victory for the American credit consumer but a testament to the legislative skill and leadership of my distinguished colleague from Wisconsin, Senator WILLIAM PROXMIRE.

We in Wisconsin are justly proud of our senior Senator. For 10 years he has conscientiously served our State and National interests in this body, establishing a reputation as one of the Senate's most dedicated and hard-working Members. His perceptive and original thinking in the realm of economics has long been recognized and valued. As he has advanced into positions of leadership, culminating this session in his becoming chairman of the Joint Economic Committee, his voice and expertise have carried increasing weight in the formulation and evaluation of national economic policies. He, perhaps more than any Member of the Senate, has demonstrated the creative and independent role that the legislative branch can and must play in national decisionmaking.

The passage of the truth-in-lending bill by a unanimous vote, highly unusual for such a controversial measure which had failed to even reach the Senate floor during the previous 7 years of its legislative history, is thus a remarkable personal achievement. It reflects the Senate's high esteem for Senator PROXMIRE and his outstanding ability as a legislative craftsman.

On July 14, 1967, the Sheboygan, Wis., Press published an editorial supporting the truth-in-lending bill and commending Senator PROXMIRE for his able stewardship of this legislation. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A BIG ONE

Speaking of political accomplishments, the 92–0 vote for the truth in lending bill in the United States Senate is a big victory for Wisconsin Senator William Proxmire.

The bill has had a long and tortuous career over the past seven years. Pushed originally by the former Senator Paul Douglas of Illinois, it will require lenders and retail creditors to disclose the annual rate of interest on loans or installment purchases and the total number of dollars involved. If approved by the House of Representatives and signed into law, it will become effective July 1, 1969.

This is undoubtedly one of the difficult areas of legislation. Loan companies and retail installment buying have brought innumerable improvements to many people. Many students of the subject claim that they have tended to stabilize business at a somewhat higher level than might otherwise have been possible. This bill, as written and as approved by the Senate, in no way attempts to discourage any legitimate part of the loan or credit business. It does presume to make available to the possible purchaser or borrower complete information on the details of the transaction and the obligation he is about to assume. What the customer will do with that information is left up to the individual.

Admittedly, legislating in areas such as this is always controversial. How far government should go into the details of individual business relations is always the subject of much disagreement. Government cannot give people judgment nor can it successfully stamp out unwise desires or inept individual or family financial planning. This bill does not presume to do any of these things, but merely attempts to get all the pertinent cards on top of the table.

It should meet with fast approval in the House of Representatives. Senator Proxmire has given it fine leadership in the Senate where his voice on economic matters is being increasingly recognized. A unanimous vote on a measure of such substance is indeed unusual and, in that uncertain realm of political accomplishments, is a big one.

RETURNS FROM SALE OF FEDERAL TIMBER—II

Mr. MORSE. Mr. President, on July 13, 1967, I spoke to the Senate on the Forest Service and Bureau of Land Management's joint report to the Bureau of the Budget, "Review of Returns From Sales of Federal Timber." At that time, I inserted in the RECORD the first three parts of this report covering fundamental technical documentary information. Today, for the same reasons, I would like to insert in the RECORD parts IV and V. These parts cover an analysis of sale records and other price data and, very importantly, the summary and conclusions.

Mr. President, I ask unanimous consent that parts IV and V of the Joint Forest Service-Bureau of Land Management study, prepared for the Bureau of the Budget, "Review of Returns From Sale of Federal Timber," be printed at this point in the RECORD.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

REVIEW OF RETURNS FROM SALE OF FEDERAL TIMBER

IV. OBJECTIVE EVIDENCE

A. Advertised sale records

1. Forest Service

A summary of the sales on the National Forests by regions is presented in Tables 6 and 7.

Summary Table 6 is based on Appendix Table 1–A and covers the sales in the six western regions. These sales are primarily sawtimber. The very small amount of timber sold as pulpwood has been converted to the equivalent of sawtimber and is not tabulated separately. This table shows that in general the sales in each region were quite similar in volume and other characteristics in the two fiscal years 1964 and 1965. The principal differences between years was the increase in bid ratios in fiscal year 1965 in Region 6 in contrast to a drop in bid ratios in fiscal year 1965 for Regions 1 and 5. The volume of timber sold dropped sharply in Region 2 in 1965. Regions 1, 5, and 6 have strong competition and Regions 2, 3, and 4 have minor competition. Advertised prices went up approximately $1.00 per thousand board feet in Regions 1, 5 and 6. The increase was less in Regions 2 and 3. In fiscal year 1965 average appraised price was lower than in fiscal year 1964 in Region 4.

SUMMARY TABLE 6.—*Western national forests—Comparisons by regions for advertised sales in fiscal years 1964 and 1965*

Area region	Year	Number of sales	Volume (thousand board feet)	Appraised price [1]	Bid price [1]	Bid ratio	Road cost, per thousand board feet
1	1964	289	1,255,042	4.81	$9.67	2.01	$3.11
1	1965	300	1,214,308	5.92	9.73	1.64	3.28
2	1964	50	448,436	2.74	2.95	1.08	.35
2	1965	52	264,792	3.55	3.63	1.02	.52
3	1964	39	439,191	4.28	4.41	1.03	.57
3	1965	46	546,649	4.50	5.37	1.20	.30
4	1964	78	403,931	4.09	4.38	1.07	3.15
4	1965	90	458,503	3.71	4.15	1.12	3.13
5	1964	245	2,203,930	7.73	13.13	1.70	4.43
5	1965	246	2,185,372	8.79	13.92	1.58	3.47
6	1964	1,116	4,559,424	14.43	21.51	1.49	5.82
6	1965	1,147	4,487,124	15.06	26.80	1.78	6.38
	Total:						
	1964	1,817	9,309,954	10.06	15.48	1.54	4.50
	1965	1,881	9,156,748	10.82	18.38	1.70	4.58

[1] Per thousand board feet.

Summary Table 7 is based on Appendix Tables 1–A and 1–E. It characterizes the National Forest timber business east of the Great Plains. The sawlog business for the three eastern Regions was stable for the fiscal years 1964 and 1965. Close to three-quarters of volume was cut in the southern states (Region 8). Most of this cut was pine. The sawtimber cut in Regions 7 and 9 is mostly hardwood. Average bid and appraised prices are relatively high in Region 7 due to the influence of high value cherry (more than $100 per M) on the Allegheny Forest. In Region 9, average stumpage price is depressed by aspen sawlogs. The relatively high bid ratios results from competitive interest in yellow birch. Road construction needs are substantial in the mountainous terrain of Region 7. They are relatively minor in Regions 8 and 9.

The products business east of the Great Plains is primarily in pulpwood. In Region 7, volume increased substantially in 1965. This is mostly hardwood pulp which commands a low price even though consumption is expanding.

In Region 8, most of the pulpwood is pine which commands a good price per cord.

In Region 9, most of the pulpwood is either aspen or jack pine which are relatively low-priced materials. Sales volumes increased in 1965. Pulpwood sales volume in Region 9 is subject to considerable fluctuation from year to year.

Summary Table 8 is based on Appendix Tables 1–B and 1–D. It compares timber sale activities on the 42 forests of the Pacific Coast and Inland Empire where demand for timber is in excess of available supply with the Rocky Mountain Forest group. The latter consists of the National Forests in Regions 1 and 4 not included in the 42 forests, plus the forests of Regions 2 and 3. The sale volume in the Rocky Mountain group is only about 15 percent of the volume for the 42 Forest group. Appraised timber value for the Rocky Mountain group is less than one-third of the appraised value for the 42 Forest group. Bid indices are around 40 points less for the Rocky Mountain group. Road construction by timber purchasers is held to less than $1.00 a thousand, on the average, in the Rocky Mountain National Forest group. This is in contrast to an average of over $5.00 of road construction by purchasers in the 42 Forest group. This five-to-one ratio on purchaser road construction is indicative of the lack of economic value of the Rocky Mountain Forest. It is necessary to avoid the more difficult access problems or to provide for publicly financed road construction in order to sell timber in this area.

The timber sale characteristics for the 42 Forest group is remarkably stable between fiscal years 1964 and 1965. The one significant shift was an increase in competitive bidding which resulted in an increase of 16 points in bid index and approximately $3.00 per thousand in average bid price. However, as shown by Summary Table 1a, this increase is all due to activity in Region 6. The timber business in the Rocky Mountains during the two fiscal years was quite similar in all respects.

Summary Table 9 is based on Appendix Table 6-A. It shows volume and appraised and bids values for sales and offerings in the western Regions classified by no-bid, one-bid, and multi-bid sales. The volume of offerings with no-bid was relatively minor in both fiscal years. The highest proportion of no-bid sales was in Region 2 and Region 4. Total ratio of no-bid volume to consummated advertised sales was 2.8 percent in both fiscal years. There was variation between the no-bid ratio in the two fiscal years in several Regions.

The proportion of one-bid sales is high in the Rocky Mountain Region and low in the Pacific Coast Region and Region 1. The average proportion of one-bid sales in both fiscal years was virtually identical for all of the west. Again, there were fluctuations between years in individual Regions. These fluctuations correspond to similar fluctuations in average bid ratio of Regions. In Regions 1 and 5, both bid ratio and multi-bid sales proportion were down and one-bid sale proportion was up. Region 6 showed an opposite trend with proportion of one-bid sales slightly down and proportion of multi-bid sales and bid ratio substantially up. The bid ratios for multi-bid sales in the Rocky Mountain area where one-bid sales predominate are generally low. In Region 3, an unusual competitive bidding actively developed in fiscal year 1965. It does not appear probable that this indicates a permanent shift toward a higher degree of competitiveness in this Region.

For Regions 1, 5 and 6 where multi-bid sales are substantial, the average appraised value of single-bid sales was generally lower than for multi-bid sales. This indicates that single-bid sales were those which have less attractive operating or timber quality conditions.

SUMMARY TABLE 7.—*National forests east of the great plains—Comparisons by regions for advertised sales in fiscal years 1964 and 1965*

Area region	Year	Number of sales	Volume (thousand board feet)	Appraised price [1]	Bid price [1]	Bid ratio	Road cost, per thousand board feet
7	1964	130	102	$22.78	$30.70	1.35	$3.08
7	1965	153	109	24.20	31.53	1.30	3.91
8	1964	429	516	21.78	25.79	1.18	.73
8	1965	473	539	23.41	29.15	1.25	.90
9	1964	208	76	10.76	19.27	1.79	----------
9	1965	199	83	11.56	17.83	1.54	----------
	Total:						
	1964	767	694	20.72	25.80	1.25	.99
	1965	825	731	22.19	28.23	1.27	1.25
	OTHER PRODUCTS—CORDS						
7	1964	52	58	$1.70	$1.91	1.12	$0.30
7	1965	71	144	1.56	1.69	1.09	.44
8	1964	234	343	3.95	4.79	1.21	.21
8	1965	221	350	4.10	5.27	1.29	.14
9	1964	193	476	1.58	2.04	1.29	.01
9	1965	180	620	1.67	2.02	1.21	----------
	Total:						
	1964	479	877	2.53	3.12	1.23	.11
	1965	472	1,114	2.42	3.00	1.24	.10

[1] Per thousand board feet.

SUMMARY TABLE 8.—*Comparison of Rocky Mountain and 42 Pacific coast and inland empire forests—Forest Service advertised sales in fiscal years 1964 and 1965*

Area region	Year	Number of sales	Volume (thousand board feet)	Appraised price [1]	Bid price [1]	Bid ratio	Road costs, per thousand board feet
42 forests	1964	1,643	8,047	$11.11	$17.28	1.56	$5.06
Rocky Mountain forests	1964	169	1,245	3.37	4.05	1.20	.93
Do	1965	187	1,179	3.79	4.68	1.23	.86
42 forests	1965	1,690	7,946	11.88	20.46	1.72	5.15

[1] Per thousand board feet.

SUMMARY TABLE 9.—*Number of sales, volume, and bid and appraised rates for no-bid, single-bid, and multibid sales for sawlogs in the western regions—Advertised sales in fiscal years 1964 and 65*

Region	Fiscal year	No bid			Single bid				Multibid				Percent of annual volume sold	
		Number	Volume (million board feet)	Appraised value per thousand	Number	Volume (million board feet)	Appraised price [1]	Bid price [1]	Number	Volume (million board feet)	Appraised price [1]	Bid price [1]	No bid	1 bid
1	1964	17	37.5	$3.57	49	195.8	$3.61	$3.69	240	1,059.3	$5.03	$10.78	3.0	15.6
1	1965	21	72.8	5.07	81	327.9	4.91	4.99	219	886.4	6.29	11.49	6.0	27.0
2	1964	19	52.8	7.79	36	365.6	2.86	2.87	14	82.8	2.21	3.29	11.8	81.5
2	1965	15	30.3	5.30	42	192.7	3.38	3.42	10	72.1	4.00	4.19	11.4	72.8
3	1964	3	1.1	8.07	31	380.8	4.33	4.33	8	58.4	3.92	4.90	.3	86.7
3	1965	7	36.8	4.86	31	437.8	4.52	4.52	15	108.8	4.43	8.81	6.7	80.1
4	1964	17	49.3	4.00	47	245.0	3.99	4.00	31	159.0	4.24	4.95	12.2	60.6
4	1965	10	41.2	1.65	52	248.3	3.57	3.62	38	210.2	3.87	4.77	9.0	54.2
5	1964	12	61.4	5.59	59	354.4	6.11	6.21	186	1,849.5	8.04	14.46	2.8	16.1
5	1965	7	8.6	6.91	76	471.5	7.97	8.08	170	1,713.9	9.01	15.53	.4	21.6
6	1964	42	60.4	9.36	265	886.4	11.79	11.80	851	3,673.0	15.07	23.85	1.3	19.4
6	1965	34	63.4	9.57	199	721.2	12.39	12.42	948	3,765.9	15,56	29,55	1.4	16.1
	Total:													
	1964	110	262.5	6.32	487	2,428.0	7.00	7.03	1,330	6,882.0	11.14	18.47	2.8	26.1
	1965	94	253.1	5.70	481	2,399.4	7.43	7.48	1,400	6,757.3	12.02	22.25	2.8	26.2

[1] Per thousand board feet.

2. BLM

A summary of the sales in the BLM western states is presented in table 10 based on Appendix Table 2-A.

As can be seen in excess of 92 percent of the volume each year is sold in western Oregon. The competition among the public domain states is very similar with Idaho, California and Montana having a bid ratio near 1.30.

The main difference between years was an increase in bid price in 1965 over 1964. This was primarily due to a reduction of volume offered in western Oregon against a rising demand.

Summary table 11 is based on Appendix Table 7-A. It shows volume and appraised and bid value for sales and offerings in the western BLM states by no-bid, one-bid and multi-bid sales. The volume of offerings with no-bid was insignificant in both years. The volume of no-bid as a percent of the total volume offered was 0.8 and 1.8 percent for fiscal years 1964 and 1965 respectively.

The proportion of one-bid sales was generally highest for both years in the Rocky Mountain states. There were fluctuations between years in most states. The bid ratio was also generally lower for multi-bid sales in these same states.

The average appraised values for single-bid sales were generally lower than the appraised values for multi-bid sales in all states. These sales appear to be those with lower quality and higher costs and not as desirable as the multi-bid sales.

SUMMARY TABLE 10.—*All BLM advertised sales in Western States in fiscal years 1964 and 1965*

State	Year	Number of sales	Volume (million board feet)	Appraised price	Bid price	Bid ratio
California	1964	21	24.0	$18.14	$24.35	1.34
	1965	23	37.0	17.71	23.06	1.30
Colorado	1964	8	10.0	4.02	4.59	1.14
	1965	9	6.0	5.11	5.21	1.00
Idaho	1964	23	30.0	7.67	9.47	1.23
	1965	17	24.0	9.22	10.95	1.19
Montana	1964	9	11.0	8.86	12.80	1.45
	1965	12	18.0	8.05	10.71	1.33
New Mexico	1964	2	1.4	8.10	8.10	1.00
	1965	1	.4	10.05	10.05	1.00
Oregon	1964	595	1,483.0	20.51	26.58	1.30
	1965	451	1,188.0	21.13	34.50	1.63
Utah	1964	1	.2	4.98	(1)	
	1965	1	.7	5.42	6.19	1.14
Washington	1964					
	1965	1	.5	12.04	16.85	1.40
Wyoming	1964	4	1.6	3.83	3.90	1.02
	1965	2	.7	3.66	3.66	1.00
Total: 1964		662	1,561.0	20.01	25.94	1.30
1965		517	1,276.0	20.52	33.20	1.62

No bid.

SUMMARY TABLE 11.—*Number of sales, volume and bid and appraised rates for no-bid, single-bid, and multibid sales, Bureau of Land Management sales by States, fiscal years 1964 and 1965*

State	Fiscal year	No bid			Single bid				Multibid				Percent of annual volume sold	
		Number of sales	Volume, million board feet	Appraised value per thousand	Number of sales	Volume, million board feet	Appraised price [1]	Bid price [1]	Number of sales	Volume, million board feet	Appraised price	Bid price	No bid	1 bid
California	1964	2	0.1	$20.87	4	4.0	$17.96	$17.96	17	20.0	$18.18	$25.71	0.4	16
	1965	5	3.0	17.75	9	9.0	15.65	16.15	14	28.0	18.35	25.30	.07	22
Colorado	1964	2	1.6	6.30	7	9.0	3.87	4.43	1	.8	5.65	6.42	.12	78
	1965	2	.6	5.50	9	6.0	5.28	5.28					.09	90
Idaho	1964	4	5.0	6.03	11	12.0	6.35	7.47	12	17.0	8.64	10.94	.14	35
	1965	5	3.0	4.73	8	11.0	11.33	1.56	9	13.0	7.88	10.41	.11	40
Montana	1964	1	0.7	6.39	2	5.0	8.21	1.30	7	6.0	9.41	14.10	.01	42
	1965	0	0	0	4	6.0	6.73	8.82	8	12.0	8.71	12.22	.00	33
New Mexico	1964	0	0	0	2	1.0	8.10	8.10	0	0	0	0	.00	100
	1965	0	0	0	1	4.0	10.05	0.05	0	0	0	0	.00	100
Oregon	1964	8	2.0	12.39	225	581.0	19.37	9.39	370	902.0	21.25	31.20	.001	39
	1965	4	11.0	21.55	84	194.0	20.81	20.89	367	995.0	21.19	37.16	.01	16
Utah	1964	1	.1	4.98	0	0	0	0	0	0	0	0	100	
	1965	3	.5	6.77	0	0	0	0	1	.7	5.42	6.19	.41	
Washington	1964													
	1965	0	0	0	0	0	0	0	1	.5	12.04	16.85		
Wyoming	1964	2	2.0	5.10	4	1.0	3.83	3.86	0	0	0	0	.66	33
	1965	2	4.6	4.53	2	.7	3.66	3.66	0	0	0	0	.86	13
Total	1964	20	11.5	7.15	255	613.0	18.74	18.82	407	945.8	20.87	30.59	.8	39
	1965	21	22.7	14.63	117	230.7	19.15	19.30	400	1,049.2	20.79	36.19	1.8	17

[1] Per 1,000 board feet.

Forest Service-Bureau of Land Management Comparisons

Summary table 12 is based on Appendix Tables 1-C and 2-C. It compares sale volume prices and bid ratios for adjoining National Forest and Bureau of Land Management Districts in western Oregon. There are five Bureau of Land Management Districts and six National Forests in this area. The table has been arranged so that the National Forests and Bureau of Land Management Districts overlap and adjoin each other. Thus, the Willamette National Forest is in part adjacent to the Salem District on the line immediately above it and in part within or adjoining to the Eugene District on the line immediately below it. In addition to being adjacent to the Willamette Forest, the Eugene District is in part adjoining or overlapping the Siuslaw National Forest on the line immediately below it.

This table shows appraised bid values and bid ratios as reported by each Agency. No adjustment has been made for the difference in unit or measure between the two agencies. A separate summary table 13 will show appraised and bid values for these National Forests and BLM Districts adjusted to Bureau scale.

The volume sold by the Bureau of Land Management in 1965 was approximately 300 million, or close to 25 percent less than sold in 1964. This reduction in sales was most pronounced in the Eugene District. The volume sold on the National Forests increased by 167 million board feet, or approximately 8 percent in 1965 as compared to 1964. The National Forest sales had consistently higher bid ratios than BLM sales with the one exception of the Coos Bay, BLM District, in 1965. Both BLM and the Forest Service have approximately the same relationship of bid ratios between the two years tabulated. Thus, for all of western Oregon, BLM bid ratios increased by 37 points in 1965. For the Forest Service, the increase was 30 points. There is an approximate 30 point higher bid ratio for Forest Service sales than BLM sales in both years and in virtually all of the units reported as well as the averages for all of western Oregon.

SUMMARY TABLE 12.—*Comparisons of sale volume, prices, and bid ratios for adjoining national forests and Bureau of Land Management districts, western Oregon*

Area and agency	Fiscal year 1964					Fiscal year 1965				
	Number of sales	Volume (million board feet)	Appraised price (per thousand board feet)	Bid price (per thousand board feet)	Bid ratio	Number of sales	Volume (million board feet)	Appraised price (per thousand board feet)	Bid price (per thousand board feet)	Bid ratio
Mount Hood National Forest, Forest Service	91	330	$13.06	$26.58	2.04	98	386	$14.21	$35.72	2.51
Salem district, BLM	119	302	19.11	27.27	1.43	105	273	19.89	36.20	1.82
Willamette National Forest, Forest Service	137	663	17.78	31.39	1.77	149	651	17.41	39.60	2.27
Eugene district, BLM	172	320	21.76	32.44	1.50	119	159	24.63	48.03	1.95
Siuslaw National Forest, Forest Service	162	343	23.09	32.51	1.41	148	358	24.63	36.57	1.48
Coos Bay District, BLM	120	393	21.09	26.78	1.27	61	267	20.78	38.03	1.83
Siskiyou National Forest, Forest Service	56	173	19.89	33.28	1.67	69	271	20.80	36.81	1.77
Medford District, BLM	82	247	21.06	23.10	1.10	89	289	21.00	25.51	1.21
Rogue River National Forest, Forest Service	76	183	14.54	22.13	1.52	82	202	15.84	23.97	1.51
Roseburg district, BLM	97	218	19.23	20.71	1.08	70	186	21.15	30.67	1.45
Umpqua National Forest, Forest Service	80	359	23.09	32.51	1.41	88	351	20.04	35.52	1.77
Western Oregon total:										
BLM	590	1,479	20.53	26,60	1.27	444	1,175	21.21	34.72	1.64
Forest Service	602	2,051	17.84	29.00	1.63	634	2,218	18.70	36.03	1.93

Summary table 13 is based on Appendix Tables 1–C and 2–C. It shows comparisons of appraised and bid prices for adjoining National Forests and Bureau of Land Management Districts with Bureau of Land Management prices adjusted by a factor of 1.18 to bring them to the equivalent of a bureau scale basis. After this adjustment, appraised rates for BLM sales average $6.39 and $6.33 per M board feet higher than for National Forest sales for fiscal years 1964 and 1965, respectively. BLM bid prices averaged $2.39 and $4.94 per M board feet (bureau scale basis) higher for these two years, respectively.

As a result of a comparative study of average appraisal costs and selling value estimates for BLM and Forest Service sales in western Oregon, three factors have been identified which unquestionably result in differences in appraisal allowances between the two agencies due to differences in characteristics of the revested O&C grant lands and the National Forest lands. These three factors are: (1) Hauling distance from sale to milling point, (2) Average cost of specified road construction, and (3) Differences in average species mix. The average hauling distance for Forest Service sales in western Oregon is 28 miles as compared to 20 miles for BLM sales. The difference in cost between hauling distances of this amount is $4.69 in terms of bureau scale. Average road construction cost is $7.24 for Forest Service sales and $6.95 per M board feet bureau scale for BLM sales. This is a difference of 29 cents per M board feet. Forest Service sales in western Oregon have an average 73.6 percent Douglas-fir which is the most valuable species. BLM sales average 80 percent Douglas-fir. The difference in selling value due to this differential in species mix is $1.63 per M bureau scale. The total of these three factors is $6.61 per M bureau scale. These differentials indicate that the differences in appraised prices on the average for western Oregon are reasonable.

There may be other differences due to physical characteristics of the two properties. For instance, it is quite possible that timber quality of the Douglas-fir stands at the lower elevations on the BLM areas may be higher than for the National Forests, which are generally at higher elevations. However, it is impossible to be sure that apparent differences on this point are due to timber conditions or to appraisal methods.

SUMMARY TABLE 13.—*Comparisons of appraised and bid values for adjoining national forests and Bureau of Land Management districts with BLM prices adjusted to Bureau scale basis*

Area and agency	Values per thousand board feet—Bureau scale			
	Fiscal year 1964		Fiscal year 1965	
	Appraised price	Bid price	Appraised price	Bid price
Mount Hood National Forest [1]	$13.00	$26.58	$14.21	$35.72
Salem district [2]	22.55	32.18	23.47	42.72
Willamette National Forest [1]	17.78	31.39	17.41	39.60
Eugene district [2]	25.57	38.28	29.06	56.68
Siuslaw National Forest [1]	23.09	32.51	24.63	36.57
Coos Bay district [2]	24.89	31.60	24.52	44.88
Siskiyou National Forest [1]	19.89	33.28	20.80	36.81
Medford district [2]	24.85	27.26	24.78	30.10
Rogue River National Forest [1]	14.54	22.13	15.84	23.97
Roseburg district [2]	22.69	24.44	24.96	36.19
Umpqua National Forest [1]	23.09	32.51	20.04	35.52
Western Oregon total:				
BLM	24.23	31.39	25.03	40.97
FS	17.84	29.00	18.70	36.03
Difference in total	6.39	2.39	6.33	4.94

[1] Forest Service.

[2] Bureau of Land Management.

Summary Table 14 is derived from Summary Table 13 by finding the difference between appraised and bid values of adjacent Forest Service and Bureau of Land Management areas. In addition, the bid premium differences for the same comparative areas has been obtained and tabulated. This table is quite useful in tracing the high degree of variability between adjacent areas and between the two fiscal years. Since generally appraised and bid values for BLM lands are higher than for Forest Service timber, the tabulated differences in appraised and bid value are in terms of excess of BLM value over Forest Service value. On the other hand, Forest Service bid premiums generally exceed BLM premiums and for the bid premium column the comparison shows the excess of Forest Service bid premium over BLM bid premium. Where the excess does not follow either of these general rules, the figures are circled to indicate a negative value. Thus for bid and appraised value a circled figure means that the Forest Service value exceeds the BLM value. For the bid premium column, a circled figure means that the BLM bid premium exceeds the Forest Service bid premium.

In fiscal year 1964, the average appraised value difference between BLM and the Forest Service was $6.39. However, for adjacent BLM Districts and National Forests there was a variation of a 40 cent excess of FS value above BLM for the Roseburg-Umpqua area in contrast to an excess of BLM over FS values of $10.31 in the Medford-Rogue River area.

For this year the average difference in bid value was $2.39 per M but the variance in individual areas was from a higher bid value of $5.77 for the Forest Service in the Eugene-Siuslaw area as compared to a higher bid value for BLM of $8.07 in the Roseburg-Umpqua area. The average difference in bid premium in FY '64 was $4.00 per M board feet but varied from $10.98 in the Siskiyou National Forest-Medford District comparison to a bid premium in favor of the BLM of $4.29 in the Eugene-Siuslaw area.

There were even greater swings in fiscal year 1965. The spread and differences in appraised price was $11.74 per M, in bid price $26.82 per M, and in bid premium was $26.37 per M.

This table indicates the variability in the average value of timber being sold by individual areas from year to year and the variability in bidding response which may develop between nearby areas. On the average, there should be a difference in favor of BLM in appraised price of approximately $6.50. The range of values for the two years in the appraised price difference column shows there is a high degree of variability between nearby individual areas. The shifts between years in this relationship for the same comparative areas indicates how this assumption can shift for different annual sales programs.

The highest variability is in the bid premium columns which well illustrate the uncertainties of bidding results both by area and by different time periods.

SUMMARY TABLE 14.—*Differences in appraised and bid prices and bid premiums after adjustment of BLM prices to bureau scale*

[Dollars per thousand board feet]

Comparative areas	Fiscal year 1964			Fiscal year 1965		
	Excess of BLM over FS values in—		Excess of FS over BLM bid premiums	Excess of BLM over FS values in—		Excess of FS over BLM bid premiums
	Appraised	Bid		Appraised	Bid	
Mount Hood National Forest-Salem BLM District	9.49	5.60	3.89	9.26	7.00	2.26
Salem BLM District-Willamette National Forest	4.77	.79	3.98	6.06	3.12	2.94
Willamette National Forest-Eugene BLM District	7.79	6.89	.90	11.65	17.08	[1] −5.43
Eugene BLM District-Siuslaw National Forest	1.48	5.77	[1] −4.29	4.43	20.11	[1] −15.68
Siuslaw National Forest-Coos Bay BLM	1.80	[1] −.91	2.71	[1] −.09	8.31	[1] −8.40
Coos Bay BLM-Siskiyou National Forest	5.00	[1] −1.68	6.68	3.72	8.07	[1] −4.35
Siskiyou National Forest-Medford BLM	4.96	[1] −6.02	10.98	3.98	[1] −6.71	10.69
Medford BLM-Rogue River National Forest	10.31	5.13	5.18	8.94	6.13	2.81
Rogue River National Forest-Roseburg BLM	8.15	2.31	5.84	9.12	12.22	[1] −3.10
Roseburg BLM-Umpqua National Forest	[1] −.40	[1] −8.07	7.67	4.92	.67	4.25
BLM-FS totals for west Oregon	6.39	2.39	4.00	6.33	4.94	1.39

[1] Indicates negative value. For bid and appraised columns, negative value means FS value exceeds BLM value. In bid premium columns, negative value means BLM bid premium exceeds FS premium.

Summary Table 15 is based on Appendix Tables 6–C and 7–C. It shows comparison between Bureau of Land Management and Forest Service sales by no bid, single bid, and multi bid categories. No bid sales are inconsequential for both agencies in both fiscal years. In 1964 no bid sales were equal to approximately one percent of total sales for the Forest Service. A similar ratio of no bid sales in 1965 occurred for Bureau of Land Management.

The pattern of single bid sales is somewhat different between the two agencies. For the Forest Service, the highest single bid percentage was 6.9 in 1964. In the same year the single bid percentage was 39.2 for the Bureau of Land Management. Single bid sales in 1965 dropped to about half of these rates for both agencies. The effect of single bid sales on overall average bid indexes of the two agencies is minor for the Forest Service. For the Bureau of Land Management, multi bid sale index is 17 and 11 points higher, respectively, for the two years than the overall bid indices. (See Table 12 for overall bid indices.)

SUMMARY TABLE 15.—*Comparison of no bid, single bid, and multibid sales of Forest Service and BLM in western Oregon advertised sales in fiscal years 1964 and 1965*

Agency	Fiscal year	No bids			Total volume sold (million board feet)	Single bid sales		Multibid sales	
		Number of sales	Volume (million board feet)	Appraised price (per thousand board feet)		Percent by volume	Bid index	Percent by volume	Bid index
Forest Service	1964	20	22	$11.98	2,051	6.9	1.00	93.1	1.67
BLM	1964	6	2	12.24	1,479	39.2	1.00	60.8	1.47
BLM	1965	4	11	19.19	1,176	15.8	1.00	84.2	1.75
Forest Service	1965	8	3	20.31	2,210	3.8	1.01	96.2	1.95

B. Other price data

1. British Columbia

The Forest Service of the Province of British Columbia sells approximately four billion board feet annually. This is the largest volume of sales of public timber within the free world conducted by a single organization other than from the National Forests in the United States. During 1961 and 1962 when lumbermen in the United States raised an intense protest against the increase of imports of lumber from British Columbia, there were numerous allegations of more favorable stumpage prices and timber administration in British Columbia than on the National Forests in the United States.

On April 24, 1962, the Forest Service issued a statement on stumpage prices and pricing policies in British Columbia. A copy of this statement is included in the Appendix as Item 12. This statement reviews the numerous facets where comparability or adjustments must be made in order to make valid comparisons between prices and timber sale policies in British Columbia and in the National Forests of the Pacific Northwest and Northern Rocky Mountain area. The report summarized British Columbia timber prices by species with the most comparable timber prices for the National Forests in the United States. This was done for the four-year period 1958–1961, inclusive. The same study has been extended to include calendar years 1962, '63, and '64. The results are shown in Table 16. Compilations of appraised timber prices in British Columbia are not readily available. The British Columbia Forest Service issues detailed summaries of bid prices by districts and species. Since there is very little competition for timber in British Columbia, the bid prices closely approximate appraised prices.

A comparative record for the seven years from 1958 to 1964, inclusive, shows that National Forest appraised prices and British Columbia bid prices have been reasonably close together for the most comparable areas. National Forest bid prices still continue to be materially above British Columbia bid prices.

Timber appraisals in interior British Columbia are made on a lumber basis. Lumber price realizations of interior British Columbia mills are dependent primarily on lumber prices in the United States. These price levels are reflected in British Columbia timber appraisals. The system of appraisal of the British Columbia and U. S. Forest Service is basically the same. Our conclusion after study of statistics and a field investigation in the Prince George and Kamloops Districts of British Columbia in 1962 is that the methods followed by the British Columbia Forest Service and the U. S. Forest Service would produce approximately the same appraised stumpage values either in British Columbia or on the comparable National Forest areas of the Pacific Northwest and Northern Rocky Mountain States. Higher returns are being realized on National Forest timber because of the greater number of mills competing for timber in the United States and because British Columbia has adopted policies which discourage the development of situations where there will be competition for timber.

TABLE 16.—*Comparison of stumpage values in British Columbia with national forest stumpage sales in United States*

[U.S. log scale basis]

Species and district	Constant weighting (percent) (1960 basis)	1958			1959			1960		
		Per thousand U.S. scale [1]			Per thousand U.S. scale [1]			Per thousand U.S. scale [1]		
		British Columbia [2]	Comparable, United States		British Columbia [2]	Comparable, United States		British Columbia [2]	Comparable, United States	
			Advertised	Bid		Advertised	Bid		Advertised	Bid
Spruce:										
Prince George	57	$3.95	$3.73	$6.73	$6.43	$6.93	$11.81	$5.68	$4.63	$6.69
Kamloops	14	4.19	4.53	4.86	5.49	13.74	14.15	6.09	10.84	11.69
Nelson	14	5.00	3.73	6.73	6.45	6.93	11.81	5.76	4.63	6.69
Vancouver	4	4.28	[3] 17.06	[3] 17.52	4.53	[3] 31.34	[3] 31.34	6.16	6.63	7.69
Prince Rupert	11	3.84	4.38	6.28	4.09	6.33	9.37	4.21	4.43	5.78
Total	100	4.13	4.45	6.85	5.97	8.79	12.65	5.61	5.56	7.33
Douglas-fir:										
Prince George	7	4.04	2.77	4.30	7.61	5.75	9.05	6.34	4.07	7.03
Kamloops	48	5.61	3.50	6.33	8.31	10.53	15.72	7.70	7.99	10.93
Nelson	16	5.14	2.77	4.30	6.90	5.75	9.05	5.51	4.07	7.03
Vancouver	28	9.74	14.99	22.70	13.98	30.69	38.44	15.24	25.07	32.52
Prince Rupert	1	6.76	14.99	22.70	9.97	30.69	38.44	10.10	25.07	32.52
Total	100	6.99	6.66	10.61	9.64	15.28	20.77	9.39	12.04	16.29

TABLE 16.—*Comparison of stumpage values in British Columbia with national forest stumpage sales in United States*—Continued

[U.S. log scale basis]

Species and district	Constan weighting (percent) (1960 basis)	1958			1959			1960		
		Per thousand U.S. scale [1]			Per thousand U.S. scale [1]			Per thousand U.S. scale [1]		
		British Columbia [2]	Comparable, United States		British Columbia [2]	Comparable, United States		British Columbia [3]	Comparable, United States	
			Advertised	Bid		Advertised	Bid		Advertised	Bid
Hemlock:										
Prince George										
Kamloops	3	$2.71	$1.03	$1.70	$3.61	$3.60	$4.38	$2.05	$1.25	$5.69
Nelson	8	2.69	1.01	1.18	4.23	1.69	3.11	2.50	1.10	2.17
Vancouver	67	4.58	3.82	7.56	5.06	9.17	11.31	5.17	7.35	9.95
Prince Rupert	22	3.75	1.37	1.47	3.15	2.22	2.39	3.95	1.34	2.06
Total	100	4.19	2.97	5.53	4.53	6.88	8.48	4.59	5.34	7.46

Species and district	1961			1962			1963			1964		
	Per thousand U.S. scale [1]			Per thousand U.S. scale [1]			Per thousand U.S. scale [1]			Per thousand U.S. scale [1]		
	British Columbia [3]	Comparable, United States		British Columbia [2]	Comparable, United States		British Columbia [2]	Comparable, United States		British Columbia [3]	Comparable, United States	
		Advertised	Bid		Advertised	Bid		Advertised	Bid		Advertised	Bid
Spruce:												
Prince George	$4.47	$2.75	$6.60	$3.93	$3.01	$9.34	$3.52	$3.52	$10.49	$4.81	$2.53	$11.02
Kamloops	3.29	4.16	5.65	3.93	3.85	5.34	4.74	3.69	6.32	6.03	3.34	8.24
Nelson	3.00	2.75	6.60	3.86	3.01	9.34	4.12	3.52	10.49	4.17	2.53	11.02
Vancouver	4.48	7.24	8.58	4.95	6.45	12.41	6.01	8.49	11.77	10.22	9.20	17.75
Prince Rupert	3.82	3.25	5.59	4.02	3.25	4.72	4.63	3.30	8.87	6.16	2.85	8.97
Total	4.03	3.18	6.44	3.97	3.29	8.39	4.00	3.72	9.78	5.26	2.95	10.67
Douglas-fir:	6.02	2.13	7.31	6.86	3.27	9.33	8.69	5.28	9.82	9.67	7.63	10.71
Kamloops	5.14	3.87	7.88	6.96	3.77	7.78	8.00	4.52	8.66	7.33	6.44	12.44
Nelson	4.71	2.13	7.31	5.34	3.27	9.33	8.26	5.28	9.82	9.19	7.63	10.71
Vancouver	10.96	16.15	23.08	15.14	16.51	24.91	18.09	13.25	17.18	21.67	18.44	26.41
Prince Rupert	6.90	16.15	23.08	11.92	16.51	24.91	19.40	14.93	18.73	16.85	18.44	26.41
Total	6.78	7.03	12.16	9.03	7.39	13.10	11.03	7.24	11.41	11.90	10.19	16.09
Hemlock:												
Prince George							2.52	2.04	4.31	3.62	2.47	5.35
Kamloops	.85	1.00	7.73	2.02	1.02	1.94	3.59	1.64	6.02	4.22	1.00	2.29
Nelson	2.19	1.00	1.41	2.31	1.05	2.31	2.24	2.04	4.31	3.10	2.47	5.35
Vancouver	4.66	7.39	10.29	4.75	5.57	9.02	4.76	5.89	10.00	8.75	7.86	13.53
Prince Rupert	3.43	1.31	1.53	3.70	1.48	1.54	5.11	1.18	1.50	5.40	1.74	3.21
Total	4.08	5.35	7.58	4.24	4.17	6.63	4.60	4.42	7.56	7.43	5.88	10.27

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[1] British Columbia stumpage rates are combined timber sales and tree farm licenses, from reports of the British Columbia Forest Service, where rates are stated in units of hundred cubic feet. U.S. stumpage rates from forms 2400–17. Conversion factors of 6 board feet per cubic foot for coastal areas and 5.80 board feet per cubic foot for interior areas (based on factor of 1.67 for converting to lumber tally in the interior plus 15 percent overrun for interior species) are used to obtain stumpage rates per thousand board feet, U.S. log scale.

[2] Comparable U.S. stumpage rates were derived as follows: Kamloops equivalent to Okanogan-Colville National Forests. Prince George equivalent to Kootenai, Flathead, Kaniksu, Coeur d'Alene National Forests. Prince Rupert (coast) equivalent to Tongass National Forest. Prince Rupert (interior) equivalent to Kootenai, Flathead, Kaniksu, Coeur d'Alene National Forests. Nelson equivalent to Kootenai, Flathead, Kaniksu, Coeur d'Alene national forests. Vancouver (interior) equivalent to Kootenai, Flathead, Kaniksu, Coeur d'Alene National Forests. Vancouver (coast) to Olympic, Snoqualmie, Mount Baker.

[3] Small volume in sample distorts this value.

2. State Timber Sales

Timber sales of the State of Washington are by far the biggest volume and value transactions of any State. Table 17 summarizes the activities of the State for fiscal years 1964 and 1965. The timber sale activities for the Forest Service in the State of Washington are shown for comparative purposes. The State of Washington is now selling over a half billion board feet of timber per year. This is approximately 35 percent of the volume sold on the National Forests in the State of Washington.

The State of Washington sales are made by both lump sum and scaled procedures. Sales are cruised with the use of 32-foot log volume tables. Scaled sales are based on bureau scale measurement. Hence the unit of measure for the State of Washington sales is roughly comparable to the unit of measure used in National Forest sales.

The appraised value for State timber is substantially higher than the average for the National Forests. In fact, the State appraised price is almost twice that on the National Forests. Unquestionably this is due to shorter hauling distance and less road construction costs. National Forest timber in the State of Washington has the highest road cost allowances of any unit in the National Forest System. It averages close to $8.00 per thousand board feet. There is very little specified road costs in State of Washington sales. Also the hauling distance to market for State sales is much less than for the National Forests. State sales of old-growth timber are primarily from school and capital grant lands. Practically all of the "Section 16 and 36" within the National Forests have been exchanged to the State of Washington for consolidated blocks. These blocks are located along the lower boundaries of the National Forests affected. The lower hauling costs and the less road construction costs easily account for the average difference in appraised value between the State lands and the National Forests.

The bid ratios for the State are around 20 points less than for National Forests. Bid ratios increased in 1965 over 1964 on both the State and National Forest sales.

TABLE 17.—*State of Washington timber sales*

	State of Washington		National forests in State	
	Fiscal year 1964	Fiscal year 1965	Fiscal year 1964	Fiscal year 1965
Number of sales	164	195	388	371
Volume sold (million board feet)	530	552	1,451	1,423
Appraised price, per thousand board feet	$21.05	$22.80	$10.47	$11.49
Bid price, per thousand board feet	$26.07	$33.25	$15.64	$20.06
Bid ratio	1.24	1.46	1.49	1.75

Table 18 summarizes the State of Oregon (western) activities for combined fiscal years 1964 and 1965. The timber sales for F.S. and B.L.M. are shown for comparative purposes. The volume sold by the State for both years amounts to slightly less than five percent of the volume sold by the combined Federal agencies.

State sales are based on long log scales and are comparable to F.S. volumes. The B.L.M.

figures have been adjusted to put the figures on a comparable basis.

The appraised and bid prices of the State timber is substantially lower than for F.S. or B.L.M. timber. Actually the State prices are about one-half those of B.L.M. sales.

Most of this difference probably results from the lower quality of the State timber. The timber near Coos Bay and also SW of Salem is primarily young growth and a considerable volume is sold as commercial thinnings. Again, because of the nature of State sales policies there seems to be less competition for these sales.

Development (road) costs are probably nearly comparable to those of the Federal agencies and the combination of lower value with high costs results in a lower appraised price.

TABLE 18.—*State of Oregon timber sales in fiscal years 1964 and 1965 with comparison of sales on adjacent national forests and BLM districts*

	Number of sales	Volume (million board feet)	Value per thousand		Bid ratio
			Appraised	Bid	
Mount Hood National Forest	189	716	$13.68	$31.51	2.30
Sales, BLM district	224	575	22.99	37.18	1.62
Salem, State	118	168	11.73	20.16	1.72
Willamette National Forest	286	1,314	17.60	35.46	2.01
Eugene, BLM	291	479	26.73	44.39	1.66
Lane, State	4	8	29.47	43.50	1.48
Siuslaw National Forest	318	701	23.88	34.58	1.45
Coos Bay, BLM	181	660	24.74	36.97	1.49
Coos, State	59	165	12.58	17.20	1.37
Siskiyou National Forest	125	444	20.45	35.43	1.73
Medford, BLM	171	531	24.81	28.78	1.16
Southern Oregon, State	1	1	19.85	33.22	1.67
Rogue River National Forest	158	385	15.22	23.10	1.52
Roseburg, BLM	167	404	23.74	29.85	1.26
Umpqua National Forest	168	710	21.58	34.00	1.58
Total, western Oregon:					
BLM	1,034	2,649	24.58	35.62	1.45
Forest Service	1,236	4,270	18.29	32.65	1.79
State	182	342	12.59	19.33	1.54

TABLE 19.—*Appraised and bid rates for State-owned sawtimber timber sales, by regions and States, fiscal year 1964*

Region	State	Number of sales	Volume (thousand board feet)	Price per thousand board feet		Bid ratio	Comparable national forest		
				Appraised	Bid		Volume (million board feet)	Appraised value	Bid ratio
1	Idaho	76	135,658	$6.08	$8.41	1.38	766	$5.03	1.60
	Montana	18	35,216	12.35	17.62	1.43	476	5.03	2.13
9	Michigan	27	3,286	19.99	24.02	1.20			
	Minnesota	1	178	12.99	15.59	1.20			
	Wisconsin	3	197	17.94	18.38	1.02			
	FISCAL YEAR 1965								
1	Idaho	66	59,843	$5.87	$9.49	1.62	820	$6.03	1.31
	Montana	8	19,205	9.38	18.66	1.99	414	5.71	1.88
9	Michigan	13	3,168	18.19	21.38	1.18			
	Minnesota								
	Wisconsin	9	2,139	20.97	24.88	1.19			

TABLE 20.—*Appraised and bid rates for State-owned cordwood timber sales by regions and States, fiscal year 1964*

Region	State	Number of sales	Volume (cords)	Price per cord		Bid ratio	Volume per thousand cords	Appraised price	Bid ratio
				Appraised	Bid				
9	Michigan	58	77,911	$2.35	$2.62	1.11			
	Minnesota	22	30,010	2.76	2.85	1.03			
	Wisconsin	13	17,391	3.23	3.51	1.09			
	Total or average	93	125,312	2.57	2.80	1.09	463	$1.58	1.29
	FISCAL YEAR 1965								
9	Michigan	49	106,620	$1.87	$2.13	1.14			
	Minnesota	11	9,803	3.71	3.71	1.00			
	Wisconsin	25	37,400	2.62	2.99	1.14			
	Total or average	85	153,823	2.17	2.44	1.12	620	$1.67	1.21

Sales of State timber for States with more than a nominal amount of timber sale activity, other than the States of Oregon and Washington, are summarized in Tables 19 and 20. The States of Idaho and Montana reported significant amounts of sales of sawlogs. The comparative volumes of timber sold and the bid ratios in the 42 Forests where demand is active within these two States are also shown for comparative purposes. Practically all of these State sales were in the same area covered by the 42 Forest zone. Timber volume for the State of Montana is not sufficiently large to provide a stable basis for comparisons with National Forest activities. Appraised timber value for the State of Montana was higher than for the National Forests. The State of Idaho appraised prices are reasonably close to those for the National Forests. Bid ratios experienced by the Forest Service were higher in 1964 and lower in 1965 than for the State. The comparisons indicate that the differences between the National Forests and State activities is within the realm of reason in this Northern Rocky Mountain area.

Sawlog sales for the three Lake States are too small to merit analysis. These three Lake States in total sold well over a hundred thousand cords of pulpwood in each of the fiscal years. In Minnesota in 1965 less than 10,000 cords were sold at a relatively high price. There was no competitive bidding for this volume. Aside from this one entry, the appraised prices and bid ratios for the three States are homogeneous.

Average appraised and bid prices and bid ratios for pulp sales in Region 9 are also shown. The three States sell about one-quarter of the volume sold from the National Forests in the Lake States Region. National Forest appraised prices are significantly lower than State-appraised prices. Bid ratios for National Forest timber are somewhat higher than those obtained by the three States. A major proportion of National Forest pulpwood sales in Region 9 is aspen or jack pine, the lowest valued species. About 40 percent of the cut of pulpwood of Region 9 comes from the Superior National Forest. This pulptimber is quite remote and consequently carries a low stumpage rate. The pulptimber sold by the three States has considerably less transportation cost to bring it to the mill than this Superior National Forest timber.

3. Private Timber Transactions

The outline for this report noted that there was little likelihood of obtaining worthwhile data on timber prices in private transactions. Timber transactions between private parties in the west are now quite limited. Most of them have tie-in considerations for values other than timber. Detailed conditions of sale are seldom available. During the course of this study, no worthwhile data on private timber transactions were obtained.

4. Income Tax Price Data

Timber operators electing to treat the cutting of timber as a sale under Section 631(a) of the Internal Revenue Code make a determination of fair market value of the timber they have cut in submitting Federal income tax returns. The income tax law makes it possible to treat an increase in value of standing timber which has been held over six months as a long-term capital gain. Such capital gains can be claimed both on timber owned by the taxpayer and on timber which he has a right to cut under contract with private owners or public agencies. We know of no compilation heretofore made of the timber values claimed by taxpayers for capital gain purposes.

The Internal Revenue Service has made a special compilation of fair market value determinations of timber cut by operators in western Oregon. The correspondence between the Forest Service and the Internal Revenue Service which resulted in this study is included in the Appendix as Item 13. The results of the study are summarized in Table 21.

The data presented, with a few exceptions, relate to the taxable year beginning in 1964. The quantities and values tabulated are the amounts for which a fair market value is claimed under Section 631(a) of the Internal Revenue Code. The fair market value relates to the first day of the taxable year in which the timber was cut. In most instances this will be January 1, 1964. The values reported are taken from unaudited returns; they are what the taxpayers claimed and are not necessarily what the Internal Revenue Service would accept as fair market value.

The Forest Service furnished the Internal Revenue Service with a list of 167 operators arranged in four categories. Large mills were defined as those producing more than 30 million board feet of wood products or equivalent per year. Small mills were those producing less than this amount. Dependent mills were defined as those using 60 percent or more of public timber as raw material, and nondependent mills as those using less than 60 percent of public timber. The dependent-nondependent classification was necessarily based upon judgment estimates.

Out of the 167 listed firms, the Internal Revenue Service found that 63 did not claim capital gains under 631(a) during the year. No record could be found for 52 of the listed firms. Presumably these are firms which file under some other name from that shown in industry directories. The tax returns of 13 firms were not available at Portland when the compilation was made in February 1966.

We consider the total returns from the 39 firms covering 926 million board feet with a value of almost $30 million to be adequate sample of the fair market value level claimed for the 1964 tax year by the forest products industry of western Oregon. The limited volume and value obtained from the small operator class is inadequate to draw firm conclusions on differences between the level of fair market value determinations by large and by small operators. Out of 48 returns identified by Internal Revenue from the small operator list, 36 or 75 percent claimed no capital gain for timber cut. In contrast, the firms classified as large showed 50 percent of the firms with identified records claimed capital gains. These data confirm the general impression that capital gains on timber harvested is of relatively minor significance to the small mills. The data indicate that the small mills which did report capital gains claimed considerably higher timber valuations than did the large firms.

The objective of the inquiry was primarily to get information on the average level of fair market value claims in western Oregon rather than to study details of the levels claimed by small versus large mills. The evidence developed from this study may make it worthwhile for Internal Revenue to make some additional inquiries into the level of capital gains claimed by the small mills.

The average bid value obtained by the Forest Service and the Bureau of Land Management for all sales in western Oregon is also shown on Table 21. Bureau of Land Management average bid prices have been adjusted by multiplying by 1.18 to put their selling values on an equivalent of bureau scale. The reports of industry are primarily in terms of bureau scale or equivalent.

The average value claimed of $32.07 is within a reasonable distance of the Forest Service average bid value of $29.00 and the Bureau of Land Management value of $31.39 per thousand board feet. A taxpayer would naturally cite the highest value sales of public timber to justify his determination of fair market value. The tabulation indicates that the taxpayer's claims for fair market value have not been excessive as related to transaction evidence of bid rates for Federal timber.

It is evident that in determining fair market value for tax purposes operators are working to a concept of fair market value based on transaction evidence. This raises a question as to whether it is equitable to the United States for the Federal timber selling agencies to be appraising timber on an analytical appraisal basis which gives results substantially below the bid price averages, and for the United States to accept, in connection with taxation, timber valuations based exclusively on transaction evidence.

The capital gain which may be claimed on timber cut from public lands is the difference between fair market value as of the first day of the tax year in which the timber is cut and its "cost or other basis," i.e., the contract price. Since the contract price for public timber is a bid rather than an appraised price, it is consistent and equitable to use transaction evidence derived from bid prices to establish a capital gain under Section 631(a).

TABLE 21.—*Income tax data on timber values in western Oregon in taxable year 1964*

Category	Number of cases			Timber volume (million board feet)	Value	
	Proposed	Without 631(a) claim	Finally included		Total (thousands of dollars)	Per thousand board feet
Income tax data, taxable year 1964:						
Large, dependent	42	13	15	310	10,415	$33.55
Large, nondependent	39	14	12	507	14,956	29.52
Subtotal, large	81	27	27	817	25,371	31.08
Small, dependent	42	21	6	47	1,915	41.07
Small, nondependent	44	15	6	62	2,398	38.70
Subtotal, small	86	36	12	109	4,313	39.45
Total, all classes	167	63	39	926	29,684	32.07
Forest Service, fiscal year 1964				2,051		29.00
Bureau of Land Management, fiscal year 1964, adjusted to Bureau scale				1,253		31.39

C. Profit statistics

A statement "Profits in the Timber Industries" compiled by the Forest Service in consultation with Internal Revenue Service and issued on March 10, 1964 is included in the Appendix as Item 14. This report summarizes available information relating to profits in the timber industries.

Corporate net income after tax as a percent of business receipts from 1947–64 for lumber and wood products industry group, paper and paperboard products, and all manufacturing is shown in the graph below. [Graph cannot be reproduced in the RECORD.] For the lumber and wood products group, net income declined from 10.9 percent of business receipts in 1947 to a low of 1.2 percent in 1960. It increased to 1.8 percent in 1962 and is estimated to have further increased to more than 3 percent in 1964. Since 1960, profits in the lumber industry have been below the average for all manufacturing industries.

The study of "Profits in the Timber Industries" also developed that the lumber and wood products group had a lower effective tax rate than for all manufacturing industries. The effective tax rate was 34.2 percent of income subject to tax for lumber and plywood products as compared to a 50.1 percent for all manufacturing. The lower effective tax rate for lumber reflects the importance of net long-term capital gains on timber taxed at 25 percent. Also the lower tax rates on the first $25,000 of income is of significance to the smaller sized units of industry.

A more detailed study of profits in the western timber industries was made for the tax year 1962 by the Forest Service in cooperation with Internal Revenue Service. The study was made by a stratified sample. One firm out of ten producing less than three million board feet of lumber was included in the sample; one out of three firms producing from three to fifteen million board feet annually and all firms producing more than fifteen million board feet annually were included. All plywood, pulp and paper, and diversified forest products firms were included. The sample was expanded by the Internal Revenue Service to provide estimates of the total population. The estimated totals for these western firms are shown in Table 22.

TABLE 22.—*Relative importance of timber industries included in profit study*

[Dollar amounts in millions]

Type of firm	Total firms	Assets	Business receipts	Net income before tax
Western firms, total	1,558	$6,471	$6,417	$461.5
Lumber	1,452	1,253	1,829	82.6
Corporations	545	1,119	1,589	76.5
Small business corporations	86	61	76	3.1
Partnerships	279	73	126	1.7
Sole proprietorships	542		38	1.3
Plywood	69	212	400	6.1
Pulp and paper	15	1,524	1,159	141.3
Diversified	22	3,482	3,029	231.5
Eastern lumber firms	41	183	183	10.0

As indicated in the last line of Table 22, a number of eastern firms were also analyzed to provide a comparison with the earnings experience of western firms. The eastern sample included only firms estimated to produce in excess of 15 million board feet annually.

Each of the firms in the sample was classified as to whether it was dependent or nondependent on public timber. A firm was classed as dependent if more than 50 percent of logs consumed was estimated to come from public lands.

Those firms dependent on public timber were further classified as: (1) "competitive" if available evidence indicated that they paid five percent or more above the appraised price for public timber purchased during 1962; or (2) "noncompetitive" if evidence indicated that they paid less than five percent over the appraised price for public timber purchased during the year. The Internal Revenue Service classifed these categories further by asset size class and by corporate or other form of organization.

Table 23 uses net income after tax in percent of business receipts as a measure of profitability. The comparison is made between western lumber corporations classified by source of timber and asset size class. Generally corporations not dependent on public timber were more profitable than the dependent classifications. The noncompetitive dependent class with assets of $1 to $5 million shows a minus 3.5 percent. The number of firms in this category is limited to only five. This may account for the rather wide variance from the profit ratio pattern of other portions of the table. This profit deficit for this size class of "dependent-noncompetitive" firms accounts for the lower profit rate for all classes of "noncompetitive" than for the "competitive" dependent firms. In all other size categories the "noncompetitive" class has a higher profit rate than the "competitive."

The firms with assets over $5 million strongly influence the average profit rate for all classes of 2.8 percent. The high rate of returns for asset class of $5 million and over is all due to the rate shown for the firms not dependent on public timber.

Of maximum interest for the study of timber pricing is the dependent competitive classification because most timber purchasers in western Oregon fall in this category. The total population in this category accounts for most of the cut on the 42 National Forests of the Pacific Coast and Inland Empire States where demand-supply relationships are critical. Approximately 37 percent of the cut of public timber from this competitive zone comes from western Oregon. Hence it is logical to presume that the results on the dependent-competitive line of Table 23 are weighted at least by one-third from experience of BLM and Forest Service timber purchasers in western Oregon. The highest profit rate on this line is 1.4 percent for operations with asset size class of $1 to $5 million. The average profit rate for all size classes is 1.0 percent. This can scarcely be considered as satisfactory rate of net income earnings as a percent of total business receipts.

TABLE 23.—*Net income after tax in percent of business receipts, western lumber corporations, 1962*

Type of firm	Asset class				
	All classes	Under $500,000	$500,000 to $1,000,000	$1,000,000 to $5,000,000	Over $5,000,000
Dependent on public timber	0.8	−0.2	1.0	0.8	1.3
Competitive	1.0	−.3	.8	1.4	1.3
Noncompetitive	.5	.2	2.8	−3.5	1.4
Not dependent on public timber	4.2	1.7	.8	1.1	5.3
All firms	2.8	.5	.9	.9	4.6

TABLE 24.—*Net income before tax in percent of business receipts by type of firm, western lumber industry, 1962*

Type of firm	Corporations	Small business corporations	Partnerships	Sole proprietorships
Dependent on public timber	1.5	7.5	2.5	3.5
Competitive	1.9	7.2	3.5	5.1
Noncompetitive	1.0	8.3	−2.3	−0.1
Not dependent on public timber	7.2	0.8	−1.1	3.1
Total, all firms	4.8	4.0	1.3	3.3

TABLE 25.—*Net income after tax in percent of business receipts, western timber corporations, 1962*

[In percent]

Industry	All firms	Dependent on public timber			Not dependent on public timber
		Total	Competitive	Not competitive	
Western corporations:					
Lumber	2.8	0.8	1.0	0.5	4.2
Plywood	1.0	1.6	1.6		.2
Pulp and paper	7.4	7.0	7.0		7.5
Diversified	5.2	2.5			5.5
Total	4.7	2.2			5.5
Eastern lumber corporations	3.8				
U.S. total:					
Lumber and wood products	1.8				
Logging, sawmills, and planing mills	2.6				
Millwork, veneer plywood, prefabrication	1.1				
Wood containers and other wood products	1.2				
Paper and board products	3.9				
Pulpmills	8.7				
All manufacturers	3.2				

Table 24 compares net returns before tax in percent of business receipts for the four classes of business organizations in the western lumber industry. As shown in Table 22 approximately 87 percent of business receipts is accounted for by firms organized as regular corporations. A domestic corporation having not more than 10 shareholders and meeting other requirements may elect to be taxed as a partnership and is then designated a "small business corporation." Since neither small business corporations or partnerships are subject to direct Federal income taxation, it is necessary to make comparisons on the basis of net income before tax.

Table 24 shows no distinguishable pattern of profits by type or organization. "Dependent" firms other than regularly organized corporations had a higher before tax earning rate than the corporations. The small size of the population in the various categories of firms other than regularly organized corporations reduces the significance of the indicated differences.

Table 25 compares net income after tax in percent of business receipts for the various classes of western timber corporations—Lumber-Plywood-Pulp and Paper-Diversified—according to their dependence on public timber. Net income is proportionately higher for the pulp and paper and the diversified products firms than for the lumber manufacturers. Plywood firms had a lower earnings rate than lumber. Nondependent firms had a higher earning rate than dependent firms except for plywood. Eastern lumber corporations had a higher earnings rate than western lumber corporations. The difference of 1.0 percent may be due to the minimum size of the eastern mills sampled (over 15 million board feet annual production).

The average net income after tax in percent of business receipts for the U.S. lumber and wood products groups in 1962 was 1.8. This is 1.0 percent less than the ratio for western sawmill corporations analyzed in the study and 2.0 percent less than the sample for eastern lumber corporations.

The lumber and wood products group as defined in the Standard Industrial Classification includes three subgroups: (1) Logging, sawmills and planing mills, (2) Millwork, veneer, plywood, and prefabrication; and (3) Wood containers and other wood products. The average rate of earnings for western lumber corporations and for total U.S. logging, sawmill, and planing mills are quite similar (2.8 vs. 2.6 percent). Earning rates for western plywood corporations and for the total U.S. millwork, veneer, plywood, and prefabrication firms is also virtually the same. Western pulp and paper mills had a high earning rate compared to other western forest product firms but this earning rate was 1.3 percent less than the average rate attained by all U.S. pulpmills.

These studies of industry profits indicate that:

1. Lumber and wood products industry profits after taxes since 1959 have been less than the average for all U.S. manufacturers. The gap was greatest in tax year 1960 and 1961 when the lumber and wood product group was earning at less than half the rate attained by all manufacturers. In 1962 this relationship improved (1.8 vs. 3.2). In 1963 and 1964 the gap narrowed to minor significance (3.4 vs. 3.7 in 1964).

2. Earnings after tax in percent of business receipts of the logging sawmill and planning mill subdivision were slightly higher than for the entire lumber and wood products group. In 1962 the two earning rates were 2.6 and 1.8, respectively. The comparative record of net income after tax in percent of business receipts is:

Tax year	All manufacturers	Lumber and wood products	Logging, sawmills, and planing mills
1959	3.5	3.7	5.3
1960	2.9	1.2	2.0
1961	3.0	1.4	1.7
1962	3.2	1.8	2.6
1963	[1] 3.3	[1] 2.8	
1964	[1] 3.7	[1] 3.4	

[1] Estimated.

Earnings rates for the subgroup logging, sawmills, and planing mills for tax years 1963 and 1964 are not yet available. It appears likely that they will be around 1.0 percent higher than the earnings of the lumber and wood products group. If this indication proves correct, the earning rate for this subgroup will be slightly higher than the earnings rate for all manufacturers in 1963 and 1964.

3. Net income after tax of western lum-

ber corporations in 1962 was 2.8 percent of business receipts which is 0.2 percent more than for all U.S. logging, sawmill, and planing mill firms. It seems logical to presume that the earning rates for these two groups would be similar in 1963 and 1964 but there is no data available or under development to prove it.

4. In 1962 western corporate lumber firms dependent on public timber earned 0.8 percent of business receipts as compared to 4.2 percent for nondependent firms. Competitive dependent firms earned at a 1.0 percent rate and noncompetitive firms at a 0.5 percent rate. This no doubt results from favorable location of competitive firms to markets, better quality timber, better than average efficiency because of competition, and a larger spread between cost of production and returns. Many of the noncompetitive firms are located in marginal timber areas where opportunity for profitable enterprise is limited.

5. The intensive review of net income of western forest product firms has developed nothing to indicate that for the firms classified as dependent on public timber, lumber or plywood manufacturers had a capacity to pay higher prices for their raw materials than were obtained. The modest improvement in earnings of the lumber and wood product groups since 1962 has not changed this situation.

V. SUMMARY AND CONCLUSIONS

This joint report by the Forest Service, U.S.D.A., and the Bureau of Land Management, U.S.D.I., was made in response to a request from the Bureau of the Budget for a review to determine whether a fair return is being obtained for the sale of Federal timber.

Federal timber is sold after advertisement for competitive bidding. In the advertisement of sale, a minimum acceptable price is stated. The minimum stated acceptable price is the appraised value of the timber as determined by the agencies.

Appraised prices are determined by the agencies primarily through the use of analytical appraisal. An analytical appraisal determines what an operator of average efficiency can pay for raw material after allowance for a normal margin for profit and risk. There is no attempt to put appraised prices at bid levels. Transaction evidence is used primarily to check the adequacy of analytical appraisal procedures including, for the Forest Service, adjustments of profit ratios.

Numerous studies, reviews, and examinations of timber appraisal and sales practices have been made over the last 15 years. The major activities of this type have been summarized and evaluated in this report.

The objective of both agencies is the sale of allowable cut under sound multiple use management principles. The rate of timber sale offerings is not affected by ups and downs of lumber market. Costs of meeting multiple use requirements are recognized in timber appraisals and result in lower stumpage returns than would be obtained without such requirements.

After adjustment is made for location and characteristics of the properties managed by the two agencies in western Oregon, appraised value and bidding records are closely comparable and reconcilable.

In the Pacific Coast and Inland Empire States, installed capacity of sawmills and plywood plants is in excess of the allowable cut rates for public timber and the volume annually available from private lands. Private timber is now almost entirely in firm ownership. Little is available for sale. The demand for timber for purchase exceeds the supply available in timber offerings from the Federal timber selling agencies. Under these circumstances, there is strong competitive bidding for timber offerings even during times of adverse lumber markets. This happened in 1960 and 1961. In those years the average ratio of bid to appraised price for the 42 National Forests of the Pacific Coast and Inland Empire where timber demands are critical were 1.22 and 1.35, respectively. This was during a period when appraised values for National Forest timber in this area were being attacked savagely.

The ratio of bid to appraised price increased by about 30 points in fiscal year 1965 for both agencies in western Oregon. This increase in bid ratio in 1965 either did not occur or was of minor significance in other Forest Service Regions. In Region 6 the increase in bid ratio was only 10 points for eastern Oregon and Washington in FY 1965. The one area with substantial increase in bid ratio in FY 1965 is the Douglas-fir Region.

The agencies have agreed on a plan of action (stated in Item II–B of the report) to develop more uniformity in timber appraisal procedures in western Oregon. This plan of action will also result in raising the average level of appraised prices for both agencies in the Douglas-fir Region. This will, to some degree, counteract the abnormally high bid ratios which have been experienced in this area since 1965.

Timber price data for British Columbia and State Governments have been compiled. In British Columbia bid prices are at similar levels to appraised prices for comparable National Forests. British Columbia has followed a policy of discouraging competitive bidding and discouraging mill installations in excess of allowable cut capacity. The British Columbia Forest Service sells close to four billion board feet of timber annually. Because competition has been discouraged, prices for this large volume of business are set primarily by an analytical appraisal process. The similarity between appraised price levels for comparable Federal timber in the United States and for Crown timber in British Columbia is, therefore, quite significant.

The State of Washington sells more than half a billion board feet annually, most of which comes from grant lands with high quality timber in relatively accessible locations. Appraised values are approximately $10.00 per M board feet more than the average value of National Forest timber sold in the State of Washington during the two fiscal years. Bid ratios for the State timber are approximately 25 points less than for the National Forests in the same State. Washington State had higher bid ratios in 1965 of about the same proportions as were experienced by the Forest Service and Bureau of Land Management in western Oregon.

Timber sold by the State of Oregon is relatively minor. Appraised and bid value is from 20 to 60 percent less than comparable prices for Federal timber. This is in part due to poorer timber quality on the State lands.

The Internal Revenue Service furnished the average market value claimed by a sample of western Oregon taxpayers in connection with capital gains on timber held over six months for the tax year 1964. These determinations of fair market value by industrial taxpayers were reasonably close to average bid prices for Federal timber during 1964.

Available information on average industry profits shows that income as a percent of total business revenues has been less in the lumber and wood products industry group than for all manufacturers since 1959.

A special analysis of western forest products firms for the tax year 1962 has just been made by the Forest Service and the Internal Revenue Service. This study used a stratified sample in which firms were classified upon their dependency on Federal timber and their location in competitive or noncompetitive areas. Firms classified as nondependent on public timber had substantially higher returns than those classified as dependent. Within the dependent group, the firms purchasing timber noncompetitively had a lower rate of earnings than the firms in competitive areas. The firms classed as noncompetitive are primarily outside of the 42 Forests highly competitive zone. They are in nonpreferred locations where the lack of competition may also reflect marginal opportunity for profitable enterprise.

This intensive review of western lumber firms' profits for calendar year 1962 indicates there is no basis to presume that this industry had a potential to pay a higher price for its raw materials than it paid during that year. There has been some improvement in profit trends in the lumber industry in 1963 and 1964. This improvement has not been of such dimension as to indicate a need for revision in pricing and sales procedures to obtain a fair return to the Government in its stumpage sales.

There are relatively few situations where the seller of raw material can set and obtain a minimum price which is based on the paying capacity of the manufacturer. The appraised prices being set by the agencies for Federal timber is such a price. At the present time, in the Pacific Coast and Inland Empire areas, intensive competitive conditions are resulting in a substantially higher price for Federal timber.

WAR ON CRIME

Mr. WILLIAMS of Delaware. Mr. President, in the Washington Star of July 12, 1967, appeared a timely editorial entitled "Phony War on Crime."

This editorial points out the alarming trend of the Justice Department's new policy of giving every break to the criminal and ignoring the fact that the innocent victims of these crimes deserve consideration.

New regulations of the Attorney General go far beyond the restrictions on wiretaps and bugging that were suggested just 2 years ago by President Johnson. They forbid law-enforcement practices which even the Supreme Court has not yet ruled improper. As this editorial points out:

> A suspicious soul might think that they are an invitation to the court to go farther than it has up to this time—and this may not be lost upon the "liberal" judicial majority.

Can it be that the Department of Justice is deliberately laying the groundwork for a series of reversals by the courts of previous criminal convictions on the basis that at some time during the investigation the individuals involved had used a telephone upon which somebody had placed a wiretapping device?

Let us not overlook the fact that this could be a convenient device for fixing criminal cases through the simple process of having someone place a wiretap on that individual who may be headed for the penitentiary.

The time is long past when the Department of Justice and the Johnson administration, with their loudly heralded "war on crime," begin to center their attention on the proper targets—namely, the actual law violators.

Our country was founded upon the basic principle of equal justice for all, and it would be well for the justices of our courts to reread this principle as they enter their chambers.

I ask unanimous consent to have printed in the Record at this point the editorial from the Evening Star of July 12, entitled "Phony War on Crime."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Phony War on Crime

There comes a time when a spade should be called a spade, and there also comes a time when a phony war should be called a phony war. That time has been reached in Lyndon Johnson's much-touted and loudly-heralded "war on crime."

The sweeping—and they are sweeping—regulations just put out by Attorney General Ramsey Clark restricting the use of wiretaps and electronic listening devices are the last straw. The attorney general surely would not have sounded this call for retreat without the approval of the President. So one is driven to the conclusion that the war on crime is a phony war, and that all of the President's high-flown speeches, not to mention the attorney general's rhetorical contributions, have been nothing more than wordy exercises designed to conceal the fact that this administration's heart is not in its so-called war.

The attorney general's new regulations go well beyond the restrictions on wiretaps and bugging imposed two years ago by the President. They forbid law-enforcement practices which the Supreme Court has not yet outlawed. A suspicious soul might think that they are an invitation to the court to go farther than it has up to this time—and this may not be lost upon the "liberal" judicial majority.

Ramsey Clark obviously has a thing about wiretaps and bugging. He thinks they are a waste of manpower. He has testified that they are "abhorrent" devices. He says that all of his experience shows that electronic surveillance (he has had very little experience in criminal law enforcement) is not necessary for the public safety, is not a desirable or effective investigative technique, and that these abhorrent devices should be used only in the national security field. He has never explained why wiretaps and bugs are essential in national security cases but useless against organized crime. Of course he cannot come up with any rational explanation.

Let's turn to another witness, Frank S. Hogan, New York County district attorney, has been in the front line of the war on crime for 27 years. He told the President's Crime Commission: Electronic surveillance is the single most valuable weapon in law enforcement's fight against organized crime. . . . It has permitted us to undertake major investigations of organized crime. Without it, and I confine myself to top figures in the underworld, my own office could not have convicted Charles "Lucky" Luciano, Jimmy Hines, Louis "Lepke" Buchalter, Jacob "Gurrah" Shapiro, Joseph "Socks" Lanza, George Scalise, Frank Erickson, John "Dio" Dioguardi, and Frank Carbo.

Well, there it is. Take your choice. Frank S. Hogan, who has sent scores of vicious hoodlums to jail, is quite willing to use the "abhorrent" eavesdropping weapon in his war on crime. He thinks it is an essential weapon. Ramsey Clark and Lyndon Johnson are not willing. They would prefer to conduct their war with speeches at twenty paces. And, in consequences, this war is one which organized crime will surely win and which the American people, the ultimate victims, will surely lose.

GOVERNOR ROMNEY'S HARD-HITTING LANSING SPEECH DRAWS PRAISE

Mr. BENNETT. Mr. President, recently in Lansing, Mich., that State's able Governor, George Romney, delivered an address to the Governor's Conference on "Innovation in Social Problem Solving and Strengthening Family Life."

The Governor's speech is very timely and his points are extremely well taken.

He points out in the very beginning:

> The problems are in the headlines every day: Riots of the disadvantaged in the ghetto. Riots of the affluent on the campus. Crime in the streets. Juvenile delinquency in the suburbs. Dishonesty in high places. Drug addiction. LSD. Alcoholism. Tranquilizers. Sexual promiscuity. Marital infidelity. Family breakdown. Personal irresponsibility in all its forms. What a paradox. In the land of the free, men and women are increasingly dependent—whether on drugs or alcohol, on a psychoanalyst, on sensual stimulation or on governmental handouts.

Michigan's Governor goes on to talk about the failures of many of the social programs that have been underway for years and years, saying:

> There is serious doubt about the future of public support for governmental welfare, educational, and social programs.

Not only does he carefully outline the many problems that we are facing today, but he also offers an excellent solution, that being the return to prominence of the family, which he calls our first window on the world.

He says "sound families build sound character and sound character builds a sound society."

Mr. President, Governor Romney's excellent speech deserves wide distribution, and I ask that it be inserted at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Address by Gov. George Romney

An appropriate motto for this conference would be these words from Winston Churchill: "Give us the tools, and we will finish the job."

This afternoon, we will be examining a set of new tools. It's an incomplete set; we're only starting to assemble it. In fact, many of the tools we seek and badly need have not yet even been designed.

These tools are needed for a job that's just begun—the job of liberating the energies of a free people to overcome our growing human and social problems.

The problems are in the headlines every day:

Riots of the disadvantaged in the ghetto. Riots of the affluent on the campus. Crime in the streets. Juvenile delinquency in the suburbs. Dishonesty in high places. Drug addiction. LSD. Alcoholism. Tranquilizers. Sexual promiscuity. Marital infidelity. Family breakdown. Personal irresponsibility in all its forms.

What a paradox!

In the land of the free, men and women are increasingly dependent—whether on drugs or alcohol, on a psychoanalyst, on sensual stimulation, or on governmental handouts.

In the home of the brave, men and women are increasingly afraid—whether of personal insecurity and failure, of personal responsibility, of vast impersonal forces and institutions they can neither control nor comprehend, or even of other men and women, perhaps with different colored skins.

To solve our human and social problems, we must find a way to re-create a sense of community within America—a community of responsible Americans—responsible for themselves and responsible for helping one another.

To succeed, we must choose our tools carefully. For I believe many of the tools we are now using are taking us into a blind alley.

The story of America has been the story of a great people working together to build a great nation—primarily through personal responsibility, private initiative, and voluntary cooperation, but supplemented by local, state, and federal governmental action when appropriate.

But we were slow in responding to the new, intricate, and demanding human and social problems of the twentieth-century.

We were slow in developing the full range of tools we needed—private and voluntary tools—even state and local governmental tools—the tools of personal responsibility.

Because we were slow, we have come to doubt the effectiveness of these traditional American methods.

Instead, we have passed the ball primarily to the federal government. We have come to look to government for the solution of almost all our problems. We have begun to think that, if government can't solve our problems, they can't be solved at all.

And today, frustration and disillusionment are growing because—despite hundreds of federal programs costing billions of dollars—our human and social problems continue to multiply on every side.

We face a crisis of confidence in the primarily federal approach that we have taken.

Even the advocates of massive federal programs concede that federal tools have failed to do the job.

A cabinet official decries the "major problems" that result from narrow and fragmented federal programs.

The federal Budget Director deplores the tendency of federal programs to by-pass and weaken governors and mayors.

A chief architect of the federal anti-poverty program questions the "altogether too glowing" official claims about the results of federal urban programs.

A leading liberal urban analyst notes unhappily, "At a cost of more than three billion dollars, the Urban Renewal Agency has succeeded in materially reducing the supply of low cost housing in American cities."

An aide to the two most recent Presidents is troubled that the growth of central power is shrinking the significance of the individual citizen.

The Welfare Commissioner of New York City testifies that our nation's welfare system is "bankrupt" because it locks the poor into dependency.

And a militant civil rights leader calls the welfare system "the white man's greatest weapon to keep the Negro down."

But the trouble goes deeper than the mere fact that federal tools have failed to solve our problems. In many cases, despite their good intentions, they have made the problems worse.

A democratic society requires many active independent centers of responsibility and creativity—not just one. There must be many communities of concern, each willing and equipped to take direct responsibility for direct action to meet needs.

But too often, federal programs have stifled, rather than strengthened, the rich diversity and creativity of America's human and social resources for solving human and social problems.

We are finding that it is possible to lose the substance of a democratic society, even though the structure of democratic representative government remains.

For the federal approach has speeded the depersonalization of society and rationalized the abdication of personal responsibility. And these are major causes of America's declining sense of community and mounting problems.

The changes brought by industrialization, urbanization, and technological advance—despite their many benefits—have increasingly tended to transform America into an impersonal society.

A large city is more impersonal than a

small town. And the majority of Americans live in urban centers.

Driving an automobile is more impersonal than riding a streetcar. And most Americans go by auto.

Working in a giant enterprise is more impersonal than working in a small business. And most Americans work for large organizations.

Studying in a giant university is more impersonal than going to a small college. And most American students attend the larger institutions, where the college pennant has been replaced by the IBM card.

And to all these depersonalizing forces, add one more: big government.

Government agencies have an unfortunate tendency to think of people in terms of categories—"target populations" to shoot programs at—depersonalized blocks, not individual human beings.

As seen by government agencies, the people have a way of becoming subjects to be manipulated, not citizens to be served.

As seen by the people, government has a way of becoming "they," not "we"—"theirs," not "ours."

And by substituing governmental effort, however well-intentioned, for personal effort, we tend not only to depersonalize society, but to dehumanize ourselves.

Many of you are active in your United Fund and Community Chest campaigns. I know a man who never contributes. He says, "Why should I? It's the government's job to take care of the needy. I pay my taxes, and that's enough."

He's a brave man! But he's wrong.

What he's really saying is that we've hired our Good Samaritan, so we can forget our personal responsibility for attacking human and social problems.

But when that assumption takes hold in a community, we have cut off at the root the humane impulse of concern that led us to seek an answer in the first place—even a governmental answer.

With that kind of reasoning, the answer to the question, "Am I my brother's keeper?" is a quick and easy "No—because we've hired a keeper for our brother."

Thus we are shielded from direct personal confrontation with our disadvantaged brother. We never really see him as a human being and fellow child of God. We make it easy to forget that he is a real person with flesh and bones and blood—with problems, hopes and fears like ours.

And even the governmental keeper we have hired is insulated from his charge—by layer after layer of bureaucracy, by rigid rules and regulations, by professional manpower shortages, and by overcrowded caseloads that prevent even the most dedicated social worker from supplying more than sporadic attention to those whom he is trying to help.

The result is a tragic loss of the fellow-feeling that knits a mere aggregate of people into a true community. The sequel is rising discord, suspicion, animosity, and fear.

For inevitably, the members of one "target population" begin to see themselves as competitors with every other "target population". Each group suspects the other of getting a larger share of governmental favors, or bearing a smaller share of governmental costs.

Take, for example, the affluent or reasonably *comfortable middle-class—the majority of the people who pay the bulk of the taxes.* They may be right in thinking that they're the biggest target group of all.

More and more, they are resisting many governmental programs designed to help the disadvantaged. They not only sense the shortcomings of the government approach—but they resent its growing cost. Even school millage proposals, which would directly benefit almost everyone, are repeatedly defeated.

Many taxpayers are increasingly resentful and intolerant of the faceless recipients of governmental handouts. Those who pay tend to stereotype those who receive as lazy, shiftless parasites.

Thus decent, warm-hearted human beings—who would not think of turning their backs on someone who was starving, injured, or troubled if they met him in the flesh—will oppose without a second thought governmental programs intended to help those very same starving, injured, troubled people.

As a result, there is serious doubt about the future of public support for governmental welfare, educational, and social programs.

And how about the people at the bottom of the heap—the disadvantaged individuals and groups who need help the most?

Many are becoming increasingly resentful at their apparent inability to break through into the affluent society around them. They are fed up with being "kept." They are tired of being locked into the cycle of poverty and dependency that governmental programs too often force upon them. And too many—with their hopes shattered, their self-confidence undermined, and their motivation destroyed—have simply given up.

Thus the affluent think we're spending too much and doing too much, and the deprived think we're spending too little and doing too little.

And paradoxically, both are right. We're spending too much on the wrong things, and not doing enough of the right things.

The result is a widening gulf between the affluent majority and the deprived minority—not only an economic gulf, but a psychological gulf, a chasm in human understanding, a brotherhood gap.

Three-quarters of us are in danger of smothering in the cozy bedclothes of our affluence, while millions are choking on their own hopelessness and squalor.

Too many of the affluent have become arrogant, unsatisfied, and frightened, while too many of the deprived have become dependent, frustrated, and embittered.

We sense the impending danger of a great breach in our social structure, a tearing of our social fabric.

How shall we respond to this grave challenge?

Shall we echo the fanatic and desperate outcry of extremists on the left and right—embracing either blind, irresponsible collectivism or equally blind and irresponsible individualism?

Shall we throw up our hands in despair and await the seemingly inevitable dissolution of society?

My answer is no—we will do neither. For the cause is not lost—not while responsible Americans are willing to give of themselves for the sake of their fellow men, their children, and their country's future.

Together, we can find a better way—a better way to re-create the sense of community we so desperately need—a better way to make our whole society come alive to its responsibilities and opportunities—a better way to overcome our mounting problems.

And that better way is active, personal, responsible commitment and concern.

This can never be imposed from the top down. We can only build it from the bottom up.

Today, our problems are so massive that we must call upon the full resources of society, in all their rich diversity. That includes government, *business, universities, private* organizations of all kinds—and most of all, individual men and women.

I believe that there is still a vast reservoir of commitment in Michigan and in America just waiting to be tapped—men and women who are willing and eager to get out and get involved.

The trouble is that so many of our voluntary programs in the past have seemed irrelevant to the problems we confront. Rolling bandages is an anachronism in the space age.

This is the generation of innovation. Yet our innovation in the social field has lagged far behind our innovation in the physical and material field.

We have failed to develop the social instruments—the tools—through which people who want to help can make a truly meaningful contribution.

Sure, it's important for people to have a place to go when they want to ask for help. But it's just as important for people to have a place to go when they want to give their help. And it's essential that they have something meaningful to do when they get there.

The new tools we will examine at this conference are innovating tools. They reflect the tested insights of social research. They seek to apply the fruits of scientific and technological development to social problem-solving. They seek to make the forces of science and technology work for us, not against us—transforming even the computer into an instrument for re-personalizing American society and reasserting the primacy of the individual person.

And because these are innovating tools, they are also renovating tools. They seek to put private and governmental effort in proper relationship to one another.

Thirty years ago, Walter Lippmann wrote: "It is generally supposed that the increasing complexity of the social order requires an increasing direction from officials. My own view is, rather, as affairs become more intricate, more extended in time and space, more involved and inter-related, overhead direction by officials of the state has to become simpler, less intensive, less direct, more general."

These tools recognize the crucial importance of true partnership between private effort and governmental effort. It is not a question of 'either-or"; it is a necessity for "both-and." These tools apply the principle that has guided the work of our State Human Resources Council—that government has a responsibility to encourage, assist, and stimulate private effort, but never to replace it. Only then can private effort play its proper role in a balanced attack on social problems. Only then can we tap the full range of society's creativity and diversity.

These tools also come to grips with the fact that much of the frustration and division in our society stems from false perception.

If the disadvantaged perceive themselves as helpless failures, as they too often do, their motivation is destroyed. If society perceives them as utterly useless and irredeemable, as it too often does, it is reluctant to extend a helping hand. These false perceptions on both sides reinforce the cycle of dependency.

These new programs seek to change such false perceptions. They give the disadvantaged a chance to prove their worth both to themselves and to society. They provide the opportunity for self-help, self-advancement, and renewed self-confidence. They can transform losers into winners—benefitting both the individual and society at large.

In addition, each of these tools seeks in its own way to strengthen the fundamental social *institution on whose vitality the ultimate* health of society depends—the family.

The family is our first window on the world. It teaches us who we are and what we stand for. It shapes our attitudes toward other people and society. It teaches us how to relate to other people—first to the members of our family, who are *only slightly different from ourselves*, and then to *outsiders* who may be vastly different. Sound families build sound character. And sound character builds a sound society.

These programs strengthen the forces that will strengthen family life—church activities; sound child-training habits; decent, productive, meaningful employment; home ownership; a solid family financial base; well-founded self-confidence; and constructive participation in community life.

Finally and indispensably, these tools recognize the central role of the individual volunteer. Their success importantly depends on responsible, dedicated individuals—yes, and families—who care enough to get involved directly, actively, and personally in the day-to-day struggles and problems of those in need of help.

The volunteer supplies the touch of personal concern that is missing in so many governmental programs. After all, a case worker can spend only a few minutes a week with each family assigned to him. But the volunteer works on a one-to-one basis. He helps the social worker do a better job, by providing sustained contact with the family. His gift of time, inspiration, example, and concern can make the difference between failure and success.

The most exciting fact about programs like these is that they work—they really work. And their success is a tribute to the problem-solving capacity of responsible Americans.

As a veteran social services administrator remarked about the Lansing one-to-one family volunteer program, "When I heard about this project, I thought I'd been around this business too long. But when I sat through the first report meeting, and saw the results they were getting, I decided I hadn't been in the business long enough."

When this conference is over, I think you too will decide that we haven't been in this business long enough.

We know these tools do not provide a total answer to our problems—but they point the direction we must go.

I urge you to pick up these tools, take them home, put them to work. And out of your own experience, forge new and even better tools.

I believe—I deeply believe—that the future of this state and nation requires a revitalization of personal responsibility, family responsibility, and private institutional responsibility.

I appeal to you, and through you to the people of Michigan:

As responsible Americans, join in the pursuit and practice of the better way.

Join in the struggle to reclaim the lives of those for whom each new day is only one more lesson in futility.

Join in the great task confronting this generation of Americans: to restore the concept of community and brotherhood.

Give more than your money. Give your time, your talent, your example, your inspiration, your concern. Give yourself.

The responsibility is ours. The need is great. The time is short. The tools are in our hands.

If the commitment is in our hearts, we cannot fail.

PERCY PLAN DESERVES RECEPTIVE ATTITUDE BY ADMINISTRATION

Mr. BAKER. Mr. President, a few weeks ago Mr. James J. Kilpatrick applauded Senator Charles Percy's proposal to create a National Home Ownership Foundation. Mr. Kilpatrick's analysis of the proposal is as good an explanation as I have seen of why Senator Percy's imaginative proposal has excited the attention of the public and the support of so many Members of both Houses of Congress.

Two of Mr. Kilpatrick's comments deserve special attention. First, he writes that the bill's most attractive feature is its "sharp focus upon the individual family, its dreams and aspirations." In this revolutionary era such a statement is relevant in more areas than housing. There is growing awareness in our society that government—at the central, State, and local levels—should involve itself more actively in promoting the economic, social and political well-being of the individual citizens. But there is an accompanying concern about what effect the expansion of our present umbrella of social welfare programs will have upon our individualism. Indeed, our society is today engaged in a crucial dialog about how we can maintain personal identity, dignity and purpose in this age of automation, tract housing and gigantic corporations and government. The business of the Republic is to chart a new direction which recognizes and deals with the problems of individuals in a mass society. Senator Percy's efforts in housing are an important contribution to this dialog. His proposal avoids welfare paternalism and instead focuses upon homeownership as a means of helping the poor help themselves.

The second point Mr. Kilpatrick makes, about which I would like to comment, is contained in the last paragraph of his column. He writes:

> Democrats having offered nothing but the same old public housing will want to think twice before they knock it.

It is not my intention here to turn Senator Percy's efforts into a partisan matter. He would not want that. I do not want that. Nor do I think the Republican Party should want it. The legislation is too worthwhile, too promising, too important to our housing efforts to be bogged down in purely partisan considerations. But, at the same time, I do want to point out that a concern for avoidance of partisanship should apply as well to the national administration as to the Republican Party.

The Secretary of Housing and Urban Development, Robert Weaver, has not been especially reassuring in this respect. The Secretary, it seems perfectly apparent to me, has gone out of his way to discredit Senator Percy's efforts. I will admit that the persuasiveness of the Secretary's arguments has not been much cause for concern. But his hostility to an innovative effort that has growing support on both sides of the aisle is a cause for concern. I sincerely hope that in the forthcoming hearings on the Percy bill, that the administration will demonstrate a sympathetic rather than hostile attitude.

And Mr. Weaver might well keep in mind the admonition of Mr. Kilpatrick: "Think twice before you knock it."

I ask unanimous consent to include Mr. Kilpatrick's excellent article in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Percy's Housing Bill Offers Bright Hopes

(By James J. Kilpatrick)

Public hearings now have been promised for mid-July on Senator Charles Percy's ingenious bill to create a National Home Ownership Foundation. The bill is important in itself, in the bright promise it holds for significant gains in low-income housing. Yet his proposal is greater than the sum of its inventive parts. The peripheral aspects are as attractive as the main theme.

By its very boldness, the Percy bill invites fresh speculation on the role of Congress in the total governmental process. In the ordinary course of events, Congress simply reacts to bills that are sent up the Hill from the White House. Such measures are drafted in executive agencies; they bear the President's approval; they become "administration bills," and provide a basis for reckoning a presidential box score.

The Percy bill, by contrast, offers the first instance in recent memory by which the Congress itself would undertake to write its own law, from scratch, in a major legislative field. There is thus presented the remarkable possibility that through the Percy bill—the work of a freshman senator from Illinois—the Congress might move toward regaining its lost independence.

The July hearings also will offer some indication of the administration's sincerity on the matter of a bipartisan approach. Back in January, the President grinned at members of the opposition, "whose numbers, if I am not mistaken, seem to have increased somewhat," and encouraged them to come up with "choices and reasonable alternatives." The Percy bill is of course a Republican bill. The question arises: "Will it be snuffed out for that political reason alone?

A third aspect of the senator's plan ought to win applause in conservative quarters. From beginning to end, his bill relies upon the "private sector." Tax funds are involved, to be sure, in his proposed interest subsidies; the full faith and credit of the U.S. government would be pledged to debentures of the foundation he conceives. But the foundation itself would not be an instrumentality of the government; it would pay taxes on its real property, as other private corporations do; two-thirds of its governing board would be privately appointed. To a Congress grown callous to billion-dollar bills, Percy's request for only $10 million the first year is ridiculously small.

Most attractive of all, however, is the bill's sharp focus upon the individual family, its dreams and aspiration. In this approach, the Percy plan runs diametrically opposite to the long trend of laws providing for rent supplements and public housing.

The vice in existing housing law is that the low-income individual tends to become a computerized cipher; he is a faceless drone in a high-rise hive. If his income increases beyond a certain point, he risks eviction from his public housing unit. The family that receives a rent supplement has no incentive toward higher income, for higher income means only a lower supplement.

Percy's bill does not talk of "housing units." It talks of "homes." Under the senator's plan, a federally chartered National Home Ownership Foundation would raise up to $2 billion in private capital by selling its guaranteed debentures in the private market. These proceeds then would be loaned to nonprofit local associations which in turn would build or renovate low-income homes, generally costing no more than $12,500. These would be sold, not rented, to qualified families, on long-term 3 percent loans.

The senator has gone beyond mere economics. He hopes that in many instances, a prospective buyer will build up a "sweater equity" in his home by working on the association's construction jobs. Under his plan of mortgage repayment, the low-income family sees an equity growing right from the start. A home thus becomes their home. And the cost to the taxpayer lies only in picking up an interest subsidy of 3 percent per year.

It would be pleasant, of course, if the housing problems of the poor could be solved wholly by free enterprise, without subsidy of any sort. The inexorable rules of the marketplace virtually prohibit so happy a solution. Constitutional objections to one side, Percy's dramatically new approach offers the best compromise yet devised; and envious Democrats, having offered nothing but the same old public housing, will want to think twice before they knock it.

DECISION OF JUDGE WRIGHT

Mr. WILLIAMS of Delaware. Mr. President, in a recent issue of the Washington Star appeared an article by Mr. James J. Kilpatrick entitled "The Outpourings of a Despotic Judge."

In this article Mr. Kilpatrick calls our attention to a recent decision of Judge J. Skelly Wright which if left unchallenged can have tremendous repercussions upon our public school system. This decision is in direct contradiction of the law passed by Congress.

I ask unaminous consent that this editorial be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Outpourings of a Despotic Judge

(By James J. Kilpatrick)

Over the next few months, local school boards and school superintendents throughout the nation will find themselves confronted with an appalling but necessary piece of homework. They will have to wade through the portentous opinion of Circuit Judge J. Skelly Wright in the case known locally as Hobson vs. Hansen.

If the bizarre principles laid down in this opinion win acceptance by the United States Supreme Court, every school district in the country may find itself compelled to take revolutionary steps toward the integration of its public schools. And "integration," in Judge Wright's desire, does not mean racial integration only; it means socio-economic integration also, white with Negro, rich with poor.

Going far beyond any requirements ever laid down before, Judge Wright has contrived some new constitutional rights. Thus, every Negro student has a constitutional right "to an integrated faculty." Every student has a constitutional right "to obtain an integrated educational experience." The District of Columbia School Board is ordered to base its policies on programs that will achieve "maximum effective integration." The hiring and assignment of incoming teachers "must proceed on a color-conscious basis to insure substantial and rapid teacher integration in every school."

These Draconian pronouncements, binding only upon the D.C. school board, ironically will have relatively little impact here. The District's schools already are about 93 percent Negro. Only a handful of white pupils are left to integrate with. The significance of Judge Wright's decree lies in its potential application to other cities that face "de facto" segregation brought about by housing patterns.

In 25 years of covering Federal courts, this correspondent never has seen an opinion quite like this one. The thing runs on for 183 heavily footnoted pages. It is an editorial, an essay, a thesis, a panegyric. In part, it is demagoguery: "Everyone agrees that education should include the opportunity for biracial experience." Running through the opinion is a waspish animus against Washington's School. Supt. Carl F. Hansen; Judge Wright's tone is not the tone of a judge, but of a zealot, a fanatic. He is a man obsessed: He will achieve equalitarianism by the force of a court decree.

In spinning out his opinion, Judge Wright relies primarily upon a slender thread in the Fifth Amendment to the Constitution. No person shall be deprived of "life, liberty, or property, without due process of law." Using the reverse English devised by Chief Justice Warren in the Bolling case 13 years ago, Judge Wright relies also upon the commandment of the Fourteenth Amendment that "no State" shall deny to any person the equal protection of the laws. It was "unthinkable," said Warren in this former D.C. school segregation case, that the Constitution should impose a lesser duty upon the Federal government than on the States.

From these constitutional roots, the strange fruit flowers. It is not enough, in Judge Wright's view, that pupils should be treated equally. Some are more equal than others. Therefore, Negroes and "the poor" are constitutionally entitled to "compensatory" treatment. A neighborhood school policy may have some advantages, but Judge Wright is not impressed by them. As presently administered, the District's neighborhood school policy "results in harm to Negro children and to society."

The judge is especially contemptuous of the feelings and sensitivities of the white teachers who comprise 23 percent of the District's faculty. Their personal preferences be damned; they must be shifted around like pawns this fall, and reassigned willy-nilly in the holy name of integration. Personal prejudice is "heresay"—his word—and should not be condoned.

In brief, this opinion is the outpouring of a despot who has swallowed emotionalism and regurgitated law. Because the court's orders are embraced by the District's predominantly Negro school board, it is uncertain whether the case will be appealed. The District may have to live with it. The question is: What other cities may have to live with it, too?

CASH SUBSIDY PAYMENTS TO FARMERS

Mr. WILLIAMS of Delaware. Mr. President, on June 19 and again on July 13, 1967, I included in the Record a list of farmers who had received cash subsidy payments in excess of $50,000.

These figures were obtained from a report which had been furnished to the Senate Appropriations Committee and which is now being printed as an official Senate document.

Since those remarks, I have received complaints from four farmers, all in Indiana, that the payments attributed to them were in error. I immediately forwarded their complaints to the Department of Agriculture, and it has confirmed these errors.

The original report furnished by the Department of Agriculture, and as was printed in the Record, listed the farmers and their payments as follows:

Mary Jo Hegarty, Newport (Vermillion County), Ind	$75,030
Pineland, North America, 4823 Lima Road, Fort Wayne, Allen County, Ind	68,325
Interstate Industrial Park, 4823 Lima Road, Allen County, Ind	67,820
Dale Armbruster, rural route 1, Woodburn, Allen County, Ind	67,820

A reexamination by the Department confirms that Mrs. Hegarty, instead of receiving $75,030 in 1966, only received $42,649, $8,061 of which was paid to her personally and $34,588 was paid to Maurice Hegarty as an agent.

Pinelands, North America, instead of receiving $68,325 in 1966 as originally reported, received $9,794.

Interstate Industrial Park, instead of receiving $67,820 as originally reported by the Department of Agriculture, had received only $1,516.

Mr. Dale Armbruster had received but $5,084 instead of the $67,800 as was originally reported by the Department.

I am forwarding copies of the Department's letters confirming these errors and their explanation thereon to each of the individuals mentioned.

Mr. President, I recognize that human errors do happen, but I am concerned that all four errors developed in the Indiana office; and I am suggesting that the Department of Agriculture reexamine the qualifications of the staff that is administering this program in that area.

There is no excuse for such glaring errors, and we must not overlook the fact that had these payments not been published and called to the attention of the individuals involved, these larger amounts would have automatically been reported to the Treasury Department as income to each party named, and they would have been in trouble with the Treasury Department for nonpayment of taxes on something they had not received.

I ask unanimous consent to have printed in the Record my two letters to the Department of Agriculture calling these errors to their attention, followed by the two replies, with enclosures, from the Department dated July 13, 1967.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., June 28, 1967.

Hon. Orville L. Freeman,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

My Dear Mr. Secretary: Recently I received from the Agriculture Department a report listing all names, addresses, and total payments of $25,000 or more made under the ASCS Programs (excluding price support loans) for the year 1966.

In the listing for the state of Indiana, Parke County, there appears the following: "Mary Jo Hegarty, Newport, Indiana, $75,030."

I have received a letter from Mrs. Hegarty that this figure is in error; however, she refers to payments "in my own name," and I am wondering if this total represents accumulative payments that accrued to her in her own name and perhaps in the name of an estate, trust, etc., in which she is the primary beneficiary.

I would appreciate your checking this with your records and advising me.

Yours sincerely,
John J. Williams.

Department of Agriculture,
Washington, D.C., July 13, 1967.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: We have investigated the amount of ASCS payments made in 1966 to Mrs. Mary Jo Hegarty, as you requested in your letter of June 28.

Mrs. Hegarty received the following payments:

State	County	Amount	
		As personal	As agent
Indiana	Parke	$463	$625
Do	Vermillion	7,210	33,963
Illinois	do	388	
Total		8,061	34,588
Total of all payments		42,649	

Mrs. Hegarty received payments as agent for the Harvey Estate, as well as payments in her own name as shown in the table above.

We regret that an error was made in the computer center in summarizing the data in this case and showing it incorrectly as $75,030.

Sincerely yours,

Thomas R. Hughes,
Executive Assistant to the Secretary.

U.S. Senate,
Washington, D.C., June 28, 1967.

Hon. Orville L. Freeman,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

My Dear Mr. Secretary: Since my earlier correspondence of today I have received a call from the press in Indiana to the effect that there are three additional people in that state who have likewise claimed that the payments which they were alleged to have received in your most recent report of the payments of $25,000 or more made under the ASCS Programs (excluding price support loans) for 1966 are in error.

I have checked the Congressional Record with the listing as furnished by your Department, and they are the same. Those complaining and the amounts they were alleged to have received are as follows:

Pinelands, North America, 4823 Lima Road, Fort Wayne, Allen County, Ind.	$68, 325
Dale Armbruster, rural route 1, Woodburn, Allen County, Ind	67, 820
Interstate Industrial Park, 4823 Lima road, Allen County, Ind	67, 820

Will you please have these figures either verified or the error explained.

Yours sincerely,

John J. Williams.

Department of Agriculture,
Washington, D.C., July 13, 1967.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: After we received your letter of June 28, 1967, Mr. R. P. Beach, Deputy Administrator, Management, ASCS, received a telephone call from Mr. Edward J. Moppert of Hoffman, Moppert & Solomon, Attorneys at Law, Fort Wayne, Indiana, raising the same questions which you had regarding the payments to Pinelands, North America; Dale Armbruster; and, Interstate Industrial Park, all of Allen County, Indiana.

For your information we are enclosing a copy of Mr. Beach's replies to Mr. Moppert dated July 7 and July 10.

Sincerely yours,

Thomas R. Hughes,
Executive Assistant to the Secretary.

(Enclosures.)

U.S. Department of Agriculture,
Agricultural Stabilization and
Conservation Service,
Washington, D.C., July 7, 1967.

Mr. Edward J. Moppert, Jr.,
Hoffman, Moppert & Solomon, Attorneys at Law, Anthony Wayne Bank Building, Fort Wayne, Ind.

Dear Mr. Moppert: This is in confirmation of our telephone discussions regarding the payments made in calendar year 1966 under ASCS programs to Pinelands, North America; Interstate Industrial Park; and Dale Armbruster, all headquartered in Allen County, Indiana.

A follow-up of the steps in the process of producing the payment lists which were published shows that errors were made in transcribing county payment reports to the input data used in the computer operations.

Correct payments were:

Interstate Industrial Park	$1, 516
Dale Armbruster	5, 084

We have not yet been able to verify the correct amount of payments to Pinelands, North America. Since they have operations in several counties and States, this complicates the problem.

We regret that the errors occurred but are sure that you understand the many mistakes possible when several million individual payments had to be visually considered, the cases possibly involving total payments of over $5,000 typed, and all having to be fed into a computer for selection and grouping by payees, regardless of the number of localities in which some may have interests. The results produced more than 7,000 individuals whose names and total payments then had to be printed and summarized by the computer.

As soon as we have verified data to report for Pinelands, North America, we will inform you.

Sincerely yours,

R. P. Beach,
Deputy Administrator, Management.

July 10, 1967.

Mr. Edward J. Moppert, Jr.,
Hoffman, Moppert & Solomon, Attorneys at Law, Anthony Wayne Bank Building, Fort Wayne, Ind.

Dear Mr. Moppert: This is in further confirmation of our discussion on the telephone on July 7, regarding ASCS program payments to "Pinelands, North America."

Our check indicates that total payments of $9,794 were made in 1966 to Pinelands in the following counties and States:

Indiana:	
De Kalb Co	$403
Marion Co	505
Grant Co	1, 310
Porter Co	1, 738
Allen Co	3, 973
Michigan: Jackson Co	1, 865
Total	9, 794

The payment of $68,325 listed in the machine print-outs we furnished Senator Williams, and which were the basis for the list he inserted in the Congressional Record, was in error due to a mis-read by the scanner.

We regret the inconvenience this error has caused.

Yours very truly,

R. P. Beach,
Deputy Administrator, Management.

THE CURE FOR COMMUNISM

Mr. HARTKE. Mr. President, Sydney J. Harris, in a recent column, has offered some constructive remarks and insights concerning the nature of the challenge we face from communism. His point of view is that which I have long since held, one which stresses the necessity for a positive approach rather than the negative attitude indicated by the common phrase "anti-Communist."

It is not enough, as Mr. Harris notes, to be against—the problem lies in the conditions which breed communism. Those conditions include, in Mr. Harris' list, injustice, bigotry, starvation, ignorance, disease and poverty. Communism is "a creed of despair more than of hope," and its appeal is to those who have nothing to lose. We need a positive approach, to regard communism in its true light as a symptom, not as a cause.

Mr. President, I ask unanimous consent that the article, taken from the Louisville Times of July 11, may appear in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

How To Fight Communism: Attack the World's Ills

(By Sydney J. Harris)

Chicago.—Writing in the Catholic publication, Commonweal, Conor Cruise O'Brien says in a brief paragraph what needs to be read and reflected upon by every responsible citizen on this side of the Iron Curtain:

"The problem of our age is not how to stop, fight or eradicate communism. It is how to cope with its challenges and its appeals in such a way that the competing systems on the planet may produce more benefits to mankind than threats and suffering."

And this is what most dedicated anti-Communists are not able to see—that it is not enough today to be *against;* and that if communism were utterly wiped off the earth, we would still be faced with huge problems of injustice, bigotry, starvation, ignorance, disease and poverty.

All these existed long before communism and will continue long after it has been eradicated—unless we are able to help the whole world move into the 20th century. In this affluent technological age, people are no longer willing to accept their status or deprivation as an act of God or fateful necessity. They want a chance at more of the good things of life, and nothing is going to stop them.

It is not enough to demonstrate that our system works relatively well for us. If it won't work well for them, they won't want it. We have to show how our particular fusion of capitalism and democracy can pull them out of the mire—and if it can't, they will turn to some other socio-economic mix.

Communism is appealing only to people who see no other way out. It is a creed of despair more than of hope; a goal for those who feel they have nothing to lose. The best way to "fight" it is by helping them get something to lose, by giving them a real stake in society.

What is stupid about the passionate right-wingers is regarding communism as a cause, instead of a symptom. It is a symptom of a deep malaise in the social organism; and if Marx had never been born, and the whole apparatus of communism had not been formulated, they would still be the same agitation and unrest under a different name.

You don't cure measles by rubbing off the spots, and you don't eliminate the profound disturbances in a social order by getting rid of the revolutionaries. If the causes remain, the symptoms will reappear, in even more virulent form. This is an obvious truth that despots and doctrinaires of both left and right cannot seem to grasp.

THE NORTH CAROLINA MUTUAL LIFE INSURANCE CO.

Mr. ERVIN. Mr. President, on June 29, 1967, Asa T. Spaulding, president of the North Carolina Mutual Life Insurance Co., of Durham, made a speech before the Durham Kiwanis Club in which he portrayed in eloquent words the history of the North Carolina Mutual Life Insurance Co., which is the largest and most successful life insurance company in the world organized and operated by Negroes. Incidentally, Mr. Spaulding is one of North Carolina's and the Nation's outstanding citizens. As appears from Mr. Spaulding's speech, the late C. C. Spaulding, who served for a time as the president of this great insurance company, was one of the founders of the company. On one occasion, the late C. C. Spaulding made a statement of a fundamental truth, which all Americans would do well to remember. He said:

> Equality is a thing which should not be demanded, because it cannot be granted; it has to be earned. No Utopian dreamer can achieve it for another man. You can't drink from the spring high on the mountain unless you climb for the water. If the Negro wants equality, except for opportunity, he must pay for it, and the unalterable price is character and achievement.

As a consequence of their character and achievements, the organizers and operators of the North Carolina Mutual Life Insurance Co. have climbed to the top of the mountain and have made the company an organization known throughout America and in lands beyond the seas as a life insurance company whose integrity prompts it to meet every obligation and whose financial resources enable it to do so.

The sacrifices and endeavors leading to these things are well expressed in Mr. Spaulding's speech to the Kiwanis Club of Durham. I ask unanimous consent that this speech be printed at this point in the body of the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

North Carolina Mutual Life Insurance Co. and the Durham Community

Former Mayor Evans, Officers and Members of the Durham Kiwanis Club, and Fellow Citizens:

I appreciate the invitation to address you today, and being asked to talk about North Carolina Mutual Life Insurance Company; for its roots go down deep in the Durham Community, and it and Durham have grown together. And what has helped one has helped the other.

When the Company was organized here almost sixty-nine years ago, Durham was a rather small community and our race was less than forty years from slavery. The people *upon* whom the Company was built during the early years were *inexperienced* in business; and the major portion was at or below the poverty level, illiterate, superstitious, and suspicious. The evidences of need were everywhere. Furthermore, the Negro mortality rate was so high—they were dying so fast—that many people were predicting that the "Negro problem in America" would soon "solve *itself* by the Negro race dying out." These were not such good prophets, nor did they show great wisdom by neglecting the problems.

THE FIRST CRISIS

The first year of the Company's operations was so discouraging that five of the original seven organizers withdrew. The remaining two were not "quitters," even though the idea of Negroes attempting "to run a life insurance company" was not only openly questioned, but was *ridiculed*.

When the first death claim of forty dollars created a crisis because there was no money in the treasury, John Merrick and Dr. A. M. Moore, with the general manager, the late C. C. Spaulding, contributing his only twenty-nine cents, took the balance of the forty dollars out of their pockets so that the claim might be paid and the faith of the deceased policyholder in the Company vindicated.

FRIENDS IN THE WHITE COMMUNITY

Fortunately for the Company, its organizers and early builders had friends in the white community who were successful businessmen, and who were anxious to see them succeed and, therefore, freely advised and encouraged them when such advice and encouragement were so much needed and meaningful. Efforts to maintain channels of communication and bridges of understanding between the races has been traditional with the management of the Company during its entire history.

Although there have been times when the Durham climate and environment have not been as favorable toward and for the Company and its personnel as we might have wished, we have always believed that through the contributions which the Company and its personnel would make to the community, these conditions could and would improve, and both would be the better for it. This we have seen happen. My presence here today is one indication of it.

R. McCants Andrews, in the book *John Merrick, A Biographical Sketch*, says:

"One of the most important and practical results that have followed the growth and development of the North Carolina Mutual has been the tempering of race relations." He continues: "But the Company has gone further than merely to attempt to keep relations between the races friendly in North Carolina; it has always instructed its employees everywhere . . . that cooperation and mutual friendliness of the races is the great hope for the development of the South."

NEGRO PATRIOTISM

In the May 10, 1918 issue of the *State Journal* of Raleigh, North Carolina, in an editorial under the caption "Colored People with Heads Up," is the following:

"Secretary McAdoo has acknowledged the $100,000.00 subscription of Liberty Loan Bonds by the North Carolina Mutual and Provident Association of Durham by declaring that 'The Treasury Department has never received a more substantial expression of the patriotism of the Negro race in the South than evidenced in this subscription. It is probably the largest subscription in Government securities ever taken by a company comprised of the Negro race. This insurance company reflects somewhat the sentiment of the leaders of the Negro race in the South as it operates in most of the Southern States'." The editorial continued: "Secretary McAdoo is a Southern man and his tribute to the colored people may be taken as a model for any timid white man who would deny to them any of the credit for the large things they so often do. A 'substantial expression of patriotism,' Mr. McAdoo calls it; more substance to it than ever made by the race, perhaps, but it is as spiritual a contribution as any race or individual has made."

NORTH CAROLINA MUTUAL—THE POLICYHOLDERS' COMPANY

The North Carolina Mutual Life Insurance Company—a "Mutual" Company—is the policyholders' company. It is totally owned by them. It is something in which they can take pride in calling their own and through which they make a contribution to our American way of life and provide convincing evidence that Negroes can and will make worthwhile accomplishments when given the chance.

A STAKE IN AMERICA

Through the accumulated nickels, dimes, and dollars of a minority ethnic group which, for nearly one-hundred years, has had to survive largely upon the *economic crumbs* of this country, the North Carolina Mutual has enabled them to acquire a stake in America through the Company's more than ninety-million dollars in assets.

Through mortgage loans, the Company has helped a struggling people to become homeowners, finance businesses, build churches and schools, acquire other properties, and otherwise become self-respecting, first-class citizens. Through its purchase of stocks and bonds, it has helped finance our federal and state governments and political subdivisions thereof, state turnpikes, schools, water and sewer systems, housing projects, trancontinental and connecting railroads, telephone and telegraph companies, power, light and gas companies serving forty-eight states of the United States and parts of Canada, and numerous miscellaneous industrial corporations, as well as the International Bank for Reconstruction and Development and other governmental agencies. These represent only a part of the Negro's stake in America and of his Company's efforts to help make America a better place for all.

THE DURHAM COMMUNITY

Furthermore, the North Carolina Mutual has always striven to be a good, responsible citizen of the Durham community and to participate in all possible efforts to improve it. The construction of its new home office building at Mutual Plaza is a tangible expression of its pride and confidence in the community and in the future growth and development of the area. The Company has a total investment in the Durham area of more than $6.951 million. It paid in city and county taxes last year on real estate a total of $102,007.00. Its total income for 1966 exceeded $23,660,000.00, and it disbursed more than $2,103,067 in the Durham area. This helped to enrich the economy of the area.

The Company provides employment for 275 people in its home office and 40 in its Durham district office. The combined payroll for the home office and Durham district personnel for 1966 was $1,738,746.00. This also provided employment and support for others in many occupations.

The employees are good citizens who support the commercial, civic, educational and religious life of the community. Reports received from sixty-two of them reveal that they own real estate and cars valued at $1,600,000.00, and that they paid in city and county taxes in 1966 approximately $20,000.00.*

THE LARGER SIGNIFICANCE

The larger significance of North Carolina Mutual in America and in the twentieth century of the world's progress cannot be measured solely in terms of money value. Its contributions have been inspirational and social as well as economic. It has stimulated deeper and wider faith in the honesty and integrity of Negro leaders. It opened "the door of hope" to young Negro men and women of aspiration when other doors now open were closed to them, and caused this door to swing wider and wider on its hinges as the surging stream of young humanity swept across its threshold. And herein lies the quintessence of the merit which must be the basis for whatever value the future historian shall place upon it. Any evaluation of its contribution to the life of the Negro in the United States must be determined by the effect it has had upon his status and upon race relations and international relations. Members of the Company's official staff have served, and continue to serve, on local, state, and national boards, councils and commissions; and on foreign missions and delegations as representatives of the United States Government.

ATTRACTS NATIONAL ATTENTION TO DURHAM COMMUNITY

Because of what North Carolina Mutual symbolizes, and its various public relations and extra-curricular activities, it has been an instrumentality for repeatedly focusing national and international attention on the Durham community.

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*The questionnaires were circulated on June 23, and 62 were returned in time for inclusion here.

Through its handling of Shaw University's public affairs program for over eleven years, it has brought to Durham and exposed to the Durham community, one at a time, between 70 and 100 outstanding citizens of the Nation, and several foreign countries; they, in turn, have carried the news of Durham to all parts of the Country and many foreign lands.

DEDICATION OF OUR NEW HOME OFFICE BUILDING

In the January 1967 *Ebony* "Progress Report for 1966," the dedication of North Carolina Mutual's new home office building was singled out as the "biggest 1966 event" in the Negro business world; and the December 1966 issue of *Fortune* includes this building among its "ten best buildings in the United States" for 1966, and says: "It is likely that you will never see a collection of architectural landmarks made in this mold again." In other words, the building stands as an eloquent witness to the indomitable determination of a people to win its way in American life with dignity and honor.

Because of what it symbolizes, government, education, the communications media, business, industry, labor, literature and the arts, the professions, religion, and sports cooperated in its dedication. This was an outstanding demonstration of togetherness on all levels. Five American, one French and one Swedish magazine have carried articles on our building.

The dedication activities began on April 1—the sixty-seventh anniversary of the Company's commencing business—with a symposium on "The Negro in the American Economy" with forty outstanding leaders and authorities in their respectve fields participating as panelists in the eight seminars conducted during the first day.

Stephen Vincent Benet's "John Brown's Body" was presented by the Durham Theatre Guild from March 28 through April 1.

SPEAKERS OF NATIONAL STATURE

The opening keynote address was given by Dr. Andrew F. Brimmer, Member of the Board of Governors of the Federal Reserve System. The luncheon address was given by the Honorable John T. Connor, Secretary of Commerce. The banquet address was by Dr. Robert C. Weaver, Secretary of the Department of Housing and Urban Development.

On Saturday, April 2, the unveiling of state seals was by officials of the respective states in which the Company operates. The dedicatory address was by the Honorable Hubert H. Humphrey, Vice President of the United States, with more than five-thousand persons in attendance from all walks of life and from across the nation, and representatives of foreign governments.

Music for the occasion was by Miss Lois Price, Soprano, North Carolina College's Music Department, and the 30th Infantry Division Band, North Carolina Army National Guard, CWO–W4, Millard P. Burt, Director.

Vice President Humphrey commended the Company for the inspiration and example it has given America, and for having "opened its doors to the visitors and the internes from emerging nations of Africa," saying:

"This is why today . . . you and your great insurance company have been honored by our government for your service to this Nation, and these friends from other lands who came here to see and learn your procedures and your techniques were the better for it—and, even more important, perhaps, they were able to take heart from your capacity to start from small beginnings, to overcome unbelievable great hardships and difficulties, and to reach your present pinnacle of success. . . . Your achievements offer eloquent testimony of the business ability, the financial and investment skills, the prudence and the integrity that American Negroes can bring to the business community, as well as to the larger society."

Secretary of Commerce Connor, in his address, referred to the dedication as "a proud moment for the citizens of Durham, for North Carolinians, for Southerners, and for all Americans—especially for our Negro citizens. For we dedicate here today a house that *they* built. And from the beginning they built their house upon a rock."

The Secretary continued:

"This great company has been tested, it has weathered two world wars, a major depression, numerous recessions, and worst of all, prejudice and discrimination as ancient as civilization itself. It not only has weathered every storm and overcome every handicap, but each time, it has emerged stronger than ever . . ."

He added:

"It was built through the faith of the policyholders no less than through the faith of the active workers in this organization."

Secretary Connor concluded:

"So we meet here today to honor those who are serving their fellow man and the Nation through this great business organization. . . . When there was little opportunity, they made opportunity.

"When there was little hope in the world, they found abundant hope in their hearts.

"When there was little faith in their ability, they developed faith in themselves.

"These people and this Company are a symbol before all the world of what free men and free institutions can do in a free democratic society. They have added not only to the stature of America in the world community of nations, they have added to the stature of the human race. Man can stand taller for their actions."

Secretary Robert C. Weaver, in his banquet address in the Great Hall, Union Building of Duke University, and a policyholder of the Company, said:

"I make no apology for speaking of housing and government participation therein on this occasion.

"A quarter of a century ago, it was the North Carolina Mutual Life Insurance Company which was unique among Negro businesses in recognizing the importance and significance of FHA insured and GI Guaranteed Mortgages. In the mid-forties, 75% of such underwritten mortgages by government, held by Negro-controlled enterprises, were in the portfolio of this insurance company . . . there have been scores of instances when no other source of mortgage money was available to a Negro family that was moving into an area where Negroes had not lived before . . ."

DEDICATION COVERAGE

The coverage of the dedication activities by all the news media—local, national and international—was extensive. Within two weeks after the dedication, we received information from Africa that a full account was reported there over the Voice of America.

In addition to our local, state, and national press and the wire services, television networks ABC, CBS, and NBC, and radio stations WDNC, WLLE, WAAF, WSRC, and the Voice of America, and television stations WFMY, WRAL, WSOC, WTVD and WUNC gave it coverage.

State Senator Voit Gilmore referred to the dedication as "a high point in North Carolina history."

The favorably projected images of the Company and the Durham community by the dedication activities have facilitated bringing new tenants to the Company and to the community, with others to follow. At this point, I wish to publicly thank the Durham Chamber of Commerce, and others, for their cooperation and efforts in our behalf.

A FAR CRY

It is a far cry from those early days in the Company's history to this day. It made it because resident in its was *The Power to Become*. One of God's greatest gifts to man is the power to become. And so today, the Company ranks in the upper 10%, in assets owned, of the more than 1500 legal reserve life insurance companies operating in the United States, even though it operates in only eleven states and the District of Columbia, and its operations heretofore have been more or less limited to the Negro race because of the mores, customs, and traditions of its territory. I am happy to say, however, that the picture is now changing. We have white policyholders right here in Durham, and some of our largest policyholders in the state are white.

FULL OF THE FAITH

For North Carolina Mutual to have been able not only to survive, but also to thrive for the past sixty-eight years, under some of the most adverse conditions and circumstances of any business, is a *tribute* to its successive generations of policyholders and management, and provides our greatest assurances as to its future possibilities. Its management recognizes that there are difficult times ahead and that many new adjustments will have to be made, but this is nothing new; and just as management has met successfully the challenges of the past, it will cope with the problems of the future. If necessary, it will again "make bricks without straw," and continue to convert obstacles into "stepping stones," for it is full of the faith that the dark past has taught us. And we face the future unafraid.

RETIREMENT OF TIMOTHY J. MURPHY

Mr. RIBICOFF. Mr. President, one of Connecticut's outstanding public servants has recently retired. Timothy J. Murphy, Jr., was the Commissioner of Public Works for the State of Connecticut. I appointed Tim Murphy to this most important post during my term as Governor. He was reappointed by Gov. John Dempsey. Mr. Murphy served the State and its people well and with distinction. The quality of his service is well explained in an editorial in the Hartford Courant of July 12, 1967. I ask unanimous consent that the editorial be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Tim Murphy Leaves the State Service

For the past 12 years that State Public Works Department has been under the watchful administration of Timothy J. Murphy, Jr., of Hartford. He came to the state service after more than 20 years with the Federal Government. Originally named by former Governor Abraham A. Ribicoff, Commissioner Murphy has been appointed and reappointed by Governor Dempsey.

A year or so ago, Tim Murphy, as everybody calls him, passed the word to the proper authorities that he would like to retire. He was urged to stay on until the administration could find a successor with qualifications and credentials as high as those Commissioner Murphy exhibited. Tuesday Governor Dempsey found his man—Charles L. Sweeney of Danbury, who served as Tim Murphy's deputy from 1955 to 1965.

A big, burly, hard-headed and hard-fisted man, Commissioner Murphy has served his state well in the dozen years he has been on the job. As Governor Dempsey succinctly put it in announcing Mr. Murphy's retirement on July 28, he has performed his job "in outstanding fashion." When Commissioner Murphy took over 12 years ago, the Public Works Department had $10 million in construction work. He leaves to Mr. Sweeney a department that has a $250-million construction assignment in the fiscal year that began on July 1.

At 67, Tim Murphy can move into retirement with the appreciation of the state for a massive task well done.

THREAT TO U.S. SECURITY

Mr. FANNIN. Mr. President, I commend to the attention of the Senate an editorial from the Arizona Daily Star of Sunday, July 9, 1967, relating to recently negotiated treaties involving the Panama Canal. This editorial points out there is great danger in our recognition of Panama's sovereignty over the Canal Zone without the restriction in the existing treaty which specifically spells out the rights of the United States in the Canal Zone.

Although the details of the treaty have not been made public, as the editorial points out, reports which have leaked out show that the United States is pursuing almost the same course as that followed by the British in abdicating the Suez Canal.

I for one intend to carefully consider the effect of these treaties on this country's security and I hope that every Member of this body will do likewise.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Suez Sets a Dangerous Precedent

(By William R. Mathews)

The people the world over are being given a practical demonstration of the astonishing value of great man-made waterways like the Suez Canal to the life of the world. The closing of the Suez by ships sunk during the Arab-Israeli War has held up delivery of American grain to India, while the British are preparing for a long siege imposed by the loss of the canal for oil tankers. Soviet supplies for North Vietnam have to be rerouted.

Moreover, the Egyptian threats to bar American and British shipping on the false charges of aiding Israel constitute another act where reckless and false charges can be used by an irresponsible proprietor of such a public waterway to harm those it hates.

This is a timely record that should receive the attention of Congress in Washington as well as the highest officials in the Executive establishment. As news continues to leak out about the new treaties being negotiated with the Republic of Panama, it appears more and more that Washington is following a diplomatic path similar to the one Britain followed in abdicating control of the Suez Canal.

First, we are allowing a treaty favorable to the interests of the entire world to be abrogated, by a new one that sets up a plan of dual management of the present Panama Canal, thus dividing responsibility. A second treaty will provide for surveying and building a sea-level canal across Panama. American military personnel will remain to protect the safety of both canals.

The British had troops protecting the Suez Canal. At the insistent demand of the government of Egypt, they were withdrawn a few years after the end of World War II. Next came July 26, 1956, when Nasser proclaimed the nationalization of the canal.

The monumental change that took place was the exercise of discrimination by the government of Egypt. The world stood by and allowed that to be done, to the extent of forbidding Israeli ships to use the canal. Now that precedent has been invoked against Britain and America on the basis of false charges!

The way has been opened for Panama to own and operate not only the present canal, but also the future sea-level one. By recognizing Panama's sovereign right, without the restrictions in the present treaty, which specifically recognize the sovereignty of the United States over the Canal Zone, we are opening a legal door to the Republic of Panama. She can order our troops out of her country, and apparently after the sea-level canal is built, own and control the present canal, and in time, the sea-level canal.

As sovereign over the two canals, she could bar the use of either canal by American warships. She would be free despite treaties to the contrary, to discriminate in any way she pleased. No one ever thought Nasser would do the things he has done!

This amounts to doing a lot of legalistic tinkering with a matter of supreme importance to the safety of our country. We exercise responsibility in seeing to it that ships of all nations can use the canal without any kind of discrimination. In time of war, only ships of enemy nations would be barred. All neutral ships would have unrestricted transit rights, just as they have had during past wars.

Will members of the Senate ratify two treaties whose effect is to abdicate gradually nearly all American control over these vital waterways?

U.S. DEFENSE CAPABILITY

Mr. BYRD of West Virginia. Mr. President, recently the American Security Council published an eye-opening pamphlet entitled "The Changing Strategic Military Balance, United States versus U.S.S.R." in which was outlined, from available nonclassified sources, the past, current, and likely future military postures of the world's two great superpowers.

The Council's conclusion was that while the United States will continue to have a numerical superiority in rockets and missiles, we will have fallen woefully behind in the total number of megatons of destructive power these missiles can deliver.

The Council also argued that the U.S.S.R. has taken a definite lead in the development and deployment of antiballistic missile system.

In a timely editorial, the Huntington, W. Va., Advertiser of July 15 has summed up this pamphlet and has urged that "the Government adopt whatever action is necessary to remove any doubt of our nuclear superiority."

The Advertiser also stated its belief that—

> Expense alone should not be a deterrent to the development of a defense that could mean the difference between destruction and survival.

I would urge that every Senator read the Council's pamphlet as well as the Advertiser's editorial summation.

I ask unanimous consent that the editorial entitled "Two Vital Problems Raised on U.S. Defense Capability" be inserted in the Record.

There being no objection, the editorial was ordered inserted into the Record, as follows:

Two Vital Problems Raised on U.S. Defense Capability

Two problems concerning the vital questions of whether this nation will become involved in a nuclear war and if it does, whether it could survive confront the United States public as well as officials.

The question of whether the nation's nuclear arsenal is sufficiently powerful to deter the Soviet Union from attack has been raised by the American Security Council, which includes some of the top retired military officers.

The council's report asserted that the United States will lose its lead in deliverable megatonnage power this year, and that by 1971 "it appears that a massive megatonnage gap will have developed" in favor of the Soviet Union.

Megatonnage is the term used to denote the power of a nuclear weapon. One megaton equals the explosive power of one million tons of TNT.

This new measure of the relative nuclear strength of the United States and the Soviet Union upsets the contention that we have superiority because we have a 3 to 1 margin in number of missiles.

It considers instead the explosive power of all the nuclear weapons of each country. On that basis the council, with the support of an imposing array of distinguished military men, contends that the United States is rapidly falling behind.

The contention was promptly denied by the Pentagon, which declared the United States has enough nuclear weapons to discourage any attack.

The council's report discussing megatonnage power also said the United States should deploy an antimissile system to knock down incoming bombs before they reached their target.

This problem, the second one involving national security and possible survival, has been discussed by top defense officials for many months.

Russia is said to have such a defense system already installed for some cities. Moscow has been approached by our government with proposals for a treaty against national deployment of antimissiles because of the tremendous expense involved.

Secretary of Defense Robert S. McNamara has taken the position the system would cost about $22 billion for only 50 cities, and this would leave 130 cities of 100,000 population or more unprotected.

He has further argued that a possible increase in enemy missiles would greatly decrease the system's value and that improvement in missiles might make the defense obsolete even before it was completed.

These and other considerations regarding both megatonnage power and missile defenses place highly complicated questions before those charged with maintaining national security.

The layman is at a loss to attempt an answer, but the average canny American will take the view that, as far as possible, the government should adopt whatever action is necessary to remove any doubt of our nuclear superiority.

By the same token he will feel that expense alone should not be a deterrent to the development of a defense that could mean the difference between destruction and survival.

DISILLUSIONMENT IN SOUTH VIETNAM

Mr. HARTKE. Mr. President, the Washington Post yesterday published a most revealing dispatch by its foreign service correspondent in Saigon, Richard Harwood. It is one which perceptively reveals the heart of our dilemma in South Vietnam. It does so by pointing up, and quoting specifically Vietnamese intellectual leaders to support the outlook, the disillusionment of those who should be our allies when they look at our policy of backing the military junta candidates in the coming election.

Among those quoted is Father Thanh Lang, a Roman Catholic priest, who says that if our interest is only in some U.S. global policy objective rather than Vietnamese freedom—and many there believe such is the case—"then we will hate the United States."

Ton That Thien, the journalist whose English-language Vietnam Guardian was shut down 8 months ago for offending the Ky government, says we are failing because we support a government in which the people have no confidence, and therefore we are confronted with "a society that opposes the present policies in the only way it can—with passive resistance."

Others see the election as something we dreamed up to put a clean face on this regime so that the generals will be elected and we can say, "See, Vietnam has democracy now." Or they hold that the result of our support for the military leaders who are looting the country and have no support among the people will be a worse state than we now endure there: the result of electing Thieu and Ky will be that Vietnamese will do nothing and you will have to do the fighting and pay for the war.

In short, those who are the nonpolitical leaders of South Vietnam, the intellectuals devoted to a decent society, see little hope for the future in our actions, which include no protest on the spot, no opposition, to the persistent political censorship imposed by the government on all communications media in defiance of the constitution and the national election laws. Mr. President, we are sowing the wind by our continued support of an unpopular dictatorship. With its election almost a foregone conclusion, we may very well reap the whirlwind.

I ask unanimous consent that the article may appear in the RECORD in its entirety.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SAIGON INTELLIGENTSIA SOUR ON THE UNITED STATES, TOO

(By Richard Harwood)

SAIGON.—There are signs of growing disillusionment among the intellectuals of Saigon—poets, artists, teachers—over the nature and purposes of American policy in South Vietnam.

They are saying, with increasing bitterness, that the United States seems determined to perpetuate the political rule of the present military junta and to prevent the triumph of a liberal civilian government.

They are angry and dismayed at what they believe to be the indifference or helplessness of the United States Embassy toward the policies of thought control, censorship and political repression practiced by the Ky regime.

Many of them are convinced that the Americans are obsessed with making war to the exclusion of the social and economic reformation of Vietnamese society. As proof, they are quoting a recent statement by Secretary of State Dean Rusk that "more is at stake (in Vietnam) than self-determination for the South Vietnamese."

To the sensitive and emotional conversationalists in the coffee houses, the statement had unfortunate colonialist overtones.

BUYING HATRED

Father Thanh Lang, a liberal Roman Catholic priest, expressed the common misgivings the other day when he remarked: "If the United States is not really interested in our freedom, if it is only interested in keeping the war going to contain China or for some other global policy objective, then we will hate the United States."

These views may be representative of only a small and insignificant element in Vietnamese society. But Ton That Thien, a respected journalist and essayist who publishes in foreign periodicals the views he cannot publish in Saigon, believes that the intellectuals are expressing the mainstream of opinion in this divided and wounded country.

"If the policies of the United States and the government of Gen. Ky had popular support," he says, "it would be evident to all. The people of this country would raise the money and pay the taxes to support the war. The young men of the country would do the fighting against the enemy. The peasants in the countryside would not help the Vietcong and would supply the intelligence needed to eliminate them.

"But we in Vietnam are doing none of those things. You are paying for this war and this regime, not the Vietnamese. You are fighting this war with American troops, because the Vietnamese soldiers will not fight. The peasants are helping the Vietcong and they are not giving you the intelligence you want.

"You are confronted with a society that opposes the present policies in the only way it can—with passive resistance."

Thien, who has written for the New York Times Magazine and other major publications abroad, is anti-Communist and anti-Vietcong. He regards himself as a modern socialist in economic affairs. He edited the English-language newspaper Vietnam Guardian until it was shut down eight months ago for offending the Ky government.

His point of view is shared, with semantic variations, by other writers and teachers who are willing to talk to Americans. Some of them have been so alienated by the government and by the war that they have fallen into a state of apathetic cynicism, convinced that any dissent is not only hazardous but futile.

NOTHING TO US

Two young writers, for example, expressed with passion and great feeling the other day their desire for peace and their disgust with the American war policy. But when asked if they intended to support the "peace" candidate for President, Au Truong Thanh, they laughed and said they probably wouldn't vote.

The younger of the two, a teacher of English literature, explained his position this way:

"These elections mean nothing to us. This is something you Americans dreamed up to put a clean face on this regime. The generals will be elected and you will be able to say to the world, 'See Vietnam has democracy now.'

"Vietnam does not need a diversion like that. It would be better to spend the money this election will cost on something that will help the people."

Attitudes of that kind are reinforced daily by the military government's censorship and thought control policies and by the failure of the Americans to intervene.

Belated and vague "pro-Communist" charges filed by the national police against Thanh, the peace candidate who served until last year as a member of Premier Ky's cabinet, were met by silence at the American Embassy.

"Maybe he is a Communist," an American official said. But the Embassy refused to make any official statement about Thanh, who was an American favorite only a few months ago.

There has been no public protest by the Embassy of the persistent political censorship imposed by the government on all communications media in defiance of the constitution and the national election laws. Six weeks ago, newspapers were instructed by the government to publish no articles of an "antiwar" nature. As a result, there is no discussion of peace or peace negotiations in the mass media.

Serious writers—novelists, poets, essayists, scholars—operate under the same restrictions. No book, no magazine, no periodical and no advertisement, for that matter, can be published without government consent or censorship.

This has driven literary dissenters underground. They publish their heretical writings clandestinely, using mimeograph machines.

Some, like Thien, use foreign outlets because they are still hopeful of being able to influence the course of events in Vietnam through their impact on American and world opinion.

Thien is more open and dispassionate than many of his colleagues in rationalizing his dissent from the status quo.

"The Americans believe," he says, "that the army is the only strong and stable institution in this country which can govern and carry on the war. That may be true. But what they fail to realize is that the army is also the most loathed institution in our society. They are looting the country and they have no support among the people. If the Americans want Gen. Ky and these generals, that is their decision. But they should not expect us to fight for them. We will do nothing and you will have to do the fighting and pay for the war."

Thein has no illusions about the present willingness of North Vietnam or the Vietcong to negotiate a peace. But, he says, a civilian government must be installed to create the conditions under which peace will be possible—a greater degree of social justice, an end to governmental corruption and the building of respect for the government in Saigon. Then, says Thien, it may be possible for the United States and the Soviet Union to work out an agreement to end the war.

OUR ALTERNATIVES

"You have other alternatives, of course," he said. "You can pull out and the Communists will take over. You can invade North Vietnam, but then you will have to wonder what China will do. You can continue what you are doing, which will simply continue the political and military stalemate. But you can't win that way."

Thien is not hopeful of a civilian victory in the September elections. (He is supporting former Prime Minister Tran Van Huong, the last civilian to head a government here.)

Few intellectuals, in fact, see any possibility that Gens. Thieu and Ky can be defeated. They believe the army will control the voting. But beyond that, they believe the United States is determined that Thieu and Ky should not lose.

SENATOR BROOKE ADDRESSES THE NAACP

Mr. KENNEDY of Massachusetts. Mr. President, last week in Boston, the junior Senator from Massachusetts and I appeared at the 1967 National Convention of the National Association for the Advancement of Colored People, at which I had the privilege of presenting to Senator BROOKE the Spingarn Award, given annually for outstanding achievement by an American Negro.

In my brief remarks and those of Senator Brooke, the message was the same. Measured against the inaction of the past, great progress has been made in the area of civil rights. Measured against the challenge of the future, however, this effort is but the first step.

To meet this challenge we must act on all fronts. Legislative action must be backed by administrative enforcement and encouraged by civic support.

Unless we continue to press forward, we shall fall short of our goal of insuring all Americans equal access to the fruits of America's past and an equal share in the promise of her future.

As an expression of our congratulations to Senator Brooke on his receipt of the Spingarn Award, I ask that his speech be placed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Senator Edward W. Brooke, Massachusetts, at the 1967 National Convention of the National Association for the Advancement of Colored People, War Memorial Auditorium, Boston, Mass.

It is particularly appropriate that the NAACP has chosen Boston, Massachusetts, for its 1967 Convention. Boston is the birthplace of America's freedom. It is also a city which has contributed some of the finest achievements in the struggle to secure equality for all of America's citizens. Here William Lloyd Garrison came to publish *The Liberator* and to stir the conscience of a nation. Here Frederick Douglass came to tell of the horrors of slavery. Here Crispus Attucks fell and Shardrach and Burns were rescued from the hands of slave owners and permitted to remain free men. From here Monroe Trotter sounded the rallying call of the new Negro who refused to submit to the control of white compromisers.

Massachusetts has pioneered in anti-discrimination legislation enacting the nation's first Fair Educational Practice Law and first Racial Imbalance Law.

Because the civil rights movement has achieved so many triumphs here, it is especially suitable that this convention should serve as a forum to review the past, analyze the present and chart a course for the future.

Many victories for the cause of civil rights have been won, many of them attributable directly to the work of the NAACP. Your decades of ceaseless labor have written themselves into the fabric of contemporary American history. You and the men and women who were your predecessors in this freedom movement have helped to change American society. The responsible narration and responsible promotion of plans for the improvement of relations between the Negro and white American within our society for over fifty years has largely been guided by your organization and the wisdom of such outstanding men as W.E.B. DuBois, James Weldon Johnson, Walter White and your present, inspired leader, Roy Wilkins. Unprecedented and unexcelled is the NAACP contribution to equal justice under law through the legal talent of distinguished constitutional lawyers, Thurgood Marshall, Robert Carter, Jack Greenberg and other NAACP attorneys throughout the nation. You have helped achieve for colored people what never could have been accomplished by courts or legislatures alone.

But the civil rights movement in the United States is not simply a movement for the advancement of colored people. It springs from the very essence of the concept of democracy in America. It is an attempt to fulfill the promises this nation made at the time of its birth to generations of Americans yet to be born. The civil rights movement is a bringing together of people with those promises and a testing of our belief in the principle on which those promises are founded: the belief in the worth and dignity of every individual and the promise that every individual would have the opportunity to develop his capacities to the fullest in a free society.

The civil rights movement awakened the nation to the fact that we were far from keeping the promises of America.

Into that gap between promise and performance walked the Negro schoolchildren, the women, the clergy, the old, the students, the committed, the makers of the second American Revolution.

The names Little Rock, Montgomery, Selma, Birmingham burned deep into the American conscience. When the history of this nation is reviewed, these times will stand among the most significant moments of courage and sacrifice in behalf of the rights and dignity of man. Whatever the events and problems which accompany us today, what has only so recently passed, should not be so soon forgotten.

But our focus *is* different in July of 1967 than it was in July of 1963. The names Watts, Hough, Roxbury, Buffalo have burned more literally and set more than the American conscience aflame.

We witness at this time the opposite of the national consensus of the early 1960's which resulted in the passage of the Civil Rights Act of 1964. At that time, the country was moved and stirred by the peaceful demonstrations of a people long deprived of the most elementary rights of free men. The national conscience was reached and reacted to the attacks perpetrated upon peaceful civil rights workers and demonstrators. Today, alarmed by riots and cries of Black Power, which have often meant violence, the mood of the nation is resistant to progress in civil rights, and bent toward protecting what is being threatened.

Many cannot realize that the federal legislation which has been adopted is simply a beginning. How much, the question is asked, is necessary to satisfy the demands of civil rights activists? A larger and larger block of Americans resent the fomenting of trouble and unrest in the name of civil rights when it appears, at least to them, that real progress has already been made. As a result, there is quickly developing in this country a reaction to the civil rights movement which appears to be a "punitive reaction."

I see this reaction reflected in the Congress of the United States. In 1966, Congress defeated proposed civil rights legislation. Last year's proposals, including the extremely important openhousing provisions, have been resubmitted in this session as the Civil Rights Act of 1967. The first session of the 90th Congress has now been in existence for more than 6 months, and no action of any kind has been taken on these proposals. In fact, the only so-called civil rights legislation which has made serious progress in the Congress, is a bill to make promoting a riot a federal crime.

Only the most optimistic civil rights advocates believe there is a chance that all—or even some—of the provisions of the 1967 Civil Rights Act will be adopted this year.

It cannot be denied that even in the absence of the recent violence and unrest, the passage of Civil Rights legislation would have been difficult. But a Congressman's willingness to face his responsibility to *all* of the American people is inhibited when he finds the majority of his constituents frightened and angered by riots or the threat of violence in his community.

I am not an advocate of Black Power. Nor do I believe that violence, bloodshed and the destruction of property will lead the Negro or any other minority to equality. The traditional objective of the civil rights movement has been the effective and impartial enforcement of the law. Riots and violence are the mortal enemies, not the servants, of the civil rights movement.

But summer or winter violence must not be used as an excuse for stopping the progress of the nation toward equality and justice for Negro Americans. The "punitive reaction" punishes not only the Negro community but the white community as well. A halt in progress in the field of civil rights means an end to the domestic tranquillity to which all Americans are entitled. The social and economic factors which cause riots multiply in direct proportion to the preservation of the social, economic and psychological status quo in the Negro community. To stand still is to regress. The word "wait" engenders hate. If Congress, out of fear or anger continues to choose the path of inaction, racial violence in the United States will not only continue, it will recur with ever-increasing intensity. The lightning of violence will strike again and again.

It is not only the Congress which is immobilized. The Executive Branch of the Federal Government has failed to act with force and speed to implement the laws which are already on the books.

In the South the feeling is widespread that the traditional patterns of social injustice can be maintained. It is believed that those patterns will withstand the impact of federal civil rights laws because those laws have not been and will not be vigorously enforced. Many hope that the attention which has focused on civil rights will pass away, as the concern for reconstruction passed after the Civil War. They believe that white supremacists can hold on to their power and control in refusing Southern Negro citizens the enjoyment of their rights.

It is the responsibility of the federal government to enforce the laws and put an end to this illusion. This means the vigorous prosecution of individuals who interfere with or attempt to deprive citizens of their civil rights, especially where the state and local governments refuse to enforce the law.

It also means the enforcement of desegregation orders, not only in the South but in the North as well. This should be done by denying federal money to those localities which do not comply with the desegregation guidelines of the United States Office of Education.

The federal government must also take action to put its own house in order. It must put an end to the subsidizing of racial discrimination in areas where the federal government is an economic force.

Thousands of servicemen live in housing around military bases. Yet, for many years, the Department of Defense took no action to alter the practice of discrimination and segregation which denies adequate off-base housing to Negro personnel in the armed forces.

The Department of Defense is well aware of the problem and has issued policy statements in opposition to such discriminatory practices. But the Pentagon limited itself to the issuance of a directive which provided for a nationwide housing census to determine the extent of discrimination against Negro servicemen. In addition, the Pentagon reasserted earlier policy requiring solely that military bases refrain from listing off-base accommodations which are not open to Negroes.

The Department continually rejected a simple, workable solution which would quickly solve most of the problems. When the base commanders declare that all accommodations not open to Negro servicemen are off-limits to all servicemen—then results will begin. This kind of economic pressure works because it makes discrimination expensive. It is my understanding that the Department has agreed to try this approach in only two areas. Such a policy should be applied immediately to all defense installations in the United States.

The economic force of the federal government can also be used to compel responsiveness to policies of fair housing and fair employment where federal largess is bestowed on industry and local communities.

The federal government should not condone racial discrimination by rewarding it with federal grants. Weston, Illinois, should not benefit from a multi-million dollar atomic installation when it is unwilling to open community housing to Negro citizens who will live and work there.

Federal defense contracts should not go to industries which refuse to employ Negroes, nor benefit labor unions which refuse to train or open their membership to Negroes.

It is the exercise of the economic power of the federal government which will demonstrate the true commitment of the present Administration to progress in guaranteeing equal rights and opportunities. The federal government should put its money where the principles and guarantees of the Constitution and the laws are respected.

Those of us who serve in the Congress have a duty to lead, not simply to follow public reaction. We must do more than mirror the present fears and antagonisms of the electorate. We must do what we believe to be legally and morally right. The Negro community has been petitioning the United States Government for a redress of grievances for more than 100 years. It is time, *it is past time,* that the petition be granted.

The federal legislation which is necessary to implement constitutional guarantees of equality should not be passed simply because there has been a demonstration. Nor should such legislation be rejected because there has been a riot. These laws should be passed because they are just. They should be passed because they are necessary to the well-being of this nation's people. There are few demonstrators. There are fewer rioters. But there are many in the United States who do not have the basic rights which rightfully belong to every American citizen.

Many who are denied those basic rights are serving this nation in Vietnam. Before a member of the Congress casts a "nay" vote for the Civil Rights Act of 1967, he should write to his Negro constituents in Vietnam explaining why the federal government cannot assure them the right to live where they choose, or why racial unrest in their community makes it politically inopportune to vote for civil rights legislation at this time.

I have said that the focus of the civil rights movement in July of 1967 is different from that of July, 1963. The energy and direction in the early years was concentrated on guaranteeing basic civil rights.

But the issues in Selma and Birmingham are not the issues in Watts or Hough. The problems are different. The problems of Watts and Hough are the problems of the urban Negro poor.

Seventy-five percent of the Negro population lives in cities. One half of the Negro population is poor. That means that one out of every two Negro citizens is denied "the minimal levels of health, housing, food and education that our present state of scientific knowledge specifies for life as it is now lived in the United States."

Guaranteeing the right of a Negro to be served at an integrated lunch counter is of little significance to a man who is unemployed and unable to adequately feed his family.

Assuring education in an integrated school will accomplish little if the school still follows a pattern of internal segregation. We must achieve more than merely technical compliance with the laws requiring integration in public schools. We should seek integration which is "de facto," not simply "de jure." We should make certain that Negro children in the public schools at all times receive the same quality of education which is available to white children.

The power of the Negro vote in northern cities is dissipated and fragmented if, because of gerrymandering, Negroes are unable to achieve representation consistent with their numbers. This further denies the Negro minority the ability to obtain responsiveness to its needs through the political process.

In many cities, little is done to deal with the legitimate grievances of the Negro population. As a result, activists turn increasingly to violence in reaction to community indifference. In turn, the community, angered by and fearful of the demands which have been made, becomes even more insensitive to the problems confronted by the Negro and even more reluctant to provide meaningful solutions for them. Much of the responsibility for this frustrating stand-off must be borne by state and local governments.

The recent unrest in the Roxbury section of this City of Boston provides an excellent example. Roxbury is a section which I know well. I lived there for many years. Until this summer, Boston had not been troubled by the violence which recently has been associated with the civil rights movement. Many thought that Boston would again avoid the summer unrest which has characterized so many of the nation's cities.

Roxbury is not Watts or Hough or Harlem. But it has many of the problems of the ghetto. It is overcrowded. Landlords have continually violated the city's building, health and safety codes with impunity. As a result, property values have deteriorated. Trash and garbage collection has been poor. Vehicles are abandoned, and the city makes no effort to remove them from the streets. In many respects, Roxbury has been a stepchild, forgotten by the city government.

The residents of Roxbury have been represented by responsible leadership—Mrs. Melnea Cass, Mrs. Florence Le Seuer, Lionel Lindsay, Herbert Tucker, Kenneth Guscott, to name but a few. They took the problems of the Negro community to City Hall. But municipal officials rarely responded to the legitimate and reasonable requests of the responsible leadership. Eventually and inevitably, militant leadership emerged, and attacked what they called the "gradualism" of the traditional leaders. They argued with validity that years of moderation had achieved few substantive gains. Gradualism was no longer enough.

Last summer, a group of Roxbury citizens, tired of waiting, carried the garbage and trash which had been left upon the streets of Roxbury to the steps of City Hall. There it was burned. This was followed by an ultimatum and a threat of mass trash and garbage burning in Roxbury which could have led to rioting. The city administration immediately reacted. Scores of workers and trucks were rushed into Roxbury and within a few days Roxbury was cleaned up. City government, after failing to respond to years of *moderate* leadership, finally responded to *militant* leadership.

Since militancy had been successful once, it was predictable that militancy would be tried again. Last year, the Mothers for Adequate Welfare, (a group with justifiable grievances concerned mostly with inadequate welfare payments and undesirable practices by the city's welfare departments) alerted state and municipal officials to their problems. A year passed. Nothing was done. It was inevitable that the organization would then select the militant path which had worked before. A tragic chain of events then led to the riot which everyone had hoped to avoid.

Unfortunately the Roxbury case is not an isolated example. Throughout the nation, state and local governments have tended to react to militant demands rather than to moderate requests. As a result, more and more Negroes have come to believe that progress is possible only through militant action, that moderation has failed to accomplish enough to satisfy the objectives of the civil rights movement.

For the most part, state and local governments have been extremely shortsighted. They have failed to provide the most elementary services for the Negro communities within their borders. Legitimate grievances are legion. Action to eliminate them lags. A disgruntled and potentially revoluntionary class grows at a record pace. The public officials who most deplore the rise of militant civil rights leadership are often its unwitting partners. Each time that extremism compels a state or municipal government to take long overdue and desirable and necessary action upon grievances, moderation suffers another defeat in the eyes of the Negro community.

The answer to extremism is clear. Government at all levels must respond to the legitimate requests of responsible civil rights leadership. Black power is a response to white irresponsibility. The Lemberg Center for the Study of Violence at Brandeis University has, in a report released only two weeks ago, concluded that the key factor in determining a community's susceptibility to racial violence is the attitude, as the Negro community understands it, of the municipal government toward the subject of integration and toward increased opportunities for Negro citizens.

I think that state and local governments have a clearly defined choice. They can continue to ignore moderate requests for reasonable governmental action submitted by responsible members of the Negro community. Or, they can recognize that their responsibility extends to *all* parts of the state or the municipality, thus enlarging the scope of governmental action to include many who have traditionally been deprived of the most elementary forms of public service. The failure to respond to responsible requests means the promotion of militancy. It is an invitation to violence. But constructive action can be the beginning of a society which has seen the end of racial violence because every man receives an equal share of the attention of his government.

The civil rights organization must continue to be the vehicle for the assertion of the legitimate claims of Negro citizens, not only at all levels of government, but within the private segments of the community which are not yet partners in progress toward human rights. If the civil rights organization is to be a functioning and effective vehicle for moving this country forward, it must draw its strength, as it has in the past, from every part of the American society which recognizes the justness and importance of its cause. This is not simply a Negro movement. It is an American movement for the attainment of an American ideal. And it encompasses the commitment, the efforts and energy of Negro Americans and white Americans alike. Any effort to exclude white Americans from the prosecution of this cause is first, a betrayal of the most profound beliefs and principles of the movement itself, and secondly, a barrier to its ultimate success.

Who would be so foolish to think that an end to discrimination, the creation of jobs, housing, the provision of better education, the survival and overall success of the civil rights movement can be achieved by Negroes without the cooperation, the active support and good will of the white community? Even if Negroes could isolate themselves and achieve their goals separated from whites, who, as an American, would welcome such a sterile victory? The symbol of the Congress of Racial Equality has always been a black and white hand extended and embracing one another. I support that symbol and its significance. It, and all it implies and promises, is the only meaningful goal of the civil rights movement in this nation. It is the commitment to that goal which brought forth men such as the namesake of the award which you bestow upon me tonight. And it is the commitment to that goal which engages men such as your dedicated President, Kivie Kaplan, in the continuation of this effort. Their commitment, and that of thousands of other white Americans, is not merely one of sympathy. It is a commitment not to a race, but to the principles upon which this nation was founded. They are working to keep promises that were made, not only to others, but to themselves. We must never accept and get bogged down with a division between Negro and white within the civil rights movement. We must give our full attention to the unfinished business which is still on the civil rights agenda.

It is somewhat ironic, but I think true, that the existence of the civil rights movement is both an affirmation and an indictment of what we believe about America and about ourselves as Americans.

The movement exists because of the lag between what was promised nearly two centuries ago, and what is actually accorded to Negro Americans in terms of their rights, dignity and the opportunity to lead significant lives.

Peaceful progress has been made toward that ideal because of an American system which allows for change. But no thinking American can take comfort from that fact and counsel patience because some progress has been made. What the civil rights movement seeks is the promise of *today,* not the hope of tomorrow.

For the one Negro who is elevated to the highest court in the land, there are thousands of Negroes who are denied the protection of laws which have been interpreted by that court.

For every celebrated Negro educator, there are thousands of Negroes who are denied the basic education to equip them for life in a technological society.

For the one Negro who serves as Secretary of Housing, there are thousands who must tolerate dilapidated, inadequate and overcrowded housing conditions.

For every Negro writer or artist, there are thousands who will never have the opportunity to develop their talents and their potential for creativity.

For the one Negro in the United States Senate, there are thousands who are locked out of the political process and whose right to vote is exercised at the peril of their lives or livelihood.

This is the indictment of America, and its sad loss. The potential for greatness of this country has, for more than a century, been diminished by a system which denies citizens the opportunity to enrich their nation as well as fulfill their own capabilities.

The cause of civil rights moves forward in the deepest interests of America and its people. It is a profound affirmation of all that we are and all that we hope to become.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

RAILROAD LABOR DISPUTE—CONFERENCE REPORT

Mr. YARBOROUGH. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (S.J. Res. 81) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today, p. 19037.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. YARBOROUGH obtained the floor.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield to the Senator from Louisiana.

UNANIMOUS-CONSENT AGREEMENT

Mr. LONG of Louisiana. I ask unanimous consent that during the consideration of the conference report on Senate Joint Resolution 81, to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees, the time for debate on the adoption of the report be limited to 10 minutes, to be controlled by the Senator from Texas [Mr. YARBOROUGH]. Provided, that debate on any motion to concur in the House amendment with an amendment be limited to 1 hour to be equally divided and controlled by the Senator from Oregon [Mr. MORSE] and the Senator from Texas [Mr. YARBOROUGH], and that debate on each amendment thereto be limited to 1 hour to be equally divided and controlled by the proponent of such amendment and the Senator from Oregon [Mr. MORSE].

Provided further, that on the final question of concurrence in the House amendment, with amendment, if there be any, debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: Provided, that the said leaders, or either of them, may, from the time under their control on the adoption of the motion to concur, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President, reserving the right to object, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. I just want to be sure on one point. We have all agreed to this, but I do not think it is actually carried out by what the Senator said, unless the parliamentary procedure dictated by the Parliamentarian makes it a little obscure.

As I understand it, there are going to be three moves. One will be by the Senator from Texas. I heard that referred to. The other will be by the Senator from Oregon. I heard that referred to. The other one will be by myself and the Senator from Michigan [Mr. GRIFFIN]. I did not hear that referred to.

Mr. LONG of Louisiana. That was referred to. There will be an hour on the first amendment. The mover of that motion would have control of the time. Then there is another hour on another motion.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MORSE. I would like the attention of the majority and minority leaders and the Senator from New York. I want to be careful that I do not waive any parliamentary rights by the unanimous-consent agreement.

Mr. MANSFIELD. Not at all.

Mr. MORSE. My question is directed to the Parliamentarian. Suppose I agree to the unanimous-consent agreement and then Senator X offers a request that the Senate accept the House resolution. Would I in any way be estopped from offering a substitute to that proposal or offering a resolution that I propose to offer to the Senate in behalf of those of us who oppose the House resolution?

Mr. LONG of Louisiana. No. The Senator would have his rights. Of course, his amendment would be also subject to the limitation.

Mr. MORSE. I do not mind that. I want to be certain that the Senate will have an opportunity to vote on an amended House version that the Senator from Oregon will offer.

Mr. LONG of Louisiana. Yes.

Mr. MORSE. I have no objection.

Mr. JAVITS. Mr. President, I want to be certain we are set. As I understand it, when the Senator from Oregon moves as he just stated he would, that motion is subject to amendment. As we propose to oppose that move, I want to be sure that the Senator from Michigan [Mr. GRIFFIN] and I can do so in accordance with that procedure.

The PRESIDING OFFICER. The time on the motion must be utilized by the Senator from Oregon before the Senator can offer his amendment.

Mr. JAVITS. Mr. President, did the Senator from Oregon hear that?

Mr. MORSE. No.

Mr. JAVITS. The Chair stated that the Senator from Oregon will have to use the time upon his substitute before we can introduce our amendment.

Mr. MORSE. I understand.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? If not, it is agreed to.

The Senator from Texas has the floor.

The unanimous-consent agreement, later reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That during the consideration of the conference report on S.J. Res. 81, to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees, the time for debate on the adoption of the report be limited to 10 minutes to be controlled by the Senator from Texas [Mr. YARBOROUGH]. *Provided,* That debate on any motion to concur in the House amendment with an amendment be limited to 1 hour to be equally divided and controlled by the Senator from Oregon [Mr. MORSE] and the Senator from Texas [Mr. YARBOROUGH], and that debate on each amendment thereto be limited to 1 hour to be equally divided and controlled by the proposer of such amendment and the Senator from Oregon [Mr. MORSE].

Provided further, That on the final question of concurrence in the House amendment, with amendment, if there be any, debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the adoption of the motion to concur, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. LONG of Louisiana. Mr. President, will the Senator yield, preserving his right to the floor?

Mr. YARBOROUGH. Mr. President, preserving my right to the floor, I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I ask unanimous consent that I may suggest the absence of a quorum without its counting against any Senator's time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 190 Leg.]

Aiken
Allott
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Church
Clark
Cooper
Cotton
Dirksen
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Gore
Griffin
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. GRUENING] and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Montana [Mr. METCALF], the Senator from Georgia [Mr. TALMADGE], and the Senator from Maryland [Mr. BREWSTER] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from New Jersey [Mr. CASE] is absent on official business.

The Senator from Nebraska [Mr. CURTIS] is absent because of the death of his daughter.

The Senator from Texas [Mr. TOWER] is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

The Senator from Texas has the floor.

Mr. MANSFIELD. Mr. President, has any business intervened since the last quorum call?

The PRESIDING OFFICER. No business has intervened.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas has the floor.

Mr. YARBOROUGH. Mr. President, I yield myself 5 minutes on the conference report.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. YARBOROUGH. Mr. President, I move that the Senate agree to the conference report which is at the clerk's desk. The report has been unanimously agreed to by the 11 Senate conferees.

Mr. President, the Senate on June 7 passed Senate Joint Resolution 81, authored by the senior Senator from Oregon [Mr. MORSE] and others. That resolution went to House.

The resolution was amended in the House, and on the 15th day of June, the House of Representatives passed an amended resolution in the nature of a substitute for Senate Joint Resolution 81.

On the 21st day of June, the Senate disagreed to the House amendments to the Senate joint resolution and asked for the appointment of conferees.

The House of Representatives agreed with that action on the 22d of June. Conferees were appointed by the two Houses on the 21st and 22d days of June.

The conferees worked out joint agreements for the time of committee meetings.

The chairman of the House conferees is Representative HARLEY O. STAGGERS, of West Virginia. There are 10 House conferees.

The conferees met in long sessions on the 26th, 27th, and 28th of June. Having been unable to agree on any of the various compromise proposals offered in those three sessions, the conferees agreed on the 28th day of June to recess until July 11.

We again met in long sessions on the 11th, 12th, and 13th of July.

Many proposals were advanced by both sides. Some came within one vote of acceptance.

Last Thursday night, July 13, after we had been in session until after 8 o'clock, we recessed until this afternoon at 3 o'clock.

Having received notice through many news media and other sources personally over the weekend of many work stoppages, the chairman of the House conferees, Representative STAGGERS and I agreed yesterday morning—after I had called Representative STAGGERS in West Virginia yesterday morning—to meet in conference at 10 o'clock this morning rather than at 3 o'clock this afternoon.

I commend the 11 Senate conferees for their faithfulness to duty. I have been in a good many conferences between the House of Representatives and the Senate in my 10 years in the Senate.

I have never seen a conference that was attended as faithfully by so many Senate conferees. The names of the Senate conferees are already included in the RECORD and are signed on the report. I thank each of them.

In order to attend the conference this morning, the senior Senator from New York [Mr. JAVITS], and the junior Senator from New York [Mr. KENNEDY] flew in from New York.

The distinguished Senator from West Virginia [Mr. RANDOLPH], returned to the Capitol this morning to be present for our conference committee meeting. Senator RANDOLPH, chairman of the Public Works Committee, and its Subcommittee on Roads, had been in the Republic of Panama for the celebration this past weekend symbolizing the final completion of construction of the Inter-American Highway in that country.

He canceled his appointments there and flew back last night in order to be present.

The Senator from New Jersey [Mr. WILLIAMS] was a little late in attending the conference because he was traveling by rail and was delayed by the work stoppage.

As a result of our conferences, the work stoppages, and the urgency of having action, the conferees of both Houses, after having endeavored for a long time to compromise on different proposals, have agreed that they cannot reach an agreement on the proposed bill within the time limits imposed by the situation. There is a substantial agreement that the trains are not running, although there is considerable dispute as to whether the major portion of the work stoppage comes as a result of a strike, or of a lockout.

The members of the conference committee each received a telegram this morning from Donald S. Beattie, executive secretary-treasurer of the Railway Labor Executives' Association, under date of July 17.

The telegram is addressed to me as chairman of the Senate conferees and to the Honorable HARLEY O. STAGGERS as chairman of the House conferees.

It reads as follows:

Hon. RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.
Hon. HARLEY O. STAGGERS,
U.S. House of Representatives,
Washington, D.C.:

You should know that major non-struck railroads have shut down all services and locked out their employees in a concerted effort to spread yesterday's local strikes on some railroads into a national shutdown and thereby stampede Congress into enacting compulsory arbitration. Railroads participating in this lockout as of 12:01 a.m. Monday included *the Pennsylvania, New York Central, New Haven and Erie-Lackawanna.* Others may have joined in locking out their employees by the time this telegram reaches you.

DONALD S. BEATTIE,
Executive Secretary-Treasurer, RLEA.

Telegram to be sent also to the following:

Senate.—Wayne Morse, Jennings Randolph, Claiborne Pell, Gaylord Nelson, Robert Kennedy, Harrison Williams, Jacob Javits, Winston Prouty, Paul J. Fannin, Robert P. Griffin.

House.—Samuel Friedel, John Dingell, J. J. Pickle, Daniel Ronan, Brock Adams, Samuel

Devine, Glenn Cunningham, Dan Kuykendall, William Springer.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Texas is recognized for 1 additional minute.

Mr. YARBOROUGH. Mr. President, prior to the receipt of this telegram we had received similar information orally from people who are not members of any of the shop craft unions involved in the strike. These are people whom I have known for many years and in whose credibility I place great trust. I repeat that they are not members of any of the involved shop craft unions.

In any event there no longer appears time to continue our discussions with the House conferees, and we have returned to the Senate.

In the light of the unanimous action on the part of the conferees in certifying their disagreement, I move that the Senate agree to the conference report.

The PRESIDING OFFICER. Does the Senator yield back the remainder of his time?

Mr. YARBOROUGH. I understand that I am to have 10 minutes, 5 minutes on this motion and 5 minutes on another motion that I shall make.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The Senator from Oregon is recognized.

The question is on the adoption of the conference report.

Mr. MORSE. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. Will the Senator suspend? There is no time——

Mr. MORSE. Mr. President, I wish to speak briefly on the motion of the Senator from Texas.

The PRESIDING OFFICER. There is no time at this time, other than——

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Oregon may have 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. I wish to commend the chairman of the Senate conferees, the Senator from Texas [Mr. Yarborough] for the very fair consideration that he gave to the Senate conferees and the House conferees throughout the long conference. What I say about him applies also to the chairman of the full conference, who is also chairman of the House conferees, Representative Staggers, of West Virginia.

The majority of the Senate conferees took the position that we cannot very well compromise finality, so that the controlling question at all times is whether or not we were going to have an end to this controversy at the end of the 90-day period. The majority of us held fast to the point of view that there should be finality, and that, more than anything else, is responsible for the action that was taken this morning.

Of course, another factor must not be overlooked—that some of the railway employees went out on strike. There is no question about that record. Not all railway employees went out on strike. In fact, as I said in conference this morning, it is well known that the initial walkout was the walkout of only one union. But, of course, no self-respecting union man or woman is going to walk through a good-faith picket line.

I know something about the law in regard to legitimate picket lines, because back in 1939 I wrote what is still the controlling decision in arbitration law in this country as to the differences between a legitimate and an illegitimate picket line. That was the decision in which I held, for the first time in American labor arbitration law, that every employer who signs a collective bargaining agreement knows that there is an implied condition in that agreement—namely, that no member of organized labor is going to go through a legitimate picket line of a sister union.

Mr. President, I make this additional comment on what my chairman has said: This morning the Senate conferees voted on nothing except my motion that the Senate conferees stand in disagreement and report the disagreement to the Senate, which is now the pending motion. I took that position for two reasons: First, I thought it was obvious that we were deadlocked over the matter of finality; second, I took the position that once this strike started, after all, the workers entered the conference.

We had sent them a message, asking for no economic action pending the determination of the matter by Congress. Therefore, if we proceeded, it was my position that we would be proceeding with a strike gun at our head, and, in my judgment, the conferees on the Senate side should not place themselves in that position.

In all my work in 32 years on labor disputes, either as an arbitrator or as a mediator, I have followed one rule, and I do not see how you can ever make an exception to that rule: When there was a strike, I took the position that we would go back to work before the arbitrator or the mediator would take jurisdiction. That was the position during World War II, also. That was the position the War Labor Board took. Therefore, in my judgment, conferees in a sense were mediators this morning, had they been willing to take jurisdiction. I made the motion that we stand in disagreement. I believe the Senate now should adopt the motion made by the Senator from Texas.

The PRESIDING OFFICER. The question is on the adoption of the conference report.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I ask unanimous consent that the Senator from New York be allowed 2 minutes.

Mr. JAVITS. I shall only require 30 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. I believe it is proper for the minority to state that it, too, concluded that we could get nowhere; and I believe that the reasons given by the Senator from Oregon as to his own view, with respect to not having the conference act because the employees were on strike, are reasons personal to him. They may and may not be shared by other members of the conference. I do not believe he stated them or intended them to be understood any other way.

But as to the ultimate point that we must come out in disagreement, so that the Senate can act promptly and send whatever it chooses to act upon to the House, there can be no question; and I, therefore, join with Senator Morse and Senator Yarborough in asking for an affirmative vote.

The PRESIDING OFFICER. The question is on the adoption of the conference report.

The conference report was agreed to.

Mr. YARBOROUGH. Mr. President——

Mr. MANSFIELD. Mr. President, will the Senator yield to me on the conference report?

Mr. MORSE. Will the Senator from Texas yield to permit me to yield to the Senator from Montana?

Mr. YARBOROUGH. I yield.

Mr. MORSE. I yield to the majority leader such time as he wishes.

Mr. MANSFIELD. Mr. President, when the leadership and the appropriate members of the Labor Committees of both Houses met with the President yesterday, I asked him to send me a letter setting forth his views on the situation as it existed then. About a half hour ago, I received a letter from the President, which reads as follows:

The White House,
Washington, July 17, 1967.

Hon. Mike Mansfield,
U.S. Senate,
Washington, D.C.

Dear Senator Mansfield: I am sending this letter to you in response to your request for a review of the meeting we had yesterday and the current rail strike situation.

In the early hours of Sunday morning, the threat of a railroad strike became a grim reality. Affecting first the west and midwest, the strike has now spread throughout the entire country, snarling our lines of commerce and leaving chaos and confusion in its wake.

By noon today, the Secretary of Transportation informs me that 80 to 90 percent of the Nation's rail lines will be down. By tonight, the stoppage will be total and rail paralysis will be complete.

As this crisis unfolded, the Secretaries of Defense, Transportation and Labor, the Attorney General and I met yesterday afternoon with the bipartisan Congressional Leadership and the Chairman and ranking majority and minority members of the appropriate Congressional committees. We discussed the action that must be taken to end the ruinous strike and to resolve finally the underlying dispute.

The consequences of the day-old strike—the first nation-wide railroad strike in over 20 years and only the second in the last 45 years—are already becoming clear to every American:

This morning, hundreds of thousands of commuters found it difficult or impossible to get to their jobs.

400,000 carloads of freight have already been stranded.

Shipments of fresh vegetables, meats and other perishable foods have already been halted.

Mail deliveries of packages and parcels, magazines and newspapers, have already been embargoed by the Post Office.

Secretary McNamara has reported the strike is having "an immediate impact on the movement of ammunition and heavy equipment to Ports of Embarkation for Vietnam. Ammunition cars—a thousand each week—must move without interruption to support our fighting men in Vietnam."

Every minute and every hour the strike continues will create ever-increasing damage to our economic well-being and America's national security.

The Nation has been more than patient.

The dispute is more than a year old. The parties have attempted unsuccessfully to reach agreement among themselves. Three labor boards have worked diligently and skillfully with the parties:

The National Mediation Board, chaired by Francis O'Neill, the most experienced member of the Board.

A Railway Labor Act Emergency Board headed by David Ginsburg, a distinguished Washington attorney, with Frank Duggan, Professor of Law at Georgetown University and John W. McConnell, President of the University of New Hampshire, as members.

The Special Panel appointed by the President, chaired by Judge Charles Fahy, with Dr. John Dunlop of Harvard and Dr. George Taylor of the University of Pennsylvania as members.

Despite the efforts of these three Boards, the parties to this dispute have been unable to come to an agreement. In each case, the union rejected the recommendations of the Board.

During the current round of railroad contract negotiation, over 500,000 union members—some 80% of the industry—have settled their differences with management through the processes of free collective bargaining. What then can we say of this shopcraft dispute?

We are witnessing, in this strike, a complete breakdown of private responsibility.

No man and no institution can stand above the American people and our men in uniform defending our country around the world.

There comes a time when the public interest must be paramount over private interests. That time is now.

On April 10th, with all the legal machinery available to a President exhausted and with a nationwide strike imminent, I asked the Congress to extend the no-strike period in this case for 20 more days to keep the parties talking in the hope that a solution could be found and a disastrous strike avoided.

On April 28, I again asked the Congress to extend the no-strike period, this time for 47 more days, while the parties searched for a solution.

Congress promptly and favorably responded to both of these requests.

On May 4th, after three boards had worked with the parties and after almost a year of negotiation, I submitted a recommendation to the Congress to resolve this protracted dispute fairly and finally. That was 75 days ago. This recommendation was shaped by the most experienced and skilled labor advisors available to a President. We were all determined to treat both labor and management fairly. The recommendation was drawn from the procedures and experience of the War Labor Board which settled hundreds of labor disputes. It was designed to provide a just settlement for the working man and for the railroads, based on the record made by the parties themselves.

The Senate accepted the Administration's proposal, by a vote of 70–15, while the House struck from its bill that portion which would insure a final resolution to the dispute.

This case has moved slowly through Summer and Fall, Winter and Spring—and still another Summer—while the parties unsuccessfully tried to reach final agreement. Now the Nation is gripped by a crippling strike, but the parties are no closer to a solution than they were over a year ago.

Simply extending the no-strike period is a prescription without a cure. It will only postpone the day of settlement—already postponed for more than a year—for in 90 days the Nation and its fighting men will be faced again with the prospect of another crippling strike.

The parties to this dispute have tried to reach agreement and failed. Boards and Panels have tried and failed. Congressional Chairmen and members of the Congress, the Secretary of Labor and many other public officials have tried and failed. We are faced with a national crisis. The public interest must take precedence over private interests. The power to act now rests with the Congress.

As a prominent legislator commented yesterday "We have had a year of talk. It is time for action". I share that view. I believe the American people share that view.

I therefore appeal to you to act swiftly on the proposal overwhelmingly passed by the Senate because of the urgent need to end the work stoppage and to resolve finally the dispute in the interests of the security, health and safety of America.

I assure you if the Congress will promptly and finally act, I will immediately appoint a blue ribbon board—with understanding of both labor and management, but subservient to neither and I feel confident this dispute can be resolved with dispatch and with justice to all.

Sincerely,

LYNDON B. JOHNSON.

I thank the Senator.

Mr. YARBOROUGH. Mr. President, I yield myself my remaining time, which is about 4½ minutes.

I move that the Senate concur in the House amendment of Senate Joint Resolution 81.

Basically, the House amendment is Senate Joint Resolution 81 with compulsory arbitration taken out. Senators have the House proposal before them and it is a part of the record. Therefore, I shall not use my time to read it.

I wish to point out that the Senate has never had an opportunity to vote on whether or not we will accept the House amendment, and I am only asking for a vote.

I think we should know what is before us. The basic difference between Senate Joint Resolution 81 and the House amendment is that Senate Joint Resolution 81 provides for compulsory arbitration, which destroys free collective bargaining. The House sets up a procedure for not enforcing compulsory arbitration and not destroying free collective bargaining. The House bill preserves the procedure of mediation set out in the Senate bill, but it does not enforce finality or compulsory arbitration.

Mr. President, I agree with the letter from the President which the distinguished majority leader has just read. The time to act is today. We should act today. We have an emergency in connection with the mail, the delivery of perishable goods, and most of all, we have an emergency in connection with materiel that we are sending to Vietnam. We should have a vote today.

I have agreed to this time limitation to show my good intention. I do not want delay; I want a vote. I appeal to the senior Senator from Oregon [Mr. MORSE] to let us vote on this matter. I agreed to use only 4½ minutes, and I hope that the Senator will vote on the House version. It would not take long for us to vote. It would only take 3 or 4 minutes. I agree we should act today. I agree with the President's letter.

Mr. President, there is a nationwide emergency but that does not mean we have to adopt compulsory arbitration. If we were to adopt the House resolution, we would not have to wade through hours of debate. The legislation could be passed in 10 minutes if we were to adopt the House version. The measure could be on the President's desk before 2 o'clock, if we want to stop the work stoppage phase.

The Congress can stop this strike in 5 minutes by a bill of the type agreed to by the House. But if some want to insist on compulsory arbitration, it is going to take a little longer.

The House has already shown that it is opposed to compulsory arbitration. Can it be said we will get speedy action if we send them another bill with compulsory arbitration in it?

Mr. President, we could adopt the House version and send it to the White House, and the President could sign it. I appeal for a vote at this time on whether or not we should adopt the House proposal which would set up a special board to consider the matter and provide that the special board could consider only proposals of a fair and equitable settlement within the collective bargaining and mediation efforts in this case. They could not award more than the unions agreed to accept or less than the railroads agreed to pay. Whatever they agreed upon would have to be within those limitations.

It seems to me that it would be simple, fair, and equitable to adopt the House version. It could be signed before 2 o'clock, We do want to end the work stoppage in a hurry and get the trains running; the fastest way to do so is not by putting compulsory arbitration on the backs of the parties. That would be the fastest way for us to act and we could do it in a few minutes. If speed is what is needed, they would get it.

Mr. President, the main difference in the two proposals is that the House version takes out compulsory arbitration and allows free collective bargaining under the limits of the law; it affords the parties the previous protection and allows them to work out their differences under the process of free collective bargaining.

As I stated, I agree with the President's statement that an emergency exists. I commend the President for his patience and efforts. I commend Secretary of Labor Wirtz for his great efforts to settle this matter and in working with the parties. He did an excellent job.

When the Senate Joint Resolution 81 was brought to the Senate from the Committee on Labor and Public Welfare it had in it a finding by the majority that both management and labor refused the finding of the Fahy panel. The finding of the majority which wrote the bill was that both labor and management rejected those proposals. This is not a case of one side turning down the proposal. This is a case where both sides turned it down. I cannot agree that compulsory arbitration is the only answer; I believe a further 90-day period of negotiation and mediation would result in a voluntary settlement.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. Mr. President, in short, I ask only for a vote on whether or not the Senate will concur in the House amendment to Senate Joint Resolution 81. The Senate has never had an opportunity to express its sentiment on that bill, and I hope we have that opportunity.

Mr. MORSE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has no time until some action is taken.

Mr. MORSE. Mr. President, I offer a substitute for the motion of the Senator from Texas [Mr. Yarborough].

The PRESIDING OFFICER. The substitute will be stated.

The Assistant Legislative Clerk. The Senator from Oregon [Mr. Morse] proposes:

> On page 3 of the House engrossed amendment, after section 4, insert the following new section:
>
> "Sec. 5. (a) If agreement has not been reached by the parties upon the expiration of the period specified in section 6, the determination of the Special Board shall take effect and shall continue in effect until the parties reach agreement or, if agreement is not reached, until such time, not to exceed two years from January 1, 1967, as the Board shall determine to be appropriate. The Board's determination shall have the same effect (including the preclusion of resort to either strike or lockout) as though arrived at by agreement of the parties under the Railway Labor Act (45 U.S.C. 151 et seq.).
>
> "(b) In the event of disagreement as to the meaning of any part or all of a determination by the Special Board, or as to the terms of the detailed agreements or arrangements necessary to give effect thereto, any party may within the effective period of the determination apply to the Board for clarification of its determination, whereupon the Board shall reconvene and shall promptly issue a further determination with respect to the matters raised by any application for clarification. Such further determination may, in the discretion of the Board, be made with or without a further hearing.
>
> "(c) The United States District Court for the District of Columbia shall have exclusive jurisdiction of all suits concerning the determination of the Special Board."
>
> On page 3 of the House engrossed amendment, strike out "Sec. 5" and substitute "Sec. 6".
>
> In section 6, as redesignated by the previous amendment, insert "reinstated and" before "extended".

The PRESIDING OFFICER. The Senator from Oregon has 30 minutes.

Mr. MORSE. Mr. President, I want to point out two things that my substitute motion does. It retains finality consistent with what the President talked about as the major thrust of his letter. The time has come for having finality in this long, drawn out and prolonged dispute. Second, it inserts the additional language which is necessary to give the Department of Justice the legal authority to go into the courts of the land and end the strike. That is all my substitute would do.

The change which inserts section 5, restores a section of the resolution which passed the Senate on June 7, 1967, by a vote of 70 to 15 and gives finality to the determination of the special board to be appointed by the President.

All the controversy in the conference over these many days has been over the very point which the Senator from Texas [Mr. Yarborough] discussed; namely, the difference between finality and no finality. No finality means that we would have it back in our laps, in my judgment, for a certainty, in the future.

Those who held that point of view on the Senate side did not prevail in conference. Those of us who insisted on finality are back here this morning with the conference in disagreement.

To the great credit of the Senator from Texas I want to say that he voted for that motion because he came to the conclusion, as he said, that there was little hope of getting an agreement within the conference.

The amendment to section 6, which is the second part of the substitute motion which I have adopted, restores the operative provisions of section 10 of the Railway Labor Act which states:

> No change except by agreement shall be made by the parties to the controversy in the conditions out of which a dispute arose.

This change is necessary since the previous period of unilateral action by the parties has expired, as the Senate is well aware, in the past hours. Strike action has been taken by certain railway workers.

Let me say, Mr. President, that this language has been worked out with the Attorney General of the United States. He gave to me a language which deals with this last point. His draft language reads as follows:

> Sec. 6. The provisions of the final paragraph of section 10 of the Railway Labor Act, heretofore extended by law, shall be hereby reinstated and extended. . . .

That is what is necessary to get this restored, in order to give him the legal basis to move into the courts for the necessary injunctive action to put the men back to work.

The full section 6 of my amendment reads:

> Sec. 6. The provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160), as heretofore extended by law, shall be hereby reinstated and extended until 12:01 o'clock antemeridan of the ninety-first day after enactment of this resolution with respect to the dispute referred to in Executive Order 11324, January 28, 1967.

The President, I call upon the Senate again to vote the question as to whether it wants finality in this case. The Morse substitute motion provides for that. I also emphasize to the Senate that the vote it cast on June 7 last for finality was 70 to 15.

Mr. JAVITS. Mr. President, will the Senator from Oregon yield me 5 minutes time?

Mr. MORSE. I yield, but I wonder whether I could have the attention of the distinguished majority and minority leaders.

I wonder whether the Senator from New York would agree to allow me to suggest the absence of a quorum, with the understanding that it will be withdrawn just as soon as I can take an emergency telephone call, which has just been brought to my attention.

Mr. JAVITS. Of course.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. On whose time will the quorum be called?

Mr. JAVITS. Mr. President, I ask unanimous consent that the time for the quorum call not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded and that the Senator from New York [Mr. Javits] be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, will the Senator yield me 5 minutes?

Mr. MORSE. Mr. President, I yield to the Senator from my time.

Mr. JAVITS. Mr. President, I would like to get the attention of as many Members of the Senate as possible, as this is a complex and interesting problem, which I think ought to have some thought by the Senate. We will undoubtedly be acting within the next couple of hours, anyhow, I think as many Senators as possible ought to listen to our situation.

Mr. President, on behalf of myself and the Senator from Michigan [Mr. Griffin], I shall offer an amendment to Senator Morse's substitute which will do the following three things:

First, it will preserve finality in the sense that the findings of the special board appointed by the President will be binding at the end of the period specified in the Senate bill, to wit, 91 days, subject only to the power of Congress and the President, by joint resolution, to cancel the effectiveness of the special board's determination. I emphasize that this is just a last-resort guarantee to labor and to management that there will be no runaway board and that, if something really goes wrong in this process, it can be corrected by action of Congress and the President.

The other change—and I shall discuss the reason for this in a moment—provides that at the end of the 60-day period, by which time the special board has to make its determination, there will be a 10-day period in which labor and management will be required to accept or reject the findings of the board. This will not change the findings or cancel them out; it will just give us, the President, and the public, knowledge of whether the findings are or are not acceptable to management and labor. It might be that the whole dispute would be over by that time.

Mr. LAUSCHE. Mr. President, does the Senator refer to the arbitration board?

Mr. JAVITS. The special board appointed by the President.

The third change made by the amendment is that if the parties agree to accept binding arbitration during the 10-day period, that, too, will end the dispute, because the Railway Labor Act provides for binding arbitration, and we incorporate by reference the provisions of the Railway Labor Act, insofar as arbitration is concerned, in this particular provision.

So the three changes are as follows:

First, within 10 days—no time extension; the time remains the same—after the special board makes its findings, labor and management are required to accept them or reject them.

Second, within those 10 days, labor and management may agree upon binding arbitration under the provisions of the Railway Labor Act. We incorporate the Railway Labor Act provisions by reference.

Third, in the 20 days following the 10 days—still within the 90-day period—Congress may, by joint resolution, which requires the signature of the President to make it effective, invalidate, cancel, or reject the findings of the special board.

I characterize that as a last-resort guarantee, should there be a universal feeling that the board has gone haywire or has been a runaway board.

A resolution to veto the special board determination would be governed by the procedures of the Reorganization Act. This provides for specified periods of time within which there is to be committee action, and avoids any possibility of what we in the Senate euphemistically call extended debate or filibuster. The action of Congress and the President is to be taken actually within the 20-day period. This would be done by incorporating in this amendment, by reference, the provisions of the Reorganization Act.

What is the reason for the amendment? In the first place, this thinking represented the pinnacle of agreement in the conference. We came the closest to agreement upon this amendment as representing the position of the Senate and the House. The Senate conferees, by a vote of 8 to 2, agreed to accept it. The House conferees, by a vote of 5 to 4, rejected it. From that point on, we were on our way downhill, in terms of agreement. We just could not come to any agreement. This represented the pinnacle of our ability to agree.

The composite amendment is composed of a provision by Representative ADAMS, of Washington, who suggested the idea of letting the parties accept arbitration. The provision for a 10-day period for acceptance or rejection is the product of the thinking of Representative FRIEDEL, of Maryland.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. The possibility of a veto by joint resolution—that is, by the action of both Houses of Congress—and the signature of the President is the product of my own thinking and that of the Senator from Michigan [Mr. GRIFFIN].

Finally, the question, Why the amendment at all? Why not go ahead with the Senate joint resolution? That is the proposal of the Senator from Oregon [Mr. MORSE]. I am rather hopeful that he will support the amendment which the Senator from Michigan and I are proposing. There are two good reasons for supporting it. First, to make it very clear that this is an ad hoc proposition, designed for this particular eventuality; that it does not represent a permanent pattern for the settlement of labor disputes of this character which get us into national emergencies. The best way to flag this very clearly as an ad hoc proposal, just for this particular occasion, is by bringing Congress and the President into the final process of requiring labor to take this particular kind of settlement.

The second point concerns the very deep antipathy of labor and the deep reservation which many of us have, including myself, about the advisability of compulsory arbitration in major labor disputes, and the fact that under these circumstances there seems to be no other way to settle the dispute. I agree to act accordingly in reference to this legislation, whatever it may mean to me as a legislator in respect of union relationships, which I value greatly, and always have in my service. Our Nation's welfare comes first in the minds of all of us. But at least the proposal is an effort to make it, as far as we can, an assurance to organized labor that the process of finality which we are requiring will be a fair one.

So I repeat, if the special board appointed by the President, no matter how distinguished—and I am sure it will be distinguished—in the final analysis, goes overboard or exceeds its authority, or is a runaway special board, there is a power of correction. Labor cannot say, "You are absolutely mandating upon us what a board, without the legislative responsibilities which Members of Congress have, may require, and making that final." All we are really making final is the law of the land; and we could undo it by another appropriate law. The only reason we are writing it in here—because we could do it anyway, by passing a law at the end of the 70 days—is, first, to give assurance to labor in advance, because after all, we do wish them to obey this law when we pass it; and, second, to write in the procedures of the Reorganization Act, which will actually enable us to carry out our will within the 20-day period stipulated. Otherwise, the matter could be filibustered or talked to death in committee, and Congress might never act upon it, even if it wanted to.

In order to accomplish that, we have to write in these procedural sections, which we do incorporate by reference.

Mr. President, this was about the toughest conference I have ever been in.

There were at least 25 votes taken by the Senate and House conferees. It was really a deadlocked situation. Under the circumstances, where we do face a national emergency and where it is possible to do, with no inconsistency, no jeopardy of the fundamental legislative scheme of the Senate, what the Senator from Michigan [Mr. GRIFFIN] and I suggest be done, we feel we are at least making some effort to mollify those who feel so very deeply in opposition.

They will not be happy with the result today. They will be just as critical of me, of Senator GRIFFIN, and of everybody else connected with the matter as if we voted straight for the Senate bill. But I believe second thoughts will prevail, and people will realize tomorrow, if they do not today, that we really tried, consistent with the basic principles to which we are committed here in the Senate, to take care of these concerns with finality inasmuch as we could. That that is what we have sought to do.

Mr. LAUSCHE. Mr. President, will the Senator yield me 5 minutes?

Mr. MORSE. Mr. President, I have only 14 minutes remaining. I yield 3 minutes.

Mr. LAUSCHE. Is my understanding correct that the amendment of the Senator from New York contemplates that after the special board created by the President has made its findings, unless something intervenes within 30 days, Congress, by resolution, shall have the right to veto the board's findings, provided the veto is approved by the President?

Mr. JAVITS. By the President; that is correct.

Mr. LAUSCHE. In other words, the finding will be made by the Arbitration Board.

Mr. JAVITS. That is correct.

Mr. LAUSCHE. Congress then will have a chance to look at the findings, and to pass upon them either by abstention of action or by a veto?

Mr. JAVITS. That is exactly correct. May I add just one other point? If the President vetoed the congressional joint resolution, conceivably, the veto could be overridden by a two-thirds vote.

Mr. LAUSCHE. That will never happen, of course.

Mr. JAVITS. I merely point that out.

Mr. LAUSCHE. What is likely to happen between the time the award is made by the Arbitration Board and the end of the 30 days in which Congress can exercise the right of veto? What pressure will be applied to us? How many labor leaders are going to come down here and say, "You have the ultimate power to determine what our terms shall be, and we expect that you will veto the bill." How heavy is the burden going to become during those 30 days, compared to what it is now? Will it not be deeper, graver, and heavier to deal with, and will not the fact that we vacillate give encouragement and hope of attaining the end of a nondecision?

Mr. JAVITS. In the first place, Congress has only 20 days under our amendment, the other 10 days of the 30 are in the hands of the parties.

Mr. LAUSCHE. But it is 30 days in all. Ten days are in the hands of the union, to say "Yes" or "No".

Mr. JAVITS. Twenty days is what Congress has.

Mr. LAUSCHE. Yes.

Mr. JAVITS. But I would say to the Senator, while I cannot conceive of more pressure than there is today with respect to this legislation, even if there were tremendous pressure, speaking for myself, I believe we must legislate with justice, whatever the pressure may be. I am not afraid of pressure today; I am not afraid of it in that 20-day period, compared to the wisdom of doing what is just.

The **PRESIDING OFFICER**. The Senator's time has expired.

Mr. **LAUSCHE**. I ask for 2 additional minutes.

Mr. **MORSE**. Mr. President, I cannot yield any further and make my case.

Mr. **JAVITS**. I ask for 2 minutes on the bill.

Mr. **MORSE**. The Parliamentarian tells me I do not have that right.

Mr. **LAUSCHE**. Just a minute.

Mr. **JAVITS**. I will have an hour later.

Mr. **LAUSCHE**. Let me have just a minute now, and perhaps I can avoid taking up the Senator's hour later.

Mr. **MORSE**. Take a minute.

Mr. **LAUSCHE**. Is it not a fact that if this procedure recommended by the Senator from New York is adopted, Congress will become the arbiter, and will have the power of decreeing finally what the wages shall be, in a dispute such as this? I should like to hear the Senator's answer to that question.

Mr. **JAVITS**. I shall have an hour in which to answer, Mr. President, and I intend to answer the question very completely.

Mr. **LAUSCHE**. Can the Senator answer it in 1 hour?

Mr. **JAVITS**. I can answer it in 1 minute.

Mr. **HOLLAND**. Mr. President——

The **PRESIDING OFFICER**. Who yields time?

Mr. **MORSE**. I have to make a statement now in regard to the proposal of the Senator from New York.

Mr. **HOLLAND**. Mr. President, will the Senator yield for one question? Or I will put two in one.

Mr. **MORSE**. Very well; I yield for that purpose.

Mr. **HOLLAND**. First, is there any assurance that if this amendment is agreed to, it will be accepted by the House of Representatives?

Mr. **JAVITS**. Mr. President, I believe it will be. That is speculation. As a matter of fact, we do not know whether the House will accept Senator Morse's amendment, or Senator Yarborough's amendment. The Yarborough amendment is merely concurring, and thus should be acceptable, but Senator Morse's reiterates the Senate position. At least by doing what I recommend, we are trying to advance somewhat toward meeting the feelings of some of the Members of the House of Representatives, which I think gives us the best chance of acceptance over there.

Mr. **HOLLAND**. But, the Senator has already said that a majority of the conferees declined to accept the proposal.

Mr. **JAVITS**. We have been led to believe that some of those who declined to accept the proposal—and the vote was 5 to 4—have changed their opinions in view of the strike. That is the reason for the amendment.

Mr. **HOLLAND**. I thank the Senator.

Mr. **MORSE**. Mr. President, I want to make a statement with reference to the amendment of the Senator from New York.

I do not want my sitting in silence while my good friends talk about compulsory arbitration to indicate that there is the slightest bit of arbitration in the Morse resolution. There is not.

It is completely limited to mediation and is not an arbitration process. It is completely limited to a compromise procedure and not to a judgment based upon the evidence. In fact, under the Morse resolution a special panel cannot even give weight to the Ginsburg report, which is an arbitration report. It is limited to the mediation proposals of the parties and the mediation proposal of the mediation special panel. The special panel that the President will appoint under the Morse resolution, if adopted, will be a mediation panel.

With that out of the way, I want to give to my colleagues the position of the senior Senator from Oregon as the manager of the President's resolution.

First, in regard to the Javits proposal, I wonder if the Senator from New York will permit me to make a comment with regard to the UPI dispatch about which he talked.

The senior Senator from New York and I are, of course, in complete agreement that this UPI dispatch of this morning does not present the view of the two Senators.

I think we ought, in fairness to the President of the United States, to make this record perfectly clear.

The UPI dispatch of this morning reads:

> A move by Senate Republicans was expected in an attempt to amend the administration bill to place the blame for any compulsory settlement on the President.
>
> Sen. Jacob Javits, R-N.Y., and Sen. Robert Griffin, R-Mich., said they would introduce an amendment to the administration bill which would contain the same provisions of the measure except for the final "mediation to finality stage." Under the Republican proposal the President would have to personally make recommendations to Congress for a settlement.
>
> Once the President made the recommendations Congress would have the option to veto them. If Congress failed to act they would go into effect automatically.
>
> Griffin said the proposal received the most support from House conferees during meetings last week. He said the House conferees rejected it by a 5 to 4 vote.

I have talked with both of my colleagues, the Senator from New York [Mr. Javits] and the Senator from Michigan [Mr. Griffin].

They said that is not their position at all under the amendment they are offering.

The bill, of course, would be the vehicle for transmitting the Panel's report to Congress, and the Congress would act its will upon it.

If both Houses did not reject it, that would end it. It would be final on the 91st day.

If both Houses rejected it by a joint resolution—and note my language, joint resolution—it would go to the President for signature or veto. That is the procedure.

I therefore want the record, in fairness to the two Senators and in fairness to the President, to be perfectly clear that this is not any proposal at all that passes the buck, so to speak, to the President of the United States.

It rests on a finality decision in the first instance upon both Houses of Congress. It would require both Houses to reject it, or it would become final on the 91st day.

If both Houses do reject it by a joint resolution, it would go then to the President for acceptance or rejection.

Mr. **JAVITS**. Mr. President, will the Senator yield briefly?

Mr. **MORSE**. I yield.

Mr. **JAVITS**. Mr. President, I confirm what the Senator from Oregon has stated.

The UPI press dispatch is something that we have to take note of because it states something that would be very sensational if true.

The UPI press dispatch is grounded, in my opinion, upon a misapprehension of the terms of the amendment which, as the Senator from Oregon has said, requires only a ministerial duty on the part of the President, the transmission of the special board's report.

The action of the President with respect to whether he will accept the report of the special board as binding only comes after, and not before, the Senate and the House have both acted affirmatively to reject the findings of the special board.

I cannot conceive under those circumstances any implication that we are trying to put the monkey on the back of the President.

On the contrary, Congress is carrying the responsibility.

Mr. **GRIFFIN**. Mr. President, will the Senator yield?

Mr. **JAVITS**. I yield.

Mr. **GRIFFIN**. Mr. President, I join in the statement just made by the senior Senator from New York. If anything, the proposed amendment would put the "monkey on the back" of Congress rather than on the back of the administration.

Under the amendment, the administration would make no recommendation whatsoever. There would be nothing for the President to do except to tranmit to Congress notice that the parties have not accepted the Board's determination.

The action would then be up to Congress, with the discretion resting in the President to act thereafter.

Mr. **MORSE**. Mr. President, I wish to make it perfectly clear that this amendment was first offered in conference by the senior Senator from New York [Mr. Javits] and the junior Senator from Michigan [Mr. Griffin].

Originally, I opposed the amendment. I make this statement in fairness to some of the other conferees who likewise opposed the amendment.

My major reason for opposing the amendment was that I thought it would be bad legislation to have Congress—who would not be a party to the negotiations, or the hearings as a special panel would be with respect to the various proposed compromises in an effort to get a conscionable compromise settlement of the dispute—sit in judgment as to whether the change should be 5 cents, 6 cents, or 7 cents, or 6 days of holidays or 8 days, or any other change.

From the standpoint of legislative procedure, I thought it would be better if we did not have to do it. But when we have the responsibility of handling a program in conference in a rather dual capacity, we try to work out a conscionable compromise within the conference committee.

My colleagues will say—and I realize it is so—that this was the nearest we seemed to be able to get to a consensus.

I said to the senior Senator from New York and to the junior Senator from Michigan that, on the floor of the Senate, I would support it if that was the one way in which we could break this deadlock, because finality is not lost.

I took the position from the beginning of the conference to the end that I was not going to support anything unless it had finality in it, and finality is in this measure. I will support it on the floor of the Senate insofar as my vote is concerned.

The senior Senator from New York will testify that he asked if I would cosponsor the amendment. I said, "No, I will not." However, I gave my word that I would vote for it.

When I give my word, that is my bond. I will vote for it, but what I say now is not to be interpreted by anyone as meaning that I think they should vote for it or against it.

The senior Senator from New York is right. This came the nearest in conference on both sides of the table to breaking the logjam in which we found ourselves.

Let me say what I think the pros and cons are.

There has been a lot of talk in conference with regard to what the attitude of the workers may be. Let us talk about the attitude of the carriers, too.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I ask unanimous consent that I may have an additional 5 minutes because I am explaining the matter to the two Senators as well as for myself and for the information of the Senate, too.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MORSE. Mr. President, there has been a lot of talk about what the attitude of the workers would be. What about the attitude of the carriers?

In my judgment, it is fair in that sense to the carriers and to the brotherhoods, if we can get the dispute settled through this procedure with finality.

Mr. President, I do think in view of the bitter attitude that has been evidenced by some of the workers in regard to this industry and the misunderstanding on the part of the rank and file, that some of us are proposing compulsory arbitration when we are actually proposing mediation with finality, that it might very well be considered by the workers as more acceptable.

I cannot imagine the carriers finding it unacceptable, because finality is preserved there, too.

We get opinions that are split. But this modification is somewhat different from sending back to the House just the straight Senate bill, with the additional language that the Attorney General has provided, which is in my substitute motion. I believe that some Members of the House will be more prone to vote for the resolution with the Javits-Griffin amendment in it.

I believe the President of the United States has answered the whole case with his unanswerable letter this morning. I refuse to believe that either the Senate or the House of Representatives this afternoon will walk out on what I consider—and I speak only for myself—to be a clear public trust that we owe the American people in this hour of great crisis.

We have now to determine whether government by law will prevail in this country or whether, in an hour of great crisis, any group of labor in a regulated industry will be allowed to bring the economy of this country to its knees, with the loss of millions and millions of dollars to the people of this country, hour by hour, as this work stoppage starts.

So far as the senior Senator from Oregon is concerned, that is the issue. I believe that both Houses must stand up to that issue by passing this afternoon a bill, with the principle of finality in it, that gives assurance to the American people that the strike will be brought to an end.

I do not ask people to agree with me. But I have gone through this kind of contest many times—I have had labor threaten me before. A leader of one of the unions said to the Secretary of Labor yesterday that he would give him 10-to-1 odds that they would beat me next year in the election. I accept the challenge, because what he is saying is that he thinks he should be allowed to use a dictatorial economic power, because he is the head of a union, to bring this country to its knees in an hour of great crisis. Let us find out. I would rather walk out of the Senate than stay in it and bend my knees to that kind of political blackmail and blackjack. But I have confidence in the voters of my State, and I believe they will give him the answer.

However, irrespective of my position in this matter, I want to hold the Senate to the principle that is involved. I close by saying that the principle is whether or not we are going to vote this afternoon to maintain government by law in this country or surrender to a powerful labor lobby. That is the issue, and I am ready to vote. I will vote for the Javits-Griffin amendment.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MANSFIELD. What is wrong with the legislation which has already passed the Senate? Why do we need an additional motion such as the one that the distinguished Senator from New York and others wish to act on? What is wrong with what the Senate has already done, on the basis of the 70-to-15 vote?

Mr. MORSE. I have explained to the Senator from Montana that that was the position I took earlier in conference. As a conferee in charge of the resolution, I said I would support this modification if we could get agreement on it. We were not able to get agreement on it, but I believe I am ethically and morally bound by my word to vote for the proposed amendment. I have explained this to the Senator from New York. I will vote for it.

Mr. HOLLAND. Mr. President, is there any time remaining?

The PRESIDING OFFICER. The Senator from Texas has 30 minutes remaining on the amendment.

Mr. JAVITS. Mr. President, will the Senator yield so that I may make a parliamentary inquiry?

Mr. YARBOROUGH. I yield.

Mr. JAVITS. Mr. President, do I correctly understand that, the time of the Senator from Oregon having expired, an amendment to the substitute is now in order, upon which there may be 1 hour of debate?

The PRESIDING OFFICER. Until all time has expired, including that of the opposition, the amendment would not be in order.

Mr. JAVITS. Has the time expired, including the time of the opposition?

The PRESIDING OFFICER. No. The opposition has 30 minutes. The only time utilized has been that under the control of the Senator from Oregon.

Mr. JAVITS. May I then ask the Chair whether we are not under some misinterpretation, having assumed that the Senator from Oregon used all the time on his substitute? The answer is that he has not—to wit, it was a half hour left in opposition.

The PRESIDING OFFICER. The Senator from Oregon has used all the time available to him. The time of the opposition is under the control of the Senator from Texas. He has used no time. He has 30 minutes. The amendment is not in order until all the time has expired.

Mr. YARBOROUGH. I yield 5 minutes to the Senator from Florida.

Mr. HOLLAND. Mr. President, I first wish to pay my very great respects to the Senator from Oregon. I believe he has acted with courage and fidelity, and I have nothing but praise for his position. At the same time, I believe we would be taking a very weak position by adopting the amendment now offered by the Senators from New York and Michigan. I agree completely with the thought advanced by the majority leader, that we passed a strong bill by a very large vote—I believe it was 70 to 15—and that bill has been in conference; and that, while the conferees are technically discharged, we can send it back to conference.

I say to my friend, the Senator from New York, that he is correct in his feeling—and I am sure he has this feeling—that members of the conference from the House have changed their minds with reference to the advisability of adopting his amendment.

However, as an amendment to the bill, and in conference, I believe it would be the part of wisdom to send this bill back to conference and let him find out whether his belief is true, that the conferees of the other body are ready to change their minds.

I call attention to the fact that there is no assurance that the House will accept the bill with this amendment, even if we placed it in the bill. There is no assurance that they will take it up immediately. We know what the rules in the House are and how they can hold up matters there. But the bill—and it was a good bill—offered by the Senator from Oregon, and passed by a heavy vote, remains passed, and it represents the verdict and the judgment of the great majority of the Senate.

Mr. President, I do not like to see us start slipping back when we have taken a real position. More particularly, I do not want to see us start slipping back when we do not have any assurance that this measure, with its throat cut by this amendment in a degree, would be any more acceptable to those who do not want any meaningful measure to end what is a crisis throughout this country, from one end of it to the other. We should stand by the original bill of the Senator from Oregon, appoint conferees, and let us see whether there has been a change in judgment on the part of the conferees of the House.

I hope, therefore, that the Senate will reject the amendment now offered, stand by its original judgment, stand by a meaningful bill, and not give the impression that we are a little fearful because there has been so much pressure brought to bear, a little fearful of maintaining our position. I do not want to see the Senate left in that attitude.

I thank the Senator for yielding to me.

Mr. MILLER. Mr. President, will the Senator from Texas yield to me, so that I may ask the manager of the bill a question?

Mr. YARBOROUGH. I yield 3 minutes to the Senator from Iowa.

Mr. MILLER. Mr. President, I ask my colleague, the Senator from Oregon, this question: Is it true that the full membership of the House really never had an opportunity to vote for the Senate-passed bill?

Mr. MORSE. They never had a rollcall vote on anything. In conference, we urged them to agree to go back to the House, to get a rollcall vote. We never made progress with that suggestion. There never was a rollcall vote in the House of Representatives on the Senate bill that has a provision of finality in it.

Mr. MILLER. If we should reject the Javits-Griffin amendment, and pass the same bill again, would the Senator from Oregon feel that there would be a good chance that there would be an opportunity given to the Members of the House to have a rollcall vote on the bill? I would like to ask the Senator's evaluation.

Mr. MORSE. I cannot speak for the House.

Mr. MILLER. I understand that.

Mr. MORSE. I indicated in my closing remarks that I cannot believe, in this hour of crisis in this country, that there is any danger that both Houses will not stand up this afternoon or this evening and vote the same resolution with finality in it.

Mr. MILLER. I thank my friend, the Senator from Texas, for yielding.

I would like to add that it seems to me that the ground rules are a little different now. When we passed the bill there was no strike. Now there is a strike. If we pass the same package again, it would seem to me that the full membership of the House of Representatives should be given an opportunity to have a rollcall vote on it. Then, if they reject it, we might get into modification.

Mr. YARBOROUGH. Mr. President, I yield 2 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I wish to ask one question of the Senator from New York.

In the event the President and both Houses of Congress veto the bill, where do we find ourselves with respect to control over the dispute?

Mr. JAVITS. The control over the dispute will be exactly where it is today: in the hands of Congress and the President.

I am not a bit dismayed by the strong words of the Senator from Florida or by any other Senator. The voice of reason always gets that kind of assault. We find the ranks closing between those who want the 90-day extension and those who want to be very tough. Let us be careful when we talk about getting the wheels rolling and let us be wise when it pays to be magnanimous.

Mr. LAUSCHE. The Senator answered my question. The answer is that we find ourselves in the identical position in which we are now. That is the worst state of mind that could be created. There should be definiteness in the law. There should be a message delivered to those involved in the dispute that the law is certain and that the law will operate.

What is proposed by the amendment would leave it in a sort of jellyfish state. We would not know what is going to happen, and 3 months from now we will be back where we are today. Let us face the matter now bravely and unrelentingly and declare to the Nation, as the Senator from Oregon said, that the law shall be obeyed and done.

Mr. MORSE. Mr. President, will the Senator yield 1 minute to me?

Mr. YARBOROUGH. I yield.

Mr. MORSE. Mr. President, I want to say in fairness to the Senator from New York and the Senator from Michigan that we should not overlook the procedure that would be involved in the proposal of the Senator from New York and the Senator from Michigan.

It really tests all reasonableness to assume that both Houses would reject a fair recommendation handed down by the panel. In view of the President's letter this morning, it violates all reasonableness if it is thought that a fair panel decision would be vetoed. If he did veto it, it would take a two-thirds vote to overrule the veto. I think that a lot of bridges to cross are being built that are unreasonable. I say that in fairness to the Senator from New York and the Senator from Michigan.

I stand on the position I originally took. I said I did not like for us legislatively to get mixed into a determination of substantive issues; but this is better than a continuation of the deadlock.

Mr. FANNIN. Mr. President, will the Senator yield for a question?

Mr. YARBOROUGH. I yield.

Mr. FANNIN. Is it not true that one Member of either the House of Representatives or the Senate could have this matter back before us at the end of that period of time?

Mr. MORSE. Not one Member.

Mr. FANNIN. Could that not be done by offering a resolution?

Mr. MORSE. No, I do not think that would follow at all.

Mr. JAVITS. Mr. President, will the Senator yield so that I may answer the question?

Mr. MORSE. I yield.

Mr. JAVITS. It would take committee action, a committee report, to bring it before either body. One Member cannot file a resolution of rejection and have it acted upon. One Member could file a resolution which would be considered by a committee.

Mr. FANNIN. So it would be back before the Senate and the House of Representatives, but not necessarily on the floor.

Mr. JAVITS. It would be before a committee of either the Senate or the House of Representatives, or both.

Mr. YARBOROUGH. Mr. President, I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I always applaud the efforts of my colleague from New York. He came to see me this morning about this amendment. Frankly, I am somewhat disturbed and I am not at all sure we are going to aid the cause and get out of this stalemate.

When the House of Representatives acted there was no strike; but there is a strike here involving hundreds of thousands of commuters who are inconvenienced; 110,000 freight cars that cannot be loaded, including 2,000 cars, on the average, of perishables every day. When facilities cannot be found to send ammunition to the west coast debarkation point, then you have real trouble. When the strike comes, it has a chastening and sobering effect.

That is an altogether different group there today than when they voted by voice vote on the Senate proposal. What disturbs me is this: The entire procedure is quite clear. If this is consummated the President appoints a special board, and the board makes a finding. The finding goes to the President. He does not sign it. He does not approve it. He does not concur in it. He simply transmits it. It is wholly an administerial function. It comes up here. Now, then, we have to act in 20 days. We follow an old pattern that we set down in considering the reorganization plan years and years ago.

Any Member can file a resolution to disapprove what the board did. Any Member can do it here. Of course, it has to go through committee and the matter has to be considered; but now, this is the Congress passing on a determination by the Board. What is going to be in it, I do not know; wages, work rules, shop techniques, hours, and all manner of things. What capacity do we have and what background do we have to pass upon all of these detailed matters that may be found in a determination made by the special board that has both the background and training to handle a matter of that kind?

Now, if a resolution is introduced it could be initiated by the carriers. They might be dissatisfied. On the other hand, it could be initiated by labor. Then, what happens up here? I shall tell you. We will be lobbied to death for a little while on whether or not we should reject the determination by the board or whether there should be no action at all. It does, of course, require action by both bodies of Congress and they must disapprove; otherwise it goes into effect for a period of 2 years from the 1st of January 1967. One-third of that time has already been spent.

Now, this is done by concurrent resolution. If all these things done have the force of law, frankly, I do not know what law is about. It would occur to me you would have to have a joint resolution and have the President sign it if you are going to make this final and come within the purview of the actions we have taken heretofore on matters of this kind.

Mr. JAVITS. Mr. President, will the Senator yield at that point?

Mr. DIRKSEN. I yield.

Mr. JAVITS. This proposal does call for a joint resolution. I am sorry. I think I said that when I spoke. We would make it a joint resolution.

Mr. DIRKSEN. It stated concurrent resolution originally, but even then you will run into problems.

Let me ask this question. This is an ad hoc situation. That is an awfully good term meaning for this only. That is what it means. It is not related to anything past, present, or future. I have seen these ad hoc proposals around here before. Tell me, do we find anything to set a precedent here. Other strikes come along, not necessarily invested with a public utility attribute or function, but when finally a determination has been made and there is disagreement, will they come down here and lay it before us, saying, "Well, you did this before. Now you pass on this matter so far as we are concerned."

Well, those are the things that give me difficulty. I fancy that they are going to offer some difficulty on the floor of the House. All we do here is going to be absolutely futile unless we can feel reasonably certain that there will be concurrence on the other side. As I have indicated, a strike has a terribly sobering effect on any legislative body. I think that is the case now.

Mr. FANNIN. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I am happy to yield to the Senator from Arizona.

Mr. FANNIN. The Senator from Illinois made a statement that the House had, by teller vote, voted upon this resolution. In the committee, however, it was brought out that they had never voted on Resolution 81, even by teller vote. Thus, we had no expression from the House on the resolution under consideration. Furthermore, reference has been made several times to the fact that they came nearest to passing the Javits resolution by a vote of 5 to 4. I think the record will show in the committee meetings we had, that any number of amendments received the same vote. I think that the Senator from New York will agree that that was true.

Mr. DIRKSEN. I have nothing but praise for the Senator from New York for the vigorous and diligent way in which he goes about using his ingenuity, his intelligence, and his capacity to find some approach that will get us out of this wilderness. However, I am not at all sure that this will do it without further repercussions that may fling it right back here before we get through.

Mr. MURPHY. Mr. President, will the Senator from Illinois yield for a question?

Mr. DIRKSEN. I am happy to yield to the Senator from California.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The time of the Senator from Illinois has expired.

Mr. YARBOROUGH. I yield 3 additional minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 3 additional minutes.

Mr. MURPHY. Let me ask the Senator from Illinois, will not this amendment, in effect, put Congress in the position of determining wages, hours, and working conditions?

Mr. DIRKSEN. There can be no question about it.

Mr. MURPHY. In this case, does the Senator from Illinois feel that it is proper for this body to take that position in a labor dispute?

Mr. DIRKSEN. I would hestitate to think, from then on, whatever the dispute, that it would be up to us to look into all these details and determine whether the award was good, bad, indifferent, sound, just, equitable, or reasonable.

Well, here sits the expert on this subject, the Senator from Oregon [Mr. MORSE]. He was on the War Labor Board during World War II, and handled hundreds of cases long ago. I do not qualify myself as an expert on these details. It takes much time and a great deal of patience when one is dealing with 535 legislators.

Mr. RANDOLPH. Mr. President, will the Senator from Texas yield 5 minutes?

Mr. YARBOROUGH. Mr. President, I yield 5 minutes to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 5 minutes.

Mr. RANDOLPH. I thank the Senator from Texas for yielding to me. Now, as during the conference, our colleague from Texas is considerate in the determination of this complex problem.

Mr. President, the Senate, in an attempt to come to grips with the problem of the possible paralysis of our railroad system, voted 70 for and 15 against, by a rollcall tally June 7, on the administration's proposal, Senate Joint Resolution 81. It was presented in this body by the knowledgeable Senator from Oregon [Mr. MORSE] and other Senators, including myself, as cosponsors of a well-reasoned and fair approach.

Mr. President, when the Senate and House conferees opened their deliberations, the Senator from West Virginia, a conferee, recognized that a conference cannot be polarized; we could not take the position dogmatically—I will use that word—of the Senate, although the Senate had spoken, as I have indicated. But to interpret the conference—and the very word "conference" means "to counsel together"—and to bring together the points of view not only of the Senate but also of the House, does not mean that the conferees of the Senate should not carry out the underlying purpose expressed in this body, which was that all matters should be considered, the issue on the one hand of labor and the issue on the other of management, the issue on the one hand of compulsory arbitration and the issue on the other hand of Government seizure.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. YARBOROUGH. Mr. President, I yield 2 additional minutes to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 2 additional minutes.

Mr. RANDOLPH. Therefore, in the conference, we avoided the extremes, as I have indicated. At least, the Senator from West Virginia attempted to place himself in a position of compromise if the matter of mediation toward finality were embraced. When the situation developed in such a way that the distinguished Senator from New York [Mr. JAVITS] and the distinguished Senator from Michigan [Mr. GRIFFIN] joined, in effect, by Representatives ADAMS and FRIEDEL, had a proposition that we could vote on in the Senate-House conference, I voted with those who were in favor of this approach. Senate conferees, as the senior Senator from New York has noted, passed the compromise proposal by an 8-to-2 vote. The House conferees, by a 5-to-4 vote, did not accept it. The closeness of this decision on the part of the House managers leads me to feel, however, that the House itself might accept this type of compromise. But I am under no illusions that Senators generally, in the given circumstances which differ from those of last week, will endorse this amendment today. I shall vote for it as a proposition that might be more acceptable in the other body than that which we sent to them before, but which they rejected on a nonrecord vote.

If this amendment is defeated, as seems probable under the circumstances which prevail, the next vote will be on the Morse substitute for the Yarborough proposal. The senior Senator from Oregon [Mr. MORSE] has been a longtime and proven friend of labor, as has been the Senator from West Virginia who will vote for the Morse substitute if the Javits-Griffin amendment fails. It would be my hope that the House, on a rollcall vote, will support the Senate's action. I believe that, with the rail shutdown now in progress, the reasons for such action are accentuated. The paralysis of our rail systems is now a fact. The public interest and the national security—all other considerations aside—must be served.

Mr. President, as I said in this forum when this railroad issue first came before us early last spring, there is ample evidence of the seriousness of the impact of a railroad strike on our national economy and on the well-being of people. The President of the United States has stated without exaggeration the consequences of such a work stoppage or a rail systems shutdown on the country as a whole and on the national security.

And, too, Mr. President, concerning the impact on the State I represent, I said, in part in addressing this forum on April 11—and I repeat today because the danger signals already are coming through from West Virginia in the early hours of the present rail service stoppage:

In West Virginia, a complete enforced cessation of service by the five railroad systems serving our industry and commerce would be catastrophic, primarily because of the nature of our principal industries.

Coal, chemicals, steel, and glass are the primary producing and shipping industries—by far the largest employers of our nonfarm labor force—in West Virginia. All of these industries are extremely vulnerable to production shutdown and worker layoffs when railroad services are not available.

Our coal mines and coal miners would be almost immediately affected because at least 90 percent of all coal mined in West Virginia is shipped by rail beyond our borders, most of it in large unit trains to electric generating plants, to tidewater for transloading to oceanic vessels for export, to steel mills, and to automotive and other manufacturing facilities, as well as to other types of customers.

Patently obvious is the fact that if there are no empty coal hoppers moved by rail to the mine loading facilities, the mine will close. And this closure probably would occur on the first or second day after the rail strike would go into effect. The loss of employment would be felt immediately by all but a few of a mine's employees, with only a skeleton force of maintenance personnel being kept on duty. Due to the adverse impact on coal alone, the West Virginia unemployment rate would quickly increase by as much as 7½ percent. The vast majority of the 41,000 active miners in West Virginia would be forced into idleness for the duration of the strike. Production losses would run an average of approximately 400,000 tons each day of a 30-day month up to approximately 13 million tons for such a month.

The consequences of upward to 40,000 coal miners being idle and 400,000 tons of coal production per day being lost would be a staggering impact on the economy of many communities and on the State. The losses of payroll and taxes would pyramid as the effects of rail and coal mine shutdowns would proliferate and engulf other segments of industry and commerce. The general economy of our State would be staggered from the direct results of coal and rail stoppages alone.

To then add to the economic chaos the impact of a railroad strike on the chemical, steel, and glass industries would be to compound chaos into economic catastrophe and widely spread human suffering.

The costs of cutting off the operations of complex chemical producing units because there would be no regular railroad cars or tank cars to receive the production would be staggering and the resulting unemployment would be still another shameful consequence.

Likewise, the economic loss and unemployment growing out of banking the fires of steel mill furnaces or shutting down glass plant tanks would be terrible to contemplate.

Mr. President, any prolongation of the cessation of railroad operations would impose intolerable conditions on the people and the economy of West Virginia and there is an overriding concern for the public interest there, in addition to the paramount concern we must feel for the national security and the national welfare. We have no alternative for forthright and affirmative action on the issues before us today.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. Mr. President, I shall oppose this amendment for several reasons.

First, this body has never had the opportunity to vote on Senate Joint Resolution 81, as amended by the House, without compulsory arbitration.

Second, the proposed amendment by the Senator from New York and the Senator from Michigan provides no alternaitve to compulsory arbitration. It leaves compulsory arbitration in the bill. The only thing it would do, if utilized, would be to put the Congress in the business of arbitrating labor disputes.

Third, it would require a joint resolution of Congress to take off the yoke of compulsory arbitration and bring the problem back to Congress. I do not think we should put that yoke there in the first place.

Fourth, there is no assurance that the House will accept the amendment if adopted. If we need quick action, we are exposing ourselves to possible disagreement with the House again at a time when we could get a bill to the President that would end the work stoppage in an hour.

Mr. FANNIN. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield to the Senator from Arizona.

Mr. FANNIN. I wish to state that it is my opinion, based on a careful check that there would be a greater chance of acceptance by the House if we adopt this resolution without the amendment. I think the amendment is confusing and detrimental to the passage of this resolution.

Mr. YARBOROUGH. Mr. President, I yield back the remainder of my time.

Mr. JAVITS. Mr. President, I send to the desk an amendment as a substitute, on behalf of myself and the Senator from Michigan [Mr. GRIFFIN]——

Mr. MANSFIELD. Mr. President, has the time expired on the Morse proposal?

The PRESIDING OFFICER. That is correct.

Mr. HOLLAND. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. No.

Mr. HOLLAND. I ask for the yeas and nays.

Mr. JAVITS. Mr. President, I do not yield yet. I have sent an amendment to the desk. I will yield after I have had an opportunity to have the amendment put before the Senate.

The PRESIDING OFFICER. The amendment offered by the Senator from New York will be stated.

The legislative clerk proceeded to read the amendment.

Mr. JAVITS. Mr. President, I ask unanimous consent that further reading of the amendment may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3 of the House engrossed amendment at the end of section 4 strike out "and to the Congress".

On page 3, after section 4, insert the following new section:

"SEC. 5. (a) On or before the tenth day the Special Board has made its determination the parties shall advise the Special Board whether they accept or reject its determination. If the Board's determination is not accepted by the parties and they have not agreed to accept arbitration as provided in sections 7 and 8 of the Railway Labor Act, the Board shall forthwith notify the President. Upon receiving such notice the President shall transmit the Board's determination to Congress in which case, unless within twenty days thereafter the Congress, by joint resolution declares that the determination of the Board shall not take effect, the determination of the Board shall take effect and shall continue in effect until the parties reach agreement or, if agreement is not reached, until such time, not to exceed two years from January 1, 1967, as the Board shall determine to be appropriate. The Board's determination shall have the same effect (including the preclusion of resort to either strike or lockout) as though arrived at by agreement of the parties under the Railway Labor Act (45 U.S.C. 151 et seq.).

"(b) Any proposed joint resolution declaring that the determination of the Special Board shall not take effect shall be considered by both Houses in accordance with the rules made applicable to resolutions relating to reorganization plan by sections 908 and 911-913 of title 5 of the United States Code.

"(c) In the event of disagreement as to the meaning of any part or all of a determination by the Special Board, or as to the terms of the detailed agreements or arrangements necessary to give effect thereto, any party may within the effective period of the determination apply to the Board for clarification of its determination, whereupon the Board shall reconvene and shall promptly issue a further determination with respect to the matters raised by any application for clarification. Such further determination may, in the discretion of the Board, be made with or without a further hearing.

"(d) The United States District Court for the District of Columbia shall have exclusive jurisdiction of all suits concerning the determination of the Special Board."

Mr. JAVITS. Mr. President, now I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. JAVITS. Now I shall be happy to yield to the Senator from Florida [Mr. HOLLAND], if he wants to ask for the yeas and nays on anything else.

Mr. HOLLAND. Mr. President, I am very happy that the Senator has asked for the yeas and nays. That is all I wished to request. Apparently he has the same desire. So on this point of the debate we are together.

Mr. JAVITS. Mr. President, I yield myself 10 minutes.

Mr. President, the Senator from Michigan [Mr. GRIFFIN], to whom I am deeply grateful for his help, and I are undertaking a formidable task. The majority leader indicates that he wants the Senate to pass the original measure. The minority leader indicates that he wants the Senate to pass the original measure. A number of Members who are not, perhaps, particularly sympathetic to any modification of it indicate the same thing. I am not dismayed.

Mr. MORSE. Mr. President, will the Senator yield me 1 minute?

Mr. JAVITS. Yes, I yield.

Mr. MORSE. I want to say this, so there will be no question on the part of anyone in the Senate, as to what the position of the Senator from New York and the Senator from Michigan was throughout the conference. I received from the Senator from New York and the Senator from Michigan [Mr. GRIFFIN] complete cooperation, in discussion after discussion and vote after vote, on the Senate measure. Senator JAVITS and Senator GRIFFIN joined me at all times in support of the Senate position on finality. We got into a lot of problems in the conference with the House of Representatives. It was at the point when it appeared there was a loggerhead that never could be resolved, that the Senator from New York and the Senator from Michigan, and principally Mr. ADAMS and Mr. FRIEDEL, worked out what they thought would be a compromise. It was not exactly the same as what the Senator from New York has offered, but the principle was practically the same, whereby, if both Houses rejected the Panel's proposal, it would not be final.

I opposed it in the discussions. I finally said that, if it would help resolve the conference, I would be for it. The House voted on it and rejected it. After the House rejection, I took the position that the Senate conferees ought to stand in disagreement and go back to the floor. The record shows I am responsible for coming back in disagreement. I tried it last Thursday. I got beaten on two rollcalls by a vote of 6 to 5. This morning, with the situation somewhat changed, the Senate conferees, by a vote of 11 to 0, voted to come back to the Senate in disagreement.

I would not want anyone to think that the Senator from New York and the Senator from Michigan were in any way seeking to defeat the Senate proposal for finality. All of us had an obligation to stand by our principles, wherever we could, without sacrificing finality.

There could not have been two more cooperative Senators. I make the same statement about the Senator from West Virginia [Mr. RANDOLPH] and other Senators, with reference to their cooperativeness. Senator RANDOLPH stood with me. Those who disagreed were also cooperative.

Mr. MANSFIELD. Mr. President, will the Senator yield for a question? I would like to ask the Senator from Oregon a question or two. I understand he controls part of the time.

Mr. JAVITS. He does control part of the time. Of course, I will yield to the majority leader. I ask unanimous consent that the Senator may have time from the time in opposition at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. If I may, I wish to ask the distinguished senior Senator from Oregon if, in his opinion, when the resolution, Senate Joint Resolution 81, was passed by the Senate by a vote of 70 to 15, if it was considered a form of compulsory arbitration?

Mr. MORSE. Not at all.

Mr. MANSFIELD. Or was it otherwise?

Mr. MORSE. Quite otherwise. It provides for a very carefully worked out procedure for the settling of this matter in three 30-day periods: 30 days for mediation, 30 days for hearing, 30 days for the parties to make up their minds to accept the findings. But on the 91st day, it provides for settlement for 2 years unless the parties vary it.

Mr. MANSFIELD. It was not compulsory arbitration?

Mr. MORSE. It was not compulsory arbitration as we legally define it, no.

Mr. MANSFIELD. Referring to page 4 of the joint resolution, lines 8 to 10, I think the Senator from New York would be interested to see that, because of his words, the bill was saved from being a compulsory arbitration measure, because it requires the board to make a determination on the basis of "fair and equitable settlement within the limits of the collective bargaining and mediation efforts in this case."

Mr. MORSE. That has been the argument of the Senator from Oregon. That is known as collective bargaining, by mediation and finality. It is that language that does not let the special panel give consideration to the special board's arbitration efforts, incidentally, may I say, to his credit, that is the language of the Senator from New York, which I accepted.

Mr. MANSFIELD. Mr. President, in other words, if the Senator will yield further, the Special Board's determination under the bill passed by this body, Senate Joint Resolution 81, must be within the confines of the collective bargaining of the parties and the offers and counteroffers within the mediation efforts of the so-called Fahey Board, rather than within the decision of the Ginsburg Emergency Board, which was of a judicial character; is that correct?

Mr. MORSE. That is the point I have just made, plus the fact of the mediation proposals of the parties; not the mediation proposals of the Fahey Board, but the collective bargaining proposals of the parties.

The Senator from New York offered another amendment, which I accepted, which affords protection of the parties' right to appeal to the District Court of the District of Columbia. That is standard practice in the settlement of labor disputes; if a board goes beyond its terms of reference, it is subject to appeal and a court test.

Furthermore, the Senator from New York was careful to have written in here—and I accepted it—that the parties could call upon the special panel during that last 30-day period to meet with them and explain any part of its recommendations of which the parties were in doubt as to its meaning.

Mr. MANSFIELD. Mr. President, I thank the distinguished Senator from Oregon and also the distinguished Senator from New York for clarifying and emphasizing that what the Senate has already done is not compulsory arbitration, but is, in the words of the Senator, mediation toward finality. We have had this matter in our laps three times. I hope we will face up to it finally.

Mr. JAVITS. Mr. President, I yield myself 10 minutes. I resume where I left off.

I still face a very formidable task, as does the Senator from Michigan. The majority leader has now made it doubly clear that he is opposed to what we are proposing. The minority leader has done the same. My good friend from Oregon has indicated that he will vote for it, but he is not too enthusiastic about it. The Senator from West Virginia has indicated that he will stand by the proposal, for which I am grateful to him. I am grateful also to the Senator from Michigan for standing with me, nothwithstanding the vicissitudes which flow in this Chamber.

Mr. President, the role of a peacemaker is always formidable. The voice of reason, when there is a national railroad strike, is little heard in the land; but I think that is precisely what most people consider Senators to be here for. So in good spirit, and with determination, not dismayed in the least by what has occurred, I shall pursue this course because I know it to be right, and I hope very much that the majority of the Senate will feel the same way. Mr. President, this is the very time not to show resentment, the very time not to punish labor.

Mr. President, there are millions of workers in this country. You cannot run a country, as we are finding out in the riots in Newark and other places, with policemen, or even with the National Guard or the Armed Forces. We must have some agreement, some feeling by the citizen that he is getting a fair and just deal and that there is some official consideration for him and how he feels and acts.

That, Mr. President, is the purpose for this amendment. At the very moment when it would be possible to pass the Senate, and perhaps the House, I do not know, with some powerfully strong legislation, we say, "All right, Mr. Worker, you are going to be ordered back to work, based on the findings of a special board, but we will give you the protection that, if anything really goes wrong, Congress and the President of the United States may still protect you."

Mr. President, is there an excuse for our not doing so because we are concerned about being bothered by lobbyists? Is that the way we are going to legislate, because we are afraid that people will come and knock at our doors, and try to influence us to do something? Are we going to fail to do what is right because we do not want to be bothered? Mr. President, that is a shocking argument, no matter who makes it, in the Senate of the United States. What are we here for, and what kind of consciences and what kind of fortitude do we have?

Mr. President, no one has said that the amendment proposed by the Senator from Michigan and I will disturb finality. Of course it will not, Mr. President. That is very clear. I have every reason to suppose the President will sign the bill with this amendment in it, if that is the way it goes to the President.

Yet, Mr. President, the Senator from Arizona [Mr. FANNIN]—I do not know where he gets his information—says he thinks this proposal will not help the bill, but will hurt it, in the other body. I repeat, I do not know where he gets his information. Mine is precisely the contrary.

If the Senate is going to stand on its position, and not budge an inch, why should not the House do the same thing, and please every labor leader in the country, and butter itself up with labor? They run every 2 years. Mr. President. We run every 6. Why should they not do the same thing?

What do we want, Mr. President? Do we want another deadlock, which will bring us again and again to the disgraceful condition the United States faces todady? We know whose fault it is, Mr. President—ours and the President's. Do not ever forget that. We cannot rub that one out; it is not written in water. It is we and the President who have not passed legislation to deal with these situations. It is we and the President who have not been able to get together on a law which would have kept the trains running.

So who is kidding who in this business, Mr. President? We have a very grave responsibility, and had better handle it like Solons and Solomons, and not like angry men.

We will vote when the roll is called, Mr. President, as to what we are going to be. Are we to be dispassionate, helpful, cooperative legislators, or are we going to vent our spleen, are we going to show resentment, are we going to be angry? So we will stand on the Senate position, and the House will stand on the House position, and the railroads will be out.

I do not know whether my prescription will control, Mr. President, but I think it may. Certainly it has a better chance than standing foursquare and concretely on the Senate position, when we would not be compromising it at all by doing what the Senator from Michigan and I suggest, except to try to get enough votes on the other side so that something can be done.

It is most significant, Mr. President, as always happens in these situations, that the Senator from Texas [Mr. YARBOROUGH] is just as much opposed to this proposal as is the Senator from Florida [Mr. HOLLAND], though their motives are completely different. The Senator from Texas wants a 90-day extension; he does not want finality at all. The Senator from Florida wants absolute finality. But they are together on this issue. That is very significant, Mr. President, because it bears out exactly what I say: Do we want to invite deadlocks, or do we want to try to get a settlement?

Suppose the House does not agree. Suppose it again votes its 90 days, and we all get together again, as we did in that terribly frustrating conference, in which the Senator from Texas, the Senator from Oregon, and everybody concerned acted like saints. It was very interesting, Mr. President—it was so serious that there were no resentments; and yet we were absolutely, completely, hopelessly deadlocked.

There is no derogation of the Senate's position in what the Senator from Michigan and I are trying to do. I think it is very generous, and typically fair, of the Senator from Oregon, whatever his feelings about the matter, to say what he did about the competency of our position. It is not a very comfortable position in which we find ourselves, but it is one which the Senator from Michigan and I consider essential to the public interest. We do not embrace it with joy, gladness, and hosannas. Nobody does that, in a situation of this kind. All we are trying to do, Mr. President, is say to American labor, "Look, if this thing really goes haywire, if it goes wrong, there is some last resort."

That is all the amendment would do. It does not change finality. Every Senator knows as well as I do that the chances of reversing what a special board would do by a law, which is what it would require, passed by both Houses of Congress and signed by the President, is extremely remote. But that is what it means.

Mr. President, one other question to which I should like to address myself is the charge that Congress is fixing wages, hours, and conditions of employment. Mr. President, in the first place, we could not change one single line of the Special Board's determination. The Special Board's determination must stand or fall in totality. The only power which would reside in Congress and in the President would be to veto the whole thing and put us back where we are today.

We are in the position of many courts which do not seem to be afraid of the proposition when they have a record that is replete with detailed findings of fact and other evidence. The courts have said they will accept it unless there is fraud or gross impropriety in the findings which come to them.

We would be in exactly the same position. The only ground on which we would have cause to veto it—and it is inconceivable that we would do so otherwise—would be if there were gross fraud or impropriety or anything which would be shocking to the conscience.

This is something that labor ought to have. Labor ought to have this last resort and assurance, if necessary.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I yield myself an additional 4 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for an additional 4 minutes.

Mr. JAVITS. It is said that it would be a precedent. I think that is probably the most important reason for agreeing to the amendment. It is a way to make this an ad hoc measure and not a precedent.

This would be an ad hoc law and not a precedent which would make it possible for the final power to be in Congress. Otherwise, we would make a precedent of compulsory arbitration, the very subject on which there is so much antipathy in the hearts of American labor. Compulsory arbitration would thereby be laid down as a precedent.

Do not do that. Make it possible to bring the problem back to us. We can work out our will on it. This is not exercising a precedent. However, if we lay down the idea that a labor dispute will be concluded by a Special Board, that would set a precedent of compulsory arbitration.

I agree with the senior Senator from Oregon. I wrote things into the pending bill in a labored effort to keep the bill from being a precedent on compulsory arbitration.

By doing this, we would confine the board to that and not give them free reign.

In the final analysis, when we are hopelessly deadlocked between the House and the Senate, we introduce the final sanction that if everything goes wrong, the measure can come back to Congress, if the House and the Senate and the President will it.

I respectfully submit that this is a very small matter, and yet it could be a big matter if we suggest to the House of Representatives: "We are not inflexible."

We are not saying that we want it or else. We are not saying, "We are going to get it, or else."

The Members of the House of Representatives are just as determined and sensitive and temperamental and just as proud of being Representatives as we are of being Senators.

I have been here long enough to see this happen before when human beings just will not take it any more.

What guarantee have we that they will take it? Inflexibility generally breeds inflexibility.

We would be showing the Members of the House of Representatives that we are trying to meet the views of some of the members of that body. Are we going to get any less votes than we would get for the proposition they passed? We are bound to get more votes for the proposition they defeated. They defeated the Senate measure.

That is the logic of the situation. We would get more votes because the other measure prevailed there. The Members of the House want to grant a 90-day extension.

Mr. President, it is my duty, which I am proud to do, notwithstanding this very strong proposition and this very difficult task, to lay before the Senate the voice of reason. This is what I have tried to do.

I respectfully submit that if any other Senator has an improved solution which contains a little moderation by means of which we might easily have things our own way, in the interest of the millions upon millions who are involved, I hope that if the amendment of the junior Senator from Michigan and the senior Senator from New York is rejected, he will come forward with it.

I am not satisfied that we should stand inflexible in a situation in which we know we are obviously deadlocked.

We will make them vote on the record. So what? They will vote no and find some mighty good reason for it, too.

Mr. President, I hope that at the very least the Senators will have their minds open to this situation and the questions which we have presented. At least, I hope that they will give prayerful consideration to an effort designed to bring about agreement and break the deadlock.

Mr. President, I hope that we break this deadlock and get the trains rolling in the way we wish they would run.

I yield 5 minutes to the distinguished junior Senator from Michigan.

The PRESIDING OFFICER. The junior Senator from Michigan is recognized for 5 minutes.

Mr. GRIFFIN. Mr. President, I pay tribute to those of my Senate colleagues who served on this conference committee. In particular, I single out the senior Senator from Oregon [Mr. MORSE] for the leadership that he provided in an effort to uphold the Senate position throughout the deliberations of the conference committee.

As has already been stated by the distinguished senior Senator from Florida [Mr. HOLLAND], the senior Senator from Oregon in this particular situation has been a man of great courage, and he has been a man of his word, as he is demonstrating with regard to this particular amendment.

He has provided the Senate with great leadership on this particular legislative issue.

I have joined with the senior Senator from New York in coauthoring the pending amendment because I believe the Senate should have an opportunity to work its will on the proposition which came closest to winning the approval of the conferees of both Houses.

As has already been pointed out, the Senate conferees adopted this proposal by a vote of 8 to 2, and the House conferees, after careful consideration, came within one vote of adopting it.

I believe that at least the Senate should have the proposition presented and that the Senate should consider the very persuasive arguments which have been advanced by the Senator from New York [Mr. JAVITS].

This is no time, as he has pointed out, to ramrod through, with dogged determination, a particular position if we can accomplish what is in the public interest by at least giving some recognition to the fact that the House had taken a different position.

Call this what you will. If this is a face-saving device, there are times when face-saving devices serve a very useful purpose.

The pending amendment does preserve the principle of finality, and at the heart of the legislation fought for so hard by the senior Senator from Oregon is that principle.

On the other hand, realizing that we do have to win the approval of the House of Representatives, and realizing also that, whether it be with the guns of the Army or whatever, somehow or other we want the railroad workers to go back to work.

If this little modification, offered by the senior Senator from New York and the junior Senator from Michigan, can make it possible for railroad workers and for the Members of the House of Representatives to shift from positions they have taken in the past, it should be carefully considered.

By adopting this amendment, we can avoid saying to the House of Representatives, "Well, now, you are going to take the Senate-passed bill. We are going to ram it down your throat."

The modification we propose would provide a limited basis for review by a court of last appeal, in effect.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. CLARK. Mr. President, I do not know how I am going to vote. However, what is the answer of the Senator to the argument that by the Javits-Griffin proviso, Congress is placing itself outside the scope of proper legislative functions and infringing on what is either an executive or judicial prerogative, depending on how we look at it?

Mr. GRIFFIN. If we reserved to ourselves the power to modify the board's determination, to amend or change provision relating to wages and hours, or something of that kind, then I would accept that as a valid argument.

But the amendment would not do that. We propose to reserve only a power to veto, similar to the power which Congress has when a reorganization plan is proposed. I would assume that we would not exercise such a veto authority except in the remote possibility of fraud or if the Board to be appointed should go completely outside the terms or the frame of reference provided for in the statute.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield 2 additional minutes to the Senator from Michigan.

Mr. GRIFFIN. I assume that we would not seek to pass on every provision or the merits of the settlement determination.

The PRESIDING OFFICER. Will the Senator suspend? The Senate will be in order.

Mr. CLARK. What would happen if Congress did exercise its right of veto? Would the unions then be free to strike again?

Mr. GRIFFIN. If both Houses passed a resolution of disapproval, and if the President should sign such a joint resolution, then, and in that event only, we would be back where we are today. I believe everyone would agree that this is an extremely remote possibility.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. ERVIN. My question to the Senator is this: How can the Senate—or the House, for that matter—intelligently determine how it should vote on one report unless the Senate or the House, as the case may be, goes into the merits of the situation and determines that the report of the board is not just and fair?

Mr. GRIFFIN. I know that the Senator from North Carolina would agree with me that oftentimes a court will confine its review to a situation involving jurisdiction or fraud, without going into the merits of a particular case; and we, as a body, would be constrained, I would suggest, to do that in that event. At least, I would be arguing that that would be the extent to which we would review it.

Mr. ERVIN. I do not see how a court could ever determine that a cause of action should either be sustained or denied unless the court went into the evidence relating to that cause of action.

Mr. GRIFFIN. I might say that the hearings of the panel would be public, and a record would be available to individual Senators.

I wish to indicate that I will vote for the legislation, which the Senate passed before, if the proposed amendment fails. I will continue my support for the Senate position.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I yield 2 additional minutes to the Senator from Michigan.

Mr. FANNIN. Mr. President, will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. FANNIN. Will the Senator agree that he is conjecturing as to how the House will vote on one or the other of the resolutions sent over—whether it contains his amendment or does not—for the reason that the House has never voted on the original resolution, so one cannot judge that they would be against that resolution?

Secondly, I would like to know why the Senator would feel that there is a greater possibility that the resolution as amended by his amendment would have greater acceptance than as it was originally passed by the Senate, by an overwhelming vote.

Mr. GRIFFIN. The Senator from Arizona is correct. It is my understanding that the other body has not voted on the Senate resolution on a rollcall vote. However, in effect, they rejected it by adopting an amendment; and in the absence of a whip check or a straw vote, I do not believe that any of us can say what the House will do. I have the feeling, knowing that a number of House Members spoke out very strongly in opposition to the Senate resolution, and knowing that they would like to vote for legislation today, that some Members of the House might find it very convenient and helpful if we were to send over a bill that is a little different from the bill passed earlier by the Senate.

Mr. FANNIN. I know that the Senator from Michigan is qualified in his field, and I realize that these questions perhaps are not exactly germane to what we are talking about, other than when we are conjecturing as to what the House will do. Will the Senator admit, so far as the resolution that was passed by the House is concerned, that it is just as distant in its application to Senate Joint Resolution 81, without the amendment, as it is to the resolution as amended, as he proposes?

The PRESIDING OFFICER. The time of the Senator from Michigan has expired. Does the Senator from Oregon yield additional time?

Mr. MORSE. Does the Senator from Michigan desire additional time?

Mr. GRIFFIN. The Senator from Arizona asked me a question. I do not have the time to answer it, and I do not believe I understand the question.

Mr. MORSE. I yield 2 additional minutes to the Senator from Michigan.

Mr. FANNIN. I say to the distinguished Senator from Michigan that the resolution, Senate Joint Resolution 81, as amended with his amendment, would be just as different, in comparison with the resolution passed by the House, as the original Senate Joint Resolution 81.

Mr. LONG of Louisiana. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. GRIFFIN. There, again, I suppose reasonable minds can differ. If this amendment were adopted, the legislation then pending would be closer to the earlier Senate-passed resolution than to the House-passed resolution. The House bill did not provide for finality—that is the major difference. I believe we can say with conviction that, if the amendment which the Senator from New York and I have sponsored, were adopted, we would still preserve the principle of finality. That is the major difference.

Mr. FANNIN. That is why I asked the question of the distinguished Senator from Michigan. We are talking about finality. The objection to the House voting was from the standpoint of finality, so they brought on a resolution not to provide for finality. The amendment of the Senator from New York and the Senator from Michigan does provide for finality. So I wonder why it would be any more palatable than the Senate Joint Resolution 81 we originally sent over.

Mr. GRIFFIN. The Senator is correct. It is a matter of conjecture. I believe, as a matter of human nature, that there is some greater likelihood that the House would take this amended version rather than the original version, but each person is entitled to his own view of that.

Mr. MORSE. Mr. President, I yield 5 minutes to the Senator from Wisconsin [Mr. NELSON].

Mr. NELSON. Mr. President, the strike by the employees and the lockout by the employers has created, without question, a national emergency, and it must be terminated immediately.

I do not believe that is disputed by any Members of this body. There is a dispute as to what procedures should be followed.

I believe it is a grave mistake to vote compulsory arbitration or compulsory mediation when we do have at hand, as an alternative, the House amendment. Rail service will resume as quickly under the House amendment as it will under the Senate proposal.

Tragically, this entire emergency could have been avoided last week, if last week we had simply agreed to a resolution extending the no-strike, no-lockout resolution for 30 days. Our failure to take that action made it possible, if not probable, that a strike and the lockouts would occur, as they have.

We should now concur in the House amendment, which does not include compulsory mediation or compulsory arbitration, but will immediately restore railroad service, and it is a resolution to which the House has already agreed. This will give the House approach a full opportunity to be tested, as it should be.

There is a fair chance that public hearings will create the climate for acceptance of the third special panel recommendation. If it does not, there is ample time to enact legislation to settle the issue, without interruption of rail service.

If, in fact, the conference had accepted the House amendment, we would not be in this mess. This, I might say, is not a statement based on hindsight. Several of us from the House side and the Senate side made that point repeatedly in the conference deliberations last week.

The pending amendment of the Senator from New York provides that if the new panel recomendation is rejected by the parties, it will go into effect, unless both Houses of Congress positively reject it by resolution.

Mr. President, this proposal would put the Congress in the direct business of arbitrating the merits of labor-management disputes. As a legislative body we have no qualifications whatever to sit in judgment of the details of labor-management disputes. This kind of responsibility requires, as everybody knows, the specialized education and experience of a professional mediator. The Congress has no such qualification. I can think of no group of people less qualified in such matters of arbitration and mediation than a politically elected legislative body. This is a bad precedent that will haunt us to the end of time. Even those who disagree with me about the passage of the original Senate resolution certainly should reject the amendment which would bring the Congress into a debate as to the merits of a recommended settlement by a professional board of arbitrators. I am not qualified to do it. I do not know of anybody in the Senate who is qualified to make that kind of judgment, with the exception of the senior Senator from Oregon [Mr. MORSE] who has acted in that capacity heretofore, who knows the law in labor-management disputes, and who has dealt with this kind of matter for years. I do not know of anybody else who is qualified to make that kind of judgment. It is the kind of judgment that we should not make here in this Chamber.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. NELSON. I yield.

Mr. CLARK. Does the Senator think it is a legislative, executive, or judicial function to settle the railroad strike? Cannot a good argument be made to the effect that Congress, having passed the law, should sit in judgment of what the arbitrators do?

Mr. NELSON. They cannot. We are qualified to legislate guidelines and general rules, but we are not qualified to sit here and judge whether or not a complicated dispute in a particular industry was properly resolved by a professional board of arbitrators or mediators. If that were the case, we would be qualified to make that kind of judgment in connection with the electrical industry, the automobile industry, and the transportation industry all over the country. In my judgment, there is no Senator who is qualified to make that judgment except, as I have noted, the Senator from Oregon [Mr. MORSE].

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I yield 2 additional minutes to the Senator from Wisconsin.

Mr. NELSON. Mr. President, as I have said, there is no one who is qualified to make that judgment with the exception of the Senator from Oregon, who is professionally qualified in that respect.

Although I shall vote against the proposal of the Senator from Oregon, I would hope that those who favor it would have the wisdom to reject this amendment which would throw it back in our laps to debate and listen to arguments by employers and employees, and judgments may be made not on the basis of the merits, but on the basis of the ballot.

There has been talk in the Chamber about great political pressures in this matter. In some stories, mention is made of labor pressure. I have been on the conference for one solid month. I have not received one single telephone call or letter or communication from a single employer in America or a single labor leader in America. Mr. Siemiller, Mr. Ramsey, Mr. Biemiller, George Nelson, none of them have said anything to me. I have not felt any pressure at all. Someone is running around talking about pressure, but it has not been exerted on me.

Mr. PELL. Mr. President, will the Senator yield?

Mr. NELSON. I yield.

Mr. PELL. Mr. President, I have had the same reaction as the Senator from Wisconsin. I think the stories have been vastly exaggerated.

Mr. MORSE. Mr. President, I yield 1 minute to the Senator from New York.

Mr. JAVITS. Mr. President, I shall not go over the arguments that have already been made. I think I have made my presentation as clearly as I am capable of making it. We have had Senators present who have heard the arguments.

However, in conclusion, I wish to say one thing. It seems to me a little amusing that Senators think it is absurd that Senators can vote yea or nay, up or down, on the detailed merits of a 100-page or 150-page revenue bill—and they have done it time and time again—and that they do not think they have the capacity to vote yea or nay on the overall fairness, if they have to, and to render a veto on some factual decisions made by a special board about railroad workers. I hazard the guess that there are as few tax experts in the Chamber as there are labor experts.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. NELSON. Is it not correct that the Senate and the House of Representatives are so constituted that they have committees with professional staffs that have the responsibility of considering tax measures, and the responsibility of considering public works measures, and many measures which are introduced; that there is a professional staff on the majority side and the minority side of the conference of the Senate and the House of Representatives, and they may rely on the professional judgment and skill and understanding of the staff and those members.

There is no professional labor staff in the Congress to conduct hearings on the merits of the dispute and say that they have weighed the merits and make this recommendation. Is that not a vastly different distinction?

Mr. JAVITS. In my opinion it is not. The Committee on Labor and Public Welfare of the Senate—and I yield to no one in the capability of the minority counsel, and I do not believe that the Senator from Oregon would yield to anyone in connection with the capability of the majority counsel—will exercise the same expertise if they have to.

It must be remembered that this must be taken as a package, which is a big difference. I do not see any difference between my analogy on taxes and revenue and the situation with respect to labor.

Mr. LAUSCHE. Mr. President, will the Senator yield to me for 2 minutes?

Mr. MORSE. I yield 2 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I contemplate voting against the amendment of the Senators from New York and Michigan. I intend to do so primarily on three grounds. First, the legislative body of any government and especially of the United States, has never been intended to exercise the executive function. The legislative body declares rules and conduct. It prescribes procedures that shall apply in the adjudication of questions growing out of transgressions of law.

The proposal of the Senators from Michigan and New York introduces a new concept. We shall be the legislative body and also the executors of the law. I cannot join in that innovation being introduced into our system of government.

Second, the adoption of the amendment offered by the Senator from New York and the Senator from Michigan would leave us back where we have been—at the end of the so-called arbitration or mediation at the expiration of 30 days, when Congress and the President would veto the order. We would be back in the jungle. I cannot subscribe to that policy.

Third, in spite of the guilt color of the character of the Senate and House of Representatives, I do not want to witness a deluge of letters coming to Washington while the veto is pending, calling upon us to veto the measure. The time is at hand when we should enact a law, allow a court or an arbitration body to decide the dispute, and say to the people of the country that the law shall be supreme and must be obeyed. When we start to do that, we may achieve some advance in the stoppage of rioting, bombing, and disobedience to law and order.

Mr. ERVIN. Mr. President, will the Senator from Oregon yield time to me?

Mr. MORSE. I yield 2 minutes to the distinguished Senator from North Carolina.

Mr. ERVIN. Mr. President, I find myself unable to accept the analogy made by the distinguished Senator from New York between his amendment and a long revenue bill. When Congress considers a revenue bill, it has unlimited time in which to consider it. Under the amendment of the Senator from New York, Congress would have to find out what the truth is in respect to the justice of the Board's report within 20 days, or else would have to vote without knowing what the truth is in respect to its justice.

Neither can I accept the argument of the distinguished junior Senator from Michigan [Mr. GRIFFIN] that when the matter is referred to Congress, Congress should act like a court which has no jurisdiction of the matter. Congress cannot be likened to a court having no jurisdiction, because the amendment of the Senator from New York gives its jurisdiction. If Congress is to act intelligently, fairly, and justly, in the event the amendment of the Senator from New York is adopted, Congress would have to consider all the issues involved and find out what the truth is concerning them. Congress would have to do so; because the amendment gives it the jurisdiction to do so and thus makes it the duty of Congress to do so. But Congress is not constituted to investigate matters of this kind, as boards are. Hence, it should refer this dispute to the Board, according to the original bill, until the parties are ready to come to an agreement of their own.

Mr. MORSE. Mr. President, unless some other Senator desires to speak further, I am ready to yield back the remainder of my time.

Let me pay tribute to the Senator from Vermont [Mr. PROUTY]. As a member of the conference he was—if he will not object to the descriptive term I want to use about him—a giant of courage throughout the conference hearings in regard to what he considered to be his principles and the convictions for which he stood. I want publicly to congratulate him and to thank him for his support.

Mr. President, I yield such time to the Senator from Vermont as he may need within the time allotted to me.

Mr. PROUTY. I thank the Senator from Oregon for his kind remarks.

Mr. President, I voted for the pending amendment during the conference because I thought it offered a possible basis for a compromise between the two Houses.

Unfortunatley, that did not turn out to be true. The vote, as I recall it in the Senate, was 8 to 2, and in the House it was 5 to 4 or 6 to 4.

I might also point out that if my recollection is correct, I believe that two of the House conferees indicated this morning that this amendment was no more acceptable to them than the original resolution as approved by the Senate.

It occurs to me that this matter offers a possibility for compromise if the other body refuses to accept the original Senate version which, to my mind, is far more meaningful.

I think we should recognize that the cause for the strike is due to the actions of one or two individuals. It involves approximately 40,000 railroad workers. I am referring now to the Machinists Union which began the strike. The leaders of the 5 other shop craft unions voted against the strike last Friday, with only the Machinists insisting that they were going out on strike. It should be noted that the Machinists represent only 6 percent of the entire railroad labor force.

We have found that approximately three-quarters of the brotherhoods representing railroad employees have negotiated agreements with the railroads. I repeat that five of the six shop craft unions involved in this dispute voted against going out on strike. Obviously, now that the strike by the IAM has commenced, they can do nothing about it and their members will not cross the machinist's picket lines.

I can assure the Senate that other railroad labor leaders are incensed at the action taken by the Machinists Union. Off the record, they will paint a pretty sorry picture of what they think of the action taken by this union.

I think we have a responsibility to the American people to see that in the future we do not tolerate conditions of this nature which create national emergency situations. This is doubly true at present because we are faced with the war in South Vietnam.

I hope very much that the amendment of the senior Senator from New York will be rejected. I do appreciate very much however, the good faith and the sincerity of its sponsors. I admire and respect both authors.

Mr. JAVITS. I think it should be made clear that just as there were two Members who may have indicated that they will not be for this, there are also two who have indicated that they very well may.

Mr. PROUTY. That may be.

Mr. HARRIS. Mr. President, will the Senator from Oregon yield me 3 minutes.

Mr. MORSE. Mr. President, I yield 3 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 3 minutes.

Mr. HARRIS. Mr. President, the Senate today, in my judgment, is faced with two principles which are in opposition to each other. First, in my mind, there is the fact—with all due respect to the distinguished Senator from Oregon—that the substitute offered by him will provide for compulsory arbitration, which I oppose, although it may be restricted in this particular case to the facts of the case, and although it comes after all other attempts at settlement have failed.

Second, work stoppages on the railroads today constitute a national emergency and will hamper our efforts in Vietnam.

I have supported every effort to avert this national emergency short of providing for compulsory arbitration. For that reason, I voted against Senate Joint Resolution 81 when it originally passed the Senate, and with the hope that it might be amended by the House to avoid the work stoppages on the railroads short of compulsory arbitration.

Today, if we were allowed to vote on the motion offered by the distinguished Senator from Texas [Mr. YARBOROUGH], I would vote for that motion to accept the House amendment to Senate Joint

Resolution 81, removing what I consider to be the objectionable compulsory arbitration features of the bill as it passed the Senate.

But we will not get an opportunity to vote on the Yarborough motion because of the parliamentary situation. Thus, the only means to end the work stoppages, and to end the national emergency which they constitute, which is available to the Senate under the circumstances is the substitute motion offered by the distinguished Senator from Oregon [Mr. Morse].

Therefore, Mr. President, I shall vote for the Morse substitute, making it very clear that my action is limited quite strictly to this particular case, its history, the wartime and national emergency situation under which it is presented, and the parliamentary situation which governs its consideration today, allowing no vote on alternative methods of ending the national emergency.

Mr. President, I shall vote against the Javits amendment, with all due respect to its distinguished author. I think that Congress should be involved less, rather than more, in individual labor-management disputes.

Mr. McINTYRE. Mr. President, late in April, when the President requested the Senate to approve a last-minute extension of the antistrike provisions of the Railway Labor Act, mine was the only negative vote. It was, in effect, a protest against the use of Congress in the settlement of labor-management disputes, against a stop-gap measure which postponed but failed to eliminate the inevitable day of reckoning.

The ineffectiveness of what was done then is evident now. The railroads are not operating. The public convenience has been impaired. The war effort has been harmed. The economy has been injured. The crisis is complete.

In the existing trauma, there will be congressional action. But it will come more through desperation than through deliberation.

The one bright note to be found in the railroad strike is the lesson it has taught: that matters essential to the national interest, no matter how involved, no matter how controversial or unpleasant, cannot be procrastinated away. The informed public knows this. Rightfully, they expected more from the Congress than they received. So did the parties involved in the strike itself.

Without further delay, effective legislation must be conceived and approved to prevent similar stoppages in the future. Doing it this way is doing it the hard way.

Congress can do better than that.

Mr. MORSE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York [Mr. Javits].

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. Gruening] and the Senator from Ohio [Mr. Young] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Maryland [Mr. Brewster], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Montana [Mr. Metcalf], and the Senator from Georgia [Mr. Talmadge] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster] would vote nay.

Mr. KUCHEL. I announce that the Senator from New Jersey [Mr. Case] is absent on official business.

The Senator from Nebraska [Mr. Curtis] is absent because of the death of his daughter.

The Senator from Texas [Mr. Tower] is necessarily absent.

If present and voting, the Senator from Nebraska [Mr. Curtis] and the Senator from Texas [Mr. Tower] would each vote "nay."

The result was announced—yeas 10, nays 79, as follows:

[No. 191 Leg.]

YEAS—10

Cooper
Griffin
Hartke
Javits
Kennedy, N.Y.
Morse
Pastore
Pell
Randolph
Williams, N.J.

NAYS—79

Aiken
Allott
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Church
Clark
Cotton
Dirksen
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Gore
Hansen
Harris
Hart
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Percy
Prouty
Proxmire
Ribicoff
Russell
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Thurmond
Tydings
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—11

Anderson
Brewster
Case
Curtis
Eastland
Fulbright
Gruening
Metcalf
Talmadge
Tower
Young, Ohio

So Mr. Javits' amendment, offered for himself and Mr. Griffin, was rejected.

The VICE PRESIDENT. The question now recurs on the motion of the Senator from Oregon [Mr. Morse] to concur in the House amendment with amendments.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JAVITS. Is there time left for debate?

The VICE PRESIDENT. Will the Senator restate his inquiry?

Mr. JAVITS. Is there time left for debate before we vote on the Morse substitute?

The VICE PRESIDENT. There is no further time on the Morse substitute. If no further amendments are offered, this is the final question, and on this question there is an hour to be divided between the majority and minority leaders. Eight minutes have been used by the majority.

Mr. JAVITS. A further parliamentary inquiry, Mr. President. May any Senator offer an amendment to the substitute at this stage?

The VICE PRESIDENT. Any Senator may offer an amendment to this motion.

Mr. JAVITS. Is this the only point at which he may offer it, or may he offer it during the pendency of the debate, until its conclusion?

The VICE PRESIDENT. If this particular motion of the Senator from Oregon is agreed to, then the debate is over.

Mr. JAVITS. I understand that, but I meant that there is time for debate on the motion of the Senator from Oregon?

The VICE PRESIDENT. No. The remaining time at this time is under the control of the two leaders.

Mr. JAVITS. May any Senator offer an amendment while that debate continues?

The VICE PRESIDENT. The leadership is in charge of the remaining time, and during that time the leadership may yield to any Senator it sees fit. When no one has been yielded time, any Senator recognized could offer an amendment.

Mr. JAVITS. I thank the Chair.

The VICE PRESIDENT. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, may I have the attention of the majority leader? The Senator from Texas would like some time.

Mr. MANSFIELD. Yes, indeed. How much time does the Senator from Texas request?

Mr. YARBOROUGH. Five minutes. First, Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. YARBOROUGH. If the Morse amendment is defeated——

Mr. MANSFIELD. Mr. President, I yield 2 minutes for that purpose out of time on the bill.

Mr. YARBOROUGH. If the Morse amendment is defeated, would the question then recur on the proposition of the Senate concurring in the House-passed bill, which is now the primary motion before the Senate?

The VICE PRESIDENT. If the motion of the Senator from Oregon is defeated, then the question would recur on the simple motion to concur, which is the motion, I believe, of the Senator from Texas.

Mr. YARBOROUGH. That is correct. I thank the Chair.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator from Texas.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

Mr. YARBOROUGH. Mr. President, I

trust that will not be taken out of my time.

Mr. DIRKSEN. I yield myself time. I have time.

The VICE PRESIDENT. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, am I correct in my understanding that the Morse substitute is identical with the bill that we passed before, with the exception of the addition of a few words that were suggested by the Attorney General to bring it up to date, in view of the fact that the strike is now a thing in being, where heretofore it was not, and the Attorney General felt, under the law, that those words had to be inserted in order to take care of that situation, or otherwise the President would be without power?

The VICE PRESIDENT. The Chair would suggest that the Senator from Oregon is in the best position to answer that inquiry.

Mr. MORSE. Mr. President, may I say to the Senator from Illinois and to the Senate, as I said earlier this morning, the Morse substitute is identical with the Senate bill, save and except the few words that have been added upon the recommendation of the Attorney General of the United States, to make it possible for him to bring the necessary court action to end the strike. That involves section 6. This is the Attorney General's language to me:

> The provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160), as heretofore extended by law, shall be hereby reinstated and—

"Reinstated and" are the new words—

> extended until 12:01 o'clock antemeridian of the ninety-first day after enactment of this resolution with respect to the dispute referred to in Executive Order 11324, January 28, 1967.

That makes it possible for him to proceed with court action to end the strike.

The VICE PRESIDENT. The Senator from Texas may proceed.

Mr. YARBOROUGH. Mr. President, the question is now on whether or not the Senate will accept the Morse amendment to the House-passed resolution. I have made a motion, as chairman of the conferees, that the Senate concur in the House amendments to Senate Joint Resolution 81.

Briefly, the point is this: Senate Joint Resolution 81, as passed by the Senate, provided for compulsory arbitration. The House conferees took that provision out. They left the same 90-day provision for negotiation, public hearings and findings of the emergency board, but took out the provision of compulsory arbitration. In voting on the Morse amendment, we are voting on whether we are going to put compulsory arbitration on the parties.

Let me point out to my fellow Senators, Mr. President, that when the committee made its report here on the sixth day of June, the majority found that the recommendation of the Special Mediation Panel appointed by President Johnson, presided over by Judge Charles Fahey, was rejected, and the proposal was found to be unacceptable, in whole or in part, by both parties. This was not a rejection solely by labor; it was a rejection by management and labor together.

I wish to read into the RECORD at this point, Mr. President, certain telegrams I have received today.

The first is from W. C. Lester, general chairman, Brotherhood of Railroad Trainman, B. & O. systems:

> No strike on property. Lockout by B. & O. Railroad prevents men from working causing national disaster.

Another telegram, from Lester Kimball, general chairman, Brotherhood of Railroad Trainmen, Richmond, Fredericksburg & Potomac Railroad, reads as follows:

> There is no strike or pickets on the RF & P RR. This railroad is causing an emergency without cause.

Another telegram, from G. W. Roberts, general chairman, Brotherhood of Railroad Trainmen, Erie & Lackawanna Railroad, reads:

> No strike on Erie Lackawanna Railroad. Lockout by this carrier prevents men from working causing national disaster.

A telegram from C. E. Wible, general chairman, Brotherhood of Railroad Trainmen, Pennsylvania Railroad, Lines East, reads:

> Be advised the Penna Railroad Co. suspended its operation and eliminated employee positions on July 16, 1967. Such could not be regarded as other than a lockout.

A telegram from M. S. Stuckey, general chairman, Brotherhood of Railroad Trainmen, Illinois Central Railroad, reads:

> There is no strike on the Illinois Central Railroad. The lockout by the carriers will not allow men to go to work which is causing a national disaster. I am reliably informed that all railroad managements plan to stop operations any time in the future that one craft of employees withdraw their labor in a legal strike so as to cause a national emergency in the transportation industry.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The Senate will be in order. The Senator from Texas may proceed.

Mr. YARBOROUGH. Mr. President, I think we all agree that there is a great emergency here. If we want to end it, we can do it, Mr. President. All we have to do is vote down the Morse amendment. We can vote on the primary motion to concur with the House in 30 minutes and have it on the President's desk by 4:30. If we agree to the Morse amendment, I remind the Senate that the House previously voted it down by a vote of 186 to 105. I do not know what the House will do today, but Senators know that those 186 are not going to take it lying down. We will delay the matter, if in no other way, by causing debate in the House.

Senators who wish to end the strike quickly, and put the bill on the President's desk now are reminded that it is not a case of all the fault being on one side. I am not condemning the railroads and I am not condemning the brotherhoods and the shopworkers. This is a longstanding dispute of about 5 years, which reached its critical stage during the past year.

I am opposed to compulsory arbitration, because it destroys free collective bargaining, and robs labor of its rights. I stand for a fair break for capital and labor both.

When the Senate passed this joint resolution on June 7, I said I would vote for whatever recommendation the conference sent back. The conference did not send any recommendation back. We broke up after splitting 6 to 5 on the Senate side and 4 to 5 on the House side on most proposals. I think after another week we could have reached agreement. But the Senate majority, in reporting from the Labor Committee, said, "This is not an extraordinary procedure, but it is an extraordinary bill legislatively, because we have not legislated this type of procedure before."

Make no mistake about it. We are doing something new. As the able senior Senator from Oregon—and there is no abler man in this country in the field of labor law—said, "We have not done this before in Congress."

I say this is not the time to do this. If we vote against the Morse amendment, we are not voting for the work stoppage, if that is the term we wish to use.

If we vote against the Morse amendment, we are voting for a quick solution to be achieved by sending the House amendment to the Senate bill to the President's desk now. We can do it before 4:30.

Mr. President, although the Nation is now facing extensive work stoppage in the railroad industry, the Senate should not act without proper discretion and deliberation. The fact that there is presently a work stoppage of nationwide proportions affects only the timing of finding a solution and does not affect the nature of the solution which should be agreed upon. The only pressure that should derive from the present railroad work stoppage is the pressure to act quickly, but that does not mean the Congress should be pressured into a solution that would deprive the American laboring man of either his rights or his bargaining power. We should act quickly but not wrongly.

I would be the last person to claim that the present work stoppage was not affecting our defense effort and interrupting a large portion of our national commerce. However, I would be the first to remind the Congress that it is a result of American citizens exercising their rights. There have been no illegal acts committed in this situation. There are no criminal actions. And for that reason Congress should not act out of motivations of revenge or punishment.

Certainly we could talk about public interest and whether or not the present situation took due notice of the public interest. But we should not forget that the conference which has been held between the House and the Senate has had several proposals before it which would have prevented this strike and yet not legislated compulsory arbitration. To debate public interest now is to obscure two facts: First, there have been proposals before the Congress and in conference which would have upheld the public interest and not entailed compulsory arbitration; and second, the Congress can still and should pass legislation in the public interest which does not involve the onus of compulsory arbitration. Events which have intervened since the Senate last considered this legislation do not change the nature of the problem or the nature of the solution which we should legislate. Compulsory arbitration remains the same whether considered during times when strikes are prohibited or during times when there are work stoppages. Camouflaging compulsory arbitration in the trappings of "public interest" is to avoid the real issue which is before the Congress: Should a man be forced to labor for wages for which he cannot bargain?

I have been against legislating compulsory arbitration in the past and I am presently against legislating compulsory arbitration. To act as though this is the only alternative before the Congress is to give up faith in collective bargaining—a step which I cannot take and do not feel justified in setting as a precedent for American labor.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 minute.

Mr. MORSE. Mr. President, let there be no misunderstanding. All that my measure would do is to restate the resolution that the Senate already passed by a vote of 70 to 15. It adds two words that the Attorney General of the United States sent to us, so that he would have the basis for going into court and ending the work stoppage.

I say to my very good friend, the senior Senator from Texas, that, although the Senator referred to a House vote, the House has never had a rollcall vote on the Senate proposal.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MORSE. They had a teller vote. They never had a rollcall vote on the Senate proposal.

Mr. YARBOROUGH. There was a teller vote.

Mr. MORSE. The Senator is correct. There was a teller vote.

One of the House conferees described that process of a teller vote in the House as voting in rushing for the door.

The Members of the House never went on record.

We all know how critical the situation is in this hour. Every hour is costing the American people millions of dollars, and as the Secretary of Defense pointed out in the Cabinet Room yesterday afternoon, we have also got a question of morale in this country. Here is a country at war, and we are going to bring this country to its economic knees because one union primarily started to walk out and is spreading the walkout across the country.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 additional minute.

Mr. MORSE. Mr. President, I shall say one additional thing, and it will be the last thing that I will have to say on the matter, for I will be ready to yield back my time.

The issue is whether the Senate will serve notice on the American people that it is sustaining the rule of law in this country in an hour of great crisis or is proposing a procedure that will send us up that mountain again in October for the third time.

When I make the statement that I shall now make in support of the Morse resolution, I am making a statement supported by this administration presided over by a commander-in-chief that has the solemn responsibility of protecting the people of this country in an hour of great emergency.

Let the Senators stand up and be counted. However, as far as the Senator from Oregon is concerned, I urge the Senate to repeat the position it took on June 7 and vote again by an overwhelming vote that we serve notice that in a regulated industry the public interest is superior to the selfish, economic interest of any carrier group or any worker group in this country.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I yield 3 minutes to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 3 minutes.

Mr. NELSON. Mr. President, the Senator from Oregon made the point that every hour is costing the American people millions of dollars, and I think that is a correct statement.

The fact of the matter is that if we reject the Morse resolution and accept the House amendment, we will settle this matter several hours sooner.

The House, in conference, voted down over a period of time every single proposal for finality that was made.

We have no assurance that they will not vote down this proposal for finality.

We have a very simple procedure to follow.

If we reject the amendment of the senior Senator from Oregon and accept the House version, the House will agree to the bill in 30 minutes and the lockout and strike will be over.

If the proposal of the panel is not acceptable to both Houses of Congress, we will have plenty of time to go to the matter of finality.

This will create a lesser problem and occasion less delay and give us a chance to find out whether the House proposal will work.

It will not cost a single hour more of delay. In fact, it will take less time than would the proposal of the senior Senator from Oregon.

It is regrettable that we have not acted before. If we had agreed to the House proposal last week, we would not now be in this mess.

Mr. MANSFIELD. Mr. President, I yield 1 minute to the Senator from Iowa [Mr. MILLER] and then 2 minutes to the senior Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. MILLER. Mr. President, I thank the Senator from Montana for yielding.

Mr. President, I say in rebuttal to the statement of my colleague that it was pointed out in a colloquy with the senior Senator from Oregon that the House has never had a rollcall vote on this House bill.

It seems to me that we ought to expect them to have it.

There is a new ball game now and there is a strike on.

If the House rejects the Senate bill, let us get on to some other proposal. However, we ought to expect the House to have a rollcall vote on what the Senate has passed. That procedure has not yet been available.

The PRESIDING OFFICER. The senior Senator from New York is recognized.

Mr. JAVITS. Mr. President, we are faced with a deplorable situation no matter which way we turn. I feel it my duty as a Senator and as the ranking minority member of this particular committee and subcommittee to discharge my responsibility.

It would be so easy to vote no on this matter and avoid the responsibility. I cannot do that.

I have done my utmost to fashion a reasonable solution. I thought it would be very unwise for us to remain absolutely fixed and inflexible in the Senate position. Nevertheless, given the alternative of joining with my colleagues—and there is obviously a big majority here—and assuming a vote of responsibility and that of leaving it for reasons of personal convenience at this point, I think the decision must be made to join in accepting the responsibility for an end to the national emergency to which we have been brought. To continue such an emergency cannot help but can only hurt American labor.

Mr. President, I hope very much that it works well, but I use my time merely to point out that our country is in the gravest peril. As people like me have been saying for months—and the senior Senator from Oregon has joined with me in this—we do not have law to meet these emergencies. It is our fault and the fault of the President.

For 18 months we have expected the President to recommend a measure to meet just such an emergency. And, we are now in this vulnerable position of being compelled at the 59th minute of the 11th hour to improvise something that is generally an unwise remedy to deal with an easily foretellable national emergency.

Mr. President, today the situation involves railroads. Tomorrow it may involve rubber, automobiles, or ships. We will be up against the same danger.

What labor really ought to take us to task for is not the passage of the pending bill because there is no other alternative to getting underway and getting the railroads rolling.

What labor really ought to take us and the President to task for is the terrible neglect in leaving the country in this position without a basic law to rely on.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The

Senator from New York is recognized for an additional minute.

Mr. JAVITS. Mr. President, I hope very much that we will recognize, now that we have actually seen the day when the fact that law is not on the books has caused such a great emergency that we will act at last to get permanent legislation by holding hearings upon the measures introduced by me and by other Senators.

I have no particular pride in my proposal. The one thing I am sure of, however, is that such permanent legislation should not be for compulsory arbitration.

Let us arrive at the best method there is by which to settle this matter. However, let us have some provisions on the statute books of the Nation so that the United States cannot be stopped as it was stopped at midnight Saturday night.

I do, however, want to take this final opportunity to state my reasons for voting for this bill. First and foremost, this country, for the reasons so well developed at the extensive hearings on this bill during April, May, and June, cannot live with a stoppage of our vast railroad system. Continuing such a strike and lockout would result in what, to all intents and purposes, would be a general strike at this time when war is going on in Vietnam.

Second, although this legislation does contain an element of finality, there are important differences between it and compulsory arbitration as that term is generally understood. Under an amendment which I introduced, the special board, in making its determination is strictly limited—it must stay within the limits of the collective bargaining and mediation which have already taken place in this dispute.

Third, during the debate today and earlier, it has been made clear in the legislative history that this is special legislation only for this dispute, which is not a precedent. I have stated before on the floor of the Senate and I state it again now: I would not vote for this bill as permanent law to deal with national emergency labor disputes.

Fourth, the Railway Labor Act, itself, contemplates finality and this is one of the relatively rare instances in which it has failed to work.

For permanent legislation, my advocacy of limited, court supervised, seizure is well known. It is my expectation that hearings will begin in the near future on my bill, S. 1486 which would authorize such limited seizure in a situation like the one which now confronts us. Unfortunately it was simply not possible to secure assent to seizure in the crisis atmosphere which has prevailed while the legislation which is now before us has been considered. My own seizure amendment, as well as other seizure amendments were decisively defeated either in committee or on the floor of the Senate, and a similar fate befell various types of seizure amendments offered in the House and in the House-Senate conference.

Thus, it was either the legislation which is now before us or no legislation at all. I say this advisedly, because I know there are some who will ask, "Why not the House bill, which does not have any type of finality?" Mr. President, if I thought that there was any chance—any chance at all that this dispute might be settled by another 90-day extension, alone, I would be leading the fight for the House version. But we must face reality. The sad fact is that since the last 47-day extension was enacted on May 3, 1967, there has been no serious bargaining between the parties. Thus for over 75 days now the parties have had a chance to reach a voluntary settlement but have failed to do so. Under these circumstances, to expect them to reach one now is wishful thinking. The situation is too much of a national emergency for us to engage in that now.

The truth is that the parties are hopelessly deadlocked and clearly will remain so unless and until we act to assure some final end to the dispute.

Thus, Mr. President, although I am unalterably opposed to compulsory arbitration as a permanent method of solving labor disputes, even if they are of a national emergency character, I shall vote for this bill as the only possible way in which we can now extricate ourselves from the danger we are in because we have no permanent law. A bill must be gotten on its way to the other body and this is the only bill capable of being sent underway.

It is my fervent hope that organized labor and management will perhaps now realize the utter futility of proceeding on an individual case basis to deal with these emergencies. There are better long-range solutions than the one before us, but the one before us is the only way we can avert an immediate catastrophe. I fully believe that if and when we can consider this problem in a noncrisis atmosphere, the virtue of other solutions, such as limited seizure, can be more fully explored and, I hope, more readily accepted.

Mr. McGEE. Mr. President, once again we approach the railway strike issue. Now, however, the consideration of this very difficult question has been complicated by the emotions set loose by the fact that the strike has begun. The temptation to be stampeded into a hasty, ill-advised settlement of a complex issue is great indeed. It is important to remind ourselves that the substance of the problem we have all struggled over for so long has not been altered in the slightest. The principle of free, collective bargaining is no less present now than it has been in the past. And the central issue in the whole controversy remains the same—compulsory arbitration—a concept which is totally alien to balanced labor-management relations.

The current strike, therefore, is no occasion for losing our perspective. Long after the heat of the present tension subsides, we will still have to live with the legislation which we enact here today. Whatever else, let us not legislate in anger or in a sense of pique at personal inconvenience or from a sense of emotionalism or out of fear or a feeling of panic. Let us make certain that our action will stand the test of time; that it be wise enough in its content and fair enough in its consequences to permit us to stand by it after the tempers of the moment have cooled.

THE RAILROAD STRIKE MUST END QUICKLY

Mr. BENNETT. Mr. President, Congress and the American people are faced today with a major railroad strike. For the first time in more than 20 years our Nation's railroads have ceased to operate. This comes at a time when we are involved in a major foreign war and will very adversely affect millions of Americans besides those who are on strike. We clearly face a national crisis. Once again the Congress is being asked to enact some kind of legislation to prevent this type of abuse of the general public.

The railroad dispute is more than a year old. The President has exhausted all of the executive alternatives open to him. Several boards and panels have been convened and their recommendations have been rejected. Several weeks ago the Senate voted by a margin of 70 to 15 a resolution extending the strike deadline period for 30 days, and if no settlement were reached within that period, compulsory arbitration provisions would go into effect. The House did not accept this bill, and this morning both Senate and House conferees admitted to the Congress and to the public that they were hopelessly deadlocked over the compulsory arbitration provisions.

In the state of the Union message in January 1966, the President informed the American people and the Congress that he intended to submit to the Congress legislation designed to prevent this type of national disaster. This the President has failed to do, and he must bear a large share of the responsibility for the railroad strike which is now a fact in this Nation. Commuters are stranded. Millions of workers will be adversely affected within a few days and many millions of dollars in wages and profits will be lost. In our own State of Utah critical farm commodities will perish if they are not moved in the next 48 hours. Most critical, however, is the fact that munitions trains moving to the west coast have now come to a stop and our fighting men in Vietnam soon will feel this pinch if the strike continues.

I voted for the legislation in the Senate today to prevent the strike and to impose a final settlement upon the parties if they cannot reach an agreement independently. I supported this position when Senate Joint Resolution 81 passed the Senate several weeks ago. The time has come to remedy the President's failure to submit adequate strike legislation. The disaster facing the Nation as a result of this strike must end.

Mr. FANNIN. Mr. President, if nothing else, the railroad strike proves once again the need for permanent legislation to deal with strikes and walkouts that adversely affect the national interest. The strike clearly illustrates the futility of Congress acting as referee in labor-management disputes, especially long after the situation at hand has clearly and repeatedly demonstrated the need for a permanent answer, as it has in the railroad controversy.

It is clear to me, a member of the Senate-House conference committee that has spent many weeks working on this problem, that an agreement between labor and management will not be forthcoming, primarily because certain union leaders—representing only a small percentage of the workers affected—have not bargained in good faith, but for their own personal gains. Throughout these extended negotiations their attitude largely has been one of arrogance and indifference, not only to the Nation's interest but also to the interest of those they profess to serve. In refusing an equitable settlement, in adamantly opposing special Presidential board recommendations, these few union leaders have apparently dismissed from their minds the tragic effect this railroad strike will have on the Nation's military effort in Vietnam, where a shortage of military armaments and supplies would endanger the lives of American fighting men and undermine our war effort.

Economically speaking, even a strike of short duration will be costly, prohibitively so. Already farmers in Arizona and California, to cite just two States, are threatened with crop losses of many millions of dollars, and a similar situation doubtless exists throughout the Nation's agricultural regions. If action is not taken immediately to prevent this catastrophe, not only will the American farmer suffer great losses, but the housewife will be forced to pay higher prices at her neighborhood supermarket, at a time of course when the price of agricultural products already is at an all-time-high level.

Another important consideration is the tragic effect this strike will have, is having, on the railroads themselves. As I mentioned in an earlier floor statement, within a relatively short period of time one or more railroads could be forced into bankruptcy. The railroad industry simply is not in a position to withstand a costly strike, in part because it is Government regulated as to the wages it must pay and the services it must provide. The working capital of class I railroads in 1966 was only $478 million, down from $1.6 billion just 21 years earlier. And even those figures are too optimistic. When taken as a whole, they do not reveal the fact that while a few railroads are relatively well off financially, the great majority are not, and therefore could not survive a strike.

The time clearly has come for union leaders to put the welfare of the Nation ahead of their own and to work for permanent legislation that will protect all interests involved.

Meanwhile, however, it is the responsibility of Congress to end the strike and to enact necessary permanent legislation, thereby ending once and for all the growing tendency to involve itself in labor-management disputes. This practice can only weaken the normal process of collective bargaining, much to the disadvantage of labor, management, and the public generally.

Mr. MANSFIELD. Mr. President, I yield back the remainder of my time.

Mr. JAVITS. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the motion of the Senator from Oregon to concur in the House amendment with amendments. On this question, the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. Gruening] and the Senator from Ohio [Mr. Young] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Maryland [Mr. Brewster], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Montana [Mr. Metcalf], and the Senator from Georgia [Mr. Talmadge] are necessarily absent.

I further announce that the Senator from Mississippi [Mr. Eastland] is paired with the Senator from Maryland [Mr. Brewster]. If present and voting the Senator from Mississippi would vote "yea," and the Senator from Maryland would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Jersey [Mr. Case] is absent on official business.

The Senator from Nebraska [Mr. Curtis] is absent because of the death of his daughter.

The Senator from Texas [Mr. Tower] is necessarily absent.

On this vote, the Senator from Nebraska [Mr. Curtis] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Texas would vote "nay."

The result was announced—yeas 68, nays 21, as follows:

[No. 192 Leg.]

YEAS—68

Aiken
Allott
Baker
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Clark
Cooper
Cotton
Dirksen
Dodd
Dominick
Ellender
Ervin
Fannin
Fong
Gore
Griffin
Hansen
Harris
Hart
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
Mansfield
McClellan
McGovern
McIntyre
Miller
Monroney
Morse
Morton
Mundt
Murphy
Muskie
Pastore
Pearson
Percy
Prouty
Randolph
Ribicoff
Russell
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Thurmond
Tydings
Williams, Del.
Young, N. Dak.

NAYS—21

Bartlett
Bayh
Brooke
Church
Hartke
Inouye
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Magnuson
McCarthy
McGee
Mondale
Montoya
Moss
Nelson
Pell
Proxmire
Williams, N.J.
Yarborough

NOT VOTING—11

Anderson
Brewster
Case
Curtis
Eastland
Fulbright
Gruening
Metcalf
Talmadge
Tower
Young, Ohio

So Mr. Morse's motion was agreed to.

Mr. MANSFIELD. Mr. President, the Senate's vote to concur in the House amendment with an amendment represents an outstanding triumph for the senior Senator from Oregon [Mr. Morse]. The Senate has endorsed once again a means to enable the successful resolution of what has developed over the weekend into a national crisis—the shutdown of most of our rail carriers.

Senator Morse has lived with this problem ever since the threat of a rail strike presented itself some months ago. The solution he proposed, advocated and so ably directed, in committee, in conference and on the floor, was first adopted last June 7, when a rail strike was imminent. The reality of the strike today made the success of his proposal even more imperative. The Senate, indeed, the Nation, certainly appreciates his long and diligent efforts in seeing that this proposed solution was again voted favorably by the Senate.

The senior Senator from New York [Mr. Javits] performed a vital task in supporting this measure. While he urged a somewhat different approach, the defeat of that effort can in no way be construed to minimize the importance of his overall support to the successful passage of the measure. His advocacy, his wisdom and his tireless labors assured its adoption.

The senior Senator from Texas [Mr. Yarborough] deserves high praise for urging his own strong and sincere views in leading the opposition. He is to be commended for his generous cooperation and for in no way inhibiting or impeding the Senate's efficient disposition of the matter.

Other Senators similarly should be commended for joining the discussion. Noteworthy were the views of the junior Senator from Wisconsin [Mr. Nelson], the junior Senator from Michigan [Mr. Griffin], the senior Senator from Florida [Mr. Holland], and the junior Senator from Oklahoma [Mr. Harris].

We are grateful also to the Senate conferees, led by Senator Yarborough, for so generously lending their collective strong efforts to reaching a solution in conference. The fact that a compromise could not be agreed upon in no way reflects upon their diligent labors to find such an accord.

Finally, while the vote was not unanimous, it certainly speaks clearly for the desires of a vast majority of the Members of this body who wish to see the present strike ended as quickly as possible and who feel that an end to the strike now will keep to a minimum its adverse effects upon our national interests.

VIRGIN ISLANDS ELECTIVE GOVERNOR ACT

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, which will be stated by title.

The Legislative Clerk. A bill (S. 450) to provide for the popular election of the Governor of the Virgin Islands, and for other purposes.

Mr. DOMINICK. Mr. President, on June 28, 1967, I mentioned on the floor of the Senate my concern for the existing political situation in the Virgin Islands. As S. 450 will soon be considered, I would like to commend two articles to the attention of the Senate.

On July 13, 1967, the Baltimore Sun carried a front-page story regarding the political and economic conditions in the Virgin Islands. One of the more interesting aspects of this particular article was the revelation that other attempts have been made to investigate the conditions in the Virgin Islands which never materialized because of unexplained, and to me somewhat curious circumstances. I refer to that portion of the article which states:

> The last full Congressional inquiry into the Virgin Islands government was undertaken in 1935 by a committee headed by the late Senator Millard E. Tydings (D., Md.)
>
> Ordered to investigate charges of waste and corruption, it was called off after a hurriedly arranged conference July 10, 1935, between the Senator, then chairman of the Territories Committee, and the late President Franklin D. Roosevelt.

I hasten to add, Mr. President, that the efforts of my distinguished senior colleague [Mr. ALLOTT] to recommit S. 450 to the Senate Interior and Insular Affairs Committee are the result of the same frustration to get an up-to-date examination of the political and economic conditions in the Virgin Islands with a view toward amending the Organic Act of 1954 to provide greater participation by the citizens of these islands, by the elective process, in the selection of their local officials as well as the Governor.

I ask unanimous consent that the entire Sun article be printed at the conclusion of my remarks.

Also, Mr. President, I should like to draw the Senate's attention to an article which appeared on the editorial page in the July 16, 1967, edition of the Washington Star. This article, I believe, provides the Senate with a great deal of factual information which I think will be of real assistance to Senators in their consideration of S. 450 in its present form. These facts, I believe, lend substantial weight to the rationale behind the need to recommit that bill for greater reexamination and determination. I ask unanimous consent that the Star article be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Baltimore Sun, July 13, 1967]

VIRGIN ISLANDS PROBE URGED BY SENATOR ALLOTT

(By Jonathan Cottin)

WASHINGTON.—Senator Gordon Allott (R., Col.) called today for a full-scale Congressional investigation of the Virgin Islands government, charging that leadership on the American Caribbean outpost has "abused" the peoples' rights.

In a statement released today, Senator Allott charged that the Government wasted heavy Federal subsidies, extracted political loyalty oaths from government officials and refused to allow some citizens to vote.

The Colorado Republican also alleged that "four lifeguards, five maids and six chauffeurs" are assigned to Governor Ralph M. Paiewonsky.

Senator Allott's call for an investigation came as the Senate prepared to consider later this week a bill that would permit their own governor, Paiewonsky, a Democrat, was named by the late President Kennedy.

1935 PROBE CALLED OFF

The last full Congressional inquiry into the Virgin Island government was undertaken in 1935 by a committee headed by the late Senator Millard E. Tydings (D., Md.)

Ordered to investigate charges of waste and corruption, it was called off after a hurriedly arranged conference July 10, 1935, between the Senator, then chairman of the Territories Committee, and the late President Franklin D. Roosevelt.

Senator Allott said an investigation, rather than approval of the govern-election bill, is warranted because "unfortunately, evidence points dramatically" that the islands are not ready for more independence.

In support of his position, Senator Allott said:

1. Almost 800 of 4,000 island government employes are political appointed outside the merit-system, "a shocking abuse of power."

2. One unnamed government employe told him she lived in a "situation of terror" because Paiewonsky's party demands annual contributions based on 1 per cent of her salary in return for job security.

3. He had about 60 affidavits "from Virgin Islanders who were denied the right to vote on November 8, 1966" and the United States Attorney General has reacted to demands for action with "indifference."

4. The island government spends more than $1,000 per resident, while the total per capita spending in the States—Federal, State and local—is about $700 per person.

Senator Allott said he would "look forward to the day when the people of the Virgin Islands, steeped and fashioned in true democratic tradition, can step forward and elect their own governor."

BROAD INQUIRY INDICATED

But, he added, the facts before the Senate argued instead for a broad investigation of the three-island group of St. Thomas, St. John and St. Croix, all popular tourist spots.

The House Interior Committee sent a study panel to the Virgin Island last month for two days of hearings, but has yet to issue a formal report.

And a staff member of the Senate Interior Committee has been to the islands, but his report is not yet available either.

Senator Allott said release of the survey report could be valuable.

TAXPAYERS' HAVEN

In January, *The Evening Sun* disclosed that a series of audits by Comptroller Bove showed serious waste of Government money caused by inefficient planning and poor administration.

In addition, the Bove audits alleged that the Islands had become a haven for American citizens who are sometimes granted generous tax rebates for locating businesses in the islands. They escape Federal taxation by moving.

The American territory is permitted to keep all the income taxes paid by its residents. The islands also returned all the Federal taxes levied in the States on island-produced liquor.

This fiscal year, the Paiewonsky Government plans to spend more than $50,000,000 derived from these sources.

[From the Washington Star, July 16, 1967]

HARD FIGHT DUE ON VIRGIN ISLANDS GOVERNOR BILL

(By Benjamin Forgey)

Should residents of the Virgin Islands be given the right to elect their own governor?

Most senators and most congressmen think that they should.

Early this week the Senate will consider a bill giving Virgin Islanders that right. The session might have been bathed in the sweetness and light of the faraway and the noncontroversial.

Instead, the bill is sure to provoke a spirited debate because several senators insist the islands are in a political mess, and that Congress should make sure the mess is cleared up before adopting the measure.

The leading voice among senators holding this view is that of Sen. Gordon L. Allott, R-Colo. "The islands are under the near strangle-hold economically and politically of one man," Allott said last week. "There is a definite pattern of use of political power for personal enhancement."

ELECTIONS QUESTIONED

Allott's accusations center on alleged irregularities in the conduct of the 1956 legislative elections in the Virgin Islands, and on certain practices of the Virgin Islands administration of Gov. Ralph Paiewonsky. The scion of one of the islands' prominent families with interests in rum, real estate and retail sales, Paiewonsky was appointed by President Kennedy in 1961.

Allott will ask the Senate to recommit the bill to the Committee on Interior and Insular Affairs with instructions to conduct a thorough investigation. Allott and his supporters contend they are not against the idea of permitting islanders to elect a governor, but they are against perpetuating the present governmental system.

Sen. Henry M. Jackson, D-Wash., chairman of the Interior Committee and a strong supporter of the elective governor measure, said last week the alleged irregularities should not "be the basis for not enacting the bill."

Jackson, like most senators who favor immediate passage, contends that even if some irregularities have taken place, shelving a bill giving islanders more say in their own affairs is not the way to resolve them.

The Senate is divided pretty much along partisan lines on the issue. Senators demanding an investigation are mostly Republicans; those supporting immediate passage, mostly Democrats.

The Virgin Islands actually are divided into two political groups. Those controlled by Great Britain center on the large island of Tortola. The United States islands—dominated geographically and politically by St. Thomas and St. Croix—were purchased for their strategic Caribbean location from Denmark in 1917.

The U.S. islands currently are governed under the revised organic Act adopted by Congress in 1954, which provides for a governor appointed by the President and a legislature elected locally.

Bills granting residents the right to elect a governor were adopted by voice votes in both the House and Senate last year. But because the Senate vote came in October shortly before the session ended, the slightly different measures did not emerge from conference in time for final action.

In large part, the current controversy results from the legislative elections held in the U.S. islands last November. In that election more than 13,000 islanders elected nine members of the Paiewonsky wing of the Democratic party, and six members of an impromtu coalition between Republicans and the opposition wing of the Democrats, thus giving the governor firm control of the 15-member body.

Allott charges that the elections were marred. He holds some 60 affidavits from persons testifying to irregular procedures. More than 40 of them state the signers were not permitted to vote in violation of accepted procedures; others say that mental patients were seen casting votes; that persons voted more than once, and that persons voted under names other than their own.

On election day last November, the U.S. Attorney on St. Thomas sought and received a temporary restraining order from a District judge ordering election officials to permit citizens whose registration was challenged to vote upon signing an oath prescribed by law. The U.S. Attorney then had to fly to St. Croix and to serve the order at each individual polling place. At one station, the order was not received until five minutes before the polls closed.

There also have been charges of violations of the Hatch Act, a federal law prohibiting partisan political activity by certain classes of government employees, on the part of the Paiewonsky wing of the Democratic party. Two weeks ago, the U.S. Civil Service Commission began an investigation, still incomplete, of the alleged violations.

Allott repeatedly has needled the Justice Department to report on the status of its investigation of the alleged voting frauds.

Robert Rosthal, a lawyer in the department's criminal division, indicated last week that the department now is only marginally involved in the investigation in view of its findings that the alleged frauds involved violations of local, not federal, election laws. Rosthal said the U.S. Attorney on St. Thomas, chief prosecuting authority in the islands, has directed local police officials to conduct an investigation.

Allott commented in one of a long series of letters to the Justice Department on the matter that this seemed to place the investigation with a part of "the very political machinery" against which the allegations have been made.

The rising costs of government operations during the Paiewonsky administration is another of the points raised by senators demanding an investigation by the Interior Committee. In the current fiscal year, the Virgin Islands government will spend more than $51 million, as compared to $5.8 million 11 years ago and $44 million last year.

Much of the growth in the government budget, Allott contends, is due to an increase in the number of government employes. In 1963, for example, there were some 2,400 persons employed by the government; today there are more than 4,000.

Allott says that 43 percent of the current budget goes for salaries of classified employes, and another 12 percent for unclassified employes. As of May 19, the senator says there were 773 unclassified employes—those appointed directly by the governor instead of through Civil Service channels—"tucked away" among the 15 departments and agencies of the Virgin Islands government.

Among these, Allott comments, are 150 in the governor's office, including four lifeguards, four photographers, five maids and six chauffeurs. The Department of Agriculture, he says, employs 11 butchers in unclassified categories, four lifeguards, an unclassified bookkeeper for the Boy Scouts, and six recreation leaders.

WASTE CHARGED

According to at least one source, U.S. Comptroller Peter A. Bove, a Vermont Republican appointed by President Eisenhower, there is considerable waste in the money left over after salaries are paid. One of Bove's audits, for example, shows that about $2 million was wasted on a dredging project designed to deepen the harbor at Charlotte Amalie in St. Thomas.

Bove, though officially under the jurisdiction of the Interior Department, was appointed directly by the President for a 10-year term. He may be the last of the federal comptrollers on the islands to enjoy such a state of relative autonomy, because a provision in the Senate bill places the job squarely within the boundaries of the Interior Department.

The department has tended to side with Paiewonsky in this and other controversies. John J. Kirwan, assistant director for the Virgin Islands and Guam in the Office of Territories, for example, remarked last week that Bove "thinks he can do a better job as governor than the governor, but we don't share his opinion."

Defenders of the Paiewonsky administration point to the fact that the economy of the islands has been expanding mightily since 1960, largely on the basis of a gigantic increase in the tourist trade from the United States. The influx of tourists, and the jump in the population of the U.S. islands from about 33,000 seven years ago to more than 50,000 today, have required a corresponding increase in government services, they maintained.

This country contributes in other ways than tourism to the booming economy of the Virgin Islands. The federal government, by permitting the local government to keep federal income taxes collected there and by returning to the islands federal excise taxes on liquor produced in the islands, provides at least 75 percent of the money spent by the Virgin Islands government.

Nevertheless, the local government has had to look for new income to support its growing budget. The spiraling real estate market naturally furnishes one possible source—as land values go up, property taxes will follow.

LOCAL SUFFRAGE

Allott contends, however, that the way the legislature has gone about increasing property assessments has resulted in great inequities, and, he says, "there is no effective appeal." He likes to cite the case of a man living on Social Security whose tax was raised from $8 to $370 with no prior notice and who, obviously, didn't have the income to pay the new tax.

One possible way to remedy such situations, according to several congressmen contacted last week, would be to broaden the bill by providing for local elections in the separate island jurisdictions. Currently, most local tax, education, public works and other programs are set either by the legislature or the executive of the central government on St. Thomas.

In addition to the debate this week in the Senate, the faraway problem of the Virgin Islands will come up again in the House this year. A special House subcommittee already has conducted a two-day hearing in the Virgin Islands this year, and though the record of the testimony has not been published, the list of witnesses supports the view that the congressmen got an earful of the allegations being brought up in the Senate.

At any rate, Gov. Paiewonsky will get an opportunity to answer any accusations of malpractice and corruption made against his administration. He and several other top officials in the government will be in Washington on Thursday and Friday to testify when the House subcommittee resumes its hearings.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ORDER OF BUSINESS

The VICE PRESIDENT. The Senator will withhold for a moment. Will attachés of the Senate please take their seats or vacate the Senate? Senators will please be seated. Visitors in the galleries will please exit with some quietness.

The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, it may well be that after we complete the next order of business, the Senate may have to stand in recess subject to the call of the Chair, depending upon what action the House takes.

The VICE PRESIDENT. The Senator will suspend for a moment.

The Senate will be in order.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside.

The VICE PRESIDENT. Without objection, it is so ordered.

VIENNA CONVENTION ON DIPLOMATIC RELATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the motion to reconsider the passage of S. 1577.

The VICE PRESIDENT. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1577) to complement the Vienna Convention on Diplomatic Relations.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the motion.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a limitation of 1 hour on the motion to reconsider the passage of S. 1577, the time to be equally divided between the Senator from Alabama [Mr. SPARKMAN], the acting chairman of the Committee on Foreign Relations, and the distinguished senior Senator from South Carolina [Mr. THURMOND].

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE PROGRAM—ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, for the information of the Senate, and in response to a question raised by the distinguished minority leader, it is anticipated that the order of business tomorrow will be Calendar No. 390, S. 780, the so-called Clean Air Act, to be followed by Calendar No. 209, S. 450, a bill to provide for the popular election of the Governor of the Virgin Islands.

Mr. President, I ask unanimous consent that when the Senate completes its business tonight it stand in adjournment until 12 o'clock noon tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

VIENNA CONVENTION ON DIPLOMATIC RELATIONS

The Senate resumed the reconsideration of the passage of the bill (S. 1577) to complement the Vienna Convention on Diplomatic Relations.

The VICE PRESIDENT. The Senator from Alabama is recognized.

Mr. SPARKMAN. Mr. President, this bill has previously been passed by the Senate. The vote, as I recall, was 84 to zero. It was held up because of the motion of the Senator from South Carolina [Mr. THURMOND], who, as I understand, wanted some additional information or explanation.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. THURMOND. I do not believe there was a rollcall vote on the bill. That was a convention 2 years ago, was it not?

Mr. SPARKMAN. No, it was the convention——

Mr. THURMOND. Two years ago.

Mr. SPARKMAN. To which this is a supplement.

Mr. THURMOND. Yes. There was no rollcall vote on this particular bill, as I recall.

Mr. SPARKMAN. The Senator is correct. When the Vienna Convention was taken up it was adopted by a vote of 85 to nothing. Then, we had S. 1577, a bill supplementing the Vienna Convention. That measure had passed the Senate and was held over on the motion to reconsider.

I shall briefly give the essential facts regarding the bill, S. 1577, which complements the Vienna Convention on Diplomatic Relations. The essential facts are quite simple. At the time the Senate considered the Vienna Convention itself, it received the assurances of State Department officials that they would recommend that the President not ratify it until the complementing legislation is enacted. So the Vienna Convention is at the White House awaiting ratification. The Convention is self-executing and if the President were to ratify it today or anytime before S. 1577 is enacted the United States would have to apply two sets of standards of privileges and immunities to the local diplomatic community—those of the Vienna Convention to diplomatic agents from countries which have likewise ratified the Convention—and those of the current statutes enacted in 1790 (which would be repealed by S. 1577) to others from countries which have not.

The main purpose of S. 1577, therefore, is to enable the U.S. Government to apply a uniform standard of practice, and reciprocally to enable it to receive a uniform standard of treatment for its diplomatic personnel abroad.

In its report on the Vienna Convention itself, the Committee on Foreign Relations noted that on balance the standards of the Vienna Convention were less than those being applied by the United States at this time. What S. 1577 essentially does is to authorize the President to continue present practice, even where that is over and above the minimum standards of the Vienna Convention. The bill with the recommended committee amendment makes it clear that the present higher standards are to be applied only on a reciprocal basis—that is only to diplomatic personnel of countries who offer our personnel the same treatment.

Mention should be made of one category of people being added to those presently entitled to diplomatic privileges and immunities. That category consists of heads of foreign states and foreign governments, foreign ministers, and persons accompanying these officials in an official capacity. Present law does not cover these officials but does cover their diplomatic agents. It does seem reasonable that the principals whom these agents represent should be entitled to the privileges and immunities awarded their agents when on official business.

The Committee on Foreign Relations, which recommends the prompt passage of S. 1577, has a detailed explanation of the bill in its report which I ask to have printed in the RECORD at this point.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

MAIN PURPOSE OF THE BILL

In brief, the bill will (1) authorize the President upon a basis of reciprocity and at his discretion to accord the privileges and immunities specified in the Vienna Convention on Diplomatic Relations to diplomatic missions and the personnel thereof states not parties to the convention; (2) authorize according more favorable treatment to foreign diplomatic missions in the United States and their personnel, depending, inter alia, on reciprocal treatment of U.S. diplomatic missions and their personnel in the territory of the sending states concerned; (3) clarify the status in the United States of foreign heads of state and of government and special envoys; and (4) repeal Revised Statutes sections 4063–4066 (22 U.S.C. 252–254), which are based on a 1790 act of Congress and are inconsistent with the Vienna Convention.

BACKGROUND

The Vienna Convention, which S. 1577 would complement, was approved by the Senate on September 14, 1965, by a vote of 85 to 0. The convention itself is based largely on diplomatic practices as they developed over the years, and sets forth the rights, privileges, and duties of all members of a diplomatic mission and of their families and private servants and the rights and obligations of the state on whose territory they perform their functions. As a partial codification of these practices, it covers a variety of subjects, such as the functions, size, and location of missions, diplomatic privileges and immunities—including the treatment of mission premises and archives, freedom of movement, personal privileges and immunities such as immunity from jurisdiction, tax exemptions, and customs privileges—the obligations of a mission and its members toward the state in which they serve, and termination of missions. As the committee noted in its report on the Vienna Convention (Ex. Rept. 6, 89th Cong., 1st sess.)—

In general, this convention is more restrictive in its provisions on diplomatic privileges and immunities than current U.S. practices.

The key in the title of S. 1577 is the word "complement." The Vienna Convention itself is self-executing and does not require the more familiar "implementing" legislation. However, at the time the Vienna Convention was before the Committee on Foreign Relations, the State Department informed the committee that it would recommend to the President that ratification be withheld until complementing legislation is enacted. As a result, the treaty awaits ratification by the United States pending the enactment of S. 1577. If the treaty were to be ratified by the President before the bill is enacted the United States would be in the position of having to apply two sets of immunity standards to the foreign diplomatic community within the United States—the Vienna Convention standards to diplomats from those countries which have likewise ratified the convention, and the present statutory standards (proposed to be repealed) to diplomats from countries which are not a party to the Vienna Convention. The main difference between these immunity standards according to the Legal Adviser of the Department of State, who was the committee's principal witness, is that the standards of the Vienna Convention are minimum standards and, on balance, a little less liberal than current international law and practice. The following table compares the present U.S. practice with what it would be under the Vienna Convention and what it would be under the Vienna Convention as complemented by S. 1577:

Categories of diplomatic personnel [1]	Diplomatic immunities accorded under present U.S. law and practice	Diplomatic immunities which would be accorded under Vienna Convention on Diplomatic Relations	Immunities provided under Vienna Convention for diplomatic missions and the personnel thereof of states party to it; and corresponding immunities provided by sec. 4(a)(1) of S. 1577 for diplomatic missions and the personnel thereof of states not party to the Vienna Convention (italic indicates those immunities for which it is envisaged more favorable treatment, on a reciprocal basis, would be granted pursuant to sec. 4(a)(2)(B)
Diplomatic agents	Full civil and criminal immunity from the jurisdiction of the United States.	Full civil and criminal immunity from the jurisdiction of the United States with 3 exceptions set forth in art. 31 of the convention from civil jurisdiction.	Full civil and criminal immunity from the jurisdiction of the United States with 3 exceptions set forth in art. 31 of the convention from civil jurisdiction.
Family members of diplomatic agents.	do	do	Do.
Administrative and technical staff.	do	Full immunity from the criminal jurisdiction of the United States; immunity from the civil jurisdiction only for their official acts.	Full immunity from the criminal jurisdiction of the United States; immunity from the civil jurisdiction of the United States for their official acts, *and upon a basis of reciprocity, full immunity from the civil jurisdiction of the United States, with the 3 exceptions set forth in art. 31 of the convention.*
Family members of administrative and technical staff.	No immunity whatsoever.	Full immunity from the criminal jurisdiction of the United States.	Full immunity from the criminal jurisdiction of the United States.
Service staff	Full civil and criminal immunity from the jurisdiction of the United States.	Immunity from the civil jurisdiction of the United States only for their official acts.	Immunity from the civil jurisdiction of the United States only for their official acts, *and upon a basis of reciprocity, full immunity from the criminal jurisdiction of the United States.*
Family members of service staff.	No immunity whatsoever.	No immunity whatsoever.	No immunity whatsoever.
Private servants of diplomatic agents.	Full immunity from the civil and criminal jurisdiction of the United States.	do	Do.

[1] Not including aliens admitted for permanent residence or American citizens.

Source: Department of State.

SECTION-BY-SECTION ANALYSIS

The following section-by-section analysis was prepared by the Department of State:

"SECTION 1. TITLE

"This may be cited as the 'Diplomatic Relations Act of 1967.'

"SECTION 2. STATEMENT OF PURPOSE

"This states the purpose of the bill, which is to promote the conduct of the foreign relations of the United States by specifying the privileges and immunities to which foreign diplomatic missions and the personnel thereof may be accorded, and by authorizing the President to regulate, consistent with treaties and other international agreements, customary international law and practice, and this proposed legislation, the granting of such privileges and immunities.

"SECTION 3. DEFINITIONS

"This defines the phrase 'foreign diplomatic mission and the personnel thereof' as including not only members of permanent diplomatic missions, their families, and their private servants, but also heads of foreign states and heads of foreign governments, whether in the United States for official or personal reasons, foreign ministers when on an official visit to or in transit through the United States, and persons on special diplomatic mission to the United States, together with the members of the official parties accompanying all such persons. The definition also includes diplomatic couriers. This broad definition is desirable for several reasons. The Vienna Convention on Diplomatic Relations has reference only to permanent diplomatic missions, and, in limited respects, to diplomatic couriers. The repeal of sections 4063–4066 of the Revised Statutes (22 U.S.C. 252–254) will remove from the books the present statutory basis for according diplomatic immunity to persons on special diplomatic mission. The privileges and immunities which are everywhere accorded to visiting heads of state and heads of government should have some basis in the statutory law of the United States.

"SECTION 4. AUTHORITY OF THE PRESIDENT

"Paragraph (a) of this section authorizes the President, under such terms and conditions as he may from time to time determine:

"(1) to apply the treatment prescribed by the Vienna Convention on Diplomatic Relations, or any part or parts thereof, to those foreign diplomatic missions and the personnel thereof not otherwise entitled to such treatment. The articles of the Vienna convention which are particularly relevant to this provision are those which define the categories of mission personnel and specify the privileges and immunities to be enjoyed by persons in each category. These are articles 1, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 47.

"(2) to extend more favorable treatment than is required by the Vienna Convention on Diplomatic Relations to foreign diplomatic missions and the personnel thereof with respect to (a) exemption from Federal taxes; and (b) immunity from criminal and civil jurisdiction for members of the administrative and technical staff and the service staff of the mission. The taxes to which section 4 applies will be those imposed by or pursuant to Acts of Congress. This provision will enable the United States to continue to accord in return for an appropriate *quid pro quo* by the sending state, (1) the exemption from Federal taxes presently enjoyed by duly accredited diplomatic officers and members of the administrative and technical staff who are nationals of the appointing state, (2) complete immunity from criminal jurisdiction to members of the service staff who are not nationals or residents of the United States, and (3) immunity from civil and criminal jurisdiction in respect of official acts to members of the administrative and technical staff who are nationals or residents of the United States.

"The draft bill does not contain specific authorization to accord to members of the administrative and technical staff exemption from customs duties and internal revenue taxes imposed upon or by reason of importation because statutory authority now exists to accord such exemptions on the basis of reciprocity (Tariff Schedules of the United States, 19 USC foll. 1202, Schedule 8, Part 2, headnote 1, Subpart C, headnote 4, and Item 822.30). In the case of many countries, section 4(a) (2) of the draft bill, if enacted, and the pertinent portions of the Tariff Schedules would merely authorize the continuance of long-existing arrangements where by custom or agreement subordinate personnel at American diplomatic missions are accorded more favorable treatment than is required by the Vienna convention.

"Paragraph (b) of section 4 reaffirms the primacy of the executive branch's determination with respect to entitlement of a particular foreign diplomatic officer or employee to immunity from civil or criminal jurisdiction; the making of such a determination would presumably be delegated to the Department of State pursuant to section 6, and the certificate of the Secretary of State or his designee would be transmitted by the Attorney General to the appropriate court.

"Paragraph (c) of section 4 adopts the notice feature of 22 U.S.C. 254, with these changes: The names of all persons entitled to immunity pursuant to the Vienna Convention or the draft bill will be made of public record, instead of just those persons presently listed in the so-called 'White List'; the names of entitled persons will be published in the 'Federal Register' rather than posted in the office of the Marshal for the District of Columbia; and the variable treatment of foreign diplomatic missions and their personnel authorized in section 4(a) will be made a matter of public record for the application of applicable laws and regulations, and for immunity purposes.

"SECTION 5. JUDICIAL MATTERS

"Paragraph (a) provides that any writ or process sued out or prosecuted against a person or the property of any person entitled to immunity from such process shall be deemed void. Paragraph (b) provides that any person who knowingly obtains, sues out, prosecutes, or assists in the execution of such writ or process may be fined or imprisoned, or both. Similar provisions are contained in 22 U.S.C. 252–254.

"SECTION 6. EXERCISE OF FUNCTIONS

"This is a standard delegation of authority provision.

"SECTION 7. EFFECTIVE DATE AND REPEALS

"Paragraph (a) provides that the 'Diplomatic Relations Act of 1967' will be effective upon entry into force of the Vienna Convention on Diplomatic Relations with respect to the United States. Paragraph (b) provides for the repeal of sections 4063, 4064, 4065, and 4066 of the Revised Statutes (22 U.S.C. 252–254), upon the effective date of the abovementioned act. Paragraph (c) is a clause regarding legal acts done or rights accrued, or proceedings commenced in any civil cause before the repeal of the several statutes referred to in paragraph (b) above."

COMMITTEE ACTION

The legislation embodied in S. 1577 was first submitted to the Congress while the Vienna Convention was still pending. It was introduced as S. 2320 on July 22, 1965, but because of the heavy schedule of the committee received no consideration during the 89th Congress. It was resubmitted on April 13, 1967, and introduced, by request under its present number (S. 1577) on April 19. On May 9, the Committee on Foreign Relations held a public hearing on the bill at which Mr. Meeker, the Legal Adviser of the Department of State, was the principal witness. The proceedings are printed for the use of the Senate and the public.

At an executive session on June 8, 1967, the bill was further discussed by the committee and ordered reported with an amendment.

CONCLUSION AND RECOMMENDATION

The committee recommends enactment of S. 1577 subject to one amendment, which is to make the President's authority to grant diplomatic privileges and immunities subject to reciprocity. While this was understood to be the case in any event, the committee deemed it wise to state so explicitly in the bill.

Other questions raised during the committee's consideration of this measure are discussed below.

Changes in existing practice.—The committee explored in particular in what respects present practice would be altered upon enactment of S. 1577 and ratification of the Vienna Convention. It was informed that in the following areas the degree of immunities and privileges would be narrowed. Diplomatic agents, who now enjoy complete immunity from the jurisdiction of the United States, would continue to enjoy it subject, however, to three exceptions set forth in article 31 of the Vienna Convention which concern: (a) actions relating to private immovable property situated in the territory of the United States; (b) acts relating to succession in which the agent is involved as executor, administrator, heir, or legatee as a private person; and (c) professional or commercial activities exercised by him in the United States outside his official functions. The immunities of the administrative and technical staff, which are now complete, would, on the basis of reciprocity, be continued that way, except for the three types of actions listed above. The service staff, which now enjoys full immunity from civil and criminal jurisdiction, would enjoy immunity from civil jurisdiction only for official acts, and would be extended immunity from the criminal jurisdiction of the United States only on the basis of reciprocity. Private servants of diplomatic agents, which now have full immunity from the civil and criminal jurisdiction of the United States, would have none.

On the other hand, certain categories of persons would be added to those now enjoying diplomatic privileges and immunities: heads of foreign states and governments, foreign ministers and members of the party accompanying such officials.

Heads of foreign states and governments.—The committee believes it is reasonable—indeed logical—to accord them the same privileges and immunities when visiting the United States officially as those accorded their representatives in the United States. The only concern voiced in the committee was with respect to their entourages. The Department of State has stated that it would extend these privileges and immunities only to those in the official party considered to have a "representative capacity"—meaning officials of a diplomatic rank, and not persons merely attending to the dignitary in the capacity of bodyguards, cooks, chauffeurs, and the like. The committee expects this narrow construction of the term "representative capacity" to be followed in the future.

Special diplomatic missions and special envoys.—Similarly, the committee expects the term "diplomatic mission" to be narrowly construed since it was explained, in the Department's words, as "limited to foreign delegations sent to the United States to negotiate on questions of political significance, and which are headed by an official holding a cabinet-level or equivalent position in his government, or holding a diplomatic rank of ambassador or minister." It relies on the assurances that ordinary trade missions and official exhibitors at U.S. expositions for instance are not encompassed by this term.

American nationals and resident aliens.—The Department of State has advised the committee that these categories would be accorded within the United States immunity only for their official acts. This is present practice.

Consulates and U.N. Secretariat.—Neither the Vienna Convention on Diplomatic Relations nor this bill has any relationship to, or effect on, the status of foreign consulates in the United States and of the United Nations Secretariat. The status of these offices is determined, in the case of consulates, by bilateral consular treaties and, in the case of the U.N. Secretariat, by the Headquarters Agreement and the International Organizations Immunities Act.

Violations of laws.—As during consideration of the Vienna Convention in 1965, the committee again expressed its concern about the handling of persistent diplomatic violators of law. It calls attention once more to the provisions of article 41 of the convention which for the first time in an international convention states the duty of all persons enjoying privileges and immunities to respect the laws and regulations of the receiving state. The committee was then assured by Department of State witnesses "that the provisions of this article will be helpful in securing better compliance with local laws by members of the diplomatic communities here and abroad." While the ultimate remedy, of course, is to declare a scofflaw *persona non grata*, the committee hopes that the presence of article 41 will inspire respect for local and Federal laws of the United States.

Fifty-seven nations have ratified the Vienna Convention to date. Some 65 to 70, with which the United States has diplomatic relations, have not. Were the President to ratify the Vienna Convention today, its standards would apply to the first group, but the 1790 standards to the second. Double standards are not in the American tradition and the committee agrees with the Department of State for the need of enacting S. 1577.

The net effect of the bill is to give the President authority to accord diplomats treatment comparable to that which they receive today, which however is somewhat better than that provided for in the Vienna Convention. The committee considers this to be a reasonable proposal and recommends that the Senate pass S. 1577 subject to the committee amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. LAUSCHE. Will the Senator from Alabama explain particularly in what respect the Vienna Convention is less liberal than the general law that in the past has been applicable to certain visitors of this country?

Mr. SPARKMAN. This would extend to other persons and members of their families, and, as I mentioned, the language which the amendment added, makes it possible for heads of foreign governments to receive the same privileges and immunities that their ambassadors and agents in this country already have.

Mr. LAUSCHE. That is, S. 1577 would give to the heads of foreign countries who come to the United States, either visiting Washington, the President, or the United Nations, the same immunities and privileges that are given already to their Ambassadors.

Mr. SPARKMAN. The Senator is correct.

(At this point, Mr. SPONG assumed the chair.)

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. RUSSELL. Did I understand the Senator to say that it would apply not only to heads of state but to all of their entourage?

Mr. SPARKMAN. To those who accompany him in an official capacity.

Mr. RUSSELL. There is no limitation on that. He could bring in 100 or 200 persons to accompany him and they would all have the benefit of the immunity.

Mr. SPARKMAN. Of course, I suppose that would be true, but I do not think that anything like that would happen. I do not think we would receive a delegation that abused its privilege. However, I think it does mean the following situation. Let us take, for example, the recent visit of Kosygin to this country.

I do not know how many he had in his entourage but I would guess probably two dozen. Perhaps more than that. I do not know. I would cover all of those.

Mr. RUSSELL. Would it have any effect on a delegation to the United Nations, or are they covered by a separate law? I had in mind some of the instances a few years ago, such as the chicken plucking incident in the hotels in New York City with quite a large group from Cuba.

Mr. THURMOND. If I might interrupt there to say that it does affect it and I will cover it in my remarks in a few moments.

Mr. SPARKMAN. I thank the Senator from South Carolina.

Let me say this, that at the present time, under section 13 of the agreement between the United Nations and the United States of America regarding the headquarters of United Nations personnel, resident representatives of member nations, and resident members of the staff agreed upon between the Secretary General, the United States, and the government of the member nation, will be, "entitled in the territory of the United States to the same privileges and immunities subject to corresponding conditions and obligations as it accords to diplomatic envoys accredited to it."

That is the present agreement.

Mr. RUSSELL. So our Government would have a voice in how many would be permitted to come to the United Nations?

Mr. SPARKMAN. Yes; that is true. It does now.

Let me make this statement, that the passage of S. 1577 will therefore not increase the amount of diplomatic immunity presently accorded to United Nations diplomatic personnel.

Mr. RUSSELL. I thank the Senator from Alabama.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that a statement which I have prepared as to the effect of S. 1577 on the United Nations personnel may be printed as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement is as follows:

Effect of S. 1577 on United Nations Personnel

The establishment of the United Nations Headquarters in New York has resulted in a number of foreign personnel being stationed there. This personnel falls into two groups: (1) the diplomatic missions of the member nations of the United Nations; and (2) the United Nations Secretariat.

S. 1577 affects only the first group—the diplomatic missions to the United Nations.

At present under Section 15 of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations (Joint Resolution of August 4, 1947, Chapter 482, 61STAT756), personnel resident representatives of member nations and resident members of the staff agreed upon between the Secretary General, the United States, and the government of the member nation will be ". . . entitled in the territory of the United States to the same privileges and immunities subject to corresponding conditions and obligations, as it accords to diplomatic envoys accredited to it." The effect of this section is to accord the full diplomatic immunity of present law (22 US Code Section 252) to such persons.

One effect of S. 1577 will be to establish the Vienna Convention standards of immunity, as supplemented by S. 1577, for all diplomatic officers and employees in Washington. Section 15 of the Headquarters Agreement will thereupon apply this treatment to the corresponding United Nations diplomatic personnel.

The passage of S. 1577 will therefore not increase the amount of diplomatic immunity presently accorded to United Nations diplomatic personnel. S. 1577 will also not increase the number of such United Nations diplomatic personnel entitled to diplomatic immunity. What S. 1577 will do is substitute parity of treatment—an agreed to international standard—to those persons in New York and Washington who, under existing legislation, are entitled to diplomatic immunity.

The status of the second group—the United Nations Secretariat is in no way affected by the provisions of S. 1577. Its status is governed by the International Organizations Immunities Act, and the applicable provisions of the U.N. Headquarters Agreement, and no changes are being made in this area by S. 1577. There is a Convention on Privileges and Immunities of the United Nations of 1946 which would further elaborate on this privileges and immunities but the United States has to date not approved this convention.

With respect to violators of U.S. laws in either category the ultimate remedy is expulsion by declaring the individual persona non grata.

For example, if a member of the Soviet Mission to the United Nations was apprehended in illegal activities, such as espionage, the U.S. could and would ask for his removal, the same as if he were accredited to the United States Government instead of the United Nations. A case in point here is that of Zdenek Pisk, a member of the Czechoslovakian mission to the United Nations who, together with a colleague from the Czech mission in Washington, was implicated last year in an espionage attempt. Both Pisk and his colleague, Opatrny, were in time removed from the United States.

The same remedy is available to the United States in the case of members of the United Nations Secretariat who have committed felonies like espionage. In such instance, the U.S. notifies the Secretary General that a member of his staff has abused his privilege of residence and acted outside his official duties contrary to U.S. laws and that the U.S. wants him fired. In no instance has any Secretary General of the United Nations refused to do so.

As far as enactment of S. 1577 is concerned, the essential point to bear in mind is that it in no way changes these procedures, and limits the actions which the United States can take in the case of abuses of privileges and immunities here in Washington or in New York.

Mr. THURMOND. Mr. President, during the Dodd hearings, it was assumed that legislation would not be considered but, in some way, inadvertently I am sure, this bill was taken up and passed without notice or opportunity for Senators to be heard on it.

I have looked into the matter and I feel that this is a bill that should not be passed. For that reason I asked for it to be reconsidered and the papers returned from the House of Representatives.

Mr. President, the Diplomatic Relations Act of 1967 embodied in S. 1577 raises some very serious policy considerations in my judgment.

According to the report of the Senate Committee on Foreign Relations, there are four main purposes of the bill:

First. To authorize the President, upon a basis of reciprocity and at his discretion, to accord the privileges and immunities specified in the Vienna Convention on Diplomatic Relations to diplomatic missions and the personnel thereof, of states not parties to the convention.

Second. To authorize the President to extend more favorable treatment to foreign diplomatic missions and the personnel thereof in the United States, depending, inter alia, on reciprocal treatment of U.S. diplomatic missions and their personnel in the territory of the sending states concerned.

Third. To clarify the status in the United States of foreign heads of state and of government and special envoys.

Fourth. To repeal revised statutes sections 4063 to 4066—22 U.S.C. 252–254—which are based on a 1790 act of Congress and are inconsistent with the Vienna Convention.

I will attempt to cover these points as they have been mentioned. Point No. 1 seems to me to be largely unnecessary. One of the main arguments that has been advanced in favor of S. 1577 has been that the Vienna Convention on Diplomatic Relations provides for a level of immunity which in many respects is less liberal than what is provided today by the United States and by many other countries as a matter of international practice. I have studied the chart which was prepared by the State Department and which is included in both the hearings held by the Foreign Relations Committee and in the committee report concerning the extent of immunity now granted, the extent granted under the Vienna Convention, and the extent which would be granted under this bill.

There is only one area in which our present practice is less liberal than the Vienna Convention provides or which would be provided under the terms of S. 1577. This is the provision for family members of administrative and technical staff. Under our present practice the individuals in this category have no immunity whatsoever. Under the Vienna Convention individuals in this category have full immunity from the criminal jurisdiction of the United States, and this would be continued under the terms of S. 1577.

In addition to the one difference in the extent of immunity, the only other provisions of the Vienna Convention which would seem to me preferable to our present practice are the provisions that all persons enjoying privileges and immunities shall have the duty to respect the laws and regulations of the receiving state and not to interfere in its internal affairs, and that the premises of the mission must not be used in any manner incompatible with the mission's functions. This is indeed a commendable provision of the Vienna Convention on Diplomatic Relations.

Such a provision should be written into every separate treaty agreement we have with every foreign country with which we exchange diplomatic personnel. I would expect our diplomatic personnel to respect the traffic laws and regulations and other provisions of local law even though they are immune from prosecution. I do not think that it is too much for the United States to expect the same respect for our laws from diplomatic personnel we receive in our country.

Other than these two provisions, however, I see very little reason for the United States to deposit its instrument of ratification to the Vienna Convention on Diplomatic Relations. The problems which have given rise to this bill have grown out of this convention, and in my judgment the best way to avoid the problems is not to agree to the treaty.

Otherwise, I feel that S. 1577 would set a precedent which the Senate above all should be very concerned about.

As to item No. 1, which would authorize the President to extend the same level of privileges and immunities specified in the Vienna Convention on Diplomatic Relations to states not parties to the Convention, I see no reason for this provision to be in the bill. The legal adviser of the Department of State, Hon. William C. Meeker, stated in his testimony before the Foreign Relations Committee:

> When the Vienna Convention comes into force, we would have a situation in which the United States would be according to non-parties to the Convention a level of treatment with respect to immunities that was higher than what we would be obligated to accord under the Convention.

This being the case, it would seem to me to be unlikely that any country not party to the convention would want the President of the United States to extend these privileges and immunities to them. Even if they should be extended, I feel it would be wise for it to be done by treaty, which would require the approval by two-thirds vote of the U.S. Senate.

The second main provision of the bill appears to me to be largely unnecessary if the United States were to decide not to deposit its instrument of ratification to the Vienna Convention. The whole argument in support of this provision is to enable the President to extend certain privileges and immunities to countries with which we conduct foreign relations which would be more favorable than that provided for in the Vienna Convention. First, there is no outer limit on the nature of the agreement which the President can reach with these foreign countries.

According to the testimony before the Foreign Relations Committee, I presume that it would entail virtually the same privileges and immunities which we now accord to these countries, although it could be more. If it is intended to extend a greater degree of immunity than is now the case, then I feel it should be done by separate treaty which would require the approval of the U.S. Senate. If it is intended to extend merely the same privileges and immunities which are not in existence and which would be wiped out as soon as the Vienna Convention on Diplomatic Relations goes into force, then I think we should not deposit our instrument of ratification to the convention.

In any event, what the Congress is doing in this bill is delegating to the President the right to enter into what would otherwise be treated as treaties and be subject to the "advise and consent" authority of the U.S. Senate. The Senate should be particularly jealous of its authority to advise and consent to treaties and should not agree in advance to allow the President to enter into agreements which would otherwise be treaties simply on the basis of legislation such as S. 1577.

There is another point which I feel should be carefully considered before the Senate gives its approval to this legislation. Section 4 of the bill authorizes the President to apply the treatment prescribed by the Vienna Convention on Diplomatic Relations "to those foreign diplomatic missions and the personnel thereof not otherwise entitled to such treatment." In the hearings before the Senate Foreign Relations Committee it was brought out that this legislation would have no application to the Secretary General of the United Nations. However, the question of whether this provision would apply to the United Nations' missions of foreign governments in the United States was not answered.

In answer to a question as to whether S. 1577 would have any application to the Secretary General of the United Nations, the witness appearing on behalf of the State Department, after stating that S. 1577 would have no application to the Secretary General, went on to say that—

> That is a subject which would be regulated by the UN Convention on the Privileges and Immunities of the United Nations, a separate treaty which we hope to lay before the Congress again in the near future.

There then ensued a discussion on this topic, but there was no conclusion reached as to what effect this bill would have upon the mission of any foreign country to the United Nations, which is situated in the United States. In my judgment, under the terms of this bill, since they are so broad, the President could extend not only the basic privileges and immunities provided for in the Vienna Convention on Diplomatic Relations, but also the increased immunities provided for under section 4(a) (2) of the bill. If this is not the intent of Congress, then I think the bill should be appropriately amended to make it abundantly clear that this is not the case.

While it is true that neither the Vienna Convention on Diplomatic Relations, nor S. 1577, to complement this convention, have any relation to the recently approved Consular Convention with the Soviet Union, the Consular Convention could be used as the pattern for the increased privileges and immunities that would be negotiated by the President. If these increased immunities, similar to the ones granted consular officials of the Soviet Union, are granted to all the diplomatic personnel of the Iron Curtain countries in their missions to the United Nations, the result could well be chaotic. We are dealing here not with the 12 or 15 additional people talked about in the Consular Convention, but with virtually thousands of potential espionage agents located in New York but having the opportunity to roam free across our entire country. The diplomatic missions of the Iron Curtain countries to the United Nations are well recognized as being a hotbed of espionage activity in the United States.

In my view, it would be tragic to extend to these so-called diplomatic personnel any increased privileges and immunities which would greatly enhance their ability to engage in espionage activities in the United States.

In reality there is very little true reciprocity which the United States would get in return for a grant of increased privileges and immunities granted under the terms of S. 1577. Our diplomatic officials in any foreign country would normally be located in one locale, whereas we would be granting increased privileges and immunities to two separate diplomatic missions in the United States—the regular embassy personnel and the United Nations personnel of that particular country; if the President exercised his full authority.

In view of this, I think the bill, S. 1577, should be returned to the Senate Foreign Relations Committee for further consideration of these points; and I would hope that the distinguished Senator from Alabama would agree that it be returned to the Foreign Relations Committee, so that it could consider the points that have been raised.

Mr. SPARKMAN. Mr. President, we have given this matter full consideration in the Foreign Relations Committee. That committee, after hearing testimony, and considering it, voted the measure out of committee unanimously. I think I can answer some of the points my friend has made. For instance, it gives absolutely no additional privileges or immunities to United Nations personnel.

A few minutes ago I quoted from the agreement between the United States and the United Nations, the joint resolution of August 4, 1947, these words. This is not a direct quotation, but it says:

> Personnel resident representatives of member nations and resident members of the staff agreed upon between the Secretary General, the United States, and the government of the member nation will be ". . . entitled in the territory of the United States to the same privileges and immunities, subject to corresponding conditions and obligations, as it accords to diplomatic envoys accredited to it."

S. 1577 does not extend any further privileges or immunities to those people at all. One of its principal purposes, as I said a few minutes ago, is to provide that heads of government coming to this country, foreign ministers representing other governments who may come to this country, and persons accompanying those officials in an official capacity, may enjoy the same immunities and privileges as their agents already here enjoy.

There is no privilege or immunity allowed by the United States to the representatives of any government unless our representatives in that country enjoy the same privileges and immunities. In other words, what this bill does is to make uniform and equal the application of the Vienna Convention with reference to these reciprocal privileges and immunities.

As I say, it makes it uniform. It applies it to those nations which are not signatories of the Vienna Convention, but again, only on the condition that there is complete reciprocity.

I have a fuller statement with reference to the United Nations. I have already asked that it be printed in the RECORD. I feel that it gives a very clear statement, I believe that these two papers, the direct statement I made plus the statement on the effects of the United Nations, together give a full and clear statement, and I do not ask to have printed any part of the report.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. THURMOND. On page 2 of the bill, section 4 provides:

> The President is authorized, upon a basis of reciprocity and under such terms and conditions as he may from time to time determine—
>
> (1) to apply the treatment prescribed by the Vienna Convention on Diplomatic Relations, or any part or parts thereof, to those foreign diplomatic missions and the personnel thereof not otherwise entitled to such treatment;

So I think it is clear that we do give the President the power to do it if he sees fit. So he can include, as I stated, personnel in foreign diplomatic missions to the United Nations.

Subsection (2) on page 3 contains a grant of power to the President in similar terms, as follows:

> (2) to extend more favorable treatment than is provided in the Vienna Convention on Diplomatic Relations to foreign diplomatic missions—

I am sure the Senator would admit that we consider these missions to the U.N. foreign diplomatic missions—

> and the personnel thereof—

And so forth. So there is no question about it; it does give the President the power to do so if he wishes.

Mr. SPARKMAN. He is authorized to act in the manner prescribed by the Vienna convention, and not beyond that. That is what I am saying. The Vienna convention provides for reciprocity, and coupled with this resolution would provide for uniform treatment. I feel certain that the entire membership of the Committee on Foreign Relations was satisfied that nothing in S. 1577 presented any problem, that it is complementary to the Vienna convention, and that it is possible to put this proposal into effect, not only with the nations that have subscribed to the Vienna convention, but also with the nonsubscribers, on a purely and completely reciprocal basis.

Mr. THURMOND. I am sure the Senator from Alabama would agree that the language on page 3, paragraph 2, provides for the granting of additional privileges and immunities over and above those granted in the Vienna convention. Furthermore, the headquarters of the United Nations is located in this country; therefore, if the President enters into such an arrangement and exercises his power, there will naturally be much more to which the bill would apply than it would otherwise.

The whole question depends upon what the President wants to do, as to how he will exercise his power, and how broadly he sees fit to exercise his power. That is what I object to.

I think we are making a great mistake to make it possible for the President to exercise such power. This clearly entrenches upon the power of Congress. We ought to have to pass on any treaty that is made. By this bill, we are virtually delegating to the President the power to enter into another treaty himself without its having to come to the Senate for approval.

Mr. SPARKMAN. If the Senator will read the report of the Committee on Foreign Relations, that point is dealt with on page 4. I invite the Senator's attention to the language with reference to exemption from Federal taxes:

> The taxes to which section 4 applies will be those imposed by or pursuant to Acts of Congress.

The Senator knows, of course, that from time to time we agree to certain tax treaties as between our country and some other country. It seems to me that that is the purpose of that exception. The bill simply gives the President the power to continue what he can do now.

Mr. THURMOND. I feel very much concerned about the bill. It may be that the present President will not abuse the power; it may be that he will abuse it. It may be that the next President will abuse it. How do we know which President will abuse it? Why should we give the President power to enter into a treaty without the advice and consent of the Senate, which could certainly be obtained if it is needed? I feel that any such agreement ought to come back to the Senate and be acted upon as a treaty, and that we should not delegate such extensive power to the President. He does not now have all the authority that the bill would endow him with, with respect to granting additional privileges and immunities. In my judgment, he should be compelled to submit such treaties to the Senate for its advice and consent.

We have delegated too much power to the President. We have delegated power to him with respect to tariffs and in various other ways. It would take me a long time to enumerate them, if I were to discuss all of them.

I think that what is proposed in the bill is dangerous. Especially when we consider the threat of communism in the world today, it would certainly be dangerous to extend increased privileges and immunities to their personnel if the President sees fit to extend the privileges and immunities that he could under the provisions of the bill.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. MILLER. I believe I understood the Senator from Alabama to state that the powers granted by the bill are already vested in the President.

Mr. SPARKMAN. The particular powers mentioned by the Senator from South Carolina.

Mr. MILLER. I am wondering whether by that the Senator means it is under the Executive order power.

Mr. SPARKMAN. No. As a matter of fact, I am sure the Senator heard me say, as an illustration, that it would be in keeping with tax treaties. The Senate from time to time ratifies tax treaties with other countries. I have never known them to be otherwise; they are almost always bilateral treaties between the United States and other countries and deal with the particular subject of taxes. The bill would simply maintain the right of the President to exercise the power that is given to him by tax treaties.

Mr. MILLER. The Senator from South Carolina is concerned about greater powers than that, though. As I understand, he is concerned about powers that go beyond merely the powers relating to tax treaties.

Mr. SPARKMAN. The bill, on page 3, provides for only two items: First, exemption from Federal taxes; second, relating to immunity from civil and criminal jurisdiction of members of service staffs who are not citizens of the United States.

Mr. MILLER. I was hoping that the problem could be resolved in this fashion: Is it not true that under the power of the President to enter into Executive orders, he can, whether we like it or not, exercise powers relating to immunities and the other conditions that the Senator from South Carolina is concerned about?

Mr. SPARKMAN. I do not believe that he can unless he is specifically authorized to do so under a treaty or under an act of Congress.

That is an offhand opinion, but I think that I am correct.

Mr. THURMOND. Mr. President, I think the Senator is correct. Page 3, paragraph 2, subhead (b) reads:

> (b) The determination of the President as to the entitlement of a foreign diplomatic mission and the personnel thereof to diplomatic privileges and immunities under the Vienna Convention on Diplomatic Relations or under this Act, shall be conclusive and binding on all Federal, State, and local authorities.

I think it is clear that the President does have this power under this bill to exercise prerogatives that he would not otherwise have. It would be a delegation of power which I think is entirely too vast and should be submitted to the Senate in the form of a treaty. It should not be left to his discretion to exercise this vast power given him here.

Mr. MILLER. Mr. President, I come back to this proposition: If the President has the power by Executive order to implement a treaty, then, does he not have the power to do the other things?

Mr. THURMOND. He does not have the power to do the things contained in this bill.

Mr. MILLER. Not by Executive order?

Mr. THURMOND. That is correct. That is the reason that he ought to submit it in the form of a treaty, if he wants to do so.

Mr. MILLER. I wonder if that is really the issue. I am not saying that I disagree with the Senator.

Mr. THURMOND. The point remains, to go back farther, that if he submitted it in the form of a treaty, I would object to it.

I would not have the right to object if the President proceeded by way of an Executive agreement because that would not come to us for consideration and ratification. However, I think he ought to submit this in the form of a treaty, and he should not attempt to enter into an Executive agreement. He has not done so, and I think the President is correct in that.

In this bill, however, it is contemplated to grant the President vast powers that I feel the Senate should pass upon in the matter of foreign relations after action has been taken, and not write out a blank check for the President to fill in.

Mr. SPARKMAN. Mr. President, I yield back the remainder of my time.

Mr. THURMOND. Mr. President, I yield back the remainder of my time.

Mr. President, I move to recommit the bill to the Committee on Foreign Relations for further consideration.

The PRESIDING OFFICER. The Chair rules that that motion is out of order at this time.

The first question is on the motion to reconsider.

Mr. SPARKMAN. The vote will be on the motion to reconsider.

Mr. THURMOND. Mr. President, I do not think it makes any particular difference on the vote.

I move to reconsider the vote by which the Senate passed the bill.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

REGULATION OF INTEREST RATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 381, S. 1956.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1956) to extend for 2 years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 396), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

The act of September 21, 1966 (80 Stat. 823), gave the financial regulatory agencies flexible authority to set interest rate ceilings on savings accounts, authorized higher reserve requirements for member banks, and permitted open market operations in direct or fully guaranteed obligations of any agency of the United States. The legislation is temporary and will expire on September 21 of this year.

The Secretary of the Treasury has recommended that the authority be extended temporarily. This bill would provide a 2-year extension. The committee has consulted with affected industry groups and no objection has been filed. The regulatory agencies—the Federal Reserve Board, the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board—have recommended that the extension be authorized.

Temporary extension of this authority appears clearly to be in the public interest. Copies of the letters from the agencies, along with a copy of the letter from the Secretary of the Treasury, are printed below as follows:

THE SECRETARY OF THE TREASURY,
Washington, D.C.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a proposed bill to extend for 2 years the authority of a more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues.

The act of September 21, 1966 (80 Stat. 823), gave the financial regulatory agencies flexible authority to set interest rate ceilings on savings accounts, authorized higher reserve requirements for member banks, and permitted open market operations in direct or fully guaranteed obligations of any agency of the United States. However, the legislation is temporary and will expire on September 21 of this year. The Department believes that the authority should be extended temporarily and the enclosed draft bill would provide a 2-year extension.

The flexible interest rate authority provided by the above act enabled the Federal Reserve Board, the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board, to take action last September that has contributed significantly to a moderation in the excessive competition for consumer savings, has facilitated an increased flow of funds into thrift institutions, and has substantially improved the mortgage market. It is difficult to forecast the conditions that will prevail in financial markets this September, or subsequently, or predict whether the expiration of the interest rate authority would permit a recurrence of the forces that pushed up interest rates and diverted funds from the mortgage market last year. This possibility certainly cannot be dismissed and, given the uncertainty about the future, it seems clearly desirable to extend the authority of the financial supervisory agencies to regulate time and savings deposit interest rates in a coordinated manner.

The extension of the interest rate authority would permit the banking agencies over the 2-year period to act in a timely fashion to avert potentially dangerous developments in the financial market. It would not stifle a reasonable degree of healthy competition in the market for savings, nor would it require interest rate ceilings to be in force at all times. Rather, the banking agencies would be provided with flexible authority to prescribe interest rate ceilings at times when such action is deemed to be in the public interest. Our experience last year strongly testifies to the desirability of an extension of the interest rate authority.

In regard to reserve requirements, the act of September 21, 1966, authorized an increase in the maximum reserve requirement on time and savings deposits from 6 to 10 percent, while keeping the minimum at 3 percent. This provision broadened the Federal Reserve Board's potential control over time and savings deposits of member banks should that become necessary. While this broadened authority has not yet been used, it is of significant potential value and should be extended.

With respect to Federal Reserve open market purchases, the act of September 21, 1966, clarified the authority to make such purchases to include specifically any direct obligation of, or any obligation guaranteed as to principal and interest by, any agency of the United States. The hearings before the Banking and Currency Committees last year pointed up the need for legislative clarification in this area. The Federal Reserve has already made some use of this clarified authority and it should be extended to help achieve continued improvement in the market for securities of Federal agencies.

It would be appreciated if you would lay the proposed bill before the Senate. A similar bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there would be no objection to the presentation of this legislation to the Congress and that its enactment would be consistent with the administration's objectives.

Sincerely yours,

HENRY H. FOWLER.

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,
OFFICE OF THE CHAIRMAN,
Washington, D.C., June 29, 1967.

Hon. JOHN SPARKMAN,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for a report on S. 1956, a bill to extend for 2 years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues.

The Board favors the proposal.

Sincerely yours,

(signed) WM. McC. MARTIN, Jr.

FEDERAL HOME LOAN BANK BOARD,
Washington, D.C., July 6, 1967.

Hon. JOHN SPARKMAN,
Chairman, Committee on Banking and Currency, U.S. Senate.

DEAR MR. CHAIRMAN: In response to your request, the Federal Home Loan Bank Board submits its views as to S. 1956 of the present Congress.

This bill would extend the statutory amendments made by the act of September 21, 1966 (80 Stat. 823), which by the existing terms of the act are effective only for a 1-year period beginning on that date. Under the bill, this 1-year period would be changed to a 3-year period.

The September 21 act conferred standby rate-control authority on the Federal Home Loan Bank Board with respect to interest and dividends on deposits, shares, or withdrawable accounts of Federal home loan bank members (other than those whose deposits are insured under the Federal Deposit Insurance Act) and of institutions insured under title IV of the National Housing Act. The Board was authorized to prescribe different rate limitations on the basis (among others) of the amount of the account, or on such other reasonable basis as the Board might deem desirable in the public interest.

In the banking field, it converted the then existing mandatory rate-control authority of the Board of Governors of the Federal Reserve System and the Board of Trustees of the Federal Deposit Insurance Corporation into standby authority and authorized those agencies to differentiate on the same bases as those provided in the case of the Federal Home Loan Bank Board.

Each of the three agencies was directed to consult with the other two before exercising this authority. In addition, the act provided stronger provisions as to reserves of member banks of the Federal Reserve System and authorized the Federal Reserve banks to buy and sell in the open market, under direction and regulations of the Federal Open Market Committee, any obligation which is a direct obligation of or is fully guaranteed as to principal and interest by any agency of the United States.

The Federal Home Loan Bank Board considers it essential that the standby authority conferred on it by the act of September 21, 1966, not be allowed to lapse. Further, the Board believes that continuance of the authority thus granted to the Federal Reserve banks to buy and sell agency obligations would be in the public interest.

We would prefer that there be no time limit, and in any event would hope that the matter of further extension of the provisions or of making them permanent could be presented to the Congress before the extension expired. However, we regard the provisions of the bill as definitely desirable even on the basis of a temporary extension, and recommend that the bill be enacted.

Informal advice has been received from the Bureau of the Budget that there is no objection to the submission of this report and that enactment of the bill would be consistent with the administration's objectives.

With kindest regards, I am,

Sincerely,

JOHN E. HORNE, *Chairman.*

FEDERAL DEPOSIT INSURANCE CORPORATION, OFFICE OF THE CHAIRMAN,
Washington, June 28, 1967.

Hon. JOHN SPARKMAN,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This refers to your request for a report on S. 1956, a bill to extend for 2 years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues.

The act of September 21, 1966 (80 Stat. 823), among other things, provides a statutory flexible basis for regulating interest and dividend rates which may be paid by insured banks and insured savings and loan associations on time and savings deposits or shares or withdrawable accounts. Additionally, the act authorizes the Board of Governors of the Federal Reserve System to increase reserve requirements on time and savings deposits to a maximum of 10 percent and authorizes Federal Reserve open market operations in obligations of agencies of the U.S. Government.

The act now is effective only during the 1-year period which began on September 21, 1966, the date of its enactment; and the purpose of S. 1956 is to extend this period for 2 years, so that the act will remain in effect until September 21, 1969.

The actions taken by the three regulatory agencies under the authority contained in the act of September 21, 1966, served to limit further escalation of interest rates paid by commercial banks and other financial institutions in competition for consumer savings. The new authority to regulate rates paid by savings and loan associations as well as by banks and the more flexible authority with respect to bank rates were valuable tools in coping with the then existing problems and, if retained, should make prompt and appropriate action in this field more feasible in the future.

We believe, therefore, that the authority conferred by the act of September 21, 1966, should be continued. In the absence of legislation to make the authority permanent, we favor the 2-year extension which would be provided by the enactment of S. 1956.

The Bureau of the Budget has advised that there is no objection to the submission of this report and that enactment of S. 1956 would be consistent with the administration's objectives.

Sincerely yours,

K. A. RANDALL, *Chairman.*

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

So the bill (S. 1956) was passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of September 21, 1966 (80 Stat. 823) is hereby amended by striking "one-year" and inserting in lieu thereof "three-year".

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 4 o'clock and 55 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reconvened (at 7 o'clock and 18 minutes p.m.) when called to order by the Presiding Officer (Mr. BARTLETT in the chair.)

NEEDED: A NATIONWIDE EARTHQUAKE INSURANCE PROGRAM

Mr. BYRD of West Virginia. Mr. President, the Senator from Alaska [Mr. GRUENING] has asked me to read a statement which he has prepared.

STATEMENT BY SENATOR GRUENING READ BY SENATOR BYRD OF WEST VIRGINIA

Mr. GRUENING. Mr. President, the distinguished Senator from New Jersey [Mr. WILLIAMS] has taken the leadership in an important project—a proposal for a national flood insurance program.

The Department of Housing and Urban Development, under direction of the Congress in the Southeast Hurricane Disaster Relief Act of 1965, has completed a flood study and has come up with a proposed national flood insurance program. My able colleague from Alaska [Mr. BARTLETT] has pointed out that this proposed legislation has the support of the insurance industry and State insurance officials. The purpose of this bill is twofold. First, to help spread some of the cost of flood damage among property owners through payment of premiums, and second to attempt to discourage new construction in areas in high flood probability rates.

My colleague from Alaska [Mr. Bartlett] has suggested that a nationwide earthquake insurance program be included in this program. This is a sensible proposal. The 1964 Good Friday earthquake devastated many cities and communities in Alaska. Homes were destroyed, businesses were ruined. Public facilities were made inoperable. More than $350 million restorative Federal aid dollars were spent to help Alaska rebuild.

Inclusion of an earthquake insurance program in the bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes, would make possible a more orderly recovery following a natural disaster. The partnership of the Federal Government and private industry would facilitate the recuperation of a stricken area. Few insurance companies underwrite earthquake insurance; and where coverage is available, the premiums are so high that the insurance is prohibitive. I am now making a study of earthquake insurance costs.

Private property owners should have an opportunity to purchase earthquake insurance protection—at a reasonable rate—for their possessions.

I have long supported the concept of flood and earthquake insurance programs and will continue to do so, and commend my colleagues for their perseverance.

AUTHORITY TO RECEIVE MESSAGES AND SIGN DULY ENROLLED BILLS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that following the adjournment of the Senate this evening until noon tomorrow, the Secretary of the Senate be permitted to receive messages from the House of Representatives, and that the Vice President, the President pro tempore and the Acting President pro tempore be authorized to sign duly enrolled bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 20 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, July 18, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 17, 1967:

Federal Communications Commission

Robert E. Lee, of the District of Columbia, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1967 (reappointment).

Assistant Secretary of Commerce

Lawrence C. McQuade, of Arizona, to be an Assistant Secretary of Commerce.

U.S. District Judges

Richard B. Kellam, of Virginia, to be U.S. district judge for the eastern district of Virginia to fill a new position created by Public Law 89–372, approved March 18, 1966.

John A. MacKenzie, of Virginia, to be U.S. district judge for the eastern district of Virginia to fill a new position created by Public Law 89–372, approved March 18, 1966.

Robert R. Merhige, Jr., of Virginia, to be U.S. district judge for the eastern district of Virginia, vice John D. Butzner, Jr., elevated.

CONFIRMATION

Executive nomination confirmed by the Senate July 17, 1967:

Subversive Activities Control Board

Simon F. McHugh, Jr., of the District of Columbia, to be a member of the Subversive Activities Control Board for the remainder of the term expiring April 9, 1972.

HOUSE OF REPRESENTATIVES

Monday, July 17, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Finally, my brethren, be strong in the Lord and in the power of His might. Ephesians 6: 10.

O Thou whose spirit is truth and whose heart is love, we would bring our little lives to Thy greatness, our weakness to Thy strength, and our ill will to Thy never failing good will. As flowers open to the sun, as children turn to their parents in moments of need, so we come lifting our seeking souls unto Thee praying that we may feel about us the power of Thy life and the peace of Thy love.

We pray for our President, our Speaker, and all the Members of this body. With pressures which tax their resources to the utmost, with duties which demand their attention and absorb their time, with criticisms which come from minds that do not understand, may our people begin to think of these men and women more and more with sympathetic hearts, understanding minds, and supporting spirits; and less and less with provincial prejudices, fruitless fault finding, and carping criticisms.

So we, the leaders of our people, bow before the altar of Thy presence and pray for a greatness of spirit, a purity of heart, and a will to serve Thee and our country with all our being. In the Master's name. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, July 13, 1967, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 10509. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10509) entitled "An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Holland, Mr. Russell, Mr. Ellender, Mr. Hruska, and Mr. Young of North Dakota to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1320) entitled "An act to provide for the acquisition of career status by certain temporary employees of the Federal Government, and for other purposes," request a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Monroney, Mr. Yarborough, Mr. Randolph, Mr. Carlson, and Mr. Fong to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 25. An act to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes.

AUTHORIZATION FOR THE SPEAKER TO DECLARE A RECESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order at any time during this legislative day for the Speaker to declare a recess subject to the call of the Chair.

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object—and I do not intend to object; as a matter of fact, I wholeheartedly concur with the unanimous-consent request made by the distinguished majority leader—I would like to ask the majority leader, if this request is granted, it is only for the purpose of reconvening the House for the purpose of consideration of any legislation concerned with the railroad situation?

Mr. ALBERT. Mr. Speaker, if the gentleman will yield for the purpose of answering his question, the gentleman has properly stated the situation.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AGRICULTURAL EMPLOYMENT REFORM

Mr. KARTH. Mr. Speaker, I ask unanimous constant to address the

House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KARTH. Mr. Speaker, I take this time to announce my support of H.R. 4769, a bill to amend the National Labor Relations Act so as to make its provisions applicable to agriculture.

Mr. Speaker, I strongly support the bill on agricultural employment reform introduced by our colleague the distinguished gentleman from Michigan [Mr. O'Hara]. I also wish to commend and support Secretary of Labor Wirtz for his strong stand on this legislation.

Recent extreme abuses of Texas farmworkers who have been attempting to organize a union, crystallize the need to bring all such U.S. employees working on large food and fiber agricultural complexes under the protective provisions of H.R. 4769.

Many farmworkers in the United States today are like disinherited inmates, stranded on an island of poverty, surrounded on all sides by an ocean of plenty. For 30 years, while other sectors of America have made startling progress, largely through the pioneering efforts of labor unions, farmworkers have been left behind—denied such basic rights as social security, unemployment insurance, workmen's compensation, minimum wage, and membership in unions.

Farm laborers are currently being paid wages as low as 45 cents an hour, while many other laborers and tradesmen receive tenfold the amount. Who can possibly live in human decency at this shameful wage? This is the time to set right a great wrong and erase the blight that has crippled many of our deserving citizens for so long. I urge Congress to pass H.R. 4769 with dispatch and at the earliest possible date.

UNITED STATES CONTINUES TRAINING OF PERSONNEL FROM ANTAGONISTIC NATIONS

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, I was profoundly disturbed by a report in Sunday's Washington Star that the United States has continued to train pilots and ground personnel from the Air Forces of Saudia Arabia, Jordan, Morocco, and the Sudan despite the anti-American posture taken by these nations during the recent Middle East crisis. The continued training of military personnel from these countries is a wanton and inexcusable disregard of our national security. These countries are being supported militarily by Russia. Our continued training of personnel from these countries provides nations antagonistic to the United States with access to confidential military information. Aiding and abetting one's adversaries is foolhardy, irresponsible, and unjustifiable. An explanation of this policy by the Secretary of Defense must be sought and an end to such practices must be secured.

[From the Washington Star, July 16, 1967]

USAF TRAINING ARAB AIRMEN, MAJOR CONFIRMS

SAN ANTONIO, TEX.—The Air Force Air Training Command has confirmed that pilots and ground personnel from Arab countries are being trained here under the military assistance program.

The announcement, first made public in an article in Aviation Week magazine, was reiterated Friday by Maj. Paul C. Holter, information officer with Air Training Command at Randolph Air Force Base.

Under the program, pilots and ground personnel from Saudi Arabia, Jordan, Morocco and the Sudan are receiving flying and technical training at Air Force training installations throughout the nation, including Randolph and Lackland bases here, and bases in Wichita Falls and Amarillo, Tex., and in Colorado, and Illinois.

Holter said no directives or orders have been issued to suspend such training, in light of recent Middle East hostilities, and "business is proceeding as usual," with training in technical fields as well as flying.

U.S. POLICY IN AFRICA

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GUDE. Mr. Speaker, last week, 54 of my Republican colleagues sent a letter to the President, which I feel pinpoints a great deficiency in our foreign policy. There seems to be an unexplained reluctance on the part of the administration to fill key diplomatic positions in Africa. The danger of such a course is evident. The Arab-Israel crisis and the Congo incident make it both more apparent and imperative that we maintain active diplomatic relations with all the recognized nations of the world.

I would like to commend my colleagues for their initiative and to read the letter to all Members of this body.

DEAR MR. PRESIDENT: We would like to bring to your attention that there are no less than nine United States Ambassadorial vacancies in the African countries south of the Sahara—and to urge you to nominate envoys for these posts at the earliest possible moment.

Recent events in the Congo underscore a continuing difficulty in United States foreign policy: Policy is conducted in a crisis atmosphere in which we seem always to be responding to events rather than anticipating them. In some measure this reflects a failure to maintain progressive relations with the African States in order to shape the future rather than merely to await it. The unfortunate tendency to avoid filling Ambassadorial posts when they become vacant is a symptom of this policy failure.

Maintenance of stability in Africa requires constant attention at the highest levels of United States government, which in turn requires high level diplomatic representatives on the scene. The continuing danger in the policies of South Africa, the perils inherent in the situation in Rhodesia, the hostilities in Nigeria, the reports of activist Soviet and Chinese Communist diplomacy in Africa, as well as events in the Congo all attest to the need.

The failure of the United States to have an Ambassador in the United Arab Republic for the ten weeks preceding the recent crisis in the Middle East obviously must have had an adverse impact on the effectiveness of U.S. diplomacy. The lesson for U.S. policy in Africa is clear.

At the present time the United States has no Ambassador in Burundi, the Central African Republic, Chad, The Gambia, Senegal, Sierra Leone, and Togo. Furthermore, no Ambassador has been appointed to either Botswana or Lesotho, the two newly independent governments surrounded by the territory of the Union of South Africa. (In addition, the United States has no Ambassador in the Republic of the Congo (Brazzaville). This case, however, apparently reflects an intentional policy decision not to maintain direct relations with that government.)

The recent trip of Undersecretary of State Katzenbach to Africa was a welcome beginning to an effort to convince the African States of the continuing United States concern for their security and progress. Any good will emanating from that trip might be dissipated, however, by a continuing reluctance to fill U.S. Ambassadorial vacancies on that continent.

I include herewith the list of signers of the letter to the President:

Mark Andrews, of North Dakota.
John Ashbrook, of Ohio.
James F. Battin, of Montana.
Alphonzo Bell, of California.
Edward G. Biester, Jr., of Pennsylvania.
William S. Broomfield, of Michigan.
Clarance J. Brown, Jr., of Ohio.
Garry Brown, of Michigan.
James T. Broyhill, of North Carolina.
William T. Cahill, of New Jersey.
Tim Lee Carter, of Kentucky.
James C. Cleveland, of New Hampshire.
William C. Cramer, of Florida.
Edward J. Derwinski, of Illinois.
Robert Dole, of Kansas.
Florence P. Dwyer, of New Jersey.
Jack Edwards, of Alabama.
John N. Erlenborn, of Illinois.
Marvin L. Esch, of Michigan.
Paul A. Fino, of New York.
Peter H. B. Frelinghuysen, of New Jersey.
James R. Grover, Jr., of New York.
Seymour Halpern, of New York.
James Harvey, of Michigan.
Frank Horton, of New York.
Theodore R. Kupferman, of New York.
Dan Kuykendall, of Tennessee.
Donald E. Lukens, of Ohio.
Robert C. McEwen, of New York.
Clark MacGregor, of Minnesota.
William S. Mailliard, of California.
Charles McC. Mathias, Jr., of Maryland.
Chester Mize, of Kansas.
F. Bradford Morse, of Massachusetts.
Charles A. Mosher, of Ohio.
Alexander Pirnie, of New York.
Robert Price, of Texas.
Ogden Reid, of New York.
Ben Reifel, of South Dakota.
Richard L. Roudebush, of Indiana.
Donald Rumsfeld, of Illinois.
Herman T. Schneebeli, of Pennsylvania.
Richard S. Schweiker, of Pennsylvania.
Fred Schwengel, of Iowa.
Garner E. Shriver, of Kansas.
Joe Skubitz, of Kansas.
Robert T. Stafford, of Vermont.
J. William Stanton, of Ohio.
William A. Steiger, of Wisconsin.
Robert Taft, Jr., of Ohio.
Vernon W. Thomson, of Wisconsin.
Charles W. Whalen, Jr., of Ohio.
John W. Wydler, of New York.
Louis C. Wyman, of New Hampshire.

SEQUOYAH COUNTY OFFERS MUCH TO AMERICAN TOURISTS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

Mr. SPEAKER pro tempore. Is there any objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I would like to invite the Members of the House of Representatives and their families to the Annual Fire Dance at the Red Bird Smith Stomp Grounds north of Vian, Okla., during the first week in August.

The Annual Fire Dance is one of Oklahoma's most colorful Indian festivals and has gained national recognition as an event the entire family is certain to enjoy.

While in eastern Oklahoma's scenic Sequoyah County, out-of-State visitors may also wish to take advantage of the recreational facilities offered at Tenkiller Lake. Tenkiller is one of the State's most beautiful lakes and enjoys a national reputation as an angler's paradise.

A trout fishing tournament is planned on the Illinois River south of the Tenkiller Dam later this summer. The river was recently stocked with thousands of trout as an added incentive to fishermen.

On August 10 through 12 the county will host the Sequoyah Annual Rodeo which has also acquired widespread recognition as a favorite with out-of-State visitors.

Oklahoma is rapidly becoming a mecca for tourists and a visit to beautiful Sequoyah County would certainly prove worth while and enjoyable.

INTERIOR SUBCOMMITTEE LOOKS AT MOUNTAIN PARK PROJECT

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there any objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, the Subcommittee on Irrigation and Reclamation of the House Committee on Interior and Insular Affairs, led by Subcomittee Chairman Harold Johnson, of California, has just returned from a field hearing and project inspection in Oklahoma.

The subcommittee, at the request of our colleague, the gentleman from Oklahoma, Hon. Tom Steed, was directed by Committee Chairman Wayne Aspinall to hold a public hearing in the city of Altus and to take a firsthand look at the mountain park project, which was recommended to the Congress by Secretary of Interior Udall in May of 1966.

The subcommittee heard testimony from both U.S. Senators Mike Monroney and Fred R. Harris, the gentleman from Oklahoma, Congressman Steed, and Congressman James V. Smith, and 15 civic officials and community spokesmen in the area. Almost all enthusiastically endorsed this fine project, which is urgently needed to meet the water needs of Altus and Snyder and the U.S. airbase at Altus.

The subcommittee, which included the gentleman from Texas, Congressman Richard White, the gentleman from Idaho, Congressman George Hansen, and myself, in addition to Chairman Johnson, was highly impressed both by the testimony given and by the firsthand inspection of the project area. This is a project which should receive a high priority rating in the Congress.

McCARTHY RIDICULES ANTIRIOT BILL—CALLS ON CONGRESS TO ACT ON FIREARMS LEGISLATION

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Mr. SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McCARTHY. Mr. Speaker, the House this week undoubtedly will pass an antiriot bill of little value. The Attorney General said yesterday he has uncovered no evidence indicating that rioting in Newark and elsewhere was spawned by an interstate conspiracy.

What the House undoubtedly will not pass this week is legislation that could dampen the hot climate of violence abroad in the country today and prevent some of the bloodshed. I refer to a firearms control bill.

The pattern of the riots—whether in Newark or Buffalo or Plainfield—is clear: guerrilla warfare in the streets with snipers sending deadly gunfire from roofs and windows above.

Among the reactions to this appalling trend is the stepped up arming of frightened whites. More and more Negroes and whites take advantage of what the New York Times yesterday called the Nation's insanely lax laws on firearms and buy pistols, rifles, shotguns, and other weapons. Merchants of death—arms manufacturers and importers protected by the gun lobby—sell their "long hot summer specials" to anyone who will buy them.

Mr. Speaker, how can these people—certainly the Americans among them—live with themselves?

As the Times also observed:

> The threat of confrontation between negroes and whites in the United States today is *the most serious problem the nation faces, more serious even than Vietnam.*

The newspaper called on the Congress, the President, and responsible leaders in every community to give this problem top priority. The Times said:

> The challenge and the need are clear. The next few weeks and months may well be critical in determining whether or not the people of the United States can face up to this gravest of their responsibilities or whether, bemused by the distractions and the violence of the moment, they will continue to drift blindly down the road to racial catastrophe.

Measures to create jobs within cities, build better housing now and improve urban school, and curb the gun traffic—these are at the top of a long list which shows H.R. 421 near the bottom.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO FILE REPORT ON THE CRIMINAL JUSTICE ASSISTANCE ACT OF 1967

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary have until midnight tonight to file a report on the Criminal Justice Assistance Act of 1967.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

THE LAND AND FACILITIES DEVELOPMENT ADMINISTRATION—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, one of the newest and most effective agencies assisting all communities, large and small, in the development of good economical public facilities, particularly water and sewer facilities, is the Land and Facilities Development Administration. This relatively small group of community development specialists, ably led by Mr. Arthur A. Davis, performs effectively in many ways dedicated to making our communities a better place in which to live.

Mr. Davis—although young in years, 45—is a thoroughly experienced career employee of 20 years' service. He brings to his position as head of the Land and Facilities Development Administration a rich academic background, an M.S. in forestry from Yale, combined with distinguished service with the Bureau of the Budget, the Fish and Wildlife Service, the Outdoor Recreation and Review Commission, and the open space program of HHFA. The fine accomplishments of this agency, established in 1966 as a vital part of the organization of the Department of Housing and Urban Development, are in large part due to Mr. Davis' quiet, steady leadership.

Mr. Speaker, it is a distinct pleasure to bring to the attention of our colleagues an article entitled "HUD's Helpful Hand," by Mr. Davis, appearing in this month's issue of Nation's Cities. This agency, working closely with the Water Pollution Administration of the Department of the Interior and local governments, will increasingly lead the way in the construction of comprehensively planned water and sewage systems upon which the future growth of both urban and rural America is greatly dependent.

Mr. Davis' article follows:

HUD's Helpful Hand

(By Arthur A. Davis)

Until recently, Hennepin, Ill., had no sewerage system, Triana, Ala., had no water system and Martinez, Calif., was faced with a severe pollution problem.

Now, the three communities couldn't be happier. Their mayors tell their story—one of major effort and improvement through a cooperative venture with the Department of Housing and Urban Development.

Through its basic sewer and water facilities program, HUD has assisted communities of all sizes help themselves. Hennepin, Triana, Martinez are just examples.

Mayor Frank Biagi of Hennepin says his area's industrial expansion is the "biggest thing that ever happened to the area. It couldn't have gotten off the ground without the grant from HUD."

Mayor Clyde Foster states that "the water project has given us a new life. We hope we can live up to the expectations that you and other fellow Americans might have for the township of Triana."

And Mayor John Costanza of Martinez says "the HUD grant is a big help because we were desperate for a way to aid the city and its citizens."

Since April 1966, HUD grants for water and sewer facilities have helped 326 localities with a total outlay of more than $160 million. These HUD grants make it possible for cities, large and small, to attack both urban sprawl and decay and make better communities.

HUD's sewer and water facilities program provides up to 50 per cent grants to local public bodies and agencies to construct new water and sewer projects, or to enlarge or improve existing facilities.

The grants make it possible for localities to build much-needed facilities for the supply, treatment, and distribution of water, and the collection and disposal of waste. Additional grant assistance is available to pay the cost of relocating persons and organizations displaced from land acquired as a site for the facilities.

The chief aim of this highly successful HUD program is to help areas whose need is most urgent—areas that, even today, have no water or sewerage systems. The HUD grants serve the very direct and immediate purpose of improving the health and living standards of the people in these areas.

Equally important is HUD's emphasis on the development of water and sewer facilities as part of comprehensive area planning. With such comprehensive planning, communities can eliminate waste and unnecessary costs which result from unplanned and haphazard construction; and avoid duplication of costs from having to replace inadequately planned facilities at a later date.

To be eligible, communities must show that their projects are part of areawide water and sewer planning, and that this is consistent with comprehensive planning and programming for development of the entire area. As Charles M. Haar, HUD's Assistant Secretary for Metropolitan Development, put it, "No community can afford to be an island to itself . . . By coordinating community facilities, local governments can make their scarce revenue dollars go further."

Naturally, with such a popular program, applications come in at a rate much greater than we are able to fund. In our first year, for example, requests for assistance ran 25 times the money available—$2.5 billion requested—$100 million budgeted!

A project rating system was developed and, to date, HUD had said "no" to some 1,900 applications failing to pass our evaluation. Factors taken into consideration are the extent to which the proposed project implements area-wide comprehensive planning and programming, relative urgency of need, economies of scale, scope of benefits, consistency with the intent of the law creating the program, and other national objectives.

Incidentally, Congress is acting favorably to President Johnson's request to increase the appropriation for the basic sewer and water program to $165 million for the new fiscal year beginning July 1.

More than 75 per cent of the HUD projects under this program have been in communities under 50,000 population, and 84 per cent in communities under 10,000. This is where the need is most urgent. In fiscal 1966, the first year of the program, out of total grants of $90 million, $58 million went to communities under 50,000, and $21 million to communities under 10,000 population.

HUD Secretary Robert C. Weaver states the reason for this: "the preservation of an economic base can be a life or death question to a smaller city." Secretary Weaver spoke about the small town's problems before Congress, to the House Committee on Small Business, on March 21, 1967.

He noted that, "when a new major activity—industry, highway project, or defense installation—comes to a small city, it frequently creates problems that the smaller city is unable to manage. The new schools, sewer and water provisions or extensions, streets, sidewalks, traffic equipment—which are needed to accommodate the new influx—may be entirely beyond the ability of a small city to provide. Many of the HUD programs are helping small towns with this challenge."

Hennepin, Ill., is a good example of a small town with big problems that HUD is helping solve. Hennepin received a water & sewer facilities grant of $319,000 to help build a new public sewerage system and to improve and expand the village water system. The project will be completed by fall 1967 at a total cost of $830,000. County Attorney Durley Boyle notes that "Without HUD, the area would have been in terrible shape. There was no sewer system at all, only septic tanks that were creating health hazards."

Why was this grant so important to Hennepin? Mayor Frank Biagi explains: "We couldn't have handled Jones & Laughlin without it." Jones & Laughlin is building a large new steel mill in Hennepin. With the HUD grant, Hennepin will provide Jones & Laughlin with a potable water system and a sewerage system for the new mill." When J & L is at its peak, Mayor Biagi says, "5,000 people will be employed there and in steel-related industries which we expect J & L's presence to bring to the area."

Hennepin demonstrates how a region can be saved by building a core population area with a central attraction.

Previously, Hennepin had been in a dying rural area; the young people were leaving. Now the population is expected to grow from 300 to 2,500 with a total of 8,000 in the surrounding smalltowns of LaSalle, Peru, Spring Valley, Henry, and McMann.

The town of Triana, Ala., is 148 years old, has 250 residents, no running water. Residents have had to buy their water at $1 per barrel from trucks that brought it from a well two miles away, and supplement this by rain water collected by primitive roof drain methods. Mrs. Madge Barnes, who lives there, said, "We know we're drinking impure water but we can't do anything about it."

HUD could and did. A $26,000 water and sewer grant and a $44,000 public facility loan were awarded to help construct a water system for Triana. When completed, it will be one of the nation's smallest organized water systems, but one of the most appreciated. Triana has its second Negro mayor, Clyde Foster, and an integrated town council. Mayor Foster commends HUD for "the exemplary spirit of cooperation shown."

In Martinez, Calif., a $732,000 water & sewer facilities grant will help the region achieve an economy of scale by consolidating area waste disposal and thereby preventing water-front pollution. The $1.6-million sewer development project will link the sewer facilities of Martinez and Contra Costa County. Mayor John Costanza says that the project will eliminate sewerage discharge to a water-front area being developed for recreation, business and residential use, reduce operating cost, and increase sewerage service to a 17,000-acre area.

Economy of scale is also being demonstrated in Vancouver, Wash., where a $795,625 grant is aiding in the construction of trunk sewers. One trunk, the Burnt Bridge Creek line, will intercept sewage from a portion of the Hazel Dell Sewer District.

Kinloch, Mo., a Negro community of 6,500 in the St. Louis metropolitan area, has no sewerage system. In January, Kinloch received a $684,900 grant from HUD to build one. Ninety-eight percent of the people of Kinloch are at poverty level. HUD's Assistant Secretary Haar says, "The Kinloch project will stimulate economic growth and industrial development in the city, creating many job opportunities. . . . It is also expected to generate a considerable number of jobs for Kinloch people in related follow-up work."

Community enterprise, with help from HUD, is producing a significant improvement in the quality of American life. Among the areas benefiting are Springfield, Mass., with a $1.5-million grant for a water development project to increase supply to the Lower Pioneer Valley; Mammoth Lake, Calif., where a $225,000 grant will help curb pollution of the Los Angeles water supply from the northern part of the state; Houston with a $1-million grant for facilities in an all-Negro section which has none; Cedar Lake, Ind., where a $974,000 grant will help restore Cedar Lake for recreational use.

HUD wants to help cities to help themselves. Assistant Secretary Haar says, "The initiative is still with the local area to develop its own plan." Haar emphasizes that the Federal Government is not trying to impose its will, or any master plan, on local governments.

The cities are warming up to what President Johnson calls "the benefits of creative federalism." HUD is getting fan letters from the mayors, but, more important, many American communities are becoming better places to live, and many Americans are living better.

DUMPING OF JAPANESE WALL TILE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Commissioner of Customs advised me yesterday that a significant decision has been reached following an investigation of charges that the Japanese tile industry has engaged in widespread dumping of wall tile in violation of the Antidumping Act. The investigation confirmed that, in a majority of transactions examined, the Japanese industry, which operates as a giant cartel, had indeed been guilty of dumping.

Assurances have now been given by the Japanese firms that they will not engage in dumping in the future, and the investigation has been disposed of on the basis of these assurances. For the present, the Bureau will continue to withhold appraisement of all wall tile imported from Japan.

It is gratifying that the Bureau of Customs has succeeded in bringing to a halt these widespread dumping activities. Both before and during the 18-month investigation, the injuries inflicted upon U.S. workers and tile companies, most of which are small business firms, have been far reaching and devastating. I have every confidence that the Bureau will continue its vigilance and that the Japanese firms will be held strictly accountable for any future violations.

I have expressed my view to the Commissioner that the responsible Japanese firms should not be permitted to benefit in any measure from their past wrongdoing. It seems to me that any tile shipped earlier to the United States at dumping prices, which still remains in warehouses in this country or otherwise in transit should not be permitted to enter commercial channels at prices below levels currently prevailing in the Japanese home market. The public interest clearly requires that dumping in this or any other form be stopped without exception.

It would also be my hope that the appropriate Japanese officials will take cognizance of the promises made to the Bureau of Customs by Japanese nationals and institute all appropriate steps in Japan to assure future compliance with the Antidumping Act and other applicable statutes of the United States. In particular, notice should be taken of the fact that dumping is not the only improper activity pursued by Japanese tile firms. Indeed, I am advised that the Department of Justice is currently investigating other unlawful practices under the Sherman Act and that the Tariff Commission is examining still further distribution methods under section 332 of the Tariff Act.

The U.S. tile industry asks only that the giant Japanese firms and trading cartels compete fairly and obey our laws when they come to our market. This condition has not prevailed in the past. I hope that the action of the Bureau of Customs will comprise a first step toward restoration of normal competitive conditions.

The text of the decision follows:

[Department of the Treasury, Office of the Secretary: Antidumping—ATS 643.3(b)]

CERAMIC GLAZED WALL TILE FROM JAPAN: NOTICE OF INTENT TO DISCONTINUE INVESTIGATION AND TO MAKE DETERMINATION THAT NO SALES EXIST BELOW FAIR VALUE

Information was received on December 9, 1965, that ceramic glazed wall tile imported from Japan was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*). This information was the subject of an "Antidumping Proceeding Notice" which was published pursuant to section 14.6(d), Customs Regulations (19 CFR 14.6(d)), in the Federal Register of December 30, 1965, on page 16272 thereof.

On July 15, 1966, the Acting Commissioner of Customs issued a withholding of appraisement notice with respect to such merchandise, which was published in the Federal Register dated July 19, 1966.

Purchase price was found to be lower than adjusted home market price in a majority of the comparisons made.

Promptly after the commencement of the antidumping investigation, price revisions were made which eliminated the likelihood of sales below fair value. Assurances were given that, regardless of the determination of this case, no future sales to the United States will be made at prices which could be construed as being at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). There appears to be no likelihood of a resumption of prices which prevailed before such price revision.

In view of the foregoing it appears that there are not, and are not likely to be, sales below fair value of ceramic glazed wall tile from Japan.

Unless persuasive evidence or argument to the contrary is presented within 30 days, a determination will be made that there are not, and are not likely to be, sales below fair value.

Any such evidence or argument should be addressed to the Commissioner of Customs, 2100 K Street, N.W., Washington, D.C. 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the Federal Register.

This notice is published pursuant to section 14.7(b)(9) of the Customs Regulations (19 CFR 14.7(b)(9)).

TRUE DAVIS,
Assistant Secretary of the Treasury.

COMPULSORY ARBITRATION VERSUS GOVERNMENT SEIZURE OF RAILROADS

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

Mr. SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, with regard to railroad strike legislation, I find myself on the horns of a dilemma because I am opposed both to Government seizure and, likewise, to compulsory arbitration. Meanwhile, I have been awaiting the long-promised recommendation of President Johnson for a peaceful means of settlement of all nationwide labor disputes that involve the national interest. Meanwhile, too, I have hoped the House-Senate conferees would agree on a compromise plan for the railroads, whereby any arbitration decision would not be final at least without congressional action or without approval by the President.

As I see the parliamentary situation it boils down to this. The House-Senate conference has failed to reach an agreement. Now, the Senate will probably pass a bill and then the House will either accept or reject the Senate version.

This is no way to legislate. It forecloses the House working its will. The leadership has let this issue drift, and now, with a strike in effect, we are sitting on a time bomb, so to speak, and working under pressure.

I, for one, do not intend to lend my support to unwise remedial action if I can help it. I will wait and see what the Senate does later today. But, in so doing, again I call on the President to make good his promise and send Congress his long-awaited recommendation for settlement of all nationwide labor disputes effecting the welfare of the entire Nation.

THE M–16 RIFLE PROCUREMENT SCANDAL

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

Mr. SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the United Auto Workers strike against Colt Firearms, Hartford, Conn., sole producer of the M–16 rifle, today officially began cutting into production of this vitally needed weapon for American and allied forces in South Vietnam.

Technically, the strike against Colt, which began at 12:01 a.m., July 1, is already more than 2 weeks old. But the union—in an apparent effort to exert "strike" pressure without immediately threatening the war effort—did not walk out until 1 minute after Colt had closed down its production line for its annual 2-week vacation.

Production of M–16's, all destined for Vietnam, was scheduled to resume today—but the strike continues. So the war effort is now, officially, suffering.

This latest incident in the troubled history of the M–16 strikes me just short of incredible. Here we are, in the midst of a war in which more than 11,000 American men have been killed. And yet the sole producer of the single, most vitally needed weapon for combat—a weapon seriously in short supply by allied forces—is permitted to take a 2-week vacation.

This sad, unconscionable action exemplifies the halfway measures we are using to fight this war, the "ho hum," "business-as-usual" attitude still displayed by much of our Government and many of our people, despite the sacrifices that American and allied troops are making in Vietnam.

Colt's contract now calls for minimum production of 25,000 rifles a month—although the Army is now taking every M–16 that Colt turns out, which runs up to 27,500 a month.

It is true that Colt was to accumulate a sufficient backlog in prior months so that its 2-week vacation would not interrupt the 25,000-a-month delivery rate.

But such a "justification" for this 2-week vacation in time of war is totally without merit, for two reasons:

As I will detail further below, production from Colt's already overstrained facilities has not been and is not now sufficient to meet all demands by U.S. and allied troops in Vietnam—so every 2 weeks' worth of production, every one of the 10,000 to 12,000 guns that might have been produced in that time is badly needed.

More important, the Army has only recently started incorporating into the M–16 added modifications designed to reduce malfunctions in this rapid-fire weapon. That includes changing the "buffer group" to reduce the rate of fire somewhat, and chrome-plating the bore to prolong barrel life and reduce trouble-causing corrosion.

The current production of M–16's, then, is hopefully more "jam resistant" than the ones now in the field. These, it would appear, are the M–16's we should be getting to Vietnam at top speed, possibly to replace earlier, less reliable models now in the hands of combat troops.

But what happens instead? The sole producer goes on a 2-week vacation. And then the union continues to interrupt production with a strike.

That picture appears even less excusable against this added background.

Back in March, when I protested Colt's plans to sell 20,300 of these weapons to the neutralist government of Singapore, a top Colt official came to my office to assure me that the production for Singapore would not interrupt Colt's 25,000-a-month commitment to the Army.

During this conversation, the Colt official also revealed that to speed up delivery of the guns to Singapore, Colt was planning to forego its usual 2-week summer vacation so that entire 2-weeks' production would make possible the Singapore delivery.

Later, that plan apparently was discarded. But instead of devoting that badly needed production time to output for U.S. and allied troops in Vietnam, Colt went on vacation.

I emphasize that this production was badly needed, because it has now been documented beyond reasonable doubt that the 25,000 to 27,500 guns a month, all Colt is capable of turning out, is inadequate to meet the demands of Vietnam, even though the Department of Defense does not choose—for face-saving reasons—to formally acknowledge this fact.

Anyone who doubts the shortage of M–16's in Vietnam should consider these facts:

Our 75,000-man Marine contingent is only now getting the last of its M–16's. And the Marines did not get the first of their M–16's until March, although the decision that they should have the weapons was made in early August 1966.

The hard-fighting, 45,000-man South Korean contingent has only just now received the last of the 16,000 M–16's it has been allotted—all that we can spare at the moment.

Rear echelon American troops—which are the bulk of our fighting men in Vietnam—still do not have the gun, despite the fact that in this guerrilla war, there is really no rear echelon, and every fighting man may find himself under attack at any time, in any place—and in need of an improved M–16.

The South Vietnamese, with an Army of more than 400,000 men, are now receiving some 12,000 M–16's.

Secretary of Defense Robert S. McNamara's comments last week, after his return from Saigon, spotlight this shameful situation. Mr. McNamara said that the South Vietnamese were going to have to bear a greater proportion of the war. Before he left Saigon, earlier in the week, he was quoted as saying that to utilize better existing forces, more South Vietnamese Army units would now have to be integrated into combat operations.

This is a laudable, commonsense goal—letting the South Vietnamese do more of the fighting for their own country, as well as handling the vital "pacification" program, now the ARVN's main mission.

But with what good grace can we urge more South Vietnamese troops to join American units in combat when all that we give them to fight with, for the most part, are outmoded World War II, M–1 rifles and carbines?

Out of an Army of more than 400,000 men, we can give them—so far—only 12,000 modern rifles.

And yet Mr. McNamara maintains there is no shortage of M–16's in Vietnam.

That situation is particularly inexcusable when it is remembered that a decision was made that the South Vietnamese troops should have had the M–16 as far back as 1963. That fact was only recently revealed in a report on the M–16 by the Senate Armed Services Preparedness Subcommittee—a real eye-opening report that all House Members who feel a responsibility for the course of the war would do well to read.

Why is it that we still have only one source of production for the M–16? And why cannot Colt turn out more weapons than the peak of 27,500 a month?

It was not until June 30 of this year—ironically, the same day as the Colt strike—that the Army finally bought manufacturing rights to the M–16 from Colt, for $4.5 million, which will at last make possible M–16 production by other manufacturers.

What took so long? The Army has never—never—come up with a detailed explanation. And Congress, as well as the American people, are entitled to have that explanation.

The Army first started procurement of the privately developed M–16 in 1963. And it did so then, reluctantly, only under orders from the Department of Defense and the White House, as the Senate subcommittee report also reveals. The Army's reluctance to buy the M–16 was based on its unwillingness to jeopardize production of the M–14 rifle, which went through a long, hectic, universally criticized development period before volume production finally got underway in 1960–61.

So in 1963, when the first 100,000 M–16's were bought, the Army said there was no point in going to the added expense of acquiring the manufacturing rights from Colt because the 100,000 was to be a "one-time-only" buy—no more of the guns were to be ordered.

That rationale is debatable.

But there simply is absolutely no room for debate on the Army's inexcusable failure to acquire later those manufacturing rights once high volume procurement of the M–16 was begun, for our forces in Vietnam, in December 1965.

Why were not the rights acquired then, and a second source set up at that time?

The Army testified before the select House Armed Services subcommittee, investigating the M–16 procurement, that the Pentagon received an "urgent" request for M–16's from Gen. William Westmoreland on December 6, 1965, and awarded the contract to Colt the next day, December 7, 1965.

Although it was not officially stated, the Army appeared to be offering that history as an explanation for why there purportedly was not time, at that point, to negotiate with Colt over manufacturing rights.

But such a proposition, if it is put forward by the Army, would be ridiculous.

First of all, it is an insult to the intelligence of Congress to ask us to believe that, "out of the blue," a request from General Westmoreland was received one day, and a letter contract was awarded the next. Military procurement on major contracts simply does not operate that way, as every Member of Congress knows.

Actually, I am told, General Westmoreland began discussing the advisability of procuring more M–16's, for use in Vietnam, as far back as August of 1965. But a final decision on his request was blocked for 4 months and the block occurred at a level higher than the Department of Defense.

However, even if this lame excuse of insufficient time were to be accepted, as a reason for not acquiring the rights and setting up a second source in December 1965, it is no explanation for why that action was not taken later.

That December 1965 contract was for 100,000 guns, with options for more. By December of this year, more than 400,000 rifles will have been produced under that contract. And by next March, when production is scheduled for completion on the last of the M–16's now funded, nearly 500,000 will have been turned out.

Why, then, was not that December 1965 contract held down to the original 100,000 rifles, and negotiations begun on the acquisition of manufacturing rights, so that a second source could have been set up to share in production of the remaining hundreds of thousands of weapons?

No answer has ever been provided to that question. Therefore, while the Army had three producing sources of the M–14 rifle in 1961–63, when we were not at war, turning out guns by the tens of thousands monthly, we continue to have one source for the M–16, turning out a mere 25,000 to 27,500 a month while we are in an expanding shooting war and faced with an insufficient supply of these weapons.

If that is not a "scandal" in the literal sense of the word, I would like to know a better definition.

Furthermore, the Army estimates that it will not be ready to take bids to set up the second M–16 source until December 1967 or January 1968, and that first production from that second source will not start coming in until 1 year from that date—18 months from now.

Unfortunately, this inexcusable failure to set up a second source has had other effects in Vietnam.

The chairman of the House select investigating committee—and others as well—have raised the possibility that one of the contributing factors to the jamming of M–16's experienced by the marines shortly after they began using the gun was insufficient training on this "hot" new gun—a deficiency caused by the lack of extra guns available for training purposes.

It has also been suggested that the lack of competition fostered an attitude of complacency toward the M–16 on the part of both the Army and Colt, so that the badly needed minor modifications, designed to abate the jamming problem, were not initiated until hundreds of thousands of the guns had already been turned out and put into the hands of combat troops.

Only now are those modifications being made. It is almost certain that if there had been one or more other sources for this rifle, vying for the position of prime supplier, the competition to turn out the best possible weapon would have led to more, earlier modifications.

As a result, American lives would have been saved—just as they would have been saved if there had been more M–16's for better training.

Furthermore, marine combat officers, after the famous, bloody battles of Hills 881 and 861, were quoted as saying that without the high firepower from the M–16's, they could not have taken the hills.

How many other objectives could they have taken quicker, more easily, at less cost in lives, if the Marines had had M–16's sooner?

How many lives might have been saved in the South Korean contingent if it had received the M–16 sooner—as its commanding general had been begging for months?

How many South Vietnamese troops might better survive in the vital, hazardous pacification program, or in added combat assignments, if they were armed with M–16's, to counter the increasing flow of Russian-designed automatic weapons into the hands of the Vietcong and the North Vietnamese?

These are questions to which the American people deserve answers.

I am hopeful that either the Pentagon, or the House select subcommittee investigating the M–16 will provide those answers.

CONGRESS MUST STAND BEHIND OUR FIGHTING MEN

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

Mr. SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, many in this House have—at one time or other—stood on a battlefield.

If we have not been there as combatants, we have at least been there as congressional observers.

We have seen the determination of our fighting forces. We have been moved at their morale. We have been proud of their bravery.

If there is any message we have brought to our men at war, it has always been that as Congressmen we would see that they got every last measure of support that they require.

Well, today is a day we must deliver on that promise.

This rail strike—whatever be its origin, or however tangled be its issues—simply must come to an end.

And it must come to an end now.

It must come to an end now because it is choking, disrupting, and simply shutting down our supply lines to the battlefield in Vietnam.

Let no one in this House be in any doubt about that.

Rolling stock is lying idle, crammed with war materiel.

Ammunition, tanks, armored personnel carriers—even Polaris missiles—to say nothing of thousands upon thousands of other items, are stranded at countless yards around the Nation, unable to proceed to the ships that are waiting for them.

Let us not waste precious time arguing here who is to blame for this situation.

We must share the blame if we do not end the situation.

The American people want leadership. The American people want decision. The American people want action. We must fulfill our responsibility.

Moreover, we have a commitment to our fighting forces. That commitment comes first. They are risking their lives for this Nation.

Let us reflect that we are risking their lives if we do not take action to end this strike—and to end it today.

THE RAILROAD LABOR DISPUTE

Mr. STAGGERS submitted a conference report and statement on the joint resolution (S.J. Res. 81) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees.

THE NECESSITY FOR A REAPPRAISAL OF OUR POLICIES IN THE FIGHTING IN VIETNAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 30 minutes.

Mr. SIKES. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter on the necessity for a reappraisal of our policies in the fighting in Vietnam.

Mr. SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, the tortuous progress of the war in Vietnam has created misgivings at home, even among vigorous supporters of the administration's war effort. The high casualty lists and the apparent standoff in the fighting in recent weeks require a reappraisal of our policies.

To me, there is clearly no choice but to win. However, our forces are following prescribed ground rules which limit their effectiveness. Presumably, any changes in strategy must follow these same ground rules. Even so, it appears to me that there are areas where improvements can be made. First is a more effective utilization of South Vietnamese forces to lessen the pressure on American forces. Next is securing and pacifying the productive coastal and delta regions which still are in Vietcong hands. Third is to stop fighting over the same ground time after time, particularly in mountainous or nonproductive areas which have little importance on the outcome of the war. Fourth is to place greater stress upon the development and use of new weapons which help to offset enemy numbers.

The fighting now in progress is bringing us closer and closer to pitting man against man in jungle warfare, with Americans doing most of the fighting for the allied side. This is the type of war which can go on for years with an insatiable appetite for men, materiel, and money. The American public will not put up with this kind of war through another election.

U.S. military strategists have warned time and time again against involvement in a land war in Asia. The frightening aspects of a war of attrition in jungle terrain against unlimited manpower, halfway around the world, make the reasons obvious.

The difficulties which we have encountered in overcoming Communist guerrillas and the forces of small, unimportant North Vietnam makes one shudder to think what a bigger war in the area, involving other powers, would be like. The administration has carefully sought to avoid such a major war. And, as a result, has been criticized for its caution.

In the main, the North Vietnamese are operating north of Saigon and south of the DMZ, while the fighting around Saigon and in the Mekong Delta is principally by the Vietcong. The coastal and delta regions are where the bulk of the South Vietnamese population lives. There the Vietcong infrastructure is elaborate, complete, and complex. They have been working to gain control of the countryside for 20 years. It takes time to root out that type of influence. Resupply for the guerrillas is no problem. They are able to harvest a substantial part of each rice crop, and this they share with the North Vietnamese. This territory must be taken and held.

The increased number of casualties in recent weeks in the areas south of the DMZ point to enemy buildup and ready availability of heavy infantry weapons—flame throwers, rocket launchers, and a new antitank gun. The North Vietnamese regular forces there are first-class troops and they have been fully equipped with modern Russian and Chinese weapons. Supply routes there are short. As a result, the marines are hard pressed to hold their own. Army forces previously assigned to the Mekong Delta have been rushed northward to offset the growing threat from Communist forces moving across the DMZ. The fighting is some of the heaviest of the war and the overall picture is far from clear.

Secretary McNamara has stated there is no stalemate in Vietnam. Possibly it could be described more accurately as a standoff. Neither situation is acceptable. A way must be found to regain the initiative and to reduce the casualty lists. A number of possibilities are apparent. A landing behind the DMZ could lead to the destruction of a substantial part of the North Vietnamese regular forces and block the entrances to the Ho Chi Minh trial. This, however, has been ruled out because of the possibility of bringing Red China into the conflict. A barrier of cleared ground with fortifications along the DMZ itself has been suggested. It would be very costly, construction would be long drawn out, and it still would not deny the use of neutral Laos as an avenue of supply and reinforcement. There does not seem to be any shortcut to victory.

If we are to carry on the type of fighting we now are doing in the hope that Hanoi will recognize the futility of prolonging the war, there must be a better utilization of forces and a clearer definition of objectives. North Vietnam obviously is being hurt and hurt badly. Pressure should be maintained and intensified through bombing. But in South Vietnam, new policies may be in order.

It is inescapable that we are fighting over the same ground too many times. Too many lives are lost in capturing the same terrain time and again only to give up as soon as the operation is concluded. This is indicative of stalemate and we cannot afford stalemate. If the ground is worth fighting for, it is worth holding. If we do not have the manpower to hold it, we should not fight for it until we or our allies have the strength to stay.

It is difficult to conceive that a situation exists where we have insufficient forces to hold territory which is of value to the allied cause. We have nearly a half million of our own forces in Vietnam. The number of South Vietnamese forces is even greater. There are nearly 50,000 Korean forces and a scattering of other nationals. The fact that we are not holding hard-won territory can be indicative of a lack of effectiveness in the utilization of forces. It appears inescapable that this is true of the situation with many of the ARVN forces. Despite a vigorous U.S. effort to train and equip effective ARVN forces, they have not responded in an effective way. In many areas they have failed to serve capably even as pacification forces.

The South Vietnamese are of the same blood lines as the North Vietnamese. Yet the fighting qualities of the North Vietnamese are superb. The Vietcong are also effective. This means that something is wrong with either the training methods or with the leadership of the ARVN forces. More and more the U.S. forces are having to fight the war for the Vietnamese. We must find a way to more effectively utilize the services of the 600,000 trained and equipped South Vietnamese. It has been suggested that this be done through placing ARVN units in the line side by side with American units as was done with great success in the Korean war.

Secretary McNamara has called for more efficient use of existing forces in South Vietnam. This, I assume, is to be construed as recognition of the fact that the fighting has fallen more and more on American shoulders. Full and efficient utilization of South Vietnamese forces might well eliminate the necessity for additional American units.

Increasing numbers of Soviet manufactured surface-to-air weapons and the increasing effectiveness of antiaircraft weapons in Communist hands indicate a need for changed tactics in attacks on North Vietnamese targets. Losses of U.S. pilots and aircraft are mounting.

Witnesses at Appropriations Committee hearings have stated there is a need for more naval gunfire support. This is obtainable. We have in inventory the Pershing missile which is now deployed in Germany. When equipped with conventional warheads, the weapon may have a useful capability in Vietnam. A new surface-to-surface weapon, the Lance missile, is soon to be in inventory. Substitution of these and other weapons would bring many North Vietnamese targets within range of attack without unnecessary risk of pilots and planes. Other weapons are being tested which are designed to help offset enemy numbers. There has not been enough emphasis on the development and use of this type of capability.

Winning territory is very essential. There is no other way to fully deny the enemy a base of operations. But winning territory is only half the battle. The job of pacification obviously is not proceeding satisfactorily. In Vietnam it has been found necessary to take the job of pacification out of civilian hands and entrust it to the military. We must look forward to the time when U.S. forces can be withdrawn from South Vietnam or at least greatly reduced in numbers. When that time comes, the fighting and the deaths will all have been in vain unless the people themselves want a democratic form of government. The importance of rallying the people themselves to the Government's side has been subordinated to the effort to defeat the Communist forces, and this is understandable. However, the bulk of the populace is under the control of Government forces. By whatever means is necessary, the work of pacification should be proceeding full-scale in those areas which are under Government control.

RECESS

The SPEAKER pro tempore (Mr. ALBERT). Pursuant to the order heretofore granted, the Chair declares the House in recess, subject to the call of the Chair, and the bells will be rung 15 minutes before the House reconvenes.

Accordingly (at 12 o'clock and 16 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 5 o'clock p.m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S.J. Res. 81) entitled "Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees."

The message also announced that the Senate agrees to the amendment of the House to the joint resolution (S.J. Res. 81) entitled "Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees," with amendments in which concurrence of the House is requested.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 169]

Anderson, Tenn.
Ayres
Bell
Brinkley
Burton, Calif.
Burton, Utah
Carey
Cederberg
Celler
Clausen, Don H.
Cleveland
Conte
Cowger
Cramer
Daddario
Davis, Wis.
Denney
Edwards, Calif.
Fino
Ford, William D.
Gallagher
Gardner
Gray
Halpern
Hansen, Idaho
Hays
Hébert
Hungate
King, Calif.
Kupferman
McClure
McEwen
Miller, Calif.
Minish
Moore
Morgan
Morris, N. Mex.
O'Hara, Mich.
O'Konski
Passman
Pucinski
Rarick
Resnick
Robison
Rodino
Roudebush
Roybal
St Germain
St. Onge
Scheuer
Steed
Taft
Whalley
Whitener
Williams, Miss.
Zion

The SPEAKER. On this rollcall 376 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES RELATIVE TO THE RAILROAD SHOP CRAFT DISPUTE

The SPEAKER laid before the House the following communication from the President of the United States:

THE WHITE HOUSE,
Washington, July 17, 1967.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I am sending this letter to you in response to your request for a review of the meeting we had yesterday and the current rail strike situation.

In the early hours of Sunday morning, the threat of a railroad strike became a grim reality. Affecting first the West and Midwest, the strike has now spread throughout the entire country, snarling our lines of commerce and leaving chaos and confusion in its wake.

By noon today, the Secretary of Transportation informs me that 80 to 90 percent of the Nation's rail lines will be down. By tonight, the stoppage will be total and rail paralysis will be complete.

As this crisis unfolded, the Secretaries of Defense, Transportation, and Labor, the Attorney General and I met yesterday afternoon with the bipartisan congressional leadership and the chairman and ranking majority and minority members of the appropriate congressional committees. We discussed the action that must be taken to end the ruinous strike and to resolve finally the underlying dispute.

The consequences of the day-old strike—the first nationwide railroad strike in over 20 years and only the second in the last 45 years—are already becoming clear to every American:

This morning, hundreds of thousands of commuters found it difficult or impossible to get to their jobs.

Four hundred thousand carloads of freight have already been stranded.

Shipments of fresh vegetables, meats, and other perishable foods have already been halted.

Mail deliveries of packages and parcels, magazines, and newspapers, have already been embargoed by the Post Office.

Secretary McNamara has reported the strike is having "an immediate impact on the movement of ammunition and heavy equipment to ports of embarkation for Vietnam. Ammunition cars—a thousand each week—must move without interruption to support our fighting men in Vietnam."

Every minute and every hour the strike continues will create ever-increasing damage to our economic well-being and America's national security.

The Nation has been more than patient.

The dispute is more than a year old. The parties have attempted unsuccessfully to reach agreement among themselves. Three labor boards have worked diligently and skillfully with the parties:

The National Mediation Board, chaired by Francis O'Neill, the most experienced member of the Board.

A Railway Labor Act Emergency Board headed by David Ginsburg, a distinguished Washington attorney, with Frank Duggan, professor of law at Georgetown University, and John W. McConnell, president of the University of New Hampshire, as members.

The Special Panel appointed by the President, chaired by Judge Charles Fahy, with Dr. John Dunlop of Harvard and Dr. George Taylor of the University of Pennsylvania as members.

Despite the efforts of these three Boards, the parties to this dispute have been unable to come to an agreement. In each case, the union rejected the recommendations of the Board.

During the current round of railroad contract negotiation, over 500,000 union members—some 80 percent of the industry—have settled their differences with management through the processes of free collective bargaining. What then can we say of this shop craft dispute?

We are witnessing, in this strike, a complete breakdown of private responsibility.

No man and no institution can stand above the American people and our men in uniform defending our country around the world.

There comes a time when the public interest must be paramount over private interests. That time is now.

On April 10, with all the legal machinery available to a President exhausted and with a nationwide strike imminent, I asked the Congress to extend the no-strike period in this case for 20 more days to keep the parties talking in the hope that a solution could be found and a disastrous strike avoided.

On April 28, I again asked the Congress to extend the no-strike period, this time for 47 more days, while the parties searched for a solution.

Congress promptly and favorably responded to both of these requests.

On May 4, after three Boards had worked with the parties and after almost a year of negotiation, I submitted a recommendation to the Congress to resolve this protracted dispute fairly and finally. That was 75 days ago. This recommendation was shaped by the most experienced and skilled labor advisers available to a President. We were all determined to treat labor and management fairly. The recommendation was drawn from the procedures and experience of the War Labor Board which settled hundreds of labor disputes. It was designed to provide a just settlement for the workingman and for the railroads, based on the record made by the parties themselves.

The Senate accepted the administration's proposal, by a vote of 70 to 15, while the House struck from its bill that portion which would insure a final resolution to the dispute.

This case has moved slowly through summer and fall, winter and spring—and still another summer—while the parties unsuccessfully tried to reach final agreement. Now the Nation is gripped by a crippling strike, but the parties are no closer to a solution than they were over a year ago.

Simply extending the no-strike period is a prescription without a cure. It will only postpone the day of settlement—already postponed for more than a year—for in 90 days the Nation and its fighting men will be faced again with the prospect of another crippling strike.

The parties to this dispute have tried to reach agreement and failed. Boards and Panels have tried and failed. Congressional chairmen and Members of the Congress, the Secretary of Labor and many other public officials have tried and failed. We are faced with a national crisis. The public interest must take precedence over private interests. The power to act now rests with the Congress.

As a prominent legislator commented yesterday "We have had a year of talk. It is time for action." I believe the American people share that view.

I therefore appeal to you to act swiftly on the proposal overwhelmingly passed by the Senate because of the urgent need to end the work stoppage and to resolve finally the dispute in the interests of the security, health and safety of America.

I assure you if the Congress will promptly and finally act, I will immediately appoint a blue ribbon board—with understanding of both labor and management, but subservient to neither and I feel confident this dispute can be resolved with dispatch and with justice to all.

Sincerely,

LYNDON B. JOHNSON.

CONFERENCE REPORT ON SENATE JOINT RESOLUTION 81—PROVIDING FOR SETTLEMENT OF RAILROAD LABOR DISPUTE

The SPEAKER. The Chair recognizes the gentleman from Maryland [Mr. FRIEDEL].

Mr. FRIEDEL. Mr. Speaker, I call up the conference report on the Senate joint resolution (S.J. Res. 81) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees, and ask for its immediate consideration.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report.

The conference report and statement follow:

CONFERENCE REPORT (H. REPT. NO. 485)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S.J. Res. 81) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees, having met, after full and free conference, have been unable to agree.

HARLEY O. STAGGERS,
SAMUEL N. FRIEDEL,
JOHN D. DINGELL,
J. J. PICKLE,
DANIEL J. RONAN,
BROCK ADAMS,
WILLIAM L. SPRINGER,
SAMUEL L. DEVINE,
GLENN CUNNINGHAM,
DAN KUYDENDALL,
Managers on the Part of the House.

RALPH YARBOROUGH,
WAYNE MORSE,
JENNINGS RANDOLPH,
CLAIBORNE PELL,
GAYLORD NELSON,
ROBERT KENNEDY,
HARRISON A. WILLIAMS,
JACOB JAVITS,
WINSTON PROUTY,
PAUL FANNIN,
ROBERT P. GRIFFIN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S.J. Res. 81) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees, report that the conferees have been unable to agree.

HARLEY O. STAGGERS,
SAMUEL N. FRIEDEL,
JOHN D. DINGELL,
J. J. PICKLE,
DANIEL J. RONAN,
BROCK ADAMS,
WILLIAM L. SPRINGER,
SAMUEL L. DEVINE,
GLENN CUNNINGHAM,
DAN KUYKENDALL,
Managers on the Part of the House.

The SPEAKER. The Chair lays before the House the Senate amendments to the House amendment to Senate Joint Resolution 81 which the Clerk will read.

The Clerk read as follows:

July 17, 1967.

Resolved, That the Senate agree to the amendment of the House of Representatives to the joint resolution (S.J. Res. 81) entitled "Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees", with amendments as follows:

On page 3, after line 7, of the House engrossed amendment, insert:

"SEC. 5. (a) If agreement has not been reached by the parties upon the expiration of the period specified in section 6, the determination of the Special Board shall take effect and shall continue in effect until the parties reach agreement or, if agreement is not reached, until such time, not to exceed two years from January 1, 1967, as the Board shall determine to be appropriate. The Board's determination shall have the same effect (including the preclusion of resort to either strike or lockout) as though arrived at by agreement of the parties under the Railway Labor Act (45 U.S.C. 151 et seq.).

"(b) In the event of disagreement as to the meaning of any part or all of a determination by the Special Board, or as to the terms of the detailed agreements or arrangements necessary to give effect thereto, any party may within the effective period of the determination apply to the Board for clarification of its determination, whereupon the Board shall reconvene and shall promplty issue a further determination with respect to the matters raised by any application for clarification. Such further determination may, in the discretion of the Board, be made with or without a further hearing.

"(c) The United States District Court for the District of Columbia shall have exclusive jurisdistion of all suits concerning the determination of the Special Board."

On page 3, line 8, of the House engrossed amendment, strike out "5." and insert: "6.".

On page 3, line 10, of the House engrossed amendment, after "hereby" insert: "reinstated and".

MOTION OFFERED BY MR. FRIEDEL

Mr. FRIEDEL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FRIEDEL moves to concur in the Senate amendments to the House amendment.

The SPEAKER. The gentleman from Maryland is recognized for 1 hour.

Mr. FRIEDEL. Mr. Speaker, I yield myself 5 minutes.

The SPEAKER. The gentleman is recognized for 5 minutes.

Mr. PEPPER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Maryland yield to the gentleman from Florida for the purpose of making a parliamentary inquiry?

Mr. FRIEDEL. Mr. Speaker, will the time required for making the parliamentary inquiry come out of our time?

The SPEAKER. It will.

Mr. FRIEDEL. I have already yielded all my time.

Mr. PEPPER. Mr. Speaker, I will ask my parliamentary inquiry on my own time.

The SPEAKER. The gentleman from Maryland is recognized.

Mr. FRIEDEL. Mr. Speaker, on June 15 when the House considered, and passed, House Joint Resolution 559 I stated before this body that I was voting for this measure reluctantly because I have always felt that labor disputes should be resolved by the process of free collective bargaining. I repeat that statement today.

When I managed this resolution I also stated that we have to face facts, and the fact is that in this dispute free collective bargaining has failed. The combined strike and lockout of the railroad shop craft unions has resulted in a tie-up of essential service which will have drastic effects throughout the country. We cannot permit this strike to continue because it will adversely affect our efforts in Vietnam by slowing down the delivery of materials required by 500,000 American servicemen.

A railroad strike also affects every person in this country. Three-quarters of a million rail commuters in New York, Chicago, and Philadelphia alone must try to find other means of getting to work. Shipments of perishable food to many cities has been stopped and actual food shortages will soon occur. The coal mining industry, with 140,000 workers, must stop operations and many other industries will soon have to close down. Thousands of workers who are not involved in this dispute will be laid off from work.

As one of the House conferees on this legislation, I offered an amendment providing that the first 30-day extension be devoted to intensive mediation efforts by a special five-man Presidential Panel, the next 30 days be used for public hearings and findings by the Panel, and the next 10 days to allow the two sides to consider the recommendations of the Board and advise Congress of their decision. This would have allowed Congress 20 days in which to pass legislation, if necessary, to avert a strike. My amendment was accepted by the House conferees but the Senate conferees would not accept this solution. Both sides might have accepted the findings of a Presidential Panel and we would not now be faced with the problem of voting for so-called compulsory arbitration.

Now that a national emergency exists, we have no choice but to do what is best for the welfare of the public and the economy. We simply cannot afford to let the present combined strike and lockout continue. I regret that labor and management have not been able to reach agreement through free collective bargaining. Now, I feel that we have no alternative but to pass this resolution in the best interest of all our citizens. Therefore, I am reluctantly supporting the Senate bill.

The SPEAKER. The gentleman has consumed 4 minutes.

Mr. FRIEDEL. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. ADAMS].

The SPEAKER. The gentleman from Washington is recognized.

Mr. ADAMS. Mr. Speaker, a parliamentary inquiry.

Mr. FRIEDEL. Mr. Speaker, I yield 5 minutes to the gentleman for the purpose of debate.

Mr. ADAMS. Mr. Speaker, may I inquire of the gentleman controlling the time whether I may also make a parliamentary inquiry?

The SPEAKER. The Chair will state that if the gentleman wants to make a parliamentary inquiry, it is within his time. A parliamentary inquiry will take up the time of the gentleman.

Mr. ADAMS. Mr. Speaker, I want to be sure the terms of debate are clear, so I make this parliamentary inquiry. Is it not true that the time of the debate will be 1 hour, and at the end of that period of time there will be no motion to close debate or no motion for the previous question that would open the bill for debate but instead the vote to allow amendment will occur on the motion to concur?

The second question is, if the motion to concur is voted down, then a proposal or a vote may occur upon either the original House version or an amended House version?

The SPEAKER. The Chair will state that at the end of conclusion of an hour or such period of debate within an hour, if a lesser time is taken, the previous question would be made and ordered. If the motion to concur is not accepted, then any germane amendment would be in order to the Senate amendment.

Mr. ADAMS. I thank the Speaker.

Gentleman and ladies, my colleagues, I do not propose to make any recrimination. I simply propose on behalf of the conferees to report very briefly what happened in the conference and to accept any questions any Members may have about it, and thereafter to resume my seat and to answer later any further inquiries.

I would state, first, the two body's versions were stated and then both were presented to the other side of the conference. The conferees both rejected the other body's proposal. Second, I would state that both proposals will stop the strike this afternoon. There will be no proposal offered by anybody—whether the first one is voted or the second one is voted—that would allow the strike to continue. Third, the proposal that is before us now is the original Senate proposal—in other words, it puts section 5 back into the bill. If it is voted upon, then we will have what has been termed compulsory arbitration.

The House version has never been presented to the Senate. The Senate vote today occurred upon the original Senate version, and it also occurred upon the so-called Javits amendment. I will briefly outline those.

The House version has never been accepted or rejected by the Senate. We could not in the parliamentary situation get it presented to them, because the conferees on the Senate side would never accept the House proposal.

The proposals are:

First. That there would be a 30-day hearing, a 30-day Board, and for 30 days Congress would have the right to put into effect whatever they wanted after the Board reported.

Second. 30-day hearings, 30-day Board, and 30 days thereafter in which either House could propose the legislation to go into effect, using the Reorganization Act proceedings, so there would be a special motion immediately coming before each body to be passed if the parties did not accept the Board determination.

Third. The next proposal was 30 days, 30 days, and during the last 30 days there would be the right of both Houses to veto the proposal of the Board.

Members will notice that in all of these proposals there is finality, but the finality does not occur at the point of the Board's determination. It would occur only after another action by Congress.

The next proposal was made by the gentleman from Maryland [Mr. FRIEDEL] which was to reduce the time to 20 days before the Board on hearings, 10 days for the parties to accept or reject, and 20 days thereafter for Congress to act. Following that, it was proposed there be 20 days for hearings, 10 days for acceptance or rejection by the parties, and 20 days in which Congress could pass a specific bill to put in effect the Board's determination by using the Reorganization Act proceedings.

I would point out the reorganization proceedings are those which provide any Member can move the matter as a matter of high privilege and it comes immediately before each body under rules of limited debate which provide for immediate action.

Many suggestions were proposed and presented by the House conferees. We made one after another after another.

The next proposal was that at the end of 30 days the Board would meet, there would be 30 days of Board hearings, and the Board would make a determination. At the end of the 90-day period the President would have the option, on the 91st day, if the parties had not accepted the Board's determination, either to put the Board's determination into effect, or to seize, or to do both or to do neither.

The SPEAKER. The time of the gentleman from Washington has expired.

Mr. FRIEDEL. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. ADAMS. The final proposal which was made was that at the end of 20 days of hearings, with 10 days to accept or reject, the two parties would have the right to accept arbitration that would be binding, but they would have to voluntarily accept arbitration.

The final proposal that was left on the table was 20 days of hearings, with 10 days to accept or reject, the right to also accept arbitration and then if none of these things occurred in the final 20 days, the Congress could put into effect the Board's determination, using the Reorganization Act proceedings.

The conference then broke up on a motion to disagree.

In the Senate today there was presented first a vote on the proposal of the two Houses having a veto of the Board's determination.

The next version presented was to reinstate the original Senate version, which is to put section 5 back into the bill.

That is what is now before the House. None of the House proposals that were made in the conference appeared before the Senate.

I have nothing further to say on these proposals. I hope I have explained them. I will do my best to answer any questions any Member may have. I hope, for the members of the conference, I have legitimately presented their position.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Does the gentleman now in the well share my feeling that we are approaching this matter today on a somewhat unusual basis?

I wonder, considering the fact that it was reported that no less than 25 votes were taken in the conference committee, why it was the conference committee or the House conferees never came back and reported that fact to the House, so that we would have an opportunity to vote on a motion to instruct the conferees. I make that point because I was in the other body today and I heard the point that was made that no rollcall was ever had in the House. Because we failed to stand up and be recorded on the House proposition it was felt that we did not mean what we said.

The SPEAKER. The time of the gentleman from Washington has expired.

Mr. ADAMS. I would answer the gentleman if I had time. I hope I will have an opportunity later.

Mr. FRIEDEL. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, I believe we are now at a point where a decision has to be made yes or no. I believe there are legitimate and powerful reasons for arriving at a decision, not a debate, but a decision.

Sixty percent of the rails were not in operation yesterday.

Eighty percent of the rails are not in operation today.

It is my understanding that by this time tomorrow 100 percent of the rails will not be in operation.

What is the effect? I tried to examine it for the largest city in my own district. I do not know whether other Members have done so or not.

I find that in 48 hours—there will be 8,000 people unemployed as a result, and by 96 hours there will be 16,000 people in my largest city, with barely 100,000 people. The 16,000, will include those in several counties surrounding, who happen to work in my largest city. This means that for all practical purposes a very substantial number of people in four out of 11 counties in my district will not be employed.

In another 72 hours this means that all things that are hauled by rail will stop. I doubt if there are many Members in this House who do not have substantial factories in their own districts which do not haul by rail. The result of it is that you are going to have proportionately, I think, the same number of people unemployed in the district which it is your honor to represent that I have in the district which it is my honor to represent.

Mr. Speaker, this is only one aspect of it. This is the economic aspect of it.

However, Mr. Speaker, let us go to the second factor and I believe, certainly, even more important than that is what will happen in Vietnam.

Mr. Speaker, the Secretary of the Department of Defense told us yesterday at the White House that there are 1,000 carloads of ammunition involved. He said not 1,000 carloads of all types of heavy equipment destined for Vietnam, but 1,000 carloads of ammunition going to Vietnam every day.

Mr. Speaker, this means that as of this moment there are or there will be this number of carloads of ammunition originating on the east coast, on the west coast or on the south coast destined for points in Vietnam or, whatever it may be, which are being delayed.

Now, Mr. Speaker, it is my opinion that we are in the situation where if this lapse of transportation continues for just one more day, it will mean 3,000 carloads of ammunition which will not be shipped and which will not be on the move to Vietnam.

Now, there is a second factor which I feel the Secretary of Defense raised at the White House conference yesterday, and that is the psychological factor.

Mr. Speaker, never before in the history of this country have there been men with such high morale as those Americans which we now have serving in Vietnam. Never before in any war has the morale been higher. And, based upon the independent reports that I can obtain from the Committee on Armed Services, I feel confident that this is true.

As the Secretary so ably put it, it is impossible to explain to a fighting man who is taking a chance of either being seriously wounded or of losing his life, that we back in these United States should be so irresponsible as to keep or prevent ammunition from reaching him.

Mr. Speaker, it is not only the fact that that 1,000 carloads of supplies is not going to reach him each day, but it is the fact of its psychological impact upon the individual soldier and upon the situation and upon all of our people in the fighting lines in Vietnam and their inability to understand what we are doing in this country and how we could allow this type of situation to arise.

Mr. Speaker, I would like to comment upon the congressional situation and our part in this crisis. I will admit that we were at this for 2 or 3 weeks and, sincerely, as I tried to explain it to this House when we were engaged in the debate upon this joint resolution before, the range of what we could do in a conference was extremely narrow. As you know, the real fight in the House of Representatives, as it was in the other body, was over the question of whether there was going to be finality, and whether at the end of the expiration of 90 days we were going to have a situation of finality. In the House, you chose not to take that route. In the conference—and there were many votes held upon this question—many of them were five to four on our side and many of them were six to five on the side of the other body.

Mr. Speaker, as my colleagues in the House will tell you, some of these were very close. But we simply were not able to bridge that gap upon the question as to whether or not we were going back to both Houses with finality or not with finality.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. DEVINE. Mr. Speaker, I ask unanimous consent that the time I have reserved with the chairman of the committee, the gentleman from Maryland [Mr. FRIEDEL], be granted to the gentleman from Illinois [Mr. SPRINGER].

The SPEAKER. Does the gentleman from Maryland yield the time to the gentleman from Illinois?

Mr. FRIEDEL. Mr. Speaker, I yield 5 additional minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, we simply could not bridge this gap between finality and nonfinality. And, because of this narrow range—and I have never been in a conference before where there could not be any give and take; where we could not take a small part of it and where the other body could not take a small part of it, and compromise the question and, finally, arrive at a solution that all of us thought would prove to be in the public interest. However, in this instance, it simply could not be done. I believe that some of us had this feeling when this joint resolution was pending originally before us some weeks ago, that we were going to come down to the question of whether or not we were going to put finality into the joint resolution.

Now, Mr. Speaker, let me go to the legislation which brought about this change. The President has assured us that he would appoint to this Commission people who would be fair to both parties.

That is about the only assurance I can give you that when the Commission does meet that it will be fair. I have confidence that the President is going to appoint that kind of a board. If he appoints one like the Fahy Panel or one like the Ginsburg Commission it will be a highly qualified group.

But in all events there will be 30 days for that Commission to hear evidence. They will then have 30 days in which to establish an award, and in the final 30 days the parties themselves may, if they so wish, either adopt the award, or they may negotiate to finality themselves, in which case it will not be necessary for this law to go into effect.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to our distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, the gentleman in the well is making an excellent presentation concerning the situation we are faced with. In other words, it is not a theory, it is not the fault of the conference committee—they worked hard. The situation was not precipitated by them or anybody in either branch of the Congress. The present situation that confronts us today is because the conference committee could not continue their deliberations.

Furthermore, the President of the United States has exhausted all of his authority under the law, and it now rests with the Congress of the United States whether or not we are going to have the strike continue with all of the disastrous results that will flow, not only to the people of our country but to the national interest of the people of our country.

Mr. Speaker, it seems to me that the responsibility of Congress calls for action today.

Mr. SPRINGER. I thank the Speaker for his words. I believe he has put it about as simply and as eloquently as anybody could.

Mr. Speaker, I am not in a position of having said "I told you so," and I certainly do not take that position here. I did have a feeling when this matter was before the House, as you know, less than 2 weeks ago, that very probably it would be back here. Certainly in the conference the conferees worked hard enough. I can say both the conferees on that side of the aisle, and the conferees on this side of the aisle, and the same in the Senate, worked as hard as anybody could, of course, with the limitation to the solutions that could have been presented. We had at least, I would say, eight or a dozen solutions offered, none of which could bridge this question of finality.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. FULTON of Pennsylvania. Mr. Speaker, I am opposed to the present legislation to enforce compulsory arbitration and Government control upon the U.S. railroads and their employees.

The House is acting on only one proposal, without possibility of change or amendment under this procedure. The six to eight major proposals of the House to the conference, as well as the Pepper amendment I voted for, and the House adopted overwhelmingly, with almost no opposition, have all been discarded and ignored. There is not even the suggestion of any substantial compromise between the positions of the House and the Senate.

I do not mind being ignored. But when the U.S. Senate refuses to yield on any point of any procedure and does not even bother to ignore us in the House, I think I have a real right to stand up and object.

Although I am the only Republican speaking on the House floor against this bill for compulsory arbitration in the railroad industry today, I hope and ask others to join on the final RECORD vote.

This is a historic moment for collective bargaining. Do not let them take away this hard-earned right of collective bargaining of the working people of the United States.

This present proposal places the Federal Government in the field of setting wages and conditions of work in a major basic U.S. industry. This completely destroys the process of collective bargaining. Furthermore this proposal changes wages without changing prices. This is poor economics.

If the U.S. Congress begins to write contract provisions in the basic U.S. railroad industry, the next step would be to impose contract conditions on both management and labor in the other basic industries. The next will require such action for the suppliers. Then Congress will have set the U.S. industrial system so far off that Congress will be making management decisions and controlling the entire market and every large industry as well.

I am from Pittsburgh, Pa., an area which is proud of its strong basic industry. Our industry certainly does not want the Federal Government running our plants, setting our employees' wages, making our decisions. We simply do not want our collective bargaining procedures to be destroyed, and the contract provisions and management to be given to us by bureaucrats in Washington, D.C.

The U.S. Congress must not stampede. Congress must not be stampeded in the pressures of the moment to begin the intrusion of the Federal Government into every contract, and every wage negotiation. Every basic U.S. industry can be considered essential to the health, defense, and well-being of our great Nation. If Congress does not show confidence in the collective bargaining process, Congress will have to face a future of "crises" when every basic industry brings its contract problems to the Federal Government to settle.

The railroad employees are striking to bring their wages and conditions of work up to the level already operating in the other basic industries. The demands are not extravagant beyond collective bargaining measures and Congress is certainly not the proper agency to handle collective bargaining procedures on behalf of the parties.

One hundred Members of the U.S. Senate and 435 Members of the House should not act as collective bargaining agents as this introduces politics and logrolling by outside political forces.

Should the postal workers and U.S. Government employees and the railroad workers be held back from progressing with other U.S. workers by such controls as the administration's 3.2 percent limit on pay raises, and by compulsory arbitration? My answer is a firm "No."

When Congress compels the railroad industry and railroad employees to negotiate under compulsory arbitration, Congress destroys meaningful collective bargaining procedures throughout the basic railroad industry. Mark my words, if Congress takes this action for compulsory arbitration now in the basic railroad industry and sets directly or indirectly contract provisions, there will be many more instances in the future when management or labor will prefer Government action rather than negotiations with each other. The Federal Government should set minimums, and set reasonable procedures of fair dealing in industry, labor, management and consumer affairs; but Government should not set the terms of the contracts and agreements by legislation which in effect destroys collective bargaining procedures.

U.S. industry will do better by managing its own affairs. The simple fact is the industry knows more about the particular industry, its operations and production than any Government bureaucrats do. When Congress imposes compulsory arbitration and sets the provisions of contracts in any industry, both management and collective bargaining are thereby set aside, and the employees are forced to work under contract provisions and conditions which neither they individually nor their unions' officers have voluntarily agreed to. What kind of new system for U.S. industry is this?

In times of national emergency, the U.S. Congress has imposed price and wage controls to prevent inflation and to protect the economy under conditions of scarcity. I am now opposed to the imposition of price and wage controls at this time in the Vietnam war. The U.S. Congress by imposing controls on one industry while permitting suppliers and all other U.S. industries to be free from such control is making a tragic mistake. Railroad management and railroad labor will regret the day that the U.S. Congress imposes compulsory arbitration which will retard progress, take away good management decision and judgment, and force railroad workers to work under conditions imposed upon them by Government edict and authority.

What will happen if the railroad workers won't work without a contract obtained through collective bargaining? What then?

My question is this: What are the economic differences between the parties in this railroad industrial collective bargaining dispute? Second. Did the House really get anything out of the conference committee? It appears to me the conference report is all just the amendments of the Senate and just one of the proposals of the President of the United States?

Mr. SPRINGER. If I understand the gentleman from Pennsylvania correctly, the best I can answer his question is that I think we gave full discussion to everything involved in connection with this, and I do not believe——

Mr. FULTON of Pennsylvania. It sounds to me as though the House gave up in its position completely to the Senate. Why does the House abdicate completely to the Senate instead of insisting on our position, or at least compromising the positions without imposing forced compulsory arbitration.

Mr. SPRINGER. I would say that we did not go into the economic things because that was not before us. The simple fact of the matter is that there were differences between the Senate bill and the House bill, and the attempt was to resolve the differences, and that was all that went on in the conference.

We could not discuss the question of hours, dollars and cents, and the items that involved the skilled work; those issues were not before us. The simple and only question before us was whether or not we were going to enact some form of this legislation, or whether we were not. It was just that simple.

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. Yes, I yield to the gentleman from West Virginia.

Mr. STAGGERS. I would like to mention to the gentleman from Pennsylvania that the situation now is that we must either take what the other body sent the House, or nothing.

I would like to say, as our Speaker said, and as the gentleman in the well, Mr. SPRINGER, has said that the whole conference was continuous and courteous, but there was no give.

Mr. SPRINGER. In answer to my distinguished chairman, there was no give on either side, may I say. This was not a case of the House having to accept what they did, there was not much give, may I say, in my opinion, on either side, because we just had this one question before us on finality.

All the amendments offered by the Senate and the House hinged around this one question of whether or not there was going to be finality. Some of them were dressed up in one fashion. Some of them were dressed up in another. But that is in essence what we were faced with: one thing, a final decision.

Mr. FRIEDEL. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Speaker, as your chairman of the House Committee on Armed Services, I report to you on the effect of this strike on your flesh and blood throughout the Far East and other places in the world. From the highest echelons of authority, I assure you that vital cargoes destined for your fighting men are now in the sprawling yards of this Nation standing still while ships waiting to carry these vital cargoes of military materiel and other vital things necessary for your fighting men are now lying idle at the docks of this country. Your ships cannot be filled and your railroads are not moving. Moreover, the wives of those fighting men on Saturday night had to get off trains all over the country because they were not moving.

Mr. Speaker, we cannot recriminate now. We cannot deprecate the actions of the great committees who represented us in conference. This is no day to cast stones. We are faced with a vital question. Debate is over—we must stop this strike now in the interest of our Nation's security and indeed maybe our Nation's survival.

We have heard from our President. He has promised to convene a Blue Ribbon Committee to mediate. Let us take him at his word.

Your responsibility and mine is clear. We must act now. We have no other alternative. This is not a question of your feeling or of mine. It is a question of your responsibility. The Nation is looking at you. The Nation is looking at me. We cannot avoid taking action any longer.

Mr. Speaker, we must act and the time is now.

Mr. FRIEDEL. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. KUYKENDALL].

Mr. KUYKENDALL. Mr. Speaker, I have been a Member of this body for 6½ months and I have spent slightly over half of the total period of time of my entire congressional career listening to this dispute.

The ranking minority Member, the gentleman from Illinois [Mr. SPRINGER] mentioned the area that we could not agree on. May I point out briefly for the Members of this body the areas in which we do agree.

The overwhelming testimony of the people who testified before the committee and the overwhelming agreement in committee and in conference has agreed on these things:

That there is a national emergency;

That there can be no strike;

That there should be some sort of legislation.

They agree that the parties themselves will never agree and they agree that there should be a Board appointed.

All parties in this conference agreed that the parties involved should have a period of time to determine whether or not they accept the decision of this Board.

The parties in this conference agreed that ultimately after deciding whether or not they should accept the decision of this Board, that the parties should in the end be forced to go back to work.

Gentlemen, what is the difference?

The difference here, gentlemen, is only whether we are going to make that very distasteful decision now or whether we are going to wait until mid-October to make that very distasteful decision.

That is the only area of disagreement.

Mr. Speaker, in early May when we first began hearing this case, I was determined to oppose final compulsion in this case, regardless of the circumstances. Since that time with great regret, I have changed my mind.

I place no blame on single parties. I place blame on both parties.

I declare no partisanship for either management or labor.

I have simply and regretfully determined that the interest of this country, and of all of its people, and our survival, come before the economic interests of either the ownership of the railroads or the people who work on the railroads.

Mr. Speaker, I shall vote accordingly.

Mr. FRIEDEL. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Speaker, I simply want to say I support action to support the amendments of the Senate.

We all know the arguments here. We have gone over them very thoroughly.

The House committee itself has recommended basically this action. But the House decided not to take that action, as you may recall.

The situation now is brought about because, as has been said, we are in an emergency. It has actually occurred. So the decision has now been shifted from the parties to the Nation. It is now incumbent upon the Congress to take the responsibility and make the decision that the national interest must come ahead of all other considerations. I urge concurrence in the amendments which the Senate has attached to the House amendment.

Mr. FRIEDEL. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. PEPPER].

The SPEAKER. The gentleman from Florida is recognized for 5 minutes.

Mr. PEPPER. Mr. Speaker, a parliamentary inquiry, if I may.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. PEPPER. If the motion to concur in the Senate amendments should be voted down, would then a motion to disagree to the Senate amendments be in order?

The SPEAKER. It could be, under the rules, any germane amendments. Did the gentleman ask specifically as to any amendment?

Mr. PEPPER. If a motion to disagree to the Senate amendments were made, in case the motion to agree to the Senate amendments were voted down, would it be in order?

The SPEAKER. It could be.

Mr. PEPPER. Mr. Speaker, it is very unfortunate that some of the labor unions have come now to working in collaboration with those who all along have been trying to force upon this Congress, particularly upon this House, the enactment of a compulsory arbitration statute.

Awhile ago the gentleman from Tennessee stated the question rather fairly, I believe. The question is not whether a strike is to be permitted, for the House bill, with section 5 out of it, provided that a strike would be prohibited for 90 days. All the Senate had to do was to concur in the House amendment and a strike by this legislation would have been prohibited for 90 days, during which time the Board provided for by this legislation would have been mediating for 30 days and holding public hearings for 30 days, and at the end of the 60th day, would have made its recommendations, which for an additional 30 days would have been before the President, before the parties, before the Congress, and before the country. Had the stubbornness of the Senate conferees not prevented, this Board in the last 30 days could have been mediating instead of nothing being done.

So we are not here to perpetuate a strike. I am willing to stay here all this night. But if we accept the Senate amendments, which provide nothing but sending us back section 5, which we conscientiously struck out, we shall have established an ad hoc procedure of compulsory arbitration which will haunt this Congress the rest of the years ahead of us.

The other day the able gentleman from Illinois [Mr. ANDERSON] said that he wanted to know when the administration was going to send a bill down here providing for a permanent method of settling these controversies. I will say to the able gentleman that one will not be sent down. There will be no need to send one, because with the establishment of this legislation, by the enactment of this legislation, we will in two instances have provided an ad hoc compulsory arbitration settlement of railroad disputes, and hereafter, when any matter affecting the public interests, whether it be in transportation, steel, or anything else, arises and it cannot be settled under the procedures of the Railway Labor Act or the Taft-Hartley Act, and the executive department cannot settle it satisfactorily, it will come down here and we will again be faced with exactly the painful alternative that we face here this evening of either countenancing a strike before the country or voting for compulsory arbitration.

This is it, Mr. Speaker. I think we ought not to take this step unless it is inevitably in the public interest that we do it, and it is not if we can convince the other body that we mean what we say when we do not now want to accept that painful alternative, at least without one more try. That is all we have asked.

The Senator has never given us the courtesy of a vote. I heard the chairman of the conference committee on the other side plead with the Senator from Oregon:

> Let us vote on the House amendment. Let us vote on my motion to concur in the House amendment.

He refused and offered his own amendment to send us back section 5, as if we had never voted upon it.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Speaker, the point is this—and the gentleman is so right: The President said 18 months ago that he would send us a bill, not on specific things, but on general things. Then when this came up, the promise was renewed again, and the President said he would send us that general bill. We in this House backed him completely. I said to the gentleman from Illinois, "What did we in the House get out of this?" We were trampled on and we were being ignored.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, the gentleman now in the well is saying this: If we had a record vote in this Chamber today against the motion to concur in the action taken by the Senate, that the House conferees, thus equipped with that, then could go back and assure the Senate, the other body, that what we did on the 15th of June we meant.

Mr. PEPPER. It would not go to the conferees, it would go right back to the other body. All they would have to do would be to recede from their amendment and concur in our amendment, and the bill could be in the White House in 15 minutes.

Mr. FRIEDEL. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, twice in the last 3 months the Congress has responded to the President's request for a postponement of the threatened railroad strike. We have given the parties a chance to adjust their differences at the bargaining table.

Regrettably, these postponements have not proved fruitful. And now this Nation is in the midst of a railroad strike that will have a devastating effect on its economy, its health, and its military security.

I am most concerned, Mr. Speaker, with the serious consequences of an interruption of rail service on our defense production and on our military activities in Southeast Asia. I need remind no Member of the magnitude of our present defense needs.

The railroad strike threatens to disrupt our defense efforts from the ports where supplies are loaded for our soldiers in Vietnam to the small plant which makes a small but vital component of a strategic missile. This is intolerable and must not occur.

Forty percent of the total freight shipped by the Department of Defense is moved by the Nation's railroads. This week alone 900 carloads of ammunition for Vietnam are scheduled to arrive at dockside for shipment overseas. Every day about 625 carloads of defense products are moved on the Nation's railroads.

It is not a question, Mr. Speaker, of providing alternate means of transportation, for there are many defense products that can be shipped only by rail. Shipments of essential raw materials, such as sulfuric acid, a basic ingredient for ammunition, and heavy military equipment, such as tanks and armored personnel carriers used in Vietnam, depend entirely on rail transportation.

The availability of countless additional products essential for our national security depends upon uninterrupted rail service. The impact of a railroad strike on defense production will be drastic because the need for military equipment and supplies reaches all sectors of the economy. We cannot permit this strike to continue.

I vividly remember the stirring address by the commander of our forces in Vietnam, General Westmoreland, and his expression of gratitude to the Congress for, in his words, "the unprecedented material support" which the Congress has provided. I don't think the Congress wants to end that support today. We have a responsibility to General Westmoreland and his valiant men in Vietnam to continue this support by restoring full and uninterrupted rail service.

Mr. FRIEDEL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Speaker, 30 days ago many well-intentioned Members of this House wanted to and voted to postpone the day of reckoning, hoping that some fairy would come along and help us or that the parties would agree. That situation has changed. We have a strike on our hands now, and, as the President said, it is a matter of grim reality and we have to do something about it.

I want to say that your conferees—and I was one of them—worked as hard and worked as regularly and worked as consistently as we could. There were 21 rollcall votes on one amendment or the other. The Senate had about eight. But it is not a matter of just balancing one against the other, although often one motion was made and the other side voted it up or down. Some of the motions had great substance, and some of them, perhaps, were not that involved. Some of them did not have any finality—and, of course, the Members can see why there would not be agreement.

Some of them had seizure, and obviously that would be the subject of a point of order, because it was beyond the points of disagreement between the two Houses.

It is not unfair, and it is somewhat unseemly, for some one Member to say the House has been trampled on. The House stood for its position and the Senate stood for its position. There was just as much give and take on both sides—there was as much on one side as on the other.

To say we could come running back and tell the House that we could not agree, and let the House vote, just does not measure up to the reality of the situation.

Nobody had much doubt about what was going on. If he wanted to know, he could have asked and found out, and that was no big problem. But it does no good to make an accusation about who is at fault. It is not a matter whether one is for or against labor or for or against management.

I cannot really answer why we have a strike today. I have my personal opinion, but we have kept personalities out of it. I believe it is best to keep it that way. Each of us, though, is entitled to his own opinion.

I do say, though, that the issue before us now is one which affects the American public.

It is a matter of the public interest that we do something about this railroad strike.

I would say in conclusion, this is not something we are all jumping up and down and clicking our heels about in joy, because we regret we are faced with it. There are no happy warriors here today, Mr. Speaker.

There really is no one to whom we can point our finger, to blame one person or to criticize. The matter simply is that the parties will not agree. For over a year they have not agreed.

We can engage in wishful thinking, but when the parties will not agree, and we have given them every opportunity in the world, somebody has to make a decision when it affects the national interest. That is the situation facing us today.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. FRIEDEL. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. PICKLE. Mr. Speaker, I hope the House will concur in this matter. We must remember that it was the Senate bill which was considered in the conference. It went back to the Senate. This is just the vehicle. It is about the only way we can get to a vote. I hope the House will concur.

Let us be done with this, and meet our responsibility.

The most important thing is that we look to the future. We have reached the point in our history that we cannot have a strike in national transportation, in those matters which affect the rails and the trains. We must find some other answer, other than our present laws, in dealing with these work stoppages.

I say this is the only way we have to protect and preserve collective bargaining. I am just as sincere as I can be in saying we do need to have other permanent legislation.

Many of the people who have been saying, "Why have we not considered permanent legislation?" and who, have been very, very timid in advocating any position, I hope will have time and will join us in finding some kind of a course to correct our laws, to help us preserve and protect collective bargaining.

Mr. FRIEDEL. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. Dent].

Mr. DENT. Mr. Speaker, it appears to me that not only do the railroads and the laborers get into stubborn positions, but also, from what I hear today, we need some compulsory arbitration between the House and the Senate.

The Senate takes a position and stands pat. The House takes a position and stands pat. Yet we are asked to vote on one position, and that is the Senate position.

Two questions I ask all Members at this point.

Can any Member at this point say which industry in the United States today, in the great economic complex of production, would not be a national emergency? Are we not indeed voting for compulsory arbitration for the automobile workers within 30 days or 60 days, and for the rubber workers unless they go back at the end of the week, and for the steel workers if they should call a strike?

If we do that, it should be done in good conscience and not under the guise that this is only for transportation.

Again, if they do not go to work, who will make them go to work?

Mr. FRIEDEL. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Speaker, I believe we should recognize that we are not dealing only with a strike. We are dealing as well with a series of lockouts.

The issue here is not caused by one side but by two, and yet the remedy proposed by the other body would apply pressure only to one side.

As to those who try to bring into this very discomforting issue the question of the defense of this Nation, let me point out that the men and women who work in the railroad industry have sons and brothers and fathers in the war just as much as any other group in this Nation, and they have committed themselves to move any essential cargo.

They were available for conferences with the Secretary of Transportation and the Secretary of Defense and the Secretary of Commerce and the Secretary of Labor, and those conferences were not held in any meaningful sense of the word. There was no effort made to define the type of cargo which should continue to move regardless of a strike or lockout condition which might prevail.

So to place upon these people who have not been permitted to have collective bargaining work since 1924 the onus of blocking the war effort of this Nation is a grossly unfair act.

We have here the same principle we had when we last debated the issue. If the House was right then—and I believe it was—we should reject the motion to concur in the Senate amendment and send the matter back to the other body and let them know that at least somewhere there is a middle ground and that we do not intend to permit them to dictate our last course of action.

Mr. FRIEDEL. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. Dingell].

Mr. DINGELL. Mr. Speaker, we are told that the question here is one of finality or lack of finality.

Let me begin by pointing out to my colleagues two actions on the part of the other body which we are asked to swallow today, whole, without chewing but which do not provide for finality.

Mr. Speaker, in 1963 we started out on a similar problem and proposal. We were told that it would solve the issue. The answer is that the issue has not been solved, and we can expect that this issue is going to be shortly placed back before us and the issue supposedly solved by that legislation, will be before this Congress again.

Mr. Speaker, let me tell you that in 2 years the issue under the Senate bill—the question of pay—will be placed back before this Congress and that there will be no finality. This is due primarily to the activities and the position taken by one of the conferees of the other body.

Mr. Speaker, your conferees met on June 26, 27, May 11, 12, 13, and 17 and we have had some differing reports as to the number of rollcalls which were had during those conferences. However, the clerk of the managers on the part of the House called the roll no less than 15 times and I counted at least eight different proposals which were offered by your conferees on behalf of the House in an effort to try to achieve a meeting of the minds and a compromise between the two bodies. I will tell you, however, that the conferees on the part of the other body never budged from the Senate version but instead offered to us only nonsensical and pusillanimous language such as is contained in the proposal of the other body.

Mr. Speaker, I want this body to know that your conferees went to the Senate and we sought to achieve a compromise of the issue between the two bodies. We offered to accept the so-called finality of the Senate, by agreement of the conferees on the part of the House and, therefore, Members on both sides of the aisle joined together, if we could only have some other language adopted which would afford us an option for the President to exercise fair and evenhanded pressure against both parties to this dispute.

Now, Mr. Speaker, let me make it very clear as to the position of and the efforts made on the part of one of the managers on the part of the other body—and I think he had the managers on the part of the other body pretty well terrorized—with reference to achieving the heading off of the strike. However, the gentleman's plan was to achieve something far different.

Mr. Speaker, your conferees on the part of the House had not sat at the table for more than 15 minutes before an amendment had been placed upon the table to the effect that the two bodies were in irreconcilable dispute and that the conferees should report this fact to their respective bodies.

Mr. Speaker, your conferees on both sides of the aisle worked together to achieve some understanding and some meaningful dialog with the other body. I regret to report to the Members of the House that all we achieved was bullheadedness on the part of the other body.

Now, let me go further. Now let me tell you that the question here is not a strike or the acceptance of the Senate bill.

Whether a strike now goes on—and I am as critical as any Member of this body over the unwisdom and foolishness and arbitrariness and capriciousness of those who have brought about this work stoppage at this time—and I would point out that I have warned labor of the dangerous possibilities that they would set loose through a proposition of this kind—but the question here is between further discussion between the House and the Senate, between upholding the decision of these conferees of the House of Representatives—who have voted by a very heavy vote to achieve the position which we are now asked to disgracefully retreat from.

Let me make it very clear to you, the Senate and the administration have placed this body and your conferees—and you, my good friends and colleagues—in an awkward position of having to swallow whole compulsory arbitration, or to continue a strike.

But I say this is not it. We can reject the motion to concur in the language of the Senate, and we can go back to conference, or we can offer language of our own, or we can offer the so-called Pepper amendment. And we will not be voting to place this country in jeopardy for lack of supplies and ammunition necessary to go to Vietnam, and we will not be voting for a cessation of the movement of essential goods, transportation, and supplies for the people of this country, we will be voting, rather, for a continuance of the discussions between this body to head off what is very clearly the most dangerous economic precedent that this body could assume.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. I thank the gentleman for yielding.

The gentleman is certainly right. We will be voting to uphold the hands of our conferees in the conference. And let me tell you one other thing, and that is——

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. FRIEDEL. Mr. Speaker, I yield 1 additional minute to the gentleman from Michigan.

Mr. DINGELL. I thank my friend from Maryland for yielding me the additional time, and I yield to my friend from Pennsylvania.

Mr. FULTON of Pennsylvania. The point is this: If the Members will notice the time when this expires, it is January 1, 1969, and that is just 90 days after the 1968 elections. So if there was anything political that I ever saw, it is certainly this, because it is just to put this off beyond the 1968 elections.

Mr. DINGELL. Mr. Speaker, I would simply like to add this, that I believe I should tell the Members of the body that as a conferee that the House conferees offered to accept almost in its entirety the position of the Senate, because we thought if it was agreed to we would have the support of the Senate, but something I am afraid to say to my good friends here happened as a result, this compromise that would have headed off the situation we find before us today was rejected by an overwhelming vote by the Senate conferees.

And let me just say this, and repeat this to you: that the question is not a strike, or the Senate version, the question is a compromise of the Senate version or some other version. I say let us vote to uphold the dignity of the House of Representatives.

Mr. FRIEDEL. Mr. Speaker, I yield 5 minutes to the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Speaker, the President has reaffirmed in his communication to the House his strong support for the legislation which faces us today. The other body, by a vote of 69 to 20 a few hours ago, reaffirmed its position in favor oi this legislation.

Mr. Speaker, I happen to believe that the time for action in this body is now.

Mr. Speaker, this bill may not be perfect, and I would be the first to concede that it is not. But we have gone through a long legislative process, and I do not believe any new or further action on our part today will improve the legislation that is so essential to avert the crisis that this country faces right now.

Mr. Speaker, there is an old saying that Nero fiddled while Rome burned. I would hate to have the House of Representatives fiddle while the country burned.

Mr. Speaker, I never thought when I came to the Congress 18½ years ago that I would ever in any circumstance, or under any situation, vote for some form of Government interference in a process of free collective bargaining.

I have said repeatedly in communications with my constituents and others, by word of mouth or by letter, that I thought this was a principle that had to be upheld under any circumstances. I inwardly feel that that principle is right today.

But I think we are faced with two competing principles—first—the principle of free collective bargaining—and the need to maintain it to a maximum degree and to obviate interference as much as we can on the part of the Government. But on the other hand, Mr. Speaker, I think there is another principle that is of a higher order—the necessity of a free government and its free people to protect itself at home and abroad.

When I put these two principles on the scale, I am convinced beyond any doubt whatsoever that we had better vote for this legislation today.

The gentleman from Florida, if I recall correctly, said that those who vote for this bill today will have it come back and haunt them. I respectfully say that those who vote against this legislation may well have their vote come back to haunt them if this strike goes on.

Let me give you one illustration to supplement what my friend, the gentleman from Illinois, the ranking minority Member, said a few minutes ago as to the need to maintain rail transportation.

Yesterday the Secretary of Defense at the White House conference called by the President said that there is a newly developed, highly classified weapon that is vitally important to our troops today in Vietnam. We have a limited supply on hand for the use of our fighting men in South Vietnam and unless we keep the rails moving, that particular item that is so essential to the protection of our national interest in Southeast Asia will not arrive in sufficient numbers when needed. Every day that we delay means that the strike goes on. Mr. Speaker, I think we had better move and move fast. The clock is moving. Time is of the essence.

Mr. Speaker, as I understand it, there are 500,000-plus railroad employees involved in this overall wage issue. An overwhelming majority of the unions have reached a negotiated settlement with management. Approximately 40,000, led by one man, have not settled and that disagreement precipitated the crisis we are faced with at this time.

Now, Mr. Speaker, I do not think our country should be so affected by one man or even a group of men. I think each and every one of us had better face up to what I think is the overriding public interest, and pass this legislation—and tell a limited few—or a handful of men—or one man—that the President, the Congress, and the people demand that the national interest transcends the right of any individual or group in our society. The vote should be, must be "Aye."

Mr. FRIEDEL. Mr. Speaker, I yield 5 minutes to the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, first of all, may I compliment the distinguished minority leader upon his very strong argument and assure the House that I desire to associate myself with the views he has expressed in every particular.

Mr. Speaker, I do not want to proceed, however, without saying first that I think the House conferees have done an excellent job. I do not think anybody could have worked harder than the gentleman from West Virginia, Mr. HARLEY STAGGERS, has worked. He has tried, and he tried right up to the midnight hour, to get this matter resolved.

Every member of the conference committee on the House side—every member—tried again and again to bring back to the House something which would be acceptable to the House. Vote after vote was taken, if I have been properly advised.

Nor do I think the distinguished gentleman from Maryland, a beloved Member of this body [Mr. FRIEDEL], who has called this matter up and asks that we concur in the Senate amendments, needs to take a second place to anyone in his devotion to the cause of organized labor.

His labor record is an open book. It is a record of devotion to the rights of the workingman.

Mr. Speaker, what we face today is not a theory. We face a factual situation. Every hour that we delay is an hour that is costly to the people of the United States. Every hour that we delay is costly to those who are representing us in the fields of Vietnam. We are up against a situation. The Senate has acted twice on this matter and it has acted both times emphatically. How could we justify ourselves in sending back to the Senate something that the Senate has voted on twice, and twice has emphatically passed? Yet this is not the Senate's proposal. The proposal before us is the proposal of the President of the United States, and it is the proposal that was reported to the House, if

I remember correctly, by the Committee on Interstate and Foreign Commerce when the issue was before us just a few weeks ago.

The time for debate is over. The time for action is at hand. We are today experiencing a nationwide railroad strike. The trains are idle. Military equipment is not moving. Perishable goods lie in the railyards. Passengers are stranded. Hundreds of thousands of American men and women were unable to get to work this morning.

Will the House take the responsibility for continuing a situation of this kind?

It seems to me that it was put as strongly and as correctly as it could be put when the distinguished minority leader said in effect, "This is not the time for talk. This is the time for action." And action, it seems, is required under the circumstances which confront the Congress and confront it now. We must act promptly. The clock is ticking. The hour is late. Vital interests of our country are at stake, and the interests of our country are most important considerations of the Congress of the United States. They are more important than all the other considerations which have been brought to the attention of this body today. Public duty must be our watchword. In the public interest we must act.

I ask that the motion of the distinguished gentleman from Maryland be agreed to.

Mr. FRIEDEL. Mr. Speaker, how much time do I have remaining?

The SPEAKER. The gentleman has 4 minutes remaining.

Mr. FRIEDEL. I yield 4 minutes to my distinguished chairman of the Committee on Interstate and Foreign Commerce.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I am happy to yield to the gentleman from Washington.

Mr. ADAMS. I would ask the chairman of the Committee on Interstate and Foreign Commerce, the chairman of the conferees, if the Senate had or would accept the House version, there would be no strike as of this afternoon. Is that not correct?

Mr. STAGGERS. That is correct.

Mr. ADAMS. And if the Senate would accept the House version of the joint resolution, after the Board had made a determination and the House and the Senate were given the right to vote that determination into effect, it would be a finality and there would be no strike—and we still would not have compulsory arbitration. Is that not correct?

Mr. STAGGERS. That is correct.

Mr. ADAMS. I thank the gentleman for yielding.

Mr. STAGGERS. Mr. Speaker, I am going to speak very briefly, because we have heard the issues from all sides.

Compulsory labor is foreign to America. However, it is known in many other lands. Free labor has built America into the great and mighty nation it is today, from the days of Plymouth Rock, to the present.

I cannot vote for this legislation, and, as I have said many times, this is a road America should never take; once we take it there is no turning back. This is a final venture we are going on.

I believe that if it is turned down—and we could pass an amendment and get it back to the Senate—we do not have to go home for a while yet tonight—we could see if they would take an amendment; one that would have some finality in it, and I do not think that would take long.

Under the circumstances, I must vote against this legislation in its present form.

Mr. OTTINGER. Mr. Speaker, there is no question in my mind that the strike against our Nation's major railroads must be ended. Our economic strength, the necessity of supporting our troops in Vietnam, and the jobs of thousands of people not involved in this labor-management dispute make an end to the strike mandatory.

However, I cannot in good conscience, support the legislation before this House today, and I am voting against it as a protest against its destructiveness of collective bargaining and its one-sidedness. I am protesting the repeated demand that Congress act under 11th-hour pressure and the failure of the administration to propose a permanent solution to the threat of strikes that could cripple this Nation.

I deplore the administration's substitution of compulsory arbitration for collective bargaining in the bill now before us. I fear that it may well set a precedent for replacing collective bargaining with compulsory arbitration in future disputes. In my view, evenhanded pressure on both labor and management would be more equitable and just as effective. I have introduced legislation authorizing receivership as a last resort to reach settlement in disputes where the health and safety of a substantial part of the population is threatened—first in cosponsorship last year with Senator JAVITS of New York, and again this year as an amendment to House Joint Resolution 559.

I am hopeful that this latest crisis will convince the Congress that it must enact legislation to protect the public interest and to avoid the necessity of last-minute action to avert a crisis.

Mr. HOLLAND. Mr. Speaker, I cannot vote for this bill. I cannot look forward to a railroad strike, with everything it implies, without deep concern. But I cannot justify to my conscience a bill which, with the best will in the world, comes to the point of decision by stating to the railroad workers, in effect:

> What you give to the railroads—your labor—is their due. What you get in return is negotiable.

And this, Mr. Speaker, is the sum and substance of the bill before us. The railroad strike is a serious matter, and there can be no blinking at that fact. I would wish that the railroad workers and the railroad management had been able to settle their differences amicably and through the normal channels of collective bargaining. But they have not, and the hard question before us is whether or not we are going to take away from an important body of American working men the right to withhold their labor in a concerted fashion because the return they are offered for that labor is not adequate.

The alternative, Mr. Speaker, is a clear one. If the continued operation of the railroads is so essential to the Nation that the working man must, in effect, be told that he has no choice except to work for whatever management will agree to pay, then management ought to be told, in effect, that they must pay what the worker needs. If the working man must sacrifice in the national interest, then so must management. If the right to strike is to be lost, if what amounts to compulsory arbitration is to apply to the railroads, then there is no reason why the railroads themselves should not be seized, at least until labor and management can freely settle their differences.

We are told that there are constitutional barriers to seizure of the railroads. If that is the case, if the railroad's property rights are constitutionally protected against seizure by the United States, then I submit that the worker's right to strike is also constitutionally protected. What, after all, is a strike, except an exercise of the right to refuse "involuntary servitude", which is specifically forbidden by the 13th amendment?

I am not, Mr. Speaker, arguing the rights and wrongs of the labor disputes at question. There are, I am sure, honest differences of opinion as to that. But I am arguing that the right to strike ought not to be subjected to legal limitations, unless the right of management to its profits and, yes to its very income, are also limited for the same period.

I would rather not see either right limited. I am no enthusiastic fan of public ownership. I suggest it only because it seems to me that throughout this controversy the fundamental argument seems to assume that the only question is whether or not the workers are going to work. The question of whether or not the owners are going to bargain in good faith—the responsibility of the railroads themselves to the national interest—these things seem to be assumed to be unnegotiable.

"What's mine is mine—what's yours is negotiable." President Kennedy once pointed out that that is no slogan under which diplomatic negotiations can be carried on. It is also no slogan under which free collective bargaining can be carried out.

Mr. ASHBROOK. Mr. Speaker, this is a most unfortunate day in the history of the House of Representatives. I have never been more certain of anything than that we will live to regret this day when we forced compulsory arbitration on American citizens and thereby made them second-class citizens. Even accepting much of the oratorical rhetoric which we have heard here today, there is no clear and present need for such catastrophic action.

I for one am getting a little tired of this legislation, by, crisis approach which finds us in the position of literally being forced to enact a measure which is wrong. Eighteen months ago the President in his state of the Union message promised to send to the Congress a comprehensive labor proposal to deal with strikes. We have never received it. He has reneged on his promise and now this crisis, due to the misfeasance of the Congress and the malfeasance of the President, supposedly make it necessary to throw the collective bargaining process out the window, I do not agree with this. If the President does not deliver on his promise we still have the clear duty as the legislative branch to do what needs to be done. We have failed, too.

That this legislation is politically motivated can be seen in the cutoff date which is safely set at some 60 days after the 1968 election. In politics, I am afraid, the tendency seems to be to take yourself off of the hook and put someone else on. President Johnson is doing just this and if we vote for this legislation we are, in effect, doing the same thing.

I voted against the first attempt at this compulsory arbitration proposal and I will continue to vote against it. No American worker or businessman should have a Government gun at his head. It is possible to point to an emergency situation in the rail strike but a greater emergency should be sounded by the action the Congress is taking here today.

I have heard it said time and time again that this bad legislation must be enacted to support our boys in Vietnam. No one is more interested than I in supporting our soldiers but possibly we should treat as equally important the preservation of the type of system they are fighting for. I am also concerned about what type of America they will be coming home to. This legislation will help make our Nation something it has never been before and should never be. It should be defeated.

Mr. BATES. Mr. Speaker, I rise in support of this legislation designed to avert a lengthy railroad strike which could disastrously affect our fighting men in Vietnam.

There are times when we in this House can justify quiet deliberation and leisurely debate, but this is not one of those times. One day of a nationwide railroad strike is already 1 day too much when we are waging a war.

At this very minute there are railway cars standing idle on the sidings, loaded with tanks, missiles, and tons of ammunition. At this very minute there are 10 ships lying in U.S. ports waiting to be loaded with some of those supplies for our forces in Vietnam.

None of us wishes to deny labor its right to bargain freely, but neither can we afford to bargain with the security of this Nation. That is the issue we here and now face.

I am sure that we are all aware of what this strike, if continued, can do to American industry and our whole economy. But apart from that immensely important consideration, there is the simple fact that we are denying our men the support they require to defend themselves in combat.

This denial cannot be permitted to handicap those who are risking their lives for the cause of freedom and justice in the world. It is in the interest of all Americans that rail transportation be restored without delay and that some other course be found to resolve the grievances of the railway employees. Mr. Speaker, we must immediately enact this legislation to prevent an irreparable catastrophe both here at home and abroad.

Mr. BENNETT. Mr. Speaker, the national railroad strike is here upon us and in view of the war situation we must vote for this legislation to prevent the strike. There is no alternative.

I would like to describe to you the destructive impact that a rail strike could have on our national defense efforts. Our national rail transportation system is vital to support our current efforts in Southeast Asia and to meet our military commitments worldwide.

Over 40 percent of the freight shipped by the Department of Defense, exclusive of those petroleum products transported by pipeline, is moved on our Nation's railroads. During the first 9 months of fiscal year 1967, Defense rail shipments totaled 5.4 million tons. This amounts to 20,000 tons, or approximately 625 carloads, every day. Without rail transport our ability to keep stocks of ammunition and other essential support moving to our troops in Southeast Asia will be seriously impaired. During the next 2 weeks, over 3,000 railcars will be needed to transport ammunition, weapons, tactical vehicles, rations, and other combat supplies for Vietnam.

When General Westmoreland appeared before Congress he said:

> Our President and the representatives of the people of the United States, the Congress, have seen to it that our troops in the field have been well supplied and equipped. When a field commander does not have to look over his shoulder to see whether he is being supported, he can concentrate on the battlefield with much greater assurance of success. I speak for my troops, when I say we are thankful for this unprecedented material support.

We must not permit a railroad strike to jeopardize the logistic support so necessary for our military forces in Southeast Asia. In the light of the current world situation and with new and dangerous unknowns created by the Near East crisis, I believe it is unthinkable that a strike should be permitted to occur in an industry which constitutes one of the basic elements supporting our military posture.

Secretary McNamara has stated that the stoppage of rail service in this country had an immediate impact on our combat operations in Southeast Asia.

I do not personally see how, at a time when our defense needs are greater than they have been at any time since World War II, we can accept anything less than the immediate return of full and uninterrupted operation of the Nation's railroads.

In conclusion, the consequences of a continued shutdown of our national rail transportation facilities would be such that it cannot be permitted to occur. This is true not only because of the serious threat such a shutdown poses to our national defense effort but also because of the great harm which it will do to our economic stability. I therefore strongly urge action by the Congress—and action now.

Mr. HOSMER. Mr. Speaker, the dire warnings by our defense experts of the disastrous effects of a railroad strike have now come true. This serious situation demands immediate action by the Congress.

At this very moment, 10 cargo ships are at berth in the United States awaiting ammunition shipments for Vietnam. Fifteen hundred railroad cars of ammunition are needed to fill these ships. Are they to remain empty at their berths because Congress refuses to act?

Thirty-nine tanks and armored personnel carriers will be stranded on the lines of the Southern Railway today. Will our troops in Vietnam be forced to wait for this essential equipment because Congress refuses to act?

Defense plants all over the country need a steady supply of raw materials to continue full production of vital supplies and equipment. Are the production and assembly lines to be slowed and eventually stopped because Congress refuses to act?

What answers will the Congress give to our fighting men in Vietnam and to the American people?

I say the answers must be "No."

I urge the Congress to act today to restore the full and uninterrupted rail service that is the keystone of our defense effort.

Mr. JARMAN. Mr. Speaker, America is caught in the throes of one of the gravest labor situations in the post-World War II period—a railroad strike that is debilitating the entire country.

The Nation's railroads are not operating in the first countrywide rail shutdown since the 2-day strike in 1946. Every American stands to lose heavily in this strike.

The shutdown—the result of a breakdown in collective bargaining—will have especially distressing effects on the members of the Armed Forces who are making such great sacrifices in Vietnam.

Already, the strike is hindering the transport of arms and other strategic supplies to the nearly half a million gallant American troops fighting for freedom on foreign soil.

To turn our backs on these servicemen by allowing this railroad strike to last an hour longer would be unforgivable. Any futher delay in the transport of these materials could be disastrous for them.

At home, the paralysis—should it last long—will lead to a health and food crisis, an economic slowdown we cannot tolerate, the loss of many jobs and other devastating effects.

The situation clearly calls for immediate and effective congressional action.

What we need to get the country rolling again is a means of complete collective bargaining, not to replace it. We need legislation that considers the overriding public interest.

For the sake of all Americans, especially those fighting in the dense jungles of Vietnam, I urge immediate passage of effective legislation to end this dispute.

Mr. STRATTON. Mr. Speaker, I intend to support the motion to concur in the Senate amendments of this bill. I was, in fact, prepared to support the original Senate bill when it was first before us a month ago. This is not an easy vote to cast now, and it would not have been an easy vote to cast before. But the action the House took previously did not solve the problem, it merely postponed it. And now that we are in the midst of a nationwide rail strike it is perfectly clear we cannot tolerate such a shutdown while men are fighting and dying in Vietnam.

It has been said that this bill is compulsory arbitration. I do not quite agree with that designation. What this bill does is to postpone this strike for 2 years, with the provision for some temporary pay increases for railroad employees in the interim. Surely this is better than delaying the strike with no pay increases at all. And in the meantime there is the opportunity at any time during this 2-year period for the two parties to the dispute to come together and agree through normal collective bargaining.

But, in the meantime, our troops will get the ammunition and supplies they need, and the vital secret weapons; secret weapons of which I, as a member of the House Armed Services Committee, have been kept informed, will also continue to be delivered to our troops. Under the circumstances, I could not, as a Member of this House, discharge my solemn responsibilities by voting in any other way.

Mr. ANDERSON of Illinois. Mr. Speaker, we are allegedly a sobered and chastened lot now that the country is feeling the first effects of the rail strike.

From this we are supposed to draw the inference, I suppose, that we acted irresponsibly in the first instance in rejecting compulsory arbitration.

I categorically reject that aspersion on our action.

If the battle to preserve collective bargaining as an indispensable element of industrial democracy is lost—if it is replaced by Executive order or fiat—history will at least record the fact that some fought to preserve it even in the face of the incalculable folly of some within the ranks of labor who have precipitated this crisis. When the House met last on this matter on June 14, the wire services reported a furious round of activity at the White House—complete with a special Cabinet meeting.

Apparently yesterday we saw a repeat performance—and this time it was congressional leaders who were brought in and told that the original administration bill providing for compulsory aribtration must be passed today.

And we are even now hearing a repetition of what we heard a month ago—that in the first full day of the rail strike, the war effort is being threatened. If that is the case this Congress ought to proceed right now to pass a war labor disputes act and set up a war labor board as we did in 1943. After all, the wires also tell us that Colt Manufacturing Co., sole producer of the M–16, is locked in a strike. If we need compulsory arbitration in the rail strike, we perhaps need to apply the same remedy to that strike. And while are are on the subject of the import of the rail strike on national defense and the war effort—did the Government do as industry does—did it prepare? Did it stockpile ammunition?

If war is a failure of diplomacy, then a nationwide rail strike which in turn calls forth the type of legislation the administration is urging us to pass today is the acknowledgment of failure by railroad, management, and labor. It also represents the failure of the present administration to use its power of persuasion to achieve a settlement between the parties to the current dispute.

You may recall that following the 43-day airline strike of 1966, Assistant Secretary of Labor Reynolds was interviewed with respect to his outlook for future legislation. On television on September 4, 1966, he made this statement:

> I think one of the things that I've learned is that there is no sense of accomplishment in lifting the hand of a groggy winner in a thing like this when you know the groggy loser has been the public, and somehow or other, these strikes that have such an impact on the public comfort and the public interest will have to be shortened or will have to be avoided, and still preserve the institution of free collective bargaining. Now that's quite a trick, but I think we can do it.

Well, Mr. Secretary, more than 10 months have gone by—soon a year—and we're still waiting for this administration to find its voice. Maybe what we need is a new task force to find the task force that set out in search of a solution in 1966 and somehow has never been heard from since.

I am further reminded of the fact that 4 months ago—which has certainly been the period of gestation for some Great Society legislation—4 months ago the Ginsburg Panel, otherwise known as Emergency Board No. 169, in its report on March 13, 1967, recommended that the Railway Labor Act be amended to help expedite the settlement of disputes in the transportation industry. I have seen absolutely no administrative initiatives in that directon.

Almost a century ago Walter Bagehot in "Physics and Politics" observed that "the whole history of civilization is strewn with creeds and institutions which were invaluable at first, and deadly afterward." This is precisely what is happening to the institution of collective bargaining under the dead hand of this administration.

I want to make it abundantly clear before closing that if the reports are true that five out of six shopcrafts wanted to settle on basis of the Fahy Report and only Mr. Siemiller stood in the way of a settlement then he has done the house of labor the gravest disservice.

He deserved the condemnation he received from me on this floor a month ago. I am only sorry that the Secretary of Transportation found it necessary to issue an abject retraction and apology for a similar statement of condemnation. For there are unfortunately within the ranks of labor and management both those who have not progressed beyond the Jay Gould philosophy of the last century expressed in the words "The public be damned."

Mr. WYDLER. Mr. Speaker, this weekend Newsday published a story by Judge Samuel I. Rosenman relating to the most important domestic issue of the moment. The timing of this story, coming as it does on the eve of a nationwide crisis caused by a threatened railroad strike, was most appropriate. The article is well written, well thought out, and deserves the attention of my colleagues in the Congress and all citizens in the Nation who are striving so hard to find a solution to the nationwide strike affecting the national interest. I am therefore placing it in the CONGRESSIONAL RECORD on this day when the Congress is being called upon to take emergency action to protect the public:

A Better Way To Handle Strikes

(By Samuel I. Rosenman)

Mr. O. Citizen (O for Outraged) picks up his newspaper on June 15, 1961, and reads that this is the 24th day of a national maritime strike. Hundreds of ships are idle, cargo is piling up, much of it is rotting, international contracts cannot be fulfilled, thousands of American firms are being severely strained. The secretary of labor had told the President only eight days after the beginning of the strike that it would imperil national health and safety if it continued. And it had, for 16 more days.

Mr. Citizen mutters: "Something has to be done about this immediately, and also to prevent it again in the future. There's got to be some law about it."

But in the months and years that follow, he still reads of threatened strikes, or of actual long strikes, in stevedoring, bituminous coal mines, atomic energy plants, basic steel mills, newspapers, the New York City subway and bus system, long-distance trucking, meat packing, communications, fabricating steel mills, aircraft manufacturing. And each time Mr. Citizen complains that something must be done about it.

Quite apart from danger or inconvenience to the public is the immense loss to the striking workers and their employers. In 1965, for example, in all industrial disputes 3,963 work stoppages occurred which involved 1,550,000 workers. Idleness amounted to 23,300,000 man-days. Of these strikes, 221 lasted 90 days or more. They averaged 25 days.

There was a time within memory when it was difficult, if not impossible, even to form a union strong enough to strike. Lack of union funds, the right of an employer to discourage or even to fire anyone who joined a union, lack of individual savings, competition among workers for one job, the activities of professional strikebreakers and strong-arm men, the alacrity of many courts to grant injunctions against strikes—these were shameful items in the American past in labor-management relations. There was no semblance of bargaining equality between an employer and an employe.

That era is behind us.

Starting with the once-revolutionary principle that a man was entitled by law to join a union of his choice, and to bargain collectively, equality of economic strength between management and labor was gradually established. Today unions sit around the bargaining table not as suppliants, but as equals.

It was my great privilege to play an active role—albeit rather anonymous—in some small part of this progress since 1933. I take great personal pride in this growth of the labor movement. I am sure that this article will bring down upon me the criticism, if not the imprecations, of all my friends in the labor movement. But what I urge here cannot be dismissed as coming from an old reactionary or labor baiter.

My thesis, boldly and broadly stated, is that—with labor equality insured by our many labor laws—the right to strike should be curtailed when it is in conflict with the public interest, and that some form of final compulsory decision must be provided.

I would limit it—at least initially—to certain well-defined industries: transportation by land, sea and air; manufacture or production of any material necessary to national health or security; communications; and essential public, municipal and state services such as police, fire, sanitation, subways and buses, hospitals, and public health and welfare agencies.

By compulsory decision, however, I do not mean compulsory arbitration by an ad hoc appointed board of arbitrators. I mean by a separate system of labor courts and a separate labor judiciary with the sole function of deciding labor disputes.

To the outraged citizen who demands a law to prevent further stoppages I reply: There is a law—in fact, several laws—but these laws do not prevent or stop strikes often enough. Besides, and equally important, the laws never prevent all the distress and economic disarray which even a threat of a strike in a vital industry brings about.

What are the present laws?

There is the Railway Labor Act of 1926, which covers disputes involving railroads in interstate commerce and airlines in interstate or foreign commerce. When disputes are not settled, the National Mediation Board (three members appointed by the President) tries to bring about a settlement or to suggest compulsory arbitration. If arbitration is rejected (as it almost always is) and there is substantial danger that commerce may be interrupted to deprive any section of the country of essential transportation, the board notifies the President. The President may then create a Railway Emergency Board to investigate and report within 30 days. During these 30 days, and the next 30, no strike or lockout or change of employment rules can take place. This is the so-called 60-day "cooling-off" period.

There is the Taft-Hartley Law of 1947, to deal with nontransit disputes that might result in a national emergency when an entire industry, or a substantial part of an industry, is involved. If the President sees a peril to the national health or safety, he may appoint a board of inquiry to investigate and report publicly on the issues—without recommendations. He then directs the attorney general to get a court injunction, which is usually granted. For the next 60 days, the parties are supposed to negotiate with the assistance of U.S. mediation services. During those 60 days the President may reconvene the board to make a further public report. In the next 15 days the National Labor Relations Board must hold an employes' election on the final management offer, and must report the results within five days. Thus a cooling-off period of 80 days is provided. If the workers do not accept, which is usual, the parties are then free to strike or lock out and the President must give Congress his recommendations.

From 1947 through 1966, Taft-Hartley was invoked 24 times—10 by President Truman (whose veto of the act was overruled by Congress), seven by President Eisenhower and six by President Kennedy. Injunctions had to be obtained from the courts in 20 of these disputes. Settlements were reached during the cooling-off period in 10 disputes, in seven the strikes began or were continued even after the cooling-off period. In the same 20-year period, 109 emergency boards were set up under the Railway Labor Act.

In addition to the major federal statutes, many states have laws dealing with mediation, fact-finding and settlement of intrastate industrial disputes.

I have had personal experience with these boards. In 1946 I was appointed to one by the mayor of New York City, who was faced with an imminent subway and bus strike. On July 15, 1949, President Truman appointed me to a three-man special board when a steel strike was to take place the next day. On June 26, 1961, President Kennedy appointed me to a Taft-Hartley board in a national maritime strike. In 1963 President Kennedy appointed me chairman of an emergency board under the Railway Labor Act.

Among my colleagues on those four boards were Clark Kerr, then president of the University of California; Carroll Daugherty, James J. Healy, David L. Cole and Nathan Feinsinger, all experienced labor arbitrators and conciliators of outstanding reputation.

So I have had ample opportunity to observe the process at work. I have been in many long sessions with the parties separately and jointly. I have seen the parties come closer together, but have also seen their tempers heating up instead of "cooling off."

I am convinced that there eventually comes a time, after all the collective bargaining, mediation, fact-finding and recommendations have failed, when some third entity must come in and settle those parts of a labor dispute on which the parties cannot or will not agree.

Until now the only way, other than by consent to arbitration, has been to send the matter to Congress. This happened in the 1963 rail dispute, and has already happened twice in 1967.

The 1963 situation, involving railroad firemen, shows how desperately the government tries to avoid compulsory arbitration until it is up against the gun. And what happened in 1963 is being repeated—and even compounded—by what is now going on in the railroad industry.

The principal question in dispute in 1963 was whether the railroads should have the right to discontinue by attrition, pension, or job retraining and relocation the services of firemen who used to stoke steam locomotives but who were no longer necessary on diesel freight trains. Here's a chronology from 1959, when it all began:

November 1959. Notice served by railroads of a change in rules re: firemen.

Oct. 17, 1961. Creation of a presidential commission representing management, labor and the public. (Outside the Railway Labor Act, it did not have powers to decide but merely to recommend.) It devoted 13 months of study, had 96 days of hearings, took 15,306 pages of testimony and examined 319 exhibits totaling 20,139 pages.

Feb. 2, 1962. The commission's recommendations were reluctantly accepted by the railroads but not by the unions.

April 3, 1963. Creation of a Railway Labor Act board, of which I was chairman.

May 13, 1963. Our report issued. No settlement was reached and a strike became imminent involving 94 per cent of railroad employes.

June 5, 1963. President Kennedy persuaded the parties to maintain the status quo through July 10. The secretary of labor and the National Mediation Board intervened from June 4 to July 10, 1963, and there were about 100 meetings. No settlement.

July 9, 1963. One day before the deadline, the President suggested final arbitration by his former secretary of labor and then associate justice of the Supreme Court, Arthur J. Goldberg. The carriers agreed, but the unions did not.

July 10, 1963. The President got both sides to agree to an extension to July 29, and to his appointment of a new committee of six members of the Labor-Management Advisory Committee to review the facts and report. There is no statute providing for this third committee.

July 19, 1963. This committee reported. No settlement.

July 22, 1963. Seven days before the next deadline, the President finally sent a message to Congress asking legislation. Extensive congressional hearings took place while further mediation was attempted, and the deadline was postponed to Aug. 29.

Aug. 29, 1963. On the very eve of the strike, Congress passed a joint resolution calling for compulsory arbitration of the firemen issue by a new seven-man board (the fourth board) and further negotiation of the other issues. The arbitration award was to be valid, however, for only two years.

The new board held hearings again and made its award, providing for eventual elimination of the firemen. The railroads accepted it; the unions rejected it. The award was unsuccessfully challenged by the unions up to the U.S. Supreme Court.

The award of this board was carried out, but the legislation provided that it lapse on May 7, 1966. The entire matter is before us again just as it was back in 1959, unsettled and a fruitful source for a national strike, even though the other issues were settled by the intervention of President Johnson.

During all the developments following the President's message of July 22, 1963, which clearly provided for compulsory arbitration, all the political figures in the White House and on Capitol Hill kept insisting—with solemn face and without a smile—that they were not really exercising compulsion, but were providing for a continuance of collective bargaining. Of course, this was pure political hokum which fooled nobody, and certainly not the unions.

Now take a look at 1967, and you will see the same kind of shilly-shallying again at play in another threatened strike by six different unions representing 137,000 nonoperating railroad shop workers. Indeed, it is a little more ridiculous:

1. An Emergency Railway Act board made recommendations for a settlement, which the unions rejected, and a strike was set for April 13.

2. The President asked for agreement extending the 80-day deadline, but the unions refused.

3. The President then asked Congress to extend the deadline for 20 days until May 3. It did—on April 12, a day before the deadline.

4. Congress, at the President's request on April 30, nearly the last moment, again extended the deadline to June 19.

5. On May 3, the old deadline, the President sent a message to Congress asking for legislation to (a) outlaw any rail strike until Jan. 1, 1969, (b) provide a new, five-man board to seek a negotiated settlement within 90 days, and (c) if none was reached, the board would make a final decision to take effect immediately and remain effective until Jan. 1, 1969.

Of course, anyone could see—as did all the disputants—that the entire plan was compulsory arbitration if further mediation by this third panel failed. (It would take effect, however, only until Jan. 1, 1969.) But both the White House and the Department of Labor called it "extended collective bargaining and mediation to finality."

Organized labor ridiculed this description of the proposed legislation, and proceeded to fight it bitterly in Congress. The railroads approved the legislation, but pointed out that it was only a temporary palliative—as the last arbitration on the railroad firemen issue had proven to be—and repeated their demand for a permanent compulsory arbitration law.

The bill is having a hard time in Congress, which of course has recognized the proposal for what it is—compulsory arbitration. It can feel the labor leaders looking over its shoulders, insisting on the right to strike and tie up the nation's economy, unless there is seizure by the government. Of course, seizure has nearly always proven a fine weapon for the unions, for they have a better chance of getting what they want from the government than from the railroads. Seizure really solves nothing permanently, and is a much more drastic departure from the traditions of a free economy than the President's proposal.

The Senate passed the bill substantially in accord with the President's message. But not the House. There, after bitter debate, the bill was emasculated by striking out the final compulsory feature. In effect, it therefore is nothing more than an adjournment of the strike for 90 more days. As this is being written the bill is going to a House-Senate conference. The unions agreed to postpone the strike from the deadline of June 19, until such time as Congress agrees on a bill, and have proceeded to fight the compulsory feature as it had so successfully in the House.

This passing-the-buck between the White House and Capitol Hill is a repetition of the 1963 railroad crisis. Congress is justifiably irritated at having to shoulder the responsibility for individual labor disputes with all its political liabilities, a function which is executive rather than legislative.

Congress, consisting of 535 members, is by its very nature unqualified to find a fair settlement; it does not have the time or facilities, and it will of necessity be actuated by politics. It should not be called upon for these ad hoc emergency strikes, any more than in the many functions which it has delegated to the respective administrative agencies, such as granting television and radio licenses (FCC), fixing rates and regulations for interstate electricity and gas (FPC), and many others.

This is the fourth time in the past year that Congress has had to come to grips with a strike measure. Everyone knows that the only ultimate solution is some form of settlement by compulsion; yet all hope that by delay there may be some so-called voluntary settlement.

The President, in his annual message of 1966, promised to propose general legislation to prevent emergency strikes. This promise was made in the midst of the disastrous subway strike in New York City. The President, however, has failed as yet to carry out his promise. He appointed a task force to advise him on how to meet the problems generally and permanently, but he has not published the task force's recommendations—if it made any.

The President says that he has not yet found a satisfactory permanent proposal. Of course, if what he means is legislation "satisfactory" to management and labor, he is looking for an impossible Utopia. But it is equally important to find one "satisfactory" to the public and fair to both sides—and that is easy. Neither he nor the congressional leaders, however, want to make the first jump into the cold water of compulsion.

Now it seems that the President has given up and has asked Congress to find a "satisfactory" permanent solution—which he has not been able to do—for emergency strikes. It is difficult to see how or why Congress should undertake this politically dangerous chore when the President, after 17 months of striving to contrive a "satisfactory" law, passes the buck to Capitol Hill.

Even if no strike occurs on the railroads, it is obvious that the economy has been damaged by the uncertainty, the delay and the hazard of planning ahead. This is true of threatened strikes in all industries. Cooling-off periods are fine, but the public gets no share of the cooling. Opposition to compulsory arbitration has come with equal intensity from widely diverse ends of the political and economic spectrum. The subject has made as incredible a set of bedfellows as can be imagined: Wayne Morse and Barry Goldwater; the AFL–CIO and the National Association of Manufacturers.

Morse in 1953 said on the floor of the Senate that compulsory arbitration "attacks in my judgment some basic foundations of economic freedom in this Republic." In the same debate Goldwater said, "It can mean price control, wage control, quality control, and even place of employment control." The AFL–CIO has said that "compulsory arbitration means loss of freedom." And the NAM has said that it "violates the American concept of freedom, under which the government is the servant rather than the master of the people."

Of course, these statements are all emotional and grossly exaggerated. I am sure the same kinds of charges were made when the federal government was advancing—in violation of "freedom of contract"—to abolish child labor, limit hours of labor for women in industry, establish decent minimum wages and many other items of social legislation that are now accepted as normal areas of concern by the government.

Labor seems to overlook the fact that in two out of three major fields of industrial strife, it has voluntarily and without too much persuasion given up its "economic freedom" and its right to strike. There are three principal categories of labor disputes, all of which were formerly used as causes for strikes. These are (1) jurisdictional disputes as to which union should represent the workers in a plant or industry, (2) "grievances" arising out of the performance or nonperformance of existing labor contracts, and (3) making, renewing, or reopening of basic labor contracts.

By now, the first two categories have largely been abolished as causes for strikes. Nearly all labor contracts contain provisions that any dispute about the meaning or application of the contract, or grievances, should be determined by compulsory arbitration, either on an ad hoc basis or by referral to an agreed upon "impartial chairman" or "impartial umpire." This is quid pro quo for a no-strike clause in the contract. With respect to industries under the Railway Labor Act, grievances or problems of interpretation or applicability are referred by statute to the National Railroad Adjustment Board for decision.

The only category of disputes not covered by statute or agreement is the making of a new contract. The arguments against any form of compulsory arbitration in this category are well-known, and have been advanced in many places. Of course, most Americans would prefer settlement by collective bargaining. They would not even object too strenuously to strikes in some localized industry where there would be no substantial impact. When, however, the American people are faced by the national stagnation which must result from strikes like the 116-day steel strike in 1959 or the 36-day longshoremen's strike in 1963, or the railroad strike threatened in 1963 and now again in 1967, they will insist that the national interest prevail, and that such strikes be nipped in the bud by some form of compulsion.

The better way to handle a national emergency conflict—the way all economic and personal conflicts are settled in a democracy—is by judicial determination.

What I propose is a new judicial system of courts—labor courts—with jurisdiction solely over industrial strife, including strikes. This would be confined initially to industries affecting interstate commerce, threatening the health or safety of either the entire country or such portion of it as the statute may provide, and also to essential municipal services like subways and buses, etc., which have been stopped by a strike.

The essential feature of labor courts is that the judges would have the same title, dignity, respect and standing as all the other federal judges. This would require that they be appointed by the President for life, and confirmed by the Senate in the usual way; *that their time be devoted exclusively to* labor cases; that they have the same salaries, the same retirement privileges, all necessary clerks and assistants, and the same dignified courtrooms and chambers as other U.S. judges. They should be empowered to assure orderly hearings by contempt proceedings and, in all respects, have the same public standing and expertise in their particular field of labor as any other federal judicial officers. They will become qualified specialists in particular industries, and know the history of labor relations in those industries.

Labor courts' decisions should have the effect of judgments, enforceable by substantial fines, and appealable to a Federal Labor Court of Appeals consisting of the same type of specialized labor judges with powers to affirm, modify or reverse.

Labor court decisions should be conclusive and binding on both sides. In that sense the result will be the same as by compulsory arbitration. Yet I hazard a guess that most of the present rejection and abhorrence of compulsory arbitration by management and labor will gradually diminish and finally disappear.

I am sure that there is seldom the same complete confidence in an ad hoc board of appointed arbitrators as there is in a U.S. judge. There is naturally a great reluctance by both sides to have their economic future, and possibly their survival, placed in the hands of three men haphazardly appointed for one specific case. This reluctance is sometimes even greater with management than with labor, although labor protests more loudly.

The men usually appointed under the statutes or otherwise are necessarily part-time people. They all have their main economic interest elsewhere. Many of them are lawyers with busy practices; many are college professors whose main concern is not the disputes before them. Many of them (including myself) know practically nothing about the industry involved in the dispute, or of the history of labor relations in that industry. They have to begin from scratch, and learn the necessary background. While they are willing to serve as a matter of public duty, they still have their normal vocations to which they will return—hopefully as soon as possible. Some serve without pay on a job which may consume many weeks of seven 12-hour days. Those who are paid receive a small fraction of their normal earnings. It is a particularly thankless job because neither side, except in rare instances, is satisfied with the recommendations or findings, and they both publicly abuse the board.

Many of these board members hold jobs as professional "impartial chairmen" or "arbitrators" in different industries. They have been appointed on consent for a year or two by both sides of a labor contract, to pass upon grievances or disputes arising from the contract. Many industrialists privately fear that some of these persons tend to be partial to labor because they look to labor for its consent to be an impartial chairman. Whether there is any truth in this charge or not, it is enough if a substantial part of management believes it to be true.

Yet the same industrialist who views compulsory arbitration with suspicion feels perfectly content in submitting controversies—often involving matters of greater importance to him than an increased wage scale—to a U.S. judge. And he is quite prepared to abide by the judgment, feeling that this is the way of life in a democracy.

Labor, on the other hand, is more deeply concerned over the fact that compulsory arbitration makes unions give up their right to strike. From this premise, the conclusion is reached by union leaders, usually without any real analysis or reasoning, that our system of collective bargaining must come to an end under labor courts or compulsory arbitration. They also assert that compulsion *must result in price-fixing, and eventually a* regimented economy.

Nothing in my proposal calls for any interference with the give-and-take of collective bargaining. Unions will continue to require the same equality of strength, even though they cannot strike. For before a labor controversy reaches the end of the judicial process, both sides have to try to reach a settlement on as many of the issues as possible by collective bargaining. Only items on which agreement cannot be reached will have to be resolved by the court. Individual employes or even weak unions cannot do this kind of bargaining successfully. They must be strong enough to amass all the facts with which to sit opposite management at the bargaining table. They must be able to employ the best of economists, lawyers, statisticians and bargainers. And they must have even greater resources if they have to go to court on a long, protracted trial.

It is not true that collective bargaining must stop when the right to strike is taken away. That is not true in the Australian system of labor courts. That is not true of any other kind of civil dispute or litigation in our courts. For every case actually tried, there are scores which are settled before litigation, during litigation, and even in the course of trial. These civil settlements are all the results of vigorous bargaining. A party settles for less because he fears that the court may decide against him and thus he will lose all. The weaker his case, the smaller his settlement. So each side, in negotiating, marshals his facts and his law, argues justice and equity with the other, and then takes a look at the strength or weakness of his opponent's case.

Labor argues that if left alone to strike it can do better than with government intervention. That may be true, but even that is subject to debate in many cases. But, if true, what is just about that kind of result? A man in a civil suit settles, but not because he is afraid that his adversary will compel him to do so by force or violence, or by economic warfare, which is really what a strike is. Why should justice in a labor dispute depend upon who is stronger in a strike?

Each side in a strike wants something. A strike will not determine however, which side is more justified, or reasonable, or intrinsically entitled to win. The union members have to eat; the union feeds them as long as it can. The richer the union, the longer it can hold out. Management in a strike has to meet overhead, fixed payments, demands of customers, and an outraged public calling for its services. The stronger it is, the greater its reserves, the longer it can hold out. Propaganda pours out of both sides, expecting that the power of public opinion on one side or the other will help it prevail. In actual practice, neither side wins all it has demanded (and really never expected to); a compromise is reached after untold damage is done to each other, to the economy and to the public.

How does this really differ in essence from the medieval trial by battle in which the strongest was declared the winner of a dispute? I concede that public opinion may in some cases help toward a settlement. This is the basic argument for fact-finding. But how much does the public really know about the issues of a strike and where justice lies, despite columns or pages of fact-finding statistics? On boards where I was a member, I used to take home hundreds of documents, charts, briefs, analyses of wages and profits in various industries, historical background material and legal briefs. It took me many hours just to read this material. I came to certain conclusions after heated arguments with each side, and sometimes even after warm colloquies with my colleagues. What can the general public know about any of this as a basis for forming an opinion? How many newspapers print the fact-finding material?

And how realistic is the claim that public opinion brings about a just settlement? Was there ever a more unified public opinion than the cry of outrage at the union responsible for the 1966 subway strike in New York City? Did it have any effect on the union? Of course not. The entire strike was illegal under the laws of New York State from beginning to end, yet the union won. It won only because its employer, the City of New York, just had to provide means for citizens to get to work.

A dispute between individuals can be settled in one of three ways: (1) by agreement, (2) by outside determination, or (3) by a fist fight behind the barn. A strike is an enlarged, organized fist fight, without violence or physical injury but with plenty of blows. Centuries ago, civilized man, in the pursuit of justice, gave up this kind of combat.

What has given workers strength has been union, the ability to speak with a collective voice. That strength labor courts will not impair, but will increase. That is obvious because the court can deal with only one litigant—a union. So it will be essential to the proper workings of the court that there be strong, united, well-led unions to speak and act for their members. That has been the experience in Australia, where unions are relatively just as strong as they are in this country.

Not only is collective bargaining not jeopardized; it will remain an absolute necessity if labor courts are to be adequate to fulfill their functions.

But, the unions argue—and so does some management—collective bargaining will become a farce; neither side will retreat from its best offer, because it knows that a third party will finally have to decide it anyway, and suspects that he will probably merely split the difference.

To this there are two answers:

1. This is not what happens in other kinds of civil litigation. It is true that neither side makes its best offer of settlement at first. But as negotiation proceeds, and as a judicial determination draws near with the possibility presented to each side that it might lose much more than a reasonable offer or demand would give it, they come down to rock-bottom settlement terms. There is no reason why a different course should follow in a labor negotiation. The experience in Australia with labor courts has been that bargaining often continues right down to trial.

2. The contention that the presiding judge will ask what the best offer on each side is and merely split the difference constitutes a libel on our judicial tradition. I was a trial judge myself for 10 years, and I have had trial experience as a lawyer for 35 years. I have not personally met a single judge guilty of that practice after a trial. Besides, there is no reason why a judge should ever know about the offers on either side. Settlement offers are inadmissible as evidence in a court. And procedural arrangements can be made, if necessary, for the trial of any case to take place before a judge who has not tried to settle the dispute in discussion with the litigants.

I submit that the time has now come to end the strikes and stop the damage, and to substitute the reason and considered judgment of the courtroom for a verdict based only on strength and resources. Giving up rights like the right to strike—even more ancient rights—for the general good and welfare of the community is nothing new in civilized countries. The right to send your children out to work to help the family bank account instead of to school; the freedom to make contracts with workers on any terms mutually agreeable; the right to put up a building on your land of any height or bulk you wish; the right to deal in securities at arm's length in the good old way before the 1929 crash; the right to use in speculation other people's money entrusted to your care; the right to overproduce crops and to use your farmland as you wish without all the bother of agricultural regulation—all of these rights and hundreds of others were given up because the public interest was served by their surrender.

I submit that the interest of the public in any labor strife which affects its health, security or safety justifies—nay, requires—the same surrender.

What about price-fixing, which the opponents of compulsion say must follow any imposition of settlement? Do not wage increases caused by strikes do just as much to fix prices? Of course they do. Do you often see wage scales go up unless they are followed by price rises? Of course not. Almost every settlement of a major dispute, and especially of an emergency dispute, has been announced by the appropriate government official with the expression of a pious hope that prices would remain static. But they seldom have.

Five years ago I visited Australia. There I met several labor union leaders and discussed with them the workings of the labor courts in their country. They were well-satisfied with their experiences, and with the results they have achieved. The arguments usually advanced in the U.S. against any form of compulsory arbitration were dismissed by them as contrary to their experience with labor courts.

In this country, we have had the present haphazard system a long time—too long. The American public will welcome any reasonable change which will put an end to the needless economic waste which comes from strikes. And in the long run, I am confident that both labor and management will join in the welcome.

Mr. TAFT. Mr. Speaker, when the railway labor dispute of 1963 came to the floor of the House of Representatives with a recommendation that amounted to compulsory arbitration, I stated as follows:

> The President's message to the Congress, and the Joint Resolution introduced pursuant to that message, amounts to nothing more than compulsory arbitration and "passing the buck" until after the 1964 election. The adoption of the Administration's resolution seems sure to weaken rather than strengthen the collective bargaining processes in transportation, and perhaps sets a precedent in all industries.

Unfortunately, this prediction has turned out to be true, and the course of labor relations in the railroad industry has been downward ever since. It has now arrived at a point where the administration says, and the Senate echoes, that no solution other than compulsory arbitration is possible. To me this is defeatism and admission that we are unwilling to face up to the realities of the entire emergency labor relations picture in the United States today. That picture, unfortunately, has developed to the point where, in a major industry, there are few disputes that can be settled without intervention by the Government on one side or the other. The difficulty with this is that the prospect of governmental interference being virtually assured, or even worse, the compulsory arbitration being certain as it is under House Joint Resolution 559, neither management nor labor will have incentive to lay their cards on the table to see where areas of agreement may be arrived at and what eventual settlement can be worked out between the parties.

In spite of the Vietnam war and the delay that has already occurred as a result of the brief strike that we have had, it is my feeling that the Congress can and should immediately find a better solution. As a temporary expedient, the alternative offered by the gentleman from Florida [Mr. PEPPER], offered this opportunity and continues to offer it. For these reasons, I could not support House Joint Resolution 559, since it is my conviction that it will lead to a weakening of collective bargaining; and collective bargaining is an absolute essential of our private enterprise system. Sooner or later, the Congress is going to have to face up to this situation. Let us hope that even though House Joint Resolution 559 is about to become law, we will continue in this session of Congress to seek for better solutions to the emergency labor dispute situation.

Mr. FRIEDEL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Maryland.

The question was taken, and the Speaker announced that the "ayes" appeared to have it.

Mr. STEIGER of Arizona. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 244, nays 148, not voting 40, as follows:

[Roll No. 170]

YEAS—244

Abbitt
Abernethy
Adair
Albert
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Baring
Bates
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Boggs
Boland
Bolton
Bray
Brooks
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Casey
Celler
Chamberlain
Clancy
Collier
Colmer
Conable
Corbett
Corman
Cunningham
Daddario
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Dellenback
Devine
Dickinson
Dorn
Dow
Dowdy
Downing
Duncan
Dwyer
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fisher
Ford, Gerald R.
Fountain
Frelinghuysen
Friedel
Fuqua
Galifianakis
Gardner
Gathings
Gettys
Giaimo
Gibbons
Goodell
Goodling
Green, Oreg.
Gross
Grover
Gubser
Hagan
Haley
Hall
Halleck
Hamilton
Hammerschmidt
Hanna
Hardy
Harrison
Harsha
Harvey
Hechler, W. Va.
Henderson
Herlong
Hicks
Hosmer
Howard
Hull
Hunt
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Kazen
Keith
Kelly
King, N.Y.
Kleppe
Kluczynski
Kornegay
Kuykendall
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
McCarthy
McClory
McCulloch
McDonald, Mich.
McMillan
Machen
Mahon
Mailliard
Marsh
Mathias, Calif.
Matsunaga
May
Mayne
Michel
Miller, Ohio
Mills
Minshall
Mize
Monagan
Montgomery
Morris, N. Mex.
Mosher
Natcher
Nelsen
Nichols
O'Neal, Ga.
Patman
Pelly
Pickle
Pike
Pirnie
Poage
Poff
Pool
Price, Tex.
Pryor
Purcell
Quie
Quillen
Reid, Ill.
Reifel
Reinecke
Resnick
Rhodes, Ariz.
Riegle
Rivers
Roberts
Rogers, Colo.
Rogers, Fla.
Ronan
Rostenkowski
Roth
Roush
Sandman
Satterfield
St. Onge
Schadeberg
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Stephens
Stratton
Stubblefield
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tuck
Ullman
Utt
Van Deerlin
Vander Jagt
Waggonner
Walker
Watkins
Watson
Watts
White
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Winn
Wolff
Wright
Wydler
Wylie
Wyman
Yates
Young

NAYS—148

Adams
Addabbo
Anderson, Ill.
Ashbrook
Barrett
Bingham
Blackburn
Blanton
Blatnik
Bolling
Bow
Brademas
Brasco
Brock
Brown, Calif.
Brown, Mich.
Burke, Fla.
Burke, Mass.
Burton, Utah
Byrne, Pa.
Carter
Clark
Clawson, Del
Cohelan
Conte
Conyers
Culver
Curtis
Daniels
Delaney
Dent
Derwinski
Diggs
Dingell
Dole
Donohue
Dulski
Eckhardt
Eilberg
Farbstein
Feighan
Flood
Flynt
Foley
Ford, William D.
Fraser
Fulton, Pa.
Fulton, Tenn.
Gallagher
Gilbert
Gonzalez
Green, Pa.
Griffiths
Gude
Gurney
Hanley
Hansen, Idaho
Hansen, Wash.
Hathaway
Hawkins
Heckler, Mass.
Helstoski
Holifield
Holland
Horton
Jacobs
Johnson, Calif.
Karsten
Karth
Kastenmeier
Kee
Kirwan
Kyl
Kyros
Leggett
Long, La.
Long, Md.
Lukens
McDade
McFall
Macdonald, Mass.
MacGregor
Madden
Martin
Mathias, Md.
Meeds
Meskill
Mink
Moorhead
Morse, Mass.
Morton
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Myers
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Patten
Pepper
Perkins
Pettis
Philbin
Pollock
Price, Ill.
Railsback
Randall
Rees
Reid, N.Y.
Reuss
Rhodes, Pa.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rumsfeld
Ruppe
Ryan
St Germain
Saylor
Scherle
Shipley
Sisk
Slack
Smith, Iowa
Snyder
Staggers
Steiger, Wis.
Stuckey
Sullivan
Taft
Thompson, N.J.
Tiernan
Tunney
Udall
Vanik
Vigorito
Waldie
Wampler
Whalen
Wilson, Charles H.
Wyatt
Zablocki
Zwach

NOT VOTING—40

Anderson, Tenn.
Battin
Brinkley
Burton, Calif.
Carey
Cederberg
Clausen, Don H.
Cleveland
Cowger
Cramer
Denney
Edwards, Calif.
Fino
Garmatz
Gray
Halpern
Hays
Hébert
Hungate
King, Calif.
Kupferman
McClure
McEwen
Miller, Calif.
Minish
Moore
Morgan
O'Konski
Passman
Pucinski
Rarick
Robison
Rodino
Roudebush
Roybal
Scheuer
Whalley
Whitener
Williams, Miss.
Zion

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Garmatz against.

Mr. Passman for, with Mr. Miller of California against.

Mr. Pucinski for, with Mr. Burton of California against.

Mr. Cederberg for, with Mr. Kupferman against.

Mr. Robison for, with Mr. Moore against.

Mr. Battin for, with Mr. Carey against.

Mr. Whitener for, with Mr. Roybal against.

Mr. McEwen for, with Mr. Cowger against.

Until further notice:

Mr. Hays with Mr. Whalley.

Mr. Rodino with Mr. Zion.

Mr. Minish with Mr. Halpern.

Mr. Morgan with Mr. Fino.

Mr. King of California with Mr. Denney.

Mr. Anderson of Tennessee with Mr. Roudebush.

Mr. Hungate with Mr. Cleveland.

Mr. Williams of Mississippi with Mr. Don H. Clausen.

Mr. Scheuer with Mr. O'Konski.

Mr. Rarick with Mr. McClure.

Mr. Gray with Mr. Edwards of California.

Mr. Brinkley with Mr. Cramer.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the measure just passed.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

AUTHORIZING THE CLERK TO RECEIVE MESSAGES FROM THE SENATE AND AUTHORIZING THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DULY PASSED AND FOUND TRULY ENROLLED

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until tomorrow, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION TO REINSTATE SPECIAL ORDER

Mr. MORSE of Massachusetts. Mr. Speaker, I ask unanimous consent that the special order that I had reserved for 60 minutes for this date be reinstated following completion of the legislative business on this date.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

NEWARK AND RIOT CONTROL

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection

to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, as the House prepares to consider the so-called antiriot bill, the disturbances in Newark are ironically timely. I am sure all of us were deeply disturbed by the outbreak of violence there. As the Washington Post editorialized this morning, the ghetto riots of the past 3 years have been "not-revolutionary or homicidal, but purposeless and suicidal."

They are born of anger and despair, and characterized by little organization or ostensible political purpose. Nevertheless, the objects of attack are the symbols of white authority and property.

The tragic outburst in Newark makes even more irrelevant the efforts of this House to pass a riot-control bill based on the premise of outside agitators. I invite any colleague to show how the enactment of H.R. 421 would have prevented the latest disturbance.

Will we have the incredible shortsightedness to emasculate programs to eliminate urban slums and give hope to despairing citizens and then expect that the problem will be solved by Federal laws forbidding persons to cross State lines with intent to incite riots. In cities like Newark, despair can explode into riot without crossing a street.

We seem unwilling to accept the fact that downtrodden peoples are fully capable of taking action themselves, whether in Newark or Southeast Asia, independent of those who may enter to fan the flames.

Newark and Watts—and the list will inevitably grow longer—are the forgotten backwaters of urbanization. The press reported that, as each exploded, the rioting took on an almost "festive" atmosphere—a relief, perhaps, from the oppressive boredom of urban misery.

Will we continue to let the slums fester and seek solutions only in new police powers? Police are at best an interim, inadequate substitute for respect for self and respect for law. There can never be enough police to protect the white middle class from resentments which grow increasingly bitter and even suicidal. In cities like Newark social dynamite will continue to explode unless downtrodden people are given hope for a brighter future.

"THE APOLLO MESS: STAGED FOR A RERUN?"—CONGRESS MUST REOPEN THE HEARINGS

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker will the Apollo disaster be repeated?

Two weeks ago on July 3 there was another fire during a test of the lunar module in White Sands, N. Mex. There was no public outcry because it was an unmanned test for engine thrust, and no injuries were sustained by human beings. The lunar module was in a vacuum chamber, and presumably a leak developed in the fuel line. What will it be the next time? Is this a matter of deficient workmanship? Or is it possible that NASA still does not know enough about the hazards of fire in oxygen-rich environments and whole and partial vacuum environments and other conditions which will be encountered on the moon's surface and en route? Does NASA yet know enough to undertake this venture with a reasonable degree of assurance about safety and success? Does NASA have enough coordination within its own program to satisfy us that it is fully aware of all the complex difficulties, challenges, and dangers and has taken every possible and reasonable precaution to avoid further disasters?

The publication Chemical Engineering of June 19, 1967, answers the question about repetition of disaster by saying:

> Administrative confusion, more than technology, triggered the accident that took the lives of (the) Astronauts . . . there will be future oversight disasters, regardless of patch-up work on the Apollo capsule—unless NASA management learns to communicate with and between the many technical skills essential to space engineering.

This was the conclusion expressed in a challenging article by the senior editor, Robert Davidson, and other staff members following a detailed study of the available evidence surrounding the Apollo disaster. They aver that a lack of effective management within NASA is the major villain contributing to past difficulties and will—if not greatly improved—perpetuate the conditions which brought about the recent tragedy. The Phillips report, the Apollo Review Board report and other recent revelations support the conclusions expressed in this article.

It is commendable that an effort is being made by some members of the engineering profession to take heed of present warnings and learn serious lessons for the future. Certainly NASA should also be doing this, but NASA's continued reticence prevents us from knowing if this is the case. Current rumblings of discontent within the space program suggest that schedule pressure, corner cutting, and administrative chaos continue, and that internal and external politics as well continue to take their toll of good management. Congress should not close its eyes to this question and allow unsatisfactory conditions to continue by default. The Apollo hearings should be reconvened—not for the purpose of continuing further a technical discussion of possible technical causes for the Apollo fire—but to undertake a serious and far-ranging management review of the sort that would force NASA to take stock and develop sound management practices for the protection of the public's investment in the space program. This is not to mention the safety of our astronauts.

This year Congress has shown itself willing to take a small step toward exerting some preliminary control over NASA via the budget. Let us now, much more importantly, take the next step toward demanding that NASA management prove itself equal to the task of providing the Nation with a first-quality space program that can bear and should bear public scrutiny.

I recommend that my colleagues read the perceptive article, "The Apollo Mess: Staged for a Rerun?" from the June 19 issue of Chemical Engineering, which I include at this point in the RECORD:

THE APOLLO MESS: STAGED FOR A RERUN?

A lack of effective technical feedback may be breeding new hazards for our space program.

As NASA mops up in the wake of the Apollo-204 tragedy, two urgent questions loom: How could it have happened? Will it happen again?

Administrative confusion, more than technology, triggered the accident that took the lives of Astronauts Virgil I. Grissom, Edward H. White, 2d, and Roger B. Chaffee. This was confirmed in the 2,375-page final report of the Apollo Review Board. And there will be future oversight disasters, regardless of patch-up work on the Apollo capsule—unless NASA management learns to communicate with and between the many technical skills essential to space engineering.

Admittedly, it is tough to coordinate our $5-billion/yr. space empire, but not impossible by modern management techniques. Will NASA meet the challenge? Can it correct the system that permitted gross safety oversights? Perhaps more important, will NASA rely more on chemical engineers and benefit from their interdisciplinary approach to technology? Are there new roles opening for chemical engineers in materials selection, safety, design, fire protection and systems planning? (See box, p. 91.)

But most perplexing: Why did NASA disregard its own warnings?

NASA on the Carpet—The Apollo Review Board failed to identify the underlying cause that permitted the January 27 conflagration.

Representative Donald Rumsfeld of Illinois charged that the Apollo Review Board "failed to examine, or at least report on, the fundamental conditions which permitted the accident to occur. It is inconceivable to me that they could exist without their being the direct result of serious and fundamental defects within NASA." And Representative Kenneth Hechler of West Virginia called for "sweeping changes and tightening up of administration of the space agency and its contractors."

Industry experts contacted by Chemical Engineering blame many of NASA's woes on managerial high-handedness. Among the complaints leveled at NASA:

There is duplication and lack of over-all coordination in safety organization; two separate safety programs—manned and unmanned; duplication without coordination in safety at Langley, Houston, Edwards, Huntsville, Moffett and elsewhere; rivalry between safety and fire protection.

Contractors are allowed to ignore the lessons of previous contractors, being determined to do it by themselves, and better.

Work started from scratch. Twenty-five years of experience with oxygen atmospheres by the Navy and Air Force mostly overlooked; industry know-how with oxygen ignored; a deaf ear given to suggestions ("You just don't give advice to NASA"); major old-line oxygen companies given no significant role in spacecraft environmental design.

Pet vendors are nurtured; few among the non-pets are heard.

Favored vendors are allowed to raid key men from NASA for their technical and political (NASA organization) know-how.

Recommendations by researchers are often overruled to achieve mechanical and structural success.

The anxiety of many was stated by Representative Olin E. Teague of Texas, head of the House Subcommittee on NASA Oversight. He charged that the Apollo Review Board report was a "broad indictment of NASA and North American and the whole program."

Fog in the Crystal Ball—At February hearings by Rep. Teague's House Subcommittee, Dr. Robert C. Seamans, Jr., deputy NASA administrator, testified, "Continued alertness to the possibility of fire had become dulled by previous ground experience and six years of successful manned missions."

NASA administrator Webb told the House, "In moving ahead to utilize the resources made available to us, we have to take technical risks in the development of equipment and in establishing our schedules. But we have not knowingly accepted a higher level of risks in order to meet our manned-flight schedules . . . we have taken no risks as to the lives or safety of the astronauts that we could find a way to avoid."

Astronaut Frank Borman, a member of the Apollo Review Board, said that his work on the investigation of the Apollo accident convinced him that "there were hazards present beyond the understanding of either NASA's engineers or astronauts."

And, testifying before the Senate Aeronautical and Space Sciences Committee headed by Senator Clinton P. Anderson of New Mexico, Dr. George E. Mueller, head of manned space flight, said, "It was not through overlooking the problems that we arrived at the accident. It was rather that our specifications did not take account of the specific event."

In April, before the House Subcommittee for NASA Oversight, Mueller admitted that design and inspection procedures were inadequate. He said, "If more-thorough testing of flammable materials used in the cockpit had been conducted, the accident might not have happened." He also said, "If engineers had carried out full-scale fire tests in a mockup version of the spacecraft, they would have realized the hazards of such materials in pure oxygen."

Assuming Catastrophe—Oldtimers in industrial oxygen work follow Murphy's Law: If it can happen, it will. For a pure oxygen atmosphere, laboratory risk evaluations of ignitable materials are not enough. The total system must be considered—How much is there of the material; What are the system conditions; Are all sources of ignition eliminated? And the big questions: *What if it ignites anyway? What then?*

As for NASA, however, the Apollo Review Board said: "The underlying design approach in Apollo was to control the known risk of fire . . . by isolating and rendering safe all possible ignition sources . . . led to the use of several solid combustible materials within the spacecraft, including nylon and polyurethane foams." There were 70 lb. of flammable materials in the fatal Apollo command module, mostly nylon.

Space-chamber mishaps were not new. The first such fire occurred five years ago in an oxygen-rich space chamber at the School of Aerospace Medicine, Brooks Air Force Base, San Antonio, Tex. Two crewmen in prototype space suits entered the chamber, which was at 5 psi. oxygen. A power tube overheated, and its plastic base ignited. Fumes alerted the crewmen, and both escaped without injury.

Soon after, two crewmen in pressurized suits with closed helmet visors were in the same chamber at the same conditions. A glow appeared behind the instrument panel. Within seconds, the rear of the panel was in flames. Both men passed out from the heat and smoke. One suffered from severe smoke inhalation when he opened his visor.

The third fire took place four years ago at the Aircrew Equipment Laboratory at Philadelphia's Naval Air Center. Four men in shirtsleeves were in a 10-ft.-wide space chamber, pressurized at 5 psi. oxygen. An overheated light bulb burned out. When it was replaced, flame shot from the fixture. One crewman tried to snuff out the fire with a towel, but the cloth caught on fire and burned so vigorously that the man's clothes ignited. An asbestos fire-blanket was thrown over him, but it too burned. Flaming insulation from the light fixture dripped onto a bunk. When a crewman tried to beat out the bunk fire, his skin began to burn. Quick action from the outside saved the four men. And only when the oxygen was pumped out of the chamber did the fire stop.

Ignition for these three fires was caused by electrical failure. The January 27 Apollo incineration is thought to have started from an electrical arc through abraded Teflon insulation. The "most probable" cause of the ignition in the January 31 oxygen-chamber death of two Air Force men at Brooks Air Force Base was a Teflon-insulated work-lamp cord arcing against the aluminum floor.

How Secret the Risk?—There were numerous warnings. Early in the space program, fire prevention experts urged that NASA study how to control the spread of fire by proper design and structural arrangements within the cabin. They further recommended the use of full-scale fire-detection and protection tests. Both procedures have now been adopted by NASA.

The hazards of oxygen-saturated clothing were reported by the New York Naval Shipyard in *National Safety News*, September, 1957. Frequent injuries occurred during work aboard ships because of oxygen leaks and the ignition of oxygen-saturated clothing. Oxygen content of as little as 8 to 14% above normal created hazardous conditions of "major proportions."

Other published warnings of the dangers of oxygen-rich environments have been available for many years from the National Safety Council, the Compressed Gas Assn. and the National Fire Protection Assn.

More striking, however, are NASA's own warnings in its 1964 publication, *Space-Cabin Atmospheres, Part II—Fire and Blast Hazards*. Some pertinent excerpts from this publication are:

1. ". . . a statement of defining the hazardous nature of any gaseous environment must include a very rigid definition of the entire system."

2. ". . . increasing the percentage of oxygen at any total pressure will not only decrease the minimum spark energy (for ignition), but also extend the limits of flammability to a much wider range . . . from 21% to 100% oxygen, the minimum required spark energy decreases by three orders of magnitude."

3. The table, "Preliminary Screening Tests of Materials for Possible Use in 100 Percent Oxygen Atmosphere" reports that nylon fabric burned completely, as did polyurethane foam.

4. Of the five major potential fire sources listed, one was "electrical wiring."

5. "Examples of combustible materials that should be minimized or possibly eliminated from space cabins" include: nylon, polyethylene, Teflon. "No material which supports combustion in high-oxygen environments after the ignition source is removed should be used . . ."

6. Basic cabin design should reduce ignition sources and "Prevent sparking and arcing of electric or electronic equipment . . . by use of [among other things] abrasion-resistant electric wiring . . . All electric and electronic equipment and wires should be considered as ignition sources, regardless of how well they are protected."

Chewing Gum and Baling Wire—The list of engineering shortcomings in the Apollo-204, many of which disregarded NASA's own warnings, includes:

Extensive distribution of combustible materials in the cabin: contoured couches with nylon covering and polyurethane foam; space suits with inflammable nylon and rubber; polyethylene bags for waste; nylon netting and fasteners to collect and stow gear in the cockpit.

Vulnerable wire transmitted spacecraft power; Teflon electrical insulation was easily damaged or penetrated by abrasion.

Vulnerable plumbing carried a combustible and corrosive coolant. Soft solder (400 F. melting point) for joints in oxygen and ethylene glycol coolant lines was easily damaged by bumping—coolant leakage had plagued the spacecraft in previous tests.

No vibration test had been conducted of complete flight-configured spacecraft.

Significant engineering changes are planned. Pressurized oxygen will not be used in prelaunch operations. Ethylene glycol coolant may be replaced by water. Combustible materials will be replaced where possible with non-flammable materials. Nonmetallic structures will be arranged to maintain fire breaks within the cabin. Flammability tests will be conducted with full-scale mockups of the new configuration and a new quick-exit escape hatch will be built.

Musical Chairs—Around Houston, the story goes that on the day of the fatal accident, the oxygen was only 90% pure. The director of the experiment wanted to stop, but the astronauts objected. They told him to assume that it was nitrogen, which it normally would be, and to proceed with the test. Yet in the past, explosions had occurred when liquid oxygen boiled away to leave a concentration of hydrocarbon contaminants.

This did not cause the fatal fire, but does illustrate a most important recommendation made by the Apollo Review Board—the need for better definition of responsibilities.

As an example, for months the grapevine had it that NASA was disappointed with North American Aviation as the prime contractor for the Apollo capsule. But as recently as late 1966, NASA officials denied their disenchantment with the firm. Yet, Major General Samuel C. Phillips, NASA's Apollo program director, had a different story this April. He told the House Subcommittee on NASA Oversight that in 1965 he was so disturbed by North American's performance that he had considered taking away part of its $2.8-billion share of NASA space program contracts. He didn't, he said, because the company improved.

But it was a recent error by North American that delayed the initial Apollo flight from last November. Methanol was used to pressure-test Apollo's titanium fuel tanks. Eighteen of the tanks passed, but the next two failed from stress corrosion (*Chem. Eng.*, Dec. 5, 1966, p. 69). The technical literature of 10 years earlier had reported that methanol caused stress corrosion in titanium.

Further shrouding the management of the Apollo program was a bewildering array of administrative omissions. Outstanding among those reported by the Apollo Review Board were:

Lack of definition of the respective responsibilities of the organization involved.

Adequate safety precautions neither established nor observed for the test.

Fifty-six major changes in test procedures the day before the fatal fire, with most of the workers likely not familiar with them.

One hundred and thirteen significant engineering orders not accomplished at the time the command module was delivered to NASA; 623 engineering orders released subsequent to delivery.

Established requirements not followed with regard to the pretest constraints; list not completed and signed by contractor and NASA personnel prior to the test—oral agreement only.

Noncertified equipment items installed in the command module.

The August 1966 test specification not updated for changes.

Lack of emergency fire or rescue teams at the launching area.

A number of equipment checklists unchecked.

Howling in the Wilderness—Safety is only as important as management decrees. Its essential element is top-management authority by a responsible safety director who can coordinate the many skills needed to oversee a safe system.

Management and safety experts contacted by Chemical Engineering feel that the Apollo failure was more a breakdown in coordination than in technology. This problem is not unique to NASA, and is often found in large commercial organizations, particularly those in which management is individualistic, rather than systems-engineering oriented.

Systems engineering is the only answer for complex situations where equipment, skills and techniques must be composited for a unified purpose. It identifies distinguishable elements, their cause and effect relationships, functions to be performed in each case, and required trade-offs among resources. It reduces the chances for oversight and appraisal gaps.

Among the federal services, the Air Force is the recognized leader in the use of systems engineering (AFSCM 375-5, the Air Force Systems Command Manual, *Systems Engineering Management Procedures,* March 10, 1966).* Though NASA follows some of the principles of systems engineering management, one element is missing: effective *auditing*. When management operates from the top down, it cannot "hear" problems at the lowest levels. Astronaut Gus Grissom was frustrated at not being heard during a period of spacecraft problems in late 1966, according to *Electronic News*. When Grissom complained there was lack of harmony in the program, a close friend asked him why he didn't complain officially. Grissom replied, "I've been howling in the wilderness for years."

In the administrative pecking order, hardware falls at the bottom of the pyramid, and these contractors are seldom heard. The solution: Continuous *auditing* superimposed on a systems evaluation concept. The characteristics of auditing are:

1. Construction from the top down (administration).
2. Implementation from the bottom up (wee voices).
3. All information cross-pollinated (between skills).
4. Continuous (no lapse).

With *auditing,* professional employees must rate each system or situation they meet as *not critical* or *critical*. The next higher person can overrule a *critical* rating, but assumes the responsibility for failure. Not only does the system give a chance for all to be heard, but it assigns responsibility.

THE CHEMICAL ENGINEER IN THE SPACE PROGRAM

Exciting opportunities beckon as we approach long-duration space flights to Mars and beyond. The chemical engineer is vital to the space effort because of his knowledge of heat transfer, reactivity, corrosivity, containment and combustion, power generation, materials properties, toxicity, and systems reliability. A few of the myriad of out-of-this-world problems seeking creative solutions are:

Chemical propulsion—Fuel-oxidizer mixing for combustion efficiency and stability; pressurization systems; thrust-chamber cooling; design criteria for industry.

Fluids handling—Cryogenic storage; seals and bladders, long-term outer-space stability for extended space trips; handling propellant spillages; preventing explosions and fires.

Special coatings—Third generation reentry ablatives; thermal control of temperatures by radiant energy absorption and emission; high-temperature cermets and ceramics; prevention of outgassing and plating-over of windows.

Life support—Foods for long space flights; environmental control of cockpit temperature, air, water, toxicity.

Miscellaneous—High-temperature adhesives for reentry ablatives; control for effects of man's exudations on electronic devices; shielding for nuclear engines; coolants that will not corrode or contaminate the metals containing them.

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*Available from Supt. of Documents, U.S. Govt. Printing Office, Washington, D.C. 20402. Price : $2.75.

STATEMENT ON HOUSE RESOLUTION 421, THE ANTIRIOT BILL

Mr. ECKHARDT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ECKHARDT. Mr. Speaker, House Resolution 421, The antiriot bill, deviates widely from established Anglo-American processes of justice in the respects that I shall point out.

But first, let us consider what acts are made offenses:

The acts that are made offenses are all based upon traveling in interstate commerce or using the mail. Such interstate activity is the purported basis for making the overt acts which are proscribed a Federal crime. If one intends to do one of the things enumerated below when he travels or uses the mail, and then does one of them, he is guilty of a Federal offense. The acts proscribed are: First, an act of violence in furtherance of a riot; second, carrying on a riot; and third, inciting a riot.

It is true that organizing, promoting, or encouraging a riot are also made illegal. In addition, aiding and abetting another in inciting a riot, or in an act of violence in furtherance of a riot, are also illegal. But it appears that inciting a riot covers all of such acts, for "inciting" is sufficiently broadly defined to include all of such activities. It includes "urging" and "instigating" a riot.

The connotation that the word "encourage" spontaneously yields might be something less than "organizing" or "promoting," but the act provides that mere "advocacy of ideas" or "expression of belief" are not proscribed. Thus, the term "encourage" must mean more than is usually embraced in a normal usage, and it is difficult to see how all definitions which would be embraced under that term are not also included under the term "incite" if inciting means "urging" or "instigating."

Each of the three described offenses is based upon a different standard, and the three are increasingly indefinite as to the overt act involved. They will be discussed separately.

The first type of act made illegal is violence in furtherance of a riot.

Aside from the fact that this type of prohibition is usually within a State's police power, and should remain there, there is little argument but that an act of violence in furtherance of a riot should be outlawed. If nothing happened, no heads were knocked nor property burned or interfered with, then it would be impossible to show that "an act of violence in furtherance of a riot" occurred. Standing alone, this provision would not permit persons to be prosecuted for mere expressions or thought which did not ripen into illegal acts, and therefore the first aspect of the antiriot law is objectionable only in that it places police power at the Federal level—not so with each of the other types of illegal activity.

The second type of act made illegal is carrying on a riot.

This second type of act which is made illegal may involve no violence at all, for the act provides that the inciting of a riot may be merely the creation of a situation in which a riot is likely to occur. The act provides in (b) of section 2102 that—

> A riot is a public disturbance involving acts of violence by assemblages of three or more persons, which poses an immediate danger of damage or injury to property or persons.

It is thus apparent that "an immediate danger of damage or injury to property or persons" may be created by a mere "public disturbance" in the nature of marching in the street in certain parts of Mississippi. Nothing may ensue as a result of the marching, but it would be difficult to say candidly that the activity does not pose some immediate danger if, for instance, there is Klan activity in the vicinity. The immediate danger is not because of the violence of the demonstrators but because of the possible reaction of the populace. Yet the demonstrators are the "rioters" under the definition.

Now, it may result that no riot in fact ensues. The populace may not become inflamed to violence. The marchers may demonstrate peacefully and the populace may exercise reasonable restraint. Yet the "immediate danger" existed, and those who crossed State lines to mobilize the march may well be in violation of the provisions of the act—if the literal provisions are constitutional.

The third type of act made illegal is inciting a riot.

One may be guilty of inciting a riot if he only "urges others to riot" though no riot ever occurs. Indeed, there may never have been an assemblage of persons at all. The illegal act is the mere urging of persons to riot. The urging may be abortive when plans are abandoned upon cooler reflection.

Therefore, if this legislation were passed, we would be presented with the unique case of the Government purporting to make a man's movement across a State line illegal if accompanied by an intent and followed by urging of certain activity. In most cases a man guilty of a Federal offense carries with him across a State line a much more tangible object: an automobile, a bottle, a package of narcotics, or a woman. But here he has with him only an idea which he continues to further after he has crossed a State line.

The danger of abuse of such a statute

is apparent. The more concrete the offense may be and the more tangible the transfer from one State to another, the more difficult it is to fabricate a charge against an innocent man or to fall into error as to his guilt. If there were no motor vehicle disclosed by the evidence, if there were no proof of a narcotic in the possession of the accused, then it is clear that prosecution would fail. On the other hand, it is quite easy to assert, even to believe, that the accused crossed a State line harboring the intent to incite a riot under circumstances in which he had no such intent.

For instance, suppose Jones, in the District of Columbia, states to others that it is his firm conviction that Negroes in Virginia "should not take it laying down," that they should "fight for their rights," that "things won't be better until they are much worse," and language of this sort. He then goes to Virginia and urges persons to march in protest of deprivation of civil rights. No march actually occurs nor is there any riot or violence. The ideas that he harbored are subject to many interpretations. One hearing him may understand the language to urge violence, to incite persons to riot. When he arrives in Virginia he urges persons to march, which marching poses "an immediate danger of damage or injury to property or persons." Testimony to this effect establishes the elements of the offense.

What Jones intended may have been quite different from the construction which witnesses may put upon his language. There is nothing but language to construe, and to derive meaning from, in order to make out the offense. This is the essence of the dangers inherent in this type of legislation.

Jones carried nothing across the State line but an idea, and what that idea was must be established by witnesses who repeat or construe his words, perhaps inaccurately. It is much easier for a witness to testify accurately with respect to whether or not he saw a Buick car crossing the line from the District of Columbia to Virginia than to say what Jones conveyed in his words.

Most illegal acts have very tangible harmful results. The act of murder results in a dead person. The act of stealing results in the appropriation of property. There is some insurance against miscarriages of justice in that these criminal acts are accompanied by demonstrable results. If no body is found, or if no property is discovered missing, there is probably not sufficient evidence to support a conviction. But in the case of this proposed legislation the ultimate determination must be made upon very fallible testimony concerning expressions and intent, and the offense may be proved although nothing resulted, no violence or riot occurred, no heads were broken, no property looted or burned.

The basic fault of this legislation is that it reaches out, to sustain Federal jurisdiction, to an artificial incident: crossing a State line with an idea of, or intent to, instigate a riot. The real evil is not the crossing of the State line but the riot itself.

It is true that, to complete the offense, the actor must after crossing a State line engage in an overt act. But a riot, as defined in the statute, is not what we ordinarily think it is. It is not necessarily a violent disturbance. It may be an entirely peaceful march within a community where such peaceful activity "poses an immediate danger of injury" to the marchers themselves—as for instance from the American Nazi Party. Thus, urging others to engage in a peaceful demonstration may complete the offense, though others are not urged to engage in violence.

If a criminal offense were framed in the normal manner of a State criminal statute, it would not be necessary to deal with one's state of mind while he is crossing a State line. Criminal laws usually deal with the act of committing or inciting violence directly. The initiator of the violence is subject to punishment. Under this bill, this is not necessarily so.

For instance, local Klansmen may create a riot in a crowd watching a civil rights march. They are immune from this legislation because their plans and actions are altogether local. But the peaceful instigator of the march who comes from another State may be guilty if a local jury finds that he should have known that the Klan would turn the gathering into a riot.

The implications for a labor dispute situation are obvious: The demonstration may be a picket line participated in by one from out of State, as in the Rio Grande Valley farm strike. The violence may be by strikebreakers or Rangers. But only the unionist from out of State is within reach of the provisions of this proposed legislation.

Mr. Speaker, disorder and violence are reprehensible wherever they occur. But general breaches of the peace and crimes should be suppresed under the criminal law of the State or community where they occur. Let us never threaten freedom by establishing Federal criminal law based on carrying an idea or intent across State lines. If we do this, every crime may be framed to fall within Federal jurisdiction if certain contrived elements exist. Such would be a long stride toward a national police state.

VITAL EDUCATIONAL MANPOWER TO FILL OUR CLASSROOMS

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, at the heart of our ability to win what H. G. Wells calls the race between education and catastrophe, is the necessity of having enough highly qualified teachers to provide the vital educational manpower to fill our classrooms from kindergarten through graduate work. In President Johnson's message on education on January 12, 1967, the President said:

> Nothing matters more to the future of our country: not our military preparedness—for armed might is worthless if we lack the brain-power to build a world of peace; not our productive economy—for we cannot sustain growth without trained manpower; not our democratic system of government—for freedom is fragile if citizens are ignorant.
>
> We must demand that our schools increase not only the quantity but the quality of America's education. For we recognize that nuclear age problems cannot be solved with horse-and-buggy learning. The three R's of our school system must be supported by the three T's—teachers who are superior, techniques of instruction that are modern, and thinking about education which places it first in all our plans and hopes.

Another important step toward reaching these goals was taken on June 29 in Philadelphia when the President signed into law the Education Professions Development Act. In doing so, President Johnson paid tribute to members of the Teachers Corps who have won commendation from officials of several hundred schools for their work with disadvantaged children.

The Education Professions Development Act strengthens the Teachers Corps by increasing the authorized funds, by extending to college juniors and seniors the right to participate—reserved heretofore to holders of baccalaureate degrees only—and by placing the responsibility for the Teachers Corps in the hands of local educational agencies and the colleges and universities where these corpsmen may study. The Teachers Corps is only a small part of the total Education Professions Development Act, but it has the potential of becoming a significant part of it. The undergraduate fellowship program continues and there is a new program giving grants to school districts for the training of teachers where there has been a critical shortage. Another provision of this bill has for its purpose the training of other personnel in higher education than those individuals who are working for their Ph. D.'s. Taken together, the committee hopes that these various programs will materially help to meet the shortage of teachers that has been critical across the Nation.

Under no previous administration have there been the accomplishments in education legislation that we have seen under the Johnson administration. On June 29, the following very significant statement was made by President Johnson when he signed into law this Education Professions Development Act:

> This morning we celebrate the success of a revolution.
>
> This quiet revolution has gone on this past year in 275 schools throughout the United States. It is based on a simple idea: that the wisdom, the dedication and the plain goodness of young Americans could be harnessed to help America's under-privileged children.
>
> This idea was so sound that it has withstood the fiercest buffeting and the strongest challenge.
>
> There were times in the past year when the fate of the Teacher Corps looked gloomy indeed. The fact that the Teacher Corps will live is only partly due to the legislators of both parties who reasoned together to enact a meaningful bill. It is only partly due to the tireless energy of Richard Graham and the Teacher Corps staff in Washington.
>
> The lion's share of the credit goes to the 1200 Teacher Corps members all across America who devoted this year to teaching

and to learning how to teach. They won their battle in the classrooms. The idea spread, it grew, and it conquered.

There are those who say that the Teacher Corps is a small program, so far reaching only 275 out of 100,000 schools in America. They are right. The Teacher Corps is a small program—just as the Peace Corps was a small program to begin with. But that small program has left the mark of America's idealism all over the world.

I am signing the bill this morning, because time is short. Before tomorrow night, when the supplemental appropriations expire, contracts must be let, payrolls met, and commitments made. I am asking Commissioner Howe and Director Graham to work round the clock. And I am calling on young and dedicated Americans to come forward and apply for this great adventure. By fall, we hope to double the size of the Corps.

This act I sign—the Education Professions Development Act of 1967—is a basic building block for our schools and for our nation. For no school—no matter how fine the building or how fancy its equipment—means as much as the men and women who work in it. Not just the teacher, but the principal, the librarian, the school nurse and the social worker are vital to our children's education. We need to attract our most talented college graduates and train them for the most challenging work they could possibly undertake—to light the spark of learning in a young child.

This act will help us to do that.

SAGGING LOTTERY AND MORAL UNEASE

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, last week the House overwhelmingly passed legislation to prohibit federally insured and federally chartered financial institutions from participating as a sales agent in a lottery.

The House debate was very lengthy and involved and should be abridged and synthesized to clear the air and highlight the facts involved. The following article from the Wall Street Journal of July 17, by James Gardner, does just that. It includes many comments by people who all had predicted the failure of a poorly devised plan to finance a complex States' education. The lottery needs a new look out of our hands.

I include Mr. Gardner's remarks, as follows:

Sagging Lottery and Moral Unease

(By James Gardner)

Can a rich, respectable state like New York play the betting game as well as a local numbers operator?

The answer seems to be, at least right now, not by a long shot.

Behind the failure of New York's lottery to live up to expectations last month (ticket sales for June were about 65% to 75% behind schedule, according to reports preceding the official results due out this week) lurk a number of temporary snafus that any new product or service is likely to encounter, and several more fundamental problems that are likely to prove sources of continuing difficulty.

First of all, lottery promotional efforts got off to a slow start. Ted Brown, the Fuller Smith & Ross account executive supervising lottery advertising, says that "the campaign only got into full swing 25 days ago."

An aide of Mayor John V. Lindsay blames the ticket lag on the fact that no one has won any money yet. "Just wait until the first prize is given," he says, "then you'll see sales accelerate."

Also cited in the June disappointment were the inconvenience of ticket purchasing arrangements, the price ($1 per ticket) and, of course, the long odds (chances of winning a monthly prize of $150 are calculated at about 1 in 4,000 and odds against winning the annual $250,000 "super-prize"—assuming the present ticket sales trend persists—are somewhere in the neighborhood of 100,000,000 to 1).

None of these explanations is groundless, and it's quite likely that an increased advertising budget, plenty of time to clean up administrative red tape and a chain of well-publicized monthly winners would help lottery sales. But some problems will probably prove less tractable.

It's unlikely, for instance, that lottery news will get extensive coverage by radio and television stations. A Federal code prohibits dissemination across state lines of "any information concerning any lottery . . . or any list of the prizes drawn or awarded by means of such lottery." Though broadcast networks are interpreting the law with varying degrees of strictness (NBC says it will not report the names of lottery winners but CBS maintains that "if there's news, we'll use it"), all are likely to skimp on lottery coverage because of fear of an FCC crackdown.

A bill passed last week by the U.S. House of Representatives bars the sale of lottery tickets by Federally insured banks and could spell additional trouble for the New York lottery. Banks now serve as a major ticket outlets.

The possibility of Federal restriction has been a sore point with many lottery detractors. Says one New York City political leader, "It's a hell of a thing when the state is coming this close to contributing to a Federal offense." The reaction is similar to a good many more people confused by the moral ambiguity inherent in state sponsorship of a gambling operation.

The typical attitudes to such programs seem to be either a tendency to automatically whitewash any operation that raises money for a "good cause," in this case education, or to condemn gambling as tainted, immoral and well beyond the proper pale of government activity.

The tangle of attitudes shows up in some crucial spots.

"We have two purposes in our advertising campaign," says John Poister, creative director for Fuller Smith & Ross. "The main appeal of the lottery is to give people a chance to win some money under fairly respectable auspices. But we're also trying to sell another purpose which is somewhat at odds with the first, and that is to aid education."

In an amplification of Mr. Poister's statement, Mr. Brown, the account executive, says flatly: "The purpose of the lottery is to further education. There is absolutely no other purpose."

Government officials' efforts to remove all undesirable taints and connotations from the operation and promotion of the lottery have been intensive. As Frank Otwell, official public relations man for the lottery, tells it, "We can't have a campaign that's too full of hoopla. What's this lottery about anyway? It's not just a commercial gimmick."

Mr. Otwell gives one example of the tremendous pains taken to keep the campaign dignified:

"The advertising men had originally come up with a slogan that went 'The lottery means better education—you can bet on it.' That was scrapped, partly because school officials felt that children shouldn't be exposed to a colloquialism like 'You can bet on it'."

But despite such efforts, the taint persists.

William Dean, executive secretary of the Citizens' Union of New York, gets "irritated to see those ads saying that the way to help education is to buy lottery tickets. It's utterly incongruous to support the school system with proceeds of gambling."

Adds the Rev. Dan Potter, director of the Protestant Council of New York City, "The lottery is morally wrong. That's all there is to it."

Perhaps an anonymous New Yorker overheard on the street a few days ago best caught the sense of vague chagrin the Empire State's betting game has engendered in many minds:

"You wouldn't hardly think that important men like those government fellas would go betting to get their money."

STRONG FIREARMS LEGISLATION

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, once again we have been given a cruel reminder of the necessity for strong firearms legislation. The riots which now rage in Newark, N.J., and have spread to Plainfield, are a clear example of the problem caused by the indiscriminate sale of firearms. At last count the death toll in Newark stood at 24, and more than 20 snipers were still exchanging gunfire with police and troops. Firearms legislation would not have prevented the riot, but it would certainly have prevented such a large death toll.

We hardly need a bloody riot to remind us of the need for strong firearms legislation. A casual look at any newspaper is sure to turn up at least one crime involving the illegal use of a firearm. The Uniform Crime Reports published by the FBI show that last year there were over 100,000 serious crimes involving the use of a firearm. In Newark, over 1,000 of those arrested, many of them for carrying firearms, had prior criminal records. And yet we will not pass legislation that would prohibit the sale of firearms to such people. We continue to arm those same people who now roam the streets of Newark looking for new targets—human targets.

Since first coming to Congress in 1963 I have continuously introduced legislation to limit the interstate movement of firearms to certain licensed dealers, and to restrict sale by those dealers in order to prevent felons, juveniles, and mental incompetents from obtaining firearms. I think the responsibility of the Congress to face up to the problem and enact legislation is long overdue.

The bill I have introduced, which is now pending before the House Ways and Means Committee, would make it unlawful for any person except those licensed under the act to transport, ship, or receive any firearm in interstate or foreign commerce. There would be exceptions to this provision for certain lawful purposes. In addition, the bill provides for licensing regulations for firearms dealers, and establishes strict criteria regulating the sale of firearms.

This legislation is a reasonable answer to preventing felons, juveniles, and mental incompetents from obtaining firearms. It will not restrict anyone legally qualified to possess firearms from buying or using such firearms for sporting or other legal purposes.

The loud cries of anguish from the various sportsmen, gun clubs, and their societies, both State, and national, are irresponsible and reflect an unwillingness to face up to the problem of firearms in our urban communities.

These many rifle associations provide a valuable public service in their marksmanship and safety programs. It is through such programs, which culminate in the annual rifle matches at Camp Perry, that the United States was able to place first in rifle and pistol marksmenship events in the 1966 world shooting competition in Germany, beating the Russians for the first time in 13 years. Ninety percent of the members of our team were military, and two-thirds of the military were in the Army. The United States also won first place in the Pan American Games and in the Tokyo Olympics in 1964. It is too bad that the rifle associations obscure their best accomplishments with unreasonable opposition to legislation that would in no way obstruct their activities.

It is unfortunate that we wait for riots and mass murder before we regulate the sale of firearms, but let us not fail to learn the cruel lesson such violence teaches. We must pass this legislation without further delay.

PROPOSAL FOR RECIPROCAL GRADUATED DEESCALATION OF THE WAR IN VIETNAM

The SPEAKER pro tempore (Mr. HANLEY). Under a previous order of the House, the gentleman from Massachusetts [Mr. MORSE] is recognized for 60 minutes.

Mr. MORSE of Massachusetts. Mr. Speaker, on July 10, last Monday, on behalf of myself and seven of my colleagues, I delivered a detailed proposal for a reciprocal graduated deescalation of the war in Vietnam, starting with a first step of the United States in halting bombing in North Vietnam north of the 21st parallel for a period of 60 days. I spoke at that time on behalf of the gentleman from Oregon [Mr. DELLENBACK], the gentleman from Michigan [Mr. ESCH], the gentleman from New York [Mr. HORTON], the gentleman from Maryland [Mr. MATHIAS], the gentleman from Ohio [Mr. MOSHER], the gentleman from Pennsylvania [Mr. SCHWEIKER], and the gentleman from Vermont [Mr. STAFFORD].

We have been gratified by the initial response which has been made to the proposal we made only 7 days ago. It has received a positive reception in the editorial pages of the Nation's newspapers—the Boston Globe, the Washington Post, the Baltimore Sun, the Cleveland Plain Dealer, the St. Louis Post-Dispatch, and the Chicago Daily News, just to mention a few of the newspapers which have commented favorably in their editorial pages.

Our offices each has received a multitude of letters, telegrams, and telephone calls expressing what we regard as genuine interest in the idea from all segments of the American public. And perhaps most encouraging, the administration through its congressional leadership here in the House, demonstrated last week a willingness to debate this proposal and its Vietnam policies in public, a precedent which we conscientiously hope will be continued during today's floor action.

Mr. ESCH. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from Michigan.

Mr. ESCH. Mr. Speaker, I am pleased to join with the distinguished gentleman from Massachusetts [Mr. MORSE], and others today as we continue our dialog on our policies in Southeast Asia.

Let me concur that it is indeed heartening to see that there is at last some willingness to discuss these issues, although the objectivity of administration spokesmen may leave something to be desired.

Surely this is a time for Congress, as an independent branch of our Government, elected by the people, to exert increasing leadership in the conduct of our foreign policy. As one who comes from that State which was honored to have the late Mr. Vandenberg as its distinguished Senator, it is a special moment for me to stand on the floor as a part of this debate. When Senator Vandenberg developed the concept of a bipartisan foreign policy, he envisioned a personal and total involvement with the Congress in the developing of that foreign policy. Unfortunately, such has not been the case in current times. Indeed, this same Vandenberg bipartisan concept has been prostituted to allow the administration justification for increasing unilateral activity without the involvement and consent of Congress and without full reporting to its Members. It is in this framework, then, that I and seven other Members last week spoke out in an attempt to begin the dialog of other possible alternatives toward peace.

During our discussion last week, several questions were raised by the majority leader who, I assume, also speaks for the administration.

One question asked of us was: "What makes you think this plan will work when all diplomatic efforts in the past have only demonstrated Ho Chi Minh's total unwillingness to negotiate or to end the war?" I would like to talk directly to that point.

No one can be certain of Hanoi's response to our proposal, but as we said on July 10:

> It seems to offer more promise than the stand-pat policy of the Administration or the alternatives suggested by either set of its major critics.

We are aware, of course, that the North Vietnamese Government has shown little inclination in the past to seek an end to the conflict or even a lessening of its intensity. It has not shown a sincere interest in peace. Nonetheless, we believe that another effort to induce a promising response from Hanoi is desirable, particularly if that effort involves minimum military risk to the United States as we believe our proposal does.

Most important, we believe that it is possible that the negative attitude of Hanoi to U.S. diplomatic efforts to date may in large part have been dictated by the kind of diplomacy the United States has used. Thus, in this sense, the specific details of our proposal on July 10 were less important than the discussion of the diplomacy of limited war which accompanied them, and the dialog which has begun.

Mr. MORSE of Massachusetts. Mr. Speaker, I thank the gentleman for his contribution.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, I rise to commend the gentleman from Massachusetts [Mr. MORSE] and the other Members who have joined him in reopening the discussion on Vietnam policy.

The subject is too vital and the price we are paying too high to permit us to drift along under present circumstances without a fundamental reevaluation of our present policies and objectives.

In my view, Mr. Speaker, our fundamental objective in Vietnam has been changed. I wish I could share the optimism that has been expressed with regard to such proposals as that advocated by the distinguished gentleman from Massachusetts.

But because of the changed nature of our basic objective, I see only two realistic choices facing us today: reaffirm our original objective and proceed from there; or pull out of Vietnam before another drop of American blood is needlessly spilled.

These are harsh words, Mr. Speaker, but they are spoken out of a deep conviction. I have said before and I repeat now that I am neither a "hawk" nor a "dove" on Vietnam but rather a pessimist.

My pessimism arise from the commitments that were made by our country in Manila last October, commitments that were reaffirmed in clear terms by the Secretary of State some 10 days ago in Chicago.

In my view, the commitments, if implemented, can only lead to the eventual takeover of South Vietnam by the Communists. In the next few moments, I would like to explain why.

Mr. Speaker, the war in Vietnam has become largely an American war. American casualties have now mounted to such an extent that they are outrunning South Vietnamese casualties by roughly two to one.

In specific figures, the Pentagon admitted 2 weeks ago that Vietnamese combat deaths for the week ending June 24 were 119 while American deaths for the same period were 274.

Since the beginning of 1967, Vietnamese casualties—dead and wounded—have amounted to some 19,000 while American casualties have totaled more than 35,000.

This more than anything points up the folly of challenging the Communists man for man where they are supreme rather than placing a greater reliance on the effective use of air and sea power where we are supreme.

But it also points up something else.

These are grim totals.

They represent a high price—one that Americans have demonstrated time and again in the course of our history we are willing to pay—for a high goal.

Whenever Americans have deemed it necessary to go to war to preserve our freedom, or to defend that of our friends; we have been willing to make the sacrifices.

But Americans have also demanded that if we are to make such sacrifices, the end result must be worth the price.

WHAT IS THE END RESULT?

Which brings us to a crucial question, Mr. Speaker.

Precisely what is the end result we are striving to attain?

What is the shooting all about?

What is it in Southeast Asia that justifies a kill rate of 10,000 Americans annually and possibly 50,000 wounded?

A little over 2 years ago, President Johnson attempted to answer this question in a notable speech at Johns Hopkins University.

He defended our country's goal in Vietnam in that April 7, 1965, speech in this way:

> Our objective is the independence of South Vietnam and its freedom from attack. We want nothing for ourselves—only that the people of South Vietnam be allowed to guide their own country in their own way. We will do everything necessary to reach that objective and we will do only what is absolutely necessary.

That was the President's statement of our goal.

In that same speech, he outlined the methods we would follow to attain that goal. In a word, he formally committed this country to achieve that goal by way of negotiations—through what he called "unconditional discussions."

To be sure, he made clear that we would use our power to achieve that goal and he outlined what he called the "essentials of settlement."

> Such peace demands an independent South Vietnam—securely guaranteed and able to shape its own relationships to all others—free from outside interference—tied to no alliance—a military base for no other country. These are the essentials of any final settlement.

I recite this history for a reason, because it lays the groundwork for what is to follow in my own assessment of the situation.

There has been a fundamental change in our country's position since the Johns Hopkins speech. It has gone largely unnoticed, but it has caused me and others, I believe, to rethink our own position and our own support of the administration's position in Vietnam.

Those who have followed closely congressional feeling about the war know that my party's position and my own has consistently been to support the President's firm actions in Vietnam though we have differed in the tactics to be employed for achieving the goal he outlined.

To understand why this support—at least on my part, possibly on my party's—may be withdrawn, it is necessary to understand what formed the basis of our support in the past and how circumstances have changed.

On April 7, 1965—and repeatedly since, the President of the United States has made clear at least two fundamental positions: first, that our country's goal is to bring the conflict to an honorable end through negotiations; and second, that the honorable end must include assurance of a free and independent South Vietnam.

Ever since the President's first clear announcement that these were our goals in Vietnam in April of 1965, Republicans have made clear their support for achieving those goals. Our differences arose over the tactics used to pressure the Communists to sit down at the conference table.

On June 14, 1965, I made clear my belief that the best way to "persuade" the North Vietnamese to come to the conference table was not by escalating the war on the ground. I felt then, and still feel, that the United States should not allow itself to get bogged down in a massive land war on the continent of Asia. I believed also, and still do, that the best way to bring pressure was to challenge the Communists where we are supreme—namely with sea and air power—and not where they are supreme—in manpower.

On December 13, 1965, the highest policymaking body of the Republican Party, the Republican coordinating committee, issued a statement which generally echoed these same sentiments and called for a "Kennedy-type quarantine" around the port of Haiphong and better use of U.S. air and sea power against "significant" military targets.

This remained the Republican position all through 1966, and some would argue still remains our basic position.

But those who would so argue do so in the belief that the circumstances which governed the evolution of this policy are also unchanged.

I would argue they are not.

Going back to the President's Johns Hopkins University speech of April 7, 1965, it must be remembered that it contained two basic goals of our country: to end the war honorably through a negotiated settlement, and to assure the subsequent existence of a free and independent South Vietnam.

The one has not changed. The other has been thrown into serious question if it has not already in fact been abandoned.

We still mean to negotiate. But we appear to have abandoned the overriding goal of a "free and independent South Vietnam."

The President, the Secretary of State, the Secretary of Defense, the Ambassador to South Vietnam, and many others would dispute this claim.

But the facts contained in the public record would seem to indicate otherwise. And they are plain for all to see.

To understand this fundamental shift in the policy objectives of the United States, it is only necessary to recall two very significant occurrences: one in September 1966; the other in October 1966.

That they are significant cannot be questioned.

One involved a major policy statement by the U.S. Ambassador to the United Nations.

The other involved a major undertaking on the part of the President of the United States.

In his speech to the United Nations on September 22, 1966, Ambassador Goldberg formally committed the United States to a course of action which, if agreed to by the Communist North Vietnamese, would result in an end to the war.

The President's travels to Manila in October 1966 resulted in a major reaffirmation of the Goldberg offer in the now famous Manila communique of that month.

The offer was simply this: If the North Vietnamese withdraw their regular forces from South Vietnam and if the violence in South Vietnam thus subsides, then the United States would "within 6 months" after these conditions have been met, pull its own forces out of South Vietnam.

In other words, in exchange for pulling between 45,000 and 60,000 regular units of the North Vietnamese army out of South Vietnam, the United States would withdraw its own force of more than 400,000 from South Vietnam. Some 200,000 Vietcong personnel would, of course, remain in South Vietnam.

Those who argue about whether our bombing policies or our naval and sea pressure or our activities in the south will accomplish the widely touted objective of bringing Ho Chi Minh to the conference table assume, it seems to me, that we can still sit down to "unconditional discussions," and that presumably, once at the table, the bargaining power of allied interests would insure the subsequent existence of a "free and independent South Vietnam."

With the Manila communique and the Goldberg speech still outstanding, however, the discussions can no longer be unconditional, if, indeed they ever could have been.

With those offers still outstanding, the United States is committed—and we do not treat our commitments as lighly as some of our adversaries—to the course of action outlined in those pronouncements.

Those who would seriously assess our prospects in Vietnam, therefore, cannot do so intelligently without taking into account the very serious ramifications of those outstanding offers.

To me the ramifications are clear.

Simply stated, the end result of acceptance of the Manila and Goldberg offer on the part of the Communists would eventually be realization of their—not our—goals in South Vietnam.

Their goal, of course, is a Communist takeover of South Vietnam.

My own view is that implementation of the Goldberg and Manila offers would insure that eventual outcome.

Why?

Quite simply, because the South Vietnamese Government today is not much if any stronger than the South Vietnamese Government of 2 years ago when American "advisers" had to become active combatants and when the National Liberation Front of those days threatened to take over the country.

All are agreed that only U.S. intervention on a massive scale—in effect, a metamorphosis from a largely Vietnamese war waged by Asians to an American war waged by Americans—prevented a Communist takeover 2 years ago.

Though progress has been made by the Ky government and hope can be expressed in what the elections will bring about for South Vietnam, few I think would argue that the Government is sufficiently stable to repel what South Vietnam had to contend with in the person of the Vietcong prior to direct American involvement.

Yet it is precisely that assumption which governed our willingness to make the offers expressed by Ambassador Goldberg at the United Nations and President Johnson through the Manila communique.

Much as I personally would like to think otherwise, I cannot believe that the South Vietnamese are ready today, or will be ready within the short space of a year or so, to act successfully against a rejuvenated Vietcong unhampered by American involvement in support of the South Vietnamese.

The point of all this is that Ho Chi Minh has been made an offer. It appears to many of us to be in his best interest to snap it up. If he does, the bombing and general harassment of his own country will stop. The casualties among his own regular army units will stop. The formidable array of American armed might which faces him now in South Vietnam will disappear. And the situation regarding eventual Communist takeover of South Vietnam will return to roughly the same situation that existed 2 or 3 years ago.

At the same time, once U.S. forces have pulled out of South Vietnam, the likelihood of their early return—no matter how critical the situation becomes—will in Ho's view be extremely remote. He has but to look at our willingness to ignore the repeated violations that have marked the record of the Geneva accord on Laos of 1962.

Clearly, the Manila communique represents a fundamental change in our Nation's short-term aims and long-term objectives in Southeast Asia. It should also be clear that my own support and that of my party has in the past been predicated on our country's commitments as spelled out in the President's Johns Hopkins speech of 2 years ago.

It is my own deep conviction that Manila has changed this, that the President's commitment in Manila, if carried out, would ultimately lead to a takeover of South Vietnam by the Communists.

If this remains the ultimate prospect of all our sacrifice in Vietnam, no American in good conscience would want to support anything more than an immediate unilateral withdrawal of American troops before another drop of American blood is needlessly spilled.

Speaking for myself, I can only say that continued support of our actions in Vietnam must await a clarification or disavowal of the terms contained in the Manila communique.

Anything short of that cannot justify the sacrifices that have already been made by Americans nor the further spilling of another drop of American blood nor the expenditure of another American dollar.

I wish it were otherwise. But the stark facts as I read them can only lead to the conclusions which are outlined above. If all of the sacrifice that has been sustained and that is being sustained in Vietnam is to be worth the effort, we must as a country return at the very least to the goals which the President spelled out in his Johns Hopkins speech 2 years ago.

It is for this reason, Mr. Speaker, that much as I would like to think otherwise, I cannot shake the conviction that all proposals designed to take us to the conference are most difficult to pursue until the Manila communique is clarified or disavowed.

Mr. MORSE of Massachusetts. Mr. Speaker, I thank the distinguished gentleman from Wisconsin, who serves as chairman of the minority conference, for his worthwhile and encouraging comments in behalf of our efforts.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from Vermont.

Mr. STAFFORD. Mr. Speaker, I thank the gentleman from Massachusetts for yielding.

Mr. Speaker, in carrying on our discussions, we believe that our proposal which was made last week may have a chance to succeed, where others have failed. For these specific reasons:

First. It involves minimum military risk to the United States and to North Vietnam.

Second. It does not require Hanoi to take the first step, or that the first step be a simultaneous one by both Governments.

Third. It does not require major "conference table" negotiations in the spotlight of public attention.

Fourth. It affords an opportunity to North Vietnam to undertake its own diplomatic initiatives and an opportunity to "save face."

Fifth. It offers a means by which steps toward deescalation can be taken slowly and with complete verification, thereby building confidence on each side in the word and credibility of the other.

Sixth. It does not deal in ultimatums or threats.

In other words, we believe that implementation of our proposal would, for the first time, really test whether the Government in Hanoi is genuinely interested in honorable negotiations to end the conflict or even in any steps to lessen its intensity.

Mr. MORSE of Massachusetts. I thank the gentleman from Vermont for his contribution to the effort which we are making.

Mr. DELLENBACK. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from Oregon.

Mr. DELLENBACK. Mr. Speaker, I thank my friend, the gentleman from Massachusetts [Mr. Morse], for yielding.

Mr. Speaker, disapproving of and seeing great damage in precipitate and unilateral withdrawal, and also in precipitate and uncontrolled escalation, we are searching for some sound proposal which can lead to meaningful negotiations and a sound and lasting peace. I emphasize both. In other words, "meaningful" as applied to negotiations, and the words "sound and lasting" as applied to peace.

Mr. Speaker, as the distinguished gentleman from Vermont has just said, I think that before we pin too great hope upon any hypothetical negotiations which have not taken place, it is extremely important that we really test in some way that can yield results, whether or not the Government of Hanoi is genuinely interested in some sort of honorable negotiations. To date we have no sound basis for knowing whether anything could lead to a response on the part of the North Vietnamese, indicating that they are really interested in negotiations. All of the diplomatic efforts of the administration—at least all of which we are aware—have been made in such a way that it has been difficult, if not impossible, for Hanoi to respond responsibly to them. This is not to question the sincerity of the administration; it is merely to say that there is a distinction between the diplomacy of limited war and the diplomacy of total war, and that the distinction may not be adequately understood by the administration.

Mr. Speaker, much has been made of the fact that the United States has accepted 28 proposals for settlement of the war in Vietnam and that the Government of Hanoi has rejected all of them.

Much has been made of the fact that the United States has accepted 28 separate proposals for a settlement in Vietnam and that the government in Hanoi has rejected all of them. Unfortunately, none of the 28 points go to the style of U.S. diplomacy. The only one really relevant to this discussion is point 17, described by the State Department and its spokesmen as, simply: "Cessation of bombing and reciprocal deescalation." We are told that the United States has accepted the proposal and that North Vietnam has rejected it. The question to be confronted is: How has the proposal been made? Has it been made in such a way that Hanoi was likely to respond favorably? We do not think so.

Congressman Albert has described the style of U.S. policy:

> On five separate occasions we ceased the bombing in North Vietnam without imposing any conditions on North Vietnam.
>
> The first pause was for a 7-day period in 1965, from May 12th through the 17th. Hanoi's response was that the halting of the bombing was a trick.
>
> In December 1965, there was a 36-day pause. Again, there was no change in Hanoi's belligerent attitude.
>
> In December 1966, we paused twice for two days each. And in February of this year, we paused for another 5 days.
>
> On five separate occasions we presented Hanoi with an opportunity for peace. And she

used that opportunity to resupply her troops in the south.

That is the end of the quotation from Mr. ALBERT.

It is our contention that a pause of 2 days or 5 days or 7 days is obviously too short to allow Hanoi to respond with a diplomatic initiative of her own that does appear to be some kind of surrender to U.S. policy. In a limited war, both sides must enter the peace process appearing as equals, or there will be no peace process. More important, a very short pause in the bombing does very little, if anything, to convince the other side of the sincerity of the United States.

It is imperative that we should convince the other side of the sincerity of the United States if we are to have any meaningful or productive negotiations.

Mr. Speaker, I thank my friend, the gentleman from Massachusetts, for this chance to enter this dialog.

Mr. MORSE of Massachusetts. I thank the scholarly gentleman from Oregon.

I would like to add that the 36-day pause in December 1965–January 1966 certainly offered a better hope of securing a positive response. But here, too, the motives of the United States might well have been obscure to the North Vietnamese: Was it a trick? Was it a sign of weakness? Furthermore, it offered the North Vietnamese not just the opportunity to make their own peace initiative, but it also offered them an opportunity to gain military advantage by increasing supplies to the south. And, as we know, they chose the latter course. Finally, it should be recalled that the administration expected from Hanoi a giant response to its own giant initiative. In effect, Hanoi was asked to end support of the south in one dramatic step just as we had "ended" bombing the north, in one dramatic step. But did Hanoi have enough reason to believe U.S. sincerity to justify such a major change in policy?

On July 10 we wrote:

> A complete bombing pause would not prove the genuine sincerity of the United States while a complete bombing cessation long enough to prove the genuine sincerity of the United States would involve a great military risk to the United States.
>
> In still other words, a complete bombing pause would not prove the genuine sincerity of the United States but a complete bombing cessation long enough to prove the genuine sincerity of the United States would not in any way assure the genuine sincerity of North Vietnam. It might, therefore, prove to be a greater impetus to instability than to stability.

Our proposal for graduated deescalation of the bombing in the north, by stopping it in stages starting north of the 21st parallel, involves no such major military risk. It does not assume North Vietnamese sincerity; it requires proof in the form of reciprocal deescalatory steps. The military risks involved come only when the bombing is halted in southern North Vietnam where the supply routes are concentrated—and by that time the North Vietnamese would have had to demonstrate their own genuine interest in deescalation by verifiable steps of their own. Thus, the plan protects American military forces by not envisaging a full cessation of bombing in North Vietnam until there is clear evidence in the acts of Hanoi that a cessation would not merely increase North Vietnamese supplies to the south.

But our proposal has another very relevant and significant feature. It does not ask of either side a giant step toward peace—a step so large that neither Government could take it without great risk. It asks only small steps, taken one at a time, through which mutual confidence can grow. It does not say we will stop the bombing and you stop the support of the south. It says rather, let us take it slowly; we will stop part of the bombing and you respond with a similarly small identifiable step. The cumulative effect may be that giant progress is made—but it cannot be expected to come in one single dramatic act before any mutual confidence has been established. As we wrote on July 10:

> The best chance for peace lies not in giant power or giant concessions. It lies in small steps, taken quietly—steps that make the position of each side credible to the other.

Mr. MATHIAS of Maryland. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman.

Mr. MATHIAS of Maryland. I would like to refer to a statement that the distinguished gentleman from Massachusetts made with respect to the proposal that has been suggested for deescalation of the war, and that is that this proposal does not assume sincerity on the part of the North Vietnamese.

I think this is a point that needs to be underscored—this proposal does not assume anything. It is a pragmatic objective test, and I think therein lies its great value.

When our colleague, the distinguished majority leader, was referring to this plan a week ago, he referred to another U.S. diplomatic effort which he apparently felt was an even more promising initiative than our proposal:

The gentleman from Oklahoma [Mr. ALBERT] last week said:

> It is common knowledge that we refrained from bombing an area of 300 square miles in and around Hanoi for the entire first quarter of this year—a period of cessation much longer than the Republicans are now calling for.

Mr. ALBERT apparently equates this action with the first step called for in our plan: the end to bombing north of the 21st parallel for a period of 60 days while waiting for a similar deescalatory step by the North Vietnamese.

I think, with all due respect to our colleague, the similarity that he sees and the comparison that he makes is only an illusion.

In the first place, there was no definition to the area not bombed—therefore, it was not perfectly clear to either the North Vietnamese or the South Vietnamese or to the world at large or to the citizens of this country that the United States was attempting to take a step toward progress.

Second, there was no specific time period involved; that is, the North Vietnamese did not know that the bombing would not be immediately resumed on any given day. There was, in short, no precision to the U.S. initiative if indeed you can call it an initiative.

Third, there was no clear indication that a similarly small North Vietnamese initiative would be met by any further U.S. steps. It was an isolated act which was not intended as a part of a series or a plan or a blueprint, but was tied to a giant concession by the North Vietnamese.

Fourth, that giant concession expected of Hanoi amounted I think we have to say to an ultimatum.

President Johnson's letter to Ho Chi Minh of February 2, 1967, read as follows:

> I am prepared to order a cessation of bombing against your country and stop a further augmentation of the United States forces in South Viet Nam as soon as I am assured that infiltration into the South Viet Nam by land or by sea has stopped.

The noted columnist, commentator, and reporter of the New York Times, Mr. James Reston, in commenting on that letter said:

> This is not a proposal for a cease-fire during negotiations or even a request for "reciprocity," but a demand for prior proof that all infiltration from the North had stopped before we would agree to stop bombing . . .
>
> Each is proposing terms for talking that would give its forces a military advantage they do not now enjoy . . .

I personally like the President's words which he used before the Tennessee Legislature on the 15th of March of this year in which I think he gave a more realistic and a more understanding definition of the term "reciprocity," for the President said there:

> They have three times rejected a bombing pause as a means to open the way to ending the war, and going to the negotiating table . . .
>
> We stand ready to advance toward a reduction of hostilities without prior agreement. The road to peace could go from deeds to discussions, or it could start with discussions and go to deeds.
>
> We are ready to take either route. We are ready to move on both of them.
>
> But reciprocity must be the fundamental principle of any reduction in hostilities. The United States cannot and will not reduce its activities unless and until there is some reduction on the other side. To follow any other rule would be to violate the trust that we undertake when we ask a man to risk his life for his country.

Then, Mr. Speaker, I would draw particular attention to these words of the President of the United States delivered to the Legislature of the State of Tennessee when he said this:

> We will negotiate a reduction of the bombing whenever the Government of North Vietnam is ready and there are almost innumerable avenues of communication by which the Government of North Vietnam can make their readiness known.

This plan that he had proposed is in essence just a specific reduction for one means of communicating these thoughts which the President has said are the essential sine qua non toward any progress toward deescalation.

A limited war cannot be ended by the diplomacy of total war. This letter set the framework within which Ho Chi Minh would react to the bombing pause around Hanoi in early 1967. That framework was one in which Hanoi was asked to lose face by taking the first step toward deescalation of the conflict and by making that step a giant one.

It had not been preceded by growing mutual confidence between the two Governments. It had not been preceded by demonstration of U.S. sincerity. And it treated North Vietnam, not as a potential equal at the negotiating table, but as an enemy who was expected to surrender without qualification.

Mr. Speaker, during the past week Senator MANSFIELD emphasized the dangers ahead if we continue to escalate. I would like to quote very briefly from Senator MANSFIELD's statement. He said:

> Before we take another significant step into Vietnam, it is to be hoped that we will have asked ourselves at what point we intend to increase taxes, apply the wage and price controls, tighten the draft exemption, call up the Reserves, and make the countless other adjustments in our national life which are implicit in further extensions of the American involvement.
>
> It is to be hoped, that we will have asked ourselves, too, Mr. President, at what point . . . we reduce the present Vietnamese politico-military structure which is based in Saigon to a final irrelevancy . . .
>
> It is to be hoped that before plunging deeper we will have asked ourselves at what point that which began as limited U.S. aid to the South Vietnamese military becomes wholly an American war against all Vietnam, becomes a war in Korea, becomes a war in the Formosan Straits, becomes a war with China. And while we are asking we had better ask ourselves, finally, at what point in this ever-widening compass of conflict—at what point along the road to World War III—the Sino-Soviet breach is finally healed? And, thereafter, at what point a new eruption occurs at Berlin or some other pressure point of potential universal conflict?

I end the quotation from Senator MANSFIELD's statement.

Mr. Speaker, these are questions that all America is asking. By our plan we are posing a possible answer.

Mr. MORSE of Massachusetts. I thank the distinguished gentleman from Maryland for his significant contribution to the work of our group.

Mr. MOSHER. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from Ohio.

Mr. MOSHER. Mr. Speaker, I certainly do want to associate myself, again, with the remarks made here today by the gentleman from Massachusetts [Mr. MORSE] and also with those others of my colleagues who have already risen to support our proposal for a carefully phased, step-by-step deescalation of the bombing in North Vietnam.

I am sure, Mr. Speaker, that some knowledgeable critics will consider our proposal as an arrangement altogether too simple. Oversimplification, we agree, can sometimes be dangerous. But I want to assure those critics that we do recognize the complexities and subtleties of the Vietnam situation, we do recognize that our suggestion is far from a complete solution to the Vietnam war. Our proposal does not deal fully with relations with the Vietcong, nor with the Soviet Union, nor with China. It does not pretend to define a negotiating position for a comprehensive settlement in Vietnam nor Southeast Asia. It does not deal directly with the hostilities within South Vietnam itself.

But our proposal does offer a chance for two of the governments involved, Washington and Hanoi, to take a few cautious steps back from the conflict, and a few cautious steps forward toward peace.

Mr. Speaker, it is said that Hanoi has no interest in peace. We are not yet convinced of that. But we are convinced that the possibility of Hanoi's interest has not yet been tested by creative and sensitive U.S. diplomacy which would allow the North Vietnamese the opportunity to approach the peace table as equals, which would build up mutual confidence on both sides, which would allow both sides to "save face," and do so with a minimum military risk to both sides.

We believe that our proposal points in those positive directions, and whether it is too simple or not, we believe that any discussion of it or consideration of it by the public and by the administration will be in itself a healthy, forward step toward an eventual end of this horrible conflict.

In short, Mr. Speaker, we believe that peace is altogether too precious to be ignored now simply because we have already tried before and failed.

We believe in the old adage that we must "try, try again."

Mr. MORSE of Massachusetts. Mr. Speaker, I thank the gentleman from Ohio for his remarks and for his work in developing the proposals before the House at this time.

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from New York.

Mr. HORTON. Mr. Speaker, I thank the gentleman for yielding. I would like to indicate to him and to those of my colleagues who have preceded me my complete support for the statements they have made here this afternoon.

Mr. Speaker, I had reserved an hour under special order today to follow the distinguished gentleman from Massachusetts, but in view of the lateness of the hour and the fact that the House has been in session for such a long time, I am going to combine my time and use my time now under the special order of the gentleman from Massachusetts.

Mr. Speaker, I have requested this time to continue the foreign policy debate which began in the House a week ago, when I joined seven of my colleagues in suggesting a new course toward peace in Vietnam.

Spurring debate is my principal purpose here today. While I would again commend to the President and his advisers our stepped deescalation proposal of last week, the details of our proposal are not as important as a meaningful discussion of our tactics, our objectives, and the depth of our involvement in Southeast Asia. Even the Washington Post, which has long recognized and supported the need to combat Communist aggression in South Vietnam, said last Friday that—

> At a time when confidence about the course and conduct of the war is faltering * * * a genuinely concerned American public is being suffocated in optimistic generalities.

Is it any wonder that citizens support for the war is not unanimous, when the administration has done so little to make the goals of our engagement in Southeast Asia understandable? Is citizen misunderstanding of the war any mystery when even the most informed administration planners have been unable for 2 years to estimate the costs of achieving these goals to within $10 billion?

The American people are accustomed to taking part in the major decisions of their Government, and to engaging in enlightened discussion. They are not accustomed to risking the health of their youth, their economy and their reputation in the world solely on the basis of assurances that "this will be a long, hard struggle," and on vague declarations that "progress is being made."

I call upon my colleagues in both Houses of the Congress to fill this void of information. Assuming that North Vietnam is seeking the fulfillment of Communist internationalist dogma by conquering and communizing South Vietnam, and that our considerable presence there has blunted their hope of success, what in turn, are our goals: to push them back behind the 17th parallel and keep them there with a large, long-term program of American occupation? To battle to a stalemate and then settle for a coalition government in Saigon which will include Communists? To stop the fighting long enough for a fair plebiscite to take place, thus allowing the South Vietnamese themselves to choose their future? These are questions all Americans are asking. The possible goals of our involvement which I have listed, plus numerous others can all be deduced from our present posture as being "the American purpose in Vietnam."

It is the responsibility of the Congress to sharpen the definition of our goals, where the administration has failed to do so. As the provider of funds and of manpower for our foreign commitments, the Congress must take on the responsibility of clarifying and questioning, if necessary, the need for the troops and dollars we appropriate.

Last week, after long weeks of study, my colleagues and I made public our plan for ending the hostilities in Southeast Asia, a plan which holds no military risk for our troops, but which, at the same time, gives the enemy a chance to respond without appearing to knuckle-under to an American ultimatum. This plan has spurred debate in the Congress, in the news pages and over the airwaves of America. Surely there are others in the House who have thoughts to express, questions to ask and suggestions to make regarding the course of the war.

At a moment when Vietnam is demanding more American men, more American dollars, and, sadly, more American blood, the question of policy direction in Vietnam demands more information and understanding among Americans.

As food for thought for what I hope will develop into a full-fledged debate, I offer, in addition to my suggestion for staged deescalation of the bombing, the lead editorial of the Washington Post of last Friday:

WHAT'S GOING ON?

Once again, President Johnson has received from his Secretary of Defense an on-the-spot report on Vietnam at a time when confidence about the course and conduct of the war is faltering. And once again, a genuinely concerned American public is being suffocated in optimistic generalities—progress is "tremendous," improvement is "substantial," change is "dramatic" and current policy, strategy and tactics are all beyond reproach.

It is time to change this public relations ritual—the confident briefings in the White House Fish Room, the capsule appraisals at airport arrivals, the echoes from congressional committee rooms. It is time for the President to tell us where things stand.

When our military chiefs in Saigon and the Pentagon have been arguing for weeks, often out loud, for large and specific numbers of additional troops, and the public has been led to believe a decision is imminent, it is not enough to be told on Wednesday by Mr. McNamara that "some more" men will be needed but that "we haven't arrived at any final conclusion and we don't know when we will." Especially when the President tells us on Thursday that General Westmoreland will get what "he needs and requests and what we find acceptable."

When Premier Ky has just been deposed as a candidate for president after abusing the electoral procedures, and his replacement, General Thieu, is giving no assurances he doesn't intend to go right on doing many of the same things, it is a bit much to claim that the forthcoming elections reflect "tremendous progress, when one looks back" to the political shambles nine months ago. When one looks far enough back, one sees the government of President Diem, "freely" elected and firmly entrenched until its repressions against political opponents began the process which brought it down.

When most American citizens can see nothing but an expanding United States force tied down in a military stand-off, it does not reassure them much to be told that the idea of a military "stalemate" strikes field commanders as "the most ridiculous statement they have ever heard." Not when United States casualties this past week were the third highest on record and sizable American units have been all but wiped out.

When a wire service dispatch is reporting a new burst of inflationary price increases and a new threat of economic trouble, it is hard for Americans to believe that a "dramatic change" in the efficiency of the Port of Saigon has brought a "very substantial improvement" in the economy.

This is the heart of the matter—not what Mr. McNamara may genuinely believe, but what the American public, at this point, can realistically be expected to believe. Mr. McNamara calls it a multi-faceted war and by that test some facets can be found that are doubtless going reasonably well. But it is also a war of attrition, in General Westmoreland's phrase, and it is quite unbelievable that in the past year "we have achieved all of our objectives while the enemy failed dismally," as the General contends. Attrition must be measured not only by Vietcong and North Vietnamese dead but by the ebb and flow of military-political-psychological struggle for the allegiance of the populace. And here is one "facet," Mr. McNamara will admit, where progress is "very slow."

That this is also the key "facet," which will very likely determine the duration and the outcome of the conflict, makes it all the harder to credit the cacophony of "progress" reports.

It is time for a candid, forthright, report on progress or lack-of-progress, that takes frank account of difficulties and shortcomings, that compliments the intelligence of the American public by acknowledging failures and errors and that credits their maturity by explaining how hard and how long a struggle confronts the Nation.

Mr. Speaker, I thank my colleagues for their attendance at this hour, and I hope that they will help me to fulfill the rightful role of the Congress in hammering out questions of U.S. foreign policy.

I thank the gentleman for yielding, and I thank him for his leadership in this important and crucial matter.

Mr. HORTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORSE of Massachusetts. I thank the distinguished gentleman from New York for his work in this regard, and I commend him for his significant contribution.

Mr. Speaker, the hour is late and the Chamber is nearly empty. We had invited the distinguished majority leader, who played such a significant role in our debate a week ago, to take part, but I believe every one of us understands that after the rather hectic day we have had today his absence certainly is to be understood.

Mr. Speaker, there is not one subject which dominates the thinking and preoccupies the thinking of every American citizen as does the subject of Vietnam, our involvement, our direction, and the ultimate solution.

Those of us who are honored to serve in this body know that either explicitly or implicitly Vietnam dominates every debate on every bill that has come or will come before this 90th Congress.

The hour is late on this 17th day of July. The hour is later still in a beleaguered country half a world away.

The time has come for every Member of this House to understand that he has an immense stake in our activity in Vietnam and that the responsibility for U.S. action cannot easily be abdicated by referring to the constitutional provision which makes the executive branch that element of our national mechanism which has principal and primary responsibility for the conduct of foreign affairs.

Mr. Speaker, without the funds authorized and appropriated by this body, the military; indeed, the diplomatic effort, could not be made. So, no longer can we shirk our own very real and very personal responsibility as to the course of events in Southeast Asia.

Mr. Speaker, my mail has revealed in the last several days the deep interest and concern, and almost exclusive interest and concern, of the people of this land in what is going on in Vietnam. Only by the application of all of our talents and all of our energy and our very best judgment, and the most conscientious and imaginative thinking, can we discharge our very personal responsibilities in the direction of things to come in Southeast Asia.

Mr. Speaker, we are going to continue our efforts to sound the trumpets, to stimulate debate, to inspire discussion, because we think that the American people want and indeed deserve the debate that has been so long denied.

We are going to continue our efforts to find an approach—hopefully a new and imaginative approach—which, perhaps, will lead us one step closer to the peace which every man of good will, no matter what his nationality, searches for. We hope that our colleagues on both sides of the aisle will recognize the large task that we have laid out for ourselves; we hope they will recognize our humility in approaching such a massive undertaking and we hope that they will give to us and give to the Nation their most conscientious, their most careful, their most honest judgment as to the course of action which our Nation should follow.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to my distinguished colleague, the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Speaker, I have listened with keen interest to the remarks which have been made by the gentleman from Massachusetts and by several of his colleagues on the minority side.

I have the very highest regard and respect for all of them. I have never at any time questioned the worthiness of their intentions with reference to the matter that they have been discussing.

I do think, however, there have been two rather unfortunate inferences contained in the remarks that have been made here this afternoon.

The first one is the inference that the often stated readiness of the President on behalf of this Government to enter into negotiations at any time or at any place, that that statement is insincere in any way.

I think that one of the gentlemen on the other side who said that there was reason for the North Vietnamese to question the sincerity of our Government on that point contributed very little that is constructive to the forward movement in this area, and probably brightened the day considerably for Hanoi with that remark.

I believe the second inference that is unfortunate is the inference in the remarks just made by my good friend, the gentleman from Massachusetts, when he says that we can no longer shirk our responsibility; the inference that the Congress has been shirking its responsibility in this area, I believe is unfortunate. I know all of us have different ways of carrying out our responsibilities as we recognize them, and I know the gentleman is carrying out his responsibilities as he sees them. I believe there are many, many Members in this body who feel that responsibility with reference to North Vietnam in different ways. Some have gone to Vietnam on more than one occasion, and at some hazard to themselves, in an effort to get a better understanding of what is going on over there. I know there has been an almost unanimous turnout of the Members of the House at every briefing or at every discussion that has been provided on this subject by not only the administration and its leaders, but also by organizations interested in the same subject matter, when they have held meetings for discussion of this subject.

Mr. Speaker, I hope when the Record is finally completed on today's debate that these two inferences, the one as to the sincerity of the President of the United States, and this Government, in the often-repeated statement of readiness to talk at any time, at any place, and the other the inference that the Congress itself has not been acting responsibly, will either be eliminated or certainly, I hope, put more in line with the actual facts on the subject.

I thank the gentleman from Massachusetts very much for yielding to me.

Mr. MORSE of Massachusetts. I thank the gentleman from Oklahoma. It is indeed regrettable that he made the inferences that he has just described, because nothing that was said by the earlier participants in this debate or by myself in my remarks a few moments ago has been intended to imply or give a basis for the inferences the gentleman has drawn.

Mr. Speaker, let me say this with reference to the suggestion of the inferences the gentleman from Oklahoma made from the remarks of my colleagues: I think I can clarify it by merely pointing out that seeking as we are all—and we all must who empathize with the other side in this—and the direction in which we are going—it seems possible that perhaps the other side had not understood the sincerity of the United States, and that was the burden of the gentleman's earlier remarks.

With reference to my own remark which gave rise to what I regard as an unfortunate inference by the gentleman from Oklahoma, let me merely point out that I do believe that this House and each individual Member is certainly mindful of the individual and collective responsibility which we as a body have, but I think further the responsibility for creative debate, and the responsibility for intellectual intercourse from which great ideas can be synthesized, perhaps has not been fully discharged, and I am not making any ad hominem reference to any Member. I am sure any Member of this body conscientiously feels—and properly so—that his own action with reference to the very serious situation which is on our hands in Southeast Asia has been proper, and I do not quarrel with that. However, I believe the body itself perhaps could make a major contribution to the discussion of events in Vietnam by energizing and by employing its collective wisdom.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I merely want to take one further minute to thank the gentleman from Massachusetts for his recognition of the hour at which these remarks have taken place, and for his understanding of the fact the majority leader, who has been engaged throughout the week in extensive negotiations and conferences with reference to the bill on the floor today, and to thank him for his understanding of the fact that the majority leader is not present at this time.

Mr. MORSE of Massachusetts. I thank the gentleman from Oklahoma.

Mr. Speaker, I yield back the balance of my time.

A HISTORY OF KINGSPORT, TENN.

The SPEAKER pro tempore (Mr. Hanley). Under previous order of the House, the gentleman from Tennessee [Mr. Quillen] is recognized for 10 minutes.

Mr. QUILLEN. Mr. Speaker, I am happy to make available to my colleagues and the readers of the Record a history of my hometown, Kingsport, Tenn., which was presented by Mr. W. F. Winders at the 20th annual meeting of the Kingsport Chamber of Commerce celebrating the 50th anniversary of the incorporation of modern Kingsport.

Mr. Winders, a native of South Carolina raised in Georgia, came to Kingsport in 1936 with the Tennessee Eastman Co., and he has been an outstanding civic, church, and business leader of the community serving as a member of the Kingsport School Board and as a member of the board of directors of the Holston Valley Community Hospital. He is also a former chairman of the Civic Development Council of the Kingsport Chamber of Commerce and a former member of its board.

Mr. Winders served as president of the Community Chest of Kingsport; chairman of the board of directors, Tennessee Council on Economic Education; and president of the Sequoyah Council, Boy Scouts of America. He has also served as president and secretary of the Kingsport Rotary Club and as president of the Sullivan County Tuberculosis Association.

The James House Williamson Award has been presented to Mr. Winders by the Tennessee Industrial Personnel Conference for outstanding contributions in the field of industrial personnel management.

He has twice appeared as speaker on the program of the Southern Industrial Relations Conference, has been chairman of the program committee, and has served 7 years as a member of the board of directors, of which he is now chairman Mr. Winders' career has truly been commendable in every respect.

His remarks to the chamber of commerce on the history of Kingsport have been printed in booklet form entitled "Up the Years From the Boat Yard," and have been widely acclaimed.

Mr. Speaker, I would like to insert at this point in my remarks Mr. Winders' complete story.

Up the Years From the Boat Yard

I am delighted that we can travel up the years together, and especially pleased that I can call you my friends; otherwise I would be most apprehensive about this trip. It would not be difficult to tell the fascinating story of Kingsport to an audience in Nashville or Atlanta or some more distant place. But to bring a history of a community to those who have participated in shaping that history would be a terrifying and maybe even hazardous undertaking if I didn't know that you are my friends and that any one of you might have been given this assignment. Therefore, I claim your understanding, interest, and support while we review these pages of history together as we might fondly turn the leaves of a familiar family album—your family album—and recall times now past.

We are pleased to have our neighbors from the surrounding settlements of Sapling Grove, the Watauga Settlement, Nolichucky, Sycamore Shoals, and Estillville accompany us. (Perhaps you will recognize these as the names of Bristol, Johnson City, Greeneville, Elizabethton, and Gate City when our community was the "Boat Yard."

"Up the Years from the Boat Yard" is a most exciting journey. To insure our safe and timely arrival in modern Kingsport, we shall have to resist many a beckoning side path that will attempt to lure us from a more direct course.

Napoleon defined history as "A fable agreed upon."

Perhaps our history will have something of the fable in it—but there may be some question as to whether our fables will be agreed upon.

Where should we begin? Should we go back just 50 years? Or should we start a hundred years ago, or perhaps a thousand, or even two thousand?

We have been told that some artifacts, some crude works of man discovered not too far from where we are tonight, might have been made by people who lived in the area 2,000 or more years ago.

Five hundred years ago, according to Gates P. Thruston in his book, "Antiquities of Tennessee", there lived in this part of the state a people whom archaeologists call the "Stone Grave Tribes" because of graves made of stone which have been found in a number of Tennessee localities, including East Tennessee.

So perhaps the Stone Grave people once fished in the Holston River and hunted forest game where our teenagers now cruise Broad Street.

To me, the beginnings of Kingsport start much later—surely not so late as 1917—but perhaps early enough to take in the times of Daniel Boone, John Sevier, and Andy Jackson.

And we would not want to overlook the colorful redmen who went by such names as Dragging Canoe and Chief Abraham (or Old Abram) nor the beautiful Indian friend of white settlers, Nancy Ward, whose friendship may have changed the course of American history and certainly had a positive effect on the history of Kingsport.

I had been doing a little looking back into history at the time of our February cold snap when thermometers registered zero, or below, and I thought of how it was in the area not 50 years ago, but 150 or 200 years back.

There were white people here then, and the winters couldn't have been very much different from the ones we now endure. I have a feeling that those early settlers were not worried about the functioning of a thermostat or a heat pump.

They had only one concern—to avoid freezing to death.

No doubt some things in life were much the same then as they are now. Babies probably chose 3 o'clock of a sub-zero morning as the time to be born . . . Grandpa most likely picked just such a time to bounce the ax off a stick of frozen firewood and cut a bone-deep gash in his ankle—or on such a night perhaps a polecat got into the chicken enclosure, which probably was attached to the back of the cabin . . . or maybe some half-frozen Indian chose a night of bitter cold and howling to see how things might be in a habitation warmer than his own.

Those were the kinds of warm, homey happenings which probably were discussed around evening firesides when the early settlers were building the foundations for the luxuriously easy life we lead today.

The date of the establishment of the first white settlers in and around the area that is now Kingsport may not be precisely clear, but it has been established that the first organized white expedition to enter the area was one led by Dr. Thomas Walker 215 years ago. That was in 1748, twenty-two years before the Boston Massacre of 1770 started the New Englanders really thinking about troubles with England.

Dr. Walker was so impressed on his first visit to the Holston Valley area that two years later he led a secondary party back here to settle near the confluence of the North and South Forks of the Holston River, establishing what is usually referred to as the first settlement.

Our river, incidentally, is said to have received its name from Stephen Holston, a pioneer canoe enthusiast who paddled his way down the stream in an early phase of its exploration.

For a time after the white folks came poking their noses and ploughs into the land of the Cherokees, there was little friction between the frontiersmen and the native Cherokees.

The peace did not endure, however, and by 1759, about the time frontiersmen such as Daniel Boone were ranging farther and farther into the wilderness, the Indians determined to discourage colonization in the only way they knew. They fought the settlers simply because the settlers were taking their land.

Many are the heroic tales of those hard days on the frontier—tales of heroism by both Indians and Whites. But, history, being "a fable agreed upon", we generally are led to believe that the white men were mostly good guys, and the Indians were terrible savages.

Fort Loudon, the first fort built by white men in Tennessee, was established about 30 miles below Knoxville on the Little Tennessee in 1756, and by 1760 was besieged by angry Indians.

The importance of the Fort Loudon siege to Kingsport history is the fact that a relief party was sent out in 1759 from Virginia, who considered Fort Loudon a part of her territory. Although these frontier soldiers didn't get to Fort Loudon in time to save that ill-fated garrison, they did get to the site of Kingsport. Here they established a strong outpost, which they named Fort Robinson, which later was to enable the settlers to hang on long enough to finally prevail against the Indians.

About 1760, when our settlement was 10 years old, Daniel Boone and a party of exploring frontiersmen began laying their historic trail across the mountains into the Kentucky region. That famous trail extended right through what is now Kingsport and stretched away through Moccasin Gap and westward into Kentucky. Known as "Boone's Trail" and the "Wilderness Road", it played an important part in the movement of pioneers to the West.

From 1760 until the end of the War of 1812 (a period of over 50 years), settlers in the Kingsport area had trouble with Indians. As if that weren't enough, they sought trouble with British soldiers who, during the Revolutionary War, were making themselves obnoxious just across the mountains in North and South Carolina.

The British, in fact, were about in position to put an end to rebellion, not only in the Carolinas, but farther north, too, where the prospects for victory were looking mighty dim for General Washington and his army.

But the situation in the Carolinas was becoming increasingly irksome to the hardy pioneers of what is now the Tennessee area. A couple of British officers, Colonels Ferguson and Tarleton, backed by British sympathizers were having things pretty much their own way in putting down the colonists in the Carolinas.

Moreover, the redcoated Britishers and their Tory allies were stirring up the Indians to war against the settlers and were threatening to cross the mountains themselves and do-in the "over mountain men", as the Tennesseans were called.

Officers of the Crown served notice that, unless the frontiersmen pledged their loyalty to King George, they would be put to the sword, their homes would be burned and their lands laid waste.

The threat to the lives and homes of the Tennessee settlers was the last straw. The "over mountain men"—those of Sullivan, Washington, and nearby counties—decided that the time had come for drastic action.

Colonels John Sevier and Evan Shelby sent out calls for men of the Tennessee area to assemble and go to the assistance of the colonists in the Carolinas. There was prompt response. Nearly 1,000 frontiersmen assembled at Sycamore Shoals (at Elizabethton) to form an "army" that was to turn the tide in the colonists' war for freedom. (So anxious were the men and boys to go that they had to draft those who were needed to remain and protect the home front.)

Colonel Sevier commanded the men from Nolichuckey and Watauga; Colonel Shelby commanded the volunteers from the Holston settlement. They defeated the British soundly and the power of the Crown was forever broken in the South.

Thomas Jefferson pronounced King's Mountain "the battle that turned the tide of the Revolution".

There is a story behind the story of the battle of King's Mountain. It is a story about Nancy Ward, the Indian princess whose kindness to the white settlers has made a legend of her name and recorded her as one of the greatest of Tennessee's celebrated women.

It is known that her mother was Tame Doc, a sister of one of the important chiefs of the Cherokees, Chief Attakullakulla. Nancy Ward became a great power among the Cherokees and prevailed upon them to be less cruel in their treatment of captives and in their forays against white settlers.

On this occasion in the early days of the Revolutionary War, British agents inciting the Cherokees to attack the settlers found a receptive ear in Dragging Canoe, Old Abram, and other war chiefs who were angry about a recent treaty in which the Cherokees had given up tremendous tracts of their choice lands. A surprise attack was planned to be made simultaneously against the several settlements in the area, the object being to annihilate the settlers. The attack against the Long Island country was to be led by Dragging Canoe himself.

Nancy Ward warned the settlers in June 1776 of the times and places of the planned Indian attacks and the settlers made plans to surprise the Indians.

A major meeting of the white settlers with the Indian marauders in this area developed into the battle of Island Flats. The island, of course, was Long Island, and the "flats" were where Kingsport is today—some of the action may have taken place on the exact spot where we are gathered tonight. It was the bloodiest battle ever fought between colonists and Indians in this area, and the white men's victory ensured the continuation of the settlements.

And so it was that Nancy Ward's warning to the settlers in 1776, at the outset of the Revolution, left the "over mountain men" strong enough to make the difference at King's Mountain in 1780 and turn the tide of the war against England. The Chattanooga chapter of the D.A.R. is the Nancy Ward chapter, named in honor of this Indian princess.

Incidentally, the Watauga settlement was similarly warned by Nancy's messengers, and most of the settlers gathered in Fort Watauga. As the Indians attacked at daybreak, some of the women were outside milking. One of these was young Catherine Sherrill, more familiarly known as Bonnie Kate. As she ran straight at the wall of the fort, a strong arm reached down and lifted her over the wall just ahead of an Indian arrow. The strong arm was that of John Sevier; the girl later became Mrs. John Sevier, the first First Lady of Tennessee.

Thus our early predecessors maintained themselves against the Indians and helped win the war of freedom. Their courage and pioneering spirit brought others into the area and brought our settlement up the years from the pioneers to the Boat Yard, where our journey was to have started 15 minutes ago.

Like so many of the events and happenings of the early days, there are different versions of how Kingsport received its name. The area was called by several names including Island Flats, Fort Robinson, Christiansville, King's Mill Station, and The Boat Yard. The Boat Yard was the most generally accepted term until the advent of the Kings. Most authorities agree that the town was NOT named for the King of England.

In 1774 Colonel James King, one of the settlement's early industrialists, established a mill—presumably a grist mill—at the mouth of Reedy Creek. He used the port of Boat Yard for shipping products of his own mill, as well as other items of trade. Some people maintain that it was from references to Colonel King's shipping port that the community became known as King's Port.

Another group maintains that the name came from a William King, who owned a salt works north of Abingdon, Virginia, and who sent salt to the Boat Yard to be shipped down the Holston River from a landing or port at the mouth of Reedy Creek, which also was known as "King's Port"—in this case Bill King's.

At any rate, it probably is safe for us to assume that we are living in what was once the "port of Kings"—James and William.

In Kingsport's early days, between 1779 and 1802, the people of the Boat Yard were unsettled as to what state they owed allegiance. They were successively a part of Virginia, North Carolina, the State of Franklin, and finally officially Tennessee.

Perhaps we should hurriedly recall to mind the State of Franklin. In 1784 North Carolina ceded that part of the state west of the mountains which is now the State of Tennessee to the United States, but cancelled the act before it was accepted by the Federal Congress. The people of the territory, angered at being disclaimed by North Carolina without being consulted, formed the State of Franklin in 1784, elected John Sevier as Governor, and petitioned the Federal Congress to accept Franklin as the 14th State. North Carolina, others bordering on the territory of the State of Franklin, and the Congress objected; and four years later, in 1788, Franklin ceased to exist as a state.

After North Carolina had succeeded in putting down the insurrection, John Sevier, who later served six terms as Tennessee governor, was arrested and taken to Morgantown, North Carolina, for trial on charges of leading the Franklin insurrection. In the course of Sevier's trial, a brand of Tennessee's "over mountain men" appeared in North Carolina once more—just as they had on the occasion of the Battle of King's Mountain.

The Tennessee invaders had with them Colonel Sevier's saddled but riderless horse. They made a great show of appearing before the Morgantown courthouse with Sevier's horse, which that gentleman recognized as he looked out of the courthouse window. Convinced that his trial defense was going badly, Sevier simply took advantage of a lull in the court's proceedings, dashed from the courtroom, mounted his horse, and in the company of his armed rescuers, galloped away from North Carolina justice.

Later the insurgents were given amnesty, and John Sevier was elected to the State Senate of North Carolina. A year later North Carolina again ceded the area to the United States. It was accepted by Congress in 1790 and became part of the Southwest Territory, with William Blount as Governor. In 1796 the State of Tennessee was formed, becoming the 16th State of the Union, and John Sevier was elected Governor.

But we already had reached Boat Yard, hadn't we?

Boat Yard had its beginnings just before the dawn of the 19th century and showed signs of organization into a town by the year 1802. In that year Robert Christian laid it out into lots which he put up for sale—probably Kingsport's earliest subdivision.

Boat Yard was a thriving port for more than 50 years. It was an important shipping point for products from this area and from the area to the east and north. From Virginia and North Carolina goods came to Boat Yard in wagons to be sent on down the river in flatboats. Although there was a decline in this activity about the middle of the 19th century, some flatboat shipping continued from the boatyard in Kingsport until the middle 1880's.

The flatboat was a strange and wonderful mode of transportation. The ungainly craft were built at Boat Yard of stout native timber cut into rough-hewn planks. The boats generally were 50 to 70 feet long, 15 feet wide and were built at a cost of about $1 per foot—$50 to $70 per boat. Some were as large as 20' x 100'. After unloading in Knoxville, they frequently sold for about $5.

Bills of lading for flatboat cargoes contained such items as ginseng root, saltpeter, bearskins, hemp, snakeroot, salt, bacon, hog jowls, tallow, hams, feathers, beeswax, gunpowder, (there were four powder mills in Kingsport in 1806), tow linen, weaver's reeds, and many other items. Some cargoes were made up entirely of grain, sometimes as much as 1,400 bushels on one boat. The river distance to Knoxville was 224 miles.

It would be impossible for anyone discussing the days of Holston River flatboating to forget the most romantic voyage of them all, in the light of history.

That was the voyage of Col. John Donelson. The hazardous journey began in Kingsport where the Donelson family and many other pioneer families consisting mostly of women, since the men had taken an overland route, boarded their flatboats on the Holston River near the upper end of Long Island at Fort Patrick Henry. The voyage began December 22, 1779, in one of the coldest of winters. The flotilla, consisting of 30 flatboats, was to go down the Holston River to its juncture with the French Broad to form the Tennessee, down the Tennessee, shooting the rapids at Muscle Shoals, Alabama, and continuing on the Tennessee as it turns north and crosses the State a second time, then across the tip of Kentucky to the mouth of the Tennessee on the Ohio at Paducah, up the Ohio to the mouth of the Cumberland, and then up the Cumberland to French Salt Lick to establish the settlement that became Nashville. They arrived, what was left of them, at Nashville four months after the starting date, having survived many Indian attacks and numerous other hardships.

The historical importance of this 1,000-mile voyage is that one of the passengers on the boat was Rachel Donelson, Colonel Donelson's 13-year-old daughter who later on as the wife of Senator Andrew Jackson made more than "somewhat of an impression" on Washington's high society of that day.

On more than one occasion the Jacksons stopped in Kingsport on stage coach travels between Washington and the Jackson home at Nashville.

On such trips, the Jacksons and many another important personage of their day spent over-night rest stops at Netherland Inn, which still stands in Old Kingsport and for which there is now a campaign under way for restoration and preservation. The preservation and restoration will include a dock and flatboat so that we may return to the Boat Yard.

Most historians agree that Kingsport or Boat Yard, as it was called both names for quite a while, went into a decline after the middle of the 19th century, when railroads were built into other sections of East Tennessee.

In the developments surrounding the coming of the earlier railroads, Kingsport appears to have been pretty thoroughly outmaneuvered by her neighboring communities.

There are different stories, but one is that our neighboring towns convinced Kingsport that, with the river traffic it had built up, a railroad would not be too important to Kingsport, whereas to other areas it would be just what was needed to bring prosperity to them and to Kingsport also.

The competing communities went so far as to assure Kingsport leaders that if this community would withdraw from competition for the railroad—despite the fact that the natural route would pass through Kingsport—the surrounding communities would unite with Kingsport in getting the river channel improved to bring steamboat navigation up and down the river. To clinch their argument, with the river running deep with the spring rains of 1850, they succeeded in having two steamers, the "Mary McKinney" and the "Cassandra", puff their way up river against the current to the Boat Yard docks.

It was a day of great celebration, but the jubilation was brief. The water level went down and the two boats were stranded for a time on sand bars.

It served the purpose of the outside promoters, however. The railroads were completed via Jonesboro, but the promoters' pledge was forgotten, and the river channel was never cleared. The idea is not dead, however, and there are still those who are convinced that someday river traffic will flourish again through this port.

Passed up by the railroads which were completed around 1856–57, Kingsport became what one author has called "sleepful". The sleepfulness lasted for about 50 years, according to the historian Oliver Taylor.

It was during this period of comparative hibernation that the tragedy of war came once more upon Kingsport. The outbreak of hostilities in the War Between the States in April, 1861, found the people of East Tennessee divided between loyalty to the South and to the Union.

Neighbors, friends, even members of the same families held differing opinions, resulting in great bitterness. There were several skirmishes at Kingsport but only one engagement of sufficient military significance to go down in history as a "battle".

This was the battle of Rotherwood, fought at the point where the North and South Forks join to form the Holston, and where years before Frederick A. Ross had built Rotherwood in the gracious Southern plantation style. (And that, in itself, is a most romantic story, but one of the beckoning side-roads we shall resist.)

The Battle of Rotherwood was a brief but sharp encounter in mid-December, 1864, when events were taking shape which would end the war the following spring. The outcome at Rotherwood was a victory for Union forces, but it was of little significance in relation to the war's outcome.

After the war, Kingsport's "sleepfulness" continued until activity was started by the founders of modern Kingsport—John B. Dennis, financier and planner; J. Fred Johnson, community builder and executive officer for Mr. Dennis; and George L. Carter, land purchasing entrepreneur whose early acquisition of thousands of acres in this area had an important bearing on subsequent development. It would be impossible to adequately recognize the contribution of these men to modern Kingsport.

It was Carter, of whom we now hear comparatively little, who recognized that the Holston River Valley in the area of Kingsport was the ideal site for a manufacturing city to make use of the coal and mineral resources of the mountains.

Hours could be spent telling the story of the building of the railroad through the mountains both north and south of this area. It was a job started in 1836 and not completed until 79 years later. By 1909 the railroad extended through Kingsport as far northward as Dante, Virginia. In 1915 it was completed from Elkhorn City in Kentucky, where it linked with east-west railroads, to Spartanburg, South Carolina.

In 1905 Mr. Carter interested Mr. Dennis and his associates of Blair and Company in completing the railroad and starting development along its route. The Blair interests represented the fifth company to have a part in the railroad construction, and the only one that didn't go broke.

As the work of completing the railroad ground its tortured way over, around and through the mountains, Mr. Dennis, Mr. Carter, and their associates were dreaming of the future and wrestling with problems of finance.

In the Kingsport area they saw great possibilities. These were based on the solid, natural requirements for an industrial city—raw materials, transportation, adequate water supply, and, most of all, people—people whose roots in America extended back as far as 200 years.

Things were ready to begin moving for Kingsport when in 1915 Mr. Dennis and his associates decided that a city should be born—born according to a plan, not simply allowed to grow as pressures of economics, business, and speculation might dictate.

Well known to all of you, I'm sure, is the story of Dr. John Nolan, the professional planner and engineer of city design who was commissioned to lay out a plan for Kingsport.

Well known, too, is the fact that he set aside portions of the area for industry, a part for retail business, other sections for homes, and still other areas for schools, churches, parks, a hospital, and a city hall.

A sidelight on Kingsport's birth and an important milestone on our route "Up The Years From The Boat Yard" was pointed out to me recently by one of the industrial pioneers of our modern city.

He noted that modern Kingsport's first industries—those which took the places of such early ventures as the grist mills, powder mills, iron furnaces, tilthammer mills, linseed oil factories and even an ill-fated silk mill of an earlier era—still were generally of an elementary nature requiring a great deal of hand labor and a minimum of technology and sophistication.

He was thinking of brick-making, lumbering which concerned itself largely with producing rough-sawn timbers, an extract plant to take tanning chemicals from chestnut trees, a cement mill, a tannery, and a pulp plant where raw pulp, rather than finished paper, was produced.

Much of that catalogue of industry, is not too different from the kinds of manufacturing that existed in Old Testament days—brick-making, pulp (for papyrus perhaps), rough-sawn timber, leather making—all these were basic industries extending back almost to civilization's beginnings.

But what do we have 50 years later? Much of our industry has reached a technological level unsurpassed anywhere—books printed by highly sophisticated techniques using a full range of colors in top-quality picture production; chemicals, fibers, and plastics in great profusion to meet a multitude of modern needs; highly polished glass turned out with ultra-modern facilities; fine white paper made on the very latest of machines; and cloth produced by the best in textile technology. These things and many similar ones characterize Kingsport's industry today.

Modern Kingsport has made its industrial transition from nearly-primitive to modern scientific technology in just 50 years. Many other areas spend hundreds of years to achieve comparable progress, and in much of the world it still has not been achieved.

The results of much of our town's industrial history are apparent to everyone. Suffice it to say that a cement plant began operations here in 1911, followed by a brickyard, dye plant, the extract plant mentioned earlier, a tannery, a hosiery mill, and then the pulp mill. In 1920 a Rochester concern took over a World War I wood alcohol plant which the Government had built but never operated. Like most of the others, this operation has grown. You are familiar with the other manufacturers that came in quick succession in the 20's—manufacturers of cotton textiles, glass, books, and others—and how they grew.

The anniversary we're celebrating tonight actually fell on March 2, for it was on that date in 1917 that Governor Tom C. Rye signed the legislative bill which made our community an incorporated municipality. That incorporation established the first City Manager-Council form of government in Tennessee—one of the first in the nation.

It has proved fortunate for Kingsport that our town's founders adopted that modern, efficient system of city government.

We have been doubly blessed in having men serve on our Board of Aldermen whose chief concern has been the over-all good of the whole city and whose primary interest has not been partisan politics.

I am convinced that these two important, basic elements of our municipal government have contributed much to the united progressive effort that has resulted in sound growth during our first 50 years as a city. I am equally certain that this philosophy is the way to continuous sound progress.

But let's go back to 1917—what was Kingsport like at that time?

Among those who were here, or who came to the new city in its first two or three years, there is unanimous agreement. Kingsport was like a frontier town—complete with mud when it was wet and dust when it was dry.

There was almost a total lack of pavement, few commercial buildings, a scattering of homes, and a claimed population of 3,000, which some of our older folks now estimate was a slight exaggeration.

A report of the Tennessee Fire Inspection Bureau issued March 21, 1917, had this to say about our city: "The streets in the congested value district are poorly graveled, but will be lighted; streets in the greater part of the dwelling area are impassable in the rainy season."

The report went on to say: "Owing to wide streets and only a few scattered brick mercantile buildings, a conflagration is hardly probable in the mercantile section and under ordinary conditions, not more than three buildings should be destroyed by one fire."

For fire protection, incidentally, there was a hand-pulled hose cart and a volunteer fire department.

But Kingsport was growing. An item in the *Kingsport News* of March 17, 1916, reported that 40 teams were at work on the streets of Kingsport Thursday.

And in the Gate City Herald of that time there appeared this item under personals:

"J. H. Peters and J. W. Quillen went over to Kingsport Sunday to spend a few hours watching the town grow."

In those days the town was almost entirely barren of trees, so a city beautification program was started. The men planted many trees without success, and this job was turned over to Mrs. John B. Dennis who was especially skilled in making things grow. It is to her that we owe our tree-lined streets which add so much to our city's charm. Thanks, too, go to the ladies in the many flower clubs that followed.

Kingsport's first public health officer found that one of his first jobs—and one of the most difficult—was to eliminate the nuisance caused by an infestation of rats—it being generally agreed that the rodent population of the new city was greater than the human population.

One of the early moves in the sanitation campaign was to offer a bounty on rats, payable upon presentation at the health office of rats' tails.

Youngsters of that day apparently were as enterprising as they are today. It wasn't long before the kids discovered the place where the tails were disposed of after bounty had been paid on them . . . and some rat tails reportedly wore out through being used as a medium of exchange.

What was most needed to turn a muddy, dusty frontier town into a thriving, progressive city of homes, churches, business, and industry?

The greatest need was people—more particularly, a special type of man. Mr. Dennis found this man in the person of J. Fred Johnson who, at Mr. Dennis' behest, came to Kingsport from Johnson City in January of 1916.

Mr. Johnson became "Mister Kingsport". He was the representative of the Kingsport Improvement Company, the city's developer. He was the town's one-man Chamber of Commerce, its community salesman, its conscience, and its dynamo. He was the principal merchant and a one-man industrial development bureau. He was director, advisor, and unofficial executive officer. He was the moving force. And he made things move.

Often he made things move through the mud.

There are still among us a number of men who can recall going to a dance back in our early days as a city when they found it expedient—and pleasant, in a way—to take off their shoes, roll up their trousers, and literally carry their ladies from their wheeled conveyances to the scene of the party.

I knew Mr. Johnson, but there are many here who knew him better. Those who knew Mr. Johnson best have told me many things about him—how he wrote personal letters to everyone who built a home in his new community and took the opportunity to personally welcome them to town. They recall that many times when they went to see Mr. Johnson they found themselves waiting in an outer office while he arranged help for people who were literally down and out and who were in Mr. Johnson's office to seek aid. Mr. Johnson was almost constantly engaged in helping others.

They tell a story that Mr. Johnson used to use to illustrate what he began calling "The Kingsport Spirit".

The story was that in the early days there was a man in town, physically handicapped by the loss of a part of one of his limbs.

He appealed to Mr. Johnson and the town to have one of its anti-peddling ordinances waived in his case so that he might be allowed to operate a peanut vending machine, complete with steam whistle, at a downtown corner. In his plea, the soon-to-be peanut vendor spoke eloquently in behalf of himself, his fine wife and his beautiful little daughter, who needed his support.

Mr. Johnson frequently cited the town's loyal patronage of the peanut vendor as an example of Kingsport's fine spirit, and of its soft conscience. The town's patronage, did, indeed, enable the peanut vendor to support himself and his family, and presumably to retire eventually.

What Mr. Johnson did not know was that the estimable peanut man sold hot roasted peanuts from the top shelf of his vendor, and moonshine liquor from a concealed shelf. A leading citizen told me the story, and said he knew because he bought from the concealed shelf on occasion. But he quickly added that if I named him he would deny it.

Mr. Johnson's memory is made brighter by the fact that he did not engage in any financial speculations which were open to him and by which he could easily have made himself a great fortune. He frequently said that he was interested in people, not in making a great deal of money for himself. He lived that philosophy.

But there was speculating in 'most anything and everything in Kingsport's early days. There are many interesting stories told about them, but that's another beckoning side-road we must pass by.

Some stories, however, we simply shouldn't omit:

The techniques used by Kingsport's founders to show off the city's attractions for the benefit of industrial prospects were somewhat different from those used today.

For instance, it was deemed important on one occasion to entertain the late George Eastman on one of his early trips to Kingsport. Mr. Eastman had achieved a reputation as an outdoorsman and a hunter as a result of trips to Africa and elsewhere, so special preparations were in order for his visit to Kingsport.

His hosts prepared what was known in earlier days as a "shooting wagon", and which at one time was used in quail hunting. The wagon, all freshly painted, had seats for a number of shooters, plus a compartment in back for the hunting dogs.

Mr. Eastman, armed with a double-barreled shotgun, was given a place among the other hunters, and the shooting wagon was hauled by horses into fine quail shooting country near the river, below Rotherwood.

On a signal from the hunt-master, the dogs were released and almost immediately flushed a covey of quail fairly close to the wagon. Mr. Eastman was on his feet at once, and fired two rapid shots. No one else in the party fired. Members of the hunting party were deployed and managed to pick up no less than 24 birds felled by Mr. Eastman's two shots!

Today, that kind of enterprise might be called building an image for a happy hunting ground.

Although it has not officially been made a part of this occasion, we might take just a few minutes to note another important Kingsport anniversary, that of the Kingsport Chamber of Commerce, founded May 22, 1947.

The Chamber of Commerce has been of great importance in the modern history of our city. As is the case with the work of other organizations which have contributed to our progress, we are too often inclined to take the Chamber for granted, without thinking of the countless hours of work and planning that go into its day-to-day and year-by-year functions.

Today you cannot come into Kingsport or travel about within the city without using highways and streets that have been built or improved with the assistance of the Chamber of Commerce Highway Council.

The Chamber also has played an important role, often unknown to the public at large, in maintaining within our city area the steady industrial growth we have enjoyed in the last 20 years. The Chamber through its various college committees has been one of the most effective groups working for our growing Kingsport University Center which now serves more than 700 students and which we hope will soon have its own new quarters.

The merchants' group has been another quietly functioning arm of the Chamber which has had an important role in the development of our commercial sections, and has exercised a great influence for progress in our recent history.

It would not be difficult to go on pointing out accomplishments of the Chamber, but its work can best be summarized, perhaps, by simply saying that it has been one of the main factors in keeping alive that elusive quality which was the watchword of our founders—"The Kingsport Spirit".

We have traveled long on our journey "Up the Years". I have chased too many rabbits up the side-roads. Here we are in recent and modern Kingsport with insufficient time to do justice to the community's marvelous development in several major areas:

The very interesting story of progress from the Big Store to our modern commercial area,

The important and absorbing story of our industrial growth,

The stimulating story of the development of our outstanding educational system,

Our cultural development—up the years from the Band Stand to the Symphony Orchestra whose beautiful music entertained us this evening,

The inspiring story of the religious influence on our community and the growth of our churches.

Each of these is worthy of an hour's discussion. Perhaps during this golden anniversary year these subjects will be discussed in different forums.

And what of transportation?—a subject that is perhaps the key to our entire history. From the Boat Yard, when the river provided almost our only significant means of travel and freight shipment, we have progressed from riverboats, stage roads, and forest trails to ultra-modern railroads, to a system of paved roads now beginning to tie up with inter-state superhighways, to a tremendously important system of trucks, buses and automobiles, and to an airport that offers 31 flights a day and will soon offer jet service.

You will note that I have avoided discussing the personalities of the Kingsport builders except the early founders.

There is a reason.

The builders of today's Kingsport, and of the Kingsport of our recent yesterdays, are still with us. Look around you. These are the builders of today. You and your friends. People you know—people who live here. How can we discuss this history—and agree on it—when it has not yet gone into the crucible of time?

History has no end, but listeners do!

So, if I have left out your favorite subject, I hope you will understand that it was simply because it is so important we don't have time to do it justice. I hope also that you will find many of the answers to your questions in the fine Fiftieth Anniversary Book prepared by the City, and entitled "Kingsport, Keys to A Bright Future". Each of you found one of these at your place this evening. I commend it to you for a further travel experience. And I hope you saved a copy of last Sunday's anniversary edition of the Kingsport Times-News.

We in Kingsport have a great heritage. I have tried to review that heritage to some extent and to recall to you the pride which we can take in the accomplishments of our predecessors here in our home area.

We are still close to the articulate voice of the past—the sound of its wisdom is still audible if we will but listen.

What do you think Kingsport will be like in another 50 years?

I asked that question of many of our history-makers of the past. They have generally agreed on one thing although they have stated their views in different ways.

It boils down to this:

Kingsport, and the area of the United States of which Kingsport is a part, is one of America's best places to live and work. It is an area which has come far but has not yet found its fulfillment. It is an area well worth whatever effort it takes on our part to make it what we hope it will be. It is up to all of us to shape our future and the future of our children here. "Up the Years from the Boat Yard" has been a journey of great progress. With a bit of that indomitable spirit that is our heritage, let us make our journey one of continued progress as we go up the years from here!

Mr. Speaker, Mr. Winders' story is one of the growth of Kingsport, and this growth in the past 50 years has been remarkable. I am sure that the next 50 years will be even greater ones because of the efforts of dedicated men like Mr. Winders.

CAPTIVE NATIONS WEEK—1967

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, this past Saturday, July 15, the National Captive Nations Week Committee sponsored a Captive Nations Conference at the Mayflower Hotel in which a thorough discussion was held of all facets of world complications stemming from the aggression of international communism.

One of the most pertinent presentations at the conference was the address delivered by Mr. Dumitru Danielopol, of Copley Newspapers, Inc., an international columnist of great renown, who has just returned from a 2-month fact-finding trip through Europe. As a lifetime student of Moscow's foreign policy his remarks merit special attention. Therefore, Mr. Speaker, I place the address by Mr. Danielopol in the RECORD as a continuation of my remarks.

Throughout this week, Captive Nations Week, I will insert other material in the RECORD so that the entire picture of the present Communist designs for world conquest might be recognized and necessary counteraction commenced.

The address follows:

CAPTIVE NATIONS WEEK—1967

(Address by Dumitru Danielopol, Copley Newspapers, Inc., Mayflower Hotel, July 15, 1967)

Thank you, Mr. Chairman, good afternoon ladies and gentlemen. Captive Nations Week is a time to remember the fate of some 26 countries that have fallen prey to communism in the last fifty years.

It seems to me, however, that this gathering is taking place in the wrong city . . . this is Washington . . . this is a city where many people have become too sophisticated, a city that doesn't welcome reminders that there are captive nations . . . The Washington Post is quite clear on this . . . it mocks Captive Nations Week as the "Annual captive nations charade that might better be called Captive Congressmen Week".

I don't believe either that our administration welcomes this untimely reminder . . . after all it is not in the spirit of Glassboro where our President met one of the chief culprits of the enslavement of many people.

We are living in the age of peaceful coexistence and in the city where "peaceful engagement" was invented.

The President himself reminded us last October 7 that we who are concerned with the more than one billion people behind Iron or Bamboo Curtains . . . are dreamers . . . he told us that the world is changing . . . that the American policy must reflect the reality of today not yesterday.

In the reality of yesterday people like us had a meaning.

We were entitled to dream . . . to strive and to work toward the freedom of those who are in bondage . . . but in the realities of today we are told such ideas are obsolete. We are scolded that our aims are working at cross purposes with those expressed by our President.

The President's policy no longer reflects the aspirations of the enslaved peoples . . . he said so himself . . . he said that we must turn to one great unfinished task . . . of making Europe whole . . . but he also said "our purpose is not to overturn other governments" . . . in other words let sleeping dogs lie . . . leave the Communists where they are.

This is also the city, ladies and gentlemen, where we have important people in the State Department tell us that they are worried with the new trend in the captive countries . . . that nationalism is showing its ugly head again . . . that this is dangerous: that it could . . . in their own words "balkanize the area" and release old rivalries. They advocate a policy of status quo . . . a policy which accepts Soviet domination and makes the Kremlin guarantor of peace in that area.

This is the reality of today.

But since this is Captive Nations Week, and since I have been asked to speak to you on the subject . . . I'll tell you what I'll do.

As we are not supposed to speak of the reality of yesterday and there is little that I can say on the reality of today I'll speak to you of the reality of tomorrow . . . at least as it appears to me after an extended tour of Europe; nine weeks and fifteen countries: a tour which gave me a clearer insight of what could easily be in store for Europe and for the United States.

I am going to tell you not of the captive nations of yesterday . . . nor of the captive nations of today . . . but of the captive nations of tomorrow . . . for . . . there may be a new batch of captive nations sooner than we think if we continue down this path.

There is not one knowledgeable man in Europe that I visited, be he ambassador Francois Poncet, the French academician, or Julian Amery, the former British secretary of the air, or Constantine Kollias the Prime Minister of Greece or Herman Achminow, the chief researcher of the institute for the study of the USSR in Munich, or Francesco Cosentino, the secretary general of the Italian Chamber of Deputies who believe . . . what our administration wants us to believe . . . that the Russian appetite for expansion is over . . . that Russia is no longer dangerous.

The Soviets are just as hungry, they say. Maybe even more than they were twenty years ago . . . I agree . . . If you don't want to accept their word or mine listen to what some Soviet leaders have to say:

In 1963 Khrushchev told the world:

"We Communists want to win this struggle with the least losses, and there is no doubt whatsoever that we shall win. This is why we are striving for victory, for the triumph of communism, without unleashing a world thermonuclear war."

You may say that this idea is obsolete. Well, it was not so, in April this year.

At Karlovy Vary, Leonid Brezhnev, the Secretary General of the Communist party of the USSR reiterated this aim: "The historic aim of our movement," he said, "is socialism and communism."

One factor which has stopped the Russians from reaching their goal . . . the unification of Europe under communism . . . from the Urals to the Atlantic is NATO. The Atlantic alliance which stopped the Russians dead.

So what do you think the Russians want most? They want to destroy NATO. And they are making headway and we are helping them.

Can you imagine what impact the October 7 speech had upon European thinking? A speech which calls for the unification of Europe half free and half slave . . . half capitalist and half Communist?—I will tell you—

It has taken the stuffing out of NATO.

After all NATO costs money . . . if the Americans feel that there is a chance of coming to an understanding with the Communists . . . a chance for genuine detente many people argue, it means that communism is no longer dangerous, and if it is no longer dangerous why spend good money on NATO when it is no longer necessary?

It makes sense doesn't it? Even West Germany is cutting its army.

NATO is in real peril.

De Gaulle gave the Atlantic Alliance the first blow. President Johnson gave it another hefty shove. Though he said in his "peaceful engagement" speech: "Our first concern is to keep NATO strong" . . . and he probably meant it, nonetheless he did help create an atmosphere of complacency, of laxness which can bring NATO down.

If you don't want to believe me listen to Brezhnev. He tells exactly what I mean:

"What does experience teach?", he asked at Karlovy Vary. "It teaches in particular that the 'cold war' and the confrontation of military blocs, the atmosphere of military threats, seriously hamper the activity of revolutionary democratic forces", which means the Communist forces.

Do you hear that?

While there was tension in Europe the Communists could not operate so easily. But now the situation has changed.

Now that the tension eased listen to Brezhnev . . . "The increase in the influence of West European Communist Parties is most directly correlated with the reduction of tension which has taken place in Europe."

This my friends is the consequence of "detente" and of "peaceful engagement".

Everytime you hear people talk about stopping the cold war, about easing the tensions just ask yourselves simply this:

Whom does it suit best? us or the Communists?

And then, remember what Brezhnev said.

I can tell you from my personal experience in Europe this summer, where I visited one country which was on the brink of being one of our new captive nations, Greece. The military saved it in the nick of time.

We were lucky that time. We may not be so lucky the next.

The pressure the Russians are putting on Europe is constant and unabated. They want Europe badly. A fat, rich, prosperous Europe would suit them to a T. They need European riches to solve their own economic situation, which is bad.

Their propaganda works day and night. And they are making progress.

France can already be written off. Under De Gaulle, any real counterforce against communism has been silenced, though even De Gaulle got frightened when he practically lost the elections earlier this year. The Communists were the winners of that election. They increased their parliamentary seats by some forty new members.

In Italy, both Americans and Italians have told me that since our Democrat administration, under the late President John F. Kennedy asked the Italians to make the 'apertura a sinistra' the opening towards the left, the Communists have gained considerable strength. Some people believe they hold such a grip on the unions and the cooperatives that Moscow could pick the moment when Italy would become a captive nation.

In the Scandinavian countries, where the Communists have worked very hard, the American name is dirt. The Americans have become the "bad guys." The Russians are "not so bad after all". Sweden entertained the so-called war crimes tribunal of Lord Russell, a vile mockery of justice, so biased that even De Gaulle couldn't stomach it and refused it a French platform.

Today some Swedish towns collect money for the Vietcong.

Despite all this, despite the fact that the Germans are withdrawing troops from NATO, that the British very likely will do the same, despite the fact that the Finnish Government is exhorting the Norwegians and the Danes to quit NATO . . . despite all these signs that we are in trouble, in deep trouble, over NATO, what is the attitude of our administration? What is our policy?

Zbigniew Brzezinski, the Columbia professor now a member of the President's planning staff . . . who by the way . . . is credited to be the father of the "peaceful engagement policy" . . . told us what to expect.

He said recently at a national foreign policy conference:

"Communism the principal and until recently the most militant revolutionary ideology of our day is dead. Communism is dead as an ideology in the sense that it is no longer capable of mobilizing unified global support . . ."

Because of this "lamented" departure of communism he advocated that:

"It is our task to develop a broader approach for Europe . . . to end gradually through reconciliation the cold war . . ."

Now what has the gentleman in mind?

Can one be oblivious of the Soviet aims to conquer the world for Communism?

Does he mean that Communism is no longer dangerous?

He says that it is no longer capable of mobilizing unified global support, in other words that there are several sources of Communist philosophical thought, of which one is Moscow and another Peking.

But the fact that these two do not agree on some points doesn't make it less true that they agree completely on one major issue. They both are not only convinced that they can win the world, but they are just as hard at work to achieve this aim as before.

They only disagree on the methods through which their aims of world domination should be achieved. The Chinese reds want total revolution, total war, total destruction. The Soviets want to do it without thermonuclear war.

If Communism is dead, as Brzerzinsky says, what are we fighting in Vietnam? What is happening in the Middle East? What are the Russians doing in Algeria? What is happening in Thailand? The Philippines? Malaysia? Burma? Bolivia? and how about Cuba?

Everywhere you turn Communists are creating trouble, and the Soviets are helping them.

The policy of peaceful engagement also implies economic aid to Eastern European Communist countries and to the Soviet Union. This the President promised despite the fact that these countries are effectively helping the North Vietnamese and the Vietcong to stay in the war and to kill our G.I.s.

I know I am old fashioned. I know that I'm not "sophisticated" because I can't understand the theories and thoughts emanating today out of Washington.

But I'm not convinced that I am wrong.

I believe we need radical changes if we do not want to mourn many more nations on other captive nations' weeks.

Next year we have elections. And it is at the polls that these things can be changed. Its our task to convince the American people of the danger that exists.

A Communist is a Communist. Remember that. And don't let anyone tell you that it can't happen here. It can.

Thank you.

GOLDEN JUBILEE OF SOUTH EUCLID, OHIO

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. BOLTON] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mrs. BOLTON. Mr. Speaker, the city of South Euclid, Ohio, in the 22d Congressional District of Ohio, is celebrating the 50th anniversary of its incorporation as a village in 1917.

This fine residential community of 30,000 people had its beginning with the signing of the treaty with the Iroquois Nation in 1796. Gen. Moses Cleaveland was commissioned in that year by the Connecticut Land Co. to establish a capitol of the "Western Reserve" near the mouth of the Cuyahoga River at Lake Erie and divide the land east of the river into townships 5 miles square.

Early in the spring of 1796, General Cleaveland and 66 qualified surveyors and helpers journeyed westward to carry out his company's orders. At Conneaut Creek a camp was made and 41 men remained on that site while General Cleaveland and the others proceeded west to the bank of the Cuyahoga River where a "community site" was laid out for settlement. They were gone 18 days, and the men remaining at Conneaut Creek camp became dissatisfied and mutinied. They had enlisted for the duration, but now they demanded considerations not specified in their agreement. General Cleaveland did draw up a contract with them September 30 for their joint purchase of a township 25 miles square, at $1 per acre. Each man was granted lake front property as well as a farm back in the rocky hills and plateaus. They were to clear land, erect houses, and sow two acres of wheat and grass, and settle a specified number of families during the next 3 years. In the early organization proceedings, the men involved named the township "Euclid" in honor of the Greek mathematician and patron saint of surveyors.

The new township became officially settled in 1797—1 year after the town of Cleveland was laid out and settled. The western boundary of the township began at approximately East 140th Street or Coit Road and the lake, proceeding directly south for 5 miles to what is now Cedar Road; eastward to the present Cuyahoga County line, and north from that point to the lake, a total in excess of 25 square miles. In later years part of this territory became the municipality of South Euclid.

The main early industry in the South Euclid area was farming. The forests were cut down and made into charcoal and hauled down to Cleveland for use in hotels and factories. Following the Civil War the raising of grapes became a prime industry. A number of Bohemian families settled in the north end of South Euclid and in what is now Richmond Heights. Vineyards took the place of grain fields. Concords, Catawbas, Niagaras, Delawares, and Martha grapes were greatly favored. Two major factors contributed to the grape growing success: First, the slatestone-clay soil produced a hardy wood growth; and, second, the nearness of Lake Erie tempered the atmosphere and prevented frost damage. Grapes were packed in 6- and 9-pound grape baskets and shipped west as far as Denver and east to the seaboard cities, particularly New York. Wine competed with the grape, and enabled the grower to have a more stable year-round income. Euclid wines and Euclid grapes became nationally known because of the delicious and distinctive flavor drawn from the sticky clay soil.

In 1866 the first bluestone was discovered in Euclid Township and this industry flourished through the 1890's when five quarries were in operation. Many of the workmen in the quarries were the newly arrived immigrants of Swedish, Italian, French-Canadian, and Irish descent.

In 1881 the first post office was established in South Euclid. In 1899 the first village hall was constructed and was to continue in use until 1954 when the new municipal center was built.

A group of civic minded citizens started meeting in 1915 as the Citizens League of South Euclid to plan for the incorporation of South Euclid as a village.

On September 29, 1917, the trustees of Euclid Township met in the town hall in regular session, with Jacob Sulzer presiding, present were A. J. Clark, L. Fielitz, and J. Sulzer. They received the following petition:

PETITION TO THE TRUSTEES OF EUCLID TOWNSHIP FOR THE INCORPORATION OF SOUTH EUCLID

To the Trustees of Euclid Township, Cuyahoga County, Ohio:

The undersigned being 30 electors, a majority of whom are freeholders and all of whom reside in the following described territory situated within Euclid Township, Cuyahoga County, Ohio. To wit:

Being a part of original Euclid Township and is bounded and described as follows:

Beginning at a stone monument in the center line of Cedar Road and marking the southwest corner of the original Euclid Township Lot No. 24 (referring to the area west of present day Warrensville Center Road and including Warrendale, Colony, Eastway, and East Antisdale and the shopping area to Washington Blvd.).

An accurate map of which territory is attached hereto (this included present day South Euclid with the addition of Quarry Drive, Keystone Drive, and Northampton Rd.), respectfully represent that the number of inhabitants residing within said territory is 1,500 and respectfully petition your honorable body that said territory may be organized into a Village in the manner provided by law, and that the name of said Village may be the "Village of South Euclid", and hereby designate T. W. Francis, their agent to act for them in all matters relating to the hearing upon this petition and in other matters relating to the incorporation of said territory into a Village, and further petition your honorable body that an election may be ordered to obtain the sense of the electors of said territory upon the question of its incorporation into a Village prayed for in this petition.

Signed:

Wm. H. Prasse, Ed Prasse, L. Kirchner, F. Kaestle, W. F. Eckert, George J. Eckert, John Dahler, Jesse Dorsh, James Crane, R. H. Maxwell, Henry Eckert, J. W. Clark, F. R. Shepard, J. H. Hussong, Henry Schwentker, E. H. Reker, Henry Prasse, Henry Huge, Wm. Miller, Chas. Elbrecht, J. G. Whigham, Albert E. McFarland, Chas. Havre, Wm. Libby, F. W. Thorp, Henry Finkemeier, John G. Urban, William Martin, J. H. Bilkey, T. W. Francis, Wm. T. Arnos, Justice of Peace.

Election to be held on October 13, 1917, 15 days from said petition, said election to be held at the South Euclid Town Hall on Green Road. Polls to be open 5:30 central standard time.

Resolution adopted Sept. 29, 1917.

Trustees, J. Sulzer, A. J. Clark, John L. Fielitz, Louis Harms, Clerk.

On October 13, 1917, it was duly recognized as the Village of South Euclid. On November 6, 1917, a regular election was held to choose the village officials with 290 people voting.

Mayor: Ed C. Foote.

Clerk: Paul Prasse.

Treasurer: Jesse Dorsh.

Marshal: J. H. Bilkey.

Council: D. P. Hannan, O. H. Whigham, Wm. Miller, Henry Faust, D. E. Fierbaugh, Fred W. Shepherd.

Assessor: J. W. Hussong.

School Board: Dr. G. I. Bauman, E. H. Leppelmeier, B. E. Luster, M. A. Gates, W. R. Carson.

During the past 50 years of its well organized, efficiently planned growth, this fine community of South Euclid has been served by the following distinguished mayors:

Edward C. Foote, 1918–22.
Charles Havre, 1922–28.
C. H. Quackenbush, 1928–30.
Oliver H. Whigham, 1930–32.
Douglas G. Oviatt, 1932–45.
Lloyd N. Reynolds, 1946–48.
George J. Urban, 1948 to present.

During each of the past 8 years it has been my privilege to witness the presentation of an award to the city of South Euclid in the National Cleanest Town contest. It is now my distinct pleasure to join with all the people of South Euclid in their golden jubilee celebration of the 50th anniversary of the incorporation of their municipality.

A PROMISE UNFULFILLED

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I wish to call to the attention of my colleagues an editorial which is most timely and to the point, particularly in the light of the stoppage in operation of the Nation's railroads.

This editorial in my hometown paper, the Grand Rapids Press, reminds the Congress and the American people where the blame for our failure to deal properly with national emergency strike situations really lies—at the door of the White House. I agree with the editorialist that the monkey still is right where it belongs—on the President's back. I urge all House Members to read the editorial, which follows:

A PROMISE IS UNFULFILLED

It is now obvious that there will be no action on long-needed legislation dealing with labor disputes in national emergencies. President Johnson sealed the doom for any action when he tossed the issue back to Congress after admitting he hadn't been able to keep the promise he made in his State of the Union message to draft and submit such legislation.

In 1966 President Johnson had recognized that the nation must have workable machinery "which will enable us to deal effectively with strikes which threaten irreparable damage to the national interest."

The danger hasn't disappeared or in any way lessened, yet he now has advised Senate Majority Leader Mike Mansfield that his administration has been unable to come up with recommendations on the subject.

"The President would be very pleased," volunteered Mansfield, "if the labor committees of both houses of Congress would take up the question."

Of course, there is no expectation at this late hour in the session that the committees will act. It invariably takes strong administration pressure or heat generated from the folks back home to get action on explosive issues, and certainly the matter of legislation to deal with strikes affecting the national interest falls into that category.

The lack of leadership manifest in the President's admission that neither he nor his corps of advisers has been able to fulfill a promise he made to the nation reflects no credit on Johnson or his brain trust.

Mansfield interpreted the President's admission of failure as "a clever tactical move that gets the monkey off his back and puts it on ours." Only a gullible and uninformed public, however, could be expected to regard the President's back flip as a clever move. It was the President who promised the American public action on a problem he, himself, described as critical. His attempt now to duck out from under the responsibility he assumed leaves the monkey right where it was—on his own back.

THE NEED FOR PRIORITIES

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CONABLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CONABLE. Mr. Speaker, many of us have been distressed by the administration's utter failure to establish priorities in dealing with the problems of the country. The administration has refused even to recognize any need for priorities. As a result, the President has continued to come to Congress with alleged remedies for all our problems which on examination have proven woefully inadequate for any problems of major proportion. Congress should have stepped into this obvious breach long ago and established priorities, and I am disappointed that it has not.

James Reston, associate editor of the New York Times, assessed the effect of this indeterminate policy yesterday in an article entitled, "The Disorder of the Age." Under unanimous consent I include this article in the CONGRESSIONAL RECORD for the consideration of our colleagues:

[From the New York Times, July 16, 1967]

WASHINGTON: THE DISORDER OF THE AGE

(By James Reston)

WASHINGTON, July 15.—The disorder of the age has never been more obvious than in the last few days—chaos in the streets of Newark; strikes or threats of strikes in the railroad, rubber, copper and auto industries; civil war in Nigeria, rebellion in Rhodesia, tribal war in the Congo and war itself in the Middle East and Southeast Asia.

It is interesting to observe what has been going on here in Washington in the face of this racial revolution in our own cities and in the hungry and miserable states of Africa, the Middle East and Southeast Asia.

MEANWHILE, IN WASHINGTON . . .

The Administration has been looking during the last few days for a 15 per cent cut in nonmilitary spending at home. The Congress has been slashing the foreign-aid appropriation for the underdeveloped countries overseas. The Republicans have been opposing a tax increase to meet the costs of the Vietnam war they want to wage more vigorously. And the President has been sending more troops to Vietnam and saying that he and General Westmoreland and Secretary of Defense McNamara agree on the number of troops needed there, which is untrue.

The disorder in our cities was not unexpected; generations of discrimination against the Negro assured it. Independence and modern communications have convinced the peoples of the new states of the world that hunger, disease, and ignorance are not inevitable, but intolerable. So there is rebellion and revolution. It is not the fault of one administration or generation alone, but this convulsion of the cities and the new states is undoubtedly the greatest menace to the peace and order of the world today, and it is not being given first priority by any of the modern industrial states it threatens.

There is a vast and defective sense of scale in the policies of the northern industrial countries. They recognize the problems of human fertility and nationalistic ambitions. They identify the problems but do not adopt policies that are equal to them.

JOHNSON'S DILEMMA

It is easy to sympathize with President Johnson's situation. He is confronted with the terrible dilemma of deciding whether the war in Vietnam is a greater menace to the Republic than the revolution in the cities and the new states of the world, but he has dealt with this dilemma by denying that it exists.

His argument is that he has not "cut" his budget for the American cities in order to finance the war in Vietnam, which is true. The problem is that "his" budget for the cities never had a chance of achieving his objectives for the cities. He over-talked and under-financed. He declared a "war" on poverty and financed a skirmish. He compromised between the war in Vietnam and the war in the cities to the detriment of both. He didn't really determine his priorities; he fuzzed them. And the result is that he has not generated enough power either to win his war on poverty or his war in Vietnam.

THE TRAGEDY

The tragedy in this is that President Johnson, probably more than any man in Washington, really wants to give first priority to the cities and the underdeveloped countries. This was his main argument to the Soviet Premier in their recent meeting at Glassboro—that the problems of the peoples of the Middle East, Vietnam, the Soviet Union and the United States could be resolved only by cooperation between Washington and Moscow, and never by competition. But Kosygin did not agree.

He insisted that there could be peace and cooperation only if the United States withdrew from Vietnam and the Israelis withdrew to the prewar boundaries in the Middle East. So the dilemma continues and the question of priorities remains.

THE LARGER ISSUES

This is what really divides Washington. The main issue here is not really between the hawks and the doves on Vietnam—in fact they are both unhappy with the Administration's present policy. The main issue is between those who think Vietnam is the vital issue that must and can be resolved, and those who think it cannot be resolved and is merely keeping us from concentrating our energies and resources on the more important problems in our own cities—which probably can be resolved.

Beyond this, there is an equally important question. Nobody here is sure that he has the answer to the disorder of the age, or even to the problem of right priorities, but most agree that the question of priorities should be faced and that it is not being faced. The Administration is pretending that it is facing up to everything: Vietnam, the cities, the underdeveloped countries; but it is merely compromising ineffectually with them all, and this is what is creating the present mood of doubt and frustration in the capital.

THE CHANGING STRATEGIC MILITARY BALANCE: U.S.A. VERSUS U.S.S.R.—PART II

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, July 13 I directed the attention of the Members of this body to the recently released Armed Services report, "The Changing Strategic Military Balance, U.S.A. vs. U.S.S.R." Today I would like to direct attention to an editorial from the July 12, St. Louis Globe-Democrat which adds further emphasis to the question of whether the United States will regress to a position allowing nuclear blackmail at the hands of the Soviet leaders.

The importance of the issue is expressed in the letter written by Committee Chairman L. Mendel Rivers, transmitting the report to the committee. The first line states:

> The problem of whether the United States has sufficient nuclear weapons to meet the Soviet threats underlies our entire defense posture.

The meat of this controversy which has placed the administration—Secretary McNamara in particular—at odds with those who favor an assured defense posture—including 18 of the Nation's top national defense experts—is given in the Globe-Democrat editorial. I include it in the RECORD:

PERIL IN NUCLEAR GAP

The American Security Council study released Tuesday confirmed what this newspaper and other critics of the Administration defense program have long been saying—namely, that Secretary McNamara's policies of cutting back or deferring vital defense projects is permitting the Soviet Union to succeed in its drive toward strategic military superiority.

If anything, the facts gathered by 18 of the nation's top national defense experts indicate the situation is much worse than most imagined.

It was found the Russians already have surpassed the United States in total nuclear delivery capability. This year the USSR capability is estimated at between 16,000 to 37,000 megatons as against the estimated United States range of between 18,000 and 29,000 megatons. (A megaton is an explosive force equal to 1,000,000 tons of TNT.)

By 1971 this massive gap will have grown to the point where the Soviets will have a deliverable megatonnage potential of 50,000 tons as opposed to about 15,000 by the United States if present defense policies are continued in this country.

Further tipping the strategic weapons advantage heavily in favor of the Russians is their success in developing and installing anti-ballistic missile defenses.

Secretary of Defense McNamara has tried to minimize the Russian ABM program, acknowledging only "a deployment of an anti-ballistic missile system around Moscow."

The study, however, quotes military analyst Hanson W. Baldwin's finding that the Russians have ABM launching sites and related radar systems extending in a wide arc across the northwestern part of the Soviet Union. Additional ABM installations have been discovered east of the Ural Mountains.

Some experts believe the Russians are deploying TALLINN-type anti-missile systems capable of producing "X-ray effects" from ultra-high energy nuclear explosions that can destroy or neutralize attacking nuclear warheads over a wide area.

The Council study finds that "the United States has exchanged its goal of strategic superiority for a strategy of deterrence."

The USSR, by way of contrast, "is driving hard toward a goal of overwhelming superiority in the decisive field of nuclear weaponry."

The report warns that by placing sole reliance on ICBMs, Polaris and Poseidon missiles, and the remaining bomber force, the United States is putting itself in the dangerous position of having only two alternatives if it one day is faced with a Soviet ultimatum to surrender—which could happen if the USSR gains an overpowering capability in delivery of strategic weapons.

The United States would be limited either to firing its offensive nuclear weapons or giving up its sovereignty to the Russians.

But, the military experts add, "An anti-ballistic missile would at least strengthen the hand of the President if he is confronted with such a fateful decision, and it might stay the hand of an enemy at a critical moment in history."

Clearly the United States will be in enormous peril from Russian nuclear blackmail in less than five years if the McNamara defense policies are not reversed.

Our country not only can, but must, maintain a lead in strategic weapons systems until such time as all the nations in the world can agree on an end to the arms race.

This day is not on the horizon as the Communist world still considers the atom and all modern weapons of mass destruction instruments for gaining global supremacy for Communism.

President Johnson should lose no time scrapping the disastrous McNamara policies that are virtually assuring the Soviet Union of an unchallengeable superiority in strategic weapons.

CHICAGO TRIBUNE PRAISED FOR BARING FULL TERMS OF PANAMA TREATY

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the Chicago Tribune has provided the public a real service by publishing in its issue of July 15 the full text of the Panama Treaty which is under consideration for ratification by the United States. Obviously the publication of the text of the treaty was being withheld to prevent ample time for full consideration of its contents.

The Sunday issue of the Tribune carried a sampling of the reaction which has been generated over this issue. To acquaint the public more fully with the opposition which has met the treaty issue from the beginning I include two articles appearing in the Sunday issue of the Tribune of July 16 in the Record at this point:

Tribune Praised for Baring Full Terms of Treaty

Washington, July 15.—Resentment over President Johnson's secrecy on the proposed Panama Canal treaty erupted on Capitol Hill today as copies of the full text published by the Chicago Tribune arrived here.

Meanwhile, an intensive lobbying effort on behalf of the administration was discovered to be under way in an effort to line up support for Senate ratification before Senate debate begins.

The White House had no comment on developments but it was reported that the administration has asked former Republican President Eisenhower to be present when Johnson and President Marco Robles of Panama sign the canal treaty and a companion defense treaty on canal security in an effort to give the ceremonies a flavor of bi-partisanship and continuity going back to the Panama riots of 1959 when Eisenhower was in the White House.

The Tribune published a major portion of the defense treaty a week ago.

Opposition to the treaty has been stymied by the secrecy about it, a situation that lawmakers pointed out has been remedied by the Tribune publication. Among the senators visited in the lobbying move were Sen. Dirksen (Ill.), the Republican minority leader, and Sen. Bourke Hickenlooper (R., Ia.), ranking minority member of the senate foreign relations committee.

ROBERT ANDERSON CHIEF LOBBYIST

The head lobbyist was Robert Anderson, the special ambassador in charge of negotiations with Panama. He sought to quell the fears expressed by many senators and House members that the canal treaties involve a hazardous surrender of sovereignty.

Dirksen was reported to have told Anderson:

"Go back and tell Lyndon [the President] that he's in trouble on this one if he proceeds to sign the treaty without fully acquainting the Senate first with all of its details. Remind him that he needs a two-thirds vote of the Senate [67 senators] for ratification and there is already much resentment about the secrecy concerning its terms."

Dirksen saluted The Tribune feat. He said it is both an extraordinary achievement in journalistic enterprise and a genuine contribution to the interest since it will permit time for careful study of the treaties before the Senate is confronted with a fait accompli.

"Too often in the past," he remarked, "the Senate has been sent a treaty, told that it has been signed, and warned that failure to ratify would incense the parties concerned. Thanks to the Tribune, we will have full information this time."

Dirksen told Anderson that he would give him an opportunity to meet with the Senate Republican policy committee next week. By that time, Dirksen noted, senators will be armed with Tribune texts for cross-examination.

TOLD SIGNING SET FOR JULY 24

Dirksen said he had been told that the treaty signing will take place July 24. Reports from Panama vary from July 23 to next month at the White House. Rep. Armistead Selden Jr. (D., Ala.), chairman of the House foreign affairs subcommittee on inter-American affairs, has scheduled hearings for July 24 to 26 on more than 100 resolutions introduced in the house in opposition to the new treaties.

Selden said Rep. Thomas E. Morgan (D., Pa.), chairman of the House foreign affairs committee, told him the three days were the only ones available. Morgan is regarded in Washington as a strong pro state department man. If the signing takes place on July 23 or 24, it will be over before Selden's hearings begin.

Selden said he wants to hold public hearings. He said he would like all state department testimony in public. He said if the state department insists he will close the hearings for its witnesses. Selden said he sees no reason for this, however, since the Tribune has published the treaty.

The House will have to jurisdiction over ratification of the treaty, which can be recommended or rejected by the Senate only. Most of the resolutions introduced in the House have urged the Senate not to ratify it.

Sen. Strom Thurmond (R., S.C.), a member of the Senate armed services committee, said he will put the treaty text published by the Tribune in the Congressional Record Monday.

Sen. Norris Cotton (R., N.H.), who demanded in a letter to Secretary of State Dean Rusk yesterday that "the strange veil of secrecy be lifted from the treaty negotiations," said the Tribune has performed a great public service.

As the ranking minority member of the Senate commerce committee, Cotton is familiar with the efforts of a special Presidential commission to find a route for a new sea level canal. He was perturbed by the fact that no feasible route has yet been discovered after a two-year study and that construction of a second canal, in any event, is at least 10 years away.

"I wrote Secretary [Dean] Rusk of my deep concern over reports that United States negotiators have agreed to a treaty which surrenders United States sovereignty over the Panama canal," Cotton said. "I told him that the strange veil of secrecy surrounding the details of the treaties has raised doubts and caused confusion in many minds. . . Now thanks to the Tribune's enterprise, those details will be available to answer many questions. We will be able to determine if we run the risk of some future Nasser-type government in Panama barring our shipping and that of our allies and friends. Surrender of sovereignty over the present canal sets a pattern for surrender of sovereignty over any new canal built in the area with United States dollars."

OTHER LEGISLATORS EXPRESS RESENTMENT

Other legislators also expressed indignation and resentment over Johnson's secrecy. Rep. Edward Derwinski [R., Ill.], a member of the House foreign affairs committee, called it shocking that concessions of a major nature were made on the canal without consultation or discussion with the Congress and the committees involved.

"The timing and nature of this couldn't be worse," said Derwinski. "Administration leaders shouldn't have made the concessions and retreat they have made on the Panama canal. The Tribune has done a good job. With evidence of Castro infiltration in Colombia and Venezuela, the weakness of the Panamanian government and its national guard [army], and the lesson learned from the paralysis of the Suez canal by Egypt, this is the time for strong leadership."

Rep. Charlotte Reid [R., Ill.] said that instead of negotiating concessions costly to United States security before a decision is reached on a new sea level canal, the United States should be reaffirming our existing treaty rights over the canal.

"In my judgment, the administration should be doing more to impress upon our neighbors in this hemisphere the benefits they derive from efficient operation of the canal and the security this affords, Mrs. Reid said.

Rep. John Rhodes [Ariz.] chairman of the Republican policy committee in the House and a member of the defense subcommittee of the House appropriations committee, attacked the administration's handling of the canal treaty as "a rather sinister secrecy." He said publication by The Tribune will give everyone a chance to study it and determine whether there is something in the treaty that the administration wanted to break gently to the American people. He said The Tribune has performed a real public service.

SOUGHT TEXT OF PACT FOR WEEKS

Rep. Durward G. Hall [R., Mo.], who introduced a House resolution against the treaty that had the signatures of 132 House members, said he and others had been trying for two weeks to learn the terms of the treaty.

"I think this is a great public service to the American people and to the Congress," he said. "Perhaps this is the one thing that will crystalize opinion. Obviously, the number of people who co-sponsored mine and similar resolutions demonstrates the interest of the people and their representatives."

Rep. Leonor K. Sullivan [D., Mo.] chairman of the House merchant marine subcommittee on the canal, expressed mystification over administration secrecy on the treaty and explained that she is delighted with the Tribune publication because "I think the American people should know what is in this, if they can understand it."

"The big thing, the awful thing is the contents of the treaty which transfers sovereignty over the canal," she said. "The more you study it [the treaty], the more its terms become open to interpretation."

Mrs. Sullivan said that there should be "some digestion" of the contents of the treaty before Congress is asked to give its approval. She pointed out that the administration had not even given members of the foreign affairs committees copies, and said "opposition to the treaty seems to be growing."

Readers Hail Full Story on Panama Pact—Military Men, Civilians React to Terms

Publication by The Tribune of the Panama canal treaty text yesterday drew enthusiastic response from business, government, and military leaders.

"The Tribune deserves a most remarkable

pat on the back for it," said Brig. Gen. Lawrence H. Whiting [ret.], vice chairman of the American Furniture Mart.

"MOST COMPLETE STORY"

Referring to the publication of the complete treaty text, Gen. Whiting said:

"I think this is the most complete story on a matter of national interest that has been published by any newspaper in the west or to my knowledge anywhere in the United States. I think the people of the country should be deeply appreciative of the care and attention the Tribune has given to this problem because it is of the gravest political and national issues."

Gen. Whiting said his views were shared by Gen. Robert E. Wood, a director and retired chairman of Sears, Roebuck & Co., who was in Presbyterian-St. Luke's hospital yesterday.

WORKED ON CANAL

Gen. Wood was one of Gen. George Washington Goethals' assistants in the construction of the canal, starting work on it in 1905. Gen. Wood has predicted the United States will be "finished in Latin America" if it permits arbitration of its treaty rights in the Panama Canal Zone.

"The canal is vital to our defense," he said in 1964. "If we concede any of our rights there, we are finished."

Major Gen. Francis P. Kane, commander of the Illinois 33d national guard division, said the publication of the treaty text "will awaken the people of this nation to the threat which faces their future security. No citizen who reads the text of the treaty can shrug it off by saying it really doesn't matter what happens to the canal. The Tribune deserves congratulations for its alertness in bringing this story to print."

KEY TO SECURITY

Cook County Board President Richard B. Ogilvie, a former army tank commander, said:

"In view of what happened with the Suez canal, we should not give up any controls in Panama. To do it would be stupid. It would be a miscalculation. The security of the western world is tied up in that canal."

Four persons selected at random in Michigan avenue and in the Sheriton Chicago hotel said Congress should study the proposed treaty carefully before giving their "advice and consent."

Sylvester Clifford, a speech pathologist from the University of South Dakota here for a seminar, said it would be a great mistake for Congress not to give careful attention to the treaty.

"The administration and Congress have a very difficult job ahead of them. They are to be sympathized with. The canal should stay open. It is vital to us. Even if we must develop another route—whether it pleases the Panamanians or not—it should stay open and the United States should have methods of protecting its interests in the canal."

Roger Duffey, an employe of the county public aid department, said an important move such as the canal treaty should be carefully evaluated by Congress.

"If there is such a thing as joint sovereignty, then I am for that," said Duffey. "I'm for protecting the rights of the Panamanians as well as those of this country."

Atty. Frederick E. Merritt, commander of the American Legion, said:

"We ought to move slowly and study the proposed new treaty with caution before any changes are made. By the way, the original treaty was negotiated by another native of Salem, William Jennings Bryan, while he was secretary of state."

Carl Stockholm, owner of a chain of cleaning stores and past national president of the Navy league, said the riots in Panama in 1964 were used as an excuse for proclaiming the need for the new treaty.

LABOR COURTS COULD SOLVE RAILWAY AND OTHER MAJOR STRIKES

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. McClory] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. McCLORY. Mr. Speaker, the walkout of six shopcraft unions affiliated with the International Association of Machinists against the Nation's railways emphasizes again the need for comprehensive legislation to protect the public against labor disputes affecting the national interest. Labor disputes affecting the railroads and other forms of nationwide transportation require a general legislative remedy to which the public can turn for protection and relief. While this administration has given bland assurances of a new labor bill, it has dawdled and stalled for fear of stepping on the toes of some big labor bosses.

Meanwhile, Samuel I. Rosenman, a former New York Supreme Court Justice and a one-time adviser to the late President Franklin D. Roosevelt, has advocated the establishment of labor courts. According to Judge Rosenman, who could certainly not be described as an antilabor figure, the public interest demands that a forum be established where differences between management and labor can be litigated to a conclusion. This would be in contrast to the type of ad hoc boards which have been appointed in the past when strikes and threats of strikes affecting the national interest have been involved. Mr. Speaker, a portion of Judge Rosenman's presentation—which appeared in the Sunday, July 16, Sunday Star—is as follows:

* * * * *

My thesis, baldly and broadly stated, is that—with labor equality insured by our many labor laws—the right to strike should be curtailed when it is in conflict with the public interest, and that some form of final compulsory decision must be provided.

I would limit it—at least initially—to certain well-defined industries: Transportation by land, sea and air; manufacture or production of any material necessary to national health or security; communications; and essential public, municipal and state services such as police, fire, sanitation, subways and buses, hospitals, and public health and welfare agencies.

By compulsory decision, however, I do not mean compulsory arbitration by an ad hoc appointed board of arbitrators.

What I propose is a new judicial system of courts—labor courts—with jurisdiction solely over industrial strife, including strikes.

The essential feature of labor courts is that the judges would have the same title, dignity, respect and standing as all the other federal judges. This would require that they be appointed by the President for life, and confirmed by the Senate in the usual way; that their time be devoted exclusively to labor cases; that they have the same salaries, the same retirement privileges, all necessary clerks and assistants, and the same dignified courtrooms and chambers as other U.S. judges. They should be empowered to assure orderly hearings by contempt proceedings and, in all respects, have the same public standing and expertise in their particular field of labor as any other federal judicial officers. They will become qualified specialists in particular industries, and know the history of labor relations in those industries.

Labor courts' decisions should have the effect of judgments, enforceable by substantial fines, and appealable to a Federal Labor Court of Appeals consisting of the same type of specialized labor judges, with powers to affirm, modify or reverse.

Labor court decisions should be conclusive and binding on both sides. In that sense the result will be the same as by compulsory arbitration. Yet I hazard a guess that most of the present rejection and abhorrence of compulsory arbitration by management and labor will gradually diminish and finally disappear.

* * * * *

Nothing in my proposal calls for any interference with the give-and-take of collective bargaining. Unions will continue to require the same equality of strength, even though they cannot strike. For before a labor controversy reaches the end of the judicial process, both sides have to try to reach a settlement on as many of the issues as possible by collective bargaining. Only items on which agreement cannot be reached will have to be resolved by the court. Individual employes or even weak unions cannot do this kind of bargaining successfully. They must be strong enough to amass all the facts with which to sit opposite management at the bargaining table. They must be able to employ the best of economists, lawyers, statisticians and bargainers. And they must have even greater resources if they have to go to court on a long, protracted trial.

It is not true that collective bargaining must stop when the right to strike is taken away. That is not true in the Australian system of labor courts. That is not true of any other kind of civil dispute or litigation in our courts. For every case actually tried, there are scores which are settled before litigation, during litigation, and even in the course of trial. These civil settlements are all the results of vigorous bargaining. A party settles for less because he fears that the court may decide against him and thus he will lose all. The weaker his case, the smaller his settlement. So each side, in negotiating, marshals his facts and his law, argues justice and equity with the other, and then takes a look at the strength or weakness of his opponent's case.

* * * * *

In this country, we have had the present haphazard system a long time—too long. The American public will welcome any reasonable change which will put an end to the needless economic waste which comes from strikes. And in the long run, I am confident that both labor and management will join in the welcome.

Mr. Speaker, I am very much impressed by Judge Rosenman's statement, and I am hoping that the administration will take note of his recommendations. If the administration does not wish to come forward with legislation to establish labor courts, then what, indeed, is its recommendation for handling those few insoluble labor-management disputes which affect the broad public interest? If the administration has a better solution, it should present its alternative proposal at once to an impatient Congress, and to an even more impatient American public.

OCCUPATIONAL DEFERMENTS AND SELECTIVE SERVICE: CONTINUING THE DRAFT DIALOG

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CURTIS. Mr. Speaker, this Congress has just passed a draft extension act, extending the military draft virtually unchanged for another 4 years. However, the problems and inequities which sparked the strong public demand for reforms still remain, and I feel it is incumbent upon this House to continue to consider these issues and not to let this matter lie dormant over the next 4 years. Especially necessary at this time of military buildup and international crisis is a study of the effects of the draft system on the overall allocation of manpower between the military and civilian sectors.

I have argued for, and my resolution, H.R. 422, would establish, a joint House-Senate committee, composed of members of the two Armed Services Committees and members of the two Education and Labor Committees—which must be included if a correlation between manpower problems in the military and civilian fields is to be brought about—to study this area. The recent action of the Congress in making the National Security Council the advisory body to the Selective Service System on the problems of determining critical skills and occupations can in no way be seen as a final resolution of the question of allocation of manpower. In addition, the Congress has so far ignored the pressing problem of coordinating the use of the Ready Reserve with our present manpower allocation. The manpower needs, skill levels and operational readiness of the Reserves must be coordinated with civilian and military manpower usage if we are to have the Ready Reserves as our prime source of manpower for rapid expansion or "crisis" periods. The Congress has a duty to study this area, and I feel we would be remiss in our public responsibilities if we let the executive branch manage this task "behind closed doors" without establishing guidelines based upon studies that can only be meaningful if made in context of public hearings, cross-examination and public debate.

On July 28, 1966, and again on January 30, 1967, I took the floor to discuss and present to the House information I had received on our present system of deferring "critical occupations" and "essential activities." This material can be found in Congressional Record, volume 112, part 13, pages 17545–17550, 89th Congress, second session, and on pages 1822–1829 of the Record of this year. It includes my correspondence with Secretary of Labor Willard Wirtz and then-Secretary of Commerce, John T. Connor, concerning the Interagency Advisory Committee on Essential Activities and Critical Occupations, which, until this new law which we just passed, was the group which advised the Selective Service System on occupational deferments. It was somewhat surprising to me to see in our debate on the merits of a "National Manpower Resource Board" or putting this function in the National Security Council no mention of the fact that we already had an organization that was assigned to perform this task. I would certainly hope that the Departments of Labor and Commerce realize that their interagency committee has now been superseded by the National Security Council, because I would hate to think that our oversight will result in duplication of effort and the continuing of unnecessary bureaucracy. It is interesting to note that the Interagency Committee suspended its operations since the beginning of the year waiting for Congress to act. Now the Commission is uncertain as to its future role, according to a committee source. However that may be, I think it important for this House to examine the work of the Interagency Committee to see how well the job of allocating manpower has been carried out.

The hearings conducted last March and April by the Subcommittee on Employment, Manpower, and Poverty of the Senate Committee on Labor and Public Welfare, entitled "Manpower Implications of Selective Service," are, I think, most useful and informative. In addition to providing valuable testimony on the question of manpower allocation and important data on the present system of occupational deferments—II–A deferments—the hearings demonstrated the concern of the labor committees for this question and the value which we could receive from a joint study committee which would bring together Members knowledgeable in all aspects of this many-faceted problem. Certain portions of the testimony received by the Senate subcommittee are especially revealing, and I would like to include excerpts from the questioning of Secretary Wirtz in my present discussion.

At the present time, we have some 250,000 young men deferred from military service because their occupations are critical to the defense effort and to the civilian economy. It should be noted that this type of deferment is usually permanent and these men are usually never called for military duty. Now on this matter, Secretary Wirtz testified as follows:

> Secretary Wirtz. . . . The present situation—resulting in the 250,000 II–A classifications—is the product of a complex administrative process which developed largely during a period of minimum demands for military service.
>
> This process includes (1) the listing of essential activities by the Secretary of Commerce, (2) the listing of critical occupations by the Secretary of Labor, (3) advise in various forms regarding this matter by the national headquarters of the Selective Service System to local draft boards, and (4) *virtually discretionary and broadly inconsistent decisions by local draft boards.*
>
> *Half of the registrants recently reclassified by the local boards as II–A (occupational deferments) are neither in essential activities* (as certified by the Secretary of Commerce) *nor in critical occupations* (as certified by the Secretary of Labor). (Emphasis added).

This is a surprising statement and Senator Edward Kennedy questioned the Secretary as follows:

> Senator Kennedy of Massachusetts. Mr. Secretary, that is an amazing statistic. Can you give us some explanation why something hasn't been done about it?
>
> Secretary Wirtz. I think I understand why it has happened, Mr. Chairman, and I think it is not without justification. When we put ourselves in the situation of the local community, it is to realize that in a local community, there will be, perhaps, an essential military production plant there, which faces what have become in the last 2 years quite strong manpower needs. Under such circumstances it is pressed upon the members of the local draft board, with propriety, and it is part of the democratic process, that that plant needs help. Now when there comes up before that draft board the case of a young man who is working at that plant, I think that his deferment by the local board is understandable, in terms of those pressures.

Thus, we find that the decisions as to which occupations are critical are being made by local boards in response to the pressures of local industries. There is no way for any responsible national body to correlate the national defense needs for manpower in both the civilian and military sectors, as long as these crucial decisions are being made exclusively by local boards. Obviously, from the fact that one-half of those presently being deferred for occupational reasons are not in jobs which are considered critical by the national advisory agency, we can see that either the list of critical jobs is not related to the realities of our manpower needs, or the local boards are deferring men to protect purely local industries.

It is then important to go on and discover just how the List of Currently Critical Occupations, which I discussed in my remarks of January 30—page 1825—is related to the manpower needs of the defense structure and civilian economy. Discussing this list, Secretary Wirtz said:

> Secretary Wirtz. And just to complete this, I think it should be added that the list was developed during a period when it didn't make very much difference.
>
> Senator Kennedy of Massachusetts. It hasn't been reviewed?
>
> Secretary Wirtz. It has not been reviewed. But I should say, Mr. Chairman, that there are descriptions of each of these occupational deferments. I don't mean to suggest that I think the decision was taken too lightly. It was taken, rather, during a period when, as I say, it didn't much matter. This is during the 1950's. There are reasons for it. . . .
>
> Senator Kennedy of Massachusetts. Rather than running all through the list completely, I want that included although we also have included on it some foremen, glassblowers, structural linguists, and a number of others. In any event, would you say that the list should be completely reviewed?
>
> Secretary Wirtz. Yes, sir.
>
> Senator Kennedy of Massachusetts. And reevaluated.
>
> Secretary Wirtz. Yes, sir, it has been sort of false bravery.

As Secretary Wirtz points out, the list is not very well related to present manpower demands. In addition, the job descriptions in the list, as I mentioned in my remarks of January 30, are based on the now-obsolete 1949 edition of the Dictionary of Occupational Titles. Secretary Wirtz, in his letter to me of September 12, 1966, reprinted in the Record of January 30—page 1827—stated that the Labor Department was in the process of updating the job descriptions, but, as yet, these changes have not been published. Certainly, one of the first jobs of any new advisory group in the area of occupational deferments, such as the National Security Council, must be to review our present list of critical occupations and update these job descriptions. I have been told by an official in the Department of Labor that the new critical occupations job descriptions are ready, but that they have not been put in published form and distributed through the Selective Service System because the Department was waiting to see what the Congress would do. Of course, all we did was move the advisory functions over from the Departments of Labor and Commerce to the National Security Council; and as a spokesman for the Labor Department indicated, the National Security Council is "not now prepared in any way to do the kind of staff job that's needed" in this area. It is perhaps, unfortunate that we decided to transfer the functions of this Interagency Committee to the National Security Council without any discussion of hearings on the capabilities of the NSC to handle this function. I will be following developments in this area rather closely, and will inform the House through the Record of any information I receive relative to the future work of the NSC on occupational deferments.

Secretary Wirtz, at the Senate Subcommittee on Manpower hearings also commented on the operation of the present system of local board discretionary power over occupational deferments. His testimony follows:

> Secretary Wirtz. The President has, I think, quite wisely said there ought to be a further look at the distribution of responsibility between the central system and the local boards. I feel no reluctance in saying this to you: I know that the present system, as far as the identification of occupational deferments, is not right, because it produces a sequence in which, on June 24, 1966, we have an interagency committee determination that there is no necessity for deferments in the machine tool industry. That committee advised the parties, who had submitted an application, to that effect. Then on February 28, 1967, there was advice by the National Headquarters of the Selective Service System, to the local boards, that the machine tool industry is one in which according to advice from the industry and so on and so forth, there are shortages, and a statement that they have backlogs that have increased every month since May 1965.
>
> Unfortunately, that same statement came out just a day after the newspapers reported the machine tool orders reached a 2-year low. And then, when you go on and complete that procedure, by leaving it to the complete discretion of local draft boards, on that kind of record, I know that doesn't make sense.

What was revealed by this testimony is that under the present system, if an industry does not get its request for inclusion on the Department of Labor list accepted by the Interagency Committee—and Secretary Wirtz testified that every such request in the past few years has been denied—it can then go to the national headquarters of Selective Service and get a national recommendation to defer its employees anyway. If that does not work, as Secretary Wirtz indicates, the industry can go directly to the local boards in the communities in which its workers live and get its people deferred on an individual basis.

Surely, this is not what we mean by allocating our limited supply of skilled manpower between the civilian economy and the military services. What good are national advisory agencies and national criteria when local boards choose to ignore them—as they have in fully one-half of the requests for occupational deferments? Secretary Wirtz stated that the system "doesn't make much sense"; it is, however, worse than that, because we have no way of determining just which critical personnel are being deferred and whether a supply of skilled manpower for essential civilian activities is being maintained. This means that we may face a shortage of critical skills in certain areas and have no way of doing anything about it. Secretary Wirtz makes it unequivocally clear that such shortages exist today; he stated to the Senate subcommittee:

> Secretary Wirtz. I want to make it quite clear, and I suppose, to respond to Senator Javits' point among others, that there are skill shortages today in some key occupations, there isn't any question about that.

With this kind of testimony before us, it is vital that the Congress undertake a more thorough study of our system of occupational deferments. The Secretary of Labor feels the system is wrong, and present experience with II–A deferments indicates that there are inconsistencies and inequities in the operation of the system, as well as real gaps in our ability to manage the allocation of skilled manpower. We should not leave the problem entirely in the hands of the executive branch—this is an area where an open, congressional study is most necessary, so that industry representatives, economists, labor union representatives, and others interested in this problem can come and testify and be cross-examined. The National Security Council is perhaps the least capable body for carrying out this task because it is responsible for high-level policy, and often top-secret decisionmaking, and is not equipped to make detailed staff studies of this issue. This testimony also points out the need for a broadly based study which includes members of those congressional committees most concerned with manpower problems. I certainly think that the Senate Labor and Public Welfare Subcommittee which conducted these hearings should be commended for their efforts and for the information they have provided the House and Senate. I hope they will continue their studies, and I hope that the Congress will support my bill, House Resolution 422, so that their efforts can be joined with the work of the House Committee on Education and Labor and the House and Senate Armed Services Committees.

I have written to Secretary Wirtz to get further information with regard to the matters I have discussed and to keep abreast of developments in this area. I enclose, for the benefit of other interested Members, a copy of my letter. Also, I have written to the National Security Council to ascertain their plans for implementing their new responsibilities. I will, of course, place any response I receive in the Record. I am, in addition, continuing my studies in this field and expect to have further information for the House shortly. The letters follow:

July 10, 1967.

Mr. Bromley Smith,
Executive Secretary, National Security Council, The White House, Washington, D.C.

Dear Mr. Smith: As you no doubt know, the new Selective Service Amendments, S. 1432, passed by the Congress and sent to the President, transfers the responsibility for advising the Selective Service System on critical skills and essential occupations from the Departments of Labor and Commerce to the National Security Council.

This is an area in which I have been very concerned, as I feel we have not been adequately coordinating the manpower needs of the Armed Forces and the civilian economy in our deferment policies. Secretary Wirtz has told the Congress, during a March 21, 1967 hearing of the Subcommittee on Manpower of the Senate Committee on Labor and Public Welfare, that one-half of those now being deferred (II–A) for occupational reasons are not in "essential activities" or "critical occupations" as defined by the Departments of Labor and Commerce. At the same time, Secretary Wirtz testified that the civilian economy was facing skill shortages in some key occupations.

I would appreciate receiving any information you might have as to the plans of the National Security Council for implementing its new responsibility in the area of occupational deferments. I realize that this is a new task which has been given to you and that it may take some time to set up a structure to carry out this responsibility, but I hope you will inform me of whatever procedures and methods are adopted as soon as they are established. I have learned that the agency entrusted with this task in the Departments of Labor and Commerce has suspended its operation since January while awaiting Congressional action. Thus it becomes even more imperative to re-establish some guidelines and procedures for studying and making recommendations on this matter.

I would also appreciate your comments on the feasibility of placing this new responsibility in the National Security Council. Is this responsibility consistent with your present functions and methods of operation? Do you have staff who are familiar with the problems of manpower allocation in both the military and essential civilian segments of the population? Do you now carry out any analogous responsibilities, i.e., directly advising and establishing guidelines for another Federal Agency or Department? I am afraid that the transfer of responsibility to the National Security Council was carried out without any Congressional study or debate and, seemingly, without consulting with the Council itself. Therefore, I feel that your comments on this matter would be valuable for the Congress.

I am enclosing, in case you have not yet seen a copy, a copy of the Conference Report on the draft law, which includes the language of the bill passed by the Congress.

Thank you very much for your assistance and cooperation.

Sincerely,

Thomas B. Curtis.

July 10, 1967.

Hon. W. Willard Wirtz,
Secretary of Labor,
Department of Labor,
Washington, D.C.

Dear Mr. Secretary: In your testimony before the Subcommittee on Employment, Manpower and Poverty of the Senate Committee on Labor and Public Welfare of March 21, 1967, you stated that "there are skill shortages today in some key occupations, there isn't any question about that." This was in the context of discussing and evaluating our system of occupational deferments from military service.

I have been very interested in this matter, and I would appreciate any facts, statistics or other information you might have on skills now being deferred and any shortages which may now exist.

As you also are aware, the new draft law passed by the Congress transfers the responsibility for advising Selective Service on occupational deferments from your Department (jointly with Commerce) to the National Security Council. I would appreciate your comments on this transfer, especially on the ability of the National Security Council to handle this responsibility. What plans do you have to coordinate your responsibilities and expertise with the Council? Also, I would appreciate any information you receive on the plans of the NSC to develop their new duties with regard to advising Selective Service. I realize that this may take some time to get an organization developed for this function, but I hope you will inform me of the procedures and methods of operation in regard to this matter as they are established.

Thank you very much for your cooperation.

Sincerely,

THOMAS B. CURTIS.

THE PROPOSED TAXATION OF ADVERTISING REVENUE OF TAX-EXEMPT ORGANIZATIONS

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CURTIS. Mr. Speaker, the effective administration of our tax system makes it necessary for the Internal Revenue Code to be supplemented by detailed regulations which serve as a vehicle for carrying out the legislative intent of the Congress. In general, the record of the Internal Revenue Service in preparing and promulgating regulations within the purview of the revenue laws enacted by Congress is commendable. However, our tax system, because of its vast complexity, produces some very sophisticated administrative problems and, as a result, the Internal Revenue Service, in its attempt to exact revenue, has sometimes exceeded its delegated authority.

When an executive branch of Government invades the exclusive power of Congress in an effort to legislate by regulation, redress may be had in the courts through a long, tedious, and expensive procedure which may result in irreparable damage even if the litigant is successful; or Congress, of its own initiative, may speak through the legislative process to thwart the attempted invasion of its prerogatives.

My remarks today are directed toward the Treasury regulations amendments proposed by the Internal Revenue Service which would have the effect of taxing the income of publications of tax-exempt organizations, even though such publications may be substantially related to the tax-exempt purposes of such organizations.

I do not propose here to discuss extensively the substantive merits of my bills. My primary purpose in introducing these bills in the last Congress, and in reintroducing them now, is primarily to put a stop to the Treasury Department placing its judgment ahead of the Congress to establish new lines of demarcation through the technique of issuing new Treasury regulations, and to permit the Congress after full public hearings of people on all sides of the issues, including the Treasury Department and Internal Revenue Service officials, to render through law as opposed to executive rulings, any new judgments that seem desirable.

The Internal Revenue Service claims as authority for the issuance of such regulations section 7805 of the Internal Revenue Code which delegates to the Treasury Department the authority to "prescribe all needful rules and regulations for the enforcement (of the Internal Revenue Code.)" Statutory limits inherent in this delegation of authority hinge on the word "needful."

Obviously, congressional intent and legislative history are relevant to the determination of whether a Treasury regulation is "needful" for the effectuation of the particular Internal Revenue Code provision. The statute under which the Internal Revenue Service intends to propose the regulations is the Revenue Act of 1950. This law was enacted for the purpose of curbing a growing abuse on the part of certain tax-exempt foundations and universities that were acquiring regular commercial businesses not substantially related to their tax-exempt purposes aside from the need for income. At the legislative hearings and in the congressional committee reports preceding passage of the Revenue Act of 1950, the focal point of attention was the acquisition by New York University of a macaroni factory.

In his testimony before the Senate Committee on Finance, Secretary of the Treasury Snyder said:

> Our tax laws have long recognized the principle that organizations operated for worthy public purposes should be encouraged by tax exemption.

About the provisions of the bill, which would subject to tax the income of a substantially unrelated trade or business, he said:

> These provisions preserve the tax-free status of the legitimate activities of educational and charitable organizations and, at the same time, correct the abuses which properly have received so much general condemnation. Business operations of charitable and educational institutions clearly unrelated to their exempt functions generally would be subjected to the regular corporation income tax. This would apply to organizations now engaging in such unrelated business activities as the manufacture of food products, leather goods, vegetable oils, and the distribution of petroleum products. The bill would not tax their income from related activities.

It is clear from Secretary Snyder's presentation and from the congressional committee reports that the statute was intended to subject to taxation only the income of a trade or business that is substantially unrelated to the primary purposes of a tax-exempt organization. In applying the statute, the operation of a publication such as a trade or professional journal may be regarded as a "business" but its income is properly subject to tax only if the publication is a business "substantially unrelated" to an organization's tax-exempt purposes.

Nevertheless, despite the legislative history and the clear meaning of the law, the Internal Revenue Service now proposes by regulation to tax the advertising revenue of publications of tax-exempt organizations, irrespective of whether the publication is substantially related or unrelated to its exempt purposes. In light of congressional intent, it is clear that the proposed regulations are not "needful" for the effectuation of the Internal Revenue Code sections under which they are proposed, sections 511 to 514. I can only conclude, therefore, that the Internal Revenue Service has exceeded the authority delegated to it by section 7805 of the Internal Revenue Code.

Even aside from questions of legitimate authority, as a practical matter the legislative hearing forum is better designed than the administrative hearing forum to give a full and impartial airing of all sides. The legislative hearing is better because we can force the Internal Revenue Service to come forward with a concrete need case. As it stands now, the Internal Revenue Service has issued nothing but a general conclusionary statement indicating that there is, in their judgment, a need for the proposed regulations.

My correspondence with the Internal Revenue Service reveals that they have released only two papers relating to the proposed regulations. One is nothing more than a draft of the new regulations, the other, Technical Information Release 899, makes only passing reference to any need. It states:

> The IRS noted that its experience in administering the unrelated business income tax had disclosed the need for a more complete and detailed explanation of the statute than that afforded by existing regulations. In response to this need, IRS several years ago undertook a comprehensive study of the tax laws and their bearing upon commonly encountered fact patterns. The proposed regulations result from that study.

Such a statement says nothing substantive about any real need for the regulations. Instead of the Internal Revenue Service merely stating that it is the considered judgment of the Internal Revenue Service that there is a need for the proposed regulations, I would prefer to peruse a detailed report of the study itself. The Internal Revenue Service does not plan to release any such report before their proposed hearings on July 18. In fact, I do not know if the Internal Revenue Service plans to assume any burden of proof even in the Treasury hearings themselves. It is not inconceivable that, if Congress does not intervene, there will never be a full airing of the facts and reasoning employed in the "comprehensive study" conducted by the Internal Revenue Service.

On the other hand, if the matter comes before the Congress in bill form, the Internal Revenue Service will be forced to come forward with a convincing need case if they wish to get their proposed changes enacted.

The first bill which I am introducing today will assure to labor, agricultural, trade, professional, educational, charitable, religious, and similar organizations the tax-free status of their legitimate activities which Secretary Snyder promised and Congress intended in the enactment of the Revenue Act of 1950.

The sole purpose of the second bill that I am introducing is to accommodate the situation where a publication is incorporated separate from the parent organization as is the case with the Journal of Nursing—the publication of the American Nursing Association.

The need for this legislation runs the gamut of our worthwhile organizations, such as the Boy Scouts, the Girl Scouts, churches, labor unions, professional and business organizations, and the National Education Association, among other educational groups.

BETTS REPORTS EXECUTIVE INEFFICIENCY AND MISMANAGEMENT

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BETTS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BETTS. Mr. Speaker, in the past few weeks the House has been made acutely aware of the enormous budget deficit which confronts the Nation in this fiscal year. While the concern of Congress has been manifested as to the need to reduce expenditures, there has been no concerted effort to eliminate the extensive waste, inefficiency, and mismanagement rampant in Federal programs.

In response to this problem and in an attempt to kindle an increasing awareness of the inefficiency and mismanagement prevalent in Government spending, I have prepared the following table which cites particular departments, agencies, or programs, categorizes the nature of the problem, and notes the frequency of occurrence. I present it not as an exhaustive analysis, but as a preliminary study which I believe attests to the existence of inefficient administrative procedures and substantiates the need for comprehensive examination and serious congressional attention.

I have already introduced a bill, H.R. 9164, which is designed to alleviate much of the inefficiency in the executive branch by calling attention to the unsatisfactory performance of particular individuals and the lack of compliance with administrative procedures. My bill, first, requires the Government Accounting Office to publish the names of employees personally responsible for failing to comply with the law or proper administrative procedures.

Second, the bill requires all newly established Federal agencies to consult with the Comptroller General concerning the proper accounting principles and procedures prior to the dispersing of any moneys. Third, it requires the suspension of funds to all agencies whose accounting systems remain unapproved 2 years after the passage of the bill, including agencies yet to be established. Finally, the legislation requires that each agency reprimanded by the GAO file with the Bureau of the Budget a statement of the corrective action taken to prevent recurring waste.

Mr. Speaker, the problems of administrative inefficiency are apparent, and I urge my colleagues who share this overriding interest in developing an effective Government and saving taxpayers' dollars, to actively pursue constructive action. This problem demands our immediate attention. The table that follows identifies several specific agencies, the status of their accounting system, the type of maladministration reported, and the number of years such waste has persisted.

Many authorization and appropriation measures are yet to come before us. I hope the facts pointed out in this table will be noted as the House considers each department and agency involved.

Table of inefficiency and mismanagement compiled from GAO annual reports [1]

Department or agency	Status of accounting system [2]	Inefficiency and mismanagement	Fiscal year			
			1966	1965	1964	1963
Department of Agriculture:						
Stabilization and Conservation Service and Comodity Credi Corporation.	Unapproved	Slack contract policies and practices	X	------	------	
		Unsatisfactory utilization of storage facilities	X	------	------	
Soil Conservation Service	do	Unnecessary procurement	X	X	X	X
Department of Commerce: Bureau of Public Roads.	do	Deficiencies in des.gn, acquisition, and contract practices.	X	X	X	X
		Inadequate financial reporting procedures	X	------	------	
Department of Health, Education, and Welfare:						
Office of the Secretary	do	Inefficient records and property management.	X	------	------	
Public Health Service	do	Inadequate inventory controls	X	------	X	X
		Unnecessary procurement	X	------	------	
Department of Housing and Urban Development:						
Public Housing Administration	do	Excessive cost	X	------	------	
Urban renewal	do	Unexact budgeting procedures	X	------	------	
Department of Interior:						
Bureau of Indian Affairs	Approved Jan. 27, 1953.	Questionable use of appropriations	X	------	------	X
U.S. Fish and Wildlife Service	Unapproved	Unauthorized use of appropriations	X	------	------	
Department of Labor:						
Bureau of Employment Security	do	Uneconomical use of funds	X	X	X	X
Office of Manpower, Automation, and Training.	do	Unconstrained duplication	X	------	------	
Post Office Department	do	Excessive cost	X	X	------	
		Inefficient manpower utilization	X	------	------	
Federal Aviation Agency	Partial	Unproficient employment of automated data processing equipment.	X	X	X	
		Excessive cost	X	X	X	
		Unsatisfactory utilization of supplies	X	------	X	
National Aeronautics and Space Administration.	Unapproved	Unproficient acquisition or employment of automated data processing equipment.	X	X	X	X
U.S. Information Agency	do	Questionable use of appropriations	X	------	------	
Interagency Food for Peace	do	Questionable utilization of supplies	X	------	------	
		Excessive cost	X	X	------	
Department of Defense	do	Inadequate inventory controls	X	X	X	X
		Inefficient procurement practices	X	X	X	X
		Unsatisfactory maintenance	X	X	X	X
		Inefficient manpower utilization	X	X	X	X
		Slack contract policies	X	X	X	X
		Unconstrained duplication	X	X	X	X

[1] Table compiled from Comptroller General of the United States Annual Report 1963, 1964, 1965, and 1966 by Congressman Jackson E. Betts.

[2] *Status of accounting systems taken from U.S. General Accounting Office Cumulative Summary, Mar. 31, 1967.*

OUR HERITAGE: ARE WE REPUDIATING IT?—SERMON BY DR. V. W. SEARS

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. BROYHILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, members of the congregation of the First Baptist Church in Annandale, Va., remarked to me that their pastor, Dr. V. W. Sears, had delivered an excellent sermon at their annual patriotic service on July 2, 1967.

While I was not fortunate enough to hear Dr. Sears on that occasion, I have been given a copy of his sermon, and I believe the thoughts he has presented are worthy of the attention of my colleagues.

Under leave to extend my remarks, I include Dr. Sears' sermon in full at this point in the RECORD.

OUR HERITAGE: ARE WE REPUDIATING IT?

"Righteousness exalteth a nation, but sin is a reproach to any people."—Prov. 14:34

I. A REPUDIATED HERITAGE

In the plan and purpose of God for the nations of the earth, it has never been God's purpose to destroy any nation just to get it out of the way. It is not God's way to inflict undeserved punishment on a nation. This is made clear in the experience of Jonah and Nineveh.

Many a nation has ascended the heights of glory, fame and world power only to go into destruction and oblivion not because of God's capricious vengeance but because of their wilful choice to disobey God.—Egypt, Babylon, Persia, Palestine, the Hittite kingdom, Greece, Rome, The Saracens, the kingdom of

Ghenghis Kahn, Germany. These nations chose not to fulfill their God-appointed destiny when their opportunity came to their place on the human scene. So, they were discarded.

Having received a heritage which included and involved a great opportunity to make a contribution to the world they chose to throw it away.

The Jews are the classic example of this. Look at what a heritage they had: (Romans 9:1-5)

Their *name*—Israel, prince of God.

The *Sonship*—"Israel is my firstborn."

The *glory*—God manifested his presence to them as to no other people.

The *covenants*—beginning with Abraham and renewed with his descendants.

The *divine legislation*—the law that God revealed through them for all people. A law that became the bed rock of our Bible.

The *worship of God*—represented in the Temple. They were chosen to be taught first how to worship the one true God.

The *promises*—which laid the foundation of all man's faith and hope.

The *patriarchs*—an ancestry of men who had demonstrated an indomitable faith in God, who through faith and obedience had claimed the promises of God performing unbelievable deeds of all kinds.

The *Christ*—theirs, too, was the Savior, as far as human descent goes. God chose them through whom He would give the Savior to the world.

And what did they do? They threw it all away. Today, they are still trying to get it back.

II. OUR MATERIAL HERITAGE

What about *our* heritage?

It is not possible to divide up our national life into neat little packages: this is material, this is social, this is intellectual, etc. These things all go together and all affect each other.

But, for illustration, think about our *material* possessions. We have an abundance and a standard of living unequalled in history.

But, 180 years ago—

Things were different.

We were a "have not" nation. We were far behind Europe in industrial development—no roads, no cities, no schools, no ships, no railroads, in fact not much of anything except *bare hands* and *raw materials*—and *a dream!*

Today

With 7% of the world's people and 6% of the land we have accumulated 50% of the world's produced wealth.

You think some other country is better, more ideal, treating its people better?

Where would you go?

To England? Your pay check would be cut 50%!

To France? It would be cut to ⅓ its present size!

To Russia? You would make only 22% as much!

To Italy? 18%!

Anywhere else. It would be the same, or worse.

Why?

Because the four great laws of abundance have been allowed to operate for all the people in our country as nowhere else in the world not only today but in history.

These laws are:

(1) *The Law of productivity.*

Men can have what men produce. They can't have what they don't produce.

Money is not wealth. It is the standard by which we measure each person's productivity.

A man who can lay twice as many bricks, hoe twice as many rows of corn, perform twice as good an operation can be paid twice as much without it being more costly.

(2) *The Law of Enterprise.*

We produce faster because we have *invented, accumulated, and organized machinery better than any other nation.*

We did this because of *free enterprise.* With so many people free to work constantly in any and every project, some one of them is always improving on what has been done, no matter who did it and how permanent it was thought to be, and is willing to risk whatever is necessary to put *his* improvement into effect.

(3) *The Law of Incentive.*

Man is constantly seeking ways to satisfy his needs and desires with the least effort possible.

When a man feels he can improve something and is free to try, he has *an incentive* to do just that. And, he does it.

A free enterpriser is a young man going to night school to train himself to do a better job, (most won't go to night school.)

A *lawyer* moving to another locality to enlarge his practice. (Most won't risk moving. They want to stay where they are, where things are familiar and where they feel safe and secure.)

An inventor like Alexander Graham Bell and his telephone,

Elias Howe and his sewing machine,

Or Wilbur and Orville Wright and their flying machine. (Most people won't try anything new.)

(4) *The Law of Competition.*

Active competition keeps things in balance. It works by supply and demand. Economics planned and operated by government decree have always failed.

Up to now we still have free competition in our country with the government acting as a sort of referee.

The operation of these laws have made our country what it is insofar as providing material possessions and wealth.

We have had, and still have, problems—unemployment, poverty, inequities of many kinds. But we have less of these than any other country. And the operation of these laws is what is still attracting other people to our shores by the millions.

As William Benton, Vice Chairman, Board of Trustees, Committee for Economic Revelopment put it:

"We in America have always had a dream. We have never lost it. We have it now. With the enterprise, initiative, and good will of men urged on to the common good, we can make the dream come alive—not in a millennium but in America of the approaching tomorrow."

III. THE RELIGIOUS ELEMENT

These laws we have been talking about were not thought up, worked out, codified, and then put into operation. They rather grew out of experience. They are the result, I believe, of the influence of the Christian Gospel. This influence at long last was able to be given full play in a new and independent nation made up of people of many other nations.

Somehow in the good pleasure of God the course of Christianity was turned Westward from Palestine through Asia Minor, Greece, Europe, England and finally to America.

The Gospel came to our shores in some people we call Puritans.

We are apt to remember these Puritans only as stern moralists, wearing rough homespun clothes, women in bonnets and long dresses, men in broad brimmed hats and buckled shoes, all going to church with a Bible in one hand and a gun in the other.

But we need to take a closer look at these folks. They have had a tremendous influence on our country—in religion yes, but in politics and in economics as well. They exerted a powerful influence on the embryonic American mind. Their influence on the social and political philosophy of the developing nation was far out of proportion to their numbers.

Who were these folks?

Protestants who struggled for moral reform in the churches. Who tried to find the "pristine purity" of religion.

They were characterized by *strictness* of living, by *simplicity* of worship, and by unrelenting *opposition* to immorality.

They were a people with an idea and an ideal.

An ideal of a godly man in a righteous community.

An ideal of a free church in a free and Christian state.

A strong moral ideal which they tried to put into effect in their own day.

For example:

Henry David Thoreau was put in jail for refusing to pay poll tax in Massachusetts because the state would not declare itself against slavery. Ralph Waldo Emerson came to see him, and said, "What are you doing *in there?"* Thoreau answered, "What are you doing *out there?"*

The Puritans were characterized by a *strong moral earnestness.* Morals were deadly serious with them—more so than art or business or athletics or anything else including individual rights.

They had much of the Hebrew moral seriousness and so made more use of the Old Testament than the New Testament.

They had a rigoristic interpretation of ethics and tried to express it in legislation. (This was their key weakness.)

There is much rigor in Christianity. There is no legislation. Moral rigor and legislation have a relationship but they are not identical.

Then, they emphasized the *economic* virtues: *Work* and *thriftiness.*

And with all this these Puritans had a regard for truth unsurpassed in our history. These people had a great influence on the developing democracy of our country.

They injected the quality of Christian religion into our national life, a quality that has done more than any other one thing to determine our nation's character and made it possible for our nation to be unique among all the nations of the earth.

IV. THE PRESENT SITUATION

And now, we find ourselves here today with a heritage unequalled in the annals of time.

We are faced with problems no nation has ever faced before.

We have an unparalleled opportunity, as history goes, to do things for the world.

However, we can see our legacy being eroded before our very eyes.

Some strange things are going on:

It's getting stylish in all too many circles to extol the virtues of other countries, other societies, and other ideologies at the expense of our own.

The patriotic citizen who loves his country, who is thrilled by the sight of the flag, who enthusiastically sings the national anthem, is often ridiculed.

Crime is increasing at an alarming rate, encouraged in no small measure by the courts and those in authority, so that every excuse is made for the criminal at the expense of the law abiding citizen. The policeman has to stand by and watch his country's flag desecrated and has to step in and protect the flag of a foreign nation from the same treatment—even when our sons are being killed by that country.

Criminal after criminal is released on the sheerest technicality to repeat offenses including robbery, rape, murder; with men professing to be dedicated to law and justice blaming everything and everybody under the sun for the unlawful act except the person deliberately responsible, and that in the name of doing good, helping the poor, acquiring certain rights, it is perfectly all right to destroy property of others, to break laws, to riot, to wreak vengeance on innocent people, to do wrong and make all sorts of claims because of real or imagined wrongs of past generations.

Teenage law breakers are so overly protected and sheltered from any responsibility for their deeds that they have developed an almost total disregard for the rights and property of others, and they are rapidly growing up into adult law breakers.

We are living in a time when almost everyone, high and low, is loudly proclaiming that everyone has a right to everything he desires, as Dr. Walter Courtenay says, "everyone thinks he has a right to a good living, a nice job, a fat pay check, a convenient house, a pretty wife, a fast car, a smooth boat, a cabin somewhere on some lake, and an extended vacation," and if someone else doesn't provide all these things for him whether he works or not, he has the added right to go out and take them from the first person he meets.

Actually none of these things are matters of right. They are privileges to be earned.

A few years ago when I heard it said over and over again, "We want our rights and we're going to have them any way we can get them. *We don't care whether anybody likes us or not!"* I made a prophecy that somebody was going to wake up with a lot of rights and was going to find out he had won a hollow victory.

There is something in us that hungers for the respect and good will of our fellow men. But when I *force* my fellowman in anyway to give me a place, to *make* him *defer* to me, to *force* him to *bow* to me, even to *make* him share with me, and then look in his eyes and see how he really feels about me and thinks about me, (that though I could make him do these things—he still has a low regard for me as a person.) I find I still don't have very much.

And then, when I heard a high government official say to a nation-wide television audience, "We have got to have *everybody respecting everybody*. We're going to *make everybody* love everybody."

Then, I knew a movement had failed.

For we are living in a time when almost nobody is saying anything about personal responsibility. We blame everything and everybody but ourselves.

We are living in a time of self-styled and self-proclaimed non-conformists. People are striking out and rebelling against any kind of constituted authority.

I quote Dr. Courtenay again.

"Non-conformity is on the increase . . . men seek to liberate themselves from conventions . . . They claim they are striving to be original, to be honest with themselves, to turn their backs on hypocrisy and the artificiality of the older generation. But all that has happened is that they have slipped from one level of life, where they have refused to conform, to another level of life where they are perfectly happy to conform. *To belong demands conforming*. The only thing you can choose is *the level* on which you want it to occur. Today we have the *long-haired* ones, the *strangely garbed, gaited,* and *vocabularyized,* the rebels against conformity who, when all is said, are our worst conformers . . . I have always known such people. They have always defied conventions, used bad language, and lived errant lives. We used to call them bums, hobos, and drifters. Now we invite them to address university audiences."

We are living in a time when the basic principles that made us are being shunted aside. We live beyond our means and neglect to pay our honest debts both individually and nationally.

A man cannot apply himself fully and make of himself what he can. He cannot reap the reward of working with his own hands. He is controlled and limited by law, by unions, by government.

There is an effort to tell him where he can live, what and how much he can do, and how much he can make.

We are hearing much about a guaranteed minimum wage whether it is earned or not. Next will be a maximum wage over which you cannot rise. (We already have some of this.)

Incentive, enterprise, diligence, thriftiness, honest work for honest pay and honest pay for honest work have gone out of style.

America, our land, has grown great and can become greater. Has done more for the world at large than any other nation in all of history and can do more.

How has it been done? This is the way.

Faith in God was a vital force in the rise of American civilization.

This religious faith remains a powerful factor in American culture, but we have drifted far in the direction of a secular interpretation of life and duty.

It is time for us to hear again the ringing message of the Bible with its moral demands. It is time for Christian teachers and preachers to call our nation back to the living God who is Creator, Redeemer, and Judge.

We need to recover the Pilgrims' passion for freedom and the Puritans' regard for truth.

When we and our nation turn to the Lord we will then, and only then, try "to search out all the evils in the world . . . and to drive out iniquity from the earth." (Chas. G. Finney.)

Then we shall receive forgiveness and healing from God.

Our nation will come into its full heritage and exercise moral leadership in the life of the world.

Our God never fails. When we meet his conditions, He will be with us as light to guide us, as power to sustain us, and as a companion on the way.

May the God who gave us our nation help us to love, honor, and respect her, to rise up in His name and make her what she ought to be—

A blessed nation whose God is the Lord.

ADDITIONAL COMPARISON BETWEEN THE THIRD NATIONAL HOME OWNERSHIP FOUNDATION ACT AND THE 221(H) PROGRAM

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WIDNALL. Mr. Speaker, it has come to my attention that a comparison I placed in the RECORD last Monday between the National Home Ownership Foundation Act and the 221(h) program did not include the last page, or last six points of comparison. Precisely why this last page was left out I do not know, but I am submitting for the RECORD today the full 21-point comparison between the two programs. My introductory remarks of July 10 will not be reflected here. They can be found on pages 8217–8218 of the July 10 RECORD.

The comparison follows:

COMPARISON BETWEEN 221(h) AND NATIONAL HOME OWNERSHIP FOUNDATION

	221 (h)	NHOF
1. Philosophy of Government.	Government as regulator of lending activity and construction; private sector as participant only.	Government as guarantor of private institution; private sector as major initiator and developer.
2. Organization and control.	FHA program, under HUD. Nonprofit organization at neighborhood level.	No FHA, HUD control, private nonprofit national corporation chartered by Congress. Neighborhood nonprofit corporations, co-ops, limited dividend corporations.
3. Interest rate on mortgage.	Three percent, same as 221(d)(3) below market rate.	Market interest rate.
4. Interest rate to purchaser of equity ownership.	Three percent.	Could range from market interest rate to substantially lower figure as determined by formula in law, and allocated by Foundation (at present as low as 2¼ percent).
5. Resale of mortgage in secondary mortgage market.	No resale. Below-market-rate interest required purchase by FNMA in its special assistance operations.	Conventional secondary mortgage market; resale possible without dependence on FNMA.
6. Source of mortgage funds.	Dependent on FNMA willingness to purchase any mortgage made under program. Otherwise private lending institutions will not lend with below market rate.	Sale of $2 billion in guaranteed bonds at market rates. Private capital.
7. Cost to taxpayers.	Money or FNMA to buy 3 percent mortgages must be borrowed by Treasury at higher market rates. Difference is subsidy. If FNMA then pools mortgages and sells participation certificates in pool, the difference between the 3 percent mortgage return	Where necessary, difference between interest rate paid to mortgage holder by home buyer and rate due holder from mortgage is met by Treasury. $10 million first year; $30 million second year; to $60 million maximum authorization annually, third year.

COMPARISON BETWEEN 221(h) AND NATIONAL HOME OWNERSHIP FOUNDATION—Continued

	221(h)	NHOF
	to FNMA and market rate on the PC must be made up by Treasury subsidy.	
8. Recoverability of subsidy.	None.	Interest subsidy paid back by home buyer when his income reaches moderate income levels, or when he sells equity at taxable profit.
9. Supporting services to local nonprofit groups and to the prospective home buyer.	None provided in law. Requirements added in regulations.	Supporting technical, planning, job training, budget counseling, etc. services required in law.
10. Neighborhood involvement.	Local nonprofit corporation may be neighborhood oriented, but nothing required in law.	First chance for homes and employment opportunities must be for neighborhood residents. Local nonprofit corporation, cooperative, etc., must have neighborhood involvement.
11. "Sweat equity" and downpayment.	Provides for volunteer work by potential homeowner with value of labor reflected in lower mortgage figure for unit. This does not take place of minimum FHA downpayment of $200. Units can be rented with credit toward downpayment on rent with option to purchase plan.	Allows for "sweat equity" labor to cut down on cost of owning home to borrower in form of larger downpayment. Downpayment or equivalent to be set by Foundation.
12. Income levels served.	Limited to those who can be served by rent supplement program, which in turn is defined as public level incomes.	Mortgage money available to anyone unable to afford and obtain conventional financing who shows capability of becoming a homeowner. Would cover both public housing income levels and level immediately above that level where shortage of housing and mortgage funds also exists.
13. Type of housing assisted.	Limited to single family detached, semidetached, or row housing.	Includes single family detached, semidetached, row housing; also multifamily cooperatives and condominiums in recognition of core city type of housing supply.
14. Rehabilitation and new construction.	Limited to rehabilitation.	Applies to both rehabilitated and new construction housing.
15. Tie in with local government.	No direct tie-in with local government required in law.	Requires consultation with Federal, State and local public agencies; requires the Foundation to use existing public agency programs as much as possible; coadjuvant (shared risk) loans with public agencies; "local nonprofit housing association" defined to include public agency; direct tie-in with urban renewal projects and acquisition of urban renewal land.
16. Return to investors.	No return on below-market-interest rate mortgage, which is immediately turned over to FNMA. Possible indirect return if loans comingled with others and participation certificates are sold by FNMA to investors. The difference between the below-market interest rate return on the mortgage to FNMA, and what FNMA must pay to sell PCs must be made up by a Treasury subsidy.	Market yield return to investors in $2 billion worth of Foundation bonds. Return to those who buy market interest rate mortgages from Foundation. Return to those who invest through co-adjuvant loan agreements. Return to those who lend in area because of supporting services and neighborhood organization developed under Foundation program.
17. Scope of program.	Total authorization is $20 million for FNMA to buy mortgages. Using an average cost of $10,000 per unit, this would produce a total of 2,000 units. (If budget item was increased to equal the $60 million NHOF authorization, it would produce 6,000 units, or 33 times *less*.)	Total mortgage funds would be $2 billion. Using $10,000 average cost per unit and an average interest subsidy of 3 percent, the mortgage funds supplied and the $60 million in recoverable interest subsidy would produce a minimum of 200,000 units.
18. Stimulus to private lending in project neighborhoods for rehabilitation and home buying.	Compare scope of program as outlined in No. 17 above.	
19. Profitability to private enterprise (Home building, construction and remodeling firms, building materials, suppliers, architects, etc.).	Compare scope of program as outlined in No. 17 above.	
20. Mortgage payment insurance where loss of income is due to no fault of borrower (i.e. death, illness, layoff, etc).	None provided for in law. Presidential study under consideration for developing *Federal* insurance program.	Foundation required, within a year, to develop program in conjunction with *private* insurance companies, or report suitable alternative to Congress. Industry study now underway.
21. Job opportunities of a permanent nature in the rehabilitation and construction trades.	Compare scope of program as outlined in No. 17 above.	

TAX EQUITY PLUS MERGER EQUALS IMPROVED COMMUTER RAIL TRANSPORTATION

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mrs. DWYER. Mr. Speaker, the difficulty of improving commuter rail transportation service in our major metropolitan areas continues to be one of our most troublesome public problems. This is especially true of the New York-New Jersey metropolitan area, an important part of which I am privileged to represent. Should existing rail service be weakened or abandoned, an intolerable transportation emergency would result.

While there is no single solution to the railroad problem in general, or commuter rail transportation in particular, one of the most hopeful developments is the current effort to arrange the merger of the several independent eastern railroads into three major systems which could provide the stability and the potential for improvement which is so badly needed.

One of the principal roadblocks to merger, however, is the unwillingness of the larger railroads to accept as merger partners a number of smaller, debt-ridden carriers such as the Erie-Lackawanna and the Central of New Jersey, both of which are essential to the maintenance of commuter rail service in the New York-New Jersey area. This reluctance stems in large part from the fact that our tax laws now discriminate against the smaller carriers in the sense that they do not provide for a carryover of net operating losses to a new parent corporation when the carrier is significantly smaller than the system with which it merges. Under present law, therefore, the carriers and the people they serve who are most in need of assistance are left unaided and threatened with extinction.

To remedy this situation and remove the present discrimination, Mr. Speaker, I have today joined with our distinguished colleague, the gentleman from New Jersey [Mr. Widnall], and eight other members of the New Jersey congressional delegation in introducing legislation which would provide for the extension of the present system of net operating loss carryovers to even the smallest loss railroad corporations in the event of a merger with a larger railroad corporation.

In doing so, I must state that I shall condition my continuing support of the legislation on the willingness of the merged systems to maintain and improve the commuter rail service now provided by their smaller potential partners. Only in this way, I believe, will the costs of the legislation be justifiable. I am encouraged, however, by the fact that the Norfolk and Western System indicated 2 years ago that it would invest $53 million in capital improvements on the Erie-Lackawanna, the Central of New Jersey, and the two other small carriers if a merger under the proposed tax revisions took place.

The objectives of our bill, Mr. Speaker, have been endorsed by the carriers themselves, the Interstate Commerce Commission, and the New Jersey Department of Transportation. I am hopeful that the Committee on Ways and Means will give early and favorable consideration to this extremely important legislation.

FLORIDA POLLUTION CONTROL LEGISLATION

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Burke] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BURKE of Florida. Mr. Speaker, There is increasing concern across the length and breadth of the Nation over the quality of the environment. Pollution of our waters and the air have in many cases reached the point where citizens have demanded action. So strong and persistent are these demands that I would characterize this as an era of environmental reform, a reform which will be as sweeping as some of the periods of social reform which have occurred in the past.

The tremendous costs associated with restoring environmental quality have tended to concentrate improvement efforts at the Federal level. I submit, however, that the entire task cannot be carried out solely as a Federal venture. In demonstration of the constructive role that can be carried out by the States I wish to bring to the attention of my colleagues a news item in the Wall Street Journal of July 14, 1967. The article briefly describes recent action by the Florida Legislature to control air and water pollution which was described by Federal Health, Education, and Welfare Department officials as "model legislation."

The article follows:

Florida Legislature Adopts Tough Antipollution Laws

Tallahassee, Fla.—The Florida legislature has adopted stringent air and water pollution measures described by Federal Health, Education and Welfare Department officials as "model legislation."

The legislation establishes an antipollution agency, which will be headed by the governor, two members he shall appoint, the secretary of state, attorney general and commissioner of agriculture.

The legislation provides for the agency's right of immediate access to plants engaged in operations that might pollute the air or water and gives the agency the power of injunctions in the case of emergencies. The agency also will issue construction permits. The agency will have the power to fine a company or revoke its permit to operate if, after administrative hearings, the concern is found guilty of violating the statutes.

THE CURRENT RAILWAY STRIKE

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ayres] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. AYRES. Mr. Speaker, hundreds of thousands of American servicemen are putting their lives in danger serving on the Vietnam fronts in support of the administration's foreign policy. They are dependent upon the continuous supply of the tools of war coming from all sections of this country.

Their very lives and the success of our efforts in Vietnam have been jeopardized by the present railway strike. Nationally, our economy has been seriously imperiled by this action.

This strike was called by the irresponsible action of one man—Mr. Roy Siemiller, president of the Machinists Union which took the lead in repudiating its pledge to attend upon our deliberations—and thus precipitated the current work stoppage. Chairman Harley Staggers, of the House-Senate conferees had but asked them to wait until 3 p.m., on this Monday so that his committee may take conclusive action on the problem.

I do not accuse the membership of the unions involved or most of their officers of this lack of responsibility to the welfare of our Nation.

I believe that the action is directly attributable to the political machinations of Mr. Siemiller. It will be remembered that Mr. Siemiller demonstrated his inability to provide his membership with effective leadership during the airline strike which occurred during the last Congress. Certainly all must agree that his actions unnecessarily prolonged that work stoppage. Once more in the present situation, he demonstrates his incapability.

Mr. Speaker, we simply cannot afford such irresponsibility with its possible disastrous effects. The well-being of our fighting forces and our national economy is at stake. I am firm in my belief and hope that the responsible people involved in this problem will consider this problem as one affecting our whole Nation and permit the continuing of our transportation until we can, in due and calm deliberations, find an equitable solution.

FRANCE—A MAJOR POWER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. Findley] is recognized for 60 minutes.

Mr. FINDLEY. Mr. Speaker, it has become fashionable in certain quarters to deprecate the efforts of France to play a major role in international politics. Many critics of President De Gaulle deny any possibility of a significant role for the French nation because it lacks the necessary elements of a major power.

However, contemporary events clearly show that France has a major impact on the world stage. France is now the only non-Communist nuclear power on the European Continent; in 1963 it vetoed Britain's bid for entry into the Common Market; in 1964 diplomatic relations were established with Peking; President De Gaulle's personal tours of Latin America, Southeast Asia, and the Soviet Union have had significant impact. Without going into the merits of any specific policy of the French Government, I believe the record clearly shows that France is a major power not only in Europe, but in the rest of the world also.

In order to outline and detail those elements which make France one of the major powers I will discuss today its outer space program, foreign aid efforts, and military capability. In the preparation of this material I want to acknowledge the able assistance of Roselyn R. Wahner, analyst in Western European affairs for the Legislative Reference Service.

ELEMENTS OF NATIONAL POWER

Although France played a diminished role in international relations after World War II, under President Charles de Gaulle, it has become a more influential factor in world politics. Though overshadowed in strength and size by the United States and the Soviet Union, France has regained a leading position in Western Europe. Moreover, despite the loss of its colonial empire, France continues to possess great influence in former French Africa through its economic and educational aid.[1]

Under De Gaulle, France has given evidence that many varying factors can constitute major power status, factors ranging from geography and number of people to leadership and diplomatic skill, degree of technological advancement, and cultural heritage. Thus, such circumstances as a comparatively small population, small area, and scarceness of natural resources may be compensated for by the quality of leadership, scientific achievements, and military capability.

France, for example, is a nation of only 50 million people, compared with 59 million West Germans, 54½ million British, 195 million Americans, and over 720 million Chinese. It encompasses an area of only 212,659 square miles, significantly less than that of the United States, the Soviet Union, and China. Yet France today may be classified as a major power. She has developed a strategic nuclear force, without significant American assistance; was the third country to launch a space satellite on its own; and ranks among the foremost aid dispensers in the world.

Under the leadership of Charles de Gaulle, whose prime aim is to place France in the first ranks of the world's nations, France has divested itself of colonial liabilities; has adopted an independent status within the West which has won France some influence in the third world; has steadily championed Europe—on Gaullist terms—founded on the conviction that Europe can only be built by defining its interest distinct from—but not necessarily opposed to—U.S. interests; has promoted French-German reconciliation; and has engaged in diplomatic initiatives which have impressed other nations with the realization that France cannot be ignored. Moreover, De Gaulle has pursued his ideas of realism in international relations; for example, the recognition of the People's Republic of China on January 27, 1964, and the advocacy of neutralization of Southeast Asia in 1964.

Like his predecessors, De Gaulle is determined to make the most of France's favorable strategic position in Europe and of her "cultural radiance" in the world. He has consistently pursued his vision of France as one of the world's great powers. As he declared on the opening page of volume I of "Memoires de Guerre":

> The positive side of my mind convinces me that France is not really herself except in the front ranks, that only vast undertakings are capable of offsetting the disintegrating elements of her people. In short, France cannot be France without greatness.[2]

And, again, in Bordeaux in April 1961, he gave his conception of his country's role:

> France must fulfill her mission as a world power. We are everywhere in the world. There is no corner of the earth, where, at a given time, men do not look to us and ask what France says. It is a great responsibility to be France, the humanizing power *par excellence*.[3]

I. THE FRENCH FOREIGN AID PROGRAM

France's foreign aid program is a virtual necessity for France if the goals assigned to his nation by President de Gaulle are to be fulfilled. High on the list of the French President's list of aims is substitution of French influence for the direct control which France once exercised as a colonial power. Although the empire is now gone, President de Gaulle continues to believe that France's civilizing missions should continue, including the choice by millions of citizens of the developing nations of French culture and language as their own. As one of De Gaulle's ministers, M. Foyer, declared of French foreign assistance policy:

> Our policy is, all the same, one of the means that France still has of maintaining her radiance in these countries. Secondly, we have, all the same, a certain responsibility before History.[4]

The French President speaks often of the duty of France to help underdeveloped countries, but this duty also implies a reward for his country—the reassertion of French values, or grandeur, in parts of the world where direct French power no longer reaches. He believes that in today's world one of the most effective ways of disseminating French influence is by extending to the former colonies French cultural, technical, and economic assistance, including in many instances guaranteed and subsidized markets for their agricultural exports.

France ranks as one of the major dispensers of foreign aid to the developing countries. As the following chart shows, in terms of financial flow as percent of national income, France ranks first of OECD members in aid efforts from 1960 to 1965. In terms of absolute value, France ranks second only to the United States.

Flow of financial resources from developed OECD member countries and Australia to less developed countries, 1960–65 [5]

	United States	France	United Kingdom	Germany	Japan	Other developed OECD
Net official flow (million U.S. dollars)	19,596	5,609	2,893	2,586	1,357	3,764
Private flows (million U.S. dollars)	6,301	2,158	1,738	774	574	2,546
Total (million U.S. dollars)	25,897	7,767	4,631	3,360	1,931	6,310
Percent share in total financial flows	52	16	9	7	4	12
Financial flows as percent of national income	0.9	2.2	1.1	0.8	0.6	0.7

From 1956 to 1964 the annual volume of French aid to developing countries generally averaged well over $800 million. Her level of aid has been consistently about double that of either the United Kingdom or West Germany—both of which increased their aid programs significantly in the 1960's. From 1956 to 1965, French total—net—official aid reached $8,391.9 million, compared with Britain's $3,764.5 million and Germany's $3,743.3 million. The chart below shows the amount of aid extended to the underdeveloped nation's from 1956 to 1965 by the members of the Organization for Economic Cooperation and Development:

The flow of official financial resources to less developed countries and multilateral agencies, 1956–65 [6]

In millions of U.S. dollars]

Country	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965
Australia*	39	47	47	57	66	72.9	84.5	96.4	106.8	120.7
Austria	------	-1	2	7	------	2.2	13.8	2.1	14.6	33.9
Belgium	20	20	23	79	101	92.1	79.8	89.9	81.7	119.2
Canada	30	48	91	60	75	61.5	54.4	98.0	127.7	120.0
Denmark	3	2	5	13	6	8.1	7.4	9.7	10.6	13.3
France	647	819	884	835	848	943.3	977.0	850.7	831.2	756.7
Germany	161	297	278	325	343	615.3	449.8	424.2	442.9	427.1
Italy	43	164	73	84	110	85.3	110.1	110.2	54.1	93.4
Japan**	96	92	285	150	98	108.5	88.0	140.4	115.7	243.8
Netherlands	48	23	40	49	47	69.3	90.8	37.8	48.4	60.0
Norway	8	9	------	5	10	9.0	6.9	20.6	17.1	12.0
Portugal	3	2	1	17	37	43.8	40.8	51.1	61.9	21.4
Sweden	3	12	4	18	7	8.4	18.5	22.9	32.8	38.9
United Kingdom	205	234	276	377	407	456.8	421.0	414.5	493.4	479.8
United States	2,006	2,091	2,410	2,322	2,834	3,530.0	3,671.0	3,755.0	3,462.6	3,730.4
Total, DAC countries	3,312	3,859	4,419	4,398	4,989	6,106.5	6,113.8	6,123.5	5,881.5	6,270.6

*Figures shown for the years 1956–64 are gross flows on a fiscal year basis.

**Figures for Japan for the years 1956–59 are still on an unrevised basis and are not comparable to the figures of the following years.

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[1] See, Gwendolyn M. Carter and John H. Herz, *Major Foreign Powers*, fifth edition (New York: Harcourt, Brace & World, Inc., 1967), pp. 329–335.

[2] Charles de Gaulle, *L'appel*, volume 1 of *Memoires de guerre* (Paris, Plon, 1954), p. 1.

[3] Cited in Jean-Baptiste Duroselle, "Changes in French Foreign Policy since 1945," *in* Center for International Affairs of Harvard University, *In Search of France* (Cambridge: Harvard University Press, 1963), p. 352.

[4] Cited in Alexander Werth, *De Gaulle: A Political Biography* (New York: Simon and Schuster, 1965), p. 342.

[5] Including Export Credits publicly guaranteed in donor countries. Source of chart: "The Geographical Distribution of Financial Flows to Less-Developed Countries," *OECD Observer*, February 1967, pp. 28–29.

[6] Willard L. Thorp, "Development Assistance Efforts and Policies of the Members of

A. FRENCH BILATERAL AID

By far the greatest proportion of French foreign assistance, or approximately 97 to 98 percent, is extended on a bilateral basis. The most significant trends in French aid-giving during the past few years have been the endeavor to broaden the geographic distribution of aid, to augment expenditures for technical programs, and to increase loans as opposed to grants.

In 1963, no less than 94 percent of bilateral disbursements of French assistance went to franc-area countries.[7] This allocation of the greater part of aid to franc-area countries was the result of long-standing economic, monetary, cultural, and other ties between France and these countries. Moreover, the remaining 6 percent included some countries with which France had had at some time a special relationship; for example, the countries of the former Indochina.

By 1964, however, France was beginning to expand its foreign aid program to other countries. During that year President de Gaulle took two tours of Latin America, to Mexico in April and to 10 South American republics in the fall. Throughout his Latin American travels the French President emphasized Latin cultural unity, foreign aid without political strings, opposition to any hegemony, economic diversification and industrialization of developing countries, and the stabilization of prices for primary commodities. As a result of his tour and of overtures to other developing nations, the French in 1964 extended 26.9 percent of their public bilateral aid to countries outside the franc area. That percentage rose to 29.8 in 1965.[8]

This trend toward geographical diversity reflects De Gaulle's grand design in foreign policy—to extend French influence and prestige beyond the frontiers of the former empire to embrace all three underdeveloped continents. And according to one observer, this new policy represents also a reassurance against possible political disappointments in French Africa, and helps in diversifying French exports; the extension of credits to such underdeveloped countries, which have a greater capacity than French sub-Saharan Africa to absorb industrial imports, would provide a stimulus for French industrial production.[9]

Another recent trend in French aid-giving is the significant increase in the proportion of aid devoted to technical assistance. For example, technical cooperation as a percentage of official bilateral net contributions has increased from about 21 percent in 1961, to 36.3 percent in 1963, to 47.2 percent in 1965.[10] This trend toward increasing technical aid apparently reflects the view that training and cultural investments may often prove more important than financial assistance. As Maurice Couve de Murville, the French Minister of Foreign Affairs, stated on April 28, 1964:

> Training of men is the true, the only means of putting the underdeveloped countries in a position to carry out the main body of the task themselves, as is indispensable, since everything in the final analysis depends for each of these countries on the individual effort that it will be able to make. . . . I personally think that, in accord with our spirit and within our means, it is above all the training of men that should be stressed. . . . This means a much greater increase in our technical aid.[11]

As an illustration of the size of the technical assistance effort, in 1965 over 43,529 Frenchmen were serving abroad in the technical assistance program. Of these, 29,235 were teachers, 10,016 were operational personnel, 3,939 were advisers, and 339 were volunteers. During that year the French also awarded 12,429 fellowships to foreign students and trainees, either for training in their own countries or to enter research centers, institutions of technology, industrial plants, or businesses in France.[12]

Another trend in French bilateral aid efforts is an increase in the number of loans as opposed to grants; however, French grants still constitute the greatest proportion of assistance. In 1963, 85 percent of French official bilateral aid was in the form of grants, 15 percent in the form of loans. Total French loans increased from $143 million in 1963 to $214 million in 1964. Although grants fell from $678 million in 1963 to $645 million in 1964, they still accounted for approximately 80 percent of aid in 1965.[13]

The French quest for prestige through aid-giving efforts to the developing nations, strengthened by the end of the Algerian war, by the Fifth Republic's policy of pluralism within the East-West confrontation, and by its liberal attitude toward the internal regimes of the "third world," has scored successes. Alfred Grosser, a French analyst of French foreign policy, has written that:

> Prestige may certainly be credited to the positive side of the balance sheet in that *French diplomacy receives much greater consideration in the the "third world"* than it did in 1958.[14]

B. FRENCH MULTILATERAL AID

President de Gaulle proceeds from the fundamental belief that the world is composed of sovereign states, the prime actors on the world scene. Consequent with his overriding belief in the ascendancy of the sovereign state are his distrust of and lack of strong support for such international organizations as the United Nations. Thus, although France participates in the multilateral aid programs of the United Nations and its specialized agencies, its contributions have consistently been small, representing only a few percentage points of France's total aid effort; that is, about 2 percent in 1964. In 1965, French financial participation rose slightly as the result of the doubling of France's contribution to the International Development Association and of increased participation in United Nations technical assistance agencies.[15]

In addition to participating in the United Nations aid programs, France contributes to the European Development Fund, the instrument created for cooperation between the members of the European Economic Community and the dependencies of the member states. The dependencies that have gained independence since establishment of the EEC and its Fund in 1958 have chosen to become associated states of the EEC, thereby continuing to receive assistance from the Fund. During the first 5 years of the Fund—1958 to 1962—France contributed about $200 million of the total $581 million. On December 31, 1962, the Fund was renewed, and plans were made to disburse $800 million for the next 5-year period. France is contributing 34.4 percent of the $800 million.[16]

In addition to its work in the United Nations and the European Development Fund, France also cooperates in aid efforts within the framework of the Organization for Economic Cooperation and Development. Along with other OECD members France contributes to two consortia—one for aiding Turkey, to which France contributed $34.6 million for 1963 and 1964; the other for helping India and Pakistan, for which France granted $20 million for India and $10 million for Pakistan in 1964.[17]

II. THE OUTER SPACE PROGRAM OF FRANCE

France has its own space launch facilities and vehicles together with an advanced satellite program. Her scientists and technicians have proved that French industry and science is capable of producing the components of the standard required for space exploration, and they have largely accomplished this without the aid of any other power. Thus, in the realm of outer space, France ranks as a power capable of applying advanced technology.[18]

ORGANIZATION OF THE SPACE PROGRAM

France's space program is a joint military and civilian effort. The main Government agency responsible for the

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the Development Assistance Committee, 1966 Review," (Paris: Organization for Economic Cooperation and Development, September 1966), p. 148.

[7] Franc Area countries include, in Europe, besides Metropolitan France, Corsica and Monaco; in Africa: Algeria, Cameroun, Central African Republic, Chad, Comoro Islands, Congo, Dahomey, Gabon, Ivory Coast, Madagascar, Mauritius, Niger, Reunion Island, Senegal, Togo, Upper Volta; in America: French Guiana, Guadeloupe, Martinique, St. Pierre and Miquelon; in Asia and Oceania: French Polynesia, New Caledonia, New Hebrides. Mali, Morocco and Tunisia have special arrangements with the Franc Area.

[8] Ambassade de France, "French Economic and Financial Aid to the Developing Countries," *French Affairs,* No. 197, September 1966, p. 3.

[9] W. W. Kulski, *De Gaulle and the World: The Foreign Policy of the Fifth Republic* (New York: Syracuse University Press, 1966), p. 356.

[10] Thorp, *op. cit.*, p. 162.

[11] Ambassade de France, *French Affairs,* No. 182, p. 2.

[12] Thorp, *op. cit.*, p. 162.

[13] *Ibid.*, pp. 153, 155.

[14] Alfred Grosser, *French Foreign Policy Under de Gaulle,* translated by Lois Ames Pattison (Boston: Little, Brown and Company, 1965), p. 130. Italics are Grosser's.

[15] Ambassade de France, "French Economic and Financial Aid to the Developing Countries," *French Affairs,* No. 197, September 1966, p. 6.

[16] *Ibid.*, p. 7.

[17] *Ibid.*, p. 8.

[18] Although Britain, Canada, and Italy have, in addition to the United States and the Soviet Union, placed satellites in orbit, the rocket launchers have in all cases been American. *Keesing's Contemporary Archives,* May 21–28, 1966, p. 21416.

French space program was created on March 1, 1962—the National Center for Space Studies—CNES. Under the Premier and directly responsible to the Minister Delegate in Charge of Scientific Research, Atomic, and Space Affairs, CNES is charged with three main tasks:

To develop and guide scientific and technical aerospace research; to prepare programs and insure their execution, either in its own establishments or through research contracts; and to follow all questions of international cooperation in conjunction with the Foreign Affairs Ministry.[19]

Since its creation CNES has grown rapidly, its budget rising from an original $8 million to over $57 million in 1965, and its staff increasing from 15 in 1962, to 391 on December 31, 1964. It receives its funds in the form of subsidies from the Ministry of Scientific Research, Atomic, and Space Affairs.[20]

FRENCH SPACE EXPENDITURES, 1964–67

The following chart shows the amount of French expenditures for its outer space program, compared with the rest of the Western European countries:

Western European space expenditures [21]

[In millions of dollars]

	1964			1965			1966			1967		
	National	Esro	Eldo	National	Esro	Eldo	National	Esro	Eldo	National	Esro	Eldo
France	46.20	1.00	29.61	40.01	3.36	20.21	45.1	7.40	19.93	71.75	9.38	21.92
West Germany	13.80	1.16	27.63	17.50	3.91	18.64	18.00	8.71	18.39	35.0	11.05	22.34
United Kingdom	2.00	1.29	48.05	5.20	4.34	32.81	29.4	9.66	32.38	30.7	12.25	22.94
Italy	....	.58	12.1	....	1.94	8.28	....	4.32	8.19	....	5.46	10.18
Netherlands	.58	.22	3.35	.68	.74	2.24	.91	1.64	2.21	1.1	2.08	3.81
Belgium	.51	.23	3.5	.59	.76	2.42	.75	1.71	2.39	.8	2.17	3.81
Sweden	.39	.27	....	.58	.9	....	.56	2.0	....	.8	2.54	....
Switzerland	.01	.17	....	.01	.59	....	.07	1.33	....	.1	1.68	....
Denmark	.09	.11	....	.26	.38	....	.33	.85	....	.5	1.09	....
Spain	.61	.14	....	1.4	.46	....	1.8	1.03	....	1.9	1.31	....
Norway	.29	....	....	.31	....	....	.35	....	....	.42	....	....

FRANCE'S SPACE SATELLITES AND LAUNCHERS

In its quest to explore outer space, France has launched five satellites, four of which were launched with French launchers. The first French satellite, the A–1, was successfully launched from the Hammaguir firing grounds in the Sahara on November 26, 1965, thereby demonstrating that French engineers and technicians were capable of constructing a satellite launching system. The particular rocket booster tested in this first launch was the French-constructed Diamant launch vehicle. The 88-pound experimental satellite carried onboard radio and radar transmitters. Its mission was to test the 3-stage Diamant launch vehicle, the French network of tracking and telemetry stations, and the French-manufactured equipment on board.

France's second satellite, the FR–1A, was launched by the American-built Scout rocket from the Western Test Range near Vandenberg, Calif., on December 6, 1965. The FR–1A is a French-built scientific satellite developed by the CNES under an agreement with the U.S. National Aeronautics and Space Administration. The FR–1A was designed to study the propagation of very low-frequency radio waves in various regions of the ionosphere and the earth's magnetosphere, as well as to measure electron densities.[22] Among the scientific instruments carried on board were two telemetry transmitters, one continuous and one command, and a telemetry system for tracking. Although its planned lifetime was only 3 months, at the end of 1966, the satellite was still functioning perfectly.[23] The major significance of the FR–1A was that it proved that French scientists and technicians were capable of designing and constructing a scientific satellite equal to American and Russian satellites.

In February 1966, barely 3 months after the onset of the French launchings into outer space, came the most significant French space achievement. At that time the French successfully launched the D–1A satellite, nicknamed the Diapason. The successful performance of this technological research satellite was a considerable achievement for President de Gaulle's largely independent national space policy. It represented the first all-French scientific satellite launching, and De Gaulle declared the event "a capital success for the whole of French science."

The Diapason carried two transmitters, a telemetry, and a telecommand system. Its function was to perfect a system for a satellite to measure its own course. It was thus followed not only by the classical method of analyzing its signals received by tracking stations but also by several other means—determination of radial velocity and alternations of it by measurements of the Doppler effect, and by observation of the stars. It was designed to test the French network of tracking, telemetry, and ground control stations as well as to check orbital calculation methods.[24]

The D–1A was launched by a Diamant three-stage launcher from the base at Hammaguir, in the Sahara. The Diamant, France's first satellite launcher, is the final step in the "precious stones" experimental rocket series designed in 1960 as part of the national space program. Its first stage, Emeraude, is a liquid propellant rocket delivering 30 metric tons of thrust for 93 seconds; the second stage, Topaz, is solid-fueled and delivers a thrust of 15 metric tons for 44 seconds. The first and second stages were tested individually several times in 1964 and 1965. Their combined form, known as Saphir, was successfully fired from Hammaguir in October 1965. The Diamant's solid-fueled third stage, Rubis, has a thrust increasing from 3.7 to 5.3 metric tons in 45 seconds. The entire three-stage rocket is 62 feet high, weighs 18.4 metric tons, and can carry a 175-pound payload.

The D–1A was to be the first in a series of four to test the French components of satellites and launchers. Its performance was so successful, however, that the French decided to bypass the D–1B, a slightly modified version of the D–1A, and to push ahead with D–1C and D–1D.

After these three spectacular successes, however, the French space program underwent a quieter period, during which performances were reviewed and Government circles were consulted on the future course of the program. After a few months of uncertainty, the French Government affirmed that space flight would occupy an important position in the French research effort. This was reflected in the increased budget of the Centre National d'Etudes Spatiales—CNES—in which the proportion designated for research work with rocket and balloon probes as well as credits for various technical research projects was almost doubled.[25]

In February 1967, the D–1C—Diademe 1—and the D–1D—Diademe 2—were successfully launched, completing the end of the first phase of France's national space program. Diademe 1 carried 144 reflectors and was the first earth satellite to be used for long-distance geodetic surveying by means of lasers. which were beamed on to the satellite from stations in Provence, Algeria, and Greece. Le Monde commented that although the D–1C was a civil satellite, "its geodetic experiments are of particular interest to military circles." [26]

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[19] Ambassade de France, "The French Space Program, Past, Present, and Future Projects," *French Affairs*, No. 191A, April 1966, p. 3.

[20] *Ibid.*

[21] Warren C. Wetmore, "Europe Irons Out Issues in Initial Space Programs," *Aviation Week and Space Technology*, March 6, 1967, p. 146. For an explanation of ESRO and ELDO, see below, pp. 21–23.

[22] Ambassador de France, "The French Space Program, Past, Present, and Future Projects," *French Affairs*, No. 191A, April 1966, p. 4; "France's A.1 and FR. 1A in Orbit," *Interavia*, January 1966, p. 68.

[23] *Interavia*, February 1967, p. 154.

[24] "The French D–1A Satellite," *Interavia*, April 1966, p. 527.

[25] "French Aircraft and Missile Activities," *Interavia*, May 1967, p. 664.

Many observers have speculated that the launches of the four Diademe satellites signaled the end of the operational use of the Diamant 1 booster. They believe that the next planned satellite, the D-2, will probably be too heavy for Diamant 1 and will require the use of the projected super Diamant launcher.[27] Like the D-1A, the last two in the Diademe series had "fairly ambitious" aims for such small satellites: First, Doppler effect experiment by studying the radio signals emitted by the satellites' transmitters, which are controlled in frequency by an ultrastable oscillator; second, Laser experiment measuring distance to the satellite from three ground stations; and third, photography experiment, in which the satellites are photographed against the star background of the night sky, thus permitting the experimenters to find the direction of the satellite.[28]

EVACUATION OF THE HAMMAGUIR BASE IN THE SAHARA

The D-1C and the D-1D were the last satellites to be launched from the Hammaguir facility. That base must be evacuated by July 1, 1967, under the terms of the Evian peace agreement of 1962, which ended the Algerian war. The evacuation and subsequent move to the Kouru launching base in French Guiana could create a gap in French satellite-launching activity, for the Kouru facility will not become operational until late 1968 or early 1969. Thus, during a period of from 18 months to 2 years France will not possess an operational satellite-launching base; however, French scientists will continue with space research, not only in developing the second-generation satellites but also in pursuing numerous experiments with sounding rockets, balloons, and other terrestial means.[29]

FUTURE PLANS OF THE SPACE PROGRAM

Probably the first satellite that will be launched from the new base in French Guiana will be the D-2, to be the first satellite in the second-generation or program series of French outer space activities. The chief mission of the D-2 will be to study the distribution of atomic hydrogen around the earth, for the present knowledge of this distribution and of the temperature of hydrogen above 300 miles is very inexact. If successful, the projected 180- to 220-pound satellite will be a decisive step forward in French space technology because of its planned guidance system and because it will be an "intelligent" satellite in which tests can be conducted and controlled by means of telecommand.

The D-2 will have an onboard memory unit in the form of a magnetic recorder, and its means of communicating with the earth are expected to be much more sophisticated than those of the D-1 series.[30] The satellite will also be used to develop a system of navigation.

Another satellite planned by the French is the Eole, or FR-2, similar in conception to the NASA/ESSA/Ghost system. It is expected that the satellite will be launched by a Scout rocket from Wallops Island at the end of 1968 or in early 1969. The 187-pound satellite is designed to collect the atmospheric pressure, temperature, and wind velocity measurements made by 500 small balloons free drifting at ceilings of approximately 29,500 feet. The balloon-borne instrument packs will be solar-cell powered.[31]

Another projected activity in the French outer space program is in the field of telecommunications. France will begin the design of the $30 million Saros stationary orbit communications satellite in 1967 with a $1.7 million budget item. Saros will probably weigh approximately 440 pounds and will be stationed over the equator at the 15th meridian west of Greenwich. It could carry 1,000 telephone circuits and 18 radio circuits and would serve French possessions and ex-colonies in South America and Africa with one antenna and eastward as far as Moscow and westward to the U.S. east coast with the other two antennas. Launch is expected in 1971.[32]

FRENCH INTERNATIONAL SPACE COOPERATION

Beyond its strongly emphasized national space program, France has also engaged in international space projects, both on a bilateral and multilateral basis. France has cooperated bilaterally with several countries in scientific and technical space research, in joint experiments, and in sharing facilities and exchanging information. As previously mentioned, for example, the French concluded an agreement with NASA for launching the FR-1A satellite by a Scout rocket in 1965. France has also cooperated with the Federal Republic of Germany, Argentina, India, Pakistan, Brazil, Canada, Iceland, Spain, and Japan.[33]

France also participates in international and regional space activities. She belongs to the United Nations Committee on the Peaceful Uses of Outer Space, the World Committee on Space Research—Cospar—and the International Telecommunications Union. France is also a signatory to the international agreement on the creation of an international telecommunications satellite consortium, signed by 45 nations in Washington, D.C., between April and August 1965. By these agreements the Communications Satellite Corp.—Comsat—was made manager of the international Telecommunications Satellite Consortium—Intelsat. France is represented on the Comsat committee which meets once a month in Washington, and contributes 5.6 percent of the cost of the program.[34]

In addition to its bilateral and international space activities, France cooperates with other European countries in the European Launcher Development Organization—ELDO—created in March 1962, and the European Space Research Organization—ESRO—created in June 1962.[35] ELDO is made up of Belgium, the Federal Republic of Germany, France, Italy, the Netherlands, the United Kingdom, and Australia, who are cooperating in constructing a three-stage launcher for heavy satellites—Europa I.[36] The capability of launching heavy satellites would be extremely important for Europe, for it could then have its own telecommunications satellites.

The United Kingdom is building the first stage, Blue Streak, of Europa I, France the second, and West Germany the third; Italy is responsible for the experimental satellite, Belgium, for tracking stations, the Netherlands for long-range telemetry, and Australia for the launch site in Woomera. The total budget for the project was estimated at $500 million in 1961, with each country contributing according to its resources. France's share comes to 24 percent, second to the United Kingdom's contribution of 37 percent.[37] France's second stage contribution of Europa I underwent its first successful static trial at the Vernon teststand in November 1965. Its flight test model of the second stage, named the Cora, is now being tested. France conducted two successful Cora launches from Hammaguir on November 27 and December 18, 1966.

Two suborbital ELDO shots are scheduled for 1967—F6/1 in June and F6/2 in October. Both will carry live French Coralie second stages and dummy German third stages. These two launches are expected to round out phase 2 of ELDO's initial program. Phase 3 will begin in 1968 with the full orbital firings of the Europa I with all stages live. Further orbital firings will ensue in 1969, completing the anticipated development program.[38]

The convention creating ESRO was signed by 10 countries—Belgium, Denmark, France, Germany, Italy, the Netherlands, Spain, Sweden, Switzerland, the United Kingdom. ESRO is intended to stimulate research and provide services, not to rival the research establishments of the member countries. Its financial resources are provided by members on a scale gaged to national income, and France's contribution is approximately 19 percent. ESRO's budget has been fixed at $300 million for the initial 8-year program. Among ESRO projects are the establishment of infrastructure and equipment; for example, tracking stations; and building satellites, such as ESRO I, a polar ionospheric satellite, being constructed by concerns in Great Britain and France.

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[26] *Keesing's Contemporary Archives,* March 25–April 1, 1967, p. 21944.

[27] See, for example, Warren C. Wetmore, "French Space Program Begins New Phase," *Aviation Week and Space Technology,* March 27, 1967, p. 50.

[28] *Ibid.*

[29] "France Provides 2,000 Million Francs for Space," *Interavia,* May 1966, p. 701.

[30] Ambassade de France, "The French Space Program, Past, Present and Future Projects," *op. cit.,* p. 9.

[31] Warren C. Wetmore, "Europe Irons Out Issues in Initial Space Programs," *Aviation Week and Space Technology,* March 6, 1967, p. 158.

[32] *Ibid.,* p. 159.

[33] Ambassade de France, "The French Space Program, Past, Present, and Future Projects," *op. cit.,* p. 12.

[34] *Ibid.,* pp. 13–14.

[35] See chart on West European Space Expenditures, p. 14.

[36] *Ibid.,* p. 15; also see *The Baltimore Sun,* April 16, 1967.

[37] Ambassade de France, "The French Space Program, Past, Present, and Future Projects," *op. cit.,* p. 15.

[38] Warren C. Wetmore, "Europe Irons Out Issues in Outer Space," *Aviation World and Space Technology,* March 6, 1967, p. 147.

France's contributions to ESRO and ELDO are drawn from the national budget. In 1966, for example, out of the national space budget, some $28.3 million was earmarked for European space programs. Of the $404.9 million provided for French space research in the French fifth plan—1966-70—$91 million is earmarked for French participation in the two European organizations. This thus represents one-fourth of the national space budget.[39] France's contribution to the two agencies yields a sizable return to its own national space program in the form of technological development experience and actual hardware.

III. FRENCH MILITARY POLICY

French military policy today is personally guided by the President of the Republic and as such reflects De Gaulle's distinctive style and lofty ambitions to place France in the ranks of the great powers. French military policy also reflects the continuing search for security through less military and political dependence upon others. In addition there is strong French concern for the revitalization of French armed forces and their equipment with the most modern weapons, which means first and foremost nuclear weapons. Behind present military policy is the "desire to heal the wounds of the recent and more distant past, to reconcile the army and the nation, and to restore unity and pride to the armed services. Viewed from this angle, an independent military stance and opposition to integration in the Atlantic alliance become conditions not only of political independence but also of national renewal and of healthy and stable civil-military relations."[40]

THE FRENCH NUCLEAR DETERRENT

President de Gaulle did not await the end of the Algerian war to establish the guidelines of the military policy under the Fifth Republic. As early as 1958, he made clear his displeasure with the structure of the Atlantic alliance and with patterns of consultation among the Western countries. During the following year, steps in the reorganization of the military establishment were taken, perhaps the most striking move of which was the acceleration of the French effort to produce nuclear weapons.

President de Gaulle believes that the nuclear deterrent is absolutely essential to France's independence and status as a great power. He has stressed that France can have no political independence without military independence, and that such military independence must include nuclear weapons. He has repeatedly declared that American nuclear power would not necessarily come to the rescue of Europe if, at the same time, the United States were threatened with destruction. As De Gaulle declared in April 1961:

> It is both the right and the duty of the continental European powers to have their own national defense. It is intolerable for a great state to have its destiny subject to decisions and acts of another state, no matter how friendly it may be.[41]

And Michel Debré, Prime Minister of France from 1959 to 1962, has written that possession of nuclear weapons helps France "in not falling down to the level of those nations who would not be asked for their opinion regarding world problems or even regarding European problems."[42]

In the French view, the acquisition of nuclear weapons reflects the possession of a scientific, technological, and industrial potential which a powerless and weak nation does not have. And, the nuclear deterrent provides France with international prestige and independence, a possible trigger for the American nuclear arsenal, increased influence over American strategic policy, and a concrete basis for the assertion of primacy among her European partners.

Although the French nuclear program has been given great momentum under President de Gaulle it is actually a continuance of policy of the Fourth Republic.[43] France had even pioneered in nuclear research prior to World War II. During postwar reconstruction France concentrated on facilities for the industrial use of atomic energy. In 1951 M. Félix Gaillard became the Minister responsible for atomic energy, and by 1952, he had succeeded in developing the activities of the French Atomic Energy Commission and placing them on an industrial basis.

The French Parliament voted the credits necessary for a 5-year nuclear plan in 1952. A year later M. René Pleven, at that time the French Minister of Defense, asked the Government to study the possibility of manufacturing nuclear weapons. In presenting his budget to the National Assembly he became the major supporter of modernization of the French military machine. Some months later, Mr. Mendès-France, the new Prime Minister, turned his attention to atomic energy.

On December 26, 1954, it was decided to prepare a government policy statement aimed at the production of the atomic bomb and a nuclear-powered submarine. Although the fall of the Government put an end to these projects, the next Government made the decision to build the nuclear-powered submarine, and in 1955, M. Guy Mollet gave the order to build the bomb.[44]

In 1956 the French Government authorized the Minister of War to study the technical and financial means required to equip France with thermonuclear weapons. In July of that year the Mollet administration officially revealed that the French were involved in military atomic studies. Also in 1956, the Technical and Industrial Directorate of the Government received instructions to examine the operation requirements for a supersonic bomber to be built around the French atomic bomb. And in that same year the French Government laid the foundations for considerable research and development programs devoted entirely to nuclear weapons. In approving the 1957 defense budget, the French Parliament endorsed almost all the Government's statements on the priority for nuclear development and called for establishment of a system of defense based on France's possession of nuclear weapons.[45]

The accession of Charles de Gaulle to the leadership of France brought greater emphasis upon the twin military and political roles of the atom and speeded up the work in progress. Since 1959, France has been advocating a new military and political doctrine. On November 3, 1959, in an address to the Centres des Hautes Études de Défense Nationale, De Gaulle outlined his nuclear plans:

> The defense of France must be French. . . . If a country like France is involved in a war, it must be her own war. . . . France's defense would, of course, be coordinated with that of other countries. . . . But it is essential that we have our own means of defense, that Frence should defend herself, fending for herself and in her own way. . . . As a consequence, we must of course be able to provide ourselves in the course of the next few years with a force capable of being used on our behalf, which it has been decided to designate a force de frappe, capable of being deployed anywhere at any time. It goes without saying that this force will be founded on nuclear weapons which, whether we build them or buy them, must belong to us. And since France could be destroyed from any point in the world, our force must be so constructed as to be able to strike anywhere on Earth."[46]

The De Gaulle government began to implement its military plans for France in 1960. The first loi-programme—program law—presented in that year gave an indication of the new directions to be followed and the new priorities accorded the branches of the armed forces and types of military equipment. It provided $3.7 billion—nearly 40 percent—of the program for the next 4 years, 1960 to 1964, for special studies for producing nuclear weapons and for the first developmental stages of thermonuclear weapons; a missile program for developing and testing nuclear-weapon launching vehicles and for France's share in European manufacture under American license of Hawk surface-to-air missiles; and conventional weapons to develop such equipment as the AMX armored vehicles for the army, Mirage III and IV supersonic aircraft for the air force, and guided missile frigates and various aircraft for the navy.[47]

It thus made it possible for France to start building a strategic nuclear force and to equip convention forces with new materiel. The second program law—1965 to 1970—provided for continuation of development of the strategic nuclear force—completion of the strategic nuclear air force, whose weapon is the nuclear bomb and whose vehicle is the Mirage IV jet bomber; development of strategic surface-to-surface ballistic missiles; and preparations for the delivery in 1970 of the first nuclear submarine, armed with strategic sea-to-surface ballistic missiles with thermonuclear warheads, plus the beginning of work on two other nuclear submarines.[48]

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[39] Ambassade de France, "The French Space Program, Past, Present, and Future Projects," *op. cit.*, p. 16.

[40] Elizabeth Stabler, "French Military Policy," *Current History* v. 50, April 1966, p. 233.

[41] Cited in Duroselle, *op. cit.*, p. 353.

[42] Michael Debré, *Au Service de la Nation* (Paris, Stock, 1963), p. 152.

[43] For details on the nuclear program of the Fourth Republic, see Lawrence Scheinman, *Atomic Energy Policy in France under the Fourth Republic* (Princeton: Princeton University Press, 1965).

[44] "France's Force de Frappe," *Interavia*, June 1964, p. 797.

[45] *Ibid.*, p. 798.

[46] *Ibid.*, p. 798.

[47] Ambassade de France, *France and Its Armed Forces* (New York: Ambassade de France, Service de Presse et d'Information, December 1964), p. 22.

France thus envisions three stages in the development of its strategic nuclear force. The first stage, and the only one now operational—since 1964—consists of Mirage jet planes carrying 60- to 80-kiloton bombs.[49] France is now believed to have 50 to 60 of a planned force of 62 Mirage jets, which are equipped for aerial fueling from American-purchased KC–135 tankers. The jet force is scheduled to be phased out in 1968, to be superseded in late 1968 or 1969 by a transitional, or second stage of strategic surface-to-surface ballistic missiles set up in scattered hardened sites. These are to be solid-fuel, 2,000-mile-range missiles, which will carry nuclear warheads of from 100 to 200 kilotons.

The third stage of the strategic nuclear force is a force of nuclear missile-launching submarines, expected to become operational between 1970 and 1973. France took a great step toward realization of this goal on March 29, 1967, when the first French nuclear-powered submarine was launched. The submarine was entirely French-designed and French-built and, unlike the British *Dreadnought*, did not benefit in any way from American assistance. Named the *Redoutable*, the nuclear submarine will undertake its first sea trials in late 1968 and is expected to become operational in 1969 or 1970. It is 422 feet long, with a maximum width of 35 feet. At a maximum speed of 20 knots, it will have a cruising range without refueling of about 200,000 miles, and will carry a crew of 135 men.[50]

When operational, the *Redoutable* will carry 16 sea-to-air ballistic missiles. Its first missiles will have fission warheads of 500 kiloton strength only, for the projected more powerful thermonuclear or fusion warheads are not expected to be ready at that time. The French hope to test their first thermonuclear or fusion device in 1968 at the South Pacific test range from which they ultimately hope to produce warheads in a 1 megaton range, or equivalent to about 1 million tons of TNT.[51]

The second in the series of nuclear submarines, the *Terrible*, is already being placed on the stocks[52] and is expected to enter service in 1972.[53] A third submarine is scheduled to follow in 1974 or 1975. Although original plans apparently only called for three nuclear submarines, the French Defense Minister, Pierre Messmer, recently stated that others could follow the third submarine at 2-year intervals.[54]

A recent report on France's plans for its strategic nuclear force indicated an expansion of original goals. It was reported in the press in April 1967 that the French Government now hopes to build 75 land-based strategic missiles, rather than the previously forecast 40 to 50 missiles. It also reportedly wishes to expand the number of submarines to five rather than three. The French are also developing their first very small battlefield atomic weapons. Reportedly, the first small tactical nuclear weapon will be the so-called Pluton rocket with a range of approximately 70 miles and a warhead of less than 20 kilotons; that is, about the force of the American bomb dropped on Hiroshima, Japan. The French hope to have this weapon, and a similar one in a bomb casing for aerial delivery, ready by 1972. Plans now are reported to call for eight Pluton rocket launchers for each army division.[55]

Although it presently represents only 1 percent of the West's total nuclear forces, the French nuclear force is significant. French scientists and technicians have proved that they can overcome the technical and material difficulties involved in building a striking force. They have overcome many initial problems, and their ambitious plans for the future show new confidence that remaining problems can and will be overcome. Perhaps, more important, the French achievements in their nuclear program have been won almost entirely on their own, without significant outside aid.

CONVENTIONAL FORCES OF THE FRENCH

French military policy also aims at development of a strong, modern, and well-equipped conventional force. Although the reduction in numbers of the French forces since the end of the Algerian war is striking—from over 1 million men in 1962 to approximately 522,500 in 1966[56]—the French have striven to produce a more streamlined and better equipped conventional force.

In 1966, the total strength of the French Army was 338,000. Five divisions were stationed in Europe, including one mechanized and one armored division in Germany; one brigade in West Berlin; and one mechanized, one armored, and one air-transportable division in France. The mechanized and armored divisions have been equipped with M–47 and AMX–13 tanks. Divisions in Germany have Honest John and Hawk launchers. The air-transportable division combines parachute troops with an amphibious group and supporting arms, and composes the permanent element of a strategic reserve.[57]

Combat troops stationed overseas number approximately 15,000, including three regiments in Algeria, three regiments in other African states, three battalions in French Somaliland, and two battalions in the Pacific territories. In addition 3,000 French officers and NCO's serve either on secondment or on contract with the armed forces of independent African countries. Remaining troops are stationed in France for local defense. Their peacetime strength is six brigades. Mobilization would add one Alpine and seven territorial brigades, 100 infantry regiments, and supporting units.

Total strength of the navy is 84,000. It includes three aircraft carriers, one helicopter carrier, two antiaircraft cruisers, 19 destroyers—five of which have guided missiles—31 frigates and other escort ships, 21 submarines of which 17 are oceangoing, 15 patrol vessels, 50 fleet and coastal minesweepers, nine landing ships, 10 landing craft, 142 other ships, and a Marine commando of 800 men. The naval air force consists of 12,000 men and about 275 aircraft.

The total strength of the air force is approximately 113,000 with about 850 aircraft. This includes the Strategic Air Command, equipped with Mirage IV's and KC–135F tankers; the Air Defense Command with 140 aircraft; the First Tactical Air Force with 23,000 men and 250 aircraft; the Second Tactical Air Force with 150 aircraft; and the Transport Command, also with 150 aircraft.

In addition to regular French forces, up to 400,000 reservists may be called upon in time of emergency, plus the Gendarmerie and the CRS—Compagnies Républicaines de Sécurité—who total 75,000.[58]

ENLISTING PRIVATE ENTERPRISE IN THE WAR AGAINST URBAN POVERTY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

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[48] Ambassade de France, *France and Its Armed Forces* (New York: Ambassade de France, Service de Presse et d'Information, December 1964), p. 22.

[49] *New York Times*, October 10, 1963; *New York Times*, March 29, 1967.

[50] By comparison, the United States Polaris submarines range from 381 feet to 425 feet long, weigh from 5,900 to 8,250 tons, have an average crew of 112 and cost from $110 to $115 million each. The United States attack submarines range from 252 feet to 447 feet long, weigh from 2,830 to 5,900 tons, carry a crew of about 95 and cost from $49 million to $57 million each. Although their speed is classified information, it is reported to be approximately 30 knots. The United States has 106 nuclear submarines programmed with 40 Polaris and 26 attack subs in service and the remainder in various preliminary stages. Only the United States and the Soviet Union have nuclear powered submarines in operation at present. Britain is building four with American aid. "French Launch 1st Atomic Sub," *Baltimore Sun*, March 30, 1967, p. 1.

[51] American Minuteman and Polaris missiles carry warheads about that size. William Beecher, "Small Atomic Arms Being Developed by France," *New York Times*, April 14, 1967, p. 10.

[52] *London Times*, March 30, 1967.

[53] *Washington Post*, March 30, 1967, p. H–1.

[54] *Baltimore Sun*, March 30, 1967, p. 1.

[55] William Beecher, "Small Atomic Arms Being Developed in France," *New York Times*, April 14, 1967, p. 10.

[56] Stabler, *op cit.*, p. 235; Institute for Strategic Studies, *The Military Balance 1966–1967* (London: Institute for Strategic Studies, 1966), as reprinted in *Aerospace International*, January/February 1967, p. 36.

[57] Institute for Strategic Studies, *loc. cit.*

[58] *Ibid.*, p. 39.

Mr. OTTINGER. Mr. Speaker, I am pleased to introduce today two bills designed to encourage private enterprise, principally through a system of tax incentives, to invest in urban poverty areas—to create industry, jobs, and housing. These bills, originally introduced by Senator ROBERT F. KENNEDY, of New York, have received bipartisan support in the Senate and I am hopeful they will receive a similar reception in this body.

Our Nation is in the midst of unprecedented prosperity. We have the highest standard of living known to man, a strong and growing economy, high wages, and record employment. Since 1935 our gross national product has risen 843 percent. Per capita disposable income is up 125 percent. Unemployment has been reduced by seven times. Corporate profits reached a record level of $48.2 billion last year, an increase of 1,612 percent since 1935.

Americans are better educated and better employed. Just 27 years ago, the median education level in this country was between the eighth and ninth grades. Today it is close to a full high school education. In 1930, only 14.2 percent of our work force was employed in professional and managerial capacities and 19.8 percent were unskilled laborers. By 1965, our unskilled labor force was down to 11.3 percent and nearly 40 percent of the work force was represented by professional and managerial people.

For more than 30 years we have made great strides in educating our young people, curing the ill, providing greater security for the aged, creating more jobs, and improving job skills. Yet, the problems of poverty, especially in our urban areas, continue to mar that record. The costs of urban poverty are horrendous, not only in the ever-mounting bills we pay for social welfare programs, but in the broken lives, in the hopelessness and frustration of the men, women and children who have been unable to break out of poverty's vicious cycle.

Slum conditions and the services they demand eat up a far disproportionate amount of our taxes. In the city of Yonkers, N.Y., the fourth largest city in New York State and the largest in Westchester County, the most depressed areas of the city, measured by concentration of substandard housing and accounting for 30 percent of the city's population, also account for: 35 percent of the major crimes, 51 percent of the major fires, 53 percent of the juvenile delinquency cases, 59 percent of the tuberculosis cases, 77 percent of the city's venereal disease, 81 percent of the people on welfare, and 85 percent of the city's illegitimate births.

I am sure these figures will hold true for other urban areas.

Sixteen million poor people live in our metropolitan areas. Another 26 million are living on incomes above what has been defined as the minimum poverty level, but below an adequate level to live decently, especially at this time of rising prices and increasing tax burdens. The problems these people represent are massive and complex. It is obvious that the traditional tools are inadequate to meet this challenge, and while the bills I am introducing today are by no means a final answer, they represent an approach which I believe will prove both feasible and effective.

Summaries of the provisions of the urban housing investment legislation and the industrial development legislation follow:

Provisions of Urban Housing Investment Bill

1. Before applying to HUD for certification under this program, a prospective builder must obtain approval for his housing project from the municipality. (The municipality is thus in the position to seek out and encourage businessmen and other builders to construct these projects.) A partnership between private enterprise, local government, and the Federal government is thus achieved.

2. In order to qualify for benefits under this program, a builder with approval from a municipality must still seek certification from HUD. (This program will be administered through a new Low-Income Housing Division within HUD, which can devote all its attention to producing low cost housing.)

3. The builder-owner of the project must agree to (a) build or rehabilitate at least 100 dwelling units; (b) construct at least as many units as he destroys; (c) provide an initial equity investment of at least 20% of the project's cost; (d) agree to accept only a 3% direct return on his initial equity investment.

4. Mortgage money for a certified project will be made available in the same way it is made available under section 221(d) (3) of the National Housing Act. Once the project is certified by HUD, a 50 year mortgage bearing an interest rate of 2% can be obtained from a private bank. Since it will be FHA insured, the mortgage can then be purchased by the Federal National Mortgage Association. The mortgage on each project will run to 80% of cost depending upon the amount of equity supplied by the owner. The money for purchasing such mortgages will constitute a fund of $3 billion. The Secretary of the Treasury will be instructed to borrow this money over the next 6 years. Because Treasury will have to borrow it at about 4% and then lend it at 2%, it will have to subsidize the difference. The subsidy cost will be approximately $35 million a year for 50 years, quite low for the number of potential units.

5. The bill provides that local real estate taxes on these projects must be reduced from the normal 20 to 25% of total rents to 5%. A tax abatement fund is established with an initial appropriation of $30 million. The Federal government automatically reimburses the municipality for 50% of the required tax abatement. On the remaining 50%, it matches the state contribution dollar for dollar.

6. Any family which is dislocated will be given a priority in obtaining the new housing units created under this bill.

7. The bill provides project insurance so that an owner will not experience any cash losses on the housing he has provided. An initial Federal fund of $10 million is established; small premiums are then paid by the owners for the insurance they receive.

8. The bill establishes a Home Management Assistance Fund within HUD. Five million dollars is provided as an initial appropriation for this fund. At the time that the owner's project is certified, he will be required to consult with a representative from the fund. Arrangements will be made between the owner, the fund and the municipality to train the residents of the project to participate in managing and handling the day-to-day operations of the project.

9. No person or family shall be permitted to move into the project if the yearly sum for rent constitutes less than 18% of his or its gross income (unless the Secretary of HUD waives the requirement for the project because of problems of maintaining full occupancy). If the tenant's income rises once he enters the project, he faces no increased payment until the rent constitutes less than 15% of gross income. Once it is less than 15%, the tenant shall be required to pay 18% of his income for his housing unit. The additional payment shall go into the tax abatement fund and serve to help lower Federal appropriations.

10. In return for building these projects the owner receives the following tax benefits:

A. a tax credit, which increases proportionately to the amount invested, equal to a specified percentage of the cost of the project, which builds upon existing investment credit provisions in Sections 46 through 48 of the Internal Revenue Code;

B. a shorter useful life for depreciation purposes, which builds upon the 5-year period for the amortization of emergency defense facilities and grain storage facilities;

C. the right to treat demolition and site improvement costs (often amounting to 10 to 15% of the entire cost of the project) as part of the cost for the building and therefore as part of the depreciable base;

D. a reduction, or in certain cases a postponement, of a capital gains tax upon a sale of the project after a minimum period of time.

11. It is estimated that a $15,000 unit will rent for about $99 a month, a $12,500 unit will rent for $86; and a $10,000 unit will rent for $73. With the cooperation of municipalities in lowering of land costs and the expertise of large private corporations, it is expected that housing costs could be reduced and rentals established below even these low levels.

12. Computations have also been made on the profits that owners will receive for building and continuing to own these projects. As the owner's equity investment goes up, his after-taxes profits will also go up. Profits for a large corporation will run over 10%. These benefits should induce large corporations to begin the job of rebuilding urban ghettoes.

Industrial Development Bill

1. The bill calls for tax incentives to promote the industrial development of urban ghetto areas. The objective sought is the creation of new jobs to be filled by residents of these poverty areas.

2. The program is limited to poverty areas. These are defined as:

a. 193 urban areas already located on OEO maps for Standard Metropolitan Statistical Areas of 250,000 people or more.

b. Comparable poverty areas to be located on maps for other areas classified as urban by Census Bureau (2500 persons or more).

c. Indian reservations specified by the Secretary of the Interior.

3. The bill utilizes a system of tax credits, increased deductions for wages paid, and rapid depreciation, which business leaders indicate will produce significant results in procuring badly needed industrial investments.

Before the program can begin in any city, the city must inform the Secretary of the Department of Housing and Urban Development that it wishes to participate and will cooperate in locating companies to go into the poverty areas. (The city then controls the speed of the program and works at attracting the companies. This has been done in Puerto Rico under its Industrial Incentive Act.)

4. Any participating company must obtain a certificate from the local agency designated in the municipality to deal with this program. Then application is made to HUD which will certify that:

a. The business is locating in one of the above areas at a site approved by the municipality, and will establish a reasonable ratio between capital investment and jobs created.

b. If it is engaged in industrial production (manufacturing, producing, processing, assembling), a staff of at least *50* full-time workers will be employed at the ghetto plant. At least 66% of the original working force will be residents of the ghetto at the time they were hired and will have lived there for at least 6 months prior to the time of hiring or be certified as unemployed, low-income people by the municipality. The required staff is reduced to 25 employees for municipalities under 50,000 persons and for Indian reservations.

c. To continue to qualify for benefits, the employer must maintain the same minimum working force unless economic circumstances beyond his control prevent him from doing so. Even if he is forced to reduce his staff, he must maintain the same percentage of low-income persons.

d. People who qualify and are hired do not have to continue to live in the urban poverty area.

e. The only other qualifying businesses would be those engaged in wholesale operations or the construction of buildings in an urban poverty area. (Same employee criteria.)

5. In return for agreeing to these conditions, the business gets the following tax benefits:

a. An increase in the normal 7% investment credit on machinery to 10%.

b. An extension of the 7% investment credit on machinery to the cost of the building in which the business is located. (If the business is a lessee, it would have the credit otherwise available to the lessor as to its premises. There is precedent for this in the original Investment Credit Act.)

c. A rapid depreciation—two-thirds of normal life—for the total cost of the building or portion of the building which it occupies.

d. A useful life or a class life for machinery and equipment of two-thirds the normal life under existing Treasury guidelines (Rev. Proc. 62–21).

e. For a period of 10 years, a deduction of 125% of the salaries it pays to the low-income employees it has hired.

f. All credits and deductions could be carried forward or backward or, if the business is a corporate subsidiary, utilized against other outside income of the parent corporation. Likewise a purchaser of the business could use the carryovers otherwise available to the seller if the purchaser continues the business. (The carryback or carryover provisions would be increased over the ones applicable to the present Investment Credit Act because of potential increased difficulties faced by the company locating in an urban poverty area.)

These benefits run for 10 years from the time the business goes into operation.

6. Run-away corporations do not qualify under the program. The bill uses an exclusion provision similar to the one included in the Area Redevelopment Act of 1961. (The jobs created will be new ones.)

7. Resettlement provisions are included in the legislation for those who lose their residences or businesses because federally inspired industry takes over their homes or shops.

a. Allowances for relocation of families and individuals are more generous than under urban renewal.

b. Help on rent (up to $1000) for 24 months for elderly, handicapped, and low-income families where 20% of their income will not obtain decent facilities and no public housing or State or local low-income housing is available.

c. Moving expense payments for business; added payment of $2500 if business is small and earning less than $10,000 a year.

8. The bill provides a recapture provision in case a corporation willfully violates the established hiring requirements, or simply takes its benefits and ceases operations without economic justification. The recapture provisions are severe enough to serve as an effective deterrent.

9. The bill also provides for job training assistance to those industries moving into ghetto areas. The route taken is to bring the program under MDTA and add $20 million for the first year with an open authorization. (The actual training under our plan should be handled in the following way. When the industry agrees to come in and has taken the necessary steps to qualify, it could enter into an agreement with the Department of Labor. The industry would stipulate the date by which it wants the manpower trained (probably the time it plans to start operations) and the number and type of workers it wants. If the industry wants to train the people itself, then the Department of Labor will contract with it. If the business does not want to do the training, then the Department of Labor should be given the power to contract either with a private manpower training firm or with the usual local public training organization.)

10. The only direct appropriation is $20 million for manpower training in the first year and additional amounts needed for such training in future years.

Anticipated revenue losses to the Treasury through tax change will be slight over a period of a few years. An extra deduction for wages paid costs nothing because it is more than made up by the decrease in welfare payments for workers and the taxes paid on new salaries. Rapid depreciation on machinery and buildings cost very little. All it normally does is provide the investor with a more rapid return, and not a larger return. New credits under this bill will equal 10% on expenses for buildings and machinery in an urban poverty area facility. If we get industry to invest a billion dollars over the next few years—which would create many new jobs—we get a total cost of $100 million. But an investment credit may in fact cost very little. Former Secretary of the Treasury Douglas Dillon testified in 1963 that the Investment Tax Credit had returned within the first year at least one-half of the revenue costs through increased tax payments (and that was before the full impact of the Act on the economy was felt). In short, credits, depreciation, and deductions will be compensated for by reduced welfare payments, new taxes on wages paid, and increased industrial productivity.

A ROLE FOR PRIVATE ENTERPRISE IN THE WAR ON POVERTY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. KELLY] may extend her remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mrs. KELLY. Mr. Speaker, I am today privileged to cosponsor two bills which I feel contain revolutionary ideas and methods toward the success of our Nation's war on poverty. These bills encourage the active participation of the American private enterprise system to invest in the urban poverty areas by creating new industry, jobs, and housing.

The first of these bill, H.R. 11500, to be cited as the Urban Employment Opportunities Development Act of 1967, was originally introduced in the Senate on July 12, 1967, by the junior Senator from my State of New York [Mr. KENNEDY]. It would, if enacted, "provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas." I believe this legislation would be a tremendous step toward the eventual success of the war on poverty in this country.

I am very pleased to add my support to this particular legislation, which is aimed at creating a new partnership against poverty. The bill would bring the resources and talent of our American private enterprise to bear on what I consider one of our most serious domestic challenges. The exact purpose is to stimulate investment—the creation of new jobs and income—in poverty areas. As the junior Senator from New York explained when he introduced this legislation in the Senate, the "bill seeks to remedy the greatest failure in our existing poverty efforts: the failure to involve and rely on the private enterprise system which is the basic strength of the Nation." The program will be carried out, not by Government agencies, but by private enterprise. According to the plan, the Federal Government would provide only a system of tax incentives designed to enable private enterprise to make its investments and carry out its operations in the urban poverty areas.

I intend to have more to say on this bill at some future date. However, I would like to state that it is my conviction that this bill will help to reduce welfare and dependency—and their costs—by providing real job opportunities for welfare recipients. I believe it is the welfare system itself, combined with the lack of decent job opportunities, which produces the welfare families who are asserted to be permanent dependents of the Government. This bill will not solve all the problems of poverty, but it is a step in the right direction and in the American tradition.

The second bill which I am happy to cosponsor today, Mr. Speaker, is H.R. 11499, "to engage the resources, talents, and energies of American private enterprise in the physical reconstruction and rehabilitation of housing in urban poverty areas."

This bill was introduced on July 13, 1967, in the Senate by the junior Senator from New York [Mr. KENNEDY] and is aimed at creating a mechanism by which private enterprise can and will build and rehabilitate large numbers of low-cost housing units in urban poverty areas. This bill, as well as H.R. 11500, is part of the expanding effort to encourage private enterprise to play a role in the area of greatest need: the rehabilitation of the slums, which are a blot to our cities, and degrading, to say the least, to those who reside in them.

The bill, though complex in detail, is simple in purpose and method, and is designed to produce the needed new housing at the lowest possible cost to the Government. At the same time, it is designed to encourage a partnership of private enterprise and Government, in the production of low-cost housing.

Briefly, H.R. 11499 would push toward this goal by two means. First, it attempts to lower costs by providing an extended interest rate subsidy similar to that existing in some current housing programs and by payments to municipalities in lieu of real estate taxes on this housing. Second, it aims to attract large-scale private enterprise investment through a system of tax incentives, designed to make such investment possible at competitive rates of return.

Mr. Speaker, I have sponsored and supported legislation in the past to help alleviate poverty. There are many laws on the statute books aimed at this objective. I trust that the Congress will enact this legislation which I have sponsored today. However, the success of these programs can only be achieved with full cooperation between Government, private enterprise, public officials, and the persons involved.

WHO DAMNS THE ELECTRIC POWER RELIABILITY ACT?

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MOSS. Mr. Speaker, after a long period of planning, the Federal Power Commission has submitted to the Congress its proposals for legislation to safeguard the Nation's electric power systems against cascading blackouts. Several Members of this House, including the distinguished chairman of the Committee on Interstate and Foreign Commerce, have sponsored the measure (H.R. 10727), which has the support of the administration and has been widely praised in the press as a constructive and sensible proposal. Predictably, the power industry's trade magazine has refused to see any merit in the bill. Electrical World magazine, in its June 19 issue, printed an editorial combining unintelligent opposition to the Electric Power Reliability Act with statements regarding the June 5 power failure on the Pennsylvania-New Jersey-Maryland interconnection which can only be described as totally misleading.

After characterizing the precipitating cause of the blackout as a "temporarily expedient circuit arrangement," the editorial remarks:

> This situation, however understandable, is not apt to build confidence in Congress or elsewhere in the skill or good judgment behind today's power system operations.

That is one of the few statements in the editorial with which I can agree. It is followed by a series of "observations," which "need to be made." In my opinion, they also need to be substantially qualified.

First. The writer declares that—

> Ties to adjoining regional interconnection groups, such as CANUSE and ISG, successfully supplied emergency power flows.

If this were true, there would have been no blackout. The ties to CANUSE, running from Pennsylvania to New York, were not able to carry all the load placed on them as a result of the breakdown in Pennsylvania. They supplied some emergency power, but not enough. To say that they "successfully" supplied emergency flows, in view of the blackout that ensued, is nonsense.

The editorial's next point is that "unavoidable delays" in the completion of the 500-kilovolt Keystone transmission project meant that internal ties in the P-J-M interconnection were not strong enough. This may be true enough, but however unavoidable these delays may have been they do not excuse the failure of the systems concerned to strengthen the ties to New York—which had failed once before, in the great Northeast blackout of November 1965.

Third. It is proudly announced that "relay and protective systems operated according to plan." Great battles have been fought "according to plan" and lost because the plan was inadequate or mistaken. However smoothly the relays may have functioned on June 5, they could do no more than they were programed to do. What the public needs to know is not whether the plan was carried out, but whether it was properly conceived in the first place. Electrical World—perhaps wisely—is silent on that point.

Fourth. The editorial rejoices that damage to equipment was "relatively light" and promptly repairable, and that restoration of service was "orderly and prompt under the circumstances." That is a very poor sort of triumph. Restoration of service in parts of New Jersey took all afternoon, up to 13 hours in all. It may have been "prompt under the circumstances," but if it was, I believe we ought to bend every effort to eliminate the circumstances. Certainly the consuming public will eventually cease to be impressed by brilliant recoveries after multimillion-dollar blackouts.

I should not, perhaps, fault the editors of Electrical World if their only object were to put the best face possible on a failure of their industry's performance—though even that activity ought to stop short of outright misleading statements. But the entire thrust of the editorial is to condemn, without analysis or discussion, the Federal Power Commission's legislative proposal. There is the customary lament about "centralization of authority over planning and operation" and "intervention of an outside agency." But there is not a scrap of reasoned argument tending to show that the Electric Power Reliability Act would not work a vast improvement in the planning and operation of electric systems. The editors tell us that the bill "can impede the industry's own efforts to increase reliability through careful coordination of regional power systems," but they do not tell us why or how.

There may be weaknesses in the FPC's proposal, as there are in most new bills. The Congress should study it carefully, and make whatever improvements are necessary. I expect some amendments are in order. I deplore, however, sterile, automatic opposition of the type represented by this editorial. It leaves us no wiser than before, except for the impression that the authors have, in reality, no case at all. I cannot believe that this editorial represents the level at which all electric utility managers will approach the FPC bill. Many of them have indicated by the way in which they manage their systems, that they are willing to face problems with forethought and imagination. These progressive managements, in large part, have really applied the "valuable lessons" of past failures, rather than indulging in pious talk about "learning from mistakes." I hope that they, and not the last-ditchers of Electrical World, will set the tone for the utility industry's participation in our consideration of the Electric Power Reliability Act. Certainly one need not be a supporter of the bill to be able to discuss it in a rational way. The editors of the Wall Street Journal, for instance, are generally opposed to government regulation of business, yet their comments on this issue demonstrate a realization that it is sometimes necessary.

I place the editorial referred to at this point in the RECORD together with the facts concerning the PJM power failure as set forth in the Federal Power Commission Releases Nos. 14979 and 14982 and the rather different editorial by the Wall Street Journal:

[From the Electrical World, June 19, 1967]

THE AFTERMATH OF THE BLACKOUT

The blackout of June 5 carries the gravest implications for the utility industry.

It came at a time when the Federal Power Commission was shaping legislative proposals intended to confer upon itself vastly increased authority over power system planning, coordination, and operation. As we see it, such centralization of authority over planning and operation of local and regional power systems and interconnections is no guarantee against further interruptions. In fact it can impede the industry's own efforts to increase reliability through careful coordination of regional power systems.

The origin of the June 5 blackout was apparently the outcome of temporarily expedient circuit arrangement to bolster reserve generation on the PJM Interconnection against hot-weather loads. This situation, however understandable, is not apt to build confidence in Congress or elsewhere in the skill or good judgment behind today's power system operations. We do not propose here to excuse or defend what took place. But we do seriously question whether FPC surveillance could have prevented what happened.

Be that as it may, several observations need to be made in the wake of the June 5 blackout regarding the behavior of the PJM Interconnection under traumatic system conditions:

Ties to adjoining regional interconnection groups, such as CANUSE and ISG, successfully supplied emergency power flows;

Due to unavoidable delays in completion of 500-kv Keystone lines, however, internal PJM ties were not strong enough to maintain stable conditions during transient redistribution of power following initial tripout;

Nevertheless, relay and protective systems operated according to plan;

Damage to power system facilities was relatively light and amenable to prompt repair;

Restoration of system facilities and resumption of service was orderly and prompt under the circumstances.

From this most recent blackout, as from the Northeast Power System Interruption of 1965, power system people can wring valuable lessons. These should be applied promptly and effectively for the perfection of interconnected system operation. For, as we see it, blackouts notwithstanding, properly coordinated regional interconnections offer the closest practicable approach to reliability that present power system technology has to offer.

So far as the intervention of an outside agency, such as the FPC is concerned, there is grave question in our mind whether such activity would expedite the application of lessons arising from these blackouts.

[Federal Power Commission Press Release No. 14979]

FPC CHAIRMAN WHITE CALLS MEETING FOR THURSDAY ON FOUR-STATE POWER FAILURE

Federal Power Commission Chairman Lee C. White announced this morning that the FPC is calling a meeting Thursday in Washington, D.C., of representatives of the utilities involved in Monday's four-state eastern area power failure, with representatives of the four-state Governors and State Commissions, and Federal officials invited to attend.

Chairman White also announced the establishment of an Ad Hoc panel of industry and Government experts to study in depth the problem of bulk power supply reliability in the four-state-area affected by Monday's blackout.

Meanwhile, Chairman White said the FPC is pressing its investigation of the failure which cascaded across the 15,000 square-mile eastern area yesterday morning with the 10 million kilowatt loss affecting about 13 million people in Pennsylvania, New Jersey, Maryland and Delaware.

The failure lasted up to 10 hours in some areas. Power had been completely restored by about 7:55 p.m. last night.

Chairman White said that while it is important to determine the initiating cause of the failure, that the blackout clearly indicates the need for strong interconnection and better coordination to prevent further cascading-type failures. One of the principal tasks of the new panel will be to make recommendations to minimize the possibility of a recurrence.

Chairman White conferred with the White House and with Congressional leaders yesterday. He was scheduled to make an oral report this morning to the Senate Commerce Committee at the request of Chairman Warren G. Magnuson. The Senate Commerce Committee is holding hearings on legislation affecting the Federal Power Act.

FPC staff members were dispatched to Philadelphia yesterday shortly after the failure occurred. The FPC experts are examining the sequence of events with officials of the Pennsylvania-New Jersey-Maryland (PJM) Interconnection, and are studying records of the timing and loss of generating plants and opening of transmission lines. The FPC investigation is under the direction of F. Stewart Brown, Chief of the Commission's Bureau of Power. Staff members on the scene are Paul H. Shore, the FPC's New York Regional Engineer, and Cleve R. Jacobsen, an engineer from the Washington Office.

The four eastern states involved in the outage are saved by the PJM interconnection. The power failure started at 10:18 a.m., Monday. Service was lost in the entire state of New Jersey, in eastern and southeastern Pennsylvania and in a part of the Delaware-Maryland peninsula.

The principal cities in which power was completely interrupted included Newark, Jersey City, Elizabeth, Patterson and Camden, all in New Jersey; Philadelphia, Reading, Chester, Upper Darby, Bethlehem, Allentown, all in Pennsylvania; and Wilmington, Delaware.

The power failure resulted in widespread separation of transmission lines around the perimeter of the affected area and the early loss of such major generating sources as the Brunner Island (700,000 kilowatts) steam plant of Pennsylvania Power & Light Company; and the Yards Creek (440,000 kilowatts) and Muddy Run pumped storage projects (480,000 kilowatts) of Public Service Electric and Gas Company and Philadelphia Electric Company, respectively.

As the result of separation of systems and imbalance of generation and load, other systems went down under deteriorating system conditions.

Transmission ties from the affected four-state area to surrounding systems, including systems in New York, Maryland and western Pennsylvania, opened and power service in the surrounding systems continued unaffected.

The power systems which lost total power supply included: Public Service Electric & Gas Company, Jersey Central Power & Light Company, New Jersey Power & Light Company, Metropolitan Edison Company, and Philadelphia Electric Company. Other systems substantially affected included Delaware Power & Light Company, which lost about 80 percent of its load, and Pennsylvania Power & Light Company, which suffered an internal separation of its network, causing the eastern portion to lose power.

Service to the center of Philadelphia was restored by 11:10 a.m. yesterday and all of Philadelphia Electric's system was restored by 2:30 p.m. Power was restored on the Metropolitan Edison Company system at 11:45 a.m. Power was restored temporarily on the system of Pennsylvania Power & Light at 12:15 p.m., but system conditions became unstable and service to the eastern section was again lost. Service was essentially restored on the system by 2:00 p.m. except in the Northwest part of the system in the Sunbury-Williamsport area which was completely restored by 6:20 p.m.

Nearly all power on Jersey Central and New Jersey Power & Light Company was restored at 2:30 p.m. Delmarva Power & Light Company service was completely restored by 1:00 p.m. At 5:00 p.m. practically the entire area was back in normal service with the exception of the area served by the Public Service Electric & Gas, which at that time had picked up about 70 percent of its normal load. Loads on this system was fully restored about 7:55 p.m. last night.

Although Atlantic City Electric Company is a part of the interconnection and was initially affected by the disturbance, it separated from the network. Although significant heavy industrial loads were dropped, the system continued its operation. The PJM interconnection is equipped with only a limited amount of automatic load shedding and was unable to reduce loads quickly enough to prevent collapse of system generation.

Jersey Central, which is equipped to drop 30 percent of its load automatically, is the only one of the twelve members of the PJM Interconnection that is so equipped at present. Two other systems, the General Public Utilities and Pennsylvania Power & Light Company, plan to install automatic load-shedding relays. A 5 percent reduction in voltage was ordered by the dispatching headquarters of the PJM Interconnection as frequency began to decline, but was not done quickly enough to be effective.

On the basis of information that has been assembled to date, the trouble is believed to have started with a fault on a 230-kilovolt line of the Philadelphia Electric Company extending from Nottingham to Plymouth Meeting, Pa. Cause of the fault on the line has not been determined. The line is back in service and is being patrolled to detect any abnormal conditions.

The opening of this line resulted in tripping off the new Muddy Run pumped storage project on the Susquehanna River which was generating 440 megawatts. The control system for Muddy Run is so arranged that its generation is automatically tripped if one of the 230 kilowatt lines from Nottingham to Plymouth Meeting has opened. This is a temporary arrangement pending the placing of a new 500 kilovolt line in service later this summer between these two general points. The sequence in the loss of generation of other plants in the vicinity, including Brunner Island and Conowingo has not yet been determined. This will require careful matching of oscillograph records of the disturbance, which is now in process.

The wide shutdown of generation over the area resulted in some damage to a number of generating units. Much of the initially observed damage has been found to be minor and repairs and tests are under way which will place these units back in service today or within a few days. Damage to a number of others may take longer periods. Altogether a total of 12 units was affected in some manner but it is now expected that all but one of these units, which has a capacity of only 80,000 kilowatts, will be operating by the end of this week. Most are already back in service.

The FPC will issue further reports on the power failure as its investigation progresses. A more detailed report will follow completion of the FPC's analysis.

[Federal Power Commission Press Release No. 14982]

CAUSE OF FOUR-STATE POWER FAILURE PINPOINTED TO SHORT CIRCUIT IN HIGH VOLTAGE LINE WHICH SAGGED TOO CLOSE TO DISTRIBUTION LINE CROSSING UNDER IT

Federal Power Commission Chairman Lee C. White said this morning that Philadelphia Electric Company reported that the power failure which cascaded across four eastern states Monday was touched off by a short circuit when a high voltage transmission line sagged because of a heavy electric load, bringing it too close to a low voltage distribution line crossing under it.

The lines cross at a point midway on Philadelphia Electric Company's 50-mile Nottingham-Plymouth Meeting 230-kilovolt line in southeastern Pennsylvania.

The load on the high voltage line Monday reached 600,000 kilowatts, which was more than it previously had carried. This raised the line's temperature, causing it to sag physically toward the low voltage distribution line, and the resulting "flash-over" shorted out the 230-kilovolt line and the distribution line.

The important question which remains to be answered, Chairman White said, is why the loss of this one line brought about the service interruption throughout the four-state area.

Two additional generating units were placed in service last week at Philadelphia Electric's new Muddy Run pumped storage plant on the lower Susquehanna River, bringing about the increased load. Loss of the Nottingham-Plymouth Meeting line resulted in tripping off the Muddy Run project. The control system for Muddy Run is so arranged that its generation is automatically tripped if the 230-kilovolt line from Nottingham to Plymouth Meeting has opened. This is a temporary arrangement pending the placing in service, probably within another week of a new 500-kilovolt line generally between these two points.

The sequence in the loss of generation of other plants in the vicinity, including Public Service Electric and Gas Company's Yards Creek pumped storage station and Pennsylvania Power & Light Company's Brunner Island steam plant is still under investigation. Oscillograph records of the disturbance are being studied.

Information which had been assembled as of yesterday morning first indicated that the failure started with a fault on the 230-kilovolt Nottingham-Plymouth Meeting line. Near the beginning of the power failure a fuse was blown on the 4-kilovolt distribution circuit which passes underneath the 230-kilovolt line, and this led to a close examination of the transmission facilities in this area. As a result, inspection crews determined that a "flash-over" had occurred but that damage to the line was not serious. The line is now back in service.

The failure cascaded across a 15,000 square mile area Monday morning with a 10-million kilowatt loss affecting about 13 million people in Pennsylvania, New Jersey, Maryland and Delaware. The failure, which started at 10:18 a.m., lasted nearly ten hours in some areas. Power was completely restored by about 8 p.m. Monday night.

A meeting has been called by the FPC for tomorrow morning in Washington, D. C. of representatives of the Governors and state regulatory commissions of the four affected states and of all the utilities involved in the power failure. The Commission also has established a panel of industry and government experts to study the problem of bulk power supply reliability in this four-state area.

Tomorrow's meeting at the FPC which will be a working session limited to official participants, will consider all aspects of the power failure, including the reasons for delays in restoring service in some of the affected areas.

[From the Wall Street Journal, June 12, 1967]

AT THE MERCY OF SQUIRRELS

Even if the electric power failure which last week left some 13 million people in the Middle Atlantic area without electricity—some for as long as 10 hours—had been the first since the Great Blackout of 1965 in New York and the Northeast, it would have been one too many. But since 1965 the nation has had 17 lesser service interruptions known as "cascading power failures."

Once upon a time a major breakdown in an electric utility affected that utility's customers only, since each company operated in a sort of geographical island. The cascading, or domino, effects of a failure now are due in part to the close interconnections, established in recent years, of electric companies serving a particular region.

So when somewhere on a line in eastern Pennsylvania a short circuit occurred the other morning, it resulted in tripped switches across a 15,000-square-mile area served by five companies linked to what is called the "PMJ interconnection" in Pennsylvania, Maryland and New Jersey and part of Delaware.

Acknowledging that it is not known yet why a short circuit on one line resulted in a wholesale failure, Federal Power Commission Chairman White observes that even something seemingly so trivial as a squirrel getting trapped in a high tension circuit could trigger a massive power failure.

And two of the New Jersey utilities involved admit that there is no assurance a massive failure could not happen again. In Washington, the Administration is pressing for quick action on legislation to give the Government additional authority through the FPC, to bring about more reliable operation of the nation's electric systems.

Although the industry contends that the evident dangers of an intertie system do not outweigh its advantages, in terms of safety and operating economies, the public is beginning to wonder whether it is not true that the bigger they are, the harder they fall.

Plainly a close look at the whole intertie theory is needed. Present agitation for protection against failures ought not to be used as an excuse for new strictures in an industry heavily regulated already. But if the industry can't find answers on its own, the public well may figure that tighter Federal control is worth a try.

A large group of investor-owned companies for years has been conducting an advertising campaign assuring consumers that there is an abundance of electricity and always will be. To the consumers told by the FPC that their electric supply is at the mercy of squirrels, that scarcely is assurance enough.

TRIBUTE TO THE LATE HONORABLE J. ARTHUR YOUNGER

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PEPPER. Mr. Speaker, I mourn the passing of my dear friend, J. Arthur Younger, of California, on the 20th of June of this year. He was a fine man and a conscientious and hard-working Member of this House.

Born in Albany, Oreg., he moved with his family to Kirkland, Wash., when he was an 11-year-old boy. There he attended public schools and later was graduated from the University of Washington at Seattle in 1915. He remained at the university as graduate manager of athletics until he answered his country's call in 1917.

He served in France with the 48th Coast Artillery Corps and was promoted to the rank of captain before his release from active duty in 1919. Until 1930 he was vice president, director, and manager of the mortgage loan department of the Seattle Title Trust Co. At that time he became president of the Seattle Mortgage Loan Co. and served until 1934. He then came to the District of Columbia where from 1935 to 1937 he was assistant appraisal adviser and chief of the savings and loan division of the Federal Home Loan Bank Board.

Moving to the San Francisco Bay area in 1937, he became vice president of the Citizens' Federal Savings & Loan Association of San Francisco. He was the friend of thousands in San Mateo where he made his home. He devoted his time and energies to the San Francisco Boys' Club as one of its directors; and he was chairman of the international relations section of the Commonwealth Club of California.

His career in real estate finance extended to positions of leadership in both State and national realty organizations. He was vice chairman of the operations committee of the National Savings & Loan League and a member of the executive council of the National Association of Real Estate Boards.

He was elected to the House of Representatives in the 83d Congress and eventually became the second-ranking Republican on the House Interstate and Foreign Commerce Committee. At the time of his death, he was the ranking Republican on the Commerce Subcommittee concerned with communications. He was a dedicated worker in committee. Banker though he was, banker's hours were utterly unfamiliar to him.

A bill which he introduced as a very junior Member is regarded as having been the origin of the idea from whence came eventually the Department of Housing and Urban Development. His bill called for a Cabinet-level Department of Urbiculture, as he termed it, to which were to be assigned many of the problems concerning the well-being of citydwellers.

At the time he introduced his bill, he said:

> The rapidly changing social scene makes this department necessary, and what if anything is done about it will probably depend on how much backbone urban people show in demanding more voice and more help in the solution of their problems.

He had plenty of backbone himself and his disappointment was apparent when he detected a lack of it in others. Here in this House which he served so well and with such distinction we shall miss his calmness under pressure, his amiably firm convictions, his absolute integrity, and his selfless friendship.

PRIDE RATHER THAN PROFIT IN TELEVISION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PEPPER. Mr. Speaker, as you and many of my distinguished colleagues in the House know one of my most important projects in my congressional career has been and continues to be the creation of educational broadcasting, and presently I have a bill H.R. 6845 before this Congress.

The airwaves of this Nation are a tremendous resource, and should be used to their maximum potential. Television's failure to even approach excellence—the excellence we feel we have a right to expect and enjoy—in programing has taught a lesson to those who value human interests. We must establish television for an audience of people who function more than merely as buyers or sellers.

The airwaves of our Nation can be used as conveyors of America's great cultural heritage and can stimulate the future cultural flowering our great American Nation is going to have.

We must use television and radio to create a better informed, culturally enriched public, who will be able to carry on with the American ideals of excellence and greatness.

Mr. Speaker, for the edification of my colleagues and anyone who may read this RECORD, I insert the testimony I gave before the House Interstate and Foreign Commerce Committee, whose members are doing a thorough and excellent study of this great benefit to future generations of Americans:

STATEMENT OF HON. CLAUDE PEPPER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. PEPPER. Mr. Chairman and members of the committee, I thank you very much for the privilege of being here today, and also for the gracious privilege you accorded me to be here yesterday. I regretted that, on account of an important meeting of the Rules Committee, I was not able to be here at that time.

I would like to take this opportunity to commend the able chairman of this committee for his unusual farsightedness, and also for introducing H.R. 6736, the bill on this subject, and also for realizing the need for hearings on this matter of such great consequence to the American people, and for the fine and comprehensive manner in which you are studying this subject. This is characteristic of the high quality of excellence on the part of the distinguished chairman and this committee.

Mr. Chairman and members of the committee, I have long been active, as many of you have been, in trying to give educational television a foothold in our great Nation. I always feel that I would be remiss in the performance of a duty if I did not publicly express my gratitude, and I believe the gratitude of the Congress and the country, to a great, gracious, and gallant lady, Mrs. Freda Hennock. She was a member of the Federal Communications Commission many years ago and she gallantly, valiantly and finally, after many obstacles, successfully established through the policy of the Federal Communications Commission the educational television facility that we enjoy, the channels that have been set apart for educational television in our country today.

I have also been active in my county in the establishment and support of educational television, which has one of the finest educational television stations in Florida. We like to think it compares favorably with any in the Nation.

We have five educational television channels, facilities, in our State today and we are very proud of them. A little while ago I met in Jacksonville a representative of this industry and taped a 30-minute recording which was played over these five stations of ours. We are very proud of them in Florida.

We have had an opportunity to sense the potential of educational television. That is one of the reasons I am here today, to support the distinguished chairman's bill. I introduced one that is a companion bill to it. I would like to do everything I can to progress the great cause of educational television.

Some of us were saying a moment ago, before the hearing began, "Why couldn't the school children be taught Caesar's campaigns on television rather than reading them out of a book?" I said, "Why couldn't the travels of Marco Polo be engagingly and intriguingly presented not only to the school children but also to the adult population? Why isn't the seizure of Troy just as exciting as Bonanza, the Lone Ranger or a lot of other things that have their place, perhaps, but not regarded, I think, as the classics of our civilization?"

We all realize that individual broadcasting stations are not enough.

By the way, I think of educational television as, in one sense, having the capacity to bring the great libraries and the great museums of our country, for example, into the classroom and into the home. You have to go down to the library, you have to go to the museum, to see a lot of the things that you should be able to see by just turning a dial on your television station. The school children could see them in their school rooms by having it brought to them.

Toward this end, in order to support the distinguished chairman's bill, I have introduced a companion bill, H.R. 6945. I was the first witness to appear at the hearings held by the Senate Interstate and Foreign Commerce Committee and was pleased to introduce the legislation, the purpose of which is to carry out the great program recommended by the President and so strongly supported by the chairman and this committee, to continue and sustain educational television and radio programs.

I also adamantly supported the Senate amendments which put safeguards into the bill, mainly by ordering the creation of a private corporation "to facilitate the development of noncommercial educational radio and television broadcasting and to afford maximum protection to such broadcasting from extraneous interference and control."

The swift speed with which the Senate approved the Public Broadcasting Act of 1967 gives weight to my long-held theory that quality television and radio is not an impossible ideal. In fact, the only recent critics of the public television bill are those who hold unfound fears of propaganda takeover.

I inserted an article by Lester Markel, the Associate Editor of The New York Times, in the Congressional Record of June 19, 1967. In this article, Mr. Markel states that, ". . . Congress must be educated to the importance of public television and to the vital need of assuring its independence." He continues by saying that the basic fear of a Government-supported medium being used for propaganda purposes is canceled out by the well established example of the BBC.

I share Mr. Markel's views and sincerely believe that the corporation established for public broadcasting can and will act independently of strong Government interference. In fact, the hearings held before the Senate on this bill revealed the necessity of keeping news programs free of public funds. This idea has been readily accepted and proves to the critics that independence in public television will be encouraged and will be preserved.

It has long been believed that the air waves are a valuable public property and that, therefore, the Government has the right to enforce certain terms or conditions. This would require the broadcasters to perform a sufficient amount of public service or present shows of artistic taste. Anyone who has watched a sampling of television recently can give witness to the fact that no quality guide now exists; that is, one not high enough, I think most of us feel, to meet the criteria that Americans should require and expect.

On the contrary, television has become such a big business that the profit-making motive involved in a television show far outweighs the quality motive.

Television's failure to even approach excellence—the excellence we feel we have a right to expect and enjoy—in programming has taught a lesson to those who value human interests. We must establish television for an audience of people who function more than merely as buyers or sellers.

It has been said that "the marketplace is a necessary and desirable way of regulating a great deal of our economic activity. But that does not mean the marketplace should regulate everything." I believe that some of the most important things in life—education, artistic creation, friendship, religion, for example—cannot and must not have a price.

It seems the only way to guarantee that these important things in life can preserve and flourish is to make certain that they will not be wholly controlled by the profit makers. We have tried to achieve this liberation by keeping the schools and universities, scientific and artistic institutes, churches, libraries, museums, and parks apart from the world of business and the marketplace.

And to those who still argue that this cannot be done, I would like to quote a famous American author who said, "There are all the churches and schools and libraries in Christiandom to testify to the absurdity of such an idea."

But let us approach this problem of public broadcasting from a different tack. I have recently been in contact with the Educational Television Stations Division of the National Association of Educational Broadcasters. They have furnished me with a report which reviews the Carnegie Commission's report, "Public Television, A Program for Action," and also makes suggestions for further action in increasing the scope and range of educational television.

The heart of educational television broadcasting is the individual station license. Strengthening of local stations should include operations and occur as a result of local needs. Every effort must be made to increase the number of educational stations.

The main thesis of their report is that "Public television funds should be insulted, independent, and as far as possible, diversified."

Educational television has a tremendous potential in this country if it is allowed to grow and mature. Mr. Chairman, I am sure you and I share the same conviction: that our support of an expanded program of educational television and radio is not in any sense of the word intended to disparage or to discount or in any way to minimize or to reduce, or impair, the splendid private television and radio system that we have in this country.

It is, rather, to supplement it with programs where the principal emphasis is the public satisfaction, the public education and the public need which might not perhaps sustain a profitable operation in the rendition of that particular kind of service.

But if it is left entirely, this great educational radio and television potential, this marvel of the age, if it is left entirely in the hands of the profit makers, it will be squashed like a bug underfoot.

Incentive and profit are the great driving forces behind American life—and they must be protected and supported—but they should not be allowed to be the main stimuli to our cultural flowering and dissemination.

It is with all this in mind that I cannot but urge your support of the Public Broadcasting Act, for in doing so, you will be laying the groundwork for a more informed, culturally enriched American population.

Mr. Chairman, in an effort to gather a broader based support for this legislation, I have been keeping the various educators and businessmen of my State advised as to the progress of this legislation. When advising them of the hearings, I suggested that they may want to make a comment to your honorable committee on the need for this legislation, and would like now to submit for the committee's information their replies for insertion into the official record of these hearings.

The first of those is from the very able State Superintendent of Public Instruction of Florida, the Honorable Floyd T. Chrstian, by letter, dated July 6, 1967.

Another one is by an outstanding businessman in Tampa, Florida, Mr. William P. Wallace, who has taken for a long period of time a very strong interest in the development of educational TV.

There are two additional statements by the very able director of the Division of Educational Resources of the University of South Florida, at Tampa, Mr. G. C. Eichholz.

I would like to have these included in your record.

I commend you again, Mr. Chairman, and I want to help in every way I can in the great work you are doing in support of this bill.

The CHAIRMAN. I want to commend you for your fine statement, Mr. Pepper. I want to say that I have always found you to be on the side of those things which help to build America into a stronger and better nation. I thank you again.

Mr. PEPPER. I am glad to work with the distinguished chairman and your fine committee in this effort.

The CHAIRMAN. Thank you for giving us your time this morning.

WE SHALL OVERCOME

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PEPPER. Mr. Speaker, let it not be whispered that the Democratic Party is dying in Florida. Although temporarily its spector may haunt certain hallowed public offices, soon it will be reincarnated.

I have had some recent correspondence from a registered Democrat of my district who was offered the wonderful chance of becoming a national sustaining member of the Republican Party, and although this is an excellent organization he voiced some disdain at their efforts.

I am reminded of the story "Snow White" in which the wicked witch asked her mirror—"Mirror, mirror on the wall, who's the fairest of them all?" and she was answered, "You are no longer the fairest one of all." Well, colleagues, for us the mirror is our constituency, and so I say, Republicans take heed.

Mr. Speaker, under unanimous consent, I include this correspondence of my constituent and my reply at this point in the RECORD:

MIAMI, FLA.,
July 5, 1967.

Hon. CLAUDE PEPPER,
Member of Congress,
House Office Building,
Washington, D.C.

DEAR CLAUDE: Enclosed please find a copy of my answer along with a letter I received from the G.O.P. this morning.

I shall always find time to do all I can in any way I can to support You or any other candidate for office that has proven that he is a true representative of the people.

I need not tell you how much you are respected and admired here in your Home district. You have earned the respect and admiration of your constituents by your Honesty and Integrity and Statesmanship.

I don't know if you can make any use of this letter but if you can you are welcome to it.

Sincerely yours,
EDWARD H. RAABE,
Vice President, Lodge 801 B.R.T.

JULY 12, 1967.

Mr. EDWARD H. RAABE,
Vice President, Lodge 801 BRT,
Miami, Fla.

DEAR EDWARD: Your letter of July 5 was one of the most heartwarming I have received and I thank you very, very much for the kind sentiments you express concerning my public service.

And I have noted with great pleasure your reply to the letter from Chairman Clay of the National Sustaining Program for the Republican Party Headquarters. Your answer is inspired and I am proud of your writing as you did and I know the Democratic Party would be equally proud of the fine spirit you have shown. I am glad you gave me permission to make use of the letter and will save it for an appropriate spot where it will do the most good.

Every good wish to you, and
Believe me,
Always sincerely,
CLAUDE PEPPER,
Member of Congress.

P.S.—I am putting your letter in the Congressional Record and will send you a copy.
C. P.

NATIONAL SUSTAINING PROGRAM FOR REPUBLICAN PARTY HEADQUARTERS,
Washington, D.C.

DEAR FELLOW AMERICAN: "We can't afford to muff the opportunity of 1968." That's the sentiment expressed over and over again by Republicans here in Washington . . . and it's probably the view of your GOP friends, too.

That's why I've put this letter to you high on my list of priority projects. I would be remiss if I didn't invite you to become a Sustaining Member of Republican Headquarters—for just $10—in this important pre-election year.

Your support can help the GOP recapture the reins of our nation's destiny . . . move the country another giant step toward re-establishing two party government . . . and get the government back on some sensible system of financing and spending.

The Democrat budget calls for expenditures of $370 million every day in the year . . . $15.4 million every hour! Spending at this rate staggers the imagination. But it's even worse when you consider what it means in terms of your annual tax bite.

If you are like most Americans, your biggest expense every year is the federal income tax. Yet your payment slips through the government's fingers in a twinkling of an eye. And taxes will go even higher if we don't bring a halt to this fiscal extravagance.

The only hope is for Republicans to join forces, to strengthen the Party from top to bottom and push forward from the success already attained. The Sustaining Fund is vital to laying the foundation for victory—in your own state and across the country. It is our most effective financial resource for building solid, election-winning programs . . . and by joining now, you contribute mightily toward the drive for Republican success in 1968.

May we count on your support at this critical time? Please take just a moment to sign and return the enclosed form along with your check for $10.

Sincerely,
LUCIUS D. CLAY.

P.S.—As a Sustaining Member, you'll be kept in close touch with Party news through your monthly issues of the Republican. Also, we'll send you your official membership card, registering you as a concerned and active member of the Party.

MIAMI, FLA.

Mr. LUCIUS D. CLAY,
National Sustaining Program, Republican Party Headquarters, Washington, D.C.

DEAR SIR: Thank you so much for your undated letter, and the honor you wish to bestow upon me, as you probably know we now have a Republican Governor, and Two Republican Senators in our State. And that is Three too many.

I am a working man and am proud to pay my share of Tax to pay for the operation of my government, and as long as a Democratic party remains in office I will be able to Pay My share. You see I am old enough to remember Herbert Hoover, and I won't allow a Hoover Vacuum Cleaner in my home.

It is my opinion that this country is getting along just fine under the Democratic Party, and as you point out the budget calls for the expenditure of $370 Million each day. I say Thank God we've got it. Under the Republicans we wouldn't have it to spend.

There has never been a time in history that there hasn't been an increase in unemployment when the grasping old party was in office.

Thank you again for your offer, but even though I disagree with President Johnson, I would rather have him, Adam Clayton Powell, or even a member of the Mafia running this country than to have another Republican in office.

Respectfully yours,
EDWARD H. RAABE,
A registered Democrat.

THE HONORABLE MICHAEL J. KIRWAN—AN OUTSTANDING STATESMAN

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. WATTS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WATTS. Mr. Speaker, I am prompted in part by a recent article in Reader's Digest which, in typical fashion, scathingly attacked the integrity of the Honorable MICHAEL J. KIRWAN, our distinguished colleague from the great State of Ohio, and my own admiration and friendship for this outstanding statesman, to let it be known in the strongest possible terms that I consider this irresponsible smear to be completely indigestible to me and others in possession of the facts.

During my years of service as a Member of the Congress, I have come to know MIKE KIRWAN as a great and honorable man in all respects. No one with a grain of commonsense can deny the distinguished service he has rendered to his constituents, to the great State of Ohio and to our Nation as a whole. No single Member of the Congress has done more for the Commonwealth of Kentucky than has MIKE KIRWAN. The close association I have had with him over a period of years will always remain with me as one of my treasured experiences in public life. He has earned and will always have my respect and esteem.

FIGHTING AT LESS THAN MAXIMUM CAPACITY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. LONG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. LONG of Maryland. Mr. Speaker, amidst talk of an escalation of American fighting in Vietnam, of sending additional American troops to that embattled land, there are disturbing and repeated reports that the Army of South Vietnam, although fighting harder than many Americans realize, is nevertheless fighting at less than maximum capability.

The South Vietnamese Army must be revitalized as part of any plan to send additional U.S. troops to Vietnam. We cannot and should not take over the unlimited defense of a land that is not making the greatest possible contribution to its own self-preservation.

One of our Government's justifications for its worldwide military aid program is the contribution the foreign officer training program makes to internal stability, but it is this very program which has been such a failure in Vietnam.

When the U.S. military effort in Vietnam was stepped up in mid-1966, the participation of the South Vietnamese military in combat declined. As U.S. casualties increased, those of South Vietnam decreased. A significant, but undisclosed, percentage of South Vietnam's 700,000-man Armed Forces has been reported to be stationed in urban garrisons, rear areas, or regions of light enemy opposition.

Under the 1967 campaign plan for Vietnam, the United States has primary responsibility for operations against the Vietcong and the North Vietnamese Army regular forces. The South Vietnamese Army was charged with securing areas which American forces have searched and cleared. They have fallen short of our hopes and expectations in this job as well.

The South Vietnamese Army has not been trained in the tactics needed to provide village security against guerrilla attacks. Their officers are mainly city dwellers, without knowledge of the terrain required for effective action against night attacks by the Vietcong. The average soldier is discouraged by poor pay, lack of motivation and emotional identification with his government, few opportunities for advancement, war weariness, and inadequate artillery and air support. He is stationed far from home, and is often utterly unconcerned with the welfare of the peasants he is there to protect.

There is not sufficient American forces to hold and secure the areas which our soldiers have searched and cleared. Unless the South Vietnamese Army is geared up to play its part, the Vietnamese war efforts will be off balance, and the full impact of the American sacrifice will be blunted. Even if American search and destroy tactics succeed without South Vietnamese help, guerrilla warfare could continue for many years, and will demand more active South Vietnamese participation.

What can be done to improve this situation? These are some suggestions: A massive and concentrated retraining program for South Vietnamese officers must begin immediately, especially for field and combat officers. The United States must insist that the less competent be weeded out. Retraining must emphasize guerrilla and jungle warfare; there has been too much emphasis in the past on techniques for massive operations.

South Vietnamese soldiers with fighting ability must be promoted to officer rank. Educational requirements should not be so stiff that only the wealthy, and often incompetent, can qualify for stripes.

Further improvements should be made in the pay and living conditions of the South Vietnamese soldier. Special effort must be made to station troops closer to their homes so that they will have some attachment to what they are defending—if not to their Government, at least to their hamlet and family.

It is a distressing fact that a number of South Vietnam's elite battalions are stationed in the area around Saigon to protect present rulers from dangers of a coup, rather than out in the thick of battle to protect the nation from Communists. These "coup divisions" must be moved into the field, where they can fight. Their desertion rate now is high because they are serving so far from home.

A start should be made at integrating Vietnamese units with American units. This may help pick up their fighting spirit, and give them training in what effective operations involve.

Revitalization of the South Vietnamese Army is not the only improvement that should be made in Vietnam, but it is by no means an insignificant one. Without it, prospects for an early reduction in the American involvement in Vietnam must remain dim.

STATEMENT OF HON. ABRAHAM J. MULTER BEFORE THE MERCHANT MARINE SUBCOMMITTEE, JULY 12, 1967, IN SUPPORT OF AN INDEPENDENT MARITIME ADMINISTRATION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, it was my privilege to testify before the Merchant Marine Subcommittee of the Committee on Merchant Marine and Fisheries in favor of my bill, H.R. 931, on July 12, 1967.

This is most important legislation. If we are to again have a thriving merchant marine in this country—if we are to continue the tradition of the sea which helped make this country great—we must have an independent maritime administration.

The following is my testimony to that effect before the Merchant Marine Subcommittee:

STATEMENT OF HON. ABRAHAM MULTER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. MULTER. Mr. Chairman, I will be very brief.

I appreciate the opportunity to appear before your committee and give you my views.

I thank you and your fellow committee members for the opportunity to testify today on H.R. 159 and companion bills to create an independent Maritime Administration.

As one of the more than 100 Members who have sponsored companion bills to H.R. 159, I welcome this opportunity to set forth my views in support of an independent Maritime Administration. My bill is H.R. 931.

Any struggle for independence is difficult, and the maritime industry's struggle is no exception.

A few days ago the American people celebrated the anniversary of this nation's declaration of independence from foreign domination. In many respects parallels can be drawn between that struggle of long ago and the current battle facing the maritime industry of this country.

In 1776 the American patriots realized that this country was too big and too important to be governed as merely part of a whole which eventually became the British Empire. The needs of America and its people were being neglected and ignored. The needs of Americans were being subjugated to the needs of England.

Mr. Chairman, as you will recognize, the American maritime industry faces a similar situation now. Today, in 1967, the needs of American shipbuilders, American ship operators, and American seamen are being neglected and ignored.

Today the American maritime industry, which extends the influence of the United States across the seas and carries this nation's flag to the far corners of the earth is being governed as part of a whole.

The maritime industry of the United States is too big and too important to be submerged within the Department of Commerce or any other Government department. Maritime needs an agency of its own, with its own budget.

The problems of this industry are too complex and diverse to be handled on a part-time basis—they need full-time consideration.

Let us consider for a moment the multifaceted importance of the maritime industry to our country.

Ships carry the products of American factories to foreign markets and return to this country with the raw materials and foreign goods which make possible the American standard of living. Ships comprise an integral link in the supply and distribution phase of our economic life.

Obviously, it is not feasible to carry a thousand tons of ore, a million barrels of petroleum, or a million bushels of wheat by airplane. We must have ships to do these jobs efficiently.

In wartime, ships form an integral part of our national defense. Ships carry the soldiers and material to fight wars in foreign lands. Ships carry the food and raw material needed by our allies and by our own industry and people.

In wartime, without merchant ships, this nation would face defeat. We are big, and we are powerful, but we are not self-sufficient. In today's highly industrialized world, no country is.

The production of ships—like any heavy industry—forms a vital part of our economic balance. Every one of the 50 States produces at least one item, and some produce 25 or more, all of which are needed to build a merchant ship.

For every man employed in American shipyards, a job is created for another man in industries supplying materials for shipbuilding.

The more ships we build here at home, the more jobs we create throughout our economy, the more consumer incomes we create, and the more tax dollars we generate.

Like ripples spreading on the surface of a pond, the importance of maritime pervades our entire economic complex.

The man in a West Virginia coal mine may not realize it, but maritime touches him.

Maritime touches the Kansas wheat farmer, too, and the Detroit auto worker, and the California electrician.

Maritime touches all of us, whether in the imported shoes we wear, the special services we provide, or the newspaper we read.

Mr. Chairman, this is the reason maritime is too big and too important not to be given its own agency, its own voice, its own freedom.

Today the maritime industry's voice is lost in the clamor of the Department of Commerce; its cries of need are not heard.

Certainly maritime is a vital part of the nation's commerce, but it is more than just that.

Certain maritime is a vital part of the nation's transportation network, but it is more than just that.

Maritime is commerce, industry, transportation, and national defense all rolled into one, and the problems posed by these diverse roles can only be properly dealt with by a separate and independent agency for maritime and maritime alone.

I urge this committee to resist pressures to give maritime anything less than it deserves—complete independent status.

In 1936 Congress in its wisdom gave maritime independent status. In the pressure of demands following World War II, the wisdom of that action was forgotten, and maritime lost its independence.

The members of this committee are friends of the maritime industry, and these hearings on independent maritime status are the products of wise and far-seeing action.

I, too, am a friend of the maritime industry, and I pledge my support to the passage of H.R. 159 before this session of the 90th Congress adjourns.

May I indicate that Chairman Celler, whom you have just heard, is not only the dean of the House, as already indicated, and the dean of the New York State delegation, but is also Chairman of the Steering Committee of the Congressional delegation from the State of New York, made up of the 41 Members of Congress from the State of New York, and when he talked here today, as already indicated by Mr. Grover, he is talking I believe for the 41 Members of both Parties from New York State.

There is no point in my reiterating some of the points he has already made. May I make this further statement:

There has always been an effort by departments which are Cabinet departments to absorb or to keep within their jurisdiction other departments which well could be independent agencies.

I have in mind the Small Business Administration. At one time a Small Business agency was part of the Department of Commerce, and the fight all through the years was to keep Small Business problems within the Department of Commerce, despite the fact that there, they too, were treated as step children.

As you all know, for many years now the Small Business Administration has been set up by the Congress by legislation as an independent agency. Nevertheless, Commerce all through those years has sought to absorb that agency back into Commerce.

There has not been a Secretary of Commerce in all the years I have been here, which goes back to 1947, members of both Parties, that did not attempt to make the Small Business Administration a part of Commerce again, and to destroy its independence.

We have had to resist that, just as now you must again try to reinstate the independence of the Merchant Marine as an independent agency of Government.

Commerce will again oppose that. I think one of the reasons that they can probably get the ear of the President more readily than others is because they sit in Cabinet meetings with the President, I do believe, as has already been indicated, that when the President sees that the will of the Congress is that this be an independent agency, because it is the best thing for the country, for the best interests of all of the country, he, too, will go along with this bill, which I trust this committee will bring to the floor of the House very shortly, to restore to this agency its independence. It can go forward then as an independent agency to do the full job that must be done for our merchant marine.

LET OEO GO ON

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I want to join with the Cleveland Plain Dealer in calling attention to the thoughtful and timely presentation by my good friend, the gentleman from Ohio, CHARLES VANIK, before the House Committee on Education and Labor recently.

Congressman VANIK is a distinguished Member of the House and brings to his work an insight and determination which every one of his colleagues admires. We have come to expect of him the incisiveness and concern he recently displayed before the Education and Labor Committee. Speaking out against those who would retreat on the war on poverty by disbanding the Office of Economic Opportunity, he said:

> It is no longer feasible or rational to demand the disbanding and destruction of an important agency which serves to coordinate and to assist on a unifying basis those thousands in my district and millions throughout the country submerged in the mire of poverty and despair.

Congressman VANIK called particular attention to the special needs of the large numbers of poor in urban areas:

> Those of us Members of Congress representing urban areas with high levels of need cannot countenance any further dilution of the vital programs being carried on through the Office of Economic Opportunity.

Mr. Speaker, Representative CHARLES VANIK is not only a compelling advocate for the poor among his constituents, he is also a man who sees clearly how well the national interest will be served when those who are poor in America are finally helped to self-sufficiency.

I know my colleagues will be interested to read the following article from the Cleveland Plain Dealer:

LET OEO GO ON, VANIK PLEADS AT HOUSE HEARING

(By Robert J. Havel)

WASHINGTON.—Efforts to destroy the command post of the poverty war are not rational, Rep. Charles A. Vanik, D–21, said yesterday.

Vanik testified before the House Education and Labor Committee, which is considering amendments to the Economic Opportunity Act.

Republicans and some Democrats favor tranferring the antipoverty programs from Sargent Shriver's Office of Economic Opportunity to other departments, thus abolishing OEO.

"It is no longer feasible or rational," Vanik said, "to demand the disbanding and destruction of an important agency which serves to coordinate and to assist on a unifying basis those thousands in my district and millions throughout the country submerged in the mire of poverty and despair."

Vanik's congressional district includes the Hough area.

"Those of us members of Congress representing urban areas with high levels of need cannot countenance any further dilution of the vital programs being carried on through the Office of Economic Opportunity," he said.

Vanik then endorsed two proposals new to the OEO effort.

One would provide funds for on-the-job training for out-of-school youths in private industry.

"Private employers must be brought more closely in touch with the national effort to develop employability among our inner-city and rural disadvantaged youth," Vanik said.

"Such employment efforts should not be left to the public sector alone."

The second proposal would increase the maximum allowable income of those eligible for inclusion in antipoverty programs. The current limit is $3,200 a year to a family.

"Five thousand dollars per annum in my community of Cleveland is a poverty level for a family of four," Vanik said.

"Yet the children from those families are in another world unable to benefit from these vital employment efforts, like Neighborhood Youth Corps, and are as well unable to benefit from any other means of gainful employment.

"These young people are left out with no recourse but to deal with the problem of having too much time on their hands."

In Hough and similar poverty areas, Vanik said, more than 50% of the youths are in the "terrible bind" of being from families $200, $300 or $400 over the maximum income level.

More than 500 youths were rejected this year in Cleveland by Neighborhood Youth Corps solely because their families were a few hundred dollars over the maximum-income limit, Vanik said.

About 11,000 persons are participating in the major OEO education and training programs in Cleveland. Of the approximately $60 million allocated to Ohio by OEO, more than a third goes to Cleveland's 20th and 21st Congressional Districts.

JOB CORPS WOMEN GET INVOLVED

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, I should like to bring to the attention of my colleagues a heroic deed performed by two young ladies from my district in Brooklyn, N.Y., who are making a better future for themselves at the Cleveland, Ohio, Job Corps Center for Women.

Carol Vincent of 426 Baltic Street and Wanda Martinez of 91 Luquer Street in Brooklyn, went to the rescue of a woman who was being attacked by three men and were instrumental in the capture of the men. Too often I think we hear stories of misbehavior by Job Corpsmen being given wide publicity, and it is heartening to hear of acts by corpsmembers to actually prevent crime. We are all very concerned about the rising crime rate in the Nation and here we have an example of two young women—private citizens—who took an active part in crime prevention. I include the following article about their efforts which appeared in the Corpsman newspaper of June 15:

CORPSWOMEN RESCUE VICTIM OF NIGHT STREET ATTACK

In the past few years there have been many incidents all over the country in which people have stood by and watched while a crime took place. These people did not help the victim or call the police, and an innocent person usually suffered.

One night recently in Cleveland, Ohio, three teen-age hoods attacked a woman on a dark street. It was their bad luck to be spotted by Wanda Martinez and Carol Vincent. These two Cleveland (Ohio) Corpswomen rushed in, saved the woman, sent two of the thugs running and held the other one until the police came. The two that got away were soon caught, and, thanks to the quick thinking and courage of the two young Corpswomen, a crime was prevented.

Both Wanda and Carol are from Brooklyn, New York. Wanda, who is 18, is studying to be a reproduction clerk, and 20-year-old Carol plans to become a psychiatric nurse.

THE APPROPRIATIONS BUSINESS OF THE SESSION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. MAHON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MAHON. Mr. Speaker, I am including herewith, for the information of Members and others interested, current tabulations showing in summary form the status of the appropriations business of the session.

HOUSE ACTIONS

Including the new transportation appropriation bill as reported from committee, budget requests for appropriations of some $128.6 billion at this session in 12 bills have been reduced in the House by $3,227,448,998.

Upwards of $20 billion—roughly—of additional appropriation requests are yet to be reported in appropriation bills dealing with public works, military construction, foreign assistance, and the closing supplemental bill.

The public works appropriation bill has been awaiting clearance of the annual authorizing bill for the Atomic Energy Commission, just recently enacted, and is now scheduled to be reported to the House later this week. The other appropriation bills hinge almost entirely on annual authorization legislation not yet reported or enacted.

SENATE ACTIONS

The Senate has considered six appropriation bills during the session, involving budget requests for appropriations of some $28.9 billion and in summary, has gone above the appropriation budget requests by $1,565,765,814. This is brought about by the fact that the Senate added slightly over $2 billion to the House amounts in the agriculture appropriation bill. That bill is pending in conference.

FINAL ACTIONS

Four appropriation bills have cleared Congress this session—two supplementals for fiscal 1967 and two regular annual bills for fiscal 1968. They appropriate $23,322,940,767, a sum $283,899,885 below the corresponding budget requests.

Mr. Speaker, I include two tables—a summarization of the totals and a listing by individual bills:

Summary of action on budget estimates of "appropriations" in appropriation bills, 90th Cong., 1st sess., as of July 17, 1967

[Does not include any "back door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	All figures are rounded amounts		
	Bills for fiscal 1967	Bills for fiscal 1968	Bills for the session
A. House actions:			
1. Budget requests for "appropriations" considered	$14,411,000,000	[2 3] $114,196,000,000	$128,607,000,000
2. Amounts in 12 bills passed by House	14,238,000,000	[2 3] 111,141,000,000	125,379,000,000
3. Change from corresponding budget requests	−173,000,000	−3,055,000,000	−3,228,000,000
B. Senate actions:			
1. Budget requests for "appropriations" considered	14,533,000,000	14,371,000,000	28,904,000,000
2. Amounts in 6 bills passed by Senate	14,457,000,000	16,013,000,000	30,470,000,000
3. Change from corresponding budget requests	−76,000,000	+1,642,000,000	+1,566,000,000
4. Compared with House amounts in these 6 bills	+219,000,000	+2,150,000,000	+2,369,000,000
C. Final actions:			
1. Budget requests for "appropriations" considered	14,533,000,000	9,074,000,000	23,607,000,000
2. Amounts approved in 4 bills enacted	14,394,000,000	8,929,000,000	23,323,000,000
3. Comparison with corresponding budget requests	−139,000,000	−145,000,000	−284,000,000

[1] Permanent appropriations were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968.

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget, $980,000,000; House, $925,000,000). Also includes transportation bill as reported from committee.

[3] And participation sales authorizations as follows: Total authorizations requested in budget, $4,300,000,000; total in House bills, $1,946,000,000; total in Senate bills, $700,000,000.

Summary of action on budget estimates of "appropriations" in appropriation bills, 90th Cong., 1st sess., as of July 17, 1967

[Does not include any "back door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	Budget estimates considered by House	Passed House	Budget estimates considered by Senate	Passed Senate	Enacted	(+) or (−), latest action compared to budget
Bills for fiscal 1968:						
Treasury-Post Office	$7,613,787,000	$7,499,230,000	$7,615,148,000	$7,555,167,000	$7,545,641,000	−$69,507,000
District of Columbia:						
Federal payments	63,499,000	59,499,000				−4,000,000
Federal loan appropriation	49,600,000	48,100,000				−1,500,000
Interior	1,443,793,000	1,365,310,150	1,458,218,000	1,399,359,550	1,382,848,350	−75,369,650
Loan and contract authorizations	(30,700,000)	(16,200,000)	(30,700,000)	(16,200,000)	(16,200,000)	(−14,500,000)
Independent Offices-HUD	[2 3] 10,804,642,700	[2 3] 10,013,178,782				−791,463,918
Contract authorization	(40,000,000)					(−40,000,000)
Labor-HEW	[3] 13,322,603,000	[3] 13,137,488,000				−185,115,000
State, Justice, Commerce, and Judiciary	[3] 2,342,942,000	[3] 2,194,026,500				−148,915,500
Legislative	231,311,132	228,089,952	276,005,210	275,885,804		−119,406
Agriculture	[3] 5,021,097,400	[3] 4,770,580,950	[3] 5,021,097,400	[3] 6,782,529,789		+1,761,432,389
Loan authorization	(859,600,000)	(859,600,000)	(859,600,000)	(909,000,000)		(+49,400,000)
Defense	71,584,000,000	70,295,200,000				−1,288,800,000
Transportation	1,718,618,772	[4] 1,530,198,372				[4] −188,420,400
Public works	[5] (4,867,813,000)					
Military construction	[5] (2,937,000,000)					
Foreign assistance	[5] (3,818,736,000)					
Supplemental (NASA, poverty, other deferred items; usual supplementals)	([5] [6])					
Subtotal, 1968 bills	114,195,894,004	111,140,901,706	14,370,468,610	16,012,942,143	8,928,489,350	−991,778,485
Supplementals for fiscal 1967:						
Defense supplemental (Vietnam)	12,275,870,000	12,196,520,000	12,275,870,000	12,196,520,000	12,196,520,000	−79,350,000
2d supplemental	2,134,932,833	2,041,826,133	2,257,604,652	2,260,246,933	2,197,931,417	−59,673,235
Subtotal, 1967 bills	14,410,802,833	14,238,346,133	14,533,474,652	14,456,766,933	14,394,451,417	−139,023,235

See footnotes at end of table.

Summary of action on budget estimates of "appropriations" in appropriation bills, 90th Cong., 1st sess., as of July 17, 1967—Continued

[Does not include any "back door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	Budget estimates considered by House	Passed House	Budget estimates considered by Senate	Passed Senate	Enacted	(+) or (−), latest action compared to budget
Cumulative "appropriation" totals for the session:						
House (12 bills)	128, 606, 696, 837	125, 379, 247, 839				−3, 227, 448, 998
Senate (6 bills)			28, 903, 943, 262	30, 469, 709, 076		+1, 565, 765, 814
Enacted (4 bills)			23, 606, 840, 652		23, 322, 940, 767	−283, 899, 885

[1] Permanent "appropriations" were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968. (All forms of permanent "new obligational authority" for 1968 were tentatively estimated in the January budget at $17,452,899,000).

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget $980,000,000,000; House bill, $925,000,000).

[3] And participation sales authorizations as follows: Independent Offices-HUD, $3,235,000,000 in budget estimates and $881,000,000 in House bill; Labor-HEW, $115,000,000 in budget estimates and House bill; State, Justice, Commerce, and Judiciary, $150,000,000 in budget estimates and House bill; Agriculture, $800,000,000 in budget estimates and House bill, $700,000,000 in Senate bill. Total authorizations requested in budget, $4,300,000,000; total in House bills, $1,946,000,000; total in Senate bills, $700,000,000.

[4] As reported from committee.

[5] These are the amounts presently pending consideration in the committee.

[6] Several billion.

DIPLOMACY FOR GUNBOATS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, on November 3, 1903, American naval vessels appeared off the harbor at Colon to facilitate a revolution against the Government of Colombia. The American interest was not in the grievances of the revolutionaries, but in the possibility of securing control of the area in which the proposed Panama Canal was to be built.

The Colombian intervention was symbolic of a period in which the United States intervened freely and frequently in Latin American affairs.

But the era of gunboat diplomacy has been over for many years. Today, the Alliance for Progress, not the big stick, is the rule in relations between the United States and our neighbors to the south.

The newly negotiated treaties between the United States and Panama concerning the future of the Panama Canal are as indicative of the new day in relations with Latin America as gunboats were of the old.

A recent editorial in the Detroit Free Press points, quite correctly, I believe, to the responsibility of American conduct in renegotiating our agreements with the Panamanians. The editorial notes that a cooperative attitude concerning the canal is in the best interest of both the United States and Panama.

Mr. Speaker, I commend the editorial to the attention of our colleagues and include it at this point in the RECORD:

DIPLOMACY FOR GUNBOATS

An agreement on new treaties governing control of the Panama Canal and a possible new sea-level canal has been announced jointly by President Johnson and President Marco A. Robles of Panama.

The basic lines of the agreement are designed to insure that the canal will be open at all times to ships of all nations while defusing some of the anti-American feelings which led to the 1964 riots. The U.S. recognizes that the canal is on "Panamanian soil." The canal would be operated by a joint U.S.-Panama authority. The agreement seeks an orderly political, social and economic integration of the Canal Zone and the rest of Panama.

These proposed changes are concessions by the U.S. The present 64-year-old treaty gives our country sovereignty over the 10-mile-wide zone "in perpetuity." But the present treaty is a vestigial pact drawn in the era of gunboat diplomacy.

Our nation's interest in the canal—that it be open to our ships and that it not be controlled by any future enemies—can no longer be secured by an antiquated treaty, by policing a barbed wire corridor through another nation, by sustaining a double standard of American prosperity against a backdrop of Panamanian poverty or by continuing to impose our will on a smaller neighbor.

The new treaties seek to replace these conditions with a cooperative arrangement which will protect U.S. interests while at the same time increasing Panama's share in control and profits of the canal. These protections are vital.

In the world's other hemisphere, we have seen how Egypt seized control of the Suez Canal and, by closing the canal to Israeli ships, turned its control of one of the world's essential waterways into a weapon of its foreign policy.

The long-term solution must involve agreements worked out through the United Nations to internationalize the world's essential tradeways. But until that goal is achieved, the U.S. will be wise to build its interests in the Panama Canal, not on hostility, but on a sense of fairness which recognizes that gunboat agreements should be changed.

S.S. "HOPE"

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROYBAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROYBAL. Mr. Speaker, I would like to call your attention to the article "Seven Years of *Hope*" in the Saturday Review of July 15, 1967. Sponsored by the People-to-People Health Foundation, the hospital ship *Hope* is currently on her seventh and most successful year as American ambassador of understanding and good will among our less fortunate neighbors. Since 1960 Project Hope has trained over 3,450 doctors, nurses, and other medical personnel and has treated over a million people on three continents. Her efforts have done much to prove the sincerity and compassion of individual Americans as well as promote a spirit of friendship and rapport between the recipient countries and their American well-wishers. As citizens of America we are truly proud of the good ship *Hope*.

With unanimous consent, I insert this article in the CONGRESSIONAL RECORD:

SEVEN YEARS OF "HOPE"

She costs $5,000,000 a year to operate—less than the price of one jet bomber. More than 8,450 major operations have been performed aboard her and some 100,000 persons treated. When she goes to a port she stays in the harbor for ten months, a symbol of America's concern for suffering. She is manned by men in white, not khaki, and perhaps her greatest accomplishment is the training of 3,450 local doctors and nurses in the latest techniques—sometimes fifty years in advance of theirs. Her name is the *S.S. Hope*, and in the seven years she has been to sea she has visited seven nations on three continents and become the most welcome ship in the world.

Three years ago on this page we reported to our readers the amazing early successes of the famed white hospital ship which set sail in 1960 for Indonesia and South Vietnam. She was then in South America and, at the end of year when she sailed out of a Peruvian harbor, 40,000 Peruvians lined the shore and cast flowers upon the water, most of the populace tearful and some of them having walked barefoot for thirty miles to give thanks to their Yankee benefactors. In seven years the *S.S. Hope* has become a leading international health organization which has captured the imagination of people abroad and at home with its inexhaustible supply of warm, human accomplishment and goodwill. There are many who think that the *S.S. Hope* should be one of a fleet and, in fact, the ship is so popular within the medical profession that it has a waiting list of doctors (they serve in two-month shifts—for free). It goes without saying that she has a waiting list of sufferers in every continent.

When the great white ship arrived off Nicaragua last year, the North Americans were not greeted with enthusiasm. On the contrary, there was considerable distrust, condescension, and skepticism until five Nicaraguan doctors and ailing natives discovered that the visitors had not come to show off but to teach. *Hope* doctors immediately found local assets not being utilized. A building near the Leon hospital had stood in disuse for years. Working closely with Nicaraguan counterparts, *Hope* teams turned it into a bright new maternity ward, the country's first. When the good ship left late last year, the President of Nicaragua made a personal visit and his aides told *Hope's* medical staff that "with your departure the people of Nicaragua are losing their best friend, the best messenger of goodwill any country ever sent us."

One story out of Nicaragua told of a woman who had left her home south of Managua before dawn in order to be on time for an afternoon medical appointment for her seven-year-old daughter. She had carried the girl, who was suffering paralytic effects from polio, all the long weary miles. She also carried food for the day's journey. On this, her final visit, she had still another burden: a large, heavy bunch of bananas for those aboard the *S.S. Hope*.

As one happy Nicaraguan doctor put it: "You can still see American flags flying in Corinto, flags put up to welcome the *Hope* into Nicaragua last January. . . . Little children in the streets like to run up and lightly touch the Americans (their heroes) and the people of Corinto have learned to say 'hi' and 'goodbye' in English." So popular was the *S.S. Hope* in Nicaragua that an interpreters' committee made up of local volunteers took turns making a four-hour round trip from Managua to the ship each day with translators.

The Reverend Randolph Hellwig from Penfield, New York, chaplain aboard the *S.S. Hope*, believes that, because the ship had been at Nicaragua for the better part of a year, any feeling that Americans are only selfish and grasping has been totally destroyed. Dr. John T. Logue, from Columbia, Missouri, who recently served aboard the *Hope* in Corinto, said: "It is more effective to take a shipload of knowledge to foreign countries than it is to bring students to the United States for study." Dr. Walter C. Rogers, chief of staff of the *S.S. Hope*, told a recent interviewer:

"Actually, if the ship were simply a service ship it would not be worth sending to any country, because the countries to which we go have such enormous problems of health that a 130-bed hospital (which is our size) couldn't possibly, in ten months, begin to dent the problems. Our only hope is to train people in all sorts of medical and paramedical fields to go back and train other people in their own country to do better work, to take more interest in their problems, and so on. The doctors we train, the hospital sanitary workers we train, the dieticians, the technicians, the nurses, are all capable of going back into their own community and training other people, and in this way you have the typical stone-in-pond-ripple effect of constantly improving the health situation in the country to which we go."

The *S.S. Hope* is now in the midst of what may well be her most successful mission to date. One month after she tied up at Cartagena, Colombia, 2,619 patients had been treated aboard and in shore clinics, *Hope* surgeons had conducted 160 operations aboard and sixty-five more ashore, and Colombian children had been given 12,300 immunizations against polio, diphtheria, tetanus, and smallpox. By the end of this year at Cartagena, the *S.S. Hope*, already a No. 1 tourist attraction, is sure to break humanitarian records set by her on previous visits to six other ports.

In an insane world of idiotic spending for fratricidal wars and "defense," the comparatively small expenditures for *S.S. Hope* have lighted a tiny, inexpensive candle in the darkness. Imagine America's image, to say nothing of the world's health, if a thousand ships of *Hope* moved upon the waters of the earth for the alleviation of the ills of mankind. The possibilities for peace in a healthy world stagger the imagination.

R. L. T.

MEAT INSPECTION AMENDMENTS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. SMITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, a subcommittee of the House Agriculture Committee, under the chairmanship of the gentleman from Texas [Mr. PURCELL], has been holding hearings relative to proposed amendments to the Federal Meat Inspection Act. This is a subject matter that should concern every American.

An article by Nick Kotz in the Des Moines Sunday Register this week, which shows that the writer has done considerable research and work on the subject matter, should be of interest to everyone who reads the CONGRESSIONAL RECORD.

I have requested unanimous consent to insert this newspaper article in the RECORD and commend this reading to all my colleagues. It reads as follows:

ASK TIGHTER LAW ON MEAT INSPECTIONS FOR PRODUCTS SOLD WITHIN STATES

(By Nick Kotz)

WASHINGTON, D.C.—The vast majority of American meat products are federally inspected to insure wholesomeness, but a confidential nation-wide investigation has revealed shocking abuses in some segments of the non-regulated meat industry.

The investigation was made five years ago by the United States Department of Agriculture (USDA), to find out conditions in non-federally regulated plants which slaughter 20 million cattle and processes 8.7 billion pounds of meat.

This amounts to about 15 per cent of all cattle slaughtered in the United States and about 25 per cent of all the meat processed in the nation.

The investigation convinced USDA officials and a few congressmen, including Representative Neal Smith (Dem., Ia.) that the 1906 meat inspection law badly needs overhauling.

TRIED BEFORE

The Johnson administration and Smith tried two years ago for enactment of a strong law which would have required states to meet federal inspection standards or else have the federal government expand its inspection to cover intra-state slaughtering and processing.

The bill was buried in committee because of opposition from most of the meat industry and the National Association of State Departments of Agriculture (N.A.S.D.A.).

This year the administration and Smith have obtained a house subcommittee hearing for two much weaker bills which they regard as at least a start toward more comprehensive meat inspection.

Details of the USDA investigation, the only data collected on the condition of federally uninspected meat plants in the nation, are coming to light for the first time now that congressional action appears possible.

Iowa adopted a mandatory inspection law in 1965 and is among only 25 states providing inspection of both slaughtering and processing. A total of 147,000 animals were slaughtered in 1966 without federal inspection. All of this meat must be sold within Iowa.

IOWA AUCTION

Smith says he became interested in the meat inspection issue after noticing at Iowa cattle auctions "that whenever they would sell a cancer-eye cow or diseased hog" the purchaser inevitably was a packer who is not covered by federal inspection.

One packer who Smith has observed buying diseased animals for Iowa use was also described by federal investigators as the operator of an unsanitary plant in Nebraska.

UPTON SINCLAIR

Only meat sold in inter-state commerce is covered by the 1906 federal inspection law—a law virtually unchanged since Upton Sinclair provoked it with his shocking book about the meat industry.

Most USDA experts believe conditions have not changed substantially since a federal meat inspector five years ago reported these conditions in a Minnesota meat packing plant:

"Both the saw and the inspection truck were sterilized with a hot water hose with the result that pus from abcesses and other disease carrying media was splashed on nearby carcasses."

RACKS NOT CLEAN

At another uninspected plant in Minnesota, the federal inspector reported:

"Hooks and racks in the cooler were not clean. I feel that they had at least a week's accumulation of tissue and meat juice."

At yet another Minnesota plant exempt from federal inspection, the investigator reported:

"In checking a meat grinder, it was determined that—although the piece of equipment had been used this day, there was an accumulation of tissue which had been from some previous days operation."

CARCASS WASHING

At still another Minnesota plant, an inspector reported watching a carcass being washed with a high pressure hose which "resulted in manure and urine being washed on the opened brisket and neck."

At a South Dakota plant exempt from federal inspection, an investigator reported:

"The carcass splitting saw was dirty, with accumulated grease, fat and oil. The general sanitation of the plant was such that it was inexcusably dirty.

"All walls and doors were splattered with blood, fat, and grease. I noticed sausages on trees that were dragging through puddles of water on the floor, which is gross contamination."

NEBRASKA PLANT

At a Nebraska processing plant the owner also operates in Iowa the federal investigator reported:

"In the beef boning room, one's attention was first called to the odor of putrid meat product. A good many flies were observed in the sausage manufacture room and, of course, crawl upon and contaminate meat products.

"The smoke house was coated with carbon, tars, etc. and this is being transferred to the product."

MOLDY SAUSAGE

"At another uninspected Nebraska plant, the investigator reported moldy sausage products were observed in the holding cooler."

At both Nebraska plants, the inspector reported that products labeled "all-meat" wieners actually contained 6 per cent filler products, a practice which would be forbidden under federal inspection.

Similar conditions were found through the nation in the USDA investigation.

The investigation showed many federally inspected plants or non-inspected plants were meeting federal standards, but it also revealed abuses at some plants in almost every state.

State and local inspection laws vary widely as does the quality of non-federal inspection.

OTHER STATES

Minnesota and South Dakota are among nine states which do not provide for state inspection of meat.

In 1966, a total of 206,000 Minnesota animals and 80,000 South Dakota animals were slaughtered without federal inspection.

Nebraska and North Dakota are among 13 other states which only provide for voluntary inspection of slaughtering. Neither state has any inspection of meat processing. In 1966, 162,000 Nebraska animals and 48,000 North Dakota animals were slaughtered without federal inspection.

The following list shows the total number of slaughtering and processing plants in Iowa and the upper midwest and the number undergoing federal inspection. The Nebraska figures show only slaughter plants.

	Total plants	*Federally inspected*
Iowa	847	41
Minnesota	887	46
Nebraska	345	51
South Dakota	232	9
North Dakota	98	9
Wisconsin	701	43

The vast majority of meat production in each of these states is conducted by the large national companies in the relatively few federally inspected plants.

COMPETITION

National firms, along with smaller companies, also operate plants not federally inspected in order to compete in local and state markets.

Consumers can identify processed meat products inspected by the federal government by a circle on the package with the wording "U.S. Department of Agriculture Approved for Wholesomeness" and raw meat by a purple stamp reading "USDA Approved."

The administration's proposed Wholesome Meat Act, sponsored by Smith, would:

Provide federal-state agreements under which the federal government would pay 50 per cent of the cost and supply technical assistance to states willing to establish and enforce federal inspection standards.

Provide tools of enforcement not presently authorized by the federal government to checkmate the distribution of unwholesome and adulterated meat products. Controls would be placed upon animal food manufactured and their distributors to guarantee that their products do not find their way into channels of human consumption.

Broaden the authority of federal coverage to include all meat "capable of" human consumption. At present federal control is limited to meat "intended for" human consumption, which has permitted unscrupulous operators in contaminated meat to escape federal inspection.

Provide the federal government with powers of detention, injunctions, and federal court actions to cope with contaminated meat discovered in transit or outside of federally-inspected establishments. At present, the USDA cannot detain such meat, except by getting assistance from other federal, state or local agencies.

In addition, Smith has introduced another bill which would broaden coverage of federal inspection to include large intrastate plants which are covered by provisions of the Taft-Hartley law, but not the meat inspection act.

Noting the inadequacy of state inspection, Rodney Leonard, deputy assistant secretary of agriculture, testified before the house subcommittee:

"Inspection under state programs is generally well below federal standards. Yet, these products are intermingled in many retail stores with federally inspected products for sale to the unknowing public.

LACK MONEY

"Administrators of state meat inspection programs generally admit they have neither the money nor manpower to conduct an intensive, continuous inspection service for both slaughtering and processing operations."

He added that variations between federal standards and those in many states permit use of "excessive water and extenders, chemicals that mask the true condition of products, and misleading or deceptive labeling."

Leonard stressed that modern technology—in addition to providing a wide variety of better products—has made it easier for unscrupulous operators to disguise the true condition of meat.

Thus, he said far more sophisticated methods of inspection and analysis are needed to protect the consumer.

"We are dealing with problems not conceived by those who drafted the original legislation 60 years ago," said Leonard.

"The act is becoming increasingly inadequate to deal with the problems of today's modern aggressive industry."

Calling for federal or state control over dealers in unwholesome meat products, he said:

"It is far too easy for dealers in dead animals, renderers, animal food handlers and others to divert unfit meat into human channels."

FEW ALLIES

Leonard and Smith stress that the main hope of the legislation is that states will accept federal assistance to improve or institute their own inspection programs.

The bill has a few strong allies including the Amalgamated Meat Cutters and Butcher Workmen (A.F.L.–C.I.O.).

Arnold Mayer, legislative representative for the union, called for even stronger legislation and testified:

"Live cattle which obviously cannot pass inspection are sent to uninspected plants. This is done not only by the small number of get-rich-quick operators but also by some highly reputable firms.

"The very competitive situation in the industry currently leaves them no alternative. Only Congress can break this cycle by extending meat inspection and by providing the same rules for all."

Mayer also emphasized that even an expert often has a difficult time determining whether good or diseased meat has gone into ground hamburger or processed salami.

The National Farmers Organization and the National Livestock Feeders Association have testified for the bill. Companies who have their products federally inspected are quietly supporting the bill.

The bill also has numerous opponents. The National Farm Bureau Federation opposes it as a further intrusion of federal control into state affairs.

PROPOSE CHANGES

The National Meat Institute, representing the large national firms, and the Independent Meat Packers Association, representing smaller companies, both are professing neutrality, except for proposing changes which supporters feel would weaken the bill.

The National Association of State Agriculture Departments (N.A.S.D.A.) also proposes changes, which the USDA feels would eliminate the needed new authority to control operations to renderers and dog-cat food manufacturers.

After long years of seeking increased regulation, supporters are wary about what the N.A.S.D.A. and the Meat Association may be doing behind the scenes.

NOT "PORK BARREL"—CONCERN FOR NATIONAL RESOURCES AND CONSERVATION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Kluczynski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, I would be disloyal to everything I value in my public life if I failed to join in this defense of my good friend Mike Kirwan, of the House itself, and on a broader scale, of our national resources policies.

Pork barrel has been a convenient shaft in the hands of sensation-seeking editors for a long time, but Reader's Digest, in using the term as the thrust in its latest attack, only proves how poorly it has judged the needs and temper of our people and the wisdom of the Congress. Pork barrel we may have, but the fact is that virtually every major conservation success in our country's history, from the National Park system to the Tennessee Valley Authority to the Soil Conservation Service, has deep roots in what has been commonly referred to as pork barrel politics.

Emphasis in conservation problems shifts with the changing economy and the changing environment, but the importance of these problems will be even greater in the future than it has been in the past. There are more of us in Congress working on natural resource programs than ever before, and there will be even greater numbers in the future, because awareness of the significance of resource development grows.

One of the great mainstays of resource development in this country has been our deep-rooted philosophy that natural resources must be developed in the interest of our economic well-being; that Government development or regulation ensures their use for the greatest interest of all the people; and that governmental action is needed not only for protection against monopolistic exploitation but for the wisest future use. The great conservationists of our history—Powell, Pinchot, Newlands, Norris, the two Roosevelts—have been more concerned with economic justice in the handling of resources than with the mere prevention of waste. Noble as their motives were, these great men were also practical men who recognized the value of politics. It is not coincidence that most major conservation achievements have been associated with political movements labeled progressive or liberal.

Mike Kirwan knows all this. It is this extensive knowledge, and 30 years' experience in the House, where he has demonstrated unfailingly his patriotism, the value of his business experience and his service in city government, his devotion to the good of the country regardless of area or politics, and his unwavering loyalty to his word, that have endeared Mike Kirwan personally and made him one of the most respected Members of this body.

Let Reader's Digest rant "pork barrel" if it wishes. The equivalent language has been directed against every major public works accomplishment, and every guiding hand behind those accomplishments, since Clinton built the Erie Canal. But the "sticks and stones" have not prevented the American people from being grateful to the people who have been responsible for our natural resource development, and they will not prevent the American people from being eternally grateful to Mike Kirwan.

FEDERAL VOCATIONAL TRAINING

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. PATTEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PATTEN. Mr. Speaker, for many years, American industries have pleaded for more trained and skilled workers. Now, through the Job Corps, the Manpower Development and Training Act program and other similar Federal activities, industry is finally obtaining a pool of trained talent, a pool which it can help assimilate into an urbanized, technically specialized society which would otherwise reject it as "unqualified."

The May 1967 issue of Fast Food includes a careful analysis of "Federal Vocational Training," citing the valuable work done in these programs by training young men in the area of food services. Over 1,000 cooks and bakers have been placed in industry from Job Corps food service centers and another 700 are presently being trained.

The article importantly points out three basic areas in which the corpsmen and others must be retrained: "the job itself, basic education and the attempt to build a new attitude toward society, work, and his chances in life."

I have taken the floor in the past to point out the fine work which is done at the Camp Kilmer Job Corps Center in Edison, N.J.—this is just one more enlightening example. The article also points out the excellent job being done at the Gary Corps Center in San Marcos, Tex., in the district represented by my distinguished colleague, the gentleman from Texas [Mr. PICKLE].

The article follows:

FEDERAL VOCATIONAL TRAINING

Frances Roth of the Culinary Institute of America has told the food service industry: "For years industry spokesmen have decried both the shortage of trained workers and the massive spending programs of the Federal Government. Now you have a real opportunity in assisting in training thousands of young workers and at the same time have a direct voice in how the government spends your money. Should you not grasp this unique opportunity, your future criticisms may well lose much of their effectiveness."

Although she was speaking of the Job Corps in particular, the statement is equally true of the entire spectrum of Federal programs.

All Federal activities, including the more familiar Manpower Development and Training Act program (MDTA) and the Job Corps, give the industry a source for training help and trained manpower.

At the Job Corps centers, trained manpower is more than a management phrase; it is a constant effort to fit young people into a society that considers them unfit.

To prepare this person for a job, the Corps first takes him out of his environment to one of the 108 centers. Here, his re-training is divided into three basic areas: the job itself, basic education and the attempt to build a new attitude toward society, work and his chances in life.

In the food service field, Camp Kilmer, New Jersey, is one of the Jobs Corps' outstanding examples. The camp itself is contracted to and run by Federal Electric Co. but the culinary program looks for advice and guidance from associations, companies and colleges with food service programs. Roger Lundy, director of the culinary program at Kilmer, had set up food service training programs for the Army before coming to the Corps. His two basic courses—for cooks and for bakers—have already graduated 178 people since July of 1966 and placed 116 of these in jobs as of Mid-March. A third course in short-order cooking is just getting under way.

The training all takes place in a converted Army mess hall. Instruction is simple and basic—learning the tools of the trade on the first day—but geared to actual practice of skills and actual work conditions. The Corpsmen, for example, set up, cook, serve and clean-up a cafeteria that serves the noon meal for the culinary and transportation schools. In the new short-order course, Corpsmen will learn by operating a counter-and-booth coffee shop at the camp.

From those who have profited from the foodservice programs in Job Corps Centers, nearly 1,000 are at work in the industry and another 700 are now at centers. For all of these, industry cooperation is needed through companies and associations.

Perhaps most notable is the Texas Restaurant Association for its work at the Gary Job Corps Center, San Marcos. Members of TRA helped to plan the program; and they meet to review and evaluate the program. These 2–3 day auditing conferences held at the training site have been the greatest single factor responsible for the high level of realism in the Culinary Arts program at Gary Job Corps Center. Further evidence of this strong cooperation lies in the fact that the Center is an associate member of the Texas Restaurant Association. The Center's staff and trainees enjoy a close link with the real world of foodservice work. Graduates from the training center are nearly all placed through the cooperative effort of the TRA.

Where Job Corps works on a direct contract from the Federal Government, Manpower Development and Training programs work through state agencies and local educational facilities. MDTA is administered jointly by the U.S. Department of Labor and the Office of Education.

The joint sponsorship of the program—Education and Labor—also allows for a variety of programs ranging from those that are strictly institutional to those that are primarily on-the-job. Sheraton Corp. was one of the first to utilize MDTA as a training aid, using an on-the-job approach. The Food Service Executive Assn., Madison, Wis., recently began a 40-week course that will prepare 25 people for jobs as short order cooks.

Programs such as these have been set up throughout the country, adding up to more than 670 projects. The length of the programs vary but average about 27 weeks. At a cost of more than $19 million of Health, Education and Welfare funds, 626 projects exposed more than 22,000 people to the foodservice industry through on-the-job training and institutional programs.

One of the outstanding programs, and one of the first, is in Washington, D.C., at the Armstrong School. The building, formerly a public high school, is now used for adult education classes

Each morning, the students gather in the school's cafeteria kitchen. Under the direction of Randall I. Ward, instructor of the cooking class, they go about their jobs, preparing lunch for themselves and cleaning as they go. In former times, the class prepared lunch for the rest of the school but the budget made this difficult at best and this practice was abandoned. The problems of menus, nutrition, tastes, availability of fresh foods and the chemistry of food are taken up in afternoon classes. In addition, students study budgeting of food money, sanitation, methods of storing food and the mathematics of cookery.

"We don't turn out master chefs," comments Ward. "We don't expect to. But we are training good beginning cooks. When they leave here, they can do a job and do it well. That's a good start for anybody."

The opportunity the finances, the trained personnel are there but they must be wooed. This is not a one-sided problem because every Federal program needs industry support and advice. As Dr. J. Graham Sullivan, deputy commissioner of education, explains: "The only means of assuring effective training is to involve industry people in the programs. It is important that your voice be heard. Federal money allocated to the States for vocational training is not earmarked for food service training. The industry must make its needs known."

LEGISLATION TO AMEND TITLE IV OF SOCIAL SECURITY ACT TO PROVIDE SCHOOL LUNCHES TO CHILDREN RECEIVING ASSISTANCE FROM THE AID TO DEPENDENT CHILDREN PROGRAM

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SISK] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SISK. Mr. Speaker, I am today introducing legislation which would amend title IV of the Social Security Act to provide school lunches to children receiving assistance from the aid-to-dependent-children program and to provide food to families where the State agency has determined that unless food is furnished directly, the family will not receive any such food.

I am sure that many of my colleagues have received, as I have, numerous complaints from both concerned school officials and welfare directors on the number of children who are not receiving a proper school lunch or decent meals at home. Unfortunately, some of our welfare recipients are using their payments for other than the "necessaries of life" or for the welfare of their children.

This legislation provides that any child under the aid to families with dependent children program would receive a school lunch while attending a school, college, university, or a course in vocational technical training designed to qualify him for gainful employment. The cost of the lunch would be deducted from the total amount to be given the welfare recipient.

The second part of the bill would provide that in those cases where there are obvious abuses of the welfare payments, the State agency would be given authority to provide food directly to the affected families who would not otherwise receive a proper diet. The costs of the food would be deducted by the State agency from the recipient's check. This provision is directed only to those individuals that the State and local agencies have determined are misusing their Federal assistance. I think we can all agree that the general populace has magnified these abuses in order to support its opposition to any form of aid to the disadvantaged. I am sure that all of my colleagues are aware State and local agencies cannot now under Federal law correct these abuses without cutting out all assistance. This proposed legislation would assist them in their efforts and at the same time continue to provide aid to the innocent children.

Mr. Speaker, I am sure that all of us who have supported these programs in the past are alarmed at the growing animosity towards all forms of assistance to those now on our welfare or relief rolls. I feel it is important to correct any loopholes or abuses that may occur but I feel it is equally important to assist those who are underage and who may be unfortunate victims. May I urge my distinguished colleagues to join with me in supporting this timely and much-needed legislation.

SECRETARY FREEMAN'S RECORD

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SISK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SISK. Mr. Speaker, I would like to comment on the outstanding stewardship of Secretary of Agriculture Orville Freeman during the more than 6 years in which he has administered the Nation's farm programs.

First of all I would like to associate myself with the remarks of the distinguished chairman of the House Committee on Agriculture, the gentleman from Texas [Mr. POAGE], delivered last week in the House:

> Mr. Freeman is the best Secretary we have had since most of our members came to this House, and he is the best who has been suggested, so let us help him be the kind of Secretary we want.

I can readily understand Secretary Freeman's feeling of anger at a recent statement that—

> *The Administration hopes the war in Viet Nam will bail it out of its farm difficulties.*

No one really believes such an irresponsible charge.

No one, however partisan, can actually believe that the President and the Secretary of Agriculture hope for anything other than a speedy and honorable termination of hostilities in Vietnam.

Unfortunately, several ancient and long-discredited charges against the administration and the Secretary of Agriculture were voiced here on the floor of the House last week.

I believe these charges deserve repudiation once and for all.

The Secretary was charged with "advocating off-shore purchases for Vietnam," when the record clearly shows that off-shore purchases of meat by the Department of Defense this year amounted to less than 1 percent of total DOD purchases.

The charge was made of "curtailment" of DOD pork purchases, and the record, again, shows that DOD pork purchases in 1966 were 14 million pounds above 1965 and this year will be 50 million pounds higher than last year.

The charge of "grain dumping" was repeated and, again, not borne out by the facts: The price of corn rose from $1.02 a bushel up to $1.29 during the time the so-called dumping was supposed to have occurred.

The charge was made that dairy imports have been permitted to flood the American markets. The fact is that the President, acting on Secretary Freeman's recommendation, has ordered a 75-percent reduction in the amount of dairy imports which threatened domestic producers.

The charge also was made that the administration is encouraging the elimination of the family farm. Nothing could be further from the truth. Our farm programs now are operating under the Food and Agriculture Act of 1965, which was enacted following passage by this House. It is designed to encourage the family farm system of agriculture, which has produced the greatest miracle of production the world has ever seen.

Instead of indulging in carping criticism not based on the facts, let us look at the record.

In January, 1961, when Orville Freeman became Secretary of Agriculture, after 8 years of Republican administration, rural America was in real trouble. There was a mountain of wheat in surplus—1.4 billion bushels. The feed grain surplus was equally as bad—85 million tons. Farm income had dropped steadily for 8 years to a low of less than $12 billion. Farm prices had dropped 17 percent between 1952 and 1960. Farmers were confronted with $1 corn and $2 soybeans. Cattle were selling for $20, hogs for $15, and manufacturing milk for $3.25.

The record shows that this trend has been reversed since Orville Freeman became Secretary of Agriculture.

Commodities in surplus are now fast disappearing. Commodity Credit Corporation investments have been sharply reduced. Exports of farm products are constantly increasing. Of most importance to farmers, realized net farm income has substantially increased.

Last year net farm income climbed to $16.3 billion, the second highest in history, while total gross income by farmers was setting an alltime record. Net farm income was 40 percent greater than it was in 1960 and 15 percent higher than in 1965. Realized net income per farm was setting an alltime record at an average $5,024—19 percent higher than the previous year and 70 percent greater than 1960.

Of course, we all recognize there remain farm commodity fields in which farmers are not sharing in this increase—in fact, which remain in serious trouble. But this is not due to lack of attention and concern on the part of Secretary Freeman, and, under his direction, the Department is searching for and is taking where possible, effective steps to bring about income improvement. Some of these inequities exist among farmers in the district I represent, and I want to take this occasion to thank the Secretary and the Department for their continuing concern and assistance.

The enormous surpluses which were all too familiar during the 1950's—before Secretary Freeman took office—are gone. By January 31, 1967, the investments of CCC in farm commodities were down to $4.35 billion, a reduction of $2.45 billion from the previous year and $4 billion less than the peak years of 1956 and 1959.

Of greatest importance, however, is the fact that surpluses have been reduced without depressing farm income. On the contrary, prices of commodities in surplus have moved steadily up as we disposed of commodities in storage.

This then is the record of solid achievement of Orville Freeman on the farm front. His administration of the Department of Agriculture has been wise, judicious, and progressive. He has been and is a diligent, conscientious, and effective Secretary of Agriculture.

HIGHWAY SAFETY STANDARDS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HOWARD. Mr. Speaker, I stand today to acknowledge the quick and efficient work of the Department of Transportation and, in particular, the National Highway Safety Bureau in establishing meaningful standards for State highway safety programs. The standards, announced recently by Secretary Boyd, provide an excellent basis for improvement in 13 areas of highway safety. They also lay the groundwork for unprecedented State-Federal cooperation in protecting the traveling public from the dangers inherent in our mobile society.

I have often wondered at the lack of training and precautionary knowledge required of automobile operators. Perhaps, due to the rather gradual year-to-year evolution of the automobile, we have never fully realized the complex skills needed for efficient operation of the family car. Hours of study and training are required to receive a private pilot's license. Anyone who has been in the service knows of the myriad of licenses required before permission is granted to operate military equipment.

Yet our highways are the scene of 10,000 injuries every day and 1,000 deaths each week. So it is with an appropriate sense of urgency that the States begin to implement the new standards—an urgency that I am confident is felt in every State.

Secretary Boyd said in announcing the standards:

> *They are the opening strategy in an applied effort by the States and the Federal Government to significantly raise our level of driving safety.*

Secretary Boyd realizes, as I am sure the States do, that this is not a one-shot effort, but rather a concerted drive that will be carried on as long as vehicular traffic exists. It is to be expected that immediate problems may arise due to lack of funds, the need for planning and cost estimating, and the need for appropriate action by State legislatures.

But I do not believe any of these problems can long stand in the way of implementing a meaningful highway safety program in every State. The Department of Transportation in the next 6 months will be working closely and diligently with the States to determine cost estimates which can be presented to the Congress.

I am confident that this State-Federal cooperation, both in the early stages of the program and throughout its existence, can only lead to achievement of the goal everyone desires—a safer driving public.

In his message to Congress calling for establishment of the new Department, President Johnson said:

> No function of the new Department—no responsibility of its Secretary—will be more important than safety. We must insure the safety of our citizens as they travel on land, in our skies, and over our waters.

The new highway safety standards and vehicle safety standards, established in the first 3 months of the Department's operation, are outstanding examples of how the President's mission for the new Department has been undertaken. Secretary Boyd and his staff are to be commended.

The foundation for highway safety has been constructed; the challenge has been articulated. It is now up to the States and the people of this Nation to diminish the senseless highway death toll.

HON. ARMISTEAD SELDEN ADDRESSES PAST DEPARTMENT COMMANDERS BANQUET, AT THE 49TH ANNUAL CONVENTION OF THE ALABAMA DEPARTMENT OF THE AMERICAN LEGION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. NICHOLS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. NICHOLS. Mr. Speaker, the 49th Annual Convention of the Alabama Department of the American Legion was held in Mobile, Ala., this past weekend, July 14–16.

The featured speaker at the past department commanders banquet on July 15 was our esteemed colleague, the gentleman from Alabama, the honorable ARMISTEAD SELDEN, chairman of the House Subcommittee on Inter-American Affairs. Congressman SELDEN spoke to the Alabama Legionnaires and their wives on the subject of patriotism and the dangers facing our Nation for the past century. He also discussed a recent report released by the Inter-American Affairs Subcommittee concerning Communist activities in the Latin American area.

Because Congressman SELDEN has been a vigorous and outspoken foe of the international Communist conspiracy, and because his remarks to the Alabama American Legion are particularly appropriate at this point in our Nation's history, I am inserting them in the RECORD so that Members of the House of Representatives can have the benefit of his sage advice concerning the future of our Nation:

REMARKS OF REPRESENTATIVE ARMISTEAD SELDEN, PAST DEPARTMENT COMMANDERS BANQUET, AMERICAN LEGION STATE CONVENTION, MOBILE, ALA., JULY 15, 1967

As a Legionnaire and as a member of the United States House of Representatives, I am very much aware of the outstanding job that is being done by the American Legion in its many and varied undertakings, and I can assure you that it is a high privilege for me to address members of this organization.

I am certain I need not remind those of you here this evening that this is the 50th anniversary year of the entry of the United States into World War One. The first of this century's Great Wars is the historic landmark from which we measure our country's rise to world leadership. And that era is also, as we know, the revolutionary landmark from which our chief adversary in the world today, Communist Russia, measures its own history.

This has been a half century of tremendous achievement for our country and the world. It has also been one of the most turbulent periods in human history. And in terms of suffering, it has certainly been the most devastating.

For out of World War One, the "war to end all wars," were sowed the seeds of a second World War and the confrontation between the Communists and the Western World which has been our chief concern in the past quarter century—a confrontation that has led our country into two costly hot wars in which American blood has and is being spilled in foreign lands.

So it is that in this anniversary year we might well ask ourselves: What went wrong five decades ago when the Western democracies, having won the "war to end all wars," lost the peace? And again, what went wrong when these same democracies, having defeated totalitarian Nazism and Fascism twenty-five years ago, left themselves and the Free World open to the assault of an even more formidable kind of totalitarianism?

Obviously, these questions aren't simply academic. Our ability to learn from our mistakes in making the peace of 1918 and 1945 will determine whether succeeding generations of Americans, every twenty-five years, will have to shed blood in defense of our country's freedom.

Another overriding question—a closely related one, to be sure—is whether the very values for which we fought the great wars of this century—and for which Americans are dying in overseas combat this very moment—are actually in danger of being destroyed here at home.

It was because the 90th Congress recognizes the threat posed by home front attacks on basic American institutions and values that the House recently enacted legislation to outlaw the burning and defiling of our country's flag in public demonstrations. And as a co-sponsor of this legislation, I am hopeful that the Senate also will act favorably on this measure in the near future.

Indeed, it is a tragic commentary on the uses—or should I say the misuses—of freedom to think that there are Americans today who would destroy the very symbol for which 20th century Americans fought and died in the Argonne and at the Meuse—at Bastogne and at Iwo Jima—at Seoul and at DaNang.

Let me add, however, that I agree with the recent statement of the President that these flag burners and draft dodgers do not by any means represent the overwhelming majority of this young generation of Americans. They emphatically do not. And they certainly have nothing in common with the thousands of young Alabamians in our armed services who are today doing their duty to God and country. Throughout the country today there are the many thousands of young men who, as their fathers and older brothers did in previous wars, are responding to their duty to maintain their country's freedom—and to keep the American flag flying as a symbol of that freedom throughout the world.

Yet the war that this generation has been called upon to fight is unlike any of the previous wars which were fought by Americans during this century. It is, in many respects, a more difficult war—and it is certainly a more frustrating war, as daily reports from the war zone tell us.

Tactically, this frustration stems from the difficulty of putting out the fires of a subversive, guerrilla movement in a foreign land, and in a war in which there are no front lines. But in a larger sense, it is a frustration reflected also in the indefinite and blurred goals of our national effort in South Vietnam.

To put it bluntly, *our* generations—the generations that fought in World Wars One and Two—had a clear objective to fight for: *victory* over a totalitarian enemy that threatened the freedom of the world and the security of our homeland.

But the men who fight in Vietnam are tragically denied such clarity of aims. They are being asked to fight what, in effect, is more a political than a military war. To be sure, they are asked to risk their lives—to die—and to watch their friends suffer and die. But they are given no clear answer as to the end result which these sacrifices might achieve.

I am familiar with those who argue that there are no clear simple answers to the challenges and problems facing our nation in a nuclear age. But it seems to me that at any time a country asks its fighting men to risk their all, some clear answer must be given as to what they will achieve by that risk.

For the American fighting man who is engaged in deadly combat with a Communist enemy in South Vietnam, this war has already been "escalated" to the limit. Our country has never before deliberately sent its fighting men into battle without giving them the fullest measure of support. And it should not—cannot—give them anything less in Vietnam.

What then can be done to clear the air of doubt and lack of definite purpose over our Vietnam policy—to give our fighting men there a full measure of political as well as material support?

Our first need, it would seem to me, is to recognize the true nature of the enemy we are fighting in that country. That enemy is not, actually, the Vietcong. For the Vietcong are simply being used as an instrument of the world Communist powers, as were the North Korean aggressors of sixteen years ago.

Our true enemy then remains the world Communist powers themselves, Red China and Communist Russia.

It is Communist Russia which, although talking of peace and coexistence, furnishes the deadly tools that keep the Vietcong's aggression alive in South Vietnam. And it is Red China that encourages and helps supply the North Vietnam war machine that is shipping troops and supplies to the south to kill Americans.

Theorists can talk all they want about the split in the Communist world. But from the practical point of view of the men who are fighting our battles in Vietnam, this theoretical split has no meaning. For regardless of their differences, we must recognize that all Communist nations—Russia, China, the countries of Eastern Europe and position to any form of aid to the disadvantaged. I am sure that all of my colleagues are aware State and local agencies cannot now under Federal law correct these abuses without cutting out all assistance. This proposed legislation would assist them in their efforts and at the same time continue to provide aid to the innocent children.

Mr. Speaker, I am sure that all of us who have supported these programs in the past are alarmed at the growing animosity towards all forms of assistance to those now on our welfare or relief rolls. I feel it is important to correct any loopholes or abuses that may occur but I feel it is equally important to assist those who are underage and who may be unfortunate victims. May I urge my distinguished colleagues to join with me in supporting this timely and much-needed legislation.

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The record shows that this trend has been reversed since Orville Freeman became Secretary of Agriculture.

Commodities in surplus are now fast disappearing. Commodity Credit Corporation investments have been sharply reduced. Exports of farm products are constantly increasing. Of most importance to farmers, realized net farm income has substantially increased.

Last year net farm income climbed to $16.3 billion, the second highest in history, while total gross income by farmers was setting an alltime record. Net farm income was 40 percent greater than it was in 1960 and 15 percent higher than in 1965. Realized net income per farm was setting an alltime record at an average $5,024—19 percent higher than the previous year and 70 percent greater than 1960.

Of course, we all recognize there remain farm commodity fields in which farmers are not sharing in this increase—in fact, which remain in serious trouble. But this is not due to lack of attention and concern on the part of Secretary Freeman, and, under his direction, the Department is searching for and is taking where possible, effective steps to bring about income improvement. Some of these inequities exist among farmers in the district I represent, and I want to take this occasion to thank the Secretary and the Department for their continuing concern and assistance.

The enormous surpluses which were all too familiar during the 1950's—before Secretary Freeman took office—are gone. By January 31, 1967, the investments of CCC in farm commodities were down to $4.35 billion, a reduction of $2.45 billion from the previous year and $4 billion less than the peak years of 1956 and 1959.

Of greatest importance, however, is the fact that surpluses have been reduced without depressing farm income. On the contrary, prices of commodities in surplus have moved steadily up as we disposed of commodities in storage.

This then is the record of solid achievement of Orville Freeman on the farm front. His administration of the Department of Agriculture has been wise, judicious, and progressive. He has been and is a diligent, conscientious, and effective Secretary of Agriculture.

HIGHWAY SAFETY STANDARDS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Howard] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HOWARD. Mr. Speaker, I stand today to acknowledge the quick and efficient work of the Department of Transportation and, in particular, the National Highway Safety Bureau in establishing meaningful standards for State highway safety programs. The standards, announced recently by Secretary Boyd, provide an excellent basis for improvement in 13 areas of highway safety. They also lay the groundwork for unprecedented State-Federal cooperation in protecting the traveling public from the dangers inherent in our mobile society.

I have often wondered at the lack of training and precautionary knowledge required of automobile operators. Perhaps, due to the rather gradual year-to-year evolution of the automobile, we have never fully realized the complex skills needed for efficient operation of the family car. Hours of study and training are required to receive a private pilot's license. Anyone who has been in the service knows of the myriad of licenses required before permission is granted to operate military equipment.

Yet our highways are the scene of 10,000 injuries every day and 1,000 deaths each week. So it is with an appropriate sense of urgency that the States begin to implement the new standards—an urgency that I am confident is felt in every State.

Secretary Boyd said in announcing the standards:

> They are the opening strategy in an applied effort by the States and the Federal Government to significantly raise our level of driving safety.

Secretary Boyd realizes, as I am sure the States do, that this is not a one-shot effort, but rather a concerted drive that will be carried on as long as vehicular traffic exists. It is to be expected that immediate problems may arise due to lack of funds, the need for planning and cost estimating, and the need for appropriate action by State legislatures.

But I do not believe any of these problems can long stand in the way of implementing a meaningful highway safety program in every State. The Department of Transportation in the next 6 months will be working closely and diligently with the States to determine cost estimates which can be presented to the Congress.

I am confident that this State-Federal cooperation, both in the early stages of the program and throughout its existence, can only lead to achievement of the goal everyone desires—a safer driving public.

In his message to Congress calling for establishment of the new Department, President Johnson said:

> No function of the new Department—no responsibility of its Secretary—will be more important than safety. We must insure the safety of our citizens as they travel on land, in our skies, and over our waters.

The new highway safety standards and vehicle safety standards, established in the first 3 months of the Department's operation, are outstanding examples of how the President's mission for the new Department has been undertaken. Secretary Boyd and his staff are to be commended.

The foundation for highway safety has been constructed; the challenge has been articulated. It is now up to the States and the people of this Nation to diminish the senseless highway death toll.

HON. ARMISTEAD SELDEN ADDRESSES PAST DEPARTMENT COMMANDERS BANQUET, AT THE 49TH ANNUAL CONVENTION OF THE ALABAMA DEPARTMENT OF THE AMERICAN LEGION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Nichols] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. NICHOLS. Mr. Speaker, the 49th Annual Convention of the Alabama Department of the American Legion was held in Mobile, Ala., this past weekend, July 14–16.

The featured speaker at the past department commanders banquet on July 15 was our esteemed colleague, the gentleman from Alabama, the honorable Armistead Selden, chairman of the House Subcommittee on Inter-American Affairs. Congressman Selden spoke to the Alabama Legionnaires and their wives on the subject of patriotism and the dangers facing our Nation for the past century. He also discussed a recent report released by the Inter-American Affairs Subcommittee concerning Communist activities in the Latin American area.

Because Congressman Selden has been a vigorous and outspoken foe of the international Communist conspiracy, and because his remarks to the Alabama American Legion are particularly appropriate at this point in our Nation's history, I am inserting them in the Record so that Members of the House of Representatives can have the benefit of his sage advice concerning the future of our Nation:

Remarks of Representative Armistead Selden, Past Department Commanders Banquet, American Legion State Convention, Mobile, Ala., July 15, 1967

As a Legionnaire and as a member of the United States House of Representatives, I am very much aware of the outstanding job that is being done by the American Legion in its many and varied undertakings, and I can assure you that it is a high privilege for me to address members of this organization.

I am certain I need not remind those of you here this evening that this is the 50th anniversary year of the entry of the United States into World War One. The first of this century's Great Wars is the historic landmark from which we measure our country's rise to world leadership. And that era is also, as we know, the revolutionary landmark from which our chief adversary in the world today, Communist Russia, measures its own history.

This has been a half century of tremendous achievement for our country and the world. It has also been one of the most turbulent periods in human history. And in terms of suffering, it has certainly been the most devastating.

For out of World War One, the "war to end all wars," were sowed the seeds of a second World War and the confrontation between the Communists and the Western World which has been our chief concern in the past quarter century—a confrontation that has led our country into two costly hot wars in which American blood has and is being spilled in foreign lands.

So it is that in this anniversary year we might well ask ourselves: What went wrong five decades ago when the Western democracies, having won the "war to end all wars," lost the peace? And again, what went wrong when these same democracies, having defeated totalitarian Nazism and Fascism twenty-five years ago, left themselves and the Free World open to the assault of an even more formidable kind of totalitarianism?

Obviously, these questions aren't simply academic. Our ability to learn from our mistakes in making the peace of 1918 and 1945 will determine whether succeeding generations of Americans, every twenty-five years, will have to shed blood in defense of our country's freedom.

Another overriding question—a closely related one, to be sure—is whether the very values for which we fought the great wars of this century—and for which Americans are dying in overseas combat this very moment—are actually in danger of being destroyed here at home.

It was because the 90th Congress recognizes the threat posed by home front attacks on basic American institutions and values that the House recently enacted legislation to outlaw the burning and defiling of our country's flag in public demonstrations. And as a co-sponsor of this legislation, I am hopeful that the Senate also will act favorably on this measure in the near future.

Indeed, it is a tragic commentary on the uses—or should I say the misuses—of freedom to think that there are Americans today who would destroy the very symbol for which 20th century Americans fought and died in the Argonne and at the Meuse—at Bastogne and at Iwo Jima—at Seoul and at DaNang.

Let me add, however, that I agree with the recent statement of the President that these flag burners and draft dodgers do not by any means represent the overwhelming majority of this young generation of Americans. They emphatically do not. And they certainly have nothing in common with the thousands of young Alabamians in our armed services who are today doing their duty to God and country. Throughout the country today there are the many thousands of young men who, as their fathers and older brothers did in previous wars, are responding to their duty to maintain their country's freedom—and to keep the American flag flying as a symbol of that freedom throughout the world.

Yet the war that this generation has been called upon to fight is unlike any of the previous wars which were fought by Americans during this century. It is, in many respects, a more difficult war—and it is certainly a more frustrating war, as daily reports from the war zone tell us.

Tactically, this frustration stems from the difficulty of putting out the fires of a subversive, guerrilla movement in a foreign land, and in a war in which there are no front lines. But in a larger sense, it is a frustration reflected also in the indefinite and blurred goals of our national effort in South Vietnam.

To put it bluntly, *our* generations—the generations that fought in World Wars One and Two—had a clear objective to fight for: *victory* over a totalitarian enemy that threatened the freedom of the world and the security of our homeland.

But the men who fight in Vietnam are tragically denied such clarity of aims. They are being asked to fight what, in effect, is more a political than a military war. To be sure, they are asked to risk their lives—to die—and to watch their friends suffer and die. But they are given no clear answer as to the end result which these sacrifices might achieve.

I am familiar with those who argue that there are no clear simple answers to the challenges and problems facing our nation in a nuclear age. But it seems to me that at any time a country asks its fighting men to risk their all, some clear answer must be given as to what they will achieve by that risk.

For the American fighting man who is engaged in deadly combat with a Communist enemy in South Vietnam, this war has already been "escalated" to the limit. Our country has never before deliberately sent its fighting men into battle without giving them the fullest measure of support. And it should not—cannot—give them anything less in Vietnam.

What then can be done to clear the air of doubt and lack of definite purpose over our Vietnam policy—to give our fighting men there a full measure of political as well as material support?

Our first need, it would seem to me, is to recognize the true nature of the enemy we are fighting in that country. That enemy is not, actually, the Vietcong. For the Vietcong are simply being used as an instrument of the world Communist powers, as were the North Korean aggressors of sixteen years ago.

Our true enemy then remains the world Communist powers themselves, Red China and Communist Russia.

It is Communist Russia which, although talking of peace and coexistence, furnishes the deadly tools that keep the Vietcong's aggression alive in South Vietnam. And it is Red China that encourages and helps supply the North Vietnam war machine that is shipping troops and supplies to the south to kill Americans.

Theorists can talk all they want about the split in the Communist world. But from the practical point of view of the men who are fighting our battles in Vietnam, this theoretical split has no meaning. For regardless of their differences, we must recognize that all Communist nations—Russia, China, the countries of Eastern Europe and the Soviet-leaning countries of the so-called "neutral" world—are united on one issue: the destruction of the United States as the leading capitalist nation and the prime defender of the Free World.

Considering this fact, it is little short of incredible that some of the theorists who influence our foreign policy in Washington do not recognize the danger of their so-called policy of "building bridges of understanding" to the Communist world, until such time as we see a *genuine* indication that the Red nations are willing to give up their aggressive designs on the Free World.

Needless to say, we should at all times—as indeed our country has always done throughout its history—keep the door open for a true discussion of differences with other nations of the world. But in keeping the door open, the better part of wisdom would require that we stay alert and prepared to defend ourselves against expanded Communist aggression.

In Vietnam, we have seen how the Communist nations hope to bleed the United States in a frustrating, bloody war. And we have also seen how many purported allies and friends of our country—so-called allies whom we have helped and even rescued in the past half century—have shown their gratitude by giving our enemies material aid through trade. Other allies of this country—or perhaps it is more correct to call them erstwhile allies—have all but deserted the camp of the Free World in an effort to placate and appease the Communist bloc.

With the harsh realities in mind—with our country practically carrying the defense of the Free World on its shoulders alone, and with little assistance—the temptation is great to pack up our gear and return home to American shores. After all, it is not boastful—it is, in fact, only reflecting the power realities of the world—to say that the United States can go it alone far better than can the other countries of the Free World.

President De Gaulle of France, for the best example, stands aloof and critical of our countries policy in Vietnam and other parts of the world. But he can afford to talk independently and without fear that the Communist world will overrun France—as did Germany twice before in this century—only because the United States assisted in the rebuilding of France and even today is supplying a nuclear shield for the non-Communist world.

If the United States were to weaken and fall—an end that President De Gaulle's policies often seem directed toward—then France and all of Western Europe, along with the self-styled "neutral" countries of the globe, would overnight disappear into the Communist orbit. And whether they fell into the Russian sphere of that orbit or the Chinese sphere would make little difference in terms of the freedom and independence in their countries.

So it is that we are tempted to withdraw to a Fortress America. But this is a dangerous temptation indeed—and that is the lesson above all that the history of World War One and World War Two has taught us.

The world today—even more than it was in 1945—is too small a place to stand isolated, even for a great nation—even for the greatest, most powerful nation in the world.

If we, out of our frustration in Vietnam and our dissatisfaction with the policies of other nations of the non-Communist world, were to back away from our worldwide responsibilities, then we would soon find ourselves fighting for our lives *not* in far-off lands, but in *our own hemisphere.*

This is not mere rhetoric. It is a well-documented projection for the future, if the United States should indeed disengage from its commitments overseas. The most recent documentation along this line came in hearings held by the House Subcommittee on Inter-American Affairs, which I am privileged to serve as chairman.

The House Inter-American Affairs Subcommittee has long been concerned over the possibility that the Communists would gain a subversive foothold in Latin America, as they have in Southeast Asia. If this occurred, then the tragedy we are seeing unfold in South Vietnam would be repeated many times over in our own hemisphere. The inevitable result would be that our front line of defense against the Communists would move from South Vietnam, across the Pacific, right to our home shores.

Recognizing the critical danger of such a threat, the House Inter-American Affairs Subcommittee keeps a constant watch over the status of the continuing Communist campaign to undermine and overthrow, by violence and subversion, the legitimate governments of Central and South America. That was the subject of our recent hearings. And out of those hearings, at which experts from the Defense and State Departments were questioned in detail, came some disquieting conclusions and recommendations for the nation's and hemisphere's security.

Our hearings verified the fact that far from diminishing, the Castro Communist drive to take over our southern neighbors' governments has been intensified. Communist weaponry and Castroite training is providing the cadre for what may become Vietnam-type guerrilla wars in several nations of Latin America. Venezuela is still high on the list of countries the Castro Communists hope to take over by a guerrilla terrorist revolution. Bolivia is extremely vulnerable to increased Red assault, as is Colombia. And there are several other countries in this area where the situation could become more serious as Communist subversive activities increase.

In view of this growing threat to the hemisphere's security, the Subcommittee made a number of recommendations. We hope that these recommendations will be heeded—for if these guerrilla movements are not nipped in the bud, a decade from now we may find the bleeding guerrilla war of Vietnam has spread like a contagion to our own hemisphere.

We recommended that United States military assistance and aid to Latin governments under Communist attack be geared to meet the specific needs of paramilitary and counterinsurgent warfare. As we have found in Vietnam, the military approach used in former wars of this century simply isn't applicable to jungle and hill-country guerrilla fighting. We recognize the need to strengthen the economic muscle of Latin American countries, but urge that these countries themselves move quickly to bolster their economies through sound fiscal policies.

We also urged that the Latin countries themselves take the initiative in improving the quality of their own anti-insurgent effort. For ultimately, it is the people of a country themselves who must carry the fight to the enemy if their homes and freedoms are to be safeguarded. No matter how rich and powerful the United States is, we cannot hope to guarantee and preserve the freedom of any people that do not themselves want to make the necessary sacrifices to stay free and independent.

In addition, our report points out that the Subcommittee supports the objectives of the current meeting of the Organization of American States which is examining Venezuela's complaint against Cuba and recommends that the OAS consider ways and means of strengthening existing measures. The report suggested that additional measures of defense—such as naval and border patrols—be considered in order to prevent Communist infiltration.

Our Subcommittee also urged our State Department to apply more forceful pressure against so-called friends and allies who continue to trade with and otherwise support the Castro Communist government.

Finally, the essence of our recommendations for United States policy in Latin America is that we recognize there—as we must come to recognize in Vietnam—the true nature of our enemy, the Communists, and their plans for world domination.

Failure to recognize an enemy—and to stop the growth of that enemy's power and aggression at an early stage of development—was the chief failure that led to loss of the peace fifty years ago, and again 25 years ago. And, this same foolish unwillingness to stand firm against aggression has cost us American lives and resources again and again during these critical post-war years.

Thus, unless we are to waste the sacrifices of all these years—and of the young men who are engaged today in a war as bloody and fearful as any our country has ever waged—we must wake up to the realities of the dangerous world in which we live. For, if we ignore or back away from the threat of totalitarian aggression, be it aggression of the Right or Left, we do so only at the risk of losing our own freedoms.

"The best of prophets of the future," as George Gordon Lord Byron once said, "is the past." This statement, unfortunately, has proven true too many times during these 50 years of war and peace. Every concession to aggressive forces in time of peace has in effect prophesied the next war. But can we afford to let this happen again? No, we cannot. Instead, we must learn and profit from the errors of the past and apply the many lessons of these five decades toward the end that 50 years from today, the flag of the United States—and all it stands for in terms of God and country, human freedom, and dignity—may continue to fly over a land of the free and the brave.

CAPTIVE NATIONS WEEK

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TUNNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. TUNNEY. Mr. Speaker, the week of July 17 has been designated as Captive Nations Week, in order to direct the attention of world opinion to the denial of the fundamental freedoms and human rights of the peoples of the eastern and central European nations.

For the peoples of the United States and the Soviet Union, this past year is keynoted by increased mutual understanding and diminishing suspicions, by a growing curiosity about cultural and technological heritages, and by mounting concern over a common enemy. During no year since the end of the Second World War have the two nations seemingly resented each other less.

Our burgeoning sympathies of friendship and understanding have proven a force of no minor consequence in directing the run of world events. Compromise of ideologies, constructive joint action of the two great powers—these are still achievements of the future. But if the foundations of communication between the United States and the Soviet Union do not crumble, perhaps advances will be made, world tension will be reduced, and the peoples of the world can seek the pleasures of life. Such is the future ideal.

But let us examine for a moment what constitutes the present reality.

Today a great force is motivating those in our world who have not as yet been allowed to find political sovereignty and independence. It is a force which touches the daily life of the individual more acutely than the side effects from the knotting of lines between ourselves and the Soviet Union. It is a force which moves from within the human being, compelling him to act as his will dictates.

It has been called the equalitarian revolution, the revolution of rising expectation, and has been linked with the shrinking pains of the world and the equality of desire.

But no one of these terms describes this phenomeon sufficiently. Its consequences are too diverse, its manifestations too complicated to be categorized under a single phrase.

Yet this force does not defy understanding, for its appearance as the motivating force in action is frequent and recognizable. It appeared in 1953 when the East Berlin laborers rioted against their imposed government, and again in 1956 in Hungary and Poland. A people's desire for self-determination, a peoples reaction to the Communists' consoling opiate, "You never had it so good," with cries of "Our bodies are fed and clothed, but our minds are slaves and our hearts are empty."

More recently this force has been concretized by the independence of a Marshal Tito and the defiance of Comecon by Rumania's Ceausescu.

Our relationships with the Soviet Union have, in the near past, evolved a certain diplomatic openness. The leaders of the two countries have conferred together and space treaties have been signed. We would like to believe that such actions will lead to a future of expanded cooperation. We hold a popular hope for a friendly Soviet Union competing with us peacefully in a world market of independent nations. But we should not forget about the shots which can be heard nightly from behind the Berlin wall; about the imprisoned artists and writers of Eastern Europe; about the 26 divisions of Russian troops standing ready in Eastern Europe to repress the desires of non-Russians—people who have felt the winds of freedom, people who would ask only for the return of their inalienable rights.

Our friends in eastern and central Europe have spent still another year unwillingly fettered to Soviet Russia. Their desire to find release from this enslavement has intensified and they have begun to loosen the knots of their bindings. In defiance of Soviet demands, Rumania has conceded diplomatic recognition to her second leading commercial partner, West Germany. Hungary, Bulgaria, and Czechoslovakia and Poland have taken new roads into the fields of abstract art, experimental dance, and avant garde theater. And Yugoslavia has continued her independent directions of development.

Mr. Speaker, in our tentative groping for a detente with the Soviet Union, we must not allow the central and east European peoples to believe that we have forgotten them. We must reassure them of our support for their experiments in independence. And to those who would ask our aid in achieving political-economic independence from the Soviet Union, we must lend the fruits of our great economic system. Let us stretch to grasp the hands of our friends in Eastern Europe, that they might find the strength to pursue their dreams.

WIRETAPPING AND ELECTRONIC EAVESDROPPING

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, Attorney General Clark's announcement forbidding wiretapping and electronic eavesdropping by agents of the Justice Department without specific authorization by the Attorney General himself is a major, but only a partial step forward toward safeguarding the individual's right to privacy. I was gratified not by the fact that this memorandum is going to be a panacea of safeguards to the individual's privacy, but by the fact that it shows most dramatically the growing awareness of the threats posed by our burgeoning electronic snooper technology in our fishbowl society.

I introduced a bill on January 10, 1967, which would forbid any Government agency from using any wiretapping or electronic eavesdropping device unless the use had previously been approved by the head of the department or agency and only upon a determination that such use would be vital to the national security. My bill requires, in addition, that all such authorizations be reported to the Speaker of the House of Representatives and the President of the Senate. Congressional participation in control is essential to the protection of the individual American citizen from the overzealous use of these devices by agencies of the Government. This safeguard is not new to a government based on checks and balances.

Justice Louis Brandeis, writing in the Harvard Law Review, long before his ascension to the High Court, said:

> Solitude and privacy have become more essential to the individual; but modern invention and enterprise have, through invasions upon his privacy, subjected him to mental pain and distress far greater than could be inflicted by mere bodily injury.

It is no wonder that in his famous dissent in the landmark Olmstead case in 1928, he prophesied that the failure to understand the intrusions on personal liberty permitted by advancing technology presented "the greatest danger to liberty." The rapidly accelerating rate of technological achievement makes this statement frighteningly clear today.

Mr. Speaker, wiretapping and eavesdropping have long been problems and their threat recognized and fought against, but they have received little attention from the general public. The advancements of science in the 20th century, however, have overridden the previously plodding advances of snoopers and those who would intercept the private conversations of others. Today it is possible to make transmitters smaller than a dime and, yet powerful enough to transmit conversations several city blocks. Special cameras and television apparatus, using infrared radiation, can show movements clearly from 40,000 feet or 400 feet with ease and clarity. Other equipment can penetrate great distances to pick up sounds and some sound wave equipment can detect sounds through a solid wall and from a distance of a city block. These devices are very easily attainable at a low cost. Wiretaps no longer need be directly placed on the phone, but telephonic conversation can be intercepted instead simply by placing certain types of coils near the telephone. In other words, modern electronics engineering is bringing to the eavesdropper greater efficiency and security in his snooping, while at the same time subjecting the object of the eavesdropper's attention to less security, to less chance of success in guarding his privacy, and even to less awareness of the invasion of his privacy. Most people now know all about this; appallingly enough, a great many people feel that it is a necessary part of life and are willing to accept it without regard to the effects on our liberty and freedom. And if this is not obvious to us, consider the consequences to our children.

There is little doubt that prosecutors—local, State, and Federal—would have an easier time if they could wiretap and eavesdrop without restriction, but we have a wide spectrum of prosecutors and their tactics ranging from Frank Hogan of New York to James Garrison in New Orleans. There is no doubt that there would be an increase in the number of convictions if this evidence were allowed in court. But there is also little doubt that an authoritarian state is much more efficient in suppressing crime and corruption than a democracy, and I do not hesitate to attribute that efficiency to the use of the very devices I am speaking of today. While suppressing crime and corruption, these devices just as certainly and surely suppress the liberties and freedoms of the individual which we in the United States have grown to hold supreme, or have we forgotten that this is what America is all about? The basic concept of the American legal system is that a man is presumed innocent until proven guilty by the jury finding him guilty beyond a reasonable doubt. The placing of a "bug" or wiretap on a person and on his movements and conversations also surrounds him with an aura of guilt and a veil of suspicion. He is, in effect, guilty until he proves himself innocent by his remarks and conversations. As Justice Brandeis said:

> All invasions on the part of the government and its employees of the sanctities of a man's home and the privacies of life . . . (are) the invasion of his indefeasible right of personal security, personal liberty and private property, where that right has never been forfeited by his conviction of some public offense.

Mr. Speaker, there has been great fear expressed throughout the country at the increasing rate of crime in America. FBI statistics show an alarming increase in murder, rape, robbery, and aggravated assault that outstrips even our birth rate. But I submit that these are the very crimes that will not be stopped by the use of eavesdropping and wiretapping devices. These are the crimes that are best solved and prosecuted by conventional methods of evidence gathering and by eliminating the sociological reasons for these facts.

It is certainly indisputable that some crime is organized; probably some of it was organized well before the advent of the infamous "James" brothers. The history of gambling attests to that conclusion. But is the threat to our society from organized crime so great that in order to combat it, we must put a match to the Bill of Rights?

Similarly, is the need for statistics and statistical studies so great that we must put a continuous biography of every American citizen into a computer and call it a National Data Center, as some would propose, even if such a data center could easily become a Dossier Bank that would place our people in a position of fear and our Government in a position of peril? Can the flag of "efficiency and economy" justify the dehumanization of our society? I think not.

In the rapidly accelerating gap between technology and the law, we are faced with a new and critical problem in protecting the privacy of the individual, the enormity of which we cannot afford to ignore. Where do we draw the line between what might be helpful to one discipline but harmful to society as a whole? I sometimes think that had there been no "Mafia," modern bureaucracy might well have found the need to create one. The spector of a "Mafia" or the slogan of organized crime is no substitution for a real answer to the fundamental question of how far we should go in the destruction of our Bill of Rights in the pursuit of real or fictitious criminals. For as was illustrated in the "Hate Goldstein Hours" of George Orwell's "1984," it is always necessary to have a target to divert the attention while the rights of the people are taken away.

Perhaps one way of reducing the present gap between law and technology would be a real attempt at protecting the many rather than considering them expendable while advancing the interests of the few. We could make a step in the right direction by adopting a realistic wiretapping and eavesdropping bill and by clearly defining our terms in limiting their use to the protection of our national security in unequivocable and unmistakable terms.

The term "national security" as used in my bill is intended to embrace such crimes as treason, espionage and sabotage—those crimes which threaten to harm irreparably the national existence.

National security cases have almost unanimously been considered justification for the use of wiretapping and eavesdropping devices. Attorney General Brownell said in a 1954 law review article:

> The essential thing is that we do not put off any longer authorizing the admissibility of wire tapped evidence obtained by government agents in those cases involving the national security or defense.

Mr. Speaker, we should clear up the obscurity and uncertainty that surround the use of wiretapping and electronic eavesdropping evidence. I am hopeful that this 90th Congress will act in this area by passing my bill which prohibits all wiretapping and eavesdropping by the Federal Government, except in those cases threatening the national security and then only with notification to the Congress. We will then protect the individual citizen from both internal and external threats. As it is, he now lives in the shadow of both.

The time is here when we can no longer procrastinate on a decision in this area, for to delay is in itself a decision. It is a decision to abandon all hope of coping with new problems that confront our civil liberties in this modern scientifically sophisticated world. The time has come not to put off these decisions—the time is overdue to meet these problems. Scientific and electronic achievement pose many new threats which have yet to surface in easily understood terms, but we must begin to think about their effects and to enact laws that are comprehensive enough to meet these modern challenges.

Let us write a law that is clear, and let us write laws that will begin to protect the individual in the "pursuit of happiness" as well as his life and liberty. I think a meaningful wiretapping and eavesdropping law would be at least a start in that direction.

I would like to insert at this point a recent article by Tom Wicker of the New York Times on the wiretapping issue and a recent editorial from the Times:

[From the New York Times, July 11, 1967]

In the Nation: Is Wiretapping Worth It?

(By Tom Wicker)

WASHINGTON, July 10.—Attorney General Ramsey Clark, by administrative action, has forbidden all wiretapping and virtually all bugging by Federal agents, except in national security cases. Clark does not believe these are effective tools of law enforcement, but some who do are scheduled to make their case in hearings before Senator McClellan's subcommittee this week.

Clark and President Johnson have proposed legislation that would outlaw all wiretapping and bugging by anybody except Federal agents in national security cases. Another bill, drafted by G. R. Blakey of the Notre Dame Law School and tomorrow's first witness, would set up procedures for authorized eavesdropping by Federal and state agents as a weapon against serious crime.

CURBS IN PROSPECT

No one seriously defends wiretapping or bugging by private parties or by unauthorized policemen, and it is likely that these practices, the divulging of anything learned by them, and the manufacture and distribution of the equipment that makes them possible, will be entirely prohibited.

The real question is the extent to which the police and Federal agents should be authorized to use either practice in criminal law enforcement. An answer requires a determination whether these practices are good law-enforcement tools, and whether they can be administered without abuse.

THE MOST VALUABLE WEAPON

District Attorney Frank Hogan of New York is convinced that they are and they can. He told the New York State Constitutional Convention on June 7 that wiretapping was his "single most valuable and effective weapon . . . particularly against organized crime." He denied, however, wholesale use of this weapon.

In New York County in 1966, Hogan said, about 65,000 criminal matters had arisen, but only 73 wiretap orders were obtained (and 36 renewals of such orders). As for effectiveness, he said that in the ten years before the Supreme Court ruled in 1958 that wiretap evidence was inadmissible, his office had legally made 733 wiretap installations, caused 465 arrests on the evidence obtained, and secured 364 convictions.

Most of these convictions were in the areas of organized crime and racketeering, and Hogan contended that the peculiar nature of these activities—highly organized, highly secret, highly efficient—made wiretap evidence the only effective weapon against them.

He also made the telling point that not even Ramsey Clark wants to outlaw wiretapping in national security cases; this, Hogan contended, was "tantamount to a concession that wire interception and eavesdropping are essential weapons of detection against elaborate, organized criminal conspiracies."

Hogan also said investigating committees had found no abuses of eavesdropping practices by his office and that the rights of individuals had never been invaded or abused.

Yet, only a week after this testimony, the Supreme Court found that what he had called New York's "model" eavesdropping law authorized "general" rather than specific search warrants, did not require the police to specify the crime being investigated, and did not require the "bug" to be removed once the evidence sought had been found.

The Court made it doubtful that bugging could ever square with its interpretation of the Fourth Amendment, which limits police searches; it apparently required, for instance, that the criminal to be bugged had to be notified of the auditory "search" of his premises.

UNLAWFUL BUGGING

As for wiretapping, whatever Hogan's experience, Federal agents have been accused of tapping and bugging without authorization, cases have been thrown out of court because of it, and not long ago J. Edgar Hoover and former Attorney General Robert Kennedy disputed publicly as to whether Hoover's G-men had eavesdropped without even Kennedy's knowledge.

Frank Hogan and others may be right that effective law enforcement needs authorized eavesdropping, Ramsey Clark to the contrary. But they have yet to show, in the McClellan hearings or elsewhere, that any set of controls can guarantee that eavesdropping will not be abused by zealous or careless law agencies; and that this practice is so essential to the public safety that the risk has to be taken anyway.

[From the New York Times, July 13, 1967]

Plugging the Electronic Ear

Unless Federal police officials and the Office of Attorney General itself adhere strictly to the new regulations that forbid all wiretapping and control eavesdropping, the real intent of these commendable limitations may be honored in the breach. For the proscriptions must be respected in both legal and moral terms if safeguards against invasion of privacy are not to be overpowered by authorized trespass in the name of fighting organized crime.

Attorney General Clark's recent memorandum is strongly against wiretapping (intercepted telephone talks) and bugging (hidden microphones). In the past the Justice

Department has sanctioned wiretapping to obtain leads, so long as discovered information was not divulged; now the very act of wiretapping is prohibited. As to bugging, an "out" existed for some types of electronic surveillance where conversations could be picked up without technical trespass; now anticipating a Supreme Court decision next fall on this issue, the Attorney General has blocked this kind of interception.

The Attorney General reserves for himself a good deal of leeway in allowing eavesdropping of non-telephone conversations with mechanical or electronic equipment. If they follow certain strict procedures of notification, police investigative agencies will still be able to pursue this practice in the war against crime with the Attorney General's consent.

The entire matter of eavesdropping, wiretapping and privacy still demands Congressional action to insure uniform Federal and state police procedures, including control over private and industrial invasions. The constitutional protection of the Fourth Amendment against unreasonable searches and seizures requires spelling out in this era of sophisticated snooping.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FINDLEY (at the request of Mr. THOMPSON of Georgia), for 60 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. SIKES for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. THOMPSON of Georgia) to revise and extend their remarks and to include extraneous matter:

Mr. RIEGLE, for 60 minutes, on July 20, 1967.

Mr. QUILLEN, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. BATES (at the request of Mr. THOMPSON of Georgia) to extend his remarks during general debate on Senate Joint Resolution 81, and to include extraneous matter.

Mr. ANDERSON of Illinois (at the request of Mr. THOMPSON of Georgia) to extend his remarks during debate on Senate Joint Resolution 81, and to include extraneous matter.

Mr. MADDEN and to include a letter.

Mr. HORTON and to include extraneous matter.

(The following Members (at the request of Mr. THOMPSON of Georgia) and to include extraneous matter:)

Mr. WINN.

Mr. MCCLORY.

(The following Members (at the request of Mr. EDMONDSON) and to include extraneous matter:)

Mr. EVINS of Tennessee in two instances.

Mr. PURCELL.

Mr. ROYBAL.

Mr. DORN.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 25. An act to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 81. Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on July 14, 1967, present to the President, for his approval, a bill of the House of the following title:

H.R. 10918. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

ADJOURNMENT

Mr. EDMONDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 9 minutes p.m.), the House adjourned until tomorrow, Tuesday, July 18, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

920. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Commodity Exchange Act, as amended; to the Committee on Agriculture.

921. A letter from the Director, Agricultural Economics, Department of Agriculture, transmitting a report of a study of the parity income position of farmers, pursuant to the provisions of the Food and Agriculture Act of 1965; to the Committee on Agriculture.

922. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a notification of the location, nature, and estimated cost of certain additional facilities projects proposed to be undertaken for the Air National Guard, pursuant to the provisions of 10 U.S.C. 2233a-(1), and pursuant to the authority delegated by the Secretary of Defense; to the Committee on Armed Services.

923. A letter from the Chairman, the Franklin Delano Roosevelt Commission, transmitting the 10th Interim Report of the Franklin Delano Roosevelt Memorial Commission, pursuant to the provisions of Public Law 84-372; to the Committee on House Administration.

924. A letter from the Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 279-B, *The Blackfeet and Gros Ventre Tribes of Indians, residing upon the Blackfeet and Fort Belknap Reservations in the State of Montana, Petitioners*, v. *The United States of America, Defendant*, pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

925. A letter from the Attorney General, transmitting a report of awards of the young American medals for bravery and service for 1965, pursuant to the provisions of Stat. 397-398; to the Committee on the Judiciary.

926. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 27, 1967, submitting a report, together with accompanying papers and an illustration, on a letter report on Columbia River at Brewster, Wash., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted June 28 and July 31, 1957, no authorization by Congress is recommended as the desired improvements are being accomplished by other interests; to the Committee on Public Works.

927. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 11, 1967, submitting a report, together with accompanying papers and an illustration, on Ouachita River and tributaries, Arkansas and Louisiana, Harding drain, Pine Bluff, Ark., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 3, 1959, construction of the necessary rectification measures has been initiated under existing authorities, no additional authorization by Congress is recommended to provide a more comprehensive plan of improvement; to the Committee on Public Works.

928. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 15, 1967, submitting a report, together with accompanying papers and an illustration, on a letter report on Sandy Bay, Mass., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted May 20, 1954, and March 30, 1955; to the Committee on Public Works.

929. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 17, 1967, submitting a report, together with accompanying papers and an illustration, on a survey of Hammonds Cove entrance to Locust Point Harbor, N.Y., authorized by the River and Harbor Act approved July 3, 1958; to the Committee on Public Works.

930. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 17, 1967, submitting a report, together with accompanying papers and an illustration, on a letter report on Lake Worth side channel, Florida, requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 10, 1962; to the committee on Public Works.

931. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend the District of Columbia Education Act; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee of conference. S.J. Res. 81. Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees (Rept. No. 485). Ordered to be printed.

Mr. POAGE: Committee on Agriculture. H.R. 472. A bill to authorize the Secretary of Agriculture to purchase certain land from Texas Southmost College, Brownsville, Tex. (Rept. No. 486). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 547. A bill to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes (Rept. No. 487). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. H.R. 5037. A bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; with amendment (Rept. No. 488). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DORN:

H.R. 11479. A bill to amend the Railroad Retirement Act of 1937 to provide that men who have attained the age of 62 may retire on a full annuity thereunder upon completion of 30 years of service; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN of Pennsylvania:

H.R. 11480. A bill to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes; to the Committee on Agriculture.

By Mr. HALL:

H.R. 11481. A bill to amend the Internal Revenue Code of 1954 with respect to returns and deposits of the excise taxes on gasoline and lubricating oil; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 11482. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. MADDEN:

H.R. 11483. A bill to provide for the control or elimination of the alewife and other such pests in the waters of the Great Lakes; to the Committee on Merchant Marine and Fisheries.

By Mr. PETTIS:

H.R. 11484. A bill to amend section 3 of the act of July 23, 1955 (ch. 375, 69 Stat. 368); to the Committee on Interior and Insular Affairs.

By Mr. REUSS:

H.R. 11485. A bill to provide for the control of the alewife and other fish and aquatic animals in the waters of the Great Lakes which affect adversely the ecological balance of the Great Lakes; to the Committee on Merchant Marine and Fisheries.

By Mr. SIKES:

H.R. 11486. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on honey and honey products and to impose import limitations on honey and honey products; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 11487. A bill to amend the tariff schedules of the United States with respect to the rate of duty on irradiated fresh, chilled, or frozen fish; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 11488. A bill protecting the members of the Armed Forces and their families from threatening and harassing communications; to the Committee on the Judiciary.

By Mr. BROYHILL of North Carolina:

H.R. 11489. A bill to amend title 38 to provide that service in the Women's Army Auxiliary Corps shall be considered active duty in the Armed Forces of the United States; to the Committee on Veterans' Affairs.

By Mr. COHELAN:

H.R. 11490. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

By Mr. CURTIS:

H.R. 11491. A bill to amend subsection (b) of section 512 of the Internal Revenue Code of 1954 by making it clear that the income, including subscription and advertising income, derived by an organization in carrying on any publication, such as a trade or professional journal, shall not be deemed to be unrelated business taxable income if the publication is substantially related to the purpose or function constituting the organization's basis for its tax exemption; to the Committee on Ways and Means.

H.R. 11492. A bill to amend subsection (c) of section 501 of the Internal Revenue Code by making it clear that the tax exemption of a civic league or organization exclusively for the promotion of social welfare shall not be affected because of income, including subscription and advertising income, derived from carrying on any publication, such as a journal, which is substantially related to the purpose or function constituting the organization's basis for its tax exemption; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 11493. A bill to amend title 18 of the United States Code to prohibit travel or use any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.R. 11494. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHWENGEL:

H.R. 11495. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work, and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

By Mr. WIDNALL (for himself, Mr. Rodino, Mr. Frelinghuysen, Mr. Thompson of New Jersey, Mrs. Dwyer, Mr. Cahill, Mr. Daniels, Mr. Gallagher, Mr. Howard, Mr. Hunt, and Mr. Sandman):

H.R. 11496. A bill relating to the carryover of net operating losses of certain railroad corporations; to the Committee on Ways and Means.

By Mr. WILLIS:

H.R. 11497. A bill to amend title 18 of the United States Code so as to prohibit the transportation and shipment in interstate or foreign commerce of alligators and alligator hides taken in violation of Federal or State laws; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 11498. A bill to amend the Military Selective Service Act of 1967 in order to provide for the deferment of police officers from training and service under such act; to the Committee on Armed Services.

By Mr. BOGGS (for himself, Mr. Halpern, Mrs. Kelly, Mr. Patten, Mr. Gilbert, Mr. Wolff, and Mr. Dulski):

H.R. 11499. A bill to encourage and assist private enterprise to provide adequate housing in urban poverty areas for low income and lower middle income persons; to the Committee on Ways and Means.

By Mr. BOGGS (for himself, Mr. Halpern, Mrs. Kelly, Mr. Patten, Mr. Gilbert, Mr. Wolff, Mr. Dulski, and Mr. Kupferman):

H.R. 11500. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 11501. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 11502. A bill to encourage and assist private enterprise to provide adequate housing in urban poverty areas for low income and lower middle income persons; to the Committee on Ways and Means.

H.R. 11503. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts:

H.R. 11504. A bill to continue until the close of December 31, 1967, the existing suspension of duties on certain forms of nickel; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 11505. A bill to permit retired personnel of the Armed Forces to receive benefits under chapter 81 of title 5, United States Code, relating to compensation of Federal employees for work injuries; to the Committee on Education and Labor.

By Mr. MATHIAS of Maryland:

H.R. 11506. A bill to amend title 5, United States Code, to provide leave for Government employees who are members of local public school boards to attend regularly scheduled meetings of such school boards; to the Committee on Post Office and Civil Service.

By Mr. MILLER of Ohio:

H.R. 11507. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 11508. A bill to amend the Communications Act of 1934 to provide for the regulation of television network broadcasting of sports events to assure that such broadcasting is in the public interest; to the Committee on Interstate and Foreign Commerce.

H.R. 11509. A bill to establish a procedure whereby all candidates for elective Federal office may receive financial assistance from the Treasury to assist in defraying their election campaign expenses, and to repeal the Presidential Election Campaign Fund Act of 1966; to the Committee on Ways and Means.

H.R. 11510. A bill to encourage and assist private enterprise to provide adequate housing in urban property areas for low income and lower middle income persons; to the Committee on Ways and Means.

H.R. 11511. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 11512. A bill to amend title IV of the Social Security Act to provide school lunches to children receiving aid to families with dependent children and to provide food to such families; to the Committee on Ways and Means.

By Mr. SMITH of New York:

H.R. 11513. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. BENNETT:

H.J. Res. 716. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. BOGGS:

H.J. Res. 717. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. BOW:

H.J. Res. 718. Joint resolution amending the Budget and Accounting Act, 1921, as amended; to the Committee on Government Operations.

By Mrs. GREEN of Oregon:

H.J. Res. 719. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. LANDRUM:

H.J. Res. 720. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. ROBISON:

H.J. Res. 721. Joint resolution to consent to and enter into the Mid-Atlantic States air pollution control compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.J. Res. 722. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.J. Res. 723. Joint resolution proposing an amendment to the Constitution of the United States granting representation in the Congress to the District of Columbia; to the Committee on the Judiciary.

By Mr. PETTIS:

H. Con. Res. 413. Concurrent resolution concerning a World Farm Center; to the Committee on Agriculture.

By Mr. HALPERN:

H. Con. Res. 414. Concurrent resolution to clarify the proper extent of the U.S. military commitment to the Republic of the Congo; to the Committee on Foreign Affairs.

By Mr. TUNNEY:

H. Con. Res. 415. Concurrent resolution calling for the restoration of freedom to the peoples of Eastern and Central Europe; to the Committee on Foreign Affairs.

By Mr. BOW:

H. Res. 744. Resolution providing for a thorough review of U.S. policy toward the Soviet Union; to the Committee on Rules.

By Mr. McCLORY:

H. Res. 745. Resolution providing for thorough review of U.S. policy toward the Soviet Union; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

257. The SPEAKER presented a memorial of the Legislature of the State of California, relative to the Common Varieties Act; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 11514. A bill for the relief of Lillian Marie Gederon; to the Committee on the Judiciary.

H.R. 11515. A bill for the relief of Vincent C. Lombardi; to the Committee on the Judiciary.

By Mr. DULSKI (by request):

H.R. 11516. A bill for the relief of Dr. Cesar R. Estoye; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 11517. A bill for the relief of Wenifreda Miguel; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 11518. A bill for the relief of Mrs. Antonia Farina Avenger; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.R. 11519. A bill to provide for the issuance of a license to practice the healing art in the District of Columbia to Mohammed Hosain Amirgholi, M.D.; to the Committee on the District of Columbia.

By Mr. QUILLEN:

H.R. 11520. A bill for the relief of Minobu Miki; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

127. By the SPEAKER: Petition of southern Missouri legislators and governmental officials, Jefferson City, Mo., relative to the impact of Federal land acquisition on residents of the State of Missouri; to the Committee on Agriculture.

128. Also, petition of Henry Stoner, Portland, Oreg., relative to the CONGRESSIONAL RECORD Index; to the Committee on House Administration.

EXTENSIONS OF REMARKS

Results of 1967 Public Opinion Questionnaire in 12th Illinois Congressional District

EXTENSION OF REMARKS

OF

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1967

Mr. McCLORY. Mr. Speaker, I am pleased to report the interesting results of the 1967 public opinion poll which I recently conducted in the 12th Congressional District of Illinois.

In April 1967, I distributed approximately 140,000 questionnaire cards to the residents of the 12th Illinois District, an area comprising Lake County, McHenry County, and Barrington and Hanover Townships in Cook County. By May 31, 1967, a total of 15,854 properly marked cards were returned and tabulated. These represented about 12 percent of the distribution. Additional returns are continuing to arrive in my Washington office, even now.

This year I utilized a special IBM punchcard so that the questionnaire returns could be machine tabulated. Also, the use of automatic data processing equipment made possible a more careful and accurate analysis of the questionnaire replies.

In addition to 10 questions on issues of significance to the Nation, the 12th District citizens were asked to identify themselves by age group, occupation, and party preference. This personal information made possible an interesting analysis of returns on the basis of the individual's age, political affiliation, and occupation.

One of the most interesting questions is that dealing with the United States' policy and presence in Vietnam. Altogether 87.8 percent of the 12th District citizens approved the present or even stronger American involvement in Vietnam: 62.9 percent favor using sufficient military power to clear South Vietnam of Communists; 9.7 percent favor greater use of air and sea power; 7 percent favor holding South Vietnam; and 8.2 percent favor continuing the present policy. Of special interest was the similar viewpoints of citizens of different ages, occupations and political preferences.

Mr. Speaker, I should add that the political party response to the questionnaire—which appears to be overwhelmingly Republican—is not indicative of the true Republican-Democratic proportions within the 12th Congressional District. The ratio of Republicans to Democrats in the 12th Illinois District is not 6 to 1 as the questionnaire returns suggest, but more like 2 to 1 or 3 to 1—at this time—as recent election results show. If, for political reasons, some normally Democratic voters have declined to respond to the questionnaire which I circulated, this is—of course—regrettable. Very few of the great national issues are to be decided along strictly partisan lines. As Representative in the Congress of both Democrats and Republicans, I have been anxious to receive the views and to give appropriate recognition to the position of both Republicans and Democrats on the various issues. I am suspicious that many of those voters—24 percent of the total—who described themselves in the questionnaire as "independents" may, in elections, support various Democratic candidates. This would make the ratio of Republicans to Democrats more consistent with the ratio as revealed on election days.

In the face of a threatened tax increase, the questionnaire returns are most persuasive. Twelfth District citizens have voted better than 9 to 1 against the proposed 6-percent surcharge tax increase. Even a larger percentage prefers to have our economic problem resolved by reducing nondefense spending.

The response to the proposal to transfer some of our national holidays to Monday, in order to provide the benefit of 3-day holiday weekends, was most enlightening in view of the forthcoming hearings in both the House and the Senate. The better than 2 to 1 support of the Monday Holiday bill appears quite uniform among all age groups, as well as among those in blue-collar and white-collar occupations. However, those engaged in agriculture have little sympathy for setting Memorial Day on the last Monday in May or Veterans' Day on the first Monday in November. There is no direct explanation of this seeming indifference, but it undoubtedly indicates that for farmers and related occupations, business goes on as usual and crops and stock are to be tended, whatever the day or the date.

Responses of the 12th District citizens on other highly controversial issues, upon which the 90th Congress will act, appear in the summary which follows. Included are such subjects as tax-sharing, tax credit allowances for private job-training programs, studies looking toward eventual United States' adoption of the metric system of weights and measures, utilization of automatic data processing by the Congress, and possible increase of East-West trade in nonstrategic goods.

In addition to the generous response to the questionnaires, the poll produced more than 5,000 individual communications—many of which have required individual replies. These personal expressions indicate the broad citizen interest throughout the 12th Congressional District in our national affairs.

The conscientious responses submitted by almost 16,000 residents of the 12th Illinois District are attached for the information and possible guidance of other Members of the House. I can assure my constituents and you, Mr. Speaker, that appropriate respect for these opinions will be reflected in the votes which I cast during the remaining months of this 90th Congress.

The questions and the tabulated results are:

General questions

[In percent]

		Yes	No	No answer
1. Do you favor tax sharing (remitting percent of Federal taxes to State and local governments with no strings attached)?		57.8	35.8	6.4
2. Do you favor President Johnson's request for a 6-percent (surcharge) income tax increase?		9.4	87.7	2.9
If not, which do you prefer:	Percent			
(a) Reducing nondefense spending?	89.8			
(b) Adding to the national debt?	5.6			
No answer	4.6			
3. Do you favor more 3-day holidays by setting Memorial Day and Independence Day on Mondays?		68.7	27.7	3.6
Answer by age group:				
Age 20 to 35		69.3	28.6	2.1
Age 35 to 50		70.0	27.4	2.6
Age 50 and over		67.6	27.5	4.9
Answer by occupation group:				
Blue collar		68.1	28.9	3.0
White collar		73.5	23.2	3.3
Agriculture		36.5	56.4	7.1
Professional		67.0	29.9	3.1
4. Do you favor an income tax credit for employers providing job training programs?		65.6	29.4	4.8
5. Do you favor a study of possible adoption by the United States of the metric system of weights and measures?		59.6	34.4	6.0

	Total	Vote preference group			Age group			Occupation group			
		Republican	Democrat	Independent	20 to 35	35 to 50	50 and over	Blue collar	White collar	Agricultural	Professional
6. If a satisfactory peace in Vietnam is not negotiated soon, which courses of action do you prefer?											
(a) Withdrawal of U.S. forces even if a Communist takeover results	7.3	6.6	7.7	8.8	5.6	6.9	8.9	5.7	6.0	8.0	10.3
(b) Maintain areas now controlled by South Vietnam Government by holding actions	7.0	6.1	9.7	8.1	7.3	6.9	6.9	4.4	6.3	3.9	10.8
(c) Apply sufficient U.S. military power to clear South Vietnam of Communist aggressors	62.9	66.1	56.7	59.2	67.1	64.4	59.1	65.5	66.1	60.8	57.6
(d) No increase of ground forces but wider use of air and sea power	9.7	10.5	7.3	8.8	8.8	9.6	10.5	11.0	9.4	11.8	8.7
(e) Halt the bombing and shelling of North Vietnam unconditionally	2.6	1.7	3.5	3.9	1.8	2.3	3.2	2.7	2.5	3.9	2.0
(f) Continue present policy	8.2	6.7	13.6	9.3	8.2	8.0	8.5	8.6	7.8	8.9	8.3
No answer	2.3	2.3	1.5	1.9	1.2	1.9	2.9	2.1	1.9	2.7	2.3

	Yes	No	No answer
7 .Do you favor removing the "earnings limitation" which now reduces the benefits of those on social security who earn extra wages?			
Total	79.8	17.7	2.5
Age 20 to 35	74.4	23.2	2.4
Age 35 to 50	80.5	17.3	2.2
Age 50 and over	82.7	14.5	2.8
8. Do you favor establishing a 3d U.S. mint in Lake or Cook County to meet the Nation's continuing need for more coins?	67.6	25.0	7.4
9. Do you favor establishment of an automatic data processing facility to provide Congress with ready access to better information?	76.3	17.3	6.4
10. Do you favor increased East-West trade in nonstrategic goods?	57.5	37.8	4.7

Personal questions

	Number	Percent
1. Occupation group:		
(a) Blue collar	3,109	19.6
(b) White collar	6,852	43.2
(c) Agriculture	337	2.1
(d) Professional	4,403	27.8
(e) No reply	1,153	7.3
2. Age group		
(a) Age 20 to 35	3,425	21.6
(b) Age 35 to 50	6,306	39.8
(c) Age 50 and over	5,587	35.2
(d) No reply	536	3.4
3. Vote preference group:		
(a) Republican	9,473	59.8
(b) Democrat	1,725	10.8
(c) Independent	3,805	24.0
(d) No reply	851	5.4

Note.—Total questionnaires tabulated, 15,854.

Appropriations: Savannah River Plant

EXTENSION OF REMARKS

OF

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1967

Mr. DORN. Mr. Speaker, Aiken County, with its great Savannah River plant, was added to my congressional district in 1966 through redistricting. Since that time I have visited the Savannah River plant in Aiken on two separate occasions. My latest visit was recently in the company of my illustrious friend, the Honorable CHET HOLIFIELD, of California, former chairman and now vice chairman of the Joint Committtee on Atomic Energy, and my warm friend, a very able member of the Joint Committee, the Honorable MEL PRICE, of Illinois.

Both of these distinguished gentlemen, Mr. HOLIFIELD and Mr. PRICE, were members of the original Committee on Atomic Energy, which was created in 1946—more than 20 years ago.

Mr. Speaker, I am proud of the personnel at the Savannah River Atomic Energy Plant. I do not know of a more efficient, patriotic, and dedicated group of men and women anywhere. They are conscious of their important role in our Nation's defense, and they are looking to the future with the certain knowledge of making a great contribution to the peace of the world.

Let me especially remark on the superb security measures at this plant, and the devoted service of the security guards, which I observed on my visits.

I cannot let this opportunity pass without tribute to E. I. du Pont de Nemours & Co., and the splendid personnel associtated with them who have contributed so much to the defense of this country and who will play a leading role in both defense and peaceful use of the atom in the future.

At the nuclear conference in this area in May 1967, which I attended with Representatives HOLIFIELD and PRICE, the cooperation was very evident between the officers of this plant, the Atomic Energy Commission, and private enterprise. This huge complex, covering over 200,000 acres with an investment of nearly $3 billion, depends upon huge Government investment and the know-how of private industry working hand in hand.

Mr. Speaker, I am proud to say today that this project on the Savannah River is a bellwether example of creative partnership between Government and private enterprise, the cornerstone of our American way of life.

The Savannah River plant, as I have discovered on my several visits, is not only a key military installation, but also a leader in finding peaceful uses for the atom.

The fuel for the world's first atomic battery was produced in this plant, and has proved itself in use—from the improved tracking of ships at sea to the monitoring of American space satellites in orbit around the earth. This same fuel—plutonium 238—will someday power a cardiac pacemaker for heart patients. In addition to this role in the effort to cure heart disease, daily research is being conducted at the Savannah River Plant to diagnose and cure other diseases, including cancer. Thus the work at Aiken, which began as a measure for national defense, now leads the Nation in its assault on disease and the quest for space exploration.

Another area of expansion is nuclear generated power. With the joint venture of Duke Power, South Carolina Electric and Gas, Virginia Electric Power and Florida Power at Parr Shoals and with Duke Power Co.'s Keowee-Toxaway project in Oconee and Pickens Counties, my district could well become—and I am proud of this fact—one of the key nuclear areas of the world.

Already for fiscal year 1967 the Federal expenditures for atomic energy in my hope State of South Carolina alone were $100 million. Most of this investment was in the Savannah River Plant in my district. This area, chosen for its suitable terrain and ample endowment of mineral-free water, has truly stepped forward to greet the atomic age. I congratulate all members of this project in their selection last year for the new Isotope Development Laboratory, and hail the continuing expansion of this needed program in fiscal year 1968. We in Washington are attentive to the accomplishments at the Savannah River Plant and the continuing need for support in this venture, and I personally pledge my support and cooperation.

For fiscal year 1968, I am happy to say that expenditure in this area will exceed $103 million. This increase over 1967 is a tribute to the productiveness and dedication of all members of the nuclear program in my State and to congressional awareness of the growing need for their skills.

Mr. Speaker, as I rise in support of this appropriation, let me commend Dr. Glenn Seaborg for his splendid job in presiding over the Atomic Energy Commission. It is a job demanding the highest skills of both the scientist and the manager, and Dr. Seaborg has filled it admirably.

I can support this appropriation without cuts and without exception. We cannot play politics with national defense. And I feel that every dollar of this appropriation is well invested—to insure our national security and to spearhead the effort to conquer disease, explore space and provide a better life for all Americans.

World War II and Korean Conflict Veterans' Educational Assistance Restoration Act

EXTENSION OF REMARKS

OF

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1967

Mr. WINN. Mr. Speaker, my attention has recently been directed to the fact that many World War II and Korean conflict veterans have failed to make use of the educational benefits that were available to them under two previous GI bills. As of June 30, 1966, there were approximately 19,484,000 World War II and Korean veterans in civil life. Little more than 10 million of that number had received any educational benefits under the two GI bills. The deadline for obtaining these benefits has long since expired.

There are undoubtedly a variety of reasons for the failure of approximately 9 million veterans to utilize educational benefits which a grateful Government had made available to them. Correspondence I have received seems to indicate that the returning citizen-soldier had successfully completed the transition from military to civil life without the necessity of drawing upon this readjustment benefit. Now, many of these same veterans have realized, to their dismay, that automation, relocation of entire industries, advancing age, and other reasons have sounded the death knell of the employment security they once enjoyed.

These men, in short, require retraining, whether it be a program of education or on-the-job training, to qualify them for employment in a new field of endeavor. It is my carefully considered opinion that this problem can be solved by once again making the educational benefits of the GI bill available to them. I have, therefore, introduced a bill that will restore unused periods of entitlement to educational assistance to veterans of World War II and the Korean conflict. I hope that this legislation will receive prompt and favorable consideration by this 90th Congress.

Congressman Horton Praises Damascus Temple, A.A.O.N.M.S.

EXTENSION OF REMARKS

OF

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1967

Mr. HORTON. Mr. Speaker, as my colleagues are surely aware, Washington was the host city last week to the 93d Imperial Council of the Ancient Arabic Order, Nobles of the Mystic Shrine, and to tens of thousands of Shriners.

On Wednesday, of last week, it was my pleasure to present a flag which had flown over the capitol to 3 members of the color guard of Damascus Temple, A.A.O.N.M.S. of Rochester, N.Y., the Temple to which, I am proud to say, I belong.

The members of the Damascus Temple color guard who received the flag were Nobles William D. Staples, Randall G. Beachner, and Robert J. Gabel.

They are three of the more than 400 Damascus Temple Shriners who were on the pilgrimage to the national convention.

Damascus Temple is the second

oldest temple in the Shrine jurisdiction. Its charter is dated in 1875.

Because of its seniority, Damascus Temple was one of the first units whose colorful band and Shriners thrilled and delighted the many thousands of people who watched last Thursday night's parade up Pennsylvania Avenue.

Damascus Temple this year is under the able leadership of Potentate Clayton F. Kaul.

Potentate Kaul is assisted by these elected members of the Divan—

Chief Rabban Barton S. Horner.

Assistant Rabban James B. Scobell.

High Priest and Prophet Robert L. Anderson.

Treasurer Norman H. Selke.

Recorder John W. Cummings.

Oriental Guide Leonard Parker.

Other Shriners who head units in Damascus Temple, and who are on the pilgrimage to Washington, are—

Patrol Captain William J. Cox.

Legion of Honor Captain Le Roy Wilson.

Band Director John W. Cummings.

President of Director's Staff Douglas McLean.

Director of Director's Staff Ralph I. Oatman.

Director of Musical Unit Charles B. Benedict.

Horse Patrol President Leland Pflanz.

Horse Patrol Captain Theodore Hamilton.

Color Guard Captain Karl Lemperle.

Patrol President Charles Jack.

Chanters President Anton Hanson.

Shrine activities which the public saw last week were highlighted by the parades, and emphasized high spirits, good fellowship, and enjoyment of life.

I can attest to the enjoyable aspects of being a Shriner.

But the public is not as aware of the serious aspects of Shrine activities.

The 3,500 members of Damascus Temple in Rochester, for example, are deeply involved in the operation of two Shrine Hospitals for Crippled Children. One is located in Springfield, Mass.; the other in Erie, Pa.

Mr. Speaker, I am proud to draw the attention of my colleagues to the worthy activities of the Shrine, and of Damascus Temple of Rochester, N.Y.

Congress Should Act To Deter Firebrand Inciters of Riots and Violence

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1967

Mr. EVINS of Tennessee. Mr. Speaker, the House this week is scheduled to take up H.R. 471, which would make it a Federal crime to travel across State lines for the purpose of inciting riots and violence.

In view of the events of recent days—the continuing pattern of anarchy and violence spreading through our major cities—it is most important that the Congress act favorably on this matter and serve notice on the inciters that law and order will prevail.

Our local law enforcement agencies need the assistance our Federal Government can provide by deterring outside agitators from disrupting communities with their doctrines of hate and violence.

In this connection, under unanimous consent I include my newsletter concerning this matter in the RECORD.

CONGRESS CONSIDERS ANTI-RIOT BILL

The House this week is scheduled to consider legislation designed to outlaw activities of roving agitators who leave waves of violence in their wake. I have joined with others in sponsoring this bill, reported out of the Judiciary Committee, which would make it a Federal crime to travel across state lines for the purpose of inciting riots and violence. The bill would impose a penalty of up to $10,000 fine or five years Federal imprisonment upon conviction of violation of the act.

It is my belief that this bill represents a step toward a return to law and order in our land. Within recent months we have seen a breakdown of law and order in many of our major cities throughout the Nation. Continued violence and the practice of resorting to violence serves to undermine and erode the foundation of our democratic society which is based on law and order. Riots and violence are destructive of our way of life and cannot be tolerated.

The Judiciary Committee in expressing concern on this issue said that while the immediate victims of street riots and terror are the innocent bystanders, law-abiding citizens and small businessmen, in a larger sense all America is victimized by such lawlessness. The Committee emphasized that the proposed bill will supplement—not supplant—local law enforcement. The primary and most effective means of control of violence and riots rests with state and local authorities—our local police. However, it is my hope and the hope of the Committee that by assuring prosecution of "out-of-state inciters" of riots and violence Congress will assist state and local authorities in keeping the peace. There is no question but that much of the violence stems from outside agitation—much is Communist inspired and promoted.

In connection with the necessity of a return to the traditions of respect for law and order, the House recently passed a bill making desecration of our U.S. Flag a Federal offense. It is shocking to think that such a law is even necessary—I can remember the time that a man was nudged and advised to take his hat off if he failed to extend this courtesy to Old Glory passing by. A rebirth of patriotism seems needed.

Most Americans are law-abiding citizens who understand and respect the necessity for law and order in our Country. This law will support and protect them.

The Mexican-American: An Awakening Giant

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1967

Mr. ROYBAL. Mr. Speaker, I would like to insert in the CONGRESSIONAL RECORD a very moving and thought-provoking article by our distinguished colleague, the gentleman from Texas, HENRY B. GONZALEZ, entitled "The Mexican-American: An Awakening Giant," which appeared in the July issue of the U.S. Department of Labor's Employment Service Review.

In applauding the Johnson administration's concerted campaign against poverty, and its continuing efforts to assure full educational, employment, and economic opportunities for all our citizens, Congressman GONZALEZ emphasizes the encouraging progress now being made by the Mexican-American community of the Southwest.

The heartwarming message of this excellent article can well be summed up in Representative GONZALEZ' own stirring words:

> Americans of Spanish surname, who have furnished the muscles that turned much of the Southwest from arid desert into miraculously productive farmland, who laid the foundations of our cities, and who have willingly laid down their lives to defend it all, now know that the great American dream, so long denied, can be theirs.

The article follows:

THE MEXICAN-AMERICAN: AN AWAKENING GIANT

(By Congressman HENRY B. GONZALEZ of Texas)

Human society is by nature dynamic; it is in a constant state of change. Old generations pass on, and new ones emerge; old customs change as they become irrelevant to existing conditions; even languages change because old words become inadequate to express new events. Yet, amid all this change, there remain depressing constants: The poor remain poor and, for some, life is only a procession of identical days, and hope does not exist at all. Among the poorest of the poor is the Spanish-surnamed population of America.

Concentrated in the Southwest, these 5 million people know all too closely the cold hand of hunger and the despair of a day when there is is no work to be had. The plight of the Spanish-surnamed American can be outlined in a tragic litany of statistics. In a country where the rate of unemployment is below 4 percent, this minority experiences unemployment of 8 percent; in places the figures are twice that high. In a country where a job means hope, this minority finds a large percentage of its workers underemployed, underpaid, or both. Many who are lucky enough to have jobs have no hope of advancing, because the Spanish-surnamed minority is, in general, undereducated and without the skills necessary for finding a good job or advancing. Many struggle against ill health. Others face the harshest kind of discrimination, and a few are hapless victims of exploitation. The absence of opportunity and the inability to grasp what opportunities exist plague them.

Statistics can measure only tangibles. The effect of degradation on a man's soul has yet to find expression in a mathematical table. There is no machine to explain what happens to a man when he loses hope, or when he abandons the idea that tomorrow may bring better things. Nor is there any way of reckoning the tragic cost incurred by the waste of human talents that have never reached their potential, of lives that have never been able to contribute their full value to society. But no one should need a yardstick to measure the depths of despair among the Spanish-surnamed. It should be enough for a man of conscience simply to know that it exists, and this knowledge ought to drive him to action and cause him to seek ways to renew the vigor of life and hope where it is perilously close to fading away. There need be no accurate measurement of the cost to all men when some men begin to feel that tomorrow, if it comes, will be no better than today.

There is a whisper of change in the Southwest today. Americans of Spanish surname are beginning to seek an identity of their own, and they are searching for definable goals. They are anxious to reclaim hope, and ready to bring into reality the promise of the future. They are beginning to know what the American dream is, and they are ready to claim it for their own, as have so many other minorities before them.

Much of this renewed vigor has come about because of the commitment of the Johnson Administration to campaign against poverty and all its evils and ills. It is the war on poverty that has made it possible for so many Americans of Spanish surname to see hope over the horizon and to know that there are attainable improvements in life. The realization that there are attainable goals has caused them to seek goals that are even higher, and better, and farther away.

An administration that has committed itself to bringing about social change immediately faces several difficulties. In the first place, not everyone is in favor of social change; it upsets comfortable patterns of the past and it creates general unrest. Men who are suddenly no longer willing to remain poor are not happy with things as they are, and may (and very likely will) make demands that would have been unheard of in earlier times. Secondly, a government is not the best instrument for bringing about social change. Not all civil servants are dedicated to the new ideas implicit in programs that are innovative. Many men to whom the administration of the war on poverty is entrusted are timid generals; they are fearful of making mistakes, fearful of arousing controversy, fearful of contradicting ideas of their superiors, and anxious to win promotion. Taken together, these inhibitions cause government in general to have slow reflexes, and new programs in particular to have a striking similarity to old ones. Then, too, a great many administrators know all too well that this program, too, will pass—very likely before they do.

COMMITTED TO IDEA

Despite the general difficulties of using government as the instrument of social change, the Administration is committed to the idea, and this commitment has produced striking results. There are young men learning new skills in the Job Corps; there are Neighborhood Youth Corpsmen learning how to learn and work, and getting pocket money for their pains (badly needed skills, and even more badly needed money); there are Volunteers in Service to America learning how it is to be poor, and trying to teach the poor that there really is a way out of the trap of poverty; and there is more than that.

Most of all, there is a reviving feeling among the poor, and among the Spanish-surnamed, that it really is possible for things to get better.

If a man is so poor that he exists on the borderline of starvation, life is a day-to-day matter. He feels lucky if he has enough to eat. Such a man, struggling with all his wit and strength to get a meal or two, has no time to think about the future, and if he gets a few cents ahead, he is likely to spend his pennies seeking the relief of pleasure. After all, there may never be another chance to have some fun. On the other hand, if a man is in a state of more or less tolerable poverty, he does have some time to think about the future. He is able to feel resentment that others have more than he is able to possess; he is able to dream of having more tomorrow than he has today. Such a man is capable of having hope, and capable of yearning for tomorrow to come, because it may very well be a better day. The Spanish-surnamed population, more and more, is unhappy with the present and ready for tomorrow, and new opportunity, to come.

Having provided the sustenance of hope and the fires of ambition, the Government must now take steps to see that the new dreams of the Spanish-surnamed American population are turned into realities. No man's hunger is satisfied if he is only shown a menu: food alone will suffice. The vigor and leadership that have so far been offered must be continued, even redoubled.

Count Leo Tolstoy observed the tragedy of paper reforms in the Russia of 1812. He wrote, in WAR AND PEACE, of a young aristocrat, Count Bezushov, who had inherited a vast estate. He was a reformer and something of a mystic. He decided that he would bring a new order of life into being on his property. So Bezushov ordered his overseer to provide schools for the peasants on the estates, and medical care for them, and all manner of other reforms calculated to make human beings and reasonably free people of the serfs. But the Count lived in Moscow and St. Petersburg and never visited his estates. The overseer did very little about instituting reforms, and in fact conditions for the serfs got worse. The Count did not know this because all he knew was what the overseer told him, and the overseer sent glowing reports of progress. Promises and the best of intentions, without leadership and energetic administration, can never produce real results.

Americans of Spanish surname, who have furnished the muscles that turned much of the Southwest from arid desert into miraculously productive farmlands, who laid the rails and plucked the cotton, who dug the ditches and laid the foundations of our cities, and who have willingly laid down their lives to defend it all, now know that the great American dream, so long denied, can be theirs. Having done so much to create this hope and vision, the Administration must pursue its course to open new opportunities. The penalty for failure will be great, for the power of human aspiration may well overcome the saving grace of patience. But the rewards of success will be even greater. No one really knows what the cost has been of permitting misery and degradation to exist for so long. The only way of finding out is to help these millions of willing and able people to realize their full potential, and give their full measure to our country's wealth, and take their fair share from it.

Alewife Fish Pollution in Lake Michigan

EXTENSION OF REMARKS

OF

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1967

Mr. MADDEN. Mr. Speaker, I have, pending in the House of Representatives, a bill to solve and eliminate the dreadful pileup of a species of dead fish, alewives, on the shores of Lake Michigan and also on some of the adjoining Great Lakes.

I ask unanimous consent to accompany my remarks a letter which I have received today from Mr. John E. Mitchell, director of the Department of Natural Resources in the State of Indiana. When I was home this past weekend, numerous inquiries were made as to the solution and reason for the accumulation of the dreadful dead alewives on the shore of Lake Michigan. The accompanying letter is the best explanation for the same that has come to my attention.

My particular interest is in obtaining adequate funding to permit control of the alewife menace, a herring-like fish which now exists by the billions in the Great Lakes.

With controls, this fish could be a valuable commercial species and serve as forage for more desirable fish, such as the coho salmon, lake trout and whitefish and so forth.

Uncontrolled, as it is now, the alewife is a pest. It is estimated that about half the adult alewife population die off annually. The dead bodies litter beaches, clog intakes, cause odor problems in or near the business districts and harbors of cities on the shores of Great Lakes.

Further, this species, which seldom grows more than 9 inches long, is preventing the fishing resources of the Lakes from recovering from the losses caused by the lamprey eel scourge of 2 years ago which now is under control.

Alarmed by the magnitude of this problem, last year I wrote to Secretary of the Interior Udall asking that the Federal Government undertake a crash program—similar to that used against the lamprey—to control the alewife and restore an ecological balance to the Great Lakes.

In his reply the Secretary recognized the seriousness of the problem and acknowledged that the alewife now has the upperhand. Control, he stated, would require a "massive and sustained effort."

Believing that such an effort might best be undertaken through cooperation and coordination between the Great Lakes States and the Federal Government, I introduced a bill which would authorize the Secretary to cooperate with the affected States in conducting research into the problem and carrying out action programs of control. The measure authorizes a $5 million Federal appropriation which would be expended on a matching basis with the States acting individually or together in an interstate compact to combat the alewife.

I believe, however, that the Department of the Interior, through the Bureau of Commercial Fisheries, should intensify its own efforts at combating the alewife.

According to figures provided me by the Bureau in 1966, expenditures on alewife control, principally in Lake Michigan, are about $200,000.

This amount falls considerably short of being the massive and sustained effort which Secretary Udall admitted would be necessary if any headway is to be made against the alewife.

Local health officials and water pollution specialists are interested in an immediate and effective end to the problems caused by the alewife die-off, even if that means elimination of the species from the Great Lakes.

State conservation officials, on the other hand, see the alewife as a good food source for the desirable game fish they are stocking in the lakes. To them, the most effective use of Federal funds would be for purchases of trout, whitefish and salmon fingerlings with which to "seed" the lakes.

Commercial fishermen, on the other hand, are interested in Federal programs directed toward the commercial use of the alewife.

Because of the conflicting interests involved and the multifaceted nature of the alewife problem, I believe a coordinated Federal-State attack, remains the best hope of a satisfactory solution.

In that regard, a proposal has been put forward by the Midwest Federated Fisheries Council, representing the Great Lakes fishing industry. This proposal calls for a crash program of research and development by the Bureau of Commercial fisheries requiring an expenditure of $720,000 for 34 new full-time scientific staff positions and $180,000 for the construction of a multipurpose research vessel for the Great Lakes.

STATE OF INDIANA,
DEPARTMENT OF NATURAL RESOURCES,
Indianapolis, July 13, 1967.

Congressman RAY J. MADDEN,
Indiana, District 1,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MADDEN: No doubt you are aware of the serious health and environmental problem caused by the annual die-off of a species of fish known as alewives now inhabiting Lake Michigan and washing ashore in prodigious numbers. The alewives have come into the Great Lakes from the ocean, and established themselves very successfully due to the lack of predator fishes in the lakes, particularly in Lake Michigan and Lake Superior.

In the past, the Lake Trout served as predators on any new species that tended to build up in excessive numbers. However, when the sea lamprey came into the Great Lakes and pretty well destroyed the lake trout, the build up of alewives and other trash fish became possible. A great deal of success has been attained by the Bureau of Sport Fisheries and the Great Lakes' States involved. Already the lake trout, steel head trout and white fish are making a noticeable comeback in the Great Lakes. However the recent cut in the Lamprey Control Budget of some $100,000 will be a serious setback to this program. If the Lampreys are not controlled, and the predator fishes not allowed to come back in sufficient numbers to control the alewives, these fishes will continue to pile up on the shores of Lake Michigan. Your support for the needed funds in the Lamprey Control Program would be appreciated.

Yours truly,

JOHN E. MITCHELL,
Director, Department of Natural Resources.

Mr. and Mrs. Alvin Horwitz: Outstanding Philanthropists

EXTENSION OF REMARKS

OF

HON. GRAHAM PURCELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1967

Mr. PURCELL. Mr. Speaker, it is my distinct privilege to take this opportunity to pay tribute and call attention to the outstanding humanitarianism of Mr. and Mrs. Alvin Horwitz, longtime residents of Wichita Falls, Tex.

As evidenced by the many notable deeds performed by this couple in the service of their fellow man, Mr. and Mrs. Horwitz have shown themselves to be outstanding examples of the type of devoted citizens who have helped build our great country.

Reviewing Al Horwitz' life, one comes to the obvious conclusion that Al Horwitz is an active supporter of any humanitarian cause. Born in Cleveland, Ohio, Al and his family moved to Kaylor, Pa., when he was very young. Having lived in Kaylor until he was graduated from high school, he and his family returned to Cleveland. Following his graduation from Spencerian Business College, he became a manager of a grocery company. It was in this position that he first became acquainted with the Salvation Army, supplying churches with the names of needy people, and then sending out food baskets from the churches to the poor and needy.

In 1919 Mr. and Mrs. Horwitz moved to Wichita Falls, where he has been a successful businessman and a most active participant in all types of philanthropic activities. Indeed, Mr. Horwitz has been active on not only the local level, but also on the State and National levels.

In Wichita Falls, Al continued his interest in the Salvation Army, serving on the board and periodically as chairman of the board. One of his most significant activities with the Salvation Army has been his promotion and direction of the Salvation Army Christmas basket program over many years.

Although Mr. Horwitz devotes much time to the Salvation Army, he has been and is still active in many other organizations. He is one of the originators of the USO in Wichita Falls, and has actively served it for many years in various capacities. At one time he was the only civilian on the USO council serving three agencies—the YMCA, the Jewish Welfare Board, and the Salvation Army—simultaneously.

Other local activities include membership in the Chamber of Commerce, participation in United Fund drives, participation in the Antidefamation League, including a term as State chairman of that organization, membership in B'nai B'rith, membership in the American Legion, and support for the arts in Wichita Falls such as the symphony and the civic theater.

An example of his concern for his fellow man is a program he originated several years ago arranging for free medical attention for impoverished citizens, as well as his participation in the Wichita Family Council, a group devoting time to counsel couples with marital problems.

In addition to his many local activities, Al Horwitz finds time to serve on the State level with the same devotion. For the past several years he has worked untiringly for the State hospital program in Texas through the volunteer council of the State hospital program in Wichita Falls. His influence has also been used to obtain a former U.S. Government hospital for use as a TB hospital in Tyler, Tex. Mr. Horwitz added greatly to the physical comfort of the State hospital at Wichita Falls by obtaining a $25,000 appropriation from the State for chairs and settees.

On the national level Al Horwitz has been sending patients for years to the National Jewish Hospital in Denver, the City of Hope in Duarte, Calif., and the Leo Levi Memorial Hospital in Hot Springs, Ark., where they receive free treatment and care they would not otherwise have obtained. It is said of Mr. Horwitz' concern for his fellow man in a recently prepared biography:

> The fortunate ones who come to Mr. Horwitz' attention receive more than care for tuberculosis, asthma, heart, cancer, or arthritis. They receive his friendship and sympathy, both of which start Al Horwitz on a quick, quiet campaign to see that his charges are provided with the essentials they might need, including spending money and a few non-essentials just to make their lives brighter.

As I have called attention to the devoted community service of Al Horwitz, Mr. Speaker, so also would I like to direct attention to the contributions of his wife, Sarah.

Having married Al in 1918, Sarah moved with him to Wichita Falls in 1919, where she became active in all aspects of community service. She participated in the Council of Jewish Women, an organization dedicated to furthering human welfare in the community. During her membership in this organization Mrs. Horwitz has served in numerous offices including the presidency. Another area of community service in which Sarah has been active is the support of the day nursery program in Wichita Falls. A life member of the board of the Wichita Falls Day Nursery, she has been a member of the Mexican Day Nursery since its inception.

Other activities of Mrs. Horwitz include participation at the organizational meeting of the Wichita Falls chapter of the League of Women Voters, and continued participation in that organization through the years. That Mrs. Horwitz is very interested in hospital work is evidenced by her membership in the Wichita Falls General Hospital Auxiliary and the Bethania Hospital Auxiliary. Other civic activities include membership in the Woman's Forum in which she has held various offices, membership in the Federated Missionary Society, a position on the board of directors of the YWCA, and membership in the American Legion Auxiliary. She, with her husband, actively support the Wichita Falls Symphony League. A board member of the Red Cross for years, she presently serves on the board of the Dallas chapter of the women's committee of the National Jewish Hospital. An active participant in the National Council of Christians and Jews, Mrs. Horwitz has been on its board since its inception in Wichita Falls in 1940. Along with her husband, she has been active in many United Fund drives. One of her most recent projects was serving as chairman of the 1966 Mother's March for the March of Dimes in Wichita Falls.

Mr. and Mrs. Horwitz belong to Temple Israel. He has served as president of its congregation and has been a member of the Temple's Board of Trustees. Mrs. Horwitz has served as secretary of the congregation and was president of the Temple Israel Sisterhood.

Mr. Speaker, I am proud to be able to say that these distinguished, unselfish, and faithful civil servants are residents of my district. I only wish that there were more untiring humanitarians such as the Horwitzes in our Nation. Mr. and Mrs. Horwitz, through their 48 years of community service in Wichita Falls, in the State, and in the Nation, have indeed accomplished what all of us should strive to do—make this Nation a better place in which to live—and should serve as shining examples of individuals who can always find time and energy to serve their fellow man.

Secretary Freeman Says American Farmers Provide Breadbasket of the World

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1967

Mr. EVINS of Tennessee. Mr. Speaker, we hear frequent references to the military might and the firepower of the United States of America.

The fact is, however, that the United States is also the world's principal food power. The Honorable Orville Freeman, Secretary of Agriculture, said in a recent article that North America has clearly emerged as the breadbasket of the world.

Because of the interest of my colleagues in this matter and because of the interest of the American people, I ask unanimous consent that excerpts from this article in the U.S. News & World Report and Foreign Affairs be reprinted in the RECORD.

The article follows:

FOOD—AMERICA'S "SECRET" WEAPON: A FORCE MORE POTENT THAN ARMS

(By Orville L. Freeman, Secretary of) Agriculture)

North America's dramatic emergence over the past generation as the world's principal supplier of food can be illustrated with a half dozen numbers.

During the late 1930s, three of the world's seven major geographic regions supplied virtually all of the grain moving into the world market.

Latin America, with exports of 9 million metric tons yearly, was the leading food exporter, and grain exports were an important source of foreign-exchange earnings.

North America and Eastern Europe—including the Soviet Union—were each exporting 5 million tons yearly.

Most of the grain exported from these three regions, principally wheat and corn, went to Western Europe.

Thirty years later, the pattern of world grain trade has been altered beyond recognition.

As of 1966, Latin America, with net grain exports of 2 million tons, was scarcely self-sufficient. Exports from Argentina were largely offset by imports into Brazil and other smaller importing countries.

Eastern Europe, including the Soviet Union no longer exported grain, but, on the contrary, was an importer; in 1966, the area imported some 14 million tons, largely from Canada.

Of all the changes in the pattern of world grain trade between the late 1930s and 1966, the change in the position of North America was most pronounced.

As shown by the accompanying table, net grain exports increased from 5 million tons to 60 million tons, providing in 1966 some 85 per cent of the combined grain exports of the net exporting regions. Australia has substantially increased its exports, but its share of the total has remained at about 12 per cent.

North America has clearly emerged as the breadbasket of the world.

About three fourths of North America's grain exports originate in the United States; the remaining one fourth, coming from Canada, consists largely of wheat. U.S. grain exports are presently rather evenly divided between wheat and feed grains. Significantly, the United States alone could export easily the entire 60 million tons yearly if it were to remove all remaining production constraints.

World grain trade by major geographic regions

[In million metric tons]

	Estimated		
	1934–38	1960	1966
North America	+5	+39	+60
Latin America	+9	0	+2
Western Europe	−24	−25	−23
Eastern Europe (including U.S.S.R.)	+5	0	−14
Africa	+1	−2	−3
Asia	+2	−16	−30
Oceania (Australia and New Zealand)	+3	+6	+8

Note.—Plus net exports; minus net imports. Minor imbalances between world imports and exports in a given year may be due to rounding or variations in reporting methods used by various countries.

Several factors have contributed to North America's growing importance as a source of food for the rest of the world. Three of these stand out.

On the demand side, both the forces identified by Malthus and the adverse influence of Marxian thought on agriculture in the Communist countries have contributed to the steadily growing excess of food consumption over production outside North America.

On the supply side, the massive application of science to agriculture in the United States has resulted in an impressive increase in its capacity for producing food, making it possible to respond to growing needs abroad.

Malthus first described the threat of uncontrolled population growth in 1797, nearly 170 years ago. His theory that population would tend to grow geometrically while food production would increase arithmetically has proved valid throughout much of the world. Half a century after his gloomy prognosis, Ireland's population was sharply reduced by a famine.

To the agriculturist, this Malthusian arithmetic is frightening. A less developed country today is, almost by definition, one with a rapid rate of population growth. There are not many exceptions. The impact of modern health measures has reduced death rates, but comparable reductions in birth rates have not been achieved.

Even a population growth rate of 3 per cent could be tolerable if there were vast areas of fertile, well-watered land to be brought under the plow. But, unfortunately, most of the frontiers have long since disappeared, and the supply of new land which can be brought into production quickly and cheaply is fast diminishing.

The world food problem is, however, more than a race between food and people. In reality, it is a race between the production of food and the demand for food. There are two reasons for the sharp increase in the world demand for food: Population growth is one; the other is rising per capita incomes.

In some countries, rising incomes are generating more growth in the demand for food than is population increase. This is certainly the case in Japan, where incomes have risen 7 per cent annually over the past decade, but where population has grown less than 1 per cent annually. The same is also true for many countries in Europe, particularly West Germany, France, Sweden and Italy. To construe the problem merely as a race between food and people fails to grasp the whole issue.

In no country prior to World War II had population-growth rates or per capita incomes risen rapidly over an extended period

High, sustained rates of growth in both population and income per person are largely a postwar phenomena, and, to make things more difficult, they have occurred simultaneously. The result, in recent years, has been a rate of increase in demand which the world's farmers have not matched.

COMMUNISTS EXPLOIT AGRICULTURE

Actually, Marx himself had little to say about agriculture. He was a city boy, primarily interested in diagnosing the social ills of early industrial societies. It was largely his followers who assumed that agriculture, like industry, could be readily organized on a large scale under state control. And it was they who went on to exploit agriculture in order to provide the basis for industrialization. Agriculture was given neither sufficient inputs nor incentives.

The Communist countries are beginning to pay dearly for this policy. Food shortages have become a drain on their foreign exchange and a drag on their economic growth. The decision to organize agriculture on a large-scale, authoritarian basis has cost the Communist countries literally billions of dollars in inefficiently used resources and lost economic growth.

Khrushchev's rise to power was closely followed by several efforts to cure Russia's farm ills. The machine-tractor stations were abolished; large areas were planted to corn in an effort to emulate successes in the American Midwest; and vast areas of virgin land were plowed and planted to wheat in areas of marginal rainfall. Output did increase from 1954 to 1957, and, in 1958, Khrushchev promised the Soviet people that they would soon surpass the American in per capita production of meat, milk and eggs. At the same time, however, investment in agriculture was reduced.

In the following years, output stagnated at 1958 levels. Yet, in 1963, when I visited the Kremlin, Khrushchev was still bragging loudly. That year drought struck, accentuating an already weak position, and, in 1964, the Soviet Union imported more wheat than any country in history. Khrushchev was out of office before drought occurred again in 1965.

The dramatic reversals in Chinese agriculture, following the Great Leap of 1958 and during the early 1960s were equally abrupt.

Mainland China, is perhaps ominously, suffering from both the influence of Marx and the forces identified by Malthus.

Offsetting the effects of the forces described by Malthus and the adverse influence of Marxian thought on food production has been the impressive development of North America's capacity for producing food. Several factors have contributed to this.

To begin with, the United States has an excellent piece of agricultural real estate. Its Midwest, or corn belt, is one of the largest areas of fertile, well-watered farmland in the world. The only other areas even remotely approaching it in both size and inherent fertility are Northwestern Europe, the pampas of Argentina and the Gangetic plain of India.

Not only did we start with good farmland, but we have done an excellent job of developing it. Through scientific soil and water management we have made inherently fertile soils even more fertile.

Perhaps the most important single factor contributing to our unparalleled productivity has been the family farm. As a production unit, it is the most efficient yet devised.

Other forms of production organization are in use or have been experimented with, but most have not worked well. This is particularly true for most of the systems embodying very large production units such as collectives, communes or haciendas. The family farm, where the social unit and the production unit are identical, provides a stronger link between effort and reward than any other system. As a result, they are continuing to grow in both size and efficiency.

Although many of these production units run up to several hundred acres in size and have assets frequently exceeding $100,000, they are not corporate farms. They are still family units, owned and operated by the family, using mostly family labor. The number of large corporate farms is exceedingly small, and actually declining.

Inevitably, the agricultural successes of the North American breadbasket and stagnation in Communist agriculture have affected the balance of power between East and West. Indeed, North American food and our capacity for producing it have been instrumental in tilting the scales in favor of the West.

About the same time as Khrushchev's 1958 promise of a better diet and, implicitly, a better performance in agriculture, the Soviet leaders were also challenging the United States to a general economic competition. This was to replace the more overt military and political competition characterizing the earlier stages of the cold war.

In some areas of economic competition, the Soviets are performing exceedingly well. The overwhelming advantage we once enjoyed in the production of steel has been narrowed; the generation of hydroelectric power has increased rapidly in the Soviet Union, narrowing the gap between the two economies; in the space race, we do not know whether the language first spoken on the moon will be English or Russian. But in agriculture there is no contest. The United States, with scarcely 6 per cent of its people still on the farm, is feeding 200 million Americans, 60 million Indians and the equivalent of at least another 100 million people in other parts of the world.

The Soviets, by contrast, with close to half of their labor force still tied to agriculture, are importing grain to provide bread for their people. If we were as far ahead of the Russians in the space race as we are in agriculture, we would by now be running a shuttle service to the moon.

The impressive food-producing capability of North America and our growing lead over the countries of the East are beginning to have an impact on the countries of the third world.

WANTED: "FOOD, NOT SLOGANS"

During the early postcolonial years, many of the newly independent peoples could be satisfied with slogans and flag waving. Now they are hungry; they want food, not slogans.

Rising rice prices in Jakarta helped to undermine Sukarno. Empty shelves in the food shops of Accra contributed to the overthrow of Nkrumah. More and more, the less developed countries are turning for assistance to those with food and food-producing know-how.

The growing food deficits common to nearly all the Communist economies are causing them to become politically and militarily vulnerable.

During the early 1950s, the Communist Chinese did not hesitate to intervene massively in the Korean conflict, but today, though they have threatened to intervene in Vietnam, in fact they have not done so. Nor do I think they will. During the early 1950s, China was self-sufficient in food production. During the 1960s, however, it has imported 5 to 6 million tons of grain annually. In addition, its dependence on imported fertilizer has increased to the point where it is now the world's leading importer.

The embarrassing food shortages plaguing almost every Communist economy are causing governments to invest more resources in agriculture, with the result that production is likely to increase. The Soviet Union enjoyed a bumper crop in 1966. This is not to say, however, that it or any of the other Communist countries will become a leading grain exporter. The pressure for internal improvement in diets, as the standard of living improves, is too great. Some very substantial gains in grain production will be required before the Soviet Union can satisfy the growing desire of its people for more meat, milk and eggs.

As agriculture failed in one Communist country after another, and they turned to the West for food imports, the Communist strategists in Moscow must have faced a dilemma as they plotted their take-over of the world. What if they were successful? Who would be left to feed them?

As the East-West ideological conflict begins to fade, it is clear that a new North-South polarization is beginning to take shape between the have and have-not countries. This new polarization—which is essentially economic rather than political—threatens to be a pervasive and divisive force. . . .

POVERTY—HUNGER—RIOTS

Those countries which are more advanced and which have stronger purchasing power have been increasing their per capita consumption. In several countries where purchasing power is weak, either because of a lack of income or lack of foreign exchange, per capita consumption has declined. Two drought years are only a partial explanation of why per capita food supplies in India in 1966–67 were 5 per cent below those of the early 1960s.

Since World War II, and more particularly since passage of Public Law 480, the 1954 enabling legislation for our food-aid program, the United States has been attempting to alleviate world hunger by shipping food abroad. By the end of 1966, about 176 million metric tons of food worth 15.7 billion dollars had been shipped abroad under concessional terms. Despite this massive program, we are still as far from solving the problem as when we began—perhaps further than ever.

Without an adequate supply of food in the developing countries, the prospects for economic and political stability are not good.

HOW TO HELP FARMING ABROAD

If we are ever to solve the world food problem, we must now begin concentrating in earnest on increasing food production in the less developed nations. We have a pretty good idea of what is needed. In varying proportion according to particular situations, the hungry countries need: increased quantities of fertilizer and other farm chemicals, improved varieties of seeds, increased availability of water, added credit, productive price policies, improved marketing facilities, and expanded research and education. What makes progress so difficult is that most of these must be brought together at the same time and place.

It is well recognized that these inputs are in short supply in most of the less developed nations. But one key item that is perhaps less well recognized is the lack of trained agriculturalists.

Skilled and educated manpower is essential in every phase of a program designed to improve the production and marketing of agricultural products. Yet in virtually none of the less developed nations is the supply of trained manpower in agriculture anywhere near adequate.

In many cases, there is only a handful of educated researchers, planners and extension workers. Colleges of agriculture are few and their output small.

Until the less developed nations can build up cadres of trained personnel of their own, the logical approach is to make use of agriculturalists from the advanced nations. The United States has, for many years, been loaning know-how through AID [Agency for International Development] and its predecessor agencies, and through programs operated by State universities and private consulting organizations. More recently these programs have been broadened to include the Department of Agriculture, through the establishment of an International Agricultural Development Service which is financed by, and works closely with, AID.

As a nation, we must cease asking how much is will cost to solve the food/population problem and begin asking how much it will cost if we fail to solve the problem in the allotted time. Time is the critical dimension.

Today's hungry countries must compress the progress of centuries into decades, and decades into years, if they are to feed their rapidly multiplying peoples.

Our aid is essential. As a nation, we must now exercise the same imagination and resourcefulness which brought us to our current position of world agricultural leadership. We must devise more effective ways of linking our skills in producing food with the needs of the less fortunate multitudes abroad. The challenge has never been greater, or the stakes higher.

(Note.—The foregoing excerpts are reprinted by permission of the Council on Foreign Relations, Inc., from the July, 1967, issue of "Foreign Affairs" quarterly.)

SENATE

Tuesday, July 18, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Lord of all being, again in Thy bountiful mercy we kneel at this altar of Thy grace with the sure confidence of Thy servant, the psalmist of old, as he poured out his soul, declaring, "At noon, I will pray and call aloud and the Lord shall hear my voice."

Speak to us and through us, that we may be the channels of healing good will for this tangled and tragic time.

O Thou kindly light, lead us on through the passing shadows to the effulgence of Thy coming kingdom's sway, when it shall be daylight everywhere.

In the spirit of the Master we pray. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Monday, July 17, 1967, was dispensed with.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Military Construction of the Committee on Armed Services.

The Subcommittee on Juvenile Delinquency of the Committee on the Judiciary.

The Subcommittee on Business and Commerce of the Committee on the District of Columbia.

The Subcommittee on Government Research of the Committee on Government Operations.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

John L. O'Marra, of Oklahoma, to be an Assistant Postmaster General.

One hundred and forty postmaster nominations.

By Mr. SPARKMAN, from the Committee on Banking and Currency:

Marian N. Rossmiller, of Colorado, to be superintendent of the mint of the United States at Denver.

The PRESIDING OFFICER. If there be no further reports of committees, the nomination on the Executive Calendar will be stated.

DEPARTMENT OF THE INTERIOR

The Chief Clerk read the nomination of David Statler Black, of Washington, to be Under Secretary of the Interior.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

ADDITIONAL GROUP LIFE INSURANCE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE FOR FEDERAL EMPLOYEES

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 11089) to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MONRONEY. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MONRONEY, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. CARLSON, and Mr. FONG conferees on the part of the Senate.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of July 17, 1967,

The Secretary of the Senate, on July 17, 1967, received the following message from the House of Representatives:

That the House had concurred in the amendments of the Senate to the amendment of the House to the joint resolution (S.J. Res. 81) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (S.J. Res. 81) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees, and it was signed by the Vice President.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communications and letters, which were referred as indicated:

PROPOSED AMENDMENT TO THE BUDGET, 1968, FOR DEPARTMENT OF STATE (S. DOC. NO. 38)

A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1968, in the amount of $3,200,000, for the Department of State (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

REPORT OF STUDY OF PARITY INCOME POSITION OF FARMERS

A letter from the Director, Agricultural Economics, Department of Agriculture, Washington, D.C., transmitting, pursuant to law, a report of a study of the parity income position of farmers (with an accompanying report); to the Committee on Agriculture and Forestry.

AMENDMENT OF COMMODITY EXCHANGE ACT

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Commodity Exchange Act, as amended (with accompanying papers); to the Committee on Agriculture and Forestry.

AMENDMENT OF MARKETING QUOTA PROVISIONS OF AGRICULTURAL ADJUSTMENT ACT OF 1938

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORTS OF U.S. SOLDIERS' HOME AND GENERAL INSPECTION OF THE HOME

A letter from the Secretary of the Army, transmitting, pursuant to law, reports of the U.S. Soldiers' Home for fiscal year 1966, and a report of the annual general inspection of the Home, 1966, by the Inspector General of the Army (with accompanying reports); to the Committee on Armed Services.

REPORT OF FEDERAL DEPOSIT INSURANCE CORPORATION

A letter from the Chairman, Federal Deposit Insurance Corporation, Washington, D.C., transmitting, pursuant to law, a report of that Corporation, for the calendar year 1966 (with an accompanying report); to the Committee on Banking and Currency.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on review of utilization of automatic data processing systems at Navy-supported operations control centers, Department of Defense (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on audit of Federal Deposit Insurance Corporation, year ended June 30, 1966, dated July 1967 (with an accompanying report); to the Committee on Government Operations.

PROPOSED CONCESSION CONTRACT IN MOUNT MCKINLEY NATIONAL PARK, ALASKA

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in Mount McKinley National Park, Alaska (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITION

The PRESIDENT pro tempore laid before the Senate a telegram, in the nature of a petition, from the Directors and Administrators of the School Lunch and Child Nutrition Act programs, assembled in Chicago, Ill., praying for the enactment of the legislation passed by the House of Representatives in regard to the school lunch and child nutrition programs; which was ordered to lie on the table.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency, without amendment:

S. 1909. A bill to provide for the striking of medals in commemoration of the one hundredth anniversary of the completion of the first transcontinental railroad (Rept. No. 404).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. MOSS:

S. 2129. A bill for the relief of Harold W. England; to the Committee on the Judiciary.

By Mr. FONG:

S. 2130. A bill for the relief of William Phillips; to the Committee on the Judiciary.

By Mr. BAYH (for himself, Mr. Hart, Mr. McCarthy, Mr. Mondale, Mr. Nelson, Mr. Proxmire, and Mr. Young of Ohio):

S. 2131. A bill to authorize rehabilitation of navigation structures and appurtenant works of the St. Lawrence Seaway project to be carried out by the St. Lawrence Seaway Development Corporation and financed from appropriations; to the Committee on Public Works.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 2132. A bill for the relief of Dr. Robert L. Cespedes; to the Committee on the Judiciary.

By Mr. KENNEDY of Massachusetts:

S. 2133. A bill for the relief of Nikiforos Stavridis; to the Committee on the Judiciary.

By Mr. MANSFIELD:

S.J. Res. 96. Joint resolution to establish the Commission on the Future Political Status of the Trust Territory of the Pacific Islands (Micronesia); to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Mansfield when he introduced the above joint resolution, which appear under a separate heading.)

NECESSARY REPAIRS FOR THE ST. LAWRENCE SEAWAY

Mr. BAYH. Mr. President, I am pleased to introduce, with the joint sponsorship of Senators Hart, McCarthy, Mondale, Nelson, Proxmire, and Young of Ohio, and in cooperation with the Department of Transportation, a bill to provide for the rehabilitation of locks and structures on the St. Lawrence Seaway. It would authorize the appropriation of $13.1 million, to be spread over a 5-year period, for the repair work necessary to insure the uninterrupted operation of the Eisenhower and Snell locks and appurtenant structures.

Apparently the original decision to use a mixture of 75 percent portland cement and 25 percent natural cement, rather than the more common 100 percent portland cement formula, has resulted in the locks being less able to withstand the extremely cold weather. As early as 1964, in fact, only 5 years after the long-awaited opening of the seaway, "abnormal deterioration" was noted in the concrete. Even more serious, however, was the appearance of structural cracks in the chamber walls of the Eisenhower lock.

This situation obviously requires immediate attention. Failure to take appropriate action now would likely force an indefinite closing of the entire 2,342-mile seaway—a vital artery in our national transportation network. Similar warnings, it should be pointed out, were recently voiced by Mr. Joseph McCann, Administrator of the St. Lawrence Seaway Development Corporation, before a House Appropriations Subcommittee.

In September 1966, while chairing a Public Works Subcommittee hearing on the Mondale bill to recapitalize the seaway, I inquired of both Mr. McCann and Secretary Boyd whether it would be fair to burden the Seaway Corporation with the cost of maintaining the locks. This action would divert badly needed toll revenues from interest and principal payments to the upkeep of structures which were built to faulty specifications. In answer to my question, Mr. McCann replied:

> We will have to make an exact determination of the deterioration. This study is underway now and when we have a complete picture of it we will be able to give you a complete answer.

That study has now been completed. The damage is known to be very extensive. Responsibility for this faulty construction rests clearly with the U.S. Government, not with the Seaway Corporation. An appropriation from general Treasury funds seems to be the most equitable solution. This bill would authorize the amount estimated by the Corps of Engineers as necessary to restore the locks, over a period of several years, to adequate engineering standards.

Some fears may have been alleviated by Mr. McCann's testimony recently that the damaged locks would not interfere with this season's shipping. However, his ominous statement that a complete and indefinite closing of the seaway will result unless restoration is begun soon should serve as a warning that action is needed—and it is needed now.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2131) to authorize rehabilitation of navigation structures and appurtenant works of the St. Lawrence Seaway project to be carried out by the St. Lawrence Seaway Development Corporation and financed from appropriations; introduced by Mr. Bayh (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

THE PLIGHT OF MICRONESIA

Mr. MANSFIELD. Mr. President, Americans tend to react sharply when the word "colonialism" is applied to their country. They are understandably proud of this Nation's record of commitment to the principle of self-determination, particularly as regards the Philippine Islands and Puerto Rico. But what the average American does not realize is that in terms of size, the United States administers the largest colonial area in the world today. And if he should find this fact startling, he will be even more surprised—and dismayed—at our overall record of administration.

The area to which I refer is that of the Pacific Trust Territory, better known as Micronesia. It comprises 2,141 islands of varying size covering more than 3 million square miles of the South Pacific. Superimposed over a map of the United States, the boundaries of Micronesia would extend from ocean to ocean. The principal island groups are the Marshals, the Carolines, and the Marianas. They came into U.S. possession as the result of military action in World War II and were entrusted to the care of this Government by mandate of the United Nations at war's end.

The 1947 mandate charged the United States with promoting "the economic advancement and self-sufficiency of the inhabitants." The wording is direct and to the point; no one can quibble over its meaning. It is therefore an accurate yardstick by which to measure U.S. performance. A review of events and policies over the ensuing 20 years is in order.

The inhabitants of Micronesia are no strangers to foreign rule. In the past six decades the territory has been administered by four foreign powers: Spain until 1899, Germany from 1899 to 1914, Japan from that time until 1944, and the United States since World War II. The United States dislodged the Japanese after fierce fighting, and the occupied area was put under the jurisdiction of the Department of the Navy.

On July 18, 1947, Congress authorized President Truman to approve a strategic trusteeship agreement between the United States and the United Nations Security Council. The area was so designated on November 6, 1948. The distinction between a strategic trusteeship and an ordinary one is important. Although the territory is technically under the supervision of the Trusteeship Council, it is in practice subject to the unilateral control of the United States. Indeed, one section of the trusteeship agreement specifically guarantees this country preferential treatment in commerce—an arrangement denied to nations administering nonstrategic trust territories.

U.S. military rule came to an end on July 1, 1951, with the transfer of responsibility for Micronesia to the Department of the Interior. Except for a section of the Marianas, which was returned temporarily to the Navy for strategic reasons, the islands have been administered by Interior since that date.

The American record of administration has not been a good one. There are many who contend that life for the islanders was better under the Japanese. It is true that the Japanese were not interested in extending political freedom to the Micronesians. Nor were they in the islands for altruistic purposes.

But at least they had a commercial interest in the area. Economic exploitation did produce jobs, and it required that the rudiments of an industrial infrastructure—such as roads, electricity, schools, and so forth—be provided. The war completely destroyed these gains. Unfortunately, the United States has let more than two decades pass before making a serious attempt to replace them. In the meantime, the territory's population has risen considerably to more than 90,000, while basic services have continued to deteriorate.

The territory is dependent upon annual appropriations from Congress. During the Eisenhower years, the most ever allocated to the area was a little over $6 million a year. This met administrative costs but left little to meet urgent social and economic needs.

Mounting criticism in the U.N. and new directions in U.S. foreign policy led

President Kennedy to ask for an increase to $17.5 million. It was during this period—in June of 1961, to be exact—that a touring U.N. mission reported "considerable dissatisfaction and discontent" among the natives. It criticized U.S. administration in nearly every field.

The report proved a source of embarrassment to this country in the United Nations and stirred the administration and Congress to take corrective measures. But enthusiasm was shortlived, the task proved too large, and little was accomplished.

As the situation continued to deteriorate, a group of native medical men presented a petition of grievances to the Trusteeship Council in April of 1965 and asked for an investigation of the charges. A mission from the World Health Organization toured the islands later that year and reported in January of 1966 that the grievances were well founded. The group limited the report to the health situation and responsible observers generally agree that, if anything, the critique was understated. If it was understated, the following sample comments indicate how serious the health hazards were.

On tuberculosis control, the report stated:

> Tuberculosis is a major health problem in the Trust Territory.
>
> A programme for a long term, systematic tuberculosis control in the whole of the Territory and instructions for carrying out such a programme do not exist.
>
> There are tuberculosis wards in every district hospital. However, in two of them tuberculosis and leprosy patients occupied the same ward. In one of these hospitals, a mental patient, a tuberculosis patient and a leprosy patient shared a room.

Remarks on X-ray equipment were similarly critical:

> The team paid special attention to the X-ray equipment in all areas. It was found that in the majority of the district hospitals, the X-ray facilities were not adequate for the proper diagnosis and treatment of tuberculosis.
>
> One of the field hospitals had no X-ray facilities at all. In the other two field hospitals, X-ray facilities were regarded as adequate for bone X-rays only.
>
> A considerable number of X-ray units are old military equipment and prone to break down. As most of these are no longer in production, replacement parts are difficult to obtain.

On the dread disease of leprosy, the report stated:

> The team was unable to visit the island of Pingelap as we were officially informed that it has insufficient sheltered water available to allow a landing or take-off in the lagoon. This island is reported to have the highest prevalence of leprosy and has the only leprosarium in the Territory. Only a health aide is stationed there.
>
> There is no leprosy specialist in the Territory. The nearest hospital to serve the leprosarium is at Ponape, located more than 150 miles away.

The report was particularly critical of the state of the territory's environmental sanitation:

> Environmental sanitation is perhaps the most important form of health protection for a population. The deficiencies in environmental health services are underlined by the prevalence of diseases due to poor sanitation. Gastro-enteritis is common throughout the Territory and is a major cause of child mortality.
>
> One of the important deficiencies noted was the inadequacy of sanitary facilities for schools. Some school had been built without toilets or adequate water supply undoubtedly through lack of planning and coordination.
>
> In one case, Truk, a new school had to be closed because of the fouling of the grounds due to the absence of toilets.
>
> Water treatment plants were inspected in Ponape, Truk, Yap and Palau. In all cases the piped water catered only for a small percentage of the population of the island, let alone the district. Treatment was not considered to be fully adequate in any of the plants seen.

On the general problem of lack of facilities, the U.N. investigation team wrote:

> It is . . . true that all hopsitals and field hospitals have dental surgeries but these do not all have modern equipment. Some have dental units which are truly decrepit and in one case only a foot-pedal drill was in use.
>
> A uniform or reasonably uniform standard for dispensary buildings would be desirable. At present, dispensary buildings vary from tin or wooden sheds, some in very bad repair, to dispensaries built in native style.
>
> Sanitation facilities were usually inadequate and sometimes absent. Only one dispensary was seen which had running water. In those that had beds, including delivery beds, the mattresses were in a very poor state and not fit for patients.

Similar dissatisfaction was voiced with regard to the lack of laboratory services:

> In general, bacteriological facilities were poor. With the exception of the Marianas District Hospital, little culture work could be performed.
>
> Clinical chemistry was very limited.
>
> Nowhere is there now a reliable water testing programme.

And finally, Mr. President, on the subject of trained medical personnel, the report stated:

> We found that as of June 1965, there were 43 "medical officers" to serve an estimated population of close to 90,000. In this number of medical officers are included eight non-Micronesian graduate physicians with the degree of M.D. The 35 Micronesian "medical officers" and "assistant medical officers" are not graduates of an approved medical school. Three of them have only an elementary school education and were trained in the wards as apprentices during the Japanese administration.
>
> The ratio between physicians and the population is one physician to approximately 2000 people in the Trust Territory as compared with one physician to 750 people in the United States. If only physicians whose qualifications are recognized in the United States of America are considered, the ratio in the Trust Territory is one physician to approximately 11,000 people.
>
> The ratio for dental officers is one to 4500 people.
>
> With the exception of one Director of Dental Health, a United States D.D.S. with graduate training in public health, who is stationed at headquarters, none of the dental officers holds qualifications which are recognized in the United States.
>
> As of June 1965, there were only five nurses whose qualifications are registerable in the United States (R.N.).
>
> The ratio between registered nurses (R.N.) and the population is one nurse per 18,000 persons in the Trust Territory as compared with nearly three per thousand in the United States.

Mr. President, these are not quotations from the dated records of a 19th century colonial power. They are comments on a possession of the United States of America in the 20th century. And although they were aimed at the health situation which existed in Micronesia at that time, they could have been made—as admitted later by the U.S. ruling authorities themselves—on the educational and economic conditions of the islands as well.

In light of subsequent developments, it would appear that the U.S. Government is fully committed to correcting these longstanding ills. But, as I shall point out later, appearances can be misleading.

Shortly after the filing of the 1965 U.N. report, extensive hearings were held by the Interior Committees of both Houses of Congress. In mid-1966, the administration submitted an ambitious 5-year plan calling for $172 million in capital investments alone. This was scaled down by the Committees, and a 3-year version was authorized through fiscal 1969.

A new High Commissioner, William R. Norwood, of Hawaii, was appointed. It is my understanding that he is a capable administrator. Earlier this year, Congress passed a measure calling for changing his title to Governor and calling for future appointments to the post by the President rather than the Secretary of the Interior.

After considerable delay, the post of medical director of the Territory was finally filled in April. The firing of the previous occupant was partly responsible for the original petition of native medical men to the United Nations.

The Peace Corps has moved into Micronesia in force. Their admission to the islands had been held up because of the Territory's peculiar borderline status between being a domestic or foreign zone. The Territory has now proportionately more volunteers than any other place in the world.

All of these developments are welcome. But, Mr. President, there are unmistakable signs that the errors of 1961 are being repeated. The flurry of activity and concern which followed the critical U.N. report of that year soon gave way to apathy. It has taken longer in this particular case, but the trend is discouraging.

The key to any successful attack on Micronesia's problems is appropriations. The administration may propose, and the Interior Committees may authorize, but their efforts are for naught if Congress does not appropriate. Unfortunately, this has been the case.

At long last, the administration has shown initiative in seeking solutions to Micronesia's special problems. It has provided new leadership, compiled a comprehensive economic study of the islands, introduced large numbers of Peace Corpsmen, and petitioned Congress for sufficient funds to do the job.

The authorizing committees have agreed that more needs to be done. They authorized an additional $12.5 million in supplemental funds for fiscal 1967, plus a new high of $35 million each for fiscal years 1968 and 1969. The items were considered as part of a 3-year package.

Appropriations have been another matter. Of the $12.5 million authorized for supplemental 1967, only $1.6 million was appropriated—and that was earmarked for the unrelated item of typhoon repair. Of the $35 million authorized for fiscal 1968, only $25 million were disbursed. And failure to consider fiscal year 1969 appropriations in advance has negated the benefits of long-term planning as envisioned in the above-mentioned 3-year package.

Mr. President, I am of the opinion that my colleagues would not knowingly permit the situation in Micronesia to continue to deteriorate if they knew of the extent of the problem—not to mention the shadow which it casts on the reputation of the United States as an administering power.

I would remind the Senate that a similar situation existed a few short years ago in Samoa. Today those islands have been transformed from the "shame of the South Seas" into the "pride of the Pacific." The problem was not one simply of resources. Rather, it was one of commitment and will.

This is the problem which confronts us in Micronesia. To be sure, Micronesia is not Samoa. The tremendous distances which divide the islands constitute a real barrier to progress. The many languages spoken in the area are a handicap to unity. The lack of natural harbors and of mineral resources pose obstacles to economic progress.

And yet, Mr. President, we can do a great deal. We can make the necessary appropriations to construct schools, water and powerplants, roads, and so forth. We can implement the suggestions of a recent economic task force and encourage tourism and fishing. We can take a closer look at our tariff policies with regard to importation of native handicrafts from Micronesia. And we can move to clarify the ambiguous political situation of the territory.

A logical place to start is with the supplemental appropriations bill for fiscal 1968. It is my hope that the administration will include funds for Micronesia in its supplemental requests and that Congress will seize the opportunity to make good on this Nation's international and humanitarian responsibilities to the trust territory. If the American flag is to wave over those islands, the very least we can do is see that conditions approximating those we would prescribe for our fellow Americans are provided.

I have reviewed briefly the serious financial difficulties confronting the Trust Territory of the Pacific Islands, otherwise known as Micronesia. I have alluded to the need for clarifying the ambiguous political status of the islands and today I propose to introduce a bill which would meet that need.

A number of factors make me feel that such a move is timely. The first, of course, is the general difficulty posed for routine administration. A good example was the delay encountered in sending Peace Corpsmen into the territory. Since ambiguity existed as to whether the territory was a domestic or foreign zone, their entry was held up several years.

Another factor is the growing agitation by some islanders, particularly those in the Marianas, to be incorporated politically with nearby Guam. Guamanians are U.S. citizens and enjoy a considerably higher standard of living.

A third consideration—and the most important, in my opinion—is the appeal by the Congress of Micronesia for the establishment of a commission to ascertain the wishes of the islanders in this regard. The appeal, entitled "House Joint Resolution 47," was passed on August 9, 1966. It asked for a Presidentially appointed commission which would report its recommendations no later than the end of 1968.

The joint resolution which I introduce today is intended to meet the request of the Congress of Micronesia. It would create a 15-member commission composed of members appointed by the President, the Senate, the House of Representatives, and the Micronesian Congress. The Commission would make a "full and complete investigation and study of the ways in which the wishes of the people of the Trust Territory of the Pacific Islands with respect to their future political status can be ascertained." Up to $100,000 would be authorized to meet expenses, and the group would report back to Congress within 1 year of the date of the Commission's first meeting.

I have deliberately patterned the Commission after the one created in 1964 to study the political status of Puerto Rico. The Puerto Rican group was highly successful; it would be my hope that similar success could be achieved in the case of Micronesia.

Mr. President, I send the joint resolution to the desk for introduction, and I ask unanimous consent that its text be printed at this point in the Record. I also ask unanimous consent that there be printed thereafter a copy of Public Law 88–271, dated February 20, 1964, an act to establish a United States-Puerto Rico Commission on the Status of Puerto Rico, and a copy of a House joint resolution considered and passed in the Congress of Micronesia at its second regular session in 1966.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution, Public Law 88–271, and the House joint resolution of the Congress of Micronesia will be printed in the Record.

The joint resolution (S.J. Res. 96) to establish the Commission on the Future Political Status of the Trust Territory of the Pacific Islands (Micronesia), introduced by Mr. Mansfield, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S.J. Res. 96

A joint resolution to establish the Commission on the Future Political Status of the Trust Territory of the Pacific Islands (Micronesia)

Whereas the United States of America, by virtue of the authority granted it by a mandate of the United Nations, assumes a special responsibility for promoting the well being of the peoples of the Trust Territory of the Pacific Islands; and

Whereas the Congress of the United States has evidenced its sincerity in meeting this responsibility by making annual appropriations available to the Trust Territory of the Pacific Islands; and

Whereas the United States of America has a long history of support for the self-determination of peoples and a willingness to abide by their established wishes; and

Whereas in partial recognition of this principle, the United States of America fostered the creation of the Congress of Micronesia as an outlet for the self-expression of the inhabitants of those islands; and

Whereas the Congress of Micronesia, in the second regular session, 1966, adopted H.J. Res. 47, requesting the "United States of America to establish a Commission to ascertain the political desires of the people of Micronesia, and to develop and recommend procedures and courses of political education and action, with such alternatives as may be applicable and appropriate, to lead to the attainment of such desires and determination of the political status of Micronesia": Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission to be known as the Commission on the Future Political Status of the Trust Territory of the Pacific Islands (Micronesia), hereafter in this joint resolution referred to as the "Commission".

Sec. 2. The Commission shall make a full and complete investigation and study of the ways in which the wishes of the people of the Trust Territory of the Pacific Islands (Micronesia) with respect to their future political status can be ascertained. Within one year of the date of the Commission's first meeting, the Commission shall report, in writing, to the President of the United States, the Congress of the United States, and the Congress of Micronesia its recommendations with respect to ways of ascertaining such wishes, including its views as to how such ways so recommended should be implemented.

Sec. 3. (a) The Commission shall be composed of fifteen members as follows:

(1) The President of the Senate, with the approval of the majority and minority leaders of the Senate, shall appoint three members from the membership of the Senate.

(2) The Speaker of the House of Representatives, with the approval of the majority and minority leaders of the House, shall appoint three members from the membership of the House.

(3) The Congress of Micronesia shall appoint six of its members.

(4) The President of the United States shall appoint three members, one each from the Department of the Interior, the Department of State, and the Department of Defense.

(b) A vacancy in the Commission shall be filled in the same manner as the original appointment was made.

(c) The Chairman of the Commission shall be appointed by the President. The Chairman of the Commission shall call a meeting for organizing the Commission as soon as feasible after he and a majority of the members of the Commission have been appointed.

(d) Members of the Commission shall be appointed for the life of the Commission.

(e)(1) Members of the Commission who are Members of Congress or full-time officers or employees of the United States shall receive no additional compensation on account of their service on the Commission. The other members of the Commission shall each be entitled to receive $75 for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Commission.

(2) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

(f) Eight members of the Commission shall constitute a quorum.

Sec. 4. (a) The Commission may appoint and fix the compensation of such personnel as it deems advisable without regard to (1) the provisions of title 5, United States Code, governing appointments in the competitive service, and (2) the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates, except that no individual so appointed shall be paid at a rate in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of such title.

(b) The Commission may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code.

(c) The head of any executive department or independent agency of the Federal Government is authorized to detail, on a reimbursable basis, any of its personnel to assist the Commission in carrying out its work.

Sec. 5. (a) The Commission may for the purpose of carrying out this joint resolution hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission may deem advisable. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b) When so authorized by the Commission, any member or agent of the Commission may take any action which the Commission is authorized to take by this section.

(c) The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this joint resolution. Upon request of the Chairman of the Commission such department or agency shall furnish such information to the Commission.

(d) The Commission is authorized to enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conducting of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

Sec. 6. The Commission shall cease to exist on the ninetieth day following the submission of its final report pursuant to section 2.

Sec. 7. There is authorized to be appropriated such sum, not to exceed $100,000, as may be necessary to carry out the provisions of this joint resolution.

The material presented by Mr. Mansfield is as follows:

Public Law 88–271

An Act to establish a United States-Puerto Rico Commission on the Status of Puerto Rico

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, with due recognition to the principle of government by consent of the governed, the Congress of the United States hereby establishes the United States-Puerto Rico Commission on the Status of Puerto Rico.

Sec. 2. (a) The Commission shall, subject to enlargement as provided in subsection (c) of this section, be composed of seven members.

(b) The President of the United States shall appoint the Chairman of the Commission and two other members, all of whom shall be citizens of the United States and none of whom shall be residents of Puerto Rico. The President of the Senate, with the approval of the majority and minority leaders of the Senate, shall appoint two members from the membership of the Senate. The Speaker of the House of Representatives, with the approval of the majority and minority leaders of the House shall appoint two members from the membership of the House.

(c) The Congress hereby invites the Commonwealth of Puerto Rico to provide for participation of the Commonwealth and its people in the work of the Commission by enactment of a law providing for the appointment of an additional six members of the Commission, for the equal sharing of the expenses of the Commission, and for making available, without reimbursement, to the Commission the information and assistance of the departments and agencies of Puerto Rico unless prohibited under any law effective on the date of enactment of this Act, upon request of the Commission. If the legislative assembly shall do so and if the additional six members are appointed the Commission shall consist of thirteen members.

(d) A majority of the Commission shall constitute a quorum for the transaction of its business, but the Commission may provide for the taking of testimony and the reception of evidence at meetings at which there are present not less than three members of the Commission. The Chairman of the Commission shall call a meeting for organizing the Commission as soon as possible after he and a majority of the members of the Commission have been appointed.

Sec. 3. (a) Any member of the Commission who is not an officer or employee of the Government of the United States or the government of Puerto Rico shall be paid $75 per diem for his services while actually engaged on Commission business, and all members shall be entitled to reimbursement for actual travel and reasonable subsistence expenses incurred in connection with their service on the Commission.

(b) The Commission is authorized to appoint and fix the compensation of an Executive Secretary and such other additional personnel as may be necessary to enable the Commission to carry out its functions without regard to the civil service laws, rules, and regulations, but any Federal employee subject to those laws, rules, and regulations, who may be detailed to the Commission (which detail is hereby authorized) shall retain his civil service status without interruption or loss of status or privilege.

(c) The Commission is authorized and directed to call upon the head of any Federal department or agency to furnish information and assistance which the Commission deems necessary for the performance of its functions, and the heads of such departments and agencies are authorized and directed to furnish such assistance and information, unless prohibited under any law effective on the date of enactment of this Act, without reimbursement.

Sec. 4. The Commission shall study all factors, including but not limited to existing applicable laws, treaties, constitutions, and agreements which may have a bearing on the present and future relationship between the United States and Puerto Rico. The Commission shall render its report to the President of the United States, the Congress of the United States, the Governor of Puerto Rico, and the Legislative Assembly of Puerto Rico not earlier than the later of the two following dates:

(i) one year from the date of the meeting called for organizing the Commission as provided in section 2(d) of this Act;

(ii) one year from the date on which the additional six members for which provision is made in section 2(c) of this Act are appointed, if such appointment occurs within six months after the effective date of this Act, and not later, in any event, than the opening day of the second session of the Eighty-ninth United States Congress.

Sec. 5. There is hereby authorized to be appropriated from the funds of the United States Treasury not heretofore appropriated such sums (but not more than $250,000) as may be necessary for the performance of the work of the United States-Puerto Rico Commission on the Status of Puerto Rico.

[Second regular session, 1966, Congress of Micronesia]

H.J. Resolution 47

Joint resolution requesting the High Commissioner, through the Secretary of the Department of Interior, to petition the President of the United States of America to establish a Commission to ascertain the political desires of the people of Micronesia, and to develop and recommend procedures and courses of political education and action, with such alternatives as may be applicable and appropriate, to lead to the attainment of such desires and determination of the political status of Micronesia

Whereas, the Micronesian people should freely exercise their sovereign right of self-determination as set forth in the Trusteeship Agreement between the United Nations and the government of the United States of America; and

Whereas, the Congress of Micronesia believes that this generation of Micronesians should have an early opportunity to determine the ultimate constitutional and political status of Micronesia; and

Whereas, such determination should be made on the basis of meaningful proposals of the political and constitutional alternatives open to the people of Micronesia; now, therefore,

Be it resolved by the House of Representatives of the Congress of Micronesia, Second Regular Session, 1966, the Senate concurring, that the High Commissioner, and through him the Secretary of the Department of the Interior, be and are hereby enjoined to use their good offices to petition the President of the United States of America to establish a commission to consult the people of Micronesia to ascertain their wishes and views, and to study and critically assess the political alternatives open to Micronesia; and,

Be it further resolved that said commission report its findings to the President of the United States of America no later than December 31, 1968.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on July 17, 1967, he presented to the President of the United States the enrolled joint resolution (S. J. Res. 81) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees.

ADDITIONAL COSPONSORS OF BILLS

Mr. ANDERSON. Mr President, on June 20 I introduced S. 1975, to amend section 202 of the Agriculture Act of 1956 which would bar the importation of extra-long staple cotton from any country which has severed relations with the United States. The proposed bill would bar the importation of Egyptian extra-long staple cotton and in this way permit farmers in this country additional acreage to supply this market now enjoyed by Egypt.

Mr. President, I ask unanimous consent that at the next printing of this bill, the name of the Senior Senator from Texas [Mr. Yarborough] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from North Carolina [Mr. Ervin] be added as a cosponsor of the bill (S. 798) to provide compensation to survivors of local law enforcement officers killed while apprehending persons committing Federal crimes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 1796) to impose quotas on the importation of certain textile articles, the names of the Senator from Rhode Island [Mr. Pastore], the Senator from Florida [Mr. Holland], the senior Senator from West Virginia [Mr. Randolph], the junior Senator from West Virginia [Mr. Byrd], and the Senator from Delaware [Mr. Boggs] be added as additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maryland [Mr. Tydings], I ask unanimous consent that, at the next printing of the bill (S. 1033) to establish an Office of Judicial Assistance in the Justice Department, the name of the Senator from Pennsylvania [Mr. Scott] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY of Massachusetts. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 1662) to limit Federal financial assistance otherwise available for the construction or operation of nursing homes to nursing homes in States which have in effect a program which provides for the licensing of the operators of such homes and which meets certain requirements, the name of the Senator from New York [Mr. Javits] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS ON S. 1659

Mr. SPARKMAN. Mr. President, hearings before the Committee on Banking and Currency will begin on July 31 and continue throughout that week on S. 1659, the amendments proposed by the Securities and Exchange Commission to the Investment Company Act of 1940 regarding mutual funds.

Considerable interest and controversy have developed regarding the bill. I have met with different industry groups and with SEC officials, as have other members of the committee and the committee staff, in an effort to develop workable and realistic alternatives which will be acceptable to the industry and safeguard the investing public. I believe there is room for compromise, and I am encouraged with the reception I have received from both the SEC and industry groups. Just today I received a letter from Mr. Robert L. Augenblick, president and general counsel of the Investment Company Institute in which he sets forth the efforts his organization is making toward arriving at a workable solution to some of the problems raised in the SEC report and proposed legislation.

I want to commend the Investment Company Institute and its officials and to encourage them to continue their good efforts.

I ask unanimous consent that Mr. Augenblick's letter be reprinted, along with my remarks, in the body of the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Investment Company Institute,
New York, N.Y., July 18, 1967.

Hon. John Sparkman,
Chairman, Committee on Banking and Currency, U.S. Senate, New Senate Office Building, Washington, D.C.

Dear Mr. Chairman: By letter dated June 21, 1967 you requested that I arrange to confer with the staff of the Committee on Banking and Currency with respect to problems which exist in connection with S. 1659, the Investment Company Amendments Act of 1967. I responded the next day to the effect that such a conference would be arranged as soon as possible. As you will recall, such a conference was held on June 26, 1967. We were gratified that you found it possible personally to attend a portion of that conference.

In view of the belief that you expressed at the conference that it might be possible to narrow the issues, if not to achieve complete agreement on all aspects of a Bill, I think that I should report to you the various steps which have been taken since then.

At the conclusion of our conference, I promptly reported your views to our policy group. As a result, the staff of the Institute was directed to discuss in detail with your staff the many complex provisions of the lengthy Bill. The objective was, as you suggested, to narrow the issues; also pursuant to your suggestion, it was decided to start with the many technical amendments, some of which are themselves highly controversial. In implementation of this decision, a staff member of the Institute conferred at length on June 27, 28 and 29 with the staff of your Committee. As a result of these conferences, your staff transmitted a number of our suggestions concerning the technical amendments to the staff of the SEC. A meeting was then arranged for July 10, 1967 between the Institute staff and SEC staff officials. As a result of this meeting we are hopeful that a large number of technical problems will be eliminated, including some which involved serious disagreement. Several matters were left open and it has been agreed to hold further conferences shortly.

As you will remember, I mentioned to you during the course of our discussion in the June 26 conference that the Institute had previously made proposals to the SEC in the management fee area, which were promptly rejected by the Commission. In this connection I might mention that during the recent conferences with your staff, the area of management fees was discussed to determine whether some new approaches might be fruitful.

We think that such discussions are useful and should continue and I should also like to express our deep appreciation for the time and effort which you and your staff have devoted to this matter.

Sincerely yours,
Robert L. Augenblick, *President.*

THE UNIQUENESS OF VERMONT

Mr. AIKEN. Mr. President, in many parts of the country there is today a steady exodus of rural people who find their lives restricted and opportunities few.

In large numbers they are abandoning farms and towns to seek opportunities in metropolitan centers.

Not many years ago, this was a continuing problem in Vermont.

But not today.

The people of Vermont now have little need to seek greener pastures.

Vermont's great natural resources and the sturdy character of her people combine to create opportunities, that are attracting new industries.

Among the States, Vermont is perhaps unique in its ability to maintain its rural characteristics, its small town charm, and at the same time enable its people to develop their talents and enjoy the fruits of their accomplishments.

The fact is that Vermont's steadily developing industries maintain a steady pace with its growing population.

To get a picture of Vermont's expanding industry one need only visit the granite center at Barre, Bennington's textile mills and furniture factories, Rutland and Proctor where industries flourish and where great marble beds produce building stones of unexcelled durability and beauty.

Industrial growth in the Burlington area, which is the seat of the State university, is truly remarkable.

Several large business firms have located branches there, and the electronics industry is booming.

Vermont's industries flourish because of the talents and skills of its people and because it draws on the great natural resources with which the State abounds.

The uniqueness of Vermont lies, I think, in its balanced growth and development.

There are no overcrowded metropolitan centers.

Its people's lives are not restricted by a single-crop economy, nor is employment dependent upon a single industry.

Vermont enjoys diversity which stems in large measure from its many prosperous small businesses.

Vermonters are known for their independence, their intelligence, and their industry, and these qualities combine with the State's natural advantage to create a climate favorable for small business.

It is for that reason that I follow with keen interest the activities of the Small Business Administration, whose many services fan out into all sections of the State from its regional office in Montpelier.

My interest in the Small Business Administration also stems from another factor.

The retiring head of this agency, who was appointed Administrator a little more than a year ago, is a native New Englander, a prominent alumnus of St. Michael's College, and my good friend, Bernard L. Boutin.

Bernie Boutin has been a devoted public servant and has made SBA the dynamic organization President Johnson wants it to be.

Although I have at times been a rather severe critic of the President, I gladly give President Johnson full credit for seeking to build a "working partnership" between business and government.

He again emphasized this concept last April when he said:

> It has long been my conviction that those of us in Government can greatly profit by a continuing and frank exchange with people in business, education, other professions, and in civil life. . . . The needs of all Americans are too intertwined to permit any agency or any field office of our Government to try to operate alone, or try to operate in isolation.

This concept has resulted in a new level of cooperation between business and Government—and the people—which is bringing daily benefits to us all.

Nowhere in the Federal Establishment has this concept of cooperation been more readily accepted than in the Small Business Administration.

Under the direction of Administrator Boutin, the SBA has developed closer cooperation with the Nation's commercial banks.

The Agency's new simplified blanket loan guarantee plan, developed with the cooperation of the American Bankers Association, makes it possible for the commercial banks to make loans to their small business customers with very little risk.

The SBA will guarantee these loans up to 90 percent.

The Small Business Administration cooperates closely with State and local officials in Vermont, as well as with other Government agencies, to help enterprising Vermonters build independent business careers.

Like small businessmen elsewhere in America, Vermont small businessmen are self-reliant, progressive, and many of them are prosperous.

Through its office in Montpelier, headed by Bill Geary, SBA works hard to keep them that way.

SBA loans can be used to help a person get a start in business, to help a small businessman improve his business and provide additional services, or to help him expand production.

During fiscal year 1967, SBA provided assistance in Vermont through 77 loans totaling $3.2 million.

This included $2.9 million in long-term loans to aid 61 small business enterprises; 13 loans totaling $160,000 made under the economic opportunity loan program, and three loans totaling $219,000 to aid firms that had been displaced by urban renewal or highway projects to move to new locations.

Mr. President, loans are not always the answer to a small businessman's problem.

Many small businessmen have profited from SBA's counsel and encouragement, and from attending management training courses cosponsored by SBA and colleges and universities.

In Vermont, training courses have been held at Champlain College in Burlington.

Through cooperation with local chambers of commerce these training courses are now being offered in all sections of Vermont.

Study topics are selected with the help of State advisory council members.

In addition to the management training courses, SBA specialists help small businessmen with individual counseling and members of SBA's Service Corps of Retired Executives—SCORE—are also available for individual counseling.

Administrator Boutin has been a strong believer in the value of these training courses.

He has strongly supported education at all levels.

Among the many distinctions he has won, he prizes most highly the honor that was bestowed upon him last December when he was one of the first eight lay members to be appointed to the board of trustees of St. Michael's College in Winooski, his alma mater.

I consider it very fortunate for the small businessmen of Vermont and of the Nation that President Johnson recognized the abilities and worth of this sturdy son of New England, Bernard L. Boutin, by having named him Administrator of the Small Business Administration.

Administrator Boutin has understood from firsthand experience the high hopes, the problems, the frustrations, and the successes that small businessmen experience everywhere.

The small businessmen of Vermont will find a true champion in the SBA.

This Agency stands ready to provide help through its office in the new Federal building in Montpelier.

VIETNAM

Mr. AIKEN. Mr. President, on Thursday, July 13, in announcing the decision to send more troops to Vietnam, President Johnson told the American people that—

> We are generally pleased with the progress we have made militarily. We are very sure that we are on the right track.

The day before, Secretary McNamara, according to the Washington Post said:

> Substantial progress had been achieved on virtually all fronts—political, economic, and military—since my previous visit to Vietnam last September.

According to the Post news story:

> He pointed to "tremendous progress" in the political area, as reflected by the coming presidential election; a very substantial improvement in the economy, which is no longer in danger of being overrun by inflation, and a "dramatic change" at the Port of Saigon, no longer jammed with tons of undelivered goods.

This optimistic assessment of the situation brought to mind a long series of rosy predictions about Vietnam by Secretary McNamara and other Presidential advisors over the last 4 years. Members of the Committee on Foreign Relations, and the public, have heard that song before and the tune is no longer catchy. The track record of the President's advisors on Vietnam policy leaves much to be desired. It certainly provides ample reason to review this latest assessment with something less than total credibility.

In order to refresh the memory of my colleagues on the various optimistic statements made by administration officials along the pathway to the present morass in Vietnam, I ask unanimous consent to have printed in the Record a compilation prepared by the Library of Congress. I also ask unanimous consent to have printed in the Record an editorial from the July 14 Washington Post on the credibility question.

There being no objection, the compilation and editorial were ordered to be printed in the Record, as follows:

[From the Library of Congress, Legislative Reference Service, June 6, 1967]

To: Senate Foreign Relations Committee.
From: Foreign Affairs Division.
Subject: Selected statements by members of the executive branch on victory in Vietnam and removal of U.S. troops.

Statements by President Kennedy and his leading advisers in 1963 indicated they did not believe that large-scale introduction of U.S. troops into South Vietnam would be necessary. Statements by President Kennedy, by Secretary of State Rusk and Secretary of Defense McNamara indicated that the South Vietnamese would be able to handle the situation themselves, that U.S. troops would not be needed in more than an advisory and training role, and that even those in a training role could begin returning home in late 1963 and in 1964.

Several statements by Secretary McNamara were optimistic about the termination of the U.S. military mission. A White House statement on October 2, 1963 included the following: "Secretary McNamara and General Taylor reported their judgment that the major part of the U.S. military task can be completed by the end of 1965." Several statements were made by President Kennedy and by Secretary McNamara dealing with the removal of a certain number of U.S. troops by the end of 1963. Some troops were removed, a large number of whom had completed their task of training South Vietnamese policemen. The impression remained, however, that this signified the beginning of the end of the U.S. training mission.

Secretary McNamara in 1963 and 1964 made other statements that could be classified as optimistic. On February 19, 1963, he indicated he thought it would take "maybe 3 or 4 years" to defeat the Viet Cong. In February 1964 he said that "I personally believe this is a war the Vietnamese must fight. I don't believe we can take on that combat task for them." By 1965, Secretary McNamara was more cautious in his statements on the duration of the war. In November 1965, he did say after returning from a trip to South Vietnam that "the most vital impression I'm bringing back is that we have stopped losing the war."

A statement by President Johnson in March 1964, made clear that a large portion of those military advisers who returned had been training guards and policemen in South Vietnam. President Johnson stated that others might return when their task was completed, but that additional men would be sent as required. Some early statements by President Johnson indicated that the Administration was still hopeful about the war's coming to an end: On January 1, 1964, in a New Year's message to the chairman of the Military Revolutionary Council in South Vietnam, he wrote: "As the forces of your government become increasingly capable of dealing with this aggression, American military personnel in South Vietnam can be progressively withdrawn." The statement he made in March indicated a gradually changing assessment of the situation. However, in September 1964, during the election campaign, President Johnson did not give the impression that U.S. troops would be used in combat. He said: "We don't want our American boys to do the fighting for Asian boys, we don't want to get tied down in a land war in Asia." Other statements by administrative officials in 1964, in 1965, 1966 and 1967 indicated a cautious assessment of how soon the war might be over. However, the Administration did make an arbitrary assumption in drawing up the fiscal 1967 budget "that the conflict would end by June 1967."

Statements by President Johnson during the past year indicate uncertainty about how long the war might continue. In December 1966, he said: "Just how long they will be required to do so, I am not able to predict. If I did predict it, I would have no doubt but what I would live to regret it." In March 1967, he said, "I think we have a difficult, serious, long, drawn-out, agonizing problem that we do not yet have the answer for."

Though Secretary Rusk apparently has not made any specific references, with dates, as to when the U.S. might withdraw from South Vietnam, he did in 1963 show some optimism over developments there. On February 13, he said that "the momentum of the Communist drive has been stopped . . . The guerrillas are losing ground . . . government forces have the initiative and are using it with growing effect." In April he said, "The Vietnamese are on their way to success" but "we cannot promise, or expect, a quick victory there." In February 1964, he said that the Vietnamese "can handle this problem primarily with their own effort."

On January 1, 1967 he noted that the Viet Cong "must surely now understand that they are not going to succeed in seizing South Vietnam by force . . . If I am pessimistic, it is simply because we have not yet seen any indication from the other side that they are prepared to give up their idea of seizing South Vietnam by force." On April 16, 1967 Secretary Rusk stated that "I think we have seen some very favorable signs that we are making headways on the military side, but that does not "mean that the war is just about over."

SELECTED EXECUTIVE STATEMENTS ON VICTORY IN VIETNAM AND WITHDRAWAL OF U.S. TROOPS

John F. Kennedy

May 22, 1963: "I hope we could—we could withdraw the troops, any number of troops, any time the government of South Vietnam would suggest it. The day after it was suggested, we would have some troops on their way home. We are hopeful that the situation in South Viet Nam would permit some withdrawals in any case by the end of the year, but we can't possibly make that judgment at the present time. There is still a long, hard struggle to go . . . I couldn't say that today the situation is such that we could look for a brightening in the skies that would permit us to withdraw troops or begin to by the end of the year . . . As of today, we would hope we could begin to perhaps to do it at the end of the year, but we couldn't make any final judgment at all until we see the course of the struggle the next few months."

September 2, 1963: "I don't think that unless a greater effort is made by the Government to win popular support that the war can be won out there. In the final analysis, it is their war. They are the ones who have to win it or lose it. We can help them, we can give them equipment, we can send out men out there as advisers, but they have to win it, the people of Viet Nam, against the Communists."

October 31, 1963: "When Secretary McNamara and General Taylor came back from Viet Nam, they announced that we would expect to withdraw a thousand men from South Vietnam before the end of the year and there has been some reference to that by General Harkins. If we are able to do that, that would be our schedule. I think the first unit or first contingent would be 250 men who are not involved in what might be called front-line operations. It would be our hope to lessen the number of Americans there by 1,000, as the training intensifies and is carried on in South Vietnam. As far as other units, we will have to make our judgment based on what the military correlation of forces may be."

November 14, 1963: "We are going to bring back several hundred (troops from South Vietnam) before the end of the year."

Lyndon B. Johnson

January 1, 1964. New Year's message to chairman of the Military Revolutionary Council in South Vietnam: "As the forces of your government become increasingly capable of dealing with this aggression, American military personnel in South Vietnam can be progressively withdrawn. The U.S. Government shares the view of your government that 'neutralization' of South Vietnam is unacceptable. As long as the Communist regime in North Vietnam persists in its aggressive policy, neutralization of South Vietnam would only be another name for a Communist takeover."

March 7, 1964: "I don't think that the American public has fully understood the reason for our withdrawing any advisers from South Vietnam, and I think they should. We Have called back approximately 1000 people. A good many of those people, several hundred, were training guards, policemen . . . From time to time, as our training mission is completed, other people will be withdrawn. From time to time, as additional advisers are needed, or as people to train additional Vietnamese are needed, we will send them out there. But we see no reason to keep the companies of MP's out there, after they have already trained the Vietnamese who can perform the duty equally as well. I think that a good deal will depend on what Secretary McNamara advises concerning who is withdrawn, when they are withdrawn, and who is sent out, and when they are sent out . . . When his report is in, we will carefully evaluate it, and if additional men are needed, we will send them. If others have completed their mission, we will withdraw them."

March 17, 1964, on McNamara and Taylor report on trip to South Vietnam: "The policy should continue of withdrawing United States personnel where their roles can be assumed by South Vietnamese and of sending additional men if they are needed. It will remain the policy of the United States to furnish assistance and support to South Viet Nam for as long as it is required to bring Communist aggression and terrorism under control."

September 25, 1964: "There are those that say you ought to go north and drop bombs, to try to wipe out the supply lines, and they think that would escalate the war. We don't want our American boys to do the fighting for Asian boys. We don't want to get involved in a nation with 700 million people and get tied down in a land war in Asia. There are some that say we ought to go south and get out and come home, but we don't like to break our treaties and we don't like to walk off and leave people who are searching for freedom, and suffering to obtain it, and walk out on them."

December 31, 1966, reply to news conference question on war strategy: "I think that we are making the plans that we believe are in the best interest of this country. I don't think anyone can say with any precision when the peace conference will come. We are preparing our people to protect our national interest and our agreements and commitments. Just how long they will be required to do so, I am not able to predict. If I did predict it, I would have no doubt but what I would live to regret it."

March 21, 1967, on how things look in Vietnam: "I think we have a difficult, serious, long, drawn-out, agonizing problem that we do not yet have the answer for."

Robert S. McNamara

February 19, 1963: "I hope for a gradual strengthening of the control of the Government over the activities of that nation, and a gradual weakening of the influence of the Viet Cong. I think this will go on for a substantial period in the future. I can't really put a number on the years involved, but I think it would be maybe 3 or 4 years."

October 2, 1963, White House statement: "Secretary McNamara and General Taylor reported their judgment that the major part of the U.S. military task can be completed by the end of 1965, although there may be a continuing requirement for a limited number of U.S. training personnel. They reported that by the end of this year, the U.S. program for training Vietnamese should have progressed to the point where 1000 U.S. military personnel assigned to South Vietnam can be withdrawn."

November 19, 1963: "It is our objective to provide the training and logistical assistance which the South Vietnamese Government has requested of us, and upon completion of certain facets of that training, small numbers of the U.S. personnel will be able to return by the end of this year."

February 3, 1964: "Last fall I was not as optimistic perhaps about the course of the war as I was about being able to bring back our personnel in certain numbers by the end of last year and also in increments. I still am hopeful of doing that. We did, of course, bring back a thousand men toward the latter part of last year. I am hopeful we can bring back additional numbers of men. I say this because I personally believe this is a war the Vietnamese must fight . . . I don't believe we can take on that combat task for them. I do believe we can carry out training . . . The training, by the very nature of the work, comes to an end at a certain point."

May 14, 1964: "I firmly believe that the persistent execution of the political-military plans which the Government of Vietnam has developed to carry out that war with our assistance will lead to success."

Answer to question on number of U.S. training personnel needed in Vietnam; "I think on balance the number is not likely to increase substantially."

March 2, 1965, reply to question on length of war: "I really can't say. I think the period of time required to counter effectively a substantially guerrilla effort of the kind that currently exists in South Vietnam is great, and whether it is 1 year, 2 years, or more, I really can't say, but a long period of time is required to reintroduce effectively peace and stability into a nation that has been torn apart as has been South Vietnam. . . . It is difficult for me to forecast the course of events in Southeast Asia, but I want to repeat what I said a moment ago: an effective opposition to a guerrilla campaign requires an extended period of time for the results to be clear. I don't believe that we can be effective in South Vietnam in a short period of time. We expanded our efforts at the end of 1961. We have been there now 3-plus years on an expanded basis. We have been there pursuing these objectives—the same objectives we have today—for 10 or 11 years, and I think that it will be more before we achieve them."

May 9, 1965: "Let me say that I think it is perfectly clear that the situation in Vietnam has deteriorated during the past year or a year and a half, both politically and militarily."

July 20, 1965, in Saigon: "In many aspects there has been deterioration since I was here last—15 months ago."

July 21, 1965: "The situation is serious today, I think, in several respects. It has deteriorated over the past 12 months. Vietcong strength has increased dramatically during that period, primarily as a result of the continuing infiltration of large numbers of soldiers—now regular army personnel from North Vietnam. That increased strength has allowed the Vietcong to expand and intensify their attacks on the political structure of South Vietnam and in particular to increase their campaign of terror against the civilian population. . .

"I can't predict the future with accuracy. I do want to mention one thing about the future, however, that I think is very interesting. Within the last 3 or 4 weeks, Ho Chi Minh looked into the future, and he said it might take 20 years for them to win."

October 26, 1965, interview question: One of the generals in the field is quoted as saying that he once thought it was going to be a 10 year war, but now he is optimistic and leaning toward 9½ years.

Secretary McNamara: "I wouldn't make a prediction as to the duration of the war. I think it is important to recognize that progress has been made during the summer."

November 30, 1965, planeside interview at Andrews AFB, returning from South Vietnam: "The most vital impression I'm bringing back is that we have stopped losing the war."

Dean Rusk

February 1, 1963: "There are some definitely encouraging elements. The ratio of casualties between Government and Viet Cong forces, the ratio of arms captured or lost between the two sides, the steady extension of the strategic-hamlet program, the increasingly effective work of the montagnards along the border areas—all those indicate some turning in the situation. . . . I think that in such a situation as we have in Viet Nam at any one time there are going to be both pluses and minuses in the situation."

February 13, 1963: "The momentum of the Communist drive has been stopped. Complete victory for South Viet Nam is not just around the corner, but the guerrillas are losing ground and the number of guerrilla attacks has declined significantly. Major deficiencies in training, intelligence and mobility have been repaired; government forces have the initiative and are using it with growing effect."

April 18, 1963: "The South Vietnamese themselves are fighting their own battle, fighting well."

April 22, 1963: "The Government forces are able to maintain the initiative and, increasingly, to achieve the advantage of surprise. The strategic hamlet program is producing excellent results. . . . The strategic hamlet provides strength against the Communists in the countryside. . . . The villagers are fighting when attacked. . . . Rice production is up. . . . Defections from the Viet Cong have risen. . . . The Viet Cong is losing more weapons than are the Government forces. Viet Cong attacks are running at less than half the rate of January 1962. . . . The Viet Cong has been unable to carry out its plan to escalate to larger military units and to more conventional warfare. . . . We cannot promise, or expect, a quick victory there. . . . It took 8 years to wipe out the Communist terrorists in Malaya—and they were far from a major Communist base. But there is a good basis for encouragement. The Vietnamese are on their way to success and need our help; not just our material help—they need that—but our sympathetic understanding and comradeship."

November 8, 1963: "We were also concerned in May and June and July of this year when developments in South Viet Nam indicated that there was a growing gap between the government and people of that country, and there was some danger that the solidarity of the country itself in meeting this threat would be undermined by differences within the country . . . We believe that the present regime has moved promptly to consolidate public effort, that they will be able to resolve some of the internal difficulties that grew up, and that there will be a possibility that the people of that country will move in greater unity on behalf of the total effort."

February 24, 1964: "I think the resources and the capabilities are there to get this job done on the present basis of assistance to the Vietnamese so that they themselves can handle this problem primarily with their own effort."

July 1, 1964: "I think they (the Viet Cong) have very serious problems—not only in fact, in terms of losses, disruptions, but in terms of morale. So I am not pessimistic about the situation. It is difficult, it is going to take some time, it is going to take more of the heroic job being done by South Vietnamese and Americans and others in that situation. But I don't feel any sense of despair whatever."

June 18, 1965: "I think they (the South Vietnamese) have been encouraged by the clear evidences of the United States support and the clear evidence that we take our commitments seriously and that they are getting major assistance from us and growing assistance from others, I think this has had a good deal to do with strengthening their hand and sustaining their morale in what has been a very difficult and mean situation over a period of time."

August 25, 1966: "We are beginning to see some signs of success of this strategy. The Viet Cong monsoon offensive, which we know from captured documents it was their intention to carry out during the period May to October, has not materialized because of Westmoreland's tactics of carrying out spoiling operations based on intelligence he has received as to concentrations of Viet Cong . . . The number of defections this year has doubled compared to the past year. No doubt this is a sign of erosion of morale."

January 1, 1967, on the prospects for peace in Vietnam in 1967: "I think there is a possibility. The task of diplomacy is to proceed on the basis of optimism. And I never close the door to the possibility that this situation will change. I do believe that one basis for optimism is that the other side must surely now understand that they are not going to succeed in seizing South Viet Nam by force. Now, maybe that will bring about a significant change in their political approach to this question.

"But if I am pessimistic, it is simply because we have not yet seen any indication from the other side that they are prepared to give up their idea of seizing South Viet Nam by force."

April 16, 1967: "I think we have seen some very favorable signs that we are making headway on the military side, but that does not mean that the war is just about over . . . I am reluctant to put dates on (winning conventional warfare phase of the war), but I would think we made very, very substantial headway during 1966 on the conventional type of warfare. Now, the pacification effort against the guerrillas is almost by nature a slower task . . . But that is beginning to move now, and I think that behind the cover of the military success against the large units can come an increased pace against the guerrillas. I must say that I have been impressed by the doubling of the rate of defectors from the other side."

M. T. Haggard,
Analyst in Asian Affairs.

[From the Washington Post, July 14, 1967]

What's Going On?

Once again, President Johnson has received from his Secretary of Defense an on-the-spot report on Vietnam at a time when confidence about the course and conduct of the war is faltering. And once again, a genuinely concerned American public is being suffocated in optimistic generalities—progress is "tremendous," improvement is "substantial," change is "dramatic" and current policy, strategy and tactics are all beyond reproach.

It is time to change this public relations ritual—the confident briefings in the White House Fish Room, the capsule appraisals at airport arrivals, the echoes from congressional committee rooms. It is time for the President to tell us where things stand.

When our military chiefs in Saigon and the Pentagon have been arguing for weeks, often out loud, for large and specific numbers of additional troops, and the public has been led to believe a decision is imminent, it is not enough to be told on Wednesday by Mr. McNamara that "some more" men will be needed but that "we haven't arrived at any final conclusion and we don't know when we will." Especially when the President tells us on Thursday that General Westmoreland will get what "he needs and requests and what we find acceptable."

When Premier Ky has just been deposed as a candidate for president after abusing the electoral procedures, and his replacement, General Thieu, is giving no assurances he doesn't intend to go right on doing many of the same things, it is a bit much to claim that the forthcoming elections reflect "tremendous progress, when one looks back" to the political shambles nine months ago. When one looks far enough back, one sees the government of President Diem, "freely" elected and firmly entrenched until its repressions against political opponents began the process which brought it down.

When most American citizens can see nothing but an expanding United States force tied down in a military stand-off, it does not reassure them much to be told that the idea of a military "stalemate" strikes field commanders as "the most ridiculous statement they have ever heard." Not when United States casualties this past week were the third highest on record and sizable American units have been all but wiped out.

When a wire service dispatch is reporting a new burst of inflationary price increases and a new threat of economic trouble, it is hard for Americans to believe that a "dramatic change" in the efficiency of the Port of Saigon has brought a "very substantial improvement" in the economy.

This is the heart of the matter—not what Mr. McNamara may genuinely believe, but what the American public, at this point, can realistically be expected to believe. Mr. McNamara calls it a multi-faceted war and by that test some facets can be found that are doubtless going reasonably well. But it is also a war of attrition, in General Westmoreland's phrase, and it is quite unbelievable that in the past year "we have achieved all of our objectives while the enemy failed dismally," as the General contends. Attrition must be measured not only by Vietcong and North Vietnamese dead but by the ebb and flow of military-political-psychological struggle for the allegiance of the populace. And here is one "facet," Mr. McNamara will admit, where progress is "very slow."

That this is also the key "facet," which will very likely determine the duration and the outcome of the conflict, makes it all the harder to credit the cacophony of "progress" reports.

It is time for a candid, forthright, report on progress or lack-of-progress, that takes frank account of difficulties and shortcomings, that compliments the intelligence of the American public by acknowledging failures and errors and that credits their maturity by explaining how hard and how long a struggle confronts the Nation.

COST OF THE VIETNAM WAR—JOINT ECONOMIC COMMITTEE'S REPORT IS CORRECT

Mr. PROXMIRE. Mr. President, I ask unanimous consent to be allowed to proceed for 5 minutes in the morning hour so that I may engage in a short colloquy with the Senator from Mississippi [Mr. Stennis] on the cost of the Vietnam war.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, the Department of Defense has just sent me a letter over the signature of Assistant Secretary Anthony which raises a question about the Joint Economic Committee's report on the "Economic Effects of Vietnam Spending." This report was filed with the Senate on Friday, July 7.

The Department of Defense alludes to the Joint Economic Committee's conclusion that there will be an appreciable increase over the original estimate in spending for Vietnam for the coming year. The report states that a $4 to $6 billion increase for the fiscal year 1968 seems probable and that even additional amounts may be required.

The Department of Defense does not contest these conclusions but they express concern because of the implication, to use their words, in the committee statement, that spending will rise by $4 to $6 billion in fiscal 1968 independently of any changes in Vietnam plans.

The letter refers to the fact that the committee based its view largely on the excellent testimony of my distinguished colleague, Senator STENNIS. They point out that my distinguished colleague based his estimate on a probable increase in troop commitments in Vietnam.

Mr President, that is true. My colleague, who presented the committee with a very reasoned and logical explanation of the situation, expressed the view that we would be forced to exceed the level of troop commitments approved when the fiscal budget was submitted. He indicated that he expected it would be necessary to commit many thousands of additional men to Vietnam and that the cost of the war in terms of materiel would rise.

I am going to ask my distinguished colleague to verify his statement and expand upon it if he desires because it is so vitally important to the whole question of economic policy. But, first, I would also like to mention another point raised in Senator STENNIS' testimony before our committee; namely, his reference to the fact that the fiscal year 1968 budget was tight and gave rise to doubts about its adequacy—independently of the issue of a step-up in troop commitment in Vietnam.

It is my impression, and I think it may be Senator STENNIS', that the budget is overly tight even without reference to the question of troop commitment.

I note that Dr. Arthur Okun, a member of the President's Council of Economic Advisers, indicated 2 weeks ago that the military budget might be $3 billion higher than the January figure, and, if I understand it correctly as reported in the newspapers, he was referring to current troop commitments in Vietnam. It is also to be noted that Secretary Fowler, in testifying on the debt ceiling before the committees in both Houses of Congress, indicated that Defense expenditures would be $1½ billion higher. I presume that he was speaking of current commitments and not of prospective increases.

Mr. President, at this point I should like to yield to the Senator from Mississippi [Mr. STENNIS] for his comments.

Mr. STENNIS. Mr. President, I thank the Senator for yielding to me. Let me first highly commend him and the membership of the Joint Economic Committee for what I think is very signal and outstanding service that they are rendering in probing into these very important problems.

With regard to the military budget for fiscal year 1968, when it was my privilege to appear before the Senator and his joint committee on April 15 of this year, I made the statement that I thought that it was almost inevitable that it would be increased. I based that reasoning on two major points. First, I thought the fiscal year 1968 military budget as approved and presented to the Congress by the Department of Defense was very tight. I referred to military items being used that were taken out of our general reserves, and to the fact that there was a question as to whether and when they would be replaced, and what the cost would be. I noted that there had been a $17.6 billion reduction by the Secretary of Defense in the requests that the services had made for fiscal year 1968. Based on my general knowledge and my experience with the situation, I thought the budget was not enough to cover fiscal year 1968, and that we would not be able to stay within it even if the war continued at the level planned when the budget was developed and approved. That was independent of the question of a troop increase over and above the then approved level.

I did not at that time, however, undertake to put a dollar figure upon the deficit or the extra amount that I thought would be needed for this reason. I was not in any position to do so.

The other point on which I based my reasoning was what I then thought was an almost inevitable increase in the troops deployed to Vietnam. This had not then been announced or suggested, but I was certain in my own mind that there would have to be one.

Three months have now passed, and the necessity for more troops has developed. We are already above the number of military personnel in South Vietnam which had been forecast for December 31, 1967. The 480,000 figure that the Secretary of Defense discussed at his press conference last week is above the amount originally contemplated by the budget for the end of the fiscal year; that is, July 1, 1968. So those predictions have come about, and there is now a certainty of an even higher increase to come in the number of U.S. military personnel in South Vietnam.

It is with respect to this—that is, a troop buildup—that I undertook to say that in my opinion there would have to be an increase of at least $4 billion to $6 billion. That did not detract from or change one bit the first point that I had made with respect to the budget being very tight. However, I did not try then to put a dollar figure on this aspect.

For all these reasons, which are even clearer and more certain now than at the time I appeared, I am even surer that we will not be able to keep within the 1968 military budget, if the war continues, and that next January we will again be faced with a request for a significant increase in the defense budget in the form of a supplemental defense appropriation.

But I say again that the situation is better for fiscal year 1968 than it was for 1966 and 1967, when the planning and presentation was very much out of balance, and inexcusably so in part.

I highly commend the Senator from Wisconsin and his committee for their insistence that the Department of Defense should make new estimates of expenditures from time to time, especially during wartime.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. I ask unanimous consent to proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Especially during wartime it should make additional periodic estimates to the Congress and to the people, so we will know more clearly where we are. As I understand it, the committee has gotten an agreement now that these periodic additional estimates will be transmitted. Even if they are not announced, they will be of great value to the Congress, but they ought to be made public whenever possible. I commend the committee again.

In September 1966, at the end of the hearings on the fiscal 1967 appropriation bill, when it was clear that many added billions of dollars would be asked for in January for the deficit, I asked the Secretary of Defense in executive hearings if he would not give us some idea what the supplemental request would be. Mr. McNamara would not undertake to name any figure at all. This left the Congress in the dark so far as a figure was concerned.

Meanwhile, we passed the other appropriation bills for nonwar programs. Then we came back in January and passed a $12-billion-plus supplemental appropriation to take care of the defense deficit.

I thank the Senator and his committee for doing fine work to help better this situation, and I am glad to engage in colloquy on its report and on the facts which have been brought out.

Mr. PROXMIRE. I thank the Senator from Mississippi.

Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. What the Senator from Mississippi has said should be taken in context with the fact that he is chairman of the Preparedness Subcommittee of the Armed Services Committee, and with the fact that he was the Member of Congress and the member of our Government who most precisely estimated the cost of the war in Vietnam both in 1966 and 1965. Those were the years in which the administration made estimates on the cost of the Vietnam war that were way off. The Senator from Mississippi's estimates were right on the nose. He has had a remarkable record of accurate estimates.

It is extremely important that the Congress have accurate estimates, because, as the Senator from Mississippi has implied, unless we know how much of a deficit we will have, it is difficult for us to act on appropriation bills which it may be necessary to cut, or on a proposed tax increase which may come before us. So I think it is of the greatest importance to us to have that information.

I may say that the committee was successful in securing from the Defense Department and the administration new estimates on spending, largely because of the testimony of the distinguished Senator from Mississippi. We got in 1966 only one estimate, in January, of what the spending would be. We did not get another one until Congress had gone home. This year we are going to get one this month and again in October. In addition, we have arranged for the Department of Defense to provide figures on such vital figures as new orders and the needs and use of personnel by the armed services every month as the figures change.

I would like to conclude by saying that the committee's conclusion took account of all factors, including Senator STENNIS's assessment of the probabilities of a step-up in troop commitments in Vietnam. That was a dominant element in our expectations, but I would not go so far as to say it was the only factor.

In short, Mr. President, the ramifications of the Vietnam war in the Defense budget are much wider than the official figures indicate. For this reason, sharp distinctions between estimates based on one or another set of premises are not too meaningful, in my estimation. What we are interested in primarily is the total increase in the Defense budget. By reason of our concern with the economy at the Joint Economic Committee, we are very disturbed over the unanticipated increases in Defense outlays that have badgered and frustrated economic policymakers. While I am very glad to clarify the issue of how our estimates were derived for the Defense Department, I must, at the same time, urge them to let the public have the true figures with all possible speed.

I ask unanimous consent that extracts from our report which made these findings on the likely cost of the Vietnam war and the full text of Secretary Anthony's letter to us on the report be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXCERPT FROM ECONOMIC EFFECT OF VIETNAM SPENDING REPORT OF THE JOINT ECONOMIC COMMITTEE

2. MILITARY EXPENDITURES

A. It is probable that actual expenditures for the Vietnam war exceed the official figures by an appreciable margin. The Department of Defense has conceded that it is somewhat unrealistic to establish a definitive distinction between Vietnam outlays and other defense disbursements. (See hearings, p. 17.) As a consequence, the incremental estimates used for Vietnam expenditures should be considered an *understatement*. While the absence of any better guidelines makes it necessary to use these figures, it should be realized that the full effect is probably greater than they indicate.

B. In terms of official figures, Vietnam new obligational authority outran the original estimates by $14 billion in fiscal 1966, and $12 billion in fiscal 1967. The size of these increments and their promulgation after the fact, as it were, had a disruptive effect on the conduct of fiscal and monetary policy. For example, had it been known early in the spring of 1966 that $12 billion over and above the fiscal 1967 budgetary estimates would be appropriated for the Vietnam war, Congress certainly would have given more serious consideration to a tax increase or spending cut and quite probably would have enacted one or the other or both. Such action would have dampened the subsequent inflationary pressures and avoided the havoc caused by the excessive reliance on restrictive monetary policy in 1966 (see 1967 Annual Report of Joint Economic Committee, March 17, 1967, S. Rept. 73, for a more detailed criticism of these tight money measures and the effects upon the economy).

C. The same dreary cycle of events threatens again in calendar 1967. The committee has concluded that, on the basis of the straightforward and reasoned testimony of Senator Stennis, there will be an appreciable increase over the original estimate in spending for Vietnam during the calendar year. The estimate of $4 to $6 billion for fiscal 1968 strikes us as by no means an overstatement of the probable increase, and it remains to be seen whether or not even additional amounts will be required.

D. It follows that we again face serious problems with respect to making an adequate assessment of the public policy actions required to maintain high employment, growth, and relative price stability.

E. While the basic uncertainties can best be mitigated by the administration through greater efforts to anticipate and project military expenditures, and more timely conveyance to the Congress of their latest estimates—undertakings that this committee urges upon the administration most earnestly—there are specific measures that will help considerably.

One is the regular budgetary reporting; and second, is the regular reporting of defense contract awards. It is obvious that contract awards provide a guide to estimating future expenditure changes. Moreover, they have anticipatory effects which are important for economic analysis. And they have regional impacts which must be taken into account by those concerned with the formulation of economic policy. The new monthly Defense publication, *Selected Defense Department Indicators*, mentioned above, provides these important data. The committee appreciates the cooperation and assistance received from the staffs of the Department of Defense, the Bureau of the Budget, the Council of Economic Advisers, the Federal Reserve Board, and the Department of Commerce, in developing this report.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C.

Hon. WILLIAM PROXMIRE,
Chairman, Joint Economic Committee,
U.S. Senate, Washington, D.C.

DEAR SENATOR PROXMIRE: The July 1967 report of the Joint Economic Committee on its hearings on the Economic Effect of Vietnam Spending states that:

"The committee has concluded that, on the basis of the straightforward and reasoned testimony of Senator Stennis, there will be an appreciable increase over the original estimate in spending for Vietnam during the calendar year. The estimate of $4–$6 billion for fiscal 1968 strikes us as by no means an overstatement of the probable increase, and it remains to be seen whether or not even additional amounts will be required."

So far as I am aware, the only testimony that could be used as a basis for this conclusion was that by Senator Stennis. On page 76 of the printed hearings, Senator Stennis says:

"If you should put in [to South Vietnam] 50,000 above what is planned for, just to train them and transport them and support them, why you would have an increase there of from $4 to $6 billion mighty fast. That is on top of the present budget."

He reiterates this statement at several other places in his testimony, notably on pages 76 and 77 of the printed hearings, always making clear that his prediction of a cost increase is dependent on the assumption that Vietnam force requirements rise above presently planned levels.

Clearly, Senator Stennis did not say that spending related to Southeast Asia would increase $4–$6 billion in FY 1968 if present planned force levels and activity rates were maintained. Senator Stennis did say that the FY 1968 budget is "tight," and that he had doubts about its adequacy, but the $4–$6 billion figures were in no way related to the program on which the FY 1968 budget was constructed.

The implication of the Committee's statement is that Vietnam spending will rise $4–$6 billion in FY 1968 over the amount in the budget independent of any changes in our plans. A front page article in the July 7 edition of the *Washington Post* interprets your statement in just this way. The Committee statement does not mention that Senator Stennis's forecast was specifically addressed to a decision that has not been made, and as such the statement could be misleading to economic policy makers in the Congress and the Executive Agencies. I believe it would be very much in the public interest if you would issue a clarification of this conclusion by the Joint Economic Committee.

I appreciated your remarks in the report about our cooperation in developing the new report on Department of Defense Selected Economic Indicators. We are grateful for the suggestions of your staff in the development of this report and are pleased that it is meeting with such a fine reception.

Sincerely,

ROBERT N. ANTHONY,
Assistant Secretary of Defense.

Mr. SYMINGTON subsequently said: Mr. President, I am sorry to be a little late. My understanding was the Senator from Wisconsin would discuss this matter after the morning hour. I am sure he knows that is the only reason I am tardy.

Has the Senator from Mississippi——

Mr. PROXMIRE. Yes, the Senator from Mississippi has been here, and we have engaged in a colloquy. I am very happy that the distinguished Senator from Missouri has come in.

The Senator from Mississippi and I were discussing the Joint Economic Committee report, in which it was pointed out that the administration has not, in the past, accurately estimated the cost of the Vietnam war.

The Senator from Mississippi reasserted the fact that the budget was too tight, that we were over the budget already, that it is most important that the administration make as up to date and accurate an estimate of the cost of the Vietnam war as possible, because that will, or should, have a profound effect on the economy, and on the action of Congress in appropriating funds. If we do not realize how large a deficit we are likely to get into, we may appropriate too much or fail to act on tax measures, with possibly a very disruptive and unfortunate effect on our economy.

Mr. SYMINGTON. Here is a copy of a letter written by the Assistant Secretary of Defense, Comptroller, to the chairman of the Joint Economic Committee, tion about the Joint Economic Committee's report on the "Economic Effects of Vietnam Spending." This report was filed with the Senate on Friday, July 7.

The Department of Defense alludes to the Joint Economic Committee's conclusion that there will be an appreciable increase over the original estimate in spending for Vietnam for the coming year. The report states that a $4 to $6 billion increase for the fiscal year 1968 seems probable and that even additional amounts may be required.

The Department of Defense does not contest these conclusions but they express concern because of the implication, to use their words, in the committee statement, that spending will rise by $4 to $6 billion in fiscal 1968 independently of any changes in Vietnam plans.

The letter refers to the fact that the committee based its view largely on the excellent testimony of my distinguished colleague, Senator STENNIS. They point out that my distinguished colleague based his estimate on a probable increase in troop commitments in Vietnam.

Mr President, that is true. My colleague, who presented the committee with a very reasoned and logical explanation of the situation, expressed the view that we would be forced to exceed the level of troop commitments approved when the fiscal budget was submitted. He indicated that he expected it would be necessary to commit many thousands of additional men to Vietnam and that the cost of the war in terms of materiel would rise.

I am going to ask my distinguished colleague to verify his statement and expand upon it if he desires because it is so vitally important to the whole question of economic policy. But, first, I would also like to mention another point raised in Senator STENNIS' testimony before our committee; namely, his reference to the fact that the fiscal year 1968 budget was tight and gave rise to doubts about its adequacy—independently of the issue of a step-up in troop commitment in Vietnam.

It is my impression, and I think it may be Senator STENNIS', that the budget is overly tight even without reference to the question of troop commitment.

I note that Dr. Arthur Okun, a member of the President's Council of Economic Advisers, indicated 2 weeks ago that the military budget might be $3 billion higher than the January figure, and, if I understand it correctly as reported in the newspapers, he was referring to current troop commitments in Vietnam. It is also to be noted that Secretary Fowler, in testifying on the debt ceiling before the committees in both Houses of Congress, indicated that Defense expenditures would be $1½ billion higher. I presume that he was speaking of current commitments and not of prospective increases.

Mr. President, at this point I should like to yield to the Senator from Mississippi [Mr. STENNIS] for his comments.

Mr. STENNIS. Mr. President, I thank the Senator for yielding to me. Let me first highly commend him and the membership of the Joint Economic Committee for what I think is very signal and outstanding service that they are rendering in probing into these very important problems.

With regard to the military budget for fiscal year 1968, when it was my privilege to appear before the Senator and his joint committee on April 15 of this year, I made the statement that I thought that it was almost inevitable that it would be increased. I based that reasoning on two major points. First, I thought the fiscal year 1968 military budget as approved and presented to the Congress by the Department of Defense was very tight. I referred to military items being used that were taken out of our general reserves, and to the fact that there was a question as to whether and when they would be replaced, and what the cost would be. I noted that there had been a $17.6 billion reduction by the Secretary of Defense in the requests that the services had made for fiscal year 1968. Based on my general knowledge and my experience with the situation, I thought the budget was not enough to cover fiscal year 1968, and that we would not be able to stay within it even if the war continued at the level planned when the budget was developed and approved. That was independent of the question of a troop increase over and above the then approved level.

I did not at that time, however, undertake to put a dollar figure upon the deficit or the extra amount that I thought would be needed for this reason. I was not in any position to do so.

The other point on which I based my reasoning was what I then thought was an almost inevitable increase in the troops deployed to Vietnam. This had not then been announced or suggested, but I was certain in my own mind that there would have to be one.

Three months have now passed, and the necessity for more troops has developed. We are already above the number of military personnel in South Vietnam which had been forecast for December 31, 1967. The 480,000 figure that the Secretary of Defense discussed at his press conference last week is above the amount originally contemplated by the budget for the end of the fiscal year; that is, July 1, 1968. So those predictions have come about, and there is now a certainty of an even higher increase to come in the number of U.S. military personnel in South Vietnam.

It is with respect to this—that is, a troop buildup—that I undertook to say that in my opinion there would have to be an increase of at least $4 billion to $6 billion. That did not detract from or change one bit the first point that I had made with respect to the budget being very tight. However, I did not try then to put a dollar figure on this aspect.

For all these reasons, which are even clearer and more certain now than at the time I appeared, I am even surer that we will not be able to keep within the 1968 military budget, if the war continues, and that next January we will again be faced with a request for a significant increase in the defense budget in the form of a supplemental defense appropriation.

But I say again that the situation is better for fiscal year 1968 than it was for 1966 and 1967, when the planning and presentation was very much out of balance, and inexcusably so in part.

I highly commend the Senator from Wisconsin and his committee for their insistence that the Department of Defense should make new estimates of expenditures from time to time, especially during wartime.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. I ask unanimous consent to proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Especially during wartime it should make additional periodic estimates to the Congress and to the people, so we will know more clearly where we are. As I understand it, the committee has gotten an agreement now that these periodic additional estimates will be transmitted. Even if they are not announced, they will be of great value to the Congress, but they ought to be made public whenever possible. I commend the committee again.

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Meanwhile, we passed the other appropriation bills for nonwar programs. Then we came back in January and passed a $12-billion-plus supplemental appropriation to take care of the defense deficit.

I thank the Senator and his committee for doing fine work to help better this situation, and I am glad to engage in colloquy on its report and on the facts which have been brought out.

Mr. PROXMIRE. I thank the Senator from Mississippi.

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Mr. PROXMIRE. What the Senator from Mississippi has said should be taken in context with the fact that he is chairman of the Preparedness Subcommittee of the Armed Services Committee, and with the fact that he was the Member of Congress and the member of our Government who most precisely estimated the cost of the war in Vietnam both in 1966 and 1965. Those were the years in which the administration made estimates on the cost of the Vietnam war that were way off. The Senator from Mississippi's estimates were right on the nose. He has had a remarkable record of accurate estimates.

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I would like to conclude by saying that the committee's conclusion took account of all factors, including Senator STENNIS's assessment of the probabilities of a step-up in troop commitments in Vietnam. That was a dominant element in our expectations, but I would not go so far as to say it was the only factor.

In short, Mr. President, the ramifications of the Vietnam war in the Defense budget are much wider than the official figures indicate. For this reason, sharp distinctions between estimates based on one or another set of premises are not too meaningful, in my estimation. What we are interested in primarily is the total increase in the Defense budget. By reason of our concern with the economy at the Joint Economic Committee, we are very disturbed over the unanticipated increases in Defense outlays that have badgered and frustrated economic policymakers. While I am very glad to clarify the issue of how our estimates were derived for the Defense Department, I must, at the same time, urge them to let the public have the true figures with all possible speed.

I ask unanimous consent that extracts from our report which made these findings on the likely cost of the Vietnam war and the full text of Secretary Anthony's letter to us on the report be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

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2. MILITARY EXPENDITURES

A. It is probable that actual expenditures for the Vietnam war exceed the official figures by an appreciable margin. The Department of Defense has conceded that it is somewhat unrealistic to establish a definitive distinction between Vietnam outlays and other defense disbursements. (See hearings, p. 17.) As a consequence, the incremental estimates used for Vietnam expenditures should be considered an *understatement*. While the absence of any better guidelines makes it necessary to use these figures, it should be realized that the full effect is probably greater than they indicate.

B. In terms of official figures, Vietnam new obligational authority outran the original estimates by $14 billion in fiscal 1966, and $12 billion in fiscal 1967. The size of these increments and their promulgation after the fact, as it were, had a disruptive effect on the conduct of fiscal and monetary policy. For example, had it been known early in the spring of 1966 that $12 billion over and above the fiscal 1967 budgetary estimates would be appropriated for the Vietnam war, Congress certainly would have given more serious consideration to a tax increase or spending cut and quite probably would have enacted one or the other or both. Such action would have dampened the subsequent inflationary pressures and avoided the havoc caused by the excessive reliance on restrictive monetary policy in 1966 (see 1967 Annual Report of Joint Economic Committee, March 17, 1967, S. Rept. 73, for a more detailed criticism of these tight money measures and the effects upon the economy).

C. The same dreary cycle of events threatens again in calendar 1967. The committee has concluded that, on the basis of the straightforward and reasoned testimony of Senator Stennis, there will be an appreciable increase over the original estimate in spending for Vietnam during the calendar year. The estimate of $4 to $6 billion for fiscal 1968 strikes us as by no means an overstatement of the probable increase, and it remains to be seen whether or not even additional amounts will be required.

D. It follows that we again face serious problems with respect to making an adequate assessment of the public policy actions required to maintain high employment, growth, and relative price stability.

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One is the regular budgetary reporting; and second, is the regular reporting of defense contract awards. It is obvious that contract awards provide a guide to estimating future expenditure changes. Moreover, they have anticipatory effects which are important for economic analysis. And they have regional impacts which must be taken into account by those concerned with the formulation of economic policy. The new monthly Defense publication, *Selected Defense Department Indicators*, mentioned above, provides these important data. The committee appreciates the cooperation and assistance received from the staffs of the Department of Defense, the Bureau of the Budget, the Council of Economic Advisers, the Federal Reserve Board, and the Department of Commerce, in developing this report.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C.

Hon. WILLIAM PROXMIRE,
Chairman, Joint Economic Committee,
U.S. Senate, Washington, D.C.

DEAR SENATOR PROXMIRE: The July 1967 report of the Joint Economic Committee on its hearings on the Economic Effect of Vietnam Spending states that:

"The committee has concluded that, on the basis of the straightforward and reasoned testimony of Senator Stennis, there will be an appreciable increase over the original estimate in spending for Vietnam during the calendar year. The estimate of $4–$6 billion for fiscal 1968 strikes us as by no means an overstatement of the probable increase, and it remains to be seen whether or not even additional amounts will be required."

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He reiterates this statement at several other places in his testimony, notably on pages 76 and 77 of the printed hearings, always making clear that his prediction of a cost increase is dependent on the assumption that Vietnam force requirements rise above presently planned levels.

Clearly, Senator Stennis did not say that spending related to Southeast Asia would increase $4–$6 billion in FY 1968 if present planned force levels and activity rates were maintained. Senator Stennis did say that the FY 1968 budget is "tight," and that he had doubts about its adequacy, but the $4–$6 billion figures were in no way related to the program on which the FY 1968 budget was constructed.

The implication of the Committee's statement is that Vietnam spending will rise $4–$6 billion in FY 1968 over the amount in the budget independent of any changes in our plans. A front page article in the July 7 edition of the *Washington Post* interprets your statement in just this way. The Committee statement does not mention that Senator Stennis's forecast was specifically addressed to a decision that has not been made, and as such the statement could be misleading to economic policy makers in the Congress and the Executive Agencies. I believe it would be very much in the public interest if you would issue a clarification of this conclusion by the Joint Economic Committee.

I appreciated your remarks in the report about our cooperation in developing the new report on Department of Defense Selected Economic Indicators. We are grateful for the suggestions of your staff in the development of this report and are pleased that it is meeting with such a fine reception.

Sincerely,

ROBERT N. ANTHONY,
Assistant Secretary of Defense.

Mr. SYMINGTON subsequently said: Mr. President, I am sorry to be a little late. My understanding was the Senator from Wisconsin would discuss this matter after the morning hour. I am sure he knows that is the only reason I am tardy.

Has the Senator from Mississippi——

Mr. PROXMIRE. Yes, the Senator from Mississippi has been here, and we have engaged in a colloquy. I am very happy that the distinguished Senator from Missouri has come in.

The Senator from Mississippi and I were discussing the Joint Economic Committee report, in which it was pointed out that the administration has not, in the past, accurately estimated the cost of the Vietnam war.

The Senator from Mississippi reasserted the fact that the budget was too tight, that we were over the budget already, that it is most important that the administration make as up to date and accurate an estimate of the cost of the Vietnam war as possible, because that will, or should, have a profound effect on the economy, and on the action of Congress in appropriating funds. If we do not realize how large a deficit we are likely to get into, we may appropriate too much or fail to act on tax measures, with possibly a very disruptive and unfortunate effect on our economy.

Mr. SYMINGTON. Here is a copy of a letter written by the Assistant Secretary of Defense, Comptroller, to the chairman of the Joint Economic Committee, the Senator from Wisconsin [Mr. Proxmire]. I was rather surprised to read it because as the able Senator will agree, and other members of the Armed Services Committee, including the chairman of the Preparedness Subcommittee, the Senator from Mississippi [Mr. Stennis], would agree that the question of the actual cost of the Vietnamese war for some years has been somewhat misty, and has been consistently understated.

In that connection, Mr. President, I refer to some testimony elicited at the time that Mr. Anthony appeared before our committee, in discussion of the economic effect of Vietnam spending. In this testimony, the Assistant Secretary of Defense in charge of the financial affairs of the Defense Department—his official title is Assistant Secretary of Defense in Charge of——

Mr. PROXMIRE. The comptroller of the Department, in effect.

Mr. SYMINGTON. "Comptroller" is the word. I asked about the cost of the war, and he said, "We do not have a cost accounting system for the Vietnam conflict. I think you and everyone agrees that one does not set up a cost accounting system for a war."

I said, "I do not quite understand what you mean by that statement. Do you mean we do not have a system designed to find out what is the true cost of the war?"

The Assistant Secretary replied, "We do not have an accounting system, a system of debits and credits that has a set of books called Southeast Asia in which we put as debits all the amounts of money tagged for Southeast Asia."

Mr. President, I do not wish to take the time of the Senate to go into too much detail in this matter, so I ask unanimous consent that the testimony in question of Assistant Secretary Anthony in response to my questioning on this subject be printed at this point in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Chairman Proxmire. Thank you, Senator Jordan.

Senator Symington?

Senator Symington. Thank you, Mr. Chairman.

Mr. Anthony, let me commend the way you present your position. But I would like to know how much you think this war is costing. Prior to the last appearance of Secretary McNamara I asked the staff of the Senate Appropriations Committee about the cost of the war. They estimate around $2.5 billion a month—total, $30 billion.

I asked the Secretary of Defense how long he felt the cost of the war could continue on the basis of $2.5 billion a month without affecting, perhaps in serious fashion, the American economy. His answer, as I remember it, was, first, he thought it was nearer $2 billion a month than $2.5 billion. Secondly, he felt the costs could continue forever.

I am interested in the cost of this war. It seems nobody has come up with the normal cost accounting you would have in a large industry or in other branches of Government.

You surprise me when you say, "At first glance defense expenditures may not seem to constitute a major factor in our economy." That is some statement.

At second glance, however, apparently you think it is. Have you been to Vietnam?

Mr. Anthony. No, sir.

Senator Symington. One goes around Cam Ranh and the other installations and watches the billions of dollars that are being shelled out for that type and character of construction. When you read the amount of money involved, to say it may not constitute a major factor in our economy, is hard to understand.

It is the largest single expenditure in our economy, is it not?

Mr. Anthony. Most certainly. I would not debate anything. My sentence is a lead-in to the paragraph which goes on to say that defense expenditures are, of course, very important; that is the main point I am trying to make.

Senator Symington. I have had longstanding differences with the Pentagon on this GNP ratio analysis.

You say, "Our expenditures related to Southwest Asia amounting to $19.4 billion during the current year constitute only approximately 2½ percent of the gross national product."

Are you telling this committee that the cost of the war, under sound accounting principles, now amounts to only 2½ percent of the gross national product of the United States?

Mr. Anthony. As I have discussed with you before, Senator Symington, we do not have a cost accounting system for the Vietnam conflict. I think you and everyone agrees that one does not set up a cost accounting system for a war.

Senator Symington. I do not quite understand what you mean by that statement. Do you mean we do not have a system designed to find out what is the true cost of the war?

Mr. Anthony. We do not have an accounting system, a system of debits and credits that has a set of books called Southeast Asia in which we put as debits for all the amounts of money tagged with Southeast Asia.

Senator Symington. I know you only have single entry bookkeeping, without assets on one side and liabilities on the other. As the chairman pointed out earlier, at times you have been pretty far off; but is there no place where you check how far off you are, or are not, when you estimate the actual cost of the war?

Mr. Anthony. No, sir, and I would be glad to expand on that a little bit if you find this an undesirable thing.

Let me explain what the figures that we have tried to put in the statement do mean. They really result from requests that you and others made last summer that we try to come up with an estimate of the cost of the war. Now, there were two essential approaches we could take to that. One is what is called an allocated cost approach in which we would try, for example, to include a part of Secretary McNamara's salary, and all the other allocations associated with the costs. We decided that was not really the better approach and was not the one you were interested in.

Senator Symington. Could you let me interrupt there? I want to listen, but want to be sure I understand.

Cost consists of material, labor, and overhead. Overhead can be divided into variable and fixed. You can establish your variable overhead, and can take a percentage of fixed overhead. That being true, inasmuch as the heat is so much on the Congress about the heavy cost of the war, is it not possible to estimate material costs and variable overhead—labor cost is obvious. If you want to split part of your fixed overhead, fine.

But it seems to me the basic elements of cost especially when you are working on a resultant basis—not extrapolation—it disturbs me that here are three different estimates of the cost of this war: One from the Senate Appropriations Committee, $30 billion a year. Another from the Secretary of Defense several months ago, closer to $2 billion a month. Then you have a figure here of some $19 billion.

I know the trials and tribulations of costing any product, but I do think that somewhere, sometime, somehow, the American people should know the cost of this war. We are not getting it in the Appropriations Committee, nor in the Armed Services Committee. You would say $19 billion?

Mr. Anthony. Certainly I would, and I think my figures are not inconsistent with Secretary McNamara's because when he was talking, I am sure he was rounding to the $2 billion a month. We are here using the same figures. His estimates of the cost of the war are the estimates my people work out.

Continuing my description of how we developed cost figures, I think I was saying that this allocated cost approach is not the figure you want. We do not, for example, see any great point in trying to depreciate the ships and other major equipment items that are involved, even if we could.

Instead, we went to an incremental cost approach. I think this is what you had in mind when you said labor, material, and variable overhead.

We have tried to estimate incremental cost associated with Southeast Asia. This cost is certainly greater than the cost, say, of the people that are in Southeast Asia, because our whole support establishment has expanded because of Southeast Asia.

Senator Symington. That is what I wanted to ask. As example, take the tremendous expansion on Guam, also the large expansion on Okinawa, both incident to B–52 operations. Are they all in the $19.1 billion figure?

Mr. Anthony. Yes, sir.

Senator Symington. Are the costs incident to the transferring of troops from Germany, retraining of pilots? Are such costs also in the $19.1 billion figure?

Mr. Anthony. They are in there. They are intended to be in there. We do not build it up in that amount of detail, but they are in there as part of the operating costs, which is what you are now talking about.

What we did was to take the 1965 operating costs, adjust that for price changes that have occurred since 1965, net out other known changes in non-Southeast Asia programs, and say the remaining costs in succeeding years were Southeast Asia related. I think therefore, we are automatically picking up the kind of things that you mentioned even though our system does not go into Guam and split the costs on Guam between non-Southeast Asia costs and Southeast Asia costs. The system just plainly does not work in this way.

Senator Symington. These expenditures are what you are talking about?

Mr. Anthony. No, the figure of $21.8 billion that I give you for 1968 is a cost figure.

Actually in the buildup phase many different types of figures float around because obligations, expenditures, and costs are three different concepts, quite different concepts, and in the buildup phase they are radically different numbers. In a level-off phase, they all are about the same. So when I say $21.8 billion—if you will permit me to round it to $22 billion—$22 billion is really pretty close to obligations, expenditures, and costs for Southeast Asia.

Senator Symington. For the period of?

Mr. Anthony. One year.

Senator Symington. Ending next June 30?

Mr. Anthony. June 30, 1968. Our cost figure for fiscal year 1968 is $21.8 billion. Our cost figure for fiscal year 1967 is $19.5 billion. Our expenditure figure for fiscal year 1967 is $19.4 billion.

Senator Symington. Then for the fiscal year 1968, starting next July 1 you estimate that the total cost of the war in Vietnam will be about $22 billion.

Mr. Anthony. Incremental costs, yes.

Senator Symington. What does that word mean?

> Mr. ANTHONY. The same as what you meant, I think, when you tried to define the term.
>
> Maybe I am professorial in this, but I never would give a figure for the word "cost" without some kind of a modifier to it. The word "cost" is absolutely meaningless taken by itself. Here, I think we are both talking about incremental costs in the sense of the costs that are incurred for Southeast Asia that would not be incurred were there not Southeast Asia. Is that not the concept you have?
>
> Senator SYMINGTON. I have one more question. The Secretary of Defense defends the cost of the Vietnamese war as not being punitive on the economy on the grounds it is not an increasing percentage of the gross national product.
>
> Now, we have labor problems going on. It would appear there may be some major increases in costs, increases incident to labor demand and therefore very possibly increases in prices. That will increase the gross national product automatically, will it not?
>
> Mr. ANTHONY. Yes, sir.
>
> Senator SYMINGTON. But you still feel, regardless of the international position, that if the gross national product increases and the percentage of increased cost of the Defense Department does not increase in percentage of the GNP that figure in itself demonstrates it is not punitive to the economy; correct?
>
> Mr. ANTHONY. I would prefer that economists, who are much more versed in this subject than I, talk about this.
>
> My impression is that the effect of the economy depends heavily on the rapidity of an increase and not the absolute amount at any level. That is, the economy can adjust to any level; the difficult time, the time of strain, is when you are building up rapidly to a new level.
>
> I should also say, Senator—I should have said earlier when I gave you the figure for 1968, that this figure was in terms of current prices. I did not try to build in the inflationary factors that you just mentioned.
>
> Senator SYMINGTON. Do you think this philosophy would justify—and I ask this with great respect—claims on the part of some people in this country as well as in other countries, that we are promoting a war economy to maintain economic stability?
>
> Mr. ANTHONY. Not at all, no, sir.
>
> Senator SYMINGTON. Thank you.
>
> Thank you, Mr. Chairman.

Mr. SYMINGTON. The chairman of the Joint Economic Committee is performing a real service, as also is the chairman of the Subcommittee on Military Preparedness, in bringing to the notice of the Senate and the American people this underestimate of the cost of this war. Even if it is true that all the statements of Senator STENNIS were made from the standpoint of an increase in the number of military required in Vietnam, it is also true, is it not, that we now know a considerable number of additional forces will be needed?

Mr. PROXMIRE. That is correct. Furthermore, the distinguished Senator from Mississippi [Mr. STENNIS] did indicate that even on the basis of the plans that were made last January and on the basis of those premises, the budget was too tight and had been exceeded. He did not specify a particular amount, but the budget has already been exceeded; there is no question about it. Secretary Fowler estimated it had been exceeded by $1.5 billion.

Arthur Okun, of the Council of Economic Advisers, has estimated that it would be $3 billion over the estimate, based on the number of troops that had been posted at that time.

The Senator from Mississippi, however, indicated that if there are to be as many additional troops as he believes there will be, the budget will be from $4 billion to $6 billion more than had been indicated to Congress.

Mr. SYMINGTON. Is it not also true that this testimony was given before the heavy fighting which took place just south of the DMZ, where we had high losses, not only in treasure, but also in lives, all of which will have to be replaced?

Mr. PROXMIRE. There is no question about that. That testimony took place several months ago.

Mr. SYMINGTON. Is it not true that only in the last few days, according to the newspapers, a single mortar attack on the Danang Air Base resulted in the loss of some $80 million worth of equipment?

Mr. PROXMIRE. That is correct.

Mr. SYMINGTON. I am glad to have been here this morning to confirm the position taken by two distinguished Senators, the Senator from Mississippi [Mr. STENNIS], chairman of the Subcommittee on Preparedness, and the Senator from Wisconsin [Mr. PROXMIRE], chairman of the Joint Economic Committee, that over the years the cost of the Vietnamese operation has been understated. I would hope that, as a result of the efforts made by these two able Members of the Senate, this would be corrected in the future.

Mr. PROXMIRE. I thank the distinguished Senator from Missouri. Not only is he a member of the Joint Economic Committee, he is also a distinguished member of the Committee on Armed Services. No Member of the Senate can speak with more authority, in my judgment, about the Defense budget than the senior Senator from Missouri. He has served as Secretary of the Air Force, has had many years' experience in the executive branch, and has a most distinguished and brilliant business background. So when he speaks on this subject, it seems to me that we should give him the closest attention and respect.

I support his contention, which we on the committee are trying to make, that the administration should give us fuller, more up-to-date information. We are grateful that the administration is beginning to do that. The position taken by the Senator from Missouri is most helpful, and I thank him for it.

Mr. SYMINGTON. I thank the able Senator from Wisconsin for his kind but undeserved remarks.

THE NEWARK RIOTS SHOW NEED FOR ACTION BY CONGRESS

Mr. PROXMIRE. Mr. President, the wake of bitterness and destruction that the Newark, N.J., riots have left in their path make it impossible to ignore any longer the conditions that spawn such mockeries of civilization. The irony of a free nation, a nation espousing justice and equality as its highest ideals, on one hand sending men to the moon and on the other hand struggling so feebly with the dilemmas of ghettos and race riots is an ugly awareness to contemplate. Yet if we do not turn our attention to the agonizing truth about our great population centers, if we abdicate any longer our responsibilities in dealing with the human problems of an urban society, then the answers to the questions we ponder will soon be beyond our solution.

The struggle now is to get back on top of a problem that has begun to roll right over us—to deal with the problem, and not let it deal with us; to realize that, as we sit here today, nothing has been done to see that the riots of Newark do not scar other cities and other States; and, above all, to be aware that the conditions that spawn these orgies of destruction as much as the riots themselves are what taunts the very premises of a civilized community. These are the truths that must be brought home to our people.

Tom Wicker, in an excellent article in this morning's New York Times, points out:

> Among major American cities, Newark and its citizens face the highest percentage of substandard housing, the most crime per 100,000 of population, the heaviest per capita tax burden, the sharpest shifts in population and the highest rate of venereal disease, new cases of tuberculosis and maternal mortality.
>
> In addition, Newark is second among major cities in population density, second in infant mortality, second in birth rate, seventh in absolute number of drug addicts and has a rate of unemployment persistent enough and high enough to make it one of only five cities in the nation qualified for special assistance under the Economic Development Act . . .
>
> Three out of every four public school children in the city are either Negro or Puerto Rican . . . The percentage of Negroes now living in Newark is an open and active question. Estimates range from a low of 40 percent to a high of 60 percent . . .

Here is what Newark's model neighborhood application had to say about the city's schools:

> A yearly turnover rate of 44 percent, a cumulative 1962–1966 dropout rate in grades 9–12 of 32 percent, one-half of the pupils in the sixth grade reading eighteen months below the national average, one-third of new pupils each year being new arrivals to Newark. . . .

These figures are staggering. Equally staggering, however, is the story of one of our Nation's finest public servants: New Jersey Governor, Richard J. Hughes. As David Broder points out in a superb column in this morning's Washington Post, it was only last month that Governor Hughes set the stage for the Glassboro meeting between President Johnson and Soviet Premier Kosygin.

Only last Wednesday here in Washington Dick Hughes presided over the meeting that launched the Democratic Party toward its first fully desegregated national convention since Reconstruction. And then last weekend this same man found himself commanding a war against what he himself called a criminal insurrection.

> What a measure of our times—

Says Broder—

> for a man like Hughes to be fighting, not for peace or for progress, not for integration

or the Great Society, but for the rudimentary civil order that is the first condition of any society at all. When a Dick Hughes can be hauled back from the area of his real aspirations in order to do a police job, it says something about our country and our world.

But what does this tell us—

Broder asks—

beyond the tragedy of the man himself? It tells us, I think, that time has run out on this country, that even its most far-sighted leaders must recognize now that they must shift their focus to the crisis at the heart of our own society. Before we can bring peace and security to Vietnam or the world, before we can provide the quality of education our children deserve, before we can achieve any of our major goals we must stop penning Negroes in poverty into cages in the centers of our cities. No matter what it costs, the slums must go. This has to be one Nation, not two, and unless we face that fact now, all of us will be consumed by the tragedy that overwhelmed Richard Hughes last week.

As former North Carolina Gov. Terry Sanford pointed out recently, there is no State that is better run than New Jersey has been under Gov. Richard Hughes. Mr. President, I think we should recognize that even with as fine a Governor as there is in the country, using the best possible judgment, this kind of situation can develop in a city like Newark. Clearly, action on a Federal level is needed, action that we have not taken, action that has been indicated to Congress as necessary. I hope we recognize this great urgency of the message that this Newark riot should convey to us—the urgency for acting in areas like the rent supplement proposal and the model cities bill, which has now been authorized but is only being feebly funded, and move ahead.

Mr. President, I ask unanimous consent to have printed in the RECORD the article entitled "In the Nation: Portrait of a Powder Keg," written by Tom Wicker and published in the New York Times of July 18, 1967, and the article entitled "The Lesson of Richard J. Hughes," written by David S. Broder and published in the Washington Post of July 18, 1967.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, July 18, 1967]

IN THE NATION: PORTRAIT OF A POWDER KEG

(By Tom Wicker)

WASHINGTON, July 17.—Here is a self-portrait of Newark taken from that city's application for funds under the model neighborhood program of the Department of Housing and Urban Development:

"Among major American cities, Newark and its citizens face the highest percentage of substandard housing, the most crime per 100,000 of population, the heaviest per capita tax burden, the sharpest shifts in population and the highest rate of venereal disease, new cases of tuberculosis and maternal mortality.

"In addition, Newark is second among major cities in population density, second in infant mortality, second in birth rate, seventh in absolute number of drug addicts and has a rate of unemployment persistent enough and high enough to make it one of only five cities in the nation qualified for special assistance under the Economic Development Act . . .

"Three out of every four public school children in the city are either Negro or Puerto Rican. . . . The percentage of Negroes now living in Newark is an open and active question. Estimates range from a low of 40 per cent to a high of 60 per cent. . . ."

Here is what Newark's model neighborhood application had to say about the city's schools:

"A yearly turnover rate of 44 per cent, a cumulative 1962–1966 dropout rate in grades 9–12 of 32 per cent, one-half of the pupils in the sixth grade reading eighteen months below the national average, one-third of new pupils each year being new arrivals to Newark. . . ."

Newark has not ignored these problems. It was one of the first cities to get and use anti-poverty money. It has pushed hard for public housing and urban renewal projects and has a good statistical record in these fields. It has one of the few welfare work experience programs in the nation and established the first Neighborhood Youth Corps.

In 1962 it terminated a contract with the National Conference of Christians and Jews for training programs in police-community relations; but last year it got a grant for this purpose from the Office of Economic Opportunity and another from the Federal Office of Law Enforcement Assistance.

But Newark's Negroes, who hold the balance of political power, have not exercised it because of a lack of unity and effective leadership; only two Negroes sit on the board of nine Councilmen and when another ran for Mayor last year he came in third.

The lack of Negro leadership has allowed a basically white political structure to remain in power—and Mayor Hugh Addonizio has opposed rather than fostered the emergence of young, forceful leadership. As a result, the majority of the populace feels itself ignored and abused in the city's management as well as in its economy and society.

Addonizio is accused of favoring the Italian minority. Recently he refused to appoint a Negro accountant as secretary of the Board of Education but named as Irish politician—and Negroes believe Addonizio did so to win the support of Essex County boss Dennis Carey for his gubernatorial ambitions.

So great is the lack of human understanding in Newark, despite the city's efforts, that the grievance most often cited by Negroes during last week's rioting—the clearing of about fifty slum acres for a new medical school—is cited in Newark's model neighborhood plan as a "region-shaping force" that would be as significant for the city as had been the construction of an airport.

The choice of an airport as a standard of comparison speaks volumes, since it can have little significance for slum Negroes; so does the failure to realize that tearing down even slum houses can seem an act of enmity to people with no other place to go.

Newark's leaders tried to meet its problems, but they did not really understand its people, and that ought to be the lesson for every other city trying to avoid Newark's tragedy.

[From the Washington Post, July 18, 1967]

THE LESSON OF RICHARD J. HUGHES

(By David S. Broder)

For an object lesson in the ability of events in this tragic time to make a mockery of the aspirations of even the most decent men, consider the case of Gov. Richard J. Hughes of New Jersey.

Last month Gov. Hughes helped set the stage for the Kosygin-Johnson summit by providing an acceptable meeting place in the unlikely town of Glassboro, N.J.

Last Wednesday in Washington, he presided over the meeting that launched the Democratic Party toward its first fully desegregated national convention in 1968.

And then last weekend, decent, determinedly optimistic Dick Hughes found himself in the command post of a war against what he termed the "criminal insurrection" of the Negro inhabitants of Newark, his state's largest city.

What a measure of our times for a man like Hughes to be fighting, not for peace or progress, not for integration or the Great Society, but for the rudimentary civil order that is the first condition of any society at all. When a Dick Hughes can be hauled back from the area of his real aspirations in order to do a police job, it says something about our country and our world.

Until last month, when millions of Americans became at least dimly aware of Hughes as the Kewpie doll-looking man who welcomed the President and the Soviet Premier to Glassboro, he was known outside his own state only to that small circle of men to whom government and politics are a full-time concern. But within that circle, Dick Hughes has a reputation that is ten feet tall.

Terry Sanford, the former Governor of North Carolina, who has just completed a massive two-year study of the states, remarked recently that "Dick Hughes is running the best state government in the country." That judgment is echoed by Johnson Administration officials.

What is particularly impressive about Hughes' record in New Jersey is his effort to focus state government concern on the two major domestic problems of our time, urban life and education. Last year he hired the brilliant Paul Ylvisaker from the Ford Foundation to head a new state department of urban affairs that has already become a model for the rest of the country.

Last month he persuaded Ralph Dungan, one of the ablest of John Kennedy's staff men, to return from his post as Ambassador to Chile to become New Jersey's Chancellor of Higher Education.

In Party affairs, too, Hughes has more than carried his weight. Under Kennedy and again under Lyndon Johnson, when the President has had a tough political problem he has turned it over to Hughes.

Last week, just two months after he took over as chairman of the Democratic National Committee's equal rights committee, Hughes won a signal victory: a unanimous agreement from Southerners and civil rights advocates on a formula that will, in his judgment, guarantee integrated delegations from all the Southern states for the first time since Reconstruction.

Typically, Hughes, a devout Catholic and devoted family man, declined to discuss the achievement simply in political terms. What the committee had done, he said, was to "redeem the moral pledge" of equal rights made at the 1964 convention and thus "saved the soul of the Democratic Party." Not even the cynics in the press found those sentiments inappropriate from that source.

And then Hughes, the host at Hollybush, the toast of Washington, went home to find in Newark the latest violent manifestation of the Civil War between the "two nations" that no longer peacefully co-exist in this country.

There, in a State which has done as much as any to deal with its urban problems, lay festering a slum that bred as much hatred as the compounds of South Africa. To add to the irony, one of the complaints of its inhabitants concerned the decision to raze 50 acres of their slum for a new State College of Medicine and Dentistry which would be part of Ralph Dungan's domain.

So Richard Hughes, having patiently negotiated the admission of Negro delegates to the Democratic Convention from the old slaveholding states, went home to supervise the militia's offensive against the Negro rioters. Dick Hughes, the model Governor, saw his dreams going up in flames and said, "the line might as well be drawn here as anywhere."

What does this tell us beyond the tragedy of the man himself? It tells us, I think, that time has run out on this country, that even its most far-sighted leaders must recognize now that they must shift their focus to the crisis at the heart of our own society. Before we can bring peace and security to Vietnam or the world, before we can provide the quality of education our children deserve, before we can achieve any of our major goals, we must stop penning Negroes in poverty into cages in the centers of our cities. No matter what it costs, the slums must go. This has to be one Nation, not two, and unless we face that fact now, all of us will be consumed by the tragedy that overwhelmed Richard Hughes last week.

THE UNIVERSITY AND THE PHYSICALLY HANDICAPPED

Mr. MANSFIELD. Mr. President, while billions of dollars are being spent to increase educational facilities to accommodate an estimated 7 million students by 1970, it is important that the special needs of many extremely capable and bright handicapped high school students not be neglected.

It is fortunate that the physically handicapped and the Nation have a spokesman of the caliber of William P. McCahill, executive secretary of the President's Committee on Employment of the Handicapped, to insure that in the Nation's rush to provide educational opportunity, the opportunity will not be restricted through inadvertence to other than the physically handicapped.

A most thoughtful and meaningful speech, entitled "The University and the Physically Handicapped," was delivered by Mr. McCahill at Howard University on June 15, 1967. I commend it to the reading of all Members of Congress and ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE UNIVERSITY AND THE PHYSICALLY HANDICAPPED

(Remarks of William P. McCahill)

It is a great pleasure and high honor to participate in Howard University's Centennial Conference on New Dimensions of Student Personnel Work in a Changing World. In behalf of Chairman Harold Russell and my fellow staff members of The President's Committee I wish to thank Dean Blackburn for including the handicapped in this two-day symposium. We agree with Dean Blackburn who is giving distinguished leadership to our Education Committee that there are, indeed, new dimensions in the mid-sixties in the relationship of the university and the physically handicapped.

A mere decade ago we heard very little about the changing role of the student to the university or the implications of automation in student personnel administration. I guess we have heard about a changing society, however, as long as there have been inventive minds and inventions. Similarly, it would indeed have been a rare thing a decade ago to be devoting a seminar on a major campus to the subject of the "University and the Physically Handicapped." Today we accept the subject as normal and natural, even while expressing appreciation to the leadership at Howard University for arranging the discussion.

It is a pleasure to be introduced by an old friend of other battles, Dr. Paul Cornely. Together we have worked side by side in the battle against cancer as volunteers and in the battle against prejudice and for brotherhood as fellow Catholic laymen in the Archdiocesan John Carroll Society. It is likewise a high honor and pleasure to find the Public Affairs Director of the great Georgetown University, Father Dan Powers of the Society of Jesus, at my side. Father Dan and I have also worked together against cancer and prejudice. I have come to think of him as "Father Georgetown", so often have I seen him ably representing the first Catholic institution of higher learning in this country.

Occasions such as this also give participants new friends and working acquaintances in the persons of my fellow panelists, Dean Richard Phillips and Professor Richard Lawrence, both of whom have a wealth of practical experience and professional knowledge which richly qualify them as knowledgeable communications in the field of the handicapped. Lastly, this panel would have been impossible without the dedicated staff work of Mr. Paul Messmer of the President's Committee and Dr. Edith Garduk of Howard University's Counseling Service. As so often happens in Washington, the architects and the builders of a program or project, don't even appear on the program. We thank them, publicly, for their behind the scenes work which has brought us together in the Ira Aldridge Theater this afternoon.

One small point of personal privilege, if you please. Since accepting this speaking assignment months ago, I have been invited to join the President of the University of Cincinnati in honoring one of the nation's most dedicated volunteers for the handicapped this evening in Cincinnati. So, shortly before 4:00 p.m., I am going to rush off to catch a 4:30 p.m. airplane for Dayton, Ohio, where a friend of mine will be waiting to drive me to a 6:30 p.m. supper honoring Mrs. "Dolly" Cohen with a doctorate. When my secretary learned that these were my plans for this afternoon she sighed deeply and said: "You sure believe in living dangerously!" I am sure that Paul Messmer, who comes from Ohio, by the way, will be quite able to answer anything concerning the President's Committee after my departure.

In a way, this indicates the dangerous speed at which we live, a speed which has brought a college education into focus as almost a necessity for an ever-increasing number of Americans in our affluent society. Just as a college education has become more and more the normal and necessary thing for increasing numbers of our young people, so also has this education become more attainable. Thus, anything that is both necessary and attainable, should not be circumscribed by artificial barriers, either physical or attitudinal. But, unfortunately, this is the situation faced by too many of the severely handicapped of college age today. It is to these two jet age barriers that I shall address myself, architectural and attitudinal barriers.

Well, in an age of crusaders of the left and of the right, an age of campus unrest, of national doubt and uncertainty, of world intrigue and flaming passions, both national and personal, it is good to sit quietly in this cloistered atmosphere and concern ourselves with making this a better world. For, if we can help make this a better world for the handicapped, they can better join their hearts and souls with ours and work toward a better world for all.

On March 2 of this year, speaking at ceremonies marking the exact date of Howard University's 100th Anniversary, President Lyndon B. Johnson concluded his remarks with a paragraph which is as equally applicable to the handicapped as it was to the century-long line of Howard graduates. He said: "Our wonder—our very great wonder—is for the human spirit, that having endured infinite wrongs, can yet hold to its faith in the dignity of life."

This seminar group might well wonder at the human spirit of the handicapped who also have endured infinite wrongs and yet have not lost their faith. This meeting is, in part, a vindication of their faith that the wrongs shall be righted, that the thoughtlessness and misinformation and unfortunate administrative decisions of the past which have resulted in discrimination against the handicapped will be overcome in the future.

More than 10 years ago we brought together a group of representatives of various educational associations. We told them quite bluntly that the discrimination against the handicapped in the graduate and undergraduate schools of America was a national disgrace. And, not very much happened for a long time. We have since learned from our friends in the psychiatric fraternity that people should never be confronted with their inadequacies frontally. I am reminded of an old Pennsylvania Dutch proverb, "Vy is it ve get so late smart?" I don't know the answer. But, I am glad that it is not too late and that we can report progress in our crusade to make campuses more accessible and higher education more attainable to the severely handicapped young people of our great country.

Our old Public Service Committee focused its attention upon the problems of the handicapped in employment in the public service, including, Federal, State, county and municipal government. We also included libraries and school systems in the charge given to that special and necessarily heterogeneous group. Subsequently, a few years ago we formed a separate standing committee in the library field and the progress there has been nothing short of breathtaking. Last December we broke the old Public Service Committee down the middle and from its rib we formed a new Education Committee. Dr. Blackburn had been Chairman of the Public Service Committee and happily moved into chairmanship of the Education Committee. During this same decade, a great deal was going on in the field of eliminating architectural barriers which thoughtlessly prohibited hundreds of thousands of Americans from working, playing, praying and schooling together.

First, let's consider the attitudinal barriers which frequently prevented and still prevent too many intelligent young adults from pursuing higher education or from pursuing careers which would train them to be teachers. We found it hard to believe at a time of great teacher shortage that qualified persons were being barred from teaching careers simply because of the presence of a physical handicap. But, it did happen and still does happen in too many school districts and school boards. And, this sometimes to people who have given the best years of their lives to teaching before suffering accident or illness.

When Dean Blackburn reported to our Executive Committee a year ago last April, he told of plans for a survey of educational institutions that would determine the policies and practices relative to employment of qualified handicapped persons. It was decided to prepare a proposal in cooperation with the National Education Association for a research grant to be financed by the Vocational Rehabilitation Administration. For a number of reasons, this has not yet come about, but we have high hopes that the grant will be approved and the survey begun before year's end.

Dean Blackburn also reported on the annual conference of the American Association of School Administrators in Atlantic City at which plans were laid for preparing resolutions regarding employment of the handicapped. This was a positive approach and not a frontal assault on anybody's inadequacies. I am happy to report considerable progress. Draft resolutions were sent out to two dozen education associations last November. Several organizations have already passed resolutions in various forms. Others have it on their agenda for future consideration and action.

In April 1966, for the first time in the then 19 year history of the President's Committee, we featured a panel on education at our Annual Meeting. Chaired by Dean Blackburn, it considered "Education—A Sound Basis for Rehabilitation." Emphasis was placed on responsibilities of local citizens to understand the problems of the handicapped, including their education, and then to do something about it. The then new Federal education acts were discussed relative to taking advantage of opportunities provided for funds for educating the handicapped.

I mention this background to show our continued commitment to the field of education, for our Annual Meeting this year featured a panel on "Vocational and Technical Education for the Physically Handicapped and Mentally Retarded" under the chairmanship of Dean Blackburn. Make no mistake, The President's Committee has accepted the challenge.

But, let me share with you some of the resolutions actually adopted. First in line on October 21, 1966 was the American Association of School Personnel Administrators which recognized the need to secure the best possible personnel to work with children and youth and urged members to "give handicapped persons equal consideration with other qualified applicants whenever their disabilities will not hinder the performance of required duties."

On Veterans Day the following month, the Association for School, College and University Staffing resolved it to be their policy "to promote and encourage the employment of the physically handicapped in professional education positions . . ." and urged "all institutions employing educators to recruit, select and employ handicapped candidates on the basis of their professional qualifications."

These may seem like very reasonable, logical and ordinary resolutions, but they were in effect dramatic pioneerings efforts and were followed by resolutions by the American Vocational Association and the American Federation of Teachers the following month. Subsequently, other associations have joined the parade but we won't be satisfied with anything less than 100%. Of course, a resolution is but the first step. It takes months and years sometimes for practice to make good on policy, but meetings such as this one today will bring closer the day when handicapped teachers will be accepted for their brains and abilities and no longer rejected for lack of muscles, limbs or other bodily equipment.

These efforts with the professional associations have gone hand in hand with promotional and informational articles such as the NEA Journal's October article "The Handicapped Teacher" and its May "Handicapped Teacher" story last year.

I learned last week that a number of major magazines, mostly the popular and non-professional slicks, will feature stories of the handicapped in the next few months, including the handicapped on the campus. These articles will emphasize not the attitudinal barriers of which I have spoken up to now, but the barriers of architecture, of steps that bar students from buildings, of stairs that prevent use of second floor laboratories, of simple ramps which have made college possible for some.

Parade is planning a story of the battle Mrs. Ruth Walbridge had in Rutland, Vermont, to whip up sufficient public opinion so that the local high school would install an elevator which would enable her wheelchair-bound daughter to attend the local high school and not be shunted aside into a special category.

And, *Family Weekly* is scheduled to do a photographic and text feature on handicapped students at the University of Illinois where the campus is 100% accessible and which over the years has had to turn down hundreds of students in wheelchairs because they already had hundreds registered and there was no additional room at the school.

Just last month the Cowles publication, *The Insider's Newsletter* said: "It is easier than it used to be for a person confined to a wheelchair to get a college education. Data compiled two years ago by the All-University Council showed that the number of handicapped students attending college was declining. Since then, however, steps have been taken to smooth the road to college for the physically disabled." The report also stated that some of these steps included limited Federal funds for researching the problem, a list compiled of colleges that have done away with such barriers as steps and revolving doors and action by an increasing number of schools in "equipping their dormitories and classroom buildings with ramps next to stairways, elevators, hand rails and suitable lavatory facilities." So, I would like to think that we are at that time in history when a good idea has its greatest chance for success, a good idea backed by the Easter Seal Society and the Vocational Rehabilitation Administration and a host of parents and interested private citizens!

First, let's look at the problem:

The college population of eight million in 1950 will have jumped to a projected 14 million by 1970. This includes some 2,200 public and private institutions of higher learning with a 1950 enrollment of 2.3 million and a 1970 projection of 7.0 million, that's a 300% increase if anybody is slow on figures.

Millions were spent in 1950 on increasing physical plants. Billions will be spent in 1970. But, few facilities today are barrier-free. The barriers include inaccessible buses, trains and subways, in a word, no suitable transportation other than private vehicles. They include, inaccessible elevators and controls, subways, flights of stairs, narrow doorways, narrow restrooms, revolving doors, drinking fountains and telephones out of reach, gradings at abnormal levels and distant parking, if any. In another word, if we had purposely set out to prohibit seriously handicapped students from attending college or badly disabled teachers from teaching there, we couldn't have done a much better job.

Some time ago I was interviewed on a speaking assignment outside the 50 mile radius from Washington which gave me expert status. The reporter was intrigued by my comments about architectural barriers. He wrote that a Washington official was touring the country widening restroom doors, lowering telephones, raising drinking fountains, replacing steps with ramps and turning elevator panels sideways so that the handicapped in wheelchairs could live a more normal existence. Unfortunately, all this Washington official can actually do is talk about the problem and then leave it to George or Janet to do something about it after he has left town. This might be called the "he who speaks and runs away, lives to speak another day" strategy, but my mission is that of a gadfly or heckler on the body public. One of my newspaper pals once said I was a "non-irritating crusader."

If you will reflect just a moment, a great deal of emphasis has been placed on special education in primary and secondary education during the last several years, but, sometimes the star handicapped student who excelled in high school never got a chance to even be a college drop out. Too often, he couldn't find a school where buildings were so modified that he could attend classes. Now, I'm not implying that anybody planned it that way. My point is that nobody planned, period.

While I was at Marquette University running the quarter mile for four years, I had my first real contact with handicapped people. Our star high jumper had one leg shorter than the other, polio. Our star shot putter was a deaf mute. One of my chemistry teachers was blind. My first boss in the newspaper business was a sports reporter with cerebral palsy and a twisted hand whose only contribution to typing was to hold down the space bar or capital key for the good hand. But, I never thought much about it then. Those handicapped persons were the lucky ones, they and the young man in a wheelchair whose father was dean of our graduate school and whose classmates lugged him up and down as many as four flights of stairs for four years until he graduated as a journalist. Do you know what my Journalism Dean told me? He said that this class was the most considerate group he had taught in more than three decades at Marquette U. because of the wheelchair boy!

It is good that we as a Nation are having some second thoughts about segregating the handicapped, the severely handicapped. One of these days we are going to stop asking ourselves if we can afford to include elevators in our educational buildings and ask whether we can afford not to include an elevator which makes all the difference in the world whether a wheelchair combat veteran from Vietnam goes on to higher education and becomes a professional person paying substantial taxes or whether he has to build a future unworthy of his talents.

I have heard it said that references to Vietnam are unpopular on campus, but it shouldn't take much reflection to know that combat injuries are frequently suffered by the best men we have in that eyeball to eyeball conflict half a world away. It is quite true that some of the wounded are victims of the "to whom it may concern" type of weapon. It is more likely true that the physically elite with superior intelligence and leadership abilities make up a large portion of our 60,000 non-fatal combat wounded today. These, and the men they have led will be coming back to hospital, home and school in the months and years ahead. Whether we approve or disapprove of our policy in Vietnam, we cannot allow ourself to be unworthy of the task of helping disabled veterans to rebuild their lives and continue their schooling by much longer condoning policies which prevent access to the education and the training for which they are otherwise qualified. Even if we lacked all compassion or patriotism, sober self-interest should not allow us to permit this continued careless drain of skills and talents in an economy crying for more highly trained workers than is available.

A hopeful sign of the times was the resolution adopted by the National Executive Committee of the American Legion last month relative to adapting colleges or universities for disabled wheelchair veterans. The resolution called for adapting the buildings in at least one college or university in each of the five areas of the United States to the needs of a disabled veteran in a wheelchair in order that he can pursue a course of higher education in a state near his home. It further called for supporting necessary legislation to bring this about. If the legislation passes, we would hope that there would be a rush for those five area centers!

Just about every region of the country will soon have campus facilities accessible to the severely handicapped. Students who cannot negotiate the barriers on the campuses near their homes will be forced to migrate to other sections of the country, and a loss of gifted manpower in this age is a loss few, if any, States can afford.

I believe the Statewide planning projects in the rehabilitation needs of the disabled, now underway in all the States, will document the barriers to employment—and in particular, the architectural barriers. The preliminary findings of these surveys should be included in the final report of the National Commission on Architectural Barriers which will go to the printer later this year.

A year ago last month our Committee Magazine, *Performance,* featured a story titled "Wheelchairs on Campus." It was only four short pages long, but the story told about the University of Illinois, the University of Missouri, UCLA's campus and the programs at Wayne State, Kansas State Teachers and Hofstra University was a success story that made all the difference in the world to these few hundred students fortunate enough to wheel their way through college.

That same issue of *Performance* told of a 91 page study titled "Higher Education and Handicapped Students" which tabulated facilities for the severely handicapped at colleges having enrollments of more than 1,000 students. Some 300 colleges had one or more students in wheelchairs, but there was usually lacking any convenience of architectural design which would allow them full mobility on campus. Five large universities had a sizable number of students in wheelchairs, but not a single ramp to accommodate them. These have improved since the 1962 study sponsored by VRA, but I am sorry to say that too frequently the dollar sign has effectively been as great a barrier as if it were a flashing red stop sign, barring access to countless campuses.

I mentioned Hofstra as among the success stories reported. A man born without legs and a top official of Otis Elevator Company teamed up with Hofstra officials and a VRA grant to come up with a "bubble" type shell which attaches to a building's exterior, encasing a lift comfortable and large enough for a wheelchair and an attendant. Perhaps some future Albert Einstein will serve mankind as a result of an education made possible by a Rube Goldberg gadget costing $4,500. Henry Viscardi has many things of which to be proud, but he never stood taller on his artificial legs than when he helped bring this project to completion at Hofstra.

In April 1964, *Performance* devoted a special issue to "The Handicapped and Higher Education." It featured an article by my friend, Dr. Norman Feingold of the B'nai B'rith Vocational Service, "Educational Resources for the Handicapped" in which he outlined 18 steps for the handicapped to take in pursuing higher education. I like to think that our magazine and his 18 steps helped many parents and young adults to successfully breach the barriers which for too long have kept the severely disabled from actually getting an education.

That same issue of *Performance* excerpted an address given by Dr. Powrie Vaux Doctor at Washington Cathedral ceremonies honoring the 100th Anniversary of the founding of Gallaudet College. Among other things, the speaker stressed that man has "again and again denied another man certain rights because of his color, his nationality, his creed. It has been even a greater struggle for the man who is physically handicapped to achieve a place for himself as an individual."

He also said significantly, "the care of the disabled of any nation is a fairly accurate index of the height which civilization has reached in that country." If this is true, and I believe it to be so, we have a good piece to go down the road before we catch up with our own self image as the greatest people on earth.

Massachusetts Institute of Technology is a great institution and one measure of the height of its greatness lies in an announcement issued in January of this year which read in part: "The growing demand for talent, both in the Institute and in the world at large, has encouraged employers to assess their physical plants in order to take advantage of the number of qualified though handicapped workers. MIT has already installed a number of ramps for wheelchairs, and new construction is being carried out with ramping in mind. In older buildings ramps will be added as demands are made and ways are found to do it. Recently several toilet facilities have been put in and more will be added. Future considerations include drinking fountains, dining areas and telephones. There is one way we can all help our coworkers in wheelchairs. Ramps have been put in at curbstones here and there on campus so that people in wheelchairs can get around more easily. Please don't park on the ramps."

Few of us in this room will ever forget the book and movie title, "Please Don't Eat the Daisies." May we all live to see the day when "Please don't park on the ramps" will be as commonplace a saying in academia!

In conclusion, I wish to state for the record most emphatically that we do not have any great cause for pride in our record right here in the Nation's Capital. It is true that many seriously handicapped, including the blind and the deaf, are pursuing higher education in this area. But, and here's the rub, that there are still too few, if any, special efforts for wheelchair or other severely handicapped students, efforts which will provide them with access to classrooms and laboratories on local campuses.

It may be that we do not have the attitude here that students with significant disabilities should not be encouraged to pursue teaching vocations. But, it certainly is still too true elsewhere in our 50 States that teachers colleges are still reluctant to accept severely handicapped students and actually discourage young people with serious disabilities from embarking on a teaching career. I sympathize with faculties which pride themselves on 100% placement of their graduates each year, but I would like to think that more educators would help us turn this corner and join with us in breaking with the past and opening up a bright future for the handicapped of today and tomorrow.

Barriers are crashing down all over the world. The attitudinal barrier is sometimes harder to breach than the physical barrier of architecture, but we have got to keep trying. The late Congressman John Fogarty, well known for his many great contributions to education, said this late last year in a speech titled *Legislation and the Handicapped,* "Our education legislation has never denied the handicapped the advantages we have tried to provide for children and youths. But, I have not been satisfied that a fair share of the handicapped are benefiting from this program. I assure you that I am going to be satisfied before this program runs much further along. It never has made much sense to me that educators who are supposed to be concerned with brains pay so much attention to brawn when it comes to providing educational opportunities. Some places you'd think the student body was being selected for an athletic contest and the faculty for jobs as coaches! This is a luxury we can no longer afford and I am pleased that the President's Committee is mobilizing for an attack on archaic thinking by school boards, administrators and faculties alike.

"Another symptom of the muddle-headed mania of overprotection is the recent decision by high schools to deny any amputee student from competing in sports. The Congress cannot very well legislate against stupidity, a stupidity with which some physicians concur, but we certainly point it out as a dreadful reminder that we can never afford to be complacent. I wonder what Glen Cunningham and so many other great athletes who triumphed over disability are thinking about this most recent evidence of advanced thinking on the part of educators."

Well, the Lord in His wisdom did not give John Fogarty the opportunity to be satisfied, but we here today can take up this challenge and opportunity and satisfy ourselves that we will do whatever we can and should do to bring down the attitudinal barriers and architectural barriers on every college campus in this country. Quoting Congressman Fogarty may not exactly be a frontal attack on present inadequacies, but I think the message is unsubtle enough to provoke comment, discussion and action. Let's get on with the dialogue.

THE LONG WEEKEND

Mr. SMATHERS. Mr. President, on March 9 of this year I introduced S. 1217, a bill to provide five uniform Monday holidays throughout the year. Hearings on this bill will begin July 26 before the Senate Judiciary Subcommittee on Federal Charters, Holidays, and Celebrations. Since introducing the bill, I have received many hundreds of messages from individuals, business groups, and various other organizations stating their views on this bill. The vast majority of these messages have been expressions of support. One of the more noteworthy of these is an editorial from WMAL–AM–FM–TV here in Washington. I ask unanimous consent that this editorial, which was aired on June 30, be inserted in the body of the RECORD at this point of my remarks:

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE LONG WEEKEND

Nearly all national holidays should be observed on Monday. This would create a series of three-day weekend "vacationettes" throughout the year. Christmas and New Year's Day should be the only exceptions.

Florida Senator George Smathers has introduced a Uniform Monday Holiday bill that has our enthusiastic support. The Smathers bill provides for five additional three-day weekends. Monday observance would be set for Washington's Birthday, Memorial Day, Independence Day, Veterans Day and Thanksgiving. Labor Day, of course, already falls on Monday.

For instance, this year the Fourth of July falls on Tuesday. Millions of people will go to work Monday, be off Tuesday and then back on the job next Wednesday. This needless interruption of the work week could be avoided by observing the Fourth on Monday.

National Chamber of Commerce surveys have shown overwhelming enthusiasm among both businessmen and employees for uniform Monday holiday observance. Congress should approve the Smathers bill creating six three-day weekend "vacationettes" each year.

HYDROELECTRIC PROJECTS IN STATE OF WASHINGTON

Mr. MAGNUSON. Mr. President, in the strong chain of dependable power producing hydroelectric projects on the mighty Columbia River in Washington are two which were constructed and are now operated by the Grant County Public Utility District.

These are the Priest Rapids and Wanapum Dams. Being located in Grant and Kittitas Counties, they pay their property taxes there. These payments are large and impressive.

When Kittitas County received its tax check this year, the Ellensburg Daily Record, which serves much of this Central Washington area, prepared an editorial.

This editorial said much in a memorable way.

For example, it is very true, as the editorial pointed out, neither project might have been in service today, if former Congressman Hal Holmes had not moved to make it possible for Grant County Public Utility District to build them.

What the work of Hal Holmes meant in dollars and cents to both Grant and Kittitas counties can be computed quickly by multiplying these tax payments, made over the years.

But the editorial discusses more than dollars and cents.

It looks back briefly so that area citizens might look ahead more intently and with even greater vision.

For these reasons, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Ellensburg Daily Record, July 3, 1967]

LOOKING BACK FOR A MOMENT

In a letter on this page today, Lawrence Mellergaard comments on the nearly quarter of a million dollars paid into County funds through public utility district taxes. Something over $86,000 is by law earmarked for Kittitas School District 403. Commissioners have divided the balance almost equally, half to the County's general expense fund and half to a building fund.

Purely as a sidelight, it's worth noting that forecasts made in 1962 or earlier indicated that Wanapum dam would produce about $243,000 in lieu of tax money for this County. This figure (or one very close to it, if memory serves) appeared in a letter 5 years ago from the Grant County PUD to commissioners here. From this letter, the Record carried a news story which was received with a good deal of laughing scepticism at the time. Not everyone then thought that Wanapum would generate that kind of money.

But further back in the chronology of both Wanapum, and Priest Rapids dams, and much more important, is the fact that living here in Ellensburg is the one man who truly, as much as any man could be, was responsible for the fact that the two dams actually were constructed. That man, of course, is Hal Holmes.

Holmes, then a U.S. Congressman from this district, shepherded the bills through the Congress that opened the construction doors. He carried the ball through some extremely difficult days in Washington.

But, the legislation was put through.

The dams were built.

Yet, how often it is that what men accomplish in public service, witness what Hal Holmes was able to do for his area and his people, is forgotten so quickly.

Why is it that we call the people we elect politicians using the word with such contempt and then immediately, once they're our representatives demand that they devote all their time, their energies, even their health to the job? And, then having done so, having seen to the proper representation of their constituents, we fail to make the effort to remember them and their contributions?

Why is it? Is it a part of the American background so steeped in distrust of politics and politicians? Who can say.

In any event, the dams at Priest Rapids and Wanapum, which will provide so much to this area in terms of revenue and recreation for decades to come are a tribute to public spirited men among whom certainly stands Hal Holmes.

CRY FOR THE CITY

Mr. HATFIELD. Mr. President, although much has been written about the abominations of our city, I wonder whether this outcry very often affects us personally. I wonder how benumbed we are by the grandeur of marble and the security of the suburbs. As legislators, we have committed ourselves to numerous principles and ideas, but in doing so we are often removed from the immediacy of human needs and human suffering. Although we are reminded continually through the news media of the conditions of the city, of its poverty, of its ghettos, of its inadequate school systems, of its undermanned police force, of its crime, and of its sorrow, we do not daily experience these realities. Yet, the suffering does not end merely because we choose not to see it. It surrounds us—but only when we are threatened, as during the long, hot summer, do we take notice.

A sermon "Cry for the City" is deserving of special notice because it deals particularly with this problem of personal insensitivity to the abominations of our city. It speaks of personal responsibility and personal sorrow. It condemns hypocrisy of those of us who pass without seeing the reeking tenements, too busy with the problems of the Nation to hear the cries of people. Amidst all the attempts at social legislation, it challenges us to personal concern—to shame, to sorrow, and to involvement. I ask unanimous consent to have printed in the RECORD "Cry for the City," a sermon first delivered by Rev. Richard Halverson on June 25, 1966, at the Fourth Presbyterian Church, Bethesda, Md.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

[Morning sermon, June 25, 1967]

CRY FOR THE CITY

I speak against fear. I speak for sorrow. I speak for repentance. I speak for intercession. I speak for obedience. In view of the long, hot summer in our city, I speak against fear, for "God has not given us the spirit of fear but of power and of love and of a sound mind." I speak for sorrow, for "the sacrifices of God are a broken spirit; a broken and a contrite heart, oh God, Thou wilt not despise."

Twice on Sunday, May 28, two persons, unknown to each other and in totally unrelated circumstances, spoke to me of Ezekiel 9. Now, it is not uncommon for persons to direct my attention to a passage of scripture. But when two, the same day, in completely different situations spoke to me of the same text and made the same application to Washington, D.C., I received this as more than coincidence. It came to me as the Spirit's suggestion for our consideration the Sunday before summer communion.

As a young priest, Ezekiel was carried away captive by Nebuchadnezzar to Babylon. There God called Ezekiel to prophesy against both the Northern Kingdon, Israel, and the Southern Kingdom, Judah, but especially against the city of jerusalem. The first twenty-four chapters of Ezekiel contain the prophecy of the destruction of the city of Jerusalem which took place in 586 B.C. after Nebuchadnezzar had laid siege against the city which lasted eleven years.

Of relevance to our situation is not so much the detestable practices of which Israel was guilty and for which Jerusalem was to be laid waste, but the interesting fact that the ones who were spared God's judgment in Jerusalem were those who "sighed and cried over the abominations of the city." This particular prophecy opens with God calling for the rulers of the city, and Ezekiel reports that six men, having weapons of slaughter in their hands, appeared. Then there was a seventh man, clothed in linen with a writers ink horn by his side, and he was commanded by God to "go through the midst of the city and to set a mark upon the foreheads of the men that sigh and cry for all the abominations that be done in the midst thereof."

Afterwards, the six men, "each with a slaughter weapon in his hand, were to go through the city and without pity, to slay, utterly, old and young, both maids and little children and women." They were to slay not only those who were guilty of the abominations, not only those who were guilty of the detestible practices, but they were to slay those who were indifferent. They were to slay those who did not care about what was happening to Jerusalem. They were to slay all "who did not sigh and cry for the abominations of the city." The six men, with weapons of slaughter in their hands, were commanded by God to "come not near those who had the mark in their foreheads," that is, those who had cried and sighed for the abomination in the city. Of special interest is the fact that the six men with their weapons of judgment were to begin at the sanctuary with the elders, (or with the ancient men, as it is in the Authorized Version) who, though they may not have participated in the detestible practices, nevertheless bore no burden for the city and its sin.

Now, of course, Jerusalem is a sacred city in an absolutely unique sense. Jerusalem was the locale of the redemptive work of God in the past and it is the center of the redemptive purpose of God for the future. But this prophecy speaks to us of our Christian obligation to our city, to any city where the church of Jesus Christ is, but for us, our city. May I remind you of the central place cities have in the Bible, despite the fact that the whole Bible, Old and New Testament, was composed in a period when civilization was rural and nomadic, not urban. Jesus wept over Jerusalem. The first missionary, Paul, went to the great cities to preach, to teach, to plant the church of Jesus Christ and he found no rest in his soul until he had entered the Imperial City itself, Rome, to proclaim his message. The spread of the gospel of Jesus Christ is the story of cities.

It would be superfluous to speak at any length this morning of our city and its abominations. We are reminded daily through the papers, radio, T.V. and the weekly news magazines of the abominations of our city, of its poverty, of its ghettos, of its second class school systems, of its inadequate police force, of its juvenile delinquency, of its crime, of its drunkenness, of its sin. But, the tragedy is compounded because it is the capital city of the wealthiest, most powerful nation in history. It should be a model city. It should be an example to the cities of the world of what a city ought to be, and we who live here should be ashamed that it is not. We who live here should be ashamed that we do not sorrow for the condition of our city, ashamed of our indifference and our "couldn't-care-less" attitude, ashamed for assuming that somehow we can move away out of the city to the relative security of the suburbs and for all practical purposes abandon the city except as we earn our living in it and find our pleasures there.

Surely we who prosper from the city have a responsibility to the city, even when we live on its periphery. Of course, we do not participate in the city's crime and violence and sin. But the relevant question is, "Does it break our hearts that our city suffers from such violence and crime and sin?" We keep hearing about the long hot summer still ahead with its potential of riot and violence and death. And our response for the most part is anger and fear, if we bother to care at all. I speak against fear. I speak for sorrow. I speak for concern for a city. And if we are not concerned, we should repent of our indifference and ask God to forgive us and renew us and involve us. We must pray that we shall be sensitive to the burdens of the city, our city, sensitive to the Spirit of God that each of us may fulfill his God-given role, whatever it may be, now, in this place. We must intercede for the rehabilitation of our city, for its leaders and its poor, for its police and its criminals; for its administration and its citizens. This is our obligation to our city.

Verses nine and ten of the prophecy are significant. Why was the guilt of the house of Israel and Judah great? "Because," said God, "the land was full of blood and the city full of injustice and they said (the people of God said) "The Lord has forsaken the earth and the Lord seeth not." They had despaired of God. The people of God had despaired of God. The injustice and sin had become so commonplace that the people of God had given up hope. They had capitulated to the evil and despaired of solution. And in their despair and faithlessness they had abdicated their responsibility and languished in apathy. We must not be guilty of this. We must believe that God has not forsaken the earth, that God has not forsaken our city. We must believe that God is not unaware of our city and our world. We must believe that God is able to do something about our city, this summer, now. But we must remember that God's method is men; that God works through his people. Therefore, we must pray that He will work through us, each of us, without a single exception. We must ask for a burden for our city. We must pray that we will be burdened enough by the Spirit of God that we will weep for our city and its abominations. With broken and contrite hearts we must seek His forgiveness for our indifference and our selfishness, and our apathy. We must pray for the mighty intervention of Almighty God this summer. And we can do something. Each of us can do something. God has something for each of us to do if we seek His will for each of us. We cannot do everything for everybody, but we can do something for somebody.

Thursday evening I participated in a little sandwich supper with about six young business and professional men of the city. One of them had met Jesus Christ as his Savior at the age of thirty-five, and for the last few years has been walking in this wonderful faith in Christ, in this new life. He told us, in the spontaneity of the supper, how one day he left his office and, as was always the case, walked down Connecticut Avenue to the restaurant. Everything had gone wrong that day in his home and office. He was discouraged and he was consuming himself with self-pity. He walked with head down until his eyes fell on a beggar at the curb, a Negro man without any feet. He asked God to forgive him for his self-pity, he had feet, and all of his frustration disappeared as he stood there in the presence of this poor man without feet. He gave him some money and went on to his lunch, but as he sat at lunch he prayed, "Lord, I can't help everyone asking for help in this city, but there is one man I can help, and now, by your grace, I adopt this man, whether anybody else helps him, I will." He adopted that man and has been helping him ever since. What if every Christian citizen in our city did that!

I've been hearing over the radio many announcements this past week of the desperate need for helpers in the Head-Start Program. What an opportunity to demonstrate the love of God in Christ for a Christian. What an opportunity for witness. What an opportunity to be a servant for Christ's sake. In the bulletin on the back of the announcement page I have listed some opportunities for Christian service beginning tomorrow morning. Many opportunities for Christians to exploit needs to the glory of God in Christian service. One of the very controversial and explosive problems facing us in Montgomery County is open housing, but it is a part of the problem of the city. On this Thursday evening there is going to be a meeting for the citizens of Montgomery County to discuss this problem. Some of you ought to be there, whatever your convictions about open housing, to be informed, not afraid, to be intelligent, not fearful or angry.

But most of all, we can tell others about the love of God in Jesus Christ; whatever else we do, and we should do other things as well, not leave them undone. I was told this morning about a small group of Plymouth Brethren who are spending two weeks in Washington distributing the gospel of John. In two weeks, thousands and thousands of portions of scripture will be lovingly and prayerfully distributed in the city.

I don't know what you should do. I know you should do something for Christ's sake, and the Spirit of God is the only one that has the right to tell you what to do. I speak against fear. I speak for sorrow and repentance and obedience and involvement as God the Holy Spirit may direct each of us, beginning right here, right now.

A ROUGH CURE FOR ADOLESCENCE

Mr. PELL. Mr. President, I invite the attention of the Senate to an excellent article entitled "A Rough Cure for Adolescence," written by Edward Grossman, and published in the May 1967 issue of Harper's magazine.

Mr. Grossman describes in sympathetic and often amusing detail the Outward Bound program, a wartime training course in survival techniques which has been transposed into a growing system of character-building camps for teenagers both in Great Britain and in the United States. Mr. Grossman describes it as a program "designed to convert loutish adolescents into happy men."

I have followed the development and growth of this excellent program with immense respect and interest, and in fact have sent two of my own sons to Outward Bound camps here in the United States. It is a program of enormous challenge designed to literally stretch the limits of human nerve and endurance and to show each participant that he has within him possibilities and powers that he had never before realized. Inevitably, such a program has its perils and occasional mishaps, as Mr. Grossman states. But its overwhelming effect is to equip thousands of young people with new and lasting resources of body and mind.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Rough Cure for Adolescence

(By Edward Grossman)

(Note.—How a wartime course in survival techniques—punishing and sometimes dangerous—is now being used to change the character of teen-agers, from unpromising louts into confident men.)

In a bright but chilly dawn last August, two men abandoned me on an uninhabited island off the coast of Maine, promising to come back in three days. To tide me over till their return they let me keep twelve matches, two tin cans (empty), a sleeping bag, one plastic sheet, the clothes I was wearing, and a prayer book. In case I got hungry I was supposed to graze for my food among the native flora and fauna of this half square mile of rock and pine trees.

Now, I am a twenty-four-year-old citified egghead who has nothing in common with Daniel Boone or Henry Thoreau. Yet I showed no anxiety as my escorts' boat chugged off. In fact, I waved a cheery goodbye.

I had been prepared for this moment by a three weeks' therapeutic ordeal known as Outward Bound. In comparison with what had gone before, being thrown to the mercy of nature felt like getting rescued. Outward Bound is a program designed to convert loutish adolescents into happy men. I do not consider myself loutish, and by definition I am not an adolescent. But rash journalistic zeal had led me to find out for myself whether this singular experience can—as its proponents claim—reshape the character of boys and improve them "in every nook and cranny of their bodies and souls."

The Outward Bound idea is an English import, invented by Kurt Hahn, a refugee from Hitler. Hahn, a teacher, ran a private school in Germany subsidized by Prince Max of Baden (the last Imperial Chancellor), and on his arrival in bleakest Scotland in 1933 set up Gordonstoun, a kind of prep school where he gave his boys (the future Prince Philip, for one) hard mattresses, strenuous exercise, coast-guard duty, and plenty of Greek verbs. Hahn meant his Gordonstoun treatment to be more than just the melancholy business of Cold Water Inside and Out that is a tradition in English public schools. He wanted to integrate physical hardship with service to the community, manual training, and academic discipline, all in a rationalized program that would arouse youthful enthusiasm, rather than hatred. Hahn believed his school succeeded at this. But being an evangelist he was unhappy because only a few sons of the rich were benefiting. Through the 1930s he agitated for a national network of schools, modeled on his principles and supported by capitalists and government, where middle-class and poor boys could go for concentrated month-long courses.

Hahn did not get any significant response until war came. In 1941 Lawrence Holt, owner of the Blue Funnel Line, became aware of the fact that when his ships were torpedoed by German U-boats most young sailors gave up and perished in the sea, while older men, with experience in open boats and the cunning of age, survived. Holt gave Hahn the money to start the first Outward Bound school in Aberdovey, Wales. There Merchant Service apprentices bound for the North Atlantic convoy run learned firsthand that they could withstand starvation, exposure, hours of swimming and rowing. This was not a "survival school" of the sort armies operate now; as at Gordonstoun, Hahn was interested in building "health and character—survival will take care of itself." As it turned out, a remarkable proportion of Outward Bound graduates whose ships were sunk *did* survive.

By the end of the war Hahn had won a number of powerful apostles. Not all of them were High Tory types with titles and decorations, like Field-Marshal Lord Montgomery. For example, the biologist Julian Huxley lobbied successfully in education circles to get regular academic credit for time spent at Outward Bound. Five new schools, one of them for girls, were built. Factory owners began paying young workers to go to the courses in order, as Sir Spencer tral Washington area, prepared an editorial.

This editorial said much in a memorable way.

For example, it is very true, as the editorial pointed out, neither project might have been in service today, if former Congressman Hal Holmes had not moved to make it possible for Grant County Public Utility District to build them.

What the work of Hal Holmes meant in dollars and cents to both Grant and Kittitas counties can be computed quickly by multiplying these tax payments, made over the years.

But the editorial discusses more than dollars and cents.

It looks back briefly so that area citizens might look ahead more intently and with even greater vision.

For these reasons, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Ellensburg Daily Record, July 3, 1967]

LOOKING BACK FOR A MOMENT

In a letter on this page today, Lawrence Mellergaard comments on the nearly quarter of a million dollars paid into County funds through public utility district taxes. Something over $86,000 is by law earmarked for Kittitas School District 403. Commissioners have divided the balance almost equally, half to the County's general expense fund and half to a building fund.

Purely as a sidelight, it's worth noting that forecasts made in 1962 or earlier indicated that Wanapum dam would produce about $243,000 in lieu of tax money for this County. This figure (or one very close to it, if memory serves) appeared in a letter 5 years ago from the Grant County PUD to commissioners here. From this letter, the Record carried a news story which was received with a good deal of laughing scepticism at the time. Not everyone then thought that Wanapum would generate that kind of money.

But further back in the chronology of both Wanapum, and Priest Rapids dams, and much more important, is the fact that living here in Ellensburg is the one man who truly, as much as any man could be, was responsible for the fact that the two dams actually were constructed. That man, of course, is Hal Holmes.

Holmes, then a U.S. Congressman from this district, shepherded the bills through the Congress that opened the construction doors. He carried the ball through some extremely difficult days in Washington.

But, the legislation was put through.

The dams were built.

Yet, how often it is that what men accomplish in public service, witness what Hal Holmes was able to do for his area and his people, is forgotten so quickly.

Why is it that we call the people we elect politicians using the word with such contempt and then immediately, once they're our representatives demand that they devote all their time, their energies, even their health to the job? And, then having done so, having seen to the proper representation of their constituents, we fail to make the effort to remember them and their contributions?

Why is it? Is it a part of the American background so steeped in distrust of politics and politicians? Who can say.

In any event, the dams at Priest Rapids and Wanapum, which will provide so much to this area in terms of revenue and recreation for decades to come are a tribute to public spirited men among whom certainly stands Hal Holmes.

CRY FOR THE CITY

Mr. HATFIELD. Mr. President, although much has been written about the abominations of our city, I wonder whether this outcry very often affects us personally. I wonder how benumbed we are by the grandeur of marble and the security of the suburbs. As legislators, we have committed ourselves to numerous principles and ideas, but in doing so we are often removed from the immediacy of human needs and human suffering. Although we are reminded continually through the news media of the conditions of the city, of its poverty, of its ghettos, of its inadequate school systems, of its undermanned police force, of its crime, and of its sorrow, we do not daily experience these realities. Yet, the suffering does not end merely because we choose not to see it. It surrounds us—but only when we are threatened, as during the long, hot summer, do we take notice.

A sermon "Cry for the City" is deserving of special notice because it deals particularly with this problem of personal insensitivity to the abominations of our city. It speaks of personal responsibility and personal sorrow. It condemns hypocrisy of those of us who pass without seeing the reeking tenements, too busy with the problems of the Nation to hear the cries of people. Amidst all the attempts at social legislation, it challenges us to personal concern—to shame, to sorrow, and to involvement. I ask unanimous consent to have printed in the RECORD "Cry for the City," a sermon first delivered by Rev. Richard Halverson on June 25, 1966, at the Fourth Presbyterian Church, Bethesda, Md.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

[Morning sermon, June 25, 1967]

CRY FOR THE CITY

I speak against fear. I speak for sorrow. I speak for repentance. I speak for intercession. I speak for obedience. In view of the long, hot summer in our city, I speak against fear, for "God has not given us the spirit of fear but of power and of love and of a sound mind." I speak for sorrow, for "the sacrifices of God are a broken spirit; a broken and a contrite heart, oh God, Thou wilt not despise."

Twice on Sunday, May 28, two persons, unknown to each other and in totally unrelated circumstances, spoke to me of Ezekiel 9. Now, it is not uncommon for persons to direct my attention to a passage of scripture. But when two, the same day, in completely different situations spoke to me of the same text and made the same application to Washington, D.C., I received this as more than coincidence. It came to me as the Spirit's suggestion for our consideration the Sunday before summer communion.

As a young priest, Ezekiel was carried away captive by Nebuchadnezzar to Babylon. There God called Ezekiel to prophesy against both the Northern Kingdon, Israel, and the Southern Kingdom, Judah, but especially against the city of jerusalem. The first twenty-four chapters of Ezekiel contain the prophecy of the destruction of the city of Jerusalem which took place in 586 B.C. after Nebuchadnezzar had laid siege against the city which lasted eleven years.

Of relevance to our situation is not so much the detestable practices of which Israel was guilty and for which Jerusalem was to be laid waste, but the interesting fact that the ones who were spared God's judgment in Jerusalem were those who "sighed and cried over the abominations of the city." This particular prophecy opens with God calling for the rulers of the city, and Ezekiel reports that six men, having weapons of slaughter in their hands, appeared. Then there was a seventh man, clothed in linen with a writers ink horn by his side, and he was commanded by God to "go through the midst of the city and to set a mark upon the foreheads of the men that sigh and cry for all the abominations that be done in the midst thereof."

Afterwards, the six men, "each with a slaughter weapon in his hand, were to go through the city and without pity, to slay, utterly, old and young, both maids and little children and women." They were to slay not only those who were guilty of the abominations, not only those who were guilty of the detestible practices, but they were to slay those who were indifferent. They were to slay those who did not care about what was happening to Jerusalem. They were to slay all "who did not sigh and cry for the abominations of the city." The six men, with weapons of slaughter in their hands, were commanded by God to "come not near those who had the mark in their foreheads," that is, those who had cried and sighed for the abomination in the city. Of special interest is the fact that the six men with their weapons of judgment were to begin at the sanctuary with the elders, (or with the ancient men, as it is in the Authorized Version) who, though they may not have participated in the detestible practices, nevertheless bore no burden for the city and its sin.

Now, of course, Jerusalem is a sacred city in an absolutely unique sense. Jerusalem was the locale of the redemptive work of God in the past and it is the center of the redemptive purpose of God for the future. But this prophecy speaks to us of our Christian obligation to our city, to any city where the church of Jesus Christ is, but for us, our city. May I remind you of the central place cities have in the Bible, despite the fact that the whole Bible, Old and New Testament, was composed in a period when civilization was rural and nomadic, not urban. Jesus wept over Jerusalem. The first missionary, Paul, went to the great cities to preach, to teach, to plant the church of Jesus Christ and he found no rest in his soul until he had entered the Imperial City itself, Rome, to proclaim his message. The spread of the gospel of Jesus Christ is the story of cities.

It would be superfluous to speak at any length this morning of our city and its abominations. We are reminded daily through the papers, radio, T.V. and the weekly news magazines of the abominations of our city, of its poverty, of its ghettos, of its second class school systems, of its inadequate police force, of its juvenile delinquency, of its crime, of its drunkenness, of its sin. But, the tragedy is compounded because it is the capital city of the wealthiest, most powerful nation in history. It should be a model city. It should be an example to the cities of the world of what a city ought to be, and we who live here should be ashamed that it is not. We who live here should be ashamed that we do not sorrow for the condition of our city, ashamed of our indifference and our "couldn't-care-less" attitude, ashamed for assuming that somehow we can move away out of the city to the relative security of the suburbs and for all practical purposes abandon the city except as we earn our living in it and find our pleasures there.

Surely we who prosper from the city have a responsibility to the city, even when we live on its periphery. Of course, we do not participate in the city's crime and violence and sin. But the relevant question is, "Does it break our hearts that our city suffers from such violence and crime and sin?" We keep hearing about the long hot summer still ahead with its potential of riot and violence and death. And our response for the most part is anger and fear, if we bother to care at all. I speak against fear. I speak for sorrow. I speak for concern for a city. And if we are not concerned, we should repent of our indifference and ask God to forgive us and renew us and involve us. We must pray that we shall be sensitive to the burdens of the city, our city, sensitive to the Spirit of God that each of us may fulfill his God-given role, whatever it may be, now, in this place. We must intercede for the rehabilitation of our city, for its leaders and its poor, for its police and its criminals; for its administration and its citizens. This is our obligation to our city.

Verses nine and ten of the prophecy are significant. Why was the guilt of the house of Israel and Judah great? "Because," said God, "the land was full of blood and the city full of injustice and they said (the people of God said) "The Lord has forsaken the earth and the Lord seeth not." They had despaired of God. The people of God had despaired of God. The injustice and sin had become so commonplace that the people of God had given up hope. They had capitulated to the evil and despaired of solution. And in their despair and faithlessness they had abdicated their responsibility and languished in apathy. We must not be guilty of this. We must believe that God has not forsaken the earth, that God has not forsaken our city. We must believe that God is not unaware of our city and our world. We must believe that God is able to do something about our city, this summer, now. But we must remember that God's method is men; that God works through his people. Therefore, we must pray that He will work through us, each of us, without a single exception. We must ask for a burden for our city. We must pray that we will be burdened enough by the Spirit of God that we will weep for our city and its abominations. With broken and contrite hearts we must seek His forgiveness for our indifference and our selfishness, and our apathy. We must pray for the mighty intervention of Almighty God this summer. And we can do something. Each of us can do something. God has something for each of us to do if we seek His will for each of us. We cannot do everything for everybody, but we can do something for somebody.

Thursday evening I participated in a little sandwich supper with about six young business and professional men of the city. One of them had met Jesus Christ as his Savior at the age of thirty-five, and for the last few years has been walking in this wonderful faith in Christ, in this new life. He told us, in the spontaneity of the supper, how one day he left his office and, as was always the case, walked down Connecticut Avenue to the restaurant. Everything had gone wrong that day in his home and office. He was discouraged and he was consuming himself with self-pity. He walked with head down until his eyes fell on a beggar at the curb, a Negro man without any feet. He asked God to forgive him for his self-pity, he had feet, and all of his frustration disappeared as he stood there in the presence of this poor man without feet. He gave him some money and went on to his lunch, but as he sat at lunch he prayed, "Lord, I can't help everyone asking for help in this city, but there is one man I can help, and now, by your grace, I adopt this man, whether anybody else helps him, I will." He adopted that man and has been helping him ever since. What if every Christian citizen in our city did that!

I've been hearing over the radio many announcements this past week of the desperate need for helpers in the Head-Start Program. What an opportunity to demonstrate the love of God in Christ for a Christian. What an opportunity for witness. What an opportunity to be a servant for Christ's sake. In the bulletin on the back of the announcement page I have listed some opportunities for Christian service beginning tomorrow morning. Many opportunities for Christians to exploit needs to the glory of God in Christian service. One of the very controversial and explosive problems facing us in Montgomery County is open housing, but it is a part of the problem of the city. On this Thursday evening there is going to be a meeting for the citizens of Montgomery County to discuss this problem. Some of you ought to be there, whatever your convictions about open housing, to be informed, not afraid, to be intelligent, not fearful or angry.

But most of all, we can tell others about the love of God in Jesus Christ; whatever else we do, and we should do other things as well, not leave them undone. I was told this morning about a small group of Plymouth Brethren who are spending two weeks in Washington distributing the gospel of John. In two weeks, thousands and thousands of portions of scripture will be lovingly and prayerfully distributed in the city.

I don't know what you should do. I know you should do something for Christ's sake, and the Spirit of God is the only one that has the right to tell you what to do. I speak against fear. I speak for sorrow and repentance and obedience and involvement as God the Holy Spirit may direct each of us, beginning right here, right now.

A ROUGH CURE FOR ADOLESCENCE

Mr. PELL. Mr. President, I invite the attention of the Senate to an excellent article entitled "A Rough Cure for Adolescence," written by Edward Grossman, and published in the May 1967 issue of Harper's magazine.

Mr. Grossman describes in sympathetic and often amusing detail the Outward Bound program, a wartime training course in survival techniques which has been transposed into a growing system of character-building camps for teenagers both in Great Britain and in the United States. Mr. Grossman describes it as a program "designed to convert loutish adolescents into happy men."

I have followed the development and growth of this excellent program with immense respect and interest, and in fact have sent two of my own sons to Outward Bound camps here in the United States. It is a program of enormous challenge designed to literally stretch the limits of human nerve and endurance and to show each participant that he has within him possibilities and powers that he had never before realized. Inevitably, such a program has its perils and occasional mishaps, as Mr. Grossman states. But its overwhelming effect is to equip thousands of young people with new and lasting resources of body and mind.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Rough Cure for Adolescence

(By Edward Grossman)

(Note.—How a wartime course in survival techniques—punishing and sometimes dangerous—is now being used to change the character of teen-agers, from unpromising louts into confident men.)

In a bright but chilly dawn last August, two men abandoned me on an uninhabited island off the coast of Maine, promising to come back in three days. To tide me over till their return they let me keep twelve matches, two tin cans (empty), a sleeping bag, one plastic sheet, the clothes I was wearing, and a prayer book. In case I got hungry I was supposed to graze for my food among the native flora and fauna of this half square mile of rock and pine trees.

Now, I am a twenty-four-year-old citified egghead who has nothing in common with Daniel Boone or Henry Thoreau. Yet I showed no anxiety as my escorts' boat chugged off. In fact, I waved a cheery goodbye.

I had been prepared for this moment by a three weeks' therapeutic ordeal known as Outward Bound. In comparison with what had gone before, being thrown to the mercy of nature felt like getting rescued. Outward Bound is a program designed to convert loutish adolescents into happy men. I do not consider myself loutish, and by definition I am not an adolescent. But rash journalistic zeal had led me to find out for myself whether this singular experience can—as its proponents claim—reshape the character of boys and improve them "in every nook and cranny of their bodies and souls."

The Outward Bound idea is an English import, invented by Kurt Hahn, a refugee from Hitler. Hahn, a teacher, ran a private school in Germany subsidized by Prince Max of Baden (the last Imperial Chancellor), and on his arrival in bleakest Scotland in 1933 set up Gordonstoun, a kind of prep school where he gave his boys (the future Prince Philip, for one) hard mattresses, strenuous exercise, coast-guard duty, and plenty of Greek verbs. Hahn meant his Gordonstoun treatment to be more than just the melancholy business of Cold Water Inside and Out that is a tradition in English public schools. He wanted to integrate physical hardship with service to the community, manual training, and academic discipline, all in a rationalized program that would arouse youthful enthusiasm, rather than hatred. Hahn believed his school succeeded at this. But being an evangelist he was unhappy because only a few sons of the rich were benefiting. Through the 1930s he agitated for a national network of schools, modeled on his principles and supported by capitalists and government, where middle-class and poor boys could go for concentrated month-long courses.

Hahn did not get any significant response until war came. In 1941 Lawrence Holt, owner of the Blue Funnel Line, became aware of the fact that when his ships were torpedoed by German U-boats most young sailors gave up and perished in the sea, while older men, with experience in open boats and the cunning of age, survived. Holt gave Hahn the money to start the first Outward Bound school in Aberdovey, Wales. There Merchant Service apprentices bound for the North Atlantic convoy run learned firsthand that they could withstand starvation, exposure, hours of swimming and rowing. This was not a "survival school" of the sort armies operate now; as at Gordonstoun, Hahn was interested in building "health and character—survival will take care of itself." As it turned out, a remarkable proportion of Outward Bound graduates whose ships were sunk *did* survive.

By the end of the war Hahn had won a number of powerful apostles. Not all of them were High Tory types with titles and decorations, like Field-Marshal Lord Montgomery. For example, the biologist Julian Huxley lobbied successfully in education circles to get regular academic credit for time spent at Outward Bound. Five new schools, one of them for girls, were built. Factory owners began paying young workers to go to the courses in order, as Sir Spencer

Summers, MP and Outward Bound trustee, puts it, "to develop a sense of responsibility, to engender self-confidence and self-help and so to provide an antidote to the possible consequences of the Welfare State."

Today there are Outward Bound schools in Germany, Australia, Holland, Kenya, Malaya, New Zealand, Nigeria, Southern Rhodesia, and Zambia. Four American schools have been established—one in the Colorado Rockies, another in the woods of northern Minnesota, one on Hurricane Island, Maine, and a mountain school in Oregon. Since 1941, 100,000 boys and girls have gone through Outward Bound, 3,000 of them in this country. American advocates of the movement aim to put their sweat shirt, emblazoned with the credo, "To Serve, to Strive, and not to Yield," on many more kids, and their chances look good. Soon Outward Bound may be all the educational rage here.

The American schools insist on mixing evenly "scholarship" boys, many of them delinquent Negroes and Puerto Ricans, with students who pay $400 tuition. Money for equipment and hiring expert instructors comes mostly from well-heeled trustees, with a small but growing contribution from the federal Poverty Program. Some solid citizens of New England, familiar with the Maine Coast from having passed their vacations cruising it, selected Hurricane Island and rented it for Outward Bound.

FIRST RUN OF THE ZOMBIS

Hurricane, formerly the site of a granite-quarrying village but unused since 1915, is 2.5 miles around, and 12 miles out in Penobscot Bay. I sailed from Rockland, Maine, out to Hurricane in one of the school's 30-foot whaleboats, together with twelve others who were going to take the course for prospective instructors (which is, if anything, more rigorous than what the boys go through). We made a heterogeneous crew: a nineteen-year-old machinist interested in youth work, a couple of veterans of the Peace Corps, several young history and gym teachers from New York and New Jersey, an insurance underwriter, and three elders, all teachers in Trenton, New Jersey, high schools—Cal Taylor, thirty-seven (truant officer, ex-prizefighter), Leo Fox, forty (another shop teacher, 250 pounds, green baseball hat, habit of calling people "Ace"), and José Gonzalez, forty-six (teacher of disturbed and underprivileged children, ex-pilot in the Flying Tigers, graduate of Yale Drama School, ex-stage and screen actor, practicing sculptor). These three were taking the course at the same time as a group of their Trenton students. The fourteenth man in our boat was instructor Barry Crook, twenty-four, a toothy, muscular Liverpudlian who looks like a choirboy and talks like a Beatle. After a smooth three-hour cruise, we docked at Hurricane. I remarked to Leo Fox, "This isn't going to be so bad," and he said, "You may be right, Ace."

We got settled in our tents and had supper in the mess hall with the kids, about eighty-five of them, many bigger and huskier than I remember kids being when I was one. Afterwards instructor Crook met our group in the twilight and proposed "a quiet walk around the island," which seemed a good idea. "Follow me, lads," he cried, taking off at a quick trot. He raced us through brambly meadows, down forest paths where moss concealed treacherous roots, then out to the ocean's edge, leaping from one monstrous rock to another with the surf crashing below. A ten-second stop to let us take in the stupendous sunset, then up and over a 25-foot tower made of granite blocks. More running. Suddenly we were in a forest clearing, staring at a sheer, 13-foot wooden barricade. The object: to get everyone over. In two minutes of clawing, pushing, and cursing, we did it. Then off again. There was almost no light now, only Crook's bobbing blond head was visible, leading us on to the bottom of the quarry cliffs. Like a mountain goat he galloped up the nearly perpendicular rock face, here stopping to inch along a narrow ledge, there jumping nonchalantly, until he reached the top, about 200 feet up into the gloom.

Zombi-like we followed. I wondered what sound a falling body makes on granite. About halfway up I thought I was about to find out. I was making my way on all fours up a section covered by thin gravel when I lost my footing and started sliding down on my stomach. The man climbing behind me wailed, "Hey, you're going the wrong way!" I shut my eyes and in some manner stopped myself before colliding with him. Bathed in cool sweat I started back up. After the ascent, more sprinting through the black woods. Finally, back at the mess hall, Crook, looking much refreshed, told us that would be all for now.

My knees were bleeding, my hands bruised, and a large blue egg was growing on my right ankle. The group, stunned, picked its way back to the tents and crawled into sleeping bags.

No sooner, it seemed, had I zipped in than Crook was shouting gaily, "Up, mates, up! It's late!" It was, to be exact, 5:30 a.m., time for the Run and Dip. The Run is a two-mile duplication, minus the quarry business, of what we had done before going to sleep; the Dip is a leap from a dock 20 feet into the 48° Atlantic. Rain or shine, R&D ushers in each day at Hurricane. The whole school collects at the dock after the Run, and each "Watch," or group of twelve boys, goes over the side in turn. "Dunkirk" Watch (in honor of the courageous evacuation), "Jones" (after John Paul Jones), "Bowditch" (after a nineteenth-century navigator). For anyone not a circus performer, this stunt is dismaying. "Man, Ah ain't going to do it!" one of the Trenton boys announced. But his instructor and comrades insisted: if he didn't jump, they would lose points in competition with the other Watches. In everything, down to swabbing the outhouses, the Watches compete. So he jumped. Another Trenton boy also gave way to the same sort of pressure down at the quarry pool. He jumped in, but instead of swimming ashore, he promptly sank. When he was just as promptly pulled out by a lifeguard, he commented, "Ah thought you *knowed* Ah can't swim."

Remarkably enough, the feeling after the R&D (if you can swim) is of sudden euphoria. It comes from shocking the body, from healthy fatigue, from the bracing dawn air, and not a little from discovering yourself still alive after doing a thing that appeared suicidal. This sensation followed many of the activities at Hurricane, and distracted me from a mass of minor hurts. Within a couple of days our group was introduced to:

Drownproofing, a method of exquisite breath, body, and mind control which, if mastered, is supposed to keep you alive for hours, even with cramps, in all but the most mountainous seas. The basic position is the Dead Man's Float (head under water), using the natural buoyancy of the body. The head is exposed only to take a quick breath every six seconds or so, then back under water. The theory is explained and demonstrated with beautiful sangfroid at the quarry pool by Reagh Wetmore, forty-three, who teaches drownproofing at Phillips Andover. But once in the water, especially when your hands and feet are tied with rope to simulate cramps, all is not so logical. After swallowing a few gallons I quit; the boys have it harder, they are pressured to stay in despite panic. "As long as a guy is screaming," says Wetmore, "we know he's all right." Negro kids I saw, for environmental or physiological reasons, were uncomfortable in the water—Wetmore calls them "sinkers." Several suffered quite horribly. They were glad to get out. So was I.

Rappelling, which is conducted on the truly vertical section of the cliffs. "It's all in the friction," explains Crook, who has done this sort of thing in the Alps. "It's very safe." Rappelling means tying one end of a long rope to a tree at the top of the cliff, threading the rope through a snaplink at your waist, bracing the rope with your right hand against your hip, and then walking backwards over the edge of the abyss and down to the bottom. "Keep your feet flat on the rock face," advises Crook as he descends and we peer over the edge. "Lean wa-a-a-y out. Don't worry, this nylon rope is 3,000-pound test." Though I believe him, there is something about stepping backwards into thin ozone, above the tops of pine trees and crows circling like vultures, that the nerve cells resist. Some of us go over with alacrity; others, like ashen-faced stand-ins for Harold Lloyd. The euphoria arrives about ten feet down, when you realize there is a good chance the rope is not going to snap. Then you wet your cracked lips, gaze over your shoulder to the razor-sharp ocean horizon, smile wanly at the fellows below.

The ropes course, where I chickened out. I should mention that the day before this incident, something happened that reinforced my yellow streak. Crook had set us this problem: A beam, parallel to and ten feet above the ground, has been nailed between two trees. A log lies free on the ground. Put the log across the beam and balance the whole group, minus the Falstaffian Leo Fox, on the seesawing log. "Okey, pair up by weights," directs Flying Tiger Gonzalez, the oldest and most respected hand. We get the log up, and two by two clamber up, straddle it, and inch outward. The balance is precarious, the position tiring. Finally all are up. A thin cheer. But now what? We have not discussed the matter of getting *down*. Confused shouting. "Everybody let go when I say three!" "No! Get off two by two!" "Decide something, I can't hold on much longer!" "Christ, don't let go!" Too late. Someone (not I) lets go, and eleven bodies fly like discarded marionettes. I only break my spectacles; Big Jim Shugrue, the nineteen-year-old machinist, breaks his wrist, wrenches his back, and is taken away on a stretcher.

Now the ropes course is a maze whose *piece de resistance* is a creaking, swaying "Burma Bridge" suspended between two trees at an altitude of 50 feet. The Bridge is simply a tightrope with two other ropes beside it for support beneath the armpits. With the memory of Shugrue's misfortune vivid, this is where I drew the line. The others went up, but despite Crook's assurances that it was "perfectly safe and you'll feel great after," I stayed below. A coward kid would have been put under severe pressure by his mates, and would have gone up trembling, and, chances are, come down unscathed and triumphant. Sometimes, infrequently, I wish I had given it a try.

Sailing & Navigation, the Feature Attraction at Hurricane. Since part of every day is spent on the ocean, even a landlubber like me couldn't help learning something of chart- and compass-reading, sailing, taking the helm, and rowing—above all, rowing. On overnight Expeditions the wind failed, so we rowed the whaleboat all day and once until 2:00 a.m. in order to camp on a particularly lovely island. It was that night I had my most exotic scare. We had been paddling around in the murk for hours, and it was becoming obvious that—save for Mr. Crook, who so far had done little more than smile knowingly and leave the navigation to us—nobody had the foggiest notion where we were. Finally even Crook got nervous. He shouted, "Oars!" and we stopped rowing and slumped over our oars while he trained a flashlight on the soggy chart. I was taking this opportunity to recall the last time I had slept between sheets on a real bed, when about ten feet from the end of my oar something surfaced and began breathing. Everyone on board looked in that direction and *stopped* breathing, except Jose Gonzalez, who said, matter-of-factly, "It's a whale, boys." Each hair on my head stood on end. I thought, What a curious way for my life to end—in a jacket illustration for *Moby Dick*.

After what seemed no longer than a century, Crook slowly played the light out over the water, reluctant as any of us to see this thing, and found . . . a beautiful, intelligent, nonbelligerent porpoise. (Later Crook changed the course sharply; we made our destination.)

Under these conditions a fellowship of the battlefield grew up. In a special sense, we got to know each other better than our closest friends in the ordinary world—which seemed incredibly distant. Disputes flared, but were usually settled with good humor; weaknesses were exposed, but seldom exploited. This sounds strange to civilized ears; it is, indeed, ineffable, like the peacefulness on the boys' faces as they return to Hurricane after Expedition, tired, dirty, proud as Vikings.

SHAPING UP THE MIX

The mood at Hurricane, despite the fearful things that go on there, is upbeat. This surprised me, not only because I expected stress would make people edgy, but because the human combinations on the island seemed all wrong. The delinquents would be sullen and intractable. The preppies, who make up almost half the boys and more than half the instructors, would exhibit that mental cruelty and body pride that are ways of life at prep school as I remember it. Then there was the matter of integration at close quarters—could it work? And in any event adolescence is not the gladdest or most ingratiating of ages.

But I found that although these behavior patterns may crop up, they are dealt with efficiently, so that the place functions on a level of cooperation and tolerance that I have hardly seen before, even on an Israeli kibbutz. I heard teasing, but little of the pathological sarcasm I knew at prep school; I saw no fist-fights; color did not seem to make a difference (though the white boys were soon using the livelier idiom of the Negroes); menial tasks like washing dishes were performed cheerfully ("Manual labor," said Crook, helping us unload the supply boat from the mainland, "is not some Spaniard").

Problem cases are treated by mixing appeals to a boy's sense of responsibility to his Watch with private threats of ostracism. "Now listen," I overheard Peter Willauer, the school director, saying in a brutal voice to Josh, a Trenton Negro who wanted to drop out, "until you shape up I'm not even goin' to *talk* to you, understand?" Josh, a likable kid with a police record, a pregnant girl friend back home, and a reputation as a Golden Gloves boxer, was suffering from the "culture shock" of coming from a gray slum into a grand wilderness, and seeing people exploit the wilderness for some inscrutable end. Not to be too anthropological about it, Josh was also a Cool Cat—why make himself uncomfortable rowing all over the ocean, man? So he would just go along for the ride, piddling around with his oar, briefly making a furious effort when the boys teased him about "changing your diapers," then piddling again. "We got a problem on board, Sir," a white boy from North Carolina nicknamed "Mother" told me, with no bitterness, when I accompanied Josh's Watch on a raw, drizzly day. "We're trying to take care of it." A few days later the boys did something clever: they elected Josh their Captain. This is a supervisory job that ordinarily is won by the group Straight Arrow, the Eagle Scout type. Josh accepted his new responsibility with gusto. "I got to keep after these guys day and night," he complained to me. "Some of them is so *lazy*." Still, it remained touch and go with him. He would participate, even lead, then turn cool again and refuse to get out of bed. He got caught smoking. But, unlike two of his Trenton pals who managed to be so uncooperative they were allowed to go home the first week, Josh stuck out the course.

Director Willauer, thirty-two, a hardnose who sailed Olympic yachts while in the Navy and teaches math at the patrician Groton School, believes the Outward Bound experience will help Josh stayed out of trouble. Willauer cites the evidence gathered by the Massachusetts Youth Service on thirty-seven delinquents who finished courses at OB schools in Colorado, Minnesota, and Hurricane Island in 1965. These boys were in reform schools and each had been in court an average of three times. After they came back from OB they were paroled, and, instead of the normal "recidivism rate" of eight parole violators, there has so far only been one.

Willauer also quotes from "impressions" the boys are asked to write after they have completed the course:

"This has meant more to me than anything else in the world. It's been tough, but in a sense it's been easy, it's shown me that I never really knew my own capacity." (*From a boy referred to OB by a Juvenile Court judge.*)

"Outward Bound has given me a better sense of responsibility. . . . By looking back on my life, I can see how I've been selfish mainly looking out for myself and not caring about the other fellow." (*From a boy sent by a social agency.*)

An "impression" that Willauer neglects to quote was one I ran across in an anthology published by the English OB organization. The anthologist called its author "a boy who missed the point":

"Now that there are no more hills to climb I think I enjoyed it, but as to proving to myself that you can climb hills by climbing them it is a complete waste of energy, because if anyone was dieing up there you'd get up quick enough anyway. The last three day scheme was the best because I was just beginning to get used to hill climbing and also because there were only a few days to the end of the course. . . . As for the instructors the majority seem alwright and although very fit the way they act is very babyish, and to my way of thinking they must be a little mad because they seem to enjoy themselfs while using a lot of energy when they have other means of transport."

It was the anthologist, of course, who missed the point this funny kid was making: that certain boys won't buy the OB message, among them the ironically intelligent. I wonder what the English kid would make of the inspirational morning talks at Hurricane, delivered by instructors on a rock overlooking the rising sun, and of instructor Lance Lee, ex-Marine with unblinking, zealous gaze and a posture that could only be caused by a swallowed broomstick, who urges his audience to take a lesson in stick-to-itiveness from Jason and the Argonauts. What of the radio tent, where boys run a short-wave twenty-four hours a day, waiting for a rescuable civilian to turn up, but mostly talking to instructors, who scurry about the island with walkie-talkies like Captain Video? And what of the fake fires set by Willauer before ringing the general alarm, and the fake plastic wounds, doused with ketchup, that are glued on the limb of a "victim" whom the boys anxiously—the first time, anyway—discover in a remote part of the island and must evacuate? Crying wolf is a vocation at Hurricane.

That OB is not for every boy is recognized by Founding Father Kurt Hahn himself, still going strong at eighty-one. He said during a recent American visit, "There is a kind of boy who remains contentedly unfit, whom you cannot challenge. . . . He is like that permissive educator who once challenged me by asking, 'Dr. Hahn, do your boys enjoy jumping, running, and throwing?' I answered, 'Do you enjoy brushing your teeth, Sir?' And he said, 'I don't enjoy it, and I don't do it.' " Neither would Hahn challenge another type of boy, whose "nervous and muscular conditions are not up to the demands of this kind of training." Among these I would include the kids I saw who lost consciousness or succumbed to exposure while undergoing Drownproofing, and the boy who, in tears, was forced to rappel over the cliff by his instructor.

If, at Hurricane, Hahn sometimes goes unheeded in this respect, in another he is so slavishly followed that he is misunderstood. "Rescue service must have the place of honor at Outward Bound," Hahn says. "He who drudges and labors, accepts hardships and dangers, all for the sake of helping his brother in peril, he discovers God's purpose." But as there are too few real emergencies at Hurricane, they must be concocted. True, the boys I talked with did not seem to mind being tricked; yet a moralistic educator would condemn this deception. And when a genuine emergency *did* occur, what happened made me wonder whether the rescue was worth it: Three men from the mainland had rented a lobster boat, and run aground across the sound from Hurricane. Their distress signal was picked up and a group of boys with their instructor hurried over in the school's rescue boat. They attached a tow to the sailboat to pull it free, but unluckily it was a nylon line, which stretched and then burst, flying like a whip through the air and hitting one of the boys in the face. He was hospitalized on the mainland and almost lost an eye. The incident made the Maine papers, winning OB some bad publicity. "You people are crazy," a hotel manager told me my first night back in civilization.

Such accidents are minor compared to what has happened at other OB schools. In Minnesota a boy fell out of a canoe into rapids and drowned. In Colorado, another suffered a brain concussion while climbing and an instructor was killed by a falling rock. OB missionaries—like Joshua Miner, former teacher at Phillips Andover and President of Outward Bound U.S.A.—realize that the public's attitude toward their movement will be influenced by these disasters. But although he says "foolhardiness is inexcusable," and (justly) points to the many OB safety rules, Miner insists the dangers must be real, or else "the city kid will remain comfortable in his responses, and we won't be able to do anything with him. . . . Where the forces of nature are untamed as in the mountains or on the waterways, accidents do occur and we must be willing to accept more risk for the benefits to be derived, than we do in everyday life."

Accidents have not slowed down Miner's campaign. A fifth school, to operate year-round rather than just in summer, will open in North Carolina soon. The Minnesota school is running courses for girls. The Colorado and Maine schools have contracted with the Office of Economic Opportunity to incorporate OB principles into both urban and rural Job Corps centers. And, what Miner considers most significant, an "urban-based, locally run" course is now under way in Trenton, using the talents of Barry Crook, José Gonzalez, and some of the boys who were at Hurricane.

About 150 high-school boys in this experiment are working with underprivileged children and constructing vest-pocket parks after school during the week, and on weekends going to state parks to rock-climb and camp out. Miner sees "Urban Outward Bound" as a way of getting Kurt Hahn's ideas "into the American mainstream." Money for the Trenton experiment is being contributed by the federal government under Title I of the 1965 Education Act ("assistance to local agencies for the education of low-income families") and by the Ford Foundation.

To no one's surprise, urban OB is having trouble. Besides red tape from the municipal bureaucracy, the high schools, and regular social agencies, the Trenton experiment must contend with the distractions civilization holds out to teen-age boys: cars, clothes, TV, sports, and teen-age girls. Only when the boys take off for weekends, when the favorable conditions of simplicity and physical exertion are regained, does the project, as Gonzalez says, "go great guns." (My friend Josh—now back home—shuns both urban and wilderness aspects of the project; but he *has* joined a Knights of Columbus drill team, and so far he has stayed on the healthy side of the law.)

Though it is too early to tell if OB can take root in the city, the difficulties it is meeting there may relate to a criticism some have made of the entire movement—that Outward Bound's apparent success in improving boys is based on an artificial situation (the wilderness) and contrived means (such as rappelling), which have little relevance to the urban civilization the boys come out of and must go back to; thus the boys' "improvement" can only be superficial and fleeting. Often Outward Bound's critics endorse such ideas as reviving the New Deal's Civilian Conservation Corps, and other schemes to get youngsters outdoors, but they reject what similarity OB has with the CCC on the grounds that OB's activities are not "constructive" (building roads, planting forests), and that OB seems to be run by the rich for the poor.

The special circumstances of Outward Bound's operations are clear. In addition, the movement is, in an ingenious and breezy way, conservative, and its style carries a faint odor of paternalism. Some Negroes (OB President Miner, when I put this to him, disparaged them as "professional Negroes") will certainly repudiate the notion that giving a slum boy four weeks in white vacationland can touch the economic and social conditions that formed the boy and will keep forming others.

These criticisms are valid; but they should not be allowed to obscure Outward Bound's worthy aspects. OB need not be a panacea to be valuable. It is sufficient that for at least a few weeks it succeeds astonishingly well at being educational—in the original sense of the word, that is, in taking a kid out of the impacted routine of his existence and opening his eyes a bit to new surroundings, to physical and mental potentialities he may not have thought he had, and to possibilities for cooperation with his fellows, albeit under unique conditions. Even in my advanced senility I learned such things, and though I won't pretend the experience has changed me much, its memory lingers on, interesting to me and vaguely encouraging.

As for the contrived activities at Hurricane, while I have no use for bogus accidents and fires, or for boys' hurting themselves in rescue attempts that are the Coast Guard's business, I don't think it is wise to be dogmatic about artifice in education. Perhaps the most enlightening exercise I pulled off at OB was artificial in the extreme—being put alone in the outdoors for seventy-two hours without food. It is the episode with which I began this report, and it is known in OB parlance as solo.

THE TABLE IS SET FOR ONE

"Solo isn't meant to be an ordeal," Euell Gibbons, Hurricane's resident naturalist, reassures his charges. "Just be like me: Nature is my mother, and I'm her favorite son." Gibbons has been a teacher, farmer, and hobo, and has written books (*Stalking the Blue-eyed Scallop, Stalking the Healthful Herbs*) about the salubrious pleasures of eating wild food. His looks do justice to the adjective "craggy." He prepares the boys for solo by trotting them around Hurricane several times on "Ecology Walks," gathering wild delicacies and staples that the boys should look for on their own islands. Among the delicacies are raspberries, clams, and crabs; among the staples, the spinach-like orach plant, miniature beach peas, and mussels.

Gibbons is an engaging character and the boys enjoy his sessions. But they get apprehensive as the time for solo approaches. They are uncertain how they will react to hunger, boredom, the dark, being alone. From the faculty's point of view this is good, for it sets the boys up for what solo is meant and hoped to be: a time for reflection, for discovery of "inner resources" (or the lack of them), in an utterly quiet and private place, after the highly organized and communal schedule at Hurricane.

Luckily, I had fine weather for my solo; rain can make the exercise a misery even for the most resourceful. On a bright morning Gibbons and Crook left me on an island about one nautical mile from Hurricane. When their motorboat was out of sight I was overcome with happiness. Now I could lie in bed as late as I liked, and be rid of the Run and Dip. I dumped my sleeping bag and other hardware on the beach and pranced around the perimeter of my new domain, munching berries, skipping stones into the surf, and generally wasting energy I should have conserved. I didn't come to my senses until I noticed the ocean was getting low and remembered what Gibbons had told me, "When the tide is out, the table is set."

I began to slosh through the icy water looking for the makings of my first banquet. Soon I grabbed a sea urchin, but after that nothing. I had expected hordes of crabs and clams—it seemed so simple when Gibbons did it. Above high-tide line I fared somewhat better, discovering patches of beach peas and orach. I shelled the sea urchin, placed its pulp in a tin can with the greenery and some salt water, and prepared to cook the mess. First, though, the fire. I was quite hungry by now (it was early afternoon), and hastily used too few small twigs. Quickly the wind blew out my first four efforts, which meant I had only eight matches left. My stomach growled in panic. It occurred to me that if I was going to survive I had better shape up. The next ignition was as carefully planned as brain surgery, and it worked. For twenty minutes I nursed the boiling pot. But when I drained it there was only a sticky gruel on the bottom, and this I ate, with little satisfaction, inside a minute.

I spread out my sleeping bag in the shelter of a rock, lay down, and thought about food. I guessed that I was going to have to spend most of my time getting and preparing food, and that is how it turned out. One of the superior insights I gained during solo was of how obscene the consumption of food in everyday life is, the obscenity being in the contrast between the pain of bringing food from the soil to the table, and the mindless eating of it. Ordinarily the hardest thing about my nourishment is getting the waiter's attention.

At next low tide, just before sundown, I sallied forth determined to succeed. I must have turned over a thousand small rocks in the water before I saw a sideways movement and pounced on it, crying, "Got you, you little bastard!" The little bastard was a *Carcinides maenas*, a "battling green" crab, and I cooked him until he was red and tasty. In my three days I was to catch more crabs, and gorge myself on berries and peas, but I never rose from a meal without feeling I could immediately eat another. The ache in my gut matured nicely; by the end of the solo it would have done an ascetic proud. I don't say this condition made by thoughts always deep and spiritual; but I did find myself, between food expeditions, reciting to an audience of bemused gulls from the *Prayer Book for Jewish Personnel in the Armed Forces of the United States.* (Before solo, the boys are offered their choice of prayer book; it is the only reading matter allowed.) The gulls didn't know what to make of me. They would be looking me over at day's last light, as I turned in, and in the morning, when the glare of the sun woke me up against my best intentions, they came round again. I considered hypnotizing one of them and catching him; but Gibbons had said gull meat was tough, so I decided against it.

In any event, my energy was ebbing too low, and my reflexes were getting too sluggish, for such heroics. When I got up the third day I almost fainted from weakness; later I fell heavily on some seaweed while collecting mussels. It was safest, obviously, just to sit and kill time until they came to pick me up. So I sat, watching the sun describe its career across the sky. The water shimmered. Presently I detected my mind crumbling. Was this really the third day? Perhaps it was only the second. On the other hand, it could be the *fourth* day. Had they decided to let me die here?

I was concentrating on how many times the sun had gone up and down, when out of the south two masts came into view, then a sleek hull, and finally human beings, one of whom was looking at me through binoculars and pointing. I heard their voices, the first it seemed in years, and the sound choked me up with love for my kind. I wobbled down to the shore, waving, and watched as they put down a dinghy and rowed in, two men and three women, out of New York in a chartered yacht. They inspected me and my settlement with awe. I suppose I looked strange, with my beard and dirty clothes and a bandage over my sunburned neck. The ladies especially could not get over my daring and expertise. "You mean they didn't give you *any* food? And don't you get scared in the dark?" While they helped themselves to some of my berries, I modestly but comprehensively gave them the lowdown. The visit, which lasted two hours, snapped me out of my blues. By the time the civilians returned to their floating pleasure dome I felt serene: I was doing something they could not imagine, I knew something they didn't. Though I wasn't snotty about it, I knew I was better than they for it. Not even when they proceeded to have lunch on deck, in my full view and saying things like "Pass the steak sauce, please," did I have any but the most charitable feelings for them. I was transcending my stomach, I was sure that it was, indeed, the third day, and I knew that, in the words of my favorite prep-school hymn, *Soon, soon, to faithful warriors cometh rest.*

(NOTE.—*Edward Grossman, a graduate of Harvard, has written for "Commentary" and other magazines, including this one. Now an editor of "Harper's," he is also at work on a book of French history.*)

HUMAN RIGHTS CONVENTIONS ARE NATURAL HISTORICAL DEVELOPMENT OF HISTORICAL STRUGGLE FOR HUMAN DIGNITY—CIV

Mr. PROXMIRE. Mr. President, for as long as man has lived within society, certain inherent rights have been recognized as his. Under tribal law, man's physical self was regarded as beyond abuse, resulting in an eye-for-an-eye system of vengeance. Some seventeen hundred years before the birth of Christ, Hammurabi codified laws seeking to protect the individual against oppression by the strong. Twelve centuries later the Athenians officially recognized the equality of their citizens before the law, in addition to their equal participation in drama and games. The Roman Stoics at the beginning of the Christian era recognized mankind as a worldwide brotherhood in which all were free by nature.

Mr. President, these few examples of

pre-Christian recognition of human rights serve to indicate that such a recognition is by no means solely a product of modern times. As a matter of fact, even documents enumerating such rights have a history of over 700 years.

In 1215 the freemen of England compelled King John to sign their Magna Carta. In 1689 a bill of rights was presented by the Commons to the King, and the King's government had to acknowledge this statement of principles as a legally binding guide to the ruling of the country.

And on July 4, 1776, the American colonists, in declaring their independence, based their declaration on the inherent dignity of the individual. Under the leadership of Thomas Jefferson they held "these truths to be self-evident that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness." Mr. President, a new system of government had been built on the foundation of human rights.

Fifteen years later 10 amendments were added to the recently ratified U.S. Constitution. This bill of rights served to protect the people and the States against the abuse of power by the newly formed Central Government by declaring certain inherent rights of the citizenry.

It is therefore not a new ideal that human rights, the rights of the individual citizen, should be protected by legal documents. Prior to the Second World War, these rights were considered to be primarily the concern of the domestic governments of the world. Although Mr. President, there have been notable exceptions to this, as I have pointed out on several previous occasions. But it was the Fascist and Nazi excesses of World War II that served as the turning point in the development of international concern for human rights.

Recognizing that some governments abused their citizens rather than protecting their inherent rights as human beings, the United Nations and the International Labour Organization began to formulate international conventions on human rights. That the world community was ready for such agreements is evident from the overwhelming majority of nations which have become parties to these conventions. I wish I could announce to this body today that the United States of America, the Nation that was built on a foundation of human rights, was not one of the eight countries which failed to ratify any of the human rights treaties which the international community has adopted.

I am grieved to report that it is indeed a true statement that the United States, along with South Africa, Spain, and Yemen, is yet to join the nations of the world in this progressive and realistic endeavor. There is no excuse for this whatsoever. Let us ratify the Conventions on Slavery, Forced Labor, Political Rights of Women, Freedom of Association, and Genocide during this, the first session of the 90th Congress, and let us fulfill our obligation as Members of the Senate of the onetime leader of the worldwide battle to protect the dignity of man.

WANTED: SOME AREA TO SAY "NO" TO FEDERAL FUNDS

Mr. MUNDT. Mr. President, the talented editor of the Luverne, Minn., Rock County Star-Herald has come up with another challenge to spirited Americans. Alan C. McIntosh, who wrote the now nationally famous editorial entitled "I Am a Tired American," now has authored another editorial which is being widely reprinted. It strikes at a disturbing weakness being demonstrated by far too many Americans who speak and write about economy in Federal spending but who join with friends, neighbors, and fellow citizens to importune the Federal Government to allocate to their home towns, local areas, or States of residence larger and larger amounts of Federal funds to take care of local needs or to help solve problems formerly recognized as being the responsibility of States, counties, or municipalities.

Editor McIntosh asks the challenging question, "Which Town Will Say No to Federal Funds?" It is indeed a thought-provoking question. Who will lead a national parade of those who will practice what they preach? What State or local area will lead the way with the clarion call, "Start Here," when it comes to the disbursal of Federal money?

For the information of Congress and the country, I ask unanimous consent to have printed in the RECORD this latest challenging editorial written by the able editor of the Rock County Star-Herald of Luverne, Minn.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHICH TOWN WILL SAY NO TO FEDERAL FUNDS?

(NOTE.—An editorial in the Rock County (Minn.) Star-Herald, edited by Alan C. McIntosh, whose piece about a tired American was widely reprinted in recent years.)

Call us hopelessly ignorant "stick in the muds."

But we can't with good conscience keep silent concerning the low rent housing unit proposed for Luverne.

The cost figure still is as vague as the wild blue yonder. Whether the cost is $750,000 or $1 million is beside the point. There is more involved than Luverne's hope of getting the structure "free" 40 years from now.

The proponents of the unit have a two-pronged attack. One appeals to pity. The other to fear.

Pity—for the elderly: We do have sympathy for them. But we also pity the elderly who have seen their hard-earned life savings melt away from the blazing federal spending and impossible taxes.

Fear—the approach here is "if Luverne doesn't go after this federal money some other town will get it."

Just once—we'd like to see a community that had the two fisted guts to stand up and say "to hell with it—you're not going to buy us with our own money."

Just once we'd like to see a community refuse to grab for the poison candy to lure us into a fatal, federal trap.

Until one community has the moral fiber to dare to lead and reverse this headlong rush, like lemmings, over the abyss of disaster, then this nation is surely doomed.

You can't have socialism and free enterprise at the same time. Take your choice.

Proponents of this housing privately admit it can never pay out.

So let us spell it out and call it by its right name. Which is *rent subsidy*. If that is what this nation wants—socialism—then let's hop to it. But let us not kid ourselves and trick it up by some fancy name.

Install low-rent housing units, beautiful as they are pictured, at low rents and you will knock off the top layer of property values for the community. You will slice up the elderly who scrimped and saved to build up equities for their sunset years.

This statement will draw anguished, angry screams but we will say it anyway—we are going "hell for leather" to reward the improvident and ruin the prudent.

Aren't we Americans easily seduced?

We rant against wild spending and yell for a sound dollar and against more taxes. But let just one Great Society "Judas Goat" appear on the horizon with his bagful of financial goodies and we try to grab all we can of those "something for nothing free dollars."

Mark it down. Any time you have federal aid you have federal control.

This rent subsidy is another of those hastily conceived and hurriedly delivered Mongolian idiots of legislation.

A nation would do well to take a second long look at the poison candy bait held out as "free."

Would Luverne vote bonds for this project if it had to bear all the cost itself? You know the answer to that one.

It's time for some community to say this "free money" isn't free from Washington—it's coming out of our own pockets—not from a magic money well in the Land of Oz.

THE ROLE OF WOMEN IN HEALTH AND EDUCATION

Mr. TYDINGS. Mr. President, I invite the attention of Senators to a speech made by Mrs. Frances Howard on the subject "The Role of Women in Health and Education." Mrs. Howard, special projects officer in the War on Hunger Office of the Agency for International Development, spoke at the Phi Delta Epsilon Medical Auxiliary 17th annual installation luncheon held May 23 in Rockville, Md.

Mrs. Howard points out that, although they have made great advances in most professional fields, the women of America still do not participate as fully as the women of many other countries in the professions. In medicine, for example, only 6 percent of all doctors in the United States are women, whereas in the Soviet Union the figure is 65 percent, in the Philippines 25 percent, and in Brazil 13 percent.

I am sure that few men today would openly agree with the assertion made 100 years ago by the president of the American Medical Association that:

> The most striking qualities among women are uncertainty of rational judgment, capriciousness of sentiment, fickleness of purpose, and indecision of action.

But I am afraid that there are still some who may unconsciously agree with this opinion. I hope that Mrs. Howard's remarks may help to allay any doubts about the ability of women to perform with distinction in all professions, and for this reason I ask unanimous consent that Mrs. Howard's speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE ROLE OF WOMEN IN HEALTH AND EDUCATION

(Address by Mrs. Frances Humphrey Howard)

I am delighted to be here today and to join you in this auspicious 17th Annual Installation Luncheon of your Medical Auxiliary. I extend my best wishes and congratulations to your new President, Mrs. Herbert Tanenbaum, and to the other members of the Board.

Having been a medical wife myself—a medical widow now—I know full well the trials and tribulations, the frequent lonely evenings and heartaches many among you have experienced when your husband's profession takes him away from his family, but also the great satisfaction and pride that your husband's honorable occupation brings to you and the other members of your families.

I understand, some of you are yourselves in the professions, combining a successful career with family and housekeeping duties. You may not know this, but comparative statistics show that married professional women do better work than either unmarried women or men in the same field. The explanation seems to be that a married woman must have an extraordinary amount of drive to perform both as a homemaker and as a professional lady.

Married or unmarried, women do well in the professions. We have come a long way since the American Medical Association president who said, a hundred years ago, "The most striking qualities among women are uncertainty of rational judgment, capricious of sentiment, fickleness of purpose, and indecision of action."

The same opinion persists among certain gentlemen even today. But these gentlemen are not keeping up with the world we live in.

The movement of women into professional life has dissolved the stereotypes about feminine lack of judgment and fickleness of purpose. In a comparative study of professional men and professional women conducted in 1966, Dr. Evelyn Glatt found that the women in a research organization shared the same motivations and same goals with men in the organization and performed equally well.

Betty Friedan, in her book on the "Feminine Mystique," insists that a woman should be able to do exactly what a man can do. As she put it, "in the end, a woman, as a man, has the power to choose, and to make her own heaven or hell." This is quite a strong argument for self-direction. But it is really no longer necessary for us to prove that women can do exactly the same things men do. The question is whether we want to.

A few years ago, when the late lamented President Kennedy appointed Dr. Janet Travell as White House physician, he gave the highest kind of recognition to the professional status of women. Dr. Travell was appointed because of her abilities, and that is what professionalism is all about. This recognition did not come out of a clear sky.

Dr. Travell is one among thousands of women who have made contributions to medicine. I will name just a few, to give you an idea of the quality of achievements by women in just one professional field: There is Dr. Nina Braunwald, who has pioneered in open heart surgery; Dr. Anita Figueredo, who has established cancer clinics in Puerto Rico; Dr. Leona Baumgartner, former New York City Health Commissioner and a former high official of the Agency for International Development; Dr. Helen Muir, well known for her work in penicillin synthesis and antibiotic research; Dr. Grace Goldsmith, who has advanced the study of B complex vitamins; and Sister Maria Fidelis, the doctor who is chief administrator of Maryknoll Hospital in Hong Kong, and many others.

This movement of women into professional fields is worldwide. In Russia, about 65 percent of all doctors are women; in Eastern European nations, about 40 percent; in the Philippines, Israel, and Finland, 25 percent; in Sweden, France, Australia, Holland, Norway, and South Africa, 10 to 15 percent of all doctors are women.

In our hemisphere, Chile has 20 percent women doctors, and Brazil has 13 percent. The figure for the United States is 6 percent. Thus despite the prominence of some American women in the field of medicine, especially in pediatrics and gynecology, and psychiatry, the total number of women doctors in the United States and Latin America is quite low compared with the rest of the world.

I don't really know the reasons for the comparatively low percentage of American women in the medical profession. It is true that in the older, established professions, some resistance to full partnership with women remains.

United States medical schools, for example, maintain percentage limits on women students, in many instances. But the needs are so overwhelming for professional workers that the resistance is a rear-guard action. Den Ben Euwema of Pennsylvania State University said three years ago that, and I quote, "the academic task is immediate, and the academic need is immediate. To refuse the assistance we can get from or offer the academic woman, or to play it down by various forms of discrimination is, in this critical period, entirely unforgivable."

Our colleges and universities award one master's degree out of every three to a woman, and one doctoral degree out of every ten to a woman. The Women's Bureau of the Department of Labor reports that women are concentrated in the so-called *helping* professions: teaching; nursing, social work, medicine.

The helping professions are concerned with the welfare of people. Individual people and groups of people. The helping professions are growing. We are learning from social scientists that the work of the future is going to be mainly service work, helping work.

In his book called "Flight From Woman," Karl Stern, the well known psychiatrist, advances an interesting idea. He talks about our social need for women's achievements to complement male achievements. The human personality, he says, must be, on the one hand, rational and aggressive, and on the other hand sympathetic and nourishing. The rational, aggressive element—which Dr. Stern identifies with the male nature—has run ahead of the sympathetic, nourishing element in all of us. This is a psychiatric explanation of the age of enlightenment and science. In other words, the male approach is to solve a problem in rather impersonal terms. The woman's touch will soften the action and add charity and sympathy to it. It has been said that our success in organizing every human activity has left something lacking—a *human* community. And this is where the special contributions of women will come in.

The equilibrium between rational plans and nourishing contacts must be restored. Or to put it another way, human power must be balanced by love, or we will destroy ourselves.

Indeed, it is the humanizing instinct of women together with the teachings of the Judeo-Christian faith that combine to mean new opportunities for service in our days.

The women of our U.S. voluntary agencies are daily exerting humanitarian efforts abroad. As you know, these are the associations formed by dedicated people who seek to help people help themselves. Their programs, which in many cases started as relief projects, have evolved into efforts to prepare people through self-help activities to raise their standards of living. I have been working intensively with the voluntary agencies of the United States for the past several years and I know what these men and women have been doing in serving humanity overseas.

If there is a new kind of human community emerging, it will be a community that requires the participation of women as full partners.

The world is indeed growing smaller. So small that it can be considered as one family. Our world-family, however, must be revitalized. Like the familiar mother-father-children families, our larger human communities must take more seriously the role of *teaching* and caring.

I believe that women will fill these roles for the larger society in a professional way, just as women have filled these roles traditionally in a maternal way.

It is encouraging that the technological revolution is freeing more of us from drudge work so that we can devote our energies and more of our time to helping each other.

During the next few years, housewives in general should have more time for study, due to automation, more money for educational expenses due to the expected rise in family incomes, and more opportunities for continuing their education due to the increased availability of local colleges and universities.

There will probably be many day care centers to enable student mothers to undertake part-time study, and local colleges may even have supervised nurseries and playgrounds to keep young children occupied while mothers attend class. For mature women wishing to enter the labor force but without marketable skills, there will probably be scholarships and educational guidance counseling of both an academic and vocational nature.

This broadening of the educational opportunities for women will enable them to make an even stronger contribution to civic affairs in the coming years than they are making today. I believe that women make a very special contribution to public life because their sense of the responsibilities of child-rearing and their desire to cultivate excellence in family life are pre-eminent qualities that cause women in public life to foster a broad concern for human welfare.

It is natural that those who bring life into the world should attach the greatest importance to making a better life for all people. Perhaps James Stephens, the Irish poet, articulated another reason why women have made such an important contribution to the development of social and humanitarian policy when he said, "Women are wiser than men because they know less and understand more."

As a result of changes brought about through educational and social measures, a steady erosion of the prejudices against women in politics, increased participation by women in local affairs will occur in women's lives, and the opportunities for women to contribute to public life will be substantially broadened.

In the next decades, I believe, many more women will be elected to serve in the U.S. Senate and House of Representatives and in State legislatures. I also think that the range of government positions to which women are appointed will be wider. Our society will benefit substantially as a result of making greater utilization of the abilities of women in government and public affairs.

I say all this and yet I know that millions upon millions of women will be giving their undivided attention to having children and raising families. God bless them. If they do this well and nothing more, they will be rendering an indispensable and noble service. Indeed, I am here reminded of Mark Twain's reply when asked what men would be like without women. He said, "Scarce."

And after all is said and done, Virginia Woolf's words on man-woman relationship will remain accurate—today, tomorrow, and always. She said: "Women have served all these centuries as looking glasses possessing the magic and delicious power of reflecting the figure of man at twice its natural size."

Let us not destroy such time-honored illusions. They will help make man a better partner in our common effort to build a world of justice, peace, dignity and freedom—a better and happier world.

FULL OPPORTUNITY FOR ALL AMERICANS

Mr. MONDALE. Mr. President, tomorrow the Government Research Subcommittee of the Committee on Government Operations will begin hearings on the Full Opportunity and Social Accounting Act of 1967, S. 843, which I and 10 other Senators introduced early this year.

The legislation would declare full opportunity for all Americans a national goal, establish a President's Council of Social Advisers, comparable to the Council of Economic Advisers, provide for an annual Social Report of the President, and establish a joint congressional committee with oversight responsibility.

I believe the hearings, to be held over 5 days during the next 2 weeks, will do much to stimulate discussion and thought about our domestic social programs, how well we are doing in the social field, and what should be done in the future.

In today's Wall Street Journal, the lead story written by staff writer Alan L. Otten, describes the problem of social priorities and evaluation, the intent of the Full Opportunity and Social Accounting Act, and governmental efforts in the Department of Health, Education, and Welfare to develop social indicators and prepare a Presidential report on the social state of the Nation.

I believe the article is an appropriate introduction to the subcommittee hearings and request unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEASURING PROGRESS—THE GOVERNMENT SEEKS NEW TOOLS TO EVALUATE ITS SOCIAL PROGRAMS—POVERTY, CRIME AND POLLUTION EFFORTS SEEN BENEFITING FROM MORE PRECISE DATA—CRITICS FEAR MORE CONTROLS

(By Alan L. Otten)

WASHINGTON—The Federal Government pours billions into education, but it really has little idea what it's getting for its money.

Housing conditions in the worst slums may be getting better or worse; no one knows for sure, or knows exactly how much remains to be done.

Smoke from certain industrial plants can be rinsed clean of the worst impurities, reducing air pollution. But the process adds to local water pollution. How do you make a choice?

Help for clearing up these uncertainties may be on the way. Government officials, impelled by their own needs and the persistent prodding of a small band of academic activists, are beginning to take tentative first steps to develop more meaningful information for decisions on far-ranging social problems: Erasing poverty, improving education, ending racial discrimination, rebuilding cities, raising health standards, purifying the environment, checking crime.

The steps under way include: A systematic search for new and better statistics called "social indicators"; "Social accounting" schemes that seek to add up all the costs and benefits of alternative solutions to problems; and periodic Presidential reports to Congress and the public on the "social health" of the nation.

A NEW COUNCIL PROPOSED

"The continuing controversy over domestic social programs reflects a serious need for more refined and reliable information on which to base our decisions," declares Minnesota's Democratic Sen. Walter Mondale. A Senate Government Operations subcommittee tomorrow starts hearings on his proposed "full opportunity and social accounting act"; it would parallel the President's Council of Economic Advisers with a Council of Social Advisers, his annual economic report with an annual social report and the Senate-House Economic Committee with a Congressional Social Committee.

The bill is not going to get anywhere very soon; the Administration thinks it demands a lot more expertise than now exists, and, as one high-ranking official puts it, "is asking us to run before we're ready to stand, much less walk." But the hearings will surely stir further discussion and spur action.

It seems strange that the demand for more and better facts and figures should come at a time when statistics and surveys and reports are piling ever higher—produced by Federal, state and local governments, private businesses, foundations and regional planning agencies. Yet the fact is that public and private organizations grappling with complex social problems are finding amazingly little help in all those statistical mountains. When Federal officials were called on to shape an antipoverty program in 1963 and 1964 and to assemble answers to more recent Negro demands for help, they were appalled at how little relevant and helpful information was available.

GAPS IN STATISTICS

The facts and figures now available emanate from a source of different Federal agencies, frequently issued in fragmentary and uncoordinated fashion. Huge gaps remain. Crime statistics cover only crimes reported to the police, with no regular efforts to discover the presumably huge number of unreported crimes. All too often there are no figures on specific groups that need particular attention—Negroes or Mexican-Americans, the young or the old, the rural poor, the gifted, the female head of family.

Few Federal figures help to measure quality (how good the education or medical care provided, how clean the air). Few try currently to correlate cause and effect (the impact of large family size on educational opportunities for slum kids). Few provide accurate grounds for estimating the results of different answers to a particular problem, and the costs of each answer.

The current search by social scientists in and out of Government for new tools to measure and deal with social problems is stirring considerable concern among some officials, lawmakers and private critics. They worry over new invasions of individual privacy and over increasing Government planning and control of American life. But the effort nevertheless is moving ahead.

A PRESIDENTIAL ORDER

Some months ago, President Johnson ordered Health, Education and Welfare Secretary John Gardner to take the lead in seeing that the Government developed "the necessary social statistics and indicators" to supplement those compiled by the Bureau of Labor Statistics and the Council of Economic Advisers. "With these yardsticks," Mr. Johnson said, "we can better measure the distance we have come and plan for the way ahead."

Now a top-level committee of about 40 economists, sociologists and other specialists from Government agencies, universities and foundations is following up. Headed by Assistant HEW Secretary William Gorham and Columbia University sociologist Daniel Bell, the group is surveying what each Federal agency can do to develop figures that will fill information gaps, break down national or state or city totals by neighborhoods or race or age or other important groups, measure quality as well as quantity, try to tie effect to cause and chart progress toward established goals and then to publish all these in more regular and timely fashion.

Prodded by the Gorham-Bell committee and by their own needs, many Federal agencies are already improving their own data. The Labor Department, for example, has created a new "sub-employment index" to probe more deeply into unemployment in 10 city slum areas. The index counts not only the usual jobless people looking for work but also people wanting full-time work but able to find only part-time jobs, those who have despaired of finding any work and have given up looking, those working full-time but making less than a certain poverty income. And the findings are broken down by race, age, sex, educational background, criminal record and other categories.

The Gorham-Bell group and individual Federal agencies are also studying more intricate "social accounting" approaches, attempting to count both dollar-and-cents benefits of various programs and the less tangible "social values."

With better indicators, the Government might be able to measure the worth of an education program not only by the number of classrooms built or the lowering of the pupil-teacher ratio but by actual tests to see whether pupils read and calculate better, by looking at school dropout rates and checking changes in college entrance scores and perhaps eventually by studying individuals' earning ability in later life.

And if the Government ever set maximum tolerable amounts of carbon monoxide, sulphur dioxide and hydrocarbons in the atmosphere, it could measure just how much of these came from generating plants or refuse disposal or other sources in a particular area and calculate the costs of holding the contamination from each source down to the set levels.

AN AMBITIOUS UNDERTAKING

By far the most ambitious undertaking of the HEW committee and of the Government generally, however, is the proposed "social report of the President." It would discuss in detail problems, goals and progress in major social areas ranging from health and education to poverty, air and water pollution and equality of opportunity; it would pull together scores of relevant and up-to-date statistical tables on each subject; and it would pinpoint the areas where more knowledge is needed and the possible paths to procuring it.

The group is now reworking a draft made up of chapters submitted by half a dozen subcommittees. Princeton economist Mancur Olson has just joined HEW as a deputy assistant secretary to work full-time with Mr. Gorham and Mr. Bell on this revision. The hope is to have a presentable product for the full committee to review this fall.

Then there'll be another revision, to produce a document to be submitted to some 75 to 100 academicians for criticism at a meeting next spring. A final version, it's hoped, would be ready for the President's use early in 1969.

Mr. Johnson, aides emphasize, hasn't committed himself to anything. "All he really said," says one official, "was to give it the old college try." But certainly the Administration is deeply interested. "A systematic assessment of social change," wrote Mr. Gardner in his invitation to academicians to serve on the Gorham-Bell panel, "would aid us in determining our needs, establishing goals and measuring our performance against these goals."

The advocates of such an assessment maintain that the systematic collection of economic data, plus the creation of the President's Council of Economic Advisers and the annual economic report, helped develop a national dialogue on economic problems and possible solutions—educating the public and giving private and public decision-makers some common framework for discussion. The same approach, it's argued, would work in the social field.

A COMMON LANGUAGE

"Can you doubt," demands Carl Kaysen, head of the Institute for Advanced Study in Princeton, N.J., "that the fact that we now have a handful of numbers like GNP and disposable income, published every month or every quarter, makes economic discussion far more focused? This is language people have in common. What can be the argument against doing the same in critical social areas?" Mr. Kaysen is a member of the Gorham-Bell panel.

Critics of the "social measurement" idea answer that the analogy to the economic field is misleading. They insist that social problems and social action don't lend themselves to the precise measurement possible in the economic world (how, for example, do you measure the value of open green space?); that there's still too little agreement on precise social goals or general theory governing social problems; and that results of specific economic decisions can be tested fairly quickly, whereas new social policies may take a generation or more to bear fruit or prove barren.

Many conservatives and a surprising number of liberals see the new effort as another disturbing feature in a growing Federal invasion of privacy. They fear Federal files will bulge with complete dossiers on every individual, available to unscrupulous bureaucrats or snooping lawmakers.

Moreover, some critics see the whole enterprise as just another effort to expand Government planning and control; certainly it is true that the advocates do make frequent use of "planning," "direction" and similar words. But the advocates explain they mean "planning" not in the sense of the Government telling everyone what to do but in the sense of spelling out choices for action.

JOB CORPS CAMPS

Mr. MAGNUSON. Mr. President, anyone who has visited a Job Corps camp anywhere in the Nation will be interested in the editorial which Jim Craig has written for the July issue of American Forests magazine.

I suspect that a good many persons who have not yet visited the Job Corps camp nearest them will be tempted to do so after reading the editorial. It is recommended reading for everyone.

The editor of American Forests begins the editorial with this question: "How Much Is a Boy Worth?" Then he answers that question on the basis of a firsthand visit to a camp in North Carolina. It might well have been in Washington, or Montana, or California, or New York. Much of the conservation and reclamation work carried on seems, hearteningly enough, to be as permanent for the individual doing the work as it will be for the forest area improved.

But let Jim Craig report his findings.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HOW MUCH IS A BOY WORTH?

When they report in these boys are at a major crossroads in their lives. Many of them are uneasy. A few are relieved of switchblades and other "equalizers." While the forest rangers seem friendly, and the forest inviting, a few speculate on whether this isn't just another kind of cop in another kind of jungle. Soon they are issued new outfits including fatigues of forest green. The rooms in the barracks to which they are assigned are not unlike school dormitories. Many are labeled with such signs as "The All Stars," "The Leaders" and "The Challengers." One labeled "The Playboys" boasts a second sign designating it as the "Dorm of the Week." A quick inspection inside reveals that it is neat and well-scrubbed with everything tucked out of sight, just like the Army. The pinups are first rate too.

This is a Job Corps Camp as run by the Office of Economic Opportunity and the U.S. Forest Service at the Arrowood Job Corps Conservation Camp at Franklin, North Carolina, hard by the Nantahala National Forest. It presently houses 112 boys. Another a few miles away in the Pisgah National Forest is the Schenck Job Corps Conservation Center with a complement of 204 boys. Both camps are in one of the most picturesque regions in the nation. All told, 8,000 Corpsmen are now being trained at 47 Forest Service centers in the United States. The Interior Department runs 39 more with an enrollment of 6,000. Purpose of the camps is to teach boys to function as useful citizens. Maximum training period is two years. While in the Corps they go to school a week and then work a week. They are paid $30 a month and on separation receive $50 for each month of service as a readjustment allowance.

When they arrive, these boys are unemployable and many are Army rejects. Others arrive underweight. Dental work costing as much as $500 per boy is not uncommon for many of these boys have never been to a dentist in their lives. Other medical repairs are often required and former Marine and Army medicos in camp sick bays, and contract physicians and dentists in nearby towns, are kept busy. When necessary physical corrections are made, underweight boys start to muscle up. Both their physical and mental tone improves. But that is only part of the rehabilitation story. These boys are behind in their school work too. Twenty-one year olds tell you they went through the 11th or 12th grades but one finds them enrolled in the equivalent of third-grade classes reading books with pictures of Peter Rabbit on the cover. One third of the boys can neither read nor write when they arrive. That's not all, either. Many of these boys lack moral discipline and home training. Some have been in scrapes before they arrive and a few get in scrapes after they arrive. Mostly, these are boys that never had much of a chance and some never had any chance at all.

I welcomed a recent invitation to visit the North Carolina camps. One of my hosts was Vern Hamre, Director, Division of Job Corps Administration, U.S. Forest Service. A career professional, he doesn't preach or theorize about his current assignment. "These kids need help," he told me. "We intend to help them as well as we know how." He and some of the other rangers and instructors helped me to obtain at least some of the answers readers of AMERICAN FORESTS have been asking. These include "How can rangers be expected to do, what the home has failed to do in the first place?," "Will society be the gainer or the loser in this program?," "How many of the boys actually find jobs or go on to school?," and "I'm told it costs in excess of $5,000 a year to send one of these boys to camp; is it worth it?"

"At the Center, it cost a total of $6,576 per boy per year in 1966," Hamre said, "but we expect to reduce that to $5,700 this year." Subsistence and medical-dental expenses are the biggest single items with the exception of staff salaries which average out to $2,170 per boy. School materials is a hefty item too.

At the end of April, 1967, there were 75,410 young men and women who had left all Job Corps Centers. The Job Corps' best estimate, based on both verified reports and sample surveys, is that 40,269 found jobs, 7,418 returned to school, 5,298 entered the military and 22,415 were either unemployed or not in the labor force through marriage or other causes. The arrest rate in 1966 was 3.18 per 100 youths whereas the FBI Uniform Crime Report for 1967 shows the national average for the same age youth to be 6.5.

I welcomed the complete freedom to talk to camp personnel including the boys. I sought out Joe Medford, an instructor at Schenck Center, from Heywood county, and who has taught in both elementary and high schools. At Schenck, he is teaching a course on "Life and Work." The day I was there the boys were talking about the responsibilities of marriage. What qualities should the right Wife and Mother have, was the question. Some of the answers as recorded on the blackboard included, "She should be clean," "a good sport," "respectable" and "have a nice personality." One boy had noted that she should be "religious."

"Don't think these boys are stupid," Medford told me. "For the most part they have intelligence ratings that are average and even above in a few cases. Sure, there have been some discipline problems but the older boys often settle them for you. Sometimes new boys think they have to sound off and disrupt the class and the older boys shut them up in a hurry. Most of them want to learn."

Almost too good to be true, one thinks to himself. And yet, these boys ring true when you talk to them individually. "Sure, I've been in scrapes" a boy from Alabama told me. "Then I got this girl in trouble. It caused a lot of discussion, you know what I mean. But if I can keep my mind on this (with a motion toward the lathe he was working) I'll be all right." He said he planned to be a long-distance trucker.

One quickly senses that the backgrounds of these boys are different from the youngsters one sees across his own dinner table every night. But if their background is different from your own children their response to good stimuli is not. They watch the rangers. Some ape their walks. They like to fight forest fires, I learned, in eating lunch one day with Venton Honeycup, of Washington; Fred Murphy, of Baltimore; and Clinton Wills, of Mosspoint, Mississippi. All three boys are Negroes and all three are in the fire crew. In a drought year, the rangers admit they did "well." Murphy was more enthusiastic. "The last time, they *asked* for us, man" he told me. Willis was consigned to "mop-up" the last time and he didn't like it. "Important? I guess so," he said. "But a fireman wants to be where the action is."

The fact that some of the boys have stepped into permanent Forest Service jobs has not been lost on the others. The day I was at Arrowood the Franklin *Press* front-paged a story: "Nathan Dean Lands Forest Service Job" and gave Nathan a two-column picture on the front page. The story mentioned that when Nathan arrived at Arrowood from Virginia he was regarded as "flighty and unstable." But not anymore. Bob Sloan, the editor of the *Press* has taken some flak for his consistent support of the Job Corps. He is one of many unsung heroes in this regard.

I talked to Richard Kruger, white, of Garrison, North Dakota, at Standing Indian Campground where he was laying pipe. He wanted to get into the Army and was rejected. Physically he was O.K. but he couldn't read. He felt bad. "They told me to go into the back room and see a man," he told me. "And here I am." He is still aiming for an Army career and intends to get it.

Harold Hughes, white, of California, has been in North Carolina 19 months. "I intend to stay here," he told me. "I like the country and the people. I aim to be the best plumber in western North Carolina." He was working on a campground lavatory the day I talked to him.

They have desire. But it has to be kindled and nourished. One boy told us he hopes to graduate to another Camp near a big city in New Jersey. Their machinist training and equipment are more sophisticated than in North Carolina, he said. Rangers admitted that specialized vocational training is better at some of the big city camps than in the forest-oriented camps. They quickly add that Conservation Centers teach better work habits and better social adjustment. At the same time I couldn't help thinking our forests are serving one of their highest uses as their subtle influences help to remold some of these boys. And as Honeycup, Murphy and Wills told us, "You don't get to fight forest fires in no big city, man!"

Wherever possible, effort is made to have the boys' school schedules dovetail with their work schedules. National Forests are big farms in many ways and practically all kinds of work has to be done. The boys take well to their conservation assignments. All told, a total of 7,120 acres of trees have been planted. They are carrying on range improvement, fence construction, improvement of fish and game habitat, construction of fire breaks, streambank stabilization and watershed restoration. There is more than enough to be done on the National Forests for many years to come, the rangers say. When job crews encounter old C.C.C. camp construction or tree planting projects the rangers make sure the boys are told that story.

Hamre told me the Forest Service is "well pleased with the community relations climate at the majority of Job Corps Centers." A visitor comes to the conclusion that people of western North Carolina deserve a lot of credit. True, they occasionally gripe about the ratio of white to negro boys at the camps. They had been told the ratio would be the same as in their own communities, or about 70 percent white and 30 percent negro. The opposite has proven true. Negro boys seem to thrive in the camps in the main. Fewer white boys from the poverty pockets in rural areas come and those who do are often the first to leave.

At the same time, the griping impresses one as more academic than real. The truth is the North Carolina people work well with the boys and encourage them. One can't escape the conclusion they really understand negroes better than northerners. Their fairness impresses a person. "Sure, there have been some fusses" one Asheville citizen told me. "But at least one of them was started by our own Asheville boys." Another Asheville citizen volunteered the information that the boys had cleaned up three decrepit cemeteries on their own time.

No one would deny the Job Corps costs money. Our professionals have failed with some of the boys. They have succeeded with more. In the main, the boys look up to the rangers and they like the woods. It boils down to the question—what is a boy worth? Most members of The American Forestry Association would say he is worth a lot and deserves his chance. On a dollar and cents basis it probably costs society less to train boys in a Job Corps camp than risk having them run wild in their ghettos. While Job Corps camps cost plenty, crime costs even more. Then too, there's the other side of it. Week after week in our church pews we are all told that Christians should help the unfortunate and particularly unfortunate negroes. We are told we should tear down the Iron Curtains that separate our suburbs and the cities proper and really practice what we profess to believe. From the standpoint of society, the Job Corps approach and similar approaches are probably the most economical approaches viewed on the long term. We *know* it is the *right* approach as viewed from the pulpit and in terms of "Am I My Brother's Keeper?"

All Americans, of course, reserve the right to criticize. They reserve the right to ask questions that deserve sober answers. Most Americans also like to see youth programs succeed and in their hearts they know the Job Corps is one of the best things the Administration has done. The Job Corps *is* succeeding, on a limited basis—perhaps imperfectly—but it *is* succeeding. The placements and the jobs held tell the story. Meanwhile the public owes the forest rangers, the instructors, the nearby citizens and even the forests a vote of thanks for the task they are carrying out. It is not an easy task at best. And no camp, no matter how good, can do the work of a well-adjusted home. But for these Jobs Corps boys, who have never known the home your children know, it is the next best thing. (J. B. C.)

EDUCATIONAL LABORATORY ENDORSES BILINGUAL AMERICAN EDUCATION BILL

Mr. YARBOROUGH. Mr. President, on June 19, 1967, at a meeting of the executive board of the Southwestern Cooperative Educational Laboratory, Inc., a resolution was adopted unanimously which expresses the laboratory's feeling, prompted by years of study of the educational problems of the Southwest, that "improvement of education for Spanish-speaking and other culturally different citizens is a matter of critical concern in the region." The laboratory therefore resolved to support the bilingual American education bill, which I introduced in the Senate on January 17, 1967, to combat this critical problem in the Southwest and throughout the United States.

The Southwestern Cooperative Educational Laboratory, Inc., was set up in recognition of the special needs of this area of the country, where 12 percent of the population, the Spanish-descended Americans of the area, suffer from economic deprivation largely as a result of long-term language and culture deprivations. The vicious circle which prevents the Spanish-speaking student from getting an education equal to that of the English-speaking, because he does not possess equal facility in the language of his school system, and which leads to his unequal economic opportunity, because he has not the education to compete with the native English-speaking American, must be broken. With this bill I propose to break that circle at the educational level, the most critical level. I am gratified by the endorsement of the Southwestern Cooperative Educational Laboratory, which has so long studied the problems faced by our Southwest, and has done such good in the region.

I ask unanimous consent that this resolution be inserted at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution by the Executive Board of the Southwestern Cooperative Educational Laboratory, Inc., June 19, 1967

Whereas the improvement of education for Spanish-speaking and other culturally-different citizens is a matter of critical concern in the region served by the Southwestern Cooperative Educational Laboratory and is the subject of the major program effort of the Southwestern Cooperative Educational Laboratory; and

Whereas it has come to the attention of the Executive Board that legislation has been proposed which would provide funds to local educational agencies to establish Bilingual American Education Programs to assist Spanish-speaking citizens; and

Whereas a bilingual education bill has been introduced in the United States Senate by Senator Ralph Yarborough and others, and a similar bilingual education bill has been introduced in the House of Representatives by Representative Thomas G. Morris; now therefore

Be it resolved that the Southwestern Cooperative Educational Laboratory commend Senator Ralph Yarborough and Representative Thomas G. Morris for their recognition of a severe educational problem of the Southwestern United States and other areas, and for their sponsorship of legislation to help solve this critical educational problem; and

Be it further resolved that the Southwestern Cooperative Educational Laboratory pledge its full support and resources to any programs which may develop as a result of passage of the proposed Bilingual American Education Bill.

J. G. Stratton,
President.
J. M. Hanks,
Vice President.
Donald C. Roush,
Secretary.

THE PATRIOTISM OF DISSENT

Mr. MANSFIELD. Late in May, our distinguished colleague, the junior Senator from South Dakota, delivered the commencement address at Grinnell College in Grinnell, Iowa.

On July 4, the Des Moines Register reprinted an excerpt from the Senator's speech as its Independence Day editorial page feature. The excerpt dealt with "The Patriotism of Dissent."

Senator McGovern's statement of the duty of men loyal to our free institutions to express their views, and to contribute the product of their inquiries and their reasoning to the policymaking process, regardless of emotional tides and any pressures for conformity, are a forceful and timely contribution to discussions of the great issues with which we are currently dealing.

I congratulate the Senator on giving us, in clear and effective style, a timely reminder of the obligations of true loyalty to free institutions, and I commend the Des Moines Register for calling attention to the Senator's remarks.

One reason for my great pride in serving in this body is the extent to which its Members exhibit the sort of courage and loyalty to our free institutions which he has described.

I ask unanimous consent that the excerpts from Senator McGovern's speech, as they appeared in the Des Moines Register, be printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

The Patriotism of Dissent Is Praised by Senator

(From a commencement address at Grinnell College by Senator George McGovern, Democrat from South Dakota)

In nearly all the critical periods of our national life there have been those who wished to suppress dissent and impose conformity. Often these efforts have had a devastating effect on the lives of particular individuals who were their victims.

Ultimately, however, we have always emerged with our liberty intact, and the country stronger because of that liberty. If, however, we ever yield to the forces of suppression we will find that we have stripped the country of its ability to meet the complex and rapidly shifting challenges of the modern world.

A QUESTION OF CHARACTER

It is not simply that we need a constant stream of diverse ideas and beliefs from which to choose; although we do. It is also a question of character.

The English philosopher, John Stuart Mill, once wrote, "A state which dwarfs its men in order that they may be more docile instruments in its hands . . . will find that with small men no great thing can be done."

Conviction and dedication cannot be imposed from the top. They must spring from the free choice of inquiring and passionate men. Liberty is not divisible. You cannot be free to support and not to oppose; to approve and not to criticize. And if we wish to tap the unmatched energies of the liberated mind for the work of our nation, each man must be able to seek his own path to the truth.

NECESSARY COURAGE

This is not an easy condition. It is far easier and more comfortable to accept what others tell you, to follow established policies and ways of belief. It can take greater courage to stand in opposition to the views of your neighbors or nation than to confront an enemy in combat. Yet this is the most necessary courage of all. For without it we would soon slip into that complacency and inaction which is the most deadly enemy of our national safety and well-being.

It was Pericles, 2,000 years ago, who said that "the secret of happiness is freedom and the secret of freedom is a brave heart."

It is sad that the obligation and concept of loyalty to country is most often invoked by those who least understand it. Loyalty is not blind acceptance of official doctrine or conformity to established ideas. It is not simply repeating the pledge to the flag or the Declaration of Independence. It is not to assume that your country is always right and others are always wrong. It is not the belief that people who think differently or act strangely are inferior. It is not any particular belief or set of institutions or economic structures.

STRENGTHENED BY DISSENT

True loyalty is a guiding principle and a revered tradition. It is the understanding that life is enriched by imagination and ideas, and by diverse concepts from many sources. It is obedience to the highest traditions of freedom and to law. It is the realization that this country was born in revolution, nurtured in protest, and strengthened by dissent. It is the awareness that the great experiment still continues and that it must be advanced through the free play of the inquiring mind. It is the willingness of every man to follow the dictates of his conscience to the most spacious limits of our legal and constitutional freedoms.

It is, above all, the knowledge that any effort to compress America into a single formula or set of ideas, to impose conformity or enforce support, is, in itself, the most dangerous form of disloyalty, and a betrayal of the principles on which this nation rests and on which its future well-being most urgently depends.

AMERICAN DREAM

"To criticize one's country," said Senator Fulbright, "is to do it a service and pay it a compliment. It is a service because it may spur the country to do better than it is doing; it is a compliment because it evidences a belief that the country can do better than it is doing. 'This,' said Albert Camus in one of his 'Letters to a German Friend,' is what separated us from you: we made demands. You were satisfied to serve the power of your nation and we dreamed of giving ours her truth. . . .' "

That is the American dream and it is a dream worthy of us all.

LABOR COURTS STRONGLY BACKED

Mr. SMATHERS. Mr. President, a distinguished judicial voice has been added to those who favor the establishment of a U.S. court to deal with strikes which affect the public welfare. I refer to Judge Samuel I. Rosenman, former supreme court justice of the State of New York and adviser to the late President Roosevelt, who has written a cogent and eminently sensible article on the necessity of settlement of labor disputes through a court system.

As the author of S. 176, a bill to establish a U.S. Court of Labor-Management Relations, I consider Judge Rosenman's views especially valuable to my colleagues in this body, coming as they do from a jurist and trial lawyer of such eminence.

I therefore ask unanimous consent to insert in the body of the CONGRESSIONAL RECORD, following my remarks, an article by Judge Samuel I. Rosenman which appeared in the July 16 issue of the Washington Sunday Star.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LABOR COURTS AS WAY TO HANDLE STRIKES

(NOTE.—What can be done to avert strikes that affect the public interest? Samuel I. Rosenman, a former New York Supreme Court Justice and adviser to President Roosevelt urges the creation of a system of labor courts and judges to settle—by compulsory decisions—labor disputes. Rosenman, an attorney, has served during major labor crises on emergency boards set up by Presidents Truman and Kennedy and former New York Mayor Wagner.)

(By Samuel I. Rosenman)

Mr. O. Citizen (O for Outraged) picks up his newspaper on June 15, 1961, and reads that this is the 24th day of a national maritime strike. Hundreds of ships are idle, cargo is piling up, much of it is rotting, international contracts cannot be fulfilled, thousands of American firms are being severely strained. The Secretary of Labor had told the President only eight days after the beginning of the strike that it would imperil national health and safety if it continued. And it had, for 16 more days.

Mr. Citizen mutters: "Something has to be done about this immediately, and also to prevent it again in the future. There's got to be some law about it."

But in the months and years that follow, he still reads of threatened strikes, or of actual long strikes, in stevedoring, bituminous coal mines, atomic energy plants, basic steel mills, newspapers, the New York City subway and bus system, long-distance trucking, meat packing, communications, fabricating steel mills, aircraft manufacturing. And each time Mr. Citizen complains that something must be done about it.

Quite apart from danger of inconvenience to the public is the immense loss to the striking workers and their employers. In 1965, for example, in all industrial disputes 3,963 work stoppages occurred which involved 1,550,000 workers. Idleness amounted to 23,300,000 man-days. Of these strikes, 221 lasted 90 days or more. They averaged 25 days.

LABOR EQUALITY

There was a time within memory when it was difficult, if not impossible, even to form a union strong enough to strike. Lack of union funds, the right of an employer to discourage or even fire anyone who joined a union, lack of individual savings, competition among workers for one job, the activities of professional strikebreakers and strong-arm men, the alacrity of many courts to grant injunctions against strikes—these were shameful items in the American past in labor-management relations. There was no semblance of bargaining equality between an employer and an employe.

That era is behind us.

Starting with the once-revolutionary principle that a man was entitled by law to join a union of his choice, and to bargain collectively, equality of economic strength between management and labor was gradually established. Today unions sit around the bargaining table not as suppliants, but as equals.

It was my great privilege to play an active role—albeit rather anonymous—in some small part of this progress since 1933. I take great personal pride in this growth of the labor movement. I am sure that this article will bring down upon me the criticism, if not the imprecations, of all my friends in the labor movement. But what I urge here cannot be dismissed as coming from an old reactionary or labor baiter.

My thesis, baldly and broadly stated, is that—with labor equality insured by our many labor laws—the right to strike should be curtailed when it is in conflict with the public interest, and that some form of final compulsory decision must be provided.

I would limit it—at least initially—to certain well-defined industries: Transportation by land, sea and air; manufacture or production of any material necessary to national health or security; communications; and essential public, municipal and state services such as police, fire, sanitation, subways and buses, hospitals, and public health and welfare agencies.

By compulsory decision, however, I do not mean compulsory arbitration by an ad hoc appointed board of arbitrators.

What I propose is a new judicial system of courts—labor courts—with jurisdiction solely over industrial strife, including strikes.

ESSENTIAL FEATURE

The essential feature of labor courts is that the judges would have the same title, dignity, respect and standing as all the other federal judges. This would require that they be appointed by the President for life, and confirmed by the Senate in the usual way: that their time be devoted exclusively to labor cases; that they have the same salaries, the same retirement privileges, all necessary clerks and assistants, and the same dignified courtrooms and chambers as other U.S. judges. They should be empowered to assure orderly hearings by contempt proceedings and, in all respects, have the same public standing and expertise in their particular field of labor as any other federal judicial officers. They will become qualified specialists in particular industries, and know the history of labor relations in those industries.

Labor courts' decisions should have the effect of judgments, enforceable by substantial fines, and appealable to a Federal Labor Court of Appeals consisting of the same type of specialized labor judges, with powers to affirm, modify or reverse.

Labor court decisions should be conclusive and binding on both sides. In that sense the result will be the same as by compulsory arbitration. Yet I hazard a guess that most of the present rejection and abhorrence of compulsory arbitration by management and labor will gradually diminish and finally disappear.

I am sure that there is seldom the same complete confidence in an ad hoc board of appointed arbitrator as there is in a U.S. judge. There is naturally a great reluctance by both sides to have their economic future, and possibly their survival, placed in the hands of three men haphazardly appointed for one specific case. This reluctance is sometimes even greater with management than with labor, although labor protests more loudly.

The men usually appointed under the statutes or otherwise are necessarily part-time people. They all have their main economic interest elsewhere. Many of them are lawyers with busy practices; many are college professors whose main concern is not the disputes before them. Many of them (including myself) know practically nothing about the industry involved in the dispute, or of the history of labor relations in that industry. They have to begin from scratch, and learn the necessary background. While they are willing to serve as a matter of public duty, they still have their normal vocations to which they will return—hopefully as soon as possible. Some serve without pay on a job which may consume many weeks of seven 12-hour days. Those who are paid receive a small fraction of their normal earnings. It is a particularly thankless job because neither side, except in rare instances, is satisfied with the recommendations or findings, and they both publicly abuse the board.

Many of these board members hold jobs as professional "impartial chairmen" or "arbitrators" in different industries. They have been appointed on consent for a year or two by both sides of a labor contract, to pass upon grievances or disputes arising from the contract. Many industrialists privately fear that some of these persons tend to be partial to labor because they look to labor for its consent to be an impartial chairman. Whether there is any truth in this charge or not, it is enough if a substantial part of management believes it to be true.

CONTENT WITH JUDGE

Yet the same industrialist who views compulsory arbitration with suspicion feels perfectly content in submitting controversies—often involving matters of greater importance to him than an increased wage scale—to a U.S. judge. And he is quite prepared to abide by the judgment, feeling that this is the way of life in a democracy.

Labor, on the other hand, is more deeply concerned over the fact that compulsory arbitration makes unions give up their right to strike. From this premise, the conclusion is reached by union leaders, usually without any real analysis or reasoning, that our system of collective bargaining must come to an end under labor courts or compulsory arbitration. They also assert that compulsion must result in price-fixing, and eventually a regimented economy.

Nothing in my proposal calls for any interference with the give-and-take of collective bargaining. Unions will continue to require the same equality of strength, even though they cannot strike. For before a labor controversy reaches the end of the judicial process, both sides have to try to reach a settlement on as many of the issues as possible by collective bargaining. Only items on which agreement cannot be reached will have to be resolved by the court. Individual employes or even weak unions cannot do this kind of bargaining successfully. They must be strong enough to amass all the facts with which to sit opposite management at the bargaining table. They must be able to employ the best of economists, lawyers, statisticians and bargainers. And they must have even greater resources if they have to go to court on a long, protracted trial.

It is not true that collective bargaining must stop when the right to strike is taken away. That is not true in the Australian system of labor courts. That is not true of any other kind of civil dispute or litigation in our courts. For every case actually tried, there are scores which are settled before litigation, during litigation, and even in the course of trial. These civil settlements are all the results of vigorous bargaining. A party settles for less because he fears that the court may decide against him and thus he will lose all. The weaker his case, the smaller his settlement. So each side, in negotiating, marshals his facts and his law, argues justice and equity with the other, and then takes a look at the strength or weakness of his opponent's case.

LABOR ARGUMENT

Labor argues that if left alone to strike it can do better than with government intervention. That may be true, but even that is subject to debate in many cases. But, if true, what is just about that kind of result? A man in a civil suit settles, but not because he is afraid that his adversary will compel him to do so by force or violence, or by economic warfare, which is really what a strike is. Why should justice in a labor dispute depend upon who is stronger in a strike?

Each side in a strike wants something. A strike will not determine however, which side is more justified, or reasonable, or intrinsically entitled to win. The union members have to eat; the union feeds them as long as it can. The richer the union, the longer it can hold out. Management in a strike has to meet overhead, fixed payments, demands of customers, and an outraged public calling for its services. The stronger it is, the greater its reserves, the longer it can hold out. Propaganda pours out of both sides, expecting that the power of public opinion on one side or the other will help it prevail. In actual practice, neither side wins all it has demanded (and really never expected to); a compromise is reached after untold damage is done to each other, to the economy and to the public.

How does this really differ in essence from the medieval trial by battle in which the strongest was declared the winner of a dispute? I concede that public opinion may in some cases help toward a settlement. This is the basic argument for fact-finding.

HOURS OF STUDY

But how much does the public really know about the issues of a strike and where justice lies, despite columns or pages of fact-finding statistics? On boards where I was a member, I used to take home hundreds of documents, charts, briefs, analyses of wages and profits in various industries, historical background material and legal briefs. It took me many hours just to read this material. I came to certain conclusions after heated arguments with each side, and sometimes even after warm colloquies with my colleagues. What can the general public know about any of this as a basis for forming an opinion? How many newspapers print the fact-finding material?

And how realistic is the claim that public opinion brings about a just settlement? Was there ever a more unified public opinion than the cry of outrage at the union responsible for the 1966 subway strike in New York City? Did it have any effect on the union? Of course not. The entire strike was illegal under the laws of New York State from beginning to end, yet the union won. It won only because its employer, the City of New York, just had to provide means for citizens to get to work.

A dispute between individuals can be settled in one of three ways: (1) by agreement, (2) by outside determination, or (3) by a fist fight behind the barn. A strike is an enlarged, organized fist fight, without violence or physical injury but with plenty of blows. Centuries ago, civilized man, in the pursuit of justice, gave up this kind of combat.

What has given workers strength has been union, the ability to speak with a collective voice. That strength labor courts will not impair, but will increase. That is obvious because the court can deal with only one litigant—a union. So it will be essential to the proper workings of the court that there be strong, united, well-led unions to speak and act for their members. That has been the experience in Australia, where unions are relatively just as strong as they are in this country.

Not only is collective bargaining not jeopardized; it will remain an absolute necessity if labor courts are to be adequate to fulfill their functions.

But, the unions argue—and so does some management—collective bargaining will become a farce; neither side will retreat from its best offer, because it knows that a third party will finally have to decide it anyway, and suspects that he will probably merely split the difference.

To this there are two answers:

1. This is not what happens in other kinds of civil litigation. It is true that neither side makes its best offer of settlement at first. But as negotiation proceeds, and as a judicial determination draws near with the possibility presented to each side that it might lose much more than a reasonable offer or demand would give it, they come down to rock-bottom settlement terms. There is no reason why a different course should follow in a labor negotiation. The experience in Australia with labor courts has been that bargaining often continues right down to trial.

GIVING UP RIGHTS

2. The contention that the presiding judge will ask what the best offer on each side is and merely split the difference constitutes a libel on our judicial tradition. I was a trial judge myself for 10 years, and I have had trial experience as a lawyer for 35 years. I have not personally met a single judge guilty of that practice after a trial. Besides, there is no reason why a judge should ever know about the offers on either side. Settlement offers are inadmissible as evidence in a court. And procedural arrangements can be made, if necessary, for the trial of any case to take place before a judge who has not tried to settle the dispute in discussion with the litigants.

I submit that the time has now come to end the strikes and stop the damage, and to substitute the reason and considered judgment of the courtroom for a verdict based only on strength and resources. Giving up rights like the right to strike—even more ancient rights—for the general good and welfare of the community is nothing new in civilized countries. The right to send your children out to work to help the family bank account instead of to school; the freedom to make contracts with workers on any terms mutually agreeable; the right to put up a building on your land of any height or bulk you wish; the right to deal in securities at arm's length in the good old way before the 1929 crash; the right to use in speculation other people's money entrusted to your care; the right to overproduce crops and to use your farmland as you wish without all the bother of agricultural regulation—all of these rights and hundreds of others were given up because the public interest was served by their surrender.

I submit that the interest of the public in any labor strife which affects its health, security or safety justifies—nay, requires—the same surrender.

What about price-fixing, which the opponents of compulsion say must follow any imposition of settlement? Do not wage increases caused by strikes do just as much to fix prices? Of course they do. Do you often see wages scales go up unless they are followed by price rises? Of course not. Almost every settlement of a major dispute, and especially of an emergency dispute, has been announced by the appropriate government official with the expression of a pious hope that prices would remain static. But they seldom have.

Five years ago I visited Australia. There I met several labor union leaders and discussed with them the workings of the labor courts in their country. They were well-satisfied with their experiences, and with the results they have achieved. The arguments usually advanced in the U.S. against any form of compulsory arbitration were dismissed by them as contrary to their experience with labor courts.

In this country, we have had the present haphazard system a long time—too long. The American public will welcome any reasonable change which will put an end to the needless economic waste which comes from strikes. And in the long run, I am confident that both labor and management will join in the welcome.

CAPTIVE NATIONS WEEK

Mr. LAUSCHE. Mr. President, in 1959 Congress designated the third week of July as "Captive Nations Week" as a tribute and a remembrance to those peoples in many countries behind the Iron Curtain who continue to live under totalitarian governments. Americans all over the country and in many other parts of the world will mark this week with speeches, special radio and television broadcasts, proclamations and many other types of observations. Last year the Governors of more than three-quarters of our States and the mayors of all major cities in America join with Congress in proclamations of Captive Nations Week and in programs appropriate to the occasion.

In recent years there has been an increasing apathy by many in America to the observation of Captive Nations Week and more particularly to the reasons why it is important that we continue to pay homage to those peoples behind the Iron Curtain who have lost the right to exercise their God-granted liberties as individual human beings. This spreading apathy is alarming because it demonstrates a lack of appreciation of the ceaseless struggle necessary to preserve those liberties from encroachment by those forces to whom the word "freedom" has no meaning. It further demonstrates that Americans seem increasingly content to accept the fact that more than 1 billion people in the world live under Communist regimes and that millions more are threatened at this very moment.

It behooves us all to remind ourselves of the fate of those who have fallen under Communist totalitarianism lest the free world crumble bit by bit and be engulfed in the same way as those nations whose fate we now mourn. It would be tragic irony indeed if by failing to appreciate the need to be ever vigilant in the maintenance of the spirit of human liberty we helped consign even more nations to the sad category of "captive nations."

IN-PLANT HIGH SCHOOL

Mr. HARTKE. Mr. President, I invite the attention of Senators to a remarkable program of adult education. Through the cooperation of the Western Electric Co., the Arsenal Technical High School, and the Indianapolis Club a "second chance" is being given to employees, who want to obtain a high school diploma. Classes are held in the plant before or after various work shifts; once sufficient credits have been earned, employee-students receive their diplomas from Arsenal Technical High School.

Begun several years ago as an experiment, in-plant schooling has proved so successful that it is now an established part of Western Electric acitivities. It enjoys enthusiastic support from employees and employers, from students and teachers, from nearly everyone acquainted with the project. Since 1963, 141 diplomas have been awarded, 36 this spring. This year's graduation ceremonies took place in the plant, as fellow workers cheered the Western Electric class of 1967. More than 300 employees are still enrolled in the school, looking to their day of graduation.

Mr. President, in-plant schooling, first begun at Western Electric, offers one of the most exciting and promising directions in adult education. I heartily congratulate the students whose diligence and initiative will bring many returns for themselves, their families, their employers, and their community. I commend the cooperative efforts of the Indianapolis Club, the Arsenal Technical High School, and the Western Electric Co. which made this opportunity available to so many individuals.

PLANTS COMBAT SOIL EROSION

Mr. TYDINGS. Mr. President, erosion is a problem which must concern all Senators. In this connection, I invite attention to the remarks made by Dr. D. A. Williams, Administrator of the Soil Conservation Service, at the dedication of the Crider Memorial Garden of Conservation Plants at Beltsville, Md., on July 7. The garden contains more than 200 examples of plants used for soil and water conservation throughout the Nation. These plants have been developed over the last three decades by the 20 plant materials centers operated by the Soil Conservation Service.

The uses of the plants exhibited in the memorial garden have multiplied as the term "conservation" has expanded to include new fields. Several of the States in the Appalachian region have recently passed laws to control pollution from strip mining. As a result, new plants have had to be developed to vegetate the acidic soils found at such mines and prevent them from washing into local streams. In an effort to abate shore erosion, plants are being developed to stabilize the sand dunes along the Atlantic coast. The plains regions of the United States must be protected from wind and water erosion by grasses, many of which are suitable for livestock grazing.

In short, the plants developed by the Soil Conservation Service are of great importance to all of us, and I hope Senators will take the time to read Dr. Williams' comments. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY D. A. WILLIAMS, ADMINISTRATOR, SOIL CONSERVATION SERVICE, U.S. DEPARTMENT OF AGRICULTURE, AT DEDICATION OF THE CRIDER MEMORIAL GARDEN OF CONSERVATION PLANTS, NATIONAL PLANT MATERIALS CENTER, BELTSVILLE, MD., JULY 7, 1967

This is a great honor for me—to recognize in such a fitting way the work of one of the early and deserving members of our Soil Conservation Service.

I am glad that many of Dr. Crider's friends and associates are here today to pay tribute to him. I am especially glad that his daughter, Miss Dorothy Crider, is here to share in the occasion.

I am sure we have all enjoyed reminiscing with Joy Hopkins for a few minutes. Now I'd like to reminisce a bit about the garden and how it came about.

It's a unique garden. It would not have been possible 30 years ago . . . nor even 15 years ago, for that matter. More than 200 examples of plants are growing here. None was available for conservation use when Franklin J. Crider began his career with the Soil Conservation Service.

Most of the plants were developed and tested at Soil Conservation Service Plant Materials Centers.

The man who provided the leadership and inspiration in the beginning was Dr. Crider. His idea was to find the plants that could do an effective conservation job wherever there might be a problem. He developed the procedure for testing and evaluating plants for conservation uses. He was in touch with people all over the world in his efforts to get seeds to test for adaptability in this country.

The success of the whole cycle—from assembling plants to putting their seed on the market—has been one of cooperation . . . among our plant materials centers, research workers of other agencies, soil conservation districts, seedsmen, and nurserymen.

I am sure that in dedicating this garden, Dr. Crider would want us to recognize all of these contributors who shared his love of plants and who worked so diligently in those early days . . . and also those who are continuing the work.

As most of you know, the Soil Conservation Service started out mainly as an erosion control agency. Spurred by the damaging duststorms in the Great Plains during the thirties, the Congress declared soil erosion a national menace. They created the SCS to launch a new soil conservation program to save soil and protect renewable natural resources.

Up to that time, little attention had been paid to grasses. It was only when the value of vegetation in erosion control was recognized, that a new era, a new science, was born—a grassland science.

Today, grasses and legumes are an indispensable part of every farm conservation plan . . . not only for erosion control but as primary income producing crops. Farmers and ranchers who started using grasses and legumes for erosion control soon discovered that these crops were not only soil and moisture savers, but soil improvers and money-makers as well.

Today they realize a return of some $17 billion a year from livestock and poultry that eat grasses, grains, hay, and silage. Today, seedsmen each year handle more than 50 million pounds of seed of conservation grasses and legumes that had their origin in SCS plant materials centers.

The need for plants continues to grow as the conservtion job broadens. Modern day conservation has brought new problems that need new solutions. Urbanization . . . miles upon miles of new highways . . . strip mines . . . beautification . . . sand dunes . . . airports . . . recreation areas . . . damsites . . . they all require special attention, special plants. Many of the plants long used in agriculture have proved to be just as useful for these purposes.

Friendship and Dulles Airports—both only a few miles from here—are good examples. Weeping lovegrass—introduced by Dr. Crider—is one of the plants used there to control erosion.

Dr. Crider, as I recall, received seed for this plant from South Africa. Until then, the plant hadn't been identified with agriculture. The first increase of the plant was made here at Beltsville under his guidance.

Among other plants introduced by Dr. Crider was NATOB lespedeza—used as an erosion control plant and for wildlife cover and food. Its name is an abbreviated form of the National Observational Nursery—as it was called when Dr. Crider was in charge here.

You will find many other plants in the garden that Dr. Crider was closely associated with. Among them are southern-type bromes, King Ranch yellow bluestem, Garrison creeping foxtail, crownvetch, Pensacola Bahiagrass, Manchar smooth brome, Buffelgrass, and the lovegrasses from Africa.

The Soil Conservation Service continues to carry on the evaluation of plants with increasing intensity and effectiveness at 20 centers across the country. They are no longer called nurseries—but plant materials centers. The three most recently added are at Cape May Court House, New Jersey, to develop plants and techniques to stabilize the sand dunes along the Atlantic coast; at Quicksand, Kentucky, to find plants to vegetate the soils and strip mines of the Appalachian Region; and at Knox City, Texas, to develop plants for use in the Rolling Red Plains of Texas and Oklahoma. The job of the centers is not only to assemble, evaluate, select and increase grasses. It combines these jobs with improving cultural and management techniques and getting proved materials into production.

Dr. Crider's concepts have stood the test of time at these centers and in this important work. The effects will continue to grow. Already the face of the country has literally changed.

Grasses and legumes have to a large extent taken the place of cotton in many parts of the Southeast. Beef and dairy herds thrive on improved pastures in the old South where cotton and corn had once grown. Millions of acres in the Southwest and the Great Plains are protected from the wind by native grasses—and now support thriving livestock. Across the country, grasses and legumes protect soil, furnish food and shelter for wildlife, keep soil from washing into streams, increase the carrying capacity of pastures, and beautify.

In this garden we see plants that made this possible.

In this garden we have a living memorial to a man with an idea. A man who made a great contribution to agriculture. A kindly man with humor and imagination. A completely dedicated man. In fact, the people who worked closely with him maintain that he lived his job 24 hours a day . . . that it was always on his mind, awake or asleep.

In gathering here we dedicate, we set apart, this special place, and by doing so say to our friends, our neighbors and to those who will pass this way beyond our time, that we hold this to be an example of man's creative skill, of his love for the soil, the water and the plants—upon which all life depends—and an example of his yearning to design, and shape, and build a corner where peace and inspiration will reside.

Let us be grateful to men of this character. Let us hope that, because of one man's love of the land and its resources, expressed in this way, others will see and leave this garden with a new appreciation of the beauty that graces our earth and an impulse to join in spreading the message of conservation a little farther as they can.

JOB CORPS TRAINING AT GARY CENTER, SAN MARCOS, TEX., OPENS DOORS OF AMERICA FOR TRAINEES

Mr. YARBOROUGH. Mr. President, I believe that one of the soundest reasons for supporting the work of the Office of Economic Opportunity was illustrated this weekend in Newark, N.J. For these problems can be solved, and they are being solved, by the war on poverty—and without violence. At this time when the Nation's eyes are unavoidably drawn to the spectacle of tragedy in Newark, the Dallas Morning News printed a story of encouragement to all America, that the young people of today and of tomorrow will not have to suffer the poverty and misery which led to this rioting and disorder. The story, by a prominent News reporter, Stewart Davis, concerns the Gary Job Corps Center, and the excellent work it is doing.

Especially significant to me, and to all who are concerned that the deprived be well led in their progress up from poverty, was the report of the great community spirit that has been aroused in the Gary center. For the young trainees have taken heart from the attention shown them by their instructors, and supporters of the war on poverty across the Nation, and have developed their own programs to pass along the blessings, and the hope, of their training. Their work with the underprivileged, reported in this article, is one of the greatest benefits to come out of their training. For these young people have truly learned the secret of our country's well-being—that each person take on himself the responsibility of caring for the less fortunate. I have great hope for our Nation in light of this proof that those we help today will remember, and help, tomorrow.

Another article by the same man, in the Dallas Morning News, is of special interest to those of us who seek improvement in teaching methods for the culturally deprived. For Camp Gary has proved of special value to our educators, giving a proving ground for methods involving the individual attention given these youngsters of the camp. Director of the Gary Job Corps Center, Wallace Dockall, expressed his insight into the unexpected benefits being gained by the educators at work here:

> I am convinced that the insight our edu-ational system gains into the high school dropout may well turn out to be the hidden treasure of the Job Corps program.

Mr. President, we can all take heart from the experiences of those at work at Camp Gary, near San Marcos, Tex., to save the young people of our country from deprivation, and to save our country from their loss.

I ask unanimous consent that these articles from the Dallas Morning News be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Dallas Morning News, July 15, 1967]

GARY CORPSMEN SUCCEED—CENTER CUTS COSTS

(By Stewart Davis)

SAN MARCOS, TEX.—The Gary Job Corps Center here has cut operating costs during the last year, while accumulating a record of accomplishments.

The average annual cost per trainee has dropped from $5,200 to about $4,000, said Wallace Dockall, director of the center.

Dockall attributed the decrease to a general tightening of administration and economy-minded purchases.

He said that heavy earth-moving equipment, for example, was purchased as military surplus at a savings of about $1.5 million. The equipment is used in an instructional program.

Dockall points to a recent sampling of 428 Job Corps "graduates" as evidence of the potential economic benefits of the program.

The 428 trainees were hired at an average wage of $1.82 per hour. In one year, their combined income would be $1,620,236, and their income taxes, calculated at 15 per cent, would be $243,035.

The trainees were at the center for an average of nine months at an average cost of $3,900 each, a total of $1,669,200.

"From those figures, you can see that these corpsmen would pay their total training cost in taxes in seven years" said Dockall.

Since the national average cost of a person on relief is $2,823 a year, these 428 corpsmen could have cost the states $48,329,760 in welfare payments during their 40-year work lives if they had stayed unemployable.

This projection does not count the loss of the potential productivity of the young men.

So far, the study of the 428 young men has revealed that 200 are still on their original jobs, 51 have transferred to new jobs, 25 were fired, 42 went into the military and two died.

There were 108 corpsmen who quit their first job, and the researchers are trying to trace these corpsmen to see how they have fared.

The trainees have found jobs at wages ranging from $1.12 an hour for a tailor to $4.72 per hour for a welder.

The center's placement office receives up to 400 requests a month from businesses seeking graduates of the training program.

"The demand is up to 15 times greater than we can fill," Dockall said.

About two dozen firms have come back to the center to hire additional corpsmen, he said. Dallas Airmotive, for example, has hired 12, Collins Radio and Texas Bitulithic have hired eight. Ling-Temco-Vought has hired three.

One firm in Kansas has hired 27 graduates.

These are the kinds of statistics, Dockall said, which show that the Gary Job Corps Center's role in the war on poverty is a successful venture in getting young men off the streets, trained and into jobs which pay living wages.

The Gary center is the largest in the nation. There are nine other urban centers for men and 18 for women.

About 11,000 young men, ages 16 through 21, have come to the center since it opened March 3, 1965.

In most cases, the youngsters were school dropouts who were unable to find jobs. They had an average of eight years education and a fifth-grade reading level.

They had little motivation and no positive attitudes toward working for a living.

About 6,000 of the trainees have graduated to jobs in the open market. There are about 3,100 trainees at the center. Around 2,800 corpsmen have quit or been discharged for disciplinary, medical or other reasons before completing their training.

Dockall said these figures show a positive output of about 75 per cent.

The center offers 38 kinds of vocational training, ranging from brick layer to commercial artist, from bulldozer operator to machinist.

The most popular courses are those dealing with automobile repairs, heavy equipment operation and welding.

Dockall said when the center opened, most courses were designed to be taught over a two-year period. The time for instruction has been reduced to fit the actual staying power of the trainees, he said.

Most courses can now be completed in nine to 18 months.

Academic education is woven into the vocational training. There are, in effect, 31 kinds of mathematics and English programs to fit the 38 vocational courses.

"We try to show the corpsmen that academic education is something they can use in their work," said Dockall.

Arithmetic problems for a welding student, for example, focus on the actual measurements and calculations which a welder would be expected to make on the job.

Instructors try to motivate corpsmen by showing the practical application of the lessons.

The knowledge is conveyed in a non-competitive atmosphere. Instructors avoid asking a student questions which would embarrass the student in front of the class.

Each student competes only with himself, learning step by step those things necessary for him to become employable.

Work habits are established by a class schedule which encourages, but doesn't demand, promptness, neat appearance, observance of safety rules and respect for superiors.

Instructors stay away from authorization demands which seem to backfire, causing students to rebel. Instead, corpsmen are given an explanation of the benefits of adhering to a positive attitude toward work.

A remedial reading class is part of the schedule of corpsmen who have less than a sixth-grade reading level. The class has shown phenomenal results. Non-readers achieve a sixth-grade reading level in about four and one-half months.

The class relies on the same kind of electronic equipment used in high schools and colleges for instruction in foreign languages. Gary instructors have adapted the tape recorders and sound booths to education in the fundamentals of English, with as many as 36 youngsters working on different lessons at the same time.

With a printed list of words before them, students listen to the teacher's voice on a master tape, record their own voices pronouncing the same words and replay the tapes to learn what mistakes they made.

Teachers can monitor any circuit to check on the progress of students and to answer questions. Each student can get individual attention not available in a typical school classroom.

In addition to vocational-academic training, special courses offer the corpsmen the opportunity to qualify for a General Educational Development (GED) certificate, considered by many employers as the equivalent of a high school diploma.

About 500 corpsmen completed the special 16-week course leading to the GED exam during the past year. About 95 per cent passed the exam.

Corpsmen are required to learn to swim, a program initiated after two trainees drowned in the nearby San Marcos River.

The trainees also receive first aid training, health education, driver training and instruction in citizenship, including a working knowledge of government and the responsibilities of the individual citizen.

After hours activities include speech classes, personal finance courses, music, Explorer Scouts, military drill teams, choral groups, sports, crafts and hobbies.

"We try to teach the corpsmen how to use their leisure time," said Dockall. "We hope to expose them to activities they will want to do the rest of their lives, rather than spending their time and money in a bar."

Dockall said disciplinary problems have decreased in the past year since he has received authority to discharge errant corpsmen without getting clearance from the Office of Economic Opportunity in Washington.

Off-center arrests average about 50 per month. This is about two per cent of enrollment, less than the proportion of people who get in trouble with the law in the general population.

Based on the number of visits to nearby towns, the percentage of misbehavior actually turns out to be about one-half of one per cent.

Chronic offenders are discharged.

Corpsmen who do not get into trouble receive weekend passes and, occasionally, weekday passes, to go to nearby cities for shopping and recreation.

They must abide by strict curfews, and a corpsmen who does not return to the center is considered away without leave and subject to dismissal.

After six months, a corpsman is eligible for a 24-day furlough, with paid travel expenses to his home and back to the center.

The students receive their food, clothing and shelter, medical and dental care, plus $30 monthly taxable spending money.

They also receive $50 per month, which is held by the center until graduation. The students have the option, however, of sending $25 of this money to their families. In this case, the government matches the $25 dollar for dollars, which means a student's family can receive $50 monthly, while the center bankrolls $25 monthly for the student.

The $30 monthly spending money goes mostly for entertainment and personal hygiene (tooth brushes, shaving cream and other items), but in some cases the corpsmen have dug deep into their pockets for charity.

Two years ago, the center played Christmas host to 500 orphans in San Antonio, in conjunction with a program sponsored by the San Antonio Jaycees.

The corpsmen noticed that the children were spending their Christmas money mostly for necessities.

When they got back to the Gary Center, the corpsmen raised $450 and sent it to the orphanage with instructions that the money be spent on toys for the kids.

At first, the corpsmen sought charitable projects as leisure-time activities. Now, they receive numerous requests for help.

The young men seem to have a soft spot for people, especially youngsters, who are less fortunate. The corpsmen have staged talent shows for the past two years to raise funds for Christmas packages for disprivileged children in San Marcos.

A corpsmen-operated car wash yielded about $300 toward construction of a pavilion at Travis State School in Austin. The young men landscaped the grounds of several San Marcos churches and cleared the site for the new Austin YMCA building.

Another landscape project at Crockett Elementary School in San Marcos was estimated to be worth $10,000 to the school district.

Several corpsmen have taken part in heroic rescue efforts which in one case resulted in the deaths of two corpsmen.

The two young men drowned while saving a Corpus Christi couple from an undertow on a Padre Island beach.

Another corpsman, now serving in the Army in Korea, was credited with saving the life of a man who touched an electrical power line. The corpsman revived the man by applying resuscitation.

The youngster received a Red Cross award for his alert action.

There have been no deaths from training at the Gary Center, although 10 corpsmen have died since the center opened. Two of the deaths were from natural causes. The others occurred in traffic accidents, drownings and similar mishaps.

There has been one disabling accident at the center. A youngster was paralyzed when he fell during an exercise on a trampoline. The use of the trampoline has been discontinued.

TEACHERS LEARN AT GARY—INNOVATIONS FUNNEL INTO SCHOOLS

SAN MARCOS, TEX.—Students aren't the only people who go to the Gary Job Corps Center here.

Thousands of teachers from across the nation, and educators from many parts of the world have traveled to Central Texas to witness the War on Poverty's experiment in lifting unemployed young men from the depths of social and economic poverty.

Sixty public school teachers are working as instructors at the center this summer.

"Their experience is bound to carry over to their schools at home," said Wallace Dockall, director of the center.

"I am convinced that the insight our educational system gains into the high school dropout may well turn out to be the hidden treasure of the Job Corps program."

Dockall said he feels an important part of the Job Corps is the funneling of information about successful innovations into the public school system.

At Harper, Freeport and several other Texas cities, math and reading programs patterned on Gary's individualized system have been installed in public schools.

School districts have be supplied with reading, math, science and general educational development materials for use in adult basic education (literacy) programs.

Similar materials have been supplied to the Texas and federal prison systems.

The Gary Job Corps Center has sponsored workshops on techniques for teaching the disadvantaged in Carrollton, Huntsville, San Marcos, San Antonio and numerous other Texas cities.

College classes, in which Gary employes are enrolled, have been invited to come at night and on Saturdays to participate in center sponsored workshops.

Dockall said there is a "dire need in our system of public education to devise better methods to cope with the so-called educationally deprived, socially deprived and economically deprived.

"Without a higher education or vocational training, they possess no marketable skill," he said.

Dockall emphasizes that education should not be limited to the concept of universal academic education.

"It is meant to include vocational and social education," he contends.

The Job Corps is the first large-scale attempt to experiment with innovations in teaching vocations to the disadvantaged.

"The fact that there were no precedents to follow at the time programs were being developed may be the best thing that has ever happened to us," said Dockall.

"Experimentation and deviation from certain established standards became a must."

—STEWART DAVIS.

WATERPOCKET FOLD

Mr. MOSS. Mr. President, it was my privilege, in the 88th Congress, to be the principal sponsor in the Senate of the Classification and Multiple Use Act—Public Law 88-607—which equipped the Bureau of Land Management with modern management and disposal authority. The Bureau is now moving under this act to recognize and develop the full value and total resources of the vast acreage of public land under its jurisdiction.

I am today asking the Bureau of Land Management to give prompt consideration under the Classification and Multiple Use Act to that unique area in southern Utah known as waterpocket fold. I believe this area, which is mostly BLM-managed land, offers an admirable opportunity to apply fully the broadest concepts of this act.

The waterpocket fold is actually a geological fold, or plait, in the earth's surface. It stretches 100 miles in length and from 10 to 25 miles in width through south central Utah, beginning in the vicinity of the Capital Reef National Monument and extending southward to Hall's Creek, and the Bull Frog area on Lake Powell. It lies considerably to the west and south of the new Canyonlands National Park, but is part of the spectacular stretch of scenery which led Secretary of the Interior Harold Ickes to remark once "practically all of Utah should be a national park."

The waterpocket fold is virtually an inaccessible no man's land. We do know, however, that pockets of water are trapped year round in the fold. We know that there are unique rock formations and natural arches throughout the fold, and that it offers fantastic, sweeping views in every direction.

But its rich, geologic, scenic, wildlife, archeologic and other resources are still largely unexplored and unidentified. It is raw, bold, and unknown.

Civilization reached into a part of this wilderness recently when 29 representatives of several private, State, and Federal agencies, including members of State conservation and wilderness groups, blazed a trail into the outer limits of the fold from a point below Capital Reef National Monument. They spent 3 days viewing the area and debating among themselves the desirability and feasibility of building a road through it from the Bull Frog Basin site on Lake Powell to the Hole in the Rock location on the same lake.

It was the opinion of Utah's State highway director, Henry C. Helland, that there is a definite need for a road to serve the recreational needs of the people, and that, furthermore, the road should be circulatory so that people who go into the area will not have to backtrack.

On the other hand, some of the conservationists were not sure that any roads should be built into the area, but that it should be left untouched. Still others favored public access, but wanted it limited. They argued that the fold is a "wilderness work of art." That access to it should be controlled so that it will be fully preserved, or as one of them put it, "so we will not have to look over or under or through layers of human desecration."

There is no doubt that this area offers some of the finest scenery of its kind in the world, and that it should be given some type of protection immediately. The opening of Canyonlands National Park, combined with the established attraction of other national parks and monuments in Southern Utah, will bring more and more visitors into the State each year, and pull more and more of our own Utah citizens who live in the large cities in the northern part of the State to the southern part for vacation trips. The waterpocket fold will not remain unknown for many more years.

I have reviewed the fold problem with Robert Nielson, State director of the Bureau of Land Management in Utah, and urged that, in considering the classification of the area, special attention be given to preserving those assets that are as irreplaceable as they are valuable.

Since the area is still in a primitive state, we have the opportunity, not often presented, to go in on the ground floor, to give it a careful review and analysis, and to work out the full utilization of its values under the principles of multiple use and sound land use planning. We have an opportunity to determine primary and secondary uses now before any use is really established.

It is Bureau policy to invite public discussion on its classification plans for any area. Therefore, I would expect that Mr. Nielson would plan open hearings in Salt Lake City and also in the waterpocket fold area, if the residents wish them, so that every segment of the public has an opportunity to offer information and advice. I would hope that mining, livestock, and tourist groups would ask to be heard, as well as representatives of the outdoor conservation and wildlife organization.

The question of the classification of the waterpocket fold in southern Utah brings into focus a growing problem in the preservation and development of scenic areas, national wonders, primitive areas, scientific areas, and historic sites of national interest. We have several categories of classification of these areas—we can make them national or State parks, national monuments, national recreation areas, or national historical sites.

However, the waterpocket fold in southern Utah does not clearly fit into any of these classifications. Yet there is no question it should be preserved and managed for the broadest possible recreation benefit consistent with other essential uses. Is our system flexible enough? Do we need other classifications? Do we actually have all of the tools we should have to "preserve, develop, and make accessible to all American people such quantity and quality of outdoor recreation as will be necessary and desirable for the individual enjoyment and to assure the physical, cultural, and spiritual benefits of outdoor recreation," to quote the objective of the Outdoor Recreation Resources Review Commission?

There is still considerable open land available in this country for public recreation and enjoyment. As our communities become more crowded, we will be increasingly conscious of the need to leave them behind us, for a few hours or days or weeks. Open-space recreation is not a luxury. It is a necessity. And with each passing year, it will become more so. The demand will surge.

We have before us the problem of reconciling conservation with the exploitation of our natural resources. We still have the problem of determining where and how we can apply multiple use principles to our land so that we can have both the economic benefits which come from mining and timbering and grazing, and still provide the degree of protection necessary for the enjoyment and economic benefits which come from tourism and outdoor recreation.

We are a highly urban country. Sixty-three percent of our people now live on 10 percent of our land. More and more people are moving to the cities every day.

We are now approaching a population of 200 million. By the year 2000 we will have nearly doubled that number.

Because of the pinch of the war in Vietnam, we have had to slow down our efforts to met our outdoor recreation needs. We have had to lessen recreation's place in our current life and planning. But I feel we should not forget those eloquent words in the ORRRC report:

> The outdoors lies deep in American tradition. It has had immeasurable impact on the nation's character and on those who made it history . . . when an American looks for meaning in his past, he seeks it not in ancient ruins, but more likely in the mountains and forests, by a river, or at the edge of the sea . . . Today's challenge is to assure all Americans permanent access to their outdoor heritage.

THE CBS "WARREN REPORT"—PART I

Mr. HARTKE. Mr. President, on four successive evenings, June 25–28, the Columbia Broadcasting System presented what it designated as a "CBS News Inquiry" entitled "The Warren Report."

This extensive inquiry, growing out of the controversy which has grown up to surround the Warren report and the entire question of the circumstances surrounding the assassination of President Kennedy, was a noteworthy undertaking by a major broadcasting network. Millions of Americans were fascinated and instructed by the broadcasts. In their ephemeral form, seen on national television, they were aided by the visual presentation, a facet of the inquiry which cannot be reproduced in print.

Nevertheless, the contribution of the four-part program to public understanding of the issues it discussed is of sufficient importance so that I believe the text of the material should be made widely available to the public. Therefore, I ask unanimous consent that the first of these four 1-hour presentations be printed in the RECORD today. It is my intention to offer the succeeding portions, as well, in the following days of this week.

There being no objection, the presentation was ordered to be printed in the RECORD, as follows:

THE WARREN REPORT—PART I

(As broadcast over the CBS Television Network, June 25, 1967, with CBS News Correspondents Walter Cronkite, Dan Rather, and KRLD–TV News Director Eddie Barker; Executive producer Leslie Midgley)

CRONKITE. This is what a rifleman would see from a sixth-floor window if he tracked an automobile down Elm Street in Dealey Plaza, Dallas, Texas.

This is a marksman firing three shots from a Mannlicher-Carcano rifle at a target below him and moving away. These two reenactments represent the heart of the Warren Report. In the view of the Warren Commission, they describe fully the circumstance of the assassination of President Kennedy.

But is there more to this story than the Warren Report ever discovered?

Announcer. This is a "CBS News Inquiry": "The Warren Report." Here is Walter Cronkite.

Cronkite. On November 22, 1963, at precisely 12:30 p.m., John Fitzgerald Kennedy, the youthful 35th President of the United States, drove triumphantly into this square, where hundreds waited to cheer him . . . and where another waited as well.

Seconds later a dying President sped away from Dealey Plaza—into history, into legend, into a national nightmare of suspicion that persists to this day.

In this country rumors spoke of left-wing plots, right-wing plots, Castro plots; even plots to elevate a Texan to the White House. Abroad, where the transfer of political power by violence is historically more familiar, no rumor was too extreme. Faced with this dangerous condition of rumor out of control, President Johnson quickly appointed a commission to discover the real facts of the assassination, a commission of seven Americans so distinguished that their conclusions must be above suspicion—or so it was thought.

As chairman, the new President literally drafted the Chief Justice of the United States, Earl Warren. The other commissioners: Allen W. Dulles, former head of the Central Intelligence Agency. Hale Boggs, Democratic Congressional Whip from Louisiana. John Sherman Cooper, Republican Senator from Kentucky. Richard B. Russell, Democratic Senator from Georgia. John J. McCloy, lawyer, diplomat and adviser to Presidents, and Gerald R. Ford, Republican Representative from Michigan.

The Warren Commission had the mandates it needed to do the job. It could subpoena witnesses, could invoke the cooperation of any agency of the United States Government, could and did use the F.B.I. and the Secret Service as its investigative arms.

This is the result. On September 24, 1964, the Commission presented its findings in the form of this 888-page report to the President. Two months later, it published these 26 additional volumes, the exhibits and hearings on which the report was based.

Dan Rather at the scene of the assassination:

Rather. The basic story pieced together by that Warren Commission Report on the assassination is this: A man named Lee Harvey Oswald crouched here in this dingy window of the Texas School Book Depository as the President passed below. Oswald, the Commission tells us, fired three shots. One missed. One struck both the President and Texas Governor John Connally, riding with him. The third killed the President. Oswald, the Report had it, hid his rifle over there, then ran down the stairs, left the building on foot, and hurried down Elm Street. He made his way to his rented room, picked up a revolver, and about 12 minutes later shot Police Officer J. D. Tippit.

Oswald was captured shortly after the Tippit murder, was questioned for two days in a madhouse atmosphere of confusion and then, in a grizzly climax, was himself murdered right in the Dallas police station, by a nightclub operator and police hanger-on named Jack Ruby.

Cronkite. And that was to be that—an official version of the assassination, arrived at by men of unimpeachable credentials, after what the world was assured was the most searching investigation in history.

Yet in the two and a half years since the Warren Report, a steady and growing stream of books, magazine articles, even plays and a motion picture, have challenged the Commission and its findings; have offered new theories, new assassins, and new reasons.

Only a few weeks ago, a Harris poll revealed that seven out of ten Americans are convinced that there remain many "important unanswered questions," that the whole truth has not been told.

A Gallup poll shows more than six of every ten Americans questions that there was a lone assassin.

Man. Well, I don't think that all the facts were brought out. I think something was held back.

Woman. I think there were more involved in it than just Oswald.

Woman. The only thing that disturbs me is the fact that they've sealed away some of the evidence and I think that's rather disturbing to most people.

Woman. I've read the Warren Report, and as I say, I think those men are men of honesty and integrity. And I think they were asked to do a tremendous job within a very short period of time after the assassination, and I think they did the very best they could.

Man. I think it's very accurate.

Woman. I don't know how in the world they could ever reach a conclusion that one person assassinated him. It's ridiculous. I saw the whole thing on television. I just happened to be home at that time and I don't think that Oswald . . . I think that he was working for the C.I.A. myself.

Cronkite. Screening out the absurd and the irrational, we are left with a series of real and critical questions about the assassination, questions which have not been answered to the satisfaction of the people of the United States.

In this series of broadcasts, CBS News will try to cast light on those questions. They fall under four headings, which we will examine on successive evenings at this same time.

Tonight's question: Did Lee Harvey Oswald shoot President Kennedy?

For the next two nights, we will take up the question of conspiracy. Tomorrow night we will ask, was there more than one assassin firing in Dealey Plaza?

On Tuesday night we will ask whether, regardless of the actual number of gunmen, there was a conspiracy leading to the President's murder.

And on Wednesday night we will ask: Why doesn't America believe the Warren Report?

We will examine these questions here in our studios in New York, in libraries and laboratories from coast to coast, with KRLD News Director Eddie Barker at the assassination site in Dealey Plaza, and with CBS News Correspondent Dan Rather on the sixth floor of the Texas School Book Depository as for the first time since the assassination, news cameras enter and explore the Depository building itself.

Tonight we ask if Lee Harvey Oswald shot the President. To help us answer that fundamental question we must resolve some lesser questions:

Did Oswald own a rifle?

Did Oswald take a rifle to the Book Depository Building?

Where was Oswald when the shots were fired?

Was Oswald's rifle fired from the building?

How many shots were fired?

How fast could Oswald's rifle be fired?

What was the time span of the shots?

First: Did Oswald own a rifle? There is no reasonable doubt that Oswald owned a Mannlicher-Carcano rifle No. C2766. This is the coupon with which he ordered the rifle, by mail, from Klein's Sporting Goods Company, of Chicago. Hidell is one of several aliases Oswald used from time to time. Oswald paid for the rifle with this money order. Here is the application for the post office box to which the rifle was sent—all these documents in Oswald's handwriting.

This photograph, traced to Oswald's own camera, shows him with an identical rifle. This photograph has been widely challenged by Mark Lane and other critics of the Warren Report. During his interrogation, Oswald himself said that his head had been superimposed on someone else's body. Several publications later admitted that they had retouched it and in so doing may have altered the rifle and other details. Lawrence Schiller, of Los Angeles, a professional photographer and photo analyst, made an independent study, of the original picture and negative.

Schiller. This photograph of Lee Harvey Oswald, which was found the day he was captured and disclaimed by him, has been used by numerous critics of the Report. They say that the disparity of shadows, a straight nose shadow from the nose, and an angle body shadow proves without a doubt that this head was superimposed on this body. To properly recreate the picture to see if the straight nose shadow does correspond to the body shadow, you would have to go to the same address, at the same day of the year and at the same time. We did that. This picture was taken on March 31, 1967, at 214 Neeley Street. And it shows without a doubt that a straight nose shadow corresponds with an angular body shadow. And that the fact that there is a disparity of shadows, that fact cannot be used to discredit the photograph.

Cronkite. Marina Oswald told the Warren Commission that her husband had posed and she had taken the picture. She also said he had owned a rifle.

Barker. Did you ever see the rifle?

Marina. Yes. But you know, I fear to take this rifle. I just saw it, you know, in the corner. I never touched it, his rifle.

Cronkite. It seems reasonable to accept the conclusion of the Warren Commission Report that Oswald did indeed own a Mannlicher-Carcano 6.5 mm rifle No. C2766. The answer is yes.

Our next question is: Did Oswald take his rifle to the Book Depository Building?

At the time of the assassination, Lee and Marina Oswald were together only on weekends. He lived in a rooming house not far from his job and she lived with a friend, Mrs. Ruth Paine, in the suburb of Irving. Mrs. Oswald said her husband kept his rifle wrapped in a blanket in Mrs. Paine's garage. Oswald usually went to Irving on Friday nights with a fellow worker, Buell Wesley Frazier, but the day before the assassination his routine changed.

Frazier. Well, he come to me the Thursday, November 21st, and asked me could he ride on with me that afternoon, and I said yes. And I said, "Why are you going home this afternoon?" and he replied that he wanted to go home and pick up some curtain rods, so he could put some curtains up in his apartment.

Rather. Oswald got a lift to the School Book Depository that Friday morning from co-worker Frazier. Frazier's sister, Mrs. Linnie Mae Randle, lived across the street from the Paine house.

Mrs. Randle. I was preparing lunches for my brother there at my sink, and I looked out the window and saw Mr. Oswald cross the street and come up cross my driveway and he had a brown paper bag in his right hand. It was about 27 inches long. It was made out of a heavy brown paper with heavy-looking tape on it.

Rather. Incidentally, the search of the Book Depository Building made after the assassination failed to turn up any curtain rods. And the furnished room which Oswald was then occupying was equipped with curtain rods.

So Oswald made an uncharacteristic trip to the Paine home Thursday night, returning to the Book Depository on the morning of the assassination with a heavy-looking package that could pass for curtain rods. Was it the rifle? A difference of about eight inches has made this one of the most contentious points for the critics. Within this package I have a dissassembled Mannlicher-Carcano rifle identical to Oswald's. Before I tell you the dimensions, you might want to try to estimate them, as Mrs. Randle and Wesley Frazier did, from memory. Mrs. Randle variously estimated Oswald's package of "curtain rods" as 27 or 28 inches long; her brother, Wesley Frazier said about two feet, "give or take a few inches." As a matter of fact, the disassembled Mannlicher is 34 and eight-tenths inches long. Furthermore, Frazier said Oswald, preceding him into the Depository building, carried the "curtain rods" under his armpit with his hand around the bottom. Now obviously, you can't carry this package that way.

Oswald had gotten out of the car first, and was then walking away from Frazier. The Commission decided that Frazier easily could have been mistaken about Oswald carrying the package. You can decide whether Frazier, walking some 50 feet behind and, in his own words, not paying much attention, might have missed the few inches of the narrow end of such a package sticking up past Oswald's shoulder.

Cronkite. Despite the dispute about just how he carried the package, the reasonable answer to this question is that he did take a rifle to the Book Depository Building.

Our next question concerns Oswald's whereabouts at the time of the murder: Where was Oswald when the shots were fired?

These men have just witnessed the assassination of the President. They are co-workers of Oswald, photographed by Tom Dillard, *The Dallas Morning News* photographer, in fifth floor windows within a minute after the shots were heard.

Rather. Walter, here in Dallas, Eddie Barker has reinterviewed those men who watched the tragedy from the window just below me. Later on, we will be hearing their own story of the assassination itself. But for now, we wanted to know just what Oswald was doing, and where he was doing it, through the morning of November 22, 1963. We spoke first to this man, Harold Norman:

Norman. That particular morning three or four of us were standing by the window and Oswald came over and he said, "What's everybody looking at and what's everybody excited about?" So I told him we were waiting on the President. So he just snudged up and walked away.

Rather. Our next witness from the fifth floor window, James Jarman, Jr.

Jarman. I was talking to him around about 10:00 o'clock. On the outside of the building some people had gathered. And he asked me what was they gathering around out there for, and I told him that the President was supposed to come by there that morning. And he asked me what time, and I didn't know what time it would be but some of the people had started gathering around. And he asked me which way would the President be coming, and I told him. And so he said, "Oh, yeah?" And I said, "Yeah." Then he turned and walked off.

Rather. The last man known to have seen Lee Harvey Oswald before the assassination was another co-worker, Charles Givens. Mr. Givens saw Oswald here, on the sixth floor.

Givens. Well, he was standing about middle ways of the building on the sixth floor.

Barker. What was he doing there?

Givens. Well, he was just standing there looking with his orders in his hand.

Barker. And what did you say to him?

Givens. I just said, "Fellow, it's lunch time, you going downstairs?" And he said, "No," he said, "Close the gates on the elevator when you get out." Well I, you know, kind of excited, wanted to see the parade, so when I got downstairs, I really forgot it. I just rushed off and went out to lunch.

Barker. This would be about what time?

Givens. Well about one or two minutes after 12.

Rather. So the testimony from those who saw Oswald inside the Book Depository is consistent. The testimony from eyewitnesses in the Plaza below is not. The Warren Commission had to choose between seriously conflicting accounts, and many of the critics think it chose badly.

Down in the Plaza, Eddie Barker can show us where those witnesses stood and what they were in a position to see, as they tell their own stories.

Barker. Dan, Arnold Rowland was here with his wife on Houston Street in the crowd waiting for the motorcade. A few minutes before it arrived, Rowland told the Warren Commission, he noticed an elderly Negro man up in the window where you are now, where Oswald is supposed to have fired from. But he told the Commission, and a few days ago repeated his story for us here, of seeing a gunman lurking in another window entirely:

Rowland. And I just lookin' around and we noticed a man up in the window and I remarked to my wife, tried to point him out. And remarked that he must be a security guard or a Secret Service agent.

Barker. So, the window, then, that you're referring to is on the opposite end of the building from where the main entrance to the building is?

Rowland. Yes, it is on the other side of the building. And he had a rifle. It looked like a high-powered rifle because it had a scope which looked, in relation to the size of the rifle, to be a big scope.

Barker. Now over here, Dan, still on Houston Street and not very far from the Rowlands, was Mrs. Caroline Walther. Mrs. Walther says she saw *two* men with a gun in the Book Depository.

Mrs. Walther. I looked at this building and I saw this man with a gun and there was another man standing to his right. And I could not see all of this man, and I couldn't see his face. And the other man was holding a short gun. It wasn't as long as a rifle. And he was holding it pointed down, and he was kneeling in the window, or sitting. His arms were on the window. And he was holding the gun in a downward position, and he was looking downward.

Barker. About what floor would you say these two men were on that you saw in the window?

Mrs. Walther ne first statement that I made, I said the man was on the fourth or fifth floor, and I still feel the same way. He was about—in a window that was just about even with the top of that tree. I saw the man had light hair, or brown, and was wearing a white shirt. That—I explained to the F.B.I. agents that I wasn't sure about that. That was my impression on thinking about it later. That I thought that was the way the man was dressed.

Barker. Now, what about this other man who was in the window?

Mrs. Walther. This other man was wearing a brown suit. And that was all I could see, was half of this man's body, from his shoulders to his hips.

Barker. Now over here, on the corner opposite the Book Depository, stood a fifteen-year old boy named Amos Euins. A few days ago, Amos Euins came back here with us and gave a vivid account of the assassination itself and of a "piece of pipe" he saw poking out of a window—your window, Dan.

Euins. When he come around, and when I was standin' here, I happened to look up and seen a pipe, you know. So I never did paid no attention thinking it might be a pipe, you know, just a pipe stickin' out. So it was stickin' out about a foot, about that high, you know.

Barker. Point out for me, Mr. Euins, the window where you saw the pipe.

Euins. It was about on the sixth floor, right below the banister.

Barker. Among the witnesses here in the plaza, the Commission relied heavily on the testimony of Howard Brennan, who, watching from just about here, said that he actually saw the assassin firing.

Howard Brennan. I looked directly across and up, possibility of a 45-degree angle. And this man, same man I had saw prior to the President's arrival, was in the window and taking aim for his last shot. After he fired the last or the third shot he didn't seem to be in a great rush, hurry. He seemed to pause for a moment to see if for sure he accomplished his purpose, and he brought the gun back to rest in upright position, as though he was satisfied.

Cronkite. It should be noted here that the Commission failed to follow up Mrs. Walther's story. She was interviewed briefly by F.B.I. agents but never called before the Commission or its staff, who accumulated vast minutae on the relatives of relatives of Lee Harvey Oswald.

Despite these discrepancies, his co-workers knew and certainly saw Oswald. The CBS NEWS answer: Oswald was in the Book Depository Building when the shots were fired, most probably on the sixth floor.

We come now to our fourth question for tonight: Was Oswald's rifle fired from the building? To answer this one the Commission placed major reliance on physical evidence found within the building. Three shells, later identified as fired from Oswald's rifle, were found forty-two minutes after the shots. Ten minutes later a rifle was discovered.

Rather. The rifle was found on the sixth floor, back near the stairway between some cartons by Deputy Constable Seymour Weitzman. And from that episode came a description that has plagued the Warren Commission account for years, the identification of it as a German Mauser.

Eddie Barker asked Constable Weitzman what happened.

Weitzman. I'll be very frank with you. I stumbled over it two times, not knowing it was there.

Barker. Just went right by it.

Weitzman. Went right by it. And Mr. Bone was climbing on top, and I was down on my knees looking, and I moved a box, and he moved a carton, and there it was. And he in turn hollered that we had found a rifle.

Barker. Well, when did you first get a full view of the gun?

Weitzman. When the crime lab brought the gun out, after they had gone over it. I could see portions of the gun while they were doing partial investigation of it here in the building.

Barker. What kind of gun did you think it was?

Weitzman. To my sorrow, I looked at it, and it looked like a Mauser, which I said it was. But I said the wrong one because just at a glance I saw the Mauser action, and—I don't know—it just came out words, it's a German Mauser. Which it wasn't. It's an Italian-type gun. But from a glance it's hard to describe, and that's all I saw it was at a glance. I was mistaken, and it was proven that my statement was a mistake, but it was an honest mistake.

Rather. So Mr. Weitzman now seems sure that the rifle was indeed Oswald's Mannlicher-Carcano, and that his identification was simply a mistake.

The most important ballistic evidence in the case is a spent bullet, two bullet fragments, and three empty shells, or hulls, as they are sometimes described. The nearly whole bullet was found in Parkland Hospital under circumstances we'll consider in detail tomorrow night. The two fragments were found in the Presidential limousine. The shells were found here on the sixth floor, below the windows here, by Patrolman Gerald L. Hill, who told Eddie Barker about it.

Gerald L. Hill. We saw a barricade, a sort of three-sided barricade of boxes that would have shielded anyone between the boxes and the window from general view, from the rest of the floor. And then immediately under the window that was later determined to be the actual spot that the shots were fired from, there were three rifle bullet hulls, right against the baseboard of the building where the floor and the wall come together.

Cronkite. One of the experts who made the ballistic examination for the Warren Commission was Dr. Joseph D. Nicol, Superintendent of the Bureau of Criminal Investigation for the State of Illinois. Walter Lister asked about his conclusions.

Nicol. It is my feeling that both the fragments, as well as the one relatively whole bullet, had been fired in the same gun. And then based upon the comparison of the tests which were available to me, it was my opinion that the same weapon which fired the tests also fired the—the three evidence specimens.

Lister. In the case of the virtually intact bullet that was found on a stretcher in Parkland Hospital, and the two fairly sizable fragments found in the front of the Presidential limousine, you felt that those were definitely fired from Oswald's rifle?

Nicol. Yes, sir.

Lister. To the exclusion of all others?

Nicol. To the exclusion of all others, right.

Cronkite. From the ballistic evidence it seems that the answer to the question of whether Oswald's rifle was fired from the building is yes.

To this point the Warren Commission's case appears strong; despite minor discrepances it appears that Oswald had the opportunity and the murder weapon.

And now we come to one of the most telling arguments that has been raised against the Warren Report in these past two and a half years, a point which we now know seriously disturbed members of the Commission itself. For the critics argue that Lee Harvey Oswald could not have fired his rifle fast enough and accurately enough to be the sole assassin. The critics argue therefore either that Oswald was not the gunman at all, or that there was more than one gunman. Well now, here we have twin questions. How many shots were fired in Dealey Plaza that day? And how long did it take to fire them?

First, how many shots were fired?

Rather. Walter, the obvious way to answer those questions seemed to be to talk to our eyewitnesses in Dealey Plaza, ask them how many shots they heard, and in what kind of sequence. That's what we tried first.

Mrs. Walther. I'm sure there were four shots.

Barker. How many shots did you hear?

Williams. I heard three. The first and second was further apart than the second and third. In other words, there was a bang—and a bang-bang right thereto.

Barker How many shots did you hear?

Norman. Three.

Barker. In how long a period of time?

Norman. Oh, I'd say about like this, you know—boom (clicking sound)—boom (clicking sound) boom. Something similar to that.

Nix. I would say—bang—bang—bang.

Holland. There were definitely four shots.

Weitzman. Well, just three quick bursts, like bang-bang-bang.

Cronkite. There is an old axiom among lawyers that nothing carries more weight with a jury, or is less reliable, than eyewitness testimony. In this case we have just learned that the testimony of assassination earwitnesses also is unreliable. In a moment of utter horror and confusion, in a bowl certain to start echoes, it's too much to expect that human ears will register and correctly recall the number and sequence of a series of quick shots.

But we have heard Mr. Hill describe how he found three shells, and Mr. Nicol state that they were fired from Oswald's rifle. Many critics maintain that additional shots were fired; but no physical evidence ever has been produced. The most reasonable answer to this question seems to be: three shots.

But it is only barely possible that three shots could have been fired by Oswald alone. The most dramatic and most important single piece of evidence of the assassination was provided by Mr. Abraham Zapruder, who, on November 22, 1963, stationed himself with an amateur movie camera right here.

On one roll of 8mm color film, Mr. Zapruder had the astonishing luck to capture the entire assassination. We cannot show you that film on television. It was purchased from Mr. Zapruder by LIFE Magazine. That film, though, serves as a clock. If we know the exact speed the camera was running, and can see in the film where the bullets struck, it should be possible to determine not only how many shots were fired, but the amount of time between them. This is critical to the question of whether Oswald could have physically accomplished the murder.

If the time between shots was less than the time necessary to operate Oswald's cheap bolt action rifle, a rifle like this one, then obviously he was not the sole assassin. A test of time between shots could not prove that he did fire the shots. It might prove that he did not.

Rather. Here is how the Warren Commission reconstructed a time sequence from the film. Now Mr. Zapruder was filming the motorcade from the grassy knoll. At the very moment the gunman must have been tracking it from up here.

Using the critical frames of the Zapruder film as a guide, the Warren Commission, and now we, can reconstruct exactly what the gunman must have been seeing at every moment.

We know that the President had not yet been hit when the car slipped beneath this oak tree. The President would have come into the gunman's sights, in the Report's words, "for a fleeting instant through an opening in the leaves, just as frame number 186 went through Mr. Zapruder's camera." Remember that frame, 186.

We stop the car at frame 186 to show you what a gunman would have seen in that instant, except for the fact that the tree has grown since 1963. There's more foliage on it now. And the overhead highway signs were not there then.

The Commission did not think the shot was fired here. Now the President is again concealed by the leaves, emerging just as the Zapruder camera, over on the grassy knoll, is shooting its 210th frame. The gunman can now see the President again, but Mr. Zapruder's view was blocked by a ground level sign, and his film didn't show what was happening in frame 210, which the Commission decided was the first moment that President Kennedy could have been hit.

The Zapruder film did not show the President again until frame number 225, where we stopped the car once more. Here the Zapruder film seemed to show the President already hit; so that hit must have occurred somewhere between frames 210 and 225 of the Zapruder film. As to just where, we'll have some intriguing new evidence in a few moments.

Along here the Commission said a second shot was fired, probably a miss. But at this point the third shot, the fatal one, destroyed the President's head. That moment is clearly shown in Mr. Zapruder's film, at frame 313.

Could Oswald really have done this? Marine Corps records show Oswald had attained the rank of sharpshooter; but he was not a genuine expert, according to his fellow servicemen. One of his fellow Marines claimed that Oswald was actually a very poor shot, and simply was not interested in marksmanship activities.

Cronkite. It seemed evident that we should try to establish the ease or difficulty of that rapid fire performance. Hence, our next question: How fast could that rifle be fired?

Oswald's rifle was test-fired for the Warren Commission by F.B.I. and military marksmen. The rate of fire for this bolt action rifle and its accuracy against a moving target were critical to the Commission's case against Oswald. And yet, incredibly, all tests for the Commission were fired at stationary targets. The F.B.I. won't comment on why.

Based more on testimony than on firing tests, the Commission concluded it was an easy shot for Oswald to hit the President at that range. From its tests the main conclusion drawn was that this Mannlicher-Carcano could not be fired three times in a span of less than 4.6 seconds, because it took about 2.3 seconds to operate the bolt mechanism between shots.

To explore glaring omissions in the tests fired for the Commission, CBS News decided to conduct its own tests with the Mannlicher-Carcano.

Rather. A moving target is harder to hit than a stationary one, and the elevation of the sixth floor window might make a difference. The only elevation for the Warren Commission firing tests were the 30-foot tower, less than half the height of the Book Depository's sixth floor above Elm Street.

So CBS News had a tower and target track constructed to match exactly the heights and distances in Dealy Plaza. The target track was angled to match precisely the angle of Elm Street. The target, a standard F.B.I. silhouette, moved by electric motor at eleven miles an hour, approximately the speed of the Presidental limousine. A rifle of the same make and age as Oswald's was fitted with the same 4-power telescopic sight found on his rifle. These CBS News tests were conducted on different days at the range of the H. P. White Ballistic Laboratory, in rolling farmland, north of Belair, Maryland. Eleven volunteer marksmen took turns firing clips of three bullets each at the moving target. None of the men had much familiarity with the Italian Mannlicher-Carcano, although each was given time to practice at a nearby indoor range; and most of the volunteers were experienced with bolt action rifles.

In each case the first shot was fired at a point approximating the point at which the Warren Commission deduced the first shot was fired. Distance, about 175 feet. In six seconds the distance grows to 270 feet.

Results varied. A Maryland state trooper made two hits in the silhouette, one near miss—in slightly less than five seconds. Another state trooper's best time was 5.4 seconds. One hit, two near misses.

A weapons engineer had the best score. Three hits in 5.2 seconds. A technician at the H. P. White Ballistics Laboratory managed three shots in the fastest time, 4.1 seconds, half a second faster than the fastest time turned in for the Warren Commission, but only one hit.

Altogether the eleven volunteer marksmen made 37 attempts to fire three shots at the moving target. 17 of those attempts had to be called no time, because of trouble with the rifle. In the 20 attempts where time could be recorded, the average was 5.6 seconds.

Cronkite. From our own tests we were convinced that a rifle like Oswald's could be fired in 5.6 seconds or less, and with reasonable accuracy, at a target moving much the same as the Presidential limousine was travelling away from the Book Depository's sixth-floor window.

So, clearly, there is no pat answer to the question of how fast Oswald's rifle could be fired. In the first place, we did not test his own rifle. It seemed reasonable to say that an expert could fire that rifle in five seconds. It seems equally reasonable to say that Oswald, under normal circumstances, would take longer. But the circumstances were not normal. He was shooting at a President. So our answer is: probably fast enough.

In addition to the number of shots, and the capability of the rifle, it is important to know the time span between shots—since, as we pointed out previously, if the shots were closer together than the rifle could be fired, two rifles must have been involved.

So, our next question: What was the time span of the shots?

The answer might lie in Mr. Zapruder's film of the assassination. You'll recall that the Commission decided that the first shot was fired at frame 210 on the Zapruder film, and the last shot at frame 313.

Tests of the camera made by the F.B.I. reported that it was running at a speed of 18.3 frames a second. Divide 103 frames by 18.3 frames a second, and you get 5.6 seconds—which is the time the Commission reported Oswald probably had to take.

It's a point upon which the critics have seized. Could Oswald have fired three shots in 5.6 seconds? Well, then new evidence made its appearance.

It was at first called to our attention by a distinguished physicist, Dr. Louis Alvarez, of the University of California at Berkeley.

Bill Stout. What was it that made you interested enough to dip into the Warren Report to begin analyzing the photos of that day?

Alvarez. Well, I think it was probably that I had lunch every day with a bunch of my graduate students who were keenly interested in the controversy that was going on at the time. For a while I couldn't get very interested in it. But then when Life magazine republished the frames from the Zapruder movie, I spent an evening looking at them—and I found something that excited my interest.

Stout. What first caught your eye, Dr. Alvarez?

Alvarez. Well, it's right here in the picture. At frame 227, the highlights on the windshield of the car are all drawn out into rather pronounced streaks. And you can see that in the frame ahead the highlights are individual dots. And again in the frame beyond them are individual dots.

So something rather violent happened to the line of direction of Mr. Zapruder's camera in frame 227. It swung violently.

Cronkite. If Dr. Alvarez were right, the Zapruder film might contain a record of the number of shots fired. If blurs, which could be accepted as evidence of gunshots, occurred in a certain time span—then the shots themselves would be in the same span.

We remind you again that the film is owned by LIFE Magazine, and is not available for broadcast. So, CBS News commissioned an expert photo analyst, Charles Wyckoff, of the Massachusetts firm of Edgerton, Germeshausen and Grier, to make an analysis of the Zapruder film frames.

Dan Rather interviewed Mr. Wyckoff.

Rather. Mr. Wyckoff, the entire Zapruder film shows the whole assassination?

Wyckoff. Yes, it does, Dan. The—the film was an 8 mm motion picture film, and the entire record, in which the President was in view, was represented on a film about this long—which only took about ten seconds. And all of the records of interest were on this small piece of film. We actually looked at all the frames, but we only studied certain frames in detail. And the reason for studying those frames in detail was the fact that there were certain little things in there that looked blurred at first. And we were quite interested in why they looked blurred.

For instance, on frame 190 here, or rather, let's start with frame 189—there's a wall in the background with little—little holes, that you can see a white building through those holes.

Rather. Now, that's a tiled . . .

Wyckoff. That's a tiled wall. And you can see the little holes, if you look at it with a magnifying glass. Here, you see those that are nice and round, and fairly sharp. And, yet, in frame 190, right next to it, you can no longer tell that those holes are circular. They're blurred out.

Rather. Now, why is that?

Wyckoff. Something must have happened to Mr. Zapruder when he was—something must have startled him when he was holding his camera. He had a—a camera very much like this model right here, which is an 8 mm camera. And as he held it up to his eye, focusing—concentrating on the President, something startled him—and he jumped a little bit with the camera.

Rather. Not nearly that much?

Wyckoff. Not anything like that at all. Just a very subtle jump. But that was just enough to cause a blur of these little holes in here. And also a blur of highlights on the car.

Rather. All right, now, you see that very clearly in frame 190, and that frame does look distorted—and you can't see the white holes in the wall across the street clearly at all. Now, how many times does that occur in this ten second stretch of 8 mm film?

Wyckoff. Now, that—that occurs several times, as we've represented up here on the—on this film on the wall. It occurs at frame 190, it occurs again at frame 227. Frame 227 was the next evidence that I had of Mr. Zapruder moving his camera. And it occurs at frame 318.

Now, this is interesting, because we all know that at frame 313 the President received the fatal shot. We have a natural reaction time—that—that he heard the sound at about the same time that the—that something happened to President Kennedy, when he was fatally wounded here. We can apply this same correction, of about four or five frames, to each one of these frames where I noted motion.

In other words, I am saying that it was possible that there could have been a shot fired here, another one fired in this area of 222, 223, and another one in the area of 313—noticeable now in 318.

I think the important thing is the fact that we have found an indication some twenty frames prior to the time the Warren Commission thought that the first shot was fired. Now, whether or not this was a shot, we cannot say. But certainly Mr. Zapruder, the photographer, was disturbed at that point.

Stout. What does this finding mean to those of us who simply have followed the controversy over the assassination, and are not physicists?

Alvarez. Well, to me, it means that there were indeed three shots fired, as the Commission said; that the one that apparently didn't hit anyone in the car was fired before the one that hit the President, and not between the two shots that obviously hit the President.

Cronkite. Just as a rough check on this theory, we decided to try it ourselves, using other cameramen holding similar cameras, standing on a rifle range, filming an automobile while a rifleman fired over their heads.

These two volunteers are aiming their cameras at a parked limousine. Their instructions: "Hold the cameras as steady as possible, and keep filming no matter what happens." The shots will come between them and the car. The cameramen are as far from the firing platform as Mr. Zapruder was from the sixth floor of the Book Depository. (Sound of gunfire in background.)

The reaction was obvious. The film taken by these cameramen showed the effect of the shots, despite instructions to hold steady. Even in steadier hands, motion was always noticeable. This frame shows highlight dots around the car's windshield. In reaction to a shot, the dots changed to crescents. And in the following frame they become streaks, comparable to streaks found on some frames from Mr. Zapruder's film.

Incidentally, Dr. Alvarez also suggested that the first shot might still be lodged in the tree. We checked it with a metal detector. But, unfortunately, it did not reveal any presence of a bullet. Perhaps more sophisticated equipment will be developed in the future to x-ray the tree.

Perhaps the most intriguing feature of the entire Alvarez-Wyckoff experiment is this—at the time he undertook to study the film for us, Charles Wyckoff was unaware that there was anything unusual about frame 186 of the Zapruder film. He tentatively placed one shot there, only because of Mr. Zapruder's slight jiggle at frame 190. Yet, in the Warren Commission Report we learn that, to a gunman tracking from the Book Depository the President's head would have come into view for an instant through a hole in the foliage, just at frame 186—where it now appears something startled Abraham Zapruder.

If a shot had been squeezed off there, a shot which missed, the length of time available to Oswald begins to stretch, even if the Commission's clock is right, for the Warren Report placed the first shot at frame 210.

But, now, that brings up a second question. Was the clock right? You'll recall that the Zapruder film is the basic clock for all of these events. Now tests of the camera, made by the F.B.I.—a camera like this one—reported that it was running at an average speed of eighteen point three frames per second. The camera had been obtained from the Bell and Howell Company, the manufacturers.

During our CBS investigation we asked the company if they had tested the camera's speed. The result was a public announcement that they had tested it, and the result was the same as the F.B.I. test. And the announcement continued that they had that day donated the camera to the National Archives—and this is it.

But if the clock was not exactly right, then the whole sequence of events—from the number of shots, to the time span of the shots, and many other things—would be affected.

Curiously, most of the critics themselves accepted the 18.3 speed without a question—except one, who insists it was running at twenty-four frames, as could have happened if the control had been depressed.

Now, we decided to see if we could clock the clock. We turned again to photo expert Charles Wyckoff.

Wyckoff. They have a clock over here with a sweep second hand. And if we photograph that clock with each one of these cameras, we're—we will be able to measure the time that it takes to run through the few hundred frames, as we've shown here. And I'll—I'm—I will try this for you right now. What I'll do is to turn a light on and illuminate the clock dial, start the camera, and then start the clock and let it run for about a ten or fifteen second period.

Rather. And you do that with each camera?

Wyckoff. We do that with each camera. And then we take the film out, process it from each record—and we end up with a result very similar to what you see on this chart right here.

This corresponds to the first camera. This is the second, the third, the fourth, and the fifth. We started each frame here—we edited until we got the frame corresponding to zero time on each one of the cameras. Then we counted off the same number of frames on each camera record that corresponded to frames 190 to 318 in the Zapruder record.

Rather. And there was this much difference in the cameras, although they were the same kind of cameras?

Wyckoff. Same kind of cameras. There was this much difference in time. The first camera read 6.90 seconds. The second camera, 7.30 seconds. The third, 6.70. The fourth, 8.35. And the last, 6.16 seconds.

Rather. So, under this theory, the shooter, or shooters, of the shots could have had up to how many seconds to fire?

Wyckoff. They could have had, according to this, up as much as eight and thirty-five hundreds of a second—which is a pretty long time.

Cronkite. In this hour we have been considering the relationship between Oswald and the assassination. To the account given in the Warren Report we have made three additions, each of which rests on evidence at least as persuasive as any provided by the Commission.

Our analysis of the Zapruder film suggests strongly that the first shot was fired at frame 186. The Commission said only that the first shot to hit came between frames 210 and 225.

Something startled Mr. Zapruder earlier. And the evidence is that a rifle shot was what startled him.

We have shown that the Zapruder camera was quite possibly running slower than the Commission thought. The earlier shot and the slow camera together mean that the rifleman may have had additional time to get off three shots.

We have shown by carefully controlled experiments that a Mannlicher-Carcano rifle can be fired more rapidly and accurately than the Commission believed.

Now, these points strengthen the Warren Report's basic finding. They make it more likely that Oswald shot the President. They significantly weaken a central contention of the critics—their contention that Oswald could not have done it because he did not have enough time to fire.

It is now reasonable to assume that the first shot fired through a tree missed its mark, and that it was this shot that Governor Connally heard. The Governor insisted all along that he was not struck by the first shot. It now appears he was correct.

Now we can answer all our secondary questions.

Did Oswald own a rifle? He did.

Did Oswald take a rifle to the Book Depository Building? He did.

Where was Oswald when the shots were fired? In the building, on the sixth floor.

Was Oswald's rifle fired from the building? It was.

How many shots were fired? Three.

How fast could Oswald's rifle be fired? Fast enough.

What was the time span of the shots? Seven or eight seconds.

Did Lee Harvey Oswald shoot President Kennedy? CBS News concludes that he did.

Yet this is only the beginning of our inquiry. We drew the distinction between Oswald as *a* killer, and Oswald as *the* killer.

The Warren Commission, despite the most widely accepted, and often, re-stated capsule version of its findings, did not state that Oswald was the only killer. It did state that it could not find any evidence that others had conspired with him.

Yet it is on precisely this point that most Americans question the Commission's conclusions most strongly. Almost two out of three Americans seem to feel that behind such a monstrous deed there must have been a conspiracy.

Tomorrow night we'll be back at this same time, with Dan Rather and Eddie Barker in Dealey Plaza, when we consider the question: Was there a conspiracy?

Announcer. This has been the first of a series, a CBS News Inquiry: "The Warren Report." The second part will appear tomorrow night at this same time.

This broadcast has been produced under the supervision and control of CBS News.

SUGGESTION FOR AN OVERSEAS "FREEDOM ACADEMY"

Mr. MUNDT. Mr. President, few administrative problems are of greater significance than the proper training of public servants. As government grows in scope and complexity, a responsible and competent civil service is essential if democratic institutions are to survive and the freedom of the individual citizen is to be safeguarded.

Deeply concerned with this problem has been the NATO Parliamentarians Committee on Education, Cultural Affairs, and Information of which I have the privilege to serve as chairman. At the committee's meeting in Paris in November 1966, a study of two proposals was recommended: First, the establishment of an international administrative training center; and, second, the encouragement of the international training of civil servants. The study was made under my direction and submitted to the Committee at its June 5, 1967, meeting in Paris. It concludes that both proposals have merit, and the parliamentarians from 11 NATO countries present were unanimous in their feeling that the proposals should be pursued further. Because of the importance of this subject, I ask unanimous consent that the text of the report be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Proposals for Improving the Training of Public Servants

(A report prepared by Dr. W. O. Farber, Chairman of the Public Administration Department of the University of South Dakota and Consultant to Senator Karl E. Mundt, Chairman, Committee on Education, Cultural Affairs and Information, North Atlantic Assembly, in collaboration with Honorable Jakob Aano, Member, Norwegian Parliament, and Deputy Rapporteur, Committee on Education, Cultural Affairs and Information, North Atlantic Assembly.)

INTRODUCTION

At the November 1966 Paris meeting of the NATO Parliamentarians' Committee on Education, Cultural Affairs and Information, two important recommendations were made respecting the improvement of national public administrative services. The first, reiterating a previous recommendation, called for a staff study of "the feasibility of establishing an educational centre for the training of civil servants, and economic and social administrators of any and all nations." This study was to be made in co-operation with a Committee sub-committee. The Recommendation became a Resolution which was approved at the Plenary Session of the Twelfth Annual NATO Parliamentarians' Conference.

The second Recommendation, approved by the Committee on Education, Cultural Affairs and Information called for the promotion of internships in the parliamentary and administrative branches of government in order to encourage able young men and women to enter the public service and to broaden the outlook and increase the understanding of the participants. Such a plan would, it was thought, attack the problem of the bureaucrat becoming "bureaucratic."

Both recommendations were based on the premise that the calibre and attitudes of civil servants are crucial to the future of democratic government and continued and improved training can assist in attaining more responsible and efficient government.

To implement the two recommendations, Senator Karl E. Mundt, as Chairman of the Committee on Education, Cultural Affairs and Information, took two actions. First, he appointed the sub-committee as directed by the Resolution on the administrative training centre. This Committee consisted of Mr. Heinz Pohler (West Germany), Chairman, Miss C.W.I. Wttewaal van Stoetwegen (Netherlands), and Messrs. Jakob Aano (Norway) and Robert Maxwell (United Kingdom). Second, he arranged with the North Atlantic Assembly Secretariat so that through the good offices of the Secretary General, Mr. O. van Hinloopen Labberton, Mr. Jakob Aano, the Committee's Deputy Rapporteur, could accompany his Committee Assistant, Dr. W. O. Farber, during a portion of the preliminary studies, notably those in Oslo, London and Bonn. As a consequence of these arrangements, data and suggestions have been obtained first-hand in Washington, D.C., The Hague, Brussels and Paris, as well as in the previously named capitals.

Since most of the data presented here have been collected during the past two months, it has not been possible to prepare a finished report and other material, still pending, including submissions by parliamentarians, will be incorporated later. At this point, a progress statement is in order.

GROWTH IN TRAINING COURSES

It appears that everywhere the importance of training is rapidly being appreciated. The United Nations in 1965 established an Institute for Training and Research (UNITAR) to train foreign service officers of newly independent countries and public servants concerned with technical assistance. On April 20, 1967, President Johnson directed the establishment of a new Federal Executive Institute, a training facility. In the United Kingdom, in 1966, over 70 courses were given by the Royal Institute of Public Administration, and over 1,000 national and over 700 local officials were in attendance. In addition, courses were given to high-level officials by the Centre for Administrative Studies and the Treasury and Education Division of H. M. Treasury. In the United States, nearly 22,000 federal employees attended inter-agency training courses, a tenfold increase since 1961. Of these, 2,400 received training in the management sciences. The number receiving training in Germany is in the thousands.

In all probability, this growth in training is a phenomenon common to most NATO governments, although there will be variations in rate and type of increase. The impact of technological change is being appreciated and attempts, perhaps inadequate, are being made to acquaint the public servant with what needs to be done if his tasks are to be performed efficiently.

VALUE AND EXTENT OF INTERNATIONAL TRAINING

This study is concerned with one aspect of public service training—that of middle management administrators, especially those showing great potential, and the desirability of such administrators receiving international training, meaning training in a foreign country where he would have the opportunity to live, study, observe and possibly participate in a foreign governmental or educational situation. How valuable will such training be?

Perhaps the most pertinent experiment on this subject took place from 1952 to 1959. For this period of seven years, the Rockefeller Public Service Awards were given in the United States under a grant by John D. Rockefeller III. The purpose of the awards was to recognize able public servants and members of the Foreign Service by providing a means for their further intellectual development. The awards enabled a recipient to spend from six to nine months in some suitable "educational activity" which would improve his competence and enhance his value to the Federal Government. Great latitude was permitted in the activities undertaken by the recipients; in practice, these ranged from formal university course work to extensive field trips, including travel abroad. The recipients were ordinarily in the 35–50-year bracket and were nominated by their respective governmental agencies. During the seven-year period the programme was in operation approximately seventy persons participated.

To evaluate this programme, a survey of the recipients was made in February 1966. Fifty-three recipients from sixteen agencies responded to the questionnaire, including nine in public administration, twenty in economics, and seven in political science and law. The summary evaluation concludes: "There were a number of people who pointed out the benefits of seeing how jobs similar to their own were carried out in other countries and in private organizations. Several people commented that they returned to their jobs with much greater confidence in dealing with problems and making decisions. A number of respondents also commented on the value of personal contacts made during their travels." (Dr. D. R. Lide, Jr., "Rockefeller Public Service Awards, 1952–1959" in U.S. Civil Service Commission, *Self and Service Enrichment through Federal Training* (1967), p. 332. Other data in this section on the awards are taken from this report.)

The favourable experience of the Rockefeller Public Service Awards provided a strong argument for the passage of the Government Employees Training Act of 1958, the enactment of which rendered the Rockefeller Public Service Awards largely unnecessary. This act provided that an employee's regular compensation, as well as travel to foreign countries and educational expenses, might be paid for a period of up to one year. In addition, under Title IV of the Smith-Mundt Act (U.S. Information and Educational Exchange Act of 1948), the Department of State may provide for the training of foreign personnel by any U.S. agency on a reimbursable basis.

Unfortunately, the mechanisms so admirably and adequately established have not been used as extensively as desired. The data are as follows:

Fiscal year	Number trained	Number overseas	Number of foreign countries
1961	189	12	7
1962	259	19	10
1963	506	23	10
1964	509	25	10
1965	571	25	12
1966	803	34	15

In 1966 appointees were trained in the following NATO countries: England, Scotland, Ireland, Norway, France, Netherlands, Belgium, Italy, and Germany. Canada and Denmark were included in earlier years.

A brief analysis of existing records indicates that a heavy predominance of those going outside the United States were in the science areas and very few in administration, economics, social services, and related activities. State Department officials (Mr. Francis J. Colligan, Chief, Policy Review and Coordination Staff, Bureau of Educational and Cultural Affairs, and Mr. Joe B. Cox, Chief, Western European Programs, Bureau of Educational and Cultural Affairs), as well as Mr. N. J. Oganovic, Director, U.S. Civil Service Commission, and Mr. William T. McDonald, Director of Training Operation, U.S. Civil Service Commission, were most favourable to the expansion of overseas training in the areas under consideration here. All felt the American public servant as well as the public service would benefit from an increase in international training on a controlled basis.

Training directors in two other countries were similarly favourable to international training, including Ministerialrat Seigfried Kretschmann (Germany) and Director Magnus Bratten (Norway). Mr. C. M. Regan, Centre for Administrative Studies (United Kingdom), while not adverse, stressed the difficulties in releasing key personnel when budgets were tight and the problem of scheduling to the optimum advantage.

The extent to which training courses are available has not been generally realized. Two important publications should be noted: (1) *Inventory of Training Possibilities in Europe*, an 898-page publication prepared by the Organization for Economic Co-operation and Development (1964), and (2) U.S. Civil Service Commission, *Interagency Training Programs, 1966–1967* (1967), a descriptive catalogue of Federal interagency training. The former publication points out that in 1963 over 110,000 persons from developing countries were receiving education and training in European member countries of the OECD.

It should be stressed that the great bulk of existing training is now given for pre-entry or immediate post-entry public employees. The experiences of two countries may be cited here.

Norway, with approximately 100,000 civil servants, provides in its Ministry of Wages and Prices a management-type course of from two to three weeks for three classes of up to thirty students each. These are for civil servants at the middle management level. The same Ministry has available for the same group of civil servants approximately £7,500 for internship scholarships to send civil servants to other Scandinavian countries. In addition, each of the other Ministries have their own scholarship funds totalling about £134,000. These can provide time in Europe or the United States, studying, observing, or working in a particular field. Some have gone to the EEC Internship Court, some to the stagière programme of the Council of Europe, and some to the International Institute of Administrative Sciences.

The German Government has a very extensive system of in-service training. These programmes are primarily for those who have newly entered the public service. Ministerialrat Kretschmann, who is in charge of most of the domestic training, and Ministerialdirigeant Wolffs, who is connected with "foreign training", felt that a great need existed for further training of the middle management group.

It seems clear from the evidence presented that the reasoning and logic behind the Committee's proposal for (1) an internship programme, and (2) a training centre are sufficiently valid to warrant continued exploration by the Committee.

GOVERNMENT EMPLOYEES INTERNATIONAL TRAINING PROGRAMME (INTERNSHIP PROPOSAL)

Training needs differ from country to country. They depend on the historical development of the public service, tradition, legal framework in which it operates, the character of impinging political forces, and the pre-entry preparation of the civil servants—to name only a few of the considerations.

Nevertheless, there seems to be agreement that (1) civil servants who have been on the job from seven to fifteen years need "think time", an opportunity for further training and study, following the practice of sabbaticals found in the American University system, and (2) administrators are becoming increasingly influential in the policy-making process, and they need to acquire a broader perspective, especially since continuous attention to day-by-day matters is apt to have a narrowing effect. The opportunity to live, study, observe, and possibly participate in a foreign governmental situation is one of the best available avenues to combat bureaucratic ruts.

The Parliamentarians' Resolution calls for "internships". This survey would seem to indicate that while internships might be possible with many agencies of the United States Government, there are difficulties in the assignment to European agencies. This arises in part out of the lack of familiarity with the concept. Outside of the use of the stagière system found in the EEC and Council of Europe for entering civil servants and a limited use of interns among the Scandinavian countries, the system is relatively unused. Indeed, the word "internship" is probably poorly chosen, since in the field of medicine, where it is most widely used, it applies to early training, and the intention here is to apply the system at a much higher level.

Internships, or exchanges of personnel at the middle management level, encounter additional problems: (1) the sensitive character of some positions—politically and security-wise; thus "Defence" and "Foreign Affairs" are ordinarily unsuited for exchange of personnel; (2) the lack of standardization of positions from one country to another; (3) the short duration of assignment; and (4) in many cases the desirability of rotation in preference to a single six months' assignment to the same post.

Initially at least, to provide greater flexibility, it seems the internship proposal might better be called the "Government Employees' Training Programme," "Public Servants' International Training Programme," or some similar title. Such titles would appropriately include the internship objective.

It is further suggested that these principles and recommendations be considered:

(1) The Parliamentarians of each country shall encourage the granting of paid leaves of from four to twelve months for middle management government employees showing exceptional promise.

(2) Leaves shall be granted on the basis of specific work and study plans, submitted to appropriate department heads and training officers, and international work and study shall be given equal consideration with other plans. All expenses connected with leaves involving foreign training and study shall be paid by the "sending country."

(3) The Secretariat of the North Atlantic Assembly, in cooperation with existing international agencies, shall inform training officers in North Atlantic Assembly member states of training courses available in the respective member states, as well as university training courses in public administration and problems of the public services, and appropriate international conferences and seminars, as a means of encouraging international training. The Secretariat shall also make information available on possible internship assignments based on data supplied by national training officers.

(4) The Secretariat of the North Atlantic Assembly, with the assistance of the Committee on Education, Cultural Affairs and Information shall seek funds so that, on the recommendation of the training officer of a member state (or other suitable official) potentially distinguished public administrators may be designated North Atlantic Assembly Fellows, and given $500 to supplement their national stipend for international training.

(5) The desirability and feasibility of instigating an internship programme in NATO Headquarters itself should be explored.

(6) Publicity shall be given to any decisions made by the North Atlantic Assembly's Committee on Education, Cultural Affairs and Information in these matters by communicating them to (a) national training officers, (b) government employees' unions, and (c) learned societies and universities.

INTERNATIONAL ADMINISTRATIVE TRAINING CENTRE

There is general, although not unanimous, endorsement of the idea of the proposed International Administrative Training Centre. The purpose of such a Centre would be to have available courses for middle management administrators designed to bring administrators up to date on the most recent developments with respect to (a) political, social, economic and technological changes affecting government and administration; (b) the relation of policy to administration and vice versa; and (c) new approaches and techniques in such functions as budgeting and finance, personnel, organization and management, planning, economic growth, public relations, and intergovernmental problems.

The Centre, to be successful, must be truly international and the curricular approach would be comparative. At present, no international school in administration exists. The following are noteworthy *national* schools:

Royal Institute of Public Administration and Administrative Training Centre (United Kingdom);

Federal Executive Institute (USA);

Hochschule für Verwaltungswissenschaft (Germany);

Institute for Social Studies (Netherlands);

Ecole Nationale d'Administration (France).

The facilities of these schools are impressive and the courses they offer should be included in many of the training programmes of civil servants on leave under the previously outlined Government Employees' International Training Programme. There are probably other schools, similar in character, which should be added to the above list.

The important characteristics in the new Centre and programme are: (1) it should be international in its operation, faculty and staff, students, library, research, and financing; (2) the courses offered should be on a high level, combining the theoretical and the practical; and (3) it should be conveniently located with ready access to other libraries and scholars.

The question presents itself: should a new school be established, or should the programme be added to an existing facility?

Among the existing institutions, two appear to meet the test of international character: (a) International Institute of Administrative Sciences (Brussels), and (b) College of Europe (Bruges). Both of these institutions are close to the new NATO Headquarters. Both are centrally located. Both have adequate library facilities. At present neither operates an instructional programme of the desired type.

The International Institute of Administrative Sciences was originally established in 1910. As reorganized in 1930, its purpose is "to promote the development of the administrative sciences, the better operation of public administrative agencies, the improvement of administrative methods and techniques, and the progress of international administration." Among the forty-five nations which contribute to it are Belgium, Denmark, Greece, Italy, Luxembourg, Netherlands, Norway, Portugal, and Turkey. National sections are to be found in the United Kingdom and the United States. It should be noted that many non-NATO governments belong. An annual congress is held every three years. A very important publication, *International Review of Administrative Sciences,* is issued quarterly. Much research is done by a staff of over twenty persons. It is housed at rue de la Charite 25, Brussels 4, Belgium. If it were to be given the responsibility for training, this Organization, headed now by Mr. Herbert Emmerich (USA), President, would have to be persuaded to expand its mission.

A more promising possibility is the College of Europe in Bruges, Belgium, which is a teaching as well as a research institution. Founded in 1949, the College is devoted to the study of European integration problems. The head of its international board is Mr. Jean Rey, member of the Commission of the European Economic Community. As a postgraduate universtiy, it has educated annually approximately fifty students, all under thirty years of age; no more than eight come from any one country in a single year.

If the College of Europe were asked to provide the needed training, it must establish new courses and permit older participants to be in attendance. This could most easily be done from June 15 to September 15 when its existing facilities are not used extensively. Living quarters would be available during this time. Perhaps the new programme might be initiated during the summer period on an experimental five-year basis. This has attractive possibilities.

The final alternative is the establishment of an entirely new institution. There are many obvious problems to such a proposal. Finance would be first, but administrative and physical arrangements might prove equally difficult. The most plausible solution would seem to be to have the institution connected with NATO itself. To lay plans for such an undertaking was beyond the scope of this report.

In the light of the foregoing, *it is recommended* that this study of a proposed administrative training centre be continued by soliciting comments from (1) Parliamentarians, (2) government training officials, (3) existing universities and colleges with public administration programmes, and (4) all organizations and persons interested in promoting training and public administration in the Atlantic community. On the basis of these comments, a decision can be made at the annual meeting of the North Atlantic Assembly in November, 1967, as to what further actions should be taken.

GENE H. FAVELL, INTERNATIONAL TRUSTEE OF KIWANIS

Mr. HATFIELD. Mr. President, as an honorary Kiwanian, it is always a pleasure for me to see a man, through his energy and devotion to the ideals of that organization, obtain a position of importance in its operations.

It has recently been my pleasure to note that a dear friend of mine has been elevated to the office of International Trustee of Kiwanis. He is Mr. Gene H. Favell, the owner of a clothing store in Klamath Falls, Oreg. Gene has been active in many community projects and organizations. He has been particularly active in Kiwanis and is deserving of recognition for his achievements.

I ask unanimous consent to have printed in the Record the background of experience this man brings to his community and to the Kiwanis organization.

There being no objection, the statement was ordered to be printed in the Record, as follows:

International Trustee, Gene H. Favell, Klamath Falls, Oreg.

Two-year term starts August 1, 1967.

QUALIFICATIONS IN KIWANIS EXPERIENCE

Positions in club

Present: Chairman, Committee on Kiwanis Education and Attendance.

Past: President, Past President, Kiwanis Foundation of Klamath Falls. Co-organizer of Youth Awards Banquet.

Positions in district

Present: Immediate Past Governor. Chairman, Committee on Past District Governors.

Past: Lieutenant Governor, Governor, Chairman of several committees. As 1966 Governor, Host for 1966 International Convention. Co-organizer, three Kiwanis Clubs, one Circle K, one Key Club. Chairman, Circle K District Convention.

Positions in Kiwanis International

Present: Chairman, International Committee on Resolutions. Member, Special International Committee on Organization Study.

Past: Member, International Committees on Boys and Girls Work; Membership Development. Member, Executive Committee for 1966 International Convention. Member, 1963 European Mission. Chairman, 1966 District Governors.

How long a Kiwanian? 13 years.

Of what Kiwanis Club first a member? Klamath Falls, Oregon.

QUALIFICATIONS IN GENERAL

Business or Profession: Owner-Operator Gene's Menstore.

Age: 41.

Education: B.A., Stanford University, Graduate work in Business Administration at University of Oregon.

Personality, Ability, etc.: Friendly, dignified, congenial, intelligent, and practical. Is a fine speaker with a message on integrity, Christian living, devotion to ideals. Is thoroughly dedicated to his family and to his community.

Positions in or service to

City: Park Board Member. Young Man of the Year, 1960.

State: County Chairman for U.S. Savings Bonds, three years.

Trade or Professional Organizations: JC Distinguished Service Award Winner.

Civic, Philanthropic and other organizations: Co-organizer and Past President, Klamath Falls Little League; Past President, Knife and Fork Club; Co-chairman, Intercommunity Hospital Fund Drive, Memorial Gifts Division. Masonic Orders: Blue Lodge, Scottish Rite, Shrine. B.P.O.E.

In what specific ways and for what specific reasons could he add strength to and be of service on the International Board of Trustees: His executive abilities, his love of Kiwanis and what Kiwanis stands for, his willingness to devote his time, energy, and abilities in unlimited quantity, make him an ideal candidate for International office. He has a contribution to make toward the growth and enlargement of Kiwanis at home and abroad. When president of his club, it won District and International Achievement Award for Gold Section.

General facts

Gene is an Episcopalian. Served two and a half years in the United States Navy. An Eagle and Silver Palm Scout. Gene and Winifred have six children aged 7 to 16 who attend all Kiwanis Conventions. His hobby is Indian Artifacts. Since 1962 he has given over 300 talks on the American Way of Life, the Free Enterprise System and Kiwanis.

PROGRESS OF PROJECT DISCOVERY

Mr. PELL. Mr. President, I wish to report to the Senate on the progress of Project Discovery, initiated 9 months ago under the sponsorship of the National Endowment for the Arts. The program seeks to integrate the classroom and the theater. This is accomplished by providing funds to public and parochial schools in Rhode Island and to the Trinity Square Players of Providence, so that the students may attend professional repertory theater. To insure that live theater attendance is not a one-shot enrichment experience, efforts are made to fit the plays performed into the regular English curriculum of the schools. Mr. Adrian Hall, director of the Trinity Square Players, and Dr. Charles A. O'Connor and Ralph W. Wilkins, of the Providence School Department, are the heads of the program, and are to be congratulated for the success of the program.

The project is funded through the National Endowment for the Arts and titles III and IV of the Elementary and

Secondary School Act of 1965. Of the $750,000 provided, $510,000 goes to the Trinity Square Players for assistance in staging the plays. This has permitted the company to make the necessary enlargements to their staff and to increase its "professional quality." The remainder of the funds have gone to the schools for various administrative costs, including teaching aids for English departments.

To quote a line from the Providence Evening Bulletin which has recently published a series of feature articles on "Project Discovery," young theatergoers experience "the excitement of discovery." Student response is enthusiastic, and is often expressed in letters to the the actors and to officials here in Washington.

The involved school faculty members and principals have warmly received and cooperated with Project Discovery. Richard Cummings, the staff student liaison, has worked imaginatively and successfully in providing background for English teachers on the upcoming performances. He and members of the company deliver lectures and short portions of the play in all Rhode Island high schools. In this area, a portion of the project's funds have been allotted to the Central Midwest Research Educational Laboratory to develop more effective means of coordinating the classroom and the theater.

Mr. Hall, director of the Trinity Square Players, believes that the program has made it possible for his company to make "enormous strides, artistically." He sees the project, and the position of the Trinity Square Players in it as a missionary endeavor to bring theater arts to the American people. He looks forward to the day when parents will support the program as enthusiastically as all the participants. Interestingly, he has seen the private subscriptions to his company nearly double since the beginning of Project Discovery.

Mr. President, this project, funded and coordinated by the National Endowment for the Arts is a fine demonstration of the success which can be achieved through cooperation on all levels of government and private public-spirited groups. The benefit to the State is threefold: First, schoolchildren have gained an insight through a new experience; second, the school curriculum has been strengthened, and, third, the repertory theater has been able to improve its professional excellence. Such results are a testament to the wisdom of the Congress when it enacted the National Foundation on the Arts and Humanities Act of 1965.

I ask unanimous consent to have printed in the Record a series of articles about Project Discovery which were recently published in the Providence Journal.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Project Discovery Wins Encores—Students and Educators Applaud

(By James T. Kaull)

(First of a series)

An unprecedented experiment in merging the high school classroom with the live professional theater is ending its first season in Rhode Island to cries of "More!"

The applause for "Project Discovery" comes from educators, the teenage daytime patrons of the Trinity Square Repertory Company and those who are footing the bill, mainly the federal government.

"It's a masterpiece; whoever thought this up really had some vision," says the Rev. Edward W. K. Mullen, assistant superintendent of schools in the Catholic Diocese of Providence.

Criticisms are few, centering mostly on scheduling and logistics foulups, which are expected to be improved next year.

Plans are well under way for the second season of subsidized plays, assuming that funding will continue, as promised, for a total of three years.

The only possible point of major collision seen is that the local educators and the acting company may some day differ on what plays to pick, a prerogative which Trinity Squares wishes to reserve, ultimately, to itself.

The nation has never seen anything like this "educational laboratory theater project," except in New Orleans where an almost-identical program also started last fall. Next year, Los Angeles will have one.

Everything about Project Discovery is enormous, including its total bill of $750,000 for one year, entirely paid from "outside" sources and costing local school systems not a penny.

The concept was overwhelming, too. Students would not just be bussed to the theater for a day's candy-bar "enriching experience," but would find the theater made a part of their year-long English curriculum.

In round figures, by the time the season ends in mid-June, 40,000 students from all 74 public, parochial and private secondary schools in Rhode Island will have seen four plays presented by Trinity Square in the 1,000-seat Rhode Island School of Design Auditorium.

That adds up to 16 performances for 160,000 patrons.

The menu has included four classics: Shaw's "Saint Joan," O'Neill's "Ah, Wilderness!" Shakespeare's "A Midsummer Night's Dream," and Chekhov's "The Three Sisters."

Bus transportation alone cost $82,000. Requests came in for 18,592 paperback books for school use. There have been 200 distributions of films, tapes and records, and 98 visits to schools by Trinity Square personnel.

The potential problems were staggering. No one really knew what would happen. Would the uncompromising, adult presentation of four classics be hooted down by a TV-nurtured generation? Would the schools pitch in as they were supposed to with curriculum "involvement"?

Would the suddenly-expanded theater company stand up under the pressure? Finally, would the community understand what the project was all about?

Those in charge had nervous moments before the first curtain rose on "Saint Joan" last October.

Adrian Hall, the lanky Texan who is artistic director of Trinity Square and whose fame has become nationwide in his three years here, says of that first day:

"It really scared hell out of me. There was that rumbling undercurrent, like the terror that exists in a Pinter play; you can't get your hands on it, but it's there.

"People had been saying, 'Why do something as difficult as "Saint Joan"?' As I sat there, I thought: if we fail, we'll go down totally."

"After the first day, after that enormously exciting reaction, I felt if we kept our wits about us and, day to day, turned out as good a performance as you could find anywhere in the world, we had a chance ultimately to start the great wheel of understanding in the arts to turn. It seemed terribly important to continue."

Dr. Ralph W. Wilkins of the Providence school department, who has been acting director of the project as an educational venture, says:

"Frankly, for a time, I wondered if we could get it off the ground. I wasn't worried about Trinity Square, but about our end of it, the scheduling and the buses."

No one pretends the season has gone perfectly. There were a few behavior problems during the first play with unruly youngsters tossing pennies and paper-clips at the stage. They were sat on—hard—and the conduct has since improved.

The story is told—and it is too good not to be true—of one all-boy school where adolescent sophomores behaved very badly at the first play.

The irate principal called the whole school together afterwards and said, "All right, that tears it! Now nobody's going to the theater any more."

Some upperclassmen got the errant sophomores in a quiet corner, beat the daylights out of them and later assured the principal that he could expect a model audience. The school is now one of Trinity Square's favorite groups of fans.

The worst problem came in scheduling afternoon performances. For most schools, this meant disruption and inconvenience, since many of the older pupils have after-school jobs. In the case of a community like Westerly, it meant pupils were not delivered to their homes until early evening.

Next season, almost all the performances will be given in the morning, as about half of them were this year.

With a season that began "by guess and by gosh," in one official's words, and with financing that was not assured until late last summer, some of the schools managed to reshape their English curriculum and prepare pupils for their live theater, while others did a half-hearted job.

Bernard G. Masterson, who was named at midyear as the fulltime educational coordinator of the project by the Providence School Committee (by agreement with the other cities and towns, Providence provides the overall administration), estimates that 75 per cent of the high schools are properly involved.

YOUNGSTERS ARE ENTHUSIASTIC—OFFICIALS TAKE CAUTIOUS VIEW

With cries of "Success!" echoing around them, the two officials who are perhaps most intimately involved in Project Discovery have cautious reservations.

Supt. Charles A. O'Connor Jr. of Providence, who worked closely with the late Rep. John E. Fogarty in securing the project for the Rhode Island school systems, is convinced it is a great asset to teacher and pupils, but says:

"I don't think we will really have arrived until it is completely a part of the curriculum until all the schools are teaching it in the classrooms."

And Mr. Hall, the impresario of Trinity Square, says:

"You wouldn't send a child to the first grade and then say, 'Bobby's education is very successful; he got through the first year.'

"We have had no major disaster and we have had little spurts of success. All we can say is that, with all our problems, we have actually begun."

Trinity Square had its upheavals. A co-director, John A. McQuiggan, resigned. There was a drastic cutback in the administrative staff which, like the acting company, had been greatly expanded. But the company is enthusiastic to the point of raving about the student audiences and has seen a steady growth in its adult subscription list.

No reservations are expressed by the West Warwick schoolgirl who sobbed throughout Joan of Arc's trial scene and then wrote to thank the actress, Mary Doyle, for making the play "not only a cultural experience but an enjoyable one."

Nor by the North Providence lad who wrote the Secretary of Health, Education and Welfare in Washington to praise the project.

Nor by the parochial school principal who periodically telephones Richard Cumming, director of educational services for Trinity Square, and says, "Oh, Mr. Cumming, I'm praying for you. You're doing God's work!"

(He says she has an uncanny sense of theatrical timing, since her call invariably comes just when he is considering fashioning himself a noose.)

And Junius Eddy, a Washington staff member of the U.S. Office of Education, which is footing much of the bill, says, "I don't know where, in any other field of arts and education, I've found a response like this. I've seen it in New Orleans, too—an excitement, a positive sort of reaction."

Invariably, he says, when anyone wonders about the future of such a project, no matter how it is eventually financed, the response is "The kids aren't going to let it go."

GOVERNMENT PROVIDES MOST OF MONEY

Project Discovery gets its $750,000 from two federal sources in which the Rhode Island congressional delegation has had close connections and from the local non-profit foundation which operates the Trinity Square Repertory Company.

The complicated breakdown is this:

Under the Elementary and Secondary Education Act of 1965, the U.S. Office of Education this past year allocated $300,000 in "Title III" money, which the act provides for supplemental "innovative and exemplary programs."

The office also set aside about $245,000 in money from the act's Title IV, which is for "cooperative research."

From the National Endowment for the Arts, a new federal agency, came $165,000.

The Foundation for Repertory Theater of Rhode Island, which runs Trinity Square, pledged up to $40,000. This was to be raised in the recent Federated Arts Fund Drive here for seven member agencies, but the drive fell about 25 percent short.

All these total $750,000. Where does the money go?

Of the $300,000 in Title III funds, about $170,000 goes directly to Trinity Square. The balance of $130,000 is for educational and administrative needs: for instance, $82,000 for school bus hire, $24,000 for the educational "aids" provided, and the rest for office supervision, telephones, etc.

Of the $245,000 in Title IV money from the Office of Education, $75,000 goes to the Central Midwestern Regional Educational Laboratory, Inc., of St. Ann, Mo., which is doing extensive research into the results, successes and problems of Project Discovery.

The balance of $170,000 in Title IV money goes, once more, to Trinity Square. That makes a total of some $340,000 for the theater company from Titles III and IV.

This last sum is for the ongoing, day-to-day presentation of plays to students. The formula is relatively simple: for each of its 160 performances. Trinity Square gets 160th of $340,000, or about $21,125.

But the $165,000 from the National Endowment for the Arts all went to Trinity, too. This is, in general, for all expenses up to the time the curtain rises on each of the plays: costumes, scenery, lighting, rehearsals and other production costs.

The $40,000 from the company's parent foundation, which is headed by attorney Milton Stanzler of Providence, was for rental of the RISD auditorium ($18,000), necessary renovations to its interior, and promotion.

Dr. Ralph W. Wilkins of the Providence School Department, whose normal job is research assistant to Supt. Charles A. O'Connor Jr. but who has been acting project director, says the Title III and IV checks go to a special account in the city treasury.

One minor difficulty was convincing Washington, which keeps an eye on the expenditures, that Trinity Square should be paid for scheduled performances which were snowed out, as a few were.

Dr. Wilkins said it was part of the contract that if the acting company was ready to go on stage but weather or other natural causes prevented the schools from coming, the players were entitled to be paid.

The massive grants from the Office of Education which had the final responsibility for picking Providence and New Orleans as beneficiaries, were announced for Rhode Island by the late Rep. John E. Fogarty last summer.

"This came to Providence for one reason and he's it," Mr. O'Connor said of the late congressman. "John went so far out on the limb for this; he wanted it to be successful."

The announcement of a grant from the National Endowment for the Arts came from Sen. Claiborne Pell. This agency is under the National Foundation on the Arts and Humanities created in 1965 through legislation sponsored by Senator Pell. (The former president of Brown University, Dr. Barnaby C. Keeney, is chairman of the parallel National Endowment for the Humanities.)

Heading the advisory council for the arts endowment is Roger L. Stevens, prominent real estate investor, and theatrical producer, who has been a close observer of the Rhode Island New Orleans projects.

Junius Eddy, a staff member in the arts and humanities program of the U.S. Office of Education, said the concept of Project Discovery was born in the summer of 1965 in conversations among Mr. Stevens, Francis Keppel, who was then federal commissioner of education; Miss Kathryn Bloom, director of arts and humanities, and others in the education office.

Rhode Island, according to Mr. Eddy, soon became a front-runner for two reasons: it had the Trinity Square company in residence and its school superintendents were willing to face realistically the problems of operating the huge, never-tried project.

Project Discovery: New Worlds Opening

(By James T. Kaull)

(Second of a series)

A gray spring morning at 9:30 outside the Rhode Island School of Design Auditorium.

Twenty-plus school buses have just unloaded 899 pupils from West Senior High School in Pawtucket and 46 from Central Falls Trade School. Inside, in costume and greasepaint, the professional actors of the Trinity Square Repertory Company are ready to perform Anton Chekhov's "The Three Sisters."

Chekhov at 9:30 in the morning? For school kids?

The play, fourth in this first season of "Project Discovery," has already been seen by several schools and some of the doubts have vanished.

"I knew, on the first day of 'Three Sisters,' that we were in deep water," Adrian Hall, artistic director of the company, is saying to a reporter.

"Here it is, one of the great masterpieces of the spoken word, but these are things that kids don't consider easily," he said. "I sat there with my heart pounding."

Mr. Hall chose to do it for a number of reasons, one of them being that it happens to fit the capabilities of Trinity Square at this time. "Three Sisters" is often read, but less frequently performed; for one thing, it demands four first-calibre actresses in lead roles.

The house lights dim, the restless youngsters begin shushing each other and silence prevails as the curtain rises on the brilliantly-illuminated drawing-room of the Prozorov family in a provincial town outside Moscow. (Another student audience a few days later applauded the set, just like Broadway theatergoers.)

After some dialogue, a servant appears. He does little, has no lines and soon exits. But the Pawtucket-Central Falls pupils greet him with loud laughter and applause. What on earth for?

They had recognized him as Marius Mazmanian, who was the comic steward in "Saint Joan" and the even funnier Starveling in "A Midsummer Night's Dream."

The 66-year-old play, a breakthrough in dramatic history unfolds. It is heady, intellectual, wordy, full of psychological depths. What is time? Where is happiness? How do we communicate?

The adult viewer tries to imagine what the shattering impact must have been like in the play's premiere at the Moscow Art Theater in 1901, with the famous producer-actor Konstantin Stanislavsky in the role of Colonel Vershinin.

The "kids" are silent, except for some brief appreciative laughter and, after a while, some deprecatory mutterings as the villainess, Natasha, weaves her web.

Some are obviously bored stiff and slump in their seats. But they are nevertheless quiet and aware that some strange slice of life is unravelling onstage. At intermission, the applause comes like a pistol-shot, instantaneous, overwhelming.

The boys, in coats and ties, and the girls in Sunday-best dresses (this has become a Pawtucket West High rule for the Project Discovery playgoing) stand in the lobby at intermission. Many of the boys are smoking. All seem relaxed, talk easily with their teachers. It is like a lobby scene in any Manhattan theater.

"What this project has taught us is how to behave, how to view a play," Wallace M. Whitelaw, an English teacher and West High drama coach, was saying the next day in class. His pupils agreed. He asked what they thought of "The Three Sisters."

"I thought the acting was good, but the script was terrible," one boy said. "If there was a plot, it would have been better."

A girl responded. "I thought there was a plot—the three sisters were trying to get to Moscow and their goal was never reached," she said.

The questions and answers come fast. What is Moscow? "Happiness." Do we all have a Moscow? "Yes." What is Chekhov telling us? "You have happiness, but you're still looking for it."

Afterwards, Mr. Whitelaw agreed a play like this has to be done with near-perfection or it would have been a shambles. "I think the highlight of this project is not in the selection of plays, but in their performance," he said. "The quality never changed; I'm impressed that we have such a company in Providence."

But Mr. Whitelaw feels Trinity Square could benefit students as well by coming to the schools to perform, rather than having students bused to the auditorium. (Mr. Hall is in complete disagreement.)

Thomas Hunt, chairman of the English department, said there is no mandatory lesson plan for Project Discovery and that each English teacher gives what preparation he desires. Mr. Hunt made use of the distributed educational materials and spent three periods on "Saint Joan," one on "Ah, Wilderness!" two on "A Midsummer Night's Dream" and one on "The Three Sisters."

William J. McDole, vice-principal, said, "Looking at the whole project, it's been very good. Now that we've worked out the bugs, I have no complaints, I'm very definitely in favor of it."

As was the case in numerous schools, the first experience in mass playgoing, to "Saint Joan," resulted in mass confusion for Pawtucket West. Getting enough buses at the right time was a dilemma; Mr. McDole thinks the project directors should arrange all the bus-scheduling for all the schools, hiring the buses for an entire season.

On the first trip to the theater, West High pupils piled on buses, piled off, took seats any place and, in a few cases, undertook to make nuisances of themselves. All that was immediately altered. Written rules of procedure were drawn; pupils boarded in orderly fashion by home rooms, were under complete supervision at all times, and have behaved like ladies and gentlemen for the second, third and fourth plays.

The same transition is reported in many other schools. From the outset, according to several non-partisan observers, one of the best-behaved, best-reacting student groups has been from Central High in Providence, a school that theoretically is supposed to exhibit "inner-city" or "core-city" problems.

"I had trouble with another high school and told them they ought to be here next week and see how Central behaves," said John J. McCarthy of the Providence school department, who is the official "greeter" and host at the theater for every performance.

Mr. McCarthy, whose normal job is director of school plant inspection in Providence, works at home nights lettering cardboard signs to show pupils where to sit the next day. He has high praise for Providence police, who are given each week's schedule in advance and are prepared for the halting and unloading of buses.

"Everything had to be worked out," Mr. McCarthy said. "We learned how to make improvements."

He has become one of Project Discovery's enthusiasts. But he wondered how parochial school nuns, for instance, would react to the barroom scene in "Ah Wilderness!" (which caused the Woonsocket school department to defect from that performance). The school aide said the nuns told him:

"It's life, Mr. McCarthy, it's life. We want them to see it."

"PROJECT" IS PILOT IDEA FOR NATION

Why should the federal government spend nearly three-quarters of a million dollars in taxpayers' money just to send Rhode Island kids to see a bunch of actors and actresses put on a free show?

To that question, asked by an interviewer as if it were framed by an imaginary congressman, a government official has these answers:

—Congress has decreed, once and for all, as a matter of national policy, that there shall be public support in America for cultural arts.

—Rhode Island's Project Discovery (together with the parallel one in New Orleans) is not a bonus dispensation to this state but a pilot experiment to tell the rest of the nation how and whether live theater can be integrated into regular school courses.

The spokesman is Junius Eddy, a Washington staff member in the arts and humanities program of the U.S. Office of Education. His particular concern is the "Title IV" research money going into Project Discovery, but he also coordinates the expenditure of Title III money, which is for school "supplemental," pace-setting programs.

Besides $545,000 in educational money from Washington, the project this year has had $165,000 in federal aid from the National Endowment for the Arts.

"This particular era in government has really made a national need out of the arts," Mr. Eddy said during a recent visit to Providence. "Or let me put it another way: the support of the arts is now a naturally felt want."

Since Russia launched its first Sputnik satellite and the space race began, schools in America have had an explosion of interest in science, but the arts have received short shrift, Mr. Eddy said. The Office of Education is trying to "redress" this shortcoming, he said.

"We want to find ways to avoid graduating esthetic illiterates," Mr. Eddy said. "In a democratic society, not just the affluent should have access to the good things of life. Somewhere, developing a student's taste and discrimination has got to be part of the schools' responsibility."

Under Title III of the Elementary and Secondary Education Act of 1965, numerous theater companies have provided free performances for school children, he said.

The difference in Project Discovery is that the artistic season of Providence's Trinity Square Repertory Company has been merged with the English curriculum in 74 secondary schools in an experiment that is being researched in every aspect.

An independent organization, the Central Midwestern Regional Education Laboratory, Inc. (CEMREL) of St. Ann, Mo., has been given $75,000 of Rhode Island's federal money and a similar portion of the New Orleans grant.

All English and drama teachers, many of the student theatergoers, superintendents and principals will be questioned. The teacher survey here has already started.

"Our interest is in finding out if Rhode Island and New Orleans are typical of high school involvement in literature and the theater," Mr. Eddy said. "If so, then perhaps we can begin to generalize.

"Teachers don't always have the expertise to teach the live theater," he went on. "Some of them are new at it."

Research should show what training of teachers is indicated, what new educational materials may have to be designed, and whether preparation for a dramatic experience may involve some "restructuring" of the curriculum in grades lower than high school, Mr. Eddy said.

The brand-new project has meant some difficulties in communication, even in being sure that all the concerned units within the Office of Education understood what is going on, he said. In Rhode Island, there is the problem of having English teachers and the public in 39 cities and towns realize the aims of Project Discovery.

The project is supposed to last three years, if the funding is continued. A full report from the researchers will then be rendered, although an interim report will come after the first year.

"I'm confident that what will come out of this will be worth the expense," Mr. Eddy said. "Other schools and other theater companies will want this same kind of relationship."

After three years is up, he said, the schools and the community must decide whether they want the program to continue and "how important this is to a child's education."

THE EXCITEMENT OF "DISCOVERY"

(By James T. Kaull)

(Third of a series)

Richard Cumming is a conservatory-trained professional composer and pianist who was relaxing in Switzerland last summer when he got a telephone call to come be the director of educational services for something called Project Discovery in Rhode Island.

An irrepressible enthusiast with an emotional response to the arts (borrowing a line from Moss Hart, he admits he even cries at card tricks). Mr. Cumming says of the high school students' reactions to the first year of this laboratory theater experiment:

"How can you resist this sort of excitement?"

He was tapped for an unfamiliar job in an unfamiliar state because he had worked with Adrian Hall, artistic director of the Trinity Square Repertory Company, in a Milwaukee theater. There he cooperated with teachers in orienting pupils to what they would see.

In the first six weeks of the Project Discovery season last fall, Mr. Cumming or his assistant, Mary Wrubell, or both, visited every secondary school in Rhode Island, doing what he calls "my tap dance."

He endeavored to help teachers and pupils understand what the new program was all about. For each of the four plays, an individual study portfolio was sent to the 586 English and drama teachers in 74 schools, and to all school and public libraries. They contained copies of the plays, brochures that Mr. Cumming put together and lists of available reference books, records and films.

He went out on a limb later and used some of his $24,000 budget for school visits by performers and for two special features: tours by Joanna Featherstone and Henry Butler.

Miss Featherstone, a member of the acting company, worked up a program of readings and songs from American Negro traditions. Mr. Butler, an actor, director and writer from outside the company, prepared lectures on Eugene O'Neil and Anton Chekhov, two of the four dramatists presented this year.

Between them, the two visitors have made nearly 100 appearances. An avalanche of letters and such things as a standing ovation for Miss Featherstone at Woonsocket High School are indications that the venture has succeeded.

OFFICIALS DEMURRED

There have been more than 40 interchanges between the Trinity Square professional staff and the schools, either visits to classrooms and assembly halls, or backstage tours and discussions.

Many students now greet the actors on the street, send them boxes of fudge or have started fan clubs for their favorites. A girl wrote to actor Stefan Gierasch after seeing "Saint Joan":

"All the way home in the bus, we could only talk about how really down to earth you all were and what cool people you seemed to be, besides actors."

Peter Gerety, who played the adolescent Richard Miller in "Ah, Wilderness!" and who is a graduate of Mt. St. Charles Academy, went out to Woonsocket High School and did Richard's monologue from the play—to wild approval.

It was Woonsocket that abstained from sending its public high school students to the O'Neill play after officials demurred at some of the dialogue. As far as Mr. Cumming is concerned, Trinity Square and Woonsocket are the best of friends. He said he sympathizes with public school administrators who are subject to public opinion.

FEVERISH RESPONSE

"If any superintendent or principal feels a play is morally, intellectually or, God knows what, physically dangerous to his pupils, it's not only his right but his duty to keep the kids away," Mr. Cumming said.

Participation by school departments is voluntary; there is no law saying everybody must come or that every pupil must enjoy the offered performance, he said.

"What enchants me is that so many of these kids came in with one large chip on their shoulder," Mr. Cumming said. "And then to hear the reactions, the laughter! Oh my! They get right with it!"

Mr. Cumming noted with other adult observers the strange excitement, the feverish, restless response that the students evinced in seeing the first play, "Saint Joan."

AFTER-SCHOOL JOBS

He was backstage when Joan, played by Mary Doyle, was on trial for her life, denouncing her elders and proclaiming that she, a teenager, was right. The pupils that day were roused to a tense pitch, yelling and applauding like a Greek chorus.

A nervous official backstage ordered the house lights to be brought up a bit, a precaution taken in those early days whenever a few in the audience became unruly.

After her scene, Miss Doyle rushed backstage in a rage, according to Mr. Cumming, and cried, "What do you mean by doing that? We'll tell you when we want the lights up! This is a great audience!"

The State Vocational Technical School at Corliss Park is Mr. Cumming's favorite. The boys have a full schedule of training for crafts. Some work at after-school jobs for long hours and few ever had seen live professional theater, he said.

The students have now started a drama club, he reported. They are particularly interested in the production side of the theater, its scenery and lighting.

Because a snowstorm prevented the school from seeing "A Midsummer Night's Dream," students and teachers alike bombarded Trinity Square with pleas to reschedule the performance of the Shakespeare play for them.

It was impossible, because the sets had been removed and the auditorium was at that time in use by its owner, the Rhode Island School of Design. But Trinity Square sent the six "mechanicals" or clowns from the play out to do their comic scene at the Corliss Park school.

One Vocational Technical senior, who wrote one of the 36 letters asking for the rescheduling of the play, expressed himself as follows:

"In the past, I, along with my classmates, have enjoyed the two plays that we have attended. We really enjoy plays at Trinity Square. Speaking for myself, until I saw 'Saint Joan,' I figured that the plays at Trinity Square were not much more appealing than an opera. After seeing 'Saint Joan,' I saw 'A Streetcar Named Desire' and took my parents to see 'Ah Wilderness!' "

Among Rhode Island high school pupils who now know the theater better, the vote is overwhelmingly in favor of continuing Project Discovery, by a percentage of 98.4 to 1.6.

This was one outcome in a questionnaire administered to a random sampling of 962 students in 72 secondary schools, after they had seen the first play, "Saint Joan," in the series of four presented by the Trinity Square Repertory Company.

The sampling was done by Project Discovery officials, out of curiosity, before formal research was started by a Midwestern educational laboratory under a federal contract.

In another early survey of principals, undertaken by Henry P. Shepard, principal of Smithfield High School, the conclusions reported part way through the season indicated that 23 out of 30 principals responding were in favor of the project.

This does not mean they had no criticisms: nine were critical of the plays selected this year and a sizeable number complained about scheduling, seating and other logistical matters.

The full report of research is not expected for a long time, but Project Discovery officials have planned these changes for next year:

There will probably be only three plays, rather than four, giving more time for preparation.

Afternoon performances, the biggest single scheduling complaint, will be held to a minimum and offered generally to just those schools that want them.

All scheduling will have been mapped out by the time schools open in September; hopefully, all the packets of educational material will be ready then, too.

A theory and practice workshop will be held here this summer for a limited group of teachers from both Rhode Island and New Orleans, where a comparable project is under way. Researchers and federal officials will take part.

DRAFTED FROM JOB

These matters are reported by Bernard G. Masterson, who was drafted midway through the season from his job as teacher and drama coach at Mt. Pleasant High School to be the fulltime statewide educational coordinator for Project Discovery. He is assembling an augmented staff.

One of his tasks, in cooperation with Trinity Square, is to consider what plays ought to be performed next season.

Asked for their recommendations, 550 teachers and 74 principals sent back the names of 1,400 different plays. Mr. Masterson's office whittled the list down to the 25 most-often recommended in the responses.

Among the front-runners in teacher popularity were "Our Town," "The Glass Menagerie," "Death of a Salesman" and "Antigone."

Earlier, a separate study by Richard Cumming, director of educational services for Trinity Square, indicated which plays were actually being taught most often in classrooms, as differing from those the teachers felt ought to be shown in the federal project.

This showed that Shakespeare, Shaw, O'Neill and Wilder were the most-read playwrights, with "Macbeth," "Julius Caesar" and "Romeo and Juliet" the most-read plays.

An eight-man advisory committee, appointed by William P. Robinson Jr., state commissioner of education, and headed by Charles A. O'Connor, Jr., Providence school superintendent, has some influence on the play choices.

WOULD LIKE MUSICAL

Mr. Masterson said many of the teachers would like to have Trinity Square do a musical, but he noted the heavy expense involved in royalties and production.

The project coordinator said that statewide support for the program was shown when 526 teachers, superintendents and principals, out of 600 invited, came to a preview of "The Three Sisters" before their students saw it.

Out of state educators are keeping a close eye on Project Discovery and have been making periodic trips here, Mr. Masterson reported.

Asked if students are coming back, as admission-paying customers, to see the regular evening performances by Trinity Square, Mr. Masterson said he has no figures on this. But he said he has seen Cranston West High students at the playhouse and knows that the audiences have included students from Mt. Pleasant High and St. Mary's Academy, Bay View.

Among the adult subscribers to the Trinity Square performances is the Rev. Edward W. K. Mullen, assistant superintendent of schools in the Catholic Diocese of Providence. He is also on the Project Discovery advisory committee.

"I go to the plays in the evening and I don't see how the students could get anything but good out of this project," Father Mullen said. "I think it's a great thing."

NO EVALUATION

The diocesan official said he has not compiled any particular evaluation from the church schools, but almost all of what he has heard has been favorable. One school did have some reservations, mainly about scheduling, although there may have been some "substantive aspects" to the criticism, too, Father Mullen said.

Superintendent O'Connor of Providence, who was one of the key figures in winning the project for Rhode Island, said, "It's been like anything else imposed on a school system, greeted with high glee in some areas and less than appreciated in others."

Mr. Robinson, state commissioner of education, said all the reports he has had of Project Discovery are excellent and his staff tells him there is good coordination between the schools and the performing company.

By agreement, Mr. O'Connor wrote up the project proposal in behalf of all the superintendents.

"My enthusiasm hasn't dimmed a bit," the Providence superintendent said. "It's not an enrichment program, but part of the curriculum. In the course of the three years of the project, if we can't build a theater audience in the community, nothing will.

"I think that two years from now, the community will stand up and fight to have the program continued," Mr. O'Connor said.

Junius Eddy, a supervisor in the U.S. Office of Education, said that much of the apparent success of the program here, as has been the case in New Orleans, rests in the professionalism of Trinity Square.

QUIZZING ADRIAN HALL

(By James T. Kaull)

(Fourth of a series)

A PLAY IN THREE SCENES

Scene I

(The curtain rises on the Transit Street apartment of Adrian Hall, artistic director of the Trinity Square Repertory Company, which presents plays to all Rhode Island high schools in the unique federally-supported Project Discovery.

(Mr. Hall is a lanky, 39-year-old native of Van, Tex. He seems to have a faint Irish accent, perhaps a hangover from his off-Broadway success in directing Sean O'Casey's "Red Roses for Me." He has two degrees, from East Texas University and the Pasadena, Calif., Playhouse. He has also studied at the Actors Studio in New York.

(He has directed plays in the Catskills, in North Carolina and, to great acclaim, at the Milwaukee Repertory Theater.

(The kitchen scene, with coffee paraphernalia evident, shows some art objects over a mantel. Mr. Hall's costume in the play is a striped shirt, dark pants, and no socks. Onstage with him are a reporter and Marion Simon, wife of Dr. Stanley D. Simon of Providence. She is Mr. Hall's administrative assistant. She rises from time to time to answer the telephone. The reporter aims his pad at Mr. Hall, who fires back.)

Hall. What part of this forest are you in?

Reporter. You mean? I live in Newport.

Hall. No. I mean what are you finding out about Project Discovery?

Reporter. Oh! A lot! But tell me what this project has meant to Trinity Square as a company.

Hall. I think the actors find this kind of thing, going before widely varying new audiences every morning, is a challenging experience. If anything, the company has come closer to some kind of staying-on-their-toes because they didn't know what was going to happen.

Reporter. Has this project helped to improve Trinity Square?

Hall. We made enormous strides, artistically, this year. There are still people who in discussing the important companies in this country do not list us. In all modesty, we couldn't begin to rest artistically until we are THE company in the nation. When this happens, we'll probably disintegrate. (He laughs.)

Reporter. Hasn't all that federal money made you embarrassingly rich? Weren't you all happier when you were starving?

Hall. (Sighs.) Everybody thinks that. On the practical level, it barely pays for what we are producing. What the money has basically changed is the professional quality of the staff. True, it's enlarged in number. But the point is we are now a fully professional theater, in union categories, with union costume and set designers.

Reporter. How were your relations with educators and the schools this year?

HALL. We all made decisions as we went along. Many broad policy things were never defined. The most fascinating thing is that education and the professional theater should ever have come together to be mutually beneficial. For years, schools have read plays out of a text. It's like having a school band without any instruments, like studying clarinet without having one.

REPORTER. Is it difficult working with a school system?

HALL. There's such a great ado about study guides and educational materials. Richard Cumming, our educational services director, has done a fantastic job, without any precedents. There had to be a bridge between the theater and the high schools. He first had to find out what was going on out there—there! (Gesturing out the window in the general direction of Burrillville.)

REPORTER. Who will pick the plays for next year?

HALL. I will ultimately make the choice. But we'll work it out with no problem. It's terribly important we don't offend the educators, but terribly important, too, that the project isn't entirely formed by educators. About the worst thing that could happen would be for it to be put in the hands of lots of committees.

Scene II

(The setting changes to the Trinity Square Playhouse, where teachers are hearing a panel discussion by Mr. Hall and other Project Discovery officials. A very young, very blond and very pretty teacher speaks up.)

GIRL. I had my kids all psyched up to see a play at the beginning of the season. Why in the name of God did you give them George Bernard Shaw?

OLDER TEACHER. I found "Saint Joan" a very happy choice for the first play. It wasn't in my curriculum, but I was able to relate it. I think you can set a climate for the theater if you're excited about it.

HALL (answering girl). Many times a "classic" isn't as much fun to watch as "Mary, Mary." The potential reward is greater. If they've only had rice and gruel, are we going to give them caviar and make them like it?

FEDERAL OFFICIAL. I saw "Saint Joan" here on a day that two vocational schools came. It rocked me. There was cheering and whistling at the end of each scene. At the end of this three-hour play, at that final line, you could have heard a pin drop.

Scene III

(We are back in Mr. Hall's kitchen. He is pursuing the same theme: what plays to give the students.)

HALL. There's always in this art, because of the corruption and erosion of the commercial theater, there's always that thing in the public's mind (and on my board too until I sat on them) that says "If you do Chekhov, then next do a play they'll really like. Remember, 'Mary, Mary' ran for seven years." True, true! Yet it's the kind of compromising you can never begin, unless you're desperate to please.

REPORTER. What have you learned about the cultural climate of Rhode Island since you've been here at Trinity Square?

HALL. I'd say it had been very stiff and chilly. We simply cannot deny it, in a state which had no resident professional theater. But the fact that you had here in Providence a university and colleges of some note, representing an academic community that leaped right in from the very beginning, that was most helpful. We have really not had too much support from the downtown businessmen, the way they do at the Guthrie Theater in Minneapolis. I wonder how we can get it?

REPORTER. What is needed to make Project Discovery a sure hit?

HALL. If the project has anywhere near attained its original thesis, then we need somehow to educate the parents for real genuine support. It's up to us to say: This is an important art, one of the oldest arts in the world, but it had almost come to non-existence in this country. I should think people would stand up and cheer because the federal government is infusing new blood. Art is never going to be a part of the kids' lives unless we put it there with all the force of religion, athletics—

REPORTER (interrupting). I think they have to understand where the play is taking place. It's not "in France" or "on the stage of Trinity Square." It's taking place in their minds.

HALL. Yes, that's good. Picasso says "Art is a lie whereby we see the truth." But that's getting a bit complicated for the kids, maybe. What I mean is that we have to do something like what religion did in this country 100 years ago. I mean the missionaries, with all those Indians shooting at them. They were selling a product that was so elusive and intangible. And yet today, the idea of any village not having a church would be a shocking thing. All this came from the amount of work they did back in the 19th century. This is what we in the theater must set out to do.

(The curtain falls.)

NEW THEATER EYED FOR TRINITY SQUARE

(By James T. Kaull)

(Last of series)

The Trinity Square Repertory Company, riding a wave of growing success that has been topped this past year by the federal aid under Project Discovery, is considering whether to plan for a new, larger theater of its own.

This is the report from its "civilian" leader, Milton Stanzler, who said a building study committee has been appointed, headed by Elwood E. Leonard Jr.

Mr. Stanzler, who is a local attorney, said Trinity Square is also wondering whether the community will help to continue Project Discovery, under which plays are presented to students as part of their regular high school curriculum, when the three-year federal experimental program comes to an end.

"Hopefully, we can develop this obligation on the part of the people of the state," Mr. Stanzler said.

"If Rhode Island does not develop the audiences for the theater and the business community does not support it, it will be a sad day," he said.

Mr. Stanzler has been affiliated with Trinity Square since the theatrical company was formed in the spring of 1964. He is chairman of the executive committee of the Foundation for Repertory Theater in Rhode Island, which is the nonprofit parent of the players' company.

Its home is now the leased auditorium, containing about 300 seats, of the Trinity Union Methodist Church at Bridgham and Broad Streets. For Project Discovery, it leased the 1,000-seat Rhode Island School of Design Auditorium, where all the plays for schools have been presented. There is an option to lease it again for the school plays next season.

However, in Mr. Stanzler's opinion, Trinity Square might eventually need a theater all of its own, perhaps with 800 to 1,000 seats. He stressed that the company is very grateful to both R.I.S.D. and the Trinity Union church for the cooperative working arrangements now in force.

Trinity Square leases only one floor of the church building although there is perhaps a possibility of engaging more space there, Mr. Stanzler said. At present, the company's technical shops, for scenery painting and costume storage, are at 55 Cromwell St. The downtown business office is in the Arcade building.

This geographical spread leads to considerable expense for transportation and a telephone network, Mr. Stanzler pointed out during an interview.

In round figures. Trinity Square has received about $510,000 of the $710,000 in federal aid to Project Discovery. The balance is for educational, administrative and research purposes. The parent foundation in Rhode Island also pledged between $30,000 and $40,000 in community support of its theater "laboratory" project.

Mr. Stanzler said he thinks Project Discovery has thus far been "90 per cent successful." He said it is possible that after the intended three years of the experiment Title III aid under the Elementary and Secondary Education Act could be continued, even if the Title IV research money and the allocation from the National Endowment for the Arts is ended.

"It may rest on the matter of increased audiences and local community support," he said.

Part of that support may come simply in larger audiences, according to Mr. Stanzler. On the other hand, there may always have to be an annual appeal for subsidy by public givers, he said.

One possibility worthy of consideration, he declared, might be moving the Federated Arts Fund, which this year had difficulty meeting its goal in a drive for support of local cultural activities, into the framework of the United Fund.

Mr. Stanzler called attention to the double nature of Project Discovery. It not only is an integral supplement to the school curriculum, but is intended to improve repertory theater as an art form and to develop audiences for it, he said.

Growth in audiences has occurred this year, but whether this was a natural growth or can be attributed to early effects of Project Discovery is debatable, according to Mr. Stanzler.

He said the opportunity for making the project lead to increases in the adult audiences had not been explored this season as advantageously as possible because of staff problems, which he called "more administrative than artistic."

The season was scarcely at midpoint before Trinity Square cut out its public relations staff because of mounting expenses, Mr. Stanzler explained. The company and its new co-director, John A. McQuiggan, who had been engaged particularly for administrative work, parted ways. With him went his wife, actress Mary Doyle, who played the lead in the first play, "Saint Joan."

The growth of the company—and its budget—were "phenomenal" in this first year of Project Discovery, Mr. Stanzled said.

AMATEUR ACTORS AT FIRST

In Trinity Square's early years here, it depended largely on amateur actors and backstage folk.

Its first contract with Actors Equity was signed in the fall of 1964, when the first two professional players, William Cain and Richard Kneeland, were signed. Both are mainstays of the present company.

But until this year, Trinity was still involved with part-time, non-union help in the theater.

The 1966–67 season has seen fluctuations in the size of the company, depending on the plays under way. By count of Mr. Stanzler and other officials, there were around 30 actors in the permanent cast at the outset, with some "jobbers" or specially-engaged people brought in at that time for "Saint Joan."

When "Ah, Wilderness!" for the high school students was continuing and "The Grass Harp," a musical, was being offered in the evenings, the performing company swelled to about 42.

Now, there are 18 actors, since the final play, "The Three Sisters," does not require so many, and the permanent backstage and office cadre numbers about 23.

Mr. Stanzler pointed out that Adrian Hall, the company's artistic director since 1964, is the only one with a full yearlong commitment to the company. He said he would like to have more persons on a full-time annual salary.

Trinity Square had virtually no subscription list when it began presenting plays in the spring of 1964. It sold 200 subscriptions that spring for the next fall, even before it could announce what plays would be given. In the fall, 600 more were sold, Mr. Stanzler said.

Last year, subscriptions totaled 1,800. In 1966–67, the list swelled to 3,300. Mr. Stanzler hopes it can go to 5,000 next season.

In total patronage, Trinity Square's best-received plays last year drew from 5,000 to 6,000 persons a month, Mr. Stanzler said. This year, the average has gone up about 1,000 and may have hit a rate of 9,000 per month when the popular "A Street Named Desire" was playing to the adult audiences.

For that play, Trinity Square's playhouse had from 90 to 95 per cent of its seats taken, Mr. Stanzler reported.

With such popularity, the only way to accommodate more people, other than extending the run of the play, is a larger theater, he said.

Speaking of Project Discovery in particular, he said "We have an obligation to run it as efficiently as possible."

The federal government, although giving massive subsidies, gave not the slightest interference with the artistic and administrative functions of the company, he said.

What has led to Trinity Square's exciting growth in three years? Mr. Stanzler is not at all modest in replying.

"It's an artistic success," he said. "I don't think anybody ever suspected you could see real professional theater at home here in Rhode Island. I hope the community realizes the value of the Project Discovery program."

NEW JOB PLAN PRAISED BY THE DALLAS TIMES-HERALD

Mr. YARBOROUGH. Mr. President, the Senate made a great step forward in relief of our problems of unemployment and underemployment in the cities with the concentrated employment program. This program seeks to deal with the problems of both workers unemployable at present and workers employable but presently unemployed due to discrimination or unnecessarily high job prerequisites.

Relative to the needs of individual participants, the program will provide education, work experience, on-the-job training, and preemployment skill training, as well as various supportive services, such as legal and medical aid and babysitting facilities. There will be a beginning orientation program to determine the desirability of each of these programs for each of the enrolled workers.

After enrollees have finished the training stage of the program, they will be placed, if possible in a job in the private sector of the economy. Local agencies and local businessmen will play a large part in this job placement program, and have already showed an eagerness to help.

Texas is extremely fortunate to have two of the country's 19 programs within the State, making it one of only two States to have two such programs. In an editorial in the Dallas Times-Herald, the optimism of the State over the programs is expressed:

> Although the total cost of the program nationally is $97.2 million, the benefits in terms of both humanity and taxes from improved earnings warrant this new, personalized manpower plan.

I request unanimous consent to insert in the Record at this point this editorial from the Dallas Times-Herald of July 10 reflecting the interest in Texas in this new program.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

New Job Plan

Two Texas cities, Houston and San Antonio, are among 19 throughout the nation included in a new concentrated employment program which Secretary of Labor Willard Wirtz describes as "a landmark effort designed to help the hardest employment cases on a person-to-person basis."

In Houston 5,505 disadvantaged persons will receive assistance in a program costing $4.9 million. The San Antonio effort will involve 2,100 persons at a cost of $4.3 million. The difference in the average cost is an indication that the department believes San Antonio's unemployed will need greater help in becoming productive workers.

Although Dallas is not included in the new program, designed for cities with the most severe unemployment problems, it will watch with interest efforts to make self-sufficient those present jobless citizens for an average investment of $1,500 each.

The Labor Department plans to seek out those most in need of training or work and through counseling, training and education put them into jobs.

The enrollees will receive whatever supportive services are required to allow them to move toward productive employment, including medical and dental care, legal help, day-care facilities for children of working mothers and orientation on the use of available transportation.

Although the total cost of the program nationally is $97.2 million, the benefits in terms of both humanity and taxes from improved earnings warrant this new, personalized manpower plan.

"OPTIMISTIC GENERALITIES" ON THE VIETNAM WAR

Mr. HARTKE. Mr. President, the ninth mission of the Secretary of Defense, Mr. McNamara, to Vietnam to assess the situation we face has been completed. He has made his report to the President, and we are told that more troops will be sent as a result of the requests of General Westmoreland. No figure has been announced, only that he will receive what "he needs and requests and what we find acceptable."

Here is a generality, not a specific. But it is not the only such generality, as an editorial in the Washington Post of July 14 has pointed out. Progress, we are told, is "tremendous." Improvement is "substantial." Change is "dramatic." This is all well and good as rhetoric, but it is generality. The heart of the matter, as the editorial observes, is "not what Mr. McNamara may genuinely believe, but what the American public, at this point, can realistically be expected to believe."

I agree with the editorial writer that we need a candid and forthright report on progress or its lack. We have had enough of generalities, of failures to face the hard facts, of presentations which gloss over the realities by failure to acknowledge errors and shortcomings. I ask unanimous consent that this editorial may appear in the Congressional Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

What's Going On?

Once again, President Johnson has received from his Secretary of Defense an on-the-spot report on Vietnam at a time when confidence about the course and conduct of the war is faltering. And once again, a genuinely concerned American public is being suffocated in optimistic generalities—progress is "tremendous," improvement is "substantial," change is "dramatic" and current policy, strategy and tactics are all beyond reproach.

It is time to change this public relations ritual—the confident briefings in the White House Fish Room, the capsule appraisals at airport arrivals, the echoes from congressional committee rooms. It is time for the President to tell us where things stand.

When our military chiefs in Saigon and the Pentagon have been arguing for weeks, often out loud, for large and specific numbers of additional troops, and the public has been led to believe a decision is imminent, it is not enough to be told on Wednesday by Mr. McNamara that "some more" men will be needed but that "we haven't arrived at any final conclusion and we don't know when we will." Especially when the President tells us on Thursday that General Westmoreland will get what "he needs and requests and what we find acceptable."

When Premier Ky has just been deposed as a candidate for president after abusing the electoral procedures, and his replacement, General Thieu, is giving no assurances he doesn't intend to go right on doing many of the same things, it is a bit much to claim that the forthcoming elections reflect "tremendous progress, when one looks back" to the political shambles nine months ago. When one looks far enough back, one sees the government of President Diem, "freely" elected and firmly entrenched until its repressions against political opponents began the process which brought it down.

When most American citizens can see nothing but an expanding United States force tied down in a military stand-off, it does not reassure them much to be told that the idea of a military "stalemate" strikes field commanders as "the most ridiculous statement they have ever heard." Not when United States casualties this past week were the third highest on record and sizable American units have been all but wiped out.

When a wire service dispatch is reporting a new burst of inflationary price increases and a new threat of economic trouble, it is hard for Americans to believe that a "dramatic change" in the efficiency of the Port of Saigon has brought a "very substantial improvement" in the economy.

This is the heart of the matter—not what Mr. McNamara may genuinely believe, but what the American public, at this point, can realistically be expected to believe. Mr. McNamara calls it a multi-faceted war and by that test some facets can be found that are doubtless going reasonably well. But it is also a war of attrition, in General Westmoreland's phrase, and it is quite unbelievable that in the past year "we have achieved all of our objectives while the enemy failed dismally," as the General contends. Attrition must be measured not only by Vietcong and North Vietnamese dead but by the ebb and flow of military-political-psychological struggle for the allegiance of the popnace. And here is one "facet," Mr. McNamara will admit, where progress is "very slow."

That this is also the key "facet," which will very likely determine the duration and the outcome of the conflict, makes it all the harder to credit the cacophony of "progress" reports.

It is time for a candid, forthright, report on progress or lack-of-progress, that takes frank account of difficulties and shortcomings that compliments the intelligence of the American public by acknowledging failures and errors and that credits their maturity by explaining how hard and how long a struggle confronts the Nation.

EMPLOYING THE ELDERLY

Mr. SMATHERS. Mr. President, the role of the aged in our society has in this decade become one of America's great problems. As former chairman of the Special Committee on Aging and as chairman of the Subcommittee on Health of the Elderly, I take a special interest in this very important question. As many of you know, I introduced an amendment to the Civil Rights Act of 1964 to prohibit discrimination against the elderly in employment.

To illustrate the value of the older worker, a recent article in Florida Trend magazine reveals the high potential for useful labor that many of the elderly have. I ask unanimous consent that this article, which appeared in the July issue of the Florida Trend magazine, be inserted in the body of the RECORD following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AGED WORKERS SET PRODUCTION MARKS—CLEARWATER PLANT FINDS OVERAGE EMPLOYES DEPENDABLE WITH PERSONALITY PROBLEMS NONEXISTENT

Ever hear of a factory where the older you are the better your chances of getting a job?

There is such a factory in Florida and its policy of no age discrimination has proved so successful that personality and workmanship problems are virtually non-existent.

The average age of workers at the Clearwater plant of Television Manufacturers of America Co. Inc. is 50, and men and women as old as 74 work on the assembly line.

The foreman is the youngest person on the payroll. Rubin Landazuri, a native of Quito, Ecuador, is 24—a half-century younger than the oldest worker under him.

How has it worked out?

"The results have far exceeded our expectations," said Norman Stein, 59, plant manager. "We don't need a personnel manager as a sounding board and middleman for grievances, because there aren't any.

Landazuri concurs.

"People over 50 are simply more conscientious—and take more pride in their work," he said. "Younger people tend to 'know it all,' to talk back and resist when you try to tell them how a job should be done."

SEVENTY-FOUR-YEAR-OLD EXPERT

Oldest person on the payroll is Minnie Hurt, 74. She operates a machine that punches eyelets in printed circuit boards. A great grandmother, she turns out 1,100 boards on her four and one-half hour shift and often gets ahead of other women on the production line.

Working conditions at the plant were set up with the needs of older people in mind. Hours and conditions are flexible and each person works at his own pace.

Originally, a work schedule of four and one-half hours a day was planned so employees drawing Social Security wouldn't forfeit their benefits by earning too much in a given year.

To the company's surprise, many employees wanted more work—even at the expense of losing their government benefits.

"No one here wants to exist on memories and a government check," Stein said. "They want to live in the present and continue to amount to something in the eyes of their families, friends and themselves."

The Clearwater plant of Television Manufacturers of America Co. is the Electronic Components Division. Stock of the parent company is traded on the American Stock Exchange, where it recently sold for 6½. TMA earned 20 cents a share in the latest reported six-month period compared with 37 cents a share in the prior six months.

PROGRESS IN THE WAR IN VIETNAM

Mr. McGEE. Mr. President, much has been said, from time to time, about the need to keep the American people fully and accurately informed about the situation in Vietnam and the effectiveness of the allied effort there. I agree that the whole truth must be told frankly—without making things look better than they are and without making the future look easier than it promises to be. However, I think it is also important not to fall over backward in the effort to give to the people the unvarnished truth. What is needed is a balanced assessment of the effort, an honest judgment of the progress that has been made, and a frank statement of the problems that remain and what is being done to meet them.

I do not believe that such an assessment supports the view that we are in a stalemate in Vietnam. Indeed, I think that an honest assessment of the situation in Vietnam justifies sober confidence that we are slowly but steadily making progress.

The situation with the allies in Vietnam today is very much better than it was a year ago. The fact that it is not all that we would like it to be, is no justification for blinding ourselves to the progress that has been made.

The situation of the Vietcong is very much worse today than it was a year ago. The fact that their warmaking capacity is still substantial is no reason to hide from ourselves the fact that it has been substantially reduced.

It is no service to the American people or to the national interest to yield to impatience, and to treat the lack of total success as if it were proof of no success. Of course, we have not crossed the goal line in Vietnam, Mr. President, but we have made some first downs, and we owe it to ourselves and the men who are carrying the ball to assess our progress realistically.

I should like to review the situation in Vietnam as I see it, without trying to skirt over the problems but also without trying to ignore progress that has been made.

In the political sphere, it seems to me that we have gone a long way in a short time. Last September, free elections were held in Vietnam, and 80 percent of the eligible voters participated in those elections. There were many who thought this could not be done. It was done. There is a new constitution. It is a solidly democratic document and has received the widespread adherence of the people of South Vietnam. Sober and fair election laws have been enacted and a nationwide political campaign is now taking place. Participation in this campaign is very widespread. There are, for example, some 600 candidates for the 60 senatorial seats. On September 3, the people of South Vietnam will elect a president, a vice president, and a senate; and on November 5, they will elect a lower house.

To me, the lesson seems clear from these facts. The great majority of the South Vietnamese people are now willing to participate in open and democratic political activity because they believe that their country has a future and that future will be determined through open and democratic processes. Anyone who has followed the situation in Vietnam cannot fail to recognize that such a situation represents significant, indeed, dramatic progress in the political field.

To be sure, many serious problems remain. The elections will have to be honest elections. It will take a great effort in this war-torn country with no settled political tradition to keep under control the temptation which various people will feel to meddle with the free expression of the public will. After the election it will be essential that a pattern of close cooperation be created between the military and the elected civil authorities in Vietnam. If the political system is to work effectively many of the bitter divisions and rivalries in Vietnam will have to be absorbed, and to some extent submerged, in strong national parties representing broad regional and religious and professional interests.

All of these problems will be difficult to solve and progress will undoubtedly come more slowly than we would like and be less perfect than we would hope. But the problems are recognized. People are working on them. Progress will continue to be made.

In the economic sphere, runaway inflation has been brought under control. The general price level is still rising, but more slowly and in a manageable way. The prices of some of the basic commodities of Vietnamese life, such as fish, kerosene, and charcoal, have been fairly stable for some time. The real income of South Vietnamese farmers and laborers is up, with all that that implies for the political stability of Vietnamese society. A steadily increasing number of roads have been cleared, and more and more of Vietnam's normal daytime economic traffic is free of Communist harassment. Only a short time ago a paralyzing port congestion was one of Vietnam's major economic problems. That problem is now solved.

Of course there are still problems on the economic front. The rise in prices continues to be excessive, and the fight against inflation must be continued urgently and incessantly. The distribution of goods internally in Vietnam is still a major problem. Corruption, which always thrives mightily on unstable conditions, continues to be a major drag on the economy. There is a great need for broad development planning and for investment and for rational industrial growth. Vietnam, which should be a rice exporter, continues to require the massive importation of rice from abroad.

In short, the economic situation is far from satisfactory. There are problems of a most serious nature. But significant progress has been made.

In the military sphere it is possible to cite some fairly precise indications of progress. Desertions from Communist ranks this year are already approaching 20,000. That figure is impressive in itself, but it is even more heartening when we realize that it represents a doubling of the 1966 desertion rate from the Communist cause in Vietnam.

In 2 years the situation on lost weapons has been completely reversed. In 1965 the Vietcong were capturing three weapons for every one they lost. In 1966 it was a 1-for-1 ratio. Now, in 1967, the Vietcong are losing four weapons for every one they capture.

At the present time, four Communists are killed in action for every Allied soldier lost, a ratio far higher than that which has existed at any previous point in the Vietnamese struggle.

The Army of the Republic of Vietnam is fighting with increasing effectiveness, and signal victories have been won recently by such units as the 18th Division, the 2d Ranger Group, the 47th Regiment, and the airborne forces fighting in cooperation with our Marines.

There is strong evidence that the enemy is forced increasingly to rely on manpower from North Vietnam. This not only indicates that their manpower assets in the south have suffered greatly. It also means that they are being forced to abandon the pretense that this is a struggle between indigenous South Vietnamese forces. Further, it means that they are progressively losing the advantage which the use of local manpower gave them with the people in the countryside of South Vietnam.

Despite tremendous effort, Hanoi has not been able to gain superiority on the ground in the northern provinces of South Vietnam, and throughout South Vietnam their attempts to generate significant offensive actions have been regularly blunted by allied initiatives.

There are unmistakable signs that the Vietcong are losing whatever popular support they once enjoyed because they are being forced into press gang conscription techniques, and brutally high "tax collections" in order to maintain themselves at all. Even with the use of such tactics, the Vietcong is experiencing great difficulties in recruitment and it is estimated that the Vietcong recruitment is only half of what it was a year ago.

Insofar as the air war is concerned, the last 5 weeks have seen 30 MIGs destroyed as compared with only 42 destroyed in the previous 22 months. Our own aircraft loss rate is substantially down from that which we were suffering in the last half of 1966. At the same time new weapons and technology are making our air strikes more effective in both foul and fair weather.

Despite these encouraging facts, there are obviously many problems still to be overcome in the military sphere. There is a harsh need for more security everywhere—in the cities, in the countryside, and, indeed, around our own military installations. The problem of village and hamlet security is not solved, and will require a better performance by the South Vietnamese army and the massive strengthening of local militia type forces throughout South Vietnam. We still need a better way to meet the continuing infiltration of men and supplies from the north. We still need an effective nationwide program for locating and cleaning out the Vietcong organization which continues to control altogether too much territory and altogether too many people.

Mr. President, in every area—political, economic, military—there are still grievous problems. But in every area there has also been encouraging progress. Of course, the remaining problems are substantial, but so were the problems which we have already overcome.

I see no excuse for looking at our involvement in Vietnam through rose-colored glasses. But I also see no utility in judging our efforts there through glasses which have been stained with a pessimistic black. If one looks at the record in Vietnam through clear, uncolored lenses, it is obvious that our efforts are bearing fruit. The situation today is far from satisfactory, but it is better than the situation was yesterday. The enemy is paying a heavier and heavier price for his aggression and is finding it more and more difficult to meet that price.

Mr. President, we are certainly not in a position to be satisfied with the situation in Vietnam, but the facts do not justify the judgment that we are in a stalemate. Many good men have paid a heavy price for the slow, steady, and painful progress which has been made in Vietnam. Despondency at home is a poor way to reward their accomplishments.

A STUDY OF THE USE OF THE METRIC SYSTEM IN THE UNITED STATES

Mr. PELL. Mr. President, as the author of S. 441, which directs the Commerce Department to conduct a feasibility study of the use of the metric system in the United States, I am pleased at several recent developments indicating growing public support for this proposal.

The distinguished chairman of the House Science and Astronautics Committee, George Miller, long a leader and the pioneer in this regard, introduced H.R. 3136 to the same end. Chairman Miller's measure was reported by the House Science Committee March 6, giving evidence that such a study has broad public support. H.R. 3136 is presently before the House Rules Committee, and I am hopeful that that committee will not only take notice of the Science Committee's action as evidence of support, but will note that another more recent development offers further significant testimony to the merit of my proposal.

The Ford Motor Co., an organization having manufacturing and assembly operations in 21 countries throughout the free world, has recently published two informative reports on the metric system. These reports, which have just been made available to all Members of Congress and interested members of the executive branch, are excellent comparative analyses of the metric system and its role in free world trade.

The automotive industry is highly involved in machine tooling and complex engineering design. For this reason, the automotive industry has a very deep and complex dependence on units of measure. I feel certain that a company such as Ford, which has millions of dollars of capital invested in existing tooling, design, and facilities, would not approach the question of metric system conversion lightly. While 12 of the 21 countries in which Ford Motor Co. has manufacturing operations are metric countries, the preponderance of that company's output is obviously intended for North American distribution. Therefore, the Ford interest in the metric system would appear to be common with mine—namely that a study of standardization as internationally accepted as the metric system would clearly be in the interests of expanded free world trade and the broader exchange of technology.

Mr. President, there are two Ford reports. The first entitled "Measuring Systems and Their History" is an interesting account not only of the metric system, but an evolution of other measuring systems as well. The first report clearly shows the widespread effects which measuring systems have on trade and commerce. A major observation which demonstrates this point can be seen by the history of the U.S. measuring system. Our system is based largely upon the British system in existence at the time of U.S. colonization. However, the early colonial system of weights and measures was somewhat confused by the systems of other nations, notably those of France and Spain, used in trade with the United States. As pointed out in the first Ford report, the Congress took early notice of the need for standardized weights and measures, and President Washington in his first message to Congress, referred to the duties imposed on the Congress by the Constitution to provide uniformity in "currency, weights and measures." Subsequently the Congress requested that Thomas Jefferson, then Secretary of State, make a study of the matter. Jefferson proposed that a system of lengths based on the foot as a unit be used as a basis for a new U.S. system. Multiple units of the foot would be squared and cubed to obtain the basic units for area and volume. Some controversy resulted from the effects of this proposed system upon trade and commerce, and congressional hesitation then led to a period of stalemate. An additional study was requested shortly after President Madison's 1816 message to Congress requesting such an analysis. In 1819 a congressional report was submitted advising adoption of Jefferson's plan supplemented by the suggestion that model units conforming to the yard, bushel, and pound then in common use, be constructed and declared official U.S. measurements. However, it was not until 2 years later, when Secretary of State, John Quincy Adams, recommended no change in the present system, that Congress finally acted by accepting the Adams recommendation. Events during following years merely led to a refinement of that system and its acceptance by the States. However, over the years there have been many bills in Congress introduced to establish the metric system as legal standards for this Nation.

The second Ford publication entitled "Ford and the Metric System: Worldwide Use of Measuring Systems," traces the development of model units of measure based upon the efforts of the French Institut National des Sciences et des Arts. The second Ford report also gives an excellent history of subsequent efforts by the French Chambers of Peers and Deputies refining use of the metric system in France. Additional references to adaptation of the metric system for measurement of units of electricity in Italy are further noted in the Ford publication.

Finally, the report notes the 1946 founding of the International Organization for Standardization—ISO—as the leading world organization for industrial, commercial, engineering, and safety standards. The report defines the relationship of the United States of America Standards Institute and constituent ISO groups in 51 countries participating in that body. The report provides an excellent description of the National Bureau of Standards and its very significant role as adviser to the Government in technological matters. Finally, the publication outlines the extent to which Ford relies upon the metric system in its manufacturing, engineering, research, and testing operations.

As proof that commercial or industrial standards are not inextricably rooted in an established system of measuring units, recent standards published by the Society of Automotive Engineers, originally developed in inch-pound units are simultaneously now being published in metric units. The SAE has also published conversion guides in an effort to propagate the metric system. Again, Mr. President, this is significant due to the extensive dependence of the automobile industry, and those related industries which are numbered among its suppliers, upon engineering procedures, extensive machine tooling, and units of measure.

Mr. President, the metric system has been adopted by 82 of the 135 nations of the world. Britain and the United States are the only industrial nations continuing usage of the inch-pound system. Britain has announced its intention to convert to the metric system.

Ford Motor Co. is to be commended for its public spirit, vision, and leadership in coming forth as a member of the complex automotive industry with a voice anticipating expansion of the metric system. That company's recent reports mailed to the Congress are evidence of the fact that a study of adopting the metric system would be prejudicial to this Nation's manufacturing industries. If a study of the metric system would appear to be in the interests of the complex U.S. automobile industry, its benefits to other industries less dependent upon complex mechanization appear even more clear.

A recent issue of American Metal Market, one of the Nation's leading engineering trade publications, interviewed Ford Motor Co. engineer G. Gordon Cook. The article says it is the Ford engineer's view that "our studies of future, potential world markets have developed the clear conclusion that if we are going to be a worldwide company, we should not hang on to a measuring system that we have gotten by default." Mr. Cook also expressed in the article the idea that although Ford does not intend to "lead the parade," he believes that Ford's adoption of the metric system is inevitable and thus is preparing for the changeover when it comes.

Mr. President, the May 15 agreement reached in the Kennedy round of international tariff negotiations which resulted in nearly 50 countries, accounting for some 80 percent of world trade, agreeing to an average cut of one-third in their tariffs, illustrates that world trade will drastically expand even further in the near future. The key to expanding world trade lies with international standardization of weights and measures. As a major world industrial power, the United States must assure its position by examining the question of metric system conversion. I urge that this Congress enact at the earliest moment legislation authorizing a comprehensive study such as I have proposed in S. 441 in order that U.S. leadership as a world industrial and technological power be retained.

HEARINGS ON SUPREME COURT DECISIONS REGARDING CRIME

Mr. HRUSKA. Mr. President, in the last few months hearings of the Subcommittee on Constitutional Amendments of the Senate Judiciary Committee have been held in Omaha, Nebr., Houston, Tex., Milwaukee, Wis., and Washington, D.C., to secure information about the affect of Supreme Court decisions on the incidence of crime.

As one of those who participated in the hearings I found them to be useful and enlightening.

Recently two articles detailing the activities in this field by Senator BIRCH BAYH, chairman of the subcommittee, have come to my attention.

Because these articles contribute to better understanding of this important problem, I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

PROTECT THE LAW-ABIDING CITIZENS

"It makes one's blood run cold and any decent human being's stomach turn to let a 'thing' like this out on the street."

(Quote from Brooklyn, N.Y. Supreme Court Judge Michael Kern, releasing the confessed slayer of a woman and her five children.)

(By Marguerite Davis)

WASHINGTON, March 18.—(UPI)—"We know we must protect individual rights, not only of criminals, but also of the upright citizens."

That, in the view of Sen. Birch Bayh, is the crux of the dilemma America now faces in the light of burgeoning crime and of a recent Supreme Court decision broadening the rights of the accused.

The Indiana Democrat feels that the only answer might lie in changing the Fifth Amendment to the Constitution, which says no person can be compelled to incriminate himself. He has no illusions that this would be easy to do.

But, he told UPI in an interview, growing public fear and resentment dictate that something be done to protect the law-abiding from criminals; that assurances be given that the demonstrably dangerous be taken out of circulation, at least temporarily.

Bayh, chairman of the Senate constitutional amendments subcommittee, is looking into the situation. He was moved to do so by the court ruling last June 13 in the appeal of convicted rapist Ernesto Miranda. The high court, holding that Arizona authorities deprived Miranda of his constitutional rights, reversed his conviction and returned the case for retrial.

The court spelled out the procedure which arresting officers must follow before "in-custody" questioning is allowed:

The defendant must be advised of his constitutional right to remain silent, and warned that anything he says may be used against him in court. He must be told of his right to an attorney, and provided with a lawyer if he cannot afford to engage one.

Before a confession may be admitted at his trial, the prosecution must show that these warnings were given and understood, and that the prisoner knowingly, willingly and intelligently waived his rights.

In his effort to determine what effect this has had on law enforcement, Bayh has held hearings in Washington, Houston, Milwaukee and Omaha. He hopes to schedule more on both coasts and in a small southeastern community—to determine if there is consistency in the findings.

As of now, he said, he is convinced that "we must find some way to arrive at justice . . . conviction of the guilty."

Bayh is not alone in his concern about the problem.

Sen. Sam J. Ervin Jr. (D., N.C.) and 17 cosponsors have introduced legislation which would prohibit the Supreme Court or any federal appeals court from reviewing a decision of which the guiding issue was the question of whether a voluntary confession should have been admitted as evidence.

And when the Senate criminal laws subcommittee opened hearings on President Johnson's anti-crime proposals, Chairman John L. McClellan (D., Ark.), led off with an attack on the Supreme Court's ruling on confessions.

According to testimony to Bayh's subcommittee, law enforcement officials have interpreted the high court's directives in a variety of ways.

Some law enforcement officials believe it applies virtually to the moment the crime is committed, and that all questioning is prohibited unless the defendant's attorney is present.

Others—notably some who testified at the Omaha hearing—believe the restriction applies only after formal charges have been filed, and they act accordingly.

Bayh said he considered the former interpretation too weighted in favor of the defendant.

"Crime, and the growing concern about it, is the significant factor," he said.

"We want to protect the rights of the individual, and we do not want star chamber tactics. But a person can be protected only so much."

Bayh disapproved of an incident described to the subcommittee involving "a young lady who was kept up for two night of questioning and told her lawyer was just outside, that she could see him as soon as she signed a confession. But her lawyer was 1,500 miles away."

On the other hand, while Bayh believes the defendant should receive legal advice, he thinks it is carrying things too far to require the attorney's presence at all questioning.

"I know it's inconvenient to sit in the police station and answer questions," he said.

"It's also inconvenient to sit on a jury . . . to register and vote . . . to pay taxes. If you are a suspect in a police case, interrogation is an inconvenience that is the price of citizenship."

Bayh said he feels strongly that the guilty must be protected from physical abuse by police. He suggested this might be assured by "controlled interrogation," with films or audiomonitoring as a guarantee against threats, promises of light sentences, or beating by the police.

"This makes a lot of sense, and the police don't object," he said.

When a confession is secured, Bayh favors letting the judge first rule whether it is admissible. Should the ruling be affirmative, the jury then would determine the weight to be given it.

"Under the Miranda decision, this would be held unconstitutional unless the confession were given after the warning of the defendant's rights and of the consequences," Bayh said.

Bayh said he has made no decision on what should be done. The facts before the subcommittee now are "woefully few" to substantiate any conclusion, he said.

"But we know there is great concern through the country over the problem of crime."

[From the Richmond (Ind.) Palladium Item, April 12, 1967]

BAYH URGES INCREASE IN POLICE SUPPORT

INDIANAPOLIS.—Indiana Senator Birch Bayh said here Tuesday that for the daily price of a package of chewing gum, Americans can give police departments "the tools and men they need to do their jobs."

Bayh, at a luncheon of the Indiana Bell Women's Club, said the total current expenditure for police protection by local, state and federal governments averages four cents per day per person.

"How much is better protection worth to you?" Bayh asked.

"Could you afford a nickel or even a dime a day? . . . I suggest to you that we will not control crime until we are willing to become involved personally in the struggle against this spreading virus infecting our communities."

Bayh said it is "shocking" that one in every 150 Americans is in jail, in reform school, on parole or on probation. If arrests and convictions were made for every major crime committed, Bayh said, the number would be one in 50.

Bayh said he is "vitally concerned with getting a man safely from the earth to the moon; but I am also vitally concerned with a man or woman getting safely home from the corner drugstore.

"We spend twice as much on our space program than we do on all our police protection combined."

Besides increased financial support for police, Bayh urged improved street lighting programs by cities, vocal public support of programs designed to provide equality of opportunity in education and employment, personal participation in local crime-fighting programs, support for wholesome youth activities and more effective legislation on the authority of police in apprehending and interrogating criminal suspects.

ADDRESS BY SENATOR TYDINGS BEFORE GEORGIA STATE BAR ASSOCIATION

Mr. RUSSELL. Mr. President, the members of the Georgia State Bar Association had the special privilege of hearing an address by the distinguished and able junior Senator from Maryland [Mr. TYDINGS] at their summer convention held last month.

His address, which dealt with the problem of delay in our courts, was particularly timely and important. This problem is one of the most serious which confront our judicial system. As Chairman of the Subcommittee on Improvements of Judicial Machinery of the Committee on the Judiciary, Senator TYDINGS has developed considerable expertise in ways to deal with this perplexing situation without threatening our cherished legal traditions.

The right to a speedy trial is one of the basic tenets that our Founding Fathers wisely sought to guarantee for our citizens, and this right must not be impaired by the administrative shortcomings of our courts in this age of 20th century efficiency.

Mr. President, the members of the Georgia bar thoroughly enjoyed and appreciated the visit and speech of the Senator from Maryland, and I commend his remarks to the attention of the Senate. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

MODERNIZING OUR COURTS

The subservience of all men to the rule of law is a concept essential to the Anglo-American legal tradition. Our English ancestors won preeminence for that concept after a long and difficult struggle. And the superiority of law, even over the sovereign, is nowhere better reflected than in the classic words of William Pitt:

"The poorest man may in his cottage bid defiance to all the force of the crown. It may be frail; its roof may shake; the wind may blow through it. The storms may enter, the rain may enter—but the King of England cannot enter; all his forces dare not cross the threshold of the ruined tenement."

Social order and democracy itself in this country rests upon the continuing vitality of the rule of law. But the principle is not self-sustaining. The people must continually give it life and their desire to do so no doubt depends on the belief that the law serves the needs of us all. There is good reason to believe, however, that confidence in and respect for the law may be seriously threatened today by one painfully prominent feature of the legal process: delay in the courts.

As lawyers, we cannot afford to blind ourselves to the fact that our courts are now confronted with cases of unprecedented number and complexity. Too many courts are not performing their function with dispatch. Many litigants, in their pursuit of legal relief, are now faced with such delay that the ends of justice are utterly defeated. Frustration is the result and the people, losing respect for the legal process, begin the search for relief outside the law.

My message to you today is that with determination, imagination, and leadership by the organized bar as well as the bench—by breaking away from indifference and ancient prejudices—we can bring the judicial systems of our cities, states and Federal districts into the 20th century, and make the judicial process once again both swift and just.

The magnitude of the problem is astounding. Consider the plight of Federal district courts in some of our large metropolitan areas:

The Southern District of New York had a backlog of 10,000 civil cases of July, 1966. The median elapsed time from issue to trial for the middle 80 per cent of civil cases was 39 months.

The Eastern District of Pennsylvania, with 11 judges, has an even more serious problem. At the end of fiscal 1966 the backlog was more than 6,600 cases, and median delay between issue and trial was 41 months.

Between 1951 and 1966 we continued to add new judges to the Federal district courts, but the total backlog in those courts increased by more than 15 per cent. The Federal courts of appeal have also found it impossible to keep up with a rapidly expanding caseload. In just one year, fiscal 1965, the backlog of appeals rose by more than 25 per cent.

Similar problems exist in State systems. In Wayne County Michigan the average automobile negligence litigant must wait 34 months to get a jury trial.

In Maricopa County, Arizona, the delay from filing to trial in civil jury cases is more than 30 months.

In the Circuit Court of Cook County, Illinois, the average litigant in a civil jury case faces a delay of almost 6 years from filing to trial.

If there were no other need for a critical reexamination of administration of the business of our courts, the population problem makes this imperative. Since 1950 our population has grown from 150 to 195 million—an increase of 45 million persons in 16 years. According to conservative estimates, we will grow by another 30 million before 1980, and just five years later, still another 40 million. Thus in 1985, not 20 years from now, we can expect our population to have grown from 195 million people to 265 million. And we are told that by the year 2,000, this country will contain 338 million people. Such cyclonic growth will bring with it increased business activity, crime and social stress. All this means a tremendously increasing case load for our judicial system.

Can there be any doubt that the time is now to confront the problems in the courts that produce delay and injustice? We repose in our courts massive prestige and enormous authority, but little in the way of funds or facilities especially for self evaluation and improvement. The resources we make available for the men and machinery of our judicial systems are painfully insufficient. I have the strong impression that many states in the union spend more money for peanut butter than for public justice. I am reminded of the story of a State trial judge who reported that he was receiving a salary of $11,000, although he had just rendered a decision in a case involving interest in uranium mines worth over half a billion dollars. In recent years State judges have gained a little bit on the uranium rights, but not much.

Underpaid judges are but one example of the way in which we persist in shortchanging our judicial system. In many other ways we have yet to provide the tools, the techniques and machinery necessary to meet the challenges of this century.

In keeping with traditional concepts of an independent judiciary, the courts have been left largely to their own devices to solve administrative problems and to initiate reforms. But the courts have not taken enough initiative, and the Congress and State legislatures have largely been indifferent and in too many cases antagonistic to the few proposals for reform that have been brought forth. The response of bar associations has been no more vigorous.

In recent years, our legislators have stepped up their interest in the problems that plague the court. But if the problem of delayed justice is to be resolved, legislative interest will not alone be sufficient. There must also be a commitment to allocate greater proportions of our governmental budgets to the judiciary, supporting personnel, and related community agencies. At present such appropriations are more in the nature of sparse leftovers rather than fully adequate allocations.

And beyond our legislatures, all persons interested in meeting the challenge of delayed justice must be willing to consider imaginative approaches to judicial administration. Too often we have simply relied upon the legislature to provide more judges to handle more cases and taken for granted that the problems would go away. We have paid too little attention to the possibility that with improved administrative techniques, more cases can be handled by each judge without any impairment of the traditional decision making process. It is not true that the only solution to backlog and delay is either more judges or fewer cases. In fact experience in the Federal courts indicates that adding more judges sometimes is no solution at all. In recent years despite a 25 per cent increase in judicial manpower, the Federal courts were able to step up the disposition of cases by only three per cent.

Moreover, those who suggest that the plight of a particular court can be alleviated by curtailing its jurisdiction should remember that such a step may simply transfer a block of cases from that court to another which may be even less equipped to deal with them. And the more radical measure of removing certain classes of cases from the judicial process altogether is an admission of defeat before the battle for sound judicial administration has even begun. We should not conclude prematurely that courts are incapable of serving as a forum for peaceful settlement of disputes in an increasingly complex world.

If we reject as unsuitable the solutions of more judges, fewer cases, and curtailed jurisdiction, what then can be done? I suggest that before the courts—and I speak here of both Federal and State courts—can begin to overcome the problems of congestion and delay three important steps must be taken:

First, each court must have a supervisory judge with the power and personnel to make and implement administrative decisions.

Second, each court system must study its own administrative operations critically. Each must establish procedures to collect and analyze detailed and current information on business in the court.

Third, each court system must have adequate physical facilities, competent clerical personnel, and office procedures that function to promote the efficient administration of justice.

Let me elaborate upon these three foundations of sound judicial administration. First, court administration centralized in the hands of a single judge having the power to enforce his administrative judgment is essential. There are a number of critical decisions in the judicial process that are not judicial decisions in the tradition sense. They are, instead, decisions that affect the administration of the court's business: control of the docket, assignment of judges, allocation of supporting personnel. At present these matters are too often regulated by inertia rather than by conscious choice. Administrative decisions must be made quickly on a day to day basis and they would best be made by a chief judge chosen for his administrative ability rather than his seniority on the court.

The Superior Court of Los Angeles provides an example of what centralized administration can accomplish. It is a trial court of more than 120 judges serving a vast and growing metropolitan area. A series of forceful presiding judges elected by their colleagues for administrative ability and aided by a permanent professional non-lawyer administrator, implemented reforms in docket control that reduced delay in civil jury cases from more than 2 years to less than 6 months.

A second requirement for sound judicial administration is information. The judge discharging administrative tasks must have at his disposal currently revelant data that will allow him to make informed decisions. In too many of our courts today statistics are compiled unsystematically. Frequently information is obtained too late to affect the flow of cases in an intelligent way. The "information gap" was colorfully described only recently by Professor Maurice Rosenberg of the Columbia Law School at hearings before my Subcommittee on Improvements in Judicial Machinery. Professor Rosenberg stated, "a State that keeps fastidious records of how long it takes a flock of geese to overfly its territory will often have no idea how long it takes a flock of litigants to get to trial in its courts." Only a few courts have begun to take advantage of the techniques modern science has devised for collecting and analyzing information and making it available almost instantaneously. These courts have found modern informational methods an indispensable tool in their programs to reduce backlog and delay. For the availability of relevant information places calendar control in the hands of a court where it belongs, rather than in the hands of the litigants.

The Court of Common Pleas of Alleghany County, Pennsylvania is a notable example of a court that has come to manage its business more effectively by utilizing modern informational techniques. The relevant information about each case is transcribed onto punch cards when the case is filed. Each step of the litigation is reported on these cards and the status of the case can be checked accurately in a matter of minutes. The court can thereby take appropriate steps to encourage lawyers to keep their cases moving. Reminder notices can be automatically printed and the court is able to inform itself and act effectively when lawyers are failing to prepare expeditiously.

In the absence of adequate information of this kind, conflicts in scheduling easily arise. Attorneys are often scheduled to appear in two different courtrooms at the same time. Such a scheduling conflict necessarily produces a continuance in one of the cases, and, given the condition of most dockets, this may mean a delay of several months. Such a delay is not unavoidable; it is simply the product of poor management. The most elementary system of modern information gathering can eliminate most of these conflicts and expedite the trial of a great majority of cases.

Adequate physical facilities, competent clerical personnel and efficient office procedures constitute, together, a third feature of any system of sound judicial administration. Each court should always be conducting careful studies of its facilities, personnel and business procedures. Systems of record storage should be kept up to date. Although quill pens and green eye shades are not nearly so abundant in clerk's offices as of old, there are still far too many records painstakingly maintained by hand. Little use is being made of microfilms and magnetic tape. Instead courts store tons of documents in dusty bins that pre-empt valuable space. In personnel, as well, competence in modern methods of essential. The clerk's offices of the courts must not be allowed to serve as convenient and comfortable pastures for political hacks. An efficient court system requires competent personnel at all levels.

In aid of each of the three foundations of sound judicial administration that I have mentioned, we in this century have the opportunity to utilize the skills and techniques developed by management experts. Commerce and industry have drawn liberally upon these sources to achieve the more efficient use of their resources. It is time for the courts to make use of the advances in management science as well. With proper guidance from lawyers and judges, there is every reason to expect that management consultants can streamline court administration without impinging in the least upon the traditional judicial decision-making processes.

Management studies of the courts can contribute to the modernizing effort in a variety of ways:

They can identify the administrative decisions that a court system must make and determine who should make those decisions most effectively.

They can define the appropriate grouping of courts that make up an efficient administrative unit.

They can recommend suitable systems of information collection and analysis, and the equipment necessary to implement them.

They can design office procedures for the processing of papers and the storage of records.

They can plan the efficient and comfortable use of available courthouse space, and the effective allocation of court personnel.

Members of our profession have long been notorious for their distrust of the new and the strange. It is time that we dispel that reputation, not merely for the sake of dispelling it, but for the health of the legal system we defend daily. Modern management techniques in our courts may be new and strange, but they promise a new vitality as well that we cannot afford to ignore.

Twenty-five years ago the late John J. Parker, a great North Carolinean and the distinguished Chief Judge of the Fourth Judicial Circuit, spoke of the impediments to swift justice. Regrettably, his words remain as true today as they were then. Let me close by repeating them to you:

". . . If the lawyer wishes to preserve his place in the business life of the country, he must improve the administration of justice in which he plays so important a part and bring it into harmony with that life. If he imagines that the present functioning of the courts is satisfactory to the people, he is simply deluding himself. . . . Business corporations are willing, as all of us know, to suffer almost any sort of injustice rather than face the expense, the delay and uncertainties of litigation. Arbitration agreements are inserted in contracts with ever-increasing frequency; and every such agreement is an implied affirmation on the belief that lay agencies for attaining justice are more efficient than the courts. Let me remind you that the administration of justice is the business of the lawyer as well as of the courts . . . and it behooves him to go about it in an efficient and business-like way. Nowhere does government touch the life of the people more intimately than in the administration of justice; and nowhere is it more important that the governing process be shot through with efficiency and common sense . . . nothing else that we can possibly do or say is so important as the way in which we administer justice. The courts are the one institution of democracy which has been entrusted in a peculiar way to our keeping."

A NEW ERA IN FOREIGN POLICY?

Mr. CHURCH. Mr. President, a very interesting article entitled "United States To Shift Its Course in the World?" appears in the July 3 issue of U.S. News & World Report.

The article states:

> Over the years since the cold war began, this country has become involved in almost every eruption of trouble at just about any point on the globe.
>
> On every continent, the American role became that of world policeman and savior of non-Communist countries.
>
> Now it is begining to dawn on policy makers in Washington that times have changed, that the world of 1967 is not the world of 1947 . . .

This growing—but belated—awareness can no doubt be traced directly to our Nation's unfortunate experience in Vietnam. Painful and costly that lesson may be, but at least it appears that the lesson may have been learned. If Vietnam has not convincingly demonstrated that the United States cannot—and should not—be the world's policeman, the tragedy of that bloody war will be compounded many times over.

The calm, evenhanded policy of nonintervention followed by the President during the recent crisis in the Middle East is to be commended. The administration's refusal to intervene in the Middle East does justify hope that a new era of self-restraint has begun.

I ask unanimous consent to have printed in the Record the article to which I referred.

There being no objection, the article was ordered to be printed in the Record, as follows:

United States To Shift Its Course in the World?—End of Role as World Policeman?

Johnson Administration is taking a new tack in dealing with the world's trouble spots.

Middle East crisis shows the trend.

No longer is the U.S. ready to dash around the globe, putting out fires for everybody at the first alarm. Mood is to avoid new commitments unless U.S. interests are directly involved.

An era appears now to be drawing toward an end in U.S. relations with the rest of the world.

Over the years since the cold war began, this country has become involved in almost every eruption of trouble at just about any point on the globe.

On every continent, the American role became that of world policeman and savior of non-Communist countries.

Tiny Israel, in a blitzkrieg all its own, has just relieved the U.S. of that chore in the Middle East.

Now it is beginning to dawn on policy makers in Washington that times have changed, that the world of 1967 is not the world of 1947, and that the U.S., powerful as it is, no longer can fulfill singlehandedly its former role.

From now on, top officials say, there are to be no more "creeping involvements" such as the one that brought the U.S. into war in Vietnam. The U.S. will not renege on existing commitments. But, in the words of one official, "neither are we going out looking for new business."

There will be more caution before jumping into a crisis.

War in Vietnam has helped to bring about this attitude that is leading to a shift in U.S. policy.

In Vietnam, all of the might of a huge American military machine is effectively countered by a minor Asian country aided by a force of guerrillas.

That is proving to be quite a shocker to top-level policy makers, who also are becoming aware of other significant changes when they look around the world.

THE PICTURE ABROAD

In Western Europe, the basic alliance that underlies much of American foreign policy is a shambles. The French are using all of their ingenuity to bring about a "neutralist" Europe, freed of ties with the U.S. and seeking a way to deal with Soviet Russia.

Britain—the one tested ally—is drawing back from a world role, drastically reducing its military establishment, attempting to get out from under commitments in Asia and the Middle East, wanting the U.S. to take over.

In the Mideast, everything now is in a state of flux.

The U.S. is regarded as an enemy by nations of the Arab world—nations on which American taxpayers have lavished billions in aid. Russia is exploiting this enmity, hoping to get Arab countries to nationalize U.S. oil-company investments that the Soviets then would hope to control. De Gaulle of France also is in on that game.

India, on which this country has heaped 7.6 billion dollars, looks more to Russia than to the U.S. for guidance. India quickly lined up with Egypt in the Mideast furor.

In Africa there is great instability—even something approaching turmoil in many of the so-called "new nations." Each of these nations, some of them with populations no larger than a medium-sized American city, has a vote in the United Nations General Assembly equal to that of the U.S. More and more, these votes are shifting dominance in the General Assembly toward the Communist side. Yet American aid to Africa has amounted to 4 billion dollars.

Asia presents a mixed picture, despite a U.S. investment in aid amounting to more than 29 billion dollars—besides the billions spent by the U.S. in two wars and the American blood spilled in those wars.

Japan, the most stable, prosperous and powerful of Asian nations, is unwilling to help much in dealing with basic problems in the Far East. American military services, in fact, wonder how long they will be able, in the face of political pressure from Japan, to maintain the U.S. base on Okinawa. Japan's need for Mideastern oil is causing it to adopt an equivocal position toward the problem in that region.

That is a broad outline of the picture this country's policy makers see after 20 years of striving to guide the non-Communist world and to serve as a world policeman.

To do that job, the American people have put up 128 billion dollars in foreign aid over the 20-year period. They also have invested about 500 billion more dollars in their military establishment than would be called for by simple defense needs.

As a result, taxes are high, budgets are unbalanced and the national debt has reached a point that worries Congress. The U.S. dollar is weakened by the burdens thrown on it, with uncertainty about its future. Yet the influence of the U.S. in world affairs is found to be less than it was when the whole experiment began.

PROMISES, PROMISES

What went wrong? The answer to that question now being given is that U.S. commitments outran U.S. resources.

The U.S. went around the world making promises on every side—promises of defense against external aggression, promises of large-scale aid for underdeveloped countries, promises of capital for big development projects.

In its role of world policeman and world-wide purveyor of relief, the U.S. was responsible in large part for stabilizing the non-Communist world of postwar years and played the biggest part in checking the aggressions of the Communists.

Grown strong again, however, much of the non-Communist world was unwilling longer to accept U.S. leadership. Also, the world began to change radically. A population explosion hit the underdeveloped nations. Britain declined in stature as a world power. Colonial empires broke up and became areas of new instability. In Africa, large numbers of so-called "new nations" came into being—all needing aid.

The load of defense and aid, in other words, grew greater. At the same time, alliances of postwar years began to crack up. More and more of the load of policing the world fell to the U.S. alone. Even the United Nations—whose role never was large—declined in importance and in willingness to deal with world problems.

As these problems grew in size and complexity, the U.S. struggled to fill in where others pulled back.

President Johnson has indicated of late that he is determined to change this policy.

The President was inclined to move slowly in projecting this country into the latest Mideastern crisis. When Mr. Johnson stalled off committing the U.S. to action in the Gulf of Aqaba, Israel moved on its own and resolved that problem at least for the time being.

TREATIES AND NATIONAL INTEREST

American officials say that two factors govern U.S. decisions on any crisis: treaty commitments and national interests. The aim is to fit treaty commitments to national interests. That, it is explained, is why the U.S. has no treaty commitments to either side in the Mideast.

One U.S. official pointed out:

"We have national interests in both Israel and the Arab states. We don't want to sacrifice either. So we have no treaty commitments."

When the British announced that they were pulling back from their role of policeman "east of Suez"—leaving that job to the U.S.—this country indicated it wanted no major part of that job.

Official U.S. interest in developments among nations of black Africa is being downgraded. Officials no longer are willing to undertake to establish and sustain "democracy" in underdeveloped nations of the world. Experience has seemed to teach that "democratic" leaders often have a way of developing into dictators of one kind or another.

President Johnson appears increasingly inclined to let the nations of a region solve their own problems. The implication is that the U.S. is not about to jump into every fight to get things straightened out.

More thought, instead, is being directed toward what might be called the vital interests of the U.S. in assigning priorities for attention and for future commitments.

Top attention in the fixing of priorities goes to defense of the Western Hemisphere.

The U.S. likewise is vitally interested in Western Europe and its security. Two major wars have been fought to prevent dominance of Western Europe by a power regarded as hostile to the U.S.

Islands of the Pacific, ranging from Japan to Taiwan, on through the Philippines, and down to Australia and New Zealand, also are of vital importance to the U.S.

This country—which today dominates most of the seas—is concerned, too, about security of important water routes through Panama, through the Suez Canal, through the Strait of Malacca.

If war in Vietnam could be settled, there is every indication that the U.S. would be extremely slow to make further military commitments on the mainland of Asia.

In fact, the policy that appears now to be favored for the future is one of moderate withdrawal, instead of active venturing into a broader and broader range of commitments, by treaties or otherwise.

Emphasis apparently is to be shifted away from a policy of pushing American aid on other nations and toward a policy that will require such countries to demonstrate, by their own initiative, that they need, deserve and appreciate U.S. help or protection.

Another realization dawning on policy makers contributes to a conclusion that the proper policy for the U.S. is one of caution and playing for time. This realization is that the most important single development in the world of today is an explosion of population—centering in underdeveloped and unstable parts of the earth—that is outrunning the supply of food either available or in sight.

Famine is the threat that is looming on the horizon. In India and China, widespread famine is being staved off today only through large-scale imports of grain into India from the U.S. and into Red China from Canada and Australia.

Food is depicted as a trump card in the hand of the U.S.

North America—the U.S. in particular—is the only area in the world which is capable of expanding production of food in time, and on a large-enough scale, to help meet the food needs of the Middle East, Asia, Africa and Latin America.

Nasser even now finds it necessary to import 200,000 tons of grain each month to give the Egyptian people a minimum diet. India requires nearly 1 million tons of imported grain each month. Populations of both these countries are skyrocketing. The population explosion—without a corresponding increase in food production—is pushing countries in Africa and in South America close to the point of dependence on imported foodstuffs.

American farms, in other words, are beginning to be viewed as more important than American guns as an influence in the world.

NO CHANCE OF ISOLATION

The changing direction of U.S. foreign policy does not mean a withdrawal into isolation. As one American official put it:

"Our country has so much power economically, militarily and every other way that we couldn't go isolationist even if we wanted to."

Nor is foreign aid to end.

Rather, according to a speech by Vice President Hubert Humphrey on June 21, objectives after Vietnam are a better life in the U.S. and "really adequate foreign aid—at least twice our present level."

Then, Mr. Humphrey said, "we can begin to dig out the bitter roots of poverty where violence and war come from."

"It is far better to prevent wars than to wage them," the Vice President said.

Real meaning of the shift in policy planning is a drawing back by the U.S. from its costly role as world policeman.

In years ahead, it now seems likely, the U.S., while willing to help feed the hungry of the world, will be wary of blank-check commitments.

"HIGH CASUALTIES AND LOW MORALE"

Mr. HARTKE. Mr. President, I would like to believe that the optimistic official reports we have received on the "progress" made in Vietnam, as viewed by Secretary McNamara and others who produce official statements, could be accepted at full face value. I would like to think that we have made real and significant gains in the past few months or the past year.

But news dispatches from the scene, written even as the Secretary was making his visit last week, do not seem to bear the same kind of optimism.

Take the dispatch by Bernard Weinraub in the New York Times on July 13, datelined from Dongha, 10 miles south of the demilitarized zone. Here, in what has been dubbed Leatherneck Square, the marines in the area have suffered 9,000 casualties since the start of the year. One of them made his own report to Mr. Weinraub in a vein quite different from that we have heard from Mr. McNamara.

"Eight months ago," said that marine, "Dongha was considered a safe rear. Now it's on the frontline. That is real progress, isn't it?"

Morale is down. Unshaven, sleeping only 3 or 4 hours a night, not knowing when a new surprise mortar barrage may come, these men find frustration, not optimism, in the war.

Mr. President, I ask unanimous consent that the news dispatch to which I refer may appear in the CONGRESSIONAL RECORD.

There being no objection, the news dispatch was ordered to be printed in the RECORD, as follows:

MARINES WEARY NEAR BUFFER ZONE—FAR-OFF GUNS TAKING TOLL IN MEN AND MORALE

(By Bernard Weinraub)

DONGHA, SOUTH VIETNAM, July 13.—The marines have a new saying in their outposts near the demilitarized zone. It is "Go north and die."

Each day, the North Vietnamese pound the outposts with heavy mortar and artillery fire; killing three, four or five marines. The daily barrage from an unseen enemy has left many marines exhausted and bewildered.

From Dongha, 10 miles south of the demilitarized zone, to Conthien, less than a mile and a half south of the zone, Marine officers are coping with high casualties and low morale. The marines near the zone are frightened by the increasingly accurate artillery barrages, frustrated over their inability to fight an enemy who is usually miles away, and weary, tired and depressed from lack of sleep, showers and hot food.

"You're just fighting here for your life and your buddy's life," said a 20-year-old Californian in the hot, dusty shack that serves as Dongha's air passenger terminal. "You're sure as hell not fighting for this damn country."

NINE-THOUSAND CASUALTIES IN YEAR

Near 6,000 marines are stationed at or near outposts that run inland below the demilitarized zone. The area—dubbed Leatherneck Square—runs from the Marine artillery bastion at Giolinh, six miles east of Conthien, to Camp Carroll, the artillery base to the southwest, and from Dongha to Conthien.

Since the start of the year the marines in the area have suffered 9,000 casualties, many of them resulting from enemy artillery barrages from both sides of the demilitarized zone. In recent weeks virtually all the marine outposts near the zone have been struck by artillery and mortar fire.

"Eight months ago Dongha was considered a safe rear," said a 23-year-old marine, walking past the airstrip. "Now it's on the frontline. That's real progress, isn't it?" The strip was attacked with mortars last week.

Nearby, a private first class from Chicago stood in the swirling dust and waited to board a motor convoy to Conthien. "You can't fight these people now," he said bitterly. "That's what gets you. You just stay in the bunker and wait for someone to yell 'In coming!' and, Christ, you hope and pray it goes over you."

"WE'RE TRAINED TO FIGHT"

"I was at the battle of Hill 881," he said, "and you know, when we got to the top of that hill we all stood up and cheered. We're marines. We're trained to fight, we're not supposed to wait in bunkers to get hit."

For some Marine officers the frustrations and complaints of the troops are the frustrations and complaints of any war. "Hell, you give them a kick in the butt and shake them up a little bit and they'll be all right," a major said. "All we need is a little shoot-'em-up action and we'll be all right."

Maj. Gen. Bruno A. Hochmuth, commander of the Third Marine Division, insists that morale is "intangible and difficult to judge."

"You can have varying degrees of morale in various units" the general said in an interview at his headquarters at Phubai, about 60 miles south of Dongha. "It depends, basically, on the leadership within the unit."

But among the marines in the north—who have been trained as infantry shock troops—the morale problem has only partly to do with leadership. They are unshaven, they sleep only three or fours hours a night in bunkers and then rarely leave their outposts. Most have not had a leave since their arrival in Vietnam, and few if any have ever spent a weekend in Saigon.

Some marines speak of their fallen friends in half sentences, turn away or change the subject. Others shrug and bite their lips.

"SAFE" HIGHWAYS IN VIETNAM

Mr. HARTKE. Mr. President, R. W. Apple, Jr., of the New York Times, is an experienced observer of the scene in Vietnam. He is a conscientious reporter who sometimes looks behind the official facts and figures to a less rosy-hued reality in that devastated country. He did so in an article in the Times on July 12, analyzing the state of security as reflected in the freedom of travel over the roads of Vietnam.

Secretary McNamara pointed, while in Saigon last week, to the state of Vietnam's roads with relation to safety as evidence of "substantial" military progress. Success of our operations, he said, is "perhaps most dramatically expressed and revealed by the extension of the use of the road net of the country." Mr. Apple relates this statement to "the most optimisic assessment of the situation" put forward by General Westmoreland's headquarters. But he does not find the progress by this yardstick anywhere near so optimistic as does Mr. McNamara.

What kind of "security" is offered when the official "secure" road north of Danang finds a Vietnamese army convoy smashed in a Vietcong ambush only 2 weeks before the Secretary's visit? If, as the official figure has it, 43 percent of the roads are secure—"passable by a jeep with no escort"—that on these roads American soldiers find it necessary to carry loaded M–16s and to cover the jeep floor with sandbags as protection against enemy mines? Why, if they are "secure," are all roads in the country—even the four-lane expressway between Saigon and Bienhoa—classed as unsafe at night?

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SAFETY OF ROADS IN VIETNAM HELD DEBATABLE ISSUE—DIFFERENT INTERPRETATIONS ARE PLACED ON THE STATISTICS SUPPLIED BY MILITARY

(By R. W. Apple Jr.)

SAIGON, SOUTH VIETNAM, July 12.—Of all the statistics and facts presented to him during his four days in Vietnam, Defense Secretary Robert S. McNamara pointed to one—the condition of the country's roads—as evidence of what he called "substantial" military progress.

The success of Allied large-unit operations, the Secretary said at a news conference before his departure yesterday, can "perhaps most dramatically be expressed and revealed by the extension of the use of the road net of the country."

This growing—but belated—awareness can no doubt be traced directly to our Nation's unfortunate experience in Vietnam. Painful and costly that lesson may be, but at least it appears that the lesson may have been learned. If Vietnam has not convincingly demonstrated that the United States cannot—and should not—be the world's policeman, the tragedy of that bloody war will be compounded many times over.

The calm, evenhanded policy of nonintervention followed by the President during the recent crisis in the Middle East is to be commended. The administration's refusal to intervene in the Middle East does justify hope that a new era of self-restraint has begun.

I ask unanimous consent to have printed in the RECORD the article to which I referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

United States To Shift Its Course in the World?—End of Role as World Policeman?

Johnson Administration is taking a new tack in dealing with the world's trouble spots.

Middle East crisis shows the trend.

No longer is the U.S. ready to dash around the globe, putting out fires for everybody at the first alarm. Mood is to avoid new commitments unless U.S. interests are directly involved.

An era appears now to be drawing toward an end in U.S. relations with the rest of the world.

Over the years since the cold war began, this country has become involved in almost every eruption of trouble at just about any point on the globe.

On every continent, the American role became that of world policeman and savior of non-Communist countries.

Tiny Israel, in a blitzkrieg all its own, has just relieved the U.S. of that chore in the Middle East.

Now it is beginning to dawn on policy makers in Washington that times have changed, that the world of 1967 is not the world of 1947, and that the U.S., powerful as it is, no longer can fulfill singlehandedly its former role.

From now on, top officials say, there are to be no more "creeping involvements" such as the one that brought the U.S. into war in Vietnam. The U.S. will not renege on existing commitments. But, in the words of one official, "neither are we going out looking for new business."

There will be more caution before jumping into a crisis.

War in Vietnam has helped to bring about this attitude that is leading to a shift in U.S. policy.

In Vietnam, all of the might of a huge American military machine is effectively countered by a minor Asian country aided by a force of guerrillas.

That is proving to be quite a shocker to top-level policy makers, who also are becoming aware of other significant changes when they look around the world.

THE PICTURE ABROAD

In Western Europe, the basic alliance that underlies much of American foreign policy is a shambles. The French are using all of their ingenuity to bring about a "neutralist" Europe, freed of ties with the U.S. and seeking a way to deal with Soviet Russia.

Britain—the one tested ally—is drawing back from a world role, drastically reducing its military establishment, attempting to get out from under commitments in Asia and the Middle East, wanting the U.S. to take over.

In the Mideast, everything now is in a state of flux.

The U.S. is regarded as an enemy by nations of the Arab world—nations on which American taxpayers have lavished billions in aid. Russia is exploiting this enmity, hoping to get Arab countries to nationalize U.S. oil-company investments that the Soviets then would hope to control. De Gaulle of France also is in on that game.

India, on which this country has heaped 7.6 billion dollars, looks more to Russia than to the U.S. for guidance. India quickly lined up with Egypt in the Mideast furor.

In Africa there is great instability—even something approaching turmoil in many of the so-called "new nations." Each of these nations, some of them with populations no larger than a medium-sized American city, has a vote in the United Nations General Assembly equal to that of the U.S. More and more, these votes are shifting dominance in the General Assembly toward the Communist side. Yet American aid to Africa has amounted to 4 billion dollars.

Asia presents a mixed picture, despite a U.S. investment in aid amounting to more than 29 billion dollars—besides the billions spent by the U.S. in two wars and the American blood spilled in those wars.

Japan, the most stable, prosperous and powerful of Asian nations, is unwilling to help much in dealing with basic problems in the Far East. American military services, in fact, wonder how long they will be able, in the face of political pressure from Japan, to maintain the U.S. base on Okinawa. Japan's need for Mideastern oil is causing it to adopt an equivocal position toward the problem in that region.

That is a broad outline of the picture this country's policy makers see after 20 years of striving to guide the non-Communist world and to serve as a world policeman.

To do that job, the American people have put up 128 billion dollars in foreign aid over the 20-year period. They also have invested about 500 billion more dollars in their military establishment than would be called for by simple defense needs.

As a result, taxes are high, budgets are unbalanced and the national debt has reached a point that worries Congress. The U.S. dollar is weakened by the burdens thrown on it, with uncertainty about its future. Yet the influence of the U.S. in world affairs is found to be less than it was when the whole experiment began.

PROMISES, PROMISES

What went wrong? The answer to that question now being given is that U.S. commitments outran U.S. resources.

The U.S. went around the world making promises on every side—promises of defense against external aggression, promises of large-scale aid for underdeveloped countries, promises of capital for big development projects.

In its role of world policeman and worldwide purveyor of relief, the U.S. was responsible in large part for stabilizing the non-Communist world of postwar years and played the biggest part in checking the aggressions of the Communists.

Grown strong again, however, much of the non-Communist world was unwilling longer to accept U.S. leadership. Also, the world began to change radically. A population explosion hit the underdeveloped nations. Britain declined in stature as a world power. Colonial empires broke up and became areas of new instability. In Africa, large numbers of so-called "new nations" came into being—all needing aid.

The load of defense and aid, in other words, grew greater. At the same time, alliances of postwar years began to crack up. More and more of the load of policing the world fell to the U.S. alone. Even the United Nations—whose role never was large—declined in importance and in willingness to deal with world problems.

As these problems grew in size and complexity, the U.S. struggled to fill in where others pulled back.

President Johnson has indicated of late that he is determined to change this policy.

The President was inclined to move slowly in projecting this country into the latest Mideastern crisis. When Mr. Johnson stalled off committing the U.S. to action in the Gulf of Aqaba, Israel moved on its own and resolved that problem at least for the time being.

TREATIES AND NATIONAL INTEREST

American officials say that two factors govern U.S. decisions on any crisis: treaty commitments and national interests. The aim is to fit treaty commitments to national interests. That, it is explained, is why the U.S. has no treaty commitments to either side in the Mideast.

One U.S. official pointed out:

"We have national interests in both Israel and the Arab states. We don't want to sacrifice either. So we have no treaty commitments."

When the British announced that they were pulling back from their role of policeman "east of Suez"—leaving that job to the U.S.—this country indicated it wanted no major part of that job.

Official U.S. interest in developments among nations of black Africa is being downgraded. Officials no longer are willing to undertake to establish and sustain "democracy" in underdeveloped nations of the world. Experience has seemed to teach that "democratic" leaders often have a way of developing into dictators of one kind or another.

President Johnson appears increasingly inclined to let the nations of a region solve their own problems. The implication is that the U.S. is not about to jump into every fight to get things straightened out.

More thought, instead, is being directed toward what might be called the vital interests of the U.S. in assigning priorities for attention and for future commitments.

Top attention in the fixing of priorities goes to defense of the Western Hemisphere.

The U.S. likewise is vitally interested in Western Europe and its security. Two major wars have been fought to prevent dominance of Western Europe by a power regarded as hostile to the U.S.

Islands of the Pacific, ranging from Japan to Taiwan, on through the Philippines, and down to Australia and New Zealand, also are of vital importance to the U.S.

This country—which today dominates most of the seas—is concerned, too, about security of important water routes through Panama, through the Suez Canal, through the Strait of Malacca.

If war in Vietnam could be settled, there is every indication that the U.S. would be extremely slow to make further military commitments on the mainland of Asia.

In fact, the policy that appears now to be favored for the future is one of moderate withdrawal, instead of active venturing into a broader and broader range of commitments, by treaties or otherwise.

Emphasis apparently is to be shifted away from a policy of pushing American aid on other nations and toward a policy that will require such countries to demonstrate, by their own initiative, that they need, deserve and appreciate U.S. help or protection.

Another realization dawning on policy makers contributes to a conclusion that the proper policy for the U.S. is one of caution and playing for time. This realization is that the most important single development in the world of today is an explosion of population—centering in underdeveloped and unstable parts of the earth—that is outrunning the supply of food either available or in sight.

Famine is the threat that is looming on the horizon. In India and China, widespread famine is being staved off today only through large-scale imports of grain into India from the U.S. and into Red China from Canada and Australia.

Food is depicted as a trump card in the hand of the U.S.

North America—the U.S. in particular—is the only area in the world which is capable of expanding production of food in time, and on a large-enough scale, to help meet the food needs of the Middle East, Asia, Africa and Latin America.

Nasser even now finds it necessary to import 200,000 tons of grain each month to give the Egyptian people a minimum diet. India requires nearly 1 million tons of imported grain each month. Populations of both these countries are skyrocketing. The population explosion—without a corresponding increase in food production—is pushing countries in Africa and in South America close to the point of dependence on imported foodstuffs.

American farms, in other words, are beginning to be viewed as more important than American guns as an influence in the world.

NO CHANCE OF ISOLATION

The changing direction of U.S. foreign policy does not mean a withdrawal into isolation. As one American official put it:

"Our country has so much power economically, militarily and every other way that we couldn't go isolationist even if we wanted to."

Nor is foreign aid to end.

Rather, according to a speech by Vice President Hubert Humphrey on June 21, objectives after Vietnam are a better life in the U.S. and "really adequate foreign aid—at least twice our present level."

Then, Mr. Humphrey said, "we can begin to dig out the bitter roots of poverty where violence and war come from."

"It is far better to prevent wars than to wage them," the Vice President said.

Real meaning of the shift in policy planning is a drawing back by the U.S. from its costly role as world policeman.

In years ahead, it now seems likely, the U.S., while willing to help feed the hungry of the world, will be wary of blank-check commitments.

"HIGH CASUALTIES AND LOW MORALE"

Mr. HARTKE. Mr. President, I would like to believe that the optimistic official reports we have received on the "progress" made in Vietnam, as viewed by Secretary McNamara and others who produce official statements, could be accepted at full face value. I would like to think that we have made real and significant gains in the past few months or the past year.

But news dispatches from the scene, written even as the Secretary was making his visit last week, do not seem to bear the same kind of optimism.

Take the dispatch by Bernard Weinraub in the New York Times on July 13, datelined from Dongha, 10 miles south of the demilitarized zone. Here, in what has been dubbed Leatherneck Square, the marines in the area have suffered 9,000 casualties since the start of the year. One of them made his own report to Mr. Weinraub in a vein quite different from that we have heard from Mr. McNamara.

"Eight months ago," said that marine, "Dongha was considered a safe rear. Now it's on the frontline. That is real progress, isn't it?"

Morale is down. Unshaven, sleeping only 3 or 4 hours a night, not knowing when a new surprise mortar barrage may come, these men find frustration, not optimism, in the war.

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The success of Allied large-unit operations, the Secretary said at a news conference before his departure yesterday, can "perhaps most dramatically be expressed and revealed by the extension of the use of the road net of the country."

In fact, the state of the highways is open to some argument, like most other indices of the course of the war.

The most optimistic assessment of the situation is that of Gen. William C. Westmoreland's headquarters and it was presumably these figures to which Mr. McNamara referred.

Headquarters statisticians, relying on monthly reports from American commanders in the field, divide highways into three categories: "secure," or passable by a jeep with no escort, "marginal," passable by armed convoy, and "closed."

Using these definitions, they report that 43 per cent of the roads were open as of July 7, with 47 per cent marginal and only 10 per cent closed. A year ago, on June 30, 1966, the figures were 36 per cent secure, 26 per cent marginal and 38 per cent closed.

Although conceding that "incidents may occur frequently" on marginal roads, the statistics sometimes lump secure and marginal arteries together, arriving at a total of 90 per cent now theoretically open.

The actual situation, according to other American military and civilian officials, is less hopeful. The official figures, these observers indicate, are subject to many qualifications.

First, the classifications are highly subjective. They represent judgment, not facts, and the views of officers in different parts of the country vary.

Sometimes the assessments are contradicted. A 20-mile stretch of Highway 1 northwest of Danang, for example, is labeled secure, but on July 3, a Vietnamese Army convoy was smashed in a Vietcong ambush there. Twenty trucks were destroyed and 14 others damaged.

Second, the military figures apply only to military travel, in which weapons are always carried. Even on "secure" highways, American soldiers carry loaded M–16s and use jeeps whose floors are covered with sandbags to give some protection against enemy mines.

Some Vietnamese civilians travel on almost any highway that is not physically impassable if it is important or profitable enough for them to do so.

American civilian officials are discouraged from traveling anywhere outside Saigon by road, except to Bienhoa, just north of the capital and the site of an American base.

Third, the military flatly refuses to classify any road in the country as safe at night—not even the four-lane, 15-mile expressway that links Saigon with Bienhoa.

Perhaps the safest highway at night is National Route 1 between Phanrang and Quinhon. Two 15,000-man divisions of South Korean troops have been given responsibility for the security of the highway in that area, and they have succeeded remarkably well.

But in most of the country, because the Vietcong are unchallenged at night, traffic disappears from the roads about 6 P.M.

Fourth, the military statistics cover only 1,743 miles of highways—a fraction of the national total—that are considered "of strategic importance by the military.

These include all of highway 1, running from Dongha to Tayninh, all of Highway 43, from Saigon to Camau, Highway 15, from Saigon to Vungtau, Highway 19, from Quinhon to Pleiku, and some feeder roads. Excluded are other important arteries—all but two short stretches of Highway 14, which runs from Danang almost to Tayninh, all but a few miles of highway 13 from Saigon north to the Cambodian border, and others.

The highways that are omitted from the tabulations are for the most part impassable to all military traffic.

When all the qualifications have been taken into account, however, the road picture still looks better than it did a year ago, according to persons who regularly travel in the countryside.

To clear the roads has been an enormous task, requiring the commitment of large numbers of troops, including the Koreans on the central coast, marines in the north and parts of the First Cavalry Division at Ankhe of Route 19. The arteries will stay open, headquarters concedes, only as long as "there is some pretty strong muscle around."

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

AIR QUALITY ACT OF 1967

Mr. MUSKIE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 390, S. 780, the Air Quality Act of 1967.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 780) to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspection of automobile emission control devices and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Air Quality Act of 1967".

SEC. 2. The Clean Air Act, as amended (42 U.S.C. 1857–18571), is hereby amended to read as follows:

"TITLE I—AIR POLLUTION PREVENTION AND CONTROL

"Findings and purposes

"SEC. 101. (a) The Congress finds—

"(1) that the predominant part of the Nation's population is located in its rapidly expanding metropolitan and other urban areas, which generally cross the boundary lines of local jurisdictions and often extend into two or more States;

"(2) that the growth in the amount and complexity of air pollution brought about by urbanization, industrial development, and the increasing use of motor vehicles, has resulted in mounting dangers to the public health and welfare, including injury to agricultural crops and livestock, damage to and the deterioration of property, and hazards to air and ground transportation;

"(3) that the prevention and control of air pollution at its source is the primary responsibility of States and local governments; and

"(4) that Federal financial assistance and leadership is essential for the development of cooperative Federal, State, regional, and local programs to prevent and control air pollution.

"(b) The purposes of this title are—

"(1) to protect and enhance the quality of the Nation's air resources so as to promote the public health and welfare and the productive capacity of its population;

"(2) to initiate and accelerate a national research and development program to achieve the prevention and control of air pollution;

"(3) to provide technical and financial assistance to State and local governments in connection with the development and execution of their air pollution prevention and control programs; and

"(4) to encourage and assist the development and operation of regional air pollution control programs.

"Cooperative activities and uniform laws

"SEC. 102. (a) The Secretary shall encourage cooperative activities by the States and local governments for the prevention and control of air pollution; encourage the enactment of improved and, so far as practicable in the light of varying conditions and needs, uniform State and local laws relating to the prevention and control of air pollution; and encourage the making of agreements and compacts between States for the prevention and control of air pollution.

"(b) The Secretary shall cooperate with and encourage cooperative activities by all Federal departments and agencies having functions relating to the prevention and control of air pollution, so as to assure the utilization in the Federal air pollution control program of all appropriate and available facilities and resources within the Federal Government.

"(c) The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts, not in conflict with any law or treaty of the United States, for (1) cooperative effort and mutual assistance for the prevention and control of air pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements or compacts. No such agreement or compact shall be binding or obligatory upon any State a party thereto unless and until it has been approved by Congress.

"Research, investigations, training, and other activities

"SEC. 103. (a) The Secretary shall establish a national research and development program for the prevention and control of air pollution and as part of such program shall—

"(1) conduct, and promote the coordination and acceleration of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, and control of air pollution;

"(2) encourage, cooperate with, and render technical services and provide financial assistance to air pollution control agencies and other appropriate public or private agencies, institutions, and organizations, and individuals in the conduct of such activities;

"(3) conduct investigations and research and make surveys concerning any specific problem of air pollution in cooperation with any air pollution control agency with a view to recommending a solution of such problem, if he is requested to do so by such agency or of, in his judgment, such problem may affect any community or communities in a State other than that in which the source of the matter causing or contributing to the pollution is located.

"(b) In carrying out the provisions of the preceding subsection the Secretary is authorized to—

"(1) collect and make available, through publications and other appropriate means, the results of and other information, including appropriate recommendations by him in connection therewith, pertaining to such research and other activities;

"(2) cooperate with other Federal departments and agencies, with air pollution control agencies, with other public and private agencies, institutions, and organizations, and with any industries involved, in the preparation and conduct of such research and other activities;

"(3) make grants to air pollution control agencies, to other public or nonprofit private agencies, institutions, and organizations, and to individuals, for purposes stated in subsection (a)(1) of this section;

"(4) contract with public or private agencies, institutions, and organizations, and with individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5);

"(5) provide training for, and make training grants to, personnel of air pollution control agencies and other persons with suitable qualifications;

"(6) establish and maintain research fellowships, in the Department of Health, Education, and Welfare and at public or nonprofit private educational institutions or research organizations;

"(7) collect and disseminate, in cooperation with other Federal departments and agencies, and with other public or private agencies, institutions, and organizations having related responsibilities, basic data on chemical, physical, and biological effects of varying air quality and other information pertaining to air pollution and the prevention and control thereof; and

"(8) develop effective and practical processes, methods, and prototype devices for the prevention or control of air pollution.

"(c) In carrying out the provisions of subsection (a) of this section the Secretary shall conduct research on, and survey the results of other scientific studies on, the harmful effects on the health or welfare of persons by the various known air pollution agents (or combinations of agents).

"(d) The Secretary is authorized to construct such facilities and staff and equip them as he determines to be necessary to carry out his functions under this Act.

"(e) If, in the judgment of the Secretary, an air pollution problem of substantial significance may result from discharge or discharges into the atmosphere, he may call a conference concerning this potential air pollution problem to be held in or near one or more of the places where such discharge or discharges are occurring or will occur. All interested persons shall be given an opportunity to be heard at such conference, either orally or in writing, and shall be permitted to appear in person or by representative in accordance with procedures prescribed by the Secretary. If the Secretary finds, on the basis of the evidence presented at such conference, that the discharge or discharges if permitted to take place or continue are likely to cause or contribute to air pollution subject to abatement under section 108(a), he shall send such findings, together with recommendations concerning the measures which he finds reasonable and suitable to prevent such pollution, to the person or persons whose actions will result in the discharge or discharges involved; to air pollution agencies of the State or States and of the municipality or municipalities where such discharge or discharges will originate; and to the interstate air pollution control agency, if any, in the jurisdictional area of which any such municipality is located. Such findings and recommendations shall be advisory only, but shall be admitted, together with the record of the conference, as part of the proceedings under subsections (d), (e), and (f) of section 108.

"Research relating to fuels and vehicles

"Sec. 104. (a) The Secretary shall give special emphasis to research and development into new and improved methods, having industrywide application, for the prevention and control of air pollution resulting from the combustion of fuels. In furtherance of such research and development he shall—

"(1) conduct and accelerate research programs directed toward development of improved, low-cost techniques for control of combustion byproducts of fuels, for removal of potential pollutants from fuels, and for control of emissions from evaporation of fuels;

"(2) provide for Federal grants to or contract with public or private agencies, institutions, or persons for payment of (A) part of the cost of acquiring, constructing, or otherwise securing, for research and development purposes, new or improved devices or methods having industrywide application of preventing or controlling discharges into the air of various types of pollutants; and (B) carrying out the other provisions of this section, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5): Provided, That research or demonstration contracts awarded pursuant to this subsection (including contracts for construction) may be made in accordance with, and subject to the limitations provided with respect to research contracts of the military departments in, section 2353 of title 10, United States Code, except that the determination, approval, and certification required thereby shall be made by the Secretary;

"(3) determine, by laboratory and pilot plant testing, the results of air pollution research and studies in order to develop new or improved processes and plant designs to the point where they can be demonstrated on a large and practical scale;

"(4) construct, operate, and maintain, or assist in meeting the cost of the construction, operation, and maintenance of new or improved demonstration plants or processes which have promise of accomplishing the purposes of this Act;

"(5) study new or improved methods for the recovery and marketing of commercially valuable byproducts resulting from the removal of pollutants; and

"(6) establish technical advisory committees composed of recognized experts in various aspects of air pollution to assist in the examination and evaluation of research progress and proposals and to avoid duplication of research.

"(b) In carrying out the provisions of this section, the Secretary may—

"(1) conduct and accelerate research and development of low-cost instrumentation techniques to facilitate determination of quantity and quality of air pollutant emissions, including, but not limited to, automotive emissions;

"(2) utilize, on a reimbursable basis, the facilities of existing Federal scientific laboratories;

"(3) establish and operate necessary facilities and test sites at which to carry on the research, testing, development, and programming necesary to effectuate the purposes of this section;

"(4) acquire secret processes, technical data, inventions, patent applications, patents, licenses, and an interest in lands, plants, and facilities, and other property or rights by purchase, license, lease, or donation; and

"(5) cause on-site inspections to be made of promising domestic and foreign projects, and cooperate and participate in their development in instances in which the purposes of the Act will be served thereby.

"(c) Federal payments under subsection (a)(2) of this section shall be subject to the following limitations:

"(1) no grant shall be made in excess of $1,500,000; and

"(2) no grant shall be made for more than 75 per centum of the cost of the project.

"(d) For the purposes of this section there are authorized to be appropriated for the fiscal year ending June 30, 1968, $100,000,000; for the fiscal year ending June 30, 1969, $125,000,000; and for the fiscal year ending June 30, 1970, $150,000,000. Amounts appropriated pursuant to this subsection shall remain available until expended.

"Grants for support of air pollution planning and control programs

"Sec. 105. (a)(1) The Secretary is authorized to make grants to air pollution control agencies and planning commissions, in an amount up to two-thirds of the cost of planning, developing, establishing, or improving, and grants to such agencies in an amount up to one-half of the cost of maintaining, programs for the prevention and control of air pollution and the implementation of the air quality standards program as authorized by this Act: *Provided,* That the Secretary is authorized to make grants to intermunicipal or interstate air pollution control agencies (described in section 302(b) (2) and (4)) in an amount up to three-fourths of the cost of planning, developing, establishing, or improving and up to three-fifths of the costs of maintaining, regional air quality control programs, including but not limited to interstate commissions approved by the Congress pursuant to section 102(c): *Provided,* That the Secretary is authorized to make grants up to 100 per centum pursuant to section 106(a). As used in this subsection the term "regional air quality control program" means a program for the prevention and control of air pollution and the implementation of air quality standards programs as authorized by this Act, in an area that includes the areas of two or more municipalities whether in the same or different States.

"(2) Prior to the approval of any grant regional air pollution control agency or planning commission pursuant to this subsection, the Secretary shall receive assurances that such agency or commission provides for adequate representation of appropriate State, interstate, local, and (when appropriate) international, interest in the air quality control region.

"(3) Prior to the approval of any planning grant to any regional air pollution control agency or planning commission pursuant to this section, the Secretary shall receive assurances that such agency or commission has the capability of developing a comprehensive air quality plan for the air quality control region, which plans include (when appropriate) a recommended system of alerts to avert and reduce the risk of situations in which there may be imminent and serious danger to the public health or welfare from air pollutants and the various aspects relevant to the establishment of air quality standards for such air quality control region, including the concentration of industires, other commercial establishment, population and naturally occurring factors which shall affect such standards.

"(b) From the sums available for the purposes of subsection (a) of this section for any fiscal year, the Secretary shall from time to time make grants to air pollution control agencies upon such terms and conditions as the Secretary may find necessary to carry out the purpose of this section. In establishing regulations for the granting of such funds the Secretary shall, so far as practicable, give due consideration to (1) the population, (2) the extent of the actual or potential air pollution problem, and (3) the financial need of the respective agencies. No agency shall receive any grant under this section during any fiscal year when its expenditures of non-Federal funds for other than nonrecurrent expenditures for air pollution control programs will be less than its expenditures were for such programs during the preceding fiscal year; and no agency shall receive any grant under this section with respect to the maintenance of a program for the prevention and control of air pollution unless the Secretary is satisfied that such grant will be so used as to supplement and, to the extent practicable, increase the level of State, local, or other non-Federal funds that would in the absence of such grant be made available for the maintenance of such program, and will in no event supplant such State, local, or other non-Federal funds. No grant shall be made under this section until the Secretary has consulted with the appropriate official as designated by the Governor or Governors of the State or States affected.

"(c) Not more than 12½ per centum of the total of funds appropriated or allocated for the purposes of subsection (a) of this section shall be granted for air pollution control programs in any one State. In the case of a grant for a program in an area crossing State boundaries, the Secretary shall determine the portion of such grant that is chargeable to the percentage limitation under this subsection for each State into which such area extends.

"Interstate air quality agencies or commissions

"SEC. 106. (a) For the purpose of expediting the establishment of air quality standards in an interstate air quality control region designated pursuant to section 107(a)(2), the Secretary is authorized to pay, for two years, up to 100 per centum of the air quality planning program costs of any agency designated by the Governors of the affected States, which agency shall be capable of recommending to the Governors standards of air quality and plans for implementation thereof and shall include representation from the States and appropriate political subdivisions within the air quality control region. After the initial two-year period the Secretary is authorized to make grants to such agency pursuant to section 105.

"(b)(1) Whenever the Secretary deems it necessary to expedite the establishment of *standards for an interstate air quality control region* designated pursuant to section 108(c)(2) he may, after consultation with the Governors of the affected States, designate or establish an air quality planning commission for the purpose of developing recommended regulations setting forth *standards of air quality to be applicable to* such air quality control region.

"(2) Such Commission shall consist of the Secretary or his designee who shall serve as Chairman, and adequate representation of appropriate State, interstate, local and (when appropriate), international, interests *in the designated air quality control region.*

"(3) The Secretary shall, within available funds, provide such staff for such Commission as may be necessary to enable it to carry out its functions effectively, and shall pay the other expenses of the Commission; and may also accept for the use by such Commission, funds, property, or services contributed by the State involved or political subdivisions thereof.

"(4) Each appointee from a State, other than an official or employee thereof, or of any political subdivision thereof, shall, while engaged in the work of the Commission, receive compensation at a rate fixed by the *Secretary, but not in excess of $100 per diem,* including traveltime, and while away from his home or regular place of business, he may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 3109) for persons in the Government service employed intermittently.

"Air quality control regions, criteria, and control techniques

"SEC. 107. (a)(1) The Secretary shall, as soon as practicable, define for the purposes of this Act, atmospheric areas of the Nation on the basis of those conditions, including, but not limited to, climate, meteorology, and topography, which affect the interchange and diffusion of pollutants in the atmosphere.

"(2) The Secretary, after consultation with appropriate State and local authorities, shall, from time to time as he deems necessary to protect the public health and welfare, for the purpose of establishing ambient air quality standards pursuant to section 108, and for administrative and other purposes, designate air quality control regions based on jurisdictional boundaries, urban-industrial concentrations, and other factors including atmospheric areas necessary to provide adequate implementation of air quality standards. The Secretary shall immediately notify the Governor or Governors of the affected State or States of such designation.

"(b)(1) The Secretary shall, after consultation with appropriate advisory committees and Federal departments and agencies, from time to time, but as soon as practicable, develop and issue to the States such criteria of air quality as in his judgment may be requisite for the protection of the public health and welfare: *Provided,* That any criteria issued prior to enactment of this section shall be reevaluated in accordance with the consultation procedure and other provisions of this section and, if necessary, modified and reissued. Such issuance shall be announced in the Federal Register and copies shall be made available to the general public.

"(2) Such criteria shall accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on health and welfare which may be expected from the presence of an air pollution agent, or combination of agents in the ambient air, in varying quantities.

"(3) Such criteria shall include those variable factors which of themselves or in combination with other factors may alter the effects on public health and welfare of any subject agent or combination of agents, including, but not limited to, atmospheric *conditions, and the types of air pollution* agent or agents which, when present in the atmosphere, may interact with such subject agent or agents, to produce an adverse effect on public health and welfare.

"(c) The Secretary shall, after consultation with appropriate advisory committees *and Federal departments and agencies,* issue to the States and appropriate air pollution control agencies information on those recommended pollution control techniques the application of which is necessary to achieve levels of air quality set forth in criteria issued pursuant to subsection (b), *including those criteria subject to the proviso* in subsection (b)(1), which information shall include technical data relating to the technology and costs of emission control. Such recommendations shall include such data as are available on the latest available technology and economic feasibility of alternative methods of prevention and control *of air contamination including cost-effectiveness analyses. Such issuance shall be* announced in the Federal Register and copies shall be made available to the general public.

"(d) The Secretary shall, from time to time, revise and reissue material issued pursuant to subsections (b) and (c) in accord*ance with procedures established in such* subsections.

"Air quality standards and abatement of air pollution

"SEC. 108. (a) The pollution of the air in any State or States which endangers the health or welfare of any persons, shall be *subject to abatement as provided in this* section.

"(b) Consistent with the policy declaration of this title, municipal, State, and interstate action to abate air pollution shall be encouraged and shall not be displaced by Federal enforcement action except as otherwise provided by or pursuant to a court order under subsection (c), (h), or (k).

"(c)(1) If, after receiving any air quality criteria and recommended control techniques issued pursuant to section 107, the Governor of a State, within ninety days of such receipt, files a letter of intent that such State will within one hundred and eighty days, and from time to time thereafter, adopt, after public hearings, ambient air quality standards applicable to any designated air quality control region or portions thereof within such State and within one hundred and eighty days thereafter, and from time to time as may be necessary, adopts a plan for the implementation, maintenance, and enforcement of such standards of air quality adopted, and if such standards and plan are established in accordance with the letter of intent and if the Secretary determines that such State standards are consistent with the air quality criteria and recommended control techniques issued pursuant to section 107; that the plan is consistent with the purposes of the Act insofar as it assures achieving such standards of air quality within a reasonable time; and that a means of enforcement by State action, including authority comparable to that in subsection (k) of this section, is provided, such State standards and plan shall be the air quality standards applicable to such State. If the Secretary determines that any revised State standards and plan are consistent with the purposes of this Act and this subsection, such standards and plan shall be the air quality standards applicable to such State.

"(2) If a State does not (a) file a letter of intent or (b) establish air quality standards in accordance with paragraph (1) of this subsection with respect to any air quality control region or portion thereof and if the Secretary finds it necessary to achieve the purpose of this Act, or the Governor of any State affected by air quality standards established pursuant to this subsection petitions for a revision in such standards, the Secretary may after reasonable notice and a conference of representatives of appropriate Federal departments and agencies, interstate agencies, States, municipalities, and industries involved, prepare regulations setting forth standards of air quality to be applicable to such air quality control region or portions thereof. If, within six months from the date *the Secretary publishes such regulations, the* State has not adopted air quality standards found by the Secretary to be consistent with the purposes of this Act, or a petition for public hearing has not been filed under paragraph (3) of this subsection, the Secretary shall promulgate such standards.

"(3) If at any time prior to thirty days after standards have been promulgated under paragraph (2) of this subsection, the Governor of any State affected by such standards petitions the Secretary for a hearing, the Secretary shall call a public hearing for the purpose of receiving testimony from State and local pollution control agencies and other interested parties affected by the proposed standards, to be held in or near one or more of the places where the air quality standards will take effect, before a hearing board of five or more persons appointed by the Secretary. Each State which would be affected by such standards shall *be given an opportunity to select a member* of the hearing board. The Department of Commerce and other affected Federal departments and agencies shall each be given an opportunity to select a member of the hearing board and not less than a majority of the hearing board shall be persons other than officers or employees of the Department of Health, Education, and Welfare. The members of the board who are not officers or employees of the United States, while participating in the hearing conducted by such hearing board or otherwise engaged in the work of such hearing board, shall be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703, title 5, of the United States Code for persons in the Government service employed intermittently. At

least thirty days prior to the date of such hearing notice of such hearing shall be published in the Federal Register and given to parties notified of the conference required in paragraph (2) of this subsection. On the basis of the evidence presented at such hearing, the hearing board shall make findings as to whether the standards published or promulgated by the Secretary should be approved or modified and transmit its findings to the Secretary. If the hearing board approves the standards as published or promulgated by the Secretary, the standards shall take effect on receipt by the Secretary of the hearing board's recommendations. If the hearing board recommends modifications in the standards as published or promulgated by the Secretary, the Secretary shall promulgate revised regulations setting forth standards of air quality in accordance with the hearing board's recommendations which will become effective immediately upon promulgation.

"(4) Whenever, on the basis of surveys, studies, and reports, the Secretary finds that the ambient air quality of any air quality control region or portion thereof is below the air quality standards established under this subsection and he finds that the State has failed to enforce such air quality standards, such violation of the standards shall be subject to abatement in accordance with the provisions of paragraph (1) or (2) of subsection (g) of this section, except that at least one hundred and eighty days before any abatement action is initiated under either paragraph (1) or (2) of subsection (g) as authorized by this subsection, the Secretary shall notify the affected State or States, persons contributing to the alleged violation, and other interested parties of the violation of such standards. In any suit brought under the provisions of this subsection the court shall receive in evidence a transcript of the proceedings of the hearing provided for in this subsection, together with the recommendations of the hearing board and the recommendations and standards promulgated by the Secretary, and such additional evidence, including that relating to the alleged violation of the standards, as it deems necessary to complete review of the standards and to determination of all other issues relating to the alleged violation. The court, giving due consideration to the practicability and to the technological and economic feasibility of complying with such standards, shall have jurisdiction to enter such judgment and orders enforcing such judgment as the public interest and the equities of the case may require.

"(5) In connection with any hearings under this section no witness or any other person shall be required to divulge trade secrets or secret processes.

"(6) Nothing in this subsection shall prevent the application of this section to any case to which subsection (a) of this section would be otherwise applicable.

"(d)(1)(A) Whenever requested by the Governor of any State, a State air pollution control agency, or (with the concurrence of the Governor and the State air pollution control agency for the State in which the municipality is situated) the governing body of any municipality, the Secretary shall, if such request refers to air pollution which is alleged to endanger the health or welfare of persons in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate, give formal notification thereof to the air pollution control agency of the municipality where such discharge or discharges originate, to the air pollution control agency of the State in which such municipality is located, and to the interstate air pollution control agency, if any, in whose jurisdictional area such municipality is located, and shall call promptly a conference of such agency or agencies and of the air pollution control agencies of the municipalities which may be adversely affected by such pollution, and the air pollution control agency, if any, of each State, or for each area, in which any such municipality is located.

"(B) Whenever requested by the Governor of any State, a State air pollution control agency, or (with the concurrence of the Governor and the State air pollution control agency for the State in which the municipality is situated) the governing body of any municipality, the Secretary shall, if such request refers to alleged air pollution which is endangering the health or welfare of persons only in the State in which the discharge or discharges (causing or contributing to such pollution) originate and if a municipality affected by such air pollution, or the municipality in which such pollution originates, has either made or concurred in such request, give formal notification thereof to the State air pollution control agency, to the air pollution control agencies of the municipality where such discharge or discharges originate, and of the municipality or municipalities alleged to be adversely affected thereby, and to any interstate air pollution control agency, whose jurisdictional area includes any such municipality and shall promptly call a conference of such agency or agencies, unless in the judgment of the Secretary, the effect of such pollution is not of such significance as to warrant exercise of Federal jurisdiction under this section.

"(C) The Secretary may, after consultation with State officials of all affected States, also call such a conference whenever, on the basis of reports, surveys, or studies, he has reason to believe that any pollution referred to in subsection (a) is occurring and is endangering the health and welfare of persons in a State other than that in which the discharge or discharges originate. The Secretary shall invite the cooperation of any municipal, State, or interstate air pollution control agencies having jurisdiction in the affected area on any surveys or studies forming the basis of conference action.

"(D) Whenever the Secretary, upon receipt of reports, surveys, or studies from any duly constituted international agency, has reason to believe that any pollution referred to in subsection (a) which endangers the health or welfare of persons in a foreign country is occurring, or whenever the Secretary of State requests him to do so with respect to such pollution which the Secretary of State alleges is of such a nature, the Secretary of Health, Education, and Welfare shall give formal notification thereof to the air pollution control agency of the municipality where such discharge or discharges originate, to the air pollution control agency of the State in which such municipality is located, and to the interstate air pollution control agency, if any, in the jurisdictional area of which such municipality is located, and shall call promptly a conference of such agency or agencies. The Secretary shall invite the foreign country which may be adversely affected by the pollution to attend and participate in the conference, and the representative of such country shall, for the purpose of the conference and any further proceeding resulting from such conference, have all the rights of a State air pollution control agency. This subparagraph shall apply only to a foreign country which the Secretary determines has given the United States essentially the same rights with respect to the prevention or control of air pollution occurring in that country as is given that country by this subparagraph.

"(2) The agencies called to attend such conference may bring such persons as they desire to the conference. The Secretary shall deliver to such agencies and make available to other interested parties, at least thirty days prior to any such conference, a Federal report with respect to the matters before the conference, including data and conclusions or findings (if any); and shall give at least thirty days' prior notice of the conference date to any such agency, and to the public by publication on at least three different days in a newspaper or newspapers of general circulation in the area. The chairman of the conference shall give interested parties an opportunity to present their views to the conference with respect to such Federal report, conclusions or findings (if any), and other pertinent information. The Secretary shall provide that a transcript be maintained of the proceedings of the conference and that a copy of such transcript be made available on request of any participant in the conference at the expense of such participant.

"(3) Following this conference, the Secretary shall prepare and forward to all air pollution control agencies attending the conference a summary of conference discussions including (A) occurrence of air pollution subject to abatement under this Act; (B) adequacy of measures taken toward abatement of the pollution; and (C) nature of delays, if any, being encountered in abating the pollution.

"(e) If the Secretary believes, upon the conclusion of the conference or thereafter, that effective progress toward abatement of such pollution is not being made and that the health or welfare of any persons is being endangered, he shall recommend to the appropriate State, interstate, or municipal air pollution control agency (or to all such agencies) that the necessary remedial action be taken. The Secretary shall allow at least six months from the date he makes such recommendations for the taking of such recommended action.

"(f)(1) If, at the conclusion of the period so allowed, such remedial action or other action which in the judgment of the Secretary is reasonably calculated to secure abatement of such pollution has not been taken, the Secretary shall call a public hearing, to be held in or near one or more of the places where the discharge or discharges causing or contributing to such pollution originated, before a hearing board of five or more persons appointed by the Secretary. Each State in which any discharge causing or contributing to such pollution originates and each State claiming to be adversely affected by such pollution shall be given an opportunity to select one member of such hearing board and each Federal department, agency, or instrumentality having a substantial interest in the subject matter as determined by the Secretary shall be given an opportunity to select one member of such hearing board, and one member shall be a representative of the appropriate interstate air pollution agency if one exists, and not less than a majority of such hearing board shall be persons other than officers or employees of the Department of Health, Education, and Welfare. At least three weeks' prior notice of such hearing shall be given to the State, interstate, and municipal air pollution control agencies called to attend such hearing and to the alleged polluter or polluters.

"(2) On the basis of evidence presented at such hearing, the hearing board shall make findings as to whether pollution referred to in subsection (a) is occurring and whether effective progress toward abatement thereof is being made. If the hearing board finds such pollution is occurring and effective progress toward abatement thereof is not being made it shall make recommendations to the Secretary concerning the measures, if any, which it finds to be reasonable and suitable to secure abatement of such pollution.

"(3) The Secretary shall send such findings and recommendations to the person or persons discharging any matter causing or contributing to such pollution; to air pollution control agencies of the State or States and of the municipality or municipalities where such discharge or discharges originate; and to any interstate air pollution control agency whose jurisdictional area includes any such municipality, together with a notice specifying a reasonable time (not less than six months) to secure abatement of such pollution.

"(g) If action reasonably calculated to secure abatement of the pollution within the time specified in the notice following the public hearing is not taken, the Secretary—

"(1) in the case of pollution of air which is endangering the health or welfare of persons (A) in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate, or (B) in a foreign country which has participated in a conference called under subparagraph (D) of subsection (d) of this section and in all proceedings under this section resulting from such conference, may request the Attorney General to bring a suit on behalf of the United States in the appropriate United States district court to secure abatement of the pollution.

"(2) in the case of pollution of air which is endangering the health or welfare of persons only in the State in wihch the discharge or discharges (causing or contributing to such pollution) originate, at the request of the Governor of such State, shall provide such technical and other asssistance as in his judgment is necessary to assist the State in judicial proceedings to secure abatement of the pollution under State or local law or, at the request of the Governor of such State, shall request the Attorney General to bring suit on behalf of the United States in the appropriate United States district court to secure abatement of the pollution.

"(h) The court shall receive in evidence in any suit brought in a United States court under subsection (g) of this section a transcript of the proceedings before the board and a copy of the board's recommendations and shall receive such further evidence as the court in its discretion deems proper. The court, giving due consideration to the practicability of complying with such standards as may be applicable and to the physical and economic feasibility of securing abatement of any pollution proved, shall have jurisdiction to enter such judgment, and orders enforcing such judgment, as the public interest and the equities of the case may require.

"(i) Members of any hearing board appointed pursuant to subsection (f) who are not regular full-time officers or employees of the United States shall, while participating in the hearing conducted by such board or otherwise engaged on the work of such board, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $50 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"(j) (1) In connection with any conference called under this section, the Secretary is authorized to require any person whose activities result in the emission of air pollutants causing or contributing to air pollution to file with him, in such form as he may prescribe, a report, based on existing data, furnishing to the Secretary such information as may reasonably be required as to the character, kind, and quantity of pollutants discharged and the use of devices or other means to prevent or reduce the emission of pollutants by the person filing such a report. After a conference has been held with respect to any such pollution the Secretary shall require such reports from the person whose activities result in such pollution only to the extent recommended by such conference. Such report shall be made under oath or otherwise, as the Secretary may prescribe, and shall be filed with the Secretary within such reasonable period as the Secretary may prescribe, unless additional time be granted by the Secretary. No person shall be required in such report to divulge trade secrets or secret processes and all information reported shall be considered confidential for the purposes of section 1905 of title 18 of the United States Code.

"(2) If any person required to file any report under this subsection shall fail to do so within the time fixed by the Secretary for filing the same, and such failure shall continue for thirty days after notice of such default, such person shall forfeit to the United States the sum of $100 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business: *Provided*, That the Secretary may upon application therefor remit or mitigate any forfeiture provided for under this subsection and he shall have authority to determine the facts upon all such applications.

"(3) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures.

"(k) Notwithstanding any other provision of this section, the Secretary, upon receipt of evidence that a particular pollution source or combination of sources (including moving sources) is presenting an imminent and substantial endangerment to the health of persons, and finding that appropriate State or local authorities have not acted to abate such sources, may request the Attorney General to bring suit on behalf of the United States in the appropriate United States district court to immediately enjoin any contributor to the alleged pollution to stop the emission of contaminants causing such pollution or to take such other action as may be necessary.

"Standards to achieve higher level of air quality

"SEC. 109. Nothing in this title shall prevent a State, political subdivision, intermunicipal or interstate agency from adopting standards and plans to implement an air quality program which will achieve a higher level of ambient air quality than approved by the Secretary.

"President's air quality advisory board and advisory committees

"SEC. 110. (a) (1) There is hereby established in the Department of Health, Education, and Welfare an Air Quality Advisory Board, composed of the Secretary or his designee, who shall be Chairman, and fifteen members appointed by the President, none of whom shall be Federal officers or employees. The appointed members, having due regard for the purposes of this Act, shall be selected from among representatives of various State, interstate, and local governmental agencies, of public or private interests contributing to, affected by, or concerned with air pollution, and of other public and private agencies, organizations, or groups demonstrating an active interest in the field of air pollution prevention and control, as well as other individuals who are expert in this field.

"(2) Each member appointed by the President shall hold office for a term of three years, except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (B) the terms of office of the members first taking office pursuant to this subsection shall expire as follows: five at the end of one year after the date of appointment, five at the end of two years after such date, and five at the end of three years after such date, as designated by the President at the time of appointment, and (C) the term of any member under the preceding provisions shall be extended until the date on which his successor's appointment is effective. None of the members shall be eligible for reappointment within one year after the end of his preceding term, unless such term was for less than three years.

"(b) The Board shall advise and consult with the Secretary on matters of policy relating to the activities and functions of the Secretary under this Act and make such recommendations as it deems necessary to the President.

"(c) Such clerical and technical assistance as may be necessary to discharge the duties of the Board and such other advisory committees as hereinafter authorized shall be provided from the personnel of the Department of Health, Education, and Welfare.

"(d) In order to obtain assistance in the development and implementation of the purposes of this Act including air quality criteria, recommended control techniques, standards, research and development, and to encourage the continued efforts on the part of industry to improve air quality and to develop economically feasible methods for the control and abatement of air pollution, the Secretary shall from time to time establish advisory committees. Committee members shall include, but not be limited to, persons who are knowledgeable concerning air quality from the standpoint of health, welfare, economics, air technology.

"(e) The members of the Board and other advisory committees appointed pursuant to this Act who are not officers or employees of the United States, while attending conferences or meetings of the Board or while otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"Cooperation by Federal agencies to control air pollution from Federal facilities

"SEC. 111. (a) It is hereby declared to be the intent of Congress that any Federal department or agency having jurisdiction over any building, installation, or other property shall, to the extent practicable and consistent with the interests of the United States and within any available appropriations, cooperate with the Department of Health, Education, and Welfare and with any air pollution control agency in preventing and controlling the pollution of the air in any area insofar as the discharge of any matter from or by such building, installation, or other property may cause or contribute to pollution of the air in such area.

"(b) In order to control air pollution which may endanger the health or welfare of any persons, the Secretary may establish classes of potential pollution sources for which any Federal department or agency having jurisdiction over any building, installation, or other property shall, before discharging any matter into the air of the United States, obtain a permit from the Secretary for such discharge, such permits to be issued for a specified period of time to be determined by the Secretary and subject to revocation if the Secretary finds pollution is endangering the health and welfare of any persons. In connection with the issuance of such permits, there shall be submitted to the Secretary such plans, specifications, and other information as he deems relevant thereto and under such conditions as he may prescribe. The Secretary shall report each January to the Congress the status of such permits and compliance therewith.

"TITLE II—NATIONAL EMISSION STANDARDS ACT

"Short title

"SEC. 201. This title may be cited as the 'National Emission Standards Act'.

"Establishment of standards

"SEC. 202. (a) The Secretary shall by regulation, giving appropriate consideration to technological feasibility and economic costs, prescribe as soon as practicable standards, applicable to the emission of any kind of substance, from any class or classes of new motor vehicles or new motor vehicle engines, which in his judgment cause or contribute to, or are likely to cause or to contribute to, air pollution which endangers the health or welfare of any persons, and such standards shall apply to such vehicles or engines whether they are designed as complete systems or incorporate other devices to prevent or control such pollution.

"(b) Any regulations initially prescribed under this section, and amendments thereto, with respect to any class of new motor vehicles or new motor vehicle engines shall become effective on the effective date specified in the order promulgating such regulations which date shall be determined by the Secretary after consideration of the period reasonably necessary for industry compliance.

"Prohibited acts

"SEC. 203. (a) The following acts and the causing thereof are prohibited—

"(1) in the case of a manufacturer of new motor vehicles or new motor vehicle engines for distribution in commerce, the manufacture for sale, the sale, or the offering for sale, or the introduction or delivery for introduction into commerce, or the importation into the United States for sale or resale, of any new motor vehicle or new motor vehicle engine, manufactured after the effective date of regulations under this title which are applicable to such vehicle or engine unless it is in conformity with regulations prescribed under section 202 (except as provided in subsection (b));

"(2) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information, required under section 207; or

"(3) for any person to remove or render inoperative any device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with regulations under this title prior to its sale and delivery to the ultimate purchaser.

"(b)(1) The Secretary may exempt any new motor vehicle or new motor vehicle engine, or class thereof, from subsection (a), upon such terms and conditions as he may find necessary to protect the public health or welfare, for the purpose of research, investigations, studies, demonstrations, or training, or for reasons of national security.

"(2) A new motor vehicle or new motor vehicle engine offered for importation by a manufacturer in violation of subsection (a) shall be refused admission into the United States, but the Secretary of the Treasury and the Secretary of Health, Education, and Welfare may, by joint regulation, provide for deferring final determination as to admission and authorizing the delivery of such a motor vehicle or engine offered for import to the owner or consignee thereof upon such terms and conditions (including the furnishing of a bond) as may appear to them appropriate to insure that any such motor vehicle or engine will be brought into conformity with the standards, requirements, and limitations applicable to it under this title. The Secretary of the Treasury shall, if a motor vehicle or engine is finally refused admission under this paragraph, cause disposition thereof in accordance with the customs laws unless it is exported, under regulations prescribed by such Secretary, within ninety days of the date of notice of such refusal or such additional time as may be permitted pursuant to such regulations, except that disposition in accordance with the customs laws may not be made in such manner as may result, directly or indirectly, in the sale, to the ultimate consumer, of a new motor vehicle or new motor vehicle engine that fails to comply with applicable standards of the Secretary of Health, Education, and Welfare under this title.

"(3) A new motor vehicle or new motor vehicle engine intended solely for export, and so labeled or tagged on the outside of the container and on the vehicle or engine itself, shall not be subject to the provisions of subsection (a).

"Injunction proceedings

"SEC. 204. (a) The district courts of the United States shall have jurisdiction to restrain violations of paragraph (1), (2), or (3) of section 203(a).

"(b) Actions to restrain such violations shall be brought by and in the name of the United States. In any such action, subpenas for witnesses who are required to attend a district court in any district may run into any other district.

"Penalties

"SEC. 205. Any person who violates paragraph (1), (2), or (3) of section 203(a) shall be subject to a fine of not more than $1,000. Such violation with respect to sections 203 (a)(1) and 203(a)(3) shall constitute a separate offense with respect to each new motor vehicle or new motor vehicle engine.

"Certification

"SEC. 206. (a) Upon application of the manufacturer, the Secretary shall test, or require to be tested, in such manner as he deems appropriate, any new motor vehicle or new motor vehicle engine submitted by such manufacturer to determine whether such vehicle or engine conforms with the regulations prescribed under section 202 of this title. If such vehicle or engine conforms to such regulations the Secretary shall issue a certificate of conformity, upon such terms, and for such period not less than one year, as he may prescribe.

"(b) Any new motor vehicle or any motor vehicle engine sold by such manufacturer which is in all material respects substantially the same construction as the test vehicle or engine for which a certificate has been issued under subsection (a), shall for the purposes of this Act be deemed to be in conformity with the regulation issued under section 202 of this title.

"Records and reports

"SEC. 207. (a) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this title and regulations thereunder and shall, upon request of an officer or employee duly designated by the Secretary, permit such officer or employee at reasonable times to have access to and copy such records.

"(b) All information reported or otherwise obtained by the Secretary or his representative pursuant to subsection (a), which information contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of such section 1905, except that such information may be disclosed to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Secretary or any officer or employee under his control, from the duly authorized committees of the Congress.

"State standards

"SEC. 208. (a) No State or any political subdivision thereof shall adopt or attempt to enforce any standard relating to the control of emissions from new motor vehicles or new motor vehicle engines subject to this title. No State shall require certification, inspection, or any other approval relating to the control of emissions from any new motor vehicle or new motor vehicle engine as condition precedent to the initial retail sale, titling (if any), or registration of such motor vehicle, motor vehicle engine, or equipment.

"(b) The Secretary shall, after notice and opportunity for public hearing, waive application of this section to any State which has adopted standards (other than crankcase emission standards) for the control of emissions from new motor vehicles or new motor vehicle engines prior to March 30, 1966, unless he finds that such State does not require standards more stringent than applicable Federal standards to meet compelling and extraordinary conditions or that such State standards and accompanying enforcement procedures are not consistent with section 202(a) of this title.

"(c) Nothing in this title shall preclude or deny to any State or political subdivision thereof the right otherwise to control, regulate, or restrict the use, operation, or movement of registered or licensed motor vehicles.

"Federal assistance in developing vehicle inspection programs

"SEC. 209. The Secretary is authorized to make grants to appropriate State air pollution control agencies in an amount up to two-thirds of the cost of developing meaningful uniform motor vehicle emission device inspection and emission testing programs except that (1) no grant shall be made for any part of any State vehicle inspection program which does not directly relate to the cost of the air pollution control aspects of such a program; and (2) no such grant shall be made unless the Secretary of Transportation has certified to the Secretary that such program is consistent with any highway safety program developed pursuant to section 402 of title 23 of the United States Code.

"Registration of fuel additives

"SEC. 210. (a) The Secretary may by regulation designate any fuel or fuels (including fuels used for purposes other than motor vehicles), and after such date or dates as may be prescribed by him, no manufacturer or processor of any such fuel may deliver any fuel for introduction into interstate commerce or to another person who, it can reasonably be expected, will deliver such fuel for such introduction unless such fuel has been registered with the Secretary in accordance with this section.

"(b) For the purposes of this section the Secretary shall require (1) the manufacturer of such fuel to notify him as to the commercial identifying name and manufacturer of any additive contained in such fuel; the range of concentration of such additive or additives in the fuel; and the purpose of the use of such additive; and (2) the manufacturer of any such additive to notify him as to the chemical structure and composition of such additive or additives as indicated by compliance with clause (1) above, the recommended range of concentration of such additive, if any, and the recommended purpose in the use of such additive. Upon compliance with clauses (1) and (2), including assurances that any change in the above information will be provided to the Secretary, the Secretary shall register such fuel.

"(c) All information reported or otherwise obtained by the Secretary or his representative pursuant to subsection (b), which information contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of such section 1905, except that such information may be disclosed to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Secretary or any officer or employee under his control, from the duly authorized committees of the Congress.

"(d) Any person who violates subsection (a) shall forfeit and pay to the United States a civil penalty of $1,000 for each and every day of the continuance of such violation which shall accrue to the United States and be recovered in a civil suit in the name of the United States, brought in the district where such person has his principal office or in any district in which he does business. The Secretary may, upon application therefor, remit or mitigate any forfeiture provided for in this subsection, and he shall have authority to determine the facts upon all such applications.

"(e) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures.

"National emissions standards study

"SEC. 211. The Secretary shall submit to the Congress, no later than two years after the effective date of this section, a comprehensive report on the need for and effect of national emission standards for stationary sources. Such report shall include: (A) information regarding identifiable health and welfare effects from single emission sources; (B) examples of specific plants, their location, and the contaminant or contaminants which, due to the amount or nature of emissions from such facilities, constitute a danger to public health or welfare; (C) an up-to-date list of those industries and the contaminant or contaminants which, in his opinion, should be subject to such national standards; (D) the relationship of such national emission standards to ambient air quality, including a comparison of situations wherein several plants emit the same contaminants in an air region with those in which only one such plant exists; (E) an analysis of the cost of applying such standards; and (F) such other information as may be appropriate.

"Definitions for title II

"SEC. 212. As used in this title—

"(1) The term 'manufacturer' as used in sections 203, 206, 207, and 208 means any person engaged in the manufacturing or assembling of new motor vehicles or new motor vehicle engines, or importing such vehicles or engines for resale, or who acts for and is under the control of any such person in connection with the distribution of new motor vehicles or new motor vehicle engines, but shall not include any dealer with respect to new motor vehicles or new motor vehicle engines received by him in commerce.

"(2) The term 'motor vehicle' means any self-propelled vehicle designed for transporting persons or property on a street or highway.

"(3) The term 'new motor vehicle' means a motor vehicle the equitable or legal title to which has never been transferred to an ultimate purchaser; and the term 'new motor vehicle engine' means an engine in a new motor vehicle or a motor vehicle engine the equitable or legal title to which has never been transferred to the ultimate purchaser.

"(4) The term 'dealer' means any person who is engaged in the sale or the distribution of new motor vehicles or new motor vehicle engines to the ultimate purchaser.

"(5) The term 'ultimate purchaser' means, with respect to any new motor vehicle or new motor vehicle engine, the first person who in good faith purchases such new motor vehicle or new engine for purposes other than resale.

"(6) The term 'commerce' means (A) commerce between any place in any State and any place outside thereof; and (B) commerce wholly within the District of Columbia.

"TITLE III—GENERAL

"Administration

"SEC. 301. (a) The Secretary is authorized to prescribe such regulations as are necessary to carry out his functions under this Act. The Secretary may delegate to any officer or employee of the Department of Health, Education, and Welfare such of his powers and duties under this Act, except the making of regulations, as he may deem necessary or expedient.

"(b) Upon the request of an air pollution control agency, personnel of the Public Health Service may be detailed to such agency for the purpose of carrying out the provisions of this Act. The provisions of section 214(d) of the Public Health Service Act shall be applicable with respect to any personnel so detailed to the same extent as if such personnel had been detailed under section 214(b) of that Act.

"(c) Payments under grants made under this Act may be made in installments, and in advance or by way of reimbursement, as may be determined by the Secretary.

"Definitions

"SEC. 302. When used in this Act—

"(a) The term 'Secretary' means the Secretary of Health, Education, and Welfare.

"(b) The term 'air pollution control agency' means any of the following:

"(1) A single State agency designated by the Governor of that State as the official State air pollution control agency for purposes of this Act;

"(2) An agency established by two or more States and having substantial powers or duties pertaining to the prevention and control of air pollution;

"(3) A city, county, or other local government health authority, or, in the case of any city, county, or other local government in which there is an agency other than the health authority charged with responsibility for enforcing ordinances or laws relating to the prevention and control of air pollution, such other agency; or

"(4) An agency of two or more municipalities located in the same State or in different States and having substantial powers or duties pertaining to the prevention and control of air pollution.

"(c) The term 'regional air pollution control agency or planning commission' means an agency of two or more municipalities located in the same State or in different States and having the capability of carrying out the planning functions authorized by this Act.

"(d) The term 'interstate air pollution control agency' means—

"(1) an air pollution control agency established by two or more States, or

"(2) an air pollution control agency of two or more municipalities located in different States.

"(e) The term 'State' means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

"(f) The term 'person' includes an individual, corporation, partnership, association, State, municipality, and political subdivision of a State.

"(g) The term 'municipality' means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law.

"(h) All language referring to adverse effects on welfare shall include but not be limited to injury to agricultural crops and livestock, damage to and the deterioration of property, and hazards to transportation.

"Other authority not affected

"SEC. 303. (a) Except as provided in subsection (b) of this section, this Act shall not be construed as superseding or limiting the authorities and responsibilities, under any other provision of law, of the Secretary or any other Federal officer, department, or agency.

"(b) No appropriation shall be authorized or made under section 301, 311, or 314(c) of the Public Health Service Act for any fiscal year after the fiscal year ending June 30, 1964, for any purpose for which appropriations may be made under authority of this Act.

"Records and audit

"SEC. 304. (a) Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Secretary of Health, Education, and Welfare and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examinations to any books, documents, papers, and records of the recipients that are pertinent to the grants received under this Act.

"Comprehensive economic cost studies

"SEC. 305. (a) In order to provide the basis for evaluating programs authorized by this Act and the development of new programs and to furnish the Congress with the information necessary for authorization of appropriations by fiscal years beginning after June 30, 1969, the Secretary, in cooperation with State, interstate, and local air pollution control agencies, shall make a detailed estimate of the cost of carrying out the provisions of this Act; a comprehensive study of the cost of program implementation by affected units of government; and a comprehensive study of the economic impact of air quality standards on the Nation's industries, communities, and other contributing sources of pollution, including an analysis of the national requirements for and the cost of controlling emissions to attain such standards of air quality as may be established pursuant to this Act or applicable State law. The Secretary shall submit such detailed estimate and the results of such comprehensive study of cost for the five-year period beginning July 1, 1969, and the results of such other studies, to the Congress not later than January 10, 1969, and shall submit a reevaluation of such estimate and studies annually thereafter.

"(b) The Secretary shall also make a complete investigation and study to determine (1) the need for additional trained State and local personnel to carry out programs assisted pursuant to this Act and other programs for the same purpose as this Act; (2) means of using existing Federal training programs to train such personnel; and (3) the need for additional trained personnel to develop, operate, and maintain those pollution control facilities designed and installed to implement air quality standards. He shall report the results of such investigation and study to the President and the Congress not later than July 1, 1969.

"Additional reports to Congress

"SEC. 306. Not later than six months after the effective date of this section and not later than January 10 of each calendar year beginning after such date, the Secretary shall report to the Congress on measures taken toward implementing the purpose and intent of this Act including, but not limited to, (1) the progress and problems associated with control of automotive exhaust emissions and the research efforts related thereto; (2) the development of air quality criteria and recommended emission control requirements; (3)

the status of enforcement actions taken pursuant to this Act; (4) the status of State ambient air standards setting, including such plans for implementation and enforcement as have been developed; (5) the extent of development and expansion of air pollution monitoring systems; (6) progress and problems related to development of new and improved control techniques; (7) the development of quantitative and qualitative instrumentation to monitor emissions and air quality; (8) standards set or under consideration pursuant to title II of this Act; (9) the status of State, interstate, and local pollution control programs established pursuant to and assisted by this Act; and (10) the reports and recommendations made by the President's Air Quality Advisory Board.

"Separability

"SEC. 307. If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Act, shall not be affected thereby.

"Appropriations

"SEC. 308. There are hereby authorized to be appropriated to carry out this Act, other than sections 103(d) and 104, $75,000,000 for the fiscal year ending June 30, 1968, $100,000,000 for the fiscal year ending June 30, 1969, and $150,000,000 for the fiscal year ending June 30, 1970.

"Short title

"SEC. 309. This Act may be cited as the 'Clean Air Act'."

Mr. MUSKIE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, the Senate has demonstrated its recognition of air pollution as a serious national problem. Beginning with the Clean Air Act of 1963 the Senate has given unanimous approval to legislation designed to expand Federal support for the battle to preserve the quality of our air resources.

We realize there are no panaceas, no overnight cures for the complex problems of air pollution, but we are pledged to protect the health and welfare of every citizen of this Nation whether that person be healthy, or suffering from a bronchial disorder.

Mr. President, there is an abundance of compelling evidence to indicate that air pollution is a hazard to health. There is more compelling evidence to indicate that the public welfare is adversely affected by indiscriminate pumping of waste into the air. We know this as individuals who have experienced discomfort from foul odors, had our eyes burn from smog or looked at the color of a white shirt after a day in any of our industrial cities.

At the same time popular concern for air pollution control has risen dramatically as the result of increased leisure time, greater publicity, increased awareness of health problems and a variety of other reasons. There is a demand for action, and all the evidence received by the Public Works Committee this year in 18 days of hearings, in consultations and in research supports that demand.

Mr. President, S. 780, as amended by the committee, is complex, as are the problems of environmental control. The problem of air pollution is neither local nor temporary. It is a universal problem, and, so long as our standard of living continues to increase, it will be a permanent threat to human well-being.

The committee's recommendations provide far-reaching opportunities for a comprehensive, broad-based attack on the Nation's air pollution problem while expanding the potential of control technology and identifying the health and welfare effects of air pollution. The objective of S. 780 is the enhancement of air quality and the reduction of harmful emissions consistent with maximum utilization of an expanding capacity to deal with them effectively. At the same time, it provides authority to abate any pollution source which is an imminent danger to health, by whatever means necessary.

The Air Quality Act of 1967, therefore, serves notice that no one has the right to use the atmosphere as a garbage dump, and that there will be no haven for polluters anywhere in the country.

The committee believes that, to date, public and private efforts to accomplish air quality objectives have been inadequate. Research has been insufficient, with little significant development of new and improved methods for controlling or eliminating air pollution. As each day passes there is a greater urgency for closer cooperation between government and industry in an effort to make substantial inroads on air pollution control and abatement.

I would like to point out, for clarification, that the bill as reported by the committee is the entire Clean Air Act as amended by this years' action. Because the amendments are complex and because they recast the force and effect of the Federal air pollution control effort the committee thought it wise to present to the Senate a complete act containing both the amendments and previously adopted language which was not changed. The Cordon print beginning on page 63 of the report indicates the changes in existing law.

In order to facilitate the objective of a national abatement program which will enhance the quality of our Nation's air, the proposed amendments to the Clean Air Act provide the Secretary of Health, Education, and Welfare with the following authority:

First. To request an immediate injunction to abate the emission of contaminants which present "an imminent and substantial endangerment to the health of persons," anywhere in the country;

Second. To designate "air quality control regions" for the purpose of implementing air quality standards, whenever and wherever he deems it necessary to protect the public health and welfare.

Third. In the absence of effective State action in accordance with the provisions of the act, to establish ambient air quality standards for such regions.

Fourth. In the absence of effective State action in accordance with the provisions of the act, to enforce such standards.

Fifth. In the absence of action by the affected States, to establish Federal interstate air quality planning commissions.

It should be emphasized that it is the intent of the committee to enhance air quality and to reduce harmful pollution emissions anywhere in the country, and to give the Secretary authority to implement that objective in the absence of effective State and local control. It is believed that the Air Quality Act of 1967 carries out that intent.

The committee recognizes the potential economic impact, and therefore economic risk, associated with major social legislative measures of this type. But this risk was assumed when the Congress enacted social security, fair labor standards, and a host of other legislation designed to protect the public welfare. Such a risk must again be assumed if the Nation's air resources are to be conserved, and enhanced to the point that generations yet to come will be able to breathe without fear of impairment of health.

S. 780 is a logical expansion of the Clean Air Act of 1963 as amended. In the basic act the Congress provided for development by the Public Health Service of "air quality criteria" to identify the effects of pollutants on health and welfare. To date, one such set of criteria relating to oxides of sulfur has been issued and the committee understands that criteria on several other contaminants including carbon monoxide, particulates, and oxidants will be released within the next 6 months.

The committee recognizes this activity and has encouraged its expansion under S. 780. In addition to continuing the analysis of the quantitative and qualitative effects of air pollution under strengthened and refined procedures of evaluation, the committee bill authorizes two new areas of activity. A first and important step will be the identification of those areas of the Nation which have significant air pollution problems. The designation by the Secretary of these problem areas will trigger the setting of air quality standards related to those pollutants for which criteria have been developed.

In concert with expanded criteria development will be the compilation of information of methods of pollution control, which will be a publication of the technology and economically feasible methods of control of pollutants subject to criteria. This information will be designed to assist the States in carrying out their responsibility to control air pollution within their respective boundaries.

These three steps, designation of air quality control regions, criteria development, and publication of control technology information are the tools for development of air quality standards and an early warning system to those industries and others in problem areas who will be required to control their emissions.

The committee does not suggest that, with one fell swoop, the air pollution problems of the Nation will be solved. Development of the above-mentioned information will require a time equivalent to that considered in the initial administration proposal for uniform national emission standards. And after the information is available and the States adopt standards, there will be the necessary time to achieve desired emissions control.

But we will have a national program of air quality. The States will retain the primary responsibility to determine the quality of air they desire. In no event, however, will the Federal Government approve any air quality standard or plan for implementation of that standard which does not provide for protection of the public health and welfare of all citizens within the air quality region.

Moreover, in the absence of effective State action the bill gives the Secretary of Health, Education, and Welfare the authority to set standards in such regions.

In addition, new industries, wherever they locate, will know that control is inevitable and plan for it. The fact that an area is not now a problem area will not mean that controls will never be required. When the air quality of any region deteriorates below the level required to protect public health and welfare, the Secretary is required to designate that region for the establishment of air quality standards, enforceable by the Federal Government if the States fail to act. It should be pointed out in this connection that the Public Health Service has expressed the view that every urban area of 50,000 or more population now has an air pollution problem. There are also population areas under that size which clearly have problems related to particular pollution sources and conditions.

Considerable attention was given, in the hearings and also in informal conferences and executive sessions, to the concept of national emission standards. Such standards were urged by the administration first, as a means of eliminating the economic disadvantage of complying with air pollution controls as a local requirement and the temptation for industry to leave or avoid areas where such controls are presently necessary; and, second, on the ground that some industries, by their nature, are a danger to health and welfare wherever they are located.

In the judgment of the committee, these arguments were offset by the following considerations:

First. The administration itself did not propose uniform national emission standards but rather minimal national standards. Clearly, therefore, there would be local variations which would not eliminate economic disadvantages. Dr. John T. Middleton, Director, National Center for Air Pollution Control, Health, Education, and Welfare, said:

> Our intention is to get minimum national standards to help insure that no single pollution source would, in itself, be a threat to public health and welfare. These standards would be based on scientific criteria of the effects of air pollutants on man, animals, vegetation, and the air resources itself. The criteria we would use would be those which we are authorized to publish under the provisions of the Clean Air Act (p. 1153).

He said later:

> The setting of such standards at the Federal level would not relieve States and communities of the responsibility of insuring that pollution sources located within their jurisdictions are controlled to the full extent necessary, States could adopt emission standards more stringent than those set at the Federal level (p. 1155).

Second. Administration witnesses testified that PHS has made no findings with respect to industries which, in and of themselves, constitute a danger to public health and welfare.

Third. Under the bill approved by the committee, the Secretary's authority has been extended so that he can deal effectively with any situation which, by its nature, is a danger to health and welfare, in any location.

Fourth. National emission standards would eliminate some control options—relocation of pollution sources, fuel substitutes, and so forth—which may be essential in serious problem areas in the absence of effective technology.

Fifth. Wise use of capital resources dictates that the first priority for the pollution control dollar is in those areas where the problem is most critical. National emission standards would give equal priority to critical areas and areas where no problem presently exists.

Sixth. The program authorized in the committee bill will lead to control of the industries described on a national basis, with the kind of local variations envisioned by administration witnesses.

Seventh. The difficulty in areas which have an air pollution problem is that the quality of the ambient air has deteriorated below the level consistent with the protection of health and welfare. National emission standards would relate to that problem only to the extent that "national" polluters happened to be located in the problem area. Other sources would not be touched by such standards. Such standards do not, therefore, represent a comprehensive attack on the problem of ambient air quality. The committee has chosen to deal with the problem of ambient air quality directly and to provide authority designed to improve it.

The committee does recognize the need for national action on sources of pollution which move in interstate commerce. For the purpose of further consideration of national emission standards, for moving and stationary sources, the committee bill directs the Secretary to undertake a 2-year study of the concept and the full range of its implications.

Basic to any understanding of what the committee has done is comprehension of the concept of air quality criteria and standards. Dr. John Middleton, Director of the National Center for Air Pollution Control, provided the committee with an excellent definition of the difference between standards and criteria:

> Air quality criteria are descriptive—that is, they describe the effects that can be expected to occur whenever and wherever the ambient air level of a pollutant reaches or exceeds a specific figure for a specific time period. Air quality standards are prescriptive—they prescribe pollutant levels that cannot legally be exceeded during a specific time period in a specific geographic area. Ideally, the area should be the entire region that shares a common air supply and thus shares the impact of pollution from all sources in the region.

Criteria then become the essential first function of any standards setting procedure whether those standards are air quality or emission. The latter point is verified in my earlier discussion of national emission standards.

Without criteria, any air quality program would be without scientific basis or rationale. Therefore, it is important that any criteria developed accurately reflect the best available information of the effects of pollutants on health or welfare.

Because of this requirement and a general feeling that the criteria presently available can be improved the committee has included language which directs the Secretary to reevaluate all criteria issued precedent to enactment to this act in accordance with the new provisions and, if necessary, to reissue those criteria.

It is expected that those criteria presently nearing completion will be issued only after careful consideration of the directives contained in section 107(b). Early consideration of these directives, even though this legislation may still be pending, will mitigate against unnecessary modification or reissuance of such criteria. Active reconsideration of those criteria already issued, without awaiting final congressional action, could facilitate the effectiveness of this legislation.

The committee also strongly urges the Secretary to move as quickly as practicable to develop information required by section 107(c). Recommended control techniques are essential to the establishment of meaningful air quality standards and therefore should be made available to the States and local government as soon as possible giving due consideration to the need for developing the best available information.

The committee has purposely not required a specific order for release of criteria and control techniques. While requiring that both be available to a Governor before a standard setting procedure can be trigged, it is recognized that these scientific and technical documents are more than just the tools for a standard setting procedure.

Criteria and recommended control requirements are advance warnings to industries or other sources of contamination of what will be expected of them. On the basis of any criteria issued, an industry can begin to analyze its pollution problem and plan to meet its responsibility. After receiving the latest and best information on control techniques and alternatives, an industry can begin to plan its control program. Both of these activities will facilitate achievement of ambient air quality standards at such time as those standards are established.

The committee recognized that criteria of ambient air quality which define health and welfare effects of air pollution do not and should not take into consideration the technological and economic feasibility of achieving such air quality. It is further recognized that existing control technology is not adequate in many areas; however, the best available control methods must be implemented as soon as economically feasible and technologically available. As an aid to air pollution control agencies in the formulation of plans, including time schedules to implement emission control standards, the bill directs the Secretary, after consultation with appropriate advisory committees and Federal departments or agencies, to issue recommended control techniques which reflect current technology and the economic feasibility of achieving various levels of air quality as specified in the criteria, including alternative control techniques and their economic feasibility. Such recommendations shall include such data as are available on the latest available technology and economic feasibility of alternative methods of prevention and control of air contamination, including cost-effectiveness analyses.

Thus, the bill directs the Secretary to: First, designate air quality control regions; second, publish criteria; and, third, publish information on the best available control technology. Whenever a Governor has received the latter two documents, he must then move to establish air quality standards for any designated air quality control region within his State. A Governor is given 90 days to file a letter of intent to establish State standards consistent with the purposes of this act for the air quality control regions in his State. The standards must be set, after public hearings, within 6 months after he files the letter of intent. The time schedule and plan for implementing such standards must be filed within 6 months thereafter.

If a State fails to: First, file a letter of intent within 90 days; second, to establish standards within 180 days; or, third, file a plan for implementation and enforcement within 180 days, the Secretary is authorized to perform these functions for the air quality control regions within that State. When standards have been set, either by a State or by the Federal Government, the Federal Government will have authority to enforce the standards in the absence of effective State action. These are the three additional extensions of control and abatement authority S. 780 gives to the Secretary.

The Secretary will approve the State standards if he finds, first, the air quality standards are consistent with the air quality criteria and recommended control techniques which he published; second, the plan is consistent with the purposes of the act, including assurances of achieving such standards of air quality within a reasonable time; and third, a means of enforcement by State action, including authority comparable to the imminent endangerment provisions of this bill is provided. If the above conditions are met, such State standards and plan shall be the air quality standards applicable to such State.

Effective action in an air quality region will not depend upon the availability of technology which has not been developed. If the problem in a given region happens to be critical, such alternatives as have been used already will be applied. These include, for example, substitute fuels, plant location, and other techniques which are clearly available.

These, then, are the major provisions and the major thrust of the legislation. There are, however, other significant changes in the act which, in an effort to conserve time, I will summarize:

First. Specific directive to the Secretary to continue to use existing enforcement procedures as may be necessary to protect public health or welfare during the standards development period; and provision for participation by interested parties in an abatement conference.

Second. An expanded research and demonstration program to advance the technology for controlling pollution from fuels and vehicles, including specific authorization of $375 million for 3 years—through 1970.

Third. Federal preemption of the right to set standards on automobile exhaust emissions, with waiver of application of preemption to any State (California) which had adopted standards precedent to promulgation of Federal standards.

Fourth. Expanded State and local program grants provision to encourage comprehensive planning for air quality standards.

Fifth. Establishment of a statutory President's Air Quality Advisory Board and such other advisory committees as may be necessary to assist the Secretary in performing the functions authorized.

Sixth. A study of the concept of national emission standards, including an analysis of the health benefits to be derived, as well as the economic impact and costs.

Seventh. Federal assistance to the States to develop motor vehicle emission and device inspection and testing systems.

Eighth. Federal registration of fuel additives.

Ninth. Comprehensive cost analyses of the economic effect on the Nation, industries, and communities of air pollution control, and a report thereon to Congress and the President.

Tenth. Comprehensive reports to the Congress.

Eleventh. Three-year authorization of $325 million for programs other than research on control of pollution from fuels and vehicles—total authorization, including research, $700 million.

Improvement of man's environment centers on the enhancement of the quality of human life. This was appropriately stated by Dr. William H. Stewart, Surgeon General of the United States:

> Thanks to many advances in protecting people against disease, we are able in the health professions to think about the positive face of health—the quality of indivdual living. The healthy man or woman is not merely free of specific disability and safe from specific hazard. Being healthy is not just being unsick. Good health implies, to me, the full and enthusiastic use by the individual of his powers of self-fulfillment.
>
> Therefore in controlling air pollution for the benefit of health we are working toward an environment that is not only safe but conducive to good living. I know that you and the members of this committee share this aspiration.

For this reason, if for no other—and there are a great many others—I urge enactment of this legislation.

Mr. President, in closing I wish to express my appreciation for the outstanding leadership provided by the distinguished chairman of the Committee on Public Works, the Senator from West Virginia [Mr. RANDOLPH], and his counterpart on the Republican side, the distinguished Senator from Kentucky [Mr. COOPER], without whose assistance the work would have suffered in quality.

I wish especially to express appreciation to the ranking minority member of the Subcommittee on Air and Water Pollution, the Senator from Delaware [Mr. BOGGS] for his continuing contribution to the work of this committee and to all other members of the committee and subcommittee who have given an unusual amount of thought, attention, an active participation not only to the consideration of this bill but also to its shape and form. This contribution has been so unusual as to require this special comment.

Finally, I wish to express my appreciation to the staffs of the full committee, the subcommittee, and the individual Senators who have worked together in an unusually effective cooperative effort to help the Senators put this bill together. I could not begin to list them all by name, but this has been a nonpartisan and wholehearted contribution at the staff level and at the committee level and the bill bears testimony to the quality of that effort.

Mr. President, I would like also to pay a special tribute to the senior Senator from California [Mr. KUCHEL] who authored the first Federal air pollution legislation in 1955. Though Senator KUCHEL is no longer on the Public Works Committee we continue to seek his guidance and he continues to give his full support and assistance. For this we on the committee are always appreciative.

Mr. President, at this point I yield to the distinguished chairman of the full committee, the Senator from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. President, I commend the distinguished chairman of the subcommittee, Senator MUSKIE, for his leadership in bringing this measure to the Senate. The Subcommittee on Air and Water Pollution has had a productive record in the field of pollution control legislation. It is my firm belief as chairman of the full committee that this bill is the most significant step toward pollution abatement and control in the subcommittee's history.

I express also my appreciation to Senator BOGGS and Senator COOPER, the ranking minority members of the subcommittee and full committee, respectively, for their continued support and for their assistance in drafting the revised bill.

The record shall show my personal and official appreciation to all the Members who have contributed proposals—often criticism, but always constructive deliberation—as we have developed this measure. The complexities of this legislation reflect the intricate problems involved in air pollution control and abatement.

The pending measure has grown out of extensive revision of the original bill and of my amendments and others as the subcommittee and full committee worked diligently and patiently to provide the most effective course for control and abatement of pollution through reasonable, responsible, and enforceable standards. The committee staff, and the staff of members of the committee, have labored long and hard with us in pursuit of a realistic proposal, and they deserve commendation. A considerable amount of patience and understanding has been exhibited by many, many persons.

I would also like to express my appreciation to the Secretary of Health, Education, and Welfare, John W. Gardner, for his counsel and cooperation and for the assistance and advice his staff has supplied to the committee. Our informal discussions on July 11 with Secretary Gardner were very helpful and informative, and his response to this measure, as expressed in his letter of July 12, 1967, to me reflects the cooperative spirit which has guided the working relationship of our committee and the executive branch. I ask unanimous consent that the letter received from Secretary Gardner be included in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The Secretary of Health,
Education, and Welfare,
Washington, D.C., July 12, 1967.

Hon. Jennings Randolph,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

Dear Jennings: Thank you for the opportunity to discuss the air pollution bill with you and your colleagues. Your full and careful consideration of the very difficult issues involved in air pollution legislation deserves warm praise.

As I told you, the bill which the Subcommittee reported to the full Committee does not provide everything the Administration requested, but it does represent a very important and constructive, forward step in the continuing development of effective legislation to deal with a serious national problem.

Your hearings have been thorough and complete. Your consideration of this legislation has been responsive and thoughtful. We are appreciative of the fine cooperation we have received from the members of the Committee and from your fine staff.

You will agree with me, I am sure, that continued consideration of air pollution problems will occupy the attention of your Committee and of the Department for years to come. We welcome this latest legislative proposal as another indication of the seriousness of purpose with which you have approached the problem.

Sincerely,

John W. Gardner,
Secretary.

Mr. RANDOLPH. We have had deliberations as we should have. I call attention to the 4 volumes of hearings before the subcommittee. I do not know the number of pages. Has the Senator from Maine counted the number of pages?

Mr. MUSKIE. There are 2,694 pages.

Mr. RANDOLPH. The hearings reflect 2,694 pages of testimony and material pertinent to this subject.

Now, when we reflect, as we do in drafting this legislation, on these intricate problems we realize that even though the problems are compelling, the reason for a solution to the problems is even more compelling because the people of the United States and our citizenry generally believe we must present legislation in the national interest, keeping in mind the public health and welfare, and also the legitimate rights and responsibilities of those who are engaged properly in manufacturing industries and in other vital segments of our business complex in the United States.

Mr. President, I draw particular reference to one provision of Senate 780 as reported.

(At this point Mr. Tydings took the chair as Presiding Officer.)

Mr. BYRD of West Virginia. Mr. President, before my colleague gets into that area of his speech, I wonder whether he would yield to me briefly?

Mr. RANDOLPH. I am delighted to yield to my colleague from West Virginia. Although he is not a member of our committee, as a leader in the Senate, and as a West Virginian, he is faced, as I have been, with attempting to be reasonable and realistic and yet pass effective legislation. We have discussed some of these matters informally and I appreciate his keen attention to this problem and am happy to yield to him at this point.

Mr. BYRD of West Virginia. I thank my colleague for yielding to me.

Mr. President, I want to take a moment to compliment my senior colleague from West Virginia, who is chairman of the Committee on Public Works, and also to compliment the distinguished Senator from Maine [Mr. Muskie], who is chairman of the subcommittee which has brought the bill to the floor, on the very extensive and thorough hearings conducted by that subcommittee.

My colleague has just indicated that the four volumes of hearings which are on the desk of each Senator number virtually 2,700 pages. Looking at the list of witnesses, I note that scores of competent witnesses appeared and that scores and scores of statements were submitted to the subcommittee. I have also noted that the hearings were held all over the country; so, indeed, this subject has had the most comprehensive and thoroughgoing study of this subject which is of such vital importance to all our people.

I feel that the subject matter of this legislation is of the most vital importance to the health of our people and the wellbeing of our industries. I hope that the Senate, if not unanimously, will overwhelmingly support the legislation, because the legislation is so vitally needed.

Again, I thank my colleague for yielding to me, and I assure him of my support for the pending legislation.

Mr. RANDOLPH. The expressed words of my colleague are characteristic of his attention to legislation of this kind. Those of us who have labored in the committee and subcommittee are grateful to him for his comments on this occasion.

Now, I had previously called attention to a provision in Senate 780 as reported which gives authority to the Secretary to enjoin pollution sources that present an imminent and substantial danger to public health.

The Senator from Maine [Mr. Muskie] has properly emphasized that this authority is necessary. I ask the Senator, The Secretary did not ask for this authority? In effect, the committee proposal would give the Federal executive branch greater authority in this respect than the administration requested?

Mr. MUSKIE. The Senator is correct.

Mr. RANDOLPH. I thank the Senator. As Senator Muskie has emphasized, this authority the Secretary does not now have, and it is, I think, the most significant enlargement of his authority that is contained in this measure. It is my feeling that when we deal with an emergency there must be lodged within a responsible official of the Government the desire, the determination, and the decision to think in terms of public interest, and the authority to implement his decisions. Has the Senator from Maine any further comment to make on that statement?

Mr. MUSKIE. Yes. Mr. President, I made reference to this in my prepared remarks this afternoon. It is the objective of this legislation, as the Senator has said, to, first of all, provide adequate authority to deal with emergency situations. The committee realized that conditions exist in many parts of the country—which, with a shift in meteorological conditions, could bring about emergencies overnight resulting in the death of many, many people.

At the present time authority to deal with that kind of situation does not exist at the Federal level, and it should exist, particularly since so many of these potentially dangerous conditions are interstate in character. I think the intent is very clear.

Second, the committee felt it necessary to create authority which would come to grips with the long-range problems of lower level, more subtle exposure to air pollution and the effects on those who are chronically ill and, indeed, on those who are healthy.

While these policies unfold, the committee has made it clear that existing authority continues while standards are in the process of being developed and while public policies are developed by the Secretary.

Mr. RANDOLPH. I thank the Senator. I appreciate his further emphasizing this point.

VISIT TO THE SENATE BY HON. PEDRO ENRIQUE AMARÉ DEL CASTILLO, MEMBER OF VENEZUELAN CHAMBER OF DEPUTIES

Mr. LAUSCHE. Mr. President, it is my privilege today to introduce to the Senate a distinguished member of the Chamber of Deputies of Venezuela. He is the Honorable Pedro Enrique Amaré del Castillo.

Dr. Amaré is chairman of the Foreign Affairs Committee of the Venezuelan Chamber of Deputies and is visiting our Capitol today.

This morning he was the guest of the distinguished Senator from Oregon [Mr. Morse], the chairman of the Subcommittee on American Republics Affairs of the Committee on Foreign Relations. The Senator from Oregon had intended to present Dr. Amaré to the Senate at this time, but was unexpectedly called to the White House on an emergency matter.

I have always been of the opinion that the strength and security of our country are closely intertwined with the strength and the security of the nations of the Caribbean and South America. To the extent that they grow stronger and healthier in their social and economic life, I believe the security of our country will also grow.

Having in mind this mutuality of responsibility, the need of strengthening our country and the nations of the Western Hemisphere, I deem it an extraordinary privilege to present to the Members of the Senate present Dr. Amaré.

In behalf of the chairman of the American Republics Affairs Subcommittee of the Committee on Foreign Relations, the Senator from Oregon [Mr. Morse], and in behalf of myself, I present at this time to the Members of the Senate Dr. Amaré, a member of the Chamber of Deputies of the Government of Venezuela.

[Applause, Senators, rising.]

Mr. LAUSCHE. Mr. President, I move that the Senate stand stand in recess for 2 minutes in order that Senators may greet our distinguished visitor.

The motion was agreed to, and (at 1 o'clock and 39 minutes p.m.) the Senate took a recess until 1:41 p.m., when it was called to order by the Presiding Officer (Mr. Tydings in the chair).

AIR QUALITY ACT OF 1967

The Senate resumed the consideration of the bill (S. 780) to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspection of automobile emission control devices, and for other purposes.

Mr. MUSKIE. Mr. President, I ask for the yeas and nays on the pending bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Maine has the floor.

Mr. MUSKIE. Mr. President, I yield to the distinguished Senator from West Virginia.

Mr. RANDOLPH. Mr. President, the committee recognized the need for participation by all segments of our national economy if air pollution control and abatement are to be achieved. For this reason there has been provided in the bill a 15-member President's Air Quality Advisory Board to advise and consult with the President, the Secretary of Health, Education, and Welfare, and the Congress on matters of policy relating to the programs administered by the Secretary under the provisions of this act.

Appointed members are to be selected so as to be representative of State, interstate, and local governmental agencies and of public or private interests demonstrating an active concern for the various aspects of air pollution prevention and control and related problems, not excepting individuals from the professions and industry who are expert in the field of air pollution.

Additional technical advisory committees are authorized to assist the Secretary in the development and implementation of air quality criteria.

The committee has included language which requires that all ambient air criteria previously issued prior to this act—oxides of sulfur only, at this time—must be reexamined and reevaluated in accordance with the updated provisions of this act, and, if necessary, that they be modified and reissued.

The economic and technological information which the Secretary must provide as a part of the recommended control techniques to accompany the criteria is expected to reflect the same careful study and preparation as do the medical and scientific data relating to air quality criteria. In the report of the committee, the Secretary is urged to encourage and support continued efforts on the part of industry to develop economically feasible methods for the control of air pollution to improve air quality. Emphasis must be placed on technological advances, too.

State, regional, and local authorities throughout the United States will be moving forward toward achieving cleaner air in reliance upon these data—air quality criteria and recommended control techniques—using such data to measure the extent of their pollution problems, the technical feasibility of abating that pollution, and the economic costs involved. Therefore, it is most important that the Secretary furnish to the States, and to regional and local authorities, the air quality criteria defining health and welfare effects and recommended control techniques, as well as associated technological and economic data based on substantial studies and reliable evidence.

Recognizing the need for an accelerated Federal program directed at the control of emissions from the combustion of fuels, the committee has included in the reported bill the research amendment which I offered. Representing an expansion of research authority in the act, the provision stresses the urgency of the problem, and the amount of resources that the committee thought should be devoted to the task. With regard to appropriations, it is for the administration to decide the priorities against other Federal requirements. But, as far as the committee is concerned, the measure before the Senate includes the authorizations which we considered necessary to accomplish the task.

I ask that I may have the attention of the Senator from Delaware [Mr. Boggs] at this point, because he has been very intimately acquainted and associated in this matter. We considered very carefully the matter of authorization of dollars. We have authorized a program of $700 million over a 3-year period. We feel that such an expenditure is necessary. We believe that the impact must be felt, the job must be done, and we must not fragmentize it.

Mr. BOGGS. Mr. President, I say to the distinguished chairman of the committee, the Senator from West Virginia [Mr. Randolph], that he is absolutely correct, in my judgment, in the statement he makes. It was the committee's concept of this broad plan to attack the air pollution problem that we should provide the authorization, as realistically as possible, to meet the problem. I believe that is what the committee has done.

Mr. RANDOLPH. I thank the Senator. I think there was general agreement that this amount of money would be needed. We do not, of course, want money appropriated which cannot be used. Certainly this was considered very carefully. We attempted to think in terms of the potential for improving the quality of our air without inordinately disturbing the economic balance. Enactment of this measure is in the public interest, from the standpoint of improving the public health and the general welfare. So I urge the Senate to give to us what I hope will be not only overwhelming, but unanimous support.

Mr. President, S. 780 as reported by our Committee on Public Works, in my judgment, is a thoughtfully and rationally conceived legislative instrument which I recommend to my colleagues with confidence as to its workability, its potential for advancing the quality of the Nation's air without inordinately disturbing economic balances, and its applicability in the public interest from the standpoints of both improving the public health and the public welfare. I urge the Senate to give its overwhelming support and endorsement to this significant measure and I hope it will merit affirmative action in the House of Representatives.

Again, I commend the dedication, the diligence, and the wisdom of the distinguished manager of this legislation, the Senator from Maine [Mr. Muskie], and I appreciate and applaud the nonpartisanship on this issue primarily made possible by the helpfulness and the cooperation of the managers on the part of the minority, especially the Senator from Delaware [Mr. Boggs] and the Senator from Kentucky [Mr. Cooper], the ranking members of the subcommittee and the full committee.

Mr. BOGGS. Mr. President, the distinguished chairman of the Committee on Public Works, the senior Senator from West Virginia [Mr. Randolph], and the distinguished chairman of the Subcommittee on Air and Water Pollution, the junior Senator from Maine [Mr. Muskie] have effectively outlined the provisions of S. 780. I certainly agree with the points they have made.

It is clear to me that the proposed Air Quality Act of 1967 reflects the urgent need to step up our national effort to improve the quality of our air.

It is legislation of concern to the health and well-being of all Americans. Even those fortunate enough to be in an area where air pollution is not a problem travel to our urban areas; and, in the opinion of the Public Health Service, every urban area of 50,000 or more population now has an air pollution problem.

Air pollution is an unwelcome companion to our Nation's growth and prosperity. Those now living, as well as the generations to come, are dependent on action now if we are to make our air healthy again. This is a fight we simply cannot lose.

As in the original Clean Air Act of 1963, the proposed amendments again stress the fact that the prevention and control of air pollution at its source is the primary responsibility of States and local governments.

This provision is highly important. Our emphasis on it is further evidence of our belief in a strong Federal system in which each level of government carries out its responsibilities.

Also essential if the national effort is to be successful is the cooperation of industry and private citizens.

Because of the national, as well as local problem inherent in air pollution, the Federal Government has its clear responsibility in this field. This legislation intends to meet this by first giving the States every opportunity, plus financial assistance, to set up air quality standards. Only if States fail to act will the Federal Government set up the necessary air quality standards.

It is my hope and belief that, with the States moving expeditiously to carry out the task of devising air quality standards, the Nation as a whole will have a network of State and National quality standards in 5 years or less which will have been developed by and tailored to the different areas of our country.

I think it is also significant that this legislation strengthens research in air pollution. As we have delved into the problem in the last 4 years, it has become increasingly evident that we have much more to learn; and technological developments are constantly posing new threats to our environment.

The distinguished chairman of the Subcommittee on Air and Water Pollution has again demonstrated his leadership and dedication in this field and it has been a personal pleasure to work with him in considering this important legislation.

The whole Public Works Committee, and especially its able chairman from West Virginia [Mr. Randolph] and the ranking minority member from Kentucky [Mr. Cooper], have been helpful in developing this bill. In this connection, I would particularly like to recognize the contributions by the other subcommittee members on the minority side, Mr. Murphy and Mr. Baker.

And I also want to compliment the staff, including my own legislative assistant, Mr. Hildenbrand, for the great effort they have made in working out the details and compromises involved in a significant piece of legislation such as the bill we are now considering.

Mr. COOPER. Mr. President, the pending measure embodying amendments to the Clean Air Act is a revision of the administration's proposal. It is a revision which every member of the committee, without any preconception, agreed upon after long hearings and a most thorough consideration as being a more effective means of securing clean air than the administration proposal.

This bill recognizes and declares again that air pollution is a critical, national problem. It provides in the view of the committee a practical and effective method to obtain timely and substantial control of air pollution. It is my judgment that under the program provided by the bill, substantial accomplishment can be secured in the prevention and control of air pollution—and within a period of 5 years.

I have never seen in my service in the Senate a better demonstration of the committee legislative process than in its consideration and development of this measure. The record testifies to the thoroughness of the hearings. The Secretary of the Department of Health, Education, and Welfare and his staff gave our committee fine support. The research and work of the committee staff were outstanding.

The interest of the chairman of the committee, the senior Senator from West Virginia [Mr. Randolph], led to its emphasis upon research—research in basic knowledge and in the technology that will be required for effective air pollution control. And his initiative led to the authorization of necessary funds to support adequate research and its application.

From the outset, Senator Randolph recognized the importance and impact of the proposed legislation. The development of the bill rests in great measure upon his industry and good common sense and his leadership of the full committee.

The distinguished junior Senator from Delaware [Mr. Boggs] led the minority subcommittee members—not on a partisan basis, for air and water pollution are hardly partisan.

The junior Senator from Delaware deserves great credit for his thorough, faithful, and statesmanlike work on this measure.

We are proud of the contributions of the minority members, the Senator from California [Mr. Murphy] and the new Member, the Senator from Tennessee [Mr. Baker].

I pay special tribute to the distinguished chairman of the subcommittee from Maine [Mr. Muskie], who has taken the initiative in the field of air pollution control and abatement. It is fair and proper to say that he has brought before Congress and before the Nation as has no other Member of Congress, the importance and necessity of obtaining control of air pollution for the benefit of the people of this country. His successful work on water pollution control over a number of years, and now his work upon air pollution control, should give him great pride and satisfaction not merely as a personal achievement, which he deserves, but as a notable achievement for our country and its people. His work will benefit our country in all the years to come.

It came to my mind today in the course of a meeting of the Committee on Public Works on another subject that in the last few years our committee has accomplished a great deal in the way of legislation for the benefit of the country. We regularly consider bills apportioning funds for our great system of highways throughout the country and for the regular authorization of public works projects in the country, with tremendous impact upon the Nation's economy. In late years we have added to those measures bills such as the Highway Safety Act, which will reduce the fatalities and injuries on our highways; the Highway Beautification Act, which is having some trouble but which will come along to protect and enhance the beauty of the countryside; the Economic Development Act, which assists in providing systems of water and sewage for our communities; the Appalachian Regional Development Act, a new initiative in Federal-State partnership in the field of economic development of backward areas; the Water Pollution Control Act, and the Air Pollution Control Act. These measures will have tremendous impact upon the economic growth of our country, the conservation of the resources of our country, and the betterment of the good health of the people of our country. The sociological consequences and influences of these measures will continue for years.

I am very proud of the work that the Senate Committee on Public Works is doing, and chiefly because of the thought and nonpartisan work of its members, both Democrats and Republicans, and the staff.

I pay tribute again to the junior Senator from Maine who has shown such vision and initiative in this work.

Mr. President, the senior Senator from West Virginia [Mr. Randolph] and the junior Senator from Maine [Mr. Muskie] have detailed in their speeches the provisions of the pending legislation. I shall not go over that ground. However, I have a statement which gives my views on the important features, and the concept of the pending bill, and the differences between the approach that the committee has taken and the original approach suggested by the administration.

I ask unanimous consent that the statement be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Cooper on S. 780

The Air Quality Act of 1967—developed after thorough hearings, months of study and full consideration—provides a practical and effective means of dealing with the serious problem of air pollution. It is recommended unanimously by the membership of the Subcommittee on Air and Water Pollution and of the full Committee on Public Works.

The revised bill S. 780 is an example of constructive development through the Committee legislative process. It is a strong bill, comprehensive, and can bring into full play the resources of the States and the Federal Government. It provides opportunity for the exercise of local initiative by the States and local communities in planning, establishment of air quality standards, and enforcement of pollution controls. The first initiative and responsibility are local. But if the States fail to act, the bill provides authority for the Secretary of Health, Education, and Welfare to do so.

S. 780, as written and recommended by the Subcommittee, is quite different from the bill proposed by the Administration—in its concept and in the mechanism which it provides for the attainment of its objectives. In addition to placing the first responsibility on the States, it offers a far more realistic and orderly means than the Administration program toward securing the objective of clean air.

The Administration's proposal contained two principal provisions. First, the establishment by the Secretary of emission standards for designated emissions from designated industries—such as steel, cement, pulp mills, oil refineries and power generating plants—with authority for the Secretary to issue cease-and-desist orders against any establishment violating such standards. Second, it proposed the establishment by the Secretary, upon request or his own initiative, of Regional Air Quality Commissions under the control of and creatures of the Department of Health, Education and Welfare, to establish air quality standards more stringent than those otherwise prescribed by the Secretary, and also enforceable by cease-and-desist orders issued by the Secretary.

The Administration proposal failed to take into account local differences in climate, weather, topography, and the concentration of industry and population. It failed to take into account the availability and development of alternatives to stack emission controls, such as tall stacks and the dispersal of new industry so as to avoid air pollution. It gave little recognition to the fact that in the case of many pollution agents, the technology of removal from flue gases, or from the fuels themselves, has not yet advanced to the point where methods and devices are available to control their emission.

In effect, the Administration bill could have set requirements impossible or impractical of being met. Not the least of its difficulties was the prospect of attempting Federal abatement action against every source of pollution in the nation. The Committee considers that the problems of air pollution, the cost of their solution, and the scope of the Administrative tasks of securing prevention and enforcing control, are too large to be handled except through the cooperation and participation of Federal, State and local government—and of industry. But we believe the Committee bill offers the means to actually accomplish air pollution control, rather than imposing national stack emission standards which could not be met, or setting minimum national emission standards which would be ineffective in the very areas where pollution problems are most serious.

The Committee bill, in contrast to the proposed uniform national emission standards and Federal enforcement plant by plant, directs its attention to the air we breathe in each locality of the country. For it is the quality of the air which is important—not a doctrinaire plan of Federal control.

These localities differ in their topography, in their weather—and in their degree of urban-industrial concentration and patterns of growth which determine the effect of emissions on the quality of air in the locality.

The Committee bill places upon the States and municipalities the final responsibility for determining the quality of air, and for the abatement of any pollution that degrades that standard. It places upon the Federal Government, through the Public Health Service and the Department of HEW, the four functions which the Committee believes most appropriate as the Federal responsibility in providing assistance to the States and local communities:

1. The definition of air quality control regions, with the expectation that the Secretary will give priority in defining those regions to the areas in which air pollution problems are acute and most demanding of action.

2. The collection, analysis, publication, and dissemination to State and local control agencies of the health and welfare effects of specific pollution agents which may be the subject of emission controls or abatement action—to be known as "air quality criteria."

3. The collection, appraisal and dissemination of the existing technology, and of the developing and promising technology, for the prevention of pollution and control of the sources of pollution—including the latest data on methods, processes and devices, together with their relative effectiveness and costs of application in different situations and under different requirements of control.

4. The active development, through independent research and cooperation with industry and others, of improved techniques and methods, including pilot plant applications and large-scale demonstration units.

The Committee bill also provides for the establishment of regional planning commissions, to recommend standards of air quality to the States and the Secretary. And very important, it provides for assistance to and the utilization of existing planning agencies such as metropolitan, regional and interstate bodies, which need to take into account the quality of air as they pursue area-wide planning to accommodate industrial development, the growth of cities, mass transportation, recreation, and other aspects of orderly growth.

Next, the Committee bill provides ample authority for the Secretary to establish regional planning commissions, to establish regional air quality standards, and to enforce those standards or the State standards, in the event the States fail to act within a reasonable time.

Finally, in one of the most important provisions added by the Committee, the bill authorizes the Secretary to act immediately in potential disaster situations, by seeking an injunction where there is imminent and substantial endangerment to the health of persons.

In our judgment, this concept for the achievement of clean air; this mechanism for the accomplishment of that objective through Federal-State cooperation; and this division between Federal, State and local authority of the primary responsibilities for research and development, for the analysis and distribution of information, for the definition of geographic regions in which air pollution problems require action, for regional planning, for establishment of the standards of quality of the air we breathe, and for enforcement of those standards, represents a comprehensive approach, and programs for effective air pollution control. it is flexible, practical, and orderly—and offers the certainty of substantial accomplishments in achieving its important national goal—but, I believe, within 5 years.

Under the plan of action provided by the Committee bill, the Public Health Service and the Department of HEW, regional planning agencies, State and local control agencies—and certainly those industries which must take the steps necessary to prevent air pollution—all have a large and demanding task. That task will require the best efforts of all and the application of substantial investments—investments of knowledge and experience, and the wise investment of resources—and research to achieve cleaner air for the people of the nation wherever pollution is now or might otherwise become a problem.

It is the desire of the Committee that this promise be realized for the benefit of the public health and welfare, and I hope the Senate will approve the Committee bill, that it will become law, and will be effectively administered.

Mr. COOPER. Mr. President, our approach takes into account the features of weather and climate, topography, concentration of industry, and other factors, and really goes to the means of securing clean air rather than adopting doctrinaire national standards.

Our bill provides emergency powers to the Secretary, as has been outlined by the Senator from Maine and the Senator from West Virginia, to take whatever action he thinks necessary in situations where the health of the people is endangered.

The committee approach also provides an orderly and systematic means of engaging as a matter of first responsibility the action of the States and local communities, backed up with the authority of the Federal Government to act, if local government does not act.

Mr. President, I ask unanimous consent to have printed at this point in the Record a statement on the need of tax incentives for industry, which I think must come into play at a later date, if we are to reach as quickly as possible adequate prevention and abatement of pollution control.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Cooper

In concluding my remarks I would like to draw the Senate's attention to page 58 of the Committee Report which comments on the number of witnesses, especially those representing industry and industrial organizations, discussing the need for various types of tax incentives to assist industry in meeting the economic costs of facilities and equipment for the control and abatement of air pollution. The Report further emphasizes the Committee's position in urging the appropriate committees of the Congress to consider tax incentive legislation applicable to the industrial use of air pollution control equipment.

Last year in recommending amendments to the Federal Water Pollution Control Act, the Report of the Senate Committee on Public Works also included a strong recommendation to the Senate Finance Committee to consider tax incentives as an aid to meeting the serious problems of water pollution.

When the Senate-House Conferees filed their Conference Report last year on the amendments to the Federal Water Pollution Control Act, the Senate conferees agreed to an amendment of the House which would require the Secretary of the Interior to make a study of methods of providing incentives to assist industry in the construction of facilities and equipment designed to abate or reduce water pollution.

In describing the purpose of the House Amendment, the Conference Report made the following comment:

"Section 211 of the House amendment authorizes the Secretary of the Interior to make a full and complete investigation and study of methods for providing incentives to assist in constructing facilities and works by industry to reduce or abate water pollution, including possible use of tax incentives. In making this study he is required to consult with the Secretary of the Treasury as well as other department and agency heads. The report shall be submitted to Congress on this study not later than January 30, 1968."

Although the amendment is limited in its application to the Secretary of the Interior's study and recommendations of incentives to industry in the field of water pollution, it is my feeling that when his report is submitted to the Congress next year that Congress should seek the recommendations of the Secretary of Health, Education, and Welfare, concerning similar incentives to industry in the field of air pollution controls.

Last year, in reporting out H.R. 17607, a bill to temporarily suspend the investment credit and accelerated depreciation, the Senate Finance Committee recognized the importance of the continued availability of the investment credit for the acquisition of air and water pollution controls, and exempted this form of investment credit from the provisions of the bill. In testifying before the Finance Committee at that time, I stated:

"I am hopeful that when the present inflationary pressures in our economy have subsided this Committee will consider increasing the present investment credit or provide additional tax incentives to industry to assist in the acquisition and installation of pollution controls. But for the present, however, I believe it would be a backward step for the Congress not to continue at least the present investment credit as provided in the House bill."

In retaining this form of investment credit, the Committee report makes the following comments:

"5. Exemption of water and air pollution control facilities.

"An amendment adopted on the floor of the House specifies that water and air pollution control facilities are, under certain conditions, not to be considered suspension period property even though constructed or ordered during the suspension period. Thus, facilities of this nature will continue to remain eligible for the investment credit.

"The exception is provided in recognition of the importance of stimulating private industry to undertake expenditures for facilities which will help to abate water and air pollution. There is a clear need to step up efforts to purify the air we breathe and the water in our streams and lakes.

"Suspension of the credit, even for a short time, would discourage private efforts to abate water and air pollution and would simply impose a larger direct burden on the government."

On January 31 of this year, I introduced for myself and on behalf of Senators Randolph and Morton, S. 760, a bill to increase investment credit allowable with respect to facilities to control water and air pollution. This bill would increase the present investment credit from 7% to 14%, for those industries purchasing and installing facilities and equipment controls that would combat or eliminate water or air pollution. The bill with the exception of several technical changes is similar to S. 2857, which I introduced on February 1 of last year.

In addition to my bill, many members of the Senate Public Works and Finance Committees have introduced or cosponsored bills in this session of Congress which would amend the Internal Revenue Code so as to give some form of tax incentive to assist industry in obtaining pollution control facilities.

On January 7, Senator Smathers introduced S. 187 which would permit a tax credit for expenditures incurred in constructing air and water pollution facilities of 20% of the expenditures incurred.

On January 31, Senator Carlson, for himself and 38 other members, introduced S. 734, the Pollution Abatement Incentive Act, which provides an incentive tax credit with respect to water and air pollution facilities and permits the amortization of the cost of construction of such facilities over a period of from 1 to 5 years.

On February 9, Senator Ribicoff and 19 other members, including Senators Randolph, Muskie and Boggs of the Public Works Committee, introduced S. 950, which provides for the amortization on the straight-line method of the adjusted basis for air or water pollution facilities over a period of 36 months and further provides that the Secretary set minimum performance standards and certify the abatement facilities.

On April 6, Senators Randolph and Muskie introduced S. 1466, which would provide an amortization on the straight-line method of the adjusted basis for air pollution facilities over a 36-month period.

It has been my view that we must do more to increase the participation of private industry to combat and control air pollution. One way of increasing the participation of private industry is to give industry a financial incentive to purchase and install facilities for the control and reduction of air pollution. It is only proper where companies purchase expensive equipment and facilities to reduce pollution—which facilities bring no financial return on the investment but are devoted to the greater public benefit—that some tax incentive should be provided.

While many of these bills differ as to method or approach, each has the purpose of providing industry with an incentive for acquiring and installing necessary equipment. I cannot predict which method the Congress may prefer—increased investment credit, accelerated depreciation, a combination of these two methods, or some other method of financial assistance. I do know that some form of incentive is necessary.

VIRGIN ISLANDS ELECTIVE GOVERNOR ACT

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 450) to provide for the popular election of the Governor of the Virgin Islands, and for other purposes.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that S. 450, the unfinished business, be temporarily laid aside, and that the Senate continue its consideration of Calendar No. 390, S. 780.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AIR QUALITY ACT OF 1967

The Senate resumed the consideration of the bill (S. 780) to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspection of automobile emission control devices, and for other purposes.

Mr. MUSKIE. Mr. President, I yield to the distinguished Senator from Hawaii.

Mr. FONG. Mr. President, I rise to express my strong support for the pending bill, S. 780, the Clean Air Act of 1967, which it is my privilege to cosponsor, and which was reported unanimously by the Senate Public Works Committee on which I serve.

This measure represents a major step toward restoring clean air in America, where now smog and contamination all too often befoul our environment.

It is urgently needed to help protect the health of millions of Americans, particularly those in urban areas.

It is urgently needed to reduce the billions of dollars of economic loss every year resulting from harmful pollutants in the air.

But important and forward-moving as this bill is, it is not by any means the total answer. And we should not delude ourselves that it is. A great deal more must be learned and must be done if we are to clean up our dirty air.

The task of purifying air in our Nation's cities and polluted areas is exceedingly complex and difficult. But, for health's sake, if for no other reason, we cannot tolerate further delay in air pollution control.

I doubt if the Founding Fathers in all their wisdom would have anticipated that the States and Federal Government would one day have to take steps to regulate the air which the people of our land breathe. But today it is literally becoming more and more difficult to find a place to draw a breath of fresh air.

In a sense, the problems of air pollution are part of the price paid for the phenomenal success of the American economy and for the tremendous growth of our Nation.

Because so many people drive so many cars and trucks, because so many airplanes traverse the airlanes, because so many trains crisscross the continent, because so many forms of transportation emit noxious gases, we have harmful amounts of pollutants damaging the air.

Because so many factories produce so much for America's nearly 200 million people, we have intolerable amounts of pollutants contaminating our air.

The pulsing heartbeat of America's industrial areas serves our people remarkably well, but in the process many byproducts befoul the air we must breath to live.

And so, as we have progressed, our Nation has increasingly despoiled one of our essential resources, a resource indispensable to life itself—pure air.

When the Secretary of Health, Education, and Welfare, Mr. John W. Gardner, testified on this bill before the Senate Subcommittee on Air and Water Pollution earlier this year, he described in broad strokes the dismaying picture of air pollution in America:

> More often than not, an ugly shroud of pollution hangs over the New York area. This shroud thins out a bit now and then—and here and there—but most of the time it covers most of the eastern seaboard.
>
> Along the shores of the Great Lakes, from Buffalo and Cleveland to Chicago and Milwaukee, where one metropolis barely ends before another begins, dozens of communities are fouling their own and their neighbors' air. The boundary lines that divide city from city and State from State are no obstacle to the flow of polluted air.
>
> In Florida, as your subcommittee found when it visited there 3 years ago, fluoride pollution from the manufacture of fertilizer threatens to wipe out the cattle and citrus industries that once flourished in Polk and Hillsborough Counties.
>
> In Pittsburgh, St. Louis, Cleveland, and many other communities, people are beginning to recognize that their old-fashioned smoke-abatement programs are inadequate to cope with the more serious and complicated air pollution problems now confronting them.
>
> There is not enough air in the big sky

> over Texas to thin out the pollutants which pour upward from many of the State's thriving metropolitan centers.
>
> Air pollution is a growing problem in places such as Tucson and Phoenix, whose once salubrious atmosphere had long made them a haven for people afflicted with respiratory diseases.
>
> And in California, the air pollution problem threatens to halt progress and growth, despite valiant efforts by State Government and particularly by the county of Los Angeles.
>
> It is not only in our large urban areas that polluted air damages property and endangers health. It is a problem in many smaller communities as well, and its impact is felt in agricultural and recreational areas where it damages farm crops, timber, and plants of all kinds.

Every community in America with 50,000 or more people has an air pollution problem. Many smaller communities also have serious air pollution problems.

We can only hazard an estimate as to the total amount of illness and suffering and number of deaths in our land attributable to our contaminated air.

More and more people are increasingly aware of the irritation to eyes, throats, lungs from breathing harmful contaminants in the air: carbon monoxide from gasoline, diesel, and jet engines; sulfur oxides, hydrocarbons and a variety of other compounds from a variety of sources.

We are convinced that poisons in the air aggravate respiratory problems, such as asthma, bronchitis, lung cancer, and emphysema. The lung disease emphysema is one of the fastest growing causes of death in the United States. More than a thousand workers are forced into early retirement every month by emphysema.

Added to the damage to health is the damage to homes, apparel, and other property from air pollutants.

Economic losses attributable to pollution exceed several billion dollars a year, according to estimates.

The total cost of air pollution in terms of health damage and economic damage is staggering.

The cost to clean up our air will be staggering.

But it is a cost we must bear and a cost we must share.

For the sake of health of the millions of men, women, and children in America, we must make the effort and we must pay the price to purify the air and keep it that way.

It is the committee's particular concern with protecting the health of Americans from polluted air that impelled us to write the pending bill, which goes considerably beyond existing law in means to attack air pollution.

In his message to the Congress on January 30 this year, the President declared:

> The pollution problem is getting worse. We are not even controlling today's level of pollution.
>
> Ten years from now, when industrial pollution and waste disposal have increased and the number of automobiles on our streets and highways exceeds 110 million, we shall have lost the battle for clean air—unless we strengthen our regulatory and research efforts now.

The pending bill does both.

It strengthens regulatory measures to prevent and to abate pollution of the air.

It strengthens research into the causes of, and control measures for, pollution of air.

In the field of regulation and abatement, the bill provides as follows:

First. When health of persons is imminently and substantially endangered, the Secretary of Health, Education, and Welfare is empowered to go immediately to court to seek an injunction against the emission of contaminants responsible for the danger. At such times of imminent and substantial hazard to people's health, as in Donora, Pa., a few years ago and in New York City last Thanksgiving, the Federal Government could move swiftly to curb the source or combination of sources of pollutants causing the hazard.

Second. As air pollution knows no city or State boundaries, the bill provides for establishment of Federal interstate air quality planning agencies if the States involved do not request that a planning agency be designated for an interstate air quality control region.

Third. The bill provides for the Secretary to designate air quality control regions and to designate air quality criteria. If a State fails to adopt air quality control standards within 15 months after receiving criteria and recommended control techniques from the Secretary, then the Secretary could set standards and implementing programs.

These provisions assure air quality standards and implementation programs for all States within a couple of years after enactment of the bill.

Fourth. The bill also permits the Secretary to go to court after 180 days' notice to enforce any violation of standards in any designated air quality control region. In addition, there is a specific directive to the Secretary to continue to use existing enforcement procedures as necessary to protect public health and welfare during the period standards are being developed.

Fifth. The bill provides for an expanded research and demonstration program to advance technology for controling pollution from fuels and vehicles. The total authorization is $375 million for 3 years—through 1970.

Sixth. The 3-year authorization is $325 million for air-pollution programs other than the just-mentioned research program.

This brings to $700 million the total authorized in the bill to fight air pollution.

Seventh. To encourage comprehensive planning for intrastate air quality standards the bill expands the grant program for State and local agencies.

Eighth. Also provided is a study of national emission standards and a study of the economic impact of pollution control. The study is to be submitted within 2 years.

Ninth. Federal assistance would be available to States to develop inspection and testing systems for motor vehicle emission and emission devices to control exhaust gases and byproducts of motor vehicles.

Tenth. Federal registration of fuel additives is also required.

Those are the highlights of the bill in brief.

It is true, powers granted to the Secretary of Health, Education, and Welfare are considerable. In most cases, however, the bill gives the States and local communities first opportunity to control and abate air pollution.

The bill underscores what is a crying need: a national air pollution prevention and control program.

We are moving in a field about which we know too little and in which we have too few skilled personnel.

But move we must, for the hazards are too great and growing.

The clock is ticking, but time is not on our side.

We have no choice except to intensify research and intensify control efforts.

S. 780 represents the studied efforts of the members of the Public Works Committee to provide the tools and the impetus, the fuel and the thrust to move ahead in a desperate race against catastrophe.

The approach is sound.

The need is urgent.

I strongly support enactment of S. 780, and ask my colleagues to join in passing the bill.

Before closing, I want to pay particular tribute to the chairman of the subcommittee on Air and Water Pollution, the junior Senator from Maine [Mr. MUSKIE], and to the ranking minority member, the junior Senator from Delaware [Mr. BOGGS], for their diligent efforts to devise a workable and effective bill to advance the struggle for clean air in America.

Mr. MUSKIE. I thank the distinguished Senator from Hawaii for his generous comments.

I yield to the distinguished junior Senator from Tennessee.

Mr. BAKER. Mr. President, my distinguished senior colleagues on both sides of the aisle have already outlined in some detail the nature and proportions of the country's compelling and increasingly severe air pollution problem. They have further described the way in which the proposed Air Quality Act of 1967 addresses itself to the abatement and control of the various pollutants which contaminate our limited air resource. I will not prolong this debate by repeating or elaborating upon what has already been adequately stated.

I do wish at this time, however, to express formally my full support of the bill which is now before us. While we would be ill-advised and quixotic to regard these amendments as a panacea, the bill is a good bill. It is a strong bill, a bill with teeth.

As all Senators know, hearings on S. 780 have been virtually exhaustive, given the state of the art at this point in time. Under the energetic leadership of the Senator from Maine [Mr. MUSKIE], some 18 days of hearings have been held from coast to coast. Such extensive investigation was not only warranted by but also dictated by the unusual gravity and complexity of the problem to which our committee has addressed itself.

The abatement and control of air pollution is closely bound up with two instances of critical equilibrium and balance in our national life. First, the need for control measures reflects a tension between the economic well-being and the well-being of our highly mobile, mechanized and urbanized society. Second, control measures and their enforcement have obvious implications in regard to the balance of power among our Federal, State, and local governments.

The problem of pollution control is further complicated by seemingly responsible estimates of its nature and severity which are at variance with each other. Another area of disagreement and controversy is the adequacy of current technology to deal with the problem. Another is the inequitable impact on certain industries in certain locations.

To be perfectly frank, had I been told in January that a bill as effective as the one which the Senate is considering today would be ready for enactment in July, I would have been skeptical. The subcommittee's extensive work and deliberation have improved, I think, the proposal submitted at the first of the year.

The bill's hallmark is flexibility—not weakness—I am quick to emphasize, and not vagueness but flexibility. It recognizes, as uniform national standards could not have done, that the chemical nature and quantitative nature of pollution problems are not the same all over the country. The bill recognizes that much remains to be done in developing technology and in exploring other avenues of research; authorized funds and methods of assistance in research have been greatly expanded. The bill respects, insofar as it could, the prerogatives of the State and local governments. There can be no doubt that, while the Secretary of Health, Education, and Welfare is given greater and more far-reaching authority, the responsibility and initiative for action lie in the statehouses, the city halls, and the county courthouses of the Nation.

One very important aspect of air pollution abatement and control which is not within the jurisdiction of the Public Works Committee is the question of tax relief. Many of the control measures which will be applied in the coming years will be costly; many of them will produce little if any return on capital invested. Some polluters, I am sure, will be hard pressed or unable to comply with necessary regulations. I strongly urge that the Committee on Finance and the Senate as a whole give thorough and sympathetic consideration to a variety of measures now pending which would provide additional relief for capital investment in pollution control devices and techniques.

I close, Mr. President, by expressing my great admiration for Senator RANDOLPH and Senator MUSKIE and their tireless efforts in developing this legislation. I also commend Senator COOPER, the ranking minority member of the full committee, and Senator BOGGS, the ranking minority member of the subcommittee. They have provided valuable guidance for me in this intriguing work. Each member of the committee, along with an exceptionally capable staff, has devoted long hours of honest and bipartisan effort to developing this practical, workable step forward toward the control of a critical national problem.

Mr. YOUNG of Ohio. Mr. President, the Air Quality Act of 1967 authorizes a 3-year program designed to eliminate pollution from the air that Americans breathe. This meritorious legislation is of vital importance to the well-being of every inhabitant of the land. The bill reflects many hours of painstaking work by members of the Subcommittee on Air and Water Pollution of the Committee on Public Works. The members of the subcommittee and its chairman, the distinguished junior Senator from Maine [Mr. MUSKIE], are to be commended on their efforts. Also all members of the Senate Committee on Public Works gave time and consideration to this proposal.

Mr. President, more than 60 percent of all Americans live in areas afflicted with impure air. In most cities clothes drying on lines are dirty again by nightfall. New buildings are grimy before they are occupied. More than 135 million tons of aerial garbage is released into the bright, clean air every year. Half comes from automobiles. Americans are now beginning to clean up this mess. Dr. William H. Stewart, Surgeon General of the United States, has said:

> The problem of air pollution is a health challenge of the first magnitude confronting the American people.

For many years Congress has been reluctant to enforce strict air pollution controls, hoping that local and State governments would handle the problem. Our hopes have not been realized. Furthermore, since dirty air does not respect political boundaries, one community's ordinances are not sufficient to control air pollution in an entire area. Air pollution is a national problem. The proposed bill will go far toward helping solve it.

Mr. President, the answer to this problem is by no means simple to find. The fact is that our great productive capacity contaminates our air, water, and land faster than nature and man can cleanse them. One cannot just simply eradicate the sources of pollution, for the very activities that contribute to pollution are the lifeblood of a modern civilization. However, there are acceptable ways of reducing and controlling the sources of pollution without disrupting our economy, without stopping the forward progress of technology, and without depriving Americans of the conveniences of a modern society.

For the thousands of years that man has inhabited the earth, he has treated his environment as a dumping ground for his wastes, confident in its ability to absorb them. Several hundred years ago, North America was a fair and unspoiled land, wild and beautiful; a land where the air was clean and the water of its rivers and lakes pure. Today, each year the sky darkens. The precious cover of air supporting life on this planet becomes dangerously soiled and poisoned. Life itself is menaced. People living in our cities are afflicted with lung cancer to a greater degree than those in rural areas. Of course, effective air pollution control involves added costs to both government and industry. Americans without doubt are willing to bear these additional costs if only they can once again breathe fresh air and enjoy clean water.

Mr. President, we must accelerate the war on air pollution, a war of far more importance to the welfare of Americans than the miserable war in Vietnam which we have made an American ground and air war. The problems will be many, and each must be met with strong programs to remove contamination, to restore a safe environment, and to conserve our natural heritage.

Mr. President, the rate at which we Americans are destroying our environment is astounding. Air pollution can no longer be considered as a problem to deal with only at the crisis level. We must not legislate on air pollution only when our major cities are choking to death. We must not wait to enact water pollution legislation only when all living organisms are dying in our rivers and lakes, and when our water is unfit for human consumption.

We must take action to avert impending disaster. We should create a system which will help us to foresee these hazards and prevent them from getting out of hand.

Today, 70 percent of our people live on only 10 percent of our country's land. By 1980, our population will rise to approximately 235 million. By the year 2000, we will have supercities stretching from Boston to Washington, from Buffalo to Milwaukee and from San Francisco to San Diego; in addition to other giant urban areas. The pollution problem, if not tackled adequately now, will have expanded to enormous proportions.

Mr. President, Americans make up only 6 percent of the world's population. Yet, we produce 50 percent of the world's goods and services, and more than half of the world's trash. The rate at which we are destroying our environment is incredible. For example, we are pouring 24 million tons of sulfur oxides every year into the air we breathe. Without controls this figure will double by 1980.

This year 90 million motor vehicles in this country will burn 60 billion gallons of gasoline. In simpler terms, this means that each automobile will discharge more than 1,600 pounds of carbon monoxide, 230 pounds of hydrocarbons, and 77 pounds of oxides of nitrogen.

We Americans are applying annually 600 million pounds of pesticides, fungicides, and herbicides to soil and crops. The problems created in doing so will haunt us in the years to come. The biological effects of all these hazards will continue to grow slowly and silently over decades and generations. They may reveal themselves only after their impact has become irreversible.

The Air Quality Act of 1967 is an important step toward helping to eliminate air pollution and to safeguard future generations of Americans—to conserve our natural heritage not only for ourselves but for our children and grandchildren and for all Americans to follow us.

Mr. RIBICOFF. Mr. President, we have finally reached the point in the development of our society where air pollution has ceased to be the invisible danger. Today, everyone can see it, feel it and smell it. More than 7,000 communities across the Nation are affected by it. It is a cause for national concern. But the magnitude of the problem has also given rise to a national determination to take the action necessary to stop the contamination of the atmosphere.

The distinguished Senator from Maine [Mr. MUSKIE] has been a leader in the battle for clean air. For the third consecutive year he has reported legislation to the Senate which makes a major advance toward this goal. I commend him for his outstanding efforts to purify the skies.

The Clean Air Act of 1967 is the product of 18 days of comprehensive hearings held in five cities. The bill is broad in scope. For the most part it vests initial regulatory authority in the States, but reserves ultimate power to the Secretary of Health, Education, and Welfare to control air pollution.

This legislation is a timely, logical, and responsible expansion of the Clean Air Act of 1963, which I sponsored. It contains four principal provisions: First. It requires the Secretary of HEW to define air quality control regions. All air pollution programs will be geared to these atmospheric units. Second. It grants the Secretary authority to create interstate air quality planning commissions, if the States do not do so. These commissions will assist the States and the Federal Government in developing air quality standards. Third. It permits the Secretary to establish and implement air quality standards for the control regions, if the States do not take such action within 15 months after these regions are designated and after the Secretary has issued criteria for air quality and information on abatement techniques. These standards will set limits on the pollution in every atmospheric area of the country. Fourth. The Secretary is authorized to initiate court proceedings to halt any pollution that creates a substantial and imminent public health danger anywhere in the country. This will enable the Secretary to act immediately to prevent a recurrence of the air pollution disasters of Donora, Pa., in 1948 and New York City in 1953 and 1966.

The bill provides $700 million over a 3-year period for program support and research. This will include an expanded research and demonstration program to advance the technology of controlling pollution from fuels and vehicles and an enlarged program of grants to encourage States and local governments to begin comprehensive planning for intrastate air quality standards. The bill also directs the Secretary of HEW to conduct a 2-year study of national emission standards for industry.

Mr. President, the Public Health Service has reported that every urban area of 50,000 or more population now has an air pollution problem. In the coming years we can expect conditions to worsen as urban population increases, industrial production grows, and use of motor vehicles rises. To avoid a series of national air pollution tragedies our research and regulatory activities must be strengthened. We must insure that all our technological resources are brought to bear on this problem and that we exercise every economically feasible method of control.

The legislation now before us fulfills these objectives. It gives us a national program to upgrade the quality of the air we breathe. With this legislation we move beyond simply controlling and reducing air pollution. We have begun to direct our efforts toward establishing an environment that is conducive to good living. I support S. 780 and urge its passage.

Mr. MURPHY. Mr. President, at the outset I want to congratulate Senator MUSKIE and Senator BOGGS for once again steering through the Senate Public Works Committee, a bill which I believe represents a great, giant step forward in our Nation's battle against air pollution.

In addition, I believe S. 780 evidences the legislative branch's responding to a clear need in the most responsive manner. And, Mr. President, the record is clear that it has been the Congress that has taken the initiative in the country's battle against pollution, both air and water. In fact, many of us in the Congress have been greatly disappointed in the administration's budget requests in the pollution area.

To the credit of the distinguished chairman of the subcommittee, and to the ranking Republican member, Senator BOGGS, this committee held most exhaustive hearings and developed an outstanding record. This record clearly documents the danger and suggests the direction in which the Nation should move in order to combat pollution. Subsequently, in executive session, the subcommittee hammered out and shaped the form of S. 780 that we now have before the Senate today.

It is a good bill; it merits the support of the entire Congress; it will receive the thanks of a concerned citizenry. Last year in a statement before the Senate Subcommittee on Air and Water Pollution, I stated:

> In my judgment the pollution problem is one of the most serious domestic problems facing our country today. While serious, it is not yet critical. The time is not on our side. It is running out. The delay will not only be costly in terms of dollars, but even more important, will be the possible detriment to human health and the interference with the general well-being of our society.

Mr. President, this bill, while recognizing the critical nature of the pollution problem, adopts a rational and reasonable approach to the pollution problem. It should do the job. It recognizes the legitimate and primary responsibility of the State and local governments in the field of air pollution but yet the message of the legislation is clear. Although we are going to give the States and the local governments the initiative in the pollution field, we will not permit inaction. The battle against pollution will and must be won. For while we are fully aware that cleaning up the air will be costly, an article in the Harvard Business Review estimated that expenditures of some $105 billion will be necessary over the next 30-year period to provide clean air. While costly, we recognize clearly that we cannot afford to do less.

Mr. President, we already know much about the damage that pollution causes to both property and, more importantly, to persons. It has been estimated that property damages resulting from air pollution in the United States is $11 billion annually. Agricultural losses in my State total approximately $132 million each year. In addition, we know that pollution contributes to the deterioration and corrosion of our physical structures. As consumers, we can see the effects of pollution by the need for more frequent trips to the laundry and the need for more frequent car washes. Even more important, Mr. President, are the adverse effects that pollution may have on human health. Evidence continues to grow associating air pollution with certain respiratory disorders, such as asthma, bronchitis, emphysema and lung cancer. Surg. Gen. William H. Stewart on April 19, testified before the subcommittee and he centered his remarks on the adverse effects or air pollution on public health. Dr. Stewart, after discussing the types of evidence available linking air pollution and "specific health detriment" declared emphatically that air pollution was a health hazard and that the evidence created a "disturbing and convincing portrait of a major health menace."

It is clear, Mr. President, that we cannot wait until conclusive evidence is produced for it is obvious that air pollution does not do anyone any good. Therefore, it behooves us to clean up the air. Since my father was one of the Nation's outstanding track coaches, I naturally have an interest in track. I read with interest a March 30 study which appeared in the Journal of the American Medical Association, which concluded that high levels of smog have a negative effect on the performance of long distance runners.

Mr. President, as a Californian, I am very proud of the State's pioneering efforts in the field of air pollution. I am, however, as are most Californians, not satisfied with the quality of air that we have achieved. We can and we must do better. In Los Angeles County a vigorous and effective program to abate air pollution from stationary sources is paying off. Aimed at reducing the air pollution levels from stationary sources to those existing in 1940, the goal has almost been reached. Los Angeles County's control program for stationary sources has kept more than 5,000 tons of contaminates out of the air daily. Los Angeles County has demonstrated that pollution from stationary sources can be controlled. Los Angeles County and the State of California, for that matter, have demonstrated that local and State governments can, and are willing to, adopt and enforce standards to control pollution.

I only wish, Mr. President, that the State of California was making as rapid progress in controlling the pollution from the automobile as we have made in controlling the pollution from stationary sources. Unfortunately, such is not the case. Although we are making progress, the truth of the matter is that we have to run as fast as we can to stand still. This is so because of our rapidly growing population which is expected to double by the end of this century, and the increasing number of automobiles.

On May 27, 1966, the Air Pollution Control District of the County of Los Angeles issued its report to the board of supervisors regarding the status of air pollution control in Los Angeles County and the prospects of success of the current control program. Their conclusions were: First, current motor vehicle control programs will not achieve acceptable air quality in Los Angeles in the next decade, and second, control of motor vehicle emissions must be intensified and accelerated if Los Angeles County is to have acceptable air quality by 1980.

In California, Mr. President, it is estimated that emissions from the motor vehicles are responsible for approximately 80 percent of the Los Angeles problem, and I am certain that the automobile is a substantial contributor elsewhere. In 1966, all new cars were required by California law to be equipped with devices limiting the amount of hydrocarbons that can be emitted from 275 parts per million and carbon monoxide to 1.5 percent. Effective in 1970, standards have been adopted to further reduce the exhaust emissions in the case of hydrocarbons from 275 parts per million to 180 parts per million, and carbon monoxide from 1.5 percent to 1 percent. These statistics document the tremendous challenge the State of California will face in the next few years and the next decade as we attempt to clean up the air of the State of California. The extraordinary and compelling circumstances that have existed in California have prompted the State to move into uncharted areas. By so doing, the State and many of its citizens have provided the Nation with many of the tools, many of the ideas and with many of the competent personnel necessary to zero in on the Nation's pollution problem. That California has developed the needed expertise is readily apparent by counting the number of Californians that have been called upon by the Federal Government to serve in positions of leadership and responsibility in the Federal air pollution program.

It is because of the extraordinary and compelling problem that has existed and that exists in the State of California that the State has had to make a great effort in the past and will undoubtedly be called upon to make even greater efforts in the future, in order to assure that the citizens of the great State of California will have acceptable and clean air. Because of the efforts the State has made, and because of the very serious problem that exists, I naturally, was very concerned and very disturbed when the committee was considering the question of Federal preemption on the right to such standards of automobile exhaust emissions. I also, of course, recognize that industry's argument that they could not live with 50 different standards of 50 different States was not without merit.

I am particularly grateful for the recognition that the committee has given to the State of California by accepting an amendment offered by me which recognizes the State's unique problems and pioneering efforts by granting a waiver from the Federal preemption to the State of California, and thus insuring that the State will be able to continue "its already excellent program to the benefit of the people of that State." Because of the importance of this issue, Mr. President, I would ask unanimous consent that this portion of the committee's report dealing with the question of Federal preemption be printed in full at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> To date only California has actively engaged in this form of pollution control and, in fact, the initial Federal standard is based on California's experience. The Federal standard will be applicable to all 1968 model automobiles sold in the United States. Other States have enacted legislation and regulations governing crankcase emissions but this control method has been in general use throughout the United States since 1963.
>
> On the question of preemption, representatives of the State of California were clearly opposed to displacing that State's right to set more stringent standards to meet peculiar local conditions. The auto industry conversely was adamant that the nature of their manufacturing mechanism required a single national standard in order to eliminate undue economic strain on the industry.
>
> The committee has taken cognizance of both of these points of view. Senator Murphy convinced the committee that California's unique problems and pioneering efforts justified a waiver of the preemption section to the State of California. As a result, the committee incorporated in section 202(b) a waiver amendment offered by Senator Murphy. It is true that, in the 15 years that auto emission standards have been debated and discussed, only the State of California has demonstrated compelling and extraordinary circumstances sufficiently different from the Nation as a whole to justify standards on automobile emissions which may, from time to time, need be more stringent than national standards.
>
> This situation may change. Other regions of the Nation may develop air pollution situations related to automobile emissions which will require standards different from those applicable nationally. The committee expects the Secretary to inform the Congress of any such situation in order that expansion or change in the existing waiver provision may be considered.
>
> Until such time as additional problems of this type arise it seemed appropriate that the waiver provision of subsection (b) should be limited solely to California. This approach can have several positive values:
>
> 1. Most importantly California will be able to continue its already excellent program to the benefit of the people of that State.
>
> 2. The Nation will have the benefit of California's experience with lower standards which will require new control systems and design. In fact California will continue to be the testing area for such lower standards and should those efforts to achieve lower emission levels be successful it is expected that the Secretary will, if required to assure protection of the national health and welfare, give serious consideration to strengthening the Federal standards.
>
> 3. In the interim periods, when California and the Federal Government have differing standards, the general consumer of the Nation will not be confronted with increased costs associated with new control systems.
>
> 4. The industry, confronted with only one potential variation, will be able to minimize economic disruption and therefore provide emission control systems at lower costs to the people of the Nation.

Mr. MURPHY. Mr. President, at one time, air pollution in this country was thought to be a peculiar phenomenon which everyone associated with Los Angeles. Now, we are told that every city in the Nation with a population of 50,000 or more has an air pollution problem.

I have had the privilege and pleasure, Mr. President, of traveling across this great country and countless times over the past years my eyes have witnessed what the experts tell us—the pollution problem is a growing one and can be seen in every State.

On top of this, the leading authorities tell us that we will see a doubling of the population in the urban areas of our Nation in the next 40 years. The number of automobiles is expected to grow at an even faster rate. The challenge to the Nation is great. But we have no choice, Mr. President, if we are to assure to the American people the quality of air and the quality of life that they expect and deserve.

Early in this century, a great American, Teddy Roosevelt, very disturbed over the manner in which the Nation was allowing its land and its other natural resources to waste, led us on a great conservation movement. An equally great challenge faces us today.

Mr. President, air and water are also precious natural resources, which we have been neglecting for too long. All of us are guilty, and as the Los Angeles Times in a March 19 article, entitled, "Let's Clean Up Spaceship Earth," observed:

> Spaceship Earth is a "closed space capsule." Only sunlight gets in; nothing leaves. Getting "rid" of waste often is merely the redistribution of it within our "capsule." But it stays with us in our journey through space.

I am encouraged, Mr. President, for I can sense a crusading spirit and a determination by all segments of our society that the Nation can and will be victorious in its battle against pollution. A Harris poll of April 3 indicated that there was more public support for accelerated Federal pollution control than any other single domestic program. Over one-half of the persons queried indicated that they wanted more action by the Government. One-third supported action at the current level.

One seldom picks up a newspaper, a magazine, or a trade journal, Mr. President, without seeing an article on the pollution problem. Businessmen throughout the country recognize that we must win the battle against pollution and that we cannot afford to do otherwise.

Having the greatest of faith in our system of government and in the judgment of the American people, Mr. President, I firmly believe that what the American people want and demand will be accomplished.

Also, having the greatest of confidence in the genius and capacity of American industry, I am convinced that technology and know-how, where not presently existing—and much of it is already in existence—can be developed. Industry should aim high; it should aim at completely or nearly eliminating pollution. The automobile industry, for example, should not rest until it produces a pollution-free engine. This does not suggest that we panic, for we cannot demand that which is not technologically or economically feasible.

Mr. President, we should not leave the impression that the bill we are enacting today will clean up the air overnight. It will provide a framework for effective action by State and local governments. I urge States to make maximum utilization of this bill's provisions and incentives, and I have a feeling that those elected representatives who do not heed the cry of the American people for clean air may not be elected officials too long. The bill rightly gives the State and local governments the opportunity to exercise leadership and to face up to the challenge and responsibility of cleaning up the Nation's air. By combining our resources of government, industry and individuals, I for one am confident that we can clean up the air.

Mr. President, I ask unanimous consent that a staff analysis of S. 780 be printed in full at this point.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

Provisions of S. 780

S. 780, as ordered reported includes the following provisions:

1. Authority for the Secretary to go immediately to court in the event that he finds a particular pollution source or combination of sources, wherever such source or sources may be located, is presenting an "imminent and substantial endangerment to the health of persons" to seek an injunction against the emission of such contaminants as may be necessary to protect public health.

2. Provision for establishment of the Federal interstate air quality planning agencies if the States do not request designation of a planning agency for an interstate air quality control region.

3. Provision for the Secretary of Health, Education, and Welfare to set ambient air standards in any designated air quality control region, if the States fail within 15 months after receiving a criteria and recommended control techniques, to adopt such standards and an acceptable plan for implementation.

4. Provision for the Secretary to go to court, after 180 days notice, to enforce any violation of standards in any designated air quality control region.

5. Specific directive to the Secretary to continue to use existing enforcement procedures as may be necessary to protect public health and welfare during standards development period; and provision for participation by interested parties in an abatement conference.

6. A three-step approach to development of air quality standards including (1) designation, by the Secretary of Health, Education, and Welfare, of air quality control regions based on the need for pollution control and protection of health and welfare; (2) expansion of the existing provision for development and issuance of criteria as to the health and welfare effects of pollutants or combinations of pollutants; and (3) publication of information on the control technology required to achieve various levels of air quality.

(7) An expanded research and demonstration program to advance the technology for controlling pollution from fuels and vehicles including specific authorization of $375 million for three years (through 1970).

8. Federal pre-emption of the right to set standards on automobile exhaust emissions with waiver of application of pre-emption to any State which had adopted standards precedent to promulgation of Federal standards (California).

9. Expanded State and local program grants provision to encourage comprehensive planning for intrastate air quality standards.

10. Establishment of a statutory President's Air Quality Advisory Board and such other advisory committees as may be necessary to assist the Secretary in performing the functions authorized.

11. A study of the concept of national emission standards and a study of the economic impact of pollution control.

12. Federal assistance to the States to develop motor vehicle emission and device inspection and testing systems.

13. Federal registration of fuel additives.

14. Comprehensive reports to the Congress.

15. Three year authorization of $325 million for programs other than research on control of pollution from fuels and vehicles. (Total authorization including research $700 million.)

Mr. YARBOROUGH. Mr. President, I am pleased to make a statement in support of the air quality bill of 1967. Air pollution, along with many other far-distant and not readily visible evils, is often lamented, but too seldom acted upon.

The Committee on Public Works has in the air quality control bill taken vital steps toward furthering public authority to curb air pollution. The committee deserves to be commended on the comprehensive and ambitious bill that it has presented to the Senate.

S. 780 recognizes that air pollution can only be abated by a total effort on all fronts and that a truly effective program to get cleaner air requires a combination of immediate action and long-range research. Both parts are essential to a formula for curing one of our Nation's most acute ills. The committee that has presented us with this bill did not shirk from its overwhelming task, despite the tremendous economic, administrative, and technological problems inherent in the implementation of the desired programs to control air pollution.

The air quality bill of 1967 proposes that minimum standards of air quality be set by the Secretary of Health, Education, and Welfare and establishes the regulatory equipment necessary to see that the clean air standards are enforced across the country. Besides coping with the obvious immediate problems that have aroused the greatest public attention, like the stifling smog in the larger industrial cities of our Nation, this bill also provides for research into the probable disastrous consequences of prolonged, unchecked pollution of the air. Such research will, no doubt, be of great help in discovering the relationship between the quality of the air and the health of the population. It is certainly the time for updating the now inadequate earlier measures for insuring the future safe content of our most vital resource—the air.

I am proud to be a cosponsor of so comprehensive, broad-based, and yet flexible bill which attempts through regulation and research to alleviate the all too prevalent blight of air pollution.

AIR QUALITY ACT OF 1967—MANDATE FOR ACTION

Mr. KUCHEL. Mr. President, the Air Quality Act of 1967 represents a significant legislative victory in the continuing battle for clean air. It was more than 12 years ago that the first Federal legislation was enacted by the Congress dealing with the problem of air pollution.

As a member of the Committee on Public Works at that time, it still is a matter of deep personal pride that I authored the initial legislative effort—the Air Pollution Control Act of 1955. That proposal authorized the first program of research and technical assistance to devise and develop methods for the control and abatement of air pollution. But that bill, as does the one now before the Senate, recognized that the primary responsibility for the control of air pollution rests with State and local government as well as private industry. The Federal Government, as a consequence of the Clean Air Act of 1963 and the amendments that have been adopted since that time, has a mandate to provide leadership and assistance in the national effort to control this growing menace, but the real job has always been in the hands of the States, communities, and industries that create and are affected by pollution. And yet, despite the public and private efforts in this area, despite the volumes of research and the thousands of dollars of assistance, despite the controls that have been established, and the standards that have been developed, air pollution continues to grow and to threaten the environment of our Nation.

Today, the threat of a contaminated environment for mankind has become a real and major concern for all people. Science has deduced that the pollutants in the air strike at virtually everything that exists. In economic losses alone, air pollution costs the country billions of dollars a year through injury to vegetation and livestock, corrosion and soiling of materials and structures, depression of property values, and interference with ground and air transportation. Of even greater significance are the adverse effects on human health. Pollution has been related to a growing number of ailments—asthma, bronchitis, lung cancer and emphysema. The Surgeon General's office has indicated that:

> In the not-too-distant future, if present rates of national growth are sustained, air pollution will reach truly critical proportions.

The Department of Health, Education, and Welfare states:

> What is already known about the relationship of air pollution to illness, disability, and premature death, together with considerations of prudence in the protection of public health, leave no doubt that the contemporary air pollution problem is a threat to the lives and health of millions of people in all parts of the country.

As the hazards increase, the Nation gropes for any effective answer or solution which can meet the challenge of air pollution. The American public, to whom the Congress is ultimately responsible, is no longer content with efforts which are not equal to the challenges of the present and the future.

The bill that is today before the Senate—S. 780—reflects a fuller appreciation of what really is at stake and seeks to provide unprecedented opportunities for effective action at all levels of government. The Air Quality Act of 1967 broadens air pollution programs at all levels of government in an effort to protect and enhance the quality of the environment.

But the creation of a national program of air quality is not in any sense intended to relieve State and local government as well as industry of its responsibilities in this area. The committee clearly points out in its report:

> The States will retain the primary responsibility to determine the quality of air they desire.

I was particularly pleased to see that the committee has recognized the outstanding efforts of my own State of California in attempting to control this growing hazard. California was one of the first to grant local jurisdictions the authority to regulate factories and other sources of atmospheric contamination through the establishment of air pollution control districts. In 1959, the State legislature directed the State department of public health to establish standards for the air and created a motor vehicle pollution control board to test and, if necessary, require control devices; devices which in fact are today required on all cars sold in California. It is because of my State's pioneering efforts in this area that the committee accepted an amendment offered by my distinguished colleague, Senator GEORGE MURPHY, which allows California the power to continue to control its own standards on automobile emissions.

The true success of this legislation will be measured not by the Federal enforcement provisions that are established but by the response of local and State government and private industry to this mandate for action. It is clear that the efforts of all concerned have proven inadequate in the past. As I stated before the Subcommittee on Air and Water Pollution in February of this year:

> What is needed to meet this challenge to human environment is an attack equal to the threat . . . . the time has arrived for an enlightened overview of the problems of the human environment and of measures and plans for solution of these problems, both immediate and long range.

Mr. President, the ultimate solution of present and future environmental problems will have to be generated out of a collaboration between government and industry the equal of which may be unprecedented, but the pattern for which is neither new nor controversial. The Air Quality Act of 1967 states, in effect, that the time for such action by government and industry alike is now. The protection of our human environment cannot, indeed, must not, be delayed any longer.

Mr. BREWSTER. Mr. President, today we are considering the Air Quality Act of 1967 which would amend the Clean Air Act.

This bill, S. 780, represents another positive forward step toward our long-range goal of restoring the pure quality of the air we breathe.

During recent months, I have been disturbed by reports from knowledgeable scientists that we are losing ground in our fight for clean air. It is simply getting dirtier at a faster rate than we are cleaning it up.

The air of most of our large cities, as well as many of our smaller ones, is filled with tons of polluting agents. As President Johnson has pointed out, this polluted air not only aggravates respiratory diseases in man such as asthma, bronchitis, lung cancer, and emphysema; but it also corrodes machinery and defaces buildings. The cost estimates for other forms of air pollution do exist, and they are staggering—$12 billion annually—about $65 per person. Federal money in air pollution programs is not money being poured down the drain. It is an investment, and it is an investment on which we can expect a substantial return.

I recognize that this bill will have a great economic impact, and have cosponsored legislation (S. 734 and S. 950) which would provide tax exemptions to encourage industries to institute pollution controls. These bills should go hand-in-hand with the Air Quality Act of 1967.

This bill, while it would increase Federal activity in the field of air pollution, is a vital support for those States and local communities that are moving aggressively to meet the challenge. It would:

First. Provide for the establishment of a regional approach to air quality planning;

Second. Provide authority for the Secretary of Health, Education, and Welfare to go to court to seek an injunction against the emission of such contaminants as may be dangerous to the public health, or to enforce a violation of standards in any designated air quality control region;

Third. Begin to develop a set of air quality standards;

Fourth. Authorize increased research relating to pollutants from fuels and vehicles;

Fifth. Establish Federal standards on automobile exhaust emissions. Beginning with the 1968 model cars, antipollution control devices will be standard equipment; and

Sixth. Provide increased Federal funds for State and local clean air programs.

Air pollution control is a project which we must begin now before the air we breathe becomes so dirty and so toxic that the problem is entirely uncontrollable. The final bill which has been reported by the Committee on Public Works is slightly different from the original bill that I cosponsored. However, I think that this present bill is more workable. The committee deserves thanks for the careful consideration it gave to this measure. I urge my colleagues to pass this essential legislation.

Mr. PERCY. Mr. President, there are few commodities as precious in our society as the air we breathe. There are a few problems confronting us in our rapidly urbanizing society which deserve our attention more immediately, and to whose solutions we should be more attentive, than the rapidly multiplying and compounding problem of air pollution control. Accordingly, Mr. President, I wish to emphasize my enthusiastic support of the Air Quality Act of 1967.

This legislation will provide a broad base of support for an effective, coordinated nationwide program. The facts and figures on the amounts and kinds of refuse and choking filth daily poured into the air around us are truly staggering. We must act now, and act with increasing effectiveness at all levels of government if we are initially to bring the problem under control, much less start the long process of improving the present quality of the air around us.

Accordingly, I commend the Subcommittee on Air and Water Pollution, and its chairman, the distinguished Senator from Maine [Mr. MUSKIE] for the quick and thorough action taken on this bill, which bears so extensively the imprint of its ambitious multicity hearings and deliberations on the original administration measure. And I particularly commend the Committee on Public Works for its sensitivity to the necessity for balance between Federal and State and local government action in seeking and implementing antipollution programs, devices, and techniques. For the essential responsibility for checking air pollution is at the local level. As the experience of my own city of Chicago has shown, this is the most effective level at which to start to turn back the menace which, though concentrated in our cities, is rapidly spreading across the face of the land.

I say "start to turn back," because as countless examples show, few pollution problem areas are limited to a single political subdivision. Regional problems, such as those in Chicago-Gary area and the New York City-New Jersey complex, confirm the need for the regional conferences and regional standards that the Air Quality Act proposes.

I might say in this regard that I hope the interest expressed by this body in consideration and passage of this Air Quality Act will have the effect of expediting executive approval of the Illinois-Indiana air pollution compact, S. 470, and other similar measures now pending executive approval. Where the States have acted, in my view, the Federal Government should not delay in adding the necessary approval to implement these State laws. In the case of S. 470, executive action is long overdue.

Additionally, the support indicated in the committee report for incentive assistance for industries in meeting its costs of pollution control is most gratifying. As a cosponsor of S. 734, the Pollution Abatement Incentive Act of 1967 originated and introduced by the distinguished Senator from Kansas [Mr. CARLSON], I join in urging the Committee on Finance to hold hearings on these measures, so that this effective avenue of attack on pollution of both air and water may be opened.

Mr. President, in stressing the need for initiative and ingenuity at the local level, I do so from a home base of the experiences of Chicago in this field. One of the most advanced cities in combating pollution, the effectiveness of the Chicago program is compromised to a great extent by high-pollution areas in nearby Indiana, which have not yet had the relative success we in Chicago have enjoyed. In order that others may have the benefit of it, I ask unanimous consent that the initial presentation of our experienced and distinguished mayor, Richard J. Daley, to the Subcommittee on Air and Water Pollution be included in the RECORD at the close of these remarks. I call particular attention to a significant aspect of the Chicago story highlighted in this presentation which points out the voluntary effort of the industries located in the area which have recognized and responded to community responsibility to assist in solving the problem.

The Air Quality Act of 1967 is truly universal legislation in the promise of benefits it holds out to all our citizens. We can do no less, in providing for the needs of our present and future constituents, than to enact immediately these concrete, effective measures to continue efforts to control the pollution of a precious and limited resource, the air around us.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. RICHARD J. DALEY, MAYOR, CHICAGO, ILL., IN BEHALF OF THE U.S. CONFERENCE OF MAYORS

Mayor DALEY. Very happy to be here.

Mr. Chairman, distinguished members of this committee, I appreciate this opportunity to appear before your committee today to testify in support of S. 780, the President's proposed Air Quality Act of 1967.

I am appearing today not only as mayor of Chicago but also on behalf of the U.S. Conference of Mayors of which I am a past president.

This committee has already had extensive testimony and it is not necessary for me to discuss the principle and purpose—the need and urgent necessity—of the Air Quality Act.

I believe, however, that it would be a help to the committee to discuss Chicago's air resource management program and how specific proposals in the bill would directly aid our activities to control and eliminate air pollution in our city, as well as to achieve the same objective in urban centers throughout the Nation.

In your opening statement on April 19, Mr. Chairman, you stated that the committee was particularly interested in the status of ambient air quality criteria development, pointing out that such criteria is essential to the establishment of meaningful air quality goals.

You properly noted that it is of the highest importance to determine what is required to control emission to the point that people can be assured of a supply of clean, healthful air.

The Chicago program defines sources, transport, and effects of air pollution.

An emission inventory was started in 1964. A total of 7,300 questionnaires were mailed to manufacturing establishments in the Chicago area employing five or more persons. The air pollution sources were followed up by plant visits by qualified engineers to evaluate potential pollution.

The first step of this program was completed in 1965, and complete fuel burning information is now available. Plants are being inspected on a regular basis and control programs for industry are being implemented. Additional studies for solid refuse disposal practices are now completed and new legislation is being proposed.

To determine the surrounding ambient air quality in Chicago, the department established an air monitoring program consisting of four networks.

The dustfall monitoring network accumulates on a monthly basis the large particulates from 20 stations.

The gas monitoring and suspended particulate network reports the sulfur dioxide and suspended particulate levels three times a week from these 20 stations.

The fourth network was pioneered by Chicago and is the only operating telemetered air monitoring network in the Nation.

This network indicates wind direction, wind speed, and sulfur dioxide levels on a continuous basis. The wind direction and wind speed provides the department with the necessary information to point directly to the source of this pollutant.

This information is fed directly into a central computer system which provides a continuous evaluation of the sulfur dioxide level and also indicates the source of the contamination.

We have also developed new techniques which will enable us to include in this data acquisition system the measurement of suspended particulates, oxides of nitrogen, and carbon monoxide at expressway interchanges. This information will provide a continuous evaluation of the ambient air quality.

The emission inventory and the application of emission standards to operations are the most difficult elements of an air resource management program. Our department has taken the initiative to provide a methodology that will lend itself to machine handling and can be upgraded on a continuous basis. Methods are being developed to correlate pollution directly with production and Gross National Product estimates, the Standard Land Use Coding Guide, and Standard Industrial Classification Numbers.

The classification of control equipment and the indexing of emissions by chemical identification number, have been incorporated into machine language that can be applied on a continuous basis.

The department is now engaged in two additional studies. The "Lake Breeze Study" consists of nine stations recording temperature and relative humidity throughout the year. This data will be used to determine duration and extent of stagnation periods caused by the "Lake Breeze" effect. It will also be used to design fuel use strategy.

The telemetered network information is currently being correlated with a health study to determine effects of air pollution on excess mortality and morbidity. A 2-year study in Chicago indicates some correlation.

In addition to the quantitative measurements an "Eye In the Sky" program has been designed and is now operational. Here we are using a closed circuit television unit with full 360 degrees scanning capability and a 10-to-1 zoom for pin-pointing violators. The unit has been proven to be very effective as a deterrent and enforcement tool, and is used to dispatch 12 radio cars. We plan to add three additional television units to this system.

The primary metal industry is one of the greatest economic resources of Chicago. At the same time, however, the industrial processes are a major source of suspended particulate emission. The steel industry was responsible for 90,000 tons of suspended particulates from steelmaking processes. This was more than half of the total particulate pollution in the city.

In 1963, we began discussion with Chicago steel industry representatives concerning their responsibility in controlling air pollution. In July of 1963 the Chicago Air Pollution Control Ordinance was amended to provide an industry emission standard for the production of steel.

The five major steel producers agreed to a combined program whereby they would spend $50 million over a 7-year period to eliminate pollution from steelmaking facilities by 1971. The program is reviewed on an annual basis with plant visits. The companies are meeting their commitment and are more than halfway through their program. Thus far, pollution from the steelmaking facilities has been reduced upward to 50 percent.

Similar industrywise abatement programs have been set up with the foundry industry, grain handlers and processors, rendering plants, asphalt batching plants, coffee roasting plants, and the electrical utility industry.

Nearly a decade ago, Commonwealth Edison Co., launched a program to control the emission of particulates from its generating facilities. It spent $48 million to install antipollution devices. Their primary expenditure was for electrostatic precipitators which has almost eliminated particulate emissions. They also constructed extra high stacks which dispersed and diluted combustion gases.

As far back as 1964, the department initiated a program with the utility company to install dual fuel capabilities—gas and coal—in their larger plants located in the city. The company has also increased the size of certain transmission lines so that power can be generated from outside the city.

As a result of this program, we have established "Operation Hot Line"—a procedure whereby during the periods of stagnation power will be supplied from gas-burning facilities or will be generated outside the central city.

Last year, the company launched a new program which will gradually reduce power generation in the city over the next 10 years by increasing its nuclear capacities and by building mine mouth facilities. This is a multimillion-dollar program, and demonstrates that proper long-term planning and implementation can provide meaningful results.

We believe the Chicago program and experience has a direct relationship with the two basic proposals in the bill: the provision for emission standards for certain industries, and the creation of a Regional Air Quality Commission.

A few miles from the steelmaking plants in Chicago are the steelmaking companies located outside the city and in northwestern Indiana. On the Chicago side, harmful pollution is being brought under control with specific programs in defined time periods at a great expenditure to the companies. Outside the city, harmful pollutants are still being emitted, while there is a continual delay in launching a comprehensive program.

This is obviously unfair to the Chicago companies—and unfair and hazardous to all of the people in the area.

The people of the area share the same air and the same economics. In order to obtain quality air for all the people there must be a regional program establishing the same minimum emission standards for all industry wherever it is located in the air region.

We support the Regional Air Quality Commission described in the bill. We strongly urge, however, that representation of major cities on the Commission be made mandatory in the bill. After all, most of the population of our country are in these urban areas.

The key to air pollution control is effective action at the local level, but only about 40 local governmental air pollution agencies have a budget of $25,000 or more. Fewer than 1,000 people are employed by all local governments to control their air pollution problems, with only about 15 or so air pollution agencies employing more than 10 people.

Only two communities to our knowledge outside of Chicago, in our metropolitan area have full-time personnel engaged in air pollution control activities. Approximately 3 million people in this urban area do not have the benefit of any local air pollution control program.

The first smoke ordinance in the United States was passed by Chicago City Council in 1881. In 1959, the Chicago City Council passed a comprehensive air pollution ordinance which provided for the abatement and control of all types of air pollution in addition to smoke.

The air pollution control department was fully reorganized to implement this new ordinance. At the present time, the department's budget increased from $600,000 to $1,041,000 with a staff of approximately 90 personnel. There is also a Federal appropriation of approximately $450,000 which covers a staff of roughly 30 additional people.

Chicago's smoke abatement program over the years has been successful. Dustfall in the city in 1930 was measured to be an average of 350 ton per square mile per month. Today's dustfall measures are averaging 40 tons per square mile per month. Nearly a tenfold reduction.

Chicago's reduction goal in dustfall is 15 tons per square mile per month and this is now being experienced in some residential areas of our city. But while dustfall has been going down, polluting gases from new industrial processes and power generation have been steadily increasing.

Turning to other sections of the bill, we strongly favor section 208 which deals with State motor vehicle pollution control inspection programs. This pollution program must be combined with the safety inspection program. We are anxiously awaiting Federal leadership in developing standards for this area. We support the registration of fuel additives, which would represent a positive step forward.

Finally, we firmly support accelerated research relating to fuels and vehicles. Emissions from the two sources, especially from coal burning, is a problem which faces many cities in the Nation. Illinois is the largest producer of bituminous coal in the United States. We are anxious for any steps that will seek to preserve and expand the economic use of this great resource.

Mr. Chairman, and committee members, in closing may I state that man must control his environment. He can only do it with the cooperation of industry and government on all levels—Federal, State, county, and local—and the private citizen, of course. He is looking for leadership and direction for solving one of the great problems of our day.

We can do much to solve this problem if every sector of our economy and government works together and assumes their respective responsibility. We assure you gentlemen, speaking for the conference of mayors, and the city of Chicago, we are ready, willing and able to assume ours.

Thank you.

Mr. HOLLINGS. Mr. President, I endorse the principles of the Clean Air Act but my vote for this measure should not be construed as a vote for appropriation. The bill does not appropriate any funds, and I would withhold the financial support to carry out its purposes until the need for a tax increase has been eliminated. I oppose a tax increase at this time.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, in the nature of a substitute.

The committee amendment, in the nature of a substitute, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. MUSKIE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Oregon [Mr. MORSE], and the Senator from Virginia [Mr. SPONG] are absent on official business.

I also announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Missouri [Mr. LONG], the Senator from Montana [Mr. METCALF], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. LONG], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Oregon [Mr. MORSE], the Senator from Florida [Mr. SMATHERS] and the Senator from Virginia [Mr. SPONG] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. CURTIS] is absent because of the death of his daughter.

The Senator from Texas [Mr. TOWER] is necessarily absent.

The Senator from Vermont [Mr. PROUTY] is detained on official business.

If present and voting, the Senator from Nebraska [Mr. CURTIS], the Senator from Vermont [Mr. PROUTY] and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 88, nays 0, as follows:

[No. 193 Leg.]

YEAS—88

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Gore
Griffin
Hansen
Harris
Hart
Hartke
Hatfield
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Russell
Scott
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—12

Curtis
Fulbright
Gruening
Hayden
Long, Mo.
McIntyre
Metcalf
Morse
Prouty
Smathers
Spong
Tower

So the bill (S. 780) was passed.

The title was amended, so as to read: "An act to amend the Clean Air Act to authorize planning grants to air pollution control agencies; expand research provisions relating to fuels and vehicles; provide for interstate air pollution control agencies or commissions; authorize the establishment of air quality standards, and for other purposes."

Mr. MUSKIE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. RANDOLPH. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, S. 780, the Air Quality Act of 1967, continues this Nation's attack on air pollution in a most effective way. Largely responsible for the overwhelming success of the measure was the junior Senator from Maine [Mr. MUSKIE] whose thorough study of all facets of the air pollution problem is carefully documented by exhaustive hearings. Senator MUSKIE has led the way in finding solutions to this grave problem of air pollution and we know the fruits of his strong efforts will forever inure the benefit of this Nation's future.

The chairman of the Committee on Public Works, the senior Senator from West Virginia [Mr. RANDOLPH] and the ranking minority member, the senior Senator from Kentucky [Mr. COOPER], are to be commended for their deep insight into the nature and causes of air pollution. They too have performed truly outstanding services to the country by devoting their tireless energies to the study of the problem and to the discovery of ways to eliminate its devastating effects.

The junior Senator from Delaware [Mr. BOGGS], the ranking minority member of the subcommittee, played a vital role in assuring the Senate's unanimous approval of this measure. Along with Senators MUSKIE, RANDOLPH, and COOPER, his knowledge of the problem, his appreciation of its effects, is unsurpassed.

We certainly appreciate his efforts.

Other Senators are to be commended for contributing to this success. Noteworthy were the efforts of the senior Senator from Hawaii [Mr. FONG], the junior Senator from California [Mr. MURPHY] and the junior Senator from Tennessee [Mr. BAKER].

Finally, the passage of this measure adds impetus to the fight for clean air. It is clear that we have now recognized the problem and that we shall continue to seek reasonable and effective solutions whenever and wherever it occurs.

Mr. KENNEDY of New York. Mr. President, our action today in approving by a unanimous vote the Air Quality Act of 1967, is a positive indication of our determination to preserve the quality of our environment. We all know the magnitude of the problem of air pollution. We know of the suffocating haze that blankets our metropolitan areas. We know that our air destroys crops, erodes cars and buildings, and maims or kills thousands of people in every section of the country. We know too of the startling rise in deaths and disability due to air pollution, that deaths from one pollution-related disease, ephysema, have gone from less than a thousand in 1949 to 60,000 last year. We know that control of air pollution is essential if we are to provide for our children an environment not only safe but conducive to good living. And we know of the narrow choices put to us by Secretary Gardner: to live like moles, indoors for most of the year; to wear gas masks; to dome our cities—or to clean up our air.

The attack on air pollution must involve the coordinated efforts of local, State and Federal governments. Until now our approach has been piecemeal and inadequate, or nonexistent. And every day, more sulfur dioxide, more carbon monoxide, more particulate matter beclouds our environment. I have said before that the time for studies is past; the time for action is here. With the passage of this bill, we make clear our commitment to expanded research and effective regulation. We give to the Secretary of Health, Education, and Welfare a firm mandate to progress with diligence in programs of research and scientific analysis of ways to control dangerous emissions. We provide the authority to designate air quality control regions and to set standards in those regions where the local authorities do not act with dispatch. We authorize the Secretary to commence abatement action against health hazards from air pollution where it is expected that the local authority will not act effectively. To accomplish these and other objectives we have authorized the appropriation of $375 million for research and $325 for regulatory programs.

I have written to the Secretary on several occasions urging that he exercise the fullest authority under present law. For these problems need not all be solved at once; and not all of them require long study. The most dangerous pollutant in New York's air today is sulfur dioxide, produced by the burning of coal and oil. But none of this pollution is really necessary. We know how to control sulfur emissions, easily and surely—using a better grade of fuel. I have urged the substitution of No. 2 oil for the cheaper grade No. 6, which has a sulfur content 10 times as great as No. 2. That simple substitution in New York alone would remove 470,000 tons of sulfur dioxide from the air. The net effect would be to reduce sulfur dioxide emission in New York City by 80 percent. It is for that reason that the abatement provisions of this bill are so important, since they give to the Secretary authority to apply techniques within our knowledge to these problems.

It should be emphasized too that the bill approved today will also not solve all the problems of air pollution. It will not remove the threat to our environment posed with increasing urgency by the emissions of our cars and industries. But we have made a beginning; we have taken the first step toward an effective and national attack on air pollution.

What is needed now is redoubled efforts on the part of Government officials with the active involvement and assistance of individuals and industrial groups. In the balance rests nothing less than the quality of our environment, and the quality of life in that environment. We do have a choice. We can choose a future in which our cities resemble the scene described by F. Scott Fitzgerald after viewing the Flushing land fill:

> This is a valley of ashes, a fantastic farm where ashes grow like wheat into ridges and hills and grotesque gardens; where ashes take the form of houses and chimneys and rising smoke and, finally, with a transcendant effort, of men who move dimly and already crumbling through the powdery air.

Or we can choose to create an urban society that can preserve the quality of its environment, and enhance the quality of life for the people in the society. We owe it to ourselves and to those who follow to make this choice and maintain the commitment to it with the same determination and unanimity that we demonstrated today in taking the first step.

Mr. SPONG subsequently said: Mr. President, official business in connection with the visit of the President of Iceland prevented my being present for the rollcall vote taken earlier today on the Air Quality Act of 1967.

Mr. President, as a junior member of the Senate Subcommittee on Air and Water Pollution, I would like to thank the junior Senator from Maine [Mr. Muskie] for the diligence and patience he has demonstrated during extensive hearings on this important legislation. He has performed an impressive job in guiding the bill through the subcommittee. I also would extend my thanks to the distinguished chairman of the Senate Committee on Public Works, the senior Senator from West Virginia [Mr. Randolph] who has shown a deep understanding of the complex nature of the subject before the Senate today.

This bill, the Air Quality Act of 1967, would give to the States and the localities the initial responsibility and authority to develop standards and enforcement procedures for the abatement and control of air pollution.

I am hopeful that the administration of the act will complement rather than supplant any previously existing State and local efforts to meet this problem.

Our approach must be logical and reasonable, particularly when the problem has no respect for the boundaries of political subdivision. We must, on a cooperative basis, seek to reduce contamination in our air resource to levels approaching those which prevailed before the industrial revolution.

The bill before us would establish a national program of air quality, but for the most part the States would retain the primary responsibility for determining the quality of air they desire insofar as stationary sources of air pollution are concerned.

I believe this approach is much more practical than the concept in the original bill of national emission standards for specific types of industries.

The legislation provides for a national program in that it would empower the Secretary of Health, Education, and Welfare to designate air quality control regions based on the need for pollution control.

The Secretary also would be authorized to issue air quality criteria which would reflect the latest scientific knowledge available on the kind and extent of health problems that could be expected from certain air pollution agents. Third, the Secretary would issue to the States and the localities the control techniques necessary to achieve the air quality standards set forth in the act.

At each stage in this process the Secretary would consult with appropriate Federal, State, and local authorities. If they are consistent with the purpose of the act, the standards and enforcement plans of each State would then be applicable to that State. It seems to me that this is a sensible and reasonable approach to the problem.

After all, air pollution is a regional and interstate problem. Because pollution does not disappear at the city limits and can no longer be regarded as a mere nuisance, efforts to resolve the problem will require the most diligent cooperation by local, State and Federal authorities. This legislation, in my opinion, represents the most practicable approach to the abatement and control of air pollution that can be made within the scope of technology and scientific data presently available.

It should be pointed out that the bill contemplates preemption by the Federal Government of the right to set emission standards for automobiles. In my judgment this is necessary. Our population has become so highly mobile and transient that to do otherwise makes no sense. To subject automobile manufacturers to varied requirements by the several States would constitute an economic hardship that ultimately would be passed on to the purchasers of automobiles.

I would caution against believing that we can effectively combat air pollution from motor vehicles simply by establishing national emission standards for them. We must remember that many States have no compulsory, periodic inspection of motor vehicles. In the absence of such a requirement, it behooves the automobile and petroleum industries to develop antipollution devices that are efficient, economical, and durable.

Another factor to consider is the absence of low-cost instruments to measure emissions from automobiles. I would hope that the research grants authorized by this legislation will facilitate the development of such instruments.

Mr. President, I believe the bill enacted today respects the prerogatives of the States and localities, and offers to them an opportunity to take further initiative in a vital area of national concern.

AUTHORIZATION OF APPROPRIATIONS TO NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Senator from New Mexico [Mr. Anderson], I ask that there be laid before the Senate the amendment of the House of Representatives to S. 1296, relating to the authorization of the appropriation for the National Aeronautics and Space Administration.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes which was, to strike out all after the enacting clause and insert:

That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration the sum of $4,927,182,000, as follows:

(a) For "Research and development," for the following programs:

(1) Apollo, $2,521,500,000;

(2) Apollo applications, $379,700,000;

(3) Physics and astronomy, $131,631,000;

(4) Lunar and planetary exploration, $142,000,000;

(5) Voyager, $50,000,000;

(6) Bioscience, $41,800,000;

(7) Space applications, $94,500,000;

(8) Launch vehicle procurement, $72,000,000;

(9) Space vehicle systems, $36,000,000;

(10) Electronics systems, $39,200,000;

(11) Human factor systems, $21,000,000;

(12) Basic research, $21,465,000;

(13) Space power and electric propulsion systems, $44,000,000;

(14) Nuclear rockets, $50,000,000;

(15) Chemical propulsion, $49,000,000 of which $12,000,000 is to be used only for the large solid motor project;

(16) Aeronautics, $66,800,000;

(17) Tracking and data acquisition, $290,000,000;

(18) Sustaining university program, $20,000,000;

(19) Technology utilization, $5,000,000.

(b) For "Construction of facilities," including land acquisitions, as follows:

(1) Ames Research Center, Moffett Field, California, $5,365,000;

(2) Goddard Space Flight Center, Greenbelt, Maryland, $565,000;

(3) Jet Propulsion Laboratory, Pasadena, California, $3,125,000;

(4) John F. Kennedy Space Center, NASA Kennedy Space Center, Florida, $24,885,000;

(5) Lewis Research Center, Cleveland and Sandusky, Ohio, $2,115,000;

(6) Manned Spacecraft Center, Houston, Texas, $2,425,000;

(7) George C. Marshall Space Flight Center, Huntsville, Alabama, $870,000;

(8) Michoud Assembly Facility, New Orleans and Slidell, Louisiana, $2,010,000;

(9) Nuclear Rocket Development Station, Nevada, $16,500,000;

(10) Wallops Station, Wallops Island, Virginia, $740,000;

(11) Various locations, $2,880,000;

(12) Facility planning and design not otherwise provided for, $5,500,000.

(c) For "Administrative operations," $648,206,000.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts, and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Administrative operations" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds $100,000.

(h) After January 1, 1968 no support service contract in the amount of $100,000 or more shall be awarded, renewed or extended unless—

(1) a study has been made showing the relative cost of obtaining the services through contract and through direct hire employees, using cost criteria established by the Bureau of the Budget; and

(2) the Administrator has made a written determination (i) that the cost of obtaining the services through contract is not greater than the cost of obtaining such services through direct hire employees, or (ii) that the success of the program of the National Aeronautics and Space Administration requires the use of the service contract procedure rather than the direct hire of employees, stating in detail the reasons for such determination.

The Administrator shall maintain a central file of the determinations made pursuant to clause (2) of this subsection and shall make them available upon request to the Senate and the House of Representatives, and to the committees thereof. Nothing in this subsection shall be construed as authorizing the Administrator to enter into support service contracts that are not otherwise authorized by law. As used in this subsection the term "support service contract" does not include contracts for the production of commercial and industrial products or for the construction of facilities.

SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), and (11) of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

SEC. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with $10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (12) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof, including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 5. It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

SEC. 6. There is hereby established an Aerospace Safety Advisory Panel consisting of a maximum of fifteen members who shall be appointed by the Administrator for terms of six years each, except that the terms of office of the members first taking office after the date of the enactment of this Act shall expire at the end of two, four, or six years as may be designated by the Administrator to provide continuity of membership. The Panel shall review safety studies and operations plans referred to it and shall make reports thereon, shall advise the Administrator with respect to the hazards of proposed or existing facilities and proposed operations and with respect to the adequacy of proposed or existing safety standards and shall perform such other duties as the Administrator may request. One member shall be designated by the Panel as its Chairman. Members of the Panel who are officers or employees of the Federal Government shall receive no compensation for their services as such, but shall be allowed necessary travel expense (or in the alternative, mileage for use of privately owned vehicles and a per diem in lieu of subsistence not to exceed the rates prescribed in 5 U.S.C. 5702, 5704), and other necessary expenses incurred by them in the performance of duties vested in the Panel, without regard to the provisions of subchapter I, Chapter 57 of title 5 of the United States Code, the Standardized Government Travel Regulations, or 5 U.S.C. 5731. Members of the Panel appointed from outside the Federal Government shall each receive compensation at the rate of $100 for each day such member is engaged in the actual performance of duties vested in the Panel in addition to reimbursement for travel, subsistence, and other necessary expenses in accordance with the provisions of the foregoing sentence. The members of the Panel may serve as such without regard to the provisions of sections 203, 205, 207, 281, and 283 of title 18 of the United States Code, except insofar as such sections may prohibit any such member from receiving compensation in respect of any particular matter which directly involves the Administration or in which the Administration is directly involved. No officer or full-time employee of the Administration may serve as a member of the Panel.

SEC. 6. Notwithstanding any provision of the National Aeronautics and Space Act of 1958, or any other provision of law, the Administrator of the National Aeronautics and Space Administration shall keep the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration.

SEC. 7. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1968."

Mr. MANSFIELD. Mr. President, I move that the Senate disagree to the amendment of the House; agree to the request of the House for a conference; and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ANDERSON, Mr. SYMINGTON, Mr. STENNIS, Mrs. SMITH, and Mr. HICKENLOOPER conferees on the part of the Senate.

LEGISLATIVE PROGRAM — ORDER FOR ADJOURNMENT TO FRIDAY NEXT AT 10 A.M.

Mr. KUCHEL. Mr. President, while a number of Senators remain on the floor, I would like to ask our able friend, the majority leader, what his plans are for the balance of the day and the balance of the week.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished acting minority leader, I could say with certainty that if we finish the pending business, which has to do with the popular election of the Governor of the Virgin Islands, it would be the intention of the leadership to go over until Friday next. This statement is made not with the idea of holding out a carrot but because it is a fact of life as far as the calendar is concerned.

In the expectation that that may happen, I ask unanimous consent—subject to change if it is necessary—that when the Senate completes its business today, it stand in adjournment until 10 o'clock Friday morning next.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION ON FRIDAY OF SENATORS PEARSON, DOMINICK, AND HANSEN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at 10 o'clock on Friday the distinguished Senator from Kansas [Mr. PEARSON] be recognized for a period of not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. And that following the distinguished Senator from Kansas, the distinguished Senator from Colorado [Mr. DOMINICK] be recognized for a period not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. And that following the address of the distinguished Senator from Colorado, the distinguished Senator from Wyoming [Mr. HANSEN] be recognized for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

OIL SHALE DEVELOPMENT

Mr. KUCHEL. Mr. President, last Tuesday, July 11, the senior Senator from Michigan [Mr. HART] made a statement on the floor of the Senate, a portion of which appears on page 18428 of the CONGRESSIONAL RECORD of that day, as follows:

> Economic incentive would seem to favor development by other than the big oil companies. Most of the majors—oil crisis notwithstanding—have huge investments in traditional crude sources. It would appear not to be in their best economic interests to see shale reserves developed rapidly.
>
> Consider the experience of Union Oil Company. Union Oil does not have vast crude reserves, but it does own substantial shale oil lands—50,000 acres. It has spent $15 million for research and development looking toward oil from shale, in order to improve its crude position. But when it appeared that Union was on the threshold of development of shale oil, the Gulf Oil Co. purchased $120 million of Union's convertible debentures and placed the vice chairman of the Mellon Bank on Union's board of directors. Mellon interests control Gulf. Thereafter Gulf began supplying Union with one-fourth of its requirements for purchased crude with Gulf's Kuwait oil. Union's research and development ceased after this arrangement—to the apparent benefit of both Gulf and Union. This example explains why it seems to me that international oil companies with huge reserves of cheap foreign crude oil do not want rapid development of shale oil.

The president of Union Oil, Mr. Fred L. Hartley, subsequently issued a statement in response. Since the Senator's statement was printed in the CONGRESSIONAL RECORD, I believe it only fair that Mr. Hartley's statement be accorded the same forum.

The Interior Committee, which under the Legislative Reorganization Act has jurisdiction over substantive legislation affecting oil shale development, will hold hearings in the near future on Secretary Udall's proposed developmental regulations. The public interest will be well served if both Senator HART and Mr. Hartley will appear before our committee at these hearings and give us the benefit of their knowledge and views.

Mr. President, I ask unanimous consent that the statement of Mr. Fred L. Hartley appear in the RECORD at the conclusion of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF FRED L. HARTLEY, PRESIDENT, UNION OIL CO. OF CALIFORNIA, JULY 13, 1967

Senator Philip A. Hart of Michigan made a statement on the floor of the Senate July 11th in which he drew certain incorrect conclusions as to the attitude of the Union Oil Company of California regarding the production of shale oil on a commercial scale. Since the statements on which he based his conclusions were untrue, obviously the Senator has been misinformed.

Union's fee owned oil shale and appurtenant bottom lands in approximately equal amounts total 40,000 acres, not 50,000 acres. In addition, Union has approximately 22,000 acres of oil shale mining claims which are being challenged by the Department of the Interior. Union's interest in oil shale goes back to 1913. In the early 1920's, in anticipation of a possible petroleum shortage, Union pioneered in the study of Colorado oil shale as a source of refinable oil and in determining a means for its economic extraction. This program was slowed by the discovery of the great East Texas and California fields which ended the possibility of a petroleum shortage at that time.

In the late 1940's and the early 1950's Union acquired additional oil shale acreage and commenced an extensive shale oil program, including the construction of a 1200 ton per day demonstration plant. By late summer of 1958, all technical and production objectives were attained and that phase of the program was completed. Union had now developed technical know-how to produce high quality finished petroleum products from oil shale. However, in view of the uncertainties regarding statutory depletion applicable to shale oil, the Government's oil import program and the existing world oil surplus, it did not seem prudent to make the necessary capital investment required; and therefore, Union did not elect to build a full scale commercial plant. Since 1958, Union's scientists and engineers have continued to make improvements in many phases of oil shale technology, and in addition, Union has endeavored to clarify the status of its unpatented mining claims.

Union's commitments with the Gulf Oil Company regarding the purchase of Kuwait crude oil were made in 1956, almost two years before completion of its demonstration plant program. There was, and is no relationship between Gulf's purchase of Union debentures, their repurchase by Union in 1961, Union's foreign crude oil purchase contracts, and its oil shale program. In fact, Union's imports of crude purchased from Gulf and others are so small compared to its total requirements as to be of no consequence to its shale oil policy.

The argument that Union would not be interested in seeing oil shale reserves developed rapidly is without merit. Union has and is expending tremendous sums in the exploration and production of domestic crude oil by conventional means. Moreover, it purchases ⅓ of its requirements from others. The reduction of these expenditures is a substantial inducement to Union to invest in the development of oil shale and for this reason Union maintains a viable oil shale department.

In my opinion, if the Executive Branch of the Federal Government of the United States over the past 15 years had possessed constructive leadership for the creation of a favorable and equitable competitive environment for the oil shale industry, commercial plants would be operating today. It is to our shame that our neighboring country to the North has done just that for the Canadian tar sand oil industry and I hasten to add, American capital is primarily involved. We hope Senator Hart will join other responsible men in Congress and help provide the necessary leadership to create an atmosphere conducive to similar private investments in the United States. Considering the world we live in today, indecision on this matter is the height of folly.

ALLIED TROOPS IN SOUTH VIETNAM

Mr. BYRD of Virginia. Mr. President, in reading the transcript of the press conference held by Secretary of Defense McNamara on July 12, I was astonished at his answer to the following question:

> Q. Mr. Secretary, will these consultations with the allies in the future involve a proposal for an outright increase in the number of troops they have in the field?

Mr. McNamara replied:

> We don't request troops from our allies for use in Vietnam. I think we must engage in joint discussions of the requirements.
>
> They are assuming responsibilities, as are we, as sovereign states for participation in the defense of Vietnam. We will counsel with them as to their views as to what the requirements are and how we might jointly fulfill those.

I want to repeat again Mr. McNamara's words:

> We don't request troops from our allies for use in Vietnam.

Maybe that attitude is one of the basic causes of our difficulties in Vietnam, a country a little smaller in area than the State of Missouri.

One of the great disappointments of the present struggle in Southeast Asia is that the Vietnam war has become too "Americanized," that we are getting too little help in the way of troops from our allies.

Australia with 6,500 troops, and South Korea with 45,000 appear to be doing their full part. Except for these and 2,200 Filipinos, 400 New Zealanders, and 200 Thais, we are alone in assisting the South Vietnamese.

There is another sense in which the war has become Americanized, and that is the extent to which Americans have done most of the fighting and suffered most of the casualties.

A study of the casualty figures shows this clearly.

In 1964, for every 50 South Vietnamese—RVN—soldiers killed, one American also died.

In 1965, for every eight RVN soldiers killed, one American died.

For the first 5 months of 1967, U.S. combat casualties were almost double those of the South Vietnamese. The United States suffered 31,036 killed and wounded, while the RVN casualties were 17,003.

Frankly, I hope our Government will pursue with vigor the matter of obtaining troops from Asiatic nations, from many of those 44 nations with whom we have mutual defense agreements, and from the other members of the Southeast Asia Treaty Organization. Our Government contends that one of the basic reasons for our involvement in Vietnam is the fact that we signed the SEATO agreement. Yet three of the eight members—France, Pakistan, and Great Britain—have furnished no troops.

After 2 years of fighting, after 2 years of sacrifice, after 2 years of buildup of military equipment and manpower, the end of the fighting in Vietnam is not in sight.

As our Government ponders whether to send another 100,000 Americans, I would hope that it would pursue with vigor the question of obtaining from our allies additional manpower for Vietnam. If our Government is not willing to request help from our allies, there is little evidence to suggest that our allies will volunteer such help.

I end as I began, Mr. President, I do not approve of Mr. McNamara's assertion that we do not request troops from our allies. The time has come for him to seek effective support from other nations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 39. An act for the relief of Athanasia Argere;

S. 256. An act for the relief of Rosa Anna Genovese;

S. 280. An act for the relief of Rosa Agostino;

S. 324. An act for the relief of Jesse C. Johnson; and

S. 822. An act for the relief of Hye Suk Paeng and Mi Kung Paeng (Patricia Ann).

VIRGIN ISLANDS ELECTIVE GOVERNOR ACT

The Senate resumed the consideration of the bill (S. 450) to provide for the popular election of the Governor of the Virgin Islands, and for other purposes.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. BURDICK. Mr. President, prior to the July 4 recess, I made an opening statement on S. 450. I shall not repeat much of it. I think, however, my fellow Senators should know what the salient facts in the bill are.

In short, the bill provides for the popular election of a Governor for the Virgin Islands, in much the same manner as we provided, a few weeks ago, for election of a Governor of Guam. The bill provides specifically for the popular election, not only of a Governor, but a Lieutenant Governor. It provides that the salaries and expenses of the executive as well as the legislative branch be paid by the Government of the Virgin Islands; specifies the powers, duties, and responsibilities of the Governor; provides a method of recall for removal of the Governor; sets out the line of succession in the event the Governor is disabled; clarifies the powers, duties, responsibilities, and procedures of the office of the government comptroller; provides that the expenses and salaries of the office of the government comptroller shall be paid by the United States from funds derived by transfer from the Internal Revenue collections appropriated for the Virgin Islands, thus resulting in a substantial saving to the Federal Government; extends the privileges and immunities clauses, the due process clause, and the equal protection clause of the U.S. Constitution to the people of the Virgin Islands; makes the Virgin Islands subject to the general military law of the United States; and makes certain technical changes in the revised organic act.

It is contended by the committee that the Virgin Islands have attained sufficient political maturity and practice in the art of self-government to warrant this present step. Since 1954, they have assumed increasing responsibility for their government, and we believe they are now eligible for further self-government by being permitted to elect their own Governor, just as I say, as was provided for Guam a few weeks ago.

Since the 1954 act came into force, there have been a number of other enactments by the Congress looking toward greater self-responsibility on the part of the Virgin Islands: Public Law 85-224 authorized the enactment of local laws requiring the advice and consent of the legislature to gubernatorial appointees to commissions having quasi-judicial authority; Public Law 85-851 provided for the issuance of revenue bonds for certain types of projects authorized by the legislature and made it clear that there should be no political or religious test for officers and employees of the Government of the Virgin Islands; Public Law 86-289 allowed the territorial attorney general to exercise some of the functions of the U.S. attorney; Public Law 88-180 provided for the issuance of general obligation bonds in certain circumstances; Public Law 88-183 authorized the transfer of submerged areas bordering on the islands to the territorial government and put within its concurrent jurisdiction "parties found, acts performed, and offenses committed on property owned, reserved, or controlled by the United States"; and Public Law 89-100 provided for the payment of legislative salaries and expenses by the local rather than the Federal Government.

Public Law 89-548 amended the revised organic act to provide for the enlargement of the legislature to 15 members and permitted reapportionment in keeping with the Supreme Court decisions enunciating the one-man, one-vote principle.

These acts all indicate the increasing responsibility we have given to the islands. We think the time is right, and that they deserve, on the basis of their actions, the right to elect their own Governor.

I know that the opposition will contend that there have been certain irregularities in the islands alleged. Our contention is that these are two separate questions; that if there are irregularities, in elections, or otherwise, they should be aired, but they should not disturb the measure before the Senate today. We contend that those matters are, as I say, separate and apart from each other.

I observe, in regard to irregularities, that at no time did the complaining candidates or defeated candidates come before the local bodies or local election officials with any complaints; and at no time did the people who have made complaints about irregularities come before our committee and testify about the irregularities. Their charges came in the form of letters and affidavits to the senior Senator from Colorado [Mr. ALLOTT], who, as I understand, forwarded them to the Attorney General.

But be that as it may, we think it should not disturb, delay, nor hinder the people of the Virgin Islands from having the right to elect a Governor. If any further action is needed with respect to the alleged irregularities, it should be taken, but this bill should not be disturbed.

Mr. JACKSON. Mr. President, the pending bill, S. 450, to provide for the election of a Governor of the Virgin Islands, is the second piece of legislation of this nature to come before the 90th Congress. On May 9 a similar proposal for the territory of Guam was unanimously passed by the Senate.

Mr. President, I sincerely regret the long delay in considering S. 450. The bill was reported by the Committee on Interior and Insular Affairs on May 4 and has been pending these many weeks, during which time various allegations and charges concerning the administration of the Virgin Islands have been made.

Among other things, critics of Gov. Ralph Paiewonsky have pointed to alleged voting irregularities in the elections of November 1966, indirectly questioning the maturity of the voters in the islands to elect their own Governor. These critics also point to the number of local government employees in the islands and possible Hatch Act violations last November to support their contention that Virgin Islanders should not now have the right to elect their Governor.

Mr. President, the matter of voting irregularities is presently under investigation by the Department of Justice through the U.S. district attorney in St. Thomas. If any irregularities are disclosed by this investigation, I am sure that proper legal steps will be taken against those who may be involved. I want to emphasize to Senators that legal machinery is available to take care of that situation, and it is not a subject pertinent to this legislation.

Also, the Civil Service Commission presently has two investigators in the islands checking into the possibility of Hatch Act violations in the last election. I am confident that if the investigation bears out the charge that this occurred appropriate steps will be taken—and again legal machinery is available to take care of the problem—but that issue has no relationship to S. 450 and its principal purpose, which is; namely, to give the people of the Virgin Islands the right to elect their own chief executive, as do all other citizens in their respective States.

The people of the Virgin Islands have demonstrated time and time again their capability of electing the members of their legislature and operating their government in a reasonably efficient manner. No one claims that the present administration of the islands is perfect, but then what State, county, or city government does not have its problems and shortcomings?

I would only point out to those critics of affairs in the Virgin Islands that the way to improve matters is to allow the people of the territory to vote their own man into high office. If improvements are not forthcoming, they will have the right and the duty to replace him with someone else.

Mr. President, the recent hearings by the House Interior Subcommittee in St. Croix and St. Thomas, which a member of our committee staff attended, show conclusively that the people of the Virgin Islands want to elect their own Governor, beginning not later than 1970, and that the bill before the Senate today, S. 450, has very wide support among the people in the islands.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. Is the question on agreeing to the committee amendment?

The PRESIDING OFFICER. In the nature of a substitute, that is correct.

The committee amendment in the nature of a substitute was agreed to.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I send to the desk a motion to recommit the pending bill to the Committee on Interior and Insular Affairs, with certain instructions. I ask that the motion be read.

The PRESIDING OFFICER. The motion will be stated.

The LEGISLATIVE CLERK. The Senator from Colorado [Mr. ALLOTT] moves to recommit the bill (S. 450), to provide for the popular election of the Governor of the Virgin Islands, and for other purposes, to the Senate Committee on Interior and Insular Affairs with the following instructions: First, to resolve the question of allegations of voting irregularities in the 1966 Virgin Islands elections and to submit a report thereon; and, second, to conduct a thorough and comprehensive examination of the political and economic structure of the Virgin Islands, with a view toward amending the organic act of 1954 to permit the citizens of the islands greater participation in the selection of their executive officers, in addition to the Governor, as well as the officials of the towns and cities, by the elective process.

Mr. ALLOTT. Mr. President, the motion to recommit contains two provisions. First, it asks the Senate Interior Committee to resolve the question of voting irregularities in the 1966 Virgin Islands elections once and for all, and to submit a report to the Senate on its findings and conclusions. It seems clear to me that efforts by the Department of Justice, though perhaps conforming to their standard of performance, have not conformed to ours. We have a responsibility placed upon us by the Constitution. And that responsibility requires Senate action. The passage of my motion would insure a final resolution of this important matter.

The second provision of my motion is to instruct the Senate Interior and Insular Affairs Committee to conduct a thorough and comprehensive examination of the political and economic structure of the Virgin Islands, with a view toward amending the organic act of 1954 to permit greater participation by the citizens of the islands in the selection of their executive officers, in addition to the Governor, as well as the officials of the towns and cities, by the elective process.

Mr. President, the motion to recommit affords the most progressive approach to the questions which now affect the basic relationship between the territory of the Virgin Islands and the United States. Such an approach must be taken within the framework of a sound, up-to-date Federal-territorial arrangement.

Mr. President, the present bill would amend the organic act of 1954 to provide for the popular election of the Governor. It necessarily precludes Congress from affording more productive legislative avenues by offering the citizens of the Virgin Islands greater participation, by the elective process, in local government. If Congress adopted the present bill the future elected Governor—like the present appointed one—would continue to appoint all the local officials and functionaries of the government of the Virgin Islands. Immediate passage of this bill will never—I emphasize "never"—remedy the drastic conditions which exist in the islands since the citizens themselves will have no greater voice in local government than before. Indeed, it is my contention that they will likely have less, considering the present political climate which I have attempted to describe to the Senate today.

Let me give the Senate an example. The only elected officials today in the Virgin Islands are the 15 Senators who comprise its unicameral legislature. Since no other local elected officials are provided, these Senators determine the amount of real property taxes to be levied each year. I have been informed that during the House hearings information was developed which showed that in the city of Christiansted last year real property taxes were increased anywhere from 200 to 1000 percent in one year. It was brought out, for example, that one old man, entirely dependent upon his social security income, had his real estate taxes increased from $8.00 last year to $370 this year.

There is no local government body, elected by the citizens, to whom this old man can appeal. There is only a board of tax review appointed by the Governor. The chairman of the board of tax review is the commissioner of property and procurement who, of course, holds his position at the pleasure of the Governor. The local people, however, have no ability to assert any direct control over the government's decision, since the board of tax review is nothing more than a gingerbread gimmick designed to give the appearance of fairness to the citizens of the islands and to hoodwink the Members of Congress.

Mr. President, it is almost an inconceivable situation that a man living in the most modest of homes, as described by former Governor Merwin, in his testimony, would have his real estate taxes increased from $8 to $370 in 1 year.

Lest somebody be overcritical and say that Governor Merwin was a Governor appointed by President Eisenhower and that he therefore had his own little row to hoe in his testimony, I invite everyone's attention to his testimony given in the Virgin Islands before the House committee about 3 weeks ago, in which he was very objective.

He is not vindictive. He is not seeking public office. And I do not think anyone who examines his testimony can come up with any other conclusion than that it is based upon the most objective and unbiased point of view a man could give.

On page 345 of the first draft of the hearings—which, of course, is not a printed draft, but a typewritten draft—Governor Merwin said:

> People are assessing taxes who do not own anything. It is easy for them to assess somebody else. People are assessing taxes, and we are paying on agricultural lands. One person in St. Croix is trying to raise cattle. Last year *he paid $800 in taxes. He gets a tax bill this* year for $7,000. He lost money on his cattle, and he is supposed to lose another $7,000 this year.

Mr. President, my motion to recommit is aimed at providing a creative solution *to these problems in the islands. I am vitally interested in providing the citizens* of the Virgin Islands a greater opportunity to make their voices heard in local government. I am speaking now of their ability to elect their own mayors and comparable officials on the city or town level, administrators at the islands *administrative level, tax assessors,* and certain law enforcement officials such as sheriffs. As I have said, however, this can only come about by means of a thorough and complete reappraisal of the functioning of the islands under the present Organic Act.

I am seeking a way to allow the Senate an opportunity of doing more for the citizens of the Virgin Islands than was ever contemplated by the present bill. A comprehensive study can well lead to a comprehensive amendment of the organic act of 1954 to provide for the election of these local officials, as well as a Governor, and making such officials directly responsible to the people themselves. Anyone who says that they want to see a real democratic process work in the Virgin Islands should certainly not object to the motion made by the Senator from Colorado.

Certainly, there is no real emergency or urgency for the immediate passage of this bill. We have the time to conduct a thorough and complete examination of the political and economic conditions in the islands before making any recommendations about amending the organic act of 1954. That is what we are doing here today. We are doing it piecemeal, as we have done everything that we touched in the Congress of the United States with respect to the Virgin Islands.

The motion to recommit is designed to give the citizens of the islands a real hope for meaningful political evolution and to afford the Senate a real challenge for the exercise of its constitutional authority.

Some remarks were made on the introduction of the pending bill to the effect that the Senator from Colorado is an obstructionist. I say to the people who promote the pending bill and urge its advancement: let them come forward and accept my challenge to move forward with democracy in the Virgin Islands, and do it upon a basis of comprehensive hearings and investigations by the Senate committee. Such investigations have never been held, except in the Senate chambers of the Interior Committee.

Mr. President, as the Senate is aware, section 3 of article IV of the Constitution of the United States empowers Congress to make all needful rules and regulations respecting the territories belonging to the United States. Today we are asked to exercise our constitutional authority by considering the possibility of amending the Revised Organic Act of the Virgin Islands to provide for the popular election of the Governor of the Virgin Islands, and for other purposes. It is my deep conviction that before we act af*firmatively upon the pending bill,* S. 450, we assure ourselves by every practicable means available that we are exercising our constitutional authority as wisely and carefully as we possibly can. I believe we must be absolutely certain that these citizens of the United States—and they are citizens—will live in an atmosphere in which the democratic traditions flourish if legislation such as that proposed by this bill is enacted.

Historically, Congress has always fulfilled its constitutional authority with *regard to the preparation of "all needful* rules and regulations" regarding the Virgin Islands. I firmly believe that any favorable consideration today of S. 450 would be a complete departure from that tradition and, as such, an abandonment of our constitutional responsibility. As I have indicated in my individual views which accompany the report on this bill, I cannot allow my admiration for these citizens of the United States and their laudable aspirations for a fuller participation in the democratic processes of the islands to eclipse what I consider to be the constitutional responsibility of the Congress to make the proper laws for these citizens.

When the organic act was first being drafted by Congress over 30 years ago, a firsthand examination was made of the insular government's conditions as well as the general political, social, and economic conditions of the people. On the basis of these examinations, the Territory was first granted its organic act in 1936. Later, in 1954, when a revision of the act appeared necessary and timely, Congress once again probed into the conditions of the Virgin Islands before drafting any changes. Those amendments resulted in the passage of the 1954 organic act, under which the government of the islands presently operates.

Prior to the adoption of the 1954 amendments to the organic act, Senator Hugh Butler, of Nebraska, chairman of the Interior and Insular Affairs Committee, submitted a report to the 83d Congress, second session, relative to an investigation and hearing in the Virgin Islands with reference to proposed revision of the organic act of the governmental, economic, and fiscal structure in the islands, with recommendations on the federally owned Virgin Islands Corporation. On page 1 of this report the distinguished chairman observed, in part:

> The present Organic Act dates from 1936 and is based to some extent on the old Danish colonial system, and to a greater extent on the paternalism which has constituted our policy, or lack of policy, for the past two decades. It has proved inefficient and expensive for the American Taxpayer and, more important, it has not been conducive to responsible self-government in the islands. There has been general agreement for some time that revision of the basic charter of local government in the Virgin Islands is desirable; the appointment of a new Governor with a new approach makes such a revision necessary *if he is to do the job we hope* and expect.
>
> However, I do not believe that the problem presented the Congress and the American people by the Virgin Islands can be solved merely by the passage of another law by Congress, nor by bigger appropriations. That has been the "easy out" that has been *followed in the past. Such a policy has created* more problems than it has solved.

Senator Butler stated that his report was prepared in order to gain firsthand information regarding the views of the people of the Virgin Islands with respect to the proposed legislation, and that he *had gone to the islands in order to better* inform himself and the members of his committee with regard to the specific conditions and needs of the people rather than resorting to perfunctory hearings in Washington.

With regard to the specific problem of electing the Governor of the Virgin Islands, Senator Butler observed:

> However, I do not believe that the Virgin Islands are ready yet for such political responsibility. The firmest yardstick of political maturity is the industry, self-reliance, and determination of a people to work out their economic destiny. . . . I believe that

> we should wait and see how the people of the Virgin Islands handle the new, greater political responsibilities which they are attaining under the new Organic Act. I pledge that I will be among the first to sponsor a bill for an elective Governor when the time arrives.

I share the pledge that I also will be among the first to sponsor a bill for an elective Governor when the proper time arrives. I look forward to the day when the people of the Virgin Islands, steeped and fashioned in true democratic tradition, can step forward and elect their own Governor. But, unfortunately, evidence points dramatically to the fact that the day has not yet arrived.

As Senators are aware, the majority of the committee on which I am honored to serve, did not see fit to share my views and concerns with regard to S. 450. This year's report on this bill states:

> It is the belief of the Committee that the people and their legislature have for the most part exercised their powers in a responsible manner.

And:

> (I) t is the Committee's view that the time is ripe for taking the progressive step toward a territorial government which is fully responsible and responsive to local needs and the local electorate which S. 450 proposes. Enactment of this bill will be a recognition that the Virgin Islands have accumulated sufficient political maturity and practice in the art of self-government to warrant this step.

It is impossible for me to imagine how a committee which has never, to my recollection, within the 10 years that I have served on the committee, held a hearing in the Virgin Islands and which has never sent investigators there for a comprehensive investigation, can base its decision on the merits of this bill upon the testimony of the Governor and three or four people who came to Washington from the Virgin Islands, plus the testimony of the organization known as the Office of Territories of the Department of the Interior.

Mr. President, I assert that the contrary is true, and my individual views contain the reasons *why I believe* Congress must initiate an investigation of the political situation in the Virgin Islands before legislation such as that proposed by S. 450 can be enacted. As Hamlet once observed: "There the rub."

None of the facts which I should like *to present to the Senate today* was brought to the attention of our committee at the time the hearings were held in Washington.

These facts cannot be ignored by pious declarations about the "political maturity" and the "art of self-government": to do so is to deal in a dangerous world of vacuous unreality about the real political situation in that vital area of the Caribbean.

It is vital to us not only as one of our territories but also it is vital to us as one of our real outposts in that sensitive *area of the Caribbean Sea.*

It is a fact, Mr. President, that the Virgin Islands, on a per capita basis, has the highest number of employees on the Government payroll of any other of the States or Territories. The average cost of government to each man, woman, and child in the Virgin Islands is $1,000 while the same cost of government—Federal, State, and local—in the United States is $700. At this point, Mr. President, I ask unanimous consent that an editorial entitled "Spending, Virgin Island Style" published by the Pulitzer-prize winning San Juan Star on May 26, 1967, be inserted in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SPENDING, VIRGIN ISLANDS STYLE

The growing clamor for Congress to take a first-hand look at the situation in the Virgin Islands is not being fed by a mere handful of malcontents who lost election races. It is a response to waves of protests, direct charges, innuendo, and rumor reaching Capitol Hill from sources off the islands as well as on them. The increasing waves of mainland citizens who have migrated to the islands in recent years are beginning to take an interest in island politics that formerly was the sole preserve of the landed gentry who own and control the economic life of the islands.

Each passing day finds a new voice raised in protest against the rising costs of government. In the current fiscal year, the Virgin Islands government will run through more than $51 million. Population estimates vary from 50,000 cited by Sen. John Maduro in March to 55,000 cited in a February news article on Gov. Ralph Paiewonsky's views on the future of statehood for the Islands.

Whatever the exact figure, it can readily be seen that the Virgin Islands government will spend nearly $1,000 per capita this fiscal year. The same rate of spending in Puerto Rico would make the Commonwealth government's annual budget exceed $2.6 BILLION!

Congress have been advised to look into a number of things in the islands, the most pressing being the conduct of the general elections last fall. Beyond this they have been asked to investigate some free-wheeling spending by the island administration such as the appointmnt of an assistant attorney general for the Alexander Hamilton Airport on St. Croix. His salary of $17,500 and the $11,500 budgeted for two aides would make anyone not acquainted with the St. Croix airport think the operation must be something on the scale of Kennedy International in New York. Island residents when questioned about the new positions cannot explain exactly what an assistant attorney general and two aides would do at Alexander Hamilton Airport. They weren't told.

Crime on the part of the ordinary citizen should be almost minimal if the island's investment in police service were any guarantee of public safety.

Prior to the adoption of the current budget, the islands boasted a police force of 112 members. To keep this elite force in operation, the government spent slightly more than $2 million last year. This meant an investment of about $17,800 in each member of the force. It would seem at the very least that all should drive their individual patrol cars, and have a complete arsenal of arms, a mobile crime lab, and a small staff of aides if the money were spent wisely. Instead, there are periods when the island of St. Croix has as few as three patrol cars available for action.

Generosity is apparently the creed of the Paiewonsky administration but island residents are concerned that little of the generosity seems to filter down to the man-in-the-street. Congress might want to take a very close look at the system that peels out $51 million without any appreciable evidence that the public is greatly benefited.

Mr. ALLOTT. Mr. President, I shall quote briefly from some of the information contained in the editorial. The editorial states in part:

> Each passing day finds a new voice raised in protest against the rising costs of government. In the current fiscal year, the Virgin Islands government will run thru more than $51 million. . . It can readily be seen that the Virgin Islands government will spend nearly $1000 per capita this fiscal year.
>
> Generosity is apparently the creed of the Paiewonsky administration, but island residents are concerned that little of the generosity seems to filter down to the man-on-the-street. Congress might want to take a very close look at the system that peels out $51 million without any appreciable evidence that the public is greatly benefited.

Mr. President, the foregoing quotations come from a Pulitzer prize-winning newspaper which is eminently familiar with the Virgin Islands.

This particular editorial aroused pious indignation on the part of Governor Paiewonsky. After the release of my prepared remarks on this subject, I received a "Dear Sir" letter from him—on a Department of the Interior franked envelope, I might add—containing his "factual rebuttal of the distortions and untruths in a recent editorial of the San Juan Star of Puerto Rico." He states, in part:

> The editorial uses our total $51,000,000 budget for 50,000 people, breaking this down to $1,000 spent per person. Again, when you're comparing oranges compare them with oranges; when you're comparing apples compare them with apples; but don't compare oranges with watermelons. And what I say is this. The V.I. population today, based on the latest statistics that I have is about 60,000 persons. In addition to this we cater to about 600,000 to 700,000 tourists and each and every department must render a certain amount of services to these tourists that visit our islands. This places an additional burden upon the services of our hospitals and health department; they place a burden on our sanitation department and on our roads and our public power and water and on all of the facilities of government. So if you equate the number of tourists here during the year, actually with the amount of services rendered, we are servicing a population of approximately 90,000 people rather than 60,000. *And if you divide this into the* budget you will find that it is not $1,000 per person, but more in the line of between $500 and $600 per person.

This new apologia for government spending has fascinating possibilities; indeed, in time it may become known as *the Paiewonsky corollary to Parkinson's* Law. When I note, for instance, that in 1963 Colorado had over 6 million tourists I become somewhat concerned that we are a bit behind the times in government spending out there. Of course, the citizens of my great State might object if such a fiscal behemoth were created along these principles. Because they would have to pay for it. This, evidently is not true in the Virgin Islands.

It is more interesting, I think, to note what Governor Paiewonsky did not say in his letter to me rather than to try to *understand what he did say.*

I am still wondering why his letter came to me in a franked envelope from the Department of the Interior. Somebody should explain that.

Of the moneys spent down there, 43 percent go for salaries for classified government employees, while another 12 percent go for unclassified government employees, leaving only 45 percent of this money which is being spent so lavishly in the islands going to essential government services such as roads, schools, hospitals, and so forth. We have no complete explanation of this question. Perhaps Governor Paiewonsky did not think it merited explanation.

Mr. President, I should also like to introduce in the Record a letter which appeared in the San Juan Star after this editorial entitled "Spending, Virgin Island Style" was printed. This letter contains some useful questions which remain unanswered by Governor Paiewonsky; I will quote from only part of this letter in the interest of time:

> In this respect your readers will be interested in knowing that in this year's budget the Department of Public Safety will spend $2,600,000. Of that sum, $363,085, or nearly 14 percent will be spent for 57 unclassified, pork-barrel, political jobs. Indeed in this department, of a total budget of $2,600,131, the grand total of $2,102,329, or more than 80 percent will be spent on salaries only!
>
> His (the governor's) budget includes almost $300,000 for his own personal staff and office and a grand total of $3,225,000 for the Executive Offices. Of this a total of $200,000 is spent for an adjunct office, the Office of Public Relations and Information, whose sole function is to present a proper image of Gov. Paiewonsky to the press and the watch-dog committees in Congress.

Mr. President, I ask unanimous consent that the editorial to which I have just referred may be printed in the Record.

The PRESIDING OFFICER (Mr. Spong in the chair). Without objection, it is so ordered.

The editorial ordered to be printed in the Record is as follows:

EDITORIAL WELCOMED IN VIRGIN ISLANDS

Congratulations are in order for your very timely and thought provoking editorial entitled, "Spending, V.I. Style," which appeared in yesterday's San Juan Star. (May 24)

We are particularly happy that you backed up your statements by citing examples such as the Department of Public Safety budget. In this respect your readers will be interested in knowing that in this year's budget the Department of Public Safety will spend $2,600,000. Of that sum, $363,085 or nearly 14 per cent will be spent for 57 unclassified, pork-barrel, political jobs. Indeed in this department, of a total budget of $2,600,131, the grand total of $2,102,329, or more than 80 per cent will be spent on salaries only!

Additional amount of research will uncover that on the island of St. Croix where we are experiencing a land boom of tremendous proportions and a phasing out of agricultural activities and moving into heavy industry, we find that the Department of Agriculture is spending more on equipment and machinery than Public Works.

"Generosity is the creed of the Paiewonsky administration", your editorial states. In addition the governor also believes that "charity begins at home." His budget includes almost $300,000 for his own personal staff and office and a grand total of $3,225,000 for the Executive Offices. Of this a total of $200,000 is spent for an adjunct office, the Office of Public Relations and information, whose sole function is to present a proper image of Gov. Paiewonsky to the press and the watch-dog committees in Congress.

For many years now Virgin Islanders have hoped that a newspaper of the San Juan STAR's prestige and obvious independence would launch an investigation into things as they really are in these islands. It could well win you another Pulitzer Prize.

Laito Valls.

St. Croix.

Mr. ALLOTT. But the record does not stop there, Mr. President, $51 million was not enough. On June 28, 1967, the Virgin Islands Legislature passed bill No. 370—along with 50 other bills where enactment was occurring at the rate of one bill every 2 minutes—for supplemental appropriations and for the operation of the government. Thirty-four amendments were added to the bill after it was first introduced which brought the final total for this supplemental appropriation to $1,006,547.

Mr. President, this question of the fiscal responsibility of the islands has been permeated with questions of salaries for classified and unclassified government employees. It is a fact that as of May 19, 1967, there were 773 unclassified employees working for the government of the Virgin Islands.

Mr. President, rather than inserting in the Record the entire listing of these employees, their positions, and salaries, I am only going to highlight a few of the interesting facts that are derived from this information.

There are 150 unclassified employees in Governor Paiewonsky's office at the present time. It is interesting to note that in 1961 there were less than 100 unclassified employees on the entire government payroll of the Virgin Islands. There are six special or administrative assistants to the Governor, whose salaries range from $10,000 to $19,978 per year. Four lifeguards, including a lifeguard supervisor, are working in the Governor's office as unclassified employees, together with four photographers, five maids, six chauffeurs, one of whom bears the title "Executive Chauffeur" and another "Chauffeur-Butler." The department of agriculture employs 11 butchers whose positions are not classified, and they too felt the need for four lifeguards including a chief lifeguard. This department also employs an unclassified clerk-bookkeeper for the Boy Scouts together with six recreation leaders.

Mr. President, rather than prolong this any longer I believe it is clear from both the job descriptions and the salaries of these 773 unclassified employees that it is absolutely inconceivable why the majority of these people are deemed "unclassified"—other than the fact, of course, that they serve at the pleasure of the present Governor of these islands. This is a shocking abuse of power. These 773 unclassified employees are tucked away among the 15 departments or agencies of the Virgin Islands government and not once was this fact brought to the attention of the Senate Interior Committee at the time they were considering S. 450. I have the complete list of these unclassified employees and am anxious to show it to any Senator in order to bring this sad truth into the cold hard light of reality.

Mr. President, in 1961 there were 2,074 government employees in the Virgin Islands; today there are well over 4,000—nearly one out of every 10 people in the Virgin Islands.

The testimony of former Governor Merwin says it is closer to 5,000—nearly one out of every 10 persons in the Virgin Islands.

Mr. President, I have previously advised Senators with regard to this entire question of the number of unclassified employees working for the government of the Virgin Islands. Subsequent to the release of my remarks on the problem Governor Paiewonsky announced that he was seeking legislation to move unclassified government employees into the classified service. This effort at window-dressing after the fact does not fool anyone. I was delighted to read the remarks of my distinguished colleague from Colorado in the June 28 Record which deflates this effort by the local government. Mr. Dominick stated:

> Mr. President, this belated action by the Governor does not bring to a close the controversy surrounding civil service abuses in the Virgin Islands.

Mr. President, when this subject of S. 450 first came to the floor of the Senate on June 12, a young lady who was one of these unclassified employees contacted a member of my staff. After asking that her identity be protected, she stated that she had been appointed by Governor Paiewonsky to work with the Virgin Islands Airport and Industrial Resources Agency. She advised that prior to the 1966 elections in the Virgin Islands she had been approached by a member of the Governor's party to make a contribution of 1 percent of her annual salary to the party, and was warned that people who refused to go through with such a contribution were likely either to lose their jobs or never get promoted. At the time she was making $10,000 a year as a secretary and felt the 1 percent a bit onerous, but she finally relented to the tune of $10. This young lady further advised that during these 1966 elections government employees actively engaged in campaigning for the Governor's party during office hours. This young lady made a final remark which I think is terribly important to any discussion of S. 450. She stated that she had never had an experience of this kind working for a government. She described it as a "situation of terror." And that despite the fact that everyone in the Virgin Islands knows about the situation as it exists there, no one is willing to take any efforts to rectify the situation. In this situation, she stated, "intelligent people are not willing to be reformers."

Late last week, Mr. President, two agents of the U.S. Civil Service Commission began probing these and other alleged violations of the Hatch Act on St. Croix. They are acting upon charges of violation of the Federal act which bans participation in partisan politics by persons in the local government whose programs are largely federally funded.

I believe it is also worthwhile to note, Mr. President, the number of government employees who, the fact that they were covered by the Hatch Act notwithstanding, served on the St. Croix campaign committee for the Mortar and Pestle Democrats.

Mr. President, if anyone who reads or hears this thinks that my concern about the situation in the Virgin Islands, particularly the political situation, is a little big exaggerated, let me inform them that upon the ballot of the Mortar and Pestle Democrats appears a likeness not only of our present President, President Johnson, but also a likeness of our former President, President Kennedy.

Of the 26 members of this campaign committee, all but one or two were precluded from serving in such capacity by the clear provisions of the Hatch Act. In this regard, I ask unanimous consent to have printed in the RECORD a letter directed to all Government employees, dated October 1966, from Governor Paiewonsky, which I believe is self-explanatory and goes to the core of the questions I raise about the political maturity of the present administration there.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE DEMOCRAT,
October 1966.

DEAR FELLOW VIRGIN ISLANDER: If you are a Democrat, or if you believe in the principles of the Democratic party and the philosophies and programs of the Kennedy-Johnson Administration, I'm sure you will want to join with me in promoting these Democratic ideals here in the Virgin Islands.

My administration has been committed to these policies for the past five years, and many of our progressive programs have been adopted through the cooperation that has existed between Government House and the majority Democratic Senators of the Virgin Islands Legislature.

If these programs are to continue, we will need your help and support. I urge you to give whatever time you can to work for the election of the Democratic ticket in this campaign, and to contribute what you can to provide the financial support necessary to tell our story of progress to all Virgin Islanders.

If you are a government employee, naturally the time you donate must be given after your regular working hours.

Sincerely,
RALPH M. PAIEWONSKY,
Governor.

Mr. ALLOTT. Mr. President, there is also the fact of the attempt to impose a loyalty oath on those who filed for public office at the primary election of 1966 in the Virgin Islands. At the sixth special session of the Legislature of the Virgin Islands last year, a bill was passed which included an amendment requiring such loyalty oaths of all candidates. This bill was signed into law on September 1, 1966, by the Governor of the Virgin Islands. At a seventh special session of the same legislature, another bill was passed which again amended the election code and provided that all write-in candidates nominated at primary elections must likewise sign the loyalty oath. The U.S. Court of Appeals for the Third Circuit on October 24, 1966, upheld the decision of the District Court of the Virgin Islands with regard to the invalidity of the proposed loyalty oath. The court in dicta stated:

Here the pledge to pursue indefinitely the principles and policies of a political party, presumably those principles and policies announced from time to time by the party organization, would tend to bind the legislators to the party leaders without individual freedom of thought or independence of action, tied up and delivered like a bunch of beets. This is what happens in totalitarian countries where legislators vote like automatons as their party leaders tell them to, but it is not the practice in free America where our democratic heritage can best be preserved if legislators are free to employ in the discharge of their duties their own individual views and judgment in the light of their personal responsibility as representatives of the whole community.

Mr. President, there is also the unresolved question concerning the voting irregularities which occurred during 1966 elections. I have in my possession approximately 60 affidavits from Virgin Islanders who were denied the right to vote on November 8, 1966. It is interesting to observe that I was specifically requested, and made a promise, not to divulge the identities of the individual affiants because of fear of possible reprisal by the administration down there. Can you imagine this in the United States in 1967?

On election day, instructions transmitted by the U.S. attorney on St. Thomas—and this is our national administration's own appointment—were ignored by election officials at all polling places on St. Croix. The U.S. attorney sought and obtained a temporary restraining order from the judge of the district court which was finally issued at 4:30 p.m. on the day of the election. The U.S. marshal then had to fly to St. Croix to serve the order on each individual polling place since the chairman of the St. Croix board of elections—who was an appointee of the Governor—refused to allow voters to vote until he actually received the order in his hands. No small wonder that at one polling place the order was not served until 5 minutes before the polls had closed—after many of those who were refused the opportunity to vote had given up in disgust and frustration and gone home.

Mr. President, I ask unanimous consent that a copy of the restraining order to which I have just referred be inserted in the RECORD at this point in my remarks.

There being no objection, the order was ordered to be printed in the RECORD, as follows:

[In the District Court of the Virgin Islands for the division of St. Thomas and St. John]

ALMERIC L. CHRISTIAN, UNITED STATES ATTORNEY FOR THE DISTRICT OF THE VIRGIN ISLANDS, PETITIONER *v.* HENRITA TODMAN, SUPERVISOR OF ELECTIONS, ET AL.—CIVIL No. 327–1966

TEMPORARY RESTRAINING ORDER

Whereas, in the above named cause it has been made to appear by the verified complaint filed herein, which was on this 8th day of November, 1966 presented to the Honorable Walter A. Gordon, Judge of the District Court of the Virgin Islands, that a Restraining Order preliminary to hearing upon motion for a preliminary injunction should be issued, without notice, because immediate and irreparable injury, loss or damage will result to the plaintiff, acting on behalf of various registered and duly qualified voters in the Virgin Islands of the United States, before notice can be served and a hearing had thereon, in that elections are presently being conducted in the Virgin Islands of the United States pursuant to the Organic Act of 1954, in that the Respondents and others acting pursuant to their orders and directions are falsely claiming that certain registered and duly qualified voters are not qualified to vote, in that said voters offered to take the oath prescribed in Title 18 V.I.C., Section 586, and in that the Respondents and others acting pursuant to their orders and directions are wrongfully refusing the said voters to cast their respective votes.

Notice and a hearing before entering a Temporary Restraining Order should not be required because if said voters are not allowed to cast their respective votes prior to the closing of the polls in the Virgin Islands of the United States at 6:00 o'clock p.m. on this date, said voters may be disenfranchised from their respective votes.

Now, therefore, on motion of the Petitioner,

It is ordered that the Respondents, Henrita Todman, Supervisor of Elections, Neville Thomas, Chairman, Board of Elections for the Districts of St. Thomas and St. John, Nathaniel Hewitt, Chairman, Board of Elections for the District of St. Croix, all Judges of the Board of Elections for the Districts of St. Thomas, St. John and St. Croix, and each of them, and their agents, deputies, and all persons acting by, through or under them or either of them, be, and they are hereby, restrained until the closing of the polls in the Virgin Islands of the United States on November 8, 1966 from refusing to receive the vote of any voter desiring to cast a ballot in the election of this date in the Virgin Islands of the United States if said voter, upon being challenged, offers to and does give the oath prescribed by Title 18 V.I.C., Section 586.

This Temporary Restraint is on condition that a bond be filed by Plaintiff herein in the sum of $1.00.

Issued at 4:30 p.m. o'clock p.m. this 8th day of November, 1966.

WALTER A. GORDON,
Judge.

Mr. ALLOTT. I think it is perhaps pertinent to this situation to say that every effort has been made, by statements of the Governor and his gang who come here with him each time we have something about the Virgin Islands before us, to make it appear that everything is peace and light. Yet we have to realize the circumstances surrounding this restraining order. This was not an order perpetrated by an opposing political party. This was an order that was sought by the U.S. attorney, a member of our President's own party, who went into court and sought the injunction, and obtained the injunction, against the election officials who were the appointees of Governor Paiewonsky, who is the Governor appointed by the President of the United States.

Mr. President, this was an election where approximately 200 votes cast another way would have changed the outcome of the entire matter.

There is no way of knowing how many other people in the Virgin Islands who genuinely desired to go to the polls and exercise their right of franchise in order to vote for the legislature were deterred by the political and economic pressures from which, it is literally true, no person on the islands can escape.

Perhaps one of the most frustrating experiences I have had as a U.S. Senator centers on the problem of getting to the bottom of the question of voter irregularities in these 1966 elections. I have tried to enlist the efforts of the Attorney General of the United States with regard to this problem, and have been met with what can only charitably be termed as indifference. Attached to my individual views was a history of the correspondence in which I had participated in this matter, up to the time the committee report was printed.

I ask unanimous consent that that portion of the individual views be printed at this point, and then I am going to read from subsequent correspondence.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Department of Justice,
Washington, April 25, 1967.

Hon. Gordon Allott,
U.S. Senate, Washington, D.C.

Dear Senator: This refers to your letter dated April 19, 1967, in response to my letter of April 18 concerning the 1966 election in the Virgin Islands.

The Criminal Division has completed a review of the Federal election statutes found in chapter 29 of title 18, United States Code and concluded that, while some of these statutes appear applicable to the Virgin Islands, none of them are pertinent to the situation described in the affidavits which accompanied your letter of March 23.

On April 21, the Criminal Division received an analysis of the Virgin Islands Election Code from the U.S. attorney for the Virgin Islands. This analysis is now being reviewed here to determine what courses of action may be open to us.

Sincerely,

Fred M. Vinson, Jr.,
Assistant Attorney General.

Department of Justice,
Washington, April 18, 1967.

Hon. Gordon Allott,
U.S. Senate, Washington, D.C.

Dear Senator: This refers to your letter dated April 10, 1967, concerning the 1966 elections in the Virgin Islands.

Investigation has not been conducted in this matter since the legal question of the application or nonapplication of Federal and Virgin Islands election laws to the situation is now being resolved by the Criminal Division and the U.S. attorney for the Virgin Islands.

We will advise you of our decision.

Sincerely,

Fred M. Vinson, Jr.,
Assistant Attorney General.

April 19, 1967.

Hon. Fred M. Vinson, Jr.,
Assistant Attorney General, Criminal Division, Department of Justice, Washington, D.C.

Dear Mr. Vinson: Thank you for your letter of April 18, concerning the 1966 elections in the Virgin Islands, advising me that no investigation to date has been conducted in this matter because of the question of the applicability of Federal or Virgin Islands election laws. I appreciate your information that this matter is now being resolved by the Criminal Division and the U.S. attorney for the Virgin Islands.

On Wednesday, April 26, 1967, the full Interior and Insular Affairs Committee will be considering S. 450, the Virgin Islands elective Governor bill. Undoubtedly, our full committee would benefit greatly from a comprehensive explanation by the Department of Justice as to the problem of the applicability of the elections laws relating to the 1966 elections in the Virgin Islands. Since you have received both from me and from other sources information concerning voting irregularities in those elections, it is my belief that our full committee should have the benefit of the Department's procedures to date to resolve, by investigation or otherwise, the allegations contained therein.

I shall expect a report of this nature in my office prior to our Interior Committee meeting on April 26. Your cooperation in this matter will be greatly appreciated.

Sincerely yours,

Gordon Allott,
U.S. Senator.

April 10, 1967.

Hon. Fred M. Vinson, Jr.,
Assistant Attorney General,
Department of Justice, Washington, D.C.

Dear Mr. Vinson: Thank you for your letter of April 7 regarding the Department's interest in the 1966 elections in the Virgin Islands.

Since you have had copies of the affidavits since last February previously furnished by me, I will appreciate from you an interim report on the conduct of the investigation to date. As you know, the matter of the elective Governor bill for the Virgin Islands is presently before our Committee on Interior and Insular Affairs. I know the committee will be most interested in what the Department has determined with regard to the allegations contained in the affidavits, together with any other voting irregularities which may have been uncovered by the investigation to date.

I will expect, of course, to be advised on a continuing basis with regard to the results of the Department's investigation.

Best regards.

Sincerely yours,

Gordon Allott,
U.S. Senator.

Department of Justice,
Washington, April 7, 1967.

Hon. Gordon Allott,
U.S. Senate,
Washington, D.C.

Dear Senator: This refers to your letter dated March 23, 1967, addressed to the Attorney General concerning the 1966 elections in the Virgin Islands.

This matter has been receiving our consideration since it was called to our attention last February. We find that copies of the affidavits which you forwarded are already in our possession and, in fact, form the basis of the Criminal Division's study. Therefore, we are able to return them to you.

I appreciate your interest in writing to the Department about this matter.

Sincerely,

Fred M. Vinson, Jr.,
Assistant Attorney General.

March 23, 1967.

Hon. Ramsey Clark,
Attorney General of the United States,
Washington, D.C.

Dear Mr. Attorney General: Recently I have received information concerning certain allegations of voting irregularities during the recent senatorial elections in the Virgin Islands. It seems to me that these allegations must be resolved, particularly in light of the proposed elective-Governor bill which has been the subject of hearings before the Subcommittee on Territories and Insular Affairs of the Senate Committee on Interior and Insular Affairs.

Accordingly, I am enclosing herewith copies of affidavits regarding the alleged irregularities. The person who has furnished these affidavits has specifically requested that the identities of the individual affiants should be protected to avoid any possible reprisals in the Virgin Islands. This admonition was made particularly with Governor Paiewonsky in mind. In addition, I am enclosing a copy of a letter received from Mr. Ron de Lugo, Virgin Island Coordinator, Republican-Independent Democrat Coalition, together with a copy of the restraining order, dated November 8, 1966, issued by the District Court of the Virgin Islands for the Division of St. Thomas and St. John.

I would appreciate it if you would institute proper investigative measures to resolve the allegations contained in the enclosed information. When your investigation has been completed, I would appreciate your returning the affidavits to my office. Your cooperation in this matter will be greatly appreciated.

Sincerely yours,

Gordon Allott,
U.S. Senator.

Mr. ALLOTT. I should like at this point to read the subsequent correspondence I have had with Mr. Vinson so that the Members of the Senate will see that this entire question has lacked any measure of resolution at this point in our consideration of S. 450 and lends further support to my deep concern that a congressional investigation of this entire matter is of paramount importance at this time.

Before reading these letters, I can say, in this context, there are many Members of the Senate who, for many years, in a time of great strife in this country, have genuinely and sincerely worked for the cause of civil rights. And I am proud to say that I am one of them. But civil rights, or lack of civil rights, exist wherever they are found, and it is no less a matter of civil rights to be denied the right to vote in the Virgin Islands by an autocratic Governor, who controls every phase of life down there, than it is for a Negro or a member of any other minority in this country to be deprived of his right to vote in any other State of this Union. No member of any minority is ever deprived of a right to vote in my home State. I defy anybody to show me an instance in our history where this has occurred.

Now I will proceed to these letters. This letter is addressed to me from the Department of Justice dated April 25:

Hon. Gordon Allott,
U.S. Senate,
Washington, D.C.

Dear Senator: This refers to your letter dated April 19, 1967 in response to my letter of April 18 concerning the 1966 election in the Virgin Islands.

The Criminal Division has completed a review of the Federal election statutes found in Chapter 29 of Title 18, United States Code and concluded that, while some of these statutes appear applicable to the Virgin Islands, none of them are pertinent to the situation described in the affidavits which accompanied your letter of March 23.

On April 21, the Criminal Division received an analysis of the Virgin Islands Election Code from the United States Attorney for the Virgin Islands. This analysis is now being reviewed here to determine what courses of action may be open to us.

Sincerely,

Fred M. Vinson, Jr.,
Assistant Attorney General.

On May 17, I wrote to Mr. Vinson as follows:

In view of the content of your letters, concerning the conduct of the 1966 elections in the Virgin Islands, I have made independent inquiries with regard to just what is being done in the Virgin Islands to resolve this matter and have been informed that this matter has been referred to a representative of the Federal Bureau of Investigtaion, and that the actual investigation has been turned over to the local Virgin Islands police.

Of course, the local Virgin Islands police are involved in the very political machinery against which these affidavits previously furnished to you were directed.

I would like to request from you, at your earliest convenience, a complete report on what steps the Department of Justice has taken to resolve this matter, including, verification as to whether the Federal Bureau of Investigation has turned this matter over to the local Virgin Islands police. A full and complete disclosure of this entire question must be made as quickly as possible since the Virgin Islands Elective Governor bill, S. 450, is now on the active calendar of the United States Senate.

The letter is signed by myself.

Under date of May 22, I received this letter from Mr. Vinson, the Assistant Attorney General:

This refers to your letter dated May 17, 1967, concerning alleged irregularities in the 1966 election in the Virgin Islands.

On April 25, I directed the United States Attorney for the Virgin Islands to request a full investigation by the Department of Public Safety. He was further directed to notify me at once if his request was declined or if the investigation was not being conducted to his satisfaction. I have not received any communication from the United States Attorney indicating that the investigation is being hindered. You may be certain that if any obstruction occurs appropriate steps will be taken promptly.

Sincerely,

FRED M. VINSON, Jr.

This letter must be taken into the context, Mr. President, that after this long series of letters with the Attorney General's office, we end up down there with the very people who are being investigated—particularly the commissioner of public safety, Mr. Otis Felix—the very people who are being investigated doing the investigation; the very political party, the very political machine that committed these irregularities at the polls being investigated by a part of the same machine.

On June 8, I directed another letter to Mr. Vinson, which is as follows:

Hon. FRED M. VINSON, Jr.,
Assistant Attorney General,
Department of Justice,
Washington, D.C.

DEAR MR. VINSON: You have previously advised me by letter that the Department of Justice has been giving consideration, since February of this year, to the question of voting irregularities during the 1966 Virgin Islands elections as sworn to in numerous affidavits.

My previous letters to you have requested that a report be furnished to me relative to this matter. To date, your Department has only advised me that the United States Attorney for the Virgin Islands had been directed to request a full investigation by the Department of Public Safety of the Virgin Islands.

The Majority Leadership, who has been fully apprised of my concern in this regard, has delayed consideration of S. 450 in order to give the Senate the benefit of your report before taking final Chamber action on the bill. However, due to the press of Senate business, I have just been informed that S. 450 will be taken up on Monday, June 12.

Therefore, I must again request that you submit to me, for the benefit of the Senate, a full and complete report on the results of your investigation with regard to the allegations of voting irregularities during these elections contained in the numerous affidavits which have been in the Department's possession since February, 1967.

Sincerely yours,

GORDON ALLOTT,
U.S. Senator.

On June 16, another letter was received from Mr. Vinson, the Assistant Attorney General. However, before reading that letter, I wish to read an Associated Press dispatch regarding the events surrounding the appearance of Commissioner Felix before the Judiciary Committee of the Virgin Islands Legislature on the morning of June 16. I tried to bring this important matter to the immediate attention of each Senator on the day the development occurred; but here is the Associated Press dispatch:

Two top police officials were ordered by United States Attorney Almeric Christian "not to reveal any information" regarding their investigation into Virgin Islands election irregularities to the judiciary committee of the Legislature.

Commissioner of Public Safety Otis Felix and his chief investigator Charles Groneveldt had been before the committee about 20 minutes at a hearing yesterday morning before they were handed a letter from Christian.

The letter was signed by U.S. Assistant Attorney John E. Stout and quoted a telephone conversation between him and Christian. It said in part:

"As you know, you and Mr. Groneveldt have been conducting an investigation of such matters (election irregularities) for and upon the direction of the United States Attorney Almeric L. Christian. Mr. Christian is in Washington at this time, but he conversed with me by telephone at 6:30 a.m. this morning. He has directed me to advise you that upon his order, you and or Mr. Groneveldt are not to reveal any information regarding the investigation you have been conducting for this office."

Stout released the letter to the press but answered "no comment" to all questions put before him.

The Judiciary Committee, headed by Senator Alexander Farrelly, had "invited" Felix and Groneveldt to testify as to their findings in the investigation into election irregularities they have been conducting at the request of the U.S. Attorney.

Senator Farrelly said later that the committee heard enough before the two men "were gagged by Christian" to gain the definite impression that "there is sharp variance between the allegations of election irregularities and proof of those allegations."

Senator Farrelly said, however, that the entire transcript of the hearing yesterday morning, "including Christian's letter," will be placed before the members of the House Committee which starts its own probe into island election procedures and other matters today in Christiansted.

"Then we will see if Mr. Christian can make his gag order stick," Farrelly commented.

Meanwhile, the judiciary committee is issuing subpoenas for a reappearance of Felix and Groneveldt later next week—after the House committee has completed its investigation in St. Thomas on Monday.

Mr. President, I ask unanimous consent that the entire Associated Press dispatch to which I have referred, published as an article entitled "Local Election Hearing Halted" in the Virgin Islands Daily News of June 17, 1967, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOCAL ELECTION HEARING HALTED

Two top police officials were ordered by United States Attorney Almeric Christian "not to reveal any information" regarding their investigation into Virgin Islands election irregularities to the judiciary committee of the Legislature.

Commissioner of Public Safety Otis Felix and his chief investigator Charles Groneveldt had been before the committee about 20 minutes at a hearing yesterday morning before they were handed a letter from Christian.

The letter was signed by U.S. Assistant Attorney John E. Stout and quoted a telephone conversation between him and Christian. It said in part:

"As you know, you and Mr. Groneveldt have been conducting an investigation of such matters (election irregularities) for and upon the direction of the United States Attorney Almeric L. Christian. Mr. Christian is in Washington at this time, but he conversed with me by telephone at 6:30 a.m. this morning. He has directed me to advise you that upon his order, you and or Mr. Groneveldt are not to reveal any information regarding the investigation you have been conducting for this office."

Stout released the letter to the press but answered "no comment" to all questions put before him.

The Judiciary Committee, headed by Senator Alexander Farrelly, had "invited" Felix and Groneveldt to testify as to their findings in the investigation into election irregularities they have been conducting at the request of the U.S. Attorney.

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"Then we will see if Mr. Christian can make his gag order stick," Farrelly commented.

Meanwhile, the judiciary committee is issuing subpoenas for a reappearance of Felix and Groneveldt later next week—after the House committee has completed its investigation in St. Thomas on Monday.

Senators present at the hearing were committee members Farrelly and John Maduro for the majority and Theovald Moorehead of St. John for the minority, Senate president Earle B. Ottley who is an ex-officio member of all the legislature's committees, and Senator David Puritz who, according to Farrelly, "sat in."

The committee agreed unanimously, Farrelly said, to issue the subpoenas for the official records of investigation conducted by Felix and Groneveldt. But, said Farrelly, and Maduro—who is also a lawyer—agreed with him, "if Christian has the records in his possession, we might be stymied because under our law we may not subpoena a federal official."

Both lawyers agreed the case may "wind up in the courts," because, as Farrelly put it, "you can bet the legislature will not play dead in a case where a Federal official is involving himself in local government affairs."

The committee was said to be "irked" by Christian's order to the witnesses.

Asked why the judiciary committee hearing was called for yesterday—just one day before the house committee starts its investigation—the committee members said: "We simply got fed up with all the wild claims of election irregularities without evidence of proof—and since the Legislature is responsible for all aspects of Virgin Islands elections, we finally decided we'd look into the whole matter ourselves."

It is known that residents of St. Thomas who were asked to appear before Commissioner Felix on the subject of election irregularities on May 22 were told such meetings had been "postponed."

It is not known whether the postponement was on order of Christian, but that is the assumption of several senators.

Members of the Judiciary Committee will try to find, during their later hearings, why the investigation by Felix was "called off."

Senator Maduro quoted from the rules of the Legislature of the Virgin Islands to the effect that its standing committees are empowered to conduct their own investigations, whether or not specifically directed by the Legislature, and whether or not the Legislature is in session.

In any event, Senator Farrelly pointed out, "our subpoenas to Felix and Groneveldt are almost certain to force a showdown with Christian."

Mr. ALLOTT. Mr. President, on the same date, the Department of Justice wrote to me the following letter:

DEPARTMENT OF JUSTICE,
Washington, D.C., June 16, 1967.

Hon. GORDON ALLOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: This is in further reference to your letter of June 8, 1967, concerning alleged irregularities in the 1966 election in the Virgin Islands.

On June 12, Robert J. Rosthal of the Criminal Division telephoned Joe Blake of your office to advise that we had been told by United States Attorney Almeric L. Christian that the investigation being conducted by the Virgin Islands Department of Public Safety was nearly completed in St. Croix and that the investigation in St. Thomas would then begin. Mr. Rosthal noted that from what had already been learned it seemed clear that the allegations related to possible violations of the Virgin Islands Code and not to possible violations of the federal criminal statutes relating to elections.

On June 16, Mr. Rosthal called Mr. Blake concerning the appearance that morning of Otis L. Felix, Commissioner of Public Safety, before the Virgin Islands Committee on the Judiciary. Mr. Felix is conducting the pending investigation at the request of Mr. Christian and we were told he was directed to appear before the Committee to discuss that investigation. Mr. Felix was requested by the United States Attorney's office not to deliver the reports of the investigation to the Committee or discuss the progress made or the sources of the information on which the investigation was predicated. Mr. Christian has advised that Mr. Felix complied with this request and that the hearing was then adjourned. The Department's concern in this matter is that there be no premature disclosure which could conceivably hinder United States Attorney Christian in his administration of the local criminal law.

Mr. Blake has been most helpful in discussions with the Criminal Division and I hope you will convey my personal thanks to him.

Sincerely,

FRED M. VINSON, Jr.,
Assistant Attorney General.

In response to the information received from this news item, I directed another letter to the Department of Justice regarding the possibility of an investigation of this matter by agents of the Federal Bureau of Investigation. My letter stated, in part:

> I am still deeply concerned as to what steps the Department intends to take to resolve this question now that it has requested Commissioner Felix to return the affidavits previously furnished to him by the Department and to submit a report concerning his efforts to date with regard to his pending investigation. I am equally concerned by the statement recently contained in an Associated Press dispatch attributed to Senator Alexander Farrelly on the Judiciary Committee of the Virgin Islands indicating the intention of the legislature not to "play dead in a case where a Federal official is involving himself in local government affairs." This reluctance of the Virgin Islands Legislature to allow an unfettered investigation of these irregularities raises a question in my mind as to the possibilities of an investigation by agents of the Federal Bureau of Investigation regarding this question. I would greatly appreciate your advising me concerning the possibilities of such an investigation by the FBI.
>
> For your information the majority leadership has advised me that it intends to take up S. 450 after the July Fourth Recess and I am certain that the Senate would benefit from your decision regarding the possibilities of having the Federal Bureau of Investigation commence an investigation of alleged voting irregularities together with a statement from you regarding what further steps the Department intends to take with regard to a resolution of this important matter.

To date, I am not aware of what the decision will be regarding this request. My office has been advised, however, if the determination is made that the FBI does not have jurisdiction to investigate this matter, that the entire investigation will once again be turned over to the local police department to continue their efforts on behalf of the U.S. attorney in the Virgin Islands. Where we go from there, I frankly do not know; but I do believe that we should go no further with the pending bill until some investigative report from the Department of Justice is placed before us for our consideration. Our constitutional responsibility requires no less of us at this time.

Mr. President, these questions raise fundamental problems for each of us in the attempt to exercise our constitutional responsibility to make the proper laws and regulations with regard to our territories. I do not believe that they can be swept under the rug of hope for a better day. I mentioned in my individual views that we have islands here which are in near proximity to a terribly volative political climate. These were not hollow observations. The headlines of the Washington Daily News on June 2, 1967, carried the report of a revolt against the government on the island of Anguilla which is located in this same Caribbean area. Mr. President, I ask unanimous consent that this article with regard to this revolt be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALLOTT. Mr. President, this is a perplexing question, and let us face it squarely and honestly without pious assertions that "all is well" in the Virgin Islands.

Mr. President, the House Interior and Insular Affairs Committee conducted hearings in the Virgin Islands for 2 days last month, on June 17 and 19. Listed on the agenda for these public hearings were the elective governor and lieutenant governor bill, election procedures, and the economic conditions of the islands in general. Although it is inconceivable to me that a full exploration of these subjects could be made within the time limitations imposed by these hearings, this was a step in the same direction I am asking the Senate to consider at this time. A staff member of the Senate Interior and Insular Affairs Committee flew down to attend the House hearings in order to gain a more complete understanding of the problems and questions raised by the situation on the islands.

The transcripts of the House hearings have just been made available, and I hope that each Senator will take the opportunity to examine these transcripts prior to the time any action is taken on this particular bill now pending before the Senate. I think we should do more, however, than merely read the results of the other body's hearings. I believe we should show the same political maturity the majority of the Senate Interior Committee so blithely ascribes to the citizens of the Virgin Islands if we were to act now and insist upon an investigation by the Senate Interior and Insular Affairs Committee.

Mr. President, the Virgin Islands Daily News has been trying to delineate this sad and tragic situation for a long time. I would like to have printed at this point in the RECORD their full-page statement which appeared in the Daily News on June 3 entitled "Thirty-Four Reasons Why a Bipartisan Group of the U.S. Congress Should Take a Careful Look Into the Present Conduct of the Government of the Virgin Islands Before Congress Votes on the Elective Governor Bill for the Territory." This same statement appeared as an advertisement in the Washington Post on June 7. These questions reflect the urgent need for a congressional probe at this time, and lest we relegate their efforts to a "voice crying in the wilderness," I suggest we heed their honest request for our help.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[From the Daily News of the Virgin Islands, June 3, 1967]

THIRTY-FOUR REASONS WHY A BIPARTISAN GROUP OF THE U.S. CONGRESS SHOULD TAKE A CAREFUL LOOK INTO THE PRESENT CONDUCT OF THE GOVERNMENT OF VIRGIN ISLANDS BEFORE CONGRESS VOTES ON THE ELECTIVE GOVERNOR BILL FOR THE TERRITORY

Thirty years ago, when the first Organic Act was being drafted by Congress, the lawmakers found it necessary to look into the operations of the government of the Virgin Islands.

The examination of the local government gave congressional leaders first hand information on the condition of the insular government as well as on the general political, social and economic well being of its people. It was on the basis of their findings that the territory was granted its first Organic Act in 1936.

Less than twenty years later, a revision of the act appeared to be timely, and again the Congress probed into the conditions of the Virgin Islands before instituting any changes.

The revision was finally completed with the passage of the 1954 Organic Act—the local constitution under which the government is presently operating.

Today this act is slowly undergoing a piece meal change without the customary and necessary Congressional examination of the affairs of the government. Already the Organic Act has undergone three significant changes: the raising of the ceiling of the bonding authority of the Virgin Islands government from ten to 30 million dollars; allowing the Virgin Islands legislature to set the salary of its members and increasing the legislature from nine to 15 members.

The act is again faced with the possibility of another major change: Provision for the election of the governor and lieutenant governor.

Currently strong attempts on the part of influential and enthusiastic supporters of the measure are being made to waive a searching examination into the social, political and financial conditions in the islands prior to the adoption of any further amendment to the Organic Act.

Congress is generally aware of the situation in the Virgin Islands, mainly through the views of persons who are in charge of administering the territory and a handful of senators and congressmen touring the island, mainly as tourists. From the record of various hearings held in Washington it is very clear that members of Congress are either being misinformed or they lack the basic information necessary to getting a true picture of the Virgin Islands.

We would like to recommend that before final action is taken on the elective governor bill, it would be most helpful to the lawmakers and a service to the people of the Virgin Islands, to conduct an exhaustive examination and study into the social, political and financial affairs of the territory to determine whether there is need in any of these basic areas for strengthening, before greater autonomy is entrusted to it.

It is the duty and responsibility of Congress to obtain first hand knowledge of the territory before it proceeds to legislate for its future, to make sure—beyond any reasonable doubt—that it has charted a right course for the Virgin Islands and their people.

We believe the proposed elected governor and lieutenant governor for the Virgin Islands is the right course. However, many citizens are concerned that when Congress withdraws further from territorial involvement, it does not leave a large segment of the population victims of a government which is neither truly democratic nor responsive to the freely exercised will of the people—a government which shows frightening signs that are reminiscent of dictatorial regimes.

A congressional probe is urgently needed to—

1. Determine whether the appointment of a major dairy farmer as Commissioner of Agriculture, with hundreds of acres leased from the government, constitutes a conflict of interest.

2. Determine whether a privately constructed sewage plant at Estate Tutu was accepted by the government despite the fact that the Planning Board, the Public Works Department and the Director of the Bureau of Environmental Sanitation all disapproved it because it did not meet standards.

3. Determine whether the Governor used a sum of approximately $20,000 of taxpayers' monies to institute changes which should have been made by the developer of the plant before the system was accepted by the Government.

4. Determine whether the number of persons employed by the government is approximately 35% of the voters of the territory.

5. Determine why the average cost of government to each man, woman and child in the Virgin Islands is $1,000 while the same cost of government—Federal, State and local—in the United States is $700.

6. Determine whether Virgin Islands government is operating a lottery subsidized by the taxpayers.

7. Determine whether there has been an increase in the number of patronage appointments in the government service from under 100 in 1961 to currently over 800.

8. Determine whether expansion of the spoils system as practiced by the majority political faction with the Governor's cooperation has any adverse effect on the Merit System which all agree is the cornerstone of fair and equal opportunity in government.

9. Determine whether most of the unclassified and a number of classified workers ranging from laborers and cooks to commissioners were active during election time garnering votes for the party during regular working hours.

10. Determine whether positions which are now exposed to patronage and the spoils system are positions which have nothing to do with policy, but are really technical, professional and career type positions.

11. Determine whether patronage conditions when attached to such as Building Inspector, Safety and Payroll Inspector, Wage and Compensation officer and Planning Director subjects the incumbent employees to unreasonable political pressure which adversely affects the objective and impartial performance of their duty.

12. Determine whether the Legislature controls the appointment (and dismissal) of government employees, especially in the so-called unclassified service.

13. Determine whether the U.S. Department of Health, Education and Welfare has repeatedly taken exception to many of the positions which the Governor has allowed to be placed on the patronage list.

14. Determine whether the Governor has approved legislative grants or special treatment to certain selected employees in the form of larger pensions than provided under the retirement law of the Virgin Islands.

15. Determine whether the growing army of unnecessary assistant commissioners and deputy commissioners in a government the size of the Virgin Islands is a device to circumvent or undermine the Civil Service.

16. Determine whether there is a two party system or two factions of a one party system in the Legislature with the present Governor belonging to one before he took office and to the other two years after he was in office.

17. Determine whether conflict of interest exists in a situation where a member of the cabinet is engaged in purchasing materials and equipment and awarding contracts on behalf of the Government while at the same time operating a private firm which deals with these sources of supplies.

18. Determine whether there was any irregularity in the acquisition by the President of the Senate of a twenty year lease at the Submarine Base for a business site, two weeks BEFORE the area was actually deeded by the Federal Government to the Government of the Virgin Islands.

19. Determine whether two V.I. Senators are the first to stake claims for building sites at the newly acquired Sub-Base and whether the Senate is required by law to ratify leases approved by the Governor.

20. Determine whether a relative of the Governor who is also a member of the Senate is about to acquire a fifteen year lease on the ball field at the Sub-Base for a business complex.

21. Determine whether government employees violated the Hatch Act in their participation in the general elections last November.

22. Determine whether two senators (one a former judge) who are also attorneys may practice before a Judge, whose nomination has been held in abeyance pending legislative action thus exposing justice in the courts of the Virgin Islands to undue pressure.

23. Determine whether the Governor was responsible for distributing a lampoon letter to his influential friends in the U.S. calculated to discredit and have removed from office the Government Secretary who is also a presidential appointee.

24. Determine whether the Governor really knew what was printed on the campaign button which he wore proudly at that same election, as he indicated at a recent House hearing he was not sure.

25. Determine whether laws of the Virgin Islands are being waived in the interest of special persons and groups and friends of the administration and the majority party.

26. Determine whether the Governor acquiesces to the demand of the majority bloc in the Virgin Islands Legislature for ruthless dismissal of government employees for purely political reasons.

27. Determine whether there was conflict of interest in a former president of the legislature who, after his defeat in 1962 was granted a pension of $3,600 per annum and a $10,000 government contract to manage the abattoir in St. Croix despite the law stating that persons on government payroll could not collect government pension.

28. Determine whether political party clearance is a prerequisite for appointment of eligible candidates who qualify for employment under the Merit System.

29. Determine whether the morale of the government and indeed the community (except among the Governor's party members) is declining because of rising intimidation and fear.

30. Determine whether intimidation and fear is so prevalent that people are even afraid to be seen speaking with their friends or relatives because they happen to be of a different political belief.

31. Determine whether the interests of the people of the Virgin Islands were adequately protected in the negotiations for the construction of the Altona Housing Project and whether serious irregularities exist.

32. Determine whether control of elections by the legislature is proper when that body appoints the election supervisor, the board of elections, who in turn appoints the judges, clerks and inspectors for each polling place. Also to determine if it is proper for the executive director of the Public Housing projects to be chairman of the elections board.

33. Determine whether it is necessary to have ten (10) assistant attorneys general to care for the legal work of the government (not including about three counsels to the Governor) many of whom are engaged in private practice at the same time.

34. Determine whether the Governor's office is used for the enrichment of friends and special interest groups at the expense of the taxpayers of the Virgin Islands.

Mr. ALLOTT. Mr. President, the Daily News had been questioning matters in the Virgin Islands for a long time, and I ask unanimous consent that selected editorials regarding this question be inserted at the conclusion of my remarks.

The PRESIDING OFFICER. Without ojection, it is so ordered.

(See exhibit 2.)

Mr. ALLOTT. Mr. President, in conclusion I should like to introduce an editorial from the Caribbean Report, dated December 1966, entitled "Out-Tammanying Tammany Hall." This editorial will show the Members of the Senate that this problem threatens to be with us a lot longer unless Members of the Congress assert their constitutional prerogative to obtain a full and fair investigation of the government of these islands. I ask unanimous consent that the editorial be inserted at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Out-Tammanying Tammany Hall

The 1966 elections in the USVI seems to have hit an all-time high for charges of fraud, free beer at the polls, voting by dead-men, minors, and psychiatric inmates. Herewith, a special report from our VI correspondent:

The political spoils system in the VI would make old Boss Tweed green with envy. Governor Paiewonsky's statements that the VI now has a two-party system are only for Washington's consumption. Except for two candidates, the Victory '66 coalition that opposed Paie and his Mortar and Pestle (or Unity) Democrats were all registered Democrats of established standing. And the two Republicans went down to defeat.

Paie's electoral strength came from a tremendous roster of unsophisticated government employees. On a per capita basis, the VI has the highest number of employees on government payroll of any of the states or territories. These totally unqualified persons spend most of their time running their own businesses or shops, while regularly collecting paychecks solely for their "services" for the Mortar and Pestle Party.

Among the "services" they rendered in last month's balloting were these: In St. Thomas, the Election Board counted 957 more votes cast than the number reported by the Election Supervisor. A decisive number of ballots in close races were discarded as "spoiled." Coalition party challengers charge election officials themselves disfigured ballots with holes or pencil smudges when the opposition tally ran uncomfortably high. Four coalition nominees, Bertha Boschulte, Ron de Lugo, Omar Brown, and Len Stein, promptly petitioned for recounts, but to no one's surprise, the new canvass confirmed the original victors. A two-page ad in the November 15 VI *Daily News* notes that, after failing to con the District Court of Appeals into upholding the "loyalty oath," Paie's Mortar and Pestle boys proceeded to fancy up the ballots, The coalition of 13 Democrats and 2 Republicans were jointly listed on the ballot as "Republicans." The Regular M & P Dems had their insignia placed at the bottom of the ballot with photos of *both* JFK and Johnson, and the words: "Let us continue." By marking this party symbol (or the unadorned eagle for the "Republicans"), a person could vote a straight ticket. Since there was no clue that this was the significance of the symbols, it is not improbable that many voters thought that they were indicating a party preference, as in a primary, rather than nullifying votes cast for split tickets on the ballot's upper portion. Yet, the day after the elections, Paie boasted that "the choice between candidates and parties was clearly understood." Shades of Duvalier and his similar maneuver in the last Haitian election.

Conclusion: Despite the statements by the Governor and his M & P associates that "now we are mature enough to elect our own governor," there is room for doubt. In this election, they demonstrated the maturity of teen-age hoodlums while splitting the loot of their first heist. The basic cause of the lack of efficiency and integrity in the VI government is that the governorship is a political plum.

Mr. ALLOTT. Mr. President, it is my understanding that the large majority of the citizens of the Virgin Islands who appeared during the House hearings favored the concept of electing their own Governor. This is certainly understandable. Every citizen of the United States should be afforded a full measure of participation in the affairs of his government; and the right to cast a ballot for one's own representative in his government is the cornerstone of the democratic process. These people want something only we have the power to convey. To delay the bill at this time is not to sidestep the issue of granting the right to elect the Governor of the Virgin Islands, because under the bill it would not become effective anyway until 1970.

Pending passage of this bill, however, may encourage every citizen of the Virgin Islands to step forward and insist upon good government and a just administration of its laws. They may insist upon more than mere window dressing by a Governor who has too long abused their rights and by a legislature, dominated by one faction of the Democratic Party, which has not responded to the will of the people. I look forward to the day when our insistence upon decent government and the ability of the citizens of the Virgin Islands to have it will coincide.

Mr. President, section 3 of article IV of the Constitution invests Congress with the entire dominion and sovereignty in our territories. Thus, our responsibility is clear in this matter. It is also clear that an investigation of the situation in the Virgin Islands must be undertaken before favorable consideration of S. 450 can be made.

I am asking that we assert our responsibilities at this time, not just a part of them, not just a piecemeal part, not merely a fraction, but that we assert all of our responsibilities at this time.

I am asking that we assert our responsibilities at this time, not only because I believe any other course of action is precipitous and tantamount to an abandonment of our constitutional responsibility, but also because I believe there exists a deep and abiding hope in the responsible citizens of the islands that our helping hand will be offered at this crucial moment in their political lives.

Exhibit 1

[From the Washington Daily News, June 2, 1967]

Anguilla in Revolt: Island Terror Reign

San Juan, P.R., June 2—The government of the Caribbean nation of St. Kitts-Nevis today reported a four-month reign of terror on the tiny island of Anguilla.

It said dissidents burned down Government House and besieged local police and seized control of the island's only airstrip.

The governments of Jamaica and Barbados reported they had received requests for troops and police to quell what has now become a raging revolt on Anguilla. The requests were turned down because the neighboring Caribbean governments reportedly took the view that Britain has responsibility for St. Kitts-Nevis and Anguilla.

The islands gained complete independence in domestic affairs last February with Britain retaining control only over defense and foreign affairs.

Anguilla has an all-Negro population of less than 6000. It is one of the few Caribbean islands neglected by tourists and residents live by farming and fishing.

Premier Robert Bradshaw reported from Basseterre, the national capital on St. Kitts, that he has declared a state of emergency in Anguilla.

In a message to the British consul in San Juan, Mr. Bradshaw said trouble began on Anguilla during independence celebrations Feb. 4 when police used tear gas to break up a riot. Later the police chief and a superintendent were shot and wounded while trying to make arrests.

A month later, Mr. Bradshaw said, the Anguilla Government House "was burnt flat to the ground" and the island's warden barely escaped with his life.

FREQUENT ATTACKS

Frequent attacks then took place on police stations, on the hotel where the warden took refuge and other buildings.

In one attack, at least 12 bullets were found in the quarters of a woman Peace Corps language teacher who was not identified.

The violence came to a head this week when a mob marched on police headquarters to demand that police leave the island. Mr. Bradshaw said rioters had seized the only airstrip, preventing flights in and out.

Anguilla has a 13-man police force and British sources said 11 have deserted.

"THE REVOLT"

On St. Thomas in the U.S. Virgin Islands, Anguillan natives were reported planning to return to their island to help in what they termed "the revolt."

Exhibit 2

[From the Daily News of the Virgin Islands, Feb. 9, 1967]

A Need for an Oath

The Governor of the Virgin Islands appeared at Washington hearings last week and answered several questions in a briefing of the House Interior committee, which was primarily an organizational meeting. The Republican Senator from Pennsylvania asked the governor several questions about elections in the islands, and considerable interest in the Virgin Islands polls was expressed by members of the committee.

Since the question of the possibility of election fraud has entered the picture, and since the subject has aroused the interest of Congressman John P. Saylor and several others, we believe that the chief executive of these islands should be placed under oath when he is called upon to testify.

Certain statements which the governor made at the Washington committee hearings indicated that he was skirting the truth. For example, the Congressman from Utah asked the governor point-blank whether a picture of Presidents Kennedy and Johnson appeared on the Virgin Islands ballot. The governor replied, "I do not recall."

At this point, the governor added, "I think that the symbol for the Mortar and Pestle contains a mortar and pestle as the Kennedy-Johnson Club. I think that a 'V' on top of the symbol might have been a head of the President, two Presidents."

Symbols and oaths became major hot spots in the last campaign. The governor also took an active part in the campaign to try to bring St. Croix into the Unity Party line. Therefore, we refused to believe that he "cannot recall" the picture of Presidents Kennedy and Johnson on the ballot.

Perhaps, a swearing-in ceremony would improve his memory on this and several other important issues as they come before the Interior committee in the course of this Congress. The gubernatorial mantle does not always guarantee veracity.

[From the Daily News of the Virgin Islands, May 9, 1967]

A Task for the Commission

Officials of the election board and majority members of the Virgin Islands Legislature have tended to discount as irrelevant and exaggerated reports of election irregularities at the polls in 1966. When these incidents have been admitted at all, they have been put down to minor clerical errors or to the active imaginations of frustrated voters or to the disgruntled opinions of defeated candidates. However, so many of these irregularities have been brought to light verified, and documented that only by the wildest stretch of the imagination can it be said that the 1966 elections were honestly conducted.

Recently a case was revealed in St. Croix where an elector was notified of cancellation of registration because of her "failure" to vote. Since she knew she had voted, and could prove it, an inquiry showed that she was listed in two polling districts.

There is such an imposing list of these so-called clerical errors that it can no longer be treated as an irrelevant matter. If the election lists are wrong, padded, out-dated, in error, then the whole election cannot be considered as having been conducted in the best tradition of democracy.

After the 1966 election here Gov. Paiewonsky said that the polls and lists in the Virgin Islands were as well kept as any in the districts of the mainland, and that our elections here ranked with the best in U.S. wards. We challenge that statement and point out that faulty elections lists seriously impair democratic processes.

We believe that the Reapportionment Commission could better function by correcting and cleaning up the polling lists and insuring honest elections than by altering the formula recommended by the Congress of the United States. This would be more characteristic of truly representative government than reapportionment machinery based on the shaky premise of questionable records.

[From the Daily News of the Virgin Islands, May 13, 1967]

Need for Investigation

A U.S. senator on the Interior and Insular Affairs Committee recently called on his colleagues in Congress to initiate an investigation into the Government of the Virgin Islands.

In so doing, the senator disassociated himself from the favorable recommendations of the committee on the elective governor bill (S. 450) which is now before Congress. He urged that the investigation be conducted prior to passage of the bill.

"As things now stand, according to my knowledge of the situation, the aspirations of these citizens of our country will only be frustrated, and destroyed should S. 450 be enacted at this time," he said in part.

We most certainly agree with the senator on the definite need for an investigation into this administration. As a matter of fact, we have time and again brought to the public and congressional leaders—through these columns—the need for a thorough probe into the political skulduggery and and shenanigans of this administration.

Next month, members of the House territorial committee are scheduled to come to the islands to conduct hearings into charges of election irregularities last November. We like to suggest to the committee that the hearings be turned into a full scale investigation of the present administration.

We would like them to probe into the manner in which public bids are being awarded by various agencies in the government, conflict of interest that is accepted as normal procedure, the classified and unclassified system and how it is being manipulated as a vice against those who do not spout the party line and an instrument for economic reprisal, and other unsavory practices that add up to a corrupt and unscrupulous government.

It is tragic that the people of the Virgin Islands must now suffer for the irresponsible actions of this administration that was unknowingly inflicted on them.

[From the Daily News of the Virgin Islands, May 17, 1967]

Investigation or Witch Hunt?

When the commissioner of Public Safety personally undertook to investigate charges of election irregularities stemming from last November voting, it raised a few questions as to whether it would be an investigation or witch hunt.

We wonder how unbiased the commissioner can be in conducting such an investigation. In the first place, the commissioner is investigating charges made against the group that appointed him, who are responsible for him holding that job.

The fact that he is personally taking part in it, and not the investigation bureau, further added suspicion to the entire probe.

We understand that it was impossible to get the Federal Bureau of Investigation to conduct the probe, and that the U.S. Attorney had to rely on the local enforcement department. We also understand that the U.S. Attorney's office referred the charges to the department, as it would any other case.

If this is the case, then we wonder why the investigation bureau of the local law enforcement agency is not handling it, since that is its prime function.

We also wonder why the department is seeking the list of names of persons who allegedly tried—but were unable—to vote in the last general election from members of the opposition group.

It appears to us that the investigation should confine itself to the persons who made the charges, and against whom the charges were made. The names of these persons are readily available, since they must have had to file formal complaints before any investigation could be initiated.

With the June congressional hearing on election irregularities coming up, many people will be keeping a sharp eye on this local investigation for it could very well turn into a witch hunt.

[From the Daily News of the Virgin Islands, May 20, 1967]

"Let Not the Perfect . . ."

The proponents of the Virgin Islands election code are today becoming aware that what they once thought was a "progressive" measure is nothing but a defective piece of legislation that was designed to perpetuate the existence of one faction in the legislature.

Today we are witnessing the results of a law that has given rise to election irregularities, into which a congressional hearing is going to be held next month. Whether or not these charges might have been made, whether or not the law existed, becomes immaterial at this time.

The very nature of the bill and the storm of protest it went through before and after its passage, encouraged the type of political abuses and irregularities that characterize elections in the Virgin Islands.

At the time the law was being formulated, Judge Albert Maris of the Third Circuit Court of Appeals in Philadelphia, warned the sponsors of the measure of its defects. The learned judge even offered suggestions to make the bill equitable and fair.

Nevertheless, the backers of the bill ignored the judge's recommendations—mainly because his views were designed to provide a fair electoral system.

Contrary to the aims of scheming politicians, his recommendations did not provide for the special advantages which the legislators seemed bent on reserving for themselves and their political faction.

As fate would have it, all his predictions came through.

The signals he flashed at that time—more than three years ago—might have prevented us from running on the political shoals which we now find ourselves.

The chief executive, who could have prevented the enactment of this deceptive piece of legislation, jumped into line with other political gluttons and signed the bill. This was done, despite the protest of 2,000 citizens, who urged the governor to veto the measure.

And with one of the most unoriginal statements that he might come to regret, the governor defended his action:

"Let not the perfect be the enemy of the good."

[From the Daily News of the Virgin Islands, June 3, 1967]

Let Them Have an Impartial Look

A small congressional committee of the House of Representatives will be in the Virgin Islands this month for public hearings, prior to the consideration of the elective governor bill by the Congress. The bipartisan group will hear testimony on alleged election irregularities and will discuss problems brought to them by several witnesses. Their visit here will test, to some extent, our political maturity. The desirability of a popularly elected governor in these islands is admitted by most persons. Less evident is the ability of our present leaders to conduct a clean, impartial election.

We hope that the committee will conduct these hearings on as wide a basis as possible without help or interference from Government House. We can imagine the scheduling of a round of receptions, social hours, and cocktail parties for the dignitaries, and some pleasant moments at Dorothea. This would hardly constitute an impartial probe.

Too often we have seen congressmen come to the islands for an honest look, only to be whisked away in a big government car, wined and dined, flattered and feted at glittering receptions, and shown only the bright spots of the administration's tarnished record.

We hope that they will also look into charges which have been repeated in the pages of this newspaper and more recently by a Puerto Rican newspaper that the 1967–68 $51 million budget is being allocated primarily for the furtherance of a political machine, far more than for the benefit of the majority of the people of the Virgin Islands. We are still driving on substandard roads, and our housing and community renewal programs are largely grandiose schemes on paper. The payrolls are padded, and government offices are overstaffed by personnel, many of whom have little to do but to draw their paychecks with regularity.

Although this is not an investigation, let's show the members all sides of the islands and let them draw their own conclusions.

[From the Daily News of the Virgin Islands, June 8, 1967]

No Panacea

The elective governor bill for the Virgin Islands appears to be moving closer toward ultimate passage in Washington, although some of the senators and representatives have indicated from time to time that they have reservations about certain points in the bill. For awhile, the chief stumbling block, which the Senate Interior committee finally rejected, was a recommendation that the governor be removed by the President in case such a removal be deemed necessary. Generally speaking the committee seems to have had no serious objections to the idea of the local election on its own merits, and a majority of solons have expressed their consent.

Although few persons in the Virgin Islands would raise serious questions about the principle of an elected governor, we believe it would be a serious mistake to regard the passage of the bill and its ultimate implementation in 1968 or 1970 as a complete panacea for all the ills of the islands, political and otherwise.

We note that members of the majority party are ringing the changes on this fashionable fiction. Lately they have trotted out all their time-worn devices to try to convince Washington of this. Taking to the airwaves, reminiscent of the last election, they have dutifully feigned "shock" at any criticism of the administration or of the party.

However, their protestations on the governors bill simply do not ring true. Even if the Congress should vote the bill, and even if the President should sign it into law, there are many hurdles to leap, many ills to be corrected if the government of these islands is to return to some form of sanity. Before perpetuating the unbelievably undemocratic practices which are the present norm here, the Congress should take careful note of the Thirty-four Points which have recently appeared in this newspaper. Certainly they have bearing on our political maturity—or lack of it. Our people are weary of rigged polls and tricks to disenfranchise them; tired of seeing tax monies channeled into schemes to fatten party favorites.

Certainly we favor an elected governor bill, just as we favor an honest administration for these islands. But to pretend that ability to elect our own governor will inevitably herald the dawn of a New Day simply makes no sense.

[From the Daily News of the Virgin Islands, June 19, 1967]

WHERE WE STAND

The Daily News of the Virgin Island was yesterday, is today, and will be forever in full accord and hearty agreement with the bill currently before the United States Congress to permit the popular election of a governor for the Virgin Islands.

We can think of no more direct way to convey our hopes for the political future of these islands.

P. T. Barnum once said that he didn't care what others said about him as long as they said something. He favored a bad press over none at all. Normally we agree with him and choose to ignore the slings and arrows which seem to be aimed in our direction.

However, when malicious and misguided critics take it upon themselves to state and twist our stand and conviction upon this important matter, we feel we are obligated to our many readers to make our position clear and unequivocal.

Not only do we advocate this additional measure of autonomy for these islands, but we insist that the election be held in the best American tradition.

It is for this sole purpose that we have asked and are asking for an investigation of conditions in the Virgin Islands. When the elected governor bill is passed by the Congress we want our first election to be an orderly, well-run, decent, democratic privilege for our people. The corruption of previous elections would certainly be no political advance for the government of this territory.

We are repeating, emphasizing, and reemphasizing our stand on this because of recent charges that we are an "enemy of the people" only trying to turn back the clock.

If fighting hard for clean government and if pointing to gross inefficiency in the present administration are such a backward step, then we are, indeed, guilty. However, we hope these are really turning the clock ahead. Clean, efficient government is progressive government. We are convinced that the people have a right to this kind of administration. Unfortunately, they do not have it today.

We shall continue the fight for an administration which is forthright and mindful of an obligation to serve all the people of the islands, not just a chosen few. Under such an administration the effective date of the governor's election is irrelevant. The kind of election is all-important.

We hope we have made ourselves crystal clear.

[From the Daily News of the Virgin Islands, June 27, 1967]

THE OUTMODED SYSTEM

Although the Governor of the Virgin Islands has made some desperate attempts recently to explain the great numbers of permanent workers in the employ of the Virgin Islands government, somehow his explanation of the 739 unclassified workers is not convincing.

The contention of this newspaper—and we are not alone—is that there are far too many persons in governmental employ and that of that number there are far too many unclassified workers who owe their posts to political expediency.

In an attempt to justify the lengthy list of unclassified employees, the governor has said that it is necessary to "bypass the outmoded personnel system set up years ago in which pay scales are far too low." In this way, he continued, the government is able to "attract competent people to these positions."

And so, we note in the unclassified positions titles of janitor, janitress, custodian, custodial worker, laborer, painter's helper, clerk, clerk typist, cook, gardener, messenger, maid, seamstress, butcher, laundry worker, with pay scales ranging from $2,100 and upward.

We are fully aware that all these posts represent honorable vocations and that these persons may well be competent workers. However, we cannot accept the necessity to bypass the "outmoded personnel system set up years ago" to obtain cooks, gardeners, janitors, and others, worthy though these positions may be. We still believe that these persons could have been hired under an honest merit system and placed within the classified system of employment.

If the system has, indeed, been outmoded for so many years, why has not the enlightened "grass roots" administration sent down legislation to update personnel practices? We remember that representatives of the minority group in the Legislature called again and again for a re-study of the merit system and an upgrading of pay scales. Certainly this could have been done if the governor had been sincere about reducing the numbers of unclassified workers.

We'll stick to our original contention. We are convinced that the governor was less interested in competent workers, more interested in doorbell pushers to garner votes for The Party.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. HANSEN. Mr. President, I thank the distinguished Senator from Colorado for taking the floor of the Senate today to make his case for recommitting S. 450 to the Interior and Insular Affairs Committee. I think the senior Senator from Colorado has brought new evidence before the Senate which requires recommital at this time. As the Senate is aware, I am honored to serve on this committee. I must rise today, however, to observe that I was not aware at any time during the course of our deliberations on S. 450 of any of the facts or questions raised by the Senator from Colorado with regard to the present political climate in the Virgin Islands. I was aware, of course, of the Senator's efforts to resolve the questions of voting irregularities in the 1966 elections with the Department of Justice. Certainly the Senator's individual views and remarks today, however, have raised other questions about the entire operation of the government down there. I cannot understand, for example, why it is necessary to have 773 unclassified employees in the Virgin Islands, especially when four of these are lifeguards assigned to the Governor's office.

Mr. President, I am completely aware of our responsibility to the Constitution and that it has placed upon the Congress the authority to make proper laws and regulations for our territories. I think we shall fulfill that responsibility if we will act to recommit the entire question back to the Interior Committee for a full and fair investigation of this entire matter before finally acting on S. 450.

In addition, Mr. President, I wish to remark about a possible situation of direct interest to Wyoming and other oil-producing States. It has been reported that the Hess Oil Co. is presently involved in negotiations with the present government of the Virgin Islands in connection with the securing of an additional 25,000-barrel-per-day oil import quota. There is presently pending before the Interior Department an application on behalf of Hess Oil for this added import quota.

I have been advised that the Hess Oil Co. has promised the Virgin Islands government $12,500 per day, or 50 cents per barrel, in the event that the oil import program is approved.

I oppose the granting of preferential treatment to individual companies. It is just such treatment which has threatened the integrity of our present mandatory oil import quota system. That system was never designed to serve as an instrument for economic development of U.S. territories or possessions. To use it in that manner now would raise serious questions concerning the interests of the Department of the Interior, as well as serious questions about the propriety of certain reported acts on the part of the present government of the Virgin Islands.

For these added reasons I believe it only proper that S. 450 be returned to the Interior Committee for further investigation at this time.

Mr. ALLOTT. I thank the distinguished Senator for his kind remarks and for his support. I know that he is genuinely sincere, as I am, in trying to see that this matter is resolved, and that the people of the Virgin Islands have an opportunity to engage in a real democratic process upon the basis of a thorough investigation both of the political and economic situation in the Virgin Islands. The economic situation has not been touched upon much here today, but a thorough investigation would turn up some very interesting facts, I am sure.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. AIKEN. I have been listening with interest to the remarks of the Senator from Colorado, and I believe they have been such as to warrant the full attention of the Senate before acting upon this legislation.

I have nothing to add to what has been said. I simply want to say that it is my firm belief that it would be much better for the Senate to postpone action on the bill for at least 4 weeks, and possibly a little longer.

Mr. ALLOTT. I thank the distinguished Senator. But I should like to reply to what he has said, by way of observation, that in my humble opinion it will take a team of investigators a period of months to get at the problems which exist in the Virgin Islands and to prepare the proper foundation for a hearing. I do not know whether we will ever be able to get the Interior Committee to assent to this. But even though it took a matter of several months or the rest of this year or went into next year, there still would be adequate time for Congress to pass a bill providing for the election of a Governor, for the election of some of its chief executive officers, and for the election of the mayors and police officers of the towns and cities.

Mr. AIKEN. I do not question the judgment of the Senator from Colorado as to the length of time it would take to make an investigation. However, investigations are rather uncertain, and I still believe that the Senate would be able to vote more intelligently upon this legislation a few weeks from now than it would be today.

Mr. ALLOTT. The Senator is correct, and I appreciate his remarks.

Mr. HATFIELD. Mr. President, I commend the distinguished Senator from Colorado for his eloquent presentation on the very important subject that confronts us, not only as members of the Committee on Interior and Insular Affairs, but also as individual Members of the Senate.

I. INTRODUCTORY STATEMENT OF POSITION

There is little question as to the basic desirability of the Virgin Islands elective Governor bill. I believe this point is in common agreement: The principle of self-determination embodied in S. 450 is fundamental to the American tradition. As would be expected, support for the bill has come from all sides of the political complexion in the Virgin Islands, as well as in the Senate. The 1967 hearings before the Territories and Insular Affairs Subcommittee include supportive testimony from the rival leaders of each of the three political factions in the Virgin Islands. The 89th Congress has already passed a similar bill—but due to the lateness of the session, it was not enacted into law.

Certain fundamental facts which have not always been clarified should be clearly established here, during our discussion of this bill. There are three basic political groups in the Virgin Islands. I believe we could more appropriately call them factions, rather than political parties. There is that faction which holds the power, and it is the Governor's party, led by the Virgin Islands Senators Earle Ottley and Alexander Farrelly.

This faction calls itself the Mortar and Pestle Party, or the Unity Party, and it can be identified with the national Democratic Party of the United States. The Democratic Unity Party has dominated the Virgin Islands Legislature virtually unopposed for the last three decades.

Then, in the early 1960's, a group of Democratic legislators split away from the Unity Party to form the Donkey Democrats. This faction is headed by a minority leader, Senator Augustin Doward, and former Senator Ron de Lugo.

Finally, there is the almost nonexistent Republic Party, led by Territorial Chairman Omar Brown.

It should be clearly understood that the division in the Democratic Party in the Virgin Islands is not a philosophical division. It is not liberal Democrats versus conservative Democrats. There is no basic philosophical difference between the two factions of the Democratic Party in the Virgin Islands.

It is interesting to note that Roger Baldwin, the founder of the American Civil Liberties Union, who was vacationing in the Virgin Islands, was approached by members of the Donkey Democrats to have proper representation made by legal counsel. He was asked to advise them, and he advised them that there would be an excellent attorney in New York City by the name of Marvin M. Karpatkin, who is an attorney in the firm of Karpatkin, Ohrenstein, & Karpatkin.

Mr. Marvin Karpatkin is an American Civil Liberties Union lawyer. He is very active in the American Civil Liberties Union, and is a Democrat. He took the case, and in discussing this matter with him, he made this point very clear: There is no philosophical division between the two factions of the Democratic Party in the Virgin Islands.

I believe we can all say that we wholeheartedly support the principles of self-determination as outlined in S. 450.

Yet, I have some serious reservations as to whether the immediate enactment of S. 50 will guarantee any true expression of self-determination. Although it would be easy for this body to view the bill through the simple spectacles of black and white, the fundamental question relating to S. 450 cannot and must not be reduced to the simplistic issue of neocolonialism versus self-determination. In my opinion, the real question is not whether the bill should be enacted, but whether an extensive investigation is necessary. This issue transcends the question of "for" or "against"; it asks instead whether self-determination is at present possible in the Virgin Islands. This kind of analysis asks if there is any evidence to justify the charge that free elections are not possible. It asks if there is any validity to the very serious accusations made against the Mortar and Pestle Party. Most importantly, it asks if there is significant cause for the recommittal of S. 450 in order to allow for an investigation. I suggest that these questions are basic to the consideration of the bill.

Although I supported the majority report of the Committee on Interior and Insular Affairs, I am now persuaded that there is sufficient evidence, brought to light since that report, to necessitate further investigation. I therefore support the recommittal of S. 450 to allow for such an investigation.

Mr. President, certainly I have no desire to delay the opportunity for popular elections in the Virgin Islands. If the Senate is truly concerned with the principle of self-determination in the Virgin Islands it must assure itself by every means available that these elections will take place under conditions which guarantee the democratic process.

There are certain areas in which there seems to be sufficient evidence to demand an investigation of the political conditions of the Virgin Islands. These are the areas of political coercion by use of a loyalty oath, irregularities in the 1966 election, a patronage system of unclassified Government officials, and a vast civil service system. Since the Senator from Colorado [Mr. ALLOTT], in his very fine speech, made detailed references to each of these areas, I should only like to outline a few further remarks.

II. THE LOYALTY OATH EPISODE

It has been charged that the loyalty oath was the attempt of a majority party to coerce the minority coalition into a state of political impotence. In fact, there appears to be a great deal of evidence to support this charge. In August 1966 the President of the United States signed into law an act amending the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands. During the sixth special session of the Virgin Islands Legislature, the Governor proposed certain amendments to the Virgin Islands Election Code. Included in these amendments was the requirement that loyalty oaths must be given to all candidates in the 1966 primary. After much controversy the loyalty oath amendment was passed by the eight-member majority of the Mortar and Pestle Party. On September 1, 1966, the Governor signed the bill into law as Act No. 1815. I should like to read the oath at this time:

> I ———, do solemnly pledge that I will espouse and pursue the principles and policies of the ——— Party of the Virgin Islands and that I will support every candidate of the ——— Party who is nominated for public office at the 1966 primary election and I will not support any candidate or any other political party or body or any independent candidate for public office at the 1966 general office.

Mr. President, I think the penalty for failure to sign the oath also should be pointed out. The act states that:

> No person who refuses or fails to submit the oath required by this section shall have his name printed on the 1966 primary ballot of a political party for which he files a nomination petition.

It is clear that, while the legislature was approving the loyalty oath, the Donkey Democrats and the Republicans were forming a coalition for the November elections. Yet, the oath specifically prohibits this kind of coalition. As two of the majority Senators admitted in the trial of the loyalty oath case in the district court, the express purpose of the loyalty was to frustrate this anticipated coalition. Mortar and Pestle leader John Maduro testified that the purpose of the law was to frustrate "the marriage of convenience between the Donkey Democrats and the Republicans." Senator Puritz further conceded:

> The deal was working out to perfection until the majority Democrat Senators threw in the loyalty oath monkey wrench. The loyalty oath—

He admitted under oath—

> was intended to interfere with the anticipated coalition.

The U.S. Court of Appeals for the Third Circuit upheld the decision of the District Court of the Virgin Islands with regard to the invalidity of the loyalty oath. Although Judge Maris did not specifically uphold the plaintiffs' contentions that the loyalty oath was planned political harassment, he noted "that persuasive arguments are presented in support of them." But the most condemning evidence of planned political coercion is contained within the act itself. If it were really general legislation seeking to deal with the election code problem, it would not apply only to the 1966 elections. Yet, the act specifically refers to the 1966 elections and to no other. The very provisions of the loyalty oath provide rather persuasive indication that it was intended to punish the legislative minority and to render them politically impotent. Thus, both the intent and the purpose of the loyalty oath seem reasonably clear. It was proposed by the Governor, enacted by the eight members of the Governor's party, enforced by the supervisor of elections—appointed by the legislative majority—and specifically aimed at the 1966 elections. In the conclusion to his decision, U.S. Circuit Judge Albert Maris condemns the oath as a totalitarian measure which "would tend to bind the legislators to the party leaders without individual freedom of thought or independence of action."

III. THE 1966 ELECTION CONTROVERSY

The controversy which surrounds the November 1966 elections in the Virgin Islands has not yet been settled. The report prepared by the Department of Justice regarding the alleged election irregularities was never released. Although the line between fact and accusation remains somewhat clouded, I should like to outline a few facts which can be definitely established:

First. The outcome of the election was determined by an extraordinarily close vote.

Out of some 15,000 registered voters, 13,000 people turned out to the polls. Yet, the entire election was decided by a mere 200 votes. Minority Senators Ron de Lugo and Bertha Boschulte lost their seats by only 26 votes and 30 votes respectively. Since the Mortar and Pestle Party won 9 to 6, if these two losing Senators had received a switch of 30 votes, the entire political situation would have been reversed. The Donkey Democrats would then enjoy an 8-to-7 majority. Thus, if any of the many allegations against the Mortar and Pestle Party are true, then the outcome of the election would almost certainly have been reversed.

Second. On election day, the U.S. attorney obtained a restraining order because "the respondents—supervisor of elections and the chairman of the board of elections—are falsely claiming that certain registered and duly qualified voters are not qualified to vote and are wrongfully refusing the said voters to cast their respective votes."

Third. On July 7, 1967, the Civil Service Commission concluded there was enough evidence indicating violations of the Hatch Act to begin investigation.

Of the 26 members of the Mortar and Pestle campaign committee in St. Croix, all but one was a Government employee.

Fourth. Approximately 35 percent of the voters of the territory are Government employees.

There are approximately 60,000 inhabitants in the Virgin Islands. Of these, 5,200 are presently employed by the Government. In other words, 1 in 10 persons is at present a Government employee. Since there are only 15,000 registered voters, this means that 35 percent of the voters are Government employees. Although this figure may not of course prove anything, it certainly raises some questions about the possibility of free elections.

Mr. BURDICK. Mr. President, will the Senator yield?

Mr. HATFIELD. I yield.

Mr. BURDICK. I wonder if the Senator is aware of these totals: In 1964, 14,076 persons were eligible to vote; a total of 10,872 voted; or 77 percent.

In the year 1966, to which the Senator has referred, 16,887 persons were eligible to vote; 13,692 voted; or 81 percent. Is the Senator aware of that?

Mr. HATFIELD. I think my figures have indicated that.

Mr. BURDICK. Does the Senator know of any area in the States where the percentage of voters has been that high?

Mr. HATFIELD. I have no question as to the literacy, the involvement in political activity, or the genuine concern of the people of the Virgin Islands. That is not the question in point. The question in point is simply that we have here an interesting relationship between the number of eligible voters and the number of government employees.

Mr. BURDICK. I am referring to facts to which the Senator referred before he reached that point, and also referred to by the Senator from Colorado [Mr. ALLOTT].

I believe that the Senator from Colorado said that some persons were frightened or were fearful to vote. It seems odd that the percentage of voters in 1964 was 77, while in the year in which irregularities are alleged, the percentage was 81.

Mr. ALLOTT. Mr. President, will the Senator yield on that point?

Mr. HATFIELD. I yield.

Mr. ALLOTT. I think that only supports what I tried to say in my own remarks. The people would have liked to have democratic processes, but they were thwarted at the polls. Nobody knows how many others were kept from voting in addition to the 60 whose affidavits fell into my hands.

The distinguished Senator from Oregon has described the situation in which the democratic processes were absolutely thwarted, even for the election of the legislature.

Mr. HATFIELD. I thank the Senator from Colorado. I should like to respond further.

Forty-seven charges were filed against the Mortar and Pestle Party, I should like to list some of these charges of irregularities in the political life of the Virgin Islands. They were:

That in violation of the Hatch Act, hundreds of employees of the territorial government were actually involved in partisan political activities.

That police forced businesses to close up so as not to compete with a Mortar and Pestle Party rally.

That official tabulation by members of the St. Thomas Board of Elections found irreconcilable discrepancies in figures from three polling places.

That votes were intentionally juggled by Mortar and Pestle officials.

That certain polling stations did not open until after the rush hour.

That the ballot was designed deliberately to be unclear and unfair.

These are only some of the accusations of irregularities made against this party.

Mr. Ariel Melchoir, publisher of the Virgin Islands Daily News, comments on these charges in his editorial of November 10, 1966:

> There are strong indications that fraud was rampant in this election. Electioneering at the polls was open, flagrant, and unchallenged in St. Thomas. Advice flowed as heavily as the beer at some posts. In St. Croix eligible persons were turned away from the polls in numbers which have been estimated at between 25 and 100. No one knows how many prospective voters actually walked away in disgust because of the undisguised attempts to manipulate their votes . . . The minority leader of the Senate has alleged that the tally of his vote was deliberately applied to another candidate to prevent his gaining At Large Seat. In St. John "spoiled" ballots are reported to have been cast by Victory '66 voters and were presumed damaged by paper clips which were used at the polls for the first time.

Mr. CHURCH. Mr. President, will the Senator from Oregon yield at that point?

Mr. HATFIELD. I am happy to yield to the Senator from Idaho.

Mr. CHURCH. I have listened with great interest to the many charges concerning the recent elections in the Virgin Islands. As the Senator knows, a regular investigation is now underway concerning these charges. In the course of that investigation, there have been some 47 complaints registered. If all of these complaints were sustained, it is very doubtful that they could change the outcome of the election. I ask the Senator, since one of his charges was that the ballot used was highly confusing and misleading to the voters, if I understood him correctly, I wonder whether he has seen the ballot? I hold a copy of the ballot in my hand and I wonder whether the Senator from Oregon would care to examine it.

I do not see anything misleading or confusing about it. It seems to me to be a perfectly clear ballot, very much in line with the kind of ballots I am familiar with in my State, and the State of Oregon, I might say.

I invite the Senator to examine this ballot and tell me what is wrong with it, based upon his own personal examination of it at this time.

Mr. HATFIELD. I would be pleased to observe and study the ballot further. However, I have already seen it.

Mr. CHURCH. What is it the Senator objects to, then?

Mr. HATFIELD. Let me respond first by saying to the Senator from Idaho [Mr. CHURCH] who has indicated that if all the 47 charges were sustained, so that if, after investigation, they were all sustained, there would have been no difference in the election.

I would remind the Senator that in the two elections, they were determined by 26 and 30 votes, respectively. Since there were 47 charges, if just one of these charges was sustained so as to change only 30 votes or that difference could well have altered the whole outcome of the election. For example, if the 60 people who signed affidavits had been allowed to vote, it would indeed have changed the entire outcome of the election. So I do not think we can cast it aside on that basis. This is an investigation that must be carried out on an objective basis, and through an objective format, so that we can bring some of these things to light in order to establish their truth or falsity.

I am listing the charges which have been made. I have not carried on an investigation, but I do believe that an investigation should be carried on in order to probe the charges. I want to say that I have served with Governor Paiewonsky during the Governors' conference. He is a charming and a personable individual. These are serious charges involving him as a person and as a political leader. I am not one who wants to see these charges made and then not see them proved or disproved. I have asked for action of the Senate to recommit the bill so that such an investigation can clear the record and either prove or disprove the allegations.

Mr. CHURCH. I would simply say to the Senator in reply that he has criticized the ballot. I hold a copy of the ballot in my hand and I would like to know what is wrong with it. If he can tell me what is wrong with it, perhaps that would satisfy my inquiry.

All the indictments hurled from the floor of the Senate today, relating to the elections, and the number of government employees, and to alleged violations of the Hatch Act, are, after all, not connected with the question of the election of a Governor. All of these alleged wrongs occurred during the period when we have had an appointed Governor. For 50 years we have been running the Virgin Islands principally out of Washington. If the island situation is as serious as has been described by the Senator from Oregon, the Senator from Colorado, and others, then it is really an indictment of the colonial system which retained so much power of decision in Washington. It is not an indictment of self-government which is the very process by which such wrongs can be corrected.

I am surprised at this argument. Indeed, if we were to have applied the same standards to the territories before they became States, few of them would have made the grade, because I am sure that many charges of mismanagement were lodged against these territorial governments.

The best correction, Mr. President, is to give the people the opportunity to govern themselves. One of the ways for doing that is to give them the opportunity to elect their own Governor, making the Governor answerable to them and not the Secretary of the Interior in Washington, D.C.

Mr. HATFIELD. I think the Senator from Idaho has made a correct statement in terms of the question of colonialism versus self-government, but we are not discussing the question of colonialism versus self-determination. I know of no one on the Committee on Interior and Insular Affairs who has better credentials than the Senator from Idaho, the Senator from Colorado, or any others on that committee, in support of the proposition of self-government. But I think we have to look beyond the structure and the wording of the law. We have to look at the environmental situations. Is this an environment providing for the pursuance and fulfillment of self-government? This is the question at hand. It is not a question of necolonialism. The facts of the case are that we have to consider a policy which will permit the implementation and the fulfillment of this act.

Mr. ALLOTT. Mr. President, will the Senator from Oregon yield?

Mr. CHURCH. Will the Senator from Oregon yield further?

Mr. HATFIELD. I promised I would yield to the Senator from Colorado first and then I will be happy to yield to the Senator from Idaho.

Mr. ALLOTT. I would be glad if the Senator from Oregon would yield to the Senator from Idaho at this time.

Mr. HATFIELD. I yield to the Senator from Idaho.

Mr. CHURCH. I say in all good humor to the Senator from Oregon that I know he is not opposed to self-government. Certainly I do not accuse him of advocating the preservation of a colonial system. But I remind him that every time it is sought to perpetuate a colonial arrangement, this is the kind of argument which is made, almost with the same words the Senator has chosen; namely, that the environmental conditions are not right, that the people are not yet ready.

This is always the excuse for retaining colonial powers intact, always the rationale for avoiding the extension of self-government.

I think the Virgin Islands, where the people themselves have elected their own legislature for many years, where a larger percentage of people vote in elections than in most States, plainly demonstrate that the time has long since passed to seriously question the environment, or to argue that the people are not yet ready to elect their own Governor.

If that is true, why should we permit them to elect their own legislators, to enact their own local laws? It stands to reason that if they can be trusted to legislate for themselves, they can be trusted to elect their own Governor.

Mr. HATFIELD. I have not had the advantage of the seniority of the distinguished Senator from Idaho to draw upon the various comments and speeches which have been made on the floor of the Senate in previous years as they related to the question of further self-government for our territories I feel the circumstances at this time are such that they would lead any reasonable man to the certain conclusion that there is a grave question as to whether there should be granted immediately the authority called for in the bill, and that the people can, under the prevailing circumstances, carry out that new freedom and extension of self-government.

That is the question. I have no concern with the matter of a debate on colonialism versus self-determination. I think the Senate is in almost unanimous agreement on this.

If the motion to recommit does not carry, I shall vote for the bill; but at the same time I think the Senate should be fully aware of the circumstances. I cannot recall any time in our history when another territory was granted self-determination at a time when investigations were being held and when there were specific charges and indictments against the existing power structure, which in this case involves not only political personages of the Virgin Islands, but economic and social activities as well.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HATFIELD. I yield.

Mr. ALLOTT. I appreciate the Senator's yielding. I will try not to abuse the time. Since the remarks of the Senator from Idaho were addressed more to the Senator from Colorado than to the Senator from Oregon, I would like to make one or two pertinent remarks. What we are considering here is the responsibility of the Congress. We know that this situation exists, and no one can go to the Virgin Islands and not know it. Now we are being asked to pass a bill for the election of the Governor which would only bring about a continuance of the same situation.

In the second place, the Senator from Colorado and the Senator from Oregon both supported a bill this year which would provide for the election of the Governor in Guam. We see evidences of a far more stable situation in Guam than we see in the Virgin Islands. So it is not a question of raising the point that the people are not ready for it, because the Senator from Oregon and the Senator from Colorado both supported a bill this year for the election of a Governor in Guam.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. ALLOTT. Not for the moment.

Third, I make the point that this is just a half-hearted bill, anyway. We should be concerned with really giving the people representation. If this bill goes through in its present form the Governor will still control the board of elections, although they tried to change that recently. We do not know what will be changed tomorrow. There would be no attorney general elected by the people of the islands, no secretary of the territory, and no election of mayors or other chief officers.

These facts exist. No one can go to the Virgin Islands without becoming aware that they do exist there.

What the Senator from Colorado is trying to do is take a step forward. I cannot say that in every case of real colonialism we have made a great advancement by ending the colonial status. If one does not believe that, take a look at Africa, where everybody got "hot", 10 or 15 years ago, about terminating colonialism overnight. Since then there have been nothing but civil wars and deaths and murders. One can hardly read a paper without reading that another government in Africa has been overthrown.

But here the situation is close to home. These people do have a considerable part of American culture. They have a high degree of literacy. That is true. But I think we have the responsibility to clear up the situation before we move ahead in this step, and then I hope we move even further.

Mr. HATFIELD. Mr. President, in light of the evidence brought to my attention since the report of the Senate Interior and Insular Affairs Committee, I am compelled to vote for the recommittal of S. 450. I cannot accept either the argument that there is insufficient evidence to demand an investigation, or that an impartial investigation has already been conducted.

In conclusion, the recommital of S. 450 and the instigation of a subsequent investigation not only supports the principles of the bill, but seeks to guarantee those conditions for which the bill provides—namely, a free election under due process.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HATFIELD. I yield.

Mr. ALLOTT. I should like to express my appreciation for the support of the distinguished Senator from Oregon for what I think is a new and forward-looking step in this matter. Everyone knows the distinguished Senator from Oregon for his scholarliness and his objective approach to the problems of this country. In the statement he has made and the position he has taken, I think he has demonstrated not only for the people of Oregon but for the people of the United States the qualities which commended him to the people of Oregon last fall when they elected him to the Senate.

Mr. CHURCH. Mr. President, I rise to plead for the right of full citizenship for the residents of Guam and the Virgin Islands. I do not take the position that the people of Guam are qualified to elect their own Governor, while the people of the Virgin Islands are not.

Last year this body and the House of Representatives passed H.R. 11777, a bill to provide for the popular election of the Governor of the Virgin Islands. Because it was late in the year when the Senate acted, and because several Senate amendments were involved, the bill never got to conference.

The bill has been reintroduced this year by the distinguished chairman of the Senate Interior and Insular Affairs Committee [Mr. Jackson], for himself and the distinguished Senator from North Dakota [Mr. Burdick] as S. 450. Similar to last year, there was a companion bill, S. 449, to provide for the popular election of the Governor of Guam.

Both these bills drew wholehearted support from the administration when they were introduced last year. So, too, did the two bills when they were introduced again early this year.

Because of the bill now pending before us, I address myself primarily to S. 450, the Virgin Islands bill, and I ask consent to insert at this point in the record the February 18, 1967 report of the Department of Interior on that measure.

There being no objection, the report was ordered to be printed in the Record, as follows:

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., February 18, 1967.

Hon. Henry M. Jackson,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

Dear Senator Jackson: This is in response to your request for the views of this Department on S. 450, a bill "To provide for the popular election of the Governor of the Virgin Islands, and for other purposes."

We recommend the enactment of S. 450 if amended as suggested in this report.

Section 1 of the bill provides for the removal of limitations formerly imposed by the Revised Organic Act of the Virgin Islands on the length of both regular and special sessions of the legislature of the Virgin Islands. It sets the opening date for the annual session of the legislature and sets the basis for special sessions. We feel that this provision is wholly consistent with the spirit and intent of S. 450 and this Department's concern with providing evermore meaningful home rule in the territories.

Section 2 of the bill changes the number required for a quorum of the legislature from seven to eight.

Section 3 of the bill takes from the President his authority to exercise final veto power over the legislation referred to him by the Governor after such legislation has been passed by the legislature over the Governor's veto.

Section 4 of the bill provides for the popular election of the Governor and Lieutenant Governor, defines the scope of the Governor's authority, sets out the duties of his office, and delineates the qualifications for office. The elected Lieutenant Governor will take the place of the Government Secretary now provided for in the Revised Organic Act of the Virgin Islands. A majority vote is required to elect, and a runoff will be held in case a majority is not obtained in the first election.

The bill provides for the election of the first Governor to take place in November 1970 for a 2-year term. Thereafter, the election will be held every 4 years beginning in 1972. There is a provision that limits a person to two terms unless one full term has intervened.

We strongly endorse this section. An elected Governor is very much desired by the people of the Virgin Islands and is the next step in the self-governing process for this territory.

Section 5 of the bill provides for the removal of the Governor. The section provides for a recall if 75 percent of the registered voters vote for the recall at a referendum election and the removal is approved by the President. It also provides that the referendum for the recall may be initiated by the legislature upon a two-thirds vote of the members in favor of such referendum or upon a petition to the legislature of 25 percent of the registered voters. We recommend two changes in this section. First, the words "or Acting Governor" should be deleted from line 10, page 6, of the bill. We suggest that these words be deleted because we can perceive of no reason to provide for the removal of a temporary official. Later sections of this bill provide for a successor to the office of Governor if the elected Governor should, for some reason, not be able to fulfill his term of office.

Second, on page 6, line 12, delete ": (a)" and insert a period after the words "referendum election" and delete all after that phrase to the end of the sentence on line 16, page 6. We have no preference as to a method for removal of the Governor by the people of the Virgin Islands. Both recall and impeachment have been suggested and we would accept either or both forms, whatever the final decision of the Congress. However, we do not believe that, in connection with the recall, a concurrence by the President in any removal by recall, as now provided in the bill, is desirable, and therefore delete that provision. In our opinion, the requirement for such concurrence is wholly inconsistent with the theory and principle of recall.

Section 6 of the bill repeals the power of the Governor to appoint administrative assistants for the islands of St. John and St. Croix. This power would no longer be needed if the bill is enacted.

Section 7 provides for the succession to the office of Governor or Lieutenant Governor if there is either a temporary or permanent vacancy in either office. We recommend that the phrase "removal by recall," be deleted from line 21, page 7. We recommend this deletion because there is no provision in the bill for removal of the Lieutenant Governor by recall or any other method.

Section 8 deletes from the Revised Organic Act of the Virgin Islands the requirement that the Secretary of the Interior approve the creation or establishment of any department, bureau, independent board, agency, authority, commission, or other instrumentality. This deletion is in keeping with the provisions of the bill.

Section 9 contains changes in section 17 of the Revised Organic Act of the Virgin Islands that are necessary to bring that section into conformity with the changes that the elected Governor and his authority will cause in the administrative setup of the Virgin Islands government.

Section 10 provides for the payment of salaries and travel allowances of the Governor, Lieutenant Governor, the heads of the executive departments, other officers and employees of the government of the Virgin Islands and the members of the legislature by the government of the Virgin Islands.

Section 11 extends to Guam the privileges and immunities clauses, the due process clause and the equal protection of the laws clause of the Constitution. This will guarantee to all U.S. citizens in or entering the Virgin Islands—including the corporations of any of the United States—rights of national citizenship such as the right to engage in interstate and foreign commerce, the right to appeal in proper cases to the national courts, and the right to protection abroad. We recommend that on page 11, line 25, the word "paragraph" be deleted and in its place be substituted the word "clause". This is a technical amendment to correct the citation to the Constitution.

Section 12 amends the general military law to authorize the President to call upon Federal or local forces to suppress civil insurrection in the Virgin Islands as in any State. This change is necessitated by the limitation of authority for the elected Governor of the Virgin Islands to call upon the U.S. Armed Forces in an emergency.

At this point, we recommend the insertion of a new section 12, to read as follows, and renumbering subsequent sections:

"Sec. 12. Section 2 of the Revised Organic Act of the Virgin Islands (68 Stat. 497; 48 U.S.C. 1541) is amended by adding at the end thereof the following new subsection (c):

"(c) The relations between such government and the Federal Government in all matters not the program responsibility of another Federal department or agency, shall be under the general administrative supervision of the Secretary of the Interior."

This new section is intended to provide for certain loose ends which will remain upon the enactment of this bill. Following the achievement of Commonwealth status by Puerto Rico, we found that no provision had been made for any centralized Federal cognizance of the multitude of matters flowing between the Commonwealth and the Federal Government, as well as between private citizens and the Commonwealth through a Federal "middleman." Because of this Department's peculiar responsibilities for the territories before changes in status are effected, we found ourselves in the position of an intermediary without any real assignment of the function and finally found it necessary to deny any responsibility because our information and contacts were inadequate. We believe that the bill before you should recognize this residual need for coordination, and because of this Department's expertise, vest that responsibility in the Secretary of the Interior. Our amendment recognizes that the people and the Government of the Virgin Islands, in many cases, will deal directly with various Federal agencies, and specifically excludes from the residual authority any matters which are the program responsibility of another Federal department or agency.

Section 13 sets out the effective date of the various provisions of the bill.

Section 14 is the citation provision.

It is our view that greater autonomy for the Virgin Islands is morally and politically right. Additionally, in recent years, a popularly elected Governor has been and is now very much desired by the people of the Virgin Islands. The action of the 89th Congress, which came so close to fulfilling the people's wish, has served to sharpen that desire. In view of these developments, we more than ever believe that enactment of this legislation is important, and we are therefore hopeful that this legislation will be enacted early in the 90th Congress.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program, but that the Bureau will submit its comments separately.

Sincerely yours,
HARRY R. ANDERSON,
Assistant Secretary of the Interior.

Mr. CHURCH. It will be noted, Mr. President, that the report says:

> An elected Governor is very much desired by the people of the Virgin Islands and is the next step in the self-governing process for this territory—

And goes on to state, and again I quote from the report:

> The action of the 89th Congress, which came so close to fulfilling the people's wish, has served to sharpen that desire. In view of these developments, we more than ever believe that enactment of this legislation is important, and we are therefore hopeful that this legislation will be enacted early in the 90th Congress.

I say "amen" to these words, Mr. President, and I only wish we could accept them as a firm request from the administration to proceed full speed ahead in providing additional citizenship rights to the people of the Virgin Islands.

But, Mr. President, between February 18 and March 3 of this year, the administration changed its mind about these two bills. On the latter date, the Executive Office of the President—in this case the Bureau of the Budget—sent up another report. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE
PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C. March 3, 1967.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your requests of January 24 and 30, 1967, for the comments of the Bureau of the Budget on S. 449, "to provide for the popular election of the Governor of Guam, and for other purposes" and S. 450, "to provide for the popular election of the Governor of the Virgin Islands, and for other purposes."

The general purpose of these two bills is stated in their titles. While we fully support this purpose and the provisions of the bills designed to accomplish it, there are two aspects of the legislation that concern us. These two aspects relate to Presidential powers—removal of the Governor and veto of the acts of the territorial legislature.

Our concern stems from the fact that S. 449 and S. 450 will not alter the status of Guam and the Virgin Islands as unincorporated territories of the United States. Hence, these bills would not diminish the responsibilities of the Congress and the President under the Constitution with respect to making and executing rules and regulations for these territories. The territories would continue to be the responsibility of the Federal Government, and it would continue to be accountable to the United Nations for the protection and welfare of their inhabitants.

In addition, despite the proposed change in their method of selection, the elected Governors would continue to have a responsibility not only for the execution of territorial laws but also the execution of certain Federal laws applicable to the territories. Chief among the latter are the organic acts themselves.

For the foregoing reasons, we believe that the President's capability to discharge effectively his responsibilities within the territories must be retained. These responsibilities involve foreign policy, national security, Federal property, and other matters significantly affecting the interest of the United States.

We recommend, therefore, that the President be given the authority to remove a territorial Governor or to veto an act of the territorial legislature when he determines such action necessary either from the standpoint of U.S. foreign policy or national security or when necessary to protect Federal property or other significant interests of the United States. These criteria for Presidential action could be specifically written into law or they could be spelled out in the legislative history of the bills.

Our recommendation for a veto that would be applicable to all territorial laws goes beyond the present authority of the President to veto only certain territorial laws that have been previously vetoed by the Governor. The present authority is appropriate where, as now, the Governor is an appointed official, but it is not adequate to enable the President to meet his responsibilities when the governorship becomes an elective office. To avoid undue delay, the legislation could provide that territorial acts would take effect if not vetoed by the President within 60 days after notification of enactment.

We recognize that the continuing authority that the Congress and the President would have with respect to the territorial governments could be characterized as limiting the concept of territorial self-government. In our judgment, however, the legislation, amended as we recommend, would provide the maximum degree of self-government consistent with the need for the effective discharge of Federal obligations and responsibilities in these areas.

Accordingly, if amended in the manner recommended above, the Bureau of the Budget would strongly recommend the enactment of S. 449 and S. 450.

In addition, we recommend that the committee give favorable consideration to the amendments to the bills proposed by the Interior Department in its reports.

Sincerely yours,
WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

Mr. CHURCH. Now, what did the new report say? It asked that the bills be amended. It asked that we give the President the authority to remove the elected territorial Governor and to veto acts of the territorial legislature.

Let me emphasize this: the amendments which the administration proposed would have given the President the right to remove the elected Governor and the right to veto acts of the territorial legislature, as well.

Mr. President, by what curious rationale could we proffer these bills, as an extension of self-government for the Virgin Islands and Guam, if, indeed, their major thrust were to strengthen and extend the power of the Presidency over these very territories? The proposed amendments would have made a mockery of these bills.

I quote the report:

> Our recommendation for a veto that would be applicable to all territorial laws goes beyond the present authority of the President to veto only certain territorial laws that have been previously vetoed by the Governor. The present authority is appropriate where, as now, the Governor is an appointed official, but it is not adequate to enable the President to meet his responsibilities when the governorship becomes an elective office.

Not adequate? What are these responsibilities that, in being passed on to the people of Guam and the Virgin Islands, are not accountable by democratic process? If we are offering self-government, does it not entail popular responsibility?

I quote another paragraph:

> We recognize that the continuing authority that the Congress and the President would have with respect to the territorial governments could be characterized as limiting the concept of self-government. In our judgment, however, the legislation, amended as we recommend, would provide the maximum degree of self-government consistent with the need for the effective discharge of Federal obligations and responsibilities in these areas.

These words, Mr. President, are patently a travesty on the intent of the Congress and the aspirations of the citizens of the Islands. It is obvious that Congress, by its passage of bills in both the Senate and the House last year, wants to extend a greater measure of self-government to both Guam and the Virgin Islands. The amendments which the administration suggested not only would nullify the intent of Congress, but would actually enlarge Federal control over the island governments.

If there is any question as to Congressional intent, or to the qualifications of the residents of these islands for fuller citizenship, let me read from the findings of the Senate Committee on Interior and Insular Affairs, with reference to the Virgin Islands, when it favorably reported last year's bill, H.R. 11777, to the Senate:

> It is clear . . . . that the people of the Virgin Islands have had long experience in electing one branch of their government and thus in participating in the making of their own laws. It is the belief of the Committee that the people and their legislature have for the most part exercised their powers in a responsible manner. They have organized a two-party system, and have identified, discussed and voted their opinions on matters of local concern. The legislators, in turn, have debated the issues, and at times disagreed with the Washington-appointed

> Governor in the manner of free legislatures everywhere. They have enacted laws of local application and have levied taxes and appropriated funds sufficient for the ordinary needs of the local government without resort to direct Federal appropriations. In view of this, and in view of the further fact that the governorship has become almost exclusively a local office and that the Governor, under the revised organic act, is an integral part of the legislative process with power to recommend and to veto legislation, it is the Committee's view that the time is ripe for taking the progressive step toward a territorial government which is fully responsible and responsive to local needs and the local electorate, which H.R. 11777 proposes. Enactment of this bill . . . . will be a recognition that the Virgin Islands have accumulated sufficient political maturity and practice in the art of self-government to warrant this step.

Mr. President, 20 years ago the 80th Congress passed an elective Governor bill for Puerto Rico. Not once in those 20 years has there been a justifiable occasion to exercise—had it existed, and it does not—any such summary power to remove the Governor of Puerto Rico.

In its latest report on both the Guam and the Virgin Islands governorship bills, the Bureau of the Budget cites as its only specific reasons for requesting the Presidential authority to remove the Governor or to veto acts of the island legislatures first, foreign policy; second, national security; and, third, protection of Federal property.

Again, citing Puerto Rico, not once in 20 years since those islands began electing their Governor has there resulted any impairment of our foreign policy, any threat to our national security, or any danger to Federal property.

It will be recalled that we obtained the Virgin Islands from Denmark by purchase in 1917 for $25 million. These beautiful islands were discovered by Columbus during his second voyage in 1493. They were eventually acquired by Denmark, which named them the Danish West Indies. In 1927, Congress granted U.S. citizenship to the residents. In 1931, administration was transferred from the Navy to the Department of Interior. In 36, universal suffrage was given to all persons who could read and write the English language. The organic act of 1936—act of June 22, 1936, 49 Stat. 1807—and the revised organic act of 1954—act of July 22, 1954, 68 Stat. 497—retained a provision for Presidential appointment of a civilian Governor, with the advice and consent of the U.S. Senate.

Although the Virgin Islands have always had an appointed Governor since 1917, they have also had a popularly elected legislature. The 1917 act continued the provisions of Danish law for the election of two colonial councils, one for St. Croix, the other for St. Thomas and St. John. Ordinances approved by these councils, if sanctioned by the King, became law.

The 1936 act provided for annual joint legislative sessions of the two municipal councils—a new name for the old colonial councils. It could only consider, however, legislation specified by the Governor, could pass it only by a two-thirds vote, and the legislation was still subject to gubernatorial veto, and if passed over the Governor's veto, could still be vetoed by the President. The 1954 act created a legislative body of 11 members. Last year the Congress enlarged this to 15 members by Public Law 89–548. But provisions for gubernatorial and presidential veto remained.

Since 1954, Congress has enacted other legislation allowing greater self-government for the Virgin Islands. These acts ranged from Public Law 85–851, which provided for the issuance of revenue bonds for certain types of projects authorized by the legislature, to Public Law 89–100 which provided for the payment of legislative salaries and expenses by the local rather than the Federal Government.

Mr. President, this legislative history reflects steady progress in widening the scope of self-government for the islands.

And now, as we propose that the islands elect their own governors, the administration suddenly requests that the Congress literally turn back the clock.

What the administration said, in effect, is that the Governor that the people of the Virgin Islands or Guam elect, and the legislation their representatives enact, must be pleasing to Federal officials in Washington.

Mr. President, this attitude is shocking in its implications at a time when the United States seeks to convince our good neighbors to the South—and elsewhere—that we abhor colonialism.

It is said that Presidential powers over the island governments must be enlarged for reasons of our national security. Yet we have given statehood—complete self-government—to Hawaii and Alaska, and they are certainly more important to our national security than either Guam or the Virgin Islands. A further broadening of the democratic process in Guam and the Virgin Islands can only increase our moral, political and economic ties, which are the real foundations on which enduring solidarity and security surely rest.

On April 1 of this year, Mr. President, commemorative ceremonies honoring the 50th anniversary of the transfer of the Virgin Islands from Denmark to the United States were conducted at St. Croix.

I think Gov. Ralph M. Paiewonsky's remarks on that occasion superbly reflect the pride of Virgin Islanders as Americans, as being part of the United States. And yet, they also reflect a desire to maintain their culture and their way of life. I quote from the Governor's address:

> We in the Virgin Islands welcome all to our shores and we are happy to offer them mutuality and equality, but more we cannot give. We are proud of our way of life, not only because we enjoy it, but because we know it is right. Official and other visitors have repeatedly commented on the ease and harmony in which we live. Many have pointed out that this demonstration represents the greatest asset the Virgin Islands can offer the United States. . . .
>
> As we move into the future we can see that the Virgin Islands cannot become mausoleums of insularity. Our destiny is that we assume roles in a much larger world. Over these past fifty years we have developed a secure inner identity as Americans and a confident realization of our purpose and worth.

Mr. President, as I have quoted the Governor of the Virgin Islands, let me now quote from a resolution of the Ninth Guam Legislature, adopted on April 7, 1967, Resolution 188—1–S—which is on file with the Senate Interior and Insular Affairs Committee.

In its resolution, the legislature points out that property interests of the United States are already adequately protected in Guam by a U.S. court, Federal judge, and U.S. attorney, who could bring immediate action to protect U.S. property interests. A similar court and attorney are firmly established in the Virgin Islands.

The resolution also states that the people of Guam would prefer the status quo with an appointed Governor rather than an elected chief executive who can be removed by the President. I am sure the citizens of the Virgin Islands must have similar feelings.

Mr. President, there is no question but what the people of these islands deserve a greater role in shaping their destiny than we have given them in the past. To turn back now, from a course long charted and historically right, would not only deny their legitimate aspirations but contradict our own, as a nation.

So I believe, Mr. President, that the Senate Interior Committee acted in the best traditions of the Republic when it refused to accept the amendments to this bill which were urged upon us by the administration. As the bill now stands, it represents another forward step in the direction of self-government for Guam and the Virgin Islands, a step which fully conforms with the basic political principles for which we stand.

Mr. President, inasmuch as numerous allegations have been made concerning the political situation in the Virgin Islands, all of which appeared in an advertisement published recently in the Washington Post, I ask unanimous consent to list the allegations directed against the Paiewonsky administration, and also the answers which have been prepared by Governor Paiewonsky to these charges, so that both the charges and his responses may appear in full at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

List of 34 Allegations Raised by the Publisher of the Virgin Islands Daily News and the Answers to These Allegations by the Governor of the Virgin Islands

1

Allegation: Determine whether the appointment of a major dairy farmer as Commissioner of Agriculture, with hundreds of acres leased from the government, constitutes a conflict of interest.

Answer: The original leases to Mr. Hodge, while a member of the Legislature were under the respective administrations of Governor Alexander (in 1955) and Governor Merwin (in 1960). The leases were revised and consolidated in 1966, with the approval of the FAA. The revised lease repealed the option previously granted to the lessee to purchase all of the property and in its place provided only for the right to purchase the 16 acre tract containing the Lessee's home and other improvements made by him. It also raised the annual rental from $500 to $1,000, and provided for one terminal date in 1980 thus coinciding with the original expiration date of the 1960 lease. Both the Federal and Territorial governments have the right to repossess all or any part of the lands for the purpose of making airport improvements or for other public uses.

Mr. Hodge's qualifications as Commissioner of Agriculture and Recreation have not been questioned. His relationship to the Government as a lessee of its lands involves no conflict, nor has it in fact occasioned any inconsistency with his duties and responsibilities as Commissioner—on the contrary, his intensive and extensive experience and commitment to practical, commercially feasible agriculture in St. Croix peculiarly qualify him to promote the general agricultural economy of the islands.

2

Allegation: Determine whether a privately constructed sewage plant at Estate Tutu was accepted by the government despite the fact that the Planning Board, the Public Works Department and the Director of the Bureau of Environmental Sanitation all disapproved it because it did not meet standards.

Answer: The Department of Health passed upon the public health aspects of the plant and took one specific exception, having to do with the installation of a chlorinator at the plant. The Public Works Department recommended certain other mechanical modifications and additions to the plant, and went thoroughly into the question of discharge of effluence on the property of an adjoining owner. When all of these objections had been met by the developer, the sewage disposal plant was accepted by all concerned agencies of the Government.

3

Allegation: Determine whether the Governor used a sum of approximately $20,000 of taxpayers' monies to institute changes which should have been made by the developer of the plant before the system was accepted by the Government.

Answer: This is simply not true. The developer made at its own expense all changes required by the Government, as a condition precedent to the Government's acceptance.

4

Allegation: Determine whether the number of persons employed by the government is approximately 35% of the voters of the territory.

Answer: As of June, 1967 there were 16,887 registered voters in the Virgin Islands. As of the same date there were 4,269 regular employees of the Government, including both classified and unclassified employees. Thus, the number of government employees is 25.3% of the number of registered voters. However, this does not mean that government employees comprise 25.3% of the registered voters, since of such employees, 461 (or 10.8%) are disqualified from voting because they are either under the voting age of 21 or are resident aliens. Moreover, all government employees are not necessarily registered to vote and even more significantly, all qualified persons in the general public have not registered.

5

Allegation: Determine why the average cost of government to each man, woman and child in the Virgin Islands is $1,000 while the same cost of government—Federal, State and local—in the United States is $700.

Answer: Using current population estimates of 60,000 the per capita cost of government in the Virgin Islands is about $850. The accuracy of the national average of $700 alleged by the publisher must be seriously questioned, since the U.S. cost of government (Federal, State and local) was on a per capita basis, $986.43 in 1963. This is the figure published in Statistical Abstract, 1965, p. 421. Based on the budget estimate for fiscal 1967 and on reasonable projections of State and local expenditures and of total U.S. population, it is estimated that for 1967 the per capita cost of government in the U.S. runs to $1,122.28. In any event the Virgin Islands figure is well below the national average, taking into account:

(1) tourist-day increments, and the demands which this occasions on governmental facilities, particularly health and hospital services, and

(2) costs peculiar to the Virgin Islands not typical to mainland communities (e.g. three islands to service with separate plants, equipment and personnel; government operation of many functions such as power system and all hospitals, usually non-governmental in most communities).

6

Allegation: Determine whether Virgin Islands government is operating a lottery subsidized by the taxpayers.

Answer: The lottery operated by the Government of the Virgin Islands is not subsidized by taxpayers money. Let us examine the situation in a typical fiscal year (FY 1967). Bill No. 2729 appropriated $63,126 to take care of the Director, Assistant Director, one cashier, five clerks and a custodial worker as well as materials, supplies, parts and contribution to the employee retirement fund. Aside from this usual appropriation, the lottery operation of itself is put on a self sufficient basis. For example, the operation of fiscal year 1967 produced $572,000 in gross sales and prize monies amounted to $416,565.65. The difference between gross sales and the prize monies was distributed among three funds:

1. Cancer Fund $36,000;
2. Foster Care of Children $25,000;
3. Day Care of Children $35,000.

Presently, the accounting books of the Department of Finance shows a balance of $56,435 as a surplus amount to be made available to the areas of Health, Education and Welfare.

9

Allegation: Determine whether most of the unclassified workers ranging from laborers and cooks to commissioners were active during election time garnering votes for the party during regular working hours.

Answer: Undoubtedly a large number of government employees were active politically on their own time, after working hours, as would be true in any politically active and enlightened community. There may have been isolated instances where employees electioneered during working hours, but such is contrary to law and government policy.

7

Allegation: Determine whether there has been an increase in the number of patronage appointments in the government service from under 100 in 1961 to currently over 800.

8

Allegation: Determine whether expansion of the spoils system as practiced by the majority political faction with the Governor's cooperation has any adverse effect on the Merit System which all agree is the cornerstone of fair and equal opportunity in government.

10

Allegation: Determine whether positions which are now exposed of patronage and the spoils system are positions which have nothing to do with policy, but are really technical, professional and career type positions.

11

Allegation: Determine whether patronage conditions when attached to such as Building Inspector, Safety and Payroll Inspector, Wage and Compensation officer and Planning Director subjects the incumbent employees to unreasonable political pressure which adversely affects the objective and impartial performance of their duty.

13

Allegation: Determine whether the U.S. Department of Health, Education and Welfare has repeatedly taken exception to many of the positions which the Governor has allowed to be placed on the patronage list.

15

Allegation: Determine whether the growing army of unnecessary assistant commissioners and deputy commissioners in a government the size of the Virgin Islands is a device to circumvent or undermine the Civil Service.

Answers: These allegations proceed from the premise that "unclassified" employees must be equated with "patronage" appointees. This is fundamental error.

There are presently 739 unclassified employees out of a total of 4,269 government workers. (The unclassified figure includes about 97 former Vicorp personnel taken over by the Government (not counting 232 former Vicorp employees now working with the Virgin Islands Water and Power Authority) whose positions could not be readily adopted to the classifications under the Personnel Merit System law.) Apart from the urgent realities of recruiting technical and professional personnel (admitted in effect by allegation 10) of which there is dire shortage in the islands, there are many complicated factors to be taken into account in considering the growth of the unclassified portion of the government rolls in the past six years. Largely, there is the problem arising from an inflexible classification and pay system in considerable need of revision. The creation of new departments, expansion of the functions of others, increased participation in federal programs, and the absorption of former federal agency employees under local agencies, has also involved the filling of many major policy making and supervisory positions. This administration has taken steps to preserve the principle and practice of the merit system in the face of these practical problems. On several occasions, in previous years, and again in the Governor's State of the Territory Message to the Legislature in January of this year, the administration's concern was expressed. Also, earlier this year, the assistance of the Department of the Interior was requested for a survey to determine the scope and nature of a full overhaul of the entire personnel system. When this professional survey by outside consultants is completed, this year all positions in the government service, except for top policy making offices, will be converted to the merit system.

12

Allegation: Determine whether the Legislature controls the appointment (and dismissal) of government employees, especially in the so-called unclassified service.

26

Allegation: Determine whether the Govnor acquiesces to the demand of the majority bloc in the Virgin Islands Legislature for ruthless dismissal of government employees for purely political reasons.

28

Allegation: Determine whether political party clearance is a prerequisite for appointment of eligible candidates who qualify for employment under the Merit System.

Answer: To the extent that any legislature controls the purse strings it can affect the positions that are available to be filled, and in the case of unclassified employees, it can abolish existing positions by failing to provide for their continuance in the yearly budgets. But the determination as to the appointments (or dismissals) rests with the executive branch. The present administration emphatically denies any suggestion that it has abdicated this responsibility to the Legislature.

14

Allegation: Determine whether the Governor has approved legislative grants or special treatment to certain selected employees in the form of larger pensions than provided under the retirement law of the Virgin Islands.

Answer: The Legislature has voted and the Governor approved (and in some cases disapproved) special pensions under exceptional circumstances where the failure to do so would have worked a patent injustice, as for example, where a considerable portion of long service rendered by a particular employee was not covered by the retirement law, or where the annuity to which the person would be eligible was grossly inadequate because of the rising cost of living. This practice, however, is not peculiar to the present Legislature or administration, but is one which has been long established. Examination of the cases would show that no partisanship has been involved over the years in the case of these persons.

16

Allegation: Determine whether there is a two party system or two factions of a one party system in the Legislature with the present Governor belonging to one before he took office and to the other two years after he was in office.

Answer: Both the Democratic Party and the Republican Party are recognized political organizations under the laws of the Virgin Islands. There are two factions of the Democratic Party made common cause with and ran its candidates on the ticket of the Republican Party. The Governor has always belonged to the Democratic Party as recognized by the National Committee from time to time.

17

Allegation: Determine whether conflict of interest exists in a situation where a member of the cabinet is engaged in purchasing materials and equipment and awarding contracts on behalf of the Government while at the same time operating a private firm which deals with these sources of supplies.

Answer: See attached letter from Mario Lewis, Commissioner of Property and Procurement.

GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES,
Charlotte Amalie, St. Thomas, June 9, 1967.
(Through: Hon. Louis Shulterbrandt Assistant to the Governor)
His Excellency RALPH M. PAIEWONSKY,
Governor of the Virgin Islands, Government House, Charlotte Amalie, St. Thomas, Virgin Islands.

SIR: I have read the Daily News of Saturday, June 3, 1967 and specifically that section which deals with . . . "34 Reasons why a Bi-Partisan group of the U.S. Congress should take a careful look into the present conduct of the Government of Virgin Islands before Congress votes on the Elective Governor Bill for the Territory."

With regards to Item No. 17, it appears that the statement made therein refers to the Commissioner of Property and Procurement as he is the cabinet member whose duties include purchasing materials and equipment and awarding contracts on behalf of the Government.

I want to assure you, emphatically, that I do not own any private firm, nor am I connected in any way with any private firm which deals with any source of supplies of any kind. Further, let me state: I do not operate any business whatsoever in St, Thomas, St. Croix, St. John or elsewhere.

Respectfully,

MARIO LEWIS,
Commissioner.

18

Allegation: Determine whether there was any irregularity in the acquisition by the President of the Senate of a twenty year lease at the Submarine Base for a business site, two weeks before the area was actually deeded by the Federal Government to the Government of the Virgin Islands.

Answer: The President of the Senate, Senator Ottley, has applied for a lease on a small parcel of land in the Submarine Base to construct a new home office for the Home Journal. He has not to this date received an effective lease, since, by law, all such leases must be approved by legislative action. This has not yet occurred. A lease document has, however, been executed. Its effective date is February 6th. The effect, legally, of this instrument is to grant Senator Ottley a revokable permit to the property. Until a lease instrument has received all the approvals required by law, it is not a binding lease. Therefore, Senator Ottley has been occupying, and paying the agreed rent upon, the property since February 6th on a revokable permit basis. He has placed improvements upon the premises at his own risk. It is also true that the effective date of his instrument was two weeks prior to the acquisition of title to the Submarine Base by the local government. At that time, however, the Government had the property on a permit basis, and could grant sub-permits. Since that is what Senator Ottley actually received, effective February 6th, there was no irregularity.

19

Allegation: Determine whether two V. I. Senators are the first to stake claims for building sites at the newly acquired Sub-Base and whether the Senate is required by law to ratify leases approved by the Governor.

Answer: Senator Ottley in his own name, and Senator Puritz as president of a new corporation, P.P. and D. Ltd., are merely two among over 200 Sub Base applicants for space, and two among perhaps 30 or 40 parties to whom space commitments have been made. Furthermore, neither of them yet has an effective lease. Senator Ottley's lease has not been approved by the Legislature, and P.P. and D. Ltd., has not yet been approved by either the Governor or the Legislature. Several other leases are similarly awaiting either gubernatorial or legislative approval, or both: Eagle Distributor's Inc. (Pirate's Cove), Midway Development Corp. (Waller), the Humane Society, James Benjamin (Saints and Sinners Restaurant), Sea Chest Inc. (permit-lease on Crown Bay Fill). In a number of other cases, the terms of leases have been negotiated, and within a few days or weeks the Agency expects to execute lease instruments and forward them for the gubernatorial and legislative approval: Potters Construction Co., and Manassah Enterprises, Inc., are about ready. Vernon Ball, Islands Laundry, Besake Bakery, Shoreline Marine, Eleanor Heckert (Pier Two), the Sundowner, Hess Oil, Shell Oil, Viking Corp., DePerty, V. I. Painting Co., and several others will follow shortly. All of these involve new construction or substantial improvements to existing structures.

20

Allegation: Determine whether a relative of the Governor who is also a member of the Senate is about to acquire a fifteen year lease on the ball field at the Sub-Base for a business complex.

Answer: As indicated in (19), it is true that Senator Puritz's new company has applied for a lease for a parcel of land at the Sub Base. The term, however, is not fifteen years, but twenty years, with no option to renew. P. P. and D. Ltd., has guaranteed to place a minimum of $150,000 worth of permanent improvements on these premises, consisting of three buildings containing not less than 30,000 square feet of space which will be available for sub-letting to business tenants. Such buildings and space are critically needed by businessmen on St. Thomas. Furthermore, at the end of the lease term, all of these improvements will become the property of the Virgin Islands Government. It is true that much of the parcel in question is located on an existing ballfield. That ballfield was scheduled to be replaced in any event by the new recreational facilities which are to be constructed adjacent to the Aspinall Junior High School.

21

Allegation: Determine whether government employees violated the Hatch Act in their participation in the general elections last November.

Answer: Whether or not particular V. I. Government employees violated the Hatch Act in their participation in last November general elections is a matter not properly determinable by the local government. In this connection, by letter of January 6, 1967, the U.S. Civil Service Commission advised that the political activity restrictions of that statute should be considered as applicable to all employees in the executive branch of the V. I. Government unless it can be established that the individual is not principally employed in connection with an activity which is financed in whole or in part by Federal loans or grants. This ruling was not given any retroactive effect. Copies of the Commission's letter together with detailed information as to the applicability of the law were sent by the Governor to every individual employee of the Executive Branch without exception. In any event, henceforth no local government employees, except as otherwise determined by the Commission, may participate actively in elections contrary to the provisions of the Hatch Act.

22

Allegation: Determine whether two senators (one a former judge) who are also attorneys may practice before a judge, whose nomination has been held in abeyance pending legislative action thus exposing justice in the courts of the Virgin Islands to undue pressure.

Answer: This is a matter wholly within the competance of the Legislature insofar as the confirmation of judges is concerned. Attorneys are eligible to run for public office, and if elected it must be assumed that as legislators they will serve as honorably as the members of any other profession or background. Of course, nothing appears as a matter of fact that justice is being exposed to undue pressure by the membership in the Legislature of two practicing attorneys, and the suggestion is simply a gratuitous reflection on the attorneys and the judges whose appointments they act on.

23

Allegation: Determine whether the Governor was responsible for distributing a lampoon letter to his influential friends in the U.S. calculated to discredit and have removed from office the Government Secretary who is also a presidential appointee.

Answer: That the Governor and the Government Secretary have political differences is well known and each, from time to time, presses his causes within the bounds of temperateness and right and reason. Political activity on the part of each of these officials is quite compatible with the Hatch Act and their joint political rights.

24

Allegation: Determine whether the Governor really knew what was printed on the campaign button which he wore proudly at that same election, as he indicated at a recent House hearing he was not sure.

Answer: The Governor was proud to have worn the insignia of the Democratic Party of the Virgin Islands during the last election. When asked if the official *ballot* had the pictures of President Johnson and Kennedy thereon, the Governor was not sure. It turned out that the party symbol, in fine print at the top of the ballot in one column included drawings of these two leaders, together with other insignia.

25

Allegation: Determine whether laws of the Virgin Islands are being waived in the interest of special persons and groups and friends of the administration and the majority party.

34

Allegation: Determine whether the Governor's office is used for the enrichment of friends and special interest groups at the expense of the taxpayers of the Virgin Islands.

Answer: No law has been waived in the Virgin Islands during this Administration because of any friendship, whether personal or political, either of the Governor or the Democratic Party.

27

Allegation: Determine whether there was conflict of interest in a former president of the legislature who, after his defeat in 1962 was granted a pension of $3,600 per annum and a $10,000 government contract to manage the abattoir in St. Croix despite the law stating that persons on government payroll could not collect government pension.

Answer: The present Commissioner of Agriculture, who served for years in the Legislature up until 1962, became entitled to his retirement annuity as a former legislator in accordance with law. Subsequently he was employed on a contractual basis to operate the government abattoirs. The law provides that "No person employed by the Government of the Virgin Islands, other than on a contractual basis, shall receive an annuity under (the section providing for legislative service annuities) while so employed. . ." Thus, there was no conflict. When the Commissioner assumed his present post, the annuity ceased.

29

Allegation: Determine whether the morale of the government and indeed the community (except among the Governor's party members) is declining because of rising intimidation and fear.

30

Allegation: Determine whether intimidation and fear is so prevalent that people are even afraid to be seen speaking with their friends or relatives because they happen to be of a different political belief.

Answer: These allegations are so subjective, not to say far-fetched, that they cannot be addressed except by out-of-hand dismissal.

31

Allegation: Determine whether the interests of the people of the Virgin Islands were adequately protected in the negotiations for the construction of the Altona Housing Project and whether serious irregularities exist.

Answer: The Altona housing development which was the pioneer local urban renewal and resettlement project in the Virgin Islands has succeeded in its purpose of providing decent housing for very many residents in sore need. Despite many unforeseen and engineering technical difficulties which ran the cost up, today over 50 families have moved out of slum areas and substandard dwellings and enjoy the benefits of a decent home in this Altona project.

32

Allegation: Determine whether control of elections by the legislature is proper when that body appoints the election supervisor, the board of elections, who in turn appoints the judges, clerks, and inspectors for each polling place. Also to determine if it is proper for the executive director of the Public Housing projects to be chairman of the elections board.

Answer: The Revised Organic Act of the Virgin Islands provides, in section 6(c) that: "All officers and employees charged with the duty of directing the administration of the electoral system of the Virgin Islands and its representative districts shall be appointed in such manner as the Legislature may direct."

There is thus involved no question as to propriety in the Legislature providing, as it has done, for the appointment of the Supervisor of Elections, the boards of elections, etc., pursuant to the above provision of the Organic Act.

An employee covered by the Hatch Act may serve as Chairman of the board of elections, see U.S. Civil Service Commission Pamphlet 20, May, 1966, p. 14.

33

Allegation: Determine whether it is necessary to have ten (10) assistant attorneys general to care for the legal work of the government (not including about three counsels to the Governor) many of whom are engaged in private practice at the same time.

Answer: The Attorney General, and the ten Assistant Attorneys General on the staff of the Department of Law, are responsible for handling the day to day legal requirements of all of the departments, boards, commissions, etc., of the Government. As governmental services and functions have expanded, the legal staff has had to increase correspondingly to the present staffing—for example when instead of two divisions of the Municipal Court, provision was made for four parts, additional attorneys were needed. All legislation, opinions, regulations, civil litigation, settlement of claims, contract negotiations and preparation, are handled by the staff.

Results have demonstrated the wisdom of employing special counsel from time to time to handle such specialized matters as bond and note financing, public utility regulation and operation and representation before Washington based agencies such as the CAB.

Only the Attorney General, and three of the Assistants have been admitted to practice generally in the courts of the Virgin Islands—all others are specifically limited only to official representation of the Government of the Virgin Islands. The Attorney General has not been in private practice since 1961 when he assumed office. Of the other three, one does not practice privately at all, one has handled only occasional conveyances and the other, after withdrawing from all cases which involved the Government, is in the process of disposing of all other matters which were pending at the time of his appointment.

Mr. CHURCH. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a legal brief prepared by the staff of the Committee on Interior and Insular Affairs to underscore the continuing Federal power over both Guam and the Virgin Islands, which will remain after the enactment of the pending bill.

There being no objection, the brief was ordered to be printed in the RECORD, as follows:

MEMORANDUM OF SEPTEMBER 21, 1966

To: General.
From: Bill Van Ness.
Re: Extent of Federal Control and Power over Guam and the Virgin Islands.

The base point to any consideration of Congressional power over the territories is, of course, the plenary powers found in Article IV, Section 3 of the United States Constitution. This Section provides that "The Congress shall have Power to dispose of *and make all needful Rules and Regulations respecting the Territory* or other Property belonging to the United States . . ."

The provisions of the Organic Acts of Guam and the Virgin Islands and of the proposed "Elective Governor Act" which have a bearing on the powers of the Federal Government with respect to these territories are summarized below. They are set out in detail under the appropriate headings in a later portion of this memorandum.

Summary of Federal Powers over the Territories:

1. All powers not expressly given to the government of the territories are reserved to the United States.
2. Congress has the power to override *any* legislative act of the territories.
3. The President of the United States has the power to designate parts of Guam as naval or military reservations and may declare Guam to be a closed port with respect to the vessels and aircraft of foreign nations.
4. Under the "Elective Governor Act" the President would be given the authority to assume certain extraordinary powers in the event of local insurrection.

GUAM

Extent of continuing Federal Control under the Organic Act and Controls found in the Elective Governor Act.

A. Organic act

Under the Organic Act for Guam 48 U.S.C. 1421, Guam is declared to be "an incorporated territory of the United States." The powers of the Government of Guam are stated to be "the powers set forth in this chapter" 48 U.S.C. 1421(a). Apparently all powers not given to Guam under this chapter are reserved to the United States.

48 U.S.C. 1431(a) further provides that "the Government of Guam . . . and its relations with the Federal Government shall be under the general administrative supervision of the head of such civilian department or agency of the Government of the United States as the President may direct." (The Administration of Guam was transferred from the Secretary of the Navy to the Secretary of the Interior on August 1, 1950 by virtue of a Presidential Executive Order.)

48 U.S.C. 1421(c)(a) repeals all laws of Guam inconsistent with the Organic Act and continues all others in force subject to modification or repeal by Congress. This section recognizes the power of Congress to modify or repeal Guamanian laws *prior* to enactment of the Organic Act.

Subsection (b) provides that future laws of the United States shall not be applicable to Guam unless they refer to Guam by name or reference to "possession".

48 U.S.C. 1421(k) provides that nothing in this chapter shall be "construed as limiting the authority of the President to designate parts of Guam as naval or military reservations, nor to restrict his authority to treat Guam as a closed port with respect to the vessels and aircraft to foreign nations."

48 U.S.C. 1423 provides that "the legislative power of Guam, except as otherwise provided in this chapter, shall be vested in a legislature . . ."

48 U.S.C. 1423(a) provides that "the legislative power of Guam shall extend *to all subjects of legislation* of local application not inconsistent with the provisions of this chapter and the laws of the United States applicable to Guam." Under the provision the Congress could override any legislative act of the Government of Guam.

48 U.S.C. 1423 (i) provides that "all laws enacted by the legislature shall be reported by the Governor to the (Secretary of the Interior) and by him to the Congress of the United States, which reserves the power and authority to annul the same. If any such law is not annulled by the Congress . . . within one year . . . it shall be deemed . . . approved."

B. Elective Governor Act

While H.R. 11775 gives the Governor the general supervision of all the departments of the government and the power to exercise a veto, his power to appoint and remove officers of the government is subject to what may otherwise be "provided in this or any other Act of Congress." Further, the Governor is "responsible for the faithful execution of the laws of Guam and the laws of the United States applicable in Guam."

The Governor's duty of making "an annual report of the transaction of the Government of Guam" to the Secretary of the Interior for transmittal to the Congress is continued under H.R. 11775. He is also required to make "such other reports at such other times as may be required by the Congress or under applicable Federal law."

A final provision of H.R. 11775 makes the General Military Law, 10 U.S.C. 331–334 applicable to Guam. These sections authorize the President of the United States to assume certain extraordinary powers over Guam in the event of local insurgency, insurrection or disorder.

VIRGIN ISLANDS

Extent of continuing Federal Control under the Organic Act and Controls found in the Elective Governor Act.

A. Revised organic act

Under the Revised Organic Act for the Virgin Islands the Virgin Islands are proclaimed to be an "unincorporated territory", 48 U.S.C. 1541 (a). The powers of the government are "the powers set forth in this chapter," 48 U.S.C. 1541 (b). Apparently all powers not granted in the Organic Act are reserved to the United States Government.

Under 48 U.S.C. 1544 all matters pertaining to the Administration of the Virgin Islands are placed under the jurisdiction of the Secretary of the Interior, and all reports which the Governor is required to make are to be made to the Secretary of the Interior.

Paragraph 18 of the Bill of Rights, 48 U.S.C. 1561, provides that "no money shall be paid out of the Virgin Islands treasury except in accordance with an Act of Congress or money bill of the legislature . . ." This indicates that Congress has reserved the power to appropriate money out of the Virgin Islands treasury. The Guam Bill of Rights does not have a similar provision.

48 U.S.C. 1571 (a) provides that "the legislative power and authority of the Virgin Islands shall be vested in a legislature".

48 U.S.C. 1574 (a) places certain limitations on the legislative powers and activities of the legislature. It reads as follows:

"The Legislative authority and power of the Virgin Islands shall extend to all rightful subjects of legislation not inconsistent with this chapter or the laws of the United States made applicable to the Virgin Islands, but *no law shall be enacted which would impair rights existing or arising by virtue of any treaty or international agreement entered into by the United States,* nor shall the lands or other property of nonresidents be taxed at a higher rate than the lands or other property of residents."

The Guam Organic Act does not have a comparable provision.

48 U.S.C. 1574(c) provides that all pre-1954 laws, to the extent they are not inconsistent with the purposes of this chapter, will continue in force and effect. It also provides that *any new laws passed by the Virgin Islands legislature are "subject to the power of Congress to annul any such Act".*

48 U.S.C. 1575 (g) provides that "copies of all laws enacted by the legislature shall be transmitted within fifteen days of their enactment by the Governor to the Secretary of the Interior and by him annually to the Congress of the United States."

B. Elective Governor Act

Under H.R. 11777, the Governor of the Virgin Islands, like the Governor of Guam under H.R. 11775, is "responsible for the faithful exercise of the laws of the Virgin Islands and the laws of the United States." Also, his power to appoint or remove officers of the government is subject to this and "any other Act of Congress."

The Governor will continue to be required to make an "annual report of the transactions of the Government of the Virgin Islands" to the Secretary of the Interior "for transmission to the Congress and such other reports at such other times as may be required by the Congress or under applicable Federal law."

As is also the case with reference to Guam, the General Military Law is made specifically applicable to the Virgin Islands.

Mr. CHURCH. Mr President, the House committee recently held hearings on the pending bill in the Virgin Islands. We have received a report from our professional staff member, Mr. James H. Gamble, who attended those hearings. The report merely reviews the general character of the hearings and summarizes the testimony taken there.

I ask unanimous consent that the report be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

MEMORANDUM

JULY 14, 1967.

To: The Chairman and Members of the Senate Committee on Interior and Insular Affairs.

From: James H. Gamble, Professional Staff Member.

Subject: Recent House hearings in the Virgin Islands.

I attended the hearings held on St. Croix and St. Thomas on June 17 and June 19, at which approximately 50 witnesses appeared to testify, none of whom were local governmental officials. The chairman of the House group, Congressman Carey of New York, stated that the purpose of the hearings was to take testimony on the pending Elected Governor bill, general economic conditions in the islands, and alleged voting irregularities in the 1966 general election. Many of the witnesses who appeared were spokesmen for the political parties in the islands. Much of the testimony related to last November's election and the desirability of amending the Virgin Islands election code.

It is fair to say that all of the witnesses favor an elected Governor for the islands and expressed support for S. 450. There were no amendments suggested or offered to the bill as it has been reported from the Committee. Relatively few witnesses were from the business community, and a number were in some way connected with the local government.

The statements by witnesses in connection with the voting irregularities last November were, to say the very least, conflicting. In view of the fact that the U.S. District Attorney is currently investigating these charges, I see no reason to try to make a judgment as to the allegations made. I did visit the U.S. District Attorney, Mr. Almeric Christian, who advised me that the investigation, while under his direction, is actually being conducted by investigators of the Department of Public Safety. As of June 20, the investigation was being pursued on St. Croix only, where some 39 complaints were registered. Eight complaints were filed on St. Thomas. If it should turn out that all 47 complaints are sustained, it would still not affect the outcome of the election. It is interesting to note that more than 80 percent of those registered voted in the last election.

I contacted the Criminal Division of Justice Department on July 13, and was advised that the U.S. Attorney has no further information about the investigation.

One of the issues that was referred to over and over again related to the Virgin Islands election code. As of June 19, 1967, the Legislature appointed the Supervisor of Elections. Several witnesses suggested that this office should be separated from the Legislature making it completely free of possible political influence.

It was made clear by members of the House Committee that any needed revisions in the election code should be sponsored by Senators in the local Legislature—that Congress should not attempt to initiate whatever reforms may be necessary. It is my understanding that in very recent days action has been taken by the Virgin Islands Legislature to make the Office of Supervisor of Elections an independent agency. I have not seen the statute making this transfer; nor do I know that this action is completely responsive to the general criticisms presented to the House Committee.

Several times during the course of the hearings witnesses were asked if they felt or believed the administration of the islands would be improved if more local officials were elected rather than appointed by the Governor. The reaction was more often than not favorable to this suggestion. Although no specific recommendations were made in this regard, it was suggested that towns like Christiansted could elect their mayors and that perhaps governmental offices could also be filled by elected officials. I gained the impression that many Virgin Islanders feel there should be a diffusion of authority which presently is concentrated in a very few individuals.

Another frequent complaint related to the employment by the local government of some 800 unclassified employees. This matter is presently being looked into by personnel specialists within the Department of Interior, and I am advised that the local administration has taken steps to correct this situation by incorporating many of these unclassified positions into the regular merit system. There are presently about 5,000 government employees, serving a population of approximately 60,000 permanent residents and many more thousands of tourists who are in the islands throughout the year. Some witnesses were very critical of the number of people on the public payroll, but in all fairness the Virgin Islands have a unique problem in that the government must furnish separate fire departments, police departments, hospitals, and other services on all three islands. Obviously it requires more personnel than would be necessary for a single island.

One subject that was raised by several witnesses related to alleged violations of the Hatch Act during last November's election. I recall that in January 1967 the Civil Service Commission advised the Governor that the Hatch Act does apply to the employees of the Virgin Islands government if they are paid with funds derived from Federal sources. I have just learned that two investigators from the Civil Service Commission are now in the islands, and I assume are looking into the charges made concerning Hatch Act violations in the last election.

Although the Civil Service Commission has made clear that the Governor and the Government Secretary are exempt from the provisions of the Hatch Act, it may be questionable whether occupants of these offices, both of whom are Presidential appointees, ought to participate actively in local politics. It was my impression that this was a source of friction in the Virgin Islands.

A very few witnesses directed their testimony toward the economic situation in the Virgin Islands. It is well-known that both industrial expansion and the tourist trade have been booming in recent years.

During my stay in the islands I talked with the Assistant Director of the Immigration Service who showed me statistics on the number of alien workers coming into the Virgin Islands. There are no accurate figures on the total number because computations are kept on the basis of those who leave as well as those who enter. Many aliens come and go regularly, and there is no way of knowing precisely how many are there at any given time; nor was the local employment office able to verify these figures since they issue permits to employers seeking workers on the basis of total number required which may have no relationship to actual number hired. The best estimate I was able to obtain was that there are approximately 12,000 aliens in the territory but that probably not more than 10,000 of these are more or less permanent residents. Most of the aliens are employed in the construction, restaurant, and hotel businesses.

In summary, although certain issues, such as the alleged Hatch Act violations and the Virgin Islands election code deficiencies are matters of import to a significant number of people, the hearings reflect that:

1. The people of the Virgin Islands want to elect their own Governor not later than 1970.

2. The bill reported by the Senate Interior Committee, S. 450, has very wide support among political, social, and economic groups.

Mr. CHURCH. Finally, Mr. President, in connection with the alleged election irregularities in 1966, the charge of unduly large government payrolls, and the alleged violations of the Hatch Act—which are the basic charges that have been raised against the present Virgin Island government, in the course of the debate this afternoon—I have had prepared a summary of the facts relating to each of these charges. It is a summary rebuttal which for purposes of saving time, I will not read at length, but I do ask unanimous consent to have it printed at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

JULY 12, 1967.

VIRGIN ISLANDS ELECTIVE GOVERNOR BILL

The only allegations concerning S. 450—the Virgin Islands Elective Governor bill—which seem germane and timely are those contained in the 34 points in the advertisement of June 7, 1967, in the *Washington Post,* and in the individual views expressed by Senator Allott in the printed report accompanying S. 450. Senator Allott was concerned chiefly with three things: (1) alleged election irregularities in the 1966 election for the Legislature, (2) unduly large local government payroll, and (3) violations of the Hatch Act.

HATCH ACT

With regard to the last item, violation of the Hatch Act, on January 6, 1967, the Civil Service Commission wrote to the Governors of Puerto Rico, Guam, and the Virgin Islands and warned them that the Hatch Act should be deemed to apply to the employees of their local governments unless it was perfectly clear that such employees were not paid, directly or indirectly, from Federal funds. In the case of the Virgin Islands employees, it went somewhat further and said that it appeared that all of such employees were so likely to be the recipients of Federal funds that all of them should regard themselves as subject to the Hatch Act unless (in effect) they could establish on a case by case basis with the Civil Service Commission the fact that they were paid purely from local funds.

There is no doubt, as a practical matter, that large numbers of employees of the Government of the Virgin Islands engaged in political activity prior to this warning in January 1967 from Civil Service. It probably never occurred to anyone that ordinary employees of the local government could be considered to be subject to the Hatch Act. Such employees are paid with funds appropriated from the treasury of the Virgin Islands by the local legislature. The rationale of the Civil Service Commission is that so much of the tax and other revenues of the Government of the Virgin Islands (including matching funds) are derived from Federal laws or Federal sources that a Federal cast or imprint is placed upon so-called local funds generally.

The posture of the Governor (as local spokesman, since he personally is not bound by this aspect of the Hatch Act) is that the Hatch Act, if the Civil Service Commission interpretation is correct, has been violated in hundreds of instances by persons in all political factions for years—but not willfully or intentionally. Now that the employees are on notice, there will be no excuse for future violations, if any indeed occur. (The Civil Service Commission has two investigators now in the islands checking on alleged violations, but even these alleged violations, are, presumably, hold-over allegations from the last election.)

ELECTION IRREGULARITIES

With regard to election irregularities, it has not been alleged that they were so widespread that, absent such irregularities, the outcome of the election would have been changed. It appears that between 25 and 50 persons may, or may not, be alleging some election mistakes where they were concerned. The Supervisor of Elections told the House Interior subcommittee on June 20 that *to that day* no one had come forward to make any formal complaints under the local election law. Such complaints would be the first and most obvious remedy for any voter who felt aggrieved. A second remedy would be filing charges with the U. S. Attorney, alleging a violation of the Organic Act. No such charges were filed until about 4 months after the election. About that time affidavits were sent to Senator Allott, who turned them over to the Justice Department. (Whether the same parties or others also then filed charges with the U. S. Attorney, or whether such official is merely investigating the allegations made to Senator Allott, is not known. Staff member James Gamble was present at such hearings and should be able to brief all interested parties on the Senate side).

In any event (1) the Elections Supervisor has no complaints to consider, (2) the U. S. Attorney is investigating all complaints he has, (3) the Legislature itself has announced an investigation after the U. S. Attorney completes his, and (4) a subcommittee of the House of Representatives has completed field hearings on this same subject, and will continue such hearings with testimony from local government officials on July 20. These four investigations should about cover this point.

NUMBER OF GOVERNMENT EMPLOYEES

With regard to the final point of Senator Allott's views, over-large local governmental payrolls, this point is also made under several headings among the 34 points.

By definition there are no more employees on the local payroll than the Governor (after executive branch budget hearings) and the Legislature (after legislative budget hearings) have determined are needed to render necessary governmental services. That is the usual method (procedurally speaking) that should be used to make such a determination. Of course the argument is that the Governor, together with the Legislature, believe that more employees are needed than their critics believe.

Firstly, some of the critics undoubtedly feel that the local government should be providing less in the way of governmental services, and if it did less it would need fewer employees. This same philosophical difference exists on the mainland, but in the islands the majority seems to want the current level of governmental services or even more.

Of more moment, more difficult to answer because more ambiguous, is the general view that the same level of service could be provided with substantially fewer employees. But there is a complete lack of specificity in all of these allegations. Upon examination they almost always rest upon two "facts", which facts are true but misleading. One is that in the old days, when the islands had fewer people, a budget but a fraction of today's, and providing fewer services, it was able to operate with fewer employees. The other "fact" is that the number of governmental employees is a substantial fraction of the electorate. What these two facts have in common is that they are essentially irrelevant. Can the Public Works department discharge its responsibilities with 10 fewer employees, 100 fewer employees? No one says it can. Instead they note that when it spent $500,000 annually on roads it employed fewer people than when it spends $1,500,000 on roads. And when the Virgin Islands had 30,000 people, and 200,000 visitors per year, it employed fewer people than when it has a permanent population of 60,000 and 700,000 visitors per year.

Apart from the basic reality that the population of the islands has increased to an estimated 60,000 inhabitants today, and 700,000 visitors per year, the following special circumstances have to be taken into account:

1. It is expensive, both in terms of manpower and equipment, to service 3 islands as contrasted with an equal population in a mainland community. Medical, educational, public works, fire and police facilities have to be duplicated on each island, even though the facilities on one island are enough for the total population in terms of numbers.

2. 700,000 visitors per year are the man-year equivalent of an entirely additional community for many purposes (not public school burden, of course, but on roads, traffic, health service, water and power, etc.).

3. Many services are performed by the local government in the islands that are performed by private enterprise, or non-governmental bodies, in the mainland. All hospitals are governmental. The electrical power system is governmental. Most doctor services are provided by government doctors, with attendant staffs. Two airports and three harbors are operated with governmental personnel.

4. Every level of government in the islands, state, county, municipal, board of education, special districts, authorities, are simply counted as part of the one governmental payroll. With regard to the 34 points, many of which are comprehended in the foregoing, find attached thereto two sets of rebuttals (different sets). The one, in more capsule form, was prepared in Washington on June 8 and distributed by the Governor rather generally. The second was prepared by him in the islands about June 20 and given little, if any distribution. Between them they are the best reply that can be given to the 34 points, since they represent the considered views of the target of the allegations (although they should also be read in connection with the foregoing explanations also).

Mr. DOMINICK. Mr. President, I will not delay the Senate for more than a few minutes, but I would like to make some comments on the subject before us—the Virgin Islands elective Governor bill.

I had the pleasure of serving on the Territory Subcommittee when I was a Member of the House. I also served for 2 years on the subcommittee during my service in the Senate, under the chairmanship at that time of the distinguished Senator from Idaho, who has just spoken.

During the process of this service, we received some rather strenuous letters regarding leases in the Virgin Islands. These letters led to an investigation, at my request, of the actions of the Interior Department and also of the Government of the Virgin Islands with respect to certain leases that had been issued by the Interior Department and which were presumably being canceled by action of the department and the local government.

The Senate Territories and Insular Affairs Subcommittee held hearings on the status of these leases October 29 and 30, 1963.

During the process of gathering testimony, one of the witnesses, a Mr. William Dowling, who owned a very reputable hotel down there, spoke about the matter of turning over the authority for these leasings to the local government. This is what he said:

> I would like to make one statement. I believe I speak for all of us when I say that we were filled with apprehension of the very suggestion of transfer to the local government, a very erratic and unpredictable instrument at best, and presently engaged in a knockdown-dragout court battle over who represents what, with all sorts of charges of fraud and what have you, and misuse of funds, and everything else.

He goes on at some length along the same lines, and then continues:

> You can see the apprehension we have in putting ourselves in the hands of government which is right now in a terrific battle and we do not know who is going to be what.

The purpose of referring to these quotes is simply to point out for the RECORD that the local people, who are living there, are not at all confident of getting any justice from their local Governor or government. This was as long ago as 1963. At that time Governor Paiewonsky was in charge. At the present time Governor Paiewonsky is in charge and there is little or no doubt that the degree of control which he now exercises over the islands as a whole is even more extreme than it was back in 1963.

I listened with interest to the Senator from Oregon point out that one out of about 10 people on the island are on the government payroll. It is perfectly apparent that with such a degree of control over government payrolls and the patronage positions, which they mostly are, you are also going to have an enormous amount of control over any elective process that may be instituted. This might just as well be placed squarely on the table.

Consequently, it seems to me that if we approve an elective Governor system without further investigation, what we are doing in effect is transferring the entire control of the island over to Governor Paiewonsky, a Governor who is under serious charges and allegations. If he is not himself responsible for the circumstances, the party which he heads is.

A second facet of the situation is the unparalleled soaring of Government costs and the extent of Government waste in the Virgin Islands. I was interested in finding in the Appendix of the CONGRESSIONAL RECORD for January 17, 1967, two articles written by Jonathan Cottin. These were inserted in the Appendix by the Senator from Vermont [Mr. AIKEN], who spoke earlier today, and originally appeared in the Baltimore Evening Sun of January 12 and 13, 1967. I commend them to the attention of the Senate and believe it worthwhile to quote a few statements from the article entitled "Government Cost Hits Zenith in Virgin Islands." Mr. Cottin wrote:

> The islands, which spent only $5,800,000 ten years ago, use a substantial portion of the Federal largesse to pay Government employees.
>
> The Government was unable to provide annual salary costs, but did reveal that the number of Government employees has nearly doubled in just three years.
>
> In 1963, there were 2,413 on the island payroll.

You will recall 1963 was the year of our leasing hearings and witnesses were already afraid of the local government.

> In 1966, that number jumped to 4,026, making the Government the biggest employer, with paychecks going to almost 10 per cent of the entire population. Only 1 per cent of Maryland's residents work in State government.
>
> Moreover, the number of political appointees in Government service has jumped almost 100 per cent in one year.

It seems to me the problem is self-evident. This is clear evidence of the degree of control which the governmental service has over the people on those islands. The question, therefore, becomes: Is governmental authority being exercised properly, and will this kind of bill give any incentive for a change? It does not seem to me that it will.

I quote further from the same article:

> What happens to the money left over after salaries?
>
> According to United States Government Comptroller Peter A. Bove, there is considerable waste.
>
> Bove, whose audits produce Paiewonsky's wrath, is America's lone Federal watchdog on the islands. At one point, Paiewonsky said he should have power to name the man who audits the Government, but the Senate turned the idea aside, noting the American financial state involved.
>
> Some of Bove's findings:
>
> 1. About $2,000,000 was wasted on a dredging project designed to deepen the harbor of Charlotte Amalie so that big ocean liners could come into thriving tourist port.
> 2. Poor planning of a low income public housing development which forced the cost of the project up by about $600,000 over estimates due to a series of costly work change orders.
> 3. Highway construction programs authorized as long ago as 1959 are still not completed, despite the Government's acknowledgment that the roads are inadequate.
>
> The Government's half-hearted attempt to dredge Charlotte Amalie harbor failed from "a complete lack of coordination between the Department of Public Works and Commerce," Bove said.
>
> SEQUENCE OF EVENTS
>
> The Commerce Department didn't know of the dredging project until the dredge "actually arrived," the comptroller's audit said.
>
> Under the law, Commerce is assigned supervision of harbor improvements.

The Commerce Department did not even know about it.

There are many other allegations in this article. As it has already been printed in the Appendix, I will not request it be printed again today.

I do not believe I need go further, except to emphasize once again that I believe my distinguished senior colleague, Senator ALLOTT, as well as the distinguished junior Senator from Oregon, the distinguished junior Senator from Wyoming, and the distinguished senior Senator from Vermont have done an enormous service to the Senate. We should send this bill back long enough to be able to have a full investigation of these charges, so that we do not have to operate in a miasma of suspicion, a miasma of fear. Otherwise, there is a definite feeling derived from many residents of the Virgin Islands that if the bill is passed without doing something about the charges first, many reasonable people, unless in the service of Governor Paiewonsky, are going to be seriously hurt.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. ALLOTT. I thank the Senator for his fine support and also for the research and investigation he, himself, has done in this field, as well as the investigations he has now made.

I feel deeply, as he does, that Congress would be putting the stamp of approval on the situation as it exists if we pass the bill in this form.

I wonder if the Senator would yield to me at this time, to permit me to ask for the yeas and nays on this motion.

Mr. DOMINICK. I was just about to ask the Senator if he would like to do so.

Mr. ALLOTT. I ask for the yeas and nays on the pending motion.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, my last statement on this matter will be very brief.

There were less than 100 unclassified employees on the government payroll in 1961. By May 1967, there were approximately 773 unclassified employees, and 150 of these work in Governor Paiewonsky's office. This includes six administrative assistants, four lifeguards, four photographers, five maids, and six chauffeurs.

I do not hesitate to say that if the Senate could indulge itself to that degree we would find every newspaper in the country jumping down our necks as if we were the worst group of people that could be imagined. I can see no reason for taking a different outlook on the Paiewonsky government in the Virgin Islands.

Mr. KUCHEL. Mr. President, I have read and listened to the comments made on this side of the aisle by the distinguished Senator from Colorado and the distinguished Senator from Oregon. They are both powerful and they are botr persuasive.

I have listened to my friend on the majority side, the distinguished Senator from Idaho [Mr. CHURCH] as he pointed to the fact that the administration and its spokesmen made recommendations in connection with this legislation that have been shunted away and completely disregarded. That is within the realm of right for this legislative branch. However, what concerns and puzzles me is that, representing the national administration, the Bureau of the Budget sent a letter to our committee, the Committee on Interior, and recommended that the President not have a brandnew right but continue the right to veto bills passed by the territorial legislature, and that the

President be given the right to remove the elected Governor from office. Why? In the words of the representative of the President of the United States, and I quote from page 18 of the report:

> We believe that the President's capability to discharge effectively his responsibilities within the territories must be retained. These responsibilities involve foreign policy, national security, Federal property, and other matters significantly affecting the interest of the United States.
>
> * * * * *
>
> Our recommendation for a veto that would be applicable to all territorial laws goes beyond the present authority of the President to veto only certain territorial laws that have been previously vetoed by the Governor.

Mr. President, I wish to ask the manager of the bill a question. Does the present bill eliminate completely the right of the President to veto legislation adopted by the Virgin Islands Legislature?

Mr. BURDICK. Yes. The only veto we have is in the Congress itself.

Mr. KUCHEL. I shall read this passage again. I do not wish to prolong the debate. This communication is from the Bureau of the Budget:

> Our recommendation for a veto that would be applicable to all territorial laws goes beyond the present authority of the President to veto only certain territorial laws that have been previously vetoed by the governor.

Mr. BURDICK. We eliminate that right to veto but Congress still has a residual veto in all events.

Mr. CHURCH. Mr. President, will the Senator yield to me so that I may make a clarification?

Mr. BURDICK. I yield.

Mr. CHURCH. Under the present law the President may exercise a veto only in the case of the local legislature overriding a veto of the territorial governor.

The Bureau of the Budget, not the Department of the Interior, asked that the Presidential power be enlarged so that the President might veto acts of the territorial legislature and also to remove the elected governor. The committee felt this was not consistent with basic principles of self-government and, for this reason, we did not adopt the two amendments urged upon us by the Bureau of the Budget.

Mr. KUCHEL. Mr. President, I shall make a request. I do not believe that the accusations of my colleagues on the minority side have been successfuly refuted. I do believe that the Committee on Interior and Insular Affairs and the Senate have a duty to inquire further into the facts. I do believe if the Senate is now prepared to ride roughshod over such requests by the administration as those which deal with "foreign policy and national security" at least this record should be made crystal clear why the Senate intends to do it.

Under those circumstances, I wonder whether my able friends on the minority side would take what I believe to be the meritorious motion by the Senator from Colorado and amend it to a certain degree. This comes to my mind as a possibility by which the Committee on Interior and Insular Affairs could function during a time certain and make its report to the Senate so that nobody need be fearful that we are going to bury something that somebody seems to want.

The fact remains that there are unanswered questions. I wonder if my friend would approve a motion to recommit and to report back on a date certain.

Mr. CHURCH. Mr. President, speaking for myself, I would not approve that kind of motion. This is not a matter of first impression in the Senate. This has been before us for a long period of time. Last year, both Houses of Congress passed such a bill as we present today.

Mr. KUCHEL. Not in the face of the opposition of the President.

Mr. CHURCH. Let us look at that opposition.

Mr. KUCHEL. I am in the anomalous position of being a Republican representing the view of the administration in this matter.

Mr. CHURCH. The committee looked carefully into the recommendations of the Bureau of the Budget. We had a special hearing after these recommendations were made, and we asked a spokesman of the Bureau who came up to advocate these amendments whether such provisions had been adopted in the case of Puerto Rico. He said "No." We then asked if there had even been an occasion when the Commonwealth government of Puerto Rico had taken any action that was inimical to the national security of the United States. He said he could not cite a single instance. There was no case made for imposing on the Virgin Islands Presidential powers that Congress had not imposed on Puerto Rico. We asked him if it were true that Hawaii and Alaska were more important to the security of the United States than the Virgin Islands. He could not deny it. Yet, we have given Alaska and Hawaii full self-government, statehood itself, without conditions or reservations.

The committee turned down the recommended amendments because they would have made a travesty of this bill. In the name of self-government, we would actually have been enlarging the power of Washington over the governments of the Virgin Islands and Guam. That is how the issue of neocolonialism arose. Rather than to be a party to that we said: Either they are capable of self-government or they are not. If they are not, we should pass no bill at all. If they are, we should not make a mockery of the bill by acting in the name of self-government, but actually enlarging the power of Washington over the islands. That is what the Bureau of the Budget asked us to do and that is what raised the neocolonialism issue.

I am proud of the fact that the committee, true to the traditions that have made this country great, refused to take the amendments and brought to the floor a bill that really extends self-government to the Virgin Islands by giving the people there the opportunity to elect their own Governor. It is a decent bill. It should pass.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BURDICK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. ALLOTT. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The call of the quorum will continue.

The assistant legislative clerk continued to call the roll.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I asked for the call of the quorum, and did not ask that it be live, because during debate upon this matter, which has extended for some 3 hours now, generally speaking, relatively few Senators have been in the Chamber to hear the debate.

At this point, I should like to read the motion which was made, because I think it will inform Senators as to what is sought to be accomplished:

> Mr. President, I now move to recommit the bill (S. 450) to Provide for the Popular Election of the Governor of the Virgin Islands, and for other purposes, to the Senate Committee on Interior and Insular Affairs with the following instructions:
>
> (1) To resolve the question of allegations of voting irregularities in the 1966 Virgin Islands elections and to submit a report thereon, and
>
> (2) To conduct a thorough and comprehensive examination of the political and economic structure of the Virgin Islands, with a view towards amending the Organic Act of 1954 to permit the citizens of the Islands greater participation in the selection of their executive officers, in addition to the Governor, as well as the officials of the towns and cities, by the elective process.

Now, Mr. President, of course, it would be a waste of time to go over all the arguments which have been made in this Chamber this afternoon; but one thing is certain: we are about to take a step with respect to one of our territories which has been challenged by numerous irregularities in the elections and questions about the policy of government, questions concerning the civil service of employees on the Virgin Islands, and questions concerning violations of the Hatch Act.

I have documented this with a long string of letters from the Office of the Attorney General, which have provided to this very hour, extending over several months, not one whit of satisfaction that a decent investigation is going to be made there.

Mr. President, what I am offering the Senate today is an opportunity to give to the people of the Virgin Islands an elective government which will be a meaningful elective government, not merely an elected governor who would appoint every official in the island. This is a chance to create a real elective government, where the people themselves would elect their attorney general, their secretary of the territories, their own town officials, their own councils, and such officers.

Mr. President, in the hearings which were just held there by a committee of the House of Representatives, Representative MORTON made the suggestion, on page 346, which I hold in my hand:

> . . . comparable officials of city and town communities, the administrators of the islands at the administration level and law enforcement officials and others should be elected.

Mr. President, on the next page, I shall read what the chairman of that committee, a member of the other party, said about this suggested amendment:

> Mr. CAREY. If the gentleman from Maryland would yield, I would like to note that this suggestion made by the gentleman from Maryland in St. Croix, I heavily concur in. I think it would be an excellent amendment provision to the currently pending bill, and I would note that the reason this cannot be done now is because the Organic Act calls for the Governor to name the administrators of the three islands and makes no provision for the election of local public officials.

Thus, Mr. President, I think in the highest sense, although these are three small islands, we are called upon today to face the full responsibility of senatorial capacity. Here we have an opportunity to resolve the questions which have been repeatedly raised, and supported by numerous newspapers, and by people throughout the Caribbean, including the people in the Virgin Islands. Sixty affidavits as to voting irregularities lie here in my file. I will read them all except the names. I cannot disclose the names because the people fear the economic and political repercussions. But these same affidavits are in the hands of the Attorney General.

We have an opportunity to live up to our full responsibility. That full responsibility is to have the Committee on Interior and Insular Affairs make a thorough investigation of the political and economic life of the Virgin Islands, with a view to reporting not merely a halfway measure, a little, measley effort which passes under the guise of democracy, but a bill to give the people of the Virgin Islands a chance to exercise real government functions of their own by electing their territorial officials and also electing officials of their towns and cities.

This is what we are asking for. It is the reason for the motion to recommit. I am ready to vote.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The question is on agreeing to the motion of the Senator from Colorado to recommit the bill. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. GRUENING] and the Senator from Arizona [Mr. HAYDEN] are absent on official business.

I also announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Montana [Mr. METCALF] and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. GRUENING] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. CURTIS] is absent because of the death of his daughter.

The Senator from Texas [Mr. TOWER] is necessarily absent.

If present and voting, the Senator from Nebraska [Mr. CURTIS] and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 40, nays 51, as follows:

[No. 194 Leg.]

YEAS—40

Aiken
Allott
Anderson
Baker
Bennett
Boggs
Brooke
Carlson
Case
Cooper
Cotton
Dirksen
Dominick
Fannin
Fong
Griffin
Hansen
Hatfield
Hickenlooper
Holland
Hruska
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
McClellan
Miller
Morton
Mundt
Murphy
Pearson
Percy
Prouty
Russell
Scott
Smith
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—51

Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Clark
Dodd
Eastland
Ellender
Ervin
Gore
Harris
Hart
Hartke
Hill
Hollings
Inouye
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Sparkman
Spong
Stennis
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—9

Curtis
Fulbright
Gruening
Hayden
Lausche
Long, Mo.
Metcalf
Smathers
Tower

So Mr. ALLOTT's motion to recommit was rejected.

Mr. BURDICK. Mr. President, I move to reconsider the vote by which the motion was rejected.

Mr. JACKSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS. Mr. President, I feel that the vote just cast should be adequate to impress the investigating authorities of the United States, especially the Department of Justice, with the fact that a great many Senators feel that the matters raised by the Senator from Colorado [Mr. ALLOTT] deserve to be looked into with a great deal more diligence than they have been. That, I think, expresses the real issue as far as I am concerned, and I think it reflects the view of many other Senators.

Certainly it is our desire to provide for fortifying the democratic rights of the people of the Virgin Islands in full measure, and I shall support the bill.

I believe that the feelings of the people of the Virgin Islands would be considerably fortified if we had a rollcall on final passage, so that they would be able to feel that the Senate vote on the motion to recommit, which was fairly sharply divided, had no relation to our good wishes for them, or to our desire to give them the fullest opportunity to carry out the democratic process in their islands.

Therefore, Mr. President, I ask for the yeas and nays——

Mr. ALLOTT. Before doing that, Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. ALLOTT. Mr. President, I have discussed this matter with the distinguished Senator from New York.

Mr. DOMINICK. Mr. President, may we have order?

The VICE PRESIDENT. The Senator from Colorado wishes to be heard. The Chair asks that the Senate be in order.

Mr. ALLOTT. I only wish to say that one of the reasons I did not ask for the yeas and nays myself on the question of passage was that there were several Senators who had to leave, and I was requested by them and told them that I would not do so earlier in the day.

Regardless of whether the Senate votes on this matter by a yea-and-nay vote, because of the reasons I have heretofore assigned, I personally shall vote against the bill.

Mr. JAVITS. Mr. President, I should not wish to embarrass any Senator to whom the Senator from Colorado had given assurance. Therefore, I shall not ask for the yeas and nays, unless the manager of the bill wishes to do so, but simply state for myself that my vote to recommit was designed only to bring about an honorable inventorying of charges most sincerely made, and that I would wish for the people of the Virgin Islands every good wish and every cooperation in their effort at self-government, which they richly deserve the opportunity to make. If there is an oral vote on passage of the bill, I shall vote "yea."

Mr. KENNEDY of New York. Mr. President, I am pleased to support this bill for an elective Governor for the Virgin Islands. A nation founded on representative government can only further its great ideals by extending self-government and the franchise wherever possible.

At the same time, I wish to pay tribute to the present appointive Governor, Ralph M. Paiewonsky. Governor Paiewonsky's administration has been one of progress and improvement for the entire territory, and more and more Americans are discovering the beauty and charm of the islands. It is no reflection on Governor Paiewonsky—indeed it is to his credit—that material improvement has now led to demands for political progress as well. And it is to his further credit that he, the appointive Governor, has so strongly supported this proposal to make this post elective.

Mr. BROOKE subsequently said: Mr. President, I had hoped that there would be a vote on final passage of the bill providing for the election of a Governor for the Virgin Islands.

I voted in favor of the motion of the senior Senator from Colorado [Mr. ALLOTT]. Then, since the Senator had promised several Members of the Senate that he would not ask for the yeas and nays on the bill, I declined to do so.

I am, however, a strong believer in home rule and self-determination for the Virgin Islands. I believe the people of the Virgin Islands to be fully capable of conducting their own affairs in a responsible and democratic manner. And I ask of them to use well the new opportunity for self-government which is now theirs. Had there been a vote on the bill, I would have voted in favor of popular election of the Governor of the Virgin Islands.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, may we have order?

The VICE PRESIDENT. The Senate will be in order.

Mr. BYRD of West Virginia. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BURDICK I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CONGRESSIONAL REDISTRICTING—AUTHORITY TO PRINT ADDITIONAL COPIES OF AMENDMENT 202 TO H.R. 2508

Mr. KENNEDY of Massachusetts. Mr. President, as the Senate is well aware, the matter of congressional redistricting is still very much at issue before this Congress. Due to the great interest on the part of members of the public and Members of the Congress, the Senate Document Room has completely exhausted its supply of amendment 202 to H.R. 2508, the House-passed congressional redistricting bill. Amendment 202 was, of course, the amendment which the Senate agreed to as a substitute for H.R. 2508. In order that the continuing requests for copies of the Senate-passed bill may be honored, I ask unanimous consent that H.R. 2508, as amended by amendment 202 and passed by the Senate, be printed in the usual manner.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Without objection, it is so ordered.

COMMENDATION OF MARINE LCPL. THOMAS J. JOYCE

Mr. KENNEDY of Massachusetts. Mr. President, we are all familiar with the proud history of the U.S. Marine Corps. Because of the outstanding way in which the Marine Corps has served our country in time of war we often lose sight of the fact that the training which a marine receives equips him to act decisively in critical situations whenever and wherever they occur.

The response of Lcpl. Thomas J. Joyce, a marine from Scituate, Mass., at the scene of a serious automobile accident recently averted greater tragedy and played an important part in saving the life of a fellow marine. The first aid administered by Corporal Joyce, and his leadership and direction in this critical situation were in the best traditions of the Marine Corps. We have every reason to be proud of Corporal Joyce and the corps in which he serves.

A meritorious mast calling attention to his decisive action has been promulgated, and I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the commendation was ordered to be printed in the RECORD, as follows:

U.S. MARINE CORPS,
MARINE CORPS SCHOOLS,
Quantico, Va.

From: Commanding Officer
To: Lance Corporal Thomas J. Joyce, 2249964, U.S. Marine Corps.
Subject: Meritorious Mast.
Reference: (a) MARCORPERSMAN, par 8052.

1. *Purpose.* To promulgate the following Meritorious Mast.

2. *Citation.*

a. Lance Corporal JOYCE, on the early morning hours of 8 April 1967, you were traveling south on U.S. Route 95 near the Garfield overpass when you came upon the scene of an extremely serious accident. You immediately realized three facts: the men involved were Marines; hastily set out flares were too close to the scene of the accident; and there was no light to aid in rescue efforts. You maneuvered your car into a position where the beams of your headlights illuminated the scene; then you directed bystanders to spread out the flares to give an earlier warning to traffic to avert additional disaster. When you further surveyed the situation, you saw that Corporal Arthur S. Middleton was dead and pinned inside the wreckage of a Volkswagen. Sergeant Mack Thacker was still alive, and pinned under the debris of the car door. Sergeant George L. Rourke was lying on the ground choking. In a rapid and professional manner you administered first aid by removing the restricting ties, belts, and trousers of Sergeants Rourke and Thacker. You obtained a blanket and covered the sergeants to allay shock. You cleared their air passages from mucus, foreign bodies and blood. When Sergeant Rourke ceased breathing, you applied mouth to mouth resuscitation until he began breathing again. You also directed a spectator to immobilize the victims to prevent additional injury.

b. Your quick appraisal of the situation, your immediate response in an efficient, energetic and professional manner kept two of your fellow Marines alive until the arrival of competent medical authorities.

Your actions contributed to the survival of Sergeant Rourke. You are commended for your prompt, intelligent, humane reaction to most tragic circumstances.

3. Your Company Commander is directed to comply with the provisions of reference (a).

B. G. CASS.

AUTHORITY FOR COMMITTEES TO FILE REPORTS DURING THE ADJOURNMENT OF THE SENATE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that following the adjournment of the Senate today until 10 o'clock a.m. Friday next, all committees have permission to file their reports, together with any individual, supplemental, or minority views if desired, until 5 o'clock p.m. on Thursday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

PANAMA CANAL JURIDICAL STRUCTURE, PART II: HAY-BUNAU-VARILLA TREATY

Mr. THURMOND. Mr. President, in a statement to the Senate yesterday, I discussed certain features of the Hay-Pauncefote Treaty with Great Britain for the construction of a canal across the isthmus and quoted its full text. The next convention that I shall discuss and quote is the Hay-Bunau-Varilla Treaty of 1903 under which the Canal Zone territory was acquired, the Panama Canal constructed, and subsequently maintained and operated.

This treaty was not a sudden development but the logical outgrowth of a series of historical events. The first of these was the report on January 18, 1902, by the Isthmian Canal Commission, headed by Rear Adm. John G. Walker, favoring the Panama Canal route rather than Nicaragua. This report recommended that "the grant of the Canal Zone must not be for a term of years, but in perpetuity, and a strip of territory from ocean to ocean of sufficient width must be placed under the control of the United States. In this strip the United States must have the right to enforce police regulations, preserve order, protect property rights, and exercise such other powers as are appropriate and necessary"—U.S. Congress, Senate Document No. 123, 57th Congress, page 9.

The next important move was the enactment of the Spooner Act, approved June 28, 1902, which, pursuant to the recommendations of the Walker Commission, authorized the President to acquire "perpetual control" of a canal strip from Colombia, to purchase the holdings of the French Panama Canal Co., and to construct the Panama Canal. In the event of inability to make a satisfactory treaty with Colombia, or to acquire the French holdings at a cost not exceeding $40 million, the act provided for construction of a canal in Nicaragua.

When the Colombian Senate refused to ratify the treaty, Panamanian leaders feared that, in spite of their hopes, they would lose the canal to Nicaragua. To avert that danger, on November 3, 1903, Panama seceded from Colombia and soon made a separate treaty with the United States granting favorable terms as the inducement for selecting the Panama route. It was under this treaty that the Canal Zone was acquired, the Panama Canal constructed, and subsequently maintained, operated, sanitated, and protected.

Under the 1903 treaty, the United States undertook to guarantee and maintain the independence of Panama, paid Panama an indemnity of $10,000,000 for the grants involved, assumed the obligation of the Panama Railroad for an annuity of $250,000, purchased all private land and property in the Canal Zone from individual owners, and established fortifications for the protection of the canal. Panama granted in perpetuity the powers of sovereignty over the Canal Zone to the entire exclusion of the exercise of such powers by Panama, the right of eminent domain within the cities of Panama and Colon and the territory adjacent thereto, the right to enforce sanitary ordinances and maintain law and order in the terminal cities should Panama be unable to do so.

The framers of the 1903 treaty were farsighted realists who understood the major problems involved and produced a treaty that worked. Its only serious defect was the failure to provide for the crossing of the canal after completion. This was later corrected on the Pacific side by the establishment of the Thatcher Ferry, which, in turn, was replaced by the Thatcher Ferry Bridge.

In 1936–39 and 1955 treaties with Panama, the United States gave up the right of eminent domain in Panama, the authority to enforce sanitary ordinances, and to maintain law and order in the terminal cities, and withdrew its activities to the boundaries of the canal. Notwithstanding the fact that the 1903 treaty has been amended twice, I ask unanimous consent that the full text of the Spooner Act, previously mentioned, and the 1903 treaty that was negotiated under its authority be printed at this point in the RECORD, to make these important documents readily available for study.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

5. PANAMA—1903: CONVENTION FOR THE CONSTRUCTION OF A SHIP CANAL (HAY-BUNAU VARILLA TREATY)

(Concluded November 18, 1903; Ratification Advised by the Senate February 23, 1904; Ratified by President February 25, 1904; Ratifications Exchanged February 26, 1904; Proclaimed February 26, 1904.)

(TS 431; 33 Stat. 2234)

ARTICLES

I. Independence of Panama.
II. Use, occupation, and control of zone and additional lands.
III. Rights, power, and authority within zone and auxiliary lands and waters.
IV. Subsidiary right to use of waters and water-courses in Panama.
V. Monopoly for systems of interoceanic communication by canal or railroad.
VI. Preservation of private property rights; rights of way; settlement of damages to private property.
VII. Acquisition of property, and sanitation, systems of sewers, water works, and public order, in and adjacent to Panama and Colon.
VIII. Property of New Panama Canal Company and Panama Railroad Company.
IX. Freedom of ports from certain taxes or charges upon vessels, et cetera; Panamanian customs houses and guards; use of towns and harbors of Panama and Colon.
X. Exemptions of Canal, auxiliaries, and employees from taxation by Panama.
XI. Transmission of official dispatches of Panama over Canal telegraph and telephone lines.
XII. Immigration and free access of Canal employees.
XIII. Freedom from customs duties of importations by United States into Canal Zone.
XIV. Compensation to Panama for rights granted.
XV. Establishment of joint commission.
XVI. Extradition between Canal Zone and Panama.
XVII. Use of ports of Panama as places of refuge for vessels.
XVIII. Neutrality of Canal.
XIX. Rights of Panama in respect to free transportation over Canal or railway.
XX. Modification by Panama of existing treaties containing incompatible provisions.
XXI. Freedom of rights granted by Panama from anterior liabilities or concessions.
XXII. Renunciation by Panama of rights under concessionary contracts.
XXIII. Protection of Canal, vessels, and auxiliaries; fortifications.
XXIV. Effect of change in government, laws or treaties of Panama.
XXV. Sale or lease to United States of lands for naval or coaling station.
XXVI. Ratification.

[§ 61] The United States of America and the Republic of Panama being desirous to insure the construction of a ship canal across the Isthmus of Panama to connect the Atlantic and Pacific oceans, and the Congress of the United States of America having passed an act approved June 28, 1902,[1] in furtherance of that object, by which the President of the United States is authorized to acquire within a reasonable time the control of the necessary territory of the Republic of Colombia, and the sovereignty of such territory being actually vested in the Republic of Panama, the high contracting parties have resolved for that purpose to conclude a convention and have accordingly appointed as their plenipotentiaries,—

The President of the United States of America, John Hay, Secretary of State, and

The Government of the Republic of Panama, Philippe Bunau-Varilla, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Panama, thereunto specially empowered by said government, who after communicating with each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I[2]

[§ 62] The United States guarantees and will maintain the independence of the Republic of Panama.

ARTICLE II

[§ 63] The Republic of Panama grants to the United States in perpetuity the use, occupation and control of a zone of land and land under water for the construction, maintenance, operation, sanitation and protection of said Canal of the width of ten miles extending to the distance of five miles on each side of the center line of the route of the Canal to be constructed; the said zone beginning in the Caribbean Sea three marine miles from mean low water mark and extending to and across the Isthmus of Panama into the Pacific ocean to a distance of three marine miles from mean low water mark with the proviso that the cities of Panama and Colon and the harbors adjacent to said cities, which are included within the boundaries of the zone above described, shall not be included within this grant.[3] The Republic of Panama further grants to the United States in perpetuity the use, occupation and control of any other lands and waters outside of the zone above described which may be necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said Canal or of any auxiliary canals or other works necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said enterprise.[4]

The Republic of Panama further grants in like manner to the United States in perpetuity all islands within the limits of the zone above described and in addition thereto the group of small islands in the Bay of Panama, named Perico, Naos, Culebra and Flamenco.

ARTICLE III

[§ 64] The Republic of Panama grants to the United States all the rights, power and authority within the zone mentioned and described in Article II of this agreement and within the limits of all auxiliary lands and waters mentioned and described in said Article II which the United States would possess and exercise if it were the sovereign of the territory within which said lands and waters are located to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority.

ARTICLE IV

[§ 65] As rights subsidiary to the above grants the Republic of Panama grants in perpetuity to the United States the right to use the rivers, streams, lakes and other bodies of water within its limits for navigation, the supply of water or water-power or other purposes, so far as the use of said rivers, streams, lakes and bodies of water and the waters thereof may be necessary and convenient for the contruction, maintenance, operation, sanitation and protection of the said Canal.

ARTICLE V

[§ 66] The Republic of Panama grants to the United States in perpetuity a monopoly for the construction, maintenance and operation of any system of communication by means of canal or railroad across its territory between the Caribbean Sea and the Pacific ocean.[5]

ARTICLE VI

[§ 67] The grants herein contained shall in no manner invalidate the titles or rights of private land holders or owners of private property in the said zone or in or to any of the lands or waters granted to the United States by the provisions of any Article of this treaty, nor shall they interfere with the rights of way over the public roads passing through the said zone or over any of the said lands or waters unless said rights of way or private rights shall conflict with rights herein granted to the United States in which case the rights of the United States shall be superior. All damages caused to the owners of private lands or private property of any kind by reason of the grants contained in this treaty or by reason of the operations of the United States, its agents or employees, or by reason of the construction, maintenance, operation, sanitation and protection of the said Canal or of the works of sanitation and protection herein provided for, shall be appraised and settled by a joint Commission[6] appointed by the Governments of the United States and the Republic of Panama, whose decisions as to such damages shall be final and whose awards as to such damages shall be paid solely by the United States. No part of the work on said Canal or the Panama railroad or on any auxiliary works relating thereto and authorized by the terms of this treaty shall be prevented, delayed or impeded by or pending such proceedings to ascertain such damages. The appraisal of said private lands and private property and the assessment of damages to them shall be based upon their value before the date of this convention.[7]

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[1] Spooner Act, June 28, 1902, ch. 1302, 32 Stat. 481. See Title 31, U. S. Code, section 744, and codification note thereunder.

[2] This article was declared superseded by Art. I of the General Treaty of Friendship and Cooperation of March 2, 1936. See App. IX, General Relations.

[3] Possession of canal properties of French company was taken May 4, 1904 (1904 Ann. Rept. 36); on May 19, 1904, the Governor of the Canal Zone announced the occupation of the Canal Zone by the United States; by the Davis agreement, dated June 15, 1904 (1904 Ann. Rept. 78 and 91–93), the Republic of Panama formally delivered the land included within the Canal Zone to the United States, the boundaries being defined in the aforesaid agreement. See, also, Boundary Convention, App. II, § 31 et sec

[4] For renunciation, by the United States, of the right to acquire additional lands and waters granted by this sentence, see Art. II of the General Treaty of Friendship and Cooperation of March 2, 1936, App. IX, General Relations. See, also, note under section 1 of Title 2, Canal Zone Code.

[5] The monopoly granted to the United States by this article was abrogated, as to a railroad, by Art. III of the Treaty of Mutual Understanding and Cooperation of January 25, 1955. See App. IX, General Relations.

[6] Art. XV, § 76, post, provides for establishment of joint commission. Claims Convention of 1926, Art. I (App. IV, § 2) provides for the continuation of the hearing and decision of claims under this article by the joint commission provided for herein.

ARTICLE VII

[§ 68] The Republic of Panama grants to the United States within the limits of the cities of Panama and Colon and their adjacent harbors and within the territory adjacent thereto the right to acquire by purchase or by the exercise of the right of eminent domain,[8] any lands, buildings, water rights or other properties necessary and convenient for the construction, maintenance, operation and protection of the Canal and of any works of sanitation, such as the collection and disposition of sewage and the distribution of water in the said cities of Panama and Colon, which, in the discretion of the United States may be necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said Canal and railroad. All such works of sanitation, collection and disposition of sewage and distribution of water in the cities of Panama and Colon shall be made at the expense of the United States, and the Government of the United States, its agents or nominees shall be authorized to impose and collect water rates and sewerage rates which shall be sufficient to provide for the payment of interest and the amortization of the principal of the cost of said works within a period of fifty years and upon the expiration of said term of fifty years the system of sewers and water works shall revert to and become the properties of the cities of Panama and Colon respectively, and the use of the water shall be free to the inhabitants of Panama and Colon, except to the extent that water rates may be necessary for the operation and maintenance of said system of sewers and water.[9]

The Republic of Panama agrees that the cities of Panama and Colon shall comply in perpetuity with the sanitary ordinances whether of a preventive or curative character prescribed by the United States and in case the Government of Panama is unable or fails in its duty to enforce this compliance by the cities of Panama and Colon with the sanitary ordinances of the United States the Republic of Panama grants to the United States the right and authority to enforce the same.[10]

The same right and authority are granted to the United States for the maintenance of public order in the cities of Panama and Colon and the territories and harbors adjacent thereto in case the Republic of Panama should not be, in the judgment of the United States, able to maintain such order.[11]

ARTICLE VIII

[§ 69] The Republic of Panama grants to the United States all rights which it now has or hereafter may acquire to the property of the New Panama Canal Company and the Panama Railroad Company as a result of the transfer of sovereignty from the Republic of Colombia to the Republic of Panama over the Isthmus of Panama and authorizes the New Panama Canal Company to sell and transfer to the United States its rights, privileges, properties and concessions as well as the Panama Railroad and all the shares or part of the shares of that company; but the public lands situated outside of the zone described in Article II of this treaty now included in the concessions to both said enterprises and not required in the construction or operation of the Canal shall revert to the Republic of Panama except any property now owned by or in the possession of said companies within Panama or Colon or the ports or terminals thereof.

ARTICLE IX [12]

[§ 70] The United States agrees that the ports at either entrance of the Canal and the waters thereof, and the Republic of Panama agrees that the towns of Panama and Colon shall be free for all time so that there shall not be imposed or collected custom house tolls, tonnage, anchorage, lighthouse, wharf, pilot, or quarantine dues or any other charges or taxes of any kind upon any vessel using or passing through the Canal or belonging to or employed by the United States, directly or indirectly, in connection with the construction, maintenance, operation, sanitation and protection of the main Canal, or auxiliary works, or upon the cargo, officers, crew, or passengers of any such vessels, except such tolls and charges as may be imposed by the United States for the use of the Canal and other works, and except tolls and charges imposed by the Republic of Panama upon merchandise destined to be introduced for the consumption of the rest of the Republic of Panama, and upon vessels touching at the ports of Colon and Panama and which do not cross the Canal.

The Government of the Republic of Panama shall have the right to establish in such ports and in the towns of Panama and Colon such houses and guards as it may deem necessary to collect duties on importations destined to other portions of Panama and to prevent contrabrand trade. The United States shall have the right to make use of the towns and harbors of Panama and Colon as places of anchorage, and for making repairs, for loading, unloading, depositing, or transshipping cargoes either in transit or destined for the service of the Canal and for other works pertaining to the Canal.

ARTICLE X [13]

[§ 71] The Republic of Panama agrees that there shall not be imposed any taxes, national, municipal, departmental, or of any other class, upon the Canal, the railways and auxiliary works, tugs and other vessels employed in the service of the Canal, store houses, work shops, offices, quarters for laborers, factories of all kinds, warehouses, wharves, machinery and other works, property, and effects appertaining to the Canal or railroad and auxiliary works, or their officers or employees, situated within the cities of Panama and Cuba, and that there shall not be imposed contributions or charges of a personal character of any kind upon officers, employees, laborers, and other individuals in the service of the Canal and railroad and auxiliary works.

ARTICLE XI

[§ 72] The United States agrees that the official dispatches of the Government of the Republic of Panama shall be transmitted over any telegraph and telephone lines established for canal purposes and used for public and private business at rates not higher than those required from officials in the service of the United States.

ARTICLE XII

[§ 73] The Government of the Republic of Panama shall permit the immigration and free access to the lands and workshops of the Canal and its auxiliary works of all employees and workmen of whatever nationality under contract to work upon or seeking employment upon or in any wise connected with the said Canal and its auxiliary works, with their respective families, and all such persons shall be free and exempt from the military service of the Republic of Panama.

ARTICLE XIII

[§ 74] The United States may import at any time into the said zone and auxiliary lands, free of customs duties, imposts, taxes, or other charges, and without any restrictions, any and all vessels, dredges, engines, cars, machinery, tools, explosives, materials, supplies, and other articles necessary and convenient in the construction, maintenance, operation, sanitation and protection of the Canal and auxiliary works, and all provisions, medicines, clothing, supplies and other things necesary and convenient for the officers, employees, workmen and laborers in the service and employ of the United States and for their families. If any such articles are disposed of for use outside of the zone and auxiliary lands granted to the United States and within the territory of the Republic, they shall be subject to the same import or other duties as like articles imported under the laws of the Republic of Panama.

ARTICLE XIV

[§ 75] As the price or compensation for the rights, powers and privileges granted in this convention by the Republic of Panama to the United States, the Government of the United States agrees to pay to the Republic of Panama the sum of ten million dollars ($10,000,000) in gold coin of the United States on the exchange of the ratification of this convention and also an annual payment during the life of this convention of two hundred and fifty thousand dollars ($250,000) in like gold coin, beginning nine years after the date aforesaid.[14]

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[7] Right to prohibit or restrict use of certain highway across Isthmus, in certain circumstances, notwithstanding this article, see Art. X of Treaty of Mutual Understanding and Cooperation of January 25, 1955 (App. IX, General Relations).

[8] This clause "or by the exercise of the right of eminent domain", was deleted by amendment of this article by Art. VI of the General Treaty of Friendship and Cooperation of March 2, 1936. See App. IX, General Relations.

[9] For agreement, by the United States, when authority of Congress shall have been obtained, therefor, to transfer to the Republic of Panama, free of cost, all of its rights, etc., in the system of sewers and waterworks in the cities of Panama and Colon, and at that time to renounce the right obtained in this paragraph, as modified by Art. VI of the Treaty of March 2, 1936 (see App. IX, General Relations), to acquire lands, buildings, water rights or other properties necessary for purposes of sanitation such as the collection or disposal of sewage and the distribution of water in the cities of Panama and Colon, and to renounce the authority contained in this paragraph to impose and collect water rates and sewerage rates in those cities which should be sufficient to provide for the payment of interest and amortization of the principal of the cost of such works, and other stipulations relating thereto, see point 1 in the General Relations Agreement of May 18, 1942 (App. IX, General Relations). The authority to make such transfer was given by Congress in Joint Res. May 3, 1943, ch. 92, § 1, 57 Stat. 74, and an instrument of transfer was executed on December 28, 1945. See Item 2(c) (particularly, last sentence) of the Memorandum of Understandings Reached (App. IX, General Relations), which accompanied the Treaty of Mutual Understanding and Cooperation of January 25, 1955. See, also, derivation note under § 234 of Title 2, Canal Zone Code.

[10] This paragraph was abrogated by Art. IV of the Treaty of Mutual Understanding and Cooperation of January 25, 1955. See App. IX, General Relations.

[11] This paragraph was abrogated by Art. VI of the General Treaty of Friendship and Cooperation of March 2, 1936. See App. IX, General Relations.

[12] This article was declared superseded by Art. V of the General Treaty of Friendship and Cooperation of March 2, 1936. See App. IX, General Relations.

[13] This article was modified by Art. II of the treaty of Mutual Understanding and Cooperation of January 25, 1955. See App. IX, General Relations.

The provisions of this Article shall be in addition to all other benefits assured to the Republic of Panama under this convention.

But no delay or difference of opinion under this Article or any other provisions of this treaty shall affect or interrupt the full operation and effect of this convention in all other respects.

ARTICLE XV

[§ 76] The joint commission referred to in Article VI shall be established as follows:

The President of the United States shall nominate two persons and the President of the Republic of Panama shall nominate two persons and they shall proceed to a decision; but in case of disagreement of the Commission (by reason of their being equally divided in conclusion) an umpire shall be appointed by the two Governments who shall render the decision. In the event of the death, absence, or incapacity of a Commissioner or Umpire, or of his omitting, declining or ceasing to act, his place shall be filled by the appointment of another person in the manner above indicated. All decisions by a majority of the Commission or by the umpire shall be final.

ARTICLE XVI

[§ 77] The two Governments shall make adequate provision by future agreement for the pursuit, capture, imprisonment, detention and delivery within said zone and auxiliary lands to the authorities of the Republic of Panama of persons charged with the commitment of crimes, felonies, or misdemeanors without said zone and for the pursuit, capture, imprisonment, detention and delivery without said zone to the authorities of the United States of persons charged with the commitment of crimes, felonies and misdemeanors within said zone and auxiliary lands.[15]

ARTICLE XVII

[§ 78] The Republic of Panama grants to the United States the use of all the ports of the Republic open to commerce as places of refuge for any vessels employed in the Canal enterprise, and for all vessels passing or bound to pass through the Canal which may be in distress and be driven to seek refuge in said ports. Such vessels shall be exempt from anchorage and tonnage dues on the part of the Republic of Panama.

ARTICLE XVIII

[§ 79] The Canal, when constructed, and the entrances thereto shall be neutral in perpetuity, and shall be opened upon the terms provided for by Section I of Article three of, and in conformity with all the stipulations of, the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901.[16]

ARTICLE XIX

[§ 80] The Government of the Republic of Panama shall have the right to transport over the Canal its vessels and its troops and munitions of war in such vessels at all times without paying charges of any kind. The exemption is to be extended to the auxiliary railway for the transportation of persons in the service of the Republic of Panama, or of the police force charged with the preservation of public order outside of said zone, as well as to their baggage, munitions of war and supplies.[17]

ARTICLE XX

[§ 81] If by virtue of any existing treaty in relation to the territory of the Isthmus of Panama, whereof the obligations shall descend or be assumed by the Republic of Panama, there may be any privilege or concession in favor of the Government or the citizens and subjects of a third power relative to an interoceanic means of communication which in any of its terms may be incompatible with the terms of the present convention, the Republic of Panama agrees to cancel or modify such treaty in due form, for which purpose it shall give to the said third power the requisite notification within the term of four months from the date of the present convention, and in case the existing treaty contains no clause permitting its modifications or annulment, the Republic of Panama agrees to procure its modification or annulment in such form that there shall not exist any conflict with the stipulations of the present ocnvention.

ARTICLE XXI

[§ 82] The rights and privileges granted by the Republic of Panama to the United States in the preceding Articles are understood to be free of all anterior debts, liens, trusts or liabilities, or concessions of privileges to other Governments, corporations, syndicates or individuals, and consequently, if there should arise any claims on account of the present concessions and privileges or otherwise, the claimants shall resort to the Government of the Republic of Panama and not to the United States for any indemnity or compromise which may be required.

ARTICLE XXII

[§ 83] The Republic of Panama renounces and grants to the United States the participation to which it might be entitled in the future earnings of the Canal under Article XV of the concessionary contract with Lucien N. B. Wyse now owned by the New Panama Canal Company and any and all other rights or claims of a pecuniary nature arising under or relating to said concession, or arising under or relating to the concessions to the Panama Railroad Company or any extension or modification thereof; and it likewise renounces, confirms and grants to the United States, now and hereafter, all the rights and property reserved in the said concessions which otherwise would belong to Panama at or before the expiration of the terms of ninety-nine years of the concessions granted to or held by the above mentioned party and companies, and all right, title and interest which it now has or may hereafter have, in and to the lands, canal, works, property and rights held by the said companies under said concessions or otherwise, and acquired or to be acquired by the United States from or through the New Panama Canal Company, including any property and rights which might or may in the future either by lapse of time, forfeiture or otherwise, revert to the Republic of Panama under any contracts or concessions, with said Wyse, the Universal Panama Canal Company, the Panama Railroad Company and the New Panama Canal Company.

The aforesaid rights and property shall be and are free and released from any present or reversionary interest in or claims of Panama and the title of the United States thereto upon consummation of the contemplated purchase by the United States from the New Panama Canal Company, shall be absolute, so far as concerns the Republic of Panama, excepting always the rights of the Republic specifically secured under this treaty.

ARTICLE XXIII

[§ 84] If it should become necessary at any time to employ armed forces for the safety or protection of the Canal, or of the ships that make use of the same, or the railways and auxiliary works, the United States shall have the right, at all times and in its discretion, to use its police and its land and naval forces or to establish fortifications for these purposes.

ARTICLE XXIV

[§ 85] No change either in the Government or in the laws and treaties of the Republic of Panama shall, without the consent of the United States, affect any right of the United States under the present convention, or under any treaty stipulation between the two countries that now exists or may hereafter exist touching the subject matter of this convention.

If the Republic of Panama shall hereafter enter as a constituent into any other Government or into any union or confederation of states, so as to merge her sovereignty or independence in such Government, union or confederation, the rights of the United States under this convention shall not be in any respect lessened or impaired.

THE SPOONER ACT[1]

(Approved June 28, 1902)

An Act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to acquire, for and on behalf of the United States, at a cost not exceeding forty millions of dollars, the rights, privileges, franchises, concessions, grants of land, right of way, unfinished work, plants, and other property, real, personal, and mixed, of every name and nature, owned by the New Panama Canal Company, of France, on the Isthmus of Panama, and all its maps, plans, drawings, records on the Isthmus of Panama and in Paris, including all the capital stock, not less, however, than sixty-eight thousand eight hundred and sixty-three shares of the Panama Railroad Company, owned by or held for the use of said canal company, provided a satisfactory title to all of said property can be obtained.

SEC. 2. That the President is hereby authorized to acquire from the Republic of Colombia, for and on behalf of the United States, upon such terms as he may deem reasonable, perpetual control of a strip of land, the territory of the Republic of Colombia, not less than six miles in width, extending from the Caribbean Sea to the Pacific Ocean, and the right to use and dispose of the waters thereon, and to excavate, construct, and to perpetually maintain, operate, and protect thereon a canal, of such depth and capacity as will afford convenient passage of ships of the greatest tonnage and draft now in use, from the Caribbean Sea to the Pacific Ocean, which control shall include the right to perpetually maintain and operate the Panama Railroad, if the ownership thereof, or a controlling interest therein, shall have been acquired by the United States, and also jurisdiction over said strip and the ports at the ends thereof to make such police and sanitary rules and regulations as shall be necessary to preserve order and preserve the public health thereon, and to establish such judicial tribunals as may be agreed upon thereon as may be necessary to enforce such rules and regulations.

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[14] For increases in the amount of the annual payment provided for by this article, see Art. VII of the General Treaty of Friendship and Cooperation of March 2, 1936, and Art. I of the Treaty of Mutual Understanding and Cooperation of January 25, 1955, both set out in App. IX, General Relations.

[15] For extradition procedures pursuant to this article, see Executive Order of the Governor of the Canal Zone, Sept. 19, 1906 (now covered by § 5081 et seq. of Title 6, Canal Zone Code, incorporating its provisions), and translation of Panamanian Decree No. 118 of Sept. 22, 1906, both set out in App. VII, Extradition. For general extradition treaty of May 25, 1904, between the United States and Panama, see said App. VII. For applicability of extradition laws and treaties of the United States to the Canal Zone, see § 4981 of Title 6, Canal Zone Code.

[16] For Treaty of Nov. 18, 1901, with Great Britain, see § 31 et seq., ante.

[17] For waiver of Panamanian rights under this article, see Art. IX of the Treaty of Mutual Understanding and Cooperation of January 25, 1955, App. IX, General Relations.

[1] *Statutes at Large* (57th Cong., 1st Sess.), Vol. 32, Part 1, pp. 481–84; Public—No. 183. Also, *Isthmian Canal Commission, Annual Report, 1911*, pp. 549–52; I. E. Bennett, *History of the Panama Canal, Its Construction and Builders*, pp. 507–9.

The President may acquire such additional territory and rights from Colombia as in his judgment will facilitate the general purpose hereof.

Sec. 3. That when the President shall have arranged to secure a satisfactory title to the property of the New Panama Canal Company, as provided in section one hereof, and shall have obtained by treaty control of the necessary territory from the Republic of Colombia, as provided in section two hereof, he is authorized to pay for the property of the New Panama Canal Company forty millions of dollars and to the Republic of Colombia such sum as shall have been agreed upon, and a sum sufficient for both said purposes is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrant or warrants drawn by the President.

The President shall then through the Isthmian Canal Commission hereinafter authorized cause to be excavated, constructed, and completed, utilizing to that end as far as practicable the work heretofore done by the New Panama Canal Company, of France, and its predecessor company, a ship canal from the Caribbean Sea to the Pacific Ocean. Such canal shall be of sufficient capacity and depth as shall afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and such as may be reasonably anticipated, and shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing through the same from ocean to ocean; and he shall also cause to be constructed such safe and commodious harbors at the termini of said canal, and make such provisions for defense as may be necessary for the safety and protection of said canal and harbors. That the President is authorized for the purposes aforesaid to employ such persons as he may deem necessary, and to fix their compensation.

Sec. 4. That should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and the control of the necessary territory of the Republic of Columbia and the rights mentioned in sections one and two of this Act, within a reasonable time and upon reasonable terms, then the President, having first obtained for the United States perpetual control by treaty of the necessary territory from Costa Rica and Nicaragua, upon terms which he may consider reasonable, for the construction, perpetual maintenance, operation, and protection of a canal connecting the Caribbean Sea with the Pacific Ocean by what is commonly known as the Nicaragua route, shall through the said Isthmian Canal Commission cause to be excavated and constructed a ship canal and waterway from a point on the shore of the Caribbean Sea near Greytown, by way of Lake Nicaragua, to a point near Brito on the Pacific Ocean. Said canal shall be of sufficient capacity and depth to afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and such as may be reasonably anticipated, and shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing through the same from ocean to ocean; and he shall also construct such safe and commodious harbors at the termini of said canal as shall be necessary for the safe and convenient use thereof, and shall make such provisions for defense as may be necessary for the safety and protection of said harbors and canal; and such sum or sums of money as may be agreed upon by such treaty as compensation to be paid to Nicaragua and Costa Rica for the concessions and rights hereunder provided to be acquired by the United States, are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrant or warrants drawn by the President.

The President shall cause the said Isthmian Canal Commission to make such surveys as may be necessary for said canal and harbors to be made, and in making such surveys and in the construction of said canal may employ such persons as he may deem necessary, and may fix their compensation.

In the excavation and construction of said Canal the San Juan River and Lake Nicaragua, or such parts of each as may be made available, shall be used.

Sec. 5. That the sum of ten million dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, toward the project herein contemplated by either route so selected.

And the President is hereby authorized to cause to be entered into such contract or contracts as may be deemed necessary for the proper excavation, construction, completion, and defense of said canal, harbors, and defenses, by the route finally determined upon under the provisions of this Act. Appropriations therefor shall from time to time be hereafter made, not to exceed in the aggregate the additional sum of one hundred and thirty-five millions of dollars should the Panama route be adopted, or one hundred and eighty millions of dollars should the Nicaragua be adopted.

Sec. 6. That in any agreement with the Republic of Colombia, or with the States of Nicaragua and Costa Rica, the President is authorized to guarantee to said Republic or to said States the use of said canal and harbors, upon such terms as may be agreed upon, for all vessels owned by said States or by citizens thereof.

Sec. 7. That to enable the President to construct the canal and works appurtenant thereto as provided in this Act, there is hereby created the Isthmian Canal Commission, the same to be composed of seven members, who shall be nominated and appointed by the President, by and with the advice and consent of the Senate, and who shall serve until the completion of said canal unless sooner removed by the President, and one of whom shall be named as the chairman of said Commission. Of the seven members of said Commission at least four of them shall be persons learned and skilled in the science of engineering and of the four at least one shall be an officer of the United States Army, and at least one other shall be an officer of the United States Navy, the said officers respectively being either upon the active or the retired list of the Army or of the Navy. Said commissioners shall each receive such compensation as the President shall prescribe until the same shall have been otherwise fixed by the Congress. In addition to the members of said Isthmian Canal Commission, the President is hereby authorized through said Commission to employ in said service any of the engineers of the United States Army at his discretion, and likewise to employ any engineers in civil life, at his discretion, and any other persons necessary for the proper and expeditious prosecution of said work. The compensation of all such engineers and other persons employed under this Act shall be fixed by said Commission, subject to the approval of the President. The official salary of any officer appointed or employed under this Act shall be deducted from the amount of salary or compensation provided by or which shall be fixed under the terms of this Act. Said Commission shall in all matters be subject to the direction and control of the President, and shall make to the President annually and at such other periods as may be required, either by law or by the order of the President, full and complete reports of all their actings and doings and of all moneys received and expended in the construction of said work and in the performance of their duties in connection therewith, which said reports shall be by the President transmitted to Congress. And the said Commission shall furthermore give to Congress, or either House of Congress, such information as may at any time be required either by Act of Congress or by the order of either House of Congress. The President shall cause to be provided and assigned for the use of the Commission such offices as may, with the suitable equipment of the same, be necessary and proper, in his discretion, for the proper discharge of the duties thereof.

Sec. 8. That the Secretary of the Treasury is hereby authorized to borrow on the credit of the United States from time to time, as the proceeds may be required to defray expenditures authorized by this Act (such proceeds when received to be used only for the purpose of meeting such expenditures), the sum of one hundred and thirty million dollars, or so much thereof as may be necessary, and to prepare and issue therefor coupon or registered bonds of the United States in such form as he may prescribe, and in denominations of twenty dollars or some multiple of that sum, redeemable in gold coin at the pleasure of the United States after ten years from the date of their issue, and payable thirty years from such date, and bearing interest payable quarterly in gold coin at the rate of two per centum per annum; and the bonds herein authorized shall be exempt from all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority: *Provided*, That said bonds may be disposed of by the Secretary of the Treasury at not less than par, under such regulations as he may prescribe, giving to all citizens of the United States an equal opportunity to subscribe therefor, but no commissions shall be allowed or paid thereon; and a sum not exceeding one-tenth of one per centum of the amount of the bonds herein authorized is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the expense of preparing, advertising, and issuing the same.

Approved, June 28, 1902.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. THURMOND. I yield.

Mr. LONG of Louisiana. If I understand the Senator correctly, we had a treaty that gave us perpetual rights to the Canal Zone and all the property in it prior to the time that the renegotiation procedure was set into effect.

Mr. THURMOND. Under this treaty we have the right to this property in perpetuity, and we have the sovereignty, so to speak. It might be described somewhat as an enclave, but it is our property; it no longer belongs to Panama. Some people refer to it as our having rights in Panama. It is not that at all. We have the sovereignty of the property. It is our property.

We assumed certain obligations. We assumed the obligation to maintain the canal, and we assumed certain other obligations with Panama; and we entered into treaties with some other countries which are involved in this matter.

Now the desire is to relinquish this area entirely. That is what this treaty would provide. We would forfeit our rights to this property. We would forfeit the right to operate the canal as we now do. We would have a so-called administration to operate it, composed of five Americans and four Panamanians. But if the Panamanian Government should go Communist, or if it should get into the hands of people unfavorable to us—and no one can predict what would happen—one could visualize the trouble we would have.

If that were to happen, what would happen with regard to the canal? The government there is not stable, and if it became an unfavorable government, it might attempt to exclude ships, as Egypt did in the Suez Canal, and this could even result in war.

Furthermore, if we were engaged in a war and did not have control of the canal, and if it were closed to us, we would have a great deal of trouble from that standpoint. I believe that from the standpoint of national security alone, it is important that we maintain control of the Panama Canal. We have spent a great deal of money there, and we have operated it satisfactorily.

If Panama is not receiving as large a percentage from the proceeds of the canal as they feel they should, then that matter could be adjusted. But we do not have to give up the entire canal. We do not have to give up our entire sovereignty and rights down there, as this treaty would do.

I shall go into this matter more thoroughly as the days go by. I have been making a speech on this matter almost every day, and I am building a record in the Senate, having the various treaties printed in the RECORD, and explaining them; and from day to day I will be doing this.

I am convinced that if the Senate will study the historical record of the canal, it will not consider relinquishing our sovereignty and our rights in the Panama Canal Zone.

I am hopeful that the people of this country will become informed on this subject. I am confident that the people of America would not want the United States to give up control of the Panama Canal.

Mr. LONG of Louisiana. My impression is that at the time these riots started in Panama, we did have rights in perpetuity in the Canal Zone, as the Senator has stated, and that as a result of a riot or two, this Nation has relinquished its position to the point that we now find ourselves being asked to ratify a treaty under which, as I understand it, we would no longer even have the property rights that we now have in the Canal Zone itself. Is my understanding correct?

Mr. THURMOND. The Senator's understanding is correct. An administration would be set up to handle the Panama Canal, and the zone would be greatly restricted. It would be an area, so to speak. It would no longer be the Panama Canal Zone as we now know it.

Mr. LONG of Louisiana. If my understanding is correct, there would be nine persons on the board who would govern, and four would be appointed by Panama and five would be appointed by the United States.

Mr. THURMOND. The Senator's understanding is correct.

Mr. LONG of Louisiana. If that were to be the situation, I would harbor a fear that about all it would take then to surrender whatever rights we have remaining there would be one more concession—to make it five Panamanians and four Americans.

Mr. THURMOND. Under the restrictions contained in the treaty, the 5-to-4 ratio in our favor is not important, because there are many other restrictions. The treaty provides that we would no longer control the area. We would no longer control the canal.

The administration—the board—so to speak, would do so. Then, after a certain period of time, we would even lose that.

I heard a statement on this question today before the Republican policy committee. I propounded a question to a distinguished gentleman who had been working on these treaties and asked him what concessions Panama has made for what we are doing.

He said: "Well, it's in their country," and so forth.

That is where I disagree, because this area now belongs to the United States. That was a consideration in building the canal. We have control over the area, we own it, we have paid for it, we have bought it, and it belongs to us.

Someone has said: "Well, in this day and time, you just can't hold onto property in other countries."

This is not in another country. This is property that belongs to the United States, property we have bought and paid for. It is ours.

The Communists have been agitating in Panama about this matter, and I understand they are now agitating about this treaty.

Nothing we do will please the Communists. If the Senate ratifies this treaty, the Communists will find some other reason. They will say the Panamanian Government does not receive enough money, or the United States should not be there at all; or they will find some other reason to agitate and to create riots, demonstrations, and trouble. It is just the nature of the Communists. If they do not find one cause for agitation, they will find another. Whether we are there or not, they will agitate to cause trouble, if they can.

The Communists are strong in Panama. I was there a few years ago, and I spoke with the military people. It is a dangerous situation. The government is not stable, and if these treaties are ratified, and if we lose control of the canal, I fear for what may happen in the future with regard to the canal—especially what would happen to this country in time of war.

Mr. LONG of Louisiana. Can the Senator tell us what happened to the $400 million that we have invested there? What are we supposed to receive in return for the $400 million?

Mr. THURMOND. I have been interested to learn that, myself. I have been interested to learn what Panama is putting in to gain what they get, because they get 17 cents a ton the first year and it increases until they get, I believe, 22 cents a ton. We get only 8 cents a ton the first year, and that increases to 10 cents. However, we do not get anything until Panama is paid, and the costs, debts, and improvements are paid, and then, if there is anything left, we come in on the tail end. If there is anything remaining it is divided between the two countries.

In my judgment, it is a big giveaway. I think it is one of the biggest giveaways this country has ever known. I hope the Senate will study the history of this canal. It takes time to study these documents. I realize the Senate has so much material to read we do not get time to study all of the matters that we should. The Federal Government has entered so many fields of activity that it causes our time to be so scattered we do not have time to concentrate on questions we really should.

I have discussed this matter with retired military personnel who are very concerned. I have talked to some persons who lived there for years while on active duty. They think this is a dangerous step for us to take.

I hope the Senate will not see fit to ratify these treaties. It is my sincere belief that if Senators will study these treaties they will find what Panama gets, what we get, and where we lose control of the canal, which is the biggest factor. I would be willing to see Panama have more consideration, perhaps with payments, if that is what they want. I am not as concerned about that part of the matter as I am about loss of control of the Panama Canal.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. THURMOND. I yield.

Mr. LONG of Louisiana. Mr. President, I find myself in considerable sympathy with the position of the Senator from South Carolina.

I believe that the tolls have been raising about $90 million a year, and for the most part that has gone to pay for the expense of operating the canal and administering the Canal Zone. I would be willing to increase the cost very substantially to raise as much as $50 million a year for Panama provided that the rights of this Nation are fully protected and that the security of this Nation is guaranteed beyond any peradventure of doubt.

This Senator does look with some concern upon what happened with respect to the Suez Canal when Egypt was successful in taking it over. Since that time we have seen that Nasser can close that canal to whomever he wishes, and that he can engage in irresponsible acts of international conduct without much retaliation on the part of anybody unless they want to go to war. Of course, there is reluctance to do that.

Mr. President, the effect could be even

more pronounced if an unfriendly power were to come into the government in Panama, especially if this retreat of the United States were to be projected to the point where the Panamanians have control over the canal.

I would ask the Senator this question: In view of the fact that the treaties made in this area have been almost entirely a matter of surrendering the rights of the United States without this country getting anything in return, can the Senator see where we have anything more we can yield on in future negotiations other than the control of the canal itself, and to give away what remaining power we have, such as to yield on the principle that the United States would have a majority of the board, so that we would have a minority on the board? What else is there to yield to pacify the mobs or an unfriendly regime in Panama after we ratify this treaty?

Mr. THURMOND. There would be little left to yield. We give up all of the area. We give up the land. This would be a matter of having the administration there operate the canal. We would come in at the tail end of it for all of our big investment and get about one-half of what Panama would get out of it, although we bought the canal, operated it, and maintained it and are responsible for a big investment there.

Mr. LONG of Louisiana. The Senator has put the treaty in the RECORD. Do we at this moment own in perpetuity the land on which the canal is located?

Mr. THURMOND. The Senator is correct. It belongs to the United States.

Mr. LONG of Louisiana. Would we yield perpetual ownership of that land under this treaty?

Mr. THURMOND. We would give it up. Congress would lose complete control of this canal once we ratify the treaty. The canal presently is operated at no profit. In other words, the profits go into maintaining the canal. Then, they could reduce the cost of ships going through, if possible. We are getting nothing out of it now.

If we ratify these treaties we will lose control of the canal which, to my way of thinking, is vital to the national defense of this country.

Mr. LONG of Louisiana. I thank the Senator.

Mr. THURMOND. I wish to thank the distinguished Senator from Louisiana.

VIOLENCE IN OUR MAJOR CITIES

Mr. BYRD of West Virginia. Mr. President, the violence sweeping through our major cities today is appalling, to say the very least.

Peace-loving Americans everywhere are being forced to bear witness to the spectacle of screaming mobs running through the streets, looting stores, burning buildings and cars, and killing innocent citizens.

In Newark, Plainfield, Boston, Tampa, Los Angeles, Chicago, and Cleveland, to name just a few cities, this mad anarchy has become like a cancer.

How tragic it is to read of the heroic fire captain in Newark who, responding on a call in the line of duty, was met by a hail of sniper fire. That courageous man made repeated attempts under fire to carry out his duty.

How equally sad it was to read of the little boy in Plainfield, N.J., shot accidentally by a policeman who, wounded and helpless himself, was being stomped to death by a blood-hungry and hate-filled mob.

These horrible stories sound so very much out of place in America.

We hear the usual excuses for the riots. They are the same excuses that were trotted out in the wake of the Watts riot. The ghettos are blamed; yet, people of all races have lived in ghettos in the past, but they have not rioted.

Poverty is blamed for the riots; yet poverty-stricken whites outnumber poverty-stricken Negroes in America, but they are not rioting. Moreover, there are millions of poor but upstanding Negro citizens who deplore violence and disorder and who do not subscribe to riots.

If living in poverty reposes in one a duty or a right to riot, then Abraham Lincoln would have been the Stokely Carmichael of his day.

Discrimination, we hear, is back of the riots; yet, millions of lowly immigrants have come to this country, immigrants who could not even speak the English language and who were thus placed at an additional great disadvantage.

The Lebanese, the Germans, the Italians, the Poles, the Greeks, the Jews, and others—they too were discriminated against, but they did not react with violence in the streets.

They also lived in ghettos but they kept their ghettos clean. Their ghettos did not become slums.

The immigrants reacted to the discrimination against them in a totally different way. When they could not find work, they created it by setting up their own little shops. Their ghettos did not become slums. They became homes, where they gave thanks for what they had earned. These immigrants did not believe that they had a right to demand handouts, nor did they believe that they had a right to plunder or to burn or to destroy or to kill.

Eradicate the slums, we are told, and this will prevent riots. Yet, Watts was not a slum. Slums are not built. They develop as a result of the careless living of people—people who throw their trash in the hallways and on the stairways, into the yards, and onto the streets. If people are irresponsible and dirty in their way of living, and have no desire to put forth the effort to improve their surroundings, then we will have slums with slovenly people residing in them.

For years I lived in the coal-mining communities of West Virginia. I recall the depression of the 1930's. Poverty was everywhere. It was everyone's companion. Yet, West Virginians, whether white or Negro, did not riot. They were law-abiding citizens, as they are today. One may explain, "But there were no large urban ghettos." True. But there was poverty—grinding poverty. That was before the days of collective bargaining, social security, and welfare checks, or even unemployment compensation. Yet, those people did not burn and plunder and loot and engage in mass anarchy. They believed in an orderly society. And even though they were poor, most of them, Negro and white, were not willing to leave their floors unscrubbed or a step unrepaired. Of course, there were no plumbing fixtures to worry about.

Many of those poor people, white and Negro alike, took pride in their surroundings. Their floors were clean, their yards were clean. Here and there they planted a flower or a piece of shrubbery.

And, best of all, white and Negro, they get along well together. If a Negro became unable to work, whites and Negroes would try to help. If a white miner became ill or was injured in the mines, Negroes and whites would try to help. There were many times when I, as a meatcutter or produce clerk in the company store, placed a large flour barrel at the end of the meat counter and started a "pounding" for a sick Negro miner or a sick white miner. At the end of the day, the barrel would be filled with flour, meal, bacon, pinto beans, and other provisions and ready to deliver to the stricken family.

So, Mr. President, people may be poor and, yet, considerate of others. They may live in poverty and yet take pride in their humble surroundings. Poverty neither provides a license for laziness nor for lawlessness.

We can take the people out of the slums, but we cannot take the slums out of the people. Wherever some people go, the ratholes will follow. Wherever some people go, the slums will follow. All the housing, and all the welfare programs conceivable, will not stop the riots or do away with the slums. People first have to clean up inside themselves. They must stop tearing off the wallpaper, breaking the windows, ripping up the bannisters and the stairs, and destroying the plumbing fixtures of rented properties before they can properly take care of their own. The rats will not be kept away as long as the garbage is tossed into the yard instead of into the garbage can.

Moreover, men will not deserve or enjoy the respect and approbation of their fellows except by earning it. It cannot be acquired in any other way. They will be largely judged by their conduct. If they conduct themselves in an orderly way, they will not have to worry about police brutality. If they obey the laws, the laws will protect them. But a government of laws cannot tolerate disrespect for, and violation of its laws. To do so would herald the first evidence of society's decay.

I am sure that I speak the thoughts of many of my fellow West Virginians, and millions of my fellow Americans, both white and Negro, when I say that we cannot stand idly by and tolerate the shameful rape of democracy in our Republic.

Those who choose to step outside the law must be punished. And those who insist upon force must be met with a greater force. Mobs must not be permitted to prevail.

Perhaps it is a spontaneous madness which erupts into some of these riots. A police arrest, properly made, in the line of duty, and to enforce the law, draws a jeering and taunting crowd. Bricks are thrown. The police are subjected to verbal and physical abuse, and then a twisted rumor moves about the neighborhood. The final result is a full-scale display of vicious mob savagery which cripples or destroys everything in its mad path.

One could not rightly say that these twisted rumors are the work of outside instigators in all cases, but certainly the seeds of violence are often fertilized and nurtured by a minority of outside agitators overtly and covertly active in fomenting hate and racial strife.

Because these agitators often move in interstate commerce and by their actions cause serious interruption of that commerce, the other body has been developing a piece of legislation which would deal with these agitators who use the instruments of interstate commerce to create racial strife, exacerbate racial passions, and foment racial hatred.

The senior Senator from Ohio [Mr. LAUSCHE], the senior Senator from Delaware [Mr. WILLIAMS], and I have joined in sponsoring a bill in this body which we believe will go far to alleviate this situation and which will put these troublemakers—and some of them are white—out of business and in prison.

This bill—S. 1094—is neither long nor complex. It poses a direct, succinct threat to the instigators and perpetrators of this continuing anarchy by making it a Federal offense to incite or participate in a riot which impairs interstate or foreign commerce. It also makes it a specific Federal crime to interfere with a fireman or law enforcement officer who is performing official duties incident to or during a riot.

The penalty imposed by S. 1094 is neither weak nor inhumane. It provides for a stiff maximum sentence of up to five years and/or a $10,000 fine.

The bill, which should make anarchists stop and think, is based upon the power of Congress to regulate the flow of commerce. If we can use the "commerce clause" to prevent a man from raising wheat to feed his own livestock, then it certainly seems appropriate to use it to reach a man bent upon destroying the peace of the Nation.

Mr. President, there can be no doubt that this legislation is sorely needed. We must not stand by any longer while little children are wounded and brave policemen and firemen are shot to death or stomped to death by frenzied mobs.

ADJOURNMENT UNTIL FRIDAY AT 10 O'CLOCK A.M.

Mr. LONG of Louisiana. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 10 o'clock a.m. on Friday.

The motion was agreed to; and (at 6 o'clock and 28 minutes p.m.) the Senate adjourned until Friday, July 21, 1967, at 10 o'clock a.m.

CONFIRMATION

Executive nomination confirmed by the Senate July 18, 1967:

DEPARTMENT OF THE INTERIOR

David Statler Black, of Washington, to be Under Secretary of the Interior.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 18, 1967

The House met at 12 o'clock noon.

Rabbi Jerome Weistrop, Temple Shalom, Milton, Mass., offered the following prayer:

Av Harachamim—Merciful Father,

We ask Thy guidance, that we may work for the goals which we know to be good, despite pressures to act expediently.

Help us to resist the temptation to be satisfied with short-term rewards, that we may work toward permanent achievement.

As these Members of Congress grapple with today's challenges—

Open their minds, that they may learn from each other;

Open their hands, that they may cooperatively work together;

Open their hearts, that they may judge each other's motives charitably.

May we always remember—

If I am not for myself, who will be for me?

But if I am for myself alone, what am I?

Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 253. Concurrent resolution providing for the printing as a House document of certain maps and indicia relating to Vietnam and the Asian Continent;

H. Con. Res. 346. Concurrent resolution to authorize the printing as a House document the pamphlet entitled "Our Flag";

H. Con. Res. 348. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs; and

H. Con. Res. 369. Concurrent resolution authorizing certain printing for the Select Committee on Small Business of the House of Representatives.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1581. An act to amend the Federal Voting Assistance Act of 1955 (69 Stat. 584); and

S. 1956. An act to extend for 2 years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues.

The message also announced that the Secretary was directed to return to the House of Representatives the bill (S. 1577) entitled "An act to complement the Vienna Convention on Diplomatic Relations," together with all accompanying papers.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 10368, LEGISLATIVE BRANCH APPROPRIATION BILL

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the legislative branch appropriation bill for 1968, H.R. 10368.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PELLY URGES SUPPORT OF SST FUNDS

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, later today the House will consider H.R. 11456 making appropriations for the Department of Transportation.

This bill includes $142,375,000 for fiscal year 1968 for the development of two prototypes of the supersonic transport aircraft—the so-called SST.

I understand that during the reading of this bill for amendments, an attempt may be made to eliminate this item. Mr. Speaker, any such effort should be defeated.

The need for the supersonic transport aircraft is supported by the American airlines which, in aggregate, are putting up $52 million of their own money to participate with the Federal Government in this project. They are investing their own money to make the SST project succeed.

Meanwhile, 129 reservations for delivery of this new plane have been placed by some 26 airlines. These airlines of the world and our Nation believe in the SST, and they have paid in excess of $23 million in down payments to assure delivery. And, as things now stand, if the United States does not build the SST, these sales will go to the British-French consortium, representing over $4 billion.

I urge all House Members to oppose any ill-advised attempt to cut or curtail this SST program.

Mr. Speaker, America must stay at the top of the transport aircraft field.

HOW MUCH IS A BILLION DOLLARS?

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, a few weeks ago we raised the debt ceiling $22.5 billion. Now, I would like to raise the roof a little. It is apparent that this Congress, and perhaps a great segment of the American people, have lost sight of the value of a billion dollars. We talk about a billion here and a few billions there, and the whole thing is done as casually as if we were handing out cigars.

In fact, this preoccupation with billions has become, in reality, a substitute for a planned program of attack on our Nation's problems. The answer of the Great Society has simply been to throw billions at any problem and it will go away, and the recent rioting is no exception.

Just how much is a billion dollars? It is a stack of $1 bills 212 times the height of the Empire State Building. It represents a spending rate of a dollar a minute, year round, for 1,902 years—with $264,000 left over.

I do not say that our Government billions have been totally wasted. We have made some progress in the fields of highway construction, reclamation, and in various fields where Federal-local cooperative programs have been allowed to work. I do say that we should not begin to take a billion dollars casually. It represents the tax returns of hundreds of thousands of Americans. The art of "billionizing" Federal problems has been proven ineffective.

The next time the Great Society tries to raise the debt ceiling, I am in hopes that the taxpayers of this country will realize that it is in reality not raising anything, but is digging a pit for the future financial security of everyone. We call it raising the ceiling, but we would be more correct to say that we are going further into the hole.

THE PENDING TAX PROPOSAL

Mr. HANNA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANNA. Mr. Speaker, it is my understanding that the administration is moving forward on a tax proposal for this year. In that regard I should like to make certain observations.

It seems to me that no tax proposal would be entirely correct or candid to the American people if it did not include something of the tax reform that got lost some time ago.

I would also want to speak very strongly as favoring a tax proposal at this time. I believe, considering the requests we have made for the great demands in the Vietnamese war and for the investments which the American people have to make in America itself, we would be doing less than our job if we did not support taking from our great economy that money which is necessary for investment and reducing that which we demand for our own present-day use so that the American of the future will have some of the greatness, some of the opportunities that we have enjoyed because of the investments made in our land by those who preceded us.

I believe this is the time for a tax program, but it is also time for that long overdue tax reform.

FOREIGN VESSELS OFF THE COAST OF ALASKA

Mr. POLLOCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. POLLOCK. Mr. Speaker, I regret to inform the House of another invasion by a foreign vessel into American waters off the coast of Alaska. It will be remembered that earlier this year two Russian trawlers were caught fishing in American waters on separate occasions and the captains were arrested and fined. The vessel apprehended this time is Japanese.

The name of the ship is the *Tenyo Maru No. 3*. It is a 330-foot stern trawler, and when seized by the Coast Guard off Segula Island in the Aleutian chain was fishing for ocean perch. Contact was first made by radar by the Coast Guard. This contact revealed that the vessel was within the 3-mile territorial limit. Visual sighting confirmed that the Japanese vessel was fishing in Alaskan waters. The trawler was seized by the Coast Guard and is now being taken to Adak for arraignment. No resistance was offered, and the Japanese ship is proceeding voluntarily.

This is the third intrusion this year by a foreign vessel into Alaskan waters. It emphasizes the need for constant vigilence to protect our territorial water and the new 12-mile fishery zone, and for meting out decisive and swift but just punishment when violations occur. It also demonstrates again the ability and alertness of our U.S. Coast Guard. I wish to commend those Coast Guard personnel involved in this seizure and the Coast Guard as a whole for their fine work.

FIXING PER ANNUM RATE OF COMPENSATION FOR TWO POSITIONS CREATED BY HOUSE RESOLUTION 543, 89TH CONGRESS

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 746) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 746

Resolved, That, effective as of July 1, 1966, the per annum (gross) rate of compensation (basic compensation plus additional compensation authorized by law) of each of the two positions created by H. Res. 543, Eighty-ninth Congress, shall not exceed the annual rate of basic pay for level V of the Executive Schedule in section 5316 of title 5, United States Code.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR SUBCOMMITTEE ON LIBRARIES AND MEMORIALS OF THE COMMITTEE ON HOUSE ADMINISTRATION TO SIT DURING GENERAL DEBATE, JULY 19

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Libraries and Memorials of the Committee on House Administration may be permitted to sit during general debate on July 19.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR SUBCOMMITTEE NO. 5 OF THE SELECT COMMITTEE ON SMALL BUSINESS TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 5 of the Select Committee on Small Business may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

WORK PLANS TRANSMITTED BY EXECUTIVE COMMUNICATION NO. 743—COMMUNICATION FROM THE COMMITTEE ON AGRICULTURE

The SPEAKER laid before the House the following communication from the Committee on Agriculture, which was read and, together with the accompanying papers, referred to the Committee on Appropriations:

U.S. House of Representatives,
Committee on Agriculture,
Washington, D.C., July 17, 1967.

Hon. John W. McCormack,
The Speaker,
The House of Representatives,
Washington, D.C.

Dear Mr. Speaker: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture today considered and unanimously approved the following work plans, transmitted to you by Executive Communication No. 743, 90th Congress, and referred to this Committee.

Clatonia Creek, Nebraska.
Eutacutaches Creek, Mississippi.
Farmers Creek, Texas.
Little Sni-A-Bar, Missouri.

North Pigeon, Iowa.
Papillion Creek, Nebraska.
Pecan Creek, Texas.
Tri-Creek, Wisconsin.
Tri-County Hopson Bayou, Mississippi.
Upper Clinch Valley, Virginia.

With best wishes, I am
Sincerely yours,
W. R. POAGE,
Chairman.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

E. F. FORT, CORA LEE FORT CORBETT, AND W. R. FORT

The Clerk called the bill (H.R. 2661) for the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DEMETRIOS KONSTANTINOS GEORGARAS

The Clerk called the bill (H.R. 1596) for the relief of Demetrios Konstantinos Georgaras (also known as James K. Georgaras).

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PUGET SOUND PLYWOOD, INC., OF TACOMA, WASH.

The Clerk called the bill (H.R. 4949) for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT and Mr. HALL objected and, under the rule, the bill was recommitted to the Committee on the Judiciary.

CARLOS ROGELIO FLORES-VASQUEZ

The Clerk called the bill (H.R. 2036) for the relief of Carlos Rogelio Flores-Vasquez.

There being no objection, the Clerk read the bill, as follows:

H.R. 2036

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Carlos Rogelio Flores-Vasquez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. INGE HEMMERSBACH HILTON

The Clerk called the bill (H.R. 6096) for the relief of Mrs. Inge Hemmersbach Hilton.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

CAPT. REY D. BALDWIN

The Clerk called the bill (S. 95) for the relief of Capt. Rey D. Baldwin.

There being no objection, the Clerk read the bill, as follows:

S. 95

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain Rey D. Baldwin, United States Air Force, is hereby relieved of all liability for repayment to the United States of the sum of $905.84, representing the amount of overpayments of basic pay received by the said Captain Rey D. Baldwin, for the period from March 19, 1960, through December 31, 1963, such overpayments having been made as a result of his having been erroneously credited for pay purposes with military service previously performed by him in an enlisted grade. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain Rey D. Baldwin, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

With the following committee amendment:

Page 2, line 8, insert: "No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JESSE C. JOHNSON

The Clerk called the bill (S. 324) for the relief of Jesse C. Johnson.

There being no objection, the Clerk read the bill, as follows:

S. 324

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Jesse C. Johnson, of Warner Robins, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of $1,804.43, representing overpayments of salary which he received as an employee of the Department of the Air Force at Robins Air Force Base, Georgia, for the period from July 14, 1957, through May 15, 1965, such overpayment having been made as a result of administrative error when he was erroneously given a within-grade step increase, effective July 14, 1957. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Jesse C. Johnson, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. CHIN SHEE SHIU

The Clerk called the bill (S. 636) for the relief of Mrs. Chin Shee Shiu.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CLARA B. HYSSONG

The Clerk called the bill (H.R. 1655) for the relief of Clara B. Hyssong.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

FRANK I. MELLIN, JR.

The Clerk called the bill (H.R. 1674) for the relief of Frank I. Mellin, Jr.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. LESSIE EDWARDS

The Clerk called the bill (H.R. 1680) for the relief of Mrs. Lessie Edwards.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CHILDREN OF MRS. DORIS E. WARREN

The Clerk called the bill (H.R. 2454) for the relief of the children of Mrs. Doris E. Warren.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection?

COMDR. ALBERT G. BERRY, JR.

The Clerk called the bill (H.R. 2757) for the relief of Comdr. Albert G. Berry, Jr.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

IKE IGNAC KLEIN

The Clerk called the bill (H.R. 3474) to require the Foreign Claims Settlement Commission to determine the amount and validity of the claim of Ike Ignac Klein against the Government of Hungary, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 3474

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provision of title III of the International Claims Settlement Act of 1949 relating to limitations of time with respect to filing claims or making awards, or any prior decision of the Foreign Claims Settlement Commission, such Commission shall receive and determine the amount and validity of the claim of Ike Ignac Klein of New York, New York, against the Government of Hungary, if such claim is filed with the Commission within six months after the date of enactment of this Act. The Commission shall receive and determine such claim in accordance with all other provisions of title III of the International Claims Settlement Act of 1949 and the award, if any, made by the Commission shall be paid by the Secretary of the Treasury from the War Claims Fund in an amount which bears the same ratio to such award as the aggregate of payments made from the Hungarian Claims Fund bears to the aggregate of awards made by the Commission for payment from the Hungarian Claims Fund. The Commission shall recertify to the Secretary of the Treasury the amount of any award made under this Act with respect to claims allowable under section 303(1) of title III of the International Claims Settlement Act of 1949 and the award so recertified shall be deemed, for the purposes of title II of the War Claims Act of 1948, to be an award recertified under section 209(b) of such Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAURITZ A. STERNER

The Clerk called the bill (H.R. 3865) for the relief of Mauritz A. Sterner.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

T. MICHAEL SMITH

The Clerk called the bill (H.R. 4015) for the relief of T. Michael Smith.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. HAZEL M. LaFRANCE

The Clerk called the bill (H.R. 5025) to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on certain claims of Mrs. Hazel M. LaFrance against the United States.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

SWIFF-TRAIN CO.

The Clerk called the bill (H.R. 6004) for the relief of Swiff-Train Co.

There being no objection, the Clerk read the bill, as follows:

H.R. 6004

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Swiff-Train Company of Corpus Christi, Texas, is relieved of liability to the United States in the amount of $4,832.87, representing the excess duties in connection with the importation of the items covered by consumption entry numbered 106–C, dated February 23, 1956, assessed on the basis of an erroneous appraisement of such items. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Swiff-Train Company the sum of $1,396.27. The payment of such sum shall be in full settlement of all claims of the said Swiff-Train Company against the United States for overassessment of duties by the collector of customs of Galveston, Texas, in connection with the importation of the items covered by consumption entry numbered 106–C, dated February 23, 1956. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike all after the enacting clause and insert:

"That notwithstanding any statute of limitations, the defense of res judicata. or the dismissal of a prior action, jurisdiction is hereby conferred upon the United States Customs Court to hear, determine, and render judgment on the appeal of the Swiff-Train Company of Corpus Christi, Texas, of the appraisement of an importation of certain steel bars through the port of Houston, Texas, under consumption entry No. 106–C, dated February 23, 1956. The action authorized by this Act shall be filed within one year of its effective date."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRED W. KOLB, JR.

The Clerk called the bill (H.R. 6189) for the relief of Fred W. Kolb, Jr.

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

ALGONAC MANUFACTURING CO. AND JOHN A. MAXWELL

The Clerk called the bill (H.R. 6462) granting jurisdiction to the Court of Claims to render judgment on certain claims of the Algonac Manufacturing Co. and John A. Maxwell against the United States.

There being no objection, the Clerk read the bill, as follows:

H. R. 6462

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any statute of limitations or administrative determinations, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment for any amount found to be legally or equitably due upon the claims of the Algonac Manufacturing Company and John A. Maxwell for damages, if any, arising out of the criminal and civil prosecution of said Algonac Manufacturing Company and John A. Maxwell following termination by the United States on October 2 and October 16, 1953, of contracts entered into by the United States and Algonac Manufacturing Company. Such judgment shall include the amount, if any, found to be owing to Algonac Manufacturing Company and John A. Maxwell as damages on account of misrepresentation of employees of the United States, abuse of process, conversion and misappropriation of property, and false arrest incident to and arising out of such prosecution. Such suit shall be instituted within six months after the date of enactment of this Act: *Provided,* That the procedure for the determination of such claims, and review thereof, and payment thereon, shall be the same as in the case of claims over which the Court of Claims has jurisdiction as now provided by law.

With the following committee amendments:

Page 1, line 6, strike "legally or".

Page 1, line 7, strike "equitably".

Page 2, line 3, strike "Such" and insert "Notwithstanding the tort claims provisions of title 28, such".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. EMANUEL MARCUS

The Clerk called the bill (H.R. 7599) for the relief of Dr. Emanuel Marcus.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CHARLES WAVERLY WATSON, JR.

The Clerk called the bill (H.R. 8091) for the relief of Charles Waverly Watson, Jr.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ATHANASIA ARGERE

The Clerk called the bill (S. 39) for the relief of Athanasia Argere.

There being no objection, the Clerk read the bill, as follows:

S. 39

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, as amended, Athanasia Argere may be classified as a child within the meaning of section 101(b) (1) (F) of that Act, and a petition may be filed in her behalf by Mr. and Mrs. Nicholas Grapsas, citizens of the United States, pursuant to section 204 of the Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROSA ANNA GENOVESE

The Clerk called the bill (S. 256) for the relief of Rosa Anna Genovese.

There being no objection, the Clerk read the bill, as follows:

S. 256

Be it enacted by the Senate and House of Represenatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, as amended, Rosa Anna Genovese may be classified as a child within the meaning of section 101(b) (1) (F) of the Act, and a petition may be filed in her behalf by Mr. and Mrs. Seb Sbona, citizens of the United States, pursuant to section 204 of the Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROSA AGOSTINO

The Clerk called the bill (S. 280) for the relief of Rosa Agostino.

There being no objection, the Clerk read the bill, as follows:

S. 280

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, as amended, Rosa Agostino may be classified as a child within the meaning of section 101(b) (1) (F) of the Act upon approval of a petition filed in her behalf by Katherine Ferrier, a citizen of the United States pursuant to section 204 of the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SETSUKO WILSON (NEE HIRANAKA)

The Clerk called the bill (S. 534) for the relief of Setsuko Wilson (nee Hiranaka.)

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

HYE SUK PAENG AND MI KUNG PAENG (PATRICIA ANN)

The Clerk called the bill (S. 822) for the relief of Hye Suk Paeng and Mi Kung Paeng (Patricia Ann).

There being no objection, the Clerk read the bill, as follows:

S. 822

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Hye Suk Paeng and Mi Kung Paeng (Patricia Ann), the widow and daughter of the late Charlie E. Tripp, a citizen of the United States, shall be held and considered to be aliens eligible for immediate relative status under the provisions of section 201(b), and the provisions of section 204 of the said Act shall not be applicable in these cases.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELISABETA HORWATH

The Clerk called the bill (H.R. 2485) for the relief of Elisabeta Horwath.

There being no objection, the Clerk read the bill, as follows:

H.R. 2485

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Elisabeta Horwath shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Elisabeta Horwath. From and after the date of the enactment of this Act, the said Elisabeta Horwath shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RAMIRO VELASQUEZ HUERTA

The Clerk called the bill (H.R. 3497) for the relief of Ramiro Velasquez Huerta.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

TERESINA FARA

The Clerk called the bill (H.R. 4159) for the relief of Teresina Fara.

There being no objection, the Clerk read the bill, as follows:

H.R. 4159

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Teresina Fara shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Teresina Fara. From and after the date of the enactment of this Act, the said Teresina Fara shall not again be subject to deportation by reasons of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERTO MARTIN DEL CAMPO

The Clerk called the bill (H.R. 5216) for the relief of Roberto Martin Del Campo.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to

the request of the gentleman from Alabama?

There was no objection.

JAN DROBOT

The Clerk called the bill (H.R. 8254) for the relief of Jan Drobot.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

RICHARD K. JONES

The Clerk called the bill (S. 454) for the relief of Richard K. Jones.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ELI ELEONORA BIANCHI

The Clerk called the bill (H.R. 3195) for the relief of Eli Eleonora Bianchi.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

DESPINA AND CHRISTINA HATZISAVVAS

The Clerk called the bill (H.R. 3881) for the relief of Despina and Christina Hatzisavvas.

There being no objection, the Clerk read the bill, as follows:

H.R. 3881

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 203(a)(1) and 204 of the Immigration and Nationality Act, Despina and Christina Hatzisavvas shall be held and considered to be the natural born alien daughters of Mr. and Mrs. George James, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Christina Hatzisavvas may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. George James, citizens of the United States, pursuant to section 204 of the Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Christina Hatzisavvas." A motion to reconsider was laid on the table.

MARIA KOLOMETROUTSIS

The Clerk called the bill (H.R. 7427) for the relief of Maria Kolometroutsis.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

SONG SIN TAIK AND SONG HYUNG HO

The Clerk called the bill (H.R. 7516) for the relief of Song Sin Taik and Song Hyung Ho.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER. This concludes the call of the Private Calendar.

CALL OF THE HOUSE

Mr. CONTE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 171]

Ayres
Baring
Brown, Calif.
Burton, Calif.
Casey
Cowger
Cramer
Dent
Eckhardt
Feighan
Garmatz
Gibbons
Hays
Hébert
Hungate
King, Calif.
Kluczynski
Long, La.
Miller, Calif.
Murphy, N.Y.
O'Konski
Passman
Pike
Pool
Pryor
Rarick
Resnick
Roudebush
Ruppe
Scheuer
Schweiker
Steed
Taft
Taylor
Teague, Calif.
Teague, Tex.
Whitener
Williams, Miss.
Willis

The SPEAKER. On this rollcall 393 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. PEPPER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEPARTMENT OF TRANSPORTATION APPROPRIATION BILL, 1968

Mr. BOLAND. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11456) making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 3 hours, the time to be equally divided and controlled by the gentleman from Ohio [Mr. MINSHALL] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Massachusetts.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 11456, with Mr. UDALL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous consent agreement, the gentleman from Massachusetts [Mr. BOLAND] will be recognized for 1½ hours and the gentleman from Ohio [Mr. MINSHALL] will be recognized for 1½ hours.

The Chair recognizes the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the bill now being considered by the Committee of the Whole is the first annual appropriation bill for the newest Department of the Federal Government—the Department of Transportation.

As chairman of the Subcommittee on Appropriations for the DOT, I want to express my appreciation to the members of the committee for their spirit, cooperation, and their industry during the lengthy hearings on this bill—the gentleman from California [Mr. McFALL], the gentleman from Illinois [Mr. YATES], the ranking minority member, the gentleman from Ohio [Mr. MINSHALL], and the gentleman from North Carolina [Mr. JONAS].

May I add that all of us on the committee are grateful to the staff for the splendid manner in which they joined in advising and counseling the committee—Ralph Preston, Tex Gunnels, and Tom Kingfield.

It can be said that the new DOT has started well—and particularly when the magnitude of its problems is considered. All of us were pleased with the ability, the knowledge, and the frankness of the people who oversee the various activities of the Department.

The committee is pleased with the progress made thus far by the Department. In some instances where reductions in numbers of additional personnel are recommended, the reductions should not be interpreted as criticism of officials of the Department for not hiring more personnel in the time available. The positions recommended represent what the committee believes to be a reasonable rate of hiring.

All of us in the Congress want this Department to be an effective branch of the Government, for all of us realize the tremendous and important scope of its responsibilities. We want this Department to succeed. The committee is anxiously seeking that the Department begin well. If too hasty selections of personnel are made in efforts to staff the Department, without the patient searching and careful screening required to find the best man for the job in each instance, the Department could quickly become yoked with a burden of mediocrity which could only result in years of difficulty in achieving programed goals and a general lack of effectiveness.

The committee is convinced that the Department has been prudent and judicious thus far, in selecting its personnel. We urge that this policy be continued.

The funds in the bill are in six titles. The funds provided in the bill that we are recommending to the House total $1,530,198,372. The budget request for fiscal year 1968 is $1,718,618,772. The figure we recommend is $188,420,400 below the budget request, or a reduction of about 11 percent as indicated in the following summary:

Summary of appropriations

	Appropriations, fiscal year 1967	Budget estimate, fiscal year 1968	Recommended in bill	Bill compared with—		Percent reduction below estimate
				Appropriations, fiscal year 1967	Budget estimate, fiscal year 1968	
Title I, Office of the Secretary	$3,000,000	$16,400,000	$12,935,100	+$9,935,100	−$3,464,900	21.1
Title II, Coast Guard	498,681,000	524,246,000	519,306,500	+20,625,500	−4,939,500	.9
Title III, Federal Aviation Administration	988,026,500	942,960,000	866,361,000	−121,665,500	−76,599,000	8.1
Title IV, Federal Highway Administration	209,610,000	207,662,772	113,001,772	−96,608,228	−94,661,000	45.6
Title V, Federal Railroad Administration	22,000,000	23,050,000	14,594,000	−7,406,000	−8,456,000	36.7
Title VI, other activities		4,300,000	4,000,000	+4,000,000	−300,000	7.0
Grand total, all titles	1,721,317,500	1,718,618,772	1,530,198,372	−191,119,128	−188,420,400	11.0

The Department requested for nonmilitary personnel a total of 59,560—or an increase of 1,579 civilian personnel over 1967.

We recommended 59,035 positions, which is a reduction of 525, or 33 percent of the requested increase.

Mr. Chairman, the committee report, I think, details rather persuasively the information contained therein and will give the Members of the Committee of the Whole House on the State of the Union a rather thorough understanding of what the committee has done.

It is my intention to review briefly some of the reductions and some of the actions that the subcommittee took. Other members of the subcommittee will discuss other phases of the bill.

For the Office of the Secretary, the request was $8,300,000. We reduced that by $1,314,900.

This amount is sufficient to provide 433 of the 515 permanent positions requested under this heading. Testimony on the total amount of jobs requested by the new Secretary of the Department of Transportation, Alan Boyd, indicated that there were, in our judgment, a number of positions that would not have to be filled in fiscal year 1968; so we reduced his request by 82 positions. It is my judgment, and I think it is the judgment of the members of the subcommittee, that the Secretary of Transportation is doing a good job. We commend him for the caution with which he and his staff have added personnel to the various activities within the Department, and as I indicated in my remarks a moment ago, we urge that this policy be continued.

In "Transportation research," the Secretary, of course, is responsible for the implementation of sound transportation policies, and this necessarily embraces transportation research.

The Department's request for 1968 was $6,100,000. We considered an additional $2,000,000 under this heading because the committee restructured this appropriation to more closely reflect the organizational control of the funds requested. Corresponding adjustments were made in the requests of the Federal Railroad Administration. The total amount considered under "Transportation research" was $8,100,000. We reduced this by $2,150,000.

The Coast Guard requested for "Operating expenses" $368,972,000. We reduced this amount by some $24,535,000 for Reserve training. They requested to have Reserve training included under operating expenses. We said to them that we would like to retain this account separately, so we reduced the $368 million by that amount for Reserve training and set it up in a separate budget account. We believe this will give the Congress better visibility of the Reserve program, and it will certainly give the committee better visibility over this account.

We recommend in the bill $339,992,500 for "Operating expenses" for the Coast Guard in the vast area in which it operates. Funds are provided for search and rescue, aids to navigation, merchant marine safety, marine law enforcement, ice-breaking, oceanography, and pay and allowances of both military and civilian personnel. There is an increase of $13,588,500 over fiscal 1967, but the major share of the increase is due to the effort in Vietnam.

Also the Coast Guard has assumed new duties with reference to the Bureau of Commerce with respect to the documentation of vessels and port security, and some of the functions have been transferred from the Corps of Engineers with respect to bridges and drawbridges over navigable waters.

The Acquisition, Construction and Improvements request of the Coast Guard was for $107,014,000. We recommend the entire amount for this item. This item is broken down in the committee report on page 9. The authorization by the Merchant Marine and Fisheries Committee was for five high-endurance cutters. These are the first line ships of the Coast Guard. All of them are good, but these are the best of the Coast Guard. They set up a plan for buying new ships to replace some of those that are overage. It was the judgment of the Committee on Merchant Marine and Fisheries that five high-endurance cutters should be constructed this year.

The Coast Guard also requested $12 million for an oceanographic vessel, and we indicated in the report on the bill that they ought to take the $12 million and buy a second high-endurance cutter and forget about the oceanographic vessel for awhile. So we fund two high-endurance cutters, one more than the budget proposed.

There is some concern on the part of this committee, as there is on the part of other committees of Congress, that there are too many agencies of the Government performing oceanographic studies. We have suggested to the chairman of the Appropriations Committee, the gentleman from Texas [Mr. MAHON], that a staff study be made on oceanographic problems.

We believe there ought to be a special study made to find out precisely where and what the Government is spending money on oceanography. This money is being spent in several places. We appropriate for it in the independent offices appropriation bill, we appropriate partly for it in this bill, and there is an appropriation in the Department of Defense for oceanography. We think it is about time that the Federal Government get a look at where this money is going. So if next year there is a determination that the Coast Guard ought to be the agency that spearheads oceanographic studies, then I am sure it will meet with favorable consideration by this committee.

So in this bill, in effect, what we do is indicate to the Coast Guard that it should go out and buy two high endurance cutters instead of the one they requested, and we ask them not to buy the oceanographic vessel which would cost $12 million. The high endurance cutters cost about $14,500,000 each.

In Reserve training, they requested $24,535,000. This is the item I indicated a moment ago on which we asked that it be set up in a separate budget account. This we do in the bill. We recommended $24,300,000, a reduction of $235,000, which is a token reduction.

Title III covers the Federal Aviation Administration. All of us are familiar with it. This is not a new agency. They are responsible for practically all problems with respect to air navigation of the Nation. It is the judgment of this committee—and I am sure of Members of Congress who have had anything to do with Federal Aviation Administration—that this is truly a great administration, and that it has done a tremendous job in the field of air navigation.

The "Operations" appropriation—and this includes the operation of the air traffic control system—covers installation and materiel services, maintenance of the traffic control system, administration of medical programs, flight standards activities, and so on. These are all programs of the Federal Aviation Administration, and they are all funded under the operations budget for the FAA. They requested $598,400,000. We recommend $593 million, a reduction of $5 million.

In traffic control they requested 648 new positions, and we funded the entire 648 new positions. I believe we can all understand why we did it. This is the area where aviation is growing at the rate of approximately 17 percent a year, and, because of that rapid growth, it is absolutely necessary for them to have additional personnel in these areas where passengers' safety is concerned. So we funded the 648 new positions they requested for the operation of the traffic control system.

In the facilities and equipment account, they requested $35 million. We reduced it by $5 million. This covers the purchase of facilities and equipment that go into the various airports throughout the Nation.

Research and development is a program that must, of necessity, be carried on. New ideas, new ways to insure safety in the air, new ways to insure safety on the ground at the airports are included here. They requested $27,500,000. We gave them $27 million, a reduction of $500,000.

On the operation and maintenance of the National Capital Airports there was a request for $8,500,000 in the budget, and the budget requested that we merge these two operations. Heretofore, the budget for Dulles Airport and the budget for the Washington National Airport were separate, but in our judgment we believe that the Department made a good case for merging the two budgets. It is not a particularly large budget, $8,500,000. We will not lose congressional visibility of the operations of the two airports. They will have to come up and justify before the committee the moneys that are being spent at both airports, so we will get a good look at their programs. So we did approve the request for the merging of the two budgets for the National Capital Airports.

We also approved the request for $160,000 for construction of a building for maintenance at Dulles to cover some of the snow removal equipment that is now uncovered and which, of course, suffers from the inclement weather.

As to the grants-in-aid for airports, under the FAA, the request was for $75 million for fiscal year 1969. This program is funded 1 year in advance so that the airports in the United States which request funds under this program can plan and will know precisely the amount of money available from the FAA.

This is a matching grant program, a 50-50 matching grant program.

We reduced it $10 million. The basis for the reduction was twofold.

We appropriated in a supplemental 1967 bill, $66 million for this program for 1968. We believe they will have their hands full in determining what airports around the Nation will be eligible for the $66 million, so we say that the $65 million we forward fund for fiscal year 1969 is sufficient for this program.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. BOLAND. Mr. Chairman, I yield myself an additional 5 minutes.

Above and beyond that, Mr. Chairman, we believe that the legislative committee ought to take another look at the grants-in-aid for airports program. In the judgment of our committee, after listening to the testimony, we are convinced that some of this money is unwisely spent in some of the smaller airports around the Nation.

The money is given out on the basis of the population of a State and the area of a State, so every State is eligible. That is the formula.

In our judgment, too much money is being spent on some of the smaller airports. Attention is given, of course, to the larger airports, but in our judgment it does not meet the emergency problems which now confront the traveling public in the great airports of the Nation. We believe there should be another look at this program, and we suggest to the authorizing committee that it look at this program, and perhaps come up with a new formula.

There is no question about the fact that the amount of money we appropriate every year for this program is nowhere near sufficient to meet all of the problems which are current with respect to the airports all over the Nation. We say they ought to take another look at it. I hope that the authorizing committee will do so.

The civil supersonic aircraft development gave some of the members of the committee a problem. It has given some of the public a problem. It has given the communications media a problem.

Congress crossed this bridge some years ago when we appropriated the first funds for this program.

This is the civil supersonic aircraft, which is longer than a football field. It is 6 feet longer than a football field, and will travel at a speed of mach 2.7 or about 1800 miles per hour. It will fly nonstop for a range of 4,000 miles. It has a variable swept back wing, and can fly subsonically with the wings extended and supersonically with the wings retracted.

These planes will cost some $40 million each. The Federal Government's share of the program up to this point is $511 million. That is what we have appropriated up to the request for fiscal year 1968.

The request this year was for $198 million. We recommend a reduction of $55 million, but the reduction will not hurt the program at all. Actually almost all of the reduction of $55 million will come in what is known as the payback reserve fund.

The managers of the civil supersonic transport program have put into a payback reserve fund moneys to pay the contractors if the Government should suddenly decide to cancel the program. There was some $35 million in the program for that purpose up to this fiscal year, and I believe they requested almost $19 million in the program for this year, or a total of about $54 million.

We said that the Government is an insuror anyhow, and if we end the program there is a liability the Government will have to pay, so there is no sense in putting $54 million in escrow somewhere for the purpose of paying liability claims which might arise in the future, if the Government does not go forward with the program.

What we would do here with the $142 million that we recommend is to obligate the U.S. Government to prototype stage of this aircraft. It would obligate us to see this program through the development of two prototype aircraft and also to have 100 flight test hours of the two prototypes. The total amount which the Federal Government will have invested through this phase, the prototype phase, including the 100 hours of test flight, is $1.2 billion.

Some of the other members of the committee and the gentleman from Ohio [Mr. MINSHALL] will explain how the Federal Government will get its money back. We think it will.

Mr. Chairman, as I indicated, there are some other problems that are concomitant with this program such as sonic boom, the technical feasibility of the project itself, the amount of money we are to expend, whether or not after we get into the production phase of the program we ought to continue to help finance the program or withdraw from it and permit the private financing thereof.

However, Mr. Chairman, this represents a bridge which we shall cross when we come to it.

As I said a few moments ago, Mr. Chairman, we must get the plane in the air in order to answer these questions and there is no other way in which the prototype can get into the air with 100 hours of test flight unless we do what we are precisely proposing to do here today.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. BOLAND. Mr. Chairman, I yield myself 2 additional minutes.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I am happy to yield to the gentleman from Minnesota.

Mr. MACGREGOR. Mr. Chairman, I thank the distinguished gentleman from Massachusetts, the chairman of the subcommittee on the Department of Transportation, very much for yelding to me at this point.

Mr. Chairman, I have asked the gentleman to yield to me at this time for the purpose of asking the gentleman this question:

The gentleman from Massachusetts has clearly indicated that we have in the Congress committed $511 million of the taxpayers' money to the civil supersonic transport development project.

But I understood the gentleman from Massachusetts to say that the approval, and the ultimate passage by the Congress, of the recommended appropriation for fiscal year 1968 of $142,375,000 would commit us through the prototype development stage and as a result of those commitments, a substantial amount of additional money would be needed in fiscal years 1969 and 1970.

Mr. BOLAND. The gentleman from Minnesota is exactly correct. I am sorry I misled the gentleman in my original statement. What I meant to say was that this gets us into the prototype development phase that we are entering. However, in the further development of the prototype there will be a lot more millions of dollars necessary before we get to the end of this program. The total amount we will have invested is estimated to come to $1,200 million.

Mr. MacGREGOR. Mr. Chairman, if the gentleman from Massachusetts will yield further, that is over and beyond the $142,375,000 contemplated now about which the gentleman is speaking or approximately $500 million of the taxpayers' funds before we complete the prototype development stage?

Mr. BOLAND. The $142,375,000 is a part of the $1.2 billion.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the distinguished gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Chairman, I thank my distinguished colleague for yielding. I wish to take this time to commend the gentleman from Massachusetts [Mr. Boland], the chairman of this Subcommittee on Appropriations, for his great work on this bill.

The gentleman is serving as the first chairman on the Subcommittee on Appropriations for the newly created Department of Transportation. He has presented an excellent report.

The gentleman from Massachusetts has performed a magnificent service and has brought to the floor of the House a good bill and I commend him for it.

Mr. Chairman, all of us know that the distinguished gentleman from Massachusetts [Mr. Boland] serves as a member of the Independent Offices Subcommittee on Appropriations. I have had the privilege during the past several years of serving with him on the Independent Offices Subcommittee on Appropriations where he works hard and brings a sense of commitment. He is also a member of the Subcommittee on Public Works of the Committee on Appropriations. It has often been said that to get a job done, give a busy man more work. Mr. Boland is active and busy in many areas.

Mr. Chairman, the gentleman from Massachusetts is to be commended for his great work on this bill which he has just presented to the Members of the House.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. BOLAND. Mr. Chairman, I yield myself 5 additional minutes.

Mr. McFALL. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from California.

Mr. McFALL. Mr. Chairman, at this time I would like to offer my commendation to the chairman of the Subcommittee on the Department of Transportation. This is the gentleman's first presentation before the Committee of the Whole House on the State of the Union since becoming chairman of the subcommittee in the handling of an appropriation bill before this body.

Mr. Chairman, this new Transportation Subcommittee, chaired by the gentleman from Massachusetts, has performed in my opinion a good job and that good job is primarily attributable to the efforts of the distinguished gentleman from Massachusetts who now occupies the well.

Mr. Chairman, the gentleman from Massachusetts has performed a wonderful job in the committee. His presentation today is most explicit.

In addition, the gentleman from Massachusetts always has the never-failing courtesy and good humor that makes it a pleasure for the other members of the committee to work with him.

Mr. BOLAND. Mr. Chairman, I appreciate the commendation of the distinguished gentleman from California [Mr. McFall]. Actually, I enjoy this work. However, Mr. Chairman, I dc not wish to consume any more time, except to say that I know numerous Members may be disturbed as a result of the cuts which have been made in the highway safety program. However, let me say to them that the Committee on Appropriations has not recommended that the highway safety program be killed or even crippled. Far from it. The committee recommends approximately $41,034,000 for fiscal year 1968 as compared with $20 million provided for these programs in 1967. Other members of the committee will go deeper into these programs, and I believe the Members will understand why the cuts were made, and why they were justified.

For instance, on the State and community highway safety programs they asked for $100 million, and we gave them $20 million for a very obvious reason. There was an appropriation of $10 million in fiscal year 1967, and they had obligated up to May of this year only $547,000. At this time I understand the obligations run to about $2 million.

When we get into some of the other programs that they recommend funding, I believe you will agree that this is a program where we ought not to shovel the money out.

We are all interested in highway traffic safety, but we are not going to accomplish this by the unnecessary expenditure of money. Sometimes unnecessary expenditure of money can kill people on the highways. Because this possibly can be so we have in our judgment treated these programs fairly. If the cuts have been too deep and there is genuine concern over them, in those areas where we have already established the program, then of course that can be corrected. But in the judgment of the committee we do not believe there has been.

Mr. Chairman, let me say further that a great many of the cuts come in with respect to personnel. It is difficult to find personnel. I know there were some remarks made by those who received a lot of publicity in this field in the last few days, saying that you can get personnel anywhere, but this is not so. The testimony of Lowell Bridwell, who, in our judgment, is a good administrator of the Federal Highway Administration, indicates they are having a difficult time in getting properly trained personnel and good personnel to run the program. As a matter of fact, they even have some training programs to secure the type of personnel that are needed in his Administration, so that they will not be a burden but an asset to the Department.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Connecticut.

Mr. MONAGAN. Mr. Chairman, I would like to ask the gentleman one question:

It seems to me the gentleman from Massachusetts has not taken sufficient credit. He has pointed out that the requests were $188 million below the budget asked for fiscal year 1968, and the gentleman should point out what seems to me to be a very significant thing, and that is the request is $191 million below the actual appropriation for fiscal year 1967, which I believe must be almost unique in the requests on the committee this year. I believe the gentleman should take credit for that.

Mr. BOLAND. I appreciate the gentleman's remarks.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I simply wanted to concur with what the gentleman has said, because this morning we have been holding a hearing in our Roads Subcommittee specifically with reference to the Federal aid to highways program, and I concur in the views the gentleman has presented that we should enhance our programs and that we should be spending more money on the safety of the American highways, and also on the highway driving skills, and the testimony this morning indicated that we do have a problem, as you know, within the categories of driving beyond the speed limits, and driving while intoxicated, and some other things.

So I just wish to concur with the gentleman from Massachusetts.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. BOLAND. Mr. Chairman, I yield myself 2 additional minutes.

I do this because I did miss one important item in this budget, and that is with reference to the highway beautification program. There was no program money requested in this bill under the highway beautification program, but there was a request for $1,750,000 for administrative expenses to oversee the highway beautification program that is now in operation, and we allowed $1,200,000. I believe the appropriation last year for highway beautification was $80 million. We have to provide the administrative expenses to properly carry out the program already funded. There is legislation pending before the Congress to change the funding of the highway beautification program. Consequently, the department did not request funds to implement the program, the junkyard screening, the highway beautification and enhancement of scenic roads, but we did believe they ought to go ahead in administering the program already funded, so we provided $1,200,000 for that purpose.

The bill provides $14,594,000 for the Federal Railway Administration, $8,456,000 less than the amount requested. The greatest part of the reduction is in the high-speed ground transportation program.

The committee recommends the appropriation of $10,300,000, a reduction of $8,300,000 below the budget estimate.

The budget requested $2,300,000 under this heading to finance the national transportation statistics program in the Office of the Assistant Secretary for Research and Technology. The committee feels that the funds should be appropriated directly to the Office of the Secretary in the first instance and has so provided.

The appropriation recommended for "high-speed ground transportation research and development" provides funds for administration of the two major activities of the program; namely, research and development, and demonstrations.

The budget requested $8,000,000 for certain research and development projects, for which the committee has allowed $3,850,000. Specifically, the committee denies the $200,000 requested under this heading for "cost methodology" and allows $500,000 of the $1,900,000 requested for research and development concerning air cushion vehicles. A number of other agencies, both Government and private, have research and development programs concerning air cushion vehicles and that information should be available to the Department. The remaining reductions should be applied by the FRA to the lowest priority programs.

For demonstrations, $9,611,000 was requested and the committee has allowed $5,650,000. Specifically denied is the $3,511,000 for the "auto-on-train" project. We do not feel that the Federal Government should finance a project of this nature during this period of high Federal deficits. If the project is economically feasible, there is no reason why private industry cannot proceed with it. The remaining $450,000 reduction is to be applied to low priority items in other demonstrations programs.

The budget requested $989,000 for administration, and the committee has allowed $800,000. The committee has denied the seven additional positions which were requested.

The bill includes language authorizing the St. Lawrence Seaway Development Corporation to make expenditures from funds and borrowing authority of the Corporation to carry out the programs proposed in the budget for the Corporation. The language included in the bill is the same language provided last year and requested in the budget.

The limitation on administrative expenses of the St. Lawrence Seaway were reduced by $1,000 to $514,000 as a part of the committee's overall action on representation funds.

The bill provides $4 million for the newly established National Transportation Safety Board. Most of the reduction involves personnel and is spelled out in detail in the report.

I hope that the House will approve the bill as recommended by the Committee on Appropriations.

The CHAIRMAN. The gentleman from Massachusetts [Mr. BOLAND] has consumed 29 minutes.

The Chair recognizes the gentleman from Ohio [Mr. MINSHALL].

Mr. MINSHALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and Members of the Committee, at the outset I want to say it has been a distinct pleasure to work with the gentleman from Massachusetts [Mr. BOLAND] and with other members of this subcommittee on this new Department of Transportation appropriation bill.

We spent over three weeks in actual hearings on this bill, but I want to say, based on the time we have spent on, for example, the Defense Department appropriation bill, this does not seem very long so far as time is concerned.

But I also want to emphasize that although we spent three weeks on this bill, these were probably the most concentrated and condensed, long hours of sessions that Capitol Hill has seen in a long, long time.

All of the Members worked diligently and hard. We have come up with what we think is a good bill. We know that amendments will be offered in some cases to make further cuts beyond those that we have made. We also know that amendments will be offered to increase appropriations that we have recommended.

Since the department officially came into being, only a little more than three months ago, our special subcommittee on the Department of Transportation appropriations has had to work, at what seemed to be like supersonic speed, to get this budget request for the fiscal year 1968 to the floor of the House.

Initially the burden was on the Department and its six agencies involved getting their funding requests formulated and their justifications prepared for the committee. They had a new task and a complicated one, which for the most part was well done.

But many of their plans are right off the drawing board and, like a new car, the Department of Transportation is being road-tested and won't come up for a real inspection until next year. The Secretary, although he has received his driver's permit, still has to prove that he can operate the new vehicle safely and economically.

Our published hearings indicate that the committee crammed more than a thousand pages of testimony into 10 days of sessions over a 3-week period. This, of course, accounts for only a fraction of the time we spent on spadework before the hearings began and on continuous homework and consultation with experts during and after the hearings.

I wish to point out that while the committee assuredly has felt a time pinch in handling the appropriation bill, my remarks are not to be construed as reflecting either on the Department, which has had its hands full since April 1 in organizing and absorbing the various agencies, or on the committee. I hope, and anticipate, that next year far more time will be given to consider the requests of the fourth largest Department in our Federal system with its budget approaching $6 billion.

The committee carefully avoided a crash program assault on the budget requests, yet has come up with a total reduction of $191,119,128 less than was appropriated for all of the agencies involved in the last fiscal year. That is a reduction of nearly 11 percent, despite creation of the Office of the Secretary with its attendant personnel and operational requirements.

In addition to cutting this year's budget more than $191 million below last year's appropriation, we reduced it more than $188 million below the amount requested by the new Department for fiscal 1968.

It is important to emphasize that the committee at all times has been mindful that a principle and most important function of the Department of Transportation is public safety in the air, on the highways, railways, and waterways.

No dollar sign can be hung on the life of any citizen and the billions of dollars in goods and property involved in our Nation's vast transportation system would far outweigh any false economy cuts in the field of safety.

The budgetary reductions made in the transportation bill are in the interest of saving taxpayers' dollars. The committee is satisfied that the Department's promotion of transportation safety will in no way be impaired.

It is less than a year since the House debated creation of the Department of Transportation.

A very real concern at that time was that the Congress might be handing over its power of determining how Federal funds would be spent by the new Department. The legislation as it originally came to us last August would have loosened our control of the purse strings.

As it finally evolved from the House-Senate conference for our approval last October, the structure of the Department had been substantially changed from the original proposal. I think the fact that the committee achieved a $188 million reduction in the fiscal 1968 request is solid evidence that Congress has a firm grip on those purse strings. And, the fact that we were able to reduce the 1968 departmental request by $191 million less than was spent by the agencies when they were scattered throughout the Government is a promise that, with careful congressional oversight, the new Department can prove to have been a move in the direction of economy and efficiency in handling our transportation problems.

It might be well at this point, before getting into the facts and figures of this year's budget, to briefly review the structure of the Department of Transportation.

The Office of the Secretary has been limited in its authority by Congress, as a means of protecting the vitual autonomy of the various transportation agencies under its jurisdiction, and to preserve congressional oversight of revision of existing transportation policies and programs. The Secretary may develop investment standards, but approval still rests with Capitol Hill.

Briefly, the Secretary's general duties provide that he develop a national transportation policy to be recommended to the President and Congress for implementation; coordinate and administer transportation programs; identify and recommend solutions to Congress for transportation problems; coordinate research and development activities; cooperate with the Secretary of Labor in transportation labor-management situations; investigate safety compliance records of applicants seeking operating authority from the Interstate Commerce Commission, conduct studies with the Secretary of Housing and Urban Development to determine which Department should handle urban mass transportation functions, subject to congressional approval, and, finally, to develop standards and criteria which, with congressional approval, would be used as guidelines for investment of Federal funds in transportation, such investments also subject to our review and decision.

You will note that the Secretary is required to come to the Congress with his plans. It will be our decision as to whether he goes ahead or not. It was this aspect of the new Cabinet-level office which was of such great concern to many of us when the bill originally came to the House last year. I only wish that the rightful control of Congress over other departments in the executive branch were as carefully protected. We could achieve some real economy in the overall budget.

Functions which have been transferred to the new Transportation Department include—

From the Department of Commerce, the program and staff of the Office of Under Secretary of Transportation, including emergency transportation, highway beautification, and high-speed transportation programs; the Bureau of Public Roads, including the highway trust fund, and the St. Lawrence Seaway Development Corporation.

From the Department of the Treasury, the U.S. Coast Guard. Added to the Coast Guard's responsibilities are all authority over drawbridge operation, bridge tolls, anchorages, sea pollution, and bridge clearance, transferred from the Department of the Army. The Great Lakes Pilotage Administration, formerly in the Commerce Department, also is now under Coast Guard jurisdiction.

Transferred, in its entirety as an independent agency, the Federal Aviation Agency, including its airport construction and supersonic transport program.

The new Federal Railroad Administration is comprised of the Alaska Railroad, from the Department of the Interior, and the Bureau of Railroad Safety, formerly a part of the Interstate Commerce Commission. FRA's duties also include high-speed ground transportation research and development, railroad and pipeline safety, transportation of explosives and other dangerous material, and railroad employee service.

The National Transportation Safety Board has been given across-the-board authority over rail, motor carrier, pipeline and marine safety, as well as all of the accident and safety functions of the Civil Aeronautics Board.

The Transportation Safety Board is under the umbrella of the Department of Transportation, but is completely independent of the Office of the Secretary and other departmental units.

In this autonomous role, the Board will review the overall safety program, investigate and determine cause in transportation accidents, and hear appeals of certification and license application actions. As we point out in our report, the committee feels some apprehension that the Board's broad jurisdiction could well duplicate functions of other agencies in the Department.

The committee has urged the Transportation Safety Board to confine its activities to accident investigation and appeals during this formative period.

These are the components of the Department of Transportation.

As one who was concerned that creation of such a Department might well be an additional burden on the taxpayer and a burgeoning of the bureaucracy, I am encouraged to believe that with careful congressional control the Department can launch a new era in expansion of our national transportation network and in improving safety standards which will save millions of lives and dollars.

Consolidation of our varied transportation agencies under one roof makes good sense in the interest of efficiency. Efficiency usually goes hand in hand with economy. It is up to us in Congress to keep a tight grip on the financial reins of the agency.

In this regard, let me report to you what the committee has determined as a result of its scrutiny of the Department's first budget request.

At the beginning of my remarks, I pointed out that we reduced the total DOT request for fiscal 1968 by more than $188 million. I will detail those cuts in a moment. What is also remarkable, in my opinion, is that the committee's final figure for fiscal 1968 for the entire Department is $191 million less than the amount Congress funded last year when the various agencies were fragmented throughout the executive branch.

The total appropriation we recommend for fiscal 1968 is $1,530,198,372. Last year's total appropriation for the transportation agencies came to $1,721,317,500.

Without being unduly optimistic, I believe we can look to this reduction as a hopeful sign of the wisdom of consolidating these agencies.

We have achieved this economy despite an increase in personnel requirements.

The number of positions in transportation agencies during fiscal 1967 was 57,938. DOT asked for an increase of 2,522.

The committee readily granted their request for 900 new Coast Guard military, but reduced by almost one-third the request for 1,622 new civilian employees. We cut that number by 525. Our report makes it clear that we were not carried away in any premature burst of enthusiasm. Congress should watch and evaluate the Department's employment requirements during the coming year. DOT is only in its fourth month of existence. By the time the 1969 fiscal request is made, both the Department and the Congress will be in a better position to evaluate actual employment needs.

On a section-by-section basis, let me quickly telescope the committee's action on the 1968 requests as detailed on pages 32 through 36 of the report.

The Office of the Secretary includes funds for transportation research. For this function the committee recommends $5,950,000, a reduction of $2,150,000, or 26 percent below the Department's request for $8.1 million. The Secretary's request for $8.3 million for salaries and expenses of his office during the next fiscal year was reduced by almost 16 percent, to $6.9 million.

The Secretary asked for 515 permanent positions in his office. The committee recommends only 433 positions, for a salary savings of $1,324,000.

Military requirements in Vietnam have placed a new burden on the Coast Guard and the increase of $20.6 million over last year's appropriation is traceable largely to the war. The committee has approved $519,306,500 for the Coast Guard in fiscal 1968, a reduction of just under $5 million in the budget request.

The committee has cut the Federal Aviation Agency's overall budget request by 8 percent. This is a reduction of $76.5 million for fiscal 1968. The $866,361,000 we recommend in the bill represents a reduction of $121 million, or 12 percent, under the amount appropriated for FAA last year.

FAA asked for a total increase of 648 new positions in operation of its traffic controls system. The committee, mindful of the heavy responsibility it must share for public safety with the Department, has recommended that the agency be permitted to fill those positions. Two of the Nation's busiest air route traffic control centers, for example, at Chicago and New York, last month set new records for total number of flights handled. The workload of the traffic control system is fast outstripping FAA's capability without addition of the requested personnel. As our report points out, there can be no compromise with the safety of passengers and crews in our aircraft.

FAA activities, independent of the supersonic transport program, were increased by the committee $15.9 million over the 1967 appropriation. Most of this increase is for grants-in-aid to airports in fiscal 1969, and in operation, maintenance, and construction at the National Capital airports. The amount recommended by the committee for FAA activities in fiscal 1968 is $723,986,000, a reduction of almost $21 million from the budget request.

As the report points out, on page 16, nearly all of the $55.6 million the committee cut from the supersonic transport budget is based on a difference as to the source of funds for the program, not in the amount of funds provided for the program. We have recommended an appropriation of $142,375,000 for fiscal 1968 for development of two prototype SST's.

The Federal Highway Administration budget has been cut by the committee by $94,661,000, some 45 percent less than was requested for fiscal 1968 and $96.6 million less than the amount Congress appropriated in fiscal 1967.

Much as the committee wishes to encourage and promote traffic and highway safety programs, both are still in a state of development and flux in the Department. After considerable study and testimony, it was the determination of the committee that highway officials are premature in budgetary requests for vastly expanded positions. They asked for some 900 positions. The committee has cut that request by 300 for a saving of $4.8 million in salaries. At this point in the development of the traffic and highway safety programs we are convinced that crash programs of hiring personnel can be ill advised and unnecessary.

The highway beautification program was cut by $550,000 under the amount requested and an increase in personnel was denied. As the report points out, on page 23, we saw no reason to permit an increase for an activity for which program authorization has expired and for which new authorization is uncertain. With proper management, the $1.2 million we are allowing for beautification should be sufficient to administer the program during the next fiscal year.

The Chamizal Memorial Highway, which has been the subject of past controversy in the House, is being funded in the amount of $4 million, half the amount requested.

Funds for the Federal Railroad Administration were reduced $8.4 million by the committee, or about 36 percent, below the budget request of $23 million. The $14.5 million recommended by the committee is $7.4 million less than the 1967 appropriation.

In concluding this summary of budgetary action, I must point out that the $300 million reduction in the National Traffic Safety Board includes personnel reduction which will save $251 million in salaries. Here again the committee applauds and encourages the Department in its enthusiasm, but feels that it is premature in its job requests. As I stated earlier, the next year will establish how much overlapping or duplication may be involved in Safety Board activities.

The coming year will be the road test for the entire Department. I am encouraged in the hope that the Department of Transportation will conscientiously strive toward its admirable goals. I am convinced it can make great progress within the budgetary scope the committee has given it.

Certainly the economic and personal concern of every American is bound up in the success of the new Department as it works, side by side with private endeavor, to expand the Nation's transportation system, to keep it competitively in stride with the rest of the world, and to make it not only the greatest, but the safest and most economical system.

The committee has striven to give the taxpayers the most mileage for their tax dollar in this bill, without a sacrifice of safety. The Department of Transportation is now in the driver's seat and it is up to it to demonstrate its skill in the year ahead.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. MINSHALL. I shall be glad to yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise to commend the gentleman in the well for his usual very articulate statement. I think we are very fortunate to have the gentleman from Ohio [Mr. Minshall] serving in this ranking minority position on this new Subcommittee on Appropriations for the Department of Transportation. Certainly, Mr. Chairman, the fact that the gentleman has an extensive aviation background actually places the gentleman in a unique position to evaluate all of the various requests coming from this very important department.

In order to substantiate what I started to say earlier with respect to comments made to the chairman of the subcommittee, the distinguished gentleman from Massachusetts [Mr. Boland], whom I also wish to commend, referring to highway safety, I would like to take just a minute, if I may, to point out to the gentleman from Ohio certain excerpts from the statement of the president of AASHO, Mr. E. M. Johnson, which was presented before our special committee investigating the Federal-aid highway program just today, July 18, 1967.

I support the chairman and ranking minority member of this committee in their recommendation for a cutting of funds for their stated reasons because the testimony presented to our Federal-Aid Highway Investigation Committee this morning tends to substantiate what the gentlemen have previously said.

Reading from the statement there is the following.

> Highway safety involves three areas—the vehicle, the highway and the driver. In fact, it is a three-legged structure and for such a structure to be stable, each support must be completely adequate.
>
> We readily admit that some further progress in traffic safety can be made on even our most modern highway facilities, but the most fertile field for achieving traffic safety lies with the improvement of the driver.
>
> Highway Administrators and engineers are firm in this position.
>
> We see far too much hazardous and wasteful use of our highway space even though the average driver generally does a good job.
>
> Some of the things you can see that contribute to accidents are driving when fatigued, driving when intoxicated, driving beyond conditions, aggressive driving, tailgating at high speed, driving too slow, driving with smooth tires, not planning a trip in advance as to proper routes and exits, exiting from the wrong lanes, and not knowing how to drive on a freeway. One of the most hazardous things on a two-lane facility is passing on hills.
>
> These things are entirely too prevalent and while we accept the responsibility in the highway field of enhancing chances of survival in case a vehicle goes out of control, to a large extent we are merely treating the symptoms or the results and not correcting a major cause of accidents.
>
> Recently, at a National Conference, we were advised by outstanding Motor Vehicle Administrators and State Highway Patrol officials, that no less than 10 percent of the drivers on our highways were operating with a revoked license or had no license at all. This further underscores the need for improving the quality of the person permitted to operate a vehicle.

And, it goes on.

Mr. Chairman, we found that similar money requests were made in the so-called water quality program wherein people seem to have the idea that all we have to do is to appropriate money and you get results thereby.

Mr. Chairman, I wish to compliment the gentleman in the well and the gentlemen of the subcommittee for making the recommendation to this House upon what I believe to be a very realistic appropriation bill.

Mr. Chairman, one thing I would like to ask further, if the gentleman will comment upon the committee report wherein it says:

> The committee is well aware that the airports in our major cities are growing more and more congested and that this airport congestion is a major factor in the safety and continuance of air travel. Notwithstanding, the committee does not feel that the grants-in-aid program as authorized provides the best means for coping with this problem.

I want to compliment the committee for this statement.

Many of us are very much concerned about the growing crisis in metropolitan areas with respect to adequate aviation and airport facilities and the chaos in airport congestion in this country at this particular time. What are the plans for future financing of an adequate airport system in the country, which is now sadly behind the increasing and expanding aviation demands. I would like to have the advice and counsel of the gentleman in the well, who is very qualified in the field of aviation.

Mr. MINSHALL. I would reply to the gentleman that we are going to get into those things in detail a little later on. However, I do want to thank the gentleman for his very fine remarks. I would also like to say that although I am a pilot, that does not qualify me as an expert. As you well know, there is a saying in the flying fraternity that "any landing you can walk away from is a good landing," and I only hope I can walk away from the well of the House at the conclusion of debate on this bill with all we have asked for and with no changes therein.

Mr. DON H. CLAUSEN. If the gentleman will yield again just briefly, it is my hope that the committee will spend considerable time next year in evaluating what I believe to be one of the major transportation problems in this country, the field of airport congestion.

A totally new approach to airport problems, construction and financing must be seriously considered. I realize that this is a new appropriation subcommittee and the first bill to be presented to the House.

However, in the future, with more time, a broader look must be given to the airports' needs. Frankly aviation is expanding so rapidly, a crisis is in the making. We cannot sweep this problem under the rug so I am pleased to learn of the gentleman's and the committee's concern and awareness.

I respectfully ask that you consult the

general aviation experts of the Nation, some revealing facts await you as I know the gentleman from Ohio [Mr. MINSHALL] is already aware of.

Mr. ROBISON. Mr. Chairman, will the gentleman yield?

Mr. MINSHALL. I yield to the gentleman from New York.

Mr. ROBISON. Mr. Chairman, I thank the gentleman for yielding.

The gentleman in the well has addressed himself in passing, more or less, on the SST program, and if the gentleman will permit, I would ask him to yield for the purpose of answering two questions.

Mr. MINSHALL. Mr. Chairman, if the gentleman will hold his questions with reference to the SST program for a while, we are going to go into that later. And, as I understand it, an amendment is going to be offered, at which time we will get into that subject in some detail.

So I believe it would be more appropriate for him to withhold his questions concerning the SST program until a little later time.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from Ohio has consumed 26 minutes.

Mr. BOLAND. Mr. Chairman, I yield 5 minutes to the able and distinguished member of the committee, the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, I want to join the other members of the committee in congratulating our distinguished chairman, the gentleman from Massachusetts [Mr. BOLAND], for the outstanding job he has done as chairman of this committee.

I remember the late beloved Sam Rayburn, the great Speaker of this House, once said that he could pay no higher compliment to a Member of the House than to say that he knew his bill. I say this about the gentleman from Massachusetts. As has already been demonstrated so well today, he knows his subject and he knows his bill.

As the chairman who conducted the hearings on the Department of Transportation, he was superb. He was knowledgeable, he was courteous and helpful, he was fair, and he was analytical. It was a pleasure to serve with him, and it was a pleasure to serve with my other colleagues on the committee.

Our chairman has explained this bill quite thoroughly. I will only express a few remarks on two subjects. The first relates to what the gentleman from California [Mr. DON H. CLAUSEN] was talking about: that is, the question of highway safety. The question is what do we do in this country about skyrocketing automobile insurance costs? There are approximately 83 million automobiles registered in the United States at this time. The automobile is no longer a luxury. It has become a necessity, and of course with the automobile you have to have some kind of automobile insurance. The number of high-risk casualty companies is increasing. The number of such companies being placed in receivership or becoming insolvent is also increasing. Of course, the loser in this picture is John Q. Public himself.

Between January 1, 1955, and the present date, the average rates for a minimum level of automobile liability insurance covering bodily injuries rose by 112 percent in Michigan, by 95 percent in South Carolina, by 83 percent in Virginia, by 54 percent in Massachusetts—which now has the highest rates of the Nation, let me say—followed closely by New York, where rates went up by only 22 percent in the last few years, but that was because its rates were then the highest.

The Subcommittee on Antitrust of the Committee on the Judiciary of the other body held hearings in 1965 and found at that time that there were 300,000 policyholders and accident victims, many seriously injured, who were seeking $600 million in claims from companies who had net collectable assets of $25 million. When the claims are finally settled the American public will have lost millions of dollars in unpaid claims.

In the 6 years preceding January 1967, 73 companies writing motor vehicle insurance became insolvent.

In Pennsylvania where 17 companies became insolvent there are an estimated 4,000 claims and these claimants will receive an average of 1 cent on the dollar for their claims.

In Illinois where 12 insurance companies became insolvent, leaving an estimated 50,000 claims for which the claimants will receive approximately 25 cents on the dollar.

In Missouri seven companies declared insolvency and the estimated number of claims is 20,000 and it is expected that the claimants will receive about 10 cents on the dollar.

Last year there were 50,000 deaths and 4 million injuries related to automobiles. The problems are immense. Too often, insurance companies which operate under State law in the main are allowed to carry on their business practices without regulation and without qualified personnel.

These are the major reasons for the financial collapse of the 73 companies that became insolvent in the past 6 years. Too much money has been lost. Too many people have been hurt and too long have insurance companies gone on on a basis of few examinations and inadequate regulation.

That is why, Mr. Chairman, I have written to the Department of Transportation asking that an investgiation be made by that Department of the auto insurance industry looking to having a critical examination of rates and policies, of selection and categorization of applicants, and of arbitrary cancellation of policies by the companies.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOLAND. Mr. Chairman, I yield 3 additional minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, secondly I want to mention the subject upon which some remarks have been made on the floor. That is the SST—the supersonic transport.

As the gentleman from Minnesota [Mr. MACGREGOR] stated about the cost of the program—so far we have invested only $511 million in research leading up to the development stage. It is anticipated that another $700 million will have to be expended before the prototype will be able to take flight. After the prototype stage is completed, it is anticipated that another $3.3 billion will have to be expended in order to place this plane on a commercial basis.

These, it must be pointed out, are the anticipated costs, the estimates. Based upon the experience we have had in military programs so far, these estimates will have to be increased by at least 50 or 100 percent.

But the financial difficulties are only one part of the problem. There are so many other complications that ought to be checked. I only want to mention one other factor.

In my home city of Chicago, a few years ago we received our first jarring experience with the sonic boom when supersonic military planes participated in defensive exercises over our city. The boom which sounds like an exploding artillery shell broke windows, cracked walls, and jolted people.

The SST in flight generates this kind of sonic boom. The developers of the plane hope the American people will learn to live with the sonic booms as they learned to live with the screeches of the jet aircraft. But until that boom is placed under greater control, supersonic transports will fly only over water and over uninhabited areas.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MINSHALL. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. YATES].

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from North Carolina.

Mr. JONAS. I intended to ask the gentleman to yield when he was talking about casualty insurance. The gentleman went on to the SST before I could ask him to yield.

I thought that Dr. Haddon was too severe in his comment in the hearings about the cooperation given in the area of highway safety by the casualty insurance companies. As a matter of fact he stated that the contribution of the insurance companies had been practically nil. I was so surprised and puzzled at this that I made a little investigation because I cannot think of any group of people in the United States who should be more interested in reducing highway accidents than those who manage the casualty insurance companies.

Mr. YATES. I agree with the gentleman.

Mr. JONAS. I found an article in the May 5, 1967 issue of the National Underwriter, the national weekly newspaper of fire and casualty insurance companies, indicating that this industry has expended about $1 billion since 1896 in promoting highway safety, and that during the last 20 years the expenditures in this field have averaged around $40 million a year. I was glad to get that information because I could think of nothing dumber than for the insurance industry to fail to use whatever efforts were available and to take whatever action is appropriate to try to reduce highway accidents. I was glad to find that they are quite active in this field.

Mr. YATES. I thank the gentleman for his contribution.

Mr. MINSHALL. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. MacGregor].

The CHAIRMAN. The gentleman from Minnesota is recognized for 10 minutes.

Mr. MacGREGOR. Mr. Chairman, we are today asked to appropriate another installment totaling more than $142 million from taxpayers' money to pay for the continuing costs of development of two prototype civil supersonic transport airplanes.

I ask only that before we vote these funds we give a full hearing to the alternative of using private investment sources as substitute financing for this purely commercial project. A practical, workable method of using private investment funds is presented in legislation introduced in the 89th Congress and again this year by our colleague, Frank Bow, and myself. These bills in this 90th Congress are H.R. 12 and H.R. 4495. They are pending before the House Committee on Interstate and Foreign Commerce.

Of course there are compelling reasons why the United States should proceed with the development and eventual production of a supersonic transport airplane.

This country has long been a leader in the field of aviation, and no one wishes to relinquish this position. Although the commercial construction phase of the American SST would not begin until several years after the British-French Concorde, ours would be a larger and faster aircraft. In spite of the later production of the U.S. SST, 26 of the world's airlines have secured delivery positions for 113 of the aircraft, while 13 carriers have ordered a total of only 74 Concordes.

As with all space-age research, the SST project will cast more light on how man can further harness the forces of nature. Moreover, research and development of the SST is yielding, and will yield, related benefits, many of which cannot be foreseen.

The SST will bring the nations of the world even closer together—a further step toward a worldwide community. The travel time between Washington and London, for instance, would be cut from the present 7 hours to something less than 3 hours. The Los Angeles to Honolulu run, now about 5 hours, would be cut to 2 hours.

Development of the SST will sustain the favorable impact of U.S. aircraft sales to foreign countries on our balance of payments. If we build our own SST, not only will our domestic airlines buy the U.S. product instead of the foreign craft, but we will earn foreign exchange by sales of our own craft to foreign countries. The total positive impact of the SST for the period 1974–90 is estimated to be as high as $54 billion.

But hearings before the Appropriations Committee of the House of Representatives show that, in spite of the many likely benefits to be gained from development and production of the SST, the program is enormously expensive. Under present plans, the Johnson administration would be committed to spend at least $1.1 billion in taxpayers' money through the prototype development stage—phase III. Only later, in phase IV, would the first SST production aircraft be built. We are here asked to appropriate $142.4 million for fiscal year 1968.

With the Defense Department's escalating Vietnam budget of about $25 billion annually, with no decrease foreseeable in the near future, and with an estimated deficit for this year of up to $30 billion, appropriations should not be voted for a commercial venture without careful public consideration of alternative financing plans.

Congressman Bow of Ohio, and I have introduced companion bills which would provide for private investment funds instead of Government appropriations to be used for development of the SST. The bills would establish an SST authority which would be authorized to float up to $2.5 billion in bonds through normal investment channels. They would be private bonds, with the principal and interest guaranteed by the Government.

The Transportation Subcommittee of the House Committee on Appropriations, in its current report on the SST, page 18, expressed some doubt about the feasibility of such a method of financing, but this doubt might be easily dispelled.

First, there is no question that sufficient funds could be obtained through normal investment channels. The Federal Reserve System reports that total gross proceeds from the sale of noncorporate bond issues during 1966 was about $45 billion. Some indication of the enormous potential of private investment backlog is reflected by the fact that time deposits alone are at an alltime high of nearly $224 billion.

With the Government guarantee of principal and interest, the companies involved would be capable of backing up the bonds with a sure payoff. Moreover, any risk involved for the investor in buying the bonds would be obviated by the guarantee, so that the bonds could be floated annually at the normal market rate for such bonds.

Besides the ability to float sufficient bonds to cover the cost of developing the SST, it would be cheaper both for the Government and for the contractors to use the private method of financing provided in our proposed legislation.

The contracts with Boeing and General Electric contemplate that the Government is to be repaid by the contractors at cost plus 6 percent if 500 aircraft are sold. This would amount to $60 million interest on $1 billion worth of appropriations. Government-guaranteed private bonds, on the other hand, could be floated at about 5 percent, or $50 million on a $1 billion serial bond issue. Thus, the private financing method would be cheaper for the contractors.

It would also be cheaper for the Government. If the project is successful and the contractors are thereby able to pay off their bondholders, the Government would not have to spend one dime on it. Forecasts of future markets for the SST, relied upon today by the Department of Transportation, show that this is by far the most probable outcome.

But even if the project failed and the Government had to make good its guarantee on the bonds, it would still be cheaper since the interest rate on the private bonds is lower than that on Government short-term securities which would be used to finance this proposed deficit expenditure.

In this connection, the committee in its report on the SST appropriation, page 18, stated that the Government could borrow money at lower rates than could private industry. Nothing could be further from the truth.

There is a frozen statutory interest limitation of 4¼ percent on Government long-term bonds. There is simply no market for these bonds at that rate. Consequently, shorter term securities would have to be used. Two- to five-year participation certificates are currently being offered with coupon rates of 5¼ to 5½ percent. The 10- to 15-year long-term serial bonds contemplated under our legislation, in contrast, would sell according to current market indications at about 5 percent.

Mr. Chairman, the supersonic transport project can be funded either by our already overburdened taxpayers, through the appropriations bill now before us, or by the general investing public through the less costly method of private financing. The legislation introduced by the gentleman from Ohio [Mr. Bow] and myself provides a sound and sensible method whereby necessary funds for the development, certification, and commercial production of the SST may be raised through normal and usual investment procedures.

These bills, therefore, offer a practical, workable alternative to the use of appropriated funds and should be explored and evaluated before Congress commits more of the taxpayers' money to financing the SST program.

There is more than $100 million in unspent Federal funds alone now available for 1968 for the project, so that postponement of the appropriation request for even several months would not delay the work. Moreover, the British-French Concorde is already slated for production about 3 years before an American SST, so that even if there were a few months' more delay, it would not alter our position relative to our competitors to any degree.

H.R. 12 and H.R. 4495 are now pending in the Committee on Interstate and Foreign Commerce. Proper legislative procedure and a decent concern for the taxpaying public of America demands full public hearings on these bills as soon as possible. The alternative of non-Federal financing provided by the Bow-MacGregor legislation must be explored before additional funds are appropriated.

Mr. Chairman, it is apparent that there are enough funds on hand to carry this program through calendar year 1967 and perhaps a bit longer. I call upon my colleagues to strike the new funds now, conduct a thorough hearing on the Bow-MacGregor bills, and then proceed with one or the other course of action. This will not delay the program. It will cost nothing. It may well save the taxpayers hundreds of millions.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Chairman, I commend the gentleman for his reasoned and reasonable approach to the SST. I will support the gentleman in his endeavors on the floor this afternoon. I know there are amendments at the desk with respect to the SST appropriation.

Considering the budgetary situation which we face, and the situation we face in terms of excess demand for skilled scientists, technicians and engineers, I believe it would be in the public interest to postpone this marginal item. I appreciate the gentleman's bringing this to our attention today.

Mr. MacGREGOR. I think the gentleman from Wisconsin.

May I say to my colleagues that I believe they would enjoy reading a further exposition of the excellent position of the gentleman from Wisconsin by reading his excellent statement filed in the committee report beginning on page 1022 and extending tc page 1024.

I thank the gentleman for his assistance.

Mr. BOLAND. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. ADAMS].

Mr. ADAMS. Mr. Chairman, as a member of the Committee on Interstate and Foreign Commerce, first I want to commend the Appropriations Committee, and particularly the gentleman from Massachusetts [Mr. BOLAND], for the very fine job they have done in presenting this matter.

Before beginning my prepared remarks, I might reply to the gentleman from Minnesota and the other gentleman with regard to the Committee on Interstate and Foreign Commerce.

We had a full report from the FAA on the financing, the sonic boom, and the other portions of this program earlier this year, before the Committee on Interstate and Foreign Commerce .

I believe our position has been made clear—I hope it has—to the gentleman and to our colleagues, that the Committee on Interstate and Foreign Commerce has an interest in the proposal which has been made. It was our feeling that the prototype development program which has been suggested was sound and at this time we should continue this program and start the prototypes.

It may well be that the type of program the gentleman mentioned is the ultimate method of financing it.

We have had some experience in that regard. As an example, at the present time the committee is discussing proposals to set up a corporation to do something with public education television. When we try to establish one of these public corporations we do have delays and a great deal of material to debate.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. I well remember the extensive debate we had when we set up the Communications Satellite Corp. It was extensive in this body, and very extensive in our sister body.

Although I deeply appreciate the gentleman's comments at this time, that is exactly the same answer I got a year ago when I sought to save not $142 million but $280 million of the taxpayers' money on the SST. Apparently it is the answer I will get every year until we own up to our responsibilities and at least explore the possibility of private financing so as to take this load off the backs of the taxpayers.

Mr. ADAMS. I say to the gentleman that there is at the present time, as I know the gentleman is aware, a great deal of private financing which has been offered by the airlines and which has been accepted. The financing which is occurring at the present time is being done on a contract basis rather than on a more involved Government-type corporation basis.

This has been a reasoned judgment. Perhaps the gentleman disagrees, but the reasoned judgment which has been made, at least, is to go forward with this prototype development.

I would point out, as I know will be pointed out by other members of the committee today, that the British-French Concorde is 3½ years ahead of this SST and the TU-144, the Russian version, is expected to fly this fall.

The problem we have in selling airplanes which are on the drawing board is that in order for the private financing to take place and the companies to sign contracts they must have confidence that the program is going to continue across the board and that there is a date when they can see the possibility of delivery. And, as long as we vacillate we shall be unable to do it.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I would like to yield to the gentleman from Minnesota but I have a limited time during which to make my presentation.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield for a question?

Mr. ADAMS. I yield to the gentleman from Minnesota for a question.

Mr. MacGREGOR. Since none of the 15 major free world airlines engaged in transatlantic passenger traffic does not have a single Russian aircraft, does the gentleman from Washington suggest that the free world is going to purchase the TU-144?

Mr. ADAMS. Perhaps not the free world airlines, but the great challenge in this field in the present world is in the future of developing such an aircraft that we shall have to sell to the entire world market which includes the nonalined nations and the developing nations. This will be an even larger market in the 1970's and 1980's.

Mr. DOWNING. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the distinguished gentleman from Virginia.

Mr. DOWNING. Mr. Chairman., I should like to invite the attention of all Members today to a provision in H.R. 11456, which if enacted will blunt the intent of the Congress to intensify this Nation's efforts in marine sciences when it enacted the Marine Resources and Engineering Development Act of 1966. I refer specifically to the provisions which direct the Coast Guard to construct a high-endurance cutter in lieu of the oceanographic cutter requested in the President's budget.

In the report accompanying this bill, the committee expressed the opinion "that the Coast Guard should not be required to provide funds for major oceanographic equipment and activities in view of the fact that the Coast Guard itself is not a major user of oceanographic data." On the contrary, oceanography is extremely significant in the conduct of the Coast Guard's mission. Since 1914, the Coast Guard has collected oceanographic data necessary for its functions, and with passage of Public Law 87-396 has statutory responsibilities for such activities. To be sure, the volume of oceanographic information supplied by the Coast Guard is less than that of the Navy, for example. The information, however, collected during its normal ice patrols is a unique source of subpolar and polar data and is highly significant, not only to the U.S. Coast Guard in meeting U.S. treaty responsibilities for the International Ice Patrol but to other Federal agencies such as the Navy, the Environmental Science Services Administration, and to the merchant mariner, pilot, fisherman and scientist. For many years, the Coast Guard specialized in subpolar oceanographic studies and has accomplished more in these areas on a continuing basis than all of the other Federal agencies engaged in marine research and engineering. Information supplied by these studies has been invaluable:

To the U.S. merchant marine and mariners of other nations in the avoidance of icebergs and other hazards to navigation;

To the Navy in development and employment of an environmental prediction program for antisubmarine and undersea warfare;

To ESSA and formerly the U.S. Weather Bureau in studying the exchange of energy between the sea and atmosphere at high latitudes and its effect upon weather;

To industry in designing various naval systems to function effectively in subpolar regions;

To scientists investigating oceanographic frontal phenomena and the formation of the deep water of the Atlantic Ocean in connection with the general circulation of the oceans.

Mr. Chairman, the Coast Guard needs a new oceanographic ship to replace the obsolete ship *Evergreen* at this time. The Coast Guard attaches higher priority to a new oceanographic ship than to a second cutter which would cost $2.5 million more than the oceanographic ship. This same sense of priority is recommended by the Department of Transportation, the Bureau of the Budget, the National Council on Marine Resources and Engineering Development, and the President.

Mr. Chairman, I share the committee's opinion that we not unknowingly duplicate research in the oceans. I am also aware of the very great problems that arise because so many agencies have active statutory missions to work in the sea. Yet I believe that our actions in establishing a coordinating Council at a Cabinet level, chaired by the Vice President, is the most effective way possible to reduce the risk of overlap. This Council has been highly active since its inauguration last August. Its members who head the departments or independent agencies in Government dealing with marine sciences recommended to the President that the replacement for the Ice Patrol ship *Evergreen* proposed by the Coast Guard and already authorized, coincidentally be given a capability to carry out modern subpolar oceanographic research for all Government interests. No other ships of other agencies are so equipped.

I applaud such steps to implement our objectives in the Marine Sciences Act, and I believe the Congress would be contradicting its earlier intent if it did not support the President's request for this ship.

Mr. ADAMS. I thank the distinguished gentleman from Virginia for his contribution.

Mr. Chairman, many of my colleagues have spoken of the technical aspects relating to the SST program. They have also related to you the reasons why we should have this program. I would, at this time, like to speak of another social and economic reason for the U.S. House of Representatives to appropriate $142,375,000 for the two prototype SST aircraft.

We have recently witnessed the efforts of our Government on behalf of the poverty program, the model cities program, and many other efforts to provide hope and thereby motivation for the people in our ghettos. Many of us have believed for a long time that direct governmental help in this effort is desirable, but it is not the only method. We must more deeply involve the private sector in this effort. The stimulation of our economy in the private sector will do more over a period of time to wipe out poverty, give men and women hope, and improve our educational system than the direct governmental programs. The Government programs should lift and stimulate our poverty-stricken people, so they can exist and obtain a stake in our society.

The SST appropriation is an appropriation which will have an impact on every State in the Union. The contracts and subcontracts reach into thousands of communities. The prototype program alone will directly produce 28,000 more jobs. If the program moves into the production phase, it will create over 60,000 new jobs. A factor of 4 to 1 is usually applied to the indirect jobs produced, which means the prototype phase alone will provide new jobs for over 100,000 people, and during the production phase, will reach over a quarter of a million people.

In situations as complex as this Government must act as a spark for private industry in the research and development phases. This program is an excellent example of our Government working with private industry to meet our social and economic goals. The investment of the U.S. Government in this program is seed money which will be repaid and will have the effect of enabling private industry to proceed on a program it could not otherwise finance. This is not the trickle-down theory of jobs, but a direct application of creating new jobs in an evolving industry which should continue to expand during the next 25 years.

All of us have a stake in America and its institutions. These institutions must be made as important to the poor as to the affluent. A stake in society imparts to all of us an interest which makes our freedoms important and restrains our licenses. Our society is an interdependent society. Some may have a much larger economic stake. However, our goal is such that none of us should lose all interest in our institutions and goals. I would submit to you then, Mr. Chairman, that this SST appropriation is as vital to our economy and Nation as some of the more direct programs that attempt to alleviate the plight of the poor.

This program for the SST is predicated on one solid fact; namely, that the Government will be repaid its investment with interest if the program is successful. The manufacturers recognize the responsible portion of our Government investment in this program and the contracts have been prepared with this in mind. The manufacturers are to bear 10 percent of the allowable costs, up to the contract price, and 25 percent beyond. In addition, they have to pay all the unallowable cost, principally those for commercial sales and interest on borrowed money. The companies are required to capitalize all the new facilities required.

Mr. Chairman, let us look for a moment at the worst that might happen if we were to make the assumption that the program failed. What would the Government have lost? We would of course have lost the money appropriated. In the sum total of a $144 billion budget, we could conceivably think of this program as an investment in talent, in jobs, and in engineering a program that if not successful immediately lays the groundwork for success and technological improvement of the aviation industry. At the very least we would maintain America's core of trained industrial technicians capable of developing new concepts and in a position to impart new knowledge to other segments of our society.

Mr. Chairman, you will note I have not directed my remarks as to whether we should be in competition with the British, French, and Russians because others have already covered this point. I believe we must meet this challenge. I have not, Mr. Chairman, in these remarks referred to the balance-of-payments benefits because this also has been discussed by others, but it seems obvious that a potential $32 billion flow of funds from abroad will be very beneficial to the United States.

In conclusion, my colleagues, I want to emphasize again that this program is a part of the development of our economic future. We will produce jobs for our people. We will not abandon progress—we will move forward.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the genlteman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I appreciate the remarks of the distinguished gentleman from Washington [Mr. ADAMS], particularly with reference to the matter of financing the SST. Let me say that the President's Advisory Committee on the SST, a committee composed of Cabinet officers and most distinguished citizens, included Mr. Stanley Osborne, a renowned investment banker, recommended that we proceed at this point to finance the SST in precisely the manner it is proposed to be financed under this bill.

Mr. ADAMS. I thank the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. MEEDS].

Mr. MEEDS. Mr. Chairman, I wish to speak in support of the proposed $142,375,000 appropriation for development of two prototype supersonic transport aircraft.

I speak not partisanly for the Boeing Aircraft Co. which is home based in my State of Washington but rather wholeheartedly in behalf of the United States of America. For, I am convinced, that the Nation will lose jobs, suffer by an increasing imbalance of payments, and forfeit its leadership in aircraft technology if the SST is not built.

Experts in and out of the Federal Government have indicated that the preponderance of evidence shows that the SST can be successful.

It can be a major step forward in air transportation.

It can earn a profit in sales and operation which will return to the Federal Government the total investment, plus interest.

It can mean substantial profits for private investors.

It can result in more and new jobs for American citizens.

It can cut the drain of American money abroad.

It can keep American aviation prestige and expertise a needle nose ahead of the rest of the world.

U.S. airlines and U.S. aircraft manufacturers are unable to go it alone on this gigantic task. But the faith airlines and manufacturers have in the project is clearly indicated by their willingness to share the investment risk.

The airlines already have pledged $52 million in advance sales orders.

This desire to purchase and fly an American SST is in spite of the obvious fact that the British-French combine already is closer to putting its supersonic Concorde into the air. And the Russians also will have their TU-144 flying before our SST.

Critics of the SST have said it should be financed entirely by the private segment of our economy. They have suggested that there is no certainty that the SST even will fly if built. And they have argued that the problem of sonic boom will curtail the aircraft's flight speeds over populated areas.

I must answer these by saying that the proposed SST very definitely is within the present technical state of aircraft knowledge. Military aircraft of similar materials, design and speed have been flying for some years.

And, after exhaustive study and research, our experts believe that the SST is economically feasible—it will pay its way to Federal and private investors—even if sonic boom difficulties do limit its overland flight speed.

Mr. Chairman, I firmly believe this Congress would be highly derelict in its duties if the $142 million appropriation is not approved.

Mr. MINSHALL. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Chairman, since this bill has been so well discussed by the very able chairman of the committee, the gentleman from Massachusetts [Mr. BOLAND], and my distinguished friend, the gentleman from Ohio [Mr. MINSHALL], I shall not have much to say and I shall be brief.

The Department of Transportation is our newest Federal department and this is the first annual appropriation bill for transportation, as such. This also is the first year that we have had an Appropriations Transportation Subcommittee.

It is refreshing and most significant to note that the subcommittee has reduced appropriations requested in this bill from $1.7 billion down to $1.5 billion, or somewhat more than $188 million. That $188 million reduction represents a cut of 11 percent, which is, by far, the largest percentage cut made by the committee this year on appropriations for the Federal Establishment.

The old adage that a "new broom sweeps clean" certainly is evident with respect to this bill. I commend the chairman and members of his subcommittee for their efforts in this regard and express the hope that their success will be emulated or even surpassed with respect to the appropriation bills still to be acted on in this session.

Including the bill before us, the House has considered budget requests for fiscal 1968 totaling $114 billion. From those requests the House has cut $3 billion and has approved $111 billion, or 97.3 percent of the aggregate amount requested by the administration in the 10 bills which we have acted on to date.

In anyone's ball game a batting average of .973 is proof positive that the team is playing heads-up ball and that is precisely what the administration has done this year in the appropriations league. Conversely, a batting average of .027 indisputably puts the House team in the second division. And, if it were not for the appropriations record now being established by the other body, the House would surely be in the cellar.

As bad as it is for the House to have posted such a record this year, what is even worse is the fact that down in the administration's bullpen the Departments and agencies are warming up with some exercises designed to determine what kind of a batting average the administration can chalk up in reserving the appropriated funds that Congress is providing this year.

The first public notice of this exercise appeared in the local press last week on July 12 when it was detailed that the administration's team manager on June 28 had personally called for plans which would slash domestic spending by a whopping 15 percent across the board.

Of course, subsequent press stories denied that any such plans had been called for by the White House. Despite that denial, it is true that Departments and agencies are engaged in the exercises of determining what program changes would and could be made under varying spending reservations.

Now, Mr. Chairman, not once in all of the years I have been here advocating economy in Government have I ever thought of myself as a piker. But, when you compare my 5-percent limitation on Federal spending with the administration's 15-percent proposal, it is obvious that the effect of my amendment would be picayune indeed.

As I indicated earlier, the bill before us has been cut by 11 percent—the largest percentage cut made this year by the House on an appropriation bill for the executive branch. However, I am wondering now if it would not be the better part of wisdom for the House to cut another 4 percent rather than let the administration do the job for us. Every time the Bow expenditure limitation amendment has been offered here in the House, cries of anguish and outrage have risen from some of those members on the other side of the aisle—that to adopt the limitation would be to shirk our responsibility and abrogate our authority.

Nothing could be further from the truth because, except for spending demanded by statute, the President has always had the authority to spend or not to spend the funds which Congress appropriates to the executive branch. And my amendment would only put some statutory muscle into any resolve to cut spending which the President might entertain from time to time.

Where, Mr. Chairman, did the cries of anguish and outrage come from last week when the 15 percent order was publicized—certainly not from the Halls of Congress. They did, however, spring from the throats of downtown bureaucrats who, with horror in their eyes, saw their minor league teams being sold out—not by Congress but by their own majors.

Some of you may wonder what these executive branch exercises on spending reservations portend. Let me make a suggestion. Toward the end of this month the administration is committed to furnish the Joint Economic Committee with a midsession review of the budget and the Federal fiscal situation. We are faced with a 1968 budget deficit of between $20 and $30 billion. Even though I have seen no conclusive evidence, it has been reported that the economy is trending upward. Trial balloons have been launched to test the mood of Congress and the public toward the imposition of a so-called war tax at a rate even heavier than the 6-percent surtax proposed by the President in his January budget. So, from these facts I can only conclude that we may very shortly expect major pronouncements on anticipated cutbacks in nonwar spending and a request for increased taxes.

When it comes to pass that the spending reservations are announced and the tax increase is requested, it still will not be too late for Congress to get back in the ball game with some statutory limitations on the spending of funds which we have appropriated. We certainly had better do so because we have had some experience with executive branch spending reservations and we all know they do not always materialize as planned. As recent as last November 29 the President announced his approval of Cabinet recommendations for a budgetary cutback of $5.3 billion in Federal programs which was expected to save $3 billion in fiscal 1967 spending. To date, we do not know the final outcome of that exercise but we do know that, very soon after the cutback was announced, decisions were made to release for spending some of the funds included in the reservation. Moreover, earlier last year a freeze was imposed on the hiring of additional Federal personnel. Probably no Executive order has ever been more widely broached than has the personnel freeze order. With literally thousands of Federal bureaucrats lobbying the next in command on behalf of their favorite spending programs, how, I ask, can we ever effectively cut nonessential spending except through the device of a statutory limitation.

Certainly, the time is long since passed for Congress to have begun playing heads-up ball. If we do not want to be outplayed, we had better start now to be the major league team which was envisioned for us in our franchise—the Constitution of the United States.

Mr. Chairman, I do not know at this time what the motion to recommit will be. I think it might be well, however, if we met the Presidential edict with a cut in the bill of about 15 percent. Because of the excellent work that has been done by this subcommittee, that would mean an expenditure limitation of 4 percent instead of the usual Bow amendment of 5 percent. In that way we might be helping the President in his effort to reduce spending by 15 percent in nondefense areas.

Mr. McFALL. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. ADDABBO].

Mr. ADDABBO. Mr. Chairman, I rise to first compliment the gentleman from Massachusetts [Mr. BOLAND], chairman of the Department of Transportation Subcommittee of the Appropriations Committee, and his fellow members of the subcommittee, and the staff, on an outstanding report and bill. My only regret is that, under the Federal Aviation Administration and related agencies, more was not set forth in the field of noise abatement. But there is under this bill additional moneys for the further development of the supersonic transport, the SST. In the hearings of the subcommittee there are many pages of testimony relative to the serious problem of sonic booms, but only several lines as to the question of subsonic jet noise and its effect on those living near airports. It is stated in the hearing on page 37 by Secretary Boyd that the SST will operate with less noise over inhabited areas. I have subsequently received a detailed report on SST noise to further try to prove that the SST will operate at a quieter level than the present large jets and I quote from that report:

> The SST contract includes design objectives that place limitations on aircraft noise. The objectives as stated in the contract are as follows: a. A maximum of 116 PNdB* at a distance of 1,500 feet on either side of the runway center line during takeoff. b. A maximum of 93 PNdB* at a point on the ground under the aircraft flight path at a distance of three miles from the beginning of takeoff roll. c. A maximum of 109 PNdB* at a point under the flight path one mile before landing. (*PNdB means "perceived noise in decibels" and is a measure of the physiological reaction of a human listener.)
>
> Note that the SST will greatly extend the side line noise on the airport, but that because it climbs rapidly it does not "drag" its noise over the community as does today's 707. Similarly, the 100 PNdB noise limits for landing will not extend as far into the community for the SST as it does for today's jets.
>
> The great amount of noise from the SST during takeoff roll, as indicated by the width of the 100 PNdB contour is due to the large thrust of the SST engines. The SST will have a total maximum thrust available of approximately 268,000 pounds as compared to 67,200 pounds of thrust on today's 707–320B. This large amount of thrust on the SST is needed because of supersonic operation.
>
> Both Boeing and G.E. are vigorously working to reduce the engine noise of the SST. Specific configurations that have demonstrated 8 to 10 PNdB reduction in test conditions are planned to be incorporated in the prototype aircraft. A continuing program of research on more advanced ideas is underway, however, it is not certain that techniques which afford large reductions can be reduced to a practical design that can be incorporated into a commercial airplane. In addition to the efforts of the manufacturers, there is a substantive effort underway at NASA. The SST program will take full advantage of any techniques or knowledge available.
>
> The manufacturers are estimating that $1½ million will be applied directly to noise reduction. In addition, other related projects will contribute to this effort.
>
> Consideration of noise is a significant factor in the design of various equipments. For instance in the design of the engine exhaust one must consider the efficiency of the nozzle as well as the application of noise suppression and deceleration devices. Thus, it is not possible to identify what per cent effort involved in nozzle design is applicable to noise reduction.

Mr. Chairman, Kennedy International Airport is within my congressional district. At the present time there is a plane landing or taking off at the rate of one every 30 seconds—yes, every 30 seconds.

Needless to say, the tens of thousands of people in my district within the landing patterns are in almost a constant state of some form of noise shock—missing the pleasures of television—telephone conversation—ordinary daily conversation, and, most important, education and a quiet night's sleep.

Mr. Chairman, the noise in decibels as set forth in the aforementioned SST report will not be less—yes, it may give some relief to those further from the landing touchdown or takeoff lift, but those others presently affected will be more affected. Scientific studies have shown any noise decibel over 80 is regarded as annoying to the human ear.

Mr. Chairman, NASA has recently awarded a $450,000 contract to the Pratt & Whitney Co. for an initial study for a quiet turbofan engine and Congress has appropriated $2 million for next year's phase, and this is for a jet engine of 25,000-pound thrust with a decibel level at landing and takeoff of 112 which it is hoped to be reduced to 85 decibels, and, Mr. Chairman, the SST engine has a thrust of 268,000 pounds.

Mr. Chairman, before the final moneys are appropriated for the SST and/or its final certification, for the safety of all and the health and the personal rights of those living near airports, I believe the following program must be enacted. First, my bill, H.R. 5240, giving the Federal Aviation Agency the power to authorize aircraft noise abatement regulation, and for other purposes; second, provide for additional airports away from inhabited areas—for all. Kennedy International Airport, as all major airports, is operating at or over capacity; third, a crash program for a solution to a quieter engine. Mr. Chairman, all of these things must be done before these monsters of the sky can be certified. People and their rights to peace and safety in their homes must not be sacrificed to progress.

Mr. McFALL. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Chairman, I take this time to call the attention of my colleagues to pages 501 through 516 of the subcommittee hearings with reference to the Eisenhower lock on the St. Lawrence Seaway.

It is developed in these hearings that in 1955 when this lock was built, it was constructed 75 percent of portland cement and 25 percent of natural cement. On this decision, the Government saved $67,000.

The only trouble is that the lock is now deteriorating and the testimony is that it will cost $13 million to repair it. So we have the false economy of a $67,000 saving resulting today in a $13 million expenditure.

On the Canadian side where entirely portland cement was used, there has been no difficulty and no repairs are needed.

This involves $13 million and there is fault here somewhere. I do not think it is the contractor, but it may be. I think that this must be aired and investigated because either the contractor is at fault or somebody in the Government blundered and saved $67,000 to ultimately cost the people of this country $13 million. If this is the kind of economy we are going to have, it will be economy that leads us to bankruptcy.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman.

Mr. YATES. The gentleman knows that there is no appropriation in this bill for that purpose.

Mr. JOELSON. I know that there is no appropriation but I do know that the money will have to come from somewhere to make the repairs; is that not true?

Mr. YATES. As of this time there is no authorization and it is expected, according to some sources, that it may have to come out of the Corporation's bonding power rather than through an appropriation.

Mr. JOELSON. But the money will have to be raised; will it not?

Mr. YATES. Yes.

Mr. McFALL. Mr. Chairman, I yield 9 minutes to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Chairman, this bill funds our Nation's aviation accident investigation operations for the coming year, under the National Transportation Safety Board of the new Department of Transportation.

This board is doing an excellent job, and I am frankly sorry to see that with our pressing need to cut on nondefense spending we have not been able to meet their full budget request. I make no criticism of them, or of the FAA or of the Department of Transportation. I want to make this very clear at this point.

I take this time, Mr. Chairman, to bring to the attention of the House a disturbing development which I believe could seriously affect the responsibilities which this Congress very properly exercises in the field of aviation policy in general and airline safety and accident investigation in particular.

Here are the facts. Last June 23 a Mohawk BAC–111 jet aircraft bound from New York State to Washington crashed over northern Pennsylvania with the loss of 34 lives. This is a route which my family and I have flown many times, and in the same type aircraft. Many of my constituents fly Mohawk regularly, since it serves much of upstate New York on a virtual monopoly basis. Seven of the 34 persons killed in the June 23 crash either lived or worked in my congressional district.

The BAC–111 is a new aircraft which has operated in this country less than 2 years. It is a British-built, twin, short-haul, fanjet aircraft with engines in the rear. Mohawk operates some 10 of these planes, a major part of their overall fleet. Only one previous operational crash of a BAC–111 has occurred in this country, over Nebraska last year. The final NTSB report on that crash has not been made, but the tail of that plane came off in midflight, apparently as the result of heavy turbulence.

Early reports of the June 23 Mohawk crash indicated a very disturbing parallel with the Nebraska crash: the tail section of the Mohawk plane had also come off in the air, and storms and showers were reported in the general vicinity at the time. A few hours after the crash the president of Mohawk Airlines, Mr. Robert Peach, publicly raised the possibility of sabotage, and wired the FBI demanding an immediate investigation. By Sunday morning, June 25, however, press accounts from the crash scene made it clear that the investigative team had uncovered absolutely no evidence of sabotage, and it has still uncovered none today.

With the sabotage theory apparently disposed of, I sent a wire to FAA Administrator General McKee on the morning of June 25 pointing out the parallels between the Mohawk and Braniff crashes, and suggesting that some restrictions, some slowing down, be placed on BAC-111 operations in suspected areas of turbulence until further tests could be made to determine the structural soundness of the tail of the new aircraft.

Within hours Mr. Peach made a very intemperate and distorted personal attack on me for having offered any such suggestion, claiming I was not qualified to judge "a highly technical matter such as this."

I dismissed his intemperate personal attack as a result of strain, although I could not help but recall that in other days when it came to enlisting help to get approval for new route applications, Mr. Peach had never seemed to feel that Members of Congress were unqualified to make recommendations to Government agencies on that technical matter.

One week later on July 3 I was subjected to a second distorted, unwarranted personal attack, this time by Aviation Daily, the trade sheet of the aviation industry. They charged that my comments had "impeded the serious work of investigating the crash" and bore out their contention that "every disaster is followed by the appearance of an instant expert—usually a politician up for reelection—to tell the world exactly how that disaster could have been prevented."

Aviation Daily's basic charge boiled down to the accusation that I had not known on June 25 the information which the Mohawk crash investigation had developed as of June 27, when their reporter questioned me. By that time the investigators had established that turbulence was not a feature in the Mohawk crash. Instead fire in the plane's tail section was discovered, but its origin remains a mystery even today. Moreover Aviation Daily faulted me because I did not know the conclusions and findings of an NTSB report on the Nebraska crash which, as already observed, has not even been completed or published as yet.

Now, Mr. Chairman, I bring these two intemperate and distorted personal attacks, one by the president of an airline, the other by the trade sheet of the aviation industry, to the attention of this House today as we consider funds for air accident investigations, not because of my own concern, but because I am convinced they represent a disturbing pattern which can have only one real purpose, and that is to frighten Members of Congress, all of whom bear a broad responsibility for aviation safety and air accident investigations, from making any comments or suggestions regarding this particular Mohawk crash, or indeed any airplane crash.

In fact, judging from the similarly distorted and intemperate nature of the two attacks, one wonders whether there may not have been some actual collusion between Mr. Peach and the publisher of Aviation Daily in these attacks.

I would certainly not pretend that we in Congress are experts in the field of aviation safety. But, as this legislation today underlines, we most certainly do have a genuine responsibility in this field and a genuine obligation to ask questions and to make suggestions.

So any attempt to intimidate Members of Congress from exercising their proper constitutional responsibilities in this important area can only impair the successful operation of free, popular government.

Actually, Congress has very extensive responsibilities in the field of aviation. We provide substantial subsidies for many airlines, including Mohawk. In fiscal 1967 Mohawk received a total of $3,778,000 in Federal subsidies from the American taxpayers. We provide funds for aviation safety and traffic control measures, and airport construction. We provide much airline revenue in airmail contracts and personnel and cargo shipments to Vietnam. Elsewhere in this very same bill we are even being asked to appropriate more than $142 million for building a supersonic transport aircraft.

Of course, one would hope that, when Members of Congress make suggestions and offer comments in this important area, those proposals would be 100-percent perfect. But this is an imperfect world after all, and not even Members of Congress, not even airline presidents, can be 100-percent right 100 percent of the time. If Members of Congress were forbidden to speak out until they could be sure in advance that their suggestions would prove to be 100-percent accurate, I fear representative government would grind quickly to a halt.

In fact, if being 100-percent right 100 percent of the time is the test Aviation Daily would impose on Members of Congress in discussing matters of aviation safety, then why have they so completely ignored Mr. Peach's own highly publicized charges of sabotage in the Mohawk crash? The investigation has not supported his suggestion. Did Mr. Peach therefore hamper the investigation by his public charges? Or were they perhaps designed to focus public attention away from something else?

Mr. Chairman, the truth is that airline safety is not the private preserve of the airline industry or of its unofficial mouthpieces, nor even of the so-called experts, any more than questions of military policy or foreign policy or atomic energy are the private preserve of special coteries of experts or afficionados.

Like military policy and atomic energy matters, airline safety is too important to be left to the experts alone. It is the responsibility of all the people in our form of government and of their elected representatives. And the sooner high-riding company executives and self-righteous industry mouthpieces learn that simple truth the better for all concerned.

I do not intend to be silenced or intimidated by these intemperate personal attacks leveled against me, Mr. Chairman, and I am sure no other Member of this House will be intimidated either. Surely the day has not yet come when an elected official dare not speak out on matters of airline safety until his remarks have first been cleared with the appropriate airline president or the publisher of the appropriate trade sheet.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I am glad to yield to the gentleman from Iowa.

Mr. KYL. I am worrying about the other side of the coin of which the gentleman speaks. Obviously there are safety factors involved in regard to all of the jets flying into National Airport. I hope that no Member of Congress will ask that this practice be continued, that these planes be kept at National rather than at Dulles or Friendship, merely as a matter of convenience, when safety is involved.

Mr. STRATTON. The gentleman raises a point I have not covered.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MINSHALL. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. SCHADEBERG].

Mr. SCHADEBERG. Mr. Chairman, I rise in support of this bill and commend the committee for a very fine job, but I take this opportunity to apprise my colleagues in this body of some of the ramifications of the appropriations for the U.S. Coast Guard which are contained in the bill under consideration at this time, H.R. 11456. I spoke at some length during the debate on the authorization of Coast Guard funds earlier this year and I want now to reinforce what I said at that time.

My particular concern is the scheduled closing of the Coast Guard station at Racine, Wis., the largest city in my district and the second largest port in the State.

It is not until we are faced with losing something valuable that we realize how much it is worth to us—and that certainly is true of the Racine Coast Guard station. It has served us well—quietly but faithfully. It is "always there," responding to calls for assistance and cries of alarm, ready to rescue sailors and boaters in storms, high winds, and fog, on the scene within minutes of a collision, a serious spill, or an overturned boat. Countless Racine residents and visitors can thank the Coast Guard for their help; many, many more participate in water sports such as boating, sailing, and fishing with great peace of mind, knowing that the Coast Guard is within shouting distance.

Yes, we have taken this sturdy, faithful unit for granted. No, we have not given them that "pat on the back" that all of us need once in a while for a job well done. But now, faced with losing them altogether, we are critically aware of how much we need them. Space will not permit the printing of the many letters I have received from Racine friends, attesting to their own knowledge of the Coast Guard's efficiency and dependability. My correspondence has also included petitions from individuals and groups, resolutions of private and public organizations, and expressions of support from city, county, and State legislators—each and every one urging the retention of the Coast Guard station at Racine.

I have met with Coast Guard spokesmen and I have corresponded with the Commandant as well as with the Secretary of Transportation to this end. The explanation offered to me is that economic considerations will not permit retention of the small station at Racine when larger units with helicopters will be located within half an hour to an hour's distance away. As Secretary Boyd wrote me, and I quote, "economic considerations dictate that we must accept a time delay in arrival on scene." Must we accept a time delay when lives are at stake? Must economic considerations take precedence over safety? The Racine coastguardsmen can now get to a boat in trouble within about 5 minutes. Will a motorboat operator in distress be able to hold on for half an hour, perhaps an hour, until a Milwaukee or Chicago helicopter reaches him? Secretary Boyd says that he will have to—or go under.

May this Record show that I will support these appropriations today. Next year, however, if action has not been taken to continue the Racine Coast Guard Station in operation, I will vigorously oppose the 1969 appropriations. And I will not fight alone. I will urge my colleagues on both sides of the aisle to join me in assuring protection at all times for all watercraft on Lake Michigan.

Mr. MINSHALL. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. Robison].

Mr. ROBISON. Mr. Chairman, quite some discussion has been had here throughout this afternoon about the supersonic transport development program—the SST program—and, certainly, as the report indicates, there are uncertainties enough in that program, uncertainties involving the construction of the aircraft, uncertainties involving the economic feasibility of the aircraft, uncertainties as to the effect on the ground of its sonic boom which will be created by the SST in flight, all in all uncertainties sufficient to cause reservations concerning this program on the part of any Member of this body.

Mr. Chairman, I have shared those reservations, and, to a certain extent, I still do. Yet it does seem to me that the impression has been left here this afternoon, unintentionally I am sure, that some of the risks involved in this program, or most of the risks involved in the program, or even all of the risks involved in the program, are to be carried by the taxpayers of the United States of America.

Mr. Chairman, as I read the hearings of the subcommittee—which, incidentally, I feel did a remarkably good job here—it is quite obvious to me that the arrangement that has been worked out between the manufacturers and the Government involves a substantial risk acceptance on the part of the manufacturers.

Also, Mr. Chairman, if some member of the subcommittee will give me his attention, there is also a considerable assumption of risk on the part of the airlines which potentially may be considered as purchasers of this aircraft.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I prefer to yield at this time to a member of the subcommittee.

Mr. MINSHALL. Will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from Ohio.

Mr. MINSHALL. I am glad that the gentleman from New York has brought this point out.

I quote from a summary of the contract clauses which have to do with the recovery of Government expenditures. These clauses give the Government the right to impose a royalty on all SST sales made by the manufacturer of all products that result from work funded by SST Government appropriations. The contracts define the method and the timing of royalty payments to the Government. A summary of the contract provisions is as follows:

> Royalty provisions in the G.E. and Boeing phase III contracts—
>
> Are designed to recover all of the moneys appropriated by the Congress to the FAA for the SST program and to do so at the sale of the 300th airplane.
>
> Are designed to provide additional return to the Government on sales beyond 300; and
>
> Are based on economic studies that estimate the market to be:
>
> Five hundred sales by 1990, for intercontinental, over-water air routes only.
>
> Twelve hundred sales by 1990, if worldwide operation turns out to be permissible with sonic booms.

That is exactly what the contract provides.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from Illinois.

Mr. YATES. I would like to supplement what the gentleman from Ohio has been saying in this development phase of the SST to the effect that there would be a contribution by the contractors of $288 million.

Mr. ROBISON. That contribution is being made right now.

Mr. YATES. Mr. Chairman, if the gentleman will yield further, they are making this contribution toward the $1.2 billion that is the estimated cost for the development phase. In addition, $52 million has been put up by various airline companies themselves who have placed orders for the SST.

Mr. ROBISON. Right.

Mr. MacGREGOR. Mr. Chairman, would the gentleman yield not for argument, but merely for the presentation of figures?

Mr. ROBISON. Yes, I shall be happy to yield to the gentleman from Minnesota.

Mr. MacGREGOR. Through phase III the committee report indicates that 88 percent of the initial financing and support will be supplied by the American taxpayers and that between 4 and 6 percent return will be had on the Government money expended.

Mr. ROBISON. Through the initial phases.

Mr. MacGREGOR. Through phase III.

Mr. ROBISON. Yes; and I am happy to yield further to the gentleman from Minnesota if the gentleman can answer as to whether it is not true—though there are a lot of "ifs" in this situation—that the taxpayers' money would be returned to the Government and even, perhaps, with some interest, under the proposed contract if the SST is a success?

Mr. MacGREGOR. Mr. Chairman, if the gentleman will yield further, it is contemplated under the contracts providing for the sale of 300 commercial SST's that the raw dollars that the taxpayers would ladle out would be returned at the rate of somewhere between 4 and 6 percent on the Government money, to be realized at the 500th SST sale.

Mr. ROBISON. The gentleman from Minnesota, I might say, made a very persuasive argument concerning the alternative of private financing, something which I have quite honestly been very interested in. On the other hand, I believe his final point was that that was the only way, or the best way, perhaps the gentleman meant, by which the taxpayers' investment in this could be avoided. So it did seem to me it is necessary to bring out that under the present fiscal arrangement, if it works out, the taxpayers' investment would be repaid in full.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MINSHALL. Mr. Chairman, I yield the gentleman 2 additional minutes.

The CHAIRMAN. The gentleman from New York is recognized for 2 additional minutes.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, there is another aspect of this recoupment problem that worries me. I have reference now to certain questions rising out of an article by George Lardner, Jr., who, writing in the Washington Post on June 11, 1967, charges that the contract with Boeing is so written that no royalties would have to be paid until Boeing sells its 101st plane and that the specifications are so restrictive that Boeing would avoid royalty payments if a faster, or more advanced plane is produced—growing out of the research and development our taxpayers have paid for in this program already.

I just wonder if someone would comment on that charge. For example, Mr. Lardner charges that Boeing's royalties are tied to the definition of an SST air frame whose speed is limited to 2,050 miles an hour, mach 3.1. He contends that if a plane is developed to exceed that speed, we are precluded under the contract from any royalties on the improved planes. This would present quite a different picture than the one I had understood existed.

Mr. ROBISON. I would say to the gentleman that I will have to yield to someone else who is more knowledgeable than I to answer his question.

Mr. JONAS. Mr. Chairman, will the gentleman yield further?

Mr. ROBISON. Yes, I yield.

Mr. JONAS. I do not expect the gentleman to answer that question, but I would hope someone in the course of the debate, and by the time we come to the amendment stage, would have a satisfactory answer to these charges that have received widespread publicity and should be answered.

Mr. ROBISON. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. BOLAND. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. REUSS].

Mr. REUSS. Mr. Chairman, we are faced in fiscal 1968 with a budget deficit that may be more than $20 billion. There are times when large budget deficits may be necessary, but this is not one of them. To add large sums to the national debt at high interest rates burdens taxpayers, who are already faced with a $14 billion interest charge on the national debt. Even more important, the necessary Treasury borrowing inevitably will cause tighter money. And we only have to remember last summer's experience to recall the damaging effects this had on homebuilding, on borrowing by State and local governments, and on small business.

So the immediate task is to reduce the prospective budget deficit, and do so in ways that do the least damage to the total consumer and capital investment demand needed to keep our economy moving forward.

Plugging tax loopholes in a way that will raise revenues the most and reduce demand the least is one method. I hope that we shall be getting to it shortly.

Another method is by cutting the budget in ways that affect only marginal items of the national interest, and do so in ways that operate on demand where it appears to be excessive.

The $142 million items for the supersonic transport is thus a prime candidate for postponement.

I am not asserting that a research and development program for a SST is doomed to failure. Perhaps the problems of sonic boom, of titanium material, and of variable sweep wing construction, can be resolved.

What I am asserting is that the benefits to be accomplished by the SST are marginal indeed. VIP's can now travel from Washington to London in a little over 6 hours. The Concorde plane, to be operational in 3 years, will reduce this time to 3 hours, 25 minutes. The SST would reduce it to 2 hours, 45 minutes. Much of this time would be lost in travel to and from farther-out airports, and in taking meals on the ground rather than in the air.

Look at the cuts we have already made in our programs to help people. The model cities appropriation request has been reduced from $662 million to $237 million. The administration has requested only $1.7 billion of the $3.4 billion authorized in the Elementary and Secondary Education Act, and only $200 million of the $450 million for sewage treatment plants authorized in the Clean Rivers Restoration Act.

Under my set of values, the convenience of a few VIP's in getting to their destination a few minutes faster is less a national priority than any of these.

Postponing the SST will reduce pressure where it is at its most inflationary—in the limited supply of scientists, engineers, and technicians who are already at work on the defense and space programs.

It is said that the United States needs the SST for prestige. Prestige, I say, comes to that nation which best demonstrates its dedication to the happiness of its people—in their health, their education, and their environment. Let us attend to the great priorities of national need, even if it means that VIP's will take a little longer to cross the oceans.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. Mr. Chairman, I commend the gentleman on his remarks. If anyone could guarantee the sale of up to 500 SST's, it might result in a fair break for the taxpayers and could thus be justified under the economic conditions that the gentleman mentioned.

I think this Committee would like to know how many 707's and DC–8's have been sold.

The Civil Aeronautics Board advised me just after lunch today that as of today the total number of 707's sold and delivered was 246 and the total number of DC–8's sold and delivered was 149. The 707's and the DC–8's are tremendously popular throughout the world and yet only 395 have been delivered in 8 years. I ask, Is it realistic to expect that 500 SST's will be sold?

Mr. REUSS. I think the gentleman has correctly pointed out a possibly inflated expectation of sales.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MINSHALL. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, I intended to refer to the SST matter later on in my comments, but since the last two speakers have dealt with that subject, I think I shall say what I intended to say at this point.

There is a phase of this subject that has not been discussed. Even those who would propose the amendment argue that we must go ahead with the SST and are concerned only with the method of financing.

Of course, we considered the question of financing rather carefully in the committee, and it was agreed by General McKee and other witnesses that public financing might be appropriate or certainly worthy of consideration when the development stage has passed.

It was pointed out in the discussion of public financing that has been proposed that the Government does not escape liability but would have to guarantee payment of the bonds. It is a contingent liability but nevertheless a liability. I do not know any way that the Government can sponsor the development of these planes without either putting up a good part of the money or without guaranteeing the repayment of any bonds that might be sold to the public.

It was also pointed out that in a public finance program there would be no opportunity to require airplane manufacturers or airlines to contribute to the cost, and this ultimately would or could cost the taxpayers more money than to proceed under the present plan. At least those were the arguments advanced in the committee and were among the reasons that the committee was not disposed to defer action or to undertake to try to impose a public financing program on the Department. It is my hope that the Legislative Committee will promptly conduct hearings on the bills now pending to convert this program from taxpayer financing to public financing.

Mr. McFALL. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from California.

Mr. McFALL. A few moments ago the gentleman posed a question relating to a mach 3.1 vehicle and contract provisions relating to such a vehicle. The upper end of the speed range of mach 3.1 also assures that we would collect royalties on future models that might have speed improvements, but one must bear in mind that small increases in speed produce large increases in temperature. In fact, to increase from mach 2.7 to mach 3.1 would entail an increase of 150° Fahrenheit and, perhaps more importantly, it goes from 450° to 600°. Such an increase would require a major redesign of the airplane.

From that I would draw the conclusion that the people who wrote the contract feel that they have the same airplane in which we are investing the Government's money and private money up to a speed range of mach 3.1 and over that speed range, because of design changes, it would be a different airplane.

Mr. JONAS. And therefore because of that royalties would not be paid on the higher speed plane?

Mr. McFALL. I gather that is true from the information that we have in the committee.

Mr. JONAS. I think that is true. I wonder why a different contract was made with General Electric, which is, of course, developing the engine.

Mr. McFALL. It goes on and says that this will be a completely different airplane, requiring a major development effort that is currently beyond the state of the art of transport aircraft. I am not sure that I can answer the gentleman's question, but I would assume that the contract with General Electric, which is for engines and not for airframe, as is the Boeing contract, the engines would have some utilization in any future airplane; any airplane or any engine developed by General Electric could be different than the one for the airframe, which would be limited by the speed and by the heat of that airplane.

Mr. JONAS. I thank the gentleman from California.

There is one other point that I wanted to make which has not been brought out in the discussion, and that is that the SST will have a limited cruising range of only about 4,000 miles. It will have a seating capacity of about 300.

Mr. YATES. It is 350.

Mr. JONAS. Well, 350. The jumbo jet would have a seating capacity of 400 to 1,000 and a cruising range of 6,000 miles. You will not be able to fly the SST from Chicago to London or from San Francisco to Tokyo without landing to refuel.

So I think this pretty nearly answers the sonic boom argument. They are not planning to fly this plane from the west coast across the United States to London, Paris or Brussels, nor from New York, Chicago, or St. Louis to Tokyo because it will not fly that far without refueling. It will not even fly from our east coast cities to Rome without an intervening stop, nor will it fly from the west coast to Tokyo without refueling.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Ohio.

Mr. MINSHALL. For the record, as presently contemplated, the plane would hold 280 passengers.

Mr. JONAS. That is what I thought: 280 and something.

Mr. MINSHALL. That is a "ball park" figure.

Mr. JONAS. Around 300.

Mr. MINSHALL. But it could fly from New York to Paris nonstop, and from New York to Leopoldville, with one stop at Dakar.

It can fly New York to Rio de Janeiro with one stop. It can fly to Saigon, which now takes over 17 hours, with two stops, one at Anchorage and one at Tokyo, in 7 hours and 40 minutes.

Mr. JONAS. That is true. But it cannot even fly to Tokyo without stopping in Hawaii to refuel. It will not do what many people think it will do; that is, fly around the world in a few hours.

Mr. MINSHALL. It cuts the present time to practically one-third.

Mr. JONAS. That is true. The only thing you can say for this plane is that it is speedy. It is very limited in its seating capacity, and in the number of passengers it can carry. It is limited in its range. We have other planes with far greater carrying capacity. The passenger capacity for the jumbo jet for example, is greater, and it has far greater range than the SST. I do not really know whether this plane is such a good bargain at $4.5 billion.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. Mr. Chairman, many of the economic studies about the proposed sales of the SST's were made before we had any idea how well the jumbo jet would sell. The Civil Aeronautics advises me today that 60 orders have been placed with Boeing for the 707 jumbo jet. Surely there will be a great many additional sales that will cut into the SST sales projections.

Mr. JONAS. The airlines seem to think the SST is a good bargain because they keep putting up $1 million apiece to stand in line for the planes.

I am not an expert in this field. As a layman and one who is a nonexpert, I just wonder whether it is worth $4.5 billion to develop a plane that will not carry more than 300 people and cannot cruise more than 4,000 miles without landing, when we have other planes that have far greater capacity than that.

There was one other subject I wanted to discuss, though, and that is the duplication that exists between this department and the Department of Housing and Urban Development in the field of mass transportation. The committee recognized that, and I invite the attention of those who are interested to a very interesting comment by the committee on page 5, which I would like to quote:

> The Committee has made several reductions in programs in transportation research related specifically to urban problems because of the Department of Housing and Urban Development's activities in this area. Not all such funds were deleted since the Committee does not wish to prevent the Department of Transportation from having the opportunity of competing for jurisdiction over urban transportation activities.

Now, I am not quite satisfied that it is worth $10 million just to give this Department the opportunity of competing with HUD to see which Department is going to have jurisdiction in the field of mass transportation.

We have recently passed through this body a bill, the independent offices appropriation bill, which appropriated $175 million to HUD for mass transportation. I have in my hand some information from HUD indicating a fabulous amount of grants for demonstration projects, for the purchase of equipment, for research and development in high-speed transportation activities. Then we come along in this bill, because they have not resolved the question downtown of whether mass transportation will in the future be under the jurisdiction of the Department of Housing and Urban Development or the Department of Transportation, and we are compounding the injury by giving them both large sums of money to do the same things in the field of transportation.

We reduced this item by $8,300,000. But there is still $10.3 million in this bill for research in mass transportation activities. There is an additional $5.9 million in the Office of the Secretary for transportation research.

As I have said, HUD was recently given $175 million for mass transportation activities, most of which is for grants, of course, but $10 million is for research.

I wish we could have found some way to resolve this tug of war which is going on now between HUD and DOT to find out, before we make more appropriations, which Department is going to have jurisdiction in this field.

The committee made another comment in which I concur. I invite attention to it because it expresses my feeling exactly.

I quote from page 7 of the report:

> Duplication in research and development is wasteful not only of money but of the valuable time of qualified researchers. Since by the very nature of research and development it is impossible to predict accurately the benefits to be achieved, this is an extremely difficult management area. It is also an area of high costs.
>
> Many of the requests for funds for research which have been made of the Committee thus far have been supported by scanty justifications. Too often, it appears that the contract research programs especially will be formulated only after appropriations are enacted.

I believe we have a good bill. I believe it could have been cut more. I personally favor deeper cuts, but those who have served on appropriations subcommittees know that one person cannot always have his way. We have to resolve these issues on the basis of compromise.

However, it is worth noting again that the cuts made by the committee amount to approximately 11 percent. The aggregate cuts amount to $188 million—a substantial one. While I took some reservations and still reserve the right to vote for some additional cuts on amendments that will be offered in the Committee of the Whole this afternoon, on the whole I believe the bill is a sound one and worthy of support.

Mr. BOLAND. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. Chairman, to begin with I want to congratulate the gentleman from Massachusetts [Mr. BOLAND] for an outstanding job on this new subcommittee, on which he serves as chairman. He is a most dedicated and a most hard working man in the Congress.

Mr. Chairman, when the Committee on Merchant Marine and Fisheries reported H.R. 5424, the Coast Guard authorization bill for fiscal 1968, to the House on March 21, 1967, it not only included the one high-endurance cutter, and one oceanographic cutter, but also four additional high-endurance cutters.

For several years, our committee has been deeply concerned about the deteriorating condition of the Coast Guard's high-endurance cutter fleet, which is so essential in connection with ocean station work, law enforcement, search and rescue, and patrol work when operating with the Navy in times of emergency.

I am sure the Appropriations Committee recognized these needs for accelerated replacement of the high-endurance cutter fleet, just as we did.

However, I am not sure that they understand the vital role that the Coast Guard plays in oceanography.

The Coast Guard historically has been the leading agency in the collection of necessary oceanographic data in the arctic and subarctic regions. Under international treaty since 1914, the Coast Guard has been carrying a large portion of the burden of the International Ice Patrol in the North Atlantic, which was created following the *Titanic* disaster in 1912.

Presently, they are functioning with a 23-year-old converted 180-foot buoy tender. It is something of a makeshift, not having been designed for oceanographic work in the first place, and is far from adequate to use efficiently today's sophisticated oceanographic technology.

The oceanographic cutter contained in the budget request was to replace the obsolete vessel, the *Evergreen*, presently in use. If the replacement vessel were to be contracted for today, it would still take 3 years before she could be completed and in operation—by which time, of course, the existing vessel will be that much older and increasingly less efficient.

It should be borne in mind that our oceanographic program involves the coordination of the activities of a number of agencies. Oceanography is not a simple single discipline that can be conveniently departmentalized. Accordingly, after a number of years of intensive study—beginning in the Congress in 1959—the Marine Resources and Engineering Development Act of 1966 was enacted into law in June of last year, to improve and centralize the coordination of our varied oceanographic activities and to assign priorities to the areas in need of immediate action.

The law created the National Council on Marine Resources and Engineering Development, under the chairmanship of the Vice President, with membership representing all of the executive departments having significant involvement in the marine sciences.

I call your attention to the fact that in carrying out its intended function, the Marine Science Council approved the inclusion of the oceanographic cutter for the Coast Guard in the budget request for fiscal 1968. In fact, it is the only oceanographic vessel of any significance included in any budget request for this fiscal year.

I emphasize this point because from the testimony before the Appropriations Subcommittee, it does not appear that the members of that subcommittee fully appreciate that our committee, and indeed the Congress, have taken note of the present situation in regard to oceanography and the need for high-level coordination of activities in that field.

In further recognition of these problems, the 1966 Marine Resources Act also establishes a 15-member Commission on Marine Science, Engineering, and Resources, whose job it is to study all of the requirements for a long-range national oceanographic program, and at the conclusion of a fixed period of time, approximately 18 months, it is to make recommendations to the President, and to the Congress, for the organizational system best suited in carrying forward this field which is so vital to our economy and security in the future.

I appreciate the fine work that the new Appropriations Subcommittee on the Department of Transportation has done but felt that these observations would be helpful to their understanding of the multiple responsibilities of the Coast Guard.

Mr. KEITH. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KEITH. Mr. Chairman, I, too, would like to congratulate the gentleman from Massachusetts [Mr. BOLAND] for his splendid handling of the difficult job of subcommittee chairman—he has done a fine job of navigating in treacherous waters.

And I, too, Mr. Chairman, am concerned about the proposal contained in this bill to construct two high-endurance Secretary-class cutters at $14.5 million each instead of one cutter and one $12 million oceanographic vessel.

The oceanographic research vessel was to have replaced the obsolete *Evergreen*, a 30-year-old ice patrol vessel now used for both ice patrol work and scientific data collecting.

If the proposed appropriations go through—to build the cutter instead of the research vessel—it will mean the *Evergreen* will not be decommissioned as she should be. Work in rigorous arctic climates calls for a sturdy and safe ship with up-to-date equipment.

The Merchant Marine Committee, on which I serve, reviewed the Coast Guard recommendations and concurred that the new oceanographic vessel was much more necessary than the additional cutter.

In the past, our oceanography program has been so fractured that it needed coordination. Because of this scattering of responsibility, Congress approved the creation of a Marine Resources and Engineering Development Council under the chairmanship of Vice President HUMPHREY. This council is now in being and is currently reviewing our Nation's objectives in the field of oceanography.

I have reason to believe it would agree that the Coast Guard's new oceanographic vessel could play a vital role in our overall oceanography program. I hope the Appropriations Committee can make the necessary study to which they refer in their report on the coordination of oceanographic activities. If they check with the Marine Resources Council, I believe the committee will conclude that construction of an oceanographic vessel is more urgent than construction of an additional cutter.

I hope that an amendment will be accepted restoring the oceanographic vessel.

Mr. HALL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Forty-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 172]

Ashley
Brown, Calif.
Burton, Calif.
Casey
Cowger
Dent
Dickinson
Diggs
Everett
Ford,
  William D.
Garmatz
Hays
Hébert
Herlong
Hungate
King, Calif.
Kluczynski
Miller, Calif.
Moss
Murphy, N.Y.
O'Konski
Passman
Pryor
Rarick
Resnick
Roudebush
Scheuer
Sikes
Sisk
Taylor
Whitener
Williams, Miss.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. UDALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 11456, and finding itself without a quorum, he had directed the roll to be called, when 399 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose the gentleman from Massachusetts [Mr. BOLAND] had 26 minutes remaining and the gentleman from Ohio [Mr. MINSHALL] had 17 minutes remaining.

The Chair recognizes the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. LENNON].

Mr. LENNON. Mr. Chairman and members of the committee, considering the problems of establishing a new Department of Transportation in the executive branch, I think we can well understand the difficulties that might have confronted this distinguished subcommittee, led by the distinguished gentleman from Massachusetts [Mr. BOLAND], when it was faced with the assessment of the President's budget request in this field for the first time.

Mr. Chairman, I appear in the well of the House today as a member of the Coast Guard Subcommittee for 11 years and as the chairman of the Oceanography Subcommittee of the House Committee on Merchant Marine and Fisheries for the last 5 years.

Generally speaking, Mr. Chairman, I find myself in agreement with this piece of legislation—this appropriation bill; the first appropriation bill for the new Department of Transportation—and with the language, generally speaking, of the committee report.

I do find, however, what I consider to be some lack of understanding on the part of this subcommittee with respect to two matters:

First, in the field of marine sciences and oceanography.

Second, in relation to the needs and the roles and missions of the Coast Guard.

Mr. Chairman, there are very few of us within the sound of my voice who know a great deal about the Coast Guard and its roles and missions.

Suffice it to say that the Coast Guard has a number of missions in everyone of the 50 States, but one, and in all of the free oceans and sea lanes of the world, and in many that are not so free.

Now, to come specifically to my point, if I may, and if the Members have a copy of the committee report in front of them, I would appreciate it if they would turn to page 9 thereof, with respect to the vessel program concerning the Coast Guard.

I want to agree with this statement:

> Many agencies in the government are engaged to some extent in oceanographic and marine research activities.

Actually, these are proliferated in some 14 different agencies, departments, and bureaus of the Federal Government. This we will admit. But I wonder about the wisdom of the subsequent statement when the committee states this:

> The committee feels that this important program could be more effectively managed and proposes to study the coordination of oceanographic activities throughout the government.

The Subcommittee on Oceanography studied this matter for some 5 years. We had a series of hearings that lasted 4 weeks. We heard from the private sectors of our economy, and from the marine scientists, technologists, and oceanographers, and all of the various Government agencies, departments, and bureaus. We heard testimony from some 42 Members of the Congress who had introduced similar bills. There were three Members who introduced what we would generally refer to as "wet NASA legislation," and they came prepared to testify and testified very articulately, and with a degree of eloquence and conviction, but when they finished their testimony and they listened to the testimony of some 37 other Members of the Congress, as well as testimony from the private sectors of our economy and from the different Government departments, bureaus, and agencies, they recognized the need for legislation that would create a commission including all of the sectors of the Government and private economy to make a determination of what type of governmental structure we should have.

The Vice President of the United States is the chairman of this national council. They have done an excellent job, but this Commission headed by Dr. Stratton is doing a fabulous job. They are mandating, if you please, to make a recommendation to the President, and to the Congress of the United States, as to what type of governmental structure we should have to coordinate this entire subject of oceanography and the marine sciences.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOLAND. Mr. Chairman, I yield the gentleman 5 additional minutes.

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 additional minutes.

Mr. LENNON. I thank the Chairman.

We asked the members of this subcommittee to defer its considerations, because this subject is being studied now not only by the executive branch of the Government, but by our subcommittee and by a Presidential Commission of the most eminent marine scientists, technologists, and oceanographers in the world. Their report will be forthcoming, and I hope it will be a report that will be acceptable to the President of the United States and to both branches of the Congress.

One other point: This distinguished subcommittee calls to our attention that in 1962 the Treasury Department, under which the Coast Guard was then operating, ordered a high-endurance cutter replacement program that would provide 35 new cutters by 1974. Now, listen to me and hear me, because I want to make this very clear:

The cutter replacement plan is in its fifth year at present, and to this year only eight new cutters have been budgeted. In other words, they are saying to us that with 35 new cutters programed, and we are in the fifth year of this program, that only eight new cutters have been budgeted. The legislative authorizing committee in its judgment and wisdom, based on a more intricate knowledge of the needs of the Coast Guard than I daresay this distinguished Committee on Appropriations has, made this determination, and you must keep in mind too, my friends, that the decision was made to send five cutters of this class to Vietnam after the budget request came up to the Speaker and to the President of the Senate.

The Coast Guard Subcommittee after hearing extensive tesimony, by a unanimous vote decided that there was an urgent and immediate need to replace these five—considering that we had only appropriated for eight—and in a 5-year period even though the program calls for 35 within the matter of another 3½ years. The full committee in its judgment approved the action of the subcommittee and approved the five. But you did not see fit to follow our recommendation.

Now, gentlemen, we are talking about the SST's and private enterprise. But here is an agency of the Federal Government that needs what the authorizing committee legislation is calling for. We cannot understand why, in your judgment, you saw fit to take the action you did.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. LENNON. I am delighted to yield to the gentleman.

Mr. BOLAND. The answer is very simple. At the time the hearings were held, at the time that the committee sat down and marked the bill up, the authorization bill was not signed into law and we gave the Coast Guard precisely the number of high endurance cutters that they requested plus an additional one, if they would do away with the oceanographic vessel.

Mr. LENNON. Do you mean you gave them precisely what the Bureau of the Budget requested?

Mr. BOLAND. The Budget requested one high endurance cutter.

Mr. LENNON. But that is not what they require.

Mr. BOLAND. That is what they requested for the fiscal year 1968.

Mr. LENNON. That is not what they requested for the Coast Guard.

Mr. BOLAND. It is what the Coast Guard requested before our Committee on Appropriations.

Mr. LENNON. Of course, I must point out that going through the layers of bureaucracy, they were cut down—that is true. The Coast Guard recognized the need. Of course, when I say that, I say that advisedly and I do not mean that this was done on the part of this distinguished subcommittee. I am talking about the Department of Transportation and that is where they were cut back. I am not criticizing but I am just raising the question—you gentlemen say in your report that there is an urgent need to move forward and, yet, you cut us back after we authorized it. Could you not depend on the knowledge of the members of the authorization committee—we are in a better position to equate these things and make a judgment on this.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. LENNON. I yield to the gentleman.

Mr. BOLAND. Obviously, the answer is "No."

Mr. LENNON. Apparently not.

Mr. McFALL. Mr. Chairman, will the gentleman yield?

Mr. LENNON. I yield to the gentleman.

Mr. McFALL. I am sure that gentleman and his subcommittee studied this Coast Guard program for a long time and know what they are talking about. Undoubtedly, the Coast Guard does need the cutters that the gentleman speaks of. The Committee on Appropriations, however, was in the situation described by the chairman of the committee and described by the gentleman in the well, and it had the budget request before it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOLAND. Mr. Chairman, I yield the gentleman 1 additional minute so that the gentleman from California [Mr. McFall] may give his answer for the record.

Mr. McFALL. We were in a situation where we had a request for one—and we funded that one. We also added one. So that, we gave them twice what we were requested to in that we asked that the money for the oceanographic vessel be used for a high endurance cutter. So in a sense, we gave twice what was asked us over and above what the Bureau of the Budget would permit that agency to request. We would be very happy, I think, to fund more high endurance cutters if we were requested to do so by the Department.

Mr. LENNON. You did not consider the authorization bill to be a request by another legislative committee of the Congress?

Mr. McFALL. What we did was to consider the request of the Bureau of the Budget and the President.

Mr. LENNON. You did not consider the authorization legislation which this House passed without one dissenting vote?

Mr. McFALL. We considered the authorization, but the budget request is made by the executive and this is the practice followed by every subcommittee on appropriations.

Mr. LENNON. I appreciate it.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. Lennon] has again expired.

Mr. BOLAND. Mr. Chairman, I yield myself 1 minute in order to reply to the gentleman.

We always consider authorization requests of the legislative committees, but the Committee on Appropriations has the responsibility of funding the various programs of the Federal Government. If the Committee on Appropriations recommended full funding for all of the authorizations of all of the legislative committees, I would just hate to think what the budget would be.

Mr. LENNON. I thank the gentleman.

Mr. MINSHALL. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. Pelly].

Mr. PELLY. Mr. Chairman, if I might I would like to address myself to the provision in H.R. 11456 which would appropriate $142,375,000 for two prototype supersonic transport aircraft which I fully support.

Mr. Chairman, the eyes of the world are on the House today, waiting watchfully to see whether Congress is going to invest in U.S. prestige and supremacy in its aircraft technology, or decide, instead, that airlines must pay billions of dollars to the British-French consortium for their Concorde. The Boeing company has on order 129 sales for the American

SST, and those sales will surely go to the British and French if we fail to provide the authorization for the SST program today.

Not only are the British and French watching what we do today, but the Russians have a direct interest. Their SST is expected to be shown within the year, and although the United States is lagging in development at the present time, the confidence that the American aircraft industry has built through the years does not place it at a disadvantage, providing the research schedule can be maintained. More than a half-billion dollars has been invested in phases 1 and 2, but now phase 3 needs to be started to maintain the program. The world confidence in America's ability to build airplanes is evidenced in the fact that there are far more orders on record for the American SST than for the Concorde, which will be in the air years sooner. But, there are other considerations than this confidence, and the value of the SST certainly goes far beyond the obvious saving of time of airline passengers. The jobs created by the production and operation of the aircraft will be important to thousands of Americans. The health of a major American industry will be saved, and the United States, already severely taxed in its balance of payments, will enjoy a return of billions of dollars, instead of an additional outflow of gold. Mr. Chairman, there simply is no alternative to the Government's involvement in the SST project. The cost of developing an advanced SST is too great for private industry since it will take 12 to 15 years before there will be any return on the money. Mr. Chairman, the United States must either be a part of this new era of air transportation, or forgo its leadership position.

GOVERNMENT INVESTMENT VERSUS PRIVATE CAPITAL

There is talk that an amendment will be introduced that would prohibit Government participation in this SST program, but this simply would kill the project. There is no other way that has been shown to me by which this project can be accomplished, than with Government participation. Like my colleagues, I have received letters proposing private financing of the SST despite protestations to the contrary. No private financial proposal has the support of the Government, nor the backing of industry. And, there are good reasons. There will be a long, dry period of 12 to 15 years between the time of the development investment and the time profits can be expected. And, this period of financial sterility dictates that interest on the invested money be obtained at the lowest possible rates. This is why private capital, at equity rates of return, would be simply too expensive for the prototype phase of the SSA project.

I do not have to remind the Members of this House, Mr. Chairman, that the Boeing Co. used its own money to develop the 707 jet. This private investment was $17 million, a large amount of money for a private industry to risk, but very small compared to the amount needed for the development of the SST. Yet, Boeing's research set the pace for the world in developing U.S. airplane supremacy and prestige. Boeing continued their private, pioneer effort with their own investment in the 727, 737, and the research on the jumbo-jet, the 747. However, the SST is an entirely new research area, and developmental costs are huge. The financing potential of the manufacturers is inadequate to tackle such a large-scale, high-risk, long-term venture. The Boeing Co.'s current reported net worth is $500 million, and the engine division of General Electric's worth is far less than that. We are not talking here today about production of airplanes for private industry, Mr. Chairman; we have the issue before us of financing prototypes, in which financial help of $52 million has even come from the airlines to lessen the Government participation. Mr. Chairman, I oppose any amendment requiring private investment of the prototypes, because its effect would not be to aid the project, only to ground it, and perhaps permanently.

GOVERNMENT RETURN ON ITS MONEY

Mr. Chairman, the question of sonic boom restrictions has been discussed by many people, and the uncertainty that a supersonic transport can be flown over land areas at supersonic speeds certainly exists. But, in this connection, Secretary Alan Boyd has said it may have to fly at subsonic speeds over land if the boom problem is objectionable. This makes it imperative for us to consider, then, the minimum return on the Government's money, and the economic feasibility if the SST only is permitted to fly over water. Mr. Chairman, even without House authorization for the advancement of the SST program, airlines have placed 129 orders for delivery positions with the Boeing Co. The break-even point for the Government's participation is 300 airplanes in 15 years. The FAA has estimated the sales at 500, even with the restriction of supersonic speeds over water routes only. It hardly seems possible, regardless of whether this aircraft flies over water or over water and land at supersonic speeds, that 300 planes would not be sold and the Government would not be reimbursed in full. But, Mr. Chairman, let me speak for a moment on the effect if the United States is denied the opportunity to proceed with the development of the SST. Those sales now on order most assuredly will go to the British-French Concorde, at a pricetag of $40 million each. That is well over $4 billion. Mr. Chairman, I cannot emphasize strongly enough my support for this program in light of these conservative estimates of traffic volume, sales and return of Government investment, plus the fact that almost one-half of the goal of 300 aircraft has already been reached.

MILITARY APPLICATION

Mr. Chairman, the possibility of a military application to the SST is not justification alone for its construction, but it is a factor that should be considered. In the 1940's the Defense Department said there was no military application for the jets that they use to such a vital degree today. And, today we stand on the threshold of a new era in aviation with the same type of "horse and buggy" thinking that existed 20 years ago. It is inconceivable to me that if there were SST's sitting in the Nation's airports, or at military installations, that, in time of emergency, their vast speed and passenger capabilities would not be used to great advantage. Mr. Chairman, I suggest that the military application of the SST is great, and one that should be remembered in rendering a decision on this authorization.

BALANCE OF PAYMENTS

Mr. Chairman, a French aviation expert has been quoted as saying:

> We have, with the Concorde, an unprecedented opportunity to challenge the U.S. manufacturers in their own market.

And, Mr. Chairman, Sir George Edwards, the British airplane designer, has said:

> The only thing that can affect us now is how quickly your country decides to begin building your first SST.

The Concorde consortium is viewing with watchful eyes what we do here today, for they have plans for over $4 billion sales by 1975 for the Concorde. And, I ask where those sales are going to come from? They are going to come from U.S. airlines, and the degree of this outflow of American money is going to be determined by our decision today. If there is to be no American SST, our airlines will buy the Concorde in large numbers as a matter of economic survival for the highly competitive transatlantic routes. It is this balance of payments which highly concerns me. The question is simply, do we allow American money to flow overseas for the purchase of these aircraft, or do we create the jobs here in the United States and have foreign income for our product? And, these are no small amounts. Taking into account both sales of our aircraft abroad and the fact that, with an SST of our own, the U.S. airlines would not be required to make these foreign purchases, the favorable balance-of-payments effect is estimated to be as high as $54 billion. Mr. Chairman, I consider this a vital consideration in supporting this authorization of the American SST.

OVER LAND VERSUS OVER SEA ISSUE

Mr. Chairman, even if supersonic flight is restricted to international, overwater routes, the potential market for the SST is more than adequate to return the entire investment, plus profit, to the airlines and manufacturers, and the investment, plus interest, to the Government. The air travel market is expected to grow at least tenfold in the next 25 years, and 40 percent of that growth will be in the lucrative overwater market, in which the SST will operate initially. A successful supersonic transport production program, therefore, could be exceptionally large. Government and industry estimates indicate that at least 500 planes will be needed by 1990 to serve intercontinental overwater routes only. I emphasize, Mr. Chairman, this estimate is for overwater flights alone. Should research from the day-to-day use of the Concorde, and study on the developing SST solve the sonic boom problem, and eliminate restrictions over land areas, then those sales are expected to reach 1,000 to 1,200 by 1990.

However, Mr. Chairman, let us just restrict my remarks to overwater flights. A 500-plane overwater market will be adequate to provide a basis for developing a competitive airplane that will allow the airlines to make a profit, return the Government's investment, and permit a profit for the manufacturers. Perhaps the most reliable indicators of the SST's potential revenue and profit capabilities, however, are the airlines themselves. The major airlines in the United States have placed at risk, $1 million for each SST they have on order.

Mr. Chairman, I believe the strongest security the Government has for its investment is the private airline commitment of $52 million of their own money to ease the burden of Government investment during the prototype development program.

Mr. BOLAND. Mr. Chairman, I yield 3 minutes to the learned gentleman from Ohio [Mr. Vanik].

Mr. VANIK. Mr. Chairman, although I support the development of the supersonic transport, and the struggle for commercial air leadership which it seeks to preserve for the United States. I oppose the method of funding and paying for this project out of the general funds of the Treasury.

Over one-half billion has already been spent for design and development studies. Today we contemplate spending an additional $142 million as a partial commitment on an obligation which may cost the taxpayers of the United States between $4 and $5 billion or more.

The only question I raise at this time relates to the propriety of placing the financial burden of this development on all of the taxpayers, although only a special group of taxpayers will benefit.

According to figures submitted to my office over 85 percent of our citizens have never been on any kind of an airplane. Of the remaining 15 percent of our population, less than 6 percent of our people regularly fly. Therefore, these billions of dollars are being spent to provide additional airspeed to a very select and small group of people of America.

Somehow or another the small and select group of citizens who stand to benefit by this development should more substantially contribute to its cost. It is unfair and a form of regressive taxation to finance this aircraft development out of general tax revenues which we can ill afford at this time.

Last February, I proposed the establishment of a commercial aviation development trust fund. The development resources would be created by the imposition of an additional 5 percent airline travel tax imposed on travel within, to, and from the United States. This tax would be in addition to the present 5-percent air travel tax which creates a modest contribution to the Federal Government expenditure for airport construction and the monitoring of air transport.

This 5-percent tax would raise in excess of $150 million annually for this purpose and all other purposes related to improved commercial air transport. It would establish a user tax for commercial air development and provide a system of payment more equitably related to benefit. The user tax would undoubtedly have to be supplemented by general tax revenues—but at least a portion of the burden would be assumed by the 6 percent of our people who regularly fly and desire the maximum benefit of faster travel.

The highway trust fund and the fuel tax which supports it have provided America with the finest highway system in the world. The user tax principle has made this development possible.

The supersonic transport is not the first commercial aircraft development. Nor will it be the last. Aircraft development must continue year after year—a user development tax will become inevitable. It may as well begin now and put the tax burden more squarely on those who receive prime benefit.

We have time now to develop more suitable methods to finance the supersonic transport development. We should act now to provide the most suitable arrangement—before we become irretrievably bound and committed to casting this burden entirely upon the general taxpayer.

Mr. BOLAND. Mr. Chairman, I yield 4 minutes to the gentleman from Connecticut [Mr. Giaimo].

Mr. GIAIMO. Mr. Chairman, I take this time to commend the chairman of the subcommittee, the gentleman from Massachusetts [Mr. Boland], the ranking minority member, the gentleman from Ohio [Mr. Minshall], and all other members of the subcommittee for the fine job which they have done in bringing this bill before us today.

I have had the privilege of serving, and I continue to serve, with the gentleman from Massachusetts [Mr. Boland], the gentleman from Ohio [Mr. Minshall], and the gentleman from North Carolina [Mr. Jonas], on the Independent Offices Appropriations Subcommittee, and I know the effort and the ability which they put into this important piece of legislation. I believe it is a good bill.

I know that the gentleman from Massachusetts [Mr. Boland], has gone over the bill very thoroughly and is completely familiar with it, and what he recommends to us today should be accepted by all the Members of this body.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the distinguished chairman of the Committee on Appropriations.

Mr. MAHON. Mr. Chairman, I want to join with my good friend in these laudatory remarks about the gentleman from Massachusetts [Mr. Boland], the gentleman from Ohio [Mr. Minshall], the ranking minority member of the subcommittee, and the gentleman from North Carolina [Mr. Jonas]. I would want to also compliment the other members of this subcommittee, the gentleman from California [Mr. McFall], and the gentleman from Illinois [Mr. Yates]. Their work merits our support. They have, I believe, made a great contribution through their diligence and their efforts in forging this important legislation and in bringing it before the House today.

They have made significant reductions in the requests in the interest of promoting efficient and economical operations and in helping get the new Department of Transportation off on a sound footing.

This new Department is headed by a very able man, Hon. Alan Boyd. Under his leadership, and the continued good work of the committee, I believe we have every reason to look forward to effective contributions to the national welfare by this new Department.

Mr. GIAIMO. I thank the distinguished chairman of the Committee on Appropriations and I certainly agree with my chairman.

Mr. Chairman, insofar as the problem of the SST is concerned, I am familiar with this problem. I have worked upon it for several years in our Independent Offices Subcommittee of the Committee on Appropriations. I feel that I can also speak on this subject very objectively in the sense that the competition for the engine to be placed in this plane, as all of us know, had been between the General Electric Corp., and the Pratt & Whitney Corp., which is located in the congressional district which it is my honor to represent but which company lost the competition and the award went to the General Electric Co.

Therefore, Mr. Chairman, my own State has not too much to benefit from the continuation of this very expensive program. Nevertheless, this program must continue.

Mr. Chairman, if we will look at the flag carriers of every major nation in the world, we will see them flying American-made planes and engines.

If we, as a nation, are to continue in the competition which exists in the world today, if we are to stay abreast of this situation and of the state of the art in aviation, then we cannot afford to fall behind in aircraft production and in new types of aircraft.

Mr. Chairman, within a very few years we will be in the supersonic field, whether we like it or not. I am sure that most aircraft manufacturers would prefer this to be delayed for some period of years. But it is here. The state of the art is here. The know-how exists today, and these planes are going to have to be made by the United States, or we are going to fall behind economically and in every other respect. When we are talking about this program, we are not just talking about staying ahead of the state of the art in aviation. We are also talking about thousands and thousands of jobs throughout this country, all of which contribute to the health of our economy.

Mr. Chairman, I urge that we support this able subcommittee in its recommendation in this particular field, and in all fields over which it has jurisdiction.

Mr. MINSHALL. Mr. Chairman, I yield 4 minutes to the gentleman from Iowa [Mr. Gross].

Mr. SHRIVER. Mr. Chairman, will the distinguished gentleman from Iowa yield?

Mr. GROSS. Yes, I am glad to yield to the gentleman from Kansas.

Mr. SHRIVER. Mr. Chairman, I associate myself with the remarks of the gentleman from Washington [Mr. PELLY] and commend him for the logic of his statement.

The $142 million in this bill for further development of the supersonic transport is a sound investment in the prestige of this country and its supremacy in its aircraft technology.

I am in complete agreement with the report of the committee submitted by the gentleman from Massachusetts [Mr. BOLAND] which stated and I repeat:

> The committee believes that development of the SST is of sufficient importance to the country that the funds recommended should be appropriated. The value of the SST goes far beyond the saving of time of airline passengers. The jobs created by the production and operation will be important to thousands of Americans. The health of a major industry will be preserved. Foreign exchange will be earned, and the more than one-half billion dollar investment already made will be protected. The time is near for the next step in air transportation, supersonic flight, to become a reality. The United States must either be a part of this new era or forgo its leadership position in air transportation.

Of course, there are some uncertainties to the SST program. There have been in every great advance forward in this country's leadership in the aero-space industry.

The SST program should go forward with the least possible delay. The airplane represents significant advancements in technology. Both the British-French Concorde and Russian TU–144, and their follow-on advanced versions, are serious threats to this country's manned aircraft leadership and capability.

The large potential market is bound to have a substantial economic impact on the country producing supersonic transports.

This program, during the prototype and production phases, will provide desirable long-term employment for the most important aircraft industry. During the prototype program it is estimated that the airframe and engine manufacturers, and their suppliers, will employ over 28,000 people. The production program could employ thousands and thousands more.

I commend the subcommittee for its excellent report. Its contribution to the improvement of our transportation system contributes to the strength of the economy and the greatness of our Nation.

Mr. GROSS. Mr. Chairman, as the House considers this Department of Transportation appropriation bill for fiscal year 1968, I consider it timely and important to indicate definite concern as to the need for a hard-nosed management review in this newly created Department.

Last week the Honorable Alan Boyd, Secretary of the Department of Transportation, appeared before the Manpower Subcommittee of the Committee on Post Office and Civil Service, relative to the needs of that Department for additional top level jobs; namely, GS–16, GS–17, and GS–18 positions. Secretary Boyd, in his statement before our subcommittee, made the following comment and I wish to quote:

> I think it is important to recognize at this point that the Department of Transportation was not created to accomplish the diminution or consolidation or abolishment of those organizations brought into the Department.

This statement, to a degree, is distressing. I recognize that as a new Department there might well be, and I am quite confident there is, an overlaying of top-level jobs over the various organizations that were brought into the new Department.

The Secretary also indicated he recognized that there are duplicate functions within his Department but that he had been unable to accomplish economy through the consolidation and elimination of overlapping functions except in a small printing plant.

A review of the Department of Transportation's table of organization, which was submitted to the Manpower Subcommittee, reveals six different bureaus working on safety. These are: Bureau of Railway Safety, National Safety Bureau, National Traffic Safety Bureau, Bureau of Motor Carrier Safety, Bureau of Aviation Safety, and Bureau of Surface Transportation Safety. Yes, I am very much interested in the emphasis on safety in anything that relates to transportation; but, I question the need for six different safety bureaus in one department. It appears to me that here is a challenge to Secretary Boyd and his top aides to streamline this functional area.

I would also like to recommend to officials in the Department of Transportation that during 1968 they consider the possible overlapping and duplication in other management areas, such as: employee training, employee payrolling, public relations, comptrollership, management analysis, and the maintenance of Department-owned aircraft.

Mr. Chairman, it seems to me that Secretary Boyd has a splendid opportunity to come before us next year with sizable savings to the taxpayers of this country in the number of employees on the payroll as well as operating funds. With other Members, I will be looking forward to a critical review of the Department's appropriation for fiscal year 1969.

Mr. BOLAND. Mr. Chairman, I yield the remainder of the time to the gentleman from South Carolina [Mr. RIVERS].

The CHAIRMAN. The gentleman from South Carolina is recognized for 8 minutes.

Mr. RIVERS. Mr. Chairman, first of all I want to compliment this great committee, under the leadership of the gentleman from Massachusetts [Mr. BOLAND], and the complementary leadership of the gentleman from Ohio [Mr. MINSHALL], on the magnificent job they have done in this and other areas. No one knows the dry, cold facts the Committee on Appropriations has to take into consideration, and the work they have to face in some of these undramatic efforts on behalf of this country, and for this I also want to compliment them.

Mr. Chairman, I want to say, to begin with, that I favor the SST—I favor the SST. I further want to say any discussion of the future of the supersonic transport must include the potential military value of this aircraft.

I am familiar with those who say there is no requirement or there are no requirements from a military standpoint for the SST. That is not factual. I suppose the same arguments could have been made when the Boeing Co. spent $17 million on the first 707 prototype, and the Air Force subsequently came along and spent $88 million to develop the KC–135 that is the granddaddy of all of them, because the Boeing Co. had at least demonstrated the feasibility of a large jet transport, and out of this came the refueling concept which is so vital to the logistical capacity of our military aircraft.

I mention this, Mr. Chairman, because it has been truly said that what is past is prolog, and I sincerely believe that those who cannot see a military value in the SST are in some areas suffering from some kind of myopia.

Certainly there is a military potential in this aircraft, and I predict that before the SST flies in a commercial operation military requirements will have been developed, and military orders will have been placed for this aircraft. I do not care who makes a statement to the contrary notwithstanding.

I will have you understand Secretary McNamara said he could build the TFX in fewer than 5 years. He could not do it. Nobody, but nobody, can build an airplane in fewer than 5 years—the state of the art just refuses to be pushed.

Within 5 years you will see this—mark this on your book—this is as inevitable, Mr. Chairman, as was the military use of steam when old Robert Fulton cruised up the Hudson River.

We know that large sums of money are involved in the development of the SST. But I would remind you that there were also large sums of money involved in the first atomic submarine which the Congress built. The people downtown could not see it but thank God your Congress was the first to realize the need for and the potential of nuclear propulsion.

In a similar manner, Mr. Chairman, air superiority whether it is commercial or military is vital to the future of this Nation.

This aircraft is needed from an economic viewpoint. It is needed from a military viewpoint. It is even needed, Mr. Chairman, from a prestige standpoint.

This country will have over 200 million people in it in the batting of an eye. We will have a trillion dollar gross national product. Can we afford it? You bet your bottom dollar we can afford it.

I hope this House will follow the lead of this distinguished committee.

Mr. Chairman, we bought over 808 of the 707 type aircraft for our military and of those 808, we have used 732 KC–135 tanker aircraft.

We have 14 RC–135's.

We have 45 C–135's.

We have 17 EC–135's. That is the plane that is so vital in case everything else is bombed out and you need a command ship to fly around with all the vitals in it to keep this country going.

We have three 137's.

Now, we have many more other types of aircraft of the same design, like the DC-8's which use the great engines the Pratt & Whitney and General Electric make. We have only two engine manufacturers who make the pure jet aircraft engine.

With the exception of these two, we have Allison of General Motors who make the turboprop, and we are trying to get them into the pure jet business too.

This country leads the world now in aircraft. Why do we want to default? We have aircraft flying around this country now at over 2,500 miles an hour.

Think of the windfall that we are getting from this plane—from the titanium know-how. No nation knows how to use titanium like this country does. No nation—but no nation.

Think of the windfall that we get from these alloys which you use in these rockets.

Think of these exotic fuels that we will get.

Oh, yes, Mr. Chairman, we need this SST. We need the prestige. Why take away from America our leadership that we now possess?

Mr. Chairman, this committee should be congratulated for their leadership and for their vision. I say to you, we need it from a military standpoint.

We have been trying to sell the Secretary of Defense on the AMSA—the advance manned strategic aircraft—because we want a contract definition. We want to know what the configuration is going to be.

How do we know what Russia has? The other day they brought out a TFX type of aircraft with the radial wings.

Why default? When you have it in the palm of your hand—why default?

Mr. Chairman, this is a military need. I do not care what the people downtown who preach pushbuttom warfare say. We need manned systems and this is the beginning.

You cannot get this in 5 years. You do not know nor do I know what may transpire in 5 years.

Mr. Chairman, this is a paltry sum to pay for prestige and for leadership and to keep ahead militarily.

Mr. Chairman, I respectfully ask this Committee to think long before we delete this item which is so needed in our race for survival.

I yield to the gentleman from Texas.

Mr. PICKLE. I thank the gentleman for yielding.

I wish to associate myself with the gentleman's remarks.

Mr. Chairman, I commend the President's recent action to proceed immediately with prototype construction of the supersonic transport.

Both the Anglo-French Concorde and the Russian TU-144 pose serious threats to our manned aircraft leadership and capability. This challenge is not based solely on the emotional aspects of America's prestige, although it is certainly a factor in the cold war era. But the fact is, there are significant economic reasons why we must meet our competition head-on with the SST program.

One of these is that as delivery of the Concorde begins, the market for the SST decreases. We are told that some Concordes will go on the market in 1971. This does not allow for much delay in the construction and testing of the SST.

Boeing estimates that a 2-year delay in the SST program could reduce sales from 1,100 by 1990 to about 660. This would be a serious loss of revenue. And we should keep in mind that the recovery of the Federal investment in this project is directly related to the number of airplanes sold.

Also, sales of the Concorde could affect the U.S. balance of payments adversely by some $22 billion through 1990. The SST would serve not only as a check on this adverse effect, but would add approximately $32 billion to this country's favor.

Present projections indicate the first SST will fly in late 1970 and that production airplanes will be flying a little more than 3 years later. This means certification and initial deliveries will be 3 to 4 years after the initial delivery of the Concorde.

We cannot allow this leadtime to increase.

Mr. MINSHALL. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. Scott].

Mr. SCOTT. Mr. Chairman, I wish to refer to only a small portion of the bill. On page 15 of the report which has to do with construction at the National Capital airports, I note that the budget for construction at Washington's two airports, National and Dulles International, is combined, and $160,000 is appropriated for constructing a storage building for snow-removal equipment at Dulles.

I would call to the attention of the Committee the fact that the Federal Government has already spent $110 million for the construction of Dulles International Airport, and that compares with the $66 million of grants-in-aid that is proposed in this bill in the next paragraph for the entire country. This is one of the world's most modern airports and presently one of the most underused.

I would like to commend the Civil Aeronautics Board for the present investigation of congestion and safety at National Airport. National is operating at 2½ times the capacity for which it was constructed. If we compare the two airports, National, operating as it is at 2½ times capacity, and Dulles Airport, which has the most modern facilities and has plenty of room for expansion, common sense dictates that we make further use of Dulles International Airport.

I would like to urge my colleagues to assist in the promotion of Dulles International Airport, or Washington's International Airport, to protect the investment that the Government has out there of $110 million.

Mr. GUDE. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Maryland.

Mr. GUDE. I would like to commend my colleague for his interest in the promotion of Dulles Airport. We must work toward the maximum utilization of all the transportation facilities we have in the metropolitan area if we are going to have a system that even approaches adequate service for this growing area. I am looking forward to cooperating and working with my colleague and my other colleague, the gentleman from Virginia [Mr. Broyhill], and the gentleman from Maryland [Mr. Machen], on all of our metropolitan area transportation problems.

Mr. PHILBIN. Mr. Chairman, I am in strong support of this bill, and favor the item for the supersonic transport aircraft. I commend my able, esteemed colleague, Mr. Boland, for his fine work on the bill.

It is encouraging to note that we are now moving to make up for lost time. As Members of the House know, the British and French started to move in this matter several years ago by joining in a consortium to build the supersonic Concorde.

The Russians have also gotten into this act, and there is a strong likelihood that the Russian supersonic plane, while not considered by experts to be as ambitious as the Concorde, may be in the air transportation business ahead of it.

Our own efforts to promote the SST are developing well and the Boeing company has currently on order, we are informed, 113 sales for the American SST.

However, if we should fail to support and back up the SST program for the United States, these sales would certainly go to the British and the French.

The American aircraft industry has led the field in civil aviation, just as it has in military aviation. We have placed some very high-powered, sophisticated jets in service here in the United States and all over the world, and they are doing a great job.

However, the SST is another great stride in aviation. This plane will in time outdistance, and probably outmode, the existing jets of all nations.

We are fortunate that we have such a fine American aircraft industry, upon which we can depend to build a satisfactory SST. This is a very costly job and already more than one-half billion dollars have been invested in the various phases, but now an additional phase must be started to maintain the program.

American aircraft has the confidence of the world and this new SST also should be helpful in closing the dollar gap that is vexing and befuddling the monetary experts and giving much concern to thoughtful Americans.

Mr. Chairman, this is a long-range plan and a very important one, and it deserves our total commitment, our encouragement and our effective, enthusiastic support.

Perhaps this epochal aircraft will in some sense enable us to make up for some of the rich benefits we lost when we did not go ahead earlier with appropriate, new, military aircraft as our Armed Services Committee urged, which would have given us a rich bounty of valuable research and development information similar to that we utilized in building other fast jets that have greatly raised the prestige of this country in the aviation world throughout the years.

Let us not miss this opportunity to advance the American air arm.

Let us stand and work for a bigger and better airpower across the board. Thus we may best serve the needs of the jet age.

Mrs. **DWYER**. Mr. Chairman, the pending appropriations bill and the committee report which accompanies it provide convincing evidence of the need for greater progress in coordinating the related functions of the Department of Transportation and the Department of Housing and Urban Development in the field of urban transportation and in expediting administration recommendations for the most efficient and rational organization of such functions.

The administration's draft legislation last year to establish the new Department of Transportation ignored this problem entirely, and it was in response to this failure that I offered the amendment, subsequently enacted into law, to require the two Departments to undertake studies of urban transportation and report to the President and the Congress within 1 year on the logical and efficient organization and location of urban mass transportation functions in the executive branch.

As the committee report notes, however, and as its hearings amply support, duplication and overlapping already exist in the programs of the two Departments—to such an extent, in fact, that the committee has recommended several reductions in programs of urban transportation research because of the Department of Housing and Urban Development's activities in this area. Duplication and the waste that it entails is always regettable, but it is doubly so in this case in view of the great need for, and the relative shortage of, the high quality research on which improved urban mass transportation systems must be based. When funds are limited, there is less excuse than ever to spend them on duplicating efforts.

The committee's reductions will, I hope, serve to alert the two departments and the administration to the immediate need to clarify and coordinate the Federal Government's urban mass transportation functions both to assure maximum results from their efforts now and to reach agreement on a form of organization which will give to the urban mass transportation program the strong direction and adequate resources necessary to enable it to help rescue urban areas from increasing traffic congestion.

Mr. **PUCINSKI**. Mr. Chairman, it is in my judgment, the height of irony, that our Government is planning to spend a huge sum of money for developing the supersonic transport when we have practically no available information on what these supersonic aircraft are going to do because of sonic booms to people and animals in the United States, as well as other countries.

We are being shoved into this project without any guidelines requiring the development of a design which would reduce sonic booms to an acceptable and livable tolerance.

I want the Record to show that I am unalterably opposed to any expenditures for the development of this supersonic transport until such time as the engineers can convince us that they have perfected a design and a powerplant which can keep sonic booms below 1.5 pounds overpressure per square foot at ground level.

Responsible studies of the effect of sonic booms clearly indicate that anything over 1.5 pounds of pressure per square foot has an adverse effect, not only upon buildings, but also upon human beings and animals.

I have introduced legislation which would prohibit supersonic aircraft which generate in excess of 1.5 pounds overpressure per square foot from operating over the continental United States.

I say that it is sheer deception to say to the American people that these supersonic transports will not travel at supersonic speeds over continents. If we limit these airplanes to the use of supersonic speed only over oceans, their effectiveness as a time-saving ship will be so adversely affected that they will become a financial disaster. Nobody is going to kid me. You know, and I know, that after the U.S. Government invests billions of dollars in the development of this supersonic transport, the industry is going to say that they have to fly at supersonic speeds over the United States in order to make the aircraft profitable and thus justify this huge expenditure by the Federal Government.

I hope the House will reject any funding of this aircraft until the industry proves to us that it can design an airfoil with characteristics which will produce sonic booms within the tolerable limitations. I do not believe a cent should be spent on developing this aircraft until this assurance is given the American people.

Mr. Chairman, history will prove me right. We will rue the day that this Government participated in the development of an aircraft which will produce sonic booms of such a magnitude that the lives of millions of Americans will be adversely affected, and more important, seriously endangered.

I know of no way to predict with any certainty that an aircraft lowering its speed in certain areas will be able to control the sonic booms with such precision that it will avoid huge damage to property below.

We have seen in the Oklahoma and California experiments the devastation that sonic booms can cause to property. Mr. Chairman, if this airplane is designed without the safeguards which I have proposed, I want the Record to clearly show that at least one Member of this Chamber warned against the havoc which can sweep its large cities with its glass-enclosed skyscrapers when the sonic booms get out of hand in the near future.

I want no part of the responsibility of seeing a shower of glass catapult down upon large crowds of people in our central areas when an unpredictable sonic boom hits the area and causes its devastation. This is no exaggeration. These are realities that we know exist under the present state of the art in the development of supersonic aircraft.

I am mindful that the President has instructed the interested agencies to include in their consideration the problem of sonic booms, but the warning is so nebulous that I guarantee you when the first SST rolls off the American production line, it will have a potential of sonic booms which will change the lives and welfare of millions of Americans, not to mention its adverse effect on wildlife and animals in this country.

This is an historic date in this Congress and I assure you that historians will point back to this debate and when havoc is wrecked upon our communities from uncontrolled sonic booms, history will show that at least one Member raised his voice in protest. I am not against progress, but there is nothing that says man must blindly engage in his own mass destruction under the guise of progress.

Mr. Chairman, I probably will not be alive to boast that "I told you so," but future generations of America will, indeed, condemn the day the Congress approved the development of a supersonic transport without the necessary safeguards against sonic booms. I hope these development funds will be blocked by the Congress.

Mr. **RYAN**. Mr. Chairman, we are asked to consider today H.R. 11456, appropriating funds for the Department of Transportation. The bill appropriates $10.3 million for research and development in high-speed ground transportation and $142,375,000 for the development and construction of two prototype supersonic aircraft, the Boeing model B–2707, known otherwise as the SST. This proposed mach 2.7 commercial airplane, will carry nearly 300 passengers, cruise about 1,800 miles per hour at an altitude of 65,000 feet with a range of 4,000 statute miles. If developed, it would fly about three times as fast as present commercial jet transports.

On May 1, 1967, President Johnson authorized the Secretary of Transportation to sign contracts with Boeing Aircraft Co. and General Electric Co. The former is to build two prototype air frames; the latter will construct the 60,000-pound-thrust engines, three times the thrust of present commercial jet engines—Washington Post, June 11, 1967. Although these contracts, made retroactive to January 1, 1967, formally initiated the third phase of the five-phase research development and production schedule, a SST has been under consideration at least since December 1959 beginning with the formation of a study group within the Federal Aviation Administration to examine the technical, economic, and operational feasibility of a supersonic transport for commercial purposes.

In August 1961 the Congress appropriated $11 million to the FAA for SST research. After initial requests for proposals for research, contracts were issued during November 1961 and 37 contractors were subsequently awarded one or more contracts. The Congress, during October 1962, appropriated $20 million to continue the research, and in June

1963 President Kennedy announced determination to proceed with the SST program.

The Office of Supersonic Transport Development, now directed by Maj. Gen. Jewell C. Maxwell, was established within the FAA in July 1963, and in November of that year, the Congress appropriated another $60 million for the FAA fiscal year 1964 budget to continue SST design research.

Evidence indicates that the SST program has been under speedup pressure in order to compete with the production schedule of the British-French Concorde, a mach 2.2 supersonic commercial craft with about 125-passenger capacity. But in July 1965, President Johnson extended, for another 18 months, the original 2-year design period. At the request of the President, Congress appropriated another $140 million for fiscal year 1966. Over the strong objection of Senator PROXMIRE—CONGRESSIONAL RECORD, volume 112, part 14, page 18684, and the following Congress appropriated an additional $280 million, $200 million of which was for the initiation of work on the prototypes.

Mr. Chairman, approval of the proposed authorization, which is $55.6 million below the administration's request, will in effect commit public resources to carrying out the complete prototype program, the total cost of which will, including the previous research expenditures, amount to an estimated $1.45 billion—hearings on Department of Transportation Appropriations for 1968, before a subcommittee of the Committee on Appropriations of the House of Representatives, 90th Congress, first session, page 289—hereinafter cited as "hearings". Of this amount, the U.S. Government will pay about $1.2 billion, including the $511 million heretofore appropriated.

This $1.45 billion, of which private industry is to contribute only about 10 percent, does not include the future investment required to certify and produce the SST. If the prototype is successful, after the 100 hours of proposed flight testing, a conservative estimate is that subsequent costs for certification by the FAA, tooling up and accumulating inventories will require some $3.3 billion additional funds—Fortune, February 1967, page 14.

Admittedly, the Government is not committed after the end of the prototype phase, which includes 100 hours of flight testing. Moreover, the estimated $40 million price tag per plane will include a $4.5 million royalty for the Government which is supposed to reimburse the taxpayers' investment. The royalty collected for planes sold after the first 300 is supposed to constitute interest. If 500 planes are sold by 1990, the Government would receive 4 percent interest; Boeing and General Electric, would, on the same number of planes, garner a 12.1- and 11.2-percent return respectively—hearings, page 310—even though the Government contributed at least 90 percent of the risk capital up through phase 3.

Despite claims to the contrary, it is not clear that private enterprise will be willing or able to carry the financial burden between the termination of the prototype phase and full-scale production. It has been alleged that "the two prime contractors seem confident that the Government will continue to foot most of the bill"—New York Times, editorial, May 2, 1967—for the necessary additional $3 million or more. General Maxwell admitted that:

> It remains to be seen whether that (private enterprise can shoulder the burden following phase three) . . . is feasible" (hearings p. 289).

He stated that current projections, based on studies conducted by the FAA, showed a gap of $1 billion between what would be needed and what Boeing and General Electric could invest—including advancements on orders by airlines.

The Economic Feasibility Report, of April 1967 on the SST, issued by the FFA states that:

> Current projections . . . are that the *engine* manufacturer will have the capacity to generate the necessary financing required. (emphasis added).
>
> But a reasonable approach suggests that any program decisions consider the possibility that the Government may be required to act as guarantor of *or to provide* any additional funds needed by the *airframe* manufacturer (emphasis added) (p. ix–3).

General Maxwell felt that:

> It is not appropriate to make a decision at this time as to how certification and production phases are to be financed. (Hearings p. 291.)

Without questioning the validity of the above estimates, it is not to be overlooked that the costs of the F–111, originally estimated to be $3 million, have risen to nearly $10 million—hearings, page 304.

Mr. Chairman, the SST is touted as providing air transportation three times faster than existing subsonic planes, 2½ hours from New York to Paris instead of 7 hours; assurance of our continuing superiority over the British-French consortium building the Concorde, and the Russians who are building the TU–144; 50,000 direct jobs—hearings, page 294—and a favorable effect on our balance of payments. Moreover, as Senator MAGNUSON stated:

> It is a question, of course, of whether we want to have what we call American superiority in the air. That is what most of (sic) it is about, and whether we can compete with the British and the French. CONGRESSIONAL RECORD, vol. 112, pt. 14, p. 18692.

I am sure that supersonic aircraft are inevitable. But there are, I think, serious questions which must be answered before we plunge into a program which may cost the taxpayer $4 to $5 billion, if not more; a program, the economic feasibility of which is questionable; a program involving many unanswered technical questions; a program which, in light of our pressing needs to improve intra- and intercity surface transportation—not to mention the huge social needs requiring immediate attention—could well be relegated to a lower priority.

I emphasize that the issue before us today is not whether to continue much needed research as to the effect of cosmic rays, atmospheric conditions, and temperatures encountered at 70,000 feet. The issue is not whether to continue and intensify studies of the effects of sonic booms. The question is whether, in view of numerous unanswered technical questions and other priorities we should commit, at the very minimum, $1.2 billion of resources to the building of the prototypes.

One of the most important, but as yet unanswered, questions concerns the degree of intensity of the sonic boom produced by such a craft. In projecting 500 sales by 1990, the FAA assumes that the SST will be limited to transoceanic flights because of the uncertainty as to the boom it may produce and the reaction and effects both physical and psychological on humans, animals, fish, and fowl. Yet of the original $198 million requested by the Administration only $6.9 million will be used for sonic boom and economic analysis—hearings, page 323.

General Maxwell stated:

> Due to the lack of criteria, we cannot be sure whether this design will be permitted to fly supersonically over populated areas. (Hearings, page 292.)

He admitted that:

> An airplane can have many sonic boom characteristics. One airplane can create a very severe boom and it can also create one that may be completely acceptable. (Hearings, page 315).

General McKee stated:

> I do not think that you will know (whether the plane can be operated over land) until you build this airplane and fly it. (Hearings, page 318.)

Secretary Alan S. Boyd conceded that populations may not be willing to accept this sonic boom:

> We do believe and have evidence to support our contention that over water supersonic condition operations are practical and acceptable. (Hearings, page 940.)

But what are the effects of sonic booms upon ships and their passengers as well as marine life? And what may be the potential disruption of patterns of schools of fish vital to the fishing industry?

Few meaningful tests related to booms and their effect have been conducted. Those conducted over Oklahoma City, during daylight only, resulted in some 15,000 complaints and nearly 5,000 formal damage complaints, despite the fact that the aircraft industry and the FAA are the area's largest employer—New York Times, February 9, 1967.

There are indications from more recent tests, conducted at Edwards Air Force Base, that the effect of the boom of an SST cruising at 65,000 will be equivalent to living 1,000 feet from the end of a runway at Kennedy International Airport. The results of these tests are not, however, to be released by the Pentagon until August—Washington Post, June 11, 1967, page 2.

Not withstanding the fact that during maneuvers the resulting boom will be more intense, various estimates indicate that the SST will produce a boom carpet on the ground between 40 to 100 miles wide, the intensity of which depends upon size, shape of the plane, atmospheric conditions and the like. In a single transcontinental flight, White House science adviser, Donald F. Hornig estimates that everyone in a 100,000-square-mile area, embracing perhaps 10 million people would be subject to the boom—Washington Post, June 11, 1967.

In other terms, 15 round-trip flights between New York and Los Angeles per day will result in 100,000 million boom exposures per year—The Observer, June 5, 1966.

Absent information as to the extent of potential damage caused by booms, it is impossible to estimate costs for compensation. Since 1956, however, some 34,000 claims for damage resulting from booms have been filed against the U.S. Air Force for an amount of over $19 million of which over 12,000 have been approved at a cost of some $1.2 million—hearings, page 313. The U.S. Department of the Interior has reported varying degrees of damage to prehistoric cliff dwellings at Mesa Verde National Park due to booms—Nation, May 29, 1967.

In short, as observed by Dr. Raymond L. Bisplinghoff, a former NASA official, and a leading aeronautical engineer, "sonic boom presents a new dimension with which we have had no experience in commercial aviation. Although we have a clear understanding of the vehicle variables that govern the sonic boom and are thus able to predict the sonic boom created by a given vehicle, we are only beginning to understand in detail the effects of atmospheric variations and ground topography on the intensity of the pressure wave that sweeps over the ground"—CONGRESSIONAL RECORD, volume 112, part 14, page 18688.

The effects of sonic booms, and the restrictions thereon, in relation to the potential sales of the SST is a subject of much controversy. The FAA bases its estimate of 500 sales by 1990 on the assumption that the SST will be restricted to transoceanic flights—hearings, pages 293–294.

According to Senator PROXMIRE, Switzerland, Sweden, and West Germany have declared they would prohibit supersonic flights over their territory if sonic booms were disturbing—CONGRESSIONAL RECORD, May 31, 1967. And in a letter to the House Commerce Committee, Najeeb E. Halaby, then FAA Administrator, in 1964 stated:

> The loss of market potential due to such restrictions would probably be so severe as to make commercial production of the SST economically unfeasible. (*New York Times*, Feb. 9, 1967) (hearings. p. 1023).

The FAA admits, in its "U.S. Supersonic Transport Economic Feasibility Report of April 1967," page I–8:

> If the SST cannot operate over populated areas because of boom restrictions, the no. of revenue passenger miles (RPM) that can be generated will be reduced considerably.

The Institute for Defense Analysis—page vii—gets more specific in its study done for FAA when it says:

> Some routes that are mainly over land are considered infeasible because the amount of supersonic flight possible is so small that little time can be saved over normal subsonic aircraft service, and the supersonic aircraft costs are much higher.

In a table illustrating the amount of "penalty"—necessary circuitous rerouting and extra expense—that is incurred under various flight conditions due to sonic boom restrictions, IDA indicates that 79 percent of all domestic flight, including territorial flight, will involve a prohibitive penalty; 32 percent of international flight will have a prohibitive penalty. The free world total will have 59 percent of the RPM's at a prohibitive penalty, which means that nearly 60 percent of all proposed supersonic flight may be economically infeasible if sonic boom restrictions are imposed.

The technical journal, Scientist, and Citizen, in its April 1966 issue, cities another aspect of this problem of limited use of the SST in the following manner:

> Because of the very high operating costs, the SST market is obviously limited to the first class traveller who, at present, accounts for 8% of the transatlantic traffic or 230,000 yearly passenger trips on all transatlantic airlines combined. A single U.S. SST could offer 180,000 yearly passenger trips. If the British and French were to operate one Concorde and TWA and Pan American one U.S. SST each, they could produce 540,000 seats per year, or two and a half times the present first class traffic volume.
>
> The $30 million price per SST aircraft is based on production of a large number of these craft. Who will use them or who will bear the tremendous financial losses if they remain underused as appears most likely according to the preceding data?

FAA insists that 500 SST's will be sold even in the face of sonic boom restrictions and 1,200 if sonic boom restrictions are not imposed. Who indeed will use that many planes? Will these planes be purchased if only a few passengers will elect their use? This raises another issue which troubles many experts who predict that fares on subsonic travel will be artificially inflated in order to make supersonic travel an economic competitor—even when the need for circuitous routing will in itself greatly add to the time in flight and will reduce the stated advantage of speed further through the necessity of extra 1½ hour stopovers for additional fueling. FAA insists that the current estimate of $40 million per SST allows them to reach the mathematical conclusion that enough planes will be sold to recoup the Government's expenditure even in the face of FAA's own comment—page II–2—in their report:

> The large number of variables and areas of uncertainty at this time should be noted. Despite military experience with high-speed, high-performance aircraft, the development and production costs and thus the price of a commercial SST are major uncertainties.

The independent study by the Institute for Defense Analysis for the FAA indicates that, given certain assumptions as to fare structure, the total demand for the SST by 1990, absent boom restrictions, will be 661 planes. If boom restrictions are imposed, the demand will be only 279 planes, assuming a selling price of $40 million. If the price rises to $50 million, the demand is reduced to 422 and 155 planes respectively—IDA, "Demand Analysis for Air Travel by Supersonic Transport," volume I, page 56.

Not only is there a paucity of information about sonic booms and their effects on the environment and the consequent effect upon potential use of the SST, but there is much to be learned about flying supersonic speeds at the proposed altitudes. Parenthetically, the SST can fly at subsonic speeds, but it becomes extremely inefficient resulting in rising costs.

Secretary Boyd testified that U.S. aircraft have flown at supersonic speeds since 1947, and that the U.S. had hundreds of thousands of hours of supersonic flight time—hearings, page 939. One must, however, ask what types of planes under what conditions, and the length of the time of sustained supersonic flight.

In reference to knowledge about flight at 70,000 feet, General Maxwell admitted that:

> It is a hostile environment which so far has been penetrated by only a limited number of Air Force and NASA aircraft. (Hearings, p. 346.)

If pressure inside the plane fails at that altitude, one's blood would boil—hearings, page 347.

According to Dr. Bisplinghoff, the longevity of engines and airframes which is a function of heat, change in temperature, metal fatigue, et cetera, is as yet unknown. At mach 2.7 the lead edge heat reaches 500° F. Unlike military craft, a commercial plane must, if it is to be profitable, provide relatively trouble-free service over a sustained period—CONGRESSIONAL RECORD, volume 112, part 14, page 18687.

Air Force Col. Joseph Cotton, chief test pilot of the XB–70, found that clear air turbulence exists even at 70,000 feet. That is, during XB–70 tests, rough air was encountered where "weather" was supposedly nonexistent. Moreover, according to Cotton, there is no way to predict or locate such turbulence, and that flying through rough air at speeds faster than sound is like "driving a Greyhound bus at 200 miles an hour down a bumpy country road"—Washington Evening Star, February 7, 1967.

In regard to the amount of flight time at supersonic speeds, General Maxwell testified that the U–2 which has been flying for about 10 years had not flown at supersonic speeds—hearings 346. The YF–12 and SR–71 are designed for and operated at supersonic speeds; but the XB–70 has, according to General Maxwell, been flown only 1 hour at mach 3—hearings, pages 300–301. The former two planes are, however, not comparable to the proposed SST because they are small fighter and reconnaisance planes measuring about 100 feet long, and presumably much lighter. The SST will be over 300 feet long, weighing some 300 tons compared, to the 185-foot long XB–70 weighing 270 tons—Washington Evening Star, February 7, 1967, page A3.

There is, it appears, much to be learned. It is questionable whether we should proceed with the prototypes before acquiring more knowledge. That phase three is put on the shelf for a time does not preclude research. The military as well as other governmental agencies are conducting tests and experiments which may permit building a more effective, economical commercial craft. It was, after all, not until the KC–135 tanker had been tested by millions of miles of actual use by the Air Force that the 707 commercial jet was developed—Harpers, July 1966, page 83. General Maxwell testified that this had "contributed a lot toward the development of the commercial 707. Yes, sir"—hearings, page 232.

If we are interested in economical air transportation, then why the rush to build the SST. Not only will the Concorde be in service about 3 years before the SST; but Boeing is building the so-called jumbo jet, the 747, which can accommodate up to 500 passengers, compared to the SST's capacity of 300 and the Concorde's capacity of 136.

No one, including the FAA, denies that the 747, a subsonic jet, will be less expensive per passenger seat mile than the SST. Dr. Bisplinghoff said that the SST will yield about a 20-percent lower return on investment than the 747—Aviation Daily, May 10, 1967, page 67. It is estimated that the 747 will cost about $20 million, as will the Concorde, compared to an estimated $40 million cost for the SST—the Economist, January 14, 1967, page 141.

One estimate of operating costs per offered seat mile for transatlantic flight based on about 12 hours daily aircraft use puts the SST at 2.6 cents; Concorde at 3.3 cents; compared to current U.S. jets at 1.4 cents and the proposed C–5A, developed by the Lockheed for the Air Force, the commercial model of which will run one-half cent—Scientist and the Citizen, 8, No. 6, April 1966, page 10.

Allen H. Skaggs, chief, economic staff of the Office of Supersonic Transport Development, testified that with the advent of the "air bus" 747-type transports by 1980 subsonic fares would be reduced by 24 percent; but SST fares would remain between 20 to 24 percent higher—hearings, page 332. And Gen. William F. McKee, Administrator of the FAA, stated that the FAA study on the cost per seat mile was 2.11 cents for the SST; 2.03 cents for the 747; and 2.25 cents for the 707. These were total operating costs per seat mile; SST costs were based on a 4,000 mile operating range. As the range is reduced, the costs rise—hearings, page 349.

The operating costs for the SST are the result of the high speed, large engines needed to overcome the resulting friction, extra safety and electronic features needed to travel at such high speeds and altitudes.

Another study, assuming the 747 carrying only 370 passengers, and the SST with 300, estimates the total operating costs per day for the 747 at $48,500: for the SST, $68,000. Not only is the net revenue per day greater by $4,500 for the 747, the post-tax return on investment for the 747 is 33 percent compared to 15.5 percent for the SST. This study, assuming that the SST would cost $36,000,000, indicated that, if the SST price rises much above $36 million, the planes earning power would decline rapidly—Fortune, February 1957, page 114. The seat-mile operating costs of the SST, about 2.5 cents, will be 10 percent higher than those of the 747 and the latter will go into service at least 3 years before the SST. But it remains unknown what proportion of passengers will choose speed over economy—Fortune, February 1967, page 227. General McKee asserted that the SST will be in demand by most of the current business travelers—that is, those who can charge off the higher price of SST fares to business costs—and some of the current vacationers—hearings, page 229.

It is obvious that passenger demand is a function of fare structures which in turn are subject to a multitude of pressures besides operating costs:

> The Civil Aeronautics Board which fixes domestic fares will be under Administration pressure to keep SST fares as low as possible to help make the plane successful and thus justify the government investment. (*Fortune* February, 1967, 1967, p. 116).

In effect it may be almost impossible to determine whether the fares charged, and, therefore the utilization of a plane which determines profit, reflects real costs.

The FAA argues that between 1975 and 1990 our balance of payments would increase in our favor by $17 billion based on an estimated sale of only 500 planes: $32 billion if 1,200 planes were sold. The estimate, however, included only the aircraft and spare parts sold—"U.S. Supersonic Transport Economic Feasibility Report April 1967," page vii–2. The IDA study, including funds spent by American travelers as well as planes and parts sold, estimates that the balance-of-payments contribution of an SST appears smaller than the FAA estimate and under certain conditions, the SST may create a negative balance of payments vis-a-vis the United States—IDA, report, volume I, page xx.

I would point out that the administration of the SST construction program by the same agency which is to certify its airworthiness and safety for commercial use raises a question of conflict of interest. In fact, Secretary Boyd testified during hearings for his nomination:

> As I responded to the Chairman, I felt that the supersonic transport activities now lodged in the FAA would have to be moved out of the FAA because of the certification problems, which are also carried out by the FAA. (Nomination of Alan S. Boyd to be Secretary of Transportation, Hearings before the Committee on Commerce, United States Senate, 90th Cong. 1st Sess., p. 21.)

In summary, Mr. Chairman, there are many unanswered questions concerning the SST. The argument that it might create a favorable balance of trade or that it will create 50,000 new jobs, or that it will cut flight time in half are not in themselves enough to warrant the Congress to commit the resources needed to build prototypes until we have more information.

As far as air superiority is concerned, we have and will continue to maintain our relative position. Daily the Air Force among other governmental and private agencies are researching and gathering needed information; information which I suggest will be relevant to any supersonic transport. History has repeatedly shown that the first model of a product is not necessarily the best. Time and experience indicate needed improvements. Will we not gain rather than lose if the Concorde is the first in the air—gain by learning from the mistakes that undoubtedly will be made in its construction.

I suggest also, that we look to priorities—priorities which have less to do with pseudo-national prestige, priorities which concern not only an effective transportation system but other aspects of our society.

Whether a plane, the operating costs of which are higher than other planes is of a higher priority than a more efficient intra- and inter-city transportation is open to question. The same can be said in determining the allocation of resources between transportation and other social needs. How many of the underlying causes of the recent Newark riots will be mitigated by this proposed investment?

The urgent needs of our society are not being met by this Congress. That is where our primary emphasis should be placed.

Mr. TAFT. Mr. Chairman, I am happy to say a few words in support of the SST aircraft as being in the best interests of all of the people of the United States. A number of times here on the floor, I have heard it said by opponents of the SST program that not more than 5 percent of our people will in any way benefit from such a program. This is akin to saying that only those who use airplanes in the United States have been benefited by the U.S. aircraft industry. This is completely belied by the tremendous number of employees of the industry, its key position in our national industrial picture, the enormous favorable balance of trade which it has created, not to mention the prestige and leadership that it has given our Nation throughout the world.

As with the general growth of the aviation industry, the SST will benefit all Americans; and, on that basis, it is justified as a priority expenditure on a reasonable basis even at this time of financial crisis. To turn away from the program which has been so carefully developed and moved ahead with private participation would indeed be a tragedy and a setback for our country. Frequently, I have heard our Foreign Service officers and private representatives overseas testify to the fact that there is no single influence and presence more important to American interests than the presence of U.S. planes, service facilities, and personnel in the farflung corners of the globe. This program merits our support.

Mr. FARBSTEIN. Mr. Chairman, I want to express my support for the Department of Transportation appropriation bill before us today. I would also like to offer my sincere commendations to the Transportation Subcommittee chaired by the distinguished Representative from Massachusetts, the Honorable EDWARD P. BOLAND.

Being from the east coast, I know only too well the pathological state in which our railroads currently find themselves. As megalopic replaces metropolis, our urban mass transit systems are fast becoming inadequate and obsolete. Also, the increased volume of air traffic is fast rendering our airports incapable of carrying their heavy load. All these problems are very complex and of great moment. The cohesive coordination of our transportation facilities and the well-focused attempts to relieve the difficulties we face is a highly important job. The Department of Transportation has done well in working towards this, during its first year of operation.

Safety and efficiency in the operation of our mass transport network are criteria that transcend dollar outlays. This coupled with the reasonable nature of the request and the coherent and responsible manner of presentation, lead me to lend my support to this bill.

The CHAIRMAN. The gentleman's time has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

TRANSPORTATION RESEARCH

For necessary expenses for conducting transportation research activities, including the collection of national transportation statistics, $5,950,000, to remain available until expended.

Mr. ICHORD. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Missouri is recognized for 5 minutes.

Mr. ICHORD. Mr. Chairman, I rise for the purpose of asking the distinguished gentleman from Massachusetts about what the FAA proposes to do with Washington National Airport, and I hope the distinguished gentleman from Maryland and the distinguished gentleman from Virginia are still on the floor of the House, because what I have to say before I put the question will be of interest to them.

Mr. Chairman, I have no objections to the local Congressmen and Senators issuing statements about moving airlines and business out of National Airport to Dulles Airport as long as the national interest is served, but in this matter I do not see where the national interest is involved and certainly their objectives are not amenable to the interests of most of the Members of this body.

I hope that the gentlemen do not seek to inconvenience the thousands of people each month who fly into Washington airport from such intermediate points as St. Louis, Chicago, and many other cities of comparable distances. At the present time we can fly into Washington National from St. Louis in an hour and 15 minutes. If we were compelled to fly into Dulles all the time saved by improved jet travel would be lost as the time of motor travel from Dulles to Washington is almost as long as the flight. Most of us—would prefer to retrogress to prop planes flying into National rather than fly jets into Dulles.

Personally I have not yet concluded whether the Dulles Airport is 25 years ahead of the times or 25 years behind the times. Because of its great distance from Washington, its future can only lie in its use as an international airport. Dulles may be suited for coast-to-coast flights but it is definitely not desirable for intermediate flights. I know the Federal Government has attempted to compel the airlines to use the field but the truth of the matter is that Dulles, other than its use for international flights, would only be used as a practice airport for beginning pilots if it were not for the element of compulsion.

As far as voluntary use for national purposes, Dulles constitutes nothing but a $110 million boondoggle. If the Government must insist on making use of its $110 million investment so prematurely spent, we should explore the possibility of routing more international traffic out of Dulles. Apparently it would be compatible to use by the SST.

Mr. Chairman, the question I wish to ask is this: I attended a meeting some time ago with the Director of the Federal Aviation Agency, and, at that time, he proposed to move general aviation from Washington National Airport to the Anacostia-Bolling facilities, and then the Chairman of the Armed Services Committee introduced an amendment to the military authorization bill, which tied up the Bolling-Anacostia facilities for the use of the military until December 31, 1970, except that it could be used in the interim as a general aviation facility.

Mr. RIVERS, chairman of the House Armed Services Committee, complied with his request. The amendment was adopted by the committee and the Congress subsequently enacted the provision into law. Many months have since elapsed but nothing has been done by FAA. What happened? This would be a great step forward in solving the congestion problems of Washington National.

I believe it is high time that somebody in the Congress and somebody in the Executive face up to the problem we have at National Airport and provide us with more responsible action and less procrastination.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, as the gentleman knows, the problem has been one that has been perplexing the FAA for some time. Evidence adduced at our hearings indicate there are no plans of the FAA to utilize Anacostia for general aviation.

Mr. ICHORD. Then has the FAA changed its mind, because I do know the Director of FAA came to the chairman of the Armed Services Committee and requested that this authority be granted, and to this day I have not heard a thing about steps being taken to accomplish this desirable objective. Who stopped the Director and why? This is the answer I would like to have.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I understand that the Department of Defense is getting ready to build a "Little Pentagon" at Bolling. I do not believe this place will ever be usable again for aviation.

Mr. RIVERS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time in order to yield to the gentleman as much time as I do not use.

I will say in response to the question about the Anacostia facilities, I was sitting in my office one day and I heard from General McKee, head of the FAA. He said he wanted to see me. I was in my own office, minding my own business—get this into mind to start with—and he said, "Look, will you help me avoid a terrible accident over at National Airport?"

I said, "Well, I think safety is everybody's business. If you have that problem, how can I help you?"

He said, "I want to use Anacostia." I said, "What do you want to use it for?" He said, "I want to put some of this general aviation over there."

This is the first I heard about it. It did not come out of my head. I do not care what the Washington papers say. I said to him, "Go to see Mr. Blandford, my chief counsel, and if we can work out an arrangement to let Mr. McNamara make some kind of agreement with you for use of Anacostia, we will go along with that."

We wrote an amendment to the military public works bill, interposing no objection to Mr. McNamara or the DOD entering into an agreement with the FAA for the use of Anacostia for general aviation. Subsequently every Washington paper lit on me like a mockingbird on a June bug, and nobody raised a voice in defense of the Committee on Armed Services.

This was not hatched in the Committee on Armed Services. We wanted to help. Since somebody around Washington wants this ground, to give it away for some highfaluting housing development, nobody came to our defense. This land is not going to be used for any development so long as I am in Congress and the Members will listen to me.

The FAA has not made any effort to use this base.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Missouri.

Mr. ICHORD. Is it not true, in answer to the question in the statement of the gentleman from North Carolina, that there is no authorized military complex which would interfere with the operation of Anacostia as a general aviation airport?

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from North Carolina.

Mr. JONAS. Answering that question, we have just heard justifications in the Military Construction Subcommittee about the little Pentagon they plan to build over there, with a complete complex of all supporting activities. My information is that it would completely destroy the opportunity to use that area for general aviation.

Mr. RIVERS. It would not. They are as afraid of that Anacostia piece of property as of a rattlesnake. They are already committed to give it away.

They can use Anacostia for general aviation, and it would disturb no one.

Mr. JONAS. I would say, in conclusion, they have a blueprint, and they have drawings to cover the entire property.

Mr. RIVERS. They will not.

Mr. JONAS. If your committee gives them the authorization and ours the money, they will.

Mr. RIVERS. I have seen the master plan.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Missouri.

Mr. ICHORD. I state to the gentleman from North Carolina, that may very well be in the future. Of course, it will be up to the Congress to authorize the building of such a complex.

In the meantime, if the gentleman will permit me to finish, we can relieve the congestion at National Airport by moving general aviation out of National Airport. Then in the meantime we can build a general aviation facility, and if it is built and constructed, then we could move the general aviation out of Anacostia, in the event that this military complex the gentleman talks about is authorized and constructed at Anacostia.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from North Carolina.

Mr. JONAS. I wonder if perhaps the distinguished gentleman from South Carolina could relieve us of a real problem in the Military Construction Subcommittee, if this were not authorized.

Mr. RIVERS. We are going to authorize it. It is not going to interfere. Furthermore, it will be for only 2 years. They can use this during the interim period of time.

We need this land for the things I am talking about. We certainly ought to use it in the interim for general aviation, and then for what it should be, for military requirements.

We could put the DIA over there.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from New York.

Mr. WOLFF. I believe the talk now on the question of Anacostia or National is somewhat specious, in view of the fact that complicating the problem is the question of noise abatement procedures for takeoff and landing and the safety factors involved. I talked with the Airline Pilots Association today. They say they are forced to operate under minimum standards that in some instances are unsafe and jeopardize the lives of both passengers and residents of the Washington area. In takeoff procedures they have to operate under 60 percent of power in the event of the loss of one engine on a two engine jet. There is a serious question of whether sufficient reserve power is available to avoid a crash.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

(By unanimous consent, Mr. RIVERS was allowed to proceed for 4 additional minutes.)

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman. It is a question of saturation of the air, too.

Mr. WOLFF. That is correct.

Mr. RIVERS. No airplane is any better than the time it takes to land. Whenever there is a private aircraft utilizing the space over National Airport, it could be at Anacostia, because they are both compatible. This is what the FAA told me. But, since this appeared, General McKee has not opened his mouth, and you know why. He was told to keep quiet. We have got this land and they know that we do not object to their using this thing until 1970, until the necessary things can transpire about which the distinguished gentleman from Missouri has been talking and who has a great deal of knowledge on this subject.

Mr. Chairman, this man, the gentleman from Missouri [Mr. ICHORD], has spent hours and hours and days and weeks and months on this subject, and he is of the opinion that we should use it.

Now, in the meantime, certainly the gentleman from North Carolina [Mr. JONAS] knows that we have a master plan now; and that with reference to that additional land over there, that we are going to authorize its use, because it is needed.

Mr. Chairman, there will not be any question about that. The only question which will remain will be in the minds of the people downtown. They are confused in mind, body, and estate. That is the only question involved.

What we need to do is to get moving and to relieve this congestion and at the same time use this land which we own in fee simple.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I am glad to yield to the gentleman from Ohio.

Mr. MINSHALL. Mr. Chairman, I am glad that the distinguished chairman of the Committee on Armed Services, the gentleman from South Carolina [Mr. RIVERS], brought up the discussion about the use of Anacostia and/or Bolling Field, because I would like to refer the gentleman to page 132 of our hearings in which I asked General McKee about using Anacostia and/or Bolling. With reference to the Bolling part General McKee said:

> The Bolling part of it is out completely.
>
> Mr. MINSHALL. I said Bolling and/or Anacostia.
>
> General MCKEE. Anacostia still has a strip of 5,000 feet, and obviously that could be used on an interim basis for light airplanes.

Mr. RIVERS. That is precisely what I said.

Mr. MINSHALL. Then my next question was:

> Why have not some steps been taken to use it for light aircraft?
>
> General MCKEE. Can I go off the record?
>
> Mr. MINSHALL. Yes.

Then, Mr. Chairman, we went off the record and that is the part to which has been alluded wherein General McKee got his instructions from Pennsylvania Avenue.

Mr. RIVERS. Of course, he did. I know it. He has been as quiet as a tomb since that time. He was told to keep quiet, and he understands that.

Mr. MINSHALL. I would like to point out that one-third of the aircraft, as the gentleman from Missouri [Mr. ICHORD] stated, coming into Washington National is general aviation—light aircraft that could be used at Anacostia today and relieve much of the congestion which exists today.

I asked the Deputy Administrator of the FAA if there was any safety hazard involved and he responded to the effect, "Absolutely not."

Mr. ICHORD. That is exactly what General McKee said in the conference which I had with him about the general use of Anacostia.

So, the statement of the gentleman from New York is absolutely baseless.

Mr. Chairman, I looked into this matter several years ago when the gentleman from Mississippi [Mr. WILLIAMS] brought it to my attention, and it can be used without any safety hazard.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from North Carolina.

Mr. JONAS. I think I should say that this may account for some apparent differences of opinion which exist among us. I do not believe there really is, because I would like to see some plane diversion from National to the area we are discussing but——

Mr. RIVERS. That is right.

Mr. JONAS. I believe the Department of Defense has plans to utilize all of Bolling.

Mr. RIVERS. That is absolutely right.

Mr. SCOTT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was not on the floor of the House when the gentleman from Missouri [Mr. ICHORD] took the floor a few moments ago. However, I understand the gentleman stated he hoped that the gentleman from Maryland and myself were here, but I did hear a portion of his remarks with respect to the congestion at the National Airport.

Certainly, Mr. Chairman, I agree with everything that I heard the gentleman say. The National Airport is not located in my congressional district, but it is located nearby, and a number of my constituents have written to me about the planes using the National Airport, with reference to the noise of these planes in residential neighborhoods. They are concerned about the congestion and the potential danger which is involved in the use of this facility in the present manner.

Now, Mr. Chairman, I do not wish to get into a controversy with reference to the use of the field located across the river as an alternative.

But I do say, Mr. Chairman, that according to a recent editorial in the Washington Post, commercial airlines have increased, and will increase 50 percent from 1966 to 1971. And three times from 1961 to 1971. These are estimates.

However, there is going to be a need for an additional place to land, and for facilities for air transportation. National Airport cannot provide this. I believe we would agree that the National Airport is overtaxed at this time. The place I say these additional planes should go is the Dulles International Airport.

I heard the distinguished gentleman from South Carolina say something to the effect that you might as well be on the ground and utilizing your time as to be stacked up over an airfield, and you do stack up over the National Airport. I am not aware, however, of any such congestion at the Dulles International Airport.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, I can sympathize with the gentleman in his statement of the need to use an airport in which this Government has invested $110 million prior to the time that both the gentleman and I came to the Congress.

Mr. SCOTT. Mr. Chairman, let me say to the gentleman I do not believe I need any sympathy on that. I believe we have a facility at Dulles International Airport that can speak for itself. It is a very fine facility.

Mr. ICHORD. I hope the gentleman, however, will not work to compel me to fly into Dulles, where it will take me as much time to get from Dulles International Airport to the Capitol as it took to fly me from St. Louis to Washington, D.C.

It is just like the gentleman from Iowa [Mr. Smith] was stating in the cloakroom a while ago to the effect that he has to allow more time to get to Dulles, an hour and 20 minutes, than it takes to fly him to Chicago. So certainly the gentleman should take into consideration the interests of the other Members of the House.

Mr. SCOTT. Mr. Chairman, I am interested in every Member of the Congress, but surely the gentleman jests when he talks about an hour and 20 minutes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GUDE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I believe the debate here is very appropriate to the Department of Transportation, because this Department was formed to coordinate and utilize the various systems of transportation which we have in this country, not to build a new bureaucracy, but to more efficiently use what we have as well as to develop new forms. The utilization of existing facilities is exactly what we are talking about when we refer to Dulles International Airport.

All of the American people helped to pay for the Dulles International Airport, and I believe that the Department of Transportation has the obligation to see that it is utilized to the fullest extent possible. Some of the things that have been looked into as possibilities of better utilizing Dulles are a system of rapid transit, and a system utilizing helicopters. We need to build its usage to the full extent possible and thereby reduce the competition between airports and reduce the plane noise which comes from planes using National.

I believe the gentleman from Missouri was much concerned about his safety in coming into the National Airport. That is why we are concerned about relieving the congestion as well as doing away with the airplane noise.

Mr. ROGERS of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there is one point of this Department of Transportation appropriation bill which causes me particular concern. That is the proposed elimination of an oceanographic vessel for the Coast Guard.

The Coast Guard, with its continuing history of work in the field of oceanography dating back more than 100 years, proposed and received approval of the Bureau of the Budget for the construction of this oceanographic ship.

Faced with the decision of asking for two cutters or one cutter and the oceanographic ship, the Coast Guard itself determined to keep the oceanographic vessel in its budget. For this ship will not be used for research to the exclusion of Coast Guard and military programs. To the contrary, the scientific information gathered will aid the Coast Guard, the Navy and our Government in every phase from education to national defense.

I would also like to make the point that when the President's Council on Marine Science set up a list of priorities, the construction of oceanographic vessels was among the top 10.

And I would make the point that this vessel can serve all purposes of the regular Coast Guard cutter save that it will not be ASW equipped. It is, in fact, scheduled to replace the Coast Guard cutter *Evergreen* and is less expensive by $2.5 million than a cutter.

Mr. Chairman, it will take 3 years to build this ship. If we postpone the start of its construction, it will mean that we have failed to realize the importance of greater knowledge of oceanography to the United States at the very time when action is most necessary.

We have spent billions on our space program. We have spent a half billion dollars on phases one and two of the program to help airlines go supersonic. And in the bill this year there is a request for another $142 million for this program.

Yet we see cuts in the ocean-related budgets where the Nation could and will reap benefits. Programs which will lead us to gathering food from the sea. Programs which will insure the safety of all ships at sea. Programs which already have brought in millions of dollars to our economy through the mining of minerals from the sea. And, of course, the Navy is using the information we have gathered for the extension of underwater defense systems for the protection of the Nation.

We now see that the two oceanographic vessels which we do have, the *Oceanographer* and the *Discoverer*, will have their operations curtailed next year because of budget difficulties. Instead of operating 8 months as planned, each will be limited to 6 months.

Construction of an oceanographic vessel for the use of the Coast Guard will doubly serve the Nation. It will carry on the duties required of it as a Coast Guard vessel and at the same time gather information valuable to the service and to the men of science.

Aside from my own opinion in the matter—that we indeed need to expand our knowledge of the seas through oceanographic survey vessels—I respect the decision made by the Coast Guard in this matter. I do not think that the Coast Guard would sacrifice a cutter if it did not feel that the services rendered by the oceanographic vessel would not be of a major nature.

Mr. Chairman, we cannot continue to neglect the needs of oceanographic work as we have done for so many years. We cannot deny it, for if we do, we are denying ourselves the many benefits which we as a nation will receive.

Russian certainly is not neglecting oceanography. In February she had contracted for at least nine information-gathering research weather ships in the 2,500-ton category. If we do not act, the gap between us and the Russians will widen even greater.

The CHAIRMAN. The time of the gentleman from Florida has expired.

The Clerk will read.

The Clerk read as follows:

TITLE III—FEDERAL AVIATION ADMINISTRATION

OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including administrative expenses for research and development and for establishment of air navigation facilities, and carrying out the provisions of the Federal Airport Act; and purchase and repair of skis and snowshoes; $593,326,000: *Provided*, That there may be credited to this appropriation, funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the maintenance and operation of air navigation facilities.

Mr. RANDALL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, out in the corridor a little while ago I overheard some reporters referring to this week as the week of the three R's. I asked, "Do you mean reading, writing and arithmetic?" They repied, "No, we mean railroads, riots, and rat extermination."

Now, Mr. Chairman, I want to add another "R" to this series and to inquire of the chairman of the subcommittee, the gentleman from Massachusetts about what is called VOR—meaning very high frequency omni range.

During deliberations and in the work-up of appropriations for the Federal Aviation Agency under title III of this bill do you recall any reduction of VOR funds? The reason I ask is that it seems three VOR's are being eliminated in west central Missouri.

If I may have the attention of the gentleman from Missouri [Mr. Ichord], who was in the well of the House a minute ago, I will state it is my understanding he has experienced the same problem in suffering some eliminations of VOR's in his congressional district.

The Federal Aviation Agency tells me there will be some reductions or eliminations of these VOR's all over the country. The particular VOR's I have reference to have been in operation for many years. They are located at Blackwater, Mo., and near Marshall, Mo. We had a discussion on the floor a moment ago concerning some of the problems of general aviation. Let us not forget these VOR's are most important to general aviation. One question which arises is whether or not there has been any change of emphasis by the FAA—to favor only the large airlines or scheduled airlines to the neglect of and forgetting about general aviation.

Do you know of any contemplated reductions in the number of VOR's?

Mr. BOLAND. To my knowledge there is no reduction of funds for the VOR's in this particular program.

I would like the gentleman from Ohio [Mr. MINSHALL], if I may have his attention, to answer the question which is whether or not he is aware of any reductions for the VOR system in this budget? I am not aware of any.

Mr. MINSHALL. I was not aware of any reduction of the VOR in this budget. I was not aware that they were reducing any of them until the gentleman from Missouri [Mr. ICHORD] came to me before the session started and showed me the three stations that had been taken out of his area in Missouri.

Mr. ICHORD. Mr. Chairman, if the gentleman will yield, there are four in Missouri of which I am aware that are being discontinued. I would state to the distinguished gentleman from Ohio that there was another VOR being discontinued which I did not bring to his attention.

Mr. RANDALL. I would hope that, so far as the two floor managers of this bill are concerned, some sort of record or legislative history could be made to the effect that no reductions in the number of VOR's were contemplated by this committee, although FAA proposes elimination of several. I am not sure how many we are losing in Missouri. I know of three. My colleague from Missouri just said he knows of four. I am wondering how many we will have left?

Mr. BOLAND. Mr. Chairman, if the gentleman will yield, I will promise the gentleman that we will make inquiry of the FAA and determine if there has been a reduction in the VOR system and determine where they are and detail them for the record.

Mr. RANDALL. We would hope that we could have a recitation of the reasons, if any are going to be removed, and what savings, if any, are to be alleged. In our opinion the removal of these is not really a saving or economy but only false economy.

Just this afternoon I was reading some correspondence from a doctor in our district who is required to fly. He was in a severe storm recently and pointed out he would have had to rely on a military installation if the VOR, about to be eliminated, had not been in operation. I hope that the gentleman from Massachusetts will make the inquiry he has offered to make and emphasize to the FAA the importance of the navigational assistance rendered by these VOR's to general aviation on the little planes. It is well and good to take care of the big scheduled jetcraft flying above the clouds, but let us not concentrate all of our attention on these planes to the complete neglect and entire oversight of the little planes. These planes do not have radar and could become helpless under some weather conditions without navigational aids including the VOR. The FAA has a responsibility to general aviation as well as to other users of the airlanes.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. I am glad to yield to my colleague from Missouri.

Mr. ICHORD. I commend the gentleman for pointing out to the committee this problem, and I would like to bring to the attention of the gentleman the discontinuation of another VOR facility with which the gentleman is not acquainted—scheduled to go into effect July 20—and that is Richwoods, near the St. Louis area. The discontinuation, I believe, is extremely detrimental to the interest of general aviation. Rightly or wrongly, I suspect that the FAA is operating these facilities solely for the benefit of commercial airlines and does not take into consideration the growing and expanding interests of general aviation in this country. The interests of general aviation, I fear, are not being adequately represented by FAA. This, I realize, is a serious charge and it is one to which I believe the Congress should lend its serious attention.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. THOMPSON of Georgia. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Georgia is recognized.

Mr. THOMPSON of Georgia. I would like to associate myself with the remarks of the gentleman relating to the visual omni range, the VOR, and state that I feel that we are going to have to give more interest and show more concern to general aviation in this country. For the past several years it has become very apparent that small businessmen are moving more and more by their own private aircraft. The growth of this country has been brought about primarily because of our transportation system. General aviation is a vital and an integral part of our transportation system. I think particularly we in our Nation's Capital must not be so concerned about air traffic congestion as it relates to airlines that we overlook the demands and needs of general aviation.

Certainly the air transportation system is going to grow. It will grow so far as our airline transportation is concerned and so far as our general aviation transportation system is concerned. We must make provision for both.

Now, with regard to the National Airport and whether it should become exclusively an airline terminal, I would simply like to state that if we do have the projected growth in the airline industry that is anticipated, we will not be able to accommodate, at the National Airport the airline flights that will be coming into this area. We are going to have to use other fields such as Dulles.

I, for one, would rather fly out of one airport and have a reasonable degree of certainty of coming back into that same airport. I think I have missed probably four weekends in going back to my district since coming here. Normally I depart from National Airport and I come back to Dulles because of the schedule that I must maintain. I would rather leave from Dulles and come back into Dulles even though National is closer. If it is going to be necessary that we use Dulles for airline operations, which is the case, we should make National a general aviation airport, and I say this should be done, because this would be the very best use of our facilities that we have available.

Mr. MAILLIARD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, although I can readily appreciate the problems facing our Committee on Appropriations in view of the concurrent cost of prosecuting a war in Vietnam and at the same time maintaining domestic programs. I am somewhat concerned about its action with respect to appropriations for acquisition, construction and improvements for the U.S. Coast Guard which now operates within the Department of Transportation. If this is to be truly a "guns and butter" budget, then I have grave reservations over the appearance that the Coast Guard, although qualified in both categories, is being shortchanged. In a word, the administration is actually requesting too little, if we expect this service to continue to effectively discharge the multitude of both war and peace duties imposed upon it.

Mr. Chairman, I fear that the budgetary limitations under which the U.S. Coast Guard has long operated stems in large measure from a similar lack of awareness concerning this "oceangoing police force" on the part of the general public. Because of this lack of appreciation concerning the multitude of functions performed by the Coast Guard, both in peacetime and during periods of national emergency, I was exceedingly pleased to review a two-part feature series entitled "The U.S. Coast Guard" appearing in the July 7 and 14 issues of Life magazine. If there be any doubt whatsoever among my colleagues concerning the need to provide reasonable and adequate Federal funds for the U.S. Coast Guard, then I commend to their attention this Life feature, and the following letter of July 14, which I sent to the editor of the magazine extending my compliments on the most excellent coverage by Life. This letter points out the grave concern entertained by myself and the majority of my colleagues on our Committee on Merchant Marine and Fisheries with respect to the necessity for adequately funding vessel replacements for the U.S. Coast Guard.

The letter follows:

JULY 14, 1967.

Mr. EDWARD K. THOMPSON,
Editor, Life,
New York, N.Y.

DEAR MR. THOMPSON: As the ranking minority member of the House Committee on Merchant Marine and Fisheries which has legislative jurisdiction over the United States Coast Guard, I would like to extend to you and Mr. George Silk of your Photographic Staff my compliments on your two-part feature series "The U.S. Coast Guard" appearing in the issues of July 7th and 14th.

As dramatically demonstrated by your feature, and especially the accompanying photographs, the Coast Guard is a unique service.

It is at once our ocean-going police force, life-saving agency, and at times an integral part of our armed services during national emergency. Yet, despite a diversity of functions which stagger the imagination ranging from law enforcement to icebreaking to oceanography to military readiness and sundry others, the Coast Guard has discharged each of these duties with a small complement of dedicated personnel. As pointed out in your Editors' Note of July 7th, "The Coast Guard is not much bigger than the New York City police force, . . . " but its area of operasion covers the globe including, I might add, Viet Nam.

Since July 1965, thirty-one vessels and more than 1,300 men of the U.S. Coast Guard have been assigned to Viet Nam for operation under the Commander of the Naval Forces stationed there. This number of personnel represents almost 5% of the total complement of officers and enlisted men in the Coast Guard. Yet, the service has continued to perform all its other regular peacetime functions. This contribution by the Coast Guard to our country's commitments in Viet Nam represents one of the few omissions to be found in your most excellent coverage.

As for Mr. Silk's experience on the Coast Guard cutter, *Barateria*, this particular vessel points up one of the major problems currently facing the service—the replacement of its aging fleet of vessels. The cutter *Barateria* built in 1943 is now twenty-four years of age, which is the *average* service life of the Coast Guard's entire present fleet of thirty-five cutters. Moreover, except for the icebreaker *Glacier*, a photograph of which appeared in your July 14th issue, all of the Coast Guard's icebreakers, including the five transferred to it from the Navy last year, are of World War II vintage making them in excess of twenty years of age today. By the time the first of these icebreakers is replaced under current programs, it will be thirty years old.

This simply underscores the very real problem of providing adequate federal funds for necessary equipment and capital improvements so as to insure the ability of the Coast Guard to continue its long and distinguished record of service to the nation. This has been and continues to be a matter of deep concern to me and to other members of our Committee, since the Administration's budget requests for the Coast Guard, notwithstanding substantial increases in authorization for appropriations by our Committee, have not been commensurate with the needs of the service so as to overcome this cumulative deterioration in the caliber of equipment which the Coast Guard has been called upon to use.

Perhaps through your two-part feature, there will be created a greater public appreciation of the services performed by the United States Coast Guard, so that they will not be taken for granted or pass unnoticed and unheralded. If so, then you have succeeded in performing a real public service for which I extend to you my congratulations.

Thank you.
Sincerely,
WILLIAM S. MAILLIARD,
Member of Congress.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

GRANTS-IN-AID FOR AIRPORTS

For grants-in-aid for airports pursuant to the provisions of the Federal Airport Act, as amended, for the fiscal year 1969, $65,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. HECHLER OF WEST VIRGINIA

Mr. HECHLER of West Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HECHLER of West Virginia: On page 8, line 9, strike "$65,000,000" and insert in lieu thereof "$75,000,000".

Mr. HECHLER of West Virginia. Mr. Chairman, mine is a very simple amendment, which would merely restore the budgeted amount for grants-in-aid for airports to $75 million, which is the authorized amount.

I commend the gentleman from Massachusetts and his committee for having built up an excellent record on this and other issues. On pages 62 and 63 of the subcommittee hearings there is an excellent statement and graph, which indicates that the requests for Federal airport aid are about five times the amount of the appropriations, and they are going up.

All Members having airports in their districts will be interested in this amendment. The rapid introduction of high performance aircraft makes it necessary for communities throughout the Nation to upgrade their airports. The amounts of requests are rising, the numbers of airline passengers are rising, and aviation is growing at twice the rate of growth of the economy.

We know these funds are going to be needed.

Mr. Chairman, I hope the usual persuasiveness of the gentleman from Massachusetts will be reduced to a minimum when he is constrained to oppose my amendment, and I yield now to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I must say that the usual persuasiveness does not extend to $10 million. Nevertheless, I can appreciate the position of the gentleman from West Virginia. He always makes a very persuasive and I think compelling case, except in this instance. I believe the report of the committee itself, on page 15, details rather well why the committee reduced the aid by $10 million, from the budgeted $75 million.

There were two reasons for this action. The first reason was he had funded a supplemental appropriation for $66 million a couple months ago. We thought the FAA had enough work on its hands to take care of the workload that appropriation would entail.

The second reason was this, and I know the gentleman noted the reference in the hearings to the fact that this program ought to be looked at by the responsible legislative committee. The program is not meeting the problems nor the emergencies which will develop. If the gentleman comes in 2 years from now with an amendment to increase it by $10 million, I might very well favor it; but at this particular time, because of the situation, because of the priorities, because of the budget itself, and because of the committee's own substantial reasons, I am forced to reluctantly oppose the amendment.

Mr. HECHLER of West Virginia. Mr. Chairman, I agree with the gentleman from Massachusetts that the FAA and the communities have their hands full. Quoting from page 63 of the hearings, Mr. Thomas and General McKee indicate even the budgeted amount of $75 million would not begin to meet the needs. Mr. Thomas stated further that there were now "about $331 million in requests for 1968" for these $75 million, to which the gentleman from Massachusetts very aptly replied, "Which shows that the Federal Government apparently is not doing what it ought to in this area."

I agree this program ought to be looked at by the authorizing committee, and vastly expanded. In the interim, there are all these high-performance aircraft coming into being in communities requiring longer runways. Communities throughout every one of the 50 States of the Union are forced to upgrade airports to meet the needs of the fantastic expansion of aviation.

I say this amount ought to be restored to the budgeted amount of $75 million. We know at least this much will be needed.

The gentleman also brought up the fact that a lot of these grants in aid go into the smaller airports. I believe the smaller airports are the backbone of our Nation.

In addition, in recent months the FAA has moved strongly toward supporting regional airports. In a landmark decision of the 15th of May, the FAA, after many months of study, decided to support a regional airport to serve Charleston and Huntington, W. Va., rather than support the two smaller airports now located at each city.

Mr. BOLAND. I believe that is precisely what we mean to do by this reduction, which is to force the FAA to be more conscientious and more selective and to go to regional airports. We cannot provide an airport for every village and hamlet in the United States.

In the hearings, on page 63, there is a graph which indicates that by 1972, at the rate we are going, we would need $581 million to meet the needs on this kind of construction throughout the United States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia.

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CIVIL SUPERSONIC AIRCRAFT DEVELOPMENT

For an additional amount for expenses, not otherwise provided for, necessary for the development of a civil supersonic aircraft, including the construction of two prototype aircraft of the same design, and advances of funds without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), $142,375,000, to remain available until expended.

AMENDMENT OFFERED BY MR. M'GREGOR

Mr. MacGREGOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MacGregor: On page 8, strike out lines 10 through 17.

Mr. MacGREGOR. Mr. Chairman, the amendment as read by the Clerk speaks for itself. It seeks to defer until a later date the expenditure of almost $143 million in the funds paid in taxes by the American people for the prototype development of two supersonic transport aircraft.

Mr. Chairman, I use the word "defer"

because I am not an opponent of the SST program. There are those who are.

There are those who refer to the selling job for the SST as a "supersonic snowjob." Others who have paid some attention to the sonic boom problem feel that the SST is a "sonic boondoggle."

I am persuaded, Mr. Chairman, that this proposed aircraft is aerodynamically sound. Others are not.

I am not convinced, however, of the economic feasibility of this aircraft.

During the course of the debate the distinguished gentleman from North Carolina [Mr. JONAS] told us, from the standpoint of his superior knowledge on the subcommittee, of the limited cruise and range capability of the SST.

The record of more than 120 pages is replete with factual information that should give us great pause with respect to the sonic boom problem. Although it was only lightly referred to in the hearings, a very distinguished authority on the subject, a Swede named Bo Lundberg, believes that the operation of a supersonic transport over water at supersonic speeds will cause great physical hardship if not real disability to ships at sea within the path of the wide and continuing sonic boom.

My point is that there are a great number of factors here which are not known with sufficient certainty so that we should continue to expend the taxpayers' money without at least a hearing for an alternative method of financing.

And an alternative method that would substitute some of the millions and millions and millions of dollars to be saved by the American people through a private investors scheme of financing, in lieu of the money of the taxpayers of this country.

Mr. Chairman, I think it is hardly an acceptable practice for us, when we are faced with a deficit this year that might come up to $30 billion or more, to continue simply to say that we have started down this road of public financing and we must continue with it at the present.

Mr. Chairman, there are pending in the Committee on Interstate and Foreign Commerce proposals which, if adopted, could save several hundreds of millions of dollars of the money of the taxpayers.

Mr. Chairman, I do not want to kill the SST. I have studied this question for the past year and a half and there were arguments both pro and con.

Mr. Chairman, I think it is a situation which needs to be clarified. Do the members of the Committee of the Whole House on the State of the Union want to go back to their constituents and say that you have spent $143 million of the taxpayers' money upon this project?

Mr. Chairman, I will not support the development of a commercial product that is estimated to be used by less than 5 percent of the people of this country.

Mr. Chairman, is this responsible legislation in view of the belt tightening to which we subject every bill which is brought before this body? We have made cuts in highway safety. I have a pleading telegram that came to me from the director of highway safety in the State of Minnesota, begging that we restore the money that we cut for the highway safety program.

Mr. Chairman, the gentleman from West Virginia [Mr. HECHLER] lost on his amendment to restore these funds.

We have made substantial cuts in a number of programs already. I hope we make cuts in others. But not one dime has been cut by the committee from the SST program.

I know that the budget request was for a total of $198 million and that the committee has come in with a recommended appropriation of $143 million. But that is essentially an accounting procedure. That operation does not result in any money being cut from the SST program.

Mr. Chairman, the gentleman from Massachusetts [Mr. BOLAND], the distinguished chairman of the subcommittee, made that quite clear in his opening statement.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. EVINS of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota [Mr. MACGREGOR] may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. It is true that bills have been introduced for the private financing of this project. Although there have been no hearings held before the legislative committee, there have been hearings held before the Subcommittee on Independent Offices of the Committee on Appropriations on this subject. We heard the proposal of financing this project through the bonding theory. However, we concluded that we have not reached the stage to which this should go beyond the experimental and research studies in developing the prototype. But, after it has been developed, then we can determine whether or not there should be private or commercial financing.

However, Mr. Chairman, I will say to the gentleman from Minnesota that there have been hearings held upon this proposal.

Mr. MACGREGOR. Mr. Chairman, in response to the gentleman from Tennessee, I hope the gentleman will bear in mind the testimony which appears on page 141 of the hearings of the subcommittee wherein the gentleman from Massachusetts [Mr. BOLAND] asked if the prototype does not work, that ends the program. Secretary Boyd replied, "That is right."

So, Mr. Chairman, after we finish financing from taxpayers' funds, to the tune of $1,144 million of the prototype development phase, and if it turns out that the first flight in late 1970 or the continuing flights in 1971 of the second plane, are not economically feasible, we will have poured down the drain $1,144 million of the taxpayers' money, without any consideration by the appropriate committee of the House, the Committee on Interstate and Foreign Commerce, of a proposal for private financing.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I can understand the gentleman's concern. But I can say that the Congress has considered this as a feasible endeavor. Of course, we have. Feasibility studies have been presented to the Committee on Interstate and Foreign Commerce. They have been presented to that committee. We do not appropriate for this program in the blind or in the dark.

I believe the hearings are rather substantial. There are some questions here, the gentleman has found some, and there are questions which bother individuals like the gentleman in the well, and bother a great number of other people throughout the United States, and the press.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOLAND. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota [Mr. MACGREGOR] may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Chairman, I believe the record clearly shows that this subcommittee gave perhaps as extensive hearings to this proposition as any committee could give.

Mr. MACGREGOR. I say to the gentleman from Massachusetts that I agree with him, and I complimented the committee, and I was much impressed by the knowledge of five members of the subcommittee, each of whom interrogated General McKee, General Maxwell, and Secretary Boyd, and I know that a great deal of careful study has been given by the committee in its report.

But I also know that the President questions the economic feasibility of this, and that there are risks to be faced in connection with it, but let us not be putting the taxpayers' money in this too-risky proposition.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Chairman, I thank the gentleman for yielding.

I merely wanted to indicate my sympathy for and approval of the program the gentleman is advocating, and also the legislation which has been sponsored by the gentleman from Ohio [Mr. BOW]. I hope and trust that the legislative committee will hold full and prompt hearings on this legislation. I also feel just as strongly that the deletion of the appropriation authority for the SST at this point in this bill would be a mistake.

Mr. MACGREGOR. I am a little sorry I yielded to the gentleman.

Mr. GERALD R. FORD. I am sympathetic with his aim and objective for legislation of private financing, but on this particular occasion I respectfully disagree with him. The appropriation for the SST is needed.

Mr. MacGREGOR. I believe what the gentleman means is that he feels for me, but he cannot quite reach me.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman from Ohio.

Mr. MINSHALL. Mr. Chairman, I would like to point out to my distinguished friend from Minnesota that I have respect for his feeling on the SST program, but I also want to point out that the subcommittee has spent hour upon hour on testimony hearing the experts. We on the committee do not pose as experts. All we do is report back as jurors.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MINSHALL. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota [Mr. MacGregor] may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Chairman, I believe the feelings of the subcommittee can best be summarized as reported on page 19 of the committee's report. It goes to the core of the SST controversy, as follows:

> In summary, the Committee believes that development of the SST is of sufficient importance to the country that the funds recommended should be appropriated. The value of the SST goes far beyond the saving of time of airline passengers. The jobs created by the production and operation of the aircraft will be important to thousands of Americans. The health of a major industry will be preserved. Foreign exchange will be earned, and the more than one-half billion dollar investment already made will be protected. The time is near for the next step in air transportation, supersonic flight, to become a reality. The United States must either be a part of this new era or forego its leadership position in air transportation.

Mr. Chairman, I would also like to point out that of all the world's aircraft now, American-made craft comprises 92 percent of these aircraft. We must preserve our position of world leadership in the airways of the world. We can only do this by approving the SST program or we will be left at the post and never get off the runway in the supersonic jet age of the future.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I would like to say to the gentleman from Minnesota that we will not get the Federal Government out of the risk if we go to private financing. The Federal Government not only would continue on the risk by guaranteeing the bonds, but I am afraid we would lose the contributions that are now being made by the airlines in putting down millions to stand in line for these planes when they are ready, and also the investment by Boeing and General Electric.

Mr. MacGREGOR. I must respectfully disagree with the gentleman when he talks about the contribution that Boeing makes. I am not suggesting that they be swallowed whole. I am suggesting there be complete hearings on the question, and there can be amendments so as to preserve the 12-percent contribution which is presently being made in the prototype plane by Boeing and General Electric, or the 5 percent currently being paid by the airlines who have agreed to put $1 million up each to maintain their delivery position.

I am certainly interested in preserving the private financing. I want to save the taxpayers $144 million.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAGGERS. Mr. Chairman, I rise in opposition to the amendment and to briefly state my reasons.

Mr. Chairman, I oppose the amendment because I think the production of the SST is essential to America in many ways. Not only for our prestige, but also in reference to our standing in the world. For practical, sound, economic purposes we should keep pace in aviation with the rest of the world.

As the gentleman from Washington explained a while ago, many orders have already been received from U.S. carriers and from many foreign carriers for this plane. If we hesitate in this venture in any way, a lot of those orders will be canceled. A lot of people say: So what? Well, that means that some other nation or nations will take over the leadership in aviation.

The nations that have placed these orders with us do have faith in America's ability to build these planes.

I might say to the gentleman from Minnesota that we did hold hearings before our committee this spring on March 8 and we had the people who are directly engaged in and responsible for the program explain all of their activities. It was explained that Boeing and General Electric were putting in $234 million of their own money. They have great faith in this or they certainly would not be trying to produce planes and throwing $234 million away.

There have been adequate hearings on this. There have been hearings on the Senate side. There have been hearings before the Committee on Appropriations and hearings before our committee. I think the hearings have been adequate to carry this on.

The gentleman mentioned that he has a bill before our committee waiting for a hearing. I might say to the gentleman that we have had several emergencies here in the last 2 or 3 months so we just could not catch up with some of these other bills. But we hope to give as many as possible hearings and this could be one of them.

We are talking now just about the prototype and getting it constructed so that we know what it can do. That costs $1,450,000,000.

It was testified to before our committee that no private enterprise in this country could possibly do it. The net worth of the Boeing Co. is only $370 million and the net worth of General Electric is less than that. They could not anywhere near touch this—no private enterprise group could.

The gentleman from North Carolina said that under the proposal for private financing, the Government would still have to guarantee every penny of it. So the taxpayers would still be underwriting the risk of an unsuccessful program.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman.

Mr. MacGREGOR. Does the gentleman think they are going to fail?

Mr. STAGGERS. No.

Mr. MacGREGOR. Under the scheme I have proposed for financing under Mr. Bow's original leadership, the only way the Government would have to pay back every dime is if the SST fails. If the gentleman thinks it is going to fail, then naturally the gentleman would be opposed to the amendment.

Mr. STAGGERS. I believe that this was explained—that the Government can finance it with less interest. All this money will be paid back to the Government at 6 percent interest if the program is even reasonably successful.

Mr. MacGREGOR. The gentleman mentioned that there were hearings in March of this year—I was not aware of that.

Mr. STAGGERS. I will come to that in a minute.

I want to say that at least two other commercial supersonics will be produced—and earlier than ours. They are the Concorde, by England and France, and the TU–144, by the Soviet Union.

There was even talk that Russia might fly one to the Paris air show. They did not, but it is not far off.

If we want to fall behind in this air race, all we have to do is to say, "Let us delay this a little bit longer." Nations like Japan and Germany and the rest that have already placed orders for this plane will cancel their orders. They will then choose a supersonic built elsewhere. And our U.S.-flag carriers will have no choice but to purchase foreign-built supersonics in order to maintain competition with foreign carriers.

Mr. MacGREGOR. Would the gentleman give me the names of the witnesses who appeared in public sessions before his committee hearings, in March of this year, on the proposal to finance privately the SST?

Mr. STAGGERS. The hearing was not on private financing. The first witness was Gen. W. F. McKee, Administrator of the Federal Aviation Agency.

He was accompanied by David D. Thomas, Deputy Administrator.

Then there was Maj. Gen. Jewell C. Maxwell, of the U.S. Air Force, who is Director of the Supersonic Transport Development.

Mr. MacGREGOR. Yes; they are the same people who testified before the Appropriations Subcommittee.

Mr. STAGGERS. If the gentleman would just permit me to finish.

There was Arvin O. Basnight, Associate Administrator for Programs.

Oscar Bakke, Director of the Eastern Region for the Aviation Agency.

These are people who know about the thing. We did not get rumors. They have the experience and they have the knowledge and they have the data which they gave to us. We wanted men who were directly connected with this.

Mr. MacGREGOR. You had four FAA men to testify.

Mr. STAGGERS. I might say to the gentleman, we had the one man who was selected to head the program by the President of the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOLAND. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for 2 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Massachusetts.

Mr. BOLAND. I just want to call to the attention of the committee the fact that the chairman of the Committee on Interstate and Foreign Commerce has indicated that they did have hearings and the only witnesses who testified were those from the FAA. The gentleman from Minnesota was about to respond that they were the same gentlemen who testified before the Subcommittee on the Department of Transportation appropriation bill. That is so. But also before the Subcommittee on the Department of Transportation were witnesses who have been pushing private financing for this program, not only this year, but for the past 4 or 5 years, and I think that those gentlemen who appeared before that committee would have to agree that they have never been given more extensive hearings, more time, or shown more courtesy than was extended to them this year on their matter, particularly with reference to their opinions on H.R. 12, and why, in their opinion, this program ought to be financed in the development stage through private funds.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. I was wondering whether the gentleman was aware of the fact that Eugene Black, of the World Bank, who is known as a fiscal conservative man, has said that it is absolutely necessary that this country go ahead and build the SST.

Mr. STAGGERS. I thank the gentleman for pointing that out.

(By unanimous consent, Mr. STAGGERS was given an additional 2 minutes.)

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the distinguished majority leader.

Mr. ALBERT. The gentleman has made a fine statement. The gentleman and his committee are fully advised of the importance of this matter.

Does not the gentleman think that if the Government were to pull out or to hold back or to put itself only in the position of a guarantor that we would be endangering the program so far as the United States is concerned? And does the gentleman not also believe that in that instance France and England, and perhaps Russia would move into the lead in this important area? I am sure the gentleman would answer these questions in the affirmative.

Mr. STAGGERS. That is true, in my opinion.

Mr. ALBERT. I thank the gentleman.

Mr. Chairman, I rise in opposition to the amendment.

The supersonic transport marks the beginning of what I believe to be a new era of transportation discovery. We see it coming on every hand—the nuclear ship at sea, the high speed trains that will offer new levels of passenger comfort, the turbine and possibly the electric car, containerized freight handling, and supersonic air travel. All of these technological advances stand on the threshold of accepted commercial use. Some of them will take longer than others to adapt to our environmental conditions—but all of them are coming.

The SST will be one of the largest and fastest commercial transports flying by the mid-1970's. It will be capable of carrying more than 280 passengers at speeds up to 1,800 miles per hour. South America and Asia will be as close as Europe is today.

Yet criticism persists—not so much about the airplane itself, although some of the technology going into it is truly revolutionary—but about why we are building it and why the Government is involved. I would like to take some of these questions and provide the answer.

First of all, the SST is before us today because it is an idea, an invention, a technology that is the logical next step in aviation advancement. This step could not have been thwarted by any individual or any government—delayed perhaps—but never fully prevented. Around the turn of the century a U.S. Senator seriously proposed that the Patent Office be closed because everything that could be invented had been. We all know the folly of that statement well enough to also know that supersonic travel was bound to come—and it has. If we ever need any reminder of this, we can always take another look at the recent news films of the Moscow air show, or at the growing list of reservations for the Concorde, now being developed by the British and the French.

Yet the first question we so often hear is: Why build the SST now?

The most obvious reason—the one every businessman worth his salt instantly realizes—is that if we do not meet our competition now we may never be able to catch it. A more subtle reason is that America cannot afford to lose her position of leadership in world aviation any more than she can afford to waste existing aviation technology.

Britain and France are putting up $1.4 billion to develop the Concorde. Thirteen airlines have already reserved 74 delivery positions. If the SST is not produced, this number will grow considerably. Currently 129 delivery positions have been ordered for the SST. This represents sales of $5 billion; in the event of a major delay or stoppage of SST production, these most certainly would be lost to the Concorde.

Another question frequently asked is: What business is this of the Government's and how do you expect to ever get your money back?

History has taught us—as in the case of the railroads—that there are some achievements which are in the national interest, but which simply are too expensive for any one corporation, company, or business to undertake on its own. The SST is such an achievement. This country has the best transportation system in the world—and it got that way through the efforts of private enterprise operating in an open competitive market. The Government has no intention of removing the SST from that process. There is no subsidy involved; if the SST becomes so successful that other manufacturers want to enter the market they can; the SST will receive stiff competition from the Concorde and perhaps the Russian TU-144; and the Government will get back every bit of its investment plus interest.

The Federal Aviation Administration estimates a market for at least 500 planes by 1990. The Boeing estimate is slightly higher at 650. These estimates are based on the assumption that flights will be limited to overwater routes. The delivery of only 300 SST's will insure recoupment of the Government's investment and the sale of 500 will return the investment plus interest.

We also hear the charge: The SST will be only a "plaything for the jet set."

This could not be further from the truth. The objectives of the SST program are to develop an economically sound transport that can compete with the best of the subsonics at present or lower fare levels. For the 1990 time period, it is estimated that even if a fare difference of 20 percent or less is charged, more than 60 percent of the passengers would choose supersonic travel. This passenger preference can be historically traced to the first subsonic jets which, although operating with a surcharge, soon drove piston planes out of the first-class market.

The Congress now has the opportunity to help introduce supersonic travel—the next step in the evolution of aviation development.

President Johnson set the goals of the SST program as "The development of a supersonic transport which is safe for the passenger; superior to any other commercial aircraft; and economically profitable to build and operate."

The President said that only by sustaining the highest levels of business-Government cooperation can we achieve those goals. It is now up to us to provide our share of that cooperation. We should move ahead immediately to do so.

Mr. STAGGERS. Mr. Chairman, in conclusion I would like to say to the distinguished gentleman from Minnesota that I can see that he has a worthy idea. I believe that private investment is always a worthy idea, but not necessarily always possible. I can understand his effort to do what he is trying to do, he and the distinguished gentleman from Ohio [Mr. Bow]. But I say that in my opinion the approach we have made and the method that has been selected is the wise one for this country now and in the future.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. I am awfully glad that America was not stampeded by the British manufacturer of the Concorde. I hope that this body will not be stampeded by the effort to build the F–114. I was amused at the number of comments in the Record to the statement by the gentleman from Ohio [Mr. Minshall], when he talked about the giant Russian transport that stampeded everyone at the Paris Air Show 2 years ago. Apparently they had to wrap it in baling wire to get it there. The people in the Air Force, who are knowledgeable, thought they would never get it back to Russia. The gentleman from Ohio has said that it has not been seen since.

We should consider very carefully whether the Concorde and the F–114 might not have a similar future. Let us not be stampeded on this issue.

Mr. WIDNALL. Mr. Chairman, I rise in support of the amendment to cut back on the immediate commitment of more funds at this time for development of the SST. I want to make it clear, in doing so, that I fully expect an American SST to be built, in the future, with the assistance, to some degree, of Federal funds. The question is not whether it should be built but when. It is a question, particularly with the present budget situation, of priorities. The SST does not have a high priority, in my opinion, in terms of the goals or the needs of the vast majority of the American people.

I have not heard any persuasive argument for the immediate expenditure of nearly $150 million in the 1968 fiscal year. It is said that if we do not immediately go ahead with development, we will lose time and sales to the British and French Concorde, and that this will undermine our opportunities for vast improvements in our balance-of-payments picture.

As the ranking minority member of the Banking and Currency Committee, and a member of the Joint Economic Committee, I have lived with this balance-of-payments problem for years. No one is more concerned about finding a solution to this nagging headache in our national economy than I. If the argument in favor of the SST for balance-of-payments purposes was valid, I would be the first to support it. The fact is that this argument simply does not stand up to close scrutiny.

To begin with, even assuming the estimates of sales for the SST over water routes, the only presently feasible method for utilizing the supersonic speeds of the plane, there is no guarantee that this will produce a favorable balance-of-payments effect. The FAA itself commissioned a report, from the Institute for Defense Analysis, which it with a great deal of foresight and self-preservation, suppressed for a period of time, indicating that the SST could very possibly add to the already serious tourist expenditure deficit for balance-of-payments purposes.

Should the tourist gap increase as a result of the SST, we would also be faced with the possibilities of restrictions on tourist travel that no one in this Congress would readily accept. Such restrictions have already been talked about in administration quarters on the basis of today's tourist outlays.

In addition, Knut Hammarskjold, director-general of the International Air Transport Association, has stated that the Boeing Co.'s design for the SST simply does not meet IATA's economic criteria. To put it bluntly, if Mr. Hammarskjold is correct, the plane would not make money. How a loss to American airlines would encourage either sales or help the balance-of-payments picture, I do not know.

We need to take a careful look at the argument that we are somehow in competition for the sales with the Concorde. The Concorde is a 140-seat, mach 2—that is, twice the speed of sound—aircraft with an aluminum skin. It is already projected for service several years before the SST even if we vote all of the money today. The sales it generates will be one-shot, first generation supersonic plane sales. British and French difficulties in its development may make it difficult to meet delivery schedules, and will increase cost estimates. In some instances, it may not even be commercially competitive with the Boeing 747, or the jumbo jet, carrying 350 passengers or more.

What is certain is that the Concorde cannot be feasibly converted into a mach 3, titanium-skinned aircraft competitive with the SST without a complete revision of design. We are talking apples and oranges when we try to compare the two for sales purposes. What airline is going to order additional Concordes, a mach 2, 140-place plane, when it can get the second-generation SST at 50 percent more maximum speed and twice the passenger load by simply being a little patient? The cost of either plane is going to be so high that we may need Government subsidy for purchase price as well as development, and in any event, the financial outlay will require the most cautious and competitively aware approach on the part of the airlines.

An additional argument is made that, as Secretary of Transportation Alan Boyd has put it, if the supersonic noise problem over populated areas makes it unfeasible to operate the SST at those speeds over land, why then we will just operate it at subsonic speed. Again, what airline is going to buy an SST at enormous cost that it cannot operate as an SST when it has the new Boeing and Douglas jumbo jets at less cost, higher load capacity, and lower, more attractive fares to stimulate business?

At a time of budgetary concern, I for one see no reason why a specially designed mode of travel for a minute portion of the traveling public should take precedence over better schools, better housing, more funds for sewer and water facilities in rural areas under the Farmers Home Administration or suburban and small town America under HUD, more job training, or better transportation for millions of American commuters. The Congress would be clearly justified in any cutback made in the program at this time.

I include at this point an excellent editorial from the Bergen Record of Hackensack, N.J., of May 2, 1967, summarizing the reasons against voting further development funds at this time:

WHEN MILLIONS GO UP IN SMOKE, POLLUTION!

President Johnson's commitment of $1.1 billion over the next 4 years to the supersonic passenger jet project would be hard to defend even if the nation weren't waging a $20 billion a year war in Vietnam. But with the war taken into consideration, plus the cutbacks in domestic programs it has entailed, the superjet begins to look like a cruelly expensive whimsy.

Its cost will be very high for the benefit it will return, a 4-hour cut in trans-Atlantic flight time. No way has yet been devised to reduce the damage to structures, animals, and human beings caused by the sound wave on the leading edge of a plane moving 1,800 miles an hour. Accordingly, the new jets will be confined pretty much to operations over water, and this will appreciably cut their marketability.

The chief argument for going ahead with the project is that, unless the United States fields a supersonic craft of its own, airlines will buy the French-English Concorde in quantity and the American balance of payments will be hurt. The argument is not persuasive enough to justify the expenditure of hundreds of millions of federal dollars when war costs are increasing steadily, the Administration is still requesting a 6-percent increase in the income tax, and Antipoverty programs are being phased out or cut back all over the nation.

Mr. REUSS. Mr. Chairman, I rise in support of the MacGregor amendment.

Mr. Chairman, I shall not take anywhere near my 5 minutes, but I would like to define the issue before us.

The issue is not whether the House Committee on Appropriations has done an industrious and thoughtful job in its report. It certainly has.

Neither is the issue where the research and development on the SST may not overcome the problems of the sonic boom and the titanium construction and the variable sweep wing. It probably can.

Certainly it is not an issue whether the prospect of an SST arouses in the minds of many Members a spirit of adventure and romance. It obviously does.

The question is whether, this year, the taxpayers ought to be romanced for $142 million to continue the SST program.

As the gentleman from New Jersey [Mr. Widnall] has just so well said, we have cut sharply our appropriations for schools and for water pollution and for health and for cities. Certainly there is nothing so supersacrosanct about the supersonic transport plane that it, too, cannot face a little budget cut.

There are other alternatives. There is the alternative of the gentleman from Minnesota [Mr. MacGregor] of private investment with a Government backup. There is the alternative of the gentleman from Ohio [Mr. Vanik] of a user tax. These should be explored. If they are, the program can go forward, but it should not this year be conducted at the taxpayers' expense.

I hope the amendment will be favorably received.

Mr. MEEDS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the term that is being bandied about now is to defer action on this bill and on this proposal. It seems to me that, like law, action deferred is often action denied.

We are in a position of leadership in this country in the aircraft industry, a position of leadership which we cannot afford to lose. When one is in a position of leadership it seems to me one has to weigh as heavily the costs of inaction as one would the costs of action.

We are talking about a potential market by 1990 of 1,100 of these aircraft. If we can only fly across the oceans, we are talking about at least 650 of them.

The recovery to the U.S. Government of its total investment will be achieved after the production and delivery of 300 aircraft. We will have everything back plus 6 percent interest at between 400 and 600. We will share as a Government for 15 years in the royalties on this airplane under the present proposal.

It cannot seriously be contended here that the carriers of the world, of the free world and of the Communist world, are not going to get into the supersonic field. If there is a good supersonic transport available they will get it. This world is working on the basis of speed. The best supersonic transport into the field the soonest is going to be sold.

This is what we as a Nation face.

Importantly, the question is, what will happen if we do not do this?

It seems to me that not only the other airlines of the world but also our own airlines are going to be purchasing and using either the Concorde or some other supersonic transport if we do not build one, which means that we are going to be losing in terms of what we could be doing. We could be producing this. We have the technology and a capability of producing a good supersonic transport. We are going to be losing a prospective market of between 600 and 1,100 of these supersonic transports which could be built in the United States.

If they are not built in the United States and if 1,100 of them are built and if our carriers purchase them, as they will, this is going to mean a deficit in the balance of payments to us of $54 billion by 1990. If they build only 600 and sell only 600 it is going to mean a deficit in the balance of payments to us of $30 billion.

This means jobs. It means taxes. It means employment. It means a prosperous country because of a prosperous industry.

So we must not stand here and say, "We cannot do this." We can do this as a nation and we have to do this if we are going to retain our position of leadership in this field. This position of leadership is important to us as a nation, to our prosperity. It is important to all of us, to every citizen of this country and not just the people of any separate segment.

Mr. Chairman, I strongly oppose the adoption of this amendment.

Mr. VAN DEERLIN. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from California.

Mr. VAN DEERLIN. Mr. Chairman, one of the many beneficiaries of the appropriation for two prototype supersonic transport aircraft would be the Rohr Corp., of Chula Vista, Calif., in my own congressional district.

The Rohr Corp., in May of 1967, won a subcontract to construct the pods which will contain the huge jet engines powering our supersonic transport—SST.

When this program is fully activated virtually every State in the Union will be participating, either in the supply or the production of the SST. For these companies the SST will be a profitable and job-creating venture.

At Rohr, at least 500 and as many as 2,000 new jobs would ultimately be created. This fact alone would be very persuasive in soliciting my support for the appropriations. But there are numerous other reasons supporting the passage of this bill.

First and foremost is the backing which this project has received from the industry itself.

U.S. airlines have agreed to contribute $52 million of the risk capital for the development effort and this money will be applied to the fiscal year 1968 program.

But how big a risk are the airlines taking?

The Boeing Co. has the contract for developing the airframe structure of the SST. This same company, in developing their historic 707 jet, took a gamble with more than 3 percent of their net worth. This amounted to $17 million, a great sum of money for any company to spend on the development phase of a project.

And now, with their faith in the SST, the airlines are willing to put up $52 million, a remarkable vote of confidence. This confidence is based on the advance orders for 113 SST's that have already been received, plus the fact that minimum sales of 500 of the transports have been projected.

These figures show the faith of our foreign markets in the quality of our production. The orders, many of them from foreign interests, are coming in despite the competition from the British-French consortium building the supersonic Concorde.

The U.S. SST is bigger, faster, and more economical than either the Concorde or the Russian SST, and the airlines of the world know it.

I strongly support this appropriation and urge my colleagues to do likewise.

Mr. MEEDS. Mr. Chairman, I yield back the balance of my time.

Mr. TENZER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to associate myself with the remarks of the last speaker insofar as the gentleman spoke about the United States maintaining a position of leadership in the field of aeronautics.

I would like to associate myself with so much of the gentleman's statement as deals with our balance-of-payments problem.

However, Mr. Chairman, I am in sympathy with the amendment which has been offered by the gentleman from Minnesota, because of its effect upon the citizens of the United States.

Mr. Chairman, I live in the shadow of the Kennedy Airport in New York. I have been plagued as a resident, and my constituents have been plagued, by the effect of jet noise. We have been denied the quiet and peaceful enjoyment of our homes. We have suffered from the results thereof as they reduce the value of our properties. It is no different in and around Kennedy Airport than it must be in and around the residential areas of every airport in the United States which is today receiving and discharging jet planes.

Mr. Chairman, my concern about the supersonic transport is whether there has been sufficient investigation into the effect of the sonic boom.

Mr. Chairman, I have heard that the supersonic transport will fly over the oceans and not over the land. Yesterday I received a rather extensive brochure with reference to the supersonic transport, and it contains this language, which I quote:

> The SST will be used initially on long-haul overwater routes where sonic boom will not be a problem. The Anglo-French SST (the Condorde) will pioneer acceptability of sonic boom over populated areas.

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. TENZER. I shall yield to my colleague in just one moment.

Mr. Chairman, my questions are raised because I ask, "do we know enough about the effect of sonic boom"? Are we saying that we are only going to fly the supersonic transport over the oceans, because we have some knowledge about its affect upon land and upon life and property?

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. TENZER. I now yield to the gentleman from Washington.

Mr. ADAMS. Mr. Chairman. I hope that the gentleman from New York has clear in his mind the distinctions between the jet noises that may occur at an airport and supersonic boom, and all of the reports that have surrounded the consideration with reference to the flight of this plane.

Mr. Chairman, I have read testimony from General McKee and others, and I have seen a mockup of the engines that are designed to go into the operation of this plane. They will cause, according to the experts, less noise than those engines which are presently employed in our various transports because of the type of their construction.

Supersonic boom is not—I would point out to the gentleman—noise, airport noise, as we know it. There is a change in the atmosphere, which represents a different problem and a severe one, but a different one, in dealing with a metropolitan area in taking off and landing.

Mr. TENZER. Let me ask the gentleman from Washington, does the supersonic transport have an afterburner?

Mr. ADAMS. No.

Mr. TENZER. I think the gentleman is mistaken, I have been told that it does.

Mr. ADAMS. The supersonic transport?

Mr. TENZER. Everyone of the planes in operation today, traveling at mach 2 speeds and range are equipped with an afterburner.

Mr. ADAMS. That is correct. However, the engines on the SST represent a new development with a greater thrust.

Mr. TENZER. We have been told that the engine on the SST will be quieter on takeoff and landing.

Mr. ADAMS. That is correct.

Mr. TENZER. Let me say this to the gentleman: If there is a heavy payload and if additional thrust is required to lift that heavy payload into the air, the afterburner will be used, and when the afterburner is used we will have more noise than we had before.

Mr. ADAMS. I want to point out to the gentleman that that is not correct.

Mr. TENZER. I will say to the gentleman when the jet planes came to Kennedy Airfield we were told they would be quieter on takeoff and landing than the prop plane and I want you to know that living in the vicinity of Kennedy Airport is unbearable, and it must be the same in varying degrees around every other airport in the United States.

Mr. GILBERT. Mr. Chairman, will the gentleman yield?

Mr. TENZER. I yield to the gentleman from New York.

Mr. GILBERT. Mr. Chairman, I would like to ask the gentleman whether he knows if any research has been made on this noise problem as far as the subsonic noise is concerned, forgetting about the supersonic boom?

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. GILBERT and by unanimous consent, Mr. TENZER was allowed to proceed for 2 additional minutes.)

Mr. TENZER. I would like to have the gentleman from Washington answer the question.

Mr. ADAMS. There is no such thing as a subsonic boom. And if the gentleman is referring to the noise from the jet engines, the noise from the jet engines is created by the action of the parts of the engine. The sonic boom is created by a compression of the air which occurs over a mach speed at sea level which, as a result, compresses the air, and it produces two sharp pops, bang-bang.

So I would say to the gentleman there is research on airport noise being conducted, and it involves the intake and the amount that is carried, and all of that. And a subsonic boom does not exist.

Mr. TENZER. Can the gentleman tell us what those "two sharp pop-pops" did to the window panes of homes in Oklahoma City and Nevada, and what they did to the plaster in the homes, and what they did to the pictures hanging on the walls, and what they did to the dishes on the shelves?

Mr. ADAMS. I would indicate to the gentleman that the problem he mentions is one of the main reasons for the swept-wing design, and that it will not, as has been stated repeatedly by the administrator, be caused by flying over the cities by the supersonic transport at the present state of the art.

I would say also to the gentleman that if this plane develops, and it is the French Concorde or the Russian TU-144 or some other plane of the future in 1985, it is going to land over your cities. The alternative will be that it is made someplace else.

Mr. TENZER. Then we should consider legislation to prevent those planes with that kind of boom and with that noise level from landing at our airports.

Mr. Chairman, that is why I have serious reservations about the civil supersonic aircraft development program.

The Committee on Appropriations in House Report No. 484, recommends the appropriation of $142,375,000 for fiscal 1968 for development of two prototype supersonic transport aircraft. At the same time however, the committee admits that—

> There are uncertainties in the supersonic transport development program. There always are uncertainties in development programs. There are uncertainties involving the construction of the aircraft, uncertainties involving the economic feasibility of the aircraft, and uncertainties as to the effect on the ground of the sonic boom which will be created by the SST in supersonic flight.

Recently, I was invited to be a guest lecturer at the George Washington University program of policy studies in science and technology. On April 3, 1967, I attended the seminar on sonic boom and spoke on the social and legal problems of sonic boom.

During the course of my research for this appearance and at the seminar itself, I raised a number of questions which to this date remain unanswered. I have consulted Federal officials in the various agencies and departments working on the SST program, professors, scientists, military personnel, and many others but the uncertainties remain.

One of the major questions left unanswered is the scope of the sonic boom problem and its impact on persons and property on the ground.

We do know that the Air Force supersonic aircraft tests over Oklahoma City from February 3, 1964, to July 30, 1964, generated 1,253 sonic booms. These booms caused more than 15,000 complaints and more than 9,500 damage claims of which 229 were paid by the Air Force. The damage claims included cracked plaster, broken windows, and other damage totaling over $12,800.

More than 100 lawsuits are still pending and when viewed together with the more than 200 lawsuits now pending for property damage as a result of subsonic aircraft noise, the litigation problem poses a serious threat to Government and industry.

If SST flights are to be limited to transoceanic routes, the question arises as to whether the SST program is economically justifiable? The brochure to which I referred says only "initially" will the SST be limited to transoceanic routes.

While reducing the sonic boom problems is a major task facing the designers of the SST, there are other questions which need to be answered. One such question involves the aggravation of the aircraft noise problem at airports such as Kennedy International Airport—already facing a serious air traffic problem.

Because of my concern over the problem of aircraft noise at the subsonic level, I wrote to the Federal Aviation Agency earlier this year to ascertain what noise standards would be applied during the design stage of the SST.

On January 5, 1967, I received a communication from Maj. Gen. J. C. Maxwell, Director of Supersonic Transport Development, relating to noise reduction in designing the supersonic transport. In the memorandum which General Maxwell enclosed the "Minimum Design Objectives for the Supersonic Transport" are set forth as follows:

> Maximum airport community noise levels (for maximum design gross weights and standard day conditions):
>
> (a) Approach, 109 PNdB at one mile from runway threshold.
>
> (b) At start of takeoff roll, 116 PNdB at 1,500 feet either side of the runway centerline.
>
> (c) Takeoff, 105 PNdB at three miles from brake release.

Mr. Chairman, the design objectives set forth above are in most cases either slightly above or slightly below the noise levels on present subsonic aircraft. Many people in Government and industry do not believe that the design objectives can be achieved or share the opinion that in operation, especially with the temptation to use the afterburner available on the SST, the aircraft will be substantially noisier on takeoff and landing than present jet planes.

Mr. Chairman, I would rather see a portion of the funds recommended for this program used in a massive effort to find the answer to jet noise through a coordinated and concentrated research program.

At the present time we do not have official aircraft noise standards or maximum noise levels. More than 20 Members of the House have sponsored legislation to authorize the Secretary of Transportation to establish such standards, but the chances for congressional action on these bills this year are bleak.

For that reason I have written to Secretary of Transportation Alan S. Boyd, urging him to use existing authority to establish aircraft noise standards by administrative regulation.

Such action would afford some measure of protection to persons and property on the ground and would be an important step in alleviating the serious aircraft noise problem.

In 1966 the President recognized aircraft noise as a national problem. In 1967 the Federal courts held that aircraft noise was also a Federal responsibility. The Congress and the executive branch must take steps to meet their responsibilities in this area.

Mr. Chairman, I accept the statement that the development of the supersonic transport will be an important factor in strengthening the aviation industry. However, if we are to establish an agenda of priorities—it seems to me that this program can be deferred at least for this year while we develop the technology to answer the questions raised during this debate with special emphasis on jet noise research.

I urge my colleagues to join with me in expressing support for administrative action by the Secretary of Transportation to help find a solution to the problems created by the menace of jet noise before we add to the problem.

Mr. GILBERT. Mr. Chairman, I would like to compliment the gentleman in the well, my distinguished colleague from New York, and I wish to associate myself with his remarks.

Mr. PEPPER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, the national need, the visual characteristics, the performance capabilities, and the potential market for the supersonic transport are surely impressive. But I would like to comment on another aspect of this program, less tangible perhaps, but very significant to this country and the American people. That is the economic impact of the SST.

The building program, during both the prototype and production phases, will provide desirable long-term employment stability for the airplane industry. During the prototype program, the airframe and engine manufacturers and their first level of suppliers will employ some 28,000 people at the peak period. The production program, at its peak, could employ as many as 60,000.

Additional jobs will be created for thousands of workers required by the other levels of subcontracting and related businesses. When these contracts are all awarded, nearly every State in the Union will have people and businesses involved in the SST program.

When sales of the SST reach the 1,000 mark, as they are expected to, approximately $60 billion in revenues will have been generated. I need not point out what this could mean to tax revenues alone.

The international aspects of this program could be even more rewarding. In addition to assisting the United States in its policy of continuing to expand international trade to the benefit of all countries, the SST will have a very beneficial effect on our balance of payments.

If only the low estimate of 650 aircraft sold by 1990 is achieved, a favorable impact on the balance of payments is expected of at least $30 billion. Mr. Chairman, few programs initiated by either private industry or the Government offer such wide-ranging economic benefits. I firmly support the SST program and oppose the pending amendment.

Mr. DON H. CLAUSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. Normally, I would be inclined to support the philosophy of the amendment as presented by my very able and distinguished colleagues Congressmen MacGregor and Bow. However, in this case, I am convinced the committee has explored all the possibilities and their recommendation will guarantee continuity at a very crucial stage in the development of this very important project.

Mr. Chairman, for many years, we have conducted research, built prototypes and advanced airplane construction programs for purely defense purposes. I have long advocated the building of aircraft for offense purposes—economic, technological, and international trade and travel offensive programs are desperately needed.

I believe the SST program falls in this category. Transportation and communication advancement, in all forms, hold the key to our future security. The movement of people on a worldwide scale will increase even more so than is now occurring. We can and must be in a position to meet these transportation requirements of the future.

Therefore, it is my intent to do everything possible to advance this program, as well as all facets of aviation and airports in this country.

Mr. THOMPSON of Georgia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment, for it would have the effect of eliminating the SST. Most of the arguments in favor of the SST have been heard and I support the majority of these arguments given in support of the program. To delay this program which would be the effect of this amendment will be very costly to our best interest.

Mr. BOLAND. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to the amendment. We have studied the financial requirements of the SST program in considerable detail.

Our analysis indicates that this reduction would require a major redirection of the planned fiscal year 1968 program and would result in a stretchout of the entire program. Effective immediately, it would require a cutback of the manufacturers' manpower by removal from the program of valuable technical talent. Based on the best technical judgment of the FAA and the SST contractors' personnel, it is estimated that any such reduction would delay the program from 15 to 18 months and increase the total cost of the program by $100 to $125 million. This cost increase would be caused by the annual rise in the costs of labor and materials, plus the inefficiencies of cutting back the program, and, in later years, rehiring skilled people. For example, the seven major subcontracts that Boeing plans to execute near the end of this calendar year probably could not be awarded. In addition to delaying the program and increasing its cost, this would adversely affect thousands of jobs throughout the country and possibly result in the loss of several of these key SST subcontractors to the program.

Another detrimental effect of any such program delay would be the loss of some of the anticipated early market for the SST to the Concorde. Assuming that the Concorde would be produced at the rate of four per month, we estimate that any such delay would cost the U.S. nearly $3 billion in initial SST sales.

I hope the amendment will be defeated.

Mr. OTTINGER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OTTINGER. Mr. Chairman, much has been said regarding the development of the civilian supersonic transport and more will be said today. Unfortunately for the American taxpayer, who will ultimately foot the bill, the discussions of the SST have generated considerably more heat than light.

The House is being asked today to appropriate $198 million and add it to the $531 million already appropriated for a project which not only is a potential menace to health, safety, and property but which may well end up costing the Nation several billions of dollars without any demonstrable economic benefit.

The SST would have no military value whatsoever; the Secretary of Defense has made that clear on a number of occasions. From what has been said and written, the SST will benefit those international travelers who would prefer to cross the Atlantic Ocean in 2½ hours instead of 6½; it will provide jobs for scientists and engineers already in short supply; and it will protect our aircraft industry from international competition from the joint Anglo-French effort, which is already several years ahead of us in the supersonic track meet.

National pride is a fine thing, but in my view it simply would not justify a multibillion commitment at a time of severe inflationary pressure and pressing domestic needs. I cannot and will not say to the American taxpayer: the development of an aircraft in which you will probably never fly, which may break every window in your house, and which may well turn out to be an economic catastrophe is more important than improving your children's education, than providing more job opportunities, than cleaning up the air you breathe and the water you drink, than easing the pressures of rising taxes and rising prices. I will not say that and since the only effective way I can protest this supersonic silliness is to vote against the Department of Transportation appropriation, I am doing just that.

The concept of a supersonic transport as a long-range goal for the aircraft industry might just possibly be feasible, and the Federal Government's role in assisting this sort of technological development is nothing new. That is not the issue, however. The basic question before the House today is the necessity of establishing what amounts to an expensive crash program which has little chance of success. If we need any proof of how much of a gamble the SST is, just witness the reluctance of the aircraft industry to foot more than 10 percent of the bill for SST development.

We are not being asked to appropriate $198 million for SST development today, although that amount in itself is sufficient to give us pause. We are being asked to take an irrevocable plunge down a bottomless pit of expenditure. We are being asked to accept—

First, that the sonic boom problem can be solved either technologically or by limiting the SST to ocean flights in spite of the fact that the FAA has admitted its failure to solve the subsonic noise problem of conventional jets; and

Second, that despite the fact there are no firm orders for SST's and the reluctance of the airlines to take more than a 10 percent risk, the project will be a financial success.

I do not see how Congress can give this kind of speculative venture higher priority than eliminating the blight of urban slums, providing expanded education and employment opportunities, and waging an effective war on crime. I do not see how Congress can consider an administration request to raise taxes in the absence of any serious attempt to eliminate unnecessary spending, such as this project represents.

The question of spending billions of dollars on the SST is not and should not be a matter of national pride. We can't spend our way to international respect. The real issue of the SST is fiscal responsibility, and, as such, there can be only one rational course of action. Federal funds for SST development must be shut off now.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. MacGregor].

The question was taken; and on a division (demanded by Mr. MacGregor) there were—ayes 30, noes 89.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

STATE AND COMMUNITY HIGHWAY SAFETY (LIQUIDATION OF CONTRACT AUTHORIZATION)

For the payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402, to remain available until expended, $20,000,000, of which not to exceed $1,000,000 may be advanced to the appropriation "Traffic and highway safety" for administration of this program.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Gross: On page 12, line 9, strike out "$20,000,000" and insert in lieu thereof "$10,000,000".

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. Gross] in support of his amendment.

Mr. GROSS. Mr. Chairman, with the defeat of the last amendment, it seems to me that we ought to start now and try to save some money in this bill to help fund the $144 million that is in the bill for the start of subsidizing that super-duper airplane, which will eventually cost the taxpayers more than a billion dollars.

The amendment I have offered would reduce the amount provided in the bill for State and community highway safety by $10 million.

Mr. Chairman, I am for safety and I am sure everyone else is for safety. But those of you who were here earlier this afternoon will recall I pointed out that there are six safety divisions—six safety bureaus in this new Department of Transportation.

I say to you, while two bureaus might be necessary—one dealing with safety on the streets and highways and the other with aviation safety—I can see no logical reason for six safety bureaus in the new Department of Transportation.

In this case, and with respect to this particular expenditure, they had $10 million for the last fiscal year. There is recommended in this bill $20 million or an increase of $10 million over last year. I would point out to you that they were able to spend only $547,000 out of the $10 million that was allocated to them last year, that is up to the time of the hearings on this bill some three months ago.

Mr. Chairman, I can see no reason in the world why there should be this kind of increase in this particular safety program. The various States have made it clear that they are not ready with their programs.

More than that, I think the States ought to take care of much of their own safety program. What, for instance, can the Federal Government do by way of telling those in Iowa how to operate buses safely? Why should we spend the money of the taxpayers of this country to tell highway patrolmen and others in the State of Iowa and other States how to remove debris from the highways?

Mr. Chairman, doubling the funds for this purpose ought to at least await the submission of programs by the States. I submit that we ought to keep this program lean, I will say to the Chairman of the subcommittee, and I think he ought to agree to this amendment. We ought to keep this whole new Department lean until we see where it is headed. Keep it lean and hungry, and operating on a minimum amount of money at this time when the Nation is floundering in debt. I urge the acceptance of my amendment.

Mr. McFALL. Mr. Chairman, I rise in opposition to the amendment. The committee thought that they had cut this program rather severely. The authorization by the Public Works Committee and by this Congress provides for a contract authorization for these types of program of $100 million a year. The programs which are involved include motor vehicle inspection, driver education and training, driver licensing and performance, traffic safety data systems, accident investigation, pedestrian safety, schoolbus safety, motorcycle safety, debris removal, as the gentleman points out, and community support.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. McFALL. I yield to the gentleman from Massachusetts.

Mr. BOLAND. A lot of the programs which the gentleman from California is now reading are fine programs. They ought to be funded in 1968. They ought to be funded also in fiscal year 1969.

The remarks of the gentleman from Iowa, I think, indicate clearly that some of the programs ought to be looked at. That is precisely what the subcommittee tried to do. The reduction from $100 million requested to $20 million is a rather substantial reduction. There are some 45 States now that have indicated that they want to qualify and come into the program. It will be made available. I think they can use the $20 million wisely. They could have used $100 million very unwisely on some of the programs to which the gentleman from Iowa objected.

Mr. McFALL. As the chairman points out, the committee wanted this program to go ahead slowly. This highway safety program is an important item in our national life, and we do not want to hamstring this new Department of Transportation and the highway safety departments of the States throughout the country if they can possibly put together highway safety programs which will result in the saving of the lives of the people of our country.

The evidence before the committee indicated that in this program this year they were only able to obligate some $2 million. Most probably they will not be able to obligate all of the $20 million allowed in the pending bill. Yet at the same time we felt that we had cut them deeply enough so that they would have an opportunity to expand this important safety program wisely.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McFALL. I am very happy to yield to the gentleman from Iowa.

Mr. GROSS. What happened to the approximately $9.5 million that was unexpended from the appropriation of last year?

Mr. McFALL. It remains unexpended. In the contract authorization program they did not spend the money, and so it goes unspent.

Mr. GROSS. So raising the amount to $20 million means that you have close to $30 million available?

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. McFALL. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Actually the money that has been spent on the program as of today is around $2 million. The figure of $547,000 the gentleman from Iowa used is a correct one as of May 1. Since that time, as you know better than most people, they have quickly obligated their funds to the extent of about $2 million. So there is $8 million which carries over in contract authority.

If they go to the States on a dollar-for-dollar matching basis, then we have to get the necessary money for that.

Mr. GROSS. Why not give them $18 million? They have $10 million from last year, and with the carryover, with the $18 million plus $10 million, this certainly ought to be sufficient for them in light of the fact that they only used $9.5 million of the $10 million made available last year.

Mr. BOLAND. Mr. Chairman, if the gentleman will yield further, section 401 in the bill restricts them to $20 million.

Mr. GROSS. What then becomes of the $8 million?

Mr. BOLAND. They just do not spend it.

Mr. McFALL. In section 401, it is provided that they cannot obligate more than the amount of $20 million authorized this year.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. Gross].

The question was taken; and on a division (demanded by Mr. Gross) there were—ayes 39, noes 79.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MOTOR CARRIER SAFETY

For necessary expenses to carry out motor carrier safety functions of the Secretary as authorized by the Department of Transportation Act (80 Stat. 939–40); $1,670,000.

Forest Highways (Liquidation of Contract Authorization)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 204, pursuant to contract authorization granted by title 23, United States Code, section 203, to remain available until expended, $32,000,000, which sum is composed of $6,950,000, the balance of the amount authorized to be appropriated for the fiscal year 1966, and $25,050,000, a part of the amount authorized to be appropriated for the fiscal year 1967: *Provided*, That this appropriation shall be available for the rental, purchase, construction, or alteration of buildings and sites necessary for the storage and repair of equipment and supplies used for road construction and maintenance but the total cost of any such item under this authorization shall not exceed $15,000.

Public Lands Highways (Liquidation of Contract Authorization)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 209, pursuant to the contract authorization granted by title 23, United States Code, section 203, to remain available until expended, $9,000,000, which sum is composed of $900,000, the balance of the amount authorized for the fiscal year 1966, $7,000,000, the amount authorized to be appropriated for the fiscal year 1967, and $1,100,000, a part of the amount authorized to be appropriated for the fiscal year 1968.

Inter-American Highway

For necessary expenses for construction of the Inter-American Highway, in accordance with the provisions of section 212 of title 23 of the United States Code, $5,000,000, to remain available until expended.

Chamizal Memorial Highway

For necessary expenses to carry out the provisions of the Act of November 8, 1966 (Public Law 89–795), $4,000,000, to remain available until expended.

Alaskan Assistance

For necessary expenses for construction and maintenance of highways in the State of Alaska, as authorized by the Federal-Aid Highway Act of 1966 (80 Stat. 768), $4,000,000, to remain available until expended.

Repair and Reconstruction of Highways

For repayment to the Highway trust fund, $15,097,772, which sum is composed of $1,089,111 for the increased expenditures made for the repair and reconstruction of highways in Alaska, as authorized by section 3 of the 1964 Amendments to the Alaska Omnibus Act (78 Stat. 505), and $14,008,661 for the repair and reconstruction of highways, roads, and trails, as authorized by section 2 of the Pacific Northwest Disaster Relief Act of 1965 (79 Stat. 131).

General Provision

Sec. 401. None of the funds provided in this title shall be available for the planning or execution of programs the obligations for which are in excess of $20,000,000 in fiscal year 1968 for "State and Community Highway Safety".

TITLE V—FEDERAL RAILROAD ADMINISTRATION

Office of the Administrator

SALARIES AND EXPENSES

For necessary expenses of the Federal Railroad Administration, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901; 80 Stat. 299); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109; $680,000.

Bureau of Railroad Safety

For necessary expenses of the Bureau of Railroad Safety, not otherwise provided for, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901; 80 Stat. 299); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109; $3,414,000.

High-Speed Ground Transportation Research and Development

For necessary expenses for research, development, and demonstrations in high-speed ground transportation, $10,300,000, to remain available until expended.

Railroad Research

For necessary expenses for conducting railroad research activities, $200,000, to remain available until expended.

Alaska Railroad

ALASKA RAILROAD REVOLVING FUND

The Alaska Railroad Revolving Fund shall continue available until expended for the work authorized by law, including operation and maintenance of oceangoing or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for transportation of freight, passengers, or mail, when deemed necessary for the benefit and development of industries or travel in the area served; and payment of compensation and expenses as authorized by 5 U.S.C. 8146, to be reimbursed as therein provided: *Provided*, That no employee shall be paid an annual salary out of said fund in excess of the salaries prescribed by the Classification Act of 1949, as amended, for grade GS–15, except the general manager of said railroad, one assistant general manager at not to exceed the salaries prescribed by said Act for GS–17, and five officers at not to exceed the salaries prescribed by said Act for grade GS–16.

TITLE VI—OTHER ACTIVITIES

Saint Lawrence Seaway Development Corporation

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such Corporation, except as hereinafter provided.

LIMITATION ON ADMINISTRATIVE EXPENSES, SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Not to exceed $514,000 shall be available for administrative expenses which shall be computed on an accrual basis, including not to exceed $3,000 for official entertainment expenses to be expended upon the approval or authority of the Secretary of Transportation, hire of passenger motor vehicles, uniforms or allowances therefor for operation and maintenance personnel, as authorized by law (5 U.S.C. 5901; 80 Stat. 299), and $5,000 for services as authorized by 5 U.S.C. 3109.

National Transportation Safety Board

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including employment of temporary guards on a contract or fee basis; hire, operation, maintenance, and repair of aircraft; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901; 80 Stat. 299); $4,000,000.

TITLE VII—GENERAL PROVISIONS

Sec. 701. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

This Act may be cited as the "Department of Transportation Appropriation Act, 1968".

Mr. BOLAND (interrupting the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN. Are there any points of order to the remainder of the bill?

If not, are there any amendments to be offered?

Mr. BLATNIK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask the able and respected chairman of the subcommittee a question. On page 14, line 20, with respect to section 401, to which reference was made a few minutes ago in response to the amendment by the gentleman from Iowa, the section in which the funds are limited to $20 million for fiscal year 1968, I have a question for the purpose of clarification and for the record.

I ask the gentleman from California [Mr. McFall] if I am correct in understanding that this section makes no change in the basic contract obligational authority contained in the Highway Safety Act of 1966?

Mr. McFALL. Mr. Chairman, if the gentleman will yield, I wish to assure the very able gentleman from Minnesota, who is asking these questions on behalf of the House Public Works Committee. Certainly that committee has an essential interest in this program, since they are the authorizing committee that has presented this program to the House of Representatives. All this does is provide a limitation on the contract authority for the fiscal year 1968. There would be no basic change in the law. There is no limitation on future years in the bill. If this program can be developed so that $100 million a year could be wisely spent in years following, then, of course, that will be considered at that time. There is no basic change in the law.

Mr. BLATNIK. Mr. Chairman, I appreciate that, and that does clarify it. We thought for a moment that perhaps there was some legislative alteration of the intent of the authorization and of the Act of 1966.

Mr. Chairman, while personally I would hope for a larger appropriation, I do recognize the merit in the argument of the chairman of the subcommittee and of the gentleman from California that more information is necessary before larger amounts can be authorized or approved on contract authority.

As the chairman of the subcommittee pointed out, last year in 1966, many State legislatures were not in session. Many state safety agencies did not have the proper authority or the appropriations to participate in this new program, and therefore they could not obligate or commit themselves to the programs proposed by this new Department of Transportation.

As of this January 1967, however, as the chairman pointed out, I believe as many as 45 State legislatures were in session. Most of those States by now either have taken the necessary legislative action or are considering action to participate in this 50-50 program with the Department of Transportation.

So a year from now we will have much more information on what the program is accomplishing and how it is performing, and we will be in a better position to evaluate the future course of the program.

Mr. McFALL. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from California.

Mr. McFALL. I hope the gentleman's committee, the great Committee on Public Works, will look into this program and perhaps report to the House, concerning its progress in the States.

Mr. BLATNIK. I am in accord with that suggestion and shall so recommend to our Public Works Committee. I thank the gentleman very much.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 13, strike out lines 20 through 24 inclusive.

Mr. GROSS. Mr. Chairman, this amendment would simply strike out $5 million for the Inter-American Highway, the boondoggle which has cost our taxpayers more than $170 million, and which was supposed to have ended years ago.

This is the type of appropriation funding that ought to be in the foreign aid bill, if it belongs here at all.

This highway was estimated to cost a total of $100 million when it was authorized.

It has already cost $268 million, of which the United States has put up some $170 million.

I am glad to see the gentleman from New York on the floor, because he is one of the gentlemen who assured me and other Members of the House several years ago that that year was the last in which we would be asked for an appropriation. If I remember correctly, and I say it was some years ago, he got his information from Mr. Whitton of the Bureau of Public Roads.

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman yield?

Mr. GROSS. I am delighted to yield to the gentleman from New York.

Mr. ROONEY of New York. I know the gentleman will forgive me if I cannot assure him of the accuracy of his last statement.

I merely rose to inquire if this were not the highway which was the brainchild of President Franklin D. Roosevelt and Somoza of Nicaragua? Is this not the highway? We have discussed it many times.

Mr. GROSS. I was not here at the time of Franklin D. Roosevelt. I do not know whether that was the Rama Road or the Inter-American Highway. It was one or the other, and it is for dead sure and certain that our taxpayers have been raided for a lot of money for both of them.

Mr. ROONEY of New York. The gentleman realizes that during the time of the alleged stoppage of this highway we had a period of 8 years of the Eisenhower administration. We did not stop building this highway in those 8 years, did we?

Mr. GROSS. No, but the gentleman was telling us, about that time, that it was the last time he would be in asking for money for it.

Mr. ROONEY of New York. I cannot verify the accuracy of that statement.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Ohio. He is another gentleman who told us we had readied the end of the road several years ago.

Mr. ROONEY of New York. As a matter of fact, I would trust the accuracy of the gentleman from Ohio, when it comes to this subject, more so than anyone else.

Mr. BOW. The gentleman from Iowa is absolutely correct. Back in the days when the gentleman from New York was a member of the subcommittee it was the Subcommittee on Commerce, under the chairmanship of our late and distinguished friend, Prince Preston. And, yet, we had the question of the Inter-American Highway, which is not the one to which President Roosevelt agreed. That was the Rama Road.

Mr. Chairman, we had the testimony presented before us—and we raised the question: For how long is this going to go on? We were assured that that was the last appropriation. Depending upon the testimony before that committee, I advised this House that there would never be another appropriation for the Inter-American Highway.

Mr. Chairman, I apologize now to the House, because we have had it practically every year since then.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, let me say that we now have the assurance that there will be no further request for authorization or appropriation, beyond the $7 million proposed for fiscal year 1968.

Mr. ROONEY of New York. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. Yes, I yield further to the gentleman from New York.

Mr. ROONEY of New York. Of course, all of us realize that we cannot be responsible for climactic conditions down "thataway."

Mr. GROSS. Mr. Chairman, I am glad to hear once again that this is the last time around. I heard it for a good many years, but I am glad to hear it again. I hope that the members of the Committee will support my amendment. That will make certain this is the last time around.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 45, noes 91.

So the amendment was rejected.

Mr. WRIGHT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, because of the frivolity of some of the comments made with respect to the Inter-American Highway, and in order to keep the record completely straight, something should be said concerning the truly great importance and very real value of that road.

The Pan American Highway is the oldest dream of engineers and statesmen in this hemisphere. It was first officially recommended by Henry Clay in 1834. It was formally adopted as a policy of the American Republics in 1929. For more than 30 long years, mile by tortuous mile, through some of the most rugged terrain in the Americas, men of good will and stubborn faith have moved forward to accomplish its state of near completion today.

When it is completed, the Pan American Highway will be the longest continuous stretch of road in the entire world. For more than 14,000 miles—from the ice-locked tundra of Alaska to Tierra del Fuego at the southernmost tip of the hemisphere—it will be possible for Americans—North, Central, and South Americans—to drive on one ribbon of highway.

The Inter-American Highway is a 3,142-mile segment of the total Pan American Highway. It extends from the Texas border through Mexico and Central America to a point about 34 miles below the Panama Canal. Mr. Chairman, I have driven this portion of the highway. I believe very firmly in its present value and its future potential.

Today the entire Pan American Highway as envisioned almost 40 years ago is complete for traffic except for one stretch of some 400 miles in what is called the Darien jungle. This is a long, narrow isthmus which connects Central with South America. Engineering studies are underway to link up the 8,000 miles of usable road to the north with the 6,000 miles of completed road to the south.

We of the United States have spent some $162 million over the years as our part of this project. That is more than was originally anticipated that it would cost, to be sure. But I know of nothing which can be built today on the price scale of the 1930's.

Mr. Chairman, I believe the vote the House has just taken demonstrates that we recognize and appreciate the value of this, the most tangible and most concrete example of hemispheric solidarity that these American Republics have been able to accomplish jointly in all these years. Having invested $162 million, and having brought the total program so near to completion, surely it would be foolish for us to abandon the project now, when the goal is so closely within reach.

The present bill contains only $5 million to complete the paving of short fragments of the road in Costa Rica and Guatemala. Having set our hand to the plow and having come so near to the end of the furrow, surely we do not want to look back now.

This is a great dream. This is a great project. Latin America is our best customer. This program has been an outstandingly good investment for the United States. Not only has this highway opened markets for American investors and American businessmen, but Latin America today buys so much more from us than we buy from them that even when you count the billions of dollars that we have put into the Alliance for Progress, our balance of payments position with our Latin American Republics is still a favorable balance from our point of view. And you cannot say this about many other regions of the world.

Not only has it improved commerce between us and our Latin American neighbors; this road has improved their commerce between themselves. Partly through its inspiration, Central American countries have developed their own Common Market. It has helped to stabilize their political institutions; it has assisted in bringing about hemispheric solidarity in a very real way. It has given these countries the impetus to reach out into isolated mountain villages to build the lateral roads that connect with this arterial highway. They have been providing the ribs to connect with this spinal column and veins of commerce and culture that flow into this main artery.

It is not a luxury superhighway by American standards. It could not be for $162 million. But let me tell you what our Latin American neighbors have put into it.

Mexico has put that much into it on her own. She did not take a penny of help from us to complete and connect the entire Pan American Highway through Mexico. South American Republics have put up some $500 million to bring it 6,000 miles through their countries from the southern tip of Argentina up to the Darien Gap in Colombia. We paid none of that. The Central American Republics, small though they are, have contributed approximately $92 million. The ratio in all is about 5 to 1. For every dollar we have put into it, Latin Americans have put up $5.

If in the future we should decide to assist in connecting up the Darien Peninsula, the missing link in the chain, then that too will be an excellent investment.

In Latin America they have a saying that goes: "Caminos traen riquezas, y caminos traen amigos," and that translated means "Roads bring riches, and roads brings friends."

I think this is a very good, concrete— and I do not mean a pun—example of what we can do in this hemisphere and on this continent to work more effectively toward hemispheric solidarity and friendship. I believe it is a good investment. I do not believe we need to apologize for it. I believe we need to brag about it.

The CHAIRMAN. The time of the gentleman has expired.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. GROSS: On page 14, line 4, strike out "4,000,000," and insert in lieu thereof "$2,000,000,".

Mr. GROSS. Mr. Chairman, my amendment would eliminate the $4 million for the infamous Chamizal Road in and near El Paso, Tex. This four-lane highway is due to cost the Nation's taxpayers about $14 million when completed. The $4 million in this bill is just the downpayment.

Here is another boondoggle for Texas and Mexico. In this case it was President Lyndon Johnson who went to El Paso a couple of years ago and made a commitment to the Mexican Government involving some $14 million for the building of a superhighway along the border at El Paso, which very conveniently fits into the picture of fast traffic to the fleshpots and race track over in Juarez, Mexico.

My amendment would simply take away the $4 million and cut this latest Texas boondoggle out of the bill.

That is all there is to it, Mr. Chairman.

Mr. WHITE. Mr. Chairman, I rise in opposition to the amendment.

This highway was authorized by the 89th Congress—Public Law 89-795. The Federal Government is authorized to pay all rights-of-way and preliminary engineering costs, and half of the construction costs, the remaining half to be paid by the State of Texas or the city of El Paso.

The construction of this highway along the U.S. bank of the Rio Grande is a project to complement the settlement of the Chamizal boundary dispute between the United States and Mexico.

The Chamizal Treaty, which was ratified on January 14, 1964, peacefully settled a 100-year-old dispute between the United States and Mexico. In dispute was a 427-acre tract of land known as the Chamizal, which was formed north of the present channel of the Rio Grande in El Paso, Tex., by the movement of the river southward in 1853.

The Chamizal Treaty is an achievement in the proudest of American diplomatic traditions, the peaceful settlement of a dispute. The treaty provides that approximately 630 acres of land in southern, downtown El Paso be transferred to Mexico, and 193 acres of land under Mexican jurisdiction be transferred to the United States, or a net loss to the city of El Paso of 427 acres.

Following the Chamizal settlement, a complementary program to develop the American section of land was proposed by the Federal Government, through its executive and legislative branches, working in close cooperation with the county and city of El Paso. The treaty provides for the relocation of the Rio Grande channel, relocation within the Chamizal section of the irrigation canal, and compensation of the occupants of the lands involved in the transfer. These efforts are well underway.

I would like the House in considering this amendment to keep in mind the following points: First, this road will be on the international border, from which the United States will directly benefit. There are 60,000,000 persons per year crossing at the El Paso points of entry between Mexico and the United States. This highway connects all points of entry, thereby facilitating this heavy flow of international traffic. This road will provide greater efficiency for all U.S. Government law enforcement agencies along the international boundary.

Second, the Bureau of the Budget, the State Department, the U.S. Boundary Commission, the Bureau of Public Roads have all endorsed this road.

Upon completion, the highway would not become a part of the Federal-aid highway system. The Secretary of Transportation is authorized to convey all right, title, and interest of the United States to the State of Texas or the city of El Paso. Thus, maintenance of the highway would be the responsibility of the State or the city.

Third, troops and dignitaries from 43 countries training at Fort Bliss, and tourists from Mexico judge the United States by what they see in El Paso. El Paso is a window to Latin America. To many of their citizens El Paso is their only view of the United States.

Mexico has initiated a handsome border beautification program on its side of the international border in Ciudad Juarez, and it is highly appropriate that the United States equally participate in this development program.

Fourth, the river is being relocated now, and this road can now be built simultaneously, more orderly, and more economically. Mexico has a beautification program underway; this would be part of our effort to improve and beautify our international border.

Fifth, the city of El Paso lost a net of 427 acres of its historic, and improved downtown area, including 7 miles of streets without compensation, and utility equipment. This represents not only important land, and future growth area, but $27,000,000 of valuation and $320,000 annual taxes. Much of this land constituted our industrial area. In addition, El Paso donated a $250,000 parcel of land to the U.S. Government for its displaced border patrol station. About 5,500 residents were displaced.

Sixth, the people of El Paso accepted these losses, because it served the diplomatic purposes of the United States. At the time, and throughout all appearances in the Congress on the treaty, this highway was mentioned favorably, and the people of El Paso were pledged the support of the responsible agencies toward obtaining this highway, as one of the few reimbursements for the losses of the city and the people of El Paso. It is an auxiliary project arising from the Chamizal Treaty.

Seventh, for 100 years this Chamizal dispute with Mexico stymied part of the growth of El Paso, including this southern road loop which the city has wanted to construct since 1927. It was the United States and Mexico that held this land in limbo, not the city of El Paso.

The Bureau of Public Roads has determined that expected traffic volumes justify the construction of this highway. The access which it would provide to certain parts of the city will serve to develop these parts both physically and commercially.

The Texas Highway Commission has given the Department of Transportation a letter of intent to participate in 50 percent of the cost of construction of this highway and it will enter into a written agreement before construction begins.

The Bureau of Public Roads is anxious to begin acquiring the necessary property as soon as possible because of rising land costs. Any delay would result in increased expenditures.

The Bureau of the Budget recommended an appropriation of $8,000,000 to fully carry out the provisions of Public Law 89–795. The Appropriations Committee provided only half that amount in this bill, $4,000,000.

In order to strengthen our national and international bearing, and in fairness to a city that otherwise has asked little, but has lost valuable land in the interests of U.S. foreign relations, I ask your support.

Mr. BOLAND. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, I only rise to say that the request was for $8 million and we reduced it to $4 million.

The $4 million will enable the Department of Transportation to go along with the planning and engineering and the acquisition of rights-of-way.

I think if we reduce it to $2 million, we would not be able to acquire the property that is necessary to construct this road. The value of the land required for rights-of-way are increasing every year. I think it really would cost us more money if we reduce this by the $2 million that the gentleman from Iowa suggests that we do.

Mr. Chairman, I oppose this amendment.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman.

Mr. GROSS. Why not let them build their own road to hook up with the Tijuana racetrack—I mean the Juarez racetrack.

Mr. BOLAND. We do not want it to hook up with Tijuana, which is a thousand miles away, or Juarez.

Mr. GROSS. I am referring to the Juarez racetrack.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Iowa [Mr. Gross].

The amendment was rejected.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Gross: On page 14, delete lines 5 to 9 inclusive.

Mr. GROSS. Mr. Chairman, this is another new program in the bill at a cost of $4 million, and there is not even a budget estimate for it. It provides for the maintenance of highways in Alaska. It is one thing to construct roads; it is another thing to go into States and maintain those roads. It seems to me about the least the State of Alaska can do is to maintain its own roads. I ask support for the amendment, for I can think of no valid reason why the State of Alaska should be given special treatment that is accorded no other of the 49 States in the matter of maintenance.

Mr. POLLOCK. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Alaska is recognized for 5 minutes.

Mr. POLLOCK. Mr. Chairman, section 7 of the Federal Aid to Highway Act of 1966 authorized the appropriation of special Federal funds in the amount of $14 million for each of the fiscal years 1968 through 1972 for highway construction and maintenance in Alaska. These funds were authorized to be appropriated from the general fund in addition to the regular Federal aid to highway primary, secondary, and urban highway funds apportioned annually to Alaska.

Mr. Chairman, the special Alaska assistance section of the Federal Aid to Highway Act of 1966 was the recognition by Congress of the situation which exists in Alaska and which is substantially different from any of the rest of the Nation. It is a unique situation worthy of special treatment. It was also enacted by Congress in recognition of the neglect, the discrimination and the inequitable treatment given to Alaska in the past.

Since the inception of the Federal-aid ABC highway program in 1916 Alaska has never received an equal or appropriate share of the funds under this program, and, ladies and gentlemen, Alaska has never participated in or benefited from the financing of the Interstate Highway System which is enjoyed by every other State and Puerto Rico.

Last year the President requested in the budget approximately $140 million under the Appalachia Regional Development Act of 1965 for highway and access road development. It is my understanding that some $100 million of the funds appropriated by the 89th Congress for this fiscal year remain unexpended, and yet the President this year requested an additional $100 million which the Appropriations Committee reduced to $95 million. This is difficult to understand taken in light of the treatment of Alaska when we realize that the 586,400 square miles of the State of Alaska constitutes approximately 16 percent or one-sixth of the total land area of the United States. Alaska has less than 7,000 miles of roads of all classes. This mileage is only 0.2 percent of the Nation's road system, but it serves (or rather fails to serve) one-sixth of the Nation's entire area. It is evident, therefore, that funds needed to push roads into undeveloped Alaska, which have not been available in the past must be made available in the present if the Nation is to have any chance to reap the great potential benefits of its vast resource reserves.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. POLLOCK. I yield to the gentleman from Ohio.

Mr. MINSHALL. I would like to commend the gentleman from Alaska on the fine statement he is making and the fine statement that he made before our subcommittee. He has pursued his cause with perseverance. He gave us a very, very good report before our subcommittee, and, as the report shows, this is the only place in our entire bill where we went over the budget.

I simply hope that the House will vote against the amendment.

Mr. POLLOCK. I thank the gentleman. If I might continue, Mr Chairman, I wish to emphasize again that Alaska is the only State in the Union not participating in the Interstate Highway program, although a fuel tax is collected in Alaska as it is everywhere else. The impact of this appropriation on the Federal highway budget is virtually nil. If we had the entire $14 million which we requested, we would have only nine one-hundred-thousandths of 1 percent of the total Federal Budget, and even this has been cut from $14 million down to $4 million.

Nevertheless, while it is very, very small, as far as its impact on the national budget is concerned, it certainly has a great and substantial impact in Alaska.

In a report of the Committee on Public Works of the Senate on S. 3155, pages 30 and 31, there is a discussion of the Alaska assistance section. I would like to quote just a small portion. It states:

> The committee reiterates its earlier comment that the State of Alaska, due to its size, its small population, its climatic and seismic conditions and its distance from the other continental States, possesses absolutely unique problems. For these reasons the committee emphasizes that Section 6 of S. 3155 proposes unique efforts to solve these problems, and these recommendations are not to be construed as a precedent for any other State.

Gentlemen, we are treated differently in that we are denied the same benefits every other State receives in the Interstate Highway program. What I am asking, gentlemen, is, out of simple fairness, to give us what we badly need. We need the $14 million. It has been reduced to $4 million. Now there is an amendment to entirely delete the remaining $4 million. While we pay the gas tax, we are the only State denied Interstate funds. I urge you not to support the amendment.

As a matter of fact, I ask in the interest of common fairness that the amendment which is before the House be soundly defeated.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. POLLOCK. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, the gentleman states the case as the subcommittee saw it. We agreed with him. I hope the amendment is defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. Gross].

The amendment was rejected.

Mr. LAIRD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to explain the motion to recommit which I intend to offer to this bill.

Probably every Member is familiar with the fact that the executive branch of the Government is currently engaged in a review and a reestimate of the current budget situation and outlook.

In recent weeks, I have had an opportunity to visit with officials in the Department of Health, Education, and Welfare and the Department of Labor, and I know something of the painful process through which they are going to revise, to reduce the budget expenditure estimates for the current fiscal year 1968. It is of course a Government-wide review, affecting all agencies, because the executive branch now realizes that we are facing a possible budget deficit in fiscal year 1968 of the incredible sum of upward of $30,000,000,000.

I would point out that this review is being made while nearly all of the President's budget requests are still pending consideration in Congress. The fiscal situation is critical, and we should avail ourselves of every opportunity to make reductions. I think it is imperative that this Congress manifest its concern, and also its desire to have the expenditure rates for fiscal year 1968 reduced.

According to my information, the bill before us today involves budget expenditure estimates for fiscal year 1968 of roughly $1,550,000,000. My amendment, which will be offered in the motion to recommit, will provide that this expenditure level, for fiscal year 1968, be scaled down by 5 percent—which, on a base of $1,550,000,000, would be about $77,000,000.

Unquestionably, in the current budget review in the executive branch, reductions in fiscal 1968 expenditures of this magnitude, and perhaps even greater, not only can be made but may well be made, especially in view of the possibility of a $30 billion deficit which this country faces in its Federal budget for fiscal year 1968.

It is a situation we must begin to face. This is a way to begin. It is only 5 percent. According to my information, this may not be as great as the reductions in spending estimates being considered by the executive branch in education and health and in some other areas of public spending during the current fiscal year 1968. But it is a step in the direction which it seems to me we ought to take.

I would hope that a majority of the House would join in support of cutting back the expenditure estimates by 5 percent in this new department for the current fiscal year 1968.

Mr. O'NEILL of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to pay tribute to the magnificent manner in which the chairman of the Subcommittee on Appropriations, Transportation, has presented this legislation.

It is obvious that the gentleman's complete knowledge of the items has impressed the Members of this body.

Ed Boland and I have been friends for 30 years. We came to Congress together more than 15 years ago; we have shared an apartment together. I can testify that Ed Boland has done his homework—night after night he has burned the midnight oil—pouring over the day's hearings, preparing himself for the following day's witnessess.

The work of putting this new committee together—this outstanding report—is a great contribution by this learned and hard-working Congressman.

It is deeply appreciated and I extend to him my sincere congratulations.

Mr. BOLAND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I listened with a great deal of interest to the distinguished and able gentleman from Wisconsin. I would hope that the motion to recommit would not prevail. The bill that this subcommittee has brought to this floor today has the sharpest reduction of all the appropriation bills that have come to this floor this session. The overall reduction is 11 percent. This certainly would seem to me to be sufficient. I think it is a fair reduction. I would hope that the committee would stand by that.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the distinguished gentleman from Wisconsin.

Mr. LAIRD. Mr. Chairman, the distinguished gentleman from Massachusetts is speaking about the appropriation level, not the expenditure estimates of fiscal 1968. In this bill, only about 70 percent of those appropriations would probably normally be expended in the first year; that is, in fiscal year 1968. My remarks go to the expenditure rate, not the appropriations for the fiscal year 1968. And that would also bring in the matter of expenditures from carryover balances.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I am delighted to yield to the chairman of the Appropriations Committee.

Mr. MAHON. Is it not true that the proposed motion to recommit would probably save no money? And it would come on the heels of an 11-percent reduction, which is the largest percentage reduction made in any appropriation bill this year, in some critical and important programs. Does not the gentleman agree that it would be a mistake for the House today to adopt the motion to recommit?

Mr. BOLAND. The gentleman makes a persuasive argument, and I agree with him.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I am delighted to yield to the gentleman from Wisconsin.

Mr. LAIRD. I should like to allude to the remarks made by our distinguished chairman, the gentleman from Texas [Mr. Mahon].

This is the same kind of a reduction the President of the United States was talking about only last week. It seems to me that we should, as the executive branch is doing, concern ourselves with expenditure rates for the current year. The 11 percent mentioned by the gentleman from Texas refers to appropriation requests, not expenditures.

I believe it important that Congress cooperate in the current executive branch budget review and in effect say that we have a majority of the Congress willing to stand up for an expenditure limitation while we are engaged in this major war in Southeast Asia.

Mr. BOLAND. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Udall, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11456) making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. LAIRD. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. LAIRD. I am, in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Laird moves to recommit the bill to the Committee on Appropriations with instructions to that committee to report it back forthwith with the following amendment: On page 18, immediately following line 15, insert a new section as follows:

"Sec. 702. Money appropriated in this Act shall be available for expenditure in the fiscal year ending June 30, 1968, only to the extent that expenditure thereof shall not result in total aggregate net expenditures of all agencies provided for herein beyond 95 per centum of the total aggregate net expenditures estimated therefor in the budget for 1968 (H. Doc. 15)."

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 213, nays 188, not voting 30, as follows:

[Roll No. 173]

YEAS—213

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Arends
Ashbrook
Ashmore
Ayres
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Bolton
Bow
Bray
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Cramer
Cunningham
Curtis
Davis, Wis.
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Fino
Fisher
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Galifianakis
Gardner
Gathings
Goodell
Goodling
Green, Oreg.
Griffiths
Gross
Grover
Gude
Gurney
Haley
Hall
Halleck
Halpern
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Harvey
Heckler, Mass.
Henderson
Horton
Hosmer

Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, N.C.
Kastenmeier
Keith
King, N.Y.
Kleppe
Kornegay
Kupferman
Kuykendall
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McMillan
Macdonald, Mass.
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
May
Mayne
Meskill
Michel
Miller, Ohio
Minshall
Mize
Montgomery
Moore
Morton
Mosher
Myers
Nelsen
Nichols
Ottinger
Pettis
Pirnie
Poff
Price, Tex.
Pucinski
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reinecke
Rhodes, Ariz.
Riegle
Robison
Rogers, Fla.
Roth
Rumsfeld
Ruppe
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shriver
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Stratton
Sullivan
Taft
Talcott
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Vander Jagt
Vigorito
Wampler
Watkins
Watson
Whalen
Whalley
Widnall
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—188

Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Ashley
Aspinall
Baring
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brinkley
Brooks
Brown, Calif.
Burke, Mass.
Burleson
Byrne, Pa.
Cabell
Carey
Celler
Clark
Cohelan
Corman
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dow
Downing
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Flood
Flynt
Foley
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Pa.
Gubser
Hagan
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Hicks
Holifield
Howard
Hull
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kazen
Kee
Kelly
Kirwan
Kyros
Landrum
Leggett
Long, Md.
McCarthy
McFall
Machen
Mahon
Marsh
Matsunaga
Meeds
Mills
Minish
Mink
Monagan
Moorhead
Morgan
Morris, N. Mex.
Moss
Multer
Murphy, Ill.
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Pollock
Pool
Price, Ill.
Purcell
Rees
Reifel
Resnick
Reuss
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Shipley
Sisk
Slack
Smith, Iowa
Staggers
Steed
Stephens
Stubblefield
Stuckey
Teague, Tex.
Tenzer
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Waggonner
Waldie
Walker
Watts
White
Whitten
Wiggins
Wilson, Charles H.
Wright
Yates
Young
Zablocki

NOT VOTING—30

Barrett
Burton, Calif.
Casey
Conyers
Cowger
Garmatz
Hays
Hébert
Herlong
Holland
Hungate
King, Calif.
Kluczynski
MacGregor
Madden
Miller, Calif.
Morse, Mass.
Murphy, N.Y.
O'Konski
Passman
Pryor
Rarick
Roudebush
Scheuer
Sikes
Smith, N.Y.
Taylor
Whitener
Williams, Miss.
Willis

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Rarick for, with Mr. MacGregor against.

Mr. Roudebush for, with Mr. Hébert against.

Until further notice:

Mr. Kluczynski with Mr. O'Konski.

Mr. Garmatz with Mr. Cowger.

Mr. Miller of California with Mr. Smith of New York.

Mr. Sikes with Mr. Morse of Massachusetts.

Mr. Barrett with Mr. Conyers.

Mr. Willis with Mr. Madden.

Mr. King of California with Mr. Passman.

Mr. Hays with Mr. Scheuer.

Mr. Herlong with Mr. Holland.

Mr. Burton of California with Mr. Casey.

Mr. Hungate with Mr. Taylor.

Mr. Murphy of New York with Mr. Whitener.

Mr. Pryor with Mr. Williams of Mississippi.

Mrs. GREEN of Oregon changed her vote from "nay" to "yea."

The result of the vote was announced as above recorded.

Mr. BOLAND. Mr. Speaker, pursuant to the instructions of the House, in the motion to recommit, I report back the bill H.R. 11456 with an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 18, immediately following line 15, insert a new section as follows:

"SEC. 702. Money appropriated in this Act shall be available for expenditure in the fiscal year ending June 30, 1968, only to the extent that expenditure thereof shall not result in total aggregate net expenditures of all agencies provided for herein beyond 95 percent of the total aggregate net expenditures estimated therefor in the budget for 1968 (H. Doc. 15)."

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 393, nays 5, not voting 34, as follows:

[Roll No. 174]

YEAS—393

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Corbett
Corman
Cramer
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lloyd
Long, Md.
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roush
Roybal
Rumsfeld
Ruppe
Ryan
Sandman
Satterfield
St Germain
St. Onge
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Selden
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Okla.
Snyder
Springer

Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Teague, Calif.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—5

Gross
Kyl
Long, La.
Lukens
Steiger, Ariz.

NOT VOTING—34

Anderson, Ill.
Barrett
Burton, Calif.
Casey
Cowger
Garmatz
Hays
Hébert
Herlong
Holland
Hungate
King, Calif.
Kluczynski
Lipscomb
MacGregor
Madden
Miller, Calif.
Morse, Mass.
Murphy, N.Y.
O'Konski
Passman
Pryor
Railsback
Rarick
Roudebush
Scheuer
Scott
Sikes
Smith, N.Y.
Taylor
Teague, Tex.
Whitener
Williams, Miss.
Willis

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Morse of Massachusetts for, with Mr. Rarick against.

Mr. Hébert for, with Mr. MacGregor against.

Until further notice:

Mr. Kluczynski with Mr. O'Konski.
Mr. Garmatz with Mr. Cowger.
Mr. Miller of California with Mr. Smith of New York.
Mr. Sikes with Mr. Roudebush.
Mr. Barrett with Mr. Lipscomb.
Mr. Willis with Mr. Madden.
Mr. King of California with Mr. Passman.
Mr. Hays with Mr. Scott.
Mr. Herlong with Mr. Holland.
Mr. Burton of California with Mr. Casey.
Mr. Hungate with Mr. Taylor.
Mr. Murphy of New York with Mr. Whitener.
Mr. Pryor with Mr. Williams of Mississippi.
Mr. Teague of Texas with Mr. Anderson.
Mr. Scheuer with Mr. Railsback.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed and to include pertinent additional material.

The SPEAKER pro tempore (Mr. Albert). Without objection, it is so ordered.

There was no objection.

SONG SIN TAIK AND SONG HYUNG HO

Mr. ROUSH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 7516) for the relief of Song Sin Taik and Song Hyung Ho, Private Calendar No. 171.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

Mr. THOMPSON of Georgia. Mr. Speaker, reserving the right to object, I would like to ask for a little information on this particular bill. Is this the private bill involving two Korean children?

Mr. ROUSH. Yes, it is.

Mr. THOMPSON of Georgia. Have the objections that were raised originally been taken care of?

Mr. ROUSH. Yes, they have, and this matter has been cleared with both sides of the aisle. The original objection was raised because the objector did not understand that there was an amendment at the desk which would have clarified the spelling of one of the names.

Mr. THOMPSON of Georgia. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the bill as follows:

H.R. 7516

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Song Sin Taik and Song Hyung Ho each may be classified as a child within the meaning of section 101(b)(1)(F) of that Act, upon approval of a petition filed in behalf of each by Mr. and Mrs. J. Earl Leismer, citizens of the United States, pursuant to section 204 of that Act. Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

AMENDMENT OFFERED BY MR. ROUSH

Mr. ROUSH. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Roush: On page 1, line 4, strike out the name "Song Hyung Ho" and substitute in lieu thereof the name "Song Kyung Ho".

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Indiana.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "An act for the relief of Son Sin Taik and Song Kyung Ho."

A motion to reconsider was laid on the table.

ENOUGH PROBLEMS FOR ALL

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, on Thursday, July 13, by unanimous consent obtained by the majority leader [Mr. Albert], the gentleman from New York [Mr. Resnick], inserted remarks in the Congressional Record, page 18754. I am assured by Mr. Albert that he did not see the statement.

In his statement Mr. Resnick says that he knew, "as a fact," that each time the Secretary of Agriculture has tried to help to meet the food problem in Mississippi and other southern States "he has been blocked by the chairman of the Appropriations Subcommittee for Agriculture, our distinguished colleague from Mississippi." Later he said: "The real culprit is the Governor of Mississippi."

Mr. Speaker, a greater falsehood was never uttered. Instead of such statement being true, I would say here and now that last year our committee provided funds for food stamps, which are under the control of the Secretary, and have cooperated fully with the Secretary, who incidentally has charge of only the agricultural commodity programs, including food stamps, where the law requires some payment.

Further, as you have seen in the press, the Secretary testified that every county in Mississippi, at their own request, has some type food aid program, paying out of local funds all administrative costs; and the Secretary has reduced the cost of food stamps as low as the law permits, a law written by Mr. Resnick's committee, not mine.

Mr. Speaker, when the Senator from Pennsylvania [Mr. Clark], and the Senator from New York [Mr. Kennedy], made charges about conditions of families in my State, I obtained the names of those individuals whom they visited, individuals carefully sought out in advance by a paid worker from New York, and got the department of public welfare to check them.

All except a few were receiving food stamps and these had heard of the program but had not applied for stamps. I hold here in my hand a list of the names of those visited. Practically all are on public welfare; most receive aid for dependent children. How many, if any, of the parents visited had registered for employment with the U.S. Employment Service, I have not yet been able to ascertain.

Subsequently, when this group of doctors left New York, with its Harlem, went through or passed by Newark, where the tragedy of the last few days has taken place and where, according to the press, those living in the area have charged that conditions have been bad indeed; they visited certain persons in my State, carefully selected in advance. Certainly it is apparent they went to propagandize the Nation and not to help for they issued their report to the press, not to the Federal or State agencies, which could help in proper cases. If they merely wished to find individual cases they would not have had to go farther south than Washington nor to have left their own State for that matter. Of course, if we knew what grant was made to them we could judge their objectivity or lack of it.

On the 23d day of June 1967, I asked the Senator from Pennsylvania, who has his problems in Philadelphia, Pittsburgh, and elsewhere, particularly during his coming election year, to supply me with names and addresses of those visited by this team of investigators sent out from New York City. I know our department

of health, our welfare department and the U.S. Department of Agriculture, and I am sure all members of the delegation, wish to see that such situations do not exist, even though in all likelihood the conditions largely come from parental neglect, a situation which exists to some extent in every city in the United States. The Senator has not yet supplied me with the requested information.

Mr. Speaker, I have been in the poverty-stricken areas of many of the cities of the Nation. I think it quite significant that Representatives from such areas point their fingers at our area instead of reviewing their at-home situation. Apparently they do not want to talk about their own backyard, especially to the press, for it might lead to a Newark, a Hough or Watts situation, which we all deplore and which we are thankful that we do not face in my section.

On May 17, 1967, Mayor Lindsey of New York invited me to attend the opening of the new market for New York City at Hunt's Point, which will help to reduce food costs. I was invited because our committee had provided the funds for planning this market, had visited the area prior to and during its construction.

Mr. Speaker, I shall not here detail the facts told to us by New Yorkers as to the condition of those pitiful people who were squatters at Hunt's Point prior to its being taken for the market. Suffice it to say it was worse than anything charged against my area. I do not know how many of you have been around the 14th Street Market on Sunday morning, on the Bowery, or have traveled the streets which officials will tell you they have to clean several times a day because garbage is thrown from the windows many stories above the ground from tenements which rent control keeps from being repaired. I have been there, for our committee handles funds for school lunch, for school milk—we have tried to help.

"Man in the house," "fancy women," "illegitimate children," "on welfare,' "no visible means of support" are terms familiar to those who know the poverty areas of Washington, Philadelphia, New York, Pittsburgh, Newark, Cleveland, and so forth. We deplore the fact that bad conditions exist anywhere. I repeat, investigation as to nutrition will be found in practically all cases to be at least partially due to parental neglect. I do say that in my own State our Governor, our officials, aided by Secretary Freeman, are doing all we can; and numerically, comparatively, or by any other measure, these other sections have a much worse problem and are doing much less about it. It is no wonder that some Representatives and some Senators wish to run against something 2,000 miles away, instead of facing up to their own backyard.

Of course, Mr. Speaker, in some instances our colleagues would be afraid to go into these troubled and poverty-stricken areas of their own cities in the daytime, much less at night.

Mr. Speaker, I addressed myself to this subject on May 11, 1967, pages 12340–12341 of the CONGRESSIONAL RECORD. I hope the membership will read my statement of that date, particularly the quote from the late Clarence Cannon.

May I say to the gentleman from New York that in order to abide by the rules of the House I will not use language as strong as I feel. I will merely say there is not a word of truth in what the gentleman says he knows "as a fact."

I say further, any official, any doctor, or anyone else who charges that the people or the officials of my State wish to or are trying to eliminate any race or the people of any race is not worthy of being believed on oath.

In conclusion, all such cases, wherever they are, should be reported to Federal and State officials in order that everything possible may be done to improve deplorable conditions whether they be few or many.

OKLAHOMA'S INDIANS SPEAK OUT AGAINST VIETNAM DEMONSTRATORS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a resolution adopted by a group of Indian leaders in Oklahoma.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, many times during the years I have served in this body, I have taken the floor to express my admiration for the American Indians, who make up one of the finest groups of citizens in my State and in the Nation.

My respect for these Indian citizens was heightened recently when I received a copy of a resolution passed at a meeting of the leaders of 11 Indian tribes of eastern Oklahoma on June 1, 1967, in Muskogee, Okla.

In this resolution, the members of these tribes deplore and condemn the actions of some other Indian tribes of America who are taking part in demonstrations against the U.S. position in Vietnam. The resolution further states that these 11 tribes "unanimously and heartily favor the successful conclusion of the war in Vietnam at the earliest possible date."

Mr. Speaker, the Indian tribes of Oklahoma have given America's fighting forces some of their greatest warriors. Oklahoma Indians have served with distinction and honor in our wars, including the war in Vietnam. Oklahoma Indians have received many military decorations, including the Congressional Medal of Honor. They consider it a privilege to serve this Nation when it needs them, and I have yet to receive my first request for special treatment from an Indian soldier, sailor, airman, or marine.

Mr. Speaker, I would like to have this resolution, addressed to the President of the United States, appear in the RECORD as a source of inspiration for all Americans. The resolution is a great expression of patriotism by a group of fine Americans.

RESOLUTION

Whereas, a meeting of eleven Indian Tribes of Eastern Oklahoma was convened at Muskogee, Oklahoma, on June 1, 1967 to consider affairs of mutual interest, and

Whereas, the eleven tribes were duly represented as follows:

Cherokee Tribe of Oklahoma—C. C. Victory, Vice-Chief, representing W. W. Keeler, Principal Chief

Chickasaw Tribe of Oklahoma—Overton James, Governor

Choctaw Tribe of Oklahoma—Harry J. W. Belvin, Principal Chief

Creek Tribe of Oklahoma—W. E. McIntosh, Principal Chief

Eastern Shawnee Tribe of Oklahoma—Julian Bluejacket, Chief

Miami Tribe of Oklahoma—Forest D. Olds, Chief

Mississippi Band of Choctaw Indians—Clay Gibson, Chairman, Mississippi Choctaw Tribal Council

Osage Tribe of Indians in Oklahoma—Paul Pitts, Principal Chief

Quapaw Tribe of Oklahoma—Robert Whitebird, Chairman, Quapaw Business Committee

Seminole Tribe of Oklahoma—John Brown, Chairman, General Council of Seminole Tribe

Seneca-Cayuga Tribe of Oklahoma—Vernon Crow, Chief

Whereas, it has become known that there are certain Indian tribes who are taking part in demonstrations protesting United States involvement in the Viet Nam war, and

Whereas, this tribal representative group does not consider it fitting and proper for American Indians to protest against actions of the United States Government, and

Whereas, all of the tribes named above have members who have fought in wars in defense of our country, and who have at this time, members who are fighting in the Viet Nam war, who consider it unpatriotic and a threat to the security of our Nation to demonstrate in protest of any conflict in which the United States is involved, and

Whereas, the actions of the Indian tribes who participate in such demonstrations are not condoned by the tribes represented at this meeting,

Now, therefore, be it resolved, That these eleven tribes, whose members are patriotic American citizens, condemn those Indian tribes who are taking part in said demonstrations, and

Be it further resolved, that the representatives of the eleven tribes unanimously and heartily favor the successful conclusion of the war in Viet Nam at the earliest possible date, and

Be it further resolved, that Overton James is authorized to sign this resolution on behalf of the tribes represented, and

Be it further resolved, that this resolution be forwarded to Honorable Lyndon B. Johnson, President of the United States, and

Be it further resolved, that copies of this resolution be submitted to the Oklahoma Congressional delegation, the Secretary of the Interior, and the Commissioner of Indian Affairs.

Adopted this 1st day of June, 1967 at Muskogee, Oklahoma.

OVERTON JAMES,
Governor, Chickasaw Tribe, Temporary Chairman.

MANHOOD IN THE HORROR OF VIETNAM

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, alone in

the fearsome jungle warfare of Vietnam, thousands of miles from home, tortured by bitter frustration, torn by gnawing doubts, dismayed that the full power of the United States is not being utilized to protect him, envious of those who dance and play at home while he is asked to die 10,000 miles away, yet all the while loyal to America and fiercely patriotic, proud of his flag, committed to the basic goal of freedom and justice for all, a young American soldier in the moment of command said a prayer.

Contributed by a listener to the Bill Perry show on radio station WGIR in Manchester, N.H., it is a poignant, moving entreaty, bespeaking all that typifies the greatness that is these men, that is the American cause. It portrays graphically the attainment of manhood in the hour of decision.

I earnestly commend it to the thoughtful consideration of every Member of Congress and all citizens in these trying days of death so far, far away—especially to those whose loved ones have been taken.

Look, God, I have never spoken to You.
But now I want to say, how do you do?
You see, God, they told me you didn't exist,
And like a fool, I believed all this.

Last night from a shell hole I saw Your sky.
I figured right then they had told me a lie.
Had I taken the time to see the things You made,
I'd have known they weren't calling a spade a spade.

I wonder, God, if You'd shake my hand.
Somehow, I feel that You will understand.
Funny, I had to come to this hellish place,
Before I had time to see Your face.

Well, I guess there isn't much more to say,
But I'm sure glad, God, I met you today.
I guess the zero hour will soon be here.
But I'm not afraid, since I know You're here.

The signal; Well, God, I'll have to go.
I like You lots, this I want You to know.
Look, now, this will be a horrible fight;
Who knows, I may come to Your House tonight!

Though I was not friendly to You before,
I wonder, God, if You wait at Your door.
Look, I'm crying! Me Shedding tears!
I wish I had known You these many years.

Well, I have to go now, God; good-bye,
Strange, since I met You, I'm not afraid to die.

REHABILITATIVE PROGRAM FOR NARCOTIC AND ALCOHOL ADDICTS

Mr. ADAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ADAMS. Mr. Speaker, the job of working on District of Columbia affairs is a difficult one, and the good works of our colleagues often go unnoticed.

I, therefore, want to bring to the attention of my colleagues the recent actions of the gentleman from Maryland [Mr. GUDE] in working with the incapacitated victims of addictive drugs.

I am hopeful that soon we will continue hearings in the District of Columbia Committee on a rehabilitative program for narcotic addicts and alcohol addicts as has been suggested by the gentleman from Georgia [Mr. HAGAN]. The experience of Congressman GUDE points up the problem which exists and which we hope can soon be remedied.

I include at this point an editorial from the Daily News of July 3, 1967, indicating the fine work done by Congressman GUDE:

GOOD FOR GUDE

Gilbert Gude is our kind of Congressman. He knows a crying shame when he sees one—and he gets something done about. He now deserves special recognition for his successful efforts to find the money for the District to start a program for the city's sorry, self-incapacitated victims of addictive drugs.

Last December, Washington Daily News reporter Clare Crawford astonished herself and most other respectable people by the ease with which she was able to purchase a capsule of heroin from an addict who happened to be undergoing treatment at St. Elizabeths. The News investigated further and discovered that the District had stopped its drug treatment program. Even tho it had then—and still has—the fifth largest narcotics addict population in America.

Rep. Gude talked to District Health Department officials and addicts. He besieged the Office of Economic Opportunity to let go of $600,000 that was bound up in bundles of red tape.

Finally, last Thursday, after Rep. Gude had made still another visit to the District's largely non-existent drug treatment facilities at D.C. General Hospital, OEO gave the money. Friday would have been the last day on which it could have made a grant for the coming year.

Thank you, Rep. Gude. Thank you, OEO.

Now let's see the District Health Department give some of the desperate addicts here something to be thankful for.

IMPACT OF THE COLT INDUSTRIES STRIKE

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the strike at Colt Industries, which has halted all production of M–16 rifles so badly needed by allied forces in Vietnam, is a major scandal which actually has an adverse impact on our troops more immediate and more direct than the short-lived rail strike which brought such prompt action by Congress.

The scandal must be laid directly at the door of Defense Secretary McNamara, who ignored congressional demands for more than a year before he finally agreed to a second production source for the rifles. The tentative agreement was signed June 30, 1967.

The Army's director of procurement, Major General Anderson, today informed me that the contract for a second source cannot be let before June 1968—almost a year from now. Meanwhile GI's and their allies in Vietnam must depend entirely upon Colt Industries, which is now completely down on strike and according to General Anderson does not have a single M–16 to ship. Allied forces in Vietnam are only partly equipped with requested M–16's, but even so an additional troop buildup is in prospect.

If McNamara had approved a second source when it was proposed by the House Armed Services Committee in March 1966, allied forces in Vietnam would not now be handicapped by being dependent upon a single strikebound production source. The Armed Services Committee began urging a second production source as early as December 1965, when the Defense Department began procurement of M–16's for Vietnam. In March 1966, Representative RIVERS warned McNamara of danger of a strike at Colt in view of the Government's dependency on that one industry for this highly essential weapon.

Every day's shutdown at Colt denies our forces enough rifles for a full battalion, and the blame for this must be accepted personally by Secretary McNamara.

The 2-week holiday shutdown of Colt, which in itself was unconscionable, immediately followed by a strike has cost our forces dearly. The production lag that this has caused can never be closed, because allied forces to this day have not been fully equipped with the rifle. Undoubtedly some casualties can be traced to rifle handicaps.

The administration should immediately:

First. Exert every pressure to get Colt Industries back into full production of M–16 rifles and improvements for those in service.

Second. Cut redtape so second production source for M–16's can be opened before June 1968.

Third. Impose an embargo on all shipments of M–16 type rifles, such as those to Singapore and Brazil, until troops of the U.S. and allied forces in Vietnam are fully equipped with M–16 rifles which incorporate the improvements recently approved.

MINNESOTA CHIEF STATE SCHOOL OFFICER SPEAKS OUT

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. QUIE. Mr. Speaker, I would like to take this opportunity to share with my colleagues in the House and in the Senate the text of a recent communication that I received from Duane J. Mattheis, commissioner of education, State of Minnesota.

In his letter of June 28, 1967, Commissioner Mattheis expresses not only his personal views but also the general position taken by the members of the Council of Chief State School Officers with regard to the provisions of a number of vital education measures currently under consideration in the Congress.

As we continue in our efforts to improve significantly the quality and expand the breadth of national educational opportunities, the remarks of this highly respected State educator and the council for whom he speaks should be of special interest to the Members of the 90th Congress.

The remarks follow:

STATE OF MINNESOTA,
DEPARTMENT OF EDUCATION,
St. Paul, Minn., June 28, 1967.

Hon. ALBERT H. QUIE,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. QUIE: The Council of Chief State School Officers meeting in Washington, D.C., on June 24 took a number of positions relative to federal aid to education, in particular the Elementary and Secondary Education Act of 1965 and the National Defense Education Act. I would like to take this opportunity to indicate to you my very strong support for the action of this organization and to enumerate in some detail their and my reasons for such a position.

The Council of Chief State School Officers and I give our wholehearted support to H.R. 7819 in its present form. In particular, we support very strongly the change in Title III of ESEA from a program where the decision-making powers rested wholly with the U.S. Office of Education to a program where decisions would be made at the state level under rules, regulations and guidelines developed by the USOE. Although there might be some validity in the feeling by some people that under this procedure some states might not use the funds to the maximum effectiveness, it is my judgment and that of the Council that the problems and dangers of a continuance of the present procedure of decision-making in the USOE far outweigh those that may occur under provisions of H.R. 7819. The change in authority will undoubtedly cause some minor adjustment problems. It is once again our judgment that these problems will only increase in number and complexity the longer the present USOE-local school district arrangement, bypassing completely the State Departments of Education as far as decision-making *authority* is concerned, is in operation.

Another important area that received attention and action was Title V of ESEA. It is our feeling that the provision of H.R. 7819 which would eliminate a 15% set aside of this title to be used by the U.S. Commissioner of Education is a good one. This title is for strengthening of State Departments of Education and it is our judgment that this may be best accomplished by having *all* the funds of Title V of ESEA distributed to the State Departments of Education. We also expressed our continued *very strong* opposition to the administration proposed in VB section of this title which would have provided funds to be allocated to the Governor of each state for statewide educational planning. Under the present title V of ESEA and the one being supported in H.R. 7819, there is adequate opportunity for statewide educational planning for the elementary and secondary school program. The Minnesota State Department of Education has used a substantial amount of its title V funds during the past two years, and we anticipate doing so again in FY 68, for statewide educational planning. The Vocational Education Act of 1963 provides ample opportunity to states for statewide planning of vocational technical education. Minnesota conducted such a study in 1964 and is now in the process of updating of the original study. It would be relatively simple to provide funds for statewide planning for higher education with a minor amendment and money in the Higher Education Facilities Act.

The Council and I also wish to express our great concern and strong opposition to the proposed reduction of funds for title III of NDEA. It seems incongruous to the point of disbelief that now at a time when this title has been expanded to include many curricular areas rather than the original restrictive science, mathematics and foreign language fields, that we would be faced with a 40% reduction in funds. We would strongly encourage that with the expansion to additional curricular areas the funding of title III of NDEA be increased to that presently authorized rather than the amount being proposed by the administration.

The Council and I also express our strong opposition to *further* expansion of regional offices of the USOE. The establishment of the existing regional offices was not based upon *expressed* or *identified need* and we strongly oppose further proliferation of this federal bureaucracy without study, examination and evaluation of the presently organized offices. The curtailment of this expansion may best be accomplished by the elimination from the budget of all funds for additional personnel for the regional offices of the USOE. The Council of Chief State School Officers and I request such action.

One other area of Federal education legislation has received our attention and concern. This is the proposed amendment to the Vocational Education Act of 1963 which would in effect provide for a USOE directed program in vocational-technical educational similar to the present title III of ESEA that we oppose so very strongly. I wish to express my opposition to such a development. The present vocational-technical education act provides ample opportunity for development of vocational-technical education centers and services as well as experimental in innovative programs. If additional activities and/or services are desired by the USOE, simple encouragement to the states and additonal funds could easily accomplish these goals without jeopardizing the entire program and public education itself by the establishment of a program that would give total authority to the USOE to deal with anyone and everyone, public and private, within a given state, including local school districts, without having to go through the state educational agency and without the state educational agency having any decision-making authority in the entire matter.

I am sorry this letter has grown to such lengthy proportions but the educational matters referred to are of vital importance to public education in Minnesota and the nation so I felt compelled to deal with them in some detail. If you desire further information on any of the above items or other federal education legislation, I would be most happy to hear from you. I would also encourage you to contact Dr. Edgar Fuller, Executive Secretary of the Council of Chief State School Officers, in Washington (telephone—223-9400) for any information regarding the position of the Council on various education matters.

Sincerely,

DUANE J. MATTHEIS,
Commissioner of Education.

CHAMBER OF COMMERCE OF THE UNITED STATES—THE KENNEDY ROUND CONFERENCE

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. BOLTON] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I want to call the attention of my colleagues and fellow Americans to a unique conference that was sponsored by the Chamber of Commerce of the United States here in Washington on July 7. At the chamber's initiative, close to 600 business and professional men from across the Nation heard and participated in the first comprehensive official interpretation of how the Kennedy round agreements will affect the national economy.

Ambassador Roth, Secretary Trowbridge, Secretary Freeman, and Under Secretary Reynolds, at the chamber's request, analyzed the agreements in terms of their respective sectors of responsibility. This major conference also featured a 2-hour, audience-to-panel exchange at which time conference participants questioned the principal Kennedy round negotiators from Ambassador Roth's office, State, Commerce, Agriculture, and Labor on specifics of the trade agreements.

Because I firmly believe that the Kennedy round results will have a widespread effect on the U.S. economy, and because too little is known about the provisions and significance of the Kennedy round of agreements, I should like to have included in the RECORD the speeches of Ambassador Roth, Secretary Trowbridge, Secretary Freeman, and Under Secretary Reynolds, along with the welcoming remarks of the new president of the national chamber, Allan Shivers, the former Governor of the State of Texas. Our agriculture and industries, and ultimately the American consumer, will be affected by these agreements. It is urgent, therefore, that we seek to learn as much as possible about the results of the Kennedy round.

The material referred to follows:

REMARKS OF ALLAN SHIVERS, PRESIDENT, CHAMBER OF COMMERCE OF THE UNITED STATES

I am honored to be your presiding officer at this National Conference on the Kennedy Round, and privileged to introduce to you our distinguished speakers.

The Kennedy Round of trade negotiations—conducted over a period of four years under the General Agreement on Tariffs and Trade (GATT) in Geneva—marks the boldest and most affirmative step toward world trade expansion ever undertaken by the United States in concert with the other industrial countries of the world.

The agreements we will hear about in a moment were not achieved easily. Indeed, right down to the wire, prospects of failure of the negotiations loomed large. But the negotiations did not fail.

While complex and sensitive issues remain, the major trading nations—recognizing their growing economic interdependence—agreed to significant, reciprocal reductions in their respective tariff levels.

It is probably accurate to say that, as a practical matter, tariffs will not pose great hindrances to world trade in the near future, at least not among industrialized countries. In the future, the major problem of international trade will lie in two other areas—non-tariff trade barriers and the problem of realizing the trade potential of the less-developed countries. They are also the more difficult elements to confront.

Business, in conjunction with the government, will have to study these complex areas intensively, so that all nations can begin to work toward securing the economic growth that can now accrue only if artificial barriers to trade are now removed.

Because business decisions in all sectors of our economy will be affected by tariff reductions beginning next year, the National Chamber asked these distinguished gentlemen to report to you—personally and officially—the outcome of the Kennedy round, and to explain what the tariff reductions will mean to the major sectors of the economy they represent.

WHAT HAPPENED IN THE KENNEDY ROUND

(Remarks of Ambassador W. M. Roth, Special Representative for Trade Negotiations)

I know I speak for all my colleagues on your program today in expressing our gratitude to President Shivers and the National Chamber for providing us this early forum to discuss the outcome of the Kennedy Round with representatives of a broad spectrum of the business community. This conference provides the first occasion for a formal and informal exchange of information and views on the recently concluded trade negotiations. We welcome this opportunity and greatly appreciate your attendance. I congratulate the Chamber for once again performing an important service to the nation.

Our objective is to satisfy your desire for information and understanding. I am acutely conscious of your expectations in attending this conference. Anyone who journeys to Washington in the summertime, and is out of bed in time to be in his seat at this hour, must be profoundly motivated.

I must say, this Friday morning was an easier one for me than last Friday morning. Then—it was June 30th—I was in the office at 3:30 a.m. talking to my deputy Ambassador Mike Blumenthal in Geneva, where it was 8:30 a.m. The hour of signing the Kennedy Round agreement was two hours away. Even at that time we were apprehensive that a last minute crisis would intervene—as they had with agonizing regularity in the preceding two weeks. Now—finally—the last crises appeared to be under control. It was not until that early hour in still dark Washington that we were entirely certain that an agreement would be signed.

It *was* signed on schedule. At an enormous expense in time, energy, and emotion, *we*—the more than 50 participating nations—wrote what President Johnson has hailed as "A proud chapter in the history of international commerce."

The President's message to the signing ceremony went on to say, "It will open important new trading opportunities to each nation, and contribute to the prosperity of all. I salute . . . the architects of this historic landmark in cooperation among nations."

The GATT Secretariat has made preliminary estimates that the agreement covers more than $40 billion in world trade, that 70 percent of dutiable imports of the major participants is affected, that two-thirds of the tariff reductions were 50 percent or more, and that the nations making concessions account for 75 percent of world trade. This is an accomplishment of far greater magnitude than that of any previous trade negotiation in history.

Perhaps I should, at this point, go back in time to give you a brief history of this endeavor.

KENNEDY ROUND LAUNCHED

In 1962, the 87th Congress passed the Trade Expansion Act in response to President Kennedy's request for bargaining power to launch a major assault on barriers to international commerce. He was authorized to cut our tariffs by half in exchange for equally advantageous benefits from our trading partners.

The legislation also created the Special Representative for Trade Negotiations, an innovation placing responsibility for the conduct of such negotiations in the Executive Office of the President. To this new post, President Kennedy appointed the distinguished former Secretary of State Christian A. Herter, who directed the Kennedy Round with great spirit and wisdom until his death six months ago.

Armed with the new negotiating authority, the United States encouraged the convening of an international negotiating conference. An initial ministerial level meeting was held in Geneva in May 1963. Negotiations formally began a year later.

Most of the major participants agreed to proceed on the basis of a 50 percent linear—that is, across-the-board—cut in tariff levels on nonagricultural products. Exceptions, or those items *not* to be subjected to the full cut, were to be limited to those required by reasons of overriding national interest. Exceptions lists on nonagricultural products were exchanged on November 16, 1964. There followed a period of intensive examination of exceptions both on a multilateral and bilateral basis—each country making known its interest in the proposals of the *other* participants. Negotiators appeared to be horror stricken at the protectionism of their trading partners.

In a few industrial areas of particular imtance and complexity—chemicals, textiles, steel, aluminum, pulp and paper—negotiations took place on a sector basis.

The importance of agriculture in the Sixth Round was emphasized by the United States from the outset. We repeatedly insisted that the objective of the agricultural negotiations should be effective trade liberalization. The European Economic Community, however, sought a more limited negotiation essentially aimed at the freezing of present agricultural support levels on an item-by-item basis.

An early attempt to get agreement on rules to govern agricultural negotiations proved futile. For this reason, and because the European Community's offers were not yet prepared, agricultural offers were not tabled at the same time as industrial offers. The EEC took the position it could not make agricultural offers in the Kennedy Round until its major Common Agricultural Policy regulations were agreed upon, and this work was not yet completed. On grains, however, the GATT Ministers had decided that the Cereals Group should undertake the negotiation of an international grains arrangement. Accordingly, in May 1966 major cereals trading nations exchanged proposals for an international cereals arrangement.

NON-TARIFF BARRIERS ATTACKED

Bilateral and multilateral discussions centered on such non-tariff barriers as discriminatory taxation, customs valuation practices, and quantitative import restrictions. Notable progress was achieved in two areas—antidumping and the American Selling Price system of customs valuation as it applies to imports of benzenoid chemicals.

The negotiations on antidumping were directed at elaborating and refining existing international rules on the procedural and substantive aspects of levying antidumping duties on goods which are dumped and thereby cause material injury to a domestic industry. Our exporters complained of some countries' procedures that seriously deterred imports but that could in no real sense be considered as "injurious dumping." In other countries, the principal difficulty was the lack of any well-defined procedure or legal recourse. The principal complaint against the United States was that its procedures were excessively prolonged. Finally, a very satisfactory agreement was concluded, which I will describe later.

The American Selling Price system of customs valuation concerning benzenoid chemicals came under attack from our trading partners early in the Kennedy Round. These countries considered this procedure an unjustified anomaly in our tariff structure. They cited the fact that this valuation system was first imposed in 1922 to protect our then infant chemical industry, and that the considerations of the twenties are hardly applicable today. They pointed out that this system results in the imposition of very high or prohibitive actual rates of duty on many benzenoid chemicals, even though the duty rates listed in our tariff schedules may appear moderate. They also stressed the considerable certainty beforehand as to the amount of duty that will be assessed.

Accordingly, the principal producers of benzenoid chemicals—the Common Market countries, the United Kingdom, and Switzerland—heatedly demanded the abolition of ASP. We responded that any conversion to the normal valuation system would require special counter-concessions and that Congress would have to approve such a conversion. We would enter into negotiations concerning ASP only on the condition that other participants agree that there be substantial chemical concessions by all principal trading nations in the context of the Kennedy Round agreement and a special package of concessions, including abolition of ASP, in a separate agreement. It was only in the final hours of the May showdown that our conditions were accepted and a separate ASP agreement was negotiated.

Let me return and conclude my brief historical account.

NEGOTIATIONS REACH CRISIS

A breach among the six members of the European Economic Community in mid-1965 resulted in an almost complete suspension of the Geneva negotiations lasting until the late spring of 1966.

The major decisions necessary to permit the Community to resume its Kennedy Round participation—particularly the adoption of the basis of a Common Agricultural Policy—were taken by mid-July 1966 enabling the tabling of the EEC agricultural offer in early August. This step set the stage for the beginning of concentrated multilateral and bilateral activity in Geneva beginning in September 1966.

Talks proceeded through the fall, progress was laboriously made, but, at the end of the year, all of the toughest problems remained. In fact, by mid-March we had still not begun the intensive bargaining needed to resolve the central problems of the Kennedy Round.

After almost three years of effort, the prospects of success began to dim. A March 30 deadline gave way to an April 30 deadline. I began commuting to Geneva.

As late as mid-April, the urgency of the situation was not fully recognized by other major participants, particularly the European Community. Our deadline was not taken seriously. The Community negotiators were still without sufficient authorization to participate effectively. Many knowledgeable observers believed it would be impossible to conclude the Kennedy Round before midnight on June 30. Others, however, were certain that the political will was there.

April led into May with the discussions generating increasing heat but little light. A series of major crises erupted. By the weekend of May 13, we were meeting around the clock in an atmosphere of very high tension. On Monday, May 15, in the early evening, Commissioner Rey and I found the basis for overall agreement in a compromise proposal put forward by Eric Wyndham White, the extraordinary Director General of the GATT. Other pieces fell rapidly into place and by the end of the evening the Director General could announce that a Kennedy Round agreement was assured.

We soon learned, however, that between assurance of agreement and signature of that agreement lay formidable obstacles. Unexpected hitches developed to threaten seriously the successful conclusion of the negotiation. To the final hour, there were uncertainties.

This last minute bargaining was extremely difficult. Positions became hardened. Negotiating flexibility had been largely exhausted in the mid-May showdown that produced the main outlines of the agreement.

Delegations were tired, tense, and sometimes querulous, yet dealing with a mass of numbers and detail and of varied and often conflicting considerations that were almost overwhelming.

Inevitably there were misunderstandings about what had been agreed to. There were errors made that had to be corrected. Negotiators hopefully or unwittingly exceeded their authority; in some cases they failed to get approval back home and later had to adjust their offers.

As each country made necessary modifications, the multilateral balances changed and renewed negotiations became necessary. I had to make a hurried return to Geneva only two weeks before the signing date.

On the 29th of June, with my outer office crowded with reporters waiting for our advance release on the details of the agreement, I was on the telephone to Geneva and several capitals trying to resolve not one but several crises that had the potential of blowing up the whole effort.

SUBSTANCE OF THE AGREEMENT

Let me now turn to the nature of this agreement itself.

Of course, uppermost in your minds is whether this agreement is a good deal for the United States. This was the question the President had to decide, based on the advice of those responsible for United States participation.

On March 10 of this year, I told the Senate Finance Committee that the United States would accept no Kennedy Round agreement unless it was a balanced package which included an exchange of both industrial and agricultural concessions. During this appearance, I was questioned as to my willingness to quit the negotiating table if the stakes weren't fair and I answered, "In a negotiation you have to be willing and ready to walk away from the table if you don't feel that what you are getting is a balanced deal."

Basing my judgment on the hard-nosed appraisal of my government colleagues and their expert staffs, I am convinced that we have received commitments equal in value to those we have made. Moreover, I believe that this balance of mutual exchanges of trading opportunities should stimulate appreciably larger volumes of international trade. Economic growth at home should result.

Throughout this negotiation, we have had designated members of the Congress and representatives of the public drawn from industry, labor, farmers, and consumers acting as members of their officially accredited delegation. Through this means, we have taken to the bargaining tables an acute sense of the need for a fair and balanced deal promoting growth in all segments of the American economy.

Our Washington organization, in developing basic policy and strategy positions, has made a conscientious effort to seek expert guidance from business, labor, and farm leaders in the formulation of negotiating policy. The President appointed a 45-member public advisory committee to the Special Representative for Trade Negotiations. This group has met regularly with the Special Representative, and many of its members have traveled to Geneva to take a firsthand look at the negotiations. A roster of 300 technical specialists has served as a constantly available source of advice and assistance on day-to-day technical problems.

Six Members of Congress are regular Congressional Delegates. Almost all have been to Geneva for important meetings at least once, and all meet with the Special Representative on a regular basis.

Consideration of public views did not cease with the original hearings on proposed U.S. Kennedy Round offers. We continued to accept from any interested party oral and written testimony concerning any matter relevant to the negotiations. This included updating and revision of previous testimony, testimony from interests not previously heard, and new information relating to foreign import restrictions.

Indeed, more time and effort than ever before has gone into the calculation of the value and probable effect of the concessions we have offered and received.

PRINCIPAL ACCOMPLISHMENTS

The substance of the Kennedy Round agreement will, of course, be the subject of our discussions throughout the day. I will only summarize what I regard as the principal accomplishments.

Tariff cuts on industrial products will be of a magnitude far greater than any previously negotiated. While concessions offered to us have not justified full use of the authority of the Trade Expansion Act, we have exchanged with major trading partners a very significant number of tariff reductions of 50 percent and many more in the 30 to 50 percent range.

We have succeeded in securing concessions on a wide variety of farm products. Of greatest significance is the successful negotiation of a world grains agreement guaranteeing higher minimum world trading prices as well as establishing a program under which other nations will share with us in the task of supplying food aid to the undernourished people in the less-developed countries.

A major accomplishment was the negotiation of the antidumping code committing other countries to fair and open procedures along the lines of present United States practices. The new common antidumping regulations that are being developed by the European Economic Community will conform with the code. Of special benefit to the United States will be the adoption by Canada of an injury requirement in its antidumping legislation. The lack of such a requirement has impeded United States exports for many years.

For our part, we agreed to certain useful refinements of the concepts we presently use in our antidumping investigations once preliminary measures are taken against allegedly dumped imports. I would emphasize—contrary to what you may have read in the newspapers lately—that all our obligations in the agreement are consistent with existing law and, in particular, that we have not agreed to a simultaneous consideration of price discrimination and injury.

In addition to the negotiation of an antidumping code, an agreement was concluded providing for the elimination of the American Selling Price system for benzenoid chemicals and the liberalization of other countries' trade barriers. For the domestic benzenoid chemical industry—a strong and efficient industry which has long demonstrated its international competitive strength—we are confident that the new rates of duty in the agreement will provide a sufficient level of tariff protection, one, by the way, well above that of the other major chemical producing countries. For this and the other sectors of the overall chemical industry in this country, which has an export surplus of about $1.7 billion, the agreement affords very significant new export opportunities into rapidly expanding markets in Europe.

Moreover, the ASP agreement provides for the elimination of discriminatory automobile road-use taxes in France, Italy, and Belgium, which have long hampered exports of the larger U.S. cars to those countries. Finally, under the agreement the United Kingdom undertakes to make a significant reduction in the margin of tariff preference on unmanufactured tobacco, which should be of real assistance to one of our biggest export industries. I would only add that we fully expect—and indeed welcome—the most careful examination of the merits of the agreement. I do hope, however, that such an examination will be made objectively by all concerned and not in the heat of what has all too often been purely an emotional issue.

Regarding the particularly sensitive sectors other than chemicals, useful if limited progress was made on the complex problems in steel, aluminum, pulp and paper, and textiles, including a 3-year extension of the Long Term Cotton Textile Arrangement.

Finally, the Kennedy Round agreement has given significant assistance to the less-developed countries through having permitted their participation in the negotiations without requiring reciprocal contributions from them; through special concessions on products of particular interest to them; and through the food aid provisions of the grains arrangement.

LOOKING FORWARD

And now, in conclusion, where do we go from here? The President has asked me to undertake a comprehensive study of trade policy to determine what the next steps should be. The problems are many. What further should be done about non-tariff barriers? What are the possibilities for further tariff reductions? What can be done to limit the proliferation of discriminatory trading arrangements among small groups of countries, which threatens the basic MFN principle under which so much progress in tariff reductions has been made? How should policy on international financial flows be related to U.S. trade policies?

Another set of problems of extreme importance in the next few years relates to what the policies of highly industrialized countries ought to be toward the developing countries. The developing countries have been pressing for special trade policies tailored to their specific needs. Some of them have been receiving special benefits from certain industrialized countries, in some cases in exchange for special access provisions for their industrialized partners. The specialized limited arrangements threaten the interests of nonparticipants. As the President noted in his speech at Punta del Este, we are now exploring with other countries the possibilities of a common approach to developing country trade policies which could subsume these specialized narrow arrangements.

In looking to the future, we shall be leaning heavily on advice from industry. Your own work in the U.S. Chamber of Commerce on future trade policy will be extremely valuable to us in making plans for new departures in the trade field.

This afternoon a panel of my colleagues will attempt to answer your questions in detail. Every businessman, most certainly, will not be satisfied with the results of our 4-year effort. As a businessman myself, however, let me say that I have never seen so honest, intelligent, and thorough an effort to locate industries that would be harmed by tariff cuts and to protect them. I have never seen such hard and brilliant negotiations as done by Mike Blumenthal and his able team of specialists in Geneva. Therefore, permit me to say—I am very proud of this great and complex effort to increase world trade on a fully reciprocal basis.

BUSINESS' STAKE IN THE KENNEDY ROUND

(Remarks of Alexander B. Trowbridge, Secretary of Commerce)

I want first to add my own thanks to Bill Roth's expression of appreciation to the Chamber for sponsoring this Conference.

This is the kind of outstanding service to business and government that this Chamber, headquartered here in the Nation's Capital, is uniquely equipped to provide—and which benefits every segment of our society. We are indebted to Governor Shivers and Arch Booth for their leadership in arranging this common meeting ground—and may I add that I personally look forward in my new post to a fruitful association with the distinguished organization they head.

I think the first and most important thing we all know about the Kennedy Round is that the end of the negotiations is not the end at all; it is really only the beginning. Many years of extraordinary labor lie behind us, but decades of even harder work lie ahead, if we are to fulfill the promise that this great trade liberalization effort holds for the entire free world.

It goes without saying, of course, that the same high degree of cooperation between American industry and government that produced the Kennedy Round will be required to reap its benefits. But the major burden of responsibility for seizing the opportunity offered must be shouldered by our matchless system of free enterprise. The individual initiative and energy that this system and its rewards release are what, in the end, are the wellspring of all our achievement. In this instance, only business and labor, working together, can produce and sell the goods abroad that mean more profits, more jobs, and the rising standard of living that is the hallmark of our dynamic economy.

One thing I'm sure is fully understood: The name of the game is "A Good Offense." Defensive driving may be the safest technique for today's motorist, but for the trader in the post-Kennedy Round Age of Trade the only safe course is to sell abroad with the same aggressive skill that is applied to the domestic market. I think single-minded efforts to defend a position in the home market, with its concomitant failure to take advantage of sales opportunities abroad, can only lead to trouble.

For the Kennedy Round, to a greater degree than anything that has ever gone before probably in the entire history of trade, represents a very large step toward the thing we've heard so much about in the postwar years: the truly one-world market.

And more than anything else, we in the United States must understand and appreciate, in all its ramifications, the full meaning of the global market concept.

It means, for one thing, that the American domestic market—the greatest and most lucrative market in the world—is no longer the private preserve of the American businessman. We are but one corner, one segment of that market.

We are, however, the most competitive part of that market. And as a general rule if you can meet the competition here, you can meet it in many other countries of the world. And we *must* sell there, we *must* make the effort now, if we are to get in on the ground floor of what hopefully will be the greatest surge in international trade in our history, as a result of the Kennedy Round negotiations. To fail to do so, can hurt both a company and the Nation.

Certainly our American businessmen have the tools to do the job—an unequaled bag of tools that can unlock the doors to burgeoning markets everywhere. You have the managerial skills, the capital resources, the advanced technology, the sales and marketing ability, the skilled workmen, the higher productivity, the economies of scale, a more intense utilization of capital stock, and the greatest array of scientific talent the world has ever seen. If these aren't the elements that make for success in selling in the world market, I'd like to know why not.

But the Kennedy Round results should be the signal to maximize the use of those tools. And my task today is to give you an over-all view of the flashing green lights in the industrial area.

Probably the uppermost question in your minds is just what did American business get out of the Kennedy Round and what did we pay for it. I would like to talk at some length about this but as you can appreciate, I cannot talk about the thousands of individual items that are affected by the final agreement.

First, what did we get? On the basis of trade coverage the United States received tariff concessions of mostly 50 percent reductions on about $7 billion of our exports. Close to another $1 billion were bound in a duty-free status so that the total package runs close to $8 billion.

These concessions are spread proportionately among our major export markets. Over $5 billion of our exports are subject to concessions in the European Economic Community, the EFTA countries and Japan. Another $1.3 billion will benefit by concessions made by Canada with the remainder spread out among a number of smaller countries.

To assess the meaning of these concessions, let me take you back about five or six years when the foreign traders of this country were alarmed at the prospects for their markets once internal tariffs were eliminated in the EEC and EFTA. To many U.S. businessmen the choice seemed to be between getting into one or both of these blocs with plant and sales organizations or run the risk of being excluded from the vast European market by external tariff barriers. Passage of the Trade Expansion Act gave them some hope that the two blocs might be persuaded, if the other large trading nations joined in, to move towards freer trade rather than adopt an inward-looking attitude. At the time, you will recall, the schedule for eliminating the internal tariffs between countries of the two blocs was being accelerated so that the element of time was very important. The facts are that the EFTA countries eliminated internal duties completely on industrial goods at the beginning of this year while the EEC will complete its customs union and remove internal tariffs completely in July 1968.

Now, these tariff walls are to come down sharply. For the EEC it will be a reduction by 35 percent in all major trade categories. Most of the duties of the EEC's common external tariff, which is effective next July, are in the medium-low range rate, that is, 10 to 15 percent. Next July they will start to come down. In the EFTA countries the national tariffs apply to goods outside of the free trade area. For most countries in the EFTA, duties were already low with the United Kingdom having the highest rates. These are also coming down with the high U.K. rates, generally 33 percent, being reduced by 50 percent.

I believe that in this context the United States has been able to reconcile its political and economic objectives in Western Europe. At times it seemed that we were supporting political integration at the expense of our economic well-being. The Kennedy Round, I feel, has reduced any fear that we are sacrificing American economic interest for a political objective. In fact, I think that the gains for our exporters in the Western European markets as a result of the Kennedy Round surpass anything that was realistically hoped for when this problem was before the Nation in 1962.

Approximately one-quarter to one-third of our exports move to Western Europe, so that it is fairly obvious what the implications for U.S. exporters might be without the Kennedy Round now that the internal barriers of the European countries are in the final stage of elimination. Now that the Kennedy Round is over, the challenge passes to you men of business to take advantage of the new opportunities which will be opening up over the next few years.

Let me now speak of Canada, which is our largest single trading partner. Our trade with Canada continues to rise to the mutual benefit of both countries, and our agreement with Canada in the Kennedy Round is a sweeping reduction of tariff barriers. Duties were eliminated on a number of categories of goods, most significant of which are softwood lumber, some hardwood lumber, wood flooring except oak, most fresh or frozen fish and a variety of other products. Canada eliminated her duty on coal and the United States eliminated its duty on nickel. In the field of manufacturers, the United States was able to obtain a reduction in the protective level of the Canadian tariff by about one-fourth. Protective duties generally run 20 to 25 percent in Canada's tariff; and Canada, which at the outset of the negotiations said that it could not join in a 50 percent linear tariff cut because of her relatively lower industrial status as compared with the advanced countries, has reduced this level to about 15 to 17½ percent. This is a major contribution by Canada which heretofore has not found it politically or economically feasible to make significant reductions in its protective tariff rates.

One of the most important Canadian concessions to the United States which will affect hundreds of American exporters is the reduction in the Canadian tariff on productive machinery from 22½ percent to 15 percent. For machinery which is "not made in Canada" the current duty of 7½ percent will be eliminated. When these concessions are implemented, all machinery which is not available in Canada will benefit from duty-free treatment. In this one sector, namely, production machinery, the Canadians have told us that their import entries number over 240,000 per year, so from this one concession duty reductions will most significantly assist a broad range of U.S. exporters. There are many more concessions from Canada which will benefit American exporters which I cannot cover in detail here today. However, a wide variety of goods is affected and duty eliminations were numerous. I should also mention that in our negotiations with Canada we were able to negotiate away a number of relatively small but irritating problems which have resulted from differential treatment by the two countries on items which are traded both north and south.

Japan's willingness to participate substantially and actively in the Kennedy Round was a welcome surprise to us, since many felt that Japan's rationale would be that since she was doing well with the present set-up, why join in a tariff cutting exercise? I think the answer probably is that Japan's export boom has led it to the conclusion that its economic prosperity could increase enormously if it could develop the markets for its products in countries other than the United States. Japan did join in and agree to mostly 50 percent reductions in her tariff. It is our hope that these reductions by the Japanese will open up areas for our products which have heretofore been closed to us because of high duties. We sometimes hear it said by United States manufacturers that they cannot sell in Japan because of low price competition. The fact is that we do sell large volumes of manufactured goods in Japan, and Japan's increasing prosperity, which should grow with the Kennedy Round settlement, creates a demand for more American products. We hope U.S. exporters will redouble their efforts to introduce new products to Japan and take another healthy look at the market for their current products.

All of these benefits carried a price tag and I am not going to stand before you and say that our negotiators gave the others a good shellacking. This is rarely the case for any country's negotiators, but in the Kennedy Round I think the United States negotiators did a very good job indeed. The Kennedy Round package is balanced. We came out with a reciprocal bargain, which was our goal. If the final agreement had not included benefits of roughly equal value for all concerned, it just wouldn't have been completed.

I would like to take you back to the beginning of the negotiations. The President's authority was to reduce all United States tariffs by 50 percent. This was the prospect for almost every U.S. business that must compete with imports. The results, however, is that we reduced all our tariffs by an average of about 35 percent. Other countries' average tariff reductions are in this same area.

The items excluded from our tariff cuts are basically those which are experiencing severe import competition and those which in our judgment would be likely to suffer adversely if they were subject to a 50 percent reduction. So the United States removed a large number of articles from negotiation or made less than 50 percent cuts when it judged such a reduction was called for in light of import sensitivity.

I have been troubled in the last few days to read some very critical statements coming from some of our major industries. These statements have characterized the Kennedy Round as "one-sided," and have declared that actions taken on cutting U.S. tariffs will be "ruinous" in certain areas. I think we have to evaluate the results in Geneva as to what could have happened, what did happen, why the actions were taken, and what will be the impact. Let's look at three major sectors.

In steel, the weighted average reduction in United States tariffs coming out of the Kennedy Round was 7.5 percent on dutiable imports in 1964. A total of 54 percent of our steel imports were not subject to any duty reduction; only 1 percent of our steel imports was subject to a 50 percent reduction. This small reduction will bring our average tariff level down from a 7.4 percent weighted average to about 6 percent.

The reductions in tariffs were part of an attempt to harmonize tariffs on steel by producing countries. While we reduced 7 percent, the EEC and the United Kingdom reduced about 20 percent and Japan by nearly 50 percent. As you are aware, steel has a large dollar volume, with two-way trade totalling almost $1.4 billion in 1964. It was not an element which could be excluded from the negotiations, but the actual settlement was of minimal impact on our industry.

What we have done is to try to make steel import duties a common factor in international trade. Prior to the Kennedy Round the United States had the lowest rates. Now the rates of the major countries are approximately even, averaging between 6 and 8 percent. Perhaps more important than the duty reductions is that for the first time the steel tariffs of all major producing countries will be bound against increase. I am not claiming that all problems in steel have been negotiated away. On the contrary, many remain, but the Kennedy Round agreement has come a good way towards removing unequal competitive conditions for trade in steel.

Textiles is similarly a very large sector of our international trade, and the growth of textile imports has been particularly strong in recent years. In return for a three-year extension of the Long-Term Arrangement for Cotton Textiles on the part of the exporting countries, the countries importing textiles agreed to reductions of about 15 to 20 percent and certain adjustments in import quota levels. Extension of the Long-Term Arrangement has been one of our chief goals in the negotiation and we are very pleased with this settlement, as are the leaders of our cotton textile industry.

In man-made fiber textiles our over-all reduction was about 14 to 15 percent. Our reduction varied by sensitivity, with yarn reduced by 37 percent, fabric by 18 percent and apparel by 6 percent.

Our reductions on wool textiles averaged 2 percent. Virtually every major sensitive item was excepted from negotiations. Items on which tariffs were reduced were mostly low trade nonsensitive items.

So we can again say that in a trade area of large dollar value, with heavy pressure from many sources for expanded entry into our huge market, we come to a level of agreement in which all parties found benefit, and our negotiators were responsive to the serious problems faced by this key industry.

Probably the most publicized and perhaps the most controversial part of the Kennedy Round agreement is in the chemical sector. This agreement is in two parts, the first of which stands by itself as an integral part of the Kennedy Round package. Within the Kennedy Round package, the United States agreed to reduce its duties on chemicals by an average of 43 percent. The EEC is reducing by an average of about 20 percent, the U.K. by about 23 percent, Japan 44 percent and Switzerland 49 percent. United States exports of chemicals benefiting by these concessions amounted to about $900 million in 1964 while our dutiable imports from those countries in 1964 amounted to about $325 million. The favorable trade balance here is nearly 3 to 1, while the depth of tariff reduction with the exception of the U.K. and EEC is about equal to ours.

The second part of the chemicals agreement involves the American Selling Price—a system where the duty rate is levied not against the foreign invoice value of the imported product, but against the U.S. selling price of the competitively produced domestic product. In this part, the United States, provided the Congress enact the necessary legislation, will eliminate the American Selling Price on benzenoid chemicals and reduce all rates in its chemical tariff above 20 percent down to that level with certain exceptions. These are dyes, pigments and azoics which the United States would reduce to 30 percent and sulfa drugs which the United States would reduce only to about 25 percent. The EEC and the U.K. will then place into effect the remaining portion of their reductions so that the EEC total reduction on chemicals will equal about 46 percent and the U.K. 50 percent. Some U.K. rates wil be reduced by as much as 62 percent. The end result will be that virtually all chemical rates in the EEC and U.K. will be at 12¼ percent or below, whereas the U.S. will have many rates, as noted above, at considerably higher levels.

As a further element of the second part of the chemicals agreement, Belgium, France and Italy will liberalize the discriminatory aspects of their road tax system, Switzerland will modify its regulation limiting imports of canned fruit preserved in corn syrup, and the U.K. will reduce its margin of preference on imports of tobacco. Action on these nontariff barriers will be taken as reciprocity for the United States elimination of ASP.

The chemicals negotiation was the most difficult to conclude but at the same time it was one of the most successful. We believe the United States has an excellent bargain in both packages and we are prepared to present the second package to Congress for approval as soon as time and conditions permit. The Kennedy Round chemical package is self-contained and will in no way be affected by Congressional action, which bears only on the second part. The bezenoid chemical industry is a strong and efficient industry which, in our judgment, will be adequately protected by the rates provided for in the ASP Agreement.

I might conclude by mentioning our attempts at removing nontariff barriers. Here we have not achieved everything we wanted but on the other hand we certainly did not give others all they wanted. Our biggest accomplishment, of course, was the negotiation of international rules for dumping. These spell out Article VI of the GATT which covers this subject, and our accomplishment here is twofold. First, we have negotiated rules which do not require changes in our legislation and very little change in our administrative regulations on dumping. Secondly, we have achieved international agreement for fair and open procedures for United States exporters who are charged with dumping abroad. Canada probably made the biggest contribution in this area by agreeing to require an injury finding before dumping duties are imposed.

We must recognize that beyond the ASP package and the antidumping code, relatively little was accomplished toward reduction of nontariff barriers, though what *was* done amounts to a substantial beginning. The whole problem of nontariff barriers will be a major portion of future GATT agendas, and we will be persistent in seeking effective solutions to problems we know trouble many American companies.

These, then, are the broad outlines of the results in the industrial sector of the historic Geneva negotiations so skillfully handled by Bill Roth, the late Christian Herter, and their able associates.

Thousands of individual barriers have been cleared from the avenues of world trade. But only you—the dynamic business leaders of America—can take advantage, for your companies and the whole Nation, of the opportunity offered. I was delighted to see a full page advertisement by a major U.S. air freight carrier announcing some forthcoming reductions on air cargo rates which are described as complementary to the tariff reductions in Europe. It is this kind of aggressive marketing that will lead more American companies to take advantage of increased trade opportunities abroad. The name of the game is "A Good Offense," and I know that American business will be even more skilled as they play it on a field which has fewer barriers as a result of the Geneva agreements.

Agriculture's Stake in the Kennedy Round

(Remarks of Orville L. Freeman, Secretary of Agriculture)

I'm happy to be reporting to you today because I have a strong personal interest in the subject we are talking about.

For almost seven years now, I have worked hard to expand our country's foreign agriculture trade. And it has been gratifying work. I have had the satisfaction of seeing our country's agricultural exports grow from $4.5 billion in fiscal year 1960, the year before I took office, to a new record of $6.8 billion in the 1967 fiscal year that ended June 30. Exports for dollars climbed from $3.2 billion to $5.4 billion in the same period.

The other day I was talking to my Cabinet colleague Joe Fowler. Secretary Fowler, as you know, fights hard and effectively to strengthen the balance of payments position of the United States. Our country has many tough economic problems but none is tougher than the balance of payments problem—and it affects all the others. It is complicated by the fact that what other countries and international bankers do affects us strongly, yet is largely beyond our control.

Secretary Fowler said to me, "I don't know what we would do today if the annual agricultural exports for dollars hadn't increased $2.2 billion since 1960."

He went on to say that we would long since have faced a national economic crisis of grave proportions, that the value of the dollar would have been seriously undermined were it not for the substantial flow of dollars into the Treasury from agricultural exports.

What he said is certainly true. Had dollar exports of farm products not continued to climb during these 1960's, we would not have had $7.3 billion in cumulative dollar earnings that have been added to our balance of payments.

All this means that I approach this matter of trade negotiations and trade expansion with a deep personal sense of participation and involvement.

American agriculture came to the Kennedy Round in a spirit of expectation. We sought a general lowering of agricultural trade barriers which would give efficient farmers, ours and in other countries, a greater opportunity to sell competitively in the world's expanding markets. We looked on the Kennedy Round as a means of helping world trade in general and our own export drive in particular.

To some extent our expectations were realized. Considering the problems encountered, we emerged with far better results than we thought possible during some of the darkest days when negotiations almost broke off.

We also saw first-hand why agricultural trade negotiations are so difficult. We learned that when our trading partners resisted lowering their trade barriers on agricultural products, in most instances they were pressed by the need to potect the income of their farmers.

The Kennedy Round experience confirmed my conviction that the difficulty of agricultural trade negotiations lies first and foremost in the universal farm income problem.

As a rule of thumb, around the world a farmer gets only about one-half as much income for his labor and investment as the non-farm sectors of the respective countries enjoy.

Governments, of course, are responsive to this discriminatory situation. The lowering of agricultural trade barriers will continue to be exceptionally difficult as long as farm incomes lag so far behind other incomes.

This farm income problem is not peculiar to foreign countries. It is our problem, too. In many cases it determines our own trade positions.

The last two months the Secretary of Agriculture and senior members of the Department of Agriculture have been holding shirtsleeve sessions with American farmers all around the country, discussing the farmer's position in our economy and how to reinforce it. It was obvious at these meetings that farmers across the Nation are deeply and understandably concerned that they are not getting a fair share in our American prosperity.

Our farm prices today are lower than they were 20 years ago. Yet the cost of what the farmer buys has gone up 35 percent. Only by increasing his labor productivity 6 percent, annually more than twice the improvement made by American industry, has the American farmer managed to survive.

It is true that Government payments have helped some but even so our per capita farm income is only two-thirds of our non-farm income.

And it would be ever so much worse if our agricultural exports had not been steadily climbing to a point where today they absorb the production from one acre out of every four of his cropland and make a substantial contribution to his total receipts. Agricultural exports are of vital importance to every American farmer.

I would like to turn now to what we actually got out of the agricultural phase of the Kennedy Round.

We benefited in two ways:

First, we obtained from it some modest trade liberalization. The Kennedy Round will give us better access to some important foreign agricultural markets. Concessions won at Geneva will mean larger export sales in the years ahead for many of our farm products.

Second, the Kennedy Round made us aware of the problems we still face in bringing more order into world agricultural trade. It pinpointed the problems. To me, this is a very important result—and I would like to return to it later.

As to tangible benefits from the Kennedy Round, we gained considerably in our trade in fruits and vegetables, oilseeds, tobacco, variety meats, tallow, and a number of other products. The concessions granted by other countries covered more than $900 million in their imports of such products from the U.S., 1964 basis. On agricultural products accounting for over $700 million—in which we have an important export interest—they cut their duties an average of more than 40 percent.

The Kennedy Round also is giving us a new grains arrangement which will provide additional price insurance to U.S. wheat producers. This arrangement contains significant food aid provisions, completely unprecedented in any multilateral accord of which I am aware. Apart from their intrinsic humanitarian worth, and this in itself is adequate justification for them, these provisions should open new commercial outlets for wheat and to some extent, feed grains.

Reciprocally, the United States cut its duties on some agricultural products and imports of such items can be expected to increase moderately.

Duties covering around $500 million of the products we import were cut by an average of 39 percent. The existing duty or duty free status of an additional $290 million worth of import products was bound against upward change. Many of our concessions relate to tropical products which we do not produce and were granted for the benefit of the developing Nations.

While bargaining is never without its "give" as well as "take," to the best of my knowledge no American agricultural producer will be exposed to serious economic injury as a result of the Kennedy Round. American farmers as a whole, because of their comparative efficiency, will be better off than they would have been had the Kennedy Round not taken place.

Concessions won at Geneva will mean increased foreign markets for a number of our farm commodities. Our agricultural exports are inevitably on an upward trend and would increase had there been no Kennedy Round. But the rate of increase unquestionably will be faster because of our negotiation successes.

Now I would like to return to my second point—our awareness of the problems we still face in further reducing world trade barriers.

The Kennedy Round has shown the trouble in trying to buy—with reductions in duties—removal of the major barriers still standing in the way of international agricultural trade.

The Kennedy Round has also shown that a massive, multilateral trade negotiation involving all countries and all products may not be the best way to get at the root of agricultural trade problems. It provides too much opportunity for side-stepping the real business at hand.

It has shown with startling clarity the complex and exasperating nature of the trade barriers in agriculture and, most disturbing of all, it has shown a fundamental difference among the major trading partners as to international trade philosophy. Let me explain this.

A concept of orderly trade is basic to a negotiation. Unless parties can agree on objectives, they rarely accomplish anything. There must be a mutuality of interest. There must be common ground in agricultural negotiations.

During this negotiation, all parties said they were trying to bring about more orderly agricultural trade, but I detected at least three different ideas of what "more orderly" meant. Each idea was put forward by a negotiating bloc powerful enough to prevent consensus.

The *first* said—let those who can—produce, whether the production is efficient or not. The only test is—are we physically capable of turning out the product and are we able and willing to bear the cost?

The *second* said—let those who can produce *efficiently*, produce. The test ought to be based upon who can produce abundantly, inexpensively, and well, and not upon who has physical capacity and strength of treasury.

The *third* said—let those produce who must produce to exist. Whether inefficient or not, if we can only produce a few products, let us produce them and sell them because we must. This last view, of course, is put forward with increasing intensity by the less developed countries, which, in many cases, have neither the resources to produce cheaply and well, nor the financial capacity to subsidize heavily.

Given these three major conflicting views, is it any wonder that we were unable to make in this negotiation all the changes we desired?

The Kennedy Round was primarily a tariff negotiation. Tariffs remain an important means of protecting producers in many parts of the world. But in agriculture, particularly, other barriers are numerous and complex. Negotiators met with only limited success in removing or lowering them and, on the really hard-core products, had no success at all.

Overall, as I said earlier, the problem of liberalizing trade stems from the almost general disparity in income between farm and non-farm people. That disparity poses an obligation on every government to protect the incomes of its farmers and still make sure that all the people have enough food and fiber and other products of agriculture. It is an obligation that has called forth price and income programs in every country in the world. These take many different forms and they all affect world trade in one way or another.

The European Economic Community attempts to keep domestic agricultural prices high, for most products, through a variable levy system. The EEC sets the prices, and the variable levies remove the effect of outside competition. This is truly a formidable barrier to trade.

The United Kingdom favors the deficiency payment support system. Internal consumer prices are allowed to seek their own level. But producer returns are kept at government-set levels through producer payments. The impact of this system on exporters is more obscure, but severe nevertheless.

We have our support programs in the United States, also. In some cases—in cotton and wool—the program is a combination of deficiency payments and tariffs or quotas. In dairy, it is a combination of a support price and quotas and tariffs. In grains, we use a certificate program. Our system is different from others, in that in many cases we tie payments to acreage production. In this manner we prevent price-depressing surpluses. The United States is the only country in the world that has taken on the exceedingly difficult, politically hazardous, yet important task of limiting production. If we *didn't* do so, there would be a growing world surplus in the grains, cotton and tobacco with resultant international trade chaos. Yet this major contribution to orderly world trade goes largely unnoticed.

Government support programs often lead not only to import control but also to export assistance. The EEC has such export assistance. Denmark uses a two-price system in which prices for products marketed at home are held at one level, while exports are marketed well below that. Other countries use marketing boards that have great flexibility in price practices.

Because of such programs, just the other day I had to make the very difficult decision to recommend sharp restrictions on imports of dairy products into the U.S. This was not a pleasant decision. A country which exports as much as we do must be prepared to import as well. But the dairy trade had become sick. Under the EEC system of high dairy support prices protected by variable levies, production has increased to the point that heavy surpluses of butter and cheese are a glut on the EEC market. Under such circumstances, an EEC export program operates almost automatically to move these surpluses out of the EEC, regardless of their impact on the trade of more efficient suppliers or on the economies of importing countries.

EEC butter, produced at a price of 60 to 65 cents per pound, was being sold in the U.S. for around 22 cents per pound. It was entering the U.S. as a butterfat/sugar mixture in circumvention of existing U.S. import controls on butter, and in quantities that were interfering with the operation of our own support program.

You will recall that not too many years ago the U.S. also had burdensome surpluses of dairy products. But we didn't dump ours indiscriminately into the international market. We stored them and used them at home in school lunch programs and to feed our needy. We moved them abroad only when demand was such that they did not disturb the international market. It is a pity that other major producers have not practiced similar restraint.

It can be seen, then, that even if countries were agreed on the kind of order they wanted to put into the international trading system, the task of reshaping its numerous and complicated systems and barriers would be a formidable one. Even to catalogue and understand them is difficult. To deal with them all at one time in a comprehensive way is virtually impossible. This also we learned from the Kennedy Round.

How then can we deal with these barriers? What kind of plan can be used? What should our agricultural trade policy be?

Ambassador Roth has mentioned the Trade Policy Study which he will undertake next year. This will help us decide. I cannot, of course, anticipate it. I can suggest, however, that he explore carefully the following principles, which I think are essential.

The underlying objective in U.S. agricultural trade policy must continue to be one of orienting agricultural trade to production efficiency.

In other words, those who can produce abundantly, inexpensively, and well, should produce and should be leaders in trade.

There will be exceptions, of course. If some countries insist on producing at heavy cost simply because they are so inclined and have the money, we can't prevent them. But we can try in every way we know to show them *that* they are wrong and *where* they are wrong, and try to get them to move toward the principle of comparative advantage.

We should start by focusing our attention on individual products or, at most, product groups, and we should seek to deal in depth with the barriers affecting them. I think we should start such explorations among key countries in the very near future.

In the work that lies ahead, we need also to recognize that the Kennedy Round had more significance for the industrialized nations than it had for the developing countries.

The United States tried hard to make the Kennedy Round meaningful for the less developed countries. In agriculture, we cut and in many cases eliminated duties on tropical products valued at almost $120 million—products such as Indian cashew nuts, Brazil nuts, Philippine desiccated coconut, and so on. We committed ourselves not to put duties on fresh bananas and other products now duty free to the amount of another $140 million. And we cut duties on some temperate products in which the developing countries have a trade interest approaching $70 million. I know of no other area of the world that did as much in this way as the United States.

And much more needs to be done along these lines by all trading partners. President Johnson said last year at Punta del Este:

"We are ready to explore with other industrialized countries—and with our own people—the possibility of temporary preferential tariff advantages for all developing countries in the markets of all the industrialized countries."

In other words, there may need to be special trade programs in addition to the special aid programs through which we have been extending technical, food, and other forms of assistance for a number of years.

This is not something that will come about quickly. But as part of the complex problem of helping the less developed countries to emerge, we do need to be open minded about their obvious need for remunerative markets for what they produce. Only by having such markets can they ever hope to pay their own way.

It is in our own interest that these nations grow to a trade basis. We are spending millions upon millions of dollars today in carrying out our worldwide technical, economic, and food aid programs. Our objective must be to turn this one-way flow into a two-way trade flow—and the only way this can happen is for the less developed countries to become stronger trading partners.

The largest potential market in the world lies in the less developed countries with their large populations and largely undeveloped resources. We see evidence of this market's awakening. There needs to be—and can be—a general springing to life in country after country. Modern man is an economic being. There is no tonic more powerful in bringing about this action than available markets for what the less developed countries have to sell—which, in turn, will make it possible for them to buy the things they need from us.

In this trading world of the future—which the Kennedy Round and its lessons will help to shape—I see American agriculture playing an even more extensive role in feeding and clothing the world than it is playing today. And I see this role carried out increasingly through commercial, dollar-earning export trade.

As I said earlier, during the fiscal year just ended we exported a new record value of $6.8 billion worth of agriculture products. A record $5.4 billion of this was in dollar-earning commercial sales.

A total of $8 billion in U.S. agricultural exports by 1970 is a target we expect to reach. And we will go on from there, I predict, with $10 billion in U.S. agricultural exports by 1980.

Further, I look for the big increases to take place in the dollar-earning type of exports which, as my friend Secretary Fowler has said, are giving timely and strategic assistance to our Nation's balance of payments.

Part of this continuing advance in our agricultural exports will come about through continued lowering of trade barriers throughout the world. Our products are competitive and they are needed. In many countries the continuing pressure for supplies will override pressures for self-sufficiency.

And as trade barriers are eased, we will continue—as we are doing—to follow up with aggressive market development actions. The Department of Agriculture is teamed today with U.S. trade and agricultural groups to promote sales of our farm products in more than 70 countries. This work is effective and is one of the strong reasons for my optimistic predictions.

As an example of this export promotion, I am announcing today that the Department of Agriculture and our many trade and agricultural cooperators will present a major agricultural trade exhibit in Tokyo next Spring—April 5 to 21, 1968. This will be one of our largest overseas promotion events in our largest export market, Japan, as you may know, now buys nearly $1 billion worth of our farm products annually. From this exhibition we will strengthen further Japan's obvious goodwill toward U.S. food and agricultural products. And, more tangibly, we hope to see Japan continue to increase its purchases from us, with $1 billion only an interim milestone.

American agriculture has immense and growing influence in world affairs today.

This influence will grow as world population and incomes rise and demand is strengthened for the food and fiber we can produce with such efficiency.

But trade, ultimately, is the conduit through which the bounty we produce can reach foreign consumers. Fundamental to that trade is the extent to which the world allows comparative advantage to function.

The Kennedy Round resolved only some of agriculture's trade problems. Many remain. But I think the Kennedy Round did help to clarify the thinking of our own participants and of our trading partners. It gave us new insight and perspective as we try again.

And we must try again and keep trying. Only as trade in food and agricultural products is allowed to flow in a relatively unrestricted manner will the world's people share, as they should and must, in all the good things that modern science and technology can make available.

Labor's Stake in the Kennedy Round

(Remarks of James J. Reynolds,
Under Secretary of Labor)

I applaud with you the presentations of Secretaries Trowbridge and Freeman, and Ambassador Roth. They have set forth the background and accomplishments of the Kennedy Round so thoroughly that I will devote myself primarily to "Labor's Stake in the Kennedy Round".

Our business in the Labor Department is employment—and every billion dollars of goods we export support close to 100,000 jobs.

We are encouraged with the outcome of the Kennedy Round. We believe that the substantial tariff reductions which will become effective over the next five years will encourage expansion of U.S. exports and enable us to preserve and expand export-related employment opportunities in the United States. In total, we do not anticipate any unmanageable situations of labor dislocation resulting from the stimulus of increased imports although it could be that particular firms and groups of workers may be adversely affected. The combination of gradual implementation of tariff reductions over a five-year period and rapidly expanding manpower programs, in addition to adjustment assistance, will enable workers and firms to adjust to increased imports with minimum personal and corporate losses.

Our current balance-of-payments difficulty is not the only reason for U.S. industry to make special efforts to increase U.S. exports. Another reality with significant implications for domestic employment lies in the fact that, over the years, as U.S. productivity and efficiency has improved, the American manufacturer uses less and less labor per unit of manufacture. Consequently, we have to accelerate output in manufacturing just to maintain employment growth in manufacturing. For example, between 1960 and 1965 output in manufacturing increased by about 34 percent. However, during the same period, employment in manufacturing only increased by about 7 percent.

We are not complaining, mind you! We are aware that employment patterns are constantly undergoing change. During that same period, while the U.S. labor force was increasing by about 5 million workers, the number of unemployed dropped almost one-half million and the unemployment rate declined a full percentage point to an average of 4.5 percent in 1965. We did considerably better in 1966 when the unemployment rate dropped to 3.8 percent—the first time it has averaged below 4 percent for a year since 1953. And we hope to improve upon that in the future.

The efficiency of American labor and industry showed up closer to home also. Productivity improvements in the 1960–1965 period permitted U.S. workers to realize most of their increased earnings in increased real income—since price levels remained relatively stable, while gross weekly earnings increased considerably.

The efficiency of American labor and industry shows up in another critical measure, particularly in reference to our ability to benefit from the reciprocal elimination of trade barriers. Between 1960 and 1965, unit labor costs in manufacturing declined by about 2 percent in the United States. Only Canada showed signs of matching that performance. For our other major trading partners we note that unit labor costs increased about 16 percent for the United Kingdom, about 8 percent for Sweden, 20 percent for Japan, and between 25 and 37 percent for France, Germany, and the Netherlands.

But the considerable economic growth and integration achieved by the countries of the European Economic Community (Common Market) and the European Free Trade Area (EFTA) suggest that they will also achieve the ability to improve their cost performance in the future.

We are confident, however, that we can continue to improve our relative competitive position in world markets under our free economic and political institutions.

Developments in the Common Market and the European Free Trade Area made it increasingly imperative to successfully conclude the Kennedy Round negotiations. Both trading blocs have made considerable progress in the elimination of internal barriers to trade. EFTA has no tariffs between member countries, and the Common Market is scheduled to eliminate all internal tariff barriers on July 1, 1968. In 1966, the combined GNP of both of these regional trading blocs exceeded $500 billion. Their internal markets are expanding and, like the United States market, offer tremendous opportunities for manufacturers to increase output at lower costs.

Both of the trading blocs maintain tariff and non-tariff barriers against U.S. exports, which in conjunction with productivity improvements to be expected from economic development and integration, could have serious implications for the expansion of U.S. exports and the degree and nature of import competition in U.S. markets.

It seems reasonable to assume that the tariff and non-tariff barrier reductions negotiated in the Kennedy Round, and the dynamic impetus created for the elimination of remaining tariff and non-tariff barriers in the future, will prevent both export restrictions and trade diversion from occurring.

We are trying here to identify labor's stake in the Kennedy Round within a dynamic world of changing political and economic conditions.

We cannot afford to be complacent in such a changing world. In fact, we stand to benefit considerably by participating in and shaping the changes that take place. I say again that we expect the benefits of the Kennedy Round to outweigh the cost of such temporary dislocations as may occur when competition increases. Our present stake in foreign trade is impressive.

In 1965, about 2.4 million jobs in manufacturing were attributable to U.S. exports of merchandise and another half million attributable to exports of services. Nearly 7 percent of total manufacturing employment was related to the export of goods and services. In the manufacturing sector, about 10 percent of the machinery industries' employment is export related—for the engine and turbine segment the ratio is 20 percent. About 10 percent of the industry employment was export related in the lumber and paper industries; 9 percent for scientific and measuring instruments industry; 10 percent for aircraft; and 14 and 16 percent respectively for the chemical and synthetic materials industries.

We emphasize manufacturing employment because it is generally high-wage employment compared to other industry employment and because it constitutes about 30 percent of total nonagricultural employment.

In 1966, gross weekly earnings in manufacturing averaged about $112, compared to an average of $61 and $79 respectively for employment in personal service occupations and wholesale and retail trade which together constituted about 36 percent of total nonagricultural employment.

Further, wages in our chief export industries such as the chemicals, aircraft, and machinery industries are about 10–30 percent higher than the average weekly earnings for manufacturing as a whole.

So, if the past and the present is any guide to the future, the stake we have in the Kennedy Round is high-wage and high-quality employment opportunities and everything that implies for a better standard of life for all Americans.

The role of imports is another area which we want to discuss frankly and constructively.

We sometimes hear the viewpoint expressed that, if we cut off or sharply reduce imports of a competitive product, employment and output in the domestic industry concerned would automatically increase. By implication, this argument could be read to suggest an increase in overall employment as well.

A complex and dynamic economy such as ours does not operate quite that simply. There may be particular cases where such a simple relationship might hold, but in an environment in which national policies are geared to achieve and maintain full employment and economic stability, such generalizations cannot be sustained.

Trade flows from country to country in the free world are reciprocal in nature. A restrictive act taken by one country tends to be matched by a restrictive response by other countries. The net effect of such acts is most often a contraction in world trade.

The economic effects of such a contraction would ultimately be a reduction, relative or actual, in exports from the United States, the country with the world's largest trade volume.

Foreign countries generally pay for goods in dollars which they acquire directly or indirectly from the U.S. as a result of foreign goods being sold to the United States. By restricting foreign access to U.S. markets, we would limit the dollars that are available to buyers who are potential customers of U.S. business. The effects could also extend to the loss of overseas markets where U.S. businessmen are now facing more aggressive competition from third countries and from domestic industry in the country involved.

In this era of close and complex international trade and economic relationships, consequences of measures which restrict imports are most likely to have a detrimental impact on U.S. exports, and by extension, on employment in export industries where wages tend to be higher.

My point is, that consideration of proposals to restrict imports for the benefit of a single industry must be examined in the perspective of the total national interest as it relates to employment, prices and output.

We must always be alert to situations which might culminate in widespread and unmanageable unemployment. Fortunately, our experience suggests that serious employment dislocation which can be attributed to import competition is relatively rare and can be accommodated by the present national and international trade policies.

Imports play a critical role in our complex economy. Not long ago layoffs were reported in the copper and brass products industry because of tight supplies of copper. Considerable price pressures were reported to exist in the stainless steel industry because of nickel shortage. We note also a tendency for imports to increase when there is a possibility of an interruption to output arising from collective bargaining negotiations or other causes. Therefore, we find it difficult to accept the simple relationship that is implied in a statement that total employment can be increased if we produce domestically what we now import in considerable quantities, even if we do have the capability of making the product.

Import competition like any competition stimulates change. Such change may cause displacement of labor which will vary in duration depending on the speed of the change, the adaptability of the displaced worker, and the availability of alternative employment opportunities.

While we think it reasonable to assume that imports, as a competitive factor, may contribute towards displacements of labor and capital, the analytical arts have not advanced sufficiently to permit us to measure with any precision the impact of imports. In a sense Congress recognized this when it included the adjustment assistance provisions in the Trade Expansion Act. These provisions are based on the premise that no single group should bear the burden of injury that might result from an international policy that benefits the nation as a whole, and that the determination of possible injury due to imports can best be made after close examination of particular cases.

Aside from the employment opportunities which are related to the international exchange of goods and services there are the benefits that accrue to consumers with respect to the variety of products available in the market place and the less obvious benefits which accrue from the stimulus of worldwide competition on the basis of price, quality, and technology.

The conclusion we reach is that the benefits which accrue to labor and the nation as a whole as a consequence of our foreign trade are such that we look to future trade expansion resulting from the Kennedy Round agreements with optimism that the net result will be more employment at higher wages than would otherwise have been the case had the agreement been anything less than it is.

Before closing, I want to remind you of two programs which we think equitably protect and assist the legitimate interests of industries most vulnerable to import competition and which facilitate the expansion of world trade.

The first and more active program is that required as a result of our participation in the Long-Term Cotton Textile Agreement (LTA). A 3-year extension of the LTA was negotiated within the framework of the Kennedy Round. The Arrangement, over the years, has permitted a limited and gradual growth of imports in a manner which avoided disruption in the domestic market. The LTA has been an important factor in stabilizing employment conditions in the industry and in encouraging considerable improvements in technology and capital investment to be reflected in improved productivity and wages of workers in the industry.

The second program, I would note is the adjustment assistance program for firms and groups of workers, one of the major innovations of the Trade Expansion Act.

The adjustment assistance concept is that it makes more sense to try to improve the productivity of resources displaced or subject to displacement as a consequence of import competition than to restrict imports by means of higher tariffs or quotas—since under the latter there is no assurance that the necessary improvements will be made to allow the firm or industry and associated workers to compete with imports or other domestic competition.

Adjustment assistance for workers consists of a combination of monetary payments called trade readjustment allowances which

are based on the workers' past earning experience and limited to a maximum of 65 percent of the average weekly wage in manufacturing employment; training and retraining opportunities; and relocation allowances to assist heads of households to move to new locations where there is certainty of employment.

The desire to encourage improved productivity is illustrated by the emphasis Congress placed on training. Under the Act, if a worker refuses to avail himself of suitable available training opportunities, he can be denied other adjustment assistance. The emphasis on training is well placed. We all know from experience that the worker who is able to adapt to, and take advantage of, change has the best chance to enjoy a lifetime of rising income and stable employment. This program benefits all of us in the long run since by improving skills and worker productivity we increase our ability to expand the national product and thus make possible higher living standards for us all.

Under the Trade Expansion Act, the Tariff Commission is responsible for making the initial decisions which determines whether firms or workers might be eligible to receive adjustment assistance. Only five worker groups and five firms attempted to obtain adjustment assistance under the Trade Expansion Act, and none of these groups or firms were found by the Tariff Commission to meet the criteria for eligibility for adjustment assistance presently in the Act. This experience has made both the Administration and the Congress aware of the need to modify the criteria so that the objective of the program relating to workers and firms can be more fully achieved.

We have had experience with the adjustment assistance program under the Automotive Products Trade Act which implements the U.S.-Canadian Auto Agreement. In 18 months of operation of the program, about 2,000 individual workers filed for benefits—of which about 1,100 were found to satisfy the eligibility requirements and subsequently to receive adjustment assistance benefits.

The adjustment assistance benefits available to workers under the Auto Act are identical to those provided in the Trade Expansion Act, although the procedures for gaining access to the program, and the criteria for determining worker and firm eligibility are substantially different. Under the Auto Act, the Tariff Commission conducts an investigation as to the facts of the situation. The Automotive Adjustment Assistance Board, made up of the Secretaries of Labor, Commerce, and Treasury makes the determinations of eligibility for groups of workers and firms.

We believe that adjustment assistance is an effective way to assist workers and firms to adapt to changing economic conditions. It is in this spirit that the Administration will be asking the Congress to amend the Trade Expansion Act to insure that the intent and promise of the adjustment assistance program can be realized by workers and firms who have been displaced because of import competition.

To conclude, I would like to leave you with this brief summary of our stake in the Kennedy Round:

Job Opportunities—Higher Wages—Stable and Rising Incomes and, in the case of dislocations resulting from import competition, The Opportunity to Improve the Skills and Earnings Potential of Displaced Workers.

AGRICULTURAL DEPARTMENT STUNTS HURT FARMER

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. BERRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BERRY. Mr. Speaker, the Department of Agriculture submitted a report to Congress last Friday which dealt with the parity income position of the American farmer. Despite some tricky figure juggling, changing of terms and plea that parity is "no longer a meaningful term," the sad state of American agriculture shows through.

Everyone still knows what parity means and everyone knows it is at the rockbottom figure of 74 percent, the lowest since the depression days of the 1930's.

No amount of tampering with the statistics can fail to hide the fact that the American agricultural economy is at low ebb. Imports continue to flow in at record high levels and with apparent administration blessing. Action, when it does come, as in the case of dairy import curbs, is too little and too late. And for every commodity which is eventually looked at by the administration, another dozen are neglected.

Most tragically, of course, is the fact that the farmer is not receiving a fair price for his products, no matter how you judge the figures. It makes little difference if the Department calls it "parity," or "parity of income," or "parity returns," or whatever term they are going to come up with next week, one fact stands out: the American farmer is being shortchanged.

This, when added to the fact that the Secretary of Agriculture can find nothing better to do except become hysterical at congressional hearings, casts a gloomy shadow over rural America for the coming year.

INTER-AMERICAN DEVELOPMENT BANK

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HARVEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HARVEY. Mr. Speaker, it is my understanding that a very critical amendment will be offered when legislation, H.R. 9547, on the Inter-American Development Bank is considered by this body, perhaps later this week.

The amendment, defeated in the House Committee on Banking and Currency, would reduce the U.S. financial participation in this program from $300 million to $250 million for each of the next 3 years.

I personally hope that such an amendment is not offered. But, if it is offered as now reported, I intend to vote againt it.

At this time, Mr. Speaker, I would like to explain thoroughly my opposition to such an amendment. In doing so, I would first emphasize that, like most Members, I am well aware of the pressing financial burdens on our Nation. I would also point out that I have called for and voted for appropriate cuts in Government spending on several pieces of legislation already considered by this 90th Congress.

However, I do believe we must consider "special facts and figures" associated with the operations and functions of the Inter-American Development Bank.

Foremost, I believe, is that fact that this is a loan program. It is not a giveaway proposition. In 6 of the 7 years that I have served in Congress, I have not been able to support our country's foreign aid program. I felt and I still do that its unilateral approach was unsuitable. Furthermore, this tired program has failed to encourage the proper "investment" and responsibility from the benefiting countries. Of equal importance, of course, is that the United States simply cannot afford outright cash gifts any longer. Actually, it is questionable whether we could ever afford to be Santa Claus to the world.

I recall that during debate on acceptance of the Asian Development Bank early in 1966, I commented that I supported not only the Asian Development Bank, but the International Development Association and the Inter-American Development Bank.

As a member of the House Committee on Banking and Currency at that time and for my first 6 years in Congress, I was and remain convinced that these international organizations are just as well, if not better run than our own foreign aid programs in many instances.

I view this type of legislation—Inter-American Development Bank—as the means of encouraging multilateral support of worthy projects. These are loan programs—not giveaways.

For example, the Inter-American Development Bank is a regional lending institution which includes the United States and the 19 other members of the Organization of American States. I would mention that this organization was established during the Eisenhower administration in 1959. I would also point out that Cuba is not a member and is not eligible for membership.

We are, of course, aware of the activities of Mr. Castro and the constant activities of the Communists to spread unrest, and yes, even revolution throughout Latin America. We have a vital stake in the future of Latin and South America to say the very least.

Thus, I feel it is doubly important that we in the United States welcome opportunities advanced by the Inter-American Development Bank so that these countries can help themselves. It is to our own best interests to lend a helping hand.

While I know the next point that I make will be mentioned many times, it is important enough to renumerate here. That is that the U.S. participation in the Bank will be reduced from 85 percent to 75 percent. H.R. 9547 would authorize $900 million as the U.S. share of the proposed $1,200 million increase in the resources of the Fund for Special Operations—FSO. The remaining $300 million would be supplied by the Latin nations.

While the percentage of U.S. participation decreases, an increase of 100 percent is scheduled for the Latin nations. I can think of no greater evidence of the Latin nations' willingness to undertake self-help measures than their agreement to increase their financial participation at such a great rate.

The measure, as reported by the House Committee on Banking and Currency, is a reasonable approach in my judgment to reaffirm our Nation's sincere desire to help our neighbors and to strengthen the best interests of the entire Western Hemisphere. This is not the time to be shortsighted, and as a result, shortchange our friends in need.

NASA SHOULD KEEP CONGRESS INFORMED

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, an important provision of S. 1296, which was approved by the House of Representatives on Wednesday, June 28, 1967, requires that the Administrator of the National Aeronautics and Space Administration shall keep the Congress "fully and currently informed" with respect to all of the activities of NASA.

The purpose of this provision is to place upon NASA an affirmative duty to keep both the Senate and the House informed. It complements the current law which requires only that NASA may not withhold information from Congress. The recent hearings on the tragic Apollo 204 fire raised serious questions, first as to the general availability of information from NASA upon request from Congress, and second, as to the responsibility of NASA to voluntarily come forward and make information available to Congress on NASA's own initiative.

An example of the basis for requiring NASA to bring forth information is found in the matter of the Phillips report. In two respects, the issue of the Phillips report illustrates the need for the new information provision in the NASA authorization bill. First, NASA felt no obligation to reveal the existence of the report to anyone, even when asked about it directly. Had there been a requirement to keep the committee informed, the committee might have been aware of the management and quality control problems experienced in the program before it took the Apollo accident to bring the matter out. Second, the Phillips report referred to NASA having been "forced to accept slippage in key milestone accomplishments, degradation in hardware performance and increasing costs" from the contractor. In two regards, the new information provision would adjust such a situation; the contractor might be more intent on living up to his contract if he knew NASA had to inform the Congress of problems with program progress; and the Congress would not be put in the position of being presented with a fait accompli during hearings on the yearly NASA authorization and having no choice but to accept increased costs and/or postponed goals.

NASA Administrator Webb stated, in reply to questioning before the Senate committee, that NASA had no guidelines as to when serious situations such as the conditions underlying the Phillips report would be brought to the committee's attention. Yet findings of the Phillips report closely parallel the findings of the Apollo Review Board. For example, finding 10 of the Apollo Review Board included:

> Deficiencies existed in Command Module design, workmanship and quality control. These deficiencies created an unnecessarily hazardous condition and their continuation would imperil any future operations.

Conclusions of the Phillips report, which was prepared "as a result of the continued failure of—the contractor—to achieve the progress required to support the objective of the Apollo program," include the following:

> Delayed and compromised ground and qualification test programs give us serious concern that fully qualified flight vehicles will not be available to support the lunar landing program.
>
> (Contractor) quality is not up to NASA required standards . . . Performance goals for demonstrating high quality must be established. And trend date must be maintained and given serious attention by management to correct this unsatisfactory condition.

It is well to note in this context, that at the time the Phillips inspection was made and the report rendered, the spacecraft in which the fatal fire occurred was on the line at the contractor's plant.

Since NASA has never had the requirement which the information amendment would make law, it is hard to project the benefits to NASA and the committees of Congress which might result. The experience of the Joint Committee on Atomic Energy, as stressed by its chairman, Senator PASTORE, suggests that adoption of the amendment could only work "to the advantage of the committee and to the advantage of the taxpayers."

By far the most eloquent demonstration of the need for the amendment is the nearly identical language of the committee reports on the authorization. In the House report, the committee which adopted the amendment stated:

> The committee believes that this section is necessary to better enable the committee to carry out its legislative and investigative responsibility to oversee the activities of NASA, and in order that the committee will be aware of potential problem areas prior to their crystallization.

The Senate committee did not adopt the amendment, but included in their report stronger language than appeared in the House document, and included the following:

> You committee wishes to re-emphasize the policy that the Administrator of NASA should keep the Aeronautical and Space Sciences Committee of the Senate and the Committee on Science and Astronautics of the House of Representatives fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration. Only in this way can these committees properly perform their responsibilities in connection with our national civilian space program.

One of the arguments used against the information provision is: "The requirement to keep the committees informed is already in the present law." This argument falls short of the mark. The most superficial reading of the present law indicates that NASA is prohibited from withholding information, but not affirmatively required to produce it absent a committee request.

Another argument put forward in opposition to the information provision can be stated as follows:

> The amendment will create too much work for the members of the Space Committees.

This objection is belied by the experience of the Joint Committee on Atomic Energy. The amendment is not designed to broaden the scope of information which could be made available to the committees; it only requires that NASA exercise initiative in supplying information to keep the committees informed. Moreover, in the light of disclosures during the recent Apollo hearings, the committees should at minimum be afforded the opportunity to assess whether they personally are doing enough by way of keeping abreast of the space program.

A third argument against the information provision is:

> The amendment implies a criticism of NASA and Administrator Webb that is unwarranted.

Any criticism of NASA or Mr. Webb, real or imagined, would be outweighed by the opportunity to restore public confidence in NASA-Space Committee performances and relationships.

Improvement is imperative in the relationship between NASA and the Senate and House committees in the matter of NASA-originated information. Public confidence in NASA and the goals of our space program require not only improvement in the information flow, but also recognition of the problem and manifest intent to solve it.

Arguments against the information provisions are curious. Neither in substance nor in practice is the present law sufficient. Overwork can hardly be a problem, since both committees in their reports indicate dramatic improvement in information flow is required. The public interest demands enactment of a measure which could only improve the access by the people's representatives to the taxpayers' space program.

It is my sincere hope that the provision requiring the NASA Administrator to keep Congress "fully and currently" informed will be included as an integral part of the finally approved NASA authorization bill for 1968.

CAPTIVE NATIONS WEEK

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, the week of July 16–22 is Captive Nations Week. This is an excellent time for us to look back over a half century of communism and see what it has done to the world. Perhaps no plague has ever done the damage to mankind that communism has inflicted.

Those 21 countries that compose the captive nations have been afflicted with the blight and terror of world communism for up to two decades. The people of the Soviet Union now have spent 50 years working for Communist masters. Thousands of people have been killed, tortured, torn from their homes, forced into slave labor.

In a pamphlet, "Review of U.S. Policy Toward the U.S.S.R.," Mr. Lev E. Dobriansky points out that the Russians have attempted to propagandize the world into believing that the huge land mass which it now claims is really Russia. He notes that the original Soviet Union was enlarged by conquest and that the Soviet Union today is a centralized Communist government ruling over captive non-Russian nations.

Dobriansky states it is a myth that these nations are progressing toward independence. He said the "interlocking" Red syndicate that controls the captive nations may have squabbles, but that the control is ironclad, harsh and unyielding.

We hear much these days of establishing a "detente" with the Soviet Union. This, of course, has been a long-held goal of the Communist world. Our active role in Vietnam today, with the Soviet Union directly and militarily opposing us there, should preclude any moves to lessen our cold war alertness toward the Russians at this time. The performance of Mr. Kosygin following the Glassboro "summit" indicates that there has been no thaw in cold war strategy by the Communists.

The goal of the Reds when they broke into power in Russia in 1917 was world domination. They have not abandoned that goal. They have made substantial territorial gains in their 50 years of subjugation, subversion, maneuvering, betrayal, and warfare.

As the Soviets celebrate their half century of power, it behooves us all as Americans to examine our role in today's world, to reaffirm our commitment to freedom, and to remember that 50 years from now the Soviet Union would like to celebrate an all-Communist world. We stand in their way. We stand for the hopes of freedom-loving men and women everywhere—including those millions who now live in the captive nations of the Red orbit.

MILITARY TRAINING OF PERSONNEL OF ARAB NATIONS

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, I am appalled to learn from the Department of Defense that the United States currently is training military personnel of Arab nations, despite the fact that these same nations are receiving military aid and equipment as well as advice from the Soviet Union. In my judgment, this entails a grave risk to our national security and should be stopped immediately.

It takes no great imagination to realize that when we train military personnel from other nations they necessarily must receive a certain amount of confidential information and instruction in the use of classified strategic weapons. Also, of course, they become familiar with U.S. military training techniques.

Currently, for example, we are training military personnel from Iraq, Libya, the Sudan, and Syria even though these nations have broken diplomatic relations with the United States. We also are training personnel from Jordan, Lebanon, Morocco, Saudi Arabia, and Tunisia. Personnel from the latter two countries are even receiving instruction at the Army Staff College, Fort Leavenworth, Kans. Altogether we are training nearly 350 military personnel from nine Arab nations.

It is inconceivable to me that the Soviet Union will not take full advantage of the opportunity to relieve these Arab military personnel of the information they have received in the United States, or at U.S. bases overseas where some of the training takes place. And it is also inconceivable that neither the Department of State nor the Department of Defense has not recognized the breach of security involved here and brought it to a prompt end.

In my judgment, both Departments owe the American people a full explanation for this irresponsible attempt to win back diplomatic relations with these Arab countries at the expense of endangering our national security.

With permission granted, I include the attached documents from the Department of Defense, which list the current number of Arab military personnel receiving pilot training in the United States, and the number of Arab personnel who received training of all types during the past 4 years:

Pilot training conducted in the United States for military personnel from the Arab countries and Israel

Country	Number of personnel trained during period fiscal year 1964–67	Number of personnel currently in training
Iraq	10	0
Israel	0	4
Jordan	5	24
Libya	8	0
Morocco	48	10
Saudi Arabia	4	7
Sudan	6	3
Total	81	48

NOTES

1. Pilot training includes both undergraduate pilot training for new pilots and advanced training for experienced pilots.

2. There is no pilot training being conducted for other Arab countries.

3. The pilot training for Israel, Jordan, and Saudi Arabia is under the foreign military sales program.

U.S. military training for selected countries

Country	Fiscal year 1964			Fiscal year 1965			Fiscal year 1966			Fiscal year 1967		
	Grant aid	Other	Total	Grant aid	Other	Total	Grant aid	Other	Total	Grant aid	Other	Total
Iraq	44	------	44	45	2	47	40	------	40	42	------	42
Israel	------	19	19	------	164	164	------	63	63	------	62	62
Jordan	40	------	40	23	------	23	33	5	38	51	98	149
Lebanon	274	------	274	343	1	344	616	------	616	21	------	21
Libya	81	------	81	69	------	69	57	8	65	80	------	80
Morocco	138	------	138	50	------	50	206	------	206	324	------	324
Saudi Arabia	102	------	102	110	------	110	140	2	142	93	26	119
Sudan	9	------	9	38	------	38	25	------	25	24	------	24
Syria	7	------	7	8	1	9	6	------	6	11	------	11
Tunisia	45	------	45	34	------	34	57	------	57	51	------	51
United Arab Republic (Egypt)	------	1	1	------	3	3	------	3	3	------	------	------
Yemen	2	------	2	------	------	------	------	------	------	------	------	------
Total	742	20	762	720	171	891	1,180	81	1,261	697	186	883

NOTES

United States has not provided military training for Algeria, Kuwait, or Mauretania.

"Other" training includes that provided either by the U.S. military services on a tuition-free basis or under the foreign military sales (FMS) program.

The training programs for fiscal year 1968 for Iraq, Sudan, and Syria have been suspended.

The above totals include an insignificant number of foreign civilians trained at U.S. military schools.

YOU CAN'T BEAT SOMETHING-FOR-NOTHING—UNTIL YOU FIND IT'S NOTHING

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, during the 89th Congress I inserted in the CONGRESSIONAL RECORD the texts of several advertisements sponsored by the Warner & Swasey Co., of Cleveland, manufacturers of machine tools, textile machinery, and construction equipment. Warner & Swasey has received over the years many commendations from people who have seen their ads but who did not necessary use their products. The reason for this is the fact that this company believes in selling, through its ads, the philosophy of individual responsibility which has made out Nation great, yet unique.

For instance, the latest Warner & Swasey ad, as it appears in the July 24, 1967, issue of U.S. News & World Report is of page size, yet the bulk of its message is slanted toward all American citizens. Warner & Swasey fully realizes that the welfare of its business efforts goes hand in glove with the welfare of the United States. Would that such wholesome double vision were more widespread.

I insert the latest Warner & Swasey advertisement in the RECORD at this point, for its brief message provides much food for thought:

YOU CAN'T BEAT SOMETHING-FOR-NOTHING—UNTIL YOU FIND IT'S NOTHING

When you offer me higher wages, security for my old age, part of my rent free—I'd be foolish not to take it all and want more, wouldn't I?

Until I learned (too late) that I was paying for my "free" rent in higher taxes all my life; and that my high wage (no one demanded I produce more, to pay it) increased costs and the prices I had to pay so I was paying my own bigger pay and that of others, too; and that my old age "security" evaporated when dozens of government "plans" brought inflation to wipe out savings and security.

"Something for nothing" is sucker bait and can never be anything else—and the fish who take it have only themselves to blame for getting hooked.

COUNTERING COMMUNIST PROPAGANDA

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, it was stated recently by a commission of 18 top military experts working with the American Security Council that:

> For a half-century, Soviet leaders have time and again repeated that Communism's ultimate objective is world domination. But many in the Free World simply refuse to believe that the Soviet leaders mean what they say.

Now, exactly 50 years from the inception of the first Communist state, world communism is massing a propaganda barrage which will laud their alleged gains, and serve to subtly temper ghastly memories of Communist methods and true history. It will be an unparalleled opportunity for the Communists to broadcast to the world and it will also come as an unparalleled challenge to the free world to counter a worldwide propaganda effort.

It is imperative for all persons to know the truth about the last 50 years. This next year, as never before, the people of the United States, faced with this all-out Communist effort, will be called upon to defend their system of government and their belief in God-given freedom.

To illustrate the fallacies perpetrated in the name of world communism I would like to cite the table of contents of "Workers' Paradise Lost: 50 Years of Soviet Communism, a Balance Sheet."

This book has been prepared by Eugene Lyons, associate editor of Reader's Digest and one of America's most discerning anti-Communists, as a treatment of the last 50 years of communism. In addition to his excellent work, "Assignment in Utopia," Mr. Lyons can be remembered as one of those who fought against communism when it was unpopular to do so, and who has consistently warned against the soft-line policies which portray a mellowing Communist leadership.

The table of contents gives some idea of the "myths" which the Communists would have the free world believe.

WORKERS' PARADISE LOST: 50 YEARS OF SOVIET COMMUNISM—A BALANCE SHEET

TABLE OF CONTENTS

Part. I. Verdict of Five Decades.

Part II. Myths and Realities.

1. The myth that the Bolsheviks came to power through revolution.
2. The myth that the masses supported the Bolshevik seizure of power.
3. The myth that Soviet communism is "Marxist" and "socialist".
4. The myth that Soviet Russia has a "classless society".
5. The myth that Russia before the revolution was an economic desert.
6. The myth that the old Russia was a political, cultural and social wasteland.
7. The myth that the Soviet people love the communist system.
8. The myth that in World War II the people fought to defend communism.
9. The myth that the First Five Year Plan was a triumphant success.
10. The myth that communism is a rational short-cut to modern industrialization.
11. The myth that centralized national planning is a magic formula for growth and prosperity.
12. The myth that "economic reforms" foreshadow a return to the free market.
13. The myth that collectivized farming is the answer for hungry nations.
14. The myth that communism provides abundance for the ordinary citizen.
15. The myth that the Soviet Union since de-Stalinization has become "liberal" and is evolving toward democracy.
16. The myth that Soviet Russia is anti-imperialist and anti-colonial.
17. The myth that Soviet Russia has been a champion of world peace.
18. The myth that "peaceful coexistence" means what it says.
19. The myth that Soviet communism has fostered progress in science.
20. The myth that the Soviets have promoted the arts and culture.
21. The myth that communism is a rational model for underdeveloped nations.

Part III. What Price Communism? A summation of the costs of Soviet communism in terms of life, terror, political and civil rights, moral values, and world disorder.

Part IV. Whither Russia?

STUDY BOOKS

In addition to Mr. Lyons' book there are many other texts which present myriad facets of the true legacy of the October revolution.

While other means will be used by the Communists to sell their version of the last 50 years, the majority of their propaganda will come through the written word.

As Dr. Stefan T. Possony, authority on psychological warfare and revolution has stated:

> Manipulation of language constitutes one of the Communists' most potent weapons in their drive for world domination . . . . To the Communists, words are tools to achieve effects, not means to communicate in the search for truth.
>
> Every Communist communication must convey an orthodox, that is, revolutionarily activating message to the party and its followers.
>
> This same communication must convey a different, i.e., soothing, pacifying, and paralyzing message to the opponent of communism.

Readers of this propaganda must, of course, be wary of the difference of terms, the unstated premises, the predication of propaganda statements and arguments.

Mr. Speaker, I would like to include at this point a list of books which covers a wide range of topics dealing with communism. Use of these and other texts can add vital information to methods and operations of communism over the last 50 years and will serve as part of a set of basic reference works for persons interested in the "legacy" of the revolution.

AUTHOR, TITLE OF BOOK, AND PUBLISHER

Baldwin, Roger N.; "A New Slavery"; Oceana Publ., N.Y.

Bouscaren, Anthony T.; "Imperial Communism"; Public Affairs Press.

Burnham, James; "Containment or Liberation"; John Day Co.

Burnham, James; "The Web of Subversion"; John Day Co.

Dallin, David J.; "The New Soviet Empire"; Yale Univ. Press.

D'Arcy, Martin C.; "Communism and Christianity"; Devin-Adair.

de Toledano, Ralph; "Spies, Dupes and Diplomats"; Duell, Sloan & Pearce.

de Toledano and Victor Lasky; "Seeds of Treason"; Funk & Wagnalls Co.

Dodd, Vella V.; "School of Darkness"; P. J. Kennedy, N.Y.

Fox, Col. Victor J.; "The Pentagon Case"; Freedom Press, Inc., 520 Fifth Avenue, New York 36, N.Y.

Gousenko, Igor; "The Fall of a Titan"; W. W. Norton & Co.

Hook, Sidney; "Common Sense and the Fifth Amendment"; Criterion.

Hoover, J. Edgar; "Masters of Deceit"; Holt, N.Y.

Hunter, Edward; "The Black Book on Red China"; The Bookmailer, 30 West Price Street, Linden, N.J.

Hunter, Edward; "Brainwashing"; Farrar, Straus & Cudahy.

Leites, Nathan; "The Operational Code of the Politburo"; McGraw-Hill, N.Y.

Meerloo, Joost A.M., M.D.; "The Rape of the Mind"; World Publ., Cleveland.

Morris, Robert; "No Wonder We Are Losing"; The Bookmailer.

Noble, John: "I Was A Slave in Russia"; Devin-Adair.

Orwell, George; "Nineteen Eighty-Four"; Harcourt, Brace & Co.

Overstreet, Harry & Bonaro; "What We Must Know About Communism"; W. W. Norton & Co.

Philbrick, Herbert A., "I led 3 Lives"; Grosset & Dunlap, N.Y.

Posseny, Stephen T., "A Century of Conflict"; Regnery.

Root, Prof. E. Merrill; "Brainwashing in the High Schools"; Devin-Adair.

Taylor, Henry J.; "An American Speaks His Mind"; Doubleday.

Weyl, Nathaniel; "The Battle Against Disloyalty"; Thomas Crowell Co.

U.S. House of Representatives, 1956; "The Communist Conspiracy: Strategy & Tactics of World Communism"; U.S. Gov't Printing Off., Washington, D.C.

Committee of the Judiciary, U.S. Senate; "The Communist Party of the United States of America: *What* it is—*How* it works"; U.S. Gov't Printing Off., Washington, D.C.

"Report of the Commission on Government Security"; U.S. Gov't Printing Off., Washington, D.C., 1957.

United Nations International Labour Office—Geneva, 1953; "Report of the Ad Hoc Committee on Forced Labor"; Imprimeries Reunies S.A., Lausanne, Switzerland.

In a continuing personal effort to counter false views of communism, I submit three articles by the well-known FBI counterspy and student of communism, Herbert A. Philbrick.

FIFTY YEARS OF SOVIET HELL

(By Herbert A. Philbrick)

Nietzsche wrote: "Violence, slavery, danger in the street and in the heart, everything evil and terrible in man serves as well for the elevation of the human species as its opposite."

The history of fifty years of Soviet hell has proved Nietzsche wrong.

The built-in characteristics of communism—violence, slavery, danger, and evil—have served only to generate more violence, more slavery, greater danger and more evil than in any other fifty-year period of recorded history.

This year—1967—will mark the fiftieth anniversary of the so-called "Bolshevik Revolution." On November 7, 1967, the dictators of the Red criminal conspiracy all over the world will be celebrating their "birthday." Enormous plans are already formulated for a massive propaganda campaign boasting the "achievements" of communism, alleging great progress for the people living under communism, and promising a bright new world for those still living in the non-communist areas. This will be brought about by the "inevitable" victory of the Soviet socialist empire.

Many millions of Russian rubles have been allocated for the mammoth task. Every medium known to the communist propagandists will be used to sell the Big Lie of communism. At this moment special films are being produced in Moscow for distribution in America. Several brand new slick communist propaganda publications have already appeared, and more are in the offing. New and enlarged propaganda quarters have been opened in the captive nations as well as in the Soviet Union itself. Every fellow traveler, quisling and collaborator in every country will be expected by the Soviet bosses to play a role in promoting or simply passing on the Big Lie messages.

It behooves all those who cherish liberty, therefore, to "gird their loins with truth" now—before the wave of communist filth descends in full force upon us. It must become the task of every freedom fighter to expose not only what the communists have failed to do *for* the people—as they have promised—but what, in the process, they have done *to* the people.

This will be no small task. The whole story of Soviet hell is gigantic in proportion—so great, that no matter how many volumes may be written, the story will never be adequately told. In sheer horror it boggles the imagination; it is impossible for human mind to encompass it.

There is an added danger. Hitler is alleged to have justified mass murder on the grounds that wholesale extermination would generate less opposition to Nazism than individual killings; "one death is a tragedy; a thousands deaths is a statistic."

But insofar as the communist criminal conspiracy is concerned, we are confronted not with thousands, but multimillions of murders.

In terms of mass extermination of human life, no totalitarian power in history can begin to match the efficiency of the communists.

HOW MANY HAVE PERISHED?

How many people have been murdered by the communists—as part and parcel of communist programming?

In preparation for this series on fifty years of Soviet hell, I queried by phone and mail some of the most authoritative sources I know—men who have spent years in diligent study of Soviet horror.

And the net answer is; God only knows—it will probably be beyond human capacity to ever find out, for certain.

The *lowest* estimate made was 60 million people killed by "liquidation," planned starvation and torture . . . and this only for Russia and the captive nations of Europe. Another estimate was 84 million—again, not counting Cuba, Korea, Tibet, China or Vietnam. Nearly everyone I queried agreed that if one were to include all countries captured and enslaved by the communists in the last fifty years, the number of people deliberately exterminated would run something over *100 million*.

WHAT ABOUT CHINA?

The number of victims in China alone runs into untold millions.

While we are on the important subject of China—this comment and prediction.

First; to all newspaper stories alleging that "Mao" now has things well in hand and that victory has been won by the "Mao forces," with "peace" returning soon; get yourself a great big rubber stamp, and label all such "news" stories bunk—spelled b-u-n-k.

Although the struggle does include many disgruntled members and former members of the communist apparatus, this is not the whole story or even the big story. Basically, the struggle is in fact a last-ditch, desperate effort by the non-communist workers and peasants in China, who comprise the vast majority of the population, to rid themselves of the brutal communist dictatorship. Whenever you read "Anti-Mao" in the press, then, translate it to "Anti-Communist."

Prediction; based upon the course of such revolts by the people against communist dictatorships in other countries and at other times, the awful struggle in China will, in all probability, continue for as long as three or more years.

Will the people win? Based on the record, the answer is; probably not. No country once enslaved by the communists in the last fifty years has ever become free—despite the most desperate efforts of the workers and farmers.

The only way the people of China could defeat the communist minority would be with outside help from the United States and the free world—and there is no indication the U.S. policy is designed to help any victim of communism, anywhere in the world, once the communists have seized control.

What, then, will end the struggle in China?

Mass starvation. Strong bodies and strong wills will stand up against guns and tanks, terror and torture—but once starvation sets in, then both the will as well as strength to resist vanishes. The destruction, the killing, the plundering in China will first bring economic chaos; and following economic chaos, death by malnutrition.

There is only one factor which might change the picture; the age and health of Mao Tse Tung. If Mao should suddenly die, it is difficult to predict what the headless hydra might do.

One can only speculate what might have happened, for example, if at the very height of the Hungarian revolution, Khrushchev had suddenly died. Hungary might be free today; indeed, such a happy circumstance might very well have sparked the spread of revolution throughout the whole Soviet empire, and brought an abrupt and violent end to communism everywhere in the world.

One thing, however, is certain; the suffering of the Chinese people during these terrible days will be intense. Wherever communism touches the lives of people, there is tragedy, death and disaster. So long as communist tyranny exists, and so long as the desire for freedom persists, common people will die by the millions.

WHY?

One may ask; why? Why the brutality, the torture, the terror?

The apologists for Red Tyranny brush off the crimes of communism with all sorts of ingenious alibis; and they will be doing so during the 1967 communist propaganda campaign.

One line is that the Reds were simply guilty of "excessive zeal"; like bad little boys they were over-exuberant. Another is that it was all the fault of bad old Joe Stalin, who "went too far" . . . but now, we are told, all that has been corrected and so there is no need to worry ourselves about communism in the future.

Another line—which has been repeated every single year for the last fifty years by perennial optimists; "if we just wait a while, it will go away"; Communism will mellow, or is mellowing, or has mellowed. Thus, we are advised, we should do nothing. Since "doing nothing" is the easiest way out, lots of people have bought this line, and because we have so often "done nothing" while the communists were doing something, the Reds have walked away with victories they should never have won. Indeed, it is easy to find many such examples during the last fifty years.

Another line is that although all communists are communists, there are good communists and bad communists, and all we have to do is help the good communists. (But never, *never* help the victims of communism.)

Others will admit the "mistakes" the communists have made, but then blame their "mistakes" on us! This is the line of Dr. John C. Bennett, long-time mentor of the Union Theological School in New York, and a leading light in National and World Council of Churches circles. He actually goes so far as to alibi that "the errors of Communism are in large part the result of the failure of Christians." This is nothing less than a playing of a long-standing childish trick. When a small child does something wrong, he or she will frequently point an accusing finger at anyone handy and pout: "It's all your fault!" Some adults with childish minds actually believe Dr. Bennett's excuses for the evil ways of communism.

Another "excuse" for the sinister deeds of communism is that nice old Karl Marx had a good idea; only trouble was, it didn't work out in practice. I am almost ashamed to admit that back during college days, having been fed the "liberal" line about communism, this was one of my own mistaken ideas. It took two or three years inside the communist apparatus for me to find out how totally wrong I was; that the ideas, the theories, the philosophy of communism is the very essence of pure evil; and that far from the evil ideas of communism not working in practice, they *have* worked in practice and *are* working in practice right now, all over the world.

MASS MURDER JUSTIFIED

Mass murder takes place under communism not because "mistakes" are made; but because the extermination of human beings is part and parcel of the communist program. It would take much too much space to document all of the Marxist-Leninist theoretic jargon in this field, in our small Bulletin; I would refer you to "Communism, Its Faith and Fallacies," by Dr. James D. Bales (Baker Press, $4.00) and to the testimony of Dr. Fred Schwarz, on "The Communist Mind," which you can obtain by writing to the Allen-Bradley Company, Milwaukee, Wisconsin.

When the communists talk among themselves of slaughtering humans, they speak as casually as if they were slaughtering cattle. Their own official records show that they laugh while discussing mass liquidation.

It was at the eve of the fifteenth Communist Party Congress in December, 1927 that Dictator Joe Stalin coolly announced the proposed "liquidation" of the Kulaks—the farmers. But from a purely practical view, this was impossible. After all, pointed out Pravda, the communist propaganda paper, a large percentage of the grain was provided by the so-called Kulaks.

One influential Bolshevik stated: "We do not intend to shoot all the kulaks and their children straightaway. The kulaks make up five percent of the total population and number many millions." In view of this, "more lenient" methods were recommended, such as sentencing them and their families to forced labor, particularly in the Far North, Siberia, and the Far East.

This recommendation was acted upon, and is duly noted in the official communist records. All of the kulaks' property—houses, furniture, farm implements and reserves of food were confiscated and thousands upon thousands of the kulaks deported, in cattle cars. One conservative source puts the number of deportees at three million peasants *plus their families*. Of these, 25% died in the immediate process.

The number who perished from 1928 to 1935 in Russia numbers something over 20 million.

In his speech of February 1956, Killer Khrushchev cited some of the entire populations which had been wiped out entirely during the winter of 1943 and spring of 1944. He laughingly stated that "the Ukrainians avoided meeting this fate only because there were too many of them and there was no place to deport them." All the comrades in the hall laughed.

COMMUNIST VICTORY

Many people are under the illusion that the communists kill people *before* the takeover. This is not so. The record shows that communism comes to power by trickery, by deception, by making false promises and by lulling the people to sleep. It is *after* the communist takeover that mass murder begins in earnest.

Then having established and consolidated Soviet power in one area they then move on to the next area. This, the communists tell their own members, will continue until the entire world is conquered.

Here are the official pronouncements, from the communists' own manuals of instruction, clearly defining their criminal code of aggression and terror:

"Soviet Foreign Policy is a socialist foreign policy . . . Party principles concerning foreign policy form an organized part of its program, strategy and tactics . . . the foreign policy of the USSR is a continuation of the Soviet state's internal policy. In this way it is subordinate to the basic and principal aim of Soviet internal policy; to build socialism in our country and to ensure the necessary conditions for the transition to Communism."(1)

"The victory of socialism in one country is not a final aim in itself. Revolution in one country is not to be considered as a self-sufficient quantity, but rather as a means of furthering and accelerating the victory of the proletariat in all countries. The victory of the revolution in one country . . . is at the same time the first stage and necessary condition for world revolution."(2)

"First, the country in which socialism is victorious should do all it can in its own land to develop, support and encourage revolution in all countries. Second, in the victorious country the proletariat which has expropriated the capitalists and organized socialism at home, must rise against the remaining capitalist world, attracting to itself the oppressed masses in other countries, stirring them up to rebellion against the capitalists and, if necessary, employ military force against the exploitating classes and their states."(3)

The communist plan for the conquest of America, therefore can be summarized in the formula so well expressed by Dr. Fred Schwarz; "External encirclement, plus internal demoralization, leading to progressive surrender."

FOOTNOTES

(1) From Large Soviet Encyclopedia, published Moscow; vol VIII, Pg. 257.

(2) J. Stalin, Questions of Leninism, Moscow, 1947, Pg. 102.

(3) BSE—Large Soviet Encyclopedia, vol VIII, Pg. 572.

The second of Mr. Philbrick's articles deals with the use of "positive and negative incentives." He titles it "How To Make Slave Labor Pay":

FIFTY YEARS OF SOVIET HELL—II: HOW TO MAKE SLAVE LABOR PAY

(By Herbert A. Philbrick)

The year 1967 will find the communists boasting many alleged "achievements" reached during the first fifty years of Soviet socialism.

But of all the "achievements" of Soviet tyranny, the most remarkable and dubious achievement is that the communists have learned how to make slave labor pay off.

This discovery of the communist capitalists (your definition, Mr. Rockefeller, not mine) must be cited as the most remarkable of all the inventions of communism; because the history of modern economy has demonstrated that slave labor, from a cold-blooded point of view, is simply unfeasible because the slaves lack incentive to produce.

Yet, in the Soviet empire, where every worker is chained to a treadmill leading nowhere, undeniable gains have been made. How could it be done?

The answer is to be found in an ingenious interlocking of two powerful tools, sometimes called "the carrot and the stick," but more accurately defined as positive and negative incentives.

Every other year or so, somebody or other makes the wide-eyed "discovery" that the communists use incentives. It is then proclaimed abroad the land that the communists are becoming capitalists.

If the use of incentives makes the communists "capitalists," then they have always been capitalists because they have always used incentives. Soviet socialist economy would utterly and immediately collapse without incentives.

However, there is a vast difference between "incentives" in a moral society, built upon the idealism of brotherly love, the integrity and value of the individual, and a God-given code of conduct, as against the "incentives" in the God-less, scientific, mechanistic society of Soviet socialism.

All of Soviet society, insofar as the behavior and control of man is concerned, is built on the "scientific" theories of Marx and Pavlov. Man is a conditioned animal. Man responds to his environment. And the environment in Soviet captive nations is called "scientific socialism."

The Russian scientist Pavlov found that animals can be conditioned to respond, or react, in a programmed pattern by two types of stimuli; reward and pain.

And he furthermore found that the negative stimuli of pain always produces a quicker, greater, and more enduring response than "rewards."

By using a base stimuli of pain and then adding a small portion of "reward," he could reach the highest level of response. By scrambling the pain-reward signals, he found he could literally demolish the animal-machine servo-mechanism, thus laying the foundations for communist brain-washing, thought control, and "voluntary" confessions.

For example; let us suppose Pavlov wanted to induce a monkey to "produce" labor by pushing a certain lever. Every time the lever was pushed, a piece of banana (reward) would pop into the cage. This would work fine—for a time. But after a while the monkey would no longer be hungry. He would then stop "working." Or the monkey would get tired and decide to sleep rather than eat.

Then the Reds switched to a "negative" incentive in the form of pain by electric shock, sent at regular intervals. By pushing the lever just before the elapsed time—quickly learned—the monkey would avoid the pain. Now they had something! Now the monkey "worked" in earnest. The muscles in his arms would get lame and sore. He would get sleepy and angry. No banana, however enticing, could get the monkey to work. But rather than endure the pain of electric shock, the monkey would keep throwing the lever to the absolute maximum of endurance. Sleep he would go without. Food he could do without. But pain he would do anything to avoid.

In harnessing human labor, the communist capitalists (your definition, Mr. Eaton, not mine) have harnessed the most powerful incentive of all—*the will to survive*. And for fifty years, the Soviet socialists have alternated first the carrot and then the stick; then the carrot, and again the stick (or, more accurately, the club). For fifty years the Reds have first used terror, torture, jailings, starvation, liquidation; and then, when the club would no longer work, whip out the carrots and the bananas and the five year plans, and the great promises for the future utopia. At this particular period, the Reds are using slightly more carrot and slightly less club—but both negative and positive incentives are still used.

An excellent example of negative-positive incentives used today was noticed by Trade Union expert Meyer Bernstein during a United Nations tour of Soviet steel plants last year (reported in detail in another part of this issue). He found that the average base pay in the Soviet steel monopoly was 120 rubles a month—truly, a "painfully" low income, far less than necessary to provide the "comforts" of socialist society. By adding "positive" incentives in the form of bonuses and awards for superior performance, however, the communist bosses are able to prod the workers to produce an average of 24% above the work norms. The worker ends up getting only what the Red bosses wanted him to have, but he has worked an awful lot harder to get it.

In the concentration camps, fifty years of Soviet hell has produced still another and more horrifying refinement of the negative incentive racket. Here, of course, since the slave laborers are being punished for alleged crimes, the idea is to pay them nothing. How, then, to get them to produce?

Here, the incentive used is food. The very best description of the technique is to be found in the little book by Roger Baldwin entitled "A New Slavery." Here you can find the whole program outlined in all of its obscene excellence.

Mr. Baldwin noticed that the concentration camp slaves worked "as though their lives depended on it." Why? Because, reported Mr. Baldwin, "this is quite literally true."

The trick is to first fix very high work norms. Then the KGB applies the Soviet law that "he who does not work, does not eat." If you produce your work norm, you are given a certain portion of food. If you fail to produce the norm, your food ration is cut.

But now the diabolically clever minds of the KGB slave masters come into play. *The food ration is fixed precisely at the level of starvation.* Hence, any cut in the food ration now puts you below the starvation level. Less food means less strength; less strength means less work, thus resulting in a still further deduction of food.

Hence the slaves in concentration camp indeed do work "as though their lives depend upon it"; because, explains Mr. Baldwin, "failure to meet the work norm places one on a descending spiral, at the end of which is death."

And, of course, millions upon millions have indeed met death by starvation in the Soviet Socialist Workers Utopia—the Utopia so nobly defended by pseudoliberals in the United States.

Only last month I met another former inmate of the Red communist concentration camps. I mention him only because he happens to be the most recent of innumerable victims I have interviewed over the years, and he will not be the last. This man, now living in Southern California, was an officer in the Polish Army during the last war. He was wounded at Tobruk and returned to Poland—just in time to "greet" the Red "liberators." The Soviets immediately began to wipe out all Polish patriots who possessed outstanding qualities of leadership and dedication to freedom. Although my friend, as a Polish Army officer, qualified for liquidation, because of his war-wounds he was granted the "privilege" of slave labor in Siberia. That was when the United States Government was sending millions of dollars of aid to the "Great Russian Government" and "good old Joe." At long last he managed to escape, and arrived in the United States in 1954. Today he is an American citizen—the most grateful, the happiest American citizen you could find, his face still aglow with wonderment as he explained: "The freedom here! It is unbelievable! And the food! Americans throw away more food every day than those in concentration camp have to eat."

He indicated a size about one quarter of his fingernail. "A piece of fat—that big—would be as manna from heaven!", he exclaimed. "We competed with horses, dogs, rats, for food—anything a horse, or dog, or rat could eat—we would eat."

"I look at my garbage pail today, and I think; how wonderful it would be if somehow I could magically transport that Garbage pail to the prisoners in the concentration camps today, because I know how much it would mean to them." *

Yes—we must admit, in Fifty years of Soviet Hell the communists can indeed boast many achievements. By building a mountain of bones collected from the bodies of millions of worker-victims, the Soviet empire has climbed from 6th or 7th place to second place in world military power. Hitler by comparison was a rank amateur, a mere beginner. The swastika has been utterly overwhelmed by the Hammer and Sickle, the emblem of death that now covers one third of the world. Hail the glorious 50th anniversary of Soviet Power!

The third article is a highly dramatic account of the methods of communism entitled "How Communism Functions Today":

FIFTY YEARS OF SOVIET HELL—III: HOW COMMUNISM FUNCTIONS TODAY

(By Herbert A. Philbrick)

Picture this scene vividly in your mind.

It is just about dusk. You have finished dinner at home with your wife and family, and you now look forward to a comfortable, relaxing evening with a popular book you have been planning to read.

Suddenly there is a loud splintering crash. The door of your home is smashed in, and two fierce and haggard appearing men burst through the gaping hole. Covered with dirt and grime, they are wearing what appears to be some sort of soiled Army fatigues. Each carries a sub-machinegun, leveled menacingly in your direction.

Your wife starts to scream, but her cry is choked off by sheer fright when one of the gunmen yells "shut up!" and points his ugly weapon straight at her midsection. Your family dog, the friendliest pet in the neighborhood, aroused by the racket and clatter, bounds in from another room—as much out of curiosity as concern. The second gunman swings his weapon from the hip and in one short, ear-splitting burst, blasts the animal into a nearly unrecognizable mass of flesh, bone, blood and gore.

Horror stricken, the acrid odor of gunpowder in your nostrils, you are herded with your wife and terrified children to the broken doorway, where you are shoved through by brutal and painful jabs of the gun butts. Although it is now almost dark outside, you are able to discern that the same fate has also been the lot of your friends and neighbors up and down the street. At a given signal, every home has been forcefully entered, and all the inhabitants captured. There had been no warning, no time to resist. You later learn that the entire block had been surrounded and sealed off by a Red guerrilla band of some 50 or 60 men. Telephone lines have been destroyed, so that the entire area is helpless to call for outside help.

The guerrillas, you later discover, are not amateurs but trained professionals who have spent months of arduous "liberation" techniques under the expert direction of a man implicated in the murder of President John F. Kennedy.

All of the inhabitants in the neighborhood—men, women and children—your friends, neighbors, church and business associates—are herded to a spot near the center of the block. Huddled together, nearly paralyzed by fear, you are completely encircled by the armed thugs. There is not the slightest chance for you or anyone else to attempt an escape.

You are now face to face with a small sector of the iron curtain—a capsule sample of the obscene Wall of Berlin.

A spokesman for the Red guerrillas steps forward, and begins a communist "New Left" tirade. You are told that the U.S. government is powerless to protect you—indeed, that the authorities have no interest or concern in helping you, because they are simply the tools of big capitalist interests, the same capitalists who are guilty of committing imperialist aggression in Vietnam.

The Red orator viciously attacks the President of the United States. "The great body of your countrymen regard with abhorrence the course to which Mr. Johnson has committed the United States in Vietnam," he screams. This course "affronts both our practical judgment and our moral sense." He accuses the President of being arrogant; of gambling with our country's future; of not having courage; of "betrayal" that is "sinister"; of "nihilistic strategy" and "totalitarian tactics." "We are shamed by his actions and revolted by his dishonest excuses and pretexts," he declares.

After the brief hate message, two of the armed Red Guards step forward, and while you nearly pass out from fear, grab the man next to you and drag him out before the cowering people. He is a schoolteacher; well known to everyone, adults and children; a recognized leader in community and civic projects. Unknown to you, a careful preliminary intelligence report prepared by communist spies had pinpointed him as the one man in your block as having outstanding leadership qualities, and one whose loyalty to the United States is unquestioned. In the other areas similarly invaded and held by the communist guerrilla forces, the "key" patriot had been carefully selected; the Mayor; the Chief of Police; the Superintendent of Schools, and so forth. If, on the other hand, the communist intelligence survey had revealed that the Mayor was pro-communist and anti-American, then his life would be spared. Only those leaders who were "super-patriots" were selected for liquidation.

The victims, in themselves, were unimportant; simply so long as he or she was a symbol, in the eyes of the people, of organized, lawful government.

Before your horrified eyes, the schoolteacher is forced to his knees, his hands lashed behind his back. After subjecting him to unspeakable indignities, a gun is placed at the back of his head, the trigger is pulled, and his brains are blown out before your eyes.

With the warning that any person found to support the United States Government would be similarly dealt with, you are then told that you can return to your home.

Fiction? May God help us—no. This is a factual account of what is taking place right now; this day, this week, this hour. For the U.S.A., substitute Thailand.

For President John F. Kennedy, substitute former King Ananda Mahidon. For your neighborhood, substitute the village of Ban Housi Sai. For your home and family, substitute the defenseless and blameless homes and families in northeast Thailand.

For the verbatim, factual account of the whole bloody, rotten, stinking methods of the communist criminals, send one dollar to Mr. John M. Fisher, President of the American Security Council, 123 North Wacker Drive, Chicago, Illinois 60606. Ask him to send you their security report No. WR 67-15, dated April 10, 1967.

It's all there, in detail; names, dates, places, facts and figures.

All, except for the exact words of the communist propaganda harangue. These were lifted from a message given, not in Thailand, but in the United States. The words appear in an advertisement which appeared in the Los Angeles Times, dated March 29, 1965. The hate message was signed, among others, by such notables as Lewis Mumford, Dorothy Bricker, Hugh DeLacy, Stephen Fritchman, Michael R. Hallinan, S. M. Lazarus, Hugh R. Manes, and Ben Margolis.

The name of Steve Fritchman is particularly interesting to me, since I knew Steve rather well during the time I was a counterspy for the F.B.I. in the Boston, Massachusetts area. Steve, at that time, occupied an office in the headquarters of the Unitarian Church on Beacon Hill Boston. His Girl Friday and right hand assistant was Martha Fletcher, the chairman of my communist underground cell. We met in her apartment. I can recall the whole business rather vividly, because Comrade Martha was a rare exception in the communist apparatus—a most attractive female.

I can also recall one particular evening when we were discussing our Red security methods, designed to conceal the criminal and subversive activities of the top-flight "pro-group" section of the apparatus. After carefully going over the "cover" stories of each of us, it was concluded that we were in good shape. Even Comrade chairman Martha was pleased. "The only thing the F.B.I. has on me," she declared, "is that I work with Steve Fritchman."

Years later, during the hey-day of the notorious outfit of the assassin Lee Harvey Oswald—the Fair Play for Cuba Committee—advertisements of meetings of the FPCC appeared frequently in the left wing press on the West Coast. A street address for the meetings was given. It turned out that the street address was one and the same of a certain Unitarian "Church" in Los Angeles. And it further turned out that the boss at the "Church" was a certain Steve Fritchman.

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*Because my Polish friend has been threatened with bodily harm if he speaks out, his name is not given here. The KGB has long arms—and they reach into every corner of the earth, including the United States.

Needless to say, the Fair Play For Cuba Cuba Committee meetings were abruptly discontinued when one of its card-carrying, dues-paying members, Lee Harvey Oswald, gunned down the President of the United States. But the hate propaganda against the United States which had been pushed under the heading of "Cuba," was simply continued under the new heading of "Vietnam." The vicious attacks against President John F. Kennedy, are now directed at President Lyndon Johnson.

One has to hand it to old Steve, however. Fifty years of Soviet hell have yet to make him sick to his stomach. Through all the days of the bestial reign of bloody Joe Stalin; in the double-cross and brutal occupation of the captive nations of Europe; in the ruthless slaughter of the Hungarian freedom fighters; in all of the torture and terror and brutality rained upon the hapless people of Cuba; in the rape of Tibet; and now in the inhuman, scientific slaughter of innocent men, women and children of Thailand and Southeast Asia, Steve Fritchman has remained "one of the most typical sponsors of communist front organizations" in the United States. He has yet to vomit.

The case histories here cited dramatically illustrate three hard and fast facts:

First—that in spite of all claims of Soviet "mellowing," one can easily point to current day tactics by the communist international which are no less heinous than in the very darkest days of Stalinism. Persecution, torture, terror, the slaughter of innocent victims for political objectives is just as much a part of communist theory and practice as it always has been.

Second—in support of the program of the communist international, communist propaganda fronts still flourish in the United States, aided and abetted by those who have similarly supported communist and procommunist causes over the years.

Third and lastly—in this year of great celebration and jubilation for the communists, marking 50 years of Soviet conquest dating from November 7, 1917 to November 7, 1967, it behooves all those who love liberty and cherish freedom to not only continually and constantly expose the truth about present day communism, but also to challenge those who would spread the lie that the communists have changed.

Whenever and wherever you may encounter such an individual, demand that proof be produced from communist sources that the Red bosses in Moscow have told their members to cease and desist their attack against the United States; or that the communists have disavowed the teachings of Marxism, Leninism; that they abandoned any of their basic ideology including atheism; materialism; socialism; the need to establish the dictatorship of the proletariat; the use of force and violence to accomplish one's ends; or the goal to communize the entire world after the Soviet pattern.

NEW CONCEPTS IN WEALTH STATISTICS AND CAPITAL BUDGETING

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CURTIS. Mr. Speaker, on June 22 I had the great honor of addressing the American Marketing Association. This group was at that time exploring the need for more refined and accurate tools for use in measuring and understanding our modern economy.

I am inserting in the RECORD today my prognostications on the promise and value of an inventory of the Nation's wealth as a statistical tool:

NEW CONCEPTS IN WEALTH STATISTICS AND CAPITAL BUDGETING

(By Representative THOMAS B. CURTIS)

It is impossible to imagine today how a modern economy could operate without the knowledge provided by the national income accounts—our familiar GNP.

Yet this indispensable tool for understanding our economy was developed only over the past three or four decades. Given our heavy reliance on the GNP, it is an astonishingly recent development.

Now there are new stirrings within the statistical fraternity. Within the past two years, a significant and potentially massive effort has been launched to develop another key statistical tool. I am speaking of an inventory of the Nation's wealth.

I strongly suspect that before too many years have passed, wealth statistics will rank with the GNP in usefulness to economists, government officials, and businessmen. Thirdering how we ever got along without them—ty or forty years from now we shall be won- just as we do today about the GNP.

As you know, the effort was formally inaugurated by the Wealth Inventory Planning Study, under the direction of Professor John Kendrick, which followed pioneering work in this field by Professor Raymond Goldsmith. The Kendrick study was published by the Joint Economic Committee in late 1964 and hearings were held and a report issued in 1965.

The Subcommittee on Economic Statistics, which conducted those hearings, had only one problem: it was difficult, if not impossible, to find witnesses who were opposed to the collection of wealth statistics. The witnesses and members of the Subcommittee enjoyed a rare—and to me almost disturbing—unanimity of opinion.

Why do I say disturbing? I certainly am wholeheartedly in favor of developing these statistics. They will have many critical uses which are not clearly foreseen even now. But more of this later.

If there is a single reason why I felt uneasy at the unanimity expressed at the Committee's hearings, it was because so little attention was paid to what wealth statistics would not include. The usefulness of any statistical series depends upon a precise understanding of the limitations of the data. Unless carefully interpreted, statistics can become misleading guides to policy action.

Let me give you an example relating to our national income accounts.

I regret to say that even our GNP data is frequently misused. Increases in GNP are often equated with true economic growth or wealth creation. Yet the Gross National Product is an indicator of economic activity, not economic growth, and certainly not of wealth creation.

This is a case of confusing indicators with causes. You cannot get an elevator to come to your floor by manipulating the floor indicator. I think we have to become more sophisticated in economics so that we distinguish between basic economic forces and economic indicators which measure these forces.

The best rebuttal to those who imply that GNP measures economic growth is to point out that during periods of war the economy is highly active, economically and in every other way. Gross National Product soars to high levels. Unemployment is very low. Yet no one would contend that this reflects true economic growth. Quite the contrary. It is economic activity that eats into wealth, albeit protecting to the extent it can the wealth that is already in existence.

Even in peacetime, economic activity may destroy wealth, rather than create it. This is particularly true in a society governed by central economic planning. Witness some of the gross errors committed by the Russian economic planners, such as in agriculture or in the heavy public investment in hydroelectric plants instead of coal burning steam electric plants. These errors of economic judgment showed up as increased Gross National Product because they stimulated economic activity. But ultimately they proved to be economic mistakes. They used up wealth, instead of creating it, and economic activity itself diminished in the long run. The ability of the Russian economy to move forward has been sharply limited by these economic errors which were hidden by the inability of the GNP indicators to measure the quality of economic activity.

The importance of understanding the limitations of economic data will apply equally to wealth statistics. The development of these statistics, which is now going forward in the Department of Commerce, emphasizes physical or material wealth. However, we must keep firmly in mind that wealth includes much more. Among the meanings cited in the dictionary, we find, "those energies, faculties, and habits directly contributing to make people industrially efficient."

I continually pose a hypothetical question to businessmen. I ask, "What if you were confronted with the choice of losing all of your physical assets or losing the skilled personnel that you have built up over a period of years? Which would you choose?" The answer comes quickly. In effect, they say, "We'll take our personnel and go to work in a barn." I am sure that many industrial leaders of Germany, for whom the destruction of their physical plant was a fact after World War II, understand perfectly what our own businessmen mean.

As an economy matures, the emphasis on human wealth, as opposed to physical wealth, increases sharply. Human skills gain in relative importance to physical assets. Mass production in our society is completely dependent upon mass distribution and mass services. A mature society emphasizes those areas where the need for human knowledge and skills is greatest but which often require relatively less tangible or physical wealth than manufacturing.

By concentrating our attention on physical wealth, we measure only one part of our real wealth and tend to shove into the background the areas that I feel we must emphasize more and more. The enactment of the Investment Tax Credit illustrates the type of problems we can face in this area unless we understand the meaning and limitations of the wealth statistics that are being developed. The investment tax credit applies to investment in physical capital. Certainly this is important. Investment in plant and equipment stimulates real economic growth. But is that enough? I think not. Investment in human resources is equally, and perhaps more, important.

Our tax laws currently discriminate against training and education. Yet such expenses are clearly a capital investment that creates a tremendous return to the individual and to society. Our neglect of human wealth is further highlighted by the fact that we have not yet set up statistical series on job vacancies, nor do we have a a common nomenclature on skills.

It is true, of course, that measuring our human wealth poses difficult conceptual and technical problems. But difficult or not, we cannot neglect the fact that wealth really consists of a combination of physical goods, the tools, along with the know-how of human beings. Physical wealth without human skills can create an economic waste. I think, for example, of the Inter-American Highway, which was built before a concept of proper maintenance had been developed and trained personnel made available. Some of the wealth that was created has deteriorated as a result.

So as we move forward in this area of wealth statistics, let us bear in mind that we rely more and more heavily on human knowledge. It becomes more important in relation to physical wealth, and it becomes essential that we stress and understand the difference.

Having raised those cautionary signals, let me emphasize again how anxious I am that we move forward with the collection of wealth data. Not all of the problems have yet been solved, nor will the wealth estimates that eventually emerge be perfect. But had we waited for perfection, we probably would not have our national income and product accounts today. Even these are undergoing constant improvement.

The value of wealth statistics is that they will provide some of the answers to many of the most difficult questions facing economists, particularly those relating to economic stability, growth, and resource allocation. In addition, there are some little-emphasized but vital uses of wealth statistics which will serve important objectives of public policy. I want to discuss four of these briefly with you today.

First, our present depreciation schedules are completely unrealistic in a time of such rapid technological change. These schedules are still based on the concept of useful life wearing out. I have thought for some time that with technology improving as rapidly as it is in the United States today, depreciation should be based on obsolescence (useful economic life). For example, we need more realistic depreciation schedules for buildings. I have noticed in my own community of St. Louis and elsewhere that buildings are being torn down that appear to be perfectly usable. When I have inquired why, I have often found that it is because they are not air conditioned, and that it may actually be more costly to install central air conditioning or even window air conditioning than to build a new and modern structure from the ground up. I think we are seeing more and more of this kind of obsolescence, and it has a great bearing on our attempts to measure wealth. I hope that one useful fall-out of the wealth inventory is additional and more realistic data on lengths of life that could be used by the Treasury Department to revise the depreciation guidelines in accordance with these realities of obsolescence.

Second, the poverty program necessarily required some attempt to define poverty. Initially, a family was said to be poor if its annual income was below $3,000 a year. This has since been revised to take account of such factors as number of members in the family, but our poverty guidelines still remain seriously deficient.

One of the largest groups said to be poor are our aged. Obviously the current income of many aged persons is considerably below what it was during their earning years. But very often, these same people may have assets in the form of cash savings, stock, Government bonds, household furnishings, and a dwelling that is fully paid for. I would expect that our wealth inventory would give us a better idea of the assets of this and other groups in our society and thus help us to understand the poverty program better and to shape our programs with more realism and precision.

Third, I have felt for years that one of our best taxes is the property tax. Essentially, the property tax is a tax on wealth based upon a continuing process of assessment, It has responded nobly since the end of World War II, financing the vast increase in state and local expenditures, particularly for education.

There is still a need for modernizing our property tax laws and in keeping them up-to-date—which means, among other things, modernizing our zoning laws. Few communities can support schools or community facilities with a property tax based heavily on home assessments. A combination of up-to-date zoning and assessment can, however, produce a balance between industry, commerce, utilities, and private homes that is capable of producing fine community facilities, ample revenue, and little debt.

The interesting fact about the real estate tax is that it produces funds that are spent largely to increase the valuation of the very real estate that is taxed. The expenditures from the real estate tax directly relate to increasing and preserving community wealth. A well-defined real estate tax system creates an incentive to utilize real estate to its greatest economic potential. As a good tax system is established in context with up-to-date zoning laws and building codes, increased wealth flows to the community.

In developing wealth statistics, we should look to the inadequacies of the assessment process of local Government in computing wealth. I was highly pleased that the Subcommittee on Economic Statistics noted in its report that a national wealth inventory would prove highly useful in studying the mitigation of present wide variances in property tax laws and assessments.

Finally, the collection of wealth statistics should be coupled with the development of a capital budget for the Federal Government. Those economists and policy-makers who have emphasized the aggregate impact of Federal spending on economic activity have tended to erode the fiscal discipline upon which a sound expenditure policy must rest. The aggregate economists have said, in effect, that we must have spending for spending's sake, in order to stir up economic activity when aggregate demand is insufficient. This philosophy undermines a sound and wealth-creating expenditure policy.

If the purpose of Federal spending is to equate demand to the economy's capacity, then what does it matter what you spend the money for, so long as it is spent? In my view, expenditure policy must relate to what the money is spent for. If Federal outlays are for investment purposes, they must increase wealth and earnings. If they are for current expenditures, they should not exceed present revenues, except in periods of identifiable emergencies, and the length of those periods must be related to the basic wealth already in being. Military expenditures are designed to protect the wealth and the institutions of society itself. But these expenditures are non-wealth-creating in themselves, and should therefore be supplemented as soon as possible by future wealth-creating expenditures. I can think of no expenditures more likely to create wealth than those on education and training. It has a powerful effect in creating more wealth and new and increased earning capacity.

The reason I believe a capital budget for the Federal Government is vital is that it would give us means of evaluating expenditure policy. We would know what portion of Federal spending is being devoted to capital or investment expenditures, and we could judge those outlays accordingly. We would also be in a position to know the level of current expenditures and to establish the amount of current income necessary to cover those expenditures.

These, then, are some observations about possible uses of the wealth inventory that I consider important. Obviously, there are many others that could be cited. There is no doubt in my mind that the intelligent formulation of public policy in the future will require data on the Nation's wealth. The collection of these statistics is not only going to require a substantial outlay of funds, but also a tremendous amount of coordination and cooperation among government statistical agencies. For my part, I believe the expense and the effort is well worth undertaking. I have often said that a dollar spent on the collection of economic statistics repays itself a hundred fold in a more productive and efficient economy. A national wealth inventory holds promise of making an especially significant contribution to that goal.

IT IS TIME TO STOP FREE WORLD SHIPPING TO NORTH VIETNAM

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GURNEY. Mr. Speaker, I am introducing a bill to prohibit any vessel or shipping line which is doing business with North Vietnam from carrying U.S. cargoes. In light of the fact that a great deal of the supplies received by North Vietnam arrive by sea, it is shocking to me that some of these goods are still being shipped from countries in the free world, and in ships flying the flags of our stanchest allies. This is a matter of vital concern to all Americans.

The bill I propose amends the Merchant Marine Act by providing that no article shall be transported aboard vessels of any shipping interest which allows vessels under its control to be used in trade with North Vietnam.

Those shipping lines which engage in trade at American ports would either have to give up their trade with North Vietnam or their business with us. Great Britain, by far the worst offender, claims that it has no control over its private shipping lines except in wartime. This bill would take the problem out of the hands of the diplomats and the British Government and let us deal directly with the offending shippers.

We now have a similar cargo ban on ships trading with Cuba, and we are not at war with them. Why should we not operate such a blacklist against ships aiding a regime that is daily killing our American boys?

Recent statistics show that the problem is getting more acute, not better. The first 5 months of 1967 saw an increase in free world shipping to North Vietnam as compared to the last 5 months of 1966. The total number of arrivals for the first 5 months of 1967 was 28, substantially more than the 19 that arrived during the last 5 months of 1966. We cannot allow this to continue, while our boys are dying in the defense of freedom in Vietnam.

It seems strange to me that Great Britain should be the chief offender. The

United States has cooperated with Great Britain in her Rhodesia embargo, but has not received similar cooperation from Great Britain regarding shipping to North Vietnam. Of the 28 free world ships arriving in North Vietnam in the first 5 months of this year, 23 flew the British flag. Of the 74 free world ships that arrived in North Vietnam last year, 50 flew the British flag. While it may be hard for Great Britain to control her private shipping in peacetime, she found ways to do it in Rhodesia, and it seems logical that she could find ways to do it in North Vietnam.

We are told that the supplies transported by these free world ships are nonstrategic materials, but there is strong evidence that in at least 3 months of this year strategic goods have been delivered by free world ships. Even if these shipments were not classified as "strategic," however, they release Communist ships for the transportation of more war goods. And how can this administration be so naive as to believe that there are any nonstrategic materials if they are in short supply in a nation that is waging war? Anything is strategic if the country needs it, and you can be sure they would not bother to import anything they did not need.

Another excuse we are given for inaction in this area is that these ships are under charter to Communist nations, and so not controlled by the country whose flag they fly. But what kind of an excuse is that? Surely the North Vietnamese war effort is helped greatly if they are allowed to hire free world ships.

It is inconceivable to me that we do not take the most effective steps possible to cut off this source of supply to North Vietnam. The enemy is certainly not granting our supply ships safe passage to Saigon. These waters have been mined, and American merchant seamen have been killed. Yet we balk at the prospect of using the economic weapons available to us to effectively stop free world trade with North Vietnam. How can we explain this to our boys who are fighting, and giving their lives, to defend the very principles of freedom upon which our Nation was founded?

I am also disturbed by the fact that so little information has been released to the American public concerning this problem. They have a right to know that North Vietnam is being supplied by our free world allies, and to know what we are doing to cut off this source of supply.

This administration has the economic weapons available to stop this flow—all its needs is the courage to use them. It is high time we show Ho Chi Minh that we mean business, and take a clear stand to prevent future free world shipping to North Vietnam. It is time for the present administration to take action to deny the enemy the flow of supplies from our friends and allies, rather than merely pay lipservice to the proposition that we are backing our boys in action with all we have. As long as American soldiers are fighting and dying in Vietnam, no nation of the free world should be permitted to send supplies to their killers. As long as Americans are dying in battle against the Communists, one free world ship calling in North Vietnam is one too many.

MINNESOTA EDITORS PROTEST DRASTIC RATE PROPOSALS

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. NELSEN. Mr. Speaker, the Postal Rates Subcommittee of the House Post Office and Civil Service Committee is presently considering numerous changes in second-class mail rates.

The proposals contained in H.R. 7977 and Committee Print No. 2 pertaining to these increases have caused overwhelming concern among the many newspaper publishers and editors in the Second Congressional District.

A great many of the newspapers in my district are so small, it is unlikely their publication could continue if all the sweeping mail cost increases are enacted. This would be a tragedy, not only for the press involved, but for the public. The grassroots press, independent and varied as it is, has always been a chief guardian and protector of our free institutions and the public interest. Our local newspapers provide news and public service information on a scale no other facility could possibly provide.

I have written the appropriate committee members of my deep concern over this matter. In an effort to further advise the House of the dangers to the grassroots press of the proposals under consideration, I include in today's Record numerous pieces of correspondence I have received from the editors back home. Many simply cannot live with the drastic increases proposed.

The material follows:

The Rock County Star Herald,
Luverne, Minn., July 17, 1967.

Congressman Ancher Nelsen,
House Office Building,
Washington, D.C.

Dear Congressman Ancher: This is a frantic call "Help, help!"

Executive sessions July 11 began something that may drive small newspapers out of business. There is a new proposal, just out, which could increase mailing costs anywhere from 22 per cent to 300 per cent . . . and all at once.

The House Postal Rate Subcommittee is considering a new proposal which would impose the 7–7–7 increase on Second Class as of January 1968, dropping the stretch out formula proposed by the administration in HR 7977.

It would also hike the in county minimum rate from the present one eighth cent to half a cent instead of the two tenths per cent proposed in HR 7977.

It would hike the in county pound rate from the present 1.¼ cents pound rate for in county to 2.1 cents instead of the 1.5 cents proposed in HR 7977.

Our mailing costs are too high now for the service we are getting . . . and this proposed jolt is vicious in that it is the "small newspapers" are being singled out for the greatest rate increases.

I do hope and trust you will use your influence and will make your feelings known to Congressman Arnold Olsen and Congressman Thaddeus Dulski.

Cordially,

Alan C. McIntosh.

Minnesota Newspaper Association,
Minneapolis, Minn., July 4, 1967.

Congressman Ancher Nelsen,
Longworth House Office Building,
Washington, D.C.

Dear Congressman Nelsen: At a time when Congress is set to study the failing newspaper bill on behalf of "failing newspapers," the House Subcommittee on Postal Rates is seriously studying a proposal by its chairman to increase postal rates to such an extent as to endanger the existence of a good many weekly newspapers.

The proposed increase, which I understand can be as much as 300% over present postal costs, is patently outrageous.

Many small communities are dependent on their struggling newspapers for a competitive voice in their trade areas, facing enormous competition and increasing production problems. Such an unprincipled raise in postage, on top of previous raises and the cost of Zip-coding in which newspapers do a good deal of the work for the POD., will only result in the death of many of these newspapers and the subsequent erosion of the communities they serve.

The sudden application of all of these increases at the same time, in fact, demands that much of the community press—the smallest newspapers, particularly—go out of business.

As the president of the Minnesota Newspaper Association, representing every legal newspaper in the State, I protest this drastic proposal and urge your most serious consideration of the effects of Chairman Arnold Olson's postal rate increase proposal, which will have such a great effect on smaller newspapers and their ability to serve the public. I urge your most concentrated attention to the meetings now in progress, and ask that you oppose this decided threat to America's small newspapers.

I would appreciate hearing what action you have taken.

Respectfully,

W. S. Adams, *President.*

Arlington Enterprise,
Arlington, Minn., July 14, 1967.

Congressman Ancher Nelsen,
House of Representatives,
Washington, D.C.

Dear Ancher: There is a new proposal now before the House Postal Rate Subcommittee which would raise the postal rate for mailing our paper 300% all at once.

We would appreciate anything you could do to help us on this matter, Ancher, to help small newspapers stay in business.

Sincerely,

Val Kill.

Post Publishing Co.,
Blue Earth, Minn.

Congressman Ancher Nelsen,
Washington, D.C.:

Re H.R. 7977. The quickest way I know of putting us out of business.

Stan Brotherton.

Cottonwood County Citizen,
July 11, 1967.

Hon. Arnold Olsen,
Chairman, Subcommittee on Postal Rates, House Post Office and Civil Service Committee, Washington, D.C.

Dear Mr. Olsen: In regard to the postal rate bill which you are now considering, we would like to add our protest.

The new rates, we understand, will increase our mailing costs anywhere from 22 to 300 percent—not in stages—but all at once.

This will come as a great hardship on our own paper, as well as many others which are battling for survival. It would come on the heels of a minimum wage hike which has increased costs considerably. Added to this are the spiraling costs all along the line which have already taken a big bite out of our normal profit picture.

We are sure that you are justified in raising our rates. We would, however, ask you to seriously consider doing it in stages and that possibly the hike wouldn't be as great as the one you now propose.

We realize that your committee has many complex problems in dealing with postal rates. But we respectfully request that you consider the problems that will be created for us if your present proposal is adopted.

Thanks for your consideration.

Sincerely yours,

KENNETH M. ANDERSON, *Publisher*.

HERALD PUBLISHING CO.,
Chaska, Minn., July 11, 1967.

Hon. ANCHER NELSEN,
Washington, D.C.

CONGRESSMAN NELSEN: It appears that floods on the Minnesota River aren't our only concern. It has come to our attention that the House Postal Rate Subcommittee will consider a new proposal which would severely hurt financially the small weekly newspapers which I sincerely believe are the grassroot information vital to this country.

Although you are not a member of this committee, I feel confident that you are aware of the rising costs that are causing consolidation and often the dropping of newspapers in smaller communities which would feel the brunt of the posed threat of rates increasing from in-county minimum of the present one-eighth of one cent to a half cent. The Chaska Herald, with 2800 circulation, distributes almost 2,000 of these papers in the so-called in-county area.

Any assistance you can give to have the committee retain the H.R. 7977 proposal would be sincerely appreciated.

Sincerely,

RAY M. TSCHIMPERLE, *Editor*.

In addition, Mr. Speaker, my office has received phone calls from Allan Wilcox, publisher of the Waterville Advance, and L. D. Mills, copublisher of the Hutchinson Leader.

Mr. Wilcox pointed out enactment of the more severe proposal would increase second class mail costs around 300 percent, an intolerable increase. Tip Mills said the proposal, for a 5-day-a-week paper mailing 1,600 copies within the county, would raise the cost from $520 to $2,080. He estimated such an unwarranted increase would double the postage bill of the Leader within its home McLeod County.

OEO POLITICAL ACTIVITIES RELATED TO VIOLENCE IN NEWARK, N.J.

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. GARDNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GARDNER. Mr. Speaker, for some time I have been deeply concerned over the political activities of OEO-funded community action programs throughout the United States. I have pointed out the very dangerous precedent that is being established by allowing community action workers to become directly involved in the political affairs of a community.

In presenting the facts to Sargent Shriver, I have received no cooperation whatsoever, either from him or the Office of Economic Opportunity and, in fact, have been very disturbed by the obvious attempt by Mr. Shriver to whitewash all charges of political activity by OEO and its funded agencies.

Because of my concern over this dangerous situation, I have been determined that I will not allow Mr. Shriver to whitewash the political activities of OEO, and I now find that there is evidence that OEO-funded agencies, with the tacit approval of Sargent Shriver, are tied directly to the violence that has broken out in many of our cities. I am speaking specifically of the recent violence in Newark, N.J., that has shocked and saddened all Americans. I have, in my possession, a telegram sent to Sargent Shriver by Dominick A. Spina, police director of Newark, N.J., on May 25, 1967, almost 2 months prior to the riots in Newark. I will read Mr. Spina's telegram to Mr. Shriver:

NEWARK, N.J., *May 25, 1967.*

SARGENT SHRIVER,
Director, Office of Economic Opportunity:

I strongly protest the use of resources and manpower from the United Community Corporation, an agency of the Office of Economic Opportunity, for the purpose of fomenting and agitating against the organized and democratic government and agencies of the city of Newark. The United Community Corporation has rented from Hertz Rent a Car, vehicles to use to agitate against the planning board of the city of Newark and the board of education. Persons employed by the UCC have told us they have been threatened with the loss of their jobs if they do not participate in picketing and demonstrating against the agencies and the government of the city of Newark. I feel that this is directly opposed to the purpose of the antipoverty funds and that such practices be ordered to desist immediately. The acceleration of this kind of practice by this antipoverty agency will undoubtedly lead to riots and anarchy in our city. I request an immediate response.

DOMINICK A. SPINA,
Police Director.

I would also like to read the very casual reply sent to Mr. Spina concerning what he felt was a very dangerous and explosive situation:

JUNE 13, 1967.

Mr. DOMINICK A. SPINA,
Police Director,
Newark, N.J.

DEAR MR. SPINA: Thank you for your telegram of May 25th, indicating that you feel that there has been a misuse of resources by the United Community Corporation of Newark.

Our Office of Inspection has looked into the matter. Our information is that the United Community Corporation in Newark used the Hertz car on May 23rd to move chairs and equipment in the target area. They also used the car on May 24th to announce by sound equipment the change of date of a public hearing from May 24th to May 25th.

We have found no evidence that the car was used as a platform for agitation, as you suggest, or that the United Community Corporation has misused its resources. However, if you have any other specific information pertaining to this incident, please bring it to our attention.

Sincerely,

SARGENT SHRIVER,
Director.

This is the same type whitewash and irresponsible approach that Mr. Shriver has taken to all inquiries concerning political involvement of OEO agencies.

Last night in my home State of North Carolina, in Durham, a city which has been plagued by political activity by employees of Operation Breakthrough, an OEO program, a group of more than 150 people, inspired by Operation Breakthrough employees, which is the local community action agency, and the North Carolina fund, threatened and intimidated members of the Durham City Council during their monthly meeting. This group was led by a former employee of Operation Breakthrough, who is now employed by the Breakthrough-approved programs of United Organizations for Community Improvement.

During the 90-minute parade of speakers, the members of the city council were told that unless certain demands were immediately met, Durham would become another "Watts, Newark, or Vietnam."

The situation that I have described in Newark, and in Durham, N.C., is going on in numerous cities throughout the United States. It is a dangerous and deplorable situation indeed when the Congress of the United States funds a program to help the poor people throughout the Nation, and finds that under the inept leadership of Sargent Shriver, employees of these programs are deeply involved in inflammatory political activity.

NECESSITY OF REVIEW OF NATION'S ENTIRE DIPLOMATIC AND ECONOMIC POLICY IN RELATION TO SOVIET UNION

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. BROYHILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, Congress has an opportunity to consider and weigh the necessity of a thoroughgoing review of this Nation's entire diplomatic and economic policy in relation to the Soviet Union.

Certainly no more appropriate time will present itself than this week which has been set aside by the Congress each year since 1950 as Captive Nations Week.

An organization known as the National Captive Nations Committee is sending to Congress a document challenging this body to undertake such an examination of our relations with the Soviet Government and the relations of that government to the nations under Soviet domination as well as the more than 1 billion captive humans subjected to Soviet control.

I hope this Congress will give mature consideration to this request. It stems from the intense and determinated efforts of a large number of fine American citizens, many of foreign birth, who seek justice for their people behind the Iron Curtain as well as reality in this Nation's relations with the Russian Government.

To this end the National Captive Nations Committee is observing Captive Nations week from July 16 through July 22 by asking that all Members of Congress study the issues and participate in the observance wherever possible.

The observance of Captive Nations Week is particularly timely at this moment. The Middle East crisis, as you are aware, Mr. Speaker, again opened the gates for a Soviet propaganda barrage, directed at the United Nations as well as the American people, protesting the so-called takeover of the Middle East by Israel military forces.

A 50-man Soviet delegation, led by the Soviet Premier, descended on the United Nations and the American Government, demanding that the free people of the world come to the rescue of the Arab Republic. Little attention was paid to the Israel claim that it undertook military action to prevent its own annihilation, nor was a single official American voice either at the United Nations or the State Department raised over the blatant propaganda eminating from the Soviet delegation along with the crocodile tears about the oppressed Arabs, who number in the thousands compared to the hundreds of thousands under oppression and domination by the Kremlin.

I believe that it is proper at this time to remind the Congress and the American people, along with the White House, State Department and U.N. delegates, about the sincerity of these voices of protest from the Kremlin.

Almost a billion people and dozens of nations were stomped into oblivion by Soviet military occupation forces during and following World War II. These people have been kept in virtual slavery ever since by Communist commissars who now ask the world to take seriously their horrified protests over Israeli acts in the Middle East. If the U.N. and the administration buy this drivel they are unfit to represent free people and will serve as world apologists for every black deed of Soviet guilt in modern history.

We can and do sympathize with the people of the Arab nations who suffered from the recent conflict, but the crybaby political and international grief coming from the Communists is something else again. If they want to use the U.N. wailing wall over the fate of the displaced Arabs, then I think we ought to make it available to them for equal expression of concern and sorrow for all the people of the world they have been holding in bondage for more than 20 years. I am sure the Israel Government will be willing to participate in a full discussion of all facets of international problems concerning captive peoples and nations.

This could be a ripe opportunity for every country to return all the land and all the people to freedom. I think we should encourage Soviet interest in this subject, and insist on a little reciprocity now that we have the subject of conquered people out in the open for the first time since the sellout two decades ago.

Certainly I am honored to raise my voice in protesting the continued subjugation of free people anywhere by whatever means used to capture and hold them in bondage.

But I see no need, Mr. Speaker, no realism, no justice, in permitting unlimited protests against the actions of one small nation, accused of waging a war to protect its interests, and letting lie fallow the larger question of captive people everywhere. To do so, to tolerate such views or actions by this Government or any international body involved, is an omission of faith and a dereliction of duty on the part of those who still remain free.

I urge this Congress to give full consideration to the National Captive Nations Committee request for a full-scale review of the U.S.S.R.'s continued domination of the unwilling billion who now bear the yoke of Kremlin dictatorship.

I urge that we raise our voices in demanding such an examination of the facts of Soviet conquest, especially now that the Russian leaders have seen fit to raise the issue in connection with the Israel-Arab conflict.

It will be but simple justice to do so, Mr. Speaker.

CAPTIVE NATIONS WEEK

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Burke] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BURKE of Florida. Mr. Speaker, this week, July 16–22, we in Congress join all Americans in the ninth annual observance of Captive Nations Week. This is a time for us, living in a free society, to especially remember the plight of the millions of people living under Commuinst domination. The Communist governments of these captive nations do not respect the principles of individual freedom and constitutionally guaranteed rights. The citizens of these nations have not passively accepted the repression of their liberty. We can see evidence of their striving for freedom in all the Eastern European countries and even within the Soviet Union itself.

Their efforts have not been totally in vain. There has been liberalization in some aspects of life in almost every nation. More attention is being paid to the immediate needs of the people for more consumer goods. In an effort to avoid the waste of a central planning there have been some attempts to rationalize the economy by introducing a modified supply and demand pricing system.

There have been efforts to give the workers incentive by rewarding effort and ability through increased pay and benefits. Yet even these so-called liberal policies do not provide the individual with the liberty that we believe is each man's birthright. The captive peoples are not free to express themselves. Expression of thought must be restricted to the party line. Many sources of information that do not reflect this line are repressed. Nor can the citizens of these nations freely express what they do think, write as they wish, or choose those who will govern them.

Through our observance of Captive Nations Week we want to express to these people our deep sympathy and our promise of aid in their constructive attempts to win their eventual freedom.

BACK-DOOR METHOD OF GIVING AID TO MOSLEM NATIONS

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Burke] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BURKE of Florida. Mr. Speaker, I have learned that a back-door method is being attempted to evade the sense of the Congress on the issue of giving aid to Moslem nations that have collaborated with the Soviet Union and used their own resources to buy Russian arms, expelled Americans, burned U.S. consulates, and severed diplomatic relations with the United States.

I understand that despite the clearly defined expressions of the Congress, the Department of Agriculture has just invited bids for the export of grain to Sudan, the Moslem neighbor of Egypt, which like Egypt arbitrarily denounced the United States and severed diplomatic ties. This is one case in point. But what assurances are there that the grain would remain in Sudan and not be shipped to Egypt where it could feed the sailors of the Soviet naval squadron, now based in Port Said and Alexandria, and otherwise be used by Nasser?

The deal with the Sudanese is being made through Somaliland, another African nation, because the Sudanese refuse to deal directly with the United States. Yet we insist on pressing this aid upon them. Somaliland is acting as the front for Sudan, with the knowledge and consent of the State Department.

Repayment of the $20 million credit grant, financed by the American taxpayers, is "guaranteed" by the Central Bank of Sudan—a worthless guarantee. The bank is not a viable institution.

I am requesting the executive department to make a full report to the Congress.

EXPENDITURE CONTROL AND TAX PREFERENCE

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Bates] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BATES. Mr. Speaker, according to recent newspaper reports, this Congress will soon be asked to approve legislation increasing Federal income taxes by a surcharge of as much as 8 percent. The reason is the rate at which the possible deficit for fiscal year 1968 is rising. As explained by the distinguished chairman of the Committee on Ways and Means in his much-quoted Rochester speech, titled "Expenditure Control and Tax Policy," the Federal deficit could be $29.2 billion by the end of fiscal 1968.

Mr. Speaker, during the July recess, the most clear and persistent message I received from the people of the Sixth District of Massachusetts, which I am privileged to represent, is opposition to any increase in taxes—unless this Congress remains true to its promise to halt spending on Federal projects which are not really necessary.

Like the honorable chairman of the Committee on Ways and Means, "I have not joined the so-called 'doctrinaire' group which simply indicts Government spending in general." I, too, demand "a bill of particulars."

The Federal project most frequently cited to me as lacking justification is the proposed Dickey-Lincoln hydroelectric power project on the Canadian border, which the Federal agencies want to build in order to serve the electric needs of so-called preference customers in New England.

The reason Dickey-Lincoln has become the focal point of resentment among my constituents is not simply that it is unnecessary. The reason also is that my constituents would be taxed to pay its enormous cost in order that its so-called preference customers could obtain their electricity free of all tax charges. According to the statistical enticements of the Interior Department, which would market its output, their tax saving would amount to $5.2 million a year.

According to Interior's tabulation, in all New England there are some 330,000 preference customers, comprising 8 percent of all customers served there. The other 92 percent, or over 3.5 million customers, are served by private industry. According to the State and Federal agencies that regulate their rates, total taxes these customers of private industry pay as part of their electric bill amount to about $200 million a year. Nearly one-fourth of every electric bill they pay goes for taxes.

My own research shows that, according to a recent study of this project by the House Appropriations Committee staff, Dickey-Lincoln would be constructed solely for power purposes; assuming escalation of its construction cost at only 5 percent per annum, it would cost far in excess of one-third of a billion dollars; the rate at which its power must be sold to recover this enormous outlay would exceed the cost of power from other new, non-Federal powerplants in New England, and would be greater than the average price for power now paid by preference customers throughout New England.

Apart from fiscal and budgetary considerations, it is hard for me to imagine a less justified, less needed Federal project. It is harder still for the citizens of my district to understand why they should be taxed to pay for this costly power project in order to provide tax-free power to others. To my constituents—and I suspect to 92 percent of the other citizens of New England—it symbolizes nothing more than a form of special tax relief.

As the Membership of this body knows, less than 2 years ago, when the Dickey-Lincoln authorization was before this chamber, it was categorically rejected by both voice and record vote. Unfortunately, by one of the worst legislative flimflams to which it has ever been subjected, this House was outmaneuvered in its opposition to it at that time. To date, Congress has appropriated a total of $1.9 million to finance the preconstruction planning of this project. We are now asked to appropriate an additional $1.7 million for this purpose, in order that construction of this demonstrably inefficient, demonstrably unnecessary project may commence during calendar year 1968.

Mr. Speaker, the total cost of this project undoubtedly will exceed the $380 million figure derived by the House Appropriations Committee staff. The increase of more than $75 million, or 25 percent, in the Federal agencies' statement of Dickey-Lincoln's cost at the time of authorization is not surprising: According to a recent Corps of Engineers' survey, the total cost of nine Federal power dams completed between 1961 and 1966 exceeded their cost when recommended for authorization by 90 percent—"Civil Works Program of the Corps of Engineers," Senate Public Works Committee print, at 123, 1966.

In his Rochester address from which I have quoted, the honorable Committee Chairman Wilbur Mills emphasized that: "every new program should be viewed not in terms of its first-year cost alone, but in terms of what its cost will be"; that failing this, "the area for possible controllable reductions by the Appropriations Committees" becomes smaller, the outlook for tax reduction, dimmer.

Mr. Speaker, I do not know what course the House Appropriations Committee will take with regard to the proposed Dickey-Lincoln power project, or what course the House Ways and Means Committee will take with regard to the proposed Federal income tax increase. To me, to the taxpayers of my district, and I suspect to 92 percent of the other citizens of New England, it represents nothing more than a form of tax preference.

EXPLANATION OF VOTE

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, as I stated in the Record last Thursday—July 13, 1967, page 18684—I am here giving an explanation of how I would have voted on the record votes I missed during the necessary absences I then explained.

On Thursday, H.R. 10595, to prohibit the use of financial institutions as lottery agencies, was considered and passed. Because the bill was amended to give the New York Legislature time to comply with its provisions, I would have voted "nay" on the motion to recommit, roll No. 167, and "yea" on final passage—roll No. 168.

I would have voted "nay" on the emergency strike legislation for railways that was passed last night. My vote would have been based on substantially the same reasons I cited when the vote came up for the recent 30-day extension of the injunction against the strike, and again when this present bill first came to the floor of the House. My views on this present bill were given on June 15, 1967, and appear on page 15934 of the Record.

FAVORABLE COMMENTS ON VIETNAM PROPOSAL

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, last Thursday I inserted in the Record several editorials commenting on the proposal put forward a week ago today by eight Republican Members of the House for a staged deescalation of the war in Vietnam. Since that time, my colleagues and I have been made aware of additional favorable comments in some of the Nation's leading newspapers.

I include at this point in the Record editorials from the Chicago Daily News, the St. Louis Post-Dispatch, the Cleveland Plain Dealer, the Easton, Pa., Express, and the Adrian, Mich., Daily Telegram.

[From the Chicago Daily News, July 13, 1967]

DEFINING "LIMITED WAR"

While Defense Sec. McNamara is saying little publicly about the results of his latest trip to Vietnam, the indications are that he plans to keep a fairly tight lid on manpower increases.

We hope he does. For two plain facts must be faced regarding the escalation so far. One is that it has failed to bring the desired result of negotiations toward a settlement. The other is that the investment to date has upset the whole balance of U.S. domestic and foreign commitments, diluting and weakening our efforts in places where they should have been sharp and strong.

The imbalance might be tolerable if the war in Southeast Asia were a traditional-type war where one simply pressed on full force toward final, "total" victory.

But McNamara evidently perceives, as did Rep. F. Bradford Morse (R-Mass.) and a group of Republican colleagues in a report Monday, that a limited war has its own set of imperatives, most of which have thus far been ignored.

The first imperative listed by the Republican congressman is that the diplomacy accompanying the Vietnam war "must not risk expansion to total war," for the obvious reason that total war would produce mutual destruction on a scale to obliterate the objectives sought in the limited war.

The pressure now being applied by nearly 500,000 American troops and the combined, intensive efforts of the Navy and Air Force would have been ample to smother the Communist force that was faced a year or two ago. But the Communist effort has risen to match the U.S. escalation. And the Communists are piped into sources of supply that can presumably match any U.S. effort right up to the brink of total nuclear war.

If this is McNamara's conviction, he can be expected to give increasing attention to the other imperatives of limited war. These are: (1) that an atmosphere of mutual confidence must be fostered, (2) that each side must be permitted to preserve "face" and claim the initiative, and (3) that the effort must "be susceptible to presentation, verification and implementation through the private channels of diplomacy."

The Republican congressmen made clear in their report that there could be no significant relaxation of military pressure that would alter the balance in the enemy's favor, and they specifically warned against a complete halt in bombing as involving "great military risk."

They did feel that a phased, reciprocal deescalation was within the realm of the possible. If McNamara shares that view, there could be a significant new effort to break out of the vise.

[From the St. Louis Post-Dispatch, July 11, 1967]

STAGED DEESCALATION

Eight Republican Congressmen led by Rep. F. Bradford Morse of Massachusetts are to be congratulated for trying to break out of the pattern of official thinking on the Vietnam war. Hoping to "reopen the domestic dialogue" on U.S. policy, as well as to offer an alternative to it, they call for American initiative in behalf of "staged de-escalation."

By this plan, bombing would be halted north of the 21st parallel for 60 days. If Hanoi responded with "an equivalent deescalatory step," bombing would be halted above the 20th parallel, and so on, until mutual confidence had been established for negotiations.

The difficulty is in finding "equivalent de-escalatory steps" with which Hanoi might be reasonably expected to respond. Since Hanoi is not engaged in saturation bombing of the South, there is no exact equivalent at hand. Rep. Morse suggests, as one possibility, that Hanoi might agree to cease shipments to specified supply depots in the South.

No suspension of American shipments to our own supply depots, however, would take place. Thus we would be asking Hanoi to abandon its allies, the Viet Cong, while we continued to support ours and to build up our own military power. This would amount to asking Hanoi to throw in the sponge in easy installments—something Hanoi is not likely to do, and something we have not earned the right to demand.

Rep. Morse and his colleagues rightly criticize the Administration for demanding surrender in a limited war, which they indicate can be ended only by negotiations and a compromise settlement. The Administration, however, has given no clear sign that it wants a compromise settlement; it wants a victory in which the Communists are excluded from any share in South Vietnam's political future. We have not been able to win that kind of victory by arms and are not likely to win it by negotiations.

If it were American policy to acknowledge the existence of the Communists, and their control of large portions of the country, and their claim to participate in any settlement, then negotiations might not be too hard to arrange. In that case, a simple cessation of bombing would undoubtedly open the door to peace talks, and an elaborate "staged de-escalation" would not be necessary.

[From the Cleveland Plain Dealer, July 11, 1967]

GOP'S VIET PROPOSAL HAS MERIT

Within the administration facing another escalation decision in the matter of additional troops for the Vietnam war, the proposals by eight Republican congressmen take on added importance as a thoughtful and significant alternative.

The "staged de-escalation" suggested by the House members is designed to answer the major objection to a bombing halt as providing no more than a respite for North Vietnam during which it reinforced its lines and resupplied its field units.

The Republican proposal would halt all bombing north of the 21st parallel for 60 days while waiting for the enemy to respond with a similar de-escalating move. If no such response was forthcoming, the bombing would be resumed.

But if the North did indicate cooperation, the United States would then halt all bombing north of the 20th parallel for 60 days.

The series of small steps would have as its objective the halting of all bombing and of all North Vietnamese infiltration of the South.

The spirit of confidence that might emerge could provide opportunity for opening negotiation without loss of face by either side, the sponsors believe.

As have many other de-escalation proposals, the Republican plan depends almost entirely on Hanoi's reaction but the staging factor provides a new approach and a method which could be tested as a signal without giving any buildup advantage to the enemy.

The Republican document has other points of merit in its emphasis on the limited nature of the Vietnam war, a limitation which makes the diplomacy differ sharply from that of total war.

It stresses the necessity to give each side the opportunity to claim initiative, to escape losing face and to operate through private channels.

Without rancor or criticism, it reopens the domestic dialogue on American policy in Vietnam with a sophisticated examination of a complicated situation and a proposal for testing a way out with a minimum military risk.

[From the Easton (Pa.) Express, July 11, 1967]

A WAY OUT?

Eight Republican congressmen, none of whom can be counted among the ardent "doves" aligned against the administration's Vietnam policy, have come up with a plan for a unilateral diplomatic U.S. initiative for "de-escalating" the war.

It seems like a quietly sensible proposal. As explained by Rep. F. Bradford Morse of Massachusetts, it would call for halting U.S. bombing of North Vietnam in five successive 60-day stages starting with the 21st parallel. Each step would be conditioned on a de-escalatory response by the North Vietnamese.

Assuming a full response by both sides, both the U.S. bombing and North Vietnamese infiltration of South Vietnam ultimately would come to an end, according to the GOP congressman's plan. The idea is not new. It had been suggested before to President Johnson as a compromise between those who want the war effort increased and those who want the U.S. to pull out unconditionally. The administration did not respond.

Many Americans deeply concerned with the directions taken by the most unpopular war in the nation's history, nevertheless will find a substantial measure of accord in the congressional group's evaluation of the administration's war policy as "unyielding and unflexible—rigidly insisting that the first concrete step toward de-escalation be taken by the North Vietnamese."

"Is is a position," said Rep. Morse, spokesman for the group, "which comes dangerously close to changing the atmosphere of restraint to an atmosphere of power—and a limited war cannot stay limited or be ended in an atmosphere of power."

This, of course, is the core issue which has made U.S. involvement in Vietnam extremely unpopular both at home and abroad. The war is, undisguisedly, an American war, pitting the mightiest nation in the world directly against a small, technologically primitive state. The involvement weakens our global position of moral and legal leadership—and it is this to which French President Charles de Gaulle alluded in saying that U.S. action in Vietnam was part of the encouragement for trouble in the Middle East.

There is no guarantee that Hanoi, with continued material support from Red China and the Soviet, would respond to in kind to a de-escalatory process as modest in its dimensions as that proposed by the GOP congressmen. But it seems that the U.S. would lose little tactically by making the overture, inasmuch as the bombing has never accomplished any of its stated objectives.

[From the Adrian (Mich.) Daily Telegram, July 12, 1967]

WOULD DEESCALATE WAR

A group of eight Republicans in the House of Representatives, including Rep. Marvin Esch of the second Michigan district, has advanced proposals for a step-by-step deescalation of the Vietnam war. They suggest the United States take the first step. Assuming North Vietnam responded with a similar move of its own, a second U.S. step would follow. And assuming that both sides kept responding in turn, the Congressmen hope a "spirit of confidence would emerge" which would lead to peace negotiations.

The proposed pressure-easing steps would in the first instance consist, on the part of the United States, in foregoing the bombing of the most northerly of North Vietnam areas. First, the United States would halt bombing in North Vietnam north of the 21st parallel for 60 days. This area includes Hanoi but not the port city of Haiphong. If North Vietnam responded with a de-escalation process of its own, the United States would then halt bombing north of the 20th parallel for 60 days, and so on through five steps down to the border with South Vietnam.

If no easing of military pressures came on the part of North Vietnam, then U.S. bombing of the whole area would be resumed.

The suggested steps by which North Vietnam could respond to the letup in U.S. bombing would be: halting shipments to and from military supply depots in southern North Vietnam; stop using supply routes in North Vietnam and Laos along the Ho Chi Minh trail; withdraw all MIG fighters to distant bases in northern North Vietnam; stop terrorist bombing in specified parts of South Vietnam; release U.S. prisoners of war.

Hanoi has been insisting, among other things, that cessation of bombing of North Vietnam must precede any idea of going to the conference table. The United States has laid off bombing at various times but there has been no response from Hanoi. The Republican group says a sudden and complete halt to the bombing "would be unlikely to achieve the desired result" because Hanoi would be apt to think it a ruse or a sign of desperation. Bombing would have to be stopped long enough that North Vietnam became convinced of the genuine sincerity of the United States. But this would involve a great military risk to the United States. So, the Republicans argue that staged let-ups in bombing tied in with equivalent North Vietnamese steps should be used and that these would bring an atmosphere of mutual confidence. If successful it would end U.S. bombing in the North and end North Vietnamese infiltration into the South. And such a spirit of confidence "could provide a real opportunity of fruitful and honorable negotiations."

The proposal adds that the de-escalation idea and its ramifications would have to be explained to the North Vietnamese through private channels of diplomacy and that it would have to be susceptible to verification.

It is a highly optimistic plan. It is a compromise between the ideas of the hawks and the doves. It is a new effort to convince the North Vietnamese and their allies that the United States wants nothing out of the war except assurances that South Vietnam be left free and able to run its own government of its own choosing. It offers a face-saving procedure for both sides. It permits both to climb down the escalation ladder, for each side would be able to claim it was concessions by the other which led to taking the successive steps letting off the military pressure and beginning the negotiations for peace.

But keep this in mind: for the plan ever to be tried it would need to have not only the acceptance of Hanoi but also of the administration in Washington. And even trying the plan requires changes in attitudes in both governments.

PERMISSION FOR THE SUBCOMMITTEE ON BANK SUPERVISION AND INSURANCE OF THE COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE ON JULY 19

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the Subcommittee on Bank Supervision and Insurance of the Committee on Banking and Currency may be permitted to sit during general debate on July 19, that is, tomorrow.

Mr. GROSS. Mr. Speaker, reserving the right to object, that request is for July 19?

Mr. CHARLES H. WILSON. That is tomorrow.

Mr. GROSS. Mr. Speaker, does this have the approval of the minority?

Mr. CHARLES H. WILSON. Yes. We checked with Mr. Widnall, the ranking minority member on the full committee, and with Mr. Brock, the ranking minority member on the subcommittee.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PARLIAMENTARY INQUIRY CONCERNING VOTE ON H.R. 11456, BILL MAKING APPROPRIATIONS FOR THE DEPARTMENT OF TRANSPORTATION

Mr. SCOTT. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SCOTT. Mr. Speaker, I was here when the vote was taken on the final passage of the bill appropriating funds for the Department of Transportation, and I intended to vote "yea" on that bill.

Frankly, Mr. Speaker, I am not sure I voted. My vote is not recorded.

Can I at this time, having been present on the floor, cast my vote in the affirmative?

The SPEAKER pro tempore (Mr. Albert) The Chair will advise the gentleman he cannot do that, since the result on the vote has already been announced.

Mr. SCOTT. I thank the Chair.

THE AMERICAN FARM BUREAU FEDERATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. Resnick] is recognized for 1 hour.

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

GENERAL LEAVE

Mr. RESNICK. Mr. Speaker, I also ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the subject of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, the House Committee on Agriculture last Wednesday, July 12, adopted a resolution disassociating itself from charges I have made against the American Farm Bureau Federation.

It should be stated at the outset that this unnecessary action was clearly planned as a punitive measure for the purpose of embarrassing me personally and nullifying the effect of my attacks against the Farm Bureau. I say unnecessary because long before the committee moved to disassociate itself from my charges, I had already done so. As a matter of fact, on the morning of Thursday, June 29, at the meeting of the Subcommittee on Rural Development, I made the following statement:

> I would also like to state for the Record that any statements I make or any requests I make, I make on the basis of an individual Congressman. They do not reflect in any way the feelings of the Subcommittee. As Chairman of this Subcommittee, I am speaking as an individual Congressman.

This statement appears in the official transcript of the hearings.

The committee resolution is like a boss firing his employee 2 weeks after he has already quit. As a matter of fact, in its statement on July 12, the subcommittee acknowledged that this was the case saying, "the chairman has already stated in the record that this attack is his and his alone," emphasizing the purely vindictive nature of the subcommittee's action.

This step by both the subcommittee and the full committee is, I believe, without precedent in the entire history of Congress, and it raises the very serious question of whether Congress is to be guided by the independent judgment and conscience of its Members or whether it is to be told what it can and cannot do by powerful outside interests.

On June 21, in response to its request that it be permitted to appear before the Subcommittee on Rural Development, which was conducting hearings on the effects of Federal programs on rural America, the American Farm Bureau Federation appeared to make a statement. The organization was represented by its legislative director, Mr. John C. Lynn. Time ran out before the committee completed its questioning of Mr. Lynn and he was invited to return the following Wednesday. On June 28, Mr. Roger Fleming, secretary-treasurer of the Farm Bureau and director of its Washington office, appeared in behalf of the Farm Bureau. As a result of facts uncovered about the Farm Bureau operations during the intervening week, which included information strongly indicating that the American Farm Bureau Federation had a substantial nonfarm membership and that it conducted widespread financial and commercial activities unrelated to farmers, I questioned Mr. Fleming's right to appear before the committee as a representative of the interest of farmers.

The interview with Mr. Fleming became quite heated. I accused the Farm Bureau of using the American farmer to build one of the largest insurance and financial empires in the United States while masquerading as an organization devoted to the farmers' interest, I said:

> My investigation has revealed the shocking fact that the American Farm Bureau Federation is a gigantic interlocking, nationwide combine of insurance companies with total assets of over $1 billion dollars. I have evidence that the granting of membership in the Farm Bureau is purely and simply a device for selling insurance and other services.

Once again, the clock ran out before the colloquy with Mr. Fleming was completed, and before he felt he had had a full opportunity to explain the Farm Bureau position. Later in the day, over the telephone, I invited him to return to the subcommittee the following week, on July 13. He did not return.

The Committee on Agriculture's resolution was actually masterminded and engineered by the American Farm Bureau Federation. Here is the evidence. On Friday, July 7, Roger Fleming, Secretary-Treasurer of the Farm Bureau, and its second highest official, sent a letter to the distinguished chairman of the Committee on Agriculture with a copy to every committee member. We all received this letter on Monday, July 10. In this letter, Mr. Fleming specified the terms and conditions under which he would again appear before my subcommittee to continue his testimony. This action in itself is an unprecedented display of arrogance. I know of no other organization that has ever dictated to a congressional committee the terms under which it would appear and testify. And I have never heard of any congressional committee that would ever consider such a highhanded demand.

However the true significance of the July 7 letter is that it is really a blueprint for Agriculture Committee action to silence me and prevent me from making further revelations about the Farm Bureau. The full text of this letter is included at the end of this statement. In it, Mr. Fleming demands that the committee, and I am quoting verbatim, "clear the record by adopting a resolution in which it disassociates itself from the attacks on Farm Bureau made by Subcommittee Chairman RESNICK and by making known to the public at an early date its disposition."

Within 24 hours after receiving this letter, the five members of my subcommittee, four of whom are also members of the Farm Bureau, issued a statement attacking my criticisms of the Farm Bureau. Indeed, some of the very language of their statement is identical to the language of the Farm Bureau letter. Let me illustrate this fact.

The Farm Bureau's letter urges that the committee "adopt a resolution in which it disassociate itself" from my attacks on Farm Bureau. The subcommittee's statement says:

> We sincerely feel that the membership of the House as well as the general public should fully and clearly understand our position in *hereby disassociating ourselves* from charges against the American Farm Bureau Federation.

Mr. Fleming's letter also charges that I am carrying out a "personal vendetta" against the Farm Bureau. Once again the members of my subcommittee picked up their cue by stating:

> We further recommend that the full Committee on Agriculture likewise disassociate itself—

There's that phrase again—

> from these strictly *personal activities* of the Subcommittee Chairman.

This was the first time that the concept of a personal attack was ever mentioned. And all of a sudden there it was in the proposed resolution:

> The Committee on Agriculture does in no manner endorse, condone, or support the personal attack launched by the Chairman of the Subcommittee on Rural Development upon the American Farm Bureau Federation.

Within 48 hours after receiving this arrogant letter from the Farm Bureau, the full committee had done its bidding—behind closed doors in executive session, and without prior public announcement. It all happened so quickly that the Members of the House did not know what was happening, despite the fact that this action was unprecedented in the history of Congress and carried grave implications for every single Member. If any further evidence were needed of his hand in this affair, Roger Fleming immediately thereafter issued a press release in which he crowed:

> This judgment by his Congressional colleagues should make it crystal clear that Congressman Resnick's charges against the Farm Bureau Federation are reckless, unwarranted, and unfounded.

In other words, Mr. Fleming announced that the Farm Bureau was exonerated by the committee's action.

While any reading of the committee resolution would make it obvious that Mr. Fleming's statement did not contain a single grain of truth, and was in no way related to the specific and documented charges I have made against the Farm Bureau, not one single member of the committee has risen to criticize him for it. Fleming's statement, however, does make it clear that he demanded the resolution so that he could have the Farm Bureau whitewashed by a committee of Congress.

The obvious question now arises, why did Farm Bureau—this sacred cow—hit the panic button? Why did they react so violently against me? What caused this unusual act of massive retaliation against a Congressman who did nothing more than bring their activities to the public forum for questioning?

Their reaction, and the reaction of the Committee on Agriculture is all the more remarkable when we recognize that I am being attacked—not for telling lies about the Farm Bureau—but for revealing the truth. The plain fact is that this powerful organization has at no time denied or contradicted any of the revelations I have made about its operations. But before my subcommittee, they were evasive, tightlipped, and downright untruthful.

For example, in testimony before my subcommittee on June 21, Mr. Lynn flatly stated that "The American Farm Bureau has absolutely no insurance operation at all, except a reinsurance agency." I would like to point out that the so-called reinsurance agency referred to is the tax-exempt American Agricultural Mutual Insurance Co. which has the very same set of officers and directors as the American Farm Bureau Federation. In addition to its $20,000,000 in assets, American Agricultural owns 85.7 percent of Oregon Farm Bureau Insurance Co., a profitmaking stock insurance company, plus $200,000 worth of stock in another Farm Bureau insurance company, Cal-Farm, Inc., of Berkeley, Calif. These two companies alone have combined assets of over $15 million. And—the one thing that all AFBF officers and directors have in common is that they are selected from the board of directors of 52 Farm Bureau insurance companies in different States.

Now let me briefly outline the charges I have made against the Farm Bureau. I have said—

First, it is not the organization of farmers it claims to be. A substantial portion of its membership—possibly half—has no agricultural interest whatsoever.

Second, it has misrepresented itself to the Internal Revenue Service in order to obtain a tax exemption, and to the clerks of both Houses of Congress.

Third, it has used the American farmer to build one of the largest insurance and financial empires in the United States, whose insurance assets alone total over $1 billion dollars.

Fourth, that the directors and officers of the American Farm Bureau Federation are also directors and officers of insurance companies directly controlled and owned by the various State Farm Bureaus.

Fifth, that as a result of these interlocking directorates the Farm Bureau may be in violation of antitrust laws.

Sixth, it has taken advantage of its tax-exempt status in order to expand its business activities which cover the fields of insurance, real estate, shopping centers, fertilizer, mutual funds, gas stations, oil wells, grain storage, petroleum refineries, and a considerable variety of others. A press account of the very recent purchase by the Alabama Farm Bureau of one of the Nation's largest shopping centers, for $10 million, is attached.

Seventh, that because of its widespread commercial interests the Farm Bureau has misrepresented its true nature in its dealings with farmers and in its statements to congressional committees.

Eighth, that the Farm Bureau as a tax-exempt organization has improperly been competing in commercial activities with private taxpaying business concerns, thus enjoying unfair competitive advantages.

Ninth, that the Farm Bureau has torpedoed the American farmer by posing as an organization representing his interests when, in fact, their widespread commercial activities—which include the operation of businesses which sell to the farmer and buy from the farmer—has put them in a position of representing a point of view which is antagonistic to the interests of the farmer.

Tenth, that Farm Bureau commercial activities have generated funds which have found their way, illegally, into political and lobbying activities.

I am inserting into the RECORD at the conclusion of these remarks several news statements I have issued covering these accusations. An excellent and informative article by Bob Walters, of the Washington Star, is also included.

Most revealing is a newspaper article, written by Mr. Nick Kotz, of Cowles Publications, Inc., which was published on Sunday, July 9, in the Minneapolis Tribune and the Des Moines Register. This article includes an interview Mr. Kotz had with Roger Fleming, in which Mr. Fleming actually confirms the charges I have made about the various business activities which his organization conducts, and in which he also admits that at least 25 percent of the Farm Bureau's membership does not consist of people with an agricultural interest. I would like to insert Mr. Kotz' article at this point.

[From the Des Moines (Iowa) Register, July 9, 1967]

FARM BUREAU FACES PROBE OF TAX STATUS—CONGRESSMAN CALLS IT INSURANCE EMPIRE

(By Nick Kotz)

WASHINGTON, D.C.—Is the American Farm Bureau Federation the nation's largest organization representing farmers or is its principal activity the operation of a billion dollar insurance-business empire?

Representative Joseph Resnick (Dem., N.Y.) has loudly raised this question and demanded a federal investigation of the Farm Bureau's tax-exempt status and its qualifications as a farm lobby before the Congress.

In requesting an investigation of both the national and various state Farm Bureaus' entitlement to tax exemptions, Resnick wrote Internal Revenue:

"The Farm Bureau, far from being the organization of farmers and farm interests it claims to be, is actually a gigantic, interlocking nationwide combine of insurance companies and other businesses.

"Its insurance companies have assets totaling over $1 billion. Its life insurance companies alone have over $6 billion in force."

CHALLENGE

Resnick, a liberal Democrat, launched his attack against the conservative Farm Bureau from his position as chairman of the House Agriculture Subcommittee on Rural Development.

He challenged the organization's right to even appear in the role of representing farmers.

Farm Bureau National President Charles Shuman will respond this week by demanding that the full House Agriculture Committee either disown Resnick's allegations, or else conduct a full investigation into the business activities and membership composition of the Farm Bureau and the other two major farm organizations—the National Farmers Union, and National Grange.

Resnick has not asked any questions about the liberal Farmers Union and liberal-to-moderate Grange, but he has brought toward the surface bitter bickering between the three farm organizations concerning their business activities and membership.

For years, the farm organizations have cast snide aspersions at each other concerning how many of their members really are farmers, and how their business income is used politically.

ACCUSATIONS

The Farm Bureau and National Farmers Union in particular have accused each other of using membership in their groups as a device to sell insurance and business services to non-farmers. Resnick claims the Farm Bureau uses this device on a massive scale.

Officials of both the Farm Bureau Federation and National Farmers Union said in interviews last week that their business enterprises have developed to better fulfill the objective of providing service to members. Both contend their principal activity is still serving the interests of their farmer members.

Roger Fleming, Farm Bureau Federation secretary, said Resnick's probes have turned up only a fraction of the business activities of the National Farm Bureau and the 50 state organizations.

Fleming—who said these business activities are not secret—volunteered that within the Farm Bureau state organizations there are:

Twelve life insurance companies operating in 45 states with total assets of $815 million and $6 billion of insurance in force. Life companies are forbidden by law to restrict sales to members.

Twenty-seven casualty companies, 31 fire and allied companies, and 21 hail insurance companies with total assets of $380 million. Most of these companies sell to members only, although four have wholly-owned subsidiaries which sell to non-members. Fleming said some local Farm Bureaus will permit non-farmers to join the organization in order to buy insurance while others will not.

Several large supply companies, including F-S services of Iowa and Illinois which sells chemical fertilizer, feed, seed, and other farm-related supplies.

Distinct from these state and multi-state enterprises, Fleming said the national organization has eight business enterprises including:

A mutual insurance company with assets of $20 million and a $9.5 million surplus. He said this company's principal activity is to supply reinsurance to the state farm bureau insurance companies.

A mutual investment fund for Farm Bureau members that has about $6 million in assets. The reinsurance company owns $250,000 of the mutual funds' stock.

A service company which buys batteries, tires (Safemark is the Farm Bureau brand) and other goods in large lots from manufacturers and sells these products through Farm Bureau affiliates in 33 states.

A commodity export company which had about $30 million in sales last year. Fleming said this company doesn't make money and was set up primarily as a trade "listening post" in Europe.

Fleming said about three-fourths of the Farm Bureau's 1.7 million member families could be classified as having a substantial interest in farming. Resnick claims a far larger percentage are nonfarmers.

Fleming said the national board of directors is urging all states to classify their members as farmers or non-farmers with voting rights only to farmers to insure that control of the organization remains with farmers.

UNAVAILABLE

Only a few states have made this classification, and their membership breakdown was unavailable at Washington headquarters last week.

Resnick describes the various national and state Farm Bureau businesses as a "massive interlocking combine" because the national directors of the Farm Bureau Federation (most are state presidents) also serve as directors or presidents of many of the business enterprises.

IOWA PRESIDENT

For example, he points out that J. Merrill Anderson, president of the Iowa Farm Bureau, is—along with other national federation directors—also a director of the National Reinsurance Company and Mutual Fund.

In addition, Anderson is president of Farm Bureau Life Insurance Co. of Iowa with $98 million assets and Farm Bureau Mutual Insurance Co. of Iowa with $23 million assets.

Charles Shuman, the National Federation president, is also president of seven national business operations owned by the Farm Bureau Federation.

FUNDS MINGLED

Resnick charges that funds of the national and state farm bureau organizations are illegally mingled with funds of the huge business operations.

Furthermore, Resnick implies that the massive earnings of the business operations find their way into political campaigns and lobbying activity conducted by the national federation and state farm bureaus.

INCOME REPORTS

He questions what happens to assets from the business enterprises, while the national federation itself only reports about $2 million annual income and expenditures.

According to the federation's financial statement, virtually all income comes from $1.25 annual national dues paid by each of the 1.7 million members.

The Farm Bureau categorically denies all of these charges.

Tony Dechant, president of the National Farmers Union, discussed in an interview some of the same questions Resnick has raised about the Farm Bureau.

Dechant said some state and local farmers union affiliates permit non-farmers to become members in order to buy business services, while others do not.

HIS CLAIM

Dechant claims the Farm Bureau sells insurance to thousands of persons in cities, while the Farmers Union business operations are almost entirely in rural areas.

Dechant listed the following business operations by the National Farmers Union.

A life insurance company with $17.4 million assets, 43,000 policyholders, and $225 million insurance in force.

A property and casualty company with $13.7 million assets, and 174,000 policyholders.

A 50-percent interest and $20 million investment in the Kermac Potash Co. in Carlsbad, N.M. The other partner is the Giant Kerr-McGee Co.

A 50-percent interest, amounting to about an $8,000 investment in a cut-rate, mailorder drug company.

Two small corporations holding government contracts to operate the Green Thumb Antipoverty Work Program for older farmers, and a farmer training program for the foreign aid agency.

CASUALTY FIRMS

In addition, Dechant said state and regional Farmers Union organizations operate five fire and casualty companies, and several service supply companies, of which the largest is Farmers Union Central Exchange. It had $130 million in sales last year.

Farmers Union local co-operatives also are principals involved in the Farmers Union Grain Terminal Association (G.T.A.), one of the nation's largest grain marketing co-ops. At times, relations have been cool between the National Farmers Union and management of the G.T.A.

SEC FILING

According to a Farmers Union filing with the Securities and Exchange Commission, has yet to get rich from its business operations.

The Farmers Union issued $6.5 million in debentures which Dechant said are to be used to finance the insurance companies and potash company which is just getting into operation.

According to the SEC filing, the Farmers Union membership has dropped 17.8 per cent, gross income of its business enterprises has increased by 40 per cent to $7.7 million, but net income has decreased from $173,000 in 1962 to a net loss of $1.1 million in 1966. Dechant said the loss results from expenses in starting the potash company.

A congressional investigation of the farm organizations would center on several issues.

Resnick claims the Farm Bureau misrepresented itself both before the Internal Revenue Service in applying for tax exemption, and the Congress in registering to lobby, by claiming its membership consists of farmers and its interests principally are agriculture.

It is highly unlikely that the highly conservative House Agriculture Committee will open a far-ranging probe into the operations of the farm organizations.

But if such an investigation takes place, there is little doubt that the Farm Bureau, Farmers Union, and Grange (which is also in the insurance business) will publicly question each other's business activities and membership lists.

It is interesting to note the importance of a public inquiry, and the salutary effect it can have. When John C. Lynn appeared before my subcommittee on June 21, he flatly refused to discuss the Farm Bureau's business activities. He refused to tell us how much insurance business they write, or who their insurance companies even are. However, the public spotlight has forced a change in this stoney attitude. Within the past 10 days, Roger Fleming—under increasing pressure from the press and even members of the Farm Bureau—has made some information on its activities available. True, he has been careful not to say much more than my investigations have already revealed, but it is a start, and definitely a break in the wall of arrogance that organization has erected around itself.

The American Farm Bureau Federation and its individual State Farm Bureaus enjoy their status as tax-exempt agricultural organizations on the basis of their sworn statements to the Internal Revenue Service that in order to qualify for membership the individual must—and I quote directly from their statement to the IRS—"be engaged in carying on a farm or farms, or have a major agricultural interest." This sworn statement was flatly contradicted in testimony by Mr. Roger Fleming when he appeared as a witness on June 28 before the Subcommittee on Rural Development.

I asked several times whether or not the Farm Bureau represents farm families. Mr. Fleming denied several times that they were "farm" families—choosing instead to refer to them as "member" families.

Finally, at one point I asked him, "Are you saying that all your members are not farm families?" He replied, and I quote from the record:

> There are some members who are not farmers in most of the states. The states determine the eligibility requirement. It is different in each of the states represented on this Subcommittee.

In other words, Mr. Speaker, the American Farm Bureau Federation has told the IRS and the Clerk of the House that its membership is limited to farm people; and Mr. Fleming turns around and tells my subcommittee that this is really not true because every State has the right to determine who may or may not join the Farm Bureau. And at no time are membership lists made available to Congress or the Internal Revenue Service to reveal occupational breakdowns of the membership.

If we accept Mr. Fleming's statement at its face value, it is obviously a deliberate misrepresentation on the part of the Farm Bureau to have told the Internal Revenue Service that its membership is limited to agricultural interests. The individual State Farm Bureau organizations are guilty of the very same misrepresentation, since they also receive tax-exempt status from the Internal Revenue Service on the same basis as the national organization. Little wonder that the Farm Bureau is trying to shut me up.

Let us look at Cook County, Ill. Cook County, dominated by the city of Chicago, has more Farm Bureau members than any other county in the United States. According to the Department of Agriculture there are 1,100 farms in Cook County. If 100 percent of the families living on farms belonged to the Farm Bureau, they would have only 1,100 members. But Cook County actually has 7,000 members. Where do they all come from? They are the blue collar and the white-collar workers in the factories and offices of Chicago. They are also the fictional farm families the Farm Bureau tells Congress and the Internal Revenue Service that it represents. This is not only the story in Chicago. It is a national practice. This fact is clearly illustrated by a letter I wish to insert at this point from a gentleman from Indianapolis, Ind.:

> Dear Sir: I note with interest the charges levelled by you against the American Farm Bureau Federation. Being a former Farm Bureau member and never having been a farmer in my life, I agree with much that you say. In my opinion, an investigation such as you suggest is long overdue.
>
> I was a member of the Farm Bureau in Bloomington, Indiana. My membership dues were taken along with my application and payment for an automobile insurance policy. At that time I was employed by the Franklin Manufacturing Division of Studebaker Corporation, a manufacturer of retail refrigeration products.
>
> Good luck with your investigation.

The basis of most, if not all, of the Farm Bureau's farflung commercial activities is its tax-exempt status under section 501(c)5 of the Internal Revenue Code. Since the American taxpayer is helping to finance this economic imperialism, the American public has a right to know what it's all about, where the money comes from, where it is going, and whether all of these activities are indeed legal.

In an effort to obtain answers to these questions, I wrote on June 29 to Sheldon Cohen, Commissioner of Internal Revenue, requesting an investigation of the tax-exempt status of the Farm Bureau. The complete letter is included at the end of these remarks. I pointed out that there was extensive evidence that Farm Bureau membership was open to any individual, regardless of occupation or interest, who purchased insurance and was willing to pay membership dues to join the Farm Bureau.

We discovered, for example, that insurance agents openly advertise for customers, and we have seen advertisements in which these agents state that anyone can buy this insurance, whether a Bureau member or not. They sign him up when they make the sale. If the sale is big enough, the agents very often pay the nonmember's dues out of their own pockets in order to sell the insurance.

I asked the Internal Revenue Service 18 specific questions probing the Farm Bureau's activities as a tax-exempt organization. For example—

First, since anyone can join the Farm Bureau, do they still qualify as a tax-exempt organization under section 501(c)5?

Second, in view of the fact that the State Farm Bureaus and Farm Bureau insurance companies customarily share the same offices, use the same staff, and have the same phone numbers, can they be truly regarded as separate entities?

Third, is a tax-exempt corporation permitted to operate a commercial enterprise in competition with tax-paying free enterprise companies?

Fourth, is it consistent with the purposes of a State Farm Bureau to organize an insurance company in a different State?

I am happy to report that on July 7, Commissioner Cohen wrote advising me that the Internal Revenue Service will investigate the Farm Bureau. It seems that this announcement by the Internal Revenue Service, reported in the newspapers, was the final straw that impelled the Farm Bureau to pressure the Committee on Agriculture to take steps to silence me. I am sure that very few people and organizations enjoy the prospect of the Internal Revenue Service looking over their shoulder and examining their books. The Farm Bureau, in particular, is violently opposed to such an inspection after years of unrestrained operation and complete freedom from close supervision.

The 13 American colonies fought the War of Revolution because they had taxation without representation. The Farm Bureau has declared war against me because it wants to continue enjoying representation without taxation.

One of the things I hope the Internal Revenue Service will look into are the interlocking directorships that characterize the Farm Bureau insurance structure. To begin with, with just one single exception, every one of the 27 officers and directors of the American Farm Bureau Federation is an officer or director of Farm Bureau Mutual Funds, American Agricultural Mutual Insurance Co., and several Farm Bureau insurance companies in different States. The same tangled can of worms exists among various State Farm Bureaus. For example, in 1955, the officers and directors of the Farm Bureaus in Connecticut, Delaware, Maine, Massachusetts, New York, Pennsylvania, and Rhode Island got together, put up $1,210,000 and organized an insurance company in the State of New York called the Farm Family Mutual Insurance Company. What it really means, of course, is that every one of the more than 50 Farm Bureau insurance companies is controlled—via direct control or remote control—by the officers of the American Farm Bureau Federation.

My preliminary investigations, as I have already pointed out, have uncovered vast additional areas that deserve investigation in greater depth. For example, probable antitrust violations and violations of the Lobbying Act. This was too much for the Farm Bureau and they decided to shut me up or, at the very least, to undermine my effectiveness. The technique they chose was to pressure my own committee to take action that they hoped would discredit and humiliate me. Of course, it was necessary for an acceptable rationale—a smokescreen—to be developed for public consumption. And so, when questioned by the press, the gentleman from Kansas expressed the official line when he said, on TV, that I was chastised for being harsh and rude toward witnesses, and for refusing to yield to colleagues. Anyone who has been on Capitol Hill for more than one week can only scoff at this shoddy and obviously insincere excuse. Congressmen never have and never should shy away from leveling harsh criticism at those they think deserve it—right up to the President of the United States, himself. Some of the most widely reported incidents here are those bitter exchanges between committee members and Cabinet officers and other department heads, and between members of the same committee. This is as much a part of politics in Washington as grunting is to wrestling.

Only last week, at hearings of the Senate Subcommittee on Employment, Manpower and Poverty, the senior Senator from New York and the distinguished Secretary of Agriculture went at each other hammer and tongs, while the TV news cameras ground away so that this bitter exchange could be seen later that day by tens of millions of Americans. But no Senator accused his colleague of being rude, or questioned his right to get rough with the witness. And, remember, the witness was a member of the President's Cabinet.

Although committee hearings are commonly punctuated by angry exchanges and heated arguments, never before have the members of any committee ganged up on their chairman in this manner.

As I have just explained, even if this criticism were true it would not justify the committee's action. But, the fact is that the criticism is completely false. The records of these hearings, which are available for the inspection of any Member of this body, prove that every committee member had full opportunity to question every witness for as long as he wanted to. The record shows that in most cases, I yielded immediately upon request. In some cases, such as occurred during the discussion with Mr. Fleming, I refused to yield at the moment I was asked to because, as I told the committee member, I would not yield until I finished making the point I was trying to make. At the same time, however, I stated that my colleagues would have every opportunity to question the witness after I finished. An examination of the record will show that before each witness was excused, regardless of his point of view, every member of the subcommittee was offered the opportunity to question him with no restriction on time. This was true even in the case of witnesses with whom I may have been sharp because I felt they were evading the question or not telling the truth. No questions remained unasked.

However, these are not the main issues. The time has now come for us to turn the spotlight on the issue of overriding importance in this controversy.

Shall the right of a Congressman to speak out, to inquire, to investigate, and if necessary to make accusations, be curtailed in any way? Or, stated in different terms, can a committee of Congress or any private citizen or organization dictate to any Member what he may or may not say? Shall we allow any organization to interfere with the cherished traditional right of each Member of this Body to inquire into the background and activities of an individual or organization, regardless of whose toes may be stepped on?

The right of a Congressman to ask questions and to criticize has never before been challenged by the membership of this body. Why is it challenged now? Is there one Member here today who will be comfortable in the knowledge that if, in the future, his conscience should lead him to ask questions, he is in danger of being blitzed by the kind of massive retaliation we witnessed here last week? I, for one, do not think there is any organization in American life, whether it be private or governmental, that is so far beyond the reach of the law and so far beyond the reach of public opinion that its activities dare not be questioned. And I believe that if there is any chastising to be done, it should be directed not against Members doing their duty, but against those superlobbies who feel free to use their massive power against a Member of this House.

Now an ominous new cloud has appeared on the horizon. The Farm Bureau seems determined to prevent the publication of the subcommittee hearings we have been conducting. In their letter of July 7, which I have already referred to as a blueprint to silence me, the following sentence appears:

> It has been suggested that the hearings be terminated forthwith and the report of the Subcommittee hearings not be published.

The Farm Bureau claims not to support such action. But the fact is that only the Farm Bureau is doing the suggesting, since this idea never existed until it came up in their letter. I ask my colleagues in this House, and the people of this Nation, to watch for any attempt by this lobby to pressure the Committee on Agriculture into suppressing the report on these hearings.

Why should the Farm Bureau want to prevent publication of the hearings of the Subcommittee on Rural Development? Bear in mind that these hearings went on for 5 weeks, and their purpose was to study the effects of Government programs on rural America. A very small part of the hearings was devoted to the Farm Bureau. The rest of the hearings were devoted to statements by Government officials, rural specialists, poverty workers, and rural people themselves—all describing present living conditions in rural America where most of our poverty is concentrated. Let us recognize that successfully preventing the publication of the hearings would serve the broader interest of the Farm Bureau very well. This arch-conservative organization, claiming to represent the interests of rural people, has constantly opposed all progressive legislation and programs in this field. According to its own statement to the subcommittee, it violently opposes all Federal efforts intended to alleviate poverty, raise wages, promote better health, improve education, fight water and air pollution, and promote community development in our rural areas.

As many of the letters I have been receiving for the last several weeks reveal, the Farm Bureau has done more to prevent the economic and social advancement of rural Americans than any other organization in American life.

During our subcommittee hearings we heard the terribly pathetic story about the misery of our migrant workers, and we heard about a rural community in Florida whose second largest industry is the manufacture of baby coffins. What has the Farm Bureau—which claims to be the voice of rural America—ever said or done about tragic problems like this? To the best of my knowledge, nothing at all. They have been more concerned with promoting high oil depletion allowances than with the deep cancerous problems eating away at the vital organs of America—our rural areas.

The Farm Bureau is entitled to its full share of blame for the fact that our rural areas are burdened with the most poverty, highest unemployment, least social and economic development, and poorest health facilities in the Nation. Their crime has not been mere indifference. Quite the contrary. They have intensively fought every attempt to correct these ills.

If the Farm Bureau thinks its efforts to silence me are going to slow me down, it is very much mistaken. They have made me more determined than ever to find out what they have to hide, and how widespread their financial interests are.

Who runs Congress, the people or the lobbyists? Have we compromised ourselves to such a degree that we can no longer act independently in accordance with our personal conscience and judgment? Is it possible that the passage of this resolution has made the entire committee vulnerable to charges of conflict of interest, since most of the members belong to the Farm Bureau? Farm Bureau influence in the Agriculture Committee is so strong that the administrative Assistant of one of the members of my subcommittee, immediately before joining the Congressman's staff, was for 5 years the legislative director of the Minnesota Farm Bureau. Let me also point out that one of our distinguished colleagues resigned from the National Rifle Association expressly to avoid such a conflict.

Consequently, I believe this to be a matter that should be brought before the House Ethics Committee, and I plan to do exactly that. Something is radically wrong when the Farm Bureau can mail a letter calling for what amounts to a virtual censure of a Member of Congress, and get exactly what it wants—within 48 hours and behind closed doors—all because a Member had the temerity to expose their farflung commercial and financial activities.

There is also disturbing evidence of improper relationships between the Farm Bureau and governmental and quasi-governmental agencies, like the Farmers Home Administration and the Extension Service. I intend to divulge these improprieties at a later date.

The gag resolution of the Agriculture Committee has disturbed many Americans, whose concern I think, was best summed up by the well-known Washington correspondent, Joseph McCaffrey, whose eloquent commentary included the following:

> We now have a Committee which is going to decide what Members of the House should say and what they should not say. The world is being made safe for democracy in a strange undemocratic way.
>
> This will prove to be interesting. It may be developed to such a point where a Member will never say anything until he has had his script cleared by a Congressional Committee. This, of course, will cut down on the adlibs. But then some Members of Congress are pretty bad at adlibbing, so we may be spared much pain.

So big brotherism is now to become operating procedure on Capitol Hill. Members will be told, by other Members, what they can say, and what they can't say.

This is a far cry from what the Founding Fathers had in mind when they met in Philadelphia in 1787 to draft the Constitution.

Freedom of speech is precious.

For a Member of Congress it should be even more precious.

What is really sad is that the Members of the Committee apparently don't realize the shaft they sunk in the back of freedom. That is what is most disturbing.

Mr. McCaffrey's entire statement so perfectly and so concisely sums up the true issue at stake, that I am including it at the end of this statement.

At this time I announce my intention of continuing this investigation of the Farm Bureau, as well as the other farm organizations, as an ad hoc committee, and I invite all colleagues who are interested to join in this important inquiry.

I would say to my distinguished colleagues that not only is the honor and integrity of the Agriculture Committee at stake, but the honor and integrity of the entire House of Representatives. This might be a clear-cut case of conflict of interest, and of improper lobbying pressure unheard of since the days of the robber barons.

The Members of this Body can redeem the honor of this House and add new lustre to its image by standing up and speaking out against this unprecedented act of the Committee on Agriculture. I hope all of my colleagues will take this opportunity to do so.

[From News Broadcast by Joseph McCaffrey, WMAL, July 12, 1967]

It has finally happened, Big Brotherism has finally arrived on Capitol Hill. Now who needs a code of ethics there?

We now have a committee which is going to decide what Members of the House should say and what they should not say. The world is being made safe for democracy in a strange undemocratic way.

But then who knows in this age of new development, maybe we should put a cut off button on all Members of Congress. Perhaps we should, as the House Agriculture Committee seems to think have a committee which decides on the merit of what a fellow Member of Congress speaks about.

This will prove to be interesting. It may be developed to such a point where a Member will never say anything until he has had his script cleared by a congressional committee. This, of course, will cut down on the adlibs, but then some Members of Congress are pretty bad at adlibbing, so we may be spared much pain.

All this may be the great and lasting monument to Joseph Y. Resnick, Democratic Congressman from Upstate New York.

Today the House Agriculture Committee, irked because Resnick talked naughty about one of its most sacred cows, the American Farm Bureau, voted to slap his wrist.

We do not condone what you have said about the federation, said the committee.

In other words: Don't do it again!

Resnick was being forced into a closet of silence because he had criticized the federation, claiming that it wasn't really a farm organization, but rather a gigantic, interlocking, nationwide combine of insurance companies.

At his urging right now the Internal Revenue Service is investigating the federation's lavish use of its golden tax exemption.

After the attack the federation sent a letter to the Full House Agriculture Committee asking that the committee clear the record by adopting a resolution disassociating itself from the Resnick statement.

After that letter, the committee immediately swung into action and moved today, in one of the most unusual actions ever witnessed on Capitol Hill, to cut out Resnick's tongue.

So Big Brotherism is now to become operating procedure on Capitol Hill. Members will be told, by other Members, what they can say, and what they can't say.

This is a far cry from what the Founding Fathers had in mind when they met in Philadelphia in 1787 to draft the Constitution.

Freedom of speech is precious.

For a Member of Congress it should be even more precious.

Today's committee action against Resnick is regrettable.

But what is really sad is that the members of the committee apparently don't realize the shaft they sunk in the back of freedom.

That is what is most disturbing.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 29, 1967.

HON. SHELDON COHEN,
Commissioner,
Internal Revenue Service,
Washington, D.C.

DEAR COMMISSIONER COHEN: As Chairman of the Subcommittee on Rural Development of the House Committee on Agriculture, I have been holding hearings on rural poverty. Among those testifying has been the American Farm Bureau Federation. Intensive investigation by my staff, following its testimony, has uncovered evidence which has convinced me that the Farm Bureau, far from being the organization of farmers and farm interests it claims to be, is actually a gigantic interlocking, nationwide combine of insurance companies and other businesses. Its insurance companies have assets totalling over $1 billion. Its life insurance companies alone have over $6 billion in force.

The American Farm Bureau Federation and its State Farm Bureaus are listed with the Internal Revenue Service as tax-exempt organizations under Section 501C5 of the Internal Revenue Code. We have learned that in violation of their statement of membership policies filed with the Internal Revenue Service, their membership is not at all limited to persons "engaged in carrying on the operation of a farm or farms or who have a major agricultural interest." On the contrary, anyone who wishes to become a Farm Bureau member can do so regardless of his occupation or interests. Membership is used by the Farm Bureau as a means of expanding its insurance sales. There is also evidence of co-mingling of Farm Bureau and insurance company funds, facilities and staff. And, there is an elaborate network of interlocking directorates between the American Farm Bureau Federation and the various state insurance companies as well as among the Farm Bureau insurance companies among the various states. The American Farm Bureau Federation also operates its own insurance company and mutual fund company, having the same set of officers.

I would like to relate one specific incident which I think raises an interesting question. At my direction, an individual purchased casualty insurance from a Farm Bureau insurance agent. She was told that, in order to do this, she would have to join the Farm Bureau and pay a membership fee. This was done and, in accordance with instructions from the agent, the check paying for membership in the Farm Bureau in that state was made out to "Farm Bureau Insurance."

In connection with this very sketchy outline of Farm Bureau activities outside of the agricultural field, I am asking the Internal Revenue Service to conduct a full investigation and audit of the financial, commercial and other activities of the Farm Bureau to determine what violations of the Internal Revenue Code may be taking place and to determine whether or not the American Farm Bureau Federation should be permitted to operate as a tax-exempt organization under Section 501C5.

Specifically, I would like to have the answers to the following questions:

(1) Since anyone can join the Farm Bureau, regardless of his vocational activities or interests, does this not jeopardize the tax-exempt status of the Farm Bureau? In other words, do they still qualify as a tax-exempt organization under Section 501C5?

(2) Can the American Farm Bureau Federation and its constituent state organizations be legitimately considered as agricultural organizations since a substantial part of their membership does not consist of bona fide farmers or other persons with an agricultural interest?

(3) Is it consistent with the tax-exempt status of the various Farm Bureaus (under 501C5) to sell or provide insurance to their members?

(4) Is it consistent with the tax-exempt status of the various Farm Bureaus (under 501C5) to sell or provide mutual funds to their members?

(5) Is it consistent with the tax-exempt status of the various Farm Bureaus (under 501C5) to conduct peripheral activities, such as the operation of automobile supply stores, farm supply and equipment stores, etc.? Are these consistent with the stated purposes of the organization?

(6) If the Farm Bureau insurance companies are tax-exempt as mutual companies (or under any other provision of the tax law) is their mode of operation actually consistent with the tax status they presently enjoy under the law? (By mode of operation, we mean the selling of insurance to persons who do not fit the Farm Bureau's own definition of its membership.)

(7) Do any particular members or officers derive any special benefits from the operation of the Farm Bureau's non-agricultural activities?

(8) In view of the fact that the State Farm Bureaus and Farm Bureau insurance companies customarily share the same offices, use the same staffs and have the same phone numbers, can they be truly regarded as separate activities?

(9) Can a tax exempt organization legally own or operate corporations whose funds contribute to political and lobbying activities?

(10) To what extent are funds from the various insurance companies and other businesses pipe-lined back to the American Farm Bureau Federation, and how is this done?

(11) Is it consistent with the purposes of a state Farm Bureau to organize an insurance company in a different state?

(12) On some occasions officers of several state Farm Bureaus have gotten together to organize an insurance company in another state. Officers and/or directors are also directors of the American Farm Bureau Federation. How does this affect the contention of the American Farm Bureau Federation that it is a federation of independent state organizations, and not really one single national organization?

(13) In 1955, the Farm Bureau Insurance Company became the Nationwide Insurance Company. What relationship presently exists between those two companies?

(14) Is a tax exempt corporation permitted to operate a commercial enterprise in competition with free enterprise?

(15) Can a tax-exempt State Farm Bureau properly operate stock (profit-making) insurance company that sells insurance to the public at large—that is, not limited to Farm Bureau members?

(16) The Farm Bureaus of certain states operate at least two insurance companies, one a mutual company and the other a stock

company in which Farm Bureau membership is not required. Which of these companies are tax exempt and which are not?

(17) What possible violations may have been committed by the co-mingling of insurance company and Farm Bureau funds?

(18) Has the American Farm Bureau Federation been audited in the past for the purpose of disclosing any of the above information, and if so, when, and with what results.

The evidence, Mr. Commissioner, is clear that the American Farm Bureau Federation is anything but the agricultural organization it claims to be on its tax-exemption application. Its principal activities are evidently financial and commercial, and, consequently, we believe that the statements it has made to the Internal Revenue Service regarding its membership and its purposes may well be untrue.

All available evidence strongly suggests that the principle business of the Farm Bureau is insurance—not agriculture. We urgently request that the investigation of this organization be instituted promptly so that we can determine the facts.

Sincerely yours,

JOSEPH Y. RESNICK,
Member of Congress.

[From the Washington (D.C.) Evening Star, July 10, 1967]

IRS Decides To Probe Status of Farm Bureau

(By Robert Walters)

The Internal Revenue Service has decided to investigate the tax exempt status of the nation's largest and most influential agricultural organization—the American Farm Bureau Federation.

The IRS decision, expected to be formally announced within the next few days, was made in response to a request from Rep. Joseph Y. Resnick, D.-N.Y., who has charged that the Farm Bureau "has as much right being a tax-exempt organization as General Motors does."

Resnick's allegations were made late last month during little publicized but unusually vehement exchanges with a pair of high-ranking Farm Bureau officials testifying at two congressional hearings.

INSURANCE BUSINESS

The angry exchanges at the second session were halted only after one representative invoked the seldom-cited House rule which prohibits committee meetings while the House is in session unless prior permission has been granted.

The IRS probe is expected to center on Resnick's charge that the Farm Bureau, while claiming to be principally an agricultural organization, enjoys a tax exemption for a large and profitable insurance business.

Resnick said last week that the American Agricultural Mutual Insurance Federation, "wholly owned and operated by the Farm Bureau, earned 574,241 in 1966 without paying a penny in federal income tax, real estate tax or investment tax."

In addition, Resnick said that the Farm Bureau operates a wide variety of other tax-exempt business ventures, including a mutual fund, shopping centers, grain elevators, auto supply houses, farm implement businesses and similar enterprises.

CALLED "INSULT"

The Farm Bureau replied by charging that Resnick's attack was based on "an abundance of misinformation and lack of understanding." The organization said Resnick's statements were "an insult to every Farm Bureau member."

The Farm Bureau said it would "welcome an investigation of all farm organizations in the country" and added:

"The Farm Bureau is proud that over the years it has offered economic services to its members and that, most importantly, Farm Bureau members have retained control and ownership of the affiliates providing those services."

With more than 1.7 million members in every state except Alaska, the Farm Bureau has long been the country's most dominant agricultural organization.

It has opposed federal price support programs and other government farm programs. It has generally taken a conservative political position, opposing federal spending on antipoverty projects and other Great Society programs.

CLASHES WITH OFFICIAL

Resnick's clash with the Farm Bureau was touched off June 21, during a hearing held by the House Agriculture Committee's subcommittee on rural development on the effect of government programs on rural poverty.

John Lynn, the Farm Bureau's legislative director, was testifying, when Resnick mentioned, in passing, "the many other people living in rural America today to whom your fine organization sells insurance."

Lynn replied: "If you are insinuating that the Farm Bureau is primarily an insurance agency—."

He was interrupted by Resnick, who charged: "I am not insinuating it. I am stating it."

Lynn: "Well, it is not so. For the record, it is not so."

Resnick: "For the record, I am stating it."

DATA REFUSED

The exchange ended when Lynn rejected a request from Resnick, the subcommittee chairman, to provide for the hearing record the figures on how much insurance the Farm Bureau issues.

On June 28, Roger Fleming, the Farm Bureau's secretary-treasurer and its second-ranking official behind president Charles B. Shuman, appeared before the subcommittee and engaged in a similar verbal duel with Resnick.

Resnick refused to yield to two subcommittee members, Representatives John M. Zwach, R-Minn., and George A. Goodling, D-Pa., for questioning of Fleming. At that point the subcommittee was forced to adjourn because another member noted that the House was in session.

Resnick stepped up his attack later, charging the Farm Bureau with "masquerading before Congress, the nation and the American farmer as a farm organization deeply and exclusively devoted to promoting the best interest of the American farmer, when in reality this organization is a gigantic interlocking nationwide combine of insurance companies with total assets of more than $1 billion."

CALLED "SERVICE"

Charging that the granting of membership "is simply a device for selling insurance and other services," Resnick said he "had someone buy Farm Bureau insurance who has never been closer to a farm than Columbus Circle in New York."

Resnick also described as "a fraud" the statement filed by the Farm Bureau with the clerk of the house describing its lobbying interests as covering "primarily the fields of legislation affecting agriculture directly."

Similarly, Resnick said, the Farm Bureau made "false statements" to the IRS when seeking a tax exemption by claiming that its membership consisted of farmers and persons "having a major agricultural interest."

He said the Farm Bureau has affiliations with 51 casualty and life insurance companies, the National Food Conference Association and Farm Bureau Mutual Funds, Inc., with assets of $5.3 million.

He also cited the recent $10 million purchase in Birmingham, Ala., of the largest enclosed-mall shopping in the Southeast by a group of Farm Bureau-affiliated insurance firms.

The Farm Bureau described as "the best example of his ignorance" Resnicks statement that the largest county Farm Bureau was in Cook County, Ill., which also includes the city of Chicago.

The farm Bureau said Cook County has "some of the best farmers in the nation," who sell more than $16 million worth of agricultural products yearly from 100,000 acres of farmland.

Resnick replied that census figures list 3,532 men, women and children on farms in Cook County, while the Farm Bureau claims 6,997 family memberships in the county.

Fleming, in his testimony, acknowledged that "there are some members who are not farmers in most of the states," adding: "The states determine the eligibility requirement, it is different in each of the states."

[From the Birmingham News, June 30, 1967]

Capital Firm Buys Eastwood Mall

(By Irving Beiman)

Eastwood Mall, the largest regional enclosed mall shopping center in the Southeast, was to be sold today to the Farm Bureau Insurance Cos. of Montgomery.

The sale was scheduled to be consummated at a meeting at 1 p.m.

While the purchase price was not announced, it was unofficially estimated at more than $10 million, making this one of the largest commercial transactions in Alabama's history.

The sellers were the N. H. Waters Sr., family, owners and developers of the 750,000 square-foot shopping center located on U.S. Highway 78 East at Oporto Avenue.

Announcing the sale were N. H. Waters Sr., widely known Birmingham business man; J. D. Hays, president of the Farm Bureau Insurance Cos., and Ed Lowder, executive vice president of the insurance companies, the latter two of Montgomery.

The transaction, including the financial arrangements, was handled by Jack Shannon and Fulton Clark Jr. Newman H. Waters Jr., played a key role in the negotiations, and Birmingham Atty. Douglas Corretti also represented the seller.

Eastwood Mall now has 15 acres of buildings, and provides parking for 3,000 automobiles. Built in 1959, it was opened in 1960 and now is rated one of the most successful shopping centers in the South.

This represents the second large investment by the Farm Bureau Insurance Cos. in Birmingham shopping center property.

Two years ago, the Montgomery firm acquired Five Points West Shopping Center at an estimated cost of $5.5 million.

The firm also has acquired the Shades Mountain estate of the late Tom Martin and is developing the property into a fashionable subdivision.

"We have great confidence in the entire Birmingham district for investment purposes," Hays and Lowder, of the purchasing firm, declared.

"The potential for future growth is definitely here, and we want to participate in that growth."

The two officials also hinted additional future commercial developments would be forthcoming from their firm in this area in the coming months.

The Farm Bureau Insurance Cos. are the largest writers of fire insurance in Alabama, and the second largest writer of automobile liability insurance in the state.

The companies' growth has been phenomenal, averaging an increase of 20 per cent in business each year, or doubling in size every five years.

Success of Eastwood Mall as a commercial venture can be gauged from this comment by N. H. Waters Sr., president of Eastwood Corps., the developer firm, some months ago; "The mall first opened in 1960. Sales volume has exceeded our anticipated goals every year since then. We have every confidence in the future."

AMERICAN FARM BUREAU FEDERATION,
Washington, D.C., July 7, 1967.
Hon. W. R. POAGE,
Chairman, Committee on Agriculture, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN POAGE: Last month it was announced by Congressman Joseph Resnick, Chairman of the Subcommittee on Rural Development of the House Committee on Agriculture, that hearings would be held throughout the month of June on the effects of Great Society programs on rural America. As the nation's largest general farm organization, Farm Bureau naturally has an interest in this subject. We requested an opportunity to offer testimony, and on June 21 Mr. John C. Lynn, legislative director of the American Farm Bureau Federation, appeared before the Subcommittee to present our statement.

As the record will show, Mr. Lynn had hardly begun reading the statement when Chairman Resnick challenged the propriety of Farm Bureau's statement, charging that Farm Bureau is not a farm organization but a large group of insurance companies without primary interest in the welfare of the agricultural community. The record will show that, after a number of interruptions, the meeting of June 21 was adjourned without Mr. Lynn having completed Farm Bureau's statement. Mr. Lynn requested an opportunity for Farm Bureau to complete its testimony, and Chairman Resnick set June 28 as the date for resumption of our testimony.

Due to prior commitment, Mr. Lynn could not personally appear on June 28. I arranged to appear to complete our testimony. The Subcommittee Chairman, Mr. Resnick, and the staff were informed of this change.

It is a matter of record that on June 27, Chairman Resnick charged in a statement published in *The Congressional Record* that "the granting of membership in the Farm Bureau is purely and simply a device for selling insurance and other services"; he also made other statements challenging the integrity of the organization and its officers. I had not read these charges prior to the opening of the hearings on June 28, but became aware of them shortly before being called as a witness when a press statement from Chairman Resnick was circulated throughout the hearing room reiterating these charges and launching additional ones. At the outset of my appearance, Mr. Resnick read from the *Record* the charges previously made on the House floor. Naturally, these charges, and not the subject before the Subcommittee, made up the dialogue of that appearance, which ended when the House was called into session.

Chairman Resnick has indicated that Farm Bureau will be given further time at future meetings of the Subcommittee. We shall be most happy to return to complete our original statement dealing with the effect of Federal Programs on Rural America. However, we are not inclined to return before the Subcommittee to discuss matters irrelevant to this hearing—such as Farm Bureau's service-to-member program.

We do not believe a majority of the members of the House Committee on Agriculture would expect us to do so, nor would they condone Chairman Resnick's use of his position to engage in a personal vendetta against Farm Bureau. We view his assault as an attack on all voluntary, nongovernmental organizations. If a farm organization's purpose is not to serve its members' needs, then what is it? This attack on Farm Bureau members for having developed their own insurance companies to serve their own needs would appear to be an attack on the self-help efforts of any and all organizations.

We are confident that you can appreciate the rather confused situation that has been created as a consequence of Mr. Resnick's sweeping charges. As an organization we have nothing to hide and have stated that we shall cooperate in any responsibly conducted Congressional inquiry into our operations and those of other farm organizations; however, we do not believe Chairman Resnick's Subcommittee is the proper setting for such an investigation. In fact we doubt if his activities thus far in this area are within the authority delegated to this Subcommittee.

It has been suggested that the hearings be terminated forthwith and that the report of the Subcommittee's hearings not be published. From our point of view, this would be a most unsatisfactory approach to resolving the matter of Chairman Resnick's attack on Farm Bureau. Reckless charges have been made—and widely reported throughout the country by the various news media.

In the interest of justice and fair play we urge that the full committee give immediate consideration to the charges made by Subcommittee Chairman Resnick against the Farm Bureau organization (county, state and national). If the Committee believes that there is basis for these charges, then we respectfully request the full Committee conduct a full scale, in depth, investigation of all farm organizations with special emphasis on organization-related business activities, government contracts in operation, and an analysis of the size and composition of each organization's membership. On the other hand, if the Committee does not concur in these charges, then we feel that the Committee should clear the record by adopting a resolution in which it disassociates itself from the attacks on Farm Bureau made by Subcommittee Chairman Resnick and by making known to the public at an early date its disposition of this matter.

Sincerely yours,

ROGER FLEMING,
Secretary-Treasurer and Director Washington Office.

JULY 12, 1967.

STATEMENT BY MEMBERSHIP OF RURAL DEVELOPMENT SUBCOMMITTEE OF THE HOUSE COMMITTEE ON AGRICULTURE

"While we recognize that in the House of Representatives diversity of opinion and strong personal expression of that opinion are both essential and innate to the legislative process and while we realize that each Member of the House holds a high Constitutional privilege to express himself in nearly any manner that he may see fit, we submit that the words and actions of one Member, spoken and taken from a leadership forum, should not become binding upon the consciences or convictions of other members of that House forum who are in disagreement with those words and actions.

"In the present situation the Chairman of the Subcommittee on Rural Development has launched from his position of leadership on the subcommittee a personal attack upon one of our nation's oldest and most respected general farm organizations, the American Farm Bureau Federation.

"The Chairman has already stated in the hearing record that this attack is his and his alone. We concur that such is the case, and we do not wish in any manner to abrogate his Constitutional privilege to express his views on this matter.

"We do, however, sincerely feel that the membership of the House as well as the general public should fully and clearly understand our position in hereby disassociating ourselves, as members of the Rural Development Subcommittee, from charges against the American Farm Bureau Federation, or for that matter, against any other general farm organization which carries on service programs for its membership.

"We futher recommend that the full Committee on Agriculture likewise disassociate itself from these strictly personal activities of the subcommittee Chairman by adopting the following Committee Resolution.

"Resolved, That the Committee on Agriculture of the United States House of Representatives does in no manner endorse, condone, or support the personal attack launched by the Chairman of the Subcommittee on Rural Development upon the American Farm Bureau Federation."

Farm Bureau Mutual fire and casualty companies (1965)

[In millions of dollars]

Name	Total assets	Policyholders' surplus	Premiums earned	1961 assets
1. Alabama Farm Bureau Mutual Casualty Co., Inc.	21.2	10.3	11.1	11.3
2. Alabama Farm Bureau Mutual Insurance Service, Inc	5.9	4.1	1.9	3.8
3. Farm Bureau Mutual Insurance Co. of Arkansas	4.6	2.2	2.8	2.6
4. Colorado Farm Bureau Mutual Insurance Co	3.7	1.9	2.2	2.8
5. Florida Farm Bureau Mutual Insurance Co	2.2	1.1	1.6	1.0
6. Georgia Farm Bureau Mutual Insurance Co	3.4	1.5	3.0	1.4
7. Farm Bureau Mutual Insurance Co. of Idaho	3.0	1.2	2.1	2.6
8. United Farm Bureau Mutual Insurance Co	30.4	10.9	21.6	25.7
9. Farm Bureau Mutual Insurance Co of Iowa	23.2	11.9	15.7	22.1
10. Farm Bureau Mutual Insurance Co. of Kansas	18.5	8.6	12.3	14.9
11. Kentucky Farm Bureau Mutual Insurance Co	13.4	5.9	9.1	8.6
12. Louisiana Farm Bureau Mutual Insurance	.7	.3	.4	.5
13. Farm Bureau Mutual Insurance Co. of Michigan	12.5	3.7	9.0	8.3
14. Mississippi Farm Bureau Mutual Insurance Co	3.6	1.5	2.4	1.5
15. Farm Bureau Mutual Insurance Co. of Missouri	4.6	1.2	4.2	3.3
16. Farm Bureau Mutual Insurance Co. of Nebraska	2.1	.7	1.7	2.0
17. Western Farm Bureau Mutual Insurance Co. (New Mexico)	2.2	0.7	2.0	1.9
18. Farm Family Mutual Insurance Co. (New York)	5.3	1.8	2.8	3.4
19. North Carolina Farm Bureau Mutual Insurance Co	5.6	2.1	4.4	2.8
20. Oklahoma Farm Bureau Mutual Insurance Co	1.0	4.1	6.9	5.9
21. South Carolina Farm Bureau Mutual Insurance Co	1.2	.5	.9	.6
22. Texas Farm Bureau Mutual Insurance Co	9.6	3.6	3.9	4.3
23. Utah Farm Bureau Mutual Insurance Co	1.5	.8	1.0	1.5
24. Virginia Farm Bureau Mutual Insurance Co	3.8	1.0	3.1	2.6
25. Wyoming Farm Bureau Mutual Insurance Co	2.3	.9	1.8	1.6
26. American Agricultural Mutual Insurance Co. of Indiana	18.2	10.4	7.8	16.1
27. Farm Bureau Mutual Insurance Co. of New Hampshire				
28. Country Mutual Insurance Co. (Illinois)	62.7	31.0	35.6	66.3
29. Nodak Mutual Insurance Co. (North Dakota)	3.7	2.5	1.7	2.8
30. Tennessee Farmworkers' Mutual Insurance Co	16.2	8.4	9.8	9.6
31. Rural Mutual Insurance Co. (Wisconsin)	7.5	3.2	6.0	6.0

Farm Bureau life insurance companies

[In millions of dollars]

Companies	Total assets	Premiums	Net gain from operations	Assets (1961)	Total insurance in force	
					1961	1965
1. Farm Bureau Life Insurance Co. of Iowa: Iowa Farm Bureau owns all common stock. The Iowa Farm Bureau can receive no more than 7½ percent of par value of common stock (after policyholders' dividends)	98.0	16.4	0.95	59.6	501.1	694.3
2. Farm Bureau Life Insurance Co. of Michigan	24.8	5.0	.36	12.1	124.6	219.3
3. Farm Bureau Life Insurance Co. of Missouri: All capital stock owned by Farm Bureau Investment Co. of Missouri	9.6	1.8	.15	5.3	53.2	97.6
4. Farm Family Life Insurance Co. is entirely owned by Farm Bureau organization located in 9 States (Eastern States)	25.2	5.9	.51	11.1	143.1	266.6
5. Kansas Farm Life Insurance Co.: 98.7 percent of stock is held by Kansas Farmers Investment Co. (Farm Bureau)	19.8	3.1	.11	11.9	114.2	210.7
6. Southern Farm Bureau Life Insurance Co.: All stock owned by Farm Bureau Investment Corp. in 5 States	111.7	26.8	1.70	51.2	671.5	1,370.7
7. United Farm Bureau Life Insurance Co. (Indiana): Indiana Farm Bureau Inc., owns all stock	72.2	14.0	1.30	50.5	278.3	490.6
8. Western Farm Bureau Life Insurance Co. (Colorado): Farm Bureau service companies (8 States)	17.0	4.6	.04	8.1	119.3	243.3
9. Country Life Insurance Co	311.7	----	----	218.7	----	----
10. Country Mutual Life	3.8	----	----	----	----	----
11. Rural Security Life Insurance Co	13.1	----	----	----	----	----

Farm Bureau stock fire and casualty companies

[In millions of dollars]

	Total assets	Policyholders surplus	Premiums	Assets (1961)
1. Country Casualty Insurance Co	----	----	----	----
2. Mid-American Fire & Marine Insurance Co	3.0	----	----	----
3. Rural Casualty Insurance Co	1.0	----	----	----
4. Early Settlers Insurance Co	1.1	0.4	0.8	0.5
5. Cal-Farm Insurance Co	13.0	3.5	9.8	11.4
6. Oregon Farm Bureau Insurance Co	1.6	.4	----	----
7. Southern Farm Bureau Casualty Insurance Co. (only for members)	38.5	9.0	34.2	27.8

DIRECTORS OF THE AMERICAN FARM BUREAU AND THEIR INSURANCE AFFILIATIONS

Charles Shuman, President, American Agricultural Mutual Ins. Co.

Walter Randolph, director, Southern Farm Bureau Life Ins. Co.; director, American Agricultural Mutual Ins. Co.

Roger Fleming, secretary, American Agricultural Mutual Ins. Co.

Allan Lauterbach, treasurer and asst. secretary, American Agricultural Mutual Ins. Co.

George Doup, president, United Farm Bureau Mutual Ins., Co.; vice president, American Agricultural Mutual Ins. Co.

J. Merrill Anderson, president, Farm Bureau Life Ins. Co. (Iowa); president, Farm Bureau Mutual Ins. Co. (Iowa); director, American Agricultural Mutual Ins. Co.

Percy Hardiman, president, Rural Mutual Ins. Co.; president, Rural Security Life Ins. Co.; president, Rural Casualty Ins. Co.; under sponsorship of the Wisconsin Farm Bureau.

Lewis Munn, president, Oklahoma Farm Bureau Mutual Ins., Co.; director, Western Farm Bureau Life Ins. Co.; director, American Agricultural Mutual Ins. Co..

J. D. Hays, executive vice president and secretary, Alabama Farm Bureau Mutual Ins. Service, Inc.; executive vice president and secretary, Alabama Farm Bureau Mutual Casualty Co., Inc.; vice president, Southern Farm Bureau Life Ins. Co.; director, American Agricultural Mutual Ins. Co.

Boswell Stevens, president, Mississippi Farm Bureau Mutual Ins. Co.; president, Southern Farm Bureau Life Ins. Co.; director, American Agricultural Mutual Ins. Co.

Robert Delano, president, Virginia Farm Bureau Mutual Ins. Co.; president, Early Settlers' Ins. Co.; director, Southern Farm Bureau Life Ins. Co.

C. H. DeVaney, president, Texas Farm Bureau Mutual Ins. Co.; president, Southern Farm Bureau Casualty Ins. Co.; director, American Agricultural Mutual Ins. Co.; director, Southern Farm Bureau Life Ins. Co.

Henry T. Wilson, vice-president, Wyoming Farm Bureau Mutual Ins. Co., Inc.; director, Western Farm Bureau Life Ins. Co.; director, American Agricultural Mutual Ins. Co.

Max Benitz, director, Cal-Farm Ins. Co.

Allan Grant, president, Cal-Farm Ins. Co.; director, American Agricultural Mutual Ins. Co.

Floyd Sommerville, president, Colorado Farm Bureau Mutual Ins. Co.; director, American Agricultural Mutual Ins. Co.; director, Western Farm Bureau Life Ins. Co.

Floyd Hawkins, vice-president, Western Farm Bureau Life Ins. Co.; director, Western Farm Mutual Ins. Co.; director, American Agricultural Mutual Ins. Co.

William Kuhfuss, president, Country Mutual Ins. Co. (Ill.); president, Country Casualty Ins. Co.; chairman of board, Mid-American Fire and Marine Ins. Co.; director, American Agricultural Mutual Ins. Co.

Clark Robinson, president, Nodak Mutual Ins. Co.; director, American Agricultural Mutual Ins. Co.

Elton R. Smith, director, Farm Bureau Life Ins. Co. of Michigan; director, Farm Bureau Ins. Co. of Michigan; director, American Agricultural Mutual Ins. Co.

Frank Sollars, director, American Agricultural Mutual Ins. Co.

Paul Nay, director, Farm Family Mutual Ins. Co.

Gerald A. Biggs, president, Farm Family Mutual Ins. Co.; director, American Agricultural Mutual Ins. Co.

William Bensley, vice president, Farm Family Mutual Ins. Co.; administrative vice president and secretary, Farm Family Life Ins. Co.; director, American Agricultural Mutual Ins. Co.

David Sloan, president, South Carolina Farm Bureau Mutual Ins. Co.; director, Southern Farm Bureau Life Ins. Co.; director, Southern Farm Bureau Casualty Ins. Co.

B. G. Mangum, president, North Carolina Farm Bureau Mutual Ins. Co.; director, Southern Farm Bureau Life Ins. Co.; director, American Agricultural Mutual Ins. Co.

Keith Wallace.

Extract of 1966 financial statement of American Agricultural Mutual Insurance Co.

1. Taxes:	
Net investment income earned	$574,241.27
Investment taxes	0
State and local insurance taxes	5,416.38
Insurance department fees (licenses)	2,416.38
Payroll taxes	6,204.77
Federal income tax	0
Real estate tax	0
2. Insurance in force (not including reinsurance)	2,914,246.48
Insurance in force (including reinsurance)	6,522,921.26
3. Advertising	22,191.16

Extract of 1966 financial statement of American Agricultural Mutual Insurance Co.—Continued

4. Salaries	$223,191.31
Director's fees	14,408.01
Travel	21,902.05
Donations	1,175.00
5. Owns 83.09 percent of outstanding shares of Oregon Farm Bureau Insurance Co. (a stock insurance company); owns 200 shares of Cal-Farm Insurance Co. at $100 per share (a stock insurance company); owns 26,624 shares of common stock of Farm Bureau Mutual Funds, Inc.:	
Book value	227,707.29
Market value	266,240.00

CONGRESSMAN ATTACKS FARM BUREAU AS "BILLION DOLLAR INSURANCE COMBINE"

Congressman Joseph Y. Resnick today accused the American Farm Bureau Federation of "using the American farmer in order to build one of the largest insurance and financial empires in the United States, and to bring great profit to a select handful of men."

In a sharply-worded speech delivered to the House today, Congressman Resnick charged the American Farm Bureau with, "masquerading before the Congress, the nation, and the American farmer, as a farm organization deeply and exclusively devoted to promoting the best interests of the American farmer, when in reality this organization is a gigantic, interlocking, nationwide combine of insurance companies with total assets of almost $1 billion."

Congressman Resnick is chairman of the Subcommittee on Rural Development of the House Agriculture Committee, which has been holding hearings on rural problems.

Mr. Roger Fleming, Secretary-Treasurer of the American Farm Bureau Federation, will testify before the Subcommittee tomorrow at 10 A.M. in Room 1302, Longworth House Office Building.

"Our farmers have been taken in," the New York Democrat continued. "I have evidence that the granting of membership in the Farm Bureau is simply a device for selling insurance and other services." He said that the Farm Bureau also operates a mutual fund dealing in stocks, bonds and other securities.

Mr. Resnick also characterized Charles Shuman, President of the American Farm Bureau Federation as, "the king of gentleman farmers," pointing out that in addition to his leadership of the Farm Bureau, Mr. Shuman is also President of the Farm Bureau Mutual Fund and President of the American Agricultural Mutual Insurance Company.

The complete text of Congressman Resnick's speech follows:

"Mr. Speaker, a number of years ago Congress realized that individuals and organizations appearing before it might be tempted to influence legislation for their own private gain rather than for the good of the nation. With that in mind, Congress passed the Lobbying Act so that everyone would know the nature of individuals and organizations attempting to influence pending legislation.

"This law requires every lobbying organization to file an affidavit with the clerks of the House and Senate, reviewing the sources of its income, its expenditures, its purposes, and its chief personnel. The intent of the law is clear: to let the public know who is influencing what legislation, and for what purpose. Thus, for example, when the AFL–CIO comes down to Washington to influence legislation by testifying before the various committees of this distinguished House, we know who they are, whose interests they serve, and what their purpose is. When an organization misrepresents itself or its purposes, or fails to properly reveal its true interests or the source of its funds, the law must deal with it.

"It is my duty today, Mr. Speaker, to disclose to the nation that one of the largest and best-known organizations in American life has for many years been *masquerading* as one kind of organization when in reality it has been something quite different. The organization in question is the American Farm Bureau Federation.

"Over the years the Farm Bureau has been representing itself to Congress, the nation, and the American farmer as a farm organization deeply and exclusively devoted to promoting the vast interests of the American farmer.

"I have made the shocking discovery that the Farm Bureau has not been *representing* the American farmer; it has been *using* him. It has been using him to build one of the largest insurance and financial empires in the United States, an empire which is bringing great profit to a select handful of men.

"Last week the Farm Bureau testified before the Subcommittee on Rural Development of the House Committee on Agriculture, of which I am chairman. Since then I have spent a lot of time looking into that organization. My investigation has revealed the shocking fact that the American Farm Bureau Federation is a gigantic, interlocking nationwide combine of insurance companies with total assets of almost $1 billion. I have evidence that the granting of membership in the Farm Bureau is purely and simply a device for selling insurance and other services.

"While we have not yet uncovered all of its assets, companies, and business connections, or even all of its insurance companies, we do already know that in addition to its insurance businesses, the Farm Bureau also operates a multimillion dollar Mutual Fund dealing in stocks, bonds, and other securities.

"Let's look at that typical American farmer, Mr. Charles Shuman, President of the American Farm Bureau Federation. Not long ago, Mr. Shuman was featured in one of our national picture magazines, dressed in overalls and waving an ear of corn. Mr. Shuman must certainly rank as the king of all gentleman farmers. His home is in Chicago. No doubt he occasionally visits his picturebook Midwestern farm. But in addition to heading the American Farm Bureau Federation, he also happens to be President of the Farm Bureau Mutual Fund and the American Agricultural Mutual Insurance Company.

"I can assure you that Mr. Shuman is not unique. Virtually every officer and director of the American Farm Bureau Federation is an officer or director of one or more insurance companies. Their life insurance companies alone (not including their many casualty and fire insurance companies) have over $3.5 billion of insurance in force.

"Our farmers have been taken in—lock, stock, and silo. No one can tell me that the interests of the over-worked and under-paid American farmer are the same as billion-dollar insurance companies. In fact, I would say these interests are usually in head-on conflict. What I can't understand is why an organization like the Farm Bureau has been able to pull the wool over our farmers' eyes for so many years, and why it has been allowed to appear before countless Congressional committees over the years misrepresenting itself as a farm organization. Who can even begin to estimate the damage this subterfuge has done to the cause of the American farmer?

"Mr. Speaker, in the days to come, I plan to document these charges—and others—in great detail for the Congressional Record. I hope that these facts convince all Americans—especially our farmers—that the American Farm Bureau Federation would be more honest in its relations with Congress and the public if it changed its name to the American Farm Insurance Company.

"In addition, I plan to look into possible violations of the Lobbying Act resulting from the revelation of these previously unpublished activities of the Farm Bureau and its officials."

June 28, 1967.

"I am amazed to learn that farming now appears to be one of the main occupations in the city of Chicago," Congressman Joseph Y. Resnick said today, after revealing that the American Farm Bureau Federation has more members enrolled in Cook County, Illinois than in any other county in the United States.

"Here is clear evidence that the Farm Bureau, which is supposedly an organization of farmers and farm interests, is actually nothing more than a giant insurance complex," Congressman Resnick said. "In direct violation of the spirit, if not the letter of their Articles of Incorporation, the Farm Bureau companies will sell insurance to anyone who will buy it, and make the purchaser a member at a small extra charge, so that he becomes technically eligible.

"I had someone buy Farm Bureau Insurance who has never been closer to a farm than Columbus Circle in New York. This is one of the greatest confidence games I have ever heard of. The Farm Bureau has been deliberately misrepresenting itself and its purposes to the American farmer and to Congress. I plan to see that this masquerade is brought to an end," continued the New York Democrat.

Continuing his probe into the tangled financial affairs of the American Farm Bureau Federation, Congressman Resnick said that preliminary investigation has already revealed the existence of a network of 36 separate Farm Bureau Insurance Companies, as well as a wholly-owned mutual fund dealing in stocks and bonds.

"At least one insurance company, the American Agricultural Mutual Insurance Company, with assets of $11 million is wholly-owned by the American Farm Bureau Federation," stated Congressman Resnick. "Its president is Charles Shuman, President of the Farm Bureau. Other officers of the Farm Bureau also hold top positions in American Agricultural Mutual Insurance."

"The same interlocking relationship exists between the Farm Bureau and its mutual fund."

Congressman Resnick said that the Farm Bureau has created its own "insurance explosion." It has expanded its insurance operation to the point where, through 28 affiliated companies, with assets totaling $250 million, it is the 35th largest fire and casualty insurer in the United States.

He said that there were at least 8 Farm Bureau Life Insurance Companies whose assets in 1965 totaled $378 million, placing the Farm Bureau among the top 50 life insurance companies in the Nation.

"In its statement filed with the House of Representatives as required by the Federal Lobbying Act," Congressman Resnick said, "The Farm Bureau claims that its legislative interests 'cover primarily the fields of legislation affecting agriculture directly'. In view of their vast assets from insurance, which far exceed their earnings from farmer-related activities, how can anyone possibly believe that the Farm Bureau's lobbying statement is anything but a fraud?"

Congressman Resnick charged that an interlocking relationship exists between the AFBF and the various State Farm Bureau Insurance Companies. Virtually all directors of the AFBF also hold offices and directorships in the state-chartered insurance companies.

He said, "The Farm Bureau Companies are not independent of each other in any sense of the word. They are part of a massive network. We often see how several State Farm Bureaus often combine to form a new Farm Bureau Insurance Company. Management personnel move from one Farm Bureau Insurance Company to another. For example, an agent may come up through the ranks of one insurance company in the Mid West and then be promoted to an executive position in a different company in the Southeast."

Congressman Resnick also charged that comingling of Farm Bureau funds and insurance company funds was also a common practice. He cited the fact that checks for Farm Bureau membership were often made out to one of the insurance companies. "This is a clear violation of the law which prohibits the use of corporate funds for political activities," he said.

July 6, 1967.

"The American Farm Bureau has as much right being a tax-exempt organization as General Motors does." Congressman Joseph Y. Resnick said today, after revealing that the American Agricultural Mutual Insurance Company, wholly owned and operated by the American Farm Bureau Federation, earned $574,241 in 1966 without paying a penny in Federal income tax, real estate tax, or investment tax.

Continuing his inquiry into the non-agricultural business ventures of the Farm Bureau, which he has attacked as a "multibillion dollar financial empire that exploits the American farmer, Congressman Resnick expressed confidence that the Internal Revenue Service will soon agree to launch the investigation of the Farm Bureau that he requested last week.

"We have unmasked the Farm Bureau's gigantic insurance operations." Congressman Resnick said. "But we have barely seen the tip of the iceberg. Less than two weeks ago, for example, the two Farm Bureau Mutual insurance companies in Alabama purchased Eastwood Mall, in Birmingham, for $10 million. This is the largest enclosed-mall shopping center in the southeastern United States.

"In 1965 the same insurance companies bought the Five Points West Shopping Center in Birmingham for $5.5 million. In addition, they have purchased a property known as Shades Mountain which is being developed into a fashionable housing subdivision. Mr. J. D. Hays, Executive Vice President of the Alabama Farm Bureau Mutual Casualty Company is quoted in *The Birmingham News* on June 30, 1967 as saying 'We have great confidence in the entire Birmingham district for investment purposes. The potential for future growth is definitely here and we want to participate.' I think the American farmers want to know what all this has to do with them. There are very few farmers in Birmingham, Alabama, the most heavily industrialized city in the South," Congressman Resnick said.

Congressman Resnick has charged that the Farm Bureau made false statements to the Internal Revenue Service in claiming that its membership consists of farmers and persons "having a major agricultural interest."

"The fact is," he said, "they're not what they say they are. Anybody—whoever he is and wherever he lives—can join the Farm Bureau by buying their insurance. The Farm Bureau has repeatedly refused to publicize a breakdown of its membership. The reason is obvious. By deliberately misrepresenting itself to the Government, I believe they have forfeited their tax-exempt status. Furthermore, the Farm Bureau is engaged in money-making business activities which they have no right to engage in as a tax-exempt organization."

Mr. Resnick said, "the operation of this complex financial empire, much of which is tax-exempt, and therefore paid for by the American people, must be investigated by the Internal Revenue Service. I have asked for the answers to 18 specific questions. For example, can a tax-exempt organization legally own or operate corporations whose funds contribute to political and lobbying activities? Is a tax-exempt organization permitted to operate a commercial organization in competition with tax-paying private companies? Can the Farm Bureau be legitimately considered an agricultural organization, since a substantial part—probably a major portion—of its membership does not consist of farmers or persons having any agricultural interests?"

JULY 14, 1967.

Congressman Joseph Y. Resnick today predicted that the American Farm Bureau Federation will try to block publication of the hearings of the House Agriculture Committee's Subcommittee on Rural Development, of which Mr. Resnick is Chairman.

The New York Democrat said that he based his prediction on a letter from American Farm Bureau Secretary-Treasurer Roger Fleming, a copy of which was sent to every member of the House Agriculture Committee. Resnick charges this letter is "a blueprint for Agriculture Committee action to silence me and prevent further revelations about the Farm Bureau."

Congressman Resnick said, "The letter says 'It has been suggested that the hearings be terminated forthwith and the report of the Subcommittee's hearings not be published.' What it fails to mention is that it is the Farm Bureau that is doing the suggesting since this idea never existed until it came up in their letter."

"As a member of the Committee who received a copy of this letter, I was offended to find myself being told by this powerful lobby how to think and how to act," Resnick continued. "Now that the first aim of the Farm Bureau, the Committee Resolution against me, has been achieved, they will now concentrate on their next goal of squelching the Committee Report.

"This, of course, would serve the broader interests of the arch-conservative Farm Bureau, since the Committee hearings which went on for five weeks, were devoted to a study of living conditions in Rural America. The Farm Bureau has consistently opposed all progressive legislation in this field and, according to its own statement to the Subcommittee, violently opposes all federal legislation intended to alleviate poverty, promote better health, and improve education in our rural areas," he said.

This is the same letter in which Fleming called for the Agriculture Committee to adopt a resolution disassociating itself from charges made by Resnick during recent hearings of the Rural Development Subcommittee. Forty-eight hours after receiving the letter, the Committee, in a highly unusual action, voted in closed session to adopt such a resolution.

As evidence for his charges, Resnick cited the sequence of events and the "striking" similarity of language between the Farm Bureau's letter and that of the Subcommittee's statement recommending adoption of the resolution.

He said that the letter, which was dated Friday, July 7th was received by all Committee members on Monday, July 10th. Resnick stated that the letter gave the Committee a choice, either to conduct a full committee investigation, or to disown the charges which he made.

"Since the committee members are mostly Farm Bureau members, they were not anxious to conduct any investigation, and so, following the Farm Bureau's script, they took the other option," he said.

The Subcommittee met 24 hours later and issued a statement recommending adoption of the resolution, "the wording of which closely resembles the wording in the letter," Resnick pointed out. The full Agriculture Committee met Tuesday and adopted the resolution.

The Farm Bureau's letter urges that the Committee "clear the record by adopting a resolution in which *it disassociates itself* from the attacks on Farm Bureau made by Subcommittee Chairman Resnick and by making known to the public at an early date its disposition of this matter."

The Subcommittee statement says, "We sincerely feel that the membership of the House as well as the general public should fully and clearly understand our position in *hereby disassociating ourselves,* as members of the Rural Development Subcommittee such unwarranted and irrelevant charges against the American Farm Bureau Federation."

Fleming's letter also charged that Mr. Resnick was carrying out a personal vendetta against the Farm Bureau.

"This was the first time that the concept of a personal attack was even mentioned," Resnick said, "and all of a sudden, there it is in the resolution, 'The committee on Agriculture of the United States House of Representatives does in no manner endorse, condone, or support *the personal attack* launched by the Chairman of the Subcommittee on Rural Development upon the American Farm Bureau Federation.' How in the world can anyone consider an attack on a multi-billion dollar national corporation as personal? It's just a little ridiculous."

Since beginning his investigation of Farm Bureau financial activities on June 21st, Congressman Resnick has so far uncovered a network of 52 insurance companies, with interlocking directorates, whose total assets exceed $1 billion and whose insurance-in-force exceeds $10 billion.

This is in addition to a wide range of other business activities, many of which are tax exempt, including oil refineries, LP gas manufacturing companies, grain storage operations, fertilizer industries, shopping centers and other commercial activities.

Mr. BINGHAM. Mr. Speaker, the information presented to the House today by my able colleague from New York [Mr. Resnick] is indeed disturbing.

Certainly it would appear that Mr. Resnick's charges against the American Farm Bureau Federation were serious enough to merit careful inquiry and should not have been brushed aside—as requested by the representative of the federation—by the Committee on Agriculture in a manner which seemed to constitute a rejection of the charges and a rebuke of my colleague from New York.

The gentleman from the 28th District from New York is courageous and outspoken, and he is relentless in his pursuit of the public interest. I am sure that his constituents will recognize his outstanding qualities and will not be misled by hasty and unfair attacks upon him.

A RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION PROVIDING A 4-YEAR TERM FOR MEMBERS OF THE HOUSE

The SPEAKER pro tempore (Mr. Albert). Under previous order of the House, the gentleman from New York [Mr. Halpern] is recognized for 20 minutes.

Mr. HALPERN. Mr. Speaker, today I am introducing a resolution proposing an amendment to the Constitution providing a 4-year term for Members of the House.

Elections would be held in even-numbered years, with one-half of each State's delegation running for office in presidential election years, and the other half in so-called off years.

The amendment would also prohibit Members from seeking or accepting nomination to any other elective office while serving in this House.

The responsibilities which Members of this House are given to discharge continue to grow greater. As the years go by, the volume of legislation and the complexity of the problems faced by Members continue to increase.

More hours must be spent on the floor and in committee, and the 4- or 5-month session is a thing of the past. Being a Congressman is no longer a part-time job, and we can discern a similar trend in our State legislatures.

At the same time, the demands of seeking and retaining office, as distinct from legislative duties, are increasingly preempting the individual Member's time and energy.

Methods of campaigning become more sophisticated and more time consuming. Election pressures prompt constant commuting to the district during the entire session for speeches, appearances at functions of all kinds and perpetual fence mending.

It becomes all too clear that the demands of maintaining office within a 2-year cycle are disrupting our prime legislative function.

The practicalities of the present system demand that almost as soon as a Member is elected, he must start planning for his next campaign. Campaigning occupies many months of the second year of a 2-year term, and if a Member faces a primary contest in the spring, almost all of the second year is taken up with politicking.

The challenge to survival and the many diversions demanded by political activity become, for most of us, a cyclical repetition of enormous strain, which is seriously affecting the exercise of effective legislative action.

I do not for a moment mean to suggest that the duties in the district are not part and parcel of a Congressman's major functions. But I do stress the fact that the people we represent are short changed when the necessities of political survival hamper good government.

The entire Nation would benefit from a 4-year term. It would mean that a Congressman could get down to the business of government, without being forced to campaign for almost half of his term.

Another important aspect of the question is the fact that the costs of campaigning are reaching a point of absurdity, and most of us must make increasing outlays of cash to overcome frequent opposition.

Some time ago, U.S. News & World Report estimated that the average cost of an individual congressional campaign was $75,000. I doubt if we can hope that cost will decrease in the future.

It is my feeling that many capable citizens are discouraged from entering political life because the financial demands are prohibitive.

The sad consequence of this is a perpetuation of a climate of political cynicism, and the discouragement of fresh new blood from seeking office.

I should also add that I have seen Member after Member leave the House after a period of service because they could no longer take the pressures and expenses of campaigning every 2 years. We have lost some mighty fine Congressmen that way.

I have also concluded that the 2-year term is one of the elements which indirectly limit the ability of Representatives to fulfill a more decisive role in national affairs.

This has a bearing on the influence and power of the House itself as witness the fact that there have been complaints lately that the legislative branch has lost initiative to the executive. This evolution endangers the traditional balance of Federal power.

Such a trend is understandable, considering the global responsibilities which have devolved upon the United States in the past generation.

Nevertheless, I insist it is still true that Congress can wield powerful leverage if the administration lacks a manageable majority on Capitol Hill.

But, if we are to fulfill a meaningful function in the process of lawmaking, this House must have continuity. Leadership can never be intelligently exercised without it, and the possibility of change every 2 years surely limits continuity.

It is clear to me that if the House is to carry out a really constructive and lively role, we must lessen the burdens and uncertainties which a 2-year term makes inevitable.

Opponents of this amendment contend that a 2-year term must be maintained in order to keep Congress close to the people. I grant this is an important point. In fact, it is the one unquestioned benefit of the present 2-year cycle.

The amendment I propose would guarantee a congressional election every 2 years, so that we would not lose the off-year mandate. It is important to preserve a channel of expression of public opinion in off years, and we can do that by having half of each State's delegation elected in alternate biennial elections.

Thus, we can still give the people the opportunity to express approval or disapproval every 2 years, while establishing a 4-year tenure for Members of this House.

I am also convinced that the 4-year term would give the electorate a chance to maintain better perspective in making decisions at the polls. The congressman's record during a longer term would be easier to analyze and evaluate.

There would be far less chance of elections being decided on the basis of some temporary emotional flare-up over a momentary issue. Such flare-ups would be more likely to cool off in 4 years, leaving more room for reasonable, thoughtful judgments.

I certainly respect and honor the right of any individual to vote against me, but I would like to have his vote based on my record, not on an issue distorted by emotion.

Mr. Speaker, my experience convinces me that the voters' interests—hence, the national interest—are being compromised because Members of this House are increasingly overburdened with the tiring, time-consuming and expensive business of fighting for office every 2 years.

The problem will become more critical as our Nation's population increases, and our domestic and international problems become more complex. We can wait no longer to make this vital change.

ISRAEL AMBASSADOR HARMAN CALLS FOR ARAB CHANGE OF POLICY TO INSURE PEACE IN NATIONAL PRESS CLUB ADDRESS

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House the gentleman from Ohio [Mr. FEIGHAN] is recognized for 15 minutes.

Mr. FEIGHAN. Mr. Speaker, it was my privilege today to be an invited guest at the head table at the National Press Club luncheon to hear a very stimulating address by Ambassador Avraham Harman of Israel.

The Ambassador, in his prepared text, stated:

> The road to peace in the Middle East is the same road as for peace in the world—it is the road of harmony in diversity—the search for common constructive interests.

Before a crowd of 300 members, National Press Club president, Mr. L. David LeRoy, Capitol Hill correspondent for the U.S. News & World Report, conducted a question and answer period which elicited newsworthy answers which revealed for the first time that the Government of Israel has already officially notified the Government of the United States that it will indemnify the United States for the losses sustained by the unfortunate attack on the U.S.S. *Liberty;* that on the day that the city of Jerusalem was unified, Prime Minister Eshkol had in his office a representative of every faith that has a holy place in Jerusalem. On that first day Prime Minister Eshkol informed these representatives that the Israel Government wanted each and every representative of the faiths to supervise their own holy place.

Under leave granted, I include the address of Ambassador Harman:

ADDRESS BY AMBASSADOR AVRAHAM HARMAN OF ISRAEL BEFORE THE NATIONAL PRESS CLUB, WASHINGRON, D.C., JULY 18, 1967

It is to the root causes of the situation in the Middle East that world statesmanship must address itself at the present time. The goal of peace and stability in the Middle East region cannot be attained by an artificial and unrealistic attempt to move backwards to belligerency. If the Middle East is to be insulated from the prospect of further danger to its own peoples and the world, it must move forward to a durable peace based on the mutual recognition by all the States in the area of their right to exist and the replacement of belligerence by genuine peaceful co-existence.

The root causes to which the world must address itself are:

(1) The refusal by the Arab States to acknowledge the existence of Israel, except for the purpose of seeking to eliminate it.

(2) The refusal, therefore, by the Arab States to move the armistice system forward to peace as the Armistice Agreements specifically provided.

(3) The assertion by the Arab States of the rights of belligerence contrary to the Armistice Agreements, the resolutions of the Security Council and the Charter of the United Nations.

This assertion of belligerence results in the warlike acts: the blockade of the Suez Canal and the Straits of Tiran to Israel shipping. Similarly it led to a diplomatic and economic offensive against Israel.

(4) In pursuance of the doctrine of belligerence the Arab States, particularly since 1955, embarked on an arms race at the expense of the economic welfare of their people.

(5) Since 1964 the real discussion in the Arab world was between the doctrine of a continuous day-to-day military confrontation with Israel of a guerrilla commando type, the doctrine of gathering strength necessary for the knockout blow against Israel. The discussion centered on method and not on aims.

(6) The use, or rather the abuse, of the Arab refugee problem as a political instrument in the war against Israel and the blocking of every serious proposal for dealing with the Arab refugee problem on a humanitarian basis.

These policies culminated in the action taken by the United Arab Republic between May 14 and June 5, 1967. These actions removed the three pillars upon which the relative quiescence of the Middle East rested during the ten year period 1957–1967. These pillars were:

First, unrestricted freedom of passage through the Straits of Tiran;

Second, the virtual demilitarization of the Sinai Peninsula and the avoidance of a confrontation between Egyptian and Israeli forces on the Sinai border;

Third, the insulation of the Gaza Strip from use for the purposes of commando raids against Israel, with the use of the United Nations Emergency Force as the symbol for this.

After the 14th of May events developed rapidly. The United Nations Emergency Force was peremptorily withdrawn at the United Arab Republic's request, massive Egyptian forces were building up on the Egyptian border, the Straits of Tiran were blocked and UNEF positions on the Gaza Strip border were taken over by the Palestine Liberation Army.

The real issue now before the United Nations is whether there can be an acquiescence in the assertion by Member States of the rights and practices of belligerence. The road to progress in the future depends upon the immediate application of the Charter for the demand that this assertion and the practices emanating from it must cease without delay.

Insufficient attention has been paid to another grave consequence of the Arab position during the past 19 years. A principal victim of the doctrine of non-recognition of Israel and of the policy of hostility and belligerence has been the absence of any regional Middle Eastern organization or development. While the heavy emphasis on the arms race has diverted vital resources from economic development to war preparations on the part of the Arab countries, it has equally blocked the vitally needed effort to develop regional projects for the effective use of water, planning of communications, the movement of trade and the growth of international travel and tourism. Thus, the people of the area have been doubly deprived. There has been a diversion of resources from development to military expansion and a denial of the numerous advantages that would result from effective regional cooperation in all areas. The principal suffers from this policy have been the Arab refugees whose economic integration into the area would otherwise have been speedily possible.

It is this analysis of the past 19 years which must point the way to the course to be followed in the future. The States of the Middle East must take their destiny into their own hands and consult the interests of their own peoples. It is not enough for an Egyptian newspaper to say that it was a tactical propaganda mistake for the Arabs to proclaim the goal of Israel's elimination. What is needed is a change of policy. It is not enough for an Arab State to take the tactical position that an Israeli withdrawal must first be attempted by political means before military means are used. What is needed is an affirmative decision to withdraw from the doctrine and practice of belligerency, and to view the future of the Middle East and of its peoples in terms of positive cooperation. The road to peace in the Middle East is the same road as for peace in the world—it is the road of harmony in diversity—the search for common constructive interests.

This is the view which Israel has been pressing and will continue to advance as a policy for the solution of the problems of our area. This is what is needed by the peoples of the Middle East. This is the effective contribution which the Middle East as a whole can make to the peace of the world.

Finally, a word about the Israel doctrine of direct negotiations. It is said that this is unrealistic. The record is that the only progress that has ever been made in the Arab-Israel situation has been the product of direct Arab-Israel talks. The further record is that where a body has been interposed between the Arab States and Israel, the Arabs have used that body not in order to create a link but in order to perpetuate an absence of communication. If it is agreed that the Charter calls for the pacific settlement of disputes between States, the practice of direct negotiations is not only not unrealistic—it is the only certain and effective method for progress.

THE JEWISH STAKE IN VIETNAM

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MULTER. Mr. Speaker, the Jewish stake in Vietnam is a very vital one, for wherever communism gains control, the Jew is denied his religious freedom and in effect his existence as a spiritual human being.

Meir Kahane, chairman of the American Jewish Friends of Vietnam, has written a thorough and informative series entitled "The Jewish Stake in Vietnam."

I commend to the attention of our colleagues Mr. Kahane's series, which appeared in the Jewish Press from April 7 to June 2, 1967.

The series follows:

THE JEWISH STAKE IN VIETNAM

(By Meir Kahane)

(United States forces are today fighting in Vietnam to check Communist aggression. All Americans have a stake in this grim war but Jews have a very special interest in the successful outcome of this struggle. For, wherever the Communist machine achieves power, not only are political, social and economic rights swept away, but spiritual persecution is inevitably and mercilessly practiced. Because of this, it is vital that the Jew realize the danger to his very survival as a free human being should Communism ever achieve victory. The Jewish Press, in line with its policy of alerting America to the dangers of totalitarianism from Right and Left, is beginning a comprehensive series on The Struggle For Freedom In Vietnam. The writer of the series, aside from being a regular contributor to the Jewish Press, is also chairman of the American Jewish Friends of Vietnam and an expert on Communist threats to democracy and religious freedom.)

RELIGION IN VIETNAM

As in the case of Korea, the most vigorous and unified religious group in the state of Vietnam was that of the Christians, the Catholics in particular. In an Asian country, they made up 2,400,000 people of a total population of 25,000,000 prior to the division of the country in 1954. This was almost 10% of the total and made Vietnam the Asian state with the second largest population of Catholics.

Because of this, the Vietnamese Communists moved slowly and carefully. In line with the general policy of Ho Chi Minh, which was to soft-pedal his true aims so long as he had need of the non-communist forces in the fight against the French, Catholics were not treated harshly. As the communists consolidated their power, however, things began to change.

During the struggle for independence against the French, there were at least two incidents of violent massacres perpetrated by the Communists against Catholic villages in Thai Binh province in the Red River Delta. It was reported at Cao Mai, 180 Catholics, including women and children, were burned to death in the village church after the French refused to surrender.

In 1951, as the fighting against the French grew in intensity, a certain irrigation network was severely damaged by French bombs. The Communists, in this period of time, were engaged in a double war. The first was against the French colonial regime. In this, they were hardly the only Vietnamese group struggling for freedom. There were numerous other nationalists who sought independence also and they were persuaded by Ho Chi Minh to join with the Reds in a united front to be known as the Vietminh. In this framework, Ho fought his second war—to eliminate the strongest forces within the non-communist groups. With the French bombing, Ho saw a great opportunity to accomplish a major part of his second aim. Claiming that the bombing was a result of a "conspiracy by traitors" the Communists singled out their most feared rivals in every province. Among them were the most senior Buddhist monk, the Catholic Bishop and the most influential Confucianist. Public trial were held during which the defendants were allowed no counsel. There were only "defenders" who demanded severe punishment for these "ring leaders."

Hoang Van Chi was a non-communist member of the Viet Minh. He believed the Communists at first and he saw the trials. He described them in part as follows:

"Trials were public which meant they were attended by delegations of party members, one from the villagers' and another from workers' organizations. The delegates were granted at least two weeks to memorize all the slogans they would be required to shout . . . "

THE GENEVA AGREEMENT

The Catholics realized what the Communists had in store for them. Thus, when the fighting between the Viet Minh and the French came to an end within the signing of the Geneva Agreement in 1954 and Vietnam was to be divided into North and South at the 17th parallel, the Catholics knew what they had to do.

Under Article 14d of the Agreement, all civilians who wished to move from one zone to another were given 300 days to do so, from July 22, 1954 to May 1955. The Communists agreed to this, little realizing what would happen. To the chagrin of the Reds, 819,131 refugees requested to be transferred to the South while only 4,792 asked to be moved North. It was a crushing propaganda blow to the Communists as the refugees—mainly Catholics escaping religious persecution—chose freedom over Red tyranny.

The Communists now used all means available to prevent the departures, Ba-Lang, a Catholic village in Thanh-Hoa province served as a departure point for refugees going South. On Jan. 20, 1955, 700 youths were arrested and taken away; their final destination was never disclosed. Four other youths were executed on the spot and seven persons, including one woman, were given life terms for opting for freedom. On Jan. 25, 1955, Vint Minh troops killed 12 villagers in the town of Luu-My. The bishopric of Phat-Diem was blockaded for weeks in an attempt to dissuade villagers from leaving for the South.

Many people were arrested for advocating evacuation. They were tried by People's Courts and either sentenced to forced labor or sent to concentration camps. Still another device was the creation of the movement called "training to foil the intrigues of the propagandists for the exodus toward the South." These were entrusted with:

1) Preventing the sale of real estate, livestock, rice fields belonging to emigrants;

2) Inciting inhabitants to refuse hospitality, ferry-crossings and truck and barge transportation to departing people;

3) Encouraging inhabitants to spy on each other and to denounce all attempts to escape;

4) Dispersing those who want to contact the ICC (The International Control Commission whose job it was to supervise the carrying out of this Agreement's provisions—ed.)

5) Outwitting the ICC teams whenever possible;

6) Arresting suspects, leaders, petitioners and taking action against them for imaginary crimes;

7) Increasing the obstacles in the process of issuing permits.

A radio dispatch from Hanoi at the time showed all too clearly how the Communist cadres and the Red authorities were moving heaven and earth to prevent communication between the Catholic masses and the priests:

"One hundred and eighteen priests are held prisoners by the Communist Vietminh, according to mission authorities in Vietnam. Their information is delayed, perhaps incomplete. It is possible that some of the priests are dead. The Geneva Agreement calls for the release of all civilian as well as military prisoners by August 20.

"One hundred and two priest-prisoners are

Vietnamese; one is a Laotian; 15 are foreigners . . .

"In the Vietminh areas, priests not imprisoned are restricted in their movements. They are usually confined to one village, sometimes to just the church premises.

"Of the four Bishops in the Vietminh area at the time of the cease fire none is free. One is imprisoned and the other three have been removed from their residences and virtually interned . . ."

The reason for the mass exodus of Catholics was stark and simple: Religious persecution. In particular, there was involved the fate of Catholic children who were not only barred in all ways from meaningful religious education but who were taught to despise their religion in the schools. Thus, according to the National Catholic Welfare Conference's, 'Terror In Vietnam':

"The Communist Vietminh oblige Catholics to attend classes in atheism. They forbid the teaching of catechism to Catholic children . . . Communists from other places conduct classes that all must attend . . . The instructors call the Mass a 'joke' and deny the existence of G-d, heaven and hell . . . If you refuse to take notes or to agree with the instructors during discussions you are "reactionary." The Catholic primary school was the only one in the district. The Vietminh took it over and teach the children straight Marxism. . . ."

Little wonder that over 800,000 people defied the Communists and endured all manner of pressure and torture for the sake of freedom. One particular village stands as a stark example of this. It was the village of Thuong Phuc in the Thai Binh province and we will tell its story next week, please G-d.

[From the Jewish Press, Apr. 14, 1967]

THE JEWISH STAKE IN VIETNAM

(By Meir Kahane)

THUONG PHUC

The Geneva Agreement had provided for free and unfettered emigration from either zone. According to Article 14d:

"From the date of entry into force of the present agreement until the movement of troops is completed, any civilians, residing in a district controlled by one party, who wish to go and live in a zone assigned to the other party, shall be permitted and helped to do so by the authorities in that district."

The right of option was to last for 300 days, from July 22, 1954 to May, 1955. The story of the Catholic village of Thuong Phuc is an example of the sanctity of a Communist promise, especially as it relates to religious freedom.

LIFE UNDER THE VIETMINH

The three thousand Catholics of Thuong Phuc had lived under Vietminh (Communist) rule since April, 1952. From the start the Red regime had shown what they might expect under the Marxist banner. They arrested the assistant priest, Father Dominic Khang, twice. He had to leave in May 1953. The parish priest, himself, was not allowed to attend sick calls outside the village. The dying could receive Catholic Sacraments only if they were carried across country to the church. In order to attend Mass one had to be issued a pass by the Communists. At all meetings, Bishops and priests were scornfully attacked.

When news of the Geneva Agreement was received the people reacted joyfully. Here was their opportunity to flee tyranny and worship as they wished. Taking advantage of the Agreement they informed the authorities that they intended to exercise their right to emigration. It was planned to leave after 7 o'clock Mass August 15.

As the thousands gathered outside the church Communist cadres ordered them to wait for a meeting. For over an hour, the Vietminh harangued them, using all possible arguments to dissuade them from departing.

The people were unimpressed and unbending. They had made up their minds and they had chosen freedom. They went home, got their little bundles and set out with their priest, Father Thiep, at the head of the column. Men, women and children trudged down the road, every step taking them closer to freedom.

THE FIRST ATTEMPT

A short distance from the main village, the marchers stopped short. There, barring the road, were 500 armed Vietminh soldiers waiting for them. Dominic Tap, 58 years old, was beaten with guns. Eleven other men were thrown to the ground and their arms bound tightly behind them. The priest was marched back to the village under armed guard.

The people looked at each other. What should they do now? About one thousand of the villagers turned and walked slowly back to the tyranny that would be their lot. The rest decided to go on.

After awhile, the Vietminh, realizing that the International Control Commission which had been set up to supervise the free movement of refugees, knew about the village's choice, had to unbind the eleven prisoners. The column, smaller than before, moved on.

MORE OBSTACLES

For the next four days, the column of men, women and children was harassed by the Communists. They struggled on against threats and of violence.

Twice armed soldiers tried to stop them. At a former French outpost guards put a barbed wire barrier across the road to prevent them from passing. They left the road and pushed into the flooded rice fields to bypass the barrier. Even women, carrying infants over their heads, went through the breast-high water.

When they reached Vannam, they sought out the ferryman to carry them across the river. The Vietminh intervened and forbade the boatman to do so. At this, some turned back. The rest continued on foot to Ninh Giang where they were able to hire boats.

They were across the river and within reach of their goal. For here were motor vehicles going to Haiduong in Free Vietnam. They eagerly began to pay their fare and about 200 succeeded in getting on the vehicles before the Communists suddenly appeared and forbade the rest to get on.

THE LAST PART

There were only about 600 left now. These set out on foot toward Dienan. There was the boundary line, the divider between freedom and tyranny. There was only one obstacle. The boundary was a river—a wide river.

When they arrived, the Communists were waiting. They had already forbidden the boatman to take any of them. The refugees were forced to spend the next two nights on the river bank.

Five Vietminh now appeared and attempted, through all means, to persuade them to return to their village. One threatened to take away the babies from their mothers. The refugees stood firm.

Father Khang, the former assistant priest, who was now in a refugee camp nearby in the free zone across the river, heard of the plight of his former parishioners. He tried desperately to find means to get the people across but could only find one row-boat which he brought by truck to the river.

On the morning of August 19, Father Khang and his helpers started ferrying refugees over but only a dozen could fit in the boat at a time. It was only after the third crossing that nine large boats appeared which carried the rest of the people to freedom.

This was the story of a village of people who sought to worship in their particular way. Let it be remembered that only 600 of the original 3,000 found freedom. The rest remained behind, forced by threats, coercion and force. They were not the only ones to remain behind against their will. Stories of violence and pressure against refugees are too numerous to mention. The Red regime in Hanoi was determined, not only to crush religion, but to prevent its adherents from finding a refuge.

RELIGION TODAY

To be religious in Vietnam today is to suffer all the excesses of Marxism. The usual puppet "patriotic" church has been set up according to Gerard Tongas, "to be a party to all the exactions of the regime of whom they are servants, and particularly to attempt to prove that Catholicism and Communism can form an excellent marriage."

The real position of the Church, however, is described by the late expert on Vietnam Bernard Fall who wrote:

"(Recent policies include) arrest of priests and the faithful, confiscation of church property, interdiction of correspondence with church authorities located outside the territory of the Republic, excessive taxation of church land and buildings, etc."

In a word, what North Vietnam aims at doing to its own people and those of South Vietnam should it ever succeed in defeating us may be gathered from the words of Truong Chinh, former Secretary General of the Vietnamese Communist Party and Vice Premier of North Vietnam:

"The aim of the present revolution is that the entire people . . . should thoroughly absorb the Socialist (i.e. Communist) ideology, that they should abandon their previous outlook on life and on the world and replace it with a Marxist viewpoint."

[From the Jewish Press, Apr. 21, 1967]

THE JEWISH STAKE IN VIETNAM

(By Meir Kahane)

VIETNAM AND ISRAEL

Readers of the Christian Science Monitor of March 29, 1967 were startled to find in its "Focus on Middle East," the following item:

"There's more Middle East liaison between the Viet Cong and the Palestine Liberation Organization (PLO) of Ahmed Shukairy.

"The Cairo Mission of the Viet Cong (Vietnam National Liberation Front) is the largest and most active in the area. Its members have met with Palestinian Arabs to arrange for combat training in North Vietnam for Shukairy followers.

"A first contingent of PLO men has already returned to bases in Syria from training in Communist China. And the latest development is agreement for a Viet Cong mission in Syria, main base of PLO activity against Israel.

Startling to many, it is true, and undoubtedly upsetting to those circles which tend to paint the Viet Cong as a hapless and harassed group seeking to bring agrarian revolution and reform to South Vietnam which is under a military dictatorship and feudal heel.

There is certainly little doubt that it must have caused some soul searching among those Jewish circles—American Jewish Congress in particular—who have rejected the morality of the United States presence in the battle for Vietnam's freedom and called for a nonreciprocal halt to bombing of the North and recognition of this very same Viet Cong as a legitimate party and its inclusion in a coalition government in Saigon.

It has not been so startling, however, to the hard core experts on Vietnam, who have recognized from the beginning that the Peking-Hanoi axis includes the Vietcong in its bitter determination to spread totalitarian Communism throughout Asia and which has offered countless examples of its refusal to recognize not only the government of Israel but the very right of existence of the Jewish State.

NOT A NEW DEVELOPMENT

The romance between the Arabs, under the Jew-hater Ahmed Shukairy, and the Viet Cong is part of a close liaison between the Arab and the Chinese Communists (This attachment was touched upon in previous articles in the Jewish Press).

It deserves a little closer study.

As early as October, 1964, Shukairy had declared in Damascus that "since the doors of the West are closed to us" he would send delegations to Moscow and Peking for help to his Palestine Liberation Organization.

These were not empty words since in May of that year Soviet Premier Nikita Khrushchev had already assured Russian support for a "just solution of the Palestine problem" (one, of course, needs little imagination to discover just what "just" means).

Unfortunately, for Shukairy, however, Russian support was limited, for the most part, to declarations. It is true that Soviet arms were reaching the PLO but they were not new arms nor were they being sent directly by the Soviet to Shukairi. Most of the weapons were being supplied to the Palestinians by Presidents Nasser and Aref of Egypt and Iraq, respectively, and these were *being withdrawn from their stockpiles of Soviet arms as Moscow sent newer types.*

Worse, Moscow—in the midst of a bitter ideological dispute with Communist China—was, apparently unwilling to disturb the status quo in the Middle East through war, an event that might lead to a confrontation with the West. This hardly set well with the adventurous Shukairy. As he is reported to have told Premier Alexei Kosygin on his visit to Egypt in 1966:

"I want to make clear to you that the Tashkent formula (the one that settled the Indian-Pakistan dispute peacefully—ed.) does not cover the dispute between Israel and the Arab states."

TO CHINA

At the time that Shukairy made this statemen he had already—for two whole years—realized that his hopes lay in Peking and not in Moscow and had been actively forging political and military bonds with Mao Tse-tung.

Thus, we find, that on March 25, 1965, an agreement of friendship and cooperation was signed in Peking between Chou En-lai, premier of Red China, and Shukairy. Upon signing, Chou took it upon himself to describe those who were opposed to the Arab adventure as "the unholy trinity of U.S.A. im*perialism, West Germany militarism* and Zionism."

None other than the Prophet Mao Tse-tung himself, he of the new religion of Maoism, hailed the past as an "historic document extending revolutionary recognition to the Palestine Liberation Organization." Immediately, a PLO office was opened in Peking *with the announcement that "the Chinese* People's Republic can give a great deal to the Palestinian people."

CHINESE SUPPORT

That they could—and did. In June, 1965, the Cairo magazine AL Mussavar quoted Chou Enlai as saying that China "supports *the Arab claim unreservedly."* For a list of unreserved Chinese declarations in support of the Arabs, one need only look at the above-mentioned Jewish Press article in a previous issue to see the complete backing of China for the physical destruction of Israel.

The danger posed by the Chinese-Arab alliance was recognized by Vice President Hubert Humphrey in a speech to the American Jewish Press Association on June 8, 1966, in which he said:

"There is a militant type of Communist action at work in the Middle East, much of it directed from Peking. Communist China seeks to infiltrate, to assist, to generate more trouble in the 'Palestine Liberation' movement."

SHUKAIRY AGREES

Shukairy hastened to agree as he delightedly confirmed all this a few days later with the announcement that the Arabs "receive arms from the Chinese People's Republic; the PLO has military officers being trained in the arms of liberation and the experience of the Chinese." At the same time reliable reports told of Chinese arms deliveries that included rifles, pistols, grenades and bazookas. (A military parade in Gaza in 1966 prominently featured Chinese arms and armor with inscriptions such as "To Jaffa.")

In Israel, too, the doves and wishful thinkers were stunned and sadly enlightened—too late. The Tel Aviv daily Hayom puzzled over the Chinese hostility as it wrote in June 1966:

"Eighteen years ago, when they gained power in China, they requested and immediately received official recognition from Israel. They agreed to the establishment of diplomatic relations . . . and suddenly withdrew from their intention and later also from their recognition of the existence of our state . . .

"They are, admittedly, geographically dis*tant from Israel . . . but the stronger China* becomes, and the nearer it physically approaches the Middle East by widening its intervention in southeast Asia—the greater and more serious is the danger to us from that direction."

Consider the words, for they go to the heart of the Jewish stake in Vietnam. A China and its allies devoted to the physical destruction of the Jewish state together with its population. With every victory it gains in Asia, it moves closer—physically and psychologically—to Israel. With every nation, presently a buffer and a barrier between Israel and the Communist terror, that falls beneath *the Red heel, the danger increases to the lives of two million Jews in Israel.*

Make no mistake. The Viet Cong are as one with Peking in their bitter hostility to Israel. This we shall see, Please G-d, next week.

[From the Jewish Press, Apr. 28, 1967]

THE JEWISH STAKE IN VIETNAM

(By Meir Kahane)

AHMED SHUKAIRY AND THE VIETCONG

Just one day after Vice President Hubert Humphrey had spoken out against "a militant type of Communist action at work in the *Middle East," Ahmed Shukairy, the volatile and fanatic head of the "Palestine Liberation* Organization" defiantly proved the point.

On several occasions during the first week of June, 1966, Cairo Radio, which lends its facilities to the PLO, broadcast announcements by the terrorist organization that it would send some of its men to Vietnam to *"fight alongside the Vietcong against American imperialism."*

It was an amazing announcement. Until that point not one non-Communist government or group had gone to such lengths. Indeed, not even the other Communist countries had gone so far as to do more than *promise "volunteers" if and when they were asked to do so by the North Vietnamese.* In any case, whether the announcement was one of substance or merely a symbolic gesture the alliance between the Arabs and the Vietcong was launched.

VIETCONG ASSISTANCE

There was little doubt that the Vietcong would be of more help to the Arabs than the other way around. Despite this, the Vietcong eagerly and completely backed the extreme Arab position vis-a-vis Israel and it was they—not the Arabs—who initiated the alliance.

Early in 1966, the Cairo radio announced that Chairman Nguyen Huu Tho, of the Central Committee of the National Liberation Front of South Vietnam (the Vietcong) had cabled Shukairy to the effect that his group "wished the Palestine people further success in their struggle against Israel, the aggressive tool of imperialism and the realization of their hope of returning to Palestine."

Shukairy was delighted. He thanked the Vietcong and "on his own behalf and that of the Palestine people" expressed his "sincerest wishes to the Vietnamese people in their struggle to liberate their homeland from American imperialism."

DAYAN VISIT

It was six months later that the joint struggle against "American imperialism" ripened into its first concrete action—Shukairy's announcement of the sending of PLO soldiers to fight alongside the Vietcong.

Shukairy attempted to justify the move by pointing to the trip of Knesset Member, Moshe Dayan, *former Israeli Chief of Staff,* to South Vietnam to report the war for the daily newspaper, Maariv.

According to Shukairy, Dayan's real purpose in going to Saigon was to study "guerrilla warfare so that Israel can be ready to meet such an eventuality." In righteous indignation, the Arab leader declared:

*"We are going to learn alongside the Viet*cong how to launch guerrilla warfare against Israel."

IMPORT OF STEP

There is little doubt that, if the PLO did in fact send any men to Vietnam to fight with the Communists against United States forces, the number was minute and of little importance. What is serious about the ties between the Arabs and Vietcong is the fact that the Communists have demonstrated once again their total backing for the Arabs and, in choosing Shukairy for this aid, their agreement with the most extreme Arab position—the one that refuses in any way to *recognize the very existence of the Jewish* State and which *calls for the physical de*struction of the nation.

More, it is clear that should the day come when the Vietcong, North Vietnamese and Chinese Communists are free to divert time, energy and sizeable assistance to the Palestine Arabs, they will do so. On the day that *Chinese internal problems are relaxed they* will send technicians and experts as well as arms and volunteers to aid the Arabs against Israel. Should the United States fail to defeat the Vietnamese Communists they, too, will join in all possible aid to the Arabs.

U.S. AID

The announcement by the Arabs that they would aid the Vietcong spotlighted another serious—and absurd—problem. The bulk of the "Palestine Liberation Army" is composed of Palestine refugees who receive rations, education, medical supplies, job training and agricultural seeds from the United *Nations Relief and Works Agency (UNRWA).* The nation that *supplies* more than *two*-thirds of the funds for UNRWA is the United States. Suddenly, our government was faced with the realization that between 10–14,000 Arabs who were enlisted in the "Palestine Liberation Army" which had thrown itself totally behind the Vietcong that was killing United *States troops,* were *receiving funds for their sustenance from that very same* United States.

Even before the Shukairy announcement, the Senate Subcommittee on Refugees has demanded that soldiers of the "Liberation Army" be stricken from the UNRWA rolls, saying:

"It is incompatible with U.S. policy and with the fundamental concept of the U.N. to supply aid in any way to members of any army whose purpose is to work against a member nation of the United Nations."

The United States State Department, however, did not find it necessary to back the Senate's view. It was only when the Arabs came out with their backing of the Vietcong that State urged UNRWA to "remove from the Agency's relief rolls all refugees undergoing military training."

As an Israeli paper put it:

"Apparently Shukairy's arrogant announcement that he would send soldiers to help North Vietnam was needed for the U.S. State Department to wake up to the distribution of food through the U.N. to the levies of the 'Palestine Liberation Army' and demand energetic action for its cessation . . ."

The Palestinians are still receiving their aid from the U.N. and the United States, however. And the Vietcong-Arab political and military marriage is blossoming. Let all who fail to recognize the danger of the Communist North Vietnamese and their creature, the Vietcong, ponder the words of a visiting Vietcong delegation to Syria which, after denouncing Israel as an "imperialist and colonialist prop" in the Middle East, called the Arab battle against Israel "similar to the struggle of Vietnam against American aggression; The two peoples are facing a mutual enemy."

If this is what the Arabs and Vietcong think, the converse is surely true. Their enemies—Israel and the United States—whom the Palestine-Vietcong allies face, must surely recognize the justice and truth of each other's common struggle.

[From the Jewish Press, May 5, 1967]

THE JEWISH STAKE IN VIETNAM

(By Meir Kahane)

Last September, the American Jewish community was rocked by a report that President Lyndon B. Johnson had complained about many of its members. The complaint? Mr. Johnson had allegedly been puzzled as to why many influential Jews were prominent among critics of his Vietnam policy, especially since he knew Jews to be compassionate and extremely well informed in foreign affairs, opposed to Communism and eager to see the United States fulfill its commitments to small nations—such as Israel.

As expected, the prestigious Jewish groups rose in righteous anger. Why had Jews been singled out? How could the President speak of "the Jewish community" when there was no consensus in it? Was Mr. Johnson threatening to withhold aid to Israel unless American Jews backed his policy in Vietnam?

It took a special conciliation meeting with Ambassador Arthur Goldberg to mollify the indignant leaders. Even so, there were some who gave vent to their continued indignation, such as Dr. Israel Margolis of Temple Beth-Am, who called Mr. Johnson's comments "malicious and misleading". Let it be parenthetically noted, that Margolis, a Reform clergyman, was one of those whom Mr. Johnson, undoubtedly had in mind when he made his statement, and that, in the very same speech that criticized the President, Margolis added that "no valid case can be made, certainly no moral vindication can be offered, for our unilateral intervention . . ."

What prompted Mr. Johnson, a longtime and proven friend of the American Jew and one who had proved to be a far stauncher friend of Israel than any other chief executive since Harry Truman, to say what he did? More to the point, what did he really mean?

To begin with, Mr. Johnson had, obviously not made aid to Israel dependent on Jewish backing of his Vietnam policies. What he was really saying was said even more explicitly by Malcolm A. Tarlov, national commander of the Jewish War Veterans, later that same day. If the U.S. does not live up to its commitments in Asia, which are expressed in formal treaty obligations such as that of the Southeastern Treaty Organization, said Tarlov, American Jews "cannot expect" America to live up to its commitments in the Middle East "which are not as strong."

It was a question of morality that Mr. Johnson was posing. The point being made was not blackmail but ethics and Jewish self-interest: It was not only proper, Mr. Johnson was saying, for the United States to defend Israel because she was a small nation beset by aggression exactly like Vietnam but it was to the interest of Israel and her Jewish backers to pray that the United States consistently clung to that policy.

Nor was the President singling out the Jews as a community. He knew that the vast majority of ordinary Jews backed him and understood his policy. What did upset him was that certain leaders—the professional Jews, to use my own term—had been critical of him. If anything, Mr. Johnson's puzzlement was a compliment to a group that he considered compassionate because of its own suffering and well-informed because of its dedication to education and learning. (After all, did not the Wayne, New Jersey Jewish community proudly acknowledge the fact when it was accused of devotion to education?)

The fact of the matter is that certain professional Jews—almost always either secularists or Reform—have spoken out against United States policy betraying their lack of information and understanding about what is really happening in Vietnam. Mr. Johnson and all Americans know, of course, that many people from all religious groups have joined in this protest of the war too, but the President might have expected more from us.

SOME EXAMPLES

Among those whom Mr. Johnson probably had in mind were such as Dr. Maurice Eisendrath, president of the Union of American Hebrew Congregation (Reform) who was quoted as having spoken before the UAHC's Pacific Southwest Council and compared President Johnson with Attila the Hun! If true, the remark is not only obscenely stupid but a clear indication of Eisendrath's ignorance and/or intellectual dishonesty. (Let it be indicated that one president of a Reform temple present at the meeting indignantly rose to take exception to Eisendrath speaking in the name of Reform. He was heartily applauded.)

Eisendrath, an influential Reform leader, had made his opposition to the war clear much earlier. In January 1966, he and 30 other Reform rabbis had announced plans for a 'militant' peace campaign and, along with another leading opponent of the war, Dr. Jacob Weinstein, president of the Reform spiritual group, Central Conference of American Rabbis, he had helped push through a resolution critical of the war at the 77th annual meeting of the Central Conference.

At that convention, Weinstein declared: "We have now brought the deeply-felt discontent and resentment with this war to the sticking point so that men running for elective office are aware of it." Weinstein is also a member of the war-opposed Clergy Concerned About Vietnam.

In addition to the certain Reform clergymen, the tiny but extremist Reconstructionist group, founded by Mordecai Kaplan, split with President Johnson on the war last January and called upon him to 'concentrate upon ending the war rather than winning it.'

ORTHODOX SUPPORT PRESIDENT

On the other hand, it is the Orthodox community which has vocalized true American Jewish sentiment. Many Orthodox Jewish groups and individuals have spoken loudly and clearly in support of United States efforts in the war and in understanding of why we are there.

Thus, the Rabbinical Alliance of America, one of the leading Orthodox rabbinical groups, declared in January: "The Rabbinical Alliance . . . wishes to reiterate its policy of full support of the Government's policies in Vietnam."

Similarly, the Rabbinical Council of America's president, Pesach Z. Levovitz, last July 9, criticized some segments of the religious and intellectual community for constantly prodding Washington to find a way for peace.

"This is not the road to peace," he said. "If we are to be successful in securing peace in Southeast Asia, we must apply equal pressure on Hanoi, Peking and Moscow."

He was joined by Moses I. Feuerstein, president of the Union of Orthodox Jewish Congregations of America who said that "the Orthodox Jewish community supports the Administration's policy in Vietnam."

Orthodoxy can, of course, be proud of its strong and consistent support of freedom as embodied in the policies of President Johnson. But a vociferous minority still opposes the war and continues to act the role of the blind leading the blind. Foremost among these is the American Jewish Congress.

[From the Jewish Press, May 12, 1967]

THE JEWISH STAKE IN VIETNAM

(By Meir Kahane)

THE AMERICAN JEWISH CONGRESS

Perhaps the leading Jewish critic of American policy in Vietnam continues to be the American Jewish Congress. On April 29, 1966, this truly amazing group that seems to have a penchant for taking anti-Jewish stands on so many crucial issues, issued a statement of position in the form of a resolution at its national biennial convention. Eventually, this was published under the title, Where We Stand.

Instead of recognizing the imperative need for United States intervention and for the defeat of the aggressor, the AJC took the following position:

"The AJC views with growing alarm the course our national policy in Vietnam is continuing to take. The dream of the Hebrew prophets was the eternal peace, of a world in which men would turn their swords into ploughshares and nations would not learn war anymore. Through the ages, the Jewish people have longed and worked for the fulfillment of the dream of peace.

"We therefore urge our President to suspend indefinitely our bombing of North Vietnam. As a corollary we view all initiatives which would escalate the war with alarm and apprehension."

Since that time the AJC has moved onward and upward, its protests growing shriller, its self-rectitude growing surer. Last year, N.Y. Times correspondent, Harrison Salisbury, disclosed that some civilian casualties had occurred during our bombing of the North—a bombing, let it be noted over and over again—that has been remarkable for the scrupulous care that has been taken, often at great risk to the pilots and men involved, to avoid any non-military targets. Let it be remembered, too, that in the bombings of Nazi Germany and Fascist Japan the same care had not been taken in regards to civilians (12,000 had died in one raid on Dresden, Germany), and at that time—and to this day—no critic of President Johnson's bombing of North Vietnam ever uttered a word of condemnation of our killing of German civilians.

Despite this, the critics of the President, with the AJC shouting right along, suddenly developed a moral conscience regarding civilians on the enemy side. The same people who, at the time of World War II, clearly understood the need to crush the morale and spirit of the enemy by deliberately terror bombing, now suddenly condemn a policy of strict adherence to military targets with the inevitable accidental civilian casualties. And so, the president of the AJC, Reform Rabbi Arthur J. Lelyveld, wired the White House:

"The inevitable slaughter of innocent civilians as a result of American bombing raids over North Vietnam is now verified. The conscience of the American people must make itself heard as American bombers invade a foreign state, as American policy earns universal condemnation, as more American and Vietnamese lives are sacrificed daily . . . The ethical demand of our Jewish heritage compels us to call yet again for the halt to the bombings."

MUDDLED THINKING

Lelyveld's theology was, of course, as muddled as his grasp of the reality of Vietnam conflict. Indeed, there are so many errors and so much ignorance in the brief statement quoted above that one feels compelled to devote several weeks to answering it—which we shall, please G-d. For the moment, however, one must limit himself to explaining to the members of the AJC and all others who have been confused and stampeded by men like Lelyveld into blind and misguided protest, exactly why the United States is bombing the Northern half of Vietnam and to do this, one must have a clear picture of the nature of the enemy, both United States troops and Vietnamese civilian force. One should, for example, learn about the story of an 8-year-old boy, Nguyen Van Vang.

Try to imagine that you are Nguyen Van Vang. You're eight years old and you're a little Vietnamese boy. The Mekong Delta is your home. You've never seen Saigon and you've never heard of Hanoi.

You grew up deep in the Delta, in An Giang province, about 150 kilometers from the capital. There amid the rice paddies, canals and many offshoots of the mighty Mekong, your whole world was a giant mud pie that children everywhere would revel in.

You played barefoot. In fact, fashionably dressed little boys in your hamlet of Thanh Phuoc are clothed mostly by the tropic sun. Your games were the simple ones of sticks and stones, but with infinite variety. A rolled up wad of paper bound by a rice stalk was your ball. On occasion, a kite. You were happy, who needs more?

The big adventure began a month ago when your father and mother decided to go far away to work. They would help build a canal. They had done this before but this time you would go along too. One day big government trucks came for your parents and you, and others from nearby villages.

Though the ride was long and dusty, everybody was excited. The pay for this work was very good and in the five weeks it would take to finish the job your mother and father could earn more than 8,000 Piastres, or about 100 dollars. With Tet, the Lunar New York festival coming, this meant more meat to go with the holiday rice, and maybe some duck, and sweets for you.

One hundred kilometers to the East the trucks finally stopped near the city of Mytho, at a village called Tam Huong, not too different from yours. There was the canal that was to be lengthened, widened and deepened. When finished, this 6,000 meter waterway would afford enough irrigation to provide an extra rice crop for the farmers in the area.

Your mother and father worked hard, along with the 50 others in the group. You passed the days watching or playing, not straying too far. After a month there were only 700 meters left to go in the canal work and you would be back home in a week with your friends in the hamlet.

At night the workers were very tired and after dinner they went to sleep early. They slept in two houses near the canal and in an adjacent Buddhist Pagoda. You and your parents were in the pagoda.

That's where you were two nights ago, lying between your mother and father, when the Viet Cong crept in with their machineguns.

Thirteen persons were shot dead in the pagoda.

Twelve others sleeping in the two houses were killed.

Seven more were critically wounded.

They missed you, Nguyen Van Vang, but the Communist bullets made you an orphan.

The screams have passed, the blood has been wiped away. The terrorists have fled, the massacre is over. The canal will be finished but not this week.

Today was the funeral. The monks prayed and lit candles and incense. Now the big trucks, loaded with coffins and the survivors, are ready to go home.

You're Nguyen Van Vang, you're eight years old, and they shattered your little world. You will never forget the Viet Cong.

[From the Jewish Press, May 19, 1967]

THE JEWISH STAKE IN VIETNAM

(By Meir Kahane)

Behind the protests and bewilderment concerning United States involvement in Vietnam lies a terrible and almost fanatic ignorance and confusion concerning the following basic questions: What is the origin of the fighting? Who are the Vietcong and what is their origin? Is this not a civil war? Are not the Vietcong merely peasants fighting for a free and progressive society? What right does the United States have to be in Vietnam? Why is the United States bombing a foreign country—North Vietnam?

Because never before have so many known so little about so much, we find the Leftist groups—dedicated to the establishment of a Communist, totalitarian regime in Saigon—able to manipulate a great many liberals and other decent people (a tactic at which they are extremely adept, considering their success in leading so many sheep by the nose during the 1930's, 1940's and even in the Korean War). Because of this immense ignorance—much of the blame for which must lie with the United States government's failure to provide clear and readily available answers—many well-meaning groups have been sucked into the general protest movement under the misconception that they are fighters for 'peace.'

Basically, these groups—including Jewish ones such as the American Jewish Congress and the Union of American Hebrew Congregations (Reform)—believe and propagate the following inanities:

The war in Vietnam is a civil war led by dedicated reformers against a corrupt regime in Saigon which is an imperialist tool to boot; the United States is driven by some mad obsession about Communism to interfere in the internal affairs of a foreign nation to uphold a corrupt and weak regime; the people do not support Saigon and are ready to opt for the Vietcong; the United States is engaged in an immoral war against a weak and outside country—North Vietnam—and willfully kills thousands of civilians weekly; the Vietcong and North Vietnamese would gladly talk if the United States would stop the bombing and show a willingness to compromise by recognizing the Vietcong as a legitimate party to the hostilities and by leaving South Vietnam and letting its people choose its own destiny by free elections.

The premises are basically false and the conclusions that flow from them equally so and extremely dangerous for Free Vietnam, the other nations of Southeast Asia and the citizens of a United States which is still the home of freedom and liberty. For if the above premises would be true then the United States should pull its troops out of Vietnam and leave it to the mercies of the Vietcong—and this is really what these groups desire. To begin to comprehend what a disaster that would be for free people and for the United States, for Jewry, Judaism and Israel, and to begin to dispel the false illusions and understand the truth about Vietnam, we must begin to understand the origins of the conflict.

FRENCH INDOCHINA

The land that we know today as Vietnam (both North and South) together with the adjoining lands of Laos and Cambodia were conquered in the late nineteenth century by imperialist France. They were joined together in a union called French Indochina and remained for more than half a century colonies of the little Bourbons. They existed —like all colonies—only to serve the chauvinistic and materialistic needs of the French. Their duty was to merely pay their taxes, furnish the motherland with raw materials and serve as a market for cheap finished products.

From the very beginning, Vietnamese nationalism was aroused and there came into being various revolutionary groups dedicated to the overthrow of French rule and the re-establishment of a Free Vietnam. From the time of the early Can Vuong ("To Rescue the King") monarchist movement, various groups arose in hatred of the French. Consider the 1906 letter of the Vietnamese patriot Phan Chau Trinh to the French Governor General that read in part:

"The French always hold us in hatred and contempt. They consider us not merely as savages but as dogs and swine . . ."

Hatred of the French grew and was nurtured by the nationalists. From 1906 until 1925 its mainstream was represented by the Dong Du (Pan Asian) Movement led by Phan Boi Chau. This group changed the character of the Vietnamese nationalism by no longer looking to the Buddhist or Confucianist ideas but rather to the modern Western political concepts of republicanism and technology.

Phan succeeded in obtaining scholarships for Vietnamese youths to study military techniques and political training in China and Japan. He succeeded in uniting all the nationalists into a League For the Restoration of Vietnam and organized a government in exile in Canton, China. The movement began to gain momentum when, in June 1925, Phan was persuaded to go to a certain address in Shanghai. It was a great mistake. He did not realize that it was in the part of the city under French concession, French police were waiting to seize him.

The question now arises: How in the world did the French know that Phan would be at the address? The answer is even simpler. A Vietnamese by the name of Nguyen Ai Quoc had informed them, betraying the leader of Vietnamese nationalism for the sum of 100,000 piasters. The money went to subsidize a Cantonese Communist front known as The League For Vietnamese Revolutionary Youth. It was to be the forerunner of the Vietnamese Communist Party.

Who was Nguyen Ai Quoc? Today he is better known as Ho Chi Minh. Let his deed be recorded as one of his earliest known contributions to the creation of a free and independent Vietnam.

[From the Jewish Press, May 26, 1967]

THE JEWISH STAKE IN VIETNAM

(By Meir Kahane)

(United States forces are today fighting in Vietnam to check Communist aggression. All Americans have a stake in this grim war but Jews have a very special interest in the successful outcome of this struggle. For, wherever the Communist machine achieves power, not only are political, social and economic rights swept away, but spiritual persecution is inevitable and mercilessly practiced. Because of this, it is vital that the Jew realize the danger to his very survival as a free human being should Communism ever achieve victory. He should know that Judaism will be mercilessly attacked and his children torn from their faith. He should know that the State of Israel is a bitter target of the Communists in general and the Chinese and Vietcong in particular. The Jewish Press, in line with its policy of alerting America to the dangers of totalitarianism from Right and Left, is writing a comprehensive series on The Struggle For Freedom In Vietnam. The writer of the series aside from being a regular contributor to the Jewish Press, is also chairman of the American Jewish Friends of Vietnam and an expert on Communist threats to democracy and religious freedom.)

One warm evening in the year 1912 a young Vietnamese of 22 set sail from Saigon for Marseilles. He carried with him a small suitcase and a letter of introduction to the Vietnamese nationalist leader, Phan Chu Trinh, in Paris. One is tempted to pause and wonder how the course of history would have changed if the young man—Ho Chi Minh—had never reached the shores of France?

It is impossible to begin to understand the course of today's events in Vietnam without an understanding of the history of the Vietnamese Communists. And the history of the Party begins with an appreciation of its founder and leader, Ho. Though a ruthless and tyrannical man, his political genius and revolutionary brilliance is acknowledged by all, and he towers over all other leaders in Indochina.

Born in 1890 in the province of Nghe An he is descended from a line of junior mandarins and small landlords. His name at birth, was Nguyen Van Coong and his father was a fervent nationalist who had a profound influence over his son.

In France, he became active with other Vietnamese exiles in agitating for independence for his homeland. For years he worked towards this end, even attempting to gain President Wilson's backing at the Versailles Conference that followed World War I. Nothing, obviously, came of it.

All this time, Ho had been strictly a Vietnamese nationalist. Now, having met and been introduced to many left-wing political figures in France, he became a member of the Socialist Party. There is little doubt that his original motive was the hope that Marxism would be able to aid nationalism in doing what the latter had failed to do alone. The tail, however, soon began to wag the dog.

HO BECOMES A COMMUNIST

Somewhere along the line, Ho became a sincere convert to the Marxist doctrine. He was so enthusiastic that he broke with the right-wing Socialists and became a Communist. He travelled to Russia and from 1921 to 1925 he studied and gained the necessary experience in revolution. In 1925 he was told that he had been chosen to go with Comintern (Communist International) agent, Michael Borodin, to Canton, China to introduce revolutionary Communism to the Far East.

In Canton, Ho (now known as Ly Thuy to the Chinese and as Vuong Son Nhi to the Vietnamese exiles) formed something called the Revolutionary Youth League. It was a carefully cloaked front that always de-emphasized Marxism and portrayed itself as a nationalist group. The students who came to his meetings, however, were taught the elements of Marxism and revoluntionary techniques.

Ho observed his students carefully. The best of them were chosen to go back to Indochina where communist cells were established. But it was not the Communist Party that was the leader of the struggle for independence from France in those years. In 1927 there had been created a group which promised to create a truly independent and democratic Vietnam. It was known as the Vietnam Qvoc Dan Dang (VNQDD) or Vietnamese National Party. Its strength was derived from the fact that its membership came from the cream of Vietnamese society—the middle and upper lower classes.

Its leader, Nguyen Thai Hoc, was not a particularly brilliant theoretician, though he was a sincere and dedicated patriot. In effect, he modeled his group after the Chinese Kuomintang of Sun Yat-sen and Chiang Kai-shek, adopting that group's vague ideology of nationalism, democracy and socialism.

The VNQDD gained rapidly in Vietnam. The Great Depression of 1929–31 had shaken the country badly. The colonialist French had introduced industrial crops, such as rubber plantation, and light industrial enterprises and this created an urban and semi-urban proletariat. The old economy of small farmers—poor but self-sustaining—was breaking up. Economic and social misery was all about and the nationalists seized upon it. The VNQDD soon had 120 secret cells and 1500 members. It lacked, however, a solid revolutionary technique and had little resources—all things that the smaller Communist Party was to realize and overcome and which, in the end, gave it victory.

A premature uprising was launched on the night of Feb. 9, 1930 by the VNQDD at Yen Bay. The French supressed it quickly and brutally. The entire party-apparatus was captured and scores of leaders went to the guillotine shouting: "Doc Lap," "Doc Lap," (Independence, Independence).

But courage was all that the VNQDD had. Their golden hour had come and gone and they were never again to be the dominant force in the Vietnamese struggle against France. The Vietnamese revolution, born in nationalism, was to end in communism.

As the VNQDD grew in power, Ho Chi Minh waited in China, realizing that his attempts to portray his Revolutionary Youth League as merely another nationalist group was doomed to failure and that the nationalists were flocking to the VQNDD. He therefore, removed the facade and in 1930, openly established the "Indochinese Communist Party."

No sooner had this been done, when the tragic VNQDD revolt took place. Hoping to reap the harvest that had been so laboriously sown by the nationalists, Ho now ordered an uprising of his own. On May Day 1930, the Communists instigated riots against the French, riots that ended as the French Legionnaires fired machine guns into the crowds. The Communist Party's first major attempt had failed.

But the Communists had been much more fortunate than the nationalists. Unlike the VNQDD which had seen its leadership decimated by the French, many of the Communist leaders had evaded or escaped arrest. Above all, Ho Chi Minh, who had been arrested in Hong Kong, was now released under mysterious circumstances. (Unbelievably, the French believed that he died in 1933). He was far from dead, however, and he disappeared from the public scene only to work at the difficult task of rebuilding the fallen walls of the Communist Party.

[From the Jewish Press, June 2, 1967]

THE JEWISH STAKE IN VIETNAM

(By Meir Kahane)

We pause in our description of the general background of the Vietnam conflict to answer certain questions and points that have been raised by several people in opposition to United States attempts to halt the aggression and terror of the Communists there. Many of these points are shared by all too many people, individuals who are not familiar with the facts and who have been lulled into their present attitude by a clever and untiring propaganda machine. It is imperative that these points be answered if we are to understand the terrible danger that a Communist victory in Vietnam poses for all of us and, to this end, one major point will be taken each week and answered.

Point I—Is this not a civil war between South Vietnamese and is not the Vietcong basically a nationalistic group rather than a Communist one? Are we not violating the Geneva Agreement?

Answer: Undoubtedly, this myth is what the Vietcong and Hanoi would dearly love to have us believe. Indeed, this theme is shouted by every Leftist group and publication and echoed by a great many dupes (the latest having been U Thant, who has long since proven himself to be a biased and slanted opponent of the West). The facts, however, are quite different.

The Geneva Agreement of 1954 had divided Vietnam into two parts, at the 17th parallel. The North, known as the Democratic Republic of Vietnam, was a Communist tyranny. The South, known as the Republic of Vietnam was a free, non-communist republic. The Agreement looked forward to nationwide elections by 1956 to re-establish the unity of the country. Ho Chi Minh was delighted because he was convinced that he would easily win the elections. There were several reasons for his optimism: The North was more populous than the South; the North had been under Communist tyranny for nearly a decade and terror and fear ruled the area, insuring a total Communist victory of the kind that every Communist country always produces; in the South, the nationalists, though all anti-Communist, were without the discipline and unity of the Communists and were desperately divided among themselves; the South was decimated economically, with ruined highways, bombed railways, silted canals and agriculture in chaos; three private armies—two of them religious sects and the third a mafia-type gang which ran all the vice in Saigon—roamed the countryside with no intention of submitting to the authority of Free Vietnam.

There is little doubt that, because of these reasons—and especially because no supervised free elections could be guaranteed in the North—any election would have been a farce and would have resulted in a sanctioned takeover of the country by the Communists.

What is forgotten, however, is that the Geneva Agreement was never signed by South Vietnam. The signatures that appear on it are those of North Vietnam and the imperialist French who were ready to sign anything as long as they could escape a war which was bleeding them of a million francs a day. The South Vietnamese, however, were adamant in their refusal to be bound by a paper which would destroy them and contemptuously refused to be bound by the colonialist French. This point must be stressed over and over again. South Vietnam has never broken the Geneva Agreement since it was never a signatory to it (Nor was the United States a signer of the Agreement, promising only to do nothing to upset it, a promise we carefully kept until North Vietnam's violations became so grotesque).

In any case, the years that followed Geneva saw a miracle take place in South Vietnam. The private armies were easily crushed and the economy blossomed at such a rate that by 1960, per capita food production in the South was 20% higher than in 1956 while in the North it was 10% lower and despite the vastly larger industrial plant inherited by the North at partition, their gross national product in the South was $110 per person as opposed to only $70 in the North. Obviously, the South was prospering and was not about to fall under Ho Chi Minh's heel.

As this became clear, Ho realized that the only way he would ever rule the South would be through force. He, therefore, began to organize the Communists in the South (a very small group) to begin assassinations, sabotage and other terror raids. He knew, however, that the small Communist groups in the South were not capable of a successful overthrow of the government and so he decided upon two things:

1) Organize, infiltrate, arm, direct and

control an armed revolt against the legitimate, popular government in Saigon.

2) Create a fictitious front which would pretend to be an independent Southern group so as to create, precisely, the myth that so many people today believe.

And so, remembering Korea, where direct Communist crossing of a boundary was too blatant for even timid world opinion to swallow, Ho dusted off his oft-used and always successful device of a cover organization.

On September 4, 1960 the third Lao Dong (Communist) Party Congress met in Hanoi and heard Ho Chi Minh declare that "the North is becoming more and more consolidated and transformed into a firm base for the struggle for national reunification." The Party First Secretary, Le Duan, stated that the Party had to "liberate the South from the atrocious rule of the U.S. imperialists and their henchmen" and that "we must constantly intensify our solidarity and the organization and education of the people in the south." The Congress dutifully passed a resolution "to liberate South Vietnam from the ruling yoke of the U.S. imperialists . . ."

And so on December 22, 1960, the National Liberation Front of the South (FLN) was born. This is the political arm of the Vietcong which came into being at the same time. Ho, with supreme contempt for world opinion, now pictured the Front (so aptly named) as being an indigenous, independent group. The truth is, of course, a different matter. In the words of the Canadian member of the International Control Commission (set up to supervise the Geneva Agreement), on Feb. 13, 1965:

"The aim and function of the Front for the Liberation of the South (FLN), the Forces for the Liberation of the South and the People's Self Defense Armed Forces for the Liberation of the South and the People's Self Defense Armed Forces (Viet Cong) are to organize and to carry out under the leadership of the North Vietnam Lao Dong (Communist Party), hostile activities against armed forces and the government of the South by violent means aimed at the overthrow of the administration of the South."

One hardly needs the verification of the International Control Commission. As long ago as 1959, in an article in the Belgian Communist publication Drapeau Rouge, Ho stated:

"We are building Socialism (communism-ed.) in Vietnam but we are still building it on only one part of the country, while in the other part we still have to DIRECT and bring to a close the middle-class democratic and imperialist revolution."

In the same vein, the Commander of the North Vietnam forces, Ho Ngyen Giap, spoke to the Lao Dong Congress of the need "to step up the national democratic revolution in the South," while he stated in the Communist Party journal, Hoc Tap, that the North was "the revolutionary base for the whole country."

[From the Jewish Press, June 9, 1967]

The Jewish Stake in Vietnam

(By Meir Kahane)

It has not been a good two weeks for the opponents of United States efforts to defend the integrity of a small country in Southeast Asia and live up to its commitments. It was just a few weeks ago, on May 24, that a letter appeared in the New York Post from someone named Ben Marcus. It read, in part:

"We peacenicks . . . are really the ones who support the boys in Vietnam. We would like them to come home to a normal life, not to be killed in some half-country in Eastern Asia."

The contemptuous phrase "some half-country; so reminiscent of the isolationist slogan opposing war with Hitler who wants to die" for Danzig?; apparently makes the point that small nations—"half-countries" are not worth dying for. Indeed this point is one that is raised over and over again by opponents of the war:

"Why should we die for some small country half way around the world that we never heard of and with whom we have no ties?"

Of course, once upon a time very few people heard of places as Guadalcanal or Iwo Jima or El Alamein or Bastogne. They, too, might have been excused for asking what these places had to do with people in New York or San Francisco or Kansas City. With hindsight we can now look back and realize that, in those places, in the battles that were fought there and where thousands of Americans died, freedom and civilization were preserved from the hands of the Nazi and fascist hordes. It was these places—less-than half-countries these miserable islands and deserts, which helped guarantee that the spirit of Auschwitz would not be able to claim more than the six million Jews it did.

A little later, very few Americans had heard of places as Seoul and Inchon or Yalu. Today, as they go down in the history of our time as landmarks in the struggle for Korean freedom. Is there anyone—aside from the know-nothing Marxist—who disputes the fact that the courage of an American President, Harry S. Truman, in going against the outraged protests of the pacifists of 1950 and sending American troops to stop the North Korean hordes, prevented Communism from swallowing up another "half country" and stopped Communist domination of the Far East?

The point, quite obviously, is that for people who pretend to don the mantle of morality and who was indignant at President Lyndon Johnson for daring to use force in Vietnam, the argument that "half-countries" are not worth dying for is as morally reprehensible as it is politically naive.

The history of aggression demonstrates quite graphically that the tyrant's meal begins with tiny or "half" countries. Adolph Hitler did not begin his aggression with "whole" or great countries. It was the Rhineland and the Saar and a small Austria and a tiny Danzig that first felt the hot breath of his aggressive appetite. They were testing grounds for the madman of Berlin, to see how far he could count on fearful people who sought to buy peace and security for themselves at the expense of the "half-country." He learned, to his delight, that there were a great many such people who were prepared to sell out a great many other people and he correctly foresaw that Munich was an integral part of the spiritual baggage of the pacifist and the fearful.

In the end, of course, not only have such people been guilty of moral bankruptcy but they did not even have the satisfaction of enjoying the peace they thought they had bought for themselves. For they learned to their sorrow that the more one appeases the aggressor the more his appetite is whetted. In the end, they had to go to war anyhow; in the end their sons and daughters died anyhow; the difference was, that, having waited and allowed the aggressor to gain time and strength and resources, the war was infinitely more bitter, eternally more desperate.

No country is a half-country morally; no country is unworthy of being protected from an international aggression which looks upon every "war of national liberation" as part of a world-scheme which would make a universal hell of the earth.

Certainly, we Jews stand in sorrowful and fearful realization of all this today. As the Arab hordes, urged on by their Communist patrons so eager to create, destroy yet another democratic world outpost, threaten the existence of the State of Israel, we urge and we demand that the force of the free world be brought to bear in defense of the Jewish State. We demand this despite the fact that Israel might very well be called a "half-country", both because of its size and the fact that, like South Vietnam it is a product of partition. We demand this despite the fact that it might be argued that millions of Americans have never heard of such places as Bnei Brak of Netanya or Mishmar Ha Emek. The point is an irrelevant one. A small nation, a small people is at the mercy of saboteurs and terrorists—it deserves to be saved this fate. A small nation is threatened with extinction by its neighbor and by guerrilla bands who claim that the land is theirs. It should be saved. Morally this is the only stand a person of integrity can take. Practically, it is the only foreign policy that great nations who wish to remain free themselves can follow.

The principle of great power intervention on behalf of the small state is one that all men of justice must fight for—in Israel and in Vietnam.

Those of us—the great majority of American Jews—who have backed President Johnson throughout in his Vietnam policy—stand sincerely and unashamedly and staunchly in our demands that he do no less for the State of Israel. Those who have consistently backed the principle of defense of the "half-states" can—with clear conscience—demand that Lyndon Johnson commit America's power to the defense of tiny Israel. For the Ben Marcuses and other misguided ones there is only one course. To confess their moral and political sins so that they, too, can join the Jewish people and all other Americans who desire justice, in demanding that their chief executive continue the struggle for world freedom through the defense of the "half-state" of Israel.

RIGHT OF PRIVACY

Mr. **CHARLES H. WILSON**. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **GALLAGHER**. Mr. Speaker, from Monday, June 19, through Friday, June 23, the Evening News in Perth Amboy, N.J., published a five-part series entitled "Census or Snooping?" The series was written by Miss Susan A. Meyer, of the Evening News' editorial department.

Miss Meyer's articles offer an in-depth study of the delicate balance between increased questioning of the American public by the U.S. Census Bureau—as exemplified in the "special census" conducted in New Haven, Conn., in April of this year—and the preservation of the individual's right of privacy.

I believe that these articles illustrate outstanding research and clarity of style, and that they present a most precise explanation of one of the most serious and complex problems facing our Nation today.

This series represents journalism at its finest, and for that reason, I insert it in the RECORD at this time:

[From the Perth Amboy (N.J.) Evening News, June 19, 1967]

Census or Snooping?: 1970 Nose Count a Nosy One—I

(By Susan A. Meyer)

In 1787 the Founding Fathers decided that there was a need for a census of population every 10th year.

More than 150,000 Americans have already had a taste of this nose-counting—1970 style.

In April, residents of New Haven, Conn., were required—or at least were under the impression they were required—to participate in a special dry-run of the 19th Decennial Census of Housing and Population.

In the process, one in every four New Haven householders had to wrestle with a 20-page form, a "special census" the size of a tabloid newspaper—and nearly as heavy. Their more fortunate neighbors only had to fill out the standard four-page edition.

It was the householder's responsibility to supply information not only about himself but about everyone else living under his roof as well—including the family boarder and visiting cousins from Peoria. The only easy part was counting the noses.

New Haven residents can bear witness to the insatiable curiosity of the federal government. Among other things, they had to tell the Census Bureau:

How much money they had, how they got it, and how they spent it;

If they worked for a living, for whom and doing what;

If their skins were white, black, red, yellow or "other";

If they got married and stayed married.

The 1970 Census, to be conducted at an estimated cost of $173 million, will be the biggest statistical survey ever undertaken.

In addition to tapping new, hitherto neglected areas of inquiry—and expanding on others—this census will be unique for other reasons.

For one thing it will be a "do-it-yourself" census. Instead of answering questions for an enumerator, each householder will be required to fill out a form and mail it to the Census Bureau.

This will, of course, require the cooperation of the Post Office Department since it will be the responsibility of the mailman to do the legwork and the job of postal employes to prepare the master list of addresses on which the success of the "mail out-mail in" venture will depend.

NOT ENTHUSIASTIC

Census officials admit—though somewhat reluctantly—that postal authorities aren't particularly enthusiastic about their part in the master plan. Postmaster General Lawrence O'Brien's repeated reference to "the mail crisis" makes it abundantly clear why: The Post Office Department has plenty of its own problems to worry about.

From humble beginnings devoted largely to counting people, not things, the Census Bureau, under the aegis of the Department of Commerce, has grown into a massive information gathering network having within its files a continuous, detailed record of our entire civilization.

The United States Constitution mentions the census only once, in a section providing for an enumeration every 10 years for apportionment purposes. A liberal interpretation of another section of that document gives the Census Bureau the constitutional right to pry into the personal affairs of all citizens. The Constitution empowers Congress:

". . . to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, including the powers to tax for the provision of the general welfare, to regulate commerce, and to establish a uniform rule of naturalization, and all other powers vested by this Constitution in the Government of the United States, or in any department or office thereof."

TITLE 13 SPECIFIC

If the Constitution isn't specific enough, Title 13, U.S. Code, certainly is. it says:

"The Secretary of commerce shall take a census of population, agriculture, irrigation, drainage, and unemployment and housing in order to provide information concerning the number, characteristics, including utilities and equipment and geographical distribution of dwelling units in the United States."

It states further: "The Secretary (of commerce) shall prepare schedules, and shall determine the inquiries, and the number, form, and subdivisions thereof."

In other words, the Bureau of the Census may quite literally ask anyone anything provided only that the questions are "deemed necessary and proper" by the Secretary of the Department of Commerce.

The Census Bureau, the nation's largest supplier of statistical material, has traditionally had three problems: (1) how to secure information from a resistant public; (2) how to store it; and (3) how to fully exploit it.

Even though Census officials admit that people sometimes resent being asked personal questions Title 13 has all but eliminated overt opposition to census probing. It provides stiff penalties—fine, imprisonment, or both—for anyone over 18 who either refuses to answer questions or gives false information.

MAY BE SOLVED

Problems two and three may soon be solved, too.

Computers will be used for the first time during the 1970 Census.

In order to facilitate the conversion to computers, and to improve the correlation of its records with information received from "other governmental sources," the Census Bureau proposes that Social Security numbers for one in four households be placed on census forms.

There was opposition to this, as there has been to every plan for mass numerical identification, and particularly, to the proposal to create a National Data Center for storing all federal government records.

The flurry of opposition did not stop the Bureau of the Census, however.

Social Security numbers were included on the "1 in 4" special survey in New Haven.

Census officials insist the final 1970 questionnaire will not be drafted until the results of the New Haven test are thoroughly analyzed.

Despite this assertion, the forms used then will in all probability be similar to the one every householder will be faced with on April 1, 1970.

EXTENSIVE LIST

What will Uncle Sam want to know? Literally, everything. The almost inexhaustable list includes:

Name, address, and telephone number (not just whether or not there is a telephone).

Age and date of birth.

Race (white, Negro, Japanese, Chinese, Filipino, Indian (Amer.), other).

Marital status (not just married or single, but "now married, widowed, divorced, separated, never married) .

(Although the federal government has no legislative interest whatever in marriage—this is regulated by the states—it would appear to have an extraordinary curiosity. In addition to information everyone will be required to give on his marital status, one in every four householders will be asked:

When he got married, the last time, that is;

Has he been married more than once;

When did he get married the first time;

Did the marriage end because of the death of the husband or wife.)

OTHER QUESTIONS

Although the government is interested in people it is also interested in things;

Rent paid or value of the dwelling;

How is that home or apartment heated (an easy question for the homeowner, but not necessarily for the apartment dweller.)

Those are the "routine" questions. From one in four households (and from all their occupants), additional information will be required. Such as:

Does the rent include heat, hot water, gas, electricity, air-conditioning, off-street parking and a swimming pool;

The monthly average cost of gas and-or electricity;

When was the building constructed (some homeowners may not even be sure of that one);

How is hot water supplied to the dwelling and what types of fuels are used for heating, cooking, and heating hot water.

HOUSEHOLD EQUIPMENT

Household equipment is a subject of tremendous government interest. The census will want to know not only if the householder has a washing machine but what type—wringer, separate wringer, automatic, semi-automatic.

Is his clothes dryer operated by gas or electric current?

Is his dishwasher portable or built-in?

Does he have a garbage disposal?

Does he have separate freezer?

Is his television set black and white or color?

Does his radio operate on batteries or house current?

Does the respondent have an automobile?

A bedroom?

A basement?

How does he get his water?

Get rid of his sewage?

Since the federal government is just as interested in the individual as it is in the individual's physical surroundings, the Census Bureau will probably ask respondents:

The birthplace of both his parents;

How long he has lived at his present address and where he lived five years before;

The extent of his education; whether or not he received a college degree and the field in which he received that degree; if he completed a vocational training course and if he used the training.

WORK HISTORY

More than 25 per cent of the population will also be required to give a complete work history including when and where they last worked, for whom, for how long and in what capacity.

Then Census Bureau—like the Internal Revenue Service—is extremely interested in personal finances.

Respondents to the "special census" will be asked to state not only their gross earnings before deductions for the year before but provide a dollar-by-dollar breakdown as well.

The federal government is also interested in learning if any of this money comes from public assistance, pensions, unemployment insurance, workmen's compensation, alimony or insurance.

Once upon a time, Americans were counted for the worthy purpose of property apportioning the House of Representatives.

Now, more than 200 million persons, their goods and chattels—the proverbial hairs on their heads—will be numbered, coded, tabulated, correlated and studied by anyone with an eye for a bargain in market research.

We've come a long way since 1787.

CENSUS OR SNOOPING?: "SECURITY" CARDS NOT SECURE—II

(By Susan A. Meyer)

Eighteen years ago, George Orwell wrote a book predicting a world in which every facet of human life would be monitored by the omnipotent presence of Big Brother. The name of that book was "1984."

It caused a sensation and added such words as "double-think" and "soma" to our vocabulary. While its detractors try to dismiss the book as little more than the fantasies of a neurotic mind, others believe the basis already exists for the terrifying world Orwell foresaw.

Some even believe that "1984" will arrive sooner. In 1970, the Bureau of the Census performs the decennial rite of determining how many of us there are and it could play a major role in changing America.

The 10th Decennial Census of Housing and Population, the first computerized "do-it-yourself" census in history, will be a tribute to American determination to do a job better, cheaper, and faster—regardless of the cost.

That "cost"—the right to be let alone—will be assessed against everyone.

New Haven, Conn., residents already know this.

They had a taste of the 1970 probe in April when the Census Bureau tested its new master plan.

More than 150,000 residents of that New England city learned that the federal government will probe ever more deeply to determine statistically just exactly what it is that makes us tick.

But the story didn't begin two months ago in New Haven; it started 32 years ago in Washington, D.C.

In 1935, Congress passed the Social Security Act. The public was promised that information within Social Security files would forever remain confidential.

So far, that promise has been kept.

But, the question is: How much longer?

Although safeguards were built into the original legislation protecting Social Security information from public disclosure, no provision was made to restrict the use of the Social Security number itself.

The Social Security Administration (SSA) has issued more than 180 million account numbers since the program began. More than 135 million of these accounts are still active.

The number of new accounts grows annually, reflecting both the increase in population and the extension of Social Security coverage to previously unprotected wage earners. SSA administrators believe by the mid-1970s it will be the rare individual who does not have a Social Security account number.

Regulations specifically forbid the individual to use his Social Security number for purposes of identification, but there is no corresponding prohibition against others using the number to identify the individual.

When George Orwell wrote his disturbing book, mass identification by Social Security number was merely an academic question. Today it is a critical issue—and a strong possibility.

In 1949, computers, like mothers-in-law, were a standard part of the routine of most stand-up comedians.

What was once a laughing matter is today a cause for alarm.

PROVIDE THE KEY

Among the many virtues of computers is the ease with which they can keep records, a normally tedious, expensive, and time-consuming task, but one to which our society is dedicated.

Now, with Social Security numbers providing the key for programming them, computers can eliminate much of the drudgery and expense of keeping tabs on an entire civilization.

The Internal Revenue service was the first to grasp the possibilities of the new concept.

To keep better track of tax-payers—and to adapt its filing system to computers—the IRS quietly got government approval to use the Social Security number for purposes of tax-payer identification.

For the first time since the establishment of the Social Security System, the SSA numbers were being widely used for non-Social Security purposes.

PRECEDENT SET

A precedent had been established.

With IRS success in mind, the Department of Defense proposed to do away with its serial numbers for servicemen, substituting Social Security numbers instead. The proposal is still under federal study.

But the most ambitious government proposal yet advanced for using Social Security numbers for non-Social Security purposes comes from the Bureau of the Budget, an agency within the Department of Commerce.

The Budget Bureau has proposed that a National Data Center be created.

Using computers, all information now spread throughout the federal government's many files could be incorporated into a single very efficient unit.

To this information could be added records compiled from sources outside the federal government.

States, for example, could supplement data-center files with their own vital statistics—such as birth, death, and marriage records.

ONE MAN, ONE FILE?

The key to the success of this proposal is the Social Security Account number, so easily adaptable to computers. All records the government has for an individual—from his income tax returns to his military service record—could be filed in a single place under a number uniquely his.

Statisticians are enthusiastic about the proposal since it would provide an unending statistical gold mine.

Their colleagues, the computer experts, point to the ease with which this information could be retrieved for purposes of statistical correlation.

It was precisely this ease of retrieval that put a temporary halt to the data-bank plan, despite an Administration taskforce blessing.

NOT DEAD

The proposal is by no means dead, however.

Its proponents are busily trying to find ways of calming the fears of critics who insist it will be just as easy to retrieve the information for more ominous purposes.

Largely because it has the financial and legal resources to do so, the federal government is leading the drive toward computerized mass identification. But other sectors, less susceptible to the pressure of public opinion or to legislative control, are also getting into the act.

As they computerize their records, industries, merchants, employers, schools and colleges, credit companies, state agencies—anyone who can get the information—will include the Social Security number as identifying information.

SPACE AVAILABLE

Applications of all types and for diverse purposes now provide spaces for the inclusion of the Social Security number.

A Social Security Administration spokesman said recently that it had been approached with a proposal to tatoo pets with their owner's SSA number.

Although the Social Security officials sympathized with the pet owner's problem keeping his animal out of the clutches of petnappers, they declined to endorse the proposal.

An even more ambitious scheme has also been submitted for SSA study. This is the plan to issue every individual a Social Security number when he is born so that it can be placed on all records pertaining to him, from his birth certificate to the form officially confirming his death.

Thus, an entire lifetime could be recorded on a fraction of an inch of computer tape—and retrievable in a fraction of a second.

While most of these ideas are still just that . . . ideas, the Census Bureau is busily putting the finishing touches on the 19th Decennial Census.

Its plans for 1970 may well make all the other "ideas" obsolete.

CENSUS OR SNOOPING?: ANYONE CAN GET INTO THE ACT—III

(By Susan A. Meyer)

Last summer, Congress got a disturbing preview of the 19th Decennial Census of Housing and Population—the most ambitious statistical survey ever undertaken by anyone, anywhere, anytime.

After two days of hearings before the House subcommittee on census and statistics, it was clear the 1970 census will greatly enlarge the scope of federal inquiry into the personal affairs of every citizen.

Members of the House subcommittee were anxious to find out who asks what—and why. They called upon A. Ross Eckler, census bureau director, for some answers.

According to Mr. Eckler, all final decisions are, by federal law, within the discretion of the Secretary of the Department of Commerce, of which the Census Bureau is part. But nearly anyone can get into the act—just suggest a question.

According to congressional testimony, "representatives of trade associations and industries engaged in advertising, banking and finance, insurance, manufacturing, retail trade, printing and publishing, and economic and market research" were on the list of interests from which the Census Bureau drew suggestions.

Social service organizations wanted certain questions included; so did area and municipal planners educational interests, religious groups, sociologists, labor unions, participants in the war on poverty—the list was endless, the congressmen discovered.

Members of the subcommittee asked what all the information would be used for.

They learned there are, among others, many "non-federal government uses" for the data, including "market planning and forecasting, buying power estimates, reference material for many undefined purposes, selection of areas for direct mail promotion, and formation of economic and policy decisions."

The result of all this was the 20-page "special census," a combination comprehensive marketing survey and detailed sociological study, used in New Haven, Conn., last month.

In addition to the questions it asked New Haven residents—and will in all probability ask more than 25 per cent of the entire population in 1970 as well—the Census Bureau proposed to inquire into such areas as religious preference, voting and voter registration, and physical and mental disability.

Despite its denial of other than purely statistical interest in such information, the Census Bureau was forced to forego those questions because of public and congressional opposition.

But the opposition wasn't strong enough to also scuttle the bureau's plan to include the use of Social Security numbers. That piece of "identifying" information was part of the "special census" and is likely to appear on the same "1 in 4" survey in 1970.

SOME RELUCTANT

Subcommittee members asked Eckler if people didn't object to all this poking around in their private affairs.

Eckler regretfully admitted that there is, indeed, occasional public reluctance.

In order to combat it, the Census Bureau conducts an intensive public relations campaign, he said.

"We tried local information centers where people can go and ask questions. We will certainly try to find if there are foreign-language newspapers . . . that will reach these people and we will try to use them," he testified.

"It may be possible to find local leaders, such as clergymen or other people who have a considerable number of supporters or followers, to try to use all the means we can," he added.

Despite the bureau's hard-sell, public co-operation isn't quite what it could be, Eckler confided in his congressional audience.

HAVE A DUTY

"There is a real problem of getting across the fact that these people . . . have a duty as citizens to be reporting. But we will still have more to learn about how to induce them to cooperate."

The bureau already has the means at its disposal with which to force cooperation: Title 13, U.S. Code.

The statute provides stiff penalties for failure to cooperate with the census. Although they are entitled to do so, census officials rarely resort to such drastic legal measures. Usually, threats of fine, imprisonment, or both, are sufficient to insure cooperation in the rare instances when an appeal to patriotism and duty were not.

The Census Bureau assures the public—backed by Presidential Proclamation—that all its information is strictly confidential and used only for statistical purposes. Federal law reinforces this by forbidding use of census data for purpose of "taxation, regulation, or investigation."

But just how tight are the security precautions used by "sworn census personnel" to protect individual census reports?

TAPES TAKEN

Although the bureau defies anyone to show an instance in which confidentiality was breached, an aide to Rep. Cornelius E. Gallagher (D-N.J.) told The Evening News of an instance in which an unauthorized person simply walked into census files and walked out with census "tapes." (The tapes were subsequently returned to red-faced census officials.)

The Evening News asked bureau officials if taking the census anonymously wouldn't eliminate the fear that the information might be misused.

Dr. Eckler had a ready answer for that question. "Names are needed as an aid in controlling the enumeration," he said.

A computer expert with the Rand Corp. challenged this.

After asking that he not be identified, he said "It is possible to take the census anonymously, perhaps in a manner similar to the secret ballot . . . but I do not believe the Census Department (sic) would be satisfied with this approach. . ."

If individual identification is necessary to control the enumeration process, why are the names retained once the census is completed?

"MANY PURPOSES"

Dr. Eckler had an answer: public convenience.

"Retaining the name in the file of original records serves many purposes. Last year we were able to supply information from their census records of previous years to some one million individuals, most of whom applied for the information to help them qualify for Medicare and similar programs.

"A transcript of the information they had given us in an earlier census served in lieu of a birth certificate."

What the census bureau director did not explain was how a census record could serve as proof of age where a sworn statement giving the same information could not. In both cases, the source of the information is the same—the individual.

Census officials have toyed with the idea of eliminating names from the permanent records, Eckler admitted to The Evening News, but decided against it.

"Consideration has been given to deleting the name from the records after the major tabulations have been completed. But there have always been cases in which it has been to the advantage of the individual to be able to secure information from his own census record some time after the census. Up to the present time this has argued against removing the names from the records."

What Eckler did not say was how many persons later asked the Census Bureau if they had had flush toilets in 1930!

Despite what the Census Bureau says, the Rand computer expert insists the bureau is far more self-serving than it is public-spirited.

"VERY DIFFICULT"

"It would not be impossible for computers to use information gathered anonymously—just very difficult," he said.

But the Census Bureau is in the business of selling statistical information, and statisticians have discovered a new device for using the wealth of such data in census files.

"One key new use for census information is something called 'longitudinal studies,'" he continued. "Some would like to be able to trace the history of the entire lifetime of a 'statistical' man.

"For example, what happens to his income if he moves from one part of the country to another?

"It is difficult to perform such studies unless individual records are unambiguously tagged. . . ."

According to the Rand expert, personal identification throughout an entire lifetime is the price assessed the individual—like it or not—for the statistical privilege of being studied "longitudinally."

"I cannot imagine how it would be possible to identify records so that they are usable for longitudinal studies and still make it 'impossible' to trace a particular individual. These two concepts seem basically incompatible," he told The Evening News.

EARLIER WARNING

It was the same expert who, in 1966, warned another congressional committee that—

"The safeguards built into the present generation of time-shared (computer) systems all suffer the same defect of requiring the assumption of complete integrity of too many persons connected with the computer installation.

"Can you think of any general-purpose, time-shared computer systems that are presently approved to handle government classified data? he asked the congressmen.

The answer to that one was a resounding "no."

Members of the subcommittee on census and statistics had another matter to discuss with Dr. Eckler: the National Data Center.

The proposal, now under congressional consideration and public debate, was submitted by the Bureau of the Budget.

It calls for centrally locating all the information now spread throughout the federal government files into one giant, highly efficient, computer network. Because the Census Bureau files contain the largest block of individual information anywhere in government, it could be an all-important part of the data bank.

Despite the fact that the data bank proposal comes from another agency within the same department, one also vitally interested in statistical data, Eckler professed to know little about it.

Although he denied any specific knowledge on the proposal, Eckler did not close the door on Census Bureau participation "provided," he told Congress, "there is appropriate legislation."

Both the data bank proposal and the plans for the 1970 Census share a crucial element: Codification of all data by Social Security number.

Both plans call for the identification of all records by the Social Security number of the person to whom the number belongs. These records, and others with which they are to be "correlated," will be fed into a computer.

The entire "file" on any individual could be retrieved from this same computer in a fraction of a second—by pressing a button.

NEW DILEMMA

For the Social Security Administration itself, the proposed wholesale use of its numbering system presents a dilemma.

It, too, is interested in statistics but it is also particularly conscious of the public trust.

According to informed sources within the Department of Health, Education and Welfare, a battle is raging over the issue.

But, according to Eckler, the matter of census use of Social Security numbers is already settled.

In his statement to The Evening News, he listed among those approving the plan, several agencies within H.E.W., including the Social Security Administration itself.

This came as a surprise to the Commission of the Social Security Administration.

"The Social Security Administration has not given approval to any plan for the general use of Social Security Account numbers for other than Social Security and taxpayer identification."

The 19th Decennial Census is viewed with enthusiasm by such interests as the computer industry, statisticians, social scientists, commerce and industry—in fact, by almost anyone with an axe to grind or something to promote.

But there is also a lot of opposition.

Census or Snooping? National Data Bank Feared—IV

(By Susan A. Meyer)

Members of Congress are learning that not everyone is enthusiastic about plans for the 1970 census.

One of the first to challenge the $173 million undertaking was a colleague, Rep. Cornelius E. Gallagher.

Gallagher, the personable, articulate Democrat from New Jersey's 13th District, is one of the leading spokesmen for the right of privacy—and a bitter critic of official snooping.

"First of all, I am deeply concerned with suggested additions to the (census) questionnaires; secondly, I have misgivings about the intended use of computers in the compilation and distribution of the information gathered by the Bureau of Census," he told members of the house subcommittee on census and statistics.

Historically, government data collection has proved dangerous, Gallagher testified.

"For centuries, European nations innocently collected detailed information about their citizens through censuses," he continued. "The use of such information was never conceived of for reasons other than efficiency and economy."

Even those reasons do not justify Census Bureau plans to inquire into such areas as voting habits, religious belief and disability, Gallagher asserted.

"It seems to me," he testified, "that this information is far removed from the essential interest of the census which is to collect population information for apportionment purposes."

Subsequently, those areas of inquiry were abandoned by the U.S. Census Bureau.

Despite his assault on Census Bureau plans to ask respondents for their Social Security numbers, Gallagher was unsuccessful in preventing that information from being gathered during the New Haven dry-run in April.

"Evidently, it is the belief of the bureau that the use of Social Security numbers would make it possible to combine census information with other already-gathered data and still protect the confidentiality of the census records," he said.

But, Gallagher continued, that assertion didn't square with testimony before his own subcommittee on invasion of privacy.

In rebuttal, he offered the statement of a highly respected computer expert who had testified during hearings he conducted on invasion of privacy.

"'As one who has for many years been interested in this problem of preserving privacy in the interconnected computer communications systems, I am unable to find a large body of literature on this subject of protection,' Gallagher quoted from earlier testimony.

" 'I have on the other hand, had less difficulty in accumulating an extensive file of open reports that describes how to wiretap and eavesdrop, in connection with computers . . .' "

That was not the only disquieting revelation from the computer industry, Gallagher continued.

Other experts testified that at the present stage of computer technology unless identification is deleted before the information is given to the computer, the computer itself cannot "forget" it.

"It became clear during the hearings conducted by our subcommittee that even the computer community is unaware of the profound implications of its creations," Gallagher told his colleagues.

The 196th Decennial Census, in which it is proposed to use both computers and Social Security numbers for the first time, presents a particular threat to what the New Jersey congressman calls the last frontier—the right of the individual to be let alone.

"I am especially concerned with the relation between the computer and census data, because the computerization of such information could lead to the premature establishment of a national data bank," he warned.

Gallagher's subcommittee won what its chairman calls the "initial scrimmage" against the Budget Bureau's proposal to stockpile all federal government records—by Social Security number—in one gigantic computer network.

Although the plan was temporarily scuttled, Gallagher insists the data bank idea is still very much alive.

The Census Bureau itself has publicly avoided involvement in the National Data Center controversy.

However, Gallagher believes the 1970 census will present data bank opponents with an accomplished fact.

INTEREST SHOWN

"Data bank supporters have already indicated a special interest in linking date from the Census Bureau with information in the Internal Revenue Service. Should this interest be realized it would represent only the first step toward centralization of data," he warned.

(The IRS has already converted to computers and identifies all taxpayers by their Social Security numbers).

Gallagher continued, "The thing that disturbs me is putting your or my Social Security number into the computer and extracting all information that you may have given to the Census Bureau, all information that is in the IRS, all information in your military records, all your school tests. Everything that you ever did could be in theory put in this computer and, therefore, there could be a complete personal intelligence profile on any American citizen.

"MORE SUSCEPTIBLE

"The more sophisticated our technological tools become the more susceptible our country becomes to a form of dictatorial rule. It does not take much to convert a democracy into something else," Gallagher warned.

During Gallagher's testimony former New Jersey Rep. Paul J. Krebs, now deputy attorney general in charge of the state's Consumer Frauds Bureau, observed:

"I guess basically the thought that your testimony gives rise to in my judgment is whether we are going to continue using the U.S. Federal survey for the purpose of learning how we can better do our housekeeping rather than setting up material that will encourage the establishment of a master police agency."

Then, he asked Gallagher:

"When you start talking about giving the Internal Revenue Service access to this information and then some other government agency, are you not in effect setting the groundwork for the kind of secret police operation that we do not relate to a democratic society?"

"Exactly," Gallagher replied.

Although the New Jersey Congressman's indictment of the 1970 census was among the harshest, he was far from the only one to object to the Census Bureau's insatiable curiosity.

Organizations with a variety of interests—the Joint Committee of the Synagogue Council of America, the National Community Relations Advisory Council of the American Jewish Committee, the Baptist Joint Committee on Public Affairs, the New York City Planning Commission among others—objected to certain areas of census inquiry or recommended that there be reconsideration of others.

One of the strongest criticisms of the 1970 census plan came from the American Civil Liberties Union.

While admitting there is a legitimate need for statistical data, the A.C.L.U. challenged the concept that the federal government can ask its citizens anything, however personal.

More than ever before, the A.C.L.U. has received complaints about the questions to be asked and the possibility of legal challenge. What may be constitutionally asked at all and what may be asked under penalty for not answering completely and accurately," the A.C.L.U. statement inquired.

"NOT JUSTIFIED"

"The answers to some questions may conceivably be useful to some proper governmental purpose, but of such small importance that they do not justify invasion of the citizen's retained and reserved rights guaranteed by the Constitution; others can serve no proper governmental purpose at all, but are sought for the sake of private interest—especially business. . . .

"If the compulsory feature is retained and there are refusals to answer because of insufficient government need (or none) to warrant invasion of privacy, and the refusals are followed by threatened or actual prosecution, the A.C.L.U. will consider defending such a refusal on grounds of civil liberties. . . ."

While others were debating the merits of its Operation 1970 the Census Bureau went ahead with its plan to use New Haven, Conn., as a test tube for the 19th Decennial Census of Housing and Population.

In April residents of that New England community went to work digging out information for the Census Bureau under the assumption that their cooperation was required by law.

But was it?

It is true that "answer to the census questions are required by law (Title 13, U.S. Code)" as the census form states, but can the New Haven experiment be properly considered "the census"? Census Bureau "surveys," are on a voluntary basis according to the same statute.

The Evening News questioned numerous attorneys about this. Many of them said the statute itself was too vague to make a definite interpretation. Others said, in their opinion, New Haven—and similar dry-runs—could not properly be considered "the census."

New Haven residents, on the other hand, simply accepted on faith the Census Bureau's self-serving legal interpretation: Answer—or risk fine, imprisonment, or both.

However questionable its method, the Census Bureau got the information it sought from more than 150,000 Americans—complete with Social Security numbers for about a quarter of them.

The results are under study now.

In the near future, the Census Bureau will complete its final blueprint for 1970.

The Census Bureau works quietly.

CENSUS OR SNOOPING?: NEW CENSUS TO BE NOSIEST—V

(By Susan A. Meyer)

The 1970 census began unofficially in April of this year when the City of New Haven was used as a giant test tube in which to experiment with the very latest in probing techniques.

The 19th "decennial" nose count, at an estimated cost of $173 million, will be the biggest statistical survey ever conducted by anyone, anytime, anywhere. And it will count a lot more than noses.

From a time when the census was conducted in order to properly apportion the House of Representatives—its only Constitutional mandate—the Bureau of the Census has grown to preminence as the nation's largest supplier of statistics on everything from babies to bathtubs.

With brand new computers to feed—and Social Security numbers with which to program them—the 1970 census will be nosier than ever.

Despite the demand for more information for these hungry monsters, at least two federal agencies are anything but enthusiastic about "master plan 1970."

Census Bureau plans call for a "mail out-mail in" survey—largely eliminating enumerators—which may very well create more headaches for the already beleaguered postal system.

Social Security officials are tight-lipped on Census Bureau plans to solicit Social Security numbers for purposes of identification.

But, census pleads, it is only following the precedent already established by the Internal Revenue Service and under consideration by other federal agencies.

There are charges of "big brotherism" aimed at the Department of Commerce, the federal agency having over-all responsibility for both the degree of census snooping and the even more controversial National Data Center proposal.

Congress got an earful on census plans last summer—more hearings are scheduled—and learned that the greatest demand for in-depth information came from business interests rather than the federal government.

During his testimony before Congress, Census Bureau Director A. Ross Eckler admitted that people "occasionally" resist census probing.

But he also admitted that the Census Bureau holds all the high cards: a combination of the hard-sell technique and the penalty provisions of Title 13, U.S. Code.

If the public ignores Census Bureau appeals to duty and patriotism—the soft-sell—officials can always invoke the law—the hard-sell. It is a violation of federal statute—punishable by fine, imprisonment, or both—to refuse to cooperate during a census.

The Census Bureau keeps—in identifiable form—all original census reports. Eckler insists "public interest" demands it.

But at least one computer expert has challenged this, asserting the real reason is the demand by statisticians for detailed information—in identifiable form—in order to conduct "longitudinal studies." With the aid of computers, millions of lives can be distilled and a "statistical man" created from the essence.

PRESS A BUTTON

Members of Congress also learned that the present mechanical brains may be very smart in some ways but they are ill-equipped to protect the privacy of the lives they digest.

One need only press a button . . . members of Congress were told.

Among the severest critics of the Census Bureau plans is Rep. Cornelius E. Gallagher of New Jersey. He warned his colleagues that the 1970 census might lead to the premature establishment of a national data bank, a plan he helped scuttle—temporarily.

But there are other dangers as well.

"Ever hear of the 'fragebogen'?" Gallagher asked, suddenly.

The Democratic member of Congress from the 13th District sat behind the big walnut desk in his Bayonne law offices discussing the war on government snooping. As chairman of the House Subcommittee on Invasion of Privacy, he takes a particularly active role in the assault.

STORED IN BERLIN

His handsome, smiling face hardened as he explained: "The 'fragebogen' was the personal file—the dossier—their government kept on every German citizen."

For centuries, the thorough, record-conscious Germans kept files on their citizens through such devices as censuses. These files were conveniently stored in Berlin, Gallagher continued.

After Hitler came to power in 1932, the Gestapo used these same records to aid them in the systematic extermination of millions of persons during World War II.

"Just imagine what the Nazis could have done with modern computers," Gallagher mused.

The congressman's outspoken criticisms have been credited with stopping a few of the more flagrant abuses of the right of privacy.

In 1965, his subcommittee persuaded the Civil Service Commission to prohibit the use of so-called personality tests and to revise the application for federal employment, excluding questions the subcommittee members concluded were none of the government's business.

FORCE BAN

Gallagher and a handful of his colleagues are also credited with persuading the Administration to enforce the ban on the use of the polygraph—the lie detector—and electronic eavesdropping devices in all areas under federal jurisdiction.

He has since made things uncomfortable for the Department of Commerce through his criticisms of both the Bureau of the Budget and the Bureau of the Census.

After hearings before Gallagher's subcommittee, the Budget Bureau decided against immediate implementation of its plan to create a central, computerized repository for all federal government records.

The congressman also testified personally before another house subcommittee studying Census Bureau plans for 1970.

He warned his colleagues that those plans might well destroy what is left of individual privacy.

The Commerce Department is not the only branch of government careless about the right of the individual to be let alone, Gallagher continued.

Others on his list of offenders include the Bureau of Labor Statistics, the Federal Housing Administration, and the little-known Office of Organized Crime.

According to Gallagher, the F.H.A. could practically publish its own Kinsey Report based on information it extracts from holders of F.H.A.-guaranteed mortgages.

KNOWS OF MERGER

The congressman said that meanwhile he learned that the Office of Organized Crime is about to merge its computerized files on 300,000 alleged underworld figures—many of whom only "may" have some tenuous connection with organized crime—with the files of all other federal investigative agencies, from the Post Office Department to the Securities and Exchange Commission.

Four of the agencies that will contribute to these files are among the most enthusiastic supports of the national data bank.

According to Gallagher, the criminal files will use computerized tapes that could be "harmonized" with those proposed for the data bank.

The dangers inherent in centralizing and computerizing so much information about an entire population are immediate and real, he continued.

"If the trend is allowed to continue, everyone of us will be the loser," Gallagher declared.

"Every citizen will eventually be faced with the unpleasant prospect of having a moment in an otherwise blameless life frozen out of context," he continued.

CAN'T START OVER

"With all the highly personal information the government has—doesn't everyone have a skeleton somewhere?—it would be impossible to 'start over'.

"It was the principle that a person could turn over a new leaf—begin a new life in new surroundings without fear of being haunted by his past—that provided the basis for the settlement of the western frontier," Gallagher said.

"I wonder how many leading citizens in Arizona, for example, could trace their ancestory back to some displaced Easterner turned gunslinger," he mused.

"A hundred years ago on the frontier if you asked a stranger a personal question you were inviting a bullethole," he added.

"We are, in my opinion, establishing the basis for a 'Tyranny by average statistic'," Gallagher continued. "Our national effort to create a 'norm' for every phase of human activity will eventually dehumanize all citizens.

"Everyone whose life in any way falls outside the 'norm' will be suspect."

"WHY NOT"

With the means we already have—and are intent on using—we are creating what Gallagher calls "no less than a criminal record of an entire civilization".

"People who say 'why not tell them what they want to know. I have nothing to hide' are just kidding themselves," he said.

"Legislation at this point is only a calking operation," Gallagher continued. "But it will have to do until the average guy realizes he doesn't have to accept any system on the basis of one set of credentials—and that includes the Census Bureau.

"People need not accept the assertion that surrender of the right to be let alone is the price we must pay for responsive government.

"In fact," Gallagher continued, "we had better not accept it.

"If all the information the government has within its files today—total information on every American citizen—were computerized, it could be stored in a room 10,000 feet square.

"And what we would have is the ingredients of what could be easily converted into a personal intelligence-type dossier on every American citizen existing at the other end of a button.

SOCIETY ON RECORDS

"Personally, I would be more concerned about the finger on that button than the one on the trigger of the Hydrogen Bomb."

Gallagher pondered a moment; then he said.

"What we are really doing here is creating a society in which the individual is tyrannized by records—records over which he has no control, records whose accuracy he cannot verify, records, however innocuous now, could be dangerous not only to himself but to his decendents in the future."

The congressman paused again; then he added, thoughtfully:

"Our dedication to efficiency and economy will, in my opinion create a new ruling class—a non-intellectual elite—that will measure everything, including human dignity, statistically.

"This new oligarchy—the button pushers—will be more frightening than anything George Orwell ever dreamed of.

"They'll make even 'Big Brother' look like a member of the junior varsity!"

INTER-AMERICAN DEVELOPMENT BANK

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHLEY. Mr. Speaker, I wish to bring to the attention of the Members H.R. 9547, which is scheduled for floor action later this week. H.R. 9547 would authorize our participation in the Inter-American Development Bank to the extent of $300 million per year for a period of 3 years. It is urgent legislation, and I sincerely hope that all of the Members will support the bill when it reaches the floor.

For those of you who may be relatively unfamiliar with the Inter-American Development Bank, I recommend that you examine the IDB 1966 Annual Report. The report is one of the finest I have ever read, particularly because it discusses bank projects and outstanding loans on a project-by-project and country-by-country basis. To illustrate the quality of the report, I offer as an example the report of a student loan fund project to the Republic of Panama which appears on page 69 of the annual report.

Additionally, I am including an article by Warren Wilhelm that appeared in the October 1966 issue of Fortune magazine, entitled "There's Plenty of Promise in the Underdeveloped Land." Despite pessimism surrounding the task of bringing development to the underdeveloped world, the article finds hope for the future in the growing body of professional management and experience being brought to bear on the task. In the conclusion, the article pays special tribute to the Inter-American Development Bank as one of the capital-providing agencies serving effectively as mentor for the developing world.

There have been a number of articles specifically praising various programs of the Inter-American Development Bank, and I am including a sampling of them for the Members' information.

PANAMA

(Student loan fund. $700,000 20-year 2¼% loan of March 17, 1966. Borrower: Republic of Panama.)

Panama has a shortage of professionally trained persons in specialized fields, a factor which hampers its economic and social growth. Although the University of Panama has a large enrollment, only limited numbers of students graduate due, in part, to the fact that students lack funds to devote themselves full-time to their studies. More than 90 per cent of the University's students carry out their studies on a part-time basis or leave school before graduation.

This loan will help correct this situation by contributing to the establishment of a $1 million "Student Loan Fund" designed to enable students to complete their college education, to pursue post-graduate courses or to carry out technical or vocational training. Low-interest, medium-term loans will be made from the Fund to finance training for undergraduates, and for university and vocational professors. Up to $40,000 of the loan will finance technical assistance services connected with the execution of the program.

The program is being carried out by the *Instituto para la Formación y Aprovechamiento de los Recursos Humanos,* an autonomous Panamanian agency established in 1965 to administer public funds devoted to scholarships. The program will enable students to pursue specialized courses in such fields as agronomy, engineering, economics, public administration, mathematics, physics, chemistry and biology.

[From Fortune magazine, Oct. 1966]

There's Plenty of Promise in the Underdeveloped Land

(Note.—In our present pessimism, we are overlooking the positive factors of management and experience that have changed the prospects.)

(By Warren Wilhelm [1])

The past year has seen a growing disquiet about the developing areas of the world. The "population explosion" has numbed our confidence, and "widening gap" has become part of our language. Secretary of Defense McNamara, in his Montreal address in May, spoke of the "hungering half of the human race," and went on to say: "Given the certain connection between economic stagnation and the incidence of violence, the years that lie ahead for the nations in the southern half of the globe are pregnant with violence." When the Senate pugnaciously attacked the foreign-aid bill in late summer, it was clear that the attackers were motivated in part by disappointment with results in the developing countries. The Germans these days speak of *Entwicklungsmüdigkeit*—"development weariness."

Whether our present foreboding mood reflects an accurate estimate of the future in the developing countries is a momentous question—"basic," says Secretary of State Dean Rusk, "to the welfare, and even the survival, of the human race." In my opinion, there are fundamental grounds for a much brighter view than currently prevails. If we get on with the job, a large number of developing countries can, over the next five to ten years, achieve growth rates at least equal to, and in many cases well in excess of, those of the wealthy countries.

Progress in the developing areas, over the postwar period as a whole, has unquestionably been too slow, too irregular, and too uncertain to give us a favorable view of the future if we merely extrapolate past trends. But in our prevailing pessimism we are letting the past obscure the future, and overlooking evolvements that have importantly changed the prospects. The past several years have brought a great accumulation of experience, knowledge, and organization in the development field. They have also brought a great improvement in relations between the developing countries and private capital.

Perhaps the most important sign of change is that a diversity of underdeveloped countries has accepted in principle the Convention on the Settlement of Investment Disputes, which, if it goes into effect, will establish a new arbitration-conciliation center under the auspices of the World Bank. It will give the private international investor, for the first time, direct access to an international tribunal to resolve a dispute with a sovereign nation over his legal rights.

From the vantage point of abundant experience in development, Paul Hoffman, head of the United Nations Development Program (and formerly director of the Marshall plan), says it's a "rich, rich, stupid, stupid" world. He means rich in its human and material resources, stupid in its failure to develop them. But the world has become less stupid—or, to put it another way, wiser. We can expect the *management* of economic development to be more effective in the future than it has been in the past. This, then, is hardly the time to let ourselves get discouraged.

Economic development in the underdeveloped world is a quite new concern of mankind. It traces back only to 1949. Prior to President Truman's Point Four speech in that year, the U.S. Government had no official policy whatever toward economic development. The World Bank was organized shortly after World War II, but it did not begin to lend to developing countries on any scale until 1949. (The Inter-American Development Bank did not get into operation until eleven years later.) In 1949 the Harvard University libraries contained not a single book on economic development that by present standards would be considered even remotely adequate.

Development, then, began a mere seventeen years ago, with no body of knowledge or theory, few experienced people, a meager organizational structure, no national policies in the capital-exporting countries, and in the developing countries themselves no clear ideas of where they wanted to go, much less how to get there. Today, when the World Bank opens development talks with a new country, it supplies a reading list of 400 books. Development has become a major profession. The World Bank, including the affiliated International Finance Corporation, has a professional staff of 700, the Inter-American Development Bank about 360. Other thousands of development experts are in such organizations as AID (the U.S. foreign-aid agency) and in the economic ministries and development banks of the underdeveloped countries themselves. The grand total of prefessional developers—"those who talk to each other about development," as one expert puts it—is on the order of 100,000.

CEMENT TO HOLD THE WORLD TOGETHER

Such capital-providing agencies as the World Bank and the Inter-American Development Bank are the mentors, and the disciplinarians, of the developing world. Felipe Herrera, president of the Inter-American Bank, says, for example, that when a new government takes over in Latin America, constitutionally or otherwise, it is now a matter of course that the key members of the new economic team come to Washington for a thorough economic review with him and his staff. As cement to hold the world together, the professional developers and their organizations are more than we have had a right to expect. They serve not only as economic bridges, but as political bridges too. When Small Mahroug, director of the Algerian Development Fund, visits Washington to discuss World Bank financing of a project, the man he talks to is Munir Benjek, a Turk, who reports to Abdel G. El Emary, head of the bank's African Department, an Egyptian. In the elevators of the Inter-American Bank the conversation is mostly in Spanish. The specter of an eventual hostile confrontation between a rich Northern Hemisphere and a stagnant, economically desperate Southern Hemisphere seems very unreal in the offices of the World Bank and the Inter-American Bank.

The planes in the skies above the continents are increasingly filled with public and private developers—World Bank and Inter-American Bank missions, Washington-bound teams from underdeveloped countries, private consultants, engineers, bankers, international vice presidents of industrial corporations. Their constructive and hopeful voices are heard in every one of the poorer countries. They are magnets drawing developing-country energy toward the priority of development, and away from the political ratholes into which it would otherwise go: "Crush Malaysia," "Drive Israel into the Sea," India-Pakistan conflict, or whatever.

OVERCOMING THE STRING-PUSHING FUTILITY

If the intellectuals and official policy makers of the West came late to placing a priority upon development, most of the developing countries were even later. Some are still delaying. There is a string-pushing futility, the professional developers have found, in trying to help a country if its leaders have not made up their minds that they really want development. "You can't export know-how," says Paul Hoffman. "It has to be imported."

The developers have come to the view that their efforts get the best results when it is possible to work through regional development organizations. If well managed, such organizations not only can help in the allocation of aid and in the policing of national economic policies, but can creatively push, organize, guide, create, motivate. One of the most effective regional organizations is CIAP (the Spanish initials of Inter-American Committee on the Alliance for Progress), which is headed by Carlos Sanz de Santamaria, formerly Finance Minister of Colombia. With a mandate much like that of the Marshall plan's Organization for European Economic Cooperation, CIAP evaluates individual countries' plans and performances, and comments with considerable force when economics is giving way to politics, or when priorities are being ignored. In the words of Felipe Herrera, "CIAP can take the political responsibility for development much more effectively than anything we have had before."

Other promising regional organizations are emerging. An Organization for Regional Development is being formed by Turkey, Iran, and Pakistan. A new Asian Development Bank held its first directors' meeting in Tehran last month. In Africa, AID is studying how to encourage the new African Development Bank, headquartered in Abidjan, Ivory Coast, to become a sort of African CIAP. A substantial part of AID's funds for Africa may eventually be channeled through this new institution.

HARSH TREATMENT OF A REPUTATION

While the public developers have been expanding and diversifying the organizational structure of development, a profound evolution has been going on—gradual, many-faceted, difficult to measure, but unquestionably real—in relations between the developing countries and international private capital. At the end of World War II, international investment was virtually a lost art, dormant since the onset of the great depression. And in the developing areas there were formidable barriers of suspicion and ideology during the early postwar years.

The developing countries and private capital have in recent years moved a long way toward a basic *rapprochement*. Of fundamental importance in bringing about the change has been the harsh treatment that time and events have inflicted upon the reputation of Communism as an economic system: the economic agonies of China, the drab performance of Eastern Europe, the economic failure of Castro's Cuba. The stagnation of Indonesia under Sukarno and the near collapse of Brazil under Goulart added their imprints. Mutual experience has helped too, enlightening both developing countries and international private investors. Each creative new venture produces, for both sides, new precedents and new ways of looking at things.

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[1] An economist by training (Yale, Harvard Graduate School), Warren Wilhelm has worked in the economic-development field since the Truman Administration's Point Four program, when as a Budget Bureau staffer he argued perceptively that large-scale investment would be required to get the underdeveloped countries moving. In 1963–64 he was a leading participant in the formation of ADELA, a multi-national private consortium organized to strengthen the momentum of investment in Latin America. Formerly head of international economics at Texaco, he is now a staff member of Arthur D. Little, Inc.

There has been a gradual shift from dogmatic to pragmatic thinking. India, for example, for years the most rigidly doctrinaire of the major developing countries in restricting the role of foreign private capital, has now, at a stroke, cleared away important barriers to foreign investment in fertilizer production. The natal cry in the new countries, in the early postwar years, was "It is our country, ours, all ours," and many of the national leaders saw nothing either morally wrong or economically disadvantageous in expropriation of foreign-owned assets; today, in contrast, it is not easy to identify a single government that stands in favor of expropriation without appropriate compensation.

The new Convention on the Settlement of Investment Disputes, indeed, could become a wellspring of new international law, bringing to foreign private investment in the developing world a large measure of the security it now enjoys in the developed world. It is a basic principle of the convention that disputes may be brought before the center only by common consent, but the convention provides for the possibility of prior consent—written into a country's investment law, perhaps, or into a concession agreement. In such cases a private investor, before putting up his money, would be assured of recourse to the center, in case of dispute. There is also provision that any contracting state, whether involved in the dispute or not, is required to "recognize" an arbitration award "as binding and enforce within its territories the pecuniary obligations imposed by that award."

The convention tracks back, in part, to a campaign undertaken by Hermann Abs, board chairman of the Deutsche Bank, who in 1957 began circulating a draft outline of the treatment that a private investor in another country had a right to expect (the "Capitalist Magna Carta," he called it). Later on, in considerably redrafted form, it was adopted by the Organization for Economic Cooperation and Development. The developing countries, however, felt that the OECD convention was one-sided, setting forth somebody else's rights and their obligations; and without their acceptance, of course, it could have no effective meaning. New efforts to find a solution went forward under the leadership of the World Bank, and in 1963–64 representatives of developed and developing countries held consultative meetings at Addis Ababa, Santiago de Chile, Geneva, and Bangkok. All together, lawyers from eighty-six World Bank member countries participated, hammering out a document that promised to be acceptable to a majority of the developing countries.

A PROFOUNDLY ENCOURAGING SIGN

Twenty ratifications are required to bring the center into being. As of late July, there were forty-five signatories (including the majority of African states), and eleven instruments of ratification had been deposited at the bank. With a dozen or more additional ratifications apparently on the way, it seemed clear that the convention would go into effect, even though the Latin Americans were holding out.[2] It seemed reasonable, moreover, to expect that if the convention gained wide acceptance the Latin-American countries, too, would join, one after another. But then, in the Senate rampage during the foreign-aid debate, Minority Leader Everett Dirksen inserted an amendment to require countries receiving U.S. aid to accept recourse to the center. Friendly countries cried that since the fist of U.S. power could now be seen behind the convention, they would have to reconsider their adherence to it.

The Dirksen amendment was finally killed in the Senate-House conference committee, but we may need months of patient work to get the convention ratified and bring the center into effective operation. The task is one that well merits the support of the U.S. business community. In the meantime, however, acceptance of the convention concept by a large number of developing countries before Senator Dirksen intervened stands as a profoundly encouraging sign of how far the developing world has come in awareness of the need to give foreign private investment a framework of legal protection.

THE POTENTIAL DEMAND EXPLOSION

That the developing world needs an enlarging flow of outside capital is elementary. What is not widely understood is the prospect that capital plus effective management of development will produce very high growth rates in some parts of the developing world. In our current pessimism, we underestimate the potentials here. In particular we underestimate the economic lift that can result from large increases in agricultural productivity.

An industrialized nation functioning at close to full employment cannot sustain growth of more than 2 or 3 percent a year in real per capita G.N.P.—with most of the labor force already productively employed, no surge in output is possible. But in the developing countries, much or most of the labor force is employed in subsistence agriculture, producing little more than enough to enable themselves to survive. These masses are virtually outside the market economy. Combinations of greater fertilizer use, better seed, and more modern methods can multiply production per farmer in the poor countries by a factor of two or three or more, and such leaps in productivity will be required to feed expanding populations and raise present nutritional levels. As productivity increases, farm families will acquire purchasing power. The potential shift into the market economy of millions of rural families carries with it the possibility of sharp increases in economic growth rates and an explosion in demand for an increasingly wide range of consumer goods.

I certainly do not want to suggest that I think the entire developing world is on the verge of a takeoff. There are countries, especially in central Africa, where the building of a minimum base of political institutions, trained personnel, and communications will have to precede any significant growth in real per capita G.N.P. In the years ahead, moreover, as Secretary McNamara forecast, many countries in the developing world will be seething with the tumult and turmoil of profound social change. But when private capital has the protection of the rule of law in the developing countries, tranquility will not be a requisite—especially when companies have to face a choice between going in themselves and letting competitors take the business that certainly will be there. With the capacity to *manage* development now greatly strengthened, on both the private and the public side, the opportunities stand out in new perspective.

[From the American Banker, Oct. 26, 1966]

IADB Pre-Investment Fund Will Spur Realistic Regional Project Proposal

(By Felipe Herrera, president, Inter-American Development Bank, Washington)

One of the serious bottlenecks in the flow of development capital to Latin America is the lack of project proposals suitably prepared for financing by lending institutions. In an effort to help its Latin American member countries overcome this obstacle to development, the Inter-American Development Bank has taken two major steps during the past few months:

One involved a decision to provide loans to its member countries to enable them to establish rotating funds to finance the preparation of public and private development projects.

The other was the establishment of a special fund within the bank to foster broad multinational regional development projects in Latin America, thus effectively contributing to one of the area's principal goals—economic integration.

Ideally, the determination of the financial and technical viability of a project and its contribution to the economic goals of a nation is a question which the prospective borrower himself should analyze and formalize in a project proposal—particularly if it is to be submitted to official national sources of financing, or external sources such as the Inter-American Bank.

These sources could then evaluate the request according to their own criteria and make a speedy decision as to their position with regard to financing.

In practice, however, there is a direct relationship between the degree of development of a nation and its general capacity to formulate projects.

Many requests submitted to the bank appear prima facie qualified for financing within its general criteria, but their transformation into a rational project proposal, susceptible of rigorous analysis with the conventional set of financial and economic tools and technical criteria is generally beyond the capacity of the average prospective borrower.

To transform an idea into a feasible project is oftentimes an expensive and painstaking task.

The formulation of national economic plans in Latin America and the determination of sectoral priorities within them has been of great aid in clarifying the relative priority of a given project proposal to the national development goals. Still, the identification and formulation of specific projects—the pre-investment stage—remains a problem.

Since its inception the Inter-American Bank has made vigorous efforts to alleviate this bottleneck, and a major portion of its technical assistance has been designed to relieve it.

As part of this effort, the bank last year decided to help its member countries speed up the process of project preparation and expand the number of proposals formulated well enough to meet the requirements of financing sources, by providing loans to agencies in the member countries to help them capitalize "pre-investment funds" to assist public and private enterprises finance the technical services needed for project preparation, as well as complementary sectoral surveys to determine their economic feasibility.

Thus far, eight member countries—Argentina, Bolivia, Brazil, Chile, Honduras, Nicaragua, Paraguay and Uruguay—and the Central American Bank for Economic Integration, have received such assistance. Other nations will receive such assistance in the near future.

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[2] The convention, Latin Americans argue, runs counter to the spirit of the Calvo Doctrine, which declares that military or diplomatic intervention may not be used in an effort to collect pecuniary claims of a citizen of one country against the government of another country. The doctrine is written into several Latin-American constitutions. Named after the Argentine jurist Carlos Calvo (1824-1906), it was enunciated as a result of the British-German-Italian blockade of Venezuelan ports in 1902, after that country had defaulted on loans.

The Pre-investment Fund for Latin American Integration endows the IAB itself with a similar fund, but designed specifically to provide financing for the formulation of projects and the preparation of sectional surveys relating to undertakings of a multinational scope—whose direct impact will be reflected not only within a given country—but also beyond its frontiers.

This fund grew out of the need for broad development on a regional scale in Latin America in line with the requirements of its integration process.

There is no question that Latin America has begun to move along a path of regionalization and that there is considerable support for the creation of an economic community with the attributes of a common market.

In pledging United States support to this integration process, President Johnson last August succinctly expressed the rationale behind it, when he said:

"In the total development of Latin America, national and local plans and projects are most important. But regional plans and collaboration are absolutely essential. Nineteen fertilizer industries, 19 steel complexes, 19 different systems of tariffs—these would signify only stagnation and inefficiency and, in many instances, pure waste."

Armed with the pre-investment fund and with the specific directive of its member countries, the Inter-American Bank is now in a position to embark on the financing of pre-investment studies related to projects of regional significance.

In preparation for carrying out this task, the bank has secured the advice of its member countries, and of independent sources, for the formulation of the investment strategy and work program of the pre-investment fund.

Just last month, the bank received a report from a consulting firm it engaged in December last year—Development and Resources Corp. of New York—making recommendations for the use of the fund.

In suggesting the major elements of an investment policy for such fund, the report notes that "there is no reason for assuming that multinational projects are systematically discriminated against in country planning," and adds:

"Most multinational projects should in fact complement national projects. They will open new areas and make economically feasible the development of local industries that otherwise would be submarginal. In normal circumstances they should strengthen national plans and broaden the options open to a country."

The bank is now in the process of determining the specific guidelines which it will follow in using the resources of the pre-investment fund, and is making preliminary analyses of project ideas which appear to merit priority.

These two steps to promote the formulation of projects—at the national level on the one hand, and at the regional level, on the other—signal a future increase in the effective demand for development funds for Latin development from international financial sources.

Gap Between Rich and Poor Nations Widening; Alliance for Progress Has Failed To Reverse Trend—Poverty, Hunger Bringing Unrest and Disorder

(By Marquis W. Childs)

Washington, Sept. 18.—The rich lands are getting richer and the poor lands are getting poorer. That is the harsh reality that cannot be concealed by any amount of wishful talk put out by Administration spokesmen.

This applies with special force to Latin America because the Alliance for Progress was to reverse the trend in this hemisphere. In country after country the gnawing ache of poverty, hunger, and the revolution of rising demands bring unrest and disorder. It is no answer, as Senator J. William Fulbright noted in his speech on the Dominican crisis, to put this down to the machinations of a handful of Communists. Communism will always try to exploit indigenous disorder.

A recent statement that was given little attention underwrites the reality about Latin America. Felipe Herrera, president of the Inter-American Development Bank, a Chilean with wide banking experience, in discussing the prospect of a common market for Latin America, made some personal observations about the present state of affairs. He said:

"The positive efforts undertaken internally by the Latin American countries, especially since the establishment of the Alliance for Progress, to accelerate development and to achieve the necessary reforms in their economic and social structures have not yet substantially altered the current situation in Latin America. Two out of three inhabitants of the region still suffer from chronic malnutrition, per capita agricultural output is lower today than it was 30 years ago and two out of every five adults are illiterate.

"It is not surprising therefore that tensions of every sort are rising as a product of the interacting processes of inflation, substandard social conditions, urban pressures created by the mass movement of the rural population to the cities, frustration in the middle class and unrest in the countryside. This inevitably has forced governments to take emergency action on a stopgap basis and has made it difficult to undertake long-term programs on a regional level."

The prospect in the near future is therefore for more explosions like that in the Dominican Republic. Herrera's statement confirms this reporter's findings in a recent tour of South America. It belies the convenient explanation of State Department spokesmen such as Under Secretary Thomas C. Mann who tends to see the unrest in terms of a Communist plot that can be suppressed by force.

Herrera pointed to a recent statement by President George Woods of the World Bank. Addressing the developed countries of the West, Woods said that the present level of financing (for the underdeveloped countries) is wholly inadequate.

Since 1961 the long term public capital supplied by the developed countries to nations struggling to get going has held at about the same level. This has been true even though the gross national product of the industrialized countries has increased in this period at a rate of 4 to 5 per cent a year. Consequently, Herrera observed, the net official assistance from the industrialized countries represents a declining percentage of their national income.

For the underdeveloped countries this level of aid has meant a decreasing amount in per capita terms because of the population explosion. This is the simple arithmetic demonstrating that the rich are getting richer while the poor get poorer.

In spite of a steadily increasing population, as Herrera noted, per capita income increased by over 2.5 per cent in 1964 which was the goal set by the charter of Punta del Este in 1961. The same increase is in prospect of 1965. This was part of the optimism expressed by Assistant Secretary for Inter-American Affairs Jack Hood Vaughn on his recent tour of the Americas.

The 2.5 per cent gain is from such a low base—about $200 a year in many countries—that it is meaningless. Vaughn noted that the Alliance is doing many splendid things, pointing the way to the changes essential if the desperately poor nations to the south are to move forward and begin the kind of economic integration that can mean real progress.

But it is the limited scale on which these changes have begun to take place that cannot be concealed by optimistic talk. For what the facts show, as a responsible banker has now suggested, is the need for a new and far broader dimension for the Alliance.

A book that President Lyndon B. Johnson is said to have read and re-read is Barbara Ward's "The Rich Nations and the Poor Nations." It has been suggested that a new edition, "Richer Nations and Poorer Nations," is due.

The paradox in Latin America is that although aid has substantially increased in actual amount the net result for the region is on the minus side of the ledger. With a population increase as high as any in the world, the Latin nations must run hard in order not to slip back.

Herrera noted that public assistance had increased in significant amounts, especially from the United States and international and regional financial institutions. Public development loans from these sources to Latin America increased from $400,000,000 annually in the 1957–60 period to close to one billion dollars a year from 1961 to 1964. But this did not begin to make up for the gap caused by the weak internal market and the uncertainties of the external market.

There is, in fact, no real consumers' market in Latin America, because 75 per cent or more of the population live at the subsistence level. This means that it is all but impossible to accumulate capital within the economy. Insofar as the external market is concerned, Herrera notes:

The fundamental structural problems (of the economy) remain unsolved. Foremost among these is the weakness displayed by the external trade sector. With a few exceptions, short and long term prospects for the basic commodities produced by the region are rather uncertain and industrialization has failed to compensate for the extreme fluctuations in external demand because of the reduced size of the domestic markets and the lack of competitiveness in foreign markets.

"This weakeness of the external sector has had repercussions on the increasing level of long term external public debt which has increased from 5.7 billion dollars in 1958 to 11.1 billion dollars in 1964. The service on this debt has increased during the same period from $780,000,000 in 1958 to 1.6 billion dollars in 1964."

Because of certain basic deficiencies, Herrera sees little hope for any rapid move toward integration. He lists the two most important needs as transportation and communication. To point this up, he notes that Latin America has only 8 per cent of the world's railroad network and 3.2 per cent of the all-weather road system. Maritime transportation is no better with the lack of adequate port facilities in most countries and with a maritime fleet that cannot come even close to the actual needs of intra-regional trade.

Hardly 6 per cent of the cargo entering and leaving the region is carried in Latin American flag ships, which receive only 11 per cent of the area's freight charges. This is why in recent years the annual balance of payments deficit of the 19 Latin American republics on account of freight insurance and similar charges amounts to about $700,000,000.

One reason for the shipping deficiency is the monopoly held by North American companies. These companies resist any effort to break their monopoly and they profit generously by the requirement that all goods shipped under the aid program must be carried in United States flag ships. This cost factor greatly reduces the value of aid the Latin American nations receive.

Central America has made far more rapid progress toward integration than South America. In Central America, intraregional trade has tripled in four years and its share of the total trade of the region increased from 7 to 15 per cent. The Central American Bank for Economic Integration promotes through loans and technical assistance regional industries, highways, electrification and housing. The bank has just been made administrator of an integration fund of $42,000,000 of which $35,000,000 came in a 40-year loan from the United States government.

"It is impossible for a disintegrated Latin America, with rudimentary or backward educational systems, with only a few research institutions comparable to those found in more advanced regions of the world, to receive massive benefits from modern technologies," Herrera says. "The establishment of a Latin American common market would create the conditions and requests for such development. But at the same time, the region requires joint scientific and technical activities to share the inherently high cost which these types of processes imply."

He believes that although the lag is great in South America, where the nine Latin American Free Trade Association countries have set 1973 as the date for a free trade zone, the time has come for the formation of multination mechanisms to speed the process. It is taking place to some degree in parts of the economy with the Latin American Iron and Steel Institute founded in 1959 having a significant effect in the steel-producing countries. A study looking to a coordinated effort to produce urgently needed fertilizers is being made with the clear indication that this can be done far more efficiently and economically on a regional rather than a separate national basis.

As Herrera notes, there are signs of progress. But unfortunately, they are few and far between when measured against the growing need of the great region that is on the doorstep of the United States. It could, as the Alliance for Progress intended, become the star example of development of a backward area. The pattern seems, however, to be the same as in Africa and Asia—as North America grows richer Latin America grows poorer.

[From the American Banker, May 13, 1965]

Aim of Soft Loans Is Solid Growth

(By Felipe Herrera, president, Inter-American Development Bank, Washington)

For the past several years I have had the privilege of contributing an article to this special Latin American edition. On each of these occasions I have sought to point out the outstanding highlights of the Bank's activities.

Five years in the life of the Bank have just gone by, so in this article I shall point out the highlights of the Bank's activity in the first half of the 1960 decade, and outline tasks which I believe lie ahead for it in the next few years. I shall also comment briefly on some problems facing Latin America in obtaining the external financing required for its future development.

Among the highlights, which I was able to outline at the Bank's sixth annual meeting, held in Asuncion, Paraguay, late last month, are the following:

A lending volume which has risen to 277 loans totaling $1,252.1 million.

A triplefold increase in the Bank's original $1 billion financial structure as member countries sought to ensure its future lending rate. When payments on all the increases approved by the Bank's Board of Governors have been completed, the Bank's authorized ordinary capital resources will have risen to $2.15 billion, its Fund for Special Operations to slightly more than $1.1 billion. These figures added to the resources of the Social Progress Trust Fund—the $525 million fund which the Bank administers under agreement with the United States within the framework of the Alliance for Progress—bring the Bank's total resources to some $3.8 billion.

Disbursements which had gone up to more than $450 million.

Technical assistance authorizations of nearly $35 million, extended in both reimbursable and non-reimbursable form.

Bond sales in the capital markets of the United States and Europe of more than $272.6 million.

In connection with the Bank's lending, I should like to point out that Latin American borrowers put up nearly twice as much financing as that provided by the Bank. Thus the total cost of the projects which the Bank had authorized up to the time of the Asuncion Meeting was $3.640 million.

By fields of activity 23.2% of the Bank's lending has gone into manufacturing activities, 24.5% into agriculture. 17.6% into potable water and sanitation, 17.2% into housing, and 10.9% into power and transportation. The remaining 6.6% went for higher education, pre-investment activities and to finance exports among the Latin American countries.

IMPACT OF BANK-FINANCED BUILDING

A noteworthy feature of the recent past has been the rapidly growing rate of actual construction of projects being financed with the Bank's funds. A few statistics serve to illustrate this real impact of the Bank's activity on the Latin American scene.

By the end of the first quarter of 1965, some 15 new industrial plants had been completed. Four new ones were under construction and building was going forward on seven new plants and the expansion of 14 others. Also, 1,500 credits had been extended to small and medium enterprises from loans extended by the Bank to development institutions.

In the agricultural field, some 1.4 million hectares were being brought under cultivation with the help of Bank loans, and nearly 100,000 credits had been extended to farmers from loans to development agencies.

Some 306 water and 70 sewer systems had been completed, and 356 water and 37 sewer systems were under construction. These ranged from systems for villages of less than 1,000 inhabitants to such multimillion population cities as Rio de Janeiro, Buenos Aires and Santiago. When all these projects are completed they will have benefited some 24 million inhabitants.

A total of 64,000 housing units have already been built, a similar number are in various stages of construction and slightly more than 100,000 are in the planning stage.

In the electric power field, some 1,740,000 kilowatts of generating capacity and 8,300 kilometers of transmission lines are also under construction.

The Bank's activity has not been confined solely to financing economic and social development. During the past five years its counsels in regional and international forums have grown steadily more important, particularly in hastening integration in Latin America, in helping to bring about long-range planning of Latin America's individual and collective development, in promoting the essential social reforms provided for in the Alliance for Progress and in seeking to link the more advanced nations of the world more closely to the financing of Latin America's development.

In connection with the Bank's increasing role in the field of integration, the sixth annual meeting of the Board of Governors of the Inter-American Bank formally expressed its "broadest possible support" for the Bank's efforts to expedite and promote the process.

It also backed the Bank's efforts "in its capacity as the multilateral institution representing Latin America in the financial field" in seeking increased financial and technical resources from non-member countries for Latin America's development.

In addition to its bond sales, the Bank has vigorously sought to mobilize resources, particularly from Western Europe, through the sale of participations in its loans (as it does in the United States also) through the administration of funds under trust arrangements and through parallel financing operations. Through this means the Bank expects to have mobilized within a short while, in one form or another, funds from non-member countries estimated at more than $120 million.

FUTURE TASKS OUTLINED

While these accomplishments are remarkable, much still remains to be done. For the future I should like to outline some of the tasks that still lie ahead for the Inter-American Bank, if it is to strengthen its effectiveness in contributing to a solution of Latin America's economic problems.

First, the Bank must redouble its efforts to help Latin American countries to achieve higher rates of economic growth at both the national and regional levels. The Bank's activities must be governed by the principle that national and regional development go hand-in-hand and provide the dynamic impetus needed to benefit all our peoples.

Second, the Bank must strengthen its multilateral character, striving always to bring the more advanced members of the system into closer association with the less advanced ones in order to help them overcome their backwardness. This aspiration of the Bank reflects the true spirit of the Alliance for Progress.

Third, the Bank must continue to expand its lending capacity progressively and wisely, always seeking to bring about balance, in its lending activities, between economic and social investments, between infrastructure and processing activities and between agriculture and industry. The Bank must also strive for harmony between sound balance-of-payments positions and more intensive and effective internal growth and between an efficient, well-managed public sector and a dynamic and productive private enterprise sector.

Fourth, as disbursements have mounted and construction projects has gone forward apace, the Bank has had to devote an increasing amount of its attention to safeguarding the proper execution and administration of its investments. In the future it will have to devote even more effort to this aspect of its activities.

Fifth, the Bank must step up its activity in helping member countries to improve their financial mechanisms, to evaluate their financing needs and to train their management personnel.

SPECIAL LATIN AMERICAN PROBLEMS

Having said this about the Bank's activities and its future role, I would now like to turn briefly to problems connected with financing Latin America's development.

Development financing projects are closely identified with prevailing trends in foreign trade and it is becoming increasingly apparent that, until Latin American exports are able to generate sufficient foreign currency earnings to cover import requirements—particularly for capital goods—the region will have to supplement its own savings with public and private funds obtained abroad.

It is no coincidence that during periods of weakness in its foreign income sector, Latin America has had to resort to borrowing funds on the international markets, often under unfavorable terms and conditions. Many of the problems besetting certain Latin American countries stem from this situation.

During the past year, the Inter-American Committee on the Alliance for Progress, after a thorough country-by-country review, concluded that regional balance-of-payments deficits on current account would amount to $1.1 billion in 1965, and $1.4 billion in 1966.

If the cost of service on the foreign public debt and compulsory minor increases in international monetary reserves is added to this figure, Latin America's gross foreign financial requirements would be $3.2 billion in 1965 and $2.9 billion in 1966.

These requirements have to be met by additional public investment, direct private investment and suppliers' credits. However, at present this is not happening. Although disbursements on loans already authorized are estimated this year at $1.3 billion and private investments at $200 million, and refinancing of short-term indebtedness in various countries is expected to be substantial, the gap remaining in Latin America's foreign financing points up the need for a further broad expansion of public and private financing from abroad.

An argument can be made, and justifiably, that the mere injection of new funds, particularly in the form of credits, may bring about a short-term solution. However, it also tends to extend imbalances into the future, with the same disadvantages now being experienced by some Latin American countries.

NEED FOR "SOFT" LOANS

All of these factors confirm the wisdom of the criteria maintained by the Bank's Board of Governors and by its Board of Directors during the past few years that Latin America not only needs foreign credit, but that such credit must be provided on conditions that will not excessively burden the balance-of-payments position over reasonable periods of time. This is why the Bank must be able to count on funds that can be loaned on soft or flexible conditions.

In the decade between 1956 and 1966, for example, Latin America's foreign public debt, payable in hard currencies at terms of more than one year, will have increased 147%, from $4.3 billion to $10.6 billion. During the same period of time, payments of principal and interest will have virtually tripled, from $455 million to $1.36 billion a year.

Thus, while the foreign debt service burden, in relation to balance-of-payments receipts on current account, was 5.5% in 1956, it reached 15.4% in 1964. The rates in 1964 in four Latin American countries exceeded 20%, with amortization accounting for 75% of the service.

More than 50% of pending foreign indebtedness must be paid within the next five years. Only 28% has a term of more than 10 years.

Latin America is in a position to deal with this problem, but it needs cooperation on the international level to prevent a deterioration in its terms of trade which have been firmer in the last two years than in previous ones, registering a gain of 8% in the index level between 1961 and mid-1964.

Latin America still needs understanding from the capital-exporting countries of the problem of servicing its past debts, and it needs a greater flow of financial resources from other regions.

It is imperative also that the Latin American nations work out sound domestic financial policies in order to prevent the inflationary pressures that conspire to unbalance its foreign sector.

In addition, Latin American nations must strengthen the process of regional economic integration as an essential tool in achieving adequate industrial and agricultural development growth levels.

CLEAR THINKING

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PICKLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PICKLE. Mr. Speaker, Interstate Commerce Commissioner Willard Deason delivered an outstanding and dynamic address before the Association of ICC Practitioners last month in San Francisco, Calif.

He presented such a fine, commonsense approach to our national problems that I want to call it to the attention of our colleagues.

Against a background of dissidence and criticism, he reminded us of our great national accomplishments, and he emphasized the great need and hope for the future, and the vital role that we, as individuals, and we, as a Nation, must play.

I have long known Commissioner Deason and long admired and respected his wisdom and counsel, and I believe your reflection on his message can go a long way in helping promote a better general understanding of the challenges which we face.

There being no objections, I insert Commissioner Deason's remarks in the RECORD at this point:

LET'S CUSS THE GOVERNMENT, OR, WHAT'S RIGHT WITH AMERICA

(Remarks by Willard Deason, Commissioner, Interstate Commerce Commission, before the Association of I.C.C. Practitioners, San Francisco, Calif., June 22, 1967)

As a schoolboy in south Texas, I was taught to love and honor our country, to respect its flag, to believe in its greatness. I imagine you were too.

Today, it seems that some people have lost sight of that greatness. They have embarked on a path of negative thinking; of downgrading or berating their own government. For them, every day in every way, things are getting worse and worse.

The "hawks" tell us that we should escalate our foreign involvements.

The "doves" cry that we should deescalate.

Some critics decry big government and cuss the government's welfare programs.

Others believe the programs should be enlarged.

Labor wants higher salaries.

Business grouses about too much regulation.

Some critics believe that our high schools are inadequate.

Others believe our colleges are teaching the wrong things.

Teachers claim they are underpaid.

And college professors want more academic freedom.

Housewives complain that food prices are too high.

The farmer complains that farm prices are too low.

To many journalists would have us believe America is on her last social, economic, and moral legs.

And *everyone* cusses taxes.

With all these tales of doom and gloom, I was mildly surprised to learn of the thousands of scientists, doctors, and engineers from other countries who are pouring into the United States each year. This so-called "brain drain" annually involves as many foreign doctors as 30 medical schools can graduate. Five thousand foreign engineers and scientists come to America annually. And nearly 40% of the physicists who received their Ph. Ds abroad end up in the U.S.A.

What lures these people to American shores? Higher incomes? Better living standards? Professional opportunities based on ability alone?—There *must* be something right with America.

In my own mind, I've attempted to reconcile the position of those who would cuss America with the position of the educated immigrant who would like to adopt this country as his home. Is it that people in foreign lands just haven't gotten the word on how bad things are here? Or is it that things are not so bad as some would have us imagine? I think the answer is obvious. Most of us are simply too busy complaining and cussing to sit down and count our blessings.

On the occasion of Herbert Hoover's 90th birthday, he said these things: "The critics say we seem to be in a very, very bad way, and engaged in our decline and fall. Criticism is no doubt good for the soul, but we must beware *that it does not upset our confidence in ourselves*. So perhaps the time has come for Americans to take stock and to *think something good* about themselves."

That's what my talk is about today.—What's *right* with America.

For the next few minutes let's count our blessings. Let's compare for the cussers some of our present day conditions with the "good old days," or in relation to conditions found in other countries. First, let's look at our educational system:

Fifty years ago, only 10% of our young people finished high school. Today, that figure is nearly 75%—more than double that of France, West Germany, Italy, or Great Britain.

Fifty years ago, about 4% of our young people went on to college. Today, that figure is nearly 40%.

Only 10% of the young people of Great Britain and France go on to institutions of higher learning.

Now let's look at the protesters and marchers.

During the second week of May, our daily newspapers and TV news programs gave us a full dose of the "peaceniks" who invaded the Pentagon, stomped on its tulips, and slept in its halls. The sleep-ins numbered 12. A bare dozen.

During the same week, over 10,000 young Americans walked into military enlistment centers and offered their services, and perhaps their lives, for our country. Let me repeat the figure—over 10,000 first term enlistments in one week. Unfortunately, one student carrying a sign—wearing a beard and protesting about something, or burning a draft card gets the front page billing. Yet, how much have you read or seen on TV about these 10,000 youngsters who volunteer each week?

In the past year or so the State of California and the City of San Francisco have been over-exposed to hippies, teeny-boppers, and dissident college students. They take turns at cussing their university, cussing their state, or cussing their National Government. In the meantime, not enough has been said about California's institutions of higher learning where 60,000 serious-minded young men and women will graduate this year.

Now a word about the economy:

Inflation and the proverbial shrinking dollar are favorite targets for the cussers. But let's translate these criticisms into comparisons in buying power.

The International Labor Office of the United Nations reports that the average Russian labors *four times* as long as the average American to buy a pound of beef. *Six times* as long for a pound of butter. And *eleven times* as long for a dozen of eggs. In China, these items are not available to the average worker at any price, no matter how long he labors. And how about the farmer? The value of farm property has increased 3 fold in the last 50 years—and total farm income has increased every year since 1931.

Americans are the *best fed, best paid,* and *best educated* people in the world.—That's what's right with America.

How about our health conditions?

Deaths from once dread causes have been cut in half in the last 50 years. Life expectancy has nearly doubled in the last 100 years. Infant mortality rates have been cut in half in just the last 30 years. Artificial kidneys now in use soon will be joined by the artificial heart. Measles are being retired to the pages of history.

Medicare has recently forged an extraordinary partnership involving 19 million elderly persons and a quarter of a million doctors.

Under the medicare program, 5.5 million Americans already have received physicians' services and 3 million have received hospital care.

I do not suggest to you, however, that all is perfect. We still have many problems including unemployment and poverty. And even though America's poorest housing is in a luxury class for the masses of other nations, by our standard, we still have slums. In 1960, however, the Federal Government declared war on these problems.

Today, there are 7 million fewer people living in poverty than there were seven years ago.

The unemployment rate has dropped from 5.7% to less than 4%.

The actual number out of work has been cut by 1½ million.

Operation head start has given three quarters of a million children from poor families a leg up on education.

More than one million persons are receiving job training under Federal programs, compared to *none* seven years ago.

Of this progress, President Johnson has said: "We may never live to see an America without poverty, but we may see an America where a lifetime of poverty is not the inevitable fate of a child born into it." Those of us here today are immediately interested in transportation—let's examine it.

The transportation industry is far from immune from criticism. But I find it difficult to determine exactly what position the cussers occupy. On the one hand, we read and hear that there is too much regulation, that public policies and regulation are outmoded, or that the Federal Government has its fingers in too many pies. Many of these same cussers seem to be the first to cry foul when the word "deregulation" is mentioned or when a change of policy is hinted. Some of the most vocal would be left holding the bag if the government were to withdraw its interest in transportation.

Let's just see how the transportation industry, in partnership with the Federal Govenment, has progressed under regulation—or as some cussers would say—in spite of it.

Today, 15 million trucks serve the American public.

In both quality and quantity, America's interstate highways and secondary roads exceed those of any other nation in the world.

The rate of revenue growth for motor carriers in 1966 approached 10%. This exceeds the gross national product growth rate.

The number of passengers carried by the bus industry has increased steadily since 1960.

By standards of the dismal past, railroads appear to be well on the way to recovery.

For the fifth consecutive year, railroad freight volume has grown by better than 5%.

The rate of return on investment for railroads reached a 10-year high last year.

Rail mileage in the United States exceeds that of any other nation in the world.

With assistance from the Federal Government, highspeed rail transportation will become a reality this fall.

Airline passenger miles have more than doubled in the last 10 years.

United States scheduled airline industry has recorded an annual growth rate of 13.5% over the last 15 years.

America exceeds all nations of the world in passenger miles flown.

With the aid of the Federal Government, the supersonic transport soon will be a reality.

What do all these figures mean? Simply that while America's population has grown by less than 50% since 1939, the volume of passenger travel and freight traffic has tripled.

Looking around me today, I feel safe in saying that the Practitioners' Association does not look as though it has suffered as a result of regulation by the Federal Government.

Now let's summarize:

What's right with America?

Our educational system is second to none.

We are the most prosperous nation in the world.

Our standard of living is the highest in the world.

We produce more goods—consume more goods—transport more goods than any nation in the world.

We own 29% of the world's railroad mileage.

We own 60% of its automobiles (and there's no 3-year waiting period to buy one).

We own 47% of its trucks.

We own 43% of its radios.

We own 35% of its electric power output.

We own 25% of its steel.

Our health conditions rank favorably with those of all other countries.

Although we account for *only 6%* of the world's population, we own *almost 50%* of its wealth.

What's right with America?

Last, and perhaps most important—America is a nation whose citizens are *free* to cuss the government—without fear and without recrimination.

If I could wave a magic wand and stop the cussing, I would not do so. But in closing, I would like to paraphrase President Hoover with this thought, *"Let's not cuss so loud and long that we upset our confidence in ourselves."*

ANTIPOVERTY PROGRAM

Mr. **CHARLES H. WILSON.** Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. St Germain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the very essence of the antipoverty program is to make productive members of society out of those citizens who cannot help themselves due to the agonizing chains of poverty.

It attempts to transform recipients and potential recipients of public assistance into self-sustaining contributors of society. Because of this admirable objective, the antipoverty program is worthy of our continued support and attention, for it has cast new light on many areas of our society where once only darkness prevailed.

One of the many programs initiated by the Office of Economic Opportunity that has generated light where poverty once cast its ugly shadow is the Upward Bound program.

I was particularly delighted to receive a very admirable report from the Office of Economic Opportunity concerning an Upward Bound project undertaken at Washington State College involving a group of high school students from poverty families.

The success story that it tells is worthy of much note. Therefore, I would at this time like to insert this letter into the Record:

OFFICE OF ECONOMIC OPPORTUNITY,
Washington, D.C., July 7, 1967.

Hon. FERNAND J. ST GERMAIN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ST GERMAIN: I thought you would be interested in the details of the Western Washington State College Upward Bound program which was described in part in the *Time* magazine issue of May 26. The background of that story, we feel, is most impressive and represents the kind of effect Upward Bound, a Community Action Program, is having on the way higher education responds to the poverty high school graduate.

Incidentally, the former director of Upward Bound at Western Washington State, Dr. Thomas A. Billings, is now here in the agency as Deputy Director of the national Upward Bound program. It was he who was most responsible for the accomplishments there.

Western's program began in the summer of 1965 as one of 18 OEO pilot projects designed to test the effectiveness of pre-college programs for poverty high school youngsters. Fifty 11th grade high school students were recruited from Seattle and Tacoma ghettos and Washington Indian reservations in May of 1965 and brought to the campus in June, 27 girls and 23 boys. Eighteen of the youngsters were Negro, 17 were white, 12 were American Indian and 3 were oriental. All were from poverty families and the average high school grades among the group was a C–, clearly not the "college-going" American student.

The campus program consisted of two parts: (1) An intensive academic program developed around subjects which are historically stumbling-blocks for college freshmen—science, mathematics, composition, history, and literature. (2) An equally intensive program of cultural enrichment consisting primarily of film festivals, dramatics, athletics and excursions.

At the end of the summer the 50 youngsters returned to their homes to complete their senior year. To assist them in their high school programs, the college Upward Bound staff organized tutorial centers in the high school districts, staffed by volnuteers from vitally interested Community Action Agencies, school district teachers, graduate students, and, in the case of Indian youngsters, by employees of the Bureau of Indian Affairs and by VISTA personnel.

All fifty youngsters successfully completed their senior year and 49 of them returned to the Western campus for the second eight weeks residential summer. The second summer, while much like the first, differed in that each student was enrolled in *one regular college class.* If the youngsters successfully completed the class, college credit was given; if the youngster failed the class, no record was made of the failure.

In September of 1966, forty-four of the original 50 youngsters enrolled at the college for their first full academic year as regular freshmen. Western's Trustees pledged admission to all Upward Bound students who successfully completed the Upward Bound program. (Only six of the youngsters would have been eligible for admission under Western's regular entrance requirements.) Of the six who did not enroll, four married, one enlisted in the Navy and one transferred to nurse training in her community. After considerable difficulty, adequate financial support for the youngsters was obtained. It consisted of a combination of:

Grants under the Higher Education Act of 1965, National Defense Education Act Loans, Bureau of Indian Affairs Scholarships, Indian Tribal Scholarships, and College scholarships obtained from the private sector.

Beyond admitting the youngsters to the college and working out financial packages for them:

1. The "Associated Student Body" at the college organized an extensive tutoring society which was available to the Upward Bound students whenever necessary. It was much used.
2. The College administration made the youngest and most enthusiastic faculty members available to these particular students as counselors.
3. The College reduced the minimum course load for Upward Bound youngsters who were in academic difficulty.
4. The College brought UB parents to campus as guests of the college for visitations and conferences.
5. The College aggressively sought sources of financial support for the youngsters from service clubs, lodges, private industry.

Perhaps the key to the success of Western's program is in the support it received from the college trustees who announced, when the project began: "This may well be the most significant program this college will sponsor in the second half of this century."

We hope and expect that Upward Bound will ultimately be successful in generating the same sort of significant and remarkable change throughout American higher education. As a crucial part of the Community Action Program, Upward Bound will continue to reach young people who have consistently been overlooked, and to draw upon all available community resources to propel these youngsters out of poverty for good.

With every best wish.

Sincerely,

GEORGE D. MCCARTHY,
Assistant Director for Congressional Relations.

THE AMERICAN GI FORUM OF TEXAS SUPPORTS WAR ON POVERTY

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the American GI Forum of Texas, at its convention in San Antonio, passed by unanimous vote on July 1, a resolution strongly supporting the Office of Economic Opportunity and commending it for its efforts in behalf of migrants and farmworkers. The forum went "on record as vigorously and strongly opposing any move which would abolish, diminish, or dismember the OEO, and urging the Congress of the United States to strengthen and appropriate additional funds to the OEO." Mr. Speaker, I echo these sentiments. Many of these migrants and farmworkers are Mexican Americans and I believe that OEO has been one of the most effective agencies in helping these people to help themselves. I, too, would like to go on record as strongly opposing any partisan political maneuver which would decrease the opportunity of the poor to better themselves as would the "opportunity crusade."

At this point in the RECORD I insert the text of this excellent resolution:

THE AMERICAN GI FORUM OF TEXAS SUPPORTS WAR ON POVERTY

The American GI Forum of Texas issued a resolution supporting the efforts of the Office of Economic Opportunity, especially in regard to its work on behalf of Mexican-Americans.

The resolution was passed by unanimous vote on July 1 at the Forum's convention in San Antonio. It states:

"Whereas, among Federal agencies the Office of Economic Opportunity has been one of the most concerned, sensitive and responsive to the plight and needs of the Mexican-American people, and

"Whereas, the Office of Economic Opportunity recognizes that to bring people out of poverty they must be helped to help themselves, has provided for democratic involvement of the people in solving their own problems and has maintained the flexibility to respond positively with a minimum of red tape to the specific needs of impoverished Americans, including Mexican-Americans, and

"Whereas, there are those who, oblivious to many of the problems of the people, would seek to abolish the OEO and place programs in the older, less responsive, more bureaucratic agencies, and

"Whereas, in the State of Texas the Forum is cognizant of and concerned with the slow pace in which community action is being implemented among the Mexican-American population:

"Be it resolved therefore, that the Director of the Office of Economic Opportunity, both in his capacity as Director and as a member of the Interagency Committee on Mexican-American Affairs, be urged to issue directives which would promote more involvement of the poor through employment of Mexican-Americans in policy-making positions in the Regional Office and the implementation of programs which would result in the needed involvement of the poor, and in meaningful community action.

"Be it further resolved, that the American GI Forum of Texas in State Convention 1967, go on record as vigorously and strongly opposing any move which would abolish, diminish or dismember the OEO, and urging the Congress of the United States to strengthen and appropriate additional funds to the OEO.

"Be it further resolved, that the GI Forum of Texas go on record commending the OEO migrant program and its successes in meeting the needs of the American Farm workers, many of whom are Mexican-Americans.

"Finally, be it resolved, that the American GI Forum of Texas be directed to send copies of this resolution to each Congressman and Senator in Texas, and that each individual member of this organization be urged to contact his or her congressman to express the support for OEO reflected in this resolution."

SUPPORT PRICE FOR PEANUTS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. ABBITT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ABBITT. Mr. Speaker, the peanut producers of the Virginia-Carolina area, to my knowledge, are having real financial difficulty so far as their farming operations are concerned due in a large measure to the action taken by the administration as to the support price of peanuts and the increased cost of production.

The Secretary of Agriculture has been adamant in his determination not to increase the support price for peanuts. The peanut producers, through their proper representatives, the Members of Congress from peanut-producing areas and other interested people, have pointed out personally, by letter and otherwise, to the Secretary of Agriculture why it is necessary to have a proper increase in price supports. In a meeting with the Secretary of Agriculture, in which Mr. William V. Rawlings, executive secretary of the Peanut & Hog Growers Association of Virginia; Mr. Robert B. Delano, president of the Virginia Farm Bureau Federation; many other representatives of the peanut producers; many of the Congressmen and Senators from peanut-producing areas, and myself pointed out to the Secretary personally why not only there was a need for an increase in the support price but that such an increase was fully justified, factually and statistically. Unfortunately no increase was forthcoming. Rumor has it that certain officials in the Department of Agriculture have stated over the telephone and perhaps otherwise that Members of Congress representing peanut-producing areas agreed with the Secretary of Agriculture that no real price support increase was justified.

I cannot speak for any other Member of the Congress, but for myself I want to make it crystal clear that I have never agreed to any such statement, nor did I know that no increase was being given until I was informed by the Secretary's Office of his decision on the price-support program after the meeting to which I referred heretofore. I have spoken to other Congressmen from peanut-producing areas and those with whom I have talked assured me that they made no such statement or agreement.

Mr. Speaker, on June 9, 1967, Mr. Robert B. Delano, president of the Virginia Farm Bureau Federation, wrote a letter to the Secretary of Agriculture in which he pointed out the situation confronting our peanut producers. The Virginia Farm Bureau Federation is an outstanding farm organization. It has worked with and hard for our farmers throughout Virginia. I commend them for their achievements and for the splendid work they have done and are doing. The president, Robert Delano, is a close personal friend of mine. He is dedicated to the best interest of the farmers and Virginians as a whole and, under leave to extend my remarks, I include herewith his letter to the Secretary of Agriculture, which is as follows:

VIRGINIA FARM BUREAU FEDERATION,
Richmond, Va., June 9, 1967.

The SECRETARY OF AGRICULTURE,
Washington, D.C.

DEAR MR. SECRETARY: The Virginia Farm Bureau Federation is seriously concerned about the economic plight of our Virginia peanut producers.

I appeared before a hearing held by your Department on March 20 of this year along with other farm leaders and peanut producers urging that you increase the support level for peanuts.

We believe that the pricing situation and quality increase of peanuts produced is so well documented by information previously presented to you that an increase in support price of $36.00 per ton should be granted for this market season.

The peanut industry is faced, as is every other phase of our agriculture, with the continuing rise in cost of operation. It costs our peanut producers money to improve the quality standards of their product. The support price on peanuts today is considerably less for a higher average grade than it was earlier for a lesser average grade. In addition to the reduced support price, we find also that the national allotment is a million acres less than the wartime peak of 2.6 million. These factors, combined with the greatly increasing production costs, place peanut producers in a dire financial bind.

Recently an article appeared in many of our Virginia papers stating that peanut producer income had been increased and his general financial situation was quite satisfactory. Virginia peanut producers were quite surprised to see such a statement inasmuch as it was not consistent with present economic conditions at least as far as peanut income is concerned.

This news item was released by your Department. We respectfully request that this item be looked into and that the public record be corrected. We further request that you reconsider your earlier decision not to grant an increase in peanut support price and proceed to grant, for the market season, the $36.00 per ton increase for peanuts as recommended by the peanut industry.

Yours truly,

Robert B. Delano, *President.*

THE PUERTO RICAN FAMILY AND THE ANTHROPOLOGIST

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Daniels] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DANIELS. Mr. Speaker, a very able and distinguished constituent of mine, Dr. Frank Cordasco, of Montclair State College, has written a very outstanding criticism of Oscar Lewis' "La Vida: A Puerto Rican Family and the Culture of Poverty, San Juan and New York."

Mr. Speaker, as one who is vitally interested in improving the lot of our Spanish-speaking fellow Americans and integrating this group into the mainstream of American life without sacrificing their ancient Hispanic culture, I think it is imperative that all Members of this House are given the opportunity of reading the "other side." Thus, it is a great honor for me to insert at this point in the Record this outstanding critique by a very distinguished American scholar.

Dr. Cordasco's article follows:

The Puerto Rican Family and the Anthropologist: Oscar Lewis, "La Vida, and the Culture of Poverty"

(By Frank M. Cordasco, professor of education, Montclair State College, educational consultant, Migration Division, Commonwealth of Puerto Rico)

Few European scholars (and fewer American savants) have managed to scale the ramparts of academe and carry their intellectual wares into the lay market place: those who have, almost inevitably, have earned the envy and suspicion of their professional confrères, and the countless dollars of dilettantish lay readers who have acquired fashion and prized erudition in frenzied pursuit of the erstwhile academicians. Most often, historians and sociologists (Cesare Lombroso, Guglielmo Ferrero, Oswald Spengler, H. G. Wells, and W. G. Sumner come easily to mind) have made the trek from Parnassus into the valley of discord. Successively, they have titillated, infuriated, amused and mesmerized their lay audiences: they have cast dazzling pearls before raucous crowds, and they have counted ducats; and few have remembered to return home to their Olympian lairs. The latest of the academic itinerants is the anthropologist Oscar Lewis who has studied Blackfeet Indians in Canada, farmers in Texas, and the culture of the Indian sub-continent. And all of this he has done well; but with the publication of *La Vida*,[1] Professor Lewis has disappeared into the lay *gethsemane* to which, with some timorous flirtation, his *Five Families* (1959), *The Children of Sanchez* (1961) and *Pedro Martinez* (1964) had earlier brought him.

La Vida (an enormously thick, *nondescripto* Teutonic volume) is the first of a series on Puerto Rican slum families in San Juan and New York which Professor Lewis plans. It is part of the burgeoning literature on the Puerto Rican community, and beyond the accolades it has received from book distribution clubs, (which have been ecstatic in their praises) *La Vida* has been hailed as " . . . one of the most important books published in the United States this year;" cautioned against, in that (its) insights . . . will depend upon the compassion and perception of the reader;" and energetically questioned: "Is he (Professor Lewis) describing Puerto Ricans, . . . or is he describing exceptional people, leading exceptional lives, who resemble their fellow Puerto Ricans only in limited ways?"[2]

THE PLAN OF "LA VIDA"

Basic to any of these considerations is Professor Lewis' plan for *La Vida*, and his theory of the "culture of poverty" out of which the plan evolves. If the plan of *La Vida* is deceptively simple, Professor Lewis' "culture of poverty" is not; yet one is meaningless without the other, and it is not the portraiture of *La Vida* (a vast pathological Eloge) which gives validity to the theory, but rather the theory which is the *deus ex machina* of Professor Lewis' vast social tableau.

The plan for *La Vida* takes on Zolaesque proportion: some three hundred individuals cross its pages. While preparing the volume Professor Lewis studied nineteen related households, eleven in San Juan and eight in New York; and data on twelve other households appear in the book. The Ríos family which is presented "consists of five households, a mother and two married daughters in Puerto Rico and a married son and daughter in New York. The mother, Fernanda Fuentes . . . is now living with her sixth husband in La Esmeralda, a San Juan slum. Her children—Soledad, twenty-five; Felicita, twenty-three; Simplicio, twenty-one; and Cruz, nineteen—were born to Fernanda while she was living in free union with her first husband, Christobal Ríos, a light-skinned Puerto Rican." Professor Lewis' family kaleidoscope revolves about Fernanda in San Juan; Soledad in New York; Felicita in San Juan; Simplicio in New York; and Cruz in San Juan. It is a harrowing tale of two cities of life-styles largely recorded on tape which Professor Lewis has edited to present the details of the way of life of the Ríos family with Karamazovian affectlessness. And there is no absence of detail. What emerges is a vast panorama of social and psycho-pathology; cruelty and violence; deceit; the subtleties of human degradation; endemic social deviance; the "game" of prostitution; consensual unions; and abandonment; and omnipresent sex never missing from the lives of the protagonists and recorded with such literalness of language and an unrestrained abundance of detail by Professor Lewis that it initially shocks and, then, revolts the reader.[3] The Ríos family are a dramatis personae in search of an author and in a curious Pirandellean twist, Professor Lewis not only furnishes a play, but a theory as well. It is this theory (the "Culture of Poverty") which translates *La Vida* into Balzacian reality or into grotesque illusion.

PROFESSOR LEWIS AND THE CULTURE OF POVERTY

Professor Lewis (by his own statement) originated the concept of the "Culture of Poverty"; as a conceptual model, he has attempted its precise definition. The trick lies in distinguishing between "poverty" and the "culture of poverty": for the Ríos family is not representative of the poor, but rather of the subculture of poverty (Professor Lewis uses the shorter form); and this subculture of poverty focuses upon the individual personality rather than upon the group (that is, upon the family and the slum community).[4] Lewis defines the "culture of poverty" as, " . . . both an adaptation and a reaction of the poor to their marginal position in a class-stratified, highly individuated, capitalistic society. It represents an effort to cope with feelings of hopelessness and despair which develop from the realization of the improbability of achieving success in terms of the values and goals of the larger society. Indeed, many of the traits of the culture of poverty can be viewed as attempts at local solutions for problems not met by existing institutions and agencies because the people are not eligible for them, cannot afford them or are ignorant or suspicious of them." (p. xliv). However, Professor Lewis is quick to add that the "culture of poverty" is . . . not only an adaptation to a set of objective conditions of the larger society. Once it comes into existence it tends to perpetuate itself from generation to generation because of its effects on the children. By the time slum children are age six or seven, they have usually absorbed the basic values and attitudes of their subculture and are not psychologically geared to take full advantage of changing conditions or increased opportunities which may occur in their lifetime." (p. xiv). Daniel Moynihan refines the theory and adds still other ingredients: " . . . these families and the communities they make up (in the culture of poverty) tend to transmit from one generation to the next, traits and circumstances which help perpetuate their condition. There is *nothing absolute about this*: as many individuals, no doubt, leave the culture as remain in it, and on one level the proposition amounts to little more than the assertion that the poor rarely inherit large estates." (*Commentary*, February 1967, p. 36. The italics have been added.)

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[1] *La Vida: A Puerto Rican Family in the Culture of Poverty—San Juan and New York.* By Oscar Lewis. Random House (1966). 669 pp. $10.00

[2] See the reviews, respectively, of Michael Harrington, *New York Times Book Review,* November 20, 1966, p. 1; Rev. Joseph P. Fitzpatrick, *America,* December 10, 1966, p. 778; and Nathan Glazer, *Commentary,* February, 1967, p. 83. See also the negative sentiments in the review by Joseph Monserrat, "A Puerto Rican Family," *Natural History* (April 1967).

[3] See the description of Soledad's relationship with Benedecto as an illustration of the pervasive luridity, pp. 217 ff.

[4] Cf. Michael Harrington's definition of the "culture of poverty" in his *The Other America* (1961). See also Elizabeth Herzog, "Some Assumptions About the Poor." *The Social Service Review,* December 1963, pp. 389–402; and Nathan Glazer, *loc. cit., supra.* Professor Lewis is not without historical predecessors who have attempted to fashion a viable theory out of the poignant evocations and delineations of human misery: Henry Hayhew's *London Labour and the London Poor* (1861–62) is an analagous tableau; and so is the literary and sociological canon of Mid-Victorian England.

This adaptive ambience, Professor Lewis finds both creative and the source of great strengths (with its own structure and rationale, as a way of life), but with the key traits of fatalism and a low level of aspiration "(which) helps to reduce frustration, (and with) the legitimization of short-range hedonism (which) makes possible spontaneity and enjoyment." Within these theoretic constructs, Professor Lewis analyzes the "culture of poverty" against four sets of characteristics: (1) the lack of effective participation and integration of the poor in the major institutions of the larger society; (2) poor housing, crowding, gregariousness, and a minimum of organization beyond the level of the nuclear and extended family; (3) the basence of childhood as a specially prolonged and protected stage in the life cycle; early initiation into sex, free unions or consensual marriages, high incidence of abandonment of wives and children, female-centered families, lack of family stability, authoritarianism; (4) marginality, helplessness, dependence and inferiority. In essence, if one is disposed to accept the thesis, Professor Lewis' discussion is a major contribution to the "culture of poverty."

Lewis develops the thesis and basic methodology in a lengthy introduction (pp. xi-iv) which must be read if the book is to be kept in its proper setting. The socio-economic correlates of the theory, *mutatis mutandis, vis a vis* the Negro community were developed by Daniel Moynihan in *The Case For National Action* (1965). Although Lewis, at no point in any substance, relates his "culture of poverty" to the schools and education, Moynihan does. In a review of the controversy spawned by *The Negro Family* (the *Moynihan Report*), he gives the theory a significant and new dimension: "At the moment, Negroes are placing enormous confidence in the idea that quality education can transform their situation. But it is not at all clear that education has this potential. Last summer, the U.S. Office of Education issued its report on "Equality of Educational Opportunity" based on the study . . . ordered by the Civil Rights Act of 1964 of the educational facilities available to Negroes and other minority groups as compared with the white majority. The report (The Coleman Report) . . . radically confounded expectation. Negroes, it turned out, tested badly at the outset of their schooling, and worse at the end of it. But the quality of the schools they attended—shockingly segregated schools—was not in fact significantly different from that of schools attended by whites and others. More important, the regression analysis carried out for the study produced the astounding proposition that the quality of the schools has only a trifling relation to achievement . . . the two great determinants of outcome turned out to be family background and social peer group." (*Commentary*, February 1967, p. 44.)

THE VAST SLOUGH OF "LA VIDA"

Caught in the vast slough of *La Vida*, the central question for the Rios family is their typicality: is Professor Lewis describing exceptional people, leading exceptional lives, who resemble their fellow Puerto Ricans in only limited ways? The very viability of Lewis' theory of "the culture of poverty" depends on the answer to this crucial question. Unfortunately, Professor Lewis is ambiguous in his answer. Although he disclaims the representativeness of the Rios family ("I should like to emphasize that this study deals with only one segment of the Puerto Rican population and that the data should not be generalized to Puerto Rican society as a whole."), he still claims a much larger significance and typicality: "The Rios family would probably be classified as a multi-problem family by most social workers, but it is by no means an extreme example nor is it the worst I have encountered in the Puerto Rican slums;" and he extends his observation by noting, "The history of the Rios family . . . suggests that the pattern of free unions and multiple spouses was not limited to the poor. It has been a widespread pattern among wealthy rural families" (pp. xxviii–xxix). In much of the data, the tendency is always the cultivation of a special perspective even if this leads Professor Lewis to distortion.

CONTINUING DOUBTS

Clearly, continuing doubts frame a crucial question: is *La Vida* a study of the culture of lower-class Puerto Rican life; or is it a study of the culture of radically disorganized forms of slum life? Does all poverty lead to Professor Lewis' culture of poverty? For the theory must, if it has any validity, be more than the *adaptation* to the urban ambience which is its nexus: is it (for Professor Lewis) *culture* itself? All of the indices of Professor Lewis' "culture of poverty" (its marginality, and its helplessness, its sex and its prostitution) are related to poverty, but is the microcosm which Professor Lewis sketches in the macabre vignettes of the Rios family the *very* substance of poverty itself?

The controversy which surrounds *La Vida* will obscure many of the important questions it raises. It will, unhappily, overshadow the tremendous struggle of the Puerto Rican community (both on the mainland and in the island) to confront the realities of the grim social and economic problems;[5] it will minimize the gains achieved in mainland schools;[6] it will register as crude parodies the poetic pathos of the Puerto Rican poor.[7] And it will be widely read, misinterpreted and misused.

VOTE ON NATIONAL RAILROAD LABOR DISPUTE AFFECTING THE NATIONAL INTEREST AND VIETNAM WAR

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOLAND. Mr. Speaker, on June 15 when the House was considering House Joint Resolution 559 to provide for the settlement of the railway labor dispute, I voted for the Pepper amendment to strike section 5 of the resolution providing for compulsory arbitration.

I did so because I am opposed to compulsory arbitration of labor disputes and it was my understanding on that date that there would be no railway strike if the Pepper amendment was adopted. I have always strongly supported free collective bargaining in labor-management negotiations of labor disputes, and my record in the Massachusetts Legislature and in the Congress of the United States over 32 years of public service bears this out.

Yesterday this Nation was caught in the grip of a national emergency because of the combined strike and lockout of the railroad craft unions. Secretary of Transportation Alan Boyd informed President Johnson that between 80 to 90 percent of the Nation's rail lines had closed down by noon, and predicted the rail paralysis would be complete by last midnight.

Secretary of Defense Robert S. McNamara told the President the railway strike was having "an immediate impact on the movement of ammunition and heavy equipment to ports of embarkation for Vietnam. Ammunition cars—a thousand each week—must move without interruption to support our fighting men in Vietnam."

President Johnson told the Congress hundreds of thousands of commuters found it difficult or impossible to get to their jobs yesterday; 400,000 carloads of freight had been stranded; shipments of fresh vegetables, meats, and other perishable foods had been halted; mail deliveries of packages and parcels, magazines, and newspapers had been embargoed by the Post Office.

The economic well-being of the United States and America's national security were in jeopardy. Our national interest was at stake.

Faced with this set of circumstances, I voted for Senate Joint Resolution 81, providing for settlement of the railroad labor dispute.

Mr. Speaker, I am still opposed to compulsory arbitration. I do not think that this is the way to settle labor disputes in a free and open society. But the transcendent issue before the House when the vote was taken last night was the national interest—the necessity of a free government, and its free people, to protect itself at home and overseas.

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[5] See particularly, Dorothy D. Bourne and James R. Bourne, *Thirty Years of Change in Puerto Rico* (New York: Frederick A. Praeger (1966)); and *The Puerto Rican Community Development Project: Un Proyecto Puertorriqueño De Ayuda Mutua Para El Desarrollo De La Comunidad* (New York: The Puerto Rican Forum (1964)).

[6] "Most of our children are brought up in homes where the language and culture is still mostly shaped along the way of life parents lived in Puerto Rico. This is good and positive and it has to be so because parents themselves cannot transmit what they do not know, but here is where the school enters as the institution that will help transmit the new culture into a child's life, and for that matter into the home as a whole. We pledge our support in all aspects where community support will be needed." Statement of Carmen Dinos (Supervisor of the Education Program of the Migration Division of the Commonwealth of Puerto Rico) before the Board of Education of New York City, March 11, 1966. See also, F. Cordasco, "Puerto Rican Pupils and American Education," *School and Society*, vol. 95 (February 18, 1967), pp. 116–119.

[7] "Ricardo Sanchez came from where the sugar cane is higher than a man to the plaza in old San Juan where the buses marked *Aeropuerto* stop. He came with his wife and two daughters and three suitcases and a paper bag and the promise from a brother in Harlem, New York, that there was work to be found in *fabrica*. The work in the sugar cane was over for the season and Ricardo had found nothing else. The government would pay him $7 every two weeks for thirteen weeks before the season began again, and then with the season he would get $3.60 a day for eight hours in the sun. He had done it before, as his fathers had done it but this time he told himself he wanted something more. 'It is,' he said, 'no good to be poor.'" Dan Wakefield, *Island in the City. The World of Spanish Harlem* (New York: Houghton Mifflin, 1959), p. 23.

I was not voting on a party issue nor a partisan political issue. I was not voting in the interest of labor nor of management. I was voting my conscience on an issue of paramount importance—the national interest and against delays in ammunition and supply shipments to our troops in Vietnam.

RIGHT OF CONGRESSIONAL INQUIRY

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Cohelan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, I wish to associate myself with the remarks of those who are disturbed by the recent action of the House Committee on Agriculture in "disassociating" itself from the remarks of the chairman of the Rural Development Subcommittee.

I have not personally investigated the financial operations of the American Farm Bureau Federation, and thus cannot and will not, make any accusation as to its misrepresenting itself to both the Internal Revenue Service and the Congress.

However, our colleague from New York has undertaken an investigation of this matter, and I am sure he had good reason to ask an official probe. This is his prerogative, and certainly his responsibility if the facts demand such action.

This prerogative, and this responsibility, fall to each of us in different circumstances. And it is disquieting to me to see a precedent established which may discourage and deter anyone in this body from accepting the duty of speaking out and investigating any pertinent facts relative to our legislative responsibilites.

A TRIBUTE AND A LESSON

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Thompson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, in addition to the terrible toll of life and personal injury, the damage to private property, and the aggravation of racial bitterness, the riots in Newark last week had a less apparent result. My close friend, the distinguished Governor of New Jersey, Richard J. Hughes, was forced by this tragic riot to divert his energies from his attempts to achieve peace and progress to the very basic task of restoring law and order to the streets of his State's cities. Governor Hughes turned to this job as he turns to all jobs—with great ability and energy. Order is now being restored and the attempts to repair the devastation are in progress.

It behooves us in the Congress to again ask, why was there a riot? Unfortunately, there is no easy answer. I diligently read all the reports of the riots in the New Jersey as well as the New York and Washington newspapers, and I talked with responsible persons on the scene in Newark. According to these news reports and my personal conversations, there was no evidence that the riots had been started or aided in any way by "outsiders." However, there was evidence that the all too familiar causes of riots as we have come to know them were present: inadequate housing, high unemployment, problems with the police, and a belief by the Negroes that the local government was unresponsive to their needs and aspirations.

These causes are by now well known. They are highlighted in a recent column by David S. Broder, which appeared in the Washington Post of July 18, and which I insert in this Record for the Members' attention. Mr. Broder's column is not only a tribute to Governor Hughes, but more importantly, contains a lesson for the Congress and the Nation. It follows:

The Lesson of Richard J. Hughes

(By David S. Broder)

For an object lesson in the ability of events in this tragic time to make a mockery of the aspirations of even the most decent men, consider the case of Gov. Richard J. Hughes of New Jersey.

Last month Gov. Hughes helped set the stage for the Kosygin-Johnson summit by providing an acceptable meeting place in the unlikely town of Glassboro, N.J.

Last Wednesday in Washington, he presided over the meeting that launched the Democratic Party toward its first fully desegregated national convention in 1968.

And then last weekend, decent, determinedly optimistic Dick Hughes found himself in the command post of a war against what he termed the "criminal insurrection" of the Negro inhabitants of Newark, his state's largest city.

What a measure of our times for a man like Hughes to be fighting, not for peace or for progress, not for integration or the Great Society, but for the rudimentary civil order that is the first condition of any society at all. When a Dick Hughes can be hauled back from the area of his real aspirations in order to do a police job, it says something about our country and our world.

Until last month, when millions of Americans became at least dimly aware of Hughes as the Kewpie doll-looking man who welcomed the President and the Soviet Premier to Glassboro, he was known outside his own state only to that small circle of men to whom government and politics are a full-time concern. But within that circle, Dick Hughes has a reputation that is ten feet tall.

Terry Sanford, the former Governor of North Carolina, who has just completed a massive two-year study of the states, remarked recently that "Dick Hughes is running the best state government in the country." That judgment is echoed by Johnson Administration officials.

What is particularly impressive about Hughes' record in New Jersey is his effort to focus state government concern on the two major domestic problems of our time, urban life and education. Last year he hired the brilliant Paul Ylvisaker from the Ford Foundation to head a new state department of urban affairs that has already become a model for the rest of the country.

Last month he persuaded Ralph Dungan, one of the ablest of John Kennedy's staff men, to return from his post as Ambassador to Chile to become New Jersey's Chancellor of Higher Education.

In Party affairs, too, Hughes has more than carried his weight. Under Kennedy and again under Lyndon Johnson, when the President has had a tough political problem he has turned it over to Hughes.

Last week, just two months after he took over as chairman of the Democratic National Committee's equal rights committee, Hughes won a signal victory; a unanimous agreement from Southerners and civil rights advocates on a formula that will, in his judgment, guarantee integrated delegations from all the Southern states for the first time since Reconstruction.

Typically, Hughes, a devout Catholic and devoted family man, declined to discuss the achievement simply in political terms. What the committee had done, he said, was to "redeem the moral pledge" of equal rights made at the 1964 convention and thus "saved the soul of the Democratic Party." Not even the cynics in the press found those sentiments inappropriate from that source.

And then Hughes, the host at Hollybush, the toast of Washington, went home to find in Newark the latest violent manifestation of the Civil War between the "two nations" that no longer peacefully co-exist in this country.

There, in a State which has done as much as any to deal with its urban problems, lay festering a slum that bred as much hatred as the compounds of South Africa. To add to the irony, one of the complaints of its inhabitants concerned the decision to raze 50 acres of their slum for a new State College of Medicine and Dentistry which would be part of Ralph Dungan's domain.

So Richard Hughes, having patiently negotiated the admission of Negro delegates to the Democratic Convention from the old slave-holding states, went home to supervise the militia's offensive against the Negro rioters. Dick Hughes, the model Governor, saw his dreams going up in flames and said, "the line might as well be drawn here as anywhere."

What does this tell us beyond the tragedy of the man himself? It tells us, I think, that time has run out on this country, that even its most far-sighted leaders must recognize now that they must shift their focus to the crisis at the heart of our own society. Before we can bring peace and security to Vietnam or the world, before we can provide the quality of education our children deserve, before we can achieve any of our major goals, we must stop penning Negroes in poverty into cages in the centers of our cities. No matter what it costs, the slums must go. This has to be one Nation, not two, and unless we face that fact now, all of us will be consumed by the tragedy that overwhelmed Richard Hughes last week.

CAPTIVE NATIONS WEEK, 1967

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from California?

There was no objection.

Mr. **FRIEDEL**. Mr. Speaker, the annals of American history clearly show that our Nation is firmly committed to the cause of freedom and justice everywhere. That is why we are now fighting in Vietnam. We founded our country on democratic principles and today our commitment to freedom is worldwide in full recognition that the cause of human rights and personal dignity remains a universal aspiration.

In 1959, the Congress showed historic initiative in passing the captive nations resolution—Public Law 86–90. This year Captive Nations Week will be marked during the week of July 16–22. It is, therefore, appropriate and proper to manifest to the more than 42 million people in some 27 different captive nations our most heartfelt sympathy and concern for their serious plight under the ruthless heel of their Red Communist overlords and taskmasters.

In the light of the recent Middle East war and in view of the fact that Russia is now rearming Egypt and other Arab countries in order that they may again commit aggression against our sister democracy in that important part of the world—the State of Israel—Captive Nations Week takes on added significance. Here can be seen further evidence of the Communist endeavor to extend their nefarious influence against the free world.

The nations under Communist domination look to the United States, as a citadel of human freedom, for leadership in bringing about their eventual liberation and independence and in restoring to them the enjoyment and benefits of their respective religious freedoms, and of their individual liberties.

I most strongly urge that everyone give their support to the National Captive Nations Committee and participate in the nationwide observance of this special week. By our doing so, we not only encourage the millions of people behind the Iron and Bamboo Curtains not to give up their hopes, but we also give notice to the entire world that we oppose aggression and communism wherever it appears. It is our fervent hope that in the not too distant future these captive nations will become free and independent and join the rest of the free world.

URBAN RENEWAL HOUSING UNDER SECTION 220 OF THE NATIONAL HOUSING ACT

Mr. **CHARLES H. WILSON**. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BARRETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **BARRETT**. Mr. Speaker, a recently issued report by a committee of the other body has made recommendations to amend the section 220 urban renewal housing program which, while well-intentioned, indicates a lack of understanding of the section 220 program and which, if adopted, would seriously cripple the urban renewal program. Our Subcommittee on Housing has, as you know, sponsored many different types of housing programs to provide housing for low-income groups, for the elderly and the handicapped, for cooperative housing—in other words, for many purposes. The main objective of the section 220 program is to provide for the rehabilitation of rundown housing in slum areas and to build new housing in slum cleared areas. Obviously, the provision of housing in areas of this kind requires differing appraisal techniques and differing incentives to get the housing built. It is for this reason that the law permits FHA insured loans on section 220 projects to be based on "replacement cost" rather than "value" which entails the usual "economic soundness" concept which governs FHA's regular insurance programs.

Mr. Speaker, at my request, Secretary Weaver of HUD has furnished the subcommittee with a report giving in detail the reasons why "replacement cost" is a necessary basis for establishing the maximum FHA insured 220 loan and I include Secretary Weaver's letter in the RECORD so that our colleagues will have a better understanding of the program's legislative history and why "replacement cost" instead of "value" is essential under the section 220 program:

THE SECRETARY OF HOUSING
AND URBAN DEVELOPMENT,
Washington, D.C., July 13, 1967.

HON. WILLIAM A. BARRETT,
Chairman, Subcommittee on Housing, Committee on Banking and Currency, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am responding to your request for comments on the recommendations made in the report of the Senate Committee on Government Operations made by the Permanent Subcommittee on Investigations (Senate Report No. 369) that "economic soundness" requirements be imposed in the administration of the FHA urban renewal program under section 220 of the National Housing Act.

We are deeply concerned with these recommendations. They are in striking contrast to the legislative history in the Banking and Currency Committees of both the Senate and the House.

The primary purpose of the section 220 program is to provide financing for the rehabilitation of substandard housing in slum areas and new housing projects in areas cleared of slums. These housing projects, located in areas with an uncertain future, entail substantially more risks than those constructed in neighborhoods of established and stable values. These risks are especially acute during the early stages of development, while the area is in a transition period and the stigmas resulting from former conditions are being overcome.

Some FHA programs are designed exclusively for the housing of low and moderate income families. This is not true of the section 220 program, where emphasis is placed upon assisting our cities in their efforts to establish a sound and viable tax base in redevelopment areas. While our efforts are increasingly directed to the housing of low and moderate income families in these areas, it has been recognized from the outset that some relocation of families is necessary and that some higher income housing in the urban renewal areas is desirable in the orderly improvement and redevelopment of the cities and in bringing about a desirable economic mix.

In certain other FHA programs, the law requires a finding of "economic soundness." Historically and traditionally, the use of this term has been considered by the FHA as a conservative mandate from the Congress. With such a mandate, insurance risks were undertaken solely on the basis of value concepts as distinguished from cost considerations. Furthermore, it was generally understood that particular care was to be exercised in the administration of these programs to avoid exposures which would result in expense to the government over and above receipts in the form of fees and mortgage insurance premiums paid by those receiving the benefits of the programs. It was believed that premium income and fees should be sufficient to pay costs of administration as well as insurance losses, thereby avoiding any expense to the taxpayers. To accomplish these aims, an analysis is made of each transaction for the purpose of determining that the risk is justified on the basis of the value of the mortgaged property. It is also necessary to establish that the projected income stream will be sufficient to meet debt service requirements plus a reasonable return on the equity investment.

Some of the major criticism directed at the FHA in the past has been on the basis of its conservatism. If it was to assume a position of leadership in the encouragement of loans for important social objectives, such as the rebuilding of the central cities, it required direction from the congressional policy makers. Such direction in the section 220 urban renewal program was clearly and unmistakably provided by the Congress. The statutory term "economic soundness" was not included as a requirement and "replacement cost" was substituted for "value," with the genuine expectation that the social values involved, especially financial assistance to beleaguered cities seeking a sound and viable tax base, would bring results justifying increased risks. Where there is no requirement for a finding of economic soundness, it is clear that substantial risks are to be assumed in order to attain the declared objectives of the particular housing program. Where the congressional directive is to utilize replacement cost estimates in lieu of value, an even greater emphasis is placed on assuming additional insurance risks.

Based upon the legislative history, we do not believe we properly could adopt a policy requiring "economic soundness" in these projects. This would require legislation and because of the social purposes outlined above we would not recommend that such legislation be adopted.

We do agree, of course, that care must be exercised in passing upon the feasibility of proposed projects and that no project should be approved unless there is a reasonable prospect for meeting mortgage obligations.

Numerous actions have been taken in recent years to strengthen our procedures and requirements along these lines, especially in the improvement of the market analyses upon which projections and judgments must be based. By substantially increasing our staff of market analysts and providing intensive training for the members of this staff, we have steadily improved the quality of our underwriting skills. This should improve our processing of future proposals, but programs which serve strong social needs do by their nature have inherent risks which must be recognized and losses must be expected. The needs being met must be measured against the losses in order to make a true evaluation of such programs.

I appreciate this opportunity to provide you with our comments, as I am aware of the keen interest that you and your committee have always evinced in the section 220 program and its impact upon both the rehabilitation of substandard housing in slum areas and the construction of new housing in areas cleared of slums.

Sincerely yours,

Robert C. Weaver.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Thompson of Georgia) to revise and extend their remarks and to include extraneous matter:)

Mr. McDonald of Michigan, for 60 minutes, on July 20.

Mr. Collier, for 60 minutes, on July 26.

Mr. Findley, for 60 minutes, on July 24.

(The following Members (at the request of Mr. Charles H. Wilson) to revise and extend their remarks and to include extraneous matter:)

Mr. Feighan, for 15 minutes, today.

Mr. Patman, for 15 minutes, on July 19, 1967.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Wydler to include extraneous matter under general leave on Senate Joint Resolution 81 granted yesterday.

Mr. Schadeberg.

Mr. Wiggins.

Mr. Widnall to include extraneous matter with remarks made in the Committee of the Whole today.

(The following Member (at the request of Mr. Thompson of Georgia), and to include extraneous matter:)

Mr. Gerald R. Ford.

(The following Members (at the request of Mr. Charles H. Wilson) and to include extraneous matter:)

Mr. Evins of Tennessee.

Mr. St. Onge.

Mr. Howard.

Mr. Montgomery.

Mr. Brasco.

Mr. Bennett.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1581. An act to amend the Federal Voting Assistance Act of 1955 (69 Stat. 584); to the Committee on House Administration.

S. 1956. An act to extend for 2 years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues; to the Committee on Banking and Currency.

ADJOURNMENT

Mr. CHARLES H. WILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 18 minutes p.m.) the House adjourned until tomorrow, Wednesday, July 19, 1967, at 12 o'clock, noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

932. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

933. A letter from the Assistant Secretary of the Interior, transmitting a proposed concession contract under which the Mt. McKinley National Park Co., Inc., will continue to provide accommodations, facilities, and services for the public in Mount McKinley National Park, Alaska, for a 21-year period from January 1, 1968, through December 31, 1987, pursuant to the provisions of Public Law 89–249; to the Committee on Interior and Insular Affairs.

934. A letter from the Comptroller General of the United States, transmitting a report of review of utilization of automatic data processing systems at Navy-supported operations control centers, Department of Defense; to the Committee on Government Operations.

935. A letter from the Secretary of the Army, transmitting the Annual Report of the U.S. Soldiers' Home for fiscal year 1966, and the report of annual general inspection of the home, 1966, by the Inspector General of the Army, pursuant to the provisions of 24 U.S.C. 59, 60; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. H.R. 845. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska midstate division, Missouri River Basin project, and for other purposes; with amendment (Rept. No. 489). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDREWS of Alabama: Committee of Conference. H.R. 10368. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 490). Ordered to be printed.

Mr. ROGERS of Colorado: Committee on the Judiciary. Senate Joint Resolution 10. Joint resolution to establish the Golden Spike Centennial Celebration Commission (Rept. No. 491). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 747. Resolution for consideration of H.R. 8630, a bill to extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States (Rept. No. 492). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 748. Resolution for consideration of H.R. 9547, a bill to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, and for other purposes (Rept. No. 493). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 749. Resolution for the consideration of H.R. 11000, a bill to provide Federal financial assistance to help cities and communities of the Nation develop and carry out intensive local programs of rat control and extermination (Rept. No. 494). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLLIER:

H.R. 11521. A bill to amend the joint resolution of October 23, 1965, relating to National Parkinson Week; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 11522. A bill to establish a United States Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DORN:

H.R. 11523. A bill to amend the Internal Revenue Code of 1954 with respect to returns and deposits of the excise taxes on gasoline and lubricating oil; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 11524. A bill to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations; to the Committee on Post Office and Civil Service.

H.R. 11525. A bill to amend title 5, United States Code, to improve the basic workweeks of firefighting personnel of executive agencies, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GURNEY:

H.R. 11526. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HATHAWAY:

H.R. 11527. A bill to direct the Secretary of Agriculture to release on behalf of the United States conditions in a deed conveying certain lands to the University of Maine and to provide for conveyance of certain interests in such lands so as to permit such university, subject to certain conditions, to sell, lease, or otherwise dispose of such lands; to the Committee on Agriculture.

H.R. 11528. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of poverty areas; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 11529. A bill to amend title 5, United States Code, to provide that a retiring employee or Member may elect to receive a full annuity without annuity for the surviving spouse only on submission to the Civil Service Commission of evidence of the knowledge of the spouse of such election; to the Committee on Post Office and Civil Service.

By Mr. SANDMAN:

H.R. 11530. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. SATTERFIELD:

H.R. 11531. A bill to amend the Communications Act of 1934 in order to provide that product advertising shall not be deemed to constitute the discussion of issues of public importance; to the Committee on Interstate and Foreign Commerce.

By Mr. TALCOTT:

H.R. 11532. A bill to amend the Interstate

Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property; to the Committee on Interstate and Foreign Commerce.

H.R. 11533. A bill to amend the Internal Revenue Code of 1954 to restore the provisions permitting the deduction, without regard to the 3-percent and 1-percent floors, of medical expenses incurred for the care of individuals 65 years of age and over; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 11534. A bill to impose quotas on the importation of certain textile articles; to the Committee on Ways and Means.

By Mr. ASHBROOK:

H.R. 11535. A bill to provide that American foreign aid shall be suspended with respect to any country which has severed diplomatic relations with the United States on or after January 1, 1967, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MONTGOMERY:

H.R. 11536. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. NEDZI:

H.R. 11537. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. NELSEN:

H.R. 11538. A bill to amend the tariff schedules of the United States with respect to the rate of duty on honey and honey products and to impose import limitations on honey and honey products; to the Committee on Ways and Means.

By Mr. WILLIS:

H.R. 11539. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. BATES:

H.R. 11540. A bill to amend chapter 141, section 2389, of title 10, United States Code, to provide for price adjustments in contracts for procurement of milk by the Department of Defense; to the Committee on Armed Services.

By Mr. BRADEMAS:

H.R. 11541. A bill to amend the Uniform Time Act in order to allow an option in the adoption of advanced time in certain cases; to the Committee on Interstate and Foreign Commerce.

H.R. 11542. A bill for the relief of the town of Bremen, Ind.; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 11543. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture; to the Committee on Education and Labor.

By Mr. MATHIAS of Maryland:

H.R. 11544. A bill to amend title 12, District of Columbia Code, to provide a limitation of actions for actions arising out of death or injury caused by a defective or unsafe improvement to real property; to the Committee on the District of Columbia.

By Mr. THOMSON of Wisconsin:

H.R. 11545. A bill to amend the tariff schedules of the United States with respect to the rate of duty on honey and honey products and to impose import limitations on honey and honey products; to the Committee on Ways and Means.

By Mr. GUDE:

H.J. Res. 724. Joint resolution to amend the Constitution to provide for representation of the District of Columbia in the Congress; to the Committee on the Judiciary.

By Mr. KEE:

H.J. Res. 725. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. BRADEMAS:

H.J. Res. 726. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. HALPERN:

H.J. Res. 727. Joint resolution proposing an amendment to the Constitution of the United States providing that the term of office of Members of the U.S. House of Representatives shall be 4 years; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.J. Res. 728. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. VIGORITO:

H.J. Res. 729. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. ASHBROOK:

H. Con. Res. 416. Concurrent resolution authorizing and requesting the President to take such steps as may be necessary to have placed on the agenda of the General Assembly of the United Nations at the next regular session, the issue of self-determination for all nations enslaved by Communist imperialism; to the Committee on Foreign Affairs.

By Mr. GUBSER:

H. Con. Res. 417. Concurrent resolution expressing the sense of the Congress with respect to the establishment of peace in the Middle East; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause I of the rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FASCELL:

H.R. 11546. A bill for the relief of Dr. Moises Chediak; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 11547. A bill for the relief of Santina Cortese; to the Committee on the Judiciary.

By Mr. LANDRUM:

H.R. 11548. A bill for the relief of Barney Elrod Construction Co., Inc.; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 11549. A bill for the relief of Ella Winnifred Rich; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 11550. A bill for the relief of Ruchama Lebel; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 11551. A bill for the relief of Juan deJ. Toledo; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.R. 11552. A bill for the relief of certain property owners in Tate County, Miss.; to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

The 55th Anniversary of Estonian Boy Scout Movement

EXTENSION OF REMARKS

OF

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 1967

Mr. HOWARD. Mr. Speaker, it would do us well at this time—Captive Nations Week—to call to public attention the fate of the peoples of several Eastern European countries. I refer specifically to the Estonians who, since their flight from Russian domination, have managed to maintain their ethnic identity and their ethnic pride through the extention of their national organizations.

This year marks the 55th anniversary of the Estonian Boy Scout movement, its 27th year in exile. The occasion is being noted by the opening of the Friendship Camp of World Estonian Scouting in New Jersey. Its name, Koguja, signifies "one who gathers"; and as a focal point of scouting, Estonian youths from all countries will meet there in a truly worldwide gathering for 10 days.

Mr. Speaker, the State of New Jersey is honored to be able to call this meeting to the attention of the Congress of the United States. For it is in this way that we are able to demonstrate our support and our sympathy for the peoples of this captive nation.

Rail Strike Legislation

EXTENSION OF REMARKS

OF

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 1967

Mr. SCHADEBERG. Mr. Speaker, because I was firmly convinced that the well-being of our Nation was truly at stake, I voted for compulsory arbitration to settle the rail strike. I am no happier today than I was yesterday with the lack of any constructive alternative to the precipitous action we were forced to take.

It was stated by spokesmen in the administration and in the Congress that the conduct of the Vietnam war would suffer if the strike were to continue. I agreed generally with such a premise but I did pose a question we should all ask. Are we in a war? We are actually in a conflict being managed by the White House alone. The President and his appointed advisers, like the ever optimistic Mr. McNamara, are calling the shots with little if any consultation with congressional leaders. Congress itself has been bypassed except to be called on to react to every Presidential action, yet Congress alone has the power to declare war.

In the rail strike as well as Vietnam the Congress finds itself in a position of doing exactly what the President wants or of letting the boys down in Vietnam. The same trap has already been laid for us with the upcoming request for a substantial tax raise. I for one wish to state that I will not vote for a tax increase which obviously has no real bearing on the conduct of the Vietnamese conflict. As I have said before, it is obvious that the administration only wants to insist that the taxpayer tighten his belt while the administration loosens its own belt.

Captive Nations Week

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 1967

Mr. ST. ONGE. Mr. Speaker, this week we observe the ninth annual Captive Nations Week. I wish to pay tribute to the memory of the many thousands of people of east and central Europe who died, struggling to escape from communism, during the Soviet takeover of their countries in World War II and after. Since the Communists crushed the independent nations of eastern and central Europe, the citizens of those nations have been waging a war, in their hearts, to regain the rights of free thought and free expression which they had held so dearly.

Today, more than 25 years after their enslavement, they continue their gallant struggle. As our silent allies behind the weatherbeaten Iron Curtain, they have maintained an ever-increasing determination to once again join the free world. History, I am sure, will vindicate their struggle.

We have seen in eastern and central Europe a slow, but persistent, process of evolution away from Communist domination. This process has eased the grasp of communism in some areas and will eventually also ease the grasp in the Baltic countries and elsewhere. Yet the fight must continue, and we in the free world must also continue to stand fast by our pledges to defend freedom and self-determination wherever it may be pursued.

President John F. Kennedy once said:

> This country must never recognize the situation behind the Iron Curtain as a permanent one, but by all peaceful means, keep alive the hopes of freedom for the peoples of the captive nations.

President Lyndon B. Johnson also realized the plight of the captive nations when, in a state of the Union address, he said that the principle of U.S. foreign policy is the "support of national independence, the right of each people to govern themselves and to shape their own institutions," because "the insistent urge toward national independence is the strongest force in today's world."

We must continue to support the oppressed nations, not only because of their struggle to be free, but because their Communist oppressors have repeatedly violated their promises of freedom and independence to the nations captured before and after World War II. Soviet Russia has deprived the nations within its own borders of the right of self-determination.

The U.S. Congress, by unanimous vote, has recognized the tragedy of the millions suffering in those oppressed states by adopting a resolution designating this week as Captive Nations Week.

Mr. Speaker, I am glad to participate in this observance because, in this way, I can demonstrate my support of these people in their struggle and efforts for survival.

The Agricultural Producers Marketing Act of 1967

EXTENSION OF REMARKS

OF

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 1967

Mr. MONTGOMERY. Mr. Speaker, I am today introducing for appropriate reference, legislation entitled "The Agricultural Producers Marketing Act of 1967," which is designed to protect further the right of farmers to join together in associations for the discussion of mutual economic problems in an effort to improve their lot. It seems to me that anyone engaged in any aspect of agriculture would sympathize with this broad objective.

I have accorded this matter very serious study in recent months. Other Members of the House have introduced similar legislation and a bill of this nature has been introduced in the Senate with a number of cosponsors. In my opinion, the bills which have been introduced thus far have certain shortcomings. As a consequence, my bill differs from them in certain respects. First, I believe that purchasers of agricultural products and other handlers should have the right to compete for the producers with whom they do business through offering monetary inducements and better services. Such competition based on merit can only be a benefit to agricultural producers. Accordingly, I have incorporated in my bill, a provision, not found in similar bills, which is designed to insure that the measure would not impede competition on this plane.

Second, in my opinion, criminal penalties and suits for treble damages constitute unduly harsh sanctions. This fact has been recognized publicly by several sponsors of the legislation and other Members of Congress who have expressed a sympathetic interest in the principal objectives of the legislation. Accordingly, my bill provides only for injunctive actions by private parties and by the Government and for suits for actual damages incurred by private parties as a result of violations of the act.

Finally, I am introducing this legislation because, as I interpret its provisions, all that it would prohibit is unfair treatment of producers solely because of their membership in an association. It also is my understanding that this legislation does not force purchasers of agricultural products to deal with a marketing association of producers, nor does it prevent purchasers from choosing the producers with whom he wants to deal. The bill only prohibits a purchaser from refusing to deal with a producer because of a producer's decision to join a marketing association.

It is on the basis of this understanding that I am introducing this bill. If in the future, it should appear desirable that these interpretations be specifically incorporated in the bill in order to avoid confusion and misinterpretation, I, for one, would recommend that Congress undertake to adopt appropriate amendments.

Department of Transportation Appropriation Bill, 1968

EXTENSION OF REMARKS

OF

HON. CHARLES E. WIGGINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 1967

Mr. WIGGINS. Mr. Chairman, I owe a word of explanation to my colleagues because of my vote against the motion of the gentleman from Wisconsin [Mr. LAIRD] to recommit H.R. 11456—the Department of Transportation appropriation bill of 1968—with instructions to reduce the sum appropriated by 5 percent.

On the surface, it would appear that my vote is inconsistent with prior votes before this House upon which I have uniformly supported Republican-sponsored "5 percent recommittal motions."

All of us, I am sure, are keenly aware of the necessity of a careful review of requests for appropriations during this period of spiraling government spending. This I have endeavored to do and when excessive sums appeared in requests made to this body, I have never failed to record my vote to reduce those sums to a proper level.

In the case of the Department of Transportation appropriation bill, however, I was impressed by the thorough and tightfisted manner in which the Subcommittee on Appropriations had approached its task. Appropriations were cut by the committee by $191 million, or approximately 11 percent, below the sums appropriated last year to operate the agencies covered by this bill. A careful review of the sums recommended by the committee indicated no discernible "fat" which economy-minded Members might have trimmed from the bill, beyond minor cuts of approximately $21 million.

These possible savings which I supported in the committee totaled approximately 1 percent of the aggregate amount requested in the bill. If economy-minded Members cannot pinpoint unnecessary spending in excess of 1 percent of the bill, I fail to see how we can logically vote for a 5-percent general reduction in the funds available.

The motion to recommit which I could not support was, I believe, primarily a gesture made for the purpose of maintaining a uniform Republican posture of economy. Normally, I will support these efforts, but first I must be shown that a 5-percent cut is possible and still preserve the integrity of programs which are necessary and in the public interests.

The Baltic Question

EXTENSION OF REMARKS
OF

HON. FRANK J. BRASCO

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 18, 1967

Mr. BRASCO. Mr. Speaker, the New York Times recently published an open letter to Soviet Premier Aleksei Kosygin from the Committee To Restore Lithuania's Independence. The letter cites Mr. Kosygin's address to the United Nations General Assembly on June 19, 1967, in which he accused Israel of continuing aggression. In this accusation, he misapplies his own definition.

The Soviet Premier defines continuing aggression as attempts "to interfere in the internal affairs of independent countries and peoples, to impose on them, from the outside, political concepts and views alien to them on the social order." In view of this definition, the Committee To Restore Lithuania's Independence believes that Mr. Kosygin would do well to consider his own Government's continuing aggression against Lithuania, Latvia, and Estonia.

The annexation of the Baltic States by the Soviet Union was pre-determined by the Ribbentrop-Molotov Pact of 1939. The agreement stated:

> In the event of territorial and political rearrangement in the areas belonging to the Baltic States, the northern boundary of Lithuania shall represent the boundary of the spheres of influence of Germany and the U.S.S.R.

While the attention of the world was focused on the Blitzkrieg in the West, the Soviet Union imposed its "sphere of influence." On June 15, 1940, troops and tanks of the Red Army poured into the Baltic States. Moscow hastily set up puppet governments. A single list of representatives, handpicked by Moscow, was proposed to the "liberated" countries. The decisions of the "elected representatives" to "request" incorporation of three Baltic States into the Union of Soviet Socialist Republics were prepared in Moscow and carried out by the occupying Red Army.

Yet, in his address to the General Assembly, Mr. Kosygin insisted that the Soviet Union has always followed a policy of respect for all peoples, and that among the fundamental principles of the policy of the Soviet Union is the belief that "every people enjoys the right to establish an independent national state of its own."

In view of such an unequivocal statement of policy, clarification of the following questions is in order:

Why has the Soviet Union continued to violate the sovereignty of Lithuania, Latvia and Estonia?

When will the Soviet Union apply the principles of the U.N. Charter to the Baltic States?

When will the Soviet military and administrative apparatus be withdrawn from the territory of the Baltics?

When will the Soviet Union desist from its policy of Russification and Sovietization of the Baltic peoples?

When will the Baltic victims of mass deportation be allowed to return to their homelands?

When will the Soviet Union cease interfering in the political, social and religious life of the Baltic States?

The Baltic Republics have a right to preserve their own languages, religious freedoms, traditions, and political aspirations. Will measures be enacted to correct the gross injustices imposed by Stalin on the Baltic Nations and restore their independence?

L. B. J. Puts Faith in LL.B.'s

EXTENSION OF REMARKS
OF

HON. JOE L. EVINS

OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 18, 1967

Mr. EVINS of Tennessee. Mr. Speaker, America's legal profession is playing an important and significant role in our Federal Government. As President Lyndon B. Johnson observed at a recent meeting of the Lawyers Conference on Crime Control, an LL.B. has almost become necessary to work for L. B. J.

In paying tribute to members of the profession for their public leadership in this and other fields, the President cited our country's lawyers for the degree in which they bring "cool heads and understanding hearts" to the consideration of public questions. His address on this occasion is of such broad general interest that I include it in the RECORD.

This Presidential address, which was given on May 13, and is published in the July issue of the American Bar Association Journal, follows:

LAWYERS AND THE PUBLIC

(By President Lyndon B. Johnson)

Eight members of my Cabinet were trained as lawyers. You notice I said trained. Two others, who are not lawyers themselves, have lawyers acting for them as undersecretaries. So you have just about succeeded already in making an LL.B. necessary to work for L. B. J.

But the problems of any President require skills that good lawyers generally have in abundance; that is, the ability to analyze a problem objectively and the ability to solve it fairly and expeditiously.

Yet for all their skills, lawyers in government have not escaped criticism either. Some people say that the lawyer is trained to react, and only to react, to problems, not to create the new instruments for progress that our people need. Some feel the lawyer is temperamentally unable to say how something can be accomplished, that he too frequently is known to say, "You just can't get there from here."

My experience with lawyers is otherwise. In dealing with civil rights problems, with transportation, with poverty and with education, their legal insight and their foresight have been invaluable to me as President. Lawyers are today supplying a very important creative force to every sector of this nation's policy. I will be glad to testify to that in open court.

Public safety is an area of particular concern to your profession. Past and current presidents of the American Bar Association have had a major part in improving the fairness of our courts and our correctional systems. Many among you contributed to bringing three really landmark programs into being during my first three years in the Presidency:

First was the Criminal Justice Act, providing lawyers to poor defendants in federal courts and giving them the right to competent, concerned counsel.

Second, the Legal Services Program, in the Office of Economic Opportunity. Through local Bars you have provided the manpower and initiative for more than 200 community legal service agencies. They have helped the neediest among our people cope with wrongs that they just had to tolerate before.

Finally, the Bail Reform Act, a reform that exists today because of the partnership of understanding between the private Bar and the Federal Government.

Now you are considering another urgent proposal. I do want you to consider it and consider doing something about it, putting your shoulder to the wheel and helping us while we have time, helping us before it is too late. The proposal is the Safe Streets and Crime Control Act which I sent forward to Congress earlier this year.

We tried to design a flexible program that leaves ultimate responsibility where it belongs, in the local governments, but that also provides the means and the impulse for reform. It provides an incentive for greater efficiency and for greater fairness in the police force, in the courtroom, in the jail and in the reformatory.

In great part this program is based on the conclusions of the national crime commission, for which I am deeply in your debt because several of your most distinguished members took part in the deliberations of that commission. I hope you will help to explain the need for it and the reasons behind it. I hope, too, that you will work to improve the criminal codes in your state—to make them more responsive to the real needs of criminal justice.

Reducing crime is a matter of great urgency for the people of this nation, and for your state, your city, your community and in your own block. We must find better ways to secure their safety—to prevent crime, as well as to punish it—to preserve public order without denying private rights. Finding those ways will require cool heads and understanding hearts. For 200 years that description has fitted the best American lawyers. I believe it still does—I know it still does. I believe that the country will benefit greatly from your work.

I am very, very proud of my country and the contribution that the members of the Bar have made to it during the period I have tried to lead it.

I was reading last night about some of the concerns the American people have. There are many concerns. There are many frustrations. There are worries that we carry with us.

Some have more than others. But uppermost in everyone's mind is how we can have peace in the world. We Americans are not the only ones to make that decision. There are other people who participate in it, too. We are just a small group of 200 million out of 3 billion. We cannot control the other fellow's conduct, as we have found so many times in our history. But we are trying to lead and by precept and example to do what we can to hasten the day when there will be peace throughout the world. If any of you lawyers or any of you thinkers or any of you with logical brains can contribute to it, we will welcome it. We need any suggestion and any help that you can give.

Next to peace, I guess the thing that is troubling our people more than anything else now is crime. I didn't originate it. I am not responsible for it. I didn't start it. There is not a great deal I can do about it. But I am doing everything I know to do. I want to do more. If you have any ideas where the President can with propriety act where he hasn't, I welcome those suggestions.

I am very proud that some of the best legal minds in this nation spend a lot of their vacation time voluntarily working for their country—some of them in the rice paddies of Vietnam, some of them in the slums of our cities and some of them in the national capital. You haven't been slackers. You haven't dodged your President's request. You have always responded. I don't have a great deal of difficulty finding men to become federal judges or appellate judges. I suppose in due time I can even find one for the Supreme Court.

It is not because there is more money in those hills, but it is because of the great propriety in your profession—the great opportunity you have to serve it and to help bring justice to the world. You don't have to wait until you are tapped for a lifetime job at a low salary that has overwork. You can take all of that money you are making now and serve your country, too.

You can serve it by helping us find a way to peace in the world.

You can serve it by leading your community.

You can serve it by giving people the judgment, the balance and the freedom from hysteria that they do need in times like this.

And you can serve it by setting an example—providing the leadership and initiative to help us solve this problem of crime which has crept up on us and which is so monopolizing our attention these days.

There is no one who can do more about those things than the lawyers of this nation. There is no group which, I believe, has become or is becoming more socially conscious and more understanding of their obligations than the members of the Bar.

That is why I came over here today on a rather busy day—to tell you that your President is proud of you and that your nation is better because of you.

The Need for a More Modern System of Military Justice

EXTENSION OF REMARKS

OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 1967

Mr. BENNETT. Mr. Speaker, it has been more than 19 years now since adoption of the Elston Act, and 17 years since adoption of its successor, the Uniform Code of Military Justice, both of which greatly improved this Nation's system of military justice. These measures were the outgrowth of the many bitter complaints made by service personnel who had served in the Armed Forces during World War II and against the manner of administering a system of military justice which had changed little from the time of the Revolutionary War.

Actually, the American War Articles—enacted shortly after the Revolutionary War, in 1806—were borrowed without substantial change from the British Articles of War of 1765, which in turn were almost a literal translation of the Roman articles. Although the 1806 American War Articles have been greatly revised, it should be of interest to note that provisions can still be found in the Uniform Code of Military Justice identical to passages of the British Articles of War of 1765. And—while the Uniform Code of Military Justice has worked well in its short history—a multitude of recent Supreme Court, civil, and military court decisions have already made it outdated. In fact, recently there have been cases of U.S. district courts granting writs of habeas corpus based on the inability of military justice to keep pace with high civilian court rulings.

Throughout the past 15 years there have been many code amendments suggested, some of which have found their way into legislative form; and hearings have been held on proposed amendments in both the House and the Senate. In the U.S. Senate, the committee chaired by the distinguished senior Senator and great former jurist from North Carolina, the Honorable Sam J. Ervin, has for the past 6 years given this matter considerable attention.

The first major revision of the UCMJ was suggested in 1953 when the code committee, composed of the Judge Advocate Generals of the several services, as well as the Ccurt of Military Appeals, proposed 17 changes. Since then the code committee has continued to recommend necessary changes, and has sought enactment of two specific measures I have sponsored in the House. To date, however, only two minor changes in the UCMJ, have been adopted by the Congress.

In the last Congress I was proud to introduce the first truly omnibus military justice proposal since approval of the UCMJ. This bill, which included among its provisions my two earlier bills, was designed to improve the workability and effectiveness of the code, and contained most of the code committee's earlier recommendations. I reintroduced the omnibus bill on the opening day of the 90th Congress as H.R. 226, with some modification; most notably the elimination of certain provisions relating to administrative discharges, since I felt the need for enacting these provisions into law had been remedied by the December 20, 1965, Department of Defense directive on administrative discharges and dismissals.

H.R. 226, the omnibus bill, is divided into four titles.

The provisions of title I make numerous substantive and procedural changes in the Uniform Code of Military Justice. In some cases these provisions would change the form and procedures of the military courts, and in other cases would increase the qualifications or alter the organizational status of military lawyers and members of courts-martial. For example, section 1 of title I would provide that persons who are charged with having committed certain offenses while subject to trial by courts-martial, but who were not tried for such offenses by a court-martial and who are no longer subject to military jurisdiction, may be tried upon indictment in the U.S. district court into which they are first brought, if the offense was committed outside the United States, or in any U.S. district court in which an element of the offense was committed, if the offense was committed within the United States. Persons who have been tried for the offense in a State court, or whose consent would have been needed for trial by court-martial, are not subject to this section.

Generally speaking, Federal criminal statutes were not intended to apply extraterritorially, and to provide an American forum for trial of civilian employees and dependents with the Armed Forces abroad. Congress in 1950 enacted article 2(11) of the Uniform Code of Military Justice. Thereafter, the provisions of article 2(11) were held unconstitutional by the U.S. Supreme Court, and today there is no American court, military or civil, that has jurisdiction to try American dependents or civilian employees for serious crimes committed abroad. Since the Supreme Court has held that the forum provided cannot be a court-martial, the only logical remaining place for trial is the Federal district courts.

Other sections of title I would require each military service to establish a field, or trial, judiciary system, staffed with experienced legal officers, assigned and responsible directly to the Judge Advocate General of their service, who would perform primarily duties of a judicial nature, and would change the present title of "law officer" to that of "military judge," thereby enhancing the impartiality and competence of law officers who preside over courts-martial. These provisions will insulate law officers from command influence, and assure the accused serviceman of due process, fairness, and impartiality in his trial. Title I also resolves the continuing problem of command influence on courts-martial by broadening the prohibition of such influence in article 37, the urgency for which was indicated just a few days ago by the decision of the U.S. Court of Military Appeals in the case of United States against Wright. Title I also provides additional rules for obtaining witnesses and other evidence for trial. Other sections of title I provide for creating single-officer general and special courts-martial in those cases where the accused waives trial by the military equivalent of a jury; guarantee accused persons an opportunity to be represented in special courts-martial by legally trained counsel where a bad conduct discharge may be awarded; establish pretrial procedures in courts-martial to expedite the judicial proceedings and resolve prejudicial issues prior to trial; seek to encourage the use of nonjudicial punishment in lieu of the summary court-martial; rename and enhance the stature of military review boards by emphasizing their judicial role as guardians of the rights of military personnel; lengthen by 1 year the period during which a petition for a new trial may be made; and make other necessary procedural changes in the Uniform Code of Military Justice.

Title II of the bill would provide that any person serving with, employed by, or accompanying the Armed Forces outside the United States, who commits a crime specified in the Uniform Code of Military Justice, shall be tried in the U.S. district court where found or first brought. The statute of limitations for noncapital crimes would be 3 years, with the maximum sentences being those authorized for the same offense under the UCMJ.

Soon after World War II several incidents of serious crimes by former military personnel were discovered, but the perpetrators of these crimes were determined to be immune from trial because they were no longer subject to court-martial or American civil court jurisdiction. To remedy this the Congress enacted article 3 of the Uniform Code of Military Justice.

The need for enacting the provisions of title II is brought about by the Supreme Court's decision in the now famous case of Toth against Quarles, where the Court held courts-martial jurisdiction over ex-servicemen, as provided for in article 3 of the UCMJ was unconstitutional. However, the Court did not preclude authorization of jurisdiction to the Federal district courts, and the provisions of title II would permit trial to take place in an American tribunal, where every constitutional safeguard would be guaranteed. In those cases where the alleged crime occurred abroad, the necessity of delivering or extraditing the accused for trial would be considerably less, since an American court would also have jurisdiction to try the accused for the same misconduct.

Title III would consolidate the three separate service boards for correction of military records into a single full-time civilian staffed board, with authority to correct any military record, including authority to correct the findings and sentence of courts-martial not reviewed by a board of review. Presently, the separate boards may only recommend corrective action with respect to findings and sentences of a court-martial, they are staffed by part-time members, and are frequently characterized by a lack of uniformity in the application of governing statutes and departmental directives. A unified correction board, empowered to set aside, modify, or expunge the findings or sentence of a court-martial would provide more competent, uniform, and effective review of the records of trial by court-martial.

Title IV would create a Judge Advocate General's Corps for the Navy. Under current Navy practice officers with legal training, and performing law specialist duties, are placed in the restricted line, special duty category. Thus, legal officers must presently be line officers as well, and the provisions of title IV would afford the Navy lawyer greater independence and encourage more lawyers of the highest ability to choose the Navy as a career.

In speaking of the separate Navy Judge Advocate General's Corps proposal, Admiral Mott, who recently retired as Judge Advocate General of the Navy said:

> I think a Judge Advocate General's Corps will make it easier to recruit lawyers, it will be easier to retain them, and we will be able to give our client, the Navy, better service.

Adm. Wilfred Hearn, the present Judge Advocate General of the Navy, is a strong supporter of establishing a separate Navy Judge Advocate General's Corps.

Mr. Speaker, I believe the enactment of H.R. 226 into law would result in major improvement in the quality and administration of military justice, and will greatly enhance the rights and protections afforded to servicemen. With 3.4 million men and women presently in uniform, and over 400,000 of them engaged in combat with enemies of the United States, it is of national importance that the Congress extend to these patriotic Americans the same basic rights they are now defending.

Why Young People Resist the Errors of Their Elders

EXTENSION OF REMARKS

OF

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 1967

Mr. GERALD R. FORD. Mr. Speaker, our distingiushed colleague, the gentleman from New York [Mr. GOODELL] delivered the July 4 opening day address for the the 1967 season of Chautauqua Institution, located in his congressional district.

His comments raised the question "Why Young People Resist the Errors of Their Elders." His views are worthy of note by all of us and I am pleased to insert them at this point in the RECORD:

WHY YOUNG PEOPLE RESIST THE ERRORS OF THEIR ELDERS

(By Hon. CHARLES E. GOODELL, of New York)

I want to thank all the people of Chautauqua for their hospitality the last five days. This is the first time in all the years in my attendance at Chautauqua that I have taken the opportunity to stay over night, and as I said a few minutes ago to some friends, "You can't really get the feeling of Chautauqua—I am convinced—without being here all day enjoying its opportunity." I must say one of the more difficult aspects of the last few days has been the constant chant of the children that we must not leave, and I am sure that this will guarantee that we will return.

I chose this topic because of the context of our times—unrest, riots, disillusionment, bitterness, divisions in our ranks.

In mid-June, a small group of men met in one of our greatest cities. They were concerned about the long-hot summer ahead. They themselves were responsible men. They were angry—angry about injustices. There had been rioting, property damage, personal injuries. These were leaders of opinion, and yet guns and ammunition were handed out at this meeting. A major topic of their discussion was civil rights, and they decided that violence was the only way to promote their end. One man after that meeting strolled through the slums of the city. He returned to his hotel room and began to write these words: "When in the course of human events, it becomes necessary. . . ." That was the context then, one hundred and ninety-one years ago, when Thomas Jefferson, in behalf of a committee, began to write the Declaration of Independence.

I could not, in this year 1967, come before you and deliver words of hollow patriotism, discussing emotional issues without substance—the substance that I feel and I trust you must feel—with the problems that close in upon us. I believe in patriotism. I am among those who feel a little extra coarsing of the blood and tears in my eyes when I stand for the National Anthem, when I view the symbol of our country, the flag, and listen to "God Bless America" being rendered. I even enjoy it when I sing it myself!

But we meet today at a time when, without overstating it, I think we can say the confluence of events—people—inertial forces of history—are carrying us almost helplessly along a course that could be disastrous.

On the Fourth of July, I like to revel in the fact of the potential greatness of our country for the future. I like to revel in the greatness of our past. Recently, I visited Brazil and some other South American countries. It is interesting to note that Brazil was founded before this country; has comparable resources; is larger in size than this country, excepting Alaska. And yet, it is a developing nation in 1967, and we are the leaders of the free world. Something happened in this confluence of events, people and inertial forces of history that made us destined to be the leaders.

I chose the title, "Why Young People Resist the Errors of Their Elders," first of all, because obviously for time immemorial young people have resisted the errors of their elders. I am not speaking of adolescence or childhood. I am speaking of the young adults who want a new way, a new course. There are more than 80 million Americans today who are under 19 years of age. The future is theirs. Young people always are more concerned about the future. Young people come upon us in waves each year—over the top—out of school, and they, for a few brief moments at least have a new view—undistorted by the wisdom of experience. It is not always, obviously, the right view. In this year 1967, there is a little bit more involved. There are new dimensions to the problems young people are resisting. There are new dimensions to the errors of their elders.

I think young people have a sense of the contradictions and injustices, as you and I did, but the new dimensions involve affluence amidst poverty; the cipherdom, if you will, of individuals in our society; the incubus of potential total disaster which rides with us day and night; the inexorable movement of forces that makes all of us feel helpless, particularly the young. I know that they don't always articulate this, and I hesitate to try to characterize young people as a group, as I would hesitate to characterize this group here today, or the American population as a whole. And yet there are some generalities that apply.

Let me make it clear that I don't talk about the generational revolt simply in terms of the raucous, slovenly, rootless hippies, if you will. They are a surface eruption—pimples on the skin of young society. Perhaps at times pustular enough to be boils or carbuncles, but nothing more. And yet they are a visible indication of a sense of unease—of unrest among our young people.

The Wall Street Journal recently carried an article on the subject of what's going on in the United States, particularly among young people. Whether you call it "pop" or "op" or "psychedelic"—"drug drunk hippies"—whether it is LSD or the new magic formula STP (somebody translated this serenity, tranquility and peace), the new drug does not last just 12 hours, it gives you a full weekend on top of the world; the Wall Street Journal said: "Whatever you call it, its distinctive feature is 'mindlessness'." It chose one word to characterize our age: The Wall Street Journal used "vulgarity". The Wall Street Journal also pointed out one aspect—high fashion—which it said had grown sexless. It pointed out that high fashion, like art, is an index of society's frame of mind. I quote the Wall Street Journal: "While gowns have seen many a quirk over the generations, and are capable of being abruptly changed tomorrow, the remarkably ugly mechanistic things being designed for women today must rate some kind of award for crudity." Apparently though, the Wall Street Journal's one distress with today's high fashion is that it lacks the redeeming feature of being sexful, with which I differ.

There are new dimensions and contradictions in society today. The pace of change has accelerated. From Adam to Eisenhower, the entire fund of human knowledge accumulated has been doubled in the last ten years. We have doubled the fund of human knowledge as accumulated from Adam to Eisenhower.

Affluence is taken for granted by our young people. It would appear the whole economic motive that has driven this country to heights of greatness may be outmoded. Many of our young people consider the economic motive to be immoral and irrelevant. When you consider that fifteen years from now—1982—20% of our people working will be able to produce all the material goods that our society can consume, you must begin to wonder whether the economic motive can continue to be the controlling and driving force of our society.

Our young people are concerned about somebody like Colonel Nasser possibly getting his hands on nuclear weapons. Do you blame them? They are concerned about credibility—not just the credibility gap between the people and their government, but the credibility gap between people and commercial advertising. The credibility gap between people and those who manipulate the imagery of our age. It goes beyond politics. They are concerned about pat answers, "untalk", as they call it, or "hontalk", about basic issues. I am sure many of them sense an injustice, as I do, in the fact that a young boy can be picked up for an auto theft and get a greater punishment than a Bobby Baker, who steals millions, or a Senator Dodd. They are disturbed with all of these indications of corruptness among a few, but corruptness none the less, in high places. They are disturbed that Congress still balks at adopting a Code of Ethics.

I am sure they are concerned about crime. They are involved in crime. It is a shocking fact that the most serious crimes—the seven most serious crimes listed by the FBI—are committed by the young. Do you know what age group commits the most serious crimes per year in this country? The fifteen-year olds! And a close second, the sixteen-year olds! They must be concerned about the matrix of crime, the matrix of permissiveness in our society. Injustice, yes, that causes some crime—the juxtaposition of poverty and affluence, yes, that causes some crime—and certainly we must not leave out the sociological theories to the effect that crime is society's fault. The sociological theories that dehumanize and de-individualize criminal behavior. It is not the individual who commits the crime, it is society, they say. What can we expect from young people brought up with that concept?

And I am sure today the young people are resisting the errors of religion. I speak with deep sincerity and sadness on this subject. The eternal verities are still there, and stand firmly, but our religious institutions have not found the means to apply them in a sensible and meaningful way for our young people—as a matter of fact—for our general population. We find religious leaders stumbling into politics, into legislative issues—when they do not even understand and cope effectively with the problems in their own immediate bailiwick—their own immediate responsibilities—the moral problems of our age, the dehumanizing of our people.

Certainly our youth are upset about Vietnam, and I could spend the afternoon discussing this. But how do you explain to young people that they are going to be called upon to fight ten, twelve thousand miles away for their country—the most powerful country in the world, against a nation of 15 million people—and asked to kill and maim? How can you explain to these young people that this is the destiny of our nation? Let me hasten to add that we are in Vietnam, and I am not about to try to solve this problem here this afternoon, but I do not want to leave the impression that I would advocate that we get out of Vietnam, to cut and run. None the less, the complexities, the emotional and intellectual validity of our Vietnamese posture, account for a great deal of uneasiness and confusion among our people.

Civil rights leaders: If I don't leave any other impression here today, let me point out the tragedy of the civil rights movement. Today, the civil rights movement is desperately in need of real leadership—responsible leadership. Leadership that inspires excellence in its people, instead of inspiring them to rally to get part of the loot, to get their so-called "share."

And our young people are aware of other things. Social Security which is not insurance. They know it is a tax system. They are going to pay for it. They will work until they are 44 to pay the taxes necessary for their retirement, and then from 44 until 65 they are paying for other people. Now, they don't resist this; I do not mean to imply this for a minute. And yet, they think there must be something wrong with an insurance system that gives them that kind of return. A so-called insurance system, Social Security, that freezes people into poverty. You cannot continue to receive Social Security benefits and earn enough money, on the average, to escape from poverty in this country above the accepted guideline of $3,000 a year.

They are concerned about a government that avoids direct taxes and imposes each year on the average a 3% sales tax on all its people, hurting the most those who are retired and those who are poor. The 3% sales *tax, of course, is not called a sales tax* and is not enacted by a legislature. It is called inflation, and it is automatic. You pay it in increased prices, but it has exactly the same effect on all of us as if Congress assembled at the call of the President and enacted a 3% sales tax.

The young are concerned about our economic machine. You know, it is an irony of history that Marx predicted capitalism contained the seeds of its own destruction, and would fall of its own weight. Marx was wrong. Capitalism may fall, not because of its inefficiency, not because it exploits the *people, (the "proletariat" in Marx' terms),* but because of capitalism's efficiency and competence. There is a danger here. Are we embracing expansion for expansion's sake? Are we so concerned about Mega-enterprise, as it has been termed recently—big business expansion—that we are losing sight of the importance of human development—that we *have lost control of these major forces in* our society: big government, big labor, big universities, big business? It is a question that is asked by the young people today. They do not accept the truism, if you will, that private enterprise and big business are necessarily good for our people.

And how do we explain the errors of our elders in setting up the welfare system in its present form which dehumanizes, destroys all initiative, promotes resignation among its beneficiaries? These are serious questions.

Recently, I engaged in a panel discussion with a lady who was chairman of a County Board of Supervisors. She said that a few days before, the telephone in her house had rung. Her husband answered, and it was one of her old swains of twenty years ago. They had a little conversation—the husband and her old boyfriend—and the boyfriend said: "Has Gladys retained that lovely figure she used to have?" The husband immediately responded, "Oh yes, she has not only retained it, she has more than doubled it." That is the way a person in public life feels today about our problems. They are more than doubling, despite our efforts.

They tell the story of Pericles, listening to one of his students, when Pericles was in his eighties. He finally stopped the student and he said. "Alcibiades, you sound just like I did when I was young." Whereupon Alcibiades said, "Oh, Pericles, how I wish I had known you when you were at your best." And then, there is the story of the minister's daughter whose mother came upon her drawing on a piece of paper. The mother said: "What are you doing, Dorothy?" She said: "I am drawing a picture of God." The mother said: "Oh Dorothy, nobody knows what God looks like." Dorothy replied, "They will, when I am finished." This is the confidence of youth. This is their feeling that they can bring new approaches and new answers to meet our problems.

Somebody said the other day, "If we are not careful, we may be creating The Empty Society. A society that is empty of the human values involving individual responsibilities." We as a people in this country put 133 million tons of pollutants into the air every year—one hundred thirty-three million tons. Our metropolitan areas are choking in traffic, choking on the air and the filth, struggling with the slums and the crime, the riots and the corruption.

A Peace Corps enrollee returned this spring and went back to his suburban family. When he came to visit me he said: "I can't stand it . . . the emptiness, the lack of reality in that life." Is this what we are creating in our country? A country that now has to spend $26 billion a year fighting crime? Where it is estimated that $50 billion in profits goes to organized crime a year? And when those people tell me that it is society's fault that we have so much crime, I ask them a question that they have yet to answer to me persuasively. Why, if crime comes *only from slums and poverty and human suffering*, why do we have so much more crime per capita today than we had in the depths of the depression, when people were really poor and suffering in this country? There is no easy answer.

I have recited a number of things that I believe are wrong in our society. This is not a full listing, obviously, and it is not a balanced listing. It's an unusual thing to do on the Fourth of July, our Independence Day, when we should swell with pride in our accomplishments. I say that time and history are running too fast for us to be obsessed *with self-satisfied, self-glorifying statements.* We have a critical era ahead of us. Arthur Kessler once likened a social circumstance to an explosion. He said: "A process, which once past a critical limit, shows this type of catastrophic acceleration, in physics, is an explosion." And he went on to say that if a dispassionate observer observed us today, he *would feel that civilization is on the verge* of explosion. We talk about explosions in crime and population, explosions of automobiles on clogged highways—explosions of problems. All of these things beset us. Ogden Nash wrote some verse about the ungainly diving bird of the Northern Seas, whose wings regressed to the point where it could not fly anymore, known as the Auk. Nash said: "Consider the Auk, becoming extinct because he forgot to fly and could only walk; Consider man, who may well become extinct, because he forgot how to walk and learned how to fly before he thinked."

I chose the topic "Why Do Young People Resist the Errors of Their Elders", because it is important that we recognize those errors ourselves, and encourage the young to resist them, to bring new insights and new innovative approaches to reversing those errors. Our problems, as a society, abound. We must face them squarely and move forward.

Thomas Jefferson had a great message for the downtrodden of his age. His message was not violent revolution but change—constant change. Change that is reasoned, that is understanding, but, where necessary, change that will even overthrow the powers that be in government. Interestingly enough, today we have so lost sight of our heritage in this country that we shy away from Jeffersonian revolution throughout the world. The greatest appeal this country has in the developing areas of the world is our heritage—that we were willing to stand up as a people and fight for justice and the downtrodden—that we stood up for the unalienable rights of life, liberty and the pursuit of happiness. Those words ring with meaning to the average Latin American, for instance. And yet, within the last few months, in discussing this with one of our AID administrators in Latin America, I looked at a booklet he had written on United States policy, and on the Declaration of Independence. There was not a single word about Jeffersonian revolution. I asked him why. His answer, "Oh, that's what we are against." That is *not* what we are against. That is what we must be for, if we are to survive in a world that is compressed so small that problems ten thousand miles away become our immediate problems.

John Stuart Mill, some years ago, observed optimistically: "The despotism of custom is on the wane. We are not content to know that things *are*. We ask whether they *ought to be*." John Stuart Mill—We ask whether they ought to be—we are not content to know that things are.

The human being is supposed to be the only animal that laughs and weeps, because the human being is the only animal struck by the difference between the way things are, and the way things ought to be. That is basically the source of humor and the source of sorrow.

A philosopher recently said: "A nation's greatness resides not in her material resources, but in her faith, will, intelligence and moral forces." Herbert Hoover put it this way: "Our purpose is to build in this nation a human society, not an economic system."

It is our challenge. A challenge that is crucial for our young people—that we find ways of channeling the great economic machine that we have to human purposes—beyond the purpose of providing for our material wherewithall. The genius of our economic system *can* be harnessed and *can* be transferred to human ends.

The essence of religion is that a man is isolated with his God. It is one-way private line with God. Party lines do not do any good. This is the essence of individual responsibility. It is the essence of our faith that human beings are not automatons.

Today, the most critical challenge is to contain the forces of bigness in our society—big government, big business, big labor, big everything—to contain them so they do no longer dehumanize our people.

I call upon you, young people of all ages: Resist the errors of our past. Build on the foundation of our triumphs of the past. We can and will direct the tremendous fund of human knowledge that has doubled in the last ten years to the creation of a *truly humane society*. This is the kind of declaration of independence I believe is necessary for our country today.

May I conclude in the incandescent words of the Declaration of Independence of 191 years ago: "for the support of this Declaration, with a firm reliance on the protection of divine providence, we mutually pledge to each other, our lives, our fortunes, our sacred honor."

Thank you.